

# DA Form 1 – Development application details

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

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

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

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

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

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

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

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

## PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Caldante Holdings Pty Ltd
Contact name (only applicable for companies)	c/- RPS AAP Consulting Pty Ltd, Patrick Clifton
Postal address (P.O. Box or street address)	PO Box 1949
Suburb	Cairns
State	Queensland
Postcode	4870
Country	Australia
Contact number	+61 7 4031 1336
Email address (non-mandatory)	<a href="mailto:patrick.clifton@rpsgroup.com.au">patrick.clifton@rpsgroup.com.au</a> ; <a href="mailto:stacey.devaney@rpsgroup.com.au">stacey.devaney@rpsgroup.com.au</a>
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	AU009935

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

## PART 2 – LOCATION DETAILS

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

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

#### 3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		121	Douglas Track Road	Speewah
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4881	45	N157358	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- ☐ Coordinates of premises by longitude and latitude

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

- ☐ Coordinates of premises by easting and northing

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

#### 3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

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

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

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

Name of airport:

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

**5) Are there any existing easements over the premises?**

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

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

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

**6.1) Provide details about the first development aspect**

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

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

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

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

c) What is the level of assessment?

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

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

Function Facility

e) Relevant plans

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

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

**6.2) Provide details about the second development aspect**

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

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

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

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

c) What is the level of assessment?

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

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

e) Relevant plans

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

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

**6.3) Additional aspects of development**

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

- ☒ Not required

## Section 2 – Further development details

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

### Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m <sup>2</sup> ) (if applicable)
Function Facility	Function Facility	N/A	N/A
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input checked="" type="checkbox"/> Yes			
<input type="checkbox"/> No			

### Division 2 – Reconfiguring a lot

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

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

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



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

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

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

### Division 3 – Operational work

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

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

## PART 4 – ASSESSMENT MANAGER DETAILS

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

## PART 5 – REFERRAL DETAILS

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

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

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

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

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

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

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

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

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

## PART 6 – INFORMATION REQUEST

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

## PART 7 – FURTHER DETAILS

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

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

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

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

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

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

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

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

23) Further legislative requirements

### Environmentally relevant activities

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

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

**Note:** Application for an environmental authority can be found by searching "ESR/2015/1791" as a search term at [www.qld.gov.au](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

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

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

### Hazardous chemical facilities

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

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

**Note:** See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information about hazardous chemical notifications.

### **Clearing native vegetation**

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

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

☒ No

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

### **Environmental offsets**

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

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

☒ No

**Note:** The environmental offset section of the Queensland Government's website can be accessed at [www.qld.gov.au](http://www.qld.gov.au) for further information on environmental offsets.

### **Koala habitat in SEQ Region**

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

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

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

☒ No

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

### **Water resources**

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

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

☒ No

**Note:** Contact the Department of Natural Resources, Mines and Energy at [www.dnrme.qld.gov.au](http://www.dnrme.qld.gov.au) for further information.

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

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

### **Waterway barrier works**

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

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

☒ No

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

### **Marine activities**

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

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

☒ No

**Note:** See guidance materials at [www.daf.qld.gov.au](http://www.daf.qld.gov.au) for further information.

### **Quarry materials from a watercourse or lake**

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

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

**Note:** Contact the Department of Natural Resources, Mines and Energy at [www.dnrme.qld.gov.au](http://www.dnrme.qld.gov.au) and [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

### **Quarry materials from land under tidal waters**

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

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

**Note:** Contact the Department of Environment and Science at [www.des.qld.gov.au](http://www.des.qld.gov.au) for further information.

### **Referable dams**

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

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

**Note:** See guidance materials at [www.dnrme.qld.gov.au](http://www.dnrme.qld.gov.au) for further information.

### **Tidal work or development within a coastal management district**

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

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

**Note:** See guidance materials at [www.des.qld.gov.au](http://www.des.qld.gov.au) for further information.

### **Queensland and local heritage places**

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

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

**Note:** See guidance materials at [www.des.qld.gov.au](http://www.des.qld.gov.au) for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
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### **Brothels**

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

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

### **Decision under section 62 of the Transport Infrastructure Act 1994**

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

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

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

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

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

☒ No

**Note:** See guidance materials at [www.planning.dsdmip.qld.gov.au](http://www.planning.dsdmip.qld.gov.au) for further information.

## PART 8 – CHECKLIST AND APPLICANT DECLARATION

### 24) Development application checklist

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

☒ Yes

**Note:** See the Planning Regulation 2017 for referral requirements

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

☐ Yes

☒ Not applicable

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

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

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☐ Yes

☒ Not applicable

### 25) Applicant declaration

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

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

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

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

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

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

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

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

Date received:  Reference number(s):

### Notification of engagement of alternative assessment manager

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

### QLeave notification and payment

*Note: For completion by assessment manager if applicable*

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



# 121 DOUGLAS TRACK ROAD, SPEEWAH

## Town Planning Report for Material Change of Use (Function Facility)



AU009935/PC/SD/R82136

C

18 July 2023

## REPORT

### Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
A	Planning Report	S. Devaney	P. Clifton	P. Clifton	26/06/23
B	Client Review	S. Devaney	D. Love	P Clifton	14/7/2023
C	Lodgement	S. Devaney	P. Clifton	P Clifton	18/07/2023

### Approval for issue

Patrick Clifton



18 July 2023

This report was prepared by RPS within the terms of RPS' engagement with its client and in direct response to a scope of services. This report is supplied for the sole and specific purpose for use by RPS' client. The report does not account for any changes relating the subject matter of the report, or any legislative or regulatory changes that have occurred since the report was produced and that may affect the report. RPS does not accept any responsibility or liability for loss whatsoever to any third party caused by, related to or arising out of any use or reliance on the report.

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Appendix B Proposal Plan  
Appendix C Planning Scheme Code Responses

## SUMMARY

**Table 1: Summary**

Details			
Site Address:	121 Douglas Track Road, Speewah		
Real Property Description:	Lot 45 on N157358		
Site Area:	64.75 hectares		
Regional Plan Land Use Designation:	Regional Landscape and Rural Production Area		
Zone:	Rural Zone		
Owner(s):	Caldante Holdings Pty Ltd A.C.N 643 013 174		
Proposal			
Brief Description/ Purpose of Proposal	Application for a Development Permit for Material Change of Use (Function Facility)		
Application Details			
Aspect of Development	Preliminary approval	Development permit	
Material change of use	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Building Work	<input type="checkbox"/>	<input type="checkbox"/>	
Operational Work	<input type="checkbox"/>	<input type="checkbox"/>	
Reconfiguration of a Lot	<input type="checkbox"/>	<input type="checkbox"/>	
Assessment Category	<input type="checkbox"/> Code	<input checked="" type="checkbox"/> Impact	
Public Notification	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes: 15 BD	
Superseded Planning Scheme Application	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Referral Agencies			
Agency	Concurrence	Advice	Pre-lodgement response
Nil	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Applicant contact person	Patrick Clifton Senior Principal Planner D: +61 7 4031 1336 E: <a href="mailto:patrick.clifton@rpsgroup.com.au">patrick.clifton@rpsgroup.com.au</a>		

# 1 INTRODUCTION

RPS AAP Consulting Pty Ltd has been engaged by Caldante Holdings Pty Ltd to seek a Development Permit for Material Change of Use to provide for the development of a function facility Function Facility on land located at 121 Douglas Track Road, Speewah, and described as Lot 45 on N157358.

The subject site comprises a single, regular shaped allotment containing an area of 64.75 hectares and frontage to Douglas Track Road. The site is a sloping site that slopes from the north east to south west. The eastern portion of the site is largely undeveloped and is covered with established rainforest vegetation. The western portion of the site has been historically cleared, in part, and has a number of structures, which are accessed by existing vehicle tracks. The site is currently developed with the following uses:

- Tropical fruit (rare fruit) farm;
- Gardens (farming heliconias and Botanical gardens); and
- Existing buildings that combined create a dwelling House, comprising a single laundry building, a number of studio cabins, main building with bedroom and kitchen and various outbuildings located throughout the site.

The area containing the site is characterised by a mix of rural residential lots within the two hectare precinct, rural and conservation areas. To the north the site adjoins rural and conservation areas, to the east rural development, to the south the site adjoins a mix of rural, recreation and open space, and rural residential development and to the west, the site adjoins rural residential development.

It is proposed to use the existing gardens and a number of the buildings for the purpose of a Function Facility to accommodate wedding ceremonies and similar events, in conjunction with tours of the gardens. It is proposed that functions would occur on-site at designated locations with a maximum of two large weddings (100-150 persons) per month, with smaller events potentially spread throughout the year in between major events. All activities would be contained wholly within the site with no additional buildings or permanent structures are proposed.

In accordance with the Mareeba Shire Council Planning Scheme 2016, the site is identified within the Rural Zone and a Biodiversity Area and Habitat Linkage on the Strategic Framework Map and is subject to the following overlays:

- Bushfire hazard Overlay – Medium Potential Bushfire intensity and Potential Impact Buffer, in part;
- Environmental Significance Overlay – Wildlife habitat and Waterway, in part; and
- Hill and Slope Overlay - Hill and Slope Area, in part.

In accordance with the Tables of Assessment, the application is impact assessable and requires public notification. In determining the application, Council can have regard to the requirements of the Planning Scheme, applicable Assessment Benchmarks and other relevant planning matters, including those raised in properly made submissions.

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

Based on these assessments the proposal is recommended for approval subject to reasonable and relevant conditions.

## 2 SITE DETAILS

### 2.1 Site Particulars

The subject site is located at 121 Douglas Track Road, Speewah, and is formally described as lot 45 on N157358. The site is comprised of a single, regular shaped allotment containing an area of 64.75 hectares and frontage to Douglas Track Road. The site is a sloping site that slopes from north east to south west. The eastern portion of the site is largely undeveloped and is covered with established rainforest vegetation. The western portion of the site has been historically cleared, in part, and contains a number of structures, which are accessed by existing vehicle tracks.

The site is improved by a number of existing buildings that combined create a Dwelling House, comprising a single laundry building, a number of studio cabins, main building with bedroom and kitchen and various outbuildings; a tropical fruit (rare fruit) farm, heliconia's and botanical gardens. Access to the site is provided from Douglas Track Road via an existing driveway.

The existing Dwelling House contains on-site wastewater treatment and disposal facilities, with absorption trenches located within the south west portion of the site. There is currently an approval for additional toilets being built at the rear of the existing building, which will be completed in the coming months.

The area containing the site is characterised by a mix of rural residential lots within the two hectare precinct, rural and conservation areas. To the north the site adjoins rural and conservation areas, to the east rural development, to the south the site adjoins a mix of rural, recreation and open space, and rural residential development and to the west, the site adjoins rural residential development.

Key details of the subject site are as follows:

**Table 2: Site Particulars**

Site Particulars	
Site Address	121 Douglas Track Road, Speewah
Real Property Description	Lot 45 on N157358
Site Area	64.75 hectares
Landowner(s)	Caldante Holdings Pty Ltd

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

A certificate of title confirming site ownership details is included at **Appendix A**.





Figure 1: Site Location

Source: Queensland Globe 2023



Figure 2: Aerial Image of Rosebud Farm

Source: Google Earth



Figure 3: Access to 121 Douglas Track Road

Source: Google Earth

## 2.2 Planning Context

The planning context of the site includes the following:

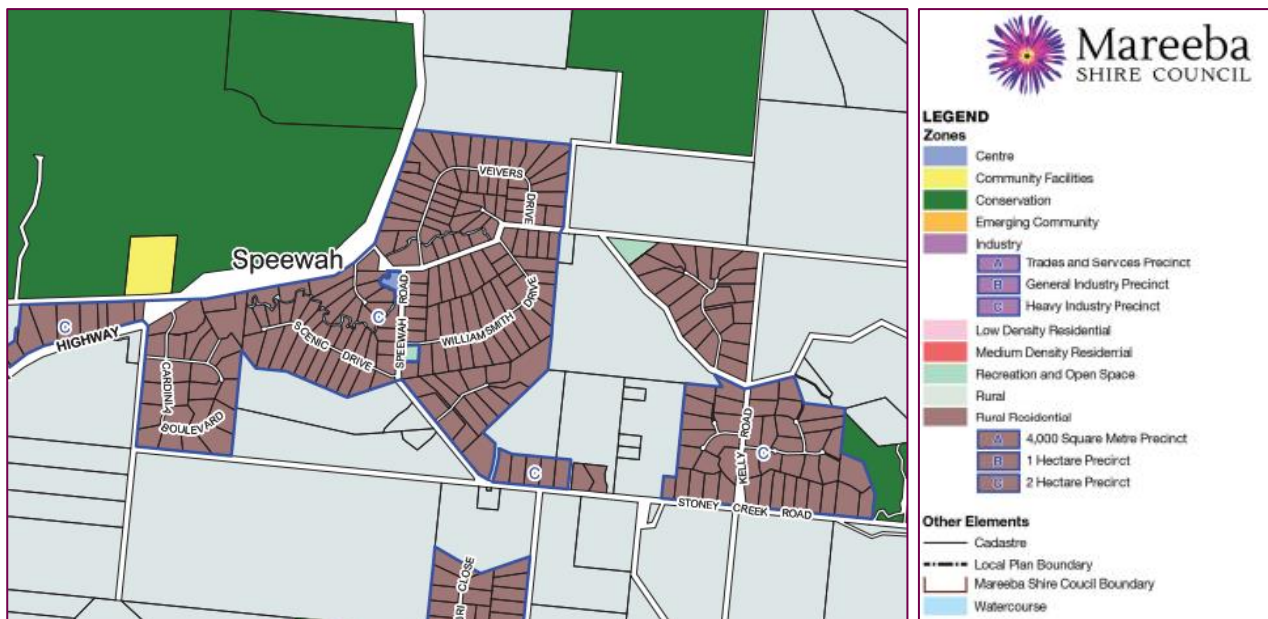
Table 3: Planning Context

Instrument	Designation
<b>State Planning Policy Mapping</b>	
Environment and Heritage	<ul style="list-style-type: none"> <li>Biodiversity               <ul style="list-style-type: none"> <li>MSES – Wildlife habitat (endangered or vulnerable)</li> <li>MSES – Regulated vegetation (category B)</li> <li>MSES – Regulated vegetation (category R)</li> <li>MSES – Regulated vegetation (essential habitat)</li> <li>MSES – Regulated vegetation (intersecting a watercourse)</li> </ul> </li> </ul>
Safety and Resilience to Hazards	<ul style="list-style-type: none"> <li>Natural Hazard Risk and Resilience               <ul style="list-style-type: none"> <li>Flood hazard area – Local Government flood mapping area*</li> <li>Bushfire prone area</li> </ul> </li> </ul>
Infrastructure	<ul style="list-style-type: none"> <li>Strategic Airports and Aviation Facilities               <ul style="list-style-type: none"> <li>Obstacle limitation surface area</li> <li>Obstacle limitation surface contours</li> <li>Wildlife hazard buffer zone</li> <li>Aviation facility</li> </ul> </li> </ul>



Instrument	Designation
<b>Development Assessment Mapping</b>	
SARA DA Mapping	<ul style="list-style-type: none"> <li>Fish habitat areas <ul style="list-style-type: none"> <li>Queensland waterways for waterway barrier works</li> </ul> </li> <li>Water resources <ul style="list-style-type: none"> <li>Water resource planning area boundaries</li> </ul> </li> <li>Native vegetation clearing <ul style="list-style-type: none"> <li>Regulated vegetation management map (Category A and B)</li> </ul> </li> </ul>
<b>Far North Queensland Regional Plan 2009 - 2031</b>	
Regional Plan designation	Regional Landscape and Rural Production Area
<b>Mareeba Shire Council Planning Scheme 2016</b>	
Strategic Framework designation	Biodiversity Area and habitat linkage
Zoning	Rural Zone
Overlays	<ul style="list-style-type: none"> <li>Bushfire hazard Overlay – Medium Potential Bushfire intensity and Potential Impact Buffer, in part;</li> <li>Environmental Significance Overlay – Wildlife habitat and Waterway, in part; and</li> <li>Hill and Slope Overlay - Hill and Slope Area, in part.</li> </ul>

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



**Figure 4 Zoning**

Source: Mareeba Shire Council Planning Scheme 2016

## 3 PROPOSAL

### 3.1 Overview

The application seeks development approval for a Material Change of Use in order to establish a function facility on land located at 121 Douglas Track Road, Speewah described as Lot 45 on N157358.

Rosebud Farm is an established botanical garden, comprising over 660 species of established palms, cycads, exotics and tropical fruit trees. The intent of the proposed development is to facilitate use of the site for weddings and similar functions, in addition to the continued use of the site for horticultural cropping purposes and garden tours. The proposal would be limited to the hosting of wedding, civil ceremonies and other similar functions set amongst the tropical gardens and within existing buildings on the site. Car parking would be provided informally within a cleared area of the site. Outdoor receptions would potentially be held on-site within designated locations with provision for marquees if required. Proposed events would be managed by a specialist event company who would organise catering and toilets and amenity facilities. No food preparation would be conducted on-site. Given that there are a number of proposed wedding or event locations on-site, The applicant proposes the use of temporary toilets and other facilities, which would be transported to the site to accommodate demand.

The subject site provides well established vegetation buffer along the site boundaries and the road frontage, creating an attractive open-air setting for formal and informal wedding ceremonies and similar events. The vegetation also assists in providing an acoustic and visual buffer from adjoining residential development.

It is intended that the proposed development would address an increasing demand for outdoor function facilities in the Mareeba Shire, specifically in and around the Kuranda/Speewah area. The subject site is ideally suited to open air ceremonies and the applicant is seeking to address demand and enquiries from the general public for such outdoor informal garden venues.

The managing event company would monitor audio levels and ensure that external noise levels do not exceed acceptable levels or cause environmental nuisance for residential development. The proposed functions would be held at one of several potential on-site locations nominated on the proposal plan, provided for reference as **Appendix B**. The proposed functions would be held outdoors or within existing buildings, as depicted on the proposal plan. The proposed function sites would cater for less than 20 people and up to a maximum of 150 people, dependent upon the function site locality and function requirements. No additional permanent structures or buildings are proposed as part of this application.

Guests would be encouraged to access the site via an organised bus service, however, the subject site does provide sufficient area for the proposed establishment of a car parking area within the south west portion of the site. Vehicle movements throughout the site would be limited and guests would be transported to the function sites from the car park.

A proposal plan identifying the location of the proposed events, car parking area, existing buildings and existing internal tracks is included at **Appendix B**.

## 4 LEGISLATIVE REQUIREMENTS

### 4.1 Assessment Manager

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

### 4.2 Categories of Assessment

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

**Table 4: Categories of Assessment**

Aspect of development	Categorising instrument	Category of assessment
Development Permit for Material Change of Use	Mareeba Shire Council Planning Scheme 2016, Table 5.5.9	Impact Assessable

### 4.3 Referrals

In accordance with Schedule 10 of the *Planning Regulation 2017*, the proposed development does not trigger referral to the State Assessment and Referral Agency (SARA). Review of the State Planning Policy mapping reveals that the site has the following designations / classifications:

- MSES - Wildlife Habitat (endangered or vulnerable);
- MSES – Regulated vegetation (Category B), in part;
- MSES – Regulated vegetation (Category R), in part; and,
- MSES – Regulated vegetation (Essential habitat), in part.

The State Development Assessment Mapping system indicates that the subject site contains the following designations / classifications:

- Category B, C and R on the Regulated vegetation management map; in part;
- Category B area that is least concern regional ecosystem, in part; and,
- Essential habitat, in part.

Whilst it is noted that the site contains regulated vegetation, the proposed development would be sited within existing cleared areas and/or would not require any native vegetation clearing as part of the proposal. In addition, as no buildings are proposed, no accepted development clearing rights would be triggered. On this basis referral to SARA is not required for native vegetation clearing.

### 4.4 Public Notification

This application requires public notification as it is subject to Impact Statutory planning assessment. During the public notification period of 15 business days, interested members of the public are able to make representations to the Council in respect of the application. Where a properly made representation is received, this is required to be considered by Council in determining the application.

## 5 STATUTORY PLANNING ASSESSMENT

### 5.1 Overview

This section assesses the application against relevant assessment benchmarks.

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

### 5.2 State and Regional Assessment Benchmarks

#### 5.2.1 State Planning Policy

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

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

#### 5.2.2 Regional Plan

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

It is understood that the minister has determined that the Mareeba Shire Council Planning Scheme 2016, specifically the Strategic Framework, appropriately advances the Regional Plan and, on that basis, no further assessment is required in this instance.

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

Schedule 10 of the *Planning Regulation 2017* identify the matters that the assessment manager and/or referral agency assessment must have regard to. As there are no referral triggers in respect of this application, no State Development Assessment Provisions apply.

#### 5.2.4 Strategic Framework

##### 5.2.4.1 Settlement pattern and built environment

(8) *Risks to infrastructure, buildings and the community posed by bushfires, cyclones, flooding, landslides and other extreme events are minimised. Development is considerate of the potential increased incidence of these hazards induced by climate change.*

No proposed development would occur within the bushfire hazard areas.

##### 5.2.4.1.1 Element – Rural villages

(1) *Biboohra, Irvinebank, Julatten, Koah, Mutchilba, Mt Molloy, Myola and Speewah are rural villages, that have limited centre activities and other non-residential activities. Some rural villages include small clusters of activity in which limited, small-scale development may occur. Any growth within rural villages is limited and is proportionate to their current scale.*

The proposed development for a Function Facility is consistent with the intent for Speewah to provide for small-scale non-residential activities within the rural village.

### 5.2.4.1.2 Element – Rural residential areas

- (6) *Small scale non-residential and tourism uses which do not impact on character and amenity are facilitated in rural residential areas.*

The intent of the proposed development is to facilitate use of the site for weddings and similar functions, in addition to the continued use of the site for horticultural cropping purposes and garden tours. The proposal would be limited to the hosting of wedding or civil ceremonies and similar functions set amongst the tropical gardens, with provision for vehicle parking within a cleared area of the site. On this basis, it is considered that the proposed development is small scale and would not impact on the character and amenity of the area. Outdoor receptions would potentially be held on-site within designated locations adequately setback from the boundaries with adjoining residential development. Indoor events potentially held within existing buildings, which are adequately setback from the adjoining residential development. Proposed events would be managed by a specialist event company, who would manage potential noise impacts.

### 5.2.4.1.3 Element – Rural areas

- (5) *Rural lifestyle, tourism, outdoor recreation, horticultural activities and natural bushland uses may be considered in other rural areas where appropriately located, serviced and otherwise consistent with the Strategic Framework.*

The proposed is to facilitate use of the existing tropical gardens and natural vegetation areas within the rural zone lot for weddings, receptions and other functions. Outdoor and indoor functions would potentially be held on-site within designated locations adequately setback from the boundaries with adjoining residential development, with car parking located within cleared areas of the site. The site is suitably serviced and given that there are a number of proposed wedding or event locations on-site, The applicant proposes the use of temporary toilets and other facilities, which would be transported to the site to accommodate demand. The subject site is considered to be a suitable site for event based tourism.

### 5.2.4.1.4 Element – Natural hazard mitigation

- (1) *The risk of loss of life and property associated with bushfires, cyclones, flooding, landslides and other weather related events are minimised through the appropriate use of land having regard to its level of susceptibility to the hazard or potential hazard.*

No proposed development would occur within the bushfire hazard areas as mapped within the subject site.

## 5.2.4.2 Natural resources and environment

### 5.2.4.2.1 Element – Pest and weed management

- (1) *Development within, adjoining or surrounding conservation areas, biodiversity areas, wetlands or watercourses avoids the incursion of weeds and pests through best practice management practices, sensitive design, landscaping and appropriate setback and buffer distances.*

Whilst the subject site adjoins conservation areas to the north, the proposed Function Facility would be located within the south west portion of the site and adequately separated to avoid adverse impacts on environmental values.

- (3) *Plants used for landscaping and street trees are ideally native species, appropriate for the purpose and the local environment, and do not introduce invasive or exotic plants into the shire.*

No additional landscaping is required or proposed as part of this application.

### 5.2.4.2.2 Element – Air and noise quality

- (1) *The health, well-being, amenity and safety of the community and the environment is protected from the impacts of air emissions, noise and odour through appropriate management and adequate separation distances.*

The proposed development is for Function Facility that utilises the existing landscaping and rural setting for proposed functions. The proposal is for wedding ceremonies, receptions and similar events, which would be

adequately setback from the boundaries with adjoining residential development. Proposed events would be managed by a specialist event company, who would manage audio levels and ensure that external noise do not exceed acceptable levels or cause environmental nuisance for adjoining residential development.

### 5.2.4.3 Transport and infrastructure

#### 5.2.4.3.1 Element – road network

- (4) *Development provides off-street parking, loading and manoeuvring areas where possible and practicable.*

Guests would be encouraged to access the site via an organised bus service, however, the subject site does provide sufficient cleared area for the proposed establishment of a hardstand car parking area within the south west portion of the site. The proposed development would provide sufficient area to accommodate the anticipated demand for car parking and servicing.

#### 5.2.4.3.2 Elements – Water supply and wastewater services

- (1) *Development is provided with adequate water and wastewater infrastructure in accordance with Council's Desired Standards of Service.*
- (3) *Development in rural areas will demonstrate that it has access to adequate potable water and fire-fighting water supply on-site.*

The subject site is located outside a reticulated water supply service area and provided with on-site water storage to service the existing dwelling and ancillary requirements. The applicant has conducted water tests that confirm that the water supply is potable. The applicant is agreeable to the imposition of a condition requiring that sufficient on-site water supply is provided to service the proposed development.

- (4) *In areas not serviced by reticulated sewerage, on-site effluent disposal systems ensure the environment or amenity is not adversely impacted.*

Given that there are a number of proposed wedding or event locations on-site. The applicant proposes the use of temporary toilets and other facilities, which would be transported to the site to accommodate demand.

### 5.2.5 Planning Scheme Codes

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

**Table 5: Planning Scheme Code Responses**

Planning Scheme Codes	Applicability	Comment
<b>Zone code</b>		
Rural Zone Code	Applies	Complies with the applicable assessment benchmarks.
<b>Overlay Codes</b>		
Bushfire Hazard Overlay Code	Applies	The proposed development would be established within an existing building. No excavation or filling proposed.
Environmental Significance Overlay	Applies	Complies with the applicable assessment benchmarks.
Hill and Slope Overlay Code	Applies	Complies with applicable Acceptable Outcomes.
<b>Development Codes</b>		



## REPORT

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Planning Scheme Codes	Applicability	Comment
Landscaping Code	Applies	Complies with applicable Acceptable Outcomes.
Parking and Access Code	Applies	Complies with applicable Acceptable Outcomes
Works, Services and infrastructure Code	Not applicable	No excavation or filling required as part of the proposed development

Detailed responses to the Planning Scheme Codes is provided at **Appendix C**.

## 6 CONCLUSION

RPS AAP Consulting has been engaged by Caldante Holdings Pty Ltd to seek a Development Permit for Material Change of Use to facilitate the development and use of a Function Facility on land located at 121 Douglas Track Road, Speewah, and described as Lot 45 on N157358.

The subject site comprises a single, regular shaped allotment containing an area of 64.75 hectares and frontage to Douglas Track Road. The site is a sloping site that slopes from north east to south west. The eastern portion of the site is largely undeveloped and is covered with established rainforest vegetation. The western portion of the site has been historically cleared, in part, and has a number of development built up on it, which are accessed by existing vehicle tracks. The site is currently development with the following uses:

- Tropical fruit (rare fruit) farm;
- Tropical gardens (including heliconias and Botanical gardens); and
- Existing buildings that combined create a dwelling House, comprising a single laundry building, a number of studio cabins, main building with bedroom and kitchen and various outbuildings located throughout the site.

The area containing the site is characterised by a mix of rural residential lots within the two hectare precinct, rural and conservation areas. To the north the site adjoins rural and conservation areas, to the east rural development, to the south the site adjoins a mix of rural, recreation and open space, and rural residential development and to the west, the site adjoins rural residential development.

The proposed development seeks to establish a Function Facility for the purpose of hosting weddings and similar events along with the continued operation of the site for cropping and garden tours.

The application is subject to impact assessment and requires public notification. In determining the application, Council can have regard to the requirements of the Planning Scheme, applicable Assessment Benchmarks and other relevant planning matters. This report has undertaken an assessment of the proposal against the relevant Assessment Benchmarks and is considered to be consistent in terms of the scale and intensity to other forms of development within the locality.

It is considered that the site is suitable for the proposed development and that the site can contain the use without adverse impact in the amenity and character of the area. The application is submitted for approval subject to reasonable and relevant conditions.



# Appendix A

## Certificate of Title

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>21050113</b>	<b>Search Date:</b>	17/05/2023 15:41
<b>Date Title Created:</b>	03/08/1977	<b>Request No:</b>	44446126
<b>Previous Title:</b>	20113191		

**ESTATE AND LAND**

Estate in Fee Simple

LOT 45 CROWN PLAN N157358  
Local Government: MAREEBA

**REGISTERED OWNER**

Dealing No: 720450843 08/12/2020

CALDANTE HOLDINGS PTY LTD A.C.N. 643 013 174 TRUSTEE  
UNDER INSTRUMENT 720450843

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20113191 (POR 45V)

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

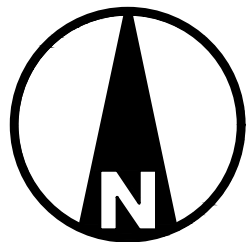
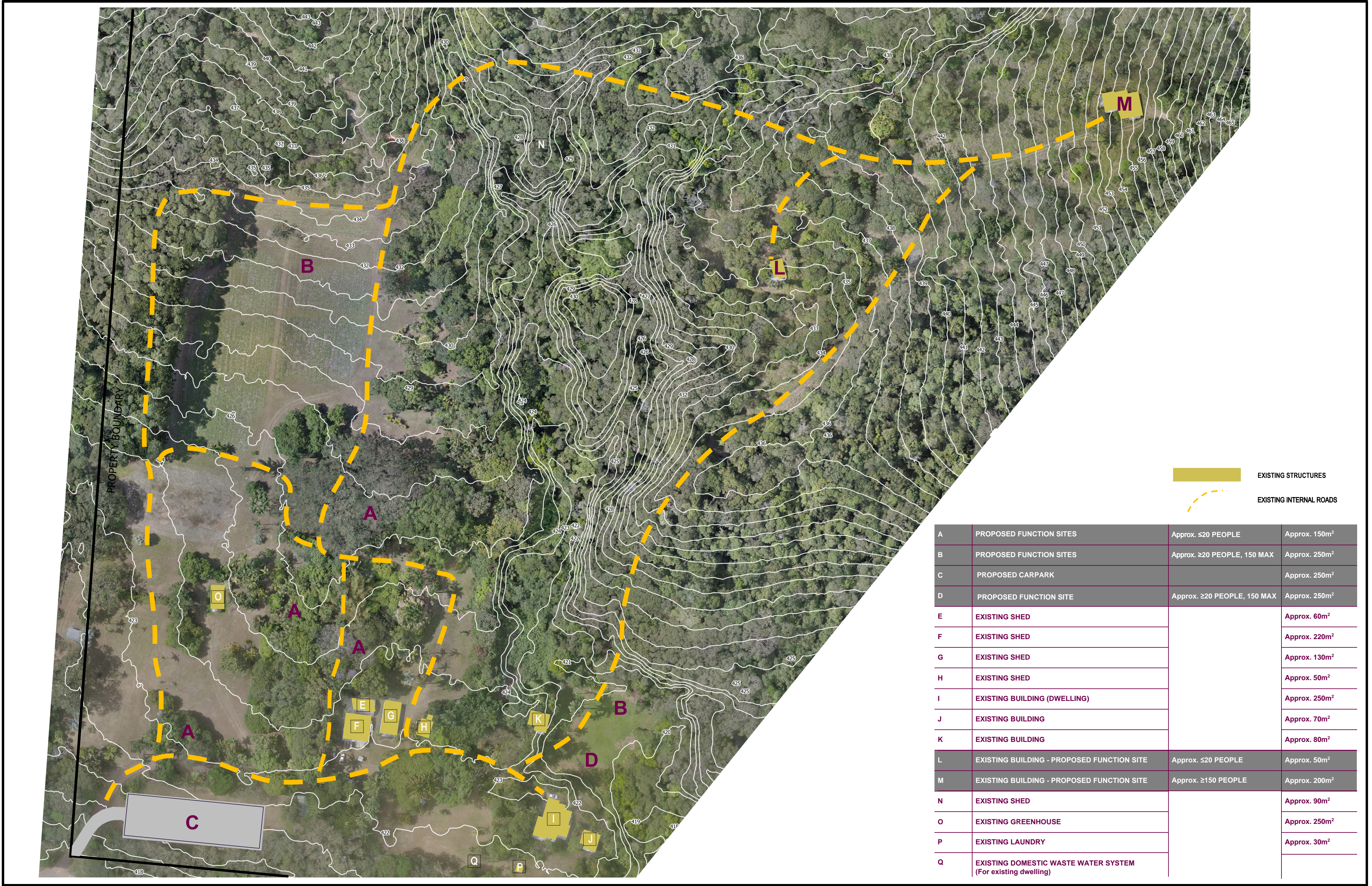
NIL

\*\* End of Current Title Search \*\*

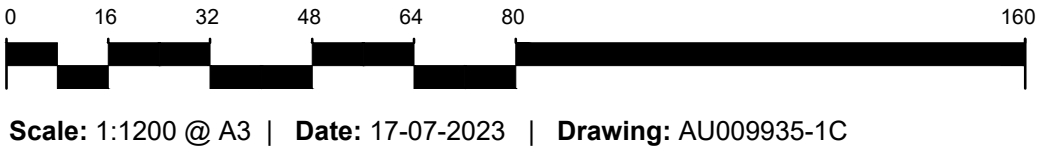
# Appendix B

## Proposal Plan





**Proposed Material Change of Use**  
Function Facility  
121 Douglas Track Road, Speewah, Lot 45 on N147358



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A TETRA TECH COMPANY

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## Appendix C

# Planning Scheme Code Responses

## 6.2.9 Rural Zone Code

### 6.2.9.1 Application

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

### 6.2.9.2 Purpose

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

The purpose of the Rural zone code is to:

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

3) The purpose of the Rural zone code will be achieved through the following overall outcomes:

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

### 6.2.9.3 Criteria for Assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For accepted development subject to requirements and assessable development.</b>		
<b>Height</b>		
<b>PO1</b> Building height takes into consideration and	<b>AO1.1</b> Development, other than buildings used for rural	<b>Not applicable</b> No buildings or structures are proposed as part of

Performance outcomes	Acceptable outcomes	Applicant response
<p>respects the following:</p> <ul style="list-style-type: none"> <li>(a) the height of existing buildings on adjoining premises;</li> <li>(b) the development potential, with respect to height, on adjoining premises;</li> <li>(c) the height of buildings in the vicinity of the site;</li> <li>(d) access to sunlight and daylight for the site and adjoining sites;</li> <li>(e) privacy and overlooking; and</li> <li>(f) site area and street frontage length.</li> </ul>	<p>activities, has a maximum building height of:</p> <ul style="list-style-type: none"> <li>(a) 8.5 metres; and</li> <li>(b) 2 storeys above ground level.</li> </ul>	<p>this application. All existing buildings and structures are single storey and less than maximum building height of 8.5m</p>
	<p><b>AO1.2</b></p> <p>Buildings and structures associated with a rural activity including machinery, equipment, packing or storage buildings do not exceed 10 metres in height.</p>	<p><b>Not applicable</b></p> <p>The proposed development is for Function Facility.</p>
<p><b>Siting, where not involving a Dwelling house.</b></p> <p>Note – Where for Dwelling house, the setbacks of the Queensland Development Code Apply</p>		
<p><b>PO2</b></p> <p>Development is sited in a manner that considers and respects:</p> <ul style="list-style-type: none"> <li>(a) the siting and use of adjoining premises;</li> <li>(b) access to sunlight and daylight for the site and adjoining sites;</li> <li>(c) privacy and overlooking;</li> <li>(d) air circulation and access to natural breezes;</li> <li>(e) appearance of building bulk; and</li> <li>(f) relationship with road corridors.</li> </ul>	<p><b>AO2.1</b></p> <p>Buildings and structures include a minimum setback of:</p> <ul style="list-style-type: none"> <li>(a) 40 metres from a frontage to a State controlled road; and</li> <li>(b) 10 metres from a boundary to an adjoining lot.</li> </ul>	<p><b>Not applicable</b></p> <p>No buildings or structure are proposed as part of this application. All existing buildings and structures are adequately setback from the front and side boundaries.</p>
	<p><b>AO2.2</b></p> <p>Buildings and structures, where for a Roadside stall, include a minimum setback of 0 metres from a frontage to a road that is not a State-controlled road.</p>	<p><b>Not applicable</b></p> <p>The proposed development is for Function Facility. No roadside stall is proposed.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<b>AO2.3</b> Buildings and structures, except where a Roadside stall, include a minimum setback of: (a) 10 metres from a frontage to a sealed road that is not a State-controlled road; and (b) 100 metres from a frontage to any other road that is not a State controlled road;	<b>Not applicable</b> No buildings or structures are proposed as part of this application. All existing buildings and structures are adequately setback from the front and side boundaries.
<b>Accommodation Density</b>		
<b>PO3</b> The density of Accommodation activities: (a) respects the nature and density of surrounding land use; (b) is complementary and subordinate to the rural and natural landscape values of the area; and (c) is commensurate to the scale and frontage of the site.	<b>AO3.1</b> Residential density does not exceed one dwelling house per lot.	<b>Not applicable</b> The proposed development is for Function Facility. The existing Dwelling House and ancillary buildings would be maintained.
	<b>AO3.2</b> Residential density does not exceed two dwellings per lot and development is for: (a) a secondary dwelling; or (b) Caretaker's accommodation and includes building work or minor building work with a maximum gross floor area of 100m <sup>2</sup> ; or (c) Rural worker's accommodation.	<b>Not applicable</b> The proposed development is for Function Facility. The existing Dwelling House and ancillary buildings would be retained. No additional buildings or structures are proposed as part of this application.
<b>For Assessable Development</b>		

Performance outcomes	Acceptable outcomes	Applicant response
<b>Site Cover</b>		
<b>PO4</b> Buildings and structures occupy the site in a manner that: (a) makes efficient use of land; (b) is consistent with the bulk and scale of buildings in the surrounding area; and (c) appropriately balances built and natural features.	<b>AO4</b> No Acceptable outcome is provided	<b>Not applicable</b> The proposed development is for Function Facility. The existing Dwelling House and ancillary buildings would be retained and are consistent with the built form and scale of the locality. No additional buildings or structures are proposed as part of this application.
<b>PO5</b> Development complements and integrates with the established built character of the Rural zone, having regard to: (a) roof form and pitch; (b) eaves and awnings; (c) building materials, colours and textures; and (d) window and door size and location.	<b>AO5</b> No acceptable outcome is provided	<b>Complies with PO5</b> The proposed development is for Function Facility that utilises the existing landscaping and rural setting for proposed functions. The existing Dwelling House and ancillary buildings would be retained. No additional buildings or structures are proposed as part of this application.
<b>Amenity</b>		
<b>PO6</b> Development must not detract from the amenity of the local area, having regard to:	<b>AO6</b> No acceptable outcome is provided	<b>Complies with PO6</b> The proposed development is for Function Facility that utilises the existing landscaping and rural setting for proposed functions. The proposal is for

Performance outcomes	Acceptable outcomes	Applicant response
(a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions.		<p>wedding ceremonies, receptions and similar events, which would be adequately setback from the boundaries with adjoining residential development. Proposed events would be managed by a specialist event company who would manage audio and lighting levels and ensure that external noise and lighting do not exceed acceptable levels or cause environmental nuisance for residential development.</p> <p>The traffic movements associated with the development are anticipated to be limited with guests encouraged to arrive by bus. Notwithstanding, an event with a maximum of 150 persons the largest event proposed, would involve vehicle ride sharing and the number of vehicle movements would be limited.</p> <p>No advertising is proposed.</p>
<b>PO7</b> Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy;	<b>A07</b> No acceptable outcome is provided	<b>Complies with PO7</b> <p>The proposal relates to wedding ceremonies or similar events. Proposed events would be managed by a specialist event company who would manage audio and lighting and ensure that external noise and lighting levels do not exceed acceptable levels or cause environmental nuisance for residential development.</p> <p>No advertising is proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant response
(g) lighting; (h) odour; and (i) emissions.		

## 8.2.3 Bushfire Hazard Overlay Code

### 8.2.3.1 Application

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

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

### 8.2.3.2 Purpose

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

### Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For accepted development subject to requirements and assessable development.</b>		
<b>Water supply for fire-fighting purposes</b>		
<b>PO1</b> Development where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)'	<b>Where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps</b>	<b>Not applicable</b> The south east corner of the site contains land mapped as Medium, High and Potential Impact

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

Performance outcomes	Acceptable outcomes	Applicant response
<p>regard to the:</p> <p>(a) the bushfire risk compatibility of development;</p> <p>(b) the vulnerability of and safety risk to persons associated with the use; and</p> <p>(c) consequences of bushfire in regard to impacts on essential infrastructure, buildings and structures.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p>buffer (100 metres)' identified on <b>the Bushfire hazard overlay maps (OM-003a-o)</b>:</p> <p>(a) child care centre; or</p> <p>(b) community care centre; or</p> <p>(c) correctional facility; or</p> <p>(d) educational establishment; or</p> <p>(e) emergency services; or</p> <p>(f) hospital; or</p> <p>(g) residential care facility; or</p> <p>(h) retirement facility; or</p> <p>(i) rooming accommodation; or</p> <p>(j) shopping centre; or</p> <p>(k) tourist park; or</p> <p>(l) tourist attraction.</p>	<p>bushfire hazard area or impact buffer.</p>
<b>Lot Design</b>		
<p><b>PO3</b></p> <p>Reconfiguring a lot within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the <b>Bushfire hazard overlay maps (OM-003a-o)</b> minimises the potential adverse impacts of bushfire on the safety of people, property and the environment through lot design that:</p> <p>(a) is responsive to the nature and extent of</p>	<p><b>Where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o)</b></p> <p><b>AO3.1</b></p> <p>No new lots are created.</p> <p>OR</p>	<p><b>Not applicable</b></p> <p>The proposed development is for a Material Change of Use for a Function Facility.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>bushfire risk; and</p> <p>(b) allows efficient emergency access to buildings for fire-fighting appliances.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p><b>AO3.2</b></p> <p>All lots include a building envelope that achieves a radiant heat flux level of 29kW/m2 at the permitter of the building envelope.</p> <p>Note—Where a radiant heat flux of 29kW/m2 is achieved and this relies on cleared or maintained land external to the land the subject of the development application it must be demonstrated that land external to the site will be maintained to a standard that does not exceed the level of bushfire hazard identified in a Bushfire hazard management plan.</p>	
<b>Firebreaks and access</b>		
<p><b>PO4</b></p> <p>In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003ao), vehicular access is designed to mitigate against bushfire hazard by:</p> <p>(a) ensuring adequate access for firefighting and other emergency vehicles;</p> <p>(b) ensuring adequate access for the evacuation of residents and emergency personnel in an emergency situation, including alternative safe access routes should access in one direction be blocked in the event of a fire; and</p> <p>(c) providing for the separation of developed areas and adjacent bushland.</p> <p>Note—Where it is not practicable to provide firebreaks in accordance with A04.2 Fire Maintenance Trails are provided in accordance with the following:</p>	<p><b>AO4.1</b></p> <p>In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the <b>Bushfire hazard overlay maps (OM-003ao)</b>, roads are designed and constructed:</p> <p>(a) with a maximum gradient of 12.5%;</p> <p>(b) to not use cul-de-sacs; and</p> <p>(c) a constructed road width and weather standard complying with Planning Scheme Policy 4 - FNQROC Regional Development Manual.</p>	<p><b>Not applicable</b></p> <p>All existing buildings, structures and infrastructure are located outside the Bushfire hazard area and the proposed development would be located outside areas mapped as bushfire hazard areas.</p>
	<p><b>AO4.2</b></p> <p>In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the <b>Bushfire hazard overlay maps (OM-003ao)</b>, firebreaks are provided:</p>	<p><b>Not applicable</b></p> <p>The proposed development would not be located within areas mapped as bushfire hazard areas.</p>



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

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

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

## 8.2.4 Environmental Significance Overlay Code

### 8.2.4.1 Application

- 1) This code applies to assessing development where:
  - (a) land the subject of development is affected by a constraint category identified on the **Environmental significance overlay maps (OM-004a-z)**; and
  - (b) it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

Note—Biodiversity and Water quality are appropriately reflected in Overlay Map 4 and is required to be mapped by State Government in response to Environment and Heritage State Interests.

### 8.2.4.2 Purpose

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

The Environmental significance overlay code ensures that:

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

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

### 8.2.4.3 Criteria for Assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For accepted development subject to requirements and assessable development.</b>		
<b>Regulated vegetation</b>		
<p><b>PO1</b></p> <p>Vegetation clearing in areas mapped as 'Regulated vegetation' identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b> is avoided unless:</p> <ul style="list-style-type: none"> <li>(a) it is demonstrated that the area does not support regulated vegetation as mapped;</li> <li>(b) the loss or reduction in regulated vegetation is for community infrastructure and associated access facilities that cannot be avoided;</li> <li>(c) wildlife interconnectivity is maintained or enhanced at a local and regional scale; and</li> <li>(d) the loss or reduction in regulated vegetation is minimised and any residual impacts are offset.</li> </ul> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p><b>AO1.1</b></p> <p>No clearing of native vegetation is undertaken within areas of 'Regulated vegetation' identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b>.</p>	<p><b>Complies with AO1.1</b></p> <p>Whilst it is noted that the site contains the regulated vegetation, the proposed development would be sited within existing cleared areas and/or would not require any native vegetation clearing as part of the proposal.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO2</b></p> <p>Development on sites adjacent to areas of 'Regulated vegetation' identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b> protects the environmental significance of regulated vegetation and:</p> <ul style="list-style-type: none"> <li>(a) does not interrupt, interfere, alter or otherwise impact on underlying natural ecosystem processes such as water quality, hydrology, geomorphology and biophysical processes;</li> <li>(b) does not negatively impact the movement of wildlife at a local or regional scale; and</li> <li>(c) avoids noise, light, vibration or other edge affects, including weed and pest incursion on identified environmental values.</li> </ul> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p><b>AO2</b></p> <p>Development (excluding roads, earthworks, drainage infrastructure and underground infrastructure) is not located within 20 metres of 'Regulated vegetation' areas identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b>.</p>	<p><b>Complies with AO1.1</b></p> <p>Whilst it is noted that the site contains the regulated vegetation, the proposed development for a Function Facility would be sited within existing cleared areas and/or would not require any native vegetation clearing as part of the proposal. The proposal seeks to retain vegetation as part of the proposal.</p>
<b>Regulated vegetation intersecting a watercourse</b>		
<p><b>PO3</b></p> <p>Vegetation clearing in areas mapped as 'Regulated vegetation intersecting a watercourse,' identified as 'Waterway' and 'Waterway buffer' on the <b>Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b> is avoided unless wildlife interconnectivity between habitats is maintained or enhanced at a local and regional</p>	<p><b>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b></p> <p><b>AO3.1</b></p> <p>A minimum setback in accordance with <b>Table 8.2.4.3B</b> is provided between development and the top of the high bank of a 'Waterway' identified on the <b>Environmental Significance - Waterway</b></p>	<p><b>Complies with AO3.1</b></p> <p>The existing driveway is located within a mapped waterway 100m buffer area. No proposed development would be located within the mapped buffer area.</p>



Performance outcomes	Acceptable outcomes	Applicant response
scale, to the extent that migration or normal movement of significant species between habitats or normal gene flow between populations is not inhibited.  Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.	<b>Overlay Maps (OM-004p-z).</b>  <b>Where within a ‘Waterway buffer’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b>  <b>AO3.2</b>  No clearing of native vegetation is undertaken within the minimum setback identified at <b>AO3.1</b> .	<b>Complies with AO3.2</b>  No clearing of vegetation is proposed as part of this application.
<b>Waterways and wetlands</b>		
<b>PO4</b>  ‘High ecological significance wetlands’ identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b> and ‘Waterways’ on <b>Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b> and are protected by:  (a) maintaining adequate separation distances between waterways/wetlands and development;  (b) maintaining and enhancing aquatic and terrestrial habitat including vegetated corridors to allow for native fauna (terrestrial and aquatic) movement;  (c) maintaining waterway bank stability by minimising bank erosion and slumping;  (d) maintaining water quality by providing buffers to allow filtering of sediments, nutrients and	<b>Where within a ‘Waterway buffer’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b>  <b>AO4.1</b>  A minimum setback in accordance with <b>Table 8.2.4.3B</b> is provided between development and the top of the high bank of a ‘Waterway’ identified on the <b>Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b> .  <b>Where within a ‘High ecological significance wetland buffer’ on Environmental Significance Overlay Maps (OM-004a-o)</b>  <b>AO4.2</b>  A minimum buffer of 200 metres is provided between development and the edge of a ‘High ecological significance wetland’ identified on the <b>Environmental Significance Overlay Maps</b>	<b>Complies with AO3.1</b>  The existing driveway is located within a mapped waterway 100m buffer area. No proposed development would be located within the mapped buffer area.  <b>Not applicable</b>  There are no High ecological significance wetlands located on the subject site.

Performance outcomes	Acceptable outcomes	Applicant response
<p>other pollutants; and</p> <p>(e) retaining and improving existing riparian vegetation and existing vegetation associated with a wetland.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p><b>(OM-004a-o).</b></p>	
	<p><b>Where within a ‘Waterway buffer’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or ‘High ecological significance wetland buffer’ on Environmental Significance Overlay Maps (OM-004a-o)</b></p> <p><b>AO4.3</b></p> <p>No stormwater is discharged to a ‘Waterway’ on <b>Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b> or ‘High ecological significance wetland’ identified on the <b>Environmental Significance Overlay Maps (OM-004a-o).</b></p> <p>Note— An alternative outcome is required to demonstrate that the ecological impacts of stormwater discharge to a ‘Waterway’ or ‘High ecological significance wetland’ are mitigated in accordance with PO3 through appropriate stormwater management / treatment (where possible).</p>	<p><b>Complies with AO4.3</b></p> <p>The proposed development is for a Material Change of Use (Function Facility) to enable wedding ceremonies and similar events to be held within the established gardens. No additional buildings or structures are proposed as part of this application and stormwater from the existing buildings and structures would continue to be lawfully discharged. The proposed development is adequately setback from the waterway to avoid adverse impact.</p>
	<p><b>Where within a ‘Waterway buffer’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or ‘High ecological significance wetland buffer’ on Environmental Significance Overlay Maps (OM-004a-o)</b></p> <p><b>AO4.4</b></p> <p>No wastewater is discharged to a ‘Waterway’ on <b>Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b> or ‘High ecological significance wetland’ identified on the <b>Environmental Significance Overlay Map (OM-</b></p>	<p><b>Complies with AO4.4</b></p> <p>The subject site contains existing on-site effluent disposal. There is sufficient cleared area setback from the waterway buffer to locate future toilet facilities and the proposed increase in on-site wastewater treatment and disposal. The proposed facility would be constructed and operated in accordance with the Queensland Plumbing and Wastewater Code.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<b>004a-z).</b>  Note— A alternative outcome is required to demonstrate that the ecological impacts of wastewater discharge to a 'Waterway' or 'High ecological significance wetland' are mitigated in accordance with PO3 through appropriate wastewater management / treatment (where possible).	
<b>For Assessable Development</b>		
<b>Wildlife Habitat</b>		
<b>PO5</b> Development within a 'Wildlife habitat' area identified on the <b>Environmental Significance Overlay Maps (OM-004a-o):</b> <ul style="list-style-type: none"> <li>(a) protects and enhances the habitat of Endangered, Vulnerable and Near Threatened (EVNT) species and local species of significance;</li> <li>(b) incorporates siting and design measures to protect and retain identified ecological values and underlying ecosystem processes within or adjacent to the development site;</li> <li>(c) maintains or enhances wildlife interconnectivity at a local and regional scale; and</li> <li>(d) mitigates the impact of other forms of potential disturbance (such as presence of vehicles, pedestrian use, increased exposure to domestic animals, noise and lighting impacts) to protect critical life stage ecological</li> </ul>	<b>AO5</b>  No acceptable outcome is provided	<b>Complies with PO5</b>  The proposed development for a Function Facility is to be located within cleared areas and landscaped gardens. No clearing is proposed as part of this application.

Performance outcomes	Acceptable outcomes	Applicant response
<p>processes (such as feeding, breeding or roosting).</p> <p>Note—Development applications must identify any EVNT species or their habitats that may be affected by the proposal. In particular, applications are to identify and describe how the development avoids adverse impacts on ecological processes within or adjacent to the development area.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>		
<b>Legally secured offset areas</b>		
<p><b>PO6</b></p> <p>Development within a ‘Legally secured offset area’ identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b> or other known Legally Secured Offset Area is consistent with the binding requirements of the offset and does not prejudice, undermine, or negatively impact the inherent ecological values, including all naturally occurring native flora, fauna and their habitat within the Legally Secured Offset Area.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p><b>AO6</b></p> <p>No acceptable outcome is provided</p>	<p><b>Not applicable</b></p> <p>There are no legally secured offset areas located on the subject site.</p>
<b>Protected areas</b>		
<p><b>PO7</b></p> <p>Development within a ‘Protected area’ identified</p>	<p><b>AO7</b></p>	<p><b>Not applicable</b></p> <p>There are no protected areas located on the</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b> is consistent with the values of the Protected Area and:</p> <ul style="list-style-type: none"> <li>(a) supports the inherent ecological and community values of the Protected Area asset;</li> <li>(b) maintains or enhances wildlife interconnectivity at a local and regional scale; and</li> <li>(c) does not prejudice, undermine, or negatively impact the inherent ecological values, including all naturally occurring native flora, fauna and their habitat within the Protected Area.</li> </ul> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	No acceptable outcome is provided	subject site.
<b>Ecological corridors and Habitat linkages</b>		
<p><b>PO8</b></p> <p>Development located:</p> <ul style="list-style-type: none"> <li>(a) in the Conservation zone, Emerging community zone, Recreation and open space zone, Rural zone or Rural residential zone; and</li> <li>(b) within an 'Ecological corridor' or a 'Habitat linkage' identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b></li> </ul> <p>does not compromise the provision of habitat</p>	<p><b>A07</b></p> <p>No acceptable outcome is provided</p>	<p>Complies with PO8</p> <p>Whilst it is noted that the site contains the ecological corridors and habitat linkages, the proposed development would be sited within existing cleared areas and/or would not require any native vegetation clearing as part of the proposal.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>connectivity of the corridor/linkage, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the environmental values of the area of the site identified in the 'Ecological corridor' or 'Habitat linkage;'</li> <li>(b) the environmental values of adjoining and nearby land within the 'Ecological corridor' or 'Habitat linkage;'</li> <li>(c) the extent of any modification proposed to the natural environment including (but not limited to) vegetation and topography;</li> <li>(d) the location and design of proposed improvements that may impact on the functions of the 'Ecological corridor' or 'Habitat linkage' including (but not limited to) buildings, structures, fences, lighting, vehicle movement areas and infrastructure services; and</li> <li>(e) the ability for the 'Ecological corridor' or 'Habitat linkage' to be enhanced to improve ecological connectivity.</li> </ul> <p>Note—A supporting Ecological Assessment Report prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports may be appropriate to demonstrate compliance with PO8</p>		

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

Stream Order	Setback and buffer from waterways
1	10 metres from top of high bank



2-4	25 metres from top of high bank
5 or more	50 metres from top of high bank

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

## 8.2.8 Hill and Slope Overlay Code

### 8.2.8.1 Application

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

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

### 8.2.4.2 Purpose

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

### Criteria for assessment

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

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

Performance outcomes	Acceptable outcomes	Applicant response
<p>Preparation of Geotechnical Reports that demonstrates:</p> <ul style="list-style-type: none"> <li>(a) the long term stability of the development site;</li> <li>(b) development will not be adversely affected by landslide activity originating on sloping land above the development site; and</li> <li>(c) development will not adversely affect other property outside the development site through landslide activity or alterations to surface or groundwater.</li> </ul>		
<p><b>PO2</b></p> <p>Development is designed and located to ensure that the use can appropriately function in the 'Hill and slope area' identified on the <b>Hill and slope overlay maps (OM008a-o)</b> having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature and scale of the proposed use;</li> <li>(b) the gradient of the land;</li> <li>(c) the extent of land disturbance proposed;</li> <li>(d) stormwater discharge and its potential for erosion.</li> </ul>	<p><b>AO2.1</b></p> <p>Development for a Child care centre or Educational establishment is not located on land in a 'Hill and slope area' identified on the <b>Hill and slope overlay maps (OM008a-o)</b>.</p>	<p><b>Not applicable</b></p> <p>The proposed development is for a Function Facility.</p>
	<p><b>AO2.2</b></p> <p>Development is not located on land with a gradient of greater than 25%.</p>	<p><b>Complies with AO2.2</b></p> <p>The proposed development would not be located within areas with a gradient of 1 in 4 or greater.</p>
	<p><b>AO2.3</b></p> <p>No lot less than 2,000m<sup>2</sup> is created in a 'Hill and slope area' identified on the <b>Hill and slope overlay maps (OM-008a-o)</b>.</p> <p>Note – Where a minimum lot size of less than 2,000m<sup>2</sup> applies under the Reconfiguring a lot code, the lot size requirements of the Hill and slope overlay code prevail.</p>	<p><b>Not applicable</b></p> <p>Not relevant to a material Change of Use application.</p>

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

## 9.4.2 Landscaping Code

### 9.4.2.1 Application

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

### 9.4.2.2 Purpose

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

### 9.4.3.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For accepted development subject to requirements and assessable development.</b>		
<b>PO1</b> Development, other than in the Rural zone, includes landscaping that: <ul style="list-style-type: none"> <li>(a) contributes to the landscape character of the Shire;</li> <li>(b) compliments the character of the immediate surrounds;</li> <li>(c) provides an appropriate balance between built and natural elements; and</li> <li>(d) provides a source of visual interest.</li> </ul>	<b>AO1</b> Development, other than in the Rural zone, provides: <ul style="list-style-type: none"> <li>(a) a minimum of 10% of the site as landscaping; planting in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species;</li> <li>(b) for the integration of retained significant vegetation into landscaping areas;</li> <li>(c) on-street landscaping works in accordance with the Design Guidelines set out in Section D9 Landscaping, of the Planning Scheme Policy 4 - FNQROC Regional Development Manual.</li> </ul> <p>Note—Where development exceeds a site cover of 90%, areas of landscaping may be provided above ground level to achieve a total supply of landscaping equivalent to 10% of the site area.</p>	<b>Not applicable</b> The subject site is located within the Rural Zone.
<b>PO2</b> Development, other than in the Rural zone, includes landscaping along site frontages that: <ul style="list-style-type: none"> <li>(a) creates an attractive streetscape;</li> <li>(a) compliments the character of the immediate</li> </ul>	<b>AO2</b> Development, other than in the Rural zone, includes a landscape strip along any site frontage: with a minimum width of 2 metres where adjoining a car parking area; <ul style="list-style-type: none"> <li>(a) with a minimum width of 1.5 metres in all</li> </ul>	<b>Not applicable</b> The subject site is located within the Rural Zone.

Performance outcomes	Acceptable outcomes	Applicant response
surrounds; (b) assists to break up and soften elements of built form; (c) screen areas of limited visual interest or servicing; (d) provide shade for pedestrians; and (e) includes a range and variety of planting.	other locations; and (b) in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.  Note—Where development is setback from a frontage less than 1.5 metres, the setback area is provided as a landscape strip	
<b>PO3</b> Development includes landscaping and fencing alongside and rear boundaries that: (a) screens and buffer land uses; (b) assists to break up and soften elements of built form; (c) screens areas of limited visual interest; (d) preserves the amenity of sensitive land uses; and (e) includes a range and variety of planting.	<b>AO3.1</b> Development provides landscape treatments alongside and rear boundaries in accordance with <b>Table 9.4.2.3B</b> .	<b>Complies with AO3.1</b> Existing vegetation and landscaping would adequately screen the proposed development from adjoining land uses, including adjacent residential development.
	<b>AO3.2</b> Shrubs and trees provided in landscape strips alongside and rear boundaries: (a) are planted at a maximum spacing of 1 metre; (b) will grow to a height of at least 2 metres; (c) will grow to form a screen of no less than 2 metres in height; and (d) are mulched to a minimum depth of 0.1 metres with organic mulch.	<b>Complies with AO3.2</b> Existing vegetation and landscaping would adequately screen the proposed development from adjoining land uses, including adjacent residential development.
	<b>AO3.3</b> Any landscape strip provided along a side or rear boundary is designed in accordance with Planning	<b>Complies with AO3.3</b> Mature vegetation and landscaping is already



Performance outcomes	Acceptable outcomes	Applicant response
	Scheme Policy 6 - Landscaping and preferred plant species.	existing along the side and rear boundaries.
<b>PO4</b> Car parking areas are improved with a variety of landscaping that: <ul style="list-style-type: none"> <li>(a) provides visual interest;</li> <li>(b) provides a source of shade for pedestrians;</li> <li>(c) assists to break up and soften elements; and</li> <li>(d) improves legibility.</li> </ul>	<b>AO4.1</b> Landscaping is provided in car parking areas which provides: <ul style="list-style-type: none"> <li>(a) a minimum of 1 shade tree for every 4 parking spaces, or part thereof, where the car parking area includes 12 or more spaces;</li> <li>(b) a minimum of 1 shade tree for every 6 parking spaces, or part thereof, otherwise; and</li> <li>(c) where involving a car parking area in excess of 500m<sup>2</sup>: <ul style="list-style-type: none"> <li>(i) shade structures are provided for 50% of parking spaces; and</li> <li>(ii) a minimum of 10% of the parking area as landscaping.</li> </ul> </li> </ul> <p>Note—Where a shade structure is provided over part of a car parking area, shade tree planting is not required in this area of the car parking area.</p>	<b>Able to comply with AO4.1</b> The proposed development would provide for adequate landscaping within the proposed car parking area.
	<b>AO4.2</b> Landscaping in car parking areas is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.	<b>Able to comply with AO4.2</b> The proposed car parking area would be able to be landscaped in accordance with the Planning Scheme policy.
<b>PO5</b> Landscaping areas include a range and variety of	<b>AO5.1</b> Plant species are selected from the Plant Schedule in Planning Scheme Policy 6 -	<b>Able to comply with AO5.1</b> Any required landscaping within the proposed car parking area could include plant species in

Performance outcomes	Acceptable outcomes	Applicant response
planting that:	Landscaping and preferred plant species.	accordance with the Planning Scheme Policy.
(a) is suitable for the intended purpose and local conditions;	<b>AO5.2</b>	<b>Able to comply with AO5.2</b>
(b) contributes to the natural character of the Shire;	A minimum of 25% of (new and existing) plants is provided as larger, advanced stock with a minimum plant height of 0.7 metres and mulched to a minimum depth of 0.1 metres with organic mulch.	Any required landscaping within the proposed car parking area could include plant species in accordance with the Planning Scheme Policy.
(c) includes native species;		
(d) includes locally endemic species, where practical; and		
(e) does not include invasive plants or weeds.		
<b>PO6</b> Landscaping does not impact on the ongoing provision of infrastructure and services to the Shire.	<b>AO6.1</b> Tree planting is a minimum of (a) 2 metres from any underground water, sewer, gas, electricity or telecommunications infrastructure; and (b) 4 metres from any inspection chamber.	<b>Able to comply with AO6.1</b> Landscaping would be restricted to the proposed car parking area, which would avoid infrastructure services. No additional landscaping is proposed.
	<b>AO6.2</b> Vegetation below or within 4 metres of overhead electricity lines and power poles has a maximum height of 3.5 metres at maturity.	<b>Complies with AO6.2</b> Existing vegetation within the vicinity of the overhead power line achieves a maximum height of 3.5 metres.
	<b>AO6.3</b> Vegetation adjoining an electricity substation boundary, at maturity, will have: (a) a height of less than 4 metres; and	<b>Not applicable</b> The subject site does not adjoin an electricity substation.

Performance outcomes	Acceptable outcomes	Applicant response
	(b) no foliage within 3 metres of the substation boundary, unless the substation has a solid wall along any boundary.	
<b>For assessable development</b>		
<b>PO7</b> Landscaping areas are designed to: <ul style="list-style-type: none"> <li>(a) be easily maintained throughout the ongoing use of the site;</li> <li>(b) allow sufficient area and access to sunlight and water for plant growth;</li> <li>(c) not cause a nuisance to occupants of the site or members of the public;</li> <li>(d) and maintain or enhance the safety of pedestrians through the use of Crime Prevention Through Environmental Design principles.</li> </ul>	<b>AO7</b> No acceptable outcome is provided.	<b>Able to comply with PO7</b> The proposal seeks to use the existing gardens for the purposes of a Function facility to provide for wedding ceremonies and similar events. No additional landscaping is proposed with the exception of the proposed car parking area, which would provide landscaping in accordance with the Planning Scheme Policy.

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

Location or use	Landscape Strip Minimum Width	Screen Fencing Minimum Height	Extent of treatment
Where car parking, servicing or manoeuvring areas adjoin a side or rear boundary	1.00 metre	Not applicable	To the extent these areas adjoin the boundary
Where involving a use other than a dwelling house on a site with a common boundary with land in the Low density residential zone, the Medium density residential zone or the Rural residential zone:	1.50 metres	1.80 metres	Along the common boundary.
Development for an industrial activity which has a common boundary with land not within the Industry zone	2.00 metres	1.80 metres	Along the common boundary
Development involving (a) Tourist park not in the Rural zone (b) Sales office (c) Multiple dwelling (d) Residential care facility; or (e) Dual occupancy	Not Applicable	1.80 metres	Along all side and rear boundaries and between dwellings for a Dual occupancy.

Development involving (a) Tourist park in the Rural zone (b) Service station (c) Car wash; or (d) Utility installation	2.00 metres	Not applicable	Along all side and rear boundaries
For: (a) waste storage; (b) equipment; (c) servicing areas; and (d) private open space and site facilities associated with Caretaker's accommodation.	Not Applicable	1.8 metres	To prevent visibility

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

### 9.4.3 Parking and Access Code

#### 9.4.3.1 Application

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

#### 9.4.3.2 Purpose

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

#### 9.4.3.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For accepted development subject to requirements and assessable development.</b>		
<b>Car parking spaces</b>		
<b>PO1</b> Development provides sufficient car parking to	<b>AO1</b> The number of car parking spaces provided for the use	<b>Able to comply with PO1</b> The proposal would be limited to the hosting

Performance outcomes	Acceptable outcomes	Applicant response
accommodate the demand likely to be generated by the use, having regard to the: <ul style="list-style-type: none"> <li>(a) nature of the use;</li> <li>(b) location of the site;</li> <li>(c) proximity of the use to public transport services;</li> <li>(d) availability of active transport infrastructure; and</li> <li>(e) accessibility of the use to all members of the community/</li> </ul>	is in accordance with <b>Table 9.4.3.3B</b> .  Note – Car parking spaces provided for persons with a disability are to be considered in determining compliance with AO1.	of functions set amongst the tropical gardens. Vehicle parking areas would be located within the cleared area in the south west portion of the site. The subject site provides sufficient area for on-site parking and vehicle manoeuvring to cater for anticipated demand.
<b>Vehicle Crossovers</b>		
<b>PO2</b> Vehicle crossovers are provided to: <ul style="list-style-type: none"> <li>(a) ensure safe and efficient access between the road and premises;</li> <li>(b) minimize interference with the function and operation of roads; and</li> <li>(c) minimise pedestrian to vehicle conflict.</li> </ul>	<b>AO2.1</b> Vehicular access to/from Council roads is designed and constructed in accordance with the Standard drawings in Planning Scheme Policy 4 - FNQROC Regional Development Manual.	<b>Complies with AO2.1</b> The existing rural crossover has been constructed in accordance with pavement standards for the Rural Zone and the FNQROC Development Manual.
	<b>AO2.2</b> Development on a site with two or more road frontages provides vehicular access from: <ul style="list-style-type: none"> <li>(a) the primary frontage where involving Community activities or Sport and recreation activities, unless the primary road frontage is a State-controlled road; or</li> <li>(b) from the lowest order road in all other instances.</li> </ul>	<b>Not applicable</b> The subject site fronts Douglas Track Road only.
	<b>AO2.3</b>	<b>Not applicable</b>



Performance outcomes	Acceptable outcomes	Applicant response
	Vehicular access for particular uses is provided in accordance with <b>Table 9.4.3.3E</b> .	The proposal is not a use prescribed within Table 9.4.3.3E
<b>PO3</b> Access, manoeuvring and car parking areas include appropriate pavement treatments having regard to: (a) the intensity of anticipated vehicle movements; (b) the nature of the use that they service; and (c) the character of the surrounding locality.	<b>A03</b> Access, manoeuvring and car parking areas include pavements that are constructed in accordance with <b>Table 9.4.3.3C</b> .	<b>Complies with A03</b> The existing rural crossover and driveway has been constructed in accordance with pavement standards for the Rural Zone and the FNQROC Development Manual.
<b>For Assessable Development</b> <b>Parking area location and design</b>		
<b>PO4</b> Car parking areas are located and designed to: (a) ensure safety and efficiency in operation; and (b) be consistent with the character of the surrounding locality.	<b>A04.1</b> Car parking spaces, access and circulation areas have dimensions in accordance with AS/NZS 2890.1 Off-street car parking.	<b>Able to comply with A04.1</b> The proposed car parking area, access and circulation areas would be designed in accordance with the Aust Standard.
	<b>A04.2</b> Disabled access and car parking spaces are located and designed in accordance with AS/NZS 2890.6 Parking facilities - Off-street parking for people with disabilities.	<b>Able to comply with A04.1</b> The proposed car parking area, including provision of PWD spaces would be designed in accordance with the Aust Standard.
	<b>A04.3</b> The car parking area includes designated pedestrian routes that provide connections to building entrances	<b>Able to comply with A04.3</b> The applicant would ensure that appropriate pathways and signage is provided from the

Performance outcomes	Acceptable outcomes	Applicant response
		car parking areas to function facilities.
	<b>AO4.4</b> Parking and any set down areas are: (a) wholly contained within the site; (b) visible from the street where involving Commercial activities, Community activities, Industrial activities or a use in the Recreation and open space zone; (c) are set back behind the main building line where involving a Dual occupancy, Multiple dwelling, Residential care facility or Retirement facility; and (d) provided at the side or rear of a building in all other instances.	<b>Able to comply with AO4.4</b> The subject site is of sufficient area to contain all proposed car parking and set down areas.
<b>Site access and manoeuvring</b>		
<b>PO5</b> Access to, and manoeuvring within, the site is designed and located to: (a) ensure the safety and efficiency of the external road network; (b) ensure the safety of pedestrians; (c) provide a functional and convenient layout; and (d) accommodate all vehicles intended to use the site.	<b>AO5.1</b> Access and manoeuvrability is in accordance with : (a) AS28901 – Car Parking Facilities (Off Street Parking); and (b) AS2890.2 – Parking Facilities (Off street Parking) Commercial Vehicle Facilities. Note—Proposal plans should include turning circles designed in accordance with AP34/95 (Austroads 1995) Design Vehicles and Turning Path Templates.	<b>Able to comply with PO5</b> The subject site provides sufficient cleared and unconstrained areas to facilitate access to the site and manoeuvring within the site.
	<b>AO5.2</b>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
	Vehicular access has a minimum sight distance in accordance with Part 5 of AUSTROADS.	The subject site is located at the end of Douglas Track Road.
	<b>AO5.3</b> Vehicular access is located and designed so that all vehicles enter and exit the site in a forward gear.	<b>Able to comply with AO5.3</b> The subject site provides sufficient cleared and unconstrained areas for vehicle ingress and egress in forward gear.
	<b>AO5.4</b> Pedestrian and cyclist access to the site: (a) is clearly defined; (b) easily identifiable; and (c) provides a connection between the site frontage and the entrance to buildings and end of trip facilities (where provided).	<b>Not applicable</b> The subject site is located within a Rural area, pedestrian and cyclist access to the function facility is not expected.
<b>PO6</b> Development that involves an internal road network ensures that it's design: (a) ensure safety and efficiency in operation; (b) does not impact on the amenity of residential uses on the site and on adjoining sites, having regard to matters of: i. hours of operation; ii. noise iii. light; and	<b>AO6.1</b> Internal roads for a Tourist park have a minimum width of: (a) 4 metres if one way; or (b) 6 metres if two way.	<b>Not applicable</b> The proposal is for a function facility.
	<b>AO6.2</b> For a Tourist park, internal road design avoids the use of cul-de-sacs in favour of circulating roads, where unavoidable, cul-de-sacs provide a full turning circle for vehicles towing caravans having:	<b>Not applicable</b> The proposal is for a function facility.

Performance outcomes	Acceptable outcomes	Applicant response
iv. odour; (c) accommodates the nature and volume of vehicle movements anticipated to be generated by the use; (d) allows for convenient access to key on-site features by pedestrians, cyclists and motor vehicles; (e) and in the Rural zone, avoids environmental degradation.	(a) a minimum approach and departure curve radius of 12 metres; and (b) a minimum turning circle radius of 8 metres.	
	<b>AO6.3</b> Internal roads are imperviously sealed and drained, apart from those for an Energy and infrastructure activity or Rural activity.	<b>Not applicable</b> No internal roads are proposed as part of this development.
	<b>AO6.4</b> Speed control devices are installed along all internal roads, apart from those for an Energy and infrastructure activity or Rural activity, in accordance with Complete Streets.	<b>Not applicable</b> No internal roads are proposed as part of this development.
	<b>AO6.5</b> Internal roads, apart from those for an Energy and infrastructure activity or Rural activity, are illuminated in accordance with AS 4282 (as amended) - Control of Obtrusive effects of outdoor lighting.	<b>Not applicable</b> No internal roads are proposed as part of this development.
	<b>AO6.6</b> Where involving an accommodation activity, internal roads facilitate unobstructed access to every dwelling, accommodation unit, accommodation site and building by emergency services vehicles.	<b>Not applicable</b> No internal roads are proposed as part of this development.
	<b>AO6.7</b>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>For an Energy and infrastructure activity or Rural activity, internal road gradients:</p> <p>(a) are no steeper than 1:5; or</p> <p>(b) are steeper than 1:5 and are sealed.</p>	No internal roads are proposed as part of this development.
<b>Servicing</b>		
<p><b>PO7</b></p> <p>Development provides access, manoeuvring and servicing areas on site that:</p> <p>(a) accommodate a service vehicle commensurate with the likely demand generated by the use;</p> <p>(b) do not impact on the safety or efficiency of internal car parking or manoeuvring areas;</p> <p>(c) do not adversely impact on the safety or efficiency of the road network;</p> <p>(d) provide for all servicing functions associated with the use; and</p> <p>(e) are located and designed to minimise their impacts on adjoining sensitive land uses and streetscape quality.</p>	<p><b>AO7.1</b></p> <p>All unloading, loading, service and waste disposal areas are located:</p> <p>(a) on the site;</p> <p>(b) to the side or rear of the building, behind the main building line;</p> <p>(c) not adjacent to a site boundary where the adjoining property is used for a sensitive use.</p>	<p><b>Able to comply with AO7.1</b></p> <p>The subject site provides sufficient cleared and unconstrained areas to facilitate access to the site and manoeuvring within the site. Waste disposal areas would be wholly contained within the site and not located adjacent to the boundary.</p>
	<p><b>AO7.2</b></p> <p>Unloading, loading, service and waste disposal areas allow service vehicles to enter and exit the site in a forward gear.</p>	<p><b>Able to comply with AO7.2</b></p> <p>The subject site provides sufficient cleared and unconstrained areas for vehicle ingress and egress in forward gear.</p>
	<p><b>AO7.3</b></p> <p>Development provides a servicing area, site access and manoeuvring areas to accommodate the applicable minimum servicing vehicle specified in Table 9.4.3.3B.</p>	<p><b>Able to comply with AO7.3</b></p> <p>The subject site provides sufficient cleared and unconstrained areas for service vehicle access and manoeuvring, and provide for 1 SRV space.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<b>Maintenance</b>		
<b>PO8</b> Parking areas are used and maintained for their intended purpose.	<b>AO8.1</b> Parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking and circulation of vehicles.	<b>Able to comply with AO8.1</b> Proposed parking areas would be suitably maintained.
	<b>AO8.2</b> All parking areas will be compacted, sealed, drained, line marked and maintained until such time as the development ceases.	<b>Able to comply with AO8.2</b> Proposal car parking areas would be constructed in accordance with FNQROC Development Manual requirements.
<b>End of trip facilities</b>		
<b>PO9</b> Development within the Centre zone; Industry zone or Emerging community zone provides facilities for active transport users that: <ul style="list-style-type: none"> <li>(a) meet the anticipated demand generated from the use;</li> <li>(b) comprise secure and convenient bicycle parking and storage; and</li> <li>(c) provide end of trip facilities for all active transport users.</li> </ul>	<b>AO9.1</b> The number of bicycle parking spaces provided for the use is in accordance with <b>Table 9.4.3.3D</b> .	<b>Not applicable</b> Not end of trip facilities are required for a Function Facility.
	<b>AO9.2</b> End of trip facilities are provided in accordance with <b>Table 9.4.3.3D</b> .	<b>Not applicable</b> Not end of trip facilities are required for a Function Facility.
<b>If for Educational establishment or Child care centre where involving more than 100 vehicle movements per day or Renewable energy facility, Sport and recreation activities or Tourist park</b>		

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



## 9.4.5 Works, services and infrastructure code

### 9.4.5.1 Application

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

### 9.4.5.2 Purpose

- (1) The purpose of the Works, services and infrastructure code is to ensure that all development is appropriately serviced by physical infrastructure, public utilities and services and that work associated with development is carried out in a manner that does not adversely impact on the surrounding area.
- (2) The purpose of the code will be achieved through the following overall outcomes:
- (a) Development provides an adequate, safe and reliable supply of potable, firefighting and general use water in accordance with relevant standards;
  - (b) Development provides for the treatment and disposal of wastewater and ensures there are no adverse impacts on water quality, public health, local amenity or ecological processes;
  - (c) Development provides for the disposal of stormwater and ensures that there are no adverse impacts on water quality or ecological processes;
  - (d) Development connects to the road network and any adjoining public transport, pedestrian and cycle networks while ensuring no adverse impacts on the safe, convenient and efficient operation of these networks;
  - (e) Development provides electricity and telecommunications services that meet its desired requirements;
  - (f) Development is connected to a nearby electricity network with adequate capacity without significant environment, social or amenity impact;
  - (g) Development does not affect the efficient functioning of public utility mains, services or installations;
  - (h) Infrastructure dedicated to Council is cost effective over its life cycle;
  - (i) Work associated with development does not cause adverse impacts on the surrounding area; and
  - (j) Development prevents the spread of weeds, seeds or other pests.

### 9.4.5.2 Criteria for Assessment

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

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>Water supply</b>		
<b>PO1</b> Each lot has an adequate volume and supply of water that: <ul style="list-style-type: none"> <li>(a) meets the needs of users;</li> <li>(b) is adequate for fire-fighting purposes;</li> <li>(c) ensures the health, safety and convenience of the community; and</li> <li>(d) minimises adverse impacts on the receiving environment.</li> </ul>	<b>AO1.1</b> Development is connected to a reticulated water supply system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located: <ul style="list-style-type: none"> <li>(a) in the Conservation zone, Rural zone or Rural residential zone; and</li> <li>(b) outside a reticulated water supply service area</li> </ul>	<b>Not applicable</b> There is no reticulated water supply system available in the area.
	<b>AO1.2</b> Development, where located outside a reticulated water supply service area and in the Conservation zone, Rural zone or Rural residential zone is provided with: <ul style="list-style-type: none"> <li>(a) a bore or bores are provided in accordance with the Design Guidelines set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; or</li> <li>(b) on-site water storage tank/s: <ul style="list-style-type: none"> <li>(i). with a minimum capacity of 90,000L;</li> <li>(ii). fitted with a 50mm ball valve with a camlock fitting; and</li> <li>(iii). which are installed and connected prior to the occupation or use of the development.</li> </ul> </li> </ul>	<b>Complies with AO1.2</b> The subject site contains an existing Dwelling House, which is serviced by on-site water supply. The applicant is agreeable to the imposition of a condition requiring that sufficient on-site water supply is provided to service the proposed development.

Performance outcomes	Acceptable outcomes	Applicant response
<b>Waste disposal</b>		
<b>PO2</b> Each lot provides for the treatment and disposal of effluent and other waste water that: <ul style="list-style-type: none"> <li>(a) meets the needs of users;</li> <li>(b) is adequate for fire-fighting purposes;</li> <li>(c) ensures the health, safety and convenience of the community; and</li> <li>(d) minimises adverse impacts on the receiving environment.</li> </ul>	<b>AO2</b> Development is connected to a reticulated sewerage system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located: <ul style="list-style-type: none"> <li>(a) in the Conservation zone, Rural zone or Rural residential zone; and</li> <li>(b) outside a reticulated sewerage service area.</li> </ul>	<b>Not applicable</b> There is no reticulated sewerage system in the area.
	<b>AO2.2</b> An effluent disposal system is provided in accordance with ASNZ 1547 On-Site Domestic Wastewater Management (as amended) where development is located: <ul style="list-style-type: none"> <li>(a) in the Conservation zone, Rural zone or Rural residential zone; and</li> <li>(b) outside a reticulated sewerage service area.</li> </ul>	<b>Complies with AO2.2</b> The subject site contains an existing Dwelling House, which is serviced by on-site effluent disposal system. To accommodate events transportable toilets and amenity facilities would be provided. No on-site effluent disposal is proposed in association with the events and functions.
<b>Stormwater infrastructure</b>		
<b>PO3</b> Stormwater infrastructure is designed and constructed to collect and convey the design storm event to a lawful point of discharge in a manner	<b>AO3.1</b> Where located within a Priority infrastructure area or where stormwater infrastructure is available, development is connected to Council's stormwater network in accordance with the Design Guidelines and	<b>Not applicable</b> No stormwater infrastructure is available.

Performance outcomes	Acceptable outcomes	Applicant response
that mitigates impacts on life and property.	Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	
	<b>AO3.2</b> On-site drainage systems are constructed: <ul style="list-style-type: none"> <li>(a) to convey stormwater from the premises to a lawful point of discharge; and</li> <li>(b) in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</li> </ul>	<b>Complies with AO3.2</b> Existing on-site stormwater drainage systems would be maintained and enhanced to cater for the proposed development and ensure that all stormwater is lawfully discharged.
<b>Electricity supply</b>		
<b>PO4</b> Each lot is provided with an adequate supply of electricity	<b>AO4</b> The premises: <ul style="list-style-type: none"> <li>(a) is connected to the electricity supply network; or</li> <li>(b) has arranged a connection to the transmission grid; or</li> <li>(c) where not connected to the network, an independent energy system with sufficient capacity to service the development (at near average energy demands associated with the use) may be provided as an alternative to reticulated electricity where: <ul style="list-style-type: none"> <li>(i). it is approved by the relevant regulatory authority; and</li> <li>(ii). it can be demonstrated that no air or noise</li> </ul> </li> </ul>	<b>Complies with AO4</b> The subject site is connected to the electricity supply network.

Performance outcomes	Acceptable outcomes	Applicant response
	emissions; and  (iii). it can be demonstrated that no adverse impact on visual amenity will occur.	
<b>Telecommunications infrastructure</b>		
<b>PO5</b> Each lot is provided with an adequate supply of telecommunication infrastructure.	<b>AO5</b> Development is provided with a connection to the national broadband network or telecommunication services.	<b>Complies with PO5</b> The existing dwelling house is connected to NBN.
<b>Existing public utility services</b>		
<b>PO6</b> Development and associated works do not affect the efficient functioning of public utility mains, services or installations.	<b>AO6</b> Public utility mains, services are relocated, altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	<b>Complies with PO6</b> No public utility services would be affected by the proposed development.
<b>Excavation or filling</b>		
<b>PO7</b> Excavation or filling must not have an adverse impact on the:  (a) streetscape;	<b>AO7.1</b> Excavation or filling does not occur within 1.5 metres of any site boundary.	<b>Not applicable</b> No operational works are proposed as part of this application.
	<b>AO7.2</b>	<b>Not applicable</b>



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

Performance outcomes	Acceptable outcomes	Applicant response
	<b>A07.6</b> Retaining walls have a maximum height of 1.5 metres and are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	<b>Not applicable</b> No operational works are proposed as part of this application.
	<b>A07.7</b> Excavation or filling at any point on a lot is to include measures that protect trees at the foot or top of cut or fill batters by the use of appropriate retaining methods and sensitive earth removal or placement and in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	<b>Not applicable</b> No operational works are proposed as part of this application.
<b>For assessable development</b>		
<b>Transport network</b>		
<b>PO8</b> The development has access to a transport network of adequate standard to provide for the safe and efficient movement of vehicles, pedestrians and cyclists.	<b>A08.1</b> Vehicle access, crossovers, road geometry, pavement, utilities and landscaping to the frontage/s of the site are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	<b>Complies with A08.1</b> The existing rural access and crossover has been designed and constructed in accordance with the FNQROC Development Manual.
	<b>A08.2</b>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
	Development provides footpath pavement treatments in accordance with Planning Scheme Policy 9 – Footpath Paving.	The subject site is located within the Rural Zone.
<b>Public infrastructure</b>		
<b>PO9</b> The design, construction and provision of any infrastructure that is to be dedicated to Council is cost effective over its life cycle and incorporates provisions to minimise adverse impacts.	<b>AO9</b> Development is in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	<b>Not applicable</b> No infrastructure would be dedicated to Council as part of this application.
<b>Stormwater quality</b>		
<b>PO10</b> Development has a non-worsening effect on the site and surrounding land and is designed to: (a) optimise the interception, retention and removal of waterborne pollutants, prior to the discharge to receiving waters; (b) protect the environmental values of waterbodies affected by the development, including upstream, onsite and downstream waterbodies; (c) achieve specified water quality objectives; (d) minimise flooding; (e) maximise the use of natural channel design principles;	<b>AO10.1</b> The following reporting is prepared for all Material change of use or Reconfiguring a lot proposals: (a) a Stormwater Management Plan and Report that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; and (b) an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation Control Guidelines (Institute of Engineers Australia), including: (i) drainage control;	<b>Complies with PO10</b> Stormwater from the proposed development would continue to be discharged lawfully and would not adversely impact adjoining properties.

Performance outcomes	Acceptable outcomes	Applicant response
(f) maximise community benefit; and (g) minimise risk to public safety.	(ii) erosion control; (iii) sediment control; and (iv) water quality outcomes.	
	<b>AO10.2</b> For development on land greater than 2,500m <sup>2</sup> or that result in more than 5 lots or more than 5 dwellings or accommodation units, a Stormwater Quality Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) is prepared that demonstrates that the development: <ul style="list-style-type: none"> <li>(a) meets or exceeds the standards of design and construction set out in the Urban Stormwater Quality Planning Guideline and the Queensland Water Quality Guideline;</li> <li>(b) is consistent with any local area stormwater water management planning;</li> <li>(c) accounts for development type, construction phase, local climatic conditions and design objectives; and</li> <li>(d) provides for stormwater quality treatment measures reflecting land use constraints, such as soil type, landscape features (including landform), nutrient hazardous areas, acid sulfate soil and rainfall erosivity.</li> </ul>	<b>Not applicable</b> Stormwater from the proposed development would continue to be discharged lawfully and would not adversely impact adjoining properties.
<b>PO11</b> Storage areas for stormwater detention and retention: (a) protect or enhance the environmental values of	<b>AO11</b> No acceptable outcome is provided.	<b>Not applicable</b> A stormwater detention basin is not required as the proposed development would not result in a change to the stormwater management and discharge from the site.

Performance outcomes	Acceptable outcomes	Applicant response
receiving waters; (b) achieve specified water quality objectives; (c) where possible, provide for recreational use; (d) maximise community benefit; and (e) minimise risk to public safety.		
<b>Excavation or filling</b>		
<b>PO12</b> Traffic generated by filling or excavation does not impact on the amenity of the surrounding area.	<b>AO12.1</b> Haul routes used for transportation of fill to or from the site only use major roads and avoid residential areas.	<b>Not applicable</b> No operational works are proposed as part of this application.
	<b>AO12.2</b> Transportation of fill to or from the site does not occur: (a) within peak traffic times; and (b) before 7am or after 6pm Monday to Friday; (c) before 7am or after 1pm Saturdays; and (d) on Sundays or Public Holidays.	<b>Not applicable</b> No operational works are proposed as part of this application.
<b>PO13</b> Air pollutants, dust and sediment particles from excavation or filling, do not cause significant environmental harm or nuisance impacts.	<b>AO13.1</b> Dust emissions do not extend beyond the boundary of the site.	<b>Not applicable</b> No operational works are proposed as part of this application.
	<b>AO13.2</b> No other air pollutants, including odours, are	<b>Not applicable</b> No operational works are proposed as part of

Performance outcomes	Acceptable outcomes	Applicant response
	detectable at the boundary of the site.	this application.
	<b>AO13.3</b> A management plan for control of dust and air pollutants is prepared and implemented.	<b>Not applicable</b> No operational works are proposed as part of this application.
<b>PO14</b> Access to the premises (including driveways and paths) does not have an adverse impact on: (a) safety; (b) drainage; (c) visual amenity; and (d) privacy of adjoining premises.	<b>AO14</b> Access to the premises (including all works associated with the access): (a) must follow as close as possible to the existing contours; (b) be contained within the premises and not the road reserve, and (c) are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	<b>Not applicable</b> No operational works are proposed as part of this application.
<b>Weed and pest management</b>		
<b>PO15</b> Development prevents the spread of weeds, seeds or other pests into clean areas or away from infested areas.	<b>AO15</b> No acceptable outcome is provided.	<b>Complies with PO15</b> The applicant ensures that the landscaped gardens are free of pest plants and weeds.
<b>Contaminated land</b>		



Performance outcomes	Acceptable outcomes	Applicant response
<b>PO16</b> Development is located and designed to ensure that users and nearby sensitive land uses are not exposed to unacceptable levels of contaminants	<b>AO16</b> Development is located where: (a) soils are not contaminated by pollutants which represent a health or safety risk to users; or (b) contaminated soils are remediated prior to plan sealing, operational works permit, or issuing of building works permit.	<b>Not applicable</b> The subject site is not contaminated land.
<b>Fire services in developments accessed by common private title</b>		
<b>PO17</b> Fire hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	<b>AO17.1</b> Fire hydrants are located in accessways or private roads held in common private title at a maximum spacing of: (a) 120 metres for residential development; and (b) 90 metres for any other development	<b>Not applicant</b> The proposed development does not contain common property.
	<b>AO17.2</b> Fire hydrants are located at all intersections of accessways or private roads held in common private title.	<b>Not applicant</b> The proposed development does not contain common property.