

**From:** Louise Cameron  
**Sent:** 10 Apr 2018 10:49:22 +1000  
**To:** Natacha Jones  
**Cc:** Matt Ingram  
**Subject:** 18326-Experience Co.: Development Application for Nature-Based Tourism at Fichera Road, Mareeba  
**Attachments:** 2018-04-10\_DA for Nature Based Tourism Fichera Road MAREBA (Complete).pdf

Good morning Natacha,

Please accept this correspondence as formal lodgement of a development application for Nature-Based Tourism (Bush Style Dining Activities) over land at Fichera Road, Mareeba (5/SP160172).

When available, please provide an invoice addressed to the following to assist in the payment of applicable application fees:

Experience Co. Ltd  
C/- Urban Sync Pty Ltd  
PO Box 2970  
Cairns Qld 4870

Please do not hesitate to call should you wish to discuss this application in greater detail or require any further information.

Thank you.

Kind Regards,

**Louise Cameron | Town Planner**

**P** 07 4051 6946 | **M** 0415 167 333  
**E** [louise@urbansync.com.au](mailto:louise@urbansync.com.au) | **W** [www.urbansync.com.au](http://www.urbansync.com.au)  
Level 1, 17 Aplin Street CAIRNS QLD 4870  
PO Box 2970 CAIRNS QLD 4870



**Town Planning Feasibility | Development Applications | Approvals Management**

*The information contained in this message and any attachments may be privileged and confidential and are the property of the sender and intended for the addressee only.*

*If you are not the addressee any disclosure, reproduction, distribution or transmission, dissemination or use of the communication is strictly prohibited.*

*Internet communications are not secure and Urban Sync Pty Ltd is not responsible for the abuse by third parties, any alteration or corruption in transmission, or for any loss or damage caused by a virus or by other means.*

*You should rely on your own virus checking programs and procedures. If you have received this email in error, we apologise for the inconvenience and ask that you notify the sender so that this error may be corrected.*



10 April 2018

**Our Ref:** 18-326

**Chief Executive Officer**

Mareeba Shire Council  
PO Box 154  
MAREEBA QLD 4880

Attention: Brian Millard – Senior Planner; and  
Carl Ewin – Planning Officer.

Dear Brian & Carl,

**RE: APPLICATION FOR A DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR NATURE-BASED TOURISM (BUSH STYLE DINING ACTIVITIES) AT FICHERA ROAD, MAREEBA**

We refer to the above-described matter and confirm that Urban Sync Pty Ltd (Urban Sync) has been retained by Experience Co. Ltd (the Applicant) to provide town planning advice in respect of the land use activities and submit a development application to Mareeba Shire Council (the Council) for assessment with respect to land located at Fichera Road, Mareeba, more formally described as Lot 5 on SP160172.

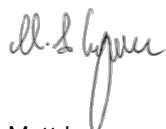
In support of the application, we attach the following documents to assist with your assessment:

- DA Form 1 – Development Application Details, together with the Landowners' Consent, and current Land Title as **Attachment 1**;
- Plan of Development prepared by Urban Sync illustrating the area of the site to be occupied by the proposed use as **Attachment 2**;
- State mapping as **Attachment 3**; and
- Assessment of applicable development code under the Mareeba Shire Planning Scheme – Alignment Amendment 2017 as **Attachment 4**.

Councils' application fee to the amount of **\$1,500.00 no GST** will be paid in the coming days to facilitate lodgement of the application in accordance with prior correspondence with Council Senior Planning Officer Brian Millard.

We trust this application can now be progressed for assessment. Should you require any further information or clarification on any matters regarding this application, please do not hesitate to contact on office on the email provided below.

Yours faithfully,



Matt Ingram  
Senior Planner

E matt@urbansync.com.au | T 07 4051 6946 | M 0488 200 229





## PLANNING REPORT

APPLICATION FOR A DEVELOPMENT PERMIT  
FOR A MATERIAL CHANGE OF USE FOR  
NATURE BASED TOURISM (BUSH STYLE  
DINING ACTIVITIES)

FICHERA ROAD, MAREEBA

EXPERIENCE CO LTD

*April 2018*



# I EXECUTIVE SUMMARY

Experience Co Ltd (the 'Applicant') seeks the requisite development approval from Mareeba Shire Council ('Council') to support the use of a part of Lot 5 on SP160172 at Fichera Road, Mareeba for the purposes of facilitating 'bush style dining activities' that will operate in association with other, already existing tourist activities that take place across the Tablelands.

The subject land is located within the Rural Zone, where the proposed activities constitute a Material Change of Use subject to assessment and approval by Council. In accordance with previous discussions with Council, the development is defined as 'Nature Based Tourism' under the Mareeba Shire Planning Scheme – Alignment Amendment 2017 (Planning Scheme), where the relevant table of assessment confirmed the application is subject to Code Assessment. Accordingly, this application seeks the following approval:

- **Development Permit for a Material Change of Use for Nature Based Tourism (Bush Style Dining Activities).**

This report has been undertaken to:

- Examine the physical characteristics of the subject land and appropriateness in relation to the proposed use;
- Describe the development concept for the land, being **Nature Based Tourism** and outline the key operational aspects of the use;
- Address all applicable statutory requirements triggered through the *Planning Act 2016* (PA) and the Planning Scheme; and
- Provide commentary on the identified key planning issues and offer reasonable alternative solutions as a means of establishing sound planning grounds in support of the proposed development, where required.

In summary, the establishment of a 'Nature Based Tourism' use on the site is encouraged under the existing planning frameworks that are applicable to the site. Furthermore, the development is generally compliant with the Planning Scheme. There are some departures away from a handful of the 'deemed to comply' Acceptable Outcomes, although where these departures have been identified, a detailed assessment has been provided to justify and demonstrate that, based on sound planning grounds, compliance with the corresponding Performance Outcome can still be achieved.

Accordingly, we now submit this application to Council for assessment and trust that it suitably addresses all the statutory requirements under the Planning Scheme to allow favourable consideration through the application of reasonable and relevant development conditions.



## 2 APPLICATION DETAILS

<b>APPLICATION SUMMARY</b>	
<b>Approval Sought:</b>	Development Permit for a Material Change of Use for Nature-Based Tourism (Bush Style Dining Activities)
<b>Applicant:</b>	Experience Co Ltd
<b>Project Description Details:</b>	The operation of a 'bush style camp' that will facilitate the placement of temporary structures to support dining activities associated with existing Hot Air Ballooning tours run by the Applicant and that already occur in the area.
<b>ASSESSMENT DETAILS:</b>	
<b>Assessment Manager:</b>	Mareeba Shire Council
<b>Development Category:</b>	Assessable Development
<b>Assessment Category:</b>	Code
<b>Public Notification:</b>	Not required in accordance with section 53 of the Planning Act
<b>PRELODGE MENT CONSULTATION</b>	
<b>Council:</b>	Various, informal pre-lodgement discussions have been held with Council officers regarding this application.
<b>RELEVANT STATE PLANNING INSTRUMENTS</b>	
<b>Relevant Act:</b>	<i>Planning Act</i> (Qld) 2016
<b>Planning Policy:</b>	Queensland State Planning Policy (July 2017).
<b>State Planning Policy Assessment Benchmarks:</b>	<ul style="list-style-type: none"> <li>▪ Agriculture (Important Agricultural Areas, and Agricultural Lands Classification Class A and B);</li> <li>▪ Biodiversity (MSES – Regulated Vegetation [Category R and Intersecting a Watercourse]);</li> <li>▪ Natural Hazard Risk and Resilience (Flood Hazard Area – Level 1 – Queensland Floodplain Assessment Overlay and Bushfire Prone Area); and</li> <li>▪ Strategic Airports and Aviation Facilities (Obstacle Limitation Surface Area and Contours, Lighting Area Buffer 6km, Wildlife Hazard Buffer Zone).</li> </ul>
<b>Regional Plan:</b>	Far North Queensland Regional Plan 2009 - 2031
<b>Regional Plan Land Use:</b>	Regional Landscape and Rural Production Area
<b>Other State Interests:</b>	Nil



<b>Development Assessment Mapping:</b>	<ul style="list-style-type: none"> <li>Fish Habitat Areas (Queensland Waterways for Waterway Barrier Works [Low]);</li> <li>Water Resources (Water Resources Planning Area Boundaries); and</li> <li>Native Vegetation Clearing (Regulated Vegetation Management Map [Category A and B Extract])</li> </ul>
<b>Referrals:</b>	Nil
<b>RELEVANT LOCAL PLANNING INSTRUMENTS</b>	
<b>Planning Scheme:</b>	Mareeba Shire Planning Scheme – Alignment Amendment 2017
<b>Local Plan:</b>	Not Applicable
<b>Zone:</b>	Rural
<b>Overlays:</b>	<ul style="list-style-type: none"> <li>Agricultural Land Overlay (Class A);</li> <li>Airport Environs Overlay (Bird and Bat Strike [3km – 8km], Light Intensity &amp; Conical Surface);</li> <li>Bushfire Hazard Overlay (Medium Potential Bushfire Intensity and Potential Impact Buffer);</li> <li>Environmental Significance Overlay (Habitat Linkage &amp; Regulated Vegetation);</li> <li>Flood Hazard Overlay (Potential Flood Hazard Area);</li> <li>Hill and Slope Overlay (Hill and Slope Area); and</li> <li>Transport Infrastructure Overlay (Minor Rural Road)</li> </ul>
<b>Infrastructure Plan:</b>	Part 4 of the Mareeba Shire Planning Scheme – refer to section 4.5

## 2.1 DOCUMENT CONTROL

Document	Company	Reference	Revision	Author	Reviewer	Date
Planning Report	Urban Sync Pty Ltd	18-326	A	MDI	LC	10 April 2018
Plan of Development – Site Plan	Urban Sync Pty Ltd	18-326-001	A	N/A	N/A	10 April 2018

## 3 SITE DETAILS

### 3.1 SITE DESCRIPTION

<b>Registered Landowners:</b>	Skydive Investments Pty Ltd
<b>Site Location:</b>	Fichera Road, Mareeba
<b>Lot and Description:</b>	Lot 5 on SP160172
<b>Site Area:</b>	32.7469ha
<b>Tenure:</b>	Freehold
<b>Easements/Encumbrances:</b>	Nil
<b>Local Government Authority:</b>	Mareeba Shire Council



Figure 1: Site Location (Fichera Road, Mareeba).

### 3.2 SITE ANALYSIS

<b>Existing Improvements:</b>	The site is generally unimproved.
<b>Topography:</b>	The site is in general, flat, although does fall towards Barron River, with areas of steep land in the south-east corner of the site and along the western boundary, adjacent to the Barron River.
<b>Waterways:</b>	The western boundary of the site abuts the Barron River.
<b>Vegetation:</b>	The site contains an approximate 160m wide sparse covering of vegetation along the entire eastern boundary of the site, adjacent to Fichera Road, as

	well as along the western boundary of the site, adjacent to the Barron River. All this vegetation is mapped as remanent.
<b>Environmental Management &amp; Contaminated Land:</b>	To the best of Urban Syncs knowledge, the site is not located on the Environmental Management or Contaminated Land Registers.
<b>Heritage Places:</b>	The site, nor any adjacent sites, are identified as a State or local 'Heritage Place'

### 3.3 INFRASTRUCTURE AND SERVICES

<b>Road Frontage:</b>	<p>The site presents an approximate 525m frontage to Fichera Road which, near the site, comprises an approx. 4m wide sealed, single lane carriageway with gravel shoulders within a road reserve which varies from approximately 40m to 175m.</p> <p>We note here that most of the wider portion of road reserve adjacent to the sites frontage is covered by a covenant between the land holder and the State of Queensland. A copy of this covenant is included in <b>Attachment 1</b>.</p>
<b>Water Supply:</b>	The site is not connected to Council reticulated sewerage network and instead, is serviced by an on-site water supply.
<b>Sewerage Supply:</b>	The site is not connected to Council reticulated sewerage network. The site also does not contain any on-site efficient treatment systems.
<b>Stormwater:</b>	Stormwater appears to flow via sheet flow, west across the site towards the Barron River.
<b>Electricity</b>	The site is serviced by overhead power.
<b>Telecommunications:</b>	The site presents an existing connection to the telecommunication services available within Fichera Road

## 4 DEVELOPMENT PROPOSAL

### 4.1 GENERAL DESCRIPTION

The Applicant seeks the requisite development approval from Mareeba Shire Council ('Council') to support the use of a part of Lot 5 on SP160172 at Fichera Road, Mareeba for the purposes of operating a 'bush style camp'. Accordingly, this application seeks the following approval:

- **Development Permit for a Material Change of Use for Nature Based Tourism (Bush Style Dining Activities).**

### 4.2 PROPOSAL DETAILS

The proposed 'bush style camp' will be non-fixed and is intended to facilitate the placement of temporary structures to support various dining activities associated with existing Hot Air Ballooning tours run by the Applicant and that already occur in the area.

The camp area will be nestled amongst the existing mature vegetation within the south-western portion of the site and along the western boundary of the indicative exclusive 'Use Area', as illustrated below in **Figure 2** and include the following arrangements:

- Operate seven (7) days a week, 365 days a year (weather permitting);
- Hours of operation will generally be from 7am to 11am, although the use may, in some instances, may occur at other times throughout the day (i.e., lunch time, dinner time, etc.). The use of the site during these times, however, will be limited;
- The exclusive 'Use Area' will be approximately 120m x 120m, with an approximate setback of 50m to the western boundary and approximately 20m from the top of the high bank of the adjacent waterway.
- Accommodate between 20-50 people per day; with the ability for a maximum of 150 persons per day at peak times. The use will require a total of two (2) staff, although the ground crew and pilots (maximum of ten (10)) will generally also visit the site to mingle with guests;
- Tourists will be coached to the site from numerous nearby, hot air ballooning take-off and landing sites and then from the site, back to their preferred drop of location in Cairns and the surrounds. There will be a maximum of two (2) coaches travelling to and from the site each day. All staff and equipment will travel to and from the site on these coaches;

NB: Take-off and landing positions for the Hot Air balloons change regularly deepening on weather conditions.

- Coaches will gain access to the site via the existing access from Fichera Road, with all existing unsealed driveways to accommodate onsite vehicular movements;
- An informal and unsealed parking/set-down and manoeuvring area for the coaches will be provided on the eastern side of the existing driveway within the designated 'Use Area';
- Weather protection will be provided by unfixed, but permanently placed tarps and/or gazebos;
- The vast majority of equipment (tables, chairs etc.) will be stored on site, with smaller equipment such as cutlery etc., being kept on site in storage containers and the like;

NB: we reiterate here that the use involves no permanent structures.

- No cooking or serving equipment will be stored on site. All serving equipment (bain-marie's, etc.) will be removed from site at the end of each day;





- No cooking or food preparation activities will be undertaken on site. All food is prepared off site and transported to site for consumption;
- All waste and food scraps will be removed and disposed of offsite at the end of each day by staff; and
- Portable toilets will be provided on site. These will be maintained by local contractor to ensure each toilet is maintained in a suitable standard for use.

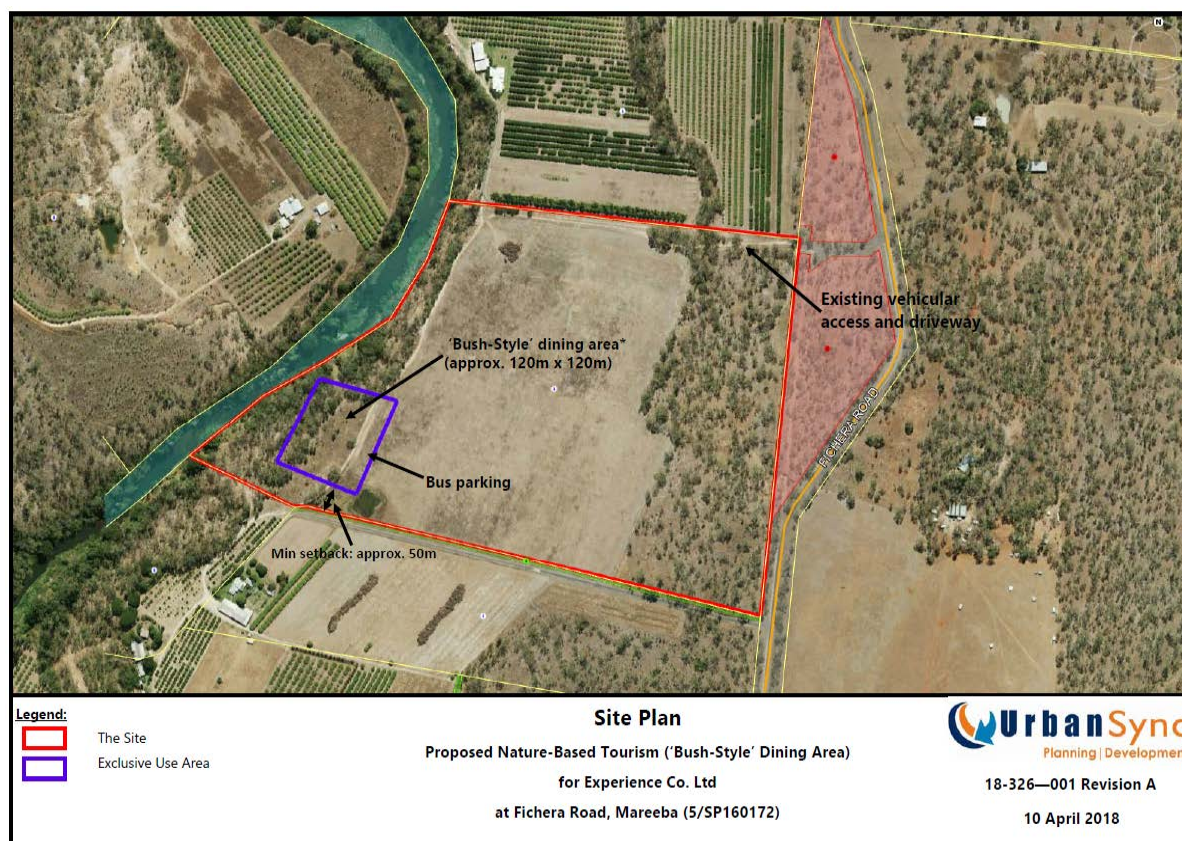


Figure 2: Site Plan – Proposed Nature-Based Tourism at Fichera Road, Mareeba.

A copy of the site plan (Figure 2) has been made available as **Attachment 2** to assist in Council's assessment of the proposed development.

### 4.3 STAGING

The development will not be staged.

### 4.4 INFRASTRUCTURE

There is no infrastructure or service connections required to support this development. Given the temporary, rustic nature of the proposed use, all essential services (i.e. drinking water, toilets, waste removal, etc.) can and will be provided by other means to suite the temporary-nature of the use and/or bought to site daily by Experience Co.

### 4.5 INFRASTRUCTURE CHARGES

The site is in the Rural Zone and not within the Priority Infrastructure Area of the Mareeba Shire Council Local Government Area. Chapter 4 – Infrastructure, of the PA outlines provisions for local governments to prescribe infrastructure charges for demands placed on trunk infrastructure where a Local Government Infrastructure Plan (LGIP) is included as part of the Planning Scheme and is adopted by resolution. These provisions have been reflected

in Mareeba Shire Councils Adopted Infrastructure Charges Resolution (No. 1) 2017, dated 19 April 2017 and in effect from 1 July 2017.

As the site is not located within the PIA, and 'Nature Based Tourism' uses are not listed in Column 1 of Table 3.3, any infrastructure charges to be levied will be those that Council decides should apply for the use. As the site is in the rural zone and not connected to any reticulated services, only the Transport Network component of the infrastructure charges should be applicable. However, we are of the view that in this instance, no infrastructure charges should apply, as the use will not generate any new vehicle movements on the local road network, over and above that which exist already. For example, the development will generate four (4) vehicle movements per day, although these movements are already occurring on the local road network to drop off and pick up guests associated with the existing Hot Air Ballooning activities that take place throughout the Mareeba Shire.





## 5 LEGISLATIVE REQUIREMENTS

### 5.1 STATE PLANNING REQUIREMENTS

#### 5.1.1 Planning Act 2016

##### 5.1.1.1 Confirmation that the Development is not Prohibited

The development is not prohibited. This has been established by considering all the relevant state and local instruments which can provide prohibitions under the PA, including Schedule 10, Parts 2-5, Parts 10-11 and Parts 16 and 20, of the *Planning Regulation 2016* (PR).

##### 5.1.1.2 Assessable Development

The development represents *'the start of a new use on the premises'*, where the assessment triggers approval for a Material Change of Use. A Material Change of Use for 'Nature Based Tourism' in the Rural Zone is Code Assessable where not for a temporary use. Hence, the development is deemed to be "Assessable Development" pursuant to Section 44 of the PA, which states that *"Assessable Development is development for which a development approval is required."*

##### 5.1.1.3 Assessment Manager

The Assessment Manager for this development application is Mareeba Shire Council, as determined by Schedule 8 of the PR.

#### 5.1.2 Far North Queensland Regional Plan

The site is located within the 'Regional Landscape and Rural Production Area Regional Land Use Category of the Far North Queensland 2009-2031 (see also **Attachment 3**). The Minister has identified that the planning scheme, specifically the Strategic Framework, appropriately advances the FNQRP 2009-2031. Hence, compliance with the FNQRP is demonstrated through the compliance with the Planning Scheme (refer to this report and attachments for demonstration of this compliance).

#### 5.1.3 State Planning Policy

The State Planning Policy (SPP) came into effect on July 2017, under the PA. The SPP continues to progress the purpose of SPP brought into effect in April 2016 which sought consolidate the former multiple SPP's into one document.

The changes introduced as part of the new suite of legislation, included the update of Part E of the SPP to include an array of benchmarks in respect to State interests and policies relevant to each project.

A review of the subject land against the SPP (July 2017) has confirmed that the prescribed land is subject to several state interests, as identified below (see also **Attachment 3**):

- Agriculture (Important Agricultural Areas, and Agricultural Lands Classification Class A and B);
- Biodiversity (MSES – Regulated Vegetation [Category R and Intersecting a Watercourse]);
- Natural Hazard Risk and Resilience (Flood Hazard Area – Level 1 – Queensland Floodplain Assessment Overlay and Bushfire Prone Area); and
- Strategic Airports and Aviation Facilities (Obstacle Limitation Surface Area and Contours, Lighting Area Buffer 6km, Wildlife Hazard Buffer Zone).



The Minister has identified that the planning scheme appropriately advances the SPP and hence, all the applicable State interests have been appropriately reflected in the Planning Scheme. As a result, compliance with the SPP is demonstrated through compliance with the Planning Scheme (refer to this report and attachments for demonstration of this compliance).

#### 5.1.4 Referrals & State Development Assessment Provisions

---

A review of the DA mapping system indicates that the site is subject to the following matters of interest:

- Fish Habitat Areas (Queensland Waterways for Waterway Barrier Works [Low]);
- Water Resources (Water Resources Planning Area Boundaries); and
- Native Vegetation Clearing (Regulated Vegetation Management Map [Category A and B Extract])

In consultation with the DA mapping and the applicable triggers and exemptions made available under Schedule 10 of the PR, as the development involves no permanent structures and in turn, does not require the clearing of, nor facilitate the exempt clearing of any remnant vegetation, this application is not required to be referred to the Department of State Development, Manufacturing, Infrastructure and Planning.

## 5.2 LOCAL PLANNING REQUIREMENTS

---

### 5.2.1 Planning Scheme (Mareeba Shire Planning Scheme – Alignment Amendment 2017)

---

#### 5.2.1.1 Use Definition

---

The development is defined under the Planning Scheme as **‘Nature-Based Tourism’**, as outlined below:

**‘Nature-Based Tourism’:**

*“The use of land or premises for a tourism activity, including tourist and visitor short-term accommodation, that is intended for the conservation, interpretation and appreciation of areas of environmental, cultural or heritage value, local ecosystems and attributes of the natural environment. Nature-based tourism activities typically:*

- *Maintain a nature based focus or product*
- *Promote environmental awareness, education and conservation*
- *Carry out sustainable practices.”*

#### 5.2.1.2 Statutory Considerations for Assessable Development

---

When assessing the application, the relevant considerations of the Assessment Manager in making the decision are Sections 45, 59, 60, and 62 of the PA and Sections 25 to 28 of the PR.

### 5.2.1.3 Applicable Overlays

The site is affected by the following Planning Scheme Overlays:

- Agricultural Land Overlay (Class A);
- Airport Environs Overlay (Bird and Bat Strike [3km – 8km], Light Intensity & Conical Surface);
- Bushfire Hazard Overlay (Medium Potential Bushfire Intensity and Potential Impact Buffer);
- Environmental Significance Overlay (Habitat Linkage & Regulated Vegetation);
- Flood Hazard Overlay (Potential Flood Hazard Area);
- Hill and Slope Overlay (Hill and Slope Area); and
- Transport Infrastructure Overlay (Minor Rural Road)

### 5.2.1.4 Applicable Codes

The development is subject to assessment against the following, relevant Planning Scheme Codes:

Scheme Component	Comment
<b>Zone Code</b>	
Rural Zone Code	Refer to Code Assessment as <b>Attachment 4</b> .
<b>Local Plan Code</b>	
Not Applicable	Not Applicable
<b>Overlay Codes</b>	
Agricultural Land Overlay Code; Airport Environs Overlay Code; Bushfire Hazard Overlay Code; Environmental Significance Overlay Code; Flood Hazard Overlay Code; Hill and Slope Overlay Code; and Transport Infrastructure Overlay Code	Refer to Code Assessment as <b>Attachment 4</b> .
<b>Development Codes</b>	
Parking and Access Code; and Works, Services and Infrastructure	Refer to Code Assessment as <b>Attachment 4</b> .

## 5.2.2 Planning Scheme Assessment

---

### 5.2.2.1 Strategic Framework

---

The development is **Code Assessable** and hence, in accordance with s45(3) of the PA, no assessment against the Strategic Framework is required.

### 5.2.2.2 Rural Zone

---

The development complies with, or can be conditioned to comply with, the Rural Zone Code.

### 5.2.2.3 Overlay Code/s

---

#### ***Agricultural Land Overlay Code***

The development complies with, or can be conditioned to comply with, the Agricultural Land Overlay Code.

#### ***Airport Environs Overlay Code***

The development complies with, or can be conditioned to comply with, the Airport Environs Overlay Code.

#### ***Bushfire Hazard Overlay Code***

The development complies with, or can be conditioned to comply with, the Bushfire Hazard Overlay Code.

#### ***Environmental Significance Overlay Code***

The development complies with, or can be conditioned to comply with, the Environmental Significance Overlay Code.

#### ***Flood Hazard Overlay Code***

The development complies with the Flood Hazard Overlay Code.

#### ***Hill and Slope Overlay Code***

The development complies with the Hill and Slope Overlay Code as it will not involve any permanent structures or buildings being located on any areas of the site with a slope of more than 15%. As a result, a full assessment of the Hill and Slope Overlay Code is not considered warranted in this instance.

#### ***Transport Infrastructure Overlay Code***

The development complies with the Transport Infrastructure Overlay Code as the site is not located next to or near an active or inactive 'Rail Corridor'. As a result, a full assessment of the Hill and Slope Overlay Code is not considered warranted in this instance.

***Parking and Access Code***

The development complies with, or can be conditioned to comply with, the Parking and Access Code.

***Work, Services and Infrastructure Code***

The development complies with, or can be conditioned to comply with, the Work, Services and Infrastructure Code.

## 6 CONCLUSION

This application has been prepared by Urban Sync on behalf of Experience Co. Ltd in relation to the use of Lot 5 on SP160172 at Fichera Road, Mareeba for the purposes of 'bush style dining activities', that will operate in association with other, already existing tourist activities that take place across the Tablelands. Accordingly, this application seeks the following approval:

- **Development Permit for a Material Change of Use for Nature Based Tourism (Bush Style Dining Activities).**

This report has described the site and development, clearly set out the applicable statutory, legislative, and planning requirements associated with the development and sought to demonstrate not only the suitability of the development, but also its compliance with the Planning Scheme. In summary, the establishment of a 'Nature Based Tourism' use on the site is encouraged under the existing planning frameworks which are applicable to the site.

It is acknowledged and accepted that some elements of the development depart from the Acceptable Measures reflected, in some of the applicable codes of the Planning Scheme. However, these departures are relatively minor and where such departures have been identified, a performance-based approach, based on sound planning grounds has been provided to demonstrate compliance with the corresponding Performance Outcome. Accordingly, we believe that the development should be approved as the development:

- Complies with the applicable State legislation and policies;
- Complies with the applicable codes of the *Mareeba Shire Planning Scheme 2017*;
- Can be appropriately serviced;
- Can be conditioned to appropriately mitigate any potential risk from natural hazards;
- Can be conditioned to appropriately mitigate any negative impacts on the environment;
- Will not result in the permanent fragmentation or loss of agricultural land, nor will it negatively impact upon any adjacent rural/agricultural activities; and
- Is not of a scale, or a type of development which will result in any negative amenity impacts on adjacent residents and/or negatively impact upon the character of the locality as a whole;

Approval is therefore, recommended subject to the imposition of reasonable and relevant conditions.

**ATTACHMENT 1:  
DA FORM 1, LAND OWNER'S CONSENT, &  
THE CURRENT LAND TITLE SEARCH AND COVENANTS**



# DA Form 1 – Development application details

**Approved form (version 1.0 effective 3 July 2017) made under section 282 of the Planning Act 2016.**

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

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

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

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

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

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

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

## PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) <i>(individual or company full name)</i>	Experience Co Ltd
Contact name <i>(only applicable for companies)</i>	Matt Ingram of Urban Sync Pty Ltd
Postal address <i>(P.O. Box or street address)</i>	C/- Urban Sync Pty Ltd, PO Box 2970
Suburb	Cairns
State	Qld
Postcode	4870
Country	Australia
Contact number	(07) 4051 6946
Email address <i>(non-mandatory)</i>	matt@urbansync.com.au
Mobile number <i>(non-mandatory)</i>	-
Fax number <i>(non-mandatory)</i>	-
Applicant's reference number(s) <i>(if applicable)</i>	18-326

2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input checked="" type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application <input type="checkbox"/> No – proceed to 3)	



## PART 2 – LOCATION DETAILS

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

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

## 3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
			Fichera Road	Mareeba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	5	SP160172	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

**Note:** Place each set of coordinates in a separate row. Only one set of coordinates is required for this part.

☐ Coordinates of premises by longitude and latitude

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

☐ Coordinates of premises by easting and northing

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

## 3.3) Additional premises

- ☐ Additional premises are relevant to this development application and their details have been attached in a schedule to this application  
☒ Not required

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

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

Name of water body, watercourse or aquifer: Barron River

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

☐ In a tidal area

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

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

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

Name of airport:

☐ Listed on the Environmental Management Register (EMR) under the *Environmental Protection Act 1994*

EMR site identification:

☐ Listed on the Contaminated Land Register (CLR) under the *Environmental Protection Act 1994*

CLR site identification:

#### 5) Are there any existing easements over the premises?

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

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

☒ No

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

#### 6.1) Provide details about the first development aspect

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

☒ Material change of use

☐ Reconfiguring a lot

☐ Operational work

☐ Building work

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

☐ Development permit

☐ Preliminary approval

☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

☒ Code assessment

☐ Impact assessment *(requires public notification)*

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

Bush-style dining area

e) Relevant plans

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

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

#### 6.2) Provide details about the second development aspect

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

☐ Material change of use

☐ Reconfiguring a lot

☐ Operational work

☐ Building work

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

☐ Development permit

☐ Preliminary approval

☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

☐ Code assessment

☐ Impact assessment *(requires public notification)*

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

e) Relevant plans

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

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

#### 6.3) Additional aspects of development

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

☒ Not required

## Section 2 – Further development details

## 7) Does the proposed development application involve any of the following?

Material change of use	<input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

## Division 1 – Material change of use

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

## 8.1) Describe the proposed material change of use

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m <sup>2</sup> ) (if applicable)
Bush-style dining area	Nature-Based Tourism	n/a	n/a

## 8.2) Does the proposed use involve the use of existing buildings on the premises?

☐ Yes☒ No

## Division 2 – Reconfiguring a lot

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

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

## 9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)

<input type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input type="checkbox"/> Boundary realignment (complete 12))	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a construction road (complete 13))

## 10) Subdivision

## 10.1) For this development, how many lots are being created and what is the intended use of those lots:

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

## 10.2) Will the subdivision be staged?

☐ Yes – provide additional details below☐ No

How many stages will the works include?

What stage(s) will this development application apply to?

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

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

**12) Boundary realignment****12.1) What are the current and proposed areas for each lot comprising the premises?**

Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )

**12.2) What is the reason for the boundary realignment?**

--

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

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

**Division 3 – Operational work****Note:** This division is only required to be completed if any part of the development application involves operational work.**14.1) What is the nature of the operational work?**

- |  |                                     |  |
|--|-------------------------------------|--|
| <input type="checkbox"/> Road work   | <input type="checkbox"/> Stormwater | <input type="checkbox"/> Water infrastructure  |
| <input type="checkbox"/> Drainage work   | <input type="checkbox"/> Earthworks | <input type="checkbox"/> Sewage infrastructure |
| <input type="checkbox"/> Landscaping   | <input type="checkbox"/> Signage    | <input type="checkbox"/> Clearing vegetation   |
| <input type="checkbox"/> Other – please specify: <table border="1" style="display: inline-table; width: 400px; height: 20px;"></table> |                                     |  |

**14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)**☐ Yes – specify number of new lots:☐ No**14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)**

\$

**PART 4 – ASSESSMENT MANAGER DETAILS****15) Identify the assessment manager(s) who will be assessing this development application**

Mareeba Shire Council

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

- ☐ Yes – a copy of the decision notice is attached to this development application
- ☐ Local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- ☒ No

**PART 5 – REFERRAL DETAILS****17) Do any aspects of the proposed development require referral for any referral requirements?****Note:** A development application will require referral if prescribed by the Planning Regulation 2017.☒ No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6Matters requiring referral to the **chief executive of the Planning Regulation 2017:**

- ☐ Clearing native vegetation
- ☐ Contaminated land (unexploded ordnance)

<input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA have not been devolved to a local government)</i> <input type="checkbox"/> Fisheries – aquaculture <input type="checkbox"/> Fisheries – declared fish habitat area <input type="checkbox"/> Fisheries – marine plants <input type="checkbox"/> Fisheries – waterway barrier works <input type="checkbox"/> Hazardous chemical facilities <input type="checkbox"/> Queensland heritage place <i>(on or near a Queensland heritage place)</i> <input type="checkbox"/> Infrastructure – designated premises <input type="checkbox"/> Infrastructure – state transport infrastructure <input type="checkbox"/> Infrastructure – state transport corridors and future state transport corridors <input type="checkbox"/> Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels <input type="checkbox"/> Infrastructure – state-controlled roads <input type="checkbox"/> Land within Port of Brisbane's port limits <input type="checkbox"/> SEQ development area <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – community activity <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – indoor recreation <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – residential development <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – urban activity <input type="checkbox"/> Tidal works or works in a coastal management district <input type="checkbox"/> Urban design <input type="checkbox"/> Water-related development – taking or interfering with water <input type="checkbox"/> Water-related development – removing quarry material <i>(from a watercourse or lake)</i> <input type="checkbox"/> Water-related development – referable dams <input type="checkbox"/> Water-related development – construction of new levees or modification of existing levees <i>(category 2 or 3 levees only)</i> <input type="checkbox"/> Wetland protection area
<b>Matters requiring referral to the local government:</b>
<input type="checkbox"/> Airport land <input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA have been devolved to local government)</i> <input type="checkbox"/> Local heritage places
<b>Matters requiring referral to the chief executive of the distribution entity or transmission entity:</b>
<input type="checkbox"/> Electricity infrastructure
<b>Matters requiring referral to:</b> <ul style="list-style-type: none"> <li>• The <b>chief executive of the holder of the licence</b>, if not an individual</li> <li>• The <b>holder of the licence</b>, if the holder of the licence is an individual</li> </ul> <input type="checkbox"/> Oil and gas infrastructure
<b>Matters requiring referral to the Brisbane City Council:</b>
<input type="checkbox"/> Brisbane core port land
<b>Matters requiring referral to the Minister under the Transport Infrastructure Act 1994:</b>
<input type="checkbox"/> Brisbane core port land <input type="checkbox"/> Strategic port land
<b>Matters requiring referral to the relevant port operator:</b>
<input type="checkbox"/> Brisbane core port land (below high-water mark and within port limits)
<b>Matters requiring referral to the chief executive of the relevant port authority:</b>
<input type="checkbox"/> Land within limits of another port
<b>Matters requiring referral to the Gold Coast Waterways Authority:</b>
<input type="checkbox"/> Tidal works, or development in a coastal management district in Gold Coast waters
<b>Matters requiring referral to the Queensland Fire and Emergency Service:</b>
<input type="checkbox"/> Tidal works, or development in a coastal management district

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

- ☐ Yes – referral response(s) received and listed below are attached to this development application
- ☒ No

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

**PART 6 – INFORMATION REQUEST****19) Information request under Part 3 of the DA Rules**

- ☒ I agree to receive an information request if determined necessary for this development application
- ☐ I do not agree to accept an information request for this development application

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

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

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

**PART 7 – FURTHER DETAILS****20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)**

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

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

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

- ☐ Yes – the yellow local government/private certifier's copy of the receipted QLeave form is attached to this development application
- ☐ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid
- ☒ Not applicable

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

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

- ☐ Yes – show cause or enforcement notice is attached
- ☒ No

## 23) Further legislative requirements

**Environmentally relevant activities**

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

☐ Yes – the required attachment (form EM941) for an application for an environmental authority accompanies this development application, and details are provided in the table below

☒ No

**Note:** Application for an environmental authority can be found by searching “EM941” at [www.qld.gov.au](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

Proposed ERA number:		Proposed ERA threshold:	
----------------------	--	-------------------------	--

Proposed ERA name:	
--------------------	--

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

**Hazardous chemical facilities**

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

☐ Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application

☒ No

**Note:** See [www.justice.qld.gov.au](http://www.justice.qld.gov.au) for further information.

**Clearing native vegetation**

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

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

☒ No

**Note:** See [www.qld.gov.au](http://www.qld.gov.au) for further information.

**Environmental offsets**

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

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

☒ No

**Note:** The environmental offset section of the Queensland Government's website can be accessed at [www.qld.gov.au](http://www.qld.gov.au) for further information on environmental offsets.

**Koala conservation**

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

☐ Yes

☒ No

**Note:** See guidance materials at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au) for further information.

**Water resources**

23.6) Does this development application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, taking overland flow water or waterway barrier works**?

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

☒ No

**Note:** DA templates are available from [www.dilgp.qld.gov.au](http://www.dilgp.qld.gov.au).

23.7) Does this application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water** under the *Water Act 2000*?

☐ Yes – I acknowledge that a relevant water authorisation under the *Water Act 2000* may be required prior to commencing development

☒ No

**Note:** Contact the Department of Natural Resources and Mines at [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au) for further information.

### Marine activities

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

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

☒ No

**Note:** See guidance materials at [www.daf.qld.gov.au](http://www.daf.qld.gov.au) for further information.

### Quarry materials from a watercourse or lake

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

☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

☒ No

**Note:** Contact the Department of Natural Resources and Mines at [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au) for further information.

### Quarry materials from land under tidal waters

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

☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

☒ No

**Note:** Contact the Department of Environment and Heritage Protection at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au) for further information.

### Referable dams

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

☐ Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the *Water Supply Act* is attached to this development application

☒ No

**Note:** See guidance materials at [www.dews.qld.gov.au](http://www.dews.qld.gov.au) for further information.

### Tidal work or development within a coastal management district

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

☐ Yes – the following is included with this development application:

☐ Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)

☐ A certificate of title

☒ No

**Note:** See guidance materials at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au) for further information.

### Queensland and local heritage places

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

☐ Yes – details of the heritage place are provided in the table below

☒ No

**Note:** See guidance materials at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au) for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
-----------------------------	--	-----------	--



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

☐ Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*

☒ No

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

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

☐ Yes - this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)

☒ No

**PART 8 – CHECKLIST AND APPLICANT DECLARATION****24) Development application checklist**

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

☒ Yes

**Note:** See the *Planning Regulation 2017* for referral requirements

If building work is associated with the proposed development, Parts 4 to 6 of *Form 2 – Building work details* have been completed and attached to this development application

☐ Yes

☒ Not applicable

Supporting information addressing any applicable assessment benchmarks is with development application

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

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☐ Yes

☒ Not applicable

**25) Applicant declaration**

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

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

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

**Privacy** – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website. Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, *Planning Regulation 2017* and the *DA Rules* except where:

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

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

## PART 9 – FOR OFFICE USE ONLY

Date received:  Reference number(s):

### Notification of engagement of alternative assessment manager

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

### QLeave notification and payment

*Note: For completion by assessment manager if applicable*

Description of the work	
QLeave project number	
Amount paid (\$)	
Date paid	
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	

The *Planning Act 2016*, the *Planning Regulation 2017* and the *DA Rules* are administered by the Department of Infrastructure, Local Government and Planning. This form and all other required development application materials should be sent to the assessment manager.

# CURRENT TITLE SEARCH

## NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 28303313

Search Date: 29/03/2018 09:34

Title Reference: 50477066

Date Created: 20/01/2004

Previous Title: 20581235

### REGISTERED OWNER

Dealing No: 718583922 16/02/2018

SKYDIVE INVESTMENTS PTY LTD A.C.N. 609 207 258

### ESTATE AND LAND

Estate in Fee Simple

LOT 5 SURVEY PLAN 160172  
Local Government: MAREEBA

### EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20172220 (POR 67V)
2. COVENANT No 708032487 06/09/2004 at 14:54  
restricts dealings over  
LOT 5 ON SP160172 AND  
LOT 6 ON AP11290
3. MORTGAGE No 718583923 16/02/2018 at 11:17  
NATIONAL AUSTRALIA BANK LIMITED A.B.N. 12 004 044 937

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

### CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

COPYRIGHT THE STATE OF QUEENSLAND (NATURAL RESOURCES, MINES AND ENERGY) [2018]  
Requested By: D-ENQ URBIS PRO

**Company owner's consent to the making of a development application  
under the *Planning Act 2016***

I, Anthony Ritter (Insert name in full)  
Director of the company mentioned below.

and I, Anthony Boucalt (Insert name in full)  
Director (insert position in full—i.e. another director or a company secretary)

**Of Skydive Investments Pty Ltd A.C.N: 609 207 258**

the company being the owner of the premises identified as follows:

**Fichera Road, Mareeba, formally described as Lot 5 on SP160172**

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


**Experience Co Ltd C/- Urban Sync Pty Ltd**

on the premises described above for:

**Nature Based Tourism**

Company seal (if used)

Company Name and ACN: **Skydive Investments Pty Ltd A.C.N: 609 207 258**.....

  
.....  
Signature of Director

6/4/18  
.....  
Date

  
.....  
Signature of Director/Secretary

6/4/18  
.....  
Date

*The Planning Act 2016* is administered by the Department of Local Government, Infrastructure and Planning, Queensland Government.

**FORM 31** Version 1

QUEENSLAND LAND REGISTRY

Land Title Act 1994 and Land Act 1994

**COVENANT****708032487****Lodger** Name, address & phone  
number**Lodger**  
CodeLeah Slade (CNS/20479)  
Department of Natural Resources  
PO Box 937  
**CAIRNS QLD 4870**

CS112

**CS 616****NO FEE**  
06/09/2004 14:54**1. Covenantor**Miguel Angel Samanes  
Teresa Samanes

<b>2. Description of Lots subject to the covenant</b>	<b>County</b>	<b>Parish</b>	<b>Title Reference</b>
LOTS ON SP160172	NARES	TINAROO	50477066
<del>Lot 1 on RP717083</del>	<del>Nares</del>	<del>Tinaree</del>	20851235
Lot 6 on AP11290	Nares	Tinaroo	40042565

**3. Covenantee**

The State of Queensland (Represented by the Department of Natural Resources and Mines)

**4. Description of Covenant**

Pursuant to section 97(A)(3)(c) of the Land Title Act 1994 and section 373(A) of the Land Act 1994

**5 Execution**

The Covenantor being the registered owner of the lots described in item 2 covenants with the Covenantee in respect of the covenant described in item 4.

**Witnessing Officer****Execution Date****Covenantor's Signature**.....*Annison May Geisel*.....signature

09/09/2003

**See Attached Form 20**

.....ANNISON MAY GEISEL.....full name

.....JP (C. Dec).....qualification

as per Schedule 1 of Land Title Act 1994 (eg Legal Practitioner, JP, C.Dec)

Title Reference 20581235

Witnessing Officer

Execution Date

Covenantor's Signature

*Alison Geisel*.....signature

09/05/2003

*[Signature]*

ALISON MARY GEISEL.....full name

JP (C. Dec).....qualification

as per Schedule 1 of Land Title Act 1994 (eg Legal Practitioner, JP, C.Dec)

Witnessing Officer

Execution Date

Covenantor's Signature

.....signature

/ /

.....

.....full name

.....qualification

as per Schedule 1 of Land Title Act 1994 (eg Legal Practitioner, JP, C.Dec)

Witnessing Officer

Execution Date

Covenantor's Signature

*Ham Michael Nicholas*.....signature

30/04/04

*[Signature]*

Ham Michael Nicholas.....full name

Q. Dec 8318.....qualification

as per Schedule 1 of Land Title Act 1994 (eg Legal Practitioner, JP, C.Dec)

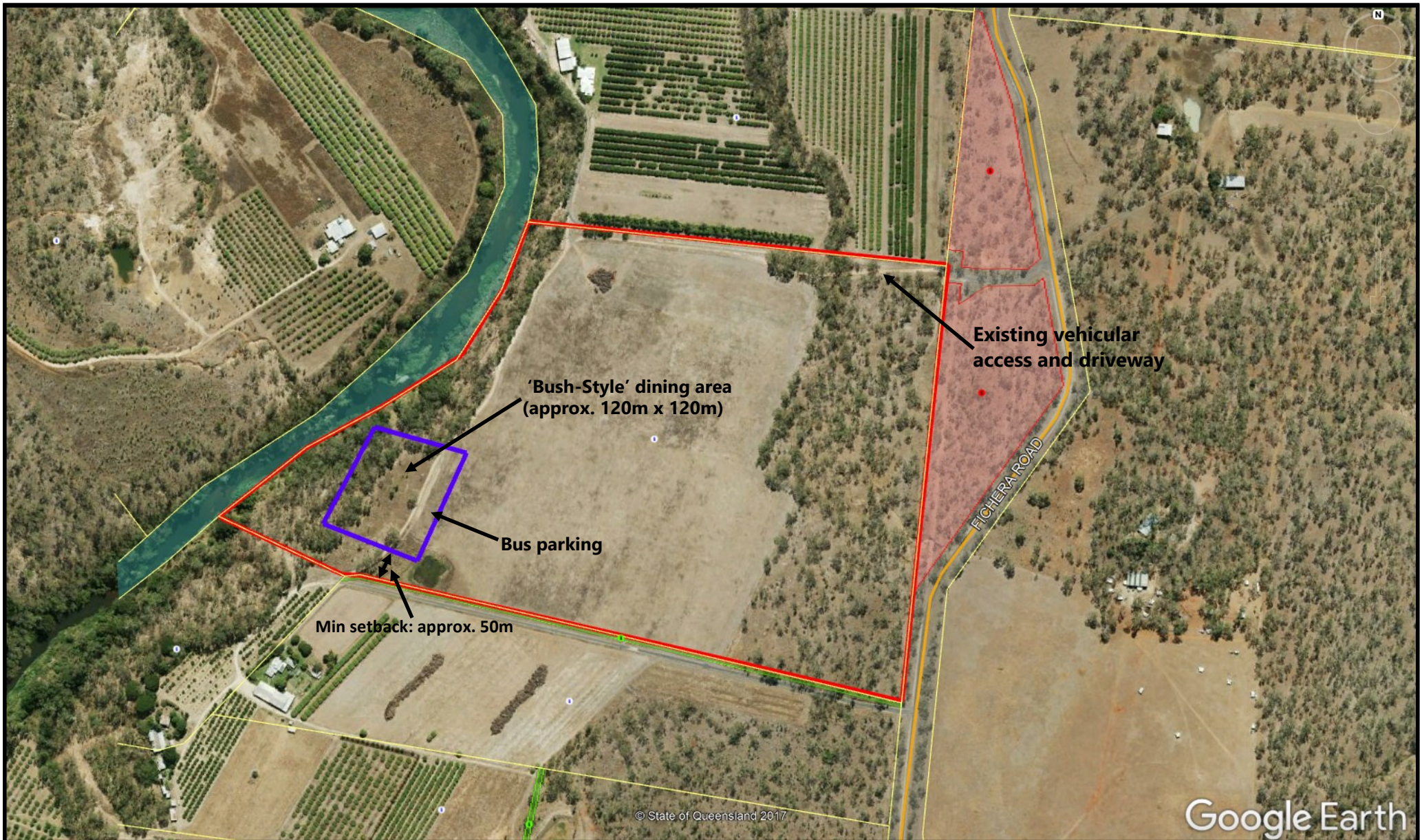
Desley Loxton WIN PAYNE  
Delegate of the Minister for Natural  
Resources and the Minister for Mines

**ATTACHMENT 2:  
SITE PLAN**

**- Urban Sync Pty Ltd**







**Legend:**

- The Site
- Exclusive Use Area

**Site Plan**

**Proposed Nature-Based Tourism ('Bush-Style' Dining Area)  
for Experience Co. Ltd  
at Fichera Road, Mareeba (5/SP160172)**



**18-326—001 Revision A  
10 April 2018**



## **ATTACHMENT 3: STATE MAPPING**

**- Department of State Development, Manufacturing, Infrastructure,  
and Planning**





Department of State  
Development, Manufacturing,  
Infrastructure and Planning


**Disclaimer:**  
This map has been generated from the information supplied to the Department of State Development, Manufacturing, Infrastructure and Planning for the purposes of the Development Assessment Mapping System. Note that this is a print screen only. The map generated has been prepared with due care based on the best available information at the time of publication. The State of Queensland holds no responsibility for any errors, inconsistencies or omissions within this document. Any decisions made by other parties based on this document are solely the responsibility of those parties. This information is supplied subject to the full terms and conditions available on the department's website.

# Legend

## Drawn Polygon Layer

Override 1

## Cadastre (10k)

 Cadastre (10k)


## Wildlife hazard buffer zone

 3km

 8km

 13km


## Lighting area buffer 6km

 Lighting area buffer 6km


## Obstacle limitation surface contours

 Obstacle limitation surface contours


## MSES - Regulated vegetation (intersecting a watercourse)

 MSES - Regulated vegetation (intersecting a watercourse)


## Important agricultural areas

 Important agricultural areas


## Flood hazard area - Level 1 - Queensland floodplain assessment overlay


 Flood hazard area - Level 1 - Queensland floodplain assessment overlay


## MSES - Regulated vegetation (category R)


 MSES - Regulated vegetation (category R)

## Bushfire prone area


 Very High Potential Bushfire Intensity

 High Potential Bushfire Intensity


 Medium Potential Bushfire Intensity

 Potential Impact Buffer

## Agricultural land classification - class A and B

 Agricultural land classification - class A and B

## Obstacle limitation surface area

 Obstacle limitation surface area



Department of State  
Development, Manufacturing,  
Infrastructure and Planning

Date: 29/03/2018

**State Planning Policy**  
Making or amending a local planning instrument  
and designating land for community infrastructure

### Disclaimer:

This map has been prepared with due care based on the best available information at the time of publication. However, the State of Queensland (acting through the department) makes no representations, either express or implied, that the map is free from errors, inconsistencies or omissions. Reliance on information contained in this map is the sole responsibility of the user. The State disclaims responsibility for any loss, damage or inconvenience caused as a result of reliance on information or data contained in this map.








# Legend





## Drawn Polygon Layer

Override 1



## Cadastral (10k)

 Cadastral (10k)


## Queensland waterways for waterway barrier works

-  1 - Low
-  2 - Moderate
-  3 - High
-  4 - Major

## Regulated vegetation management map (Category A and B extract)

-  Category A on the regulated vegetation management map
-  Category B on the regulated vegetation management map

## Water resource planning area boundaries

 Water resource planning area boundaries

## DA Mapping System – Print Screen

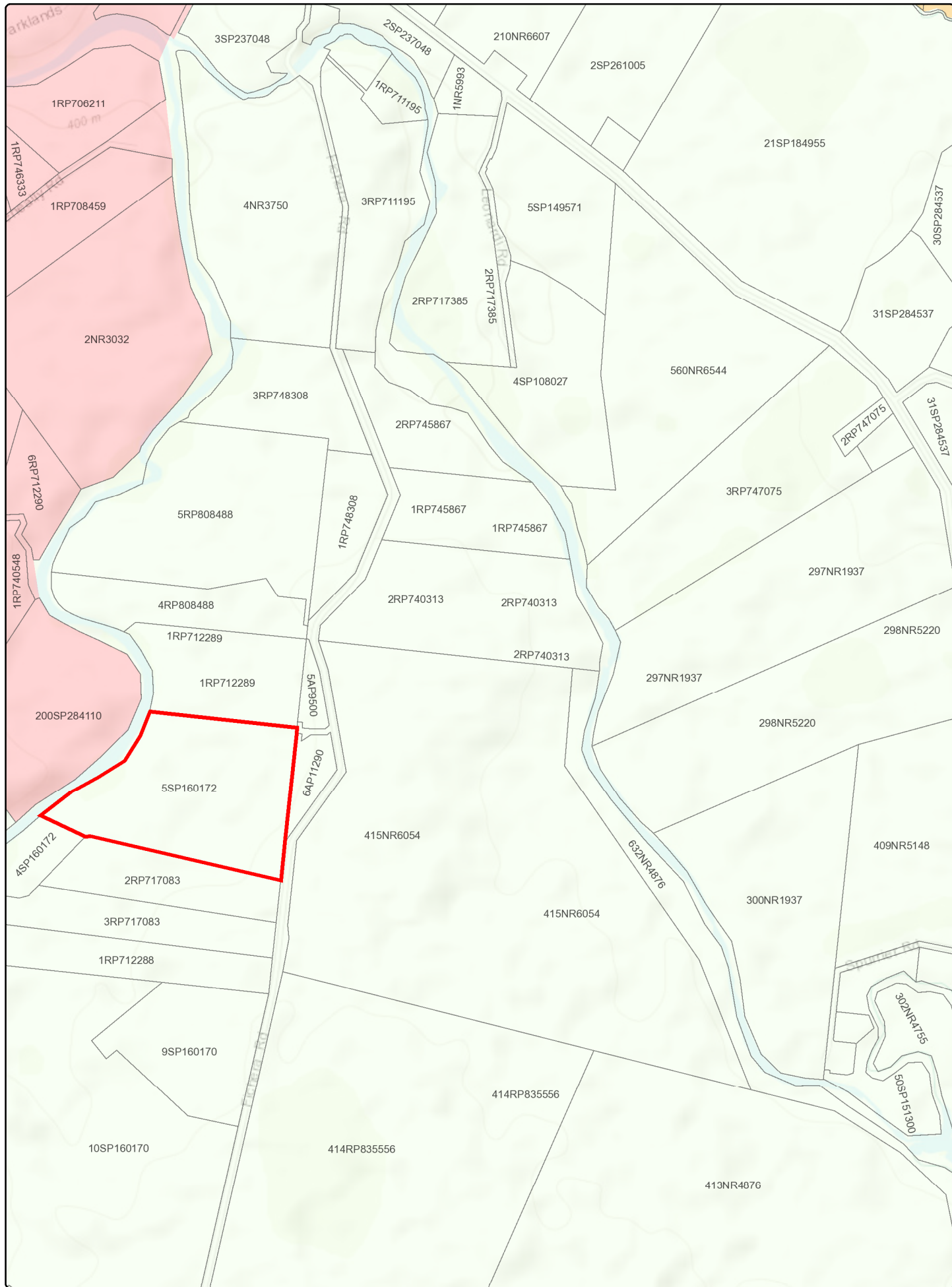
Date: 29/03/2018

### Disclaimer:

This map has been generated from the information supplied to the Department of State Development, Manufacturing, Infrastructure and Planning for the purposes of the Development Assessment Mapping System. Note that this is a print screen only. The map generated has been prepared with due care based on the best available information at the time of publication. The State of Queensland holds no responsibility for any errors, inconsistencies or omissions within this document. Any decisions made by other parties based on this document are solely the responsibility of those parties. This information is supplied subject to the full terms and conditions available on the department's website.

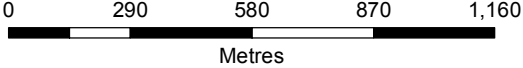


Department of State  
Development, Manufacturing,  
Infrastructure and Planning



# DA Mapping System – Print Screen

Date: 29/03/2018



Department of State  
 Development, Manufacturing,  
 Infrastructure and Planning

Document Set ID: 3357842  
 Version: 1, Version Date: 10/04/2018

© The State of Queensland 2018.

Disclaimer:  
 This map has been generated from the information supplied to the Department of State Development, Manufacturing, Infrastructure and Planning for the purposes of the Development Assessment Mapping System. Note that this is a print screen only. The map generated has been prepared with due care based on the best available information at the time of publication. The State of Queensland holds no responsibility for any errors, inconsistencies or omissions within this document. Any decisions made by other parties based on this document are solely the responsibility of those parties. This information is supplied subject to the full terms and conditions available on the department's website.

# Legend

## Drawn Polygon Layer

Override 1

## Cadastre (25k)



Cadastre (25k)

## SEQRP 2009-2031 development area (superseded)



Local Development Area



Regional Development Area

## SEQ regional biodiversity corridor



SEQ regional biodiversity corridor

## SEQ regional biodiversity value



SEQ regional biodiversity value

## SEQ regional greenspace network



SEQ regional greenspace network

## SEQ regionally significant scenic amenity



SEQ regionally significant scenic amenity

## Regional land use categories (SEQ, WBB, MIW, FNQ)



Urban Footprint



Rural Living Area



Regional Landscape and Rural Production  
Area

## DA Mapping System – Print Screen

Date: 29/03/2018

### Disclaimer:

This map has been generated from the information supplied to the Department of State Development, Manufacturing, Infrastructure and Planning for the purposes of the Development Assessment Mapping System. Note that this is a print screen only. The map generated has been prepared with due care based on the best available information at the time of publication. The State of Queensland holds no responsibility for any errors, inconsistencies or omissions within this document. Any decisions made by other parties based on this document are solely the responsibility of those parties. This information is supplied subject to the full terms and conditions available on the department's website.



Department of State  
Development, Manufacturing,  
Infrastructure and Planning

**ATTACHMENT 4:  
CODE ASSESSMENT**

**- Mareeba Shire Planning Scheme – Alignment Amendment 2017**





### Application

- (1) This code applies to assessing development where:
- (a) Located in the Rural Zone; and
  - (b) It is identified in the assessment criteria column of an assessment table in Part 5 of the planning scheme.

### Criteria for assessment

**Table 6.2.9.3 – Rural Zone Code – for Self-Assessable and Assessable Development**

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>FOR SELF-ASSESSABLE AND ASSESSABLE DEVELOPMENT</b>			
<b>HEIGHT</b>			
<b>PO1</b> Building height takes into consideration and respects the following: <ul style="list-style-type: none"> <li>(a) the height of existing buildings on adjoining premises;</li> <li>(b) the development potential, with respect to height, on adjoining premises;</li> <li>(c) the height of buildings in the vicinity of the site;</li> <li>(d) access to sunlight and daylight for the site and adjoining sites;</li> <li>(e) privacy and overlooking; and</li> <li>(f) site area and street frontage length.</li> </ul>	<b>AO1.1</b> Development, other than buildings used for rural activities, has a maximum building height of: <ul style="list-style-type: none"> <li>(a) 8.5 metres; and</li> <li>(b) 2 storeys above ground level.</li> </ul>	<b>N/A</b>	The development does not involve any structures that exceed 8.5m in height.
	<b>AO1.2</b> Buildings and structures associated with a rural activity including machinery, equipment, packing or storage buildings do not exceed 10 metres in height.	<b>N/A</b>	The development is not for a Rural Activity.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>SITING</b> <b>NOTE: WHERE FOR DWELLING HOUSE, THE SETBACKS OF THE QUEENSLAND DEVELOPMENT CODE APPLY</b>			
<b>PO2</b> Development is sited in a manner that considers and respects: <ul style="list-style-type: none"> <li>(a) the siting and use of adjoining premises;</li> <li>(b) access to sunlight and daylight for the site and adjoining sites;</li> <li>(c) privacy and overlooking;</li> <li>(d) air circulation and access to natural breezes;</li> <li>(e) appearance of building bulk; and</li> <li>(f) relationship with road corridors.</li> </ul>	<b>AO2.1</b> Buildings and structures include a minimum setback of: <ul style="list-style-type: none"> <li>(a) 40 metres from a frontage to a State-controlled road; and</li> <li>(b) 10 metres from a boundary to an adjoining lot.</li> </ul>	<b>N/A</b>	The development does not involve any structures that will be located within the nominated side boundary setbacks, noting Fichera Road is not a State-controlled Road.
	<b>AO2.2</b> 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.	<b>N/A</b>	The development does not involve a 'Roadside Stall'.
	<b>AO2.3</b> Buildings and structures, except where a Roadside stall, include a minimum setback of: <ul style="list-style-type: none"> <li>(a) 10 metres from a frontage to a sealed road that is not a State-controlled road; and</li> <li>(b) 100 metres from a frontage to any other road that is not a State-controlled road;</li> </ul>	<b>N/A</b>	The development does not involve any structures that will be located within the nominated front boundary setbacks, noting Fichera Road is not a State-controlled Road.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>ACCOMMODATION DENSITY</b>			
<b>PO3</b> The density of Accommodation activities: <ul style="list-style-type: none"> <li>(a) respects the nature and density of surrounding land use;</li> <li>(b) is complementary and subordinate to the rural and natural landscape values of the area; and</li> <li>(c) is commensurate to the scale and frontage of the site.</li> </ul>	<b>AO3.1</b> Development provides a maximum density for Accommodation activities of: <ul style="list-style-type: none"> <li>(a) 1 dwelling or accommodation unit per 120m<sup>2</sup> site area; and</li> <li>(b) 1 bedroom per 60m<sup>2</sup> site area.</li> </ul>	N/A	The development does not involve any accommodation activities.
	<b>AO3.2</b> Residential density does not exceed two dwellings per lot and development is for: <ul style="list-style-type: none"> <li>(a) a secondary dwelling; or</li> <li>(b) Caretaker's accommodation and includes building work or minor building work with a maximum gross floor area of 100m<sup>2</sup>; or</li> <li>(c) Rural worker's accommodation.</li> </ul>	N/A	The development does not involve any dwellings.
<b>FOR ASSESSABLE DEVELOPMENT</b>			
<b>SITE COVER</b>			
<b>PO4</b> Buildings and structures occupy the site in a manner that: <ul style="list-style-type: none"> <li>(a) makes efficient use of land;</li> <li>(b) is consistent with the bulk and scale of buildings in the surrounding area; and</li> <li>(c) appropriately balances built and natural features.</li> </ul>	<b>AO4.1</b> No acceptable outcome is provided.	YES	The development involves an estimated site cover of less than 1%. This, combined with the semi-permanent nature of all the structures proposed, leads us to the view that the development will comply with the intent of the Performance Outcome.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>PO5</b> Development complements and integrates with the established built character of the Rural zone, having regard to: <ul style="list-style-type: none"> <li>(a) roof form and pitch;</li> <li>(b) eaves and awnings;</li> <li>(c) building materials, colours and textures; and</li> <li>(d) window and door size and location.</li> </ul>	<b>AO5.1</b> No acceptable outcome is provided.	<b>YES</b>	As above.
<b>AMENITY</b>			
<b>PO6</b> Development must not detract from the amenity of the local area, having regard to: <ul style="list-style-type: none"> <li>(a) noise;</li> <li>(b) hours of operation;</li> <li>(c) traffic;</li> <li>(d) advertising devices;</li> <li>(e) visual amenity;</li> <li>(f) privacy;</li> <li>(g) lighting;</li> <li>(h) odour; and</li> <li>(i) emissions.</li> </ul>	<b>AO6.1</b> No acceptable outcome is provided.	<b>YES</b>	The development can be conditioned to comply with the items listed in the Performance Outcome. We welcome further discussion on how these items may be suitably conditioned if Council considers this necessary.
<b>PO7</b> Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to: <ul style="list-style-type: none"> <li>(a) noise;</li> <li>(b) hours of operation;</li> <li>(c) traffic;</li> </ul>	<b>AO7.1</b> No acceptable outcome is provided.	<b>YES</b>	As above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
(d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions.			

### 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 criteria 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.

### Criteria for assessment

**Table 8.2.1.3 – Agricultural Land Overlay Code – for Self-Assessable and Assessable Development**

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>FOR ACCEPTED DEVELOPMENT SUBJECT TO REQUIREMENTS AND ASSESSABLE DEVELOPMENT</b>			
<b>PO1</b> The fragmentation or loss of productive capacity of land within the 'Class A' area or 'Class B' area identified on the <b>Agricultural land overlay maps (OM-001a-n)</b> is avoided unless: <ul style="list-style-type: none"> <li>(a) an overriding need exists for the development in terms of public benefit;</li> <li>(b) no suitable alternative site exists; and</li> <li>(c) loss or fragmentation is minimised to the extent possible.</li> </ul>	<b>AO1.1</b> Buildings and structures are not located on land within the 'Class A' area or 'Class B' area identified on the <b>Agricultural land overlay maps (OM-001a-n)</b> unless they are associated with: <ul style="list-style-type: none"> <li>(a) animal husbandry; or</li> <li>(b) animal keeping; or</li> <li>(c) cropping; or</li> <li>(d) dwelling house; or</li> <li>(e) home based business; or</li> <li>(f) intensive animal industry (only where for feedlotting); or</li> <li>(g) intensive horticulture; or</li> <li>(h) landing; or</li> <li>(i) roadside stalls; or</li> <li>(j) winery.</li> </ul>	<b>YES</b>	Some of the semi-permanent structures associated with the development will be located on Agricultural Land Class A. However, none of these structures are permanent and all are removable. This ensures that the mapped Agricultural Class A land being used for the development will not be permanently fragmented, nor permanently lost from production. As a result, we are of the view that the development complies with the Performance Outcome.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>FOR ASSESSABLE DEVELOPMENT</b>			
<p><b>PO2</b></p> <p>Sensitive land uses in the 'Class A' area, 'Class B' area or the 'Broadhectare rural' area identified on the <b>Agricultural land overlay maps (OM-001a-n)</b> are designed and located to:</p> <ul style="list-style-type: none"> <li>(a) avoid land use conflict;</li> <li>(b) manage impacts from agricultural activities, including chemical spray drift, odour, noise, dust, smoke and ash;</li> <li>(c) avoid reducing primary production potential; and</li> <li>(d) not adversely affect public health, safety and amenity.</li> </ul>	<p><b>AO2.1</b></p> <p>No acceptable outcome is provided.</p>	<b>N/A</b>	The development does not involve a 'sensitive land use'.
<p><b>PO3</b></p> <p>Development in the 'Class A' area or 'Class B' area identified on the <b>Agricultural land overlay maps (OM-001a-n)</b>:</p> <ul style="list-style-type: none"> <li>(a) ensures that agricultural land is not permanently alienated;</li> <li>(b) ensures that agricultural land is preserved for agricultural purposes; and</li> <li>(c) does not constrain the viability or use of agricultural land.</li> </ul>	<p><b>AO3.1</b></p> <p>No acceptable outcome is provided.</p>	<b>YES</b>	Some of the semi-permanent structures associated with the development will be located on Agricultural Land Class A. However, none of these structures are permanent and all are removable. This ensures that the mapped Agricultural Class A land being used for the development will not be permanently alienated from production, preserved for agricultural purposes at some time in the future and will not affect the viability of the agricultural land. As a result, we are of the view that the development complies with the Performance Outcome.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>IF FOR RECONFIGURING A LOT</b>			
<b>PO4</b> The 'Broadhectare rural area' identified on the <b>Agricultural land overlay maps (OM-001a-n)</b> is retained in very large rural holdings viable for broad scale grazing and associated activities.	<b>AO4.1</b> Development does not involve the creation of a new lot within the 'Broadhectare rural' area identified on the <b>Agricultural land overlay maps (OM-001a-n)</b> .	<b>N/A</b>	The development does involve Reconfiguring a Lot.
<b>PO5</b> Reconfiguring a lot in the 'Class A' area, 'Class B' area or the 'Broadhectare rural' area identified on the <b>Agricultural land overlay maps (OM-001a-n)</b> that is severed by a gazetted road occurs only where it does not fragment land used for agricultural purposes.	<b>AO5.1</b> No acceptable outcome is provided.	<b>N/A</b>	As above.
<b>PO6</b> Any Reconfiguring a lot in the 'Class A' area, 'Class B' area or the 'Broadhectare rural' area identified on the <b>Agricultural land overlay maps (OM-001a-n)</b> , including boundary realignments, only occurs where it: <ul style="list-style-type: none"> <li>(a) improves agricultural efficiency;</li> <li>(b) facilitates agricultural activity; or</li> <li>(c) facilitates conservation outcomes; or</li> <li>(d) resolves boundary issues where a structure is built over the boundary line of two lots.</li> </ul>	<b>AO6.1</b> No acceptable outcome is provided.	<b>N/A</b>	As above.



## Application

- (1) This code applies to assessing development where:
- (a) Land the subject of development is affected by a constraint category identified on the **Airport Environs Overlay Maps (OM-002a-f)**; and
  - (b) It is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

Note: Strategic airports and aviation facilities are appropriately reflected in Overlay Map 2 and is required to be mapped by State Government in response to Infrastructure State Interests.

## Criteria for assessment

**Table 8.2.2.3 – Airport Environs Overlay Code – for Acceptable Development Subject to Requirements and Assessable Development**

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>FOR ACCEPTED DEVELOPMENT SUBJECT TO REQUIREMENTS AND ASSESSABLE DEVELOPMENT</b>			
<b>PO1</b> Development does not interfere with movement of aircraft or the safe operation of an airport or aerodrome where within the: <ul style="list-style-type: none"> <li>(a) Airport environs: OLS area of Mareeba Airport identified on <b>Airport environs overlay map (OM-002c)</b>; or</li> <li>(b) Airport environs: OLS area of Cairns Airport identified on <b>Airport environs overlay map (OM-002c.1)</b>; or</li> <li>(c) 'Airport environs: Airport buffer - 1 kilometre' of an aerodrome identified on <b>Airport environs overlay map (OM-002f)</b>; or</li> </ul>	<b>AO1.1</b> Development does not exceed the height of the Obstacle Limitation Surface (OLS) where located within the Airport environs: OLS area of: <ul style="list-style-type: none"> <li>(a) Mareeba Airport identified on <b>Airport environs overlay map (OM-002c)</b>; or</li> <li>(b) Cairns Airport identified on <b>Airport environs overlay map (OM-002c.1)</b>.</li> </ul>	<b>N/A</b>	The development does not involve any structures that will exceed the OLS.
	<b>AO1.2</b> Development has a maximum height of 10 metres where within the 'Airport environs: Airport buffer - 1 kilometre' of an aerodrome identified on <b>Airport environs overlay map (OM-002f)</b> .	<b>N/A</b>	The site is not located in the 1km Airport buffer area.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
(d) 'Airport environs: Airport buffer - 3 kilometres' of an aerodrome identified on <b>Airport environs overlay map (OM-002f)</b> .	<b>AO1.3</b> Development has a maximum height of 15 metres where within the 'Airport environs: Airport buffer - 3 kilometres' of an aerodrome identified on <b>Airport environs overlay map (OM-002f)</b> .	<b>N/A</b>	As above.
<b>LIGHTING</b>			
<b>PO2</b> Development does not include lighting that: (a) has the potential to impact on the efficient and safe operation of Mareeba Airport or an aerodrome; or (b) could distract or confuse pilots.	<b>AO2.1</b> Development within the 'Airport environs: Distance from airport - 6 kilometres' area for Mareeba Airport identified on <b>Airport environs overlay map (OM-002b)</b> or the 'Airport environs: Airport buffer - 3 kilometres' of an aerodrome identified on <b>Airport environs overlay map (OM-002f)</b> does not: (a) involve external lighting, including street lighting, that creates straight parallel lines of lighting that are more than 500 metres long; and (b) does not contain reflective cladding upwards shining lights, flashing lights or sodium lights.	<b>YES</b>	The development does not involve any of the listed activities.
<b>NOISE EXPOSURE</b>			
<b>PO3</b> Development not directly associated with Mareeba Airport is protected from aircraft noise levels that may cause harm or undue interference.	<b>AO3.1</b> Sensitive land uses are acoustically insulated to at least the minimum standards specified by AS2021 Acoustics - Aircraft Noise Intrusion - Building Siting and Construction where located within the 'Airport environs: 20-25 ANEF' area identified on <b>Airport environs overlay map (OM-002d)</b> .	<b>N/A</b>	The development is not a sensitive land use.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>PUBLIC SAFETY</b>			
<b>PO4</b> Development does not compromise public safety or risk to property.	<b>A04.1</b> Development is not located within the 'Airport environs: Mareeba Airport public safety area' identified on <b>Airport environs overlay map (OM-002e)</b> .	N/A	The site is not located in the public safety area.
<b>STATE SIGNIFICANT AVIATION FACILITIES ASSOCIATED WITH MAREEBA AIRPORT</b>			
<b>PO5</b> Development does not impair the function of state significant aviation facilities by creating: (a) physical obstructions; or (b) electrical or electro-magnetic interference; or (c) deflection of signals.	<b>A05.1</b> Development within 'Airport environs: Zone B (600 metre buffer)' for the 'Saddle Mountain VHF' facility identified on <b>Airport environs overlay map (OM-002a.1)</b> does not exceed a height of 640 metres AHD.	N/A	The development does not involve any semi-permanent structures that will exceed this height.
	<b>A05.2</b> Development within 'Airport environs: Zone B (4,000 metre buffer)' for the 'Hahn Tableland Radar (RSR)' facility identified on <b>Airport environs overlay map (OM-002a)</b> does not exceed a height of 950 metres AHD, unless associated with Hann Tableland Radar facility.	N/A	As above.
	<b>A05.3</b> Building work does not occur within 'Airport environs: Zone A (200 metre buffer)' of the 'Biboohra CVOR' facility identified on <b>Airport environs overlay map (OM-002a)</b> unless associated with the Biboohra CVOR facility.	N/A	The site is not located in Zone A.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	<p><b>AO5.4</b></p> <p>Development within 'Airport environs: Zone B (1,500 metre buffer)' of the 'Biboohra CVOR' facility identified on <b>Airport environs overlay map (OM-002a)</b>, but outside 'Zone A (200 metre buffer)' identified on <b>Airport environs overlay map (OM-002a)</b>, does not include:</p> <ul style="list-style-type: none"> <li>(a) the creation of a permanent or temporary physical line of sight obstruction above 13 metres in height; or</li> <li>(b) overhead power lines exceeding 5 metres in height; or</li> <li>(c) metallic structures exceeding 7.5 metres in height; or</li> <li>(d) trees and open lattice towers exceeding 10 metres in height; or</li> <li>(e) wooden structures exceeding 13 metres in height.</li> </ul>	N/A	As above.
<b>FOR ASSESSABLE DEVELOPMENT</b>			
<b>MAREEBA AIRPORT</b>			
<b>PROTECTION OF OPERATIONAL AIRSPACE</b>			
<p><b>PO6</b></p> <p>Development within the vicinity of Mareeba Airport or an aerodrome does not interfere with the:</p> <ul style="list-style-type: none"> <li>(a) movement of aircraft; or</li> <li>(b) safe operation of the airport or facility</li> </ul>	<p><b>AO6.1</b></p> <p>Development involving sporting and recreational aviation activities such as parachuting, hot air ballooning or hang gliding, does not occur within the Airport environs: OLS area of:</p> <ul style="list-style-type: none"> <li>(a) Mareeba Airport identified on <b>Airport environs overlay map (OM-002c)</b>; or</li> <li>(b) Cairns Airport identified on <b>Airport environs overlay map (OM-002c.1)</b>.</li> </ul>	N/A	The development does not involve any structures that will exceed the OLS, nor does it involve any of the listed activities.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	<b>AO6.2</b> Development involving temporary or permanent aviation activities does not occur within the 'Airport environs: Airport buffer - 3 kilometres' of an aerodrome identified on <b>Airport environs overlay map (OM-002f)</b> .	N/A	The development does not involve any aviation activities.
<b>PO7</b> Development does not affect air turbulence, visibility or engine operation in the operational airspace of Mareeba Airport or regional aerodromes.	<b>AO7.1</b> Development does not result in the emission of a gaseous plume, at a velocity exceeding 4.3 metres per second, or smoke, dust, ash or steam within: <ul style="list-style-type: none"> <li>(a) the Airport environs: OLS area of Mareeba Airport identified on <b>Airport environs overlay map (OM-002c)</b>; or</li> <li>(b) the Airport environs: OLS area of Cairns Airport identified on <b>Airport environs overlay map (OM-002c.1)</b>; or</li> <li>(c) the 'Airport environs: Airport buffer - 1 kilometre' of a regional aerodrome identified on <b>Airport environs overlay map (OM-002f)</b>.</li> </ul>	YES	Compliance can be conditioned.
<b>MANAGING BIRD AND BAT STRIKE HAZARD TO AIRCRAFT</b>			
<b>PO8</b> Development in the environs of Mareeba Airport or an aerodrome does not contribute to the potentially serious hazard from wildlife (bird or bat) strike.	<b>AO8.1</b> Development within the 'Airport environs: Distance from airport - 8 kilometres' Bird and bat strike zone of Mareeba Airport identified on <b>Airport environs overlay map (OM-002b)</b> or the 'Airport environs: Airport buffer - 3 kilometres' of an aerodrome identified on <b>Airport environs overlay map (OM-002f)</b> provides that potential food and waste sources are covered and collected so that they are not accessible to wildlife.	YES	Compliance can be conditioned.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	<p><b>AO8.2</b></p> <p>Development within the 'Airport environs: Distance from airport - 3 kilometres' Bird and bat strike zone of Mareeba Airport identified on <b>Airport environs overlay map (OM-002b)</b> or the 'Airport environs: Airport buffer - 1 kilometre' of an aerodrome identified on <b>Airport environs overlay map (OM-002f)</b> does not include:</p> <ul style="list-style-type: none"> <li>(a) food processing; or</li> <li>(b) abattoir; or</li> <li>(c) intensive horticulture; or</li> <li>(d) intensive animal husbandry; or</li> <li>(e) garden centre; or</li> <li>(f) aquaculture.</li> </ul>	N/A	The site is not located within 3km of the airport.
	<p><b>AO8.3</b></p> <p>Putrescible waste disposal sites do not occur within the 'Airport environs: Distance from airport - 13 kilometres' Bird and bat strike zone of:</p> <ul style="list-style-type: none"> <li>(a) Mareeba Airport identified on <b>Airport environs overlay map (OM-002b)</b>; or</li> <li>(b) Cairns Airport identified on <b>Airport environs overlay map (OM-002b.1)</b>.</li> </ul>	N/A	The development is not for a putrescible waste disposal site.

(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 criteria column of an assessment table in Part 5 of the planning scheme.

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

## Criteria for assessment

**Table 8.2.3.3 – Bushfire Hazard Overlay Code – for Self-Assessable and Assessable Development**

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
FOR SELF-ASSESSABLE AND ASSESSABLE DEVELOPMENT			
<b>PO1</b>  Development where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the <b>Bushfire hazard overlay maps (OM-003a-o)</b> 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. 'Airport environs: Airport buffer - 3 kilometres' of an aerodrome identified on <b>Airport environs overlay map (OM-002f)</b> .	<b>Where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o)</b> <b>AO1.1</b>  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  <b>AO1.2</b>  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:  (a) a separate tank; or (b) a reserve section in the bottom part of the main water supply tank; or (c) a dam; or	<b>N/A</b>          <b>ALTERNETIVE SOLUTION SOUGHT</b>	The site does not have a reticulated water service.          Due to the development not involving any new permanent buildings or structures, nor the permanent relocation of persons to the site, i.e. the site will only be occupied for a few hours a day, we do not consider the requirement to provide any of the water storage devices listed in the Acceptable Outcome as reasonable in this instance. For example, if guests where on site during a bushfire, they would be placed on the parked coaches and driven from the site. Again,

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	(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.		given the scale and nature of the development, this approach is considered suitable to maintain the safety of guests and in turn, comply with the intent of the Performance Outcome.
FOR ASSESSABLE DEVELOPMENT			
LAND USE			
<b>PO2</b> Development within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the <b>Bushfire hazard overlay maps (OM-003a-o)</b> is appropriate to the bushfire hazard risk having regard to the: <ul style="list-style-type: none"> <li>(a) the bushfire risk compatibility of development;</li> <li>(b) the vulnerability of and safety risk to persons associated with the use; and</li> <li>(c) consequences of bushfire in regard to impacts on essential infrastructure, buildings and structures.</li> </ul> Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.	<b>AO2.1</b> 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 <b>Bushfire hazard overlay maps (OM-003a-o)</b> : <ul style="list-style-type: none"> <li>(a) child care centre; or</li> <li>(b) community care centre; or</li> <li>(c) correctional facility; or</li> <li>(d) educational establishment; or</li> <li>(e) emergency services; or</li> <li>(f) hospital; or</li> <li>(g) hostel; or</li> <li>(h) residential care facility; or</li> <li>(i) retirement facility; or</li> <li>(j) shopping centre; or</li> <li>(k) tourist park; or</li> <li>(l) tourist attraction.</li> </ul>	N/A	The development does not involve any of the listed uses.



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>LOT DESIGN</b>			
<b>PO3</b> Reconfiguring a lot within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the <b>Bushfire hazard overlay maps (OM-003a-o)</b> minimises the potential adverse impacts of bushfire on the safety of people, property and the environment through lot design that: <ul style="list-style-type: none"> <li>(a) is responsive to the nature and extent of bushfire risk; and</li> <li>(b) allows efficient emergency access to buildings for fire-fighting appliances.</li> </ul> <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><b>Where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o)</b></p> <p><b>AO3.1</b></p> <p>No new lots are created. OR</p> <p><b>AO3.2</b></p> <p>All lots include a building envelope that achieves a radiant heat flux level of 29kW/m<sup>2</sup> at the perimeter of the building envelope.</p> <p>Note—Where a radiant heat flux of 29kW/m<sup>2</sup> is achieved and this relies on cleared or maintained land external to the land the subject of the development application it must be demonstrated that land external to the site will be maintained to a standard that does not exceed the level of bushfire hazard identified in a Bushfire hazard management plan.</p>	<p><b>N/A</b></p> <p><b>N/A</b></p>	<p>The development does not involve Reconfiguring a Lot.</p> <p>As above.</p>
<b>FIREBREAKS AND ACCESS</b>			
<b>PO4</b> In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the <b>Bushfire hazard overlay maps (OM-003a-o)</b> , vehicular access is designed to mitigate against bushfire hazard by: <ul style="list-style-type: none"> <li>(a) ensuring adequate access for fire-fighting and other emergency vehicles;</li> <li>(b) ensuring adequate access for the evacuation of residents and emergency personnel in an</li> </ul>	<p><b>AO4.1</b></p> <p>In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the <b>Bushfire hazard overlay maps (OM-003a-o)</b>, roads are designed and constructed:</p> <ul style="list-style-type: none"> <li>(a) with a maximum gradient of 12.5%;</li> <li>(b) to not use cul-de-sacs; and</li> <li>(c) a constructed road width and weather standard complying with Planning Scheme Policy 4 - FNQROC Regional Development Manual.</li> </ul>	<p><b>N/A</b></p>	<p>The development does not involve any new roads.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>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> <ul style="list-style-type: none"> <li>i. located as close as possible to the boundaries of the lot and the adjoining hazardous vegetation;</li> <li>ii. the minimum cleared width not less than 6 metres;</li> <li>iii. the formed width is not less than 2.5 metres;</li> <li>iv. the formed gradient is not greater than 15%;</li> <li>v. vehicular access is provided at both ends;</li> <li>vi. passing bays and turning areas are provided for fire-fighting appliances located on public land.</li> </ul> <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><b>A04.2</b></p> <p>In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the <b>Bushfire hazard overlay maps (OM-003a-o)</b>, firebreaks are provided:</p> <ul style="list-style-type: none"> <li>(a) consisting of a perimeter road that separates lots from areas of bushfire hazard;</li> <li>(b) a minimum cleared width of 20 metre;</li> <li>(c) a maximum gradient of 12.5%; and</li> <li>(d) a constructed road width and weather standard complying with Planning Scheme Policy 4 - FNQROC Regional Development Manual.</li> </ul>	<b>N/A</b>	As above.
<b>HAZARDOUS MATERIALS</b>			
<p><b>PO5</b></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><b>A05.1</b></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 <b>Bushfire hazard overlay maps (OM-003a-o)</b>.</p>	<b>YES</b>	Compliance can be conditioned.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>LANDSCAPING</b>			
<p><b>PO6</b></p> <p>Landscaping within a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the <b>Bushfire hazard overlay maps (OM-003a-o)</b> does not result in a material increase in the extent, duration or severity of bushfire hazard having regard to:</p> <ul style="list-style-type: none"> <li>(a) fire ecology;</li> <li>(b) slope of site; and</li> <li>(c) height and mix of plant species.</li> </ul> <p>Note—Frost hollows and the associated grass kill facilitates a rapid curing of fuel and exacerbates bushfire hazard.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p><b>AO6.1</b></p> <p>No acceptable outcome is provided.</p>	<b>N/A</b>	The development does not involve any landscaping.
<b>INFRASTRUCTURE</b>			
<p><b>PO7</b></p> <p>Infrastructure services located in a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the <b>Bushfire hazard overlay maps (OM-003a-o)</b> 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><b>AO7.1</b></p> <p>The following infrastructure services are located below ground:</p> <ul style="list-style-type: none"> <li>(a) water supply;</li> <li>(b) sewer;</li> <li>(c) electricity;</li> <li>(d) gas; and</li> <li>(e) telecommunications</li> </ul>	<b>N/A</b>	The development does not involve the provision of any new 'infrastructure'.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>PRIVATE DRIVEWAYS</b>			
<p><b>PO8</b></p> <p>All premises located in a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the <b>Bushfire hazard overlay maps (OM-003a-o)</b> 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><b>AO8.1</b></p> <p>Private driveways:</p> <ul style="list-style-type: none"> <li>(a) do not exceed a length of 60 metres from the street frontage;</li> <li>(b) do not exceed a gradient of 12.5%;</li> <li>(c) have a minimum width of 3.5 metres;</li> <li>(d) have a minimum vertical clearance of 4.8 metres;</li> <li>(e) accommodate turning areas for fire-fighting appliances in accordance with the Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and</li> <li>(f) serve no more than three dwellings or buildings.</li> </ul>	<b>N/A</b>	The development does not involve any new private driveways.

### 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 criteria 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 are required to be mapped by State Government in response to Environment and Heritage State Interests.

### Criteria for assessment

**Table 8.2.4.3A – Environmental Significance Overlay Code – for Self-Assessable and Assessable Development**

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>FOR SELF-ASSESSABLE AND ASSESSABLE DEVELOPMENT</b>			
<b>REGULATED VEGETATION</b>			
<p><b>PO1</b></p> <p>Vegetation clearing in areas mapped as ‘Regulated vegetation’ identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b> is avoided unless:</p> <ul style="list-style-type: none"> <li>(a) it is demonstrated that the area does not support regulated vegetation as mapped;</li> <li>(b) the loss or reduction in regulated vegetation is for community infrastructure and associated access facilities that cannot be avoided;</li> <li>(c) wildlife interconnectivity is maintained or enhanced at a local and regional scale; and</li> <li>(d) the loss or reduction in regulated vegetation is minimised and any residual impacts are offset.</li> </ul> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p> <p>Note—Refer to Ecological corridors identified on SFM001-009 in consideration of wildlife connectivity at a regional scale.</p>	<p><b>AO1.1</b></p> <p>No clearing of native vegetation is undertaken within areas of ‘Regulated vegetation’ identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b>.</p>	<b>YES</b>	The development will not involve the clearing of any vegetation.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p><b>PO2</b></p> <p>Development on sites adjacent to areas of 'Regulated vegetation' identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b> protects the environmental significance of regulated vegetation and:</p> <ul style="list-style-type: none"> <li>(a) does not interrupt, interfere, alter or otherwise impact on underlying natural ecosystem processes such as water quality, hydrology, geomorphology and biophysical processes;</li> <li>(b) does not negatively impact the movement of wildlife at a local or regional scale; and</li> <li>(c) avoids noise, light, vibration or other edge affects, including weed and pest incursion on identified environmental values.</li> </ul> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p> <p>Note—Refer to Ecological corridors identified on SFM001-009 in consideration of wildlife connectivity at a regional scale.</p>	<p><b>AO2.1</b></p> <p>Development (excluding roads, earthworks, drainage infrastructure and underground infrastructure) is not located within 20 metres of 'Regulated vegetation' areas identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b>.</p>	<p><b>YES</b></p>	<p>The development will not be located within 20m of any mapped regulated vegetation, as shown on the Overlay mapping.</p>
<b>REGULATED VEGETATION INTERSECTING A WATERCOURSE</b>			
<p><b>PO3</b></p> <p>Vegetation clearing in areas mapped as 'Regulated vegetation intersecting a watercourse', identified as 'Waterway' and 'Waterway buffer' on the <b>Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b> is avoided unless wildlife interconnectivity between habitats is maintained or enhanced at a local and regional scale, to</p>	<p><b>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) AO3.1</b></p> <p>A minimum setback in accordance with <b>Table 8.2.4.3B</b> is provided between development and the top of the high bank of a 'Waterway' identified on the <b>Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b>.</p>	<p><b>YES</b></p>	<p>The development will be setback a minimum of 20m from the top of the high bank of the adjacent waterway. As the development does not involve any permanent structures, this proximity will not impede wildlife interconnectivity or wildlife habitat in general and in turn, ensures compliance with the intent of the Performance Outcome.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>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>Note—Refer to Ecological corridors identified on SFM001-009 in consideration of wildlife connectivity at a regional scale.</p>	<p><b>AO3.2</b></p> <p>No clearing of native vegetation is undertaken within the minimum setback identified at <b>AO3.1</b>.</p>	<b>YES</b>	The development will not involve the clearing of any vegetation.
<b>WATERWAYS AND WETLANDS</b>			
<p><b>PO4</b></p> <p>'High ecological significance wetlands' identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b> and 'Waterways' on <b>Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b> and are protected by:</p> <ul style="list-style-type: none"> <li>(a) maintaining adequate separation distances between waterways/wetlands and development;</li> <li>(b) maintaining and enhancing aquatic and terrestrial habitat including vegetated corridors to allow for native fauna (terrestrial and aquatic) movement;</li> <li>(c) maintaining waterway bank stability by minimising bank erosion and slumping;</li> <li>(d) maintaining water quality by providing buffers to allow filtering of sediments, nutrients and other pollutants; and</li> <li>(e) retaining and improving existing riparian vegetation and existing vegetation associated with a wetland.</li> </ul>	<p><b>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) AO4.1</b></p> <p>A minimum setback in accordance with <b>Table 8.2.4.3B</b> is provided between development and the top of the high bank of a 'Waterway' identified on the <b>Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b>.</p>	<b>YES</b>	The development will be setback more than 20m from the top of the high bank of the adjacent waterway. As the development does not involve any permanent structures, it will not have any negative impacts on the function, nor the ecological values of the adjacent waterway and in turn, ensures compliance with the intent of the Performance Outcome.
	<p><b>Where within a 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o) AO4.2</b></p> <p>A minimum buffer of 200 metres is provided between development and the edge of a 'High ecological significance wetland' identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b>.</p>	<b>N/A</b>	The site is no located within or adjacent to a High Ecological Significance Wetland.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p><b>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</b></p> <p>No stormwater is discharged to a ‘Waterway’ on <b>Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b> or ‘High ecological significance wetland’ identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b>.</p> <p>Note— An alternative outcome is required to demonstrate that the ecological impacts of stormwater discharge to a ‘Waterway’ or ‘High ecological significance wetland’ are mitigated in accordance with PO3 through appropriate stormwater management / treatment (where possible).</p>	YES	<p>The development will not involve the direction of any new/additional stormwater towards the adjacent waterway, with all stormwater from the site maintaining its current flow regime.</p> <p>We acknowledge the potential for the use to have minor stormwater quality impacts on the adjacent waterway, although we are of the view that this can be addressed through conditions of approval i.e., ensuring no food, waste, oils etc. is left or spilled on to the ground to guarantee that the development does not contaminate any stormwater from the site before it drains in to, via sheet flow, the adjacent waterway.</p>
	<p><b>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</b></p> <p>No wastewater is discharged to a ‘Waterway’ on <b>Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b> or ‘High ecological significance wetland’ identified on the <b>Environmental Significance Overlay Map (OM-004a-z)</b>.</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>	YES	<p>All wastewater will be disposed of, off site.</p>



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>FOR ASSESSABLE DEVELOPMENT</b>			
<b>WILDLIFE HABITAT</b>			
<p><b>P05</b></p> <p>Development within a 'Wildlife habitat' area identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b>:</p> <ul style="list-style-type: none"> <li>(a) protects and enhances the habitat of Endangered, Vulnerable and Near Threatened (EVNT) species and local species of significance;</li> <li>(b) incorporates siting and design measures to protect and retain identified ecological values and underlying ecosystem processes within or adjacent to the development site;</li> <li>(c) maintains or enhances wildlife interconnectivity at a local and regional scale; and</li> <li>(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).</li> </ul> <p>Note—Development applications must identify any EVNT species or their habitats that may be affected by the proposal. In particular, applications are to identify and describe how the development avoids adverse impacts on ecological processes within or adjacent to the development area.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p><b>A05.1</b></p> <p>No acceptable outcome is provided</p>	<b>N/A</b>	The site does not include any 'Wildlife Habitat'.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>LEGALLY SECURED OFFSET AREAS</b>			
<p><b>PO6</b></p> <p>Development within a 'Legally secured offset area' identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b> or other known Legally Secured Offset Area is consistent with the binding requirements of the offset and does not prejudice, undermine, or negatively impact the inherent ecological values, including all naturally occurring native flora, fauna and their habitat within the Legally Secured Offset Area.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p><b>A06.1</b></p> <p>No acceptable outcome is provided.</p>	<p><b>N/A</b></p>	<p>The site does not include any 'Legally Secured Offset Areas'.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>PROTECTED AREAS</b>			
<p><b>P07</b></p> <p>Development within a 'Protected area' identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b> is consistent with the values of the Protected Area and:</p> <ul style="list-style-type: none"> <li>(a) supports the inherent ecological and community values of the Protected Area asset;</li> <li>(b) maintains or enhances wildlife interconnectivity at a local and regional scale; and</li> <li>(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.</li> </ul> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p><b>A07.1</b></p> <p>No acceptable outcome is provided</p>	<b>N/A</b>	The site does not include any 'Protected Areas'.
<b>ECOLOGICAL CORRIDORS AND HABITAT LINKAGES</b>			
<p><b>P08</b></p> <p>Development located:</p> <ul style="list-style-type: none"> <li>a) in the Conservation zone, Emerging community zone, Recreation and open space zone, Rural zone or Rural residential zone; and</li> <li>b) within an 'Ecological corridor' or a 'Habitat linkage' identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b></li> </ul>	<p><b>A08</b></p> <p>No acceptable outcome is provided.</p>	<b>YES</b>	The development will be partially located within the mapped 'Habitat Linkage' area, as identified on the Overlay mapping. However, the development does not involve the removal of any vegetation, nor does it involve any permanent buildings or structures which would result in the loss of any habitat from within the mapped 'Habitat Linkage' area. This will ensure the environmental values of the mapped 'Habitat Linkage' area, as well as those adjacent areas, will not be compromised. We are of the view that this

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>does not compromise the provision of habitat connectivity of the corridor/linkage, having regard to:</p> <ul style="list-style-type: none"> <li>a) the environmental values of the area of the site identified in the 'Ecological corridor' or 'Habitat linkage';</li> <li>b) the environmental values of adjoining and nearby land within the 'Ecological corridor' or 'Habitat linkage';</li> <li>c) the extent of any modification proposed to the natural environment including (but not limited to) vegetation and topography;</li> <li>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</li> <li>e) the ability for the 'Ecological corridor' or 'Habitat linkage' to be enhanced to improve ecological connectivity.</li> </ul> <p>Note – A supporting Ecological Assessment Report prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports may be appropriate to demonstrate compliance with PO8.</p>			<p>demonstrates compliance with the intent of the Performance Outcome.</p>

## 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 criteria column of an assessment table in Part 5 of the planning scheme.

Note: Natural Hazards are appropriately reflected in Overlay Map 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 interest of the precautionary principle and the safety of persons and property.

## Criteria for assessment

**Table 8.2.6.3A – Flood Hazard Overlay Code – for Self-Assessable and Assessable Development**

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>FOR SELF-ASSESSABLE AND ASSESSABLE DEVELOPMENT</b>			
<b>ALL FLOOD HAZARD AREAS</b>			
<b>PO1</b> Development prevents the carriage or dispersal of contaminants or pollutants into the receiving environment.	<b>AO1.1</b> The processing or storage of dangerous goods or hazardous materials is: <ul style="list-style-type: none"> <li>(a) not undertaken in a flood hazard area identified on the <b>Flood hazard overlay maps (OM-006a-o)</b>; or</li> <li>(b) is located above the defined flood level plus 0.3 metre freeboard</li> </ul>	<b>N/A</b>	The development will not involve the storage of any dangerous goods or hazardous materials. Compliance can also be conditioned.
<b>PO2</b> Essential community infrastructure is able to function effectively during and immediately after flood events.	<b>AO2.1</b> Design levels for buildings must comply with the flood immunity standards specified in <b>Table 8.2.6.3.B</b> and <b>Table 8.2.6.3.C</b> where within a flood hazard area identified on the <b>Flood hazard overlay maps (OM-006a-o)</b> .	<b>N/A</b>	The development does not involve any new buildings.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>EXTREME FLOOD HAZARD AREA</b>			
<b>PO3</b> Development, where involving a Material change of use within an 'Extreme flood hazard area' on the <b>Flood hazard overlay maps (OM006a-o)</b> , is appropriate to the flood hazard risk having regard to the: <ul style="list-style-type: none"> <li>(a) likelihood and frequency of flooding;</li> <li>(b) flood risk acceptability of development;</li> <li>(c) vulnerability of and safety risk to persons associated with the use;</li> <li>(d) associated consequences of flooding in regard to impacts on proposed buildings, structures, and supporting infrastructure; and</li> <li>(e) associated consequences of flooding in respect to undue burden on disaster response recovery capacity and capabilities.</li> </ul>	<b>A03.1</b> Uses within the following activity groups are not located within an 'Extreme flood hazard area identified' on the <b>Flood hazard overlay maps (OM006a-o)</b> : <ul style="list-style-type: none"> <li>(a) Accommodation activities;</li> <li>(b) Commercial activities;</li> <li>(c) Community activities except where for a Club with a maximum gross floor area of 100m<sup>2</sup>;</li> <li>(d) Industrial activities;</li> <li>(e) Rural activities, except where for Animal husbandry, Cropping, or Permanent plantation.</li> </ul>	N/A	The site is not subject to an 'Extreme Flood Hazard Area'.
	<b>A03.2</b> Sport and recreation activities are not located within an 'Extreme flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b> except where for: <ul style="list-style-type: none"> <li>(a) Environment facility;</li> <li>(b) Park; or</li> <li>(c) Outdoor sport and recreation (excluding the provision of ancillary facilities or amenities conducted within a building).</li> </ul>	N/A	As above.
<b>PO4</b> Development is located and designed to: <ul style="list-style-type: none"> <li>(a) maintain and enhance the flood conveyance capacity of the premises;</li> <li>(b) not increase the number of people calculated to be at risk from flooding;</li> <li>(c) not increase the flood impact on adjoining premises;</li> </ul>	<b>A04.1</b> Buildings, including extensions to existing buildings, are: <ul style="list-style-type: none"> <li>(a) not located within an 'Extreme flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b>; or</li> <li>(b) elevated above the defined flood level, with 0.3 metres freeboard from the defined flood level provided for habitable rooms within a dwelling.</li> </ul>	N/A	As above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>(d) ensure the safety of all persons by ensuring that development levels are set above the defined flood level;</p> <p>(e) reduce property damage; and</p> <p>(f) provide flood immune access to buildings.</p> <p>Note—Buildings may be constructed from flood resistant, waterproof materials below the defined flood level where certified by a qualified structural engineer to be flood proof (including the ability to withstand damage from floodwater and debris) and where an alternative outcome to AO4.1-AO4.4 is also demonstrated.</p> <p>Note—In the event that a lawful building or structure is destroyed by flood or other event the building may be replaced in situ where there is no increase in:</p> <ul style="list-style-type: none"> <li>i. gross floor area; or</li> <li>ii. the number of dwellings or bedrooms on the premises.</li> </ul>	<p><b>AO4.2</b></p> <p>All building work must be high set and retains the flood storage and conveyance capacity of the premises.</p> <p>Note—Building work must be certified by a qualified structural engineer to be flood proof including the ability to withstand damage from floodwater and debris.</p>	N/A	As above.
	<p><b>AO4.3</b></p> <p>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 <b>Flood hazard overlay maps (OM006a-o)</b>.</p>	N/A	As above.
	<p><b>AO4.4</b></p> <p>Development does not increase the number of lots in the 'Extreme flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b> except where for the purposes of public open space.</p>	N/A	As above.



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>PO5</b> 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"> <li>(a) flood storage capacity of land;</li> <li>(b) flood conveyance function of land;</li> <li>(c) flood and drainage channels;</li> <li>(d) overland flow paths; and</li> <li>(e) flood warning times.</li> </ul>	<b>AO5.1</b> Filling above ground level is not undertaken in the 'Extreme flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b> .	N/A	As above.
<b>HIGH FLOOD HAZARD AREA</b>			
<b>PO6</b> Development, where for a Material change of use within a 'High flood hazard area' identified on the <b>Flood hazard overlay maps (OM-006a-o)</b> , is appropriate to the flood hazard risk having regard to the: <ul style="list-style-type: none"> <li>(a) likelihood and frequency of flooding;</li> <li>(b) flood risk acceptability of development;</li> <li>(c) vulnerability of and safety risk to persons associated with the use;</li> <li>(d) associated consequences of flooding in regard to impacts on proposed buildings, structures and supporting infrastructure; and</li> <li>(e) associated consequences of flooding in respect to undue burden on disaster response recovery capacity and capabilities.</li> </ul>	<b>AO6.1</b> Uses within the following activity groups are not located within a 'High flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b> : <ul style="list-style-type: none"> <li>(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;</li> <li>(b) Community activities except where for a Club with a maximum gross floor area of 100m<sup>2</sup>;</li> <li>(c) Rural activities, except where for Animal husbandry, Cropping or Permanent plantation.</li> </ul>	N/A	The site is not subject to a 'High Flood Hazard Area'.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	<p><b>AO6.2</b></p> <p>Sport and recreation activities are not located within a 'High flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b> except where for:</p> <ul style="list-style-type: none"> <li>(a) Environment facility;</li> <li>(b) Park; or</li> <li>(c) Outdoor sport and recreation (excluding the provision of ancillary facilities or amenities conducted within a building).</li> </ul>	N/A	As above.
<p><b>PO7</b></p> <p>Development is located and designed to:</p> <ul style="list-style-type: none"> <li>(a) maintain hydrological function of the premises;</li> <li>(b) not increase the number of people calculated to be at risk from flooding;</li> <li>(c) minimises the flood impact on adjoining premises;</li> <li>(d) ensure the safety of all persons by ensuring that an appropriate proportion of buildings are set above the defined flood level;</li> <li>(e) reduce the carriage of debris in flood waters;</li> <li>(f) reduce property damage; and</li> <li>(g) provide flood immune access to buildings.</li> </ul> <p>Note—Buildings may be constructed from flood resistant, waterproof materials below the defined flood level where certified by a qualified structural engineer to be flood proof (including the ability to withstand damage from floodwater and debris) and where an alternative outcome to AO8.1-AO8.9 is also demonstrated.</p>	<p><b>AO7.1</b></p> <p>Buildings, including extensions to existing buildings are:</p> <ul style="list-style-type: none"> <li>(a) not located within the 'High flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b>; or</li> <li>(b) elevated above the defined flood level, with 0.3 metres freeboard from the defined flood level provided for habitable rooms within a dwelling.</li> </ul> <p>OR</p>	N/A	As above.
	<p><b>AO7.2</b></p> <p>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"> <li>(a) administrative areas; or</li> <li>(b) services, plant and equipment associated with the building.</li> </ul> <p>Note—AO8.2 accepts that the cost of flood impact is an operational cost of the Commercial activity or Industrial activity.</p>	N/A	As above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	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.		
	<b>A07.3</b> 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.	N/A	As above.
	<b>A07.4</b> 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 <b>Flood hazard overlay maps (OM006a-o)</b> .	N/A	As above.
	<b>A07.5</b> 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	As above.
	<b>A07.6</b> Dwellings do not exceed four bedrooms.	N/A	As above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	<b>A07.7</b> Building work on an existing dwelling does not comprise additional bedrooms.	N/A	As above.
	<b>A07.8</b> 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	As above.
	<b>A07.9</b> Development does not increase the number of lots in the 'High flood hazard area; as identified on the <b>Flood hazard overlay maps (OM006a-o)</b> except where for the purposes of public open space.	N/A	As above.
<b>P08</b> 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"> <li>(a) flood storage capacity of land;</li> <li>(b) flood conveyance function of land;</li> <li>(c) flood and drainage channels;</li> <li>(d) overland flow paths; and</li> <li>(e) flood warning times.</li> </ul>	<b>A08.1</b> Filling above ground level is not undertaken in the 'High flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b> .	N/A	As above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>SIGNIFICANT FLOOD HAZARD AREA</b>			
<b>PO9</b> Development, involving a Material change of use, within a 'Significant flood hazard area' on the <b>Flood hazard overlay maps (OM006a-o)</b> is appropriate to the flood hazard risk having regard to the: <ul style="list-style-type: none"> <li>(a) likelihood and frequency of flooding;</li> <li>(b) flood risk acceptability of development;</li> <li>(c) vulnerability of and safety risk to persons associated with the use;</li> <li>(d) associated consequences of flooding in regard to impacts on proposed buildings, structures and supporting infrastructure; and</li> <li>(e) associated consequences of flooding in respect to undue burden on disaster response recovery capacity and capabilities.</li> </ul>	<b>AO9.1</b> The following uses are not located within a 'Significant flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b> : <ul style="list-style-type: none"> <li>(a) Residential care facility;</li> <li>(b) Retirement facility;</li> <li>(c) Child care centre;</li> <li>(d) Hospital; or</li> <li>(e) Community use.</li> </ul>	<b>N/A</b>	The site is not subject to a 'Significant Flood Hazard Area'.
<b>SIGNIFICANT FLOOD HAZARD AREA, LOW FLOOD HAZARD AREA OR POTENTIAL FLOOD HAZARD AREA</b>			
<b>PO10</b> Development, where involving a Material change of use or Building work, is located and designed to: <ul style="list-style-type: none"> <li>(a) maintain hydrological function of the premises;</li> <li>(b) not increase the number of people calculated to be at risk from flooding;</li> <li>(c) minimises the flood impact on adjoining premises;</li> </ul>	<b>AO10.1</b> Buildings, including extensions to existing buildings are: <ul style="list-style-type: none"> <li>(a) elevated above the defined flood level; and</li> <li>(b) the defined flood event does not exceed a depth of 600mm; and</li> <li>(c) elevated above the defined flood level plus 0.3 metres freeboard where for habitable rooms within a dwelling.</li> </ul> OR	<b>N/A</b>	The development does not involve any 'buildings'.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>(d) ensure the safety of all persons by ensuring that a proportion of buildings are set above the defined flood level;</p> <p>(e) reduce the carriage of debris in flood waters;</p> <p>(f) reduce property damage; and</p> <p>(g) provide flood immune access to buildings.</p> <p>Note—Where the development is located in a 'Potential flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b> 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><b>AO10.2</b></p> <p>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> <p>(a) administrative areas; or</p> <p>(b) services, plant and equipment associated with the building.</p> <p>Note—AO10.2 accepts that the cost of flood impact is an operational cost of the Commercial activity or Industrial activity.</p> <p>Note—Building work must be certified by a qualified structural engineer to be flood proof including the ability to withstand damage from floodwater and debris.</p>	N/A	As above.
	<p><b>AO10.3</b></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>	N/A	As above.
<p><b>PO11</b></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> <p>(a) flood storage capacity of land;</p> <p>(b) flood conveyance function of land;</p> <p>(c) flood and drainage channels;</p> <p>(d) overland flow paths; and</p> <p>(e) flood warning times.</p>	<p><b>AO11.1</b></p> <p>Development does not involve in excess of 50m<sup>3</sup> of fill above ground level per 1,000m<sup>2</sup> of site area.</p>	N/A	As above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>FOR ASSESSABLE DEVELOPMENT</b>			
<b>WHERE FOR MATERIAL CHANG 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 THEN A DWELLING HOUSE</b>			
<p><b>PO12</b></p> <p>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"> <li>(a) indicates the position and path of all safe evacuation routes off the site; and</li> <li>(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.</li> </ul> <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 <b>Flood hazard overlay map (OM006a-o)</b> 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><b>AO12.1</b></p> <p>No acceptable outcome is provided.</p>	<p><b>N/A</b></p>	<p>The site is not subject to a 'Extreme, High or Significant Flood Hazard Area'.</p>



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>SIGNIFICANT FLOOD HAZARD AREA, LOW FLOOD HAZARD AREA, OR POTENTIAL FLOOD HAZARD AREA.</b>			
<p><b>PO13</b></p> <p>Development, where involving Reconfiguring a lot, is located and designed to:</p> <ul style="list-style-type: none"> <li>(a) maintain hydrological function of the premises;</li> <li>(b) not increase the number of people calculated to be at risk from flooding;</li> <li>(c) minimises the flood impact on adjoining premises;</li> <li>(d) ensure the safety of all persons by ensuring that a proportion of buildings are set above the defined flood level;</li> <li>(e) reduce the carriage of debris in flood waters;</li> <li>(f) reduce property damage; and</li> <li>(g) provide flood immune access to buildings.</li> </ul> <p>Note—Where the development is located in a 'Potential flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b> 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><b>AO13.1</b></p> <p>No acceptable outcome is provided.</p>	<b>N/A</b>	The development does not involve Reconfiguring a Lot.

### 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.

### Criteria for assessment

**Table 9.4.3.3A – Parking and Access Code – For accepted development subject to requirements and assessable development**

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>FOR ACCEPTED DEVELOPMENT SUBJECT TO REQUIREMENTS AND ASSESSABLE DEVELOPMENT</b>			
<b>CAR PARKING SPACES</b>			
<b>PO1</b> 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"> <li>(a) nature of the use;</li> <li>(b) location of the site;</li> <li>(c) proximity of the use to public transport services;</li> <li>(d) availability of active transport infrastructure; and</li> <li>(e) accessibility of the use to all members of the community.</li> </ul>	<b>AO1</b> The number of car parking spaces provided for the use is in accordance with <b>Table 9.4.3.3B</b> .  Note—Car parking spaces provided for persons with a disability are to be considered in determining compliance with AO1.	<b>N/A</b>	As the development does not involve any dwellings or guest rooms, no dedicated vehicular car parking spaces are required.
<b>VEHICLE CROSSOVERS</b>			
<b>PO2</b> Vehicle crossovers are provided to: <ul style="list-style-type: none"> <li>(a) ensure safe and efficient access between the road and premises;</li> </ul>	<b>AO2.1</b> 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.	<b>YES</b>	It is not proposed to upgrade the existing vehicular access to the site from Fichera Road as the development will only generate a maximum of four (4) vehicle movements per day (2 x coaches visiting the site each day). Based on these very minor amount of vehicle movements, we are of the view that the existing access

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
(b) minimize interference with the function and operation of roads; and (c) minimise pedestrian to vehicle conflict.			is considered suitable to comply with the Performance Outcome, as is outlined below: <ul style="list-style-type: none"> <li>a) The access to the site from Fichera Road is sealed and has a width of approximately five (5) metres, which is more than enough width for vehicles and buses to safely pass each other. Sight distances are also in general, suitable;</li> <li>b) Due to the very small number of vehicle movements, combined with the anticipated small number of vehicles that utilise this section of Fichera Road, we do not envision that the utilisation of the site for the development, will result in any negative, unacceptable impacts on the continued safe and efficient function of Fichera Road; and</li> <li>c) We would not consider this point applicable in the rural zone.</li> </ul>
	<b>AO2.2</b> Development on a site with two or more road frontages provides vehicular access from: <ul style="list-style-type: none"> <li>(a) the primary frontage where involving Community activities or Sport and recreation activities, unless the primary road frontage is a State-controlled road; or</li> <li>(b) from the lowest order road in all other instances.</li> </ul>	<b>N/A</b>	The site does not have two (2) road frontages.
	<b>AO2.3</b> Vehicular access for particular uses is provided in accordance with <b>Table 9.4.3.3E</b> .	<b>N/A</b>	The development is not a listed use in <b>Table 9.4.3.3E</b> .

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p><b>PO3</b></p> <p>Access, manoeuvring and car parking areas include appropriate pavement treatments having regard to:</p> <ul style="list-style-type: none"> <li>(a) the intensity of anticipated vehicle movements;</li> <li>(b) the nature of the use that they service; and</li> <li>(c) the character of the surrounding locality.</li> </ul>	<p><b>AO3.1</b></p> <p>Access, manoeuvring and car parking areas include pavements that are constructed in accordance with <b>Table 9.4.3.3C</b>.</p>	<p><b>YES</b></p>	<p>Due to the very low number of vehicle movements per day that the development will generate, it is not proposed to upgrade the existing on-site access, nor the proposed manoeuvring or bus parking/set-down area with 150mm thick compacted gravel, as is required by <b>Table 9.4.3.3C</b>. As a result, an assessment against the Performance Outcome is required to demonstrate compliance. This assessment is provided below:</p> <ul style="list-style-type: none"> <li>a) As previously mentioned, due to the very low number of vehicle movements expected to be generated by the development, it is considered that the existing unsealed access driveway and the proposed, unsealed bus parking/set-down and manoeuvring areas adjacent to this driveway, are in this instance, appropriate;</li> <li>b) The development is for bush style dining activities with the intent to provide guests with an authentic 'bush-style' experience. Having large lengths of sealed driveways, car parking areas etc., will detract from this intent and the overall guest experience which is sought to be delivered by the Applicant and acquired by the guests; and</li> <li>c) The character of the surrounding locality is one of a rural nature, in which some negative amenity impacts because of noise, dust, odours etc., can be expected. The closest adjacent dwellings are located some 200m to the east and west. Given the separation that will be achieved between the development and the existing, adjacent dwellings, it is not expected that the</li> </ul>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
			development will result in any negative amenity impacts, over and above that which are already present, or that could be reasonably expected in a rural area. Finally, a large number of adjacent allotments also have long, unsealed driveways. Hence, we are of the view that by retaining the existing unsealed access tracks and not sealing the proposed coach parking/set-down and manoeuvring areas, will not result in the development having an unacceptable, negative impact on the character of the surrounding locality.
<b>FOR ASSESSABLE DEVELOPMENT</b>			
<b>PARKING AREA LOCATION AND DESIGN</b>			
<b>PO4</b> 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.	<b>AO4.1</b> Car parking spaces, access and circulation areas have dimensions in accordance with AS/NZS 2890.1 Off-street car parking.	<b>N/A</b>	The development does not involve any formalised car parking spaces or access/circulation areas.
	<b>AO4.2</b> 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.	<b>N/A</b>	As above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	<b>AO4.3</b> The car parking area includes designated pedestrian routes that provide connections to building entrances.	N/A	The development does not involve any buildings.
	<b>AO4.4</b> Parking and any set down areas are: <ul style="list-style-type: none"> <li>(a) wholly contained within the site;</li> <li>(b) visible from the street where involving Commercial activities, Community activities, Industrial activities or a use in the Recreation and open space zone;</li> <li>(c) are set back behind the main building line where involving a Dual occupancy, Multiple dwelling, Residential care facility or Retirement facility; and</li> <li>(d) provided at the side or rear of a building in all other instances.</li> </ul>	YES	The development complies with the Acceptable Outcome, as is outlined below: <ul style="list-style-type: none"> <li>a) The parking/set down area for the coaches will be wholly contained within the site (see <b>Attachment 2</b>);</li> <li>b) The development does not include any of the listed activities, while the site is not located in the Recreation and Open Space zone;</li> <li>c) The development does not include any of the listed uses; and</li> <li>d) The development does not involve any buildings.</li> </ul>
<b>SITE ACCESS AND MANOEUVRING</b>			
<b>PO5</b> Access to, and manoeuvring within, the site is designed and located to: <ul style="list-style-type: none"> <li>(a) ensure the safety and efficiency of the external road network;</li> <li>(b) ensure the safety of pedestrians;</li> <li>(c) provide a functional and convenient layout; and</li> </ul> accommodate all vehicles intended to use the site.	<b>AO5.1</b> Access and manoeuvrability is in accordance with : <ul style="list-style-type: none"> <li>(a) AS28901 – Car Parking Facilities (Off Street Parking); and</li> <li>(b) AS2890.2 – Parking Facilities (Off-street Parking) Commercial Vehicle Facilities.</li> </ul> Note—Proposal plans should include turning circles designed in accordance with AP34/95 (Austroads 1995) Design Vehicles and Turning Path Templates.	YES	As the on-site access and manoeuvrability areas will be informal, they will not be in accordance with the standards listed in the Acceptable Outcome. As a result, an assessment against the Performance Outcome is required to demonstrate compliance. This assessment is provided below: <ul style="list-style-type: none"> <li>a) Due to the very small number of vehicle movements associated with the development, combined with the anticipated small number of vehicles that utilise this section of Fichera Road, we do not envision that the safety or efficiency of</li> </ul>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
			<p>Fichera Road will be negatively impacted upon as a result of the development;</p> <p>b) We would not consider this point applicable in the rural zone; and</p> <p>c) Please refer to the response to PO3 above for commentary in relation to the suitability of the proposed on-site access and manoeuvring areas.</p>
	<p><b>A05.2</b></p> <p>Vehicular access has a minimum sight distance in accordance with Part 5 of AUSTROADS.</p>	<b>N/A</b>	The development does not involve a new vehicular access to the site.
	<p><b>A05.3</b></p> <p>Vehicular access is located and designed so that all vehicles enter and exit the site in a forward gear.</p>	<b>YES</b>	All vehicles will be able to enter and exit the site in a forward gear.
	<p><b>A05.4</b></p> <p>Pedestrian and cyclist access to the site:</p> <p>(a) is clearly defined;</p> <p>(b) easily identifiable; and</p> <p>(c) provides a connection between the site frontage and the entrance to buildings and end of trip facilities (where provided).</p>	<b>N/A</b>	Given the sites location in the rural zone, it is not considered reasonable or relevant to cater for pedestrian or cyclists.
<p><b>PO6</b></p> <p>Development that involves an internal road network ensures that it's design:</p> <p>(a) ensure safety and efficiency in operation;</p>	<p><b>A06.1</b></p> <p>Internal roads for a Tourist park have a minimum width of:</p> <p>(a) 4 metres if one way; or</p> <p>(b) 6 metres if two way.</p>	<b>N/A</b>	The development is not for a 'Tourist Park'.



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>(b) does not impact on the amenity of residential uses on the site and on adjoining sites, having regard to matters of:</p> <ul style="list-style-type: none"> <li>(i) hours of operation;</li> <li>(ii) noise</li> <li>(iii) light; and</li> <li>(iv) odour;</li> </ul> <p>(c) accommodates the nature and volume of vehicle movements anticipated to be generated by the use;</p> <p>(d) allows for convenient access to key on-site features by pedestrians, cyclists and motor vehicles; and</p> <p>(e) in the Rural zone, avoids environmental degradation.</p>	<p><b>AO6.2</b></p> <p>For a Tourist park, internal road design avoids the use of cul-de-sacs in favour of circulating roads, where unavoidable, cul-de-sacs provide a full turning circle for vehicles towing caravans having:</p> <ul style="list-style-type: none"> <li>(a) a minimum approach and departure curve radius of 12 metres; and</li> <li>(b) a minimum turning circle radius of 8 metres.</li> </ul>	N/A	As above.
	<p><b>AO6.3</b></p> <p>Internal roads are imperviously sealed and drained, apart from those for an Energy and infrastructure activity or Rural activity.</p>	N/A	The development does not involve an internal road network (just an access driveway).
	<p><b>AO6.4</b></p> <p>Speed control devices are installed along all internal roads, apart from those for an Energy and infrastructure activity or Rural activity, in accordance with Complete Streets.</p>	N/A	As above.
	<p><b>AO6.5</b></p> <p>Internal roads, apart from those for an Energy and infrastructure activity or Rural activity, are illuminated in accordance with AS 4282 (as amended) - Control of Obtrusive effects of outdoor lighting.</p>	N/A	As above.
	<p><b>AO6.6</b></p> <p>Where involving an accommodation activity, internal roads facilitate unobstructed access to every dwelling, accommodation unit, accommodation site and building by emergency services vehicles.</p>	N/A	As above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	<b>A06.7</b> 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	As above.
<b>SERVICING</b>			
<b>PO7</b> Development provides access, maneuvering and servicing areas on site that: (a) accommodate a service vehicle commensurate with the likely demand generated by the use; (b) do not impact on the safety or efficiency of internal car parking or maneuvering areas; (c) do not adversely impact on the safety or efficiency of the road network; (d) provide for all servicing functions associated with the use; and (e) are located and designed to minimise their impacts on adjoining sensitive land uses and streetscape quality.	<b>A07.1</b> 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.	YES	Compliance can be conditioned.
	<b>A07.2</b> Unloading, loading, service and waste disposal areas allow service vehicles to enter and exit the site in a forward gear.	YES	All vehicles will be able to enter and exit the site in a forward gear.
	<b>A07.3</b> Development provides a servicing area, site access and maneuvering areas to accommodate the applicable minimum servicing vehicle specified in <b>Table 9.4.3.3B</b> .	YES	Compliance can be conditioned.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>MAINTENANCE</b>			
<b>PO8</b> Parking areas are used and maintained for their intended purpose.	<b>AO8.1</b> Parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking and circulation of vehicles.	<b>YES</b>	Compliance can be conditioned for the informal bus parking/set-down area.
	<b>AO8.2</b> All parking areas will be compacted, sealed, drained, line marked and maintained until such time as the development ceases.	<b>YES</b>	Please see response to AO3.1 above.
<b>END OF TRIP FACILITIES</b>			
<b>PO9</b> Development within the Centre zone; Industry zone or Emerging community zone provides facilities for active transport users that: <ul style="list-style-type: none"> <li>(a) meet the anticipated demand generated from the use;</li> <li>(b) comprise secure and convenient bicycle parking and storage; and</li> <li>(c) provide end of trip facilities for all active transport users.</li> </ul>	<b>AO9.1</b> The number of bicycle parking spaces provided for the use is in accordance with <b>Table 9.4.3.3D</b> .	<b>N/A</b>	Nature Based Tourism uses are not listed in <b>Table 9.4.3.3D</b> .
	<b>AO9.2</b> End of trip facilities are provided in accordance with <b>Table 9.4.3.3D</b> .	<b>N/A</b>	As above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>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.</b>			
<b>P10</b> 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.	<b>AO10.1</b> A traffic impact report is prepared by a suitably qualified person that identifies: (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.	<b>N/A</b>	The development does not involve an Educational Establishment, Child Care Centre, more than 100 vehicle movements per day, a Renewable Energy Facility, Sport and Recreation Activity, nor a Tourist Park.
<b>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.</b>			
<b>PO11</b> 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.	<b>AO11.1</b> A traffic impact report is prepared by a suitably qualified person that identifies: (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.	<b>N/A</b>	As above.

### 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.

### 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 MEASURES	COMPLIES	COMMENT
<b>FOR ACCEPTED DEVELOPMENT SUBJECT TO REQUIREMENTS AND ASSESSABLE DEVELOPMENT</b>			
<b>WATER SUPPLY</b>			
<b>PO1</b> Each lot has an adequate volume and supply of water that: <ul style="list-style-type: none"> <li>(a) meets the needs of users;</li> <li>(b) is adequate for fire-fighting purposes;</li> <li>(c) ensures the health, safety and convenience of the community; and</li> <li>(d) minimises adverse impacts on the receiving environment.</li> </ul>	<b>AO1.1</b> 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"> <li>(a) in the Conservation zone, Rural zone or Rural residential zone; and</li> <li>(b) outside a reticulated water supply service area.</li> </ul>	<b>N/A</b>	The site is in the rural zone and not connected to a reticulated water supply.
	<b>AO1.2</b> 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"> <li>(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</li> <li>(b) on-site water storage tank/s:</li> </ul>	<b>YES</b>	It is not proposed to provide a permanent on-site water supply in accordance with the development requirements listed in the Acceptable Measures. As there are no permanent building or structures, this is not considered a reasonable requirement in this instance. Instead, all water will be bought to site each day. Regardless, for completeness, an assessment against the Performance Outcome has been provided below to demonstrate compliance:

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	<ul style="list-style-type: none"> <li>(i) with a minimum capacity of 90,000L;</li> <li>(ii) fitted with a 50mm ball valve with a camlock fitting; and</li> <li>(iii) which are installed and connected prior to the occupation or use of the development.</li> </ul>		<ul style="list-style-type: none"> <li>a) Water sufficient for the needs of the development will be brought to site each day to ensure the needs of staff and guests are met;</li> <li>b) Due to the development not involving any new permanent buildings or structures, nor the permanent relocation of persons to the site, i.e. the site will only be occupied for a few hours a day, we do not consider the requirement to provide any of the water storage devices listed in the Acceptable Outcome as reasonable in this instance. For example, if guests were on site during a bushfire, they would be placed on the parked coaches and driven from the site. Again, given the scale and nature of the development, this approach is considered suitable to maintain the safety of guests and in turn, comply with the intent of the Performance Outcome.</li> <li>c) The proposal to bring water to the site each day will not have any unacceptable, negative impacts on the community; and</li> <li>d) The proposal to bring water to the site each day will ensure the development has no environmental impacts as a result of water extraction or storage.</li> </ul>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>WASTEWATER DISPOSAL</b>			
<b>PO2</b> Each lot provides for the treatment and disposal of effluent and other waste water that: <ul style="list-style-type: none"> <li>(a) meets the needs of users;</li> <li>(b) is adequate for fire-fighting purposes;</li> <li>(c) ensures the health, safety and convenience of the community; and</li> <li>(d) minimises adverse impacts on the receiving environment.</li> </ul>	<b>AO2.1</b> 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"> <li>(a) in the Conservation zone, Rural zone or Rural residential zone; and</li> <li>(b) outside a reticulated sewerage service area.</li> </ul>	<b>N/A</b>	The site is in the rural zone and not connected to a reticulated sewerage supply.
	<b>AO2.2</b> 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"> <li>(a) in the Conservation zone, Rural zone or Rural residential zone; and</li> <li>(b) outside a reticulated sewerage service area.</li> </ul>	<b>YES</b>	It is not proposed to provide an effluent disposal system in accordance with the standards listed in the Acceptable Measures. Instead, portable toilets are proposed. As a result, an assessment against the Performance Outcome is required to demonstrate compliance. This assessment is provided below: <ul style="list-style-type: none"> <li>a) Portable toilets will be provided, and a private contractor hired for maintenance. Given the short time guests will spend on site, this proposal is considered suitable to meet the needs of all staff and guests;</li> <li>b) The effluent disposal system is not considered applicable to firefighting;</li> <li>c) The proposal to use portable toilets will not have any unacceptable, negative impacts on the community; and</li> <li>d) Portable toilets will ensure there is no effluent leaching into the ground and contaminating the adjacent, receiving</li> </ul>



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
			environment. Compliance can also be conditioned.
<b>STORMWATER INFRASTRUCTURE</b>			
<b>PO3</b> 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.	<b>AO3.1</b> 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.	<b>N/A</b>	The site is not located within a Priority Infrastructure Area.
	<b>AO3.2</b> On-site drainage systems are constructed: <ul style="list-style-type: none"> <li>(a) to convey stormwater from the premises to a lawful point of discharge; and</li> <li>(b) in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</li> </ul>	<b>YES</b>	The development does not involve any new stormwater drainage systems, nor does it propose to alter the existing drainage regime on the site, with all stormwater continuing to flow, via sheet flow, towards the adjacent waterway, being the lawful point of discharge.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>ELECTRICITY SUPPLY</b>			
<b>PO4</b> Each lot is provided with an adequate supply of electricity	<b>AO4</b> 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.	<b>YES</b>	The site is connected to the electricity supply network.
<b>TELECOMMUNICATIONS INFRASTRUCTURE</b>			
<b>PO5</b> Each lot is provided with an adequate supply of telecommunication infrastructure	<b>AO5</b> Development is provided with a connection to the national broadband network or telecommunication services.	<b>YES</b>	As the development does not involve any permanent buildings or structures, it is considered unreasonable to require a connection to telecommunications services. Instead, staff will carry mobile phones to ensure that an adequate telecommunications service is provided for the development. This will ensure compliance with the intent of the Performance Outcome.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>EXISTING PUBLIC UTILITY SERVICES</b>			
<b>PO6</b> Development and associated works do not affect the efficient functioning of public utility mains, services or installations.	<b>AO6</b> 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.	<b>N/A</b>	The development does not involve alterations to any existing public utility services.
<b>EXCAVATION OR FILLING</b>			
<b>PO7</b> 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.	<b>AO7.1</b> Excavation or filling does not occur within 1.5 metres of any site boundary.	<b>N/A</b>	The development does not involve any excavation or filling.
	<b>AO7.2</b> Excavation or filling at any point on a lot is to be no greater than 1.5 metres above or below natural ground level.	<b>N/A</b>	As above.
	<b>AO7.3</b> 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.	<b>N/A</b>	As above.

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

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>FOR ASSESSABLE DEVELOPMENT</b>			
<b>TRANSPORT NETWORK</b>			
<b>PO8</b> The development has access to a transport network of adequate standard to provide for the safe and efficient movement of vehicles, pedestrians and cyclists.	<b>AO8.1</b> 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.	<b>N/A</b>	The development does not involve the provision of any of the development aspects listed in the Acceptable Measure.
	<b>AO8.2</b> Development provides footpath pavement treatments in accordance with Planning Scheme Policy 9 – Footpath Paving.	<b>N/A</b>	The site does not have a frontage to a main/business street and hence, Planning Scheme Policy 9 is not applicable.
<b>PUBLIC INFRASTRUCTURE</b>			
<b>PO9</b> 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.	<b>AO9</b> Development is in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	<b>N/A</b>	The development does not involve the provision of any public infrastructure.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>STORMWATER QUALITY</b>			
<b>PO10</b> Development has a non-worsening effect on the site and surrounding land and is designed to: <ul style="list-style-type: none"> <li>(a) optimise the interception, retention and removal of waterborne pollutants, prior to the discharge to receiving waters;</li> <li>(b) protect the environmental values of waterbodies affected by the development, including upstream, on-site and downstream waterbodies;</li> <li>(c) achieve specified water quality objectives;</li> <li>(d) minimise flooding;</li> <li>(e) maximise the use of natural channel design principles;</li> <li>(f) maximise community benefit; and</li> <li>(g) minimise risk to public safety.</li> </ul>	<b>AO10.1</b> The following reporting is prepared for all Material change of use or Reconfiguring a lot proposals: <ul style="list-style-type: none"> <li>(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</li> <li>(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"> <li>(i) drainage control;</li> <li>(ii) erosion control;</li> <li>(iii) sediment control; and</li> <li>(iv) water quality outcomes.</li> </ul> </li> </ul>	<b>YES</b>	Due to the size of the development and combined with the fact that it does not involve any permanent buildings or structures, it is not considered reasonable to require either a Stormwater Management Plan nor an Erosion and Sediment Control Plan in this instance.  We acknowledge the potential for the use to have minor stormwater quality impacts on the adjacent waterway, although we are of the view that this can be addressed through conditions of approval i.e., ensuring no food, waste, oils etc. is left or spilled on to the ground to guarantee that the development does not contaminate any stormwater from the site before it drains in to, via sheet flow, the adjacent waterway. This will ensure compliance with the intent of the Performance Outcome.
	<b>AO10.2</b> For development on land greater than 2,500m <sup>2</sup> 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: <ul style="list-style-type: none"> <li>(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;</li> </ul>	<b>YES</b>	As above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	(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.		
<b>PO11</b> 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.	<b>AO11</b> No acceptable outcome is provided.	<b>N/A</b>	The development does not require any stormwater detention/retention areas.
<b>EXCAVATION OR FILLING</b>			
<b>PO12</b> Traffic generated by filling or excavation does not impact on the amenity of the surrounding area.	<b>AO12.1</b> Haul routes used for transportation of fill to or from the site only use major roads and avoid residential areas.	<b>N/A</b>	The development does not involve any excavation or filling.
	<b>AO12.2</b> 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.	<b>N/A</b>	As above.



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>PO13</b> Air pollutants, dust and sediment particles from excavation or filling, do not cause significant environmental harm or nuisance impacts.	<b>AO13.1</b> Dust emissions do not extend beyond the boundary of the site.	N/A	As above.
	<b>AO13.2</b> No other air pollutants, including odours, are detectable at the boundary of the site.	N/A	As above.
	<b>AO13.3</b> A management plan for control of dust and air pollutants is prepared and implemented.	N/A	As above.
<b>PO14</b> Access to the premises (including driveways and paths) does not have an adverse impact on: <ul style="list-style-type: none"> <li>(a) safety;</li> <li>(b) drainage;</li> <li>(c) visual amenity; and</li> <li>(d) privacy of adjoining premises.</li> </ul>	<b>AO14</b> Access to the premises (including all works associated with the access): <ul style="list-style-type: none"> <li>(a) must follow as close as possible to the existing contours;</li> <li>(b) be contained within the premises and not the road reserve, and</li> <li>(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.</li> </ul>	N/A	As above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<b>WEED AND PEST MANAGEMENT</b>			
<b>PO15</b> Development prevents the spread of weeds, seeds or other pests into clean areas or away from infested areas.	<b>AO15</b> No acceptable outcome is provided.	<b>YES</b>	Compliance can be conditioned.
<b>CONTAMINATED LAND</b>			
<b>PO16</b> Development is located and designed to ensure that users and nearby sensitive land uses are not exposed to unacceptable levels of contaminants	<b>AO16</b> 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.	<b>YES</b>	To the best of Urban Syncs knowledge, the site is not on the contaminated land or environmental management registers.
<b>FIRE SERVICES IN DEVELOPMENTS ACCESSED BY COMMON PRIVATE TITLE</b>			
<b>PO17</b> Fire hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	<b>AO17.1</b> 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.	<b>N/A</b>	Neither the development/site involve any community title areas.
	<b>AO17.2</b> Fire hydrants are located at all intersections of accessways or private roads held in common private title.	<b>N/A</b>	As above.