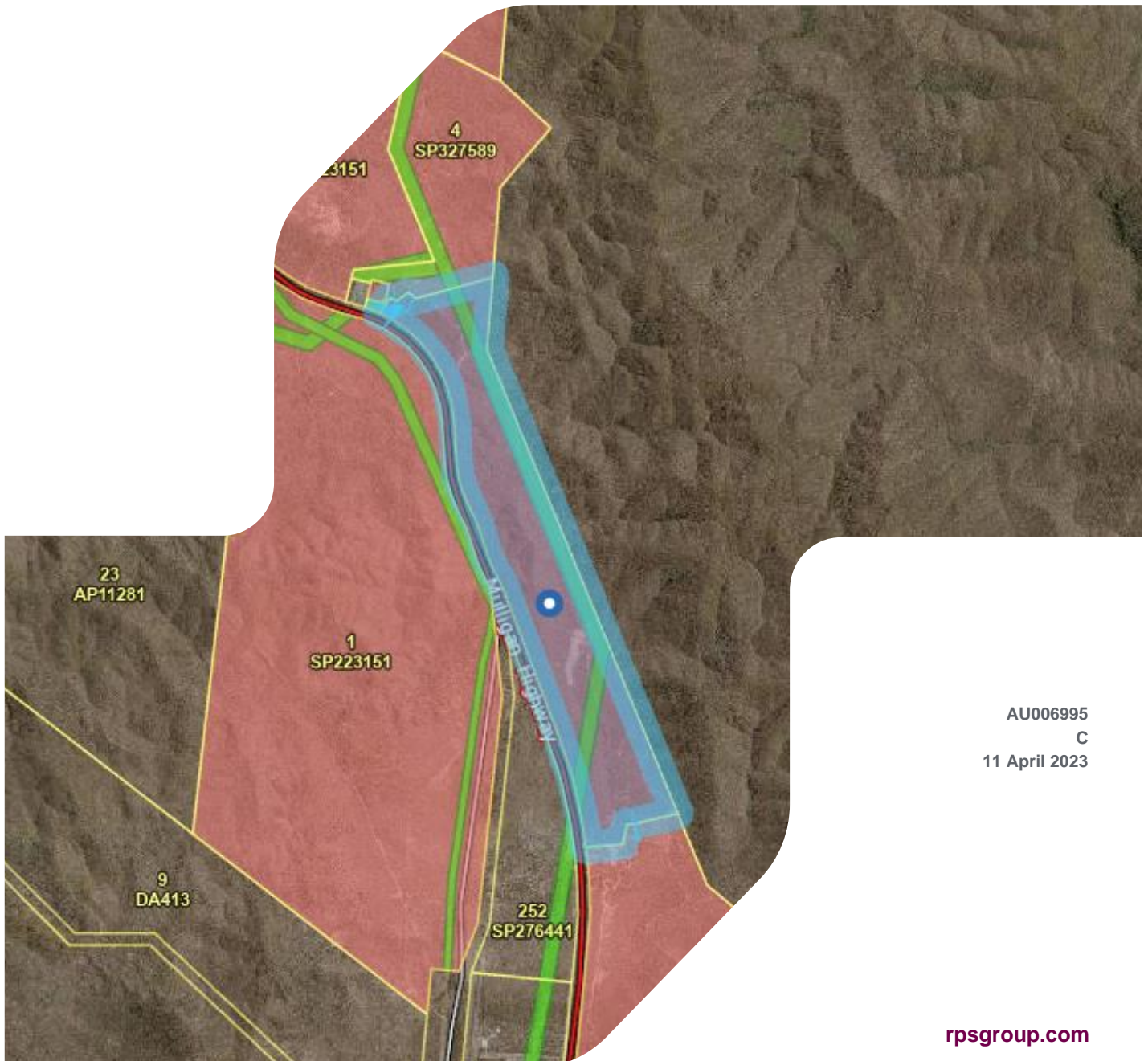


3278 MULLIGAN HIGHWAY, MOUNT MOLLOY, MATERIAL CHANGE OF USE (LOW IMPACT INDUSTRY – TRANSPORTED AND TRANSPORTABLE BUILDINGS AND STRUCTURES STORAGE)

Town Planning Report



AU006995
C
11 April 2023

REPORT

Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
A	Client Review	P Clifton	S Devaney	P Clifton	10/11/2022
B	Submission 22A	P Clifton	P Clifton	P Clifton	21/11/2022
C	Submission Final	P Clifton	P Clifton	P Clifton	11/4/2023

Approval for issue

Patrick Clifton



11 April 2023

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SUMMARY

Table 1: Summary

Details			
Site Address:	3278 Mulligan Highway, Mount Molloy		
Real Property Description:	Lot 3 on SP327589		
Site Area:	109.7 hectares		
Regional Plan Land Use Designation:	Regional Landscape and Rural Production Area		
Zone:	Rural Zone		
Owner(s):	Anton Demolitions Pty Ltd		
Proposal			
Brief Description/ Purpose of Proposal	Low Impact Industry (Transported and Transportable Buildings and Structure Storage)		
Application Details			
Aspect of Development	Preliminary approval	Development permit	
Material change of use	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	
Assessment Category	<input type="checkbox"/> Code	<input checked="" type="checkbox"/> Impact	
Public Notification	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes: 15 BD	
Superseded Planning Scheme Application	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Referral Agencies			
Agency	Concurrence	Advice	Pre-lodgement response
Sate Assessment and Referral Agency	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Pre-lodgement / Consultation			
Entity		Date	Contact Name
Council DA Team	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	20 October 2022	Carl Ewin
Local Councillor	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Community	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Other			
Applicant contact person	Patrick Clifton Senior Principal Planner D: +61 7 40 311 336 E: Patrick.clifton@rpsgroup.com.au		

1 INTRODUCTION

RPS has been engaged by Anton Demolitions Pty Ltd to seek development approval for establishment of a Low Impact Industry (Transported and Transportable Buildings and Structure Storage) on land at 3278 Mulligan Highway, Mount Molloy, and described as Lot 3 on SP327589..

This development application seeks:

- Development Permit for a Material Change of Use for a Low impact Industry (Transported and Transportable Buildings and Structure Storage)

The site is an irregular shaped site with an area of 109.7 hectares and with frontage to the Mulligan Highway of in the order of 3 kilometres. The site is predominantly covered in sparse vegetation and sits on the western side of the Great Dividing Range. The site is currently improved by a concrete recycling yard, with the set down area located in the southern part of the site and adjacent the southern boundary and the recycling yard located to the north.

In association with the existing use on the site it is proposed to use to the set down area for the storage of transported and transportable buildings and structures either in part or in entirety. The buildings and structures would be temporarily stored on the site awaiting sale and subsequent relocation to their final destination.

Under the Mareeba Shire Council Planning Scheme, the subject site has the following designations/classifications:

- Zone – Rural Zone;
- Overlays:
 - Bushfire Hazard Overlay;
 - Environmental Significance- Waterways;
 - Environmental Significance;
 - Hill and Slope Area; and
 - Regional Infrastructure Corridors and Substations.

This report provides greater detail on the nature of the proposal and provides an assessment of the proposal against the intents and code requirements of relevant statutory planning documents.

Based on this assessment the proposal is recommended for approval subject to reasonable and relevant conditions.

2 SITE DETAILS

2.1 Site Particulars

The subject site is located at 3278 Mulligan Highway, Mount Molloy and is formally described as Lot 3 on SP327589. The site is an irregular shaped site with an area of 109.7 hectares and with frontage to the Mulligan Highway to the west of in the order of 3 kilometres. The site is predominantly covered in sparse vegetation and sits on the western side of the Great Dividing Range and is approximately 3.0 kilometres to the south of Mount Molloy. The site is currently improved by a concrete recycling yard, with the set down area and compound located in the southern part of the site and adjacent the southern boundary and the recycling yard located to the north. An electricity easement traverses the site from the north to the south and is registered in favour of Ergon.

To the south the site adjoins land that has been developed for the purpose of a special industry that modifies the by-products of sugar cane into feed for animals and other products, including fertiliser. To the west, on the other side of the Mulligan Highway are large parcels of vacant land that are predominantly used for the grazing of cattle. To the north the site adjoins a significant electricity transformer.

Key details of the subject site are as follows:

Table 2: Site Particulars

Site Particulars	
Site Address	3278 Mulligan Highway, Mount Molloy
Real Property Description	Lot 33 on SP327589
Site Area	109.7 hectares
Landowner(s)	Anton Demolitions Pty Ltd

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

Certificate/s of title confirming site ownership details are included at **Appendix B**.

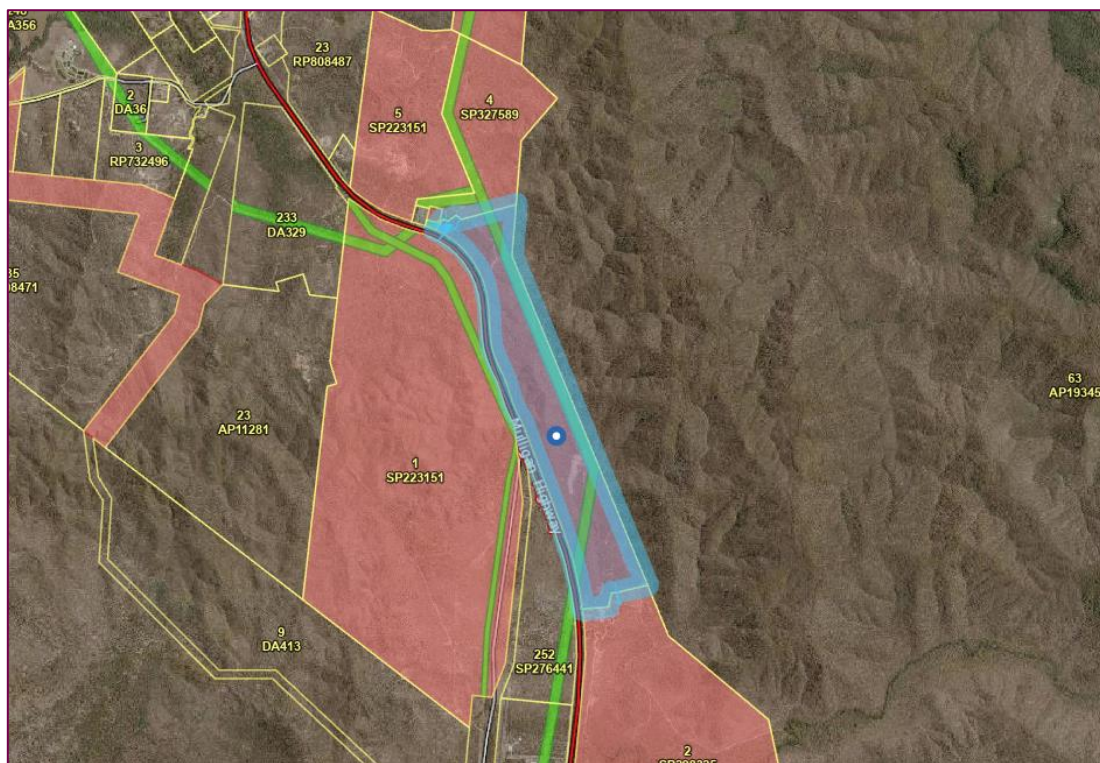


Figure 1 Site Location

Source: Queensland Globe

2.2 Planning Context

The planning context of the site includes the following:

Table 3: Planning Context

Instrument	Designation
State Planning Policy	
Economic Growth	Stock Route Network
Environment and Heritage	MSES - Regulated vegetation (intersecting a watercourse)
Safety and Resilience to Hazards	Bushfire prone area: <ul style="list-style-type: none"> • Very High Potential Bushfire Intensity; • High Potential Bushfire Intensity; • Medium Potential Bushfire Intensity; • Potential Impact Buffer.
Infrastructure	<ul style="list-style-type: none"> • Major electricity infrastructure (Ergon); • State-controlled road.
State Development Assessment Mapping System	
Fish Habitat Areas	Queensland waterways for waterway barrier works – Low.
Water Resources	Water Resource Planning Area Boundaries
Native Vegetation Clearing	<ul style="list-style-type: none"> • Category B on the regulated vegetation management map that is a least concern regional ecosystem; and, • Category X on the regulated vegetation management map.
State Transport	<ul style="list-style-type: none"> • Area within 25m of a State-controlled road.
Far North Queensland Regional Plan 2009-2031	
Regional Plan designation	Regional Landscape and Rural Production Area
Mareeba Shire Council Planning Scheme July 2016	
Strategic framework designation	<ul style="list-style-type: none"> • Rural Area; • Conservation Area; • Ecological Corridor; and, • Major Electrical Infrastructure.
Zoning	Rural Zone
Overlays	<ul style="list-style-type: none"> • Bushfire Hazard Overlay: <ul style="list-style-type: none"> ○ Very High Potential Bushfire Intensity; ○ High Potential Bushfire Intensity; ○ Medium Potential Bushfire Intensity; ○ Potential Impact Buffer (100 Metres); • Environmental Significance- Waterways- Waterway 100 metre buffer; • Environmental Significance: <ul style="list-style-type: none"> ○ Ecological Corridor; and, ○ Regulated Vegetation. • Hill and Slope Area; and • Regional Infrastructure Corridors and Substations.

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

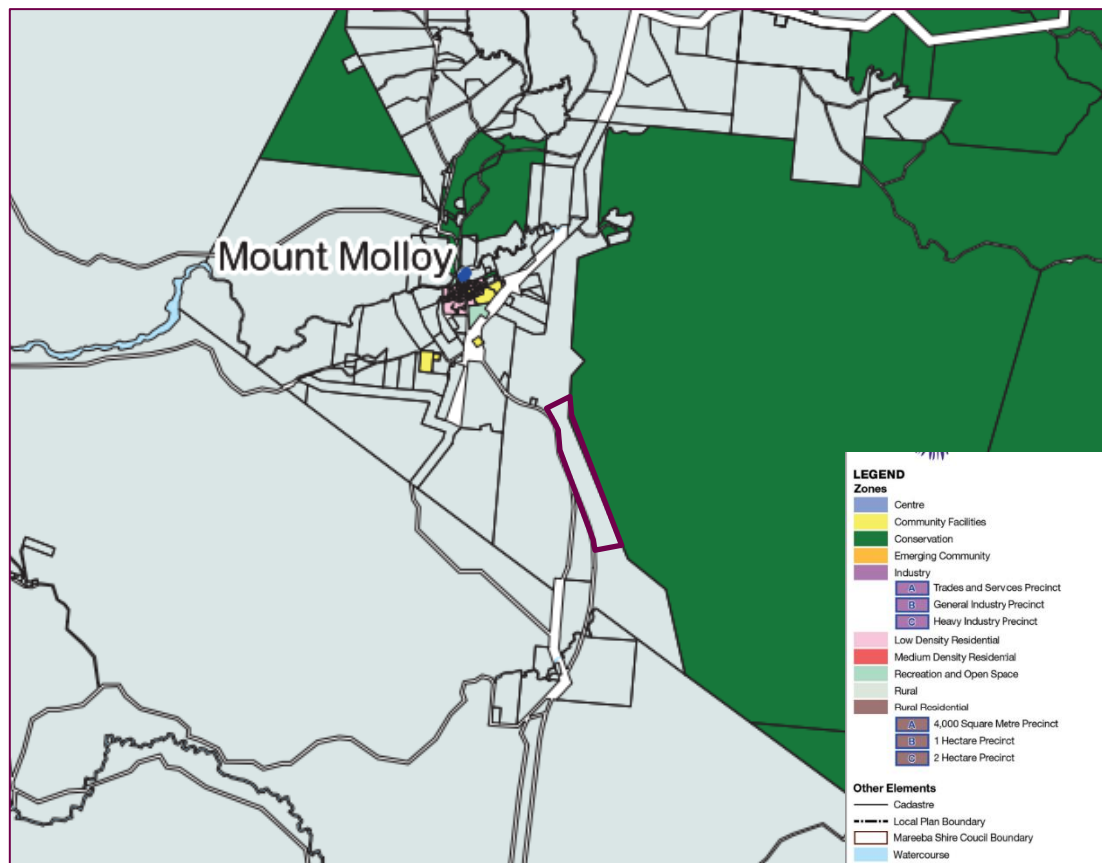


Figure 2 Zoning

Source: Mareeba Shire Council Planning Scheme 2016

2.3 Previous Approvals

The following existing approvals over the site are relevant to this development application.

Table 4: Relevant Approvals

Reference	Approval detail	Date
RAL/21/0009	Development Permit for Reconfiguring a Lot (Boundary Realignment)	8 July 2021
MCU/19/0009	Development Permit for Material Change of Use High Impact Industry (Concrete Recycling Yard)	23 September 2019

Copies of the approvals are included at **Appendix C**.

3 PROPOSAL

3.1 Overview

In association with the existing concrete recycling on the site, it is proposed to use the existing set down area for the storage of transported and transportable buildings and structures pending their dispatch to their final destination.

Anton Demolitions are often engaged to demolish 'Old Queenslander' dwelling houses and other buildings and structures on development sites in Cairns and surrounding areas. Some of these dwellings and buildings are considered to be an important part of the Far North Queensland history and their demolition results in the permanent loss of part of the Far North Queensland history. Rather than demolishing the buildings and structures and dismantling them, the applicant has identified the opportunity to recycle and preserve these buildings and structures. The intent is that rather than demolishing them, they are separated into transportable parts that can readily be relocated by articulated vehicle. They would then be transported to the subject site and stored in the existing concrete laydown area.

Whilst being stored they would be accessible by builders and engineers to allow for the measuring of the buildings and structures so that footings can be constructed at the final destination. Once the footings have been constructed the buildings and structures would be moved to their final destination and restored/converted to their final use.

It is anticipated that the level of traffic movements would not be significant and may result in an additional four traffic movements per month above the existing use on the site.

No additional buildings or other infrastructure is required to be provided on site to facilitate the development with access being provided from the existing access from the Mulligan Highway.

Figure 4 below identifies the existing lay down area and the proposed area for storage of the transported and transportable buildings and structures..



Figure 3 Proposed Storage Area

Source: Queensland Globe

A separate proposal plan is attached at **Appendix D**.

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
Development Permit for Material Change of Use – Low Impact Industry	Mareeba Shire Planning Scheme 2016 Table 5.5.9 Rural Zone	Impact Assessable

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
10.3.4.3	Material change of use where clearing native vegetation	SARA, DSDMIP
10.9.2.2	Material change of use near a substation site or subject to an electricity easement	Ergon
10.9.4.2.4	Material change of use near a State transport corridor or a future State transport corridor	SARA, DSDMIP

4.3 Public Notification

This application requires public notification as it is subject to Impact Assessment. The public notification involves the notification of the adjoining landowners, the public notice placed on the land and the public notice in the newspaper. The application would then be available for members of the public to make representation for a period of 15 business days. Properly made representations received during the public notification period are required to be considered by Council, as the Assessment Manager, in the determination of the application.

5 STATUTORY PLANNING ASSESSMENT

5.1 Overview

This section assesses the application against relevant assessment benchmarks.

As the application is subject to impact assessment, the assessment benchmarks, and the matters the assessment manager must have regard to, are those identified in section 45(5) of the *Planning Act 2016* and sections 30 and 31 of the *Planning Regulation 2017*.

5.2 State and Regional Assessment Benchmarks

5.2.1 Vegetation Clearing and Section 22A Relevant Purpose Determination

A review of the State Development Assessment Mapping System (DAMS) indicates that the site is covered by Category B Regulated Vegetation that is a least concern regional ecosystem.

A copy of the DAMS mapping is attached at **Appendix E** and a copy of the Vegetation Management Report is attached at **Appendix F**.

The purpose of the vegetation clearing is to provide a cleared storage area to be used as a setdown area associated with the existing concrete recycling use on the site and to provide a cleared storage area for the transported and transportable buildings and structures. The clearing of the vegetation is required to provide a suitable firebreak between the stored houses and the potentially hazardous vegetation.

Schedule 21 of the *Planning Regulation 2017* identifies vegetation clearing that does not require approval and is exempt vegetation clearing. The proposed works conceptually involve an approximate footprint of 9,000m², with approximately 3,300m² being able to be cleared as accepted development being vegetation located within 10 metres of an existing fence or access. The location of the proposed development is depicted in the Proposal Plans, provided for reference as **Appendix D**.

Given that the clearing of vegetation is assessable development, prior to being able to submit an application for Material Change of Use, pursuant to Schedule 10, Part 3 of the *Planning Regulation 2017*, the applicant sought a section 22A, relevant purpose determination from the Department of Resources. The proposal is identified as being associated with a relevant infrastructure activity in accordance with 22A (2) (d) of the *Vegetation Management Act 1999*.

A copy of the relevant purpose determination is attached at **Appendix G**

5.2.2 State Planning Policy

The *Planning Regulation 2017* at Section 30(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 Planning Scheme appropriately integrates the State Planning Policy insofar as it relates to the Planning Scheme area. On this basis, no further assessment of the State Planning Policy is required.

5.2.3 Regional Plan

The *Planning Regulation 2017* at Section 30(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 in the planning scheme 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.

5.2.4 Development Assessment under Schedule 10 (SDAP)

Schedule 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
10.3.4.3	Clearing native vegetation Material change of use that is assessable development under a local categorising instrument	State code 16 – Native vegetation clearing
10.9.2.2	Infrastructure-related referrals Material change of use of premises near a substation site or subject to an easement	(No State Code)
10.9.4.2.4	Infrastructure-related referrals Material change of use of premises near a State transport corridor or that is a future State transport corridor	State code 1 – Development in a state-controlled road environment

A response to the State Codes is included in **Appendix H**

5.3 Local Authority Assessment Benchmarks

This application is to be assessed against *Mareeba Shire Planning Scheme*. The assessment benchmarks applicable under the Planning Scheme are addressed below.

5.3.1 Strategic Framework

As the application is subject to Impact Assessment, in determining the application, the Council is required to have regard to the whole of the Planning Scheme, including the Strategic Framework. Relevant to the determination of the current application is section 3.3 Settlement pattern and built environment, 3.4 Natural resources and environment and 3.6 Transport and Infrastructure.

Settlement Pattern element 3.3.11 relates to Rural Areas and provides the following specific outcomes sought by the Strategic Framework:

5.3.1.1 Specific outcomes

- (1) *Rural areas include rural activities and land uses of varying scale, consistent with surrounding land use, character and site conditions.*
- (2) *Land in rural areas is maintained in economically viable lot sizes, ensuring that regional landscape and rural production values are not compromised by fragmentation, alienation or incompatible land uses.*
- (3) *Tourism, rural industry, intensive animal industries and outdoor recreation facilities are developed in the rural area in a way which:*
 - (a) *does not impede or conflict with agricultural activities and production; and*
 - (b) *does not compromise rural character and scenic qualities; and*
 - (c) *does not adversely impact on ecological and biodiversity values.*
- (4) *Other rural areas will be largely maintained in their current configuration, only being subdivided where viable holdings are achieved and the infrastructure base of rural operations including workers accommodation, airstrips and farm infrastructure is provided.*

- (5) *Rural lifestyle, tourism, outdoor recreation, horticultural activities and natural bushland uses may be considered in other rural areas where appropriately located, serviced and otherwise consistent with the Strategic Framework.*
- (6) *Agricultural areas will be retained in viable holdings and not fragmented or compromised by unsuitable development. Uses and development within this precinct will not cause land use conflicts with primary production or will ensure these conflicts are mitigated.*
- (7) *Rural areas preserve lands for future uses beyond the life of the planning scheme.*
- (8) *Historical townships located in rural areas are generally cadastral anomalies. Historical townships are generally below current infrastructure standards in respect to roads, stormwater drainage, water and sewerage infrastructure and are not intended to be developed or further subdivided. Historical townships are not always named, and include:*
 - (a) *Almaden*
 - (b) *Calcifer*
 - (c) *Kingsborough*
 - (d) *Koorboora*
 - (e) *Montalbion*
 - (f) *Mt Mulligan*
 - (g) *Northcote*
 - (h) *Petford*
 - (i) *Stannary Hills*
 - (j) *Thornborough*
 - (k) *Watsonville*

The proposed development would result in the colocation of a light industry use alongside an existing and approved special industry use. It would be compatible with the existing use on the site and the use on the adjoining land and would not compromise any viable agricultural land or rural production values. It would also be suitably screened to ensure that minimal impact occurs on the rural amenity and the scenic quality of the area containing the site. The proposed development is considered to be consistent with the relevant section of the Settlement Pattern Theme of the Strategic Framework.

Natural Resources and Environment element 3.4.5 relates to Strategic Rehabilitation and Ecological Corridors and provides the following specific outcomes sought by the Strategic Framework:

3.4.5.1 Specific outcomes

- (1) *Ecological corridors are major existing habitat corridors that link key biodiversity areas within Mareeba Shire and greater Far North Queensland region. Development does not compromise the habitat connectivity of ecological corridors.*
- (2) *Habitat linkages are strategically located future habitat corridors linking biodiversity areas within the shire. Development does not compromise the ability to realise these opportunities for ecological connectivity through progressive revegetation of habitat linkages with native vegetation.*

The proposed development would not require any additional vegetation clearing beyond that undertaken to facilitate the current development on the site and, as no permanent structures are proposed, the development would not trigger any additional exempt clearing rights. The proposed development would also not adversely affect any existing habitat corridors or biodiversity on the site. The proposed development is considered to be consistent with the relevant sections of the Natural Resources and Environment Theme of the Strategic Framework.

Transport and Infrastructure element 3.6.10 relates to Energy Supply and provides the following specific outcomes sought by the Strategic Framework:

3.6.10.1 Specific outcomes

- (1) Adequate, sustainable, reliable and secure electricity supply infrastructure is provided to the shire, including new development.
- (2) High voltage major electrical infrastructure and energy generation facilities are protected from conflicting development.
- (3) The shire's net carbon emissions are reduced by establishment of renewable energy generation facilities, maintaining compact urban areas and encouraging development that embraces energy efficient design features.
- (4) Renewable energy facilities are connected to an existing, nearby, high voltage electricity network (with adequate capacity) without significant environment, social or amenity impact.

The proposed development would not result in any additional structures in proximity of the electricity easements and would not place any additional load on the existing electricity supply. The proposed development is considered to be consistent with the relevant sections of the Transport and Infrastructure theme of the Strategic Framework.

5.3.2 Codes

The planning scheme codes applicable to the proposal, and the development compliance is summarised in the table below: Infrastructure charges.

Table 8: Planning Scheme Code Responses

Planning Scheme Codes	Applicability	Comment
Zone code		
Rural Zone Code	Applies	Complies with applicable Assessment Benchmarks.
Overlay Codes		
Bushfire Hazard Overlay Code	Applies	Complies with applicable Assessment Benchmarks.
Environmental Significance Overlay Code	Applies	Complies with applicable Assessment Benchmarks.
Hill and Slope Overlay Code	Applies	Complies with applicable Assessment Benchmarks.
Regional Infrastructure Corridors and Substations Overlay Code	Not applicable	No applicable Assessment Benchmarks
Development Codes		
Industrial Activities Code	Applies	Complies with applicable Assessment Benchmarks.
Landscaping Code	Applies	Complies with applicable Assessment Benchmarks.
Parking and Access Code	Applies	Complies with applicable Assessment Benchmarks.
Works Services and Infrastructure Code	Applies	Complies with applicable Assessment Benchmarks.

A detailed response to the relevant Planning Scheme Codes is provided at **Appendix I**.

6 CONCLUSION

RPS has been engaged by Anton Demolitions Pty Ltd to seek development approval for establishment of a Low Impact Industry (Transported and Transportable Buildings and Structure Storage) on land at 3278 Mulligan Highway, Mount Molloy, and described as Lot 3 on SP327589.

This development application seeks:

- Development Permit for a Material Change of Use for a Low impact Industry (Transported House Storage)

The site is an irregular shaped site with an area of 109.7 hectares and with frontage to the Mulligan Highway of in the order of 3 kilometres. The site is predominantly covered in sparse vegetation and sits on the western side of the Great Dividing Range. The site is currently improved by a concrete recycling yard, with the set down area located in the southern part of the site and adjacent the southern boundary and the recycling yard located to the north.

In association with the existing use on the site it is proposed to use to the set down area for the storage of relocated houses (Old Queenslanders), transported and transportable buildings and structures, either in part or in entirety. The buildings and structures would be temporary stored on the site awaiting sale and subsequent relocation to their final destination.

Under the Mareeba Shore Council Planning Scheme, the development is identified as Impact Assessable and is required to be considered against the whole of the planning scheme, including the Strategic Framework and relevant Planning Scheme codes.

The assessment contained in this report demonstrates that the proposed development is able to satisfy the intent of the Strategic Framework and that the development is able to satisfy the requirements of the Planning Benchmarks contained in the relevant State and Planning Scheme Codes.

Based on this assessment the proposal is recommended for approval subject to reasonable and relevant conditions.

Appendix A

Development Application Form

DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 2020) made under section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving only building work.

For a development application involving **building work only**, use *DA Form 2 – Building work details*.

For a development application involving **building work associated with any other type of assessable development (i.e. material change of use, operational work or reconfiguring a lot)**, use this form (*DA Form 1*) and parts 4 to 6 of *DA Form 2 – Building work details*.

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994*, and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

Note: All terms used in this form have the meaning given under the Planning Act 2016, the Planning Regulation 2017, or the Development Assessment Rules (DA Rules).

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Anton Demolitions Pty Ltd c/- RPS AAP Consulting Pty Ltd
Contact name (only applicable for companies)	Patrick Clifton - RPS
Postal address (P.O. Box or street address)	PO Bx 1949
Suburb	Cairns
State	Queensland
Postcode	4870
Country	Australia
Contact number	(07) 4031 1336
Email address (non-mandatory)	patrick.clifton@rpsgroup.com.au ; stacey.devaney@rpsgroup.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	AU006995

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
		3278	Mulligan Highway	Mount Molloy
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4871	3	SP327589	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- ☐ Coordinates of premises by longitude and latitude

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

- ☐ Coordinates of premises by easting and northing

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

3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

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

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

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

Name of airport:

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

5) Are there any existing easements over the premises?

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

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

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

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

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

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

c) What is the level of assessment?

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

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

Low Impact Industry - Transported and Transportable Buildings and Structure Storage

e) Relevant plans

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

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

6.2) Provide details about the second development aspect

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

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

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

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

c) What is the level of assessment?

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

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

e) Relevant plans

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

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

6.3) Additional aspects of development

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

- ☒ Not required

Section 2 – Further development details

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

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
Storage of Transported and Transportable Buildings and Structures	Low Impact Industry (Transported and Transportable Buildings and Structure Storage)	Not applicable	-
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input type="checkbox"/> Yes			
<input checked="" type="checkbox"/> No			

Division 2 – Reconfiguring a lot

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

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

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

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

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

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

Division 3 – Operational work

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

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

PART 4 – ASSESSMENT MANAGER DETAILS

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

PART 5 – REFERRAL DETAILS

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

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

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

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

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

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

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

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

18) Has any referral agency provided a referral response for this development application?		
<input checked="" type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application <input type="checkbox"/> No		
Referral requirement	Referral agency	Date of referral response
Section 22A relevant purpose determination	Department of Resources	TBC
Identify and describe any changes made to the proposed development application that was the subject of the referral response and this development application, or include details in a schedule to this development application <i>(if applicable)</i> .		

PART 6 – INFORMATION REQUEST

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

PART 7 – FURTHER DETAILS

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

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

List of approval/development application references	Reference number	Date	Assessment manager
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Development application	RAL/21/0009	8 July 2021	Mareeba Shire Council
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Development application	MCU/19/0009	23 September 2019	Mareeba Shire Council

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

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

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

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

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

23) Further legislative requirements

Environmentally relevant activities

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

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

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

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

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

Hazardous chemical facilities

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

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

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

Clearing native vegetation

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

☒ Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)

☐ No

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

Environmental offsets

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

☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter

☒ No

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

Koala habitat in SEQ Region

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

☐ Yes – the development application involves premises in the koala habitat area in the koala priority area

☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area

☒ No

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

Water resources

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

☐ Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the *Water Act 2000* may be required prior to commencing development

☒ No

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

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

Marine activities

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

☐ Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*

☒ No

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

Quarry materials from a watercourse or lake

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

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

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

Quarry materials from land under tidal waters

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

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

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

Referable dams

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

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

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

Tidal work or development within a coastal management district

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

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

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

Queensland and local heritage places

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

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

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

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

Brothels

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

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

Decision under section 62 of the Transport Infrastructure Act 1994

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

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

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

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

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

☒ No

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

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

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

☒ Yes

Note: See the Planning Regulation 2017 for referral requirements

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

☐ Yes

☒ Not applicable

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

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

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☐ Yes

☒ Not applicable

25) Applicant declaration

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

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

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

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

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

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

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

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

Date received: Reference number(s):

Notification of engagement of alternative assessment manager

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

QLeave notification and payment

Note: For completion by assessment manager if applicable

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

Appendix B

Certificate of Title

Queensland Titles Registry Pty Ltd
 ABN 23 648 568 101

Title Reference:	51260802	Search Date:	11/11/2022 09:22
Date Title Created:	25/08/2021	Request No:	42801032
Previous Title:	51171484, 51198752		

ESTATE AND LAND

Estate in Fee Simple

LOT 3 SURVEY PLAN 327589

Local Government: MAREEBA

REGISTERED OWNER

Dealing No: 721020377 17/08/2021

ANTON DEMOLITIONS PTY LTD A.C.N. 104 540 936
 UNDER INSTRUMENT 719813210 AND 720341194

TRUSTEE

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
 Deed of Grant No. 40073506 (Lot 427 on SP 287159)
2. RESUMPTION EASEMENT No 701690380 03/12/1996 at 14:27
 burdening the land to
 THE FAR NORTH QUEENSLAND ELECTRICITY CORPORATION
 over
 EASEMENT A ON CP893511
3. PROFIT A PRENDRE No 718656930 27/03/2018 at 10:07
 THE STATE OF QUEENSLAND
 (REPRESENTED BY DEPARTMENT OF AGRICULTURE AND FISHERIES)
4. EASEMENT No 719664987 09/10/2019 at 10:51
 burdening the land to
 LOT 2 ON SP298325
 OVER EASEMENT G ON SP298325
5. EASEMENT No 721020379 17/08/2021 at 13:49
 benefiting the land over
 EASEMENT N ON SP327589

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 C

Relevant Approvals



Mareeba

SHIRE COUNCIL

65 Rankin Street
PO Box 154 MAREEBA QLD 4880

P: 1300 308 461

F: 07 4092 3323

W: www.msc.qld.gov.au

E: info@msc.qld.gov.au

1 July 2021

Anton Demolitions
C/- RPS Australia East Pty Ltd
PO Box 1949
CAIRNS QLD 4870

Senior Planner: Brian Millard
Direct Phone: 4086 4657
Our Reference: RAL/21/0009
Your Reference: PR145175

Dear Applicants,

Decision Notice

Planning Act 2016

I refer to your application and advise that on 1 July 2021 under delegated authority, Council decided to approve the application in full subject to conditions.

Details of the decision are as follows:

APPLICATION DETAILS

Application No: RAL/21/0009
Street Address: 3278 Mulligan Highway, Mount Molloy
Real Property Description: Lot 3 on SP298325 & Lot 4 on SP301680
Planning Scheme: Mareeba Shire Council Planning Scheme 2016

DECISION DETAILS

Type of Decision: Approval
Type of Approval: Development Permit for Reconfiguration of a Lot - Boundary Realignment & Access Easement
Date of Decision: 1 July 2021

CURRENCY PERIOD OF APPROVAL

The currency period for this development approval is four (4) years starting the day that this development approval takes effect. (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*.)

INFRASTRUCTURE

Where conditions relate to the provision of infrastructure, these are non-trunk infrastructure conditions unless specifically nominated as a “*necessary infrastructure condition*” for the provision of trunk infrastructure as defined under Chapter 4 of the *Planning Act 2016*.

ASSESSMENT MANAGER CONDITIONS**(A) ASSESSMENT MANAGER’S CONDITIONS (COUNCIL)****(a) Development assessable against the Planning Scheme**

1. Development must be carried out generally in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, and subject to any alterations:
 - found necessary by the Council’s delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
 - to ensure compliance with the following conditions of approval.
2. Timing of Effect
 - 2.1 The conditions of the development permit must be complied with to the satisfaction of Council’s delegated officer prior to the endorsement of the plan of survey, except where specified otherwise in these conditions of approval.
3. General
 - 3.1 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.
 - 3.2 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to the endorsement of the plan of survey and at the rate applicable at the time of payment.
 - 3.3 The developer must relocate (in accordance with FNQROC standards) any services such as water, sewer, drainage, telecommunications and electricity that are not wholly located within the lots that are being created/serviced where required by the relevant authority, unless approved by Council’s delegated officer.
 - 3.4 Where utilities (such as sewers on non-standard alignments) traverse lots to service another lot, easements must be created in favour of Council for access and maintenance purposes. The developer is to pay all costs (including Council’s legal expenses) to prepare and register the easement documents.

3.5 Charges

All outstanding rates, charges and expenses pertaining to the land are to be paid in full.

4. Infrastructure Services and Standards

- 4.1 The access road between the existing Mulligan Highway substation access and the northern boundary of proposed Lot 3 must be constructed to all weather gravel standard in accordance with Table 9.4.3.3C of the Parking and Access Code, to the satisfaction of Council's delegated officer.

REFERRAL AGENCIES

The referral agencies applicable to this application are:

Reconfiguring a lot near a State transport corridor		
Development application for reconfiguring a lot that is assessable development under section 21, if—	Schedule 10, Part 9, Division 4, Subdivision 2, Table 1	State Assessment & Referral Agency (SARA) PO Box 2358 Cairns QLD 4870 CairnsSARA@dsdmip.qld.gov.au
(a) <u>all or part of the premises are within 25m of a State transport corridor; and</u>		
(b) 1 or more of the following apply—		
(i) the total number of lots is increased;		
(ii) the total number of lots adjacent to the State transport corridor is increased;		
(iii) <u>there is a new or changed access between the premises and the State transport corridor;</u>		
(iv) an easement is created adjacent to a railway as defined under the Transport Infrastructure Act, schedule 6; and		
(c) the reconfiguration does not relate to government supported transport infrastructure		
Reconfiguring a lot subject to an easement or near a substation site		
Development application for reconfiguring a lot that is assessable development under section 21, if-	Schedule 10, Part 9, Division 2, Table 1	Town Planning Ergon Energy PO Box 264 Fortitude Valley Qld 4006 townplanning@ergon.com.au Advice agency only.
(a) <u>all or part of the lot is subject to an easement-</u>		
(i) for the benefit of a distribution entity, or transmission entity, under the Electricity Act; and		

(ii) for a transmission grid or supply network; or		
(b) part of the lot is within 100m of a substation site		

A copy of the referral agency conditions are attached.

APPROVED PLANS

The following plans are Approved plans for the development:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
PR145175-4 A	Proposed Boundary Realignment - Option A	RPS	13-5-2021

ADVISORY NOTES

The following notes are included for guidance and information purposes only and do not form part of the assessment manager conditions:

(A) ASSESSMENT MANAGER'S ADVICE

(a) Endorsement Fees

Council charges a fee for the endorsement of a Survey Plan, Community Management Statements, easement documents, and covenants. The fee is set out in Council's Fees & Charges Schedule applicable for each respective financial year.

(b) Compliance with applicable codes/policies

The development must be carried out to ensure compliance with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by a condition of this approval.

(c) Notation on Rates Record

A notation will be placed on Council's Rate record with respect to each lot regarding the following conditions:

- a registered easement over the subject site

(d) Environmental Protection and Biodiversity Conservation Act 1999

The applicant is advised that referral may be required under the *Environmental Protection and Biodiversity Conservation Act 1999* if the proposed activities are likely

to have a significant impact on a matter of national environmental significance. Further information on these matters can be obtained from www.environment.gov.au.

(e) Cultural Heritage

In carrying out the activity the applicant must take all reasonable and practicable measures to ensure that no harm is done to Aboriginal cultural heritage (the "cultural heritage duty of care"). The applicant will comply with the cultural heritage duty of care if the applicant acts in accordance with gazetted cultural heritage duty of care guidelines. An assessment of the proposed activity against the duty of care guidelines will determine whether or to what extent Aboriginal cultural heritage may be harmed by the activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from www.datsip.qld.gov.au.

(f) Ergon Energy Advice

The applicant is advised that Ergon Energy has provided an advice agency response dated 16 June 2021.

(B) CONCURRENCE AGENCY CONDITIONS

SARA Referral Agency response dated 15 June 2021.

PROPERTY NOTES

Not Applicable.

FURTHER DEVELOPMENT PERMITS REQUIRED

Not Applicable.

SUBMISSIONS

Not Applicable.

RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

During the appeal period, you as the applicant may suspend your appeal period and make written representations to council about the conditions contained within the development approval. If council agrees or agrees in part with the representations, a "negotiated decision notice" will be issued. Only one "negotiated decision notice" may be given. Taking this step will defer your appeal period, which will commence again from the start the day after you receive a "negotiated decision notice".

OTHER DETAILS

If you wish to obtain more information about Council's decision, electronic copies are available on line at www.msc.qld.gov.au, or at Council Offices.

Yours faithfully



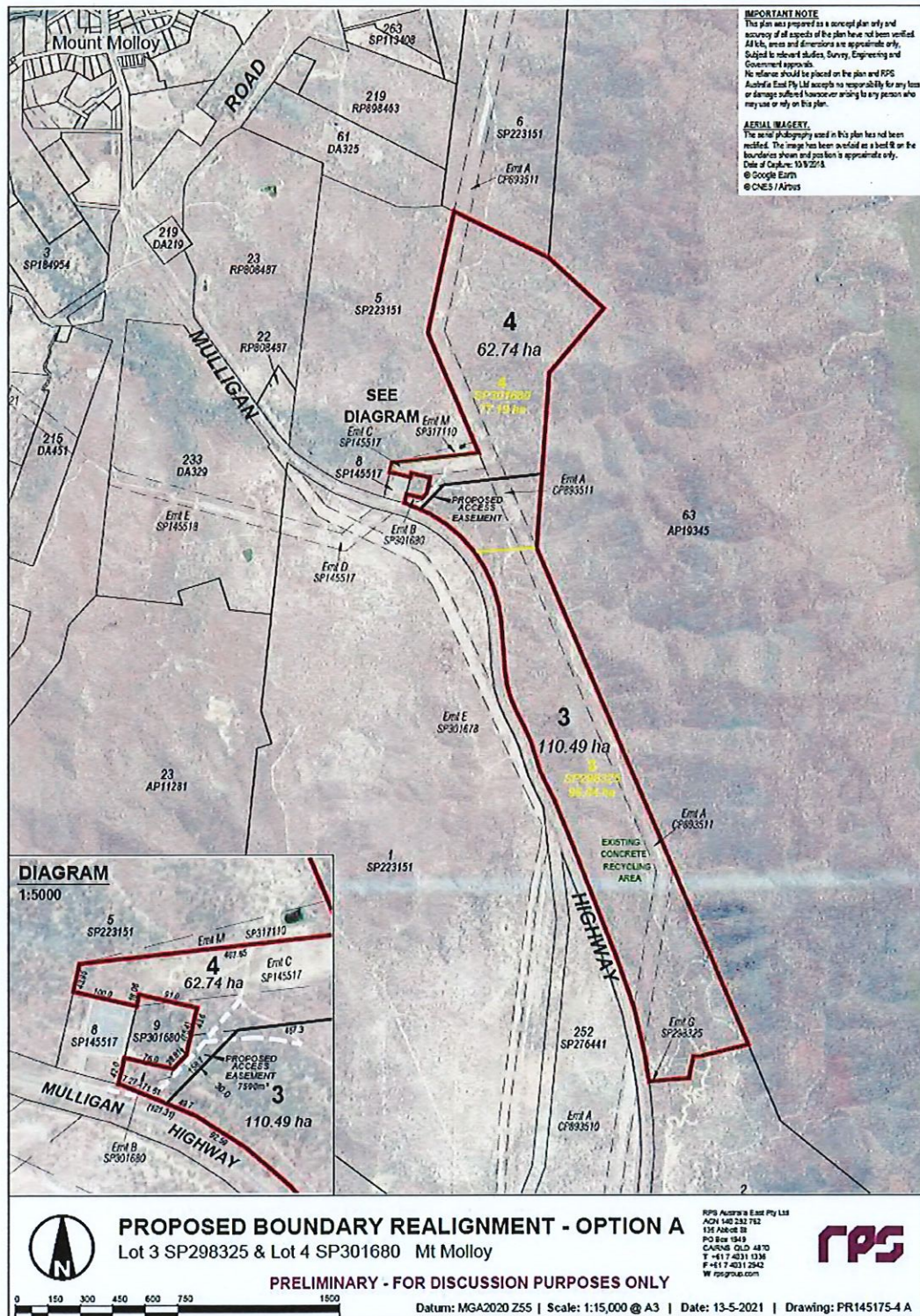
BRIAN MILLARD
SENIOR PLANNER

Enc: Approved Plans/Documents
 Referral Agency Response
 Appeal Rights

Copy: Department of State Development, Manufacturing, Infrastructure and Planning
 CairnsSARA@dsdmip.qld.gov.au

Ergon Energy
townplanning@ergon.com.au

Approved Plans/Documents



Referral Agency Response

RA6-N



SARA reference: 2105-22570 SRA
Council reference: RAL/21/0009
Applicant reference: PR145175/OLD/SD/L80386

15 June 2021

Chief Executive Officer
Mareeba Shire Council
PO Box 154
Mareeba Qld 4880
planning@msc.qld.gov.au

Attention: Mr Carl Ewin

Dear Sir/Madam

SARA response—3278 and 3580 Mulligan Highway, Mount Molloy

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency on 18 May 2021.

Response

Outcome:	Referral agency response – with conditions
Date of response:	15 June 2021
Conditions:	The conditions in Attachment 1 must be attached to any development approval.
Advice:	Advice to the applicant is in Attachment 2 .
Reasons:	The reasons for the referral agency response are in Attachment 3 .

Development details

Description:	Development permit	Reconfiguring a lot (boundary realignment - two lots into two lots) & access easement
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 1 (Planning Regulation 2017)	

Page 1 of 7

Far North Queensland regional office
Ground Floor, Cnr Grafton and Hartley
Street, Cairns
PO Box 2358, Cairns QLD 4870

Document Set ID: 3971190
Version: 1, Version Date: 22/06/2021

2105-22570 SRA

SARA reference: 2105-22570 SRA
Assessment Manager: Mareeba Shire Council
Street address: 3278 and 3580 Mulligan Highway, Mount Molloy
Real property description: Lot 3 on SP298325 and Lot 4 on SP301680
Applicant name: Anton Demolitions Pty Ltd
c/- RPS Australia East Pty Ltd
Applicant contact details: 135 Abbott Street
Cairns QLD 4870
Stacey.Devaney@rpsgroup.com.au

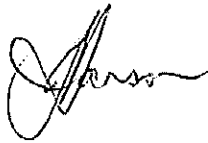
Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules) Copies of the relevant provisions are in **Attachment 4**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Belinda Jones, Principal Planning Officer, on 40373239 or via email CairnsSARA@dsgmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Joanne Manson
A/Manager (Planning)

cc Anton Demolitions Pty Ltd, Stacey.Devaney@rpsgroup.com.au

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Representations provisions
Attachment 5 - Approved plans and specifications

2105-22570 SRA

Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the plans and specifications referenced below are found at Attachment 5)

No.	Conditions	Condition timing
Reconfiguring a lot		
Schedule 10, Part 9, Division 4, Subdivision 2, Table 1 - The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	The road access location is to be located generally in accordance with TMR Layout Plan 2 (34A – 35.68km), prepared by Queensland Government Transport and Main Roads, dated 11/06/2021, Reference TMR21-32990 (500-1140), Issue B.	At all times.
2.	<p>(a) The applicant must register an access easement on the title of proposed Lot 4 for shared access to proposed Lot 3. The access easement is to continue to provide access to Lot 9 on SP301680.</p> <p>(b) The applicant must provide to Cairns Corridor Management Unit (Far.North.Queensland.IDAS@tmr.qld.gov.au) of the Department of Transport and Main Roads a copy of Registration Confirmation Statement/s and easement registration dealing number/s as evidence of the registration of the easement/s referred to in part (a) of this condition.</p>	<p>(a) At the time of survey plan registration.</p> <p>(b) Within 20 business days of registration of the easements.</p>

2105-22570 SRA

Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) v2.6. If a word remains undefined it has its ordinary meaning.

2105-22570 SRA

Attachment 3—Reasons for referral agency response(Given under section 56(7) of the *Planning Act 2016*)**The reasons for the department's decision are:**

- The site is accessed from a state-controlled road (Mulligan Highway).
- The proposed development is a relatively minor development to realign the boundary between two existing lots and create an access easement.
- The proposed development is unlikely to impact on the safety and operational efficiency of the Mulligan Highway.
- There will be no change to stormwater and drainage associated with the site as the development does not involve any earthworks or new buildings.
- The development will not compromise the structural integrity of the Mulligan Highway.
- The development does not compromise the state's ability to construct future state-controlled roads.
- The department carried out an assessment of the development application against State code 1: Development in a state-controlled road environment and has found that with conditions, the proposed development complies with the relevant performance outcomes.

Material used in the assessment of the application:

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The *State Development Assessment Provisions* (version 2.6), as published by the department
- The Development Assessment Rules
- SARA DA Mapping system

2105-22570 SRA

Attachment 4—Change representation provisions

(page left intentionally blank – attached separately)

2105-22570 SRA

Attachment 5—Approved plans and specifications

(page left intentionally blank – attached separately)



Branch/Unit:	Corridor Management / Far North District
Projection/Datum:	Geocentric Datum of Australia (GDA) 1994
<div style="display: flex; justify-content: space-between;"> <div> <div style="border: 1px solid blue; width: 20px; height: 10px; display: inline-block;"></div> Parcels </div> <div> <div style="border: 1px solid yellow; width: 20px; height: 10px; display: inline-block;"></div> Subject land </div> </div>	<div style="display: flex; justify-content: space-between;"> <div> <div style="border: 1px solid red; width: 20px; height: 10px; display: inline-block;"></div> Existing easement </div> <div> <div style="border: 1px solid red; width: 20px; height: 10px; display: inline-block;"></div> Proposed easement </div> </div>
<div style="border-top: 1px dashed red; width: 20px; height: 10px; display: inline-block;"></div> Proposed boundary	

TMR Layout Plan 2 (34A - 35.77km)



Queensland Government
Transport and Main Roads

Plan:	1 / 1	Issue:	B	Date:	11/06/2021
Drawn by:	RPK	File ref:	TMR21-32990 (500-1140)		

Document Set ID: 3971190
Version: 1, Version Date: 22/06/2021

Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding representations about a referral agency response

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

Part 7: Miscellaneous

30 Representations about a referral agency response

- 30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.³

³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.



420 Flinders Street, Townsville QLD 4810
PO Box 1090, Townsville QLD 4810
ergon.com.au

16 June 2021

Mareeba Shire Council
PO Box 154
Mareeba QLD 4880

Attention: Carl Erwin
Via email: info@msc.qld.gov.au

Cc Anton Demolitions Pty Ltd
c/- RPS Australia East Pty Ltd
PO Box 1949
Cairns QLD 4870

Attention: Stacey Devaney; Owen Dalton
Via email: stacey.devaney@rpsgroup.com.au

Dear Carl,

Referral Agency Response – Development Permit for Reconfiguring a Lot (Boundary Realignment – 2 into 2 lots and Access Easement) at 3278 & 3580 Mulligan Highway, Mount Molloy (Lot 4 on SP301680 and Lot 3 on SP298325)

**Council Ref: RAL/21/0009
Applicant Ref: PR145175
Our Ref: HBD 7341313**

We refer to the abovementioned Development Application, which has been referred to Ergon Energy pursuant to section 54(1) of the *Planning Act 2016*.

In accordance with Schedule 10, Part 9, Division 2 of the *Planning Regulation 2017*, the application has been assessed against the purposes of the *Electricity Act 1994* and *Electrical Safety Act 2002*. This notice is provided in accordance with section 56 of the *Planning Act 2016*.

Should the Assessment Manager decide to approve the proposed Reconfiguration of a Lot, as an Advice Agency for the Development Application, Ergon advises the following in relation to the development:

1. The development is to be carried out in accordance with the plans identified on the following page. Any changes to these plans should be resubmitted to Ergon for further review and comment.

Have you seen our fact sheets?

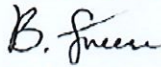
See the 'considerations when developing around electricity infrastructure' section of our website
www.ergon.com.au/referralagency

Approved Plans			
Title	Plan Number	Rev.	Date
Proposed Boundary Realignment – Option A	PR145175-4	A	13 May 2021

2. The conditions of any easements in favour of Ergon must be maintained at all times.

Should you require further information regarding this matter, feel free to contact the undersigned on 0455 403 399 or email townplanning@ergon.com.au.

Yours faithfully,



Benjamin Freese
Town Planner

Have you seen our fact sheets?

See the 'considerations when developing around electricity infrastructure' section of our website
www.ergon.com.au/referralagency

Appeal Rights

PLANNING ACT 2016 & THE PLANNING REGULATION 2017

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

(1) Schedule 1 of the *Planning Act 2016* states –

- (a) Matters that may be appealed to –
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
- (b) The person-
 - (i) who may appeal a matter (**the appellant**); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.

(Refer to Schedule 1 of the Planning Act 2016)

(2) An appellant may start an appeal within the appeal period.

(3) The **appeal period** is –

- (a) for an appeal by a building advisory agency – 10 business days after a decision notice for the decision is given to the agency; or
- (b) for an appeal against a deemed refusal – at any time after the deemed refusal happens; or
- (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises – 20 business days after a notice is published under section 269(3)(a) or (4); or
- (d) for an appeal against an infrastructure charges notice – 20 business days after the infrastructure charges notice is given to the person; or
- (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given – 30 business days after the applicant gives the deemed approval notice to the assessment manager; or
- (f) for any other appeal – 20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note –

See the P&E Court Act for the court's power to extend the appeal period.

(4) Each respondent and co-respondent for an appeal may be heard in the appeal.

(5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.

- (6) To remove any doubt. It is declared that an appeal against an infrastructure charges notice must not be about-
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund-
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that-
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to –
 - (a) the respondent for the appeal ; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, table 1, item 1 – each principal submitter for the development application; and
 - (d) for an appeal about a change application under schedule 1, table 1, item 2 – each principal submitter for the change application; and
 - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
 - (f) for an appeal to the P&E Court – the chief executive; and
 - (g) for an appeal to a tribunal under another Act – any other person who the registrar considers appropriate.
- (4) The *service period* is –
 - (a) if a submitter or advice agency started the appeal in the P&E Court – 2 business days after the appeal has started; or
 - (b) otherwise – 10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

231 Other appeals

- (1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section –

decision includes-

- (a) conduct engaged in for the purpose of making a decision; and
- (b) other conduct that relates to the making of a decision; and
- (c) the making of a decision or failure to make a decision; and
- (d) a purported decision ; and
- (e) a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter-

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the Judicial Review Act 1991 or otherwise, whether by the Supreme Court, another court, a tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with the rules of the P&E Court.



Mareeba

SHIRE COUNCIL

65 Rankin Street
PO Box 154 MAREEBA QLD 4880

P: 1300 308 461
F: 07 4092 3323

W: www.msc.qld.gov.au
E: info@msc.qld.gov.au

19 September 2019

Planning Officer: Carl Ewin
Direct Telephone: (07) 4086 4656
Our Reference: MCU/19/0009
Your Reference: 19-462

Martin Anton
C/- Urban Sync Pty Ltd
PO Box 2970
CAIRNS QLD 4870

Dear Applicant/s

Decision Notice

Planning Act 2016

I refer to your application and advise that 18 September 2019, Council decided to approve the application in full subject to conditions.

Details of the decision are as follows:

APPLICATION DETAILS

Application No:	MCU/19/0009
Street Address:	3276 & 3278 Mulligan Highway, Mount Molloy
Real Property Description:	Lot 2 & 3 on SP223151
Planning Scheme:	Mareeba Shire Council Planning Scheme 2016

DECISION DETAILS

Type of Decision:	Approval
Type of Approval:	Development Permit for Material Change of Use - High Impact Industry (Concrete Recycling Yard - up to 5,000 tonnes per year)
Date of Decision:	18 September 2019

CURRENCY PERIOD OF APPROVAL

The currency period for this development approval is six (6) years starting the day that this development approval takes effect. (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*.)

INFRASTRUCTURE

Where conditions relate to the provision of infrastructure, these are non-trunk infrastructure conditions unless specifically nominated as a “*necessary infrastructure condition*” for the provision of trunk infrastructure as defined under Chapter 4 of the *Planning Act 2016*.

ASSESSMENT MANAGER CONDITIONS

(A) ASSESSMENT MANAGER’S CONDITIONS (COUNCIL)

(a) Development assessable against the Planning Scheme

1. Development must be carried out generally in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, subject to any alterations:

- found necessary by Council’s delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
- to ensure compliance with the following conditions of approval.

2. Timing of Effect

- 2.1 The conditions of the development permit must be complied with to the satisfaction of Council’s delegated officer prior to the commencement of the use except where specified otherwise in these conditions of approval.
- 2.2 Prior to the commencement of use, the applicant must notify Council that all the conditions of the development permit have been complied with, except where specified otherwise in these conditions of approval.

3. General

- 3.1 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.
- 3.2 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to commencement of the use and at the rate applicable at the time of payment.
- 3.3 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements (as amended) and to the satisfaction of Council’s delegated officer.

3.4 Bushfire Management

A Bushfire Hazard Management Plan for the development must be prepared by a suitably qualified person/s. The Bushfire Hazard Management Plan must demonstrate compliance with the relevant performance outcomes of the Mareeba Shire Council Planning Scheme 2016 Bushfire Hazard Overlay Code.

The development must comply with the requirements of the Bushfire Hazard Management Plan at all times.

3.5 Hours of Operation

The operating hours shall be between 8:00am and 5:00pm Monday to Friday and 8:00am to 1:00pm Saturdays. No operations are permitted on Sundays or Public Holidays.

3.6 Product Sale

All recycled products are to be sold off-site only with no individual sales/transactions permitted from the subject site.

3.7 Any fuel stored on site associated with the approved use must be kept in a sealed, bunded area with a storage capacity of at least 150% of the storage capacity of any fuel storage tanks/containers.

3.8 Environmental Management Plan

The applicant/developer shall provide Council with an environmental management plan prepared by a suitably qualified professional which addresses (as a minimum):

- ☐ All environmental impacts of the proposal and measures proposed to mitigate the impacts;
- ☐ Emergency management procedures;
- ☐ Refuse collection and disposal; and
- ☐ Management and supervision procedures.

The environmental management plan must be submitted to Council and be approved by Council's delegated officer prior to the commencement of the use.

The applicant/developer or on-site manager must ensure the approved use is operated in accordance with the environmental management plan at all times and for the life of the development.

4. Infrastructure Services and Standards

4.1 Stormwater Management

4.1.1 The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.

4.1.2 All stormwater drainage collected from the site must be discharged to an approved legal point of discharge.

4.2 Erosion and Sediment Control Plan

4.2.1 The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.

4.2.2 Prior to the development commencing, the applicant must develop an Erosion and Sediment Control Plan. The plan must detail what measures/procedures will be implemented on-site to prevent erosion and sediment run-off during construction and operation.

4.2.3 The applicant/developer must ensure that the Erosion and Sediment Control Plan is complied with at all times.

4.3 Water Supply

The quality of water provided on site for human contact or consumption must be of a standard for drinking water set by the Australian Drinking Water Guidelines 2004 (National Health and Medical Research Council and the National Resource Management Ministerial Council).

4.4 On-site Wastewater Management

All on site effluent disposal associated with the approved use must be in compliance with the latest version of On-Site Domestic Wastewater Management Standard (ASNZ1547) to the satisfaction of the Council's delegated officer.

4.5 Car Parking/Internal Driveways

The developer must ensure that the development is provided with sufficient on-site car parking spaces which are available for use solely for the parking of vehicles associated with the use of the premises. All car parking spaces and internal driveways must be constructed to at least compacted gravel standard, clearly identifiable and appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer.

REFERRAL AGENCIES

The referral agencies applicable to this application are:

Material change of use of premises near a State transport corridor or that is a future State transport corridor		
Development application for a material change of use, other than an excluded material change of use, that is assessable development under a local categorising instrument, if all or part of the premises— (a) are within 25m of a State transport corridor; or (b) are a future State transport corridor; or (c) are— (i) adjacent to a road that intersects with a State-controlled road; and (ii) within 100m of the intersection	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4	State Assessment & Referral Agency (SARA) Department of State Development, Manufacturing, Infrastructure and Planning PO Box 2358 Cairns Qld 4870 CairnsSARA@dsdmip.qld.gov.au
Material change of use that is assessable development under a local categorising instrument (clearing native vegetation)		
Development application for a material change of use that is assessable development under a local categorising instrument and relates to a lot that is 5ha or larger, if— (a) the application— (i) is for a preliminary approval that includes a	Schedule 10, Part 3, Division 4, Table 3	State Assessment & Referral Agency (SARA) Department of State Development, Manufacturing, Infrastructure and Planning PO Box 2358 Cairns Qld 4870

<p>variation request; and</p> <p>(ii) relates to a lot that contains native vegetation shown on the regulated vegetation management map as a category A area or category B area; and</p> <p>(iii) is for a material change of use, other than a non-referable material change of use; or</p> <p>(b) the application is not stated in paragraph (a) and all of the following apply—</p> <p>(i) the material change of use does not involve prescribed clearing;</p> <p>(ii) accepted operational work may be carried out because of the material change of use, or the material change of use involves operational work that is assessable development under section 5;</p> <p>(iii) the accepted operational work or assessable operational work includes development other than the clearing of regulated regrowth vegetation on freehold land, indigenous land, land the subject of an occupation licence under the Land Act, or land the subject of a lease given under the Land Act for agriculture or grazing purposes</p>		<p>CairnsSARA@dsdmip.qld.gov.au</p>
<p>Material change of use of premises near a substation site of subject to an easement (advice agency only)</p>		
<p>Development application for a material change of use that is assessable development under a local categorising instrument and does not relate to reconfiguring a lot, if—</p> <p>(a) all or part of the premises are within 100m of a substation site; or</p> <p>(b) both of the following apply—</p> <p>(i) all or part of the premises are subject to an easement for the benefit of a distribution entity, or transmission entity, under the Electricity Act;</p> <p>(ii) the easement is for a transmission grid or supply network</p>	<p>Schedule 10, Part 9, Division 2, Table 2</p>	<p>Town Planning Ergon Energy PO Box 264 Fortitude Valley Qld 4006</p> <p>townplanning@ergon.com.au</p>

A copy of any referral agency conditions are attached.

APPROVED PLANS

The following plans are Approved plans for the development:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
Sheet 2	Site Plan	-	-
-	Indicative Site Layout Plan	-	-

ADVISORY NOTES

The following notes are included for guidance and information purposes only and do not form part of the assessment manager conditions:

(A) ASSESSMENT MANAGER'S ADVICE

- (a) A number of other charges or payments may be payable as conditions of approval. The applicable fee is set out in Council's Fees & Charges Schedule for each respective financial year.

- (b) Compliance with applicable codes/policies

The development must be carried out to ensure compliance with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by a condition of this approval.

- (c) Compliance with Acts and Regulations

The erection and use of the building must comply with the Building Act and all other relevant Acts, Regulations and Laws, and these approval conditions.

- (d) Environmental Protection and Biodiversity Conservation Act 1999

The applicant is advised that referral may be required under the *Environmental Protection and Biodiversity Conservation Act 1999* if the proposed activities are likely to have a significant impact on a matter of national environmental significance. Further information on these matters can be obtained from www.environment.gov.au.

- (e) Cultural Heritage

In carrying out the activity the applicant must take all reasonable and practicable measures to ensure that no harm is done to Aboriginal cultural heritage (the "cultural heritage duty of care"). The applicant will comply with the cultural heritage duty of care if the applicant acts in accordance with gazetted cultural heritage duty of care guidelines. An assessment of the proposed activity against the duty of care guidelines will determine whether or to what extent Aboriginal cultural heritage may be harmed by the activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from www.datsip.qld.gov.au.

(B) REFERRAL AGENCY CONDITIONS

Department of State Development, Manufacturing, Infrastructure and Planning conditions dated 26 August 2019.

PROPERTY NOTES

Not Applicable.

FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Building Work
- Compliance Permit for Plumbing and Drainage Work

SUBMISSIONS

There were no properly made submissions received.

RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

During the appeal period, you as the applicant may suspend your appeal period and make written representations to council about the conditions contained within the development approval. If council agrees or agrees in part with the representations, a "negotiated decision notice" will be issued. Only one "negotiated decision notice" may be given. Taking this step will defer your appeal period, which will commence again from the start the day after you receive a "negotiated decision notice".

OTHER DETAILS

If you wish to obtain more information about Council's decision, electronic copies are available on line at www.msc.qld.gov.au, or at Council Offices.

Yours faithfully

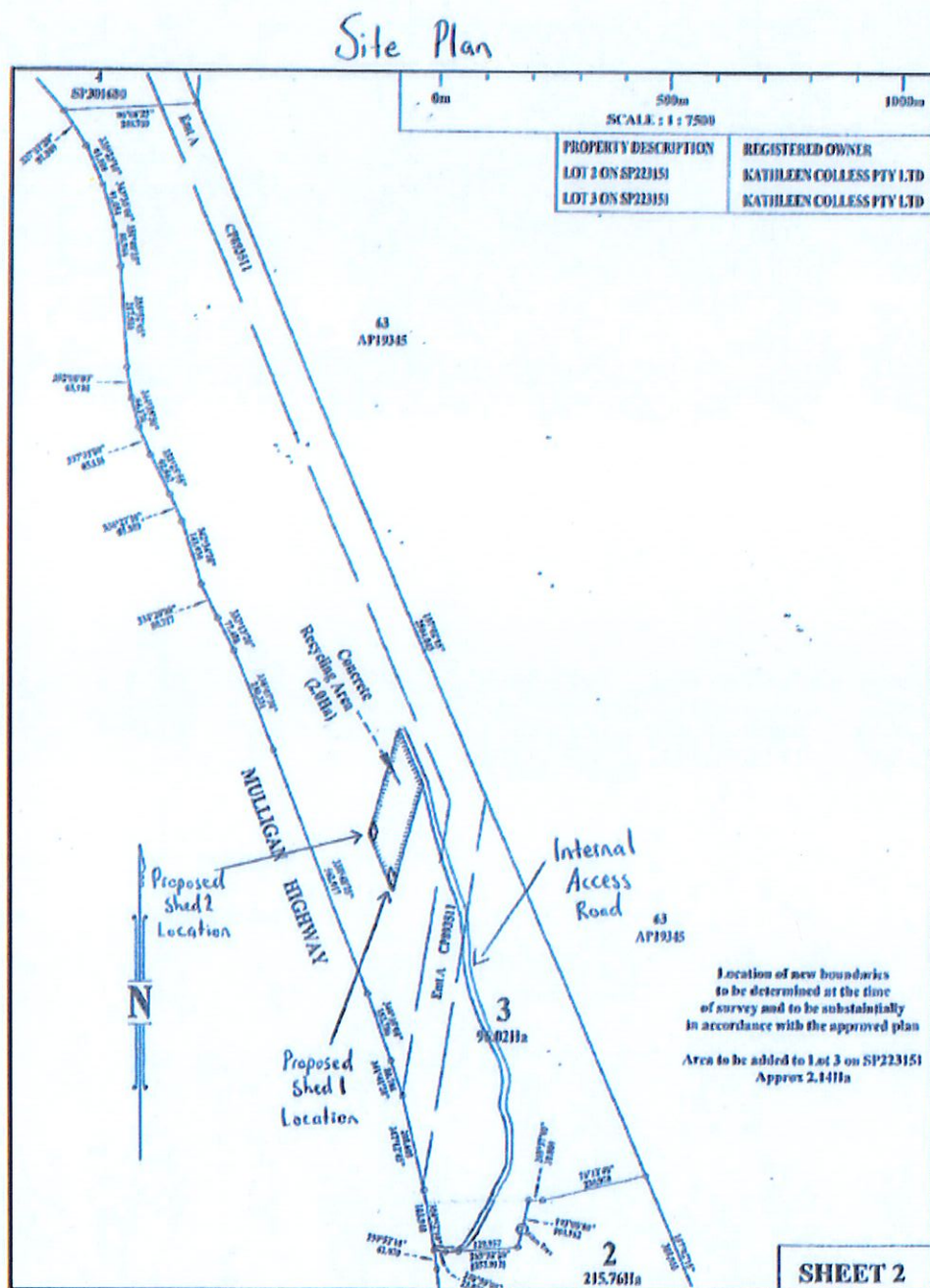


BRIAN MILLARD
SENIOR PLANNER

Enc: Approved Plans/Documents
Referral Agency Response
Appeal Rights

Copy: Department of State Development, Manufacturing, Infrastructure and Planning
CairnsSARA@dsdmip.qld.gov.au

Approved Plans/Documents



19/9/2019
B. ncl

Indicative Site Layout Plan



A product of
 **Queensland Globe**



50 metres

Print Date: 16/6/2019
 Paper Size: A4
 Imagery

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19/9/2019
 B. n. a.

Referral Agency Response

RA5-N



Department of
**State Development,
Manufacturing,
Infrastructure and Planning**

SARA reference: 1907-12219 SRA
Council reference: MCU/19/0009
Applicant reference: 19-482

26 August 2019

Chief Executive Officer
Mareeba Shire Council
PO Box 154
Mareeba Qld 4880
planning@msc.qld.gov.au

Attention: Carl Ewin

Dear Sir/Madam

SARA response—3276 Mulligan Highway, Mount Molloy; 3278 Mulligan Highway, Mount Molloy

Development Application for Material change of use for Development Permit for a Material
Change of Use for High Impact Industry (Concrete Recycling Yard - up to 5,000 tonnes per year)
(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the Department of
State Development, Manufacturing, Infrastructure and Planning on 17 July 2019.

Response

Outcome:	Referral agency response – with conditions.
Date of response:	26 August 2019
Conditions:	The conditions in Attachment 1 must be attached to any development approval.
Advice:	Advice to the applicant is in Attachment 2.
Reasons:	The reasons for the referral agency response are in Attachment 3.

Development details

Description:	Development permit	Material change of use for Development Permit for a Material Change of Use for High Impact Industry (Concrete Recycling Yard - up to 5,000 tonnes per year)
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1907-12219 SRA

SARA role: Referral Agency.

SARA trigger: Schedule 10, Part 3, Division 4, Table 3 – Clearing native vegetation (Planning Regulation 2017)

Development application for a material change of use on a lot that contains native vegetation

Schedule 10, Part 9, Division 4, Subdivision 3, Table 4 – State-controlled road (Planning Regulation 2017)

Development application for a material change of use within 25m of a State-controlled road

SARA reference: 1907-12219 SRA

Assessment Manager: Mareeba Shire Council

Street address: 3276 Mulligan Highway, Mount Molloy; 3278 Mulligan Highway, Mount Molloy

Real property description: 2SP223151; 3SP223151

Applicant name: Martin Anton

Applicant contact details: PO Box 2970
Cairns QLD 4870
justin@urbansync.com.au

State-controlled road access permit: This referral included an application for a road access location, under section 62A(2) of *Transport Infrastructure Act 1994*. Below are the details of the decision:

- Approved
- Reference: TMR19-027837 (500-1400)
- Date: 20 August 2019

If you are seeking further information on the road access permit, please contact the Department of Transport and Main Roads at cairns.office@tmr.qld.gov.au or on 07 4045 7151.

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules). Copies of the relevant provisions are in Attachment 4.

A copy of this response has been sent to the applicant for their information.

1907-12219 SRA

For further information please contact Tony Croke, Principal Planner, on 40373205 or via email CairnsSARA@dsdmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow
Manager (Planning)

cc Martin Anton, c/- justin@urbansync.com.au

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Representations provisions
Attachment 5 - Approved plans and specifications

1907-12219 SRA

1907-12219 SRA

Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the plans and specifications referenced below are found at Attachment 5)

No.	Conditions	Condition timing
Material change of use		
Schedule 10, Part 3, Division 4, Table 3 – Clearing native vegetation — The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Natural Resources Mines and Energy to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	The clearing of vegetation under this development approval is limited to the area identified as Area A as shown on attached Technical Agency Response Plan (TARP) 1907-12219 SRA dated 16 August 2019.	At all times
2.	No built structure, other than for fences, roads, hardstands, and underground services, is to be established, constructed or located within area identified as Area B as shown on the attached Technical Agency Response Plan (TARP) 1907-12219 SRA dated 16 August 2019.	At all times
3.	Any person(s) engaged or employed to carry out the <u>clearing of vegetation</u> under this development approval must be provided with a full copy of this development approval, and must be made aware of the full extent of <u>clearing</u> authorised by this development approval.	Prior to clearing
Schedule 10, Part 9, Division 4, Subdivision 3, Table 4 – State-controlled road — The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department on Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
4.	<p>(a) The road access location, is to be located generally in accordance with TMR Layout Plan (34A – 32.78km) prepared by Queensland Government Transport and Main Roads, dated 13/08/2019, File Reference TMR19-27837 (500-1400), Issue A.</p> <p>(b) Road access works comprising of a sealed rural property access must be provided at the road access location.</p> <p>(c) The road access works must be designed and constructed in accordance with Austroads Guide to Road Design, Part 4: Intersections and Crossings – General, Figure 7.4 (rural property access specifically designed for articulated vehicles on a two-way road).</p>	<p>(a) At all times.</p> <p>(b) and (c) Prior to the commencement of use.</p>
5.	Signage, indicating 'trucks turning' is to be installed either side of the road access in accordance with section 1.12.2 Longitudinal Placement of the Department of Transport and Main Roads' <i>Manual of Uniform Traffic Control Devices, Part 1: General introduction and sign illustrations, July 2019</i> .	Prior to the commencement of use.

1907-12219 SRA

Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) version 2.4 effective 16 November 2018. If a word remains undefined it has its ordinary meaning.
2.	Words underlined in these conditions have the same meaning given in the Glossary of Terms found within the state code 18: Clearing native vegetation.
3.	Despite this development approval, other permits or approvals may be required for the clearing of vegetation. To determine if the proposed clearing requires other approvals under other local, State or federal laws go to www.qld.gov.au (search 'vegetation clearing requirements').
4.	To request an electronic file of the Derived Points (Attached to Plan: 1907-12219 SRA) as contained in this technical agency response, email a request to the Department of Natural Resources, Mines and Energy (DNRM) at northvegetation@dnrm.qld.gov.au and include application reference (1907-12219 SRA).
5.	In accordance with section 33 of the <i>Transport Infrastructure Act 1994</i> (TIA), an applicant must obtain written approval from Department of Transport and Main Roads (DTMR) to carry out road works, including road access works on a state-controlled road. Please contact DTMR on 4045 7144 to make an application under section 33 of the TIA to carry out road works. This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). The road works approval process takes time – please contact Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.

1907-12219 SRA

Attachment 3—Reasons for referral agency response(Given under section 58(7) of the *Planning Act 2016*)**The reasons for the department's decision are:**

- The impacts on connectivity or loss of biodiversity and the impact on ecosystem function is considered minimal as the scale of clearing is small and the extent of adjoining remnant vegetation is extensive.
- There are no wetlands within 100m of the proposed clearing.
- The proposed clearing for the access track is 10m which is within the 20m limit allowed.
- Sufficient vegetation will be retained to maintain connectivity and ecological processes on the premises as well as in the surrounding landscape.
- The risk of salinity indicator is considered to be marginal.
- The vegetation on the subject lots as least concern vegetation. There are no endangered or of concern regional ecosystems.
- The subject lots contains no essential habitat.
- There are no compliance activities, any vegetation management requirements for a particular regulated area or offsets related to the premises.
- The Mulligan Highway is not a limited access road.
- The existing shared vehicular access can accommodate vehicles up to a maximum size 'Four Axle Truck – Class 5 Medium Length Heavy Vehicle'.
- The proposal will involve Class 8 'Five Axle Articulated' vehicle/s using the access.
- The shared access will be required to be upgraded to accommodate articulated vehicles on a two-way road.
- The upgrade of the current access will improve entry and exit movements.
- Truck turning signage is required to be erected to warn and inform road users of truck movements ahead.
- The 'lease area' for the proposed concrete recycling yard is located approximately 115m east of the Mulligan Highway, a state-controlled road. This is a sufficient setback from the state-controlled road.
- Filling and excavation works will be limited and undertaken wholly within the 'lease area'.
- Stormwater and drainage flows are discharged naturally on-site and it is unlikely that stormwater and drainage flows will directly impact the state-controlled road.

Material used in the assessment of the application:

- The development application material, submitted plans and information request response
- *Planning Act 2016*
- *Planning Regulation 2017*
- The *State Development Assessment Provisions* (version 2.4 effective 16 November 2018), as published by the department
- The *Development Assessment Rules*
- SARA DA Mapping system

1907-12219 SRA

Attachment 4—Change representation provisions

(page left intentionally blank – attached separately)

1907-12219 SRA

Attachment 5—Approved plans and specifications





(page left intentionally blank – attached separately)



Note: Derived Reference Points are provided to assist in the location of area boundaries. Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s).

The property boundaries shown on this plan are APPROXIMATE ONLY. They are NOT an accurate representation of the legal boundaries.

**This plan must be read in conjunction
with Decision Notice 1907-12219 SRA.**

<p>LEGEND</p> <p> Derived Reference Points for QP2 (See Attachment to Plan) (Area start points shown only)</p> <p> Subject Lot(s)</p> <p> Area A (Parts A' - A'')</p> <p> Area B (Part B')</p>	<p>Technical Agency Response Plan</p> <p>Plan of Area A (Parts A' - A'') and Area B (Part B') in Lots 2 & 3 on SP223151</p> <p>elVAG Case: 2019/003227</p>	<p> N</p> <p> Queensland Government</p>
	<p>LOCAL GOVT: MAREEBA SHIRE</p> <p>LOCALITY OF MOUNT MOLLY, SOUTHDGE</p>	<p>Version: 1</p>
	<p>File Reference: eDuce: 05205003393</p>	<p>Compiled from: DCDR, RVM & NRM Notes on file</p>
<p><i>Note: This is a colour plan and should only be reproduced in colour.</i></p>	<p>Department: DNRME Region: North Prepared by: PJB - pjb03 Date: 18 August 2019</p>	<p>TARP</p>
		<p>1907-12219 SRA</p>
		<p>Sheet 1 of 1</p>

Attachment to Plan: SDA-1907-12219
Derived Reference Points for GPS

Page 1 of 2

Datum: GDA 1994, Projection: Transverse Mercator MGA Zone 55

Notes:

Derived Reference Points are provided to assist in the location of area boundaries.
Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s).
Coordinates start at a point indicated on the accompanying plan and proceed in a clockwise direction.

PLANS AND DOCUMENTS
REFERRED TO IN THE REFERRAL
AGENCY RESPONSE

SARA ref: 105110119.000

Date: 26.09.2019

Part ID	Unique ID	Easting	Northing	Part ID	Unique ID	Easting	Northing	Part ID	Unique ID	Easting	Northing
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A1	4	324391	8151875	A1	64	324567	8151061	A1	124	324496	8151431
A1	5	324391	8151874	A1	65	324566	8151049	A1	125	324488	8151447
A1	6	324392	8151868	A1	66	324565	8151043	A1	126	324484	8151461
A1	7	324397	8151824	A1	67	324565	8151036	A1	127	324477	8151494
A1	8	324396	8151810	A1	68	324567	8151025	A1	128	324474	8151503
A1	9	324398	8151804	A1	69	324569	8151022	A1	129	324462	8151524
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**Attachment to Plan: SDA-1907-12219
Derived Reference Points for GPS**

Page 2 of 2

Datum: GDA 1994, Projection: Transverse Mercator MGA Zone 55

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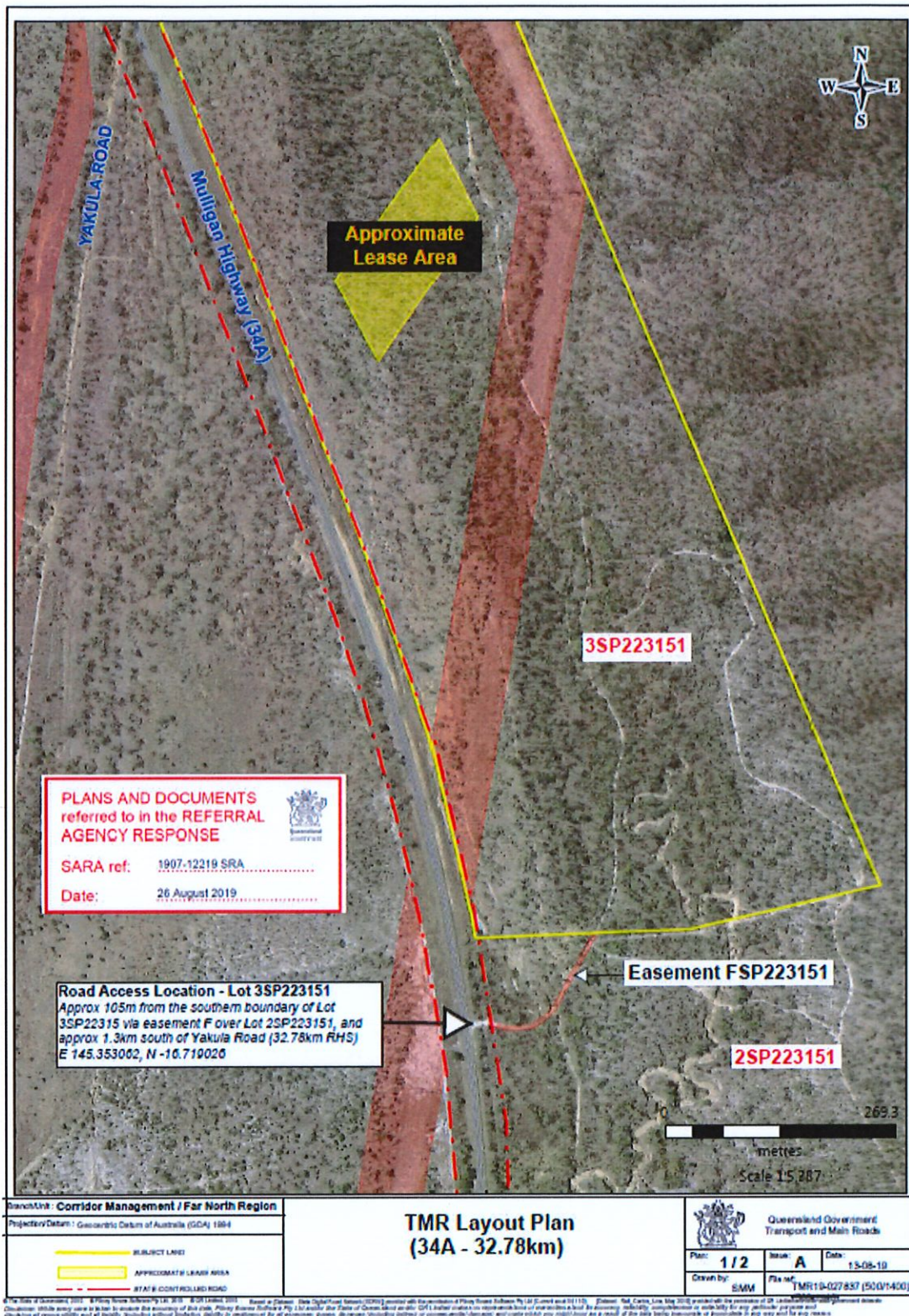
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A2	184	324416	8150608	B1	244	324227	8151866				
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A2	192	324476	8150811								
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A2	198	324500	8150623								
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A2	200	324482	8150603								
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B1	216	324211	8151714								
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B1	230	324177	8151882								
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B1	232	324182	8151886								
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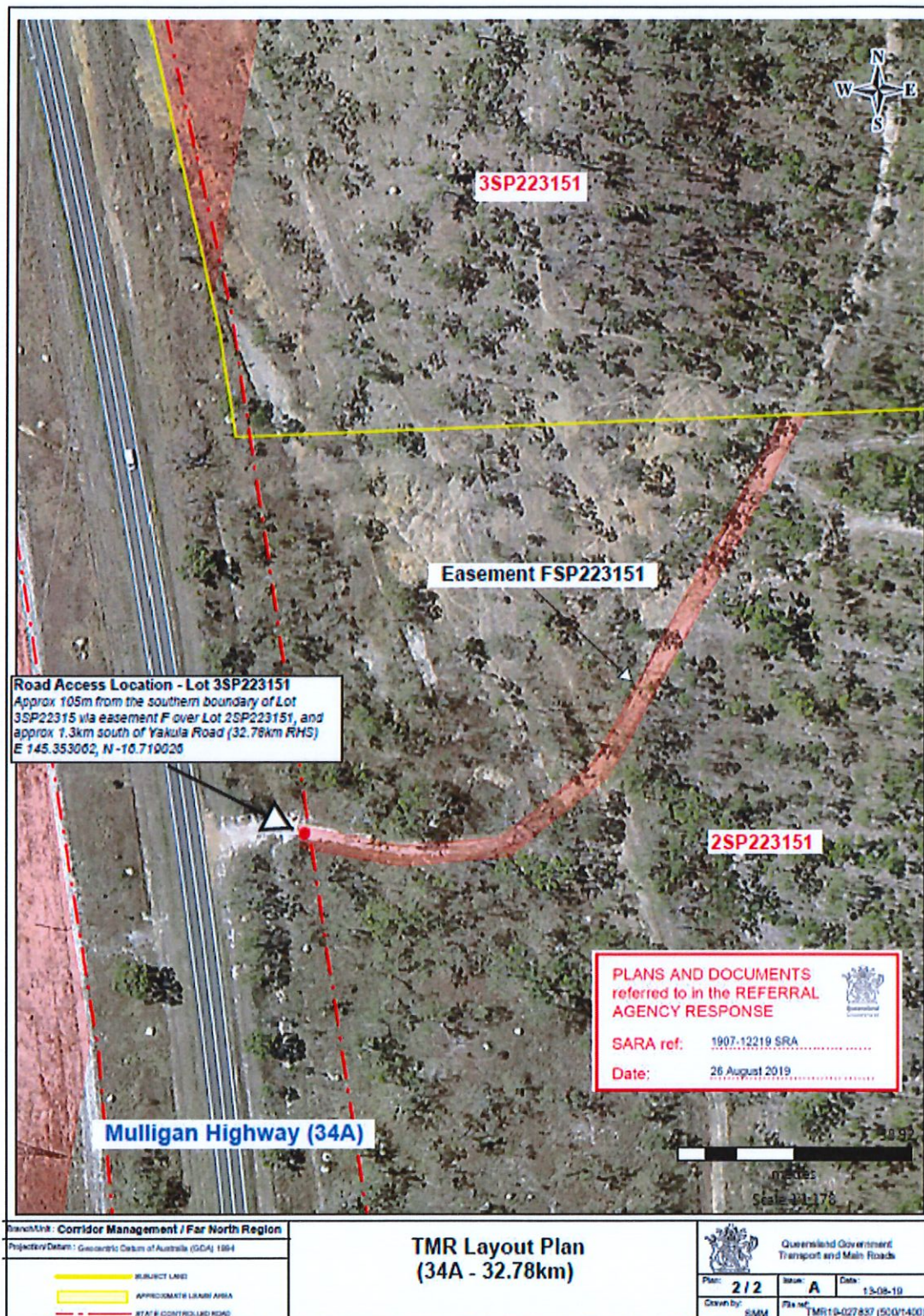
**PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE**

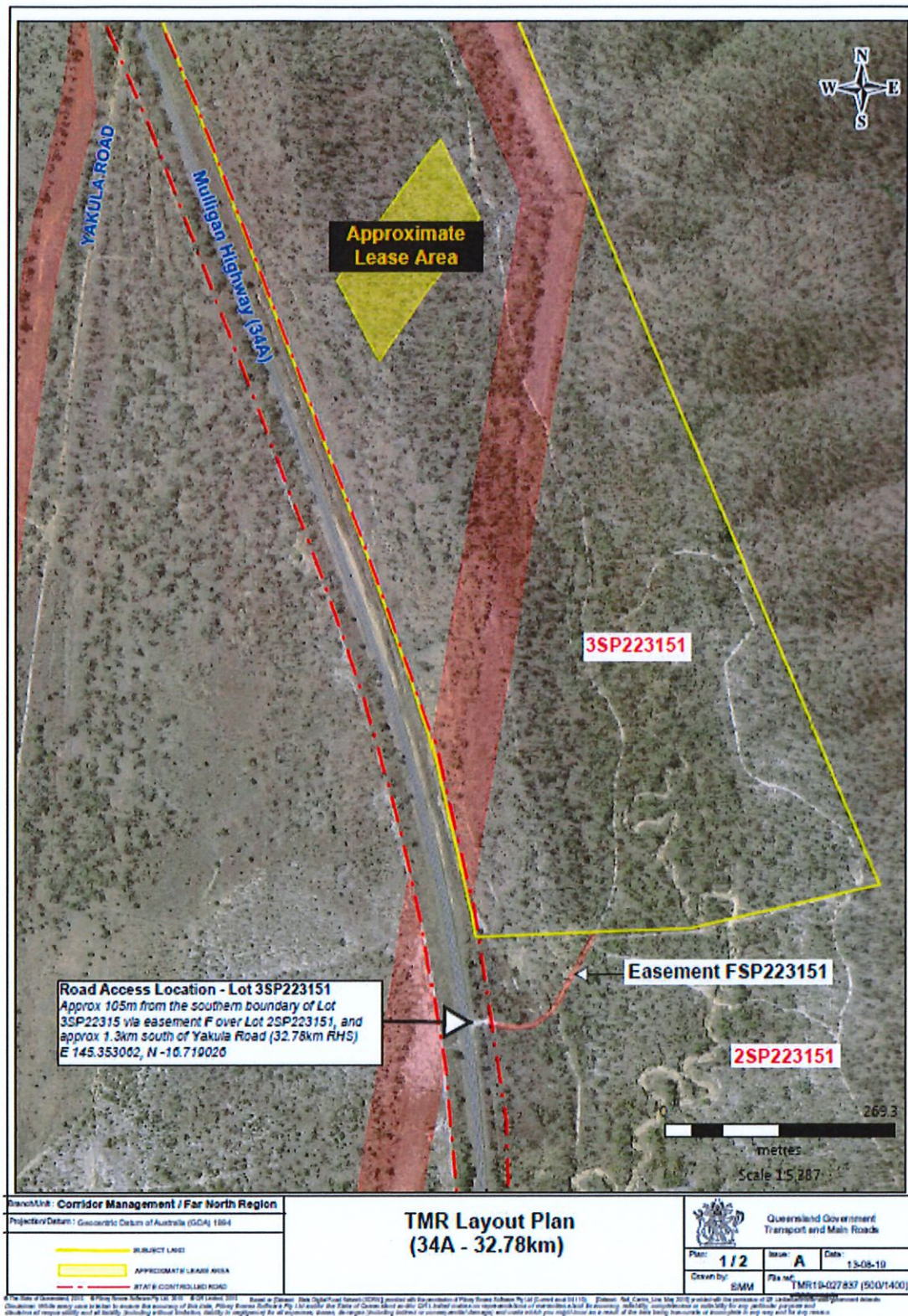


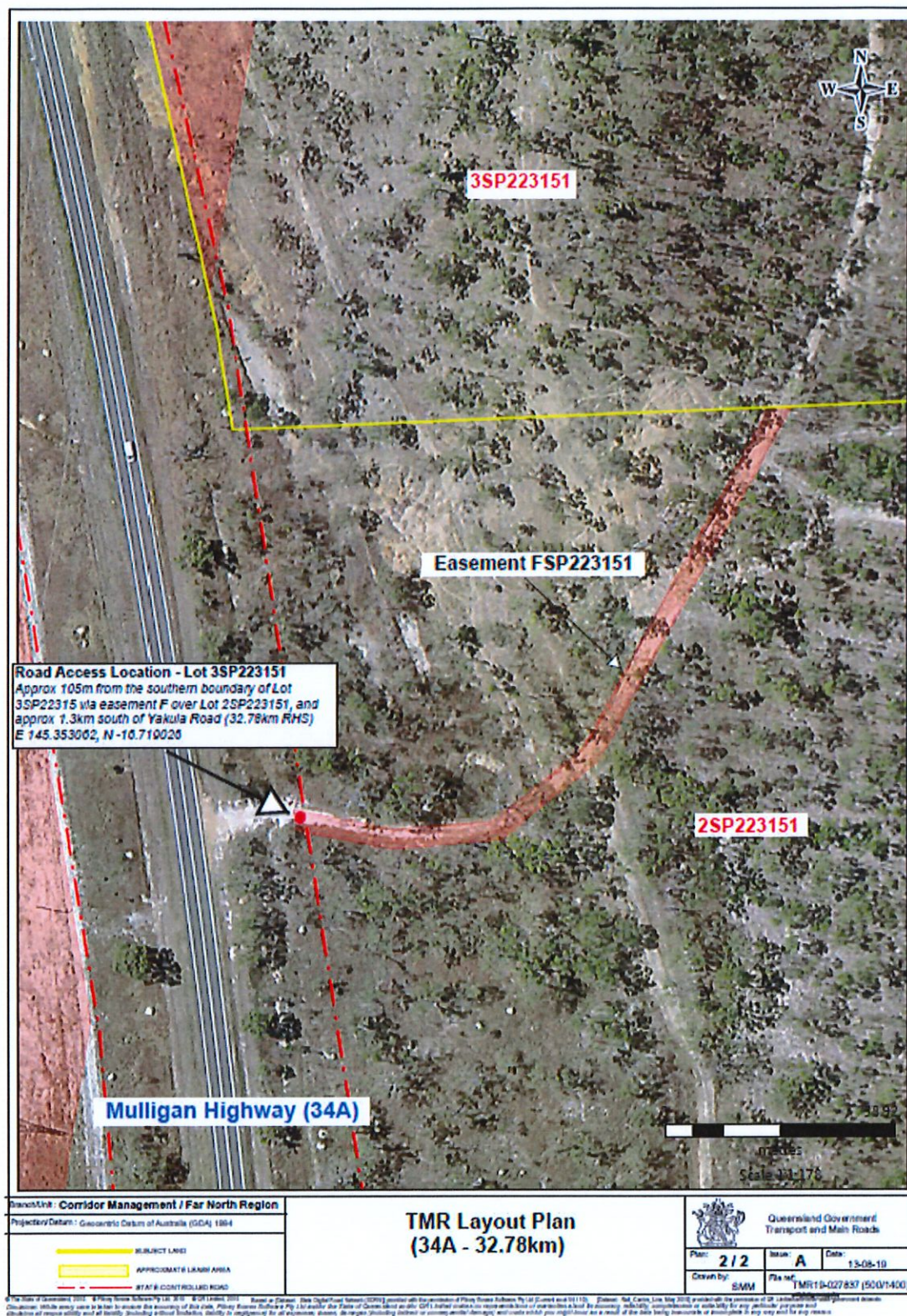
SARA ref: 1907-12219 SRA

Date: 26 August 2019

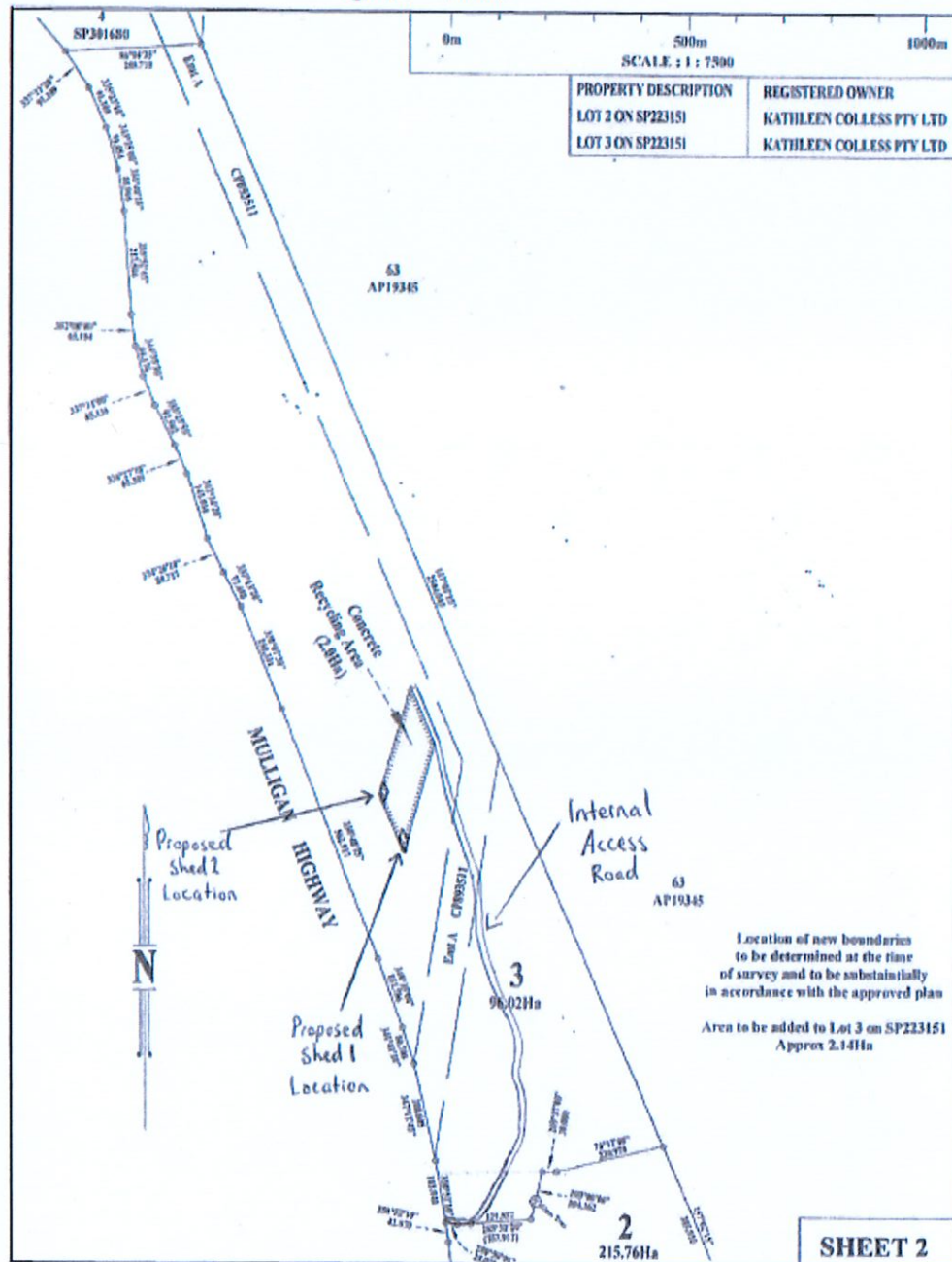








Site Plan



Development Assessment Rules—Representations about a referral agency response (concurrence)

The following provisions are those set out in sections 28 and 30 of the *Development Assessment Rules*¹ regarding representations about a referral agency response (concurrence).

Part 6: Changes to the application and referral agency responses and Part 7: Miscellaneous

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 28.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

30 Representations about a referral agency response

30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.³

³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

Appeal Rights

PLANNING ACT 2016 & THE PLANNING REGULATION 2017

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

(1) Schedule 1 of the *Planning Act 2016* states –

- (a) Matters that may be appealed to –
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
- (b) The person-
 - (i) who may appeal a matter (**the appellant**); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.

(Refer to Schedule 1 of the Planning Act 2016)

(2) An appellant may start an appeal within the appeal period.

(3) The **appeal period** is –

- (a) for an appeal by a building advisory agency – 10 business days after a decision notice for the decision is given to the agency; or
- (b) for an appeal against a deemed refusal – at any time after the deemed refusal happens; or
- (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises – 20 business days after a notice is published under section 269(3)(a) or (4); or
- (d) for an appeal against an infrastructure charges notice – 20 business days after the infrastructure charges notice is given to the person; or
- (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given – 30 business days after the applicant gives the deemed approval notice to the assessment manager; or
- (f) for any other appeal – 20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note –

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt. It is declared that an appeal against an infrastructure charges notice must not be about-
 - (a) the adopted charge itself; or

- (b) for a decision about an offset or refund-
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that-
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to –
 - (a) the respondent for the appeal ; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, table 1, item 1 – each principal submitter for the development application; and
 - (d) for an appeal about a change application under schedule 1, table 1, item 2 – each principal submitter for the change application; and
 - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
 - (f) for an appeal to the P&E Court – the chief executive; and
 - (g) for an appeal to a tribunal under another Act – any other person who the registrar considers appropriate.
- (4) The *service period* is –
 - (a) if a submitter or advice agency started the appeal in the P&E Court – 2 business days after the appeal has started; or
 - (b) otherwise – 10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

231 Other appeals

- (1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section –
decision includes-
 - (a) conduct engaged in for the purpose of making a decision; and
 - (b) other conduct that relates to the making of a decision; and
 - (c) the making of a decision or failure to make a decision; and

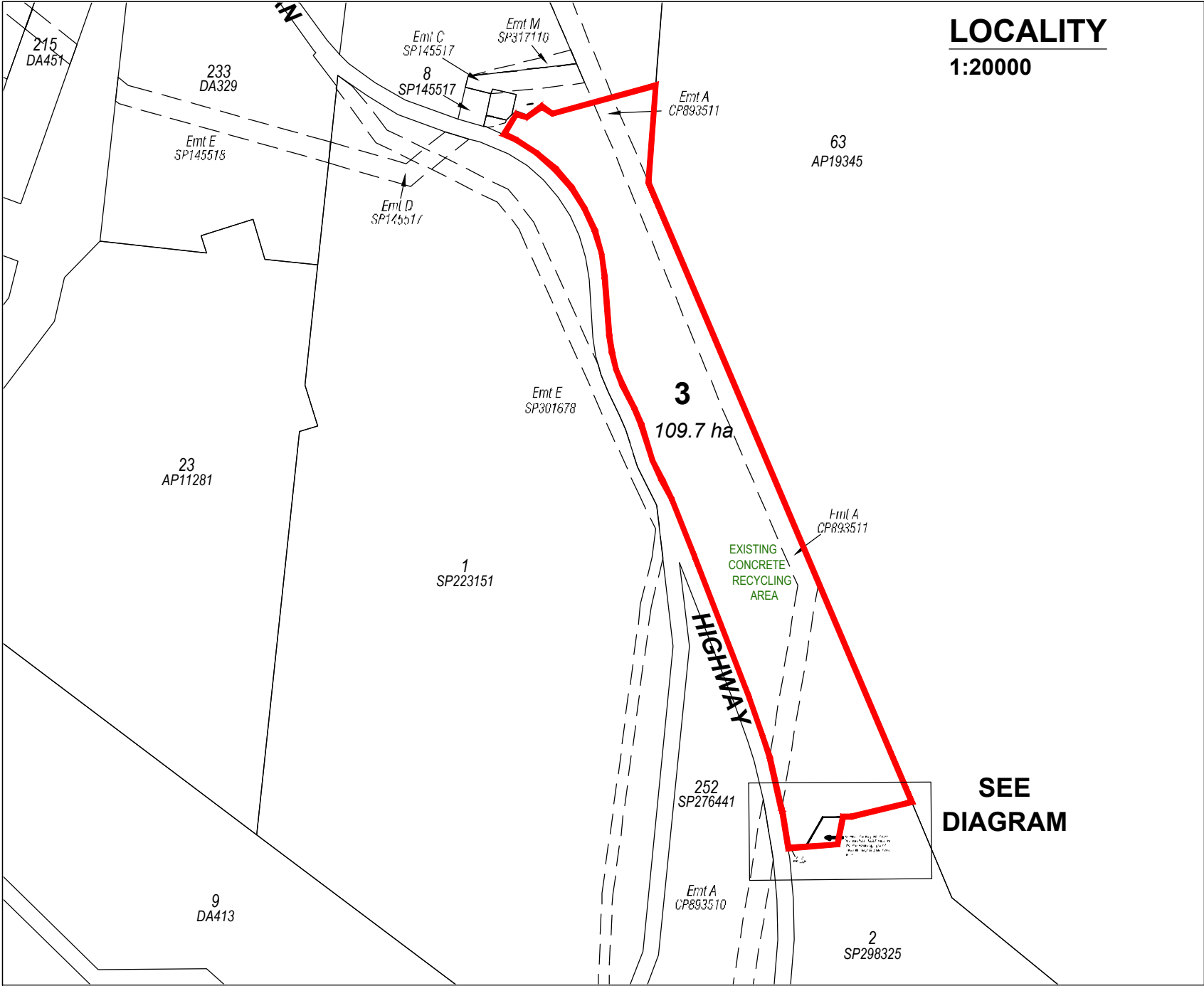
- (d) a purported decision ; and
 - (e) a deemed refusal.
- non-appealable*, for a decision or matter, means the decision or matter-
- (a) is final and conclusive; and
 - (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the Judicial Review Act 1991 or otherwise, whether by the Supreme Court, another court, a tribunal or another entity; and
 - (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with the rules of the P&E Court.

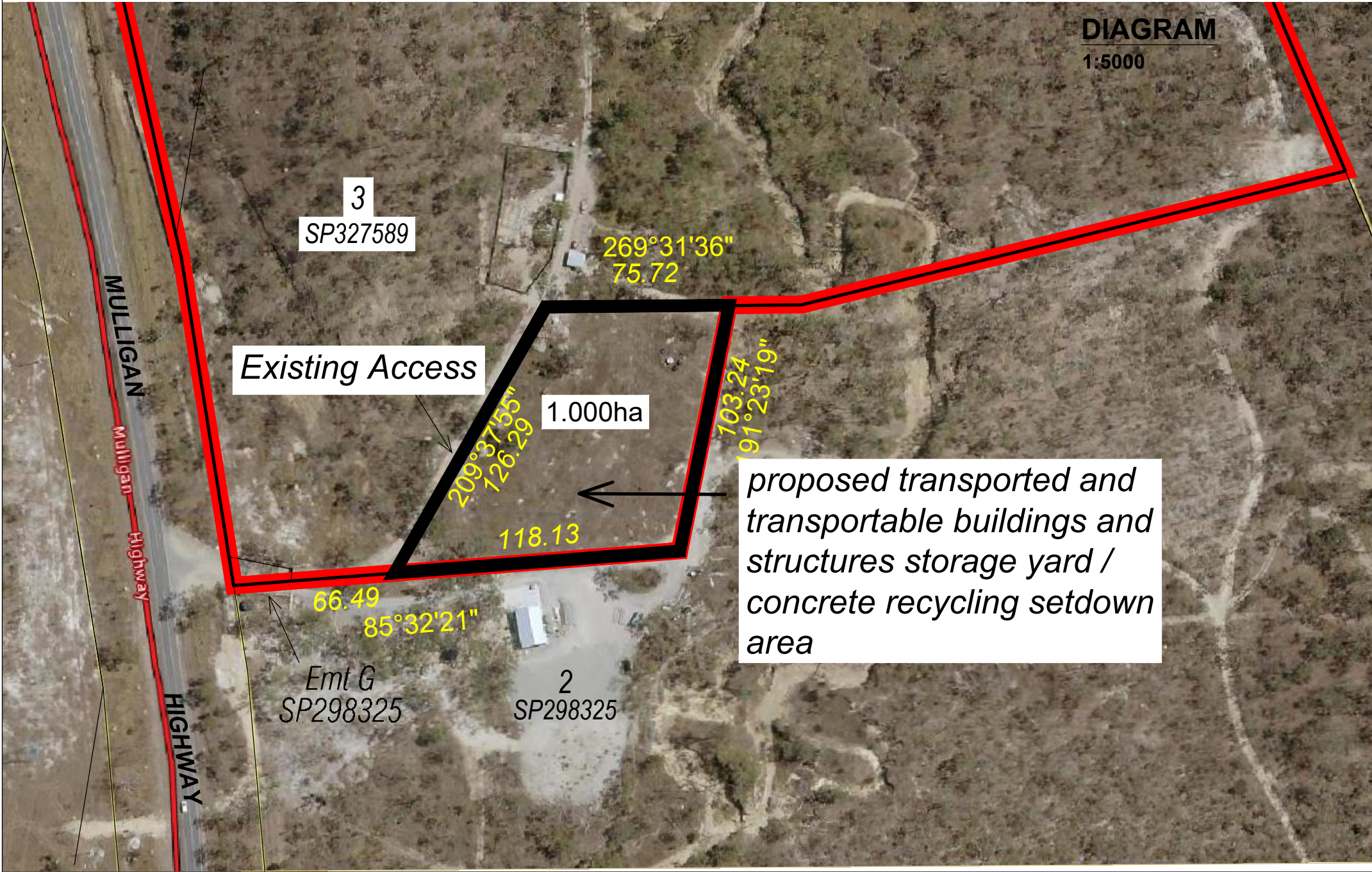
Appendix D

Proposal Plans



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.

AERIAL IMAGERY.
The aerial photography used in this plan has not been rectified. The image has been overlaid as a best fit on the boundaries shown and position is approximate only. Date of Capture: 2021.
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Appendix E

Development Assessment Mapping System

State Assessment and Referral Agency

Date: 28/10/2022

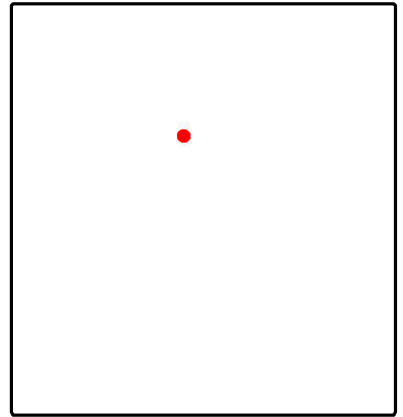


Queensland Government

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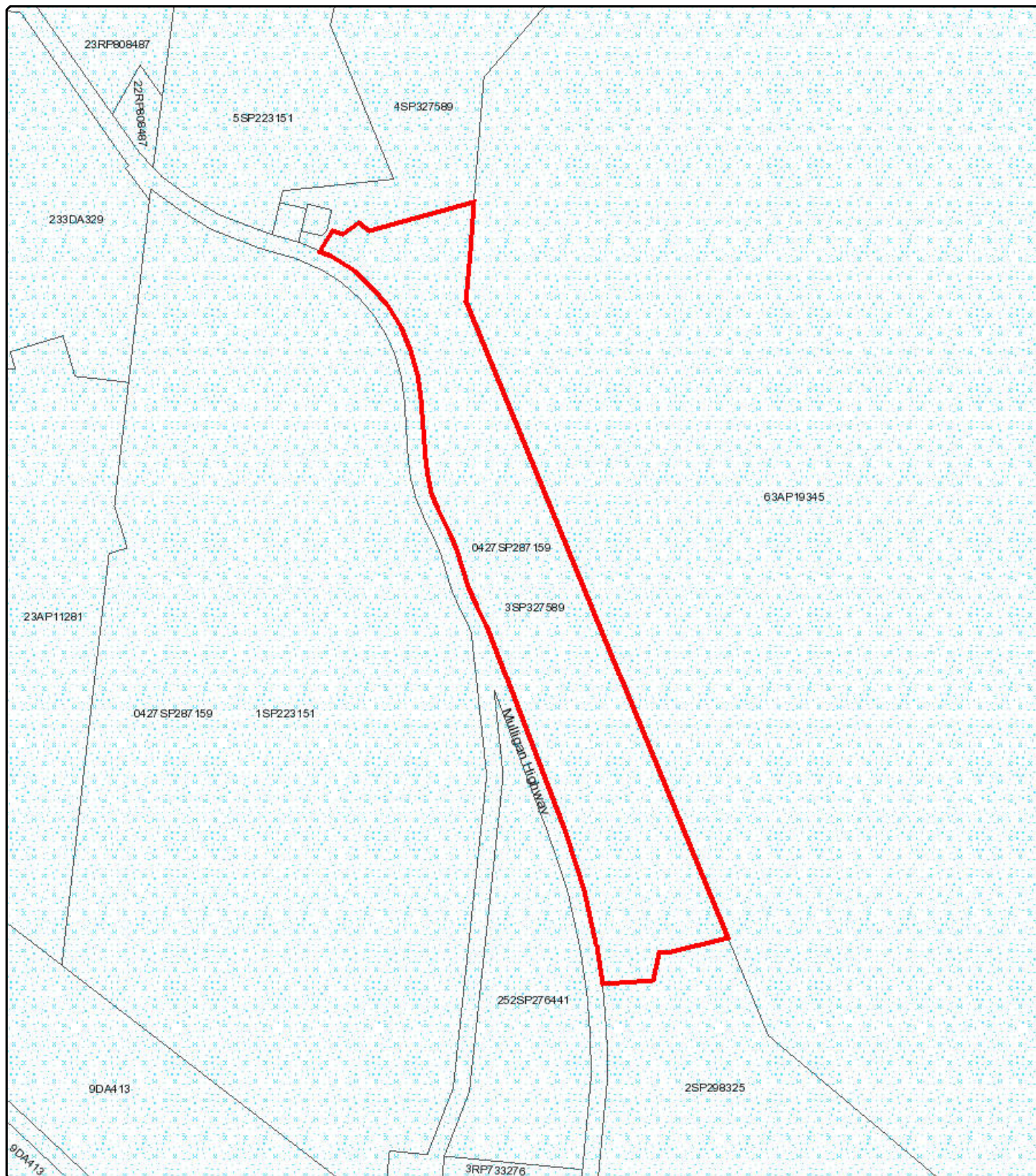


Matters of Interest for all selected Lot Plans

Queensland waterways for waterway barrier works
Water resource planning area boundaries
Regulated vegetation management map (Category A and B extract)
State-controlled road
Area within 25m of a State-controlled road

Matters of Interest by Lot Plan

Lot Plan: 3SP327589 (Area: 1097000 m²)
Queensland waterways for waterway barrier works
Water resource planning area boundaries
Regulated vegetation management map (Category A and B extract)
State-controlled road
Area within 25m of a State-controlled road



State Assessment and Referral Agency

Date: 28/10/2022



Queensland Government

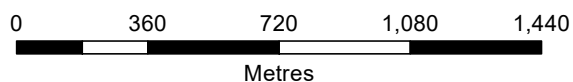
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Legend

Water resource planning area boundaries



Water resource planning area boundaries



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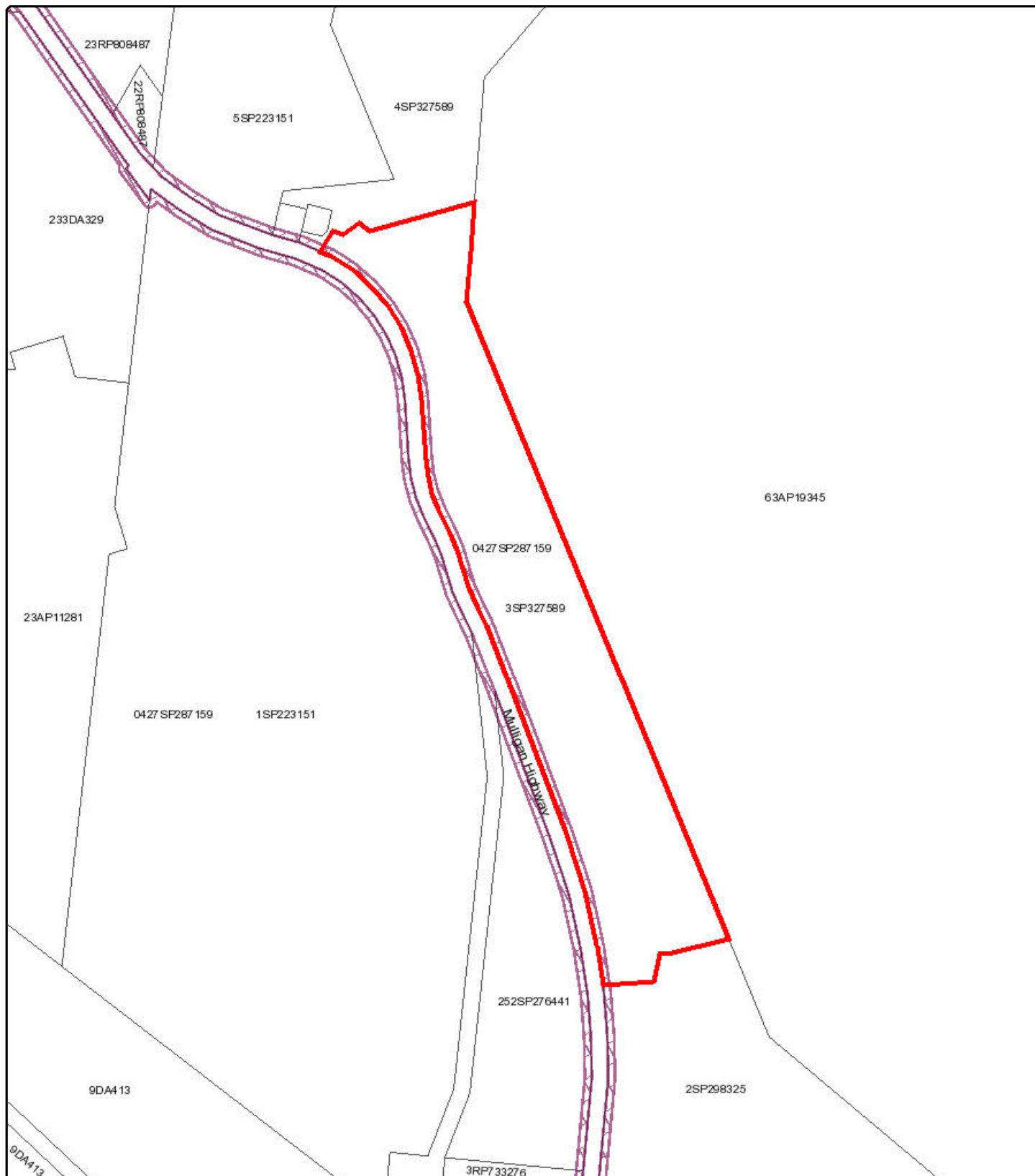
Queensland waterways for waterway barrier works

- 1 - Low
- 2 - Moderate
- 3 - High
- 4 - Major

0 360 720 1,080 1,440
Metres

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Date: 28/10/2022



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Legend

Area within 25m of a State-controlled road

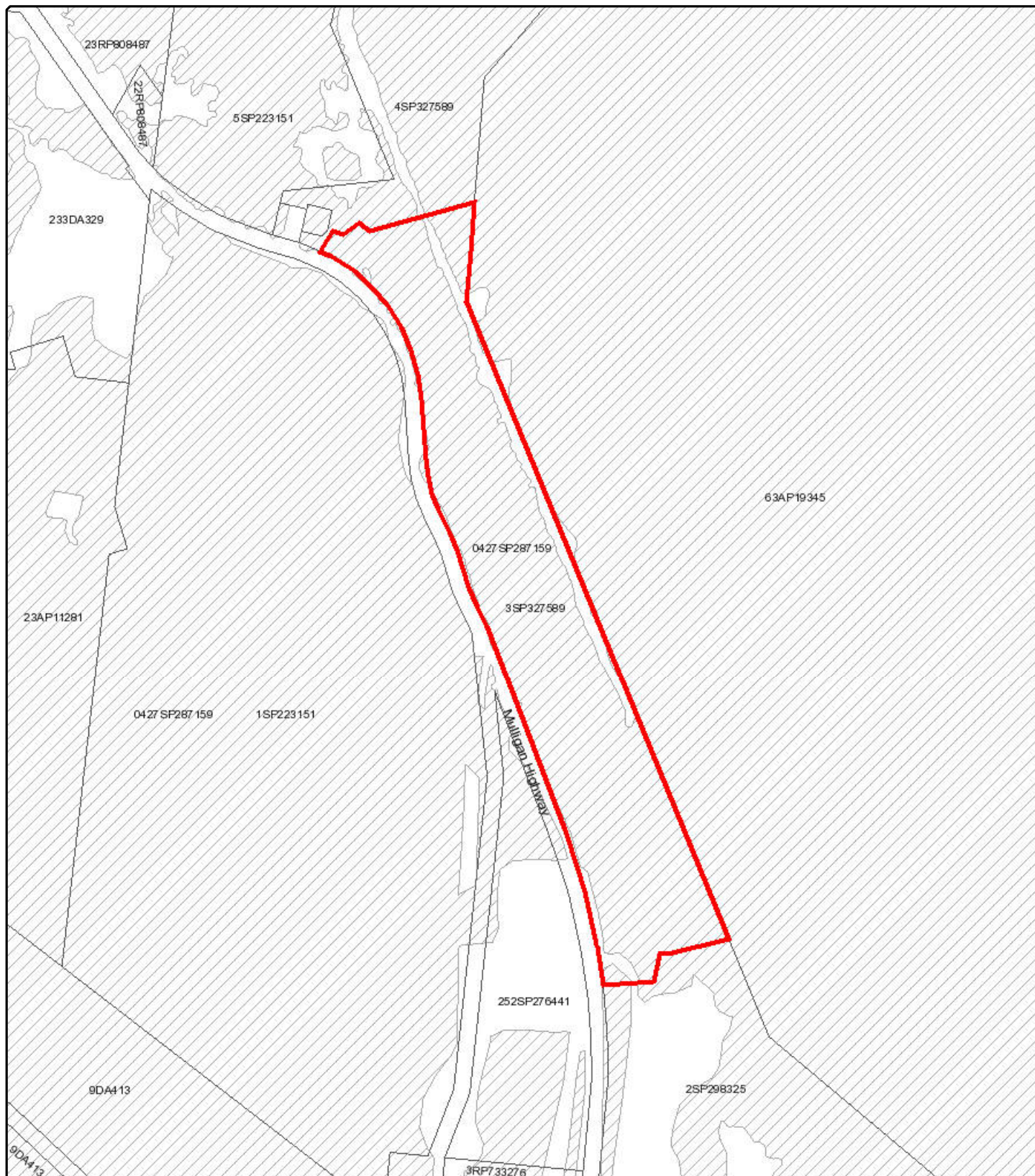


Area within 25m of a State-controlled road

0 360 720 1,080 1,440
Metres

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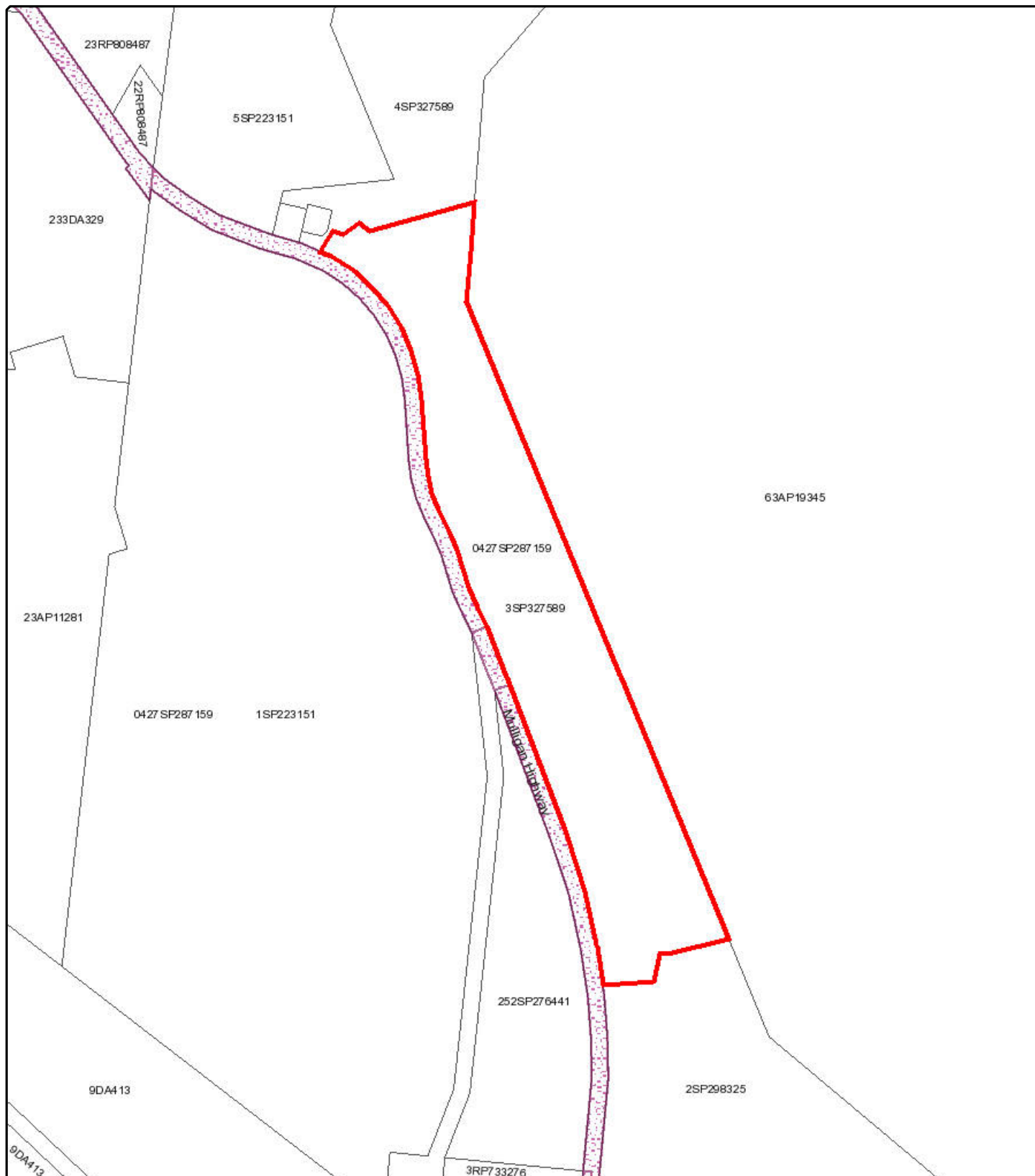
Regulated vegetation management map
(Category A and B extract)

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

0 360 720 1,080 1,440
Metres

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State Assessment and Referral Agency

Date: 28/10/2022



Queensland Government

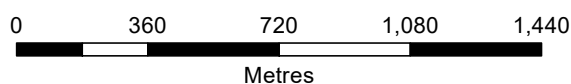
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Legend

State-controlled road



State-controlled road



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Appendix F

Vegetation Management Report



Vegetation management report

For Lot: 3 Plan: SP327589

09/11/2022

This publication has been compiled by Operations Support, Department of Resources.

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Recent changes

Updated mapping

Updated vegetation mapping was released on 8 September 2022 and includes the most recent Queensland Herbarium scientific updates to the Regulated Vegetation Management Map, regional ecosystems, wetland, high-value regrowth and essential habitat mapping.

The Department of Environment and Science have also updated their protected plant and koala protection mapping to align with the Queensland Herbarium scientific updates.

Overview

Based on the lot on plan details you have supplied, this report provides the following detailed information:

Property details - information about the specified Lot on Plan, lot size, local government area, bioregion(s), subregion(s) and catchment(s);

Vegetation management framework - an explanation of the application of the framework and contact details for the Department of Resources who administer the framework;

Vegetation management framework details for the specified Lot on Plan including:

- the vegetation management categories on the property;
- the vegetation management regional ecosystems on the property;
- vegetation management watercourses or drainage features on the property;
- vegetation management wetlands on the property;
- vegetation management essential habitat on the property;
- whether any area management plans are associated with the property;
- whether the property is coastal or non-coastal; and
- whether the property is mapped as Agricultural Land Class A or B;

Protected plant framework - an explanation of the application of the framework and contact details for the Department of Environment and Science who administer the framework, including:

- high risk areas on the protected plant flora survey trigger map for the property;

Koala protection framework - an explanation of the application of the framework and contact details for the Department of Environment and Science who administer the framework; and

Koala protection framework details for the specified Lot on Plan including:

- the koala district the property is located in;
- koala priority areas on the property;
- core and locally refined koala habitat areas on the property;
- whether the lot is located in an identified koala broad-hectare area; and
- koala habitat regional ecosystems on the property for core koala habitat areas.

This information will assist you to determine your options for managing vegetation under:

- the vegetation management framework, which may include:

- exempt clearing work;
- accepted development vegetation clearing code;
- an area management plan;
- a development approval;

- the protected plant framework, which may include:

- the need to undertake a flora survey;
- exempt clearing;
- a protected plant clearing permit;

- the koala protection framework, which may include:

- exempted development;
- a development approval;
- the need to undertake clearing sequentially and in the presence of a koala spotter.

Other laws

The clearing of native vegetation is regulated by both Queensland and Australian legislation, and some local governments also regulate native vegetation clearing. You may need to obtain an approval or permit under another Act, such as the Commonwealth Government's *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Section 8 of this guide provides contact details of other agencies you should confirm requirements with, before commencing vegetation clearing.

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1. Property details

1.1 Tenure and title area

All of the lot, plan, tenure and title area information associated with property Lot: 3 Plan: SP327589, are listed in Table 1.

Table 1: Lot, plan, tenure and title area information for the property

Lot	Plan	Tenure	Property title area (sq metres)
0427	SP287159	Profit à Prendre	11,000,000
3	SP327589	Freehold	1,097,000
G	SP298325	Easement	206
A	CP893511	Easement	450,500

The tenure of the land may affect whether clearing is considered exempt clearing work or may be carried out under an accepted development vegetation clearing code.

1.2 Property location

Table 2 provides a summary of the locations for property Lot: 3 Plan: SP327589, in relation to natural and administrative boundaries.

Table 2: Property location details

Local Government(s)
Mareeba Shire

Bioregion(s)	Subregion(s)
Einasleigh Uplands	Hodgkinson Basin
Wet Tropics	Macalister

Catchment(s)
Mitchell

2. Vegetation management framework (administered by the Department of Resources)

The *Vegetation Management Act 1999* (VMA), the Vegetation Management Regulation 2012, the *Planning Act 2016* and the Planning Regulation 2017, in conjunction with associated policies and codes, form the Vegetation Management Framework.

The VMA does not apply to all land tenures or vegetation types. State forests, national parks, forest reserves and some tenures under the *Forestry Act 1959* and *Nature Conservation Act 1992* are not regulated by the VMA. Managing or clearing vegetation on these tenures may require approvals under these laws.

The following native vegetation is not regulated under the VMA but may require permit(s) under other laws:

- grass or non-woody herbage;
- a plant within a grassland regional ecosystem prescribed under Schedule 5 of the Vegetation Management Regulation 2012; and
- a mangrove.

2.1 Exempt clearing work

Exempt clearing work is an activity for which you do not need to notify the Department of Resources or obtain an approval under the vegetation management framework. Exempt clearing work was previously known as exemptions.

In areas that are mapped as Category X (white in colour) on the regulated vegetation management map (see section 4.1), and where the land tenure is freehold, indigenous land and leasehold land for agriculture and grazing purposes, the clearing of vegetation is considered exempt clearing work and does not require notification or development approval under the vegetation management framework. For all other land tenures, contact the Department of Resources before commencing clearing to ensure that the proposed activity is exempt clearing work.

A range of routine property management activities are considered exempt clearing work. A list of exempt clearing work is available at

<https://www.qld.gov.au/environment/land/management/vegetation/clearing-approvals/exemptions>.

Exempt clearing work may be affected if the proposed clearing area is subject to development approval conditions, a covenant, an environmental offset, an exchange area, a restoration notice, or an area mapped as Category A. Exempt clearing work may require approval under other Commonwealth, State or Local Government laws, or local government planning schemes. Contact the Department of Resources prior to clearing in any of these areas.

2.2 Accepted development vegetation clearing codes

Some clearing activities can be undertaken under an accepted development vegetation clearing code. The codes can be downloaded at

<https://www.qld.gov.au/environment/land/management/vegetation/clearing-approvals/codes>

If you intend to clear vegetation under an accepted development vegetation clearing code, you must notify the Department of Resources before commencing. The information in this report will assist you to complete the online notification form.

You can complete the online form at

<https://apps.dnrm.qld.gov.au/vegetation/>

2.3 Area management plans

Area Management Plans (AMP) provide an alternative approval system for vegetation clearing under the vegetation management framework. They list the purposes and clearing conditions that have been approved for the areas covered by the plan. It is not necessary to use an AMP, even when an AMP applies to your property.

On 8 March 2020, AMPs ended for fodder harvesting, managing thickened vegetation and managing encroachment. New notifications cannot be made for these AMPs. You will need to consider options for fodder harvesting, managing thickened vegetation or encroachment under a relevant accepted development vegetation clearing code or apply for a development approval.

New notifications can be made for all other AMPs. These will continue to apply until their nominated end date.

If an Area Management Plan applies to your property for which you can make a new notification, it will be listed in Section 3.6 of this report. Before clearing under one of these AMPs, you must first notify the Department of Resources and then follow the conditions and requirements listed in the AMP.

<https://www.qld.gov.au/environment/land/management/vegetation/clearing-approvals/area-management-plans>

2.4 Development approvals

If under the vegetation management framework your proposed clearing is not exempt clearing work, or is not permitted under an accepted development vegetation clearing code, or an AMP, you may be able to apply for a development approval. Information on how to apply for a development approval is available at

<https://www.qld.gov.au/environment/land/management/vegetation/clearing-approvals/development>

2.5. Contact information for the Department of Resources

For further information on the vegetation management framework:

Phone 135VEG (135 834)

Email vegetation@resources.qld.gov.au

Visit <https://www.resources.qld.gov.au/?contact=vegetation> to submit an online enquiry.

3. Vegetation management framework for Lot: 3 Plan: SP327589

3.1 Vegetation categories

The vegetation categories on your property are shown on the regulated vegetation management map in section 4.1 of this report. A summary of vegetation categories on the subject lot are listed in Table 3. Descriptions for these categories are shown in Table 4.

Table 3: Vegetation categories for subject property. Total area: 109.7ha

Vegetation category	Area (ha)
Category B	98.9
Category X	10.8

Table 4: Description of vegetation categories

Category	Colour on Map	Description	Requirements / options under the vegetation management framework
A	red	Compliance areas, environmental offset areas and voluntary declaration areas	Special conditions apply to Category A areas. Before clearing, contact the Department of Resources to confirm any requirements in a Category A area.
B	dark blue	Remnant vegetation areas	Exempt clearing work, or notification and compliance with accepted development vegetation clearing codes, area management plans or development approval.
C	light blue	High-value regrowth areas	Exempt clearing work, or notification and compliance with managing Category C regrowth vegetation accepted development vegetation clearing code.
R	yellow	Regrowth within 50m of a watercourse or drainage feature in the Great Barrier Reef catchment areas	Exempt clearing work, or notification and compliance with managing Category R regrowth accepted development vegetation clearing code or area management plans.
X	white	Clearing on freehold land, indigenous land and leasehold land for agriculture and grazing purposes is considered exempt clearing work under the vegetation management framework. Contact the Department of Resources to clarify whether a development approval is required for other State land tenures.	No permit or notification required on freehold land, indigenous land and leasehold land for agriculture and grazing. A development approval may be required for some State land tenures.

Property Map of Assessable Vegetation (PMAV)

The following Property Map of Assessable Vegetation (PMAVs) may be present on this property:

Reference number

2017/003179

3.2 Regional ecosystems

The endangered, of concern and least concern regional ecosystems on your property are shown on the vegetation management supporting map in section 4.2 and are listed in Table 5.

A description of regional ecosystems can be accessed online at

<https://www.qld.gov.au/environment/plants-animals/plants/ecosystems/descriptions/>

Table 5: Regional ecosystems present on subject property

Regional Ecosystem	VMA Status	Category	Area (Ha)	Short Description	Structure Category
7.11.51	Least concern	B	6.27	Corymbia clarksoniana and/or Eucalyptus drepanophylla open forest to woodland on metamorphics	Mid-dense
9.11.7	Least concern	B	85.87	Eucalyptus platyphylla and/or E. cullenii +/- Corymbia clarksoniana woodland on texture contrast soils on metamorphic hills	Sparse
9.3.13	Least concern	B	2.02	Melaleuca spp., Eucalyptus camaldulensis and Casuarina cunninghamiana fringing open forest on streams and channels	Mid-dense
9.3.3	Least concern	B	4.71	Corymbia spp. and Eucalyptus spp. dominated mixed woodland on alluvial flats, levees and plains	Sparse
non-rem	None	X	10.84	None	None

Please note:

1. All area and area derived figures included in this table have been calculated via reprojecting relevant spatial features to Albers equal-area conic projection (central meridian = 146, datum Geocentric Datum of Australia 1994). As a result, area figures may differ slightly if calculated for the same features using a different co-ordinate system.
2. If Table 5 contains a Category 'plant', please be aware that this refers to 'plantations' such as forestry, and these areas are considered non-remnant under the VMA.

The VMA status of the regional ecosystem (whether it is endangered, of concern or least concern) also determines if any of the following are applicable:

- exempt clearing work;
- accepted development vegetation clearing codes;
- performance outcomes in State Code 16 of the State Development Assessment Provisions (SDAP).

3.3 Watercourses

Vegetation management watercourses and drainage features for this property are shown on the vegetation management supporting map in section 4.2.

3.4 Wetlands

There are no vegetation management wetlands present on this property.

3.5 Essential habitat

Under the VMA, essential habitat for protected wildlife is native wildlife prescribed under the *Nature Conservation Act 1992* (NCA) as critically endangered, endangered, vulnerable or near-threatened wildlife.

Essential habitat for protected wildlife includes suitable habitat on the lot, or where a species has been known to occur up to 1.1 kilometres from a lot on which there is assessable vegetation. These important habitat areas are protected under the VMA.

Any essential habitat on this property will be shown as blue hatching on the vegetation supporting map in section 4.2.

If essential habitat is identified on the lot, information about the protected wildlife species is provided in Table 6 below. The numeric labels on the vegetation management supporting map can be cross referenced with Table 6 to outline the essential habitat factors for that particular species. There may be essential habitat for more than one species on each lot, and areas of Category A, Category B and Category C can be mapped as Essential Habitat.

Essential habitat is compiled from a combination of species habitat models and buffered species records. Regional ecosystem is a mandatory essential habitat factor, unless otherwise stated. Essential habitat, for protected wildlife, means an area of vegetation shown on the Regulated Vegetation Management Map -

- 1) that has at least 3 essential habitat factors for the protected wildlife that must include any essential habitat factors that are stated as mandatory for the protected wildlife in the essential habitat database. Essential habitat factors are comprised of - regional ecosystem (mandatory for most species), vegetation community, altitude, soils, position in landscape; or
- 2) in which the protected wildlife, at any stage of its life cycle, is located.

If there is no essential habitat mapping shown on the vegetation management supporting map for this lot, and there is no table in the sections below, it confirms that there is no essential habitat on the lot.

Category A and/or Category B and/or Category C

Table 6: Essential habitat in Category A and/or Category B and/or Category C

No records

3.6 Area Management Plan(s)

Area Management Plan for the control of pest plants in the Dry Tropics region

3.7 Coastal or non-coastal

For the purposes of the accepted development vegetation clearing codes and State Code 16 of the State Development Assessment Provisions (SDAP), this property is regarded as*

Coastal

*See also Map 4.3

3.8 Agricultural Land Class A or B

The following can be used to identify Agricultural Land Class A or B areas under the "Managing regulated regrowth vegetation" accepted development vegetation clearing code:

Does this lot contain land that is mapped as Agricultural Land Class A or B in the State Planning Interactive Mapping System?

No Class A

No Class B

Note - This confirms Agricultural Land Classes as per the State Planning Interactive Mapping System only. This response does not include Agricultural Land Classes identified under local government planning schemes. For further information, check the Planning Scheme for your local government area.

See Map 4.4 to identify the location and extent of Class A and/or Class B Agricultural land on Lot: 3 Plan: SP327589.

4. Vegetation management framework maps

Vegetation management maps included in this report may also be requested individually at:

<https://www.resources.qld.gov.au/qld/environment/land/vegetation/vegetation-map-request-form>

Regulated vegetation management map

The regulated vegetation management map shows vegetation categories needed to determine clearing requirements. These maps are updated monthly to show new [property maps of assessable vegetation \(PMAV\)](#).

Vegetation management supporting map

The vegetation management supporting map provides information on regional ecosystems, wetlands, watercourses and essential habitat.

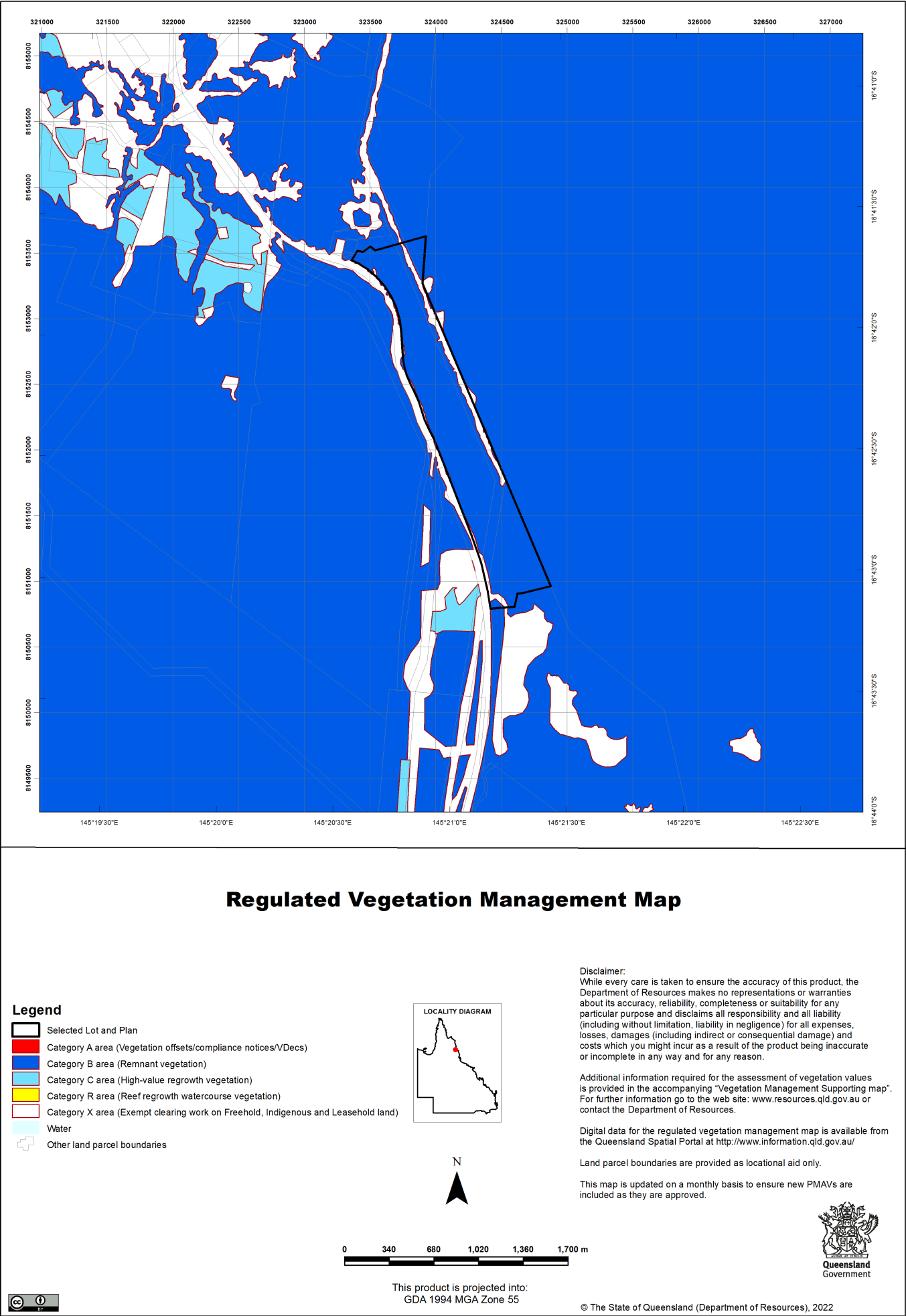
Coastal/non-coastal map

The coastal/non-coastal map confirms whether the lot, or which parts of the lot, are considered coastal or non-coastal for the purposes of the accepted development vegetation clearing codes and State Code 16 of the State Development Assessment Provisions (SDAP).

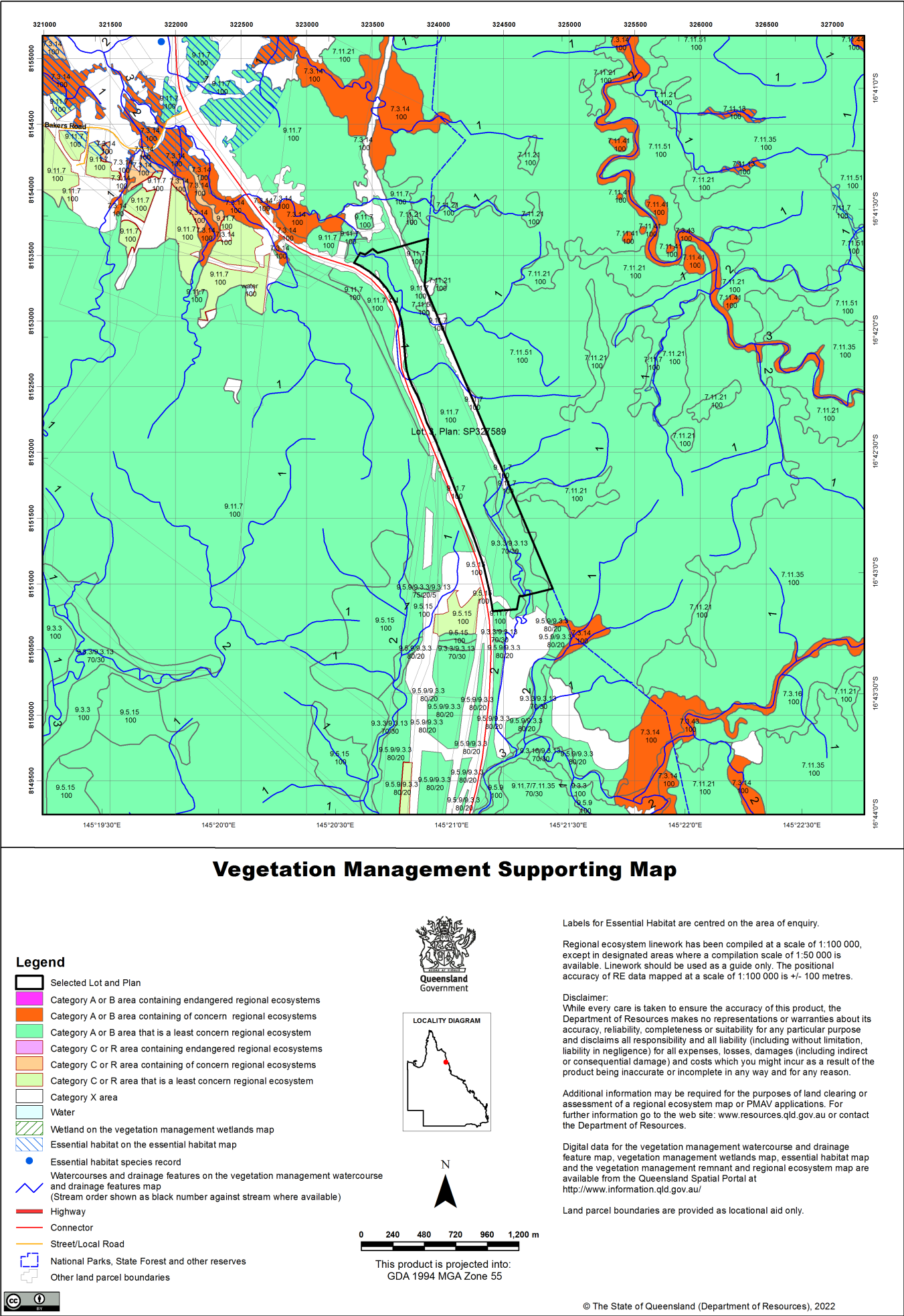
Agricultural Land Class A or B as per State Planning Policy: State Interest for Agriculture

The Agricultural Land Class map confirms the location and extent of land mapped as Agricultural Land Classes A or B as identified on the State Planning Interactive Mapping System. Please note that this map does not include areas identified as Agricultural Land Class A or B in local government planning schemes. This map can be used to identify Agricultural Land Class A or B areas under the "Managing regulated regrowth vegetation" accepted development vegetation clearing code.

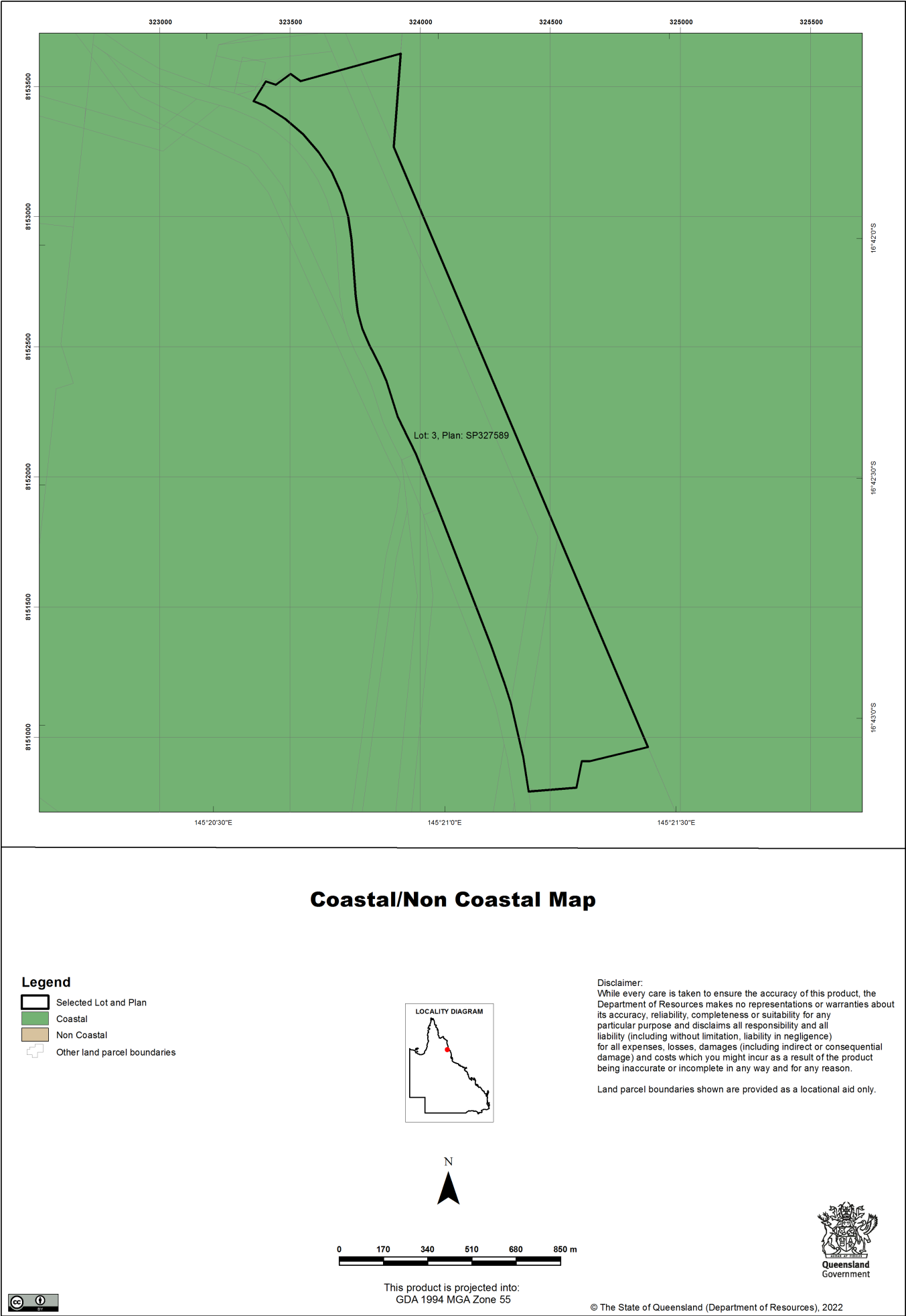
4.1 Regulated vegetation management map



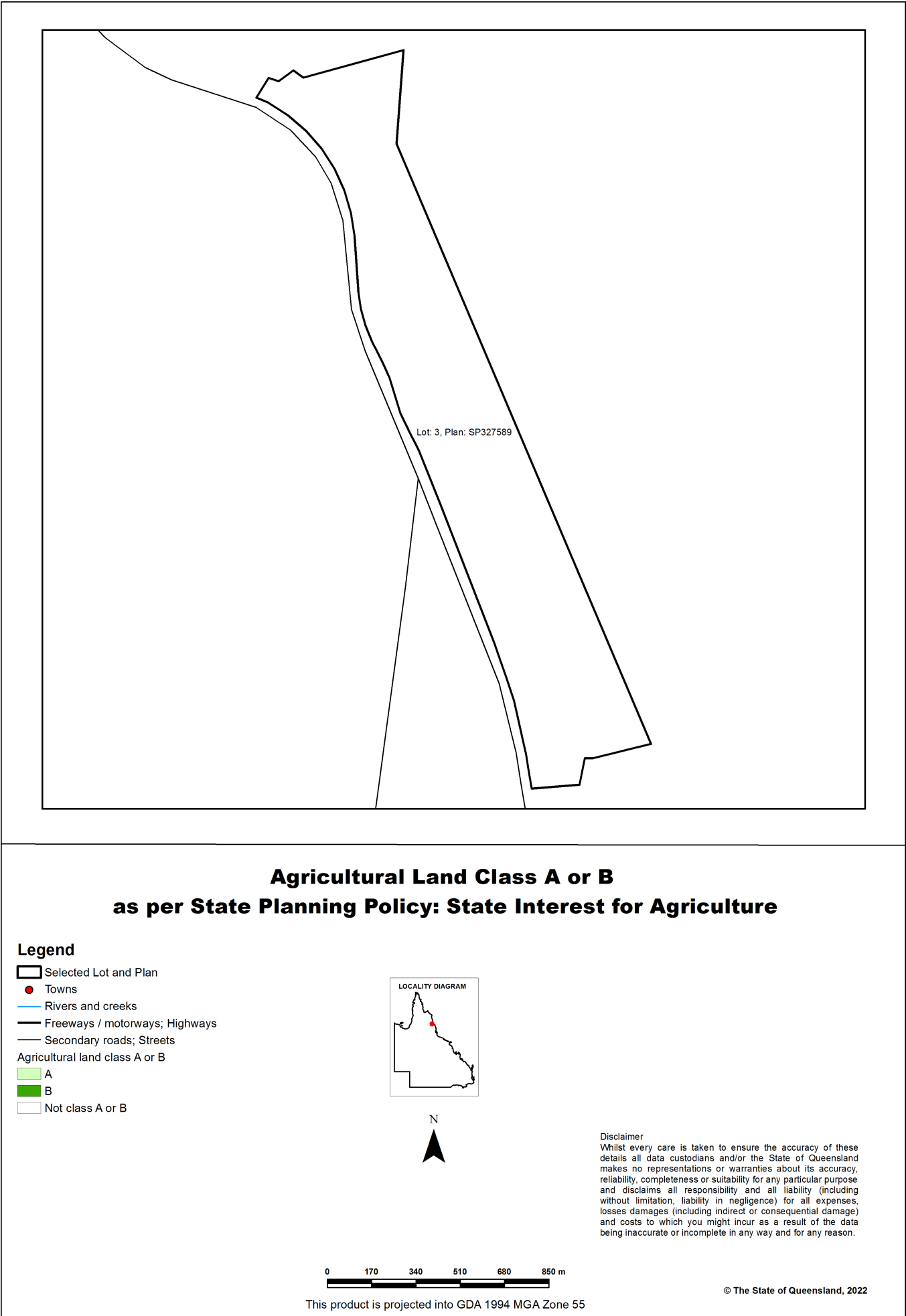
4.2 Vegetation management supporting map



4.3 Coastal/non-coastal map



4.4 Agricultural Land Class A or B as per State Planning Policy: State Interest for Agriculture



5. Protected plants framework (administered by the Department of Environment and Science (DES))

In Queensland, all plants that are native to Australia are protected plants under the [Nature Conservation Act 1992](#) (NCA). The NCA regulates the clearing of protected plants 'in the wild' (see [Operational policy: When a protected plant in Queensland is considered to be 'in the wild'](#)) that are listed as critically endangered, endangered, vulnerable or near threatened under the Act.

Please note that the protected plant clearing framework applies irrespective of the classification of the vegetation under the *Vegetation Management Act 1999* and any approval or exemptions given under another Act, for example, the *Vegetation Management Act 1999* or *Planning Regulation 2017*.

5.1 Clearing in high risk areas on the flora survey trigger map

The flora survey trigger map identifies high-risk areas for threatened and near threatened plants. These are areas where threatened or near threatened plants are known to exist or are likely to exist based on the habitat present. The flora survey trigger map for this property is provided in section 5.5.

If you are proposing to clear an area shown as high risk on the flora survey trigger map, a flora survey of the clearing impact area must be undertaken by a suitably qualified person in accordance with the [Flora survey guidelines](#). The main objective of a flora survey is to locate any threatened or near threatened plants that may be present in the clearing impact area.

If the flora survey identifies that threatened or near threatened plants are not present within the clearing impact area or clearing within 100m of a threatened or near threatened plant can be avoided, the clearing activity is exempt from a permit. An [exempt clearing notification form](#) must be submitted to the Department of Environment and Science, with a copy of the flora survey report, at least one week prior to clearing.

If the flora survey identifies that threatened or near threatened plants are present in, or within 100m of, the area to be cleared, a clearing permit is required before any clearing is undertaken. The flora survey report, as well as an impact management report, must be submitted with the [clearing permit application form](#).

5.2 Clearing outside high risk areas on the flora survey trigger map

In an area other than a high risk area, a clearing permit is only required where a person is, or becomes aware that threatened or near threatened plants are present in, or within 100m of, the area to be cleared. You must keep a copy of the flora survey trigger map for the area subject to clearing for five years from the day the clearing starts. If you do not clear within the 12 month period that the flora survey trigger map was printed, you need to print and check a new flora survey trigger map.

5.3 Exemptions

Many activities are 'exempt' under the protected plant clearing framework, which means that clearing of native plants that are in the wild can be undertaken for these activities with no need for a flora survey or a protected plant clearing permit. The Information sheet - General exemptions for the take of protected plants provides some of these exemptions.

Some exemptions under the NCA are the same as exempt clearing work (formerly known as exemptions) under the *Vegetation Management Act 1999* (i.e. listed in Schedule 21 of the Planning Regulations 2017) while some are different.

5.4 Contact information for DES

For further information on the protected plants framework:

Phone 1300 130 372 (and select option four)

Email palm@des.qld.gov.au

Visit <https://www.qld.gov.au/environment/plants-animals/plants/protected-plants>

5.5 Protected plants flora survey trigger map

This map included may also be requested individually at: <https://apps.des.qld.gov.au/map-request/flora-survey-trigger/>.

Updates to the data informing the flora survey trigger map

The flora survey trigger map will be reviewed, and updated if necessary, at least every 12 months to ensure the map reflects the most up-to-date and accurate data available.






Species information

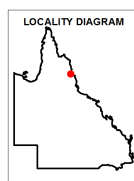
Please note that flora survey trigger maps do not identify species associated with 'high risk areas'. While some species information may be publicly available, for example via the [Queensland Spatial Catalogue](#), the Department of Environment and Science does not provide species information on request. Regardless of whether species information is available for a particular high risk area, clearing plants in a high risk area may require a flora survey and/or clearing permit. Please see the Department of Environment and Science webpage on the [clearing of protected plants](#) for more information.



Protected Plants Flora Survey Trigger Map

Legend

-  Selected Lot and Plan
-  High risk area
-  Other land parcel boundaries
-  Freeways / motorways / highways
-  Secondary roads / streets



0 110 220 330 440 550 m

This product is projected into:
GDA 1994 MGA Zone 55

This map shows areas where particular provisions of the Nature Conservation Act 1992 apply to the clearing of protected plants.

Land parcel boundaries are provided as locational aid only.

This map is produced at a scale relevant to the size of the area selected and should be printed as A4 size in portrait orientation.

For further information or assistance with interpretation of this product, please contact the Department of Environment and Science at palm@des.qld.gov.au

Disclaimer:
While every care is taken to ensure the accuracy of the data used to generate this product, the Queensland Government makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaim all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damages) and costs which might be incurred as a consequence of reliance on the data, or as a result of the data being inaccurate or incomplete in any way and for any reason.

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6. Koala protection framework (administered by the Department of Environment and Science (DES))

The koala (*Phascolarctos cinereus*) is listed in Queensland as vulnerable by the Queensland Government under *Nature Conservation Act 1992* and by the Australian Government under the *Environment Protection and Biodiversity Conservation Act 1999*.

The Queensland Government's koala protection framework is comprised of the *Nature Conservation Act 1992*, the *Nature Conservation (Animals) Regulation 2020*, the *Nature Conservation (Koala) Conservation Plan 2017*, the *Planning Act 2016* and the *Planning Regulation 2017*.

6.1 Koala mapping

6.1.1 Koala districts

The parts of Queensland where koalas are known to occur has been divided into three koala districts - koala district A, koala district B and koala district C. Each koala district is made up of areas with comparable koala populations (e.g. density, extent and significance of threatening processes affecting the population) which require similar management regimes.

Section 7.1 identifies which koala district your property is located in.

6.1.2 Koala habitat areas

Koala habitat areas are areas of vegetation that have been determined to contain koala habitat that is essential for the conservation of a viable koala population in the wild based on the combination of habitat suitability and biophysical variables with known relationships to koala habitat (e.g. landcover, soil, terrain, climate and ground water). In order to protect this important koala habitat, clearing controls have been introduced into the *Planning Regulation 2017* for development in koala habitat areas.

Please note that koala habitat areas only exist in koala district A which is the South East Queensland "Shaping SEQ" Regional Plan area. These areas include the local government areas of Brisbane, Gold Coast, Logan, Lockyer Valley, Ipswich, Moreton Bay, Noosa, Redland, Scenic Rim, Somerset, Sunshine Coast and Toowoomba (urban extent).

There are two different categories of koala habitat area (core koala habitat area and locally refined koala habitat), which have been determined using two different methodologies. These methodologies are described in the document [Spatial modelling in South East Queensland](#).

Section 7.2 shows any koala habitat area that exists on your property.

Under the *Nature Conservation (Koala) Conservation Plan 2017*, an owner of land (or a person acting on the owner's behalf with written consent) can request to make, amend or revoke a koala habitat area determination if they believe, on reasonable grounds, that the existing determination for all or part of their property is incorrect.

More information on requests to make, amend or revoke a koala habitat area determination can be found in the document [Guideline - Requests to make, amend or revoke a koala habitat area determination](#).

The koala habitat area map will be updated at least annually to include any koala habitat areas that have been made, amended or revoked.

Changes to the koala habitat area map which occur between annual updates because of a request to make, amend or revoke a koala habitat area determination can be viewed on the register of approved requests to make, amend or revoke a koala habitat area available at: <https://environment.des.qld.gov.au/wildlife/animals/living-with/koalas/mapping/koalamaps>. The register includes the lot on plan for the change, the date the decision was made and the map issued to the landholder that shows areas determined to be koala habitat areas.

6.1.3 Koala priority areas

Koala priority areas are large, connected areas that have been determined to have the highest likelihood of achieving conservation outcomes for koalas based on the combination of habitat suitability, biophysical variables with known relationships to koala habitat (e.g. landcover, soil, terrain, climate and ground water) and a koala conservation cost benefit analysis.

Conservation efforts will be prioritised in these areas to ensure the conservation of viable koala populations in the wild including a focus on management (e.g. habitat protection, habitat restoration and threat mitigation) and monitoring. This includes a prohibition on clearing in koala habitat areas that are in koala priority areas under the *Planning Regulation 2017* (subject to some exemptions).

Please note that koala priority areas only exist in koala district A which is the South East Queensland "Shaping SEQ" Regional Plan area. These areas include the local government areas of Brisbane, Gold Coast, Logan, Lockyer Valley,

Ipswich, Moreton Bay, Noosa, Redland, Scenic Rim, Somerset, Sunshine Coast and Toowoomba (urban extent).

Section 7.2 identifies if your property is in a koala priority area.

6.1.4 Identified koala broad-hectare areas

There are seven identified koala broad-hectare areas in SEQ. These are areas of koala habitat that are located in areas committed to meet development targets in the SEQ Regional Plan to accommodate SEQ's growing population including bring-forward Greenfield sites under the Queensland Housing Affordability Strategy and declared master planned areas under the repealed *Sustainable Planning Act 2009* and the repealed *Integrated Planning Act 1997*.

Specific assessment benchmarks apply to development applications for development proposed in identified koala broad-hectare areas to ensure koala conservation measures are incorporated into the proposed development.

Section 7.2 identifies if your property is in an identified koala broad-hectare area.

6.2 Koala habitat planning controls

On 7 February 2020, the Queensland Government introduced new planning controls to the Planning Regulation 2017 to strengthen the protection of koala habitat in South East Queensland (i.e. koala district A).

More information on these planning controls can be found here:

<https://environment.des.qld.gov.au/wildlife/animals/living-with/koalas/mapping/legislation-policy>.

As a high-level summary, the koala habitat planning controls make:

- development that involves interfering with koala habitat (defined below) in an area that is both a koala priority area and a koala habitat area, prohibited development (i.e. development for which a development application cannot be made);
- development that involves interfering with koala habitat (defined below) in an area that is a koala habitat area but is not a koala priority area, assessable development (i.e. development for which development approval is required); and
- development that is for extractive industries where the development involves interfering with koala habitat (defined below) in an area that is both a koala habitat area and a key resource area, assessable development (i.e. development for which development approval is required).

Interfering with koala habitat means:

- 1) Removing, cutting down, ringbarking, pushing over, poisoning or destroying in anyway, including by burning, flooding or draining native vegetation in a koala habitat area; but
- 2) Does not include destroying standing vegetation by stock or lopping a tree.

However, these planning controls do not apply if the development is exempted development as defined in Schedule 24 of the [Planning Regulation 2017](#). More information on exempted development can be found here:

<https://environment.des.qld.gov.au/wildlife/animals/living-with/koalas/mapping/legislation-policy>.

There are also assessment benchmarks that apply to development applications for:

- building works, operational works, material change of use or reconfiguration of a lot where:
 - the local government planning scheme makes the development assessable;
 - the premises includes an area that is both a koala priority area and a koala habitat area; and
 - the development does not involve interfering with koala habitat (defined above); and
- development in identified koala broad-hectare areas.

The [Guideline - Assessment Benchmarks in relation to Koala Habitat in South East Queensland assessment benchmarks](#) outlines these assessment benchmarks, the intent of these assessment benchmarks and advice on how proposed development may meet these assessment benchmarks.

6.3 Koala Conservation Plan clearing requirements

Section 10 and 11 of the [Nature Conservation \(Koala\) Conservation Plan 2017](#) prescribes requirements that must be met when clearing koala habitat in koala district A and koala district B.

These clearing requirements are independent to the koala habitat planning controls introduced into the Planning Regulation 2017, which means they must be complied with irrespective of any approvals or exemptions offered under other legislation.

Unlike the clearing controls prescribed in the Planning Regulation 2017 that are to protect koala habitat, the clearing requirements prescribed in the Nature Conservation (Koala) Conservation Plan 2017 are in place to prevent the injury or death of koalas when koala habitat is being cleared.

6.4 Contact information for DES

For further information on the koala protection framework:

Phone 13 QGOV (13 74 68)

Email koala.assessment@des.qld.gov.au

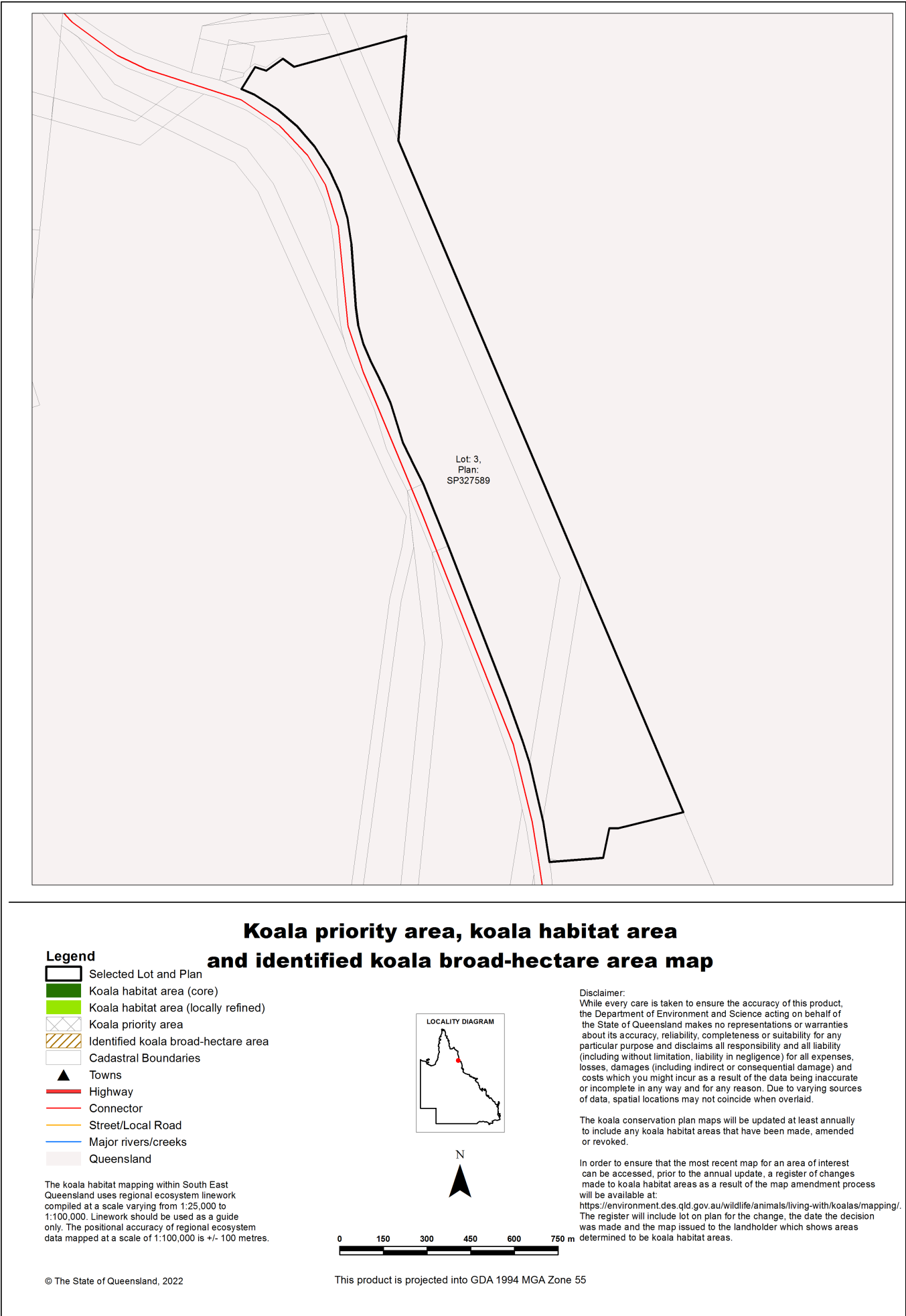
Visit <https://environment.des.qld.gov.au/wildlife/animals/living-with/koalas/mapping>

7. Koala protection framework details for Lot: 3 Plan: SP327589

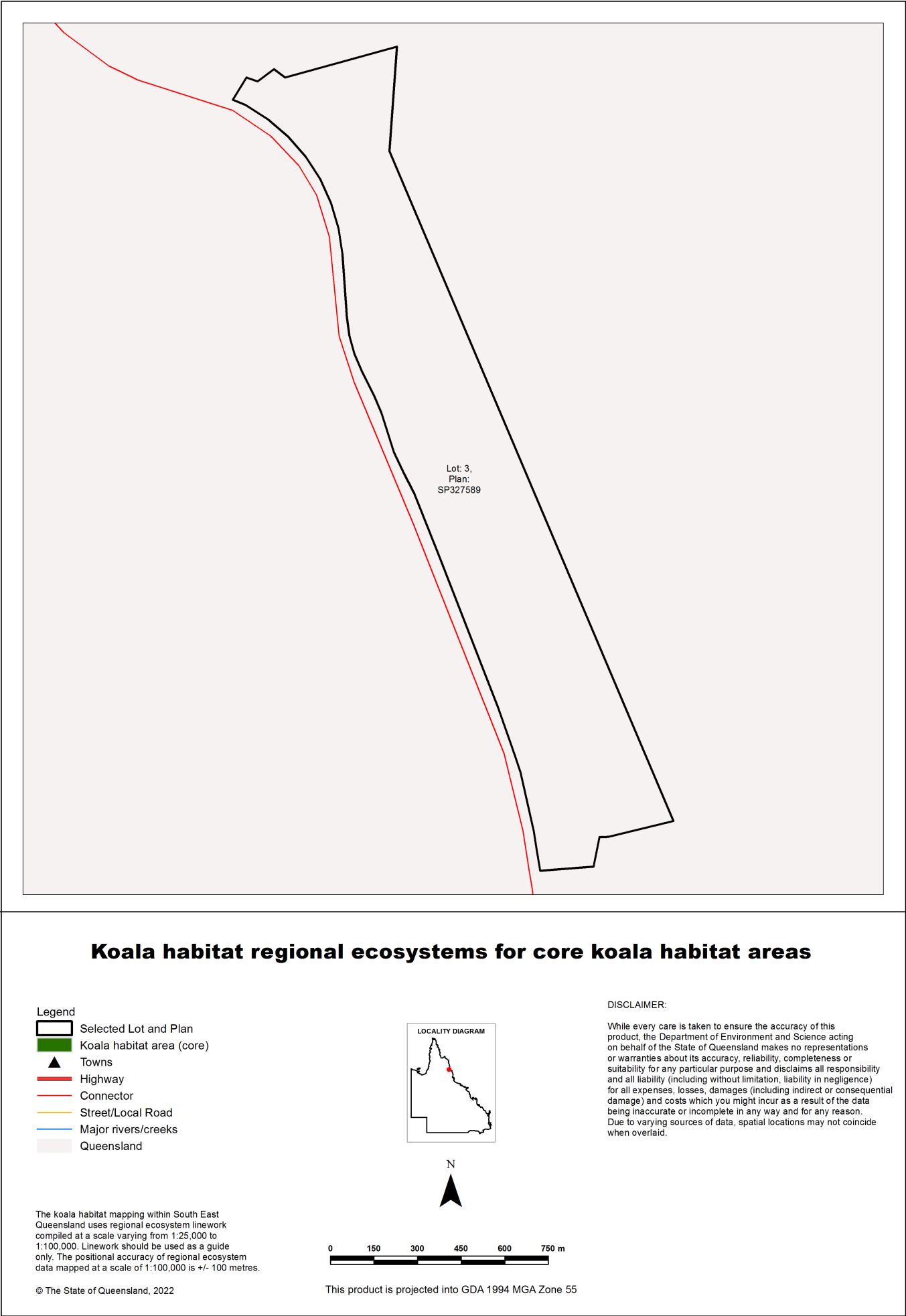
7.1 Koala districts

Koala District C

7.2 Koala priority area, koala habitat area and identified koala broad-hectare area map



7.3 Koala habitat regional ecosystems for core koala habitat areas



8. Other relevant legislation contacts list

Activity	Legislation	Agency	Contact details
<ul style="list-style-type: none"> • Interference with overland flow • Earthworks, significant disturbance 	<i>Water Act 2000</i> <i>Soil Conservation Act 1986</i>	Department of Regional Development, Manufacturing and Water (Queensland Government) Department of Resources (Queensland Government)	Ph: 13 QGOV (13 74 68) www.rdmw.qld.gov.au www.resources.qld.gov.au
<ul style="list-style-type: none"> • Indigenous Cultural Heritage 	<i>Aboriginal Cultural Heritage Act 2003</i> <i>Torres Strait Islander Cultural Heritage Act 2003</i>	Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships	Ph: 13 QGOV (13 74 68) www.datsip.qld.gov.au
<ul style="list-style-type: none"> • Mining and environmentally relevant activities • Infrastructure development (coastal) • Heritage issues 	<i>Environmental Protection Act 1994</i> <i>Coastal Protection and Management Act 1995</i> <i>Queensland Heritage Act 1992</i>	Department of Environment and Science (Queensland Government)	Ph: 13 QGOV (13 74 68) www.des.qld.gov.au
<ul style="list-style-type: none"> • Protected plants and protected areas 	<i>Nature Conservation Act 1992</i>	Department of Environment and Science (Queensland Government)	Ph: 1300 130 372 (option 4) palm@des.qld.gov.au www.des.qld.gov.au
<ul style="list-style-type: none"> • Koala mapping and regulations 	<i>Nature Conservation Act 1992</i>	Department of Environment and Science (Queensland Government)	Ph: 13 QGOV (13 74 68) Koala.assessment@des.qld.gov.au
<ul style="list-style-type: none"> • Interference with fish passage in a watercourse, mangroves • Forestry activities on State land tenures 	<i>Fisheries Act 1994</i> <i>Forestry Act 1959</i>	Department of Agriculture and Fisheries (Queensland Government)	Ph: 13 QGOV (13 74 68) www.daf.qld.gov.au
<ul style="list-style-type: none"> • Matters of National Environmental Significance including listed threatened species and ecological communities 	<i>Environment Protection and Biodiversity Conservation Act 1999</i>	Department of Agriculture, Water and the Environment (Australian Government)	Ph: 1800 803 772 www.environment.gov.au
<ul style="list-style-type: none"> • Development and planning processes 	<i>Planning Act 2016</i> <i>State Development and Public Works Organisation Act 1971</i>	Department of State Development, Infrastructure, Local Government and Planning (Queensland Government)	Ph: 13 QGOV (13 74 68) www.dsdmip.qld.gov.au
<ul style="list-style-type: none"> • Local government requirements 	<i>Local Government Act 2009</i> <i>Planning Act 2016</i>	Department of State Development, Infrastructure, Local Government and Planning (Queensland Government)	Ph: 13 QGOV (13 74 68) Your relevant local government office
<ul style="list-style-type: none"> • Harvesting timber in the Wet Tropics of Qld World Heritage area 	<i>Wet Tropics World Heritage Protection and Management Act 1993</i>	Wet Tropics Management Authority	Ph: (07) 4241 0500 www.wettropics.gov.au

Appendix G

Relevant Purpose Determination

6 April 2023

Anton Demolitions Pty Ltd
C/- Mr Patrick Clifton
RPS AAP Consulting
PO Box 1949
Cairns QLD 4870

Dear Mr Clifton

Application for a Relevant Purpose determination under section 22A of the *Vegetation Management Act 1999* for the clearing of native vegetation on lot/s 3 SP327589 - Mareeba Shire Council.

I refer to your application submitted to the Department of Resources (the department) on 21 November 2022.

As delegate for the Chief Executive, I have considered your request and am satisfied that the proposed development to clear vegetation for the purpose of Relevant Infrastructure Activities, specifically a gravel hardstand area described in your email dated 7 February 2023, meets the relevant requirements of section 22A of the *Vegetation Management Act 1999*. The area determined to be for a relevant purpose is shown as storage yard/setdown area on the submitted plan in attachment 1.

This decision is based on:

- the development proposal and information you submitted to the department on 21 November 2022 and 7 February 2023;
- circumstances at the time of this determination; and
- the attached plan: Application Area.

Should your proposal change (eg. development footprint) or circumstances associated with your proposal change (eg. legislation changes, regional ecosystem mapping changes), you may need to request another section 22A relevant purpose determination.

This relevant purpose determination is valid for 2 years and will expire on 5 April 2025.

Please note that this letter is not a development approval to carry out vegetation clearing. You will need to apply for a development approval from your local Council, or the Department of State Development, Infrastructure, Local Government and Planning (DSDILGP) under the *Planning Act 2016*.

Disclaimer: Please note, assessment of rehabilitation requirements and environmental offset requirements will be undertaken as part of the State Development Assessment Provisions:

State Code 16 (SDAP: State Code 16) assessment. Accordingly, any determination that the proposed development is for a relevant purpose under section 22A of the Vegetation Management Act 1999 is not a finding that the proposed development also satisfies any Performance Outcome requirements to rehabilitate or provide environmental offsets where required under SDAP: State Code 16.

Other relevant Commonwealth or State approvals may also be required to undertake vegetation clearing. An indicative list of other legislation is provided in Attachment 2.

Should you require any additional information please contact your local SARA office as below:

SARA Cairns Office

Location: Ports North Building, Cnr Grafton & Hartley Street, Cairns

Postal address: PO Box 2358, Cairns Qld 4870

Telephone: 07 4037 3214

Email: CairnsSARA@dsdilgp.qld.gov.au

Should you have any enquiries or require assistance regarding this request, please do not hesitate to contact myself, on telephone 07 5352 4248 quoting the above reference number.

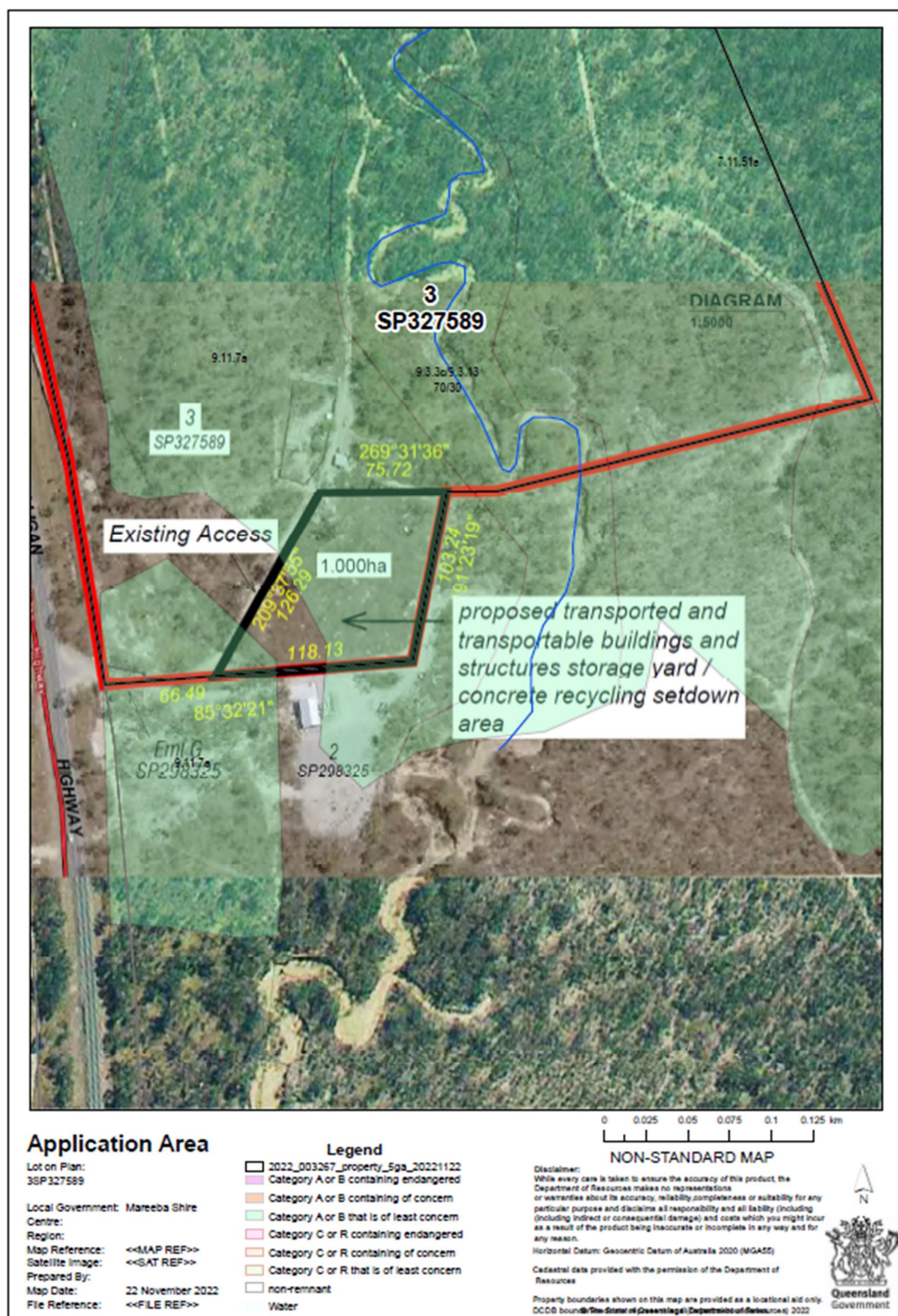
Yours sincerely



Andrew Collins

Senior Natural Resource Management Officer

Attachment 1. Submitted Plan



Attachment 2 - Legislation and Acts

Activity	Legislation	Agency	Contact details
Interference with overland flow	<i>Water Act 2000</i>	Department of Regional Development, Manufacturing and Water (Queensland Government)	Ph: 13 QGOV (13 74 68) www.dnrme.qld.gov.au
Earthworks, significant disturbance	<i>Soil Conservation Act 1986</i>	Department of Resources (Queensland Government)	Ph: 13 QGOV (13 74 68) www.resources.qld.gov.au
Indigenous Cultural Heritage	<i>Aboriginal Cultural Heritage Act 2003</i> <i>Torres Strait Islander Cultural Heritage Act 2003</i>	Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (Queensland Government)	Ph. 13 QGOV (13 74 68) www.datsip.qld.gov.au
Mining and environmentally relevant activities Infrastructure development (coastal) Heritage issues Protected plants and protected areas ¹	<i>Environmental Protection Act 1994</i> <i>Coastal Protection and Management Act 1995</i> <i>Queensland Heritage Act 1992</i> <i>Nature Conservation Act 1992</i>	Department of Environment and Science (Queensland Government)	Ph: 13 QGOV (13 74 68) www.des.qld.gov.au
Interference with fish passage in a watercourse, mangroves Forest activities	<i>Fisheries Act 1994</i> <i>Forestry Act 1959</i> ²	Department of Agriculture and Fisheries (Queensland Government)	Ph: 13 25 23 www.daf.qld.gov.au
Matters of National Environmental Significance including listed threatened species & ecological communities	<i>Environment Protection and Biodiversity Conservation Act 1999</i>	Department of the Environment, (Australian Government)	Ph: 1800 803 772 www.environment.gov.au
Development and planning processes	<i>Planning Act 2016</i> <i>State Development and Public Works Organisation Act 1971</i>	Department of State Development, Infrastructure, Local Government and Planning (Queensland Government)	Ph: 13 QGOV (13 74 68) www.dsdmip.qld.gov.au
Local government requirements	<i>Local Government Act 2009</i> <i>Planning Act 2016</i>	Your relevant local government office	

¹ In Queensland, all plants that are native to Australia are protected plants under the [Nature Conservation Act 1992](#), which endeavours to ensure that protected plants (whether whole plants or protected plants parts) are not illegally removed from the wild, or illegally traded. Prior to **clearing**, you should check the flora survey trigger map to determine if the **clearing** is within a high-risk area by visiting For further information or assistance on the protected plants flora survey trigger map for your property, contact the Department of Environment and Science on 13QGOV (13 74 68) or email palm@des.qld.gov.au

² Contact the Department of Agriculture and Fisheries before **clearing**:

- Any sandalwood on state-owned land (including leasehold land)
- On freehold land in a 'forest consent area'
- More than five hectares on state-owned land (including leasehold land) containing commercial timber species listed in parts 2 or 3 of Schedule 6 of the Vegetation Management Regulation 2012 and located within any of the following local government management areas—Banana, Bundaberg Regional, Fraser Coast Regional, Gladstone Regional, Isaac Regional, North Burnett Regional, Somerset Regional, South Burnett Regional, Southern Downs Regional, Tablelands Regional, Toowoomba Regional, Western Downs Regional.

Appendix H

State Code Responses

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

Table 1.1 Development in general

Performance outcomes	Acceptable outcomes	Response
Buildings, structures, infrastructure, services and utilities		
PO1 The location of the development does not create a safety hazard for users of the state-controlled road .	AO1.1 Development is not located in a state-controlled road . AND AO1.2 Development can be maintained without requiring access to a state-controlled road .	Complies with AO1.1 and AO1.2 The development, being the storage of transported buildings on an existing cleared area setback 90 metres from the road frontage, is not located in a State Controlled Road and can be maintained without requiring access to a state controlled road.
PO2 The design and construction of the development does not adversely impact the structural integrity or physical condition of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Not applicable No building or operational works are required to facilitate the development.
PO3 The location of the development does not obstruct road transport infrastructure or adversely impact the operating performance of the state-controlled road .	No acceptable outcome is prescribed.	Complies with PO3 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.
PO4 The location, placement, design and operation of advertising devices, visible from the state-controlled road , do not create a safety hazard for users of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable No advertising devices are proposed.

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

Performance outcomes	Acceptable outcomes	Response
	<p>AND</p> <p>AO7.3 Landscaping does not block or obscure the sight lines for vehicular access to a state-controlled road.</p>	
Stormwater and overland flow		
PO8 Stormwater run-off or overland flow from the development site does not create or exacerbate a safety hazard for users of the state-controlled road .	No acceptable outcome is prescribed.	<p>Complies with PO8</p> <p>The location of the storage of the transported buildings would be 90 metres from the state controlled road and would not result in stormwater run-off into the state controlled road reserve.</p>
PO9 Stormwater run-off or overland flow from the development site does not result in a material worsening of the operating performance of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	<p>Complies with PO9</p> <p>The location of the storage of the transported buildings would be 90 metres from the state controlled road and would not result in stormwater run-off into the state controlled road reserve.</p>
PO10 Stormwater run-off or overland flow from the development site does not adversely impact the structural integrity or physical condition of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	<p>Complies with PO10</p> <p>The location of the storage of the transported buildings would be 90 metres from the state controlled road and would not result in stormwater run-off into the state controlled road reserve.</p>
PO11 Development ensures that stormwater is lawfully discharged.	<p>AO11.1 Development does not create any new points of discharge to a state-controlled road.</p> <p>AND</p> <p>AO11.2 Development does not concentrate flows to a state-controlled road.</p> <p>AND</p>	<p>Complies with AO11.1-AO11.4</p> <p>The location of the storage of the transported buildings would be 90 metres from the state controlled road and would not result in stormwater run-off into the state controlled road reserve. As no operational works or building works are proposed there would be no change to the existing stormwater management regime.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AO11.3 Stormwater run-off is discharged to a lawful point of discharge.</p> <p>AND</p> <p>AO11.4 Development does not worsen the condition of an existing lawful point of discharge to the state-controlled road.</p>	
Flooding		
<p>PO12 Development does not result in a material worsening of flooding impacts within a state-controlled road.</p>	<p>AO12.1 For all flood events up to 1% annual exceedance probability, development results in negligible impacts (within +/- 10mm) to existing flood levels within a state-controlled road.</p> <p>AND</p> <p>AO12.2 For all flood events up to 1% annual exceedance probability, development results in negligible impacts (up to a 10% increase) to existing peak velocities within a state-controlled road.</p> <p>AND</p> <p>AO12.3 For all flood events up to 1% annual exceedance probability, development results in negligible impacts (up to a 10% increase) to existing time of submergence of a state-controlled road.</p>	<p>Complies with AO12.1 – AO12.3</p> <p>As the proposed development does not involve any operational works or building works, the proposed development would have no impact on flood levels or peak velocities of flood waters.</p>
Drainage Infrastructure		
<p>PO13 Drainage infrastructure does not create a safety hazard for users in the state-controlled road.</p>	<p>AO13.1 Drainage infrastructure is wholly contained within the development site, except at the lawful point of discharge.</p> <p>AND</p>	<p>Complies with AO13.1-AO13.2</p> <p>All drainage infrastructure associated with the development would be contained on site and would be maintained without access to the state controlled road.</p>

Performance outcomes	Acceptable outcomes	Response
	AO13.2 Drainage infrastructure can be maintained without requiring access to a state-controlled road .	
PO14 Drainage infrastructure associated with, or within, a state-controlled road is constructed, and designed to ensure the structural integrity and physical condition of existing drainage infrastructure and the surrounding drainage network.	No acceptable outcome is prescribed.	Not applicable No drainage infrastructure is required or proposed.

Table 1.2 Vehicular access, road layout and local roads

Performance outcomes	Acceptable outcomes	Response
Vehicular access to a state-controlled road or within 100 metres of a state-controlled road intersection		
PO15 The location, design and operation of a new or changed access to a state-controlled road does not compromise the safety of users of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable No new or changed access is required or proposed.
PO16 The location, design and operation of a new or changed access does not adversely impact the functional requirements of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable No new or changed access is required or proposed.
PO17 The location, design and operation of a new or changed access is consistent with the future intent of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable No new or changed access is required or proposed.
PO18 New or changed access is consistent with the access for the relevant limited access road policy :	No acceptable outcome is prescribed.	Not applicable No new or changed access is required or proposed.

Performance outcomes	Acceptable outcomes	Response
1. LAR 1 where direct access is prohibited; or 2. LAR 2 where access may be permitted, subject to assessment.		
PO19 New or changed access to a local road within 100 metres of an intersection with a state-controlled road does not compromise the safety of users of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable No new or changed access is required or proposed.
PO20 New or changed access to a local road within 100 metres of an intersection with a state-controlled road does not adversely impact on the operating performance of the intersection.	No acceptable outcome is prescribed.	Not applicable No new or changed access is required or proposed.
Public passenger transport and active transport		
PO21 Development does not compromise the safety of users of public passenger transport infrastructure, public passenger services and active transport infrastructure .	No acceptable outcome is prescribed.	Not applicable No public transport infrastructure is located within the vicinity of the site.
PO22 Development maintains the ability for people to access public passenger transport infrastructure, public passenger services and active transport infrastructure .	No acceptable outcome is prescribed.	Not applicable No public transport infrastructure is located within the vicinity of the site.
PO23 Development does not adversely impact the operating performance of public passenger transport infrastructure, public passenger services and active transport infrastructure .	No acceptable outcome is prescribed.	Not applicable No public transport infrastructure is located within the vicinity of the site.
PO24 Development does not adversely impact the structural integrity or physical condition of public passenger transport infrastructure and active transport infrastructure .	No acceptable outcome is prescribed.	Not applicable No public transport infrastructure is located within the vicinity of the site.

Table 1.3 Network impacts

Performance outcomes	Acceptable outcomes	Response
PO25 Development does not compromise the safety of users of the state-controlled road network.	No acceptable outcome is prescribed.	Complies with PO25 The proposed development would not generate traffic movements through the existing access that would exceed the capacity of the existing access.
PO26 Development ensures no net worsening of the operating performance of the state-controlled road network.	No acceptable outcome is prescribed.	Complies with PO26 The proposed development would not generate traffic movements that would affect the performance of the state controlled road..
PO27 Traffic movements are not directed onto a state-controlled road where they can be accommodated on the local road network.	No acceptable outcome is prescribed.	Not applicable The site does not have access to a local road.
PO28 Development involving haulage exceeding 10,000 tonnes per year does not adversely impact the pavement of a state-controlled road .	No acceptable outcome is prescribed.	Not applicable The development would not result in haulage that exceeds 10,000 tonne per year.
PO29 Development does not impede delivery of planned upgrades of state-controlled roads .	No acceptable outcome is prescribed.	Not applicable There are no planned upgrades of Mulligan Highway.
PO30 Development does not impede delivery of corridor improvements located entirely within the state-controlled road corridor .	No acceptable outcome is prescribed.	Not applicable There are no planned upgrades of Mulligan Highway.

Table 1.4 Filling, excavation, building foundations and retaining structures

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

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
Reconfiguring a lot		

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Performance outcomes	Acceptable outcomes	Response
Involving the creation of 5 or fewer new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor		
PO37 Development minimises free field noise intrusion from a state-controlled road .	<p>AO37.1 Development provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1); 2. in accordance with: <ol style="list-style-type: none"> 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; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. <p>OR</p> <p>AO37.2 Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p> <p>OR</p> <p>AO37.3 Development provides a solid gap-free fence or other solid gap-free structure along the full extent of the boundary closest to the state-controlled road.</p>	<p>Not applicable</p> <p>No reconfiguring a lot is proposed.</p>

Performance outcomes	Acceptable outcomes	Response
Involving the creation of 6 or more new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor		
PO38 Reconfiguring a lot minimises free field noise intrusion from a state-controlled road .	<p>AO38.1 Development provides noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1); 2. in accordance with: <ol style="list-style-type: none"> 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; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. <p>OR</p> <p>AO38.2 Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p>	<p>Not applicable</p> <p>No reconfiguring a lot is proposed.</p>
Material change of use (accommodation activity)		
Ground floor level requirements adjacent to a state-controlled road or type 1 multi-modal corridor		

Performance outcomes	Acceptable outcomes	Response
PO39 Development minimises noise intrusion from a state-controlled road in private open space .	<p>AO39.1 Development provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.2) for private open space at the ground floor level; 2. in accordance with: <ol style="list-style-type: none"> 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; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. <p>OR</p> <p>AO39.2 Development achieves the maximum free field acoustic level in reference table 2 (item 2.2) for private open space by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p>	<p>Not applicable</p> <p>No accommodation activity is proposed.</p>
PO40 Development (excluding a relevant residential building or relocated building) minimises noise intrusion from a state-controlled road in habitable rooms at the facade.	AO40.1 Development (excluding a relevant residential building or relocated building) provides a noise barrier or earth mound which is designed, sited and constructed:	<p>Not applicable</p> <p>No accommodation activity is proposed.</p>

Performance outcomes	Acceptable outcomes	Response
	<ol style="list-style-type: none"> 1. to achieve the maximum building façade acoustic level in reference table 1 (item 1.1) for habitable rooms; 2. in accordance with: <ol style="list-style-type: none"> 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; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. <p>OR</p> <p>AO40.2 Development (excluding a relevant residential building or relocated building) achieves the maximum building façade acoustic level in reference table 1 (item 1.1) for habitable rooms by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p>	
PO41 Habitable rooms (excluding a relevant residential building or relocated building) are designed and constructed using materials to achieve the maximum internal acoustic level in reference table 3 (item 3.1).	No acceptable outcome is provided.	<p>Not applicable</p> <p>No accommodation activity is proposed.</p>
Above ground floor level requirements (accommodation activity) adjacent to a state-controlled road or type 1 multi-modal corridor		
PO42 Balconies, podiums, and roof decks include:	No acceptable outcome is provided.	Not applicable

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

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

Performance outcomes	Acceptable outcomes	Response
<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 alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p>		
<p>PO46 Development involving:</p> <ol style="list-style-type: none"> indoor education areas and indoor play areas; or sleeping rooms in a childcare centre; or patient care areas in a hospital achieves the maximum internal acoustic level in reference table 3 (items 3.2-3.4). 	No acceptable outcome is provided.	<p>Not applicable</p> <p>No childcare centre, educational establishment, or hospital is proposed.</p>
<p>Above ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor</p>		
<p>PO47 Development involving a childcare centre or educational establishment which have balconies, podiums or elevated outdoor play areas predicted to exceed the maximum free field acoustic level in reference table 2 (item 2.3) due to noise from a state-controlled road are provided with:</p> <ol style="list-style-type: none"> a continuous solid gap-free structure or balustrade (excluding gaps required for drainage purposes to comply with the Building Code of Australia); 	No acceptable outcome is provided.	<p>Not applicable</p> <p>No childcare centre, educational establishment, or hospital is proposed.</p>

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

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

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

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

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

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

State code 16: Native vegetation clearing

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

Table 16.1: Relevant code provisions for each type of development

Clearing purpose	Relevant provisions
Material change of use and / or reconfiguring a lot and / or operational work	
Material change of use and / or reconfiguring a lot for all other purposes	Table 16.2 and Table 16.8

Table 16.2: General

Performance outcomes	Acceptable outcomes	Response
PO1 Clearing of vegetation is consistent with any notice requiring compliance on the land subject to the development application, unless a better environmental outcome can be achieved.	No acceptable outcome is prescribed.	Not applicable The site is not subject to a compliance notice.
PO2 Clearing of vegetation is consistent with vegetation management requirements for particular regulated areas unless a better environmental outcome can be achieved.	No acceptable outcome is prescribed.	Not applicable The clearing of vegetation is not related to any vegetation management requirements.
PO3 Clearing of vegetation in a legally secured offset area: 1. is consistent with the offset delivery plan; or 2. is consistent with an agreement for the offset area on the land subject to the development application; or 3. only occurs if an additional offset is provided.	No acceptable outcome is prescribed.	Not applicable It is not proposed to clear vegetation within a legally secured offset area.

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

Performance outcomes	Acceptable outcomes	Response
Clearing avoids and minimises impacts		
<p>PO80 Clearing of vegetation and adverse impacts of clearing vegetation do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been:</p> <ol style="list-style-type: none"> 1. reasonably avoided; or 2. reasonably minimised where it cannot be reasonably avoided. 	No acceptable outcome is prescribed.	<p>Complies with PO80</p> <p>The clearing of vegetation is necessary to facilitate the development and would be minimised by collocating the set down area associated with the concrete recycling and the storage yard in the same location.</p>
Clearing associated with wetlands		
<p>PO81 Clearing of vegetation within a natural wetland and/or within 100 metres of the defining bank of a natural wetland maintains the composition, structure and function of any regional ecosystem associated with any natural wetland to protect all of the following:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	<p>AO81.1 Clearing does not occur in a natural wetland or within 100 metres of the defining bank of any natural wetland.</p> <p>OR</p> <p>AO81.2 Clearing within 100 metres of the defining bank of any natural wetland:</p> <ol style="list-style-type: none"> 1. does not occur within 10 metres of the defining bank of any natural wetland; and 2. does not exceed widths in reference table 1 in this code. 	<p>Not applicable</p> <p>No clearing would occur within a wetland or within 100m of a wetland.</p>
<p>PO82 Where clearing of vegetation in a regional ecosystem associated with a natural wetland does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact.</p>	No acceptable outcome is prescribed.	<p>Not applicable</p> <p>No clearing would occur within a wetland or within 100m of a wetland.</p>
Clearing associated with watercourses and drainage features		

Performance outcomes	Acceptable outcomes	Response
<p>PO83 Clearing of vegetation within a watercourse and /or drainage feature and/or within the relevant distance (listed in reference table 2) of a watercourse and/or drainage feature, maintains the composition, structure and function of the regional ecosystem associated with the watercourse and/or drainage feature to protect all of the following:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	<p>AO83.1 Clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of a watercourse or drainage feature; and 2. within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code. <p>OR</p> <p>AO83.2 Clearing within any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code:</p> <ol style="list-style-type: none"> 1. does not exceed the widths in table reference table 1 of this code; and 2. does not occur within 10 metres of the defining bank, unless clearing is required into or across the watercourse or drainage feature. 	<p>Complies with AO83.1</p> <p>No clearing would occur within a watercourse</p>
<p>PO84 Where clearing of vegetation in a regional ecosystem associated with a watercourse and/or drainage feature does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Not applicable</p> <p>No clearing would occur within a watercourse</p>
Connectivity		
<p>PO85 Regional ecosystems on the subject land and any adjacent land, retain sufficient vegetation to maintain:</p> <ol style="list-style-type: none"> 1. ecological processes; and 	<p>AO85.1 Clearing occurs in accordance with reference table 3 in this code.</p>	<p>Complies with PO85.1</p> <p>The clearing would not occur in an area of less than 100 metres wide or reduce it to less than 100</p>

Performance outcomes	Acceptable outcomes	Response
2. ensure the regional ecosystem remains in the landscape despite threatening processes .		metres wide and it would not result in 30% of the total lot area being cleared.
Soil erosion if the local government is not the assessment manager for the development application		
PO86 Clearing does not result in accelerated soil erosion within or outside the land the subject of the development application.	AO86.1 Clearing only occurs if an erosion and sediment control plan is developed and implemented to prevent soil erosion and instability resulting from the clearing .	Able to comply with AO86.1 Erosion and Sediment Control practices are able to be implemented if necessary
Salinity		
PO87 Clearing within 100 metres of a salinity expression area does not contribute to or accelerate land degradation through either of the following: 1. waterlogging ; 2. the salinisation of groundwater , surface water or soil.	AO87.1 Clearing does not occur within 100 metres of a salinity expression area .	Not applicable The site is not within 100 meters of a salinity expression area.
Conserving endangered and of concern regional ecosystems		
PO88 Clearing of vegetation maintains the composition, structure and function of endangered regional ecosystems and/or of concern regional ecosystems .	AO88.1 Clearing does not occur in an endangered regional ecosystem or an of concern regional ecosystem . OR AO88.2 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed the widths prescribed in reference table OR AO88.3 Total clearing of endangered regional ecosystems and of concern regional	Complies with AO88.1 The site is identified as containing a least concern regional ecosystem only.

Performance outcomes	Acceptable outcomes	Response
	ecosystems combined does not exceed areas prescribed in reference table 1 of this code.	
<p>PO89 Where clearing of vegetation in an endangered regional ecosystem or an of concern regional ecosystems does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, the cleared area:</p> <ol style="list-style-type: none"> 1. is rehabilitated; or 2. where the cleared area cannot be rehabilitated, an offset is provided for any acceptable significant residual impact. 	No acceptable outcome is prescribed.	<p>Not applicable</p> <p>The site is identified as containing a least concern regional ecosystem only.</p>
Essential habitat excluding essential habitat for <i>Phascolarctos cinereus</i> (koalas) if development is assessable under Schedule 10, Part 10 of the Planning Regulation 2017		
<p>PO90 Clearing of vegetation in a regional ecosystem that is an area of essential habitat maintains the composition, structure and function of the regional ecosystem for each protected wildlife species individually.</p>	<p>AO90.1 Clearing does not occur in essential habitat.</p> <p>OR</p> <p>AO90.2 Clearing in essential habitat does not exceed the widths prescribed in reference table 1 of this code.</p> <p>OR</p> <p>AO90.3 Clearing in essential habitat does not exceed the areas prescribed in reference table 1 of this code.</p>	<p>Complies with AO90.1</p> <p>The site does not contain any essential habitat.</p>
<p>PO91 Where clearing of vegetation in a regional ecosystem that is an area of essential habitat does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual</p>	No acceptable outcome is prescribed.	<p>Not applicable</p> <p>The site does not contain any essential habitat.</p>

Performance outcomes	Acceptable outcomes	Response
impact for each protected wildlife species individually.		
Acid sulfate soils if the local government is not the assessment manager for the development application		
<p>PO92 Clearing does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following:</p> <ol style="list-style-type: none"> 1. aeration of horizons containing iron sulphides; 2. mobilisation of acid or metals. 	<p>AO92.1 Clearing does not occur in land zone 1, land zone 2 or land zone 3.</p> <p>OR</p> <p>AO92.2 Clearing in land zone 1, land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where:</p> <ol style="list-style-type: none"> 1. mechanical clearing does not disturb the soil to a depth greater than 30 centimetres; and 2. acid sulfate soils are managed consistent with the Queensland Acid Sulfate Soil Technical Manual. 	<p>Complies with AO92.1</p> <p>The site does not contain any acid sulfate soils.</p>

Appendix I

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
For accepted development subject to requirements and assessable development.		
PO1 Building height takes into consideration and respects the following:	AO1.1 Development, other than buildings used for rural activities, has a maximum building height of:	Not applicable No buildings are proposed.

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.	
	AO1.2 Buildings and structures associated with a rural activity including machinery, equipment, packing or storage buildings do not exceed 10 metres in height.	Not applicable No buildings are proposed.
Siting, where not involving a Dwelling house. Note – Where for Dwelling house, the setbacks of the Queensland Development Code Apply		
PO2 Development is sited in a manner that considers and respects: <ul style="list-style-type: none"> (a) the siting and use of adjoining premises; (b) access to sunlight and daylight for the site and adjoining sites; (c) privacy and overlooking; (d) air circulation and access to natural breezes; (e) appearance of building bulk; and (f) relationship with road corridors. 	AO2.1 Buildings and structures include a minimum setback of: <ul style="list-style-type: none"> (a) 40 metres from a frontage to a State-controlled road; and (b) 10 metres from a boundary to an adjoining lot. 	Not applicable No buildings are proposed.
	AO2.2 Buildings and structures, where for a Roadside stall, include a minimum setback of 0 metres from a frontage to a road that is not a State-controlled road.	Not applicable No buildings are proposed.
	AO2.3 Buildings and structures, except where a Roadside	Not applicable No buildings are proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	stall, include a minimum setback of: <ul style="list-style-type: none"> (a) 10 metres from a frontage to a sealed road that is not a State-controlled road; and (b) 100 metres from a frontage to any other road that is not a State-controlled road; 	
Accommodation Density		
PO3 The density of Accommodation activities: <ul style="list-style-type: none"> (a) respects the nature and density of surrounding land use; (b) is complementary and subordinate to the rural and natural landscape values of the area; and (c) is commensurate to the scale and frontage of the site. 	AO3.1 Residential density does not exceed one dwelling house per lot.	Not Applicable The proposed development does not involve residential development.
	AO3.2 Residential density does not exceed two dwellings per lot and development is for: <ul style="list-style-type: none"> (a) a secondary dwelling; or (b) Caretaker's accommodation and includes building work or minor building work with a maximum gross floor area of 100m²; or (c) Rural worker's accommodation. 	Not Applicable The proposed development does not involve residential development.

Performance outcomes	Acceptable outcomes	Applicant response
For Assessable Development		
Site Cover		
PO4 Buildings and structures occupy the site in a manner that: <ul style="list-style-type: none"> (a) makes efficient use of land; (b) is consistent with the bulk and scale of buildings in the surrounding area; and (c) appropriately balances built and natural features. 	AO4 No Acceptable outcome is provided	Not applicable No buildings are proposed.
PO5 Development complements and integrates with the established built character of the Rural zone, having regard to: <ul style="list-style-type: none"> (a) roof form and pitch; (b) eaves and awnings; (c) building materials, colours and textures; and (d) window and door size and location. 	AO5 No acceptable outcome is provided	Not applicable No buildings are proposed.
Amenity		
PO6 Development must not detract from the amenity of the local area, having regard to:	AO6 No acceptable outcome is provided	Complies with PO6 The proposed development would involve the storage of transported and transportable buildings and structures on an existing

Performance outcomes	Acceptable outcomes	Applicant response
(a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions.		cleared set down area associated with an existing concrete recycling plant. The development would not result in an adverse impact on the amenity of the area.
PO7 Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions.	AO7 No acceptable outcome is provided	Complies with PO7 The development would occur on land setback 90 metres from the highway frontage and would be significantly removed from any sensitive receptor. The proposed development would not have any adverse impact on the amenity of the area.

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
For accepted development subject to requirements and assessable development. Water supply for fire-fighting purposes		
PO1 Development where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)'	Where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o)	Complies with AO1.2

Performance outcomes	Acceptable outcomes	Applicant response
<p>identified on the Bushfire hazard overlay maps (OM-003a-o) maintains the safety of people and property by providing an adequate, accessible and reliable water supply for fire-fighting purposes which is safely located and has sufficient flow and pressure characteristics.</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>AO1.1</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>AO1.2</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"> (a) a separate tank; or (b) a reserve section in the bottom part of the main water supply tank; (c) or a dam; (d) or a swimming pool. <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>Complies with AO1.2</p> <p>The water supply to the site and development has been accepted as part of the previous development of the site.</p>
<p>For assessable development</p> <p>Land use</p>		
<p>PO2</p> <p>Development within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) is appropriate to the bushfire hazard risk having regard to the:</p>	<p>AO2</p> <p>All buildings, structures, infrastructure and facilities associated with the following uses are located outside any area of the site located within a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps</p>	<p>Not applicable</p> <p>The development does not involve any of the identified uses.</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>(OM-003a-o):</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>	
Lot Design		
<p>PO3</p> <p>Reconfiguring a lot within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) minimises the potential adverse impacts of bushfire on the safety of people, property and the environment through lot design that:</p>	<p>Where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o)</p> <p>AO3.1</p> <p>No new lots are created.</p> <p>OR</p>	<p>Not applicable</p> <p>The proposal is for a Material Change of Use only.</p>
<p>(a) is responsive to the nature and extent of</p>	<p>AO3.2</p>	<p>Not applicable</p>

Performance outcomes	Acceptable outcomes	Applicant response
bushfire risk; and (b) allows efficient emergency access to buildings for fire-fighting appliances. Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.	All lots include a building envelope that achieves a radiant heat flux level of 29kW/m2 at the perimeter of the building envelope. Note—Where a radiant heat flux of 29kW/m2 is achieved and this relies on cleared or maintained land external to the land the subject of the development application it must be demonstrated that land external to the site will be maintained to a standard that does not exceed the level of bushfire hazard identified in a Bushfire hazard management plan.	The proposal is for a Material Change of Use only.
Firebreaks and access		
PO4 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: (a) ensuring adequate access for firefighting and other emergency vehicles; (b) ensuring adequate access for the evacuation of residents and emergency personnel in an emergency situation, including alternative safe access routes should access in one direction be blocked in the event of a fire; and (c) providing for the separation of developed areas and adjacent bushland. Note—Where it is not practicable to provide firebreaks in accordance with A04.2 Fire Maintenance Trails are provided in accordance with the following:	AO4.1 In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003ao) , roads are designed and constructed: (a) with a maximum gradient of 12.5%; (b) to not use cul-de-sacs; and (c) a constructed road width and weather standard complying with Planning Scheme Policy 4 - FNQROC Regional Development Manual.	Not applicable The proposal is for a Material Change of Use only.
	AO4.2 In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003ao) , firebreaks are provided: (a) consisting of a perimeter road that separates lots from areas of bushfire hazard;	Not applicable The proposal is for a Material Change of Use only.

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>	
Hazardous Materials		
<p>PO5</p> <p>Public safety and the environment are not adversely affected by the detrimental impacts of bushfire of hazardous materials manufactured or stored in bulk.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p>AO5</p> <p>The processing or storage of dangerous goods or hazardous materials is not undertaken in a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o).</p>	<p>Not applicable</p> <p>The development would not involve the processing or storage of dangerous goods or hazardous materials.</p>

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

Performance outcomes	Acceptable outcomes	Applicant response
Private Driveways		
<p>PO8</p> <p>All premises located in a ‘Bushfire hazard area’ and a ‘Potential impact buffer (100 metres)’ identified on the Bushfire hazard overlay maps (OM-003a-o) are provided with vehicular access that enables safe evacuation for occupants and easy access by fire-fighting appliances.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p>AO8</p> <p>Private driveways:</p> <ul style="list-style-type: none"> (a) do not exceed a length of 60 metres from the street frontage; (b) do not exceed a gradient of 12.5%; (c) have a minimum width of 3.5 metres; (d) have a minimum vertical clearance of 4.8 metres; (e) accommodate turning areas for firefighting appliances in accordance with the Queensland Fire and Emergency Services’ Fire Hydrant and Vehicle Access Guidelines; and (f) serve no more than three dwellings or buildings. 	<p>Not applicable</p> <p>No new or changed driveway is 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
For accepted development subject to requirements and assessable development. Regulated vegetation		
PO1 Vegetation clearing in areas mapped as ‘Regulated vegetation’ identified on the Environmental Significance Overlay Maps (OM-004a-o) is avoided unless: (a) it is demonstrated that the area does not support regulated vegetation as mapped; (b) the loss or reduction in regulated vegetation is for community infrastructure and associated access facilities that cannot be avoided; (c) wildlife interconnectivity is maintained or enhanced at a local and regional scale; and (d) the loss or reduction in regulated vegetation is minimised and any residual impacts are offset. Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.	AO1.1 No clearing of native vegetation is undertaken within areas of ‘Regulated vegetation’ identified on the Environmental Significance Overlay Maps (OM-004a-o) .	Complies with AO1.1 No vegetation clearing is required to facilitate this development.
PO2 Development on sites adjacent to areas of ‘Regulated vegetation’ identified on the Environmental Significance Overlay Maps (OM-004a-o) protects the environmental significance of	AO2 Development (excluding roads, earthworks, drainage infrastructure and underground infrastructure) is not located within 20 metres of ‘Regulated vegetation’ areas identified on the Environmental Significance	Complies with AO2 The development would involve the temporary storage of relocated buildings (dwellings) on an existing cleared set down area and no permanent infrastructure is

Performance outcomes	Acceptable outcomes	Applicant response
<p>regulated vegetation and:</p> <p>(a) does not interrupt, interfere, alter or otherwise impact on underlying natural ecosystem processes such as water quality, hydrology, geomorphology and biophysical processes;</p> <p>(b) does not negatively impact the movement of wildlife at a local or regional scale; and</p> <p>(c) avoids noise, light, vibration or other edge affects, including weed and pest incursion on identified environmental values.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	Overlay Maps (OM-004a-o).	proposed as part of this development.
Regulated vegetation intersecting a watercourse		
<p>PO3</p> <p>Vegetation clearing in areas mapped as ‘Regulated vegetation intersecting a watercourse,’ identified as ‘Waterway’ and ‘Waterway buffer’ on the Environmental Significance - Waterway Overlay Maps (OM-004p-z) is avoided unless wildlife interconnectivity between habitats is maintained or enhanced at a local and regional scale, to the extent that migration or normal movement of significant species between habitats or normal gene flow between populations is not inhibited.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>Where within a ‘Waterway buffer’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</p> <p>AO3.1</p> <p>A minimum setback in accordance with Table 8.2.4.3B is provided between development and the top of the high bank of a ‘Waterway’ identified on the Environmental Significance - Waterway Overlay Maps (OM-004p-z).</p>	<p>Not applicable</p> <p>No permanent structures or buildings are proposed as part of this development.</p>
	<p>Where within a ‘Waterway buffer’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</p>	<p>Complies with AO3.2</p> <p>No vegetation clearing is proposed or required to facilitate this development.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	AO3.2 No clearing of native vegetation is undertaken within the minimum setback identified at AO3.1 .	
Waterways and wetlands		
PO4 'High ecological significance wetlands' identified on the Environmental Significance Overlay Maps (OM-004a-o) and 'Waterways' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) and are protected by: (a) maintaining adequate separation distances between waterways/wetlands and development; (b) maintaining and enhancing aquatic and terrestrial habitat including vegetated corridors to allow for native fauna (terrestrial and aquatic) movement; (c) maintaining waterway bank stability by minimising bank erosion and slumping; (d) maintaining water quality by providing buffers to allow filtering of sediments, nutrients and other pollutants; and (e) retaining and improving existing riparian vegetation and existing vegetation associated with a wetland. Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological	Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) AO4.1 A minimum setback in accordance with Table 8.2.4.3B is provided between development and the top of the high bank of a 'Waterway' identified on the Environmental Significance - Waterway Overlay Maps (OM-004p-z) .	Complies The storage area is suitably setback from the top of bank and no permanent structures are proposed.
	Where within a 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o) AO4.2 A minimum buffer of 200 metres is provided between development and the edge of a 'High ecological significance wetland' identified on the Environmental Significance Overlay Maps (OM-004a-o) .	Not applicable The site does not contain a high ecological significance wetland.
	Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland buffer' on Environmental Significance	Complies with AO4.3 No stormwater would be discharged directly to a waterway.

Performance outcomes	Acceptable outcomes	Applicant response
Assessment Reports.	Overlay Maps (OM-004a-o) AO4.3 No stormwater is discharged to a 'Waterway' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland' identified on the Environmental Significance Overlay Maps (OM-004a-o) . 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).	
	Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o) AO4.4 No wastewater is discharged to a 'Waterway' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland' identified on the Environmental Significance Overlay Map (OM-004a-z) . 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).	Not applicable No waste water would be generated by the proposed development.
For Assessable Development		

Performance outcomes	Acceptable outcomes	Applicant response
Wildlife Habitat		
<p>PO5</p> <p>Development within a 'Wildlife habitat' area identified on the Environmental Significance Overlay Maps (OM-004a-o):</p> <ul style="list-style-type: none"> (a) protects and enhances the habitat of Endangered, Vulnerable and Near Threatened (EVNT) species and local species of significance; (b) incorporates siting and design measures to protect and retain identified ecological values and underlying ecosystem processes within or adjacent to the development site; (c) maintains or enhances wildlife interconnectivity at a local and regional scale; and (d) mitigates the impact of other forms of potential disturbance (such as presence of vehicles, pedestrian use, increased exposure to domestic animals, noise and lighting impacts) to protect critical life stage ecological processes (such as feeding, breeding or roosting). <p>Note—Development applications must identify any EVNT species or their habitats that may be affected by the proposal. In particular, applications are to identify and describe how the development avoids adverse impacts on ecological processes within or adjacent to the development area.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>AO5</p> <p>No acceptable outcome is provided</p>	<p>Not Applicable</p> <p>No development would occur within a wildlife habitat area on Council's Overlay Mapping.</p>

Performance outcomes	Acceptable outcomes	Applicant response
Legally secured offset areas		
PO6 Development within a 'Legally secured offset area' identified on the Environmental Significance Overlay Maps (OM-004a-o) or other known Legally Secured Offset Area is consistent with the binding requirements of the offset and does not prejudice, undermine, or negatively impact the inherent ecological values, including all naturally occurring native flora, fauna and their habitat within the Legally Secured Offset Area. Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.	AO6 No acceptable outcome is provided	Not Applicable No development would occur within a legally secured offset area on Council's Overlay Mapping.
Protected areas		
PO7 Development within a 'Protected area' identified on the Environmental Significance Overlay Maps (OM-004a-o) is consistent with the values of the Protected Area and: <ul style="list-style-type: none"> (a) supports the inherent ecological and community values of the Protected Area asset; (b) maintains or enhances wildlife interconnectivity at a local and regional scale; and (c) does not prejudice, undermine, or negatively impact the inherent ecological values, including all naturally occurring native flora, fauna and 	AO7 No acceptable outcome is provided	Not Applicable No development would occur within a protected area on Council's Overlay Mapping.

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>		
Ecological corridors and Habitat linkages		
<p>PO8</p> <p>Development located:</p> <p>(a) in the Conservation zone, Emerging community zone, Recreation and open space zone, Rural zone or Rural residential zone; and</p> <p>(b) within an 'Ecological corridor' or a 'Habitat linkage' identified on the Environmental Significance Overlay Maps (OM-004a-o)</p> <p>does not compromise the provision of habitat connectivity of the corridor/linkage, having regard to:</p> <p>(a) the environmental values of the area of the site identified in the 'Ecological corridor' or 'Habitat linkage;'</p> <p>(b) the environmental values of adjoining and nearby land within the 'Ecological corridor' or 'Habitat linkage;'</p> <p>(c) the extent of any modification proposed to the natural environment including (but not limited to) vegetation and topography;</p> <p>(d) the location and design of proposed improvements that may impact on the functions</p>	<p>A07</p> <p>No acceptable outcome is provided</p>	<p>Complies with PO8</p> <p>No clearing is required to facilitate eth development and no clearing is proposed.</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.

8.2.8 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
For assessable development.		
Slope stability		
PO1 Where clearing of vegetation, building work or filling or excavation occurs on land within a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o) , a geotechnical report is prepared in accordance with Planning Scheme Policy 5	AO1 No acceptable outcome is provided	Not applicable No clearing, building work or excavation or filling is proposed.

Performance outcomes	Acceptable outcomes	Applicant response
<p>Preparation of Geotechnical Reports that demonstrates:</p> <ul style="list-style-type: none"> (a) the long term stability of the development site; (b) development will not be adversely affected by landslide activity originating on sloping land above the development site; and (c) development will not adversely affect other property outside the development site through landslide activity or alterations to surface or groundwater. 		
<p>PO2</p> <p>Development is designed and located to ensure that the use can appropriately function in the 'Hill and slope area' identified on the Hill and slope overlay maps (OM008a-o) having regard to:</p> <ul style="list-style-type: none"> (a) the nature and scale of the proposed use; (b) the gradient of the land; (c) the extent of land disturbance proposed; (d) stormwater discharge and its potential for erosion. 	<p>AO2.1</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 Hill and slope overlay maps (OM008a-o).</p>	<p>Not applicable</p> <p>The proposal does not involve a child care centre or educational establishment.</p>
	<p>AO2.2</p> <p>Development is not located on land with a gradient of greater than 25%.</p>	<p>Complies with AO2.2</p> <p>The storage area is flat land.</p>
	<p>AO2.3</p> <p>No lot less than 2,000m² is created in a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o).</p> <p>Note – Where a minimum lot size of less than 2,000m² applies under the Reconfiguring a lot code, the lot size requirements of the Hill and slope overlay code prevail.</p>	<p>Not applicable</p> <p>No new lots are proposed.</p>

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

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
<p>For accepted development subject to requirements and assessable development.</p> <p>Where on land comprising or adjoining a stock route.</p>		

Performance outcomes	Acceptable outcomes	Applicant response
PO1 Development maintains: (a) the operational efficiency and safety of a 'Stock route' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d) ; and (b) public health and safety	AO1.1 Buildings and structures are setback from a 'Stock route' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d) : (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: (i) 50 metres where involving Accommodation activities; or (ii) 20 metres where not involving Accommodation activities; (b) or a minimum of 6 metres otherwise.	Not applicable No buildings or structures are proposed.
	AO1.2 Any new access from a road servicing a 'Stock route' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d) includes a gate or grid to prevent stock entry to premises.	Not applicable No new access to the site is proposed.
	AO1.3 Boundary fencing to prevent stock entry to premises is maintained along a 'Stock route' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d) .	Not applicable No new boundary fencing is proposed.

Performance outcomes	Acceptable outcomes	Applicant response
Where on land comprising or adjoining major electricity infrastructure or a substation		
PO2 Development: (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 (b) is located and designed to ensure a high quality of amenity is achieved for the use.	AO2.1 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 Regional infrastructure corridors and substations overlay maps (OM-009a-d) .	Not applicable The proposal does not involve any forestry.
	AO2.2 Buildings and structures are setback a minimum of 20 metres from 'Major electricity infrastructure' or a 'Substation' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d) .	Not applicable No buildings or structures are proposed.

9.3.5 Industrial Activities Code

9.3.5.1 Application

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

9.3.5.1 Purpose

- 1) The purpose of the Industrial activities code is to ensure Industrial activities are:
 - (a) appropriately located within designated industrial areas;
 - (b) established and operated in an efficient manner with minimal impact on the character, scale, amenity and environmental values of the surrounding area; and
 - (c) managed to allow for progressive rehabilitation where involving Extractive industry.
- 2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Industrial activities are appropriately located having regard to topography, surrounding land uses, natural environment, accessibility, local character and potential social and community impacts;
 - (b) Industrial activities meet the needs of the local community and the local economy through well located, safe and convenient points of service;
 - (c) Industrial activities are designed to have minimal impact on the character, amenity and environment of the surrounding area;
 - (d) Industrial activities provide a safe working environment;
 - (e) Industrial activities are designed to promote sustainability and energy efficiency;
 - (f) Industrial activities are co-located with complimentary and compatible uses;
 - (g) External impacts associated with Extractive industry operations do not impact on the character and amenity of the surrounding area and the safety and wellbeing of the community;
 - (h) Extractive industry operations are adequately separated from potentially incompatible land uses; and
 - (i) Extractive industry sites are progressively rehabilitated.

9.3.5.3 Criteria for assessment

Table 9.3.5.3 – Industrial activities code – For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For accepted development subject to requirements and assessable development. Separation		
PO1 Industrial activities are appropriately separated from sensitive uses to ensure their amenity is maintained, having regard to: (a) noise; (b) odour; (c) light; and (d) emissions. Note—Development proposed to be located closer than the separation distances specified in AO2 requires supporting investigations to demonstrate that the expected impacts from the industry use have been adequately mitigated in consideration of the local context.	AO1 Development is separated from sensitive uses as follows: (a) medium impact industry—250 metres; or (b) high impact industry—500 metres; or (c) special industry— 1.5 kilometres.	Not applicable The development is for a low impact industry only.
For assessable development Amenity		
PO2 Industrial activities protect and enhance the character and amenity of the locality and streetscape through the appropriate location and screening of:	AO2 No acceptable outcome is provided.	Not applicable None of the identified plant, equipment or services are required or proposed in association with the proposed development.

Performance outcomes	Acceptable outcomes	Applicant response
(a) air conditioning; (b) refrigeration plant; (c) mechanical plant; and (d) refuse bin storage areas.		
PO3 Development avoids and, where unavoidable, mitigates impacts on ground water, particularly where ground water is heavily drawn upon for irrigation or domestic purposes.	AO3 No acceptable outcome is provided.	Complies with PO3 The proposal is for the temporary storage of transported and transportable buildings and structures only and would not have any impact of ground water.
If for Extractive Industry		
PO4 The site has sufficient area and dimensions to safely accommodate: (a) the extractive use; (b) vehicular access and on site vehicular movements; (c) buildings including staff facilities; (d) parking areas for visitors and employees; (e) storage areas and stockpiles; (f) any environmentally significant land; and (g) landscaping and buffer areas. Note—Refer to Planning Scheme Policy 3 - Extractive Industry.	AO4 No acceptable outcome is provided.	Not applicable The development is not for an extractive industry.

Performance outcomes	Acceptable outcomes	Applicant response
PO5 Extractive industry is established and operated in a way that does not impact on public safety.	AO5 Safety fencing is provided for the full length of the perimeter of the site and is appropriately signed with warning signs advising of the nature of the use and any danger or hazard.	Not applicable The development is not for an extractive industry.
PO6 Extractive industry is appropriately located to adequately mitigate visual, noise, vibration and dust impacts on sensitive uses.	AO6 All aspects of the Extractive industry are setback from all boundaries: (a) 200 metres where not involving blasting or crushing; and (b) 1,000 metres for where involving blasting or crushing. Note—Refer to Planning Scheme Policy 3 - Extractive Industry.	Not applicable The development is not for an extractive industry.
PO7 The Extractive industry is designed and managed to appropriately address its interface with the natural environment and landscape, having regard to: (a) water quality; (b) existing vegetation; and (c) declared plants.	AO7.1 The Extractive industry does not cause a reduction in the quality of ground water or receiving surface waters.	Not applicable The development is not for an extractive industry.
	AO7.2 Vegetation is retained on site that contributes towards alleviating the impact of the development on the visual amenity of surrounding sensitive land uses.	Not applicable The development is not for an extractive industry.
	AO7.3 No declared plants are transported from the site.	Not applicable The development is not for an extractive industry.

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO8</p> <p>Extractive industry actively integrates rehabilitation into the ongoing operations on the site to progressively restore the site to its original (or an improved) condition, having regard to matters of:</p> <ul style="list-style-type: none"> (a) locally prevalent plant species; (b) plant spacing; (c) local climatic conditions; (d) locations of waterways and wetlands; (e) ongoing maintenance; ((f) potential habitat opportunities; (g) erosion and sediment control; and (h) fencing. <p>Note—A revegetation plan must be prepared by a suitably experienced person in the field of natural area revegetation and rehabilitation, at a standard acceptable to Council, which addresses the items identified in Performance Outcome PO8.</p>	<p>AO8</p> <p>No acceptable outcome is provided.</p>	<p>Not applicable</p> <p>The development is not for an extractive industry.</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
For accepted development subject to requirements and assessable development.		
PO1 Development, other than in the Rural zone, includes landscaping that: <ul style="list-style-type: none"> (a) contributes to the landscape character of the Shire; (b) compliments the character of the immediate surrounds; (c) provides an appropriate balance between built and natural elements; and (d) provides a source of visual interest. 	AO1 Development, other than in the Rural zone, provides: <ul style="list-style-type: none"> (a) a minimum of 10% of the site as landscaping; (b) planting in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species; (c) for the integration of retained significant vegetation into landscaping areas; (d) on-street landscaping works in accordance with the Design Guidelines set out in Section D9 Landscaping, of the Planning Scheme Policy 4 - FNQROC Regional Development Manual. <p>Note—Where development exceeds a site cover of 90%, areas of landscaping may be provided above ground level to achieve a total supply of landscaping equivalent to 10% of the site area.</p>	Not applicable The site is within the Rural Zone.
PO2 Development, other than in the Rural zone, includes landscaping along site frontages that: <ul style="list-style-type: none"> (a) creates an attractive streetscape; (b) compliments the character of the immediate surrounds; (c) assists to break up and soften elements of built 	AO2 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; <ul style="list-style-type: none"> (a) with a minimum width of 1.5 metres in all other locations; and (b) in accordance with Planning Scheme Policy 6 - 	Not applicable The site is within the Rural Zone

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	
PO3 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.	A03.1 Development provides landscape treatments along side and rear boundaries in accordance with Table 9.4.2.3B.	Complies with A03.1 The existing on-site vegetation satisfies the requirements for landscape treatments.
	A03.2 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.	Complies with PO3 The existing on-site vegetation satisfies the requirements for landscape treatments.
	A03.3 Any landscape strip provided along a side or rear boundary is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.	Complies with PO3 The existing on-site vegetation satisfies the requirements for landscape treatments.

Performance outcomes	Acceptable outcomes	Applicant response
PO4 Car parking areas are improved with a variety of landscaping that: (a) provides visual interest; (b) provides a source of shade for pedestrians; (c) assists to break up and soften elements; and (d) improves legibility.	A04.1 Landscaping is provided in car parking areas which provides: (a) a minimum of 1 shade tree for every 4 parking spaces, or part thereof, where the car parking area includes 12 or more spaces; (b) a minimum of 1 shade tree for every 6 parking spaces, or part thereof, otherwise; and (c) where involving a car parking area in excess of 500m ² : (i) shade structures are provided for 50% of parking spaces; and (ii) (ii) a minimum of 10% of the parking area as landscaping. 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.	Not applicable No car parking areas are proposed.
	A04.2 Landscaping in car parking areas is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.	Not applicable No car parking areas are proposed.
PO5 Landscaping areas include a range and variety of planting that: (a) is suitable for the intended purpose and local	A05.1 Plant species are selected from the Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant species.	Not applicable No additional landscaping is required or proposed.

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

Performance outcomes	Acceptable outcomes	Applicant response
For assessable development		
P07 Landscaping areas are designed to: <ul style="list-style-type: none"> (a) be easily maintained throughout the ongoing use of the site; (b) allow sufficient area and access to sunlight and water for plant growth; (c) not cause a nuisance to occupants of the site or members of the public; (d) and maintain or enhance the safety of pedestrians through the use of Crime Prevention Through Environmental Design principles. 	A07 No acceptable outcome is provided.	Not applicable No additional landscaping is required or proposed.

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

(a) Tourist park in the Rural zone (b) Service station (c) Car wash; or (d) Utility installation			
For: (a) waste storage; (b) equipment; (c) servicing areas; and (d) private open space and site facilities associated with Caretaker's accommodation.	Not Applicable	1.8 metres	To prevent visibility

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

9.4.3 Parking and Access Code

9.4.3.1 Application

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

9.4.3.2 Purpose

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

9.4.3.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
For accepted development subject to requirements and assessable development.		
Car parking spaces		
PO1 Development provides sufficient car parking to	AO1 The number of car parking spaces provided for the use	Not applicable No Gross Floor Area would be created as

Performance outcomes	Acceptable outcomes	Applicant response
accommodate the demand likely to be generated by the use, having regard to the: (a) nature of the use; (b) location of the site; (c) proximity of the use to public transport services; (d) availability of active transport infrastructure; and (e) accessibility of the use to all members of the community/	is in accordance with Table 9.4.3.3B . Note – Car parking spaces provided for persons with a disability are to be considered in determining compliance with AO1.	part of this development.
Vehicle Crossovers		
PO2 Vehicle crossovers are provided to: (a) ensure safe and efficient access between the road and premises; (b) minimize interference with the function and operation of roads; and (c) minimise pedestrian to vehicle conflict.	AO2.1 Vehicular access to/from Council roads is designed and constructed in accordance with the Standard drawings in Planning Scheme Policy 4 - FNQROC Regional Development Manual.	Not applicable No new vehicle accesses are proposed.
	AO2.2 Development on a site with two or more road frontages provides vehicular access from: (a) the primary frontage where involving Community activities or Sport and recreation activities, unless the primary road frontage is a State-controlled road; or (b) from the lowest order road in all other instances.	Not applicable No new vehicle accesses are proposed.
	AO2.3	Not applicable

Performance outcomes	Acceptable outcomes	Applicant response
	Vehicular access for particular uses is provided in accordance with Table 9.4.3.3E .	No new vehicle accesses are proposed.
PO3 Access, manoeuvring and car parking areas include appropriate pavement treatments having regard to: (a) the intensity of anticipated vehicle movements; (b) the nature of the use that they service; and (c) the character of the surrounding locality.	A03 Access, manoeuvring and car parking areas include pavements that are constructed in accordance with Table 9.4.3.3C .	Not applicable No new vehicle access or manoeuvring areas are proposed.
For Assessable Development Parking area location and design		
PO4 Car parking areas are located and designed to: (a) ensure safety and efficiency in operation; and (b) be consistent with the character of the surrounding locality.	A04.1 Car parking spaces, access and circulation areas have dimensions in accordance with AS/NZS 2890.1 Off-street car parking.	Not applicable No parking areas are proposed.
	A04.2 Disabled access and car parking spaces are located and designed in accordance with AS/NZS 2890.6 Parking facilities - Off-street parking for people with disabilities.	Not applicable No parking areas are proposed.
	A04.3 The car parking area includes designated pedestrian routes that provide connections to building entrances	Not applicable No parking areas are proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	AO4.4 Parking and any set down areas are: (a) wholly contained within the site; (b) visible from the street where involving Commercial activities, Community activities, Industrial activities or a use in the Recreation and open space zone; (c) are set back behind the main building line where involving a Dual occupancy, Multiple dwelling, Residential care facility or Retirement facility; and (d) provided at the side or rear of a building in all other instances.	Not applicable No parking areas are proposed.
Site access and manoeuvring		
PO5 Access to, and manoeuvring within, the site is designed and located to: (a) ensure the safety and efficiency of the external road network; (b) ensure the safety of pedestrians; (c) provide a functional and convenient layout; and (d) accommodate all vehicles intended to use the site.	AO5.1 Access and manoeuvrability is in accordance with : (a) AS28901 – Car Parking Facilities (Off Street Parking); and (b) AS2890.2 – Parking Facilities (Off street Parking) Commercial Vehicle Facilities. Note—Proposal plans should include turning circles designed in accordance with AP34/95 (Austroads 1995) Design Vehicles and Turning Path Templates.	Not applicable No new access and manoeuvring areas are proposed.
	AO5.2 Vehicular access has a minimum sight distance in accordance with Part 5 of AUSTROADS.	Not applicable No new vehicle access or manoeuvring areas are proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	AO5.3 Vehicular access is located and designed so that all vehicles enter and exit the site in a forward gear.	Not applicable No new vehicle access or manoeuvring areas are proposed.
	AO5.4 Pedestrian and cyclist access to the site: (a) is clearly defined; (b) easily identifiable; and (c) provides a connection between the site frontage and the entrance to buildings and end of trip facilities (where provided).	Not applicable No pedestrian access is required or proposed.
PO6 Development that involves an internal road network ensures that it's design: (a) ensure safety and efficiency in operation; (b) does not impact on the amenity of residential uses on the site and on adjoining sites, having regard to matters of: i. hours of operation; ii. noise iii. light; and iv. odour; (c) accommodates the nature and volume of vehicle movements anticipated to be generated	AO6.1 Internal roads for a Tourist park have a minimum width of: (a) 4 metres if one way; or (b) 6 metres if two way.	Not applicable No Tourist Parks are proposed.
	AO6.2 For a Tourist park, internal road design avoids the use of cul-de-sacs in favour of circulating roads, where unavoidable, cul-de-sacs provide a full turning circle for vehicles towing caravans having: (a) a minimum approach and departure curve radius of 12 metres; and (b) a minimum turning circle radius of 8 metres.	Not applicable No Tourist Parks are proposed.

Performance outcomes	Acceptable outcomes	Applicant response
by the use; (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.	AO6.3 Internal roads are imperviously sealed and drained, apart from those for an Energy and infrastructure activity or Rural activity.	Not applicable No new internal roads are proposed.
	AO6.4 Speed control devices are installed along all internal roads, apart from those for an Energy and infrastructure activity or Rural activity, in accordance with Complete Streets.	Not applicable No new internal roads are proposed.
	AO6.5 Internal roads, apart from those for an Energy and infrastructure activity or Rural activity, are illuminated in accordance with AS 4282 (as amended) - Control of Obtrusive effects of outdoor lighting.	Not applicable No new internal roads are proposed.
	AO6.6 Where involving an accommodation activity, internal roads facilitate unobstructed access to every dwelling, accommodation unit, accommodation site and building by emergency services vehicles.	Not applicable No accommodation activities are proposed.
	AO6.7 For an Energy and infrastructure activity or Rural activity, internal road gradients: (a) are no steeper than 1:5; or	Not applicable No energy and infrastructure activities or Rural activities are proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	(b) are steeper than 1:5 and are sealed.	
Servicing		
PO7 Development provides access, manoeuvring and servicing areas on site that: (a) accommodate a service vehicle commensurate with the likely demand generated by the use; (b) do not impact on the safety or efficiency of internal car parking or manoeuvring areas; (c) do not adversely impact on the safety or efficiency of the road network; (d) provide for all servicing functions associated with the use; and (e) are located and designed to minimise their impacts on adjoining sensitive land uses and streetscape quality.	A07.1 All unloading, loading, service and waste disposal areas are located: (a) on the site; (b) to the side or rear of the building, behind the main building line; (c) not adjacent to a site boundary where the adjoining property is used for a sensitive use.	Complies with A07.1 All servicing would be undertaken on-site
	A07.2 Unloading, loading, service and waste disposal areas allow service vehicles to enter and exit the site in a forward gear.	Complies with A07.2 All vehicles can enter and leave the site in a forward gear.
	A07.3 Development provides a servicing area, site access and manoeuvring areas to accommodate the applicable minimum servicing vehicle specified in Table 9.4.3.3B.	Complies with A07.3 The site and manoeuvring areas have been designed to accommodate an articulated vehicle.
Maintenance		
PO8	A08.1	Not applicable

Performance outcomes	Acceptable outcomes	Applicant response
Parking areas are used and maintained for their intended purpose.	Parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking and circulation of vehicles.	No parking areas are required or proposed.
	AO8.2 All parking areas will be compacted, sealed, drained, line marked and maintained until such time as the development ceases.	Not applicable No parking areas are required or proposed.
End of trip facilities		
PO9 Development within the Centre zone; Industry zone or Emerging community zone provides facilities for active transport users that: <ul style="list-style-type: none"> (a) meet the anticipated demand generated from the use; (b) comprise secure and convenient bicycle parking and storage; and (c) provide end of trip facilities for all active transport users. 	AO9.1 The number of bicycle parking spaces provided for the use is in accordance with Table 9.4.3.3D .	Not applicable No end of trip facilities are required or proposed.
	AO9.2 End of trip facilities are provided in accordance with Table 9.4.3.3D .	Not applicable No end of trip facilities are required or proposed.
If for Educational establishment or Child care centre where involving more than 100 vehicle movements per day or Renewable energy facility, Sport and recreation activities or Tourist park		
PO10 The level of traffic generated by the development on the surrounding local road network must not	AO10 A traffic impact report is prepared by a suitably qualified person that identifies:	Not applicable None of the identified facilities uses are proposed.

Performance outcomes	Acceptable outcomes	Applicant response
result in unacceptable impacts on adjacent land and local road users.	(a) the expected traffic movements to be generated by the facility; (b) any associated impacts on the road network; and (c) any works that will be required to address the identified impacts.	
If for Educational establishment or Child care centre where involving more than 100 vehicle movements per day or Renewable energy facility, Sport and recreation activities or Tourist park		
PO11 The level of traffic generated by the development on the surrounding local road network must not result in unacceptable impacts on adjacent land and local road users	AO11 A traffic impact report is prepared by a suitably qualified person that identifies: (a) the expected traffic movements to be generated by the facility; (b) any associated impacts on the road network; and (c) any works that will be required to address the identified impacts.	Not applicable None of the identified facilities uses are proposed.

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
For accepted development subject to requirements and assessable development.		

Performance outcomes	Acceptable outcomes	Applicant response
Water supply		
PO1 Each lot has an adequate volume and supply of water that: (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment.	AO1.1 Development is connected to a reticulated water supply system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located: (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated water supply service area	Not applicable The site is outside a reticulated water supply service area.
	AO1.2 Development, where located outside a reticulated water supply service area and in the Conservation zone, Rural zone or Rural residential zone is provided with: (a) a bore or bores are provided in accordance with the Design Guidelines set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; or (b) on-site water storage tank/s: (i) with a minimum capacity of 90,000L; (ii) fitted with a 50mm ball valve with a camlock fitting; and (iii) which are installed and connected prior to the occupation or use of the development.	Complies with AO1.2 The site is provided with an existing water supply that has previously been accepted by Council as part of the previous development approval on the land.

Performance outcomes	Acceptable outcomes	Applicant response
Waste disposal		
PO2 Each lot provides for the treatment and disposal of effluent and other waste water that: (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment.	AO2 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: (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area.	Not applicable The site is outside a reticulated sewerage systems service area.
	AO2.2 An effluent disposal system is provided in accordance with ASNZ 1547 On-Site Domestic Wastewater Management (as amended) where development is located: (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area.	Complies with AO2.2 The on-site sewerage disposal system has previously been accepted by council as part of the existing development on the site.
Stormwater infrastructure		
PO3 Stormwater infrastructure is designed and constructed to collect and convey the design storm event to a lawful point of discharge in a manner	AO3.1 Where located within a Priority infrastructure area or where stormwater infrastructure is available, development is connected to Council's stormwater network in accordance with the Design Guidelines and	Not applicable No stormwater infrastructure is available.

Performance outcomes	Acceptable outcomes	Applicant response
that mitigates impacts on life and property.	Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	
	AO3.2 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.	Complies with AO3.2 The stormwater management on the site has previously been accepted by council as part of the existing development. No change to the stormwater management would occur as a result of this development.
Electricity supply		
PO4 Each lot is provided with an adequate supply of electricity	AO4 The premises: (a) is connected to the electricity supply network; or (b) has arranged a connection to the transmission grid; or (c) where not connected to the network, an independent energy system with sufficient capacity to service the development (at near average energy demands associated with the use) may be provided as an alternative to reticulated electricity where: (i) it is approved by the relevant regulatory authority; and (ii) it can be demonstrated that no air or noise emissions; and (iii) it can be demonstrated that no adverse impact	Complies with AO4 The site has an existing connection to the electricity supply network.

Performance outcomes	Acceptable outcomes	Applicant response
	on visual amenity will occur.	
Telecommunications infrastructure		
PO5 Each lot is provided with an adequate supply of telecommunication infrastructure.	AO5 Development is provided with a connection to the national broadband network or telecommunication services.	Complies with AO5 The site is able to connect to telecommunications via the fixed wireless network.
Existing public utility services		
PO6 Development and associated works do not affect the efficient functioning of public utility mains, services or installations.	AO6 Public utility mains, services are relocated, altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	Not applicable No utility mains are required to be altered to facilitate the development.
Excavation or filling		
PO7 Excavation or filling must not have an adverse impact on the: (g) streetscape; (h) scenic amenity; (i) environmental values; (j) slope stability; (k) accessibility; or (l) privacy of adjoining premises.	AO7.1 Excavation or filling does not occur within 1.5 metres of any site boundary.	Not applicable No excavation or filling is proposed.
	AO7.2 Excavation or filling at any point on a lot is to be no greater than 1.5 metres above or below natural ground	Not applicable No excavation or filling is proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	level.	
	A07.3 Earthworks batters: (a) are no greater than 1.5 metres in height; (b) are stepped with a minimum width 2 metre berm; (c) do not exceed a maximum of two batters and two berms (not greater than 3.6 metres in total height) on any one lot; (d) have a slope no greater than 1 in 4; and (e) are retained.	Not applicable No excavation or filling is proposed.
	A07.4 Soil used for filling or spoil from excavation is not stockpiled in locations that can be viewed from: (a) adjoining premises; or (b) a road frontage, for a period exceeding 1 month from the commencement of the filling or excavation.	Not applicable No excavation or filling is proposed.
	A07.5 All batters and berms to be constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	Not applicable No excavation or filling is proposed.
	A07.6 Retaining walls have a maximum height of 1.5 metres	Not applicable

Performance outcomes	Acceptable outcomes	Applicant response
	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.	No excavation or filling is proposed.
	A07.7 Excavation or filling at any point on a lot is to include measures that protect trees at the foot or top of cut or fill batters by the use of appropriate retaining methods and sensitive earth removal or placement and in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	Not applicable No excavation or filling is proposed.
For assessable development		
Transport network		
PO8 The development has access to a transport network of adequate standard to provide for the safe and efficient movement of vehicles, pedestrians and cyclists.	A08.1 Vehicle access, crossovers, road geometry, pavement, utilities and landscaping to the frontage/s of the site are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	Not applicable Access would be provided by the existing lawfully constructed access and no new accesses are proposed.
	A08.2 Development provides footpath pavement treatments in accordance with Planning Scheme Policy 9 –	Not applicable No footpaths are required or proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	Footpath Paving.	
Public infrastructure		
PO9 The design, construction and provision of any infrastructure that is to be dedicated to Council is cost effective over its life cycle and incorporates provisions to minimise adverse impacts.	AO9 Development is in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	Not applicable No public infrastructure is required or proposed.
Stormwater quality		
PO10 Development has a non-worsening effect on the site and surrounding land and is designed to: <ul style="list-style-type: none"> (a) optimise the interception, retention and removal of waterborne pollutants, prior to the discharge to receiving waters; (b) protect the environmental values of waterbodies affected by the development, including upstream, onsite and downstream waterbodies; (c) achieve specified water quality objectives; (d) minimise flooding; (e) maximise the use of natural channel design principles; (f) maximise community benefit; and (g) minimise risk to public safety. 	AO10.1 The following reporting is prepared for all Material change of use or Reconfiguring a lot proposals: <ul style="list-style-type: none"> (a) a Stormwater Management Plan and Report that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; and (b) an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation Control Guidelines (Institute of Engineers Australia), including: <ul style="list-style-type: none"> (i) drainage control; (ii) erosion control; 	Not applicable The development does not involve any construction or alteration to the existing stormwater management systems.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(iii) sediment control; and</p> <p>(iv) water quality outcomes.</p>	
	<p>AO10.2</p> <p>For development on land greater than 2,500m² or that result in more than 5 lots or more than 5 dwellings or accommodation units, a Stormwater Quality Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) is prepared that demonstrates that the development:</p> <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>Not applicable</p> <p>The development does not involve any construction or alteration to the existing stormwater management systems.</p>
<p>PO11</p> <p>Storage areas for stormwater detention and retention:</p> <p>(a) protect or enhance the environmental values of receiving waters;</p>	<p>AO11</p> <p>No acceptable outcome is provided.</p>	<p>Not applicable</p> <p>No stormwater detention is required or proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant response
(b) achieve specified water quality objectives; (c) where possible, provide for recreational use; (d) maximise community benefit; and (e) minimise risk to public safety.		
Excavation or filling		
PO12 Traffic generated by filling or excavation does not impact on the amenity of the surrounding area.	AO12.1 Haul routes used for transportation of fill to or from the site only use major roads and avoid residential areas.	Not applicable No excavation or filling is proposed.
	AO12.2 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.	Not applicable No excavation or filling is proposed.
PO13 Air pollutants, dust and sediment particles from excavation or filling, do not cause significant environmental harm or nuisance impacts.	AO13.1 Dust emissions do not extend beyond the boundary of the site.	Complies with AO13.1 The storage of transported buildings would not result in dust emissions.
	AO13.2 No other air pollutants, including odours, are detectable at the boundary of the site.	Complies with AO13.2 The storage of transported buildings would not result in the emission of air pollutants.

Performance outcomes	Acceptable outcomes	Applicant response
	AO13.3 A management plan for control of dust and air pollutants is prepared and implemented.	Not applicable The storage of transported buildings would not result in dust emissions or the emission of air pollutants.
PO14 Access to the premises (including driveways and paths) does not have an adverse impact on: (a) safety; (b) drainage; (c) visual amenity; and (d) privacy of adjoining premises.	AO14 Access to the premises (including all works associated with the access): (a) must follow as close as possible to the existing contours; (b) be contained within the premises and not the road reserve, and (c) are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	Not applicable No new access is proposed.
Weed and pest management		
PO15 Development prevents the spread of weeds, seeds or other pests into clean areas or away from infested areas.	AO15 No acceptable outcome is provided.	Not applicable The site is not known to contain pests.
Contaminated land		
PO16	AO16	Not applicable

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