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Our Ref: 20212126

Date: 15 June 2021

Jenny Elphinstone
Douglas Shire Council
PO Box 723
Port Douglas QLD 4873

Via Email: Jenny.Elphinstone@douglas.qld.gov.au

Dear Madam,

**RE: RESPONSE TO INFORMATION REQUEST - APPLICATION
FOR RECONFIGURATION OF A LOT LOCATED AT 18-20
TEAMSTERS CLOSE, CRAIGLIE (LOT 7 ON RP804923).**

Reference is made to Councils Information Request pursuant to Part 3 of the Development Assessment Rules, dated 11 June 2021, in respect of the abovementioned application.

Specifically, the following information was requested to complete the assessment of the application:

- Advice regarding compliance with the Infrastructure Works Code, in particular how water and sewer services would be provided to the proposed Owen Street Lot;
- Clarification on where the stormwater discharge points for respective new Lots will be placed; and,
- Clarification of the reasoning and ability by which it is contended that Council should consider the AC and C should be based on the land use.

As an addendum to the application material provided, please find attached an assessment against the following codes, which were omitted from the original application material:

- Access, parking and servicing code;

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- Environmental performance code;
- Filling and excavation code;
- Infrastructure Code; and,
- Landscaping Code

In response to the information request, we would provide the following:

1. Water and Sewerage Infrastructure

The Assessment Benchmarks relating to the water and sewerage infrastructure are contained within the Infrastructure Works Code of the Douglas Shire Council Planning Scheme, which states developments must allow for continued connection to existing infrastructure networks.

The proposal plans submitted with the planning application, provided at page 15 of the Planning Statement, identifies that it is proposed to provide a service easement to contain the proposed service connections to the Owen Street lot. A full assessment of the proposed development against the Infrastructure Code is attached.

2. Stormwater discharge points for respective new Lots

The Assessment Benchmark relating to stormwater discharge points for the respective new Lots are established in the Infrastructure Works Code and the Environmental Performance Code, which state that a connection must be provided to the Council's drainage system, or to an underground drainage system that connects to the Council's drainage system.

The existing development on site provides stormwater discharge points to the kerb and channels at each road frontage. Each of the existing sheds is considered to be connected to the council's stormwater drainage system and no change is proposed as part of this application. A full assessment of the development against the Infrastructure Code and the Environmental Performance Code is attached for reference.

3. Infrastructure charges

In terms of infrastructure charges and the method of calculation, it is understood that council officers consider that only clause 4.1c. i. of the Infrastructure Charges resolution applies. This clause states:

- c. *For the purposes of calculating AC or C in accordance with Clause 4.1, where development involves:*
 - i. *the reconfiguration a lot that will create additional lots, or where vacant lots exist, the '3 or more bedroom dwelling house' adopted charge rate contained in Table 1 is the rate to be used for the development in the calculation*

It is considered that in addition to this clause, clause 4.2 applies. This clause states, in part:

4.2 Extra demand

- a. *Section 120 of the Act provides that a levied charge may be only for extra demand placed upon trunk infrastructure.*
- b. *In accordance with Section 120 of the Act, when working out extra demand, the demand on trunk infrastructure generated by the following must not be included:*
 - i. *an existing use on the premises if the use is lawful and already taking place on the premises;*
 - ii. *a previous use that is no longer taking place on the premises if the use was lawful at the time the use was carried out;*
 - iii. *other development on the premises if the development may be lawfully carried out without the need for a further development permit.*

Therefore, consistent with the requirements of the Planning Act and the Councils Infrastructure Charges Resolution, it is also necessary to quantify the additional demand that would be placed on Councils Infrastructure as a result of the application for Reconfiguring a Lot. This extra demand is required to acknowledge the existing use of the lots and the existing development that the proposed lots contain and determine whether the proposed development would have a greater impact than the existing development on the site. This is the basis for the approach set out in the Planning Statement and is considered to be the appropriate and legal approach.

The existing impact on the Trunk Infrastructure of the existing development was quantified using the amounts provided in Table 1 of the Councils Infrastructure Resolution of \$49.24/m² and the impact of the creation of the new lot was quantified by applying the 3 or more bedroom rate contained in Table 1.

The total area of use was determined to be 610m² for the proposed new Owen Street Lot and, in accordance with the Council resolution' resulted in a quantifiable demand of \$30,036.40. The quantifiable demand for the creation of the new lot, in accordance with the Councils resolution is identified as \$24,123.38, which is less than the existing quantified impact. Therefore, there is no extra demand on trunk infrastructure as a result the proposed reconfiguring of the lot.

On this basis, and in accordance with the relevant provisions of the Planning Act 2016 and the Council resolution, Council are not able to apply an Infrastructure Charge in this instance.

In giving this response, we also advise that we wish Council to proceed with the assessment of this application, which ends Part 3 of the Development Assessment Rules and signifies the commencement of Part 5. We look forward to receiving your advice in respect of the proposal as soon as possible; should you have any queries

regarding this matter please do not hesitate to contact the undersigned on 07 4041 0111 or by email Hannah.D@gmacert.com.au

Kind Regards,

Hannah Dayes
GRADUATE PLANNER
GMA CERTIFICATION GROUP



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9.4.1 Access, parking and servicing code

9.4.1.1 Application

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

9.4.1.2 Purpose

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



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not unduly disrupt any current or future on-street parking arrangements.

9.4.1.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
PO1 Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be generated by the use or uses of the site, having particular regard to: (a) the desired character of the area; (b) the nature of the particular use and its specific characteristics and scale; (c) the number of employees and the likely number of visitors to the site;	AO1.1 The minimum number of on-site vehicle parking spaces is not less than the number prescribed in Table 9.4.1.3.b for that particular use or uses. Note - Where the number of spaces calculated from the table is not a whole number, the number of spaces provided is the next highest whole number.	Complies with AO1.1 The proposal is for reconfiguring a lot that contains lawfully established low impact industry uses. Each new lot created would contain a lawfully established low impact industry shed with previously accepted car parking.
	AO1.2 Car parking spaces are freely available for the parking of vehicles at all times and are not used	Complies with AO1.2 Car parking spaces would be located towards the respective frontages and available for use as car parking.



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Performance outcomes	Acceptable outcomes	Compliance
(d) the level of local accessibility; (e) the nature and frequency of any public transport serving the area; (f) whether or not the use involves the retention of an existing building and the previous requirements for car parking for the building (g) whether or not the use involves a heritage building or place of local significance; (h) whether or not the proposed use involves the retention of significant vegetation.	for external storage purposes, the display of products or rented/sub-leased.	
	AO1.3 Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.	Not applicable No motor cycle parking is proposed.
	AO1.4 For parking areas exceeding 50 spaces parking, is provided for recreational vehicles as a substitute for ordinary vehicle parking to a maximum of 5% of total ordinary vehicle parking rate.	Not applicable Car parking spaces would not exceed 50 spaces.
PO2 Vehicle parking areas are designed and constructed in accordance with relevant standards.	AO2 Vehicle parking areas are designed and constructed in accordance with Australian Standard:	Complies with PO2 The existing car parking spaces comply with the Australian Standards AS2890.1.



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Performance outcomes	Acceptable outcomes	Compliance
	(a) AS2890.1; (b) AS2890.3; (c) AS2890.6.	
PO3 Access points are designed and constructed: (a) to operate safely and efficiently; (b) to accommodate the anticipated type and volume of vehicles (c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate; (d) so that they do not impede traffic or pedestrian movement on the adjacent road area;	AO3.1 Access is limited to one access cross over per site and is an access point located, designed and constructed in accordance with: (a) Australian Standard AS2890.1; (b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers.	Complies with AO3.1 The proposed development would result in each lot being serviced by an existing single crossover from each road frontage.
	AO3.2 Access, including driveways or access crossovers: (a) are not placed over an existing:	Not applicable No additional crossovers are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
<p>(e) so that they do not adversely impact upon existing intersections or future road or intersection improvements;</p> <p>(f) so that they do not adversely impact current and future on-street parking arrangements;</p> <p>(g) so that they do not adversely impact on existing services within the road reserve adjacent to the site;</p> <p>(h) so that they do not involve ramping, cutting of the adjoining road reserve or any built structures (other than what may be necessary to cross over a stormwater channel).</p>	<p>(i) telecommunications pit;</p> <p>(ii) stormwater kerb inlet;</p> <p>(iii) sewer utility hole;</p> <p>(iv) water valve or hydrant.</p> <p>(b) are designed to accommodate any adjacent footpath;</p> <p>(c) adhere to minimum sight distance requirements in accordance with AS2980.1.</p>	
	<p>AO3.3</p> <p>Driveways are:</p> <p>(a) designed to follow as closely as possible to the existing contours, but are no steeper than the gradients outlined in Planning scheme policy SC6.5 – FNQROC Regional Development Manual;</p>	<p>Not applicable</p> <p>No additional driveways are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>(b) constructed such that where there is a grade shift to 1 in 4 (25%), there is an area with a grade of no more than 1 in 6 (16.6%) prior to this area, for a distance of at least 5 metres;</p> <p>(c) on gradients greater than 1 in 6 (16.6%) driveways are constructed to ensure the cross-fall of the driveway is one way and directed into the hill, for vehicle safety and drainage purposes;</p> <p>(d) constructed such that the transitional change in grade from the road to the lot is fully contained within the lot and not within the road reserve;</p> <p>(e) designed to include all necessary associated drainage that intercepts and directs storm water runoff to the storm water drainage system.</p>	
	AO3.4	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
	Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.	No new driveways are proposed.
P04 Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.	A04 The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.	Not applicable Wheel chair accessible car parking spaces are only required where the number of car parking spaces provided for each lot exceeds 5 spaces.
P05 Access for people with disabilities is provided to the building from the parking area and from the street.	A05 Access for people with disabilities is provided in accordance with the relevant Australian Standard.	Not applicable The proposal is for reconfiguring a lot only.
P06 Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development.	A06 The number of on-site bicycle parking spaces complies with the rates specified in Error! Reference source not found..	Not applicable There are no bicycle parking requirements for a Low impact industry use.



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Performance outcomes	Acceptable outcomes	Compliance
PO7 Development provides secure and convenient bicycle parking which: (a) for visitors is obvious and located close to the building's main entrance; (b) for employees is conveniently located to provide secure and convenient access between the bicycle storage area, end-of-trip facilities and the main area of the building; (c) is easily and safely accessible from outside the site.	A07.1 Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers);	Not applicable There are no bicycle parking or end-of-trip requirements for Low industry uses.
	A07.2 Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street.	Not applicable There are no bicycle parking or end-of-trip requirements for Low industry uses.
	A07.3 Development provides visitor bicycle parking which does not impede pedestrian movement.	Not applicable There are no bicycle parking or end-of-trip requirements for Low industry uses.
PO8 Development provides walking and cycle routes through the site which:	A08 Development provides walking and cycle routes which are constructed on the carriageway or through the site to:	Not applicable There are no walking or cycle routes associated with this development.



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Performance outcomes	Acceptable outcomes	Compliance
<p>(a) link to the external network and pedestrian and cyclist destinations such as schools, shopping centres, open space, public transport stations, shops and local activity centres along the safest, most direct and convenient routes;</p> <p>(b) encourage walking and cycling;</p> <p>(c) ensure pedestrian and cyclist safety.</p>	<p>(a) create a walking or cycle route along the full frontage of the site;</p> <p>(b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site.</p>	
<p>PO9</p> <p>Access, internal circulation and on-site parking for service vehicles are designed and constructed:</p> <p>(a) in accordance with relevant standards;</p> <p>(b) so that they do not interfere with the amenity of the surrounding area;</p>	<p>AO9.1</p> <p>Access driveways, vehicle manoeuvring and on-site parking for service vehicles are designed and constructed in accordance with AS2890.1 and AS2890.2.</p>	<p>Not applicable</p> <p>The application is for reconfiguring a lot that contains existing and lawfully established low impact industry uses.</p>
	<p>AO9.2</p> <p>Service and loading areas are contained fully within the site.</p>	<p>Complies with AO9.2</p> <p>All servicing would be capable of being undertaken within the proposed lots.</p>



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Performance outcomes	Acceptable outcomes	Compliance
(c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles.	<p>AO9.3</p> <p>The movement of service vehicles and service operations are designed so they:</p> <ul style="list-style-type: none"> (a) do not impede access to parking spaces; (b) do not impede vehicle or pedestrian traffic movement. 	<p>Complies with AO9.3</p> <p>The movement of service vehicles on either site would not halt vehicle or pedestrian traffic movement as both sites have sufficient space to cater for service vehicles, regular vehicles and pedestrian movement.</p>
<p>PO10</p> <p>Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.</p>	<p>AO10.1</p> <p>Development provides adequate area on-site for vehicle queuing to accommodate the demand generated by the development where drive through facilities or drop-off/pick-up services are proposed as part of the use, including, but not limited to, the following land uses:</p> <ul style="list-style-type: none"> (a) car wash; (b) child care centre; (c) educational establishment where for a school; 	<p>Not applicable</p> <p>The development does not require drop-off/pick-up services.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	(d) food and drink outlet, where including a drive-through facility; (e) hardware and trade supplies, where including a drive-through facility; (f) hotel, where including a drive-through facility; (g) service station.	
	AO10.2 Queuing and set-down areas are designed and constructed in accordance with AS2890.1.	Not applicable The development does not required vehicle queueing.



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9.4.3 Environmental performance code

9.4.3.1 Application

(1) This code applies to assessing:

(a) building work for outdoor lighting;

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

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

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

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

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

9.4.3.2 Purpose

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

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

(a) activities that have potential to cause an adverse impact on amenity of adjacent and surrounding land, or environmental harm is avoided



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- through location, design and operation of the development;
- (b) sensitive land uses are protected from amenity related impacts of lighting, odour, airborne particles and noise, through design and operation of the development;
- (c) stormwater flowing over, captured or discharged from development sites is of a quality adequate to enter receiving waters and downstream environments;
- (d) development contributes to the removal and ongoing management of weed species.

9.4.3.3 Criteria for assessment

Table 9.4.3.3.a – Environmental performance code – assessable development

Performance outcomes	Acceptable outcomes	Compliance
Lighting		
PO1 Lighting incorporated within development does not cause an adverse impact on the amenity of adjacent uses and nearby sensitive land uses.	AO1.1 Technical parameters, design, installation, operation and maintenance of outdoor lighting comply with the requirements of Australian standard AS4282-1997 Control of the obtrusive effects of outdoor lighting.	Not applicable The application is for reconfiguring a lot only.
	AO1.2	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
	Development that involves flood lighting is restricted to a type that gives no upward component of light where mounted horizontally.	The application is for reconfiguring a lot only.
	AO1.3 Access, car parking and manoeuvring areas are designed to shield nearby residential premises from impacts of vehicle headlights.	Not applicable This development would be in an industry zone, there are no nearby residential premises.
Noise		
PO2 Potential noise generated from the development is avoided through design, location and operation of the activity. Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.	AO2.1 Development does not involve activities that would cause noise related environmental harm or nuisance; or	Not applicable The application is for reconfiguring a lot only.
	AO2.2 Development ensures noise does not emanate from the site through the use of materials, structures and architectural features to not cause	Not applicable The application is for reconfiguring a lot only.



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Performance outcomes	Acceptable outcomes	Compliance
	an adverse noise impact on adjacent uses.	
	<p>AO2.3</p> <p>The design and layout of development ensures car parking areas avoid noise impacting directly on adjacent sensitive land uses through one or more of the following:</p> <ul style="list-style-type: none"> (a) car parking is located away from adjacent sensitive land uses; (b) car parking is enclosed within a building; (c) a noise ameliorating fence or structure is established adjacent to car parking areas where the fence or structure will not have a visual amenity impact on the adjoining premises; (d) buffered with dense landscaping. <p>Editor's note - The Environmental Protection (Noise) Policy 2008, Schedule 1 provides guidance on acoustic quality objectives to ensure environmental harm (including nuisance) is avoided.</p>	<p>Not applicable</p> <p>This development would not be adjacent to sensitive land uses.</p>



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Performance outcomes	Acceptable outcomes	Compliance
Airborne particles and other emissions		
PO3 Potential airborne particles and emissions generated from the development are avoided through design, location and operation of the activity. Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.	AO3.1 Development does not involve activities that will result in airborne particles or emissions being generated; or	Not applicable The application is for Reconfiguring a Lot only.
	AO3.2 The design, layout and operation of the development activity ensures that no airborne particles or emissions cause environmental harm or nuisance. Note - examples of activities which generally cause airborne particles include spray painting, abrasive blasting, manufacturing activities and car wash facilities. Examples of emissions include exhaust ventilation from basement or enclosed parking structures, air conditioning/refrigeration ventilation and exhaustion. The Environmental Protection (Air) Policy 2008, Schedule 1 provides guidance on air	Not applicable The application is for reconfiguring a lot only.



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Performance outcomes	Acceptable outcomes	Compliance
	quality objectives to ensure environmental harm (including nuisance) is avoided.	
Odours		
PO4 Potential odour causing activities associated with the development are avoided through design, location and operation of the activity. Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.	AO4.1 The development does not involve activities that create odorous emissions; or	Not applicable The application is for reconfiguring a lot only.
	AO4.2 The use does not result in odour that causes environmental harm or nuisance with respect to surrounding land uses.	Not applicable The application is for reconfiguring a lot only.
Waste and recyclable material storage		
PO5 Waste and recyclable material storage facilities are located and maintained to not cause adverse impacts on adjacent uses.	AO5.1 The use ensures that all putrescent waste is stored in a manner that prevents odour nuisance and is disposed of at regular intervals.	Not applicable The application is for reconfiguring a lot only.



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Performance outcomes	Acceptable outcomes	Compliance
<p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p>AO5.2</p> <p>Waste and recyclable material storage facilities are located, designed and maintained to not cause an adverse impact on users of the premises and adjacent uses through consideration of:</p> <ul style="list-style-type: none">(a) the location of the waste and recyclable material storage areas in relation to the noise and odour generated;(b) the number of receptacles provided in relation to the collection, maintenance and use of the receptacles;(c) the durability of the receptacles, sheltering and potential impacts of local climatic conditions;(d) the ability to mitigate spillage, seepage or leakage from receptacles into adjacent areas and sensitive receiving waters and environments. <p>Editor's note - the Environmental Protection (Waste Management) Policy 2008 provides guidance on the design of waste containers (receptacles) to ensure</p>	<p>Not applicable</p> <p>The application is for reconfiguring a lot only.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	environmental harm (including nuisance) is avoided.	
Sensitive land uses		
PO6 Sensitive land use activities are not established in areas which will receive potentially incompatible impacts on amenity from surrounding, existing development activities and land uses.	AO6.1 Sensitive land use activities are not established in areas that will be adversely impacted upon by existing land uses, activities and potential development possible in an area; or	Not applicable This development involves reconfiguring a Lot in the Industry zone, there are no sensitive land use activities proposed.
	AO6.2 Sensitive land activities are located in areas where potential adverse amenity impacts mitigate all potential impacts through layout, design, operation and maintenance.	Not applicable There are no sensitive land use activities proposed as part of this development application.
Stormwater quality		
PO7 The quality of stormwater flowing over, through or being discharged from development activities into watercourses and drainage lines is of adequate	AO7.1 Development activities are designed to ensure stormwater over roofed and hard stand areas is directed to a lawful point of discharge.	Complies with AO7.1 Stormwater is directed to the existing kerb and channel at the Lot frontage for both proposed lots. No stormwater from either lot is required to



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Performance outcomes	Acceptable outcomes	Compliance
<p>quality for downstream environments, with respect to:</p> <p>(a) the amount and type of pollutants borne from the activity;</p> <p>(b) maintaining natural stream flows</p> <p>(c) the amount and type of site disturbance;</p> <p>(d) site management and control measures.</p>		traverse the other lot.
	<p>A07.2</p> <p>Development ensures movement of stormwater over the site is not impeded or directed through potentially polluting activities.</p>	<p>Not applicable</p> <p>Existing stormwater infrastructure will remain, no alterations are proposed.</p>
	<p>A07.3</p> <p>Soil and water control measures are incorporated into the activity's design and operation to control sediment and erosion potentially entering watercourses, drainage lines and downstream receiving waters.</p> <p>Note - Planning scheme policy - FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the Environmental Protection Act 1994. During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.</p>	<p>Not applicable</p> <p>Existing stormwater infrastructure will remain, no alterations are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
Pest plants (for material change of use on vacant land over 1,000m²)		
PO8 Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not reinfest the site or nearby sites. Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the Land Protection (Pest and Stock Route Management) Act 2002.	AO8.1 The land is free of declared pest plants before development establishes new buildings, structures and practices; or	Not applicable This application is for Reconfiguring a Lot only.
	AO8.2 Pest plants detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person prior to construction of buildings and structures or earthworks. Note - A declaration from an appropriately qualified person validates the land being free from pest plants. Declared pest plants include locally declared and State declared pest plants.	Not applicable The application is for Reconfiguring a Lot only.



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9.4.4 Filling and excavation code

9.4.4.1 Application

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

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

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

9.4.4.2 Purpose

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



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- (e) filling and excavation works do not involve complex engineering solutions.

9.4.4.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
Filling and excavation - General		
PO1 All filling and excavation work does not create a detrimental impact on the slope stability, erosion potential or visual amenity of the site or the surrounding area.	AO1.1 The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height. and Cuts in excess of those stated in A1.1 above are separated by benches/ terraces with a minimum width of 1.2 metres that incorporate drainage provisions and screen planting.	Not applicable This development application is for Reconfiguring a Lot only, no cut and/or fill is proposed.
	AO1.2	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
	Cuts are supported by batters, retaining or rock walls and associated benches/terraces are capable of supporting mature vegetation.	This development application is for Reconfiguring a Lot only, no cut and/or fill is proposed
	AO1.3 Cuts are screened from view by the siting of the building/structure, wherever possible.	Not applicable This development application is for Reconfiguring a Lot only, no cut and/or fill is proposed
	AO1.4 Topsoil from the site is retained from cuttings and reused on benches/terraces.	Not applicable This development application is for Reconfiguring a Lot only, no cut and/or fill is proposed
	AO1.5 No crest of any cut or toe of any fill, or any part of any retaining wall or structure is closer than 600mm to any boundary of the property, unless the prior written approval of the adjoining landowner has been obtained.	Not applicable This development application is for Reconfiguring a Lot only, no cut and/or fill is proposed



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Performance outcomes	Acceptable outcomes	Compliance
	<p>AO1.6</p> <p>Non-retained cut and/or fill on slopes are stabilised and protected against scour and erosion by suitable measures, such as grassing, landscaping or other protective/aesthetic measures.</p>	<p>Not applicable</p> <p>This development application is for Reconfiguring a Lot only, no cut and/or fill is proposed</p>
Visual Impact and Site Stability		
<p>PO2</p> <p>Filling and excavation are carried out in such a manner that the visual/scenic amenity of the area and the privacy and stability of adjoining properties is not compromised.</p>	<p>AO2.1</p> <p>The extent of filling and excavation does not exceed 40% of the site area, or 500m² whichever is the lesser, except that AO2.1 does not apply to reconfiguration of 5 lots or more.</p>	<p>Not applicable</p> <p>This development application involves Reconfiguring a Lot only, no filling or excavation is proposed.</p>
	<p>AO2.2</p> <p>Filling and excavation does not occur within 2 metres of the site boundary.</p>	<p>Not applicable</p> <p>This development application involves Reconfiguring a Lot only, no filling or excavation is proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
Flooding and drainage		
PO3 Filling and excavation does not result in a change to the run off characteristics of a site which then have a detrimental impact on the site or nearby land or adjacent road reserves.	AO3.1 Filling and excavation does not result in the ponding of water on a site or adjacent land or road reserves.	Not applicable This development application involves Reconfiguring a Lot only, no filling or excavation is proposed.
	AO3.2 Filling and excavation does not result in an increase in the flow of water across a site or any other land or road reserves.	Not applicable This development application involves Reconfiguring a Lot only, no filling or excavation is proposed.
	AO3.3 Filling and excavation does not result in an increase in the volume of water or concentration of water in a watercourse and overland flow paths.	Not applicable This development application involves Reconfiguring a Lot only, no filling or excavation is proposed.
	AO3.4	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
	Filling and excavation complies with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	This development application involves Reconfiguring a Lot only, no filling or excavation is proposed.
Water quality		
PO4 Filling and excavation does not result in a reduction of the water quality of receiving waters.	AO4 Water quality is maintained to comply with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	Not applicable This development application involves Reconfiguring a Lot only, no filling or excavation is proposed.
Infrastructure		
PO5 Excavation and filling does not impact on Public Utilities.	AO5 Excavation and filling is clear of the zone of influence of public utilities.	Not applicable This development application involves Reconfiguring a Lot only, no filling or excavation is proposed.



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9.4.5 Infrastructure works code

9.4.5.1 Application

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

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

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

9.4.5.2 Purpose

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



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

9.4.5.3 Criteria for assessment

Table 9.4.5.3.a – Infrastructure works code –assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
Works on a local government road		
PO1 Works on a local government road do not adversely impact on footpaths or existing infrastructure within the road verge and maintain the flow, safety and efficiency of pedestrians, cyclists and vehicles.	AO1.1 Footpaths/pathways are located in the road verge and are provided for the hierarchy of the road and located and designed and constructed in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	Not applicable No works on a local government road are proposed.
	AO1.2 Kerb ramp crossovers are constructed in accordance with Planning scheme policy SC 5 –	Not applicable No works on a local government road are



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



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



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Performance outcomes	Acceptable outcomes	Compliance
<p>and safe use of footpaths.</p> <p>Note – Accessibility features are those features required to ensure access to premises is provided for people of all abilities and include ramps and lifts.</p>	<p>Accessibility structures are designed in accordance with AS1428.3.</p>	<p>There are no accessibility structures proposed as part of this development application.</p>
	<p>AO2.3</p> <p>When retrofitting accessibility features in existing buildings, all structures and changes in grade are contained within the boundaries of the lot and not within the road reserve.</p>	<p>Not applicable</p> <p>There are no accessibility structures proposed as part of this development application.</p>
Water supply		
<p>PO3</p> <p>An adequate, safe and reliable supply of potable, fire fighting and general use water is provided.</p>	<p>AO3.1</p> <p>The premises is connected to Council's reticulated water supply system in accordance with the Design Guidelines set out in Section D6 of the Planning scheme policy SC5 – FNQROC Regional Development Manual;</p> <p>or</p>	<p>Complies with AO3.1</p> <p>Each lot would be provided with a water service and sewer connection. The services to the proposed Owen Street lot are proposed to be contained within an easement over the proposed Teamsters Close lot and adjacent the northern side boundary.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>AO3.2</p> <p>Where a reticulated water supply system is not available to the premises, on site water storage tank/s with a minimum capacity of 10,000 litres of stored water, with a minimum 7,500 litre tank, with the balance from other sources (e.g. accessible swimming pool, dam etc.) and access to the tank/s for fire trucks is provided for each new house or other development. Tank/s are to be fitted with a 50mm ball valve with a camlock fitting and installed and connected prior to occupation of the house and sited to be visually unobtrusive.</p>	
Treatment and disposal of effluent		
<p>PO4</p> <p>Provision is made for the treatment and disposal of effluent to ensure that there are no adverse impacts on water quality and no adverse ecological impacts as a result of the system or as</p>	<p>AO4.1</p> <p>The site is connected to Council's sewerage system and the extension of or connection to the sewerage system is designed and constructed in accordance with the Design Guidelines set out in</p>	<p>Complies with AO4.1</p> <p>Each lot would be provided with a water service and sewer connection. The services to the proposed Owen Street lot are proposed to be contained within an easement over the proposed</p>



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Performance outcomes	Acceptable outcomes	Compliance
a result of increasing the cumulative effect of systems in the locality.	<p>Section D7 of the Planning scheme policy SC5 – FNQROC Regional Development Manual;</p> <p>or</p> <p>AO4.2</p> <p>Where not in a sewerage scheme area, the proposed disposal system meets the requirements of Section 33 of the <i>Environmental Protection Policy (Water) 1997</i> and the proposed on site effluent disposal system is designed in accordance with the <i>Plumbing and Drainage Act (2002)</i>.</p>	Teamsters Close lot and adjacent the northern side boundary.
Stormwater quality		
<p>PO5</p> <p>Development is planned, designed, constructed and operated to avoid or minimise adverse impacts on stormwater quality in natural and</p>	<p>AO5.1</p> <p>A connection is provided from the premises to Council's drainage system;</p> <p>or</p>	<p>Complies with AO5.2</p> <p>The existing development is provided with existing connection to the Councils stormwater drainage system. The existing shed at the Teamsters Close lot discharges to the kerb and channel in</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>developed catchments by:</p> <ul style="list-style-type: none"> (a) achieving stormwater quality objectives; (b) protecting water environmental values; (c) maintaining waterway hydrology. 	<p>AO5.2</p> <p>An underground drainage system is constructed to convey stormwater from the premises to Council's drainage system in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p>	<p>Teamsters Close and the Stormwater from the Owen Street lot is discharged to the kerb and channel in the Owen Street Road Reserve.</p>
	<p>AO5.3</p> <p>A stormwater quality management plan is prepared, and provides for achievable stormwater quality treatment measures meeting design objectives listed in Error! Reference source not found. and Error! Reference source not found., reflecting land use constraints, such as:</p> <ul style="list-style-type: none"> (a) erosive, dispersive and/or saline soil types; (b) landscape features (including landform); (c) acid sulfate soil and management of nutrients of concern; 	<p>Not applicable</p> <p>The stormwater management would remain as existing with discharge to the respective kerb and channel.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	(d) rainfall erosivity.	
	AO5.4 Erosion and sediment control practices are designed, installed, constructed, monitored, maintained, and carried out in accordance with an erosion and sediment control plan.	Not applicable No construction activities would result from the proposed development.
	AO5.5 Development incorporates stormwater flow control measures to achieve the design objectives set out in Error! Reference source not found. and Error! Reference source not found. , including management of frequent flows, peak flows, and construction phase hydrological impacts. Note – Planning scheme policy SC5 – FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act</i>	Not applicable Stormwater management would remain as existing.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>1994.</p> <p>Note – During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.</p>	
Non-tidal artificial waterways		
<p>PO6</p> <p>Development involving non-tidal artificial waterways is planned, designed, constructed and operated to:</p> <p>(a) protect water environmental values;</p> <p>(b) be compatible with the land use constraints for the site for protecting water environmental values;</p> <p>(c) be compatible with existing tidal and non-tidal waterways;</p>	<p>AO6.1</p> <p>Development involving non-tidal artificial waterways ensures:</p> <p>(a) environmental values in downstream waterways are protected;</p> <p>(b) any ground water recharge areas are not affected;</p> <p>(c) the location of the waterway incorporates low lying areas of the catchment connected to an existing waterway;</p>	<p>Not applicable</p> <p>No non-tidal artificial waterways are proposed.</p>



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



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Performance outcomes	Acceptable outcomes	Compliance
	<p>impact on the tidal waterway; or</p> <p>(c) there is no introduction of salt water into freshwater environments.</p>	
	<p>AO6.4</p> <p>Non-tidal artificial waterways are designed and managed for any of the following end-use purposes:</p> <p>(a) amenity (including aesthetics), landscaping or recreation; or</p> <p>(b) flood management, in accordance with a drainage catchment management plan; or</p> <p>(c) stormwater harvesting plan as part of an integrated water cycle management plan; or</p> <p>(d) aquatic habitat.</p>	<p>Not applicable</p> <p>No non-tidal artificial waterways are proposed.</p>
	<p>AO6.5</p> <p>The end-use purpose of the non-tidal artificial</p>	<p>Not applicable</p>



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Performance outcomes	Acceptable outcomes	Compliance
	waterway is designed and operated in a way that protects water environmental values.	No non-tidal artificial waterways are proposed.
	AO6.6 Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway.	Not applicable No non-tidal artificial waterways are proposed.
	AO6.7 Aquatic weeds are managed to achieve a low percentage of coverage of the water surface area, and pests and vectors are managed through design and maintenance.	Not applicable No non-tidal artificial waterways are proposed.
Wastewater discharge		
PO7 Discharge of wastewater to waterways, or off site: (a) meets best practice environmental	AO7.1 A wastewater management plan is prepared and addresses:	Not applicable The application is for reconfiguring a lot only.



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Performance outcomes	Acceptable outcomes	Compliance
<p>management;</p> <p>(b) is treated to:</p> <p>(i) meet water quality objectives for its receiving waters;</p> <p>(ii) avoid adverse impact on ecosystem health or waterway health;</p> <p>(iii) maintain ecological processes, riparian vegetation and waterway integrity;</p> <p>(iv) offset impacts on high ecological value waters.</p>	<p>(a) wastewater type;</p> <p>(b) climatic conditions;</p> <p>(c) water quality objectives;</p> <p>(d) best practice environmental management.</p>	
	<p>A07.2</p> <p>The waste water management plan is managed in accordance with a waste management hierarchy that:</p> <p>(a) avoids wastewater discharge to waterways; or</p> <p>(b) if wastewater discharge cannot practicably be avoided, minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and ground water.</p>	<p>Not applicable</p> <p>The application is for reconfiguring a lot only</p>
	<p>A07.3</p> <p>Wastewater discharge is managed to avoid or</p>	<p>Not applicable</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>minimise the release of nutrients of concern so as to minimise the occurrence, frequency and intensity of algal blooms.</p>	<p>The application is for reconfiguring a lot only</p>
	<p>AO7.4</p> <p>Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and:</p> <p>(a) avoids lowering ground water levels where potential or actual acid sulfate soils are present;</p> <p>(b) manages wastewater so that:</p> <p>(i) the pH of any wastewater discharges is maintained between 6.5 and 8.5 to avoid mobilisation of acid, iron, aluminium and other metals;</p> <p>(ii) holding times of neutralised wastewater ensures the flocculation and removal of</p>	<p>Complies with AO7.4</p> <p>No soil disturbance is proposed as part of this application.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>any dissolved iron prior to release;</p> <p>(iii) visible iron floc is not present in any discharge;</p> <p>(iv) precipitated iron floc is contained and disposed of;</p> <p>(v) wastewater and precipitates that cannot be contained and treated for discharge on site are removed and disposed of through trade waste or another lawful method.</p>	
Electricity supply		
<p>P08</p> <p>Development is provided with a source of power that will meet its energy needs.</p>	<p>AO8.1</p> <p>A connection is provided from the premises to the electricity distribution network;</p> <p>or</p> <p>AO8.2</p> <p>The premises is connected to the electricity</p>	<p>Able to comply with AO8.1</p> <p>Both existing premises are connected to the electricity distribution network and a separate connection would be negotiated with the electricity distribution prior to seeking endorsement of the plan of survey.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>distribution network in accordance with the Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p>Note - Areas north of the Daintree River have a different standard.</p>	
<p>PO9</p> <p>Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.</p>	<p>AO9.1</p> <p>Pad-mount electricity infrastructure is:</p> <ul style="list-style-type: none"> (a) not located in land for open space or sport and recreation purposes; (b) screened from view by landscaping or fencing; (c) accessible for maintenance. 	<p>Not applicable</p> <p>This development application does not involve pad-mount electricity infrastructure.</p>
	<p>AO9.2</p> <p>Pad-mount electricity infrastructure within a building, in a Town Centre is designed and located to enable an active street frontage.</p>	<p>Not applicable</p> <p>This development application does not involve pad-mount electricity infrastructure.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	Note – Pad-mounts in buildings in activity centres should not be located on the street frontage.	
Telecommunications		
PO10 Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.	AO10 The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.	Complies with AO10 The developments on both of the proposed sites are already connected to telecommunications infrastructure.
PO11 Provision is made for future telecommunications services (e.g. fibre optic cable).	AO11 Conduits are provided in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	Not applicable No conduits are proposed as part of this development application.
Road construction		
PO12	AO12.1	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
<p>The road to the frontage of the premises is constructed to provide for the safe and efficient movement of:</p> <p>(a) pedestrians and cyclists to and from the site;</p> <p>(b) pedestrians and cyclists adjacent to the site;</p> <p>(c) vehicles on the road adjacent to the site;</p> <p>(d) vehicles to and from the site;</p> <p>(e) emergency vehicles.</p>	<p>The road to the frontage of the site is constructed in accordance with the Design Guidelines set out in Sections D1 and D3 of the Planning scheme policy SC5 – FNQROC Regional Development Manual, for the particular class of road, as identified in the road hierarchy.</p>	<p>No road changes are proposed as part of this development application.</p>
	<p>AO12.2</p> <p>There is existing road, kerb and channel for the full road frontage of the site.</p>	<p>Complies with AO12.2</p> <p>There are existing roads, kerbs and channels for the full frontage of both proposed sites.</p>
	<p>AO12.3</p> <p>Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for the safe passage of emergency vehicles.</p>	<p>Complies with AO12.3</p> <p>Both Teamsters Close and Owen Street are constructed and council maintained roads.</p>
Alterations and repairs to public utility services		
PO13	AO13	Complies with AO13



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Performance outcomes	Acceptable outcomes	Compliance
Infrastructure is integrated with, and efficiently extends, existing networks.	Development is designed to allow for efficient connection to existing infrastructure networks.	It is proposed to provide a services easement to accommodate the efficient connection of the Owen Street lot to the existing infrastructure networks.
<p>PO14</p> <p>Development and works do not affect the efficient functioning of public utility mains, services or installations.</p>	<p>AO14.1</p> <p>Public utility mains, services and installations are not required to be altered or repaired as a result of the development;</p> <p>or</p> <p>AO14.2</p> <p>Public utility mains, services and installations are altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p>	<p>Complies with AO14.1</p> <p>There would be no physical impacts on public utility mains, services or installations as a result of this development application.</p>



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Performance outcomes	Acceptable outcomes	Compliance
Construction management		
PO15 Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be retained.	AO15 Works include, at a minimum: (a) installation of protective fencing around retained vegetation during construction; (b) erection of advisory signage; (c) no disturbance, due to earthworks or storage of plant, materials and equipment, of ground level and soils below the canopy of any retained vegetation; (d) removal from the site of all declared noxious weeds.	Not applicable No construction works are proposed.
PO16 Existing infrastructure is not damaged by construction activities.	AO16 Construction, alterations and any repairs to infrastructure is undertaken in accordance with the Planning scheme policy SC5 – FNQROC	Able to comply with AO16 Any works required to the existing infrastructure would be undertaken in accordance with the



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Performance outcomes	Acceptable outcomes	Compliance
	<p>Regional Development Manual.</p> <p>Note - Construction, alterations and any repairs to State-controlled roads and rail corridors are undertaken in accordance with the Transport Infrastructure Act 1994.</p>	requirements of the FNQROC Manual.
For assessable development		
High speed telecommunication infrastructure		
<p>PO17</p> <p>Development provides infrastructure to facilitate the roll out of high speed telecommunications infrastructure.</p>	<p>AO17</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>Both proposed lots have existing connections to telecommunications infrastructure.</p>
Trade waste		
<p>PO18</p> <p>Where relevant, the development is capable of providing for the storage, collection treatment and</p>	<p>AO18</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>No trade waste would result from Reconfiguring a</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>disposal of trade waste such that:</p> <p>(a) off-site releases of contaminants do not occur;</p> <p>(b) the health and safety of people and the environment are protected;</p> <p>(c) the performance of the wastewater system is not put at risk.</p>		Lot.
Fire services in developments accessed by common private title		
<p>PO19</p> <p>Hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.</p>	<p>AO19.1</p> <p>Residential streets and common access ways within a common private title places hydrants at intervals of no more than 120 metres and at each intersection. Hydrants may have a single outlet and be situated above or below ground.</p>	<p>Not applicable</p> <p>No common private title is proposed.</p>
	<p>AO19.2</p> <p>Commercial and industrial streets and access</p>	<p>Not applicable</p> <p>No common private title is proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	ways within a common private title serving commercial properties such as factories and warehouses and offices are provided with above or below ground fire hydrants located at not more than 90 metre intervals and at each intersection. Above ground fire hydrants have dual-valved outlets.	
<p>PO20</p> <p>Hydrants are suitable identified so that fire services can locate them at all hours.</p> <p>Note – Hydrants are identified as specified in the Department of Transport and Main Roads Technical Note: 'Identification of street hydrants for fire fighting purposes' available under 'Publications'.</p>	<p>AO20</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>No common private title is proposed..</p>



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9.4.6 Landscaping code

9.4.6.1 Application

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

9.4.6.2 Purpose

- (1) The purpose of the Landscaping code is to assess the landscaping aspects of a development.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) The tropical, lush landscape character of the region is retained, promoted and enhanced through high quality landscape works;
 - (b) The natural environment of the region is enhanced;
 - (c) The visual quality, amenity and identity of the region is enhanced;
 - (d) Attractive streetscapes and public places are created through landscape design;
 - (e) As far as practical, existing vegetation on site is retained, and protected during works and integrated with the built environment;
 - (f) Landscaping is provided to enhance the tropical landscape character of development and the region;
 - (g) Landscaping is functional, durable, contributes to passive energy conservation and provides for the efficient use of water and ease of ongoing maintenance;
 - (h) Landscaping takes into account utility service protection;



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- (i) Weed species and invasive species are eliminated from development sites;
- (j) Landscape design enhances personal safety and incorporates CPTED principles.

9.4.6.3 Criteria for assessment

Table 9.4.6.3.a – Landscaping code –assessable development

Performance outcomes		Acceptable outcomes	Compliance
For self-assessable and assessable development			
Landscaping design			
PO1 Development provides landscaping that contributes to and creates a high quality landscape character for the site, street and local areas of the Shire by: (<ul style="list-style-type: none"> (a) promoting the Shire’s character as a tropical environment; (b) softening the built form of development; (c) enhancing the appearance of the development from within and outside the development and makes a positive 	AO1 Development provides landscaping: <ul style="list-style-type: none"> (a) in accordance with the minimum area, dimensions and other requirements of applicable development codes; (b) that is designed and planned in a way that meets the guidelines for landscaping outlined in Planning Scheme Policy SC6.7 – Landscaping; (c) that is carried out and maintained in accordance with a landscaping plan that 	Not applicable The application is for Reconfiguring a Lot only.	



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Performance outcomes	Acceptable outcomes	Compliance
<p>contribution to the streetscape;</p> <p>(d) screening the view of buildings, structures, open storage areas, service equipment, machinery plant and the like from public places, residences and other sensitive development;</p> <p>(e) where necessary, ensuring the privacy of habitable rooms and private outdoor recreation areas;</p> <p>(f) contributing to a comfortable living environment and improved energy efficiency, by providing shade to reduce glare and heat absorption and re-radiation from buildings, parking areas and other hard surfaces;</p> <p>(g) ensuring private outdoor recreation space is useable;</p> <p>(h) providing long term soil erosion protection;</p> <p>(i) providing a safe environment;</p> <p>(j) integrating existing vegetation and other</p>	<p>meets the guidelines for landscaping outlined in Planning Scheme Policy SC6.7 – Landscaping.</p> <p>Note - Planning scheme policy SC6.7 – Landscaping provides guidance on meeting the outcomes of this code. A landscape plan submitted for approval in accordance with the Planning policy is one way to achieve this outcome.</p>	



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Performance outcomes	Acceptable outcomes	Compliance
<p>natural features of the premises into the development;</p> <p>(k) not adversely affecting vehicular and pedestrian sightlines and road safety</p>		
For assessable development		
<p>PO2</p> <p>Landscaping contributes to a sense of place, is functional to the surroundings and enhances the streetscape and visual appearance of the development.</p>	<p>AO2.1</p> <p>No acceptable outcomes are specified.</p> <p>Note - Landscaping is in accordance with the requirements specified in Planning scheme policy SC6.7 – Landscaping.</p>	<p>Complies with PO2</p> <p>All existing landscaping would be retained as part of the development.</p>
	<p>AO2.2</p> <p>Tropical urbanism is incorporated into building design.</p> <p>Note – ‘Tropical urbanism’ includes many things such as green walls, green roofs, podium planting and vegetation incorporated into the design of a building</p>	<p>Not applicable</p> <p>There are no new buildings proposed as part of this development application.</p>
PO3	AO3.1	Complies with AO3.1



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Performance outcomes	Acceptable outcomes	Compliance
Development provides landscaping that is , as far as practical, consistent with the existing desirable landscape character of the area and protects trees, vegetation and other features of ecological, recreational, aesthetic and cultural value.	Existing vegetation on site is retained and incorporated into the site design, wherever possible, utilising the methodologies and principles outline in AS4970-2009 Protection of Trees on Development Sites.	Existing vegetation on site would be retained.
	AO3.2 Mature vegetation on the site that is removed or damaged during development is replaced with advanced species	Not applicable There is no vegetation removal proposed as part of this development application.
	AO3.3 Where there is an existing landscape character in a street or locality which results from existing vegetation, similar species are incorporated into new development	Not applicable No additional landscaping is required as part of this development.
	AO3.4 Street trees are species which enhance the landscape character of the streetscape, with species chosen from the Planning scheme policy	Not applicable There are no street trees proposed as part of this development application.



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Performance outcomes	Acceptable outcomes	Compliance
	SC6.7 – Landscaping.	
PO4 Plant species are selected with consideration to the scale and form of development, screening, buffering, streetscape, shading and the locality of the area.	AO4 Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	Not applicable No additional landscaping is required as part of this development.
PO5 Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal roadways.	AO5 Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	Not applicable No additional landscaping is required as part of this development.
PO6 Landscaped areas are designed in order to allow for efficient maintenance.	AO6.1 A maintenance program is undertaken in accordance with Planning scheme policy SC6.7 – Landscaping.	Not applicable A maintenance program would already exist for existing vegetation. As no changes to existing vegetation are proposed no maintenance program changes are necessary.
	AO6.2 Tree maintenance is to have regard to the 'Safe	Not applicable No new tree maintenance is proposed as part of



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Performance outcomes	Acceptable outcomes	Compliance
	Useful Life Expectancy of Trees (SULE). Note – It may be more appropriate to replace trees with a SULE of less than 20 years (as an example), and replant with younger healthy species	this Lot reconfiguration. Existing maintenance will be continued.
P07 Podium planting is provided with appropriate species for long term survival and ease of maintenance, with beds capable of proper drainage.	A07.1 Podium planting beds are provided with irrigation and are connected to stormwater infrastructure to permit flush out.	Not applicable There are no podium planting beds proposed as part of this development application.
	A07.2 Species of plants are selected for long term performance designed to suit the degree of access to podiums and roof tops for maintenance.	Not applicable There are no podium planting beds proposed as part of this development application.
P08 Development provides for the removal of all weed and invasive species and implement on-going measures to ensure that weeds and invasive species do not reinfest the site and nearby premises	A08 Weed and invasive species detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person.	Complies with A08 There are no known weeds or invasive species on the site.



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



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9.4.9 Vegetation management code

9.4.9.1 Application

- (1) This code applies to assessing operational works for vegetation damage 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.

9.4.9.2 Purpose

- (1) The purpose of the Vegetation management code is achieved through the overall outcomes.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) vegetation is protected from inappropriate damage;
 - (b) where vegetation damage does occur it is undertaken in a sustainable manner;
 - (c) significant trees are maintained and protected;
 - (d) biodiversity and ecological values are protected and maintained;
 - (e) habitats for rare, threatened and endemic species of flora and fauna are protected and maintained;
 - (f) landscape character and scenic amenity is protected and maintained;
 - (g) heritage values are protected and maintained.



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9.4.9.3 Criteria for assessment

Table 9.4.9.3.a – Vegetation Management – assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
PO1 Vegetation is protected to ensure that: <ul style="list-style-type: none"> (a) the character and amenity of the local area is maintained; (b) vegetation damage does not result in fragmentation of habitats; (c) vegetation damage is undertaken in a sustainable manner; (d) the Shire's biodiversity and ecological values are maintained and protected; (e) vegetation of historical, cultural and / or visual significance is retained; (f) vegetation is retained for erosion prevention and slope stabilisation 	AO1.1 Vegetation damage is undertaken by a statutory authority on land other than freehold land that the statutory authority has control over; or	Not applicable There is no vegetation damage proposed as part of this Lot Reconfiguration.
	AO1.2 Vegetation damage is undertaken by or on behalf of the local government on land controlled, owned or operated by the local government; or	Not applicable There is no vegetation damage proposed as part of this Lot Reconfiguration.
	AO1.3 Vegetation damage, other than referenced in AO1.1 or AO1.2 is the damage of:	Not applicable There is no vegetation damage proposed as part of this Lot Reconfiguration.



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> (a) vegetation declared as a pest pursuant to the Land Protection (Pest and Stock Route Management) Act 2002; or (b) vegetation identified within the local government's register of declared plants pursuant to the local government's local laws; or (c) vegetation is located within a Rural zone and the trunk is located within ten metres of an existing building; or (d) vegetation is located within the Conservation zone or Environmental management zone and the trunk is located within three metres of an existing or approved structure, not including a boundary fence;. <p>or</p>	
	<p>AO1.4</p> <p>Vegetation damage that is reasonably necessary for carrying out work that is:</p>	<p>Not applicable</p> <p>There is no vegetation damage proposed as part of this Lot Reconfiguration.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	(a) authorised or required under legislation or a local law; (b) specified in a notice served by the local government or another regulatory authority; or	
	AO1.5 Vegetation damage for development where the damage is on land the subject of a valid development approval and is necessary to give effect to the development approval; or	Not applicable There is no vegetation damage proposed as part of this Lot Reconfiguration.
	AO1.6 Vegetation damage is in accordance with an approved Property Map of Assessable Vegetation issued under the Vegetation Management Act 1999; or	Not applicable There is no vegetation damage proposed as part of this Lot Reconfiguration.



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Performance outcomes	Acceptable outcomes	Compliance
	AO1.7 Vegetation damage is essential to the maintenance of an existing fire break; or	Not applicable There is no vegetation damage proposed as part of this Lot Reconfiguration.
	AO1.8 Vegetation damage is essential to prevent interference to overhead service cabling; or	Not applicable There is no vegetation damage proposed as part of this Lot Reconfiguration.
	AO1.9 Vegetation damage is for an approved Forest practice, where the lot is subject to a scheme approved under the Vegetation Management Act 1999; or	Not applicable There is no vegetation damage proposed as part of this Lot Reconfiguration.
	AO1.10 Vegetation damage is undertaken in accordance with section 584 of the Sustainable Planning Act	Not applicable There is no vegetation damage proposed as part of this Lot Reconfiguration.



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Performance outcomes	Acceptable outcomes	Compliance
	2009.	
	AO1.11 Vegetation damage where it is necessary to remove one tree in order to protect an adjacent more significant tree (where they are growing close to one another).	Not applicable There is no vegetation damage proposed as part of this Lot Reconfiguration.
	AO1.12 Private property owners may only remove dead, dying, structurally unsound vegetation following receipt of written advice from, at minimum, a fully qualified Certificate V Arborist. A copy of the written advice is to be submitted to Council for its records, a minimum of seven business days prior to the vegetation damage work commencing.	Not applicable There is no vegetation removal proposed as part of this Lot Reconfiguration.
PO2 Vegetation damaged on a lot does not result in a nuisance.	AO2.1 Damaged vegetation is removed and disposed of at an approved site; or	Not applicable This development application does not involve or associate with damaged vegetation, including the removal of disposal of it.



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Performance outcomes	Acceptable outcomes	Compliance
	AO2.2 Damaged vegetation is mulched or chipped if used onsite.	
For assessable development		
PO3 Vegetation damage identified on the Places of significance overlay lot does not result in a negative impact on the site's heritage values	AO3 No acceptable outcomes are prescribed.	Not applicable This development is not located within a Places of significance overlay.