

Assessment of application against relevant Development Codes

APPLICATION DETAILS

APPLICATION		PREMISES	
FILE NO:	RAL/17/0002	ADDRESS:	McCorry Road, Koah
APPLICANT:	B Hooper & R McPhee	RPD:	Lot 3 on RP745187
LODGED BY:	Brazier Motti	AREA:	60.35 hectares
DATE LODGED:	19 July 2017	OWNER :	B Hooper & R McPhee
TYPE OF APPROVAL:	Development Permit		
PROPOSED DEVELOPMENT:	Reconfiguring a Lot - Subdivision (1 into 2 Lots)		
PLANNING SCHEME:	Mareeba Shire Planning Scheme 2004 (Amendment No 01/11)		
ZONE:	Rural		
LEVEL OF ASSESSMENT:	Code Assessment		
SUBMISSIONS:	N/A - Code Assessment Only		

Relevant Development Codes

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

Part 4, Division 14	Rural Zone Code
Part 5, Division 8	Natural Disaster - Bushfire Overlay Code
Part 6, Division 12	Reconfiguring a Lot Code

Division 14—Assessment Criteria for Rural Zone

4.75 RURAL ZONE CODE

The provisions in this division comprise the Rural Zone code. They are-

- compliance with Rural Zone code (section 4.76);
- overall outcomes for Rural zone code (section 4.77);
- specific outcomes, probable solutions and acceptable solutions for the Rural zone code (sections 4.78 to 4.80).

4.76 COMPLIANCE WITH RURAL ZONE CODE

Development that is consistent with the specific outcomes in sections 4.78 to 4.80 complies with the Rural zone code.

4.77 OVERALL OUTCOMES FOR RURAL ZONE CODE

- (1) The overall outcomes are the purpose of the Rural zone code.
- (2) The overall outcomes sought for the Rural zone code are to achieve an area:
 - (a) that caters for a range of primary industries including forestry and aquaculture to contribute to the economic well being of the Mareeba Shire;
 - (b) where agricultural production and the raising of animals are protected from incompatible land uses;
 - (c) where Good quality agricultural land is protected from fragmentation and alienation, not developed for purposes other than agricultural and support uses, and is protected from incompatible land uses in accordance with SPP1/92;
 - (d) in which agricultural uses and works are located, designed and managed to maximise the efficient use and operation of infrastructure including the MDIA channel infrastructure;
 - (e) that allows tourist uses that are ecologically sustainable and dependent on the values of the cultural heritage and natural resource or features located in the rural zone;
 - (f) that excludes residential uses unless these uses are primarily ancillary and necessary to agricultural uses;
 - (g) where a distinct boundary between the towns of Mareeba, Kuranda and Dimbulah is clear so that those towns do not extend beyond identified boundaries;
 - (h) where provides adequate services to cater for the needs of industry are provided whilst ensuring likely environmental and social impacts of industrial developments and activities (e.g. both construction and operational impacts) and the cumulative impacts of trucks/transportation to and from industrial sites are minimised;
 - (i) where impacts on development on the natural values and water quality are minimised;
 - (j) that allows for rural value adding industries where appropriately located;
 - (k) where GQAL is conserved for agricultural uses that are dependent on the quality of agricultural land;
 - (l) where the scenic values of the Shire are maintained;
 - (m) where, in the Southedge Potential Tourist Area (as shown on Strategic Framework Maps SP1 & SP2) allows for tourist facilities directly associated with the natural attributes of the Southedge site, provided there is a demonstrable need for the facilities and adequate support systems are in place;
 - (n) where, in Preferred area No 3 (as shown on Maps Z8, Z9 and Z10) the Clohesy River Area is protected for future long term urban development as identified by the FNQ Regional Plan;
 - (o) where uses and works are located, designed and managed to avoid significant effect on the environment;
 - (p) where, in Preferred Area No 2 (as shown on Map Z10) the Mona Mona Reserve is planned for its continued development in accordance with an approved Plan of Development and Land Management and the Supplementary Table of zones;
 - (q) makes effective use of the land and of the services provided to enable the functioning of the zone.

4.78 BUILDING SITING, SCALE AND AMENITY

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
For Self Assessable and Code Assessable Development			
S1 New development is consistent in scale with existing buildings and structures in the vicinity and does not detrimentally impact on road transport infrastructure and adjoining uses.	<p>PS1.1 Any building or structure does not exceed 12 metres and three storeys in height; and</p> <p>PS1.2 Any building or structure is located at least:</p> <p>(i) 50 metres from the centre line of the existing Kennedy Highway, Peninsula Developmental Road, Mareeba-Dimbulah Road or other State controlled road (Main Road Marked Route) as identified on Maps R1 and R2, and</p> <p>(ii) 6 metres from any other road; and</p> <p>(iii) 10 metres from any common boundary of allotments; and</p> <p>PS1.3 Buildings and other structures are located at least 25 metres from any Railway corridor land.</p>	✓	<p>PS1.1 - Proposed Lots 30 and 31 are vacant and no additional structures are proposed under the current development application.</p> <p>PS1.2 - Both proposed allotments would have sufficient area to allow any future building to meet the nominated setbacks.</p> <p>PS1.3 - Not applicable. The subject land is not with 25 metres of railway corridor land.</p>
S2 Agricultural activities are protected from incompatible land uses.	<p>PS2.1 Where a site in the Rural zone is not already used for agriculture or agriculture – intensive and it adjoins any other zone, a separation distance of 300 metres is to be maintained between any new agricultural or agriculture - intensive use and the boundary of the adjoining zone/s.</p> <p>PS2.2 Non agriculture or agriculture – intensive uses which adjoin any agriculture or agriculture – intensive uses are protected from spray drifts by the maintenance of a separation distance of 300 metres between the agriculture or agriculture – intensive uses and the non agriculture or agriculture – intensive uses.</p>	n/a	<p>PS2.1 - Not applicable. The application does not propose the establishment of agriculture or agriculture-intensive uses.</p> <p>PS2.2 - Not applicable. The application is not proposing to establish a non-rural land use which would warrant protection through buffering.</p>
S3 Functional, safe and convenient vehicular access and movement to the site for the particular activity.	PS3 Access to the site is provided in accordance with Planning Scheme Policy 4 - Development Manual Section D1.30.	✓	<p>Sections of McCorry Road and Two Chain Road used to access both proposed lots are constructed well under FNQROC Development Manual Standards. A condition will be attached to any approval requiring upgrade works.</p> <p>Furthermore, Council officers have concerns with a section of Two Chain Road immediately to the east of the One Mile Creek crossing. This section of road contains a steep crest and sudden "S" bend that could potentially be a safety issue for road users, particularly considering the additional vehicle traffic associated with the creation of two additional lots serviced from Two Chain Road.</p> <p>Any development approval should be conditioned to require the applicant to also undertake works on this section of Two Chain Road to rectify these issues.</p> <p>All external road works are required to be designed and certified by a RPEQ (Civil</p>

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
			<p>Engineer).</p> <p>The cost associated with the abovementioned works should be credited against any monetary contribution made by the applicant towards trunk infrastructure.</p> <p>Access to each allotment will require construction in accordance with the FNQROC Development Manual.</p>
<p>S4 Clearing of vegetation does not destabilise soil resources, result in a reduction in water quality or fragmentation of wildlife corridors (wildlife corridors are identified as Category B of Planning Scheme Maps V1 and V2).</p>	<p>For Lots with areas of two (2) hectares or above: PS4.1 Vegetation is retained within fifty (50) metres from the high bank of waterways and wetlands as indicated on any Planning Scheme Map; and</p> <p>For Lots below two (2) hectares in area: PS4.2 Vegetation is retained within ten (10) metres from the high bank of waterways and wetlands as indicated on any Planning Scheme Map; and</p> <p>For all Lots: PS4.3 Vegetation is retained on land with a slope of 15% or greater.</p>	<p>✓</p>	<p>PS4.1 - The subject land and proposed allotments have areas greater than 2 hectares.</p> <p>The planning scheme does not map any waterways or wetlands within the subject land.</p> <p>PS4.3 - Minor vegetation clearing, such as survey lines and access tracks will occur. It is not proposed to undertake significant clearing or clearing on land with a slope of 15% or greater.</p>
For Code Assessable Development			
<p>S5 Buildings are protected from adverse flooding and does not interfere with the passage or storage of stormwater.</p>	<p>PS5.1 Buildings are designed and located as not to be within an subject to flooding, unless: the floor level of all habitable rooms is at least 300mm clear of the Q100 flood level; and (ii) the building is elevated and the area below the building is not enclosed or otherwise does not impede the passage of stormwater.</p>	<p>✓</p>	<p>No buildings are proposed as part of this reconfiguring a lot application.</p> <p>Each of the proposed lots will contain sufficient elevated land area to accommodate a future dwelling house.</p>
<p>For the Southedge Potential Tourist Area as identified on the Strategic Framework Maps SP1 & SP2 S6 Utility services are provided which are: (i) Cost effective over their life cycle; and (ii) Minimise potential adverse environmental impacts in the short and long term; and (iii) Do not pose a risk to human health or the amenity of the locality; and (iv) Provided equitably.</p>	<p>PS6 Development occurs in accordance with an approved plan which adequately addresses social, economic, environmental and regional considerations.</p>	<p>n/a</p>	<p>Not applicable. The subject land does not form part of the Southedge Potential Tourist Area.</p>
<p>For Mona Mona Reserve as identified on Map Z10 as Preferred Area No 2 S7 Utility services are provided which are: (i) Cost effective over their life cycle; and (ii) Minimise potential adverse environmental impacts in the short and long term; and (iii) Do not pose a risk to human health or the amenity of the</p>	<p>PS7 Development is carried out in accordance with a Plan of Development and Land Management and the Supplementary Table of zones, (as amended on 13 June 2001), approved by Council on 19 June 2001.</p>	<p>n/a</p>	<p>Not applicable. The subject land is not located within Preferred Area No 2 Mona Mona Reserve.</p>

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
locality; and (iv) Provided equitably.			
For Clohesy River Area identified on Maps Z8, Z9 and Z10 as Preferred Area No 3 S8 Land situated within Preferred Area No 3 (as shown on Maps Z8, Z9 and Z10) is protected for future long term urban development as identified by the FNQ Regional Plan.	PS8 New development within Preferred No 3 does not compromise its potential for future long term urban development.	n/a	Not applicable. The subject land is not located within Preferred Area No 3 Clohesy River Area.
S9 Tourism uses in or within 50 metres of a significant landscape feature are located on a site: (i) without impacting on the attributes or values which give rise to the attractiveness of the site; and (ii) with proximity to infrastructure and services adequate to meet the-day to-day needs of the tourist population likely to be generated by development on the site; and (iii) that contains land suitable in its physical characteristics to accommodate the form, scale and intensity of development; and (iv) without impact upon the visual and landscape setting of the Shire.	PS9 No probable solution prescribed.	n/a	Not applicable. The development application does not propose the establishment of a tourism use.
S10 Uses not dependant upon good quality agricultural land are not located on Good Quality Agricultural Land identified on Agricultural Land Quality Maps S2 to S5, unless there is an overriding need and no alternative sites.	PS10 No probable solution prescribed.	✓	Complies. The subject land is not identified as good quality agricultural land.

4.79 GRAVEL PITS, RESOURCE RESERVES AND MINING LEASES

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
For Self Assessable and Code Assessable Development			
S1 The continuing or new use of gravel pits, resource reserves, mining lease areas and	PS1.1 New dwelling houses and tourist facilities (not located on the same site as the mining interest) are not constructed within 500 metres of Mining Interests identified on Maps	✓	Complies. There are no extractive industries or mining interests within 1 kilometre of the subject land.

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
other areas of mineral interests identified on Maps M1 to M5 is not significantly constrained by the siting of incompatible uses or works.	PS1.2 M1 to M5; and New dwelling houses and tourist facilities (not located on the same site as the mining interest) are not constructed within 1 km from Mining Interests (as identified on Maps M1 to M5) involving blasting and crushing of material.		
For Code Assessable Development			
S2 Development of new extractive industries ensures neighbouring activities are not impacted upon.	PS2 No probable solution prescribed.	n/a	Not applicable. The development application does not propose the establishment of a new extractive industry.

4.80 RECONFIGURING A LOT

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
For Code Assessable Development			
S1 The viability of the farming industry throughout the Shire and including Good Quality Agricultural Land, and future opportunities for farming pursuits are not compromised	PS1.1 Allotments to have a minimum area of 60 hectares and road frontage of 300 metres within the area identified on Agricultural Land Quality Maps S2, S3, S4 and S5; or PS1.2 Allotments to have a minimum area of 30 hectares and road frontage of 150 metres if outside the area identified on Agricultural Land Quality Maps S2, S3, S4 and S5.	✓	PS1.2 applies as the land is not identified as good quality agricultural land. Each allotment will have a minimum area of at least 30 hectares and road frontages exceeding 150 metres. Each proposed access road will require upgrading (see PS3 above)
S2 Design and construction caters for the intended use of the road.	PS2 Design and construction of roads and accesses are in accordance with the Planning Scheme Policy 4 - Development Manual and the provisions of the Part 6 Division 5 - Car parking code.	✓	Sections of McCorry Road and Two Chain Road used to access both proposed lots are constructed well under FNQROC Development Manual Standards. A condition will be attached to any approval requiring upgrade works. Furthermore, Council officers have concerns with a section of Two Chain Road immediately to the east of the One Mile Creek crossing. This section of road contains a steep crest and sudden "S" bend that could potentially be a safety issue for road users, particularly considering the additional vehicle traffic associated with the creation of two additional lots serviced from Two Chain Road. Any development approval should be conditioned to require the applicant to also undertake works on this section of Two Chain Road to rectify these issues. All external road works are required to be designed and certified by a RPEQ (Civil

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
			<p>Engineer).</p> <p>The cost associated with the abovementioned works should be credited against any monetary contribution made by the applicant towards trunk infrastructure.</p> <p>Access to each allotment will require construction in accordance with the FNQROC Development Manual.</p>
<p>S3 Augmentation of the road network servicing the development is provided.</p>	<p>PS3 A cash contribution is paid in accordance with the Planning Scheme Policy 6 - Augmentation of the Road Network¹</p>	<p>✓</p>	<p>Section 650 of the Sustainable Planning Act 2009 (SPA) allows Council to condition additional trunk infrastructure outside the PIA if development is deemed to create additional demand on trunk infrastructure which therefore results in additional trunk infrastructure costs for Council.</p> <p>The development, creating two additional lots, is predicted to place additional demand on Council's trunk transport infrastructure (roads), therefore a contribution towards trunk transport infrastructure upgrades is payable.</p> <p>The estimated cost to upgrade Two Chain Road (without ungrading culverts/causeways) to 4.5 metre wide bitumen sealed standard is \$284,634.00. The following contribution towards the cost of this road upgrade <u>may</u> be payable:</p> <p>\$284,634.00 / 6 (No. of lots that access from Two Chain Road = \$47,439.00.</p> <p>Council officers have concerns with the safety of a small section of Two Chain Road on the eastern side of One Mile Creek. External roadworks will be conditioned to rectify the visibility issues associated with this section of Two Chain Road and any costs associated with these roadworks should be credited against the \$47,439.00 contribution.</p>
<p>S4 Sewage disposal facilities are provided for each allotment which are:</p> <ul style="list-style-type: none"> (i) Cost effective over their life cycle; and (ii) Minimise potential adverse environmental impacts in the short and long term; and (iii) Do not pose a risk to human health or the 	<p>PS4 On site sewage disposal facilities are provided in accordance with the Plumbing and Drainage Act 2002.</p>	<p>✓</p>	<p>Will be conditioned to comply.</p>

¹ Refer Part 8 Planning Scheme Policy 6- Augmentation of the Road Network-

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
(iv) amenity of the locality; and are provided equitably.			

4.81 INCONSISTENT USE

Specific Outcomes
Inconsistent uses are contrary to the zone outcomes sought for the Rural zone comprise all uses mentioned in Column 1 of the Table of Development as Inconsistent uses.

4.82 CONSISTENT USES

Specific Outcomes
Consistent uses are consistent with the zone outcomes sought for the Rural zone and comprise all uses NOT listed as inconsistent in Column 1 of the Table of Development.

Division 8— Assessment Criteria for Natural Disaster-Bushfire Overlay

5.21 NATURAL DISASTER-BUSHFIRE OVERLAY CODE

The provisions in this division comprise the Natural Disaster-Bushfire Overlay code. They are-

- Compliance with Natural Disaster-Bushfire Overlay Code (section 5.22);
- Overall outcomes for Natural Disaster-Bushfire Overlay code(section 5.23);
- Specific outcomes, probable solutions and acceptable solutions for Natural Disaster-Bushfire Overlay code (section 5.24).

5.22 COMPLIANCE WITH THE NATURAL DISASTER-BUSHFIRE OVERLAY CODE

Development that is consistent with the specific outcomes in section 5.24 complies with the Natural Disaster-Bushfire Overlay code.

5.23 OVERALL OUTCOMES FOR THE NATURAL DISASTER-BUSHFIRE OVERLAY CODE

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcomes sought for the Natural Disaster-Bushfire Overlay code are that:
 1. The number of people and properties subject to bushfire hazards are minimised by regulating building location and design;
 2. Evacuation is facilitated in the event of any bushfire threat.
 3. The risk to life and property is minimised in areas of High and Medium Hazard Severity, with appropriate siting and design of lots and buildings, or the exclusion of inappropriate uses;
 4. Only certain types of development are regulated by the Natural Disaster-Bushfire Overlay, as follows:
 - (i) Development that increases in the number of people living, working, or congregating in those areas eg. Residential development, Shopping centres, Tourist facilities, Industrial or commercial uses involving large numbers of workers or customers; and
 - (ii) Development that involves institutional uses where evacuating people may be particularly difficult, eg, hospitals, education establishments, child care centres, retirement villages, and high security correctional centres; and
 - (iii) Development that increases the amount of hazardous materials that are manufactured or stored in bulk.

5.24 SPECIFIC OUTCOMES, PROBABLE SOLUTIONS AND ACCEPTABLE SOLUTIONS FOR NATURAL DISASTER-BUSHFIRE OVERLAY CODE

The specific outcomes sought for the Natural Disaster-Bushfire Overlay code are included in column 1 of table 34 and acceptable/probable solutions in column 2 of table 34.

TABLE 34

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
S1 Development maintains the safety of people and property by mitigating the risk through: lot design and the	For Self Assessment: PS1.1 Buildings and structures: (a) on lots greater than 2,500m ² : are sited in locations of lowest hazard within the lot; and achieve setbacks from hazardous	✓	The Natural Disaster Bushfire Overlay mapping includes the land within the Medium Bushfire Hazard area. The development will be conditioned to require on site water storage, siting of building in areas of lowest

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
<p>siting of buildings; and including firebreaks that provide adequate:</p> <ul style="list-style-type: none"> - setbacks between buildings/structures and hazardous vegetation, and - access for firefighting/other emergency vehicles; providing adequate road access for firefighting/other emergency vehicles and safe evacuation; and providing an adequate and accessible water supply for fire-fighting purposes. 	<p>vegetation² of at least 15 metres; and on lots less than or equal to 2,500m²: are sited in locations of lowest hazard within the lot; and achieve setbacks from hazardous vegetation³ of at least 5 metres. For Code Assessment:</p> <p>PS1.2 Buildings and structures:</p> <p>(a) on lots greater than 2,500m²: are sited in locations of lowest hazard within the lot; and achieve setbacks from hazardous vegetation⁴ of 1.5 times the predominant mature canopy tree height or 10 metres, whichever is the greater; and are located a minimum of 10 metres from any retained vegetation strips or small areas of vegetation; and are sited so that elements of the development least susceptible to fire are sited closest to the bushfire hazard.</p> <p>(b) on lots less than or equal to 2,500m², maximise setbacks from hazardous vegetation. For Self Assessment and Code Assessment:</p> <p>PS1.3 For uses involving new or existing buildings with a gross floor area greater than 50m², each lot has: a reliable reticulated water supply that has sufficient flow and pressure characteristics for fire fighting purposes at all times (minimum pressure and flow is 10 litres a second at 200 kPa); OR an on-site water storage of not less than 5,000 litres (eg accessible dam or tank with fire brigade tank fittings, swimming pool). For Code Assessment only:</p> <p>PS1.4 Lots are designed so that their size and shape allow for:</p> <p>(a) efficient emergency access to buildings for fire-fighting appliances (eg by avoiding long narrow lots with long access drives to buildings); AND</p> <p>(b) setbacks and building siting in accordance with PS1.2 above. For Code Assessment only:</p> <p>PS1.5 Firebreaks are provided by:</p> <p>(a) a perimeter road that separates lots from areas of bushfire hazard and that road has: a minimum cleared width of 20 metres;</p>		<p>hazard and development of a bushfire management plan.</p>

² Hazardous vegetation comprises vegetation communities with a hazard score of 6 or more in Table A3.1 of Appendix 3 of SPP Guideline 1/03.

³ Hazardous vegetation comprises vegetation communities with a hazard score of 6 or more in Table A3.1 of Appendix 3 of SPP Guideline 1/03.

⁴ Hazardous vegetation comprises vegetation communities with a hazard score of 6 or more in Table A3.1 of Appendix 3 of SPP Guideline 1/03.

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
	<p>and a constructed road width and weather standard complying with local government standards.</p> <p>OR</p> <p>(b) where it is not practicable to comply with PS1.5 (a), fire maintenance trails are located as close as possible to the boundaries of the lots and the adjoining bushland hazard, and the fire/maintenance trails: have a minimum cleared width of 6 metres; AND have a formed width and gradient, and erosion control devices to local government standards; AND have vehicular access at each end; and • provide passing bays and turning areas for fire-fighting appliances; AND are either located on public land, or within an access easement that is granted in favour of the local government and Queensland Fire & Rescue Service. AND</p> <p>(c) sufficient cleared breaks of 6 metres minimum width in retained bushland within the development (eg creek corridors and other retained vegetation) to allow burning of sections and access for bushfire response. For Code Assessment only: PS1.6 Roads are designed and constructed in accordance with applicable local government and State government standards and: a) have a maximum gradient of 12.5%;and b) exclude cul-de-sacs, except where a perimeter road isolates the development from hazardous vegetation or the cul-de-sacs are provided with an alternative access linking the cul-de-sacs to other through roads. For Code Assessment only: PS1.7 Development complies with a Bushfire Management Plan⁵ for the premises.</p>		
<p>For Code Assessment only: S2 Public safety and the environment are not adversely affected by the detrimental impacts of bushfire on hazardous materials manufactured or stored in bulk.</p>	<p>For Code Assessment only: PS2 Development complies with a Bushfire Management Plan⁶ for the premises.</p>	n/a	<p>Not applicable. The development does not propose the manufacture or storage of bulk hazardous materials.</p>

⁵ Refer to Appendix 8 of State Planning Policy 1/03 (Mitigating the Adverse Impacts of Flood, Bushfire and Landslide) Guideline

⁶ Refer to Appendix 8 of State Planning Policy 1/03 (Mitigating the Adverse Impacts of Flood, Bushfire and Landslide) Guideline

Division 12 – Reconfiguring a Lot Code

6.1 Reconfiguring a Lot code

The provisions in this division comprise the Reconfiguring a Lot code. They are-

- compliance with Reconfiguring a Lot code (section 6.2);
- purpose of Reconfiguring a Lot code (section 6.3);
- specific outcomes and probable solutions for the Reconfiguring a Lot code (section 6.4).

6.2 Compliance with Reconfiguring a Lot code

Development that achieves the specific outcomes in section 6.4, complies with the Reconfiguring a Lot code.

6.3 Overall outcomes for Reconfiguring a Lot code

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcomes sought for the Reconfiguring a Lot code are the following:
 - (a) **If rearranging the boundaries of a lot**, the useability of and access to all lots affected is improved, or maintained to an adequate extent;
 - (b) **If creating an access easement from a constructed road**, the useability of and access to all lots affected is improved, or maintained to an adequate extent;
 - (c) **If a new lot is created, the lot** is, or is capable of being, adequately serviced having regard to how the land is proposed to be used and the circumstances of its location;
 - (d) **If reconfiguring a lot opens a new road, the subdivision design is consistent with:**
 - (i) The outcomes sought for the zone in which it occurs and the intended use, or the use approved for the subject land; and
 - (ii) The efficient connection to available services; and
 - (iii) Any significant physical characteristics of the land, both landscape features and hazards; and
 - (iv) The design of adjoining lots.
 - (e) **If the lot subject to a reconfiguration contains or abuts an identified waterway or endangered or of concern regional ecosystems**, the lot reconfiguration excludes any waterway and adjacent land to a width measured from the high bank (VMA⁷ classification) of:
 - (i) Ten (10) metres in the Residential, Rural Residential (lots below two (2) hectares), Village, Business, Commercial, Industry, Noxious Offensive and Hazardous zones;
 - (ii) Twenty-five (25) metres in the Rural Residential (lots of two (2) hectares and above), Myola and Future Residential zones;
 - (iii) Fifty (50) metres in the Rural, Open Space and Conservation zones.
 - (f) If the reconfigured lot is provided with an **Electricity** connection, the following is also provided where required by the relevant electricity entity:
 - (i) Easements for electricity works are provide where electricity works cross private property;
 - (ii) Access easements are provided to ensure access is available to electricity works;
 - (iii) Gates are provided in fences to ensure vehicular and pedestrian access to electricity works. (This access is necessary for investigations for, and the

⁷ Vegetation Management Act 1999

construction, maintenance, repair, replacement or removal of, those electricity works).

6.4 Specific outcomes and probable solutions for the Reconfiguring a Lot code

The specific outcomes sought for the Reconfiguring a Lot code are included in column 1 of Table 7A and probable solutions column 2 of Table 7A.

TABLE 7A

Specific Outcomes	Probable Solutions (code assessable)	Complies	Comments
For all Zones in Part 4 - Zones			
<p>S1 Vehicular access Each new lot has appropriate vehicular access to a road that does not significantly detract from the function of the road; and complies with the Planning Scheme Policy 4-Development Manual.</p>	<p>PS1 No probable solution provided.</p>	✓	<p>Sections of McCorry Road and Two Chain Road used to access both proposed lots are constructed well under FNQROC Development Manual Standards. A condition will be attached to any approval requiring upgrade works.</p> <p>Furthermore, Council officers have concerns with a section of Two Chain Road immediately to the east of the One Mile Creek crossing. This section of road contains a steep crest and sudden "S" bend that could potentially be a safety issue for road users, particularly considering the additional vehicle traffic associated with the creation of two additional lots serviced from Two Chain Road.</p> <p>Any development approval should be conditioned to require the applicant to also undertake works on this section of Two Chain Road to rectify these issues.</p> <p>All external road works are required to be designed and certified by a RPEQ (Civil Engineer).</p> <p>The cost associated with the abovementioned works should be credited against any monetary contribution made by the applicant towards trunk infrastructure.</p> <p>Access to each allotment will require construction in accordance with the FNQROC Development Manual.</p>
<p>S2 On-site services and facilities</p> <p>Each new lot is provided with an appropriate level of the following:</p> <p>(i) water supply; and (ii) sewage treatment; and (iii) drainage; and</p>	<p>PS2 No probable solution provided.</p>	✓	<p>Both proposed lots will have areas of 30 hectares or greater. This area allows adequate space to meet any future on site effluent disposal needs.</p>

Specific Outcomes	Probable Solutions (code assessable)	Complies	Comments
(iv) power supply; and (v) telecommunications; and complies with the Planning Scheme Policy 4 - Development Manual.			
S3 Works All works are carried out in accordance with the Planning Scheme Policy 4- Development Manual.	PS3 No probable solution provided.	✓	The development will be conditioned to comply.
For Residential, Village and Rural Residential zone Reconfigurations			
S4 Urban use Each new lot intended for residential use has adequate useable area to allow for: (i) a dwelling house and ancillary buildings and structures to be erected in a location that is convenient and, as far as practicable, avoids placing people and works at risk from flooding or other hazard; and (ii) adequate useable open space for the occupants; and (iii) reasonable vehicular access for a car from the road to a site for the dwelling house; and (iv) for new reconfigurations creating in excess of twenty (20) lots, street networks are designed to ensure connected open space networks or streets to facilitate convenient bicycle and pedestrian trips; and (v) for reconfigurations including the opening of new roads, new road networks are designed with a hierarchy of streets and connectivity to ensure future bus servicing is practical; and complies with the Planning Scheme	PS4 No probable solution provided.	n/a	Not applicable. The land is zoned Rural and the proposed allotments comply with the minimum applicable rural lot size.

Specific Outcomes	Probable Solutions (code assessable)	Complies	Comments
Policy 4- Development Manual.			