

DEVELOPMENT APPLICATION FOR A DEVELOPMENT  
PERMIT FOR:

## RECONFIGURING A LOT (1 LOT INTO 2 LOTS)

on behalf of  
Marrin Pty Ltd

at  
723 Syndicate Road, Miallo

on  
Lot 137 on SP174874





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## 1.0 INTRODUCTION

This town planning report has been prepared on behalf of the Applicant, Marrin Pty Ltd, in support of a Development Application seeking a Development Permit for Reconfiguring a Lot (1 Lot into 2 Lots) on land at 723 Syndicate Road, Miallo, precisely described as Lot 137 on SP174874.

To assist in Council's determination of this development application, this planning report covers the following matters:

Section 2:- Subject site description.

Section 3:- A detailed description of the development proposal.

Section 4:- A review of the relevant legislation provisions.

Section 5:- An assessment of the proposal against the relevant code provisions of the *Douglas Shire Planning Scheme 2018 (V1)*.

Section 6:- Conclusion.

The development application is made in accordance with section 51 of the *Planning Act 2016* and contains the mandatory supporting information specified in the applicable DA Form, included in **Appendix A**.

In accordance with section 51 of the *Planning Act 2016*, as the Applicant is not the landowner, landowner's consent is included within **Appendix B**.

The application is subject to code assessment and therefore public notification will not be required. The application does not trigger referral to the State Assessment Referral Agency (SARA).



## 2.0 THE SUBJECT SITE

The subject site is located at 723 Syndicate Road, Miallo, on land described as Lot 137 on SP174874. *Figure 1* below identifies the subject site and surrounding locality. The entire land is contained within the Rural Zone. The certificate of Title included within **Appendix B** confirms that the site is not encumbered by any easements.

The subject site comprises a total land area of 413.62ha. Access to the subject site can be achieved from Miallo Bamboo Creek Road from the east, and at crossovers along Syndicate Road and Whyanbeel Road. The site is predominantly cleared of vegetation, with some areas containing native vegetation and Whyanbeel Creek and Saltwater Creek traversing the northern and southern boundaries of the site, respectively. The cleared areas of site are generally flat, with elevated land containing vegetation. The subject site contains several existing dwellings and associated structures, and the land is currently used for rural purposes. The existing structures are served by existing essential utility services.

The surrounding locality consists predominantly of rural, environmental management, and conservation land uses. Miallo State School is adjacent Miallo Bamboo Creek Road to the south-east.



**Figure 1:** Aerial image of the subject site. (Source: Queensland Government 2025)



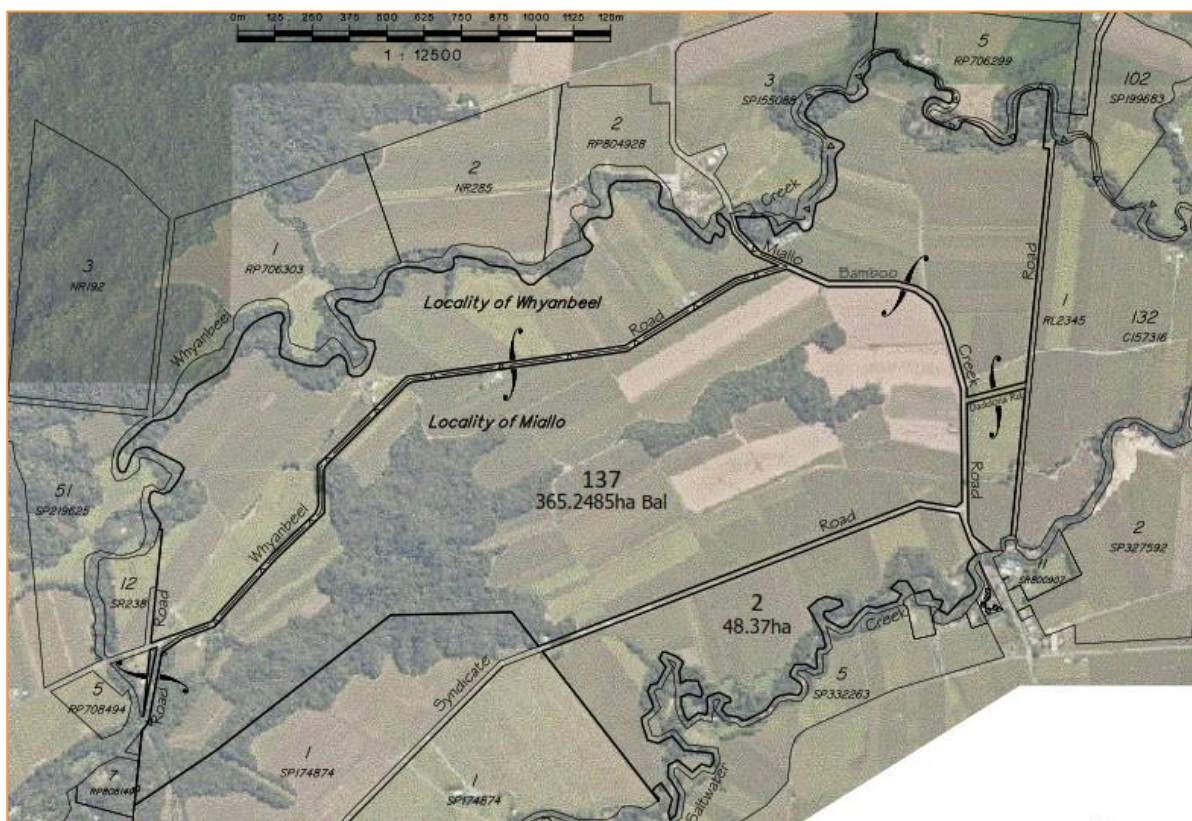


### 3.0 THE PROPOSAL

The Development Application seeks approval from Douglas Shire Council for a Development Permit for Reconfiguring a Lot (1 Lot into 2 Lots), as identified on the plan of proposed reconfiguration (36381/001A prepared by Brazier Motti) included within **Appendix D** and extract within *Figure 2* below.

The proposed reconfiguration will result in the following rural lots:

- Proposed Lot 137 – 365.25ha
- Proposed Lot 2 – 48.37ha



**Figure 2:** Extract of Proposal Plan 36381/001A prepared by Brazier Motti

The proposed reconfiguration effectively separates the southernmost parcel of land from the existing Lot 137 on SP174874. Proposed Lot 137 will contain the balance of the land. As detailed within *Figure 2*, the lot areas are consistent with the outcomes for the Rural Zone. The boundaries of the proposed lots align with the existing configuration and will not impact on existing access or rural amenity.

No new access is required to fulfil the reconfiguration. Access to proposed Lot 2 will remain as existing from Miallo Bamboo Creek Road to the east and Syndicate Road to the west. The existing dwellings on both proposed lots contain essential utility services that will be wholly contained within the lot they serve. No additional service connections are required to fulfill the reconfiguration.

Overall, the proposed reconfiguration is considered an appropriate response to the subject site and does not impact on the rural character or amenity of the surrounding locality.



## 4.0 RELEVANT LEGISLATION

### 4.1 COMMONWEALTH LEGISLATION

The application is not subject to assessment against Commonwealth legislation. It is not anticipated that development of this land will trigger assessment against the *Environmental Protection and Biodiversity Conservation Act 1999 (EPBC)*, as it is not anticipated that the development will significantly impact upon a matter of national environmental significance.

### 4.2 THE PLANNING ACT 2016

The *Planning Act 2016* provides the framework for coordinating local, regional and state planning. Given the nature of the development, the application requires assessment against this legislation which is presented in *Table 1* below.

**Table 1:** Planning Act 2016 Considerations

Planning Act 2016 Considerations	
<b>Assessable Development</b>	The proposed development constitutes assessable development under the <i>Douglas Shire Planning Scheme 2018</i> . Accordingly, pursuant to Section 44(3) of the <i>Planning Act 2016</i> a development approval is required.
<b>Assessment Manager</b>	Pursuant to Schedule 8 of the <i>Planning Regulation 2017</i> the Assessment Manager for this development application is Douglas Shire Council.
<b>Level of Assessment</b>	The <i>Douglas Shire Planning Scheme 2018</i> identifies that the proposed development is code assessable.
<b>Public Notification</b>	Not required.

### 4.3 STATE ASSESSMENT AND REFERRALS

A review of the *Development Assessment Mapping System (DAMS)* and other matters has confirmed that the subject site contains areas of Category B endangered and of concern regional ecosystems. However, assessment of the proposal against Schedule 10 of the *Planning Regulation 2017* determined the proposal does not trigger referral to the State Assessment Referral Agency (SARA).

### 4.4 STATE PLANNING POLICY

In accordance with section 2.1 – State Planning Policy (SPP) of the *Douglas Shire Planning Scheme 2018* (Planning Scheme), the Minister has identified that all aspects of the SPP have been integrated into the Planning Scheme. Hence, for the purposes of this development, we consider that assessment of the proposal against the provisions of the SPP is not required, and all relevant matters will be dealt with under the provisions of the local planning scheme.



#### 4.5 FAR NORTH QUEENSLAND REGIONAL PLAN

The subject site is located within the regional landscape and rural production area identified in the *Far North Queensland (FNQ) Regional Plan* and the proposed development is consistent with the outcomes of the *FNQ Regional Plan*.

#### 4.6 ASSESSMENT MANAGER AND PLANNING SCHEME

Douglas Shire Council is nominated as the assessment manager for the application. The applicable planning scheme is the *Douglas Shire Planning Scheme 2018 (V1)*.

#### 4.7 PUBLIC NOTIFICATION

The proposed development on the subject site does not require public notification under the provisions of the *Planning Act 2016*.

#### 4.8 LANDOWNERS CONSENT

In accordance with section 51 of the *Planning Act 2016*, as the Applicant is not the owner of the premises, landowner's consent is required to accompany the application. A copy of landowner's consent is included in **Appendix B**.



## 5.0 THE PLANNING FRAMEWORK

The *Douglas Shire Planning Scheme* (Planning Scheme) is the current planning scheme for the Douglas region. The Planning Scheme commenced on and from 2 January 2018 and sets a clear direction for future development and sustainable growth.

The following sections of this report provide an assessment of the proposed development against the relevant provisions of the Planning Scheme.

### 5.1 DOUGLAS SHIRE COUNCIL PLANNING SCHEME 2018

The Planning Scheme seeks to achieve outcomes through the identification of a number of overall outcomes, performance outcomes and acceptable solutions. Land identified within the Planning Scheme is divided into zones. Zones are further identified within individual precincts and local plans. The Planning Scheme further identifies numerous overlay codes.

### 5.2 PLANNING SCHEME DESIGNATIONS

In accordance with the *Douglas Shire Planning Scheme*, the site is subject to the designations listed in *Table 2* below. These designations will assist in determining which tables of assessment, category of assessment, and assessment codes are applicable to the proposed development.

**Table 1:** Planning Scheme Designation

Type of Designation	Designation and Applicability
<b>Zone</b>	Rural Zone
<b>Acid Sulfate Soils Overlay</b>	5-20m AHD <5m AHD
<b>Bushfire Hazard Overlay</b>	Potential Impact Buffer Very High Potential Bushfire Intensity High Potential Bushfire Intensity Medium Potential Bushfire Intensity
<b>Flood and Storm Tide Hazard Overlay</b>	Floodplain Assessment Overlay (Daintree River)
<b>Hillslopes Overlay</b>	Area affected by hillslopes
<b>Landscape Values Overlay</b>	High landscape values Medium Landscape Value
<b>Potential Landslide Hazard Overlay</b>	Landslide Hazard (High & Medium Hazard Risk)
<b>Natural Areas Overlay</b>	MSES - Regulated Vegetation (Intersecting a Watercourse) MSES - Wildlife Habitat MSES - Regulated Vegetation
<b>Transport Network Overlay</b>	Strategic Investigation Route (Pedestrian Cycle) Major Rural Road Minor Rural Road

### 5.3 LEVEL OF ASSESSMENT, ASSESSABLE BENCHMARKS AND APPLICABLE CODES

The subject site is designated within the Rural Zone and identified on eight (8) overlays. The relevant table of assessment within the Planning Scheme (Table 5.6.j) identifies Reconfiguring a Lot as assessable development and is subject to code assessment.





Furthermore, the table of assessment identifies that an application for Reconfiguring a Lot requires assessment against the following codes:

- Rural Zone Code;
- Acid Sulphate Soils Overlay Code;
- Bushfire Hazard Overlay Code;
- Flood and Inundation Overlay Code;
- Hillslopes Overlay Code;
- Landscape Values Overlay Code;
- Potential Landslide Hazard Overlay Code;
- Natural Areas Overlay Code;
- Transport Network Overlay Code;
- Access, Parking and Servicing Code;
- Filling and Excavation Code;
- Infrastructure Works Code; and
- Reconfiguring a Lot Code;

An assessment against the applicable Planning Scheme codes is as follows.

## 5.4 ZONE CODE PROVISIONS

### 5.4.1 Rural Zone Code

In accordance with the Planning Scheme, the site is contained within the Rural Zone, where a Reconfiguring a Lot is code assessable. The purpose of the Rural Zone is to:

- (a) provide for rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities;
- (b) provide opportunities for non-rural uses, such as ancillary tourism activities that are compatible with agriculture, the environmental features, and landscape character of the rural area where the uses do not compromise the long-term use of the land for rural purposes;
- (c) protect or manage significant natural resources and processes to maintain the capacity for primary production.

### Response

The proposal is for the reconfiguration of land only, and no further development is proposed within this application. Both proposed rural lots exceed the minimum area of 40ha as stated in the zone code, and the configuration is consistent with the character of surrounding lots and existing boundaries.

Overall, it is considered that the proposed development is consistent with the outcomes identified in the Planning Scheme for the Rural Zone. A detailed assessment against the zone code is provided in **Appendix C**.

## 5.6 OVERLAY CODES

### 5.6.1 Acid Sulphate Soils Overlay Code

In accordance with the Planning Scheme, the development requires assessment against the Acid Sulphate Soils Overlay Code. The purpose of the Acid Sulfate Soils Overlay Code is to ensure that development which occurs on a site containing or potentially containing acid sulfate soils is undertaken so that the potential risks to the natural and built environment or human health associated with disturbing acid sulfate soils are identified and addressed through avoidance or mitigation.

### Response



The site contains areas of acid sulfate soils below 5m AHD and between 5m and 20m AHD. However, the proposed development does not require filling or excavating of the site to satisfy the reconfiguration of land. Therefore, there will be no disturbance of potential acid sulphate soils as a result of the proposal.

A detailed assessment against this code is not considered necessary for a proposal of this nature.

#### 5.6.2 Bushfire Hazard Overlay Code

In accordance with the Planning Scheme, the development requires assessment against the Bushfire Hazard Overlay Code. The purpose of the Bushfire Hazard Overlay Code is to:

- (a) implement the policy direction in the Strategic Framework, in particular:
  - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
  - (ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.
- (b) enable an assessment of whether development is suitable on land within the bushfire risk overlay sub-categories.

#### Response

The proposed development is for the reconfiguration of land only and there are no new boundaries proposed within potential bushfire intensity areas. The very high, high, and medium bushfire intensity areas are largely contained within the balance Lot 137, with only a small area of potential impact buffer within Lot 2. Furthermore, Syndicate Road provides a buffer between the two proposed lots, and no further development is proposed, therefore not increasing risk of bushfire hazards.

Overall, the proposal is generally consistent with the outcomes of the Bushfire Hazard Overlay Code. A detailed assessment against this code is provided in **Appendix C**.

#### 5.6.3 Flood and Storm Tide Hazard Overlay Code

In accordance with the Planning Scheme, the development requires assessment against the Flood and Storm Tide Hazard Overlay Code. The purpose of the Flood and storm tide hazard overlay code is to:

- (a) implement the policy direction in the Strategic Framework, in particular:
  - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
  - (ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.
- (b) enable an assessment of whether development is suitable on land within the flood and storm tide hazard sub-categories.

#### Response

Lot 2 is almost entirely contained within the floodplain assessment overlay, and northern and eastern sections of balance Lot 137 are also within this overlay. However, a storm tide inundation property report determined the land is not affected by the 1% AEP Event for the year 2100. No further development of either lot is proposed, and all structures will remain as existing. Any future development within Lot 2 will be designed and constructed in accordance with the applicable outcomes of this code.

Overall, it is considered that the proposed development achieves general consistency with the applicable outcomes of the Flood and Storm Tide Hazard Overlay Code. A detailed assessment against this code is provided in **Appendix C**.



#### 5.6.4 Hillslopes Overlay Code

In accordance with the Planning Scheme the development requires assessment against the Hillslopes Overlay Code. The purpose of the Hillslopes Overlay Code is to:

- (a) implement the policy direction in the Strategic Framework, in particular:
  - (i) Theme 1 - Settlement pattern: Element 3.4.7 Mitigation of hazards;
  - (ii) Theme 2 – Environment and landscape values: Element 3.5.5 Scenic amenity.
- (b) enable an assessment of whether development is suitable on land within the Hillslopes sub-categories.

#### Response

It is noted that portions of balance Lot 137 contains areas within the hillslopes overlay. The proposal is for the reconfiguration of land. Therefore, there is no concern for areas affected by hillslopes.

A detailed assessment against this code is not considered necessary for a proposal of this nature.

#### 5.6.5 Landscape Values Overlay

In accordance with the Planning Scheme, the development requires assessment against the Landscape Values Overlay Code. The purpose of the Landscape Values Overlay Code is to ensure that development protects, maintains and enhances the landscape values within the Douglas region.

#### Response

The subject site is largely contained within high and medium landscape value areas. The proposed development is for the reconfiguration of land only and therefore will not diminish the landscape values of the subject site or locality. In this instance, the reconfiguration of land will utilise the existing boundary along Syndicate Road to separate the land parcels and will not create new boundaries through vegetated areas. Existing vegetation will be retained. Future development within the respective lots will be subject to subsequent applications and at that time will demonstrate compliance with the code.

Overall, it is considered that the proposed development achieves consistency with the applicable outcomes of the Landscape Values Overlay Code.

A detailed assessment against this code is not considered necessary for a proposal of this nature.

#### 5.6.5 Potential Landslide Hazard Overlay Code

In accordance with the Planning Scheme, the development requires assessment against the Potential Landslide Hazard Overlay Code. The purpose of the Potential Landslide Hazard Overlay Code is:

- (a) implement the policy direction of the Strategic Framework, in particular:
  - (i) Theme 1: Settlement pattern Element 3.4.7 Mitigation of hazards.
- (b) enable an assessment of whether development is suitable on land within the Potential landslip hazard overlay.

#### Response

The subject site contains portions of potential landslide hazard areas. The proposed development is for the reconfiguration of land only does not include new buildings or structures. Furthermore, both lots contain ample cleared space outside of potential landslide hazards areas to site future development. All existing structures will remain as current.



Overall, it is considered that the proposed development achieves consistency with the applicable outcomes of the Potential Landslide Hazard Overlay Code.

A detailed assessment against this code is not considered necessary for a proposal of this nature.

#### 5.6.6 Natural Areas Overlay Code

In accordance with the Planning Scheme, the development requires assessment against the Natural Areas Overlay Code. The purpose of the Natural Areas Overlay Code is to:

- (a) implement the policy direction in the Strategic Framework, in particular:
  - (i) Theme 2: Environment and landscape values, Element 3.5.3 Biodiversity, Element 3.5.4 Coastal zones;
  - (ii) Theme 3: Natural resource management Element 3.6.2 Land and catchment management, Element 3.6.3 Primary production, forestry and fisheries.
- (b) enable an assessment of whether development is suitable on land within the Biodiversity area overlay sub-categories.

#### Response

The subject site contains areas of Matters of State Environmental Significance (MSES) regulated vegetation, and MSES wildlife habitat. The proposed development is for the reconfiguration of land only does not include new buildings or structures. The proposed lot boundaries are consistent with the existing configuration and do not encroach further into vegetated areas, therefore not impacting on matters of environmental significance. Additionally, both lots contain sufficient cleared land to site future development, separated from ecologically important areas.

Overall, it is considered that the proposed development achieves consistency with the applicable outcomes of the Natural Areas Overlay Code.

A detailed assessment against this code is not considered necessary for a proposal of this nature.

#### 5.6.6 Transport Network Overlay Code

In accordance with the Planning Scheme, the development requires assessment against the Transport Network Overlay Code. The purpose of the Transport Network Overlay is to provide safe, efficient, and connected transport infrastructure, and to guide developments that are supported by and do not impede on transport networks or transport infrastructure.

#### Response

The proposed development is for the reconfiguration of land within an existing urban environment. The proposed lots will continue being serviced by existing crossovers from Miallo Bamboo Creek Road, Syndicate Road, and Whyanbeel Road. The proposal will not impact on transport infrastructure, and any future developments will be subject to subsequent development applications.

Overall, it is considered that the proposed development is generally consistent with the outcomes identified in the Planning Scheme for the Transport Network Overlay Code.

A detailed assessment against this code is not considered necessary for a proposal of this nature.



## 5.7 DEVELOPMENT CODES

### 5.7.1 Access, Parking, and Servicing Code

In accordance with the Planning Scheme table of assessment, the development requires assessment against the Access, Parking, and Servicing Code. The purpose of the Access, Parking, and Servicing Code is to assess the suitability of access, parking and associated servicing aspects of a development.

#### Response

The proposed development is for the reconfiguration of land only. Both proposed lots will continue to be serviced by existing crossovers from Miallo Bamboo Creek Road, Syndicate Road, and Whyanbeel Road. The proposal will not impact on other parking or servicing elements.

Overall, it is considered that the proposed development achieves consistency with the applicable outcomes of the Access, Parking, and Servicing Code. A detailed assessment against this code is provided in **Appendix C**.

### 5.7.2 Filling and Excavation Code

In accordance with the Planning Scheme table of assessment, the development requires assessment against the Filling and Excavation Code. The purpose of the Filling and Excavation Code is to assess the suitability of development for filling or excavation.

#### Response

The proposal is for the reconfiguration of land only. No filling or excavation is required to fulfill the reconfiguration, and any future development will be assessed against this code.

Overall, it is considered that the proposed development achieves consistency with the applicable outcomes of the Filling and Excavation Code.

A detailed assessment against this code is not considered necessary for a proposal of this nature.

### 5.7.3 Infrastructure Works Code

In accordance with the Planning Scheme table of assessment, the development requires assessment against the Infrastructure Works Code. The purpose of the Infrastructure Works Code is to ensure that development is safely and efficiently serviced by, and connected to, infrastructure.

#### Response

The proposal is for the reconfiguration of land only. Both proposed lots are connected to existing services and no further connections will be required to fulfil the reconfiguration.

Overall, it is considered that the proposed development achieves consistency with the applicable outcomes of the Infrastructure Works Code.

A detailed assessment against this code is not considered necessary for a proposal of this nature.



#### 5.7.4 Reconfiguring a Lot Code

In accordance with the Planning Scheme table of assessment, the development requires assessment against the Reconfiguring a Lot Code. The purpose of the Reconfiguring a Lot Code is to ensure that development is arranged appropriately, and lots have sufficient areas, dimensions, and shapes for their intended use.

#### Response

The subject site is contained within the Rural Zone which specifies a minimum lot size of 40ha. The proposal results in lots with areas of:

- Proposed Lot 137 – 365.25ha
- Proposed Lot 2 – 48.37ha

The proposal retains sufficient land for the intended uses of the Rural Zone. The existing lot boundary follows the natural features of the land, and the proposed reconfiguration merely separates one parcel of land along the existing divide at Syndicate Road. No changes to boundary shapes or access are proposed. All lots retain lawful access to a public road.

Overall, it is considered that the proposed development is consistent with the outcomes identified in the Planning Scheme for the Reconfiguring a Lot code. A detailed assessment against the code is located in **Appendix C**.





## 6.0 CONCLUSION

This report has been prepared on behalf of the Applicant, Marrin Pty Ltd, in support of a Development Application seeking a Development Permit for Reconfiguring a Lot (1 Lot into 2 Lots) on land at 723 Syndicate Road, Miallo, precisely described as Lot 137 on SP174874.

The abovementioned has demonstrated that the proposal appropriately responds to outcomes sought and is generally in accordance with the relevant assessment benchmarks of the *Douglas Shire Planning Scheme 2018*.

In summary, the proposed development is recommended for approval based on the following reasons:

- The proposal complies with the codes nominated by the Planning Scheme as being relevant to the assessment of a proposal of this nature.
- The proposed reconfiguration of the subject site provides suitable sized lots for the intended use under the Rural Zone.
- The proposed lots have access to development infrastructure, including utility installations and essential services.
- Appropriate access is provided to the subject site without compromising the transport network.

Overall, it is considered that the proposed development is an appropriate response to the site and subject to the imposition of reasonable and relevant conditions, Council will issue a Development Permit for Reconfiguring a Lot (1 Lot into 2 Lots) at 723 Syndicate Road, Miallo.

# APPENDIX A

brazier motti



# DA Form 1 – Development application details

Approved form (version 1.6 effective 2 August 2024) made under section 282 of the Planning Act 2016.

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

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

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

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

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

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

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

## PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Marrin Pty Ltd
Contact name (only applicable for companies)	
Postal address (P.O. Box or street address)	c/- Brazier Motti Pty Ltd, PO Box 1185
Suburb	Cairns
State	QLD
Postcode	4870
Country	Australia
Contact number	(07) 4054 0400
Email address (non-mandatory)	cns.planning@braziermotti.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	36381-001-01

### 1.1) Home-based business

☐ Personal details to remain private in accordance with section 264(6) of *Planning Act 2016*

### 2) Owner's consent

#### 2.1) Is written consent of the owner required for this development application?

- ☒ Yes – the written consent of the owner(s) is attached to this development application  
☐ No – proceed to 3)

## PART 2 – LOCATION DETAILS

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

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

#### 3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		723	Syndicate Road	Miallo
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	137	SP174874	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

**Note:** Place each set of coordinates in a separate row.

- ☐ Coordinates of premises by longitude and latitude

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

- ☐ 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 the details of these premises have been attached in a schedule to this development application  
☒ Not required

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

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

Name of port authority for tidal area (if applicable)

<input type="checkbox"/> On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>
Name of airport: <input type="text"/>
<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):*

Reconfiguring one (1) lot into two (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

**6.4) Is the application for State facilitated development?**

- ☐ Yes - Has a notice of declaration been given by the Minister?
- ☒ No

**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

**8.3) Does the proposed development relate to temporary accepted development under the Planning Regulation?**

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

Provide a general description of the temporary accepted development	Specify the stated period dates under the Planning Regulation

**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?**

One (1)

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

<input checked="" type="checkbox"/> Subdivision (complete 10)	<input type="checkbox"/> Dividing land into parts by agreement (complete 11)
<input type="checkbox"/> Boundary realignment (complete 12)	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed 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:
				Rural
Number of lots created				Two (2)

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

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?				
Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )
12.2) What is the reason for the boundary realignment?			

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)				
Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement

### Division 3 – Operational work

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

14.1) What is the nature of the operational work?		
<input type="checkbox"/> Road work <input type="checkbox"/> Drainage work <input type="checkbox"/> Landscaping <input type="checkbox"/> Other – please specify:	<input type="checkbox"/> Stormwater <input type="checkbox"/> Earthworks <input type="checkbox"/> Signage	<input type="checkbox"/> Water infrastructure <input type="checkbox"/> Sewage infrastructure <input type="checkbox"/> Clearing vegetation
14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)		
<input type="checkbox"/> Yes – specify number of new lots:		
<input type="checkbox"/> No		

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

\$

## PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application

Douglas 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
- ☐ The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- ☒ No

## PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements?

**Note:** A development application will require referral if prescribed by the Planning Regulation 2017.

- ☒ No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6

Matters requiring referral to the **Chief Executive of the Planning Act 2016:**

- ☐ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure-related referrals – designated premises
- ☐ Infrastructure-related referrals – state transport infrastructure
- ☐ Infrastructure-related referrals – State transport corridor and future State transport corridor
- ☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure-related referrals – near a state-controlled road intersection
- ☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- ☐ Koala habitat in SEQ region – key resource areas
- ☐ Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- ☐ Ports – Brisbane core port land – environmentally relevant activity (ERA)
- ☐ Ports – Brisbane core port land – tidal works or work in a coastal management district
- ☐ Ports – Brisbane core port land – hazardous chemical facility
- ☐ Ports – Brisbane core port land – taking or interfering with water
- ☐ Ports – Brisbane core port land – referable dams
- ☐ Ports – Brisbane core port land – fisheries
- ☐ Ports – Land within Port of Brisbane's port limits (*below high-water mark*)
- ☐ SEQ development area
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – community activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – combined use
- ☐ SEQ northern inter-urban break – tourist activity or sport and recreation activity



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- ☐ SEQ northern inter-urban break – community activity
- ☐ SEQ northern inter-urban break – indoor recreation
- ☐ SEQ northern inter-urban break – urban activity
- ☐ SEQ northern inter-urban break – combined use
- ☐ Tidal works or works in a coastal management district
- ☐ Reconfiguring a lot in a coastal management district or for a canal
- ☐ Erosion prone area in a coastal management district
- ☐ Urban design
- ☐ Water-related development – taking or interfering with water
- ☐ Water-related development – removing quarry material *(from a watercourse or lake)*
- ☐ Water-related development – referable dams
- ☐ Water-related development – levees *(category 3 levees only)*
- ☐ Wetland protection area

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

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

Matters requiring referral to the **Chief Executive of the distribution entity or transmission entity**:

- ☐ Infrastructure-related referrals – Electricity infrastructure

Matters requiring referral to:

- The **Chief Executive of the holder of the licence**, if not an individual
- The **holder of the licence**, if the holder of the licence is an individual
- ☐ Infrastructure-related referrals – Oil and gas infrastructure

Matters requiring referral to the **Brisbane City Council**:

- ☐ Ports – Brisbane core port land

Matters requiring referral to the **Minister responsible for administering the *Transport Infrastructure Act 1994***:

- ☐ Ports – Brisbane core port land *(where inconsistent with the Brisbane port LUP for transport reasons)*
- ☐ Ports – Strategic port land

Matters requiring referral to the **relevant port operator**, if applicant is not port operator:

- ☐ Ports – Land within Port of Brisbane's port limits *(below high-water mark)*

Matters requiring referral to the **Chief Executive of the relevant port authority**:

- ☐ Ports – Land within limits of another port *(below high-water mark)*

Matters requiring referral to the **Gold Coast Waterways Authority**:

- ☐ Tidal works or work in a coastal management district *(in Gold Coast waters)*

Matters requiring referral to the **Queensland Fire and Emergency Service**:

- ☐ Tidal works or work in a coastal management district *(involving a marina (more than six vessel berths))*

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

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

Referral requirement	Referral agency	Date of referral response

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

## PART 6 – INFORMATION REQUEST

### 19) Information request under the DA Rules

☒ I agree to receive an information request if determined necessary for this development application

☐ I do not agree to accept an information request for this development application

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

- that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties
- Part 3 under Chapter 1 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules or
- Part 2 under Chapter 2 of the DA Rules will still apply if the application is for state facilitated development

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

## PART 7 – FURTHER DETAILS

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

☐ Yes – provide details below or include details in a schedule to this development application

☒ No

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

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

☐ Yes – 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 (A, B or E)
\$		

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

☐ Yes – show cause or enforcement notice is attached

☒ No

## 23) Further legislative requirements

### Environmentally relevant activities

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

- ☐ Yes – the required attachment (form 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 536: 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 habitat in SEQ Region

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

- ☐ Yes – the development application involves premises in the koala habitat area in the koala priority area
- ☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area
- ☒ No

**Note:** If a koala habitat area determination has been obtained for this premises and is current over the land, it should be provided as part of this development application. See koala habitat area guidance materials at [www.desi.qld.gov.au](http://www.desi.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 Resources at [www.resources.qld.gov.au](http://www.resources.qld.gov.au) for further information.

DA templates are available from [planning.statedevelopment.qld.gov.au](http://planning.statedevelopment.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 [planning.statedevelopment.qld.gov.au](http://planning.statedevelopment.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 Resources at [www.resources.qld.gov.au](http://www.resources.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, Science and Innovation at [www.desi.qld.gov.au](http://www.desi.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.resources.qld.gov.au](http://www.resources.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.desi.qld.gov.au](http://www.desi.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.desi.qld.gov.au](http://www.desi.qld.gov.au) for information requirements regarding development of Queensland heritage places.

For a heritage place that has cultural heritage significance as a local heritage place and a Queensland heritage place, provisions are in place under the Planning Act 2016 that limit a local categorising instrument from including an assessment benchmark about the effect or impact of, development on the stated cultural heritage significance of that place. See guidance materials at [www.planning.statedevelopment.qld.gov.au](http://www.planning.statedevelopment.qld.gov.au) for information regarding assessment of Queensland heritage places.

Name of the heritage place:

Place ID:

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

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

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

☒ No

### **Walkable neighbourhoods assessment benchmarks under Schedule 12A of the Planning Regulation**

23.15) Does this development application involve reconfiguring a lot into 2 or more lots in certain residential zones (except rural residential zones), where at least one road is created or extended?

☐ Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered

☒ No

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

## **PART 8 – CHECKLIST AND APPLICANT DECLARATION**

### **24) Development application checklist**

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

☒ Yes

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

If building work is associated with the proposed development, Parts 4 to 6 of [DA Form 2 – Building work details](#) have been completed and attached to this development application

☐ Yes

☒ Not applicable

Supporting information addressing any applicable assessment benchmarks is with the development application

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

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☐ Yes

☒ Not applicable



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## 25) Applicant declaration

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

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

**Privacy** – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.

Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, Planning Regulation 2017 and the DA Rules except where:

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

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

## PART 9 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

Date received:  Reference number(s):

### Notification of engagement of alternative assessment manager

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

### QLeave notification and payment

**Note:** For completion by assessment manager if applicable

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

# APPENDIX B

brazier motti



**Individual owner's consent for making a development application under the *Planning Act 2016***

We,

David Eric William Gillingham,  
Bruce Eric Thomas Andrews,  
Elizabeth Julie Paynter,  
Richard Walter Andrews,  
Susan Patricia Olsen, and  
Deborah Eileen Olsen

as owners of the premises identified as follows:

Lot 137 on SP174874

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

Marrin Pty Ltd c/- Brazier Motti Pty Ltd

on the premises described above for:

Reconfiguring a Lot (1 lot into 2 lots) as detailed on Proposal Plan 36381/001A prepared by Brazier Motti

*Owner's signature and date signed:*



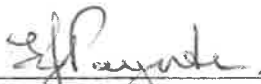
David Eric William Gillingham

Date: 01/04/2025



Bruce Eric Thomas Andrews

Date: 20 MAR 25



Elizabeth Julie Paynter

Date: 27/4/2025



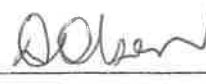
Richard Walter Andrews

Date: 18 APR 25



Susan Patricia Olsen

Date: 29-April 2025



Deborah Eileen Olsen

Date: 07/5/25

Queensland Titles Registry Pty Ltd  
 ABN 23 648 568 101

<b>Title Reference:</b>	<b>50535554</b>	<b>Search Date:</b>	31/01/2025 11:23
<b>Date Title Created:</b>	24/12/2004	<b>Request No:</b>	50731068
<b>Previous Title:</b>	21440034		

### ESTATE AND LAND

Estate in Fee Simple

LOT 137 SURVEY PLAN 174874  
 Local Government: DOUGLAS

### REGISTERED OWNER

### INTEREST

Dealing No: 712734028 16/09/2009

DAVID ERIC WILLIAM GILLINGHAM	13/48
BRUCE ERIC THOMAS ANDREWS	13/24
ELIZABETH JULIE PAYNTER	1/16
RICHARD WALTER ANDREWS	1/16
SUSAN PATRICIA OLSEN	1/32
DEBORAH EILEEN OLSEN	1/32

AS TENANTS IN COMMON

### EASEMENTS, ENCUMBRANCES AND INTERESTS

- Rights and interests reserved to the Crown by  
 Deed of Grant No. 20654245 (Lot 137 on CP SR854)  
 Deed of Grant No. 20654246 (Lot 137 on CP SR854)  
 Deed of Grant No. 20654247 (Lot 137 on CP SR854)  
 Deed of Grant No. 20654248 (Lot 137 on CP SR854)  
 Deed of Grant No. 20654249 (Lot 137 on CP SR854)
- LEASE No 601711507 (T346333F) 16/05/1988  
 OF PART OF THE LAND  
 TO STEVEN JAMES HALL, MARGARET RAE HALL  
 COMMENCING 01 JAN 1991  
 TERMINATING 31 DEC 2000
- AMENDMENT No 704417994 10/11/2000 at 11:24  
 LEASE: 601711507 (T346333F)
- AMENDMENT OF LEASE No 713622228 13/12/2010 at 12:33  
 LEASE: 601711507 (T346333F)  
 TERM: 01/01/1999 TO 31/12/2020 OPTION NIL
- TRANSFER No 715910036 23/07/2014 at 11:50  
 LEASE: 601711507 (T346333F)  
 ANDREWS ESTATE PTY LTD A.C.N. 168 426 748 TRUSTEE  
 UNDER INSTRUMENT 715910036
- LEASE No 601711519 (T751939H) 30/03/1994  
 OF PART OF THE LAND  
 TO BRUCE ERIC THOMAS ANDREWS  
 COMMENCING 01 JAN 1991  
 TERMINATING 31 DEC 2000
- AMENDMENT No 704418015 10/11/2000 at 11:26  
 LEASE: 601711519 (T751939H)
- AMENDMENT OF LEASE No 713622246 13/12/2010 at 12:41  
 LEASE: 601711519 (T751939H)  
 TERM: 01/01/1991 TO 31/12/2020 OPTION NIL

Queensland Titles Registry Pty Ltd  
 ABN 23 648 568 101

Title Reference: 50535554

### EASEMENTS, ENCUMBRANCES AND INTERESTS (Continued)

9. TRANSFER No 715910233 23/07/2014 at 12:17  
 LEASE: 601711519 (T751939H)  
 ANDREWS ESTATE PTY LTD A.C.N. 168 426 748 TRUSTEE  
 UNDER INSTRUMENT 715910233
10. LEASE No 601711520 (T751942X) 30/03/1994  
 OF PART OF THE LAND  
 TO GUISEPPE BERTOLOTTI  
 COMMENCING 01 JAN 1991  
 TERMINATING 31 DEC 2000
11. TRANSMISSION BY DEATH No 700077272 30/06/1994 at 14:00  
 the interest held in  
 LEASE: 601711520 (T751942X)  
 is transmitted to  
 INEZ PISOT PERSONAL REPRESENTATIVE
12. TRANSFER No 700077303 30/06/1994 at 14:05  
 of  
 LEASE: 601711520 (T751942X)  
 to  
 ROBERT PISOT
13. AMENDMENT No 704418032 10/11/2000 at 11:27  
 LEASE: 601711520 (T751942X)
14. TRANSFER No 704936913 01/08/2001 at 16:28  
 LEASE: 601711520 (T751942X)  
 ANTHONY JOHN D'ADDONA  
 RAYLEEN JOY D'ADDONA JOINT TENANTS
15. AMENDMENT OF LEASE No 713617186 09/12/2010 at 14:31  
 LEASE: 601711520 (T751942X)  
 TERM: 01/01/1991 TO 31/12/2020 OPTION NIL
16. TRANSFER No 718204248 10/08/2017 at 12:03  
 LEASE: 601711520 (T751942X)  
 ANTHONY JOHN D'ADDONA
17. LEASE No 601711521 (T751943B) 30/03/1994  
 OF PART OF THE LAND  
 TO CARMELO PUGLISI  
 COMMENCING 01 JAN 1991  
 TERMINATING 31 DEC 2000
18. AMENDMENT No 704418022 10/11/2000 at 11:26  
 LEASE: 601711521 (T751943B)
19. TRANSFER No 713517558 14/10/2010 at 15:18  
 LEASE: 601711521 (T751943B)  
 DI PALMA AND PUGLISI PTY LTD A.C.N. 009 985 139 TRUSTEE  
 UNDER INSTRUMENT 713517558
20. AMENDMENT OF LEASE No 713622689 13/12/2010 at 14:08  
 LEASE: 601711521 (T751943B)  
 TERM: 01/01/1991 TO 31/12/2020 OPTION NIL
21. LEASE No 601711522 (T751944D) 30/03/1994  
 OF PART OF THE LAND  
 TO MARY ELIZABETH PUGLISI, RENALDO ANGELO ANTHONY PUGLISI,  
 SALVATORE DI PALMA, ELDA LUCIA DI PALMA  
 COMMENCING 01 JAN 1991  
 TERMINATING 31 DEC 2000
22. AMENDMENT No 704418027 10/11/2000 at 11:27  
 LEASE: 601711522 (T751944D)



Queensland Titles Registry Pty Ltd  
 ABN 23 648 568 101

Title Reference: 50535554

### EASEMENTS, ENCUMBRANCES AND INTERESTS (Continued)

23. RECORD OF DEATH No 713517245 14/10/2010 at 14:23  
 over  
 LEASE: 601711522 (T751944D)  
 surviving joint tenant  
 MARY ELIZABETH PUGLISI  
 RENALDO ANGELO ANTHONY PUGLISI JOINT TENANTS INTER SE 1/2  
 SALVATORE DI PALMA TENANT IN COMMON 1/2
24. AMENDMENT OF LEASE No 713621997 13/12/2010 at 11:41  
 LEASE: 601711522 (T751944D)  
 TERM: 01/01/1999 TO 31/12/2020 OPTION NIL
25. TRANSFER No 714607094 06/08/2012 at 11:15  
 LEASE: 601711522 (T751944D)  
 RENALDO ANGELO ANTHONY PUGLISI  
 MARY ELIZABETH PUGLISI JOINT TENANTS
26. LEASE No 601711523 (T751945F) 30/03/1994  
 OF PART OF THE LAND  
 TO SALVATORE SCARCELLA  
 COMMENCING 01 JAN 1991  
 TERMINATING 31 DEC 2000
27. AMENDMENT No 704388477 26/10/2000 at 11:16  
 LEASE: 601711523 (T751945F)
28. LEASE No 601006003 (T754720D) 13/04/1994  
 To  
 PETER NICOLA PONZO  
 LORETTA MARY PONZA JOINT TENANTS  
 OVER PART OF THE LAND FROM 1 JANUARY 1991 TO 31 DECEMBER  
 2000.
29. AMENDMENT No 704418004 10/11/2000 at 11:25  
 LEASE: 601006003 (T754720D)
30. TRANSFER No 713482458 24/09/2010 at 12:47  
 LEASE: 601006003 (T754720D)  
 DI PALMA AND PUGLISI PTY LTD A.C.N. 009 985 139 TRUSTEE  
 UNDER INSTRUMENT 713482458
31. AMENDMENT OF LEASE No 713622135 13/12/2010 at 12:03  
 LEASE: 601006003 (T754720D)  
 TERM: 01/01/1991 TO 31/12/2020 OPTION NIL

### ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status
709680242	ACCESS RIGHT SUGAR INDUSTRY ACT 1999	15/06/2006 09:42	CURRENT
709680305	ACCESS RIGHT SUGAR INDUSTRY ACT 1999	15/06/2006 09:48	CURRENT
709680307	ACCESS RIGHT SUGAR INDUSTRY ACT 1999	15/06/2006 09:48	CURRENT
709680313	ACCESS RIGHT SUGAR INDUSTRY ACT 1999	15/06/2006 09:49	CURRENT
709680321	ACCESS RIGHT SUGAR INDUSTRY ACT 1999	15/06/2006 09:50	CURRENT
709680327	ACCESS RIGHT SUGAR INDUSTRY ACT 1999	15/06/2006 09:50	CURRENT

### UNREGISTERED DEALINGS

NIL

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>50535554</b>
-------------------------	-----------------

Caution - Charges do not necessarily appear in order of priority

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



62277/F.Bk III/LJB

Land Title Act 1994; Land Act 1994  
Form 21 Version 2

SURVEY PLAN

Sheet 1 of 2

REFERENCE MARKS

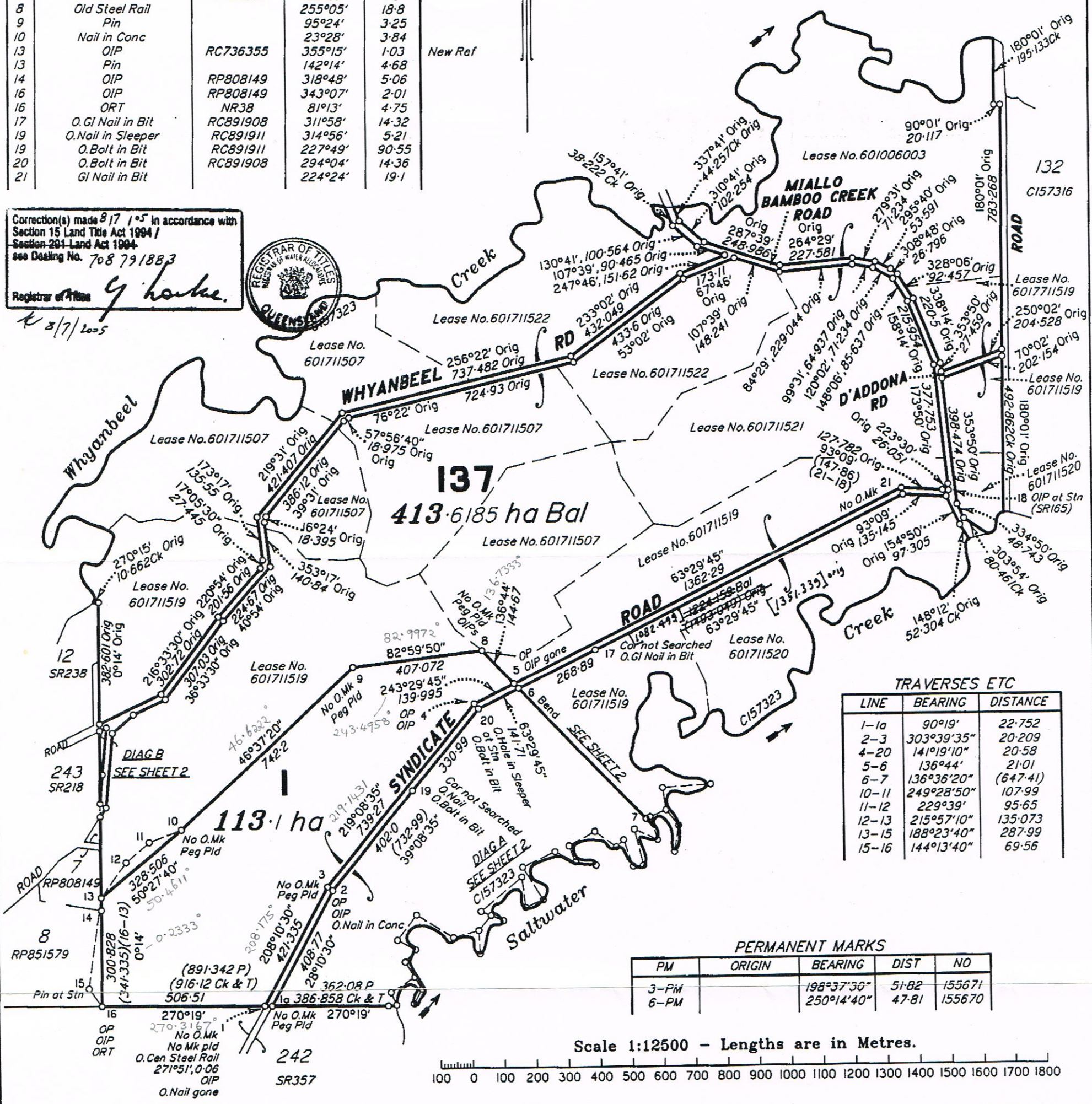
STN	TO	ORIGIN	BEARING	DIST
1	OIP	SR165	90°19'15"	1.137
1	O.Nail in Hdwl gone	RC891911	93°38'	8.775
2	O.Nail in Conc Grated Pit	RC891911	287°55'	5.71
2	OIP flush	RC891911	267°24'	7.49
2	GI Nail in Bit		220°26'	34.65
4	OIP	SR165	141°19'10"	1.03
5	OIP gone	RC736355	136°35'	1.0
5	Pin in Bit		134°20'	12.13
6	OIP gone	RC736355	316°35'	1.0
7	Pin		46°16'30"	6.37
8	OIP	RC736355	136°35'	1.0
8	OIP	RC736355	100°25'	1.0
8	Old Steel Rail		255°05'	18.8
9	Pin		95°24'	3.25
10	Nail in Conc		23°28'	3.84
13	OIP	RC736355	355°15'	1.03
13	Pin		142°14'	4.68
14	OIP	RP808149	318°48'	5.06
16	OIP	RP808149	343°07'	2.01
16	ORT	NR38	81°13'	4.75
17	O.GI Nail in Bit	RC891908	311°58'	14.32
19	O.Nail in Sleeper	RC891911	314°56'	5.21
19	O.Bolt in Bit	RC891911	227°49'	90.55
20	O.Bolt in Bit	RC891908	294°04'	14.36
21	GI Nail in Bit		224°24'	19.1

Original information compiled from C157323, RC736355 and SR854 in the Department of Natural Resources and Mines.

Peg placed at stations 1a, 3, 6-10 & 13.  
No Mark placed at station 1.

Correction(s) made 8/7/05 in accordance with Section 15 Land Title Act 1994 / Section 281 Land Act 1994 see Dealing No. 708 791883

Registrar of Titles  
8/7/2005



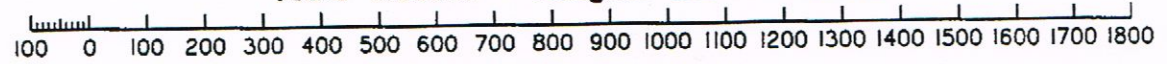
TRAVERSES ETC

LINE	BEARING	DISTANCE
1-1a	90°19'	22.752
2-3	303°39'35"	20.209
4-20	141°19'10"	20.58
5-6	136°44'	21.01
6-7	136°36'20"	(647.41)
10-11	249°28'50"	107.99
11-12	229°39'	95.65
12-13	215°57'10"	135.073
13-15	188°23'40"	287.99
15-16	144°13'40"	69.56

PERMANENT MARKS

PM	ORIGIN	BEARING	DIST	NO
3-PM		198°37'30"	51.82	155671
6-PM		250°14'40"	47.81	155670

Scale 1:12500 - Lengths are in Metres.



C & B CONSULTANTS PTY LTD (ACN 055 931 096) hereby certify that the company has by Adrian Edward SOLOMON and Ben Christopher SHEPHERD surveyed the land comprised in this plan and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 6/08/2004.



Director  
22.9.04  
Date

Plan of Lots 1 and 137

Cancelling Lot 137 on SR854

PARISH: **WHYANBEEL** COUNTY: **Solander**  
Meridian: **SR165** F/N's: **Yes**

Scale: **1:12500**  
Format: **STANDARD**



SP174874

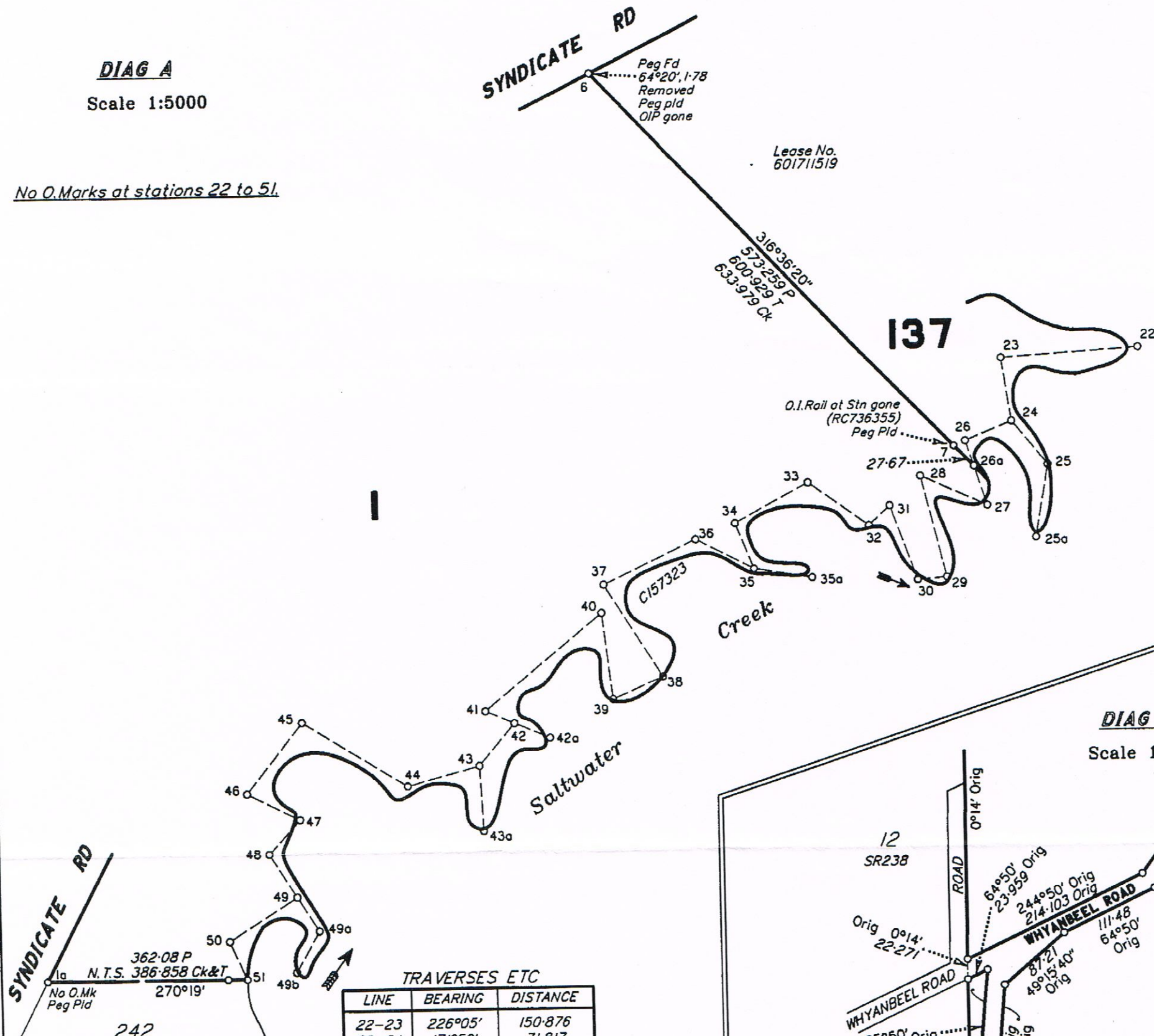
Plan Status:



**DIAG A**

Scale 1:5000

No O.Marks at stations 22 to 51.

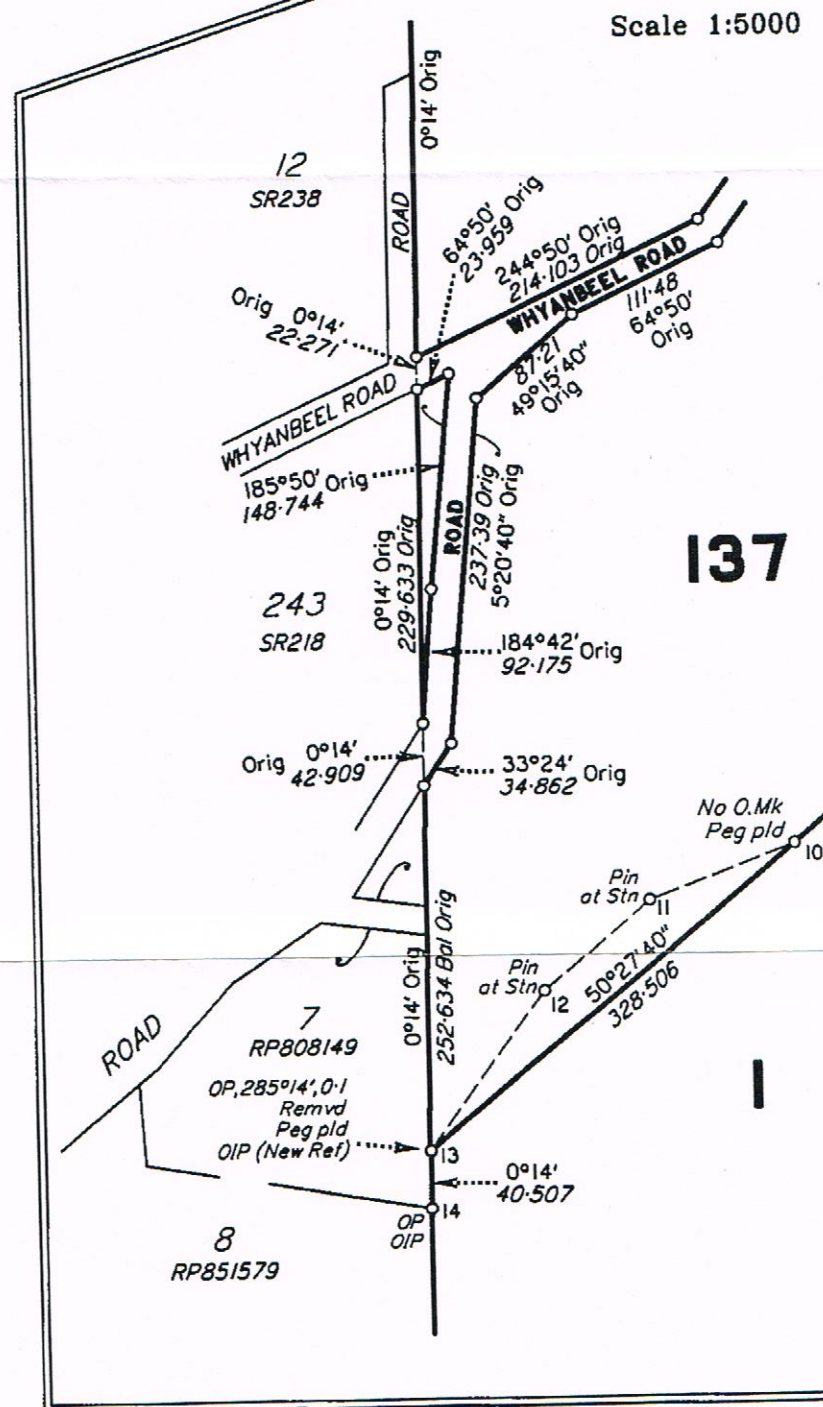


TRAVERSES ETC

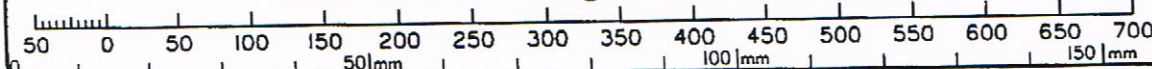
LINE	BEARING	DISTANCE
22-23	226°05'	150.876
23-24	171°50'	71.817
24-25	141°50'	62.362
24-26	247°20'	55.321
25-25a	189°50'	81.875
26-27	162°20'	75.639
27-28	294°50'	80.467
28-29	166°20'	115.672
29-30	265°20'	32.187
30-31	340°20'	87.508
31-32	226°50'	31.785
32-33	306°20'	82.479
33-34	241°35'	92.537
34-35	158°20'	54.315
35-35a	99°20'	64.977
35-36	297°35'	72.018
36-37	244°35'	112.654
37-38	148°20'	120.701
38-39	246°20'	60.35
39-40	353°20'	96.561
40-41	230°20'	168.176
41-42	112°50'	34.199
42-42a	112°50'	42.245
42-43	220°20'	60.35
43-43a	177°20'	73.024
43-44	254°50'	82.278
44-45	301°50'	134.783
45-46	218°20'	98.572
46-47	117°20'	64.374
47-48	221°20'	51.7
48-49	148°20'	56.327
49-49a	148°20'	44.257
49a-49b	209°20'	51.901
49-50	237°20'	88.514
50-51	156°20'	42.648
26-26a	162°20'	25.327
26a-27	162°20'	50.312

**DIAG B**

Scale 1:5000



Scale 1:5000 - Lengths are in Metres.



State copyright reserved.

Insert Plan Number SP174874



708309699

CS 400 NT

\$344.90  
21/12/2004 09:30WARNING : Folded or Mutilated Plans will not be accepted.  
Plans may be rolled.  
Information may not be placed in the outer margins.

Registered

5. Lodged by

Salvatore Scarcella  
P.O. Box 148  
Mossman Old. 4873  
40988121

(Include address, phone number, reference, and Lodger Code)

## 1. Certificate of Registered Owners or Lessees.

+/We QUEENSLAND TRUSTEES LIMITED  
RICHARD WALTER ANDREWS AS DEVISEES IN TRUST  
UNDER THE WILL OF WALTER HENRY ANDREWS, DECEASED  
DAVID ERIC WILLIAM GILLINGHAM  
BRUCE ERIC THOMAS ANDREWS

(Names in full)

\* as Registered Owners of this land agree to this plan and dedicate the Public Use  
Land as shown hereon in accordance with Section 50 of the Land Title Act 1994.

\* as Lessees of this land agree to this plan.

Signature of \*Registered Owners \*Lessees

QUEENSLAND TRUSTEES LIMITED  
RICHARD WALTER ANDREWS AS DEVISEES IN TRUST  
UNDER THE WILL OF WALTER HENRY ANDREWS, DECEASED

DAVID ERIC WILLIAM GILLINGHAM

BRUCE ERIC THOMAS ANDREWS

\* Rule out whichever is inapplicable

## 2. Local Government Approval.

\* DOUGLAS SHIRE COUNCIL  
hereby approves this plan in accordance with the :  
%

INTEGRATED PLANNING ACT 1997

## 6. Existing

## Created

Title Reference	Lot	Plan	Lots	Emts	Road
21440034	137	SR854	1, 137		

## MORTGAGE ALLOCATIONS

Mortgage	Lots Fully Encumbered	Lots Partially Encumbered
702073885		137

## EXISTING LEASE ALLOCATIONS

Lease	Lots to be Encumbered
601711507	137
601711519	137
601711520	137
601711521	137
601711522	137
601006003	137

Signed in my presence for and on behalf of Perpetual Trustees Queensland  
Limited Mark David Lapin its Attorneysand KEVIN KERR  
who are personally known to me and each of whom declares that he/she  
has been appointed by the Board of Directors of that company as an  
attorney of the company for the purposes of the Power of Attorney  
dated 12/3/2002 (Registration No. 705667459) and that  
he/she has no notice of the revocation of his/her powers.

Signature of Witness

Peter Bly  
Full name of Witness

Signature of Attorney

Signature of Attorney

1, 137

Lot 137  
on SR854

Lots

Orig

## 7. Portion Allocation :

8. Map Reference :  
7965-231119. Locality :  
MIALLO10. Local Government :  
Douglas S. C.11. Passed & Endorsed :  
By : C & B CONSULTANTS PTY LTD  
Date : 25/11/04  
Signed :   
Designation : Cadastral Surveyor

## 12. Building Format Plans only.

I certify that :  
\* As far as it is practical to determine, no part  
of the building shown on this plan encroaches  
onto adjoining lots or road.  
\* Part of the building shown on this plan  
encroaches onto adjoining \* lots and roadCadastral Surveyor/Director \* Date  
\* delete words not required

## 13. Lodgement Fees :

Survey Deposit \$  
Lodgement \$  
..... New Titles \$  
Photocopy \$  
Postage \$  
TOTAL \$14. Insert  
Plan  
Number SP174874Dated this seventeenth day of December 2004

for and on behalf of DOUGLAS SHIRE COUNCIL

MAYOR

CHIEF EXECUTIVE OFFICER

\* Insert the name of the Local Government. % Insert Integrated Planning Act 1997 or  
# Insert designation of signatory or delegation Local Government (Planning & Environment) Act 1990

## 3. Plans with Community Management Statement :

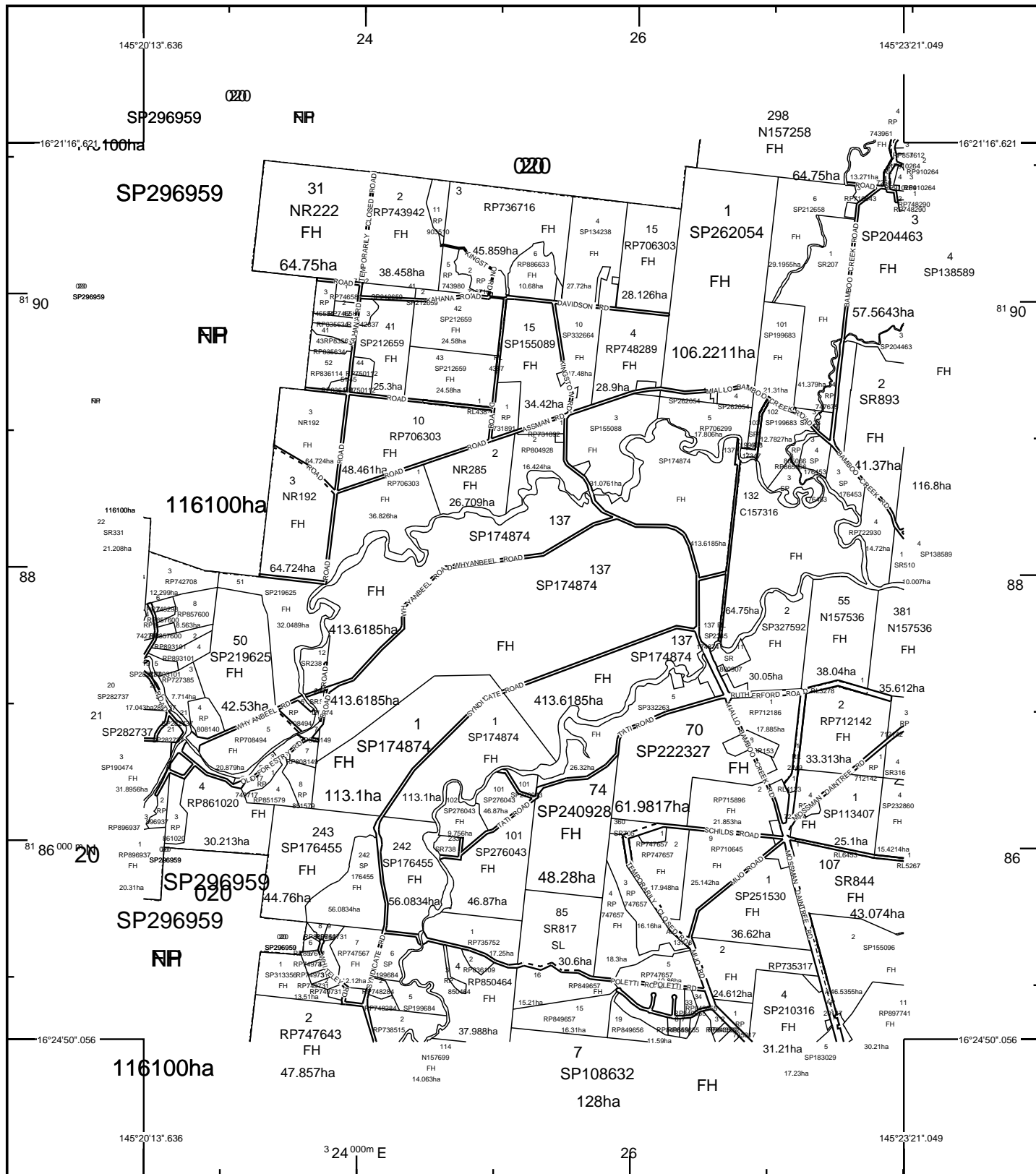
CMS Number :

Name :

## 4. References :

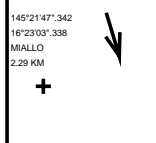
Dept File :  
Local Govt : DSC  
Surveyor : 62277





STANDARD MAP NUMBER  
7965-23111

MAP WINDOW POSITION &  
NEAREST LOCATION



#### SUBJECT PARCEL DESCRIPTION

DCDB	137/SP174874
Lot/Plan	413.6185ha
Area/Volume	FREEHOLD
Tenure	DOUGLAS SHIRE
Local Government	MIALLO
Locality	8642/7
Segment/Parcel	

#### CLIENT SERVICE STANDARDS

PRINTED 20/02/2025

DCDB 19/02/2025 (Lots with an area less than 1.000ha are not shown)

Users of the information recorded in this document (the Information) accept all responsibility and risk associated with the use of the Information and should seek independent professional advice in relation to dealings with property.

Despite Department of Resources best efforts, RESOURCES makes no representations or warranties in relation to the Information, and, to the extent permitted by law, exclude or limit all warranties relating to correctness, accuracy, reliability, completeness or currency and all liability for any direct, indirect and consequential costs, losses, damages and expenses incurred in any way (including but not limited to that arising from negligence) in connection with any use of or reliance on the Information.

For further information on SmartMap products visit  
<https://www.qld.gov.au/housing/buying-owning-home/property-land-valuations/smartmaps>

## SmartMap

An External Product of  
SmartMap Information Services

Based upon an extraction from the  
Digital Cadastral Data Base



**Queensland  
Government**

(c) The State of Queensland,  
(Department of Resources) 2025.

# APPENDIX C

brazier motti



## 6.2.10 Rural zone code

### 6.2.10.1 Application

- (1) This code applies to assessing development in the Industry zone.
- (2) When using this code, reference should be made to Part 5.

### 6.2.10.2 Purpose

- (1) The purpose of the Rural zone code is to provide for:
  - (a) provide for rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities;
  - (b) provide opportunities for non-rural uses, such as ancillary tourism activities that are compatible with agriculture, the environmental features, and landscape character of the rural area where the uses do not compromise the long-term use of the land for rural purposes;
  - (c) protect or manage significant natural resources and processes to maintain the capacity for primary production.
- (2) The local government purpose of the code is to:
  - (a) implement the policy direction set in the Strategic Framework, in particular:
    - (i) Theme 2 : Environment and landscape values, Element 3.5.5 – Scenic amenity.
    - (ii) Theme 3 : Natural resource management, Element 3.6.2 – Land and catchment management, Element 3.6.3 Primary production, forestry and fisheries, Element 3.6.4 – Resource extraction.
    - (iii) Theme 5 Economy, Element 3.8.2 – Economic growth and diversification, Element 3.8.4 – Primary production.
    - (iv) Theme 6 : Infrastructure and transport, Element 3.9.4 – Transport.
  - (b) recognise the primacy of rural production, in particular sugar cultivation, and other farming practices in rural areas;
  - (c) provide protection to areas of ecological significance and scenic amenity significance where present.
- (3) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Areas for use for primary production are conserved and fragmentation is avoided.
  - (b) Development embraces sustainable land management practices and contributes to the amenity and landscape of the area.
  - (c) Adverse impacts of land use, both on-site and on adjoining areas, are avoided and any unavoidable impacts are minimised through location, design, operation and management.
  - (d) Areas of remnant and riparian vegetation are retained or rehabilitated.



**Criteria for assessment****Table 6.2.10.3.a – Rural zone code assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> The height of buildings is compatible with the rural character of the area and must not detrimentally impact on visual landscape amenity.	<b>AO1.1</b> Dwelling houses are not more than 8.5 metres in height.  Note – Height is inclusive of roof height.  <b>AO1.2</b> Rural farm sheds and other rural structures are not more than 10 metres in height.	<b>Not applicable</b>  The proposal is for the reconfiguration of land only. No further development is proposed.
<b>Setbacks</b>		
<b>PO2</b> Buildings and structures are setback to maintain the rural character of the area and achieve separation from buildings on adjoining properties.	<b>AO2</b> Buildings are setback not less than: (a) 40 metres from the property boundary and a State-controlled road; (b) 25 metres from the property boundary adjoining Cape Tribulation Road; (c) 20 metres from the boundary with any other road; (d) 6 metres from side and rear property boundaries.	<b>Not applicable</b>  The proposal is for the reconfiguration of land only. No further development proposed. Additionally, the reconfigured land will follow the existing boundary and will not impact on existing setbacks.
<b>PO3</b> Buildings/structures are designed to maintain the rural character of the area.	<b>AO3</b> White and shining metallic finishes are avoided on external surfaces of buildings.	<b>Not applicable</b>  The proposal is for the reconfiguration of land only. No further development proposed, all structures remain as existing.
<b>For assessable development</b>		
<b>PO4</b>	<b>AO4</b> Uses identified in Table 6.2.10.3.b are not established in the Rural zone.	<b>Complies AO4</b>



Performance outcomes	Acceptable outcomes	Applicant response
The establishment of uses is consistent with the outcomes sought for the Rural zone and protects the zone from the intrusion of inconsistent uses.		The proposal is for the reconfiguration of land only. No further development proposed.

Performance outcomes	Acceptable outcomes	Applicant response
<b>PO5</b> Uses and other development include those that: (a) promote rural activities such as agriculture, rural enterprises and small scale industries that serve rural activities; or (b) promote low impact tourist activities based on the appreciation of the rural character, landscape and rural activities; or (c) are compatible with rural activities.	<b>AO5</b> No acceptable outcomes are prescribed.	<b>Complies PO5</b>  The proposal is for the reconfiguration of land only. No further development proposed. The proposed allotments are compatible with rural activities.
<b>PO6</b> Existing native vegetation along watercourses and in, or adjacent to areas of environmental value, or areas of remnant vegetation of value is protected.	<b>AO6</b> No acceptable outcomes are prescribed.	<b>Complies PO6</b>  No removal of vegetation is required to fulfil the reconfiguration.
<b>PO7</b> The minimum lot size is 40 hectares, unless (a) the lot reconfiguration results in no additional lots (e.g. amalgamation, boundary realignments to resolve encroachments); or (b) the reconfiguration is limited to one additional lot to accommodate: (i) Telecommunications facility; (ii) Utility installation.	<b>AO7</b> No acceptable outcomes are prescribed.	<b>Complies PO7</b>  The development will result in the following allotments: <ul style="list-style-type: none"><li>Proposed Lot 137: 365.25ha (balance)</li><li>Proposed Lot 2: 48.37ha</li></ul>

Table 6.2.10.3.b - Inconsistent uses within the Rural zone.

Inconsistent uses		
<ul style="list-style-type: none"><li>• Adult store</li><li>• Bar</li><li>• Brothel</li><li>• Car wash</li><li>• Child care centre</li><li>• Club</li><li>• Community care centre</li><li>• Community residence</li><li>• Detention facility,</li><li>• Dual occupancy</li><li>• Dwelling unit</li><li>• Food and drink outlet</li><li>• Hardware and trade supplies</li><li>• Health care services</li><li>• High impact industry</li></ul>	<ul style="list-style-type: none"><li>• Hotel</li><li>• Indoor sport and recreation</li><li>• Low impact industry</li><li>• Medium impact industry</li><li>• Multiple dwelling</li><li>• Nightclub entertainment facility</li><li>• Non-resident workforce accommodation</li><li>• Office</li><li>• Outdoor sales</li><li>• Parking station</li><li>• Permanent plantation</li><li>• Port services</li><li>• Relocatable home park</li><li>• Renewable energy facility, being a wind farm</li></ul>	<ul style="list-style-type: none"><li>• Residential care facility</li><li>• Resort complex</li><li>• Retirement facility</li><li>• Rooming accommodation</li><li>• Sales office</li><li>• Service station</li><li>• Shop</li><li>• Shopping centre</li><li>• Short-term accommodation</li><li>• Showroom</li><li>• Special industry</li><li>• Theatre</li><li>• Warehouse</li></ul>

Note – This table does not imply that all other uses not listed in the table are automatically consistent uses within the zone. Assessable development must still demonstrate consistency through the assessment process.

## 8.2.2 Bushfire hazard overlay code

Note - Land shown on the bushfire hazard overlay map is designated as the bushfire prone area for the purposes of section 12 of the Building Regulations 2006. The bushfire hazard area (bushfire prone area) includes land covered by the high and medium hazard areas as well as the buffer area category on the overlay map.

### 8.2.2.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational works or building work in the Bushfire hazard overlay, if:
  - (a) self-assessable or assessable where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
  - (b) impact assessable development.
- (2) Land in the Bushfire hazard overlay is identified on the Bushfire hazard overlay map in Schedule 2 and includes the following sub-categories:
  - (a) Medium bushfire risk sub-category;
  - (b) High bushfire risk sub-category;
  - (c) Very high bushfire risk sub-category;
  - (d) Potential impact buffer sub-category.
- (3) When using this code, reference should be made to Part 5.

### 8.2.2.2 Purpose

- (1) The purpose of the Bushfire overlay code is to:
  - (a) implement the policy direction in the Strategic Framework, in particular:
    - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
    - (ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.
  - (b) enable an assessment of whether development is suitable on land within the Bushfire risk overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) development avoids the establishment or intensification of vulnerable activities within or near areas that are subject to bushfire hazard;
  - (b) development is designed and located to minimise risks to people and property from bushfires;
  - (c) bushfire risk mitigation treatments are accommodated in a manner that avoids or minimises impacts on the natural environment and ecological processes;

- (d) development involving the manufacture or storage of hazardous materials does not increase the risk to public safety or the environment in a bushfire event;
- (e) development contributes to effective and efficient disaster management response and recovery capabilities.

Note - A site based assessment may ground-truth the extent of hazardous vegetation and extent and nature of the bushfire hazard area (bushfire prone area). Such assessments should be undertaken using the methodology set out in Planning scheme policy SC6.9 - Natural Hazards.

### Criteria for assessment

**Table 8.2.2.3.a – Bushfire hazard overlay code –assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>Compatible development</b>		
<b>P01</b> A vulnerable use is not established or materially intensified within a bushfire hazard area (bushfire prone area) unless there is an overriding need or other exceptional circumstances.  Note - See the end of this code for examples of vulnerable uses.	<b>A01</b> Vulnerable uses are not established or expanded.  Note – Where, following site inspection and consultation with Council, it is clear that the mapping is in error in identifying a premises as being subject to a medium, high, very high bushfire hazard or potential impact buffer sub-category, Council may supply a letter exempting the need for a Bushfire Management Plan. Note – Where the assessment manager has not previously approved a Bushfire Management Plan (either by condition of a previous development approval), the development proponent will be expected to prepare such a plan. Note – Planning scheme policy SC6.9 - Natural hazards, provides a guide to the preparation of a Bushfire Management Plan.	<b>Complies A01</b> The proposed reconfiguration does not entail the establishment or intensification of vulnerable uses within a bushfire hazard area.
<b>P02</b> Emergency services and uses providing community support services are able to function effectively during and immediately after a bushfire hazard event.	<b>A02</b> Emergency Services and uses providing community support services are not located in a bushfire hazard sub-category and have direct access to low hazard evacuation routes.	<b>Complies A02</b> The proposed reconfiguration does not involve the establishment of emergency services within a bushfire hazard area.
<b>P03</b> Development involving hazardous materials manufactured or stored in bulk is not located in bushfire hazard sub-category.	<b>A03</b> The manufacture or storage of hazardous material in bulk does not occur within bushfire hazard sub-category.	<b>Complies A02</b> The development does not involve the manufacturing or storage of hazardous material.



Performance outcomes	Acceptable outcomes	Applicant response
<b>Development design and separation from bushfire hazard – reconfiguration of lots</b>		
<p><b>PO4.1</b> Where reconfiguration is undertaken in an urban area or is for urban purposes or smaller scale rural residential purposes, a separation distance from hazardous vegetation is provided to achieve a radiant heat flux level of 29kW/m<sup>2</sup> at the edge of the proposed lot(s).</p> <p>Note - "Urban purposes" and "urban area" are defined in the <i>Sustainable Planning Regulations 2009</i>. Reconfiguration will be taken to be for rural residential purposes where proposed lots are between 2000m<sup>2</sup> and 2ha in area. "Smaller scale" rural residential purposes will be taken to be where the average proposed lot size is 6000m<sup>2</sup> or less.</p> <p>Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.</p> <p><b>PO4.2</b> Where reconfiguration is undertaken for other purposes, a building envelope of reasonable dimensions is provided on each lot which achieves radiant heat flux level of 29kW/m<sup>2</sup> at any point.</p>	<p><b>AO4.1</b> No new lots are created within a bushfire hazard sub-category.</p> <p>or</p> <p><b>AO4.2</b> Lots are separated from hazardous vegetation by a distance that:</p> <ul style="list-style-type: none"> <li>(a) achieves radiant heat flux level of 29kW/m<sup>2</sup> at all boundaries; and</li> <li>(b) is contained wholly within the development site.</li> </ul> <p>Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation. For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages.</p> <p>Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.</p>	<p><b>Complies AO4.2</b> The proposal is for the reconfiguration of land to separate part of the land along the existing boundary line at Syndicate Road.</p> <p>Proposed Lots 137 and 2 contain areas of 365.25ha and 48.37ha, respectively.</p> <p>Lot 137 contains majority of the bushfire hazard area. However, no changes to infrastructure or existing boundary lines will occur as a result of the reconfiguration.</p> <p>Lot 2 is separated by Syndicate Road and follows the existing boundary line. Only a small area of Potential Impact Buffer is contained within this lot.</p>
<p><b>PO5</b> Where reconfiguration is undertaken in an urban area or is for urban purposes, a constructed perimeter road with reticulated water supply is established between the lots and the hazardous vegetation and is readily accessible at all times for urban fire fighting vehicles.</p> <p>The access is available for both fire fighting and maintenance/defensive works.</p>	<p><b>AO5.1</b> Lot boundaries are separated from hazardous vegetation by a public road which:</p> <ul style="list-style-type: none"> <li>(a) has a two lane sealed carriageway;</li> <li>(b) contains a reticulated water supply;</li> <li>(c) is connected to other public roads at both ends and at intervals of no more than 500m;</li> <li>(d) accommodates geometry and turning radii in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</li> </ul>	<p><b>Not applicable</b> The reconfiguration is not in an urban area or for urban purposes.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<ul style="list-style-type: none"> <li>(e) has a minimum of 4.8m vertical clearance above the road;</li> <li>(f) is designed to ensure hydrants and water access points are not located within parking bay allocations; and</li> <li>(g) incorporates roll-over kerbing.</li> </ul> <p><b>A05.2</b> Fire hydrants are designed and installed in accordance with AS2419.1 2005, unless otherwise specified by the relevant water entity.</p> <p>Note - Applicants should have regard to the relevant standards set out in the reconfiguration of a lot code and works codes in this planning scheme.</p>	
<p><b>P06</b> Where reconfiguration is undertaken for smaller scale rural residential purposes, either a constructed perimeter road or a formed, all weather fire trail is established between the lots and the hazardous vegetation and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>The access is available for both fire fighting and maintenance/hazard reduction works.</p>	<p><b>A06</b> Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> <li>(a) a reserve or easement width of at least 20m;</li> <li>(b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation;</li> <li>(c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path;</li> <li>(d) a minimum of 4.8m vertical clearance;</li> <li>(e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</li> <li>(f) a maximum gradient of 12.5%;</li> <li>(g) a cross fall of no greater than 10 degrees;</li> <li>(h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;</li> </ul>	<p><b>Not applicable</b> The reconfiguration is not for smaller scale rural residential purposes.</p>





Performance outcomes	Acceptable outcomes	Applicant response
	<ul style="list-style-type: none"> <li>(i) vehicular access at each end which is connected to the public road network at intervals of no more than 500m;</li> <li>(j) designated fire trail signage;</li> <li>(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and</li> <li>(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.</li> </ul>	
<p><b>P07</b> Where reconfiguration is undertaken for other purposes, a formed, all weather fire trail is provided between the hazardous vegetation and either the lot boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>However, a fire trail will not be required where it would not serve a practical fire management purpose.</p>	<p><b>A07</b> Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> <li>(a) a reserve or easement width of at least 20m;</li> <li>(b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation;</li> <li>(c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path;</li> <li>(d) a minimum of 4.8m vertical clearance;</li> <li>(e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</li> <li>(f) a maximum gradient of 12.5%;</li> <li>(g) a cross fall of no greater than 10 degrees;</li> <li>(h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;</li> <li>(i) vehicular access at each end which is connected to the public road network;</li> <li>(j) designated fire trail signage;</li> </ul>	<p><b>Complies A07</b> The reconfiguration utilises existing boundaries and separation along Syndicate Road. No changes to existing boundaries or infrastructure are proposed.</p> <p>All structures and access remain as current.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and</p> <p>(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.</p>	
<p><b>P08</b> The development design responds to the potential threat of bushfire and establishes clear evacuation routes which demonstrate an acceptable or tolerable risk to people.</p>	<p><b>A08</b> The lot layout:</p> <ul style="list-style-type: none"> <li>(a) minimises the length of the development perimeter exposed to, or adjoining hazardous vegetation;</li> <li>(b) avoids the creation of potential bottle-neck points in the movement network;</li> <li>(c) establishes direct access to a safe assembly /evacuation area in the event of an approaching bushfire; and</li> <li>(d) ensures roads likely to be used in the event of a fire are designed to minimise traffic congestion.</li> </ul> <p>Note - For example, developments should avoid finger-like or hour-glass subdivision patterns or substantive vegetated corridors between lots. In order to demonstrate compliance with the performance outcome, a bushfire management plan prepared by a suitably qualified person may be required. The bushfire management plan should be developed in accordance with the Public Safety Business Agency (PSBA) guideline entitled "Undertaking a Bushfire Protection Plan. Advice from the Queensland Fire and Emergency Services (QFES) should be sought as appropriate</p>	<p><b>Complies A08</b> The reconfiguration utilises existing boundaries and is separated by Syndicate Road. No changes to existing boundaries are proposed.</p> <p>All lot layouts and access along Syndicate Road, Miallo Bamboo Creek Road, and Whyanbeel Road remain as current.</p>
<p><b>P09</b> Critical infrastructure does not increase the potential bushfire hazard.</p>	<p><b>A09</b> Critical or potentially hazardous infrastructure such as water supply, electricity, gas and telecommunications are placed underground.</p>	<p><b>Not applicable</b> The proposal is for the reconfiguration of land only. No further development is proposed, and all structures remain as current.</p>



Performance outcomes	Acceptable outcomes	Applicant response
<b>Development design and separation from bushfire hazard – material change of use</b>		
<p><b>PO10</b> Development is located and designed to ensure proposed buildings or building envelopes achieve a radiant heat flux level at any point on the building or envelope respectively, of:</p> <p>(a) 10kW/m<sup>2</sup> where involving a vulnerable use; or (b) 29kW/m<sup>2</sup> otherwise.</p> <p>The radiant heat flux level is achieved by separation unless this is not practically achievable.</p> <p>Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.</p>	<p><b>AO10</b> Buildings or building envelopes are separated from hazardous vegetation by a distance that:</p> <p>(a) achieves a radiant heat flux level of at any point on the building or envelope respectively, of 10kW/m<sup>2</sup> for a vulnerable use or 29kW/m<sup>2</sup> otherwise; and (b) is contained wholly within the development site.</p> <p>Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation.</p> <p>For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages.</p> <p>Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.</p>	<p><b>Not applicable</b> The proposal is for reconfiguring a lot.</p>
<p><b>PO11</b> A formed, all weather fire trail is provided between the hazardous vegetation and the site boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>However, a fire trail will not be required where it would not serve a practical fire management purpose.</p> <p>Note - Fire trails are unlikely to be required where a development site involves less than 2.5ha</p>	<p><b>AO11</b> Development sites are separated from hazardous vegetation by a public road or fire trail which has:</p> <p>(a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and</p>	<p><b>Not applicable</b></p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</p> <p>(f) a maximum gradient of 12.5%;</p> <p>(g) a cross fall of no greater than 10 degrees;</p> <p>(h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;</p> <p>(i) vehicular access at each end which is connected to the public road network which is connected to the public road network at intervals of no more than 500m;</p> <p>(j) designated fire trail signage;</p> <p>(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and</p> <p>(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.</p>	
<b>All development</b>		
<p><b>PO12</b></p> <p>All premises are provided with vehicular access that enables safe evacuation for occupants and easy access by fire fighting appliances.</p>	<p><b>AO12</b></p> <p>Private driveways:</p> <p>(a) do not exceed a length of 60m from the street to the building;</p> <p>(b) do not exceed a gradient of 12.5%;</p> <p>(c) have a minimum width of 3.5m;</p> <p>(d) have a minimum of 4.8m vertical clearance;</p> <p>(e) accommodate turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and</p> <p>(f) serve no more than 3 dwellings or buildings.</p>	<p><b>Complies PO12</b></p> <p>The proposal is for the reconfiguration of land only. All access will remain as existing.</p>



Performance outcomes	Acceptable outcomes	Applicant response
<b>PO13</b> Development outside reticulated water supply areas includes a dedicated static supply that is available solely for fire fighting purposes and can be accessed by fire fighting appliances.	<b>AO13</b> A water tank is provided within 10m of each building (other than a class 10 building) which: <ul style="list-style-type: none"> <li>(a) is either below ground level or of non-flammable construction;</li> <li>(b) has a take off connection at a level that allows the following dedicated, static water supply to be left available for access by fire fighters:               <ul style="list-style-type: none"> <li>(i) 10,000l for residential buildings</li> </ul> </li> </ul> Note – A minimum of 7,500l is required in a tank and the extra 2,500l may be in the form of accessible swimming pools or dams. <ul style="list-style-type: none"> <li>(ii) 45,000l for industrial buildings; and</li> <li>(iii) 20,000l for other buildings;</li> <li>(c) includes shielding of tanks and pumps in accordance with the relevant standards;</li> <li>(d) includes a hardstand area allowing medium rigid vehicle (15 tonne fire appliance) access within 6m of the tank;</li> <li>(e) is provided with fire brigade tank fittings – 50mm ball valve and male camlock coupling and, if underground, an access hole of 200mm (minimum) to accommodate suction lines; and</li> <li>(f) is clearly identified by directional signage provided at the street frontage.</li> </ul>	<b>Not applicable</b> The proposal is for the reconfiguration of land only. All infrastructure will remain as current.
<b>PO14</b> Landscaping does not increase the potential bushfire risk.	<b>AO14</b> Landscaping uses species that are less likely to exacerbate a bushfire event, and does not increase fuel loads within separation areas.	<b>Not applicable</b> The proposal is for the reconfiguration of land only. No changes to landscaping are proposed as a result.



Performance outcomes	Acceptable outcomes	Applicant response
<b>PO15</b> The risk of bushfire and the need to mitigate that risk is balanced against other factors (such as but not limited to, biodiversity or scenic amenity).	<b>AO15</b> Bushfire risk mitigation treatments do not have a significant impact on the natural environment or landscape character of the locality where this has value.	<b>Complies AO15</b> Refer to comment PO14.

Note – 'Vulnerable activities' are those involving:

- (1) the accommodation or congregation of vulnerable sectors of the community such as child care centres, community care centre, educational establishments, detention facilities, hospitals, rooming accommodation, retirement facilities or residential care facilities; or
- (2) the provision of essential services including community uses, emergency services, utility installation, telecommunications facility, substations and major electricity infrastructure.

## 8.2.4 Flood and storm tide hazard overlay code

### 8.2.4.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Flood and storm tide hazard overlay, if:
  - (a) self assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
  - (b) impact assessable development.
- (2) Land in the Flood and storm tide hazard overlay is identified on the Flood and storm tide hazard overlay map in Schedule 2 and includes the:
  - (a) Storm tide – high hazard sub-category;
  - (b) Storm tide – medium hazard sub-category;
  - (c) Flood plain assessment sub-category;
  - (d) 100 ARI Mossman, Port Douglas and Daintree Township Flood Studies sub-category.
- (3) When using this code, reference should be made to Part 5.

Note - The Flood and storm tide hazards overlay maps contained in Schedule 2 identify areas (Flood and storm tide inundation areas) where flood and storm tide inundation modelling has been undertaken by the Council. Other areas not identified by the Flood and inundation hazards overlay maps contained in Schedule 2 may also be subject to the defined flood event or defined storm tide event.

### 8.2.4.2 Purpose

- (1) The purpose of the Flood and storm tide hazard overlay code is to:
  - (a) implement the policy direction in the Strategic Framework, in particular:
    - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
    - (ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.
  - (b) enable an assessment of whether development is suitable on land within the Flood and storm tide hazard sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) development siting, layout and access responds to the risk of the natural hazard and minimises risk to personal safety;
  - (b) development achieves an acceptable or tolerable risk level, based on a fit for purpose risk assessment;
  - (c) the development is resilient to natural hazard events by ensuring siting and design accounts for the potential risks of natural hazards to property;

- (d) the development supports, and does not unduly burden disaster management response or recovery capacity and capabilities;
- (e) the development directly, indirectly and cumulatively avoids an unacceptable increase in severity of the natural hazards and does not significantly increase the potential for damage on site or to other properties;
- (f) the development avoids the release of hazardous materials as a result of a natural hazard event;
- (g) natural processes and the protective function of landforms and/or vegetation are maintained in natural hazard areas;
- (h) community infrastructure is located and designed to maintain the required level of functionality during and immediately after a hazard event.

### Criteria for assessment

Table 8.2.4.3.a – Flood and storm tide hazards overlay code –assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<p><b>PO1</b> Development is located and designed to: ensure the safety of all persons; minimise damage to the development and contents of buildings; provide suitable amenity; minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events.</p> <p>Note – For assessable development within the flood plain assessment sub-category, a flood study by a suitably qualified professional is required to identify compliance with the intent of the acceptable outcome.</p>	<p><b>AO1.1</b> Development is sited on parts of the land that is not within the Flood and Storm tide hazards overlay maps contained in Schedule 2;</p> <p>or</p> <p>For dwelling houses,</p> <p><b>AO1.2</b> Development within the Flood and Storm Tide hazards overlay maps (excluding the Flood plain assessment sub-category) is designed to provide immunity to the Defined Inundation Event as outlined within plus a freeboard of 300mm.</p>	<p><b>Not applicable</b> The proposal is for the reconfiguration of land only. No further development of the site is proposed.</p> <p>All dwellings and structures remain as existing.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>AO1.3</b> New buildings are:</p> <ul style="list-style-type: none"> <li>(a) not located within the overlay area;</li> <li>(b) located on the highest part of the site to minimise entrance of flood waters;</li> <li>(c) provided with clear and direct pedestrian and vehicle evacuation routes off the site.</li> </ul> <p><b>AO1.4</b> In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.</p>	
<b>For assessable development</b>		
<p><b>PO2</b> The development is compatible with the level of risk associated with the natural hazard.</p>	<p><b>AO2</b> The following uses are not located in land inundated by the Defined Flood Event (DFE) / Storm tide:</p> <ul style="list-style-type: none"> <li>(a) Retirement facility;</li> <li>(b) Community care facility;</li> <li>(c) Child care centre.</li> </ul>	<p><b>Complies PO2</b> The proposal is for the reconfiguration of land only. The proposed allotments do not impact on natural hazard risks.</p>
<p><b>PO3</b> Development siting and layout responds to flooding potential and maintains personal safety</p>	<p>For Material change of use</p> <p><b>AO3.1</b> New buildings are:</p> <ul style="list-style-type: none"> <li>(a) not located within the overlay area;</li> <li>(b) located on the highest part of the site to minimise entrance of flood waters;</li> <li>(c) provided with clear and direct pedestrian and vehicle evacuation routes off the site.</li> </ul> <p>or</p>	<p><b>Complies PO3</b> The proposal is for the reconfiguration of land only. Future development will be designed to achieve the required immunity to the defined inundation event ensuring future land uses will comply with the acceptable outcomes. The proposed allotments do not impact on flooding potential or personal safety.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>A03.2</b> The development incorporates an area on site that is at least 300mm above the highest known flood inundation level with sufficient space to accommodate the likely population of the development safely for a relatively short time until flash flooding subsides or people can be evacuated.</p> <p>or</p> <p><b>A03.3</b> Where involving an extension to an existing dwelling house that is situated below DFE /Storm tide, the maximum size of the extension does not exceed 70m<sup>2</sup> gross floor area.</p> <p>Note – If part of the site is outside the Hazard Overlay area, this is the preferred location of all buildings.</p> <p>For Reconfiguring a lot</p> <p><b>A03.4</b> Additional lots: (a) are not located in the hazard overlay area; or (b) are demonstrated to be above the flood level identified for the site.</p> <p>Note - If part of the site is outside the Hazard Overlay area, this is the preferred location for all lots (excluding park or other open space and recreation lots).</p> <p>Note – Buildings subsequently developed on the lots will need to comply with the relevant building assessment provisions under the <i>Building Act 1975</i>.</p>	



Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>A03.5</b> Road and/or pathway layout ensures residents are not physically isolated from adjacent flood free urban areas and provides a safe and clear evacuation route path:</p> <ul style="list-style-type: none"> <li>(a) by locating entry points into the reconfiguration above the flood level and avoiding culs-de-sac or other non-permeable layouts; and</li> <li>(b) by direct and simple routes to main carriageways.</li> </ul> <p><b>A03.6</b> Signage is provided on site (regardless of whether the land is in public or private ownership) indicating the position and path of all safe evacuation routes off the site and if the site contains, or is within 100m of a floodable waterway, hazard warning signage and depth indicators are also provided at key hazard points, such as at floodway crossings or entrances to low-lying reserves.</p> <p>or</p> <p><b>A03.7</b> There is no intensification of residential uses within the flood affected areas on land situated below the DFE/Storm tide.</p>	



Performance outcomes	Acceptable outcomes	Applicant response
	<p>For Material change of use (Residential uses)</p> <p><b>AO3.8</b></p> <p>The design and layout of buildings used for residential purposes minimise risk from flooding by providing:</p> <p>(a) parking and other low intensive, non-habitable uses at ground level;</p> <p>Note - The high-set 'Queenslander' style house is a resilient low-density housing solution in floodplain areas. Higher density residential development should ensure only non-habitable rooms (e.g. garages, laundries) are located on the ground floor.</p>	
<p><b>PO4</b></p> <p>Development is resilient to flood events by ensuring design and built form account for the potential risks of flooding.</p>	<p>For Material change of use (Non-residential uses)</p> <p><b>AO4.2</b></p> <p>Non residential buildings and structures allow for the flow through of flood waters on the ground floor.</p> <p>Note - Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p> <p>Note - The relevant building assessment provisions under the <i>Building Act 1975</i> apply to all building work within the Hazard Area and need to take into account the flood potential within the area.</p> <p><b>AO4.3</b></p> <p>Materials are stored on-site:</p> <p>(a) are those that are readily able to be moved in a flood event;</p> <p>(b) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood.</p> <p>Notes -</p> <p>(a) Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p>	<p><b>Not applicable</b></p>



Performance outcomes	Acceptable outcomes	Applicant response
	(b) Queensland Government Fact Sheet 'Repairing your House after a Flood' provides information about water resilient products and building techniques.	
<p><b>P05</b> Development directly, indirectly and cumulatively avoids any increase in water flow velocity or flood level and does not increase the potential flood damage either on site or on other properties.</p> <p>Note – Berms and mounds are considered to be an undesirable built form outcome and are not supported.</p>	<p>For Operational works</p> <p><b>A05.1</b> Works in urban areas associated with the proposed development do not involve:</p> <ul style="list-style-type: none"> <li>(a) any physical alteration to a watercourse or floodway including vegetation clearing; or</li> <li>(b) a net increase in filling (including berms and mounds).</li> </ul> <p><b>A05.2</b> Works (including buildings and earthworks) in non urban areas either:</p> <ul style="list-style-type: none"> <li>(a) do not involve a net increase in filling greater than 50m<sup>3</sup>; or</li> <li>(b) do not result in any reductions of on-site flood storage capacity and contain within the subject site any changes to depth/duration/velocity of flood waters;</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>(c) do not change flood characteristics outside the subject site in ways that result in: <ul style="list-style-type: none"> <li>(i) loss of flood storage;</li> <li>(ii) loss of/changes to flow paths;</li> <li>(iii) acceleration or retardation of flows or any reduction in flood warning times elsewhere on the flood plain.</li> </ul> </li> </ul>	<b>Not applicable</b>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>For Material change of use</p> <p><b>AO5.3</b> Where development is located in an area affected by DFE/Storm tide, a hydraulic and hydrology report, prepared by a suitably qualified professional, demonstrates that the development maintains the flood storage capacity on the subject site; and</p> <p>(a) does not increase the volume, velocity, concentration of flow path alignment of stormwater flow across sites upstream, downstream or in the general vicinity of the subject site; and</p> <p>(b) does not increase ponding on sites upstream, downstream or in the general vicinity of the subject site.</p> <p>For Material change of use and Reconfiguring a lot</p> <p><b>AO5.4</b> In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.</p> <p>Note – Fences and irrigation infrastructure (e.g. irrigation tape) in rural areas should be managed to minimise adverse the impacts that they may have on downstream properties in the event of a flood.</p>	<p><b>Not applicable</b> No changes to existing buildings and infrastructure.</p>
<p><b>PO6</b> Development avoids the release of hazardous materials into floodwaters.</p>	<p>For Material change of use</p> <p><b>AO6.1</b> Materials manufactured or stored on site are not hazardous or noxious, or comprise materials that may cause a detrimental effect on the environment if discharged in a flood event;</p>	<p><b>Not applicable</b></p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>or</p> <p><b>AO6.2</b> If a DFE level is adopted, structures used for the manufacture or storage of hazardous materials are:</p> <ul style="list-style-type: none"> <li>(a) located above the DFE level;</li> <li>or</li> <li>(b) designed to prevent the intrusion of floodwaters.</li> </ul> <p><b>AO6.3</b> Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE.</p> <p><b>AO6.4</b> If a flood level is not adopted, hazardous materials and their manufacturing equipment are located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of floodwaters.</p> <p>Note – Refer to <i>Work Health and Safety Act 2011</i> and associated Regulation and Guidelines, the <i>Environmental Protection Act 1994</i> and the relevant building assessment provisions under the <i>Building Act 1975</i> for requirements related to the manufacture and storage of hazardous materials.</p>	
<p><b>P07</b> The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.</p>	<p><b>A07</b> Development does not:</p> <ul style="list-style-type: none"> <li>(a) increase the number of people calculated to be at risk of flooding;</li> <li>(b) increase the number of people likely to need evacuation;</li> <li>(c) shorten flood warning times; and</li> </ul>	<p><b>Complies A07</b> Future structures will be designed to achieve the required immunity to the defined inundation event.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	(d) impact on the ability of traffic to use evacuation routes, or unreasonably increase traffic volumes on evacuation routes.	
<b>PO8</b> Development involving community infrastructure: (a) remains functional to serve community need during and immediately after a flood event; is designed, sited and operated to avoid adverse impacts on the community or environment due to impacts of flooding on infrastructure, facilities or access and egress routes; retains essential site access during a flood event; is able to remain functional even when other infrastructure or services may be compromised in a flood event.	<b>AO8.1</b> The following uses are not located on land inundated during a DFE/Storm tide: (a) community residence; and (b) emergency services; and (c) residential care facility; and (d) utility installations involving water and sewerage treatment plants; and (e) storage of valuable records or items of historic or cultural significance (e.g. archives, museums, galleries, libraries).  or  <b>AO8.2</b> The following uses are not located on land inundated during a 1% AEP flood event: (a) community and cultural facilities, including facilities where an education and care service under the Education and care Services National law (Queensland) is operated or child care service under the <i>Child Care Act 2002</i> is conducted, (b) community centres; (c) meeting halls; (d) galleries; (e) libraries.	<b>Not applicable</b>





Performance outcomes	Acceptable outcomes	Applicant response
	<p>The following uses are not located on land inundated during a 0.5% AEP flood event.</p> <ul style="list-style-type: none"> <li>(a) emergency shelters;</li> <li>(b) police facilities;</li> <li>(c) sub stations;</li> <li>(d) water treatment plant</li> </ul> <p>The following uses are not located on land inundated during a 0.2% AEP flood event:</p> <ul style="list-style-type: none"> <li>(a) correctional facilities;</li> <li>(b) emergency services;</li> <li>(c) power stations;</li> <li>(d) major switch yards.</li> </ul> <p>and/or</p> <p><b>AO8.3</b> The following uses have direct access to low hazard evacuation routes as defined in <b>Error! Reference s</b> <b>ource not found.:</b></p> <ul style="list-style-type: none"> <li>(a) community residence; and</li> <li>(b) emergency services; and</li> <li>(c) hospitals; and</li> <li>(d) residential care facility; and</li> <li>(e) sub stations; and</li> <li>(f) utility installations involving water and sewerage treatment plants.</li> </ul> <p><b>AO8.4</b> Any components of infrastructure that are likely to fail to function or may result in contamination when inundated by flood, such as electrical switch gear and motors, telecommunications connections, or water supply pipeline air valves are:</p>	



Performance outcomes	Acceptable outcomes	Applicant response
	<p>(a) located above DFE/Storm tide or the highest known flood level for the site;</p> <p>(b) designed and constructed to exclude floodwater intrusion / infiltration.</p> <p><b>AO8.5</b> Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by a flood.</p>	

## 9.4 Other development codes

### 9.4.1 Access, parking and servicing code

#### 9.4.1.1 Application

- (1) This code applies to:
  - (a) operational work which requires a compliance assessment as a condition of a development permit; or
  - (b) a material change of use or reconfiguring a lot if:
    - (i) self-assessable or assessable development where this code is identified in the assessment criteria column of the table of assessment;
    - (ii) impact assessable development, to the extent relevant.
- (2) When using this code, reference should be made to Part 5.

#### 9.4.1.2 Purpose

- (1) The purpose of the Access, parking and servicing code is to assess the suitability of access, parking and associated servicing aspects of a development.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) sufficient vehicle parking is provided on-site to cater for all types of vehicular traffic accessing and parking on-site, including staff, guests, patrons, residents and short term delivery vehicles;
  - (b) sufficient bicycle parking and end of trip facilities are provided on-site to cater for customer and service staff;
  - (c) on-site parking is provided so as to be accessible and convenient, particularly for any short term uses;
  - (d) development provides walking and cycle routes through the site which link the development to the external walking and cycling network;
  - (e) the provision of on-site parking, loading / unloading facilities and the provision of access to the site do not impact on the efficient function of street network or on the area in which the development is located;
  - (f) new vehicular access points are safely located and are not in conflict with the preferred ultimate streetscape character and local character and do not unduly disrupt any current or future on-street parking arrangements.

**9.4.1.3 Criteria for assessment****Table 9.4.1.3.a – Access, parking and servicing code – assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be generated by the use or uses of the site, having particular regard to: <ul style="list-style-type: none"> <li>(a) the desired character of the area;</li> <li>(b) the nature of the particular use and its specific characteristics and scale;</li> <li>(c) the number of employees and the likely number of visitors to the site;</li> <li>(d) the level of local accessibility;</li> <li>(e) the nature and frequency of any public transport serving the area;</li> <li>(f) whether or not the use involves the retention of an existing building and the previous requirements for car parking for the building</li> <li>(g) whether or not the use involves a heritage building or place of local significance;</li> <li>(h) whether or not the proposed use involves the retention of significant vegetation.</li> </ul>	<b>AO1.1</b> The minimum number of on-site vehicle parking spaces is not less than the number prescribed in <b>Error! Reference source not found.</b> for that particular use or uses.  Note - Where the number of spaces calculated from the table is not a whole number, the number of spaces provided is the next highest whole number.  <b>AO1.2</b> Car parking spaces are freely available for the parking of vehicles at all times and are not used for external storage purposes, the display of products or rented/sub-leased.  <b>AO1.3</b> Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.  <b>AO1.4</b> For parking areas exceeding 50 spaces parking, is provided for recreational vehicles as a substitute for ordinary vehicle parking to a maximum of 5% of total ordinary vehicle parking rate.	<b>Complies PO1</b> The proposed development is for the reconfiguration of land only. No additional parking is required to satisfy the reconfiguration.



Performance outcomes	Acceptable outcomes	Applicant response
<b>PO3</b> Access points are designed and constructed: <ul style="list-style-type: none"> <li>(a) to operate safely and efficiently;</li> <li>(b) to accommodate the anticipated type and volume of vehicles</li> <li>(c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate;</li> <li>(d) so that they do not impede traffic or pedestrian movement on the adjacent road area;</li> <li>(e) so that they do not adversely impact upon existing intersections or future road or intersection improvements;</li> <li>(f) so that they do not adversely impact current and future on-street parking arrangements;</li> <li>(g) so that they do not adversely impact on existing services within the road reserve adjacent to the site;</li> <li>(h) so that they do not involve ramping, cutting of the adjoining road reserve or any built structures (other than what may be necessary to cross over a stormwater channel).</li> </ul>	<b>AO3.1</b> Access is limited to one access cross over per site and is an access point located, designed and constructed in accordance with: <ul style="list-style-type: none"> <li>(a) Australian Standard AS2890.1;</li> <li>(b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers.</li> </ul> <b>AO3.2</b> Access, including driveways or access crossovers: <ul style="list-style-type: none"> <li>(a) are not placed over an existing:               <ul style="list-style-type: none"> <li>(i) telecommunications pit;</li> <li>(ii) stormwater kerb inlet;</li> <li>(iii) sewer utility hole;</li> <li>(iv) water valve or hydrant.</li> </ul> </li> <li>(b) are designed to accommodate any adjacent footpath;</li> <li>(c) adhere to minimum sight distance requirements in accordance with AS2980.1.</li> </ul> <b>AO3.3</b> Driveways are: <ul style="list-style-type: none"> <li>(a) designed to follow as closely as possible to the existing contours, but are no steeper than the gradients outlined in Planning scheme policy SC6.5 – FNQROC Regional Development Manual;</li> <li>(b) constructed such that where there is a grade shift to 1 in 4 (25%), there is an area with a grade of no more than 1 in 6 (16.6%) prior to this area, for a distance of at least 5 metres;</li> <li>(c) on gradients greater than 1 in 6 (16.6%) driveways are constructed to ensure the cross-fall of the driveway is one way and directed into the hill, for vehicle safety and drainage purposes;</li> </ul>	<b>Complies PO3</b> Access from Miallo Bamboo Creek Road, Syndicate Road, and Whyanbeel Road to each lot will continue as existing. No additional access points are required to satisfy the reconfiguration.



Performance outcomes	Acceptable outcomes	Applicant response
	<p>(d) constructed such that the transitional change in grade from the road to the lot is fully contained within the lot and not within the road reserve;</p> <p>(e) designed to include all necessary associated drainage that intercepts and directs storm water runoff to the storm water drainage system.</p> <p><b>AO3.4</b> Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.</p>	
<p><b>P04</b> Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.</p>	<p><b>A04</b> The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.</p>	<p><b>Not applicable</b> Development is for the reconfiguration of land only.</p>
<p><b>P05</b> Access for people with disabilities is provided to the building from the parking area and from the street.</p>	<p><b>A05</b> Access for people with disabilities is provided in accordance with the relevant Australian Standard.</p>	<p><b>Not applicable</b> Development is for the reconfiguration of land only.</p>
<p><b>P06</b> Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development.</p>	<p><b>A06</b> The number of on-site bicycle parking spaces complies with the rates specified in Table 9.4.1.3.b.</p>	<p><b>Not applicable</b> Development is for the reconfiguration of land only.</p>



Performance outcomes	Acceptable outcomes	Applicant response
<b>P07</b> Development provides secure and convenient bicycle parking which: <ul style="list-style-type: none"> <li>(a) for visitors is obvious and located close to the building's main entrance;</li> <li>(b) for employees is conveniently located to provide secure and convenient access between the bicycle storage area, end-of-trip facilities and the main area of the building;</li> <li>(c) is easily and safely accessible from outside the site.</li> </ul>	<b>A07.1</b> Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers);  <b>A07.2</b> Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street.  <b>A07.3</b> Development provides visitor bicycle parking which does not impede pedestrian movement.	<b>Not applicable</b> Development is for the reconfiguration of land only.
<b>P08</b> Development provides walking and cycle routes through the site which: <ul style="list-style-type: none"> <li>(a) link to the external network and pedestrian and cyclist destinations such as schools, shopping centres, open space, public transport stations, shops and local activity centres along the safest, most direct and convenient routes;</li> <li>(b) encourage walking and cycling;</li> <li>(c) ensure pedestrian and cyclist safety.</li> </ul>	<b>A08</b> Development provides walking and cycle routes which are constructed on the carriageway or through the site to: <ul style="list-style-type: none"> <li>(a) create a walking or cycle route along the full frontage of the site;</li> <li>(b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site.</li> </ul>	<b>Not applicable</b> Development is for the reconfiguration of land only.
<b>P09</b> Access, internal circulation and on-site parking for service vehicles are designed and constructed: <ul style="list-style-type: none"> <li>(a) in accordance with relevant standards;</li> <li>(b) so that they do not interfere with the amenity of the surrounding area;</li> <li>(c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles.</li> </ul>	<b>A09.1</b> Access driveways, vehicle manoeuvring and on-site parking for service vehicles are designed and constructed in accordance with AS2890.1 and AS2890.2.  <b>A09.2</b> Service and loading areas are contained fully within the site.	<b>Complies P09</b>  Existing access and driveways have been designed in accordance with the relevant standards at the time of their construction.  The proposal is for the reconfiguration of land only. No new access is proposed for this development.



Performance outcomes	Acceptable outcomes	Applicant response
	<b>AO9.3</b> The movement of service vehicles and service operations are designed so they: (a) do not impede access to parking spaces; (b) do not impede vehicle or pedestrian traffic movement.	
<b>PO10</b> Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.	<b>AO10.1</b> Development provides adequate area on-site for vehicle queuing to accommodate the demand generated by the development where drive through facilities or drop-off/pick-up services are proposed as part of the use, including, but not limited to, the following land uses: (a) car wash; (b) child care centre; (c) educational establishment where for a school; (d) food and drink outlet, where including a drive-through facility; (e) hardware and trade supplies, where including a drive-through facility; (f) hotel, where including a drive-through facility; (g) service station.  <b>AO10.2</b> Queuing and set-down areas are designed and constructed in accordance with AS2890.1.	<b>Not applicable</b>



## 9.4.7 Reconfiguring a lot code

### 9.4.7.1 Application

- (1) This code applies to assessing reconfiguring a lot if:
  - (a) assessable development where the code is an applicable code identified in the assessment criteria column of a table of assessment;
  - (b) impact assessable development, to the extent relevant.
- (2) When using this code, reference should be made to Part 5.

### 9.4.7.2 Purpose

- (1) The purpose of the Reconfiguring a lot code is to regulate development for reconfiguring a lot.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) development results in a well-designed pattern of streets supporting walkable communities;
  - (b) lots have sufficient areas, dimensions and shapes to be suitable for their intended use taking into account environmental features and site constraints;
  - (c) road networks provide connectivity that is integrated with adjoining existing or planned development while also catering for the safe and efficient access for pedestrians, cyclists and for public transport;
  - (d) lots are arranged to front all streets and parkland such that development enhances personal safety, traffic safety, property safety and security; and contributes to streetscape and open space quality;
  - (e) development does not diminish environmental and scenic values, and where relevant, maintains and enhances public access and use of natural areas, rivers, dams, creeks and the foreshore, in a way that protects natural resources;
  - (f) people and property are not placed at risk from natural hazards;
  - (g) a range of functional parkland, including local and district parks, major areas of parkland with a region-wide focus and open space links are available for the use and enjoyment of residents and visitors to the region;
  - (h) the appropriate standard of infrastructure is provided.

### 9.4.7.3 Criteria for assessment

Table 9.4.7.3.a – Reconfiguring a lot code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<b>General lot design standards</b>		
<b>PO1</b> Lots comply with the lot reconfiguration outcomes of the applicable Zone code in Part 5.	<b>AO1</b> No acceptable outcomes are prescribed.	<b>Complies PO1</b> The proposed reconfiguration will result in the creation of two (2) lots. Each lot area is as follows: <ul style="list-style-type: none"> <li>Proposed Lot 1 – 365.25ha</li> <li>Proposed Lot 2 – 48.37ha</li> </ul> The subject site is within a Rural Zone which complies with the minimum lot area of 40ha.
<b>PO2</b> New lots are generally rectangular in shape with functional areas for land uses intended by the zone.	<b>AO2</b> Boundary angles are not less than 45 degrees.	<b>Alternative outcome</b> The reconfiguration merely separates one parcel of land along the existing divide at Syndicate Road. No changes to boundary shapes are proposed.
<b>PO3</b> Lots have legal and practical access to a public road.	<b>AO3</b> Each lot is provided with: <ul style="list-style-type: none"> <li>(a) direct access to a gazetted road reserve; or</li> <li>(b) access to a gazetted road via a formal access arrangement registered on the title.</li> </ul>	<b>Complies AO3</b> The proposed reconfiguration will result in the creation of two (2) lots. Access to the subject site is via the existing crossovers off Miallo Bamboo Creek Road, Syndicate Road, and Whyanbeel Road. No changes or new access is required to fulfill the reconfiguration.



Performance outcomes	Acceptable outcomes	Applicant response
<b>PO4</b> Development responds appropriately to its local context, natural systems and site features.	<b>AO4</b> Existing site features such as: (a) significant vegetation and trees; (b) waterways and drainage paths; (c) vistas and vantage points are retained and/or are incorporated into open space, road reserves, near to lot boundaries or as common property.	<b>Complies PO4</b>  The reconfiguration merely separates one parcel of land along the existing divide at Syndicate Road. No changes to boundary shapes are proposed.
<b>PO5</b> New lots which have the capability of being further reconfigured into smaller lots at a later date are designed to not compromise ultimate development outcomes permitted in the relevant zone.	<b>AO5</b> The ability to further reconfigure land at a later date is demonstrated by submitting a concept plan that meets the planning scheme requirements for the applicable Zone.	<b>Complies PO5</b> The proposal is for the reconfiguration of land to provide appropriate lots for the intended development outcomes of the Rural Zone.  Any further development is subject to subsequent development applications and will be assessed against the Planning Scheme requirements and applicable zone code.
<b>PO6</b> Where existing buildings or structures are to be retained, development results in:  (a) boundaries that offer regular lot shapes and usable spaces;  (b) existing improvements complying with current building and amenity standards in relation to boundary setbacks.	<b>AO6</b> Development ensures setbacks between existing buildings or structures and proposed boundaries satisfy relevant building standards or zone code requirements, whichever is the greater.	<b>Complies PO6</b> The reconfiguration merely separates one parcel of land along the existing divide at Syndicate Road. No changes to boundary shapes are proposed.  No changes to setbacks are proposed.



Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO7</b></p> <p>Where rear lots are proposed, development:</p> <ul style="list-style-type: none"> <li>(a) provides a high standard of amenity for residents and other users of the site and adjoining properties;</li> <li>(b) positively contributes to the character of adjoining properties and the area;</li> <li>(c) does not adversely affect the safety and efficiency of the road from which access is gained.</li> </ul>	<p><b>AO7.1</b></p> <p>Where rear lots are to be established:</p> <ul style="list-style-type: none"> <li>(a) the rear lot is generally rectangular in shape, avoiding contrived sharp boundary angles;</li> <li>(b) no more than 6 lots directly adjoin the rear lot;</li> <li>(c) no more than one rear lot occurs behind the road frontage lot;</li> <li>(d) no more than two access strips to rear lots directly adjoin each other;</li> <li>(e) access strips are located only on one side of the road frontage lot.</li> </ul> <p><b>AO7.2</b></p> <p>Access strips to the rear lot have a minimum width dimension of:</p> <ul style="list-style-type: none"> <li>(a) 4.0 metres in Residential Zones.</li> <li>(b) 8.0 metres in Industrial Zones category.</li> <li>(c) 5.0 metres in all other Zones.</li> </ul> <p>Note - Rear lots are generally not appropriate in non-Residential or non-Rural zones.</p> <p><b>AO7.3</b></p>	<p><b>Not applicable</b></p> <p>No rear lots are proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	Access strips are provided with a sealed pavement of sufficient width to cater for the intended traffic, but no less than:	
<b>Structure plans</b>		
Additional requirements for: (a) a site which is more than 5,000m <sup>2</sup> in any of the Residential zones; or within these zones, and (b) creates 10 or more lots; or (c) involves the creation of new roads and/or public use land. or (d) For a material change of use involving: (i) preliminary approval to vary the effect of the planning scheme; (ii) establishing alternative Zones to the planning scheme.  Note - This part is to be read in conjunction with the other parts of the code		



Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO8</b></p> <p>A structure plan is prepared to ensure that neighbourhood design, block and lot layout, street network and the location and provision on any open space recognises previous planning for the area and its surroundings, and integrates appropriately into its surroundings.</p>	<p><b>AO8.1</b></p> <p>Neighbourhood design, lot and street layout, and open space provides for, and integrates with, any:</p> <ul style="list-style-type: none"> <li>(a) approved structure plan;</li> <li>(b) the surrounding pattern of existing or approved subdivision.</li> </ul> <p>Note - Planning scheme policy SC14– Structure planning provides guidance on meeting the performance outcomes.</p> <p><b>AO8.2</b></p> <p>Neighbourhood design, lot and street layouts enable future connection and integration with adjoining undeveloped land.</p>	<p><b>Not applicable</b></p>
<p><b>PO9</b></p> <p>Neighbourhood design results in a connected network of walkable streets providing an easy choice of routes within and surrounding the neighbourhood.</p>	<p><b>AO9.1</b></p> <p>Development does not establish cul-de-sac streets unless:</p> <ul style="list-style-type: none"> <li>(a) cul-de-sacs are a feature of the existing pattern of development in the area;</li> </ul>	<p><b>Not applicable</b></p>




Performance outcomes	Acceptable outcomes	Applicant response
	<p>(b) there is a physical feature or incompatible zone change that dictates the need to use a cul-de- sac streets.</p> <p><b>AO9.2</b></p> <p>Where a cul-de-sac street is used, it:</p> <p>(a) is designed to be no longer than 150 metres in length;</p> <p>(b) is designed so that the end of the cul-de-sac is visible from its entrance;</p> <p>(c) provides connections from the top of the cul- de-sac to other streets for pedestrians and cyclists, where appropriate.</p> <p><b>AO9.3</b></p>	
<p><b>PO10</b></p> <p>Neighbourhood design supports diverse housing choices through block sizes and lot design. In developing areas, significant changes in lot size and frontage occur at the rear of lots rather than on opposite sides of a street.</p>	<p><b>PO10</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p>




Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO11</b> Provision of physical and social infrastructure in developing residential neighbourhoods is facilitated through the orderly and sequential development of land.</p> <p>Note - Part 4 – Local government infrastructure plan may identify specific levels of infrastructure to be provided within development sites.</p>	<p><b>AO11.1</b> New development adjoins adjacent existing or approved urban development.</p> <p><b>AO11.2</b> New development is not established beyond the identified Local government infrastructure plan area.</p>	<b>Not applicable</b>
<b>Urban parkland and environmental open space</b>		
<p><b>PO12</b> Where appropriate development maintains and enhances public access and use of natural areas, rivers, dams, creeks and the foreshore.</p>	<p><b>AO12</b> No acceptable outcomes are prescribed.</p>	<b>Not applicable</b>
<p><b>PO13</b> Development provides land to:</p> <ul style="list-style-type: none"> <li>(a) meet the recreation needs of the community;</li> <li>(b) provide an amenity commensurate with the structure of neighbourhoods and land uses in the vicinity; and adjacent to open space areas;</li> <li>(c) provide for green corridors and linkages.</li> </ul>	<p><b>AO13</b> No acceptable outcomes are prescribed.</p> <p>Note - Part 4 – Priority infrastructure plan and Planning scheme policy SC14 – Structure Plans provides guidance in providing open space and recreation land.</p>	<b>Not applicable</b>



<p><b>AO14</b> Lot size, dimensions, frontage and orientation permits buildings to be established that will facilitate casual surveillance to urban parkland and environmental open space.</p>	<p><b>AO14.1</b> Urban parkland is regular in shape.</p> <p><b>AO14.2</b> At least 75% of the urban parkland's frontage is provided as road.</p> <p><b>AO14.3</b> Urban parkland and environmental open space areas are positioned to be capable of being overlooked by surrounding development.</p> <p><b>AO14.4</b> Surrounding lots are orientated so that facades will front and overlook the urban parkland and environmental open space.</p> <p><b>AO14.5</b> The number of lots that back onto, or are side-orientated to the urban parkland and environmental open space is minimised.</p>  <p>Inconsistent design solution - low total number of lots complying with the acceptable outcomes.</p>	<p><b>Not applicable</b></p>
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**Performance outcomes****Acceptable outcomes**

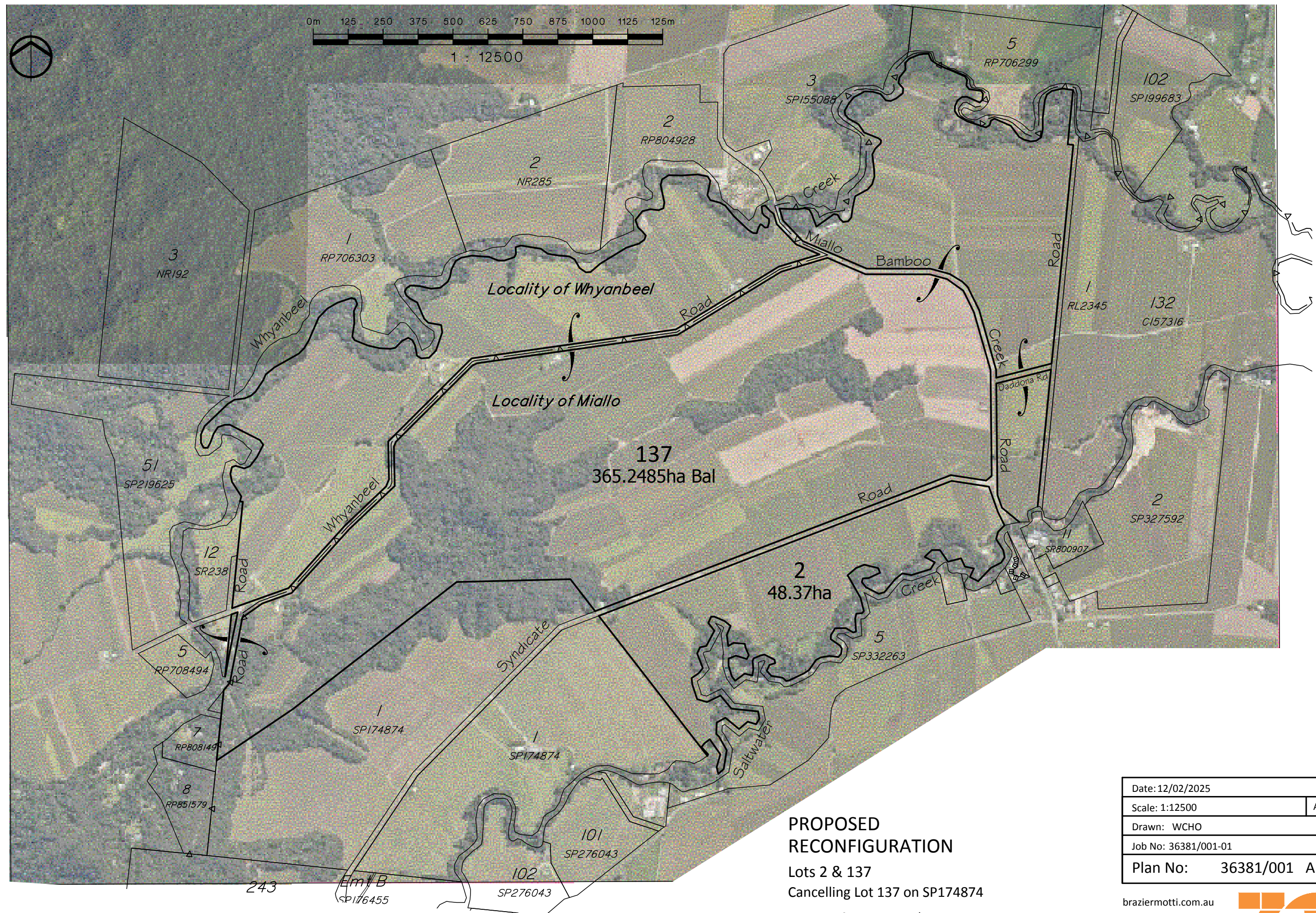
 <p>Consistent design solution - high total number of lots complying with the acceptable outcomes.</p>			
<b>Private subdivisions (gated communities)</b>			
<b>PO15</b> Private subdivisions (gated communities) do not compromise the establishment of connected and integrated infrastructure and open space networks.	<b>PO15</b> No acceptable outcomes are prescribed.	<b>Not applicable</b>	
<b>Additional requirements for reconfiguration involving the creation of public streets or roads</b>			
<b>PO16</b> The function of new roads is clearly identified and legible and provides integration, safety and convenience for all users.	<b>AO16</b> No acceptable outcomes are prescribed.  Note - The design and construction standards are set out in Planning scheme policy SC5 – FNQROC Regional Development Manual, with reference to the specifications set out in Sections D1 and D3.	<b>Not applicable</b>	
<b>PO17</b> Street design supports an urban form that creates walkable neighbourhoods. Street design: <ul style="list-style-type: none"> <li>(a) is appropriate to the function(s) of the street;</li> <li>(b) meets the needs of users and gives priority to the needs of vulnerable users.</li> </ul>	<b>AO17</b> No acceptable outcomes are prescribed.	<b>Not applicable</b>	
<b>Public transport network</b>			

<b>PO18</b> Development provides a street pattern that caters for the extension of public transport routes and infrastructure including safe pedestrian pick-up and set-down up facilities.	<b>AO18</b> No acceptable outcomes are prescribed.	<b>Not applicable</b>
<b>Pest plants</b>		
<b>PO19</b> Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not reinfest the site or nearby sites.  Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the Land Protection (Pest and Stock Route Management) Act 2002.	<b>AO19</b> Pest plants detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person prior to earthworks commencing.  Note - A declaration from an appropriately qualified person validates the land being free from pest plants.  Declared pest plants include locally declared and State declared pest plants.	<b>Not applicable</b>  All vegetation and landscape to remain as existing. AO noted.

# APPENDIX D

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## PROPOSED RECONFIGURATION

Lots 2 & 137  
Cancelling Lot 137 on SP174874

Locality of Whyanbeel / Miallo  
Douglas Shire Council

Date: 12/02/2025	
Scale: 1:12500	A3
Drawn: WCHO	
Job No: 36381/001-01	
Plan No:	36381/001 A

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TOWNPLANNING  
PROJECTMANAGEMENT  
MAPPING&GIS



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This plan is conceptual and for discussion purposes only. All areas, dimensions and land uses are preliminary, subject to investigation, survey, engineering, and Local Authority and Agency approvals.