

TOWN PLANNING REPORT

Development Permit for Reconfiguring a Lot – Two (2) Lot Subdivision

*Prepared for **Lakeland Wind Farm Pty Ltd***

18 DECEMBER 2017

Prepared by:

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Prepared for:

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Name	Signature	Date
Owen Caddick-King		18/12/2017

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Summary

Site Details			
Site Address:	Wetherby Road, Mt Molloy		
Real Property Description:	Lot 427 on SP287159		
Site Area:	1100 ha		
Zoning:	Rural		
Name of Owner:	KATHLEEN COLLESS PTY LTD Refer to Certificate of Title, signed owner's consent and completed DA Form 1 in Appendix A		
Type of Application			
Aspect of Development	Preliminary Approval	Development Permit	
Material change of use	<input type="checkbox"/>	<input type="checkbox"/>	
Reconfiguration of a lot	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Building work assessable against planning scheme	<input type="checkbox"/>	<input type="checkbox"/>	
Operational works	<input type="checkbox"/>	<input type="checkbox"/>	
Proposal			
Brief Description/ Purpose of Proposal: Two (2) lot subdivision to create Proposed Lot 1 for electricity substation use, part of Proposed Lot 5 (refer to DA/17/0032), currently part of Lot 427 on SP287159.			
Referral Agencies			
Agency	Concurrence Agency	Advice Agency	Pre-lodgement Referral Agency Response
SARA – State Controlled Rd and vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Ergon	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other			
Level of Assessment:	<input checked="" type="checkbox"/> Code <input type="checkbox"/> Impact		
Public Notification	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (15 b.d.) <input type="checkbox"/> Yes (30 b.d.)		
Superseded Planning Scheme Application:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Assessment Manager	Mareeba Shire Council		
Applicant Contact Person:	Owen Caddick-King, RPS owen.caddick-king@rpsgroup.com.au Ph: 40 311 336		

I. Introduction

RPS has been engaged by Lakeland Wind Farm Pty Ltd to seek a development approval for a Reconfiguration of a Lot (1 Lot into 2 Lots) on land at 421 Wetherby Road, Mount Molloy. The real property description of the subject land is Lot 427 on SP287159 and the additional lot is to be created adjacent to the electricity substation land that adjoins the Mulligan Highway on the outskirts of Mount Molloy. The additional lot is intended to be used for future expansion of the electricity substation use.

It is noted that Council recently issued an approval to reconfigure Lot 427 on SP287159 into 8 lots (Council's Ref: DA/17/0032 – provided for reference in **Appendix B**). Currently, it is intended that titles will issue for the 8 lot reconfiguration and that the additional lot will be excised from Proposed Lot 5. However, "the subject site" for the purposes of this development is Lot 427 on SP287159.

This development application seeks:

- Development Permit for Reconfiguring a Lot for Two (2) lot subdivision to create Proposed Lot 1 for electricity substation use, part of Proposed Lot 5 (refer to DA/17/0032), currently part of Lot 427 on SP287159.

Under the Mareeba Shire Council Planning Scheme, the subject site is located within the Rural Zone. The proposed development is subject to code assessment.

This report provides 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.

A copy of the completed Development Application Form 1 and signed owner's is provided for reference in **Appendix A**.

2. Site Details

Site Particulars

Key details of the subject site include.

Address	421 Wetherby Road, Mt Molloy
Real Property Description	Lot 427 on SP287159
Site Area	1100ha
Land Owner	KATHLEEN COLLESS PTY LTD

The certificate of title confirming site ownership and owner's consent are included in **Appendix A**.

Planning Context

The planning context of the site includes:

Mareeba Shire Council Planning Scheme	
Zoning	Rural
Overlays	Agricultural Land Bushfire Hazard Environmental Significance Flood Hazard Regional Infrastructure Corridors & Substations Transport Infrastructure

Site Characteristics

The subject site is part of Wetherby Station, a cattle grazing property. The real property description of the subject land is Lot 427 on SP287159 and the additional lot is to be created adjacent to the electricity substation land (Lot 8 on SP145517) that adjoins the Mulligan Highway on the outskirts of Mount Molloy, refer to Aerial Photo in **Figure 1** below. The additional lot is intended to be used for future expansion of the electricity substation use.



Figure 1: Aerial Photograph

Source: Google Earth.

3. Proposal

The development proposal subject of this application seeks a Development Permit for Reconfiguring a Lot to create a 1ha allotment immediately adjacent to the existing substation on Lot 8 on SP145517, depicted on the Preliminary Survey Plan (SP301680), provided for reference in **Appendix C**. The intent is to enable the expansion of the existing substation.

As mentioned previously, Council recently issued an approval for an eight (8) lot subdivision over Lot 427 on SP287159 (Council Ref: DA/17/0032), provided for reference in **Appendix B**. Currently, it is intended that titles will issue for the 8 lot reconfiguration and that the additional lot will be excised from Proposed Lot 5.

The proposed new allotment will require access off Mulligan Highway, which is a State controlled road and is constructed to two lane bitumen sealed standard. Pre-lodgement advice received from SARA indicates that direct access between Proposed Lot 1 and the Mulligan Highway is not supported and recommended a shared access be considered as an alternative. In response to the Pre-lodgement advice, access to Proposed Lot 1 is intended to be from the existing access to the Ergon substation (Lot 8 on SP145517) or from the access required to be provided to Proposed Lot 5 using a similar shared access arrangement as has been permitted for Proposed Lot 4 (refer **Figure 2** below and the DTMR response provided in **Appendix B** for detail). After construction, vehicle access to Proposed Lot 1 will be infrequent.



4. Legislative requirements

Assessment Manager

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

Categories of Assessment

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

Aspect of development	Categorising instrument	Category of assessment
Development Permit for Reconfiguration of a Lot (Subdivision)	Mareeba Shire Council Planning Scheme 2016	Code

Referral Agencies

A review of Schedule 10 of the *Planning Regulation 2017* indicates that referral is triggered by the proposed development, the following referrals apply:

Part	Division	Table	Referral trigger (item 1)	Referral agency
Part 3 – Development involving clearing of native vegetation	Division 4	Table 2 – Reconfiguration development	Creation of a lot less than 25ha.	The Chief Executive (SARA)
Part 9 - Infrastructure related referrals	Division 1 - State Transport Infrastructure Subdivision 2 – State transport corridors	Table 1 – Reconfiguration of a lot near a State transport corridor	Development application for RoL within 25m of State transport corridor	The Chief Executive (SARA)
Part 9 – Development involving impacts on infrastructure	Division 2 – Electricity infrastructure	Table 1 – 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— (a) all or part of the lot is subject to an easement— (i) for the benefit of a distribution entity, or transmission entity, under the Electricity Act; and (ii) for a transmission grid or Supply network;	Ergon

The State Development Assessment Provisions (SDAP) nominate applicable modules based on the referral triggers. The SDAP modules applicable and most relevant to the proposal are included in **Appendix D**.

Public Notification

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

5. Statutory Planning Assessment

Overview

This section assesses the application against relevant assessment benchmarks.

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

State and Regional Assessment Benchmarks

Regional Plan

As outlined in Part 2 of the Mareeba Shire Council Planning Scheme, it is indicated that the Planning Scheme appropriately advances the Far North Queensland Regional Plan. Thus, compliance with the Planning Scheme is deemed sufficient from a Regional Plan perspective.

State Planning Policy

As outlined in Part 2 of the Mareeba Shire Council Planning Scheme, all aspects of the State Planning Policy have been adequately reflected in the Mareeba Shire Council Planning Scheme 2016. Thus compliance with the Planning Scheme will adequately reflect any State Issues and no further assessment against the State Planning Policy is required.

State Development Assessment Provisions

The State Development Assessment Provisions (SDAP) nominate applicable modules based on the referral triggers. The SDAP modules applicable and most relevant to the proposal are included in **Appendix D**. With regard to State Code 16: Native vegetation clearing, an assessment has been undertaken against the Code provisions referenced in SARA's Pre-lodgement advice.

Local Authority Assessment Benchmarks

This application is to be assessed against Mareeba Shire Council Planning Scheme 2016. The assessment benchmarks applicable under the Planning Scheme are addressed below.

Zone

The subject site is located within the Rural Zone.

The intent of the Rural Zone is to provide for rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities and 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.

The proposed subdivision complies with the intent of the Rural Zone as follows:

- The location of the substation site is pre-determined by the location of the existing substation.
- The land use (existing substation) has previously been assessed, and thus determined to comply with the above Rural Zone intent; and
- The purpose of creating the additional lot is for the expansion of the substation use.

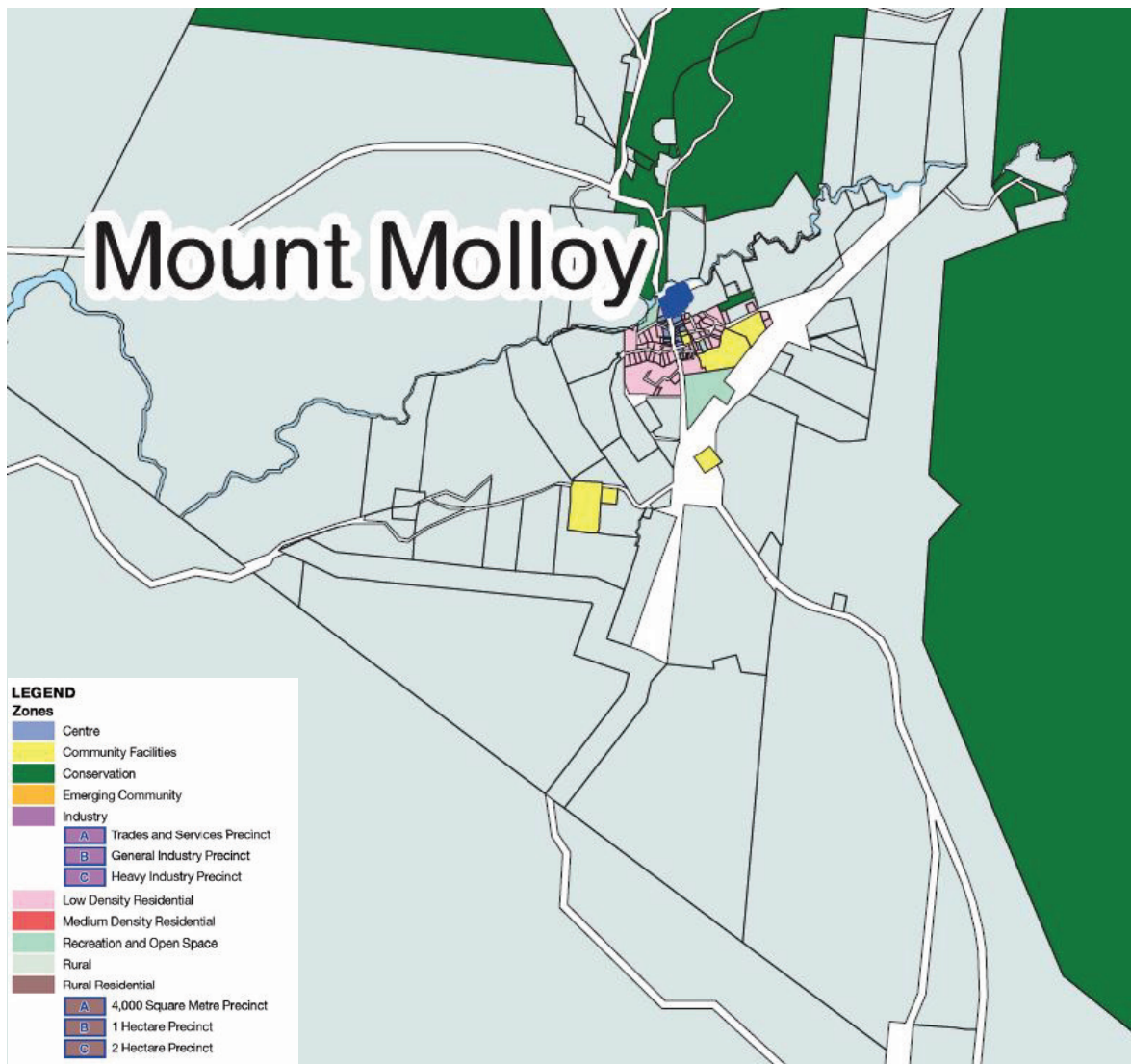


Figure 2: Zoning

Source: MSC Planning Scheme

Codes

Mareeba Shire Council Planning Scheme codes applicable to the proposal are identified below:

- Rural Zone Code;
- Overlay Codes as per section 2 of this report;
- Reconfiguring a Lot Code.

Given the nature of this application, a subdivision that will result in the creation of a 1ha allotment for substation purposes, it is considered that this proposal does not require detailed assessment of the applicable code provisions. A review of the applicable codes has been undertaken and the proposal has been found to be consistent with relevant applicable code provisions.

In terms of overlays, it is noted that the future substation lot is not affected by any land use constraint related overlay and is a logical and pre-determined location for the future electricity substation use of the land. Therefore, a detailed assessment against the Planning Scheme Codes is not considered necessary.

With regard to bushfire, the applicant will undertake appropriate bushfire management measures through the following measures:

- Appropriate cleared buffers zones within the new lot; and
- Access will be from the Mulligan Hwy.

With regard to the Reconfiguring a lot Code, an assessment of the proposal against the relevant subdivision provisions of the Planning Scheme has been undertaken and the only non-compliance is in respect to the minimum lot size requirements for the rural zone. As mentioned previously, the location of the substation site is pre-determined by the location of the existing substation. The creation of the 1ha allotment, immediately adjacent to the existing substation lot (1.22ha) is not considered to impact on the existing rural amenity nor will it be detrimental to the existing rural use of the site. The proposed new allotment will require access off Mulligan Highway and access is proposed by way of a shared access as described in the Proposal section of this report. Additional services to the proposed new lot are not required.

6. Conclusion

This town planning report supports a development application made on behalf of Lakeland Wind Farm Pty Ltd to Mareeba Shire Council for a Reconfiguration of a Lot, over land at 421 Wetherby Road, Mt Molloy, formally described as Lot 427 on SP287159.

The proposal is for a Reconfiguration of a Lot for a subdivision, to enable the creation of a 1ha allotment for a substation.

This report has demonstrated the proposal's consistency with the intents and code requirements of the Mareeba Shire Council Planning Scheme, except for minimum lot size requirements, and has provided appropriate justification for aspects of the proposed development in relation to the Planning Scheme.

In summary, we submit that the proposed development is unlikely to have any significant impacts upon infrastructure, environment or community that cannot be adequately addressed through the imposition of reasonable and relevant conditions. We therefore recommend the development for Council approval.

Appendix A

DA Form I and Owners Consent and Searches

DA Form 1 – Development application details

Approved form (version 1.0 effective 3 July 2017) 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 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**, use this form (*DA Form 1*) **and** parts 4 to 6 of *DA Form 2 – Building work details*.

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) <i>(individual or company full name)</i>	Lakeland Wind Farm Pty Ltd c/- RPS Australia East Pty Ltd
Contact name <i>(only applicable for companies)</i>	Owen Caddick-King, RPS Australia East Pty Ltd
Postal address <i>(P.O. Box or street address)</i>	PO Box 1949
Suburb	Cairns
State	Queensland
Postcode	4870
Country	Australia
Contact number	(07) 4031 1336
Email address <i>(non-mandatory)</i>	Owen.caddick-king@rpsgroup.com.au
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	PR136031

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

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		421	Wetherby Road	Mount Molloy
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
		427	SP287159	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. Only one set of coordinates is required for this part.

☐ 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 their details have been attached in a schedule to this 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:

☐ Listed on the Environmental Management Register (EMR) under the *Environmental Protection Act 1994*

EMR site identification:

☐ Listed on the Contaminated Land Register (CLR) under the *Environmental Protection Act 1994*

CLR site identification:

5) Are there any existing easements over the premises?

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

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

☐ No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

a) What is the type of development? *(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):*

Reconfiguring a Lot for Two (2) lot subdivision to create Proposed Lot 1 for electricity substation use, part of Proposed Lot 5 (refer to DA/17/0032), currently part of Lot 427 on SP287159

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 type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input checked="" type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)

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

<input type="checkbox"/> Yes		
<input type="checkbox"/> No		

Division 2 – Reconfiguring a lot

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

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

1

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

<input checked="" 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 construction 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:
				Future substation
Number of lots created				1

10.2) Will the subdivision be staged?

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

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

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

12) Boundary realignment

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

Current lot		Proposed lot	
Lot on plan description	Area (m 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"/> Stormwater | <input type="checkbox"/> Water infrastructure |
| <input type="checkbox"/> Drainage work | <input type="checkbox"/> Earthworks | <input type="checkbox"/> Sewage infrastructure |
| <input type="checkbox"/> Landscaping | <input type="checkbox"/> Signage | <input type="checkbox"/> Clearing vegetation |
| <input type="checkbox"/> Other – please specify: <table border="1" style="display: inline-table; width: 400px; height: 20px;"></table> | | |

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?

- ☐ Yes – a copy of the decision notice is attached to this development application
- ☐ Local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- ☒ No

PART 5 – REFERRAL DETAILS

17) Do any aspects of the proposed development require referral for 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 Regulation 2017**:

- ☒ Clearing native vegetation
- ☐ Contaminated land (unexploded ordnance)

- ☐ Environmentally relevant activities (ERA) *(only if the ERA have not been devolved to a local government)*
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Queensland heritage place *(on or near a Queensland heritage place)*
- ☐ Infrastructure – designated premises
- ☐ Infrastructure – state transport infrastructure
- ☒ Infrastructure – state transport corridors and future state transport corridors
- ☐ Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure – state-controlled roads
- ☐ Land within Port of Brisbane's port limits
- ☐ SEQ development area
- ☐ 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 – residential development
- ☐ SEQ regional landscape and rural production area or SEQ Rural living area – urban activity
- ☐ Tidal works or works 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 – construction of new levees or modification of existing levees *(category 2 or 3 levees only)*
- ☐ Wetland protection area

Matters requiring referral to the local government:

- ☐ Airport land
- ☐ Environmentally relevant activities (ERA) *(only if the ERA have been devolved to local government)*
- ☐ Local heritage places

Matters requiring referral to the chief executive of the distribution entity or transmission entity:

- ☒ Electricity infrastructure

Matters requiring referral to:

- The **chief executive of the holder of the licence**, if not an individual
 - The **holder of the licence**, if the holder of the licence is an individual
- ☐ Oil and gas infrastructure

Matters requiring referral to the Brisbane City Council:

- ☐ Brisbane core port land

Matters requiring referral to the Minister under the Transport Infrastructure Act 1994:

- ☐ Brisbane core port land
- ☐ Strategic port land

Matters requiring referral to the relevant port operator:

- ☐ Brisbane core port land (below high-water mark and within port limits)

Matters requiring referral to the chief executive of the relevant port authority:

- ☐ Land within limits of another port

Matters requiring referral to the Gold Coast Waterways Authority:

- ☐ Tidal works, or development in a coastal management district in Gold Coast waters

Matters requiring referral to the Queensland Fire and Emergency Service:

- ☐ Tidal works, or development in a coastal management district

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

- ☐ Yes – referral response(s) received and listed below are attached to this development application
- ☒ No

Referral requirement	Referral agency	Date of referral response

Identify and describe any changes made to the proposed development application that was the subject of the referral response and the development application the subject of this form, or include details in a schedule to this development application (if applicable).

PART 6 – INFORMATION REQUEST**19) Information request under Part 3 of the DA Rules**

- ☒ I agree to receive an information request if determined necessary for this development application
- ☐ I do not agree to accept an information request for this development application

Note: By not agreeing to accept an information request I, the applicant, acknowledge:

- that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties
- Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.

Further advice about information requests is contained in the [DA Forms Guide](#).

PART 7 – FURTHER DETAILS**20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)**

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

List of approval/development application references	Reference number	Date	Assessment manager
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Development application	DA/17/0032	Oct/Nov 2017	Mareeba Shire Council
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

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

- ☐ Yes – the yellow local government/private certifier's 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

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 EM941) 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 “EM941” 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.justice.qld.gov.au for further information.

Clearing native vegetation

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation 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 is accompanied by written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)

☒ No

Note: See www.qld.gov.au for further information.

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 conservation

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

☐ Yes

☒ No

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

Water resources

23.6) Does this development application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, taking overland flow water or waterway barrier works**?

☐ Yes – the relevant template is completed and attached to this development application

☒ No

Note: DA templates are available from www.dilgp.qld.gov.au.

23.7) Does this application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water** under the *Water Act 2000*?

☐ Yes – I acknowledge that a relevant water authorisation under the *Water Act 2000* may be required prior to commencing development

☒ No

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

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 and Mines at www.dnrm.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 Heritage Protection at www.ehp.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.dews.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.ehp.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.ehp.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**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 requirementsIf building work is associated with the proposed development, Parts 4 to 6 of *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 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 OFFICE USE ONLY

Date received: Reference number(s):

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

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

The *Planning Act 2016*, the *Planning Regulation 2017* and the *DA Rules* are administered by the Department of Infrastructure, Local Government and Planning. This form and all other required development application materials should be sent to the assessment manager.

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

Kathleen Colless Pty Ltd A.C.N. 097 377 270 Trustee Under Instrument 710106457

as owner of premises identified as follows

Lot 427 on SP 287159

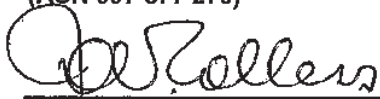
consents to the making of a development application under the *Planning Act 2016* by

Lakeland Wind Farm Pty Ltd

on the premises described above for the purposes of:

reconfiguration of a lot for a subdivision

Kathleen Colless Pty Ltd
(ACN 097 377 270)



Signature of Director

John William Colless

Name of Director (Block Letters)



Signature of Director/Secretary

Kathleen Ann Colless

Name of Director/Secretary (Block Letters)

signed on the 5th day of December 2017

CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 27429001

Search Date: 27/11/2017 10:49

Title Reference: 51095153

Date Created: 26/05/2017

Previous Title: 40073506

REGISTERED OWNER

Dealing No: 718046016 26/05/2017

KATHLEEN COLLESS PTY LTD A.C.N. 097 377 270
TRUSTEE
UNDER INSTRUMENT 710106457

ESTATE AND LAND

Estate in Fee Simple

LOT 427 SURVEY PLAN 287159
Local Government: MAREEBA

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 AND EASEMENT C ON CP898020
3. EASEMENT No 702546880 06/03/1998 at 16:45
burdening the land to
LOT 32 ON CP C15735
OVER EASEMENTS A AND B ON CP910279
4. EASEMENT No 703613810 05/10/1999 at 16:07
burdening the land to
LOT 12 ON CP DA43 OVER EASEMENT C ON SP121799
5. EASEMENT IN GROSS No 706750632 30/06/2003 at 11:36
burdening the land
ERGON ENERGY CORPORATION LIMITED A.C.N. 087 646 062
over
EASEMENTS C & D ON SP145517
6. MORTGAGE No 716866818 05/11/2015 at 11:02
NATIONAL AUSTRALIA BANK LIMITED A.B.N. 12 004 044 937
7. PROFIT A PRENDRE No 717834755 13/02/2017 at 10:18
THE STATE OF QUEENSLAND
(REPRESENTED BY DEPARTMENT OF AGRICULTURE AND FISHERIES)

CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 27429001

Search Date: 27/11/2017 10:49

Title Reference: 51095153

Date Created: 26/05/2017

ADMINISTRATIVE ADVICES

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

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

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Requested By: D-ENQ URBIS PRO

Appendix B

Council Approval (REF: DA/17/0032)

DELEGATED REPORT

SUBJECT: KATHLEEN COLLESS PTY LTD - RECONFIGURING A LOT -
SUBDIVISION (1 INTO 8 LOTS) - LOT 427 ON SP287159 -
421 WETHERBY ROAD, MOUNT MOLLOY - DA/17/0032

DATE: 31 October 2017

**REPORT OFFICER'S
TITLE:** Senior Planner

DEPARTMENT: Corporate and Community Services

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	Kathleen Colless Pty Ltd	ADDRESS	421 Wetherby Road, Mount Molloy
DATE LODGED	29 June 2017	RPD	Lot 427 on SP287159
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot - Subdivision (1 into 8 lots)		

FILE NO	DA/17/0032	AREA	1,100 hectares
LODGED BY	Freshwater Planning Pty Ltd	OWNER	Kathleen Colless Pty Ltd
PLANNING SCHEME	Mareeba Shire Planning Scheme 2004 (Amendment No. 01/11)		
ZONE	Rural zone		
LEVEL OF ASSESSMENT	Code Assessment		
SUBMISSIONS	n/a		

ATTACHMENTS:

1. Proposal Plan/s
2. Department of Infrastructure, Local Government and Planning Referral Agency Response - 27 October 2017

EXECUTIVE SUMMARY

Council is in receipt of a development application described in the above application details.

The application is code assessable and was not required to undergo public notification.

It has been assessed against the relevant statutory planning instruments, including the Regional Plan and the Planning Scheme and does not conflict with any relevant planning instrument.

Draft conditions were provided to the Applicant/ care of their consultant and have been agreed.

It is recommended that the application be approved in full with conditions.

OFFICER'S RECOMMENDATION

1. That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	Kathleen Colless Pty Ltd	ADDRESS	421 Wetherby Road, Mount Molloy
DATE LODGED	29 June 2017	RPD	Lot 427 on SP287159
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot - Subdivision (1 into 8 lots)		

and in accordance with the Sustainable Planning Act 2009, the applicant be notified that the application for a development permit for the development specified in (A) is:

Approved by Council in accordance with the approved plans/documents listed in (B), subject to assessment manager conditions in (C), assessment manager's advice in (D), concurrence agency conditions in (E), relevant period in (F), further permits in (G), and further approvals from Council listed in (H);

And

The assessment manager does not consider that the assessment manager's decision conflicts with a relevant instrument.

- (A) **APPROVED DEVELOPMENT:** Development Permit for Reconfiguring a Lot - Subdivision (1 into 8 lots)

- (B) **APPROVED PLANS:**

Plan/Document Number	Plan/Document Title	Prepared by	Dated
7582A	Plan of Proposed Lots 1-8 Cancelling Lot 427 on SP287159	Twine Surveys	-

- (C) **ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)**

- (a) Development assessable against the Planning Scheme

1. Development must be carried out substantially 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 endorsement of the plan of survey, except where specified otherwise in these conditions of approval.
- 2.2 The development may be undertaken in stages and the conditions relevant to the respective stage must be complied with to the satisfaction of Council's delegated officer prior to the endorsement of the plan for the respective stage.

3. General

- 3.1 The development approval would not have been issued if not for the conditions requiring the construction of infrastructure or the payment of infrastructure charges/contributions contained within the conditions of approval.
- 3.2 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.
- 3.3 All payments required to be made to the Council (including contributions, charges and bonds) pursuant to any condition of this approval must be made prior the endorsement of the plan of survey and at the rate applicable at the time of payment.
- 3.4 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/served where required by the relevant authority, unless approved by Council's delegated officer.
- 3.5 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.
- 3.6 Where approved existing buildings and structures are to be retained, setbacks to any new property boundaries are to be in accordance with Planning Scheme requirements for the relevant structure and/or Queensland Development Code. Where existing building/s are in proximity to new property boundaries, a plan demonstrating compliance with the required setback must be submitted prior to endorsement of the plan of survey.
- 3.7 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements and to the satisfaction of Council's delegated officer.
- 3.8 Flood Immunity

All new buildings must be located such that the freeboard of the floor levels of all habitable rooms are a minimum of 300mm above the 100 ARI year level.
- 3.9 No filling is to occur below the 100 ARI flood level unless approved as part of a subsequent development permit for operational works.

3.10 Bushfire Management

3.10.1 Any new dwelling erected on each lot shall:

- (i) Achieve a setback from hazardous vegetation of 1.5 times the predominant mature canopy tree height or 10 metres, whichever is greater.
- (ii) Include on-site water storage of not less than 5,000 litres, with a 50mm male camlock fire brigade fitting where necessary, to be provided at the same time the dwelling is constructed.

3.10.2 A Bushfire Management Plan will be prepared to the satisfaction of Council's delegated officer. The approved use must comply with the requirements of the Management Plan at all times.

3.11 Rural Addressing

The applicant must pay the relevant fee per additional lot for provision of rural addressing at the rate identified in the Fees and Charges Schedule at the time of payment.

3.12 Charges

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

4. Infrastructure Services and Standards

4.1 Access - Proposed Lots 6, 7 and 8 only

An access crossover must be upgraded/constructed to each lot (from the edge of the road to the property boundary) in accordance with FNQROC Development Manual Standards (as amended), to the satisfaction of Council's delegated officer.

4.2 Stormwater Drainage

The applicant must ensure a non-worsening effect on surrounding land as a consequence of the development and must take all reasonable and practicable measures to ensure discharge occurs in compliance with the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual.

4.3 Landslide Hazard

For any new building on the subject lots on a slope of 15% or greater, the land owner must provide a site-specific geo-technical report prepared by a suitably qualified Registered Professional Engineer of Queensland (RPEQ) that certifies:

- The long term stability of the development site; and
- The development site will not be adversely affected by landslide activity originating on sloping land above the development site.

4.4 On-Site Wastewater Management

At the time of construction of a new dwelling on any lot, any associated on-site effluent disposal system must be constructed in compliance with the latest version On-Site Domestic Wastewater Management Standard (ASNZ1547) to the satisfaction of the Council's delegated officer.

5. Additional Payment Condition/s (section 650 of the Sustainable Planning Act 2009)

5.1 The additional payment condition has been imposed as the development will create additional demand on trunk infrastructure which will create additional trunk infrastructure costs for council.

5.2 The developer must pay a one-off payment of \$4,500.00 (per additional lot accessed via Whetherby Road or Frazer Road) as a contribution toward trunk infrastructure with the amount of the contribution increased on 1 July each year in accordance with the increase for the PPI index for the period starting on the day the development approval takes effect, adjusted by reference to the 3-yearly PPI index average to the date of payment.

5.3 The trunk infrastructure for which the payment is required is:

- The trunk transport network servicing the land (\$4,500.00 per additional lot accessed via Whetherby Road or Frazer Road - 3 lots)

5.4 The developer may elect to provide part of the trunk infrastructure instead of making the payment.

5.5 If the developer elects to provide part of the trunk infrastructure the developer must:

- Discuss with Council's delegated officer the part of the works to be undertaken;
- Obtain the necessary approvals for the part of the works;
- Indemnify the Council in relation to any actions, suits or demands relating to or arising from the works;
- Take out joint insurance in the name of the Council and the developer in the sum of \$20,000,000 in relation to the undertaking of the works;
- Comply with the reasonable direction of Council officers in relation to the completion of the works;
- Complete the works to the standards required by the Council; and
- Complete the works prior to endorsement of the plan of subdivision.

(D) 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) 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.

(c) 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.

(d) Notation on Rates Record

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

- conditions regarding bushfire management
- an approved bushfire management plan
- conditions regarding flood immunity
- conditions regarding building on sloped land (>15% gradient)
- conditions regarding on-site wastewater disposal system design (at time of dwelling construction)

(e) 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

(f) 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

(E) CONCURRENCE AGENCY CONDITIONS

Department of Infrastructure, Local Government and Planning conditions dated 27 October 2017.

(F) RELEVANT PERIOD

When approval lapses if development not started (s.341)

- Reconfiguring a Lot not requiring Operational Works – two (2) years (starting the day the approval takes effect);

(G) OTHER NECESSARY DEVELOPMENT PERMITS AND/OR COMPLIANCE PERMITS

- Nil

(H) OTHER APPROVALS REQUIRED FROM COUNCIL

- Access approval arising from condition number 4.1 (Please contact Planning Section to obtain application form and applicable fee)

THE SITE

The subject site is Wetherby Station, being land described as Lot 427 on SP287159, situated at 421 Wetherby Road, Mount Molloy, immediately to the east of Mount Molloy.

Lot 427 is an irregular shaped lot, with an area of 1,100 hectares, and having extensive road frontages to the Mulligan Highway, Wetherby Road and Frazer Road.

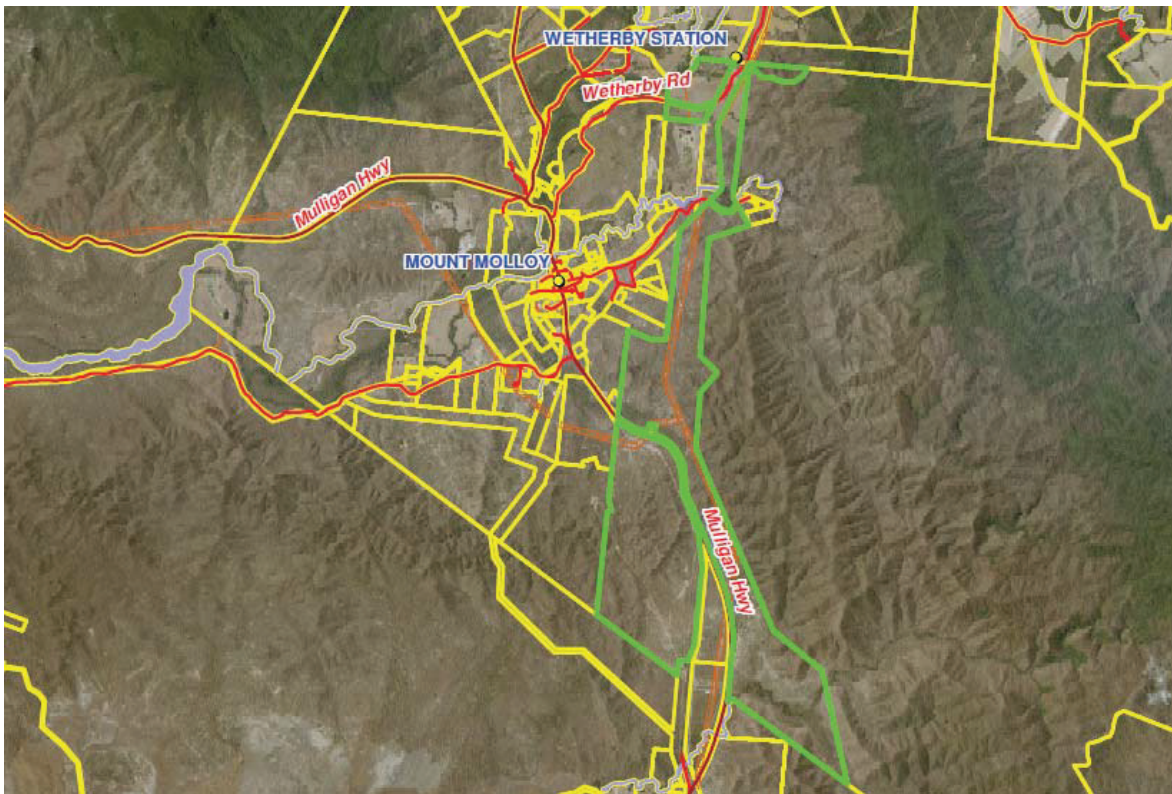
The Mulligan Highway transects the lower portion of Lot 427 in a north-south direction. The Mulligan Highway is a State controlled road and is constructed to a two lane bitumen sealed standard.

The existing land use is primary industry (grazing). Most of the adjoining land is zoned Rural and currently used for various rural and conservation purposes. Land adjoining to the east is National Park and zoned Conservation.

The site traversed by Spear Creeks and abuts Rifle Creek and the Little Mitchell River and is naturally vegetated. The site also contains a number of electricity easements which contain overhead high voltage transmission lines.

The site is access via a number of existing crossovers from the Mulligan Highway and Wetherby and Frazer Roads.

The site is connected to all available services, being Power and Telecommunications and provided with all required services a being domestic water supply and the provision of effective effluent disposal systems for the existing Wetherby Station.



Map Disclaimer:

Based on or contains data provided by the State of Queensland (Department of Environment and Resource Management) (2009). In consideration of the State permitting use of this data you acknowledge and agree that the State gives no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data. Data must not be used for direct marketing or be used in breach of the privacy laws.



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BACKGROUND AND CONTEXT

NIL

PREVIOUS APPLICATIONS & APPROVALS

NIL

DESCRIPTION OF PROPOSED DEVELOPMENT

The development application seeks a Development Permit for Reconfiguring a Lot - Subdivision (1 into 8 lots) in accordance with the plans shown in **Attachment 1**.

The applicant proposes the subdivision of the subject site into the following allotments:

Lot 1 - area of 393.5 hectares, frontage of 2,169.645 metres to the Mulligan Highway and 2,204.12 metres to unnamed road reserve;

Lot 2 - area of 196.4 hectares, frontage of 880.831 metres to Mulligan Highway;

Lot 3 - area of 115.4 hectares, frontage of 2,867.037 metres to Mulligan Highway;

Lot 4 - area of 78.04 hectares, frontage of 403.387 metres to Mulligan Highway;

Lot 5 - area of 85.18 hectares, frontage of 504.916 metres to Mulligan Highway;

Lot 6 - area of 109.2 hectares, frontage of 1,127.66 metres to Frazer Road;

Lot 7 - area of 63.6 hectares, frontage of 483.635 metres to Frazer Road and 2,178.595 metres to Wetherby Road;

Lot 8 - area of 55.09 hectares, frontage of 1,366.51 metres to Wetherby Road.

Proposed Lots 1 to 5 will be accessed directly off the Mulligan Highway via accesses constructed in accordance with the Department of Transport and Main Roads requirements.

Proposed Lots 6, 7 and 8 will be accessed via FNQROC Development Manual standard crossovers off Frazer Road and Whetherby Road.

Being rural allotments, the provision of a water supply, on site effluent disposal, electricity and telecommunications will be left to future owners.

REGIONAL PLAN DESIGNATION

The subject site is included within the Regional Landscape and Rural Production Area land use category in the Far North Queensland Regional Plan 2009-2031. The Regional Plan Map 3- 'Areas of Ecological Significance' also identifies the site is:

- *Strategic Rehabilitation Area*
- *State & Regional Conservation Corridors*
- *Wetland Area of General Ecological Significance*
- *Terrestrial Area of High Ecological Significance*
- *Terrestrial Area of General Ecological Significance*

PLANNING SCHEME DESIGNATIONS

Zone: Rural zone

Overlays: Natural Disaster Bushfire Overlay

RELEVANT PLANNING INSTRUMENTS

Assessment of the proposed development against the relevant planning instruments is summarised as follows:-

(a) Far North Queensland Regional Plan 2009-2031

Assessment against the Regional Plan is required because the plan is not reflected in the planning scheme. The application is assessed as being capable of substantially complying with the relevant provisions of the Regional Plan, provided reasonable and relevant conditions are applied.

The following Desired Regional Outcome Land Use Policies are relevant to the assessment of the application:

DRO 2.4 Primary Production & Fisheries			
Land Use Policy		Complies	Comments
2.4.1	<i>Good quality agricultural land is protected from urban development outside the urban footprint.</i>	✓	The development application is proposing the creation of additional rural allotments only.

DRO 2.6 Rural Subdivision			
Land Use Policy		Complies	Comments
2.6.1	<i>Further fragmentation of agricultural land in the regional landscape and rural production area is avoided to maintain economically viable farm lot sizes.</i>	✓	The proposed reconfiguration will maintain rural lot sizes of generally 60 hectares or larger.

(b) State Planning Policy

The Department of State Development, Infrastructure and Planning has introduced a single State Planning Policy (SPP) to replace the various SPP's previously in place. As such, this State Planning Policy is not reflected in the Planning Scheme and is therefore applicable to the assessment of the application.

An officer assessment of the proposed development against the provisions contained within the SPP has been undertaken and it is not considered to be in conflict with any relevant aspect of the SPP.

Queensland State Planning Policy		
State Interest	Complies	Assessment Requirements & Comments
Biodiversity A development application where the land relates to a matter of state environmental	✓	Development: (1) identifies any potential significant adverse environmental impacts on matters of state

<p>significance, if the application is for:</p> <ul style="list-style-type: none"> (a) operational work, or (b) a material change of use other than for a dwelling house, or (c) reconfiguring a lot that results in more than six lots or lots less than five hectares. 		<p>environmental significance, and</p> <ul style="list-style-type: none"> (2) manages the significant adverse environmental impacts on matters of state environment significance by, in order of priority: <ul style="list-style-type: none"> (a) avoiding significant adverse environmental impacts, and (b) mitigating significant adverse environmental impacts where these cannot be avoided, and (c) where applicable, offsetting any residual adverse impacts. <p>Comment</p> <p>The subject land is mapped as containing some matters of state environmental significance. The majority of each proposed allotment is not mapped and is suitable to accommodate future development without adverse impact on MSES.</p>
<p>Natural hazards</p> <p>A development application for a material change of use, reconfiguring a lot or operational works on land within:</p> <ul style="list-style-type: none"> (1) a flood hazard area, or (2) a bushfire hazard area, or (3) a landslide hazard area, or (4) a coastal hazard area. 	✓	<p>For all natural hazards:</p> <p>Development:</p> <ul style="list-style-type: none"> (1) avoids natural hazard areas or mitigates the risks of the natural hazard, and (2) supports, and does not unduly burden, disaster management response or recovery capacity and capabilities, and (3) directly, indirectly and cumulatively avoids an increase in the severity of the natural hazard and the potential for damage on the site or to other properties, and (4) avoids risks to public safety and the environment from the location of hazardous materials and the release of these materials as a result of a natural hazard, and (5) maintains or enhances natural processes and the protective function of landforms and vegetation that can mitigate risks associated with the natural hazard, and <p>Comment</p> <p>The overlay mapping of the Mareeba Shire Council Planning Scheme 2016 indicates that Lot 427 includes areas of flood, bushfire and landslide hazard.</p> <p>Notwithstanding the mapped areas of hazard, each proposed allotment will contain adequate dimensions/area to allow any future development to reasonably mitigate the risks of the natural hazards.</p>

(c) Mareeba Shire Planning Scheme 2004 (amendment no. 01/11)

Relevant Development Codes

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

Part 4, Division 14 Rural Zone Code

Part 5, Division 8 Natural Disaster - Bushfire Overlay Code
 Part 6, Division 12 Reconfiguring a Lot Code

The application included a planning report and assessment against the planning scheme. An officer assessment has found that the application satisfies the relevant acceptable solutions (or probable solutions/performance criteria where no acceptable solution applies) of the relevant codes set out below, provided reasonable and relevant conditions are attached to any approval.

Relevant Codes	Comments
Rural Zone Code	The application complies with applicable acceptable/probable solutions/performance criteria.
Natural Disaster - Bushfire Overlay Code	The application complies with applicable acceptable/probable solutions/performance criteria.
Reconfiguring a Lot Code	The application complies with applicable acceptable/probable solutions/performance criteria.

(e) Planning Scheme Policies/Infrastructure Charges Plan

The following planning scheme policies are relevant to the application:

No. 4 - Development Manual

All development works will be conditioned to be designed and constructed in accordance with the FNQROC Development Manual.

(f) Additional Trunk Infrastructure Condition (Section 650 of SPA)

The subject land is located outside the identified Priority Infrastructure Area (PIA).

Section 650 of SPA allows Council to condition additional trunk infrastructure outside the PIA if development is deemed to create additional demand on trunk infrastructure which therefore results in additional trunk infrastructure costs for Council.

The development, creating three (3) additional allotments accessed via Council roads, is predicted to place additional demand on Council's trunk transport infrastructure (roads).

The developer must a one-off payment of \$4,500.00 (per additional lot accessed via Whetherby Road or Frazer Road) as a contribution toward trunk infrastructure with the amount of the contribution increased on 1 July each year in accordance with the increase for the PPI index for the period starting on the day the development approval takes effect, adjusted by reference to the 3-yearly PPI index average to the date of payment.

The trunk infrastructure for which the payment is required is:

- The trunk transport infrastructure servicing the land (\$4,500.00 per additional lot accessed via Whetherby Road or Frazer Road)

The developer may elect to provide part of the trunk infrastructure instead of making the payment.

If the developer elects to provide part of the trunk infrastructure the developer must:

- Discuss with Council's delegated officer the part of the works to be undertaken;

- Obtain the necessary approvals for the part of the works;
- Indemnify the Council in relation to any actions, suits or demands relating to or arising from the works;
- Take out joint insurance in the name of the Council and the developer in the sum of \$20,000,000 in relation to the undertaking of the works;
- Comply with the reasonable direction of Council officers in relation to the completion of the works;
- Complete the works to the standards required by the Council; and
- Complete the works prior to endorsement of the plan of subdivision

REFERRALS

Concurrence

The application triggered a referral to the Department of Infrastructure, Local Government and Planning as a Concurrence Agency (SARA - State controlled roads).

That Department advised in a letter dated 27 October 2017 that they require the conditions to be attached to any approval (**Attachment 2**).

Advice

This application did not trigger a referral to an Advice Agency.

Internal Consultation

Technical services

PLANNING DISCUSSION

Nil

Date Prepared: 31 October 2017

DECISION BY DELEGATE

DECISION

Having considered the Senior Planner's report detailed above, I approve, as delegate of Council, the application subject to the conditions listed in the report.

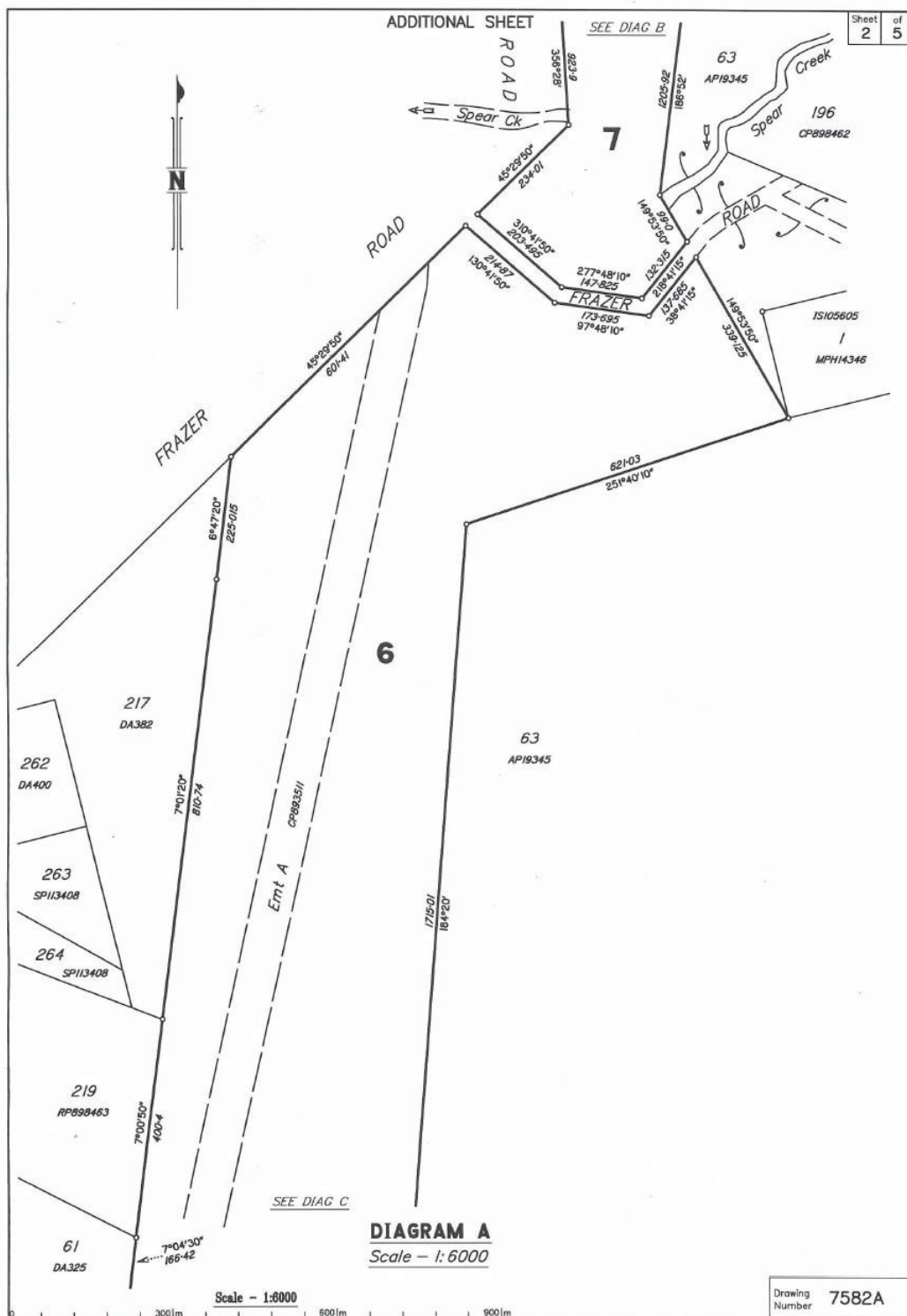
Dated the day of 2017

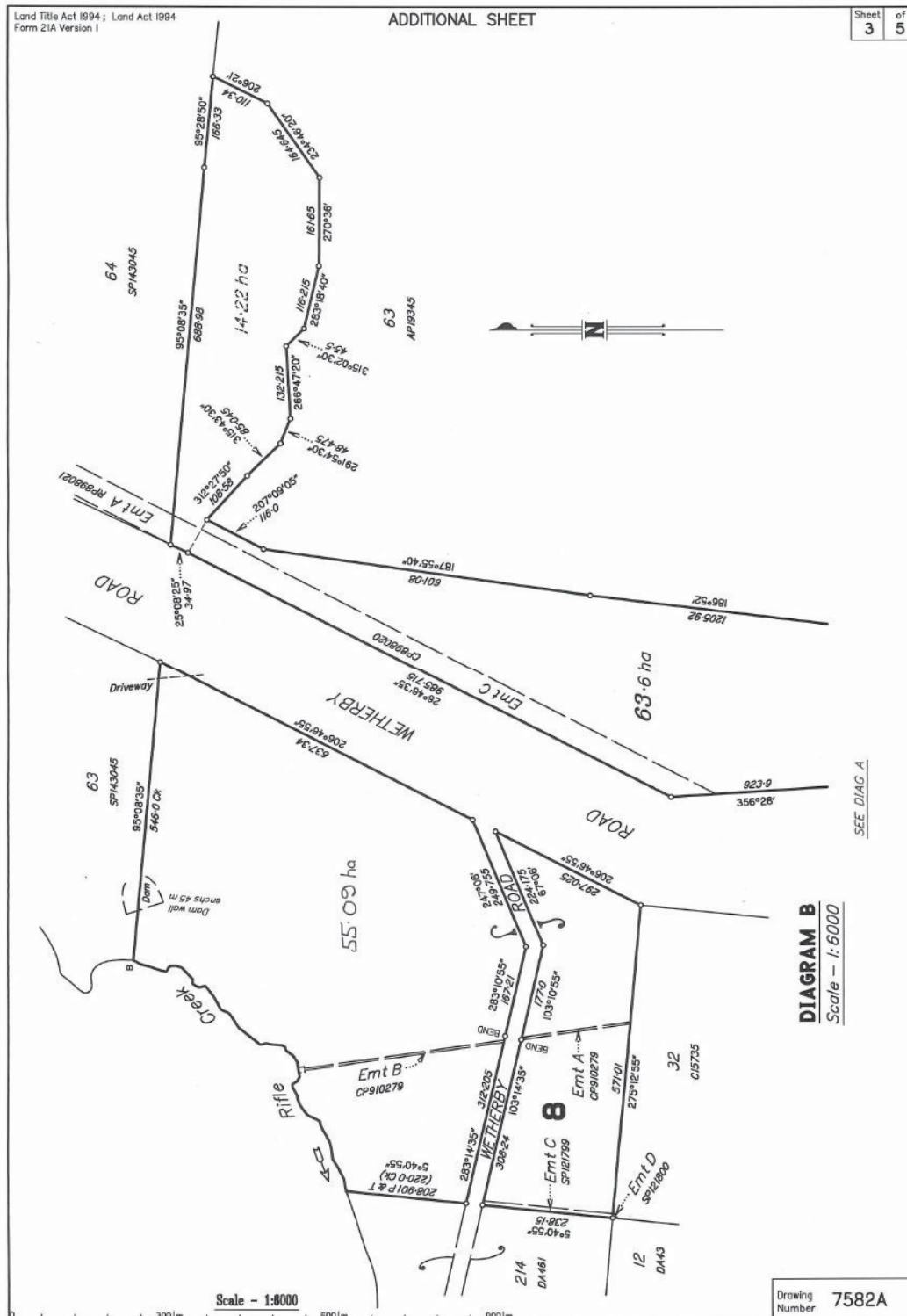
BRIAN MILLARD
SENIOR PLANNER

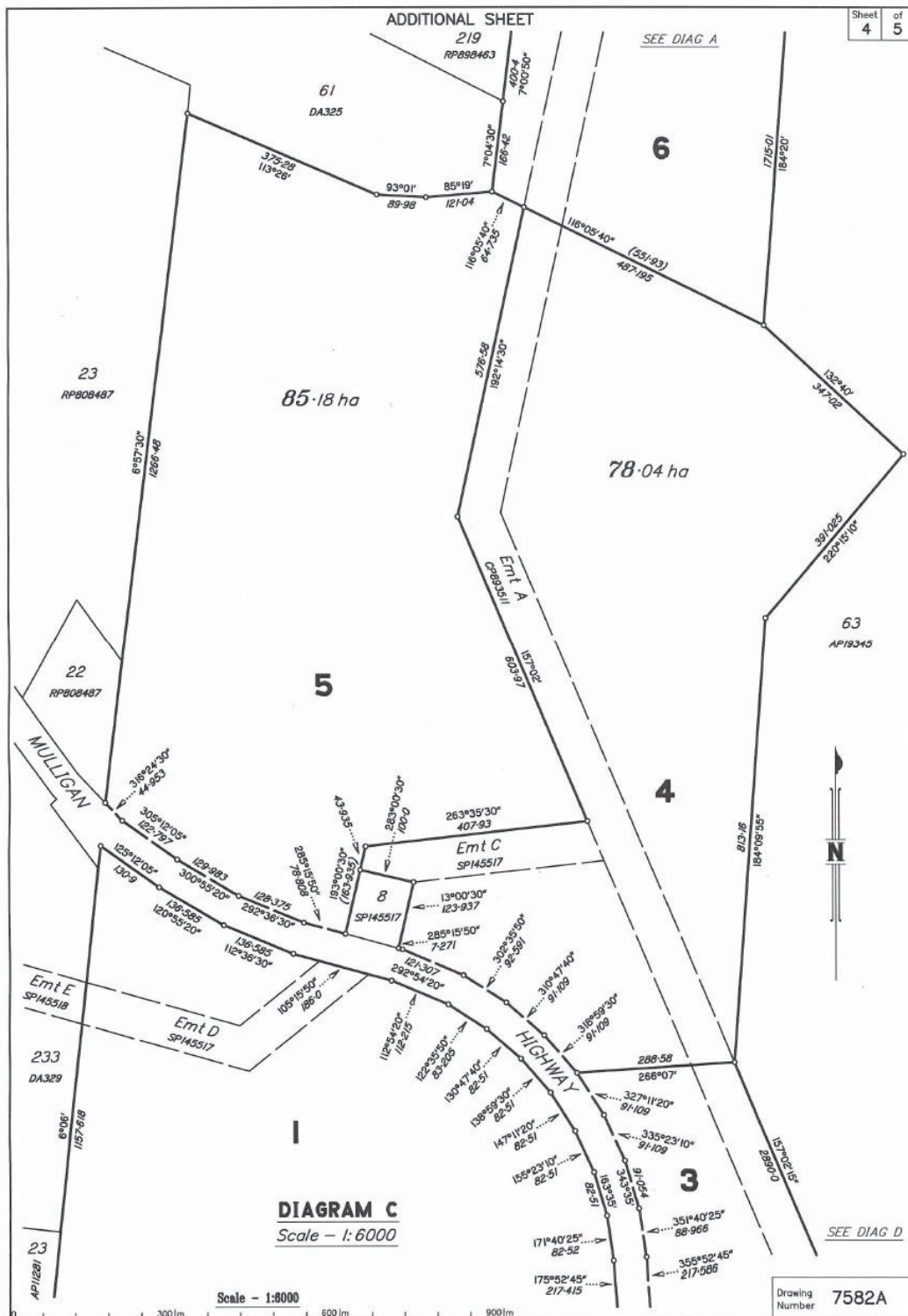
ANTHONY ARCHIE
MANAGER DEVELOPMENT & GOVERNANCE

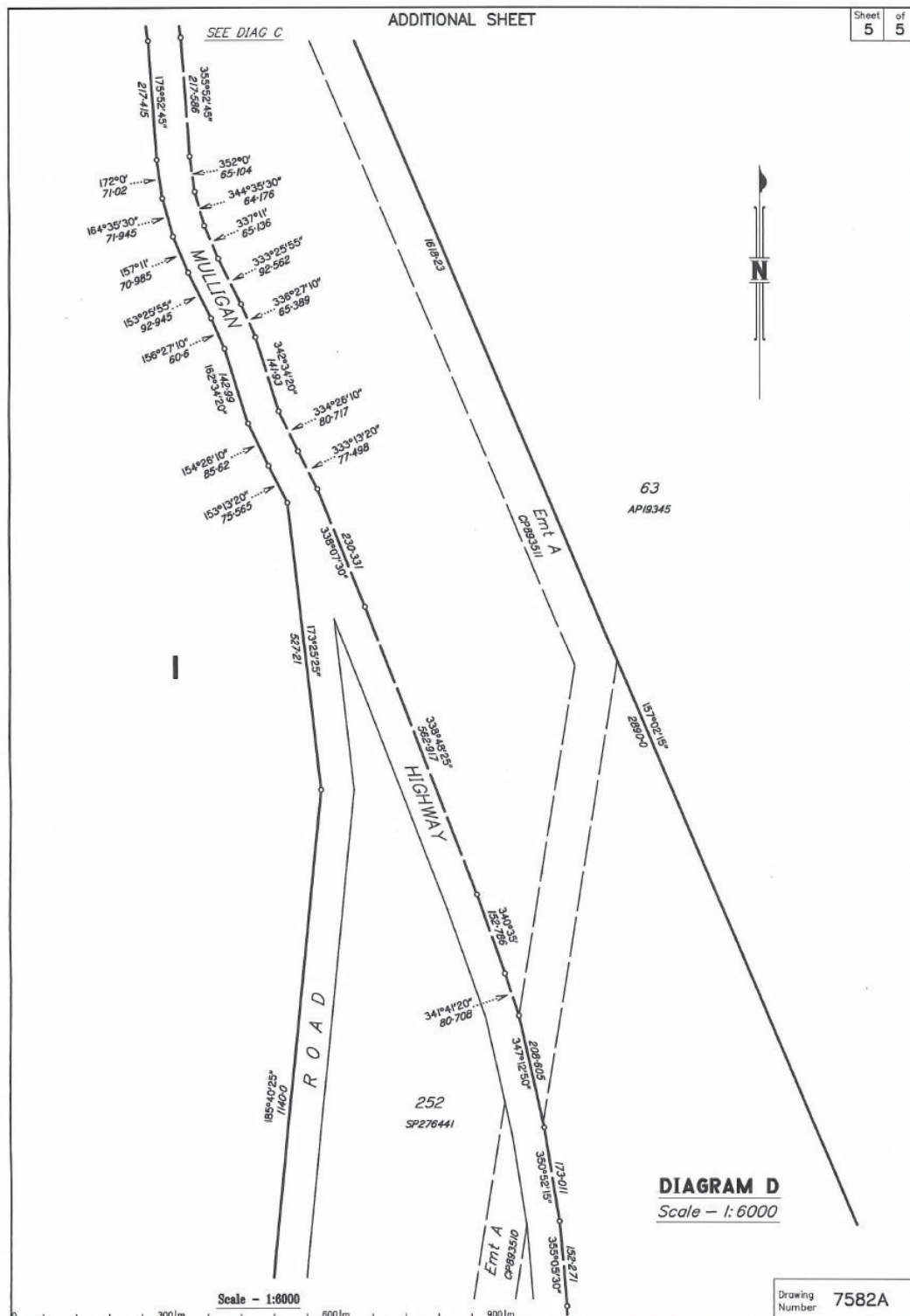
MAREEBA SHIRE
AS A DELEGATE OF THE COUNCIL

[illegible]









ATTACHMENT 2



Department of Infrastructure,
Local Government and Planning

Our reference: SDA-0717-041074
Your reference: DA/17/0032

27 October 2017

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

Attn: Brian Millard

Dear Sir / Madam

Amended concurrence agency response—changed application

Reconfiguring a lot (1 into 8 lots) on Mulligan highway, Frazer and Wetherby Roads Mount Molloy, described as Lot 427 on SP287159

(Given under section 290(1)(b) of the *Sustainable Planning Act 2009*)

The Department of Infrastructure, Local Government and Planning (the department) issued a concurrence agency response under section 285 of the *Sustainable Planning Act 2009* on 30 August 2017.

On 13 October 2017 the department received representations from the applicant under section 320(1) of the *Sustainable Planning Act 2009* requesting that the department amend its concurrence agency response under section 290(1)(b)(i) of the *Sustainable Planning Act 2009*. The department has considered the written representations and agrees to issue an amended concurrence agency response.

Applicant details

Applicant name:	Kathleen Colless Pty Ltd
Applicant contact details:	C/- Freshwater Planning 17 Barron View Drive Freshwater QLD 4870 freshwaterplanning@outlook.com

SDA-0717-041074

Site details

Street address: Mulligan Highway, Wetherby and Frazer Roads Mount Molloy
 Lot on plan: Lot 427 on SP287159
 Local government area: Mareeba Shire Council

Application details

Proposed development: Development permit for reconfiguring a lot (1 into 8 lots)

Aspects of development and type of approval being sought

Nature of Development	Approval Type	Brief Proposal of Description	Level of Assessment
Reconfiguring a Lot	Development permit	8 Lot Rural Subdivision	Code Assessment

Referral triggers

The development application was referred to the department under the following provisions of the *Sustainable Planning Regulation 2009*:

Referral trigger Schedule 7, Table 2, Item 2—State-controlled road

Conditions

Under section 287(1)(a) of the *Sustainable Planning Act 2009*, the conditions set out in Attachment 1 must be attached to any development approval.

Reasons for decision to impose conditions

Under section 289(1) of the *Sustainable Planning Act 2009*, the department must set out the reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

Further advice

Under section 287(6) of the *Sustainable Planning Act 2009*, the department offers advice about the application to the assessment manager—see Attachment 3.

Approved plans and specifications

The department requires that the following plans and specifications set out below and in Attachment 4 must be attached to any development approval.

Drawing/Report Title	Prepared by	Date	Reference no.	Version / Issue
Aspect of development: reconfiguration of lot (1 into 8 lots)				
TMR Layout Plan Lots 1 - 5 (31.50km – 36.50km)	Queensland Government Transport and Main Roads	23/08/2017 18/10/2017	TMR17-22043 (500-1140)	A B

SDA-0717-041074

TMR Layout Plan Lot 1 (34A – 36.13km)	Queensland Government Transport and Main Roads	23/08/2017	TMR17-22043 (500-1140)	A
TMR Layout Plan Lot 2 (34A – 31.63km)	Queensland Government Transport and Main Roads	23/08/2017 18/10/2017	TMR17-22043 (500-1140)	A B
TMR Layout Plan Lot 3 (34A – 32.58km)	Queensland Government Transport and Main Roads	23/08/2017 18/10/2017	TMR17-22043 (500-1140)	A C
TMR Layout Plan Lot 4 (34A – 35.77km)	Queensland Government Transport and Main Roads	23/08/2017	TMR17-22043 (500-1140)	A
TMR Layout Plan Lot 5 (34A – 36.03km)	Queensland Government Transport and Main Roads	23/08/2017	TMR17-22043 (500-1140)	A
TMR Layout Plan - Lot 1 (Access Footprint)	Queensland Government Transport and Main Roads	23/08/2017	TMR17-22043 (500-1140)	A
TMR Layout Plan - Lot 2 (Access Footprint)	Queensland Government Transport and Main Roads	23/08/2017	TMR17-22043 (500-1140)	A
TMR Layout Plan - Lot 3 (Access Footprint)	Queensland Government Transport and Main Roads	23/08/2017	TMR17-22043 (500-1140)	A
TMR Layout Plan Lot 2 and emt Lot 3 (Access Footprint)	Queensland Government Transport and Main Roads	26/10/2017	TMR17-22043 (500-1140)	A
TMR Layout Plan - Lot 4 (Access Footprint)	Queensland Government Transport and Main Roads	23/08/2017	TMR17-22043 (500-1140),	A
TMR Layout Plan - Lot 5 (Access Footprint)	Queensland Government Transport and Main Roads	23/08/2017	TMR17-22043 (500-1140)	A
Rural property access – single or dual carriageway (conditional)	Austroads Guide to Road Design, Part 4: Intersections and Crossings – General	2017	Figure 7.2	-

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

If you require any further information, please contact Michele Creecy, Senior Planning Officer, SARA Far North QLD, on 4037 3206, or via email CairnsSARA@dilgp.qld.gov.au who will be able to assist.

Yours sincerely



Anthony Walsh
Manager Planning

cc: Kathleen Colless Pty Ltd, C/- freshwatrplanning@outlook.com
 enc: Attachment 1—Amended conditions to be imposed
 Attachment 2—Amended reasons for decision to impose conditions
 Attachment 3—Amended approved plans
 Applicant agreement to approved plans

SDA-0717-041074

Our reference: SDA-0717-041074
 Your reference: DA/17/0032

Attachment 1—Amended Conditions to be imposed

No.	Conditions	Condition timing
Aspect of development: Reconfiguring a lot (1 into 8 lots)		
Schedule 7, Table 2, Item 2 – state-controlled road —Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of Department of Transport and Main Roads to be the assessing 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.	<p>(a) The road access locations are to be located generally in accordance with the following plans:</p> <ul style="list-style-type: none"> • TMR Layout Plan Lots 1 - 5 (31.50km – 36.50km) prepared by Queensland Government Transport and Main Roads, dated 23/08/2017, 18/10/2017 Reference TMR17-22043 (500-1140), Issue A B. • TMR Layout Plan Lot 1 (34A – 36.13km) prepared by Queensland Government Transport and Main Roads, dated 23/08/2017, Reference TMR17-22043 (500-1140), Issue A. • TMR Layout Plan Lot 2 (34A – 31.63km) prepared by Queensland Government Transport and Main Roads, dated 23/08/2017 18/10/2017, Reference TMR17-22043 (500-1140), Issue A B. • TMR Layout Plan Lot 3 (34A – 32.58km) prepared by Queensland Government Transport and Main Roads, dated 23/08/2017 18/10/2017, Reference TMR17-22043 (500-1140), Issue A C. • TMR Layout Plan Lot 4 (34A – 35.77km) prepared by Queensland Government Transport and Main Roads, dated 23/08/2017, Reference TMR17-22043 (500-1140), Issue A. • TMR Layout Plan Lot 5 (34A – 36.03km) prepared by Queensland Government Transport and Main Roads, dated 23/08/2017, Reference TMR17-22043 (500-1140), Issue A. <p>(b) Road access works comprising of sealed rural property accesses, (at the road access locations) must be provided generally in accordance with:</p> <ul style="list-style-type: none"> • TMR Layout Plan - Lot 1 (Access Footprint) prepared by Queensland Government Transport and Main Roads, dated 23/08/2017, Reference TMR17-22043 (500-1140), Issue A. • TMR Layout Plan - Lot 2 (Access Footprint) prepared by Queensland Government Transport and Main Roads, dated 23/08/2017, Reference TMR17-22043 (500-1140), Issue A. • TMR Layout Plan - Lot 3 (Access Footprint) prepared by Queensland Government Transport and Main Roads, dated 23/08/2017, Reference TMR17-22043 (500-1140), Issue A. • TMR Layout Plan - Lot 2 and emt Lot 3 (Access Footprint) prepared by Queensland Government Transport and Main Roads, dated 26/10/2017, Reference TMR17-22043 (500-1140), Issue A. • TMR Layout Plan - Lot 4 (Access Footprint) prepared by Queensland Government Transport and Main Roads, dated 	<p>(a) At all times.</p> <p>(b) and (c): Prior to submitting the Plan of Survey to the local government for approval.</p>

SDA-0717-041074

No.	Conditions	Condition timing
	<p>23/08/2017, Reference TMR17-22043 (500-1140), Issue A.</p> <ul style="list-style-type: none">• TMR Layout Plan - Lot 5 (Access Footprint) prepared by Queensland Government Transport and Main Roads, dated 23/08/2017, Reference TMR17-22043 (500-1140), Issue A. <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 7.2 (rural property access – single or dual carriageway (conditional)), 2017.</p>	

Our reference: **SDA-0717-041074**
Your reference: DA/17/0032

Attachment 2—Amended reasons for decision to impose conditions

The reasons for this decision are:

- To ensure the road access locations to the state-controlled road from the site do not compromise the safety and efficiency of the state-controlled road.
- To ensure the design of any road access maintains the safety and efficiency of the state-controlled road.

SDA-0717-041074

Our reference: SDA-0717-041074
 Your reference: DA/17/0032

Attachment 3—Further advice

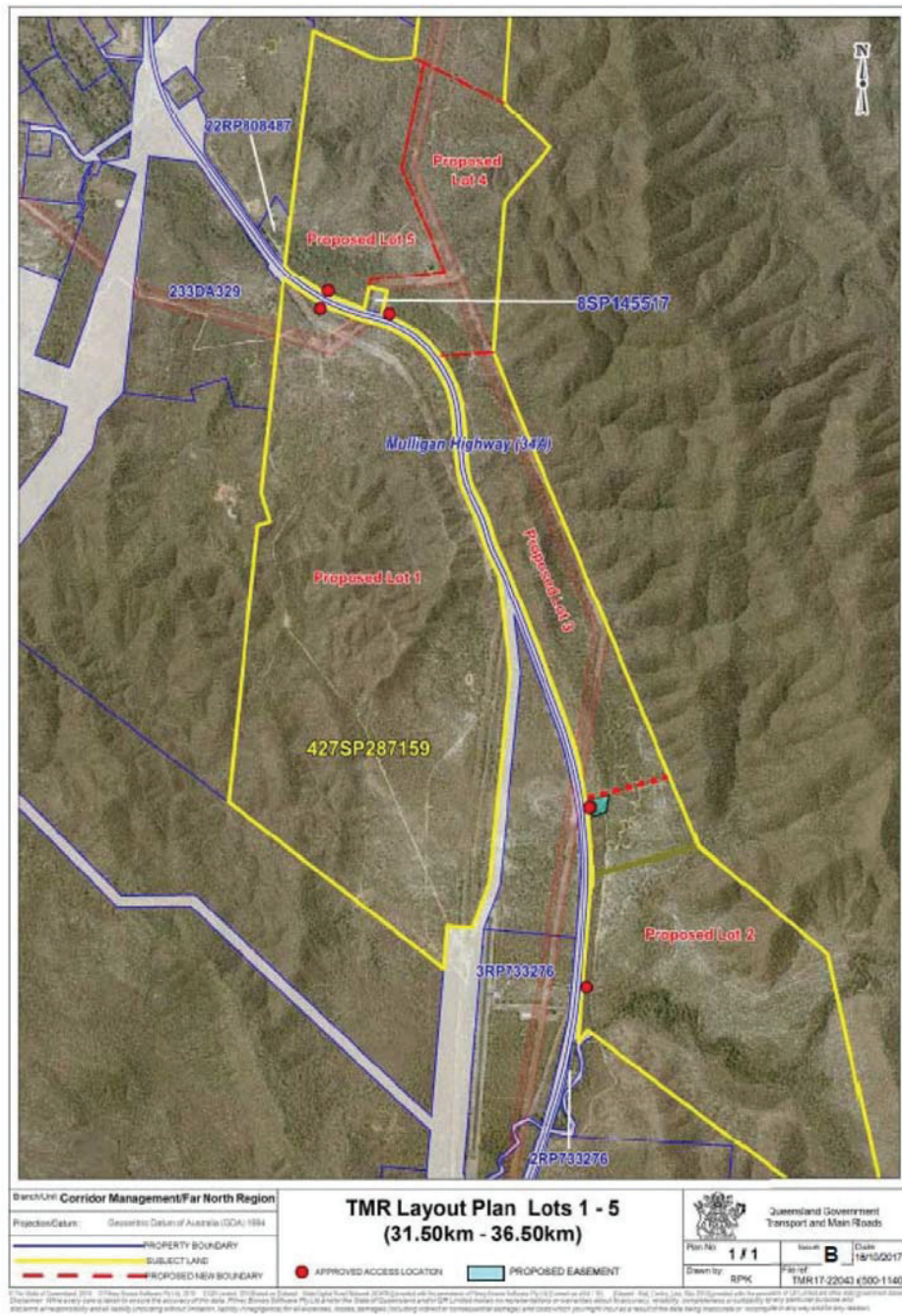
General advice	
Ref.	Transport Noise corridor
1.	<p>Mandatory Part (MP) 4.4 of the Queensland Development Code (QDC) commenced on 1 September 2010 and applies to building work for the construction or renovation of a residential building in a designated <i>transport noise corridor</i>. MP4.4 seeks to ensure that the habitable rooms of Class 1, 2, 3 and 4 buildings located in a <i>transport noise corridor</i> are designed and constructed to reduce transport noise. <i>Transport noise corridor</i> means land designated under Chapter 8B of the <i>Building Act 1975</i> as a <i>transport noise corridor</i>. Information about <i>transport noise corridors</i> is available at state and local government offices. A free online search tool can be used to find out whether a property is located in a designated <i>transport noise corridor</i>. This tool is available at the Department of Local Government and Planning website:</p> <p>http://www.dilgp.qld.gov.au/planning/state-planning-instruments/spp-interactive-mapping-system.html</p> <p>and allows searches on a registered lot number and/or property address to determine whether and how the QDC applies to the land. Transport Noise Corridors (NAPMAP) are located under Administrative Layers within the State Planning Policy (SPP) mapping system.</p>
Further development permits, compliance permits or compliance certificates	
Ref.	Road access works approval
2.	<p>Under sections 62 and 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the Department of Transport and Main Roads to carry out road works that are road access works (including driveways) on a state-controlled road. Please contact the Cairns district office of the Department of Transport and Main Roads on 4045 7144 to make an application for road works approval. 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).</p> <p>The road access works approval process takes time – please contact Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.</p>

SDA-0717-041074

Our reference: SDA-0717-041074
Your reference: DA/17/0032

Attachment 4—Amended Approved plans and specifications

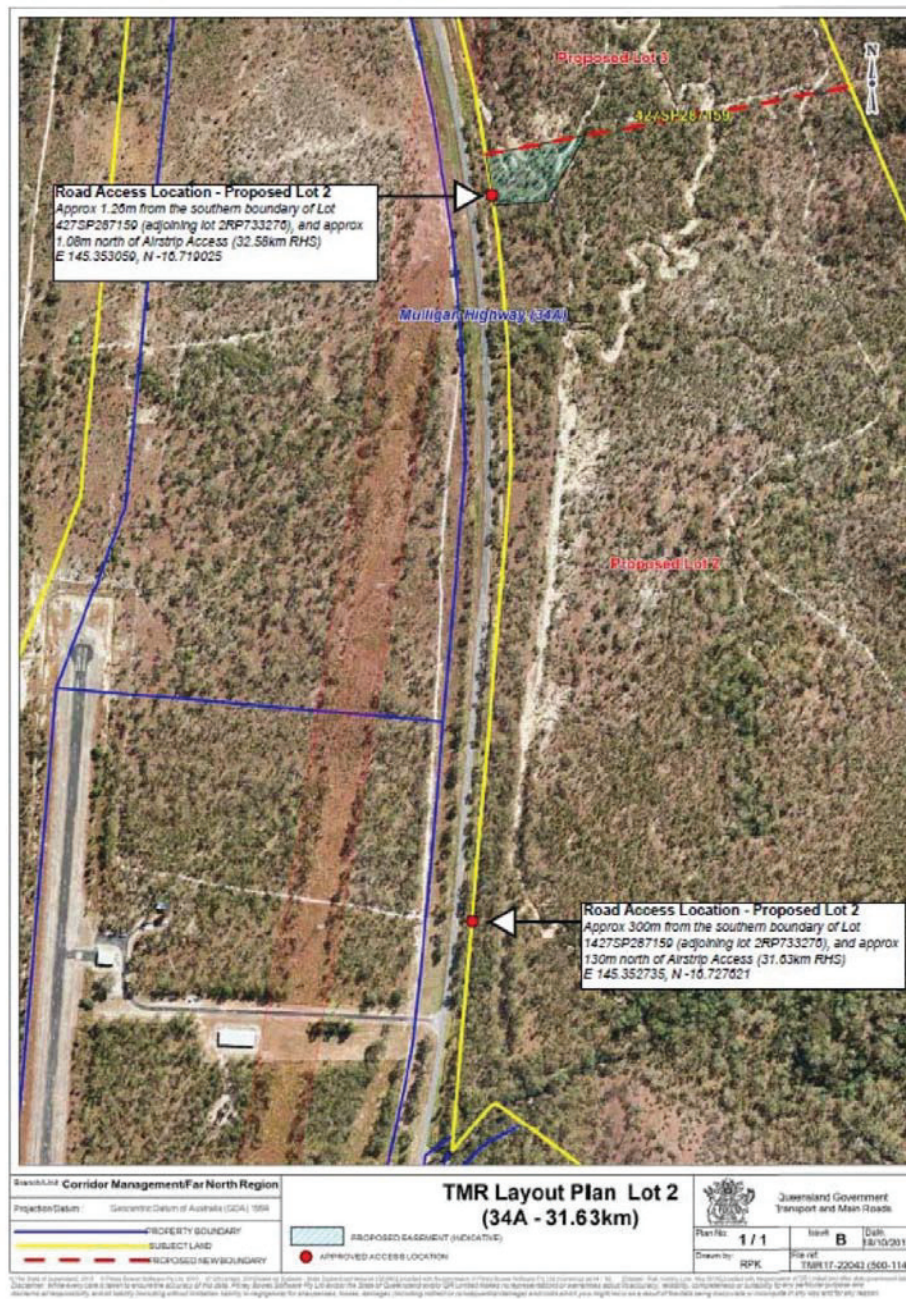
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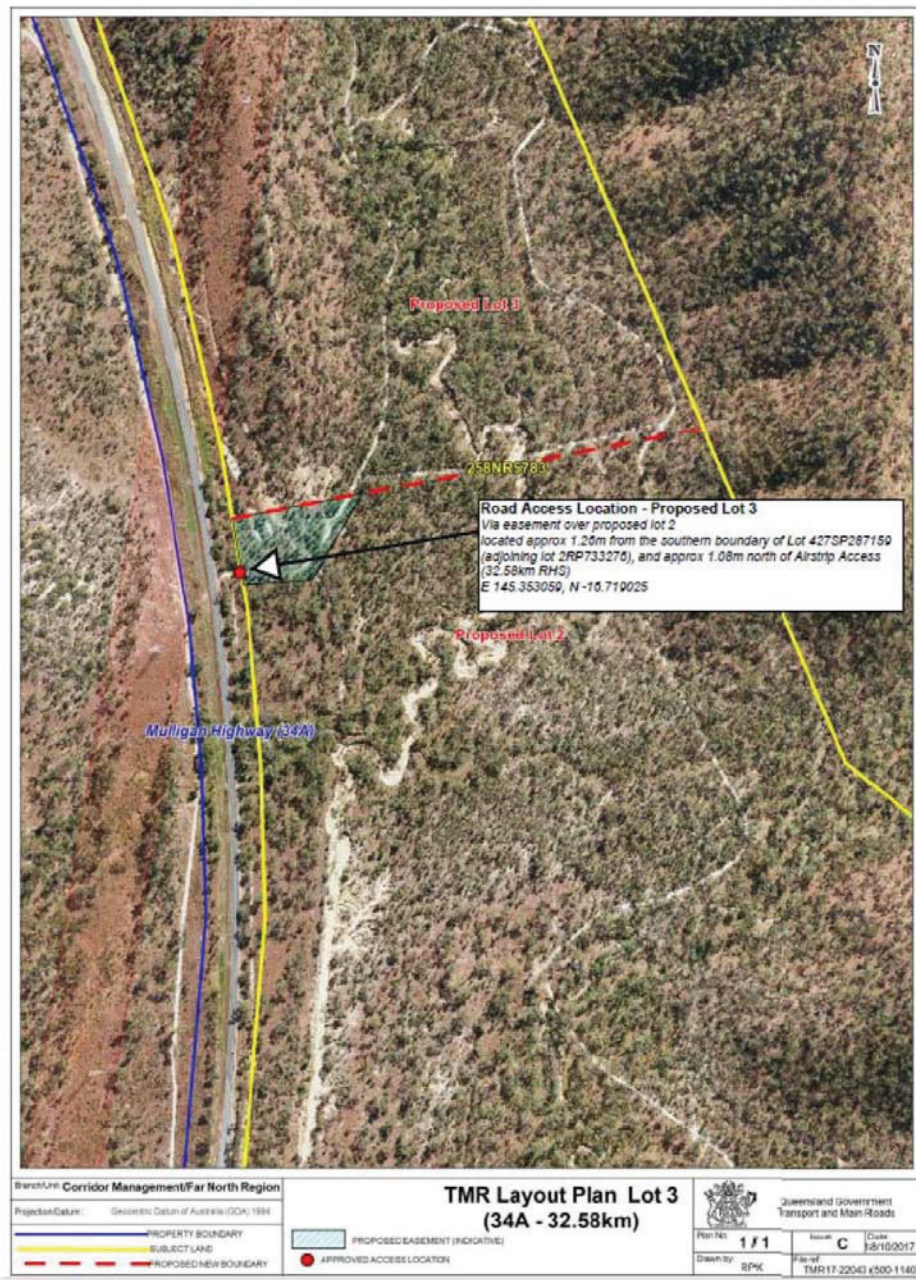
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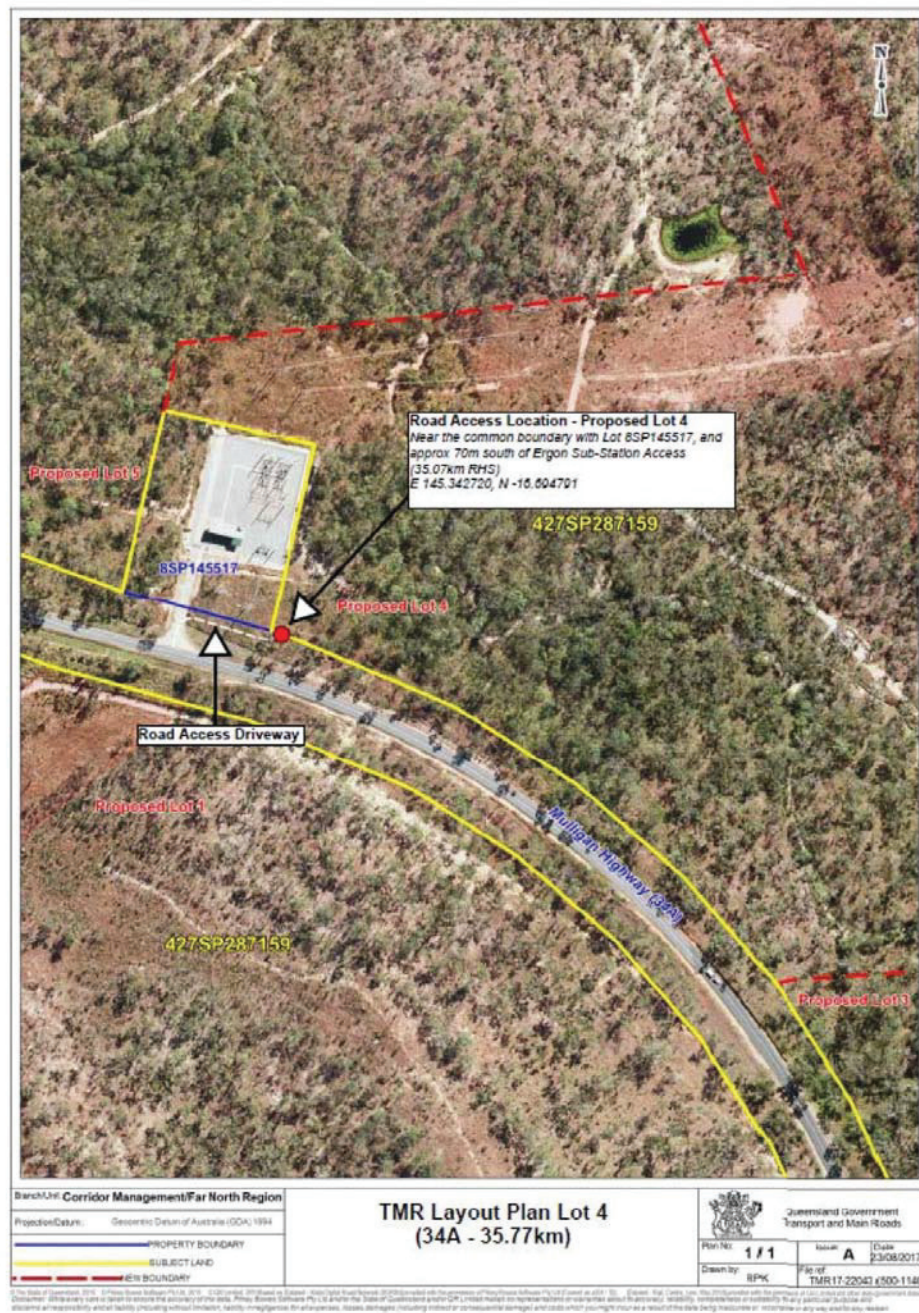
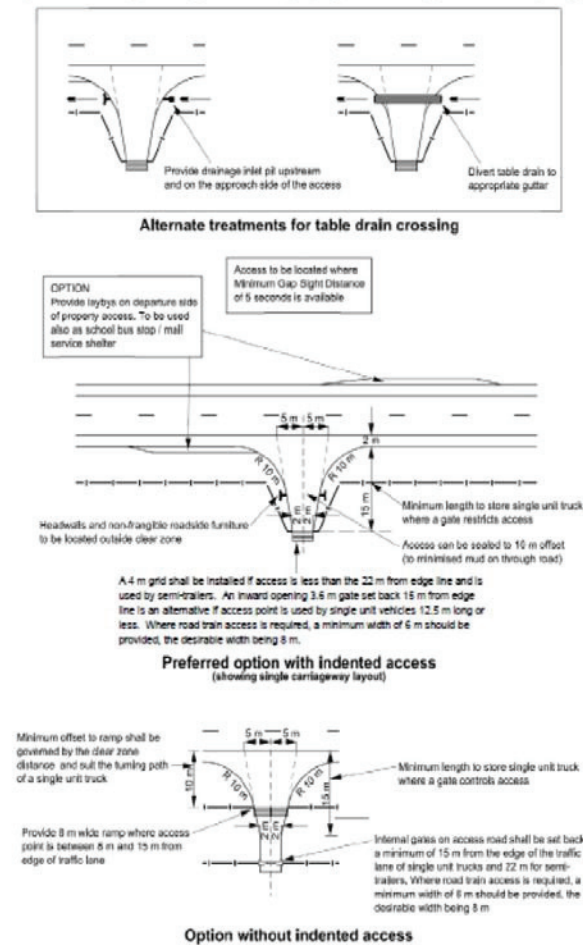








Figure 7.2: Example of a layout of a rural property access – single or dual carriageway (conditional)



Note: This rural property access treatment may be used where articulated vehicles:

- do not use the driveway on single and dual carriageway roads
- infrequently use the driveway on two-lane two-way roads that have an AADT < 2000.

Source: Department of Main Roads (2006)⁸.


⁸ Department of Main Roads (2006) has been superseded and Figure 7.2 has not been carried forward into Queensland Department of Transport and Main Roads (2016).

Department of Transport and Main Roads note:
Site specific requirements may not reflect this example in its entirety. Drawing details must reflect site specific conditions for Road Works / Road Access Works.

SDA-0717-041074


 Tue 24/10/2017 10:04 AM
 Freshwater Planning <FreshwaterPlanning@outlook.com>
 HPE CM: RE: Make representations – Kathleen Colless Pty Ltd – your ref SDA-0717-041074

 Michele Creedy

 You replied to this message on 24/10/2017 2:58 PM.

Michele,

The applicant is in agreeance of the proposed changes.

Thanks and Regards,

Matt



Matthew Andrejic
 Director
 Freshwater Planning Pty Ltd
 M: 0402 729 004
 E: freshwaterplanning@outlook.com
 A: 17 Barron View Drive, Freshwater, Q4570

From: Michele Creedy (<mailto:Michele.Creedy@dlgp.qld.gov.au>)
Sent: Thursday, 19 October 2017 9:11 AM
To: Freshwater Planning <freshwaterplanning@outlook.com>
Cc: CairnsSARA <CairnsSARA@dlgp.qld.gov.au>
Subject: RE: Make representations – Kathleen Colless Pty Ltd – your ref SDA-0717-041074

Hi Matt

TMR has now provided the attached plans of the access location layouts to reflect the requested changes to the boundary between lot 2 and lot 3. As part of the process under SPA, it is necessary for DILGP to obtain written agreement from the applicant to the changes that are proposed.

Could you please consider the amendments made, specifically to the first plan showing the layout for lots 1 – 5 and then the detailed plans for lot 2 and lot 3.

If you could reply to this email advising your agreement to the changes, I will arrange for an amended concurrence agency response to be sent to Council (that will reference the updated plans and have copies of these plans attached) with a copy to your office.

Looking forward to your reply.

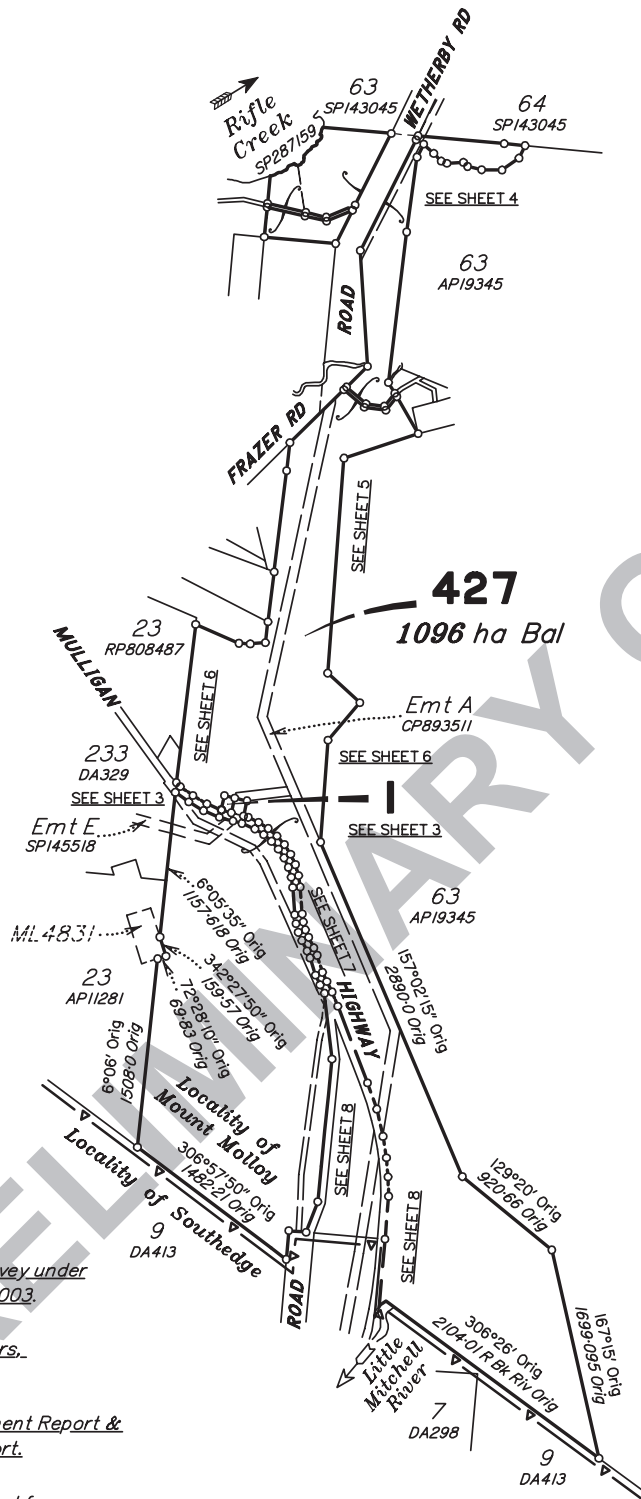
Kind regards

Michele Creedy



Appendix C

Preliminary Survey Plan SP301680



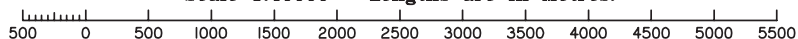
Subsequent new plan of survey under section 113 of the SMI Act 2003.

Peg placed at all new corners, unless otherwise stated.

See Sheet 7 for Reinstatement Report & Ambulatory Boundary Report.

Original information compiled from SPI45517 & SP287159 in the Department of Natural Resources and Mines.

Scale 1:40000 - Lengths are in Metres.



RPS Australia East Pty Ltd (ACN 140 292 762) hereby certify that the land comprised in this plan was surveyed by the corporation, by _____, for whose work the corporation accepts responsibility, under the supervision of Stephen James REDGWELL, cadastral surveyor, and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on ____/10/2017.

Authorised Delegate

Date

0 50mm 100mm 150mm		State copyright reserved.	
Scale: 1:40,000		Format: STANDARD	
Plan of Lots 1 & 427		SP301680	
Cancelling Lot 427 on SP287159			
LOCAL GOVERNMENT: MAREEBA SHIRE	LOCALITY: MOUNT MOLLOY		
Meridian: MGA Zone 55 Vide SP287159	Survey Records: No		

WARNING : Folded or Mutilated Plans will not be accepted.
Plans may be rolled.
Information may not be placed in the outer margins.

(Dealing No.)

5. Lodged by

(Include address, phone number, reference, and Lodger Code)

1. Certificate of Registered Owners or Lessees.

I/We

.....

.....

.....

(Names in full)

* as Registered Owners of this land agree to this plan and dedicate the Public Use Land as shown hereon in accordance with Section 50 of the Land Title Act 1994.

* as Lessees of this land agree to this plan.

Signature of *Registered Owners *Lessees

* Rule out whichever is inapplicable

2. Planning Body Approval.

*

hereby approves this plan in accordance with the :

%

Dated this day of

..... #

..... #

* Insert the name of the Planning Body.
Insert designation of signatory or delegation

% Insert applicable approving legislation.

3. Plans with Community Management Statement :

CMS Number :

Name :

4. References :

Dept File :

Local Govt :

Surveyor : PRI3603I

6. Existing		Created		
Title Reference	Description	New Lots	Road	Secondary Interests
	Lot 427 on SP287159	I & 427	—	—

9. Building Format Plans only.

I certify that :

* As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or road.

* Part of the building shown on this plan encroaches onto adjoining * lots and road

Cadastral Surveyor/Director* Date

*delete words not required

10. Lodgement Fees :

Survey Deposit	\$
Lodgement	\$
..... New Titles	\$
Photocopy	\$
Postage	\$
TOTAL	\$

II. Insert Plan Number

SP301680

7. Orig Grant Allocation :

8. Passed & Endorsed :

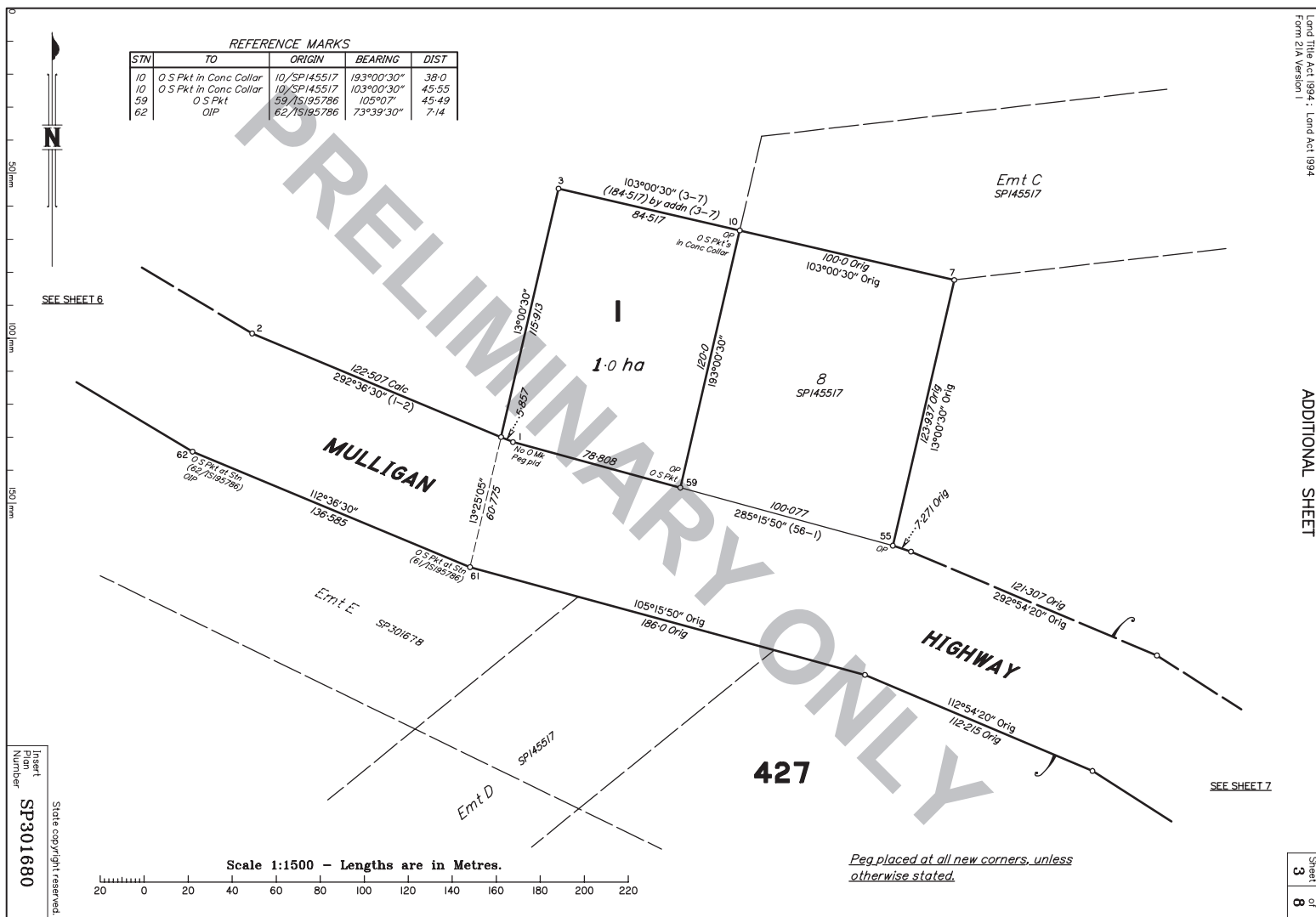
By : RPS Australia East Pty Ltd

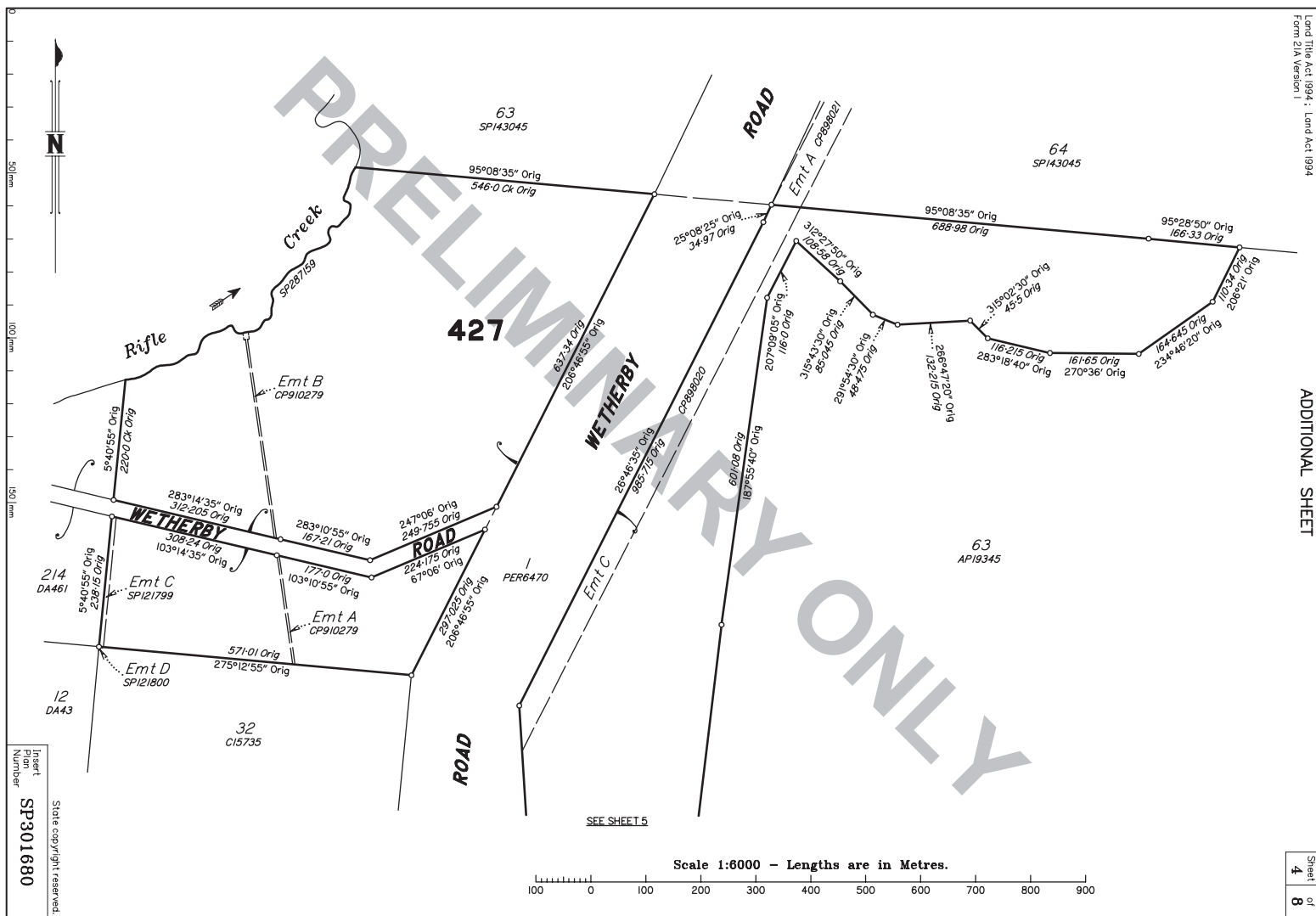
Date :

Signed :

Designation : Cadastral Surveyor

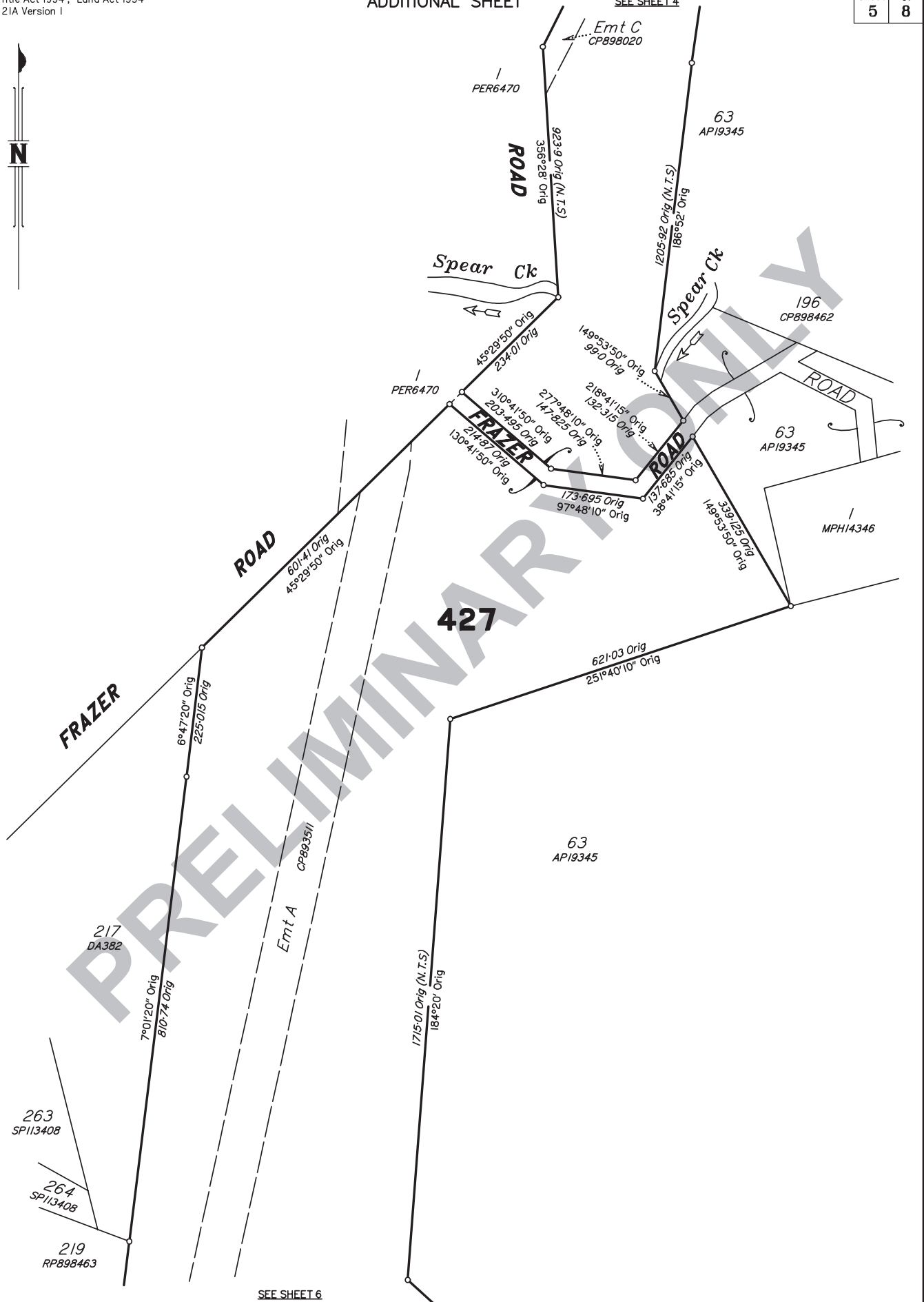
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10	O S Pkt in Conc Collar	10/SPI45517	103°00'30"	45.55
59	O S Pkt	59/1S195786	105°07"	45.49
62	OIP	62/1S195786	73°39'30"	7.14





Insert
Plan
Number
SP301680

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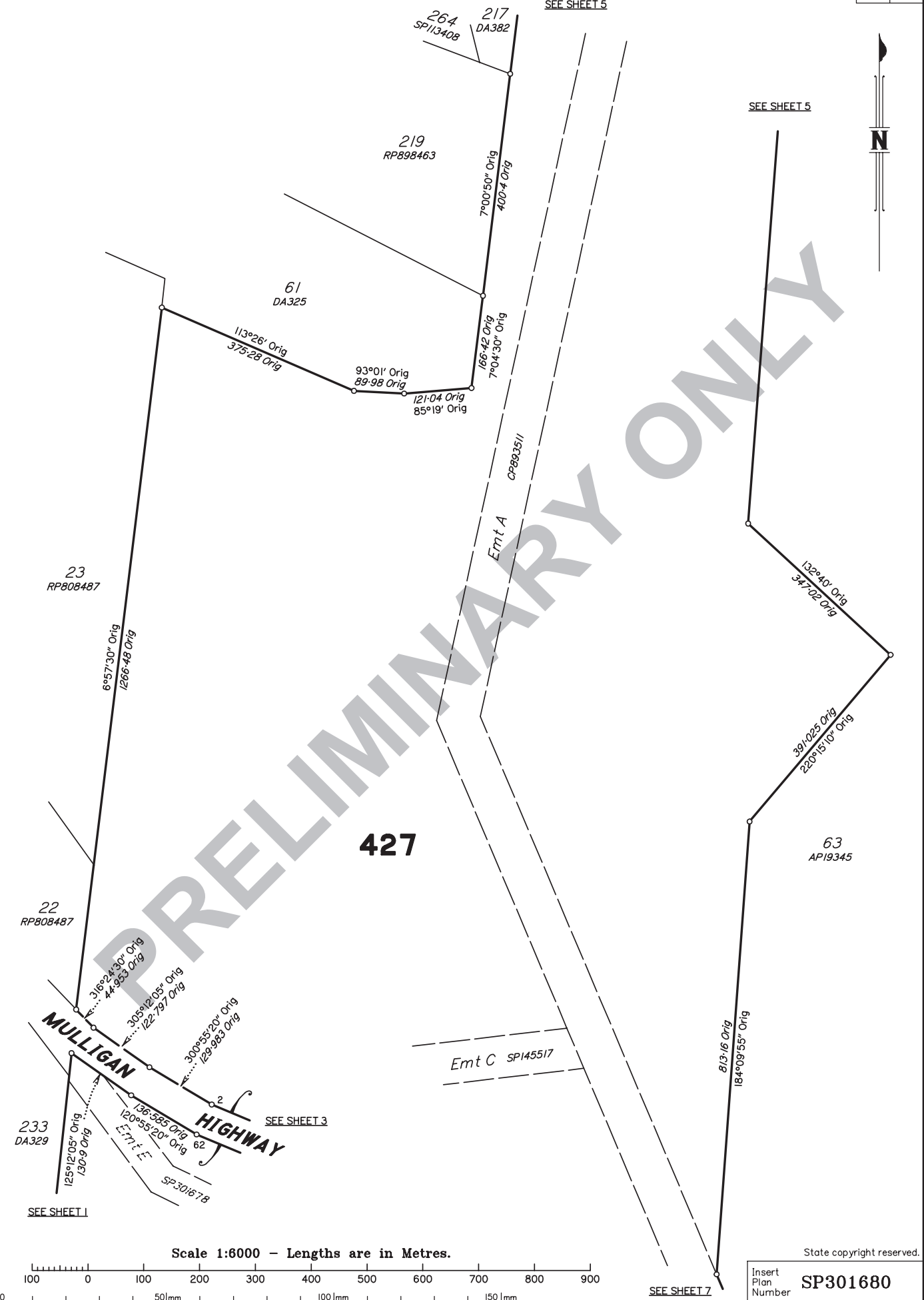


SEE SHEET 6

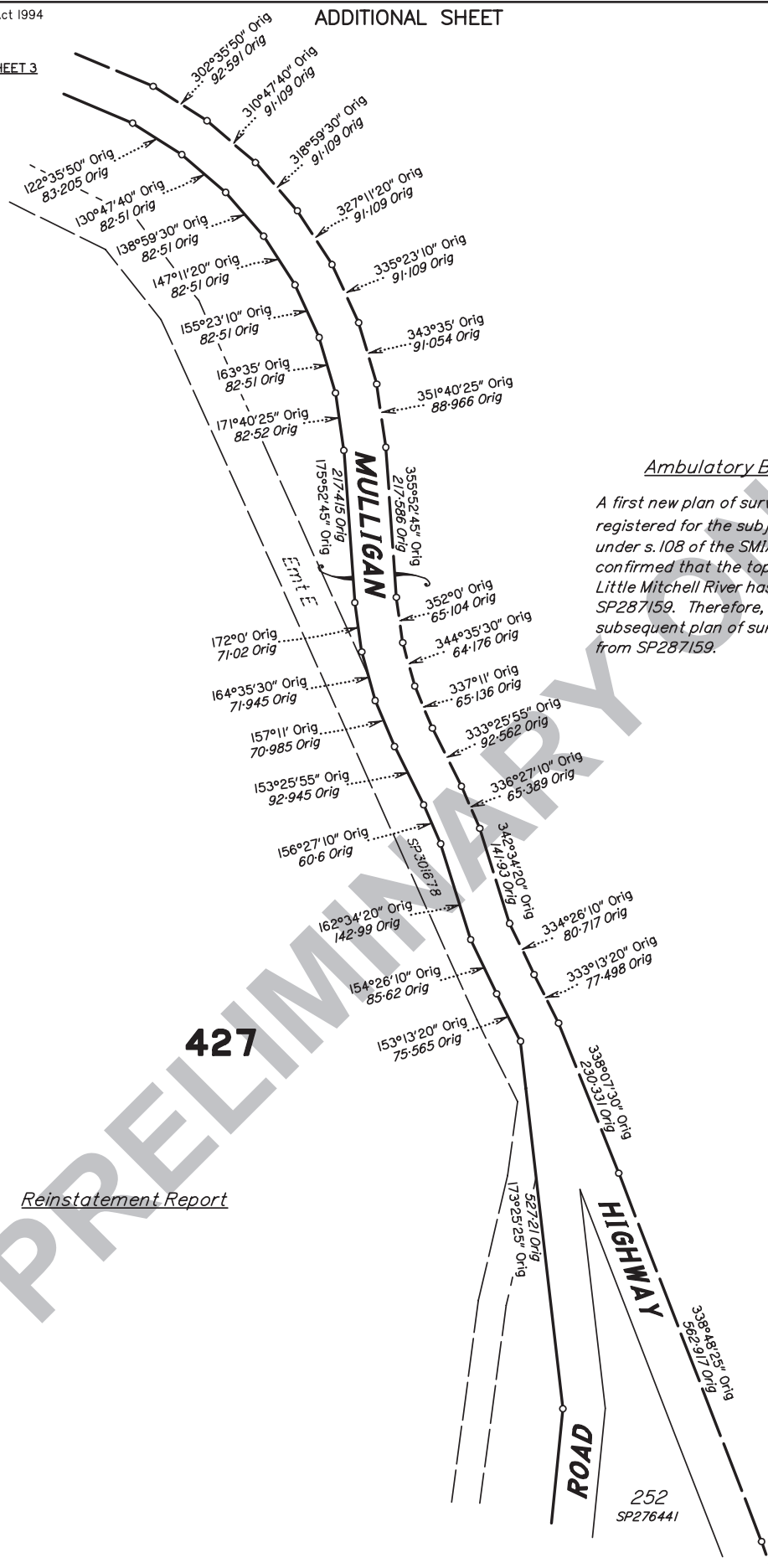
Scale 1:6000 - Lengths are in Metres.

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Insert Plan Number	SP301680
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SEE SHEET 3

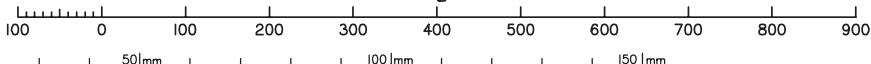


Ambulatory Boundary Report

A first new plan of survey (SP287159) was registered for the subject land on 31/03/2017, under s.108 of the SMIA. Check measurements confirmed that the top of bank of Rifle Creek & Little Mitchell River has not changed since SP287159. Therefore, this plan being a subsequent plan of survey has been compiled from SP287159.

Reinstatement Report

Scale 1:6000 - Lengths are in Metres.



SEE SHEET 8

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Insert Plan Number **SP301680**

SEE SHEET 7



427

252
SP276441

427

SEE SHEET 1

ROAD

Locality of
Southedge

3
RP733276

Emt A CP893508

Emt A CP893510

HIGHWAY

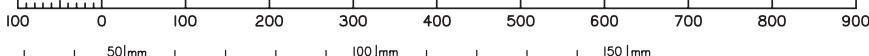
Locality of
Mount Molloy

Little Mitchell Riv

9
DA413

SEE SHEET 1

Scale 1:6000 - Lengths are in Metres.



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Appendix D

SDAP Codes

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

Table 1.2.1: Development in a state-controlled road environment

Buildings and structures		
PO1 The location of buildings, structures, infrastructure, services and utilities does not create a safety hazard in a state-controlled road, or cause damage to, or obstruct road transport infrastructure	AO1.1 Buildings, structures, infrastructure, services and utilities are not located in a state-controlled road. AND	Complies All proposed structures will be located within proposed Lot 1.
	AO1.2 Buildings, structures, infrastructure, services and utilities can be maintained without requiring access to a state-controlled road.	Alternative solution The location of the substation site is pre-determined by the location of the existing substation. The creation of the 1ha allotment is immediately adjacent to the existing substation lot (1.22ha). The proposed new allotment will require access off Mulligan Highway, which is a State controlled road and is constructed to a two lane bitumen sealed standard. It is proposed that vehicle access to the substation, after construction, will be infrequent and therefore the access requirements should be no greater than that required for a rural standard access. Pre-lodgement advice received from SARA indicates that direct access between Proposed Lot 1 and the Mulligan Highway is not supported and recommended a shared access be considered as an alternative. In response to the Pre-lodgement advice, access to Proposed Lot 1 is intended to be from the existing access to the Ergon substation (Lot 8 on SP145517) or from the access required to be provided to Proposed Lot 5 using a similar shared access arrangement as has been permitted for Proposed Lot 4 (refer to Figure 2 in Proposal section of report and the DTMR response provided in Appendix B for detail).
PO2 The design and construction of Buildings and structures does not create a safety hazard by distracting users of a state-controlled road.	AO2.1 Facades of buildings and structures facing a state-controlled road are made of non-reflective materials. OR	N/A
	AO2.2 Facades of buildings and structures do not reflect point light sources into the face of oncoming traffic on a state-controlled road.	N/A

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	AND	
	AO2.3 External lighting of buildings and structures is not directed into the face of oncoming traffic on a state-controlled road and does not involve flashing or laser lights.	N/A
	AND	
	AO2.4 Advertising devices visible from a state-controlled road are located and designed in accordance with the Roadside advertising guide, Department of Transport and Main Roads, 2013.	N/A
PO3 Road, pedestrian and bikeway bridges over a state-controlled road are designed and constructed to prevent projectiles from being thrown onto a state-controlled road.	AO3.1 Road, pedestrian and bikeway bridges over a state-controlled road include throw protection screens in accordance with section 4.9.3 of the Design criteria for bridges and other structures manual, Department of Transport and Main Roads, 2014.	N/A
Filling, excavation and retaining structures		
PO4 Filling and excavation does not interfere with, or result in damage to, infrastructure or services in a state-controlled road. Note: Information on the location of services and public utility plants in a state-controlled road can be obtained from the Dial Before You Dig service. Where development will impact on an existing or future service or public utility plant in a state-controlled road such that the service or public utility plant will need to be relocated, the alternative alignment must comply with the standards and design specifications of the relevant service or public utility provider, and any costs of relocation are to be borne by the developer.	No acceptable outcome is prescribed.	N/A
PO5 Filling, excavation, building foundations and retaining structures do not undermine, or cause subsidence of, a state-controlled road. Note: To demonstrate compliance with this performance outcome, it is recommended an RPEQ	No acceptable outcome is prescribed.	N/A

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certified geotechnical assessment, prepared in accordance with Volume 3 of the Road Planning And Design Manual 2nd edition, Department of Transport and Main Roads, 2016, is provided.		
PO6 Filling, excavation, building foundations and retaining structures do not cause ground water disturbance in a state-controlled road. Note: To demonstrate compliance with this performance outcome, it is recommended an RPEQ certified geotechnical assessment, prepared in accordance with Volume 3 of the Road planning and design manual 2 nd edition, Department of Transport and Main Roads, 2016, is provided.	No acceptable outcome is prescribed.	N/A
PO7 Excavation, boring, piling, blasting or fill compaction during construction of a development does not result in ground movement or vibration impacts that would cause damage or nuisance to a state-controlled road, road transport infrastructure or road works. Note: To demonstrate compliance with this performance outcome, it is recommended an RPEQ certified geotechnical assessment, prepared in accordance with Volume 3 of the Road Planning And Design Manual 2 nd edition, Department of Transport and Main Roads, 2016, is provided.	No acceptable outcome is prescribed.	N/A
PO8 Development involving the haulage of fill, extracted material or excavated spoil material exceeding 10,000 tonnes per year does not damage the pavement of a state-controlled road. Note: It is recommended a pavement impact assessment is provided in accordance with the Guide to Traffic Impact Assessment, Department of Transport and Main Roads, 2017.	AO8.1 Fill, extracted material and spoil material is not transported to or from the development site on a state-controlled road.	N/A
PO9 Filling and excavation associated with the construction of vehicular access to a development does not compromise the operation or capacity of	No acceptable outcome is prescribed.	N/A

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existing drainage infrastructure for a state-controlled road.		
PO10 Fill material used on a development site does not result in contamination of a state-controlled road.	AO10.1 Fill material is free of contaminants including acid sulfate content. Note: Soils and rocks should be tested in accordance with AS 1289.0 – Methods of testing soils for engineering purposes and AS 4133.0-2005 – Methods of testing rocks for engineering purposes. AND	N/A
	AO10.2 Compaction of fill is carried out in accordance with the requirements of AS 1289.0 2000 – Methods of testing soils for engineering purposes.	N/A
PO11 Filling and excavation does not cause wind-blown dust nuisance in a state-controlled road.	AO11.1 Compaction of fill is carried out in accordance with the requirements of AS 1289.0 2000 – Methods of testing soils for engineering purposes. AND	N/A
	AO11.2 Dust suppression measures are used during filling and excavation activities such as wind breaks or barriers and dampening of ground surfaces.	N/A
Stormwater and drainage		
PO12 Development does not result in an actionable nuisance, or worsening of, stormwater, flooding or drainage impacts in a state-controlled road.	No acceptable outcome is prescribed.	N/A
PO13 Run-off from the development site is not unlawfully discharged to a state-controlled road.	AO13.1 Development does not create any new points of discharge to a state-controlled road. AND	N/A
	AO13.2 Stormwater run-off is discharged to a lawful point of discharge. Note: Section 3.4 of the Queensland Urban Drainage Manual, Department of Energy and Water Supply, 2013, provides further information on lawful points of discharge. AND	N/A
	AO13.3 Development does not worsen the condition of an existing lawful point of discharge to the state-controlled road.	N/A

PO14 Run-off from the development site during construction does not cause siltation of stormwater infrastructure affecting a state-controlled road.	AO14.1 Run-off from the development site during construction is not discharged to stormwater infrastructure for a state-controlled road.	N/A
Vehicular access to a state-controlled road		
PO15 Vehicular access to a state-controlled road that is a limited access road is consistent with government policy for the management of limited access roads.	AO15.1 Development does not require new or changed access to a limited access road. Note: Limited access roads are declared by the transport chief executive under section 54 of the <i>Transport Infrastructure Act 1994</i> and are identified in the DA mapping system. OR	N/A - Mulligan Highway is not a limited access road.
	AO15.2 A new or changed access to a limited access road is consistent with the limited access policy for the state-controlled road. Note: Limited access policies for limited access roads declared under the <i>Transport Infrastructure Act 1994</i> can be obtained by contacting the relevant Department of Transport and Main Roads regional office. AND	N/A
	AO15.3 Where a new or changed access is for a service centre, access is consistent with the Service centre policy, Department of Transport and Main Roads, 2013 and the Access policy for roadside service centre facilities on limited access roads, Department of Transport and Main Roads, 2013, and the Service centre strategy for the state-controlled road. Note: The Service centre policy, Department of Transport and Main Roads, 2013, Access policy for roadside service centre facilities, Department of Transport and Main Roads, 2013 and the relevant Service centre strategy for a state-controlled road can be accessed by contacting the relevant Department of Transport and Main Roads regional office.	N/A

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<p>PO16 The location and design of vehicular access to a state-controlled road (including access to a limited access road) does not create a safety hazard for users of a state-controlled road or result in a worsening of operating conditions on a state-controlled road.</p> <p>Note: Where a new or changed access between the premises and a state-controlled road is proposed, the Department of Transport and Main Roads will need to assess the proposal to determine if the vehicular access for the development is safe. An assessment can be made by Department of Transport and Main Roads as part of the development assessment process and a decision under section 62 of <i>Transport Infrastructure Act 1994</i> issued.</p>	AO16.1 Vehicular access is provided from a local road.	Refer to response at outcome 1.
	OR all of the following acceptable outcomes apply:	Refer to response at outcome 1.
	AO16.2 Vehicular access for the development is consistent with the function and design of the state-controlled road. AND	
	AO16.3 Development does not require new or changed access between the premises and the state-controlled road. Note: A decision under section 62 of the <i>Transport Infrastructure Act 1994</i> outlines the approved conditions for use of an existing vehicular access to a state-controlled road. Current section 62 decisions can be obtained from the relevant Department of Transport and Main Roads regional office. AND	Refer to response at outcome 1.
	AO16.4 Use of any existing vehicular access to the development is consistent with a decision under section 62 of the <i>Transport Infrastructure Act 1994</i> . Note: The development which is the subject of the application must be of an equivalent use and intensity for which the section 62 approval was issued and the section 62 approval must have been granted no more than 5 years prior to the lodgement of the application. AND	Vehicular access to the development is expected to be consistent with a decision under section 62 of the <i>Transport Infrastructure Act 1994</i>
PO17 Vehicular access to a state-controlled road or local road (and associated road access works) are located and designed to not damage or interfere with public passenger transport infrastructure, public passenger services or pedestrian or cycle access to public passenger transport infrastructure and public	AO16.5 Onsite vehicle circulation is designed to give priority to entering vehicles at all times so vehicles do not queue in a road intersection or on the state-controlled road.	Refer to response at outcome 1.
	AO17.1 Vehicular access and associated road access works are not located within 5 metres of existing public passenger transport infrastructure. AND	N/A
	AO17.2 The location and design of vehicular access for a development does not necessitate the relocation	N/A

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passenger services.	of existing public passenger transport infrastructure. AND AO17.3 On-site vehicle circulation is designed to give priority to entering vehicles at all times so vehicles using a vehicular access do not obstruct public passenger transport infrastructure and public passenger services or obstruct pedestrian or cycle access to public passenger transport infrastructure and public passenger services. AND AO17.4 The normal operation of public passenger transport infrastructure or public passenger services is not interrupted during construction of the development.	N/A N/A
Vehicular access to local roads within 100 metres of an intersection with a state-controlled road		
PO18 The location and design of vehicular access to a local road within 100 metres of an intersection with a state-controlled road does not create a safety hazard for users of a state-controlled road.	AO18.1 Vehicular access is located as far as possible from the state-controlled road intersection. AND	N/A
	AO18.2 Vehicular access is in accordance with volume 3, parts, 3, 4 and 4A of the Road Planning And Design Manual, 2nd edition, Department of Transport and Main Roads, 2016. AND	N/A
	AO18.3 Onsite vehicle circulation is designed to give priority to entering vehicles at all times so vehicles do not queue in the intersection or on the state-controlled road.	N/A
Planned upgrades		
PO19 Development does not impede delivery of planned upgrades of state-controlled roads.	AO19.1 Development is not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road. Note: Land required for the planned upgrade of a state-controlled road is identified in the DA mapping system . OR	N/A
	AO19.2 Development is sited and designed so that	N/A

	permanent buildings, structures, infrastructure, services or utilities are not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road.	
	OR all of the following acceptable outcomes apply: AO19.3 Structures and infrastructure located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road are able to be readily relocated or removed without materially affecting the viability or functionality of the development. AND AO19.4 Vehicular access for the development is consistent with the function and design of the planned upgrade of the state-controlled road. AND AO19.5 Development does not involve filling and excavation of, or material changes to, land required for a planned upgrade to a state-controlled road. AND AO19.6 Land is able to be reinstated to the pre-development condition at the completion of the use.	N/A
		N/A
		N/A
		N/A
		N/A
Network impacts		
PO20 Development does not result in a worsening of operating conditions on the state-controlled road network. Note: To demonstrate compliance with this performance outcome, it is recommended that an RPEQ certified traffic impact assessment is provided, prepared in accordance with the Guide to Traffic Impact Assessment, Department of Transport and Main Roads, 2017.	No acceptable outcome is prescribed.	Refer to response at outcome 1.
PO21 Development does not impose traffic loadings on a state-controlled road which could be accommodated on the local road network.	AO21.1 The layout and design of the development directs traffic generated by the development to the local road network.	Refer to response at outcome 1.
PO22 Upgrade works on, or associated with, a state-	AO22.1 Upgrade works required as a result of the	N/A

controlled road are built in accordance with Queensland road design standards.	development are designed and constructed in accordance with the Road planning and design manual, 2 nd edition, Department of Transport and Main Roads, 2016. Note: Road works in a state-controlled road require approval under section 33 of the <i>Transport Infrastructure Act 1994</i> before the works commence.	
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Table 1.2.2: Environmental emissions

Noise		
Accommodation activities		
PO23 Development involving an accommodation activity or land for a future accommodation activity minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in habitable rooms.	AO23.1 A noise barrier or earth mound is provided which is designed, sited and constructed: <ol style="list-style-type: none"> 1. to meet the following external noise criteria at all facades of the building envelope: <ol style="list-style-type: none"> a. ≤60 dB(A) L₁₀ (18 hour) façade corrected (measured L₉₀ (8 hour) free field between 10pm and 6am ≤40 dB(A)) b. ≤63 dB(A) L₁₀ (18 hour) façade corrected (measured L₉₀ (8 hour) free field between 10pm and 6am >40 dB(A)) 2. in accordance with 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. <p>Note: To demonstrate compliance with the acceptable</p>	N/A

	<p>outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the State Development Assessment Provisions Supporting Information – Community Amenity (Noise), Department of Transport and Main Roads, 2013.</p> <p>If the building envelope is unknown, the deemed-to-comply setback distances for buildings stipulated by the local planning instrument or relevant building regulations should be used.</p> <p>In some instances the design of noise barriers and mounds to achieve the noise criteria above the ground floor may not be reasonable or practicable. In these instances, any relaxation of the criteria is at the discretion of the Department of Transport and Main Roads.</p>	
	<p>OR all of the following acceptable outcomes apply:</p> <p>AO23.2 Buildings which include a habitable room are setback the maximum distance possible from a state-controlled road or type 1 multi-modal corridor. AND</p> <p>AO23.3 Buildings are designed and oriented so that habitable rooms are located furthest from a state-controlled road or type 1 multi-modal corridor. AND</p> <p>AO23.4 Buildings (other than a relevant residential building or relocated building) are designed and constructed using materials which ensure that habitable rooms meet the following internal noise criteria:</p> <ol style="list-style-type: none"> 1. ≤ 35 dB(A) Leq (1 hour) (maximum hour over 24 hours). <p>Statutory note: Noise levels from a state-controlled road or type 1 multi-modal corridor are to be measured in accordance with AS1055.1–1997</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>

	<p>Acoustics – Description and measurement of environmental noise.</p> <p>Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the State Development Assessment Provisions Supporting Information – Community Amenity (Noise), Department of Transport and Main Roads, 2013.</p> <p>Habitable rooms of relevant residential buildings located within a transport noise corridor must comply with the Queensland Development Code MP4.4 Buildings in a transport noise corridor, Queensland Government, 2015. Transport noise corridors are mapped on the DA mapping system.</p>	
PO24 Development involving an accommodation activity or land for a future accommodation activity minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in outdoor spaces for passive recreation.	<p>AO24.1 A noise barrier or earth mound is provided which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to meet the following external noise criteria in outdoor spaces for passive recreation: <ol style="list-style-type: none"> a. ≤ 57 dB(A) L_{10} (18 hour) free field (measured L_{90} (18 hour) free field between 6am and 12 midnight ≤ 45 dB(A)) b. ≤ 60 dB(A) L_{10} (18 hour) free field (measured L_{90} (18 hour) free field between 6am and 12 midnight > 45 dB(A)) 2. in accordance with 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. 	N/A

	<p>Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the State Development Assessment Provisions Supporting Information – Community Amenity (Noise), Department of Transport and Main Roads, 2013.</p> <p>OR</p>	
	<p>AO24.2 Each dwelling has access to an outdoor space for passive recreation which is shielded from a state-controlled road or type 1 multi-modal corridor by a building, solid gap-free fence, or other solid gap-free structure.</p> <p>AND</p>	N/A
	<p>AO24.3 Each dwelling with a balcony directly exposed to noise from a state-controlled road or type 1 multi-modal corridor has a continuous solid gap-free balustrade (other than gaps required for drainage purposes to comply with the Building Code of Australia).</p>	N/A
Child care centres		
<p>PO25 Development involving a:</p> <ol style="list-style-type: none"> 1. child care centre; or 2. educational establishment <p>minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in indoor education areas and indoor play areas.</p>	<p>AO25.1 A noise barrier or earth mound is provided which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to meet the following external noise criteria at all facades of the building envelope: <ol style="list-style-type: none"> a. $\leq 58 \text{ dB(A) } L_{10}$ (1 hour) façade corrected (maximum hour during normal opening hours) 2. in accordance with 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. <p>Note: To demonstrate compliance with the acceptable</p>	N/A

	<p>outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the State Development Assessment Provisions Supporting Information – Community Amenity (Noise), Department of Transport and Main Roads, 2013.</p> <p>If the building envelope is unknown, the deemed-to-comply setback distances for buildings stipulated by the local planning instrument or relevant building regulations should be used.</p>	
	<p>OR all of the following acceptable outcomes apply:</p> <p>AO25.2 Buildings which include indoor education areas and indoor play areas are setback the maximum distance possible from a state-controlled road or type 1 multi-modal corridor.</p> <p>AND</p> <p>AO25.3 Buildings are designed and oriented so that indoor education areas and indoor play areas are located furthest from the state-controlled road or type 1 multi-modal corridor.</p> <p>AND</p> <p>AO25.4 Buildings are designed and constructed using materials which ensure indoor education areas and indoor play areas meet the following internal noise criteria:</p> <ol style="list-style-type: none"> 1. ≤ 35 dB(A) Leq (1 hour) (maximum hour during opening hours). <p>Statutory note: Noise levels from a state-controlled road or type 1 multi-modal corridor are to be measured in accordance with AS1055.1–1997 Acoustics – Description and measurement of environmental noise.</p> <p>Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>

	noise assessment report, prepared in accordance with the State Development Assessment Provisions Supporting Information – Community Amenity (Noise), Department of Transport and Main Roads, 2013, is provided.	
PO26 Development involving a: 1. child care centre; or 2. educational establishment minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in outdoor education areas and outdoor play areas.	<p>AO26.1 A noise barrier or earth mound is provided which is designed, sited and constructed:</p> <ol style="list-style-type: none"> to meet the following external noise criteria in each outdoor education area or outdoor play area: <ol style="list-style-type: none"> ≤63 dB(A) L₁₀(12 hour) free field (between 6am and 6pm) in accordance with 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. <p>Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the State Development Assessment Provisions Supporting Information – Community Amenity (Noise), Department of Transport and Main Roads, 2013. OR</p>	N/A
Hospitals	AO26.2 Each outdoor education area and outdoor play area is shielded from noise generated from a state-controlled road or type 1 multi-modal corridor by a building, solid gap-free fence, or other solid gap-free structure.	N/A
PO27 Development involving a hospital minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in patient care areas.	<p>AO27.1 Hospitals are designed and constructed using materials which ensure patient care areas meet the following internal noise criteria:</p> <ol style="list-style-type: none"> ≤35 dB(A) L_{eq} (1 hour) (maximum hour during 	N/A

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	opening hours).	
	<p>Statutory note: Noise levels from a state-controlled road or type 1 multi-modal corridor are to be measured in accordance with AS1055.1–1997 Acoustics – Description and measurement of environmental noise.</p> <p>Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the State Development Assessment Provisions Supporting Information – Community Amenity (Noise), Department of Transport and Main Roads, 2013.</p>	
Vibration		
Hospitals		
PO28 Development involving a hospital minimises vibration impacts from vehicles using a state-controlled road or type 1 multi-modal corridor in patient care areas.	AO28.1 Hospitals are designed and constructed to ensure vibration in the treatment area of a patient care area does not exceed a vibration dose value of 0.1m/s ^{1.75} . AND	N/A
	AO28.2 Hospitals are designed and constructed to ensure vibration in the ward area of a patient care area does not exceed a vibration dose value of 0.4m/s ^{1.75} . Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified vibration assessment report is provided.	N/A
Air and light		
PO29 Development involving an accommodation activity minimises air quality impacts from a state-controlled road or type 1 multi-modal corridor in outdoor spaces for passive recreation.	AO29.1 Each dwelling has access to an outdoor space for passive recreation which is shielded from a state-controlled road or type 1 multi-modal corridor by a building, solid gap-free fence, or other solid gap-free structure.	N/A
PO30 Development involving a: 1. child care centre; or	AO30.1 Each outdoor education area and outdoor play area is shielded from a state-controlled road or	N/A

2. educational establishment minimises air quality impacts from a state-controlled road or type 1 multi-modal corridor in outdoor education areas and outdoor play areas.	type 1 multi-modal corridor by a building, solid gap-free fence, or other solid gap-free structure.	
PO31 Development involving an accommodation activity or hospital minimises lighting impacts from a state-controlled road or type 1 multi-modal corridor.	AO31.1 Buildings for an accommodation activity or hospital are designed to minimise the number of windows or transparent/translucent panels facing a state-controlled road or type 1 multi-modal corridor. OR	N/A
	AO31.2 Windows facing a state-controlled road or type 1 multi-modal corridor include treatments to block light from a state-controlled road or type 1 multi-modal corridor.	N/A

State code 16: Native vegetation clearing

Table 16.2.2: General

Performance outcomes	Acceptable outcomes	Response
Clearing avoids or minimises impacts		
PO1 Clearing and adverse impacts of clearing do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been: <ol style="list-style-type: none"> 1. reasonably avoided; or 2. reasonably minimised where it cannot be reasonably avoided. 	No acceptable outcome is prescribed.	<p>The location of the substation site is pre-determined by the location of the existing substation. The creation of the 1ha allotment is immediately adjacent to the existing substation lot of 1.22ha (Lot 8 SP145517).</p> <p>The proposed lot avoids higher value remnant vegetation and it is understood that clearing will be exempt as Routine Management per Schedule 21, Part 2, 2(h) of the Planning Regulations.</p>
Clearing on land in particular circumstances		
PO2 Clearing is consistent with any notice requiring compliance on the land subject to the development application, unless a better environmental outcome can be achieved. <p>Note: The discharge of the vegetation management requirements under the notice requiring compliance can only occur in conjunction with the better environmental outcome being legally secured. Further guidance on meeting the requirements of a better environmental outcome can be found in State code 16: Native vegetation clearing guidance material.</p>	No acceptable outcome is prescribed	N/A
PO3 Clearing is consistent with vegetation management requirements for particular regulated areas unless a better environmental outcome can be achieved. <p>Note: The discharge of the vegetation management requirements under the notice requiring compliance can only occur in conjunction with the better environmental outcome being legally secured.</p>	No acceptable outcome is prescribed	N/A

Performance outcomes	Acceptable outcomes	Response
Further guidance on meeting the requirements of a better environmental outcome can be found in State code 16: Native vegetation clearing guidance material.		
<p>PO4 Clearing of a legally secured offset area:</p> <ol style="list-style-type: none"> 1. is consistent with the offset delivery plan; or agreement for the offset area on the land subject to the development application; or 2. only occurs if an additional offset is provided that is consistent with the <i>Environmental Offsets Act 2014</i> and the relevant policy in the Queensland Environmental Offsets Policy, Department of Environment and Heritage Protection, 2014. <p>Note: Reference to 'agreement' above includes the 'agreed delivery arrangement' for the offset area as well as instruments associated with the legally secured offset area. Clearing should be consistent with any agreement however described.</p>	No acceptable outcome is prescribed	N/A
Clearing of vegetation as a result of the material change of use or reconfiguration of a lot		
PO5 Clearing as a result of a material change of use, or clearing as a result of reconfiguring a lot does not occur.	No acceptable outcome is prescribed.	N/A
Clearing that could already be done under an exemption		
PO6 Clearing does not occur unless it is clearing that could be done under an exemption for the purpose of the development (as prescribed under Schedule 21 of the Planning Regulation 2017) prior to the material change of use or reconfiguring a lot application being approved.	No acceptable outcome is prescribed.	N/A

Table 16.2.3: Specific

Performance outcomes	Acceptable outcomes	Response
Clearing associated with wetlands (public safety and infrastructure, a coordinated project, extractive industry, high value agriculture clearing, and irrigated high value agriculture clearing)		
PO7 Clearing maintains the current extent of vegetation associated with any natural wetland to protect: <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; and 4. terrestrial habitat. 	A07.1 Clearing does not occur in a natural wetland or within 100 metres of the defining bank of any natural wetland. OR	N/A – No wetlands are located within 100m.
	A07.2 Clearing within 100 metres of the defining bank of any natural wetland: <ol style="list-style-type: none"> 1. does not occur within 50 metres of the defining bank of any natural wetland; and 2. does not exceed widths in table 16.3.1 in this code. OR	N/A
	A07.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with a natural wetland (matter of state environmental significance).	N/A
Clearing associated with wetlands (necessary to control non-native plants or declared pests, encroachment, thinning, fodder harvesting)		
PO8 Clearing maintains vegetation associated with a natural wetland to protect: <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; and 4. terrestrial habitat. 	<i>Clearing necessary to control non-native plants or declared pests:</i> A08.1 Where clearing is necessary to control non-native plants or declared pests, mechanical clearing does not occur within five metres of the defining bank of a natural wetland. AND	N/A
	A08.2 Clearing only occurs: <ol style="list-style-type: none"> 1. within a 1.5 metre radius from the base of the stem of individual non-native or declared pests; or 2. to the extent necessary to provide access for 	N/A

Performance outcomes	Acceptable outcomes	Response
	the control of the non-native plants or declared pests. AND	
	AO8.3 Clearing for access tracks running parallel to a natural wetland is not to be located within 10 metres of the defining bank of a natural wetland. AND	N/A
	<i>Clearing for thinning:</i> AO8.4 Where the clearing is for thinning, mechanical clearing does not occur within 20 metres of the defining bank of a natural wetland. AND	N/A
	<i>Clearing for encroachment:</i> AO8.5 Mechanical clearing does not occur within 20 metres of the defining bank of a natural wetland. AND	N/A
	AO8.6 Clearing does not include the application of soil applied broad spectrum herbicides within 50 metres of the defining bank of a natural wetland or within the distance specified from a wetland in the directions for use on the label for the product, whichever is the greater. AND	N/A
	<i>Clearing for fodder harvesting:</i> AO8.7 Mechanical clearing does not occur within 20 metres of the defining bank any natural wetland. AND	N/A
	AO8.8 Strip harvesting or block harvesting does not occur within 100 metres of the defining bank of any natural wetland.	N/A

Performance outcomes	Acceptable outcomes	Response
Clearing associated with wetlands (necessary environmental clearing – land restoration and natural disaster preparation)		
PO9 Clearing maintains vegetation associated with any natural wetland or rehabilitates the cleared area to protect: <ol style="list-style-type: none"> 1. water quality by filtering sediments, nutrients and other pollutants 2. aquatic habitat; and 3. terrestrial habitat. 	AO9.1 Clearing does not occur in, or within 100 metres of the defining bank of any natural wetland. OR	N/A
	AO9.2 Clearing within 100 metres of the defining bank of any natural wetland and: <ol style="list-style-type: none"> 1. does not occur within 50 metres of the defining bank of any natural wetland; and 2. does not exceed the widths in table 16.3.1 of this code. OR	N/A
	AO9.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.	N/A
Clearing associated with wetlands (necessary environmental clearing - natural channel diversion and contaminants removal)		
PO10 Clearing maintains the current extent of vegetation associated with any natural wetland or rehabilitates the cleared area to protect: <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; and 4. terrestrial habitat. 	AO10.1 Clearing does not occur in, or within 100 metres of the defining bank of any natural wetland. OR	N/A
	AO10.2 Clearing within 100 metres of the defining bank of any natural wetland: <ol style="list-style-type: none"> 1. does not occur within 50 metres of the defining bank of any natural wetland; and 2. does not exceed the widths in table 16.3.1 of this code. OR	N/A
	AO10.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated. OR	N/A

Performance outcomes	Acceptable outcomes	Response
	<p>AO10.4 Where clearing is for natural channel diversion or contaminants removal, and clearing cannot be reasonably avoided, and:</p> <ol style="list-style-type: none"> clearing has been reasonably minimised; and the cleared area cannot be reasonably rehabilitated <p>an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with a natural wetland (a matter of state environmental significance).</p>	N/A
Clearing associated with watercourses and drainage features (public safety and relevant infrastructure activities, coordinated project, extractive industry, high value agriculture clearing, irrigated high value agriculture clearing)		
<p>PO11 Clearing maintains the current extent of vegetation associated with any watercourse or drainage feature to protect:</p> <ol style="list-style-type: none"> bank stability by protecting against bank erosion water quality by filtering sediments, nutrients and other pollutants aquatic habitat; and terrestrial habitat. 	<p>AO11.1 Clearing does not occur in any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code.</p> <p>OR</p>	N/A – No mapped watercourse or drainage feature is identified in the immediate location of the proposed lot.
	<p>AO11.2 Clearing within any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code:</p> <ol style="list-style-type: none"> does not exceed the widths in table 16.3.1 of this code; and does not occur within 5 metres of the defining bank, unless clearing is required into or across the watercourse or drainage feature. <p>OR</p>	N/A
	<p>AO11.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with any</p>	N/A

Performance outcomes	Acceptable outcomes	Response
	watercourse or drainage feature (a matter of state environmental significance).	
Clearing associated with watercourses and drainage features (necessary environmental clearing - land restoration and natural disaster preparation)		
PO12 Clearing maintains vegetation associated with any watercourse or drainage feature or rehabilitates the cleared area to protect: <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; and 4. terrestrial habitat. 	AO12.1 Clearing does not occur within any watercourse or drainage feature or within the relevant distances from each defining bank of any watercourse or drainage feature in table 16.3.2 of this code. OR	N/A
	AO12.2 Clearing in any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code: <ol style="list-style-type: none"> 1. does not exceed the widths in table 16.3.1 of this code; and 2. does not occur within 5 metres of the defining bank, unless clearing is required into or across the watercourse or drainage feature. OR	N/A
	AO12.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.	N/A
Clearing associated with watercourses and drainage features (necessary environmental clearing – natural channel diversion, and contaminants removal)		
PO13 Clearing maintains the current extent of vegetation associated with any watercourse or drainage feature or rehabilitates the cleared area to protect: <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; and 4. terrestrial habitat. 	AO13.1 Clearing does not occur within any watercourse or drainage feature or within the relevant distances from each defining bank of any watercourse or drainage feature in table 16.3.2 of this code. OR	N/A
	AO13.2 Clearing in any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code:	N/A

Performance outcomes	Acceptable outcomes	Response
	<ol style="list-style-type: none"> 1. does not exceed the widths in table 16.3.1 of this code; and 2. does not occur within five metres of the defining bank, unless clearing is required into or across the watercourse or drainage feature. OR	
	AO13.3 Where clearing cannot be reasonably avoided, and: <ol style="list-style-type: none"> 1. clearing has been reasonably minimised; and 2. the cleared area cannot be reasonably rehabilitated, an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with a watercourse or drainage feature (a matter of state environmental significance). 	N/A
Clearing associated with watercourses or drainage features (necessary to control non-native plants or declared pests, thinning, fodder harvesting)		
PO14 Clearing maintains vegetation associated with any watercourse or drainage feature to protect: <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; and 4. terrestrial habitat. 	<i>Clearing necessary to control non-native plants or declared pests:</i>	N/A
	AO14.1 Mechanical clearing does not occur within 20 metres of the defining bank of a watercourse or drainage feature. AND	
	AO14.2 Clearing only occurs: <ol style="list-style-type: none"> 1. within a 1.5 metre radius from the base of the stem of individual non-native or declared pests; or 2. to the extent necessary to provide access for the control of the non-native plant or declared pest. AND	N/A
	AO14.3 Clearing for access tracks running parallel to a watercourse or drainage feature is not to be located within 10 metres of the defining	N/A

Performance outcomes	Acceptable outcomes	Response
	bank of the watercourse or drainage feature. <i>Clearing is for thinning:</i>	N/A
	AO14.4 Mechanical clearing does not occur within 20 metres of the defining bank of a watercourse or drainage feature. <i>Clearing for fodder harvesting:</i>	N/A
	AO14.5 Mechanical clearing does not occur within 20 metres from the defining bank of any watercourse or drainage feature. AND AO14.6 Strip harvesting or block harvesting does not occur within 100 metres of the defining bank of any watercourse or drainage feature.	N/A
Clearing associated with watercourses or drainage features (encroachment)		
PO15 Clearing of encroachment maintains: 1. bank stability by protecting against bank erosion 2. water quality by filtering sediments, nutrients and other pollutants 3. aquatic habitat; and 4. terrestrial habitat.	AO15.1 Mechanical clearing does not occur within 20 metres of the defining bank of a watercourse or drainage feature. AND	N/A
	AO15.2 Clearing does not include the application of soil applied broad spectrum herbicides within 50 metres of the defining bank of a watercourse or drainage feature or within the distance specified from a watercourse or drainage feature in the directions for use on the label for the product, whichever is the greater.	N/A
Maintaining connectivity (public safety and relevant infrastructure activities, extractive industry, high value agriculture clearing, irrigated high value agriculture clearing)		
PO16 In consideration of vegetation on the land subject to the development application and on adjacent land, sufficient vegetation is retained to maintain ecological processes and remains in the landscape despite threatening processes.	AO16.1 Clearing occurs in accordance with table 16.3.3 in this code.	Vegetation clearing will occur in accordance with table 16.3.3 in this code. The existing parent parcel is a rural station of 1100ha which includes substantial areas of mapped remnant vegetation. The clearing of vegetation on Proposed Lot 1 is consistent with this Code provision.

Performance outcomes	Acceptable outcomes	Response
Connectivity areas (coordinated project)		
PO17 In consideration of vegetation on the land subject to the development application and on adjacent land: 1. sufficient vegetation is retained to maintain ecological processes and remains in the landscape despite threatening processes; or 2. where this not reasonably possible, the applicant provides an offset.	AO17.1 Clearing occurs in accordance with table 16.3.3 of this code. OR	N/A
	AO17.2 Where clearing cannot be reasonably avoided; and clearing has been reasonably minimised; an offset is provided for any acceptable significant residual impact from clearing of vegetation that forms a connectivity area (a matter of state environmental significance).	N/A
Maintaining connectivity (necessary environmental clearing - land restoration and natural disaster preparation)		
PO18 In consideration of vegetation on the land subject to the development application and on adjacent land, sufficient vegetation is retained to maintain ecological processes and remains in the landscape despite threatening processes, or where this is not reasonably possible, the cleared area is rehabilitated.	AO18.1 Clearing occurs in accordance with table 16.3.3 of this code. OR	N/A
	AO18.2 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.	N/A
Connectivity areas (necessary environmental clearing - natural channel diversion and contaminants removal)		
PO19 In consideration of vegetation on the land subject to the development application and on adjacent land: 1. sufficient vegetation is retained to maintain ecological processes and remains in the landscape despite threatening processes; or 2. where this is not reasonably possible, the applicant rehabilitates the cleared area; or 3. where this not reasonably possible, the applicant provides an offset.	AO19.1 Clearing occurs in accordance with table 16.3.3 of this code. OR	N/A
	AO19.2 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated. OR	N/A
	AO19.3 Where clearing cannot be reasonably avoided, and 1. clearing has been reasonably minimised; and 2. the cleared area cannot be reasonably rehabilitated 3. an offset is provided for any acceptable	N/A

Performance outcomes	Acceptable outcomes	Response
	significant residual impact from clearing of vegetation that forms a connectivity area (a matter of state environmental significance).	
Soil erosion (public safety and relevant infrastructure activities, coordinated project, high value agriculture clearing, irrigated high value agriculture clearing, necessary environmental clearing)		
PO20 Clearing does not result in: 1. accelerated soil erosion including, but not limited to – mass movement, gully erosion, rill erosion, sheet erosion, tunnel erosion, stream bank erosion, wind erosion, or scalding; and 2. any associated loss of chemical, physical or biological fertility – including, but not limited to water holding capacity, soil structure, organic matter, soil biology, and nutrients, within or outside the land the subject of the development application.	AO20.1 Clearing is undertaken in accordance with an erosion and sediment control plan, which includes measures to ensure the rates of soil loss and sediment movement are the same or less than those prior to the proposed development. OR AO20.2 The local government is the assessment manager for the development application. Note: For guidance on developing a sediment and erosion control plan, please refer to the Best Practice Erosion and Sediment Control Document, IECA, 2008.	Vegetation clearing will be undertaken in accordance with an erosion and sediment control plan, which includes measures to ensure the rates of soil loss and sediment movement are the same or less than those prior to the proposed development The Mareeba Shire Council is the assessment manager for the development application.
Soil erosion (necessary to control non-native plants or declared pests, thinning, encroachment, fodder harvesting)		
PO21 Clearing does not result in: 1. accelerated soil erosion – including, but not limited to - mass movement, gully erosion, rill erosion, sheet erosion, tunnel erosion, stream bank erosion, wind erosion, or scalding; and 2. any associated loss of chemical, physical or biological fertility – including, but not limited to water holding capacity, soil structure, organic matter, soil biology and nutrients, within or outside the land subject of the	Clearing necessary to control non-native plants or declared pests: AO21.1 Mechanical clearing retains 50 percent of the ground cover (dead or alive) in each 50 by 50 metre (0.25 hectare) area. AND AO21.2 New access tracks to gain access to a non-native plant or declared pest infestation do not exceed 5 metres in width or de-stabilise the banks of any watercourse or drainage feature as a result of crossing, construction or use. AND	N/A N/A

Performance outcomes	Acceptable outcomes	Response
development application.	Clearing for thinning: AO21.3 Mechanical clearing must: 1. retain 50 percent of the ground cover (dead or alive) in each 50 by 50 metre (0.25 hectare) area; and 2. not occur on slopes in excess of 10 percent. AND	N/A
	Clearing for encroachment: AO21.4 Mechanical clearing: 1. is limited to slopes less than 5 percent; and 2. retains 50 percent of the ground cover (dead or alive) in each 50 by 50 metre (0.25 hectare) area. AND	N/A
	Clearing for fodder harvesting: AO21.5 Strip harvesting or block harvesting does not occur on a slope that exceeds 5 percent, and is aligned across the slope. OR	N/A
	AO21.6 Harvesting occurs using selective harvesting or breaker harvesting methods.	N/A
Salinity (public safety and relevant infrastructure activities, coordinated project, extractive industry, high value agriculture clearing, irrigated high value agriculture clearing, necessary environmental clearing, fodder harvesting)		
PO22 Clearing does not contribute to or accelerate land degradation through waterlogging, or through the salinisation of groundwater, surface water or soil.	No acceptable outcome is prescribed.	Clearing on Proposed Lot is not expected to contribute to or accelerated land degradation through waterlogging, or through the salinisation of groundwater, surface water or soil.

Performance outcomes	Acceptable outcomes	Response
Conserving endangered and of concern regional ecosystems (public safety and relevant infrastructure activities, coordinated project, extractive industry, high value agriculture clearing, irrigated high value agriculture clearing)		
PO23 Clearing maintains the current extent of endangered regional ecosystems and of concern regional ecosystems.	AO23.1 Clearing does not occur in an endangered regional ecosystem or an of concern regional ecosystem. OR	Vegetation clearing is to be undertaken on Proposed Lot 1 which is located in a least of concern regional ecosystem.
	AO23.2 Clearing in an endangered regional ecosystem or in an of concern regional ecosystem does not exceed the width or area prescribed in table 16.3.1 of this code. OR	N/A
	AO23.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of endangered regional ecosystems and of concern regional ecosystems (a matter of state environmental significance).	N/A
Essential habitat (public safety and relevant infrastructure activities, coordinated project, extractive industry, high value agriculture clearing and irrigated high value agriculture clearing, fodder harvesting)		
PO24 Clearing maintains the current extent of essential habitat.	AO24.1 Clearing does not occur in essential habitat. OR	Vegetation clearing is to be undertaken on Proposed Lot 1 which is not located in or near an area mapped as essential habitat.
	AO24.2 Clearing in essential habitat does not exceed the widths prescribed in table 16.3.1 of this code. OR	N/A
	AO24.3 Clearing in essential habitat does not exceed the areas prescribed in table 16.3.1 of this code. OR	N/A
	AO24.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any	N/A

Performance outcomes	Acceptable outcomes	Response
	acceptable significant residual impact from clearing of essential habitat (a matter of state environmental significance).	
Essential habitat (necessary environmental clearing – land restoration and natural disaster preparation)		
PO25 Clearing does not occur in essential habitat, or where this is not reasonably possible, the applicant rehabilitates the cleared area.	AO25.1 Clearing does not occur in essential habitat. OR	N/A
	AO25.2 Clearing in essential habitat does not exceed the widths prescribed in table 16.3.1 of this code. OR	N/A
	AO25.3 Clearing in essential habitat does not exceed the areas prescribed in table 16.3.1 of this code. OR	N/A
	AO25.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.	N/A
Essential habitat (necessary environmental clearing – natural channel diversion and contaminants removal)		
PO26 Clearing does not occur in essential habitat, or where this is not reasonably possible, the applicant rehabilitates the cleared area, or maintains the current extent of essential habitat.	AO26.1 Clearing does not occur in essential habitat. OR	N/A
	AO26.2 Clearing in essential habitat does not exceed the widths prescribed in table 16.3.1 of this code. OR	N/A
	AO26.3 Clearing in essential habitat does not exceed the areas prescribed in table 16.3.1 of this code. OR	N/A
	AO26.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated. OR	N/A
	AO26.5 Where clearing cannot be reasonably	N/A

Performance outcomes	Acceptable outcomes	Response
	avoided, and: <ol style="list-style-type: none"> clearing has been reasonably minimised; and the cleared area cannot be reasonably rehabilitated an offset is provided for any acceptable significant residual impact from clearing of essential habitat (a matter of state environmental significance). 	
Acid sulfate soils (public safety and relevant infrastructure activities, coordinated project, extractive industry, high value agriculture clearing, irrigated high value agriculture clearing, necessary environmental clearing, necessary to control non-native plants or declared pests, thinning, encroachment)		
P027 Clearing does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following: <ol style="list-style-type: none"> aeration of horizons containing iron sulphides; or mobilisation of acid or metals. 	AO27.1 Clearing does not occur in land zone 1, land zone 2 or land zone 3. OR	No clearing is proposed in land zone 1, land zone 2 or land zone 3.
	AO27.2 Clearing in land zone 1, land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where: <ol style="list-style-type: none"> it does not involve mechanical clearing; and acid sulfate soils are managed consistent with the State Planning Policy, Department of State Development, Infrastructure and Planning, 2014, Department of State Development, Infrastructure and Planning, 2014 and with the Soil Management Guidelines in the Queensland Acid Sulfate Soil Technical Manual, Department of Science Information Technology Innovation and the Arts, 2014. OR	N/A
	AO27.3 The local government is the assessment manager for the development application.	N/A
Clearing is staged (extractive industry)		

Performance outcomes	Acceptable outcomes	Response
PO28 Clearing: <ol style="list-style-type: none"> 1. is staged in line with operational needs that restrict clearing to the current operational area 2. only occurs in the area from which material will be extracted, and any reasonably associated infrastructure, within the term of the development approval; and 3. does not occur without required permits. 	No acceptable outcome is prescribed.	N/A
Clearing for agriculture (coordinated project, high value agriculture clearing, irrigated high value agriculture clearing)		
PO29 Clearing only occurs where the land is suitable for agriculture having regard to topography, climate and soil attributes. Note: Guidance for determining land suitability is provided in the Guidelines for meeting the land suitability and economic viability requirements for high value and irrigated high value agriculture applications, Department of Natural Resources and Mines, 2015.	No acceptable outcome is prescribed.	N/A
PO30 Clearing only occurs where there is no alternative area on the land subject to the development application for the clearing.	No acceptable outcome is prescribed.	N/A
PO31 For applications for irrigated high value agriculture clearing, the owner of the land is an eligible owner who has, or may have, access to enough water for establishing, cultivating and harvesting the crops to which the clearing relates.	No acceptable outcome is prescribed.	N/A
Clearing for necessary environmental clearing – land restoration and natural disaster preparation		

Performance outcomes	Acceptable outcomes	Response
PO32 Clearing does not occur, or where this is not reasonably possible, the applicant rehabilitates the cleared area.	AO32.1 Clearing maintains the natural floristic composition and range of sizes across the application area. OR	N/A
	AO32.2 Clearing does not exceed the widths or areas prescribed in table 16.3.1 of this code. OR	N/A
	AO32.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.	N/A
Clearing for necessary environmental clearing - natural channel diversion and contaminants removal		
PO33 Clearing does not occur, or where this is not reasonably possible, the applicant rehabilitates the cleared area or maintains the current extent of vegetation.	AO33.1 Clearing maintains the natural floristic composition and range of sizes across the application area. OR	N/A
	AO33.2 Clearing does not exceed the widths or areas prescribed in table 16.3.1 of this code. OR	N/A
	AO33.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the endangered regional ecosystems and of concern regional ecosystems are rehabilitated. OR	N/A
	AO33.4 Where clearing an endangered regional ecosystem or of concern regional ecosystem cannot be reasonably avoided, minimised or rehabilitated, an offset is provided for any acceptable significant residual impact from clearing of an endangered regional ecosystem or of concern regional ecosystem (a matter of state environmental significance).	N/A
Conserving remnant vegetation that are regional ecosystems (necessary to control non-native plants or declared pests)		
PO34 Clearing activities: 1. maintain the natural floristic composition and	AO34.1 Mechanical clearing does not exceed the limitations defined in table 16.3.4 of this code.	N/A

Performance outcomes	Acceptable outcomes	Response
range of sizes of each species of the regional ecosystem evenly spaced across the application area ; and 2. retain mature trees.	OR AO34.2 Soil applied broad spectrum herbicides are not: 1. applied via aerial application; or 2. ground applied on a broad acre basis; or 3. used inconsistently with the product directions.	N/A
Requirements for dense regional ecosystems (necessary to control non-native plants or declared pests)		
PO35 Clearing retains canopy vegetation in dense regional ecosystems.	AO35.1 Clearing does not occur in regional ecosystems listed in table 16.3.5 of this code. OR	N/A
	AO35.2 Clearing and associated soil disturbance in regional ecosystems listed in table 16.3.5 only occurs: 1. within a 1.5 metre radius from the base of the stem of individual non-native plants or declared pests; and 2. to the extent necessary to provide access for the control of the non-native plants or declared pests.	N/A
Conserving vegetation (thinning)		
PO36 Clearing activities: 1. maintain the natural floristic composition and range of sizes of each species of the regional ecosystem evenly spaced across the application area; and 2. retain mature trees and habitat trees.	AO36.1 Thinning retains mature trees and habitat trees. AND	N/A
	AO36.2 Thinning retains immature trees to: 1. return the immature tree density to a more typical level 2. retain representatives of all the species that occur in the regional ecosystem in about the proportion to what would normally exist 3. retain the range of tree sizes that would	N/A

Performance outcomes	Acceptable outcomes	Response
	<p>normally occur; and</p> <p>4. space immature trees as evenly as possible across the thinned area.</p> <p>AND</p> <p>AO36.3 Thinning is not undertaken by ground application of soil applied broad spectrum herbicides, or aerial application of any herbicides.</p> <p>Note: The Department of Science, Information Technology and Innovation publishes technical descriptions (http://www.qld.gov.au/environment/plants-animals/plants/ecosystems/technical-descriptions/) which provide a detailed description of the normal range in structure and floristic composition of remnant regional ecosystems and their component vegetation communities. They should be used in conjunction with the fields from the Regional Ecosystem Description Database (REDD) (http://www.qld.gov.au/environment/plants-animals/plants/ecosystems/download) for a normal description of the regional ecosystem.</p>	N/A
Clearing limited to specific regional ecosystems (thinning)		
PO37 Clearing does not occur in the regional ecosystems listed in Table 16.3.6 of this code, except where clearing is solely for removing native plants not naturally occurring within the regional ecosystem.	No acceptable outcome is prescribed.	N/A N/A
Retained vegetation density (thinning)		
PO38 Clearing does not occur unless the density of vegetation that is retained is consistent with the natural floristic composition of the regional ecosystem.	AO38.1 The vegetation density is consistent with a representative reference site of the same regional ecosystem. OR	N/A
	AO38.2 The vegetation density is consistent with the natural floristic composition of the regional	N/A

Performance outcomes	Acceptable outcomes	Response
	<p>ecosystem as demonstrated by BioCondition benchmarks for regional ecosystem condition assessment, and the Regional ecosystem description database.</p> <p>Note: DSITI publishes Technical descriptions (http://www.qld.gov.au/environment/plants-animals/plants/ecosystems/technical-descriptions) which provide a detailed description of the normal range in structure and floristic composition of remnant regional ecosystems and their component vegetation communities. They should be used in conjunction with the fields from the Regional Ecosystem Description Database (REDD) (http://www.qld.gov.au/environment/plants-animals/plants/ecosystems/download) for a normal description of the regional ecosystem.</p>	
Clearing is limited to specific regional ecosystems (encroachment)		
PO39 Clearing of encroachment does not occur, other than in the regional ecosystems listed in table 16.3.7 of this code.	No acceptable outcome is prescribed.	N/A
Retained trees (encroachment)		
PO40 Clearing of encroachment: 1. results in the restoration of the regional ecosystem 2. retains mature trees and habitat trees 3. retains all woody vegetation within a grove; and 4. retains representatives of all immature, non-encroaching species in a natural pattern.	No acceptable outcome is prescribed.	N/A
Limits to clearing for fodder harvesting (fodder harvesting)		
PO41 Clearing occurs only in the following areas:	No acceptable outcome is prescribed.	N/A

Performance outcomes	Acceptable outcomes	Response
1. Balonne Shire Council 2. Barcaldine Shire Council 3. Barcoo Shire Council 4. Blackall Tambo Regional Council 5. Bulloo Shire Council 6. Diamantina Shire Council 7. Goondiwindi Regional Council 8. Longreach Regional Council 9. Maranoa Regional Council 10. Murweh Shire Council 11. Paroo Shire Council 12. Quilpie Shire Council 13. Western Downs Regional Council 14. Winton Shire Council.		
PO42 Clearing is limited to the extent necessary to provide fodder for stock.	No acceptable outcome is prescribed.	N/A
PO43 Clearing only occurs in regional ecosystems listed in table 16.3.8 or table 16.3.9 of this code.	No acceptable outcome is prescribed.	N/A
PO44 Clearing consists predominantly of fodder species.	No acceptable outcome is prescribed.	N/A
Conserving vegetation (fodder harvesting)		
PO45 Clearing retains at least: <ol style="list-style-type: none"> 50 percent of the predominant canopy cover of the vegetation over each 300 metre by 300 metre (9 hectare) area when selective harvesting or narrow strip harvesting; and 55 percent of the predominant canopy cover of the vegetation over each 300 metre by 300 metre (9 hectare) area 	AO45.1 Selective harvesting does not: <ol style="list-style-type: none"> harvest more than 5 in 10 individual fodder trees in any given area remove non-fodder species beyond that needed to provide access for harvesting; and involve mechanical clearing within 50 metres of a scarp or an area of instability, in the following regional ecosystems 6.7.1, 6.7.6, 6.7.14, 6.7.15, 6.7.16, 11.7.1, 11.7.2 and 	N/A

Performance outcomes	Acceptable outcomes	Response
when block harvesting or wide strip harvesting maintains the range of species of the regional ecosystem at the locality.	11.7.5. AND	
	AO45.2 Block harvesting: 1. is limited to the harvesting area and width of retained vegetation listed in table 16.3.10 2. retains non-fodder species with height of four metres or more within the harvested area 3. does not occur in fodder regional ecosystems that are less than 10 hectares in area or 500 metres in width 4. ensures tracks between blocks are limited to a width of 10 metres; and 5. only occurs in regional ecosystems listed in table 16.3.8 of this code. AND	N/A
	AO45.3 Wide strip harvesting: 1. occurs where the harvested strip is 70 metres – 135 metres in width 2. retains vegetation of a minimum width of 165 metres on either side of the cleared strip 3. only occurs for an 800 metre length with the retention of a 200 metre wide patch of vegetation at the end of each length 4. does not occur in fodder regional ecosystems that are less than 10 hectares in area or 500 metres in width; and 5. only occurs in regional ecosystems listed in table 16.3.8 of this code. AND	N/A
	AO45.4 Narrow strip harvesting:	N/A

Performance outcomes	Acceptable outcomes	Response
	<ol style="list-style-type: none"> occurs where the harvested strip is 20 to 50 metres in width retains vegetation on either side of the strip of a minimum width equal to the width of the harvested strip does not occur in fodder regional ecosystems that are less than 10 hectares in area or 500 metres in width; and only occurs in regional ecosystems listed in table 16.3.8 of this code. 	
Conserving endangered regional ecosystems and of concern regional ecosystems (fodder harvesting)		
PO46 Clearing: <ol style="list-style-type: none"> does not occur in vegetation that contains endangered regional ecosystems; and is limited to vegetation that contains of concern regional ecosystems 6.5.3, 11.5.13, 6.5.5 and 4.7.3, and by selective harvesting where it does not remove more than three in 10 fodder trees. 	No acceptable outcome is prescribed.	N/A
Cleared vegetation (fodder harvesting)		
PO47 Cleared vegetation is not moved from where it falls.	No acceptable outcome is prescribed.	N/A
Conserving the fodder resource (fodder harvesting)		
PO48 Clearing does not reduce the total extent of the fodder species in the regional ecosystem listed in table 16.3.8 and table 16.3.9 of this code on a lot to below 50 percent of its current extent within any 10 year period.	AO48.1 Clearing is limited to the regional ecosystems and harvesting methods listed in table 16.3.8 and table 16.3.9 of this code. AND	N/A
	AO48.2 Clearing is limited to areas that have not been harvested in the past 10 years. AND	N/A
	AO48.3 Retained vegetation is not harvested	N/A

Performance outcomes	Acceptable outcomes	Response
	within 10 years of the harvesting of an adjacent area which has been subject to either strip harvesting or block harvesting.	