

12 February 2026

Chief Executive Officer  
Douglas Shire Council  
64-66 Front Street  
MOSSMAN QLD 4873

Via email: [enquiries@douglas.qld.gov.au](mailto:enquiries@douglas.qld.gov.au)

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**RE: DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (BOUNDARY REALIGNMENT) OF LAND AT 739 MOSSMAN DAINTREE ROAD, L1 AND L9 MOSSMAN DAINTREE ROAD AND 2 MIJO ROAD, MIALLO, MORE FORMALLY DESCRIBED AS LOTS 2 AND 1 ON SP251530, AND LOTS 9 AND 1 ON RP710645 RESPECTIVELY**

Aspire Town Planning and Project Services has been engaged to act on behalf of Marano Investments Pty Ltd (A.C.N. 680 070 535) as the Applicant and registered land owner of 739 Mossman Daintree Road, L1 and L9 Mossman Daintree Road, and 2 Mijo Road, Miallo (formally described as Lots 2 and 1 on SP251530 and Lots 1 and 9 on RP710645, respectively).

The proposed development seeks approval to realign the boundaries between the subject lots to achieve improved land use outcomes across the landholdings. Specifically, the reconfiguration is intended to:

- secure sufficient land area to preserve the ongoing operation and functional requirements of the existing Marano's Fuel Station and Depot on the southern side of Mijo Road and provide a suitable land buffer to the balance farm lot;
- retain and optimise land for the approved Workers Accommodation (Council ref: MCUI 2022\_5106) on the northern side of Mijo Road, enabling improved site layout, circulation and operational efficiency; and
- facilitate an appropriate buffer interface, independent of the balance farm lots, between the depot activities and residential land to the north, thereby improving amenity and land use compatibility.

On behalf of the Applicant, please accept this correspondence and the accompanying material as a properly made Development Application pursuant to Sections 50 and 51 of the *Planning Act 2016*, seeking a Development Permit for Reconfiguring a Lot (Boundary Realignment).

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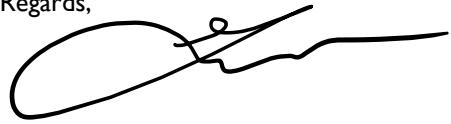
As such please find enclosed the following documentation associated with this Development Application:

- Duly completed DA Form 1 (Attachment 1); and
- Town Planning Report (Attachment 2).

The relevant Application Fee is calculated to be \$1,103.00 under the Douglas Shire Council Fees and Charges Schedule for Years 2025/2026. We respectfully request that Council provides an invoice to facilitate payment of the application fee directly by the Applicant.

Thank you for your time in considering the attached Development Application. If you have any further queries, please contact the undersigned.

Regards,

A handwritten signature in black ink, appearing to read "Daniel Favier".

Daniel Favier

**Senior Town Planner**

**ASPIRE Town Planning and Project Services**



Town Planning and Project Services

## **Attachment I**

### **Duly Completed DA Form I**

# 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)	Marano Investments Pty Ltd A.C.N 680 070 535
Contact name (only applicable for companies)	c/- Daniel Favier T/A Aspire Town Planning and Project Services
Postal address (P.O. Box or street address)	PO Box 1040
Suburb	Mossman
State	QLD
Postcode	4873
Country	Australia
Contact number	0418 826 560
Email address (non-mandatory)	admin@aspireqld.com
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	2025-06-60 - Maranos Fuel

### 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

<input checked="" type="checkbox"/> Street address <b>AND</b> lot on plan (all lots must be listed), <b>or</b> <input type="checkbox"/> Street address <b>AND</b> 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
		739	Mossman Daintree Road
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)
	4873	2	SP251530
b)	Unit No.	Street No.	Street Name and Type
			Mossman Daintree Road
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)
	4873	1	SP251530
c)	Unit No.	Street No.	Street Name and Type
			Mossman Daintree Road
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)
	4873	9	RP710645
d)	Unit No.	Street No.	Street Name and Type
		2	Mijo Road
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)
	4873	1	RP710645

#### 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.

<input type="checkbox"/> 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: <input type="text"/>	
<input type="checkbox"/> Coordinates of premises by easting and northing			
Easting(s)	Northing(s)	Zone Ref.	Datum
		<input type="checkbox"/> 54 <input type="checkbox"/> 55 <input type="checkbox"/> 56	<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other: <input type="text"/>

#### 3.3) Additional premises

<input type="checkbox"/> Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development application <input checked="" type="checkbox"/> Not required
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#### 4) Identify any of the following that apply to the premises and provide any relevant details

<input type="checkbox"/> In or adjacent to a water body or watercourse or in or above an aquifer
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Name of water body, watercourse or aquifer:

<input type="checkbox"/> On strategic port land under the <i>Transport Infrastructure Act 1994</i>	
Lot on plan description of strategic port land:	
Name of port authority for the lot:	
<input type="checkbox"/> In a tidal area	
Name of local government for the tidal area ( <i>if applicable</i> ):	
Name of port authority for tidal area ( <i>if applicable</i> )	
<input type="checkbox"/> On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>	
Name of airport:	
<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>	
EMR site identification:	
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>	
CLR site identification:	

5) Are there any existing easements over the premises?

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

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

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

Material change of use     Reconfiguring a lot     Operational work     Building work

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

Development permit     Preliminary approval     Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment     Impact assessment (*requires public notification*)

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

Boundary Realignment

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
<i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see <a href="#">DA Forms Guide: Relevant plans</a>.</i>
<input type="checkbox"/> Relevant plans of the proposed development are attached to the development application
6.3) Additional aspects of development
<input type="checkbox"/> Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application
<input checked="" type="checkbox"/> Not required
6.4) Is the application for State facilitated development?
<input type="checkbox"/> Yes - Has a notice of declaration been given by the Minister?
<input checked="" type="checkbox"/> 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 DA Form 2 – Building work details

## Division 1 – Material change of use

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

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

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

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

<input type="checkbox"/> Yes
<input type="checkbox"/> No

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

<input type="checkbox"/> Yes – provide details below or include details in a schedule to this development application	
<input type="checkbox"/> 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?

4

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

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

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

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

**10.2) Will the subdivision be staged?**

Yes – provide additional details below  
 No

**How many stages will the works include?****What stage(s) will this development application apply to?****11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?**

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

**12) Boundary realignment****12.1) What are the current and proposed areas for each lot comprising the premises?**

Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )
Lot 2 on SP251530	8,509	Proposed Lot 2	35,904
Lot 1 on SP251530	366,200	Proposed Lot 1	338,805
Lot 9 on RP710645	251,420	Proposed Lot 9	227,802
Lot 1 on RP710645	1,753	Proposed Lot 1	25,371

**12.2) What is the reason for the boundary realignment?**

The proposed development seeks approval to realign the boundaries between the subject lots to achieve improved land use outcomes across the landholdings.

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

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

**Division 3 – Operational work**

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

**14.1) What is the nature of the operational work?**

Road work  Stormwater  Water infrastructure  
 Drainage work  Earthworks  Sewage infrastructure  
 Landscaping  Signage  Clearing vegetation  
 Other – please specify:

**14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)**

<input type="checkbox"/> Yes – specify number of new lots:	
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No

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

\$

## PART 4 – ASSESSMENT MANAGER DETAILS

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

Douglas Shire Council

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

Yes – a copy of the decision notice is attached to this development application

The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached

No

## PART 5 – REFERRAL DETAILS

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

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

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

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

Clearing native vegetation

Contaminated land (*unexploded ordnance*)

Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)

Fisheries – aquaculture

Fisheries – declared fish habitat area

Fisheries – marine plants

Fisheries – waterway barrier works

Hazardous chemical facilities

Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)

Infrastructure-related referrals – designated premises

Infrastructure-related referrals – state transport infrastructure

Infrastructure-related referrals – State transport corridor and future State transport corridor

Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels

Infrastructure-related referrals – near a state-controlled road intersection

Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas

Koala habitat in SEQ region – key resource areas

Ports – Brisbane core port land – near a State transport corridor or future State transport corridor

Ports – Brisbane core port land – environmentally relevant activity (ERA)

Ports – Brisbane core port land – tidal works or work in a coastal management district

Ports – Brisbane core port land – hazardous chemical facility

Ports – Brisbane core port land – taking or interfering with water

Ports – Brisbane core port land – referable dams

Ports – Brisbane core port land – fisheries

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

SEQ development area

SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity

SEQ regional landscape and rural production area or SEQ rural living area – community activity

SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation

SEQ regional landscape and rural production area or SEQ rural living area – urban activity

SEQ regional landscape and rural production area or SEQ rural living area – combined use  
 SEQ northern inter-urban break – tourist activity or sport and recreation activity  
 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 received 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.



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## **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.



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## **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.qldgov.au](http://www.planning.statedevelopment.qldgov.au) for information regarding assessment of Queensland heritage places.*

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

**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](#).

Relevant plans of the development are attached to this development application  Yes

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

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



**Queensland  
Government**

### 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	



Town Planning and Project Services

## **Attachment 2**

### **Town Planning Report**



# Town Planning Report

RECONFIGURING A LOT (BOUNDARY REALIGNMENT)

739 MOSSMAN DAINTREE ROAD, L1 AND L9 MOSSMAN  
DAINTREE ROAD AND 2 MIJO ROAD, MIALLO

**11 February 2026**

**ASPIRE Town Planning and Project Services**

**Authored by: Daniel Favier**

**Ref: 2025-06-60 – Marano's Fuel**

This Town Planning Report is intended for the exclusive use of our Client "Marano Investments Pty Ltd A.C.N. 680 070 535" and is provided for informational purposes only. The information contained herein has been prepared based on sources and data believed to be reliable and accurate at the time of preparation. However, Aspire Town Planning and Project Services does not warrant the accuracy, completeness, or currency of the information and disclaims any responsibility for any errors or omissions, or for any loss or damage incurred by any party as a result of reliance on this information.

The conclusions and recommendations contained in this report are based on our professional judgment and interpretation of the current planning policies and regulations. It is important to note that planning regulations and policies are subject to change, and this report should not be construed as a guarantee of any future planning outcomes.

This report is confidential and may not be disclosed, reproduced, or distributed to any third party without the prior written consent of Aspire Town Planning and Project Services. Unauthorised use or distribution of this report is strictly prohibited.

# Executive Summary

Aspire Town Planning and Project Services has been engaged to represent Marano Investments Pty Ltd A.C.N. 680 070 535 as the Applicant and registered land owner of land at 739 Mossman Daintree Road, L1 and L9 Mossman Daintree Road, and 2 Mijo Road, Miallo (formally described as Lots 2 and 1 on SP251530 and Lots 1 and 9 on RP710645, respectively. This Development Application seeks approval for a Development Permit for Reconfiguring a Lot (Boundary Realignment).

The proposed development seeks approval to realign the boundaries between the subject lots to achieve improved land use outcomes across the landholdings. Specifically, the reconfiguration is intended to:

- secure sufficient land area to preserve the ongoing operation and functional requirements of the existing Marano's Fuel Station and Depot and future expansion on the southern side of Mijo Road and provide a suitable land buffer to the balance farm lot;
- retain and optimise land for the approved Workers Accommodation (Council ref: MCUI 2022\_5106) on the northern side of Mijo Road, enabling improved site layout, circulation and operational efficiency. It is acknowledged that any changes to this approval are subject to Council Approval; and
- facilitate an appropriate buffer interface, independent of the balance farm lots, between the depot activities and residential land to the north, thereby improving amenity and land use compatibility.

In accordance with the Planning Scheme, the subject sites are situated within the Industry and Rural Zone, where a Development Application for Reconfiguring a Lot (Boundary Realignment) is Code Assessable and requires a Development Application for a Development Permit to Douglas Shire Council.

This Town Planning Report provides a detailed assessment of the proposed development against the relevant Local Government Assessment Benchmarks, demonstrating that the proposal achieves compliance with the provisions of the planning scheme. All supporting documentation, including relevant plans, have been provided as attachments to this submission.

We respectfully request that the Douglas Shire Council consider issuing 'without prejudice' draft conditions for review prior to the formal release of a Decision Notice, to facilitate an efficient approval process and ensure that all parties are aligned regarding the requirements for development.

# 1.0 Summary

Table 1: Application Summary.

<b>Street Address</b>	739 Mossman Daintree Road, Miallo	L1 Mossman Daintree Road, Miallo	L9 Mossman Daintree Road, Miallo	2 Mijo Road, Miallo		
<b>Lot and Plan</b>	Lot 2 on SP251530	Lot 1 on SP251530	Lot 9 on RP710645	Lot 1 ON RP710645		
<b>Land Owner</b>	Marano Investments Pty Ltd A.C.N 680 070 535					
<b>Refer to Attachment 1</b>						
<b>Size</b>	0.8509ha or 8,509m <sup>2</sup>	36.62ha or 366,200m <sup>2</sup>	25.12ha or 251,420m <sup>2</sup>	0.1753ha or 1,753m <sup>2</sup>		
<b>Road Frontages</b>	Mossman Daintree Road and Mijo Road	Mossman Daintree Road and Mijo Road	Mijo Road and Schild's Road	Mossman Daintree Road, Mijo Road and Schild's Road		
<b>Easements</b>	Nil					
<b>Current Use</b>	Service Station and Depot	Farm Land	Farm Land	Vacant Land. Domestic Gardens		
<b>Proposal</b>	<p>Boundary Realignment to secure sufficient land area to preserve the ongoing operation and functional requirements of the existing Marano's Fuel Station and Depot and possible future expansion subject to Council approval.</p>		<p>Boundary Realignment to retain and optimise land for the approved Workers Accommodation (Council ref: MCUI 2022_5106) on the northern side of Mijo Road, enabling improved site layout, circulation and operational efficiency.</p> <p>In addition the realignment will facilitate an appropriate buffer interface, independent of the balance farm lots, between the depot activities and residential land to the north, thereby improving amenity and land use compatibility.</p>			
<b>Approvals Sought</b>	Development Permit					
<b>Level of Assessment</b>	Code Assessable					
<b>Planning Scheme Zone</b>	Rural Zone and Industry Zone		Rural Zone			
<b>Local Plan</b>	Nil					
<b>Regional Plan Designation</b>	Regional Landscape and Rural Production Area					

<b>State Planning Policy</b>	Appropriately integrated within the Planning Scheme
<b>State Development Assessment Provisions</b>	Not applicable
<b>Referral</b>	Not applicable

## 2.0 Site Description

The subject land comprises 739 Mossman Daintree Road and 2 Mijo Road, Miallo (formally described as *Lot 2 on SP251530 and Lot 1 on RP710645*), together with adjoining land at L1 and L9 Mossman Daintree Road, Miallo (formally described as *Lot 1 on SP251530 and Lot 9 on RP710645*). The landholding is commonly known within the locality as the Marano's Service Station and Depot and Marano's Farm respectively.

The site is located on the western side of Mossman Daintree Road, a key regional transport corridor connecting Mossman with surrounding rural areas and the Daintree region. The land is situated approximately 5.8 kilometres north of the Mossman township within the rural locality of Miallo, refer to Image 1.

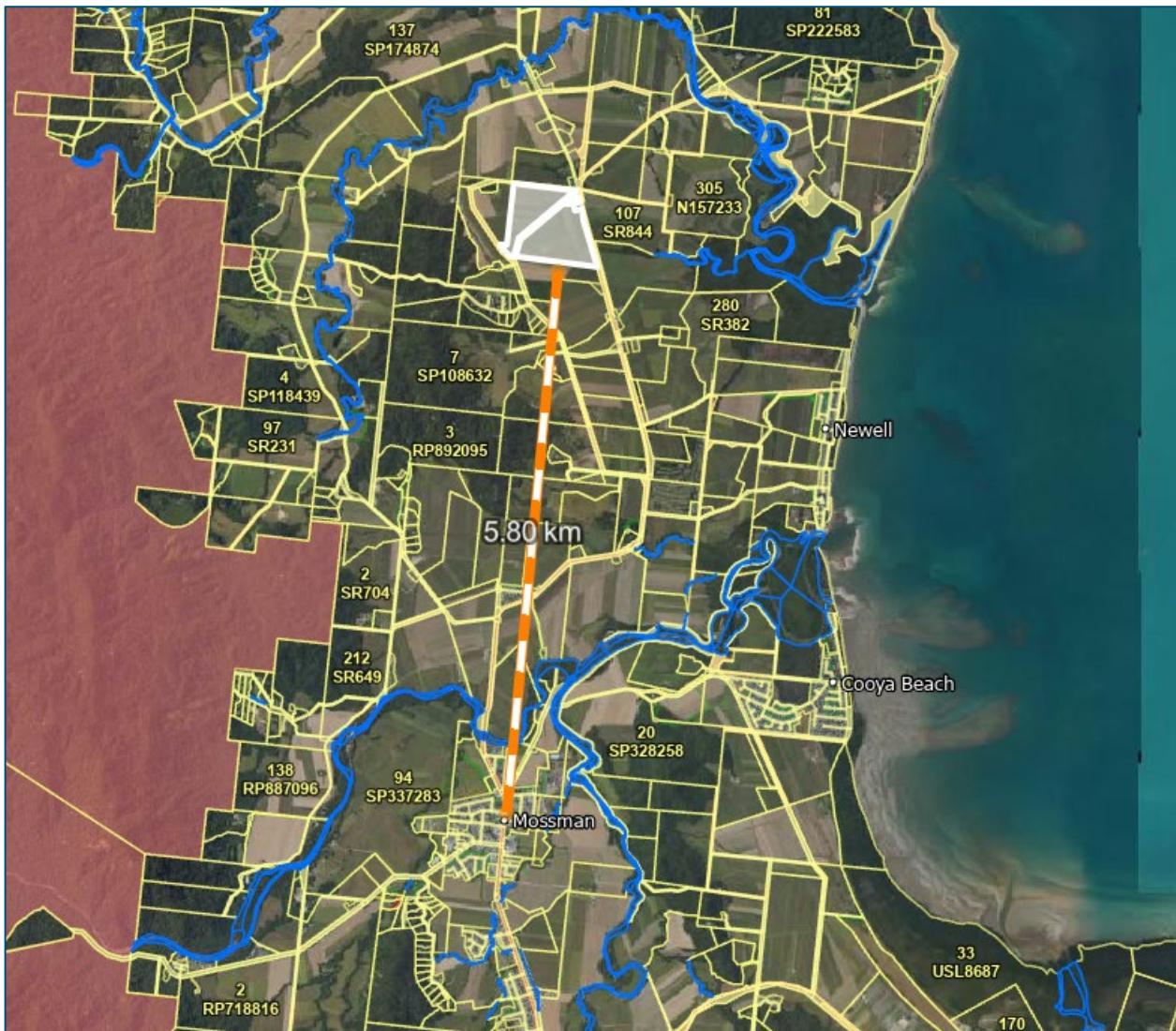


Image 1: Subject Site – Wider Locality Context (source: QLD Globe, February 2026)

The site occupies a prominent position at the intersection of Mossman Daintree Road, Schild's Road and Mijo Road, with established vehicular access from both road frontages. The Mossman Daintree Road frontage provides high visibility to passing traffic, while Schild's and Mijo Road functions as a local access route servicing rural land uses in the immediate area.

The surrounding land use context is mixed in character. Development in the locality includes a combination of rural residential properties and agricultural land. The subject site has a long-standing association with service station, fuel supply, storage and depot-related activities (since the 1940's) and is well recognised locally for these functions.

The land is generally cleared and developed, containing a mix of hardstand areas, buildings, sheds, storage areas and associated infrastructure consistent with its historic and current operational use. The farm land was previously under cane production, however with the Mossman Mill closure, the paddocks are bare and not productive.

Overall, the site benefits from direct access to a major road, established operational infrastructure, and separation from residential and other sensitive development.



Image 2: Subject Site Overview (source: QLD Globe, February 2026)

# 3.0 Proposal

## 3.1 Prelodement Background

By way of background, Applicant representatives Mr Angelo Marano and Mr Martin Gartrell, together with Aspire Town Planning and Project Services, met with Mr Daniel Lamond (Acting Planning Team Leader) on 27 November 2025 to discuss the proposed development and associated boundary realignment.

From that meeting, it was understood that Council was, in principle, supportive of the broader intent of the proposal, particularly in securing additional land to rationalise land ownership and facilitate the orderly use and future development of the site. Council officers acknowledged that the boundary realignment could achieve improved lot configuration outcomes and provide greater certainty for ongoing and future operations.

However, Council did not support the earlier iteration of the boundary realignment that proposed wrapping the adjusted boundary around the southern boundary of 735 Mossman Daintree Road and incorporating additional frontage to Mossman Daintree Road. Council officers expressed concern that this configuration would result in an unnecessary and undesirable extension of road frontage, without a corresponding planning or operational benefit, and would complicate rather than simplify the overall lot layout.

As a result, Council indicated a preference for a more streamlined boundary realignment outcome that avoids additional road frontage and focuses on achieving a logical and efficient reconfiguration consistent with sound planning principles and the intent of the Planning Scheme. The concept has been adjusted to remove this element.

It was acknowledged that the current zoning boundaries do not align with the title boundaries, and that this matter could be addressed through the Planning Scheme Review Process.

## 3.2 Operational Background

The Applicant operates a commercial vehicle fleet comprising approximately 22 heavy vehicles, in addition to associated service vehicles and oil trucks. The fleet services a broad geographic area extending from Townsville through to Cape York, the Gulf region and the Far West. The Miallo Service Station and Depot functions as the primary service and maintenance hub for the fleet.

The Cairns depot is the largest operational base and experiences regular daily vehicle movements, with trucks typically departing in the morning and returning in the evening, while some vehicles may remain on the road for extended periods depending on operational requirements.

The Miallo depot functions primarily as a maintenance and servicing facility, rather than as a logistics or dispatch hub. It supports both planned and unplanned maintenance activities throughout the year. Day-to-day vehicle movements at the Miallo depot are limited, with only one body truck operating daily from the site. Other heavy vehicle movements are sporadic and driven by maintenance requirements. Vehicles are generally brought to the depot for unplanned maintenance as well as scheduled servicing, inspections, repairs, upgrades and cleaning.

As part of the fleet's maintenance regime, truck and trailer combinations are routinely stationed at the Miallo depot for periods of two to three weeks to allow for annual inspections, major servicing and compliance works. The maintenance program is staggered across the year, in between unplanned and emergency repairs, with annual maintenance activities generally occurring between September and June, while routine servicing occurs approximately every six to eight weeks, depending on workload and vehicle usage (kilometres and hours). The Miallo depot is also used for emergency breakdowns and unscheduled repairs when required.

The existing workshop and hardstand areas at Miallo are no longer adequate to service the current fleet size or operational needs. As a result, the Applicant is currently required to rely heavily on external contractors in Cairns, Townsville, Innisfail and the Tablelands for maintenance works. The Cairns Depot is also used as an overflow maintenance facility when Miallo is at capacity. This arrangement is operationally inefficient and limits the Applicant's ability to centralise fleet maintenance.

The proposed boundary realignment is required to provide sufficient land area to accommodate a purpose-built mechanical workshop and associated yard space, allowing the Applicant to undertake fleet maintenance in-house and in accordance with all relevant compliance and safety requirements. This would be subject to a further Material Change of Use application.

The expanded site area would also support improved working conditions, which is critical to attracting and retaining skilled mechanical staff. The current workshop facilities are not comparable with modern workshops available in larger centres such as Cairns, which presents challenges in workforce recruitment.

The boundary realignment would facilitate majority of fleet maintenance activities to be comfortably consolidated at the Miallo depot. Importantly, this will not result in a material increase in traffic movements, as the site's primary function will remain maintenance-based rather than operational dispatch or logistics.

Additional land area is also required to accommodate the operational characteristics of the fleet. Many vehicles operate with multiple trailers, which must be stored on site while prime movers are undergoing servicing. For example, a single prime mover may regularly operate with two trailers, in addition to specialised trailers such as avgas trailers, each of which is subject to separate annual inspections and compliance requirements. These trailers cannot be readily relocated while associated

prime mover is under maintenance and must be stored in locations that do not interfere with workshop operations.

The expanded site area will further enable appropriate storage of spare parts and equipment, noting that the fleet comprises multiple vehicle brands requiring brand-specific components. While parts are often managed on a as required basis, the scale of heavy vehicle components means that parts and spares are typically pallet-sized or larger and require adequate storage space.

Overall, the proposed boundary realignment represents a necessary first stage in supporting the safe, efficient and compliant operation of the existing vehicle maintenance facility. The realignment is intended to provide an appropriate land base to accommodate operational requirements such as the concurrent servicing of multiple trucks and trailers, provision for additional staff, parts storage and associated ancillary infrastructure, and to enable the orderly and functional use of the site in response to the ongoing and anticipated growth of the business.

It is acknowledged that any future intensification or physical expansion of the use beyond the current approval would be subject to a separate and further Material Change of Use application, to be assessed by Council on its merits at that time.

Council has previously approved workers' accommodation on the land at 2 Mijo Road, Miallo. At the time of approval, the building footprint and internal layout were necessarily constrained by the limited size and configuration of the existing lot, resulting in a very tight built form outcome with minimal flexibility for optimisation of site layout and internal separation distances.

The proposed boundary realignment involving 2 Mijo Road will provide an increase in lot area for the workers' accommodation site, enabling a more functional and efficient layout to be achieved. Importantly, the additional land area does not facilitate an increase in the scale or intensity of the approved use. Rather, it allows the approved development to be re-arranged and better configured within the site to improve operational efficiency, site amenity and compliance with contemporary design expectations.

The increased lot area will also enable the establishment of a more meaningful physical buffer between the Service Station and Depot operations and the workers' accommodation, as well as improved separation to the adjoining residential properties located to the north. This additional separation provides greater opportunity for landscaping, setback refinement and acoustic and visual buffering, resulting in a more appropriate interface between non-residential activities, short-term accommodation and nearby dwellings.

Overall, the boundary realignment will improve the planning outcome for the workers' accommodation by reducing site constraints, improving internal layout and functionality, and enhancing amenity

protection for adjoining residential land, without introducing additional impacts or intensifying the approved use.

### 3.3 Proposal Description

This application seeks approval for a Reconfiguration of a Lot (Boundary Realignment) involving 739 Mossman Daintree Road (Lot 2 on SP251530) and L1 Mossman Daintree Road (Lot 1 on SP251530) and a Reconfiguration of a Lot (Boundary Realignment) involving L9 Mossman Daintree Road (Lot 9 on RP710645) and 2 Mio Road (Lot 1 on RP710645).

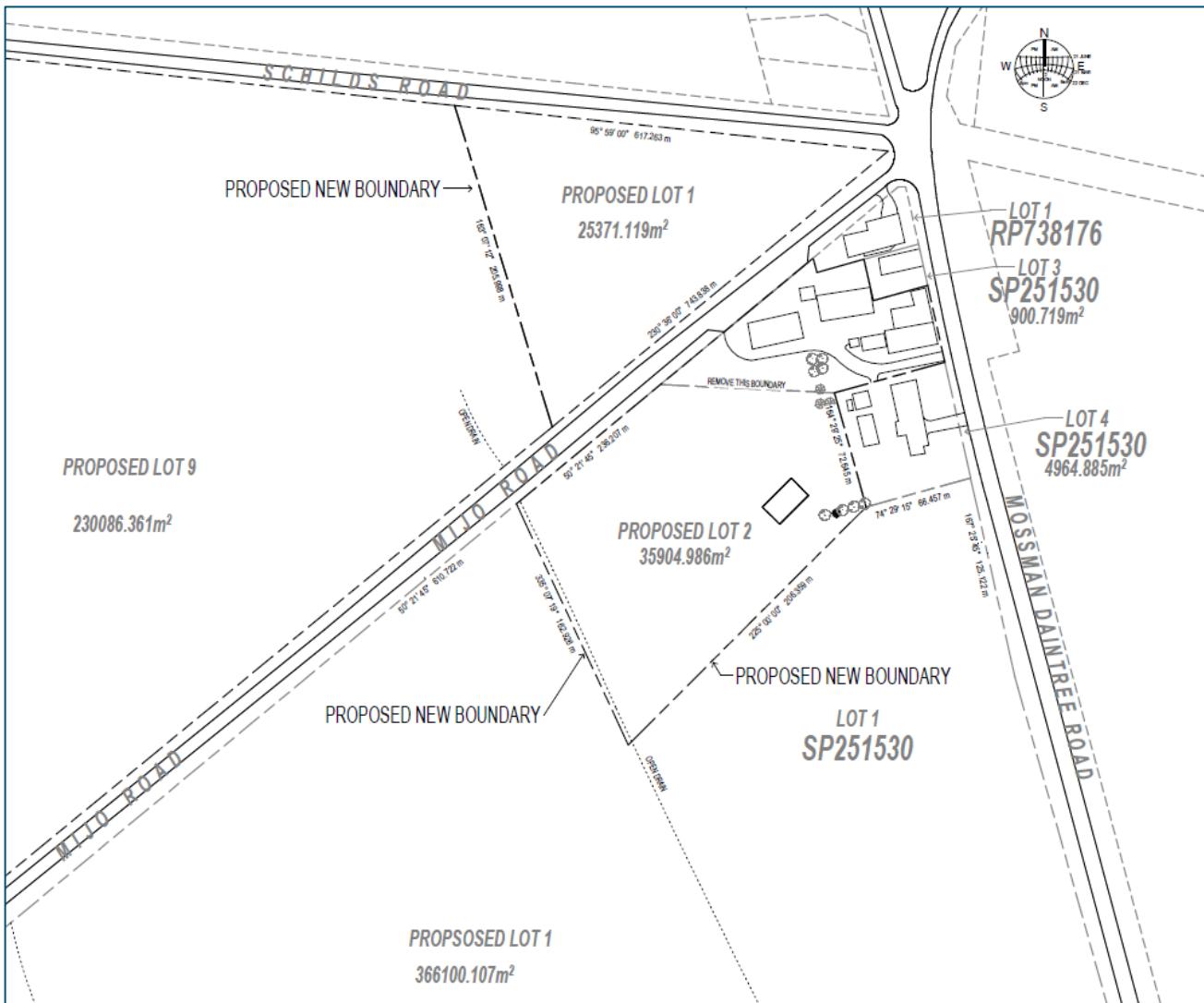
The proposed boundary adjustment will result in the following changes:

- Increase the area of 739 Mossman Daintree Road (Lot 2 on SP251530) to approximately 3.5904 ha (35,904 m<sup>2</sup>) to secure sufficient land area to support the ongoing operation and functional requirements of the existing Marano's Fuel Station and Depot. The increased lot area will also provide an appropriate buffer to the balance farm land and accommodate safe and efficient vehicle parking and additional storage. It is acknowledged that any future expansion of the Service Station beyond the existing approved use would be subject to a separate Development Application for a Material Change of Use.
- Increase the area of 2 Mijo Road (Lot 1 on RP710645) to approximately 2.5371 ha (25,371 m<sup>2</sup>) to retain and optimize land associated with the approved Workers' Accommodation (Council ref: MCUI 2022\_5106) on the northern side of Mijo Road. The increased lot area will enable improved site layout, internal circulation and operational efficiency, subject to any required Change Application. It is also anticipated that the site could accommodate additional longer-term parking for prime movers and trailers. Further, the expansion will facilitate a more appropriate buffer interface, independent of the balance farm lots, between depot activities and residential land to the north, thereby improving residential amenity and overall land use compatibility.

Access and other infrastructure services remain unchanged.

Similarly, the proposal does not involve any earthworks, vegetation clearing, or operational works.

Refer to Image 3 below and also Attachment 2 – Proposal Plan.



**Image 3: Proposal Plan Extract**

# 4.0 Statutory Town Planning Framework

## 4.1 Planning Act 2016

The *Planning Act 2016* (the ‘Planning Act’) is the statutory instrument for the State of Queensland under which, amongst other matters, Development Applications are assessed by Local Governments. The Planning Act is supported by the *Planning Regulation 2017* (the ‘Planning Regulation’). The following sections of this report discuss the parts of the Planning Act and Planning Regulation applicable to the assessment of a development application.

### 4.1.1 Approval and Development

Pursuant to Sections 49, 50 and 51 of the Planning Act, the Development Application seeks a Development Permit for Reconfiguring a Lot (Boundary Realignment).

### 4.1.2 Application

The proposed development is:

- development that is located completely in a single local government area;
- development made assessable under a local categorising instrument; and
- for Reconfiguring a Lot,

In accordance with Section 48 of the Planning Act and Schedule 8, Table 2, Item 1 of the Planning Regulation, the development application is required to be made to the applicable Local Government, in this instance being Douglas Shire Council (the ‘Council’).

### 4.1.3 Referral

Section 54(2) of the Planning Act and Section 22 and Schedules 9 and 10 of the Planning Regulation provide for the identification of the jurisdiction of referral agencies, to which a copy of the development application must be provided. A review of the Planning Regulation confirms that there are no relevant referral agencies to the Development Application.

### 4.1.4 Public Notification

Section 53(1) of the Planning Act provides that an applicant must give notice of a Development Application where any part is subject to Impact Assessment or where it is an application, which includes

a variation request The Development Application is subject to Code Assessment and therefore Public Notification of the Development Application is not required.

#### **4.1.5 Assessment Framework**

As noted within this report, the proposed development triggers a Code Assessable Development Application. Section 45(3) of the *Planning Act* provides that:

“(3) *A code assessment is an assessment that must be carried out only—*

- (a) against the assessment benchmarks in a categorising instrument for the development; and*
- (b) having regard to any matters prescribed by regulation for this paragraph.”*

The Douglas Shire Council Planning Scheme 2018 v1, as the applicable local categorising instrument, is discussed in greater detail in the following sections of this report.

Section 26 of the *Planning Regulation* provides the following assessment benchmarks for the purposes of Section 45(3)(a) of the *Planning Act*:

- “(1) For section 45(3)(a) of the Act, the code assessment must be carried out against the assessment benchmarks for the development stated in schedules 9 and 10.*
- (2) Also, if the prescribed assessment manager is the local government, the code assessment must be carried out against the following assessment benchmarks—*
  - (a) the assessment benchmarks stated in—*
    - (i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
    - (ii) the State Planning Policy, part E, to the extent part E is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
    - (iii) any temporary State planning policy applying to the premises;*
  - (b) if the local government is an infrastructure provider—the local government’s LGIP.*
- (3) However, an assessment manager may, in assessing development requiring code assessment, consider an assessment benchmark only to the extent the assessment benchmark is relevant to the development.”*

Section 27 of the *Planning Regulation* provides matters for the purposes of Section 45(3)(b) of the *Planning Act*:

“(1) For section 45(3)(b) of the Act, the code assessment must be carried out having regard to—

- (a) the matters stated in schedules 9 and 10 for the development; and
- ...
- (d) if the prescribed assessment manager is a person other than the chief executive—
  - (i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and
  - (ii) the State Planning Policy, to the extent the State Planning Policy is not identified in the planning scheme as being appropriately integrated in the planning scheme; and
  - (iii) for designated premises—the designation for the premises; and
- (e) any temporary State planning policy applying to the premises; and
- (f) any development approval for, and any lawful use of, the premises or adjacent premises; and
- (g) the common material.

(2) However—

- (a) an assessment manager may, in assessing development requiring code assessment, consider a matter mentioned in subsection (1) only to the extent the assessment manager considers the matter is relevant to the development; and
- (b) if an assessment manager is required to carry out code assessment against assessment benchmarks in an instrument stated in subsection (1), this section does not require the assessment manager to also have regard to the assessment benchmarks.”

The following sections of this report discuss the applicable assessment benchmarks and applicable matters in further detail.

## 4.2 Far North Queensland Regional Plan 2009-2031

The Far North Queensland Regional Plan 2009 – 2031 ('the Regional Plan') is intended to guide and manage the region's development and to address key regional environmental, social, economic and

urban objectives. The site falls within the area to which the Regional Plan applies. The Regional Plan is identified in the Planning Scheme as being appropriately integrated in the scheme and therefore not assessed in any further detail in this Development Application.

## **4.3 State Planning Policy**

The State Planning Policy ('the SPP') was released on 2 December 2013 and replaced all previous State Planning Policies. The SPP has since been revised, with new versions released on 2 July 2014, 29 April 2016 and 3 July 2017. The April 2016 version of the SPP is identified in the Planning Scheme as being

appropriately integrated. Whilst the SPP has been amended since April 2016 version, it is considered that the policy content and outcomes contained within the SPP, to the extent they are relevant and

applicable to the proposed development, have not been sufficiently amended to require the reconsideration of the SPP separately.

## **4.4 Temporary State Planning Policies**

There are currently no temporary State Planning Policies in effect in Queensland.

## **4.5 Douglas Shire Planning Scheme 2018 v1**

The Douglas Region Planning Scheme 2018 v1 (the 'planning scheme') is the current version of the planning scheme.

The following sections include an assessment against the relevant sections of the Planning Scheme.

### **4.5.1 Zone**

The subject sites are predominantly located within the Rural Zone. The purpose of land within this zone is to:

*"(a) provide for rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities;*

*(b) provide opportunities for non-rural uses, such as ancillary tourism activities that are compatible with agriculture, the environmental features, and landscape character of the rural area where the uses do not compromise the long-term use of the land for rural purposes;*

*(c) protect or manage significant natural resources and processes to maintain the capacity for primary production."*

The site at 739 Mossman Daintree Road however is partially located within the Industry Zone. The purpose of land within this zone is to:

*“...provide for a range of service, low or medium impact industrial uses. It may include non-industrial and business uses that support the industrial activities where they do not compromise the long-term use of the land for industrial purposes.”*

**Assessment Comment:**

The Service Station and Depot have a long-standing and well-established operational history at the subject site and are a recognised and accepted use within the locality. The business has operated from this location since the 1940s and has progressively evolved to meet contemporary operational, safety and compliance requirements.

The purpose of the Rural Zone acknowledges that non-rural uses may be supported where they are compatible with the surrounding rural environment and do not compromise the long-term use of land for rural purposes. In this instance, the Service Station and Depot is already established and operates in a contained manner, providing essential servicing and support to the agricultural industry within the Shire. The proposal does not extend operational activities into new or undeveloped areas at this stage. Rather, it seeks to retain sufficient land area to enable future expansion, subject to Council approval, and to improve the organisation, separation and buffering from surrounding land uses.

The proposed boundary realignment will result in the balance farming lots being reduced by approximately 5.1 hectares in total. This adjustment is limited in extent and does not materially affect the viability, productivity or continued agricultural use of the remaining land, which will continue to function as large rural allotments consistent with the Rural Zone intent.

Importantly, 739 Mossman Daintree Road is partially located within the Industry Zone, the purpose of which is to provide for service, low- or medium-impact industrial uses. The Service Station and Depot is directly aligned with this intent and represents the type of activity anticipated within the Industry Zone. However, the current zoning and title configuration does not appropriately reflect the functional extent of the established operation. It is anticipated that this misalignment will be addressed through a future planning scheme review; however, the proposed reconfiguration provides an interim and practical response to the growing demand and requirements of the current Service Station and Depot.

The application does not introduce any new land uses, nor does it seek to create additional land titles. The proposal is limited to a reconfiguration that secures the necessary land to facilitate the ongoing viability of the Miallo Depot.

Failure to support the proposed reconfiguration would have significant practical consequences for the ongoing viability of the Miallo Depot. The existing lot configuration limits the ability to maintain compliance, consolidate maintenance activities and accommodate fleet growth in a safe and orderly

manner. In the absence of approval, the services currently provided at the Miallo Depot may be forced to relocate. Notably, there is no other suitably zoned, serviced and available land within the Shire capable of accommodating this established operation, given its scale, operational requirements and strategic location.

Overall, the proposal represents a logical and orderly planning outcome that reflects the long-standing use of the site and supports the continued operation of an established Service Station and Depot. The reconfiguration achieves improved functionality and amenity outcomes without undermining the broader objectives of either the Rural Zone or the Industry Zone.

A full assessment of the proposed development against the Rural Zone Code and the Industry Zone Code is included within *Attachment 3 – Code Assessment*.

## 4.5.2 Overlays

Table 2: identifies the applicable Overlays to the site generally.

Overlay	Sub-category	Applicability and Compliance Assessment
Acid Sulfate Soils	Acid Sulfate Soils (<5m AHD; and 5-20m AHD)	The proposed development does not involve earthworks which will disturb Acid Sulfate Soils. The proposed development therefore achieves compliance with the code. No further detailed assessment is included in this report.
Coastal Processes	Erosion Prone Area	The proposed development does not extend into areas mapped within the Erosion Prone Area. The proposed development therefore achieves compliance with the code. No further detailed assessment is included in this report.
Flood and Storm Tide Hazard	Floodplain Assessment Overlay (Daintree River); Storm Tide Hazard (Medium and High Hazard)	The proposed development involves a boundary realignment only and does not introduce any increased risk to people or property. As a result, the proposal complies with the applicable code. Given the nature of the development and its minimal impact, no further detailed assessment is provided in this report.
Landscape Values	Medium Landscape Value; Scenic Route Buffer/View Corridor	The proposed development does not involve earthworks or vegetation clearing or physical works which would compromise landscape values. The proposed development therefore achieves compliance with the code. No further detailed assessment is included in this report.
Natural Areas	MSES - Regulated Vegetation (Intersecting a Watercourse)	The proposed boundary realignment not impact upon any natural site attributes. The proposed development therefore achieves compliance with the code. No further detailed assessment is included in this report.
Transport Network	Arterial Road; Minor Rural Road; Major Transport Corridor	The proposed development does not generate any additional demand on the road network. It is submitted that the development will not impact on the safe and efficient function of the existing road network. No changes are proposed to the existing road connections

		The proposed development therefore achieves compliance with the code. No further detailed assessment is included in this report.
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### 4.5.3 Assessment Criteria

As determined by Table 5.6.J under the planning scheme, and subsequent to discussion under s4.5.2 of this report, the following Planning Scheme Codes are applicable in the assessment of the Development Application:

#### Zone Code

- Rural Zone Code
- Industry Zone Code

#### Local Area Plan Code

- Nil

#### Overlay Codes

- Refer to discussion under s4.5.2 of this report.

#### Development Codes

- Reconfiguring a Lot Code

Technically the proposed development triggers assessment against the following other Development Codes, including the Access, Parking and Servicing Code, Environmental Performance Code, Filling and Excavation Code, Infrastructure Works Code, Landscaping Code and Vegetation Management Code. Whilst these codes have been considered in the preparation of this application, a detailed documented assessment is not included within this report as the matters raised within the codes do not apply to the proposed development. In support of this position we note:

- The proposed development does not change the existing lawful and practical road access locations or parking quantity, demand or configuration.
- The proposed development does not generate any environmental performance issues, as it involves a boundary realignment only, with no changes to land use, intensification of activities, or additional infrastructure that could impact the surrounding environment. The realignment does not result in any vegetation clearing, earthworks, or modifications to existing watercourses, thereby ensuring that natural ecological processes remain undisturbed.

Furthermore, the proposal does not introduce any new sources of emissions, pollutants, or environmental risks that could affect soil, water, or air quality.

- The proposed development does not propose any filling and excavation works.
- No further planting or removal of existing landscaping is proposed.
- No vegetation clearing or damage is proposed.

A detailed assessment against the other relevant assessment criteria is provided in ***Attachment 3 – Code Assessment***.

# 5.0 Conclusion

This Development Application seeks approval for a Reconfiguring a Lot (Boundary Realignment) involving land at 739 Mossman Daintree Road, L1 and L9 Mossman Daintree Road, and 2 Mijo Road, Miallo. The proposal is limited to the realignment of existing boundaries to secure land around the existing Services Station and Depot, improve functionality across the landholdings, and facilitate improved separation and buffering between existing and approved uses.

The proposed boundary realignment does not introduce any new land uses, does not create additional lots, and does not result in any increase in development intensity, traffic generation or infrastructure demand. Importantly, the proposal does not involve earthworks, vegetation clearing, changes to access arrangements, or operational works. The development is administrative in nature and is intended to achieve a more logical and orderly configuration of land that reflects the long-standing and approved uses of the site and facilitate opportunity for future expansion, subject to Council further approval.

The application has been assessed against the relevant provisions of the Douglas Shire Planning Scheme 2018 v1, including the Rural Zone Code, Industry Zone Code, Reconfiguring a Lot Code and applicable Overlay and Development Codes. The assessment demonstrates that the proposal is consistent with the purpose and intent of the planning scheme. The reconfiguration does not fragment rural land, does not compromise agricultural productivity, and does not adversely impact environmental values, landscape character or the operation of the transport network.

The proposal supports the continued operation of the long-established Marano's Fuel Station and Depot, a business that has operated from this locality since the 1940s and provides essential servicing and support to the agricultural and transport sectors within the Shire.

In addition, the proposal enables improved outcomes for the approved Workers' Accommodation at 2 Mijo Road, allowing greater flexibility in site layout and the establishment of more meaningful separation distances to adjoining residential land, subject to Council approval. This will result in improved amenity, land use compatibility and overall planning outcomes, without intensifying the approved use.

Failure to support the proposed boundary realignment would have significant implications for the ongoing viability of the Miallo Depot, noting that there is no alternative suitably zoned, serviced and available land within the Shire capable of accommodating the operation.

On balance, it is submitted that the proposed development achieves compliance with the relevant assessment benchmarks, aligns with the objectives of the *Planning Act 2016*, and represents a sound planning outcome. Accordingly, it is respectfully submitted that the application warrants approval.

It is further requested that Council consider issuing without-prejudice draft conditions for review prior to the formal release of a Decision Notice, to assist in ensuring clarity, transparency and efficiency in the assessment process.

# **Attachment 1**

## **Certificate of Title**

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>20439158</b>	<b>Search Date:</b>	10/02/2026 15:36
<b>Date Title Created:</b>	09/08/1950	<b>Request No:</b>	55004513
<b>Previous Title:</b>	20341059		

## ESTATE AND LAND

Estate in Fee Simple

LOT 1 REGISTERED PLAN 710645  
Local Government: DOUGLAS

## REGISTERED OWNER

Dealing No: 724025024 30/04/2025  
MARANO INVESTMENTS PTY LTD A.C.N. 680 070 535

## EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20341059 (POR 121V)
2. LEASE No 723971285 03/04/2025 at 15:34  
MARANO ENTERPRISES (MIALLO) PTY LTD A.C.N. 009 952 443  
TRUSTEE  
UNDER INSTRUMENT 723971285  
OF THE WHOLE OF THE LAND  
TERM: 01/07/2024 TO 30/06/2029 OPTION 5 YEARS

## ADMINISTRATIVE ADVICES

NIL

## UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

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

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>50953655</b>	<b>Search Date:</b>	04/02/2026 12:48
<b>Date Title Created:</b>	27/06/2014	<b>Request No:</b>	54929934
<b>Previous Title:</b>	20531053, 20531054		

## ESTATE AND LAND

Estate in Fee Simple

LOT 1 SURVEY PLAN 251530  
Local Government: DOUGLAS

## REGISTERED OWNER

Dealing No: 724039746 07/05/2025  
MARANO INVESTMENTS PTY LTD A.C.N. 680 070 535

## EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20504027 (POR 121V)
2. LEASE No 723971287 03/04/2025 at 15:35  
MARANO ENTERPRISES (MIALLO) PRT LRD A.C.N. 009 952 443  
TRUSTEE  
UNDER INSTRUMENT 723971287  
OF THE WHOLE OF THE LAND  
TERM: 01/07/2024 TO 30/06/2029 OPTION 5 YEARS

## ADMINISTRATIVE ADVICES

NIL

## UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

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

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>50953656</b>	<b>Search Date:</b>	10/02/2026 15:36
<b>Date Title Created:</b>	27/06/2014	<b>Request No:</b>	55004513
<b>Previous Title:</b>	20531053, 20531054, 21083139, 21207070		

### ESTATE AND LAND

Estate in Fee Simple

LOT 2 SURVEY PLAN 251530  
Local Government: DOUGLAS

### REGISTERED OWNER

Dealing No: 724025024 30/04/2025  
MARANO INVESTMENTS PTY LTD A.C.N. 680 070 535

### EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20341059 (POR 121V)  
Deed of Grant No. 20504027 (POR 121V)
2. LEASE No 723971285 03/04/2025 at 15:34  
MARANO ENTERPRISES (MIALLO) PTY LTD A.C.N. 009 952 443  
TRUSTEE  
UNDER INSTRUMENT 723971285  
OF THE WHOLE OF THE LAND  
TERM: 01/07/2024 TO 30/06/2029 OPTION 5 YEARS

### ADMINISTRATIVE ADVICES

NIL

### UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

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

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>51384945</b>	<b>Search Date:</b>	04/02/2026 12:48
<b>Date Title Created:</b>	05/06/2025	<b>Request No:</b>	54929934
<b>Previous Title:</b>	20720200, 20720201		

## ESTATE AND LAND

Estate in Fee Simple

LOT 9 REGISTERED PLAN 710645  
Local Government: DOUGLAS

## REGISTERED OWNER

Dealing No: 724039746 07/05/2025  
MARANO INVESTMENTS PTY LTD A.C.N. 680 070 535

## EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20341059 (POR 121V)
2. LEASE No 723971287 03/04/2025 at 15:35  
MARANO ENTERPRISES (MIALLO) PRT LRD A.C.N. 009 952 443  
TRUSTEE  
UNDER INSTRUMENT 723971287  
OF THE WHOLE OF THE LAND  
TERM: 01/07/2024 TO 30/06/2029 OPTION 5 YEARS

## ADMINISTRATIVE ADVICES

NIL

## UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

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

# **Attachment 2**

## **Proposal Plan**

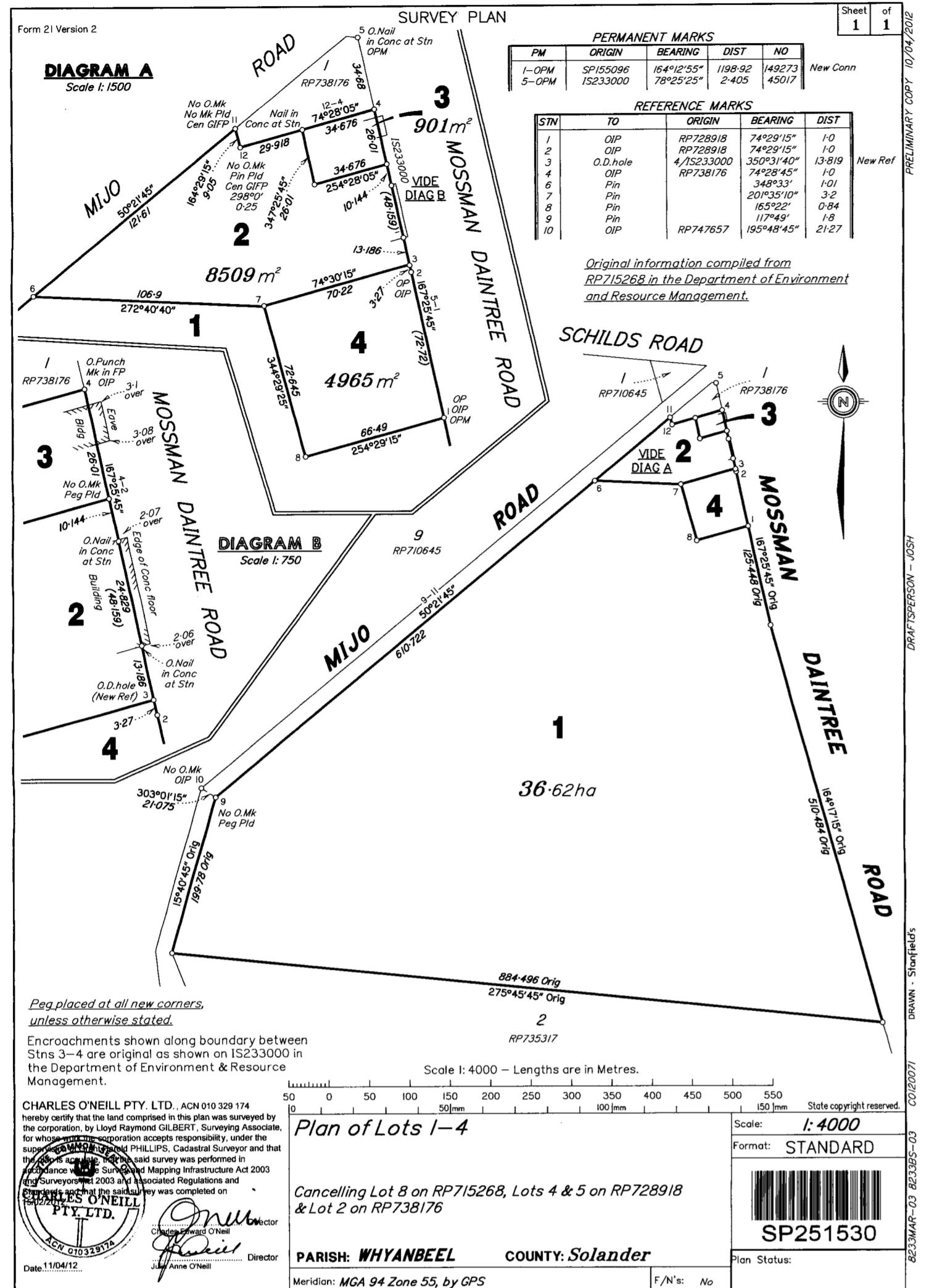
# PROPOSED BOUNDARY REALIGNMENT & RECONFIGURATION OF LOTS FOR MARANOS FUELS 735 DAINTREE ROAD, MIALLO QLD 4873



LEGEND -	
@	ACCORDING
AL	SELECT ALUMINUM FINISH
AS	AUSTRALIAN STANDARD CODES
B	BENCHTOP
BFC	BROOM FINISH CONCRETE
CMB	CONCRETE MASONRY BLOCK
CONC	CONCRETE
COS	CONFIRM ON SITE
CPT	SELECT CARPET
CPU	CUPBOARD
CRS	CENTRE
CS	CAVITY SLIDER
CSK	COUNTERSINK
CT	SELECT CERAMIC TILE
CKT	COOKTOP
CFW	CONTINUOUS FILLET WELD
DIA	DIAHEDRAL
DPC	DAMP PROOF COURSE
DK	DECKING
DWV	DISHWASHER
D.P.	DOWN PIPE
EA	EQUAL ANGLE
EJ	EXPANSION JOINT
FC	FIBRE-CEMENT
FFL	FINISHED FLOOR LEVEL
FH	FLAT HEAD NAILS
G	GAUGE
GAU	GAUSSIAN
GP	SELECT GLASS BALUSTRADE
HH	HEAD HEIGHT
HEX	HEXAGONAL HEAD (BOLT)
HR	SELECT SS HANDRAIL
HT	HEIGHT
HWD	HARDWOOD
HWS	HOT WATER SYSTEM
LOS	LIGHT ORGANIC SOLVENT PRESERVATIVE
MM	MILITARY STARS
MANUF	MANUFACTURER
MAX	MAXIMUM
MIN	MINIMUM
MGP	MACHINE GRADED PINE
MIC	MICROWAVE OVEN
MS	MILD STEEL
NCH	NICHE
NCC	NATIONAL CONSTRUCTION CODE
NGL	NATURAL GROUND LEVEL
OFC	OFF-FORCE CONCRETE FINISH
OG	OBSCURE GLASS
OHC	OVERHEAD CUPBOARD
PB	PLASTERBOARD LINING
PC	POLISHED CONCRETE
PF	SELECT 1200mm POOL FENCE
PL	PLATE
PVC	POLYVINYL CHLORIDE
RCINF	REINFORCING
RHM	ROUGHER HEADER H3 TREATED PINE
RHS	RECTANGULAR HOLLOW SECTION
SCI	SAW CUT JOINT
SFL	STRUCTURAL FLOOR LEVEL
SHS	SQUARE HOLLOW SECTION
SLC	SELECT HWD SHAPED CLADDING
SS	STAINLESS STEEL
ST	SELECT TILES
SW	STONE WORK
SPEC	SPECIFICATION
SHS	SQUARE HOLLOW SECTION
TBR	SELECT TIMBER LAMINATE FLOORING
TC	SELECT TIMBER CEILING
TOW	TOP OF WALL
UA	UNEQUAL ANGLE
UNO	UNLESS NOTED OTHERWISE
L01	LINTEL NUMBER
(D1)	DOOR NUMBER
(W01)	WINDOW NUMBER
	SECTION REFERENCE
	SECTION MARKER
	ELEVATION KEY
	DETAIL CALLOUT
	DETAIL REFERENCE
	ROOM NAME
L01	CEILING HEIGHT
2800	CEILING MATERIAL
P8	FLOOR FINISH
CT	
RL 0.000	REDUCED LEVEL
-100	SLAB SETDOWN
FALL...	SLAB FALL
-100	SLAB THICKNESS
+ 0.000	SPOT LEVEL
FLOOR AREA	
Area	0 m <sup>2</sup>
EXTERNAL COVER AREAS	0 m <sup>2</sup>
INTERNAL AREAS	0 m <sup>2</sup>

**DRAWING TERMS AND NOTATION -**

- DRAWING DIMENSIONS ARE TO BE CHECKED AND CONFIRMED ON SITE BY THE BUILDER. FURNITURE AND DISPLAY ITEMS WITHIN PLANS AND RENDERS ARE FOR DRAWING PURPOSES AND NOT TO BE INCLUDED IN TENDERING DOCUMENTATION UNLESS NOTED ON PLAN.
- ARTISTIC DRAWING AND RENDERS ARE FOR VISUAL REPRESENTATION ONLY AND MAY NOT BE THE EXACT FINISH, COLOUR, ITEM OR MATERIAL TO BE USED. ALWAYS CONSULT BUILDING SPECIFICATIONS FOR EXACT FINISH, COLOUR, ITEM OR MATERIAL.



Success By Design Architectural Building Designers  
PO Box 58 Port Douglas 4877 Qld Australia  
Ph: 07 4099 3930  
[www.successbydesignaustralia.com.au](http://www.successbydesignaustralia.com.au)  
[info@successbydesignaustralia.com.au](mailto:info@successbydesignaustralia.com.au)  
*"Designing your needs to be a great Success"*

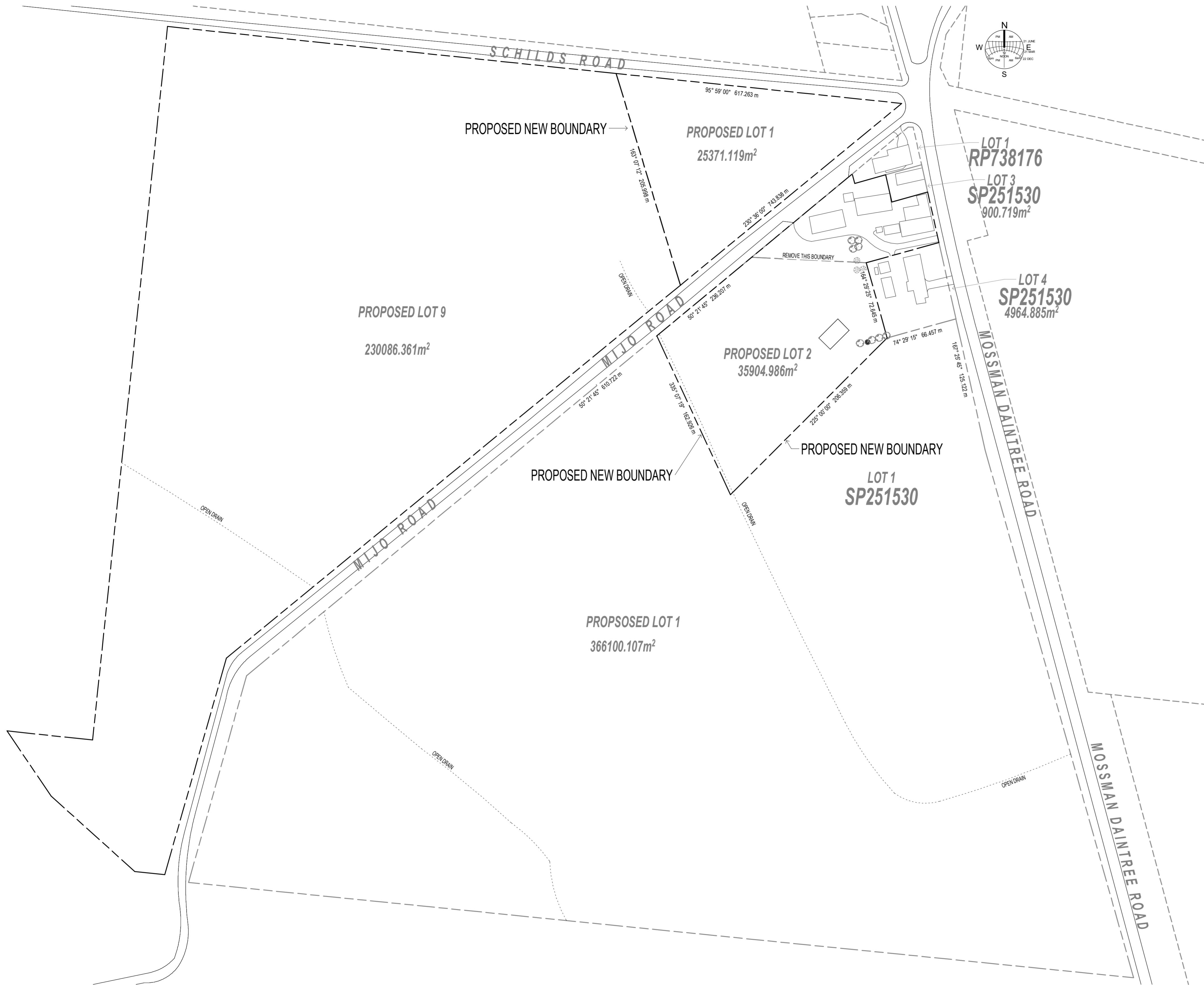
An architectural line drawing of a building with a stepped roofline. Three circular callouts point to specific features: the top left points to a circular window or hole; the top right points to a vertical column or chimney; and the bottom right points to a rectangular opening or window. Below the drawing, the words 'SUCCESS BY DESIGN' are written in a large, bold, sans-serif font. Underneath that, 'ARCHITECTURAL BUILDING DESIGNERS' is written in a smaller, all-caps, sans-serif font.

## PLAN ISSUE:

PROJECT: MARANOS FUEL BOUNDARY REALIGNMENT  
PROJECT ADDRESS:  
735 DAINTREE ROAD MIALLO QLD

SHEET **SITE PLANS INFO**

PROJECT NUMBER **PROJECT  
CODE**

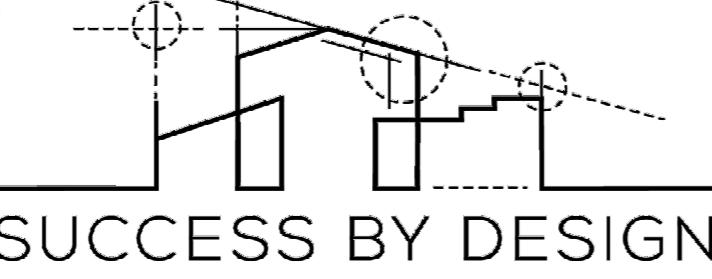




# SITE PLAN

1 : 2000

ess By Design Architectural Building Designers  
Box 58 Port Douglas 4877 Qld Australia  
7 4099 3930  
[successbydesignaustralia.com.au](http://successbydesignaustralia.com.au)  
[support@successbydesignaustralia.com.au](mailto:support@successbydesignaustralia.com.au)  
*"Solving your needs to be a great Success"*



## PLAN ISSUE:

<b>CERTIFIED AS</b> <b>STRUCTURALLY ADEQUATE</b>	
 <b>KFB Engineers</b>	<b>Civil &amp; Structural Engineers</b>
1/38-42 Pease St, Cairns   PO Box 927, Cairns Q 4870 P: 07 40320492   F: 07 40320092   E: <a href="mailto:email@kfbeng.com.au">email@kfbeng.com.au</a>	
<b>Date:</b> _____	<b>Signed:</b> _____
<b>Job No.:</b> _____	<b>RPEQ No.:</b> _____

PROJECT: MARANOS FUEL BOUNDARY REALIGNMENT  
PROJECT ADDRESS:  
735 DAINTREE ROAD MIALLO QLD

SHEET

SITE PLANS

DESIGNER

RYAN FUDALA

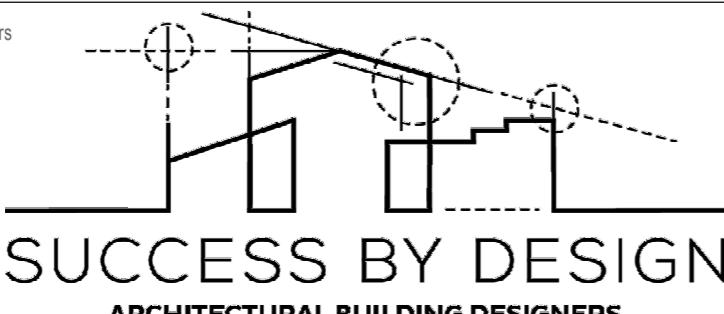
AREA KEY - SITE COVERAGE	
SITE AREA	TBCm <sup>2</sup>
INTERNAL HOUSE	TBCm <sup>2</sup>
EXTERNAL UNDER COVER	TBCm <sup>2</sup>
INTERNAL GARAGE	TBCm <sup>2</sup>
GFA	TBCm <sup>2</sup>
COVERAGE %	TBC%

PROJECT NUMBER  
**PROJECT  
CODE**



SITE PLAN  
1:2000

Success By Design Architectural Building Designers  
PO Box 58 Port Douglas 4877 QLD Australia  
Ph: 07 4099 3930  
www.successbydesignaustralia.com.au  
info@successbydesignaustralia.com.au  
"Designing your needs to be a great Success"



PLAN ISSUE:  
CONCEPT DESIGN  
NOT FOR CONSTRUCTION

2/02/2026 12:09:47 PM

<b>CERTIFIED AS STRUCTURALLY ADEQUATE</b>	
KFB Engineers Civil & Structural 1/38-42 Pease St, Cairns   PO Box 927, Cairns Q 4870 P: 07 40320462   F: 07 40320092   E: email@kfbeng.com.au	
Date: _____	Signed: _____
Job No: _____	RPEQ No: _____

PROJECT: MARANOS FUEL BOUNDARY REALIGNMENT  
PROJECT ADDRESS:  
735 DAINTRY ROAD MIALLO QLD

SHEET SITE PLANS- OVERLAY  
DESIGNER RYAN FUDALA DRAWN RYAN FUDALA

PROJECT NUMBER C04  
PROJECT CODE  
SCALE AS SHOWN @ A1  
SHEET C04 REV

# **Attachment 3**

## **Code Assessment**

## 6.2.5 Industry zone code

### 6.2.5.1 Application

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

### 6.2.5.2 Purpose

- (1) The purpose of the Industry zone code is to provide for a range of service, low or medium impact industrial uses. It may include non-industrial and business uses that support the industrial activities where they do not compromise the long-term use of the land for industrial purposes
- (2) The local government purpose of the code is to:
  - (a) implement the policy direction set in the Strategic Framework, in particular:
    - (i) Theme 1 : Settlement pattern, Element 3.4.4 – Industry areas and activities.
    - (ii) Theme 2 : Environment and landscape values, Element 3.5.6 – Air and acoustic protection and hazardous materials.
    - (iii) Theme 5 : Economy, Element 5.8.2 – Economic growth and diversification, Element 5.8.5 – Innovation and technology.
  - (b) provide and protect land that is accessible and serviced for the location of industry;
  - (c) manage development to maintain an industrial amenity and provide adequate separation to sensitive land use activities.
  - (d) ensure the long term dominance of the Mossman Mill as an industrial activity on Industry zoned land in Mossman will continue to contribute to the development and prosperity of the town.
  - (e) recognise the opportunity to consolidate further industrial development around the Mosman Mill site to create a low /medium impact industry precinct in Mossman.
- (3) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Uses and works for industrial purposes are located, designed and managed to maintain safety to people, avoid significant adverse effects on the natural environment and minimise impacts on adjacent non-industrial land.
  - (b) The scale, character and built form of development contributes to a high standard of amenity.
  - (c) Development has access to development infrastructure and essential services.
  - (d) The viability of both existing and future industrial activities is protected from the intrusion of incompatible uses.
  - (e) Industrial uses are adequately separated from sensitive land uses to minimise the likelihood of environmental harm or environmental nuisance occurring.

### 6.2.5.3 Criteria for assessment

Table 6.2.5.3.a – Industry zone – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> The height of buildings and structures is consistent with those of nearby buildings.	<b>AO1</b> Buildings and structures are not more than 10 metres in height.	<b>Not Applicable</b> <b>No new proposed buildings.</b>
<b>PO2</b> Buildings and structures are setback to contribute to an attractive and consistent streetscape appearance and to protect the amenity of other land uses.	<b>AO2.1</b> Buildings, structures, display and storage areas are setback a minimum of: (a) 8 metres to a State-controlled road (b) 6 metres from any other road frontage(s).	<b>Not Applicable</b> <b>No new proposed buildings.</b>
	<b>AO2.2</b> Where a site has a common boundary with land in an Industry zone, the buildings are setback either: (a) 0 metres from the side and rear boundaries; or (b) 2.5 metres or $\frac{1}{4}$ of the height of the building, whichever is the greater; and (c) not any distance between 0 metres and 2.5 metres. Note – Building Code requirements must be satisfied.  <b>AO2.3</b> Where a site has a common boundary with land not in an Industry zone, the buildings, structures, display areas and storage are setback 2.5 metres or $\frac{1}{4}$ of the height of the building, whichever is the greater from the common boundary. Note – Building Code requirements must be satisfied.	<b>Not Applicable</b> <b>No new proposed buildings. The proposed boundary realignment does not generate any new issues for building setback compliance.</b>
<b>PO3</b> The site coverage of buildings ensures that there is sufficient space available to cater for services, landscaping and the on-site parking and manoeuvring of vehicles.	<b>AO3</b> The site coverage of buildings does not exceed 60%.	<b>Not Applicable</b> <b>No new proposed buildings. The proposed boundary realignment does not generate any new issues for maximum site cover.</b>

Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO4</b> Development provides a quality workplace.</p>	<p><b>AO4.1</b> Pedestrian entrances to buildings are: (a) easy to identify from the street and on-site car parking areas; (b) provided with sun and rain protection consisting of a minimum width of 900mm and positioned immediately above the entry way.</p> <p><b>AO4.2</b> Any office or sales spaces are orientated toward the street and are provided with human scale elements (including, but not limited to, windows, doors, shading devices and variations in construction materials, colours etc.).</p> <p><b>AO4.3</b> Customer parking is located at the front of the building between the building and the street or to the side of the building with clear visibility to the street.</p> <p><b>AO4.4</b> Any gates are sliding, or alternatively, open inward to the site so that the adjoining footpath reserve is not blocked when gates are open.</p> <p><b>AO4.5</b> Car parking surfaces are constructed or coated with glare-reducing materials.</p>	<p><b>Not Applicable</b> <b>No new proposed buildings.</b></p>
<p><b>PO5</b> The appearance and amenity of development is enhanced through landscaping works. Note – Planning scheme policy – Landscaping provides further guidance on meeting the performance outcome.</p>	<p><b>AO5.1</b> A minimum of 20% of the site is provided with space available for landscape planting.</p> <p><b>AO5.2</b> A 2 metre landscape planting strip for dense planting is provided along the road frontage(s), except that a 3 metre strip is provided along any frontage to the Captain Cook Highway.</p>	<p><b>Not Applicable</b> <b>No new proposed buildings or landscaping.</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>AO5.3</b> Landscape planting beds adjacent to parking and manoeuvring areas are protected from vehicle encroachment by a 150mm high vertical kerb edge or similar durable obstruction.</p> <p><b>AO5.4</b> Landscape planting consists of hardy tropical species suited to Douglas Shire's climatic conditions.</p>	
<p><b>PO6</b> The movement of traffic on roads is not compromised by the loading and unloading of goods.</p>	<p><b>AO6</b> All delivery/pick up vehicles are situated entirely within the site when being loaded and/or unloaded with goods.</p>	<p><b>Complies with AO6.</b> <b>The proposed boundary realignment does not affect the current access and loading configuration.</b></p>
<p><b>PO7</b> Industrial areas are not characterised by a proliferation of advertising signs and/or the use of large advertising signs.</p>	<p><b>AO7</b> No wall signs or painted advertising are located on the walls of industrial buildings facing, or visible to, the Captain Cook Highway.</p>	<p><b>Complies with AO7.</b> <b>No new signage or advertising is proposed.</b></p>
<p><b>PO7</b> The movement of traffic on roads is not compromised by access and egress to the site.</p>	<p><b>AO7.1</b> Site access for vehicles is limited to one point per road frontage. or</p> <p><b>AO7.2</b> If needed, two access points separated by a minimum of 10 metres to facilitate on-site vehicular manoeuvring for large vehicles.</p> <p><b>AO7.3</b> Sufficient space is available for vehicles to manoeuvre within the site so as to enter and leave the site in forward gear.</p>	<p><b>Complies with PO7.</b> <b>No change to the current access configuration is proposed.</b></p>
<p><b>PO8</b> Development collects and disposes of waste materials and caters for spillages in a manner that prevents contamination of land or water.</p>	<p><b>AO8.1</b> Sources of potential contaminants are roofed and sealed with impervious surfaces and provided with 110% storage capacity bund for spillage containment.</p>	<p><b>Complies with PO8.</b> <b>No changes are proposed to current site management and operations.</b></p>
	<p><b>A08.2</b></p>	

Performance outcomes	Acceptable outcomes	Applicant response
	<p>Roof and storm water are directed away from areas of potential contamination.</p> <p><b>A08.3</b> Contaminating materials are stored at levels above the defined flood / storm tide event, whichever is the highest.</p>	
<b>For assessable development</b>		
<p><b>PO9</b> The establishment of uses is consistent with the outcomes sought for the Industry zone and protects the zone from the intrusion of inconsistent uses.</p>	<p><b>AO9</b> Uses identified in Table 6.2.5.3.b are not established in the Industry zone.</p>	<p><b>Not Applicable</b> <b>The development does not seek to establish a new use.</b></p>
<p><b>PO10</b> Development does not lower the standards of amenity in terms of air, noise, odour, electrical interference and vibrations at any land use associated with the:</p> <p>(a) the Accommodation activity group, located outside the Industry zone;</p> <p>(b) the Sensitive land use activity group, located outside the Industry zone.</p>	<p><b>AO10</b> No acceptable outcomes are prescribed.</p>	<p><b>Complies with PO10</b> <b>The development facilitates a greater buffer between the Service Station and Depot and adjacent rural and residential uses.</b></p>
<p><b>PO11</b> New lots contain a minimum area of 1000m<sup>2</sup>.</p>	<p><b>AO11</b> No acceptable outcomes are prescribed.</p>	<p><b>Complies with PO11</b> <b>The development does not seek to create lots under 1000sqm.</b></p>
<p><b>PO12</b> New lots have a minimum road frontage of 20 metres.</p>	<p><b>AO12</b> No acceptable outcomes are prescribed.</p>	<p><b>Complies with PO12</b> <b>The development maintains compliant road frontages.</b></p>
<p><b>PO13</b> New lots contain a 20 metre x 40 metre rectangle.</p>	<p><b>AO13</b> No acceptable outcomes are prescribed.</p>	<p><b>Complies with PO13</b> <b>The development maintains appropriate internal dimensions.</b></p>

Table 6.2.5.3.b – Inconsistent uses within the Industry Zone

Inconsistent uses		
<ul style="list-style-type: none"> <li>• Air services</li> <li>• Animal husbandry</li> <li>• Bar</li> <li>• Cemetery</li> <li>• Child care centre</li> <li>• Club</li> <li>• Community care centre</li> <li>• Community residence</li> <li>• Cropping</li> <li>• Detention facility</li> <li>• Dual occupancy</li> <li>• Dwelling house</li> <li>• Environment facility</li> <li>• Extractive industry</li> <li>• Function facility</li> <li>• Health care services</li> <li>• Home based business</li> <li>• Hospital</li> </ul>	<ul style="list-style-type: none"> <li>• Hotel</li> <li>• Intensive animal industry</li> <li>• Intensive horticulture</li> <li>• Major sport and entertainment facility</li> <li>• Motor sport facility</li> <li>• Multiple dwelling</li> <li>• Nature based tourism</li> <li>• Nightclub entertainment facility</li> <li>• Non-resident workforce accommodation</li> <li>• Outdoor sport and recreation</li> <li>• Outstation</li> <li>• Permanent plantation</li> </ul>	<ul style="list-style-type: none"> <li>• Relocatable home park</li> <li>• Renewable energy facility, being a wind farm</li> <li>• Residential care facility</li> <li>• Resort complex</li> <li>• Retirement facility</li> <li>• Roadside stall</li> <li>• Rooming accommodation</li> <li>• Rural workers accommodation</li> <li>• Shopping centre</li> <li>• Short-term accommodation</li> <li>• Theatre</li> <li>• Tourist attraction</li> <li>• Tourist park</li> <li>• Wholesale nursery</li> </ul>

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

## 6.2.10 Rural zone code

### 6.2.10.1 Application

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

### 6.2.10.2 Purpose

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

## Criteria for assessment

Table 6.2.10.3.a – Rural zone code assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> The height of buildings is compatible with the rural character of the area and must not detrimentally impact on visual landscape amenity.	<b>AO1.1</b> Dwelling houses are not more than 8.5 metres in height.  Note – Height is inclusive of roof height.  <b>AO1.2</b> Rural farm sheds and other rural structures are not more than 10 metres in height.	<b>Not Applicable</b> <b>No new buildings or structures are proposed.</b>
<b>Setbacks</b>		
<b>PO2</b> Buildings and structures are setback to maintain the rural character of the area and achieve separation from buildings on adjoining properties.	<b>AO2</b> Buildings are setback not less than: (a) 40 metres from the property boundary and a State-controlled road; (b) 25 metres from the property boundary adjoining Cape Tribulation Road; (c) 20 metres from the boundary with any other road; (d) 6 metres from side and rear property boundaries.	<b>Not Applicable</b> <b>No new buildings or structures are proposed.</b>
<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> <b>No new buildings or structures are proposed.</b>
<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> <b>The Development Application is to support the Reconfiguration of a Lot and not a Material Change of Use. Whilst the Service Station and Depot may expand in</b>

Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO5</b> Uses and other development include those that:</p> <p>(a) promote rural activities such as agriculture, rural enterprises and small scale industries that serve rural activities; or</p> <p>(b) promote low impact tourist activities based on the appreciation of the rural character, landscape and rural activities; or</p> <p>(c) are compatible with rural activities.</p>	<p><b>AO5</b> No acceptable outcomes are prescribed.</p>	<p>the future this would be subject to a further application to Council.</p> <p><b>Complies with PO5</b> The existing use plays an important role in supporting the agricultural and transport industry within the Shire. The development seeks to enable the continued and orderly operation, and potential future expansion, of the Service Station and Depot, while maintaining appropriate buffers and amenity protection for surrounding rural and rural residential land uses.</p>
<p><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.</p>	<p><b>AO6</b> No acceptable outcomes are prescribed.</p>	<p><b>Complies with PO6</b> No vegetation damage or removal is proposed.</p>
<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) Telecommunications facility;</p> <p>(ii) Utility installation.</p>	<p><b>AO7</b> No acceptable outcomes are prescribed.</p>	<p><b>Complies with PO7</b> The proposed development is limited to a boundary realignment will not result in additional lots. It is submitted that the development will not result in the fragmentation of agricultural land for the following reasons:</p> <ul style="list-style-type: none"> <li>• No additional lots are created. The development is a boundary realignment only and does not increase the number of rural landholdings. Accordingly, it does not introduce new land titles that could be separately sold or used in a way that would incrementally break up agricultural land over time.</li> </ul>

Performance outcomes	Acceptable outcomes	Applicant response
		<ul style="list-style-type: none"> <li>The rural parcels remain substantial and viable. Following the realignment, the balance rural lots will remain at approximately 33.5 hectares and 22.5 hectares. These are not “token” rural lifestyle parcels; they remain large rural holdings capable of supporting ongoing agricultural activity and rural land management consistent with the intent of the Rural Zone.</li> <li>The reconfiguration rationalises boundaries rather than creating smaller, inefficient remnants. Fragmentation typically arises where reconfiguration produces narrow, irregular, or constrained parcels that undermine farm layout, access, machinery movement, or land management. In this case, the boundary changes are intended to deliver a more logical allotment pattern with respect to the Service Station and Depot and Workers Accommodation, without creating isolated pockets or impractical residual land.</li> <li>No new sensitive receptors are introduced. The boundary realignment does not create additional development opportunities for new dwellings or other non-rural uses on newly</li> </ul>

Performance outcomes	Acceptable outcomes	Applicant response
		<p>created lots. This avoids the typical land-use conflict pathway that often follows fragmentation (i.e., new residents limiting lawful farm practices on adjoining land).</p> <ul style="list-style-type: none"> <li>• Agricultural use and capability are retained. The proposal does not alienate productive rural land into multiple smaller lots or compromise the ability of the remaining parcels to be used for agriculture. The resulting lot sizes remain consistent with a continuing rural land use outcome.</li> </ul> <p>Overall, because the proposal does not create extra lots, and the remaining parcels continue to be large, cohesive rural holdings (approx. 33.5 ha and 22.5 ha), the boundary realignment does not constitute fragmentation and is consistent with maintaining viable agricultural landholdings.</p>

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

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

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

## 9.4.7 Reconfiguring a lot code

### 9.4.7.1 Application

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

### 9.4.7.2 Purpose

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

### 9.4.7.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>General lot design standards</b>		
<b>PO1</b> Lots comply with the lot reconfiguration outcomes of the applicable Zone code in Part 5.	<b>AO1</b> No acceptable outcomes are prescribed.	<b>Complies with PO1</b> <b>Refer to the respective Industry Zone and Rural Zone Code Assessment</b>

<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 with AO2</b> <b>New boundaries do not create angles less than 45 degrees.</b>
<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 with AO3</b> <b>Existing gazetted road access is maintained.</b>
<b>PO4</b> Development responds appropriately to its local context, natural systems and site features.	<b>AO4</b> Existing site features such as: (a) significant vegetation and trees; (b) waterways and drainage paths; (c) vistas and vantage points are retained and/or are incorporated into open space, road reserves, near to lot boundaries or as common property.	<b>Complies with AO4</b> <b>The boundary realignment is a cadastral change only and does not impact the site's natural features. Existing vegetation and drainage paths remain unaffected.</b>
<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>It is not intended to further reconfigure the resulting lots.</b>
<b>PO6</b> Where existing buildings or structures are to be retained, development results in: (a) boundaries that offer regular lot shapes and usable spaces; (b) existing improvements complying with current building and amenity standards in relation to boundary setbacks.  Note - This may require buildings or structures to be modified, relocated or demolished to meet setback standards, resolve encroachments and the like.	<b>AO6</b> Development ensures setbacks between existing buildings or structures and proposed boundaries satisfy relevant building standards or zone code requirements, whichever is the greater.	<b>Complies with AO6</b> <b>The development does not result in building setback compliance issues.</b>



<p><b>PO7</b></p> <p>Where rear lots are proposed, development:</p> <ul style="list-style-type: none"><li>(a) provides a high standard of amenity for residents and other users of the site and adjoining properties;</li><li>(b) positively contributes to the character of adjoining properties and the area;</li><li>(c) does not adversely affect the safety and efficiency of the road from which access is gained.</li></ul>	<p><b>AO7.1</b></p> <p>Where rear lots are to be established:</p> <ul style="list-style-type: none"><li>(a) the rear lot is generally rectangular in shape, avoiding contrived sharp boundary angles;</li><li>(b) no more than 6 lots directly adjoin the rear lot;</li><li>(c) no more than one rear lot occurs behind the road frontage lot;</li><li>(d) no more than two access strips to rear lots directly adjoin each other;</li><li>(e) access strips are located only on one side of the road frontage lot.</li></ul> <p><b>AO7.2</b></p> <p>Access strips to the rear lot have a minimum width dimension of:</p> <ul style="list-style-type: none"><li>(a) 4.0 metres in Residential Zones.</li><li>(b) 8.0 metres in Industrial Zones category.</li><li>(c) 5.0 metres in all other Zones.</li></ul> <p>Note - Rear lots are generally not appropriate in non-Residential or non-Rural zones.</p> <p><b>AO7.3</b></p> <p>Access strips are provided with a sealed pavement of sufficient width to cater for the intended traffic, but no less than:</p> <ul style="list-style-type: none"><li>(a) 3.0 metres in Residential Zone.</li><li>(b) 6.0 metres in an Industrial Zone.</li><li>(c) 3.5 metres in any other Zone.</li></ul>	<p><b>Not Applicable</b></p>
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Performance outcomes	Acceptable outcomes	
<p><b>Structure plans</b></p> <p>Additional requirements for:</p> <p>(a) a site which is more than 5,000m<sup>2</sup> in any of the Residential zones; or</p> <p>within these zones, and</p> <p>(b) creates 10 or more lots; or</p> <p>(c) involves the creation of new roads and/or public use land.</p> <p>or</p> <p>(d) For a material change of use involving:</p> <p>(i) preliminary approval to vary the effect of the planning scheme;</p> <p>(ii) establishing alternative Zones to the planning scheme.</p>		
<p>Note - This part is to be read in conjunction with the other parts of the code</p> <p><b>PO8</b> A structure plan is prepared to ensure that neighbourhood design, block and lot layout, street network and the location and provision on any open space recognises previous planning for the area and its surroundings, and integrates appropriately into its surroundings.</p>	<p><b>AO8.1</b> Neighbourhood design, lot and street layout, and open space provides for, and integrates with, any:</p> <p>(a) approved structure plan;</p> <p>(b) the surrounding pattern of existing or approved subdivision.</p> <p>Note - Planning scheme policy SC14– Structure planning provides guidance on meeting the performance outcomes.</p> <p><b>AO8.2</b> Neighbourhood design, lot and street layouts enable future connection and integration with adjoining undeveloped land.</p>	<p><b>Not Applicable</b></p>



<b>PO9</b> Neighbourhood design results in a connected network of walkable streets providing an easy choice of routes within and surrounding the neighbourhood.	<b>AO9.1</b> Development does not establish cul-de-sac streets unless: <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> <b>AO9.2</b> Where a cul-de-sac street is used, it: <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> <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.	<b>Not Applicable</b>
<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.	<b>PO10</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b>
<b>PO11</b> Provision of physical and social infrastructure in developing residential neighbourhoods is facilitated through the orderly and sequential development of land.  Note - Part 4 – Local government infrastructure plan may identify specific levels of infrastructure to be provided within development sites.	<b>AO11.1</b> New development adjoins adjacent existing or approved urban development.  <b>AO11.2</b> New development is not established beyond the identified Local government infrastructure plan area.	<b>Not Applicable</b>



<b>Urban parkland and environmental open space</b>		
<b>PO12</b> Where appropriate development maintains and enhances public access and use of natural areas, rivers, dams, creeks and the foreshore.	<b>AO12</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b>
<b>PO13</b> Development provides land to: (a) meet the recreation needs of the community; (b) provide an amenity commensurate with the structure of neighbourhoods and land uses in the vicinity; and adjacent to open space areas; (c) provide for green corridors and linkages.	<b>AO13</b> No acceptable outcomes are prescribed.  Note - Part 4 – Priority infrastructure plan and Planning scheme policy SC14 – Structure Plans provides guidance in providing open space and recreation land.	<b>Not Applicable</b>

**AO14**

Lot size, dimensions, frontage and orientation permits buildings to be established that will facilitate casual surveillance to urban parkland and environmental open space.

**AO14.1**

Urban parkland is regular in shape.

**AO14.2**

At least 75% of the urban parkland's frontage is provided as road.

**AO14.3**

Urban parkland and environmental open space areas are positioned to be capable of being overlooked by surrounding development.

**AO14.4**

Surrounding lots are orientated so that facades will front and overlook the urban parkland and environmental open space.

**AO14.5**

The number of lots that back onto, or are side-orientated to the urban parkland and environmental open space is minimised.



Inconsistent design solution - low total number of lots complying with the acceptable outcomes.

**Not Applicable**



	 <p>Lots orientated to front and overlook park to provide casual surveillance. Consistent design solution - high total number of lots complying with the acceptable outcomes.</p>	
<b>Private subdivisions (gated communities)</b>		
<b>PO15</b> Private subdivisions (gated communities) do not compromise the establishment of connected and integrated infrastructure and open space networks.	<b>PO15</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b>
<b>Additional requirements for reconfiguration involving the creation of public streets or roads</b>		
<b>PO16</b> The function of new roads is clearly identified and legible and provides integration, safety and convenience for all users.	<b>AO16</b> No acceptable outcomes are prescribed.  Note - The design and construction standards are set out in Planning scheme policy SC5 – FNQROC Regional Development Manual, with reference to the specifications set out in Sections D1 and D3.	<b>Not Applicable</b>
<b>PO17</b> Street design supports an urban form that creates walkable neighbourhoods. Street design: (a) is appropriate to the function(s) of the street; (b) meets the needs of users and gives priority to the needs of vulnerable users.	<b>AO17</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b>

<b>Public transport network</b>		
<b>PO18</b> Development provides a street pattern that caters for the extension of public transport routes and infrastructure including safe pedestrian pick-up and set-down up facilities.	<b>AO18</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b>
<b>Pest plants</b>		
<b>PO19</b> Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not reinfest the site or nearby sites.  Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the Land Protection (Pest and Stock Route Management) Act 2002.	<b>AO19</b> Pest plants detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person prior to earthworks commencing.  Note - A declaration from an appropriately qualified person validates the land being free from pest plants. Declared pest plants include locally declared and State declared pest plants.	<b>Complies with PO19.</b> The site is actively managed. The boundary realignment is a cadastral change only, with no earthworks or clearing proposed, and therefore will not create any risk of pest plant infestation or spread.