

# DA Form 1 – Development application details

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

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

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

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

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

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

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

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

## PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Wade Peter Tibaldi
Contact name (only applicable for companies)	c/- RPS AAP Consulting Pty Ltd, Patrick Clifton
Postal address (P.O. Box or street address)	PO Box 1949
Suburb	Cairns
State	Queensland
Postcode	4870
Country	Australia
Contact number	+61 7 4031 1336
Email address (non-mandatory)	<a href="mailto:Patrick.clifton@rpsgroup.com.au">Patrick.clifton@rpsgroup.com.au</a>
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	AU009246

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

## PART 2 – LOCATION DETAILS

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

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

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

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		37	Splendour Road	Mossman
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	Part of 5	SP297291	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- ☐ Coordinates of premises by longitude and latitude

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

- ☐ Coordinates of premises by easting and northing

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

#### 3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

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

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

- ☐ On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*

Name of airport:

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

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

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

☒ No

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

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

## Section 2 – Further development details

7) Does the proposed development application involve any of the following?	
Material change of use	<input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input 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)
Bulk Landscape Supplies	Bulk Landscape Supplies	N/A	N/A
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input checked="" type="checkbox"/> Yes			
<input type="checkbox"/> No			

### Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?	
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 type="checkbox"/> Boundary realignment (complete 12))	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road (complete 13))

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

**11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?**

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

**12) Boundary realignment**

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

Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )

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

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

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

**Division 3 – Operational work**

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

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

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

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

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

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

\$ _____
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**PART 4 – ASSESSMENT MANAGER DETAILS**

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

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

<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application
<input type="checkbox"/> The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
<input checked="" type="checkbox"/> No

## PART 5 – REFERRAL DETAILS

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

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

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

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

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

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

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

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

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

## PART 6 – INFORMATION REQUEST

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

## PART 7 – FURTHER DETAILS

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

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

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

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

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

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

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

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

### 23) Further legislative requirements

#### **Environmentally relevant activities**

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

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

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

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

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

#### **Hazardous chemical facilities**

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

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

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



### **Clearing native vegetation**

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

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

☒ No

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

### **Environmental offsets**

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

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

☒ No

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

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

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

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

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

☒ No

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

### **Water resources**

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

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

☒ No

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

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

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

### **Waterway barrier works**

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

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

☒ No

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

### **Marine activities**

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

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

☒ No

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

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

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

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

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

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

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

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

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

### **Referable dams**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

☒ No

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

## PART 8 – CHECKLIST AND APPLICANT DECLARATION

### 24) Development application checklist

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

☒ Yes

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

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

☐ Yes

☒ Not applicable

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

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

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☐ Yes

☒ Not applicable

### 25) Applicant declaration

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

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

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

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

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

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

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

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

---

Date received:  Reference number(s):

### Notification of engagement of alternative assessment manager

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

### QLeave notification and payment

*Note: For completion by assessment manager if applicable*

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

# SYNDICATE ROAD, MOSSMAN – APPLICATION FOR MATERIAL CHANGE OF USE (BULK LANDSCAPE SUPPLIES)

## Town Planning Report



AU009246  
A  
30 March 2023

## REPORT

### Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
A	Client Review	S Leggerini	P Clifton	P Clifton	30/03/2023

### Approval for issue

P Clifton	[Signature]	[Date]
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This report was prepared by RPS within the terms of RPS' engagement with its client and in direct response to a scope of services. This report is supplied for the sole and specific purpose for use by RPS' client. The report does not account for any changes relating the subject matter of the report, or any legislative or regulatory changes that have occurred since the report was produced and that may affect the report. RPS does not accept any responsibility or liability for loss whatsoever to any third party caused by, related to or arising out of any use or reliance on the report.

Prepared by:

Prepared for:

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## Contents

<b>SUMMARY .....</b>	<b>3</b>
<b>1 INTRODUCTION .....</b>	<b>4</b>
<b>2 SITE DETAILS .....</b>	<b>5</b>
2.1 Site Particulars .....	5
2.2 Planning Context .....	6
<b>3 PROPOSAL .....</b>	<b>8</b>
3.1 Overview .....	8
<b>4 LEGISLATIVE REQUIREMENTS .....</b>	<b>9</b>
4.1 Assessment Manager .....	9
4.2 Categories of Assessment .....	9
4.3 Referrals .....	9
4.4 Public Notification .....	9
<b>5 STATUTORY PLANNING ASSESSMENT .....</b>	<b>10</b>
5.1 Overview .....	10
5.2 State and Regional Assessment Benchmarks .....	10
5.2.1 State Planning Policy .....	10
5.2.2 Regional Plan .....	10
5.2.3 Development Assessment under Schedules 9 and 10 (SDAP) .....	10
5.3 Local Authority Assessment Benchmarks .....	10
5.3.1 Strategic Framework .....	10
5.3.2 Douglas Shire Planning Scheme 2018 Codes .....	12
5.3.3 Statement of Compliance .....	12
5.4 Infrastructure Charges .....	13
<b>6 CONCLUSION .....</b>	<b>14</b>

## Tables

Table 1: Summary .....	3
Table 2: Site Particulars .....	5
Table 3: Planning Context .....	6
Table 4: Categories of Assessment .....	9
Table 5: Planning Scheme Code Responses .....	12

## Figures

Figure 1 Site Location .....	5
Figure 2 Syndicate Road Frontage .....	6
Figure 3 Zoning .....	7

## Appendices

Appendix A Certificate(S) of Title and Search Results
Appendix B Douglas Shire Planning Scheme 2018 Version 1 Property Report
Appendix C Proposal Plans
Appendix D Planning Scheme Code Responses

## SUMMARY

**Table 1: Summary**

Details			
Site Address:	Syndicate Road, Mossman		
Real Property Description:	Part of Lot 5 on SP297291		
Site Area:	Development Area approx.1.9 hectares, (Lot 5 103.4 hectares)		
Regional Plan Land Use Designation:	Regional Landscape and Rural Production Area		
Zone/Precinct:	Rural Zone		
Owner(s):	Wade Peter Tibaldi		
Proposal			
Brief Description/ Purpose of Proposal	Material Change of Use (Bulk Landscape Supplies)		
Application Details			
Aspect of Development	Preliminary approval	Development permit	
Material change of use	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Building Work	<input type="checkbox"/>	<input type="checkbox"/>	
Operational Work	<input type="checkbox"/>	<input type="checkbox"/>	
Reconfiguration of a Lot	<input type="checkbox"/>	<input type="checkbox"/>	
Assessment Category	<input type="checkbox"/> Code	<input checked="" type="checkbox"/> Impact	
Public Notification	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes: 15 BD	
Superseded Planning Scheme Application	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Referral Agencies			
Agency	Concurrence	Advice	Pre-lodgement response
N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Pre-lodgement / Consultation			
Entity		Date	Contact Name
Council Environment & Planning Team	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	14/02/2023	Rebecca Taranto
Other			
Applicant contact person	Patrick Clifton Senior Principal Planner D: +61 7 4031 1336 E: <a href="mailto:patrick.clifton@rpsgroup.com.au">patrick.clifton@rpsgroup.com.au</a>		



# 1 INTRODUCTION

RPS AAP Consulting Pty Ltd has been engaged by Wade Tibaldi to seek development approval for a Material Change of Use (Bulk Landscape Supplies) on land located at Syndicate Road, Mossman, and described as part of Lot 5 on SP297291.

The area of the proposed development is located in the west of Lot 5 on SP297291 and fronts Syndicate Road. The site is currently improved by a large farming equipment shed, a number of smaller ancillary sheds and a combine office and toilet block. The development area makes up approximately 1.9 hectares of the 103.4 hectares of Lot 5 on SP297231.

It is proposed to develop the site for the purpose of a Bulk Landscape Supplies. The proposed use would utilise the existing workshop, storage shed, office block and toilet. Access would be provided by the existing crossover from Syndicate Road. The proposed use would be small scale and additional development on the site would be limited to concrete bund wall storage areas that would be located in the north east of the site and away from the road frontage. In effect the application is to regularise the existing informal use of the site for the storage of raw materials for infrequent use to service the surrounding rural community and to provide emergency supplies to assist with council road repairs. It would involve limited traffic movements of approximately six heavy rigid vehicle movements and a minor number of domestic scale vehicle movements per day.

The site is located within Douglas Shire Council area and under the Douglas Shire Planning Scheme 2018 the site is identified within the Rural Zone. In accordance with the Tables of Assessment, the development of the site for Bulk Landscape Supplies requires the submission and approval of an Impact Assessable application for Material Change of Use by Douglas Shire Council. As an impact assessable application, the Council are able to consider a range of town planning matters in the determination of the application and the application is required to be subject to public notification. Any submissions made in respect of the application are also required to be considered by Council.

This report provides greater detail on the nature of the proposal and provides an assessment of the proposal against the relevant planning Assessment Benchmarks. Based on this assessment the proposal is recommended for approval subject to reasonable and relevant conditions.

## 2 SITE DETAILS

### 2.1 Site Particulars

The subject site is located on Syndicate Road, Mossman, and described as part of Lot 5 on SP297291. The site the subject of the application is approximately 1.9 hectares in area and is located in the west of Lot 5 on SP297291 with a frontage to Syndicate Road. The development site is currently improved with a large farmequipment shed and a number of small ancillary sheds. In addition, there is an office and toilet block which is serviced by an existing septic system. Electricity to the site is supplied via a connection to the overhead electricity lines located within the Syndicate Road reserve. The curtilage to the sheds is maintained as a semi-hard stand and has historically been used for the stockpiling of raw materials used in road construction on behalf of the council and other public sector entities.

The area containing the site is characterised by a mix of rural and rural residential properties. The balance of the overall site to the east and north is used for the cultivation of sugar cane and land to the south is predominantly under cane. Immediately opposite the site and fronting Syndicate Road is a rural lifestyle lot and to the north and fronting Syndicate Road are a number of rural lifestyle lots on elevated land.

Key details of the subject site are as follows:

**Table 2: Site Particulars**

Site Particulars	
Site Address	Syndicate Road, Mossman
Real Property Description	Lot 5 on SP297291
Site Area	103.4 hectares (Development Area 1.9 hectares)
Landowner(s)	Wade Peter Tibaldi

The site location and its extent are shown in **Figure 1** and **Figure 2** below respectively. Certificate/s of title confirming site ownership details are included at **Appendix A**.



**Figure 1 Site Location**

Source: Queensland Globe 2023



Figure 2 Syndicate Road Frontage

Source: Google Maps 2023

## 2.2 Planning Context

The planning context of the site includes the following:

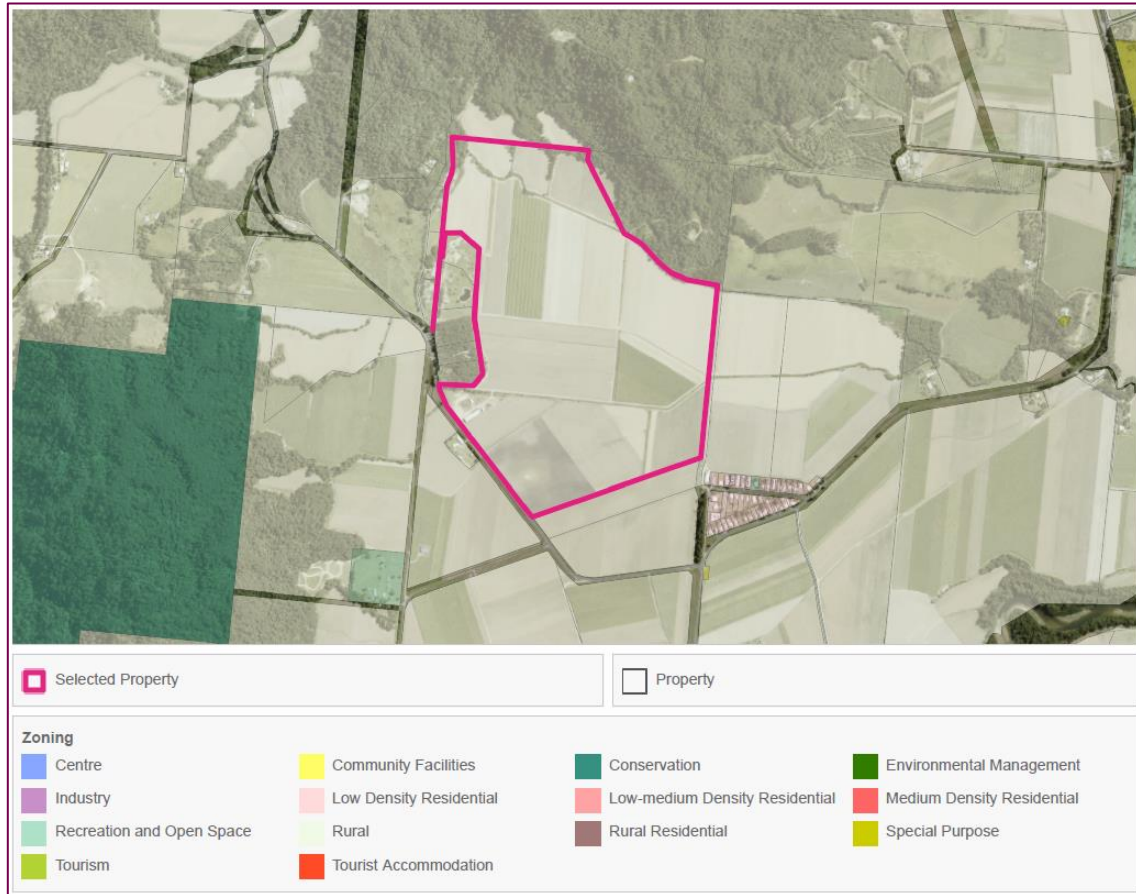
Table 3: Planning Context

Instrument	Designation
<b>State Planning Policy Mapping</b>	
Economic Growth	<ul style="list-style-type: none"> <li>• Agriculture               <ul style="list-style-type: none"> <li>○ Agricultural land classification – class A and B</li> </ul> </li> </ul>
Environment and Heritage	<ul style="list-style-type: none"> <li>• Biodiversity               <ul style="list-style-type: none"> <li>○ MSES – Regulated vegetation (category R)</li> </ul> </li> </ul>
Safety and Resilience to Hazards	<ul style="list-style-type: none"> <li>• Queensland waterways for waterway barrier works               <ul style="list-style-type: none"> <li>○ Food hazard area – Level 1 – Queensland floodplain assessment overlay*</li> <li>○ Flood hazard area – Local Government flood mapping area*</li> <li>○ Bushfire prone area – Potential Impact Buffer</li> </ul> </li> </ul>
<b>Development Assessment Mapping</b>	
SARA DA Mapping	<ul style="list-style-type: none"> <li>• Fish Habitat Areas - Queensland waterways for waterway barrier works</li> <li>• Native Vegetation Clearing – Category R &amp; X on the regulated vegetation management map.</li> </ul>
<b>Far North Queensland Regional Plan 2009-2031</b>	
Regional Plan designation	Regional Landscape and Rural Production Area
<b>Douglas Shire Planning Scheme 2018</b>	
Strategic framework designation	Rural Area
Zoning	Rural Zone
Overlays	<ul style="list-style-type: none"> <li>• Acid Sulfate Soils Overlay               <ul style="list-style-type: none"> <li>○ Acid Sulfate Soils (5-20m AHD)</li> </ul> </li> <li>• Bushfire Hazard Overlay               <ul style="list-style-type: none"> <li>○ Potential Impact Buffer</li> </ul> </li> <li>• Flood and Storm Tide Hazard Overlay               <ul style="list-style-type: none"> <li>○ Floodplain Assessment Overlay (Mossman River)</li> </ul> </li> <li>• Landscape Values Overlay               <ul style="list-style-type: none"> <li>○ Medium Landscape Value</li> </ul> </li> <li>• Natural Areas Overlay               <ul style="list-style-type: none"> <li>○ MSES – Regulated Vegetation (Intersecting a Watercourse)</li> </ul> </li> </ul>



Instrument	Designation
	<ul style="list-style-type: none"> <li>○ MSES – Regulated Vegetation</li> <li>● Transport Network Overlay</li> <li>○ Major Rural Road</li> </ul>

Zoning of the subject site and surrounding lands is shown on **Figure 3**



**Figure 3 Zoning**

Source: Douglas Shire Planning Scheme 2018

## 3 PROPOSAL

### 3.1 Overview

It is proposed to develop the site for the purpose of Bulk Landscape Supplies.

The proposal would seek to regularise the existing informal use of the site for the storage and sale of Raw Materials, including road base, mulch and other landscape supplies. The site has been the operating base for an earthmoving contractor for a significant period of time and it has historically been used by the Douglas Shire Council, Ergon, The Sugar Mill and Main Roads for the stockpiling of materials.

The proposed development would utilise the existing buildings on the site located towards the Syndicate Road frontage. The existing workshop has an area of approximately 1,000m<sup>2</sup> and is located 20 metres from the Syndicate Road property boundary. This building would continue to be used for the storage of machinery and equipment. The existing smaller storage shed would be retained and the office and toilet block, with existing on-site effluent disposal system, would be used for administrative purposes associated with the use.

In the north east of the site six concrete bunded storage bays would be constructed for the purpose of storing raw materials. The storage bays would have capacity for the following materials:

- Mulch – Approx. 80m<sup>3</sup>;
- Top Soil – Approx. 50m<sup>3</sup>;
- Road Base – Approx. 50m<sup>3</sup>;
- M Rock – Approx. 50m<sup>3</sup>;
- Ballast - Approx. 50m<sup>3</sup>;
- 40/ Rock - Approx. 50m<sup>3</sup>;

Please note that the actual material may vary depending on requirements.

As part of the development, it is intended to construct a vegetated tree bund mound adjacent the frontage to Syndicate Road and provide a silt fence adjacent the northern side boundary.

Access would be retained from Syndicate Road, with vehicle movements anticipated to be in the order of six heavy rigid vehicle traffic movements per day in addition to a minor number of domestic scale vehicle movements. It is anticipated that the proposed bulk landscape supplies would operate five to six days per week.

Proposal plans are provided at **Appendix C**.

## 4 LEGISLATIVE REQUIREMENTS

### 4.1 Assessment Manager

In accordance with Schedule 8 of the *Planning Regulation 2017*, the assessment manager for this application is Douglas Shire Council.

### 4.2 Categories of Assessment

The table below summarises the categorising instruments and categories of assessment applicable to this application.

**Table 4: Categories of Assessment**

Aspect of development	Categorising instrument	Category of assessment
Material Change of Use (Bulk Landscape Supplies)	Douglas Shire Planning Scheme 2018, Table 5.6.j	Impact Assessment

### 4.3 Referrals

The application is not identified as triggering any referrals in accordance with Schedule 10 of the *Planning Regulation 2017*.

### 4.4 Public Notification

This application requires public notification as it is subject to Impact Assessment. The Public Notification Period is 15 business days. During the public notification period, interested members of the public are able to make representations to Council regarding the application. These representations, when properly made, are required to be considered in the assessment of the application. The submitters are also provided with appeal rights should they be dissatisfied with the Council decision.

## 5 STATUTORY PLANNING ASSESSMENT

### 5.1 Overview

As the application is subject to impact assessment, the assessment benchmarks, and the matters the assessment manager must have regard to, are those identified in section 45(3) of the *Planning Act 2016* and sections 30 and 31 of the *Planning Regulation 2017*.

### 5.2 State and Regional Assessment Benchmarks

#### 5.2.1 State Planning Policy

The *Planning Regulation 2017* at Section 30(2)(a)(ii) for impact assessment requires the assessment manager to assess the application against the assessment benchmarks stated in the State Planning Policy, Part E, to the extent Part E of the State Planning Policy is not identified in the planning scheme as being appropriately integrated into the planning scheme.

It is understood that the State Planning Policy, to the extent they it is relevant to this application, has been appropriately integrated into the Douglas Shire Planning Scheme 2018. On that basis, no further assessment is required in this instance.

#### 5.2.2 Regional Plan

The *Planning Regulation 2017* at Section 30(2)(a)(i) requires the assessment manager to assess the application against the assessment benchmarks stated in the regional plan, to the extent the Regional Plan is not identified in the planning scheme as being appropriately integrated into the planning scheme.

Consistent with the State Planning Policy, it is understood that the Minister has identified that the planning scheme appropriately advances the Far North Queensland Regional Plan 2009-2031, as it applies in the planning scheme area. On this basis, no further assessment of the Regional Plan is required.

#### 5.2.3 Development Assessment under Schedules 9 and 10 (SDAP)

Schedule 10 of the *Planning Regulation 2017* identifies the matters that the assessment manager and/or referral agency assessment must have regard to if the application is identified as triggering referral to the state. In this instance, the application does not trigger referral and, therefore, no state codes apply.

### 5.3 Local Authority Assessment Benchmarks

As the application is subject to impact assessment, it is required to be considered against the relevant sections of the Strategic Framework of the Douglas Shire Planning Scheme 2018 and the relevant Planning Scheme Codes.

#### 5.3.1 Strategic Framework

The subject site is identified in the Rural Area on the Strategic Framework Map of the Douglas Shire Planning Scheme. Relevant to the proposed development are the following sections of the Strategic Framework.

##### 5.3.1.1 Catering for Economic Opportunity

Section 3.2.2.3 of the Strategic Framework identifies that tourism and primary production will remain significant drivers and employers in the Shire, but other supporting industries and services will continue to emerge. The section further states that, the planning scheme will promote Douglas Shire as a place to invest and conduct appropriately planned and environmentally responsible businesses through, inter alia, a focus on building up small business in the community.

The proposal is considered to be consistent with this overriding intent of the Strategic Framework which supports the proposed establishment of a small business that supports the existing rural activities and users within the shire.

### **5.3.1.2 Theme 2 – Environment and Landscape Values**

Section 3.5.1 (4) Strategic Outcomes requires development to take into account matters of Environmental Significance. Specific Outcome 3.5.3.1 (2) relates specifically to development in areas subject to matters of state environmental significance and local environmental significance (MSES and MLES). This specific outcome requires development to be located in areas that avoids significant adverse impacts on matters of state environmental significance (MSES) and matters of local environmental significance (MLES). The proposed development would involve the use and development of an existing site for a use compatible with the amenity of the rural environment and without impact on any matters of environmental significance. Whilst the site contains a mapped area of environmental significance, it would not be impacted by the proposed development and use of the site.

### **5.3.1.3 Theme 5 – Economy**

Section 3.8.1 Strategic outcomes encourages a prosperous community with a strong rural sector, a dynamic tourism industry and commercial and industrial activities offering a diverse range of employment opportunities. They also support the broadening of the Shire's economic base to improve employment opportunities and to provide resilience to any future adverse economic, social and environmental conditions. The associated Specific Outcome at section 3.8.2.1 proposes to facilitate a range of economic initiatives in appropriate locations, including the growth of new and traditional industries; and, providing for higher value jobs, particularly for young people.

Section 3.8.4 Element – Primary production acknowledges that primary production, in particular the dominant sugar industry, and associated manufacturing has always been a significant contributor to Douglas Shire's economy. It recognises that considerable opportunities exist to add value to primary produce and to diversify the base income of the rural sector and improve employment opportunities. The associated Specific Outcomes at section 3.8.4.1 supports opportunities to enhance agricultural industry particularly in the Shire's rural towns through the expansion of existing activities, and the development of value-adding processes.

The proposed development, which represents an employment opportunity and the enhancement of an existing activity, is considered to be consistent with Theme 5 – Economy of the Strategic Framework.



### 5.3.2 Douglas Shire Planning Scheme 2018 Codes

The planning scheme codes applicable to the proposal are identified in **Table 5** below:

**Table 5: Planning Scheme Code Responses**

Planning Scheme Codes	Applicability	Comment
<b>Zone Codes</b>		
Rural Zone Code	Applies	Complies with the applicable Assessment Benchmarks.
<b>Overlay Codes</b>		
Acid Sulfate Soils Overlay Code	Applies	Complies with the relevant Acceptable Outcomes.
Bushfire Hazard Overlay Code	Applies	Complies with the relevant Acceptable Outcomes.
Flood and Storm Tide Hazard Overlay Code	Applies	Generally complies with or is able to comply with the relevant Assessment Benchmarks. Consideration is required in respect of PO1, relating to development occurring within the Flood plain assessment area. Refer below
Natural Areas Overlay Code	Applies	Complies with the relevant Acceptable Outcomes.
Transport Network Overlay Code	Applies	Complies with the relevant Acceptable Outcomes.
<b>Development Codes</b>		
Access, Parking and Servicing Code	Applies	Complies with the relevant Acceptable Outcomes.
Environmental Performance Code	Applies	Complies with the relevant Acceptable Outcomes.
Infrastructure Works Code	Applies	Complies with or is able to comply with all relevant Assessment Benchmarks
Landscaping Code	Applies	Complies with the relevant Acceptable Outcomes.

A detailed assessment against each of the Planning Scheme Codes is attached at **Appendix D**.

### 5.3.3 Statement of Compliance

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

Performance Outcomes PO1 of the Flood and Storm Tide Hazard Overlay Code states:

**PO1**

*Development is located and designed to:*

- (a) *ensure the safety of all persons;*
- (b) *minimise damage to the development and contents of buildings;*
- (c) *provide suitable amenity;*
- (d) *minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events.*

*Note – For assessable development within the flood plain assessment sub-category, a flood study by a suitably qualified professional is required to identify compliance with the intent of the acceptable outcome.*

The associated Acceptable Outcome States:

**AO1.1**

*Development is sited on parts of the land that is not within the Flood and Storm tide hazards overlay maps contained in Schedule 2;*

The development area has been identified within the Flood plain assessment area. It is proposed to maintain the existing physical and operational characteristics of the site. Therefore, there would be no additional risk of damage to buildings or safety to persons proposed by the proposal. The proposed development is considered to comply with the requirements of the Performance Outcome.

## 5.4 Infrastructure Charges

Infrastructure charges will apply to the development pursuant to the Planning Regulation and Council's Adopted Infrastructure Charges Resolution.

In accordance with the Council's Adopted Infrastructure Charges Resolution 2021 (2), a charge is applicable for the proposed Bulk Landscape Supplies. In accordance with part 4 of the charges resolution the site would benefit from a 60% reduction to levied charges as the site is not serviced by council's water or wastewater supply. Based on this the applicable charge for a Bulk Landscape Supply use would be \$55.15 per m<sup>2</sup> of Gross Floor Area. No additional Gross Floor Area would be created as a result of this development. The existing office on the site is the only building containing Gross Floor Area; however, this is currently used as an office and toilets in association with the existing use on the site, which would be retained as part of the development. It is considered that in this instance no Gross Floor Area is created as a result of this development and no Infrastructure Charges are applicable.

## 6 CONCLUSION

RPS AAP Consulting Pty Ltd has been engaged by Wade Tibaldi to seek development approval for a Material Change of Use (Bulk Landscape Supplies) on land located at Syndicate Road, Mossman, and described as part of Lot 5 on SP297291.

It is proposed to develop the site for the purpose of a Bulk Landscape Supplies. The proposed use would utilise the existing workshop, storage shed, office block and toilet. Access would be provided by the existing crossover from Syndicate Road. The proposed use would be small scale and additional development on the site would be limited to concrete bund wall storage areas that would be located in the north east of the site and away from the road frontage. In effect the application is to regularise the existing informal use of the site for the storage of raw materials for infrequent use to service the surrounding rural community and to provide emergency supplies to assist with council road repairs. It would involve limited traffic movements of approximately six heavy rigid vehicle movements and a minor number of domestic scale vehicle movements per day.

The site is located within Douglas Shire Council area and under the Douglas Shire Planning Scheme 2018 the site is identified within the Rural Zone. In accordance with the Tables of Assessment, the development of the site for Bulk Landscape Supplies requires the submission and approval of an Impact Assessable application for Material Change of Use by Douglas Shire Council. As an impact assessable application, the Council are able to consider a range of town planning matters in the determination of the application and the application is required to be subject to public notification. Any submissions made in respect of the application are also required to be considered by Council.

An assessment of the proposed development against the relevant Town Planning Assessment Benchmarks has demonstrated that the proposed development is a suitable use of the site and that the site can contain the use. On this basis, the application is submitted for approval subject to reasonable and relevant conditions.

## Appendix A

### Certificate(S) of Title and Search Results

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>51116228</b>	<b>Search Date:</b>	24/03/2023 15:06
<b>Date Title Created:</b>	10/10/2017	<b>Request No:</b>	43955128
<b>Previous Title:</b>	50221389, 50221390		

#### ESTATE AND LAND

Estate in Fee Simple

LOT 5 SURVEY PLAN 297291

Local Government: DOUGLAS

#### REGISTERED OWNER

Dealing No: 718313681 05/10/2017

WADE PETER TIBALDI

#### EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 10558201 (POR 54)
2. MORTGAGE No 719153860 10/12/2018 at 16:07  
PETER TIBALDI
3. MORTGAGE No 719153872 10/12/2018 at 16:08  
LYNDEL DIANE TIBALDI

#### ADMINISTRATIVE ADVICES

NIL

#### UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

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

## Appendix B

# Douglas Shire Planning Scheme 2018 Version 1 Property Report

## 2018 Douglas Shire Council Planning Scheme Property Report

The following report has been automatically generated to provide a general indication of development related information applying to the premise.

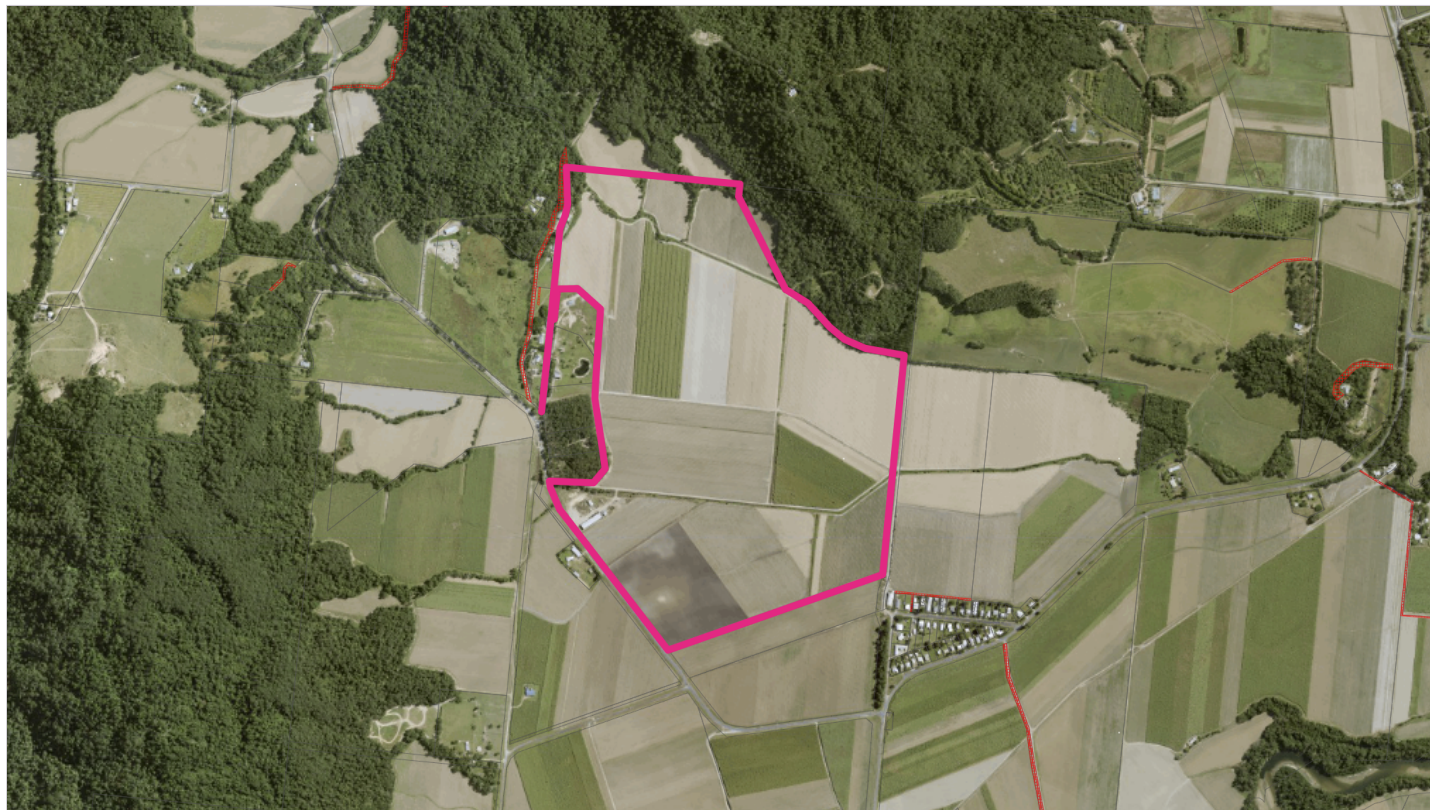
For more information and to determine if the mapping layers are applicable, refer to the [2018 Douglas Shire Council Planning Scheme](#). This report is not intended to replace the need for carrying out a detailed assessment of Council and State controls or the need to seek your own professional advice on any town planning instrument, local law or other controls that may impact on the existing or intended use of the premise mentioned in this report. For further information please contact Council by phone: [07 4099 9444](tel:0740999444) or [1800 026 318](tel:1800026318) or email [enquiries@douglas.qld.gov.au](mailto:enquiries@douglas.qld.gov.au).

Visit Council's website to apply for an [official property search or certificate](#), or contact the [Department of Natural Resources, Mines and Energy](#) to undertake a title search to ascertain how easements may affect a premise.

### Property Information

Property Address [37 Splendour Road MOSSMAN](#)

Lot Plan [5SP297291](#) (Freehold - 1034000m<sup>2</sup>)



☒ Selected Property

☐ Easements

☐ Property

### Douglas Shire Planning Scheme 2018 version 1.0

The table below provides a summary of the Zones and Overlays that apply to the selected property.

#### Zoning









**Applicable Zone**  
Rural

#### More Information

- [View Section 6.2.10 Rural Zone Code](#)
- [View Section 6.2.10 Rural Zone Compliance table](#)
- [View Section 6.2.10 Rural Zone Assessment table](#)

## Douglas Shire Planning Scheme 2018 version 1.0

The table below provides a summary of the Zones and Overlays that apply to the selected property.

 <a href="#">Acid Sulfate Soils</a>	<b>Applicable Precinct or Area</b> Acid Sulfate Soils (< 5m AHD) Acid Sulfate Soils (5-20m AHD)	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.1 Acid Sulfate Soils Overlay Code</a></li> <li><a href="#">View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table</a></li> </ul>
 <a href="#">Bushfire Hazard</a>	<b>Applicable Precinct or Area</b> Potential Impact Buffer Very High Potential Bushfire Intensity Medium Potential Bushfire Intensity	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.2 Bushfire Hazard Overlay Code</a></li> <li><a href="#">View Section 8.2.2 Bushfire Hazard Overlay Compliance table</a></li> </ul>
 <a href="#">Flood Storm</a>	<b>Applicable Precinct or Area</b> Floodplain Assessment Overlay (Mossman River)	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.4 Flood and Storm Tide Hazard Overlay Code</a></li> <li><a href="#">View Section 8.2.4 Flood and Storm Tide Hazard Overlay Compliance table</a></li> </ul>
 <a href="#">Hillslopes</a>	<b>Applicable Precinct or Area</b> Area Affected by Hillslopes	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.5 Hillslopes Overlay Code</a></li> <li><a href="#">View Section 8.2.5 Hillslopes Overlay Compliance table</a></li> </ul>
 <a href="#">Landscape Values</a>	<b>Landscape Values</b> High landscape values Medium Landscape Value	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.6 Landscape Values Overlay Code</a></li> <li><a href="#">View Section 8.2.6 Landscape Values Overlay Compliance table</a></li> </ul>
 <a href="#">Landslide</a>	<b>Applicable Precinct or Area</b> Landslide Hazard (High & Medium Hazard Risk)	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.9 Potential Landslide Hazard Overlay Code</a></li> <li><a href="#">View Section 8.2.9 Potential Landslide Hazard Overlay Compliance table</a></li> </ul>
 <a href="#">Natural Areas</a>	<b>Applicable Precinct or Area</b> MSES - Regulated Vegetation (Intersecting a Watercourse) MSES - Regulated Vegetation	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.7 Natural Areas Overlay Code</a></li> <li><a href="#">View Section 8.2.7 Natural Areas Overlay Compliance table</a></li> </ul>
 <a href="#">Transport Road Hierarchy</a>	<b>Applicable Precinct or Area</b> Major Rural Road Unformed Road	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.10 Transport Network Overlay Code</a></li> <li><a href="#">View Section 8.2.10 Transport Network Overlay Compliance table</a></li> </ul>



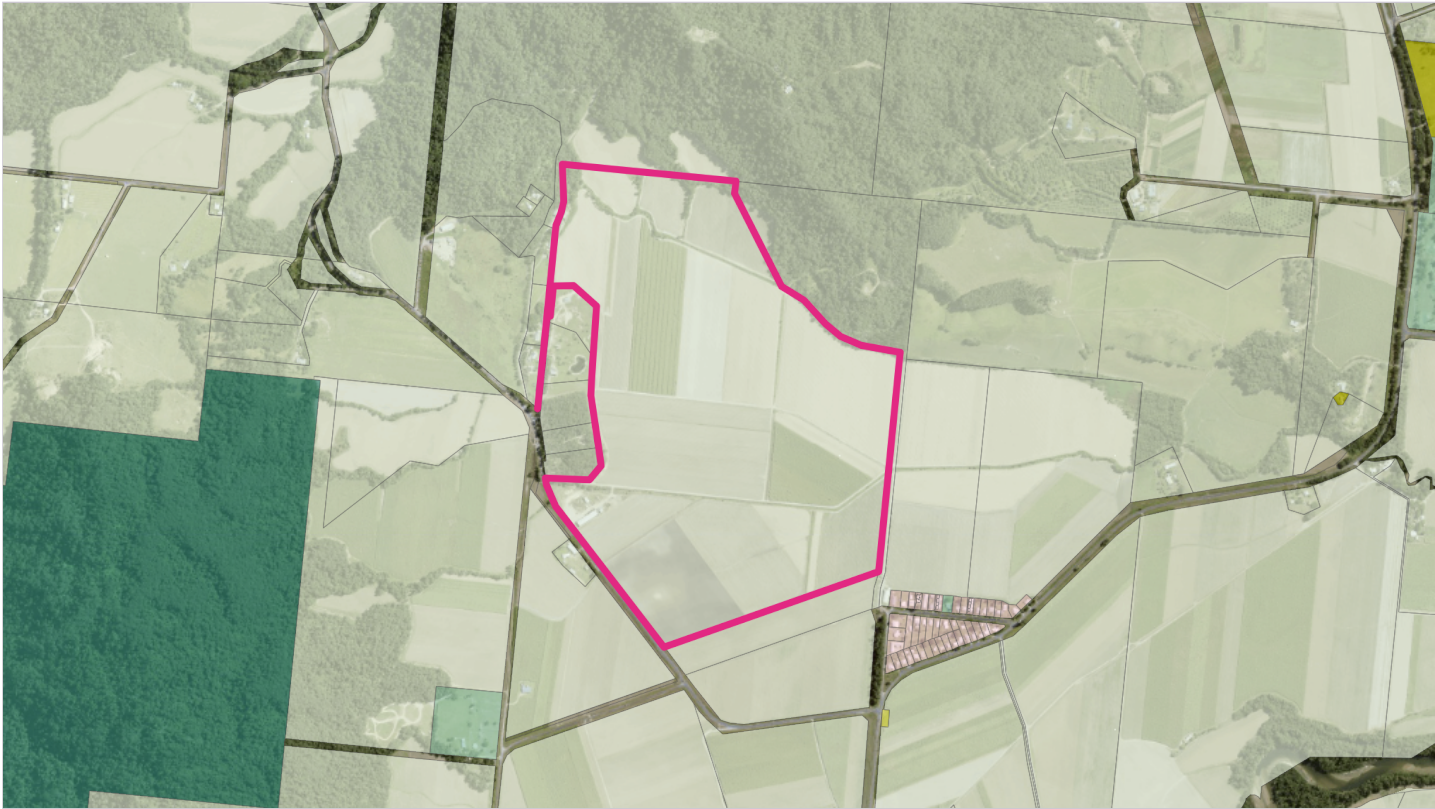
Zoning

Applicable Zone

Rural

More Information

- [View Section 6.2.10 Rural Zone Code](#)
- [View Section 6.2.10 Rural Zone Compliance table](#)
- [View Section 6.2.10 Rural Zone Assessment table](#)



☒ Selected Property

☐ Property

Zoning

- |  |  |   |   |
|--|--|---|---|
| <input type="checkbox"/> Centre                    | <input type="checkbox"/> Community Facilities    | <input type="checkbox"/> Conservation                   | <input type="checkbox"/> Environmental Management   |
| <input type="checkbox"/> Industry                  | <input type="checkbox"/> Low Density Residential | <input type="checkbox"/> Low-medium Density Residential | <input type="checkbox"/> Medium Density Residential |
| <input type="checkbox"/> Recreation and Open Space | <input type="checkbox"/> Rural                   | <input type="checkbox"/> Rural Residential              | <input type="checkbox"/> Special Purpose            |
| <input type="checkbox"/> Tourism                   | <input type="checkbox"/> Tourist Accommodation   |   |   |

Acid Sulfate Soils

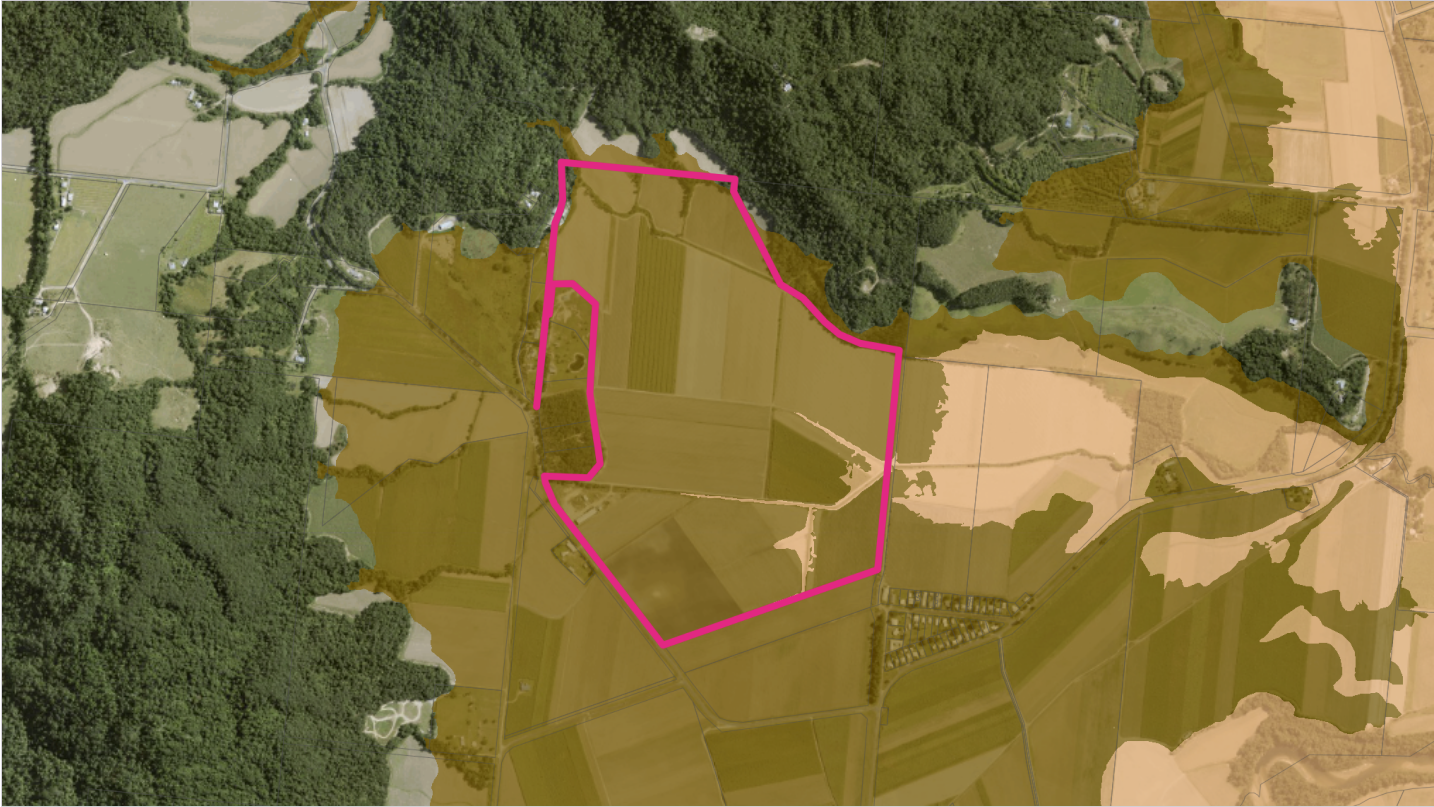
Applicable Precinct or Area

Acid Sulfate Soils (< 5m AHD)

Acid Sulfate Soils (5-20m AHD)

More Information

- [View Section 8.2.1 Acid Sulfate Soils Overlay Code](#)
- [View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table](#)



☒ Selected Property

☐ Property

**Acid Sulfate Soils**

☒ Acid Sulfate Soils (< 5m AHD)

☒ Acid Sulfate Soils (5-20m AHD)

☐ all others



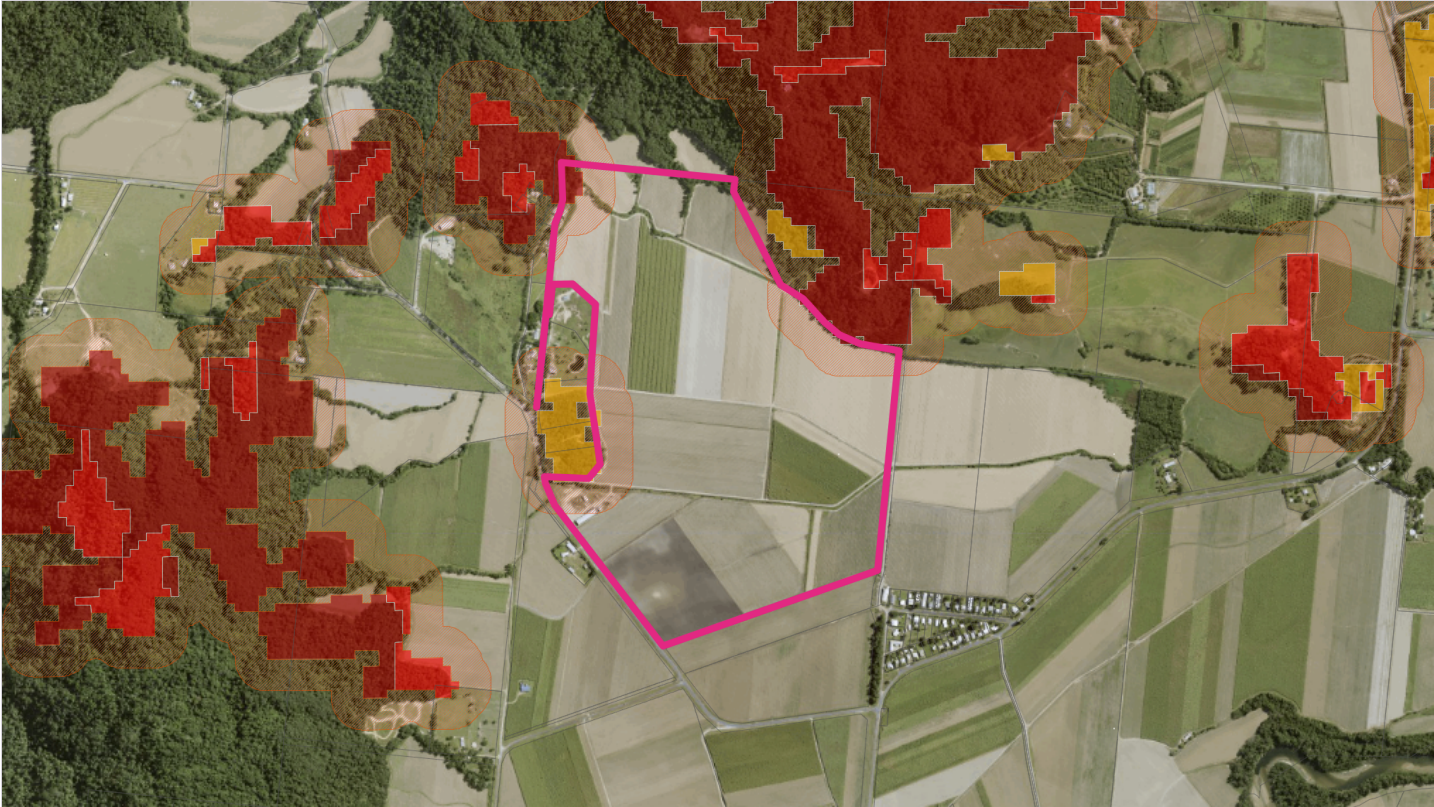
Bushfire Hazard

Applicable Precinct or Area

- Potential Impact Buffer
- Very High Potential Bushfire Intensity
- Medium Potential Bushfire Intensity

More Information

- [View Section 8.2.2 Bushfire Hazard Overlay Code](#)
- [View Section 8.2.2 Bushfire Hazard Overlay Compliance table](#)



☒ Selected Property

☐ Property

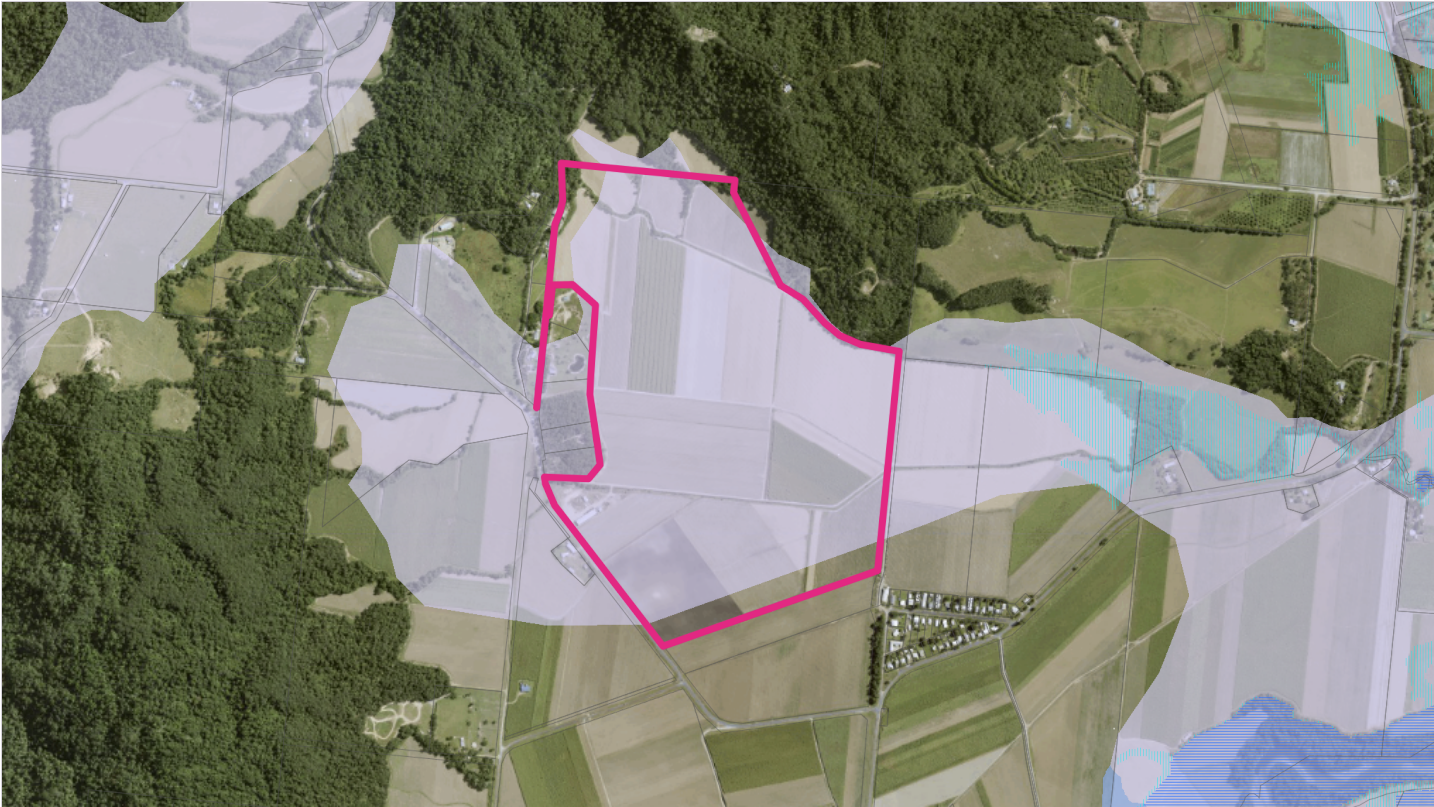
Bushfire\_Hazard







- ☒ High Potential Bushfire Intensity
- ☒ Medium Potential Bushfire Intensity
- ☒ Potential Impact Buffer
- ☒ Very High Potential Bushfire Intensity
- ☐ all others

Flood Storm

**Applicable Precinct or Area**  
Floodplain Assessment Overlay (Mossman River)

- More Information**
- [View Section 8.2.4 Flood and Storm Tide Hazard Overlay Code](#)
  - [View Section 8.2.4 Flood and Storm Tide Hazard Overlay Compliance table](#)



 Selected Property	 Property	 Medium Storm Tide Hazard	 High Storm Tide Hazard
 100 Year ARI - Mossman Port Douglas and Daintree Flood Studies		 Floodplain Assessment Overlay	




Hillslopes

Applicable Precinct or Area  
Area Affected by Hillslopes

- More Information
- [View Section 8.2.5 Hillslopes Overlay Code](#)
  - [View Section 8.2.5 Hillslopes Overlay Compliance table](#)



 Selected Property

 Property

 Area Affected by Hillslopes

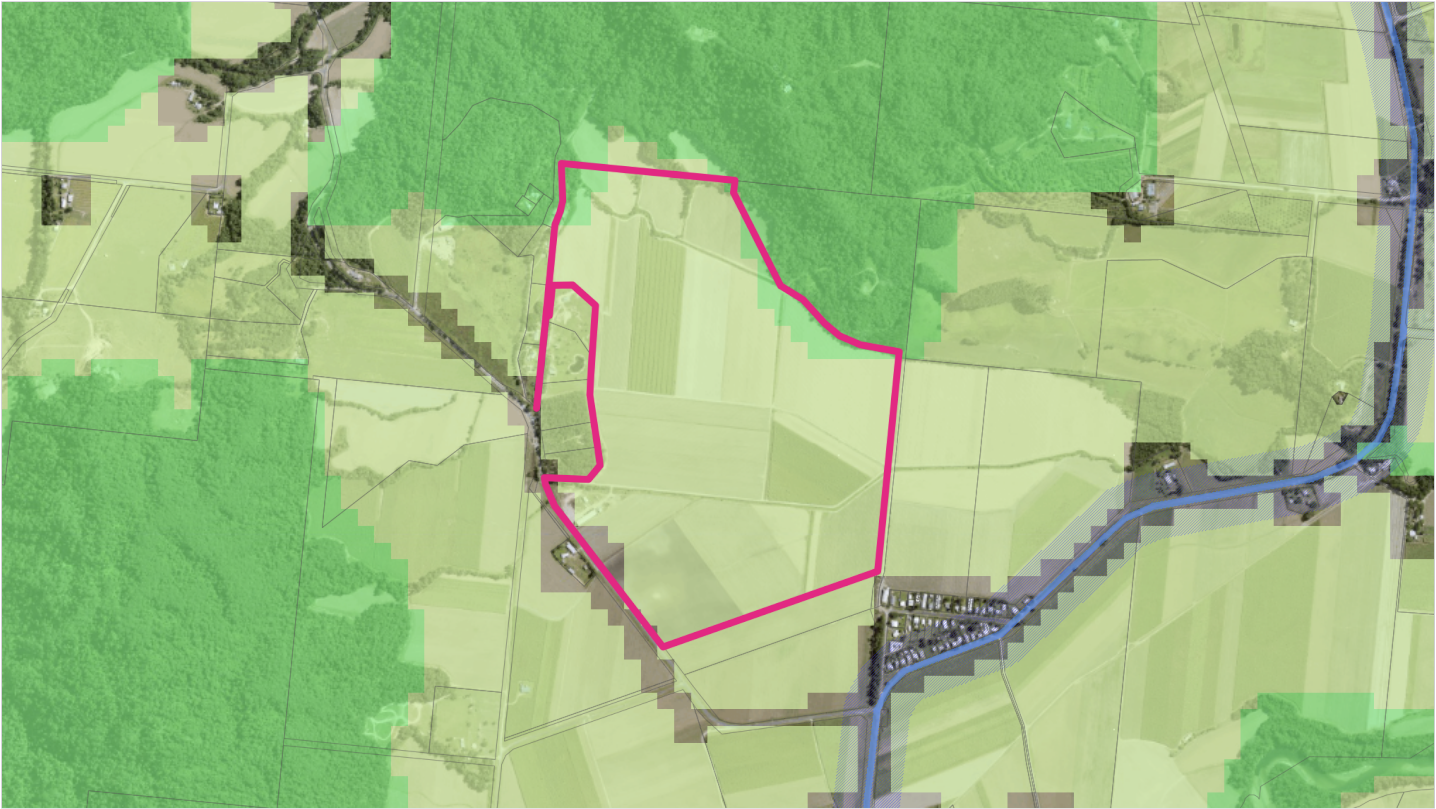
Landscape Values

Landscape Values

High landscape values  
Medium Landscape Value

More Information

- [View Section 8.2.6 Landscape Values Overlay Code](#)
- [View Section 8.2.6 Landscape Values Overlay Compliance table](#)



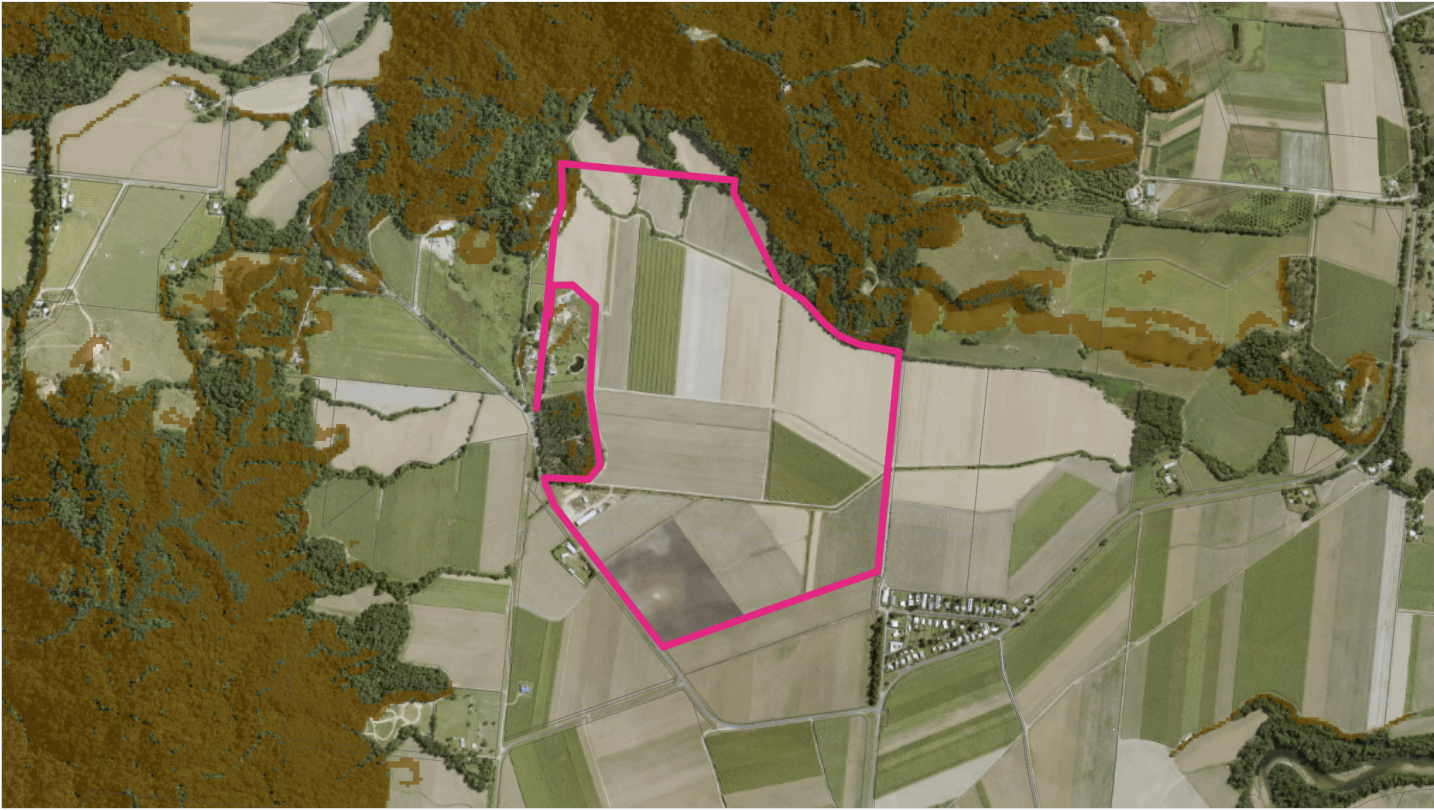
<p><b>Landscape Values</b></p> <p>High landscape values</p> <p>Medium Landscape Value</p>		<p><b>Scenic Buffer Area</b></p> <p>Gateway</p> <p>View corridor</p> <p>Lookout</p> <p>all others</p> <p>Scenic route</p> <p>Scenic route buffer</p>			
<p><b>Landscape Values</b></p> <p>Coastal scenery</p> <p>High landscape values</p> <p>Medium Landscape Value</p> <p>all others</p>					




Landslide

**Applicable Precinct or Area**  
Landslide Hazard (High & Medium Hazard Risk)

- More Information**
- [View Section 8.2.9 Potential Landslide Hazard Overlay Code](#)
  - [View Section 8.2.9 Potential Landslide Hazard Overlay Compliance table](#)



 Selected Property

 Property

 Potential Landslide Hazard

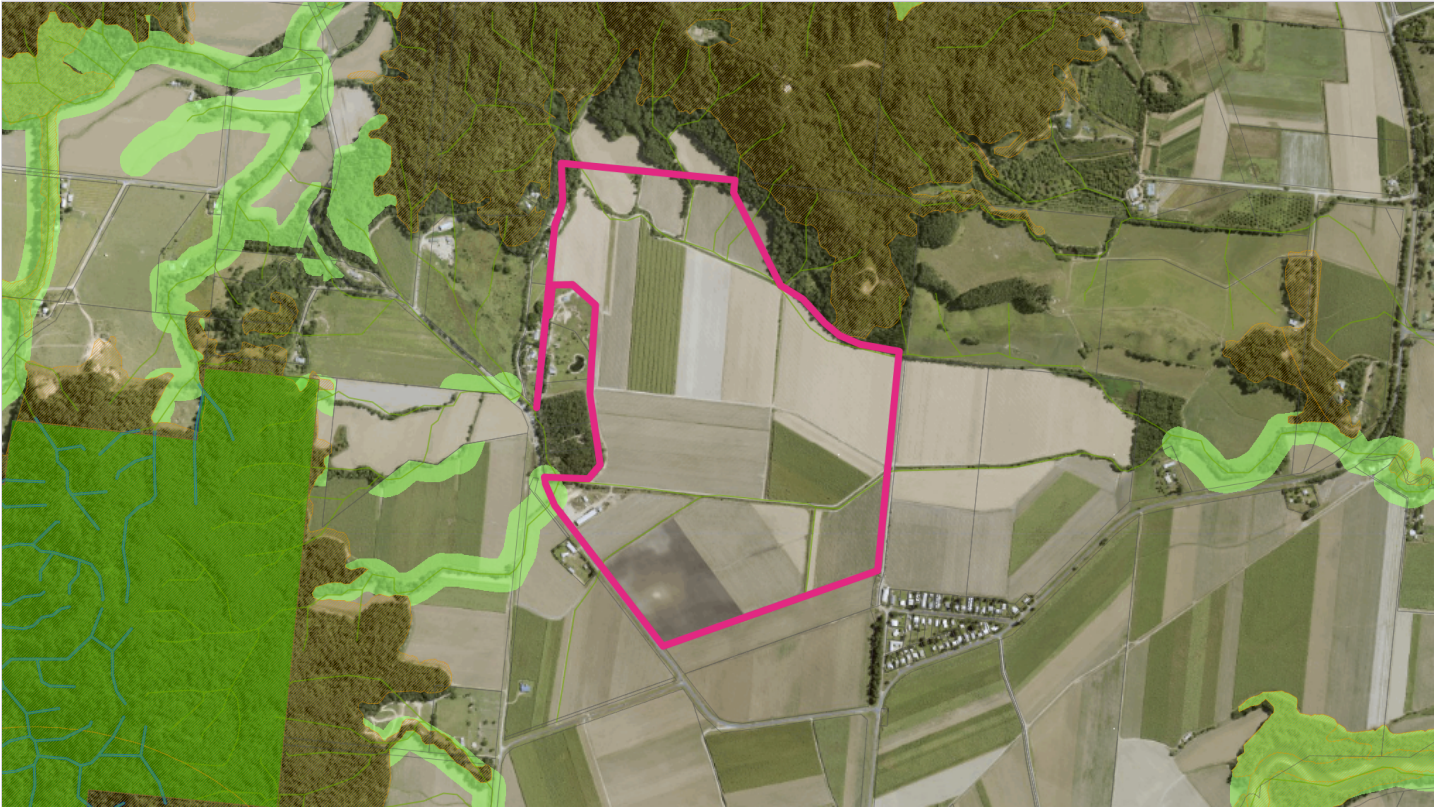
Natural Areas

Applicable Precinct or Area

MSES - Regulated Vegetation (Intersecting a Watercourse)  
MSES - Regulated Vegetation

More Information

- [View Section 8.2.7 Natural Areas Overlay Code](#)
- [View Section 8.2.7 Natural Areas Overlay Compliance table](#)



Selected Property	Property	MSES - Regulated Vegetation (Intersecting a Watercourse)
MSES - High Ecological Value Waters (Watercourse)	MSES - Wildlife Habitat	MSES - Regulated Vegetation
MSES - Protected Area	MSES - Marine Park	MSES - Legally Secured Offset Area
MSES - High Ecological Value Waters (Wetland)	MSES - High Ecological Significance Wetlands	



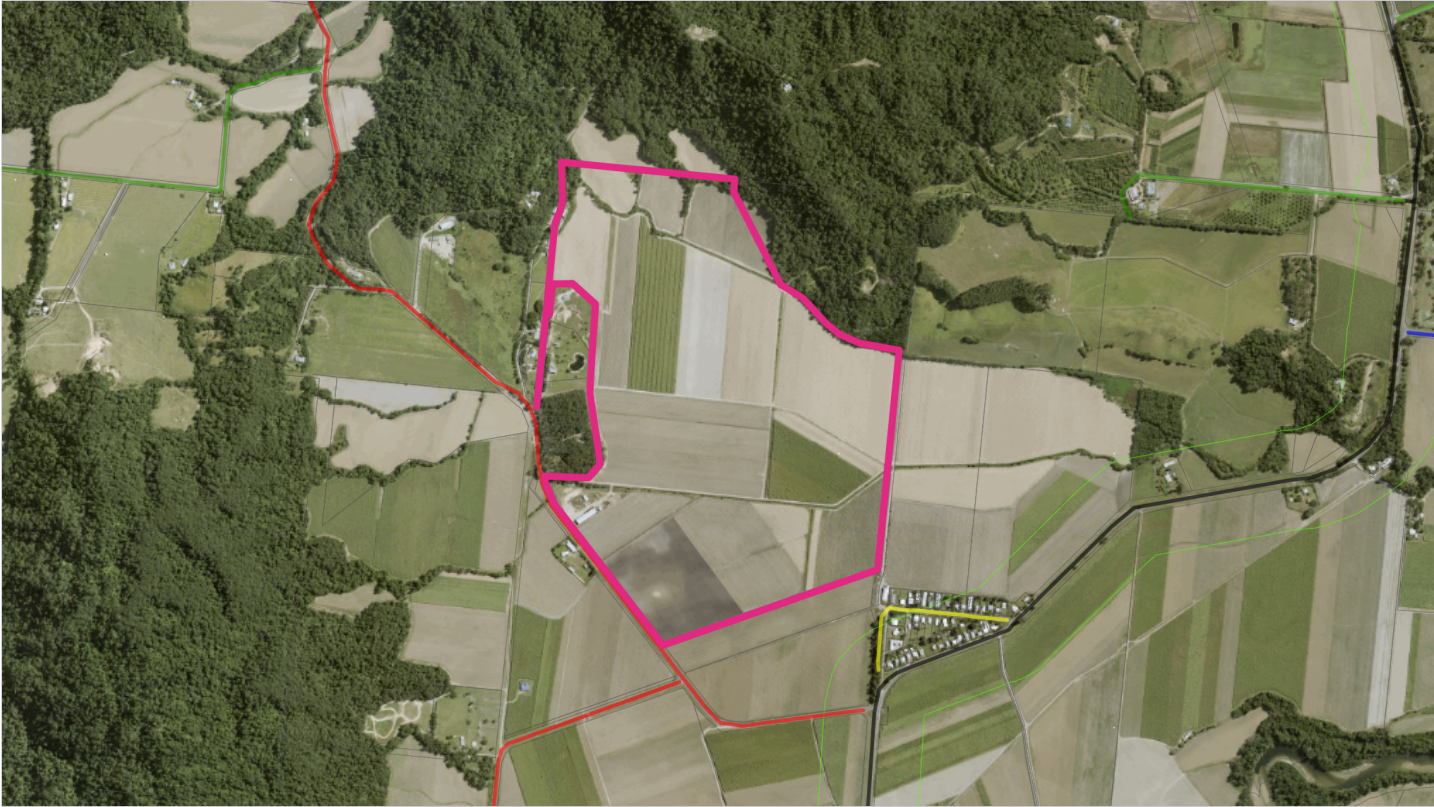
Transport Road Hierarchy

Applicable Precinct or Area

Major Rural Road  
Unformed Road

More Information

- [View Section 8.2.10 Transport Network Overlay Code](#)
- [View Section 8.2.10 Transport Network Overlay Compliance table](#)



☒ Selected Property

☐ Property

Road Hierarchy

☒ Access Road

☒ Arterial Road

☒ Collector Road

☒ Industrial Road

☒ Major Rural Road

☒ Minor Rural Road

☒ Sub Arterial Road

☒ Unformed Road

☒ all others

☒ Major Transport Corridor Buffer Area

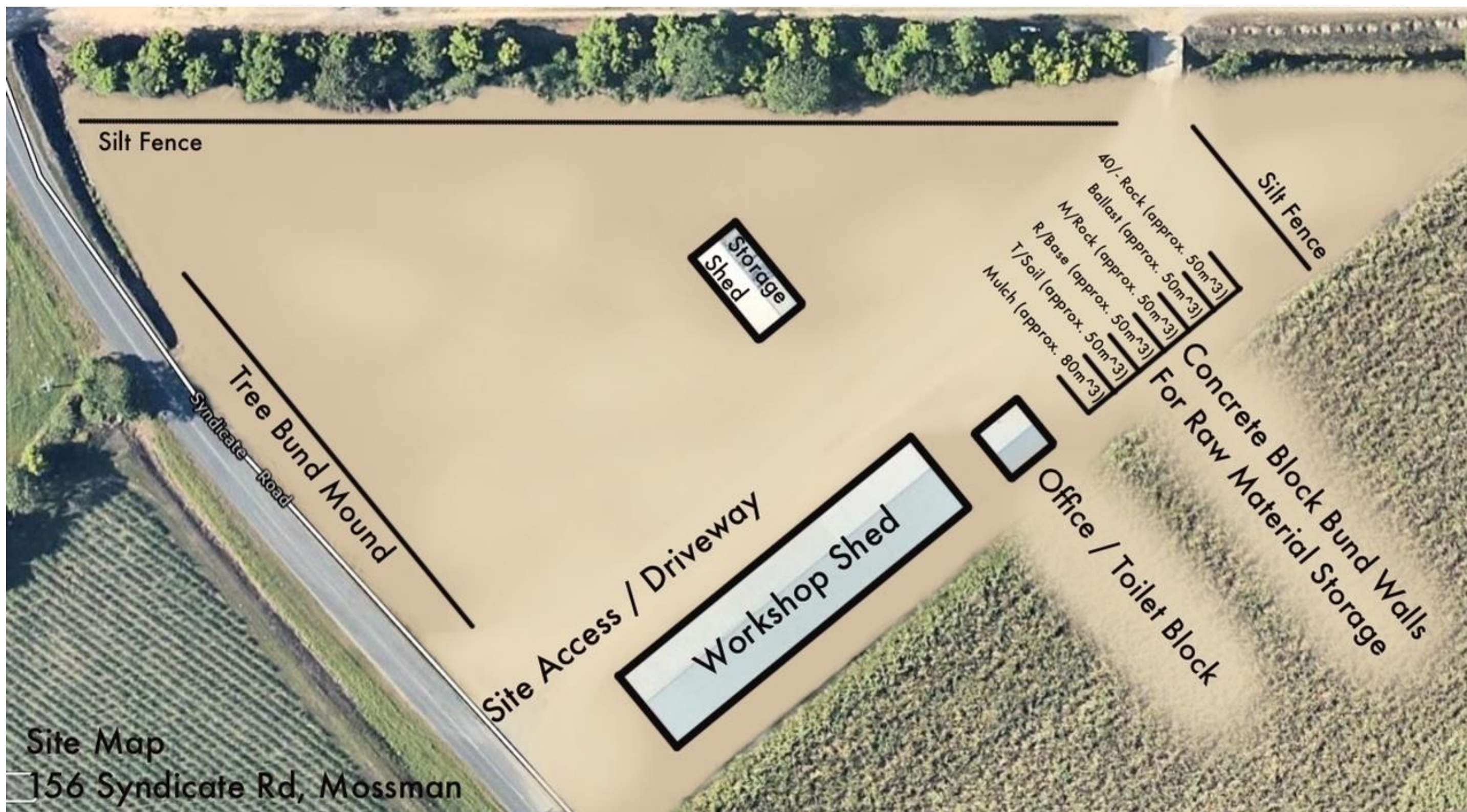
Disclaimer

This report is not a substitute for a Planning and Development Certificate and should not be relied upon where the reliance may result in loss, damage or injury. While every effort is taken to ensure the information in this report is accurate and up to date, Douglas Shire Council makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs that may occur as a result of the report being inaccurate or incomplete in any way or for any reason.

# Appendix C

## Proposal Plans







## Appendix D

### Planning Scheme Code Responses

## 6.2.10 Rural zone code

### 6.2.10.1 Application

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

### 6.2.10.2 Purpose

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



### 6.2.10.3 Criteria for assessment

**Table 6.2.10.3.a – Rural zone code – 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>Not applicable</b> No dwelling house is proposed.
	<b>AO1.2</b> Rural farm sheds and other rural structures are not more than 10 metres in height.	<b>Not applicable</b> No rural farm sheds or other rural structures are proposed.
<b>Setbacks</b>		
<b>PO2</b> Buildings and structures are setback to maintain the rural character of the area and achieve separation from buildings on adjoining properties.	<b>AO2</b> Buildings are setback not less than: <ul style="list-style-type: none"> <li>(a) 40 metres from the property boundary and a State-controlled road;</li> <li>(b) 25 metres from the property boundary adjoining Cape Tribulation Road;</li> <li>(c) 20 metres from the boundary with any other road;</li> <li>(d) 6 metres from side and rear property boundaries.</li> </ul>	<b>Complies with AO2</b> The existing building on the site is setback 20 metres from Syndicate Road and no new building works are proposed.
<b>PO3</b>	<b>AO3</b>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
Buildings/structures are designed to maintain the rural character of the area.	White and shining metallic finishes are avoided on external surfaces of buildings.	No building works are proposed as part of this application.
<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>Complies with AO4</b> The proposal is for a Bulk Landscape Supplies use, which is not identified in Table 6.2.10.3.b.
<b>PO5</b> Uses and other development include those that: (a) promote rural activities such as agriculture, rural enterprises and small scale industries that serve rural activities; or (b) promote low impact tourist activities based on the appreciation of the rural character, landscape and rural activities; or (c) are compatible with rural activities.	<b>AO5</b> No acceptable outcomes are prescribed.	<b>Complies with PO5</b> The application is to regularise the existing use of the site as bulk landscape supplies. The supplies typically include material used to re sheet rural roads and rural driveways, and support rural activities.  The proposed use is practically established in the area and serves the existing rural activities.
<b>PO6</b> Existing native vegetation along watercourses and in, or adjacent to areas of environmental value, or areas of remnant vegetation of value is protected.	<b>AO6</b> No acceptable outcomes are prescribed.	<b>Complies with PO6</b> No vegetation clearing is proposed.
<b>PO7</b> The minimum lot size is 40 hectares, unless	<b>AO7</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> No change to the existing lot size is proposed.

Performance outcomes	Acceptable outcomes	Applicant response
(a) the lot reconfiguration results in no additional lots (e.g. amalgamation, boundary realignments to resolve encroachments); or (b) the reconfiguration is limited to one additional lot to accommodate: (i). Telecommunications facility; (ii). Utility installation.		

**Table 6.2.8.3.b - Inconsistent uses within the Medium density residential 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> <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 tradesupplies</li> <li>• Health care services</li> <li>• High impact industry</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> <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>• Residential care facility</li> <li>• Resort complex</li> <li>• Retirement facility</li> <li>• Rooming accommodation</li> <li>• Sales office</li> <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>

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.

## 8.2.1 Acid sulfate soils overlay code

### 8.2.1.1 Application

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

### 8.2.1.2 Purpose

- (1) The purpose of the acid sulfate soils overlay code is to:
  - (a) implement the policy direction in the Strategic Framework, in particular:
    - (i) Theme 2: Environment and landscape values, Element 3.5.4 Coastal zones.
    - (ii) Theme 3: Natural resource management, Element 3.6.2 land and catchment management, Element 3.6.3 Primary production, forestry and fisheries.
- (2) enable an assessment of whether development is suitable on land within the Acid sulfate soils overlay sub-categories.
- (3) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Development ensures that the release of any acid and associated metal contaminant is avoided by not disturbing acid sulfate soils when excavating, removing soil or extracting ground water or filling land;
  - (b) Development ensures that disturbed acid sulfate soils, or drainage waters, are treated and, if required, on-going management practices are adopted that minimise the potential for environmental harm from acid sulfate soil and protect corrodible assets from acid sulfate soil.

### Criteria for assessment

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

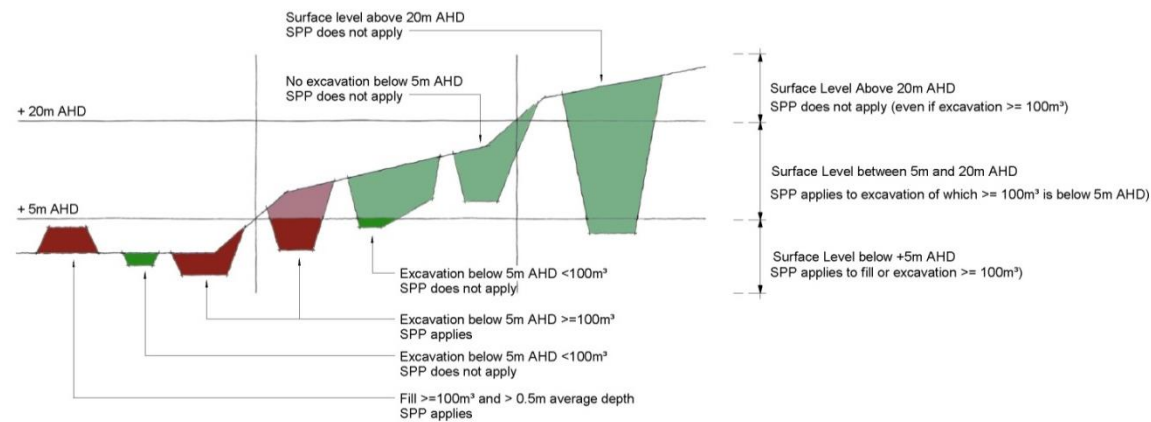
Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable development</b>		
<b>PO1</b> The extent and location of potential or actual acid sulfate soils is accurately identified.	<b>AO1.1</b> No excavation or filling occurs on the site. or <b>AO1.2</b> An acid sulfate soils investigation is undertaken. Note - Planning scheme policy SC 6.12– Potential and actual acid sulfate soils provides guidance on preparing an acid sulfate soils investigation.	<b>Complies with AO1.1</b> No excavation or filling is proposed.
<b>PO2</b> Development avoids disturbing potential acid sulfate soils or actual acid sulfate soils, or is managed to avoid or minimise the release of acid and metal contaminants.	<b>AO2.1</b> The disturbance of potential acid sulfate soils or actual acid sulfate soils is avoided by: <ul style="list-style-type: none"> <li>(a) not excavating, or otherwise removing, soil or sediment identified as containing potential or actual acid sulfate soils;</li> <li>(b) not permanently or temporarily extracting groundwater that results in the aeration of previously saturated acid sulfate soils;</li> <li>(c) not undertaking filling that results in:               <ul style="list-style-type: none"> <li>(i) actual acid sulfate soils being moved below the water table;</li> <li>(ii) previously saturated acid sulfate soils</li> </ul> </li> </ul>	<b>Not applicable</b> No excavation or filling is proposed.



Performance outcomes	Acceptable outcomes	Applicant response
	<p>being aerated.</p> <p>Or</p> <p><b>AO2.2</b></p> <p>The disturbance of potential acid sulfate soils or actual acid sulfate soils is undertaken in accordance with an acid sulfate soils management plan and avoids the release of metal contaminants by:</p> <ul style="list-style-type: none"> <li>(a) neutralising existing acidity and preventing the generation of acid and metal contaminants;</li> <li>(b) preventing the release of surface or groundwater flows containing acid and metal contaminants into the environment;</li> <li>(c) preventing the in situ oxidisation of potential acid sulfate soils and actual acid sulfate soils through ground water level management;</li> <li>(d) appropriately treating acid sulfate soils before disposal occurs on or off site;</li> <li>(e) documenting strategies and reporting requirements in an acid sulfate soils environmental management plan.</li> </ul> <p>Note - Planning scheme policy SC 6.12 – Acid sulfate soils provides guidance on preparing an acid sulfate soils management plan.</p>	
<p><b>PO3</b></p> <p>No environmental harm is caused as a result of</p>	<p><b>AO3</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>No excavation or filling is proposed.</p>

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

**Figure 8.2.1.3.a – Acid sulfate soils (SPP triggers)**



## 8.2.2 Bushfire hazard overlay code

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

### 8.2.2.1 Application

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

### 8.2.2.2 Purpose

- (1) The purpose of the Bushfire overlay code is to:
  - (a) implement the policy direction in the Strategic Framework, in particular:
    - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
    - (ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.
  - (b) enable an assessment of whether development is suitable on land within the Bushfire risk overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) development avoids the establishment or intensification of vulnerable activities within or near areas that are subject to bushfire hazard;
  - (b) development is designed and located to minimise risks to people and property from bushfires;
  - (c) bushfire risk mitigation treatments are accommodated in a manner that avoids or minimises impacts on the natural environment and ecological processes;

- (d) development involving the manufacture or storage of hazardous materials does not increase the risk to public safety or the environment in a bushfire event;
- (e) development contributes to effective and efficient disaster management response and recovery capabilities.

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

### Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>Compatible development</b>		
<b>PO1</b> A vulnerable use is not established or materially intensified within a bushfire hazard area (bushfire prone area) unless there is an overriding need or other exceptional circumstances. Note - See the end of this code for examples of vulnerable uses.	<b>AO1</b> Vulnerable uses are not established or expanded. Note – Where, following site inspection and consultation with Council, it is clear that the mapping is in error in identifying a premises as being subject to a medium, high, very high bushfire hazard or potential impact buffer sub-category, Council may supply a letter exempting the need for a Bushfire Management Plan. Note – Where the assessment manager has not previously approved a Bushfire Management Plan (either by condition of a previous development approval), the development proponent will be expected to prepare such a plan. Note – Planning scheme policy SC6.9 - Natural hazards, provides a guide to the preparation of a Bushfire Management Plan.	<b>Complies with AO1</b> The development does not involve a vulnerable use.
<b>PO2</b> Emergency services and uses providing community support services are able to function	<b>AO2</b> Emergency Services and uses providing community support services are not located in a	<b>Complies with AO2</b>

Performance outcomes	Acceptable outcomes	Applicant response
effectively during and immediately after a bushfire hazard event.	bushfire hazard sub-category and have direct access to low hazard evacuation routes.	No emergency services or uses providing community support services are proposed.
<b>PO3</b> Development involving hazardous materials manufactured or stored in bulk is not located in bushfire hazard sub-category.	<b>AO3</b> The manufacture or storage of hazardous material in bulk does not occur within bushfire hazard sub-category.	<b>Complies with AO3</b> The proposed development would not involve hazardous materials manufacture or storage.
<b>Development design and separation from bushfire hazard – reconfiguration of lots</b>		
<b>PO4.1</b> Where reconfiguration is undertaken in an urban area or is for urban purposes or smaller scale rural residential purposes, a separation distance from hazardous vegetation is provided to achieve a radiant heat flux level of 29kW/m <sup>2</sup> at the edge of the proposed lot(s).  Note - "Urban purposes" and "urban area" are defined in the <i>Sustainable Planning Regulations 2009</i> . Reconfiguration will be taken to be for rural residential purposes where proposed lots are between 2000m <sup>2</sup> and 2ha in area. "Smaller scale" rural residential purposes will be taken to be where the average proposed lot size is 6000m <sup>2</sup> or less.  Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.  dimensions is provided on each lot which achieves radiant heat flux level of 29kW/m <sup>2</sup> at any point.	<b>AO4.1</b> No new lots are created within a bushfire hazard sub-category.  or <b>AO4.2</b> Lots are separated from hazardous vegetation by a distance that: (a) achieves radiant heat flux level of 29kW/m <sup>2</sup> at all boundaries; and (b) is contained wholly within the development site.  Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation.	<b>Not applicable</b> No reconfiguring a lot is proposed.



Performance outcomes	Acceptable outcomes	Applicant response
<b>PO4.2</b> Where reconfiguration is undertaken for other purposes, a building envelope of reasonable	For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages.  Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.	<b>Not applicable</b> No reconfiguring a lot is proposed.
<b>PO5</b> Where reconfiguration is undertaken in an urban area or is for urban purposes, a constructed perimeter road with reticulated water supply is established between the lots and the hazardous vegetation and is readily accessible at all times for urban fire fighting vehicles.  The access is available for both fire fighting and maintenance/defensive works.	<b>AO5.1</b> Lot boundaries are separated from hazardous vegetation by a public road which: <ul style="list-style-type: none"> <li>(a) has a two lane sealed carriageway;</li> <li>(b) contains a reticulated water supply;</li> <li>(c) is connected to other public roads at both ends and at intervals of no more than 500m;</li> <li>(d) accommodates geometry and turning radii in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</li> <li>(e) has a minimum of 4.8m vertical clearance above the road;</li> <li>(f) is designed to ensure hydrants and water access points are not located within parking bay allocations; and</li> <li>(g) incorporates roll-over kerbing.</li> </ul>	<b>Not applicable</b> No reconfiguring a lot is proposed.
	<b>AO5.2</b>	<b>Not applicable</b> No reconfiguring a lot is proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>Fire hydrants are designed and installed in accordance with AS2419.1 2005, unless otherwise specified by the relevant water entity.</p> <p>Note - Applicants should have regard to the relevant standards set out in the reconfiguration of a lot code and works codes in this planning scheme.</p>	
<p><b>PO6</b></p> <p>Where reconfiguration is undertaken for smaller scale rural residential purposes, either a constructed perimeter road or a formed, all weather fire trail is established between the lots and the hazardous vegetation and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>The access is available for both fire fighting and maintenance/hazard reduction works.</p>	<p><b>AO6</b></p> <p>Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> <li>(a) a reserve or easement width of at least 20m;</li> <li>(b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation;</li> <li>(c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path;</li> <li>(d) a minimum of 4.8m vertical clearance;</li> <li>(e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</li> <li>(f) a maximum gradient of 12.5%;</li> <li>(g) a cross fall of no greater than 10 degrees;</li> </ul>	<p><b>Not applicable</b></p> <p>No reconfiguring a lot is proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<ul style="list-style-type: none"> <li>(h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;</li> <li>(i) vehicular access at each end which is connected to the public road network at intervals of no more than 500m;</li> <li>(j) designated fire trail signage;</li> <li>(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and</li> <li>(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.</li> </ul>	
<p><b>PO7</b></p> <p>Where reconfiguration is undertaken for other purposes, a formed, all weather fire trail is provided between the hazardous vegetation and either the lot boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>However, a fire trail will not be required where it would not serve a practical fire management purpose.</p>	<p><b>AO7</b></p> <p>Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> <li>(a) a reserve or easement width of at least 20m;</li> <li>(b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation;</li> <li>(c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path;</li> <li>(d) a minimum of 4.8m vertical clearance;</li> </ul>	<p><b>Not applicable</b></p> <p>No reconfiguring a lot is proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<ul style="list-style-type: none"> <li>(e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</li> <li>(f) a maximum gradient of 12.5%;</li> <li>(g) a cross fall of no greater than 10 degrees;</li> <li>(h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;</li> <li>(i) vehicular access at each end which is connected to the public road network;</li> <li>(j) designated fire trail signage;</li> <li>(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and</li> <li>(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.</li> </ul>	
<b>PO8</b> The development design responds to the potential threat of bushfire and establishes clear evacuation routes which demonstrate an acceptable or tolerable risk to people.	<b>AO8</b> The lot layout: <ul style="list-style-type: none"> <li>(a) minimises the length of the development perimeter exposed to, or adjoining hazardous vegetation;</li> <li>(b) avoids the creation of potential bottle-neck points in the movement network;</li> </ul>	<b>Not applicable</b> No reconfiguring a lot is proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(c) establishes direct access to a safe assembly /evacuation area in the event of an approaching bushfire; and</p> <p>(d) ensures roads likely to be used in the event of a fire are designed to minimise traffic congestion.</p> <p>Note - For example, developments should avoid finger-like or hour-glass subdivision patterns or substantive vegetated corridors between lots.</p> <p>In order to demonstrate compliance with the performance outcome, a bushfire management plan prepared by a suitably qualified person may be required. The bushfire management plan should be developed in accordance with the Public Safety Business Agency (PSBA) guideline entitled "Undertaking a Bushfire Protection Plan.</p> <p>Advice from the Queensland Fire and Emergency Services (QFES) should be sought as appropriate</p>	
<b>PO9</b> Critical infrastructure does not increase the potential bushfire hazard.	<b>AO9</b> Critical or potentially hazardous infrastructure such as water supply, electricity, gas and telecommunications are placed underground.	<b>Not applicable</b> No reconfiguring a lot is proposed.
<b>Development design and separation from bushfire hazard – material change of use</b>		
<b>PO10</b> Development is located and designed to ensure proposed buildings or building envelopes achieve a radiant heat flux level at any point on the building or envelope respectively, of:	<b>AO10</b> Buildings or building envelopes are separated from hazardous vegetation by a distance that: <p>(a) achieves a radiant heat flux level of at any point on the building or envelope</p>	<b>Not applicable</b> No new buildings are proposed as part of this application.



Performance outcomes	Acceptable outcomes	Applicant response
<p>(a) 10kW/m<sup>2</sup> where involving a vulnerable use; or</p> <p>(b) 29kW/m<sup>2</sup> otherwise.</p> <p>The radiant heat flux level is achieved by separation unless this is not practically achievable.</p> <p>Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.</p>	<p>respectively, of 10kW/m<sup>2</sup> for a vulnerable use or 29kW/m<sup>2</sup> otherwise; and</p> <p>(b) is contained wholly within the development site.</p> <p>Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation.</p> <p>For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages.</p> <p>Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.</p>	
<p><b>PO11</b></p> <p>A formed, all weather fire trail is provided between the hazardous vegetation and the site boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>However, a fire trail will not be required where it would not serve a practical fire management purpose.</p> <p>Note - Fire trails are unlikely to be required where a development site involves less than 2.5ha</p>	<p><b>AO11</b></p> <p>Development sites are separated from hazardous vegetation by a public road or fire trail which has:</p> <p>(a) a reserve or easement width of at least 20m;</p> <p>(b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation;</p> <p>(c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path;</p> <p>(d) a minimum of 4.8m vertical clearance;</p> <p>(e) turning areas for fire-fighting appliances in accordance with Queensland Fire and</p>	<p><b>Not applicable</b></p> <p>A bushfire trail would not serve a practical purpose in this instance.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</p> <p>(f) a maximum gradient of 12.5%;</p> <p>(g) a cross fall of no greater than 10 degrees;</p> <p>(h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;</p> <p>(i) vehicular access at each end which is connected to the public road network which is connected to the public road network at intervals of no more than 500m;</p> <p>(j) designated fire trail signage;</p> <p>(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and</p> <p>(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.</p>	
<b>All development</b>		
<p><b>PO12</b></p> <p>All premises are provided with vehicular access that enables safe evacuation for occupants and easy access by fire fighting appliances.</p>	<p><b>AO12</b></p> <p>Private driveways:</p> <p>(a) do not exceed a length of 60m from the street to the building;</p> <p>(b) do not exceed a gradient of 12.5%;</p> <p>(c) have a minimum width of 3.5m;</p>	<p><b>Not applicable</b></p> <p>The site is serviced by an existing access and no new driveways are proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<ul style="list-style-type: none"> <li>(d) have a minimum of 4.8m vertical clearance;</li> <li>(e) accommodate turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and</li> <li>(f) serve no more than 3 dwellings or buildings.</li> </ul>	
<b>PO13</b> Development outside reticulated water supply areas includes a dedicated static supply that is available solely for fire fighting purposes and can be accessed by fire fighting appliances.	<b>AO13</b> A water tank is provided within 10m of each building (other than a class 10 building) which: <ul style="list-style-type: none"> <li>(a) is either below ground level or of non-flammable construction;</li> <li>(b) has a take off connection at a level that allows the following dedicated, static water supply to be left available for access by fire fighters:               <ul style="list-style-type: none"> <li>(i) 10,000l for residential buildings</li> </ul> </li> </ul> Note – A minimum of 7,500l is required in a tank and the extra 2,500l may be in the form of accessible swimming pools or dams. <ul style="list-style-type: none"> <li>(ii) 45,000l for industrial buildings; and</li> <li>(iii) 20,000l for other buildings;</li> <li>(c) includes shielding of tanks and pumps in accordance with the relevant standards;</li> <li>(d) includes a hardstand area allowing medium rigid vehicle (15 tonne fire appliance) access within 6m of the tank;</li> </ul>	<b>Complies with AO13</b> The existing development on the site is provided with two water tanks within close proximity to of he primary shed on the site.

Performance outcomes	Acceptable outcomes	Applicant response
	(e) is provided with fire brigade tank fittings – 50mm ball valve and male camlock coupling and, if underground, an access hole of 200mm (minimum) to accommodate suction lines; and  (f) is clearly identified by directional signage provided at the street frontage.	
<b>PO14</b> Landscaping does not increase the potential bushfire risk.	<b>AO14</b> Landscaping uses species that are less likely to exacerbate a bushfire event, and does not increase fuel loads within separation areas.	<b>Not applicable</b> No additional landscaping is proposed.
<b>PO15</b> The risk of bushfire and the need to mitigate that risk is balanced against other factors (such as but not limited to, biodiversity or scenic amenity).	<b>AO15</b> Bushfire risk mitigation treatments do not have a significant impact on the natural environment or landscape character of the locality where this has value.	<b>Not applicable</b> No bushfire mitigation treatments are required or proposed.

Note – 'Vulnerable activities' are those involving:

- (1) the accommodation or congregation of vulnerable sectors of the community such as child care centres, community care centre, educational establishments, detention facilities, hospitals, rooming accommodation, retirement facilities or residential care facilities; or
- (2) the provision of essential services including community uses, emergency services, utility installation, telecommunications facility, substations and major electricity infrastructure.

## 8.2.4 Flood and storm tide hazard overlay code

### 8.2.4.1 Application

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

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

### 8.2.4.2 Purpose

- (1) The purpose of the Flood and storm tide hazard overlay code is to:
  - (a) implement the policy direction in the Strategic Framework, in particular:
    - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
    - (ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.
  - (b) enable an assessment of whether development is suitable on land within the Flood and storm tide hazard sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) development siting, layout and access responds to the risk of the natural hazard and minimises risk to personal safety;
  - (b) development achieves an acceptable or tolerable risk level, based on a fit for purpose risk assessment;
  - (c) the development is resilient to natural hazard events by ensuring siting and design accounts for the potential risks of natural hazards to property;



- (d) the development supports, and does not unduly burden disaster management response or recovery capacity and capabilities;
- (e) the development directly, indirectly and cumulatively avoids an unacceptable increase in severity of the natural hazards and does not significantly increase the potential for damage on site or to other properties;
- (f) the development avoids the release of hazardous materials as a result of a natural hazard event;
- (g) natural processes and the protective function of landforms and/or vegetation are maintained in natural hazard areas;
- (h) community infrastructure is located and designed to maintain the required level of functionality during and immediately after a hazard event.

### Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> Development is located and designed to: <ul style="list-style-type: none"> <li>a) ensure the safety of all persons;</li> <li>b) minimise damage to the development and contents of buildings;</li> <li>c) provide suitable amenity;</li> <li>d) minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events.</li> </ul> Note – For assessable development within the flood plain assessment sub-category, a flood study by a suitably qualified professional is required to identify compliance with the intent of the acceptable outcome.	<b>AO1.1</b> Development is sited on parts of the land that is not within the Flood and Storm tide hazards overlay maps contained in Schedule 2; or For dwelling houses,	<b>Complies with PO1</b> The development area has been identified within the Flood plain assessment area. It is proposed to maintain the existing physical and operational characteristics of the site. Therefore, there would be no additional risk of damage to buildings or safety to persons proposed by the proposal.
	<b>AO1.2</b> Development within the Flood and Storm Tide hazards overlay maps (excluding the Flood plain assessment sub-category) is designed to provide immunity to the Defined Inundation Event as outlined within Table 8.2.4.3.b plus a freeboard of 300mm.	
	<b>AO1.3</b>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
	New buildings are: (a) not located within the overlay area; (b) located on the highest part of the site to minimise entrance of flood waters; (c) provided with clear and direct pedestrian and vehicle evacuation routes off the site.	No new buildings are proposed.
	<b>AO1.4</b> In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.	<b>Complies with AO1.4</b> The buildings associated with the development are setback more than 50 metres from natural riparian corridors.
<b>For assessable development</b>		
<b>PO2</b> The development is compatible with the level of risk associated with the natural hazard.	<b>AO2</b> The following uses are not located in land inundated by the Defined Flood Event (DFE) / Storm tide: (a) Retirement facility; (b) Community care facility; (c) Child care centre.	<b>Complies with AO2</b> No retirement facility, community care facility or child care centre is proposed.
<b>PO3</b> Development siting and layout responds to flooding potential and maintains personal safety	For Material change of use <b>AO3.1</b> New buildings are:	<b>Not applicable</b> No new buildings or extensions to existing buildings are proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(a) not located within the overlay area;</p> <p>(b) located on the highest part of the site to minimise entrance of flood waters;</p> <p>(c) provided with clear and direct pedestrian and vehicle evacuation routes off the site.</p> <p>or</p> <p><b>AO3.2</b></p> <p>The development incorporates an area on site that is at least 300mm above the highest known flood inundation level with sufficient space to accommodate the likely population of the development safely for a relatively short time until flash flooding subsides or people can be evacuated.</p> <p>or</p> <p><b>AO3.3</b></p> <p>Where involving an extension to an existing dwelling house that is situated below DFE /Storm tide, the maximum size of the extension does not exceed 70m<sup>2</sup> gross floor area.</p> <p>Note – If part of the site is outside the Hazard Overlay area, this is the preferred location of all buildings.</p>	
	<p>For Reconfiguring a lot</p> <p><b>AO3.4</b></p> <p>Additional lots:</p> <p>(a) are not located in the hazard overlay area;</p>	<p><b>Not applicable</b></p> <p>The proposed development is for a Material Change of Use.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>or</p> <p>(b) are demonstrated to be above the flood level identified for the site.</p> <p>Note - If part of the site is outside the Hazard Overlay area, this is the preferred location for all lots (excluding park or other open space and recreation lots).</p> <p>Note – Buildings subsequently developed on the lots will need to comply with the relevant building assessment provisions under the <i>Building Act 1975</i>.</p>	
	<p><b>AO3.5</b></p> <p>Road and/or pathway layout ensures residents are not physically isolated from adjacent flood free urban areas and provides a safe and clear evacuation route path:</p> <p>(a) by locating entry points into the reconfiguration above the flood level and avoiding culs-de-sac or other non-permeable layouts; and</p> <p>(b) by direct and simple routes to main carriageways.</p>	<p><b>Not applicable</b></p> <p>No new roads or pathways are proposed.</p>
	<p><b>AO3.6</b></p> <p>Signage is provided on site (regardless of whether the land is in public or private ownership) indicating the position and path of all safe evacuation routes off the site and if the site contains, or is within 100m of a floodable waterway, hazard warning signage and depth indicators are also provided at key hazard points, such as at floodway crossings or entrances to</p>	<p><b>Able to comply with AO3.6</b></p> <p>The proposed development is able to implement the required signs to designate key flood information.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>low-lying reserves.</p> <p>or</p> <p><b>AO3.7</b></p> <p>There is no intensification of residential uses within the flood affected areas on land situated below the DFE/Storm tide</p>	
	<p>For Material change of use (Residential uses)</p> <p><b>AO3.8</b></p> <p>The design and layout of buildings used for residential purposes minimise risk from flooding by providing:</p> <p>(a) parking and other low intensive, non-habitable uses at ground level;</p> <p>Note - The high-set 'Queenslander' style house is a resilient low-density housing solution in floodplain areas. Higher density residential development should ensure only non-habitable rooms (e.g. garages, laundries) are located on the ground floor.</p>	<p><b>Not applicable</b></p> <p>No residential uses are proposed.</p>
<p><b>PO4</b></p> <p>Development is resilient to flood events by ensuring design and built form account for the potential risks of flooding.</p>	<p>For Material change of use (Non-residential uses)</p> <p><b>AO4.2</b></p> <p>Non-residential buildings and structures allow for the flow through of flood waters on the ground floor.</p> <p>Note - Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p>	<p><b>Not applicable</b></p> <p>No new buildings are proposed and all existing buildings are understood to be lawfully constructed.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>Note - The relevant building assessment provisions under the <i>Building Act 1975</i> apply to all building work within the Hazard Area and need to take into account the flood potential within the area.</p>	
	<p><b>AO4.3</b></p> <p>Materials are stored on-site:</p> <ul style="list-style-type: none"> <li>(a) are those that are readily able to be moved in a flood event;</li> <li>(b) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood.</li> </ul> <p>Notes -</p> <ul style="list-style-type: none"> <li>a. (Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</li> <li>b. Queensland Government Fact Sheet 'Repairing your House after a Flood' provides information about water resilient products and building techniques.</li> </ul>	<p><b>Complies with AO4.3</b></p> <p>All materials stored on site would be capable of being moved, if required, in a flood event and no materials would create a safety hazard.</p>
<p><b>PO5</b></p> <p>Development directly, indirectly and cumulatively avoids any increase in water flow velocity or flood level and does not increase the potential flood damage either on site or on other properties.</p> <p>Note – Berms and mounds are considered to be an undesirable built form outcome and are not supported.</p>	<p>For Operational works</p> <p><b>AO5.1</b></p> <p>Works in urban areas associated with the proposed development do not involve:</p> <ul style="list-style-type: none"> <li>(a) any physical alteration to a watercourse or floodway including vegetation clearing; or</li> <li>(b) a net increase in filling (including berms and</li> </ul>	<p><b>Not applicable</b></p> <p>No works are proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	mounds).	
	<b>AO5.2</b> Works (including buildings and earthworks) in non urban areas either: (a) do not involve a net increase in filling greater than 50m <sup>3</sup> ; or (b) do not result in any reductions of on-site flood storage capacity and contain within the subject site any changes to depth/duration/velocity of flood waters; or (c) do not change flood characteristics outside the subject site in ways that result in: (i) loss of flood storage; (ii) loss of/changes to flow paths; (iii) acceleration or retardation of flows or any reduction in flood warning times elsewhere on the flood plain.	<b>Not applicable</b> No works are proposed by this development.
	For Material change of use <b>AO5.3</b> Where development is located in an area affected by DFE/Storm tide, a hydraulic and hydrology report, prepared by a suitably qualified professional, demonstrates that the development maintains the flood storage capacity on the	<b>Not applicable</b> No works are proposed that would affect the flood storage capacity of the site.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>subject site; and</p> <p>(a) does not increase the volume, velocity, concentration of flow path alignment of stormwater flow across sites upstream, downstream or in the general vicinity of the subject site; and</p> <p>(b) does not increase ponding on sites upstream, downstream or in the general vicinity of the subject site.</p>	
	<p>For Material change of use and Reconfiguring a lot</p> <p><b>AO5.4</b></p> <p>In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.</p> <p>Note – Fences and irrigation infrastructure (e.g. irrigation tape) in rural areas should be managed to minimise adverse the impacts that they may have on downstream properties in the event of a flood.</p>	<p><b>Complies with AO5.4</b></p> <p>The buildings and infrastructure associated with the development are setback more than 50 metres from natural riparian corridors.</p>
<p><b>PO6</b></p> <p>Development avoids the release of hazardous materials into floodwaters.</p>	<p>For Material change of use</p> <p><b>AO6.1</b></p> <p>Materials manufactured or stored on site are not hazardous or noxious, or comprise materials that may cause a detrimental effect on the environment if discharged in a flood event;</p> <p>or</p>	<p><b>Complies with AO6.1</b></p> <p>No hazardous or noxious materials would be manufactured or stored on site.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<b>AO6.2</b> If a DFE level is adopted, structures used for the manufacture or storage of hazardous materials are: (a) located above the DFE level; or (b) designed to prevent the intrusion of floodwaters.	
	<b>AO6.3</b> Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE.	<b>Not applicable</b> No new infrastructure is proposed.
	<b>AO6.4</b> If a flood level is not adopted, hazardous materials and their manufacturing equipment are located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of floodwaters.  Note – Refer to <i>Work Health and Safety Act 2011</i> and associated Regulation and Guidelines, the <i>Environmental Protection Act 1994</i> and the relevant building assessment provisions under the <i>Building Act 1975</i> for requirements related to the manufacture and storage of hazardous materials.	<b>Not applicable</b> No hazardous or noxious materials would be manufactured or stored on site.
<b>PO7</b> The development supports, and does not unduly burden, disaster management response or	<b>AO7</b> Development does not:	<b>Complies with AO7</b> The proposed development would not increase the number of persons at risk of flooding or in

Performance outcomes	Acceptable outcomes	Applicant response
recovery capacity and capabilities.	(a) increase the number of people calculated to be at risk of flooding; (b) increase the number of people likely to need evacuation; (c) shorten flood warning times; and (d) impact on the ability of traffic to use evacuation routes, or unreasonably increase traffic volumes on evacuation routes.	need of evacuation.
<b>PO8</b> Development involving community infrastructure: (a) remains functional to serve community need during and immediately after a flood event; (b) is designed, sited and operated to avoid adverse impacts on the community or environment due to impacts of flooding on infrastructure, facilities or access and egress routes; (c) retains essential site access during a flood event; (d) is able to remain functional even when other infrastructure or services may be compromised in a flood event.	<b>AO8.1</b> The following uses are not located on land inundated during a DFE/Storm tide: (a) community residence; and (b) emergency services; and (c) residential care facility; and (d) utility installations involving water and sewerage treatment plants; and (e) storage of valuable records or items of historic or cultural significance (e.g. archives, museums, galleries, libraries). or <b>AO8.2</b> The following uses are not located on land inundated during a 1% AEP flood event: (a) community and cultural facilities, including facilities where an education and care	<b>Not applicable</b> No community infrastructure is proposed.



Performance outcomes	Acceptable outcomes	Applicant response
	<p>service under the Education and care Services National law (Queensland) is operated or child care service under the <i>Child Care Act 2002</i> is conducted,</p> <p>(b) community centres;</p> <p>(c) meeting halls;</p> <p>(d) galleries;</p> <p>(e) libraries.</p> <p>The following uses are not located on land inundated during a 0.5% AEP flood event.</p> <p>(a) emergency shelters;</p> <p>(b) police facilities;</p> <p>(c) sub stations;</p> <p>(d) water treatment plant</p> <p>The following uses are not located on land inundated during a 0.2% AEP flood event:</p> <p>(a) correctional facilities;</p> <p>(b) emergency services;</p> <p>(c) power stations;</p> <p>(d) major switch yards.</p> <p>and/or</p> <p><b>A08.3</b></p> <p>The following uses have direct access to low hazard evacuation routes as defined in</p>	

Performance outcomes	Acceptable outcomes	Applicant response
	<p>Table <b>8.2.4.3.c</b> :</p> <ul style="list-style-type: none"> <li>(a) community residence; and</li> <li>(b) emergency services; and</li> <li>(c) hospitals; and</li> <li>(d) residential care facility; and</li> <li>(e) sub stations; and</li> <li>(f) utility installations involving water and sewerage treatment plants.</li> </ul>	
	<p><b>AO8.4</b></p> <p>Any components of infrastructure that are likely to fail to function or may result in contamination when inundated by flood, such as electrical switch gear and motors, telecommunications connections, or water supply pipeline air valves are:</p> <ul style="list-style-type: none"> <li>(a) located above DFE/Storm tide or the highest known flood level for the site;</li> <li>(b) designed and constructed to exclude floodwater intrusion / infiltration.</li> </ul>	<p><b>Not applicable</b></p> <p>No community infrastructure is proposed.</p>
	<p><b>AO8.5</b></p> <p>Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by a flood.</p>	<p><b>Not applicable</b></p> <p>No community infrastructure is proposed.</p>

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

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

**Table 8.2.4.3.c - Degree of flood**

Criteria	Low	Medium	High	Extreme
Wading ability	If necessary children and the elderly could wade. (Generally, safe wading velocity depth product is less than 0.25)	Fit adults can wade. (Generally, safe wading velocity depth product is less than 0.4)	Fit adults would have difficulty wading. (Generally, safe wading velocity depth product is less than 0.6)	Wading is not an option.
Evacuation distances	< 200 metres	200-400 metres	400-600 metres	600 metres
Maximum flood depths	< 0.3 metre	< 0.6 metre	< 1.2 metres	1.2 metres
Maximum flood velocity	< 0.4 metres per second	< 0.8 metres per second	< 1.5 metres per second	1.5 metres per second
Typical means of egress	Sedan	Sedan early, but 4WD or trucks later	4WD or trucks only in early stages, boats or helicopters	Large trucks, boats or helicopters
Timing Note: This category cannot be implemented until evacuation times have been established in the Counter Disaster Plan (Flooding)	Ample flood forecasting. Warning and evacuation routes remain passable for twice as long as evacuation time.	Evacuation routes remain trafficable for 1.5 times as long as the evacuation.	Evacuation routes remain trafficable for only up to minimum evacuation time.	There is insufficient evacuation time.

Note: The evacuation times for various facilities or areas would (but not necessarily) be included in the Counter Disaster Plan.

Generally safe wading conditions assume even walking surfaces and no obstructions, steps, soft underfoot etc.

## 8.2.7 Natural areas overlay code

### 8.2.7.1 Application

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

Note – MSES = Matters of State Environmental Significance.

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

### 8.2.7.2 Purpose

- (1) The purpose of the Natural areas overlay code is to:
  - (a) implement the policy direction in the Strategic Framework, in particular:
    - (i) Theme 2: Environment and landscape values, Element 3.5.3 Biodiversity, Element 3.5.4 Coastal zones;
    - (ii) Theme 3: Natural resource management Element 3.6.2 Land and catchment management, Element 3.6.3 Primary production, forestry and fisheries.
  - (b) enable an assessment of whether development is suitable on land within the Biodiversity area overlay sub-categories.



- (2) The purpose of the code will be achieved through the following overall outcomes:
- (a) development is avoided within:
    - (i) areas containing matters of state environmental significance (MSES);
    - (ii) other natural areas;
    - (iii) wetlands and wetland buffers;
    - (iv) waterways and waterway corridors.
  - (b) where development cannot be avoided, development:
    - (i) protects and enhances areas containing matters of state environmental significance;
    - (ii) provides appropriate buffers;
    - (iii) protects the known populations and supporting habitat of rare and threatened flora and fauna species, as listed in the relevant State and Commonwealth legislation;
    - (iv) ensures that adverse direct or indirect impacts on areas of environmental significance are minimised through design, siting, operation, management and mitigation measures;
    - (v) does not cause adverse impacts on the integrity and quality of water in upstream or downstream catchments, including the Great Barrier Reef World Heritage Area;
    - (vi) protects and maintains ecological and hydrological functions of wetlands, waterways and waterway corridors;
    - (vii) enhances connectivity across barriers for aquatic species and habitats;
    - (viii) rehabilitates degraded areas to provide improved habitat condition, connectivity, function and extent;
    - (ix) protects areas of environmental significance from weeds, pests and invasive species.
  - (c) strategic rehabilitation is directed to areas on or off site, where it is possible to achieve expanded habitats and increased connectivity.

#### Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		

Performance outcomes	Acceptable outcomes	Applicant response
<b>Protection of matters of environmental significance</b>		
<b>PO1</b> Development protects matters of environmental significance.	<b>AO1.1</b> Development avoids significant impact on the relevant environmental values. or <b>AO1.2</b> A report is prepared by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, that the development site does not contain any matters of state and local environmental significance. or <b>AO1.3</b> Development is located, designed and operated to mitigate significant impacts on environmental values. For example, a report certified by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, how the proposed development mitigates impacts, including on water quality, hydrology and biological processes.	<b>Complies with AO1.1</b> The proposed development would not impact the relevant environmental values on the site. No vegetation is proposed to be removed as part of this application.
<b>Management of impacts on matters of environmental significance</b>		
<b>PO2</b> Development is located, designed and constructed to avoid significant impacts on	<b>AO2</b> The design and layout of development minimises adverse impacts on ecologically important areas	<b>Complies with AO2</b> All development would occur within the existing cleared area., No further clearing is required to

Performance outcomes	Acceptable outcomes	Applicant response
matters of environmental significance.	by: <ul style="list-style-type: none"> <li>(a) focusing development in cleared areas to protect existing habitat;</li> <li>(b) utilising design to consolidate density and preserve existing habitat and native vegetation;</li> <li>(c) aligning new property boundaries to maintain ecologically important areas;</li> <li>(d) ensuring that alterations to natural landforms, hydrology and drainage patterns on the development site do not negatively affect ecologically important areas;</li> <li>(e) ensuring that significant fauna habitats are protected in their environmental context; and</li> <li>(f) incorporating measures that allow for the safe movement of fauna through the site.</li> </ul>	facilitate this development.
<b>PO3</b> An adequate buffer to areas of state environmental significance is provided and maintained.	<b>AO3.1</b> A buffer for an area of state environmental significance (Wetland protection area) has a minimum width of: <ul style="list-style-type: none"> <li>(a) 100 metres where the area is located outside Urban areas; or</li> <li>(b) 50 metres where the area is located within a Urban areas.</li> </ul> or <b>AO3.2</b>	<b>Not applicable</b> The site does not contain and is not located adjacent a wetland protection area.

Performance outcomes	Acceptable outcomes	Applicant response
	A buffer for an area of state environmental significance is applied and maintained, the width of which is supported by an evaluation of environmental values, including the function and threats to matters of environmental significance.	
<b>PO4</b> Wetland and wetland buffer areas are maintained, protected and restored. Note – Wetland buffer areas are identified in AO3.1.	<b>AO4.1</b> Native vegetation within wetlands and wetland buffer areas is retained.	<b>Not applicable</b> The site does not contain and is not located adjacent a wetland protection area.
	<b>AO4.2</b> Degraded sections of wetlands and wetland buffer areas are revegetated with endemic native plants in patterns and densities which emulate the relevant regional ecosystem.	<b>Not applicable</b> The site does not contain and is not located adjacent a wetland protection area.
<b>PO5</b> Development avoids the introduction of non-native pest species (plant or animal), that pose a risk to ecological integrity.	<b>AO5.1</b> Development avoids the introduction of non-native pest species.	<b>Complies with AO5.1</b> No landscaping is proposed.
	<b>AO5.2</b> The threat of existing pest species is controlled by adopting pest management practices for long-term ecological integrity.	<b>Not applicable</b> No pest species have been identified on the site.
<b>Ecological connectivity</b>		
<b>PO6</b>	<b>AO6.1</b>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
Development protects and enhances ecological connectivity and/or habitat extent.	Development retains native vegetation in areas large enough to maintain ecological values, functions and processes. and	The site is a cleared site and no additional clearing is proposed.
	<b>AO6.2</b> Development within an ecological corridor rehabilitates native vegetation. and	<b>Not applicable</b> The site is not within an ecological corridor.
	<b>AO6.3</b> Development within a conservation corridor mitigates adverse impacts on native fauna, feeding, nesting, breeding and roosting sites and native fauna movements.	<b>Not applicable</b> The site is not within a conservation corridor.
<b>PO7</b> Development minimises disturbance to matters of state environmental significance (including existing ecological corridors).	<b>AO7.1</b> Development avoids shading of vegetation by setting back buildings by a distance equivalent to the height of the native vegetation. and	<b>Not applicable</b> No new buildings are proposed.
	<b>AO7.2</b> Development does not encroach within 10 metres of existing riparian vegetation and watercourses.	<b>Not applicable</b> No new built development is proposed.
<b>Waterways in an urban area</b>		

Performance outcomes	Acceptable outcomes	Applicant response
<b>PO8</b> Development is set back from waterways to protect and maintain: <ul style="list-style-type: none"> <li>(a) water quality;</li> <li>(b) hydrological functions;</li> <li>(c) ecological processes;</li> <li>(d) biodiversity values;</li> <li>(e) riparian and in-stream habitat values and connectivity;</li> <li>(f) in-stream migration</li> </ul>	<b>AO8.1</b> Where a waterway is contained within an easement or a reserve required for that purpose, development does not occur within the easement or reserve; or <b>AO8.2</b> Development does not occur on the part of the site affected by the waterway corridor. Note – Waterway corridors are identified within Table 8.2.7.3.b.	<b>Not applicable</b> The site is not within an urban area.
<b>Waterways in a non-urban area</b>		
<b>PO9</b> Development is set back from waterways to protect and maintain: <ul style="list-style-type: none"> <li>(a) water quality;</li> <li>(b) hydrological functions;</li> <li>(c) ecological processes;</li> <li>(d) biodiversity values;</li> <li>(e) riparian and in-stream habitat values and connectivity;</li> <li>(f) in-stream migration.</li> </ul>	<b>AO9</b> Development does not occur on that part of the site affected by a waterway corridor. Note – Waterway corridors are identified within Table 8.2.7.3.b.	<b>Complies with AO9</b> The site subject to development is not identified as containing a waterway corridor.



**Table 8.2.7.3.b — Widths of waterway corridors for waterways**

Waterways classification	Waterway corridor width
Waterways in Urban areas	10 metres measured perpendicular from the top of the high bank.
Waterways in Other areas	For a dwelling house, 10 metres measured perpendicular from the top of the high bank. For all other development, 20 metres measured perpendicular from the top of the high bank.

## 8.2.10 Transport network overlay code

### 8.2.10.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Transport network overlay; if:
  - (a) self-assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
  - (b) impact assessable development
- (2) Land within the Transport network overlay is identified on the Transport network (Road Hierarchy) overlay map and the Transport network (Pedestrian and Cycle) overlay map in Schedule 2 and includes the following sub-categories:
  - (a) Transport network (Road Hierarchy) overlay sub-categories:
    - i. State controlled road sub-category;
    - ii. Sub-arterial road sub-category;
    - iii. Collector road sub-category;
    - iv. Access road sub-category;
    - v. Industrial road sub-category;
    - vi. Major rural road sub-category;
    - vii. Minor rural road sub-category;
    - viii. Unformed road sub-category;
    - ix. Major transport corridor buffer area sub-category.
  - (b) Transport network (Pedestrian and Cycle) overlay sub-categories:
    - i. Principal route;
    - ii. Future principal route;
    - iii. District route;
    - iv. Neighbourhood route;
    - v. Strategic investigation route.
- (3) When using this code, reference should be made to Part 5.

### 8.2.10.2 Purpose

- (1) The purpose of the Transport network overlay code is to:
  - (a) implement the policy direction of the Strategic Framework, in particular:
    - i. Theme 1: Settlement pattern Element 3.4.2 Urban settlement, Element 3.4.3 Activity centres;
    - ii. Theme 6: Infrastructure and transport Element 3.9.4 Transport;
  - (b) enable an assessment of whether development is suitable on land within the Transport network overlay.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) development provides for transport infrastructure (including active transport infrastructure);
  - (b) development contributes to a safe and efficient transport network;
  - (c) development supports the existing and future role and function of the transport network;
  - (d) development does not compromise the safety and efficiency of major transport infrastructure and facilities.

### 8.2.10.3 Criteria for assessment

**Table 8.2.10.3.a – Transport network overlay code – assessable development**

Performance outcomes	Acceptable outcome	Applicant response
<b>For assessable development</b>		
<b>PO1</b> Development supports the road hierarchy for the region.  Note -A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.	<b>AO1.1</b> Development is compatible with the intended role and function of the transport network as identified on the Transport network overlay maps contained in Schedule 2.	<b>Compliant with AO1.1</b> The proposed development would generate traffic movements limited to in the order of six Heavy Rigid Vehicle movements per day and a minor number of domestic vehicle movements. Syndicate Road is identified as a Major Rural Road and is capable of carrying significant volumes of traffic. The minor traffic movements generated by the proposed development would be readily accommodated within Syndicate Road.
	<b>AO1.2</b>	<b>Complies with AO1.2</b>

Performance outcomes	Acceptable outcome	Applicant response
	Development does not compromise the safety and efficiency of the transport network.	The proposed development would generate traffic movements limited to in the order of six Heavy Rigid Vehicle movements per day and a minor number of domestic vehicle movements. Syndicate Road is identified as a Major Rural Road and is capable of carrying significant volumes of traffic. The minor traffic movements generated by the proposed development would be readily accommodated within Syndicate Road.  Access to the site would be via the existing access that provides significant sightline distance and vehicle entering and leaving the site would not cause an adverse impact on road safety.
	<b>AO1.3</b> Development is designed to provide access via the lowest order road, where legal and practicable access can be provided to that road	<b>Complies with AO1.3</b> All access would be provided via Syndicate Road via the existing access.
<b>PO2</b> Transport infrastructure is provided in an integrated and timely manner.  Note - A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 – Parking and access is one way to demonstrate achievement of the Performance Outcomes.	<b>AO2</b> Development provides infrastructure (including improvements to existing infrastructure) in accordance with:  (a) the Transport network overlay maps contained in Schedule 2;  (b) any relevant Local Plan.  Note – The Translink Public Transport Infrastructure Manual provides guidance on the design of public transport facilities.	<b>Not applicable</b> No infrastructure improvements are required to facilitate the development.
<b>PO3</b> Development involving sensitive land uses within a major transport corridor buffer area is located,	<b>AO3</b> No acceptable outcomes are prescribed.  Note – Part 4.4 of the Queensland Development Code provides	<b>Not applicable</b> The site is located outside the major transport

Performance outcomes	Acceptable outcome	Applicant response
designed and maintained to avoid or mitigate adverse impacts on amenity for the sensitive land use.	requirements for residential building design in a designated transport noise corridor.	corridor buffer area.
<b>PO4</b> Development does not compromise the intended role and function or safety and efficiency of major transport corridors.  Note - A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.	<b>AO4.1</b> Development is compatible with the role and function (including the future role and function) of major transport corridors.	<b>Complies with AO4.1</b> The development would not produce traffic movements that would affect the role and function of major transport corridors.
	<b>AO4.2</b> Direct access is not provided to a major transport corridor where legal and practical access from another road is available.	<b>Complies with AO4.2</b> No access would be provided to a major transport corridor.
	<b>AO4.3</b> Intersection and access points associated with major transport corridors are located in accordance with:  (a) the Transport network overlay maps contained in Schedule 2; and  (b) any relevant Local Plan.	<b>Not applicable</b> No intersections or access points associated with a major transport corridor are proposed.
	<b>AO4.4</b> The layout of development and the design of the associated access is compatible with existing and future boundaries of the major transport corridor or major transport facility.	<b>Complies with AO4.4</b> The proposed development would not adversely affect the existing or future boundaries of a major transport corridor.
<b>PO5</b> Development retains and enhances existing vegetation between a development and a major	<b>AO5</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> No vegetation exists between the major transport corridor and the site.

Performance outcomes	Acceptable outcome	Applicant response
transport corridor, so as to provide screening to potential noise, dust, odour and visual impacts emanating from the corridor.		
<b>Pedestrian and cycle network</b>		
<b>PO6</b> Lot reconfiguration assists in the implementation of the pedestrian and cycle movement network to achieve safe, attractive and efficient pedestrian and cycle networks.	<b>AO6.1</b> Where a lot is subject to, or adjacent to an element of the pedestrian and cycle Movement network (identified on the Transport network overlay maps contained in Schedule 2) the specific location of this element of the pedestrian and cycle network is incorporated in the design of the lot layout.	<b>Not applicable</b> No lot reconfiguration is proposed.
	<b>AO6.2</b> The element of the pedestrian and cycle network is constructed in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC6.5 – FNQROC Regional Development Manual.	<b>Not applicable</b> No pedestrian or cycle network is required to be constructed as a part of this development.



## 9.4.1 Access, parking and servicing code

### 9.4.1.1 Application

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

### 9.4.1.2 Purpose

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

### 9.4.1.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be generated by the use or uses of the site, having particular regard to: <ul style="list-style-type: none"> <li>(a) the desired character of the area;</li> <li>(b) the nature of the particular use and its specific characteristics and scale;</li> <li>(c) the number of employees and the likely number of visitors to the site;</li> <li>(d) the level of local accessibility;</li> <li>(e) the nature and frequency of any public transport serving the area;</li> <li>(f) whether or not the use involves the retention of an existing building and the previous requirements for car parking for the building</li> <li>(g) whether or not the use involves a heritage building or place of local significance;</li> <li>(h) whether or not the proposed use involves the retention of significant vegetation.</li> </ul>	<b>AO1.1</b> The minimum number of on-site vehicle parking spaces is not less than the number prescribed in Table 9.4.1.3.b for that particular use or uses.  Note - Where the number of spaces calculated from the table is not a whole number, the number of spaces provided is the next highest whole number.	<b>Complies with AO1.1</b> The acceptable outcome identifies the provision of 1 space per 50m <sup>2</sup> GFA and outdoor display area as being sufficient to accommodate the traffic generated by the development. The proposed development would have buildings with a maximum floor area of 200m <sup>2</sup> and the site would have sufficient area to accommodate the 5 car parking spaces required.
	<b>AO1.2</b> Car parking spaces are freely available for the parking of vehicles at all times and are not used for external storage purposes, the display of products or rented/sub-leased.	<b>Complies with AO1.2</b> The proposed car parking spaces would be maintained for the use of parking vehicles.
	<b>AO1.3</b> Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.	<b>Not applicable</b> No parking for motorcycles is proposed.
	<b>AO1.4</b> For parking areas exceeding 50 spaces parking, is provided for recreational vehicles as a substitute for ordinary vehicle parking to a maximum of 5% of total ordinary vehicle parking rate.	<b>Not applicable</b> The proposed development would provide less than 50 parking spaces.

Performance outcomes	Acceptable outcomes	Applicant response
<b>PO2</b> Vehicle parking areas are designed and constructed in accordance with relevant standards.	<b>AO2</b> Vehicle parking areas are designed and constructed in accordance with Australian Standard: <ul style="list-style-type: none"> <li>(a) AS2890.1;</li> <li>(b) AS2890.3;</li> <li>(c) AS2890.6.</li> </ul>	<b>Complies with AO2</b> Parking areas can be designed and constructed in accordance with the relevant Australian Standards.
<b>PO3</b> Access points are designed and constructed: <ul style="list-style-type: none"> <li>(a) to operate safely and efficiently;</li> <li>(b) to accommodate the anticipated type and volume of vehicles</li> <li>(c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate;</li> <li>(d) so that they do not impede traffic or pedestrian movement on the adjacent road area;</li> <li>(e) so that they do not adversely impact upon existing intersections or future road or intersection improvements;</li> <li>(f) so that they do not adversely impact current and future on-street parking arrangements;</li> <li>(g) so that they do not adversely impact on existing services within the road reserve adjacent to the site;</li> </ul>	<b>AO3.1</b> Access is limited to one access cross over per site and is an access point located, designed and constructed in accordance with: <ul style="list-style-type: none"> <li>(a) Australian Standard AS2890.1;</li> <li>(b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers.</li> </ul>	<b>Complies with AO3.1</b> The proposed development would be supplied with the existing single access from Syndicate Road
	<b>AO3.2</b> Access, including driveways or access crossovers: <ul style="list-style-type: none"> <li>(a) are not placed over an existing:               <ul style="list-style-type: none"> <li>(i) telecommunications pit;</li> <li>(ii) stormwater kerb inlet;</li> <li>(iii) sewer utility hole;</li> <li>(iv) water valve or hydrant.</li> </ul> </li> <li>(b) are designed to accommodate any adjacent footpath;</li> </ul>	<b>Complies with AO3.2</b> The existing access is understood to not be located over infrastructure pits, kerb inlets or similar.

Performance outcomes	Acceptable outcomes	Applicant response
(h) so that they do not involve ramping, cutting of the adjoining road reserve or any built structures (other than what may be necessary to cross over a stormwater channel).	(c) adhere to minimum sight distance requirements in accordance with AS2980.1.	
	<b>AO3.3</b> Driveways are: <ul style="list-style-type: none"> <li>(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;</li> <li>(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;</li> <li>(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;</li> <li>(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;</li> <li>(e) designed to include all necessary associated drainage that intercepts and directs storm water runoff to the storm water drainage system.</li> </ul>	<b>Complies with AO3.3</b> The proposed development would utilise the existing driveway on the site. This driveway is understood to be relatively flat.
	<b>AO3.4</b> Surface construction materials are consistent with the	<b>Complies with AO3.4</b> The proposed car parking and access paths

Performance outcomes	Acceptable outcomes	Applicant response
	current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.	would be constructed from gravel, consistent with the rural environment.
<b>PO4</b> Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.	<b>AO4</b> The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.	<b>Able to comply with AO4</b> A single wheel chair accessible space is able to be provided.
<b>PO5</b> Access for people with disabilities is provided to the building from the parking area and from the street.	<b>AO5</b> Access for people with disabilities is provided in accordance with the relevant Australian Standard.	<b>Abel to comply with AO5</b> Access for people with disabilities is able to be provided in accordance with the relevant Australian Standard.
<b>PO6</b> Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development	<b>AO6</b> The number of on-site bicycle parking spaces complies with the rates specified in Table 9.4.1.3.b	<b>Complies with AO6</b> A single bicycle is able to be parked/stored within the existing shed.
<b>PO7</b> Development provides secure and convenient bicycle parking which: <ul style="list-style-type: none"> <li>(a) for visitors is obvious and located close to the building's main entrance;</li> <li>(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</li> </ul>	<b>AO7.1</b> Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers);	<b>Not applicable</b> End of trip facilities are not required.
	<b>AO7.2</b> Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street.	<b>Complies with AO7.2</b> A single bicycle is able to be parked/stored within the existing shed.

Performance outcomes	Acceptable outcomes	Applicant response
building;  (c) is easily and safely accessible from outside the site.	<b>A07.3</b>  Development provides visitor bicycle parking which does not impede pedestrian movement.	<b>Complies with A07.3</b>  A single bicycle is able to be parked/stored within the existing shed.
<b>PO8</b>  Development provides walking and cycle routes through the site which: <ul style="list-style-type: none"> <li>(a) link to the external network and pedestrian and cyclist destinations such as schools, shopping centres, open space, public transport stations, shops and local activity centres along the safest, most direct and convenient routes;</li> <li>(b) encourage walking and cycling;</li> <li>(c) ensure pedestrian and cyclist safety.</li> </ul>	<b>A08</b>  Development provides walking and cycle routes which are constructed on the carriageway or through the site to: <ul style="list-style-type: none"> <li>(a) create a walking or cycle route along the full frontage of the site;</li> <li>(b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site.</li> </ul>	<b>Not applicable</b>  No walking or cycling routes are required or proposed.
<b>PO9</b>  Access, internal circulation and on-site parking for service vehicles are designed and constructed: <ul style="list-style-type: none"> <li>(a) in accordance with relevant standards;</li> <li>(b) so that they do not interfere with the amenity of the surrounding area;</li> <li>(c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles.</li> </ul>	<b>A09.1</b>  Access driveways, vehicle manoeuvring and onsite parking for service vehicles are designed and constructed in accordance with AS2890.1 and AS2890.2.	<b>Complies with A09.1</b>  The proposed access driveway, including manoeuvring areas, would comply with the relevant Australian Standards.
	<b>A09.2</b>  Service and loading areas are contained fully within the site.	<b>Complies with A09.2</b>  The proposed development would be able to accommodate service and loading areas internally.



Performance outcomes	Acceptable outcomes	Applicant response
	<b>AO9.3</b> The movement of service vehicles and service operations are designed so they: <ul style="list-style-type: none"> <li>(a) do not impede access to parking spaces;</li> <li>(b) do not impede vehicle or pedestrian traffic movement.</li> </ul>	<b>Complies with AO9.3</b> The site has sufficient area to allow vehicles to manoeuvre through the site without impact on parking spaces or vehicle and pedestrian movement corridors.
<b>PO10</b> Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.	<b>AO10.1</b> 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: <ul style="list-style-type: none"> <li>(a) car wash;</li> <li>(b) child care centre;</li> <li>(c) educational establishment where for a school;</li> <li>(d) food and drink outlet, where including a drive through facility;</li> <li>(e) hardware and trade supplies, where including a drive-through facility;</li> <li>(f) hotel, where including a drive-through facility;</li> <li>(g) service station.</li> </ul>	<b>Not applicable</b> The proposed development does not require queuing and set down areas.
	<b>AO10.2</b> Queuing and set-down areas are designed and	<b>Not applicable</b> The proposed development does not require

Performance outcomes	Acceptable outcomes	Applicant response
	constructed in accordance with AS2890.1.	queuing and set down areas.

### 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 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	Applicant response
<b>Lighting</b>		
<b>PO1</b>	<b>AO1.1</b>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
Lighting incorporated within development does not cause an adverse impact on the amenity of adjacent uses and nearby sensitive land uses.	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.	No outdoor lighting is proposed.
	<b>AO1.2</b> Development that involves flood lighting is restricted to a type that gives no upward component of light where mounted horizontally.	<b>Not applicable</b> No outdoor lighting is proposed.
	<b>AO1.3</b> Access, car parking and manoeuvring areas are designed to shield nearby residential premises from impacts of vehicle headlights.	<b>Complies with AO1.3</b> The proposed access and carparking are separated from nearby residential premises by a minimum of 70 metres.
<b>Noise</b>		
<b>PO2</b> Potential noise generated from the development is avoided through design, location and operation of the activity.  Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.	<b>AO2.1</b> Development does not involve activities that would cause noise related environmental harm or nuisance;	<b>Complies with AO2.1</b> The proposed development would not involve activities that would cause noise related environmental harm or nuisance.
	or <b>AO2.2</b> Development ensures noise does not emanate from the site through the use of materials, structures and architectural features to not cause an adverse noise impact on adjacent uses.	
	<b>AO2.3</b> The design and layout of development ensures car parking areas avoid noise impacting directly on adjacent sensitive land uses through one or	<b>Complies with AO2.3</b> The proposed access and carparking are separated from nearby residential premises by a

Performance outcomes	Acceptable outcomes	Applicant response
	<p>more of the following:</p> <ul style="list-style-type: none"> <li>(a) car parking is located away from adjacent sensitive land uses;</li> <li>(b) car parking is enclosed within a building;</li> <li>(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;</li> <li>(d) buffered with dense landscaping.</li> </ul> <p>Editor's note - The <i>Environmental Protection (Noise) Policy 2008</i>, Schedule 1 provides guidance on acoustic quality objectives to ensure environmental harm (including nuisance) is avoided.</p>	minimum of 70 metres.
<b>Airborne particles and other emissions</b>		
<p><b>PO3</b></p> <p>Potential airborne particles and emissions generated from the development are avoided through design, location and operation of the activity.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p><b>AO3.1</b></p> <p>Development does not involve activities that will result in airborne particles or emissions being generated;</p> <p>or</p> <p><b>AO3.2</b></p> <p>The design, layout and operation of the development activity ensures that no airborne particles or emissions cause environmental harm or nuisance.</p> <p>Note - examples of activities which generally cause airborne particles include spray painting, abrasive blasting, manufacturing activities and car wash facilities.</p> <p>Examples of emissions include exhaust ventilation from basement or enclosed parking structures, air</p>	<p><b>Complies with AO3.2</b></p> <p>The proposed development would not involve activities that would create airborne particles or emissions being generated that would cause environmental harm.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>conditioning/refrigeration ventilation and exhaustion.</p> <p>The <i>Environmental Protection (Air) Policy 2008</i>, Schedule 1 provides guidance on air quality objectives to ensure environmental harm (including nuisance) is avoided.</p>	
<b>Odours</b>		
<p><b>PO4</b></p> <p>Potential odour causing activities associated with the development are avoided through design, location and operation of the activity.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p><b>AO4.1</b></p> <p>The development does not involve activities that create odorous emissions;</p> <p>or</p> <p><b>AO4.2</b></p> <p>The use does not result in odour that causes environmental harm or nuisance with respect to surrounding land uses.</p>	<p><b>Complies with AO4.1</b></p> <p>The proposed development would not involve the creation of odorous emissions.</p>
<b>Waste and recyclable material storage</b>		
<p><b>PO5</b></p> <p>Waste and recyclable material storage facilities are located and maintained to not cause adverse impacts on adjacent uses.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p><b>AO5.1</b></p> <p>The use ensures that all putrescent waste is stored in a manner that prevents odour nuisance and is disposed of at regular intervals.</p>	<p><b>Complies with AO5.1</b></p> <p>No putrescent waste would be generated by the proposed development.</p>
	<p><b>AO5.2</b></p> <p>Waste and recyclable material storage facilities are located, designed and maintained to not cause an adverse impact on users of the premises and adjacent uses through consideration of:</p> <p>(a) the location of the waste and recyclable material storage areas in relation to the noise and odour generated;</p>	<p><b>Complies with AO5.2</b></p> <p>Existing waste facilities are located within the existing shed and would be retained as part of the development.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>(b) the number of receptacles provided in relation to the collection, maintenance and use of the receptacles;</p> <p>(c) the durability of the receptacles, sheltering and potential impacts of local climatic conditions;</p> <p>(d) the ability to mitigate spillage, seepage or leakage from receptacles into adjacent areas and sensitive receiving waters and environments.</p> <p>Editor's note - the <i>Environmental Protection (Waste Management) Policy 2008</i> provides guidance on the design of waste containers (receptacles) to ensure environmental harm (including nuisance) is avoided.</p>	
<b>Sensitive land use activities</b>		
<p><b>PO6</b></p> <p>Sensitive land use activities are not established in areas which will receive potentially incompatible impacts on amenity from surrounding, existing development activities and land uses.</p>	<p><b>AO6.1</b></p> <p>Sensitive land use activities are not established in areas that will be adversely impacted upon by existing land uses, activities and potential development possible in an area;</p> <p>or</p> <p><b>AO6.2</b></p> <p>Sensitive land activities are located in areas where potential adverse amenity impacts mitigate all potential impacts through layout, design, operation and maintenance.</p>	<p><b>Not applicable</b></p> <p>No sensitive land uses activities are proposed.</p>
<b>Stormwater quality</b>		
<p><b>PO7</b></p> <p>The quality of stormwater flowing over, through or</p>	<p><b>AO7.1</b></p> <p>Development activities are designed to ensure</p>	<p><b>Complies with AO7.1</b></p> <p>There would be no change to the existing</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>being discharged from development activities into watercourses and drainage lines is of adequate 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>	<p>stormwater over roofed and hard stand areas is directed to a lawful point of discharge.</p>	<p>stormwater management regimes as a result of the development.</p>
	<p><b>AO7.2</b></p> <p>Development ensures movement of stormwater over the site is not impeded or directed through potentially polluting activities.</p>	<p><b>Complies with AO7.2</b></p> <p>There would be no change to the existing stormwater management regimes as a result of the development.</p>
	<p><b>AO7.3</b></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 <i>Environmental Protection Act 1994</i>.</p> <p>During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.</p>	<p><b>Not applicable</b></p> <p>No works are proposed that would cause sediment run-off or erosion.</p>
<b>Pest plants (for material change of use on vacant land over 1,000m<sup>2</sup>)</b>		
<p><b>PO8</b></p> <p>Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not reinfest the site or nearby sites.</p> <p>Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the <i>Land Protection (Pest and Stock Route Management) Act 2002</i>.</p>	<p><b>AO8.1</b></p> <p>The land is free of declared pest plants before development establishes new buildings, structures and practices;</p> <p>or</p> <p><b>AO8.2</b></p> <p>Pest plants detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person</p>	<p><b>Not applicable</b></p> <p>No pest plants have been identified in the site.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>prior to construction of buildings and structures or earthworks.</p> <p>Note - A declaration from an appropriately qualified person validates the land being free from pest plants.</p> <p>Declared pest plants include locally declared and Statedeclared pest plants.</p>	

## 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;
  - (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	Applicant Response
<b>For self-assessable and assessable development</b>		

Performance outcomes	Acceptable outcomes	Applicant Response
<b>Works on a local government road</b>		
<b>PO1</b> Works on a local government road do not adversely impact on footpaths or existing infrastructure within the road verge and maintain the flow, safety and efficiency of pedestrians, cyclists and vehicles.	<b>AO1.1</b> Footpaths/pathways are located in the road verge and are provided for the hierarchy of the road and located and designed and constructed in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	<b>Not applicable</b> No footpaths/pathways are required for the proposed development.
	<b>AO1.2</b> Kerb ramp crossovers are constructed in accordance with Planning scheme policy SC 5 – FNQROC Regional Development Manual.	<b>Not applicable</b> No kerb ramp crossovers are required for the proposed development.
	<b>AO1.3</b> New pipes, cables, conduits or other similar infrastructure required to cross existing footpaths: (a) are installed via trenchless methods; or (b) where footpath infrastructure is removed to install infrastructure, the new section of footpath is installed to the standard detailed in the Planning scheme policy SC5 – FNQROC Regional Development Manual, and is not less than a 1.2 metre section.	<b>Not applicable</b> No footpaths are provided at the site frontage.
	<b>AO1.4</b> Where existing footpaths are damaged as a result of development, footpaths are reinstated	<b>Not applicable</b> No footpaths are provided at the site frontage.

Performance outcomes	Acceptable outcomes	Applicant Response
	<p>ensuring:</p> <ul style="list-style-type: none"> <li>(a) similar surface finishes are used;</li> <li>(b) there is no change in level at joins of new and existing sections;</li> <li>(c) new sections are matched to existing in terms of dimension and reinforcement.</li> </ul> <p>Note – Figure 9.4.5.3.a provides guidance on meeting the outcomes.</p>	
	<p><b>AO1.5</b></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><b>Not applicable</b></p> <p>No structures are proposed in the road reserve.</p>
<b>Accessibility structures</b>		
<p><b>PO2</b></p> <p>Development is designed to ensure it is accessible for people of all abilities and accessibility features do not impact on the efficient and safe use of footpaths.</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><b>AO2.1</b></p> <p>Accessibility structures are not located within the road reserve.</p>	<p><b>Not applicable</b></p> <p>No accessibility structures are proposed.</p>
	<p><b>AO2.2</b></p> <p>Accessibility structures are designed in accordance with AS1428.3.</p>	<p><b>Not applicable</b></p> <p>No accessibility structures are proposed.</p>
	<p><b>AO2.3</b></p> <p>When retrofitting accessibility features in existing buildings, all structures and changes in grade are</p>	<p><b>Not applicable</b></p> <p>No accessibility structures are proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant Response
	contained within the boundaries of the lot and not within the road reserve.	
<b>Water supply</b>		
<b>PO3</b> An adequate, safe and reliable supply of potable, fire fighting and general use water is provided.	<b>AO3.1</b> 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; or <b>AO3.2</b> Where a reticulated water supply system is not available to the premises, on site water storage tank/s with a minimum capacity of 10,000 litres of stored water, with a minimum 7,500 litre tank, with the balance from other sources (e.g. accessible swimming pool, dam etc.) and access to the tank/s for fire trucks is provided for each new house or other development. Tank/s are to be fitted with a 50mm ball valve with a camlock fitting and installed and connected prior to occupation of the house and sited to be visually unobtrusive.	<b>Complies with AO3.2</b> The site is serviced by existing water tanks located to the north east of the existing large shed.
<b>Treatment and disposal of effluent</b>		
<b>PO4</b> Provision is made for the treatment and disposal of effluent to ensure that there are no adverse	<b>AO4.1</b> The site is connected to Council's sewerage system and the extension of or connection to the	<b>Complies with AO4.2</b> The site has an existing on-site effluent disposal



Performance outcomes	Acceptable outcomes	Applicant Response
impacts on water quality and no adverse ecological impacts as a result of the system or as a result of increasing the cumulative effect of systems in the locality.	<p>sewerage system is designed and constructed in accordance with the Design Guidelines set out in Section D7 of the Planning scheme policy SC5 – FNQROC Regional Development Manual;</p> <p>or</p> <p><b>AO4.2</b></p> <p>Where not in a sewerage scheme area, the proposed disposal system meets the requirements of Section 33 of the <i>Environmental Protection Policy (Water) 1997</i> and the proposed on site effluent disposal system is designed in accordance with the <i>Plumbing and Drainage Act (2002)</i>.</p>	system connected to the existing on-site toilets.
<b>Stormwater quality</b>		
<p><b>PO5</b></p> <p>Development is planned, designed, constructed and operated to avoid or minimise adverse impacts on stormwater quality in natural and developed catchments by:</p> <p>(a) achieving stormwater quality objectives;</p> <p>(b) protecting water environmental values;</p> <p>(c) maintaining waterway hydrology.</p>	<p><b>AO5.1</b></p> <p>A connection is provided from the premises to Council's drainage system;</p> <p>or</p> <p><b>AO5.2</b></p> <p>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><b>Not applicable</b></p> <p>No change is required or proposed to the existing on-site stormwater management regime.</p>
	<b>AO5.3</b>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant Response
	<p>A stormwater quality management plan is prepared, and provides for achievable stormwater quality treatment measures meeting design objectives listed in Table 9.4.5.3.b and Table 9.4.5.3.c, reflecting land use constraints, such as:</p> <ul style="list-style-type: none"> <li>(a) erosive, dispersive and/or saline soil types;</li> <li>(b) landscape features (including landform);</li> <li>(c) acid sulfate soil and management of nutrients of concern;</li> <li>(d) rainfall erosivity.</li> </ul>	<p>Due to no changes being proposed to the existing stormwater regime, a stormwater quality management plan is not required for this development.</p>
	<p><b>AO5.4</b></p> <p>Erosion and sediment control practices are designed, installed, constructed, monitored, maintained, and carried out in accordance with an erosion and sediment control plan.</p>	<p><b>Not applicable</b></p> <p>As no works are proposed as part of this development no erosion and sediment control practices are required.</p>
	<p><b>AO5.5</b></p> <p>Development incorporates stormwater flow control measures to achieve the design objectives set out in <b>Error! Reference source not found.</b> and REF_Ref481152094 \h \* MERGEFORMAT <b>Error! Reference source not found.</b>, including management of frequent flows, peak flows, and construction phase hydrological impacts.</p> <p>Note – Planning scheme policy SC5 – FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p>Note – During construction phases of development, contractors and builders are to have consideration in their</p>	<p><b>Not applicable</b></p> <p>Due to no changes being proposed to the existing stormwater regime, a stormwater quality management plan is not required for this development.</p>

Performance outcomes	Acceptable outcomes	Applicant Response
	work methods and site preparation for their environmental duty to protect stormwater quality.	
<b>Non-tidal artificial waterways</b>		
<b>PO6</b> Development involving non-tidal artificial waterways is planned, designed, constructed and operated to: <ul style="list-style-type: none"> <li>(a) protect water environmental values;</li> <li>(b) be compatible with the land use constraints for the site for protecting water environmental values;</li> <li>(c) be compatible with existing tidal and non-tidal waterways;</li> <li>(d) perform a function in addition to stormwater management;</li> <li>(e) achieve water quality objectives.</li> </ul>	<b>AO6.1</b> Development involving non-tidal artificial waterways ensures: <ul style="list-style-type: none"> <li>(a) environmental values in downstream waterways are protected;</li> <li>(b) any ground water recharge areas are not affected;</li> <li>(c) the location of the waterway incorporates low lying areas of the catchment connected to an existing waterway;</li> <li>(d) existing areas of ponded water are included.</li> </ul>	<b>Not applicable</b> No artificial waterways are proposed.
	<b>AO6.2</b> Non-tidal artificial waterways are located: <ul style="list-style-type: none"> <li>(a) outside natural wetlands and any associated buffer areas;</li> <li>(b) to minimise disturbing soils or sediments;</li> <li>(c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas.</li> </ul>	<b>Not applicable</b> No artificial waterways are proposed.
	<b>AO6.3</b>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant Response
	<p>Non-tidal artificial waterways located adjacent to, or connected to a tidal waterway by means of a weir, lock, pumping system or similar ensures:</p> <ul style="list-style-type: none"> <li>(a) there is sufficient flushing or a tidal range of &gt;0.3 m; or</li> <li>(b) any tidal flow alteration does not adversely impact on the tidal waterway; or</li> <li>(c) there is no introduction of salt water into freshwater environments.</li> </ul>	No artificial waterways are proposed.
	<p><b>AO6.4</b></p> <p>Non-tidal artificial waterways are designed and managed for any of the following end-use purposes:</p> <ul style="list-style-type: none"> <li>(a) amenity (including aesthetics), landscaping or recreation; or</li> <li>(b) flood management, in accordance with a drainage catchment management plan; or</li> <li>(c) stormwater harvesting plan as part of an integrated water cycle management plan; or</li> <li>(d) aquatic habitat.</li> </ul>	<p><b>Not applicable</b></p> <p>No artificial waterways are proposed.</p>
	<p><b>AO6.5</b></p> <p>The end-use purpose of the non-tidal artificial waterway is designed and operated in a way that protects water environmental values.</p>	<p><b>Not applicable</b></p> <p>No artificial waterways are proposed.</p>
	<p><b>AO6.6</b></p>	<p><b>Not applicable</b></p>

Performance outcomes	Acceptable outcomes	Applicant Response
	Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway.	No artificial waterways are proposed.
	<b>AO6.7</b> 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.	<b>Not applicable</b> No artificial waterways are proposed.
<b>Wastewater discharge</b>		
<b>PO7</b> Discharge of wastewater to waterways, or off site: (a) meets best practice environmental management; (b) is treated to: (i) meet water quality objectives for its receiving waters; (ii) avoid adverse impact on ecosystem health or waterway health; (iii) maintain ecological processes, riparian vegetation and waterway integrity; (iv) offset impacts on high ecological value waters.	<b>AO7.1</b> A wastewater management plan is prepared and addresses: (a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best practice environmental management.	<b>Not applicable</b> No wastewater would be discharged off-site.
	<b>AO7.2</b> The waste water management plan is managed in accordance with a waste management hierarchy that: (a) avoids wastewater discharge to waterways; or (b) if wastewater discharge cannot practicably be avoided, minimises wastewater discharge to waterways by re-use, recycling, recovery and	<b>Not applicable</b> No wastewater would be discharged off-site.

Performance outcomes	Acceptable outcomes	Applicant Response
	treatment for disposal to sewer, surface water and ground water.	
	<b>A07.3</b> Wastewater discharge is managed to avoid or minimise the release of nutrients of concern so as to minimise the occurrence, frequency and intensity of algal blooms.	<b>Not applicable</b> No wastewater would be discharged off-site.
	<b>A07.4</b> Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and: <ul style="list-style-type: none"> <li>(a) avoids lowering ground water levels where potential or actual acid sulfate soils are present;</li> <li>(b) manages wastewater so that:               <ul style="list-style-type: none"> <li>(i) the pH of any wastewater discharges is maintained between 6.5 and 8.5 to avoid mobilisation of acid, iron, aluminium and other metals;</li> <li>(ii) holding times of neutralised wastewater ensures the flocculation and removal of any dissolved iron prior to release;</li> <li>(iii) visible iron floc is not present in any discharge;</li> <li>(iv) precipitated iron floc is contained and disposed of;</li> <li>(v) wastewater and precipitates that cannot</li> </ul> </li> </ul>	<b>Not applicable</b> No wastewater would be discharged off-site..

Performance outcomes	Acceptable outcomes	Applicant Response
	be contained and treated for discharge on site are removed and disposed of through trade waste or another lawful method.	
<b>Electricity supply</b>		
<b>PO8</b> Development is provided with a source of power that will meet its energy needs.	<b>AO8.1</b> A connection is provided from the premises to the electricity distribution network; or <b>AO8.2</b> The premises is connected to the electricity distribution network in accordance with the Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual. Note - Areas north of the Daintree River have a different standard.	<b>Complies with AO8.1</b> The site is provided with an existing connection to the electricity distribution network.
	<b>AO9.1</b> Pad-mount electricity infrastructure is: (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.	<b>Not applicable</b> No pad mount infrastructure is proposed.
<b>PO9</b>	<b>AO9.2</b>	<b>Not applicable</b>



Performance outcomes	Acceptable outcomes	Applicant Response
Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.	Pad-mount electricity infrastructure within a building, in a Town Centre is designed and located to enable an active street frontage.  Note – Pad-mounts in buildings in activity centres should not be located on the street frontage.	No pad mount infrastructure is proposed.
<b>Telecommunications</b>		
<b>PO10</b> Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.	<b>AO10</b> The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.	<b>Able to comply with AO10</b> Telecommunications connections are available to the site via the fixed wireless network.
<b>PO11</b> Provision is made for future telecommunications services (e.g. fibre optic cable).	<b>AO11</b> Conduits are provided in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	<b>Not applicable</b> As no wired telecommunications infrastructure exists in the area of the site conduits for future telecommunications are not considered necessary.
<b>Road construction</b>		
<b>PO12</b> The road to the frontage of the premises is constructed to provide for the safe and efficient movement of:  (a) pedestrians and cyclists to and from the site;	<b>AO12.1</b> 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.	<b>Complies with AO12.1</b> Syndicate Road at the site frontage is a fully constructed and Council maintained road.

Performance outcomes	Acceptable outcomes	Applicant Response
(b) pedestrians and cyclists adjacent to the site; (c) vehicles on the road adjacent to the site; (d) vehicles to and from the site; (e) emergency vehicles.	<b>AO12.2</b> There is existing road, kerb and channel for the full road frontage of the site.	<b>Not applicable</b> Syndicate Road at the site frontage is a fully constructed and Council maintained road and does not require kerb and channel..
	<b>AO12.3</b> Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for the safe passage of emergency vehicles.	<b>Complies with AO12.3</b> The existing access on Syndicate road is able to accommodate access by emergency vehicles.
<b>Alterations and repairs to public utility services</b>		
<b>PO13</b> Infrastructure is integrated with, and efficiently extends, existing networks.	<b>AO13</b> Development is designed to allow for efficient connection to existing infrastructure networks.	<b>Not applicable</b> No changes to existing infrastructure networks are proposed.
<b>PO14</b> Development and works do not affect the efficient functioning of public utility mains, services or installations.	<b>AO14.1</b> Public utility mains, services and installations are not required to be altered or repaired as a result of the development; or <b>AO14.2</b> Public utility mains, services and installations are altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	<b>Complies with AO14.1</b> No alterations to the utility mains are required to facilitate the development.

Performance outcomes	Acceptable outcomes	Applicant Response
<b>Construction management</b>		
<b>PO15</b> Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be retained.	<b>AO15</b> Works include, at a minimum: (a) installation of protective fencing around retained vegetation during construction; (b) erection of advisory signage; (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.	<b>Not applicable</b> No works are proposed as a part of this development.
<b>PO16</b> Existing infrastructure is not damaged by construction activities.	<b>AO16</b> Construction, alterations and any repairs to infrastructure is undertaken in accordance with the Planning scheme policy SC5 – FNQROC Regional Development Manual.  Note - Construction, alterations and any repairs to State-controlled roads and rail corridors are undertaken in accordance with the Transport Infrastructure Act 1994.	<b>Able to comply with AO16</b> Any infrastructure damaged as a result of the proposed development would be repaired in accordance with FNQROC requirements.
<b>For assessable development</b>		
<b>High speed telecommunication infrastructure</b>		
<b>PO17</b>	<b>AO17</b>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant Response
Development provides infrastructure to facilitate the roll out of high speed telecommunications infrastructure.	No acceptable outcomes are prescribed.	The development site is within the fixed wireless telecommunications network no infrastructure is required.
<b>Trade waste</b>		
<b>PO18</b> Where relevant, the development is capable of providing for the storage, collection treatment and disposal of trade waste such that: (a) off-site releases of contaminants do not occur; (b) the health and safety of people and the environment are protected; (c) the performance of the wastewater system is not put at risk.	<b>AO18</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The proposed development would not produce trade waste.
<b>Fire services in developments accessed by common private title</b>		
<b>PO19</b> Hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	<b>AO19.1</b> Residential streets and common access ways within a common private title places hydrants at intervals of no more than 120 metres and at each intersection. Hydrants may have a single outlet and be situated above or below ground.	<b>Not applicable</b> No common private title is proposed.
	<b>AO19.2</b> Commercial and industrial streets and access ways within a common private title serving	<b>Not applicable</b> No common private title is proposed.

Performance outcomes	Acceptable outcomes	Applicant Response
	commercial properties such as factories and warehouses and offices are provided with above or below ground fire hydrants located at not more than 90 metre intervals and at each intersection. Above ground fire hydrants have dual-valved outlets.	
<b>PO20</b> Hydrants are suitable identified so that fire services can locate them at all hours.  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'.	<b>AO20</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> No common private title is proposed.

## 9.4.6 Landscaping code

### 9.4.4.1 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 (2).

### 9.4.4.2 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;
  - (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 9.4.4.3.a – Landscaping code –assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>Landscape design</b>		
<b>PO1</b> Development provides landscaping that contributes to and creates a high quality landscape character for the site, street and local areas of the Shire by: <ul style="list-style-type: none"> <li>(a) promoting the Shire’s character as a tropical environment;</li> <li>(b) softening the built form of development;</li> <li>(c) enhancing the appearance of the development from within and outside the development and makes a positive contribution to the streetscape;</li> <li>(d) screening the view of buildings, structures, open storage areas, service equipment, machinery plant and the like from public places, residences and other sensitive development;</li> <li>(e) where necessary, ensuring the privacy of habitable rooms and private outdoor recreation areas;</li> <li>(f) contributing to a comfortable living environment and improved energy efficiency, by providing shade to reduce glare and heat absorption and re-radiation from buildings,</li> </ul>	<b>AO1</b> Development provides landscaping: <ul style="list-style-type: none"> <li>(a) in accordance with the minimum area, dimensions and other requirements of applicable development codes;</li> <li>(b) that is designed and planned in a way that meets the guidelines for landscaping outlined in Planning Scheme Policy SC6.7 – Landscaping;</li> <li>(c) that is carried out and maintained in accordance with a landscaping plan that meets the guidelines for landscaping outlined in Planning Scheme Policy SC6.7 – Landscaping.</li> </ul> <p>Note - Planning scheme policy SC6.7 – Landscaping provides guidance on meeting the outcomes of this code. A landscape plan submitted for approval in accordance with the Planning policy is one way to achieve this outcome.</p>	<b>Complies with AO1</b> Please refer to assessment against the relevant benchmarks of other codes.



Performance outcomes	Acceptable outcomes	Applicant response
<p>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 natural features of the premises into the development;</p> <p>(k) not adversely affecting vehicular and pedestrian sightlines and road safety.</p>		
<b>For assessable development</b>		
<b>PO2</b> Landscaping contributes to a sense of place, is functional to the surroundings and enhances the streetscape and visual appearance of the development.	<b>AO2.1</b> No acceptable outcomes are specified. Note - Landscaping is in accordance with the requirements specified in Planning scheme policy SC6.7 – Landscaping.	<b>Not applicable</b> No landscaping is required or proposed for the development of a bulk landscape supplies use.
	<b>AO2.2</b> Tropical urbanism is incorporated into building design. Note – ‘Tropical urbanism’ includes many things such as green walls, green roofs, podium planting and vegetation incorporated into the design of a building.	<b>Not applicable</b> No new buildings are proposed.
<b>PO3</b> Development provides landscaping that is , as far as practical, consistent with the existing desirable landscape character of the area and protects trees, vegetation and other features of ecological,	<b>AO3.1</b> Existing vegetation on site is retained and incorporated into the site design, wherever possible, utilising the methodologies and principles outline in AS4970-2009 Protection of	<b>Complies with AO3.1</b> Existing vegetation on the site would be retained as part of the development.

Performance outcomes	Acceptable outcomes	Applicant response
recreational, aesthetic and cultural value.	Trees on Development Sites.	
	<b>AO3.2</b> Mature vegetation on the site that is removed or damaged during development is replaced with advanced species.	<b>Not applicable</b> No mature vegetation is proposed to be removed.
	<b>AO3.3</b> Where there is an existing landscape character in a street or locality which results from existing vegetation, similar species are incorporated into new development.	<b>Not applicable</b> There is no existing landscape character in the locality.
	<b>AO3.4</b> Street trees are species which enhance the landscape character of the streetscape, with species chosen from the Planning scheme policy SC6.7 – Landscaping.	<b>Not applicable</b> No street trees are proposed or are provided within the streetscape.
<b>PO4</b> Plant species are selected with consideration to the scale and form of development, screening, buffering, streetscape, shading and the locality of the area.	<b>AO4</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	<b>Not applicable</b> No landscaping is required or proposed for the development of a bulk landscape supplies use.
<b>PO5</b> Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal roadways.	<b>AO5</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	<b>Not applicable</b> Due to the informal nature of the car parking areas no defined car parking areas are proposed.
<b>PO6</b> Landscaped areas are designed in order to allow	<b>AO6.1</b> A maintenance program is undertaken in	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
for efficient maintenance.	accordance with Planning scheme policy SC6.7 – Landscaping.	No landscaping is required ort proposed.
	<b>AO6.2</b> Tree maintenance is to have regard to the 'Safe Useful Life Expectancy of Trees (SULE). Note – It may be more appropriate to replace trees with a SULE of less than 20 years (as an example), and replant with younger healthy species.	<b>Not applicable</b> No landscaping is required ort proposed.
<b>PO7</b> Podium planting is provided with appropriate species for long term survival and ease of maintenance, with beds capable of proper drainage.	<b>AO7.1</b> Podium planting beds are provided with irrigation and are connected to stormwater infrastructure to permit flush out.	<b>Not applicable</b> No podiums are proposed.
	<b>AO7.2</b> Species of plants are selected for long term performance designed to suit the degree of access to podiums and roof tops for maintenance.	<b>Not applicable</b> No podiums are proposed.
<b>PO8</b> Development provides for the removal of all weed and invasive species and implement on-going measures to ensure that weeds and invasive species do not reinfest the site and nearby premises.	<b>AO8</b> Weed and invasive species detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person.	<b>Not applicable</b> No weed species have been detected on the site.
<b>PO9</b> The landscape design enhances personal safety and reduces the potential for crime and vandalism.	<b>AO9</b> No acceptable outcomes are specified. Note - Planning scheme policy SC6.3 – Crime prevention through environmental design (CPTED) provides guidance on meeting this outcome.	<b>Not applicable</b> No additional landscaping is proposed.

Performance outcomes	Acceptable outcomes	Applicant response
<b>PO10</b> The location and type of plant species does not adversely affect the function and accessibility of services and facilities and service areas.	<b>AO10</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	<b>Not applicable</b> No additional landscaping is proposed.