

Assessment of application against relevant Development Codes

APPLICATION DETAILS

| APPLICATION | | PREMISES | |
|------------------------------|---|-----------------|----------------------------|
| FILE NO: | RAL/18/0006 | ADDRESS: | 173 De Lacy Road, Dimbulah |
| APPLICANT: | D Kearney | RPD: | Lot 11 on SP101831 |
| LODGED BY: | Gilvear Planning | AREA: | 37.7019 hectares |
| DATE LODGED: | 1 March 2018 | OWNER : | D Kearney |
| TYPE OF APPROVAL: | Development Permit | | |
| PROPOSED DEVELOPMENT: | Reconfiguring a Lot - Subdivision (1 into 2 Lots) | | |
| PLANNING SCHEME: | Mareeba Shire Council Planning Scheme 2016 | | |
| ZONE: | Rural zone | | |
| 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:

- 6.2.9 Rural zone code
- 8.2.1 Agricultural land overlay code
- 8.2.3 Bushfire hazard overlay code
- 8.2.4 Environmental significance overlay code
- 8.2.6 Flood hazard overlay code
- 9.4.2 Landscaping code
- 9.4.3 Parking and access code
- 9.4.4 Reconfiguring a lot code
- 9.4.5 Works, services and infrastructure code

6.2.9 Rural zone code

6.2.9.1 Application

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

6.2.9.2 Purpose

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

The purpose of the Rural zone code is to:

- (a) recognise the diversity of rural uses that exists throughout the region;
 - (b) protect the rural character of the region;
 - (c) provide facilities for visitors and tourists that are accessible and offer a unique experience;
 - (d) protect the infrastructure of the Mareeba-Dimbulah Irrigation Scheme Area from development which may compromise long term use for primary production;
 - (e) maintain distinct boundaries between the rural areas and the villages, towns and urban areas of the region;
 - (f) provide for a range of uses, compatible and associated with rural or ecological values including recreational pursuits and tourist activities;
 - (g) prevent adverse impacts of development on ecological values;
 - (h) preserve land in large holdings; and
 - (i) facilitate the protection of strategic corridors across the landscape which link remnant areas of intact habitat and transport corridors.
- (3) The purpose of the Rural zone code will be achieved through the following overall outcomes:
 - (a) Areas for use for primary production are conserved and fragmentation below economically viable lot sizes is avoided;
 - (b) The establishment of a wide range of rural pursuits is facilitated, including cropping, intensive horticulture, forestry, intensive animal industries, animal husbandry and animal keeping and other compatible primary production uses;
 - (c) The establishment of extractive industries, mining and associated activities and alternative forms of energy generation is appropriate where environmental impacts and land use conflicts are minimised;
 - (d) Uses that require isolation from urban areas as a consequence of their impacts such as noise or odour may be appropriate where land use conflicts are minimised;

- (e) Development is reflective of and responsive to the environmental constraints of the land;
- (f) Residential and other development is appropriate only where directly associated with the rural nature of the zone;
- (g) Low-impact tourism and recreation activities do not compromise the long-term use of the land for rural purposes;
- (h) The viability of both existing and future rural uses and activities is protected from the intrusion of incompatible uses;
- (i) Visual impacts of clearing, building, materials, access ways and other aspects of development are minimised or appropriately managed;
- (j) Adverse impacts of development both on-site and from adjoining areas are avoided and any impacts are minimised through location, design, operation and management; and
- (k) Natural features such as creeks, gullies, waterways, wetlands and bushland are retained, managed, enhanced and separated from adjacent development.

6.2.9.3 Criteria for assessment

Table 6.2.9.3—Rural zone code - For accepted development subject to requirements and assessable development

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|---|----------|--|
| For accepted development subject to requirements and assessable development | | | |
| Height | | | |
| PO1 Building height takes into consideration and respects the following: <ul style="list-style-type: none"> (a) the height of existing buildings on adjoining premises; (b) the development potential, with respect to height, on adjoining premises; (c) the height of buildings in the vicinity of the site; (d) access to sunlight and daylight for the site and adjoining sites; (e) privacy and overlooking; and (f) site area and street frontage length. | AO1.1 Development, other than buildings used for rural activities, has a maximum building height of: <ul style="list-style-type: none"> (a) 8.5 metres; and (b) 2 storeys above ground level. | n/a | The application is for reconfiguring a lot only. No new buildings are proposed under this application. Any future buildings on either allotment would need to comply. |
| | AO1.2 Buildings and structures associated with a rural activity including machinery, equipment, packing or storage buildings do not exceed 10 metres in height. | n/a | The application is for reconfiguring a lot only. No new buildings are proposed under this application. Any future buildings on either allotment would need to comply. |
| Siting, where not involving a Dwelling house | | | |
| Note—Where for Dwelling house, the setbacks of the Queensland Development Code apply. | | | |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|---|----------|--|
| PO2 Development is sited in a manner that considers and respects: <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) air circulation and access to natural breezes; (e) appearance of building bulk; and (f) relationship with road corridors. | AO2.1 Buildings and structures include a minimum setback of: <ul style="list-style-type: none"> (a) 40 metres from a frontage to a State-controlled road; and (b) 10 metres from a boundary to an adjoining lot. | n/a | The application is for reconfiguring a lot only. No new buildings are proposed under this application. Any future buildings on either allotment would need to comply. |
| | AO2.2 Buildings and structures, where for a Roadside stall, include a minimum setback of 0 metres from a frontage to a road that is not a State-controlled road. | n/a | The application is for reconfiguring a lot only. No new buildings are proposed under this application. Any future buildings on either allotment would need to comply. |
| | AO2.3 Buildings and structures, except where a Roadside stall, include a minimum setback of: <ul style="list-style-type: none"> (a) 10 metres from a frontage to a sealed road that is not a State-controlled road; and (b) 100 metres from a frontage to any other road that is not a State-controlled road; | n/a | The application is for reconfiguring a lot only. No new buildings are proposed under this application. Any future buildings on either allotment would need to comply. |
| Accommodation density | | | |
| PO3 The density of Accommodation activities: <ul style="list-style-type: none"> (a) respects the nature and density of surrounding land use; (b) is complementary and subordinate to the rural and natural landscape values of the area; and (c) is commensurate to the scale and frontage of the site. | AO3.1 Residential density does not exceed one dwelling house per lot. | n/a | The application is for reconfiguring a lot only. A new dwelling house is not proposed. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|--|----------|--|
| | AO3.2 Residential density does not exceed two dwellings per lot and development is for: <ul style="list-style-type: none"> (a) a secondary dwelling; or (b) Caretaker's accommodation and includes building work or minor building work with a maximum gross floor area of 100m²; or (c) Rural worker's accommodation. | n/a | The application is for reconfiguring a lot only. A new dwelling house is not proposed. |
| For assessable development | | | |
| Site cover | | | |
| PO4 Buildings and structures occupy the site in a manner that: <ul style="list-style-type: none"> (a) makes efficient use of land; (b) is consistent with the bulk and scale of buildings in the surrounding area; and (c) appropriately balances built and natural features. | AO4 No acceptable outcome is provided. | n/a | The application is for reconfiguring a lot only. No new buildings are proposed under this application. Any future assessable development on either allotment will need to comply. |
| PO5 Development complements and integrates with the established built character of the Rural zone, having regard to: <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. | AO5 No acceptable outcome is provided. | n/a | The application is for reconfiguring a lot only. No new buildings are proposed under this application. Any future assessable development on either allotment will need to comply. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|--|----------|--|
| Amenity | | | |
| PO6 Development must not detract from the amenity of the local area, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions. | AO6 No acceptable outcome is provided. | ✓ | The proposed reconfiguration is not likely to detract from the amenity of the local area. |
| PO7 Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions. | AO7 No acceptable outcome is provided. | ✓ | The subject land is currently used for rural purposes and there are no known negative environmental impacts to ameliorate. |

8.2.1 Agricultural land overlay code

8.2.1.1 Application

- (1) This code applies to assessing development where:
 - (a) land the subject of development is located within the agricultural land areas identified on the **Agricultural land overlay maps (OM-001a-n)**; and
 - (b) it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

Note—Agriculture is appropriately reflected in Overlay Map 1 and is required to be mapped by State Government in response to Economic Growth State Interests.

8.2.1.2 Purpose

- (1) The purpose of the Agricultural land overlay code is to protect or manage important agricultural areas, resources, and processes which contribute to the shire's capacity for primary production.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) The alienation, fragmentation or reduction in primary production potential of land within the 'Class A' area or 'Class B' area is avoided, except where:
 - (i) an overriding need exists for the development in terms of public benefit,
 - (ii) no suitable alternative site exists; and
 - (iii) the fragmentation or reduced production potential of agricultural land is minimised;
 - (b) 'Class A' areas and 'Class B' areas continue to be used primarily for more intensive agricultural activities which utilise the land quality provided in these areas;
 - (c) Grazing on very large land holdings is maintained as the dominant rural activity in the 'Broadhectare rural' area; and
 - (d) Land with the 'Broadhectare rural' area is maintained in its current configuration.

8.2.1.3 Criteria for assessment

Table 8.2.1.3 – Agricultural land 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 | | | |
| PO1 The fragmentation or loss of productive capacity of land within the 'Class A' area or 'Class B' area identified on the Agricultural land overlay maps (OM-001a-n) is avoided unless: <ul style="list-style-type: none"> (a) an overriding need exists for the development in terms of public benefit; (b) no suitable alternative site exists; and (c) loss or fragmentation is minimised to the extent possible. | AO1 Buildings and structures are not located on land within the 'Class A' area or 'Class B' area identified on the Agricultural land overlay maps (OM-001a-n) unless they are associated with: <ul style="list-style-type: none"> (a) animal husbandry; or (b) animal keeping; or (c) cropping; or (d) dwelling house; or (e) home based business; or (f) intensive animal industry (only where for feedlotting); or (g) intensive horticulture; or (h) landing; or (i) roadside stalls; or (j) winery. | x | The development would create proposed Lot 111 as a vacant rural allotment with the ability for the allotment to potentially accommodate a future dwelling. A dwelling house could not be sited on proposed Lot 111 without resulting in a loss of Class A area. The proposed development is in conflict with PO1. |
| For assessable development | | | |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|--|----------|--|
| <p>PO2 Sensitive land uses in the 'Class A' area, 'Class B' area or the 'Broadhectare rural' area identified on the Agricultural land overlay maps (OM-001a-n) are designed and located to:</p> <ul style="list-style-type: none"> (a) avoid land use conflict; (b) manage impacts from agricultural activities, including chemical spray drift, odour, noise, dust, smoke and ash; (c) avoid reducing primary production potential; and (d) not adversely affect public health, safety and amenity. | <p>AO2 No acceptable outcome is provided.</p> | <p>x</p> | <p>While the current application is for reconfiguring a lot only, it is expected that a dwelling house would be established in future on proposed vacant Lot 111 as a consequence of the reconfiguration. The planning scheme defines a dwelling house as a sensitive land use.</p> <p>A dwelling house could not be sited on proposed Lot 111 outside the Class A area. Furthermore, increasing dwelling densities within an actively farmed rural area will only increase the likelihood of future land use conflict resulting from impacts associated with farming activity such as spray drift, odour, dust and noise.</p> <p>Siting an additional dwelling house within the Class A area will reduce primary production potential.</p> <p>The proposed development is in conflict with PO2.</p> |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|--|----------|---|
| <p>PO3 Development in the 'Class A' area or 'Class B' area identified on the Agricultural land overlay maps (OM-001a-n):</p> <p>(a) ensures that agricultural land is not permanently alienated;</p> <p>(b) ensures that agricultural land is preserved for agricultural purposes; and</p> <p>(c) does not constrain the viability or use of agricultural land.</p> | <p>AO3 No acceptable outcome is provided.</p> | <p>x</p> | <p>The site in its current configuration has a total area of 37.7019 hectares and is actively farmed, as are surrounding lots. While it is acknowledged that the subject land is somewhat fragmented by De Lacy Road, it is still farmed as one productive unit. The presence of the road bisection is not considered to be sufficient planning grounds to justify further fragmentation of agricultural land through the creation of two separate titles. Each proposed lot would be well below the minimum desired reconfigured lot size of 60 hectares, and because of this, their agricultural viability moving forward would be questionable.</p> <p>While the current application is for reconfiguring a lot only, it is expected that a dwelling house would be established in future on proposed vacant Lot 111 as a consequence of the reconfiguration. A dwelling house could not be sited on proposed Lot 111 outside the Class A area and as a result, that portion of Class A area would be permanently alienated from agricultural production.</p> <p>The proposed development would permanently compromise Class A agricultural land both through the siting of an additional dwelling and by further fragmenting the land into separate allotments with questionable agricultural viability</p> |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|---|----------|--|
| | | | (production potential) due to their reduced size. The proposed development is in conflict with PO3. |
| If for Reconfiguring a lot | | | |
| PO4 The 'Broadhectare rural area' identified on the Agricultural land overlay maps (OM-001a-n) is retained in very large rural holdings viable for broad scale grazing and associated activities. | AO4 Development does not involve the creation of a new lot within the 'Broadhectare rural' area identified on the Agricultural land overlay maps (OM-001a-n) . | n/a | Not applicable - The subject site is not within the Broadhectare rural area. |
| PO5 Reconfiguring a lot in the 'Class A' area, 'Class B' area or the 'Broadhectare rural' area identified on the Agricultural land overlay maps (OM-001a-n) that is severed by a gazetted road occurs only where it does not fragment land used for agricultural purposes. | AO5 No acceptable outcome is provided. | n/a | Not applicable. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|--|----------|---|
| <p>PO6 Any Reconfiguring a lot in the 'Class A' area, 'Class B' area or the 'Broadhectare rural' area identified on the Agricultural land overlay maps (OM-001a-n), including boundary realignments, only occurs where it:</p> <ul style="list-style-type: none"> (a) improves agricultural efficiency; (b) facilitates agricultural activity; or (c) facilitates conservation outcomes; or (d) resolves boundary issues where a structure is built over the boundary line of two lots. | <p>AO6 No acceptable outcome is provided.</p> | <p>x</p> | <p>The reconfiguration does not improve agricultural efficiency; does not facilitate agricultural activity; does not facilitate a conservation outcome; and does not resolve a boundary issue where a structure is built over the boundary.</p> <p>While it is acknowledged that the subject land is somewhat fragmented by De Lacy Road, it is still farmed as one productive unit. The presence of the road bisection is not considered to be sufficient planning grounds to justify further fragmentation of agricultural land through the creation of two separate titles. Each proposed lot would be well below the minimum desired reconfigured lot size of 60 hectares, and because of this, their agricultural viability moving forward would be questionable.</p> <p>The proposed development is in conflict with PO6.</p> |

8.2.3 Bushfire hazard overlay code

8.2.3.1 Application

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

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

8.2.3.2 Purpose

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

8.2.3.3 Criteria for assessment

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

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|---|----------|---|
| For accepted development subject to requirements and assessable development | | | |
| Water supply for fire-fighting purposes | | | |
| PO1 Development where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) maintains the safety of people and property by providing an adequate, accessible and reliable water supply for fire-fighting purposes which is safely located and has sufficient flow and pressure characteristics. Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome. | Where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) AO1.1 Where in a reticulated water service area, the on-site water supply has flow and pressure characteristics of 10 litres a second at 200 kPa. OR | ✓ | Can be conditioned to comply for any future dwelling if approved. |
| | 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: | ✓ | Can be conditioned to comply for any future dwelling if approved. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|--|----------|--|
| | (a) a separate tank; or (b) a reserve section in the bottom part of the main water supply tank; or (c) a dam; or (d) a swimming pool. Note—Where a water tank is provided for fire-fighting purposes it is fitted with standard rural fire brigade fittings and the tank is provided with a hardstand area for heavy vehicles. | | |
| For assessable development | | | |
| Land use | | | |
| PO2 Development within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) is appropriate to the bushfire hazard risk having regard to the: (a) the bushfire risk compatibility of development; (b) the vulnerability of and safety risk to persons associated with the use; and (c) consequences of bushfire in regard to impacts on essential infrastructure, buildings and structures. Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome. | AO2 All buildings, structures, infrastructure and facilities associated with the following uses are located outside any area of the site located within a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) : (a) child care centre; or (b) community care centre; or (c) correctional facility; or (d) educational establishment; or (e) emergency services; or (f) hospital; or (g) residential care facility; or (h) retirement facility; or (i) rooming accommodation; or (j) shopping centre; or (k) tourist park; or (l) tourist attraction. | n/a | Not applicable. |
| Lot design | | | |
| PO3 Reconfiguring a lot within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) minimises the potential adverse impacts of bushfire on the safety of people, | Where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) AO3.1 No new lots are created. | ✓ | Can be conditioned to comply with AO3.2. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|---|----------|--|
| <p>property and the environment through lot design that:</p> <p>(a) is responsive to the nature and extent of bushfire risk; and</p> <p>(b) allows efficient emergency access to buildings for fire-fighting appliances.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p> | <p>OR</p> <p>AO3.2</p> <p>All lots include a building envelope that achieves a radiant heat flux level of 29kW/m² at the perimeter of the building envelope.</p> <p>Note—Where a radiant heat flux of 29kW/m² is achieved and this relies on cleared or maintained land external to the land the subject of the development application it must be demonstrated that land external to the site will be maintained to a standard that does not exceed the level of bushfire hazard identified in a Bushfire hazard management plan.</p> | | |
| Firebreaks and access | | | |
| <p>PO4</p> <p>In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o), vehicular access is designed to mitigate against bushfire hazard by:</p> <p>(a) ensuring adequate access for fire-fighting and other emergency vehicles;</p> <p>(b) ensuring adequate access for the evacuation of residents and emergency personnel in an emergency situation, including alternative safe access routes should access in one direction be blocked in the event of a fire; and</p> <p>(c) providing for the separation of developed areas and adjacent bushland.</p> <p>Note—Where it is not practicable to provide firebreaks in accordance with A04.2 Fire Maintenance Trails are provided in accordance with the following:</p> <p>i. located as close as possible</p> | <p>AO4.1</p> <p>In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o), roads are designed and constructed:</p> <p>(a) with a maximum gradient of 12.5%;</p> <p>(b) to not use cul-de-sacs; and</p> <p>(c) a constructed road width and weather standard complying with Planning Scheme Policy 4 - FNQROC Regional Development Manual.</p> | n/a | Not applicable - No new roads proposed. |
| | <p>AO4.2</p> <p>In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o), firebreaks are provided:</p> <p>(a) consisting of a perimeter road that separates lots from areas of bushfire hazard;</p> <p>(b) a minimum cleared width of 20 metre;</p> <p>(c) a maximum gradient of 12.5%; and</p> | ✓ | Can be conditioned to comply. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|--|----------|--|
| <p>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>(d) a constructed road width and weather standard complying with Planning Scheme Policy 4 - FNQROC Regional Development Manual.</p> | | |
| Hazardous materials | | | |
| <p>PO5</p> <p>Public safety and the environment are not adversely affected by the detrimental impacts of bushfire of hazardous materials manufactured or stored in bulk.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p> | <p>AO5</p> <p>The processing or storage of dangerous goods or hazardous materials is not undertaken in a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o).</p> | ✓ | <p>Not applicable</p> <p>- The proposed development is for reconfiguring a lot and does not propose the storage or manufacture of hazardous goods.</p> |
| Landscaping | | | |
| <p>PO6</p> <p>Landscaping within a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) does not result in a material increase in the extent, duration or severity of bushfire hazard having regard to:</p> <p>(a) fire ecology;</p> <p>(b) slope of site; and</p> <p>(c) height and mix of plant species.</p> <p>Note—Frost hollows and the associated grass kill facilitates a</p> | <p>AO6</p> <p>No acceptable outcome is provided.</p> | n/a | <p>Not applicable</p> <p>- If approved, no landscaping would be required.</p> |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|---|----------|--|
| <p>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> | | | |
| Infrastructure | | | |
| <p>PO7</p> <p>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</p> <p>The following infrastructure services are located below ground:</p> <ul style="list-style-type: none"> (a) water supply; (b) sewer; (c) electricity; (d) gas; and (e) telecommunications | ✓ | Can be conditioned to comply where relevant. |
| Private driveways | | | |
| <p>PO8</p> <p>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</p> <p>Private driveways:</p> <ul style="list-style-type: none"> (a) do not exceed a length of 60 metres from the street frontage; (b) do not exceed a gradient of 12.5%; (c) have a minimum width of 3.5 metres; (d) have a minimum vertical clearance of 4.8 metres; (e) accommodate turning areas for fire-fighting appliances in accordance with the Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and (f) serve no more than three dwellings or buildings. | ✓ | Can be conditioned to comply where relevant. |

8.2.4 Environmental significance overlay code

8.2.4.1 Application

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

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

8.2.4.2 Purpose

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

The Environmental significance overlay code ensures that:

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

8.2.4.3 Criteria for assessment

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

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|---|----------|-----------|
| For accepted development subject to requirements and assessable development | | | |
| Regulated vegetation | | | |
| <p>PO1 Vegetation clearing in areas mapped as 'Regulated vegetation' identified on the Environmental Significance Overlay Maps (OM-004a-o) is avoided unless:</p> <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>AO1.1 No clearing of native vegetation is undertaken within areas of 'Regulated vegetation' identified on the Environmental Significance Overlay Maps (OM-004a-o).</p> | ✓ | Complies. |
| <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 | <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> | ✓ | Complies. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|---|----------|---|
| <p>ecosystem processes such as water quality, hydrology, geomorphology and biophysical processes;</p> <p>(b) does not negatively impact the movement of wildlife at a local or regional scale; and</p> <p>(c) avoids noise, light, vibration or other edge affects, including weed and pest incursion on identified environmental values.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p> | | | |
| Regulated vegetation intersecting a watercourse | | | |
| <p>PO3 Vegetation clearing in areas mapped as 'Regulated vegetation intersecting a watercourse', identified as 'Waterway' and 'Waterway buffer' on the Environmental Significance - Waterway Overlay Maps (OM-004p-z) is avoided unless wildlife interconnectivity between habitats is maintained or enhanced at a local and regional scale, to the extent that migration or normal movement of significant species between habitats or normal gene flow between populations is not inhibited.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p> | <p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</p> <p>AO3.1 A minimum setback in accordance with Table 8.2.4.3B is provided between development and the top of the high bank of a 'Waterway' identified on the Environmental Significance - Waterway Overlay Maps (OM-004p-z).</p> | ✓ | Can comply. Land exists within vacant Lot 111 outside any mapped waterway buffer. |
| | <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> | ✓ | Can comply. Land exists within Lot 111 outside any mapped waterway buffer. |
| Waterways and wetlands | | | |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|--|----------|--|
| <p>PO4 ‘High ecological significance wetlands’ identified on the Environmental Significance Overlay Maps (OM-004a-o) and ‘Waterways’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z) and are protected by:</p> <p>(a) maintaining adequate separation distances between waterways/wetlands and development;</p> <p>(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) 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> | ✓ | Can comply. Land exists within Lot 111 outside any mapped waterway buffer. |
| | <p>Where within a ‘High ecological significance wetland buffer’ on Environmental Significance Overlay Maps (OM-004a-o) AO4.2 A minimum buffer of 200 metres is provided between development and the edge of a ‘High ecological significance wetland’ identified on the Environmental Significance Overlay Maps (OM-004a-o).</p> | n/a | Not applicable. |
| | <p>Where within a ‘Waterway buffer’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or ‘High ecological significance wetland buffer’ on Environmental Significance Overlay Maps (OM-004a-o) AO4.3 No stormwater is discharged to a ‘Waterway’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or ‘High ecological significance wetland’ identified on the Environmental Significance Overlay Maps (OM-004a-o).</p> | ✓ | Can comply. Land exists within Lot 111 outside any mapped waterway buffer. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|--|----------|--|
| | <p>Note— An alternative outcome is required to demonstrate that the ecological impacts of stormwater discharge to a 'Waterway' or 'High ecological significance wetland' are mitigated in accordance with PO3 through appropriate stormwater management / treatment (where possible).</p> | | |
| | <p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o) AO4.4</p> <p>No wastewater is discharged to a 'Waterway' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland' identified on the Environmental Significance Overlay Map (OM-004a-z).</p> <p>Note— A alternative outcome is required to demonstrate that the ecological impacts of wastewater discharge to a 'Waterway' or 'High ecological significance wetland' are mitigated in accordance with PO3 through appropriate wastewater management / treatment (where possible).</p> | ✓ | Can comply. Land exists within Lot 111 outside any mapped waterway buffer. |
| For assessable development | | | |
| Wildlife Habitat | | | |
| <p>PO5</p> <p>Development within a 'Wildlife habitat' area identified on the Environmental Significance Overlay Maps (OM-004a-o):</p> <p>(a) protects and enhances the habitat of Endangered, Vulnerable and Near Threatened (EVNT) species and local species of significance;</p> <p>(b) incorporates siting and design measures to</p> | <p>AO5</p> <p>No acceptable outcome is provided</p> | n/a | Not applicable. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|---|----------|-----------------|
| <p>protect and retain identified ecological values and underlying ecosystem processes within or adjacent to the development site;</p> <p>(c) maintains or enhances wildlife interconnectivity at a local and regional scale; and</p> <p>(d) mitigates the impact of other forms of potential disturbance (such as presence of vehicles, pedestrian use, increased exposure to domestic animals, noise and lighting impacts) to protect critical life stage ecological processes (such as feeding, breeding or roosting).</p> <p>Note—Development applications must identify any EVNT species or their habitats that may be affected by the proposal. In particular, applications are to identify and describe how the development avoids adverse impacts on ecological processes within or adjacent to the development area.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p> | | | |
| Legally secured offset areas | | | |
| <p>PO6</p> <p>Development within a 'Legally secured offset area' identified on the Environmental Significance Overlay Maps (OM-004a-o) or other known Legally Secured Offset Area is consistent with the binding requirements of the offset and does not prejudice, undermine, or negatively impact the inherent ecological values, including all naturally occurring native flora, fauna and their habitat</p> | <p>AO6</p> <p>No acceptable outcome is provided.</p> | n/a | Not applicable. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|--|----------|-----------------|
| <p>within the Legally Secured Offset Area.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p> | | | |
| Protected areas | | | |
| <p>PO7</p> <p>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</p> <p>No acceptable outcome is provided</p> | n/a | Not applicable. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|---|----------|-----------------|
| Ecological corridors and Habitat linkages | | | |
| <p>PO8 Development located:</p> <p>(a) in the Conservation zone, Emerging community zone, Recreation and open space zone, Rural zone or Rural residential zone; and</p> <p>(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';</p> <p>(b) the environmental values of adjoining and nearby land within the 'Ecological corridor' or 'Habitat linkage';</p> <p>(c) the extent of any modification proposed to the natural environment including (but not limited to) vegetation and topography;</p> <p>(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</p> <p>(e) the ability for the 'Ecological corridor' or</p> | <p>AO8 No acceptable outcome is provided</p> | n/a | Not applicable. |

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

Table 8.2.4.3B - Setback and buffer distances from waterways

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

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

8.2.6 Flood hazard overlay code

8.2.6.1 Application

- (1) This code applies to assessing development where:
 - (a) land the subject of development is located within a Flood hazard area identified on the **Flood hazard overlay maps (OM-006a-o)**; and
 - (b) it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

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

Note—where new information, including flood studies or flood modelling supersedes the Flood hazard overlay maps (OM-006a-o) Council may have regard to this new information in the application of the Flood hazard overlay code in the interests of the precautionary principle and the safety of persons and property.

8.2.6.2 Purpose

- (1) The purpose of the Flood hazard overlay code is to manage development outcomes in flood hazard areas identified on the **Flood hazard overlay maps (OM-006a-o)** so that risk to life, property, community and the environment during flood events is minimised, and to ensure that development does not increase the potential for flood damage on site or to other property.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Development in the 'Extreme flood hazard area':
 - i. maintains and enhances the hydrological function of the land;
 - ii. does not involve filling (earthworks) or changes to existing landform or drainage lines that results in a loss of the flood conveyance and flood storage capacity of the land;
 - iii. is limited to:
 - A. flood proofed Sport and recreation activities;
 - B. Rural activities where for Animal husbandry, Cropping or Permanent plantation;
 - C. flood proofed Utility installations, Substations or Major electricity infrastructure;
 - D. conservation and natural area management; and
 - E. replacement of existing lawful development, including Accommodation activities where habitable rooms are elevated above the defined flood level and include freeboard;Where there is no increase to the number of persons at risk of flood and where development reduces existing or potential risks to life and property.
 - (b) Development in the 'High flood hazard area':
 - i. maintains the hydrological function of the land;
 - ii. does not involve filling (earthworks) or changes to the existing landform or drainage lines that results in a loss of the flood conveyance and flood storage capacity of the land;
 - iii. is limited to:
 - A. flood proofed Sport and recreation activities and Club uses;
 - B. Non-resident workforce accommodation, Relocatable home park, Resort complex, Rooming accommodation, Short term accommodation and

- Tourist park uses where these uses comprise permanent on-site management and a flood evacuation management plan ensures the health and safety of persons during a flood event;
- C. a Dwelling house only where the lot existed or had a lawful reconfiguring a lot approval at the commencement of the planning scheme and the land is included in a Residential zone or the Centre zone or where for minor intensification of existing Dwelling houses;
 - D. Rural activities where for Animal husbandry, Cropping or Permanent plantation;
 - E. Industrial activities and Commercial activities where it is accepted development that flood damage is incurred as an operational cost and where flood sensitive elements of the development or use are elevated above the defined flood level, including freeboard;
 - F. flood proofed Utility installations, Substations or Major electricity infrastructure;
 - G. conservation and natural area management; and
 - H. replacement of existing lawful development;

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

- iv. protects surrounding land and land uses from increased flood hazard impacts;
 - v. elevates habitable rooms for all accommodation activities (including where for minor building work) above the defined flood level, including freeboard.
- (c) Development in the 'Significant flood hazard area':
- i. minimises risk to life and property from flood events;
 - ii. involves changes to the existing landform and drainage lines in this area only where detrimental impacts to the flood hazard risk of surrounding areas is avoided;
 - iii. is limited to:
 - A. Sport and recreation activities;
 - B. Industrial activities and Commercial activities where it is accepted development that flood damage is incurred as an operational cost and where flood sensitive elements of the development or use are elevated above the defined flood level, including freeboard;
 - C. Rural activities;
 - D. Accommodation activities, excluding Residential care facility and Retirement facility;
 - E. flood proofed Community activities, excluding Child care centre, Hospital and Community use where a flood emergency evacuation plan ensures the safety of people during a flood event;
 - F. flood proofed Utility installations, Substations or Major electricity infrastructure;
 - G. conservation and natural area management;
 - iv. locates habitable rooms for all accommodation activities above the defined flood level, including freeboard; and
 - v. locates the minimum floor level for all buildings other than accommodation activities, industrial activities and business activities above the defined flood level.

- (d) Development in the 'Low flood hazard area':
 - i. minimises risk to life and property from flood events;
 - ii. locates habitable rooms for all Accommodation activities above the defined flood level, including freeboard; and
 - iii. locates the minimum floor level for all buildings other than Accommodation activities above the defined flood level, including freeboard.
- (e) Development in the 'Potential flood hazard area':
 - i. maintains the safety of people on the development site from flood events and minimises the potential damage from flooding to property;
 - ii. does not result in adverse impacts on people's safety, the environment or the capacity to use land within the floodplain;
 - iii. locates habitable rooms for all Accommodation activities above a 1% Annual Exceedance Probability (AEP), including freeboard; and
 - iv. locates the minimum floor level for all building work other than Accommodation activities above the 1% AEP flood level, including freeboard.

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: (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. | n/a | Not applicable. |
| 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) . | ✓ | Would need to comply for any future dwelling on vacant Lot 111. |
| Extreme flood hazard area | | | |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|--|----------|--|
| 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: (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. | 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) : (a) Accommodation activities; (b) Commercial activities; (c) Community activities except where for a Club with a maximum gross floor area of 100m ² ; (d) Industrial activities; (e) Rural activities, except where for Animal husbandry, Cropping, or Permanent plantation. | n/a | Not applicable. The subject site is not mapped as being situated within the extreme flood hazard area. |
| | 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). | n/a | Not applicable. The subject site is not mapped as being situated within the extreme flood hazard area. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|--|----------|--|
| PO4 Development is located and designed to: <ul style="list-style-type: none"> (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>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: <ul style="list-style-type: none"> i. gross floor area; or ii. the number of dwellings or bedrooms on the premises. </p> | AO4.1 Buildings, including extensions to existing buildings, are: <ul style="list-style-type: none"> (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. | n/a | Not applicable. The subject site is not mapped as being situated within the extreme flood hazard area. |
| | AO4.2 All building work must be high set and retains the flood storage and conveyance capacity of the premises. 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. | n/a | Not applicable. The subject site is not mapped as being situated within the extreme flood hazard area. |
| | AO4.3 New buildings are provided with flood free pedestrian and vehicle evacuation access between the building and a flood safe accessible road. 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) . | n/a | Not applicable. The subject site is not mapped as being situated within the extreme flood hazard area. |
| | 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. | n/a | Not applicable. The subject site is not mapped as being situated within the extreme flood hazard area. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|--|----------|--|
| 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: <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. | AO5 Filling above ground level is not undertaken in the 'Extreme flood hazard area' identified on the Flood hazard overlay maps (OM006a-o) . | n/a | Not applicable. The subject site is not mapped as being situated within the extreme flood hazard area. |
| High flood hazard area | | | |
| 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: <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 | 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) : <ul style="list-style-type: none"> (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. | n/a | Not applicable. The subject site is not mapped as being situated within the high flood hazard area. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|---|----------|---|
| undue burden on disaster response recovery capacity and capabilities. | 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: <ul style="list-style-type: none"> (a) Environment facility; (b) Park; or (c) Outdoor sport and recreation (excluding the provision of ancillary facilities or amenities conducted within a building). | n/a | Not applicable. The subject site is not mapped as being situated within the high flood hazard area. |
| PO7 Development is located and designed to: <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 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>Note—Buildings may be constructed from flood resistant, waterproof materials below the defined flood</p> | AO7.1 Buildings, including extensions to existing buildings are: <ul style="list-style-type: none"> (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. <p>OR</p> | n/a | Not applicable. The subject site is not mapped as being situated within the high flood hazard area. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|---|----------|---|
| 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>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:</p> <ul style="list-style-type: none"> (a) administrative areas; or (b) services, plant and equipment associated with the building. <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> | n/a | Not applicable. The subject site is not mapped as being situated within the high flood hazard area. |
| | <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> | n/a | Not applicable. The subject site is not mapped as being situated within the high flood hazard area. |
| | <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 | Not applicable. The subject site is not mapped as being situated within the high flood hazard area. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|----------------------|---|----------|---|
| | A07.5 New temporary, relocatable or impermanent buildings and structures are to be anchored with the ability to withstand transportation by floodwater. Note—Building work must be certified by a qualified structural engineer. | n/a | Not applicable. The subject site is not mapped as being situated within the high flood hazard area. |
| | A07.6 Dwellings do not exceed four bedrooms. | n/a | Not applicable. The subject site is not mapped as being situated within the high flood hazard area. |
| | A07.7 Building work on an existing dwelling does not comprise additional bedrooms. | n/a | Not applicable. The subject site is not mapped as being situated within the high flood hazard area. |
| | A07.8 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. | n/a | Not applicable. The subject site is not mapped as being situated within the high flood hazard area. |
| | A07.9 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. | n/a | Not applicable. The subject site is not mapped as being situated within the high flood hazard area. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|--|------------|---|
| 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: <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. | AO8 Filling above ground level is not undertaken in the 'High flood hazard area' identified on the Flood hazard overlay maps (OM006a-o) . | n/a | Not applicable. The subject site is not mapped as being situated within the high flood hazard area. |
| Significant flood hazard area | | | |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|--|----------|--|
| <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> <p>(a) likelihood and frequency of flooding;</p> <p>(b) flood risk acceptability of development;</p> <p>(c) vulnerability of and safety risk to persons associated with the use;</p> <p>(d) associated consequences of flooding in regard to impacts on proposed buildings, structures and supporting infrastructure; and</p> <p>(e) associated consequences of flooding in respect to undue burden on disaster response recovery capacity and capabilities.</p> | <p>AO9 The following uses are not located within a 'Significant flood hazard area' identified on the Flood hazard overlay maps (OM006a-o):</p> <p>(a) Residential care facility;</p> <p>(b) Retirement facility;</p> <p>(c) Child care centre;</p> <p>(d) Hospital; or</p> <p>(e) Community use.</p> | n/a | Not applicable. The subject site is not mapped as being situated within the significant flood hazard area. |
| Significant flood hazard area, Low flood hazard area or Potential flood hazard area | | | |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|---|---------------------|---|
| <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)</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> <p>AO10.2 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:</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> | <p>✓</p> <p>n/a</p> | <p>Will need to comply for any future dwelling on Lot 111.</p> <p>Not applicable.</p> |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|--|----------|--|
| 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>AO10.3</p> <p>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> | ✓ | Will have to comply for any future dwelling house/sheds unless subsequent flood hazard assessment deems flood immunity at ground height. |
| <p>PO11</p> <p>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</p> <p>Development does not involve in excess of 50m³ of fill above ground level per 1,000m² of site area.</p> | ✓ | Complies. |
| For assessable development | | | |
| 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. | | | |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|---|-------------------|------------------------|
| <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>Not applicable.</p> |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|---------------------|----------|----------|
| Significant flood hazard area, Low flood hazard area or Potential flood hazard area | | | |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|---|----------|---|
| <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>x</p> | <p>The subject site is entirely contained within the 'potential flood hazard area'. An information request was issued to the applicant requesting that the Flood hazard overlay code be addressed as part of this application. The information request response stated the following:</p> <p><i>"The proposed subdivision, on its own and without any building works or new dwellings is not considered to be in conflict with the code. The conflict only occurs when building works occur. Any new development on the site, including a dwelling house, would need to comply with the Flood Hazard Overlay Code and a flood assessment is perhaps more relevant at that time. To ensure that any new potential owner is aware of this, a note could be placed on the Council rates file notifying any new owners of this issue."</i></p> <p>While the current application is for reconfiguring a lot only, it is expected that a dwelling house would be established in future on proposed vacant Lot 111 as a consequence of the reconfiguration. Council planning officers believe that if a development application proposing the creation of additional lots is lodged over land within a flood hazard area, then the potential</p> |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|----------------------|---------------------|----------|--|
| | | | <p>flood hazard should be addressed at time of subdivision and the responsibility not passed onto a prospective landowner. Sensible town planning provides little scope for the 'buyer beware' approach to development, particularly where the potential for loss of life or property is a consideration.</p> <p>Given that no flood hazard data is available for the subject site (flood heights/depths, water velocity etc.) a site-specific flood hazard assessment (as required by PO13) to determine if any future dwelling/sheds on vacant Lot 111 could achieve flood immunity would incur significant cost for a future landowner. In fact, given the location of the land between two watercourses, there is the very real possibility that flood immunity would be unachievable in this instance.</p> <p>The proposed development is considered to be in conflict with PO13 which directly discourages the creation of new lots within flood hazard areas.</p> |

Table 8.2.6.3B Flood immunity levels

| Development Category | Minimum design floor or pavement levels (mAHD) |
|----------------------|--|
| Category A | 1% AEP + 0.5 metres |

| | |
|------------|---------------------|
| Category B | 1% AEP + 0.3 metres |
| Category C | 1% AEP |
| Category D | 1% AEP |
| Category E | 2% AEP |

Note—Refer Table 8.2.6.3D for building classification by Category.

Table 8.2.6.3C Community infrastructure flood immunity levels

| Development Type | Minimum design floor or pavement levels (mAHD) |
|---|--|
| Emergency services, where for: | |
| • Emergency Shelters | 0.1% AEP |
| • Police facilities | 0.5% AEP |
| • Other Emergency services | 0.1% AEP + 0.5 metres |
| Hospital | 0.1% AEP+ 0.5 metres |
| Community use (where for the storage of valuable records or items of historic or cultural significance including libraries and museums) | 0.5% AEP |
| Special industry (where for power station) | 0.5% AEP |
| Substations | 0.5% AEP |
| Utility installation (where for a sewage treatment plant) | Defined flood level |
| Utility installation (where for a water treatment plant) | 0.5% AEP |
| Utility installation (other) | Alternative outcome required. |
| Air services | Alternative outcome required. |

Table 8.2.6.3D Development category

| Building Code of Australia Building classification ⁽¹⁾ | Development types and design levels, assigned design floor or pavement levels | Category – refer to Table 8.2.6.3B for flood planning levels |
|---|--|--|
| Class 1–4 | Habitable room | Category A |
| | Non-habitable room including patio and courtyard | Category B |
| | Non-habitable part of a Class 2 or Class 3 building excluding the essential services ⁽²⁾ control room | Category B |
| | Parking located in the building undercroft of a multiple dwelling | Category C |
| | Carport, unroofed car park; vehicular manoeuvring area | Category D |
| | Essential electrical services ⁽²⁾ of a Class 2 or Class 3 building only | Category A |
| | Basement parking entry | Category C + 0.3 metres |

| Building Code of Australia Building classification ⁽¹⁾ | Development types and design levels, assigned design floor or pavement levels | Category – refer to Table 8.2.6.3B for flood planning levels |
|---|--|--|
| Class 5, Class 6, or Class 8 | Building floor level | Category C |
| | Garage or car park located in the building undercroft | Category C |
| | Carport or unroofed car park | Category D |
| | Vehicular access and manoeuvring areas | Category D |
| | Basement parking entry | Category C |
| | Essential electrical services ⁽²⁾ | Class 8 – Category Class 5 & 6 – Category A |
| Class 7a | Refer to the relevant building class specified in this table | |
| Class 7b | Building floor level | Category C |
| | Vehicular access and manoeuvring area | Category D |
| | Essential electrical services ⁽²⁾ | Category C |
| Class 9 | Building floor level | Category A |
| | Building floor level for habitable rooms in Class 9a or 9c where for a Residential care facility | 0.2% AEP flood |
| | Building floor level for habitable rooms in Class 9b where involving children, such as a child care centre | 0.2% AEP flood |
| | Garage or car park located in the building undercroft | Category C |
| | Carport or unroofed car park | Category D |
| | Vehicular access and manoeuvring areas | Category D |
| | Essential electrical services ⁽²⁾ | Category A |
| Class 10a | Car parking facility | Refer to the relevant building class specified in this table |
| | Shed or the like | Category D |
| Class 10b | Swimming pool | Category E |
| | Associated mechanical and electrical pool equipment | Category C |
| | Other structures | Flood planning levels do not apply |

⁽¹⁾ Refer to the Building Code of Australia for definitions of building classifications.

⁽²⁾ Essential electrical services include any area or room used for fire control panel, telephone PABX, sensitive substation equipment including transformers, low voltage switch gear, high voltage switch gear, battery chargers, protection control and communication equipment, low voltage cables, high voltage cables, and lift or pump controls.

9.4.2 Landscaping code

9.4.2.1 Application

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

9.4.2.2 Purpose

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

9.4.2.3 Criteria for assessment

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

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|---|----------|--|
| For accepted development subject to requirements and assessable development | | | |
| PO1 Development, other than in the Rural zone, includes landscaping that: <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. | AO1 Development, other than in the Rural zone, provides: <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> | n/a | Not applicable. The subject land is within the Rural zone. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|--|----------|---|
| PO2 Development, other than in the Rural zone, includes landscaping along site frontages that: <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. | AO2 Development, other than in the Rural zone, includes a landscape strip along any site frontage: <ul style="list-style-type: none"> (a) with a minimum width of 2 metres where adjoining a car parking area; (b) with a minimum width of 1.5 metres in all other locations; and (c) in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species. <p>Note—Where development is setback from a frontage less than 1.5 metres, the setback area is provided as a landscape strip</p> | n/a | Not applicable. The subject land is within the Rural zone. |
| PO3 Development includes landscaping and fencing along side and rear boundaries that: <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. | AO3.1 Development provides landscape treatments along side and rear boundaries in accordance with Table 9.4.2.3B . | ✓ | Landscape treatments not triggered for rural reconfiguration. |
| | AO3.2 Shrubs and trees provided in landscape strips along side and rear boundaries: <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. | ✓ | Landscape treatments not triggered for rural reconfiguration. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|--|----------|---|
| | 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. | ✓ | Landscape treatments not triggered for rural reconfiguration. |
| PO4 Car parking areas are improved with a variety of landscaping that: <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. | AO4.1 Landscaping is provided in car parking areas which provides: <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 | Not applicable. |
| | AO4.2 Landscaping in car parking areas is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species. | n/a | Not applicable. |
| PO5 Landscaping areas include a range and variety of planting that: <ul style="list-style-type: none"> (a) is suitable for the intended purpose | AO5.1 Plant species are selected from the Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant species. | n/a | Not applicable. |

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

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|--|----------|-----------------|
| P07 Landscaping areas are designed to: <ul style="list-style-type: none"> (a) be easily maintained throughout the ongoing use of the site; (b) allow sufficient area and access to sunlight and water for plant growth; (c) not cause a nuisance to occupants of the site or members of the public; and (d) maintain or enhance the safety of pedestrians through the use of Crime Prevention Through Environmental Design principles. | A07 No acceptable outcome is provided. | n/a | Not applicable. |

Table 9.4.2.3B—Side and rear boundary landscape treatments

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

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

9.4.3 Parking and access code

9.4.3.1 Application

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

9.4.3.2 Purpose

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

9.4.3.3 Criteria for assessment

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

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|---------------------|----------|----------|
| For accepted development subject to requirements and assessable development | | | |
| Car parking spaces | | | |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|---|----------|--|
| PO1 Development provides sufficient car parking to accommodate the demand likely to be generated by the use, having regard to the: <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. | AO1 The number of car parking spaces provided for the use is in accordance with Table 9.4.3.3B . Note—Car parking spaces provided for persons with a disability are to be considered in determining compliance with AO1. | ✓ | Each proposed allotment would contain sufficient area to meet the typical on site car parking demands. |
| Vehicle crossovers | | | |
| PO2 Vehicle crossovers are provided to:: <ul style="list-style-type: none"> (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. | 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. | ✓ | If approved, access to both proposed allotments will be conditioned for upgrade in accordance with the FNQROC Regional Development Manual. |
| | AO2.2 Development on a site with two or more road frontages provides vehicular access from: <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. | n/a | Not applicable. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|--|----------|--|
| | AO2.3 Vehicular access for particular uses is provided in accordance with Table 9.4.3.3E . | ✓ | If approved, access to both proposed allotments will be conditioned for upgrade in accordance with the FNQROC Regional Development Manual. |
| PO3 Access, manoeuvring and car parking areas include appropriate pavement treatments having regard to: (a) the intensity of anticipated vehicle movements; (b) the nature of the use that they service; and (c) the character of the surrounding locality. | AO3 Access, manoeuvring and car parking areas include pavements that are constructed in accordance with Table 9.4.3.3C . | n/a | Not considered applicable for rural subdivision. |
| 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 | Not applicable. |
| | 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 | Not applicable. |
| | AO4.3 The car parking area includes designated pedestrian routes that provide connections to building entrances. | n/a | Not applicable. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|---|----------|-----------------|
| | 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. | n/a | Not applicable. |
| Site access and manoeuvring | | | |
| 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. | 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. | n/a | Not applicable. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|---|----------|-------------------------------|
| | AO5.2 Vehicular access has a minimum sight distance in accordance with Part 5 of AUSTROADS. | ✓ | Can be conditioned to comply. |
| | AO5.3 Vehicular access is located and designed so that all vehicles enter and exit the site in a forward gear. | ✓ | Can be conditioned to comply. |
| | 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). | n/a | Not applicable. |
| PO6 Development that involves an internal road network ensures that it's design: (a) ensure safety and efficiency in operation; (b) does not impact on the amenity of residential uses on the site and on adjoining sites, having regard to matters of: (i) hours of operation; (ii) noise (iii) light; and (iv) odour; (c) accommodates the nature and volume of vehicle movements anticipated to be generated by the use; (d) allows for convenient access to key on-site | AO6.1 Internal roads for a Tourist park have a minimum width of: (a) 4 metres if one way; or (b) 6 metres if two way. | n/a | Not applicable. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|--|----------|-----------------|
| (e) features by pedestrians, cyclists and motor vehicles; and in the Rural zone, avoids environmental degradation. | 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: <ul style="list-style-type: none"> (a) a minimum approach and departure curve radius of 12 metres; and (b) a minimum turning circle radius of 8 metres. | n/a | Not applicable. |
| | AO6.3 Internal roads are imperviously sealed and drained, apart from those for an Energy and infrastructure activity or Rural activity. | n/a | Not applicable. |
| | 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. | n/a | Not applicable. |
| | 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. | n/a | Not applicable. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|---|----------|-----------------|
| | 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. | n/a | Not applicable. |
| | 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. | n/a | Not applicable. |
| Servicing | | | |
| 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 | 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. | n/a | Not applicable. |
| | AO7.2 Unloading, loading, service and waste disposal areas allow service vehicles to enter and exit the site in a forward gear. | n/a | Not applicable. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|---|----------|-----------------|
| adjoining sensitive land uses and streetscape quality. | 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 . | n/a | Not applicable. |
| Maintenance | | | |
| PO8 Parking areas are used and maintained for their intended purpose. | AO8.1 Parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking and circulation of vehicles. | n/a | Not applicable. |
| | AO8.2 All parking areas will be compacted, sealed, drained, line marked and maintained until such time as the development ceases. | n/a | Not applicable. |
| End of trip facilities | | | |
| PO9 Development within the Centre zone; Industry zone or Emerging community zone provides facilities for active transport users that: (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 | Not applicable. |
| | AO9.2 End of trip facilities are provided in accordance with Table 9.4.3.3D . | n/a | Not applicable. |
| 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 | | | |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|---|----------|-----------------|
| 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 | Not applicable. |
| 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 | Not applicable. |

9.4.4 Reconfiguring a lot code

9.4.4.1 Application

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

9.4.4.2 Purpose

- (1) The purpose of the Reconfiguring a lot code is to ensure that land is:
 - (a) arranged in a manner which is consistent with the intended scale and intensity of development within the area;
 - (b) provided with access to appropriate movement and open space networks; and
 - (c) contributes to housing diversity and accommodates a range of land uses.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Subdivision of land achieves the efficient use of land and the efficient provision of infrastructure and transport services;
 - (b) Lots are of a suitable size and shape for the intended or potential use having regard to the purpose and overall outcomes of the relevant zone or precinct.
 - (c) Subdivision of land creates lots with sufficient area and dimensions to accommodate the ultimate use, meet user requirements, protect environmental features and account for site constraints;
 - (d) A range and mix of lot sizes is provided to facilitate a variety of industry and housing types;
 - (e) Subdivision design incorporates a road network that provides connectivity and circulation for vehicles and provide safe and efficient access for pedestrians, cyclists and public transport;
 - (f) Subdivision design provides opportunities for walking and cycling for recreation and as alternative methods of travel;
 - (g) Subdivision of land provides and integrates a range of functional parkland, including local and district parks and open space links for the use and enjoyment of the residents of the locality and the shire;
 - (h) Subdivision of land contributes to an open space network that achieves connectivity along riparian corridors and between areas with conservation values;
 - (i) Subdivision within the Rural zone maintains rural landholdings in viable parcels;
 - (j) Land in historical townships is not reconfigured to be used for urban purposes; and
 - (k) Residential subdivision and greenfield development is designed to consider and respect:
 - i. topography;
 - ii. climate responsive design and solar orientation;
 - iii. efficient and sustainable infrastructure provision;
 - iv. environmental values;
 - v. water sensitive urban design;
 - vi. good quality agricultural land; and
 - vii. the character and scale of surrounding development.

9.4.4.3 Criteria for assessment

Table 9.4.4.3A—Reconfiguring a lot code – For assessable development

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---------------------------|---------------------|----------|----------|
| Area and frontage of lots | | | |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|--|----------|--|
| <p>PO1 Lots include an area and frontage that:</p> <ul style="list-style-type: none"> (a) is consistent with the design of lots in the surrounding area; (b) allows the desired amenity of the zone to be achieved; (c) is able to accommodate all buildings, structures and works associated with the intended land use; (d) allow the site to be provided with sufficient access; (e) considers the proximity of the land to: <ul style="list-style-type: none"> (i) centres; (ii) public transport services; and (iii) open space; and (f) allows for the protection of environmental features; and (g) accommodates site constraints. | <p>AO1.1 Lots provide a minimum area and frontage in accordance with Table 9.4.4.3B.</p> | <p>x</p> | <p>Existing Lot 11 on SP101831 has an area of 37.7019 hectares. Proposed Lots 111 and 112 will have areas of 16.9219 hectares and 20.78 hectares respectively.</p> <p>Table 9.4.4.3B dictates a minimum lot size of 60 hectares for land within the Rural zone. The reason for such a lot size is to maintain lots in economically viable sizes and to maintain dwelling densities at a low level to allow the functioning of the zone, which is primarily for agriculture and primary production purposes. The fact that the subject site is currently smaller than the Planning Scheme's desired 60 Ha lot size is not considered to be sufficient grounds to support further fragmentation of the land.</p> <p>In terms of amenity, the <u>desired</u> amenity of the rural zone is one which includes provision for negative environmental outputs associated with farming activity, including spray drift, dust, odour and noise. Creating additional small rural lots will only increase dwelling densities, ergo increasing the likelihood of future land use conflict.</p> |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|--|----------|--|
| | | | The proposed reconfiguration conflicts with PO1. |
| Existing buildings and easements | | | |
| PO2 Reconfiguring a lot which contains existing land uses or existing buildings and structures ensures: (a) new lots are of sufficient area and dimensions to accommodate existing land uses, buildings and structures; and (b) any continuing use is not compromised by the reconfiguration. | AO2.1 Each land use and associated infrastructure is contained within its individual lot. | ✓ | Complies. All existing building will be contained within proposed Lot 112. |
| | AO2.2 All lots containing existing buildings and structures achieve the setback requirements of the relevant zone. | ✓ | Complies. |
| PO3 Reconfiguring a lot which contains an existing easement ensures: (a) future buildings, structures and accessways are able to be sited to avoid the easement; and (b) the reconfiguration does not compromise the purpose of the easement or the continued operation of any infrastructure contained within the easement. | AO3 No acceptable outcome is provided. | n/a | Not applicable. |
| Boundary realignment | | | |
| PO4 The boundary realignment retains all attendant and existing infrastructure connections and potential connections. | AO4 No acceptable outcome is provided. | n/a | Not applicable. The application is not for a boundary realignment. |
| Access and road network | | | |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|--|----------|---|
| PO5 Access to a reconfigured lot (including driveways and paths) must not have an adverse impact on: <ul style="list-style-type: none"> (a) safety; (b) drainage; (c) visual amenity; (d) privacy of adjoining premises; and (e) service provision. | AO5 No acceptable outcome is provided. | ✓ | The development can be conditioned to comply. |
| PO6 Reconfiguring a lot ensures that access to a lot can be provided that: <ul style="list-style-type: none"> (a) is consistent with that provided in the surrounding area; (b) maximises efficiency and safety; and (c) is consistent with the nature of the intended use of the lot. <p>Note—The Parking and access code should be considered in demonstrating compliance with PO6.</p> | AO6 Vehicle crossover and access is provided in accordance with the design guidelines and specifications set out in Planning Scheme Policy 4 – FNQROC Regional Development Manual. | ✓ | The development can be conditioned to comply. |
| PO7 Roads in the Industry zone are designed having regard to: <ul style="list-style-type: none"> (a) the intended use of the lots; (b) the existing use of surrounding land; (c) the vehicular servicing requirements of the intended use; (d) the movement and turning requirements of B-Double vehicles. <p>Note—The Parking and access code should be considered in demonstrating compliance with PO7.</p> | AO7 No acceptable outcome is provided. | n/a | The subject site is not located within the Industry zone. |
| Rear lots | | | |
| PO8 Rear lots are designed to: <ul style="list-style-type: none"> (a) provide a high standard of amenity for residents and other users of the | AO8.1 Rear lots are designed to facilitate development that adjoins or overlooks a park or open space. | n/a | The application does not propose the establishment of a rear allotment. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|--|----------|---|
| (b) site; provide a high standard of amenity for adjoining properties; and (c) not adversely affect the safety and efficiency of the road from which access is gained. | AO8.2 No more than two rear lots are created behind any lot with a road frontage. | n/a | The application does not propose the establishment of a rear allotment. |
| | AO8.3 Access to lots is via an access strip with a minimum width of: (a) 4 metres where in the Low density residential zone or Medium density residential zone; or (b) 8 metres otherwise. | n/a | The application does not propose the establishment of a rear allotment. |
| | AO8.4 A single access strip is provided to a rear lot along one side of the lot with direct frontage to the street. Note—Figure A provides further guidance in relation to the desired outcome. | n/a | The application does not propose the establishment of a rear allotment. |
| | AO8.5 No more than 1 in 10 lots created in a new subdivision are rear lots. | n/a | The application does not propose the establishment of a rear allotment. |
| | AO8.6 Rear lots are not created in the Centre zone or the Industry zone. | n/a | The application does not propose the establishment of a rear allotment. |
| Crime prevention and community safety | | | |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|---|----------|---|
| PO9 Development includes design features which enhance public safety and seek to prevent opportunities for crime, having regard to: <ul style="list-style-type: none"> (a) sightlines; (b) the existing and intended pedestrian movement network; (c) the existing and intended land use pattern; and (d) potential entrapment locations. | AO9 No acceptable outcome is provided. | ✓ | The development can be conditioned to comply. |
| Pedestrian and cycle movement network | | | |
| PO10 Reconfiguring a lot must assist in the implementation of a Pedestrian and cycle movement network to achieve safe, attractive and efficient pedestrian and cycle networks. | AO10 No acceptable outcome is provided. | n/a | Not applicable. |
| Public transport network | | | |
| PO11 Where a site includes or adjoins a future public transport corridor or future public transport site identified through a structure planning process, development: <ul style="list-style-type: none"> (a) does not prejudice the future provision of the identified infrastructure; (b) appropriately treats the common boundary with the future corridor; and (c) provides opportunities to integrate with the adjoining corridor where a it will include an element which will attract pedestrian movement. | AO11 No acceptable outcome is provided. | n/a | Not applicable. |
| Residential subdivision | | | |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|---|----------|-----------------|
| PO12 Residential lots are: (a) provided in a variety of sizes to accommodate housing choice and diversity; and (b) located to increase variety and avoid large areas of similar lot sizes. | AO12 No acceptable outcome is provided. | n/a | Not applicable. |
| Rural residential zone | | | |
| PO13 New lots are only created in the Rural residential zone where land is located within the 4,000m ² precinct, the 1 hectare precinct or the 2 hectare precinct. | AO13 No acceptable outcome is provided. | n/a | Not applicable. |
| Additional provisions for greenfield development only | | | |
| PO14 The subdivision design provides the new community with a local identity by responding to: (a) site context (b) site characteristics (c) setting (d) landmarks (e) natural features; and (f) views. | AO14 No acceptable outcome provided. | n/a | Not applicable. |
| PO15 The road network is designed to provide a high level of connectivity, permeability and circulation for local vehicles, public transport, pedestrians and cyclists. | AO15 No acceptable outcome provided. | n/a | Not applicable. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|--|----------|-----------------|
| PO16 The road network is designed to: <ul style="list-style-type: none"> (a) minimise the number of cul-de-sacs; (b) provide walkable catchments for all residents in cul-de-sacs; and (c) include open cul-de-sacs heads. <p>Note—Figure B provides further guidance in relation to the desired outcome.</p> | AO16 No acceptable outcome provided. | n/a | Not applicable. |
| PO17 Reconfiguring a lot provides safe and convenient access to the existing or future public transport network. | AO17 The subdivision locates 90% of lots within 400 metres walking distance of a future public transport route. | n/a | Not applicable. |
| PO18 The staging of the lot reconfiguration prioritises delivery of link roads to facilitate efficient bus routes. | AO18 No acceptable outcome provided. | n/a | Not applicable. |
| PO19 Provision is made for sufficient open space to: <ul style="list-style-type: none"> (a) meet the needs of the occupiers of the lots and to ensure that the environmental and scenic values of the area are protected; (b) retain riparian corridors, significant vegetation and habitat areas and provides linkages between those areas; and (c) meet regional, district and neighbourhood open space requirements. | AO19.1 A minimum of 10% of the site area is dedicated as open space. | n/a | Not applicable. |
| | AO19.2 A maximum of 30% of the proposed open space can consist of land identified as significant vegetation or riparian corridor buffer. | n/a | Not applicable. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|---|----------|-----------------|
| PO20 A network of parks and community land is provided: <ul style="list-style-type: none"> (a) to support a full range of recreational and sporting activities; (b) to ensure adequate pedestrian, cycle and vehicle access; (c) which is supported by appropriate infrastructure and embellishments; (d) to facilitate links between public open spaces; (e) which is co-located with other existing or proposed community infrastructure; (f) which is consistent with the preferred open space network; and (g) which includes a diversity of settings; | AO20 No acceptable outcome is provided. | n/a | Not applicable. |

Table 9.4.4.3B—Minimum area and dimensions for Reconfiguring a lot

| Zone | Type | Minimum area | Minimum frontage |
|----------------------------|--|---------------------|------------------|
| Centre | All lots | 800m ² | 20 metres |
| Community facilities | All lots | Not specified | Not specified |
| Conservation | All lots | Not specified | Not specified |
| Emerging community | All lots | 10 hectares | 100 metres |
| Low density residential | Where greenfield development and connected to reticulated water and sewerage | | |
| | Rear lot | 800m ² | 5 metres |
| | All other lots | 350m ² | 10 metres |
| | Where connected to reticulated water and sewerage | | |
| | Rear lot | 800m ² | 5 metres |
| | All other lots | 600m ² | 16 metres |
| | Where connected to reticulated water | | |
| | Rear lot | 1,000m ² | 5 metres |
| | All other lots | 800m ² | 16 metres |
| Medium density residential | Rear lot | 600m ² | 5 metres |
| | All other lots | 400m ² | 10 metres |
| Industry | All lots | 1,500m ² | 45 metres |
| Recreation and open space | All lots | Not specified | Not specified |

| Zone | Type | Minimum area | Minimum frontage |
|-------------------|------------------------------|---------------------|------------------|
| Rural | All lots | 60 hectares | 400 metres |
| Rural residential | 2 hectare precinct | | |
| | All lots | 2 hectares | 60 metres |
| | 1 hectare precinct | | |
| | All lots | 1 hectare | 40 metres |
| | 4,000m ² precinct | | |
| | All lots | 4,000m ² | 40 metres |

Figure A – Examples of access to rear lots

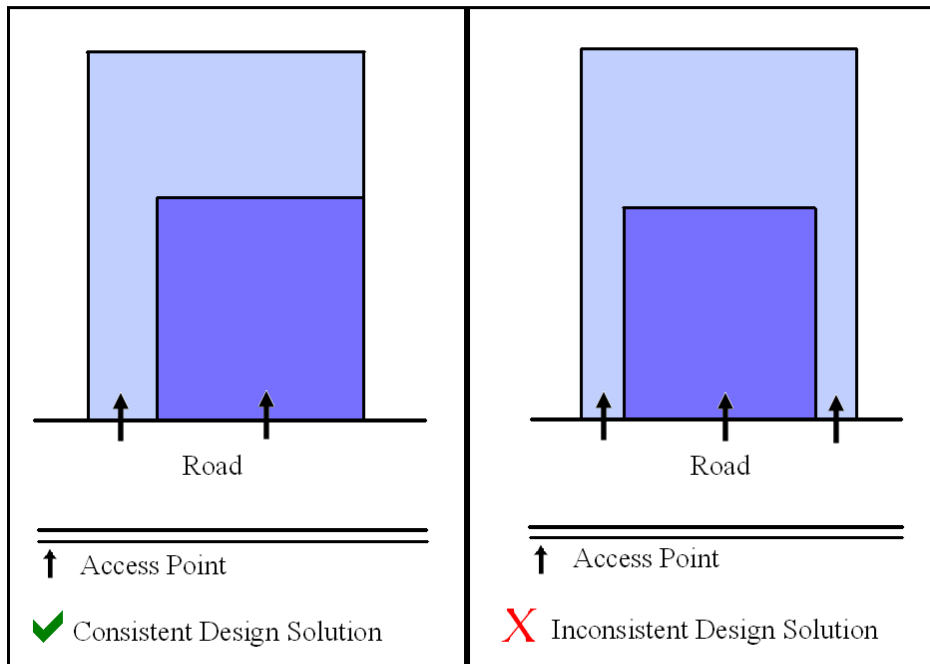
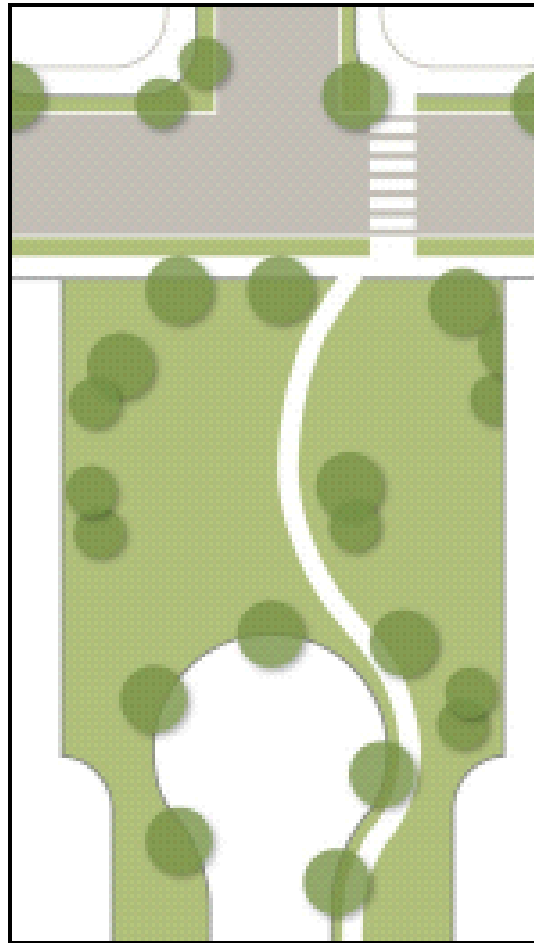


Figure B – Example of cul-de-sac design



9.4.5 Works, services and infrastructure code

9.4.5.1 Application

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

9.4.5.2 Purpose

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

9.4.5.3 Criteria for assessment

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

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

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|--|----------|--|
| PO1 Each lot has an adequate volume and supply of 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. | 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: <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated water supply service area. | n/a | Not applicable. The land is within the Rural zone. |
| | 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: <ul style="list-style-type: none"> (a) a bore or bores are provided in accordance with the Design Guidelines set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; or (b) on-site water storage tank/s: <ul style="list-style-type: none"> (i) with a minimum capacity of 90,000L; (ii) fitted with a 50mm ball valve with a camlock fitting; and (iii) which are installed and connected prior to the occupation or use of the development. | ✓ | The development can be conditioned to comply where relevant. |
| Wastewater disposal | | | |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|--|----------|--|
| 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 | Not applicable. The land is within the Rural zone. |
| | 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. | ✓ | The development can be conditioned to comply. |
| 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. | n/a | Not applicable. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---------------------------|--|----------|---|
| | AO3.2 On-site drainage systems are constructed: (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. | ✓ | The development can be conditioned to comply. |
| Electricity supply | | | |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|--|----------|--|
| PO4 Each lot is provided with an adequate supply of electricity | 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: (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. | ✓ | The development can be conditioned to comply where relevant. |
| Telecommunications infrastructure | | | |
| PO5 Each lot is provided with an adequate supply of telecommunication infrastructure | AO5 Development is provided with a connection to the national broadband network or telecommunication services. | ✓ | The development can be conditioned to comply where relevant. |
| Existing public utility services | | | |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|---|----------|--|
| PO6 Development and associated works do not affect the efficient functioning of public utility mains, services or installations. | 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. | ✓ | The development can be conditioned to comply where relevant. |
| Excavation or filling | | | |
| PO7 Excavation or filling must not have an adverse impact on the: (a) streetscape; (b) scenic amenity; (c) environmental values; (d) slope stability; (e) accessibility; or (f) privacy of adjoining premises. | AO7.1 Excavation or filling does not occur within 1.5 metres of any site boundary. | n/a | Not applicable. |
| | 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. | n/a | Not applicable. |
| | AO7.3 Earthworks batters: (a) are no greater than 1.5 metres in height; (b) are stepped with a minimum width 2 metre berm; (c) do not exceed a maximum of two batters and two berms (not greater than 3.6 metres in total height) on any one lot; (d) have a slope no greater than 1 in 4; and (e) are retained. | n/a | Not applicable. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|-----------------------------------|--|----------|-----------------|
| | A07.4 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. | n/a | Not applicable. |
| | A07.5 All batters and berms to be constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual. | n/a | Not applicable. |
| | A07.6 Retaining walls have a maximum height of 1.5 metres and are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual. | n/a | Not applicable. |
| | A07.7 Excavation or filling at any point on a lot is to include measures that protect trees at the foot or top of cut or fill batters by the use of appropriate retaining methods and sensitive earth removal or placement and in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual. | n/a | Not applicable. |
| For assessable development | | | |
| Transport network | | | |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|---|----------|---|
| PO8 The development has access to a transport network of adequate standard to provide for the safe and efficient movement of vehicles, pedestrians and cyclists. | 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. | ✓ | The development can be conditioned to comply. |
| | AO8.2 Development provides footpath pavement treatments in accordance with Planning Scheme Policy 9 – Footpath Paving. | n/a | Not applicable. |
| Public infrastructure | | | |
| PO9 The design, construction and provision of any infrastructure that is to be dedicated to Council is cost effective over its life cycle and incorporates provisions to minimise adverse impacts. | AO9 Development is in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual. | n/a | Not applicable. |
| Stormwater quality | | | |

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

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

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|--|----------|--|
| PO11 Storage areas for stormwater detention and retention: (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. | AO11 No acceptable outcome is provided. | ✓ | The development can be conditioned to comply where relevant. |
| 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 | Not applicable. |
| | 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 | Not applicable. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|---|----------|-----------------|
| PO13 Air pollutants, dust and sediment particles from excavation or filling, do not cause significant environmental harm or nuisance impacts. | AO13.1 Dust emissions do not extend beyond the boundary of the site. | n/a | Not applicable. |
| | AO13.2 No other air pollutants, including odours, are detectable at the boundary of the site. | n/a | Not applicable. |
| | AO13.3 A management plan for control of dust and air pollutants is prepared and implemented. | n/a | Not applicable. |
| PO14 Access to the premises (including driveways and paths) does not have an adverse impact on: (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 | Not applicable. |
| Weed and pest management | | | |
| PO15 Development prevents the spread of weeds, seeds or other pests into clean areas or away from infested areas. | AO15 No acceptable outcome is provided. | n/a | Not applicable. |
| Contaminated land | | | |

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