

RPS



P URP-ROL  
PLANNING

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PRS Australia East Pty Ltd ABN 44 140 292 762  
A member of the RPS Group Plc

Our Ref: PR141152/OLD/SD/L77832  
Your Ref: RAL/18/0024  
Date: 4 September 2018

Attn: Brian Millard  
Chief Executive Officer  
Mareeba Shire Council  
PO Box 154  
Mareeba QLD 4880

Via: Mail

Dear Sir,

**RE: AMENDED APPLICATION FOR A DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT, (1 LOT INTO 2 LOTS) OVER LAND LOCATED AT MAREEBA DIMBULAH ROAD, MUTCHILBA, FORMALLY DESCRIBED AS LOT 466 ON HG547 AND LOT 291 ON SP129914**

RPS Australia East Pty Ltd confirms that we act on behalf of Facas Pty Ltd (the 'applicant') in relation to the above application to Mareeba Shire Council.

This application seeks to replace Development Application (RAL/18/0024) for Reconfiguration of a Lot in order to subdivide Lot 466 on HG547 into 2 parts and includes Lot 291 on SP129914 as part of the application. In support of this application, please find attached the following:

- Completed Application Form 1, included as **Attachment 1**;
- Certificate of Title and Owner's Consent, included as **Attachment 2**;
- Owner's Consent from Department of Transport and Main Roads, included as **Attachment 3**;
- Reconfiguration of a Lot Plan (RPS Drawing No. PR141152-1 A), included as **Attachment 4**;
- Regulated Vegetation Management Map, included as **Attachment 5**;
- Assessment of State Code 2: Development in a railway corridor, included as **Attachment 6**.

The applicable application fee of \$1,015.00 (no GST) is currently being retained by Mareeba Shire Council awaiting lodgement of this amended application, on the basis that the previous application was withdrawal.

## 1.0 Site Information

### 1.1 Site Details

Key details of the subject site include:

<b>Address:</b>	Mareeba Dimbulah Road, Via Mutchilba
<b>Real Property Description/ Site Area:</b>	Lot 466 on HG547 and Lot 291 on SP129914

THE ORIGINAL OF THIS DOCUMENT  
CAN BE FOUND ON **PHYSICAL FILE**  
RAL/18/0024  
LOCATION PLANNING

<b>Lot Size:</b>	141.2 hectares
<b>Land Owners:</b>	Facas Pty Ltd
<b>Easements / Encumbrances:</b>	none

## 1.2 Planning Context

The planning context relating to the site includes:

<b>Planning Scheme Zone:</b>	"Rural"
<b>Relevant Overlays:</b>	<ul style="list-style-type: none"> <li>▪ Agricultural Land Overlay</li> <li>▪ Bushfire Hazard Overlay</li> <li>▪ Environmental Significance Overlay</li> <li>▪ Potential Flood Hazard Overlay</li> </ul>

## 1.3 Site Characteristics

<b>Topography:</b>	The site is relatively flat with variances in topography in and adjacent to existing drainage lines.
<b>Vegetation:</b>	The site has been historically cleared for the purposes of cropping and grazing. A review of the DA mapping indicated that a stand of Category B (remnant vegetation) is located within the north eastern portion of existing Lot 466. No change to the regulated vegetation within the subject land is proposed under amendments to the Vegetation Management Act.
<b>Waterways:</b>	An unnamed tributary of the Walsh River traverses Proposed Lot 1 and forms a defining boundary for the crop production area.
<b>Road Frontage:</b>	Proposed Lot 2 has road frontage of approximately 684 metres to Mareeba Dimbulah Road. The proposal includes the provision of road access between Proposed Lot 1 and Mareeba Dimbulah Road, with a frontage of approximately 370 metres.
<b>Existing Use:</b>	Mangoes and grazing

## 2.0 Surrounding Land Uses

The subject site and the surrounding locality of Mutchilba are predominately utilised for rural production namely sugar cane, grazing and crop production. Sparsely vegetated areas designated as Category B Regulated Vegetation, (**Attachment 5**), are located to the north, south and east of the subject site. The site is zoned rural and the intent of the rural zone is for the provision of rural uses including cropping and grazing.

Ancillary farm buildings associated with current horticultural production will not be impacted by the proposed development.

## 3.0 Proposed Development

This application seeks a Development Permit for Reconfiguration of a Lot (1 Lot into 2 Lots) over land located at Mareeba Dimbulah Road, Mutchilba, for the purposes of incorporating all current horticultural production areas within Proposed Lot 1 and creating direct access to Proposed Lot 1 from Mareeba Dimbulah Road. The applicant's intent is to retain Proposed Lot 2 for future grazing operations and at a later date relinquish the horticultural crop production operations undertaken on Proposed Lot 1. The proposed development is depicted in RPS Drawing No. PR141152-1 A, which is included for reference as **Attachment 4**.

The rail corridor, formally described as Lot 291 on SP129914, exists as an interface between the Mareeba Dimbulah Road and the subject property. Consequently, provisions of the *Planning Act 2016*, establish that the rail corridor must form part of the Development Application on the grounds that the applicant traverses the rail corridor, if only periodically, with the intent of accessing Proposed Lots 1 and 2. The Department of Transport and Main Roads has subsequently granted owner's consent for the making of this application, a copy is provided for reference as **Attachment 3**.

RPS notes that under current arrangements, access to the subject site from Mareeba Dimbulah Road is via a formed gravel private road through Proposed Lot 2. The applicant contends that continued use of this access either via an access leg or easement is untenable on the grounds that it would divide Proposed Lot 2, effectively limiting future land use opportunities. The applicant has indicated that access to Proposed Lot 1 will be via Lemonside Road, however given the presence of two (2) low lying culverts, Lemonside Road is inaccessible due to periodic flooding during the wet season. During these flood events, which coincide with the peak of the mango harvest, the applicant proposes to access Proposed Lot 1 via the rail corridor, formally described as Lot 291 on SP129914 and utilise the existing crossing.

Furthermore, to enable improved efficiency and safety of access for B-Double trucks and other vehicles, without impact upon Proposed Lot 2, the applicant proposes that the upgrading of the existing gravel access from Mareeba Dimbulah Road, as depicted in RPS Drawing No. PR141152-1 A (**Attachment 4**). The upgraded access would be constructed to FNQROC Development Manual Standards, providing separate gate entryways for both Proposed Lots 1 and 2. The revised Proposed Lot 1 entry, as depicted in RPS Drawing No. PR141152-1 A, will accommodate safe and efficient B-Double manoeuvring requirements for deliveries and dispatch of produce, staff etc without crossing onto Proposed Lot 2. The western boundary of the revised access "dog-leg" within Proposed Lot 1, between Lemonside Road and Mareeba Dimbulah Road, has been repositioned to avoid the need to cross the low bank of the unnamed tributary of the Walsh River, circumventing potential flood impacts upon road access.

## 4.0 Legislative Requirements

### 4.1 Planning Act 2016

This section provides an overview of the legislative context of the development application under the provisions of the *Planning Act 2016*.

#### 4.1.1 Confirmation that development is not prohibited

The proposed development is not prohibited. This has been established by considering all relevant instruments which can provide prohibitions under the *Planning Act 2016*.

#### 4.1.2 Assessable Development

The development proposed by this application is "assessable development" pursuant to Section 43 of the *Planning Act 2016*.

#### 4.1.3 Assessment Manager

The Assessment Manager for this development application is Mareeba Shire Council as determined by Schedule 8 of the *Planning Regulation 2017*.

#### 4.1.4 Level of Assessment

The table below summarises the level of assessment under the provisions of Mareeba Shire Council Planning Scheme 2016:

Aspect of Development	Local Categorising Instrument that determines Level of Assessment	Level of Assessment
Reconfiguration of a Lot (1 Lot into 2 Lots)	Mareeba Shire Council Planning Scheme 2016	Code Assessable

#### 4.1.5 Referral Agencies

A review of Schedule 10 of the *Planning Regulation 2017* indicates that the proposed development does trigger referral to the State Assessment Referral Agency. The table below summarises the referral trigger under the provisions of the *Planning Regulation 2017*:

Part	Division	Table	Referral Trigger	Referral Agency
Part 9 – development involving impacts on infrastructure	Division 4, Subdivision 2 – State Transport Corridor	Table 1 – reconfiguring a lot near a State transport corridor	Part of the premises are within 25m of a railway corridor	The Chief Executive (SARA)

#### 4.1.6 Public Notification

This application does not require public notification on the basis that it is subject to 'code' assessment.

## 5.0 Statutory Planning Assessment

### 5.1 Regional Plan

A review of the proposal against the relevant policies of the FNQ2031 Regional Plan reveals no significant conflicts.

### 5.2 State Planning Policies

Section 26(2)(a)(ii) of the *Planning Regulation 2017* requires that the code assessment of this application must be carried out against the State Planning Policy, part E, to the extent part E is not identified in the planning scheme as having been appropriately integrated.

As outlined in Part 2 of CairnsPlan 2016 v1.2, all aspects of the State Planning Policy have been adequately reflected in Council's current Planning Scheme. Accordingly, assessment against the applicable Planning Scheme provisions will address any relevant State issues.

#### State Development Assessment Provisions

As the proposed development does trigger referral to the State Assessment Referral Agency, assessment against the State Development Assessment Provisions (SDAP) is required for this application.

The SDAP nominate applicable modules based on the referral triggers. It has been identified that the proposed development triggers state referral on the basis that the subject site is within 25m of the State railway corridor, therefore assessment of the SDAP State Code 2: Development in a Railway Environment is required, provided for as **Attachment 6**.

### 5.3 Planning Scheme

Under the Mareeba Shire Council Planning 2016, the subject site is included within the "Rural" Zone. The intent of the Rural Zone is for the provision of rural uses, including cropping, and protects or manages the existing natural resources in order to maintain capacity for primary production. RPS notes that whilst the proposed development will result in the creation of three (3) parts of Proposed Lot 1, which in total exceed the minimum lot size of 60 hectares, the proposal relates to the consolidation of the current horticultural production, which will continue unabated, and separation from potential grazing operations.

With respect to the assessment benchmarks, it is understood that whilst the areas designated as Category B on the regulated vegetation management map are located within Proposed Lot 1 (**Attachment 5**), there is no proposal to alter the current production areas, simply to include existing orchards and the packing facility within Proposed Lot 1. As such no clearing or disturbance of existing vegetation will occur.

#### 5.3.1 Codes

The following codes are applicable to this application:

- Rural Zone Code
- Rural Activities Code
- Agricultural Land Overlay
- Bushfire Hazard Overlay – Potential Impact Buffer

- Environmental Significance Overlay – waterways and 100m buffer
- Flood Hazard Overlay – Potential Flood Hazard Area
- Reconfiguring a Lot Code
- Landscaping Code
- Parking and Access Code
- Works, Services and Infrastructure Code

Given the nature of this application, it is the considered opinion of RPS that this proposal does not require detailed assessment of the applicable code provisions. This opinion has been formed on the basis that the current horticultural production operations, namely mangoes, will continue on the site. The proposed development is purely for the purpose of consolidating horticultural production operations and associated packing facilities within Proposed Lot 1 and enabling functional site access from Mareeba Dimbulah Road. A review of the applicable codes has been undertaken and the proposal has been found to be consistent with any / all relevant code provisions.

## 6.0 Summary and Conclusion

This submission has been prepared on behalf of Facas Pty Ltd to seek approval for Reconfiguration of a Lot (1 Lot into 2 Lots) over land located at Mareeba Dimbulah Road, Mutchilba formally described as Lot 466 on HG547 and Lot 291 on SP129914.

In summary, we submit that the proposed development is unlikely to have any significant impacts upon infrastructure, environment or community given that the purpose of the development is to consolidate existing horticultural cropping operations and associated packing facilities within Proposed Lot 1, and separate cropping from future grazing operations. The proposal also seeks to create a new access between Mareeba Dimbulah Road and Proposed Lot 1. Furthermore, it is envisaged that the proposed development is unlikely to present any significant impacts that cannot be adequately controlled through the application of relevant and reasonable conditions as part of approval. We therefore commend the development for Council approval.

Yours sincerely

**RPS**



Owen Dalton  
Principal Planner

for

- enc:
- Attachment 1:** DA Form 1
  - Attachment 2:** Certificate of Title and Owner's Consent
  - Attachment 3:** Owner's Consent from Department of Transport and Main Roads
  - Attachment 4:** Reconfiguration of a Lot Plan (RPS Drawing No. PR141152-1 A)
  - Attachment 5:** Regulated Vegetation Management Map
  - Attachment 6:** State Code 2: Development in a Railway Environment - Assessment

Attachment I

DA Form I

# DA Form 1 – Development application details

**Approved form (version 1.1 effective 22 JUNE 2018) 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 (i.e. material change of use, operational work or reconfiguring a lot)**, use this form (*DA Form 1*) and parts 4 to 6 of *DA Form 2 – Building work details*.

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

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

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

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

## PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Facas Pty Ltd c/o RPS Australia East Pty Ltd
Contact name (only applicable for companies)	Owen Dalton, RPS Australia East Pty Ltd
Postal address (P.O. Box or street address)	PO Box 1949
Suburb	Cairns
State	Queensland
Postcode	4870
Country	Australia
Contact number	(07) 4031 1336
Email address (non-mandatory)	owen.dalton@rpsgroup.com.au; stacey.devaney@rpsgroup.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	PR141152

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
			Mareeba Dimbulah Road	Mutchilba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4872	466	HG547	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
			Mareeba Dimbulah Road	Mutchilba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4872	291	SP129914	Mareeba Shire Council

#### 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:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

☐ In a tidal area

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

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

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

Name of airport:

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

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

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

- ☐ Yes – All easement locations, types and dimensions are included in plans submitted with this development application
- ☒ No

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

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

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

- ☐ Material change of use      ☒ Reconfiguring a lot      ☐ Operational work      ☐ Building work

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

- ☒ Development permit      ☐ Preliminary approval      ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

- ☒ Code assessment      ☐ Impact assessment *(requires public notification)*

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

Reconfiguration of a Lot (1 Lot into 2 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

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

**Division 1 – Material change of use**

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

**8.1) Describe the proposed material change of use**

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

**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?**

1

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

☒ Subdivision (complete 10))

☐ Dividing land into parts by agreement (complete 11))

☐ Boundary realignment (complete 12))

☐ 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				2 - Rural

**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?

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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)

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

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

\$
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## 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 6

Matters requiring referral to the **Chief Executive of the Planning Regulation 2017:**

- ☐ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA have not been devolved to a local government*)
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure – designated premises
- ☐ Infrastructure – state transport infrastructure
- ☒ Infrastructure – state transport corridors and future state transport corridors
- ☐ Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure – near a state-controlled road intersection
- ☐ On Brisbane core port land near a State transport corridor or future State transport corridor
- ☐ On Brisbane core port land – ERA
- ☐ On Brisbane core port land – tidal works or work in a coastal management district
- ☐ On Brisbane core port land – hazardous chemical facility
- ☐ On Brisbane core port land – taking or interfering with water
- ☐ On Brisbane core port land – referable dams
- ☐ On Brisbane core port land - fisheries
- ☐ Land within Port of Brisbane's port limits
- ☐ SEQ development area
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – community activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – combined use
- ☐ Tidal works or works in a coastal management district
- ☐ Reconfiguring a lot in a coastal management district or for a canal
- ☐ Erosion prone area in a coastal management district
- ☐ Urban design
- ☐ Water-related development – taking or interfering with water
- ☐ Water-related development – removing quarry material (*from a watercourse or lake*)
- ☐ Water-related development – referable dams
- ☐ Water-related development – construction of new levees or modification of existing levees (*category 3 levees only*)
- ☐ Wetland protection area

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

- ☐ Airport land
- ☐ Environmentally relevant activities (ERA) (*only if the ERA have been devolved to local government*)
- ☐ Local heritage places

Matters requiring referral to the <b>chief executive of the distribution entity or transmission entity:</b> <input type="checkbox"/> Electricity infrastructure
Matters requiring referral to: <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
Matters requiring referral to the <b>Brisbane City Council:</b> <input type="checkbox"/> Brisbane core port land
Matters requiring referral to the <b>Minister under the Transport Infrastructure Act 1994:</b> <input type="checkbox"/> Brisbane core port land (inconsistent with Brisbane port LUP for transport reasons) <input type="checkbox"/> Strategic port land
Matters requiring referral to the <b>relevant port operator:</b> <input type="checkbox"/> Land within Port of Brisbane's port limits (below high-water mark)
Matters requiring referral to the <b>Chief Executive of the relevant port authority:</b> <input type="checkbox"/> Land within limits of another port (below high-water mark)
Matters requiring referral to the <b>Gold Coast Waterways Authority:</b> <input type="checkbox"/> Tidal works, or work in a coastal management district in Gold Coast waters
Matters requiring referral to the <b>Queensland Fire and Emergency Service:</b> <input type="checkbox"/> Tidal works marina ( <i>more than six vessel berths</i> )

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

## PART 6 – INFORMATION REQUEST

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

## PART 7 – FURTHER DETAILS

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

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

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

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

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

Amount paid	Date paid (dd/mm/yy)	QLeave levy number
\$		

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

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

23) Further legislative requirements

### Environmentally relevant activities

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

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

**Note:** Application for an environmental authority can be found by searching "ESR/2015/1791" as a search term at [www.qld.gov.au](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.business.qld.gov.au](http://www.business.qld.gov.au) for further information about hazardous chemical notifications.

### Clearing native vegetation

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

section 22A of the *Vegetation Management Act 1999*?

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

☒ No

**Note:** 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.

2. See <https://www.qld.gov.au/environment/land/vegetation/applying> for further information on how to obtain a s22A determination.

**Environmental offsets**

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

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

☒ No

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

**Water resources**

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

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

☒ No

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

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

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

**Waterway barrier works**

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

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

☒ No

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

**Marine activities**

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

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

☒ No

**Note:** See guidance materials at [www.daf.qld.gov.au](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, Mines and Energy at [www.dnrme.qld.gov.au](http://www.dnrme.qld.gov.au) and [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

#### **Quarry materials from land under tidal waters**

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

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

☒ No

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

#### **Referable dams**

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

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

☒ No

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

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

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

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

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

☐ A certificate of title

☒ No

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

#### **Queensland and local heritage places**

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

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

☒ No

**Note:** See guidance materials at [www.des.qld.gov.au](http://www.des.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 <i>Note: See the Planning Regulation 2017 for referral requirements</i>	<input checked="" type="checkbox"/> Yes
If building work is associated with the proposed development, Parts 4 to 6 of DA Form 2 – Building work details have been completed and attached to this development application	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
Supporting information addressing any applicable assessment benchmarks is with development application <i>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.</i>	<input checked="" type="checkbox"/> Yes
Relevant plans of the development are attached to this development application <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>	<input checked="" type="checkbox"/> Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21))	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable

25) Applicant declaration
<input checked="" type="checkbox"/> By making this development application, I declare that all information in this development application is true and correct <input checked="" type="checkbox"/> 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 <i>Electronic Transactions Act 2001</i> <i>Note: It is unlawful to intentionally provide false or misleading information.</i>
<p><b>Privacy</b> – 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 <i>Planning Act 2016</i>, <i>Planning Regulation 2017</i> and the DA Rules except where:</p> <ul style="list-style-type: none"> <li>such disclosure is in accordance with the provisions about public access to documents contained in the <i>Planning Act 2016</i> and the <i>Planning Regulation 2017</i>, and the access rules made under the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i>; or</li> <li>required by other legislation (including the <i>Right to Information Act 2009</i>); or</li> <li>otherwise required by law.</li> </ul> <p>This information may be stored in relevant databases. The information collected will be retained as required by the <i>Public Records Act 2002</i>.</p>

## 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	

## Attachment 2

### Certificate of Title and Owner's Consent

# CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 29046675

Search Date: 09/07/2018 08:35

Title Reference: 21272069

Date Created: 31/01/1985

## REGISTERED OWNER

Dealing No: 714897588 22/01/2013

WHOLESOME FOODS PTY LTD A.C.N. 154 912 133

## ESTATE AND LAND

Estate in Fee Simple

LOT 466 CROWN PLAN HG547

Local Government: MAREEBA

For exclusions / reservations for public purposes refer to  
Plan CP HG547

## EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 21272069 (Lot 466 on CP HG547)
2. MORTGAGE No 718629314 12/03/2018 at 15:39  
REMAGEN LENDING 2017-9 PTY LIMITED A.C.N. 619 711 778
3. CAVEAT No 718775179 29/05/2018 at 15:09  
FACAS PTY LTD A.C.N. 161 222 939 AS TRUSTEE

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

## CERTIFICATE OF TITLE ISSUED - No

Corrections have occurred - Refer to Historical Search

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, Danny Scimia

*{Insert name in full}*

Sole Director/Secretary of the company mentioned below.

Of Fresh Grocers Group

Facas Pty Ltd

A.C.N 121653

*{Insert name of company and ACN}*

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

Mareeba Dimbulah Road, Mutchilba Lot 466 on HG547

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

RPS Australia East Pty Ltd

on the premises described above for:

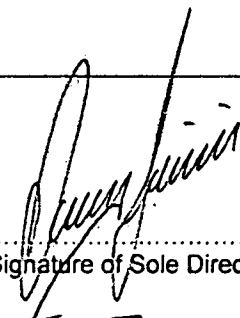
Reconfiguration of a Lot (1 Lot into 2 Lots)

Company seal *{if used}*

Company Name and ACN:

Facas Pty Ltd

A.C.N 121652

  
.....  
Signature of Sole Director/Secretary

5-7-2018  
.....  
Date

## Attachment 3

### Owner's Consent from Department of Transport and Main Roads



Our ref 485/00232, E50115  
Your ref PR141152/OLD/SD/L77831  
Enquiries Patrick Leys

Department of  
**Transport and Main Roads**

**30 AUG 2018**

Mr Owen Dalton  
RPS Australia East  
PO Box 1949  
Cairns Qld 4001

Dear Mr Dalton

### **REQUEST TO OBTAIN OWNER'S CONSENT – DETERMINATION NOTICE**

This notice is in response to your request of 3 August 2018 to obtain owner's consent from the Department of Transport and Main Roads (TMR) to lodge a development application completely or partially over land held or administered by the department.

Pursuant to section 51(2) of the *Planning Act 2016* ('the Planning Act'), the consent of the owner of land that is the subject of a development application is required in order for the development application to be considered as "properly made". Under section 247 of the *Transport Infrastructure Act 1995*, the Chief Executive of the Department of Transport and Main Roads is taken to be the owner of the land. The department has considered your request and **provides owner's consent** for the making of the following application:

Reconfiguration of a Lot (1 into 2 lots) which involves the following rail corridor land;

- Lot 291 on SP129914.

This consent only applies to the submitted application.

TMR's owner's consent is only provided for the purposes of making the application and does not:

- constitute TMR's approval of, or support for, the development application for the purpose of the Development Assessment System (DAS);
- provide permission to undertake works on land held or administered by the department associated with a development approval without the permission of TMR;
- remove the requirement to obtain any other approvals from TMR or another government department;
- constitute owner's consent for any other development application over land owned or administered by the department; or
- constitute approval for any person to enter a rail corridor.

Strategic Property Management  
Development Projects and Rail Corridor Management  
Level 17, 61 Mary Street  
Brisbane Queensland 4000  
GPO Box 1412 Brisbane Queensland 4001

Telephone +61 7 3066 7430  
Website [www.tmr.qld.gov.au](http://www.tmr.qld.gov.au)  
Email [patrick.z.leys@tmr.qld.gov.au](mailto:patrick.z.leys@tmr.qld.gov.au)  
ABN 39 407 690 291



TMR regulates structures, works and activities that occur within land administered or owned by the department. It may be necessary to obtain TMR or Railway Manager approval prior to accessing or undertaking works within an existing or future transport corridor.

If you have any queries or wish to seek clarification about any of the details in this response, please contact Patrick Leys on 3066 7430.

Yours sincerely

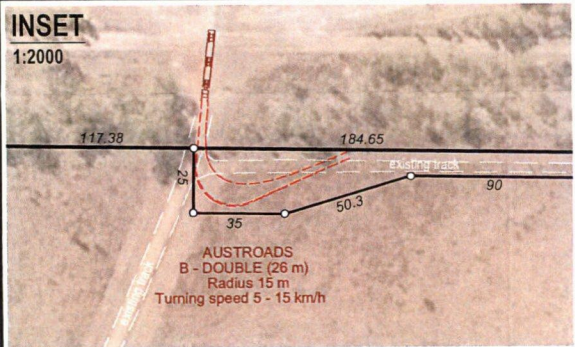
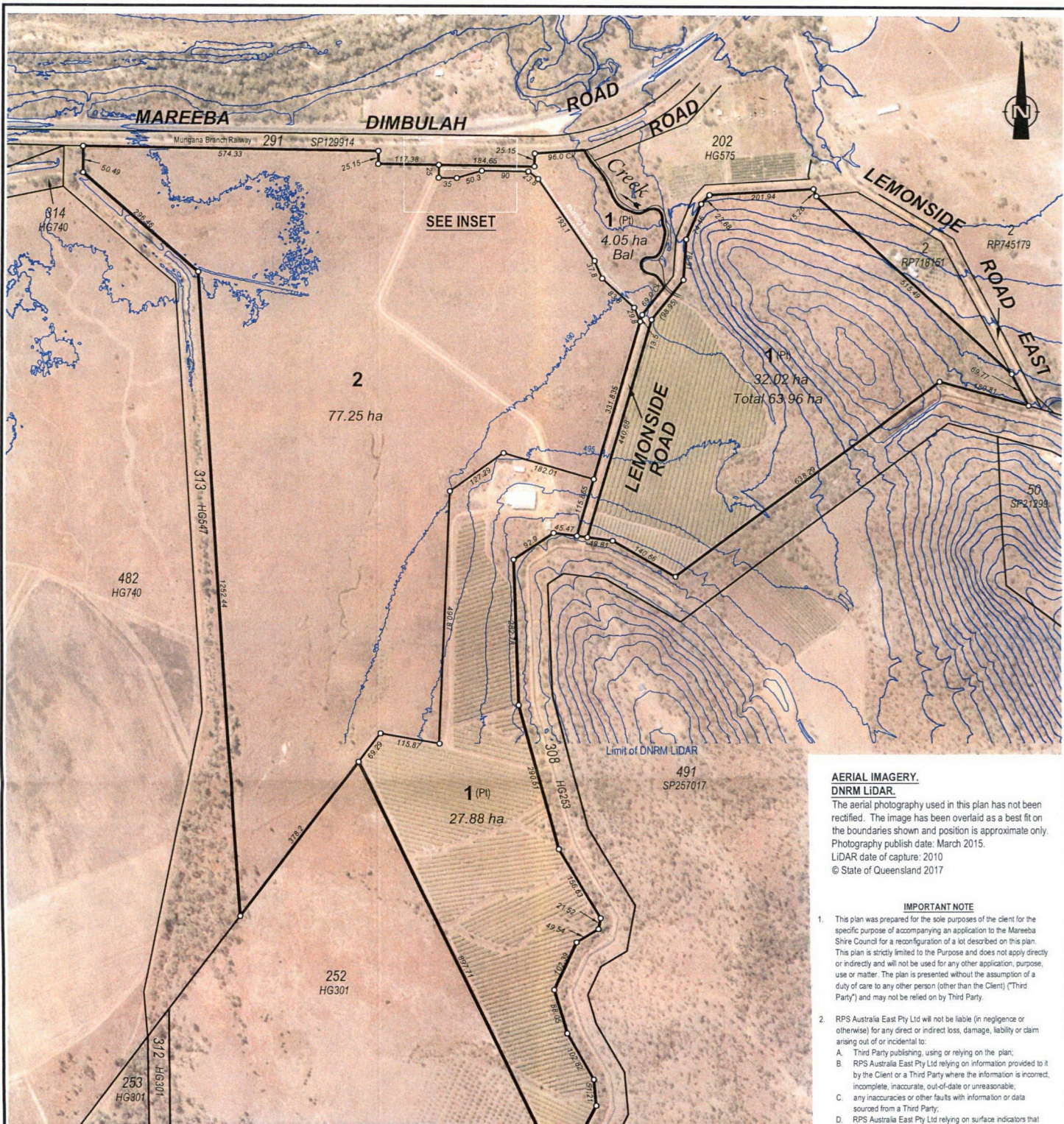
A handwritten signature in black ink, appearing to be 'Craig England', written in a cursive style.

Craig England  
**Manager, Rail Corridor Management**  
**Authorised Delegate of the Chief Executive**

Attachment 4

Reconfiguration of a Lot Plan – (RPS Drawing No.  
PR141152-I A)





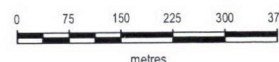
#### AERIAL IMAGERY. DNRM LiDAR.

The aerial photography used in this plan has not been rectified. The image has been overlaid as a best fit on the boundaries shown and position is approximate only. Photography publish date: March 2015. LiDAR date of capture: 2010 © State of Queensland 2017

#### IMPORTANT NOTE

- This plan was prepared for the sole purposes of the client for the specific purpose of accompanying an application to the Mareeba Shire Council for a reconfiguration of a lot described on this plan. This plan is strictly limited to the Purpose and does not apply directly or indirectly and will not be used for any other application, purpose, use or matter. The plan is presented without the assumption of a duty of care to any other person (other than the Client) ("Third Party") and may not be relied on by Third Party.
- RPS Australia East Pty Ltd will not be liable (in negligence or otherwise) for any direct or indirect loss, damage, liability or claim arising out of or incidental to:
  - Third Party publishing, using or relying on this plan;
  - RPS Australia East Pty Ltd relying on information provided to it by the Client or a Third Party where the information is incorrect, incomplete, inaccurate, out-of-date or unreasonable;
  - any inaccuracies or other faults with information or data sourced from a Third Party;
  - RPS Australia East Pty Ltd relying on surface indicators that are incorrect or inaccurate;
  - the Client or any Third Party not verifying information in this plan where recommended by RPS Australia East Pty Ltd;
  - lodgement of this plan with any local authority against the recommendation of RPS Australia East Pty Ltd;
  - the accuracy, reliability, suitability or completeness of any approximations or estimates made or referred to by RPS Australia East Pty Ltd in this plan.
- Without limiting paragraph 1 or 2 above, this plan may not be copied, distributed, or reproduced by any process unless this note is clearly displayed on the plan.
- Scale shown is correct for the original plan and any copies of this plan should be verified by checking against the bar scale.
- The dimensions, area, size and location of improvements, flood information (if shown) and number of lots shown on this plan are approximate only and may vary.
- Cadastral boundaries are obtained by title dimensions and/or digitising from existing cadastral maps. These boundaries have not been verified and are approximate only.

5m Contours from DNRM LiDAR



SCALE 1:7500 IS APPLICABLE ONLY TO THE ORIGINAL SHEET SIZE. (A3)

#### AMENDMENTS

A: AMK. Shift to MGA. Revise proposed lots

#### PROJECT MANAGER

O Dalton

#### SURVEYED

KJB

#### COMPILED

02/07/18

#### CAD REF

PR141152-1A.DWG

PR141152 (MGA).mjo

#### SHEET

1

#### OF SHEETS

1

#### SHEET SIZE

A3

## FACAS PTY LTD

### RECONFIGURATION OF A LOT

Plan of Lots 1 & 2  
Cancelling Lot 466 on HG547  
Mareeba Dimbulah Road  
Mutchilba

**RPS**

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RPS Australia East Pty Ltd  
ACN 140 292 762

135 Abbott St  
PO Box 1949  
CAIRNS QLD 4870

T +61 7 4031 1336  
F +61 7 4031 2942  
W rpsgroup.com.au

SCALE  
1:7500

DATE  
23/8/2018

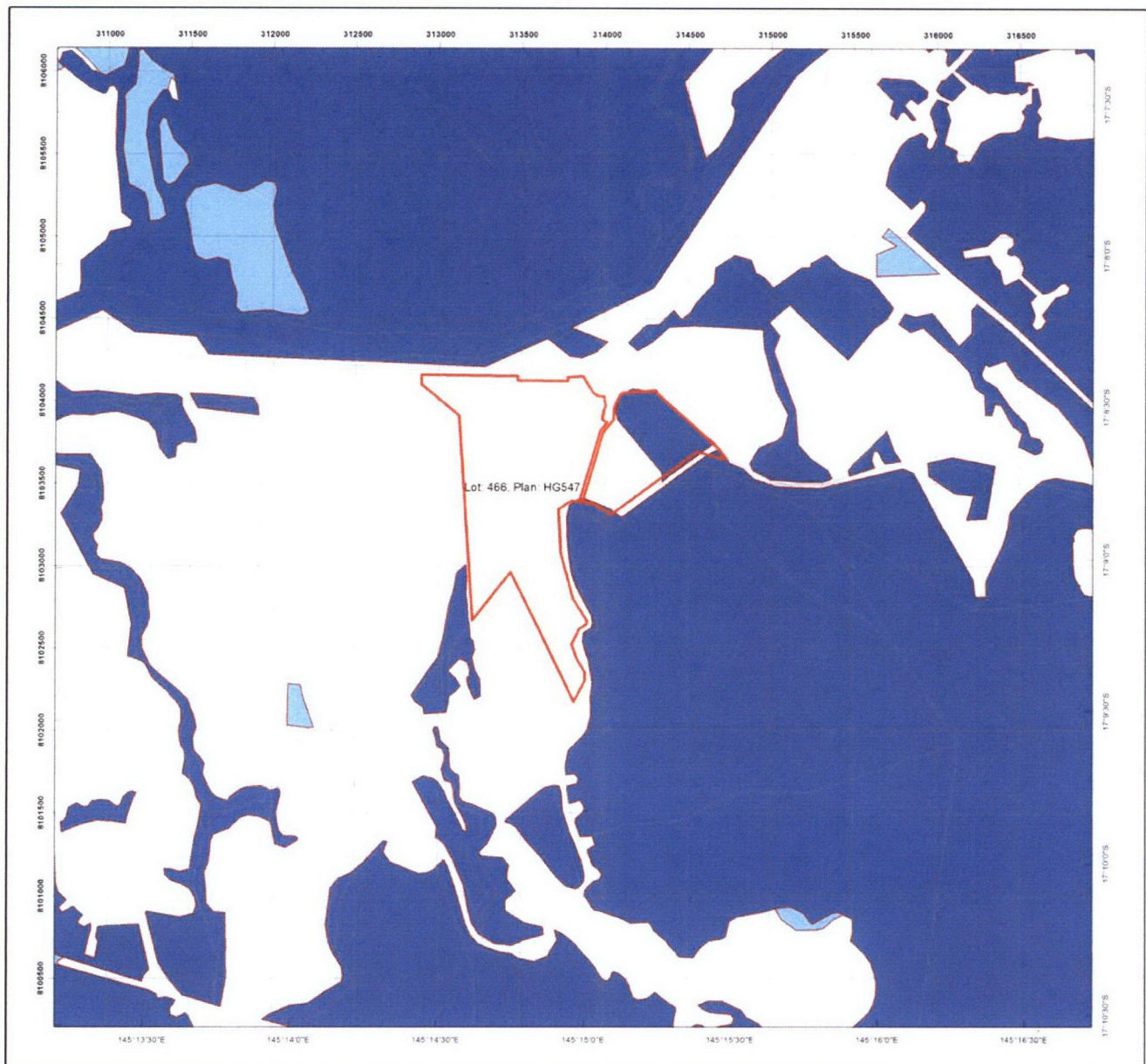
DRAWING NO.  
PR141152-1

ISSUE  
A



## Attachment 5

### Regulated Vegetation Management Map



## Regulated Vegetation Management Map

### Legend

- Lot and Plan
- Category A area (Vegetation offsets/compliance notices/VDecs)
- Category B area (Remnant vegetation)
- Category C area (High-value regrowth vegetation)
- Category R area (Reef regrowth watercourse vegetation)
- Category X area (Exempt clearing work on Freehold, Indigenous and Leasehold land)
- Water
- Area not categorised
- Cadastral line
- Property boundaries shown are provided as a locational aid only



0 340 680 1,020 1,360 1,700 m

This product is projected into  
 GDA 1994 MGA Zone 55

© The State of Queensland (Department of Natural Resources, Mines and Energy), 2018

**Disclaimer:**  
 While every care is taken to ensure the accuracy of this product, the Department of Natural Resources, Mines and Energy makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the product being inaccurate or incomplete in any way and for any reason.

Additional information required for the assessment of vegetation values is provided in the accompanying "Vegetation Management Supporting map". For further information go to the web site: [www.dnrme.qld.gov.au](http://www.dnrme.qld.gov.au) or contact the Department of Natural Resources, Mines and Energy.

Digital data for the regulated vegetation management map is available from the Queensland Spatial Portal at <http://www.information.qld.gov.au/>

This map is updated on a monthly basis to ensure new PMAVs are included as they are approved.



## Attachment 6

### State Code 2: Development in a Railway Environment - Assessment

# State code 2: Development in a railway environment

Table 2.2.1: Development in a railway environment

Performance outcomes	Acceptable outcomes	Response
Buildings and structures		
All railways		
PO1 The location of buildings, structures, infrastructure, services and utilities does not create a safety hazard in a railway corridor or cause damage to, or obstruct, rail transport infrastructure or other rail infrastructure.	AO1.1 Buildings, structures, infrastructure, services and utilities are not located in a railway corridor.  AND	Complies The application refers to a Reconfiguration of a lot only. There will be no buildings, structures, infrastructure, services or utilities located within the railway corridor.
	AO1.2 Buildings, structures, infrastructure, services and utilities can be maintained without requiring access to a railway corridor.  AND	N/A
	AO1.3 Buildings, structures and infrastructure are set back horizontally a minimum of 3 metres from the outermost projection of overhead line equipment.  Note: Section 2.3 of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015 provides guidance on how to comply with this acceptable outcome.  AND	N/A
	AO1.4 The lowest part of development in or over a railway is a minimum of: 1. 7.9 metres above the railway track where the proposed development extends along the railway for a distance of less than 40 metres 2. 9 metres above the railway track where the development extends along the railway for a distance of between 40 and 80 metres.  AND	N/A
	AO1.5 Pipe work, services and utilities: 1. are not attached to rail transport infrastructure or other rail infrastructure 2. do not penetrate through the side of any proposed	N/A

Performance outcomes	Acceptable outcomes	Response
	building element or structure where built to boundary in, over or abutting a railway corridor.	
PO2 Buildings and structures are located to not interfere with, or impede access to, a railway bridge.	AO2.1 Buildings and structures are set back horizontally a minimum of 3 metres from a railway bridge.	The proposed development is for a Reconfiguration of a Lot, no buildings or structures are proposed.
	AND AO2.2 Permanent structures are not located below or abutting a railway bridge.	N/A
	AND AO2.3 Temporary activities below or abutting a railway bridge do not impede access to a railway corridor.  Note: Temporary activities below or abutting a railway bridge could include, for example, car parking or outdoor storage.	N/A
PO3 Development does not add or remove loading that will cause damage to rail transport infrastructure or a railway corridor.  Note: To demonstrate compliance with this performance outcome, it is recommended a RPEQ certified geotechnical assessment, prepared in accordance with the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads 2015 is provided.	No acceptable outcome is prescribed.	N/A
PO4 Development above a railway is designed to enable natural ventilation and smoke dispersion in the event of a fire emergency.  Note: To demonstrate compliance with the performance outcome it is recommended the applicant contact the Queensland Fire and Emergency Service and relevant railway manager to determine the fire scenarios to be used to inform ventilation design. Modelling of smoke dispersion should also be undertaken by a RPEQ to predict the spread of combustion products and inform the ventilation design. Section 5.1 – Development over a railway of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this acceptable outcome.	No acceptable outcome is prescribed.	N/A



Performance outcomes	Acceptable outcomes	Response
<p><b>PO5 Construction activities do not cause ground movement or vibration impacts in a railway corridor.</b></p> <p><b>Note:</b> To demonstrate compliance with this performance outcome, it is recommended a RPEQ certified geotechnical assessment, prepared in accordance with section 2.7 of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015 is provided.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Complies. There are no operational works proposed as part of the application.</p>
<p><b>PO6 Buildings and structures in a railway corridor are designed and constructed to remain structurally sound in the event of a derailed train.</b></p>	<p><b>AO6.1 Buildings and structures, in a railway corridor including piers or supporting elements, are designed and constructed in accordance with Civil Engineering Technical Requirement – CIVIL-SR-012 Collision protection of supporting elements adjacent to railways, Queensland Rail, 2011, AS5100 Bridge design and AS1170 Structural design actions.</b></p> <p><b>Note:</b> Section 3.2 of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015 provides guidance on how to comply with this acceptable outcome.</p>	<p>N/A</p>
<p><b>PO7 Buildings and structures in high risk locations and where also located within 10 metres of the centreline of the nearest railway track are designed and constructed to remain structurally sound in the event of a derailed train.</b></p>	<p><b>AO7.1 Buildings and structures, in a railway corridor including piers or supporting elements, are designed and constructed in accordance with Civil Engineering Technical Requirement CIVIL-SR-012 Collision protection of supporting elements adjacent to railways, Queensland Rail, 2011, AS5100 Bridge design and AS1170 Structural design actions.</b></p> <p><b>Note:</b> Section 3.2 of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015 provides guidance on how to comply with this acceptable outcome.</p>	<p>N/A</p>
<p><b>PO8 Buildings and structures in a railway corridor are designed and constructed to prevent projectiles from being thrown onto a railway.</b></p>	<p><b>AO8.1 Buildings and structures in a railway corridor include throw protection screens in accordance with the relevant provisions of the Civil Engineering Technical Requirement – CIVIL-SR-005 Design of buildings over or near railways, Queensland Rail, 2011, and the Civil Engineering Technical Requirement – CIVIL-SR-008 Protection screens, Queensland Rail.</b></p> <p><b>AND</b></p>	<p>N/A</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AO8.2 Road, pedestrian and bikeway bridges over a railway include throw protection screens in accordance with the relevant provisions of the Civil Engineering Technical Requirement – CIVIL-SR-005 Design of buildings over or near railways, Queensland Rail, 2011, and the Civil Engineering Technical Requirement – <u>CIVIL-SR-008</u> Protection screens, Queensland Rail.</p> <p>Note: Section 2.4 of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this outcome.</p>	
PO9 Buildings, and structures, other than accommodation activities, are designed and constructed to prevent projectiles from being thrown onto a railway from any publicly accessible areas located within 20 metres from the centreline of the nearest railway track.	<p>AO9.1 Publicly accessible areas located within 20 metres from the centreline of the nearest railway track do not directly overlook a railway.</p> <p>OR</p>	N/A
	<p>AO9.2 Buildings and structures are designed to ensure publicly accessible areas located within 20 metres of the centreline of the nearest railway track and that overlook the railway include throw protection screens in accordance with the relevant provisions of the Civil Engineering Technical Requirement – CIVIL-SR-005 Design of buildings over or near railways, Queensland Rail, 2011, and the Civil Engineering Technical Requirement – CIVIL-SR-008 Protection screens, Queensland Rail.</p> <p>Note: Section 2.4 of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this outcome.</p>	
Filling, excavation and retaining structures		
<p>PO10 Filling, excavation and retaining structure do not interfere with, or result in damage to, infrastructure or services in a railway corridor.</p> <p>Note: Information on the location of services and public utility plants railway corridor can be obtained from the railway manager. Where development will impact on an existing or future service or public utility plant in a railway corridor such that the service or public utility plant will need to be relocated, the alternative</p>	No acceptable outcome is prescribed.	<p>Complies.</p> <p>There are no operational works proposed as part of the application.</p>

Performance outcomes	Acceptable outcomes	Response
alignment must comply with the standards and design specifications of the relevant service or public utility provider, and any costs of relocation are to be borne by the developer.		
<p>PO11 Filling, excavation, building foundations and retaining structures do not undermine, or cause subsidence of, a railway corridor.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended a RPEQ certified geotechnical assessment is provided, prepared in accordance with section 2.7 of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015.</p>	No acceptable outcome is prescribed.	N/A
<p>PO12 Filling and excavation, building foundations and retaining structures do not cause ground water disturbance in a railway corridor.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended a RPEQ certified geotechnical assessment is provided, prepared in accordance with section 2.7 of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015.</p>	No acceptable solution is prescribed.	N/A
<p>PO13 Excavation, boring, piling, blasting or fill compaction during construction of a development does not result in ground movement or vibration impacts that would cause damage or nuisance to a railway corridor, rail transport infrastructure or railway works.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended a RPEQ certified geotechnical assessment is provided, prepared in accordance with section 2.7 of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015.</p>	No acceptable outcome is prescribed.	N/A
PO14 Filling and excavation material does not cause an obstruction or nuisance in a railway corridor.	AO14.1 Development does not store fill, spoil or any other material in, or adjacent to, a railway corridor.	N/A
Stormwater and drainage		
PO15 Development does not result in an actionable nuisance or worsening of stormwater, flooding or drainage impacts in a railway corridor.	No acceptable outcome is prescribed.	N/A

Performance outcomes	Acceptable outcomes	Response
Note: Section 2.8 of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this performance outcome.		
PO16 Run-off from the development site during construction of development does not cause siltation of stormwater infrastructure affecting a railway corridor.	AO16.1 Run-off from the development site during construction of development is not discharged to stormwater infrastructure in a railway corridor.	N/A
<b>Access</b>		
PO17 Development prevents unauthorised access to a railway corridor.	<p>AO17.1 Where development is abutting a railway corridor fencing is provided along the property boundary with the railway corridor in accordance with the railway manager's standards.</p> <p>Note: It is recommended the applicant contact the railway manager for advice regarding applicable fencing standards.</p> <p>AND</p>	<p>Complies.</p> <p>The proposed development relates to a Reconfiguration of a Lot, within the Rural Zone. There are no residential dwellings located on the subject site, as such the perceived risk of unauthorised access to the railway corridor is minimal.</p>
	<p>AO17.2 A road barrier designed in accordance with Civil Engineering Technical Requirement – <b>CIVIL-SR-007</b> Design and selection criteria for road/rail interface barriers, Queensland Rail 2011, and certified by an RPEQ, is installed along any roads abutting a railway corridor.</p> <p>AND</p>	<p>There is sufficient separation between the Mareeba Dimbulah Road and the railway corridor, negating the need for a road barrier.</p>
	<p>AO17.3 Proposed vehicle manoeuvring areas, driveways, loading areas or carparks abutting a railway corridor include rail interface barriers.</p> <p>Note: Section 2.4 of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015, provides guidance on how to comply with acceptable outcome 16.3.</p>	<p>There is an existing access from Mareeba Dimbulah Road to the subject site, including a railway corridor crossing. There are no obstructions to sightlines at the crossing, negating the need for rail interface barriers.</p>
PO18 Development does not obstruct existing access to a railway corridor.	AO18.1 Development is sited and designed to ensure existing authorised access points and access routes for maintenance and emergency works to a railway corridor are clear from obstructions at all times.	<p>N/A</p> <p>The proposed development relates to a reconfiguration of a Lot only.</p>
PO19 Access to a railway corridor does not create a safety hazard for users of a railway, or result in a worsening of operating conditions on a railway.	<p>AO19.1 Development does not require a new railway crossing.</p> <p>AND</p>	N/A

Performance outcomes	Acceptable outcomes	Response
	AO19.2 Development does not propose new or temporary structures or works connecting to rail transport infrastructure or other rail infrastructure.  AND	Complies
	AO19.3 Vehicle access points achieve sufficient clearance from a railway level crossing in accordance with AS1742.7:2016 – Manual of uniform traffic control devices, Part 7: Railway crossings, by providing minimum 5 metres clearance from the edge running rail (outer rail), plus the length of the largest vehicle anticipated on-site.  Note: Section 2.2 of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this acceptable outcome.	
PO20 Development does not damage or interfere with public passenger transport infrastructure, public passenger services or pedestrian and cycle access to public passenger transport infrastructure and public passenger services.	AO20.1 Development does not necessitate the relocation of existing public passenger transport infrastructure.  AND	N/A There is no public passenger transport infrastructure in the vicinity of the proposed development.
	AO20.2 Vehicular access and associated road access works for a development is not located within 5 metres of existing public passenger transport infrastructure.  AND	N/A
	AO20.3 On-site vehicle circulation is designed give priority to entering vehicles at all times so vehicles using a vehicular access do not obstruct public passenger transport infrastructure and public passenger services or obstruct pedestrian or cyclist access to public passenger transport infrastructure and public passenger services.  AND	N/A
	AO20.4 The normal operation of public passenger transport infrastructure or public passenger services is not interrupted during construction of the development.	N/A
Planned upgrades		
PO21 Development does not impede delivery of planned upgrades of rail transport infrastructure.	AO21.1 Development is not located on land identified by the Department of Transport and Main Roads as land	N/A

Performance outcomes	Acceptable outcomes	Response
	<p>required for planned upgrades to rail transport infrastructure.</p> <p>Note: Land required for the planned upgrade of rail transport infrastructure is identified in the DA mapping system.</p> <p>OR</p>	
	<p>AO21.2 Development is sited and designed so that permanent buildings, structures, infrastructure, services or utilities are not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of rail transport infrastructure.</p> <p>OR all of the following acceptable outcomes apply:</p>	N/A
	<p>AO21.3 Structures and infrastructure located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a of rail transport infrastructure are able to be readily relocated or removed without materially affecting the viability or functionality of the development.</p> <p>AND</p>	N/A
	<p>AO21.4 Development does not involve filling and excavation of, or material changes to, land required for a planned upgrade of rail transport infrastructure.</p> <p>AND</p>	N/A
	<p>AO21.5 Land is able to be reinstated to the pre-development condition at the completion of the use.</p>	N/A
<b>Network safety</b>		
<p>PO22 Development involving dangerous goods adjacent to a railway corridor does not adversely impact on the safety or operations of a railway.</p> <p>Note: Development involving dangerous goods, or hazardous chemicals above the threshold quantities listed in table 5.2 of the Model Planning Scheme Development Code for Hazardous Industries and Chemicals, Office of Industrial Relations, Department of Justice and Attorney-General, 2016, should</p>	<p>AO22.1 Development does not involve handling or storage of hazardous chemicals above the threshold quantities listed in table 5.2 of the Model Planning Scheme Development Code for Hazardous Industries and Chemicals, Office of Industrial Relations, Department of Justice and Attorney-General, 2016.</p>	N/A

Performance outcomes	Acceptable outcomes	Response
<p>demonstrate that impacts on a railway from a fire, explosion, spill, gas emission or dangerous goods incident can be appropriately mitigated.</p> <p>Section 2.6 – Dangerous goods and fire safety of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this performance outcome.</p>		
<p>PO23 Development does not adversely impact on the safety of a railway crossing.</p> <p>Note: It is recommended a traffic impact assessment be prepared to demonstrate compliance with this performance outcome. An impact on a level crossing may require an Australian Level Crossing Assessment Model (ALCAM) assessment to be undertaken. Section 2.2 – Railway crossing safety of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this performance outcome.</p>	<p>AO23.1 Development does not require a new railway crossing.</p>	<p>The proposed development does involve provision of a new access to Proposed Lot 1, however this access proposes to utilise the existing railway corridor crossing from the Mareeba Dimbulah Road.</p>
	<p>OR</p> <p>AO23.2 A new railway crossing is grade separated. Note: It is recommended a traffic impact assessment be prepared to demonstrate compliance with this acceptable outcome. An impact on a level crossing may require an Australian Level Crossing Assessment Model (ALCAM) assessment to be undertaken. Section 2.2 – Railway crossing safety of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this acceptable outcome.</p>	<p>N/A</p>
	<p>OR all of the following acceptable outcomes apply:</p> <p>AO23.3 Upgrades to a level crossing are designed and constructed in accordance with AS1742.7 – Manual of uniform traffic control devices, Part 7: Railway crossings and applicable railway manager's standard drawings.</p>	<p>N/A</p>
	<p>AND</p> <p>AO23.4 Vehicle access points achieve sufficient clearance from a level crossing in accordance with AS1742.7 – Manual of uniform traffic control devices, Part 7: Railway crossings by providing a minimum clearance of 5 metres from the edge running rail (outer rail) plus the length of the largest vehicle anticipated on-site.</p>	<p>N/A</p>
	<p>AND</p>	

Performance outcomes	Acceptable outcomes	Response
	AO23.5 On-site vehicle circulation is designed to give priority to entering vehicles at all times to ensure vehicles do not queue in a railway crossing.	N/A

**Table 2.2.2: Environmental emissions**

Performance outcomes	Acceptable outcomes	Response
Noise		
Accommodation activities		
<b>PO24 Development involving:</b> 1. an accommodation activity; or 2. land for a future accommodation activity minimises noise intrusion from a railway or type 2 multi-modal corridor in habitable rooms.	<p><b>AO24.1 A noise barrier or earth mound is provided which is designed, sited and constructed:</b></p> <ol style="list-style-type: none"> <li>to meet the following external noise criteria at all facades of the building envelope:               <ol style="list-style-type: none"> <li>≤65 dB(A) <math>L_{eq}</math> (24 hour) façade corrected</li> <li>≤87 dB(A) (single event maximum sound pressure level) façade corrected</li> </ol> </li> <li>in accordance with the Civil Engineering Technical Requirement – CIVIL-SR-014 Design of noise barriers adjacent to railways, Queensland Rail, 2011.</li> </ol> <p><b>Note:</b> To demonstrate compliance with the acceptable outcome, it is recommended a RPEQ certified noise assessment report be provided.</p> <p>If the building envelope is unknown, the deemed-to-comply setback distances for buildings stipulated by the local planning instrument or relevant building regulations should be used.</p> <p>In some instances, the design of noise barriers and mounds to achieve the noise criteria above the ground floor may not be reasonable or practicable. In these instances, any relaxation of the criteria is at the discretion of the Department of Transport and Main Roads.</p> <p>OR all of the following acceptable outcomes apply:</p>	<p>N/A</p> <p>No dwelling proposed as part of the proposed development.</p>
	<p><b>AO24.2 Buildings which include a habitable room are setback the maximum distance possible from a railway or type 2 multi-modal corridor.</b></p> <p><b>AND</b></p>	N/A



Performance outcomes	Acceptable outcomes	Response
	<p>AO24.3 Buildings are designed and oriented so that habitable rooms are located furthest from a railway or type 2 multi-modal corridor.</p> <p>AND</p> <p>AO24.4 Buildings (other than a relevant residential building or relocated building) are designed and constructed using materials which ensure that habitable rooms meet the following internal noise criteria:</p> <ol style="list-style-type: none"> <li>1. <math>\leq 45</math> dB(A) single event maximum sound pressure level.</li> </ol> <p>Note: Noise levels from railways or type 2 multi-modal corridors are to be measured in accordance with AS1055.1-1997 Acoustics – Description and measurement of environmental noise. To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report be provided.</p> <p>Habitable rooms of relevant residential buildings located within a transport noise corridor must comply with the Queensland Development Code MP4.4 Buildings in a transport noise corridor, Queensland Government, 2015. Transport noise corridors are mapped on the State Planning Policy Interactive Mapping System.</p>	N/A
	<p>AO24.4 Buildings (other than a relevant residential building or relocated building) are designed and constructed using materials which ensure that habitable rooms meet the following internal noise criteria:</p> <ol style="list-style-type: none"> <li>1. <math>\leq 45</math> dB(A) single event maximum sound pressure level.</li> </ol> <p>Note: Noise levels from railways or type 2 multi-modal corridors are to be measured in accordance with AS1055.1-1997 Acoustics – Description and measurement of environmental noise. To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report be provided.</p> <p>Habitable rooms of relevant residential buildings located within a transport noise corridor must comply with the Queensland Development Code MP4.4 Buildings in a transport noise corridor, Queensland Government, 2015. Transport noise corridors are mapped on the State Planning Policy Interactive Mapping System.</p>	N/A
PO25 Development involving an accommodation activity minimises noise intrusion from a railway or type 2 multi-modal corridor in outdoor spaces for passive recreation.	<p>AO25.1 A noise barrier or earth mound is provided which is designed, sited and constructed:</p> <ol style="list-style-type: none"> <li>1. to meet the following external noise criteria in outdoor spaces for passive recreation: <ol style="list-style-type: none"> <li>a. <math>\leq 62</math> dB(A) <math>L_{eq}</math> (24 hour) free field</li> <li>b. <math>\leq 84</math> dB(A) (single event maximum sound pressure level) free field</li> </ol> </li> <li>2. in accordance with the Civil Engineering Technical Requirement – CIVIL-SR-014 Design of noise barriers adjacent to railways, Queensland Rail, 2011.</li> </ol> <p>OR</p> <p>AO25.2 Each dwelling has access to an outdoor space for passive recreation which is shielded from a railway</p>	N/A
	AO25.2 Each dwelling has access to an outdoor space for passive recreation which is shielded from a railway	N/A

Performance outcomes	Acceptable outcomes	Response
	<p>or type 2 multi-modal corridor by a building, a solid gap-free fence, or other solid gap-free structure.</p> <p>AND</p> <p>AO25.3 Each dwelling with a balcony directly exposed to noise from a railway or type 2 multi-modal corridor has a continuous solid gap-free balustrade (other than gaps required for drainage purposes to comply with the Building Code of Australia).</p>	
Childcare centres and educational establishments		
<p><b>PO26</b> Development involving a:</p> <p>a. childcare centre; or</p> <p>b. educational establishment</p> <p>minimises noise intrusion from a railway or type 2 multi-modal corridor in indoor education areas and indoor play areas.</p>	<p>AO26.1 A noise barrier or earth mound is provided which is designed, sited and constructed:</p> <ol style="list-style-type: none"> <li>to meet the following external noise criteria at all facades of the building envelope: <ol style="list-style-type: none"> <li>≤65 dB(A) <math>L_{eq}</math> (1 hour) façade corrected (maximum hour during opening hours)</li> <li>≤87 dB(A) (single event maximum sound pressure level) façade corrected</li> </ol> </li> <li>in accordance with the Civil Engineering Technical Requirement – CIVIL-SR-014 Design of noise barriers adjacent to railways, Queensland Rail, 2011.</li> </ol> <p>Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report be provided.</p> <p>If the building envelope is unknown, the deemed-to-comply setback distances for buildings stipulated by the local planning instrument or relevant building regulations should be used.</p> <p>OR all of the following apply:</p>	N/A
	<p>AO26.2 Buildings which include an indoor education area, indoor play area or sleeping room are setback furthest from a railway or type 2 multi-modal corridor as possible.</p> <p>AND</p>	N/A
	<p>AO26.3 Buildings are designed and oriented so that indoor education areas, indoor play areas or sleeping rooms are located furthest from a railway or type 2</p>	N/A

Performance outcomes	Acceptable outcomes	Response
	multi-modal corridor.	
	AND	
	AO26.4 Buildings are designed and constructed using materials which ensure indoor education areas and indoor play areas meet the following internal noise criteria: 1. $\leq 50$ dB(A) single event maximum sound pressure level.	N/A
	AND	
	AO26.5 Buildings are designed and constructed using material which ensure sleeping rooms in a childcare centre meet the following internal noise criteria: 1. $\leq 45$ dB(A) single event maximum sound pressure level.	N/A
	Note: Noise levels from railways or type 2 multi-modal corridors are measured in accordance with AS1055.1–1997 Acoustics – Description and measurement of environmental noise.  To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report be provided.	
PO27 Development involving a: 1. childcare centre; or 2. educational establishment minimises noise intrusion from a railway or type 2 multi-modal corridor in outdoor education areas and outdoor play areas.	AO27.1 A noise barrier or earth mound is provided which is designed, sited and constructed: 1. to meet the following external noise criteria in each outdoor education area or outdoor play area: a. $\leq 62$ dB(A) $L_{eq}$ (24 hour) free field (between 6am and 6pm) b. $\leq 84$ dB(A) (single event maximum sound pressure level) free field 2. in accordance with the Civil Engineering Technical Requirement – CIVIL-SR-014 Design of noise barriers adjacent to railways, Queensland Rail, 2011.  Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report be provided.	N/A
	OR	

Performance outcomes	Acceptable outcomes	Response
	AO27.2 Each outdoor education area and outdoor play area is shielded from noise generated from a railway or type 2 multi-modal corridor by a building, a solid gap-free fence, or other solid gap-free structure.	
<b>Hospitals</b>		
PO28 Development involving a hospital minimises noise intrusion from a railway or a type 2 multi-modal corridor in patient care areas.	AO28.1 Hospitals are designed and constructed using materials which ensure ward areas meet the following internal noise criteria: 1. $\leq 45$ dB(A) single event maximum sound pressure level.  AND	N/A
	AO28.2 Hospitals are designed and constructed using materials which ensure patient care areas (other than ward areas) meet the following internal noise criteria: 1. $\leq 50$ dB(A) single event maximum sound pressure level.  Note: Noise levels from railways or type 2 multi-modal corridors are measured in accordance with AS1055.1–1997 Acoustics – Description and measurement of environmental noise.  To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report be provided.	N/A
<b>Vibration</b>		
<b>Hospitals</b>		
PO29 Development involving a hospital located within 25 metres of the centreline of the nearest railway track minimises vibration impacts from a railway or type 2 multi-modal corridor in patient care areas.	AO29.1 Hospitals are designed and constructed to ensure vibration in the treatment area of a patient care area does not exceed a vibration dose value of $0.1\text{m/s}^{1.75}$ .  AND	N/A
	AO29.2 Hospitals are designed and constructed to ensure vibration in the ward area of a patient care area does not exceed a vibration dose value of $0.4\text{m/s}^{1.75}$ .  Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified vibration assessment report be provided.	N/A

Performance outcomes	Acceptable outcomes	Response
<b>Air and light</b>		
PO30 Development involving an accommodation activity minimises air quality impacts from a railway in outdoor spaces for passive recreation.	AO30.1 Each dwelling has access to an outdoor space for passive recreation that is shielded from a railway by a building, a solid gap-free fence, or other solid gap-free structure.	N/A
PO31 Development involving a: 1. childcare centre; or 2. educational establishment minimises air quality impacts from a railway in outdoor education areas and outdoor play areas.	AO31.1 Each outdoor education area and outdoor play area is shielded from a railway by a building, a solid gap-free fence, or other solid gap-free structure.	N/A
PO32 Development involving an accommodation activity or hospital minimises lighting impacts from a railway.	AO32.1 Buildings for an accommodation activity or hospital are designed to minimise the number of windows or transparent/translucent panels facing a railway. OR	N/A
	AO32.2 Windows facing a railway include treatments to block light from a railway.	N/A

**Table 2.2.3: Development in a future railway environment**

Performance outcomes	Acceptable outcomes	Response
PO33 Development does not impede delivery of rail transport infrastructure in a future railway corridor.	AO33.1 Development is not located in a future railway corridor.  OR	N/A
	AO33.2 Development is sited and designed so that permanent buildings, structures, infrastructure, services or utilities are not located in a future railway corridor.  OR all of the following acceptable outcomes apply:	N/A
	AO33.3 Structures and infrastructure located in a future railway corridor are able to be readily relocated or removed without materially affecting the viability or functionality of the development.  AND	N/A
	AO33.4 Development does not involve filling and excavation of, or material changes to, a future railway corridor.	N/A

Performance outcomes	Acceptable outcomes	Response
	AND	
	AO33.5 Land is able to be reinstated to the pre-development condition at the completion of the use.	N/A
<p>PO34 Filling and excavation, building foundations and retaining structures do not undermine or cause subsidence of, a future railway corridor.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended that a RPEQ certified geotechnical assessment is provided, prepared in accordance with section 2.7 of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015.</p>	No acceptable outcome is prescribed.	N/A
PO35 Fill material from a development site does not result in contamination of land for a future railway corridor.	<p>AO35.1 Fill material is free of contaminants including acid sulfate content.</p> <p>Note: Soil and rocks should be tested in accordance with AS1289 – Methods of testing soils for engineering purposes and AS4133 2005 – Methods of testing rocks for engineering purposes.</p> <p>AND</p> <p>AO35.2 Compaction of fill is carried out in accordance with the requirements of AS1289.0 2000 – Methods of testing soils for engineering purposes.</p>	N/A
PO36 Development does not result in an actionable nuisance or worsening of stormwater, flooding or drainage impacts in a future railway corridor.	No acceptable outcome is prescribed.	N/A