

DA Form 1 – Development application details

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

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

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

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

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) <i>(individual or company full name)</i>	Laidlaw Holdings Pty Ltd C/- RPS Australia East Pty Ltd
Contact name <i>(only applicable for companies)</i>	Owen Caddick-King
Postal address <i>(P.O. Box or street address)</i>	PO Box 1949
Suburb	Cairns
State	Queensland
Postcode	4870
Country	Australia
Contact number	(07) 4031 1336
Email address <i>(non-mandatory)</i>	Owen.caddick-king@rpsgroup.com.au
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	PR139742

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
			Captain Cook Highway	Mowbray
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	114	RP749351	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
			Captain Cook Highway	Mowbray
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
		47	RP749351	Douglas Shire Council

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

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

- Coordinates of premises by longitude and latitude

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

- Coordinates of premises by easting and northing

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

3.3) Additional premises

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

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

<input type="checkbox"/> In or adjacent to a water body or watercourse or in or above an aquifer	
Name of water body, watercourse or aquifer:	
<input type="checkbox"/> On strategic port land under the <i>Transport Infrastructure Act 1994</i>	
Lot on plan description of strategic port land:	
Name of port authority for the lot:	
<input type="checkbox"/> In a tidal area	
Name of local government for the tidal area (if applicable):	
Name of port authority for tidal area (if applicable):	
<input type="checkbox"/> On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>	
Name of airport:	
<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>	
EMR site identification:	

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

CLR site identification:

5) Are there any existing easements over the premises?

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

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

No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

Material change of use

Reconfiguring a lot

Operational work

Building work

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

Development permit

Preliminary approval

Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment

Impact assessment *(requires public notification)*

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

Reconfiguration of a Lot (Boundary realignment – 2 Lots into 2 Lots).

e) Relevant plans

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

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

6.2) Provide details about the second development aspect

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

Material change of use

Reconfiguring a lot

Operational work

Building work

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

Development permit

Preliminary approval

Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment

Impact assessment *(requires public notification)*

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

e) Relevant plans

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

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

6.3) Additional aspects of development

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

Not required

Section 2 – Further development details

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

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

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use

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

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

<input type="checkbox"/> Yes		
<input 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?

2

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 checked="" type="checkbox"/> Boundary realignment (complete 12))	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a construction road (complete 13))

10) Subdivision

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

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

10.2) Will the subdivision be staged?

<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)
Lot 47 on RP749351	18.31 hectares	Proposed Lot 47	14.33ha
Lot 114 on RP749351	8.54 hectares	Proposed Lot 114	12.36ha

12.2) What is the reason for the boundary realignment?
 To create two allotments more uniform in area of viable agricultural land and provide a suitable site for a Dwelling house on Proposed Lot 114.

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

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

Division 3 – Operational work

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

14.1) What is the nature of the operational work?

<input type="checkbox"/> Road work	<input type="checkbox"/> Stormwater	<input type="checkbox"/> Water infrastructure
<input type="checkbox"/> Drainage work	<input type="checkbox"/> Earthworks	<input type="checkbox"/> Sewage infrastructure
<input type="checkbox"/> Landscaping	<input type="checkbox"/> Signage	<input type="checkbox"/> Clearing vegetation
<input type="checkbox"/> Other – please specify: _____		

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"/> 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) Do any aspects of the proposed development require referral for any referral requirements?
Note: A development application will require referral if prescribed by the Planning Regulation 2017.

<input type="checkbox"/> No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6
Matters requiring referral to the chief executive of the Planning Regulation 2017:
<input checked="" type="checkbox"/> Clearing native vegetation

<input type="checkbox"/> Contaminated land (<i>unexploded ordnance</i>) <input type="checkbox"/> Environmentally relevant activities (ERA) (<i>only if the ERA have not been devolved to a local government</i>) <input type="checkbox"/> Fisheries – aquaculture <input type="checkbox"/> Fisheries – declared fish habitat area <input type="checkbox"/> Fisheries – marine plants <input type="checkbox"/> Fisheries – waterway barrier works <input type="checkbox"/> Hazardous chemical facilities <input type="checkbox"/> Queensland heritage place (<i>on or near a Queensland heritage place</i>) <input type="checkbox"/> Infrastructure – designated premises <input type="checkbox"/> Infrastructure – state transport infrastructure <input type="checkbox"/> Infrastructure – state transport corridors and future state transport corridors <input type="checkbox"/> Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels <input checked="" type="checkbox"/> Infrastructure – state-controlled roads <input type="checkbox"/> Land within Port of Brisbane’s port limits <input type="checkbox"/> SEQ development area <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – community activity <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – indoor recreation <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – residential development <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – urban activity <input type="checkbox"/> Tidal works or works in a coastal management district <input type="checkbox"/> Urban design <input type="checkbox"/> Water-related development – taking or interfering with water <input type="checkbox"/> Water-related development – removing quarry material (<i>from a watercourse or lake</i>) <input type="checkbox"/> Water-related development – referable dams <input type="checkbox"/> Water-related development – construction of new levees or modification of existing levees (<i>category 2 or 3 levees only</i>) <input type="checkbox"/> Wetland protection area
Matters requiring referral to the local government: <input type="checkbox"/> Airport land <input type="checkbox"/> Environmentally relevant activities (ERA) (<i>only if the ERA have been devolved to local government</i>) <input type="checkbox"/> Local heritage places
Matters requiring referral to the chief executive of the distribution entity or transmission entity: <input checked="" type="checkbox"/> 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"/> Oil and gas infrastructure
Matters requiring referral to the Brisbane City Council: <input type="checkbox"/> Brisbane core port land
Matters requiring referral to the Minister under the Transport Infrastructure Act 1994: <input type="checkbox"/> Brisbane core port land <input type="checkbox"/> Strategic port land
Matters requiring referral to the relevant port operator: <input type="checkbox"/> Brisbane core port land (below high-water mark and within port limits)
Matters requiring referral to the chief executive of the relevant port authority: <input type="checkbox"/> Land within limits of another port
Matters requiring referral to the Gold Coast Waterways Authority: <input type="checkbox"/> Tidal works, or development in a coastal management district in Gold Coast waters
Matters requiring referral to the Queensland Fire and Emergency Service: <input type="checkbox"/> Tidal works, or development in a coastal management district

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

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

Referral requirement	Referral agency	Date of referral response

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

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

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

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

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

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

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

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

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

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

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

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

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

- Yes – show cause or enforcement notice is attached
 No

23) Further legislative requirements

Environmentally relevant activities

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

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

No

Note: Application for an environmental authority can be found by searching “EM941” at www.qld.gov.au. 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:

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

Hazardous chemical facilities

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

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

No

Note: See www.justice.qld.gov.au for further information.

Clearing native vegetation

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

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

No

Note: See www.qld.gov.au for further information.

Environmental offsets

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

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

No

Note: The environmental offset section of the Queensland Government's website can be accessed at www.qld.gov.au for further information on environmental offsets.

Koala conservation

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

Yes

No

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

Water resources

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

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

No

Note: DA templates are available from www.dilgp.qld.gov.au.

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

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

No

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

Marine activities

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

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

No

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

Quarry materials from a watercourse or lake

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

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

No

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

Quarry materials from land under tidal waters

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

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

No

Note: Contact the Department of Environment and Heritage Protection at www.ehp.qld.gov.au for further information.

Referable dams

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

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

No

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

Tidal work or development within a coastal management district

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

Yes – the following is included with this development application:

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

A certificate of title

No

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

Queensland and local heritage places

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

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

No

Note: See guidance materials at www.ehp.qld.gov.au 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*

<input checked="" type="checkbox"/> No
Decision under section 62 of the <i>Transport Infrastructure Act 1994</i>
23.15) Does this development application involve new or changed access to a state-controlled road?
<input checked="" type="checkbox"/> Yes - this application will be taken to be an application for a decision under section 62 of the <i>Transport Infrastructure Act 1994</i> (subject to the conditions in section 75 of the <i>Transport Infrastructure Act 1994</i> being satisfied)
<input type="checkbox"/> No

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist	
I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17 <i>Note: See the Planning Regulation 2017 for referral requirements</i>	<input checked="" type="checkbox"/> Yes
If building work is associated with the proposed development, Parts 4 to 6 of <i>Form 2 – Building work details</i> have been completed and attached to this development application	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
Supporting information addressing any applicable assessment benchmarks is with development application <i>Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see DA Forms Guide: Planning Report Template.</i>	<input checked="" type="checkbox"/> Yes
Relevant plans of the development are attached to this development application <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>	<input checked="" type="checkbox"/> Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (<i>see 21</i>)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable

25) Applicant declaration	
<input checked="" type="checkbox"/> By making this development application, I declare that all information in this development application is true and correct	
<input checked="" type="checkbox"/> Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the <i>Electronic Transactions Act 2001</i> <i>Note: It is unlawful to intentionally provide false or misleading information.</i>	
<p>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.</p> <p>Personal information will not be disclosed for a purpose unrelated to the <i>Planning Act 2016</i>, <i>Planning Regulation 2017</i> and the DA Rules except where:</p> <ul style="list-style-type: none"> such disclosure is in accordance with the provisions about public access to documents contained in the <i>Planning Act 2016</i> and the <i>Planning Regulation 2017</i>, and the access rules made under the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i>; or required by other legislation (including the <i>Right to Information Act 2009</i>); or otherwise required by law. <p>This information may be stored in relevant databases. The information collected will be retained as required by the <i>Public Records Act 2002</i>.</p>	

PART 9 – FOR OFFICE USE ONLY

Date received: Reference number(s): **Notification of engagement of alternative assessment manager**

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

QLeave notification and payment*Note: For completion by assessment manager if applicable*

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

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



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

Date: 29 March 2018
Our Ref: PR139742/OCK/IL/L77319
Via: Email

Attn: Mr Daniel Lamond
Chief Executive Officer
Douglas Shire Council
PO Box 723
MOSSMAN QLD 4873

Dear Sir,

RE: APPLICATION FOR DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT (BOUNDARY REALIGNMENT) OVER LAND LOCATED AT CAPTAIN COOK HIGHWAY, MOWBRAY, FORMALLY DESCRIBED AS LOT 47 AND 114 ON RP749351

RPS Australia East Pty Ltd confirms that we act on behalf of Laidlaw Holdings Pty Ltd (the 'applicant' and 'owner' of the land) in order to prepare and lodge the abovementioned Development Application with Douglas Shire Council.

This application seeks development approval for a Reconfiguration of a Lot in order to realign the boundary between Lot 47 and Lot 114 on RP749351.

In support of this application, please find attached the following:

- Development Application Form, included as **Attachment 1**;
- Certificates of Title, included as **Attachment 2**;
- RPS Drawing PR138742-1, included as **Attachment 3**; and
- Assessment against the State Development Assessment Provisions, is included as **Attachment 4**.

Please forward an invoice for the applicable fee of \$950.00 and include the Payee as Laidlaw Holdings Pty Ltd and we will arrange for the Applicant to pay the fee.

1.0 Site Information

1.1 Site Details

Key details of the subject site include:

Address:	Captain Cook Highway, Port Douglas
Real Property Description/ Site Area:	Lot 47 and Lot 114 on RP749351
Land Area:	18.2 ha and 8.495
Land Owners:	Laidlaw Holdings Pty Ltd
Easements / Encumbrances:	Easement A on RP733483 burdening Lot 114



1.2 Planning Context

The planning context relating to the site includes:

Planning Scheme Zone:	Rural Zone
Relevant Overlays:	<ul style="list-style-type: none">▪ Bushfire Hazard Overlay▪ Flood and Storm Tide Inundation Overlay▪ Hillslopes Overlay▪ Landscape Values Overlay▪ Potential Landslide Hazard Overlay▪ Transport Network (Road Hierarchy) Overlay

1.3 Site Characteristics

Topography:	The subject site is undulating, with hillslopes located to the south of the site, however the northern section of the site is relatively flat.
Vegetation:	The site contains Category B ecosystems and narrow riparian corridors along some of the natural drainage lines. Historically cleared areas on the flat contain pasture grasses and sporadic non-remnant shrubs and trees.
Waterways:	An unnamed drainage line passes through the site.
Road Frontage:	Lot 11 and Lot 47 on RP749351 provide approximately 160 and 530 metres of frontage along the Captain Cook Highway respectively. Lot 47 on RP749351 has approximately 40 metres of frontage along Trezise Road
Existing Use:	Rural uses including a dwelling and ancillary farm sheds and equipment on Lot 47 on RP749351.

1.4 Surrounding Land Uses

The subject site is located on the western side of the Captain Cook Highway. Hillslopes containing Category B (remnant vegetation) are located to the east and south of the site. The immediate surrounding land uses are predominately rural land uses, namely sugar cane production and grazing. However, the subject site is also located in close proximity to the township of Port Douglas, which provides a range of services and amenities catering to the surrounding predominately rural community.

2.0 Application Details

Key application details for the subject development are:

Aspects of the Development Sought:	Development Permit for Reconfiguration of a Lot (Boundary Realignment).
Applicant:	Laidlaw Holdings Pty Ltd C/- RPS Australia East Pty Ltd
Contact:	Owen Caddick-King C/- RPS Australia East Pty Ltd Ph: 07 4031 1336 Email: owen.caddick-king@rpsgroup.com.au

3.0 Proposed Development

The intent of the proposed development is to realign the boundary for the purpose of improving the balance of productive rural land between the two lots and to allow a suitable site for a Dwelling house to be located on Proposed Lot 114 that is separated from the productive rural land.

The proposed realigned boundary will not impact upon the existing dwelling and ancillary farm buildings, which are located a significant distance (approximately 150 metres) to the west.

4.0 Legislative Requirements

4.1 Planning Act 2016

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

4.1.1 Confirmation that development is not prohibited

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

4.1.2 Assessable Development

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

4.1.3 Assessment Manager

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

4.1.4 Level of Assessment

The table below summarises the level of assessment under the provisions of Douglas Shire Council Planning Scheme 2018:

Aspect of Development	Local Categorising Instrument that determines Level of Assessment	Level of Assessment
Reconfiguration of a Lot (Boundary Realignment)	Douglas Shire Planning Scheme 2018	Code Assessable

4.1.5 Referral Agencies

A review of Schedule 10 of the *Planning Act 2016* indicates that the following referrals are triggered by the proposed development.

Schedule 10 Referral Matters

Part	Division	Table	Referral trigger	Referral agency
Part 3 – Clearing native vegetation	Division 4 – Referral Agency's Assessment	Table 2 – Reconfiguring a Lot	Boundary through mapped Regulated Vegetation	The Chief Executive (SARA)
Part 9 - Infrastructure related referrals	Division 4 - State transport infrastructure Subdivision 2 – State transport corridors	Table 1 – Reconfiguring a Lot near a State Transport Corridor	Development application for RoL within 25m of State transport corridor	The Chief Executive (SARA)
Part 9 - Infrastructure related referrals	Division 2 – Electricity infrastructure	Table 1 – Reconfiguring a Lot subject to an easement	Development application for RoL where part of the land is subject to an easement	Ergon

4.1.6 Public Notification

This application does not require public notification as it is subject to 'code' assessment.

5.0 Statutory Planning Assessment

5.1 Regional Plan

Section 2.2 of the Planning Scheme states that, “*The minister has identified that the planning scheme appropriately advances the Far North Queensland Regional Plan 2009-2031, as it applies in the planning scheme area.*” Accordingly, assessment against the applicable Planning Scheme provisions will address any relevant Regional Plan matters.

5.2 State Planning Policies

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

5.3 State Development Assessment Provisions

Assessment of the proposal against the State Development Assessment Provisions is applicable to the proposed boundary realignment, specifically State Code 16: Native vegetation clearing, on the basis that the proposed boundary traverses Regulated Vegetation as defined under the *Vegetation Management Act 1999*. A detailed assessment of the proposal against State Code 16: Native vegetation clearing has been undertaken to demonstrate compliance with provisions of the code and is provided as **Attachment 4**.

Given that Proposed Lot 47 has an existing access to the State Controlled Road and Proposed Lot 114 (currently Lot 114 on RP749351) and the boundary re-alignment proposal has no additional obvious impacts on the State Controlled Road, completion of the applicable State Codes is not considered warranted.

5.4 Planning Scheme

Under Douglas Shire Planning Scheme 2018, the subject site is included within the Rural Zone where boundary realignment development is permitted even though the minimum lot size of 40 hectares is not able to be achieved. In this instance the boundary realignment proposal improves on the balance of productive rural land between the two lots and provides for a potential area for a Dwelling-house that is separated from the productive rural land. The proposal is considered to be consistent with the intent of the Planning Scheme's provisions that relate to development in the Rural Zone.

5.4.1 Codes

The following codes are applicable to this application:

- Rural Zone Code;
- Reconfiguring a Lot Code;
- Bushfire Hazard Overlay Code;
- Flood and Storm Tide Inundation Overlay Code;
- Hillslopes Overlay Code;
- Landscape Values Overlay Code;
- Potential Landslip Hazards Overlay Code;
- Transport Network (Road Hierarchy) Overlay Code;
- Access, parking and servicing Code;
- Environmental Performance Code
- Filling and Excavation Code
- Infrastructure Works Code
- Landscaping Code
- Vegetation Management Code

While the boundary re-alignment proposal is subject to a number of assessment benchmarks, the proposal is not considered to be a significant change that requires extensive assessment against the Planning Scheme Codes.

A review of the applicable Codes has been conducted and it has been determined that the proposal is generally compliant with the relevant 'Acceptable Solution' and/or 'Performance Criteria' of these Codes.

6.0 Conclusions and Recommendations

This submission has been prepared on behalf of Laidlaw Holdings Pty Ltd to seek approval for Reconfiguration of a Lot (Boundary Realignment) over land located at Captain Cook Highway, Port Douglas, formally described as Lots 47 and 114 on RP749351.

In summary, we submit that the proposed development is unlikely to have any significant impacts upon infrastructure, environment or community that cannot be adequately controlled through the imposition of reasonable and relevant conditions. We therefore commend the development for Council approval.

We trust this information is sufficient for your purposes, however should you require any further details or clarification, please do not hesitate to contact the undersigned in the Cairns office.

Yours sincerely
RPS



Owen Caddick-King
Principal Planner

enc: **Attachment 1:** Application Form 1
Attachment 2: Certificate of Titles
Attachment 3: RPS Drawing PR139742-1
Attachment 4: SDAP Assessment



Attachment I

Development Application Form I



Attachment 2

Certificate of Titles

CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 28182749

Search Date: 14/03/2018 09:09

Title Reference: 21449039

Date Created: 01/10/1990

Previous Title: 21120017

REGISTERED OWNER

Dealing No: 709457977 22/03/2006

LIDLAW HOLDINGS PTY LTD A.C.N. 060 481 432

ESTATE AND LAND

Estate in Fee Simple

LOT 114 REGISTERED PLAN 749351
Local Government: DOUGLAS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 21069247 (POR 114)
2. EASEMENT IN GROSS No 601452118 (N888319) 18/09/1978
BURDENING THE LAND
TO CAIRNS REGIONAL ELECTRICITY BOARD
OVER EASEMENT A ON RP733483
UNDER SECTION 285 OF THE LAND ACT

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

COPYRIGHT THE STATE OF QUEENSLAND (NATURAL RESOURCES, MINES AND ENERGY) [2018]

Requested By: D-ENQ URBIS PRO

CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 28182717

Search Date: 14/03/2018 09:08

Title Reference: 21449040

Date Created: 01/10/1990

Previous Title: 21120163

REGISTERED OWNER

Dealing No: 709268420 06/01/2006

LIDLAW HOLDINGS PTY LTD A.C.N. 060 481 432

ESTATE AND LAND

Estate in Fee Simple

LOT 47 REGISTERED PLAN 749351
Local Government: DOUGLAS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20961001 (POR 47)

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

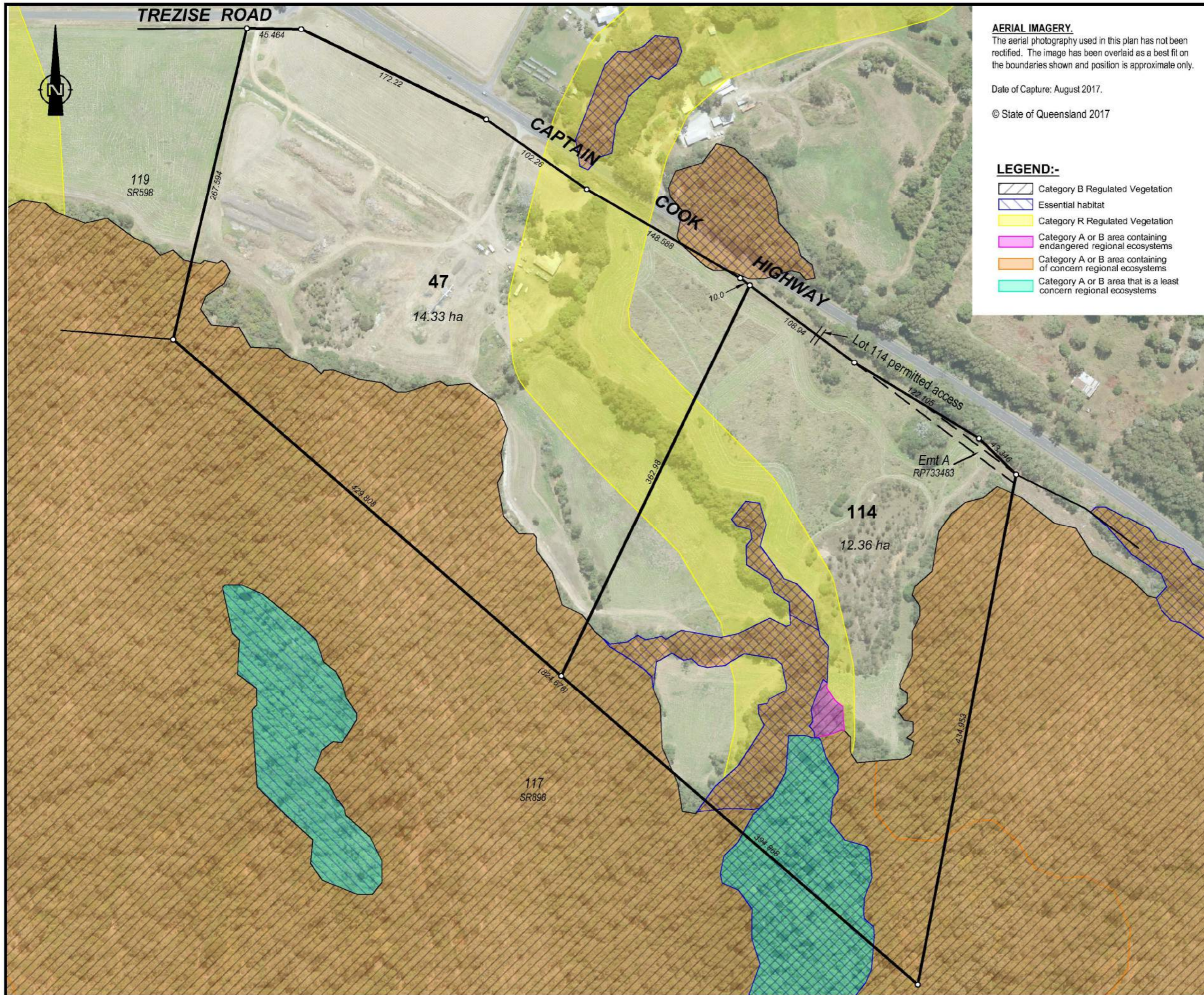
** End of Current Title Search **

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Requested By: D-ENQ URBIS PRO



Attachment 3

RPS Drawing PR139742-1



AERIAL IMAGERY.
The aerial photography used in this plan has not been rectified. The image has been overlaid as a best fit on the boundaries shown and position is approximate only.

Date of Capture: August 2017.

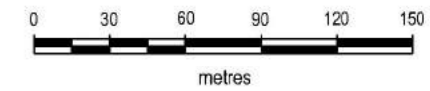
© State of Queensland 2017

LEGEND:-

- Category B Regulated Vegetation
- Essential habitat
- Category R Regulated Vegetation
- Category A or B area containing endangered regional ecosystems
- Category A or B area containing of concern regional ecosystems
- Category A or B area that is a least concern regional ecosystems

IMPORTANT NOTE

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



SCALE 1:3000 IS APPLICABLE ONLY TO THE ORIGINAL SHEET SIZE. (A3)

PROJECT MANAGER O Caddick-King		SURVEYED	
COMPILED KJB	27/03/18	CAD REF	PR139742-1.DWG
SHEET SIZE A3	SHEET OF 1 OF SHEETS 1		

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LIDLAW HOLDINGS PTY LTD

RECONFIGURATION OF A LOT
Plan of Lots 47 & 114
Cancelling Lot 47 & 114 on RP749351
Captain Cook Highway
Mowbray

SCALE 1:3000	DATE 27/03/2018	DRAWING NO. PR139742-1	ISSUE
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Attachment 4

SDAP Assessment

State code 16: Native vegetation clearing

Table 16.2.2: General

Performance outcomes	Acceptable outcomes	Response
Clearing avoids or minimises impacts		
<p>PO1 Clearing and adverse impacts of clearing do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been:</p> <ol style="list-style-type: none"> 1. reasonably avoided; or 2. reasonably minimised where it cannot be reasonably avoided. 	No acceptable outcome is prescribed.	<p>Complies with PO1</p> <p>The boundary re-alignment proposal provides for an improved situation in respect of mapped vegetation.</p> <p>The existing boundary that is proposed to be re-aligned currently passes through corridors of vegetation that are mapped as Essential Habitat and the realigned boundary does not pass through areas mapped as Essential Habitat and is to be located not less than 10m from the areas mapped as Essential Habitat.</p> <p>In addition, the existing boundary location provides for a constrained development envelope for a Dwelling house within the southern portion of the site which is likely to result in exempt vegetation clearing works if the Dwelling house was to be established without the change in the boundary alignment. Whereas, the boundary re-alignment proposal provides for a suitable development envelope for a Dwelling house that could be established without requiring the clearing of mapped vegetation.</p>
Clearing on land in particular circumstances		
<p>PO2 Clearing is consistent with any notice requiring compliance on the land subject to the development application, unless a better environmental outcome can be achieved.</p>	No acceptable outcome is prescribed.	Not Applicable

Performance outcomes	Acceptable outcomes	Response
<p>Note: The discharge of the vegetation management requirements under the notice requiring compliance can only occur in conjunction with the better environmental outcome being legally secured.</p> <p>Further guidance on meeting the requirements of a better environmental outcome can be found in State Development Assessment Provisions Guidance Material: State code 16: Native vegetation clearing, Department of Natural Resources and Mines, 2017.</p>		
<p>PO3 Clearing is consistent with vegetation management requirements for particular regulated areas unless a better environmental outcome can be achieved.</p> <p>Note: The discharge of the vegetation management requirements under the notice requiring compliance can only occur in conjunction with the better environmental outcome being legally secured.</p> <p>Further guidance on meeting the requirements of a better environmental outcome can be found in State code 16: Native vegetation clearing guidance material.</p>	No acceptable outcome is prescribed.	Not Applicable
<p>PO4 Clearing of a legally secured offset area:</p> <ol style="list-style-type: none"> 1. is consistent with the offset delivery plan; or agreement for the offset area on the land subject to the development application; or 2. only occurs if an additional offset is provided that is consistent with the <i>Environmental Offsets Act 2014</i> and the relevant policy in the Queensland Environmental Offsets Policy, Department of Environment and Heritage Protection, 2014. <p>Note: Reference to 'agreement' above includes the 'agreed delivery arrangement' for the offset area as well as instruments associated with the legally secured offset area. Clearing should be consistent with any agreement however described.</p>	No acceptable outcome is prescribed.	Not Applicable
Clearing of vegetation as a result of the material change of use or reconfiguration of a lot		

Performance outcomes	Acceptable outcomes	Response
PO5 Clearing as a result of a material change of use, or clearing as a result of reconfiguring a lot does not occur.	No acceptable outcome is prescribed.	
Clearing that could already be done under an exemption		
PO6 Clearing does not occur unless it is clearing that could be done as exempt clearing work for the purpose of the development (as prescribed under schedule 21 of the Planning Regulation 2017) prior to the material change of use or reconfiguring a lot application being approved.	No acceptable outcome is prescribed.	

Table 16.2.3: Specific

Performance outcomes	Acceptable outcomes	Response
Clearing associated with wetlands (public safety and infrastructure, a coordinated project, extractive industry, high value agriculture clearing, and irrigated high value agriculture clearing)		
PO7 Clearing maintains the current extent of vegetation associated with any natural wetland to protect: <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion 2. water quality by filtering sediments, nutrients and other pollutants 3. aquatic habitat; and terrestrial habitat. 	AO7.1 Clearing does not occur in a natural wetland or within 100 metres of the defining bank of any natural wetland. OR	Not Applicable
	AO7.2 Clearing within 100 metres of the defining bank of any natural wetland: <ol style="list-style-type: none"> 1. does not occur within 50 metres of the defining bank of any natural wetland; and 2. does not exceed widths in table 16.3.1 in this code. OR	Not Applicable

Performance outcomes	Acceptable outcomes	Response
	<p>AO7.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with a natural wetland (matter of state environmental significance).</p>	<p>Not Applicable</p>
Clearing associated with wetlands (necessary to control non-native plants or declared pests, encroachment, thinning, fodder harvesting)		
<p>PO8 Clearing maintains vegetation associated with a natural wetland to protect:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion 2. water quality by filtering sediments, nutrients and other pollutants 3. aquatic habitat; and 4. terrestrial habitat. 	<p><i>Clearing necessary to control non-native plants or declared pests:</i></p> <p>AO8.1 Where clearing is necessary to control non-native plants or declared pests, mechanical clearing does not occur within five metres of the defining bank of a natural wetland.</p> <p>AND</p> <p>AO8.2 Clearing only occurs:</p> <ol style="list-style-type: none"> 1. within a 1.5 metre radius from the base of the stem of individual non-native or declared pests; or 2. to the extent necessary to provide access for the control of the non-native plants or declared pests. <p>AND</p> <p>AO8.3 Clearing for access tracks running parallel to a natural wetland is not to be located within 10 metres of the defining bank of a natural wetland.</p> <p>AND</p>	

Performance outcomes	Acceptable outcomes	Response
	<p><i>Clearing for thinning:</i></p> <p>AO8.4 Mechanical clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of a natural wetland; 2. within 50 metres of the defining bank of a natural wetland. <p>AND</p>	
	<p><i>Clearing for encroachment:</i></p> <p>AO8.5 Mechanical clearing does not occur within 20 metres of the defining bank of a natural wetland.</p> <p>AND</p>	
	<p>AO8.6 Clearing does not include the application of root absorbed broad spectrum herbicides within 50 metres of the defining bank of a natural wetland or within the distance specified from a wetland in the directions for use on the label for the product, whichever is the greater.</p> <p>AND</p>	
	<p><i>Clearing for fodder harvesting:</i></p> <p>AO8.7 Mechanical clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any natural wetland; and 2. within 20 metres of the defining bank of any natural wetland. <p>AND</p>	

Performance outcomes	Acceptable outcomes	Response
	<p>AO8.8 Mechanical clearing that is strip harvesting or block harvesting does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any natural wetland; and 2. within 100 metres of the defining bank of any natural wetland. 	
Clearing associated with wetlands (necessary environmental clearing – land restoration and natural disaster preparation)		
<p>PO9 Clearing maintains vegetation associated with any natural wetland or rehabilitates the cleared area to protect:</p> <ol style="list-style-type: none"> 1. water quality by filtering sediments, nutrients and other pollutants 2. aquatic habitat; and 3. terrestrial habitat. 	<p>AO9.1 Clearing does not occur in, or within 100 metres of, the defining bank of any natural wetland.</p> <p>OR</p> <p>AO9.2 Clearing within 100 metres of the defining bank of any natural wetland and:</p> <ol style="list-style-type: none"> 1. does not occur within 50 metres of the defining bank of the natural wetland; and 2. does not exceed the widths in table 16.3.1 of this code. <p>OR</p> <p>AO9.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.</p>	
Clearing associated with wetlands (necessary environmental clearing - natural channel diversion and contaminants removal)		
<p>PO10 Clearing maintains the current extent of vegetation associated with any natural wetland or rehabilitates the cleared area to protect:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion 	<p>AO10.1 Clearing does not occur in, or within 100 metres of the defining bank of any natural wetland.</p> <p>OR</p>	

Performance outcomes	Acceptable outcomes	Response
2. water quality by filtering sediments, nutrients and other pollutants 3. aquatic habitat; and 4. terrestrial habitat.	<p>AO10.2 Clearing within 100 metres of the defining bank of any natural wetland and:</p> <ol style="list-style-type: none"> 1. does not occur within 50 metres of the defining bank of any natural wetland; and 2. does not exceed the widths in table 16.3.1 of this code. <p>OR</p> <p>AO10.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.</p> <p>OR</p> <p>AO10.4 Where clearing is for natural channel diversion or contaminants removal, and clearing cannot be reasonably avoided, and:</p> <ol style="list-style-type: none"> 1. clearing has been reasonably minimised; and 2. the cleared area cannot be reasonably rehabilitated, <p>an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with a natural wetland (a matter of state environmental significance).</p>	
Clearing associated with watercourses and drainage features (public safety and relevant infrastructure activities, coordinated project, extractive industry, high value agriculture clearing, irrigated high value agriculture clearing)		
<p>PO11 Clearing maintains the current extent of vegetation associated with any watercourse or drainage feature to protect:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion 2. water quality by filtering sediments, nutrients and other pollutants 	<p>AO11.1 Clearing does not occur in any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code.</p> <p>OR</p>	<p>Complies with PO11</p> <p>The re-aligned boundary is considered to reduce the potential impacts related to clearing within a watercourse or drainage feature by relocating the boundary away from the areas mapped as Essential Habitat.</p>

Performance outcomes	Acceptable outcomes	Response
3. aquatic habitat; and 4. terrestrial habitat.	<p>AO11.2 Clearing within any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code:</p> <ol style="list-style-type: none"> 1. does not exceed the widths in table 16.3.1 of this code; and 2. does not occur within five metres of the defining bank, unless clearing is required into or across the watercourse or drainage feature. <p>OR</p> <p>AO11.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with any watercourse or drainage feature (a matter of state environmental significance).</p>	
Clearing associated with watercourses and drainage features (necessary environmental clearing- land restoration and natural disaster preparation)		
<p>PO12 Clearing maintains vegetation associated with any watercourse or drainage feature or rehabilitates the cleared area to protect:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion 2. water quality by filtering sediments, nutrients and other pollutants 3. aquatic habitat; and 4. terrestrial habitat. 	<p>AO12.1 Clearing does not occur within any watercourse or drainage feature or within the relevant distances from each defining bank of any watercourse or drainage feature in table 16.3.2 of this code.</p> <p>OR</p> <p>AO12.2 Clearing in any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code:</p> <ol style="list-style-type: none"> 1. does not exceed the widths in table 16.3.1 of this code; and 2. does not occur within five metres of the defining bank, unless clearing is required into or across the watercourse or drainage feature. 	

Performance outcomes	Acceptable outcomes	Response
	OR	
	AO12.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.	
Clearing associated with watercourses and drainage features (necessary environmental clearing – natural channel diversion, and contaminants removal)		
<p>PO13 Clearing maintains the current extent of vegetation associated with any watercourse or drainage feature or rehabilitates the cleared area to protect:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion 2. water quality by filtering sediments, nutrients and other pollutants 3. aquatic habitat; and 4. terrestrial habitat. 	<p>AO13.1 Clearing does not occur within any watercourse or drainage feature or within the relevant distances from each defining bank of any watercourse or drainage feature in table 16.3.2 of this code.</p> <p>OR</p>	
	<p>AO13.2 Clearing in any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code:</p> <ol style="list-style-type: none"> 1. does not exceed the widths in table 16.3.1 of this code; and 2. does not occur within five metres of the defining bank, unless clearing is required into or across the watercourse or drainage feature. <p>OR</p>	

Performance outcomes	Acceptable outcomes	Response
	<p>AO13.3 Where clearing cannot be reasonably avoided, and:</p> <ol style="list-style-type: none"> 1. clearing has been reasonably minimised; and 2. the cleared area cannot be reasonably rehabilitated <p>an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with a watercourse or drainage feature (a matter of state environmental significance).</p>	
Clearing associated with watercourses or drainage features (necessary to control non-native plants or declared pests, thinning, fodder harvesting)		
<p>PO14 Clearing maintains vegetation associated with any watercourse or drainage feature to protect:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion 2. water quality by filtering sediments, nutrients and other pollutants 3. aquatic habitat; and 4. terrestrial habitat. 	<p><i>Clearing necessary to control non-native plants or declared pests:</i></p> <p>AO14.1 Mechanical clearing does not occur within 20 metres of the defining bank of a watercourse or drainage feature.</p> <p>AND</p> <p>AO14.2 Clearing only occurs:</p> <ol style="list-style-type: none"> 1. within a 1.5 metre radius from the base of the stem of individual non-native or declared pests; or 2. to the extent necessary to provide access for the control of the non-native plant or declared pest. <p>AND</p> <p>AO14.3 Clearing for access tracks running parallel to a watercourse or drainage feature is not to be located within 10 metres of the defining bank of the watercourse or drainage feature.</p>	

Performance outcomes	Acceptable outcomes	Response
	<p><i>Clearing for thinning:</i></p> <p>AO14.4 Mechanical clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any watercourse or drainage feature; 2. within 10 metres of the defining bank of a watercourse or drainage feature that is a stream order 1 or 2 watercourse or drainage feature. 3. within 30 metres of the defining bank of a watercourse or drainage feature that is a stream order 3 or 4 watercourse or drainage feature. 4. within 50 metres of the defining bank of a watercourse or drainage feature that is a stream order 5 or more watercourse or drainage feature. <hr/> <p><i>Clearing for fodder harvesting:</i></p> <p>AO14.5 Mechanical clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any watercourse or drainage feature; and 2. within 20 metres of the defining bank of any watercourse or drainage feature. <p>AND</p> <p>AO14.6 Mechanical clearing that is strip harvesting or block harvesting does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any watercourse or drainage feature; and <p>within 100 metres of the defining bank of any watercourse or drainage feature.</p>	
<p>Clearing associated with watercourses or drainage features (encroachment)</p>		

Performance outcomes	Acceptable outcomes	Response
<p>PO15 Clearing of encroachment maintains:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; and 2. water quality by filtering sediments, nutrients and other pollutants; and 3. aquatic habitat; and 4. terrestrial habitat. 	<p>AO15.1 Mechanical clearing does not occur within 20 metres of the defining bank of a watercourse or drainage feature.</p> <p>AND</p> <p>AO15.2 Clearing does not include the application of root-absorbed broad spectrum herbicides within 50 metres of the defining bank of a watercourse or drainage feature or within the distance specified from a watercourse or drainage feature in the directions for use on the label for the product, whichever is the greater.</p>	
Maintaining connectivity (public safety and relevant infrastructure activities, extractive industry, high value agriculture clearing, irrigated high value agriculture clearing)		
<p>PO16 In consideration of vegetation on the land subject to the development application and on adjacent land, sufficient vegetation is retained to maintain ecological processes and remains in the landscape despite threatening processes.</p>	<p>AO16.1 Clearing occurs in accordance with table 16.3.3 in this code.</p>	<p>Complies with AO16.1 The proposed re-aligned boundary removes any conflict that may currently exist with the requirements of table 16.3.3 and the existing boundary location.</p>
Connectivity areas (coordinated project)		
<p>PO17 In consideration of vegetation on the land subject to the development application and on adjacent land:</p> <ol style="list-style-type: none"> 1. sufficient vegetation is retained to maintain ecological processes and remains in the landscape despite threatening processes; or 2. where this not reasonably possible, the applicant provides an offset. 	<p>AO17.1 Clearing occurs in accordance with table 16.3.3 of this code.</p> <p>OR</p> <p>AO17.2 Where clearing cannot be reasonably avoided; and clearing has been reasonably minimised; an offset is provided for any acceptable significant residual impact from clearing of vegetation that forms a connectivity area (a matter of state environmental significance).</p>	
Maintaining connectivity (necessary environmental clearing - land restoration and natural disaster preparation)		
<p>PO18 In consideration of vegetation on the land subject to the development application and on adjacent land, sufficient vegetation is retained to maintain ecological processes and remains in the</p>	<p>AO18.1 Clearing occurs in accordance with table 16.3.3 of this code.</p> <p>OR</p>	

Performance outcomes	Acceptable outcomes	Response
landscape despite threatening processes, or where this is not reasonably possible, the cleared area is rehabilitated.	AO18.2 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.	
Connectivity areas (necessary environmental clearing – natural channel diversion and contaminants removal)		
<p>PO19 In consideration of vegetation on the land subject to the development application and on adjacent land:</p> <ol style="list-style-type: none"> 1. sufficient vegetation is retained to maintain ecological processes and remains in the landscape despite threatening processes; or 2. where this is not reasonably possible, the applicant rehabilitates the cleared area; or 3. where this not reasonably possible, the applicant provides an offset. 	<p>AO19.1 Clearing occurs in accordance with table 16.3.3 of this code.</p> <p>OR</p> <p>AO19.2 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.</p> <p>OR</p> <p>AO19.3 Where clearing cannot be reasonably avoided, and:</p> <ol style="list-style-type: none"> 1. clearing has been reasonably minimised; and 2. the cleared area cannot be reasonably rehabilitated <p>an offset is provided for any acceptable significant residual impact from clearing of vegetation that forms a connectivity area (a matter of state environmental significance).</p>	
Soil erosion (public safety and relevant infrastructure activities, coordinated project, high value agriculture clearing, irrigated high value agriculture clearing, necessary environmental clearing)		
<p>PO20 Clearing does not result in:</p> <ol style="list-style-type: none"> 1. accelerated soil erosion including, but not limited to – mass movement, gully erosion, rill erosion, sheet erosion, tunnel erosion, stream bank erosion, wind erosion, or scalding; and 2. any associated loss of chemical, physical or biological fertility – including, but not limited to 	<p>AO20.1 Clearing is undertaken in accordance with an erosion and sediment control plan, which includes measures to ensure the rates of soil loss and sediment movement are the same or less than those prior to the proposed development.</p> <p>OR</p>	<p>Complies with AO20.2 The Douglas Shire Council is the Assessment Manager for the Development Application.</p>

Performance outcomes	Acceptable outcomes	Response
<p>water holding capacity, soil structure, organic matter, soil biology, and nutrients, within or outside the land the subject of the development application.</p>	<p>AO20.2 The local government is the assessment manager for the development application.</p> <p>Note: For guidance on developing a sediment and erosion control plan, please refer to the Best Practice Erosion and Sediment Control Document, IECA, 2008.</p>	
<p>Soil erosion (necessary to control non-native plants or declared pests, thinning, encroachment, fodder harvesting)</p>		
<p>PO21 Clearing does not result in:</p> <ol style="list-style-type: none"> 1. accelerated soil erosion – including, but not limited to - mass movement, gully erosion, rill erosion, sheet erosion, tunnel erosion, stream bank erosion, wind erosion, or scalding; and 2. any associated loss of chemical, physical or biological fertility – including, but not limited to water holding capacity, soil structure, organic matter, soil biology and nutrients, within or outside the land subject of the development application. 	<p>Clearing necessary to control non-native plants or declared pests:</p> <p>AO21.1 Mechanical clearing retains 50 per cent of the ground cover (dead or alive) in each 50 by 50 metre (0.25 hectare) area.</p> <p>AND</p> <p>AO21.2 New access tracks to gain access to a non-native plant or declared pest infestation do not exceed five metres in width or de-stabilise the banks of any watercourse or drainage feature as a result of crossing, construction or use.</p> <p>AND</p> <p><i>Clearing for thinning:</i></p> <p>AO21.3 Mechanical clearing does not:</p> <ol style="list-style-type: none"> 1. occur in a regional ecosystem in table 16.3.6 of this code that states ‘mechanical thinning not permitted’; 2. disturb more than 50 per cent of the ground surface or result in any hectare less than 50 per cent ground cover, whether dead or alive; and 3. occur on slopes in excess of five per cent. <p>AND</p>	

Performance outcomes	Acceptable outcomes	Response
	<p>AO21.4 Mechanical clearing does not occur within 50 metres of an area of soil erosion and instability.</p> <p>AND</p> <p><i>Clearing for encroachment:</i></p> <p>AO21.5 Mechanical clearing:</p> <ol style="list-style-type: none"> 1. is limited to slopes less than five per cent; and 2. retains 50 per cent of the ground cover (dead or alive) in each 50 by 50 metre (0.25 hectare) area. <p>AND</p> <p><i>Clearing for fodder harvesting:</i></p> <p>AO21.6 Mechanical clearing does not occur on a slope greater than five percent.</p> <p>OR</p> <p>AO21.7 Mechanical clearing does not occur within 50 metres of an areas of soil erosion and instability.</p>	
<p>Salinity (public safety and relevant infrastructure activities, coordinated project, extractive industry, high value agriculture clearing, irrigated high value agriculture clearing, necessary environmental clearing, fodder harvesting)</p>		
<p>PO22 Clearing does not contribute to or accelerate land degradation through waterlogging, or through the salinisation of groundwater, surface water or soil.</p>	<p>AO22.1 Clearing does not occur within 100 metres of a salinity expression area.</p>	<p>Complies with AO22.1 No clearing is proposed to facilitate the development and any potential exempt clearing that arises in response to the development is not known to be within 100m of a salinity expression area.</p>
<p>Conserving endangered and of concern regional ecosystems (public safety and relevant infrastructure activities, coordinated project, extractive industry, high value agriculture clearing, irrigated high value agriculture clearing)</p>		
<p>PO23 Clearing maintains the current extent of endangered regional ecosystems and of concern regional ecosystems.</p>	<p>AO23.1 Clearing does not occur in an endangered regional ecosystem or an of concern regional ecosystem.</p> <p>OR</p>	<p>Complies with AO23.3 No clearing of vegetation is proposed, other than existing permitted access provision to the southern portion of the site and any clearing that maybe permitted by exemptions that would relate to the re-</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AO23.2 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed the widths prescribed in table 16.3.1 of this code.</p> <p>OR</p> <p>AO23.3 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed areas prescribed in table 16.3.1 of this code.</p> <p>OR</p> <p>AO23.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of endangered regional ecosystems and of concern regional ecosystems (a matter of state environmental significance).</p>	<p>aligned boundary would result in clearing less than the area prescribed in table 16.3.1.</p>
<p>Essential habitat (public safety and relevant infrastructure activities, coordinated project, extractive industry, high value agriculture clearing and irrigated high value agriculture clearing, fodder harvesting)</p>		
<p>PO24 Clearing maintains the current extent of essential habitat.</p>	<p>AO24.1 Clearing does not occur in essential habitat.</p> <p>OR</p> <p>AO24.2 Clearing in essential habitat does not exceed the widths prescribed in table 16.3.1 of this code.</p> <p>OR</p> <p>AO24.3 Clearing in essential habitat does not exceed the areas prescribed in table 16.3.1 of this code.</p> <p>OR</p>	<p>Complies with AO24.1</p> <p>No clearing of vegetation is proposed, other than existing permitted access provision to the southern portion of the site.</p> <p>The re-aligned boundary removes any potential impact on areas mapped as Essential Habitat that may arise from vegetation clearing exemptions.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AO24.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of essential habitat (a matter of state environmental significance).</p>	
Essential habitat (necessary environmental clearing – land restoration and natural disaster preparation)		
<p>PO25 Clearing does not occur in essential habitat, or where this is not reasonably possible, the applicant rehabilitates the cleared area.</p>	<p>AO25.1 Clearing does not occur in essential habitat.</p> <p>OR</p>	
	<p>AO25.2 Clearing in essential habitat does not exceed the widths prescribed in table 16.3.1 of this code.</p> <p>OR</p>	
	<p>AO25.3 Clearing in essential habitat does not exceed the areas prescribed in table 16.3.1 of this code.</p> <p>OR</p>	
	<p>AO25.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.</p>	
Essential habitat (necessary environmental clearing – natural channel diversion and contaminants removal)		
<p>PO26 Clearing does not occur in essential habitat, or where this is not reasonably possible, the applicant rehabilitates the cleared area, or maintains the current extent of essential habitat.</p>	<p>AO26.1 Clearing does not occur in essential habitat.</p> <p>OR</p>	
	<p>AO26.2 Clearing in essential habitat does not exceed the widths prescribed in table 16.3.1 of this code.</p> <p>OR</p>	
	<p>OR</p>	

Performance outcomes	Acceptable outcomes	Response
	<p>AO26.3 Clearing in essential habitat does not exceed the areas prescribed in table 16.3.1 of this code.</p> <p>OR</p> <p>AO26.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.</p> <p>OR</p> <p>AO26.5 Where clearing cannot be reasonably avoided, and:</p> <ol style="list-style-type: none"> 1. clearing has been reasonably minimised; and 2. the cleared area cannot be reasonably rehabilitated <p>an offset is provided for any acceptable significant residual impact from clearing of essential habitat (a matter of state environmental significance).</p>	
Acid sulfate soils (public safety and relevant infrastructure activities, coordinated project, extractive industry, high value agriculture clearing, irrigated high value agriculture clearing, necessary environmental clearing, necessary to control non-native plants or declared pests, thinning, encroachment)		
<p>PO27 Clearing does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following:</p> <ol style="list-style-type: none"> 1. aeration of horizons containing iron sulphides; or 2. mobilisation of acid or metals. 	<p>AO27.1 Clearing does not occur in land zone 1, land zone 2 or land zone 3.</p> <p>OR</p> <p>AO27.2 Clearing in land zone 1, land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where:</p> <ol style="list-style-type: none"> 1. it does not involve mechanical clearing; and 2. acid sulfate soils are managed consistent with the State Planning Policy, Department of Infrastructure, Local Government and Planning, July 2017, and with the soil management guidelines in the Queensland Acid Sulfate Soil Technical Manual, Department of Science 	<p>Complies with AO27.3</p> <p>The Douglas Shire Council is the Assessment Manager for the Development Application</p>

Performance outcomes	Acceptable outcomes	Response
	Information Technology Innovation and the Arts, 2014. OR AO27.3 The local government is the assessment manager for the development application.	
Clearing is staged (extractive industry)		
PO28 Clearing: 1. is staged in line with operational needs that restrict clearing to the current operational area 2. only occurs in the area from which material will be extracted, and any reasonably associated infrastructure, within the term of the development approval; and 3. does not occur without required permits.	No acceptable outcome is prescribed.	
Clearing for agriculture (coordinated project, high value agriculture clearing, irrigated high value agriculture clearing)		
PO29 Clearing only occurs where the land is suitable for agriculture having regard to topography, climate and soil attributes. Note: Guidance for determining land suitability is provided in the Guidelines for meeting the land suitability and economic viability requirements for high value and irrigated high value agriculture applications, Department of Natural Resources and Mines, 2015.	No acceptable outcome is prescribed.	
PO30 Clearing only occurs where there is no alternative area on the land subject to the development application for the clearing.	No acceptable outcome is prescribed.	
PO31 For applications for irrigated high value agriculture clearing, the owner of the land is an eligible owner who has, or may have, access to enough water for establishing, cultivating and harvesting the crops to which the clearing relates.	No acceptable outcome is prescribed.	
Clearing for necessary environmental clearing – land restoration and natural disaster preparation		

Performance outcomes	Acceptable outcomes	Response
<p>PO32 Clearing does not occur, or where this is not reasonably possible, the applicant rehabilitates the cleared area.</p>	<p>AO32.1 Clearing maintains the natural floristic composition and range of sizes across the application area.</p> <p>OR</p>	
	<p>AO32.2 Clearing does not exceed the widths prescribed in table 16.3.1 of this code.</p> <p>OR</p>	
	<p>AO32.3 Clearing does not exceed the areas prescribed in table 16.3.1 of this code.</p> <p>OR</p>	
	<p>AO32.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.</p>	
Clearing for necessary environmental clearing - natural channel diversion and contaminants removal		
<p>PO33 Clearing does not occur, or where this is not reasonably possible, the applicant rehabilitates the cleared area or maintains the current extent of vegetation.</p>	<p>AO33.1 Clearing maintains the natural floristic composition and range of sizes across the application area.</p> <p>OR</p>	
	<p>AO33.2 Clearing does not exceed the widths prescribed in table 16.3.1 of this code.</p> <p>OR</p>	
	<p>AO33.3 Clearing does not exceed the areas prescribed in table 16.3.1 of this code.</p> <p>OR</p>	

Performance outcomes	Acceptable outcomes	Response
	<p>AO33.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the endangered regional ecosystems and of concern regional ecosystems are rehabilitated.</p> <p>OR</p> <p>AO33.5 Where clearing an endangered regional ecosystem or of concern regional ecosystem cannot be reasonably avoided, minimised or rehabilitated, an offset is provided for any acceptable significant residual impact from clearing of an endangered regional ecosystem or of concern regional ecosystem (a matter of state environmental significance).</p>	
Conserving remnant vegetation that are regional ecosystems (necessary to control non-native plants or declared pests)		
<p>PO34 Clearing activities:</p> <ol style="list-style-type: none"> 1. maintain the natural floristic composition and range of sizes of each species of the regional ecosystem evenly spaced across the application area; and 2. retain mature trees. 	<p>AO34.1 Mechanical clearing does not exceed the limitations defined in table 16.3.4 of this code.</p> <p>OR</p> <p>AO34.2 Root-absorbed broad spectrum herbicides are not:</p> <ol style="list-style-type: none"> 1. applied via aerial application; or 2. ground applied on a broad acre basis; or 3. used inconsistently with the product directions. 	
Requirements for dense regional ecosystems (necessary to control non-native plants or declared pests)		
<p>PO35 Clearing retains canopy vegetation in dense regional ecosystems.</p>	<p>AO35.1 Clearing does not occur in regional ecosystems listed in table 16.3.5 of this code.</p> <p>OR</p>	

Performance outcomes	Acceptable outcomes	Response
	<p>AO35.2 Clearing and associated soil disturbance in regional ecosystems listed in table 16.3.5 of this code only occurs:</p> <ol style="list-style-type: none"> 1. within a 1.5 metre radius from the base of the stem of individual non-native plants or declared pests; and 2. to the extent necessary to provide access for the control of the non-native plants or declared pests. 	
Restoring the regional ecosystem (thinning)		
<p>PO36 Clearing activities:</p> <ol style="list-style-type: none"> 1. restore the natural floristic composition and range of sizes of each species of the regional ecosystem evenly spaced across the application area; and 2. retain mature trees, habitat trees and tall immature trees and thickets. 	<p>AO36.1 Clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. in thickets; 2. for mechanical clearing, within five metres or less from the trunk of a mature tree, habitat tree or tall immature tree. <p>AND</p> <p>AO36.2 Clearing retains:</p> <ol style="list-style-type: none"> 1. all mature trees and habitat trees; 2. a full range of sizes and species typical of the regional ecosystem in the area; and 3. where the number of mature trees plus habitat trees is less than 20 per hectare, tall immature trees to total 20 mature trees, habitat trees and tall immature trees per hectare. <p>AND</p> <p>AO36.3 If clearing immature trees, retain immature trees distributed in a pattern that is as natural as possible and of at least the density specified in table 16.3.6 of this code.</p> <p>AND</p>	

Performance outcomes	Acceptable outcomes	Response
	<p>AO36.4 If clearing low shrubs:</p> <ol style="list-style-type: none"> 1. in regional ecosystems where clearing is restricted to low shrubs as specified in table 16.3.6 of this code – clearing retains all immature trees; 2. in regional ecosystems where clearing is not restricted to low shrubs as specified in table 16.3.6 – clearing retains at least the number of immature trees specified in table 16.3.6; and 3. clearing retains at least 10 per cent of the predominate species that have thickened. <p>AND</p> <p>AO36.5 Mechanical clearing does not result in debris being stacked or pushed against a mature tree, habitat tree or tall immature tree.</p> <p>AND</p> <p>AO36.6 Clearing is not undertaken by:</p> <ol style="list-style-type: none"> 1. aerial application of any herbicide; 2. application of a root-absorbed broad spectrum herbicide. <p>AND</p> <p>AO36.7 Chemical clearing does not occur within five metres of the trunk of a mature tree, habitat tree or tall immature tree.</p>	
Clearing limited to specific regional ecosystems and specific clearing methods (thinning)		
<p>PO37 Clearing must be for the purpose of restoring the remnant regional ecosystem and only occur if all of the following apply:</p> <ol style="list-style-type: none"> 1. clearing is in regional ecosystems prescribed in table 16.3.6 of this code; and 	<p>No acceptable outcome is prescribed.</p>	

Performance outcomes	Acceptable outcomes	Response
2. clearing is in accordance with the clearing restrictions for the regional ecosystem prescribed in table 16.3.6 of this code; unless the clearing is solely for removing native plants not naturally occurring within the regional ecosystem.		
Clearing is limited to specific regional ecosystems (encroachment)		
PO38 Clearing of encroachment does not occur, other than in the regional ecosystems listed in table 16.3.7 of this code.	No acceptable outcome is prescribed.	
Retained trees (encroachment)		
PO39 Clearing of encroachment: 1. results in the restoration of the regional ecosystem 2. retains mature trees and habitat trees 3. retains all woody vegetation within a grove; and 4. retains representatives of all immature, non-encroaching species in a natural pattern.	No acceptable outcome is prescribed.	
Limits to clearing for fodder harvesting (fodder harvesting)		
PO40 Clearing is limited to: 1. the extent necessary to provide fodder for stock; and 2. areas where the stock is located, and the stock has sufficient water.	No acceptable outcome is prescribed.	
PO41 Clearing must only occur: 1. in regional ecosystems listed in table 16.3.8 or table 16.3.9 of this code; and 2. in accordance with the harvesting method limitations for the regional ecosystem listed in table 16.3.8 or table 16.3.9 of this code.	No acceptable outcome is prescribed.	
PO42 Clearing consists predominantly of fodder species.	No acceptable outcome is prescribed.	
Conserving vegetation (fodder harvesting)		

Performance outcomes	Acceptable outcomes	Response
<p>PO43 Clearing is carried out in a way that conserves:</p> <ol style="list-style-type: none"> 1. remnant vegetation in perpetuity; and 2. the regional ecosystem in which the vegetation is situated. 	<p>AO43.1 Clearing does not result in the removal of non-fodder species with a height of four metres or more.</p>	
	<p>AO43.2 Selective harvesting:</p> <ol style="list-style-type: none"> 1. retains all non-fodder species except where the damage is an unavoidable consequence of clearing the selected fodder tree; and 2. when using a chainsaw in regional ecosystems listed in table 16.3.8 of this code, retains at least one fodder tree for every fodder tree cleared; and 3. in least concern regional ecosystems listed in table 16.3.9 of this code, retains at least one fodder tree for each fodder tree cleared; and 4. in of concern regional ecosystems listed in table 16.3.9 of this code, retains at least two fodder trees for each fodder tree cleared. <p>AND</p>	
	<p>AO43.3 Strip harvesting and block harvesting:</p> <ol style="list-style-type: none"> 1. where fodder harvesting has previously occurred in an area of a lot, only occurs if all of the following apply: <ol style="list-style-type: none"> a. the vegetation has not been cleared in the last 10 years; and b. the average height of the fodder trees is at least 70 per cent of the height of the tallest stands of fodder species in the regional ecosystem; and c. the fodder trees that were previously harvested have now attained an average height of at least 4 metres. 2. aligns clearing along the contour where practical; and 	

Performance outcomes	Acceptable outcomes	Response
	<p>3. does not occur in patches of regional ecosystems that are less than 10 hectares in area or less than 500 metres wide.</p> <p>AND</p> <p>AO43.4 Strip harvesting:</p> <ol style="list-style-type: none"> 1. does not result in any strip harvesting area exceeding 50 metres in width; and 2. results in all strip retention areas: <ol style="list-style-type: none"> a. being preserved along the length of strip harvest areas to a width of at least 1.5 times that of the adjacent strip harvest area; and b. containing fodder species with an average height of at least four metres; and 3. does not result in clearing for machinery access between strip harvest areas exceeding 15 metres in width. <p>AND</p> <p>AO43.5 Block harvesting:</p> <ol style="list-style-type: none"> 1. does not result in any block harvest area exceeding one hectare; and 2. results in block retention areas: <ol style="list-style-type: none"> a. being preserved between block harvest areas in accordance with the widths specified in table 16.3.10 of this code; and b. containing fodder species with an average height of at least four metres; and 3. does not result in clearing for machinery access between block harvest areas exceeding 10 metres in width. 	

Performance outcomes	Acceptable outcomes	Response
Cleared vegetation (fodder harvesting)		
PO44 Fodder harvesting is carried out in a way that results in the woody biomass of the cleared vegetation remaining where it is cleared.	No acceptable outcome is prescribed.	
Conserving the fodder resource (fodder harvesting)		
PO45 Fodder harvesting is carried out in a way that will conserve the fodder resource.	AO45.1 Within any 10 year period, commencing from the expiry date of any development approval or any Accepted Development Vegetation Clearing Code notification, clearing does not occur: <ol style="list-style-type: none"> 1. more than once in the same area of a lot; and 2. in more than 50 per cent of the area of the regional ecosystem listed in table 16.3.8 and table 16.3.9 of this code on the lot; and 3. in areas required to be retained under this code, a development approval or any Accepted Development Vegetation Clearing Code. 	