



13.04.2026

Our Ref: 36654-001-01  
Your Ref:

The Chief Executive Officer  
Douglas Shire Council  
PO Box 723  
MOSSMAN QLD 4873

Attention: Planning Department

Dear Planners,

**Development Application Reconfiguring a Lot (1 Lot into 2 Lots)  
Lower Cassowary Road, Cassowary – Lot 137 on SR593**

Brazier Motti acts on behalf of the Applicant, Avenol Developments Pty Ltd, in relation to the abovementioned development application.

On behalf of the Applicant, we now submit to Douglas Shire Council an application seeking a Development Permit for Reconfiguring a Lot (1 Lot into 2 Lots).

The following has been prepared to assist with Council's assessment of the proposed development:

**Site Description**

The subject land is located at Lower Cassowary Road, Cassowary, and precisely described as Lot 137 on SR593, comprising a total area of approximately 39.7ha. Figure 1 below identifies the subject site and surroundings.



Figure 1: Aerial Image of Site. Source: QLD Globe 2026



The subject land has been up to until recently for agricultural purposes and is contained within the Rural Zone as identified in the Douglas Shire Planning Scheme 2018.

The land is bound by Cassowary Creek to the east, and Mossman Mount Molloy Road to the west, while Lower Cassowary Road separates approximately 2.1ha from the balance land of Lot 137. No formal crossing or access exists to marry the separated land areas.

The Title Search included within *Attachment C* identifies that Russell Edmund Bunn is the registered owner of the land. Landowners consent is included within *Attachment B*. A current SmartMap is included at *Attachment C*, which identifies the existing lot configuration.

### Proposal

Approval of the Development Application will authorise a Development Permit for Reconfiguring a Lot (1 Lot into 2 Lots) as identified on the proposal plan (Brazier Motti Drawing No. 36654/001A) included within *Attachment F*.

The proposal will result in the creation of the following lots:

- Proposed Lot 10 – 2.13ha
- Proposed Lot 11 – 37.605ha

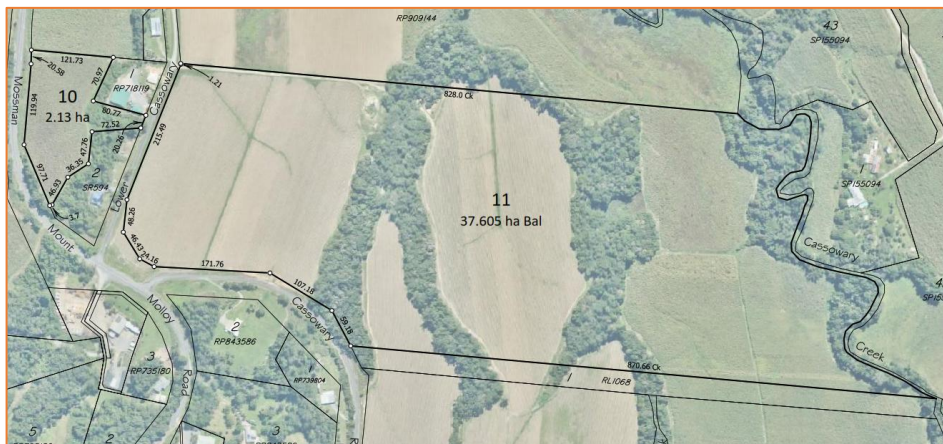


Figure 2: Extract from Proposal Plan 36654/001A. Source: Brazier Motti March 2026

It is acknowledged that the proposal will result in lot areas below the 40ha specified for land contained within the Rural Zone. However, taking into consideration the particulars of the land, support of the proposal can be provided on the following basis.

The subject land is already separated into two (2) areas via a physical barrier (Lower Cassowary Road) which already diminishes the ability of the land to be effectively farmed as a single parcel. For example, use of the site for grazing would result in the non-ideal situation of shifting livestock across Lower Cassowary Road.



With the demise of the sugar industry, large land holdings are no longer imperative for viable agricultural enterprises. Proposed Lot 11 retains an area of 37.605ha that can continue to be used for larger broadscale agricultural pursuits.

Being geometrically constrained (short row lengths, awkward headland angles etc.) proposed Lot 10 would be more suited for high value horticulture pursuits (ginger, taro, tropical fruits etc) or animal agistment where large tracts of land is not required.

All boundaries will remain as existing which ultimately maintains the existing rural character and amenity of the area, with proposed Lot 10 containing an area consistent with that of surrounding land that fronts onto the Mossman Mt Molloy Road. Both lots maintain frontage to Lower Cassowary Road.

Overall, the proposed lots are of sufficient area and dimensions to allow for continued agricultural pursuits and primary production land is not fragmented. The proposed reconfiguration is considered minor in nature and is in keeping with the character and amenity of the surrounding area.

#### Planning Act 2016 Considerations

The table below provides an overview of the legislative context of the development application under the provisions of the *Planning Act 2016* and *Planning Regulation 2017*.

<b>Assessable Development</b>	The proposed development constitutes assessable development under the Douglas Shire Planning Scheme 2018. Accordingly, pursuant to Section 44(3) of the Planning Act 2016 a development approval is required.
<b>Assessment Manager</b>	Pursuant to Schedule 8 of the <i>Planning Regulation 2017</i> the Assessment Manager for this development application is Douglas Shire Council.
<b>Category of Assessment</b>	The Douglas Shire Planning Scheme 2018 identifies that the proposed development is Code Assessable development.
<b>Public Notification</b>	The Application is Code Assessable, therefore, in accordance with section 53 of the <i>Planning Act 2016</i> public notification is not required.
<b>Referrals</b>	The subject site contains mapped areas of remnant vegetation and is adjacent a State controlled road (Mossman Mount Molloy Road). Consideration of the proposed application against Schedule 10 of the <i>Planning Regulation 2017</i> determined the proposal triggers referral for the following matters: <ul style="list-style-type: none"><li>• <b>10.9.4.2.1</b>   All or part of the premises are within 25m of a State transport corridor and the total number of lots is increased.</li><li>• <b>10.9.4.2.3</b>   All or part of the premises are within 100m of a State controlled road intersection and the number of lots is increased.</li></ul>



	<p>A response to State Code 1 is included in <i>Attachment D</i>.</p> <p>While the site contains mapped remnant vegetation and creates a lot less than 25ha, the proposed reconfiguration does not create further clearing exemption. Therefore, referral for vegetation matters is not triggered.</p>
<b>Owners Consent</b>	In accordance with section 51 of the <i>Planning Act 2016</i> , landowner consent is included within <i>Attachment B</i> .

### Douglas Shire Planning Scheme 2018

Under the Douglas Shire Planning Scheme 2018 the site is included in the Rural Zone. The proposal seeks approval for Reconfiguring a Lot (1 Lot into 2 Lots). The Table of Assessment for the Rural Zone (Table 5.6.j) identifies that the level of assessment for the proposed development is Code Assessable.

The table below provides an overview of the planning scheme elements applicable to the subject site and the proposed development provisions under the Douglas Shire Planning Scheme 2018:

The Table of Assessment also identifies that the proposed development is assessable against the following planning scheme codes:

<b>Applicable Codes</b>	<b>Zone Code</b>	<ul style="list-style-type: none"> <li>• Rural Zone Code</li> </ul>
	<b>Overlay Codes</b>	<ul style="list-style-type: none"> <li>• Acid Sulfate Soils Overlay Code</li> <li>• Bushfire Hazard Overlay Code</li> <li>• Flood and Storm Tide Hazard Overlay Code</li> <li>• Landscape Values Overlay Code</li> <li>• Natural Areas Overlay Code</li> <li>• Potential Landslide Hazard Overlay Code</li> <li>• Transport Network Overlay Code</li> </ul>
	<b>Development Codes</b>	<ul style="list-style-type: none"> <li>• Reconfiguring a Lot Code</li> <li>• Access, Parking and Servicing Code</li> <li>• Environmental Performance Code</li> <li>• Filling and Excavation Code</li> <li>• Infrastructure Works Code</li> <li>• Vegetation Management Code</li> </ul>

All aspects of the proposal are generally consistent with the relevant acceptable measures and/or performance criteria of each of the applicable codes identified above. An assessment against the applicable codes is provided below:

#### Rural Zone Code

In accordance with the Douglas Shire Planning Scheme 2018 the site is contained within the Rural Zone, where a Reconfiguring a Lot is Code Assessable.

It is acknowledged that the resultant lots are below the minimum lot area specified. However, the proposal does not conflict with the overall purpose of the Rural Zone in



that it does not encourage fragmentation of agricultural land, given that the land is already separated by a physical barrier that prevents it from being farmed as a single parcel.

With the demise of the sugar industry, large land holdings are no longer imperative for viable agricultural enterprises. Proposed Lot 11 retains an area of 37.605ha that can continue to be used for larger broadscale agricultural pursuits.

Being geometrically constrained (short row lengths, awkward headland angles etc.) proposed Lot 10 would be more suited for high value horticulture pursuits (ginger, taro, tropical fruits etc) or animal agistment where large tracts of land is not required.

The proposal promotes sustainable land management in that it allows for diversification of agricultural pursuits, does not impact upon operations on-site or in adjoining lots, and retains all existing vegetation. Both parcels can be independently operated and are consistent with the surrounding cadastre.

No physical changes are required to facilitate the proposal. Overall, the proposed lots are of sufficient area and dimensions to allow for continued agricultural pursuits and primary production land is not fragmented.

Overall, it is considered that the proposal is consistent with the applicable Acceptable and Performance Outcomes of the Rural Zone Code. An assessment against the Rural Zone Code is included within *Attachment E*.

#### **Acid Sulfate Soils Overlay Code**

The subject land is identified as having potential acid sulfate soils. Accordingly, assessment against the Acid Sulfate Soils Overlay Code is applicable.

The proposal is for the reconfiguration of land adopting the existing boundaries of Lot 137. No filling or excavation is required to fulfil the proposal and therefore there is no risk of exposing potential acid sulfate soils.

Overall, it is considered that the proposal achieves consistency with the applicable Acceptable and Performance Outcomes of the Acid Sulfate Soils Overlay Code. Detailed assessment is not considered necessary.

#### **Bushfire Hazard Overlay Code**

The subject land is identified as having potential acid sulfate soils. Accordingly, assessment against the Bushfire Hazard Overlay Code is applicable.

The proposal is for the reconfiguration of land adopting the existing boundaries of Lot 137 and would result in only part of proposed Lot 11 containing potential bushfire hazard area. This does not change any level of risk to people and property from potential bushfire hazard, and no sensitive uses are introduced.



Overall, it is considered that the proposal achieves consistency with the applicable Acceptable and Performance Outcomes of the Bushfire Hazard Overlay Code. Detailed assessment is not considered necessary.

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

The subject land is identified as having areas within the floodplain assessment area. Accordingly, assessment against the Flood and Storm Tide Hazard Overlay Code is applicable.

A detailed assessment against the Overlay Code is not considered warranted as this proposal is for reconfiguring a lot of rural land only and does not increase the risk to people and property from flood damage. Proposed Lot 10 is entirely outside of the overlay area and no new uses or structures are proposed.

Overall, it is considered that the proposal achieves consistency with the applicable Acceptable and Performance Outcomes of the Flood and Storm Tide Hazard Overlay Code.

#### **Landscape Values Overlay**

The subject land is identified as adjoining a scenic route and having areas of medium and high landscape value. Accordingly, assessment against the Landscape Values Overlay Code is applicable.

A detailed assessment against the Overlay Code is not considered warranted as the proposal is for reconfiguring a lot only and will not include any structures or introduce new land uses that would impact upon landscape values. No clearing or earthworks are proposed.

Overall, it is considered that the proposal achieves consistency with the applicable Acceptable and Performance Outcomes of the Landscape Values Overlay Code.

#### **Natural Areas Overlay**

The subject land is identified as containing natural features of environmental value. Accordingly, assessment against the Natural Areas Overlay Code is applicable.

A detailed assessment against the Overlay Code is not considered warranted as the proposal is for the reconfiguration of land adopting the existing boundaries of Lot 137; hence, no new boundaries or clearing will occur as a result. No impacts to environmental aspects will occur, and no structures or earthworks are proposed.

Overall, it is considered that the proposal achieves consistency with the applicable Acceptable and Performance Outcomes of the Natural Areas Overlay Code.

#### **Potential Landslide Hazard Overlay**

The subject land is identified as having scattered areas of potential landslide hazard. Accordingly, assessment against the Potential Landslide Hazard Overlay Code is applicable.



A detailed assessment against the Overlay Code is not considered warranted as the proposal is for the reconfiguration of land adopting the existing boundaries of Lot 137; hence, no new boundaries or clearing will occur as a result and therefore would not increase the risk of landslide hazard activity. No structures or earthworks are proposed.

Overall, it is considered that the proposal achieves consistency with the applicable Acceptable and Performance Outcomes of the Potential Landslide Hazard Overlay Code.

#### Transport Network Overlay

The subject land is identified as adjoining a transport noise corridor and iconic recreation route (Mossman Mount Molloy Road), and major rural road (Lower Cassowary Road). Accordingly, assessment against the Transport Network Overlay Code is applicable.

A detailed assessment against the Overlay Code is not considered warranted as this proposal is for the reconfiguration of land adopting the existing boundaries of Lot 137. Both lots maintain frontage a gazetted road. No impacts to the safety or efficiency of the transport network will occur as a result of the proposal.

Overall, it is considered that the proposal achieves consistency with the applicable Acceptable and Performance Outcomes of the Transport Network Overlay Code.

#### Reconfiguring a Lot Code

The Reconfiguring a Lot Code seeks to regulate development for reconfiguring a lot. The proposal will result in the creation of the following:

- Proposed Lot 10 – 2.13ha
- Proposed Lot 11 – 37.605ha

The proposal recognises the minimum 40ha lot size. However, the land is already separated into two areas via a physical barrier (Lower Cassowary Road) which prevents the land from being farmed as a single parcel, therefore the proposed reconfiguration would not result in the fragmentation of agricultural land.

All boundaries will remain as existing which ultimately maintains the existing rural character and amenity of the area, noting the smaller rural lots to the west of Lower Cassowary Road and larger rural lots to the east. Both lots maintain operational independency and frontage to a gazetted road.

Overall, it is considered that the proposed development achieves consistency with the applicable Acceptable and Performance Outcomes of the Reconfiguring a Lot Code. An assessment against the Reconfiguring a Lot Code is included within *Attachment E*.



### Access, Parking, and Servicing Code

The Access, Parking, and Servicing Code seeks to assess the suitability of access, parking and associated servicing aspects of a development.

Each proposed lot has access to a gazetted road, and any new access can be provided in accordance with the relevant standards outlined in this code. The land can continue to function without impact. A detailed assessment against the Code is not considered necessary.

Overall, it is considered that the proposal achieves consistency with the applicable Acceptable and Performance Outcomes of the Access, Parking, and Servicing Code.

### Environmental Performance Code

The Environmental Performance Code seeks to ensure development is designed and operated to avoid or mitigate impacts on sensitive receiving environments.

A detailed assessment against the Code is not considered warranted as there are no proposed changes to the existing use and therefore no impacts on amenity to surrounding lots. The proposed reconfiguration will not impact upon the stormwater quality or regime of the land.

Overall, it is considered that the proposal achieves consistency with the applicable Acceptable and Performance Outcomes of the Environmental Performance Code.

### Filling and Excavation Code

The Filling and Excavation Code seeks to assess the suitability of development for filling or excavation.

No filling or excavation is required to fulfil this proposal. A detailed assessment against the Code is not considered warranted.

Overall, it is considered that the proposal achieves consistency with the applicable Acceptable and Performance Outcomes of the Filling and Excavation Code.

### Infrastructure Works Code

The Infrastructure Works Code seeks to ensure that development is safely and efficiently serviced by, and connected to, infrastructure.

A detailed assessment against this Code is not considered warranted as this proposal is for the reconfiguration of rural land only. There are no proposed changes to existing services and infrastructure.

Overall, it is considered that the proposal achieves consistency with the applicable Acceptable and Performance Outcomes of the Infrastructure Works Code.



### Vegetation Management Code

The Vegetation Management Code seeks to protect vegetation and other environmental values from inappropriate damage.

A detailed assessment against this Code is not considered warranted as this proposal is for the reconfiguration of land using existing boundaries only. No vegetation clearing is required.

Overall, it is considered that the proposal achieves consistency with the applicable Acceptable and Performance Outcomes of the Infrastructure Works Code.

### Conclusion

The abovementioned has demonstrated that the proposed reconfiguration at Lower Cassowary Road, Cassowary, has been assessed against the relevant assessment benchmarks of the Douglas Shire Planning Scheme 2018 and is considered to comply with the relevant provisions.

The proposal offers improved land management that will not impact upon the future of agricultural production and vitality of the subject land. All lots maintain sufficient area and dimensions to allow for continued agricultural pursuits.

The proposal is considered consistent with the purpose of the Rural Zone and provides allotments which are consistent with the surrounding cadastre and are of sufficient size and dimensions to contain and maintain rural uses.

Accordingly, we request that Council issue a Development Permit for Reconfiguring of a Lot (1 Lot into 2 Lots) as detailed above.

### Supporting Documents

Please see enclosed the following supporting documents to assist with Council's assessment of the application:

- Attachment A: DA Form 1;
- Attachment B: Owner's Consent;
- Attachment C: Title Search & SmartMap;
- Attachment D: State Code 1 Response
- Attachment E: Assessment against applicable Planning Scheme Codes;
- Attachment F: Proposal Plan prepared by Brazier Motti Drawing No. 36654/001A.

### Council Application Fee

In accordance with Douglas Shire Council's Schedule of Fee and Charges (2025-2026) the applicable fee has been determined to be \$1,584.00. Payment of the application fee will be undertaken at the time that Council issues their tax invoice.



We trust that the enclosed documentation is sufficient to allow Council's assessment of the proposed development, however, should you have any further queries or wish to discuss please do not hesitate to contact this office.

Yours Sincerely,

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MICHAEL TESSARO  
Associate / Senior Planner  
Brazier Motti Pty Ltd

# ATTACHMENT A

brazier motti



# DA Form 1 – Development application details

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

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

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

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

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

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

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

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

## PART 1 – APPLICANT DETAILS

### 1) Applicant details

Applicant name(s) (individual or company full name)	Avenol Developments Pty Ltd
Contact name (only applicable for companies)	
Postal address (P.O. Box or street address)	c/- Brazier Motti Pty Ltd, PO Box 1185
Suburb	CAIRNS
State	QLD
Postcode	4870
Country	AUSTRALIA
Contact number	(07) 4054 0400
Email address (non-mandatory)	cns.planning@braziermotti.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	36654-001-01

### 1.1) Home-based business

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

### 2) Owner's consent

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

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

## PART 2 – LOCATION DETAILS

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

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

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

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
	-	-	Lower Cassowary Road	Cassowary
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	137	SR593	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

Coordinates of premises by longitude and latitude

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

Coordinates of premises by easting and northing

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

#### 3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer: Cassowary Creek, Unnamed Creek

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

In a tidal area

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

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

<input type="checkbox"/> On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>
Name of airport: <input type="text"/>
<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification: <input type="text"/>
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>
CLR site identification: <input type="text"/>

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

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

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

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

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

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

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

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

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

c) What is the level of assessment?

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

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

Reconfiguring a Lot (1 Lot into 2 Lots)

e) Relevant plans

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

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

**6.2) Provide details about the second development aspect**

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

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

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

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

c) What is the level of assessment?

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

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

e) Relevant plans

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

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



**6.3) Additional aspects of development**

- Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application
- Not required

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

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

**Section 2 – Further development details****7) Does the proposed development application involve any of the following?**

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

**Division 1 – Material change of use**

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

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

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

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

- Yes
- No

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

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

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

**Division 2 – Reconfiguring a lot**

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

**9.1) What is the total number of existing lots making up the premises?**

One (1)

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

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Subdivision <i>(complete 10)</i> | <input type="checkbox"/> Dividing land into parts by agreement <i>(complete 11)</i>   |
| <input type="checkbox"/> Boundary realignment <i>(complete 12)</i>   | <input type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road <i>(complete 13)</i> |



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

\$

## PART 4 – ASSESSMENT MANAGER DETAILS

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

Douglas Shire Council

16) Has the local government agreed to apply a superseded planning scheme for this development application?

- Yes – a copy of the decision notice is attached to this development application
- The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- No

## PART 5 – REFERRAL DETAILS

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

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

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

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

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



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

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

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

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

- Infrastructure-related referrals – Electricity infrastructure

**Matters requiring referral to:**

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

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

- Ports – Brisbane core port land

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

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

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

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

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

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

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

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

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

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

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

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

Referral requirement	Referral agency	Date of referral response

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

## PART 6 – INFORMATION REQUEST

### 19) Information request under the DA Rules

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

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

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

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

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

## PART 7 – FURTHER DETAILS

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

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

No

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

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

Yes – a copy of the receipted QLeave form is attached to this development application

No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid

Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)

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

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

Yes – show cause or enforcement notice is attached

No

## 23) Further legislative requirements

### Environmentally relevant activities

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

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

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

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

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

### Hazardous chemical facilities

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

- Yes – *Form 536: Notification of a facility exceeding 10% of schedule 15 threshold* is attached to this development application
- No

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

### Clearing native vegetation

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

- Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)
- No

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

### Environmental offsets

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

- Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter
- No

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

### Koala habitat in SEQ Region

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

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

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

### Water resources

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

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

No

**Note:** Contact the Department of Resources at [www.resources.qld.gov.au](http://www.resources.qld.gov.au) for further information.

DA templates are available from [planning.statedevelopment.qld.gov.au](http://planning.statedevelopment.qld.gov.au). If the development application involves:

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

### Waterway barrier works

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

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

No

DA templates are available from [planning.statedevelopment.qld.gov.au](http://planning.statedevelopment.qld.gov.au). For a development application involving waterway barrier works, complete DA Form 1 Template 4.

### Marine activities

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

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

No

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

### Quarry materials from a watercourse or lake

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

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

No

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

### Quarry materials from land under tidal waters

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

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

No

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

### Referable dams

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

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

No

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



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

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

- Yes – the following is included with this development application:
- Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)
  - A certificate of title

No

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

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

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

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

No

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

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

Name of the heritage place:

Place ID:

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

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

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

No

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

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

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

No

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

## PART 8 – CHECKLIST AND APPLICANT DECLARATION

### 24) Development application checklist

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

Yes

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

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

Yes

Not applicable

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

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

Yes

Relevant plans of the development are attached to this development application

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

Yes

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

Yes

Not applicable



**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	

# ATTACHMENT B

brazier motti



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

Russell Edmund Bunn

as owners of the premises identified as follows:

Lot 137 on SR593

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

Avenol Developments Pty Ltd c/- Brazier Motti Pty Ltd

on the premises described above for:

Reconfiguring a Lot – 1 Lot into 2 Lots

Signed by:



B5B58181A3814E1...

Russell Edmund Bunn

Date signed... 25 March 2026 .....

# ATTACHMENT C

brazier motti



Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b> 20945008	<b>Search Date:</b> 20/03/2026 11:21
<b>Date Title Created:</b> 22/04/1974	<b>Request No:</b> 55487752
<b>Previous Title:</b> 20806101	

### ESTATE AND LAND

Estate in Fee Simple

LOT 137 CROWN PLAN SR593

Local Government: DOUGLAS

For exclusions / reservations for public purposes refer to Plan CP SR593

### REGISTERED OWNER

Dealing No: 711899615 03/09/2008

RUSSELL EDMUND BUNN

### EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20211090 (POR 18V)

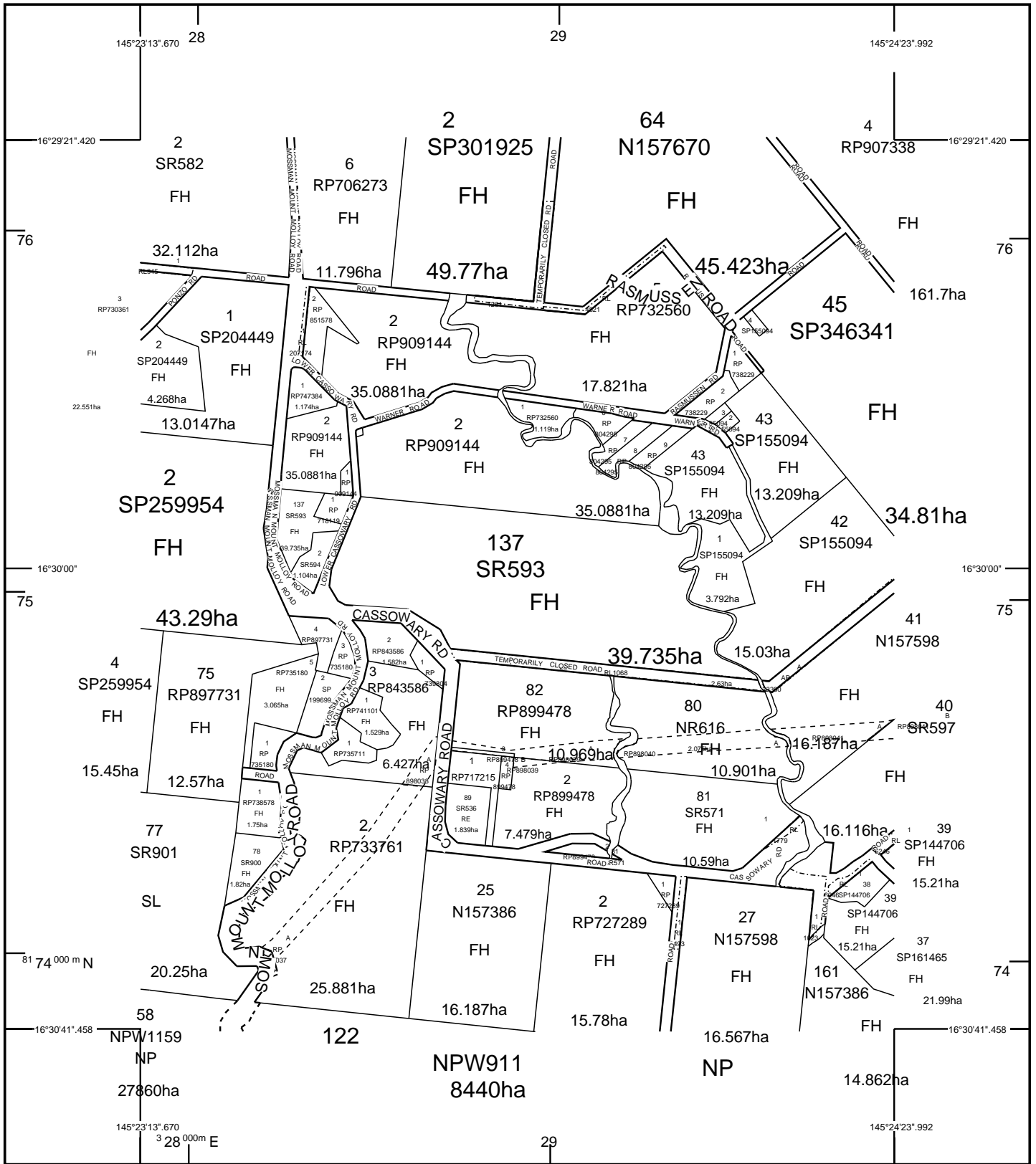
### ADMINISTRATIVE ADVICES

NIL

### UNREGISTERED DEALINGS

NIL

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



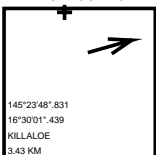
STANDARD MAP NUMBER  
7964-11441



**SmartMap**

An External Product of  
SmartMap Information Services  
Based upon an extraction from the  
Digital Cadastral Data Base

MAP WINDOW POSITION &  
NEAREST LOCATION



**SUBJECT PARCEL DESCRIPTION**

DCDB	Lot/Plan	137/SR593
	Area/Volume	39.735ha
	Tenure	FREEHOLD
	Local Government	DOUGLAS SHIRE
	Locality	CASSOWARY
	Segment/Parcel	8598/1

**CLIENT SERVICE STANDARDS**

PRINTED 24/03/2026

DCDB 23/03/2026 (Lots with an area less than 1500m<sup>2</sup> are not shown)

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Development) 2026.



# ATTACHMENT D


brazier motti



# State code 1: Development in a state-controlled road environment

State Development Assessment Provisions guideline - State Code 1: Development in a state-controlled road environment. This guideline provides direction on how to address State Code 1.

**Table 1.1 Development in general**

Performance outcomes	Acceptable outcomes	Response
<b>Buildings, structures, infrastructure, services and utilities</b>		
<p><b>PO1</b> The location of the development does not create a safety hazard for users of the <b>state-controlled road</b>.</p>	<p><b>AO1.1</b> Development is not located in a <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO1.2</b> Development can be maintained without requiring access to a <b>state-controlled road</b>.</p>	<p><b>Complies AO1.1 and AO1.2</b></p> <p>The proposal is for the reconfiguration of land only using the existing boundary separation of Lower Cassowary Road, resulting in only proposed Lot 10 adjoining Mossman Mount Molloy Road (SCR). The subject site is indicated in Figure 1. No involvement, development, or new access will occur within or near the state-controlled road. Access to proposed Lot 10 will be via Lower Cassowary Road only.</p> 
<p><b>PO2</b> The design and construction of the development does not adversely impact the <b>structural integrity</b> or physical condition of the <b>state-controlled road</b> or <b>road transport infrastructure</b>.</p>	<p>No acceptable outcome is prescribed.</p>	<p><b>Complies PO2</b></p> <p>Refer response PO1.</p>
<p><b>PO3</b> The location of the development does not obstruct <b>road transport infrastructure</b> or adversely impact the operating performance</p>	<p>No acceptable outcome is prescribed.</p>	<p><b>Complies PO3</b></p> <p>Refer response PO1.</p>

State Development Assessment Provisions v3.5

State code 1: Development in a state-controlled road environment

Performance outcomes	Acceptable outcomes	Response
of the <b>state-controlled road</b> .		
<b>PO4</b> The location, placement, design and operation of advertising devices, visible from the <b>state-controlled road</b> , do not create a safety hazard for users of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b> No advertising devices proposed.
<b>PO5</b> The design and construction of buildings and <b>structures</b> does not create a safety hazard by distracting users of the <b>state-controlled road</b> .	<p><b>AO5.1</b> Facades of buildings and <b>structures</b> fronting the <b>state-controlled road</b> are made of non-reflective materials.</p> <p>AND</p> <p><b>AO5.2</b> Facades of buildings and <b>structures</b> do not direct or reflect point light sources into the face of oncoming traffic on the <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO5.3</b> External lighting of buildings and <b>structures</b> is not directed into the face of oncoming traffic on the <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO5.4</b> External lighting of buildings and <b>structures</b> does not involve flashing or laser lights.</p>	<b>Not applicable</b> The proposal is for the reconfiguration of land only.
<b>PO6</b> Road, pedestrian and bikeway bridges over a <b>state-</b>	<b>AO6.1</b> Road, pedestrian and bikeway bridges over	<b>Not applicable</b> The proposal is for the reconfiguration of land only. Refer to response PO1.

State Development Assessment Provisions v3.5

State code 1: Development in a state-controlled road environment

<b>Performance outcomes</b>	<b>Acceptable outcomes</b>	<b>Response</b>
<b>controlled road</b> are designed and constructed to prevent projectiles from being thrown onto the <b>state-controlled road</b> .	the <b>state-controlled road</b> include throw protection screens in accordance with section 4.11 of the Design Criteria for Bridges and Other Structures Manual, Department of Transport and Main Roads, 2020.	
<b>Landscaping</b>		
<b>PO7</b> The location of landscaping does not create a safety hazard for users of the <b>state-controlled road</b> .	<p><b>AO7.1</b> Landscaping is not located in a <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO7.2</b> Landscaping can be maintained without requiring access to a <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO7.3</b> Landscaping does not block or obscure the sight lines for vehicular access to a <b>state-controlled road</b>.</p>	<b>Not applicable</b> The proposal is for the reconfiguration of land only. Refer to response PO1.
<b>Stormwater and overland flow</b>		
<b>PO8</b> Stormwater run-off or overland flow from the development site does not create or exacerbate a safety hazard for users of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Complies PO8</b> No changes to stormwater run-off or overland flow will occur. Refer to response PO1.
<b>PO9</b> Stormwater run-off or overland flow from the development site does not result in a material worsening of the operating performance of the <b>state-controlled road</b> or <b>road transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Complies PO9</b> No changes to stormwater run-off or overland flow will occur. Refer to response PO1.

State Development Assessment Provisions v3.5

State code 1: Development in a state-controlled road environment

Performance outcomes	Acceptable outcomes	Response
<p><b>PO10</b> Stormwater run-off or overland flow from the development site does not adversely impact the <b>structural integrity</b> or physical condition of the <b>state-controlled road</b> or <b>road transport infrastructure</b>.</p>	<p>No acceptable outcome is prescribed.</p>	<p><b>Complies PO10</b> No changes to stormwater run-off or overland flow will occur. Refer to response PO1.</p>
<p><b>PO11</b> Development ensures that stormwater is lawfully discharged.</p>	<p><b>AO11.1</b> Development does not create any new points of discharge to a <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO11.2</b> Development does not concentrate flows to a <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO11.3</b> Stormwater run-off is discharged to a <b>lawful point of discharge</b>.</p> <p>AND</p> <p><b>AO11.4</b> Development does not worsen the condition of an existing <b>lawful point of discharge</b> to the <b>state-controlled road</b>.</p>	<p><b>Complies PO11</b> No changes to stormwater will occur. Refer to response PO1.</p>
<b>Flooding</b>		
<p><b>PO12</b> Development does not result in a material worsening of flooding impacts within a <b>state-controlled road</b>.</p>	<p><b>AO12.1</b> For all flood events up to 1% <b>annual exceedance probability</b>, development results in negligible impacts</p>	<p><b>Complies PO12</b> No changes to the flood regime will occur. Refer to response PO1.</p>

State Development Assessment Provisions v3.5

State code 1: Development in a state-controlled road environment

Performance outcomes	Acceptable outcomes	Response
	<p>(within +/- 10mm) to existing flood levels within a <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO12.2</b> For all flood events up to 1% <b>annual exceedance probability</b>, development results in negligible impacts (up to a 10% increase) to existing peak velocities within a <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO12.3</b> For all flood events up to 1% <b>annual exceedance probability</b>, development results in negligible impacts (up to a 10% increase) to existing time of submergence of a <b>state-controlled road</b>.</p>	
<b>Drainage Infrastructure</b>		
<p><b>PO13</b> Drainage infrastructure does not create a safety hazard for users in the <b>state-controlled road</b>.</p>	<p><b>AO13.1</b> Drainage infrastructure is wholly contained within the development site, except at the <b>lawful point of discharge</b>.</p> <p>AND</p> <p><b>AO13.2</b> Drainage infrastructure can be maintained without requiring access to a <b>state-controlled road</b>.</p>	<p><b>Complies PO13</b> No changes to drainage will occur. Refer to response PO1.</p>

Performance outcomes	Acceptable outcomes	Response
<b>PO14</b> Drainage infrastructure associated with, or within, a <b>state-controlled road</b> is constructed, and designed to ensure the <b>structural integrity</b> and physical condition of existing drainage infrastructure and the surrounding drainage network.	No acceptable outcome is prescribed.	<b>Not applicable</b> Refer to response PO1.

**Table 1.2 Vehicular access, road layout and local roads**

Performance outcomes	Acceptable outcomes	Response
<b>Vehicular access to a state-controlled road or within 100 metres of a state-controlled road intersection</b>		
<b>PO15</b> The location, design and operation of a <b>new or changed access</b> to a <b>state-controlled road</b> does not compromise the safety of users of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b> Refer to response PO1.
<b>PO16</b> The location, design and operation of a <b>new or changed access</b> does not adversely impact the <b>functional requirements</b> of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b>
<b>PO17</b> The location, design and operation of a <b>new or changed access</b> is consistent with the <b>future intent</b> of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b>
<b>PO18</b> <b>New or changed access</b> is consistent with the access for the relevant <b>limited access road policy</b> : 1. <b>LAR 1</b> where direct access is prohibited; or 2. <b>LAR 2</b> where access may be permitted, subject to assessment.	No acceptable outcome is prescribed.	<b>Not applicable</b>
<b>PO19</b> <b>New or changed access</b> to a <b>local road</b> within 100 metres of an intersection with a <b>state-controlled road</b> does not compromise the safety of users of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b>
<b>PO20</b> <b>New or changed access</b> to a <b>local road</b> within 100 metres of	No acceptable outcome is prescribed.	<b>Not applicable</b>

State Development Assessment Provisions v3.5

State code 1: Development in a state-controlled road environment

Performance outcomes	Acceptable outcomes	Response
an intersection with a <b>state-controlled road</b> does not adversely impact on the operating performance of the intersection.		
<b>Public passenger transport and active transport</b>		
<b>PO21</b> Development does not compromise the safety of users of <b>public passenger transport infrastructure, public passenger services and active transport infrastructure.</b>	No acceptable outcome is prescribed.	<b>Complies PO21</b> Refer to response PO1.
<b>PO22</b> Development maintains the ability for people to access <b>public passenger transport infrastructure, public passenger services and active transport infrastructure.</b>	No acceptable outcome is prescribed.	<b>Complies PO22</b> Refer to response PO1.
<b>PO23</b> Development does not adversely impact the operating performance of <b>public passenger transport infrastructure, public passenger services and active transport infrastructure.</b>	No acceptable outcome is prescribed.	<b>Complies PO23</b> Refer to response PO1.
<b>PO24</b> Development does not adversely impact the <b>structural integrity</b> or physical condition of <b>public passenger transport infrastructure and active transport infrastructure.</b>	No acceptable outcome is prescribed.	<b>Complies PO24</b> Refer to response PO1.

**Table 1.3 Network impacts**

Performance outcomes	Acceptable outcomes	Response
<b>PO25</b> Development does not compromise the safety of users of the <b>state-controlled road</b> network.	No acceptable outcome is prescribed.	<b>Complies PO25</b> Refer to response PO1.
<b>PO26</b> Development ensures <b>no net worsening</b> of the operating performance of the <b>state-controlled road</b> network.	No acceptable outcome is prescribed.	<b>Complies PO26</b> Refer to response PO1.
<b>PO27</b> Traffic movements are not directed onto a <b>state-controlled road</b> where they can be accommodated on the <b>local road</b> network.	No acceptable outcome is prescribed.	<b>Complies PO27</b> Refer to response PO1.
<b>PO28</b> Development involving haulage exceeding 10,000 tonnes per year does not adversely impact the pavement of a <b>state-controlled road.</b>	No acceptable outcome is prescribed.	<b>Not applicable</b>
<b>PO29</b> Development does not impede delivery of <b>planned</b>	No acceptable outcome is prescribed.	<b>Complies PO29</b> Refer to response PO1.

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State code 1: Development in a state-controlled road environment

Performance outcomes	Acceptable outcomes	Response
<b>upgrades of state-controlled roads.</b>		
<b>PO30</b> Development does not impede delivery of <b>corridor improvements</b> located entirely within the <b>state-controlled road corridor</b> .	No acceptable outcome is prescribed.	<b>Complies PO30</b> Refer to response PO1.

**Table 1.4 Filling, excavation, building foundations and retaining structures**

Performance outcomes	Acceptable outcomes	Response
<b>PO31</b> Development does not create a safety hazard for users of the <b>state-controlled road</b> or <b>road transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b>
<b>PO32</b> Development does not adversely impact the operating performance of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b>
<b>PO33</b> Development does not undermine, damage or cause subsidence of a <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b>
<b>PO34</b> Development does not cause ground water disturbance in a <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b>
<b>PO35</b> Excavation, boring, piling, blasting and fill compaction do not adversely impact the physical condition or <b>structural integrity</b> of a <b>state-controlled road</b> or <b>road transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b>
<b>PO36</b> Filling and excavation associated with the construction of <b>new or changed access</b> do not compromise the operation or capacity of existing drainage infrastructure for a <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b>

**Table 1.5 Environmental emissions**

Statutory note: Where a **state-controlled road** is co-located in the same transport corridor as a railway, the development should instead comply with Environmental emissions in State code 2: Development in a railway environment.

Performance outcomes	Acceptable outcomes	Response
<b>Reconfiguring a lot</b>		
<b>Involving the creation of 5 or fewer new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor</b>		

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State code 1: Development in a state-controlled road environment

Performance outcomes	Acceptable outcomes	Response
<p><b>PO37</b> Development minimises free field noise intrusion from a <b>state-controlled road</b>.</p>	<p><b>AO37.1</b> Development provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> <li>1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1);</li> <li>2. in accordance with:               <ol style="list-style-type: none"> <li>a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;</li> <li>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</li> <li>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020.</li> </ol> </li> </ol> <p>OR</p> <p><b>AO37.2</b> Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.</p> <p>OR</p> <p><b>AO37.3</b> Development provides a <b>solid gap-free fence</b> or other <b>solid gap-free structure</b> along the full extent of the boundary closest to the <b>state-controlled road</b>.</p>	<p><b>Not applicable</b> The proposal is for the subdivision of rural lots.</p>
<p><b>Involving the creation of 6 or more new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor</b></p>		
<p><b>PO38</b> Reconfiguring a lot minimises free field noise intrusion from a <b>state-controlled road</b>.</p>	<p><b>AO38.1</b> Development provides noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> <li>1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1);</li> <li>2. in accordance with:</li> </ol>	<p><b>Not applicable</b></p>

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State code 1: Development in a state-controlled road environment

Performance outcomes	Acceptable outcomes	Response
	<ul style="list-style-type: none"> <li>a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;</li> <li>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</li> <li>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020.</li> </ul> <p>OR</p> <p><b>AO38.2</b> Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.</p>	
<b>Material change of use (accommodation activity)</b>		
<b>Ground floor level requirements adjacent to a state-controlled road or type 1 multi-modal corridor</b>		
<p><b>PO39</b> Development minimises noise intrusion from a <b>state-controlled road in private open space</b>.</p>	<p><b>AO39.1</b> Development provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ul style="list-style-type: none"> <li>1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.2) for <b>private open space</b> at the ground floor level;</li> <li>2. in accordance with: <ul style="list-style-type: none"> <li>a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;</li> <li>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</li> <li>c. Technical Specification-MRTS04 General</li> </ul> </li> </ul>	<p><b>Not applicable</b></p>

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State code 1: Development in a state-controlled road environment

Performance outcomes	Acceptable outcomes	Response
	<p>Earthworks, Transport and Main Roads, 2020.</p> <p>OR</p> <p><b>AO39.2</b> Development achieves the maximum free field acoustic level in reference table 2 (item 2.2) for <b>private open space</b> by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.</p>	
<p><b>PO40</b> Development (excluding a <b>relevant residential building</b> or <b>relocated building</b>) minimises noise intrusion from a <b>state-controlled road</b> in <b>habitable rooms</b> at the facade.</p>	<p><b>AO40.1</b> Development (excluding a <b>relevant residential building</b> or <b>relocated building</b>) provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> <li>1. to achieve the maximum building façade acoustic level in reference table 1 (item 1.1) for <b>habitable rooms</b>;</li> <li>2. in accordance with: <ol style="list-style-type: none"> <li>a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;</li> <li>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</li> <li>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020.</li> </ol> </li> </ol> <p>OR</p> <p><b>AO40.2</b> Development (excluding a <b>relevant residential building</b> or <b>relocated building</b>) achieves the maximum building façade acoustic level in reference table 1 (item 1.1) for <b>habitable rooms</b> by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.</p>	<p><b>Not applicable</b></p>

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State code 1: Development in a state-controlled road environment

Performance outcomes	Acceptable outcomes	Response
<b>PO41 Habitable rooms</b> (excluding a <b>relevant residential building</b> or <b>relocated building</b> ) are designed and constructed using materials to achieve the maximum internal acoustic level in reference table 3 (item 3.1).	No acceptable outcome is provided.	<b>Not applicable</b>
<b>Above ground floor level requirements (accommodation activity) adjacent to a state-controlled road or type 1 multi-modal corridor</b>		
<b>PO42</b> Balconies, podiums, and roof decks include: 1. a continuous <b>solid gap-free structure</b> or balustrade (excluding gaps required for drainage purposes to comply with the Building Code of Australia); 2. highly acoustically absorbent material treatment for the total area of the soffit above balconies, podiums, and roof decks.	No acceptable outcome is provided.	<b>Not applicable</b>
<b>PO43 Habitable rooms</b> (excluding a <b>relevant residential building</b> or <b>relocated building</b> ) are designed and constructed using materials to achieve the maximum internal acoustic level in reference table 3 (item 3.1).	No acceptable outcome is provided.	<b>Not applicable</b>
<b>Material change of use (other uses)</b>		
<b>Ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor</b>		
<b>PO44</b> Development: 1. provides a noise barrier or earth mound that is designed, sited and constructed: a. to achieve the maximum free field acoustic level in reference table 2 (item 2.3) for all <b>outdoor education areas</b> and <b>outdoor play areas</b> ; b. in accordance with: i. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice:	No acceptable outcome is provided.	<b>Not applicable</b>

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State code 1: Development in a state-controlled road environment

Performance outcomes	Acceptable outcomes	Response
<p>Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;</p> <p>ii. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</p> <p>iii. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or</p> <p>2. achieves the maximum free field acoustic level in reference table 2 (item 2.3) for all <b>outdoor education areas</b> and <b>outdoor play areas</b> by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.</p>		
<p><b>PO45</b> Development involving a <b>childcare centre</b> or <b>educational establishment</b>:</p> <p>1. provides a noise barrier or earth mound that is designed, sited and constructed:</p> <p>2. to achieve the maximum building facade acoustic level in reference table 1 (item 1.2);</p> <p>3. in accordance with:</p> <p>a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;</p> <p>b. Technical Specification-MRTS15 Noise Fences,</p>	No acceptable outcome is provided.	<b>Not applicable</b>

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State code 1: Development in a state-controlled road environment

Performance outcomes	Acceptable outcomes	Response
<p>Transport and Main Roads, 2019;</p> <p>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or</p> <p>4. achieves the maximum building facade acoustic level in reference table 1 (item 1.2) by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.</p>		
<p><b>PO46</b> Development involving:</p> <p>1. <b>indoor education areas</b> and <b>indoor play areas</b>; or</p> <p>2. sleeping rooms in a <b>childcare centre</b>; or</p> <p>3. <b>patient care areas</b> in a <b>hospital</b> achieves the maximum internal acoustic level in reference table 3 (items 3.2-3.4).</p>	No acceptable outcome is provided.	<b>Not applicable</b>
<p><b>Above ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor</b></p>		
<p><b>PO47</b> Development involving a <b>childcare centre</b> or <b>educational establishment</b> which have balconies, podiums or elevated <b>outdoor play areas</b> predicted to exceed the maximum free field acoustic level in reference table 2 (item 2.3) due to noise from a <b>state-controlled road</b> are provided with:</p> <p>1. a continuous <b>solid gap-free structure</b> or balustrade (excluding gaps required for drainage purposes to comply with the Building Code of Australia);</p> <p>2. highly acoustically absorbent material treatment for the total area of the soffit above balconies or elevated <b>outdoor play areas</b>.</p>	No acceptable outcome is provided.	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Response
<p><b>PO48</b> Development including:</p> <ol style="list-style-type: none"> <li><b>indoor education areas</b> and <b>indoor play areas</b> in a <b>childcare centre</b> or <b>educational establishment</b>; or</li> <li>sleeping rooms in a <b>childcare centre</b>; or</li> <li><b>patient care areas</b> in a <b>hospital</b> located above ground level, is designed and constructed to achieve the maximum internal acoustic level in reference table 3 (items 3.2-3.4).</li> </ol>	No acceptable outcome is provided.	<b>Not applicable</b>
<b>Air, light and vibration</b>		
<p><b>PO49</b> Private open space, <b>outdoor education areas</b> and <b>outdoor play areas</b> are protected from air quality impacts from a <b>state-controlled road</b>.</p>	<p><b>AO49.1</b> Each dwelling or unit has access to a <b>private open space</b> which is shielded from a <b>state-controlled road</b> by a building, <b>solid gap-free fence</b>, or other <b>solid gap-free structure</b>.</p> <p>OR</p> <p><b>AO49.2</b> Each <b>outdoor education area</b> and <b>outdoor play area</b> is shielded from a <b>state-controlled road</b> by a building, <b>solid gap-free fence</b>, or other <b>solid gap-free structure</b>.</p>	<b>Not applicable</b>
<p><b>PO50</b> <b>Patient care areas</b> within <b>hospitals</b> are protected from vibration impacts from a <b>state-controlled road</b> or <b>type 1 multi-modal corridor</b>.</p>	<p><b>AO50.1</b> <b>Hospitals</b> are designed and constructed to ensure vibration in the patient treatment area does not exceed a vibration dose value of <math>0.1\text{m/s}^{1.75}</math>.</p> <p>AND</p> <p><b>AO50.2</b> <b>Hospitals</b> are designed and constructed to ensure vibration in the ward of a <b>patient care area</b> does not exceed a vibration dose value of <math>0.4\text{m/s}^{1.75}</math>.</p>	
<p><b>PO51</b> Development is designed and sited to ensure light from infrastructure within, and from users of, a <b>state-controlled road</b></p>	No acceptable outcomes are prescribed.	<b>Not applicable</b>

State Development Assessment Provisions v3.5

State code 1: Development in a state-controlled road environment

Performance outcomes	Acceptable outcomes	Response
<p>or <b>type 1 multi-modal corridor</b>, does not:</p> <ol style="list-style-type: none"> <li>intrude into buildings during night hours (10pm to 6am);</li> <li>create unreasonable disturbance during evening hours (6pm to 10pm).</li> </ol>		

**Table 1.6: Development in a future state-controlled road environment**

Performance outcomes	Acceptable outcomes	Response
<b>PO52</b> Development does not impede delivery of a <b>future state-controlled road</b> .	<p><b>AO52.1</b> Development is not located in a <b>future state-controlled road</b>.</p> <p>OR ALL OF THE FOLLOWING APPLY:</p> <p><b>AO52.2</b> Development does not involve filling and excavation of, or material changes to, a <b>future state-controlled road</b>.</p> <p>AND</p> <p><b>AO52.3</b> The intensification of lots does not occur within a <b>future state-controlled road</b>.</p> <p>AND</p> <p><b>AO52.4</b> Development does not result in the landlocking of parcels once a <b>future state-controlled road</b> is delivered.</p>	<b>Not applicable</b>
<b>PO53</b> The location and design of <b>new or changed access</b> does not create a safety hazard for users of a <b>future state-controlled road</b> .	<b>AO53.1</b> Development does not include <b>new or changed access</b> to a <b>future state-controlled road</b> .	<b>Not applicable</b>
<b>PO54</b> Filling, excavation, building foundations and <b>retaining structures</b> do not undermine, damage or cause subsidence of a <b>future state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b>
<b>PO55</b> Development does not result in a material worsening of stormwater, flooding, overland flow or drainage impacts in a	No acceptable outcome is prescribed.	<b>Not applicable</b>

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State code 1: Development in a state-controlled road environment

Performance outcomes	Acceptable outcomes	Response
<b>future state-controlled road or road transport infrastructure.</b>		
<p><b>PO56</b> Development ensures that stormwater is lawfully discharged.</p>	<p><b>AO56.1</b> Development does not create any new points of discharge to a <b>future state-controlled road</b>.</p> <p>AND</p> <p><b>AO56.2</b> Development does not concentrate flows to a <b>future state-controlled road</b>.</p> <p>AND</p> <p><b>AO56.3</b> Stormwater run-off is discharged to a <b>lawful point of discharge</b>.</p> <p>AND</p> <p><b>AO56.4</b> Development does not worsen the condition of an existing <b>lawful point of discharge</b> to the <b>future state-controlled road</b>.</p>	<p><b>Not applicable</b></p>

# ATTACHMENT E

brazier motti



## 6.2.10 Rural zone code

### 6.2.10.1 Application

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

### 6.2.10.2 Purpose

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

### Criteria for assessment

Table 6.2.10.3.a – Rural zone code assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> The height of buildings is compatible with the rural character of the area and must not detrimentally impact on visual landscape amenity.	<b>AO1.1</b> Dwelling houses are not more than 8.5 metres in height.  Note – Height is inclusive of roof height.  <b>AO1.2</b>	<b>Not applicable</b> The proposal is for reconfiguring a lot only.



Performance outcomes	Acceptable outcomes	Applicant response
	Rural farm sheds and other rural structures are not more than 10 metres in height.	
<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: <ul style="list-style-type: none"> <li>(a) 40 metres from the property boundary and a State-controlled road;</li> <li>(b) 25 metres from the property boundary adjoining Cape Tribulation Road;</li> <li>(c) 20 metres from the boundary with any other road;</li> <li>(d) 6 metres from side and rear property boundaries.</li> </ul>	<b>Not applicable</b> No structures are proposed and no structures exist on site.
<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> No structures are proposed.
<b>For assessable development</b>		
<b>PO4</b> The establishment of uses is consistent with the outcomes sought for the Rural zone and protects the zone from the intrusion of inconsistent uses.	<b>AO4</b> Uses identified in Table 6.2.10.3.b are not established in the Rural zone.	<b>Not applicable</b> No changes to land use are proposed. Both proposed lots can accommodate continued rural pursuits and have the ability to operate independently.
<b>PO5</b> Uses and other development include those that: <ul style="list-style-type: none"> <li>(a) promote rural activities such as agriculture, rural enterprises and small scale industries that serve rural activities; or</li> <li>(b) promote low impact tourist activities based on the appreciation of the rural character, landscape and rural activities; or</li> <li>(c) are compatible with rural activities.</li> </ul>	<b>AO5</b> No acceptable outcomes are prescribed.	<b>Complies PO5</b> Both proposed lots can accommodate continued rural pursuits and have the ability to operate independently.
<b>PO6</b> Existing native vegetation along watercourses and in, or adjacent to areas of environmental value, or areas of remnant vegetation of value is protected.	<b>AO6</b> No acceptable outcomes are prescribed.	<b>Complies PO6</b> No removal of native vegetation is required to fulfil the proposal. Each proposed lots will utilise the existing boundaries.

Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO7</b> 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) Telecommunication s facility;</p> <p>(ii) Utility installation.</p>	<p><b>AO7</b> No acceptable outcomes are prescribed.</p>	<p>Alternative outcome</p> <p>The PO is acknowledged in the minimum lot area of 40ha. In this particular circumstance, the subject land is already separated into two (2) areas via a physical barrier (Lower Cassowary Road) which already diminishes the ability of the land to be effectively farmed as a single parcel. For example, use of the site for grazing would result in the non-ideal situation of shifting livestock across Lower Cassowary Road.</p> <p>With the demise of the sugar industry, large land holdings are no longer imperative for viable agricultural enterprises. Proposed Lot 11 retains an area of 37.605ha that can continue to be used for larger broadscale agricultural pursuits.</p> <p>Being geometrically constrained (short row lengths, awkward headland angles etc.) proposed Lot 10 would be more suited for high value horticulture pursuits (ginger, taro, tropical fruits etc) or animal agistment where large tracts of land is not required.</p> <p>All boundaries will remain as existing which ultimately maintains the existing rural character and amenity of the area, with proposed Lot 10 containing an area consistent with that of surrounding land that fronts onto the Mossman Mt Molloy Road. Both lots maintain frontage to Lower Cassowary Road.</p> <p>Overall, the proposed lots are of sufficient area and dimensions to allow for continued agricultural</p>

Performance outcomes	Acceptable outcomes	Applicant response
		<p>pursuits and primary production land is not fragmented. The proposed reconfiguration is considered minor in nature and is in keeping with the character and amenity of the surrounding area.</p>

## 9.4.7 Reconfiguring a lot code

### 9.4.7.1 Application

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

### 9.4.7.2 Purpose

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

## Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Response
<b>General lot design standards</b>		
<b>PO1</b> Lots comply with the lot reconfiguration outcomes of the applicable Zone code in Part 5.	<b>AO1</b> No acceptable outcomes are prescribed.	<b>Alternative outcome</b> The proposal will result in lot areas of: <ul style="list-style-type: none"> <li>• Proposed Lot 10 – 2.13ha</li> <li>• Proposed Lot 11 – 37.605ha</li> </ul> It is acknowledged that the resultant lots are below the minimum lot size. However, the proposal does not conflict with the overall purpose of the Rural Zone in that it does not encourage

Performance outcomes	Acceptable outcomes	Response
		fragmentation of agricultural land, given that the land is separated by a physical barrier that prevents it from being farmed as a single parcel. It can promote sustainable land management in that it allows for diversification of agricultural pursuits, does not impact upon operations on-site or adjoining lots, and retains all existing vegetation. Both parcels can be independently operated and are consistent with the surrounding cadastre.
<b>PO2</b> New lots are generally rectangular in shape with functional areas for land uses intended by the zone.	<b>AO2</b> Boundary angles are not less than 45 degrees.	<b>Complies AO2</b> Each new lot follows the existing boundary. No changes to boundary shape will occur as a result.
<b>PO3</b> Lots have legal and practical access to a public road.	<b>AO3</b> Each lot is provided with: (a) direct access to a gazetted road reserve; or (b) access to a gazetted road via a formal access arrangement registered on the title.	<b>Complies AO3</b> Both proposed lots will maintain access to a gazetted road (Lower Cassowary Road).
<b>PO4</b> Development responds appropriately to its local context, natural systems and site features.	<b>AO4</b> Existing site features such as: (c) significant vegetation and trees; (d) waterways and drainage paths; (e) vistas and vantage points are retained and/or are incorporated into open space, road reserves, near to lot boundaries or as common property.	<b>Complies AO4</b> The proposed lots continue to utilise the existing boundaries of the land which are a direct result of physical features being Cassowary Creek, Lower Cassowary Road, and Mossman Mount Molloy Road. The proposal does not entail any clearing works.
<b>PO5</b> New lots which have the capability of being further reconfigured into smaller lots at a later date are designed to not compromise ultimate development outcomes permitted in the relevant zone.	<b>AO5</b> The ability to further reconfigure land at a later date is demonstrated by submitting a concept plan that meets the planning scheme requirements for the applicable Zone.	<b>Not applicable</b>
<b>PO6</b> Where existing buildings or structures are to be retained, development results in:	<b>AO6</b> Development ensures setbacks between existing buildings or structures and proposed boundaries satisfy relevant building standards or zone code	<b>Not applicable</b> There are no existing buildings or structures on site.



Performance outcomes	Acceptable outcomes	Response
<p>(f) boundaries that offer regular lot shapes and usable spaces;</p> <p>(g) existing improvements complying with current building and amenity standards in relation to boundary setbacks.</p> <p>Note - This may require buildings or structures to be modified, relocated or demolished to meet setback standards, resolve encroachments and the like.</p>	<p>requirements, whichever is the greater.</p>	
<p><b>PO7</b> Where rear lots are proposed, development:</p> <p>(a) provides a high standard of amenity for residents and other users of the site and adjoining properties;</p> <p>(b) positively contributes to the character of adjoining properties and the area;</p> <p>(c) does not adversely affect the safety and efficiency of the road from which access is gained.</p>	<p><b>A07.1</b> Where rear lots are to be established:</p> <p>(a) the rear lot is generally rectangular in shape, avoiding contrived sharp boundary angles;</p> <p>(b) no more than 6 lots directly adjoin the rear lot;</p> <p>(c) no more than one rear lot occurs behind the road frontage lot;</p> <p>(d) no more than two access strips to rear lots directly adjoin each other;</p> <p>(e) access strips are located only on one side of the road frontage lot.</p> <p><b>A07.2</b> Access strips to the rear lot have a minimum width dimension of:</p> <p>(a) 4.0 metres in Residential Zones.</p> <p>(b) 8.0 metres in Industrial Zones category.</p> <p>(c) 5.0 metres in all other Zones.</p> <p>Note - Rear lots a generally not appropriate in non-Residential or non-Rural zones.</p> <p><b>A07.3</b> Access strips are provided with a sealed pavement of sufficient width to cater for the intended traffic, but no less than:</p> <p>(a) 3.0 metres in Residential Zone.</p> <p>(b) 6.0 metres in an Industrial Zone.</p> <p>(c) 3.5 metres in any other Zone.</p>	<p><b>Not applicable</b> No rear lots will be created as a result of the proposal.</p>

Performance outcomes	Acceptable outcomes	Response
<b>Structure plans</b>		
<p>Additional requirements for:</p> <ul style="list-style-type: none"> <li>(a) a site which is more than 5,000m<sup>2</sup> in any of the Residential zones; or within these zones, and</li> <li>(b) creates 10 or more lots; or</li> <li>(c) involves the creation of new roads and/or public use land.</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>(d) For a material change of use involving:               <ul style="list-style-type: none"> <li>(i) preliminary approval to vary the effect of the planning scheme;</li> <li>(ii) establishing alternative Zones to the planning scheme.</li> </ul> </li> </ul> <p>Note - This part is to be read in conjunction with the other parts of the code</p>		
<p><b>PO8</b></p> <p>A structure plan is prepared to ensure that neighbourhood design, block and lot layout, street network and the location and provision on any open space recognises previous planning for the area and its surroundings, and integrates appropriately into its surroundings.</p>	<p><b>A08.1</b></p> <p>Neighbourhood design, lot and street layout, and open space provides for, and integrates with, any:</p> <ul style="list-style-type: none"> <li>(a) approved structure plan;</li> <li>(b) the surrounding pattern of existing or approved subdivision.</li> </ul> <p>Note - Planning scheme policy SC14– Structure planning provides guidance on meeting the performance outcomes.</p> <p><b>A08.2</b></p> <p>Neighbourhood design, lot and street layouts enable future connection and integration with adjoining undeveloped land.</p>	<p><b>Not applicable</b></p> <p>The land is in the Rural Zone.</p>
<p><b>PO9</b></p> <p>Neighbourhood design results in a connected network of walkable streets providing an easy choice of routes within and surrounding the neighbourhood.</p>	<p><b>A09.1</b></p> <p>Development does not establish cul-de-sac streets unless:</p> <ul style="list-style-type: none"> <li>(a) cul-de-sacs are a feature of the existing pattern of development in the area;</li> <li>(b) there is a physical feature or incompatible zone change that dictates the need to use a cul-de-sac streets.</li> </ul> <p><b>A09.2</b></p> <p>Where a cul-de-sac street is used, it:</p> <ul style="list-style-type: none"> <li>(a) is designed to be no longer than 150 metres in length;</li> <li>(b) is designed so that the end of the cul-de-sac is visible from its entrance;</li> <li>(c) provides connections from the top of the cul-de-sac to other streets for pedestrians and cyclists, where appropriate.</li> </ul>	<p><b>Not applicable</b></p>

Performance outcomes	Acceptable outcomes	Response
	<p><b>AO9.3</b> No more than 6 lots have access to the turning circle or turning-tee at the end of a cul-de-sac street.</p>	
<p><b>PO10</b> Neighbourhood design supports diverse housing choices through block sizes and lot design. In developing areas, significant changes in lot size and frontage occur at the rear of lots rather than on opposite sides of a street.</p>	<p><b>PO10</b> No acceptable outcomes are prescribed.</p>	<b>Not applicable</b>
<p><b>PO11</b> Provision of physical and social infrastructure in developing residential neighbourhoods is facilitated through the orderly and sequential development of land.</p> <p>Note - Part 4 – Local government infrastructure plan may identify specific levels of infrastructure to be provided within development sites.</p>	<p><b>AO11.1</b> New development adjoins adjacent existing or approved urban development.</p> <p><b>AO11.2</b> New development is not established beyond the identified Local government infrastructure plan area.</p>	<b>Not applicable</b>
<b>Urban parkland and environmental open space</b>		
<p><b>PO12</b> Where appropriate development maintains and enhances public access and use of natural areas, rivers, dams, creeks and the foreshore.</p>	<p><b>AO12</b> No acceptable outcomes are prescribed.</p>	<b>Not applicable</b>
<p><b>PO13</b> Development provides land to:</p> <ul style="list-style-type: none"> <li>(a) meet the recreation needs of the community;</li> <li>(b) provide an amenity commensurate with the structure of neighbourhoods and land uses in the vicinity; and adjacent to open space areas;</li> <li>(c) provide for green corridors and linkages.</li> </ul>	<p><b>AO13</b> No acceptable outcomes are prescribed.</p> <p>Note - Part 4 – Priority infrastructure plan and Planning scheme policy SC14 – Structure Plans provides guidance in providing open space and recreation land.</p>	<b>Not applicable</b>
<p><b>AO14</b> Lot size, dimensions, frontage and orientation permits buildings to be established that will facilitate casual surveillance to urban parkland and environmental open space.</p>	<p><b>AO14.1</b> Urban parkland is regular in shape.</p> <p><b>AO14.2</b> At least 75% of the urban parkland’s frontage is provided as road.</p>	<b>Not applicable</b>

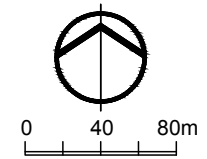
Performance outcomes	Acceptable outcomes	Response
	<p><b>AO14.3</b> Urban parkland and environmental open space areas are positioned to be capable of being overlooked by surrounding development.</p> <p><b>AO14.4</b> Surrounding lots are orientated so that facades will front and overlook the urban parkland and environmental open space.</p> <p><b>AO14.5</b> The number of lots that back onto, or are side-orientated to the urban parkland and environmental open space is minimised.</p>	
<b>Private subdivisions (gated communities)</b>		
<p><b>PO15</b> Private subdivisions (gated communities) do not compromise the establishment of connected and integrated infrastructure and open space networks.</p>	<p><b>PO15</b> No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p>
<b>Additional requirements for reconfiguration involving the creation of public streets or roads</b>		
<p><b>PO16</b> The function of new roads is clearly identified and legible and provides integration, safety and convenience for all users.</p>	<p><b>AO16</b> No acceptable outcomes are prescribed.</p> <p>Note - The design and construction standards are set out in Planning scheme policy SC5 – FNQROC Regional Development Manual, with reference to the specifications set out in Sections D1 and D3.</p>	<p><b>Not applicable</b></p>
<p><b>PO17</b> Street design supports an urban form that creates walkable neighbourhoods. Street design:</p> <ul style="list-style-type: none"> <li>(a) is appropriate to the function(s) of the street;</li> <li>(b) meets the needs of users and gives priority to the needs of vulnerable users.</li> </ul>	<p><b>AO17</b> No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p>
<b>Public transport network</b>		
<p><b>PO18</b> Development provides a street pattern that caters for the extension of public transport</p>	<p><b>AO18</b> No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p>

Performance outcomes	Acceptable outcomes	Response
routes and infrastructure including safe pedestrian pick-up and set-down up facilities.		
<b>Pest plants</b>		
<p><b>PO19</b> Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not reinfest the site or nearby sites.</p>	<p><b>AO19</b> Pest plants detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person prior to earthworks commencing.</p>	<p><b>Complies AO19</b> The land is currently utilised for agricultural purposes, and no removal of the existing vegetation is proposed. Any detection of pest plants will be treated accordingly.</p>

# ATTACHMENT F

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## PROPOSED RECONFIGURATION

Lots 10 & 11  
Cancelling Lot 137 on SR593

Locality of Cassowary  
Douglas Shire Council

Date: 23/03/2026	
Scale: 1:4000	A3
Drawn: WCHO	
Job No: 36654/001-01	
Plan No:	36654/001 A

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

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SURVEYING  
TOWNPLANNING  
PROJECT MANAGEMENT  
MAPPING & GIS

