

Our Ref: R11-23

10 February 2024

Chief Executive Officer
Mareeba Shire Council
65 Rankin Street
Mareeba, QLD, 4880

Attention: Planning Department

Dear Sir/Madam,

**DEVELOPMENT APPLICATION SEEKING A DEVELOPMENT PERMIT
RECONFIGURE A LOT – ONE (1) INTO TWO (2) LOTS
SITUATED AT 104 & 240 HENRY HANNAM DRIVE, MAREEBA
FORMALLY DESCRIBED AS LOT 2 ON SP261006**

We act on behalf of our client, M & A Lavers in preparing and submitting the following development application which seeks a Development Permit to Reconfigure the subject allotment under the *Planning Act 2016* located at 240 Henry Hannam Drive, Mareeba to facilitate the proposed subdivision of the subject allotment. The development application is impact assessable under the tables of assessment.

The subject site covers an area of 148.2 hectares, with both allotments fronting onto Henry Hannam Drive for approximately 1.5 kilometres. The property is owned and farmed by three (3) Lavers Family, of which one (1) of the families – M & A Lavers - built their house on the portion of the property, away from the farming portion which is unusable nor is it suitable for any form of farming.

By way of this development application, the applicant is seeking specific approval to undertake the development as detailed within the attached planning report and approval of the plans. The report will include a complete assessment of the proposed development against the relevant assessment benchmarks within the Mareeba Shire Planning Scheme 2016.

In terms of application fees, the current fees and charges schedule stipulates that the application fee for the proposed reconfiguration is **\$1,148.00**. Please contact our office on 0411 344 110 to process the payment over the phone.

Should there be any questions or queries in relation to the development application presented, we would appreciate if you could contact our office immediately. We also ask if possible that a copy of all correspondence be forwarded to our office via email.

Yours faithfully,



Ramon Samanes
Director, U&i Town Plan
Bachelor of Applied Science, Majoring in Environmental and Urban Planning

PLANNING REPORT

DEVELOPMENT APPLICATION FOR RECONFIGURATION OF A LOT – ONE (1) INTO TWO (2) ALLOTMENTS

PROJECT LOCATION:

**SITUATED AT 104 & 240 HENRY HANNAM DRIVE, MAREEBA
FORMALLY DESCRIBED AS LOT 2 ON SP261006**

Prepared by Ramon Samanes
DIRECTOR, U&I TOWN PLAN

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ASSESSMENT MANAGER:	MAREEBA SHIRE COUNCIL, PLANNING DEPARTMENT
DEVELOPMENT TYPE:	DEVELOPMENT PERMIT – RECONFIGURATION OF A LOT (IMPACT ASSESSABLE)
PROPOSED WORKS:	ONE (1) INTO TWO (2) LOTS
REAL PROPERTY DESCRIPTION:	LOT 2 ON SP261006
LOCATION:	104 & 240 HENRY HANNAM DRIVE, MAREEBA
ZONE:	RURAL ZONE
APPLICANT:	DON LAVERS (OAM), DOROTHY DELL LAVERS, MARK LAVERS, BETTINA LAVERS, PETER LAVERS AND PAM LAVERS C/- U&I TOWN PLAN
ASSESSMENT CRITERIA:	RECONFIGURATION OF A LOT (IMPACT ASSESSABLE)
REFERRAL AGENCIES:	NO REFERRAL AGENCY.
STATE PLANNING:	THE PROPOSAL DOES NOT TRIGGER ASSESSMENT AGAINST THE STATE DEVELOPMENT ASSESSMENT PROVISIONS.

IMPORTANT NOTE

Apart from fair dealing for the purposes of private study, research, criticism, or review as permitted under the Copyright Act, no part of this Report may be reproduced by any process without the written consent of R&A Samanes Pty Ltd ('U&i Town Plan').

This Report has been prepared for Don Lavers (OAM), Dorothy Dell Lavers, Mark Lavers, Bettina Lavers, Peter Lavers and Pam Lavers for the sole purpose of making a Development Application seeking a Development Permit for Reconfiguration of a Lot on land at 104 & 240 Henry Hannam Drive, Mareeba (over Lot 2 on SP261006) for the purpose of a One (1) into two (2) Lot reconfiguration. This report is strictly limited to the purpose, and facts and circumstances stated within. It is not to be utilised for any other purpose, use, matter or application.

U&i Town Plan has made certain assumptions in the preparation of this report, including:

- a) That all information and documents provided to us by the Client or as a result of a specific search or enquiry were complete, accurate and up to date;*
- b) That information obtained as a result of a search of a government register or database is complete and accurate.*

U&i Town Plan is not aware of any particular fact or circumstance, which would render these assumptions incorrect, as at the date of preparation of the Report.

While every effort has been made to ensure accuracy, U&i Town Plan does not accept any responsibility in relation to any financial or business decisions made by parties' other than those for whom the original report was prepared for and/or provided to. If a party other than the Client uses or relies upon facts, circumstances and/or content of this Report without consent of U&i Town Plan, U&i Town Plan disclaims all risk and the other party assumes such risk and releases and indemnifies and agrees to keep indemnified U&i Town Plan from any loss, damage, claim or liability arising directly or indirectly from the use of or reliance on this report.

1.0 EXECUTIVE SUMMARY

This development application is seeking a development permit to Reconfigure the allotments under the *Planning Act 2016* at 104 & 240 Henry Hannam Drive, Mareeba to facilitate the creation of two (2) allotments. By way of this development application, the applicant is seeking specific approval to undertake the development as detailed in this planning report and approval of the plans.

The conclusion of this report is that all the requirements set by the assessment criteria can be met and that the strategic level policy outcomes sought by the planning scheme and any applicable State planning instruments can be achieved. It is the opinion of the applicant that once all the policy requirements have been considered by assessing authorities and equitably balanced with the site constraints and benefits of the proposal; the assessment process established under the Planning Act will result in the approval of this development application and the issuing of a development permit subject to conditions. This opinion is based on the level of strategic and analytical justification provided in support of the proposal and the decision-making requirements imposed on regulatory authorities under the Planning Act.

2.0 SITE DESCRIPTION

The subject land is described as Lot 2 on SP261006, located at 104 & 240 Henry Hannam Drive, Mareeba. The subject properties cover a combined total of 148.2 hectares, fronting onto Henry Hannam Drive for approximately 1.5 kilometres. The property is located approximately 10km from the CBD of Mareeba and is surrounded by smaller rural lifestyle lots adjacent and to the north along the river, and larger rural properties to the south, east and west all within the rural zone.



Figure 1: Aerial View of the Subject Land (© The State of Queensland, all rights reserved, 2019.)

A site summary is provided below:

Table 2.0: Site summary

Street address:	104 & 240 Henry Hannam Drive, Mareeba
Real property description:	Lot 2 on SP261006
Local government area	Mareeba Shire Council
Tenure:	Freehold
Site area:	148.2 hectares
Zone:	Rural zone
Current use:	Proposed Lot 1: Dwelling House (Rural Lifestyle Lot) Proposed Lot 2: Only 13.9ha with Avocados, with 15.2ha area cleared. Remaining area all mapped as regulated vegetation.
Road frontage:	Henry Hannam Drive, Mareeba
Adjacent uses:	The property is located approximately 10km from the CBD of Mareeba and is surrounded by smaller rural lifestyle lots adjacent and to the north along the river, and larger rural properties to the south, east and west all within the rural zone.
Topography / Vegetation:	The site slopes towards the Barron River, with the majority of the property covered by bushland of which the majority is mapped as regulated vegetation. There are portions of the block which are cleared, with parts of that farmed with Avocados. The area of bushland that extends from the river and covers the majority of the site cannot be cleared for farming, which then makes it essentially unusable to any purpose. The area in particular where the house is established on the other side of the sunwater lease, is isolated and adjoins other small rural lifestyle allotments. Therefore, makes logical and sound planning sense to separate what is already separate from the large portion by the Sunwater lease, from the small section.
Easements:	No easements relevant.

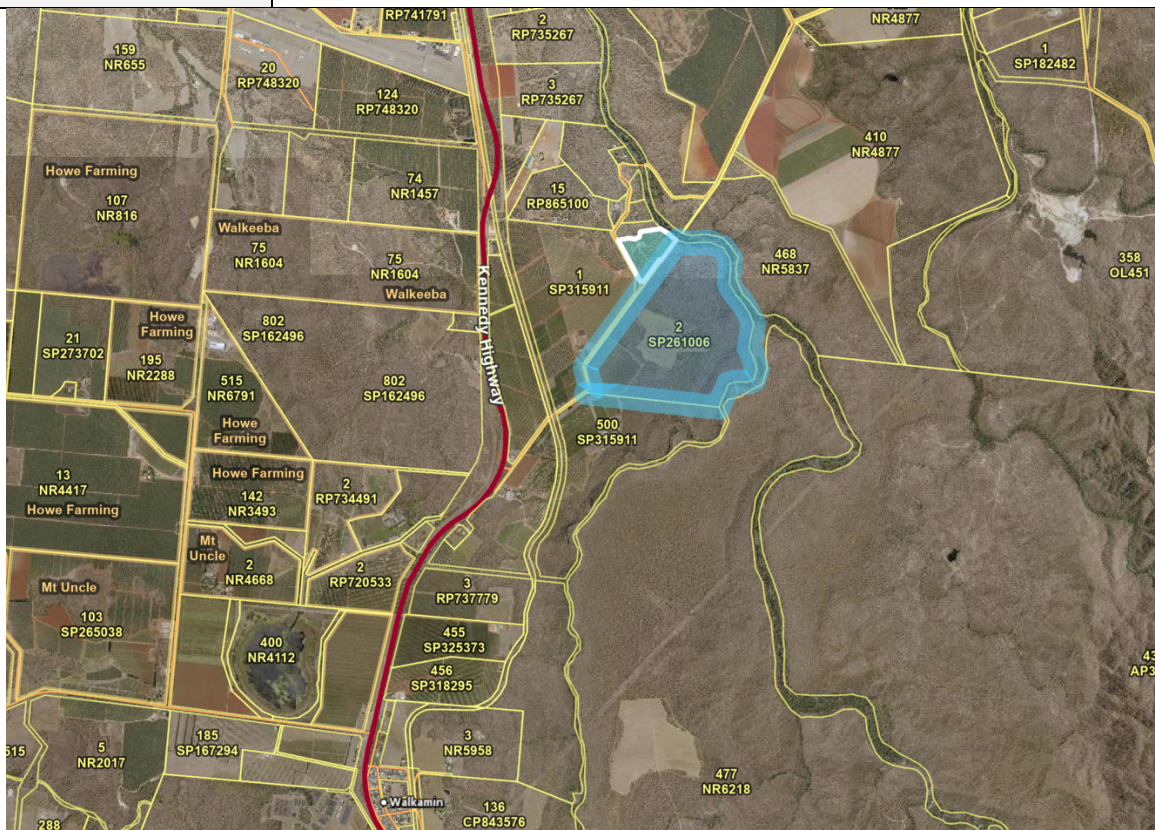


Figure 2: Site Locality (© The State of Queensland, all rights reserved, 2023.)

3.0 DEVELOPMENT PROPOSAL

This development application is seeking a development permit to Reconfigure the allotments under the *Planning Act 2016* at 104 & 240 Henry Hannam Drive, Mareeba to facilitate the creation of 1 into 2 allotments. Currently proposed Lot 1 contains the existing dwelling on the parcel and is separate from proposed Lot 2 by a significant barrier in the Sunwater / channel lease. Proposed Lot 1 is mapped as regulated vegetation making it unusable for farming purposes, with limited to no grazing value given the terrain and rockiness of the slope as supported in Appendix 4 in Dr. Mike Gilbert assessment from Landline Consulting.

Proposed Lot 2 is farmed with avocados covering an area of only 13.9ha with Avocados (9.3% of the property), with another 15.2ha (10.2%) area cleared for grazing/farming. That leaves the balance area equating to 80% of the site mapped as regulated vegetation. In terms of its location, the property is situated approximately 10km from the CBD of Mareeba and is surrounded by smaller rural lifestyle lots adjacent and to the north along the river, and larger rural properties to the south, east and west all within the rural zone. The closest farming activity is 250m south west of the existing established dwelling on proposed Lot 1. Accordingly, this substantial separation and the fact that the dwelling is existing and established supports the fact that the proposed new rural lifestyle lot in proposed Lot 1 will not impact on the surrounding farming activities in the area. Therefore it makes logical and sound planning sense to separate what is already separate from the large portion by the Sunwater lease, from the small section in proposed Lot 1.

By way of this development application, the applicant is seeking specific approval to undertake the development as detailed in this planning report and approval of the plans.



Figure 3: Extract from Development Plans (Prepared by U&i Town Plan.)

See Appendix 3: Development Plans for further detail.

3.1 Development Definition

The proposal is described as a “Reconfiguration of a Lot” under the Planning Act and planning scheme. The proposal is defined under the Planning Act as follows:

reconfiguring a lot means—

- (a) creating lots by subdividing another lot; or*
- (b) amalgamating 2 or more lots; or*
- (c) rearranging the boundaries of a lot by registering a plan of subdivision under the Land Act or Land Title Act; or*
- (d) dividing land into parts by agreement rendering different parts of a lot immediately available for separate disposition or separate occupation, other than by an agreement that is—*
 - (i) a lease for a term, including renewal options, not exceeding 10 years; or*
 - (ii) an agreement for the exclusive use of part of the common property for a community titles scheme under the Body Corporate and Community Management Act 1997 ; or*
- (e) creating an easement giving access to a lot from a constructed road.*

3.2 Lot Creation

Currently proposed Lot 1 contains the existing dwelling on the parcel and is separate from proposed Lot 2 by a significant barrier in the Sunwater / channel lease. Proposed Lot 1 is mapped as regulated vegetation making it unusable for farming purposes, with limited to no grazing value given the terrain and rockiness of the slope as supported in Appendix 4 in Dr. Mike Gilbert assessment from Landline Consulting.

Proposed Lot 2 is farmed with avocados covering an area of only 13.9ha with Avocados (9.3% of the property), with another 15.2ha (10.2%) area cleared for grazing/farming. That leaves the balance area equating to 80% of the site mapped as regulated vegetation. In terms of its location, the property is situated approximately 10km from the CBD of Mareeba and is surrounded by smaller rural lifestyle lots adjacent and to the north along the river, and larger rural properties to the south, east and west all within the rural zone. The closest farming activity is 250m south west of the existing established dwelling on proposed Lot 1. Accordingly, this substantial separation and the fact that the dwelling is existing and established supports the fact that the proposed new rural lifestyle lot in proposed Lot 1 will not impact on the surrounding farming activities in the area. Therefore it makes logical and sound planning sense to separate what is already separate from the large portion by the Sunwater lease, from the small section in proposed Lot 1.

The proposed reconfiguration will result in the following allotment sizes:

- Proposed Lot 1 – 11.93 hectares; and
- Proposed Lot 47 – 136.27 hectares.

4.0 DEVELOPMENT APPLICATION DETAILS

This impact assessable development application seeks a development permit to Reconfigure the Lots under the *Planning Act 2016* to facilitate the proposed subdivision to create an additional allotment. Proposed Lot 1 in 11.93ha in size and proposed Lot 2 is much larger at 136.27ha. By way of this development application, the applicant is seeking specific approval of the following development permit to authorise the subdivision of the allotments as detailed in this planning report.

5.0 PLANNING JUSTIFICATION

This development application is made in accordance with the requirements of the *Planning Act 2016* and is for the Reconfiguration of the lot at 104 & 240 Henry Hannam Drive, Mareeba to facilitate the creation of 1 into 2 allotments. The proposal is considered to satisfy the requirements set by the applicable assessment benchmarks from the planning scheme, specifically the Strategic Framework, Rural Zone Code and Reconfiguring a Lot Code.

5.1 Mareeba Shire Planning Scheme 2016

Given that the application is code assessable, the application is required to be assessed against only the relevant codes within the planning scheme where applicable to the development. In particular, the following sections of the planning scheme are considered relevant to this development:

- Strategic Framework
- Rural Zone Code
- Reconfiguration of a Lot Code
- Landscape Code
- Parking and Access Code
- Works, Services and Infrastructure Code
- Agricultural Land Overlay Code
- Airport Environs Overlay Code
- Bushfire Hazard Overlay Code
- Environmental Significance Overlay Code
- Flood Hazard Overlay Code

Accordingly, an assessment of the proposed development against the above listed codes has been completed. Where the requirements of an Acceptable Outcome were impractical or inappropriate to address, the Performance Outcome was addressed and satisfied. By satisfying the requirements of the Performance Outcomes, the overall “Purpose” of the code was inherently satisfied, as was the Strategic Framework for the planning scheme. In terms of the assessment documented in this report, should any part of the development not comply with any sections of the codes, the relevant sections will be adequately referenced and addressed in further detail to ensure compliance has been achieved.

5.1.1 Strategic Framework

The Strategic Intent, and the Strategic Framework (SF) as a whole is a set of high order strategic outcomes and land use strategies which set the overarching policy intent for the lower order, more detailed components of the planning scheme i.e. zones, codes and policies. The Framework is split into various themes which cover the main aspects of land use planning and development governance. Given the level the Framework operates at, it is difficult to provide a direct, site specific assessment of the proposal against its many components. However, a proposal that satisfies the lower order components of the planning scheme, i.e. zone codes, development codes, overlay codes, planning scheme policies, etc; inherently satisfies the intent of the Framework.

The SF sets the policy direction for the Shire for the life of the Planning Scheme. Regarding this development the relevant provisions of the SF are:

- Settlement Pattern and built environment – Protection of Rural Zones; and
- Transport and Infrastructure – protection from urban encroachment.

3.3 Settlement pattern and built environment

3.3.1 Strategic outcomes

(5) Primary industries in *Rural areas* are not compromised or fragmented by incompatible and/or unsustainable development, including but not limited to subdivision that results in a detrimental impact on rural productivity or fragments rural land. The valued, relaxed rural lifestyle, character and scenic qualities of the *rural area* are preserved and enhanced. The *rural area* is largely maintained to its current extent, while accommodating development directly associated with or reliant on natural resources including rural activities and tourism. *Rural areas* protect the shire's *agricultural area* and ensure food security. *Other rural areas* predominantly remain agricultural grazing properties.

(9) New subdivisions which propose lots less than the minimum lot size of 60ha are not supported within the Rural zone, except for where:

- (a) The subdivision results in no additional lots (boundary realignment) and does not create an additional *rural lifestyle* lot or *rural residential purposes* lot; or
- (b) The subdivision is limited to one additional lot created to accommodate a *public reconfiguration purpose*.

Comments:

Currently proposed Lot 1 contains the existing dwelling on the parcel and is separate from proposed Lot 2 by a significant barrier in the Sunwater / channel lease. Proposed Lot 1 is mapped as regulated vegetation making it unusable for farming purposes, with limited to no grazing value given the terrain and rockiness of the slope as supported in Appendix 4 in Dr. Mike Gilbert assessment from Landline Consulting. Moreover, this assessment by Landline Consulting also supports and justifies that the smaller parcel north of the Sunwater Lease has little to no value for any type of farming or grazing activity.

Proposed Lot 2 is farmed with avocados covering an area of only 13.9ha with Avocados (9.3% of the property), with another 15.2ha (10.2%) area cleared for grazing/farming. That leaves the balance area equating to 80% of the site mapped as regulated vegetation. The areas available for farming are mapped within the Agricultural Class A areas on the overlay map.

In terms of its location, the property is situated approximately 10km from the CBD of Mareeba and is surrounded by smaller rural lifestyle lots adjacent and to the north along the river, and larger rural properties to the south, east and west all within the rural zone. The closest farming activity is 250m south west of the existing established dwelling on proposed Lot 1. Accordingly, this substantial separation and the fact that the dwelling is existing and established supports the fact that the proposed new rural lifestyle lot in proposed Lot 1 will not impact on the surrounding farming activities in the area. Therefore it makes logical and sound planning sense to separate what is already separate from the large portion by the Sunwater lease, from the small section in proposed Lot 1.

3.3.11 Element—Rural areas

3.3.11.1 Specific outcomes

- (1) **Rural areas** include rural activities and land uses of varying scale, consistent with surrounding rural land use, character and site conditions.
- (2) Land in *rural areas* is maintained in large lot sizes, to ensure that regional landscape and rural production values are not compromised by fragmentation, alienation or incompatible land uses. Subdivision of land is not supported on lots less than 60ha in the Rural zone except for where:
 - (a) The subdivision results in no additional lots (boundary realignment) and does not create an additional *rural lifestyle* lot or *rural residential purposes* lot; or
 - (b) The subdivision is limited to one additional lot created to accommodate a *public reconfiguration purpose*.

Comments:

Currently proposed Lot 1 contains the existing dwelling on the parcel and is separate from proposed Lot 2 by a significant barrier in the Sunwater / channel lease. Proposed Lot 1 is mapped as regulated vegetation making it unusable for farming purposes, with limited to no grazing value given the terrain and rockiness of the slope as supported in Appendix 4 in Dr. Mike Gilbert assessment from Landline Consulting. Moreover, this assessment by Landline Consulting also supports and justifies that the smaller parcel north of the Sunwater Lease has little to no value for any type of farming or grazing activity.

Proposed Lot 2 is farmed with avocados covering an area of only 13.9ha with Avocados (9.3% of the property), with another 15.2ha (10.2%) area cleared for grazing/farming. That leaves the balance area

equating to 80% of the site mapped as regulated vegetation. The areas available for farming are mapped within the Agricultural Class A areas on the overlay map.

In terms of its location, the property is situated approximately 10km from the CBD of Mareeba and is surrounded by smaller rural lifestyle lots adjacent and to the north along the river, and larger rural properties to the south, east and west all within the rural zone. The closest farming activity is 250m south west of the existing established dwelling on proposed Lot 1. Accordingly, this substantial separation and the fact that the dwelling is existing and established supports the fact that the proposed new rural lifestyle lot in proposed Lot 1 will not impact on the surrounding farming activities in the area. Therefore it makes logical and sound planning sense to separate what is already separate from the large portion by the Sunwater lease, from the small section in proposed Lot 1.

3.6 Transport and infrastructure

3.6.1 Strategic outcomes

- (12) Subdivision of land in the **Rural** zone to create lots less than 60ha is not consistent with facilitating appropriately sequenced and coordinated development, except for where:
- (a) The subdivision results in no additional lots (boundary realignment) and does not create an additional *rural lifestyle* lot or *rural residential purposes* lot; or
 - (b) The subdivision is limited to one additional lot created to accommodate a *public reconfiguration purpose*.

Comments:

Currently proposed Lot 1 contains the existing dwelling on the parcel and is separate from proposed Lot 2 by a significant barrier in the Sunwater / channel lease. Proposed Lot 1 is mapped as regulated vegetation making it unusable for farming purposes, with limited to no grazing value given the terrain and rockiness of the slope as supported in Appendix 4 in Dr. Mike Gilbert assessment from Landline Consulting. Moreover, this assessment by Landline Consulting also supports and justifies that the smaller parcel north of the Sunwater Lease has little to no value for any type of farming or grazing activity.

Proposed Lot 2 is farmed with avocados covering an area of only 13.9ha with Avocados (9.3% of the property), with another 15.2ha (10.2%) area cleared for grazing/farming. That leaves the balance area equating to 80% of the site mapped as regulated vegetation. The areas available for farming are mapped within the Agricultural Class A areas on the overlay map.

In terms of its location, the property is situated approximately 10km from the CBD of Mareeba and is surrounded by smaller rural lifestyle lots adjacent and to the north along the river, and larger rural properties to the south, east and west all within the rural zone. The closest farming activity is 250m south

west of the existing established dwelling on proposed Lot 1. Accordingly, this substantial separation and the fact that the dwelling is existing and established supports the fact that the proposed new rural lifestyle lot in proposed Lot 1 will not impact on the surrounding farming activities in the area. Therefore it makes logical and sound planning sense to separate what is already separate from the large portion by the Sunwater lease, from the small section in proposed Lot 1.

3.7.2 Element—Rural and Agricultural land

3.7.2.1 Specific outcomes

- (1) *Agricultural areas* are preserved for the purpose of primary production and are protected from fragmentation, alienation and incompatible development.
- (2) *Other rural areas* are maintained in economically viable holdings and continue to develop and expand their rural infrastructure and operations.
- (3) Urban and rural residential development provides a buffer to adjacent *rural areas* in accordance with best practice.
- (4) Built infrastructure and non-agricultural uses within farms will be co-located and clustered with existing farm dwellings and infrastructure to prevent encroachment on productive land.
- (5) Development ensures rural activities in all *rural areas* are not compromised by incompatible development and fragmentation.
- (6) Important irrigation infrastructure, such as the Mareeba-Dimbulah Irrigation Area irrigation channels, pipelines and holding ponds, are maintained for the purpose of providing water to support agricultural production and are protected from incompatible development.

Comments:

Currently proposed Lot 1 contains the existing dwelling on the parcel and is separate from proposed Lot 2 by a significant barrier in the Sunwater / channel lease. Proposed Lot 1 is mapped as regulated vegetation making it unusable for farming purposes, with limited to no grazing value given the terrain and rockiness of the slope as supported in Appendix 4 in Dr. Mike Gilbert assessment from Landline Consulting. Moreover, this assessment by Landline Consulting also supports and justifies that the smaller parcel north of the Sunwater Lease has little to no value for any type of farming or grazing activity.

Proposed Lot 2 is farmed with avocados covering an area of only 13.9ha with Avocados (9.3% of the property), with another 15.2ha (10.2%) area cleared for grazing/farming. That leaves the balance area equating to 80% of the site mapped as regulated vegetation. The areas available for farming are mapped within the Agricultural Class A areas on the overlay map.

In terms of its location, the property is situated approximately 10km from the CBD of Mareeba and is surrounded by smaller rural lifestyle lots adjacent and to the north along the river, and larger rural properties to the south, east and west all within the rural zone. The closest farming activity is 250m south west of the existing established dwelling on proposed Lot 1. Accordingly, this substantial separation and the fact that the dwelling is existing and established supports the fact that the proposed new rural lifestyle lot in proposed Lot 1 will not impact on the surrounding farming activities in the area. Therefore it makes logical and sound planning sense to separate what is already separate from the large portion by the Sunwater lease, from the small section in proposed Lot 1.

5.1.2 Rural Zone Code

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 productions 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 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.*

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.*

The proposed one (1) into two (2) lot reconfiguration of Lot 2 on SP261006, which seeks to split a portion separated by a Sunwater Lease from the parent property. Creating new allotment in proposed Lot 1 which is below 60ha would not typically be supported within the Rural Zone, and for good reason in most cases to protect the rural farming areas within the shire. However, in this instance this site is completely different from any other rural subdivision for various reasons – where based on these sound and relevant grounds – the proposal to separate the already established rural lifestyle allotment in this area and location makes planning sense to do so. The existing dwelling established on proposed lot 1 covered by regulated vegetation and is not suitable to support any sort of agricultural or grazing venture as it is at only 11.93 hectares. Furthermore if you couple that element with the fact that the majority of the site is mapped as containing regulated vegetation – of which cannot be cleared for agricultural purposes – and also the terrain and rockiness of the slope as supported in Appendix 4 in Dr. Mike Gilbert assessment from Landline Consulting, you are left with a property that can only be used as a rural lifestyle allotment. As such, we are seeking and proposing to provide just that as part of this development.

When creating any new rural allotment that is adjacent to an existing agricultural venture, it is important to ensure that the development does not impact on that business and farming operation. In response, we consider that the following elements proposed as part of this development will ensure that this development will not compromise the long-term use of the adjoining land for rural purposes:

- The proposed new allotment is located across the road from an Avocado orchid on Lot 1 on SP315911. The existing dwelling on proposed Lot 1 is located some 250 metres from the orchid of which is buffered from that property with the natural bushland within Lot 1. Also the property is

located north-east of the activity, therefore suitably positioned to avoid any impacts from spray drift and the like.

- The adjoining property to the north and the seven (7) other properties within that pocket of rural lifestyle allotments do not conduct any farming activities as the land is not suitable for any farming or grazing activities given the terrain and rockiness of the area;
- The areas that are cleared and available for farming on proposed Lot 2 as noted contain avocados covering an area of only 13.9ha with Avocados (9.3% of the property and 840m away from the dwelling on proposed Lot 1), with another 15.2ha (10.2% and 550m away from the dwelling on proposed Lot 1) area cleared for grazing/farming. That leaves the balance area equating to 80% of the site mapped as regulated vegetation. The cleared areas available for farming are mapped within the Agricultural Class A areas on the overlay map;
- There is a farming activity occurring across the river some 645m away to the north-east of the site. This separation distance is quite substantial and the new allotment proposed in lot 1 will not impact on any farming activities conducted there as well.

The proposal is considered to satisfy the requirements set by the applicable assessment benchmarks from the planning scheme, specifically the Rural Zone and Reconfiguring a Lot Code. Based on the various reasons listed above and the proposed controls to be implemented, we consider that this development certainly has merit on solid planning grounds to justify and support the creation of an additional allotment within the rural zone, which we understand is in conflict with the 60ha minimum lot size. It is considered that this development in these particular and unique circumstances, meets the performance outcomes and purpose statements outlined within the Rural Zone Code and Reconfiguring a Lot Code.

5.1.3 Reconfiguring a Lot Code

The purpose of the Reconfiguring a lot code is to ensure that land is:

- arranged in a manner which is consistent with the intended scale and intensity of development within the area;*
- provided with access to appropriate movement and open space networks; and*
- contributes to housing diversity and accommodates a range of land uses.*

The purpose of the code will be achieved through the following overall outcomes:

- Subdivision of land achieves the efficient use of land and the efficient provision of infrastructure and transport services;*
- Lots are of a suitable size and shape for the intended or potential use having regard to the purpose and overall outcomes of the relevant zone or precinct.*
- Subdivision of land creates lots with sufficient area and dimensions to accommodate the ultimate use, meet user requirements, protect environmental features and account for site constraints;*
- A range and mix of lot sizes is provided to facilitate a variety of industry and housing types;*

- (e) *Subdivision design incorporates a road network that provides connectivity and circulation for vehicles and provide safe and efficient access for pedestrians, cyclists and public transport;*
- (f) *Subdivision design provides opportunities for walking and cycling for recreation and as alternative methods of travel;*
- (g) *Subdivision of land provides and integrates a range of functional parkland, including local and district parks and open space links for the use and enjoyment of the residents of the locality and the shire;*
- (h) *Subdivision of land contributes to an open space network that achieves connectivity along riparian corridors and between areas with conservation values;*
- (i) *Subdivision within the Rural zone maintains rural landholdings in viable parcels;*
- (j) *Land in historical townships is not reconfigured to be used for urban purposes; and*
- (k) *Residential subdivision and greenfield development is designed to consider and respect:*
 - (i) *topography;*
 - (ii) *climate responsive design and solar orientation;*
 - (iii) *efficient and sustainable infrastructure provision;*
 - (iv) *environmental values;*
 - (v) *water sensitive urban design;*
 - (vi) *good quality agricultural land; and*
 - (vii) *the character and scale of surrounding development.*

ASSESSMENT BENCHMARKS

<i>Performance Outcomes</i>	<i>Acceptable Outcomes</i>	<i>Proposal Justification</i>
Area and frontage of Lots – Rural Zone		
PO1.1	AO1.1 – N/A	<p><i>Currently proposed Lot 1 contains the existing dwelling on the parcel and is separate from proposed Lot 2 by a significant barrier in the Sunwater / channel lease. Proposed Lot 1 is mapped as regulated vegetation making it unusable for farming purposes, with limited to no grazing value given the terrain and rockiness of the slope as supported in Appendix 4 in Dr. Mike Gilbert assessment from Landline Consulting. Moreover, this assessment by Landline Consulting also supports and justifies that the smaller parcel north of the Sunwater Lease has little to no value for any type of farming or grazing activity.</i></p> <p><i>Proposed Lot 2 is farmed with avocados covering an area of only 13.9ha with Avocados (9.3% of the property), with another 15.2ha (10.2%) area cleared for grazing/farming. That leaves the balance area equating to 80% of the site mapped as regulated vegetation. The areas available for farming are mapped within the Agricultural Class A areas on the overlay map.</i></p> <p><i>In terms of its location, the property is situated approximately 10km from the CBD of Mareeba and is surrounded by smaller rural lifestyle lots adjacent and to the north along the river, and larger</i></p>

		<p>rural properties to the south, east and west all within the rural zone. The closest farming activity is 250m south west of the existing established dwelling on proposed Lot 1. Accordingly, this substantial separation and the fact that the dwelling is existing and established supports the fact that the proposed new rural lifestyle lot in proposed Lot 1 will not impact on the surrounding farming activities in the area. Therefore it makes logical and sound planning sense to separate what is already separate from the large portion by the Sunwater lease, from the small section in proposed Lot 1.</p> <p>Satisfied.</p>
PO1.2	AO1.2 – N/A	This application does not involve a boundary realignment.
PO1.3	AO1.3 – N/A	This application does not involve a boundary realignment.
PO1.4	AO1.4 – N/A	This application is not for a public reconfiguration purpose.
PO1.5	AO1.5 – N/A	<p>Currently proposed Lot 1 contains the existing dwelling on the parcel and is separate from proposed Lot 2 by a significant barrier in the Sunwater / channel lease. Proposed Lot 1 is mapped as regulated vegetation making it unusable for farming purposes, with limited to no grazing value given the terrain and rockiness of the slope as supported in Appendix 4 in Dr. Mike Gilbert assessment from Landline Consulting. Moreover, this assessment by Landline Consulting also supports and justifies that the smaller parcel north of the Sunwater Lease has little to no value for any type of farming or grazing activity.</p> <p>Proposed Lot 2 is farmed with avocados covering an area of only 13.9ha with Avocados (9.3% of the property), with another 15.2ha (10.2%) area cleared for grazing/farming. That leaves the balance area equating to 80% of the site mapped as regulated vegetation. The areas available for farming are mapped within the Agricultural Class A areas on the overlay map.</p> <p>In terms of its location, the property is situated approximately 10km from the CBD of Mareeba and is surrounded by smaller rural lifestyle lots adjacent and to the north along the river, and larger rural properties to the south, east and west all within the rural zone. The closest farming activity is 250m south west of the existing established dwelling on proposed Lot 1. Accordingly, this substantial separation and the fact that the dwelling is existing and established supports the fact that the proposed new rural lifestyle lot in proposed Lot 1 will not impact on the surrounding farming activities in the area. Therefore it makes logical and sound planning sense to separate what is already separate from</p>

		<p><i>the large portion by the Sunwater lease, from the small section in proposed Lot 1.</i></p> <p><i>The development complies with this provision entirely in that the sunwater lease which severs the property provides grounds to separate the property from one (1) into two (2) lots. Furthermore the proposed development ensures surrounding agricultural activities are not compromised by this development.</i></p> <p><i>Satisfied.</i></p>
PO1.6	PO1.6	<p><i>Currently proposed Lot 1 contains the existing dwelling on the parcel and is separate from proposed Lot 2 by a significant barrier in the Sunwater / channel lease. Proposed Lot 1 is mapped as regulated vegetation making it unusable for farming purposes, with limited to no grazing value given the terrain and rockiness of the slope as supported in Appendix 4 in Dr. Mike Gilbert assessment from Landline Consulting. Moreover, this assessment by Landline Consulting also supports and justifies that the smaller parcel north of the Sunwater Lease has little to no value for any type of farming or grazing activity.</i></p> <p><i>Proposed Lot 2 is farmed with avocados covering an area of only 13.9ha with Avocados (9.3% of the property), with another 15.2ha (10.2%) area cleared for grazing/farming. That leaves the balance area equating to 80% of the site mapped as regulated vegetation. The areas available for farming are mapped within the Agricultural Class A areas on the overlay map.</i></p> <p><i>In terms of its location, the property is situated approximately 10km from the CBD of Mareeba and is surrounded by smaller rural lifestyle lots adjacent and to the north along the river, and larger rural properties to the south, east and west all within the rural zone. The closest farming activity is 250m south west of the existing established dwelling on proposed Lot 1. Accordingly, this substantial separation and the fact that the dwelling is existing and established supports the fact that the proposed new rural lifestyle lot in proposed Lot 1 will not impact on the surrounding farming activities in the area. Therefore it makes logical and sound planning sense to separate what is already separate from the large portion by the Sunwater lease, from the small section in proposed Lot 1.</i></p> <p><i>The development complies with this provision entirely in that the sunwater lease which severs the property provides grounds to separate the property from one (1) into two (2) lots.</i></p>

		<p>Furthermore the proposed development ensures surrounding agricultural activities are not compromised by this development.</p> <p>Satisfied.</p>
Existing buildings and easements		
PO2	A02.1	<p>The existing dwelling is located on proposed Lot 1 will be contained within this allotment.</p> <p>Satisfied.</p>
	A02.2	<p>The existing dwelling is located on proposed Lot 1 will be contained within this allotment.</p> <p>Satisfied.</p>
PO3	A03	<p>The site does not contain existing easements.</p> <p>Satisfied.</p>
Boundary Realignment		
PO4	N/A	<p>This development does not involve nor propose a boundary realignment.</p> <p>Satisfied.</p>
Access and road network		
PO5	N/A	<p>Will be complied with.</p>
		<p>Existing access to Lot 1 & 2 are established and will be maintained as part of this development. Each portion has its own Rural Address number from Council. Lot 1 is 240 Henry Hannam Drive and Lot 2 is 104 Henry Hannam Drive.</p> <p>Satisfied.</p>
PO6	A06	<p>Will be complied with.</p>
		<p>Existing access to Lot 1 & 2 are established and will be maintained as part of this development. Each portion has its own Rural Address number from Council. Lot 1 is 240 Henry Hannam Drive and Lot 2 is 104 Henry Hannam Drive.</p> <p>Satisfied.</p>
PO7	N/A	<p>Not applicable. Site is in the rural zone.</p>
Rear Lots		
PO8	A08.1	<p>No rear lots proposed.</p> <p>Satisfied.</p>
	A08.2	<p>No rear lots proposed.</p> <p>Satisfied.</p>
	A08.3	<p>No rear lots proposed.</p> <p>Satisfied.</p>

	A08.4	No rear lots proposed. Satisfied.
	A08.5	No rear lots proposed. Satisfied.
	A08.6	Not applicable. Site is in the rural zone.
Crime prevention and community safety		
PO9	N/A	The development is located in the Rural zone. This provision doesn't particularly apply to this type of development within this zone and is more associated with residential lot developments within town. The house on proposed Lot 1 was positioned close to the other rural lifestyle residents for safety and passive surveillance reasons. Satisfied.
Pedestrian and cycle movement network		
PO10	N/A	The development is located in the Rural zone. This provision doesn't particularly apply to this type of development within this zone and is more associated with residential lot developments within town. Satisfied.
Public transport network		
PO11	N/A	The development is located in the Rural zone. The Site does not include public transport corridor or future public transport. Satisfied.
Residential Subdivision		
PO12	N/A	The development is located in the Rural zone. The development is not creating a residential subdivision. Satisfied.
Rural residential zone		
PO13	N/A	The development is located in the Rural zone. The development is seeking to create an additional lot adjacent to a pocket of seven (7) other rural lifestyle allotments. Satisfied.
Additional provisions for greenfield development only		
PO14	N/A	Not applicable
PO15	N/A	Not applicable
PO16	N/A	Not applicable
PO17	N/A	Not applicable
PO18	N/A	Not applicable
PO19	N/A	Not applicable
PO20	N/A	Not applicable

5.1.4 Landscaping Code

The proposed reconfiguration of a lot which is seeking approval for a one (1) into two (2) lot subdivision located within the Rural Zone. As such this code is not considered applicable to this development.

5.1.5 Parking and Access Code

The proposed reconfiguration of a lot which is seeking approval for a one (1) into two (2) lot subdivision located within the Rural Zone. As such, this code is not considered applicable to this development in terms of controlling parking demands and requirements as part of a reconfiguration of a lot. However, it is noted that the existing access crossovers from Henry Hannam Drive into both proposed Lots 1 and 2 have both been approved by Council and therefore considered to be consistent with the rural standards for access.

5.1.6 Works, Service and Infrastructure Code

The proposal is for Reconfiguration of 1 into 2 lots within the Rural Zone, and as such limited services and infrastructure are required to be provided. Proposed lot 1 will contain the existing services, accesses, buildings and structures. In terms of water, proposed lot 1 is already connected with the necessary water infrastructure and will not result in any changes to water supply. The water will continue to be supplied from the channel / sunwater lease as well as a bore, and a 27,000litre tank with cam lock for firefighting purposes. Existing on-site sewerage treatment systems in place for the existing dwelling and structures are contained within proposed lot 1 and will remain unchanged.

Access to proposed Lots 1 and 2 are both existing and established in accordance with the rural standard, in accordance with the standard drawings in the Planning Scheme Policy 4 – FNQROC Regional Development Manual. This detail has been noted and included on the development plans. In terms of on-site sewerage disposal, proposed lot 2 will have adequate area on-site to accommodate a suitably designed sewerage system to be submitted as part of the building application.

To summarise, the following is proposed in terms of services to be provided as part of this development:

- **Access:** Existing access crossovers from Henry Hannam Road into both proposed Lots 1 and 2 have both been approved by Council and therefore considered to be consistent with the rural standards in accordance FNQROC Standard Drawing S1105e for rural property accesses;
- **Water:** The house on proposed Lot 1 has existing connections to the channel irrigation, bore and 27,000litre water tank. Proposed Lot 2 also has an existing connection and metre onto the channel irrigation that runs past the property;
- **Sewerage:** Existing on-site sewerage system is contained within proposed Lot 1 servicing the existing dwelling. A new on-site effluent disposal system will have more than adequate area on proposed lot 2 and will be provided as part of subsequent development application for building and plumbing works. A condition of approval on this development will specify this requirement;
- **Power:** Proposed Lot 1 and 2 already have separate connections and transformers to provide

power to each portion of the property; and

- **Telecommunications:** There is existing wireless and NBN to the existing house on proposed Lot 1. In terms of proposed Lot 2, no built infrastructure is considered applicable to this development as it is within the rural zone as there are various avenues available via the NBN for the site to be connected to the internet which is used to provide home phone services.

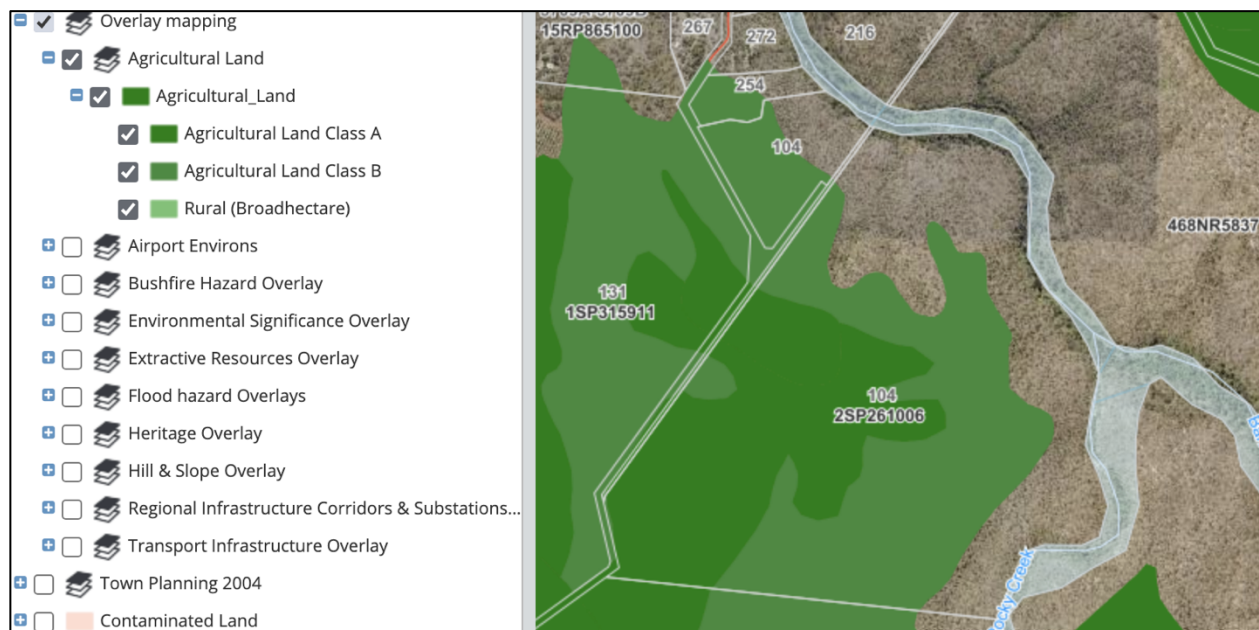
It is considered that the proposed Reconfiguration of a lot development achieves compliance with the outcomes sought to be achieved within Works, Services and Infrastructure Code.

5.1.7 Agricultural Land Overlay Code

The purpose of the Agricultural land overlay code is to protect or manage important agricultural areas, resources, and processes which contribute to the shire's capacity for primary production.

The purpose of the code will be achieved through the following overall outcomes:

- (a) *The alienation, fragmentation or reduction in primary production potential of land within the 'Class A' area or 'Class B' area is avoided, except where:*
 - (i) *an overriding need exists for the development in terms of public benefit,*
 - (ii) *no suitable alternative site exists; and*
 - (iii) *the fragmentation or reduced production potential of agricultural land is minimised;*
- (b) *'Class A' areas and 'Class B' areas continue to be used primarily for more intensive agricultural activities which utilise the land quality provided in these areas;*
- (c) *Grazing on very large land holdings is maintained as the dominant rural activity in the 'Broadhectare rural' area; and*
- (d) *Land with the 'Broadhectare rural' area is maintained in its current configuration.*



Comments:

The proposed one (1) into two (2) lot reconfiguration of Lot 2 on SP261006, which seeks to split a portion separated by a Sunwater Lease from the parent property. Creating new allotment in proposed lot 1 which is below 60ha would not typically be supported within the Rural Zone, and for good reason in most cases to protect the rural farming areas within the shire. However, in this instance this site is completely different from any other rural subdivision for various reasons – where based on these sound and relevant grounds – the proposal to separate the already established rural lifestyle allotment in this area and location makes planning sense to do so. The existing dwelling established on proposed Lot 1 covered by regulated vegetation and is not suitable to support any sort of agricultural or grazing venture as it is at only 11.93 hectares. Furthermore if you couple that element with the fact that the majority of the site is mapped as containing regulated vegetation – of which cannot be cleared for agricultural purposes – and also the terrain and rockiness of the slope as supported in Appendix 4 in Dr. Mike Gilbert assessment from Landline Consulting, you are left with a property that can only be used as a rural lifestyle allotment. As such, we are seeking and proposing to provide just that as part of this development.

When creating any new rural allotment that is adjacent to an existing agricultural venture, it is important to ensure that the development does not impact on that business and farming operation. In response, we consider that the following elements proposed as part of this development will ensure that this development will not compromise the long-term use of the adjoining land for rural purposes:

- The proposed new allotment is located across the road from an Avocado orchid on Lot 1 on SP315911. The existing dwelling on proposed Lot 1 is located some 250 metres from the orchid of which is buffered from that property with the natural bushland within Lot 1. Also the property is located north-east of the activity, therefore suitably positioned to avoid any impacts from spray drift and the like.
- The adjoining property to the north and the seven (7) other properties within that pocket of rural lifestyle allotments do not conduct any farming activities as the land is not suitable for any farming or grazing activities given the terrain and rockiness of the area;
- The areas that are cleared and available for farming on proposed Lot 2 as noted contain avocados covering an area of only 13.9ha with Avocados (9.3% of the property and 840m away from the dwelling on proposed Lot 1), with another 15.2ha (10.2% and 550m away from the dwelling on proposed Lot 1) area cleared for grazing/farming. That leaves the balance area equating to 80% of the site mapped as regulated vegetation. The cleared areas available for farming are mapped within the Agricultural Class A areas on the overlay map;
- There is a farming activity occurring across the river some 645m away to the north-east of the site. This separation distance is quite substantial and the new allotment proposed in Lot 1 will not impact on any farming activities conducted there as well.

The proposal is considered to satisfy the requirements set by the applicable assessment benchmarks from the planning scheme, specifically the Rural Zone, Reconfiguring a Lot Code and Agricultural Land Overlay Code.

5.1.8 Airport Environs Overlay Code

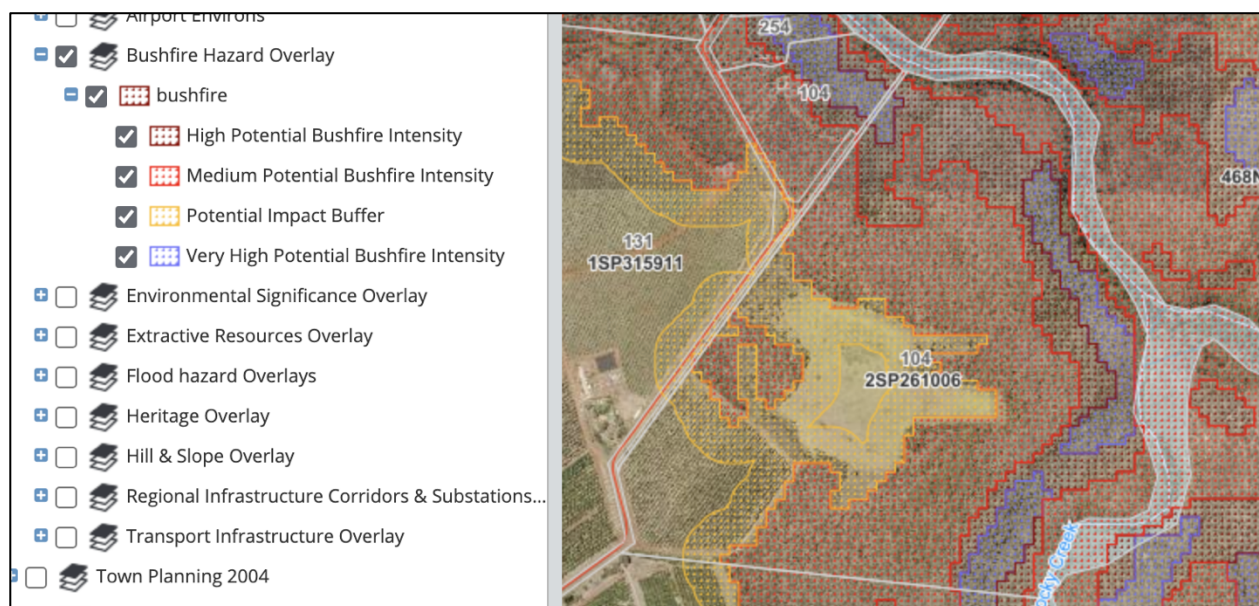
The site is within the light intensity buffer of the Mareeba Airport, within the Airport Environs overlay mapping. No buildings or structures are proposed as part of the development. It is considered that the Airports Environs Overlay Code is does not apply to the assessment of the proposed reconfiguration given that the site’s location and that the development relates to the creation of an additional allotment, and not built form.

5.1.9 Bushfire Hazard Overlay Code

The purpose of the Bushfire hazard overlay code is to minimise the threat of bushfire to people and property.

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.*



The site is mapped as containing areas of Potential Impact Buffer (100 metres), Medium, High and Very High Bushfire Hazard, which correlate with the areas on the site covered by natural bushland. The site

has existing access to water on both allotments that is currently available to be used for fire-fighting purposes. There are three (3) water sources available on proposed Lot 1, which have already been established under the building approval for firefighting purposes. Proposed lot 1 has a connection to the channel / sunwater lease, a 27,000litre water tank with a cam lock for firefighting purposes, as well as a bore. Additionally as part of the development permit for building works, the owners were required to clear a 20m buffer around the perimeter of the house to comply with the relevant bushfire overlay code requirements. The owners have also installed irrigation to the front slope of the house along the north-eastern face in the event a fire comes up from the Barron River. Proposed Lot 2 has an existing connection to the channel / sunwater lease as well which is used for the Avocado orchid. Lastly, the properties are regularly maintained by the landowners to ensure no build-up of hazardous materials and that existing or proposed firebreaks are maintained. Accordingly, it is considered that this development achieves compliance with the outcomes sought under the Bushfire Hazard Overlay Code.

5.1.10 Environmental Significance Overlay Code

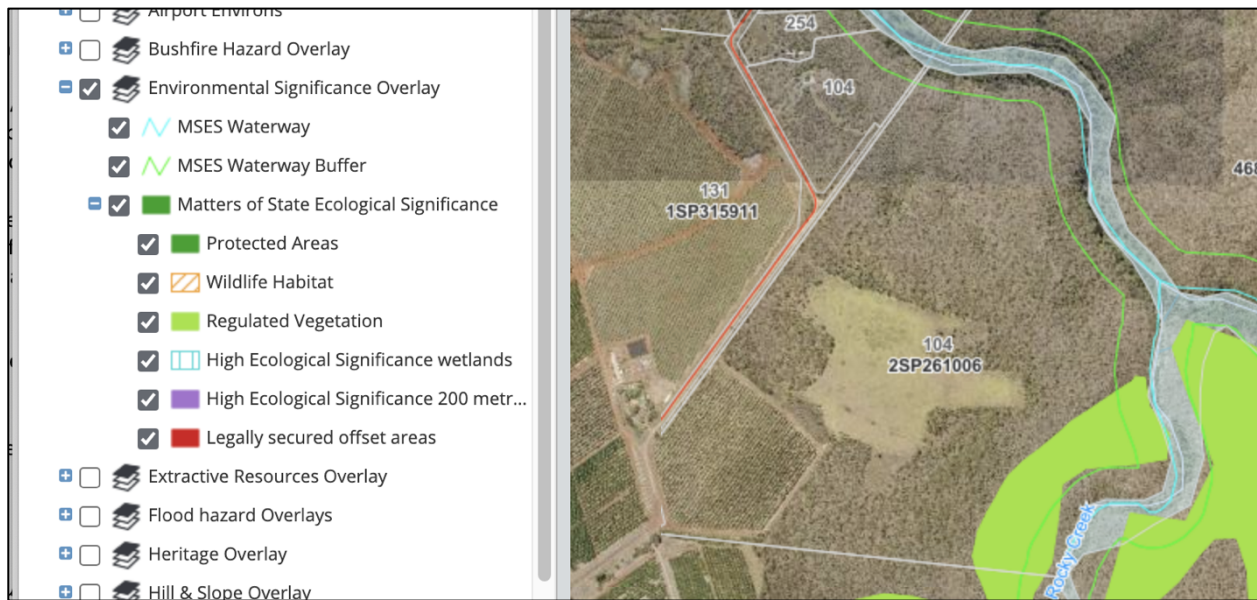
The purpose of the Environmental significance overlay code is to identify and protect matters of environmental significance, which include matters of state environmental significance (MSES) as defined under the state planning policy.

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.*

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.*



The site is mapped as containing areas of land considered regulated vegetation, albeit that it does not reflect the entire area as illustrated on the state regulatory mapping. The proposed development is creating new boundaries through the vegetation to which referral to the state government applies. The area in question on this associated overlay mapping is not impacted in any way by this development. Accordingly, the outcomes sought within this code are considered to be achieved as a consequence and no further assessment of this development is required against the Environmental Significance Overlay Code.

5.1.11 Flood Hazard Overlay Code

The purpose of the Flood hazard overlay code is to manage development outcomes in flood hazard areas identified on the Flood hazard overlay maps (OM-006ao) so that risk to life, property, community and the environment during flood events is minimised, and to ensure that development does not increase the potential for flood damage on site or to other property.

The purpose of the code will be achieved through the following overall outcomes:

- (a) *Development in the 'Extreme flood hazard area':*
 - i. *maintains and enhances the hydrological function of the land;*
 - ii. *does not involve filling (earthworks) or changes to existing landform or drainage lines that results in a loss of the flood conveyance and flood storage capacity of the land;*
 - iii. *is limited to:*
 - A. *flood proofed Sport and recreation activities;*
 - B. *Rural activities where for Animal husbandry, Cropping or Permanent plantation;*

- C. *flood proofed Utility installations, Substations or Major electricity infrastructure;*
- D. *conservation and natural area management; and*
- E. *replacement of existing lawful development, including Accommodation activities where habitable rooms are elevated above the defined flood level and include freeboard;*

Where there is no increase to the number of persons at risk of flood and where development reduces existing or potential risks to life and property.

(b) Development in the 'High flood hazard area':

- i. *maintains the hydrological function of the land;*
- ii. *does not involve filling (earthworks) or changes to the existing landform or drainage lines that results in a loss of the flood conveyance and flood storage capacity of the land;*
- iii. *is limited to:*
 - A. *flood proofed Sport and recreation activities and Club uses;*
 - B. *Non-resident workforce accommodation, Relocatable home park, Resort complex, Rooming accommodation, Short term accommodation and Tourist park uses where these uses comprise permanent on-site management and a flood evacuation management plan ensures the health and safety of persons during a flood event;*
 - C. *a Dwelling house only where the lot existed or had a lawful reconfiguring a lot approval at the commencement of the planning scheme and the land is included in a Residential zone or the Centre zone or where for minor intensification of existing Dwelling houses;*
 - D. *Rural activities where for Animal husbandry, Cropping or Permanent plantation;*
 - E. *Industrial activities and Commercial activities where it is accepted development that flood damage is incurred as an operational cost and where flood sensitive elements of the development or use are elevated above the defined flood level, including freeboard;*
 - F. *flood proofed Utility installations, Substations or Major electricity infrastructure;*
 - G. *conservation and natural area management; and*
 - H. *replacement of existing lawful development; Where there is no increase to the number of persons at risk of flood and where development reduces existing or potential risks to life and property.*
- iv. *protects surrounding land and land uses from increased flood hazard impacts;*
- v. *elevates habitable rooms for all accommodation activities (including where for minor building work) above the defined flood level, including freeboard.*

- (c) *Development in the 'Significant flood hazard area':*
- i. *minimises risk to life and property from flood events;*
 - ii. *involves changes to the existing landform and drainage lines in this area only where detrimental impacts to the flood hazard risk of surrounding areas is avoided;*
 - iii. *is limited to:*
 - A. *Sport and recreation activities;*
 - B. *Industrial activities and Commercial activities where it is accepted development that flood damage is incurred as an operational cost and where flood sensitive elements of the development or use are elevated above the defined flood level, including freeboard;*
 - C. *Rural activities;*
 - D. *Accommodation activities, excluding Residential care facility and Retirement facility;*
 - E. *flood proofed Community activities, excluding Child care centre, Hospital and Community use where a flood emergency evacuation plan ensures the safety of people during a flood event;*
 - F. *flood proofed Utility installations, Substations or Major electricity infrastructure;*
 - G. *conservation and natural area management;*
 - iv. *locates habitable rooms for all accommodation activities above the defined flood level, including freeboard; and*
 - v. *locates the minimum floor level for all buildings other than accommodation activities, industrial activities and business activities above the defined flood level.*
- (d) *Development in the 'Low flood hazard area':*
- i. *minimises risk to life and property from flood events;*
 - ii. *locates habitable rooms for all Accommodation activities above the defined flood level, including freeboard; and*
 - iii. *locates the minimum floor level for all buildings other than Accommodation activities above the defined flood level, including freeboard.*
- (e) *Development in the 'Potential flood hazard area':*
- i. *maintains the safety of people on the development site from flood events and minimises the potential damage from flooding to property;*
 - ii. *does not result in adverse impacts on people's safety, the environment or the capacity to use land within the floodplain;*
 - iii. *locates habitable rooms for all Accommodation activities above a 1% Annual Exceedance Probability (AEP), including freeboard; and*
 - iv. *locates the minimum floor level for all building work other than Accommodation activities above the 1% AEP flood level, including freeboard.*



The site is mapped within the Queensland Floodplain Assessment Overlay along Rocky Creek and the Barron River. As noted previously, the proposal simply involves the creation of 1 into 2 allotments, of which 95% of the property falls outside the flood hazard area. Proposed lot 1 has already got the existing dwelling on the property and it is suitably positioned away from the Barron River and will not be affected by floods. In terms of any potential impacts on proposed lot 2, it is anticipated that any future structures proposed to be built on this property will be adequately positioned to ensure they are immune from flooding and will be subject to any requirements for immunity at the time of building works applications and approvals.

5.2 State Development Assessment Provisions

The State Development Assessment Provisions (SDAP) set out the matters of interest to the state for development assessment. The SDAP identifies the matters of interest – where relevant they have been addressed by heading in this section. Where the State is a referral agency for a development application under the provisions, the state code applies.

5.2.1 Clearing Native Vegetation

The subject site is mapped by the state government as containing regulated vegetation protected under the *Vegetation Management Act 1999*. Accordingly, the development triggers referral under Schedule 10, part 3, division 4, table 2 – Clearing native vegetation of the *Planning Regulations 2017*, because the new allotment boundary extends through the protected vegetation and the lot that the application relates to is larger 5ha, and less than 25ha. The relevant SDAP code response is provided in **Appendix 4**.

5.3 Far North Regional Plan 2009-2031

The site is located within the 'Regional Landscape and Rural Production Area Regional Land Use Category of the Far North Queensland 2009-2031 (see also Attachment 3). The Minister has identified that the

planning scheme, specifically the Strategic Framework, appropriately advances the FNQRP 2009- 2031. Hence, compliance with the FNQRP is demonstrated through the compliance with the Planning Scheme (refer to this report and attachments for demonstration of this compliance).

6.0 CONCLUSION

It is considered that the proposed development being a Reconfiguration of a Lot – Lot Creation to create one (1) into two (2) lots over land described as Lot 2 on SP261006 is appropriate. In particular, the proposed development:

- Achieves compliance with the Performance Outcomes and Purpose Outcomes relating to Rural Zone;
- Achieves compliance with the Performance Outcomes, Purposes and the Intent of the Reconfiguring a Lot Code for land included in the Rural Zone;
- Satisfies compliance with the relevant applicable mapped Overlays, with particular regard to the Agricultural Land Overlay;
- Does not conflict with the Far North Queensland Regional Plan 2009 – 2031, in particular the Rural Production Area Regional Land Use Category.

The applicant strongly believes that an assessment of the common material forming part of this development application in accordance with the decision-making rules established under the Planning Act will result in the approval of the development application and the issuing of a development permit subject to conditions. The proposal is consistent with the “Purpose” of the Rural Zone & Reconfiguring a Lot Code and the applicable State level policy. The proposal constitutes works and a use of the site in a manner that meets the strategic outcomes sought by the planning instruments and the expectations of the community. The conclusion of this report is that all the requirements set by the assessment benchmarks can be met and that the strategic level policy outcomes sought by the planning scheme for the site and locality can be achieved. The common material provided as part of this development application contains sufficient justification to establish compliance with the assessment benchmarks. It is the applicant’s opinion that the development application contains sufficient justification to warrant approval subject to reasonable and relevant conditions.

We request that Council provide a copy of the Draft Conditions with sufficient time for review prior to issuing a Decision Notice for the development. If you have any queries, please do not hesitate to contact our office on 0411 344 110.



Ramon Samanes

Director, U&i Town Plan

Bachelor of Applied Science, Majoring in Environmental and Urban Planning

APPENDIX 1: DA FORM 1 – DEVELOPMENT APPLICATION DETAILS

DA Form 1 – Development application details

Approved form (version 1.4 effective 15 December 2023) made under section 282 of the Planning Act 2016.

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

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

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

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) <i>(individual or company full name)</i>	Don Lavers (OAM), Dorothy Dell Lavers, Mark Lavers, Bettina Lavers, Peter Lavers and Pam Lavers c/- U&i Town Plan
Contact name <i>(only applicable for companies)</i>	Ramon Samanes
Postal address <i>(P.O. Box or street address)</i>	PO Box 426
Suburb	Cooktown
State	QLD
Postcode	4895
Country	Australia
Contact number	0411344110
Email address <i>(non-mandatory)</i>	Ramon.samanes@gmail.com
Mobile number <i>(non-mandatory)</i>	0411344110
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	R11-23

2) Owner's consent

2.1) Is written consent of the owner required for this development application?

- Yes – the written consent of the owner(s) is attached to this development application
 No – proceed to 3)

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		104 & 240	Henry Hannam Drive	Mareeba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	2	SP261006	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

Coordinates of premises by longitude and latitude

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

Coordinates of premises by easting and northing

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

3.3) Additional premises

Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development application

Not required

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

In a tidal area

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

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

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

Name of airport:

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

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

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

No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect
a) What is the type of development? <i>(tick only one box)</i>
<input type="checkbox"/> Material change of use <input checked="" type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input type="checkbox"/> Code assessment <input checked="" type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
One (1) into Two (2) Lots
e) Relevant plans <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms guide: Relevant plans.</i>
<input type="checkbox"/> Relevant plans of the proposed development are attached to the development application
6.2) Provide details about the second development aspect
a) What is the type of development? <i>(tick only one box)</i>
<input type="checkbox"/> Material change of use <input type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
e) Relevant plans <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>
<input type="checkbox"/> Relevant plans of the proposed development are attached to the development application
6.3) Additional aspects of development
<input type="checkbox"/> Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application
<input checked="" type="checkbox"/> Not required

Section 2 – Further development details

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

Division 1 – Material change of use

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

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

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

Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?	
One (1) Existing Allotment	

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

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
				Rural
Number of lots created				Two (2) Allotments

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

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

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

12) Boundary realignment

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

Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)

12.2) What is the reason for the boundary realignment?

--

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)

Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement

Division 3 – Operational work

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

14.1) What is the nature of the operational work?

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

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

<input type="checkbox"/> Yes – specify number of new lots: _____
<input type="checkbox"/> No

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

\$ _____

PART 4 – ASSESSMENT MANAGER DETAILS

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

Mareeba Shire Council

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

<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application
<input type="checkbox"/> The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
<input checked="" type="checkbox"/> No

PART 5 – REFERRAL DETAILS

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

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

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

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

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

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

Airport land

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

Heritage places – Local heritage places

Matters requiring referral to the **Chief Executive of the distribution entity or transmission entity**:

Infrastructure-related referrals – Electricity infrastructure

Matters requiring referral to:

- The **Chief Executive of the holder of the licence**, if not an individual
- The **holder of the licence**, if the holder of the licence is an individual

Infrastructure-related referrals – Oil and gas infrastructure

Matters requiring referral to the **Brisbane City Council**:

Ports – Brisbane core port land

Matters requiring referral to the **Minister responsible for administering the *Transport Infrastructure Act 1994***:

Ports – Brisbane core port land *(where inconsistent with the Brisbane port LUP for transport reasons)*

Ports – Strategic port land

Matters requiring referral to the **relevant port operator**, if applicant is not port operator:

Ports – Land within Port of Brisbane’s port limits *(below high-water mark)*

Matters requiring referral to the **Chief Executive of the relevant port authority**:

Ports – Land within limits of another port *(below high-water mark)*

Matters requiring referral to the **Gold Coast Waterways Authority**:

Tidal works or work in a coastal management district *(in Gold Coast waters)*

Matters requiring referral to the **Queensland Fire and Emergency Service**:

Tidal works or work in a coastal management district *(involving a marina (more than six vessel berths))*

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

Yes – referral response(s) received and listed below are attached to this development application

No

Referral requirement	Referral agency	Date of referral response

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

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules

I agree to receive an information request if determined necessary for this development application

I do not agree to accept an information request for this development application

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

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

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

PART 7 – FURTHER DETAILS

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

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

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

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

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

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

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

- Yes – show cause or enforcement notice is attached
 No

23) Further legislative requirements

Environmentally relevant activities

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

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

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

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

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

Hazardous chemical facilities

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

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

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

Clearing native vegetation

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

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

No

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

Environmental offsets

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

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

No

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

Koala habitat in SEQ Region

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

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

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

No

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

Water resources

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

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

No

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

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

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

Waterway barrier works

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

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

No

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

Marine activities

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

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

No

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

Quarry materials from a watercourse or lake

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

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

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

Quarry materials from land under tidal waters

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

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

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

Referable dams

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

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

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

Tidal work or development within a coastal management district

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

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

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

Queensland and local heritage places

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

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

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

Name of the heritage place:		Place ID:	
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Brothels

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

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

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

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

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

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

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

- Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered
- No

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

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

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

Yes

Note: See the Planning Regulation 2017 for referral requirements

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

Yes

Not applicable

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

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

Yes

Relevant plans of the development are attached to this development application

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

Yes

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

Yes

Not applicable

25) Applicant declaration

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

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

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

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

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

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

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

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

Date received: Reference number(s):

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

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

APPENDIX 2: OWNER'S CONSENT

CLIENT ACCEPTANCE FORM / OWNER'S CONSENT

(TO BE COMPLETED AND RETURNED)

PROJECT:	Reconfiguration of a Lot – Lot Creation
PROJECT ADDRESS:	240 Henry Hannam Drive, Mareeba (Lot 2 on SP261006)

Client Details

Client:	MARK & ANNE LAVERS	(enter client name) (primary contact)
Invoice Address:	PO BOX 205 WALKAMIN Q 4872	(enter invoice address)
Phone:	[REDACTED]	(enter client phone)
Email:	[REDACTED]	(enter client email)
Accounts Contact:	ANNE LAVERS	(enter accounts email & phone)

Landowner Details *(proof of ownership to be supplied by owner's, i.e. rates notices OR current title search supplied)*

Landowner Name/s:	DON & DELL LAVERS PETER & PAM LAVERS MARK & ANNE LAVERS	(enter landowner name/s) As shown on rates notice
Address:	PO BOX 205 WALKAMIN Q 4872	(enter address)
All Owners Signatures:	[REDACTED]	

I / we, the party named below (the Client), confirm the commission of R&A Samanes Pty Ltd t/a U&I Town Plan (the Consultant), in relation to the project referenced above and accept all terms and conditions of the Quote and in particular confirm responsibility for payment of fees generated by this commission and payable to the Consultant strictly prior to lodgement of the Application and in other cases within 7 days of the date of invoice.

Signed:

[REDACTED SIGNATURE]

Name:

ANNE LAVERS

Date:

29/11/23

Please complete, sign and return to: ramon@uitownplan.com.au. Along with a copy of the receipt of payment of selected fees.

APPENDIX 3: DEVELOPMENT PLANS

Proposed Subdivision - 1 into 2 Lots

104 & 240 Henry Hannam Drive, Mareeba (Lot 2 on SP261006) Plan#1, v1.0, dated 24.01.24, prepared by U&i Town Plan

17°5'2"S 145°26'33"E

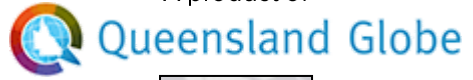
17°5'2"S 145°27'28"E



17°5'55"S 145°26'33"E

17°5'55"S 145°27'28"E

A product of



Legend located on next page



0 100 metres

Scale: 1:5873

Printed at: A3
Print date: 13/2/2024

Not suitable for accurate measurement.
Projection: Web Mercator EPSG 102100 (3857)

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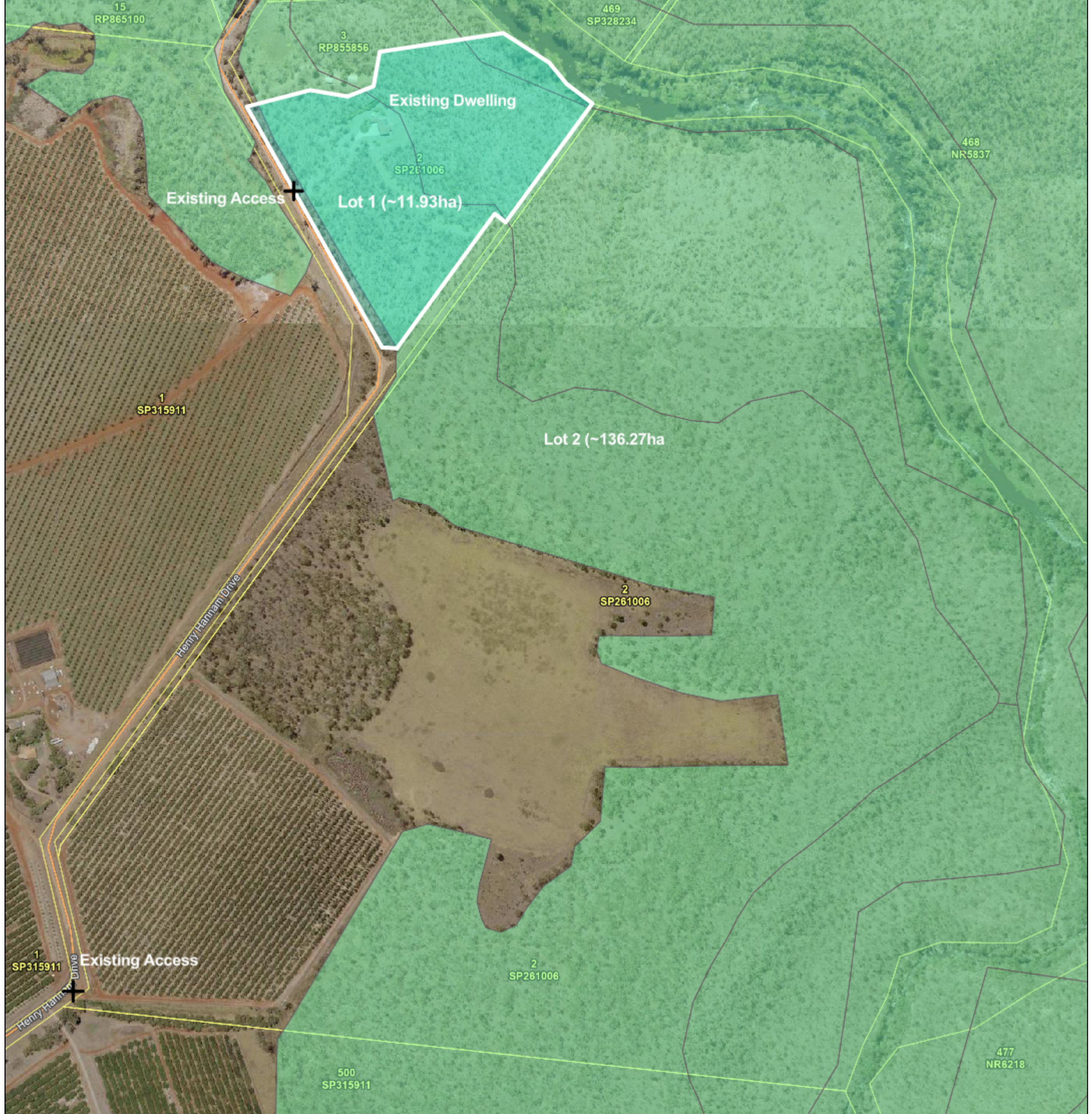


Proposed Subdivision - 1 into 2 Lots (Vegetation Overlay)

104 & 240 Henry Hannam Drive, Mareeba (Lot 2 on SP261006) Plan#1, v1.0, dated 24.01.24, prepared by U&i Town Plan

17°5'3"S 145°26'34"E

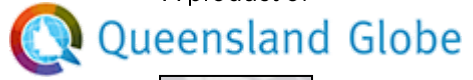
17°5'3"S 145°27'27"E



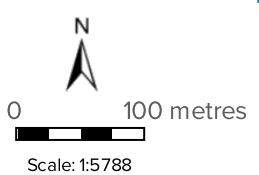
17°5'56"S 145°26'34"E

17°5'56"S 145°27'27"E

A product of



Legend located on next page



Printed at: A3
Print date: 13/2/2024
Not suitable for accurate measurement.
Projection: Web Mercator EPSG 102100 (3857)

For more information, visit <https://qldglobe.information.qld.gov.au/help-info/Contact-us.html>



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APPENDIX 4: STATE CODE 16 – NATIVE VEGETATION CLEARING

State code 16: Native vegetation clearing

For guidance on how to address this code, please refer to the State Development Assessment Provisions Guidance material: State code 16: Native vegetation clearing.

Please note: It is only necessary to provide a response to the performance outcomes relevant to the clearing purpose(s). Table 16.1 below specifies which tables of performance outcomes are relevant for each clearing purpose. Tables that are not relevant to your clearing purpose can be left blank or deleted.

As an example, only Table 16.2 and Table 16.15 are relevant for a development application for operational works that involves managing thickened vegetation. The remaining tables may be deleted.

Table 16.1: Relevant code provisions for each type of development

Clearing purpose	Relevant provisions
Material change of use and / or reconfiguring a lot and / or operational work	Table 16.2 and Table 16.3
Public safety, relevant infrastructure activities and / or consequential development of IPA approval	Table 16.2 and Table 16.4
Extractive industry	Table 16.2 and Table 16.5
Coordinated project (agriculture)	Table 16.2 and Table 16.6
Coordinated project (extractive industry)	Table 16.2 and Table 16.7
Coordinated project (all other purposes)	Table 16.2 and Table 16.8
Material change of use and / or reconfiguring a lot for all other purposes	Table 16.9
Material change of use and / or reconfiguring a lot for which there will be no clearing as a result of the material change of use or reconfiguring a lot	Table 16.2 and Table 16.10
Material change of use and / or reconfiguring a lot for which clearing is limited to clearing that could be done as exempt clearing work for the purpose of the development prior to the material change of use or reconfiguring a lot application being approved	
Operational work	
Necessary environmental clearing	Table 16.2 and Table 16.11
Control non-native plants or declared pests	Table 16.2 and Table 16.12
Encroachment	Table 16.2 and Table 16.13
Fodder harvesting	Table 16.2 and Table 16.14
Managing thickened vegetation	Table 16.2 and Table 16.15

Table 16.2: General

Performance outcomes	Acceptable outcomes	Response
PO1 Clearing of vegetation is consistent with any notice requiring compliance on the land subject to the development application, unless a better environmental outcome can be achieved.	No acceptable outcome is prescribed.	Complies. No notice requiring compliance applies.
PO2 Clearing of vegetation is consistent with vegetation management requirements for particular regulated areas unless a better environmental outcome can be achieved.	No acceptable outcome is prescribed.	Complies. Clearing for new boundaries only. No other clearing proposed as part of this development.
PO3 Clearing of vegetation in a legally secured offset area : <ol style="list-style-type: none"> is consistent with the offset delivery plan; or is consistent with an agreement for the offset area on the land subject to the development application; or only occurs if an additional offset is provided. 	No acceptable outcome is prescribed.	Complies. No offsets required as part of this development.

Table 16.3: Public safety, relevant infrastructure activities and / or consequential development of IPA approval

Performance outcomes	Acceptable outcomes	Response
Clearing avoids and minimises impacts		
PO4 Clearing of vegetation and adverse impacts of clearing vegetation do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been: <ol style="list-style-type: none"> reasonably avoided; or reasonably minimised where it cannot be reasonably avoided. 	No acceptable outcome is prescribed.	
Clearing associated with wetlands		
PO5 Clearing of vegetation within a natural wetland and/or within 100 metres of the defining bank of a natural wetland maintains the composition, structure and function of any regional ecosystem associated with any natural wetland to protect all of the following: <ol style="list-style-type: none"> bank stability by protecting against bank erosion; 	AO5.1 Clearing does not occur in a natural wetland or within 100 metres of the defining bank of any natural wetland . OR AO5.2 Clearing within 100 metres of the defining bank of any natural wetland :	

Performance outcomes	Acceptable outcomes	Response
2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat.	1. does not occur within 10 metres of the defining bank of any natural wetland ; and 2. does not exceed widths in reference table 1 in this code.	
PO6 Where clearing of vegetation in a regional ecosystem associated with a natural wetland does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact .	No acceptable outcome is prescribed.	
Clearing associated with watercourses and drainage features		
PO7 Clearing of vegetation within a watercourse and/or drainage feature and/or within the relevant distance (listed in reference table 2) of a watercourse and/or drainage feature , maintains the composition, structure and function of the regional ecosystem associated with the watercourse and/or drainage feature to protect all of the following: 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat.	AO7.1 Clearing does not occur in any of the following areas: 1. inside the defining bank of a watercourse or drainage feature ; and 2. within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code. OR AO7.2 Clearing within any watercourse or drainage feature , or within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code: 1. does not exceed the widths in reference table 1 of this code; and 2. does not occur within 10 metres of the defining bank , unless clearing is required into or across the watercourse or drainage feature .	
PO8 Where clearing of vegetation in a regional ecosystem associated with a watercourse and/or drainage feature does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact .	No acceptable outcome is prescribed.	
Connectivity		

Performance outcomes	Acceptable outcomes	Response
<p>PO9 Regional ecosystems on the subject land and any adjacent land retain sufficient vegetation to:</p> <ol style="list-style-type: none"> maintain ecological processes; and ensure the regional ecosystem remains in the landscape despite threatening processes. 	<p>AO9.1 Clearing occurs in accordance with reference table 3 in this code.</p>	
<p>Soil erosion if the local government is not the assessment manager for the development application</p>		
<p>PO10 Clearing of vegetation does not result in accelerated soil erosion within or outside the land the subject of the development application.</p>	<p>AO10.1 Clearing only occurs if an erosion and sediment control plan is developed and implemented to prevent increased soil erosion and instability resulting from the clearing.</p>	
<p>Salinity</p>		
<p>PO11 Clearing of vegetation within 100 metres of a salinity expression area does not contribute to or accelerate land degradation through either of the following:</p> <ol style="list-style-type: none"> waterlogging; the salinisation of groundwater, surface water or soil. 	<p>AO11.1 Clearing does not occur within 100 metres of a salinity expression area.</p>	
<p>Conserving least concern regional ecosystems - Minimising clearing of areas temporarily required to enable construction of the infrastructure</p>		
<p>PO12 Clearing of vegetation for temporary use areas to construct necessary infrastructure, such as temporary use roads or access tracks, maintains the composition, structure and function of least concern regional ecosystems.</p>	<p>AO12.1 Clearing for temporary use areas to construct necessary infrastructure does not occur in a least concern regional ecosystem.</p> <p>OR</p> <p>AO12.2 Total clearing for temporary use areas to construct necessary infrastructure in any regional ecosystem combined does not exceed the widths prescribed in table reference table 1 of this code.</p> <p>OR</p> <p>AO12.3 Total clearing for temporary use areas to construct necessary infrastructure in any regional ecosystem combined does not exceed areas prescribed in table reference table 1 of this code.</p>	

Performance outcomes	Acceptable outcomes	Response
<p>PO13 Where clearing of vegetation in a regional ecosystem for temporary use areas to construct necessary infrastructure does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, the cleared area is rehabilitated.</p> <p>Conserving endangered and of concern regional ecosystems</p> <p>PO14 Clearing of vegetation maintains the composition, structure and function of endangered regional ecosystems and/or of concern regional ecosystems.</p>	<p>No acceptable outcome is prescribed.</p> <p>AO14.1 Clearing does not occur in an endangered regional ecosystem or an of concern regional ecosystem.</p> <p>OR</p> <p>AO14.2 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed the widths prescribed in table reference table 1 of this code.</p> <p>OR</p> <p>AO14.3 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed areas prescribed in table reference table 1 of this code.</p> <p>No acceptable outcome is prescribed.</p>	
<p>PO15 Where clearing of vegetation in an endangered regional ecosystem or an of concern regional ecosystems does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, the cleared area:</p> <ol style="list-style-type: none"> 1. is rehabilitated; or 2. where the cleared area cannot reasonably be rehabilitated, an offset is provided for any acceptable significant residual impact. 		

Essential habitat excluding essential habitat for <i>Phascolarctos cinereus</i> (koalas) if development is assessable under Schedule 10, Part 10 of the Planning Regulation 2017	
<p>PO16 Clearing of vegetation in a regional ecosystem that is an area of essential habitat maintains the composition, structure and function of the regional ecosystem for each protected wildlife species individually.</p>	<p>AO16.1 Clearing does not occur in essential habitat.</p> <p>OR</p> <p>AO16.2 Clearing in essential habitat does not exceed the widths prescribed in reference table 1 of this code.</p> <p>OR</p> <p>AO16.3 Clearing in essential habitat does not exceed the areas prescribed in table reference table 1 of this code.</p>
<p>PO17 Where clearing of vegetation in a regional ecosystem that is an area of essential habitat does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact for each protected wildlife species individually.</p>	<p>No acceptable outcome is prescribed.</p>
<p>Acid sulfate soils if the local government is not the assessment manager for the development application</p>	
<p>PO18 Clearing of vegetation does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following:</p> <ol style="list-style-type: none"> aeration of horizons containing iron sulphides; mobilisation of acid or metals. 	<p>AO18.1 Clearing does not occur in land zone 1, land zone 2 or land zone 3.</p> <p>OR</p> <p>AO18.2 Clearing in land zone 1, land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where:</p> <ol style="list-style-type: none"> mechanical clearing does not disturb the soil to a depth greater than 30 centimetres; and acid sulfate soils are managed consistent with the soil management guidelines in the Queensland Acid Sulfate Soil Technical Manual.

Table 16.4: Extractive industry

Performance outcomes		Acceptable outcomes	Response
Clearing avoids and minimises impacts			
PO19 Clearing of vegetation and adverse impacts of clearing vegetation do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been:	1. reasonably avoided; or 2. reasonably minimised where it cannot be reasonably avoided.	No acceptable outcome is prescribed.	
Clearing associated with wetlands			
PO20 Clearing of vegetation within a natural wetland and/or within 100 metres of the defining bank of a natural wetland maintains the composition, structure and function of any regional ecosystem associated with any natural wetland to protect all of the following:	1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat.	AO20.1 Clearing does not occur in a natural wetland or within 100 metres of the defining bank of any natural wetland. OR AO20.2 Clearing within 100 metres of the defining bank of any natural wetland: 1. does not occur within 10 metres of the defining bank of any natural wetland; and 2. does not exceed widths in table reference table 1 in this code.	
PO21 Where clearing of vegetation in a regional ecosystem associated with a natural wetland does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact.		No acceptable outcome is prescribed.	
Clearing associated with watercourses and drainage features			
PO22 Clearing of vegetation within a watercourse and /or drainage feature and/or within the relevant distance (listed in reference table 2) of a watercourse and/or drainage feature, maintains the composition, structure and function of the regional ecosystem associated with the watercourse and/or drainage feature to protect all of the following:	1. bank stability by protecting against bank erosion;	AO22.1 Clearing does not occur in any of the following areas: 1. inside the defining bank of a watercourse or drainage feature; and 2. within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code. OR	

Performance outcomes	Acceptable outcomes	Response
<ol style="list-style-type: none"> 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	<p>AO22.2 Clearing within any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code:</p> <ol style="list-style-type: none"> 1. does not exceed the widths in table reference table 1 of this code; and 2. does not occur within 10 metres of the defining bank, unless clearing is required into or across the watercourse or drainage feature. 	
<p>PO23 Where clearing of vegetation in a regional ecosystem associated with a watercourse and/or drainage feature does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact.</p>	<p>No acceptable outcome is prescribed.</p>	
Connectivity		
<p>PO24 Regional ecosystems on the subject land and any adjacent land retain sufficient vegetation to maintain:</p> <ol style="list-style-type: none"> 1. ecological processes; and 2. ensure the regional ecosystem remains in the landscape despite threatening processes. 	<p>AO24.1 Clearing occurs in accordance with reference table 3 in this code.</p>	
Soil erosion if the local government is not the assessment manager for the development application		
<p>PO25 Clearing does not result in accelerated soil erosion within or outside the land the subject of the development application.</p>	<p>AO25.1 Clearing only occurs if an erosion and sediment control plan is developed and implemented to prevent soil erosion and instability resulting from the clearing.</p>	
Salinity		
<p>PO26 Clearing within 100 metres of a salinity expression area does not contribute to or accelerate land degradation through either of the following:</p> <ol style="list-style-type: none"> 1. waterlogging; 2. the salinisation of groundwater, surface water or soil. 	<p>AO26.1 Clearing does not occur within 100 metres of a salinity expression area.</p>	

Conserving endangered and of concern regional ecosystems	
PO27 Clearing of vegetation maintains the composition, structure and function of endangered regional ecosystems and/or of concern regional ecosystems .	<p>AO27.1 Clearing does not occur in an endangered regional ecosystem or an of concern regional ecosystem.</p> <p>OR</p> <p>AO27.2 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed the widths prescribed in table reference table 1 of this code.</p> <p>OR</p> <p>AO27.3 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed areas prescribed in table reference table 1 of this code.</p> <p>No acceptable outcome is prescribed.</p>
PO28 Where clearing of vegetation in an endangered regional ecosystem or an of concern regional ecosystem does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, the cleared area:	
<ol style="list-style-type: none"> 1. Is rehabilitated; or 2. where the cleared area cannot be rehabilitated, an offset is provided for any acceptable significant residual impact. 	
Essential habitat excluding essential habitat for <i>Phascolarctos cinereus</i> (koalas) if development is assessable under Schedule 10, Part 10 of the Planning Regulation 2017	
PO29 Clearing of vegetation in a regional ecosystem that is an area of essential habitat maintains the composition, structure and function of the regional ecosystem for each protected wildlife species individually.	<p>AO29.1 Clearing does not occur in essential habitat.</p> <p>OR</p> <p>AO29.2 Clearing in essential habitat does not exceed the widths prescribed in table reference table 1 of this code.</p>

<p>PO30 Where clearing of vegetation in a regional ecosystem that is an area of essential habitat does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact for each protected wildlife species individually.</p>	<p>OR</p> <p>AO29.3 Clearing in essential habitat does not exceed the areas prescribed in table reference table 1 of this code.</p> <p>No acceptable outcome is prescribed.</p>	
<p>Acid sulfate soils if the local government is not the assessment manager for the development application</p> <p>PO31 Clearing does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following:</p> <ol style="list-style-type: none"> aeration of horizons containing iron sulphides mobilisation of acid or metals. 	<p>AO31.1 Clearing does not occur in land zone 1, land zone 2 or land zone 3.</p> <p>OR</p> <p>AO31.2 Clearing in land zone 1, land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where:</p> <ol style="list-style-type: none"> mechanical clearing does not disturb the soil to a depth greater than 30 centimetres; and acid sulfate soils are managed consistent with the soil management guidelines in the Queensland Acid Sulfate Soil Technical Manual. 	
<p>Staged clearing</p>		
<p>PO32 Clearing of vegetation:</p> <ol style="list-style-type: none"> is staged in line with operational needs that restrict clearing to the current operational area; and only occurs in the area from which material will be extracted, and any reasonably associated built infrastructure, within the term of the development approval; and does not occur without required permits. 	<p>No acceptable outcome is prescribed.</p>	

Table 16.5: Coordinated project (agriculture)

Performance outcomes		Acceptable outcomes	Response
Clearing avoids and minimises impacts			
PO33 Clearing of vegetation and adverse impacts of clearing vegetation do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been:		No acceptable outcome is prescribed.	
<ol style="list-style-type: none"> 1. reasonably avoided; or 2. reasonably minimised where it cannot be reasonably avoided. 			
Clearing associated with wetlands			
PO34 Clearing of vegetation within a natural wetland and/or within 100 metres of the defining bank of a natural wetland maintains the composition, structure and function of any regional ecosystem associated with any natural wetland to protect all of the following:		AO34.1 Clearing does not occur in a natural wetland or within 100 metres of the defining bank of any natural wetland . OR AO34.2 Clearing within 100 metres of the defining bank of any natural wetland :	
<ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 		<ol style="list-style-type: none"> 1. does not occur within 10 metres of the defining bank of any natural wetland; and 2. does not exceed widths in table reference table 1 in this code. 	
PO35 Where clearing of vegetation in a regional ecosystem associated with a natural wetland does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact .		No acceptable outcome is prescribed.	
Clearing associated with watercourses and drainage features			
PO36 Clearing of vegetation within a watercourse and /or drainage feature and/or within the relevant distance (listed in reference table 2) of a watercourse and/or drainage feature , maintains the composition, structure and function of the regional ecosystem associated with the		AO36.1 Clearing does not occur in any of the following areas: <ol style="list-style-type: none"> 1. inside the defining bank of a watercourse or drainage feature; and 	

Performance outcomes	Acceptable outcomes	Response
<p>watercourse and/or drainage feature to protect all of the following:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	<ol style="list-style-type: none"> 2. within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code. <p>OR</p> <p>AO36.2 Clearing within any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code:</p> <ol style="list-style-type: none"> 1. does not exceed the widths in table reference table 1 of this code; and 2. does not occur within 10 metres of the defining bank, unless clearing is required into or across the watercourse or drainage feature. 	
<p>PO37 Where clearing of vegetation in a regional ecosystem associated with a watercourse and/or drainage feature does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact.</p>	<p>No acceptable outcome is prescribed.</p>	
Connectivity		
<p>PO38 Regional ecosystems on the subject land and any adjacent land retain sufficient vegetation to:</p> <ol style="list-style-type: none"> 1. maintain ecological processes; and 2. ensure the regional ecosystem remains in the landscape despite threatening processes. 	<p>AO38.1 Clearing occurs in accordance reference table 3 of this code.</p>	
<p>PO39 Where:</p> <ol style="list-style-type: none"> 1. clearing of vegetation in a regional ecosystem does not maintain ecological processes; and 2. the regional ecosystem does not remain in the landscape despite threatening processes; and 3. the clearing cannot be avoided; and 4. the clearing has been mitigated 	<p>No acceptable outcome is prescribed.</p>	

Performance outcomes	Acceptable outcomes	Response
<p>an offset is provided for any acceptable significant residual impact.</p>		
<p>Soil erosion if the local government is not the assessment manager for the development application</p>		
<p>PO40 Clearing does not result in accelerated soil erosion within or outside the land the subject of the development application.</p>	<p>AO40.1 Clearing only occurs if an erosion and sediment control plan is developed and implemented to prevent soil erosion and instability resulting from the clearing.</p>	
<p>Salinity</p>		
<p>PO41 Clearing within 100 metres of a salinity expression area does not contribute to or accelerate land degradation through either of the following:</p> <ol style="list-style-type: none"> 1. waterlogging; 2. the salinisation of groundwater, surface water or soil. 	<p>AO41.1 Clearing does not occur within 100 metres of a salinity expression area.</p>	
<p>Conserving endangered and of concern regional ecosystems</p>		
<p>PO42 Clearing of vegetation maintains the composition, structure and function of endangered regional ecosystems and/or of concern regional ecosystems.</p>	<p>AO42.1 Clearing does not occur in an endangered regional ecosystem or an of concern regional ecosystem.</p> <p>OR</p> <p>AO42.2 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed the widths prescribed in table reference table 1 of this code.</p> <p>OR</p> <p>AO42.3 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed areas prescribed in table reference table 1 of this code.</p>	
<p>PO43 Where clearing of vegetation in an endangered regional ecosystem or an of concern regional ecosystems does not maintain the composition, structure and function of the regional</p>	<p>No acceptable outcome is prescribed.</p>	

Performance outcomes	Acceptable outcomes	Response
<p>ecosystem, and cannot be avoided and has been mitigated, the cleared area:</p> <ol style="list-style-type: none"> 1. is rehabilitated; or 2. where the cleared area cannot be rehabilitated, an offset is provided for any acceptable significant residual impact. 		
<p>Essential habitat excluding essential habitat for <i>Phascolarctos cinereus</i> (koalas) if development is assessable under Schedule 10, Part 10 of the Planning Regulation 2017</p>		
<p>PO44 Clearing of vegetation in a regional ecosystem that is an area of essential habitat maintains the composition, structure and function of the regional ecosystem for each protected wildlife species individually.</p>	<p>AO44.1 Clearing does not occur in essential habitat.</p> <p>OR</p> <p>AO44.2 Clearing in essential habitat does not exceed the widths prescribed in table reference table 1 of this code.</p> <p>OR</p> <p>AO44.3 Clearing in essential habitat does not exceed the areas prescribed in table reference table 1 of this code.</p>	
<p>PO45 Where clearing of vegetation in a regional ecosystem that is an area of essential habitat does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact for each protected wildlife species individually.</p>	<p>No acceptable outcome is prescribed.</p>	
<p>Acid sulfate soils if the local government is not the assessment manager for the development application</p>		
<p>PO46 Clearing does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following:</p> <ol style="list-style-type: none"> 1. aeration of horizons containing iron sulphides; 2. mobilisation of acid or metals. 	<p>AO46.1 Clearing does not occur in land zone 1, land zone 2 or land zone 3.</p> <p>OR</p> <p>AO46.2 Clearing in land zone 1, land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where:</p>	

Performance outcomes	Acceptable outcomes	Response
	<ol style="list-style-type: none"> mechanical clearing does not disturb the soil to a depth greater than 30 centimetres; and acid sulfate soils are managed consistent with the soil management guidelines in the Queensland Acid Sulfate Soil Technical Manual. 	
Clearing for agriculture		
PO47 Clearing of vegetation only occurs where the land is suitable for agriculture having regard to topography, climate and soil attributes.	No acceptable outcome is prescribed.	
PO48 For applications for irrigated crops, the owner of the land has, or may have, access to enough water for establishing, cultivating and harvesting the crops to which the clearing of vegetation relates.	No acceptable outcome is prescribed.	

Table 16.6: Coordinated project (extractive industry)

Performance outcomes	Acceptable outcomes	Response
Clearing avoids and minimises impacts		
PO49 Clearing of vegetation and adverse impacts of clearing vegetation do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been: <ol style="list-style-type: none"> reasonably avoided; or reasonably minimised where it cannot be reasonably avoided. 	No acceptable outcome is prescribed.	
Clearing associated with wetlands		
PO50 Clearing of vegetation within a natural wetland and/or within 100 metres of the defining bank of a natural wetland maintains the composition, structure and function of any regional ecosystem associated with any natural wetland to protect all of the following: <ol style="list-style-type: none"> bank stability by protecting against bank erosion; water quality by filtering sediments, nutrients and other pollutants; aquatic habitat; 	<p>AO50.1 Clearing does not occur in a natural wetland or within 100 metres of the defining bank of any natural wetland.</p> <p>OR</p> <p>AO50.2 Clearing within 100 metres of the defining bank of any natural wetland:</p> <ol style="list-style-type: none"> does not occur within 10 metres of the defining bank of any natural wetland; and 	

Performance outcomes	Acceptable outcomes	Response
<p>4. terrestrial habitat.</p> <p>PO51 Where clearing of vegetation in a regional ecosystem associated with a natural wetland does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact.</p>	<p>2. does not exceed widths in reference table 1 in this code.</p> <p>No acceptable outcome is prescribed.</p>	
<p>Clearing associated with watercourses and drainage features</p>		
<p>PO52 Clearing of vegetation within a watercourse and /or drainage feature and/or within the relevant distance (listed in reference table 2) of a watercourse and/or drainage feature, maintains the composition, structure and function of the regional ecosystem associated with the watercourse and/or drainage feature to protect all of the following:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	<p>AO52.1 Clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of a watercourse or drainage feature; and 2. within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code. <p>OR</p> <p>AO52.2 Clearing within any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code:</p> <ol style="list-style-type: none"> 1. does not exceed the widths in reference table 1 of this code; and 2. does not occur within 10 metres of the defining bank, unless clearing is required into or across the watercourse or drainage feature. 	
<p>PO53 Where clearing of vegetation in a regional ecosystem associated with a watercourse and/or drainage feature does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact.</p>	<p>No acceptable outcome is prescribed.</p>	

Connectivity	
<p>PO54 Regional ecosystems on the subject land and any adjacent land retain sufficient vegetation to:</p> <ol style="list-style-type: none"> 1. maintain ecological processes; and 2. ensure the regional ecosystem remains in the landscape despite threatening processes. <p>PO55 Where:</p> <ol style="list-style-type: none"> 1. clearing of vegetation in a regional ecosystem does not maintain ecological processes; and 2. the regional ecosystem; and 3. the clearing cannot be avoided; and 4. the clearing has been mitigated <p>an offset is provided for any acceptable significant residual impact.</p>	<p>AO54.1 Clearing occurs in accordance with reference table 3 of this code.</p> <p>No acceptable outcome is prescribed.</p>
Soil erosion if the local government is not the assessment manager for the development application	
<p>PO56 Clearing does not result in accelerated soil erosion within or outside the land the subject of the development application.</p>	<p>AO56.1 Clearing only occurs if an erosion and sediment control plan is developed and implemented to prevent soil erosion and instability resulting from the clearing.</p>
Salinity	
<p>PO57 Clearing within 100 metres of a salinity expression area does not contribute to or accelerate land degradation through either of the following:</p> <ol style="list-style-type: none"> 1. waterlogging; 2. the salinisation of groundwater, surface water or soil. 	<p>AO57.1 Clearing does not occur within 100 metres of a salinity expression area.</p>

Conserving endangered and of concern regional ecosystems	
PO58 Clearing of vegetation maintains the composition, structure and function of endangered regional ecosystems and/or of concern regional ecosystems .	<p>AO58.1 Clearing does not occur in an endangered regional ecosystem or an of concern regional ecosystem.</p> <p>OR</p> <p>AO58.2 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed the widths prescribed in reference table 1 of this code.</p> <p>OR</p> <p>AO58.3 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed areas prescribed in reference table 1 of this code.</p> <p>No acceptable outcome is prescribed.</p>
PO59 Where clearing of vegetation in an endangered regional ecosystem or an of concern regional ecosystem does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, the cleared area: <ol style="list-style-type: none"> 1. is rehabilitated; or 2. where the cleared area cannot be rehabilitated, an offset is provided for any acceptable significant residual impact. 	
Essential habitat excluding essential habitat for <i>Phascolarctos cinereus</i> (koalas) if development is assessable under Schedule 10, Part 10 of the Planning Regulation 2017	
PO60 Clearing of vegetation in a regional ecosystem that is an area of essential habitat maintains the composition, structure and function of the regional ecosystem for each protected wildlife species individually.	<p>AO60.1 Clearing does not occur in essential habitat.</p> <p>OR</p> <p>AO60.2 Clearing in essential habitat does not exceed the widths prescribed in reference table 1 of this code.</p> <p>OR</p>

<p>PO61 Where clearing of vegetation in a regional ecosystem that is an area of essential habitat does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact for each protected wildlife species individually.</p>	<p>AO60.3 Clearing in essential habitat does not exceed the areas prescribed in reference table 1 of this code.</p> <p>No acceptable outcome is prescribed.</p>	
<p>Acid sulfate soils if the local government is not the assessment manager for the development application</p>		
<p>PO62 Clearing does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following:</p> <ol style="list-style-type: none"> 1. aeration of horizons containing iron sulphides; 2. mobilisation of acid or metals. 	<p>AO62.1 Clearing does not occur in land zone 1, land zone 2 or land zone 3.</p> <p>OR</p> <p>AO62.2 Clearing in land zone 1, land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where:</p> <ol style="list-style-type: none"> 1. mechanical clearing does not disturb the soil to a depth greater than 30 centimetres; and 2. acid sulfate soils are managed consistent with the soil management guidelines in the Queensland Acid Sulfate Soil Technical Manual. 	
<p>Staged clearing</p>		
<p>PO63 Clearing:</p> <ol style="list-style-type: none"> 1. is staged in line with operational needs that restrict clearing to the current operational area; and 2. only occurs in the area from which material will be extracted, and any reasonably associated built infrastructure, within the term of the development approval; and 3. does not occur without required permits. 	<p>No acceptable outcome is prescribed.</p>	

Table 16.7: Coordinated project (all other purposes)

Performance outcomes		Acceptable outcomes	Response
Clearing avoids and minimises impacts			
PO64 Clearing of vegetation and adverse impacts of clearing vegetation do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been:	<ol style="list-style-type: none"> 1. reasonably avoided; or 2. reasonably minimised where it cannot be reasonably avoided. 	No acceptable outcome is prescribed.	
Clearing associated with wetlands			
PO65 Clearing of vegetation within a natural wetland and/or within 100 metres of the defining bank of a natural wetland maintains the composition, structure and function of any regional ecosystem associated with any natural wetland to protect all of the following:	<ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	<p>AO65.1 Clearing does not occur in a natural wetland or within 100 metres of the defining bank of any natural wetland.</p> <p>OR</p> <p>AO65.2 Clearing within 100 metres of the defining bank of any natural wetland:</p> <ol style="list-style-type: none"> 1. does not occur within 10 metres of the defining bank of any natural wetland; and 2. does not exceed widths in table reference table 1 in this code. 	
PO66 Where clearing of vegetation in a regional ecosystem associated with a natural wetland does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact.		No acceptable outcome is prescribed.	
Clearing associated with watercourses and drainage features			
PO67 Clearing of vegetation within a watercourse and/or drainage feature and/or within the relevant distance (listed in reference table 2) of a watercourse and/or drainage feature, maintains the composition, structure and function of the regional ecosystem associated with the watercourse and/or drainage feature to protect all of the following:		<p>AO67.1 Clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of a watercourse or drainage feature; and 2. within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code. <p>OR</p>	

Performance outcomes	Acceptable outcomes	Response
<ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	<p>AO67.2 Clearing within any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code:</p> <ol style="list-style-type: none"> 1. does not exceed the widths in table reference table 1 of this code; and 2. does not occur within 10 metres of the defining bank, unless clearing is required into or across the watercourse or drainage feature. 	
<p>PO68 Where clearing of vegetation in a regional ecosystem associated with a watercourse and/or drainage feature does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact.</p>	<p>No acceptable outcome is prescribed.</p>	
Connectivity		
<p>PO69 Regional ecosystems on the subject land and any adjacent land retain sufficient vegetation to:</p> <ol style="list-style-type: none"> 1. maintain ecological processes; and 2. ensure the regional ecosystem remains in the landscape despite threatening processes. 	<p>AO69.1 Clearing occurs in accordance with reference table 3 of this code.</p>	
<p>PO70 Where:</p> <ol style="list-style-type: none"> 1. clearing of vegetation in a regional ecosystem does not maintain ecological processes; and 2. the regional ecosystem; and 3. the clearing cannot be avoided; and 4. the clearing has been mitigated <p>an offset is provided for any acceptable significant residual impact.</p>	<p>No acceptable outcome is prescribed.</p>	
Soil erosion if the local government is not the assessment manager for the development application		
<p>PO71 Clearing does not result in accelerated soil erosion within or outside the land the subject of the development application.</p>	<p>AO71.1 Clearing only occurs if an erosion and sediment control plan is developed and implemented to prevent soil erosion and instability resulting from the clearing.</p>	

Performance outcomes	Acceptable outcomes	Response
<p>Salinity</p> <p>PO72 Clearing within 100 metres of a salinity expression area does not contribute to or accelerate land degradation through either of the following:</p> <ol style="list-style-type: none"> waterlogging; the salinisation of groundwater, surface water or soil. 	<p>AO72.1 Clearing does not occur within 100 metres of a salinity expression area.</p>	
<p>Conserving least concern regional ecosystems - Minimising clearing of areas temporarily required to enable construction of the infrastructure</p> <p>PO73 Clearing of vegetation for temporary use areas to construct necessary infrastructure, such as temporary use roads or access tracks, maintains the composition, structure and function of least concern regional ecosystems.</p>	<p>AO73.1 Clearing for temporary use areas to construct necessary infrastructure does not occur in a least concern regional ecosystem.</p> <p>OR</p> <p>AO73.2 Total clearing for temporary use areas to construct necessary infrastructure in any regional ecosystem combined does not exceed the widths prescribed in table reference table 1 of this code.</p> <p>OR</p> <p>AO73.3 Total clearing for temporary use areas to construct necessary infrastructure in any regional ecosystem combined does not exceed areas prescribed in table reference table 1 of this code.</p> <p>No acceptable outcome is prescribed.</p>	
<p>PO74 Where clearing of vegetation in a regional ecosystem for temporary use areas to construct necessary infrastructure does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, the cleared area is rehabilitated.</p>		
<p>Conserving endangered and of concern regional ecosystems</p> <p>PO75 Clearing of vegetation maintains the composition, structure and function of endangered regional ecosystems and/or of concern regional ecosystems.</p>	<p>AO75.1 Clearing does not occur in an endangered regional ecosystem or an of concern regional ecosystem.</p> <p>OR</p>	

Performance outcomes	Acceptable outcomes	Response
<p>PO76 Where clearing of vegetation in an endangered regional ecosystem or an of concern regional ecosystems does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, the cleared area:</p> <ol style="list-style-type: none"> 1. is rehabilitated; or 2. where the cleared area cannot be rehabilitated, an offset is provided for any acceptable significant residual impact. 	<p>AO75.2 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed the widths prescribed in table reference table 1 of this code.</p> <p>OR</p> <p>AO75.3 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed areas prescribed in reference table 1 of this code.</p> <p>No acceptable outcome is prescribed.</p>	
<p>Essential habitat excluding essential habitat for <i>Phascolarctos cinereus</i> (koalas) if development is assessable under Schedule 10, Part 10 of the Planning Regulation 2017</p>		
<p>PO77 Clearing of vegetation in a regional ecosystem that is an area of essential habitat maintains the composition, structure and function of the regional ecosystem for each protected wildlife species individually.</p>	<p>AO77.1 Clearing does not occur in essential habitat.</p> <p>OR</p> <p>AO77.2 Clearing in essential habitat does not exceed the widths prescribed in reference table 1 of this code.</p> <p>OR</p> <p>AO77.3 Clearing in essential habitat does not exceed the areas prescribed in reference table 1 of this code.</p>	

Performance outcomes	Acceptable outcomes	Response
<p>PO78 Where clearing of vegetation in a regional ecosystem that is an area of essential habitat does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact for each protected wildlife species individually.</p> <p>Acid sulfate soils if the local government is not the assessment manager for the development application</p> <p>PO79 Clearing does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following:</p> <ol style="list-style-type: none"> aeration of horizons containing iron sulphides mobilisation of acid or metals. 	<p>No acceptable outcome is prescribed.</p>	
	<p>AO79.1 Clearing does not occur in land zone 1, land zone 2 or land zone 3.</p> <p>OR</p> <p>AO79.2 Clearing in land zone 1, land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where:</p> <ol style="list-style-type: none"> mechanical clearing does not disturb the soil to a depth greater than 30 centimetres; and acid sulfate soils are managed consistent with the soil management guidelines in the Queensland Acid Sulfate Soil Technical Manual. 	

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

Performance outcomes	Acceptable outcomes	Response
<p>Clearing avoids and minimises impacts</p> <p>PO80 Clearing of vegetation and adverse impacts of clearing vegetation do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been:</p> <ol style="list-style-type: none"> reasonably avoided; or reasonably minimised where it cannot be reasonably avoided. 	<p>No acceptable outcome is prescribed.</p>	<p>Complies.</p> <p>The existing dwelling and access on the property is located on proposed lot 1, and existing exemptions and clearing has occurred, therefore no further clearing is proposed within the remnant vegetation.</p> <p>Proposed Lot 2 has sufficient area available on-site outside of the remnant vegetation, therefore no additional clearing is required to accommodate infrastructure.</p>

Performance outcomes	Acceptable outcomes	Response
<p>Clearing associated with wetlands</p> <p>PO81 Clearing of vegetation within a natural wetland and/or within 100 metres of the defining bank of a natural wetland maintains the composition, structure and function of any regional ecosystem associated with any natural wetland to protect all of the following:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	<p>AO81.1 Clearing does not occur in a natural wetland or within 100 metres of the defining bank of any natural wetland.</p> <p>OR</p> <p>AO81.2 Clearing within 100 metres of the defining bank of any natural wetland:</p> <ol style="list-style-type: none"> 1. does not occur within 10 metres of the defining bank of any natural wetland; and 2. does not exceed widths in reference table 1 in this code. 	<p>Complies.</p> <p>No clearing near any wetlands or watercourses.</p>
<p>PO82 Where clearing of vegetation in a regional ecosystem associated with a natural wetland does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Complies.</p> <p>No clearing near any wetlands or watercourses.</p>
<p>Clearing associated with watercourses and drainage features</p>		
<p>PO83 Clearing of vegetation within a watercourse and /or drainage feature and/or within the relevant distance (listed in reference table 2) of a watercourse and/or drainage feature, maintains the composition, structure and function of the regional ecosystem associated with the watercourse and/or drainage feature to protect all of the following:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	<p>AO83.1 Clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of a watercourse or drainage feature; and 2. within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code. <p>OR</p> <p>AO83.2 Clearing within any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code:</p>	<p>Complies.</p> <p>No clearing near any wetlands or watercourses.</p>

<p>PO84 Where clearing of vegetation in a regional ecosystem associated with a watercourse and/or drainage feature does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact.</p>	<ol style="list-style-type: none"> 1. does not exceed the widths in table reference table 1 of this code; and 2. does not occur within 10 metres of the defining bank, unless clearing is required into or across the watercourse or drainage feature. <p>No acceptable outcome is prescribed.</p>	<p>Complies. No clearing near any wetlands or watercourses.</p>
Connectivity		
<p>PO85 Regional ecosystems on the subject land and any adjacent land, retain sufficient vegetation to maintain:</p> <ol style="list-style-type: none"> 1. ecological processes; and 2. ensure the regional ecosystem remains in the landscape despite threatening processes. 	<p>AO85.1 Clearing occurs in accordance with reference table 3 in this code.</p>	<p>Complies. The existing dwelling and access on the property is located on proposed lot 1, and existing exemptions and clearing has occurred, therefore no further clearing is proposed within the remnant vegetation.</p> <p>Proposed Lot 2 has sufficient area available on-site outside of the remnant vegetation, therefore no additional clearing is required to accommodate infrastructure.</p> <p>Additionally, all boundaries are established therefore no additional clearing exemptions apply for fire-break clearing as a result of this development.</p>
Soil erosion if the local government is not the assessment manager for the development application		
<p>PO86 Clearing does not result in accelerated soil erosion within or outside the land the subject of the development application.</p>	<p>AO86.1 Clearing only occurs if an erosion and sediment control plan is developed and implemented to prevent soil erosion and instability resulting from the clearing.</p>	<p>Complies. The existing dwelling and access on the property is located on proposed lot 1, and existing exemptions and clearing has occurred, therefore no further clearing is proposed within the remnant vegetation.</p> <p>Proposed Lot 2 has sufficient area available on-site outside of the remnant vegetation, therefore no additional clearing is required to accommodate infrastructure.</p>

		<p>Additionally, all boundaries are established therefore no additional clearing exemptions apply for fire-break clearing as a result of this development.</p>
<p>Salinity</p>		
<p>PO87 Clearing within 100 metres of a salinity expression area does not contribute to or accelerate land degradation through either of the following:</p> <ol style="list-style-type: none"> waterlogging; the salinisation of groundwater, surface water or soil. 	<p>AO87.1 Clearing does not occur within 100 metres of a salinity expression area.</p>	<p>Complies. The existing dwelling and access on the property is located on proposed lot 1, and existing exemptions and clearing has occurred, therefore no further clearing is proposed within the remnant vegetation. Proposed Lot 2 has sufficient area available on-site outside of the remnant vegetation, therefore no additional clearing is required to accommodate infrastructure. Additionally, all boundaries are established therefore no additional clearing exemptions apply for fire-break clearing as a result of this development.</p>
<p>Conserving endangered and of concern regional ecosystems</p>		
<p>PO88 Clearing of vegetation maintains the composition, structure and function of endangered regional ecosystems and/or of concern regional ecosystems.</p>	<p>AO88.1 Clearing does not occur in an endangered regional ecosystem or an of concern regional ecosystem. OR AO88.2 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed the widths prescribed in reference table 1 of this code. OR AO88.3 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed areas prescribed in reference table 1 of this code.</p>	<p>Complies. No Endangered vegetation on the property. Only 'of least concern regional ecosystem' exists across the property.</p>

<p>PO89 Where clearing of vegetation in an endangered regional ecosystem or an of concern regional ecosystems does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, the cleared area:</p> <ol style="list-style-type: none"> 1. is rehabilitated; or 2. where the cleared area cannot be rehabilitated, an offset is provided for any acceptable significant residual impact. 	<p>No acceptable outcome is prescribed.</p>	<p>Complies. No Endangered vegetation on the property. Only 'of least concern regional ecosystem' exists across the property.</p>
<p>Essential habitat excluding essential habitat for <i>Phascolarctos cinereus</i> (koalas) if development is assessable under Schedule 10, Part 10 of the Planning Regulation 2017</p>		
<p>PO90 Clearing of vegetation in a regional ecosystem that is an area of essential habitat maintains the composition, structure and function of the regional ecosystem for each protected wildlife species individually.</p>	<p>AO90.1 Clearing does not occur in essential habitat. OR AO90.2 Clearing in essential habitat does not exceed the widths prescribed in reference table 1 of this code. OR AO90.3 Clearing in essential habitat does not exceed the areas prescribed in reference table 1 of this code.</p>	<p>Complies. No essential habitat on the property.</p>
<p>PO91 Where clearing of vegetation in a regional ecosystem that is an area of essential habitat does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact for each protected wildlife species individually.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Complies. No essential habitat on the property.</p>
<p>Acid sulfate soils if the local government is not the assessment manager for the development application</p>		
<p>PO92 Clearing does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following:</p>	<p>AO92.1 Clearing does not occur in land zone 1, land zone 2 or land zone 3. OR</p>	<p>Complies. No acid sulfate soils on the property.</p>

<ol style="list-style-type: none"> 1. aeration of horizons containing iron sulphides; 2. mobilisation of acid or metals. 	<p>AO92.2 Clearing in land zone 1, land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where:</p> <ol style="list-style-type: none"> 1. mechanical clearing does not disturb the soil to a depth greater than 30 centimetres; and 2. acid sulfate soils are managed consistent with the Queensland Acid Sulfate Soil Technical Manual. 	
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Table 16.9: Material change of use and / or reconfiguring a lot for which there will be no clearing as a result of the material change of use or reconfiguring a lot

Performance outcomes	Acceptable outcomes	Response
<p>PO93 Clearing as a result of a material change of use or clearing as a result of reconfiguring a lot does not occur.</p>	<p>No acceptable outcome is prescribed.</p>	

Table 16.10: Material change of use and / or reconfiguring a lot for which clearing is limited to clearing that could be done as exempt clearing work for the purpose of the development prior to the material change of use or reconfiguring a lot application being approved

Performance outcomes	Acceptable outcomes	Response
<p>Clearing avoids and minimises impacts</p> <p>PO94 Clearing of vegetation and adverse impacts of clearing vegetation do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been:</p> <ol style="list-style-type: none"> 1. reasonably avoided; or 2. reasonably minimised where it cannot be reasonably avoided. 	<p>No acceptable outcome is prescribed.</p>	
<p>Clearing that could already be done under an exemption</p> <p>PO95 Clearing of vegetation does not occur unless it is clearing that could be done as exempt clearing work for the purpose of the development prior to the</p>	<p>No acceptable outcome is prescribed.</p>	

Performance outcomes	Acceptable outcomes	Response
material change of use or reconfiguring a lot application being approved.		

Table 16.11: Necessary environmental clearing

Performance outcomes	Acceptable outcomes	Response
<p>Clearing avoids and minimises impacts</p> <p>PO96 Clearing of vegetation and adverse impacts of clearing vegetation do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been:</p> <ol style="list-style-type: none"> 1. reasonably avoided; or 2. reasonably minimised where it cannot be reasonably avoided. 	No acceptable outcome is prescribed.	
<p>Clearing associated with wetlands (Land Restoration and Natural Disaster Preparation)</p> <p>PO97 Clearing of vegetation within a natural wetland and/or within 100 metres of the defining bank of a natural wetland maintains the composition, structure and function of any regional ecosystem associated with any natural wetland to protect all of the following:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	<p>AO97.1 Clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any natural wetland; and 2. within 100 metres of the defining bank of any natural wetland. <p>OR</p> <p>AO97.2 Clearing within 100 metres of the defining bank of any natural wetland only occurs where:</p> <ol style="list-style-type: none"> 1. clearing does not exceed 0.5 hectares; and 2. clearing retains all mature trees and habitat trees; and 3. clearing that is for flood preparation complies with all of the following: <ol style="list-style-type: none"> a. clearing is undertaken by felling only; and; b. clearing does not exceed 100 square metres; and c. clearing does not occur outside the defining banks of a natural wetland.. <p>OR</p>	

Performance outcomes	Acceptable outcomes	Response
<p>PO98 Where clearing of vegetation in a regional ecosystem associated with a natural wetland does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, the cleared area is rehabilitated.</p>	<p>AO97.3 Clearing to provide necessary access to undertake necessary environmental clearing only occurs where clearing:</p> <ol style="list-style-type: none"> 1. does not exceed 10 metres in width; and 2. retains all mature trees and habitat trees; and 3. the access track: <ol style="list-style-type: none"> a. runs parallel to a natural wetland and clearing is not within 10 metres of the defining bank of a natural wetland; or b. is required to provide access across the wetland. 	
<p>Clearing associated with wetlands (natural channel diversion and contaminants removal)</p>	<p>No acceptable outcome is prescribed.</p>	
<p>PO99 Clearing of vegetation within a natural wetland and/or within 100 metres of the defining bank of a natural wetland maintains the composition, structure and function of any regional ecosystem associated with any natural wetland to protect all of the following:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	<p>AO99.1 Clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any natural wetland; and 2. within 100 metres of the defining bank of any natural wetland. <p>OR</p> <p>AO99.2 Clearing within 100 metres of the defining bank of any natural wetland only occurs where:</p> <ol style="list-style-type: none"> 1. clearing does not exceed 0.5 hectares; and 2. clearing retains all mature trees and habitat trees. <p>OR</p>	

Performance outcomes	Acceptable outcomes	Response
<p>PO100 Where clearing of vegetation in a regional ecosystem associated with a natural wetland does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, the cleared area:</p> <ol style="list-style-type: none"> 1. is rehabilitated; or 2. where the cleared area cannot reasonably be rehabilitated, an offset is provided for any acceptable significant residual impact. 	<p>AO99.3 Clearing to provide necessary access to undertake necessary environmental clearing only occurs where clearing:</p> <ol style="list-style-type: none"> 1. does not exceed 10 metres in width; and 2. retains all mature trees and habitat trees; and 3. the access track: <ol style="list-style-type: none"> a. runs parallel to a natural wetland and clearing is not within 10 metres of the defining bank of a natural wetland; or b. is required to provide access across the wetland. 	
<p>Clearing associated with watercourses and drainage features within a watercourse and/or drainage feature and/or within the relevant distance (listed in reference table 2) of a watercourse and/or drainage feature maintains the composition, structure and function of any regional ecosystem associated with any watercourse and/or drainage feature to protect all of the following:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	<p>No acceptable outcome is prescribed.</p>	
<p>Clearing associated with watercourses and drainage features (Land Restoration and Natural Disaster Preparation)</p> <p>AO101.1 Clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of a watercourse or drainage feature; and 2. within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code. <p>OR</p> <p>AO101.2 Clearing in any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code only occurs where:</p> <ol style="list-style-type: none"> 1. clearing does not exceed 0.5 hectares; and 		

Performance outcomes	Acceptable outcomes	Response
	<p>2. clearing retains all mature trees and habitat trees; and</p> <p>3. clearing that is for flood preparation complies with all of the following:</p> <ol style="list-style-type: none"> clearing is undertaken by felling only; and clearing does not exceed 100 square metres; and clearing does not occur outside of the defining bank of any watercourse or drainage feature. <p>OR</p> <p>AO101.3 Clearing to provide necessary access to undertake necessary environmental clearing only occurs where clearing:</p> <ol style="list-style-type: none"> does not exceed 10 metres in width; and retains all mature trees and habitat trees; and the access track: <ol style="list-style-type: none"> runs parallel to a watercourse or drainage feature and clearing is not within 10 metres of the defining bank of a watercourse or drainage feature; or is required to provide access across the watercourse or drainage feature. 	
<p>PO102 Where clearing of vegetation in a regional ecosystem associated with a watercourse and/or drainage feature does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, the cleared area is rehabilitated.</p>	<p>No acceptable outcome is prescribed.</p>	
<p>Clearing associated with watercourses and drainage features (natural channel diversion and contaminants removal)</p>	<p>AO103.1 Clearing does not occur within any of the following areas:</p> <ol style="list-style-type: none"> inside the defining bank of a watercourse or drainage feature; and 	
<p>PO103 Clearing of vegetation within a watercourse and/or drainage feature and/or within the relevant distance (listed in reference table 2) of a watercourse and/or drainage feature maintains the composition, structure and function of any regional ecosystem associated with any</p>		

Performance outcomes	Acceptable outcomes	Response
<p>watercourse or drainage feature to protect all of the following:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	<p>2. within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code.</p> <p>OR</p> <p>AO103.2 Clearing in any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code only occurs where:</p> <ol style="list-style-type: none"> 1. clearing does not exceed 0.5 hectares; and 2. clearing retains all mature trees and habitat trees. <p>OR</p> <p>AO103.3 Clearing to provide necessary access to undertake necessary environmental clearing only occurs where:</p> <ol style="list-style-type: none"> 1. clearing does not exceed 10 metres in width; and 2. clearing retains all mature trees and habitat trees; and 3. the access track: <ol style="list-style-type: none"> a. runs parallel to a watercourse or drainage feature and clearing is not within 10 metres of the defining bank of a watercourse or drainage feature; or b. is required to provide access across the watercourse or drainage feature. 	
<p>PO104 Where clearing of vegetation in a regional ecosystem associated with a watercourse and/or drainage feature does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, the cleared area:</p> <ol style="list-style-type: none"> 1. is rehabilitated; or 	<p>No acceptable outcome is prescribed.</p>	

Performance outcomes	Acceptable outcomes	Response
<p>2. where the cleared area cannot reasonably be rehabilitated, an offset is provided for any acceptable significant residual impact.</p>		
Connectivity (land restoration and natural disaster preparation)		
<p>PO105 Regional ecosystems on the subject land and any adjacent land retain sufficient vegetation to:</p> <ol style="list-style-type: none"> 1. maintain ecological processes; and 2. ensure the regional ecosystem remains in the landscape despite threatening processes. 	<p>AO105.1 Clearing occurs in accordance with reference table 3 of this code.</p>	
<p>PO106 Where:</p> <ol style="list-style-type: none"> 1. clearing of vegetation in a regional ecosystem does not maintain ecological processes; and 2. the regional ecosystem does not remain in the landscape despite threatening processes; and 3. the clearing cannot be avoided; and 4. the clearing has been mitigated; <p>the cleared area is rehabilitated.</p>	<p>No acceptable outcome is prescribed.</p>	
Connectivity (natural channel diversion and contaminants removal)		
<p>PO107 Regional ecosystems on the subject land and any adjacent land retain sufficient vegetation to:</p> <ol style="list-style-type: none"> 1. maintain ecological processes; and 2. ensure the regional ecosystem remains in the landscape despite threatening processes. 	<p>AO107.1 Clearing occurs in accordance with reference table 3 of this code.</p>	
<p>PO108 Where:</p> <ol style="list-style-type: none"> 1. clearing of vegetation in a regional ecosystem does not maintain ecological processes; and 2. the regional ecosystem does not remain in the landscape despite threatening processes; and 3. the clearing cannot be avoided; and 4. the clearing has been mitigated; <p>the cleared area:</p> <ol style="list-style-type: none"> a. is rehabilitated; or 	<p>No acceptable outcome is prescribed.</p>	

Performance outcomes	Acceptable outcomes	Response
<p>b. where the cleared area cannot reasonably be rehabilitated, an offset is provided for any acceptable significant residual impact.</p>		
<p>Soil erosion if the local government is not the assessment manager for the development application PO109 Clearing does not result in accelerated soil erosion within or outside the land the subject of the development application.</p>	<p>AO109.1 Clearing only occurs if an erosion and sediment control plan is developed and implemented to prevent soil erosion and instability resulting from the clearing.</p>	
<p>Salinity PO110 Clearing within 100 metres of a salinity expression area does not contribute to or accelerate land degradation through either of the following: 1. waterlogging; 2. the salinisation of groundwater, surface water or soil.</p>	<p>AO110.1 Clearing does not occur within 100 metres of a salinity expression area.</p>	
<p>Essential habitat (land restoration and natural disaster preparation) excluding essential habitat for <i>Phascolarctos cinereus</i> (koalas) if development is assessable under Schedule 10, Part 10 of the Planning Regulation 2017 PO111 Clearing of vegetation in a regional ecosystem that is an area of essential habitat maintains the composition, structure and function of the regional ecosystem for each protected wildlife species individually.</p>	<p>AO111.1 Clearing does not occur in essential habitat. OR AO111.2 Clearing in essential habitat does not exceed the widths prescribed in reference table 1 of this code. OR AO111.3 Clearing in essential habitat does not exceed the areas prescribed in reference table 1 of this code.</p>	
<p>PO112 Where clearing of vegetation in a regional ecosystem that is an area of essential habitat does not maintain the composition, structure and function of the regional ecosystem for each protected wildlife species individually, and cannot</p>	<p>No acceptable outcome is prescribed.</p>	

Performance outcomes	Acceptable outcomes	Response
<p>be avoided and has been mitigated, the cleared area is rehabilitated.</p> <p>Essential habitat (natural channel diversion and contaminants removal) excluding essential habitat for <i>Phascolarctos cinereus</i> (koalas) if development is assessable under Schedule 10, Part 10 of the Planning Regulation 2017</p>	<p>AO113.1 Clearing does not occur in essential habitat.</p> <p>OR</p> <p>AO113.2 Clearing in essential habitat does not exceed the widths prescribed in reference table 1 of this code.</p> <p>OR</p> <p>AO113.3 Clearing in essential habitat does not exceed the areas prescribed in reference table 1 of this code.</p>	
<p>PO113 Clearing of vegetation in a regional ecosystem that is an area of essential habitat maintains the composition, structure and function of the regional ecosystem for each protected wildlife species individually.</p>	<p>No acceptable outcome is prescribed.</p>	
<p>PO114 Where clearing of vegetation in a regional ecosystem that is an area of essential habitat does not maintain the composition, structure and function of the regional ecosystem for each protected wildlife species individually, and cannot be avoided and has been mitigated, the cleared area:</p> <ol style="list-style-type: none"> 1. is rehabilitated; or 2. where the cleared area cannot reasonably be rehabilitated, an offset is provided for any acceptable significant residual impact for each protected wildlife species individually. 	<p>Acid sulfate soils if the local government is not the assessment manager for the development application</p> <p>AO115.1 Clearing does not occur in land zone 1, land zone 2 or land zone 3.</p> <p>OR</p> <p>AO115.2 Clearing in land zone 1, land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where:</p>	<p>PO115 Clearing does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following:</p> <ol style="list-style-type: none"> 1. aeration of horizons containing iron sulphides; 2. mobilisation of acid or metals.

Performance outcomes	Acceptable outcomes	Response
<p>Maintaining the composition, structure and function of the regional ecosystem</p> <p>PO116 Clearing of vegetation maintains the composition, structure and function of the regional ecosystem.</p>	<p>1. mechanical clearing does not disturb the soil to a depth greater than 30 centimetres; and</p> <p>2. acid sulfate soils are managed consistent with the soil management guidelines in the Queensland Acid Sulfate Soil Technical Manual.</p> <p>AO116.1 Clearing retains all of the following:</p> <ol style="list-style-type: none"> 1. habitat trees; 2. mature trees; and 3. the natural floristic composition and range of sizes across the application area. <p>OR</p> <p>AO116.2 Clearing is for the purpose of natural disaster preparation and does not exceed the widths prescribed in reference table 1 of this code.</p> <p>OR</p> <p>AO116.3 Clearing is for the purpose of natural disaster preparation and does not exceed the areas prescribed in reference table 1 of this code.</p> <p>No acceptable outcome is prescribed.</p>	<p>land restoration and natural disaster preparation)</p>
<p>PO117 Where clearing of vegetation in a regional ecosystem does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, the cleared area is rehabilitated.</p>	<p>No acceptable outcome is prescribed.</p>	
<p>Maintaining the composition, structure and function of the regional ecosystem</p> <p>PO118 Clearing of vegetation maintains the composition, structure and function of the regional ecosystem.</p>	<p>AO118.1 Clearing retains all of the following:</p> <ol style="list-style-type: none"> 1. habitat trees; 2. mature trees; and 3. the natural floristic composition and range of sizes across the application area. <p>No acceptable outcome is prescribed.</p>	<p>(natural channel diversion and contaminants removal)</p>
<p>PO119 Where clearing of vegetation in a regional ecosystem does not maintain the composition, structure and function of the regional ecosystem,</p>	<p>No acceptable outcome is prescribed.</p>	

Performance outcomes	Acceptable outcomes	Response
<p>and cannot be avoided and has been mitigated, the cleared area:</p> <ol style="list-style-type: none"> 1. is rehabilitated; or 2. where the cleared area cannot reasonably be rehabilitated, an offset is provided for any acceptable significant residual impact. <p>Duration of clearing, preventing land degradation, and maintaining biodiversity, ecological processes and regional ecosystems (Land Restoration, Natural Disaster Preparation and Contaminates Removal)</p> <p>PO120 Clearing occurs only during a period that:</p> <ol style="list-style-type: none"> 1. will not contribute to land degradation; and 2. ensures the ongoing maintenance of ecological processes and biodiversity; and 3. maintains the regional ecosystem. 	<p>No acceptable outcome is prescribed.</p>	

Table 16.12: Control non-native plants or declared pests

Performance outcomes	Acceptable outcomes	Response
<p>Clearing avoids and minimises impacts</p> <p>PO121 Clearing of vegetation and adverse impacts of clearing vegetation do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been:</p> <ol style="list-style-type: none"> 1. reasonably avoided; or 2. reasonably minimised where it cannot be reasonably avoided. <p>Clearing associated with wetlands</p> <p>PO122 Clearing of vegetation within a natural wetland and/or within 100 metres of the defining bank of a natural wetland maintains the composition, structure and function of any regional ecosystem associated with a natural wetland to protect all of the following:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	<p>No acceptable outcome is prescribed.</p> <p>AO122.1 Mechanical clearing does not occur in any of the following areas, unless it is required to provide necessary access to control non-native plants or declared pests:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any natural wetland; and 2. within 20 metres of the defining bank of any natural wetland. <p>AND</p>	

Performance outcomes	Acceptable outcomes	Response
	<p>AO122.2 Clearing to provide necessary access to control non-native plants or declared pests only occurs where:</p> <ol style="list-style-type: none"> 1. clearing does not exceed five metres in width; and 2. clearing retains all mature trees and habitat trees; and 3. the access track: <ol style="list-style-type: none"> a. runs parallel to a natural wetland and clearing is not within 10 metres of the defining bank of a natural wetland; or b. is required to provide access across the wetland. <p>AND</p> <p>AO122.3 Chemical clearing retains:</p> <ol style="list-style-type: none"> 1. all mature trees; and 2. all habitat trees; and 3. at least 50 per cent of immature trees in each 50 metre by 50 metre area. <p>AND</p> <p>AO122.4 Root absorbed broad spectrum herbicides are not applied within whichever is the greater distance from the defining bank of a natural wetland:</p> <ol style="list-style-type: none"> 1. 100 metres; or 2. the distance specified on the approved product label; or 3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority. <p>AND</p>	

Performance outcomes	Acceptable outcomes	Response
	<p>AO122.5 Aerial application of a foliar herbicide does not occur within whichever is the greater distance from the defining bank of a natural wetland;</p> <ol style="list-style-type: none"> 1. 50 metres; or 2. the distance specified for wetlands on the approved product label; or 3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority. 	
Clearing associated with watercourses or drainage features		
<p>PO123 Clearing of vegetation within a watercourse and/or drainage feature and/or within the relevant distance (listed in reference table 2) of a watercourse and/or drainage feature maintains the composition, structure and function of any regional ecosystem associated with any watercourse and/or drainage feature to protect all of the following:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	<p>AO123.1 Mechanical clearing does not occur in any of the following areas, unless it is required to provide necessary access to control non-native plants or declared pests:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any watercourse or drainage feature; and 2. within 10 metres of the defining bank of a watercourse or drainage feature that is a stream order 1 or 2 watercourse or drainage feature; and 3. within 15 metres of the defining bank of a watercourse or drainage feature that is a stream order 3 or 4 watercourse or drainage feature; and 4. within 20 metres of the defining bank of a watercourse or drainage feature that is a stream order 5 or more watercourse or drainage feature. <p>AND</p> <p>AO123.2 Clearing to provide necessary access to control non-native plants or declared pests only occurs where:</p> <ol style="list-style-type: none"> 1. clearing does not exceed five metres in width; and 2. clearing retains all habitat trees and mature trees; and 	

Performance outcomes	Acceptable outcomes	Response
	<p>3. the access track:</p> <ol style="list-style-type: none"> a. runs parallel to the watercourse or drainage feature and is not within 10 metres of the defining bank of the watercourse or drainage feature; or b. is required to provide access across the watercourse or drainage feature. <p>AND</p> <p>AO123.3 Chemical clearing retains all of the following:</p> <ol style="list-style-type: none"> 1. mature trees; and 2. habitat trees; and 3. at least 50 per cent of immature trees in any 50 metre by 50 metre area. <p>AND</p> <p>AO123.4 Root absorbed broad spectrum herbicides are not applied within whichever is the greater distance from the defining bank of a watercourse or drainage feature:</p> <ol style="list-style-type: none"> 1. 100 metres; or 2. any distance specified on the approved product label; or 3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority. <p>AND</p> <p>AO123.5 Aerial application of a foliar herbicide does not occur within whichever is the greater distance from the defining bank of a watercourse or drainage feature:</p> <ol style="list-style-type: none"> 1. 50 metres; or 2. any distance specified on the approved product label; or 	

Performance outcomes	Acceptable outcomes	Response
<p>Soil erosion</p> <p>PO124 Clearing of vegetation does not result in accelerated soil erosion within or outside the land subject of the development application.</p>	<p>3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority.</p> <p>AO124.1 Clearing only occurs where recognised best practice methods are employed to:</p> <ol style="list-style-type: none"> prevent soil erosion and instability resulting from the clearing; and stabilise soil erosion and instability which would result from clearing; and prevent increased sediment run-off entering a wetland, watercourse or drainage feature as a result of the clearing. <p>AND</p> <p>AO124.2 Mechanical clearing:</p> <ol style="list-style-type: none"> does not occur on a slope greater than 15 percent; and in each 50 by 50 metre area (0.25 hectares), retains 50 per cent of the ground cover and does not disturb more than 50 per cent of the ground cover. <p>AND</p> <p>AO124.3 New access tracks required to provide necessary access to control a non-native plant or declared pests do not exceed five metres in width or de-stabilise the banks of any watercourse or drainage feature as a result of crossing, construction or use.</p>	
<p>Acid sulfate soils if the local government is not the assessment manager for the development application</p> <p>PO125 Clearing does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following:</p> <ol style="list-style-type: none"> aeration of horizons containing iron sulphides; mobilisation of acid or metals. 	<p>AO125.1 Clearing does not occur in land zone 1, land zone 2 or land zone 3.</p> <p>OR</p>	

Performance outcomes	Acceptable outcomes	Response
<p>Conserving remnant vegetation that is a regional ecosystem</p> <p>PO126 Clearing activities:</p> <ol style="list-style-type: none"> maintain the natural floristic composition and range of sizes of each species of the regional ecosystem evenly spaced across the application area; and retain all habitat trees and mature trees. 	<p>AO125.2 Clearing in land zone 1, land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where:</p> <ol style="list-style-type: none"> mechanical clearing does not disturb the soil to a depth greater than 30 centimetres; and acid sulfate soils are managed consistent with the soil management guidelines in the Queensland Acid Sulfate Soil Technical Manual. <p>AO126.1 Mechanical clearing:</p> <ol style="list-style-type: none"> only occurs within 1.5 metres from the edge of the canopy of individual non-native plants, unless the clearing is required to provide necessary access to control a non-native plant or declared pest; and does not occur using two machines linked by chain or cable; and retains all habitat trees and mature trees. <p>AND</p> <p>AO126.2 Clearing to provide necessary access to control non-native plants or declared pests does not exceed five metres in width.</p> <p>AND</p> <p>AO126.3 Any regional ecosystem burn is undertaken in accordance with the fire guideline for the regional ecosystem, as outlined in the Regional Ecosystem Description Database (REDD).</p> <p>AND</p> <p>AO126.4 Chemical clearing retains all of the following:</p> <ol style="list-style-type: none"> mature trees; and 	

Performance outcomes	Acceptable outcomes	Response
	<p>2. habitat trees; and</p> <p>3. at least 50 per cent of immature trees in each 50 metre by 50 metre area.</p> <p>AND</p> <p>AO126.5 Aerial application of a root-absorbed broad spectrum herbicides does not occur.</p> <p>AND</p> <p>AO126.6 Root-absorbed broad spectrum herbicides are not applied within whichever distance is the greater from a mature tree or a habitat tree;</p> <ol style="list-style-type: none"> 30 metres; or the distance specified on the approved product label; or the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority. 	
	<p>Duration of clearing, preventing land degradation, and maintaining biodiversity, ecological processes and regional ecosystems</p> <p>PO127 Clearing occurs only during a period that:</p> <ol style="list-style-type: none"> will not contribute to land degradation; and ensures the ongoing maintenance of ecological processes and biodiversity; and maintains the regional ecosystem. 	<p>No acceptable outcome is prescribed.</p>

Table 16.13: Encroachment

Performance outcomes	Acceptable outcomes	Response
<p>Clearing associated with wetlands</p> <p>PO128 Clearing of vegetation within a natural wetland and/or within 100 metres of the defining bank of a natural wetland maintains the composition, structure and function of any regional ecosystem associated with a natural wetland to protect all of the following:</p> <ol style="list-style-type: none"> bank stability by protecting against bank erosion; 	<p>AO128.1 Mechanical clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> inside the defining bank of any natural wetland; and within 20 metres of the defining bank of any natural wetland. 	

Performance outcomes	Acceptable outcomes	Response
<ol style="list-style-type: none"> 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	<p>AND</p> <p>AO128.2 Root absorbed broad spectrum herbicides are not applied within whichever is the greater distance from the defining bank of a natural wetland:</p> <ol style="list-style-type: none"> 1. 100 metres; or 2. the distance specified on the approved product label; or 3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority. 	
Clearing associated with watercourses or drainage features		
<p>PO129 Clearing of encroachment maintains:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; and 2. water quality by filtering sediments, nutrients and other pollutants; and 3. aquatic habitat; and 4. terrestrial habitat. 	<p>AO129.1 Mechanical clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any watercourse or drainage feature; and 2. within 10 metres of the defining bank of a watercourse or drainage feature that is a stream order 1 or 2 watercourse or drainage feature; and 3. within 15 metres of the defining bank of a watercourse or drainage feature that is a stream order 3 or 4 watercourse or drainage feature; and 4. within 20 metres of the defining bank of a watercourse or drainage feature that is a stream order 5 or more watercourse or drainage feature. <p>AND</p> <p>AO129.2 Root-absorbed broad spectrum herbicides are not applied within whichever is the greater distance from the defining bank of a watercourse or drainage feature:</p> <ol style="list-style-type: none"> 1. 100 metres; or 2. any distance specified on the approved product label; or 	

Performance outcomes	Acceptable outcomes	Response
<p>Soil erosion</p> <p>PO130 Clearing does not result in accelerated soil erosion within or outside the land subject of the development application.</p>	<p>3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority.</p> <p>AO130.1 Clearing only occurs where recognised best practice methods are employed to:</p> <ol style="list-style-type: none"> prevent soil erosion and instability resulting from the clearing; and stabilise soil erosion and instability which would result from clearing; and prevent increased sediment run-off entering a wetland, watercourse or drainage feature as a result of the clearing. <p>AND</p> <p>AO130.2 Mechanical clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> within 50 metres of an area of soil erosion and instability; and slopes greater than five per cent. 	
<p>Salinity</p> <p>PO131 Clearing within 100 metres of a salinity expression area does not contribute to or accelerate land degradation through either of the following:</p> <ol style="list-style-type: none"> waterlogging; the salinisation of groundwater, surface water or soil. 	<p>AO131.1 Clearing does not occur within 100 metres of a salinity expression area.</p>	
<p>Acid sulfate soils if the local government is not the assessment manager for the development application</p> <p>PO132 Clearing does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following:</p> <ol style="list-style-type: none"> aeration of horizons containing iron sulphides; or mobilisation of acid or metals. 	<p>AO132.1 Clearing does not occur in land zone 1, land zone 2 or land zone 3.</p> <p>OR</p> <p>AO132.2 Clearing in land zone 1, land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where:</p>	

Performance outcomes	Acceptable outcomes	Response
Clearing limited to specific regional ecosystems		
PO133 Clearing of encroachment does not occur, other than in the regional ecosystems listed in reference table 5 of this code.	No acceptable outcome is prescribed.	
Conserving vegetation		
PO134 Clearing activities: <ol style="list-style-type: none"> 1. result in the restoration of the regional ecosystem; and 2. retain all habitat trees; and 3. retain all groves; and 4. retain species which make up the natural floristic composition of the regional ecosystem, distributed in a natural pattern. 	AO134.1 Clearing retains all of the following: <ol style="list-style-type: none"> 1. all mature trees; and 2. all habitat trees; and 3. all woody vegetation within a grove, unless it is undertaken by a regional ecosystem burn. <p>AND</p> AO134.2 Any regional ecosystem burn is undertaken in accordance with the fire guideline for the regional ecosystem , as outlined in the Regional Ecosystem Description Database (REDD). <p>AND</p> AO134.3 Clearing does not result in debris being stacked or pushed against a mature tree or a habitat tree . <p>AND</p> AO134.4 Mechanical clearing does not occur within 10 metres of a mature tree or a habitat tree . <p>AND</p>	

Performance outcomes	Acceptable outcomes	Response
	<p>AO134.5 Aerial application of a herbicide does not occur.</p> <p>AND</p> <p>AO134.6 Chemical clearing does not occur within five metres of a mature tree or a habitat tree.</p> <p>AND</p> <p>AO134.7 Root-absorbed broad spectrum herbicides are not applied in any of the following areas:</p> <ol style="list-style-type: none"> 1. regional ecosystems 11.4.11 and 11.8.11; and 2. within whichever is the greater distance from a mature tree or a habitat tree: <ol style="list-style-type: none"> a. 10 metres; or b. the distance specified by the approved product label; or c. the distance specified in the safety and use conditions prescribed by the Australian Pesticides and Veterinary Medicines Authority; and 3. within whichever is the greater distance from a grove: <ol style="list-style-type: none"> a. 30 metres; or b. the distance specified by the approved product label; or c. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority. 	
<p>Duration of clearing, preventing land degradation, and maintaining biodiversity, ecological processes and regional ecosystems</p> <p>PO135 Clearing occurs only during a period that:</p> <ol style="list-style-type: none"> 1. will not contribute to land degradation; and 	<p>No acceptable outcome is prescribed.</p>	

Performance outcomes	Acceptable outcomes	Response
<p>2. ensures the ongoing maintenance of ecological processes and biodiversity; and</p> <p>3. maintains the regional ecosystem.</p>		

Table 16.14: Fodder harvesting

Performance outcomes	Acceptable outcomes	Response
<p>Clearing associated with wetlands</p> <p>PO136 Clearing of vegetation within a natural wetland and/or within 100 metres of the defining bank of a natural wetland maintains the composition, structure and function of any regional ecosystem associated with a natural wetland to protect all of the following:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	<p>AO136.1 Mechanical clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any natural wetland; and 2. within 20 metres of the defining bank of any natural wetland. <p>AND</p> <p>AO136.2 Mechanical clearing that is strip harvesting or block harvesting does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any natural wetland; and 2. within 100 metres of the defining bank of any natural wetland. 	
<p>Clearing associated with watercourses or drainage features</p> <p>PO137 Clearing of vegetation within a watercourse and/or drainage feature and/or within the relevant distance (listed in reference table 2) of a watercourse and/or drainage feature maintains the composition, structure and function of any regional ecosystem associated with any watercourse and/or drainage feature to protect all of the following:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	<p>AO137.1 Mechanical clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any watercourse or drainage feature; and 2. within 20 metres of the defining bank of any watercourse or drainage feature. <p>AND</p> <p>AO137.2 Mechanical clearing that is strip harvesting or block harvesting does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any watercourse or drainage feature; and 	

Performance outcomes	Acceptable outcomes	Response
Soil erosion		
<p>PO138 Clearing does not result in accelerated soil erosion within or outside the land subject of the development application.</p>	<p>AO138.1 Clearing only occurs where recognised best practice methods are employed to:</p> <ol style="list-style-type: none"> prevent soil erosion and instability resulting from the clearing; and stabilise soil erosion and instability which would result from clearing; and prevent increased sediment run-off entering a wetland, watercourse or drainage feature as a result of the clearing. <p>AND</p> <p>AO138.2 Mechanical clearing does not occur on a slope greater than five percent.</p> <p>OR</p> <p>AO138.3 Mechanical clearing does not occur within 50 metres of an area of soil erosion and instability.</p>	
Salinity		
<p>PO139 Clearing within 100 metres of a salinity expression area does not contribute to or accelerate land degradation through either of the following:</p> <ol style="list-style-type: none"> waterlogging; the salinisation of groundwater, surface water or soil. 	<p>AO139.1 Clearing does not occur within 100 metres of a salinity expression area.</p>	
Essential habitat excluding essential habitat for <i>Phascolarctos cinereus</i> (koalas) if development is assessable under Schedule 10, Part 10 of the Planning Regulation 2017		
<p>PO140 Clearing of vegetation in a regional ecosystem that is an area of essential habitat maintains the composition, structure and function of the regional ecosystem for each protected wildlife species individually.</p>	<p>AO140.1 Clearing does not occur in essential habitat.</p> <p>OR</p>	

Performance outcomes	Acceptable outcomes	Response
	<p>AO140.2 Clearing in essential habitat does not exceed the widths prescribed in reference table 1 of this code.</p> <p>OR</p> <p>AO140.3 Clearing in essential habitat does not exceed the areas prescribed in reference table 1 of this code.</p> <p>No acceptable outcome is prescribed.</p>	
<p>PO141 Where clearing of vegetation in a regional ecosystem that is an area of essential habitat does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact for each protected wildlife species individually.</p>		
<p>Limits to clearing for fodder harvesting</p>		
<p>PO142 Clearing is limited to:</p>	<p>No acceptable outcome is prescribed.</p>	
<p>1. the extent necessary to provide fodder for stock; and</p>		
<p>2. areas where the stock is located, and the stock have sufficient water.</p>		
<p>PO143 Clearing must only occur:</p>	<p>No acceptable outcome is prescribed.</p>	
<p>1. in regional ecosystems listed in reference table 6 or reference table 7 of this code; and</p>		
<p>2. in accordance with the harvesting method limitations for the regional ecosystem listed in reference table 6 or reference table 7 of this code.</p>		
<p>PO144 Clearing consists predominantly of fodder species.</p>	<p>No acceptable outcome is prescribed.</p>	
<p>Conserving vegetation</p>		
<p>PO145 Clearing is carried out in a way that conserves:</p>	<p>AO145.1 Clearing does not result in the removal of non-fodder species with a height of four metres or more.</p> <p>AND</p> <p>AO145.2 Selective harvesting:</p>	
<p>1. remnant vegetation in perpetuity; and</p>		
<p>2. the regional ecosystem in which the vegetation is situated.</p>		

Performance outcomes	Acceptable outcomes	Response
	<p>1. retains all non-fodder species except where the damage is an unavoidable consequence of clearing the selected fodder tree; and</p> <p>2. when using a chainsaw in regional ecosystems listed in reference table 6 of this code, retains at least one fodder tree for every fodder tree cleared; and</p> <p>3. in least concern regional ecosystems listed in reference table 7 of this code, retains at least one fodder tree for each fodder tree cleared; and</p> <p>4. in of concern regional ecosystems listed in reference table 7 of this code, retains at least two fodder trees for each fodder tree cleared.</p> <p>AND</p> <p>AO145.3 Strip harvesting and block harvesting:</p> <p>1. where fodder harvesting has previously occurred in an area of a lot, only occurs if all of the following apply:</p> <ol style="list-style-type: none"> the vegetation has not been cleared in the last 10 years; and the average height of the fodder trees is at least 70 per cent of the height of the tallest stands of fodder species in the regional ecosystem; and the fodder trees that were previously harvested have now attained an average height of at least 4 metres; and <p>2. aligns clearing along the contour where practical; and</p> <p>3. does not occur in patches of regional ecosystems that are less than 10 hectares in area or less than 500 metres wide.</p> <p>AND</p> <p>AO145.4 Strip harvesting:</p>	

Performance outcomes	Acceptable outcomes	Response
	<p>1. does not result in any strip harvesting area exceeding 50 metres in width; and</p> <p>2. results in all strip retention areas:</p> <ol style="list-style-type: none"> being preserved along the length of strip harvest areas to a width of at least 1.5 times that of the adjacent strip harvest area; and containing fodder species with an average height of at least four metres; and <p>3. does not result in clearing for machinery access between strip harvest areas exceeding 15 metres in width.</p> <p>AND</p> <p>AO145.5 Block harvesting:</p> <ol style="list-style-type: none"> does not result in any block harvest area exceeding one hectare; and results in block retention areas: <ol style="list-style-type: none"> being preserved between block harvest areas in accordance with the widths specified in reference table 8 of this code; and containing fodder species with an average height of at least four metres; and does not result in clearing for machinery access between block harvest areas exceeding 10 metres in width. 	
Cleared vegetation		
PO146 Fodder harvesting is carried out in a way that results in the woody biomass of the cleared vegetation remaining where it is cleared .	No acceptable outcome is prescribed.	
Conserving the fodder resource		
PO147 Fodder harvesting is carried out in a way that will conserve the fodder resource.	AO147.1 Clearing does not occur: <ol style="list-style-type: none"> in an area that has been cleared in the previous 10-year period; and more than once in the same area of a lot; and 	

Performance outcomes	Acceptable outcomes	Response
	<ol style="list-style-type: none"> 3. in more than 50 per cent of the area of the regional ecosystem listed in reference table 6 and reference table 7 of this code on the lot; and 4. in areas required to be retained under this code, a development approval or any accepted development vegetation clearing code. 	
Duration of clearing, preventing land degradation, and maintaining biodiversity, ecological processes and regional ecosystems		
PO148 Clearing occurs only during a period that: <ol style="list-style-type: none"> 1. will not contribute to land degradation; and 2. ensures the ongoing maintenance of ecological processes and biodiversity; and 3. maintains the regional ecosystem. 	No acceptable outcome is prescribed.	

Table 16.15: Managing thickened vegetation

Performance outcomes	Acceptable outcomes	Response
Clearing associated with wetlands		
PO149 Clearing of vegetation within a natural wetland and/or within 100 metres of the defining bank of a natural wetland maintains the composition, structure and function of any regional ecosystem associated with a natural wetland to protect all of the following: <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	AO149.1 Mechanical clearing does not occur in any of the following areas: <ol style="list-style-type: none"> 1. inside the defining bank of a natural wetland; and 2. within 20 metres of the defining bank of a natural wetland. 	
Clearing associated with watercourses or drainage features		
PO150 Clearing of vegetation within a watercourse and/or drainage feature and/or within the relevant distance (listed in reference table 2) of a watercourse and/or drainage feature maintains the composition, structure and function of any regional ecosystem associated with any watercourse	AO150.1 Mechanical clearing does not occur in any of the following areas: <ol style="list-style-type: none"> 1. inside the defining bank of any watercourse drainage feature; 2. within 10 metres of the defining bank of a watercourse or drainage feature that is a 	

Performance outcomes	Acceptable outcomes	Response
<p>and/or drainage feature to protect all of the following:</p> <ol style="list-style-type: none"> bank stability by protecting against bank erosion; water quality by filtering sediments, nutrients and other pollutants; aquatic habitat; terrestrial habitat. 	<p>stream order 1 or 2 watercourse or drainage feature; within 15 metres of the defining bank of a watercourse or drainage feature that is a stream order 3 or 4 watercourse or drainage feature; within 20 metres of the defining bank of a watercourse or drainage feature that is a stream order 5 or more watercourse or drainage feature.</p>	
Soil erosion		
<p>PO151 Clearing does not result in accelerated soil erosion within or outside the land subject of the development application.</p>	<p>AO151.1 Clearing only occurs where recognised best practice methods are employed to:</p> <ol style="list-style-type: none"> prevent soil erosion and instability resulting from the clearing; and stabilise soil erosion and instability which would result from clearing; and prevent increased sediment run-off entering a wetland, watercourse or drainage feature as a result of the clearing. <p>AND</p> <p>AO151.2 Mechanical clearing does not:</p> <ol style="list-style-type: none"> occur in a regional ecosystem in reference table 4 of this code that states 'mechanical clearing not permitted'; disturb more than 50 per cent of the ground surface or result in any hectare having less than 50 per cent ground cover; occur on a slope greater than five per cent; and occur within 50 metres of an area of soil erosion and instability. 	
Acid sulfate soils if the local government is not the assessment manager for the development application		
<p>PO152 Clearing does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following:</p>	<p>AO152.1 Clearing does not occur in land zone 1, land zone 2 or land zone 3.</p> <p>OR</p>	

Performance outcomes	Acceptable outcomes	Response
<p>Restoring the regional ecosystem</p> <p>PO153 Clearing activities:</p> <ol style="list-style-type: none"> 1. restore the natural floristic composition and range of sizes of each species of the regional ecosystem evenly spaced across the application area; and 2. retain mature trees, habitat trees and tall immature trees and thickets. 	<p>AO152.2 Clearing in land zone 1, land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where:</p> <ol style="list-style-type: none"> 1. mechanical clearing does not disturb the soil to a depth greater than 30 centimetres; and 2. acid sulfate soils are managed consistent with the soil management guidelines in the Queensland Acid Sulfate Soil Technical Manual. <p>AO153.1 Clearing does not occur in thickets.</p> <p>AND</p> <p>AO153.2 Clearing retains:</p> <ol style="list-style-type: none"> 1. all mature trees and habitat trees; 2. a full range of sizes and species typical of the regional ecosystem in the area; and 3. where the number of mature trees plus habitat trees is less than 20 per hectare, tall immature trees to total 20 mature trees, habitat trees and tall immature trees per hectare. <p>AND</p> <p>AO153.3 Clearing does not result in debris stacked or pushed against a mature tree, habitat tree or tall immature tree.</p> <p>AND</p> <p>AO153.4 If clearing immature trees, retain immature trees in each 50 metre by 50 metre area to at least the density specified reference table 4 of this code.</p> <p>AND</p>	

Performance outcomes	Acceptable outcomes	Response
	<p>AO153.5 If clearing low shrubs:</p> <ol style="list-style-type: none"> 1. in regional ecosystems where clearing is restricted to low shrubs as specified in reference table 4 of this code – clearing retains all immature trees; 2. in regional ecosystems where clearing is not restricted to low shrubs as specified in reference table 4 of this code – clearing retains at least the number of immature trees specified in reference table 4 of this code; and 3. clearing retains at least 10 per cent of the predominate species that have thickened. <p>AND</p> <p>AO153.6 Mechanical clearing does not occur within 5 metres of the trunk of a mature tree, habitat tree or tall immature tree.</p> <p>AND</p> <p>AO153.7 Clearing is not undertaken by:</p> <ol style="list-style-type: none"> 1. aerial application of any herbicide; and/or 2. application of a root-absorbed broad spectrum herbicide. <p>AND</p> <p>AO153.8 Chemical clearing does not occur within five metres of the trunk of a mature tree, habitat tree or tall immature tree.</p> <p>AND</p> <p>AO153.9 Any regional ecosystem burn is undertaken in accordance with the fire guideline for the regional ecosystem, as outlined in the Regional Ecosystem Description Database (REDD).</p>	
Clearing limited to specific regional ecosystems and specific clearing methods		

Performance outcomes	Acceptable outcomes	Response
<p>PO154 Clearing must be for the purpose of restoring the remnant regional ecosystem and only occur if all of the following apply:</p> <ol style="list-style-type: none"> clearing is in regional ecosystems prescribed in reference table 4 of this code; and clearing is in accordance with the clearing restrictions for the regional ecosystem prescribed in reference table 4 of this code. 	<p>No acceptable outcome is prescribed.</p>	
<p>PO155 Clearing occurs only during a period that:</p> <ol style="list-style-type: none"> will not contribute to land degradation; and ensures the ongoing maintenance of ecological processes and biodiversity; and maintains the regional ecosystem. 	<p>No acceptable outcome is prescribed.</p>	

APPENDIX 5: LANDLINE CONSULTING

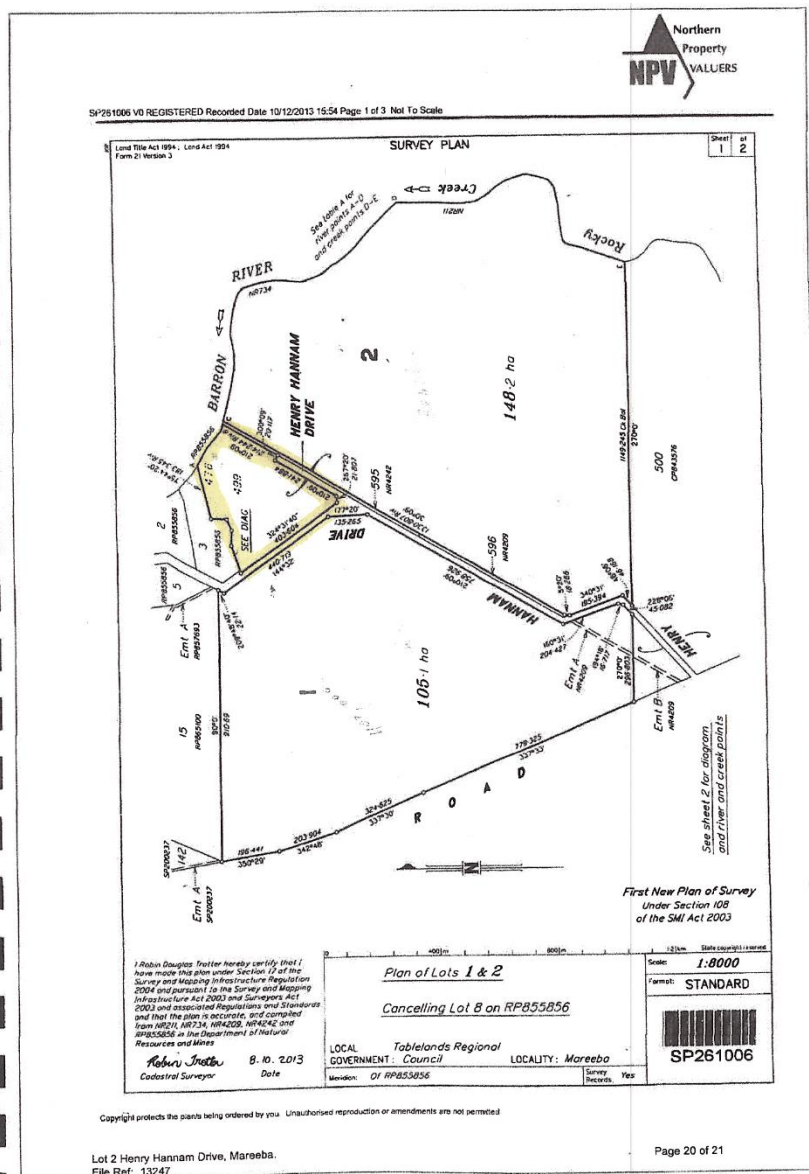
4 December 2023

Mark and Anne Lavers

Walkamin.

Inspection of proposed subdivision on 240 Henry Hannam Drive, Walkamin

On 27 November 2023 Mark and Anne Lavers asked me to inspect a proposed subdivision area on Henry Hannam Drive where their home is located. The proposal is to subdivide an area of approximately 9 ha (highlighted in yellow on Map 1) from Lot 2 on SP261006, which has a total area of 148.2 ha. The proposed subdivision area has not been cleared in the past, other than that needed for the construction of the home. The subdivision area has not been used for agriculture, but possibly light grazing.



Map 1. Plan of Lot 2 on SP261006 located on Henry Hannam Drive, Walkamin. Highlighted area is proposed for subdivision.

Adjacent to the proposed subdivision land are a series of earlier subdivisions, and Lot 3 on RP855856 has a common boundary with the proposed subdivision area.



Image 1. Images of end of the larva flow, (breakaway) approximately 40metres to the east of the Lavers' home.



Image 2. Images of end of the larva flow, (breakaway), with angle-of-repose slope to the Barron River.




Image 3. Rockiness along the pipeline which forms the boundary of the proposed subdivision.



Image 4. Rockiness in the home yard in the centre of the proposed subdivision.

The slope of the area is towards the Barron and the volcanic soils are yellow rather than well-drained red soils on the opposite side of Henry Hannam Drive. The breakaway formed at the end of the lava flow has an angle-of-repose rock slope.

I do not consider the land in the proposed subdivision area to be Good Quality Agricultural Land due to Rockiness and Slope. A CV is attached.

A handwritten signature in black ink that reads "Mike Gilbert". The signature is written in a cursive, slightly slanted style.

Dr Mike Gilbert

Landline Consulting

LANDLINE CONSULTING - CAPABILITIES

Landline Consulting is a consultancy specializing in environmental, natural resource and agricultural areas associated with mining, but has research and extension experience with pastures and crops in Australia.

We are based on the Atherton Tablelands in north Queensland and our experienced staff have lived and worked in the region for the past 40 years, with an intimate knowledge of the benefits and use of fertilizers for pastures and crops in Australia, Papua New Guinea and Southeast Asia.

The Project Manager is Dr Mike Gilbert, Principal Environmental Scientist with Australian and international experience as an environmental and agricultural consultant, as Principal Regional Environmental Officer with the Department of Mines and Energy, North Queensland, and 25 years' experience in Queensland region with the Department of Primary Industries and CSIRO. He has authored or co-authored some 80 scientific publications associated with soil fertility and plant nutrition and has practical experience in providing pasture and crop nutrition advice to farmers, agricultural and mining companies in Australia, Papua New Guinea and Oman.

Mike has undertaken agricultural land suitability assessments for farming properties in the Mt Surprise area and the Sunshine Coast and for mining companies as part of the Environmental Impact Assessment process.

Mike has a B. Applied Science (UQ Gatton), M. Agric Science (UQ) and PhD in Soil Science & Plant Nutrition (UWA).

Neil Bryde is a senior scientist with 20 years' experience in assessing land suitability, and monitoring fauna, soils and vegetation with the Department of Primary Industries and Dept of Natural Resources in Queensland (22 years). He has a B. Applied Science (JCU).

Kevin Shaw is a senior consultant with 40 years' experience in the Queensland Department of Primary Industries and for 10 years collaborated with Mike Gilbert in conducting fertility trials throughout in north Queensland. He has a wealth of experience in extension activities with primary producers. Kevan has a Diploma in Agriculture from the Queensland Agricultural College, Gatton.

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