

Assessment of application against relevant Development Codes

APPLICATION DETAILS

APPLICATION		PREMISES	
FILE NO:	MCU/24/0003	ADDRESS:	Chewko Road & Paglietta Road, Mareeba
APPLICANT:	N Caird	RPD:	Lot 10 on SP254381 & Lot 2 on SP217458
LODGED BY:	N Caird	AREA:	Lot 2 – 30.11 ha Lot 10 – 29.58 ha
DATE LODGED:	17 January 2024	OWNER :	N Caird
TYPE OF APPROVAL:	Development Permit		
PROPOSED DEVELOPMENT:	Material Change of Use – Tourist Park (expansion)		
PLANNING SCHEME:	Mareeba Shire Council Planning Scheme 2016		
ZONE:	Rural zone		
LEVEL OF ASSESSMENT:	Code Assessment		
SUBMISSIONS:	n/a		

Relevant Development Codes

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

- 6.2.9 Rural zone code
- 8.2.2 Airport environs overlay code
- 8.2.3 Bushfire hazard overlay code
- 8.2.4 Environmental significance overlay code
- 8.2.5 Extractive resources overlay code
- 8.2.8 Hill and slope overlay code
- 9.3.1 Accommodation activities code
- 9.4.2 Landscaping code
- 9.4.5 Works, services and infrastructure code

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 accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
Height			
PO1 Building height takes into consideration and respects the following: <ul style="list-style-type: none"> (a) the height of existing buildings on adjoining premises; (b) the development potential, with respect to height, on adjoining premises; (c) the height of buildings in the vicinity of the site; (d) access to sunlight and daylight for the site and adjoining sites; (e) privacy and overlooking; and (f) site area and street frontage length. 	AO1.1 Development, other than buildings used for rural activities, has a maximum building height of: <ul style="list-style-type: none"> (a) 8.5 metres; and (b) 2 storeys above ground level. 	✓	The proposed glamping tents are single storey and less than 8.5 metres in height.
	AO1.2 Buildings and structures associated with a rural activity including machinery, equipment, packing or storage buildings do not exceed 10 metres in height.	✓	The proposed glamping tents are single storey and less than 8.5 metres in height.
Siting, where not involving a Dwelling house			
Note—Where for Dwelling house, the setbacks of the Queensland Development Code apply.			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO2 Development is sited in a manner that considers and respects:</p> <p>(a) the siting and use of adjoining premises;</p> <p>(b) access to sunlight and daylight for the site and adjoining sites;</p> <p>(c) privacy and overlooking;</p> <p>(d) air circulation and access to natural breezes;</p> <p>(e) appearance of building bulk; and</p> <p>(f) relationship with road corridors.</p>	<p>AO2.1 Buildings and structures include a minimum setback of:</p> <p>(a) 40 metres from a frontage to a State-controlled road; and</p> <p>(b) 10 metres from a boundary to an adjoining lot.</p>	✓	<p>Complies.</p> <p>The site does not have frontage to a State controlled road.</p> <p>The glamping tents are in excess of 180 metres from the boundary of an adjoining lot (not forming part of the subject site).</p>
	<p>AO2.2 Buildings and structures, where for a Roadside stall, include a minimum setback of 0 metres from a frontage to a road that is not a State-controlled road.</p>	n/a	Not applicable.
	<p>AO2.3 Buildings and structures, except where a Roadside stall, include a minimum setback of:</p> <p>(a) 10 metres from a frontage to a sealed road that is not a State-controlled road; and</p> <p>(b) 100 metres from a frontage to any other road that is not a State-controlled road;</p>	✓	The development complies.
Accommodation density			
<p>PO3 The density of Accommodation activities:</p>	<p>AO3.1 Residential density does not exceed one dwelling house per lot.</p>	✓	<p>Complies.</p> <p>The application does not propose an additional dwelling.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>(a) respects the nature and density of surrounding land use;</p> <p>(b) is complementary and subordinate to the rural and natural landscape values of the area; and</p> <p>(c) is commensurate to the scale and frontage of the site.</p>	<p>AO3.2 Residential density does not exceed two dwellings per lot and development is for:</p> <p>(a) a secondary dwelling; or</p> <p>(b) Caretaker's accommodation and includes building work or minor building work with a maximum gross floor area of 100m²; or</p> <p>(c) Rural worker's accommodation.</p>	✓	<p>Complies.</p> <p>The application does not propose an additional dwelling.</p>
For assessable development			
Site cover			
<p>PO4 Buildings and structures occupy the site in a manner that:</p> <p>(a) makes efficient use of land;</p> <p>(b) is consistent with the bulk and scale of buildings in the surrounding area; and</p> <p>(c) appropriately balances built and natural features.</p>	<p>AO4 No acceptable outcome is provided.</p>	✓	Complies.
<p>PO5 Development complements and integrates with the established built character of the Rural zone, having regard to:</p> <p>(a) roof form and pitch;</p> <p>(b) eaves and awnings;</p> <p>(c) building materials, colours and textures; and</p> <p>(d) window and door size and location.</p>	<p>AO5 No acceptable outcome is provided.</p>	✓	<p>Complies.</p> <p>The application is for four (4) glamping tents.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
Amenity			
<p>PO6 Development must not detract from the amenity of the local area, having regard to:</p> <ul style="list-style-type: none"> (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions. 	<p>AO6 No acceptable outcome is provided.</p>	✓	<p>The proposed tourist park expansion will not detrimentally alter the established tourist park amenity.</p>
<p>PO7 Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to:</p> <ul style="list-style-type: none"> (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions. 	<p>AO7 No acceptable outcome is provided.</p>	✓	<p>There are no known negative environmental impacts requiring amelioration.</p>

8.2.2 Airport environs overlay code

8.2.2.1 Application

- (1) This code applies to assessing development where:
 - (a) land the subject of development is affected by a constraint category identified on the **Airport environs overlay maps (OM-002a-f)**; 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—Strategic airports and aviation facilities are appropriately reflected in Overlay Map 2 and is required to be mapped by State Government in response to Infrastructure State Interests.

8.2.2.2 Purpose

- (1) The purpose of the Airport environs overlay code is to protect the current and ongoing operations of established airports, aerodromes and aviation infrastructure in Mareeba Shire.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) The ongoing operation of Mareeba Airport and its associated infrastructure are protected from incompatible development;
 - (b) Aerodromes in Chillagoe and Dimbulah are maintained to support recreation, mining and rural uses;
 - (c) Operational airspace is protected;
 - (d) Threats to aviation safety such as bird and bat strike and distraction or blinding of pilots are avoided or minimised;
 - (e) State significant aviation facilities associated with the Mareeba Airport are protected from encroachment by sensitive land uses; and
 - (f) Development in the vicinity of airports, aerodromes and aviation infrastructure does not compromise public safety.

8.2.2.3 Criteria for assessment

Table 8.2.2.3 - Airport environs overlay code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
Protection of operational airspace			
PO1 Development does not interfere with movement of aircraft or the safe operation of an airport or aerodrome where within the: (a) Airport environs: OLS area of Mareeba Airport identified on Airport environs overlay map (OM-002c) ; or (b) Airport environs: OLS area of Cairns Airport identified on Airport environs overlay map (OM-002c.1) ; or (c) 'Airport environs: Airport buffer - 1 kilometre' of an aerodrome identified on Airport environs overlay map (OM-002f) ; or (d) 'Airport environs: Airport buffer - 3 kilometres' of an aerodrome identified on Airport environs overlay map (OM-002f) .	AO1.1 Development does not exceed the height of the Obstacle Limitation Surface (OLS) where located within the Airport environs: OLS area of: (a) Mareeba Airport identified on Airport environs overlay map (OM-002c) ; or (b) Cairns Airport identified on Airport environs overlay map (OM-002c.1) .	✓	Complies. The proposed glamping tents are well below the Mareeba Airport OLS.
	AO1.2 Development has a maximum height of 10 metres where within the 'Airport environs: Airport buffer - 1 kilometre' of an aerodrome identified on Airport environs overlay map (OM-002f) .	✓	The proposed glamping tents do not exceed 10 metres in height.
	AO1.3 Development has a maximum height of 15 metres where within the 'Airport environs: Airport buffer - 3 kilometres' of an aerodrome identified on Airport environs overlay map (OM-002f) .	✓	The proposed glamping tents do not exceed 15 metres in height.
	Lighting		

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO2 Development does not include lighting that:</p> <p>(a) has the potential to impact on the efficient and safe operation of Mareeba Airport or an aerodrome; or</p> <p>(b) could distract or confuse pilots.</p>	<p>AO2 Development within the 'Airport environs: Distance from airport - 6 kilometres' area for Mareeba Airport identified on Airport environs overlay map (OM-002b) or the 'Airport environs: Airport buffer - 3 kilometres' of an aerodrome identified on Airport environs overlay map (OM-002f) does not:</p> <p>(a) involve external lighting, including street lighting, that creates straight parallel lines of lighting that are more than 500 metres long; and</p> <p>(b) does not contain reflective cladding upwards shining lights, flashing lights or sodium lights.</p>	✓	Complies.
Noise exposure			
<p>PO3 Development not directly associated with Mareeba Airport is protected from aircraft noise levels that may cause harm or undue interference.</p>	<p>AO3 Sensitive land uses are acoustically insulated to at least the minimum standards specified by AS2021 Acoustics - Aircraft Noise Intrusion - Building Siting and Construction where located within the 'Airport environs: 20-25 ANEF' area identified on Airport environs overlay map (OM-002d).</p>	n/a	Not applicable.
Public safety			
<p>PO4 Development does not compromise public safety or risk to property.</p>	<p>AO4 Development is not located within the 'Airport environs: Mareeba Airport public safety area' identified on Airport environs overlay map (OM-002e).</p>	n/a	Not applicable.
State significant aviation facilities associated with Mareeba Airport			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO5 Development does not impair the function of state significant aviation facilities by creating:</p> <p>(a) physical obstructions; or</p> <p>(b) electrical or electro-magnetic interference; or</p> <p>(c) deflection of signals.</p>	<p>AO5.1 Development within 'Airport environs: Zone B (600 metre buffer)' for the 'Saddle Mountain VHF' facility identified on Airport environs overlay map (OM-002a.1) does not exceed a height of 640 metres AHD.</p>	n/a	Not applicable.
	<p>AO5.2 Development within 'Airport environs: Zone B (4,000 metre buffer)' for the 'Hahn Tableland Radar (RSR)' facility identified on Airport environs overlay map (OM-002a) does not exceed a height of 950 metres AHD, unless associated with Hann Tableland Radar facility.</p>	n/a	Not applicable.
	<p>AO5.3 Building work does not occur within 'Airport environs: Zone A (200 metre buffer)' of the 'Biboohra CVOR' facility identified on Airport environs overlay map (OM-002a) unless associated with the Biboohra CVOR facility.</p>	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
	<p>AO5.4 Development within 'Airport environs: Zone B (1,500 metre buffer)' of the 'Biboohra CVOR' facility identified on Airport environs overlay map (OM-002a), but outside 'Zone A (200 metre buffer)' identified on Airport environs overlay map (OM-002a), does not include:</p> <ul style="list-style-type: none"> (a) the creation of a permanent or temporary physical line of sight obstruction above 13 metres in height; or (b) overhead power lines exceeding 5 metres in height; or (c) metallic structures exceeding 7.5 metres in height; or (d) trees and open lattice towers exceeding 10 metres in height; or (e) wooden structures exceeding 13 metres in height. 	n/a	Not applicable.
For assessable development			
Mareeba Airport			
Protection of operational airspace			
<p>PO6 Development within the vicinity of Mareeba Airport or an aerodrome does not interfere with the:</p> <ul style="list-style-type: none"> (a) movement of aircraft; or (b) safe operation of the airport or facility. 	<p>AO6.1 Development involving sporting and recreational aviation activities such as parachuting, hot air ballooning or hang gliding, does not occur within the Airport environs: OLS area of:</p> <ul style="list-style-type: none"> (a) Mareeba Airport identified on Airport environs overlay map (OM-002c); or (b) Cairns Airport identified on Airport environs overlay map (OM-002c.1). 	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
	<p>AO6.2 Development involving temporary or permanent aviation activities does not occur within the 'Airport environs: Airport buffer - 3 kilometres' of an aerodrome identified on Airport environs overlay map (OM-002f).</p>	n/a	Not applicable.
<p>PO7 Development does not affect air turbulence, visibility or engine operation in the operational airspace of Mareeba Airport or regional aerodromes.</p>	<p>AO7 Development does not result in the emission of a gaseous plume, at a velocity exceeding 4.3 metres per second, or smoke, dust, ash or steam within:</p> <ul style="list-style-type: none"> (a) the Airport environs: OLS area of Mareeba Airport identified on Airport environs overlay map (OM-002c); or (b) the Airport environs: OLS area of Cairns Airport identified on Airport environs overlay map (OM-002c.1); or (c) the 'Airport environs: Airport buffer - 1 kilometre' of a regional aerodrome identified on Airport environs overlay map (OM-002f). 	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
Managing bird and bat strike hazard to aircraft			
<p>PO8 Development in the environs of Mareeba Airport or an aerodrome does not contribute to the potentially serious hazard from wildlife (bird or bat) strike.</p>	<p>AO8.1 Development within the 'Airport environs: Distance from airport - 8 kilometres' Bird and bat strike zone of Mareeba Airport identified on Airport environs overlay map (OM-002b) or the 'Airport environs: Airport buffer - 3 kilometres' of an aerodrome identified on Airport environs overlay map (OM-002f) provides that potential food and waste sources are covered and collected so that they are not accessible to wildlife.</p>	<p>✓</p>	<p>The development will be conditioned to comply.</p>
	<p>AO8.2 Development within the 'Airport environs: Distance from airport - 3 kilometres' Bird and bat strike zone of Mareeba Airport identified on Airport environs overlay map (OM-002b) or the 'Airport environs: Airport buffer - 1 kilometre' of an aerodrome identified on Airport environs overlay map (OM-002f) does not include: (a) food processing; or (b) abattoir; or (c) intensive horticulture; or (d) intensive animal husbandry; or (e) garden centre; or (f) aquaculture.</p>	<p>✓</p>	<p>Complies.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
	<p>A08.3 Putrescible waste disposal sites do not occur within the 'Airport environs: Distance from airport - 13 kilometres' Bird and bat strike zone of:</p> <ul style="list-style-type: none"> (a) Mareeba Airport identified on Airport environs overlay map (OM-002b); or (b) Cairns Airport identified on Airport environs overlay map (OM-002b.1). 	n/a	The development does not propose putrescible waste disposal.

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.

8.2.3.3 Criteria for assessment

Table 8.2.3.3—Bushfire hazard overlay code — For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
Water supply for fire-fighting purposes			
PO1 Development where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) maintains the safety of people and property by providing an adequate, accessible and reliable water supply for fire-fighting purposes which is safely located and has sufficient flow and pressure characteristics.	Where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) AO1.1 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. OR	n/a	Not applicable.
	AO1.2 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:	✓	Complies.
Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.			

Performance outcomes	Acceptable outcomes	Complies	Comments
	(a) a separate tank; or (b) a reserve section in the bottom part of the main water supply tank; or (c) a dam; or (d) a swimming pool. 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.		
For assessable development			
Land use			
PO2 Development within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) is appropriate to the bushfire hazard risk having regard to the: (a) the bushfire risk compatibility of development; (b) the vulnerability of and safety risk to persons associated with the use; and (c) consequences of bushfire in regard to impacts on essential infrastructure, buildings and structures. Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.	AO2 All buildings, structures, infrastructure and facilities associated with the following uses are located outside any area of the site located within a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) : (a) child care centre; or (b) community care centre; or (c) correctional facility; or (d) educational establishment; or (e) emergency services; or (f) hospital; or (g) residential care facility; or (h) retirement facility; or (i) rooming accommodation; or (j) shopping centre; or (k) tourist park; or (l) tourist attraction.	✓	A bushfire management plan will be conditioned for the development.
Lot design			
PO3 Reconfiguring a lot within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) minimises the potential adverse impacts of bushfire on the safety of people,	Where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) AO3.1 No new lots are created. OR	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>property and the environment through lot design that:</p> <p>(a) is responsive to the nature and extent of 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>AO3.2</p> <p>All lots include a building envelope that achieves a radiant heat flux level of 29kW/m² at the perimeter 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>		
Firebreaks and access			
<p>PO4</p> <p>In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o), vehicular access is designed to mitigate against bushfire hazard by:</p> <p>(a) ensuring adequate access for fire-fighting 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>i. located as close as possible to the boundaries of the lot and the adjoining hazardous vegetation;</p>	<p>AO4.1</p> <p>In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o), 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>	✓	A bushfire management plan will be conditioned for the development.
	<p>AO4.2</p> <p>In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o), firebreaks are provided:</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 -</p>	✓	A bushfire management plan will be conditioned for the development.

Performance outcomes	Acceptable outcomes	Complies	Comments
ii. the minimum cleared width not less than 6 metres; iii. the formed width is not less than 2.5 metres; iv. the formed gradient is not greater than 15%; v. vehicular access is provided at both ends; vi. passing bays and turning areas are provided for fire-fighting appliances located on public land. Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.	FNQROC Regional Development Manual.		
Hazardous materials			
PO5 Public safety and the environment are not adversely affected by the detrimental impacts of bushfire of hazardous materials manufactured or stored in bulk. Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.	AO5 The processing or storage of dangerous goods or hazardous materials is not undertaken in a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) .	n/a	Not applicable.
Landscaping			
PO6 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: (a) fire ecology; (b) slope of site; and (c) height and mix of plant species. Note—Frost hollows and the associated grass kill facilitates a rapid curing of fuel and exacerbates bushfire hazard.	AO6 No acceptable outcome is provided.	✓	A bushfire management plan will be conditioned for the development.

Performance outcomes	Acceptable outcomes	Complies	Comments
Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.			
Infrastructure			
<p>PO7 Infrastructure services located in a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) are protected from damage or destruction in the event of a bushfire.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p>A07 The following infrastructure services are located below ground:</p> <ul style="list-style-type: none"> (a) water supply; (b) sewer; (c) electricity; (d) gas; and (e) telecommunications 	✓	A bushfire management plan will be conditioned for the development.
Private driveways			
<p>PO8 All premises located in a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) are provided with vehicular access that enables safe evacuation for occupants and easy access by fire-fighting appliances.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p>A08 Private driveways:</p> <ul style="list-style-type: none"> (a) do not exceed a length of 60 metres from the street frontage; (b) do not exceed a gradient of 12.5%; (c) have a minimum width of 3.5 metres; (d) have a minimum vertical clearance of 4.8 metres; (e) accommodate turning areas for fire-fighting appliances in accordance with the Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and (f) serve no more than three dwellings or buildings. 	✓	A bushfire management plan will be conditioned for the development.

8.2.4 Environmental significance overlay code

8.2.4.1 Application

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

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

8.2.4.2 Purpose

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

The Environmental significance overlay code ensures that:

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

8.2.4.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
Regulated vegetation			
<p>PO1 Vegetation clearing in areas mapped as 'Regulated vegetation' identified on the Environmental Significance Overlay Maps (OM-004a-o) is avoided unless:</p> <p>(a) it is demonstrated that the area does not support regulated vegetation as mapped;</p> <p>(b) the loss or reduction in regulated vegetation is for community infrastructure and associated access facilities that cannot be avoided;</p> <p>(c) wildlife interconnectivity is maintained or enhanced at a local and regional scale; and</p> <p>(d) the loss or reduction in regulated vegetation is minimised and any residual impacts are offset.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>AO1.1 No clearing of native vegetation is undertaken within areas of 'Regulated vegetation' identified on the Environmental Significance Overlay Maps (OM-004a-o).</p>	✓	<p>No clearing is proposed.</p> <p>The glamping tents will be sited in the cleared area surrounding the dam on Lot 10.</p>
<p>PO2 Development on sites adjacent to areas of 'Regulated vegetation' identified on the Environmental Significance Overlay Maps (OM-004a-o) protects the environmental significance of regulated vegetation and:</p> <p>(a) does not interrupt, interfere, alter or otherwise impact on underlying natural</p>	<p>AO2 Development (excluding roads, earthworks, drainage infrastructure and underground infrastructure) is not located within 20 metres of 'Regulated vegetation' areas identified on the Environmental Significance Overlay Maps (OM-004a-o).</p>	✓	<p>No clearing is proposed.</p> <p>The glamping tents will be sited in the cleared area surrounding the dam on Lot 10.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>ecosystem processes such as water quality, hydrology, geomorphology and biophysical processes;</p> <p>(b) does not negatively impact the movement of wildlife at a local or regional scale; and</p> <p>(c) avoids noise, light, vibration or other edge affects, including weed and pest incursion on identified environmental values.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>			
Regulated vegetation intersecting a watercourse			
<p>PO3 Vegetation clearing in areas mapped as ‘Regulated vegetation intersecting a watercourse’, identified as ‘Waterway’ and ‘Waterway buffer’ on the Environmental Significance - Waterway Overlay Maps (OM-004p-z) is avoided unless wildlife interconnectivity between habitats is maintained or enhanced at a local and regional scale, to the extent that migration or normal movement of significant species between habitats or normal gene flow between populations is not inhibited.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>Where within a ‘Waterway buffer’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</p> <p>AO3.1 A minimum setback in accordance with Table 8.2.4.3B is provided between development and the top of the high bank of a ‘Waterway’ identified on the Environmental Significance - Waterway Overlay Maps (OM-004p-z).</p>	✓	The development will comply.
<p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>Where within a ‘Waterway buffer’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</p> <p>AO3.2 No clearing of native vegetation is undertaken within the minimum setback identified at AO3.1.</p>	✓	<p>No clearing is proposed.</p> <p>The glamping tents will be sited in the cleared area surrounding the dam on Lot 10.</p>
Waterways and wetlands			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO4 ‘High ecological significance wetlands’ identified on the Environmental Significance Overlay Maps (OM-004a-o) and ‘Waterways’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z) and are protected by:</p> <p>(a) maintaining adequate separation distances between waterways/wetlands and development;</p>	<p>Where within a ‘Waterway buffer’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z) AO4.1 A minimum setback in accordance with Table 8.2.4.3B is provided between development and the top of the high bank of a ‘Waterway’ identified on the Environmental Significance - Waterway Overlay Maps (OM-004p-z).</p>	<p>✓</p>	<p>The development will comply.</p>
<p>(b) maintaining and enhancing aquatic and terrestrial habitat including vegetated corridors to allow for native fauna (terrestrial and aquatic) movement;</p> <p>(c) maintaining waterway bank stability by minimising bank erosion and slumping;</p>	<p>Where within a ‘High ecological significance wetland buffer’ on Environmental Significance Overlay Maps (OM-004a-o) AO4.2 A minimum buffer of 200 metres is provided between development and the edge of a ‘High ecological significance wetland’ identified on the Environmental Significance Overlay Maps (OM-004a-o).</p>	<p>n/a</p>	<p>Not applicable.</p>
<p>(d) maintaining water quality by providing buffers to allow filtering of sediments, nutrients and other pollutants; and</p> <p>(e) retaining and improving existing riparian vegetation and existing vegetation associated with a wetland.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>Where within a ‘Waterway buffer’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or ‘High ecological significance wetland buffer’ on Environmental Significance Overlay Maps (OM-004a-o) AO4.3 No stormwater is discharged to a ‘Waterway’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or ‘High ecological significance wetland’ identified on the Environmental Significance Overlay Maps (OM-004a-o).</p>	<p>✓</p>	<p>The development will comply.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
	<p>Note— An alternative outcome is required to demonstrate that the ecological impacts of stormwater discharge to a 'Waterway' or 'High ecological significance wetland' are mitigated in accordance with PO3 through appropriate stormwater management / treatment (where possible).</p> <p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o) AO4.4</p> <p>No wastewater is discharged to a 'Waterway' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland' identified on the Environmental Significance Overlay Map (OM-004a-z).</p> <p>Note— A alternative outcome is required to demonstrate that the ecological impacts of wastewater discharge to a 'Waterway' or 'High ecological significance wetland' are mitigated in accordance with PO3 through appropriate wastewater management / treatment (where possible).</p>	<p>✓</p>	<p>The development will comply.</p>
For assessable development			
Wildlife Habitat			
<p>PO5 Development within a 'Wildlife habitat' area identified on the Environmental Significance Overlay Maps (OM-004a-o):</p> <p>(a) protects and enhances the habitat of Endangered, Vulnerable and Near Threatened (EVNT) species and local species of significance;</p> <p>(b) incorporates siting and design measures to</p>	<p>AO5 No acceptable outcome is provided</p>	<p>n/a</p>	<p>Not applicable.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>protect and retain identified ecological values and underlying ecosystem processes within or adjacent to the development site;</p> <p>(c) maintains or enhances wildlife interconnectivity at a local and regional scale; and</p> <p>(d) mitigates the impact of other forms of potential disturbance (such as presence of vehicles, pedestrian use, increased exposure to domestic animals, noise and lighting impacts) to protect critical life stage ecological processes (such as feeding, breeding or roosting).</p> <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>			
Legally secured offset areas			
<p>PO6 Development within a 'Legally secured offset area' identified on the Environmental Significance Overlay Maps (OM-004a-o) or other known Legally Secured Offset Area is consistent with the binding requirements of the offset and does not prejudice, undermine, or negatively impact the inherent ecological values, including all naturally occurring native flora, fauna and their habitat</p>	<p>AO6 No acceptable outcome is provided.</p>	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>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>			
Protected areas			
<p>PO7 Development within a 'Protected area' identified on the Environmental Significance Overlay Maps (OM-004a-o) is consistent with the values of the Protected Area and:</p> <ul style="list-style-type: none"> (a) supports the inherent ecological and community values of the Protected Area asset; (b) maintains or enhances wildlife interconnectivity at a local and regional scale; and (c) does not prejudice, undermine, or negatively impact the inherent ecological values, including all naturally occurring native flora, fauna and their habitat within the Protected Area. <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>A07 No acceptable outcome is provided</p>	<p>n/a</p>	<p>Not applicable.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
Ecological corridors and Habitat linkages			
<p>PO8 Development located: (a) in the Conservation zone, Emerging community zone, Recreation and open space zone, Rural zone or Rural residential zone; and (b) within an 'Ecological corridor' or a 'Habitat linkage' identified on the Environmental Significance Overlay Maps (OM-004a-o)</p> <p>does not compromise the provision of habitat connectivity of the corridor/linkage, having regard to:</p> <p>(a) the environmental values of the area of the site identified in the 'Ecological corridor' or 'Habitat linkage'; (b) the environmental values of adjoining and nearby land within the 'Ecological corridor' or 'Habitat linkage'; (c) the extent of any modification proposed to the natural environment including (but not limited to) vegetation and topography; (d) the location and design of proposed improvements that may impact on the functions of the 'Ecological corridor' or 'Habitat linkage' including (but not limited to) buildings, structures, fences, lighting, vehicle movement areas and infrastructure services; and (e) the ability for the 'Ecological corridor' or</p>	<p>AO8 No acceptable outcome is provided</p>	<p>n/a</p>	<p>Not applicable.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>'Habitat linkage' to be enhanced to improve ecological connectivity.</p> <p>Note—A supporting Ecological Assessment Report prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports may be appropriate to demonstrate compliance with PO8.</p>			

Table 8.2.4.3B - Setback and buffer distances from waterways

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

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

8.2.5 Extractive resources overlay code

8.2.5.1 Application

- (1) This code applies to assessing development where:
 - (a) land the subject of development is affected by a constraint category identified on the **Extractive resources overlay maps (OM-005a-e)**; and
 - (b) it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

Note—Mining and extractive industry is appropriately reflected in the Strategic Framework Maps and Overlay Map 5 and is required to be mapped by State Government in response to Economic Growth State Interests.

8.2.5.2 Purpose

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

8.2.5.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
Haulage route			
PO1 Vehicular access to a 'Key resource transport route' identified on Extractive resources overlay map (OM-005e) does not adversely affect the safety	AO1.1 No additional access to a 'Key resource transport route' identified on Extractive resources overlay map (OM-005e) is provided.	✓	No additional access is proposed.

Performance outcomes	Acceptable outcomes	Complies	Comments
or efficiency of the route for the existing or future transportation of extractive resources from a 'Key resource processing area' identified on Extractive resources overlay map (OM-005e) .	AO1.2 Development does not result in an increase in the number of vehicles accessing the site from a 'Key resource transport route' identified on Extractive resources overlay map (OM-005e) .	✓	The proposed glamping tent aspect of the tourist park operation is not expected to increase vehicles above the existing approved 1500 overnight stays per annum.
PO2 Development is appropriately located to minimise potential amenity impacts from the use of a 'Key resource transport route' identified on Extractive resources overlay map (OM-005e) for the existing or future transportation of extractive resources from a 'Key resource processing area' identified on Extractive resources overlay map (OM-005e) .	AO2.1 Sensitive land uses susceptible to heavy vehicle traffic impacts are setback 100 metres from any frontage to a 'Key resource transport route' identified on Extractive resources overlay map (OM-005e) .	✓	The proposed glamping tents will be over 100 metres from Chewko Road and Paglietta Road.
	AO2.2 New lots are not created wholly within 100 metres from any frontage to a 'Key resource transport route' identified on Extractive resources overlay map (OM-005e) .	n/a	Not applicable.
For assessable development			
Key resource area			

<p>PO3 Development in a 'Key resource processing area' or a 'Local resource area' identified on Extractive resources overlay map (OM-005e) does not compromise existing or future extractive operations.</p>	<p>AO3 No acceptable outcome is provided.</p>	<p>✓</p>	<p>The subject site is situated within a resource/processing area for a key resource area (KRA), this being KRA no. 151.</p> <p>Despite being situated within the KRA, the proposed intensification of the sites existing motor home use is not likely to impede on existing and future extractive industries for the following reasons:</p> <ul style="list-style-type: none"> • The proposed tourist park expansion is separated from existing sand extraction operations in the KRA by a distance of approximately 800 metres. Extensive vegetation exists within this separation distance; • The soil type/structure and topography of the site is not conducive to extractive industry operations, with the majority of the site incorporating natural well established vegetation; • The proposed development involves short term stays and does not involve
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Performance outcomes	Acceptable outcomes	Complies	Comments
			<p>any additional <u>permanent</u> residential component (i.e. park visitors can readily leave); and</p> <ul style="list-style-type: none"> Both the existing motor home park and proposed expansion contain minimal permanent infrastructure meaning should the use be abandoned, the site can easily be rehabilitated to its original pre-development state.
Separation area			
<p>PO4 Development in a 'Key resource separation area' or a 'Local resource separation area' identified on Extractive resources overlay map (OM-005e) does not compromise the function of the separation area as a buffer between Extractive industry and incompatible uses.</p>	<p>AO4 The number of people living, working or congregating in a 'Key resource separation area' or a 'Local resource separation area' identified on Extractive resources overlay map (OM-005e) does not increase, unless these people are directly associated with the use of a 'Key resource processing area' or a 'Local resource area' for Extractive industry.</p>	<p>✓ / x</p>	

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO5 Development of Extractive industry in a 'Key resource separation area' or a 'Local resource separation area' identified on Extractive resources overlay map (OM-005e) does not result in adverse impacts beyond the separation area, having regard to:</p> <ul style="list-style-type: none"> (a) noise; (b) dust; (c) ground vibrations; and (d) air blast overpressure . 	<p>AO5 No acceptable outcome is provided.</p>	<p>n/a</p>	<p>Not applicable.</p>

8.2.8 Hill and slope overlay code

8.2.8.1 Application

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

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

8.2.8.2 Purpose

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

8.2.8.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Complies	Comment
For assessable development			
Slope stability			

Performance outcomes	Acceptable outcomes	Complies	Comment
<p>PO1 Where clearing of vegetation, building work or filling or excavation occurs on land within a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o), a geotechnical report is prepared in accordance with Planning Scheme Policy 5 - Preparation of Geotechnical Reports that demonstrates:</p> <ul style="list-style-type: none"> (a) the long term stability of the development site; (b) development will not be adversely affected by landslide activity originating on sloping land above the development site; and (c) development will not adversely affect other property outside the development site through landslide activity or alterations to surface or groundwater. 	<p>AO1 No acceptable outcome is provided.</p>	<p>✓</p>	<p>The proposed development will avoid these areas.</p>
<p>PO2 Development is designed and located to ensure that the use can appropriately function in the 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o) having regard to:</p> <ul style="list-style-type: none"> (a) the nature and scale of the proposed use; (b) the gradient of the land; (c) the extent of land disturbance proposed; 	<p>AO2.1 Development for a Child care centre or Educational establishment is not located on land in a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o).</p>	<p>n/a</p>	<p>Not applicable.</p>
	<p>AO2.2 Development is not located on land with a gradient of greater than 25%.</p>	<p>n/a</p>	<p>Not applicable.</p>

Performance outcomes	Acceptable outcomes	Complies	Comment
<p>(d) stormwater discharge and its potential for erosion.</p>	<p>A02.3 No lot less than 2,000m² is created in a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o).</p> <p>Note – Where a minimum lot size of less than 2,000m² applies under the Reconfiguring a lot code, the lot size requirements of the Hill and slope overlay code prevail.</p>	<p>n/a</p>	<p>Not applicable.</p>
Community infrastructure and essential services			
<p>PO3 Community infrastructure and essential services located within a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o) are able to function effectively during and immediately after landslide events.</p>	<p>A03 No acceptable outcome is provided.</p>	<p>n/a</p>	<p>Not applicable.</p>

9.3.1 Accommodation activities code

9.3.1.1 Application

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

9.3.1.2 Purpose

- (1) The purpose of the Accommodation activities code is to facilitate the provision of Accommodation activities in appropriate locations throughout the shire.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Accommodation activities are designed, located and operated to minimise any adverse impacts on the natural environment and amenity of surrounding uses;
 - (b) Accommodation activities in the Centre zone are facilitated where they can integrate and enhance the fabric of the centre and are located behind or above commercial development;
 - (c) Accommodation activities provide a high level of amenity and are reflective of the surrounding character of the area;
 - (d) Accommodation activities are generally established in accessible, well-connected locations with access or future access to public transport, cycling and pedestrian networks;
 - (e) Accommodation activities do not compromise the viability of the hierarchy and network of centres, namely:
 - (i) Mareeba as a major regional activity centre, which accommodates the most significant concentrations of regional-scale business, retail, entertainment, government administration, secondary and tertiary educational facilities and health and social services within the shire;
 - (ii) Kuranda as a village activity centre, which accommodates services, arts and cultural facilities, sports and recreation facilities, business and employment uses to support the village and its constituent surrounding rural and rural residential communities;
 - (iii) Chillagoe and Dimbulah as Rural activity centres, which provide commercial and community services to their rural catchments; and
 - (iv) Bibohra, Irvinebank, Julatten, Koah, Mutchilba, Mt Molloy, Myola and Speewah as rural villages, that have limited centre activities and other non-residential activities; and
 - (f) Accommodation activities are responsive to site characteristics and employ best practice industry standards.

9.3.1.3 Criteria for assessment

Table 9.3.1.3A—Accommodation activities code – For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
All Accommodation activities, apart from Dwelling house			
<p>PO1 Accommodation activities are located on a site that includes sufficient area:</p> <p>(a) to accommodate all buildings, structures, open space and infrastructure associated with the use; and</p> <p>(b) to avoid adverse impacts on the amenity or privacy of nearby land uses.</p>	<p>AO1 Development is located on a site which provides the applicable minimum site area and minimum road frontage specified in Table 9.3.1.3B.</p>	✓	Complies.
All Accommodation activities, apart from Tourist park and Dwelling house			
<p>PO2 Accommodation activities are provided with on-site refuse storage areas that are:</p> <p>(a) sufficient to meet the anticipated demand for refuse storage; and</p> <p>(b) appropriately located on the site having regard to potential odour and noise impacts on uses on the site and adjoining sites.</p>	<p>AO2.1 A refuse area is provided that:</p> <p>(a) includes a water connection;</p> <p>(b) is of a size and configuration to accommodate 2x240 litre bins per dwelling or accommodation unit where involving a use other than a residential care facility or retirement facility; and</p> <p>(c) is of a size and configuration to accommodate a minimum of two bulk refuse bins where involving a residential care facility or retirement facility.</p>	n/a	Not applicable.
All Accommodation activities, except for Dwelling house			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO3 Accommodation activities are designed to avoid overlooking or loss of privacy for adjoining uses.</p> <p>Note—These provisions apply to any adjoining use, both on an adjoining site and on the same site.</p>	<p>AO3 The windows of habitable rooms:</p> <p>(a) do not overlook the windows of a habitable room in an adjoining dwelling or accommodation unit; or</p> <p>(b) are separated from the windows of a habitable room in an adjoining dwelling or accommodation unit by a distance greater than:</p> <p>(i) 2 metres at ground level; and</p> <p>(ii) 8 metres above ground level; or</p> <p>(c) are treated with:</p> <p>(i) a minimum sill height of 1.5 metres above floor level; or</p> <p>(ii) fixed opaque glassed installed below 1.5 metres; or</p> <p>(iii) fixed external screens; or</p> <p>(iv) a 1.5 metre high screen fence along the common boundary.</p>	<p>✓</p>	<p>Complies.</p>
<p>PO4 Accommodation activities are provided with sufficient private and communal open space areas which:</p> <p>(a) accommodate a range of landscape treatments, including soft and hard landscaping;</p> <p>(b) provide a range of opportunities for passive and active recreation;</p> <p>(c) provide a positive outlook and high quality of amenity to residents;</p>	<p>AO4.1 Development, except for Caretaker's accommodation, Dwelling house, Dual occupancy or Home based business, includes communal open space which meets or exceeds the minimum area, dimension and design parameters specified in Table 9.3.1.3C.</p>	<p>✓</p>	<p>The subject site contains extensive open space options for guests.</p>
	<p>AO4.2 Development includes private open space for each dwelling or accommodation unit which meets or exceeds the minimum area, dimension and design parameters specified in Table 9.3.1.3D.</p>	<p>✓</p>	<p>The subject site contains extensive open space options for guests.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
(d) is conveniently located and easily accessible to all residents; and (e) contribute to an active and attractive streetscape.	AO4.3 Clothes drying areas are provided at the side or rear of the site so that they are not visible from the street.	n/a	Not applicable.
	AO4.4 If for Dual occupancy, Multiple dwelling, Residential care facility or Retirement facility, development provides a secure storage area for each dwelling or accommodation unit which: (a) is located to facilitate loading and unloading from a motor vehicle; (b) is separate to, and does not obstruct, on-site vehicle parking or manoeuvring areas; (c) has a minimum space of 2.4m ² per dwelling or accommodation unit; (d) has a minimum height of 2.1 metres; (e) has minimum dimensions to enable secure bicycle storage; (f) is weather proof; and (g) is lockable.	n/a	Not applicable.
If for Caretaker's Accommodation			
PO5 Caretaker's accommodation is of a scale and intensity which is consistent with that of the surrounding area.	AO5.1 Only one caretaker's accommodation is established on the title of the non-residential use.	n/a	Not applicable.
Note—Where Caretaker's Accommodation is assessable development additional assessment benchmarks are provided under "for assessable development".	AO5.2 In the Rural zone, Caretaker's accommodation has a maximum gross floor area of 200m ² .	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
If for Dwelling house			
PO6 Where a Dwelling house involves a secondary dwelling, it is designed and located to: (a) not dominate the site; (b) remain subservient to the primary dwelling; and (c) be consistent with the character of the surrounding area;	AO6.1 The secondary dwelling is located within: (a) 10 metres of the primary dwelling where on a lot that has an area of 2 hectares or less; or (b) 20 metres of the primary dwelling where on a lot that has an area of greater than 2 hectares.	n/a	Not applicable.
	AO6.2 A secondary dwelling has a maximum gross floor area of 100m ² .	n/a	Not applicable.
If for Dual occupancy			
PO7 Where establishing a Dual occupancy on a corner lot, the building is designed to: (a) maximise opportunities for causal surveillance; (b) provide for separation between the two dwellings; and (c) provide activity and visual interest on both frontages.	AO7.1 Where located on a corner allotment, each dwelling is accessed from a different road frontage.	n/a	Not applicable.
	AO7.2 The maximum width of garage or carport openings that face a public street is 6 metres or 50% of the building width, whichever is the lesser.	n/a	Not applicable.
If for Multiple dwelling, Residential care facility or Retirement facility			
PO8 Development is appropriately located within the Shire to: (a) maximise the efficient utilisation of existing infrastructure, services and facilities; and (b) minimise amenity impacts through the collocation of compatible uses. Note—Where Residential care facility or Retirement facility is assessable development additional assessment benchmarks are provided under "for assessable development".	AO8 Multiple dwelling, Residential care facility or Retirement facility uses are located on land within 800 metres of the boundary of land within the Centre zone.	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO9 Buildings are designed to:</p> <p>(a) reduce the appearance of building bulk;</p> <p>(b) provide visual interest through articulation and variation;</p> <p>(c) be compatible with the embedded, historical character for the locality; and</p> <p>(d) be compatible with the scale of surrounding buildings</p> <p>Note—Where Residential care facility or Retirement facility is assessable development additional assessment benchmarks are provided under “for assessable development”.</p>	<p>AO9.1 External walls do not exceed 10 metres in continuous length unless including a minimum of three of the following building design features and architectural elements:</p> <p>(a) a change in roof profile; or</p> <p>(b) a change in parapet coping; or</p> <p>(c) a change in awning design; or</p> <p>(d) a horizontal or vertical change in the wall plane; or</p> <p>(e) a change in the exterior finishes and exterior colours of the development.</p>	n/a	Not applicable.
	<p>AO9.2 For a Multiple dwelling, Residential care facility or Retirement facility, the maximum width of a garage or carport opening that faces a road is 6 metres.</p>	n/a	Not applicable.
	<p>AO9.3 For a Multiple dwelling, Residential care facility or Retirement facility, the building(s) include awnings with a minimum overhang of 600mm.</p>	n/a	Not applicable.
	<p>AO9.4 For a Multiple dwelling, Residential care facility or Retirement facility, roof forms include one or more of the following types:</p> <p>(a) pyramidal;</p> <p>(b) hip or hipped;</p> <p>(c) gable;</p> <p>(d) skillion.</p>	n/a	Not applicable.
If for Residential care facility or Retirement facility			
<p>PO10 The layout and design of the site:</p> <p>(a) promotes safe and easy pedestrian, cycle</p>	<p>AO10.1 The development incorporates covered walkways and ramps on site for weather protection between all buildings.</p>	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>and mobility device movement;</p> <p>(b) defines areas of pedestrian movement; and</p> <p>(c) assists in navigation and way finding.</p> <p>Note—Where Residential care facility or Retirement facility is assessable development additional assessment benchmarks are provided under “for assessable development”.</p>	<p>AO10.2 Pedestrian paths include navigational signage at intersections.</p>	n/a	Not applicable.
	<p>AO10.3 Buildings, dwellings and accommodation units include identification signage at entrances.</p>	n/a	Not applicable.
	<p>AO10.4 An illuminated sign and site map is provided at the main site entry.</p>	n/a	Not applicable.
	<p>AO10.5 Buildings, structures and pathways associated with a Residential care facility or Retirement facility are not located on land with a gradient greater than 8%.</p>	n/a	Not applicable.
If for Home based business			
<p>PO11 Home based businesses are compatible with the built form, character and amenity of the surrounding area, having regard to:</p> <p>(a) size and scale;</p> <p>(b) intensity and nature of use;</p> <p>(c) number of employees; and</p> <p>(d) hours of operation.</p>	<p>AO11.1 The Home based business is located within a dwelling house or outbuilding associated with a dwelling house.</p>	n/a	Not applicable.
	<p>AO11.2 The Home based business does not occupy a gross floor area of more than 50m².</p>	n/a	Not applicable.
	<p>AO11.3 No more than 1 person (other than the residents of the site) is employed by the Home based business at any one time.</p>	n/a	Not applicable.
	<p>AO11.4 The Home based business, unless a home office, bed and breakfast or farm stay, does not operate outside the hours of 7.00 am and 6.00 pm.</p>	n/a	Not applicable.
	<p>AO11.5 The Home based business does not involve the public display of goods external to the building.</p>	n/a	Not applicable.
	<p>AO11.6 The Home based business does not involve the repair, cleaning or servicing of any motors, vehicles or other machinery.</p>	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
	AO11.7 Any equipment or materials associated with the Home based business are screened from public view and adjacent properties by fencing or landscaping.	n/a	Not applicable.
	AO11.8 The business does not involve the use of power tools or similar noise generating devices.	n/a	Not applicable.
PO12 Home based businesses involving accommodation activities are appropriately scaled and designed to avoid detrimental impacts on the amenity and privacy of surrounding residences.	AO12.1 Home based businesses involving accommodation activities are limited to the scale specified in Table 9.3.1.3E .	n/a	Not applicable.
	AO12.2 A farm stay dwelling or accommodation unit is located within 20 metres of the primary dwelling house.	n/a	Not applicable.
	AO12.3 A farm stay is setback 100 metres from any property boundary.	n/a	Not applicable.
	AO12.4 Entertainment and dining facilities associated with an accommodation activity are: (a) located at least 5 metres from the bedrooms of adjoining residences; and (b) located or screened so that they do not directly overlook private open space areas of adjoining properties.	n/a	Not applicable.
If for Rural workers' accommodation			
PO13 The Rural workers' accommodation is directly associated with an agricultural based rural activity on the same premises and is commensurate with the scale of agricultural operations.	AO13.1 A Rural workers' accommodation building is limited to the accommodation of: (a) one rural worker for every 50 hectares; and (b) a maximum of ten rural workers in total.	n/a	Not applicable.
	AO13.2 The agricultural based rural activity is a minimum of 50 hectares in area.	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
PO14 Rural workers' accommodation is provided with amenities commensurate with the: <ul style="list-style-type: none"> (a) needs of the employees; and (b) permanent or seasonal nature of the employment. 	AO14.1 The Rural workers' accommodation is: <ul style="list-style-type: none"> (a) for permanent occupation; and (b) fully self-contained. OR	n/a	Not applicable.
	AO14.2 The Rural workers' accommodation: <ul style="list-style-type: none"> (a) is for seasonal occupation (up to 3 months); (b) shares facilities with an existing Dwelling house or Caretaker's residence; and (c) is located within 100 metres of the Dwelling house or Caretaker's residence. 	n/a	Not applicable.
For assessable development			
If for Caretaker's Accommodation			
PO15 The inclusion of Caretaker's accommodation on the site is necessary for the operation of the primary use, having regard to: <ul style="list-style-type: none"> (a) hours of operation; (b) nature of the use; (c) security requirements; (d) site location and access; and (e) proximity to other land uses. 	AO15 No acceptable outcome is provided.	n/a	Not applicable.
If for Residential care facility or Retirement facility			
PO16 Retirement facilities include a range of housing designs and types that: <ul style="list-style-type: none"> (a) meet the needs of residents; (b) allow for 'ageing in place'; (c) consider differing mobility needs; (d) accommodate differing financial situations; and (e) cater for different household types. 	AO16 No acceptable outcome is provided.	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
If for Tourist park			
PO17 The Tourist park is appropriately located to provide park users with convenient access to tourist attractions, community facilities and infrastructure.	AO17 No acceptable outcome is provided.	✓	Complies.
PO18 The density of accommodation provided within the Tourist park: <ul style="list-style-type: none"> (a) is commensurate with the size and utility of the site; (b) is consistent with the scale and character of development in the surrounding area; (c) ensures sufficient infrastructure and services can be provided; (d) does not adversely impact on the existing amenity of nearby uses; (e) ensures a high level of amenity is enjoyed by residents of the site; and (f) does not place undue pressure on environmental processes in the surrounding area. 	AO18.1 Where park areas are proposed to exclusively accommodate caravans, motor homes, tents or cabins, accommodation site densities do not exceed: <ul style="list-style-type: none"> (a) 40 caravan or motor home sites per hectare of the nominated area(s); or (b) 60 tent sites per hectare of the nominated area(s); or (c) 10 cabins (maximum 30m² gross floor area per cabin) per hectare of the nominated area(s). 	✓	Complies.
	AO18.2 Where park areas are proposed to be used for any combination of caravans, motor homes, tents or cabins, then the lowest applicable density identified by AO18.1 shall be applied to the nominated area(s).	n/a	Not applicable.
PO19 Accommodation sites are designed and located: <ul style="list-style-type: none"> (a) to provide sufficient land for necessary services and infrastructure; (b) to achieve sufficient separation between land uses; (c) is consistent with the scale and character of development in the surrounding area; and (d) to prevent amenity and privacy impacts on nearby land uses. 	AO19.1 A minimum of 50% of provided caravan and motor home accommodation sites have a concrete slab with a minimum length of 6 metres and a minimum width of 2.4 metres.	n/a	Not applicable.
	AO19.2 Caravan, motor home, tent and cabin accommodation sites are set back a minimum of: <ul style="list-style-type: none"> (a) 2 metres from an internal road; and (b) 1.5 metres from the side and rear boundaries of the site. 	✓	Complies.

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO20 A Tourist park is provided with sufficient and appropriately located refuse collection areas.</p>	<p>AO20.1 A central refuse collection area is provided to service all accommodation sites.</p>	✓	The development will comply.
	<p>AO20.2 The refuse collection area must be kept in a sanitary condition at all times with all refuse stored in weather-proof and securable receptacles to prevent them from attracting vermin and wildlife.</p>	✓	The development will comply.
	<p>AO20.3 The refuse collection area is constructed on an impervious surface such as a concrete slab.</p>	✓	The development will comply.
	<p>AO20.4 A water connection is provided within the refuse collection area to facilitate cleaning of receptacles and the collection area.</p>	✓	The development will comply.
	<p>AO20.5 Refuse collection areas are located a minimum of 10 metres from any recreational areas, communal cooking facilities and accommodation sites.</p>	✓	The development will comply.

Table 9.3.1.3B – Minimum site area and minimum site frontage

Use	Minimum site area	Minimum frontage
Dual occupancy	(a) 600m ² in the Medium density residential zone; or (b) 1,000m ² in the Low density residential zone; or (c) 600m ² in the Centre zone.	20 metres
Home based business	600m ²	-
Multiple dwelling	800m ²	20 metres
Residential care facility	2,000m ²	30 metres
Retirement facility	2,000m ²	30 metres
Rooming accommodation	800m ²	20 metres
Short-term accommodation	800m ²	20 metres
Tourist park	1 hectare	50 metres
• Caravan and motor home sites	100m ² including sufficient area for the parking of a motor vehicle.	10 metres to an internal road
• Tent sites	40m ² including sufficient area for the parking of a motor vehicle.	6 metres to an internal road
• Cabin sites	130m ² including sufficient area for the parking of a motor vehicle.	10 metres to an internal road

Table 9.3.1.3C – Communal open space

Use	Minimum area	Minimum dimension	Design elements
Multiple dwelling	50m ²	5 metres	<ul style="list-style-type: none"> • Provides for clothes drying and recreational facilities; • One continuous area; and • Separated from any habitable room by a minimum of 3 metres.
Retirement facility or Residential care facility	Indoor communal space and communal open space as specified below.		
Rooming accommodation	Rate of 5m ² per resident	5 metres	<ul style="list-style-type: none"> • One continuous area; • 20% shaded; and • 10% of the provided area is screened for use for clothes drying.
• Indoor communal space	Rate of 1m ² per resident and 40m ²	-	<ul style="list-style-type: none"> • Located centrally; and • Provides a range of facilities.
• Communal open space	30% site area and 50m ²	5 metres	<ul style="list-style-type: none"> • Provided at ground level.

Use	Minimum area	Minimum dimension	Design elements
Short-term accommodation	50m ² and 20% site area	5 metres	<ul style="list-style-type: none"> • Located at ground level; • One continuous area; and • 10% of the provided area is screened for use for clothes drying.
Tourist park	Includes at least each of the below communal facilities.		<ul style="list-style-type: none"> • Located within 100 metres of the sites they serve (unless private recreation facilities are provided); and • Separated from any site by a minimum of 10 metres.
<ul style="list-style-type: none"> • Covered cooking area 	50m ²	-	<ul style="list-style-type: none"> • Including barbeque and dish washing facilities
<ul style="list-style-type: none"> • Laundry 	-	-	<ul style="list-style-type: none"> • Including clothes drying facilities.
<ul style="list-style-type: none"> • Recreational open space 	Rate of 5m ² per site	-	<ul style="list-style-type: none"> • Including a children's playground.

Note—Provision of communal open space for a Multiple dwelling is not required by **Table 9.3.1.3C** where more than 75% have access to ground floor private open space.

Note—For a Tourist park, the calculation of recreational open space is inclusive of pool areas, sporting facilities, such as football fields and tennis courts, and any unobstructed grassed areas having a minimum dimension of 3 metres that are provided in addition to accommodation sites for recreational purposes. Planted landscape areas and vegetated areas are excluded from the calculation.

Note—Indoor communal space may include lounge areas, a library / reading room, a TV/games/recreation room, meeting space/s, hairdresser or a convenience store.

Table 9.3.1.3D – Private open space

Use	Minimum area per dwelling or accommodation unit	Minimum dimension	Design elements
Caretaker's accommodation	As specified below.		
<ul style="list-style-type: none"> • Ground level 	50m ²	5 metres	<ul style="list-style-type: none"> • Provided as unobstructed area; and • Directly accessible from the main living area.
<ul style="list-style-type: none"> • Above ground level 	15m ²	2.5 metres	<ul style="list-style-type: none"> • Provided as a balcony.
<ul style="list-style-type: none"> • Outdoor service court 	5m ²	-	<ul style="list-style-type: none"> • Provided for clothes drying
Dual occupancy	40m ²	3 metres	<ul style="list-style-type: none"> • Located at ground level. • 20% shaded; and • Accessed from the main living area of the dwelling.

Use	Minimum area per dwelling or accommodation unit	Minimum dimension	Design elements
Dwelling house	40m ²	3 metres	<ul style="list-style-type: none"> • Located at ground level; • 20% shaded; and • Accessed from the main living area of the dwelling.
Home based business	40m ²	3 metres	<ul style="list-style-type: none"> • Located at ground level; • 20% shaded; and • Accessed from the main living area of the dwelling.
• Ground level	15m ²	3 metres	<ul style="list-style-type: none"> • 20% shaded; and • Directly accessible from the main living area.
• Above ground level	10m ²	3 metres	<ul style="list-style-type: none"> • Directly accessible from the main living area.
Multiple dwelling	As specified below.		
• Ground level	35m ²	3 metres	<ul style="list-style-type: none"> • 20% shaded; and • Directly accessible from the main living area.
• Above ground level	15m ²	3 metres	<ul style="list-style-type: none"> • Directly accessible from the main living area.
Residential care facility	6m ²	2 metres	<ul style="list-style-type: none"> • Provided as a shaded courtyard or balcony; and • Directly accessible from the main living area.
Retirement facility	As specified below.		
• Ground level	20m ²	3 metres	<ul style="list-style-type: none"> • Provided as a courtyard or similar space; • Grade does not exceed 5%; and • Directly accessible from the main living area at ground level.

Use	Minimum area per dwelling or accommodation unit	Minimum dimension	Design elements
<ul style="list-style-type: none"> Above ground level 	6m ²	2 metres	<ul style="list-style-type: none"> Provided as a balcony or similar space; and Directly accessible from the main living area.
Rooming accommodation	As specified below.		
Short-term accommodation	As specified below.		
<ul style="list-style-type: none"> Ground level 	15m ²	3 metres	<ul style="list-style-type: none"> 20% shaded; and Directly accessible from the main living area.
<ul style="list-style-type: none"> Above ground level 	10m ²	3 metres	<ul style="list-style-type: none"> Directly accessible from the main living area.

Note—For Caretaker's accommodation, the outdoor service court may form part of the provided private open space.

Table 9.3.1.3E – Maximum scale of accommodation activities associated with a Home based business

Design	Maximum number of rooms	Maximum number of guests
Bed and breakfast	3 rooms for guest accommodation	6 guests at any one time
Farm stay	1 farm stay dwelling or accommodation unit in addition to the primary dwelling	10 guests at any one time

9.4.2 Landscaping code

9.4.2.1 Application

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

9.4.2.2 Purpose

- (1) The purpose of the Landscaping code is to ensure all development is landscaped to a standard that:
 - (a) complements the scale and appearance of the development;
 - (b) protects and enhances the amenity and environmental values of the site;
 - (c) complements and enhances the streetscape and local landscape character; and
 - (d) ensures effective buffering of incompatible land uses to protect local amenity.

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

9.4.2.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
<p>PO1 Development, other than in the Rural zone, includes landscaping that:</p> <ul style="list-style-type: none"> (a) contributes to the landscape character of the Shire; (b) compliments the character of the immediate surrounds; (c) provides an appropriate balance between built and natural elements; and (d) provides a source of visual interest. 	<p>AO1 Development, other than in the Rural zone, provides:</p> <ul style="list-style-type: none"> (a) a minimum of 10% of the site as landscaping; (b) planting in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species; (c) for the integration of retained significant vegetation into landscaping areas; (d) on-street landscaping works in accordance with the Design Guidelines set out in Section D9 Landscaping, of the Planning Scheme Policy 4 - FNQROC Regional Development Manual. <p>Note—Where development exceeds a site cover of 90%, areas of landscaping may be provided above ground level to achieve a total supply of landscaping equivalent to 10% of the site area.</p>	✓	<p>The subject site is in the Rural zone.</p> <p>No additional landscaping is proposed.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO2 Development, other than in the Rural zone, includes landscaping along site frontages that:</p> <ul style="list-style-type: none"> (a) creates an attractive streetscape; (b) compliments the character of the immediate surrounds; (c) assists to break up and soften elements of built form; (d) screen areas of limited visual interest or servicing; (e) provide shade for pedestrians; and (f) includes a range and variety of planting. 	<p>AO2 Development, other than in the Rural zone, includes a landscape strip along any site frontage:</p> <ul style="list-style-type: none"> (a) with a minimum width of 2 metres where adjoining a car parking area; (b) with a minimum width of 1.5 metres in all other locations; and (c) in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species. <p>Note—Where development is setback from a frontage less than 1.5 metres, the setback area is provided as a landscape strip</p>	n/a	See response for AO1.
<p>PO3 Development includes landscaping and fencing along side and rear boundaries that:</p> <ul style="list-style-type: none"> (a) screens and buffer land uses; (b) assists to break up and soften elements of built form; (c) screens areas of limited visual interest; (d) preserves the amenity of sensitive land uses; and (e) includes a range and variety of planting. 	<p>AO3.1 Development provides landscape treatments along side and rear boundaries in accordance with Table 9.4.2.3B.</p> <p>AO3.2 Shrubs and trees provided in landscape strips along side and rear boundaries:</p> <ul style="list-style-type: none"> (a) are planted at a maximum spacing of 1 metre; (b) will grow to a height of at least 2 metres; (c) will grow to form a screen of no less than 2 metres in height; and (d) are mulched to a minimum depth of 0.1 metres with organic mulch. 	n/a	See response for AO1.
		n/a	See response for AO1.

Performance outcomes	Acceptable outcomes	Complies	Comments
	<p>AO3.3 Any landscape strip provided along a side or rear boundary is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.</p>	n/a	See response for AO1.
<p>PO4 Car parking areas are improved with a variety of landscaping that:</p> <ul style="list-style-type: none"> (a) provides visual interest; (b) provides a source of shade for pedestrians; (c) assists to break up and soften elements; and (d) improves legibility. 	<p>AO4.1 Landscaping is provided in car parking areas which provides:</p> <ul style="list-style-type: none"> (a) a minimum of 1 shade tree for every 4 parking spaces, or part thereof, where the car parking area includes 12 or more spaces; (b) a minimum of 1 shade tree for every 6 parking spaces, or part thereof, otherwise; and (c) where involving a car parking area in excess of 500m²: <ul style="list-style-type: none"> (i) shade structures are provided for 50% of parking spaces; and (ii) a minimum of 10% of the parking area as landscaping. <p>Note—Where a shade structure is provided over part of a car parking area, shade tree planting is not required in this area of the car parking area.</p>	n/a	See response for AO1.
	<p>AO4.2 Landscaping in car parking areas is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.</p>	n/a	See response for AO1.
<p>PO5 Landscaping areas include a range and variety of planting that:</p>	<p>AO5.1 Plant species are selected from the Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant species.</p>	n/a	See response for AO1.

Performance outcomes	Acceptable outcomes	Complies	Comments
(a) is suitable for the intended purpose and local conditions; (b) contributes to the natural character of the Shire; (c) includes native species; (d) includes locally endemic species, where practical; and (e) does not include invasive plants or weeds.	AO5.2 <u>A minimum of 25%</u> 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.	n/a	See response for AO1.
PO6 Landscaping does not impact on the ongoing provision of infrastructure and services to the Shire.	AO6.1 Tree planting is a minimum of (a) 2 metres from any underground water, sewer, gas, electricity or telecommunications infrastructure; and (b) 4 metres from any inspection chamber.	n/a	See response for AO1.
	AO6.2 Vegetation below or within 4 metres of overhead electricity lines and power poles has a maximum height of 3.5 metres at maturity.	n/a	See response for AO1.
	AO6.3 Vegetation adjoining an electricity substation boundary, at maturity, will have: (a) a height of less than 4 metres; and (b) no foliage within 3 metres of the substation boundary, unless the substation has a solid wall along any boundary.	n/a	See response for AO1.
For assessable development			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO7 Landscaping areas are designed to:</p> <ul style="list-style-type: none"> (a) be easily maintained throughout the ongoing use of the site; (b) allow sufficient area and access to sunlight and water for plant growth; (c) not cause a nuisance to occupants of the site or members of the public; and (d) maintain or enhance the safety of pedestrians through the use of Crime Prevention Through Environmental Design principles. 	<p>AO7 No acceptable outcome is provided.</p>	<p>n/a</p>	<p>See response for AO1.</p>

Table 9.4.2.3B—Side and rear boundary landscape treatments

Location or use	Landscape Strip Minimum Width	Screen Fencing Minimum Height	Extent of treatment
Where car parking, servicing or manoeuvring areas adjoin a side or rear boundary	1 metre	Not applicable	To the extent these areas adjoin the boundary
Where involving a use other than a dwelling house on a site with a common boundary with land in the Low density residential zone, the Medium density residential zone or the Rural residential zone:	1.5 metres	1.8 metres	Along the common boundary.
Development for an industrial activity which has a common boundary with land not within the Industry zone	2 metres	1.8 metres	Along the common boundary
Development involving (a) Tourist park not in the Rural zone (b) Sales office (c) Multiple dwelling (d) Residential care facility; or (e) Dual occupancy	Not applicable	1.8 metres	Along all side and rear boundaries and between dwellings for a Dual occupancy.
Development involving (a) Tourist park in the Rural zone (b) Service station (c) Car wash; or (d) Utility installation	2 metres	Not applicable	Along all side and rear boundaries
For: (a) waste storage; (b) equipment; (c) servicing areas; and (d) private open space and site facilities associated with Caretaker's accommodation.	Not applicable	1.8 metres	To prevent visibility

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

9.4.5 Works, services and infrastructure code

9.4.5.1 Application

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

9.4.5.2 Purpose

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

9.4.5.3 Criteria for assessment

Table 9.4.5.3 - Works, services and infrastructure code – For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
Water supply			

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

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO2 Each lot provides for the treatment and disposal of effluent and other waste water that:</p> <ul style="list-style-type: none"> (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment. 	<p>AO2.1 Development is connected to a reticulated sewerage system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located:</p> <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area. 	n/a	Not applicable.
	<p>AO2.2 An effluent disposal system is provided in accordance with ASNZ 1547 On-Site Domestic Wastewater Management (as amended) where development is located:</p> <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area. 	✓	The development will be conditioned to comply.
Stormwater infrastructure			
<p>PO3 Stormwater infrastructure is designed and constructed to collect and convey the design storm event to a lawful point of discharge in a manner that mitigates impacts on life and property.</p>	<p>AO3.1 Where located within a Priority infrastructure area or where stormwater infrastructure is available, development is connected to Council's stormwater network in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	✓	The development will be conditioned to comply.

Performance outcomes	Acceptable outcomes	Complies	Comments
	<p>AO3.2 On-site drainage systems are constructed:</p> <p>(a) to convey stormwater from the premises to a lawful point of discharge; and</p> <p>(b) in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	✓	The development will be conditioned to comply.
Electricity supply			
<p>PO4 Each lot is provided with an adequate supply of electricity</p>	<p>AO4 The premises:</p> <p>(a) is connected to the electricity supply network; or</p> <p>(b) has arranged a connection to the transmission grid; or</p> <p>(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:</p> <p>(i) it is approved by the relevant regulatory authority; and</p> <p>(ii) it can be demonstrated that no air or noise emissions; and</p> <p>(iii) it can be demonstrated that no adverse impact on visual amenity will occur.</p>	✓	The subject site already complies.
Telecommunications infrastructure			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO5 Each lot is provided with an adequate supply of telecommunication infrastructure	A05 Development is provided with a connection to the national broadband network or telecommunication services.	✓	The subject site already complies.
Existing public utility services			
PO6 Development and associated works do not affect the efficient functioning of public utility mains, services or installations.	A06 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.	✓	The development will be conditioned to comply.
Excavation or filling			
PO7 Excavation or filling must not have an adverse impact on the: (a) streetscape; (b) scenic amenity; (c) environmental values; (d) slope stability; (e) accessibility; or (f) privacy of adjoining premises.	A07.1 Excavation or filling does not occur within 1.5 metres of any site boundary.	n/a	Not applicable.
	A07.2 Excavation or filling at any point on a lot is to be no greater than 1.5 metres above or below natural ground level.	n/a	Not applicable.
	A07.3 Earthworks batters: (a) are no greater than 1.5 metres in height; (b) are stepped with a minimum width 2 metre berm; (c) do not exceed a maximum of two batters and two berms (not greater than 3.6 metres in total height) on any one lot; (d) have a slope no greater than 1 in 4; and (e) are retained.	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
	<p>A07.4 Soil used for filling or spoil from excavation is not stockpiled in locations that can be viewed from:</p> <ul style="list-style-type: none"> (a) adjoining premises; or (b) a road frontage, for a period exceeding 1 month from the commencement of the filling or excavation. 	n/a	Not applicable.
	<p>A07.5 All batters and berms to be constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	n/a	Not applicable.
	<p>A07.6 Retaining walls have a maximum height of 1.5 metres and are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.</p>	n/a	Not applicable.
	<p>A07.7 Excavation or filling at any point on a lot is to include measures that protect trees at the foot or top of cut or fill batters by the use of appropriate retaining methods and sensitive earth removal or placement and in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.</p>	n/a	Not applicable.
For assessable development			
Transport network			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO8 The development has access to a transport network of adequate standard to provide for the safe and efficient movement of vehicles, pedestrians and cyclists.	A08.1 Vehicle access, crossovers, road geometry, pavement, utilities and landscaping to the frontage/s of the site are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	✓	The development complies.
	A08.2 Development provides footpath pavement treatments in accordance with Planning Scheme Policy 9 – Footpath Paving.	n/a	Not applicable.
Public infrastructure			
PO9 The design, construction and provision of any infrastructure that is to be dedicated to Council is cost effective over its life cycle and incorporates provisions to minimise adverse impacts.	A09 Development is in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	✓	The development will be conditioned to comply.
Stormwater quality			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO10 Development has a non-worsening effect on the site and surrounding land and is designed to:</p> <ul style="list-style-type: none"> (a) 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, on-site and downstream waterbodies; (c) achieve specified water quality objectives; (d) minimise flooding; (e) maximise the use of natural channel design principles; (f) maximise community benefit; and (g) minimise risk to public safety. 	<p>AO10.1 The following reporting is prepared for all Material change of use or Reconfiguring a lot proposals:</p> <ul style="list-style-type: none"> (a) a Stormwater Management Plan and Report that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; and (b) an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation Control Guidelines (Institute of Engineers Australia), including: <ul style="list-style-type: none"> (i) drainage control; (ii) erosion control; (iii) sediment control; and (iv) water quality outcomes. 	<p>✓</p>	<p>The development will be conditioned to comply.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
	<p>AO10.2 For development on land greater than 2,500m² or that result in more than 5 lots or more than 5 dwellings or accommodation units, a Stormwater Quality Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) is prepared that demonstrates that the development:</p> <ul style="list-style-type: none"> (a) meets or exceeds the standards of design and construction set out in the Urban Stormwater Quality Planning Guideline and the Queensland Water Quality Guideline; (b) is consistent with any local area stormwater water management planning; (c) accounts for development type, construction phase, local climatic conditions and design objectives; and (d) provides for stormwater quality treatment measures reflecting land use constraints, such as soil type, landscape features (including landform), nutrient hazardous areas, acid sulfate soil and rainfall erosivity. 	✓	The development will be conditioned to comply.

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

Performance outcomes	Acceptable outcomes	Complies	Comments
PO13 Air pollutants, dust and sediment particles from excavation or filling, do not cause significant environmental harm or nuisance impacts.	AO13.1 Dust emissions do not extend beyond the boundary of the site.	n/a	Not applicable.
	AO13.2 No other air pollutants, including odours, are detectable at the boundary of the site.	n/a	Not applicable.
	AO13.3 A management plan for control of dust and air pollutants is prepared and implemented.	n/a	Not applicable.
PO14 Access to the premises (including driveways and paths) does not have an adverse impact on: <ul style="list-style-type: none"> (a) safety; (b) drainage; (c) visual amenity; and (d) privacy of adjoining premises. 	AO14 Access to the premises (including all works associated with the access): <ul style="list-style-type: none"> (a) must follow as close as possible to the existing contours; (b) be contained within the premises and not the road reserve, and (c) are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual. 	n/a	Not applicable.
Weed and pest management			
PO15 Development prevents the spread of weeds, seeds or other pests into clean areas or away from infested areas.	AO15 No acceptable outcome is provided.	n/a	Not applicable.
Contaminated land			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO16 Development is located and designed to ensure that users and nearby sensitive land uses are not exposed to unacceptable levels of contaminants</p>	<p>AO16 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.</p>	n/a	Not applicable.
Fire services in developments accessed by common private title			
<p>PO17 Fire hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.</p>	<p>AO17.1 Fire hydrants are located in accessways or private roads held in common private title at a maximum spacing of: (a) 120 metres for residential development; and (b) 90 metres for any other development.</p>	n/a	Not applicable.
	<p>AO17.2 Fire hydrants are located at all intersections of accessways or private roads held in common private title.</p>	n/a	Not applicable.