

# DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 2020) made under section 282 of the Planning Act 2016.

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

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

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

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

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

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

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

## PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Gary Hunt
Contact name (only applicable for companies)	c/- GMA Certification Group, Hannah Dayes
Postal address (P.O. Box or street address)	PO Box 831
Suburb	Port Douglas
State	Queensland
Postcode	4877
Country	Australia
Contact number	(07) 4041 0111
Email address (non-mandatory)	Hannah.D@gmacert.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	20213915

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

## PART 2 – LOCATION DETAILS

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

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

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

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
			Mowbray River Road	Mowbray
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	21	SP262360	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
			Mowbray River Road	Mowbray
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	24	SP262360	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.

- ☐ Coordinates of premises by longitude and latitude

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

- ☐ Coordinates of premises by easting and northing

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

#### 3.3) Additional premises

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

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

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

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

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

☒ No

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

<b>6.1) Provide details about the first development aspect</b>
a) What is the type of development? <i>(tick only one box)</i>
<input type="checkbox"/> Material change of use <input checked="" type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input checked="" type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
Reconfiguring a Lot - Boundary Realignment
e) Relevant plans <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see <a href="#">DA Forms guide: Relevant plans</a>.</i>
<input checked="" type="checkbox"/> Relevant plans of the proposed development are attached to the development application
<b>6.2) Provide details about the second development aspect</b>
a) What is the type of development? <i>(tick only one box)</i>
<input type="checkbox"/> Material change of use <input type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
e) Relevant plans <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see <a href="#">DA Forms Guide: Relevant plans</a>.</i>
<input type="checkbox"/> Relevant plans of the proposed development are attached to the development application
<b>6.3) Additional aspects of development</b>
<input type="checkbox"/> 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
<input checked="" type="checkbox"/> Not required

## Section 2 – Further development details

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

### Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m <sup>2</sup> ) (if applicable)
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<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?	
Two	
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 constructed road (complete 13))

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				
10.2) Will the subdivision be staged?				
<input type="checkbox"/> Yes – provide additional details below				
<input type="checkbox"/> No				
How many stages will the works include?				
What stage(s) will this development application apply to?				



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

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )
21SP262360	34,070	Lot 21 on SP262360	42,543
24SP262360	543,800	Lot 24 on SP262360	535,327
12.2) What is the reason for the boundary realignment?			
Excising land into a smaller lot.			

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

### Division 3 – Operational work

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

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

## PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application
Douglas Shire Council
16) Has the local government agreed to apply a superseded planning scheme for this development application?
<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application <input type="checkbox"/> The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached <input checked="" type="checkbox"/> No

## PART 5 – REFERRAL DETAILS

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

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

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

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

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

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

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

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

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

## PART 6 – INFORMATION REQUEST

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

## PART 7 – FURTHER DETAILS

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

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

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

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

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

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

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

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

23) Further legislative requirements

### **Environmentally relevant activities**

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

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

**Note:** Application for an environmental authority can be found by searching “ESR/2015/1791” as a search term at [www.qld.gov.au](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			

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

### **Hazardous chemical facilities**

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

- ☐ Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application  
☒ No

**Note:** See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information about hazardous chemical notifications.

### **Clearing native vegetation**

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

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

☒ No

**Note:** 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.  
2. See <https://www.qld.gov.au/environment/land/vegetation/applying> for further information on how to obtain a s22A determination.

### **Environmental offsets**

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

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

☒ No

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

### **Koala habitat in SEQ Region**

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

☐ Yes – the development application involves premises in the koala habitat area in the koala priority area

☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area

☒ No

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

### **Water resources**

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

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

☒ No

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

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

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

### **Waterway barrier works**

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

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

☒ No

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

### **Marine activities**

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

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

☒ No

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

### **Quarry materials from a watercourse or lake**

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

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

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

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

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

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

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

### **Referable dams**

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

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

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

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

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

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

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

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

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

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

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

Name of the heritage place:		Place ID:	
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### **Brothels**

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

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

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

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

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

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

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

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

☒ No

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

## PART 8 – CHECKLIST AND APPLICANT DECLARATION

### 24) Development application checklist

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

☒ Yes

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

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

☐ Yes

☒ Not applicable

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

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

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☐ Yes

☒ Not applicable

### 25) Applicant declaration

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

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

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

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

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

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

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

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

---

Date received:  Reference number(s):

### Notification of engagement of alternative assessment manager

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

### QLeave notification and payment

*Note: For completion by assessment manager if applicable*

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





GMA Certification  
Group

*Leaders in  
Building Certification Services*



## **PLANNING STATEMENT**

---

For: Gary Hunt  
Development: Boundary Realignment  
At: Mowbray River Road, Mowbray (Lots 21 and 24 on  
SP262360)  
Prepared by: GMA Certification Group  
File Ref: 20213915  
Revision: A

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## 1.0 Introduction

This report has been prepared on behalf of Gary Hunt in support of a Development Application to Douglas Shire Council for a Development Permit for Reconfiguring a Lot for the purpose of a Boundary Realignment on land located at Mowbray River Road, Mowbray and described as Lot 21 and 24 on SP262360.

Lot 24 contains an area of 54.38 hectares and is currently developed with a Dwelling House and a number of outbuildings and is used for rural purposes. Lot 21 contains an area of 3.4 hectares and is a rural lifestyle lot and is currently vacant. Both parcels have frontage to Mowbray River Road, which is a constructed and council maintained road.

The area containing the subject site is characterised by a mix of rural and rural lifestyle developments. On the opposite side of Mowbray River Road to the south are hillside rural lifestyle lots with Lot 24 being the largest lot in the area and being for rural use.

It is proposed to realign the common boundary between the two lots. The boundary realignment would excise 8,473m<sup>2</sup> from Lot 24 and include the excised land in lot 21. The proposed new boundary would be consistent with a regulated vegetation strip that traverses east-west across the existing Lot 24. This would result in new areas of 4.3 hectares for Lot 21 and 53.3 hectares for Lot 24.

The application is identified as being Code Assessable and in determining the application consideration can only be given to the Assessment Benchmarks within the Douglas Shire Council Planning Scheme 2018 (version 1.0). The proposed development is considered to be consistent with these Assessment Benchmarks and the application is submitted for approval, subject to reasonable and relevant conditions.

## 2.0 Development Summary

<b>Address:</b>	Mowbray River Road, Mowbray
<b>Real Property Description:</b>	Lots 21 and 24 on SP262360
<b>Easements &amp; Encumbrances:</b>	Nil
<b>Site Area/Frontage:</b>	Area: <ul style="list-style-type: none"> <li>• Lot 21: 3.4 hectares</li> <li>• Lot 24: 54.38 hectares</li> </ul> Frontage: <ul style="list-style-type: none"> <li>• Lot 21: 110 metres to Mowbray River Road</li> <li>• Lot 24: 370 metres to Mowbray River Road</li> </ul>
<b>Registered Owners:</b>	Lot 24 – Gary John Hunt Lot 21 – Tom Matthew Bartlett & Amber Anne Margarita Milne
<b>Proposal:</b>	Reconfiguring a Lot (Boundary Realignment)
<b>Approval Sought:</b>	Development Permit
<b>Level of Assessment:</b>	Code Assessment
<b>State Interests – State Planning Policy</b>	<ul style="list-style-type: none"> <li>• Economic Growth – Agricultural land classification – class A and B;</li> <li>• Environment and Heritage               <ul style="list-style-type: none"> <li>○ MSES Wildlife habitat (endangered or vulnerable, in part; Special least concern area, in part);</li> <li>○ MSES Regulated vegetation category B, C and R, in part; essential habitat, in part; intersecting a watercourse, in part; and,</li> <li>○ Coastal management district, in part</li> </ul> </li> <li>• Safety and Resilience to Hazards               <ul style="list-style-type: none"> <li>○ Flood Hazard Area – Level 1, in part;</li> </ul> </li> </ul>

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- Bushfire Prone area - Potential Impact Buffer, in part;
- Erosion prone area, in part;
- Medium storm tide inundation area, in part; and,
- High storm tide inundation area, in part.

---

**State Interests – SARA Mapping:**

- Coastal Protection:
  - Coastal management district, in part;
  - Erosion prone area, in part;
  - Medium storm tide inundation area, in part; and,
  - High storm tide inundation area, in part.
- Native Vegetation Clearing
  - Category B, C, R and X on the regulated vegetation management map, in part;
  - Category A of B area containing of concern regional ecosystems, in part;
  - Coastal bioregions and sub-regions; and,
  - Essential habitat, in part.

---

**Referral Agencies:**

Nil – The application does not involve the moving of a boundary within the Coastal Management erosion prone area and would not involve vegetation clearing, other than potential clearing of regulated regrowth.

---

**State Development Assessment Provisions:**

Not applicable

---

**Regional Plan Designation:**

Regional Landscape and Rural Production Area

---

**Zone:**

Rural Zone

---

**Overlays:**

- Acid Sulfate Soils Overlay
  - < 5. AHD, in part; and,
  - 5-20m AHD, in part.
- Bushfire Hazard Overlay

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- Potential Impact Buffer, in part;
- Coastal Environment Overlay
  - Coastal Management District; and,
  - Erosion Prone Area, in part.
- Flood and Storm Tide Hazard Overlay
  - Medium Storm Tide Hazard, in part;
  - High Storm Tide Hazard, in part; and,
  - Floodplain Assessment Overlay in part;
- Landscape Values Overlay
  - Medium Landscape Values, in part; and,
  - High Landscape Values, in part;
- Natural Areas Overlay Code
  - MSES – Regulated vegetation (intersecting a watercourse), in part; and,
  - MSES – Regulated vegetation.
- Potential Landslide Hazard Overlay – Potential landslide hazard area.



### 3.0 Site and Locality

The application site comprises two allotments at Mowbray River Road, Mowbray, and described as Lots 21 and 24 on SP262360. Lot 21 is irregularly shaped with an area of 3.407 hectares and with frontage Mowbray River Road of approximately 110 metres. Lot 24 is similarly irregularly shaped with an ambulant boundary to the north with the Mowbray River. Lot 24 has an area of 54.38 hectares and has frontage to Mowbray River Road of approximately 370 metres.

Lot 21 is considered to be a rural lifestyle lot and is currently vacant and predominantly cleared of vegetation. Lot 24 is used for agricultural and residential purposes, with a Dwelling House, Domestic Outbuildings, horse agistment yards and sugar cane paddocks. It also has a watercourse running through the site from the north to the south and adjoins a watercourse along the northern and east – south-east borders. Mature vegetation is located along these boundaries.

The locality containing the site is generally characterised by a mix of rural and rural lifestyle developments. On the opposite side of Mowbray River Road, to the south are hillside rural lifestyle lots with Lot 24 being the largest lot in the area and being for rural use. The dominant natural feature of the locality is the Mowbray river, located to the north and north-west of the site.



Photo 1 – Lot 24 Site Location (Source Queensland Globe)



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## 4.0 Proposal

It is proposed to realign the common boundary between lot 21 and lot 24 such that a portion of land with an area of 8,473m<sup>2</sup> is excised from Lot 24 and included in Lot 21. The proposed new common boundary would be consistent with the banks of a water course that traverses the existing Lot 24 from the west to the east, and the boundary realignment would increase Lot 21 to approximately 4.3 hectares. Lot 24 would be reduced in size with a resultant total area of approximately 53.3 hectares. The frontages and access to the site would remain unaffected and no physical alterations to either site are proposed as part of this application.



Image 1 – Proposed area of boundary realignment

Proposal Plans are attached at **Appendix 1**.

The key development features of the proposed development are summarised in the table below:

Development Feature	Proposal
Site Area:	<ul style="list-style-type: none"> <li>Proposed Lot 21: 4.3 hectares</li> <li>Proposed Lot 24: 53.3 hectares</li> </ul>
Frontage:	<ul style="list-style-type: none"> <li>Proposed Lot 21: 110 metres to Mowbray River Road</li> <li>Proposed Lot 24: 370 metres to Mowbray River Road</li> </ul>
Access:	Mowbray River Road

## 5.0 Statutory Planning Considerations

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

### 5.1 Planning Act 2016

#### 5.1.1 Categorisation of Development

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

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

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

#### 5.1.2 Assessment Manager

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

#### 5.1.3 Level of Assessment

The application involves a boundary realignment. The table below identifies the level of assessment and the categorising section of the Douglas Shire Council Planning Scheme.

Development	Categorising Section	Level of Assessment
Boundary Realignment	Table 5.6.j – Rural Zone	Code Assessable

#### 5.1.4 Statutory Considerations for Assessable Development

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

This assessment is further discussed in Section 6.0 of this report and a detailed assessment of the proposed development against the assessment benchmarks is provided at [Appendix 2](#).

### 5.1.5 State Planning Policy

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

### 5.1.6 Regional Plan

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

### 5.1.7 Referral Agencies

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

### 5.1.8 State Development Assessment Provisions

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

## 6.0 Local Planning Considerations

### 6.1 Douglas Shire Council Planning Scheme

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

- Acid Sulfate Soils: < 5m AHD and 5-20m AHD, in part;
- Bushfire Hazard: Potential Impact Buffer, in part;
- Coastal Environment: Coastal Management District and Erosion Prone Area, in part; and,
- Flood and Storm Tide Hazard: Medium Storm Tide hazard, High Storm Tide Hazard and Floodplain Assessment Overlay, in part;
- Landscape Values: High landscape values and Medium landscape values, in part;
- Natural Areas: MSES – regulated vegetation (intersecting a Watercourse) and MSES – Regulated Vegetation, in part; and,
- Potential Landslide Hazard: High and Medium Hazard Risk, in part.

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

Assessment Benchmark	Applicability	Compliance
Rural Zone Code	Applies	Complies with applicable Acceptable Outcomes.
Acid Sulfate Soils Overlay Code	Applies	Complies with applicable Acceptable Outcomes.
Bushfire Hazard Overlay Code	Applies	Complies with applicable Acceptable Outcomes.
Coastal Environment Overlay Code	Applies	Complies with applicable Acceptable Outcomes.
Flood and Storm Tide Hazard Overlay Code	Applies	Complies with applicable Acceptable Outcomes.
Landscape Values Overlay Code	Not applicable	No applicable Assessment Benchmarks.
Natural Areas Overlay Code	Applies	Complies with applicable Acceptable Outcomes.
Potential Landslide Hazard Overlay Code	Applies	Complies with applicable Acceptable Outcomes.

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Access, Parking and Servicing Code	Not applicable	Complies with applicable Acceptable Outcomes.
Environmental Performance Code	Not applicable	No applicable Assessment Benchmarks are identified.
Filling and Excavation Code	Not applicable	No applicable Assessment Benchmarks as no filling and excavation is proposed.
Infrastructure Works Code	Not applicable	No applicable Assessment Benchmarks.
Landscaping Code	Applies	Complies with applicable Acceptable Outcomes.
Reconfiguring a Lot Code	Applies	Complies with applicable Acceptable Outcomes.
Vegetation management Code	Not applicable	No applicable Assessment Benchmarks are identified.

## 7.0 Summary and Conclusion

This report has been prepared on behalf of Gary Hunt in support of a Development Application to Douglas Shire Council for a Development Permit for Reconfiguring a Lot for the purpose of a Boundary Realignment on land located at Mowbray River Road, Mowbray and described as Lot 21 and 24 on SP262360.

Lot 24 contains an area of 54.38 hectares and is currently developed with a Dwelling House and a number of outbuildings and is used for rural purposes. Lot 21 contains an area of 3.4 hectares and is a rural lifestyle lot and is currently vacant. Both parcels have frontage to Mowbray River Road, which is a constructed and council maintained road.

It is proposed to realign the common boundary between the two lots. The boundary realignment would excise 8,473m<sup>2</sup> from Lot 24 and include the excised land in lot 21. The proposed new boundary would be consistent with a regulated vegetation strip and waterway that traverses east west over the existing Lot 24. This would result in new areas of 4.3 hectares for Lot 21 and 53.3 hectares for Lot 24.

The application is identified as being Code Assessable and in determining the application consideration can only be given to the Assessment Benchmarks within the Douglas Shire Council Planning Scheme 2018 (version 1.0). The proposed development is considered to be consistent with these Assessment Benchmarks and the application is submitted for approval, subject to reasonable and relevant conditions.

## Appendix 1.

# CERTIFICATE OF TITLE

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BUILDING APPROVALS & INSPECTIONS

BUILDING CERTIFICATION

ENERGY EFFICIENCY ASSESSMENTS

TOWN PLANNING

Gold Coast

Caboolture

Townsville

Cairns

Port Douglas

Childers

Kingscliff



**Limited Liability By a Scheme Approved Under Professional Standards Legislation**  
Member Australian Institute of Building Surveyors Professional Standards Scheme



Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>50944031</b>	<b>Search Date:</b>	30/08/2021 16:18
<b>Date Title Created:</b>	01/04/2014	<b>Request No:</b>	38374329
<b>Previous Title:</b>	50834660, 50834663		

#### ESTATE AND LAND

Estate in Fee Simple

LOT 24 SURVEY PLAN 262360  
Local Government: DOUGLAS

#### REGISTERED OWNER

Dealing No: 717976120 21/04/2017

GARY JOHN HUNT

#### EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 10453160 (POR 23)  
Deed of Grant No. 21028247 (POR 80)  
Deed of Grant No. 21028248 (POR 80A)
2. MORTGAGE No 717976121 21/04/2017 at 12:01  
COMMONWEALTH BANK OF AUSTRALIA A.B.N. 48 123 123 124

#### ADMINISTRATIVE ADVICES

NIL

#### UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

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

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>50944029</b>	<b>Search Date:</b>	30/08/2021 16:18
<b>Date Title Created:</b>	01/04/2014	<b>Request No:</b>	38374323
<b>Previous Title:</b>	50834661, 50834663		

#### ESTATE AND LAND

Estate in Fee Simple

LOT 21 SURVEY PLAN 262360  
Local Government: DOUGLAS

#### REGISTERED OWNER

Dealing No: 719030586 08/10/2018

TOM MATTHEW BARTLETT  
AMBER ANNE MARGARITA MILNE

JOINT TENANTS

#### EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 10453160 (POR 23)
2. MORTGAGE No 719030587 08/10/2018 at 11:54  
AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED A.C.N. 005  
357 522

#### ADMINISTRATIVE ADVICES

NIL

#### UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

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

Land Title Act 1994; Land Act 1994  
Form 21 Version 3

SURVEY PLAN

Sheet 1 of 2

TABLE A CREEK POINTS		TABLE B RIVER POINTS	
BEARING	DISTANCE	BEARING	DISTANCE
A 340°24'50"	14.463	C 215°31'25"	8.882
351°16'35"	36.79	217°27"	54.641
5°18'15"	20.719	219°54'20"	28.284
13°28'40"	61.202	216°48'40"	52.402
19°54'05"	24.253	217°10'45"	29.732
14°12'35"	35.277	225°58'40"	33.422
20°42'50"	39.356	222°23'40"	65.115
45°08'	21.352	227°01'50"	57.009
52°45'15"	34.958	225°32'10"	50.448
54°05'45"	36.704	230°34'30"	49.649
39°51'55"	25.816	233°08'45"	49.396
34°42'10"	38.299	230°51'35"	44.654
0°54'15"	23.574	233°22'15"	51.624
4°14'45"	42.012	232°42'35"	63.812
338°14'35"	16.719	236°53'45"	53.235
345°45'45"	34.042	233°56'30"	40.817
341°05'05"	55.343	258°53'45"	38.21
330°02'55"	51.626	243°18'35"	51.624
324°56'	36.98	251°02'30"	29.64
333°42'50"	13.007	256°33'50"	40.654
2°46'45"	32.256	236°39'30"	28.824
7°44'30"	50.905	237°02'05"	41.412
29°56'45"	17.312	226°32'15"	61.221
F 43°27'05"	19.474	213°59'55"	20.616
42°28'15"	40.107	226°14'45"	25.612
51°43'50"	18.44	221°01'40"	36.069
79°31'	32.529	227°40'10"	31.401
78°35'05"	14.626	224°27'40"	26.173
87°21'	5.262	230°23'45"	2.469
		225°30'25"	26.956
		226°00'	27.02

PERMANENT MARKS				
PM	ORIGIN	BEARING	DIST	NO
I-OPM	RP836112	106°23'	190.879	53566 New Conn
I-OPM	SPI21802	123°03'55"	79.115	123242 New Conn

First New Plan of Survey under sections 80 & 108  
of the SMI Act

Original information compiled from  
SP227933 in the Department of Natural  
Resources and Mines.

Peg placed at all new corners.

Amendments by Charles O'Neill Pty Ltd  
(ACN 010 329 174)  
20/11/14  
Director

Passed and Endorsed  
Grant Phillips  
Cadastral Surveyor  
20/11/14

CHARLES O'NEILL PTY. LTD., ACN 010 329 174  
hereby certify that the land comprised in this plan was surveyed by the  
corporation, by Lloyd Raymond GILBERT, Surveying Associate, for whose  
work the corporation accepts responsibility, under the supervision of Grant  
Harold PHILLIPS, Cadastral Surveyor and that the plan is accurate, that the  
said survey was performed in accordance with the Survey and Mapping  
Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations  
and Standards and that the said survey was completed on  
13/11/13.

THE COMMON SEAL  
CHARLES O'NEILL  
PTY. LTD.  
ACN 010329174  
Director  
Charles Edward O'Neill  
Director  
Julie Anne O'Neill  
Date: 3/12/13

REFERENCE MARKS				
STN	TO	ORIGIN	BEARING	DIST
1	OIP	6/SP227933	94°43'50"	11.784
2	OIP	SP227933	156°24'	2.019
3	Pin		351°02'40"	1.232
4	Pin		310°23'	1.42
4	Pin		207°40'40"	18.653
5	Pin		11°17'15"	1.316
6	OIP	SP227933	334°14'	1.529
7	OIP not Searched (under fence)	RP808242	352°50'30"	2.13
7	O Nail in Bit	SP227933	185°06'30"	36.506
8	Pin		183°25'	1.1
10	OIP	SP227933	171°35'30"	5.244
11	OIP	SP227933	4°47'30"	0.745
11	OIP	SP227933	356°54'30"	29.731
12	OIP	SP227933	148°01'	0.937
13	OIP	SP227933	338°43'25"	2.559
14	OIP	RP808242	210°22'	3.9
14	O Nail in Bit	SP227933	243°40'45"	13.951
15	OIP	RP808242	196°54'	1.075
15	O Nail in Bit	IS211037	193°17'30"	7.479
16	Pin	243°33'	263°22'	0.953
16	OIP	IS211037	233°24'35"	14.082
17	O Nail in Bit	IS211037	133°40'25"	31.978
17	O Nail in Bit	IS211037	136°31'15"	34.237
16	OIP (Not Searched)	IS211037	184°22'45"	42.675

For River Boundary Points C-D  
see River Points Table B

MOWBRAY Tidal

24  
54.22 ha  
38

16 D No OMK OP,  
Pegged OIPs  
RFP 20P-04  
173°30' 0.57

36 NRI90

42 C15732

17 IS211037

O Nails in Bit

O Nail in RFP

OIP

O Nail in Bit

293°36'40"

179°57'35"

293°52'55"

294°84'14"

293°54'40"

161°356

115°0' Orig

375°518 By Adm

20

21

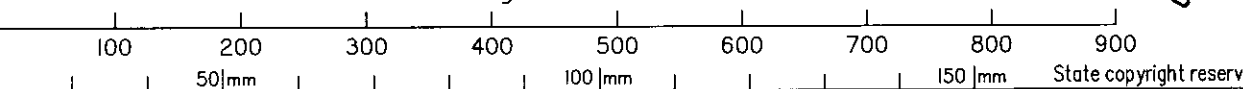
22

23

SP227933

RIVER ROAD

Scale 1: 6000 - Lengths are in Metres.



Plan of Lots 21, 22 & 24		Scale: 1: 6000
Cancelling Lots 21, 22 & 24 on SP227933		Format: STANDARD
LOCAL GOVERNMENT: CAIRNS REGIONAL COUNCIL		SP262360
LOCALITY: MOWBRAY		
Meridian: SP227933		Survey Records YES



New Conn

108°0' Orig

63.851 Riv Orig

Por 80

900

SP227933

122°25' Orig

122°30' Orig

(134°246) O CK

Orig 129°0'

No O Mk

OIP

12

129°0'

8.286 (12-B)

For Creek Boundary Points A-B  
see Creek Points Table A

Spring

Por 80A

Por 23

0°00' Orig

127.4 Ck-CK

For River Boundary Points C-D  
see River Points Table B

Assessed and Endorsed  
Cadastral Surveyor  
25/12/14  
Amendments by Charles O'Neill Pty Ltd  
(ACN 010 329 174)  
25/12/14  
Director

715681636

CS 400 NT

\$561.40  
27/03/2014 16:13**WARNING : Folded or Mutilated Plans will not be accepted.  
Plans may be rolled.  
Information may not be placed in the outer margins.**

5. Lodged by

Bolt Burchill Tranter Lawyers  
PO Box 616  
PORT DOUGLAS Q 4877  
PH 4030 4800

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

## 1. Certificate of Registered Owners or Lessees.

I/We GARY JOHN HUNT  
VICTORIA HUNT JOINT TENANTS

(Names in full)

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

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

Signature of \* Registered Owners \* Lessees

\* Rule out whichever is inapplicable

## 2. Planning Body Approval

\* CAIRNS REGIONAL COUNCIL

hereby approves this plan in accordance with the :

% SUSTAINABLE PLANNING ACT 2009  
DATE OF APPLICATION : 10 AUGUST 2011

Dated this TWELFTH day of DECEMBER 2013

DELEGATED OFFICER  
GARY WARNER, A/MANAGER  
DEVELOPMENT AND  
REGULATORY SERVICES

\* Insert the name of the Planning Body.

% Insert applicable approving legislation.

# Insert designation of signatory or delegation

## 3. Plans with Community Management Statement :

CMS Number :

Name :

## 4. References :

Dept File :

Local Govt : 8/13/1628

Surveyor : 7456WIL

## 6. Existing

Title Reference	Description	New Lots	Road	Secondary Interests
50834660	Lot 21 on SP227933	24		
50834661	Lot 22 on SP227933	21 & 22		
50834663	Lot 24 on SP227933	21, 22 & 24		

## Created

## MORTGAGE ALLOCATIONS

Mortgage	Lots Fully Encumbered	Lots Partially Encumbered
712326248	21 & 22	24
712326232		24
712326256		24

24  
21 & 22Pors 23, 80 & 80A  
Por 23

Lots

Orig

## 7. Orig Grant Allocation :

8. Map Reference :  
7964-111239. Parish:  
MOWBRAY10. County:  
SOLANDER

## 11. Passed &amp; Endorsed :

By : CHARLES O'NEILL PTY.LTD.  
ACN 010 329 174  
Date : 3/12/13  
Signed :  
Designation : Cadastral Surveyor

## 12. Building Format Plans only.

I certify that :

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

## 13. Lodgement Fees :

Survey Deposit \$  
Lodgement \$  
..... New Titles \$  
Photocopy \$  
Postage \$  
TOTAL \$14. Insert  
Plan  
Number

SP262360

**DIAGRAM**

Scale 1:2000

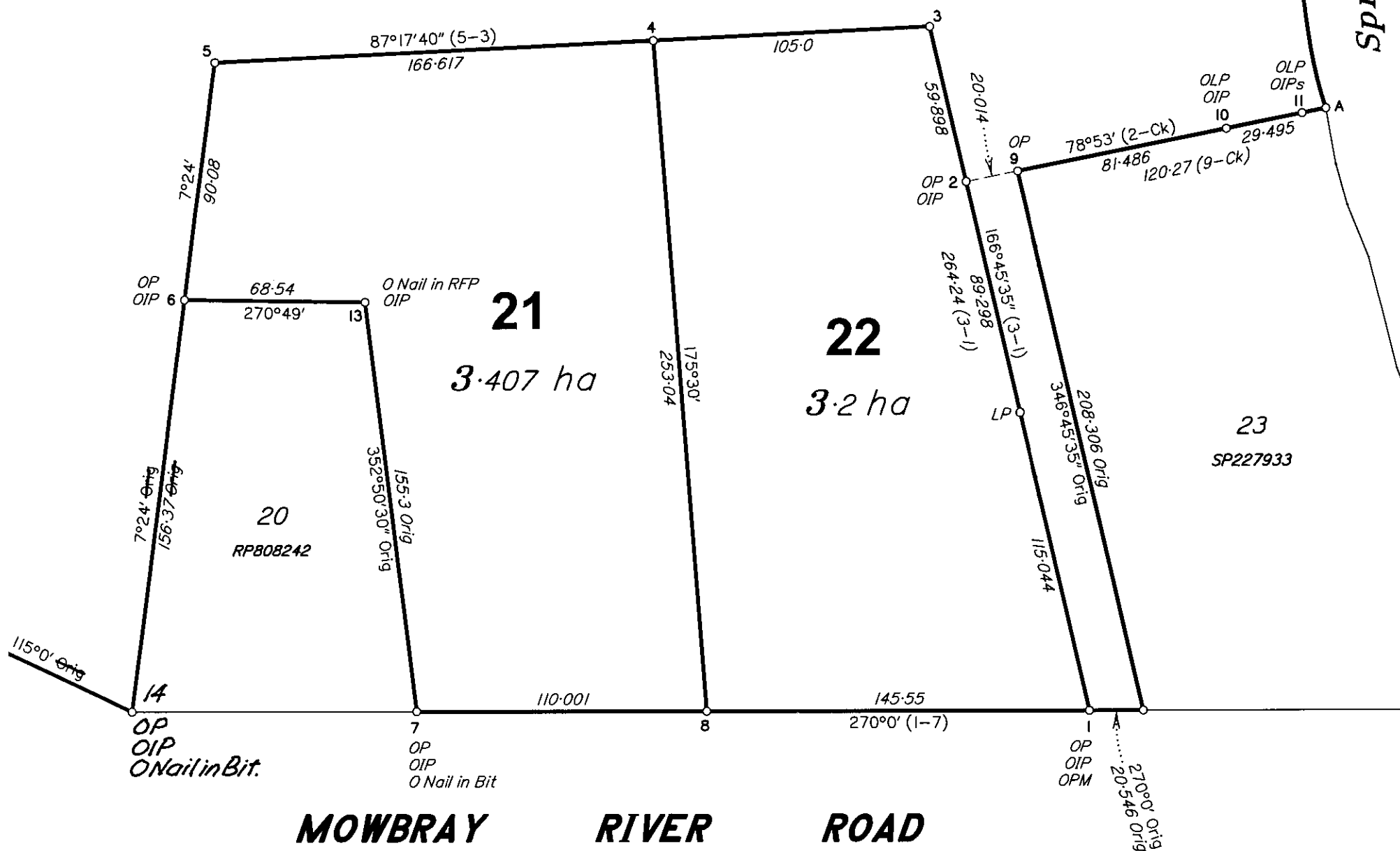
**24**

**21**  
3.407 ha

**22**  
3.2 ha

**23**  
SP227933

**20**  
RP808242



## Appendix 2.

# PROPOSAL PLANS

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BUILDING APPROVALS & INSPECTIONS

BUILDING CERTIFICATION

ENERGY EFFICIENCY ASSESSMENTS

TOWN PLANNING

Gold Coast

Caboolture

Townsville

Cairns

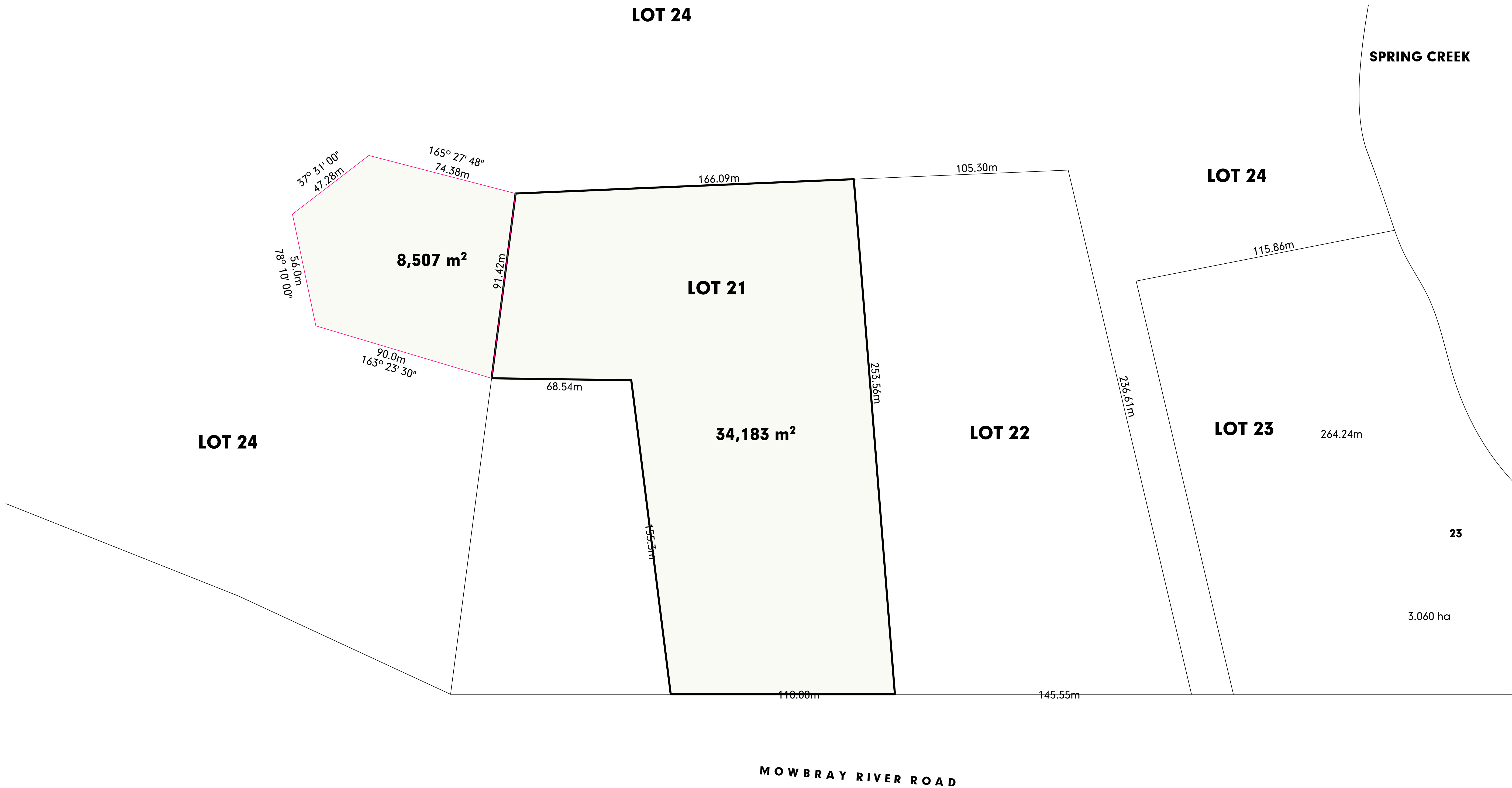
Port Douglas

Childers

Kingscliff



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**LAND - AREA**  
SCALE1:1000



## Appendix 3.

# PLANNING BENCHMARK ASSESSMENT

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BUILDING APPROVALS & INSPECTIONS

BUILDING CERTIFICATION

ENERGY EFFICIENCY ASSESSMENTS

TOWN PLANNING

Gold Coast

Caboolture

Townsville

Cairns

Port Douglas

Childers

Kingscliff



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## **6.2.10 Rural zone code**

### **6.2.10.1 Application**

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

### **6.2.10.2 Purpose**

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



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- (a) Areas for use for primary production are conserved and fragmentation is avoided.
- (b) Development embraces sustainable land management practices and contributes to the amenity and landscape of the area.
- (c) Adverse impacts of land use, both on-site and on adjoining areas, are avoided and any unavoidable impacts are minimised through location, design, operation and management.
- (d) Areas of remnant and riparian vegetation are retained or rehabilitated

### 6.2.10.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>		
<b>PO1</b> The height of buildings is compatible with the rural character of the area and must not detrimentally impact on visual landscape amenity.	<b>AO1.1</b> Dwelling houses are not more than 8.5 metres in height. Note – Height is inclusive of roof height.	<b>Not applicable</b> This application proposes a boundary realignment only.
	<b>AO1.2</b> Rural farm sheds and other rural structures are not more than 10 metres in height.	<b>Not applicable</b> This application proposes a boundary realignment only.



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Performance outcomes	Acceptable outcomes	Compliance
<b>Setbacks</b>		
<b>PO2</b> Buildings and structures are setback to maintain the rural character of the area and achieve separation from buildings on adjoining properties.	<b>AO2</b> Buildings are setback not less than: (a) 40 metres from the property boundary and a State-controlled road; (b) 25 metres from the property boundary adjoining Cape Tribulation Road; (c) 20 metres from the boundary with any other road; (d) 6 metres from side and rear property boundaries.	<b>Complies with AO2</b> The proposed boundary realignment would not result in any buildings being less than 6 metres from the proposed new common side boundary.
<b>PO3</b> Buildings/structures are designed to maintain the rural character of the area.	<b>AO3</b> White and shining metallic finishes are avoided on external surfaces of buildings.	<b>Not applicable</b> This application proposes a boundary realignment only.
<b>For assessable development</b>		
<b>PO4</b>	<b>AO4</b>	<b>Not applicable</b>



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Performance outcomes	Acceptable outcomes	Compliance
The establishment of uses is consistent with the outcomes sought for the Rural zone and protects the zone from the intrusion of inconsistent uses.	Uses identified in Table 6.2.10.3.b are not established in the Rural zone.	This application proposes a boundary realignment only.
<b>PO5</b> Uses and other development include those that: (a) promote rural activities such as agriculture, rural enterprises and small scale industries that serve rural activities; or (b) promote low impact tourist activities based on the appreciation of the rural character, landscape and rural activities; or (c) are compatible with rural activities.	<b>AO5</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> This application proposes a boundary realignment only.
<b>PO6</b> Existing native vegetation along watercourses and in, or adjacent to areas of environmental value, or areas of remnant vegetation of value is protected.	<b>AO6</b> No acceptable outcomes are prescribed.	<b>Complies with PO6</b> It is not intended to remove any vegetation as part of the boundary realignment.
<b>PO7</b>	<b>AO7</b>	<b>Complies with PO7</b>



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

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

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



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<ul style="list-style-type: none"> <li>• Club</li> <li>• Community care centre</li> <li>• Community residence</li> <li>• Detention facility,</li> <li>• Dual occupancy</li> <li>• Dwelling unit</li> <li>• Food and drink outlet</li> <li>• Hardware and trade supplies</li> <li>• Health care services</li> <li>• High impact industry</li> </ul>	<ul style="list-style-type: none"> <li>• Nightclub entertainment facility</li> <li>• Non-resident workforce accommodation</li> <li>• Office</li> <li>• Outdoor sales</li> <li>• Parking station</li> <li>• Permanent plantation</li> <li>• Port services</li> <li>• Relocatable home park</li> <li>• Renewable energy facility, being a wind farm</li> </ul>	<ul style="list-style-type: none"> <li>• Service station</li> <li>• Shop</li> <li>• Shopping centre</li> <li>• Short-term accommodation</li> <li>• Showroom</li> <li>• Special industry</li> <li>• Theatre</li> <li>• Warehouse</li> </ul>
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Note – This table does not imply that all other uses not listed in the table are automatically consistent uses within the zone. Assessable development must still demonstrate consistency through the assessment process.



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## **8.2.1 Acid sulfate soils overlay code**

### **8.2.1.1 Application**

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Acid sulfate soils overlay, if:
  - (a) self-assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
  - (b) impact assessable development.
- (2) Land in the Acid sulphate soils overlay is identified on the Acid sulfate soils overlay map in Schedule 2 and includes the following sub-categories:
  - (a) Land at or below the 5m AHD sub-category;
  - (b) Land above the 5m AHD and below the 20m AHD sub-category.
- (3) When using this code, reference should be made to Part 5.

### **8.2.1.2 Purpose**

- (1) The purpose of the acid sulfate soils overlay code is to:
  - (a) implement the policy direction in the Strategic Framework, in particular:
    - (i) Theme 2: Environment and landscape values, Element 3.5.4 Coastal zones.
    - (ii) Theme 3: Natural resource management, Element 3.6.2 land and catchment management, Element 3.6.3 Primary production, forestry and fisheries.
- (2) enable an assessment of whether development is suitable on land within the Acid sulfate soils overlay sub-categories.
- (3) The purpose of the code will be achieved through the following overall outcomes:





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- (a) Development ensures that the release of any acid and associated metal contaminant is avoided by not disturbing acid sulfate soils when excavating, removing soil or extracting ground water or filling land;
- (b) Development ensures that disturbed acid sulphate soils, or drainage waters, are treated and, if required, on-going management practices are adopted that minimise the potential for environmental harm from acid sulfate soil and protect corrodible assets from acid sulfate soil.

### 8.2.1.3 Criteria for assessment

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

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



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Performance outcomes	Acceptable outcomes	Compliance
Development avoids disturbing potential acid sulfate soils or actual acid sulfate soils, or is managed to avoid or minimise the release of acid and metal contaminants.	<p>The disturbance of potential acid sulfate soils or actual acid sulfate soils is avoided by:</p> <ul style="list-style-type: none"> <li>(a) not excavating, or otherwise removing, soil or sediment identified as containing potential or actual acid sulfate soils;</li> <li>(b) not permanently or temporarily extracting groundwater that results in the aeration of previously saturated acid sulfate soils;</li> <li>(c) not undertaking filling that results in:</li> <li>(d) actual acid sulfate soils being moved below the water table;</li> <li>(e) previously saturated acid sulfate soils being aerated.</li> </ul> <p>or</p> <p><b>AO2.2</b></p> <p>The disturbance of potential acid sulfate soils or actual acid sulfate soils is undertaken in accordance with an acid sulfate soils management plan and avoids the release of metal contaminants</p>	No excavation or filling is proposed.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>by:</p> <ul style="list-style-type: none"> <li>(a) neutralising existing acidity and preventing the generation of acid and metal contaminants;</li> <li>(b) preventing the release of surface or groundwater flows containing acid and metal contaminants into the environment;</li> <li>(c) preventing the in situ oxidisation of potential acid sulfate soils and actual acid sulfate soils through ground water level management;</li> <li>(d) appropriately treating acid sulfate soils before disposal occurs on or off site;</li> <li>(e) documenting strategies and reporting requirements in an acid sulfate soils environmental management plan.</li> </ul> <p>Note - Planning scheme policy SC 6.12 – Acid sulfate soils provides guidance on preparing an acid sulfate soils management plan.</p>	
<p><b>PO3</b></p> <p>No environmental harm is caused as a result of</p>	<p><b>AO3</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Complies with PO3</b></p> <p>No excavation or filling is proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
exposure to potential acid sulfate soils or actual acid sulfate soils.		



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## **8.2.2 Bushfire hazard overlay code**

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

### **8.2.2.1 Application**

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

### **8.2.2.2 Purpose**

- (1) The purpose of the Bushfire overlay code is to:
  - (a) implement the policy direction in the Strategic Framework, in particular:
    - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;



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- (ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.
- (b) enable an assessment of whether development is suitable on land within the Bushfire risk overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) development avoids the establishment or intensification of vulnerable activities within or near areas that are subject to bushfire hazard;
  - (b) development is designed and located to minimise risks to people and property from bushfires;
  - (c) bushfire risk mitigation treatments are accommodated in a manner that avoids or minimises impacts on the natural environment and ecological processes;
  - (d) development involving the manufacture or storage of hazardous materials does not increase the risk to public safety or the environment in a bushfire event;
  - (e) development contributes to effective and efficient disaster management response and recovery capabilities.

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

### 8.2.2.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>		
<b>Compatible development</b>		



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Performance outcomes	Acceptable outcomes	Compliance
<p><b>PO1</b></p> <p>A vulnerable use is not established or materially intensified within a bushfire hazard area (bushfire prone area) unless there is an overriding need or other exceptional circumstances.</p> <p>Note - See the end of this code for examples of vulnerable uses.</p>	<p><b>AO1</b></p> <p>Vulnerable uses are not established or expanded.</p> <p>Note – Where, following site inspection and consultation with Council, it is clear that the mapping is in error in identifying a premises as being subject to a medium, high, very high bushfire hazard or potential impact buffer sub-category, Council may supply a letter exempting the need for a Bushfire Management Plan.</p> <p>Note – Where the assessment manager has not previously approved a Bushfire Management Plan (either by condition of a previous development approval), the development proponent will be expected to prepare such a plan.</p> <p>Note – Planning scheme policy SC6.9 - Natural hazards, provides a guide to the preparation of a Bushfire Management Plan.</p>	<p><b>Complies with AO1</b></p> <p>No vulnerable uses are proposed or expanded.</p>
<p><b>PO2</b></p> <p>Emergency services and uses providing community support services are able to function effectively during and immediately after a bushfire hazard event.</p>	<p><b>AO2</b></p> <p>Emergency Services and uses providing community support services are not located in a bushfire hazard sub-category and have direct access to low hazard evacuation routes.</p>	<p><b>Not application</b></p> <p>The application involves a boundary realignment only.</p>



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Performance outcomes	Acceptable outcomes	Compliance
<b>PO3</b> Development involving hazardous materials manufactured or stored in bulk is not located in bushfire hazard sub-category.	<b>AO3</b> The manufacture or storage of hazardous material in bulk does not occur within bushfire hazard sub-category.	<b>Not application</b> The application involves a boundary realignment only.
<b>Development design and separation from bushfire hazard – reconfiguration of lots</b>		
<b>PO4.1</b> Where reconfiguration is undertaken in an urban area or is for urban purposes or smaller scale rural residential purposes, a separation distance from hazardous vegetation is provided to achieve a radiant heat flux level of 29kW/m <sup>2</sup> at the edge of the proposed lot(s).  Note - “Urban purposes” and “urban area” are defined in the <i>Sustainable Planning Regulations 2009</i> . Reconfiguration will be taken to be for rural residential purposes where proposed lots are between 2000m <sup>2</sup> and 2ha in area. “Smaller scale” rural residential purposes will be taken to be where the average proposed lot size is 6000m <sup>2</sup> or less.  Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in	<b>AO4.1</b> No new lots are created within a bushfire hazard sub-category.  or	<b>Complies with AO4.1</b> No new lots are created.





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Performance outcomes	Acceptable outcomes	Compliance
AS3959-2009.		
<p><b>PO4.2</b></p> <p>Where reconfiguration is undertaken for other purposes, a building envelope of reasonable dimensions is provided on each lot which achieves radiant heat flux level of 29kW/m<sup>2</sup> at any point.</p>	<p><b>AO4.2</b></p> <p>Lots are separated from hazardous vegetation by a distance that:</p> <p>(a) achieves radiant heat flux level of 29kW/m<sup>2</sup> at all boundaries; and</p> <p>(b) is contained wholly within the development site.</p> <p>Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation.</p> <p>For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages.</p> <p>Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.</p>	<p><b>Not applicable</b></p> <p>No new lots would be created within a bushfire hazard sub-category.</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p><b>PO5</b></p> <p>Where reconfiguration is undertaken in an urban area or is for urban purposes, a constructed perimeter road with reticulated water supply is established between the lots and the hazardous vegetation and is readily accessible at all times for urban fire fighting vehicles.</p> <p>The access is available for both fire fighting and maintenance/defensive works.</p>	<p><b>AO5.1</b></p> <p>Lot boundaries are separated from hazardous vegetation by a public road which:</p> <ul style="list-style-type: none"> <li>(a) has a two lane sealed carriageway;</li> <li>(b) contains a reticulated water supply;</li> <li>(c) is connected to other public roads at both ends and at intervals of no more than 500m;</li> <li>(d) accommodates geometry and turning radii in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</li> <li>(e) has a minimum of 4.8m vertical clearance above the road;</li> <li>(f) is designed to ensure hydrants and water access points are not located within parking bay allocations; and</li> <li>(g) incorporates roll-over kerbing.</li> </ul>	<p><b>Not applicable</b></p> <p>The reconfiguration is not within an urban area or for urban purposes.</p>
	<p><b>AO5.2</b></p>	<p><b>Not applicable</b></p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>Fire hydrants are designed and installed in accordance with AS2419.1 2005, unless otherwise specified by the relevant water entity.</p> <p>Note - Applicants should have regard to the relevant standards set out in the reconfiguration of a lot code and works codes in this planning scheme.</p>	The reconfiguration is not within an urban area or for urban purposes.
<p><b>PO6</b></p> <p>Where reconfiguration is undertaken for smaller scale rural residential purposes, either a constructed perimeter road or a formed, all weather fire trail is established between the lots and the hazardous vegetation and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>The access is available for both fire fighting and maintenance/hazard reduction works.</p>	<p><b>AO6</b></p> <p>Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> <li>(a) a reserve or easement width of at least 20m;</li> <li>(b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation;</li> <li>(c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path;</li> <li>(d) a minimum of 4.8m vertical clearance;</li> <li>(e) turning areas for fire-fighting appliances in accordance with Queensland Fire and</li> </ul>	<p><b>Complies with AO6</b></p> <p>The lots are separated from the hazardous vegetation by Mowbray River Road, which is an existing constructed and council maintained road.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</p> <p>(f) a maximum gradient of 12.5%;</p> <p>(g) a cross fall of no greater than 10 degrees;</p> <p>(h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;</p> <p>(i) vehicular access at each end which is connected to the public road network at intervals of no more than 500m;</p> <p>(j) designated fire trail signage;</p> <p>(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and</p> <p>(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.</p>	
<b>P07</b> Where reconfiguration is undertaken for other	<b>A07</b> Lot boundaries are separated from hazardous	<b>Not applicable</b>



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Performance outcomes	Acceptable outcomes	Compliance
<p>purposes, a formed, all weather fire trail is provided between the hazardous vegetation and either the lot boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>However, a fire trail will not be required where it would not serve a practical fire management purpose.</p>	<p>vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> <li>(a) a reserve or easement width of at least 20m;</li> <li>(b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation;</li> <li>(c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path;</li> <li>(d) a minimum of 4.8m vertical clearance;</li> <li>(e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</li> <li>(f) a maximum gradient of 12.5%;</li> <li>(g) a cross fall of no greater than 10 degrees;</li> <li>(h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;</li> <li>(i) vehicular access at each end which is</li> </ul>	<p>Refer to assessment against AO6.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>connected to the public road network;</p> <p>(j) designated fire trail signage;</p> <p>(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and</p> <p>(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.</p>	
<p><b>PO8</b></p> <p>The development design responds to the potential threat of bushfire and establishes clear evacuation routes which demonstrate an acceptable or tolerable risk to people.</p>	<p><b>AO8</b></p> <p>The lot layout:</p> <p>(a) minimises the length of the development perimeter exposed to, or adjoining hazardous vegetation;</p> <p>(b) avoids the creation of potential bottle-neck points in the movement network;</p> <p>(c) establishes direct access to a safe assembly /evacuation area in the event of an approaching bushfire; and</p> <p>(d) ensures roads likely to be used in the event of</p>	<p><b>Complies with AO8</b></p> <p>The lot layout would not increase the length of the perimeter adjoining hazardous vegetation and would not affect the access arrangements for either site.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>a fire are designed to minimise traffic congestion.</p> <p>Note - For example, developments should avoid finger-like or hour-glass subdivision patterns or substantive vegetated corridors between lots.</p> <p>In order to demonstrate compliance with the performance outcome, a bushfire management plan prepared by a suitably qualified person may be required. The bushfire management plan should be developed in accordance with the Public Safety Business Agency (PSBA) guideline entitled “Undertaking a Bushfire Protection Plan.</p> <p>Advice from the Queensland Fire and Emergency Services (QFES) should be sought as appropriate</p>	
<p><b>PO9</b></p> <p>Critical infrastructure does not increase the potential bushfire hazard.</p>	<p><b>AO9</b></p> <p>Critical or potentially hazardous infrastructure such as water supply, electricity, gas and telecommunications are placed underground.</p>	<p><b>Not applicable</b></p> <p>The boundary realignment would not alter the current service arrangements.</p>
<b>Development design and separation from bushfire hazard – material change of use</b>		



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Performance outcomes	Acceptable outcomes	Compliance
<p><b>PO10</b></p> <p>Development is located and designed to ensure proposed buildings or building envelopes achieve a radiant heat flux level at any point on the building or envelope respectively, of:</p> <p>(e) 10kW/m<sup>2</sup> where involving a vulnerable use; or</p> <p>(f) 29kW/m<sup>2</sup> otherwise.</p> <p>The radiant heat flux level is achieved by separation unless this is not practically achievable.</p> <p>Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.</p>	<p><b>AO10</b></p> <p>Buildings or building envelopes are separated from hazardous vegetation by a distance that:</p> <p>(a) achieves a radiant heat flux level of at any point on the building or envelope respectively, of 10kW/m<sup>2</sup> for a vulnerable use or 29kW/m<sup>2</sup> otherwise; and</p> <p>(b) is contained wholly within the development site.</p> <p>Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation.</p> <p>For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages.</p> <p>Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.</p>	<p><b>Not applicable</b></p> <p>The application involves a boundary realignment only.</p>





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Performance outcomes	Acceptable outcomes	Compliance
<p><b>PO11</b></p> <p>A formed, all weather fire trail is provided between the hazardous vegetation and the site boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>However, a fire trail will not be required where it would not serve a practical fire management purpose.</p> <p>Note - Fire trails are unlikely to be required where a development site involves less than 2.5ha</p>	<p><b>AO11</b></p> <p>Development sites are separated from hazardous vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> <li>(a) a reserve or easement width of at least 20m;</li> <li>(b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation;</li> <li>(c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path;</li> <li>(d) a minimum of 4.8m vertical clearance;</li> <li>(e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</li> <li>(f) a maximum gradient of 12.5%;</li> <li>(g) a cross fall of no greater than 10 degrees;</li> <li>(h) drainage and erosion control devices in accordance with the standards prescribed in a</li> </ul>	<p><b>Not applicable</b></p> <p>The application involves a boundary realignment only.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>planning scheme policy;</p> <p>(i) vehicular access at each end which is connected to the public road network which is connected to the public road network at intervals of no more than 500m;</p> <p>(j) designated fire trail signage;</p> <p>(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and</p> <p>(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.</p>	
<b>All development</b>		
<p><b>PO12</b></p> <p>All premises are provided with vehicular access that enables safe evacuation for occupants and easy access by fire fighting appliances.</p>	<p><b>AO12</b></p> <p>Private driveways:</p> <p>(a) do not exceed a length of 60m from the street to the building;</p> <p>(b) do not exceed a gradient of 12.5%;</p>	<p><b>Not applicable</b></p> <p>No driveways are proposed as part of the boundary realignment.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> <li>(c) have a minimum width of 3.5m;</li> <li>(d) have a minimum of 4.8m vertical clearance;</li> <li>(e) accommodate turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and</li> <li>(f) serve no more than 3 dwellings or buildings.</li> </ul>	
<p><b>PO13</b></p> <p>Development outside reticulated water supply areas includes a dedicated static supply that is available solely for fire fighting purposes and can be accessed by fire fighting appliances.</p>	<p><b>AO13</b></p> <p>A water tank is provided within 10m of each building (other than a class 10 building) which:</p> <ul style="list-style-type: none"> <li>(a) is either below ground level or of non-flammable construction;</li> <li>(b) has a take off connection at a level that allows the following dedicated, static water supply to be left available for access by fire fighters: <ul style="list-style-type: none"> <li>(i) 10,000l for residential buildings</li> </ul> </li> </ul> <p>Note – A minimum of 7,500l is required in a tank and the extra 2,500l may be in the form of accessible swimming pools or dams.</p>	<p><b>Not applicable</b></p> <p>The application involves a boundary realignment only.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> <li>(ii) 45,000l for industrial buildings; and</li> <li>(iii) 20,000l for other buildings;</li> <li>(c) includes shielding of tanks and pumps in accordance with the relevant standards;</li> <li>(d) includes a hardstand area allowing medium rigid vehicle (15 tonne fire appliance) access within 6m of the tank;</li> <li>(e) is provided with fire brigade tank fittings – 50mm ball valve and male camlock coupling and, if underground, an access hole of 200mm (minimum) to accommodate suction lines; and</li> <li>(f) is clearly identified by directional signage provided at the street frontage.</li> </ul>	
<b>PO14</b> Landscaping does not increase the potential bushfire risk.	<b>AO14</b> Landscaping uses species that are less likely to exacerbate a bushfire event and does not increase fuel loads within separation areas.	<b>Not applicable</b> No landscaping is proposed as part of the boundary realignment.
<b>PO15</b>	<b>AO15</b>	<b>Not applicable</b>



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Performance outcomes	Acceptable outcomes	Compliance
The risk of bushfire and the need to mitigate that risk is balanced against other factors (such as but not limited to, biodiversity or scenic amenity).	Bushfire risk mitigation treatments do not have a significant impact on the natural environment or landscape character of the locality where this has value.	No bushfire risk mitigation measures are proposed.



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### **8.2.3 Coastal environment overlay code**

#### **8.2.3.1 Application**

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Coastal environment overlay, if:
  - (a) self assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
  - (b) impact assessable development.
- (2) Land in the Coastal hazard overlay is identified on the Coastal environment overlay map in Schedule 2 and includes the following sub-categories:
  - (a) Coastal management district sub-category;
  - (b) Erosion prone area sub-category.
- (3) When using this code, reference should be made to Part 5

#### **8.2.3.2 Purpose**

- (1) The purpose of the Coastal environment overlay code is to:
  - (a) implement the policy direction in the Strategic Framework, in particular:
    - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
    - (ii) Theme 2 Environment and landscape values: Element 3.5.4 Coastal zones;



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(iii) Theme 3 Natural resource management: Element 3.6.2 Land and catchment management.

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

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

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

#### 8.2.3.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		



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





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Performance outcomes	Acceptable outcomes	Compliance
	<b>AO1.4</b> Coastal protection work mitigates any increase in the coastal hazard.	<b>Not applicable</b> No coastal protection works are proposed.
<b>PO2</b> Where a coastal building line does not exist on a lot fronting the coast or a reserve adjoining the coast, development is setback to maintain the amenity and use of the coastal resource.	<b>AO2</b> Where a coastal building line does not exist on a lot fronting the coast or a reserve adjoining the coast, development (including all buildings and structures such as swimming pools) and retaining walls are set back not less than 6 metres from the seaward boundary of the lot.	<b>Not applicable</b> The site is not located adjacent the coast.
<b>For Assessable development</b> <b>Erosion Prone Areas</b>		
<b>PO3</b> Development identifies erosion prone areas (coastal hazards).	<b>AO3</b> No acceptable outcomes are prescribed.	<b>Complies with PO3</b> The proposed new boundary would be setback roughly 290 metres from an erosion prone area.
<b>PO4</b>	<b>AO4.1</b> Development is not located within the Erosion	<b>Complies with AO4.1</b>



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Performance outcomes	Acceptable outcomes	Compliance
Erosion prone areas are free from development to allow for natural coastal processes.	<p>prone area, unless it can be demonstrated that the development is for:</p> <ul style="list-style-type: none"> <li>(a) community infrastructure where no suitable alternative location or site exists for this infrastructure; or</li> <li>(b) development that reflects the preferred development outcomes in accordance with the zoning of the site (i.e. in the Low density residential zone, a dwelling house is a preferred development outcome in accordance with the zoning of the site).</li> </ul>	The proposed new boundary is located roughly 290 metres away from the erosion prone area.
	<p><b>AO4.2</b></p> <p>Development involving existing permanent buildings and structures within an erosion prone area does not increase in intensity of its use by:</p> <ul style="list-style-type: none"> <li>(a) adding additional buildings or structures; or</li> </ul>	<p><b>Not applicable</b></p> <p>The development would not involve existing permanent buildings or structures within an erosion prone area.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	(b) incorporating a land use that will result in an increase in the number of people or employees occupying the site.	
<b>Coastal Management Districts</b>		
<b>PO5</b> Natural processes and protective functions of landforms and vegetation are maintained.	<b>AO5.1</b> Development within the coastal management district: <ul style="list-style-type: none"> <li>(a) maintains vegetation on coastal land forms where its removal or damage may:               <ul style="list-style-type: none"> <li>(i) destabilise the area and increase the potential for coastal erosion, or</li> <li>(ii) interrupt the natural sediment trapping processes or dune or land building processes;</li> </ul> </li> </ul>	<b>Complies with AO5.1</b> The boundary realignment would not involve the removal of vegetation, would not involve any earthworks and is not located near the coast.



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"><li>(b) maintains sediment volumes of dunes and near-shore coastal landforms, or where a reduction in sediment volumes cannot be avoided, increased risks to development from coastal erosion are mitigated by location, design and construction and operating standards;</li><li>(c) minimises the need for erosion control structures or riverine hardening through location, design and construction standards;</li><li>(d) maintains physical coastal processes outside the development footprint for the development, including longshore transport of sediment along the coast;</li><li>(e) reduces the risk of shoreline erosion for areas adjacent to the development footprint to the maximum extent feasible in the case of erosion control structures.</li></ul>	



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Performance outcomes	Acceptable outcomes	Compliance
	<p><b>PO5.2</b></p> <p>Where development proposes the construction of an erosion control structure:</p> <ul style="list-style-type: none"> <li>(a) it is demonstrated that it is the only feasible option for protecting permanent structures from coastal erosion; and</li> <li>(b) those permanent structures cannot be abandoned or relocated in the event of coastal erosion occurring.</li> </ul>	<p><b>Not applicable</b></p> <p>The development would not propose the construction of an erosion control structure.</p>
	<p><b>PO5.3</b></p> <p>Development involving reclamation:</p> <ul style="list-style-type: none"> <li>(a) does not alter, or otherwise minimises impacts on, the physical characteristics of a waterway or the seabed near the reclamation, including flow regimes, hydrodynamic forces, tidal water and riverbank stability;</li> </ul>	<p><b>Not applicable</b></p> <p>The development would not involve reclamation.</p>



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



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Performance outcomes	Acceptable outcomes	Compliance
	Marine development is located and designed to expand on or redevelop existing marine infrastructure unless it is demonstrated that it is not practicable to co-locate the development with existing marine infrastructure; and	The development would not involve marine development.
	<b>AO6.3</b> Measures are incorporated as part of siting and design of the development to maintain or enhance water quality to achieve the environmental values and water quality objectives outlined in the Environmental Protection (Water) Policy 2009. and	<b>Not applicable</b> The development would not affect any waters as no physical works are proposed.
	<b>AO6.4</b> Design and siting of development protects and retains identified ecological values and underlying ecosystem processes within the development site to the greatest extent practicable.	<b>Not applicable</b> The development would not affect any ecological values or processes as no physical works are proposed.



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





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



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



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> <li>(i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, for example through the provision of esplanades or easement corridors to preserve future access;</li> <li>(ii) ensure emergency vehicles can access the area near the development. or</li> <li>(b) minimises and offsets any loss of access to and along the foreshore within 500m of existing access points and development is located and designed to: <ul style="list-style-type: none"> <li>(i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, and</li> </ul> </li> </ul>	



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Performance outcomes	Acceptable outcomes	Compliance
	(ii) ensure emergency vehicles can access the area near the development.	
<b>PO10</b> Development that involves reconfiguring a lot for urban purposes adjacent to the coast is designed to ensure public access to the coast in consideration of public access demand from a whole-of-community basis and the maintenance of coastal landforms and coastal habitat.	<b>AO10.1</b> Development complies if consideration of public access demand from a whole-of-community basis and the maintenance of coastal landforms and coastal habitat is undertaken. <b>or</b> <b>AO10.2</b> Development demonstrates an alternative solution to achieve an equivalent standard and quality of access.	<b>Not applicable</b> The lot reconfiguration would not be for urban purposes.
<b>PO11</b> Development maintains public access to State coastal land by avoiding private marine development attaching to, or extending across, non-tidal State coastal land.	<b>AO11</b>	<b>Not applicable</b> The site is not adjacent state coastal land.



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Performance outcomes	Acceptable outcomes	Compliance
	Private marine access structures and other structures such as decks or boardwalks for private use do not attach to or extend across State coastal land that is situated above high water mark.	
<b>PO12</b> Development in connection with an artificial waterway enhances public access to coastal waters.	<b>AO12</b> The artificial waterway avoids intersecting with or connection to inundated land or leased land where the passage, use or movement of vessels in water on the land could be restricted or prohibited by the registered proprietor of the inundated land or leased land.	<b>Not applicable</b> The application does not involve any artificial waterways.
<b>Coastal landscapes, views and vistas</b>		
<b>PO13</b> Development maintains and / or enhances natural coastal landscapes, views and vistas.	<b>AO13</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located near a coastal landscape.
<b>PO14</b>	<b>AO14</b>	<b>Not applicable</b>



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Performance outcomes	Acceptable outcomes	Compliance
Coastal settlements are consolidated through the concentration of development within the existing urban areas through infill and conserving the natural state of the coastal area outside existing urban areas.	No acceptable outcomes are prescribed.	The development does not involve a coastal settlement.
<b>Private marine development</b>		
<b>PO15</b> Private marine development is to avoid attaching to, or extending across, non-tidal State coastal land.	<b>AO15</b> Private marine development and other structures such as decks or boardwalks for private use do not attach to, or extend across, State coastal land that is situated above high water mark.  Note – For occupation permits or allocations of State land, refer to the Land Act 1994.	<b>Not applicable</b> The development does not involve private marine development.
<b>PO16</b> The location and design of private marine development does not adversely affect the safety of members of the public access to the foreshore.	<b>AO16</b> Private marine development does not involve the erection or placement of any physical barrier preventing existing access, along a public access way to the foreshores.	<b>Not applicable</b> The development does not involve private marine development.



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Performance outcomes	Acceptable outcomes	Compliance
<p><b>PO17</b></p> <p>Private marine development is of a height and scale and size compatible with the character and amenity of the location.</p>	<p><b>AO17</b></p> <p>Private marine development has regard to:</p> <ul style="list-style-type: none"> <li>(a) the height, scale and size of the natural features of the immediate surroundings and locality;</li> <li>(b) the height, scale and size of existing buildings or other structures in the immediate surroundings and the locality;</li> <li>(c) if the relevant planning scheme states that desired height, scale or size of buildings or other structures in the immediate surroundings or locality – the stated desired height, scale or size.</li> </ul> <p>Note – The prescribed tidal works code in the Coastal Protection and Management Regulation 2003 outlines design and construction requirements that must be complied with.</p>	<p><b>Not applicable</b></p> <p>The development does not involve private marine development.</p>
<p><b>PO18</b></p>	<p><b>AO18</b></p>	<p><b>Not applicable</b></p>



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Performance outcomes	Acceptable outcomes	Compliance
Private marine development avoids adverse impacts on coastal landforms and coastal processes.	Private marine development does not require the construction of coastal protection works, shoreline or riverbank hardening or dredging for marine access.	The development does not involve private marine development.
<b>For dry land marinas and artificial waterways</b>		
<b>PO19</b> Dry land marinas and artificial waterways: <ul style="list-style-type: none"> <li>(a) avoid impacts on coastal resources;</li> <li>(b) do not contribute to the degradation of water quality;</li> <li>(c) do not increase the risk of flooding;</li> <li>(d) do not result in the degradation or loss of MSES;</li> <li>(e) do not result in an adverse change to the tidal prism of the natural waterway to which development is connected.</li> <li>(f) does not involve reclamation of tidal land other than for the purpose of:</li> </ul>	<b>AO19</b> No acceptable solutions are prescribed.	<b>Not applicable</b> The development does not involve dry land marinas or artificial waterways.





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Performance outcomes	Acceptable outcomes	Compliance
<ul style="list-style-type: none"><li>(i) coastal dependent development, public marine development; or</li><li>(ii) community infrastructure, where there is no feasible alternative; or</li><li>(iii) strategic ports, boat harbours or strategic airports and aviation facilities in accordance with a statutory land use plan; or</li><li>(iv) coastal protection works or works necessary to protect coastal resources and processes.</li></ul>		



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## **8.2.4 Flood and storm tide hazard overlay code**

### **8.2.4.1 Application**

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

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

### **8.2.4.2 Purpose**

- (1) The purpose of the Flood and storm tide hazard overlay code is to:
  - (a) implement the policy direction in the Strategic Framework, in particular:



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- (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
- (ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.
- (b) enable an assessment of whether development is suitable on land within the Flood and storm tide hazard sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) development siting, layout and access responds to the risk of the natural hazard and minimises risk to personal safety;
  - (b) development achieves an acceptable or tolerable risk level, based on a fit for purpose risk assessment;
  - (c) the development is resilient to natural hazard events by ensuring siting and design accounts for the potential risks of natural hazards to property;
  - (d) the development supports, and does not unduly burden disaster management response or recovery capacity and capabilities;
  - (e) the development directly, indirectly and cumulatively avoids an unacceptable increase in severity of the natural hazards and does not significantly increase the potential for damage on site or to other properties;
  - (f) the development avoids the release of hazardous materials as a result of a natural hazard event;
  - (g) natural processes and the protective function of landforms and/or vegetation are maintained in natural hazard areas;
  - (h) community infrastructure is located and designed to maintain the required level of functionality during and immediately after a hazard event.

#### 8.2.4.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
<b>For assessable and self-assessable development</b>		
<b>PO1</b> Development is located and designed to:	<b>AO1.1</b> Development is sited on parts of the land that is	<b>Not applicable</b> The application is for boundary realignment only



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Performance outcomes	Acceptable outcomes	Compliance
<p>ensure the safety of all persons; minimise damage to the development and contents of buildings; provide suitable amenity; minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events.</p> <p>Note – For assessable development within the flood plain assessment sub-category, a flood study by a suitably qualified professional is required to identify compliance with the intent of the acceptable outcome.</p>	<p>not within the Flood and Storm tide hazards overlay maps contained in Schedule 2; or For dwelling houses, <b>AO1.2</b> Development within the Flood and Storm Tide hazards overlay maps (excluding the Flood plain assessment sub-category) is designed to provide immunity to the Defined Inundation Event as outlined within Table 8.2.4.3.b plus a freeboard of 300mm.</p>	<p>and no physical development is proposed. Sufficient area is provided on both proposed lots to accommodate development outside of the land within the overlay maps.</p>
	<p><b>AO1.3</b> New buildings are: (a) not located within the overlay area; (b) located on the highest part of the site to minimise entrance of flood waters; (c) provided with clear and direct pedestrian and vehicle evacuation routes off the site.</p>	<p><b>Not applicable</b> The development would be for a boundary realignment only.</p>
	<p><b>AO1.4</b></p>	<p><b>Not applicable</b></p>



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Performance outcomes	Acceptable outcomes	Compliance
	In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.	The development would be for a boundary realignment only.
<b>For assessable development</b>		
<b>PO2</b> The development is compatible with the level of risk associated with the natural hazard.	<b>AO2</b> The following uses are not located in land inundated by the Defined Flood Event (DFE) / Storm tide: (a) Retirement facility; (b) Community care facility; (c) Child care centre.	<b>Not applicable</b> The development would be for a boundary realignment only.
<b>PO3</b> Development siting and layout responds to flooding potential and maintains personal safety	For Material change of use <b>AO3.1</b> New buildings are: (a) not located within the overlay area; (b) located on the highest part of the site to minimise entrance of flood waters; (c) provided with clear and direct pedestrian and	<b>Not applicable</b> The development would be for a boundary realignment only.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>vehicle evacuation routes off the site.</p> <p>or</p> <p><b>AO3.2</b></p> <p>The development incorporates an area on site that is at least 300mm above the highest known flood inundation level with sufficient space to accommodate the likely population of the development safely for a relatively short time until flash flooding subsides or people can be evacuated.</p> <p>or</p> <p><b>AO3.3</b></p> <p>Where involving an extension to an existing dwelling house that is situated below DFE /Storm tide, the maximum size of the extension does not exceed 70m<sup>2</sup> gross floor area.</p> <p>Note – If part of the site is outside the Hazard Overlay area, this is the preferred location of all buildings.</p>	
	<p>For Reconfiguring a lot</p> <p><b>AO3.4</b></p>	<p><b>Not applicable</b></p> <p>The reconfiguration would involve a boundary realignment only and no new lots would be</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>Additional lots:</p> <ul style="list-style-type: none"> <li>(a) are not located in the hazard overlay area; or</li> <li>(b) are demonstrated to be above the flood level identified for the site.</li> </ul> <p>Note - If part of the site is outside the Hazard Overlay area, this is the preferred location for all lots (excluding park or other open space and recreation lots).</p> <p>Note – Buildings subsequently developed on the lots will need to comply with the relevant building assessment provisions under the <i>Building Act 1975</i>.</p>	created.
	<p><b>AO3.5</b></p> <p>Road and/or pathway layout ensures residents are not physically isolated from adjacent flood free urban areas and provides a safe and clear evacuation route path:</p> <ul style="list-style-type: none"> <li>(a) by locating entry points into the reconfiguration above the flood level and avoiding culs-de-sac or other non-permeable layouts; and</li> <li>(b) by direct and simple routes to main</li> </ul>	<p><b>Not applicable</b></p> <p>The development would be for a boundary realignment only and no roads or pathways are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	carriageways.	
	<b>AO3.6</b> Signage is provided on site (regardless of whether the land is in public or private ownership) indicating the position and path of all safe evacuation routes off the site and if the site contains, or is within 100m of a floodable waterway, hazard warning signage and depth indicators are also provided at key hazard points, such as at floodway crossings or entrances to low-lying reserves. or	<b>Not applicable</b> The development would be for a boundary realignment only.
	<b>AO3.7</b> There is no intensification of residential uses within the flood affected areas on land situated below the DFE/Storm tide.	<b>Complies with AO3.7</b> The development would be for a boundary realignment only.
	For Material change of use (Residential uses) <b>AO3.1</b> The design and layout of buildings used for residential purposes minimise risk from flooding by providing:	<b>Not applicable</b> The development would be for a boundary realignment only.





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Performance outcomes	Acceptable outcomes	Compliance
	<p>(a) parking and other low intensive, non-habitable uses at ground level;</p> <p>Note - The high-set 'Queenslander' style house is a resilient low-density housing solution in floodplain areas. Higher density residential development should ensure only non-habitable rooms (e.g. garages, laundries) are located on the ground floor.</p>	
<p><b>PO4</b> Development is resilient to flood events by ensuring design and built form account for the potential risks of flooding.</p>	<p>For Material change of use (Non-residential uses)</p> <p><b>AO4.2</b> Non residential buildings and structures allow for the flow through of flood waters on the ground floor.</p> <p>Note - Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p> <p>Note - The relevant building assessment provisions under the <i>Building Act 1975</i> apply to all building work within the Hazard Area and need to take into account the flood potential within the area.</p>	<p><b>Not applicable</b> The development would be for a boundary realignment only.</p>
	<p><b>AO4.3</b></p>	<p><b>Not applicable</b></p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>Materials are stored on-site:</p> <ul style="list-style-type: none"> <li>(a) are those that are readily able to be moved in a flood event;</li> <li>(b) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood.</li> </ul> <p>Notes -</p> <ul style="list-style-type: none"> <li>(a) Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</li> <li>(b) Queensland Government Fact Sheet 'Repairing your House after a Flood' provides information about water resilient products and building techniques.</li> </ul>	<p>The development would be for a boundary realignment only.</p>
<p><b>PO5</b></p> <p>Development directly, indirectly and cumulatively avoids any increase in water flow velocity or flood level and does not increase the potential flood damage either on site or on other properties.</p> <p>Note – Berms and mounds are considered to be an</p>	<p>For Operational works</p> <p><b>AO5.1</b></p> <p>Works in urban areas associated with the proposed development do not involve:</p> <ul style="list-style-type: none"> <li>(a) any physical alteration to a watercourse or floodway including vegetation clearing; or</li> </ul>	<p><b>Not applicable</b></p> <p>The development would be for a boundary realignment only and no operational works are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
undesirable built form outcome and are not supported.	<p>(b) a net increase in filling (including berms and mounds).</p> <p><b>AO5.2</b></p> <p>Works (including buildings and earthworks) in non urban areas either:</p> <p>(a) do not involve a net increase in filling greater than 50m<sup>3</sup>; or</p> <p>(b) do not result in any reductions of on-site flood storage capacity and contain within the subject site any changes to depth/duration/velocity of flood waters;</p> <p>or</p> <p>(c) do not change flood characteristics outside the subject site in ways that result in:</p> <p>(i) loss of flood storage;</p> <p>(ii) loss of/changes to flow paths;</p> <p>(iii) acceleration or retardation of flows or any reduction in flood warning times elsewhere on the flood plain.</p>	
	For Material change of use	<b>Not applicable</b>



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Performance outcomes	Acceptable outcomes	Compliance
	<p><b>AO5.3</b></p> <p>Where development is located in an area affected by DFE/Storm tide, a hydraulic and hydrology report, prepared by a suitably qualified professional, demonstrates that the development maintains the flood storage capacity on the subject site; and</p> <p>(a) does not increase the volume, velocity, concentration of flow path alignment of stormwater flow across sites upstream, downstream or in the general vicinity of the subject site; and</p> <p>(b) does not increase ponding on sites upstream, downstream or in the general vicinity of the subject site.</p>	<p>The development would be for a boundary realignment only.</p>
	<p>For Material change of use and Reconfiguring a lot</p> <p><b>AO5.4</b></p> <p>In non-urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of</p>	<p><b>Not applicable</b></p> <p>The boundary realignment would not change the distance of any existing structures to the natural riparian corridor.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>reducing velocity of floodwaters.</p> <p>Note – Fences and irrigation infrastructure (e.g. irrigation tape) in rural areas should be managed to minimise adverse the impacts that they may have on downstream properties in the event of a flood.</p>	
<p><b>PO6</b></p> <p>Development avoids the release of hazardous materials into floodwaters.</p>	<p>For Material change of use</p> <p><b>AO6.1</b></p> <p>Materials manufactured or stored on site are not hazardous or noxious, or comprise materials that may cause a detrimental effect on the environment if discharged in a flood event;</p> <p>or</p> <p><b>AO6.2</b></p> <p>If a DFE level is adopted, structures used for the manufacture or storage of hazardous materials are:</p> <p>(a) located above the DFE level;</p> <p>or</p> <p>(b) designed to prevent the intrusion of floodwaters.</p>	<p><b>Not applicable</b></p> <p>The development would be for a boundary realignment only.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<b>AO6.3</b> Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE	<b>Not applicable</b> The development would be for a boundary realignment only.
	<b>AO6.4</b> If a flood level is not adopted, hazardous materials and their manufacturing equipment are located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of floodwaters.  Note – Refer to <i>Work Health and Safety Act 2011</i> and associated Regulation and Guidelines, the <i>Environmental Protection Act 1994</i> and the relevant building assessment provisions under the <i>Building Act 1975</i> for requirements related to the manufacture and storage of hazardous materials.	<b>Not applicable</b> The development would be for a boundary realignment only.
<b>PO7</b> The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.	<b>AO7</b> Development does not: (a) increase the number of people calculated to be at risk of flooding; (b) increase the number of people likely to need	<b>Complies with AO7</b> The boundary realignment would not increase the number of people living on site or likely to need evacuation.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>evacuation;</p> <p>(c) shorten flood warning times; and</p> <p>(d) impact on the ability of traffic to use evacuation routes, or unreasonably increase traffic volumes on evacuation routes.</p>	
<p><b>PO8</b></p> <p>Development involving community infrastructure:</p> <p>(a) remains functional to serve community need during and immediately after a flood event;</p> <p>(b) is designed, sited and operated to avoid adverse impacts on the community or environment due to impacts of flooding on infrastructure, facilities or access and egress routes;</p> <p>(c) retains essential site access during a flood event;</p> <p>(d) is able to remain functional even when other infrastructure or services may be compromised in a flood event.</p>	<p><b>AO8.1</b></p> <p>The following uses are not located on land inundated during a DFE/Storm tide:</p> <p>(a) community residence; and</p> <p>(b) emergency services; and</p> <p>(c) residential care facility; and</p> <p>(d) utility installations involving water and sewerage treatment plants; and</p> <p>(e) storage of valuable records or items of historic or cultural significance (e.g. archives, museums, galleries, libraries).</p> <p>or</p> <p><b>AO8.2</b></p> <p>The following uses are not located on land inundated during a 1% AEP flood event:</p>	<p><b>Not applicable</b></p> <p>The development would not involve community infrastructure.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>(a) community and cultural facilities, including facilities where an education and care service under the Education and care Services National law (Queensland) is operated or child care service under the <i>Child Care Act 2002</i> is conducted,</p> <p>(b) community centres;</p> <p>(c) meeting halls;</p> <p>(d) galleries;</p> <p>(e) libraries.</p> <p>The following uses are not located on land inundated during a 0.5% AEP flood event.</p> <p>(a) emergency shelters;</p> <p>(b) police facilities;</p> <p>(c) sub stations;</p> <p>(d) water treatment plant</p> <p>The following uses are not located on land inundated during a 0.2% AEP flood event:</p> <p>(a) correctional facilities;</p> <p>(b) emergency services;</p>	





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Performance outcomes	Acceptable outcomes	Compliance
	(c) power stations; (d) major switch yards.	
	<b>AO8.3</b> The following uses have direct access to low hazard evacuation routes as defined in Table 8.2.4.3.c: (a) community residence; and (b) emergency services; and (c) hospitals; and (d) residential care facility; and (e) sub stations; and (f) utility installations involving water and sewerage treatment plants.	<b>Not applicable</b> The development would not involve community infrastructure.
	and/or <b>AO8.4</b> Any components of infrastructure that are likely to fail to function or may result in contamination when inundated by flood, such as electrical switch gear and motors, telecommunications connections, or water supply pipeline air valves are:	<b>Not applicable</b> The development would not involve community infrastructure.



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Performance outcomes	Acceptable outcomes	Compliance
	(a) located above DFE/Storm tide or the highest known flood level for the site; (b) designed and constructed to exclude floodwater intrusion / infiltration.	
	<b>AO8.5</b> Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by a flood.	<b>Not applicable</b> The development would not involve community infrastructure.



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

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



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	<ul style="list-style-type: none"> <li>• Major electricity infrastructure;</li> <li>• Special industry.</li> </ul>
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**Table 8.2.4.3.c - Degree of flood**

Criteria	Low	Medium	High	Extreme
Wading ability	If necessary, children and the elderly could wade. (Generally, safe wading velocity depth product is less than 0.25)	Fit adults can wade. (Generally, safe wading velocity depth product is less than 0.4)	Fit adults would have difficulty wading. (Generally, safe wading velocity depth product is less than 0.6)	Wading is not an option.
Evacuation distances	< 200 metres	200-400 metres	400-600 metres	600 metres
Maximum flood depths	< 0.3 metre	< 0.6 metre	< 1.2 metres	1.2 metres
Maximum flood velocity	< 0.4 metres per second	< 0.8 metres per second	< 1.5 metres per second	1.5 metres per second
Typical means of egress	Sedan	Sedan early, but 4WD or trucks later	4WD or trucks only in early stages, boats or helicopters	Large trucks, boats or helicopters
Timing	Ample flood forecasting.	Evacuation routes remain	Evacuation routes remain	There is insufficient



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Note: This category cannot be implemented until evacuation times have been established in the Counter Disaster Plan (Flooding)	Warning and evacuation routes remain passable for twice as long as evacuation time.	trafficable for 1.5 times as long as the evacuation.	trafficable for only up to minimum evacuation time.	evacuation time.
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## **8.2.6 Landscape values overlay code**

### **8.2.6.1 Application**

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Landscape values overlay, if:
  - (a) self-assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
  - (b) impact assessable development.
- (2) Land in the Landscape values overlay is identified on the Landscape values overlay map in Schedule 2 and includes in following sub-categories:
  - (c) High landscape value sub-category;
  - (d) Medium landscape value sub-category;
  - (e) Scenic route buffer / view corridor area sub-category;
  - (f) Coastal scenery area sub-category.
- (3) When using this code, reference should be made to Part 5.

### **8.2.6.2 Purpose**

- (1) The purpose of the Landscape values overlay code is to:
  - (a) implement the policy direction of the Strategic Framework, in particular:
    - (i) Theme 2: Environment and landscape values Element 3.5.5 Scenic amenity;
    - (ii) Theme 3: Natural resource management Element 3.6.4 – Resource extraction.



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- (b) enable an assessment of whether development is suitable on land within the Landscape values overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) areas of High landscape value are protected, retained and enhanced;
  - (b) areas of Medium landscape value are managed to integrate and limit the visual impact of development;
  - (c) the landscape values of the Coastal scenery area are managed to integrate and limit the visual impact of development;
  - (d) development maintains and enhances the significant landscape elements and features which contribute to the distinctive character and identity of Douglas Shire;
  - (e) ridges and vegetated hillslopes are not developed in a way that adversely impacts on landscape values;
  - (f) watercourses, forested mountains and coastal landscape character types remain predominantly natural in appearance in order to maintain the region's diverse character and distinctive tropical image, in particular:
    - (i) areas in the coastal landscape character type which are predominantly natural and undeveloped in appearance retain this natural landscape character;
    - (ii) watercourses which are predominantly natural and undeveloped in appearance retain this natural landscape character;
    - (iii) the rural character of cane fields and lowlands landscape character types which are predominantly rural or natural in appearance are maintained;
    - (iv) landscape values are maintained when viewed from lookouts, scenic routes, gateways and public places.
  - (g) views towards High landscape value areas and the Coral Sea are not diminished;
  - (h) development is consistent with the prevailing landscape character of its setting, and is neither visually dominant nor visually intrusive;
  - (i) advertising devices do not detract from the landscape values, character types or amenity of an area.

### 8.2.6.3 Criteria for assessment

**Table 8.2.5.3.a – Landscape Values overlay code –assessable development**



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Performance outcomes		Acceptable outcomes	Compliance
<b>For assessable development</b>			
<b>Development in a High landscape value area</b>			
<b>PO1</b> Development within High landscape value areas identified on the Landscape values overlay maps contained in Schedule 2: (a) avoids detrimental impacts on the landscape values of forested skylines, visible hillslopes, ridgelines, the coastal foreshore or the shoreline of other water bodies through the loss of vegetation; (b) is effectively screened from view from a road, lookout or other public place by an existing natural landform or native vegetation, or will be effectively screened by native vegetation within 3 years of construction;	<b>AO1.1</b>	Buildings and structures are not more than 8.5 metres and two storeys in height Note - Height is inclusive of roof height.	<b>Not applicable</b> The application is for a boundary realignment only.
	<b>AO1.2</b>	Buildings and structures are setback not less than 50 metres from ridgelines or peaks.	<b>Not applicable</b> The application is for a boundary realignment only.
	<b>AO1.3</b>	Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.	<b>Not applicable</b> The application is for a boundary realignment only.
	<b>AO1.4</b>	Where development on land steeper than 1 in 6 (16.6%) cannot be avoided:	<b>Not applicable</b> The application is for a boundary realignment only.





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Performance outcomes	Acceptable outcomes	Compliance
<p>(c) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements;</p> <p>(d) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality;</p> <p>(e) avoids detrimental impacts on landscape values and excessive changes to the natural landform as a result of the location, position on site, scale, design, extent and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure;</p>	<p>(a) development follows the natural; contours of the site;</p> <p>(b) buildings are split level or suspended floor construction, or a combination of the two;</p> <p>(c) lightweight materials are used to areas with suspended floors.</p> <p>Note - Examples of suitable lightweight materials include timber or fibre cement boards or sheeting for walls and factory treated metal sheeting for walls and roofs.</p>	
	<p><b>AO1.5</b></p> <p>The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette.</p> <p>Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow.</p>	<p><b>Not applicable</b></p> <p>The application is for a boundary realignment only.</p>
	<p><b>AO1.6</b></p> <p>No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.5%).</p>	<p><b>Not applicable</b></p> <p>The development would not be on sloping land and no vegetation clearing is proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>(f) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and lines and other tall infrastructure;</p> <p>(g) extractive industry operations are avoided.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p><b>AO1.7</b></p> <p>Where for accommodation activities or reconfiguration of a lot in a High landscape value area, development demonstrates that the height, design, scale, positioning on-site, proposed construction materials and external finishes are compatible with the landscape values.</p> <p>Note - A visual impact assessment undertaken in accordance with Planning scheme policy SC6.6 – Landscape values may be required.</p>	<p><b>Not applicable</b></p> <p>The application is for a boundary realignment only.</p>
	<p><b>AO1.8</b></p> <p>Advertising devices do not occur.</p>	<p><b>Not applicable</b></p> <p>The application is for a boundary realignment only.</p>
<b>Development within the Medium landscape value area</b>		
<p><b>PO2</b></p> <p>Development within Medium landscape value areas identified on the Landscape values overlay maps contained in Schedule 2:</p>	<p><b>AO2.1</b></p> <p>Buildings and structures are not more than 8.5 metres and two storeys in height.</p> <p>Note - Height is inclusive of the roof height.</p>	<p><b>Not applicable</b></p> <p>The application is for a boundary realignment only.</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>(g) avoids detrimental impacts on the landscape values of forested skylines, visible hillslopes, ridgelines, the coastal foreshore or the shoreline of other water bodies through the loss of vegetation;</p> <p>(h) is effectively screened from view from a road, lookout or other public place by an existing natural landform or native vegetation, or will be effectively screened by native vegetation within 5 years of construction;</p> <p>(i) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements;</p>	<p><b>AO2.2</b></p> <p>Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.</p>	<p><b>Not applicable</b></p> <p>The application is for a boundary realignment only.</p>
	<p><b>AO2.3</b></p> <p>Where development on land steeper than 1 in 6 (16.6%) cannot be avoided:</p> <p>(a) development follows the natural; contours of the site;</p> <p>(b) buildings are split level or suspended floor construction, or a combination of the two;</p> <p>(c) lightweight materials are used to areas with suspended floors.</p> <p>Note - Examples of suitable lightweight materials include timber or fibre cement boards or sheeting for walls and factory treated metal sheeting for walls and roofs.</p>	<p><b>Not applicable</b></p> <p>The application is for a boundary realignment only.</p>
	<p><b>AO2.4</b></p>	<p><b>Not applicable</b></p>



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Performance outcomes	Acceptable outcomes	Compliance
(j) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality;	<p>The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette.</p> <p>Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow.</p>	The application is for a boundary realignment only.
(k) avoids detrimental impacts on landscape values and excessive changes to the natural landform as a result of the location, position on site, scale, design and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure;	<p><b>AO2.5</b></p> <p>No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.6%).</p>	<p><b>Not applicable</b></p> <p>The application is for a boundary realignment only and no vegetation clearing is proposed.</p>
(l) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and lines and other tall infrastructure;	<p><b>AO2.6</b></p> <p>Advertising devices do not occur.</p>	<p><b>Not applicable</b></p> <p>The application is for a boundary realignment only.</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>(m) extractive industry operations are avoided, or where they cannot be avoided, are screened from view.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>		
<b>Development within a Scenic route buffer / view corridor area</b>		
<p><b>PO3</b></p> <p>Development within a Scenic route buffer / view corridor area as identified on the Landscape values overlay maps contained in Schedule 2:</p> <p>(n) retains visual access to views of the surrounding landscape, the sea and other water bodies;</p>	<p><b>AO3.1</b></p> <p>Where within a Scenic route buffer / view corridor area, the height of buildings and structures is not more than identified within the acceptable outcomes of the applicable zone code.</p>	<p><b>Not applicable</b></p> <p>The subject sites are in the High and Medium Landscape Values Overlays only.</p>
	<p><b>AO3.2</b></p> <p>No clearing of native vegetation is undertaken within a Scenic route buffer area.</p>	<p><b>Not applicable</b></p> <p>The subject sites are in the High and Medium Landscape Values Overlays only.</p>
	<p><b>AO3.3</b></p>	<p><b>Not applicable</b></p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>(o) retains existing vegetation and incorporates landscaping to visually screen and soften built form elements whilst not impeding distant views or view corridors;</p> <p>(p) incorporates building materials and external finishes that are compatible with the visual amenity and the landscape character;</p> <p>(q) minimises visual impacts on the setting and views in terms of:</p> <ul style="list-style-type: none"> <li>(i) the scale, height and setback of buildings;</li> <li>(ii) the extent of earthworks and impacts on the landform including the location and configuration of access roads and driveways;</li> <li>(iii) the scale, extent and visual prominence of advertising devices.</li> </ul> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>Where within a Scenic route buffer / view corridor area development is set back and screened from view from a scenic route by existing native vegetation with a width of at least 10 metres and landscaped in accordance with the requirements of the landscaping code.</p> <p><b>AO3.4</b></p> <p>Development does not result in the replacement of, or creation of new, additional, or enlarged advertising devices.</p>	<p>The subject sites are in the High and Medium Landscape Values Overlays only.</p> <p><b>Not applicable</b></p> <p>The subject sites are in the High and Medium Landscape Values Overlays only.</p>



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Performance outcomes	Acceptable outcomes	Compliance
<b>Development within the Coastal scenery area</b>		
<b>PO4</b> The landscape values of the Coastal scenery zone as identified on the Landscape values overlay maps contained in Schedule 2 are managed to integrated and limit the visual impact of development.  Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.	<b>AO4.1</b> The dominance of the natural character of the coast is maintained or enhanced when viewed from the foreshore.	<b>Not applicable</b> The subject sites are in the High and Medium Landscape Values Overlays only.
	<b>AO4.2</b> Where located adjacent to the foreshore buildings and structures are setback:  (a) Where no adjoining development, a minimum of 50 metres from the coastal high water mark and the setback area is landscaped with a native vegetation buffer that has a minimum width of 25 metres; or	<b>Not applicable</b> The subject sites are in the High and Medium Landscape Values Overlays only.



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Performance outcomes	Acceptable outcomes	Compliance
	(b) Where there is adjoining development, setbacks will be consistent with that of adjoining buildings and structures, but not less than 10 metres from the coastal high water mark. The setback area is landscaped in accordance with the requirements of the Landscaping code.	
	<p><b>AO4.3</b></p> <p>Where separated from the foreshore by land contained within public ownership (e.g. unallocated State land, esplanade or other public open space), buildings and structures area setback:</p> <p>(a) where no adjoining development, a minimum of 6 metres from the coastward property boundary. The setback area is landscaped in accordance with the requirements of the Landscaping code; or</p>	<p><b>Not applicable</b></p> <p>The subject sites are in the High and Medium Landscape Values Overlays only.</p>





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Performance outcomes	Acceptable outcomes	Compliance
	(b) where there is adjoining development, setbacks will be consistent with that of adjoining buildings and structures. The setback area is landscaped in accordance with the requirements of the Landscaping code.	
<b>PO5</b> Development is to maximise opportunities to maintain and/or enhance natural landscape values through the maintenance and restoration of vegetated buffers between development and coastal waters, where practical.  Note – A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in satisfaction of a performance outcome.	<b>AO5</b> No clearing of native vegetation is undertaken within a Coastal scenery area zone, except for exempt vegetation damage undertaken in accordance with the Vegetation management code.	<b>Not applicable</b>  The subject sites are in the High and Medium Landscape Values Overlays only.



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## **8.2.7 Natural Areas overlay code**

### **8.2.7.1 Application**

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Natural areas overlay, if:
  - (a) self-assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
  - (b) impact assessable development.
- (2) Land in the Natural areas overlay is identified on the Natural areas overlay map in Schedule 2 and includes the following sub-categories:
  - (a) MSES – Protected area;
  - (b) MSES – Marine park;
  - (c) MSES – Wildlife habitat;
  - (d) MSES – Regulated vegetation;
  - (e) MSES – Regulated vegetation (intersecting a Watercourse);
  - (f) MSES – High ecological significance wetlands;
  - (g) MSES – High ecological value waters (wetlands);
  - (h) MSES – High ecological value waters (watercourse);
  - (i) MSES – Legally secured off set area.

Note – MSES = Matters of State Environmental Significance.

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



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#### **8.2.7.2 Purpose**

(1) The purpose of the Natural areas overlay code is to:

(a) implement the policy direction in the Strategic Framework, in particular:

- (i) Theme 2: Environment and landscape values, Element 3.5.3 Biodiversity, Element 3.5.4 Coastal zones;
- (ii) Theme 3: Natural resource management Element 3.6.2 Land and catchment management, Element 3.6.3 Primary production, forestry and fisheries.

(b) enable an assessment of whether development is suitable on land within the Biodiversity area overlay sub-categories.

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

(a) development is avoided within:

- (i) areas containing matters of state environmental significance (MSES);
- (ii) other natural areas;
- (iii) wetlands and wetland buffers;
- (iv) waterways and waterway corridors.

(b) where development cannot be avoided, development:

- (i) protects and enhances areas containing matters of state environmental significance;



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- (ii) provides appropriate buffers;
- (iii) protects the known populations and supporting habitat of rare and threatened flora and fauna species, as listed in the relevant State and Commonwealth legislation;
- (iv) ensures that adverse direct or indirect impacts on areas of environmental significance are minimised through design, siting, operation, management and mitigation measures;
- (v) does not cause adverse impacts on the integrity and quality of water in upstream or downstream catchments, including the Great Barrier Reef World Heritage Area;
- (vi) protects and maintains ecological and hydrological functions of wetlands, waterways and waterway corridors;
- (vii) enhances connectivity across barriers for aquatic species and habitats; Douglas Shire Planning Scheme 2018 Version 1.0 Part 8: Overlays Part 8: Page 35
- (viii) rehabilitates degraded areas to provide improved habitat condition, connectivity, function and extent;
- (ix) protects areas of environmental significance from weeds, pests and invasive species.

(c) strategic rehabilitation is directed to areas on or off site, where it is possible to achieve expanded habitats and increased connectivity.

### 8.2.7.3 Criteria for assessment

**Table 8.2.7.3.a – Natural areas overlay code – assessable development**

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		



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Performance outcomes	Acceptable outcomes	Compliance
<b>Protection of matters of environmental significance</b>		
<b>PO1</b> Development protects matters of environmental significance.	<b>AO1.1</b> Development avoids significant impact on the relevant environmental values.	<b>Complies with AO1.1</b> The boundary realignment would not result in any impacts on environmental values.
	or <b>AO1.2</b> A report is prepared by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, that the development site does not contain any matters of state and local environmental significance.	<b>Not applicable</b> Complies with AO1.1.
	Or <b>AO1.3</b>	<b>Not applicable</b> Complies with AO1.1.



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Performance outcomes	Acceptable outcomes	Compliance
	Development is located, designed and operated to mitigate significant impacts on environmental values. For example, a report certified by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, how the proposed development mitigates impacts, including on water quality, hydrology and biological processes.	
<b>Management of impacts on matters of environmental significance</b>		
<b>PO2</b> Development is located, designed and constructed to avoid significant impacts on matters of environmental significance.	<b>AO2</b> The design and layout of development minimises adverse impacts on ecologically important areas by: <ul style="list-style-type: none"> <li>(a) focusing development in cleared areas to protect existing habitat;</li> <li>(b) utilising design to consolidate density and preserve existing habitat and native vegetation;</li> </ul>	<b>Complies with AO2</b> The proposed new boundary would be consistent with the adjacent watercourse and would not involve the removal of any vegetation.



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> <li>(c) aligning new property boundaries to maintain ecologically important areas;</li> <li>(d) ensuring that alterations to natural landforms, hydrology and drainage patterns on the development site do not negatively affect ecologically important areas;</li> <li>(e) ensuring that significant fauna habitats are protected in their environmental context; and</li> <li>(f) incorporating measures that allow for the safe movement of fauna through the site.</li> </ul>	
<b>PO3</b> An adequate buffer to areas of state environmental significance is provided and maintained.	<b>AO3.1</b> A buffer for an area of state environmental significance (Wetland protection area) has a minimum width of: <ul style="list-style-type: none"> <li>(a) 100 metres where the area is located outside Urban areas; or</li> <li>(b) 50 metres where the area is located within an Urban areas.</li> </ul>	<b>Not applicable</b> The subject sites do not contain a wetland protection area.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>Or</p> <p><b>AO3.2</b></p> <p>A buffer for an area of state environmental significance is applied and maintained, the width of which is supported by an evaluation of environmental values, including the function and threats to matters of environmental significance.</p>	<p><b>Not applicable</b></p> <p>The subject sites do not contain a wetland protection area.</p>
<p><b>PO4</b></p> <p>Wetland and wetland buffer areas are maintained, protected and restored.</p> <p>Note – Wetland buffer areas are identified in AO3.1.</p>	<p><b>AO4.1</b></p> <p>Native vegetation within wetlands and wetland buffer areas is retained.</p>	<p><b>Not applicable</b></p> <p>There are no wetlands or wetlands buffer areas within the subject sites.</p>
	<p><b>AO4.2</b></p> <p>Degraded sections of wetlands and wetland buffer areas are revegetated with endemic native plants in patterns and densities which emulate the relevant regional ecosystem.</p>	<p><b>Not applicable</b></p> <p>There are no wetlands or wetlands buffer areas on the subject sites.</p>
<b>PO5</b>	<b>AO5.1</b>	<b>Complies with AO5.1</b>





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Performance outcomes	Acceptable outcomes	Compliance
Development avoids the introduction of non-native pest species (plant or animal), that pose a risk to ecological integrity.	Development avoids the introduction of non-native pest species.	No planting is proposed as part of this development application.
	<b>AO5.2</b> The threat of existing pest species is controlled by adopting pest management practices for long-term ecological integrity.	<b>Not applicable</b> No existing pest species have been identified on site.
<b>Ecological connectivity</b>		
<b>PO6</b> Development protects and enhances ecological connectivity and/or habitat extent.	<b>AO6.1</b> Development retains native vegetation in areas large enough to maintain ecological values, functions and processes.	<b>Complies with AO6.1</b> The boundary realignment would retain existing vegetation.
	And <b>AO6.2</b> Development within an ecological corridor rehabilitates native vegetation.	<b>Not applicable</b> The subject sites do not contain ecological corridors.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>And</p> <p><b>AO6.3</b></p> <p>Development within a conservation corridor mitigates adverse impacts on native fauna, feeding, nesting, breeding and roosting sites and native fauna movements.</p>	<p><b>Not applicable</b></p> <p>The subject sites do not contain conservation corridors.</p>
<p><b>PO7</b></p> <p>Development minimises disturbance to matters of state environmental significance (including existing ecological corridors).</p>	<p><b>AO7.1</b></p> <p>Development avoids shading of vegetation by setting back buildings by a distance equivalent to the height of the native vegetation.</p>	<p><b>Not applicable</b></p> <p>The boundary realignment would not include physical structures and would not result in shaded vegetation.</p>
	<p>and</p> <p><b>AO7.2</b></p> <p>Development does not encroach within 10 metres of existing riparian vegetation and watercourses.</p>	<p><b>Complies with AO7.2</b></p> <p>No physical development is proposed within 10 metres of an existing riparian corridor.</p>
<b>Waterways in an urban area</b>		



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Performance outcomes	Acceptable outcomes	Compliance
<b>PO8</b> Development is set back from waterways to protect and maintain: <ul style="list-style-type: none"> <li>(a) water quality;</li> <li>(b) hydrological functions;</li> <li>(c) ecological processes;</li> <li>(d) biodiversity values;</li> <li>(e) riparian and in-stream habitat values and connectivity;</li> <li>(f) in-stream migration</li> </ul>	<b>AO8.1</b> Where a waterway is contained within an easement or a reserve required for that purpose, development does not occur within the easement or reserve;	<b>Not applicable</b> The site is not within an urban area.
	or <b>AO8.2</b> Development does not occur on the part of the site affected by the waterway corridor. Note – Waterway corridors are identified within Table 8.2.7.3.b	<b>Not applicable</b> The site is not within an urban area.
<b>Waterways in a non-urban area</b>		
<b>PO9</b> Development is set back from waterways to protect and maintain: <ul style="list-style-type: none"> <li>(a) water quality;</li> <li>(b) hydrological functions;</li> </ul>	<b>AO9</b> Development does not occur on that part of the site affected by a waterway corridor. Note – Waterway corridors are identified within Table 8.2.7.3.b.	<b>Complies with AO9</b> No physical development is proposed within a waterway corridor.



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Performance outcomes	Acceptable outcomes	Compliance
(c) ecological processes; (d) biodiversity values; (e) riparian and in-stream habitat values and connectivity; (f) in-stream migration.		



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## **8.2.9 Potential landslide hazard overlay code**

### **8.2.9.1 Application**

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

Note – The Potential landslide hazard overlay shows modelled areas where the factors contributing to landslip potential accumulate to provide a moderate or higher risk if certain factors are exacerbated (e.g. factors include significant vegetation clearing, filling and excavation, changes to soil characteristics, changes to overland water flow, or changes to sub-surface water flow). It shows areas that the Council has identified where landslides may occur and where land may be impacted by a landslide, but does not mean that landslides will occur or that the land will be impacted by a landslide. Other areas not contained within the potential landslide hazard overlay may sustain landslides or be impacted by landslides and consideration should be given to this issue, where appropriate.

### **8.2.9.2 Purpose**

- (1) The purpose of the Potential landslide hazard overlay code is:
  - (a) implement the policy direction of the Strategic Framework, in particular:



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- (i) Theme 1: Settlement pattern Element 3.4.7 Mitigation of hazards.
- (b) enable an assessment of whether development is suitable on land within the Potential landslip hazard overlay.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) development is located, designed and constructed to not put at risk the safety of people, property and the environment;
  - (b) development is not at risk from and does not pose a risk to adjacent and nearby sites from landslides;
  - (c) ensures that community infrastructure is protected from the effects of potential landslides;
  - (d) ensures that vegetation clearing, stormwater management and filling and/or excavation does not create a landslide hazard and/or rectifies potential pre-existing landslide risks;
  - (e) development does not occur where works to provide a solution for safety of people, property or the environment involves complex engineering solutions to overcome the risk, or would result in a built form or outcome that causes an adverse visual impact on the Hillslopes or Landscape values of Douglas Shire.

### 8.2.9.3 Criteria for assessment

**Table 8.2.9.3.a – Potential landslide hazard overlay code –assessable development**

Performance outcomes	Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>		
<b>PO1</b>	<b>AO1.1</b> Development is located on that part of the site not affected by the Potential landslide hazard overlay.	<b>Complies with AO1.1</b>



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Performance outcomes	Acceptable outcomes	Compliance
<p>The siting and design of development does not involve complex engineering solutions and does not create or increase the potential landslide hazard risk to the site or adjoining premises through:</p> <ul style="list-style-type: none"> <li>(a) building design;</li> <li>(b) increased slope;</li> <li>(c) removal of vegetation;</li> <li>(d) stability of soil;</li> <li>(e) earthworks;</li> <li>(f) alteration of existing ground water or surface water paths;</li> <li>(g) waste disposal areas.</li> </ul>	<p>or</p> <p><b>AO1.2</b></p> <p>Development is on an existing stable, benched site and requires no further earthworks</p> <p>or</p> <p><b>AO1.3</b></p> <p>A competent person certifies that:</p> <ul style="list-style-type: none"> <li>(a) the stability of the site, including associated buildings and infrastructure, will be maintained during the course of the development and will remain stable for the life of the development;</li> <li>(b) development of the site will not increase the risk of landslide hazard activity on other land, including land above the site;</li> <li>(c) the site is not subject to the risk of landslide activity on other land;</li> <li>(d) any measures identified in a site-specific geotechnical report for stabilising the site or development have been fully implemented;</li> </ul>	<p>The application is for a boundary realignment only. No physical development is proposed and there would be sufficient area not affected by the Potential landslide hazard overlay to accommodate future development</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>(e) development does not concentrate existing ground water and surface water paths;</p> <p>(f) development does not incorporate on-site waste water disposal.</p> <p>Note – Planning scheme policy SC6.9 – Natural hazards provides guidance on preparing a site specific geo-technical assessment.</p> <p>Note – Development may alter the conditions of ground water and surface water paths in accordance with a site-specific geotechnical report, but should ensure that its final disbursement is as-per pre-developed conditions. Consideration for location, velocity, volume and quality should be given.</p>	
<p><b>PO2</b></p> <p>The siting and design of necessary retaining structures does not cause an adverse visual impact on landscape character or scenic amenity quality of the area.</p>	<p><b>AO2</b></p> <p>Excavation or fill:</p> <p>(a) is not more than 1.2 metres in height for each batter or retaining wall;</p> <p>(b) is setback a minimum of 2 metres from property boundaries;</p>	<p><b>Not applicable</b></p> <p>No excavation or filling is proposed.</p>





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Performance outcomes	Acceptable outcomes	Compliance
	<p>(c) is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with Planning scheme policy SC6.7 – Landscaping;</p> <p>(d) does not exceed a maximum of 3 batters and 3 berms (i.e. Not greater than 3.6 metres in height) on any one lot.</p>	
<b>Additional requirements for Community infrastructure</b>		
<p><b>PO3</b> Development for community infrastructure:</p> <p>(a) is not at risk from the potential landslide hazard areas;</p> <p>(b) will function without impediment from a landslide;</p> <p>(c) provides access to the infrastructure without impediment from the effects of a landslide;</p> <p>(d) does not contribute to an elevated risk of a landslide to adjoining properties.</p>	<p><b>AO3</b> Development is designed in accordance with the recommendations of a site-specific geotechnical assessment which makes reference to the community infrastructure and its needs and function.</p> <p>Note - A site specific geotechnical assessment will detail requirements that will address the Acceptable Outcomes of this Performance Outcome. Planning scheme policy SC6.9 – Natural hazards provides guidance on preparing a site specific geotechnical assessment.</p>	<p><b>Not applicable</b> No community infrastructure is proposed.</p>



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## **9.4.1 Access, parking and servicing code**

### **9.4.1.1 Application**

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

### **9.4.1.2 Purpose**

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



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### 9.4.1.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>		
<b>PO1</b> Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be generated by the use or uses of the site, having particular regard to: (a) the desired character of the area; (b) the nature of the particular use and its specific characteristics and scale; (c) the number of employees and the likely number of visitors to the site; (d) the level of local accessibility; (e) the nature and frequency of any public transport serving the area;	<b>AO1.1</b> The minimum number of on-site vehicle parking spaces is not less than the number prescribed in Table 9.4.1.3.b for that particular use or uses. Note - Where the number of spaces calculated from the table is not a whole number, the number of spaces provided is the next highest whole number.	<b>Not applicable</b> The application is for a boundary realignment only.
	<b>AO1.2</b> Car parking spaces are freely available for the parking of vehicles at all times and are not used for external storage purposes, the display of products or rented/sub-leased.	<b>Not applicable</b> The application is for a boundary realignment only.
	<b>AO1.3</b>	<b>Not applicable</b>



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Performance outcomes	Acceptable outcomes	Compliance
(f) whether or not the use involves the retention of an existing building and the previous requirements for car parking for the building	Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.	The application is for a boundary realignment only.
(g) whether or not the use involves a heritage building or place of local significance; (h) whether or not the proposed use involves the retention of significant vegetation.	<b>AO1.4</b> For parking areas exceeding 50 spaces parking, is provided for recreational vehicles as a substitute for ordinary vehicle parking to a maximum of 5% of total ordinary vehicle parking rate.	<b>Not applicable</b> The application is for a boundary realignment only.
<b>PO2</b> Vehicle parking areas are designed and constructed in accordance with relevant standards.	<b>AO2</b> Vehicle parking areas are designed and constructed in accordance with Australian Standard: (a) AS2890.1; (b) AS2890.3; (c) AS2890.6.	<b>Not applicable</b> The application is for a boundary realignment only.
<b>PO3</b>	<b>AO3.1</b>	<b>Complies with AO3.1</b>



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Performance outcomes	Acceptable outcomes	Compliance
<p>Access points are designed and constructed:</p> <ul style="list-style-type: none"> <li>(a) to operate safely and efficiently;</li> <li>(b) to accommodate the anticipated type and volume of vehicles</li> <li>(c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate;</li> <li>(d) so that they do not impede traffic or pedestrian movement on the adjacent road area;</li> <li>(e) so that they do not adversely impact upon existing intersections or future road or intersection improvements;</li> <li>(f) so that they do not adversely impact current and future on-street parking arrangements;</li> <li>(g) so that they do not adversely impact on existing services within the road reserve adjacent to the site;</li> </ul>	<p>Access is limited to one access cross over per site and is an access point located, designed and constructed in accordance with:</p> <ul style="list-style-type: none"> <li>(a) Australian Standard AS2890.1;</li> <li>(b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers.</li> </ul>	<p>Only one access is provided per lot and no new access crossovers are proposed.</p>
	<p><b>AO3.2</b></p> <p>Access, including driveways or access crossovers:</p> <ul style="list-style-type: none"> <li>(a) are not placed over an existing: <ul style="list-style-type: none"> <li>(i) telecommunications pit;</li> <li>(ii) stormwater kerb inlet;</li> <li>(iii) sewer utility hole;</li> <li>(iv) water valve or hydrant.</li> </ul> </li> <li>(b) are designed to accommodate any adjacent footpath;</li> </ul>	<p><b>Not applicable</b></p> <p>No new crossovers are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
(h) so that they do not involve ramping, cutting of the adjoining road reserve or any built structures (other than what may be necessary to cross over a stormwater channel).	(c) adhere to minimum sight distance requirements in accordance with AS2980.1.	
	<p><b>AO3.3</b></p> <p>Driveways are:</p> <p>(a) designed to follow as closely as possible to the existing contours, but are no steeper than the gradients outlined in Planning scheme policy SC6.5 – FNQROC Regional Development Manual;</p> <p>(b) constructed such that where there is a grade shift to 1 in 4 (25%), there is an area with a grade of no more than 1 in 6 (16.6%) prior to this area, for a distance of at least 5 metres;</p> <p>(c) on gradients greater than 1 in 6 (16.6%) driveways are constructed to ensure the cross-fall of the driveway is one way and directed into the hill, for vehicle safety and drainage purposes;</p>	<p><b>Not applicable</b></p> <p>No new driveways are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>(d) constructed such that the transitional change in grade from the road to the lot is fully contained within the lot and not within the road reserve;</p> <p>(e) designed to include all necessary associated drainage that intercepts and directs storm water runoff to the storm water drainage system.</p>	
	<p><b>AO3.4</b></p> <p>Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.</p>	<p><b>Not applicable</b></p> <p>The application is for a boundary realignment only.</p>
<p><b>PO4</b></p> <p>Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.</p>	<p><b>AO4</b></p> <p>The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.</p>	<p><b>Not applicable</b></p> <p>The application is for a boundary realignment only.</p>
<p><b>PO5</b></p>	<p><b>AO5</b></p>	<p><b>Not applicable</b></p>



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





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Performance outcomes	Acceptable outcomes	Compliance
	Development provides visitor bicycle parking which does not impede pedestrian movement.	The application is for a boundary realignment only.
<b>PO8</b> Development provides walking and cycle routes through the site which: <ul style="list-style-type: none"> <li>(a) link to the external network and pedestrian and cyclist destinations such as schools, shopping centres, open space, public transport stations, shops and local activity centres along the safest, most direct and convenient routes;</li> <li>(b) encourage walking and cycling;</li> <li>(c) ensure pedestrian and cyclist safety.</li> </ul>	<b>AO8</b> Development provides walking and cycle routes which are constructed on the carriageway or through the site to: <ul style="list-style-type: none"> <li>(a) create a walking or cycle route along the full frontage of the site;</li> <li>(b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site.</li> </ul>	<b>Not applicable</b> The application is for a boundary realignment only.
<b>PO9</b> Access, internal circulation and on-site parking for service vehicles are designed and constructed: <ul style="list-style-type: none"> <li>(a) in accordance with relevant standards;</li> </ul>	<b>AO9.1</b> Access driveways, vehicle manoeuvring and on-site parking for service vehicles are designed and constructed in accordance with AS2890.1 and AS2890.2.	<b>Not applicable</b> The application is for a boundary realignment only.



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Performance outcomes	Acceptable outcomes	Compliance
<p>(b) so that they do not interfere with the amenity of the surrounding area;</p> <p>(c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles.</p>	<p><b>AO9.2</b></p> <p>Service and loading areas are contained fully within the site.</p>	<p><b>Not applicable</b></p> <p>The application is for a boundary realignment only.</p>
	<p><b>AO9.3</b></p> <p>The movement of service vehicles and service operations are designed so they:</p> <p>(a) do not impede access to parking spaces;</p> <p>(b) do not impede vehicle or pedestrian traffic movement.</p>	<p><b>Not applicable</b></p> <p>The application is for a boundary realignment only.</p>
<p><b>PO10</b></p> <p>Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.</p>	<p><b>AO10.1</b></p> <p>Development provides adequate area on-site for vehicle queuing to accommodate the demand generated by the development where drive through facilities or drop-off/pick-up services are proposed as part of the use, including, but not limited to, the following land uses:</p> <p>(a) car wash;</p> <p>(b) child care centre;</p>	<p><b>Not applicable</b></p> <p>The application is for a boundary realignment only.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	(c) educational establishment where for a school; (d) food and drink outlet, where including a drive-through facility; (e) hardware and trade supplies, where including a drive-through facility; (f) hotel, where including a drive-through facility; (g) service station.	
	<b>AO10.2</b> Queuing and set-down areas are designed and constructed in accordance with AS2890.1.	<b>Not applicable</b> The boundary realignment would not involve queuing and set-down areas.



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### **9.4.3 Environmental performance code**

#### **9.4.3.1 Application**

(1) This code applies to assessing:

- (a) building work for outdoor lighting;
- (b) a material change of use or reconfiguring a lot if:
  - (i) assessable development where the code is identified in the assessment criteria column of a table of assessment; or
  - (ii) impact assessable development, to the extent relevant.

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

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

#### **9.4.3.2 Purpose**

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

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



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

#### 9.4.3.3 Criteria for assessment

**Table 9.4.3.3.a – Environmental performance code – assessable development**

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



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



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Performance outcomes	Acceptable outcomes	Compliance
	Development ensures noise does not emanate from the site through the use of materials, structures and architectural features to not cause an adverse noise impact on adjacent uses.	
	<p><b>AO2.3</b></p> <p>The design and layout of development ensures car parking areas avoid noise impacting directly on adjacent sensitive land uses through one or more of the following:</p> <p>(a) car parking is located away from adjacent sensitive land uses;</p> <p>(b) car parking is enclosed within a building;</p> <p>(c) a noise ameliorating fence or structure is established adjacent to car parking areas where the fence or structure will not have a visual amenity impact on the adjoining premises;</p> <p>(d) buffered with dense landscaping.</p>	<p><b>Not applicable</b></p> <p>The application is for a boundary realignment only and no new activities are proposed.</p>



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





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



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Performance outcomes	Acceptable outcomes	Compliance
<p><b>PO5</b></p> <p>Waste and recyclable material storage facilities are located and maintained to not cause adverse impacts on adjacent uses.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p><b>AO5.1</b></p> <p>The use ensures that all putrescent waste is stored in a manner that prevents odour nuisance and is disposed of at regular intervals.</p>	<p><b>Not applicable</b></p> <p>The application is for a boundary realignment only and no new activities are proposed.</p>
	<p><b>AO5.2</b></p> <p>Waste and recyclable material storage facilities are located, designed and maintained to not cause an adverse impact on users of the premises and adjacent uses through consideration of:</p> <ul style="list-style-type: none"> <li>(a) the location of the waste and recyclable material storage areas in relation to the noise and odour generated;</li> <li>(b) the number of receptacles provided in relation to the collection, maintenance and use of the receptacles;</li> <li>(c) the durability of the receptacles, sheltering and potential impacts of local climatic conditions;</li> </ul>	<p><b>Not applicable</b></p> <p>The application is for a boundary realignment only and no new activities are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>(d) the ability to mitigate spillage, seepage or leakage from receptacles into adjacent areas and sensitive receiving waters and environments.</p> <p>Editor's note - the Environmental Protection (Waste Management) Policy 2008 provides guidance on the design of waste containers (receptacles) to ensure environmental harm (including nuisance) is avoided.</p>	
<b>Sensitive land uses</b>		
<p><b>PO6</b></p> <p>Sensitive land use activities are not established in areas which will receive potentially incompatible impacts on amenity from surrounding, existing development activities and land uses.</p>	<p><b>AO6.1</b></p> <p>Sensitive land use activities are not established in areas that will be adversely impacted upon by existing land uses, activities and potential development possible in an area; or</p>	<p><b>Not applicable</b></p> <p>The application is for a boundary realignment only and no new activities are proposed.</p>
	<p><b>AO6.2</b></p> <p>Sensitive land activities are located in areas where potential adverse amenity impacts mitigate all potential impacts through layout, design, operation and maintenance.</p>	<p><b>Not applicable</b></p> <p>The application is for a boundary realignment only and no new activities are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
<b>Stormwater quality</b>		
<b>PO7</b> The quality of stormwater flowing over, through or being discharged from development activities into watercourses and drainage lines is of adequate quality for downstream environments, with respect to: (a) the amount and type of pollutants borne from the activity; (b) maintaining natural stream flows (c) the amount and type of site disturbance; (d) site management and control measures.	<b>AO7.1</b> Development activities are designed to ensure stormwater over roofed and hard stand areas is directed to a lawful point of discharge.	<b>Not applicable</b> The application is for a boundary realignment only.
	<b>AO7.2</b> Development ensures movement of stormwater over the site is not impeded or directed through potentially polluting activities.	<b>Not applicable</b> The application is for a boundary realignment only.
	<b>AO7.3</b> Soil and water control measures are incorporated into the activity's design and operation to control sediment and erosion potentially entering watercourses, drainage lines and downstream receiving waters.	<b>Not applicable</b> The application is for a boundary realignment only.



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Performance outcomes	Acceptable outcomes	Compliance
	Note - Planning scheme policy - FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the Environmental Protection Act 1994. During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.	
<b>Pest plants (for material change of use on vacant land over 1,000m<sup>2</sup>)</b>		
<b>PO8</b> Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not reinfest the site or nearby sites.  Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the Land Protection (Pest and Stock Route Management) Act 2002.	<b>AO8.1</b> The land is free of declared pest plants before development establishes new buildings, structures and practices; or	<b>Not applicable</b> The application is for a boundary realignment only.
	<b>AO8.2</b>	<b>Not applicable</b> The application is for a boundary realignment only.



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Performance outcomes	Acceptable outcomes	Compliance
	Pest plants detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person prior to construction of buildings and structures or earthworks. Note - A declaration from an appropriately qualified person validates the land being free from pest plants. Declared pest plants include locally declared and State declared pest plants.	



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#### **9.4.4 Filling and excavation code**

##### **9.4.4.1 Application**

- (1) This code applies to assessing:
  - (a) operational work for filling or excavation which is self-assessable or code assessable development if this code is an applicable code identified in the assessment criteria column of a table of assessment; or
  - (b) a material change of use or reconfiguring a lot if:
    - (i) assessable development where this code is identified as a prescribed secondary code in the assessment criteria column of a table of assessment; or
    - (ii) impact assessable development, to the extent relevant.

Note—This code does not apply to building work that is regulated under the Building Code of Australia.

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

##### **9.4.4.2 Purpose**

- (1) The purpose of the Filling and excavation code is to assess the suitability of development for filling or excavation.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) filling or excavation does not impact on the character or amenity of the site and surrounding areas;
  - (b) filling and excavation does not adversely impact on the environment;
  - (c) filling and excavation does not impact on water quality or drainage of upstream, downstream or adjoining properties;



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- (d) filling and excavation is designed to be fit for purpose and does not create land stability issues;
- (e) filling and excavation works do not involve complex engineering solutions.

#### 9.4.4.3 Criteria for assessment

**Table 9.4.4.3.a – Filling and excavation code – for self-assessable and assessable development**

Performance outcomes	Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>		
<b>Filling and excavation - General</b>		
<b>PO1</b> All filling and excavation work does not create a detrimental impact on the slope stability, erosion potential or visual amenity of the site or the surrounding area.	<b>AO1.1</b> The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height. and Cuts in excess of those stated in A1.1 above are separated by benches/ terraces with a minimum width of 1.2 metres that incorporate drainage provisions and screen planting.	<b>Not applicable</b> The boundary realignment would not involve any cut and fill.
	<b>AO1.2</b>	<b>Not applicable</b>





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Performance outcomes	Acceptable outcomes	Compliance
	Cuts are supported by batters, retaining or rock walls and associated benches/terraces are capable of supporting mature vegetation.	The boundary realignment would not involve any cut and fill.
	<b>AO1.3</b> Cuts are screened from view by the siting of the building/structure, wherever possible.	<b>Not applicable</b> The boundary realignment would not involve any cut and fill.
	<b>AO1.4</b> Topsoil from the site is retained from cuttings and reused on benches/terraces.	<b>Not applicable</b> The boundary realignment would not involve any cut and fill.
	<b>AO1.5</b> No crest of any cut or toe of any fill, or any part of any retaining wall or structure is closer than 600mm to any boundary of the property, unless the prior written approval of the adjoining landowner has been obtained.	<b>Not applicable</b> The boundary realignment would not involve any cut and fill.
	<b>AO1.6</b>	<b>Not applicable</b>



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Performance outcomes	Acceptable outcomes	Compliance
	Non-retained cut and/or fill on slopes are stabilised and protected against scour and erosion by suitable measures, such as grassing, landscaping or other protective/aesthetic measures.	The boundary realignment would not involve any cut and fill.
<b>Visual Impact and Site Stability</b>		
<b>PO2</b> Filling and excavation are carried out in such a manner that the visual/scenic amenity of the area and the privacy and stability of adjoining properties is not compromised.	<b>AO2.1</b> The extent of filling and excavation does not exceed 40% of the site area, or 500m <sup>2</sup> whichever is the lesser, except that AO2.1 does not apply to reconfiguration of 5 lots or more.	<b>Not applicable</b> The boundary realignment would not involve any cut and fill.
	<b>AO2.2</b> Filling and excavation does not occur within 2 metres of the site boundary.	<b>Not applicable</b> The boundary realignment would not involve any cut and fill.
<b>Flooding and drainage</b>		
<b>PO3</b>	<b>AO3.1</b>	<b>Not applicable</b>



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Performance outcomes	Acceptable outcomes	Compliance
Filling and excavation does not result in a change to the run off characteristics of a site which then have a detrimental impact on the site or nearby land or adjacent road reserves.	Filling and excavation does not result in the ponding of water on a site or adjacent land or road reserves.	The boundary realignment would not involve any cut and fill.
	<b>AO3.2</b> Filling and excavation does not result in an increase in the flow of water across a site or any other land or road reserves.	<b>Not applicable</b> The boundary realignment would not involve any cut and fill.
	<b>AO3.3</b> Filling and excavation does not result in an increase in the volume of water or concentration of water in a watercourse and overland flow paths.	<b>Not applicable</b> The boundary realignment would not involve any cut and fill.
	<b>AO3.4</b> Filling and excavation complies with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	<b>Not applicable</b> The boundary realignment would not involve any cut and fill.
<b>Water quality</b>		



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Performance outcomes	Acceptable outcomes	Compliance
<b>PO4</b> Filling and excavation does not result in a reduction of the water quality of receiving waters.	<b>AO4</b> Water quality is maintained to comply with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	<b>Not applicable</b> The boundary realignment would not involve any cut and fill.
<b>Infrastructure</b>		
<b>PO5</b> Excavation and filling does not impact on Public Utilities.	<b>AO5</b> Excavation and filling is clear of the zone of influence of public utilities.	<b>Not applicable</b> The boundary realignment would not involve any cut and fill.



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#### **9.4.5 Infrastructure works code**

##### **9.4.5.1 Application**

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

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

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

##### **9.4.5.2 Purpose**

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



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

#### 9.4.5.3 Criteria for assessment

**Table 9.4.5.3.a – Infrastructure works code –assessable development**

Performance outcomes	Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>		
<b>Works on a local government road</b>		
<b>PO1</b> Works on a local government road do not adversely impact on footpaths or existing infrastructure within the road verge and maintain the flow, safety and efficiency of pedestrians, cyclists and vehicles.	<b>AO1.1</b> Footpaths/pathways are located in the road verge and are provided for the hierarchy of the road and located and designed and constructed in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	<b>Not applicable</b> No works are proposed on a local government road.
	<b>AO1.2</b>	<b>Not applicable</b> No works are proposed on a local government road.



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Performance outcomes	Acceptable outcomes	Compliance
	Kerb ramp crossovers are constructed in accordance with Planning scheme policy SC 5 – FNQROC Regional Development Manual.	
	<b>AO1.3</b> New pipes, cables, conduits or other similar infrastructure required to cross existing footpaths: (a) are installed via trenchless methods; or (b) where footpath infrastructure is removed to install infrastructure, the new section of footpath is installed to the standard detailed in the Planning scheme policy SC5 – FNQROC Regional Development Manual, and is not less than a 1.2 metre section.	<b>Not applicable</b> No works are proposed on a local government road.
	<b>AO1.4</b> Where existing footpaths are damaged as a result of development, footpaths are reinstated ensuring: (a) similar surface finishes are used;	<b>Not applicable</b> No works are proposed on a local government road.



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Performance outcomes	Acceptable outcomes	Compliance
	(b) there is no change in level at joins of new and existing sections; (c) new sections are matched to existing in terms of dimension and reinforcement. Note –Figure 9.4.5.3.a provides guidance on meeting the outcomes.	
	<b>AO1.5</b> Decks, verandahs, stairs, posts and other structures located in the road reserve do not restrict or impede pedestrian movement on footpaths or change the level of the road verges.	<b>Not applicable</b> No works are proposed on a local government road.
<b>Accessibility structures</b>		
<b>PO2</b> Development is designed to ensure it is accessible for people of all abilities and accessibility features do not impact on the efficient and safe use of footpaths.	<b>AO2.1</b> Accessibility structures are not located within the road reserve.	<b>Not applicable</b> No accessibility structures are proposed.
	<b>AO2.2</b>	<b>Not applicable</b> No accessibility structures are proposed.





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Performance outcomes	Acceptable outcomes	Compliance
<p>Note – Accessibility features are those features required to ensure access to premises is provided for people of all abilities and include ramps and lifts.</p>	<p>Accessibility structures are designed in accordance with AS1428.3.</p>	
	<p><b>AO2.3</b></p> <p>When retrofitting accessibility features in existing buildings, all structures and changes in grade are contained within the boundaries of the lot and not within the road reserve.</p>	<p><b>Not applicable</b></p> <p>No accessibility structures are proposed.</p>
<b>Water supply</b>		
<p><b>PO3</b></p> <p>An adequate, safe and reliable supply of potable, fire fighting and general use water is provided.</p>	<p><b>AO3.1</b></p> <p>The premises is connected to Council’s reticulated water supply system in accordance with the Design Guidelines set out in Section D6 of the Planning scheme policy SC5 – FNQROC Regional Development Manual;</p> <p>or</p> <p><b>AO3.2</b></p>	<p><b>Not applicable</b></p> <p>The application is for a boundary realignment only and both existing lots are understood to be connected to available services.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	Where a reticulated water supply system is not available to the premises, on site water storage tank/s with a minimum capacity of 10,000 litres of stored water, with a minimum 7,500 litre tank, with the balance from other sources (e.g. accessible swimming pool, dam etc.) and access to the tank/s for fire trucks is provided for each new house or other development. Tank/s are to be fitted with a 50mm ball valve with a camlock fitting and installed and connected prior to occupation of the house and sited to be visually unobtrusive.	
<b>Treatment and disposal of effluent</b>		
<b>PO4</b> Provision is made for the treatment and disposal of effluent to ensure that there are no adverse impacts on water quality and no adverse ecological impacts as a result of the system or as a result of increasing the cumulative effect of systems in the locality.	<b>AO4.1</b> The site is connected to Council's sewerage system and the extension of or connection to the sewerage system is designed and constructed in accordance with the Design Guidelines set out in Section D7 of the Planning scheme policy SC5 – FNQROC Regional Development Manual;	<b>Not applicable</b> The application is for a boundary realignment only.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>or</p> <p><b>AO4.2</b></p> <p>Where not in a sewerage scheme area, the proposed disposal system meets the requirements of Section 33 of the <i>Environmental Protection Policy (Water) 1997</i> and the proposed on site effluent disposal system is designed in accordance with the <i>Plumbing and Drainage Act (2002)</i>.</p>	
<b>Stormwater quality</b>		
<p><b>PO5</b></p> <p>Development is planned, designed, constructed and operated to avoid or minimise adverse impacts on stormwater quality in natural and developed catchments by:</p>	<p><b>AO5.1</b></p> <p>A connection is provided from the premises to Council's drainage system;</p> <p>or</p> <p><b>AO5.2</b></p>	<p><b>Not applicable</b></p> <p>The application is for a boundary realignment only.</p>



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Performance outcomes	Acceptable outcomes	Compliance
(a) achieving stormwater quality objectives; (b) protecting water environmental values; (c) maintaining waterway hydrology.	An underground drainage system is constructed to convey stormwater from the premises to Council's drainage system in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	
	<b>AO5.3</b> A stormwater quality management plan is prepared, and provides for achievable stormwater quality treatment measures meeting design objectives listed in Table 9.4.5.3.b and Table 9.4.5.3.c, reflecting land use constraints, such as: (a) erosive, dispersive and/or saline soil types; (b) landscape features (including landform); (c) acid sulfate soil and management of nutrients of concern; (d) rainfall erosivity.	<b>Not applicable</b> The application is for a boundary realignment only.
	<b>AO5.4</b>	<b>Not applicable</b>



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Performance outcomes	Acceptable outcomes	Compliance
	Erosion and sediment control practices are designed, installed, constructed, monitored, maintained, and carried out in accordance with an erosion and sediment control plan.	The application is for a boundary realignment only.
	<p><b>AO5.5</b></p> <p>Development incorporates stormwater flow control measures to achieve the design objectives set out in Table 9.4.5.3.b and Table 9.4.5.3.c, including management of frequent flows, peak flows, and construction phase hydrological impacts.</p> <p>Note – Planning scheme policy SC5 – FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p>Note – During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.</p>	<p><b>Not applicable</b></p> <p>The application is for a boundary realignment only.</p>
<b>Non-tidal artificial waterways</b>		



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Performance outcomes	Acceptable outcomes	Compliance
<b>PO6</b> Development involving non-tidal artificial waterways is planned, designed, constructed and operated to: <ul style="list-style-type: none"> <li>(a) protect water environmental values;</li> <li>(b) be compatible with the land use constraints for the site for protecting water environmental values;</li> <li>(c) be compatible with existing tidal and non-tidal waterways;</li> <li>(d) perform a function in addition to stormwater management;</li> <li>(e) achieve water quality objectives.</li> </ul>	<b>AO6.1</b> Development involving non-tidal artificial waterways ensures: <ul style="list-style-type: none"> <li>(a) environmental values in downstream waterways are protected;</li> <li>(b) any ground water recharge areas are not affected;</li> <li>(c) the location of the waterway incorporates low lying areas of the catchment connected to an existing waterway;</li> <li>(d) existing areas of ponded water are included.</li> </ul>	<b>Not applicable</b> The boundary realignment would not involve a non-tidal artificial waterway.
	<b>AO6.2</b> Non-tidal artificial waterways are located: <ul style="list-style-type: none"> <li>(a) outside natural wetlands and any associated buffer areas;</li> <li>(b) to minimise disturbing soils or sediments;</li> </ul>	<b>Not applicable</b> The boundary realignment would not involve a non-tidal artificial waterway.



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Performance outcomes	Acceptable outcomes	Compliance
	(c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas.	
	<b>AO6.3</b> Non-tidal artificial waterways located adjacent to, or connected to a tidal waterway by means of a weir, lock, pumping system or similar ensures: (a) there is sufficient flushing or a tidal range of >0.3 m; or (b) any tidal flow alteration does not adversely impact on the tidal waterway; or (c) there is no introduction of salt water into freshwater environments.	<b>Not applicable</b> The boundary realignment would not involve a non-tidal artificial waterway.
	<b>AO6.4</b> Non-tidal artificial waterways are designed and managed for any of the following end-use purposes:	<b>Not applicable</b> The boundary realignment would not involve a non-tidal artificial waterway.



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Performance outcomes	Acceptable outcomes	Compliance
	(a) amenity (including aesthetics), landscaping or recreation; or (b) flood management, in accordance with a drainage catchment management plan; or (c) stormwater harvesting plan as part of an integrated water cycle management plan; or (d) aquatic habitat.	
	<b>AO6.5</b> The end-use purpose of the non-tidal artificial waterway is designed and operated in a way that protects water environmental values.	<b>Not applicable</b> The boundary realignment would not involve a non-tidal artificial waterway.
	<b>AO6.6</b> Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway.	<b>Not applicable</b> The boundary realignment would not involve a non-tidal artificial waterway.
	<b>AO6.7</b>	<b>Not applicable</b>





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Performance outcomes	Acceptable outcomes	Compliance
	Aquatic weeds are managed to achieve a low percentage of coverage of the water surface area, and pests and vectors are managed through design and maintenance.	The boundary realignment would not involve a non-tidal artificial waterway.
<b>Wastewater discharge</b>		
<b>PO7</b> Discharge of wastewater to waterways, or off site: (a) meets best practice environmental management; (b) is treated to: (i) meet water quality objectives for its receiving waters; (ii) avoid adverse impact on ecosystem health or waterway health; (iii) maintain ecological processes, riparian vegetation and waterway integrity;	<b>AO7.1</b> A wastewater management plan is prepared and addresses: (a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best practice environmental management.	<b>Not applicable</b> The application is for a boundary realignment only.
	<b>AO7.2</b> The waste water management plan is managed in accordance with a waste management hierarchy that: (a) avoids wastewater discharge to waterways; or	<b>Not applicable</b> The application is for a boundary realignment only.



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Performance outcomes	Acceptable outcomes	Compliance
(iv) offset impacts on high ecological value waters.	(b) if wastewater discharge cannot practicably be avoided, minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and ground water.	
	<b>A07.3</b> Wastewater discharge is managed to avoid or minimise the release of nutrients of concern so as to minimise the occurrence, frequency and intensity of algal blooms.	<b>Not applicable</b> The application is for a boundary realignment only.
	<b>A07.4</b> Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and: (a) avoids lowering ground water levels where potential or actual acid sulfate soils are present; (b) manages wastewater so that:	<b>Not applicable</b> The application is for a boundary realignment only.



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> <li>(i) the pH of any wastewater discharges is maintained between 6.5 and 8.5 to avoid mobilisation of acid, iron, aluminium and other metals;</li> <li>(ii) holding times of neutralised wastewater ensures the flocculation and removal of any dissolved iron prior to release;</li> <li>(iii) visible iron floc is not present in any discharge;</li> <li>(iv) precipitated iron floc is contained and disposed of;</li> <li>(v) wastewater and precipitates that cannot be contained and treated for discharge on site are removed and disposed of through trade waste or another lawful method.</li> </ul>	
<b>Electricity supply</b>		
<b>PO8</b>	<b>AO8.1</b>	<b>Not applicable</b>



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Performance outcomes	Acceptable outcomes	Compliance
Development is provided with a source of power that will meet its energy needs.	<p>A connection is provided from the premises to the electricity distribution network;</p> <p>or</p> <p><b>AO8.2</b></p> <p>The premises is connected to the electricity distribution network in accordance with the Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p>Note - Areas north of the Daintree River have a different standard.</p>	The application is for a boundary realignment only.
<p><b>PO9</b></p> <p>Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.</p>	<p><b>AO9.1</b></p> <p>Pad-mount electricity infrastructure is:</p> <p>(a) not located in land for open space or sport and recreation purposes;</p> <p>(b) screened from view by landscaping or fencing;</p> <p>(c) accessible for maintenance.</p>	<p><b>Not applicable</b></p> <p>The application is for a boundary realignment only.</p>
	<b>AO9.2</b>	<b>Not applicable</b>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>Pad-mount electricity infrastructure within a building, in a Town Centre is designed and located to enable an active street frontage.</p> <p>Note – Pad-mounts in buildings in activity centres should not be located on the street frontage.</p>	The application is for a boundary realignment only.
<b>Telecommunications</b>		
<p><b>PO10</b></p> <p>Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.</p>	<p><b>AO10</b></p> <p>The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.</p>	<p><b>Not applicable</b></p> <p>The application is for a boundary realignment only.</p>
<p><b>PO11</b></p> <p>Provision is made for future telecommunications services (e.g. fibre optic cable).</p>	<p><b>AO11</b></p> <p>Conduits are provided in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.</p>	<p><b>Not applicable</b></p> <p>The application is for a boundary realignment only.</p>
<b>Road construction</b>		
<p><b>PO12</b></p>	<p><b>AO12.1</b></p>	<p><b>Not applicable</b></p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>The road to the frontage of the premises is constructed to provide for the safe and efficient movement of:</p> <ul style="list-style-type: none"> <li>(a) pedestrians and cyclists to and from the site;</li> <li>(b) pedestrians and cyclists adjacent to the site;</li> <li>(c) vehicles on the road adjacent to the site;</li> <li>(d) vehicles to and from the site;</li> <li>(e) emergency vehicles.</li> </ul>	<p>The road to the frontage of the site is constructed in accordance with the Design Guidelines set out in Sections D1 and D3 of the Planning scheme policy SC5 – FNQROC Regional Development Manual, for the particular class of road, as identified in the road hierarchy.</p>	<p>The application is for a boundary realignment only.</p>
	<p><b>AO12.2</b></p> <p>There is existing road, kerb and channel for the full road frontage of the site.</p>	<p><b>Not applicable</b></p> <p>The application is for a boundary realignment only.</p>
	<p><b>AO12.3</b></p> <p>Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for the safe passage of emergency vehicles.</p>	<p><b>Not applicable</b></p> <p>The application is for a boundary realignment only.</p>
<b>Alterations and repairs to public utility services</b>		
<p><b>PO13</b></p> <p>Infrastructure is integrated with, and efficiently extends, existing networks.</p>	<p><b>AO13</b></p> <p>Development is designed to allow for efficient connection to existing infrastructure networks.</p>	<p><b>Not applicable</b></p> <p>The application is for a boundary realignment only.</p>



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Performance outcomes	Acceptable outcomes	Compliance
<b>PO14</b> Development and works do not affect the efficient functioning of public utility mains, services or installations.	<b>AO14.1</b> Public utility mains, services and installations are not required to be altered or repaired as a result of the development; or <b>AO14.2</b> Public utility mains, services and installations are altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	<b>Not applicable</b> The application is for a boundary realignment only.
<b>Construction management</b>		
<b>PO15</b> Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be retained.	<b>AO15</b> Works include, at a minimum: (a) installation of protective fencing around retained vegetation during construction; (b) erection of advisory signage;	<b>Not applicable</b> No construction works are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>(c) no disturbance, due to earthworks or storage of plant, materials and equipment, of ground level and soils below the canopy of any retained vegetation;</p> <p>(d) removal from the site of all declared noxious weeds.</p>	
<p><b>PO16</b></p> <p>Existing infrastructure is not damaged by construction activities.</p>	<p><b>AO16</b></p> <p>Construction, alterations and any repairs to infrastructure is undertaken in accordance with the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p>Note - Construction, alterations and any repairs to State-controlled roads and rail corridors are undertaken in accordance with the Transport Infrastructure Act 1994.</p>	<p><b>Not applicable</b></p> <p>No construction works are proposed.</p>
<b>For assessable development</b>		
<b>High speed telecommunication infrastructure</b>		
<b>PO17</b>	<b>AO17</b>	<b>Not applicable</b>





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Performance outcomes	Acceptable outcomes	Compliance
Development provides infrastructure to facilitate the roll out of high speed telecommunications infrastructure.	No acceptable outcomes are prescribed.	The application is for a boundary realignment only and the existing lots are understood to be connected to available services.
<b>Trade waste</b>		
<b>PO18</b> Where relevant, the development is capable of providing for the storage, collection treatment and disposal of trade waste such that: (a) off-site releases of contaminants do not occur; (b) the health and safety of people and the environment are protected; (c) the performance of the wastewater system is not put at risk.	<b>AO18</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The application is for a boundary realignment only and the existing lots are understood to be connected to available services.
<b>Fire services in developments accessed by common private title</b>		
<b>PO19</b>	<b>AO19.1</b>	<b>Not applicable</b> The application does not involve common private title.



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



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



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## **9.4.6 Landscaping code**

### **9.4.6.1 Application**

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

### **9.4.6.2 Purpose**

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



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

#### 9.4.6.3 Criteria for assessment

**Table 9.4.6.3.a – Landscaping code –assessable development**

Performance outcomes	Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>		
<b>Landscaping design</b>		
<b>PO1</b> Development provides landscaping that contributes to and creates a high quality landscape character for the site, street and local areas of the Shire by: <ul style="list-style-type: none"> <li>(a) promoting the Shire's character as a tropical environment;</li> </ul>	<b>AO1</b> Development provides landscaping: <ul style="list-style-type: none"> <li>(a) in accordance with the minimum area, dimensions and other requirements of applicable development codes;</li> </ul>	<b>Not applicable</b> No landscaping is required or proposed.



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



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Performance outcomes	Acceptable outcomes	Compliance
(g) ensuring private outdoor recreation space is useable; (h) providing long term soil erosion protection; (i) providing a safe environment; (j) integrating existing vegetation and other natural features of the premises into the development; (k) not adversely affecting vehicular and pedestrian sightlines and road safety		
<b>For assessable development</b>		
<b>PO2</b> Landscaping contributes to a sense of place, is functional to the surroundings and enhances the streetscape and visual appearance of the development.	<b>AO2.1</b> No acceptable outcomes are specified. Note - Landscaping is in accordance with the requirements specified in Planning scheme policy SC6.7 – Landscaping.	<b>Not applicable</b> No landscaping is required or proposed.
	<b>AO2.2</b> Tropical urbanism is incorporated into building design.	<b>Not applicable</b> No new buildings are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
	Note – ‘Tropical urbanism’ includes many things such as green walls, green roofs, podium planting and vegetation incorporated into the design of a building	
<b>PO3</b> Development provides landscaping that is, as far as practical, consistent with the existing desirable landscape character of the area and protects trees, vegetation and other features of ecological, recreational, aesthetic and cultural value.	<b>AO3.1</b> Existing vegetation on site is retained and incorporated into the site design, wherever possible, utilising the methodologies and principles outline in AS4970-2009 Protection of Trees on Development Sites.	<b>Complies with AO3.1</b> The boundary realignment would retain existing vegetation.
	<b>AO3.2</b> Mature vegetation on the site that is removed or damaged during development is replaced with advanced species	<b>Not applicable</b> The boundary realignment would not remove or damage mature vegetation.
	<b>AO3.3</b> Where there is an existing landscape character in a street or locality which results from existing vegetation, similar species are incorporated into new development	<b>Not applicable</b> No new landscaping is required or proposed.





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Performance outcomes	Acceptable outcomes	Compliance
	<b>AO3.4</b> Street trees are species which enhance the landscape character of the streetscape, with species chosen from the Planning scheme policy SC6.7 – Landscaping.	<b>Not applicable</b> NO street trees are required or proposed.
<b>PO4</b> Plant species are selected with consideration to the scale and form of development, screening, buffering, streetscape, shading and the locality of the area.	<b>AO4</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	<b>Not applicable</b> No new landscaping is required or proposed.
<b>PO5</b> Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal roadways.	<b>AO5</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	<b>Not applicable</b> No new landscaping is required or proposed
<b>PO6</b>	<b>AO6.1</b>	<b>Not applicable</b> No new landscaping is required or proposed



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Performance outcomes	Acceptable outcomes	Compliance
Landscaped areas are designed in order to allow for efficient maintenance.	A maintenance program is undertaken in accordance with Planning scheme policy SC6.7 – Landscaping.	
	<b>AO6.2</b> Tree maintenance is to have regard to the 'Safe Useful Life Expectancy of Trees (SULE). Note – It may be more appropriate to replace trees with a SULE of less than 20 years (as an example), and replant with younger healthy species	<b>Not applicable</b> No new landscaping is required or proposed
<b>PO7</b> Podium planting is provided with appropriate species for long term survival and ease of maintenance, with beds capable of proper drainage.	<b>AO7.1</b> Podium planting beds are provided with irrigation and are connected to stormwater infrastructure to permit flush out.	<b>Not applicable</b> No podiums are proposed.
	<b>AO7.2</b> Species of plants are selected for long term performance designed to suit the degree of access to podiums and roof tops for maintenance.	<b>Not applicable</b> No podiums are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
<b>PO8</b> Development provides for the removal of all weed and invasive species and implement on-going measures to ensure that weeds and invasive species do not reinfest the site and nearby premises	<b>AO8</b> Weed and invasive species detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person.	<b>Not applicable</b> No weeds or invasive species have been detected on the development site.
<b>PO9</b> The landscape design enhances personal safety and reduces the potential for crime and vandalism	<b>AO9</b> No acceptable outcomes are specified. Note - Planning scheme policy SC6.3 – Crime prevention through environmental design (CPTED) provides guidance on meeting this outcome.	<b>Not applicable</b> No landscaping is required or proposed.
<b>PO10</b> The location and type of plant species does not adversely affect the function and accessibility of services and facilities and service areas.	<b>AO10</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	<b>Not applicable</b> No landscaping is required or proposed.



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Performance outcomes	Acceptable outcomes	Compliance
Landscaped areas are designed in order to allow for efficient maintenance.	A maintenance program is undertaken in accordance with Planning scheme policy SC6.7 – Landscaping.	
	<b>AO6.2</b> Tree maintenance is to have regard to the 'Safe Useful Life Expectancy of Trees (SULE). Note – It may be more appropriate to replace trees with a SULE of less than 20 years (as an example), and replant with younger healthy species	<b>Not applicable</b> No new landscaping is required or proposed
<b>PO7</b> Podium planting is provided with appropriate species for long term survival and ease of maintenance, with beds capable of proper drainage.	<b>AO7.1</b> Podium planting beds are provided with irrigation and are connected to stormwater infrastructure to permit flush out.	<b>Not applicable</b> No podiums are proposed.
	<b>AO7.2</b> Species of plants are selected for long term performance designed to suit the degree of access to podiums and roof tops for maintenance.	<b>Not applicable</b> No podiums are proposed.



GMA Certification  
Group

*Leaders in  
Building Certification Services*



#### **GOLD COAST**

Suite 26, 39-47 Lawrence Drive  
NERANG Qld 4211

PO Box 2760,  
NERANG Qld 4211  
E. [admin@gmacer.com.au](mailto:admin@gmacer.com.au)

T. 07 5578 1622 F. 07 5596 1294

#### **TOWNSVILLE**

Shop 1/1 Ingham Rd,  
WEST END. QLD. 4812

PO Box 2760  
NERANG Qld 4211  
E. [admintsv@gmacert.com.au](mailto:admintsv@gmacert.com.au)

T. 07 4771 6532 F. 07 4771 2165

#### **PORT DOUGLAS**

Craiglie Business Park, Owen Street  
CRAILIE Qld 4877

PO Box 831  
PORT DOUGLAS Qld 4877  
E. [adminpd@gmacert.com.au](mailto:adminpd@gmacert.com.au)

T. 07 4098 5150 F. 07 4098 5180

#### **CHILDERS**

4 Randall St  
CHILDERS Qld 4660

PO Box 2760  
NERANG Qld 4211  
E. [adminwb@gmacert.com.au](mailto:adminwb@gmacert.com.au)

T. 07 4126 3069 F. 07 4126 3950

#### **CABOOLTURE**

Unit 3/5 Hasking Street,  
CABOOLTURE Qld 4510

PO Box 2760  
NERANG Q 4211  
E. [adminsc@gmacert.com.au](mailto:adminsc@gmacert.com.au)

T. 07 5432 3222 F. 07 5432 3322

#### **CAIRNS**

310 Gatton Street,  
MUNUNDA. Qld 4870

PO Box 2760  
NERANG Qld 4211  
E. [admin@gmacert.com.au](mailto:admin@gmacert.com.au)

T. 07 40410111 F. 07 40410188

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

We, Tom Matthew Bartlett & Amber Anne Margarita Milne

as owner of the premises identified as follows:

Mowbray River Road, Mowbray, described as Lot 21 on SP262360

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

Gary Hunt

on the premises described above for:

Reconfiguring a Lot (Boundary Realignment)

Tom Matthew Bartlett



Date:

01/09/2021

Amber Anne Margarita Milne



Date:

01/09/2021

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