

DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 2020) 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)	Tye Fapani
Contact name (only applicable for companies)	c/ - GMA Certification Group, Patrick Clifton
Postal address (P.O. Box or street address)	PO Box 831
Suburb	Port Douglas
State	QLD
Postcode	4877
Country	Australia
Contact number	0438 755 374
Email address (non-mandatory)	Patrick.C@gmacert.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	20214015

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

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		163	Newell Road	Newell
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	25	SP212664	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):

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

Name of airport:

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

5) Are there any existing easements over the premises?

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

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

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

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

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

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

c) What is the level of assessment?

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

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

Rural Activity - Tourist Park (Small Scale)

e) Relevant plans

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

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

6.2) Provide details about the second development aspect

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

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

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

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

c) What is the level of assessment?

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

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

e) Relevant plans

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

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

6.3) Additional aspects of development

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

- ☒ Not required

Section 2 – Further development details

7) Does the proposed development application involve any of the following?	
Material change of use	<input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
Self-contained RV accommodation	Tourist Park – Small Scale	n/a	n/a
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input type="checkbox"/> Yes			
<input checked="" type="checkbox"/> No			

Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?	
9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)	
<input type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input type="checkbox"/> Boundary realignment (complete 12))	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a 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:
Number of lots created				
10.2) Will the subdivision be staged?				
<input type="checkbox"/> Yes – provide additional details below				
<input 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 ²)	Lot on plan description	Area (m ²)
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?
<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application <input type="checkbox"/> The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached <input checked="" type="checkbox"/> 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
- ☐ 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*)

<input type="checkbox"/> Heritage places – Local heritage places
Matters requiring referral to the Chief Executive of the distribution entity or transmission entity:
<input type="checkbox"/> Infrastructure-related referrals – Electricity infrastructure
Matters requiring referral to:
<ul style="list-style-type: none"> • 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
<input type="checkbox"/> Infrastructure-related referrals – Oil and gas infrastructure
Matters requiring referral to the Brisbane City Council:
<input type="checkbox"/> Ports – Brisbane core port land
Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994:
<input type="checkbox"/> Ports – Brisbane core port land <i>(where inconsistent with the Brisbane port LUP for transport reasons)</i>
<input type="checkbox"/> Ports – Strategic port land
Matters requiring referral to the relevant port operator , if applicant is not port operator:
<input type="checkbox"/> Ports – Land within Port of Brisbane's port limits <i>(below high-water mark)</i>
Matters requiring referral to the Chief Executive of the relevant port authority:
<input type="checkbox"/> Ports – Land within limits of another port <i>(below high-water mark)</i>
Matters requiring referral to the Gold Coast Waterways Authority:
<input type="checkbox"/> Tidal works or work in a coastal management district <i>(in Gold Coast waters)</i>
Matters requiring referral to the Queensland Fire and Emergency Service:
<input type="checkbox"/> Tidal works or work in a coastal management district <i>(involving a marina (more than six vessel berths))</i>

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

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application
<input type="checkbox"/> I do not agree to accept an information request for this development application
Note: By not agreeing to accept an information request I, the applicant, acknowledge: <ul style="list-style-type: none"> • that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties • Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules. Further advice about information requests is contained in the DA Forms Guide .

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)			
<input type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input checked="" type="checkbox"/> 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)		
<input type="checkbox"/> Yes – a copy of the receipted QLeave form is attached to this development application <input type="checkbox"/> 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 <input checked="" type="checkbox"/> 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?	
<input type="checkbox"/> Yes – show cause or enforcement notice is attached <input checked="" type="checkbox"/> No	

23) Further legislative requirements			
<u>Environmentally relevant activities</u>			
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 <i>Environmental Protection Act 1994</i>?			
<input type="checkbox"/> 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 <input checked="" type="checkbox"/> No Note: Application for an environmental authority can be found by searching “ESR/2015/1791” as a search term at www.qld.gov.au . An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.			
Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			
<input type="checkbox"/> Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.			
<u>Hazardous chemical facilities</u>			
23.2) Is this development application for a hazardous chemical facility?			
<input type="checkbox"/> Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application <input checked="" type="checkbox"/> No Note: See 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 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.des.qld.gov.au for further information.

Water resources

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

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

☒ No

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au for further information.

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

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

Waterway barrier works

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

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

☒ No

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

Marine activities

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

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

☒ No

Note: See guidance materials at www.daf.qld.gov.au for further information.

Quarry materials from a watercourse or lake

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

- ☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
☒ No

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au and www.business.qld.gov.au for further information.

Quarry materials from land under tidal waters

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

- ☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
☒ No

Note: Contact the Department of Environment and Science at www.des.qld.gov.au for further information.

Referable dams

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

- ☐ Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the Water Supply Act is attached to this development application
☒ No

Note: See guidance materials at www.dnrme.qld.gov.au for further information.

Tidal work or development within a coastal management district

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

- ☐ Yes – the following is included with this development application:
- ☐ Evidence the proposal meets the code for assessable development that is prescribed tidal work *(only required if application involves prescribed tidal work)*
 - ☐ A certificate of title
- ☒ No

Note: See guidance materials at www.des.qld.gov.au for further information.

Queensland and local heritage places

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

- ☐ Yes – details of the heritage place are provided in the table below
☒ No

Note: See guidance materials at www.des.qld.gov.au for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
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Brothels

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

- ☐ Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*
☒ No

Decision under section 62 of the Transport Infrastructure Act 1994

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

- ☐ Yes – this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)
☒ No

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

23.16) 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.dsdmip.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

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	



GMA Certification
Group

*Leaders in
Building Certification Services*



PLANNING STATEMENT

For: Tye Fapani
Development: Tourist Park (Small Scale)
At: 163 Newell Road, Newell (Lot 25 on SP212664)
Prepared by: GMA Certification Group
File Ref: 20214015
Revision: A

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1.0 Introduction

This report has been prepared on behalf of Tye Fapani in support of a Development Application to Douglas Shire Council for a Development Permit for a Material Change of Use for the purpose of a Rural Activity - Tourist Park (Small Scale) on land located at 163 Newell Road, Newell, and described as Lot 25 on SP212664.

The application site has an area of 14.68 hectares and has frontage to Newell Road of in the order of 690 metres. The site is improved by a Dwelling House located centrally on the site and towards the frontage and ancillary farm buildings. The balance of the site is used for the cultivation of sugar cane and to the north western rear corner of the site is a rural dam.

The locality containing the site is a mix of rural and residential uses. To the north, west and south of the site land is under cultivation for sugar cane and to the east the site adjoins the residential area of Newell Beach.

It is proposed to develop the site for the purpose of a Rural Activity – Tourist Park (Small Scale). The activity would be located in the north-western part of the site adjacent the existing dam and setback approximately 190 metres from the Newell Road frontage. The activity would be buffered from the road by existing sugar cane crops and a proposed landscaped buffer located towards the south of the dam. The activity would be accessed via the existing access from Newell Road.

The Tourist Park (Small Scale) intends to accommodate a maximum of 5 self-contained RV's. The RV's would stay on-site for a maximum of 7 nights. All amenities would be contained within the RV's and no additional vehicles (e.g car) are proposed to be accommodated on-site.

The application is identified as being Code Assessable and consideration can only be given to the Assessment Benchmarks within the Planning Scheme. The proposed development is considered to be consistent with the Assessment Benchmarks and is considered to be a suitable use of the site.

The application is submitted for approval, subject to reasonable and relevant conditions.

2.0 Development Summary

Address:	163 Newell Road, Newell
Real Property Description:	Lot 25 on SP212664
Easements & Encumbrances:	Nil
Site Area/Frontage:	Area: 14.68 hectares Frontage: 690 metres
Registered Owner:	Tye Allan Fapani
Proposal:	Rural Activity – Tourist Park (Small Scale)
Approval Sought:	Development Permit
Level of Assessment:	Code Assessment
State Interests – State Planning Policy	<ul style="list-style-type: none"> • Economic Growth – agricultural land classification – Class A and B • Safety and Resilience to Hazards <ul style="list-style-type: none"> ○ Flood Hazard area – Level 1 ○ Erosion Prone Area ○ Medium Storm Tide Inundation Area ○ High Storm Tide Inundation Area
State Interests – SARA Mapping:	<ul style="list-style-type: none"> • Coastal Protection <ul style="list-style-type: none"> ○ Erosion Prone Area ○ Medium Storm Tide Inundation Area ○ High Storm Tide Inundation Area • Native Vegetation Clearing – Category X on the regulated vegetation management map
Referral Agencies:	Nil
State Development Assessment Provisions:	Not Applicable
Regional Plan Designation:	Regional Landscape and Rural Production Area

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Zone:

Rural Zone

Overlays:

- Acid sulfate soils – Acid Sulfate Soils (<5m AHD);
- Coastal Environment – Erosion Prone Area;
- Flood and Storm Tide Hazard
 - Medium Storm Tide Hazard;
 - High Storm Tide Hazard;
 - Floodplain Assessment Overlay (Daintree and Mossman River)
- Landscape Values – Medium Landscape Value

3.0 Site and Locality

The application site is a single regularly shaped allotment located at 163 Newell Road, Newell and described as Lot 25 on SP212664. The site has an area of 14.68 hectares and frontage to Newell Road of in the order of 690 metres. Access is from the Newell Road frontage and site is improved by a Dwelling House located centrally on the site and towards the frontage. Ancillary to the dwelling house are domestic outbuildings. The balance of the site is used for the cultivation of sugar cane and to the north western rear corner of the site is a rural dam.

The locality containing the site is a mix of rural and residential uses. To the north, west and south of the site land is under cultivation for sugar cane and to the east the site adjoins the residential area of Newell Beach.



Photo 1 – Site Location (Source Queensland Globe)

4.0 Proposal

It is proposed to develop the site for the purpose of a Rural Activity – Tourist Park (Small Scale). The development would be located in the north-western corner of the site adjacent the existing dam. The activity would be located approximately 250 metres from the primary Dwelling House and approximately 190 metres from the Newell Road frontage. The activity would be buffered from the road by existing sugar cane crops and a proposed landscaped buffer located towards the south of the dam. The site would be accessed from the existing site access off Newell Road.

The Tourist Park (Small Scale) would accommodate a maximum of 5 self-contained Recreational Vehicles (RV's). The RV's would be able to stay on-site for a maximum of 7 nights. All amenities would be contained within the RV's and no additional vehicles (e.g car) are proposed to be accommodated on-site.

A Proposal Plan is attached at [Appendix 2](#).

5.0 Statutory Planning Considerations

This section provides a summary of the legislative framework affecting the application pursuant to the Planning Act 2016.

5.1 Planning Act 2016

5.1.1 Categorisation of Development

The proposed development is not identified as prohibited development having regard to the relevant instruments that can prohibit development under the *Planning Act 2016*, including

- Schedule 10 of the Planning Regulations 2017
- Relevant Categorising Instruments.

The development is made assessable under the Douglas Shire Council Planning Scheme, which is a categorising instrument for the purpose of s43 of the *Planning Act 2016*.

5.1.2 Assessment Manager

Pursuant to Schedule 8 of the *Planning Regulations 2017*, the Assessment Manager for the application is the Douglas Shire Council.

5.1.3 Level of Assessment

The application involves the development of Rural Activity – Tourist Park (Small Scale). The table below identifies the level of assessment and the categorising section of the Douglas Shire Council Planning Scheme.

Development	Categorising Section	Level of Assessment
Rural Activity – Tourist Park (Small Scale)	Table 5.6.j – Rural Zone	Self-Assessable

A Rural Activity – Tourist Park (Small Scale) is identified as a Self-Assessable development in the Rural Zone. Where the development is able to satisfy the applicable Acceptable Outcomes a planning application is not required. In this instance, the proposal does not satisfy the Acceptable Outcomes of the Flood and Storm Tide Hazard Overlay Code and the Rural Activities Code. As a result a planning application is required to be submitted to Douglas Shire Council for approval.

In accordance with section 5.4(c)(ii)(A)(B) of the Douglas Shire Planning Scheme, the assessment is limited to the subject matter of the Self-Assessable Acceptable Outcomes that were not complied with or were not capable of being complied with.

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5.1.4 Statutory Considerations for Assessable Development

As the application is subject to Code Assessment, in deciding the application pursuant to s60 of the *Planning Act 2016*, the Council, as Assessment Manager, can only have regard to the matters established in the relevant planning benchmarks.

This assessment is further discussed in Section 6.0 of this report and a detailed assessment of the proposed development against the assessment benchmarks is provided at [Appendix 3](#).

5.1.5 State Planning Policy

It is understood that the Minister has identified that the State Planning Policy has been appropriately integrated into the Douglas Shire Council Planning Scheme and consequently no further assessment is required in this instance.

5.1.6 Regional Plan

The application site is identified in the Regional Landscape and Rural Production Area designation of the Far North Queensland Regional Plan. Consistent with the State Planning Policies, it is understood that the Planning Scheme has been determined to appropriately advance the Regional Plan and, on that basis, no further assessment is required in this instance.

5.1.7 Referral Agencies

There are no referral agencies identified in respect of this application.

5.1.8 State Development Assessment Provisions

As there are no referral agencies for the application, no State Development Assessment Provisions Apply to the assessment.

6.0 Local Planning Considerations

6.1 Douglas Shire Council Planning Scheme

Within the Douglas Shire Council Planning Scheme (2018, version 1.0), the site is identified within the Rural Zone and is affected by the following overlays:

- Acid sulfate soils – Acid Sulfate Soils (<5m AHD)
- Coastal Environment – Erosion Prone Area
- Flood and Storm Tide Hazard:
 - Medium Storm Tide Hazard
 - High Storm Tide Hazard
 - Floodplain Assessment Overlay (Daintree and Mossman River)
- Landscape Values – Medium Landscape Value

The Table below identifies the applicable Assessment Benchmarks contained within the Planning Scheme.

Assessment Benchmark	Applicability	Compliance
Rural Zone Code	Applies	Complies with applicable Acceptable Outcomes.
Acid Sulfate Soils Overlay Code	Not applicable	No applicable Assessment Benchmarks.
Coastal Environment Overlay Code	Not applicable	No applicable Assessment Benchmarks.
Flood and Storm Tide Hazard Overlay Code	Applies	Consideration is required in respect of Performance Outcomes PO1, PO5 and PO7. Refer below.
Rural Activities Code	Applies	Consideration is required in respect of Performance Outcomes PO18 and PO20. Refer below.
Access, Parking and Servicing Code	Applies	Consideration is required in respect of Performance Outcome PO1 regarding on-site vehicle parking. Refer below.
Environmental	Applies	Complies or is able to

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Performance Code		comply with Acceptable Outcomes.
Filling and Excavation Code	Not applicable	No excavation or filling is proposed.
Infrastructure Works Code	Applies	Complies with Acceptable Outcomes.
Landscaping Code	Applies	Complies with applicable Acceptable Outcome.
Vegetation Management Code	Not applicable	No vegetation damage is proposed.

6.1.1 Statement of Compliance – Benchmark Assessment

6.1.1.1 Flood and Storm Tide Hazard Overlay Code

Performance Outcome PO1 of the Flood and Storm Tide Hazard Overlay Code states:

PO1

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.

The associated Acceptable Outcomes states:

AO1.1

Development is sited on parts of the land that is not within the Flood and Storm tide hazards overlay maps contained in Schedule 2;

The activity would be located in a Medium Storm Tide Hazard Area and the Floodplain Assessment Overlay. However, the activity is for relocatable Recreational Vehicles only. These are readily relocatable in a flood event to ensure the safety of all persons and there would be limited costs associated with the reinstatement of the individual RV sites. The proposal is considered to comply with the requirements of the Performance Outcome.

Performance Outcome PO5 of the Flood and Storm Tide Hazard Overlay Code states:

PO5

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

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on other properties.

The associated Acceptable Outcome states:

AO5.3

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

- (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*
- (b) does not increase ponding on sites upstream, downstream or in the general vicinity of the subject site.*

The development would not alter the flood capacity of the site as it would not involve any filling, excavation or new buildings or structures. On that basis, it is considered that the proposed development satisfies the requirements of the Performance Outcome.

Performance Outcome PO7 of the Flood and Storm Tide Hazard Overlay Code states:

PO7

The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.

The associated Acceptable Outcome states:

AO7

Development does not:

- (a) increase the number of people calculated to be at risk of flooding;*
- (b) increase the number of people likely to need evacuation;*
- (c) shorten flood warning times; and*
- (d) impact on the ability of traffic to use evacuation routes, or unreasonably increase traffic volumes on evacuation routes.*

The development of a tourist park would increase the number of people on site and at risk of flooding. However, the development is for the accommodation of readily relocatable Recreational Vehicles only. It would not unduly burden disaster management response or recovery capacity and capabilities. On that basis, it is considered that the Performance Outcome is satisfied.

6.1.1.2 Rural Activities Code

Performance Outcome PO18 of the Rural Activities Code states:

PO18

The Tourist Park is intended to:

- (a) operate as a small scale alternative to parking on roads and reserves;*
- (b) supplement productive farming activity on the premises;*
- (c) accommodate self-contained recreational vehicles only.*

The associated Acceptable Outcome states:

AO18.1

The Tourist park (small scale) caters for a maximum of 3 self-contained recreational vans at any one time only.

The Tourist Park proposes to cater for 5 self-contained recreational vans on a site with an area of 14.68 hectares. This represents 1 RV site/approx. 3 hectares, which is considered consistent with the Accepted density of 3 sites on 10 hectares or 1 RV site/3.3 hectares. In addition, the activity would be contained within an area on the site that is removed from the road and not currently used for the cultivation of sugar cane.

In the context of the site and the predominant use of the site, the use is considered small scale and supplementary to the primary agricultural use and would accommodate self-contained recreational vehicles only.

The proposed development is considered to satisfy the Performance Outcome.

Performance Outcome PO20 of the Rural Activities Code states:

PO20

Recreational vehicles are adequately separated from site boundaries so as not to be a visual intrusion on surrounding roads or adjoining premises, and are located close to the main dwelling on the premises, in a flood free location.

The associated Acceptable Outcome states:

AO20.1

Recreational vehicles are:

- (a) accommodated on a dedicated level parking area setback a minimum of 100 metres*

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- from road frontages and 50 metres from side boundaries;*
- (b) screened from view from adjoining roads;*
- (c) accommodated no more than 100 metres from the main dwelling on the site;*
- (d) located in a flood-free part of the land.*

The recreational vehicle sites would be located approximately 30 metres from the nearest boundary and more than 100 metres from the road frontage and within the Medium Storm Tide and Flood Plain Assessment Overlay.

The adjoining property to the nearest setback is used for the cultivation of sugar cane and does not contain a dwelling that would be impacted upon by the proposed development. On this basis, it is considered that the proposed activity would not be a visual intrusion on surrounding roads or adjoining premises. In this respect, the development is considered to satisfy the Performance Outcome.

Whilst it would be undertaken in land identified as being at risk of potential flooding, it is considered to comply with the purpose of the code as it would not:

- prejudice the on-going operation of sugar cultivation;
- result in unreasonable impacts on the environment, landscape values or the amenity of surrounding areas;
- impact on the amenity of adjoining properties or the open character of the rural area;
- involve the display and sale of goods for sale; and,
- would provide an ancillary source of income to support the ongoing primary production use.

In addition, as an RV use, the residents are able to be readily relocated in a flood event with minimal warning. On this basis, whilst it does not satisfy the Performance Outcome, it is considered to satisfy the Purpose and overall outcomes of the Code.

6.1.1.3 Access, Parking and Servicing Code

Performance Outcome PO1 of the Access, Parking and Servicing Code states:

PO1

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:

- (a) the desired character of the area;*
- (b) the nature of the particular use and its specific characteristics and scale;*
- (c) the number of employees and the likely number of visitors to the site;*
- (d) the level of local accessibility;*
- (e) the nature and frequency of any public transport serving the area;*
- (f) whether or not the use involves the retention of an existing building and the previous*

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- requirements for car parking for the building;*
- (g) whether or not the use involves a heritage building or place of local significance;*
- (h) whether or not the proposed use involves the retention of significant vegetation.*

The associated Acceptable Outcome states:

AO1.1

The minimum number of on-site vehicle parking spaces is not less than the number prescribed in Table 9.4.1.3.b for that particular use or uses.

The RV's would be the only vehicle allowed on site with no ancillary car parking included. This complies with the Performance Outcome as the sufficient space would be allocated on site to cater for the RV's.

7.0 Summary and Conclusion

This report has been prepared on behalf of Tye Fapani in support of a Development Application to Douglas Shire Council for a Development Permit for a Material Change of Use for the purpose of a Rural Activity - Tourist Park (Small Scale) on land located at 163 Newell Road, Newell, and described as Lot 25 on SP212664.

The application site has an area of 14.68 hectares and has frontage to Newell Road of in the order of 690 metres. The site is improved by a Dwelling House located centrally on the site and towards the frontage and ancillary farm buildings. The balance of the site is used for the cultivation of sugar cane and to the north western rear corner of the site is a rural dam.

The locality containing the site is a mix of rural and residential uses. To the north, west and south of the site land is under cultivation for sugar cane and to the east the site adjoins the residential area of Newell Beach.

It is proposed to develop the site for the purpose of a Rural Activity – Tourist Park (Small Scale). The activity would be located in the north-western part of the site adjacent the existing dam and setback approximately 190 metres from the Newell Road frontage. The activity would be buffered from the road by existing sugar cane crops and a proposed landscaped buffer located towards the south of the dam. The activity would be accessed via the existing access from Newell Road.

The Tourist Park (Small Scale) intends to accommodate a maximum of 5 self-contained RV's. The RV's would stay on-site for a maximum of 7 nights. All amenities would be contained within the RV's and no additional vehicles (e.g cars) are proposed to be accommodated on-site.

The application is identified as being Code Assessable and consideration can only be given to the Assessment Benchmarks within the Planning Scheme. The proposed development is considered to be consistent with the Assessment Benchmarks and is considered to be a suitable use of the site.

The application is submitted for approval, subject to reasonable and relevant conditions.



Appendix 1.

CERTIFICATE OF TITLE

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Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	50791550	Search Date:	13/09/2021 09:52
Date Title Created:	24/11/2009	Request No:	38524644
Previous Title:	20577207		

ESTATE AND LAND

Estate in Fee Simple

LOT 25 SURVEY PLAN 212664
Local Government: DOUGLAS

REGISTERED OWNER

Dealing No: 716278044 27/01/2015

TYE ALLAN FAPANI

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20422106 (POR 290)
2. MORTGAGE No 718428870 29/11/2017 at 11:06
COMMONWEALTH BANK OF AUSTRALIA A.C.N. 123 123 124

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

Appendix 2.

PROPOSAL PLANS

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Site Plan, 163 Newell Road, Newell (Tourist Park – Small Scale)



Date: 5 October 2021

20214015 – Site Plan

Appendix 3.

PLANNING BENCHMARK ASSESSMENT

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BUILDING APPROVALS & INSPECTIONS

BUILDING CERTIFICATION

ENERGY EFFICIENCY ASSESSMENTS

TOWN PLANNING

Gold Coast

Caboolture

Townsville

Cairns

Port Douglas

Childers

Kingscliff



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Member Australian Institute of Building Surveyors Professional Standards Scheme



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6.2.10 Rural zone code

6.2.10.1 Application

- (1) This code applies to assessing development in the Rural 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:



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- (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.

6.2.10.3 Criteria for assessment

Table 6.2.10.3.a —Rural zone code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
PO1 The height of buildings is compatible with the rural character of the area and must not detrimentally impact on visual landscape amenity.	AO1.1 Dwelling houses are not more than 8.5 metres in height. Note – Height is inclusive of roof height.	Not applicable The development would involve relocatable RV's only.
	AO1.2 Rural farm sheds and other rural structures are not more than 10 metres in height.	Not applicable The development would involve relocatable RV's only.



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Performance outcomes	Acceptable outcomes	Compliance
Setbacks		
PO2 Buildings and structures are setback to maintain the rural character of the area and achieve separation from buildings on adjoining properties.	AO2 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.	Not applicable No buildings are proposed.
PO3 Buildings/structures are designed to maintain the rural character of the area.	AO3 White and shining metallic finishes are avoided on external surfaces of buildings.	Not applicable No buildings are proposed.
For assessable development		
PO4	AO4	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
The establishment of uses is consistent with the outcomes sought for the Rural zone and protects the zone from the intrusion of inconsistent uses.	Uses identified in Table 6.2.10.3.b are not established in the Rural zone.	The development is identified as self assessable development.
PO5 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.	AO5 No acceptable outcomes are prescribed.	Not applicable The development is identified as self assessable development.
PO6 Existing native vegetation along watercourses and in, or adjacent to areas of environmental value, or areas of remnant vegetation of value is protected.	AO6 No acceptable outcomes are prescribed.	Not applicable The development is identified as self assessable development.
PO7	AO7	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
<p>The minimum lot size is 40 hectares, unless</p> <p>(a) the lot reconfiguration results in no additional lots (e.g. amalgamation, boundary realignments to resolve encroachments); or</p> <p>(b) the reconfiguration is limited to one additional lot to accommodate:</p> <p>(i) Telecommunications facility;</p> <p>(ii) Utility installation.</p>	<p>No acceptable outcomes are prescribed.</p>	<p>The development is identified as self assessable development.</p>

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

Inconsistent uses		
<ul style="list-style-type: none"> • Adult store • Bar • Brothel • Car wash • Child care centre • Club 	<ul style="list-style-type: none"> • Hotel • Indoor sport and recreation • Low impact industry • Medium impact industry • Multiple dwelling • Nightclub entertainment facility 	<ul style="list-style-type: none"> • Residential care facility • Resort complex • Retirement facility • Rooming accommodation • Sales office • Service station



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<ul style="list-style-type: none"> • Community care centre • Community residence • Detention facility, • Dual occupancy • Dwelling unit • Food and drink outlet • Hardware and trade supplies • Health care services • High impact industry 	<ul style="list-style-type: none"> • Non-resident workforce accommodation • Office • Outdoor sales • Parking station • Permanent plantation • Port services • Relocatable home park • Renewable energy facility, being a wind farm 	<ul style="list-style-type: none"> • Shop • Shopping centre • Short-term accommodation • Showroom • Special industry • Theatre • Warehouse
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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.



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8.2.1 Acid sulfate soils overlay code

8.2.1.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Acid sulfate soils 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 Acid sulphate soils overlay is identified on the Acid sulfate soils overlay map in Schedule 2 and includes the following sub-categories:
 - (a) Land at or below the 5m AHD sub-category;
 - (b) Land above the 5m AHD and below the 20m AHD sub-category.
- (3) When using this code, reference should be made to Part 5.

8.2.1.2 Purpose

- (1) The purpose of the acid sulfate soils overlay code is to:
 - (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 2: Environment and landscape values, Element 3.5.4 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.
- (2) enable an assessment of whether development is suitable on land within the Acid sulfate soils overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Development ensures that the release of any acid and associated metal contaminant is avoided by not disturbing acid sulfate soils when



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excavating, removing soil or extracting ground water or filling land;

- (b) Development ensures that disturbed acid sulphate soils, or drainage waters, are treated and, if required, on-going management practices are adopted that minimise the potential for environmental harm from acid sulfate soil and protect corrodible assets from acid sulfate soil.

8.2.1.3 Criteria for assessment

Table 8.2.1.3.a – Acid sulphate soils overlay code –assessable development

Performance outcomes	Acceptable outcomes	Compliance
For assessable development		
PO1 The extent and location of potential or actual acid sulfate soils is accurately identified.	AO1.1 No excavation or filling occurs on the site. or AO1.2 An acid sulfate soils investigation is undertaken. Note - Planning scheme policy SC 6.12– Potential and actual acid sulfate soils provides guidance on preparing an acid sulfate soils investigation.	Not applicable The development is identified as self assessable development.
PO2 Development avoids disturbing potential acid	AO2.1 The disturbance of potential acid sulfate soils or	Not applicable The development is identified as self assessable



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Performance outcomes	Acceptable outcomes	Compliance
sulfate soils or actual acid sulfate soils, or is managed to avoid or minimise the release of acid and metal contaminants.	<p>actual acid sulfate soils is avoided by:</p> <ul style="list-style-type: none"> (a) not excavating, or otherwise removing, soil or sediment identified as containing potential or actual acid sulfate soils; (b) not permanently or temporarily extracting groundwater that results in the aeration of previously saturated acid sulfate soils; (c) not undertaking filling that results in: (d) actual acid sulfate soils being moved below the water table; (e) previously saturated acid sulfate soils being aerated. <p>or</p> <p>AO2.2</p> <p>The disturbance of potential acid sulfate soils or actual acid sulfate soils is undertaken in accordance with an acid sulfate soils management plan and avoids the release of metal contaminants by:</p> <ul style="list-style-type: none"> (a) neutralising existing acidity and preventing the 	development.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>generation of acid and metal contaminants;</p> <p>(b) preventing the release of surface or groundwater flows containing acid and metal contaminants into the environment;</p> <p>(c) preventing the in situ oxidation of potential acid sulfate soils and actual acid sulfate soils through ground water level management;</p> <p>(d) appropriately treating acid sulfate soils before disposal occurs on or off site;</p> <p>(e) documenting strategies and reporting requirements in an acid sulfate soils environmental management plan.</p> <p>Note - Planning scheme policy SC 6.12 – Acid sulfate soils provides guidance on preparing an acid sulfate soils management plan.</p>	
<p>PO3</p> <p>No environmental harm is caused as a result of exposure to potential acid sulfate soils or actual acid sulfate soils.</p>	<p>A03</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The development is identified as self assessable development.</p>



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8.2.3 Coastal environment overlay code

8.2.3.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Coastal environment 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 Coastal hazard overlay is identified on the Coastal environment overlay map in Schedule 2 and includes the following sub-categories:
 - (a) Coastal management district sub-category;
 - (b) Erosion prone area sub-category.
- (3) When using this code, reference should be made to Part 5

8.2.3.2 Purpose

- (1) The purpose of the Coastal environment 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;



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- (ii) Theme 2 Environment and landscape values: Element 3.5.4 Coastal zones;
- (iii) Theme 3 Natural resource management: Element 3.6.2 Land and catchment management.

(b) enable an assessment of whether development is suitable on land within the Coastal processes sub-categories.

(2) The purpose of the code will be achieved through the following overall outcomes:

- (a) facilitate the protection of both coastal processes and coastal resources;
- (b) facilitating coastal dependent development on the foreshore over other development;
- (c) public access to the foreshore protects public safety;
- (d) maintain the erosion prone area as a development free buffer zone (other than for coastal dependent, temporary or relocatable development);
- (e) require redevelopment of existing permanent buildings or structures in an erosion prone area to avoid coastal erosion risks, manage coastal erosion risks through a strategy of planned retreat or mitigate coastal erosion risks;
- (f) require development to maintain or enhance natural processes and the protective function of landforms and vegetation that can mitigate risks associated with coastal erosion;
- (g) locate and design community infrastructure to maintain the required level of functionality during and immediately after a coastal hazard event.

8.2.3.3 Criteria for assessment

Table 8.2.3.3.a – Coastal environment overlay code – self-assessable and assessable development.



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Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
PO1 No works other than coastal protection works extend seaward of the coastal building line	AO1 Development (including all buildings and other permanent structures such as swimming pools and retaining walls) does not extend seaward of a coastal building line. Note – Coastal building lines are declared under the Coastal Protection and Management Act 1995 and are administered by the State Department of Environment and Heritage Protection.	Not applicable The site does not contain a coastal building line.
	AO1.2 Coastal protection works are only undertaken as a last resort where coastal erosion presents an immediate threat to public safety or existing buildings or structures and the property cannot be relocated or abandoned.	Not applicable No coastal protection works are proposed.
	AO1.3 Coastal protection works are as far landward as practicable on the lot containing the property to the maximum extent reasonable.	Not applicable No coastal protection works are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
	AO1.4 Coastal protection work mitigates any increase in the coastal hazard.	Not applicable No coastal protection works are proposed.
P02 Where a coastal building line does not exist on a lot fronting the coast or a reserve adjoining the coast, development is setback to maintain the amenity and use of the coastal resource.	AO2 Where a coastal building line does not exist on a lot fronting the coast or a reserve adjoining the coast, development (including all buildings and structures such as swimming pools) and retaining walls are set back not less than 6 metres from the seaward boundary of the lot.	Not applicable The site does not front the coast or a reserve adjoining the coast.
For Assessable development Erosion Prone Areas		
P03 Development identifies erosion prone areas (coastal hazards).	AO3 No acceptable outcomes are prescribed.	Not applicable The development is identified as self assessable development.
P04	AO4.1	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
Erosion prone areas are free from development to allow for natural coastal processes.	<p>Development is not located within the Erosion prone area, unless it can be demonstrated that the development is for:</p> <ul style="list-style-type: none"> (a) community infrastructure where no suitable alternative location or site exists for this infrastructure; or (b) development that reflects the preferred development outcomes in accordance with the zoning of the site (i.e. in the Low density residential zone, a dwelling house is a preferred development outcome in accordance with the zoning of the site). 	The development is identified as self assessable development.
	<p>AO4.2</p> <p>Development involving existing permanent buildings and structures within an erosion prone area does not increase in intensity of its use by:</p> <ul style="list-style-type: none"> (a) adding additional buildings or structures; or 	<p>Not applicable</p> <p>The development is identified as self assessable development.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	(b) incorporating a land use that will result in an increase in the number of people or employees occupying the site.	
Coastal Management Districts		
PO5 Natural processes and protective functions of landforms and vegetation are maintained.	AO5.1 Development within the coastal management district: <ul style="list-style-type: none"> (a) maintains vegetation on coastal land forms where its removal or damage may: <ul style="list-style-type: none"> (i) destabilise the area and increase the potential for coastal erosion, or (ii) interrupt the natural sediment trapping processes or dune or land building processes; 	Not applicable The development is identified as self assessable development.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>(b) maintains sediment volumes of dunes and near-shore coastal landforms, or where a reduction in sediment volumes cannot be avoided, increased risks to development from coastal erosion are mitigated by location, design and construction and operating standards;</p> <p>(c) minimises the need for erosion control structures or riverine hardening through location, design and construction standards;</p> <p>(d) maintains physical coastal processes outside the development footprint for the development, including longshore transport of sediment along the coast;</p> <p>(e) reduces the risk of shoreline erosion for areas adjacent to the development footprint to the maximum extent feasible in the case of erosion control structures.</p>	
	PO5.2	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
	<p>Where development proposes the construction of an erosion control structure:</p> <ul style="list-style-type: none"> (a) it is demonstrated that it is the only feasible option for protecting permanent structures from coastal erosion; and (b) those permanent structures cannot be abandoned or relocated in the event of coastal erosion occurring. 	The development is identified as self assessable development.
	<p>PO5.3</p> <p>Development involving reclamation:</p> <ul style="list-style-type: none"> (a) does not alter, or otherwise minimises impacts on, the physical characteristics of a waterway or the seabed near the reclamation, including flow regimes, hydrodynamic forces, tidal water and riverbank stability; 	<p>Not applicable</p> <p>The development is identified as self assessable development</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>(b) is located outside active sediment transport area, or otherwise maintains sediment transport processes as close as possible to their natural state;</p> <p>(c) ensures activities associated with the operation of the development maintain the structure and condition of vegetation communities and avoid wind and water runoff erosion.</p>	
<p>PO6</p> <p>Development avoids or minimises adverse impacts on coastal resources and their values to the maximum extent reasonable.</p>	<p>AO6.1</p> <p>Coastal protection work that is in the form of beach nourishment uses methods of placement suitable for the location that do not interfere with the long-term use of the locality, or natural values within or neighbouring the proposed placement site.</p> <p>and</p>	<p>Not applicable</p> <p>The development is identified as self assessable development.</p>
	<p>AO6.2</p>	<p>Not applicable</p> <p>The development is identified as self assessable development.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	Marine development is located and designed to expand on or redevelop existing marine infrastructure unless it is demonstrated that it is not practicable to co-locate the development with existing marine infrastructure; and	
	AO6.3 Measures are incorporated as part of siting and design of the development to maintain or enhance water quality to achieve the environmental values and water quality objectives outlined in the Environmental Protection (Water) Policy 2009. and	Not applicable The development is identified as self assessable development.
	AO6.4 Design and siting of development protects and retains identified ecological values and underlying ecosystem processes within the development site to the greatest extent practicable.	Not applicable The development is identified as self assessable development.



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Performance outcomes	Acceptable outcomes	Compliance
P07 Development is to maintain access to and along the foreshore for general public access.	A07.1 Development provides for regular access points for pedestrians including approved walking tracks, boardwalks and viewing platforms. and	Not applicable The development is identified as self assessable development.
	A07.2 Development provides for regular access points for vehicles including approved roads and tracks. or	Not applicable The development is identified as self assessable development.
	A07.3 Development demonstrates an alternative solution to achieve an equivalent standard of performance.	Not applicable The development is identified as self assessable development.
P08 Public access to the coast is appropriately located, designed and operated.	A08.1 Development maintains or enhances public access to the coast. or	Not applicable The development is identified as self assessable development.



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Performance outcomes	Acceptable outcomes	Compliance
	AO8.2 Development is located adjacent to state coastal land or tidal water and minimises and offsets any loss of access to and along the foreshore within 500 metres. or	Not applicable The development is identified as self assessable development.
	AO8.3 Development adjacent to state coastal land or tidal water demonstrates an alternative solution to achieve an equivalent standard and quality of access.	Not applicable The development is identified as self assessable development.
PO9 Development adjacent to state coastal land or tidal water is located, designed and operated to: <ul style="list-style-type: none"> (a) maintain existing access to and along the foreshore; (b) minimise any loss of access to and along the foreshore, or 	AO9.1 Development adjacent to state coastal land or tidal water: <ul style="list-style-type: none"> (a) demonstrates that restrictions to public access are necessary for: <ul style="list-style-type: none"> (i) the safe and secure operation of development; 	Not applicable The development is identified as self assessable development.



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Performance outcomes	Acceptable outcomes	Compliance
(c) offset any loss of access to and along the foreshore by providing for enhanced alternative access in the general location.	<p>(ii) the maintenance of coastal landforms and coastal habitat; or</p> <p>(b) maintains public access (including public access infrastructure that has been approved by the local government or relevant authority) through the site to the foreshore for:</p> <ul style="list-style-type: none"> (i) pedestrians via access points including approved walking tracks, boardwalks and viewing platforms; (ii) vehicles via access points including approved roads or tracks. 	
	<p>AO9.2</p> <p>Development adjacent to state coastal land or tidal water:</p> <ul style="list-style-type: none"> (a) is located and designed to: 	<p>Not applicable</p> <p>The development is identified as self assessable development.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> (i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, for example through the provision of esplanades or easement corridors to preserve future access; (ii) ensure emergency vehicles can access the area near the development. or (b) minimises and offsets any loss of access to and along the foreshore within 500m of existing access points and development is located and designed to: <ul style="list-style-type: none"> (i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, and (ii) ensure emergency vehicles can access the area near the development. 	
PO10	AO10.1	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
Development that involves reconfiguring a lot for urban purposes adjacent to the coast is designed to ensure public access to the coast in consideration of public access demand from a whole-of-community basis and the maintenance of coastal landforms and coastal habitat.	Development complies if consideration of public access demand from a whole-of-community basis and the maintenance of coastal landforms and coastal habitat is undertaken. or AO10.2 Development demonstrates an alternative solution to achieve an equivalent standard and quality of access.	The development is identified as self assessable development.
PO11 Development maintains public access to State coastal land by avoiding private marine development attaching to, or extending across, non-tidal State coastal land.	AO11 Private marine access structures and other structures such as decks or boardwalks for private use do not attach to or extend across State coastal land that is situated above high water mark.	Not applicable The development is identified as self assessable development.
PO12 Development in connection with an artificial waterway enhances public access to coastal waters.	AO12	Not applicable The development is identified as self assessable development.



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Performance outcomes	Acceptable outcomes	Compliance
	The artificial waterway avoids intersecting with or connection to inundated land or leased land where the passage, use or movement of vessels in water on the land could be restricted or prohibited by the registered proprietor of the inundated land or leased land.	
Coastal landscapes, views and vistas		
PO13 Development maintains and / or enhances natural coastal landscapes, views and vistas.	AO13 No acceptable outcomes are prescribed.	Not applicable The development is identified as self assessable development.
PO14 Coastal settlements are consolidated through the concentration of development within the existing urban areas through infill and conserving the natural state of the coastal area outside existing urban areas.	AO14 No acceptable outcomes are prescribed.	Not applicable The development is identified as self assessable development.
Private marine development		
PO15	AO15	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
Private marine development is to avoid attaching to, or extending across, non-tidal State coastal land.	Private marine development and other structures such as decks or boardwalks for private use do not attach to, or extend across, State coastal land that is situated above high water mark. Note – For occupation permits or allocations of State land, refer to the Land Act 1994.	The development is identified as self assessable development.
PO16 The location and design of private marine development does not adversely affect the safety of members of the public access to the foreshore.	AO16 Private marine development does not involve the erection or placement of any physical barrier preventing existing access, along a public access way to the foreshores.	Not applicable The development is identified as self assessable development.
PO17 Private marine development is of a height and scale and size compatible with the character and amenity of the location.	AO17 Private marine development has regard to: (a) the height, scale and size of the natural features of the immediate surroundings and locality;	Not applicable The development is identified as self assessable development.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>(b) the height, scale and size of existing buildings or other structures in the immediate surroundings and the locality;</p> <p>(c) if the relevant planning scheme states that desired height, scale or size of buildings or other structures in the immediate surroundings or locality – the stated desired height, scale or size.</p> <p>Note – The prescribed tidal works code in the Coastal Protection and Management Regulation 2003 outlines design and construction requirements that must be complied with.</p>	
<p>PO18</p> <p>Private marine development avoids adverse impacts on coastal landforms and coastal processes.</p>	<p>AO18</p> <p>Private marine development does not require the construction of coastal protection works, shoreline or riverbank hardening or dredging for marine access.</p>	<p>Not applicable</p> <p>The development is identified as self assessable development.</p>
For dry land marinas and artificial waterways		
<p>PO19</p> <p>Dry land marinas and artificial waterways:</p>	<p>AO19</p> <p>No acceptable solutions are prescribed.</p>	<p>Not applicable</p>



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Performance outcomes	Acceptable outcomes	Compliance
<ul style="list-style-type: none">(a) avoid impacts on coastal resources;(b) do not contribute to the degradation of water quality;(c) do not increase the risk of flooding;(d) do not result in the degradation or loss of MSES;(e) do not result in an adverse change to the tidal prism of the natural waterway to which development is connected.(f) does not involve reclamation of tidal land other than for the purpose of:<ul style="list-style-type: none">(i) coastal dependent development, public marine development; or(ii) community infrastructure, where there is no feasible alternative; or(iii) strategic ports, boat harbours or strategic airports and aviation facilities in accordance with a statutory land use plan; or		The development is identified as self assessable development.



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Performance outcomes	Acceptable outcomes	Compliance
(iv) coastal protection works or works necessary to protect coastal resources and processes.		



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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:



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- (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.

8.2.4.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
For assessable and self-assessable development		
PO1	AO1.1	Complies with PO1



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Performance outcomes	Acceptable outcomes	Compliance
<p>Development is located and designed to:</p> <ul style="list-style-type: none"> (a) ensure the safety of all persons; minimise damage to the development and contents of buildings; (b) provide suitable amenity; minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events. <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>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>AO1.2</p> <p>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 Table 8.2.4.3.b plus a freeboard of 300mm.</p>	<p>The activity would be located in a Medium Storm Tide Hazard Area and the Floodplain Assessment Overlay. However, the activity is for relocatable Recreational Vehicles only. These are readily relocatable in a flood event to ensure the safety of all persons and there would be limited costs associated with the reinstatement of the individual RV sites.</p>
	<p>AO1.3</p> <p>New buildings are:</p> <ul style="list-style-type: none"> (a) not located within the overlay area; (b) located on the highest part of the site to minimise entrance of flood waters; (c) provided with clear and direct pedestrian and 	<p>Not applicable</p> <p>No buildings or structures are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	vehicle evacuation routes off the site.	
	AO1.4 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.	Not applicable The subject site does not contain a natural riparian corridor.
For assessable development		
PO2 The development is compatible with the level of risk associated with the natural hazard.	AO2 The following uses are not located in land inundated by the Defined Flood Event (DFE) / Storm tide: (a) Retirement facility; (b) Community care facility; (c) Child care centre.	Complies with AO2 A Rural Activity is not an identified use.
PO3 Development siting and layout responds to	For Material change of use AO3.1	Not applicable No buildings or structures are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
flooding potential and maintains personal safety	<p>New buildings are:</p> <ul style="list-style-type: none"> (a) not located within the overlay area; (b) located on the highest part of the site to minimise entrance of flood waters; (c) provided with clear and direct pedestrian and vehicle evacuation routes off the site. <p>or</p> <p>AO3.2</p> <p>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>AO3.3</p> <p>Where involving an extension to an existing dwelling house that is situated below DFE /Storm</p>	



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Performance outcomes	Acceptable outcomes	Compliance
	<p>tide, the maximum size of the extension does not exceed 70m² 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>AO3.4</p> <p>Additional lots:</p> <p>(a) are not located in the hazard overlay area;</p> <p>or</p> <p>(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>	<p>Not applicable</p> <p>Reconfiguring a lot is not proposed.</p>
	<p>AO3.5</p> <p>Road and/or pathway layout ensures residents are</p>	<p>Not applicable</p> <p>The development would not involve the</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>not physically isolated from adjacent flood free urban areas and provides a safe and clear evacuation route path:</p> <p>(a) by locating entry points into the reconfiguration above the flood level and avoiding culs-de-sac or other non-permeable layouts; and</p> <p>(b) by direct and simple routes to main carriageways.</p>	<p>construction of new roads or pathways.</p>
	<p>AO3.6</p> <p>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>Able to comply with AO3.6</p> <p>Signage indicating safe evacuation routes is able to be implemented. Council may wish to attach a condition to any approval granted if considered necessary.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	AO3.7 There is no intensification of residential uses within the flood affected areas on land situated below the DFE/Storm tide.	Not applicable No permanent residential uses are proposed.
	For Material change of use (Residential uses) AO3.1 The design and layout of buildings used for residential purposes minimise risk from flooding by providing: (a) parking and other low intensive, non-habitable uses at ground level; 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.	Not applicable No buildings are proposed.
PO4 Development is resilient to flood events by ensuring design and built form account for the	For Material change of use (Non-residential uses) AO4.2 Non-residential buildings and structures allow for	Not applicable No buildings are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
potential risks of flooding.	<p>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>AO4.3</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</p>	<p>Not applicable</p> <p>No materials would be stored on-site in association with the use.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>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) Queensland Government Fact Sheet 'Repairing your House after a Flood' provides information about water resilient products and building techniques.</p>	
<p>PO5</p> <p>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>AO5.1</p> <p>Works in urban areas associated with the proposed development do not involve:</p> <p>(a) any physical alteration to a watercourse or floodway including vegetation clearing; or</p> <p>(b) a net increase in filling (including berms and mounds).</p> <p>AO5.2</p> <p>Works (including buildings and earthworks) in non urban areas either:</p> <p>(a) do not involve a net increase in filling greater than 50m³; or</p> <p>(b) do not result in any reductions of on-site flood</p>	<p>Not applicable</p> <p>No Operational works are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>storage capacity and contain within the subject site any changes to depth/duration/velocity of flood waters;</p> <p>or</p> <p>(c) do not change flood characteristics outside the subject site in ways that result in:</p> <ul style="list-style-type: none"> (i) loss of flood storage; (ii) loss of/changes to flow paths; (iii) acceleration or retardation of flows or any reduction in flood warning times elsewhere on the flood plain. 	
	<p>For Material change of use</p> <p>AO5.3</p> <p>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>Complies with PO5</p> <p>The development would not alter the flood capacity of the site as it would not involve any filling, excavation or new buildings or structures.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<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>AO5.4</p> <p>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>Not applicable</p> <p>The site does not contain a natural riparian corridor.</p>
PO6	For Material change of use	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
Development avoids the release of hazardous materials into floodwaters.	<p>AO6.1</p> <p>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>or</p> <p>AO6.2</p> <p>If a DFE level is adopted, structures used for the manufacture or storage of hazardous materials are:</p> <p>(a) located above the DFE level;</p> <p>or</p> <p>(b) designed to prevent the intrusion of floodwaters.</p>	The development would not include the manufacture or storage any materials.
	<p>AO6.3</p> <p>Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE</p>	<p>Not applicable</p> <p>No new infrastructure is proposed as part of this development.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>AO6.4</p> <p>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>Not applicable</p> <p>The development would not include the manufacture or storage of any materials.</p>
<p>PO7</p> <p>The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.</p>	<p>AO7</p> <p>Development does not:</p> <ul style="list-style-type: none"> (a) increase the number of people calculated to be at risk of flooding; (b) increase the number of people likely to need evacuation; (c) shorten flood warning times; and (d) impact on the ability of traffic to use evacuation 	<p>Complies with PO7</p> <p>The development of a tourist park would increase the number of people on site and at risk of flooding. However, the development is for the accommodation of readily relocatable Recreational Vehicles only. It would not unduly burden disaster management response or recovery capacity and capabilities.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	routes, or unreasonably increase traffic volumes on evacuation routes.	
PO8 Development involving community infrastructure: (a) remains functional to serve community need during and immediately after a flood event; (b) 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; (c) retains essential site access during a flood event; (d) is able to remain functional even when other infrastructure or services may be compromised in a flood event.	AO8.1 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 AO8.2 The following uses are not located on land inundated during a 1% AEP flood event: (a) community and cultural facilities, including	Complies with AO8.1 and AO8.2 A Tourist Park (Small Scale) is not an identified use.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>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,</p> <p>(b) community centres;</p> <p>(c) meeting halls;</p> <p>(d) galleries;</p> <p>(e) libraries.</p> <p>The following uses are not located on land inundated during a 0.5% AEP flood event.</p> <p>(a) emergency shelters;</p> <p>(b) police facilities;</p> <p>(c) sub stations;</p> <p>(d) water treatment plant</p> <p>The following uses are not located on land inundated during a 0.2% AEP flood event:</p> <p>(a) correctional facilities;</p>	



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Performance outcomes	Acceptable outcomes	Compliance
	(b) emergency services; (c) power stations; (d) major switch yards.	
	AO8.3 The following uses have direct access to low hazard evacuation routes as defined in Table 8.2.4.3.c: (a) community residence; and (b) emergency services; and (c) hospitals; and (d) residential care facility; and (e) sub stations; and (f) utility installations involving water and sewerage treatment plants.	Not applicable The development would be for a Rural Activity – Tourist Park (Small Scale) only.
	and/or AO8.4 Any components of infrastructure that are likely to	Not applicable No new infrastructure is proposed.



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Performance outcomes	Acceptable outcomes	Compliance
	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: (a) located above DFE/Storm tide or the highest known flood level for the site; (b) designed and constructed to exclude floodwater intrusion / infiltration.	
	AO8.5 Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by a flood.	Not applicable No new infrastructure is proposed.



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Table 8.2.4.3.b- Minimum immunity (floor levels) for development

Minimum immunity to be achieved (floor levels)	Uses and elements of activities acceptable in the event
20% AEP level	<ul style="list-style-type: none">• Parks and open space.
5% AEP level	<ul style="list-style-type: none">• Car parking facilities (including car parking associated with use of land).
1% AEP level	<ul style="list-style-type: none">• All development (where not otherwise requiring an alternative level of minimum immunity).
0.5% AEP level	<ul style="list-style-type: none">• Emergency services (if for a police station);• Industry activities (if including components which store, treat or use hazardous materials);• Substation;• Utility installation.
0.2% AEP level	<ul style="list-style-type: none">• Emergency services;• Hospital;• Major electricity infrastructure;• Special industry.



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Table 8.2.4.3.c - Degree of flood

Criteria	Low	Medium	High	Extreme
Wading ability	If necessary, children and the elderly could wade. (Generally, safe wading velocity depth product is less than 0.25)	Fit adults can wade. (Generally, safe wading velocity depth product is less than 0.4)	Fit adults would have difficulty wading. (Generally, safe wading velocity depth product is less than 0.6)	Wading is not an option.
Evacuation distances	< 200 metres	200-400 metres	400-600 metres	600 metres
Maximum flood depths	< 0.3 metre	< 0.6 metre	< 1.2 metres	1.2 metres
Maximum flood velocity	< 0.4 metres per second	< 0.8 metres per second	< 1.5 metres per second	1.5 metres per second
Typical means of egress	Sedan	Sedan early, but 4WD or trucks later	4WD or trucks only in early stages, boats or helicopters	Large trucks, boats or helicopters
Timing Note: This category cannot be implemented until evacuation times have been established in the Counter Disaster Plan (Flooding)	Ample flood forecasting. Warning and evacuation routes remain passable for twice as long as evacuation time.	Evacuation routes remain trafficable for 1.5 times as long as the evacuation.	Evacuation routes remain trafficable for only up to minimum evacuation time.	There is insufficient evacuation time.



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9.3.17 Rural Activities Code

9.3.17.1 Application

(1) This code applies to assessing development for Rural Activities if:

- (a) assessable development where the code is an applicable code identified in the assessment criteria column of a table of assessment for a material change of use; or
- (b) impact assessable development.

(2) When using this code, reference should be made to Part 5.

Note – ‘Rural activities’ is a defined activity group listed in Table 1 SC1.1.1.2 in Schedule 1 that applies to uses in the Rural zone. When the term rural activities is used within this code it means any of the above uses to which this code is applicable.

Note – For both code and impact assessable development, Planning Guidelines – Separating Agricultural and Residential Land Uses 1997, published by the Department of Natural Resources, provides guidance to meet the performance outcomes in this code. The document provides guidance for operating self-assessable rural activities.

Editor’s note—For a proposal to be self-assessable, it must meet all the self-assessable outcomes of this code and any other applicable code. Where it does not meet all self-assessable outcomes, the proposal becomes assessable development and a development application is required. Where a development application is triggered, only the specific acceptable outcome that the proposal fails to meet needs to be assessed against the corresponding assessable acceptable outcome or performance outcome. Other self-assessable outcomes that are met are not assessed as part of the development application.

9.3.17.2 Purpose

- (1) The purpose of the Rural activities code is to assess the suitability of development to which this code applies.
- (2) The purpose of the code will be achieved through the following overall outcomes:



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- (a) development does not prejudice the on-going operation of farming in rural areas, in particular sugar cultivation;
- (b) development does not result in unreasonable impacts on the environment, landscape values or the amenity of surrounding areas;
- (c) setbacks to buildings and structures do not impact on the amenity of adjoining properties or the open character of the rural area;
- (d) the display and sale of goods for sale does not impact on the amenity, character or safety of rural areas, or the safety and efficiency of roads;
- (e) rural industries support rural production in their immediate vicinity;
- (f) rural land, with existing watercourse(s) and areas of environmental integrity is progressively revegetated and rehabilitated in association with the rural activity on the land.

9.3.17.3 Criteria for assessment

Table 9.3.17.3.a – Rural Activities code – assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
PO1 Development must not result in unreasonable impacts on the environment, landscape values or the amenity of surrounding areas.	AO1.1 Rural Activities are conducted on premises 1 hectare or greater.	Complies with AO1.1 The site has an area of 14.68 hectares.
	AO1.2 Development is restricted to:	Complies with AO1.2 The proposal is for a Rural Activity that supports the primary rural activity land use.



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> (a) animal husbandry, including the keeping and breeding of livestock and bees, where the livestock and bees are housed a minimum of 15 metres from any residential building on the site and 100 metres from any residential building on an adjoining premises; (b) horticulture (including Cropping and Intensive horticulture, Wholesale nursery); (c) storing produce resulting from horticulture carried out on the site; (d) existing areas of cleared land; (e) any minor ancillary activity that supports the primary rural activity land use. 	
PO2 The siting of horticultural buildings and structures must not impact on the amenity of adjoining properties or the open character of the area.	AO2 Any horticultural structure, including all greenhouses and other roofed structures used for cultivating crops, is setback a minimum of 6 metres from any property boundary.	Not applicable The development would not involve any horticulture structures.



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Performance outcomes	Acceptable outcomes	Compliance
PO3 Roof water from any horticultural structures must not cause any increase in flooding or drainage problems.	AO3 Development ensures that the total roofed area, which includes all impervious roofing materials such as glass or plastic sheeting of horticultural buildings and structures, does not exceed 2000m ² .	Not applicable The development would not involve any horticulture structures.
Additional requirement for Function facility		
PO4 The Function facility does not introduce guest volumes that would be incompatible with or interfere with rural amenity or rural activities. Note: Non-compliance with AO4 results in a Function facility that is no longer considered to be small scale.	AO4 The Function facility (small scale) caters for no more than 30 guests, at any one occasion.	Not applicable The application is not for a Function facility.
PO5 The Function facility does not operate excessively during the year. Note – Non-compliance with AO5 results in a Function facility that is no longer considered to be small scale.	AO5.1 The Function facility (small scale) operates on no more than 6 occasions per calendar year.	Not applicable The application is not for a Function facility.
	AO5.2	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
	<p>Hours of operation for function events are confined to 12 midday to 8.00pm.</p> <p>Note: Hours of operation do not include activities such as setting up the function (i.e. erecting a marquees, etc.)</p>	The application is not for a Function facility.
<p>PO6</p> <p>The Function facility is able to be fully accommodated on site without nuisance to adjoining properties.</p>	<p>AO6</p> <p>The minimum lot size is no less than 4 hectares.</p>	<p>Not applicable</p> <p>The application is not for a Function facility.</p>
<p>PO7</p> <p>The Function facility creates no dust nuisances to adjoining premises generated by vehicles access the site.</p>	<p>AO7</p> <p>Road access to the Function facility (small scale) is via a sealed bitumen road.</p>	<p>Not applicable</p> <p>The application is not for a Function facility.</p>
<p>PO8</p> <p>The Function facility (small scale) is not purpose built and involves no accommodation separate to the main dwelling on the premises.</p>	<p>AO8.1</p> <p>The Function facility (small scale) requires no purpose-built buildings required for the use. Any accommodation is contained within the existing on-site dwelling.</p>	<p>Not applicable</p> <p>The application is not for a Function facility.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>AO8.2</p> <p>Accommodation for guests contained within the existing on-site dwelling is limited to 3 rooms.</p> <p>Note: Premises used for a Function facility (small scale) are required to have any relevant license needed to operate under applicable Local Laws.</p>	<p>Not applicable</p> <p>The application is not for a Function facility.</p>
Additional requirements for a Roadside stall		
<p>PO9</p> <p>The scale intensity and operating characteristics of the roadside stall does not impact on the amenity and character of the surrounding area.</p>	<p>AO9.1</p> <p>There is only one roadside stall per site</p>	<p>Not applicable</p> <p>The development is not for a Roadside stall.</p>
	<p>AO9.2</p> <p>The roadside stall:</p> <ul style="list-style-type: none"> (a) does not exceed 25m² in floor area. (b) is associated with produce grown and harvested on the site or sourced from nearby farms; (c) is not located within the road reserve; 	<p>Not applicable</p> <p>The development is not for a Roadside stall.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	(d) is confined to the display and sale of primary produce; (e) has no more than two signs with each sign: (i) not more than 1.5m ² in area; (ii) not more than 2.5 metres in height. (f) operates in daylight hours only	
PO10 The site is accessed via a road that is of a standard adequate to cater for: (a) the proposed use; (b) allows customers and operators to park safely off site; (c) maintains adequate sight lines; (d) minimises mud/dust nuisances.	AO10.1 Car parking does not occur on a road reserve.	Not applicable The development is not for a Roadside stall.
	AO10.2 Access to the roadside stall is via the primary property access point.	Not applicable The development is not for a Roadside stall.
	AO10.3 Car parking allows vehicles to enter and exit the site in forward gear.	Not applicable The development is not for a Roadside stall.
	AO10.4	Not applicable The development is not for a Roadside stall.



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Performance outcomes	Acceptable outcomes	Compliance
	Car parking, access and manoeuvring areas are sealed and/or otherwise surfaced with suitably draining gravel to minimise nuisances associated with dust or mud.	
PO11 Waste causes no visual or amenity nuisance.	AO11 Waste management areas are: (a) screened from view from the street (b) located and designed to avoid adverse impacts on adjoining premises.	Not applicable The development is not for a Roadside stall.
Additional requirements for Tourist attraction (small scale)		
PO12 The Tourist attraction is based on an appreciation of rural activities carried out in association with an operating and productive rural activity. Note - Non-compliance with AO12.1 and AO12.2 results in a Tourist attraction that is no longer considered to be small scale.	AO12.1 The Tourist attraction (small scale) occurs on land that is actively being used for rural purposes.	Not applicable The development is not for a Tourist attraction (small scale).
	AO12.2 The Tourist attraction (small scale) is directly associated with the rural use of the land and does	Not applicable The development is not for a Tourist attraction (small scale).



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Performance outcomes	Acceptable outcomes	Compliance
	<p>not involve any activities do not have a bona-fide association with the rural use of the land.</p> <p>Note - Activities such as a children's adventure playground is not an activity which could be considered to have a bona-fide association with the rural use of the land.</p>	
<p>PO13</p> <p>The Tourist attraction (small scale) is able to be fully accommodated on site without nuisance to adjoining properties.</p>	<p>AO13</p> <p>The minimum lot size is no less than 10 hectares.</p>	<p>Not applicable</p> <p>The development is not for a Tourist attraction (small scale).</p>
<p>PO14</p> <p>The Tourist attraction operates during day-light hours only and requires no special buildings to operate that are not ordinarily used in the operation of a rural activity conducted on-site.</p>	<p>AO14.1</p> <p>The Tourist attraction (small scale) requires no purpose-built buildings required for the use and does not involve overnight accommodation.</p>	<p>Not applicable</p> <p>The development is not for a Tourist attraction (small scale).</p>
	<p>AO14.2</p> <p>The Tourist attraction (small scale) operates between the hours of 8.00am and 6.00pm.</p>	<p>Not applicable</p> <p>The development is not for a Tourist attraction (small scale).</p>
<p>PO15</p>	<p>AO15</p>	<p>Not applicable</p>



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Performance outcomes	Acceptable outcomes	Compliance
The volume of visitors to the tourist attraction is low-scale and intended to operate as an ancillary use to the main activity of rural production on the premises. The Tourist attraction (small scale) does not unduly interfere with rural activities on nearby premises.	<p>The Tourist attraction (small scale) caters for no more than an average of 10 site visitations per day.</p> <p>Note - An individual site visitation may include a mini-bus tour. A Tourist attraction catering for coaches results in the Tourist attraction no longer considered to be small scale.</p>	The development is not for a Tourist attraction (small scale).
<p>PO16</p> <p>The site is accessed via a road that is of a standard adequate to cater for:</p> <ul style="list-style-type: none"> (a) the proposed use; (b) allows visitors to park safely off site; (c) maintains adequate sight lines; (d) minimises mud/dust nuisances. 	<p>AO16.1</p> <p>Car parking does not occur on a road reserve.</p>	<p>Not applicable</p> <p>The development is not for a Tourist attraction (small scale).</p>
	<p>AO16.2</p> <p>Car parking allows vehicles to enter and exit the site in forward gear.</p>	<p>Not applicable</p> <p>The development is not for a Tourist attraction (small scale).</p>
	<p>AO16.3</p> <p>Car parking, access and manoeuvring areas are sealed to minimise nuisances associated with dust or mud.</p>	<p>Not applicable</p> <p>The development is not for a Tourist attraction (small scale).</p>
Additional requirements for Tourist park (small scale)		



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Performance outcomes	Acceptable outcomes	Compliance
<p>PO17</p> <p>The Tourist park is based on an appreciation of rural activities carried out in association with staying on an active / productive rural property.</p> <p>Note: Non-compliance with AO17.1 results in a Tourist park that is no longer considered to be small scale.</p>	<p>AO17</p> <p>The Tourist park (small scale) occurs on land that is actively being used for rural purposes.</p>	<p>Complies with AO17</p> <p>The Tourist park (small scale) would occur on land actively used for sugar cane cultivation.</p>
<p>PO18</p> <p>The Tourist Park is intended to:</p> <ul style="list-style-type: none"> (a) operate as a small scale alternative to parking on roads and reserves; (b) supplement productive farming activity on the premises; (c) accommodate self-contained recreational vehicles only. <p>Note: Non-compliance with AO18.1 and AO18.2 results in a Tourist park that is no longer considered to be small scale.</p>	<p>AO18.1</p> <p>The Tourist park (small scale) caters for a maximum of 3 self-contained recreational vans at any one time only.</p>	<p>Complies with PO18</p> <p>The Tourist Park proposes to cater for 5 self-contained recreational vans on a site with an area of 14.68 hectares. This represents 1 RV site/approx. 3 hectares, which is considered consistent with the Accepted density of 3 sites on 10 hectares or 1 RV site/3.3 hectares.</p> <p>The activity would be contained within an area on the site that is removed from the road and not currently used for the cultivation of sugar cane.</p> <p>In the context of the site and the predominant use of the site, the use is considered small scale and supplementary to the primary agricultural</p>



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Performance outcomes	Acceptable outcomes	Compliance
		use and would accommodate self-contained recreational vehicles only.
	AO18.2 The Tourist Park (small scale) does not cater for camping, accommodation within the main dwelling on the premises, or any other form of accommodation other than self-contained recreational vans.	Complies with AO18.2 The Tourist Park (Small Scale) would be the only form of accommodation, in addition to the Dwelling House, on the site.
PO19 The Tourist park (small scale) is able to be fully accommodated on site without nuisance to adjoining properties.	AO19 The minimum lot size is no less than 10 hectares.	Complies with AO19 The lot size is 14.68 hectares.
PO20 Recreational vehicles are adequately separated from site boundaries so as not to be a visual intrusion on surrounding roads or adjoining premises, and are located close to the main dwelling on the premises, in a flood free location.	AO20.1 Recreational vehicles are: <ul style="list-style-type: none"> (a) accommodated on a dedicated level parking area setback a minimum of 100 metres from road frontages and 50 metres from side boundaries; 	Complies with the Purpose of the Code The recreational vehicle sites would be located approximately 30 metres from the nearest boundary and more than 100 metres from the road frontage and within the Medium Storm Tide and Flood Plain Assessment Overlay.



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none">(b) screened from view from adjoining roads;(c) accommodated no more than 100 metres from the main dwelling on the site;(d) located in a flood-free part of the land.	<p>The adjoining property to the nearest setback is used for the cultivation of sugar cane and does not contain a dwelling that would be impacted upon by the proposed development. On this basis, it is considered that the proposed activity would not be a visual intrusion on surrounding roads or adjoining premises.</p> <p>Whilst it would be undertaken in land identified as being at risk of potential flooding, it is considered to comply with the purpose of the code as it would not:</p> <ul style="list-style-type: none">• prejudice the on-going operation of sugar cultivation;• does not result in unreasonable impacts on the environment, landscape values or the amenity of surrounding areas;• impact on the amenity of adjoining properties or the open character of the rural area;



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Performance outcomes	Acceptable outcomes	Compliance
		<ul style="list-style-type: none"> involve the display and sale of goods for sale; and, would provide an ancillary source of income to support the ongoing primary production use. <p>In addition, as an RV use, the residents are able to be readily relocated in a flood event with minimal warning.</p>
PO21 A Tourist park (small scale) is not intended to accommodate extended visitor stays or to compete with larger scale Tourist parks established elsewhere within the Shire. Note: Non-compliance with AO21.1 and AO21.2 results in a Tourist park that is no longer considered to be small scale.	AO21.1 The maximum stay for each individual recreational van is a maximum of 7 nights in succession.	Complies with AO21.1 The proposal is for a maximum stay of 7 nights in succession.
	AO21.2 No purpose-built structures are required for the use (including ablution blocks).	Complies with AO21.2 No structures are proposed.
PO22 The site is accessed via a road that is of a standard adequate to cater for:	AO22.1 Car parking does not occur on a road reserve.	Complies with AO22.1 No car parking would occur on a road reserve.
	AO22.2	Complies with AO22.2



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Performance outcomes	Acceptable outcomes	Compliance
(a) the proposed use; (b) allows visitors to park safely off site; (c) maintains adequate sight lines; (d) minimises mud/dust nuisances.	Car parking allows vehicles to enter and exit the site in forward gear.	All vehicles would be able to enter and leave in a forward gear.
	AO22.3 Car parking, access and manoeuvring areas are sealed to minimise nuisances associated with dust or mud.	Able to comply with AO22.3 The car parking, access and manoeuvring areas are able to be provided with a gravel surface. Council are invited to attach a condition to any approval granted, if considered necessary.
For assessable development		
Additional requirements for aquaculture, intensive animal industry or intensive horticulture		
PO23 The use is located outside mapped areas of Matters of State Environmental Significance. Note – Refer to the relevant Natural areas overlay mapping in schedule 2.	AO23 No acceptable outcomes are prescribed.	Not applicable The proposal is identified as Self-assessable.
PO24	AO24 No acceptable outcomes are prescribed.	Not applicable The proposal is identified as Self-assessable.



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Performance outcomes	Acceptable outcomes	Compliance
The use is located so as not to detract, or diminish the scenic amenity of the surrounding area, scenic routes, landmarks, lookouts and vistas		
PO25 The development does not cause environmental nuisance or environmental harm as a result of odour emissions.	AO25 No acceptable outcomes are prescribed.	Not applicable The proposal is identified as Self-assessable..
PO26 The establishment of aquaculture or intensive animal industry does not interfere with coastal processes.	AO26.1 The area of the site containing the aquaculture facility is not located below highest astronomical tide.	Not applicable The proposal is identified as Self-assessable.
	AO26.2 The establishment of the aquaculture or intensive animal husbandry facility does not involve the removal of littoral, riparian or other remanent endemic vegetation.	Not applicable The proposal is identified as Self-assessable.
PO27	AO27.1	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
The topography of the site is suitable for the intended use.	The area of the site containing the aquaculture or intensive animal industry facility has a slope of less than 10%.	The proposal is identified as Self-assessable.
	AO27.2 The area of the site containing the aquaculture or intensive animal industry facility is located above 1% AEP inundation level, including storm tide inundation levels.	Not applicable The development would not involve aquaculture, intensive animal industry or intensive horticulture.
PO28 Buildings, pens, other structures, ponds and waste disposal areas are sited, constructed and managed so that the maximum number of animals intended to be kept on site can be accommodated without having any significant adverse environmental impacts outside the site.	AO28.1 Barriers are provided and maintained to prevent the escape of animals.	Not applicable The development would not involve aquaculture, intensive animal industry or intensive horticulture.
	AO28.2 Waste disposal areas are situated only where minimal risk of contaminating any groundwater supply or surface water resource, and are of an adequate size to provide for the amount of waste generated on the site.	Not applicable The development would not involve aquaculture, intensive animal industry or intensive horticulture.



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Performance outcomes	Acceptable outcomes	Compliance
PO29 Buildings/structures, ponds and waste disposal areas are designed and sited so that the aquaculture or intensive animal industry facility does not impact on the amenity of the area and does not have significant environmental impacts outside the site.	AO29 Buildings, pens and other structures, ponds and waste disposal areas are sited clear of any watercourse or any environmentally sensitive area.	Not applicable The development would not involve aquaculture, intensive animal industry or intensive horticulture.
PO30 The collection, treatment and disposal of waste and waste water ensures: <ul style="list-style-type: none"> (a) no on-site or off-site soil contamination; (b) no detrimental impacts on the quality of receiving waters; (c) no odour impacts on nearby uses. 	AO30 The collection, treatment and disposal of waste and waste water ensures: <ul style="list-style-type: none"> (a) no on-site or off-site soil contamination; (b) no detrimental impacts on the quality of receiving waters; (c) no odour impacts on nearby uses 	Not applicable The development would not involve aquaculture, intensive animal industry or intensive horticulture.
Additional requirements for a Rural industry		
PO31	AO31	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
Development is established only where associated with rural production in the immediate vicinity.	Development ensues that rural industry involves the storage, processing or packing of products produced on land within 10 kilometres of the site.	The development would not involve a Rural industry.



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9.4.1 Access, parking and servicing code

9.4.1.1 Application

- (1) This code applies to assessing:
 - (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.



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9.4.1.3 Criteria for assessment

Table 9.4.1.3.a – Access, parking and servicing code –assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
PO1 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: (a) the desired character of the area; (b) the nature of the particular use and its specific characteristics and scale; (c) the number of employees and the likely number of visitors to the site; (d) the level of local accessibility; (e) the nature and frequency of any public transport serving the area;	AO1.1 The minimum number of on-site vehicle parking spaces is not less than the number prescribed in Table 9.4.1.3.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.	Complies with PO1 The RV's would be the only vehicle allowed on site with no ancillary car parking included. This complies with the Performance Outcome as the sufficient space would be allocated on site to cater for the RV's.
	AO1.2 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.	Not applicable Refer to assessment against AO1.1.
	AO1.3	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
(f) whether or not the use involves the retention of an existing building and the previous requirements for car parking for the building;	Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.	Tourist parks do not require motorcycle parking.
(g) whether or not the use involves a heritage building or place of local significance;	AO1.4 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.	Not applicable The parking area would not exceed 50 spaces.
(h) whether or not the proposed use involves the retention of significant vegetation.		
PO2 Vehicle parking areas are designed and constructed in accordance with relevant standards.	AO2 Vehicle parking areas are designed and constructed in accordance with Australian Standard: (a) AS2890.1; (b) AS2890.3; (c) AS2890.6.	Able to comply with AO2 RV parks would be constructed to Australian Standards. Council may wish to condition as appropriate.
PO3	AO3.1	Complies with AO3.1



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Performance outcomes	Acceptable outcomes	Compliance
<p>Access points are designed and constructed:</p> <ul style="list-style-type: none"> (a) to operate safely and efficiently; (b) to accommodate the anticipated type and volume of vehicles (c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate; (d) so that they do not impede traffic or pedestrian movement on the adjacent road area; (e) so that they do not adversely impact upon existing intersections or future road or intersection improvements; (f) so that they do not adversely impact current and future on-street parking arrangements; (g) so that they do not adversely impact on existing services within the road reserve adjacent to the site; 	<p>Access is limited to one access cross over per site and is an access point located, designed and constructed in accordance with:</p> <ul style="list-style-type: none"> (a) Australian Standard AS2890.1; (b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers. 	<p>Access would be provided from the existing access off Newell Road.</p>
	<p>AO3.2</p> <p>Access, including driveways or access crossovers:</p> <ul style="list-style-type: none"> (a) are not placed over an existing: <ul style="list-style-type: none"> (i) telecommunications pit; (ii) stormwater kerb inlet; (iii) sewer utility hole; (iv) water valve or hydrant. (b) are designed to accommodate any adjacent footpath; 	<p>Not applicable</p> <p>Access would be provided from the existing access off Newell Road.</p>



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Performance outcomes	Acceptable outcomes	Compliance
(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).	(c) adhere to minimum sight distance requirements in accordance with AS2980.1.	
	<p>AO3.3</p> <p>Driveways are:</p> <p>(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;</p> <p>(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;</p> <p>(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;</p>	<p>Not applicable</p> <p>Access would be provided from the existing access off Newell Road.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<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>AO3.4</p> <p>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>Complies with AO3.4</p> <p>The surface materials would be gravel consistent with the existing rural amenity.</p>
<p>PO4</p> <p>Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.</p>	<p>AO4</p> <p>The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.</p>	<p>Not applicable</p> <p>Wheel chair accessible car parking spaces are not required for a Tourist Park.</p>
<p>PO5</p>	<p>AO5</p>	<p>Not applicable</p>



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Performance outcomes	Acceptable outcomes	Compliance
Access for people with disabilities is provided to the building from the parking area and from the street.	Access for people with disabilities is provided in accordance with the relevant Australian Standard.	Disability access is not required for a Tourist Park.
PO6 Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development.	AO6 The number of on-site bicycle parking spaces complies with the rates specified in Table 9.4.1.3.b.	Not applicable Table 9.4.1.3.b does not require any on-site bicycle parks for a tourist park.
PO7 Development provides secure and convenient bicycle parking which: (a) for visitors is obvious and located close to the building's main entrance; (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; (c) is easily and safely accessible from outside the site.	AO7.1 Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers);	Not applicable Table 9.4.1.3.b does not require any on-site bicycle parks for a tourist park.
	AO7.2 Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street.	Not applicable Table 9.4.1.3.b does not require any on-site bicycle parks for a tourist park.
	AO7.3	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
	Development provides visitor bicycle parking which does not impede pedestrian movement.	Table 9.4.1.3.b does not require any on-site bicycle parks for a tourist park.
PO8 Development provides walking and cycle routes through the site which: <ul style="list-style-type: none"> (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; (b) encourage walking and cycling; (c) ensure pedestrian and cyclist safety. 	AO8 Development provides walking and cycle routes which are constructed on the carriageway or through the site to: <ul style="list-style-type: none"> (a) create a walking or cycle route along the full frontage of the site; (b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site. 	Not applicable Walking and cycle routes are not considered appropriate for the proposed development.
PO9 Access, internal circulation and on-site parking for service vehicles are designed and constructed: <ul style="list-style-type: none"> (a) in accordance with relevant standards; 	AO9.1 Access driveways, vehicle manoeuvring and on-site parking for service vehicles are designed and constructed in accordance with AS2890.1 and AS2890.2.	Not applicable The development is not required to accommodate service vehicles.



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Performance outcomes	Acceptable outcomes	Compliance
<p>(b) so that they do not interfere with the amenity of the surrounding area;</p> <p>(c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles.</p>	<p>AO9.2</p> <p>Service and loading areas are contained fully within the site.</p>	<p>Not applicable</p> <p>The development would not include service and loading areas.</p>
	<p>AO9.3</p> <p>The movement of service vehicles and service operations are designed so they:</p> <p>(a) do not impede access to parking spaces;</p> <p>(b) do not impede vehicle or pedestrian traffic movement.</p>	<p>Not applicable</p> <p>The development would not include service and operations.</p>
<p>PO10</p> <p>Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.</p>	<p>AO10.1</p> <p>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:</p> <p>(a) car wash;</p> <p>(b) child care centre;</p>	<p>Not applicable</p> <p>The development would not include drop-off/pick-up facilities.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	(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.	
	AO10.2 Queuing and set-down areas are designed and constructed in accordance with AS2890.1.	Not applicable The development would not require queuing and set-down areas.



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9.4.3 Environmental performance code

9.4.3.1 Application

(1) This code applies to assessing:

(a) building work for outdoor lighting;

(b) a material change of use or reconfiguring a lot if:

(i) assessable development where the code is identified in the assessment criteria column of a table of assessment; or

(ii) impact assessable development, to the extent relevant.

Note – Where for the purpose of lighting a tennis court in a Residential zone, a compliance statement prepared by a suitably qualified person must be submitted to Council with the development application for building work.

(2) When using this code, reference should be made to Part 5.

9.4.3.2 Purpose

(1) The purpose of the Environmental performance code is to ensure development is designed and operated to avoid or mitigate impacts on sensitive receiving environments.

(2) The purpose of the code will be achieved through the following overall outcomes:



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- (a) activities that have potential to cause an adverse impact on amenity of adjacent and surrounding land, or environmental harm is avoided through location, design and operation of the development;
- (b) sensitive land uses are protected from amenity related impacts of lighting, odour, airborne particles and noise, through design and operation of the development;
- (c) stormwater flowing over, captured or discharged from development sites is of a quality adequate to enter receiving waters and downstream environments;
- (d) development contributes to the removal and ongoing management of weed species.

9.4.3.3 Criteria for assessment

Table 9.4.3.3.a – Environmental performance code – assessable development

Performance outcomes	Acceptable outcomes	Compliance
Lighting		
PO1 Lighting incorporated within development does not cause an adverse impact on the amenity of adjacent uses and nearby sensitive land uses.	AO1.1 Technical parameters, design, installation, operation and maintenance of outdoor lighting comply with the requirements of Australian standard AS4282-1997 Control of the obtrusive effects of outdoor lighting.	Not applicable No outdoor lighting is proposed.



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Performance outcomes	Acceptable outcomes	Compliance
	AO1.2 Development that involves flood lighting is restricted to a type that gives no upward component of light where mounted horizontally.	Not applicable No flood lighting is proposed.
	AO1.3 Access, car parking and manoeuvring areas are designed to shield nearby residential premises from impacts of vehicle headlights.	Not applicable There are no nearby residential premises.
Noise		
PO2 Potential noise generated from the development is avoided through design, location and operation of the activity. Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.	AO2.1 Development does not involve activities that would cause noise related environmental harm or nuisance; or	Complies with AO2.1 The development for on-site accommodation in RV vehicles is not predicted to cause noise-related environmental harm.
	AO2.2	Not applicable Complies with AO2.1.



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Performance outcomes	Acceptable outcomes	Compliance
	Development ensures noise does not emanate from the site through the use of materials, structures and architectural features to not cause an adverse noise impact on adjacent uses.	
	<p>A02.3</p> <p>The design and layout of development ensures car parking areas avoid noise impacting directly on adjacent sensitive land uses through one or more of the following:</p> <p>(a) car parking is located away from adjacent sensitive land uses;</p> <p>(b) car parking is enclosed within a building;</p> <p>(c) a noise ameliorating fence or structure is established adjacent to car parking areas where the fence or structure will not have a visual amenity impact on the adjoining premises;</p> <p>(d) buffered with dense landscaping.</p>	<p>Not applicable</p> <p>There are no adjacent sensitive land uses.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	Editor's note - The Environmental Protection (Noise) Policy 2008, Schedule 1 provides guidance on acoustic quality objectives to ensure environmental harm (including nuisance) is avoided.	
Airborne particles and other emissions		
PO3 Potential airborne particles and emissions generated from the development are avoided through design, location and operation of the activity. Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.	AO3.1 Development does not involve activities that will result in airborne particles or emissions being generated; or	Complies with AO3.1 The proposal would not involve activities that result in airborne particles or emissions.
	AO3.2 The design, layout and operation of the development activity ensures that no airborne particles or emissions cause environmental harm or nuisance.	Not applicable Complies with AO3.1.



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Performance outcomes	Acceptable outcomes	Compliance
	Note - examples of activities which generally cause airborne particles include spray painting, abrasive blasting, manufacturing activities and car wash facilities. Examples of emissions include exhaust ventilation from basement or enclosed parking structures, air conditioning/refrigeration ventilation and exhaustion. The Environmental Protection (Air) Policy 2008, Schedule 1 provides guidance on air quality objectives to ensure environmental harm (including nuisance) is avoided.	
Odours		
PO4 Potential odour causing activities associated with the development are avoided through design, location and operation of the activity. Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.	AO4.1 The development does not involve activities that create odorous emissions; or	Complies with AO4.1 The RV's would not create odorous emissions.
	AO4.2 The use does not result in odour that causes environmental harm or nuisance with respect to surrounding land uses.	Not applicable Complies with AO4.1.
Waste and recycleable material storage		



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Performance outcomes	Acceptable outcomes	Compliance
<p>PO5</p> <p>Waste and recyclable material storage facilities are located and maintained to not cause adverse impacts on adjacent uses.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p>AO5.1</p> <p>The use ensures that all putrescent waste is stored in a manner that prevents odour nuisance and is disposed of at regular intervals.</p>	<p>Able to comply with AO5.1</p> <p>Council may wish to condition the storage of putrescent waste as appropriate.</p>
	<p>AO5.2</p> <p>Waste and recyclable material storage facilities are located, designed and maintained to not cause an adverse impact on users of the premises and adjacent uses through consideration of:</p> <ul style="list-style-type: none"> (a) the location of the waste and recyclable material storage areas in relation to the noise and odour generated; (b) the number of receptacles provided in relation to the collection, maintenance and use of the receptacles; (c) the durability of the receptacles, sheltering and potential impacts of local climatic conditions; 	<p>Able to comply with AO5.</p> <p>Council may wish to condition storage of waste and recyclable materials as appropriate.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>(d) the ability to mitigate spillage, seepage or leakage from receptacles into adjacent areas and sensitive receiving waters and environments.</p> <p>Editor's note - the Environmental Protection (Waste Management) Policy 2008 provides guidance on the design of waste containers (receptacles) to ensure environmental harm (including nuisance) is avoided.</p>	
Sensitive land uses		
<p>PO6</p> <p>Sensitive land use activities are not established in areas which will receive potentially incompatible impacts on amenity from surrounding, existing development activities and land uses.</p>	<p>AO6.1</p> <p>Sensitive land use activities are not established in areas that will be adversely impacted upon by existing land uses, activities and potential development possible in an area; or</p>	<p>Not applicable</p> <p>The development and use is not identified as a sensitive land use.</p>
	<p>AO6.2</p> <p>Sensitive land activities are located in areas where potential adverse amenity impacts mitigate all potential impacts through layout, design, operation and maintenance.</p>	<p>Not applicable</p> <p>The development and use is not identified as a sensitive land use.</p>



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Performance outcomes	Acceptable outcomes	Compliance
Stormwater quality		
PO7 The quality of stormwater flowing over, through or being discharged from development activities into watercourses and drainage lines is of adequate quality for downstream environments, with respect to: (a) the amount and type of pollutants borne from the activity; (b) maintaining natural stream flows (c) the amount and type of site disturbance; (d) site management and control measures.	AO7.1 Development activities are designed to ensure stormwater over roofed and hard stand areas is directed to a lawful point of discharge.	Not applicable No roofed or hardstand areas are proposed.
	AO7.2 Development ensures movement of stormwater over the site is not impeded or directed through potentially polluting activities.	Complies with AO7.2 No polluting activities are proposed.
	AO7.3 Soil and water control measures are incorporated into the activity's design and operation to control sediment and erosion potentially entering watercourses, drainage lines and downstream receiving waters.	Not applicable The development would not cause sediment and erosion issues.



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Performance outcomes	Acceptable outcomes	Compliance
	Note - Planning scheme policy - FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the Environmental Protection Act 1994. During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.	
Pest plants (for material change of use on vacant land over 1,000m²)		
PO8 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.	AO8.1 The land is free of declared pest plants before development establishes new buildings, structures and practices; or	Not applicable No new buildings or structures are proposed.
	AO8.2	Complies with AO8.2 No pest species have been identified in the site.



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Performance outcomes	Acceptable outcomes	Compliance
	Pest plants detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person prior to construction of buildings and structures or earthworks. 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.	



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9.4.5 Infrastructure works code

9.4.5.1 Application

- (1) This code applies to assessing:
 - (a) operational work which requires an assessment as a condition of a development permit or is assessable development if this code is identified in the assessment criteria column of a table of assessment;
 - (b) a material change of use or reconfiguring a lot if:
 - (i) 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.

Note – The Filling and excavation code applies to operational work for filling and excavation.

- (2) When using this code, reference should be made to Part 5.

9.4.5.2 Purpose

- (1) The purpose of the Infrastructure works code is to ensure that development is safely and efficiently serviced by, and connected to, infrastructure.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) the standards of water supply, waste water treatment and disposal, stormwater drainage, local electricity supply, telecommunications, footpaths and road construction meet the needs of development and are safe and efficient;
 - (b) development maintains high environmental standards;
 - (c) development is located, designed, constructed and managed to avoid or minimise impacts arising from altered stormwater quality or flow, wastewater discharge, and the creation of non-tidal artificial waterways;



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- (d) the integrity of existing infrastructure is maintained;
- (e) development does not detract from environmental values or the desired character and amenity of an area.

9.4.5.3 Criteria for assessment

Table 9.4.5.3.a – Infrastructure works code – assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
Works on a local government road		
PO1 Works on a local government road do not adversely impact on footpaths or existing infrastructure within the road verge and maintain the flow, safety and efficiency of pedestrians, cyclists and vehicles.	AO1.1 Footpaths/pathways are located in the road verge and are provided for the hierarchy of the road and located and designed and constructed in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	Not applicable The development would not involve works on a Local Government Road.
	AO1.2 Kerb ramp crossovers are constructed in accordance with Planning scheme policy SC 5 – FNQROC Regional Development Manual.	Not applicable The development would not involve works on a Local Government Road.



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Performance outcomes	Acceptable outcomes	Compliance
	AO1.3 New pipes, cables, conduits or other similar infrastructure required to cross existing footpaths: (a) are installed via trenchless methods; or (b) where footpath infrastructure is removed to install infrastructure, the new section of footpath is installed to the standard detailed in the Planning scheme policy SC5 – FNQROC Regional Development Manual, and is not less than a 1.2 metre section.	Not applicable The development would not involve works on a Local Government Road.
	AO1.4 Where existing footpaths are damaged as a result of development, footpaths are reinstated ensuring: (a) similar surface finishes are used; (b) there is no change in level at joins of new and existing sections; (c) new sections are matched to existing in terms of dimension and reinforcement.	Not applicable The development would not involve works on a Local Government Road.



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Performance outcomes	Acceptable outcomes	Compliance
	Note – Figure 9.5.4.3.a provides guidance on meeting the outcomes.	
	AO1.5 Decks, verandahs, stairs, posts and other structures located in the road reserve do not restrict or impede pedestrian movement on footpaths or change the level of the road verges.	Not applicable The development would not involve works on a Local Government Road.
Accessibility structures		
PO2 Development is designed to ensure it is accessible for people of all abilities and accessibility features do not impact on the efficient and safe use of footpaths. Note – Accessibility features are those features required to ensure access to premises is provided for people of all abilities and include ramps and lifts.	AO2.1 Accessibility structures are not located within the road reserve.	Not applicable The development would not involve any accessibility structures.
	AO2.2 Accessibility structures are designed in accordance with AS1428.3.	Not applicable The development would not involve any accessibility structures.
	AO2.3 When retrofitting accessibility features in existing buildings, all structures and changes in grade are	Not applicable The development would not involve any accessibility structures.



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Performance outcomes	Acceptable outcomes	Compliance
	contained within the boundaries of the lot and not within the road reserve.	
Water supply		
PO3 An adequate, safe and reliable supply of potable, fire fighting and general use water is provided.	AO3.1 The premises is connected to Council's reticulated water supply system in accordance with the Design Guidelines set out in Section D6 of the Planning scheme policy SC5 – FNQROC Regional Development Manual; or AO3.2 Where a reticulated water supply system is not available to the premises, on site water storage tank/s with a minimum capacity of 10,000 litres of stored water, with a minimum 7,500 litre tank, with the balance from other sources (e.g. accessible swimming pool, dam etc.) and access to the tank/s for fire trucks is provided for each new house or other development. Tank/s are to be	Complies with AO3.1 The premises has an existing reliable water supply.



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Performance outcomes	Acceptable outcomes	Compliance
	fitted with a 50mm ball valve with a camlock fitting and installed and connected prior to occupation of the house and sited to be visually unobtrusive.	
Treatment and disposal of effluent		
PO4 Provision is made for the treatment and disposal of effluent to ensure that there are no adverse impacts on water quality and no adverse ecological impacts as a result of the system or as a result of increasing the cumulative effect of systems in the locality.	AO4.1 The site is connected to Council's sewerage system and the extension of or connection to the sewerage system is designed and constructed in accordance with the Design Guidelines set out in Section D7 of the Planning scheme policy SC5 – FNQROC Regional Development Manual; or AO4.2 Where not in a sewerage scheme area, the proposed disposal system meets the requirements of Section 33 of the <i>Environmental Protection Policy (Water) 1997</i> and the proposed on site effluent disposal system is designed in	Not applicable A Sewerage disposal system is not required for self-contained Recreational Vehicles.



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Performance outcomes	Acceptable outcomes	Compliance
	accordance with the <i>Plumbing and Drainage Act (2002)</i> .	
Stormwater quality		
PO5 Development is planned, designed, constructed and operated to avoid or minimise adverse impacts on stormwater quality in natural and developed catchments by: <ul style="list-style-type: none"> (a) achieving stormwater quality objectives; (b) protecting water environmental values; (c) maintaining waterway hydrology. 	AO5.1 A connection is provided from the premises to Council's drainage system; or AO5.2 An underground drainage system is constructed to convey stormwater from the premises to Council's drainage system in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	Not applicable Stormwater management is not considered to be applicable to the proposed development.
	AO5.3 A stormwater quality management plan is prepared, and provides for achievable stormwater quality treatment measures meeting design	Not applicable A stormwater quality management plan is not necessary as the proposed development would



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Performance outcomes	Acceptable outcomes	Compliance
	<p>objectives listed in Table 9.4.5.3.b and Table 9.4.5.3.c, reflecting land use constraints, such as:</p> <ul style="list-style-type: none"> (a) erosive, dispersive and/or saline soil types; (b) landscape features (including landform); (c) acid sulfate soil and management of nutrients of concern; (d) rainfall erosivity. 	not effect the soils, site volume or landscape features.
	<p>AO5.4</p> <p>Erosion and sediment control practices are designed, installed, constructed, monitored, maintained, and carried out in accordance with an erosion and sediment control plan.</p>	<p>Not applicable</p> <p>Erosion and sediment control practices are not necessary as the development is of a minor scale and does not involve any earthworks or construction activities.</p>
	<p>AO5.5</p> <p>Development incorporates stormwater flow control measures to achieve the design objectives set out in Table 9.4.5.3.b and Table 9.4.5.3.c, including management of frequent flows, peak flows, and construction phase hydrological impacts.</p>	<p>Not applicable</p> <p>Stormwater flow control measures are not considered necessary as the development would not involve any earthworks or construction activities.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>Note – Planning scheme policy SC5 – FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p>Note – During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.</p>	
Non-tidal artificial waterways		
<p>PO6</p> <p>Development involving non-tidal artificial waterways is planned, designed, constructed and operated to:</p> <ul style="list-style-type: none"> (a) protect water environmental values; (b) be compatible with the land use constraints for the site for protecting water environmental values; (c) be compatible with existing tidal and non-tidal waterways; 	<p>AO6.1</p> <p>Development involving non-tidal artificial waterways ensures:</p> <ul style="list-style-type: none"> (a) environmental values in downstream waterways are protected; (b) any ground water recharge areas are not affected; (c) the location of the waterway incorporates low lying areas of the catchment connected to an existing waterway; (d) existing areas of ponded water are included. 	<p>Not applicable</p> <p>The development would not involve non-tidal artificial waterways.</p>



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Performance outcomes	Acceptable outcomes	Compliance
(d) perform a function in addition to stormwater management; (e) achieve water quality objectives.	AO6.2 Non-tidal artificial waterways are located: (a) outside natural wetlands and any associated buffer areas; (b) to minimise disturbing soils or sediments; (c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas.	Not applicable The development would not involve non-tidal artificial waterways.
	AO6.3 Non-tidal artificial waterways located adjacent to, or connected to a tidal waterway by means of a weir, lock, pumping system or similar ensures: (a) there is sufficient flushing or a tidal range of >0.3 m; or (b) any tidal flow alteration does not adversely impact on the tidal waterway; or (c) there is no introduction of salt water into freshwater environments.	Not applicable The development would not involve non-tidal artificial waterways.



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Performance outcomes	Acceptable outcomes	Compliance
	AO6.4 Non-tidal artificial waterways are designed and managed for any of the following end-use purposes: (a) amenity (including aesthetics), landscaping or recreation; or (b) flood management, in accordance with a drainage catchment management plan; or (c) stormwater harvesting plan as part of an integrated water cycle management plan; or (d) aquatic habitat.	Not applicable The development would not involve non-tidal artificial waterways.
	AO6.5 The end-use purpose of the non-tidal artificial waterway is designed and operated in a way that protects water environmental values.	Not applicable The development would not involve non-tidal artificial waterways.
	AO6.6	Not applicable The development would not involve non-tidal artificial waterways.



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Performance outcomes	Acceptable outcomes	Compliance
	Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway.	
	AO6.7 Aquatic weeds are managed to achieve a low percentage of coverage of the water surface area, and pests and vectors are managed through design and maintenance.	Not applicable The development would not involve non-tidal artificial waterways.
Wastewater discharge		
PO7 Discharge of wastewater to waterways, or off site: (a) meets best practice environmental management; (b) is treated to: (i) meet water quality objectives for its receiving waters;	AO7.1 A wastewater management plan is prepared and addresses: (a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best practice environmental management.	Not applicable No wastewater would be discharged off-site.
	AO7.2	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
(ii) avoid adverse impact on ecosystem health or waterway health; (iii) maintain ecological processes, riparian vegetation and waterway integrity; (iv) offset impacts on high ecological value waters.	The waste water management plan is managed in accordance with a waste management hierarchy that: (a) avoids wastewater discharge to waterways; or (b) if wastewater discharge cannot practicably be avoided, minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and ground water.	No wastewater would be discharged off-site.
	A07.3 Wastewater discharge is managed to avoid or minimise the release of nutrients of concern so as to minimise the occurrence, frequency and intensity of algal blooms.	Not applicable No wastewater would be discharged off-site.
	A07.4 Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and:	Not applicable No wastewater would be discharged off-site.



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none">(a) avoids lowering ground water levels where potential or actual acid sulfate soils are present;(b) manages wastewater so that:<ul style="list-style-type: none">(i) the pH of any wastewater discharges is maintained between 6.5 and 8.5 to avoid mobilisation of acid, iron, aluminium and other metals;(ii) holding times of neutralised wastewater ensures the flocculation and removal of any dissolved iron prior to release;(iii) visible iron floc is not present in any discharge;(iv) precipitated iron floc is contained and disposed of;(v) wastewater and precipitates that cannot be contained and treated for discharge on site are removed and disposed of through trade waste or another lawful method.	



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Performance outcomes	Acceptable outcomes	Compliance
Electricity supply		
PO8 Development is provided with a source of power that will meet its energy needs.	AO8.1 A connection is provided from the premises to the electricity distribution network; or AO8.2 The premises is connected to the electricity distribution network in accordance with the Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual. Note - Areas north of the Daintree River have a different standard.	Complies with AO8.1 The premises has existing connections to the electricity distribution network.
PO9 Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.	AO9.1 Pad-mount electricity infrastructure is: (a) not located in land for open space or sport and recreation purposes; (b) screened from view by landscaping or fencing;	Not applicable No pad-mount electricity infrastructure is proposed as part of this development.



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Performance outcomes	Acceptable outcomes	Compliance
	(c) accessible for maintenance.	
	A09.2 Pad-mount electricity infrastructure within a building, in a Town Centre is designed and located to enable an active street frontage. Note – Pad-mounts in buildings in activity centres should not be located on the street frontage.	Not applicable No pad-mount electricity infrastructure is proposed as part of this development.
Telecommunications		
PO10 Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.	AO10 The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.	Not applicable The development for self-contained relocatable RV's is not considered necessary to connect to telecommunications infrastructure..
PO11 Provision is made for future telecommunications services (e.g. fibre optic cable).	AO11 Conduits are provided in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	Not applicable No conduits are required as part of this development.



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Performance outcomes	Acceptable outcomes	Compliance
Road construction		
PO12 The road to the frontage of the premises is constructed to provide for the safe and efficient movement of: (a) pedestrians and cyclists to and from the site; (b) pedestrians and cyclists adjacent to the site; (c) vehicles on the road adjacent to the site; (d) vehicles to and from the site; (e) emergency vehicles.	AO12.1 The road to the frontage of the site is constructed in accordance with the Design Guidelines set out in Sections D1 and D3 of the Planning scheme policy SC5 – FNQROC Regional Development Manual, for the particular class of road, as identified in the road hierarchy.	Complies with AO12.1 Newell Road is a fully constructed and council maintained road.
	AO12.2 There is existing road, kerb and channel for the full road frontage of the site.	Complies with AO12.2 Newell Road is a fully constructed and council maintained road.
	AO12.3 Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for the safe passage of emergency vehicles.	Complies with AO12.3 Newell Road is a fully constructed and council maintained road.
Alterations and repairs to public utility services		



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Performance outcomes	Acceptable outcomes	Compliance
PO13 Infrastructure is integrated with, and efficiently extends, existing networks.	AO13 Development is designed to allow for efficient connection to existing infrastructure networks.	Not applicable No alterations or repairs to public utilities are required to facilitate the development.
PO14 Development and works do not affect the efficient functioning of public utility mains, services or installations.	AO14.1 Public utility mains, services and installations are not required to be altered or repaired as a result of the development; or AO14.2 Public utility mains, services and installations are altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	Not applicable No alterations or repairs to public utilities are required to facilitate the development..
Construction management		
PO15	AO15	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be retained.	Works include, at a minimum: (a) installation of protective fencing around retained vegetation during construction; (b) erection of advisory signage; (c) no disturbance, due to earthworks or storage of plant, materials and equipment, of ground level and soils below the canopy of any retained vegetation; (d) removal from the site of all declared noxious weeds.	There would be no construction involved with this development.
PO16 Existing infrastructure is not damaged by construction activities.	AO16 Construction, alterations and any repairs to infrastructure is undertaken in accordance with the Planning scheme policy SC5 – FNQROC Regional Development Manual. Note - Construction, alterations and any repairs to State-controlled roads and rail corridors are undertaken in accordance with the Transport Infrastructure Act 1994.	Not applicable There would be no construction involved with this development.
For assessable development		



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Performance outcomes	Acceptable outcomes	Compliance
High speed telecommunication infrastructure		
PO17 Development provides infrastructure to facilitate the roll out of high speed telecommunications infrastructure.	AO17 No acceptable outcomes are prescribed.	Not applicable The development is identified as self-assessable development.
Trade waste		
PO18 Where relevant, the development is capable of providing for the storage, collection treatment and disposal of trade waste such that: (a) off-site releases of contaminants do not occur; (b) the health and safety of people and the environment are protected; (c) the performance of the wastewater system is not put at risk.	AO18 No acceptable outcomes are prescribed.	Not applicable The development is identified as self-assessable development.
Fire services in developments accessed by common private title		



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Performance outcomes	Acceptable outcomes	Compliance
PO19 Hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	AO19.1 Residential streets and common access ways within a common private title places hydrants at intervals of no more than 120 metres and at each intersection. Hydrants may have a single outlet and be situated above or below ground.	Not applicable No common private title is proposed.
	AO19.2 Commercial and industrial streets and access ways within a common private title serving commercial properties such as factories and warehouses and offices are provided with above or below ground fire hydrants located at not more than 90 metre intervals and at each intersection. Above ground fire hydrants have dual-valved outlets.	Not applicable No common private title is proposed.
PO20 Hydrants are suitable identified so that fire services can locate them at all hours.	AO20 No acceptable outcomes are prescribed.	Not applicable No common private title is proposed.



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Performance outcomes	Acceptable outcomes	Compliance
Note – Hydrants are identified as specified in the Department of Transport and Main Roads Technical Note: 'Identification of street hydrants for fire fighting purposes' available under 'Publications'.		



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9.4.6 Landscaping code

9.4.6.1 Application

- (1) This code applies to assessing:
 - (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) 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.

9.4.6.2 Purpose

- (1) The purpose of the Landscaping code is to assess the landscaping aspects of a development.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) The tropical, lush landscape character of the region is retained, promoted and enhanced through high quality landscape works;
 - (b) The natural environment of the region is enhanced;
 - (c) The visual quality, amenity and identity of the region is enhanced;
 - (d) Attractive streetscapes and public places are created through landscape design;
 - (e) As far as practical, existing vegetation on site is retained, and protected during works and integrated with the built environment;
 - (f) Landscaping is provided to enhance the tropical landscape character of development and the region;



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- (g) Landscaping is functional, durable, contributes to passive energy conservation and provides for the efficient use of water and ease of ongoing maintenance;
- (h) Landscaping takes into account utility service protection;
- (i) Weed species and invasive species are eliminated from development sites;
- (j) Landscape design enhances personal safety and incorporates CPTED principles.

9.4.6.3 Criteria for assessment

Table 9.4.6.3.a – Landscaping code –assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
Landscaping design		
PO1 Development provides landscaping that contributes to and creates a high quality landscape character for the site, street and local areas of the Shire by: <ul style="list-style-type: none"> (a) promoting the Shire’s character as a tropical environment; 	AO1 Development provides landscaping: <ul style="list-style-type: none"> (a) in accordance with the minimum area, dimensions and other requirements of applicable development codes; (b) that is designed and planned in a way that meets the guidelines for landscaping 	Complies with AO1 Landscaping would be provide in accordance with the Planning Scheme policy.



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Performance outcomes	Acceptable outcomes	Compliance
<ul style="list-style-type: none"> (b) softening the built form of development; (c) enhancing the appearance of the development from within and outside the development and makes a positive contribution to the streetscape; (d) screening the view of buildings, structures, open storage areas, service equipment, machinery plant and the like from public places, residences and other sensitive development; (e) where necessary, ensuring the privacy of habitable rooms and private outdoor recreation areas; (f) contributing to a comfortable living environment and improved energy efficiency, by providing shade to reduce glare and heat absorption and re-radiation from buildings, parking areas and other hard surfaces; (g) ensuring private outdoor recreation space 	<p>outlined in Planning Scheme Policy SC6.7 – Landscaping;</p> <p>(c) that is carried out and maintained in accordance with a landscaping plan that meets the guidelines for landscaping outlined in Planning Scheme Policy SC6.7 – Landscaping.</p> <p>Note - Planning scheme policy SC6.7 – Landscaping provides guidance on meeting the outcomes of this code. A landscape plan submitted for approval in accordance with the Planning policy is one way to achieve this outcome.</p>	



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Performance outcomes	Acceptable outcomes	Compliance
<p>is useable;</p> <p>(h) providing long term soil erosion protection;</p> <p>(i) providing a safe environment;</p> <p>(j) integrating existing vegetation and other natural features of the premises into the development;</p> <p>(k) not adversely affecting vehicular and pedestrian sightlines and road safety</p>		
For assessable development		
<p>PO2</p> <p>Landscaping contributes to a sense of place, is functional to the surroundings and enhances the streetscape and visual appearance of the development.</p>	<p>AO2.1</p> <p>No acceptable outcomes are specified.</p> <p>Note - Landscaping is in accordance with the requirements specified in Planning scheme policy SC6.7 – Landscaping.</p>	<p>Not applicable</p> <p>The development is identified as self-assessable development.</p>
	<p>AO2.2</p> <p>Tropical urbanism is incorporated into building design.</p> <p>Note – ‘Tropical urbanism’ includes many things such as green walls, green roofs, podium planting and vegetation</p>	<p>Not applicable</p> <p>The development is identified as self-assessable development.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	incorporated into the design of a building	
PO3 Development provides landscaping that is , as far as practical, consistent with the existing desirable landscape character of the area and protects trees, vegetation and other features of ecological, recreational, aesthetic and cultural value.	AO3.1 Existing vegetation on site is retained and incorporated into the site design, wherever possible, utilising the methodologies and principles outline in AS4970-2009 Protection of Trees on Development Sites.	Not applicable The development is identified as self-assessable development.
	AO3.2 Mature vegetation on the site that is removed or damaged during development is replaced with advanced species	Not applicable The development is identified as self-assessable development.
	AO3.3 Where there is an existing landscape character in a street or locality which results from existing vegetation, similar species are incorporated into new development	Not applicable The development is identified as self-assessable development.
	AO3.4	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
	Street trees are species which enhance the landscape character of the streetscape, with species chosen from the Planning scheme policy SC6.7 – Landscaping.	The development is identified as self-assessable development.
PO4 Plant species are selected with consideration to the scale and form of development, screening, buffering, streetscape, shading and the locality of the area.	AO4 Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	Not applicable The development is identified as self-assessable development.
PO5 Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal roadways.	AO5 Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	Not applicable The development is identified as self-assessable development.
PO6 Landscaped areas are designed in order to allow for efficient maintenance.	AO6.1 A maintenance program is undertaken in accordance with Planning scheme policy SC6.7 – Landscaping.	Not applicable The development is identified as self-assessable development.



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Performance outcomes	Acceptable outcomes	Compliance
	A06.2 Tree maintenance is to have regard to the 'Safe Useful Life Expectancy of Trees (SULE). Note – It may be more appropriate to replace trees with a SULE of less than 20 years (as an example), and replant with younger healthy species	Not applicable The development is identified as self-assessable development.
PO7 Podium planting is provided with appropriate species for long term survival and ease of maintenance, with beds capable of proper drainage.	A07.1 Podium planting beds are provided with irrigation and are connected to stormwater infrastructure to permit flush out.	Not applicable The development is identified as self-assessable development.
	A07.2 Species of plants are selected for long term performance designed to suit the degree of access to podiums and roof tops for maintenance.	Not applicable The development is identified as self-assessable development.
PO8 Development provides for the removal of all weed and invasive species and implement on-going measures to ensure that weeds and invasive	A08 Weed and invasive species detected on a development site are removed in accordance with a management plan prepared by an appropriately	Not applicable The development is identified as self-assessable development.



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Performance outcomes	Acceptable outcomes	Compliance
species do not reinfest the site and nearby premises	qualified person.	
PO9 The landscape design enhances personal safety and reduces the potential for crime and vandalism	AO9 No acceptable outcomes are specified. Note - Planning scheme policy SC6.3 – Crime prevention through environmental design (CPTED) provides guidance on meeting this outcome.	Not applicable The development is identified as self-assessable development.
PO10 The location and type of plant species does not adversely affect the function and accessibility of services and facilities and service areas.	AO10 Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	Not applicable The development is identified as self-assessable development.



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