

I, **MARLON ZOLTAN MARTON SEBESTYEN**

[Insert full name.]

as owner of the premises identified as follows:

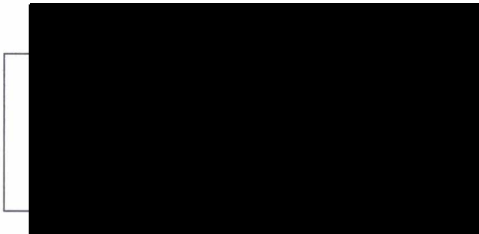
Lot 2 on SP287501

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

Scope Town Planning

on the premises described above for:

Material Change of Use - Dual Occupancy





I, **ZITA AGNES SZARVAS**

[Insert full name.]

as owner of the premises identified as follows:

Lot 2 on SP287501

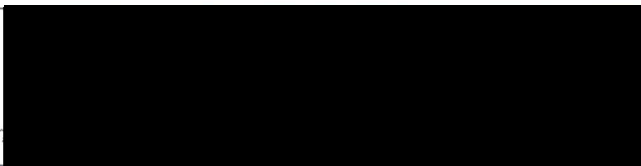
consent to the making of a development application under the *Planning Act 2016* by:

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Material Change of Use - Dual Occupancy

[Signature]



DEVELOPMENT APPLICATION

DEVELOPMENT PERMIT:

Material Change of Use

Dual Occupancy

7B Black Mountain Road Kuranda Qld. 4881
Lot 2 on SP287501

Prepared by: Scope Town Planning

April 2024



PLANNING FOR LOCALS

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APPLICATION SUMMARY	
DEVELOPMENT APPLICATION	Material Change of Use
PROPOSED USE	Dual Occupancy
ASSESSMENT LEVEL	Impact
STREET ADDRESS	7B Black Mountain Road. Kuranda Qld. 4881
REAL PROPERTY ADDRESS	Lot 2 on SP287501
LAND AREA	36,630m²
APPLICANT	Scope Town Planning c/- Land Owner
LAND OWNER	Mr. Marlon Sebestyen
LOCAL GOVERNMENT AREA	Mareeba Shire Council
PLANNING SCHEME	Mareeba Shire Planning Scheme 2016
ZONE	Rural Residential Zone
PRECINCT	n/a
LOCAL PLAN	n/a
EASEMENTS	nil
IMPROVEMENTS	Dwelling House, Outbuildings
APPLICABLE PLANNING CODES	Rural Residential Zone Code
	Bushfire Hazard Overlay Code
	Environmental Significance Overlay Code
	Flood Hazard Overlay Code
	Hill and Slope Overlay Code
	Residential Dwelling House and Outbuilding OC
	Accommodation Activities Code
	Landscaping Code
	Parking and Access Code
Works, Services and Infrastructure Code	
APPLICABLE REFERRALS	nil



1 Proposal

1.1 Introduction

This application is for a Development Permit for a Material Change of Use, Dual Occupancy, over land at 7B Black Mountain Road, Kuranda Qld. 4881 formally known as Lot 2 on SP287501. The site is located within the Rural Residential Zone and is the beneficiary of 2 Easements for right of access via Shiva Close.

This application is classified as **Impact Assessable Development** subject to the provisions of the relevant codes of the Mareeba Shire Planning Scheme (2016) for a Material Change of Use as prescribed by Table 5.5.10.

1.2 Proposed Development

The proposed development is the Material Change of Use from a single Dwelling to a Dual Occupancy use utilizing the existing Dwelling Houses on the property. Both existing Dwellings will be retained in their current form and no additional Building Work or Operational Work is required for the proposed use to commence.

Both Dwellings are located on the property fronting Black Mountain Road with access obtained via Easement A on SP226638 burdening Lot 1 on RP725539 and B on SP226638 burdening Lot 1 on SP256625. These adjoining Easements contain a sealed driveway accessed via Shiva Close and service properties 3A, 3B, 5, 7A and 7B. A copy of the Easement Documents is included in this application as Appendix 2.



Figure 1: Aerial image of Development Site (Qld. Globe).

1.3 Site and Locality

This Development Application concerns land at 7B Black Mountain Road, Kuranda formally known as Lot 2 on SP287501. The site is located within the Rural Residential Zone, subject to several Overlay Mapping interests and is not affected by a Local Plan. The property has an area of 36,630m² and is largely unimproved.

The proposal site is accessed via Easements A and B on SP226638 located along the length of Shiva Close (an Access Road) and has frontage to Black Mountain Road, a Local Government controlled road classified as a Major Rural Road which gains direct access to the Kennedy Highway.

The rectangular shaped property is undulating in parts, sloping generally toward the northern boundary of the site draining overland flow to the North-west into the Barron River. The site contains a large amount of native vegetation with only the small area in the South-western corner being previously cleared and containing two Dwellings.

The site is improved by Dwelling Houses and Outbuildings located in the abovementioned area and is accessed via the sealed driveway on Shiva Close.



Figure 2: Aerial contour image of development site (MSC).



Figure 3: Development Site Shiva Close frontage. (Google Maps)



Figure 4: Development Site, Shiva Close access. (Google Maps)



Figure 5: Development Site Black Mountain Road frontage. (Google Maps)

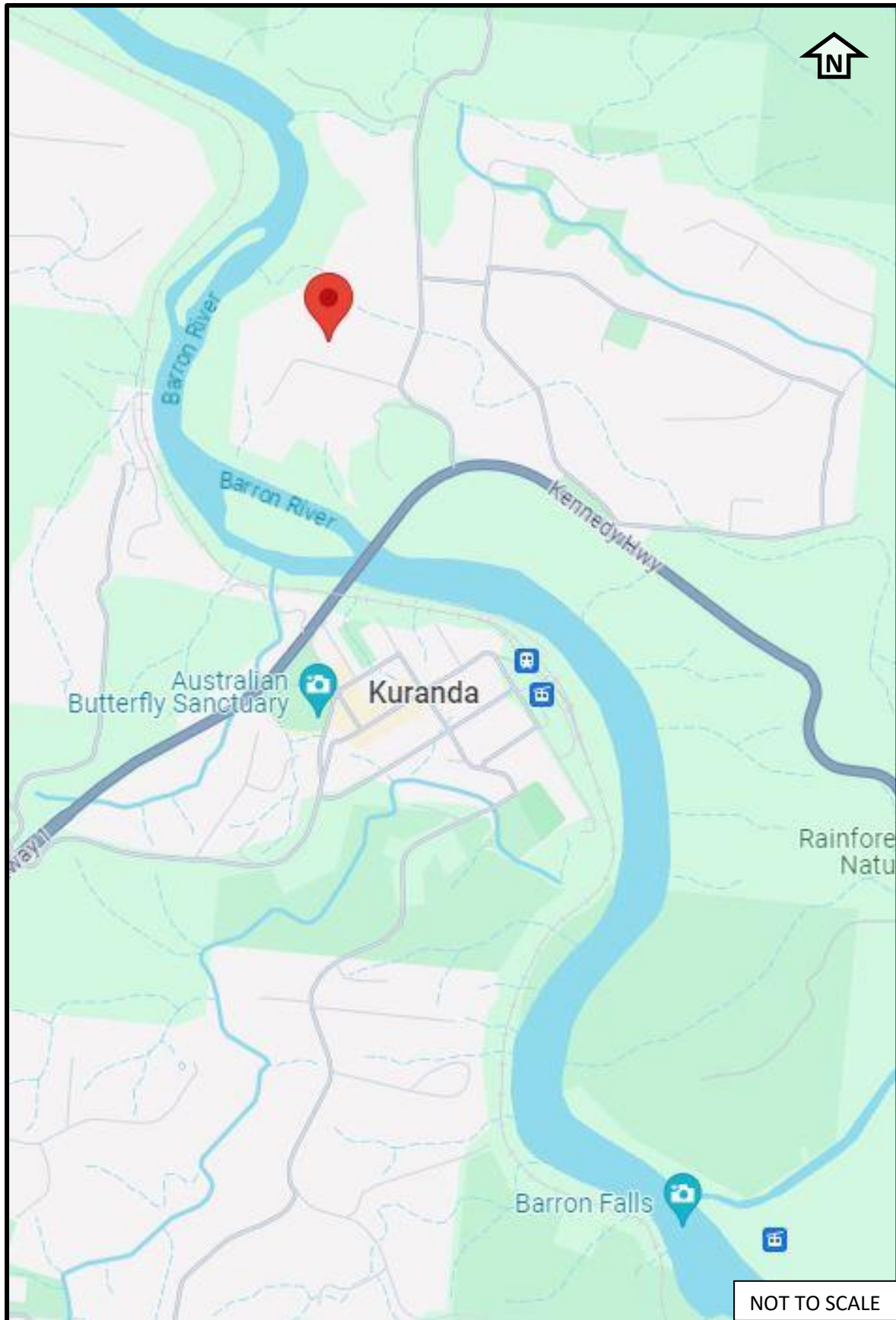


Figure 6: Development Site location map (Google Maps).



Figure 7: Development Site located in the Rural Residential Zone (Mareeba Shire Council).



1.4 Infrastructure

Infrastructure required to service the site is accessible via the Shiva Close frontage including site access, Reticulated Electricity, Telecommunications and Water network connections. The property is serviced by the Council Waste Collection service. The existing Dwellings are serviced by on-site effluent disposal systems.

ELECTRICAL NETWORK

The existing dwellings are serviced by a reticulated Electrical Network connection supplied via Shiva Close by underground electricity infrastructure. The electricity supply is metered separately for each Dwelling and will be retained.



Figure 8: Metered reticulated electrical provisions to existing Dwellings (STP).

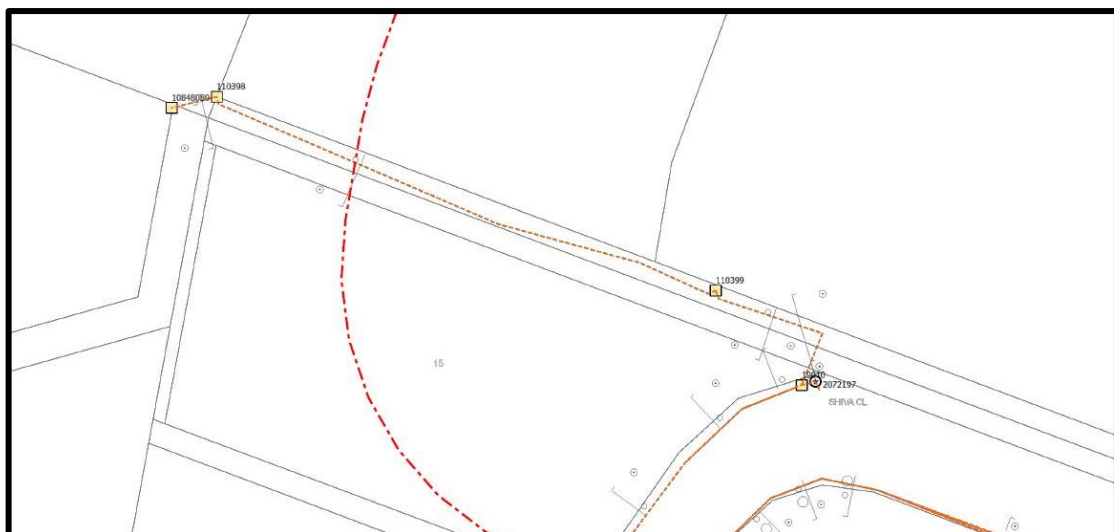


Figure 9: Reticulated electrical provisions, Shiva Close (Ergon Energy).

TELECOMMUNICATIONS NETWORK

The site is serviced by Telstra and NBN Co. hard lines connecting the site to the reticulated telecommunications network situated in the Shiva Close and Black Mountain Road reserves. The connections will be retained for use by the existing dwellings and are sufficient for the proposed use.

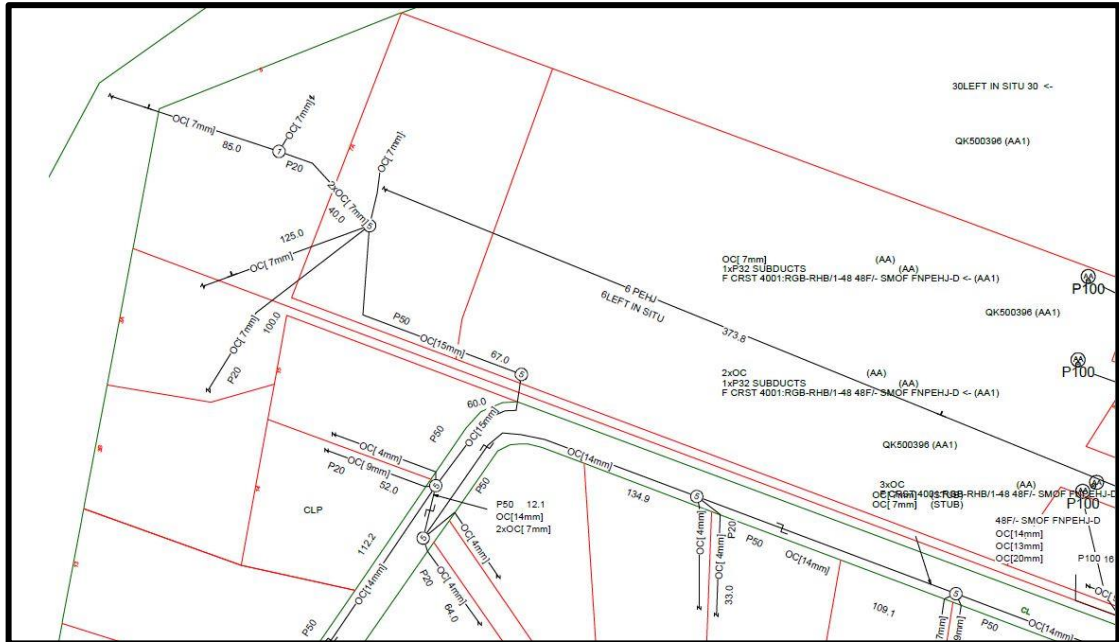


Figure 10: Reticulated telecommunications provisions (Telstra).

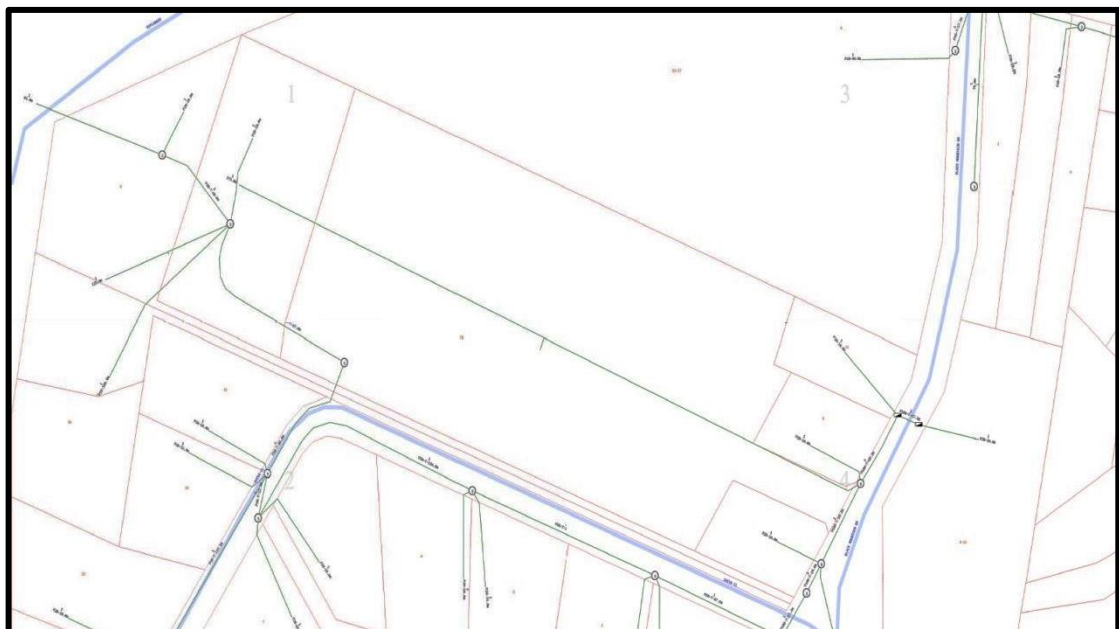


Figure 11: Reticulated NBN telecommunications provisions (NBN Co.).

WATER SUPPLY

The site is serviced by the reticulated water supply network however via Shiva Close and each Dwelling includes existing metered connections which are satisfactory for the proposed use and will be retained.

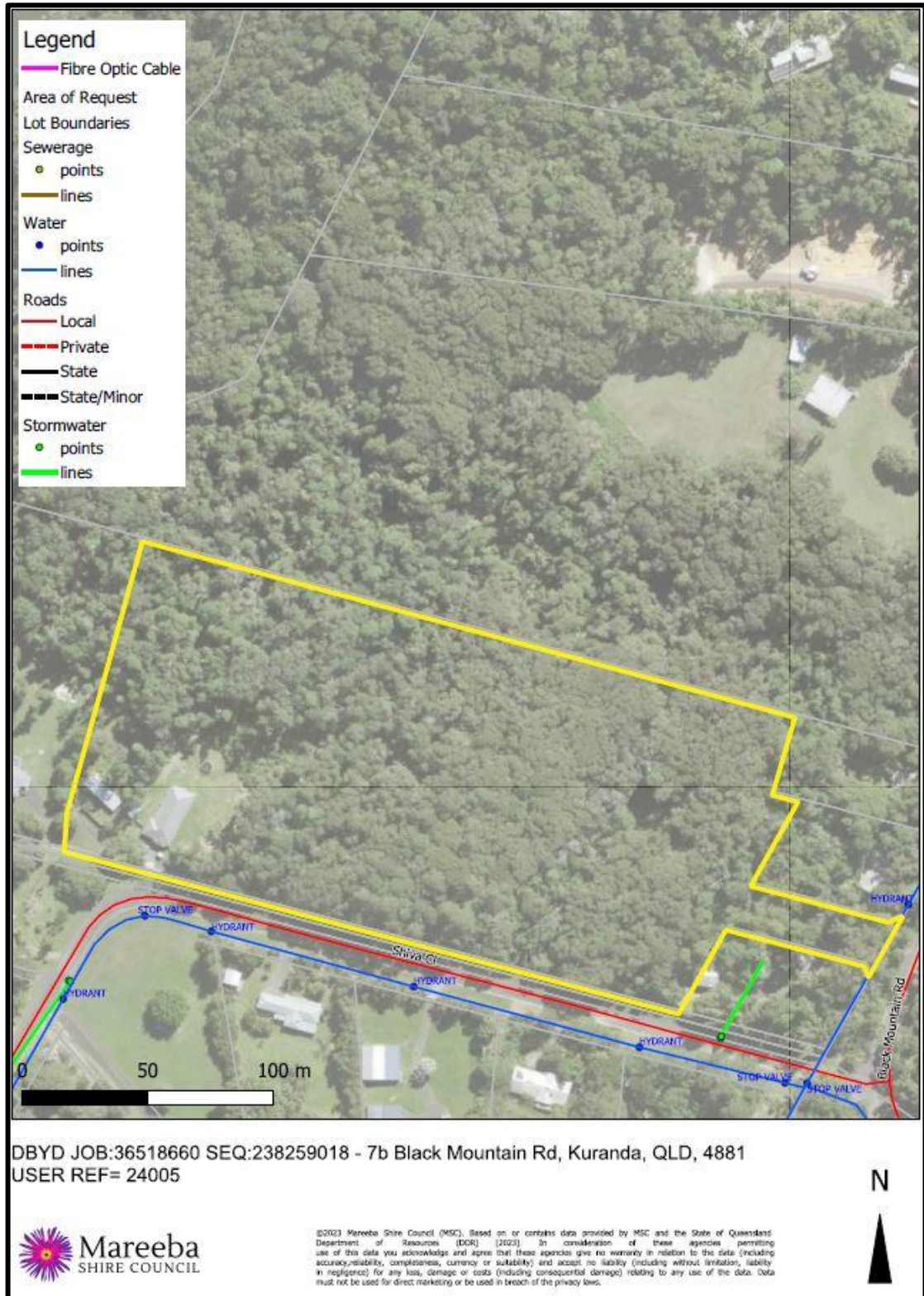


Figure 12: Existing water supply network coverage (MSC).

ACCESS

The site is accessed via 2 existing adjoining Easements, A and B on SP226638, located along the length of Shiva Close (a Local Access Road). The existing access arrangement is considered safe and satisfactory for the proposed use and no changes to the existing rights to access 7B via the Easements is required or proposed.



Figure 13: Existing site access via Shiva Close Easements (Google Maps).



Figure 14: Existing Dwelling access via Shiva Close Easements (STP).

WASTEWATER DISPOSAL

The site is not serviced by the reticulated sewerage network. The existing dwellings are serviced by on-site septic pits located adjacent to each dwelling. These services are satisfactory for the proposed use and are to be retained.

STORMWATER

Stormwater drainage for the site is obtained via overland flow dispersing to the road frontages with drainage swales or via overland flow to traversing the site to the North. No other Stormwater infrastructure is required to service the development.

2 Planning Considerations

2.1 Compliance with Planning Scheme

As prescribed by the Mareeba Shire Planning Scheme, Categories of Development and Assessment, Table 5.5.10 – Material Change of Use, the proposed Dual Occupancy use is Impact Assessable development subject to the provisions of the relevant Codes of the Mareeba Shire Planning Scheme.

Table 1: Relevant planning codes.

Mareeba Shire Planning Scheme 2016		CODE APPLICABILITY
Zone Code	Rural Residential Zone Code	✓
Local Plan Code	n/a	✓
Overlay Codes	Bushfire Hazard Overlay Code	✓
	Environmental Significance Overlay Code	✓
	Flood Hazard Overlay Code	✓
	Hill and Slope Overlay Code	✓
	Residential Dwelling House and Outbuilding Overlay Code	✓
Use Code	Accommodation Activities Code	✓
Development Codes	Landscaping Code	✓
	Parking and Access Code	✓
	Works, Services and Infrastructure Code	✓

An assessment of the development proposal against the applicable Codes is provided in Appendix 1 – Code Assessment.

2.2 State agency referral items

This development application does not trigger referral to SARA or any other 3rd party as referral agency.

3 Planning Summary

This application is for a Development Permit for a Material Change of Use, Dual Occupancy, over land at 7B Black Mountain Road, Kuranda Qld. 4881 formally known as Lot 2 on SP287501. The site is located within the Rural Residential Zone, has frontage to Black Mountain Road and is the beneficiary of Easements A and B on SP226638 for access to Shiva Close.

This application is classified as Impact Assessable Development assessable against the provisions of the relevant Codes of the Mareeba Shire Planning Scheme for a Material Change of Use as prescribed by Table 5.5.10.

The proposed development entails a Material Change of Use of #7B Black Mountain Road to utilize the existing 2 Dwellings as a Dual Occupancy use. The existing Dwelling Houses, required infrastructure and services are satisfactory for the proposed use will be retained.

This Development Application does not trigger referral to any State or third party entities and all applicable Planning Codes are addressed in Appendix 1.

4 Recommendation

It is the professional opinion of Scope Town Planning that the proposed Material Change of Use for Dual Occupancy over land at Lot 2 on SP287501 satisfies the desired outcomes and requirements of the Mareeba Shire Planning Scheme and that this application should be fairly assessed and approved by the Mareeba Shire Council with reasonable conditions.



Johnathan Burns

Senior Town Planner | **Scope Town Planning**

DA Form 1 – Development application details

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

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

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

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

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details

Applicant name(s) (individual or company full name)	M Sebestyen & Z Szarvas c/- Scope Town Planning
Contact name (only applicable for companies)	Johnathan Burns
Postal address (P.O. Box or street address)	225 Walsh St
Suburb	Mareeba
State	Qld.
Postcode	4880
Country	Aust.
Contact number	0450 781 841
Email address (non-mandatory)	jburns@scopetownplanning.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	24005

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
		7B	Black Mountain Road	Kuranda
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4881	2	SP287501	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? *(tick only one box)*

Material change of use Reconfiguring a lot Operational work Building work

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

Development permit Preliminary approval Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment Impact assessment *(requires public notification)*

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

Dual Occupancy

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

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

6.2) Provide details about the second development aspect

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

Material change of use Reconfiguring a lot Operational work Building work

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

Development permit Preliminary approval Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment Impact assessment *(requires public notification)*

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

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

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

6.3) Additional aspects of development

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

Not required

Section 2 – Further development details

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

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition <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>
Dual Occupancy	Dual Occupancy	2	

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

Division 2 – Reconfiguring a lot

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

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

9.2) What is the nature of the lot reconfiguration? <i>(tick all applicable boxes)</i>	
<input 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:
Number of lots created				

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

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

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

12) Boundary realignment

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

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

12.2) What is the reason for the boundary realignment?

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

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

Division 3 – Operational work

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

14.1) What is the nature of the operational work?

<input type="checkbox"/> Road work	<input type="checkbox"/> 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
- Tidal works or works in a coastal management district
- Reconfiguring a lot in a coastal management district or for a canal
- Erosion prone area in a coastal management district
- Urban design
- Water-related development – taking or interfering with water
- Water-related development – removing quarry material (*from a watercourse or lake*)
- Water-related development – referable dams
- Water-related development – levees (*category 3 levees only*)
- Wetland protection area

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

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

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

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

PART 6 – INFORMATION REQUEST

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

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)			
<input type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input checked="" type="checkbox"/> 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)		
<input type="checkbox"/> Yes – a copy of the receipted QLeave form is attached to this development application <input type="checkbox"/> 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 <input checked="" type="checkbox"/> 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?
<input type="checkbox"/> Yes – show cause or enforcement notice is attached <input checked="" type="checkbox"/> 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 <i>Environmental Protection Act 1994</i> ?			
<input type="checkbox"/> 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 <input checked="" type="checkbox"/> No <i>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.</i>			
Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			
<input type="checkbox"/> 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 ?			
<input type="checkbox"/> Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application <input checked="" type="checkbox"/> No <i>Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.</i>			

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 1: Assessment against the provisions of the Mareeba Shire Planning Scheme

APPLICATION		PREMISES	
FILE NO:	24005	ADDRESS:	7B Black Mountain Road, Kuranda Qld. 4881
APPLICANT:	Land Owner c/- STP	RPD:	2SP287501
LODGED BY:	Scope Town Planning	AREA:	36,630m ²
DATE LODGED:	April 2024	OWNER :	Mr. Marlon Sebestyen
TYPE OF APPROVAL:	Development Permit		
PROPOSED DEVELOPMENT:	Material Change of Use - Dual Occupancy		
PLANNING SCHEME:	Mareeba Shire Council Planning Scheme		
ZONE:	Rural Residential Zone		
LEVEL OF ASSESSMENT:	Impact		
SUBMISSIONS:	n/a		

As identified in Part 5 of the Planning Scheme, this development is required to satisfy the Performance Outcomes of the following Codes:

- 6.2.10 Rural Residential Zone Code
- 8.2.3 Bushfire Hazard Overlay Code
- 8.2.4 Environmental Significance Overlay Code
- 8.2.6 Flood Hazard Overlay Code
- 8.2.8 Hill and Slope Overlay Code
- 8.2.10 Residential Dwelling House and Outbuilding Overlay Code
- 9.3.1 Accommodation Activities Code
- 9.4.2 Landscaping Code
- 9.4.3 Parking and Access Code
- 9.4.5 Works, services and infrastructure Code

6.2.10 Rural Residential Zone Code

The development site is located within the Rural Residential Zone of the Mareeba Shire Planning Scheme.



6.2.10.3 Criteria for assessment

Table 6.2.10.3A— Rural residential zone code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
Height			
<p>PO1 Building height takes into consideration and respects the following:</p> <ul style="list-style-type: none"> (a) the height of existing buildings on adjoining premises; (b) the development potential, with respect to height, on adjoining premises; (c) the height of buildings in the vicinity of the site; (d) access to sunlight and daylight for the site and adjoining sites; (e) privacy and overlooking; and (f) site area and street frontage length. 	<p>AO1 Development has a maximum building height of:</p> <ul style="list-style-type: none"> (a) 8.5 metres; and (b) 2 storeys above ground level. 	n/a	n/a No new buildings are proposed.
Outbuildings and residential scale			
<p>PO2 Domestic outbuildings:</p> <ul style="list-style-type: none"> (a) do not dominate the lot on which they are located; and (b) are consistent with the scale and character of development in the Rural residential zone. 	<p>AO2.1 On lots less than 2 hectares, domestic outbuildings do not exceed:</p> <ul style="list-style-type: none"> (a) 150m² in gross floor area; and (b) 5.5 metres above natural ground level. 	n/a	n/a No new buildings are proposed.
	<p>AO2.2 On lots greater than 2 hectares, domestic outbuildings do not exceed:</p> <ul style="list-style-type: none"> (a) 200m² in gross floor area; and (b) 8.5 metres above natural ground level. 	n/a	n/a No new buildings are proposed.



Siting			
<p>PO3 Development is sited in a manner that considers and respects:</p> <ul style="list-style-type: none"> (a) the siting and use of adjoining premises; (b) access to sunlight and daylight for the site and adjoining sites; (c) privacy and overlooking; (d) opportunities for casual surveillance of adjoining public spaces; (e) air circulation and access to natural breezes; (f) appearance of building bulk; and (g) relationship with road corridors. 	<p>AO3 Buildings and structures include a minimum setback of:</p> <ul style="list-style-type: none"> (a) 40 metres from a frontage to a State-controlled Road; (b) 6 metres from a frontage to any other road; (c) 10 metres from a boundary to an adjoining lot in the 2 hectare precinct, 1 hectare precinct or the Rural zone or Conservation zone; (d) 5 metres from a boundary to an adjoining lot in the 4,000m² precinct; and (e) 3 metres from a side or rear boundary otherwise. 	<p>n/a</p>	<p>n/a No new buildings are proposed.</p>
Accommodation density			
<p>PO4 The density of Accommodation activities:</p> <ul style="list-style-type: none"> (a) contributes to housing choice and affordability; (b) respects the nature and density of surrounding land use; (c) does not cause amenity impacts beyond the reasonable expectation of accommodation density for the zone; and (d) is commensurate to the scale and frontage of the site. 	<p>AO4 Development provides a maximum density for Accommodation activities of 1 dwelling or accommodation unit per lot.</p>	<p>✓</p>	<p>Complies with PO4 The proposed development utilises existing Dwellings on the property to contribute to housing choice and affordability by providing additional rental housing. The use does not increase the density of accommodation activities as no new buildings are proposed.</p>
For assessable development			
Site cover			
<p>PO5 Buildings and structures occupy the site in a manner that:</p> <ul style="list-style-type: none"> (a) makes efficient use of land; (b) is consistent with the bulk and scale of surrounding buildings; and (c) appropriately balances built and natural features. 	<p>AO5 No acceptable outcome is provided.</p>	<p>n/a</p>	<p>n/a No new buildings are proposed.</p>



Building design			
<p>PO6 Building facades are appropriately designed to:</p> <ul style="list-style-type: none"> (a) include visual interest and architectural variation; (b) maintain and enhance the character of the surrounds; (c) provide opportunities for casual surveillance; (d) include a human scale; and (e) encourage occupation of outdoor space. 	<p>AO6 No acceptable outcome is provided.</p>	<p>n/a</p>	<p>n/a No new buildings are proposed.</p>
<p>PO7 Development complements and integrates with the established built character of the Rural residential zone, having regard to:</p> <ul style="list-style-type: none"> (a) roof form and pitch; (b) eaves and awnings; (c) building materials, colours and textures; and (d) window and door size and location. 	<p>AO7 No acceptable outcome is provided.</p>	<p>n/a</p>	<p>n/a No new buildings are proposed.</p>
Non-residential development			
<p>PO8 Non-residential development:</p> <ul style="list-style-type: none"> (a) is consistent with the scale of existing development; (b) does not detract from the amenity of nearby residential uses; (c) does not impact on the orderly provision of non-residential development in other locations in the shire; and (d) directly supports the day to day needs of the immediate residential community; or (e) has a direct relationship to the land on which the use is proposed. 	<p>AO8 No acceptable outcome is provided.</p>	<p>n/a</p>	<p>n/a No non-residential development is proposed.</p>



Amenity			
<p>PO9 Development must not detract from the amenity of the local area, having regard to:</p> <ul style="list-style-type: none"> (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions. 	<p>AO9 No acceptable outcome is provided.</p>	<p>✓</p>	<p>Complies The proposed use utilises existing Dwellings and does not detract from the amenity of the local area.</p>
<p>PO10 Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to:</p> <ul style="list-style-type: none"> (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions. 	<p>AO10 No acceptable outcome is provided.</p>	<p>✓</p>	<p>Complies The proposed use utilises existing Dwellings and does increase or adversely affect any environmental impacts.</p>



8.2.3 Bushfire Hazard Overlay Code

The development site is located within the Bushfire Hazard Overlay area of the Mareeba Shire Planning Scheme. The site is identified as being in the Medium Potential Bushfire Intensity mapping area.



8.2.3.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
Water supply for fire-fighting purposes			
<p>PO1 Development where within a ‘Bushfire hazard area’ and ‘Potential impact buffer (100 metres)’ identified on the Bushfire hazard overlay maps (OM-003a-o) maintains the safety of people and property by providing an adequate, accessible and reliable water supply for fire-fighting purposes which is safely located and has sufficient flow and pressure characteristics.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p>Where within a ‘Bushfire hazard area’ and ‘Potential impact buffer (100 metres)’ identified on the Bushfire hazard overlay maps (OM-003a-o)</p> <p>AO1.1 Where in a reticulated water service area, the on-site water supply has flow and pressure characteristics of 10 litres a second at 200 kPa.</p> <p>OR</p>	✓	<p>Complies The existing water infrastructure is suitable for the proposed use.</p>
	<p>AO1.2 Where access to the reticulated water network is not available, a minimum on site water storage of 5,000 litres is provided that must comprise:</p> <ul style="list-style-type: none"> (a) a separate tank; or (b) a reserve section in the bottom part of the main water supply tank; or (c) a dam; or (d) a swimming pool. <p>Note—Where a water tank is provided for fire-fighting purposes it is fitted with standard rural fire brigade fittings and the tank is provided with a hardstand area for heavy vehicles.</p>	n/a	n/a



For assessable development			
Land use			
<p>PO2 Development within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) is appropriate to the bushfire hazard risk having regard to the:</p> <ul style="list-style-type: none"> (a) the bushfire risk compatibility of development; (b) the vulnerability of and safety risk to persons associated with the use; and (c) consequences of bushfire in regard to impacts on essential infrastructure, buildings and structures. <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p>AO2 All buildings, structures, infrastructure and facilities associated with the following uses are located outside any area of the site located within a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o):</p> <ul style="list-style-type: none"> (a) child care centre; or (b) community care centre; or (c) correctional facility; or (d) educational establishment; or (e) emergency services; or (f) hospital; or (g) residential care facility; or (h) retirement facility; or (i) rooming accommodation; or (j) shopping centre; or (k) tourist park; or (l) tourist attraction. 	<p>✓</p>	<p>Complies No uses listed in AO2 are proposed. No additional structures or infrastructure is proposed within any bushfire hazard or bushfire hazard buffer areas.</p>
Lot design			
<p>PO3 Reconfiguring a lot within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) minimises the potential adverse impacts of bushfire on the safety of people, property and the environment through lot design that:</p> <ul style="list-style-type: none"> (a) is responsive to the nature and extent of bushfire risk; and (b) allows efficient emergency access to buildings for fire-fighting appliances. <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p>Where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o)</p> <p>AO3.1 No new lots are created.</p> <p>OR</p> <p>AO3.2 All lots include a building envelope that achieves a radiant heat flux level of 29kW/m² at the perimeter of the building envelope.</p> <p>Note—Where a radiant heat flux of 29kW/m² is achieved and this relies on cleared or maintained land external to the land the subject of the development application it must be demonstrated that land external to the site will be maintained to a standard that does not exceed the level of bushfire hazard identified in a Bushfire hazard management plan.</p>	<p>n/a</p>	<p>n/a No new lots are proposed.</p>



Firebreaks and access			
<p>PO4 In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o), vehicular access is designed to mitigate against bushfire hazard by:</p> <p>(a) ensuring adequate access for fire-fighting and other emergency vehicles;</p> <p>(b) ensuring adequate access for the evacuation of residents and emergency personnel in an emergency situation, including alternative safe access routes should access in one direction be blocked in the event of a fire; and</p> <p>(c) providing for the separation of developed areas and adjacent bushland.</p> <p>Note—Where it is not practicable to provide firebreaks in accordance with A04.2 Fire Maintenance Trails are provided in accordance with the following:</p> <p>i. located as close as possible to the boundaries of the lot and the adjoining hazardous vegetation;</p> <p>ii. the minimum cleared width not less than 6 metres;</p> <p>iii. the formed width is not less than 2.5 metres;</p> <p>iv. the formed gradient is not greater than 15%;</p> <p>v. vehicular access is provided at both ends;</p> <p>vi. passing bays and turning areas are provided for fire-fighting appliances located on public land.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p>AO4.1 In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o), roads are designed and constructed:</p> <p>(a) with a maximum gradient of 12.5%;</p> <p>(b) to not use cul-de-sacs; and</p> <p>(c) a constructed road width and weather standard complying with Planning Scheme Policy 4 - FNQROC Regional Development Manual.</p>	n/a	n/a No new roads are proposed.
	<p>AO4.2 In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o), firebreaks are provided:</p> <p>(a) consisting of a perimeter road that separates lots from areas of bushfire hazard;</p> <p>(b) a minimum cleared width of 20 metre;</p> <p>(c) a maximum gradient of 12.5%; and</p> <p>(d) a constructed road width and weather standard complying with Planning Scheme Policy 4 - FNQROC Regional Development Manual.</p>	✓	Complies The site contains established fire breaks (open space) around each Dwelling and is accessible by emergency services.
Hazardous materials			
<p>PO5 Public safety and the environment are not adversely affected by the detrimental impacts of bushfire of hazardous materials manufactured or stored in bulk.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p>AO5 The processing or storage of dangerous goods or hazardous materials is not undertaken in a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o).</p>	✓	Complies The processing or storage of dangerous goods or hazardous materials will not be undertaken in a 'Bushfire hazard area' or a 'Potential impact buffer'.



Landscaping			
<p>PO6 Landscaping within a ‘Bushfire hazard area’ and a ‘Potential impact buffer (100 metres)’ identified on the Bushfire hazard overlay maps (OM-003a-o) does not result in a material increase in the extent, duration or severity of bushfire hazard having regard to:</p> <p>(a) fire ecology; (b) slope of site; and (c) height and mix of plant species.</p> <p>Note—Frost hollows and the associated grass kill facilitates a rapid curing of fuel and exacerbates bushfire hazard.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p>AO6 No acceptable outcome is provided.</p>	<p>✓</p>	<p>Complies No additional Landscaping is proposed or required.</p>
Infrastructure			
<p>PO7 Infrastructure services located in a ‘Bushfire hazard area’ and a ‘Potential impact buffer (100 metres)’ identified on the Bushfire hazard overlay maps (OM-003a-o) are protected from damage or destruction in the event of a bushfire.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p>AO7 The following infrastructure services are located below ground:</p> <p>(a) water supply; (b) sewer; (c) electricity; (d) gas; and (e) telecommunications</p>	<p>✓</p>	<p>Complies The existing underground infrastructure will be utilized to service the proposed use.</p>
Private driveways			
<p>PO8 All premises located in a ‘Bushfire hazard area’ and a ‘Potential impact buffer (100 metres)’ identified on the Bushfire hazard overlay maps (OM-003a-o) are provided with vehicular access that enables safe evacuation for occupants and easy access by fire-fighting appliances.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p>AO8 Private driveways:</p> <p>(a) do not exceed a length of 60 metres from the street frontage; (b) do not exceed a gradient of 12.5%; (c) have a minimum width of 3.5 metres; (d) have a minimum vertical clearance of 4.8 metres; (e) accommodate turning areas for fire-fighting appliances in accordance with the Queensland Fire and Emergency Services’ Fire Hydrant and Vehicle Access Guidelines; and (f) serve no more than three dwellings or buildings.</p>	<p>n/a</p>	<p>n/a No private driveways are proposed.</p>



8.2.4 Environmental Significance Overlay Code

The development site is located within the Environmental Significance Overlay area of the Mareeba Shire Planning Scheme. The site is identified as containing Wildlife Habitat.



8.2.4.3 Criteria for assessment

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

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



<p>PO2 Development on sites adjacent to areas of 'Regulated vegetation' identified on the Environmental Significance Overlay Maps (OM-004a-o) protects the environmental significance of regulated vegetation and:</p> <ul style="list-style-type: none"> (a) does not interrupt, interfere, alter or otherwise impact on underlying natural ecosystem processes such as water quality, hydrology, geomorphology and biophysical processes; (b) does not negatively impact the movement of wildlife at a local or regional scale; and (c) avoids noise, light, vibration or other edge affects, including weed and pest incursion on identified environmental values. <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>AO2 Development (excluding roads, earthworks, drainage infrastructure and underground infrastructure) is not located within 20 metres of 'Regulated vegetation' areas identified on the Environmental Significance Overlay Maps (OM-004a-o).</p>	<p>✓</p>	<p>Complies The proposed development does not involve any works located adjacent to any 'Regulated vegetation' mapped areas.</p>
Regulated vegetation intersecting a watercourse			
<p>PO3 Vegetation clearing in areas mapped as 'Regulated vegetation intersecting a watercourse', identified as 'Waterway' and 'Waterway buffer' on the Environmental Significance - Waterway Overlay Maps (OM-004p-z) is avoided unless wildlife interconnectivity between habitats is maintained or enhanced at a local and regional scale, to the extent that migration or normal movement of significant species between habitats or normal gene flow between populations is not inhibited.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</p> <p>AO3.1 A minimum setback in accordance with Table 8.2.4.3B is provided between development and the top of the high bank of a 'Waterway' identified on the Environmental Significance - Waterway Overlay Maps (OM-004p-z).</p>	<p>✓</p>	<p>Complies No clearing of native vegetation is proposed.</p>
	<p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</p> <p>AO3.2 No clearing of native vegetation is undertaken within the minimum setback identified at AO3.1.</p>	<p>✓</p>	<p>Complies No clearing of native vegetation is proposed.</p>



Waterways and wetlands			
<p>PO4 'High ecological significance wetlands' identified on the Environmental Significance Overlay Maps (OM-004a-o) and 'Waterways' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) and are protected by:</p> <p>(a) maintaining adequate separation distances between waterways/wetlands and development;</p> <p>(b) maintaining and enhancing aquatic and terrestrial habitat including vegetated corridors to allow for native fauna (terrestrial and aquatic) movement;</p> <p>(c) maintaining waterway bank stability by minimising bank erosion and slumping;</p> <p>(d) maintaining water quality by providing buffers to allow filtering of sediments, nutrients and other pollutants; and</p> <p>(e) retaining and improving existing riparian vegetation and existing vegetation associated with a wetland.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</p> <p>AO4.1 A minimum setback in accordance with Table 8.2.4.3B is provided between development and the top of the high bank of a 'Waterway' identified on the Environmental Significance - Waterway Overlay Maps (OM-004p-z).</p>	n/a	n/a The development site does not contain nor is it located near a waterway or wetland.
	<p>Where within a 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o)</p> <p>AO4.2 A minimum buffer of 200 metres is provided between development and the edge of a 'High ecological significance wetland' identified on the Environmental Significance Overlay Maps (OM-004a-o).</p>	n/a	n/a The development site does not contain nor is it located near a waterway or wetland.
	<p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o)</p> <p>AO4.3 No stormwater is discharged to a 'Waterway' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland' identified on the Environmental Significance Overlay Maps (OM-004a-o).</p> <p>Note— An alternative outcome is required to demonstrate that the ecological impacts of stormwater discharge to a 'Waterway' or 'High ecological significance wetland' are mitigated in accordance with PO3 through appropriate stormwater management / treatment (where possible).</p>	n/a	n/a The development site does not contain nor is it located near a waterway or wetland. No stormwater will be discharged to a 'Waterway' on or 'High ecological significance wetland'.



	<p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o)</p> <p>AO4.4 No wastewater is discharged to a 'Waterway' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland' identified on the Environmental Significance Overlay Map (OM-004a-z).</p> <p>Note— A alternative outcome is required to demonstrate that the ecological impacts of wastewater discharge to a 'Waterway' or 'High ecological significance wetland' are mitigated in accordance with PO3 through appropriate wastewater management / treatment (where possible).</p>	<p>n/a</p>	<p>n/a</p> <p>The development site does not contain nor is it located near a waterway or wetland.</p>
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For assessable development			
Wildlife Habitat			
<p>PO5 Development within a 'Wildlife habitat' area identified on the Environmental Significance Overlay Maps (OM-004a-o):</p> <ul style="list-style-type: none"> (a) protects and enhances the habitat of Endangered, Vulnerable and Near Threatened (EVNT) species and local species of significance; (b) incorporates siting and design measures to protect and retain identified ecological values and underlying ecosystem processes within or adjacent to the development site; (c) maintains or enhances wildlife interconnectivity at a local and regional scale; and (d) mitigates the impact of other forms of potential disturbance (such as presence of vehicles, pedestrian use, increased exposure to domestic animals, noise and lighting impacts) to protect critical life stage ecological processes (such as feeding, breeding or roosting). <p>Note—Development applications must identify any EVNT species or their habitats that may be affected by the proposal. In particular, applications are to identify and describe how the development avoids adverse impacts on ecological processes within or adjacent to the development area.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>AO5 No acceptable outcome is provided.</p>	<p>✓</p>	<p>Complies The development site is located within a 'Wildlife habitat' area.</p> <p>The proposed use utilises existing buildings and infrastructure and does not increase risk to any local wildlife.</p>



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

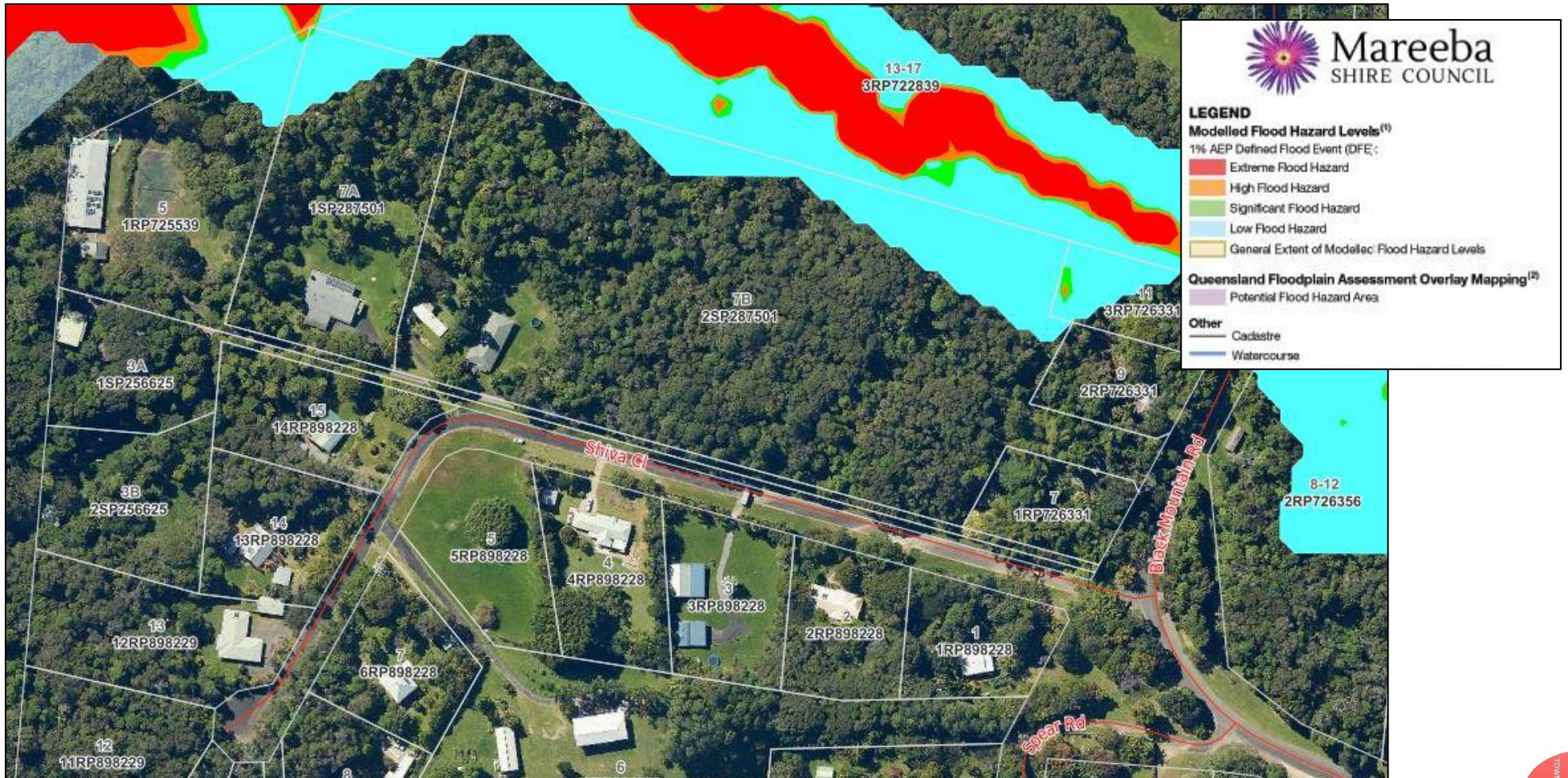


Ecological corridors and Habitat linkages			
<p>PO8 Development located: (a) in the Conservation zone, Emerging community zone, Recreation and open space zone, Rural zone or Rural residential zone; and (b) within an 'Ecological corridor' or a 'Habitat linkage' identified on the Environmental Significance Overlay Maps (OM-004a-o)</p> <p>does not compromise the provision of habitat connectivity of the corridor/linkage, having regard to:</p> <p>(a) the environmental values of the area of the site identified in the 'Ecological corridor' or 'Habitat linkage'; (b) the environmental values of adjoining and nearby land within the 'Ecological corridor' or 'Habitat linkage'; (c) the extent of any modification proposed to the natural environment including (but not limited to) vegetation and topography; (d) the location and design of proposed improvements that may impact on the functions of the 'Ecological corridor' or 'Habitat linkage' including (but not limited to) buildings, structures, fences, lighting, vehicle movement areas and infrastructure services; and (e) the ability for the 'Ecological corridor' or 'Habitat linkage' to be enhanced to improve ecological connectivity.</p> <p>Note—A supporting Ecological Assessment Report prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports may be appropriate to demonstrate compliance with PO8.</p>	<p>AO8 No acceptable outcome is provided.</p>	<p>n/a</p>	<p>n/a The development site is located within the Rural Residential Zone.</p> <p>The site does not contain any mapped 'Ecological corridor' or a 'Habitat linkage' areas.</p>



8.2.6 Flood Hazard Overlay Code

The development site is located within the Flood Hazard Overlay area of the Mareeba Shire Planning Scheme.



8.2.6.3 Criteria for assessment**Table 8.2.6.3A - Flood hazard overlay code - For accepted development subject to requirements and assessable development**

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
All flood hazard areas			
PO1 Development prevents the carriage or dispersal of contaminants or pollutants into the receiving environment.	AO1 The processing or storage of dangerous goods or hazardous materials is: <ul style="list-style-type: none"> (a) not undertaken in a flood hazard area identified on the Flood hazard overlay maps (OM-006a-o); or (b) is located above the defined flood level plus 0.3 metre freeboard. 	✓	Complies No processing or storage of dangerous goods or hazardous materials is proposed.
PO2 Essential community infrastructure is able to function effectively during and immediately after flood events.	AO2 Design levels for buildings must comply with the flood immunity standards specified in Table 8.2.6.3.B and Table 8.2.6.3.C where within a flood hazard area identified on the Flood hazard overlay maps (OM-006a-o) .	n/a	n/a The proposed development does not involve any new buildings.
Extreme flood hazard area			
PO3 Development, where involving a Material change of use within an 'Extreme flood hazard area' on the Flood hazard overlay maps (OM006a-o) , is appropriate to the flood hazard risk having regard to the: <ul style="list-style-type: none"> (a) likelihood and frequency of flooding; (b) flood risk acceptability of development; (c) vulnerability of and safety risk to persons associated with the use; (d) associated consequences of flooding in regard to impacts on proposed buildings, structures, and supporting infrastructure; and 	AO3.1 Uses within the following activity groups are not located within an 'Extreme flood hazard area identified' on the Flood hazard overlay maps (OM006a-o) : <ul style="list-style-type: none"> (a) Accommodation activities; (b) Commercial activities; (c) Community activities except where for a Club with a maximum gross floor area of 100m²; (d) Industrial activities; (e) Rural activities, except where for Animal husbandry, Cropping, or Permanent plantation. 	n/a	n/a None of the uses listed in AO3.1 are proposed.

<p>(e) associated consequences of flooding in respect to undue burden on disaster response recovery capacity and capabilities.</p>	<p>AO3.2 Sport and recreation activities are not located within an 'Extreme flood hazard area' identified on the Flood hazard overlay maps (OM006a-o) except where for: (a) Environment facility; (b) Park; or (c) Outdoor sport and recreation (excluding the provision of ancillary facilities or amenities conducted within a building).</p>	<p>n/a</p>	<p>n/a Development does not involve sport and recreation activities.</p>
<p>PO4 Development is located and designed to: (a) maintain and enhance the flood conveyance capacity of the premises; (b) not increase the number of people calculated to be at risk from flooding; (c) not increase the flood impact on adjoining premises; (d) ensure the safety of all persons by ensuring that development levels are set above the defined flood level; (e) reduce property damage; and (f) provide flood immune access to buildings.</p> <p>Note—Buildings may be constructed from flood resistant, waterproof materials below the defined flood level where certified by a qualified structural engineer to be flood proof (including the ability to withstand damage from floodwater and debris) and where an alternative outcome to AO4.1-AO4.4 is also demonstrated.</p> <p>Note—In the event that a lawful building or structure is destroyed by flood or other event the building may be replaced in situ where there is no increase in: i. gross floor area; or ii. the number of dwellings or bedrooms on the premises.</p>	<p>AO4.1 Buildings, including extensions to existing buildings, are: (a) not located within an 'Extreme flood hazard area' identified on the Flood hazard overlay maps (OM006a-o); or (b) elevated above the defined flood level, with 0.3 metres freeboard from the defined flood level provided for habitable rooms within a dwelling.</p>	<p>n/a</p>	<p>n/a The proposed development does not involve any new buildings or extensions to existing buildings.</p>
	<p>AO4.2 All building work must be high set and retains the flood storage and conveyance capacity of the premises.</p> <p>Note—Building work must be certified by a qualified structural engineer to be flood proof including the ability to withstand damage from floodwater and debris.</p>	<p>n/a</p>	<p>n/a The proposed development does not involve any new buildings.</p>
	<p>AO4.3 New buildings are provided with flood free pedestrian and vehicle evacuation access between the building and a flood safe accessible road.</p> <p>Note—A flood safe accessible road includes a road where identified as outside a flood hazard area or within a 'Low flood hazard area', 'Potential flood hazard area' or 'Significant flood hazard area' on the Flood hazard overlay maps (OM006a-o).</p>	<p>n/a</p>	<p>n/a The proposed development does not involve any new buildings.</p>



	<p>AO4.4 Development does not increase the number of lots in the 'Extreme flood hazard area' identified on the Flood hazard overlay maps (OM006a-o) except where for the purposes of public open space.</p>	✓	<p>Complies Development does not increase the number of lots in the 'Extreme flood hazard area'.</p>
<p>PO5 Development involving earthworks in a Flood hazard area below the defined flood level must protect life and property on premises and off premises through maintaining: (a) flood storage capacity of land; (b) flood conveyance function of land; (c) flood and drainage channels; (d) overland flow paths; and (e) flood warning times.</p>	<p>AO5 Filling above ground level is not undertaken in the 'Extreme flood hazard area' identified on the Flood hazard overlay maps (OM006a-o).</p>	✓	<p>Complies No earthworks are proposed.</p>
High flood hazard area			
<p>PO6 Development, where for a Material change of use within a 'High flood hazard area' identified on the Flood hazard overlay maps (OM-006a-o), is appropriate to the flood hazard risk having regard to the: (a) likelihood and frequency of flooding; (b) flood risk acceptability of development; (c) vulnerability of and safety risk to persons associated with the use; (d) associated consequences of flooding in regard to impacts on proposed buildings, structures and supporting infrastructure; and (e) associated consequences of flooding in respect to undue burden on disaster response recovery capacity and</p>	<p>AO6.1 Uses within the following activity groups are not located within a 'High flood hazard area' identified on the Flood hazard overlay maps (OM006a-o): (a) Accommodation activities, except where for Dwelling house and 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; (b) Community activities except where for a Club with a maximum gross floor area of 100m²; (c) Rural activities, except where for Animal husbandry, Cropping or Permanent plantation.</p>	n/a	<p>n/a The development is not situated within a High Flood Hazard area.</p>



<p>capabilities.</p>	<p>AO6.2 Sport and recreation activities are not located within a 'High flood hazard area' identified on the Flood hazard overlay maps (OM006a-o) except where for: (a) Environment facility; (b) Park; or (c) Outdoor sport and recreation (excluding the provision of ancillary facilities or amenities conducted within a building).</p>	<p>n/a</p>	<p>n/a The development is not situated within a High Flood Hazard area.</p>
<p>PO7 Development is located and designed to: (a) maintain hydrological function of the premises; (b) not increase the number of people calculated to be at risk from flooding; (c) minimises the flood impact on adjoining premises; (d) ensure the safety of all persons by ensuring that an appropriate proportion of buildings are set above the defined flood level; (e) reduce the carriage of debris in flood waters; (f) reduce property damage; and (g) provide flood immune access to buildings.</p> <p>Note—Buildings may be constructed from flood resistant, waterproof materials below the defined flood level where certified by a qualified structural engineer to be flood proof (including the ability to withstand damage from floodwater and debris) and where an alternative outcome to AO8.1-AO8.9 is also demonstrated.</p>	<p>AO7.1 Buildings, including extensions to existing buildings are: (a) not located within the 'High flood hazard area' identified on the Flood hazard overlay maps (OM006a-o); or (b) elevated above the defined flood level, with 0.3 metres freeboard from the defined flood level provided for habitable rooms within a dwelling. OR</p>	<p>n/a</p>	<p>n/a The development is not situated within a High Flood Hazard area.</p>
	<p>AO7.2 Buildings used for Commercial activities or Industrial activities include a minimum floor level of 0.3 metres above the defined flood where for the following components of the use: (a) administrative areas; or (b) services, plant and equipment associated with the building.</p> <p>Note—AO8.2 accepts that the cost of flood impact is an operational cost of the Commercial activity or Industrial activity.</p> <p>Note—Building work must be certified by a qualified structural engineer to be flood proof including the ability to withstand damage from floodwater and debris.</p>	<p>n/a</p>	<p>n/a The development is not situated within a High Flood Hazard area.</p>
	<p>AO7.3 All building work below the defined flood level must be high set (comprising pier and beam construction) and retains the flood storage and conveyance capacity of the premises.</p>	<p>n/a</p>	<p>n/a The development is not situated within a High Flood Hazard area.</p>



	<p>AO7.4 New buildings are provided with flood free pedestrian and vehicle evacuation access between the building and a flood safe accessible road.</p> <p>Note—A flood safe accessible road includes a road where identified as outside a flood hazard area or within a 'Low flood hazard area', 'Potential flood hazard area' or 'Significant flood hazard area' on the Flood hazard overlay maps (OM006a-o).</p>	n/a	n/a The development is not situated within a High Flood Hazard area.
	<p>AO7.5 New temporary, relocatable or impermanent buildings and structures are to be anchored with the ability to withstand transportation by floodwater.</p> <p>Note—Building work must be certified by a qualified structural engineer.</p>	n/a	n/a The development is not situated within a High Flood Hazard area.
	<p>AO7.6 Dwellings do not exceed four bedrooms.</p>	n/a	n/a The development is not situated within a High Flood Hazard area.
	<p>AO7.7 Building work on an existing dwelling does not comprise additional bedrooms.</p>	n/a	n/a The development is not situated within a High Flood Hazard area.
	<p>AO7.8 Building work on an existing dwelling is limited to a maximum increase of 20 percent of the lawfully approved gross floor area of the existing dwelling.</p>	n/a	n/a The development is not situated within a High Flood Hazard area.
	<p>AO7.9 Development does not increase the number of lots in the 'High flood hazard area; as identified on the Flood hazard overlay maps (OM006a-o) except where for the purposes of public open space.</p>	n/a	n/a The development is not situated within a High Flood Hazard area.



<p>PO8 Development involving earthworks in a Flood hazard area below the defined flood level must protect life and property on premises and off premises through maintaining:</p> <ul style="list-style-type: none"> (a) flood storage capacity of land; (b) flood conveyance function of land; (c) flood and drainage channels; (d) overland flow paths; and (e) flood warning times. 	<p>AO8 Filling above ground level is not undertaken in the 'High flood hazard area' identified on the Flood hazard overlay maps (OM006a-o).</p>	<p>n/a</p>	<p>n/a The development is not situated within a High Flood Hazard area.</p>
<p>Significant flood hazard area</p>			
<p>PO9 Development, involving a Material change of use, within a 'Significant flood hazard area' on the Flood hazard overlay maps (OM006a-o) is appropriate to the flood hazard risk having regard to the:</p> <ul style="list-style-type: none"> (a) likelihood and frequency of flooding; (b) flood risk acceptability of development; (c) vulnerability of and safety risk to persons associated with the use; (d) associated consequences of flooding in regard to impacts on proposed buildings, structures and supporting infrastructure; and (e) associated consequences of flooding in respect to undue burden on disaster response recovery capacity and capabilities. 	<p>AO9 The following uses are not located within a 'Significant flood hazard area' identified on the Flood hazard overlay maps (OM006a-o):</p> <ul style="list-style-type: none"> (a) Residential care facility; (b) Retirement facility; (c) Child care centre; (d) Hospital; or (e) Community use. 	<p>n/a</p>	<p>n/a The development is not situated within a Significant Flood Hazard area.</p>

Significant flood hazard area, Low flood hazard area or Potential flood hazard area			
<p>PO10 Development, where involving a Material change of use or Building work, is located and designed to:</p> <ul style="list-style-type: none"> (a) maintain hydrological function of the premises; (b) not increase the number of people calculated to be at risk from flooding; (c) minimises the flood impact on adjoining premises; (d) ensure the safety of all persons by ensuring that a proportion of buildings are set above the defined flood level; (e) reduce the carriage of debris in flood waters; (f) reduce property damage; and (g) provide flood immune access to buildings. <p>Note—Where the development is located in a 'Potential flood hazard area' identified on the Flood hazard overlay maps (OM006a-o) and there is no defined flood level a hydraulic (flood hazard assessment) report prepared by a RPEQ is required in substantiation of an alternative outcome is required or the defined flood level from the adjacent representative hazard zone is used.</p>	<p>AO10.1 Buildings, including extensions to existing buildings are:</p> <ul style="list-style-type: none"> (a) elevated above the defined flood level; and (b) the defined flood event does not exceed a depth of 600mm; and (c) elevated above the defined flood level plus 0.3 metres freeboard where for habitable rooms within a dwelling. <p>OR</p>	n/a	n/a The development is not situated within a Significant, Low or Potential Flood Hazard area.
	<p>AO10.2 Buildings used for Commercial activities or Industrial activities include a minimum floor level of 0.3 metres above the defined flood level where for the following components of the use:</p> <ul style="list-style-type: none"> (a) administrative areas; or (b) services, plant and equipment associated with the building. <p>Note—AO10.2 accepts that the cost of flood impact is an operational cost of the Commercial activity or Industrial activity.</p> <p>Note—Building work must be certified by a qualified structural engineer to be flood proof including the ability to withstand damage from floodwater and debris.</p>	n/a	n/a The development is not situated within a Significant, Low or Potential Flood Hazard area.
	<p>AO10.3 All building work below the defined flood level must be high set (comprising pier and beam construction) and retains the flood storage and conveyance capacity of the premises.</p> <p>Note—Building work must be certified by a qualified structural engineer to be flood proof including the ability to withstand damage from floodwater and debris.</p>	n/a	n/a The development is not situated within a Significant, Low or Potential Flood Hazard area.



<p>PO11 Development involving earthworks in a Flood hazard area below the defined flood level must protect life and property on premises and off premises through maintaining:</p> <ul style="list-style-type: none"> (a) flood storage capacity of land; (b) flood conveyance function of land; (c) flood and drainage channels; (d) overland flow paths; and (e) flood warning times. 	<p>AO11 Development does not involve in excess of 50m³ of fill above ground level per 1,000m² of site area.</p>	<p>n/a</p>	<p>n/a The development is not situated within a Significant, Low or Potential Flood Hazard area.</p>
<p>For assessable development</p>			
<p>Where for Material change of use or Reconfiguring a lot that involves new gross floor area or increases the number of persons living, working or residing in the Extreme flood hazard area, High flood hazard area or Significant flood hazard area other than a Dwelling house.</p>			
<p>PO12 Flood risk management minimises the impact on property and appropriately protects the health and safety of persons at risk of Extreme, high or significant flood hazard, and:</p> <ul style="list-style-type: none"> (a) indicates the position and path of all safe evacuation routes off the site; and (b) if the site contains or is within 100 metres of a flood hazard area, hazard warning signage and depth indicators are provided at key hazard points, such as at floodway crossings. <p>Note—A Material change of use or Reconfiguring a lot that involves new gross floor area or increases the number of persons living, working or residing in the 'Extreme flood hazard area' identified on the Flood hazard overlay map (OM006a-o) is supported by a Flood Emergency Evacuation Plan prepared by suitably qualified persons having regard to Floodplain Management in Australia: Best Practice Principles and Guidelines (2000), prepared by Standing Committee on Agriculture and Resource Management (SCARM), CSIRO.</p>	<p>AO12 No acceptable outcome is provided.</p>	<p>n/a</p>	<p>n/a The development is not situated within a High or Significant Flood Hazard area.</p>



Significant flood hazard area, Low flood hazard area or Potential flood hazard area			
<p>PO13 Development, where involving Reconfiguring a lot, is located and designed to:</p> <ul style="list-style-type: none"> (a) maintain hydrological function of the premises; (b) not increase the number of people calculated to be at risk from flooding; (c) minimises the flood impact on adjoining premises; (d) ensure the safety of all persons by ensuring that a proportion of buildings are set above the defined flood level; (e) reduce the carriage of debris in flood waters; (f) reduce property damage; and (g) provide flood immune access to buildings. <p>Note—Where the development is located in a ‘Potential flood hazard area’ identified on the Flood hazard overlay maps (OM006a-o) and there is no defined flood level a hydraulic (flood hazard assessment) report prepared by a RPEQ is required in substantiation of an alternative outcome is required or the defined flood level from the adjacent representative hazard zone is used.</p>	<p>AO13 No acceptable outcome is provided.</p>	<p>n/a</p>	<p>n/a The development is not situated within a Flood Hazard area.</p>



8.2.8 Hill and Slope Overlay Code

The development site is located within the Hill and Slope Overlay area of the Mareeba Shire Planning Scheme.



8.2.8.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Complies	Comment
For assessable development			
Slope stability			
<p>PO1 Where clearing of vegetation, building work or filling or excavation occurs on land within a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o), a geotechnical report is prepared in accordance with Planning Scheme Policy 5 - Preparation of Geotechnical Reports that demonstrates:</p> <ul style="list-style-type: none"> (a) the long term stability of the development site; (b) development will not be adversely affected by landslide activity originating on sloping land above the development site; and (c) development will not adversely affect other property outside the development site through landslide activity or alterations to surface or groundwater. 	<p>AO1 No acceptable outcome is provided.</p>	n/a	n/a The proposed development does not involve the clearing of vegetation, building work or filling or excavation on land within a 'Hill and slope area'.
<p>PO2 Development is designed and located to ensure that the use can appropriately function in the 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o) having regard to:</p> <ul style="list-style-type: none"> (a) the nature and scale of the proposed use; (b) the gradient of the land; (c) the extent of land disturbance proposed; (d) stormwater discharge and its potential for erosion. 	<p>AO2.1 Development for a Child care centre or Educational establishment is not located on land in a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o).</p>	n/a	n/a Development does not involve a Child care centre or Educational establishment.
	<p>AO2.2 Development is not located on land with a gradient of greater than 25%.</p>	n/a	n/a The development is not located on land with a 25% or greater gradient.
	<p>AO2.3 No lot less than 2,000m² is created in a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o).</p> <p>Note – Where a minimum lot size of less than 2,000m² applies under the Reconfiguring a lot code, the lot size requirements of the Hill and slope overlay code prevail.</p>	n/a	n/a Development does not create new lots.



Community infrastructure and essential services			
<p>PO3 Community infrastructure and essential services located within a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o) are able to function effectively during and immediately after landslide events.</p>	<p>AO3 No acceptable outcome is provided.</p>	<p>✓</p>	<p>Complies Community infrastructure and essential services located within a 'Hill and slope area' are not affected by the proposed development.</p>



8.2.10 Residential Dwelling House and Outbuilding Overlay Code

The development site is located within the Residential Dwelling House and Outbuilding Overlay area of the Mareeba Shire Planning Scheme.



8.2.10.3 Criteria for assessment

Table 8.2.10.3A – Residential dwelling house and outbuilding overlay code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO1 Building height takes into consideration and respects the following:</p> <ul style="list-style-type: none"> (a) the height of existing buildings on adjoining premises; (b) the development potential, with respect to height, on adjoining premises; (c) the height of buildings in the vicinity of the site; (d) access to sunlight and daylight for the site and adjoining sites; (e) privacy and overlooking; and (f) site area and street frontage length. 	<p>AO1 Development has a maximum building height of:</p> <ul style="list-style-type: none"> (a) 8.5 metres; and (b) 2 storeys above ground level. 	✓	<p>Complies The existing Dwellings are single storey buildings. No new buildings are proposed.</p>
Outbuildings and residential scale			
<p>PO2 Domestic outbuildings:</p> <ul style="list-style-type: none"> (a) do not dominate the lot on which they are located; and (b) are consistent with the scale and character of development in the zone in which the land is located. 	<p>AO2.1 Where located in the Low density residential zone or the Medium density residential zone, domestic outbuildings do not exceed:</p> <ul style="list-style-type: none"> (a) 100m² in gross floor area; and (b) 5.5 metres in height above natural ground level. 	n/a	<p>n/a No new outbuildings are proposed.</p>
	<p>AO2.2 Where located in the Rural residential zone and on lots equal to or less than 2 hectares, domestic outbuildings do not exceed:</p> <ul style="list-style-type: none"> (a) 150m² in gross floor area; and (b) 5.5 metres above natural ground level. 	n/a	<p>n/a No new buildings are proposed.</p>
	<p>AO2.3 Where located in the Rural residential zone and located on lots greater than 2 hectares, domestic outbuildings do not exceed:</p> <ul style="list-style-type: none"> (a) 200m² in gross floor area; and (b) 8.5 metres above natural ground level. 	n/a	<p>n/a No new buildings are proposed.</p>



Gross floor area			
<p>PO3 Buildings and structures occupy the site in a manner that:</p> <ul style="list-style-type: none"> (a) makes efficient use of land; (b) is consistent with the bulk and scale of surrounding buildings; and (c) appropriately balances built and natural features. 	<p>AO3 Gross floor area does not exceed 600m².</p>	n/a	n/a No new buildings are proposed in this application.
Secondary dwellings			
<p>PO4 Where a Dwelling house involves a secondary dwelling, it is designed and located to:</p> <ul style="list-style-type: none"> (a) not dominate the site; (b) remain subservient to the primary dwelling; and (c) be consistent with the character of the surrounding area; 	<p>AO4.1 The secondary dwelling is located within:</p> <ul style="list-style-type: none"> (a) 10 metres of the primary dwelling where on a lot that has an area of 2 hectares or less; or (b) 20 metres of the primary dwelling where on a lot that has an area of greater than 2 hectares. 	n/a	n/a No secondary dwellings are proposed.
	<p>AO4.2 A secondary dwelling has a maximum gross floor area of 100m².</p>	n/a	n/a No secondary dwellings are proposed.
Car parking			
<p>PO5 Development provides sufficient car parking to accommodate the demand likely to be generated by the use, having regard to the:</p> <ul style="list-style-type: none"> (a) nature of the use; (b) location of the site; (c) proximity of the use to public transport services; (d) availability of active transport infrastructure; and (e) accessibility of the use to all members of the community. 	<p>AO5 Car parking spaces are provided in accordance with the following minimum rates:</p> <ul style="list-style-type: none"> (a) one covered space per dwelling house; and (b) one space per secondary dwelling 	✓	<p>Complies The existing on-site garaged parking is sufficient for the proposed use.</p> <p>No new buildings or car parking facilities are proposed.</p>



Vehicle crossovers			
PO6 Vehicle crossovers are provided to: (a) ensure safe and efficient access between the road and premises; (b) minimize interference with the function and operation of roads; and (c) minimise pedestrian to vehicle conflict.	AO6.1 Vehicular access to/from Council roads is designed and constructed in accordance with the Standard drawings in Planning Scheme Policy 4 - FNQROC Regional Development Manual.	✓	Complies The existing vehicle crossover will be utilised and is sufficient for the proposed use.
	AO6.2 Development on a site with two or more road frontages provides vehicular access from the lowest order road.	✓	Complies The site has only 1 road frontage however access is gained by a lower order road (Shiva Close) via easements.
	AO6.3 A secondary dwelling shares a vehicle crossover with the primary dwelling.	n/a	n/a No secondary dwellings are proposed.
PO7 Access, maneuvering and car parking areas include appropriate pavement treatments having regard to: (a) the intensity of anticipated vehicle movements; (b) the nature of the use that they service; and (c) the character of the surrounding locality.	AO7 Access, manoeuvring and car parking areas include pavements that are constructed in accordance with Table 8.2.10.3B .	✓	Complies The existing access, maneuvering and car parking areas have appropriate pavement treatments (all weather).

Water supply			
<p>PO8 Each lot has an adequate volume and supply of water that:</p> <ul style="list-style-type: none"> (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment. 	<p>AO8.1 Development is connected to a reticulated water supply system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located in the Rural residential zone and outside a reticulated water supply service area.</p>	✓	<p>Complies The site is serviced by the reticulated water supply network. The existing metered connections will be utilised to service the proposed use.</p>
	<p>AO8.2 Development, where located outside a reticulated water supply service area and in the Rural residential zone is provided with:</p> <ul style="list-style-type: none"> (a) a bore or bores are provided in accordance with the Design Guidelines set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; or (b) on-site water storage tank/s: <ul style="list-style-type: none"> (i) with a minimum capacity of 90,000L; (ii) fitted with a 50mm ball valve with a camlock fitting; and (iii) which are installed and connected prior to the occupation or use of the development. 	n/a	<p>n/a The site is serviced by the reticulated water supply network.</p>
Wastewater disposal			
<p>PO9 Each lot provides for the treatment and disposal of effluent and other waste water that:</p> <ul style="list-style-type: none"> (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment. 	<p>AO9.1 Development is connected to a reticulated sewerage system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located in the Rural residential zone and outside a reticulated sewerage service area.</p>	n/a	<p>n/a The site is not serviced by the reticulated sewerage network system.</p>
	<p>AO9.2 An effluent disposal system is provided in accordance with ASNZ 1547 On-Site Domestic Wastewater Management (as amended) where development is located in the Rural residential zone and outside a reticulated sewerage service area.</p>	✓	<p>Complies Both existing Dwellings are serviced by appropriate effluent disposal systems which are sufficient for the proposed use and will be retained for use.</p>



Stormwater infrastructure			
PO10 Stormwater infrastructure is designed and constructed to collect and convey the design storm event to a lawful point of discharge in a manner that mitigates impacts on life and property.	AO10.1 Where located within a Priority infrastructure area or where stormwater infrastructure is available, development is connected to Council's stormwater network in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	✓	Complies The existing stormwater drainage system is sufficient for the proposed use. No additional infrastructure is required.
	AO10.2 On-site drainage systems are constructed: <ul style="list-style-type: none"> (a) to convey stormwater from the premises to a lawful point of discharge; and (b) in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual. 	n/a	n/a No additional site stormwater drainage channels or other such infrastructure is required.
Electricity supply			
PO11 Each lot is provided with an adequate supply of electricity	AO11 The premises: <ul style="list-style-type: none"> (a) is connected to the electricity supply network; or (b) has arranged a connection to the transmission grid; or (c) where not connected to the network, an independent energy system with sufficient capacity to service the development (at near average energy demands associated with the use) may be provided as an alternative to reticulated electricity where: <ul style="list-style-type: none"> (i) it is approved by the relevant regulatory authority; and (ii) it can be demonstrated that no air or noise emissions; and (iii) it can be demonstrated that no adverse impact on visual amenity will occur. 	✓	Complies The site is serviced by the reticulated electricity supply network. The existing metered connections will be utilised to service the proposed use.



Telecommunications infrastructure			
PO12 Each lot is provided with an adequate supply of telecommunication infrastructure.	AO12 Development is provided with a connection to the national broadband network or telecommunication services.	✓	Complies The site is serviced by the reticulated telecommunication and NBN networks. The existing connections will be utilised to service the proposed use.
Existing public utility services			
PO13 Development and associated works do not affect the efficient functioning of public utility mains, services or installations.	AO13 Public utility mains, services are relocated, altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	✓	Complies The development and associated works will not affect the efficient functioning of public utility mains, services or installations.
Excavation and filling			
PO14 Excavation or filling must not have an adverse impact on the: (a) streetscape; (b) scenic amenity; (c) environmental values; (d) slope stability; (e) accessibility; or (f) privacy of adjoining premises.	AO14.1 Excavation or filling does not occur within 1.5 metres of any site boundary.	n/a	n/a No earthworks are proposed as part of this development.
	AO14.2 Excavation or filling at any point on a lot is to be no greater than 1.5 metres above or below natural ground level.	n/a	n/a No earthworks are proposed as part of this development.
	AO14.3 Earthworks batters: (a) are no greater than 1.5 metres in height; (b) are stepped with a minimum width 2 metre berm; (c) do not exceed a maximum of two batters and two berms (not greater than 3.6 metres in total height) on any one lot; (d) have a slope no greater than 1 in 4; and (e) are retained.	n/a	n/a No earthworks are proposed as part of this development.



	<p>AO14.4 Soil used for filling or spoil from excavation is not stockpiled in locations that can be viewed from: (a) adjoining premises; or (b) a road frontage, for a period exceeding 1 month from the commencement of the filling or excavation.</p>	<p>n/a</p>	<p>n/a No earthworks are proposed as part of this development.</p>
	<p>AO14.5 All batters and berms to be constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	<p>n/a</p>	<p>n/a No earthworks are proposed as part of this development.</p>
	<p>AO14.6 Retaining walls have a maximum height of 1.5 metres and are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.</p>	<p>n/a</p>	<p>n/a No earthworks are proposed as part of this development.</p>
	<p>AO14.7 Excavation or filling at any point on a lot is to include measures that protect trees at the foot or top of cut or fill batters by the use of appropriate retaining methods and sensitive earth removal or placement and in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.</p>	<p>n/a</p>	<p>n/a No earthworks are proposed as part of this development.</p>

9.3.1 Accommodation Activities Code

The development proposal is an MCU for Dual Occupancy and is assessed against the Accommodation Activities Code of the Mareeba Shire Planning Scheme (2016).

9.3.1.3 Criteria for Assessment

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

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
All Accommodation activities, apart from Dwelling house			
<p>PO1 Accommodation activities are located on a site that includes sufficient area:</p> <ul style="list-style-type: none"> (a) to accommodate all buildings, structures, open space and infrastructure associated with the use; and (b) to avoid adverse impacts on the amenity or privacy of nearby land uses. 	<p>AO1 Development is located on a site which provides the applicable minimum site area and minimum road frontage specified in Table 9.3.1.3B.</p>	✓	<p>Complies The proposed Dual Occupancy utilises 2 existing Dwelling Houses on a site with minimum site area and minimum road frontage.</p>
All Accommodation activities, apart from Tourist park and Dwelling house			
<p>PO2 Accommodation activities are provided with on-site refuse storage areas that are:</p> <ul style="list-style-type: none"> (a) sufficient to meet the anticipated demand for refuse storage; and (b) appropriately located on the site having regard to potential odour and noise impacts on uses on the site and adjoining sites. 	<p>AO2.1 A refuse area is provided that:</p> <ul style="list-style-type: none"> (a) includes a water connection; (b) is of a size and configuration to accommodate 2x240 litre bins per dwelling or accommodation unit where involving a use other than a residential care facility or retirement facility; and (c) is of a size and configuration to accommodate a minimum of two bulk refuse bins where involving a residential care facility or retirement facility. 	✓	<p>Complies The proposed Dual Occupancy utilises 2 existing Dwelling Houses with bin storage areas. The site is serviced by the Council waste collection service.</p>



All Accommodation activities, except for Dwelling house			
<p>PO3 Accommodation activities are designed to avoid overlooking or loss of privacy for adjoining uses.</p> <p>Note—These provisions apply to any adjoining use, both on an adjoining site and on the same site.</p>	<p>A03 The windows of habitable rooms:</p> <p>(a) do not overlook the windows of a habitable room in an adjoining dwelling or accommodation unit; or</p> <p>(b) are separated from the windows of a habitable room in an adjoining dwelling or accommodation unit by a distance greater than:</p> <p>(i) 2 metres at ground level; and</p> <p>(ii) 8 metres above ground level; or</p> <p>(c) are treated with:</p> <p>(i) a minimum sill height of 1.5 metres above floor level; or</p> <p>(ii) fixed opaque glassed installed below 1.5 metres; or</p> <p>(iii) fixed external screens; or</p> <p>(iv) a 1.5 metre high screen fence along the common boundary.</p>	<p>✓</p>	<p>Complies The proposed Dual Occupancy utilises 2 existing Dwelling Houses which are separated and screened by fencing and vegetation.</p>
<p>PO4 Accommodation activities are provided with sufficient private and communal open space areas which:</p> <p>(a) accommodate a range of landscape treatments, including soft and hard landscaping;</p> <p>(b) provide a range of opportunities for passive and active recreation;</p> <p>(c) provide a positive outlook and high quality of amenity to residents;</p> <p>(d) is conveniently located and easily accessible to all residents; and</p> <p>(e) contribute to an active and attractive streetscape.</p>	<p>AO4.1 Development, except for Caretaker's accommodation, Dwelling house, Dual occupancy or Home based business, includes communal open space which meets or exceeds the minimum area, dimension and design parameters specified in Table 9.3.1.3C.</p>	<p>✓</p>	<p>Complies The proposed Dual Occupancy utilises 2 existing Dwelling Houses which both contain ample open spaces.</p>
	<p>AO4.2 Development includes private open space for each dwelling or accommodation unit which meets or exceeds the minimum area, dimension and design parameters specified in Table 9.3.1.3D.</p>	<p>✓</p>	<p>Complies The proposed Dual Occupancy utilises 2 existing Dwelling Houses which both contain ample open spaces.</p>
	<p>AO4.3 Clothes drying areas are provided at the side or rear of the site so that they are not visible from the street.</p>	<p>✓</p>	<p>Complies The proposed Dual Occupancy utilises 2 existing Dwelling Houses which both contain ample clothes drying areas.</p>



	<p>AO4.4 If for Dual occupancy, Multiple dwelling, Residential care facility or Retirement facility, development provides a secure storage area for each dwelling or accommodation unit which:</p> <ul style="list-style-type: none"> (a) is located to facilitate loading and unloading from a motor vehicle; (b) is separate to, and does not obstruct, on-site vehicle parking or manoeuvring areas; (c) has a minimum space of 2.4m² per dwelling or accommodation unit; (d) has a minimum height of 2.1 metres; (e) has minimum dimensions to enable secure bicycle storage; (f) is weather proof; and (g) is lockable. 	<p>✓</p>	<p>Complies The proposed Dual Occupancy utilises 2 existing Dwelling Houses which both contain separate secure storage areas sufficient for the use.</p>
If for Caretaker's Accommodation			
<p>PO5 Caretaker's accommodation is of a scale and intensity which is consistent with that of the surrounding area.</p> <p>Note—Where Caretaker's Accommodation is assessable development additional assessment benchmarks are provided under "for assessable development".</p>	<p>AO5.1 Only one caretaker's accommodation is established on the title of the non-residential use.</p>	<p>n/a</p>	<p>n/a No Caretakers Accommodation is proposed.</p>
	<p>AO5.2 In the Rural zone, Caretaker's accommodation has a maximum gross floor area of 200m².</p>	<p>n/a</p>	<p>n/a No Caretakers Accommodation is proposed.</p>



If for Dwelling house			
PO6 Where a Dwelling house involves a secondary dwelling, it is designed and located to: (d) not dominate the site; (e) remain subservient to the primary dwelling; and (f) be consistent with the character of the surrounding area;	A06.1 The secondary dwelling is located within: (c) 10 metres of the primary dwelling where on a lot that has an area of 2 hectares or less; or (d) 20 metres of the primary dwelling where on a lot that has an area of greater than 2 hectares.	n/a	n/a No Secondary Dwellings are proposed.
	A06.2 A secondary dwelling has a maximum gross floor area of 100m ² .	n/a	n/a No Secondary Dwellings are proposed.
If for Dual occupancy			
PO7 Where establishing a Dual occupancy on a corner lot, the building is designed to: (a) maximise opportunities for causal surveillance; (b) provide for separation between the two dwellings; and (c) provide activity and visual interest on both frontages.	A07.1 Where located on a corner allotment, each dwelling is accessed from a different road frontage.	n/a	n/a The development site is not a corner lot.
	A07.2 The maximum width of garage or carport openings that face a public street is 6 metres or 50% of the building width, whichever is the lesser.	n/a	n/a The development site is not a corner lot.
If for Multiple dwelling, Residential care facility or Retirement facility			
PO8 Development is appropriately located within the Shire to: (a) maximise the efficient utilisation of existing infrastructure, services and facilities; and (b) minimise amenity impacts through the collocation of compatible uses. Note—Where Residential care facility or Retirement facility is assessable development additional assessment benchmarks are provided under “for assessable development”.	A08 Multiple dwelling, Residential care facility or Retirement facility uses are located on land within 800 metres of the boundary of land within the Centre zone.	n/a	n/a No Multiple dwellings, Residential care facilities or Retirement facilities are proposed.



<p>PO9 Buildings are designed to:</p> <ul style="list-style-type: none"> (a) reduce the appearance of building bulk; (b) provide visual interest through articulation and variation; (c) be compatible with the embedded, historical character for the locality; and (d) be compatible with the scale of surrounding buildings <p>Note—Where Residential care facility or Retirement facility is assessable development additional assessment benchmarks are provided under “for assessable development”.</p>	<p>AO9.1 External walls do not exceed 10 metres in continuous length unless including a minimum of three of the following building design features and architectural elements:</p> <ul style="list-style-type: none"> (a) a change in roof profile; or (b) a change in parapet coping; or (c) a change in awning design; or (d) a horizontal or vertical change in the wall plane; or (e) a change in the exterior finishes and exterior colours of the development. 	n/a	n/a No Multiple dwellings, Residential care facilities or Retirement facilities are proposed.
	<p>AO9.2 For a Multiple dwelling, Residential care facility or Retirement facility, the maximum width of a garage or carport opening that faces a road is 6 metres.</p>	n/a	n/a No Multiple dwellings, Residential care facilities or Retirement facilities are proposed.
	<p>AO9.3 For a Multiple dwelling, Residential care facility or Retirement facility, the building(s) include awnings with a minimum overhang of 600mm.</p>	n/a	n/a No Multiple dwellings, Residential care facilities or Retirement facilities are proposed.
	<p>AO9.4 For a Multiple dwelling, Residential care facility or Retirement facility, roof forms include one or more of the following types:</p> <ul style="list-style-type: none"> (a) pyramidal; (b) hip or hipped; (c) gable; (d) skillion. 	n/a	n/a No Multiple dwellings, Residential care facilities or Retirement facilities are proposed.
If for Residential care facility or Retirement facility			
<p>PO10 The layout and design of the site:</p> <ul style="list-style-type: none"> (a) promotes safe and easy pedestrian, cycle and mobility device movement; (b) defines areas of pedestrian movement; and (c) assists in navigation and way finding. 	<p>AO10.1 The development incorporates covered walkways and ramps on site for weather protection between all buildings.</p>	n/a	n/a No Residential care facilities or Retirement facilities are proposed.
	<p>AO10.2 Pedestrian paths include navigational signage at intersections.</p>	n/a	n/a No Residential care facilities or Retirement facilities are proposed.



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

	AO11.7 Any equipment or materials associated with the Home based business are screened from public view and adjacent properties by fencing or landscaping.	n/a	n/a No Home based businesses are proposed.
	AO11.8 The business does not involve the use of power tools or similar noise generating devices.	n/a	n/a No Home based businesses are proposed.
PO12 Home based businesses involving accommodation activities are appropriately scaled and designed to avoid detrimental impacts on the amenity and privacy of surrounding residences.	AO12.1 Home based businesses involving accommodation activities are limited to the scale specified in Table 9.3.1.3E .	n/a	n/a No Home based businesses are proposed.
	AO12.2 A farm stay dwelling or accommodation unit is located within 20 metres of the primary dwelling house.	n/a	n/a No Home based businesses are proposed.
	AO12.3 A farm stay is setback 100 metres from any property boundary.	n/a	n/a No Home based businesses are proposed.
	AO12.4 Entertainment and dining facilities associated with an accommodation activity are: (a) located at least 5 metres from the bedrooms of adjoining residences; and (b) located or screened so that they do not directly overlook private open space areas of adjoining properties.	n/a	n/a No Home based businesses are proposed.
If for Rural workers' accommodation			
PO13 The Rural workers' accommodation is directly associated with an agricultural based rural activity on the same premises and is commensurate with the scale of agricultural operations.	AO13.1 A Rural workers' accommodation building is limited to the accommodation of: (a) one rural worker for every 50 hectares; and (b) a maximum of ten rural workers in total.	n/a	n/a No Rural workers' accommodation is proposed.
	AO13.2 The agricultural based rural activity is a minimum of 50 hectares in area.	n/a	n/a No Rural workers' accommodation is proposed.

PO14 Rural workers' accommodation is provided with amenities commensurate with the: (a) needs of the employees; and (b) permanent or seasonal nature of the employment.	AO14.1 The Rural workers' accommodation is: (a) for permanent occupation; and (b) fully self-contained. OR	n/a	n/a No Rural workers' accommodation is proposed.
	AO14.2 The Rural workers' accommodation: (a) is for seasonal occupation (up to 3 months); (b) shares facilities with an existing Dwelling house or Caretaker's residence; and (c) is located within 100 metres of the Dwelling house or Caretaker's residence.	n/a	n/a No Rural workers' accommodation is proposed.
For assessable development			
If for Caretaker's Accommodation			
PO15 The inclusion of Caretaker's accommodation on the site is necessary for the operation of the primary use, having regard to: (a) hours of operation; (b) nature of the use; (c) security requirements; (d) site location and access; and (e) proximity to other land uses.	AO15 No acceptable outcome is provided.	n/a	n/a No Caretaker's accommodation is proposed.
If for Residential care facility or Retirement facility			
PO16 Retirement facilities include a range of housing designs and types that: (a) meet the needs of residents; (b) allow for 'ageing in place'; (c) consider differing mobility needs; (d) accommodate differing financial situations; and (e) cater for different household types.	AO16 No acceptable outcome is provided.	n/a	n/a No Residential care facilities or Retirement facilities are proposed.



If for Tourist park			
<p>PO17 The Tourist park is appropriately located to provide park users with convenient access to tourist attractions, community facilities and infrastructure.</p>	<p>AO17 No acceptable outcome is provided.</p>	<p>n/a</p>	<p>n/a No Tourist Parks are proposed.</p>
<p>PO18 The density of accommodation provided within the Tourist park:</p> <p>(a) is commensurate with the size and utility of the site;</p> <p>(b) is consistent with the scale and character of development in the surrounding area;</p> <p>(c) ensures sufficient infrastructure and services can be provided;</p> <p>(d) does not adversely impact on the existing amenity of nearby uses;</p> <p>(e) ensures a high level of amenity is enjoyed by residents of the site; and</p> <p>(f) does not place undue pressure on environmental processes in the surrounding area.</p>	<p>AO18.1 Where park areas are proposed to exclusively accommodate caravans, motor homes, tents or cabins, accommodation site densities do not exceed:</p> <p>(a) 40 caravan or motor home sites per hectare of the nominated area(s); or</p> <p>(b) 60 tent sites per hectare of the nominated area(s); or</p> <p>(c) 10 cabins (maximum 30m² gross floor area per cabin) per hectare of the nominated area(s).</p>	<p>n/a</p>	<p>n/a No Tourist Parks are proposed.</p>
	<p>AO18.2 Where park areas are proposed to be used for any combination of caravans, motor homes, tents or cabins, then the lowest applicable density identified by AO18.1 shall be applied to the nominated area(s).</p>	<p>n/a</p>	<p>n/a No Tourist Parks are proposed.</p>
<p>PO19 Accommodation sites are designed and located:</p> <p>(a) to provide sufficient land for necessary services and infrastructure;</p> <p>(b) to achieve sufficient separation between land uses;</p> <p>(c) is consistent with the scale and character of development in the surrounding area; and</p> <p>(d) to prevent amenity and privacy impacts on nearby land uses.</p>	<p>AO19.1 A minimum of 50% of provided caravan and motor home accommodation sites have a concrete slab with a minimum length of 6 metres and a minimum width of 2.4 metres.</p>	<p>n/a</p>	<p>n/a No Tourist Parks are proposed.</p>
	<p>AO19.2 Caravan, motor home, tent and cabin accommodation sites are set back a minimum of:</p> <p>(a) 2 metres from an internal road; and</p> <p>(b) 1.5 metres from the side and rear boundaries of the site.</p>	<p>n/a</p>	<p>n/a No Tourist Parks are proposed.</p>



<p>PO20 A Tourist park is provided with sufficient and appropriately located refuse collection areas.</p>	<p>AO20.1 A central refuse collection area is provided to service all accommodation sites.</p>	n/a	n/a No Tourist Parks are proposed.
	<p>AO20.2 The refuse collection area must be kept in a sanitary condition at all times with all refuse stored in weather-proof and securable receptacles to prevent them from attracting vermin and wildlife.</p>	n/a	n/a No Tourist Parks are proposed.
	<p>AO20.3 The refuse collection area is constructed on an impervious surface such as a concrete slab.</p>	n/a	n/a No Tourist Parks are proposed.
	<p>AO20.4 A water connection is provided within the refuse collection area to facilitate cleaning of receptacles and the collection area.</p>	n/a	n/a No Tourist Parks are proposed.
	<p>AO20.5 Refuse collection areas are located a minimum of 10 metres from any recreational areas, communal cooking facilities and accommodation sites.</p>	n/a	n/a No Tourist Parks are proposed.



9.4.2 Landscaping Code

9.4.2.3 Criteria for assessment

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

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



<p>PO2 Development, other than in the Rural zone, includes landscaping along site frontages that:</p> <ul style="list-style-type: none"> (a) creates an attractive streetscape; (b) compliments the character of the immediate surrounds; (c) assists to break up and soften elements of built form; (d) screen areas of limited visual interest or servicing; (e) provide shade for pedestrians; and (f) includes a range and variety of planting. 	<p>AO2 Development, other than in the Rural zone, includes a landscape strip along any site frontage:</p> <ul style="list-style-type: none"> (a) with a minimum width of 2 metres where adjoining a car parking area; (b) with a minimum width of 1.5 metres in all other locations; and (c) in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species. <p>Note—Where development is setback from a frontage less than 1.5 metres, the setback area is provided as a landscape strip</p>	<p>✓</p>	<p>Complies The development site contains sufficient established landscaping for the proposed use. All landscaping will be retained. No new landscaping is required or proposed.</p>
<p>PO3 Development includes landscaping and fencing along side and rear boundaries that:</p> <ul style="list-style-type: none"> (a) screens and buffer land uses; (b) assists to break up and soften elements of built form; (c) screens areas of limited visual interest; (d) preserves the amenity of sensitive land uses; and (e) includes a range and variety of planting. 	<p>AO3.1 Development provides landscape treatments along side and rear boundaries in accordance with Table 9.4.2.3B.</p>	<p>n/a</p>	<p>n/a No new landscaping is required or proposed.</p>
	<p>AO3.2 Shrubs and trees provided in landscape strips along side and rear boundaries:</p> <ul style="list-style-type: none"> (a) are planted at a maximum spacing of 1 metre; (b) will grow to a height of at least 2 metres; (c) will grow to form a screen of no less than 2 metres in height; and (d) are mulched to a minimum depth of 0.1 metres with organic mulch. 	<p>n/a</p>	<p>n/a No new landscaping is required or proposed.</p>
	<p>AO3.3 Any landscape strip provided along a side or rear boundary is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.</p>	<p>n/a</p>	<p>n/a No new landscaping is required or proposed.</p>



<p>PO4 Car parking areas are improved with a variety of landscaping that:</p> <ul style="list-style-type: none"> (a) provides visual interest; (b) provides a source of shade for pedestrians; (c) assists to break up and soften elements; and (d) improves legibility. 	<p>AO4.1 Landscaping is provided in car parking areas which provides:</p> <ul style="list-style-type: none"> (a) a minimum of 1 shade tree for every 4 parking spaces, or part thereof, where the car parking area includes 12 or more spaces; (b) a minimum of 1 shade tree for every 6 parking spaces, or part thereof, otherwise; and (c) where involving a car parking area in excess of 500m²: <ul style="list-style-type: none"> (i) shade structures are provided for 50% of parking spaces; and (ii) a minimum of 10% of the parking area as landscaping. <p>Note—Where a shade structure is provided over part of a car parking area, shade tree planting is not required in this area of the car parking area.</p>	n/a	n/a No new landscaping is required or proposed.
	<p>AO4.2 Landscaping in car parking areas is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.</p>	n/a	n/a No new landscaping is required or proposed.
<p>PO5 Landscaping areas include a range and variety of planting that:</p> <ul style="list-style-type: none"> (a) is suitable for the intended purpose and local conditions; (b) contributes to the natural character of the Shire; (c) includes native species; (d) includes locally endemic species, where practical; and (e) does not include invasive plants or weeds. 	<p>AO5.1 Plant species are selected from the Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant species.</p>	n/a	n/a No new landscaping is required or proposed.
	<p>AO5.2 A minimum of 25% of (new and existing) plants is provided as larger, advanced stock with a minimum plant height of 0.7 metres and mulched to a minimum depth of 0.1 metres with organic mulch.</p>	n/a	n/a No new landscaping is required or proposed.
<p>PO6 Landscaping does not impact on the ongoing provision of infrastructure and services to the Shire.</p>	<p>AO6.1 Tree planting is a minimum of</p> <ul style="list-style-type: none"> (a) 2 metres from any underground water, sewer, gas, electricity or telecommunications infrastructure; and (b) 4 metres from any inspection chamber. 	n/a	n/a No new landscaping is required or proposed.



	<p>AO6.2 Vegetation below or within 4 metres of overhead electricity lines and power poles has a maximum height of 3.5 metres at maturity.</p>	n/a	n/a No new landscaping is required or proposed.
	<p>AO6.3 Vegetation adjoining an electricity substation boundary, at maturity, will have: (a) a height of less than 4 metres; and (b) no foliage within 3 metres of the substation boundary, unless the substation has a solid wall along any boundary.</p>	n/a	n/a Development site does not adjoin an electricity substation boundary.
For assessable development			
<p>PO7 Landscaping areas are designed to: (a) be easily maintained throughout the ongoing use of the site; (b) allow sufficient area and access to sunlight and water for plant growth; (c) not cause a nuisance to occupants of the site or members of the public; and (d) maintain or enhance the safety of pedestrians through the use of Crime Prevention Through Environmental Design principles.</p>	<p>AO7 No acceptable outcome is provided.</p>	✓	<p>Complies The development site contains sufficient established landscaping for the proposed use. All landscaping will be retained. No new landscaping is required or proposed.</p>



9.4.3 Parking and Access Code

9.4.3.3 Criteria for assessment

Table 9.4.3.3A—Parking and access code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
Car parking spaces			
<p>PO1 Development provides sufficient car parking to accommodate the demand likely to be generated by the use, having regard to the:</p> <ul style="list-style-type: none"> (f) nature of the use; (g) location of the site; (h) proximity of the use to public transport services; (i) availability of active transport infrastructure; and (j) accessibility of the use to all members of the community. 	<p>AO1 The number of car parking spaces provided for the use is in accordance with Table 9.4.3.3B.</p> <p>Note—Car parking spaces provided for persons with a disability are to be considered in determining compliance with AO1.</p>	✓	<p>Complies The existing on-site car parking facilities are sufficient for the proposed use.</p>
Vehicle crossovers			
<p>PO2 Vehicle crossovers are provided to:</p> <ul style="list-style-type: none"> (d) ensure safe and efficient access between the road and premises; (e) minimize interference with the function and operation of roads; and (f) minimise pedestrian to vehicle conflict. 	<p>AO2.1 Vehicular access to/from Council roads is designed and constructed in accordance with the Standard drawings in Planning Scheme Policy 4 - FNQROC Regional Development Manual.</p>	✓	<p>Complies The existing crossover on Shiva Close is sufficient for the proposed use.</p>
	<p>AO2.2 Development on a site with two or more road frontages provides vehicular access from:</p> <ul style="list-style-type: none"> (a) the primary frontage where involving Community activities or Sport and recreation activities, unless the primary road frontage is a State-controlled road; or (b) from the lowest order road in all other instances. 	✓	<p>Complies The existing crossover on Shiva Close is sufficient for the proposed use.</p>



	AO2.3 Vehicular access for particular uses is provided in accordance with Table 9.4.3.3E .	n/a	n/a Development does not involve any uses specified in Table 9.4.3.3E.
PO3 Access, manoeuvring and car parking areas include appropriate pavement treatments having regard to: (d) the intensity of anticipated vehicle movements; (e) the nature of the use that they service; and (f) the character of the surrounding locality.	AO3 Access, manoeuvring and car parking areas include pavements that are constructed in accordance with Table 9.4.3.3C .	✓	Complies The access driveway has an existing appropriately pavement treatment (all weather).
For assessable development			
Parking area location and design			
PO4 Car parking areas are located and designed to: (a) ensure safety and efficiency in operation; and (b) be consistent with the character of the surrounding locality.	AO4.1 Car parking spaces, access and circulation areas have dimensions in accordance with AS/NZS 2890.1 Off-street car parking.	n/a	n/a No new parking facilities are required or proposed.
	AO4.2 Disabled access and car parking spaces are located and designed in accordance with AS/NZS 2890.6 Parking facilities - Off-street parking for people with disabilities.	n/a	n/a No new parking facilities are required or proposed.
	AO4.3 The car parking area includes designated pedestrian routes that provide connections to building entrances.	n/a	n/a No new parking facilities are required or proposed.

	<p>AO4.4 Parking and any set down areas are: (a) wholly contained within the site; (b) visible from the street where involving Commercial activities, Community activities, Industrial activities or a use in the Recreation and open space zone; (c) are set back behind the main building line where involving a Dual occupancy, Multiple dwelling, Residential care facility or Retirement facility; and (d) provided at the side or rear of a building in all other instances.</p>	n/a	n/a No new parking facilities are required or proposed.
Site access and manoeuvring			
<p>PO5 Access to, and manoeuvring within, the site is designed and located to: (a) ensure the safety and efficiency of the external road network; (b) ensure the safety of pedestrians; (c) provide a functional and convenient layout; and (d) accommodate all vehicles intended to use the site.</p>	<p>AO5.1 Access and manoeuvrability is in accordance with : (a) AS28901 – Car Parking Facilities (Off Street Parking); and (b) AS2890.2 – Parking Facilities (Off-street Parking) Commercial Vehicle Facilities. Note—Proposal plans should include turning circles designed in accordance with AP34/95 (Austroads 1995) Design Vehicles and Turning Path Templates.</p>	n/a	n/a The existing access and manoeuvring facilities are sufficient for the proposed use. No new facilities are required or proposed.
	<p>AO5.2 Vehicular access has a minimum sight distance in accordance with Part 5 of AUSTROADS.</p>	✓	Complies Vehicular access complies with the minimum sight distance requirements.
	<p>AO5.3 Vehicular access is located and designed so that all vehicles enter and exit the site in a forward gear.</p>	n/a	n/a No new vehicular access is required or proposed.
	<p>AO5.4 Pedestrian and cyclist access to the site: (a) is clearly defined; (b) easily identifiable; and (c) provides a connection between the site frontage and the entrance to buildings and end of trip facilities (where provided).</p>	n/a	n/a No new pedestrian or cyclist access is required or proposed.



<p>PO6 Development that involves an internal road network ensures that it's design:</p> <p>(a) ensure safety and efficiency in operation;</p> <p>(b) does not impact on the amenity of residential uses on the site and on adjoining sites, having regard to matters of:</p> <p>(i) hours of operation;</p> <p>(ii) noise</p> <p>(iii) light; and</p> <p>(iv) odour;</p> <p>(c) accommodates the nature and volume of vehicle movements anticipated to be generated by the use;</p> <p>(d) allows for convenient access to key on-site features by pedestrians, cyclists and motor vehicles; and</p> <p>(e) in the Rural zone, avoids environmental degradation.</p>	<p>AO6.1 Internal roads for a Tourist park have a minimum width of:</p> <p>(a) 4 metres if one way; or</p> <p>(b) 6 metres if two way.</p>	n/a	n/a The proposed development does not involve any new roads.
	<p>AO6.2 For a Tourist park, internal road design avoids the use of cul-de-sacs in favour of circulating roads, where unavoidable, cul-de-sacs provide a full turning circle for vehicles towing caravans having:</p> <p>(a) a minimum approach and departure curve radius of 12 metres; and</p> <p>(b) a minimum turning circle radius of 8 metres.</p>	n/a	n/a The proposed development does not involve any new roads.
	<p>AO6.3 Internal roads are imperviously sealed and drained, apart from those for an Energy and infrastructure activity or Rural activity.</p>	n/a	n/a The proposed development does not involve any new roads.
	<p>AO6.4 Speed control devices are installed along all internal roads, apart from those for an Energy and infrastructure activity or Rural activity, in accordance with Complete Streets.</p>	n/a	n/a The proposed development does not involve any new roads.
	<p>AO6.5 Internal roads, apart from those for an Energy and infrastructure activity or Rural activity, are illuminated in accordance with AS 4282 (as amended) - Control of Obtrusive effects of outdoor lighting.</p>	n/a	n/a The proposed development does not involve any new roads.
	<p>AO6.6 Where involving an accommodation activity, internal roads facilitate unobstructed access to every dwelling, accommodation unit, accommodation site and building by emergency services vehicles.</p>	n/a	n/a The proposed development does not involve any new roads.

	<p>AO6.7 For an Energy and infrastructure activity or Rural activity, internal road gradients: (a) are no steeper than 1:5; or (b) are steeper than 1:5 and are sealed.</p>	n/a	n/a The proposed development does not involve any new roads.
Servicing			
<p>PO7 Development provides access, maneuvering and servicing areas on site that: (a) accommodate a service vehicle commensurate with the likely demand generated by the use; (b) do not impact on the safety or efficiency of internal car parking or maneuvering areas; (c) do not adversely impact on the safety or efficiency of the road network; (d) provide for all servicing functions associated with the use; and (e) are located and designed to minimise their impacts on adjoining sensitive land uses and streetscape quality.</p>	<p>AO7.1 All unloading, loading, service and waste disposal areas are located: (a) on the site; (b) to the side or rear of the building, behind the main building line; (c) not adjacent to a site boundary where the adjoining property is used for a sensitive use.</p>	n/a	n/a No new service and waste disposal areas are required.
	<p>AO7.2 Unloading, loading, service and waste disposal areas allow service vehicles to enter and exit the site in a forward gear.</p>	n/a	n/a No new service and waste disposal areas are required.
	<p>AO7.3 Development provides a servicing area, site access and maneuvering areas to accommodate the applicable minimum servicing vehicle specified in Table 9.4.3.3B.</p>	n/a	n/a No new service and waste disposal areas are required.
Maintenance			
<p>PO8 Parking areas are used and maintained for their intended purpose.</p>	<p>AO8.1 Parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking and circulation of vehicles.</p>	n/a	n/a The existing parking areas are sufficient for the proposed use.
	<p>AO8.2 All parking areas will be compacted, sealed, drained, line marked and maintained until such time as the development ceases.</p>	n/a	n/a The existing parking areas are sufficient for the proposed use.



End of trip facilities			
PO9 Development within the Centre zone; Industry zone or Emerging community zone provides facilities for active transport users that: <ul style="list-style-type: none"> (a) meet the anticipated demand generated from the use; (b) comprise secure and convenient bicycle parking and storage; and (c) provide end of trip facilities for all active transport users. 	AO9.1 The number of bicycle parking spaces provided for the use is in accordance with Table 9.4.3.3D .	n/a	n/a The development site is not located in the Centre, Industry or Emerging Community Zones.
	AO9.2 End of trip facilities are provided in accordance with Table 9.4.3.3D .	n/a	n/a The development site is not located in the Centre, Industry or Emerging Community Zones.
If for Educational establishment or Child care centre where involving more than 100 vehicle movements per day or Renewable energy facility, Sport and recreation activities or Tourist park			
PO10 The level of traffic generated by the development on the surrounding local road network must not result in unacceptable impacts on adjacent land and local road users.	AO10 A traffic impact report is prepared by a suitably qualified person that identifies: <ul style="list-style-type: none"> (a) the expected traffic movements to be generated by the facility; (b) any associated impacts on the road network; and (c) any works that will be required to address the identified impacts. 	n/a	n/a Development is not for an Educational establishment or Child care centre.
If for Educational establishment or Child care centre where involving more than 100 vehicle movements per day or Renewable energy facility, Sport and recreation activities or Tourist park			
PO11 The level of traffic generated by the development on the surrounding local road network must not result in unacceptable impacts on adjacent land and local road users.	AO11 A traffic impact report is prepared by a suitably qualified person that identifies: <ul style="list-style-type: none"> (d) the expected traffic movements to be generated by the facility; (e) any associated impacts on the road network; and (f) any works that will be required to address the identified impacts. 	n/a	n/a Development is not for an Educational establishment or Child care centre.



9.4.5 Works, Services and Infrastructure Code

9.4.5 Works, services and infrastructure code

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

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
Water supply			
PO1 Each lot has an adequate volume and supply of water that: (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment.	AO1.1 Development is connected to a reticulated water supply system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located: (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated water supply service area.	✓	Complies The site is serviced by the reticulated water supply network. The existing metred connections are sufficient for the proposed use and will be retained.
	AO1.2 Development, where located outside a reticulated water supply service area and in the Conservation zone, Rural zone or Rural residential zone is provided with: (a) a bore or bores are provided in accordance with the Design Guidelines set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; or (b) on-site water storage tank/s: i. with a minimum capacity of 90,000L; ii. fitted with a 50mm ball valve with a camlock fitting; and iii. which are installed and connected prior to the occupation or use of the development.	n/a	n/a The site is serviced by the reticulated water supply network.



Wastewater disposal			
PO2 Each lot provides for the treatment and disposal of effluent and other waste water that: <ul style="list-style-type: none"> (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment. 	AO2.1 Development is connected to a reticulated sewerage system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located: <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area. 	n/a	n/a The site is not serviced by the reticulated sewerage network system.
	AO2.2 An effluent disposal system is provided in accordance with ASNZ 1547 On-Site Domestic Wastewater Management (as amended) where development is located: <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area. 	✓	Complies Both existing Dwellings are serviced by appropriate effluent disposal systems which are sufficient for the proposed use and will be retained for use.
Stormwater infrastructure			
PO3 Stormwater infrastructure is designed and constructed to collect and convey the design storm event to a lawful point of discharge in a manner that mitigates impacts on life and property.	AO3.1 Where located within a Priority infrastructure area or where stormwater infrastructure is available, development is connected to Council's stormwater network in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	✓	Complies The existing stormwater drainage system is sufficient for the proposed use. No additional infrastructure is required.
	AO3.2 On-site drainage systems are constructed: <ul style="list-style-type: none"> (a) to convey stormwater from the premises to a lawful point of discharge; and (b) in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual. 	n/a	n/a No additional site stormwater drainage channels or other such infrastructure is required.



Electricity supply			
<p>PO4 Each lot is provided with an adequate supply of electricity.</p>	<p>AO4 The premises: (a) is connected to the electricity supply network; or (b) has arranged a connection to the transmission grid; or (c) where not connected to the network, an independent energy system with sufficient capacity to service the development (at near average energy demands associated with the use) may be provided as an alternative to reticulated electricity where: (d) it is approved by the relevant regulatory authority; and (e) it can be demonstrated that no air or noise emissions; and (f) it can be demonstrated that no adverse impact on visual amenity will occur.</p>	<p>✓</p>	<p>Complies The site is serviced by the reticulated electricity supply network. The existing metered connections will be utilised to service the proposed use.</p>
Telecommunications infrastructure			
<p>PO5 Each lot is provided with an adequate supply of telecommunication infrastructure</p>	<p>AO5 Development is provided with a connection to the national broadband network or telecommunication services.</p>	<p>✓</p>	<p>Complies The site is serviced by the reticulated telecommunication and NBN networks. The existing connections will be utilised to service the proposed use.</p>
Existing public utility services			
<p>PO6 Development and associated works do not affect the efficient functioning of public utility mains, services or installations.</p>	<p>AO6 Public utility mains, services are relocated, altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	<p>✓</p>	<p>Complies The development and associated works will not affect the efficient functioning of public utility mains, services or installations.</p>



Excavation or filling			
<p>PO7 Excavation or filling must not have an adverse impact on the:</p> <ul style="list-style-type: none"> (a) streetscape; (b) scenic amenity; (c) environmental values; (d) slope stability; (e) accessibility; or (f) privacy of adjoining premises. 	<p>AO7.1 Excavation or filling does not occur within 1.5 metres of any site boundary.</p>	n/a	n/a No excavation or filling is proposed.
	<p>AO7.2 Excavation or filling at any point on a lot is to be no greater than 1.5 metres above or below natural ground level.</p>	n/a	n/a No excavation or filling is proposed.
	<p>AO7.3 Earthworks batters:</p> <ul style="list-style-type: none"> (a) are no greater than 1.5 metres in height; (b) are stepped with a minimum width 2 metre berm; (c) do not exceed a maximum of two batters and two berms (not greater than 3.6 metres in total height) on any one lot; (d) have a slope no greater than 1 in 4; and (e) are retained. 	n/a	n/a No earthworks are proposed.
	<p>AO7.4 Soil used for filling or spoil from excavation is not stockpiled in locations that can be viewed from:</p> <ul style="list-style-type: none"> (a) adjoining premises; or (b) a road frontage, for a period exceeding 1 month from the commencement of the filling or excavation. 	n/a	n/a No excavation or filling is proposed.
	<p>AO7.5 All batters and berms to be constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	n/a	n/a No batters or berms are proposed.
	<p>AO7.6 Retaining walls have a maximum height of 1.5 metres and are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.</p>	n/a	n/a No retaining walls are proposed.



	<p>AO7.7 Excavation or filling at any point on a lot is to include measures that protect trees at the foot or top of cut or fill batters by the use of appropriate retaining methods and sensitive earth removal or placement and in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.</p>	n/a	n/a No excavation or filling is proposed.
For assessable development			
Transport network			
<p>PO8 The development has access to a transport network of adequate standard to provide for the safe and efficient movement of vehicles, pedestrians and cyclists.</p>	<p>AO8.1 Vehicle access, crossovers, road geometry, pavement, utilities and landscaping to the frontage/s of the site are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.</p>	✓	Complies The development site has access to a transport network of adequate standard to provide for the safe and efficient movement of vehicles, pedestrians and cyclists.
	<p>AO8.2 Development provides footpath pavement treatments in accordance with Planning Scheme Policy 9 – Footpath Paving.</p>	n/a	n/a No new footpaths are proposed.
Public infrastructure			
<p>PO9 The design, construction and provision of any infrastructure that is to be dedicated to Council is cost effective over its life cycle and incorporates provisions to minimise adverse impacts.</p>	<p>AO9 Development is in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	n/a	n/a No infrastructure for Council dedication is required or proposed.

Stormwater quality			
<p>PO10 Development has a non-worsening effect on the site and surrounding land and is designed to:</p> <ul style="list-style-type: none"> (a) optimise the interception, retention and removal of waterborne pollutants, prior to the discharge to receiving waters; (b) protect the environmental values of waterbodies affected by the development, including upstream, on-site and downstream waterbodies; (c) achieve specified water quality objectives; (d) minimise flooding; (e) maximise the use of natural channel design principles; (f) maximise community benefit; and (g) minimise risk to public safety. 	<p>AO10.1 The following reporting is prepared for all Material change of use or Reconfiguring a lot proposals:</p> <ul style="list-style-type: none"> (a) a Stormwater Management Plan and Report that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; and (b) an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation Control Guidelines (Institute of Engineers Australia), including: <ul style="list-style-type: none"> (i) drainage control; (ii) erosion control; (iii) sediment control; and (iv) water quality outcomes. 	<p>✓</p>	<p>Complies Existing site drainage is suitable for the proposed use and has a non-worsening effect on the site and surrounding land.</p> <p>No additional site stormwater drainage channels or other such infrastructure is required.</p>



	<p>AO10.2 For development on land greater than 2,500m² or that result in more than 5 lots or more than 5 dwellings or accommodation units, a Stormwater Quality Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) is prepared that demonstrates that the development:</p> <ul style="list-style-type: none"> (a) meets or exceeds the standards of design and construction set out in the Urban Stormwater Quality Planning Guideline and the Queensland Water Quality Guideline; (b) is consistent with any local area stormwater water management planning; (c) accounts for development type, construction phase, local climatic conditions and design objectives; and (d) provides for stormwater quality treatment measures reflecting land use constraints, such as soil type, landscape features (including landform), nutrient hazardous areas, acid sulfate soil and rainfall erosivity. 	<p>n/a</p>	<p>n/a The proposed development does not result in the creation of any new lots.</p>
<p>PO11 Storage areas for stormwater detention and retention:</p> <ul style="list-style-type: none"> (a) protect or enhance the environmental values of receiving waters; (b) achieve specified water quality objectives; (c) where possible, provide for recreational use; (d) maximise community benefit; and (e) minimise risk to public safety. 	<p>AO11 No acceptable outcome is provided.</p>	<p>n/a</p>	<p>n/a No storage areas for stormwater detention and retention are required.</p>



Excavation or filling			
PO12 Traffic generated by filling or excavation does not impact on the amenity of the surrounding area.	AO12.1 Haul routes used for transportation of fill to or from the site only use major roads and avoid residential areas.	n/a	n/a No excavation or filling is proposed.
	AO12.2 Transportation of fill to or from the site does not occur: (a) within peak traffic times; and (b) before 7am or after 6pm Monday to Friday; (c) before 7am or after 1pm Saturdays; and (d) on Sundays or Public Holidays.	n/a	n/a No excavation or filling is proposed.
PO13 Air pollutants, dust and sediment particles from excavation or filling, do not cause significant environmental harm or nuisance impacts.	AO13.1 Dust emissions do not extend beyond the boundary of the site.	n/a	n/a No excavation or filling is proposed.
	AO13.2 No other air pollutants, including odours, are detectable at the boundary of the site.	n/a	n/a No excavation or filling is proposed.
	AO13.3 A management plan for control of dust and air pollutants is prepared and implemented.	n/a	n/a No excavation or filling is proposed.
PO14 Access to the premises (including driveways and paths) does not have an adverse impact on: (a) safety; (b) drainage; (c) visual amenity; and (d) privacy of adjoining premises.	AO14 Access to the premises (including all works associated with the access): (a) must follow as close as possible to the existing contours; (b) be contained within the premises and not the road reserve, and (c) are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	n/a	n/a No excavation or filling is proposed.
Weed and pest management			
PO15 Development prevents the spread of weeds, seeds or other pests into clean areas or away from infested areas.	AO15 No acceptable outcome is provided.	✓	Complies The proposed development poses no risk regarding the spread of weeds, seeds or pests.



Contaminated land			
<p>PO16 Development is located and designed to ensure that users and nearby sensitive land uses are not exposed to unacceptable levels of contaminants</p>	<p>AO16 Development is located where: (a) soils are not contaminated by pollutants which represent a health or safety risk to users; or (b) contaminated soils are remediated prior to plan sealing, operational works permit, or issuing of building works permit.</p>	<p>✓</p>	<p>Complies The site does not contain any contaminated soil.</p>
Fire services in developments accessed by common private title			
<p>PO17 Fire hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.</p>	<p>AO17.1 Fire hydrants are located in access ways or private roads held in common private title at a maximum spacing of: (a) 120 metres for residential development; and (b) 90 metres for any other development.</p>	<p>n/a</p>	<p>n/a No new access ways or private roads will be held in common private title.</p>
	<p>AO17.2 Fire hydrants are located at all intersections of accessways or private roads held in common private title.</p>	<p>n/a</p>	<p>n/a No new access ways or private roads will be held in common private title.</p>

