



12.02.2023

Our Ref: 35437-003-01
Your Ref:

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

Attention: Planning & Environment

Dear Planners,

**Development Application for Operational Works (Excavation over 50m³)
6868 Captain Cook Highway, Killaloe – Lot 32 on SP332240**

Brazier Motti acts on behalf of the Applicants, J & V Noli Pty Ltd, in relation to the abovementioned.

On behalf of the Applicant we now submit to Douglas Shire Council an application seeking a Development Permit for Operational Works (Excavation over 50m³) for a Dam, on land located at 6868 Captain Cook Highway, Killaloe, precisely described as Lot 32 on SP332240.

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

The Site

The subject land is located at 6868 Captain Cook Highway, Killaloe. Figure 1 overleaf identifies the subject site and surrounding locality.

The subject site comprises a total land area of 88.11ha, with 1,550m of frontage to the Captain Cook Highway. The site contains a single agricultural shed, with the balance of the site comprised of cropping. A single access is provided to the site in the northernmost section of the road frontage.

Council infrastructure utilities such as reticulated water and sewerage are not provided to the site, with onsite water supply provided for agricultural and personal use. The site has access to both electricity and telecommunications.

The Title Search included in *Attachment B* confirms that the Applicants are the registered owners of the subject land. In accordance with section 51 of the *Planning Act*, written consent is not required when the applicants are also the registered owners of the premises. A current Survey Plan – SP332240 is also included in *Attachment B*, which identifies the bounds of the subject land.



Figure 1: Aerial Image of Site



Source: QLD Globe January 2023

Proposal

Approval of the Development Application will authorise a Development Permit for Operational Works (Excavation over 50m³) for an Agricultural Dam, as identified on the design plans prepared by Civil Walker, included within *Attachment E*.

The proposed dam will have an expected capacity of 10ML with a surface area of approximately 4,000m² (calculated at the surface level) and a depth of 4 metres from the natural ground surface. The water level of the dam would not exceed that of the existing drain as detailed within the Sectional Diagram of Civil Walker's Design Plan SK02. The internal batters of the dam will be constructed at a slope of 1 in 3.

Given the operational works is in relation to the ongoing agricultural function of the site, any excavated soil will be used for surface treatments around the dam with the balance to be used to redress areas of the subject parcel. No material will be imported/exported from the site.

Overland waterflow will be captured from the surrounding area along with a diversion from the existing drain. The outlet diversion will be located 10m from the eastern batter face of the dam with the existing drain remaining in place and in operation. Once the dam is filled, flow will bypass the diversion and continue down the existing drain.



As detailed in the plans prepared by Civil Walker all works associated with the dam are located outside of the Wetland Buffer and Mapped Waterways. The dam will be located in land currently utilised for agricultural purposes with no earthworks located with the existing drain, ensuring there is no disturbance to existing systems.

The relevant area of the subject site is identified as containing areas of land <5m AHD. The works onsite can be appropriately conditioned that monitoring of acid sulphate soils are to be undertaken during earthworks with management plans put in place prior to works occurring onsite.

Planning Act 2016 Considerations

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

Assessable Development	The proposed development constitutes assessable development under the Douglas Shire Planning Scheme 2018. Accordingly, pursuant to Section 44(3) of the Planning Act 2016 a development approval is required.
Assessment Manager	Pursuant to Schedule 8 of the <i>Planning Regulation 2017</i> the Assessment Manager for this development application is Douglas Shire Council.
Category of Assessment	The Douglas Shire Planning Scheme 2018 identifies that the proposed development is Code Assessable development.
Public Notification	The Application is Code Assessable, therefore, in accordance with section 53 of the <i>Planning Act 2016</i> public notification is not required.
Referrals	The proposal triggers referral for the following matter: <ul style="list-style-type: none">• Schedule 10, Part 9, Division 4, Table 5 – Operational Work on premises near a State Transport Corridor

Douglas Shire Council Planning Scheme v1.0

Under the Douglas Shire Council Planning Scheme v1.0 the site is included in the Rural Zone.

The proposal seeks approval for Operational Works. The Table of Assessment for the Rural Zone identifies that the highest level of assessment for the proposed development is Code Assessment.

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



Applicable Codes	Zone Code	<ul style="list-style-type: none">Rural Zone Code
	Overlay Codes	<ul style="list-style-type: none">Acid Sulfate Soils Overlay CodeCoastal Environment Overlay CodeFlood and Storm Tide Hazard Overlay CodeFlood and Storm Tide Hazard Overlay CodeNatural Areas Overlay Code
	Development Codes	<ul style="list-style-type: none">Environmental Performance CodeFilling and Excavation Code

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

Rural Zone Code

In accordance with the Douglas Shire Planning Scheme 2018, the site is located in the Rural Zone.

A detailed assessment against the code has been provided in *Attachment D*.

Acid Sulfate Soils Overlay Code

The mapping shows that the subject land is affected by the Acid Sulfate Soils Overlay. Accordingly, assessment against the Acid Sulfate Soils Overlay Code is applicable.

A detailed assessment against the code has been provided in *Attachment D*.

Coastal Environment Overlay Code

The applicable overlay mapping shows that the subject land is affected by the Coastal Environment Overlay. Accordingly, assessment against the Coastal Environment Overlay Code is applicable.

A detailed assessment against the code is therefore not considered necessary for a proposal of this nature.

Flood and Storm Tide Hazard Overlay Code

The applicable overlay mapping shows that the subject land is affected by the Flood and Storm Tide Hazard overlay. Accordingly, assessment against the Flood and Storm Tide Hazard Overlay Code is applicable.

A detailed assessment against the code has been provided in *Attachment D*.



Natural Areas Overlay Code

The applicable overlay mapping shows that the subject land is affected by the Natural Areas overlay. It is noted, however, that the area proposed for Operational Works is not burdened by the bounds of the applicable overlay.

A detailed assessment against the code is therefore not considered necessary for a proposal of this nature.

Environmental Performance Code

The applicable table of assessment for the Rural Zone depicts that the proposal must be assessed against the Environmental Performance Code.

A detailed assessment against the code has been provided in *Attachment D*.

Filling and Excavation Code

The applicable table of assessment for the Rural Zone depicts that the proposal must be assessed against the Filling and Excavation Code.

A detailed assessment against the code has been provided in *Attachment D*.

Conclusion

The abovementioned has demonstrated that the proposed Operational Works (Excavation over 50m³) on land located at 6868 Captain Cook Highway, precisely described as Lot 32 on SP332240 has been assessed against the relevant benchmarks of the Douglas Shire Planning Scheme 2018, and is considered to comply with the relevant provisions.

The proposed dam is considered appropriate for the site will no impacts on the surrounding properties or locality.

Accordingly, subject to the imposition of reasonable and relevant conditions, we request that Council issue a Development Permit for Operational Works (Excavation over 50m³) for a Dam, at 6868 Captain Cook Highway, Killaloe.

Supporting Documents

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

Attachment A:	DA Form 1;
Attachment B:	Title Search & Smartmap;
Attachment C:	State Code 1
Attachment D:	Planning Scheme Codes Assessment
Attachment E:	Design Plan prepared by Civil Walker



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

Yours Sincerely,

MICHAEL TESSARO
Senior Planner
Brazier Motti Pty Ltd

ATTACHMENT A

brazier motti



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)	J & V Noli Pty Ltd c/- Brazier Motti Pty Ltd
Contact name (only applicable for companies)	
Postal address (P.O. Box or street address)	PO Box 1185
Suburb	Cairns
State	QLD
Postcode	4870
Country	Australia
Contact number	4054 0400
Email address (non-mandatory)	Cns.planning@braziermotti.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	35437-003-01

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
		6868	Captain Cook Highway	Killaloe
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	32	SP332240	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

<input type="checkbox"/> In or adjacent to a water body or watercourse or in or above an aquifer	
Name of water body, watercourse or aquifer:	<input type="text"/>
<input type="checkbox"/> On strategic port land under the <i>Transport Infrastructure Act 1994</i>	
Lot on plan description of strategic port land:	<input type="text"/>
Name of port authority for the lot:	<input type="text"/>
<input type="checkbox"/> In a tidal area	
Name of local government for the tidal area (if applicable):	<input type="text"/>
Name of port authority for tidal area (if applicable):	<input type="text"/>
<input type="checkbox"/> On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>	
Name of airport:	<input type="text"/>

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

5) Are there any existing easements over the premises?

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

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

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

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

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

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

c) What is the level of assessment?

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

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

Operational Works for Excavation Greater than 50m³ (Dam)

e) Relevant plans

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

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

6.2) Provide details about the second development aspect

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

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

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

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

c) What is the level of assessment?

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

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

e) Relevant plans

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

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

6.3) Additional aspects of development

- ☐ Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application

- ☒ Not required

Section 2 – Further development details

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

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input type="checkbox"/> Yes			
<input type="checkbox"/> No			

Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?	
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 ²)	Lot on plan description	Area (m ²)
12.2) What is the reason for the boundary realignment?			

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

Division 3 – Operational work

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

14.1) What is the nature of the operational work?	
<input type="checkbox"/> Road work <input type="checkbox"/> Drainage work <input type="checkbox"/> Landscaping <input type="checkbox"/> Other – please specify:	<input type="checkbox"/> Stormwater <input checked="" type="checkbox"/> Earthworks <input type="checkbox"/> Signage <input type="checkbox"/> Water infrastructure <input type="checkbox"/> Sewage infrastructure <input type="checkbox"/> Clearing vegetation
14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)	
<input type="checkbox"/> Yes – specify number of new lots:	
<input checked="" type="checkbox"/> No	
14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)	
\$50,000	

PART 4 – ASSESSMENT MANAGER DETAILS

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

PART 5 – REFERRAL DETAILS

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

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

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

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

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

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

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

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

18) Has any referral agency provided a referral response for this development application?		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application		
<input checked="" 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

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

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. An ERA requires an environmental authority to operate. See 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 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 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 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 for further information.

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

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

Waterway barrier works

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

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

☒ No

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

Marine activities

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

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

☒ No

Note: See guidance materials at www.daf.qld.gov.au 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 and 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 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 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 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 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 for further information.

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

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

☒ Yes

Note: See the Planning Regulation 2017 for referral requirements

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

☐ Yes

☒ Not applicable

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

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

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☐ Yes

☒ Not applicable

25) Applicant declaration

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

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

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

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

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

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

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

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

Date received: Reference number(s):

Notification of engagement of alternative assessment manager

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

QLeave notification and payment

Note: For completion by assessment manager if applicable

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

ATTACHMENT B

brazier motti



Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	51276621	Search Date:	17/02/2023 13:50
Date Title Created:	07/03/2022	Request No:	43615254
Previous Title:	50083839, 50083840		

ESTATE AND LAND

Estate in Fee Simple

LOT 32 SURVEY PLAN 332240

Local Government: DOUGLAS

REGISTERED OWNER

Dealing No: 721507900 25/02/2022

J & V NOLI PTY LTD A.C.N. 629 557 928

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20364064 (POR 78)
Deed of Grant No. 20377027 (POR 79)
Deed of Grant No. 20587093 (POR 90)
2. EASEMENT No 721507917 25/02/2022 at 14:59
burdening the land to
LOT 31 ON SP332240 OVER
EASEMENT A ON SP332240

ADMINISTRATIVE ADVICES

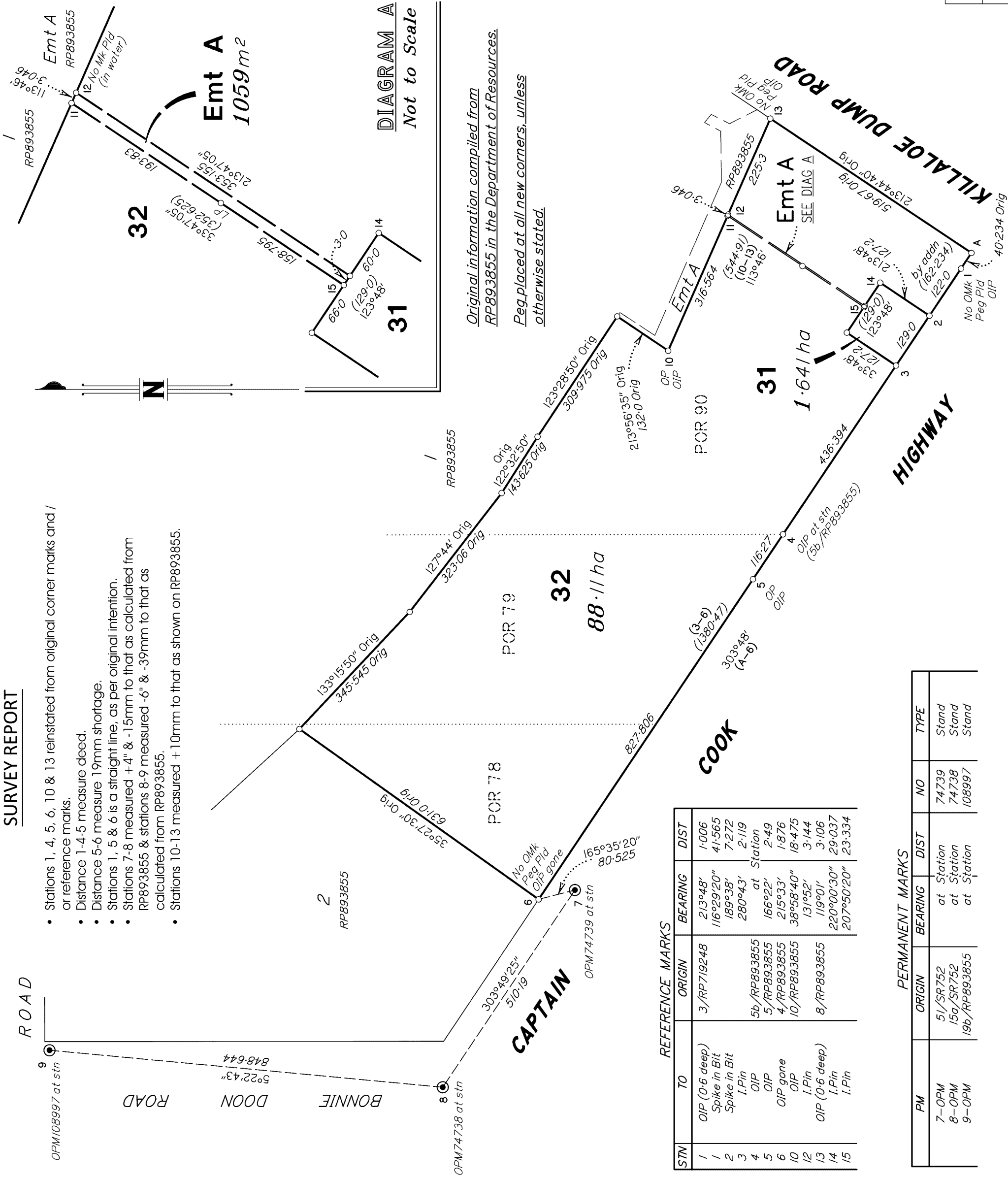
NIL

UNREGISTERED DEALINGS

NIL

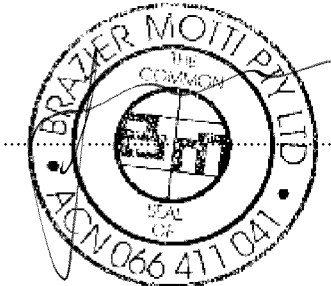
Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **



- SURVEY REPORT**
- Stations 1, 4, 5, 6, 10 & 13 reinstated from original corner marks and / or reference marks.
 - Distance 1-4-5 measure deed.
 - Distance 5-6 measure 19mm shortage.
 - Stations 1, 5 & 6 is a straight line, as per original intention.
 - Stations 7-8 measured +4" & -15mm to that as calculated from RP893855 & stations 8-9 measured -6" & -39mm to that as calculated from RP893855.
 - Stations 10-13 measured +10mm to that as shown on RP893855.

BRAZIER MOTTL PTY LTD. (ACN 066 411 041) hereby certify that the land comprised in this plan was surveyed by the corporation, by Peter Henry STENZEL, Surveying Associate, for whose work the corporation accepts responsibility, under the supervision of Steven Lee PRYOR, Cadastral Surveyor, and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 8th February, 2022.



Director

Date 10th Feb 2022

0m
0

400m
50mm

800m
100mm

1200m
150mm

State copyright reserved.

Scale: **1:8000**

Format: **STANDARD**

Plan of Lots 31 & 32 and Emt A in Lot 32

Cancelling Lots 3 & 4 on RP893855

LOCAL GOVERNMENT: **DOUGLAS SHIRE COUNCIL**

LOCALITY: **KILLALOE**

Meridian: **RP893855**

Survey Records: **No**

SP332240

WARNING : Folded or Mutilated Plans will not be accepted.
Plans may be rolled.
Information may not be placed in the outer margins.

Sheet
2

of
2

(Dealing No.)

4. Lodged by

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

I. Existing		Created		
Title Reference	Description	New Lots	Road	Secondary Interests
50083839 50083840	Lot 3 on RP893855 Lot 4 on RP893855	32 31 & 32	<div></div> <div></div>	<div></div> <div>Emt A</div>

6. Building Format Plans only.

I certify that :
* As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or road;
* Part of the building shown on this plan encroaches onto adjoining* lots and road

Cadastral Surveyor/Director*
*delete words not required

Date

7. Lodgement Fees :

Survey Deposit	\$
Lodgement	\$
.....New Titles	\$
Photocopy	\$
Postage	\$
TOTAL	\$

8. Insert Plan Number

SP332240

2. Orig Grant Allocation :

3. References :

Dept File :
Local Govt :
Surveyor : 35437/002-01 - 35437_002B.dwg - WCHO - 12/2021 VI

5. Passed & Endorsed :

By : BRAZIER MOTTI PTY LTD
Date : 10th Feb 2022
Signed : *Steven Lee Pryor*
Designation : Cadastral Surveyor

ATTACHMENT C

brazier motti



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

Table 1.1 Development in general

Performance outcomes	Acceptable outcomes	Response
Buildings, structures, infrastructure, services and utilities		
PO1 The location of the development does not create a safety hazard for users of the state-controlled road .	AO1.1 Development is not located in a state-controlled road . AND AO1.2 Development can be maintained without requiring access to a state-controlled road .	Complies PO1 The proposal is for Operational Works, pertaining to the construction of a dam. The development is not located in the state controlled road, and does not propose frequent access from the state-controlled road. The development does not place undue pressure on the existing transport network, therefore retaining the safety of users of the state-controlled road. No material will be entering or exiting the site.
PO2 The design and construction of the development does not adversely impact the structural integrity or physical condition of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Complies PO2 The proposal is for Operational Works, located toward the rear of the site. No works are proposed within the bounds of the state-controlled road, or buffer area. No changes to the structural integrity or physical condition of the state-controlled road or any transport infrastructure is proposed.
PO3 The location of the development does not obstruct road transport infrastructure or adversely impact the operating performance of the state-controlled road .	No acceptable outcome is prescribed.	Complies PO3 The proposal is for Operational Works, located toward the rear of the site. No works are proposed within the bounds of the state-controlled road, or buffer area. No changes to the operating performance of the state-controlled road is foreseen.
PO4 The location, placement, design and operation of advertising devices, visible from the state-controlled road , do not create a	No acceptable outcome is prescribed.	Not Applicable No advertising devices are proposed.

Performance outcomes	Acceptable outcomes	Response
safety hazard for users of the state-controlled road .		
PO5 The design and construction of buildings and structures does not create a safety hazard by distracting users of the state-controlled road .	<p>AO5.1 Facades of buildings and structures fronting the state-controlled road are made of non-reflective materials.</p> <p>AND</p> <p>AO5.2 Facades of buildings and structures do not direct or reflect point light sources into the face of oncoming traffic on the state-controlled road.</p> <p>AND</p> <p>AO5.3 External lighting of buildings and structures is not directed into the face of oncoming traffic on the state-controlled road.</p> <p>AND</p> <p>AO5.4 External lighting of buildings and structures does not involve flashing or laser lights.</p>	<p>Not Applicable</p> <p>No buildings or structures are proposed to facilitate the operational works.</p>
PO6 Road, pedestrian and bikeway bridges over a state-controlled road are designed and constructed to prevent projectiles from being thrown onto the state-controlled road .	AO6.1 Road, pedestrian and bikeway bridges over the state-controlled road include throw protection screens in accordance with section 4.11 of the Design Criteria for Bridges and Other Structures Manual, Department of Transport and Main Roads, 2020.	<p>Not Applicable</p> <p>No bridges are proposed to facilitate the operational works.</p>
Landscaping		
PO7 The location of landscaping does not create a safety hazard for users of the state-controlled road .	<p>AO7.1 Landscaping is not located in a state-controlled road.</p> <p>AND</p>	<p>Not Applicable</p> <p>No landscaping is proposed to facilitate the operational works.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AO7.2 Landscaping can be maintained without requiring access to a state-controlled road.</p> <p>AND</p> <p>AO7.3 Landscaping does not block or obscure the sight lines for vehicular access to a state-controlled road.</p>	
Stormwater and overland flow		
PO8 Stormwater run-off or overland flow from the development site does not create or exacerbate a safety hazard for users of the state-controlled road .	No acceptable outcome is prescribed.	<p>Complies PO8</p> <p>All stormwater from the development site drains toward the rear of the site, away from the state-controlled road. No safety hazards are exacerbated for users of the state-controlled road.</p>
PO9 Stormwater run-off or overland flow from the development site does not result in a material worsening of the operating performance of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	<p>Complies PO9</p> <p>All stormwater runoff and overland flow from the development site drains toward the rear of the site, away from the state controlled road. No worsening of the performance of the road or infrastructure is foreseen.</p>
PO10 Stormwater run-off or overland flow from the development site does not adversely impact the structural integrity or physical condition of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	<p>Complies PO10</p> <p>All stormwater runoff and overland flow from the development site drains toward the rear of the site, away from the state controlled road. No adverse impacts on the structural integrity of the road or infrastructure is foreseen.</p>
PO11 Development ensures that stormwater is lawfully discharged.	<p>AO11.1 Development does not create any new points of discharge to a state-controlled road.</p> <p>AND</p> <p>AO11.2 Development does not concentrate flows to a state-controlled road.</p> <p>AND</p>	<p>Complies AO11.1</p> <p>No points of discharge are proposed to the state-controlled road.</p> <p>Complies AO11.2</p> <p>All stormwater flows drain toward the rear of the site, away from the state controlled road.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AO11.3 Stormwater run-off is discharged to a lawful point of discharge.</p> <p>AND</p> <p>AO11.4 Development does not worsen the condition of an existing lawful point of discharge to the state-controlled road.</p>	<p>Complies AO11.3 The site contains an existing drainage channel. Stormwater run-off will continue to be discharged into the drainage channel.</p> <p>Not Applicable The development does not propose a point of discharge to the state controlled road.</p>
Flooding		
PO12 Development does not result in a material worsening of flooding impacts within a state-controlled road .	<p>AO12.1 For all flood events up to 1% annual exceedance probability, development results in negligible impacts (within +/- 10mm) to existing flood levels within a state-controlled road.</p> <p>AND</p> <p>AO12.2 For all flood events up to 1% annual exceedance probability, development results in negligible impacts (up to a 10% increase) to existing peak velocities within a state-controlled road.</p> <p>AND</p> <p>AO12.3 For all flood events up to 1% annual exceedance probability, development results in negligible impacts (up to a 10% increase) to existing time of submergence of a state-controlled road.</p>	<p>Complies AO12.1 The proposed Operational works are located within the rear of the site. All floodwaters drain toward the rear of the site. No impacts are foreseen as a result of the operational works.</p> <p>Complies AO12.2 As above. The development does not result in the alteration of any impacts within the state controlled road.</p> <p>Complies AO12.3 As above. The development does not result in the alteration of any impacts within the state controlled road.</p>
Drainage Infrastructure		
PO13 Drainage infrastructure does not create a safety hazard for users in the state-controlled road .	AO13.1 Drainage infrastructure is wholly contained within the development site, except at the lawful point of discharge .	Complies AO13.1 All drainage infrastructure is located within the site.

Performance outcomes	Acceptable outcomes	Response
	AND AO13.2 Drainage infrastructure can be maintained without requiring access to a state-controlled road .	Complies AO13.2 The site is accessed by the state controlled road. No drainage infrastructure is contained within the road, nor does the infrastructure require access to the state controlled road.
PO14 Drainage infrastructure associated with, or within, a state-controlled road is constructed, and designed to ensure the structural integrity and physical condition of existing drainage infrastructure and the surrounding drainage network.	No acceptable outcome is prescribed.	Not Applicable No drainage infrastructure is associated with or within the state controlled road.

Table 1.2 Vehicular access, road layout and local roads

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

Performance outcomes	Acceptable outcomes	Response
controlled road does not compromise the safety of users of the state-controlled road .		
PO20 New or changed access to a local road within 100 metres of an intersection with a state-controlled road does not adversely impact on the operating performance of the intersection.	No acceptable outcome is prescribed.	Not Applicable The development does not propose a new or changed access.
Public passenger transport and active transport		
PO21 Development does not compromise the safety of users of public passenger transport infrastructure, public passenger services and active transport infrastructure .	No acceptable outcome is prescribed.	Not Applicable The development does not include any public passenger or active transport infrastructure.
PO22 Development maintains the ability for people to access public passenger transport infrastructure, public passenger services and active transport infrastructure .	No acceptable outcome is prescribed.	Not Applicable The development does not include any public passenger or active transport infrastructure.
PO23 Development does not adversely impact the operating performance of public passenger transport infrastructure, public passenger services and active transport infrastructure .	No acceptable outcome is prescribed.	Not Applicable The development does not include any public passenger or active transport infrastructure.
PO24 Development does not adversely impact the structural integrity or physical condition of public passenger transport infrastructure and active transport infrastructure .	No acceptable outcome is prescribed.	Not Applicable The development does not include any public passenger or active transport infrastructure.

Table 1.3 Network impacts

Performance outcomes	Acceptable outcomes	Response
PO25 Development does not compromise the safety of users of the state-controlled road network.	No acceptable outcome is prescribed.	Complies PO25 The development pertains to the construction of a dam within the site. No further demand on the transport network will be created as a result of the operational works. The development therefore does not compromise the safety of users of the state controlled road network. No material will be entering or exiting the site during construction of the dam.

State Development Assessment Provisions v3.0

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

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Performance outcomes	Acceptable outcomes	Response
PO26 Development ensures no net worsening of the operating performance of the state-controlled road network.	No acceptable outcome is prescribed.	See response to PO25
PO27 Traffic movements are not directed onto a state-controlled road where they can be accommodated on the local road network.	No acceptable outcome is prescribed.	See response to PO25
PO28 Development involving haulage exceeding 10,000 tonnes per year does not adversely impact the pavement of a state-controlled road .	No acceptable outcome is prescribed.	See response to PO25
PO29 Development does not impede delivery of planned upgrades of state-controlled roads .	No acceptable outcome is prescribed.	See response to PO25
PO30 Development does not impede delivery of corridor improvements located entirely within the state-controlled road corridor .	No acceptable outcome is prescribed.	See response to PO25

Table 1.4 Filling, excavation, building foundations and retaining structures

Performance outcomes	Acceptable outcomes	Response
PO31 Development does not create a safety hazard for users of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Complies PO31 The proposal is for Operational works pertaining to the construction of a dam in the rear of the site. The development area is located approximately 400 metres from the state controlled road, therefore does not interfere with any physical aspect of the transport network.
PO32 Development does not adversely impact the operating performance of the state-controlled road .	No acceptable outcome is prescribed.	See response to PO31
PO33 Development does not undermine, damage or cause subsidence of a state-controlled road .	No acceptable outcome is prescribed.	See response to PO31
PO34 Development does not cause ground water disturbance in a state-controlled road .	No acceptable outcome is prescribed.	See response to PO31
PO35 Excavation, boring, piling, blasting and fill compaction do not adversely impact the physical condition or structural integrity of a state-	No acceptable outcome is prescribed.	See response to PO31

Performance outcomes	Acceptable outcomes	Response
controlled road or road transport infrastructure.		
PO36 Filling and excavation associated with the construction of new or changed access do not compromise the operation or capacity of existing drainage infrastructure for a state-controlled road .	No acceptable outcome is prescribed.	See response to PO31

Table 1.5 Environmental emissions

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

Performance outcomes	Acceptable outcomes	Response
Reconfiguring a lot		
Involving the creation of 5 or fewer new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor		
PO37 Development minimises free field noise intrusion from a state-controlled road .	AO37.1 Development provides a noise barrier or earth mound which is designed, sited and constructed: <ol style="list-style-type: none"> 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1); 2. in accordance with: <ol style="list-style-type: none"> a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. <p>OR</p>	Not Applicable The development does not generate noise.

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

Performance outcomes	Acceptable outcomes	Response
	where it is not practical to provide a noise barrier or earth mound.	
Material change of use (accommodation activity)		
Ground floor level requirements adjacent to a state-controlled road or type 1 multi-modal corridor		
PO39 Development minimises noise intrusion from a state-controlled road in private open space .	<p>AO39.1 Development provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.2) for private open space at the ground floor level; 2. in accordance with: <ol style="list-style-type: none"> a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. <p>OR</p> <p>AO39.2 Development achieves the maximum free field acoustic level in reference table 2 (item 2.2) for private open space by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p>	Not Applicable
PO40 Development (excluding a relevant residential building or relocated building) minimises noise intrusion from a state-controlled road in habitable rooms at the facade.	AO40.1 Development (excluding a relevant residential building or relocated building) provides a noise barrier or earth mound which is designed, sited and constructed:	Not Applicable

Performance outcomes	Acceptable outcomes	Response
	<ol style="list-style-type: none"> 1. to achieve the maximum building façade acoustic level in reference table 1 (item 1.1) for habitable rooms; 2. in accordance with: <ol style="list-style-type: none"> a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. <p>OR</p> <p>AO40.2 Development (excluding a relevant residential building or relocated building) achieves the maximum building façade acoustic level in reference table 1 (item 1.1) for habitable rooms by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p>	
PO41 Habitable rooms (excluding a relevant residential building or relocated building) are designed and constructed using materials to achieve the maximum internal acoustic level in reference table 3 (item 3.1).	No acceptable outcome is provided.	Not Applicable
Above ground floor level requirements (accommodation activity) adjacent to a state-controlled road or type 1 multi-modal corridor		
PO42 Balconies, podiums, and roof decks include: <ol style="list-style-type: none"> 1. a continuous solid gap-free structure or balustrade (excluding gaps required for drainage purposes to comply with the Building Code of Australia); 	No acceptable outcome is provided.	Not Applicable

Performance outcomes	Acceptable outcomes	Response
2. highly acoustically absorbent material treatment for the total area of the soffit above balconies, podiums, and roof decks.		
PO43 Habitable rooms (excluding a relevant residential building or relocated building) are designed and constructed using materials to achieve the maximum internal acoustic level in reference table 3 (item 3.1).	No acceptable outcome is provided.	Not Applicable
Material change of use (other uses)		
Ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor		
PO44 Development: 1. provides a noise barrier or earth mound that is designed, sited and constructed: a. to achieve the maximum free field acoustic level in reference table 2 (item 2.3) for all outdoor education areas and outdoor play areas ; b. in accordance with: i. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; ii. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; iii. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or 2. achieves the maximum free field acoustic level in reference table 2 (item 2.3) for all outdoor education areas and outdoor play areas by alternative noise attenuation measures where it is not	No acceptable outcome is provided.	Not Applicable

Performance outcomes	Acceptable outcomes	Response
practical to provide a noise barrier or earth mound.		
PO45 Development involving a childcare centre or educational establishment : <ol style="list-style-type: none"> provides a noise barrier or earth mound that is designed, sited and constructed: to achieve the maximum building facade acoustic level in reference table 1 (item 1.2); in accordance with: <ol style="list-style-type: none"> Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or achieves the maximum building facade acoustic level in reference table 1 (item 1.2) by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound. 	No acceptable outcome is provided.	Not Applicable
PO46 Development involving: <ol style="list-style-type: none"> indoor education areas and indoor play areas; or sleeping rooms in a childcare centre; or patient care areas in a hospital achieves the maximum internal acoustic level in reference table 3 (items 3.2-3.4). 	No acceptable outcome is provided.	Not Applicable
Above ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor		

Performance outcomes	Acceptable outcomes	Response
PO47 Development involving a childcare centre or educational establishment which have balconies, podiums or elevated outdoor play areas predicted to exceed the maximum free field acoustic level in reference table 2 (item 2.3) due to noise from a state-controlled road are provided with: <ol style="list-style-type: none"> 1. a continuous solid gap-free structure or balustrade (excluding gaps required for drainage purposes to comply with the Building Code of Australia); 2. highly acoustically absorbent material treatment for the total area of the soffit above balconies or elevated outdoor play areas. 	No acceptable outcome is provided.	Not Applicable
PO48 Development including: <ol style="list-style-type: none"> 1. indoor education areas and indoor play areas in a childcare centre or educational establishment; or 2. sleeping rooms in a childcare centre; or 3. patient care areas in a hospital located above ground level, is designed and constructed to achieve the maximum internal acoustic level in reference table 3 (items 3.2-3.4). 	No acceptable outcome is provided.	Not Applicable
Air, light and vibration		

Performance outcomes	Acceptable outcomes	Response
PO49 Private open space, outdoor education areas and outdoor play areas are protected from air quality impacts from a state-controlled road .	<p>AO49.1 Each dwelling or unit has access to a private open space which is shielded from a state-controlled road by a building, solid gap-free fence, or other solid gap-free structure.</p> <p>OR</p> <p>AO49.2 Each outdoor education area and outdoor play area is shielded from a state-controlled road by a building, solid gap-free fence, or other solid gap-free structure.</p>	Not Applicable
PO50 Patient care areas within hospitals are protected from vibration impacts from a state-controlled road or type 1 multi-modal corridor .	<p>AO50.1 Hospitals are designed and constructed to ensure vibration in the patient treatment area does not exceed a vibration dose value of $0.1\text{m/s}^{1.75}$.</p> <p>AND</p> <p>AO50.2 Hospitals are designed and constructed to ensure vibration in the ward of a patient care area does not exceed a vibration dose value of $0.4\text{m/s}^{1.75}$.</p>	Not Applicable
<p>PO51 Development is designed and sited to ensure light from infrastructure within, and from users of, a state-controlled road or type 1 multi-modal corridor, does not:</p> <ol style="list-style-type: none"> 1. intrude into buildings during night hours (10pm to 6am); 2. create unreasonable disturbance during evening hours (6pm to 10pm). 	No acceptable outcomes are prescribed.	Not Applicable

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

Performance outcomes	Acceptable outcomes	Response
PO52 Development does not impede delivery of a future state-controlled road .	<p>AO52.1 Development is not located in a future state-controlled road.</p> <p>OR ALL OF THE FOLLOWING APPLY:</p> <p>AO52.2 Development does not involve filling and excavation of, or material changes to, a future state-controlled road.</p> <p>AND</p> <p>AO52.3 The intensification of lots does not occur within a future state-controlled road.</p> <p>AND</p> <p>AO52.4 Development does not result in the landlocking of parcels once a future state-controlled road is delivered.</p>	Not Applicable
PO53 The location and design of new or changed access does not create a safety hazard for users of a future state-controlled road .	AO53.1 Development does not include new or changed access to a future state-controlled road .	Not Applicable
PO54 Filling, excavation, building foundations and retaining structures do not undermine, damage or cause subsidence of a future state-controlled road .	No acceptable outcome is prescribed.	Not Applicable
PO55 Development does not result in a material worsening of stormwater, flooding, overland flow or drainage impacts in a future state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Not Applicable
PO56 Development ensures that stormwater is lawfully discharged.	AO56.1 Development does not create any new points of discharge to a future state-controlled road .	Not Applicable

Performance outcomes	Acceptable outcomes	Response
	<p>AND</p> <p>AO56.2 Development does not concentrate flows to a future state-controlled road.</p> <p>AND</p> <p>AO56.3 Stormwater run-off is discharged to a lawful point of discharge.</p> <p>AND</p> <p>AO56.4 Development does not worsen the condition of an existing lawful point of discharge to the future state-controlled road.</p>	

ATTACHMENT D

brazier motti



Rural zone code

Application

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

Purpose

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

Criteria for assessment

Table Error! No text of specified style in document..a – Rural zone code assessable development

Performance outcomes	Acceptable outcomes	Response
For self-assessable and assessable development		
PO1 The height of buildings is compatible with the rural character of the area and must not detrimentally impact on visual landscape amenity.	AO1.1 Dwelling houses are not more than 8.5 metres in height. Note – Height is inclusive of roof height. AO1.2	Not Applicable The proposal is for Operational Works (Excavation more than 50m ³) pertaining to the construction of a dam. Not Applicable

Performance outcomes	Acceptable outcomes	Response
	Rural farm sheds and other rural structures are not more than 10 metres in height.	The proposal is for Operational Works (Excavation more than 50m ³) pertaining to the construction of a dam.
Setbacks		
PO2 Buildings and structures are setback to maintain the rural character of the area and achieve separation from buildings on adjoining properties.	AO2 Buildings are setback not less than: (a) 40 metres from the property boundary and a State-controlled road; 25 metres from the property boundary adjoining Cape Tribulation Road; 20 metres from the boundary with any other road; 6 metres from side and rear property boundaries.	Not Applicable The proposal is for Operational Works (Excavation more than 50m ³) pertaining to the construction of a dam.
PO3 Buildings/structures are designed to maintain the rural character of the area.	AO3 White and shining metallic finishes are avoided on external surfaces of buildings.	Not Applicable The proposal is for Operational Works (Excavation more than 50m ³) pertaining to the construction of a dam.
For assessable development		
PO4 The establishment of uses is consistent with the outcomes sought for the Rural zone and protects the zone from the intrusion of inconsistent uses.	AO4 Uses identified in Error! Reference source not found. are not established in the Rural zone.	Not Applicable The proposal is for Operational Works (Excavation more than 50m ³) pertaining to the construction of a dam.
PO5 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 promote low impact tourist activities based on the appreciation of the rural character, landscape and rural activities; or are compatible with rural activities.	AO5 No acceptable outcomes are prescribed.	Complies PO5 The proposal is for Operational Works pertaining to the construction of a dam. The dam is proposed for agricultural use, considered entirely compatible with current rural activities.
PO6 Existing native vegetation along watercourses and in, or adjacent to areas of environmental value, or areas of remnant vegetation of value is protected.	AO6 No acceptable outcomes are prescribed.	Complies PO6 No native vegetation is to be removed or obstructed as part of the proposal.
PO7	AO7	Not Applicable

Performance outcomes	Acceptable outcomes	Response
<p>The minimum lot size is 40 hectares, unless</p> <p>(a) the lot reconfiguration results in no additional lots (e.g. amalgamation, boundary realignments to resolve encroachments); or</p> <p>the reconfiguration is limited to one additional lot to accommodate:</p> <p>(i) Telecommunications facility;</p> <p>Utility installation.</p>	<p>No acceptable outcomes are prescribed.</p>	<p>The proposal is for Operational Works (Excavation more than 50m³) pertaining to the construction of a dam.</p>

Acid sulfate soils overlay code

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.

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.
- (2) 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 Error! No text of specified style in document..a – Acid sulfate soils overlay code – assessable development

Performance outcomes	Acceptable outcomes	Response
For assessable development		
PO1 The extent and location of potential or actual acid sulfate soils is accurately identified.	AO1.1 No excavation or filling occurs on the site. or AO1.2 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.	Complies AO1.2 The proposal is for Operational Works, pertaining to the construction of a Dam. The relevant section of the subject site to be disturbed is identified as containing areas of <5m AHD. It can be appropriately condition that monitoring of acid sulphate soils are to be undertaken during construction works.

Performance outcomes	Acceptable outcomes	Response
<p>PO2 Development avoids disturbing potential acid sulfate soils or actual acid sulfate soils, or is managed to avoid or minimise the release of acid and metal contaminants.</p>	<p>AO2.1 The disturbance of potential acid sulfate soils or actual acid sulfate soils is avoided by: (a) not excavating, or otherwise removing, soil or sediment identified as containing potential or actual acid sulfate soils; not permanently or temporarily extracting groundwater that results in the aeration of previously saturated acid sulfate soils; not undertaking filling that results in: actual acid sulfate soils being moved below the water table; previously saturated acid sulfate soils being aerated.</p> <p>or</p> <p>AO2.2 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: (a) neutralising existing acidity and preventing the generation of acid and metal contaminants; preventing the release of surface or groundwater flows containing acid and metal contaminants into the environment; preventing the in situ oxidation of potential acid sulfate soils and actual acid sulfate soils through ground water level management; appropriately treating acid sulfate soils before disposal occurs on or off site; documenting strategies and reporting requirements in an acid sulfate soils environmental management plan.</p>	<p>Complies AO2.2 The subject site is identified as containing areas of >5m AHD. The disturbance of acid sulfate soils will be monitored during construction works with appropriate management plan put in place.</p>

Performance outcomes	Acceptable outcomes	Response
	Note - Planning scheme policy SC 6.12 – Acid sulfate soils provides guidance on preparing an acid sulfate soils management plan.	
P03 No environmental harm is caused as a result of exposure to potential acid sulfate soils or actual acid sulfate soils.	A03 No acceptable outcomes are prescribed.	Complies P03 The subject site is identified as containing areas of Acid Sulfate Soils. Monitoring of acid sulphate soils are to be undertaken during construction works in accordance with the acid sulfate soils management plan. No environmental harm will be caused as a result to the disturbance of soils.

Coastal environment overlay code

Application

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

Purpose

- (1) The purpose of the Coastal environment overlay code is to:
 - (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
 - (ii) Theme 2 Environment and landscape values: Element 3.5.4 Coastal zones;
 - (iii) Theme 3 Natural resource management: Element 3.6.2 Land and catchment management.
 - (b) enable an assessment of whether development is suitable on land within the Coastal processes sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) facilitate the protection of both coastal processes and coastal resources;
 - (b) facilitating coastal dependent development on the foreshore over other development;
 - (c) public access to the foreshore protects public safety;
 - (d) maintain the erosion prone area as a development free buffer zone (other than for coastal dependent, temporary or relocatable development);
 - (e) require redevelopment of existing permanent buildings or structures in an erosion prone area to avoid coastal erosion risks, manage coastal erosion risks through a strategy of planned retreat or mitigate coastal erosion risks;
 - (f) require development to maintain or enhance natural processes and the protective function of landforms and vegetation that can mitigate risks associated with coastal erosion;
 - (g) locate and design community infrastructure to maintain the required level of functionality during and immediately after a coastal hazard event.

Criteria for assessment

Table Error! No text of specified style in document..a – Coastal environment overlay code – self-assessable and assessable development

Performance outcomes		Acceptable outcomes	
For self-assessable and assessable development			
PO1 No works other than coastal protection works extend seaward of the coastal building line.	AO1.1 Development (including all buildings and other permanent structures such as swimming pools and retaining walls) does	Not Applicable No buildings or permanent structures are proposed.	

Performance outcomes	Acceptable outcomes	
	<p>not extend seaward of a coastal building line.</p> <p>Note – Coastal building lines are declared under the Coastal Protection and Management Act 1995 and are administered by the State Department of Environment and Heritage Protection.</p> <p>AO1.2 Coastal protection works are only undertaken as a last resort where coastal erosion presents an immediate threat to public safety or existing buildings or structures and the property cannot be relocated or abandoned.</p> <p>AO1.3 Coastal protection works are as far landward as practicable on the lot containing the property to the maximum extent reasonable.</p> <p>AO1.4 Coastal protection work mitigates any increase in the coastal hazard.</p>	<p>Not Applicable The proposal is for Operational Works pertaining to a dam. No coastal protection works are proposed.</p> <p>Not Applicable The proposal is for Operational Works pertaining to a dam. No coastal protection works are proposed.</p> <p>Not Applicable The proposal is for Operational Works pertaining to a dam. No coastal protection works are proposed.</p>
<p>PO2 Where a coastal building line does not exist on a lot fronting the coast or a reserve adjoining the coast, development is setback to maintain the amenity and use of the coastal resource.</p>	<p>AO2 Where a coastal building line does not exist on a lot fronting the coast or a reserve adjoining the coast, development (including all buildings and structures such as swimming pools) and retaining walls are set back not less than 6 metres from the seaward boundary of the lot.</p>	<p>Not Applicable The proposal is for Operational Works pertaining to a dam. No buildings or structures are proposed.</p>
For assessable development		
Erosion prone areas		
<p>PO3 Development identifies erosion prone areas (coastal hazards).</p>	<p>AO3 No acceptable outcomes are prescribed.</p>	<p>Complies PO3 The subject land is located away from the coastline. The establish of an agricultural land will not be impacted on.</p>
<p>PO4 Erosion prone areas are free from development to allow for natural coastal processes.</p>	<p>AO4.1 Development is not located within the Erosion prone area, unless it can be demonstrated that the development is for: (a) community infrastructure where no suitable</p>	<p>Complies AO4.1 The proposed Operational Works are proposed within an area identified as erosion prone. The development will result in the construction of a small agricultural dam,</p>

Performance outcomes	Acceptable outcomes	
	<p>alternative location or site exists for this infrastructure; or development that reflects the preferred development outcomes in accordance with the zoning of the site (i.e. in the Low density residential zone, a dwelling house is a preferred development outcome in accordance with the zoning of the site)</p> <p>AO4.2 Development involving existing permanent buildings and structures within an erosion prone area does not increase in intensity of its use by: (a) adding additional buildings or structures; or incorporating a land use that will result in an increase in the number of people or employees occupying the site.</p>	<p>contributing to development outcomes preferred for the Rural Zone (agriculture).</p> <p>Not Applicable The development does not utilise any existing permanent buildings or structures within the erosion prone area.</p>
Coastal management districts		
<p>PO5 Natural processes and protective functions of landforms and vegetation are maintained.</p>	<p>PO5.1 Development within the coastal management district: (a) maintains vegetation on coastal land forms where its removal or damage may: (i) destabilise the area and increase the potential for coastal erosion, or interrupt the natural sediment trapping processes or dune or land building processes; maintains sediment volumes of dunes and near-shore coastal landforms, or where a reduction in sediment volumes cannot be avoided, increased risks to development from coastal erosion are mitigated by location, design and construction and operating standards; minimises the need for erosion control structures or</p>	<p>Not Applicable The site is not located within a coastal management district.</p>

Performance outcomes	Acceptable outcomes	
	<p>riverine hardening through location, design and construction standards;</p> <p>maintains physical coastal processes outside the development footprint for the development, including longshore transport of sediment along the coast;</p> <p>reduces the risk of shoreline erosion for areas adjacent to the development footprint to the maximum extent feasible in the case of erosion control structures.</p> <p>PO5.2 Where development proposes the construction of an erosion control structure:</p> <p>(a) it is demonstrated that it is the only feasible option for protecting permanent structures from coastal erosion; and</p> <p>those permanent structures cannot be abandoned or relocated in the event of coastal erosion occurring.</p> <p>PO5.3 Development involving reclamation:</p> <p>(a) does not alter, or otherwise minimises impacts on, the physical characteristics of a waterway or the seabed near the reclamation, including flow regimes, hydrodynamic forces, tidal water and riverbank stability;</p> <p>is located outside active sediment transport area, or otherwise maintains sediment transport processes as close as possible to their natural state;</p> <p>ensures activities associated with the operation of the development maintain the structure and condition of vegetation communities and avoid wind and water run-off erosion.</p>	<p>Not Applicable The site is not located within a coastal management district.</p> <p>Not Applicable The site is not located within a coastal management district.</p>

Performance outcomes	Acceptable outcomes	
<p>PO6 Development avoids or minimises adverse impacts on coastal resources and their values to the maximum extent reasonable.</p>	<p>AO6.1 Coastal protection work that is in the form of beach nourishment uses methods of placement suitable for the location that do not interfere with the long-term use of the locality, or natural values within or neighbouring the proposed placement site.</p> <p>and</p> <p>AO6.2 Marine development is located and designed to expand on or redevelop existing marine infrastructure unless it is demonstrated that it is not practicable to co-locate the development with existing marine infrastructure;</p> <p>and</p> <p>AO6.3 Measures are incorporated as part of siting and design of the development to maintain or enhance water quality to achieve the environmental values and water quality objectives outlined in the Environmental Protection (Water) Policy 2009.</p> <p>and</p> <p>AO6.4 Development avoids the disturbance of acid sulfate soils, or where it is demonstrated that this is not possible, the disturbance of acid sulfate soils is carefully managed to minimise and mitigate the adverse effects of disturbance on coastal resources.</p> <p>and</p> <p>AO6.4 Design and siting of development protects and retains identified ecological values and underlying</p>	<p>Not Applicable The proposal does not include coastal protection work.</p> <p>Not Applicable The proposal does not constitute marine development.</p> <p>Not Applicable The proposal does not constitute marine development.</p> <p>Not Applicable The development site is not located within the coastal management district.</p> <p>Not Applicable The development site is not located within the coastal management district.</p>

Performance outcomes	Acceptable outcomes	
	ecosystem processes within the development site to the greatest extent practicable.	
P07 Development is to maintain access to and along the foreshore for general public access.	A07.1 Development provides for regular access points for pedestrians including approved walking tracks, boardwalks and viewing platforms. and A07.2 Development provides for regular access points for vehicles including approved roads and tracks. or A07.3 Development demonstrates an alternative solution to achieve an equivalent standard of performance.	Not Applicable The development site is not located within the coastal management district. Not Applicable The development site is not located within the coastal management district. Not Applicable The development site is not located within the coastal management district.
P08 Public access to the coast is appropriately located, designed and operated.	A08.1 Development maintains or enhances public access to the coast. or A08.2 Development is located adjacent to state coastal land or tidal water and minimises and offsets any loss of access to and along the foreshore within 500 metres. or A08.3 Development adjacent to state coastal land or tidal water demonstrates an alternative solution to achieve an equivalent standard and quality of access.	Not Applicable The development site is not located within the coastal management district. Not Applicable The development site is not located within the coastal management district. Not Applicable The development site is not located within the coastal management district.
P09 Development adjacent to state coastal land or tidal water is located, designed and operated to: (a) maintain existing access to and along the foreshore;	A09.1 Development adjacent to state coastal land or tidal water: (a) demonstrates that restrictions to public access are necessary for:	Not Applicable The development site is not located within the coastal management district.

Performance outcomes	Acceptable outcomes	
<p>minimise any loss of access to and along the foreshore, or offset any loss of access to and along the foreshore by providing for enhanced alternative access in the general location.</p>	<p>(i) the safe and secure operation of development; the maintenance of coastal landforms and coastal habitat; or</p> <p>(a) maintains public access (including public access infrastructure that has been approved by the local government or relevant authority) through the site to the foreshore for:</p> <p>(i) pedestrians via access points including approved walking tracks, boardwalks and viewing platforms; vehicles via access points including approved roads or tracks.</p> <p>AO9.2 Development adjacent to state coastal land or tidal water:</p> <p>(a) is located and designed to:</p> <p>(i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, for example through the provision of esplanades or easement corridors to preserve future access;</p> <p>ensure emergency vehicles can access the area near the development.</p> <p>or</p> <p>(a) minimises and offsets any loss of access to and along the foreshore within 500m of existing access points and development is located and designed to:</p> <p>(i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, and</p> <p>ensure emergency vehicles can access</p>	<p>Not Applicable The development site is not located within the coastal management district.</p>

Performance outcomes	Acceptable outcomes	
	the area near the development.	
AO10 Development that involves reconfiguring a lot for urban purposes adjacent to the coast is designed to ensure public access to the coast in consideration of public access demand from a whole-of-community basis and the maintenance of coastal landforms and coastal habitat.	AO10.1 Development complies if consideration of public access demand from a whole-of-community basis and the maintenance of coastal landforms and coastal habitat is undertaken. or AO10.2 Development demonstrates an alternative solution to achieve an equivalent standard and quality of access.	Not Applicable The development site is not located within the coastal management district. Not Applicable The development site is not located within the coastal management district.
PO11 Development maintains public access to State coastal land by avoiding private marine development attaching to, or extending across, non-tidal State coastal land.	AO11 Private marine access structures and other structures such as decks or boardwalks for private use do not attach to or extend across State coastal land that is situated above high water mark	Not Applicable The development site is not located within the coastal management district.
PO12 Development in connection with an artificial waterway enhances public access to coastal waters.	AO12 The artificial waterway avoids intersecting with or connection to inundated land or leased land where the passage, use or movement of vessels in water on the land could be restricted or prohibited by the registered proprietor of the inundated land or leased land.	Not Applicable The development site is not located within the coastal management district.
Coastal landscapes, views and vistas		
PO13 Development maintains and / or enhances natural coastal landscapes, views and vistas.	AO13 No acceptable outcomes are prescribed.	Complies PO13 The proposed Operational Works do not impede on any natural coastal landscapes, views and vistas.
PO14 Coastal settlements are consolidated through the concentration of development within the existing urban areas through infill and conserving the natural state of the coastal area outside existing urban areas.	AO14 No acceptable outcomes are prescribed.	Not Applicable The proposal does not extend or establish a coastal settlement. The subject site is not a part of an existing urban area.
Private marine development		

Performance outcomes		Acceptable outcomes
PO15 Private marine development is to avoid attaching to, or extending across, non-tidal State coastal land.	AO15 Private marine development and other structures such as decks or boardwalks for private use do not attach to, or extend across, State coastal land that is situated above high water mark. Note – For occupation permits or allocations of State land, refer to the <i>Land Act 1994</i> .	Not Applicable The proposal is for Operational Works, and does not constitute private marine development.
PO16 The location and design of private marine development does not adversely affect the safety of members of the public access to the foreshore.	AO16 Private marine development does not involve the erection or placement of any physical barrier preventing existing access, along a public access way to the foreshores.	Not Applicable The proposal is for Operational Works, and does not constitute private marine development.
PO17 Private marine development is of a height and scale and size compatible with the character and amenity of the location.	AO17 Private marine development has regard to: (a) the height, scale and size of the natural features of the immediate surroundings and locality; the height, scale and size of existing buildings or other structures in the immediate surroundings and the locality; if the relevant planning scheme states that desired height, scale or size of buildings or other structures in the immediate surroundings or locality – the stated desired height, scale or size. Note – The prescribed tidal works code in the <i>Coastal Protection and Management Regulation 2003</i> outlines design and construction requirements that must be complied with.	Not Applicable The proposal is for Operational Works, and does not constitute private marine development.
PO18 Private marine development avoids adverse impacts on coastal landforms and coastal processes.	AO18 Private marine development does not require the construction of coastal protection works, shoreline or riverbank hardening or dredging for marine access.	Not Applicable The proposal is for Operational Works, and does not constitute private marine development.
For dry land marinas and artificial waterways		
PO19 Dry land marinas and artificial waterways:	AO19 No acceptable solutions are prescribed.	Not Applicable The proposal does not include dry land marinas or artificial waterways.

Performance outcomes	Acceptable outcomes	
<p>(a) avoid impacts on coastal resources;</p> <p>do not contribute to the degradation of water quality;</p> <p>do not increase the risk of flooding;</p> <p>do not result in the degradation or loss of MSES;</p> <p>do not result in an adverse change to the tidal prism of the natural waterway to which development is connected.</p> <p>does not involve reclamation of tidal land other than for the purpose of:</p> <p>(i) coastal dependent development, public marine development;</p> <p>or</p> <p>community infrastructure, where there is no feasible alternative; or</p> <p>strategic ports, boat harbours or strategic airports and aviation facilities in accordance with a statutory land use plan; or</p> <p>coastal protection works or works necessary to protect coastal resources and processes.</p>		

Flood and storm tide hazard overlay code

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.

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 Error! No text of specified style in document..a – Flood and storm tide hazards overlay code –assessable development

Performance outcomes	Acceptable outcomes	Response
For assessable and self assessable development		
<p>PO1 Development is located and designed to: ensure the safety of all persons; minimise damage to the development and contents of buildings; provide suitable amenity; minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events.</p> <p>Note – For assessable development within the flood plain assessment sub-category, a flood study by a suitably qualified professional is required to identify compliance with the intent of the acceptable outcome.</p>	<p>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; or For dwelling houses,</p> <p>AO1.2 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 Error! Reference source not found. plus a freeboard of 300mm.</p> <p>AO1.3 New buildings are: (a) not located within the overlay area; located on the highest part of the site to minimise entrance of flood waters; provided with clear and direct pedestrian and vehicle evacuation routes off the site.</p> <p>AO1.4 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>Complies PO1 The proposal is for Operational Works (Excavation over 50m³) pertaining to the construction of a dam. The proposed dam is not considered to pose any risk to the safety of people or property.</p>
For assessable development		
<p>PO2 The development is compatible with the level of risk associated with the natural hazard.</p>	<p>AO2 The following uses are not located in land inundated by the Defined Flood Event (DFE) / Storm tide: (a) Retirement facility; Community care facility;</p>	<p>Not Applicable The proposal is for Operational Works.</p>

Performance outcomes	Acceptable outcomes	Response
	Child care centre.	
PO3 Development siting and layout responds to flooding potential and maintains personal safety	<p>For Material change of use</p> <p>AO3.1 New buildings are: (b) not located within the overlay area; located on the highest part of the site to minimise entrance of flood waters; provided with clear and direct pedestrian and vehicle evacuation routes off the site.</p> <p>or</p> <p>AO3.2 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>AO3.3 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 70m² 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>AO3.4 Additional lots: (a) are not located in the hazard overlay area; or 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>Not Applicable The proposal is for Operational Works.</p> <p>Not Applicable The proposal is for Operational Works.</p> <p>Not Applicable The proposal is for Operational Works.</p> <p>Not Applicable The proposal is for Operational Works.</p>

Performance outcomes	Acceptable outcomes	Response
	<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>AO3.5 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: (a) by locating entry points into the reconfiguration above the flood level and avoiding culs-de-sac or other non-permeable layouts; and by direct and simple routes to main carriageways.</p> <p>AO3.6 Signage is provided on site (regardless of whether the land is in public or private ownership) indicating the position and path of all safe evacuation routes off the site and if the site contains, or is within 100m of a floodable waterway, hazard warning signage and depth indicators are also provided at key hazard points, such as at floodway crossings or entrances to low-lying reserves.</p> <p>or</p> <p>AO3.7 There is no intensification of residential uses within the flood affected areas on land situated below the DFE/Storm tide.</p>	<p>Not Applicable The proposal is for Operational Works.</p> <p>Not Applicable The proposal is for Operational Works.</p> <p>Not Applicable The proposal is for Operational Works.</p>
	<p>For Material change of use (Residential uses) AO3.1 The design and layout of buildings used for residential purposes minimise risk from flooding by providing: (a) parking and other low intensive, non-habitable uses at ground level;</p>	<p>Not Applicable The proposal is for Operational Works.</p>

Performance outcomes	Acceptable outcomes	Response
	<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>PO4 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) AO4.2 Non residential buildings and structures allow for the flow through of flood waters on the ground floor.</p> <p>Note - Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p> <p>Note - The relevant building assessment provisions under the <i>Building Act 1975</i> apply to all building work within the Hazard Area and need to take into account the flood potential within the area.</p> <p>AO4.3 Materials are stored on-site: (a) are those that are readily able to be moved in a flood event; where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood.</p> <p>Notes - (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). (b) Queensland Government Fact Sheet 'Repairing your House after a Flood' provides information about water resilient products and building techniques.</p>	<p>Not Applicable The proposal is for Operational Works.</p>
<p>PO5 Development directly, indirectly and cumulatively avoids any increase in water flow velocity or flood level and does not increase the potential flood</p>	<p>For Operational works AO5.1 Works in urban areas associated with the proposed development do not involve:</p>	<p>Not Applicable The proposal for Operational Works, is not located within an urban area.</p>

Performance outcomes	Acceptable outcomes	Response
<p>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>(a) any physical alteration to a watercourse or floodway including vegetation clearing; or</p> <p>a net increase in filling (including berms and mounds).</p> <p>A05.2 Works (including buildings and earthworks) in non urban areas either:</p> <p>(a) do not involve a net increase in filling greater than 50m³; or</p> <p>do not result in any reductions of on-site flood storage capacity and contain within the subject site any changes to depth/duration/velocity of flood waters;</p> <p>or</p> <p>do not change flood characteristics outside the subject site in ways that result in:</p> <p>(i) loss of flood storage; loss of/changes to flow paths; acceleration or retardation of flows or any reduction in flood warning times elsewhere on the flood plain.</p> <p>For Material change of use</p> <p>A05.3 Where development is located in an area affected by DFE/Storm tide, a hydraulic and hydrology report, prepared by a suitably qualified professional, demonstrates that the development maintains the flood storage capacity on the subject site; and</p> <p>(a) does not increase the volume, velocity, concentration of flow path alignment of stormwater flow across sites upstream, downstream or in the</p>	<p>Complies A05.2 The proposal is for Operational Works (Excavation over 50m³) pertaining to the construction of an agricultural dam. As shown in the proposal plans (<i>Attachment C</i>).The flood storage capacity of the subject site will not be altered.</p> <p>Complies A05.3 The proposal is for Operational Works (Excavation over 50m³) pertaining to the construction of an agricultural dam. As shown in the proposal plans (<i>Attachment C</i>).The flood storage capacity of the subject site will not be altered. A hydrology report is not considered necessary for a proposal of this nature.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>general vicinity of the subject site; and 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>AO5.4 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>Not Applicable The proposal is for Operational Works.</p>
<p>PO6 Development avoids the release of hazardous materials into floodwaters.</p>	<p>For Material change of use</p> <p>AO6.1 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>AO6.2 If a DFE level is adopted, structures used for the manufacture or storage of hazardous materials are: (a) located above the DFE level;</p> <p>or</p> <p>designed to prevent the intrusion of floodwaters.</p> <p>AO6.3 Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE.</p>	<p>Not Applicable The proposal is for Operational Works.</p> <p>Not Applicable The proposal is for Operational Works.</p> <p>Not Applicable The proposal is for Operational Works.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AO6.4 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.</p> <p>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.</p>	<p>Not Applicable The proposal is for Operational Works.</p>
<p>P07 The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.</p>	<p>AO7 Development does not: (a) increase the number of people calculated to be at risk of flooding; increase the number of people likely to need evacuation; shorten flood warning times; and impact on the ability of traffic to use evacuation routes, or unreasonably increase traffic volumes on evacuation routes.</p>	<p>Complies AO7 The proposal is for Operational Works, pertaining to the construction of a dam. The dam is to be used for agricultural purposes, therefore not increasing the number of people likely to need evacuation, at the risk of flooding.</p>
<p>P08 Development involving community infrastructure: (a) remains functional to serve community need during and immediately after a flood event; 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; retains essential site access during a flood event; is able to remain functional even when other infrastructure or services may be compromised in a flood event.</p>	<p>AO8.1 The following uses are not located on land inundated during a DFE/Storm tide: (a) community residence; and emergency services; and residential care facility; and utility installations involving water and sewerage treatment plants; and storage of valuable records or items of historic or cultural significance (e.g. archives, museums, galleries, libraries).</p> <p>or</p> <p>AO8.2 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 service under the</p>	<p>Not Applicable The proposal is for Operational Works.</p> <p>Not Applicable The proposal is for Operational Works.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>Education and care Services National law (Queensland) is operated or child care service under the <i>Child Care Act 2002</i> is conducted, community centres; meeting halls; galleries; libraries.</p> <p>The following uses are not located on land inundated during a 0.5% AEP flood event.</p> <p>(a) emergency shelters; police facilities; sub stations; 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; emergency services; power stations; major switch yards.</p> <p>and/or</p> <p>AO8.3 The following uses have direct access to low hazard evacuation routes as defined in Error! Reference source not found.:</p> <p>(a) community residence; and emergency services; and hospitals; and residential care facility; and sub stations; and utility installations involving water and sewerage treatment plants.</p> <p>AO8.4 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> <p>(a) located above DFE/Storm tide or the highest known flood level for the site;</p>	<p>Not Applicable The proposal is for Operational Works.</p> <p>Not Applicable The proposal is for Operational Works.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>designed and constructed to exclude floodwater intrusion / infiltration.</p> <p>AO8.5 Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by a flood.</p>	<p>Not Applicable The proposal is for Operational Works.</p>

Environmental performance code

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.

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.

Criteria for assessment

Table Error! No text of specified style in document..a – Environmental performance code – assessable development

Performance outcomes	Acceptable outcomes	Response
Lighting		
PO1 Lighting incorporated within development does not cause an adverse impact on the amenity of adjacent uses and nearby sensitive land uses.	AO1.1 Technical parameters, design, installation, operation and maintenance of outdoor lighting comply with the requirements of Australian standard AS4282-1997 Control of the obtrusive effects of outdoor lighting.	Not Applicable The proposal is for Operational Works pertaining to the construction of a dam. No lighting is required for installation.
	AO1.2 Development that involves flood lighting is restricted to a type that gives no upward component of light where mounted horizontally.	Not Applicable The proposal is for Operational Works pertaining to the construction of a dam. No lighting is required for installation.
	AO1.3 Access, car parking and manoeuvring areas are designed to shield nearby	Not Applicable The proposal is for Operational Works pertaining to the construction of a dam. No

Performance outcomes	Acceptable outcomes	Response
	residential premises from impacts of vehicle headlights.	lighting is required for installation.
Noise		
<p>PO2 Potential noise generated from the development is avoided through design, location and operation of the activity. Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p>AO2.1 Development does not involve activities that would cause noise related environmental harm or nuisance; or AO2.2 Development ensures noise does not emanate from the site through the use of materials, structures and architectural features to not cause an adverse noise impact on adjacent uses.</p> <p>AO2.3 The design and layout of development ensures car parking areas avoid noise impacting directly on adjacent sensitive land uses through one or more of the following: (a) car parking is located away from adjacent sensitive land uses; car parking is enclosed within a building; 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; buffered with dense landscaping.</p> <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>	<p>Complies AO2.1 The proposal is for Operational Works, pertaining to the construction of a dam. The development will support the ongoing agricultural operations contained within the subject parcel. No noise related environmental harm or nuisance will be caused as a result of the development.</p> <p>Not Applicable The proposal is for Operational Works (dam). The development does not propose any car parking.</p>
Airborne particles and other emissions		
<p>PO3 Potential airborne particles and emissions generated from the development are avoided through design, location and operation of the activity. Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a</p>	<p>AO3.1 Development does not involve activities that will result in airborne particles or emissions being generated; or AO3.2</p>	<p>Complies AO3.1 The proposal is for Operational Works (dam). The development will not result in any airborne particles or emissions being generated.</p>

Performance outcomes	Acceptable outcomes	Response
report to demonstrate compliance with the purpose and outcomes of the code.	<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 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>	
Odours		
<p>PO4 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>AO4.1 The development does not involve activities that create odorous emissions;</p> <p>or</p> <p>AO4.2 The use does not result in odour that causes environmental harm or nuisance with respect to surrounding land uses.</p>	<p>Complies AO4.1 The proposal is for Operational Works. The development does not involve activities that create odorous emissions.</p>
Waste and recyclable material storage		
<p>PO5 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>AO5.1 The use ensures that all putrescent waste is stored in a manner that prevents odour nuisance and is disposed of at regular intervals.</p> <p>AO5.2 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>Not Applicable The proposal is for Operational Works (dam). No putrescent waste will be generated as a part of development.</p> <p>Not Applicable No waste will be generated as a part of the development.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>the number of receptacles provided in relation to the collection, maintenance and use of the receptacles;</p> <p>the durability of the receptacles, sheltering and potential impacts of local climatic conditions;</p> <p>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>	
Sensitive land use activities		
<p>PO6</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>AO6.1</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>AO6.2</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>Not Applicable</p> <p>The proposal is not for a sensitive land use.</p>
Stormwater quality		
<p>PO7</p> <p>The quality of stormwater flowing over, through or being discharged from development activities into watercourses and drainage lines is of adequate quality for downstream environments, with respect to:</p> <p>(a) the amount and type of pollutants borne from the activity;</p> <p>maintaining natural stream flows;</p> <p>the amount and type of site disturbance;</p>	<p>AO7.1</p> <p>Development activities are designed to ensure stormwater over roofed and hard stand areas is directed to a lawful point of discharge.</p> <p>AO7.2</p> <p>Development ensures movement of stormwater over the site is not impeded or directed through potentially polluting activities.</p> <p>AO7.3</p> <p>Soil and water control measures are incorporated into</p>	<p>Not Applicable</p> <p>The proposal is for Operational Works (dam). The development does not include any roofed or hard stand areas.</p> <p>Complies AO7.2</p> <p>The development will not impede on the movement of stormwater. No polluting activities are proposed.</p> <p>Complies AO7.3</p> <p>Soil and water control measures will be incorporated</p>

Performance outcomes	Acceptable outcomes	Response
site management and control measures.	<p>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>	into the design of the proposed dam.
Pest plants (for material change of use on vacant land over 1,000m²)		
<p>PO8 Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not reinfest the site or nearby sites.</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>AO8.1 The land is free of declared pest plants before development establishes new buildings, structures and practices;</p> <p>or</p> <p>AO8.2 Pest plants detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person prior to construction of buildings and structures or earthworks.</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 State declared pest plants.</p>	<p>Not Applicable The proposal is for Operational Works.</p>

Filling and excavation code

Application

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

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

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

Purpose

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

Criteria for assessment

Table Error! No text of specified style in document..a – Filling and excavation code – for self-assessable and assessable development

Performance outcomes	Acceptable outcomes	Response
For self-assessable and assessable development		
Filling and excavation - General		
PO1 All filling and excavation work does not create a detrimental impact on the slope stability, erosion potential or visual amenity of the site or the surrounding area.	AO1.1 The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height. and Cuts in excess of those stated in A1.1 above are separated by benches/ terraces with a minimum width of 1.2 metres that incorporate drainage provisions and screen planting. AO1.2 Cuts are supported by batters, retaining or rock walls and associated benches/terraces	Complies PO1 The proposal is for Operational Works (Excavation over 50m ³) and includes a cut/fill height of 4 metres (maximum). The proposal pertains to the construction of a dam, therefore no benches/terraces are required. The cut is to be supported by a 1 in 3 batter. Given the operational works is in relation to the ongoing agricultural function of the site, all soil is expected to be used to redress part of the subject parcel.

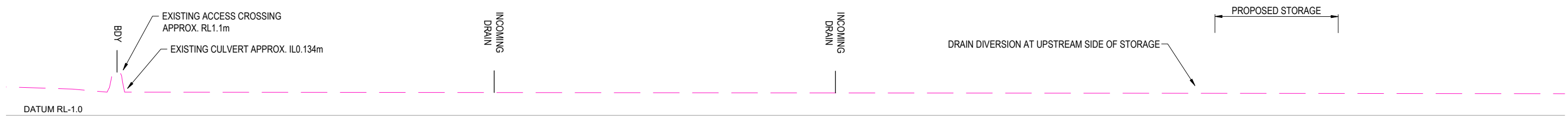
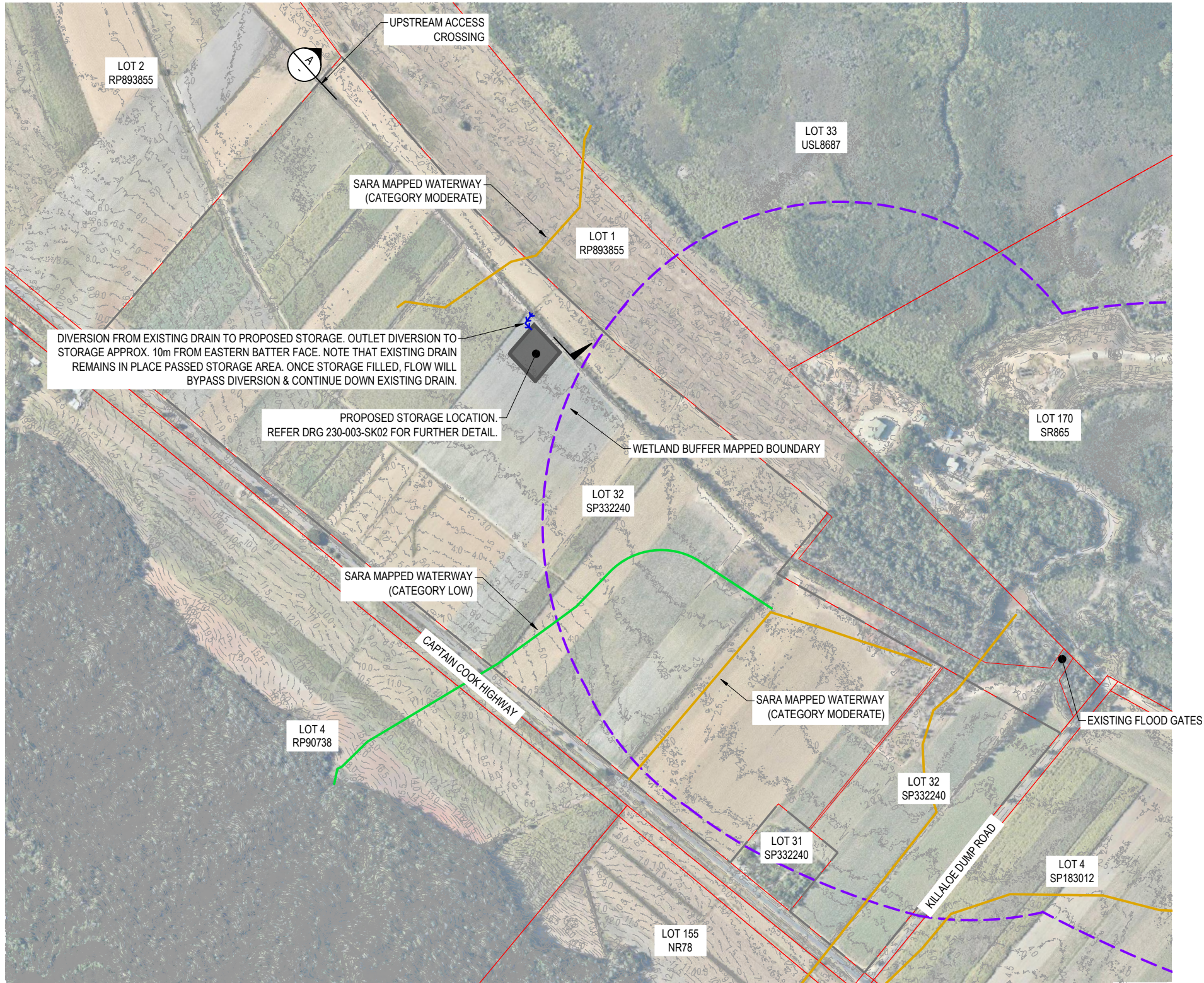
Performance outcomes	Acceptable outcomes	Response
	<p>are capable of supporting mature vegetation.</p> <p>AO1.3 Cuts are screened from view by the siting of the building/structure, wherever possible.</p> <p>AO1.4 Topsoil from the site is retained from cuttings and reused on benches/terraces.</p> <p>AO1.5 No crest of any cut or toe of any fill, or any part of any retaining wall or structure is closer than 600mm to any boundary of the property, unless the prior written approval of the adjoining landowner has been obtained.</p> <p>AO1.6 Non-retained cut and/or fill on slopes are stabilised and protected against scour and erosion by suitable measures, such as grassing, landscaping or other protective/aesthetic measures.</p>	
Visual Impact and Site Stability		
<p>PO2 Filling and excavation are carried out in such a manner that the visual/scenic amenity of the area and the privacy and stability of adjoining properties is not compromised.</p>	<p>AO2.1 The extent of filling and excavation does not exceed 40% of the site area, or 500m² whichever is the lesser,</p> <p>except that AO2.1 does not apply to reconfiguration of 5 lots or more.</p> <p>AO2.2 Filling and excavation does not occur within 2 metres of the site boundary.</p>	<p>Complies PO2 The proposal is for Operational Works, pertaining to the construction of a dam for agricultural purposes. The extent of excavation is equal to approximately 4,000m². Given the nature of the proposal, the extent of excavation is seen to be entirely appropriate for the site. The proposed dam will not compromise the visual or scenic amenity of the area, or effect the privacy and stability of adjoining properties. Excavation is not proposed within 2m of the site boundary.</p>
Flooding and drainage		
<p>PO3 Filling and excavation does not result in a change to the run off characteristics of a site which then have a detrimental impact</p>	<p>AO3.1 Filling and excavation does not result in the ponding of water on a site or adjacent land or road reserves.</p>	<p>Complies PO3 The proposal is for Operational Works, pertaining to the construction of a dam for agricultural purposes. The</p>

Performance outcomes	Acceptable outcomes	Response
on the site or nearby land or adjacent road reserves.	<p>A03.2 Filling and excavation does not result in an increase in the flow of water across a site or any other land or road reserves.</p> <p>A03.3 Filling and excavation does not result in an increase in the volume of water or concentration of water in a watercourse and overland flow paths.</p> <p>A03.4 Filling and excavation complies with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.</p>	purpose of a dam is to collect water for reuse in agricultural operations. All excavation and filling will comply with the specification set out in the relevant FNQROC Development Manual.
Water quality		
P04 Filling and excavation does not result in a reduction of the water quality of receiving waters.	A04 Water quality is maintained to comply with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	Complies A04 Water quality will be maintained to comply with the specifications set out in the FNQROC Development Manual.
Infrastructure		
P05 Excavation and filling does not impact on Public Utilities.	A05 Excavation and filling is clear of the zone of influence of public utilities.	Complies A05 No excavation or filling is proposed in the zone of influence of public utilities.

ATTACHMENT E

brazier motti

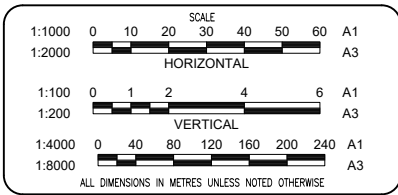




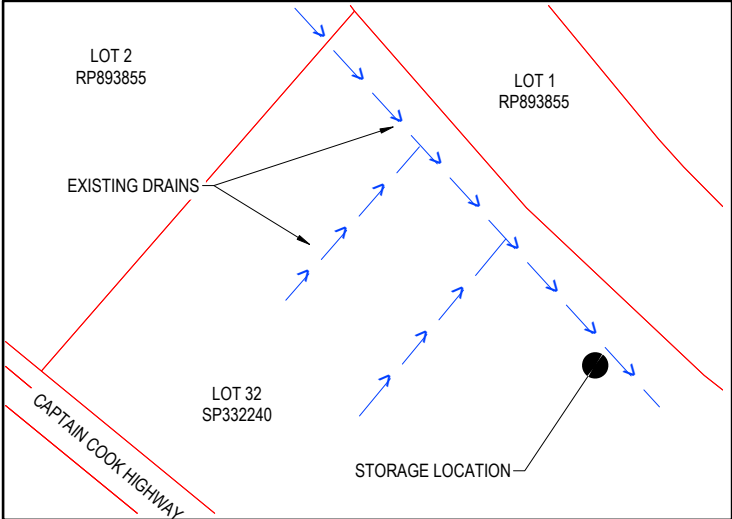
SECTION A-A
SCALE 1:1000(H)
SCALE 1:100(V)

REVISIONS	NO.	DATE	DESCRIPTION	DESIGN	APPROVED
	4	12.01.23	UPSTREAM DRAIN DIVERSION	CW	DJW
	3	22.11.22	MAPPED WATERWAYS ADDED	CW	DJW
	2	11.11.22	SARA MAP ADDED / BUNDED ADJ	CW	DJW
	1	09.11.22	INITIAL ISSUE		

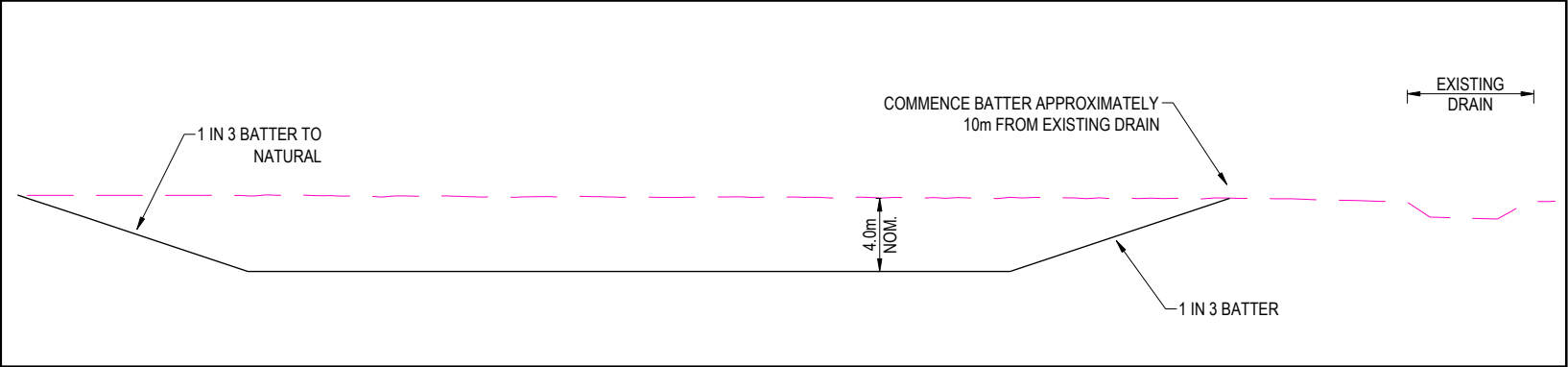
CLIENT



DRAWN	CW	CHECKED	DJW	LOT 32 ON SP332240 SITE DRAINAGE WORK GENERAL ARRANGEMENT	
DESIGNED	CW	CHECKED	DJW		
APPROVED				DRAWING NO.	230-003-SK01
DATE:		RPEQ:		REVISION	4



SITE SCHEMATIC
SCALE 1:5000



SECTION A
SCALE 1:200

DIVERSION FROM EXISTING DRAIN TO PROPOSED STORAGE. NOTE THAT EXISTING DRAIN REMAINS IN PLACE. ONCE STORAGE IS FILLED, FLOW WILL BYPASS DIVERSION & CONTINUE DOWN EXISTING DRAIN.

1 IN 3 BATTER TO NATURAL

TOP OF EXISTING DRAIN BANK

LOT 32 SP332240

LEGEND

AREA OF CUT

CONCEPT DESIGN CONTOUR

EXISTING CONTOUR

CONCEPT EARTHWORK BATTER INTERFACE

NO.	DATE	DESCRIPTION	DESIGN	APPROVED
4	13.01.23	STORAGE LOCATION ADJUSTMENT	CW	DJW
3	12.01.23	UPSTREAM DRAIN DIVERSION	CW	DJW
2	11.11.22	BUND LOCATION AMENDED	CW	DJW
1	09.11.22	INITIAL ISSUE		

CLIENT

SCALE

1:200 0 2 4 6 8 10 12 A1

1:400 0 5 10 15 A1

1:500 0 50 100 200 300 A1

1:10000 0 50 100 200 300 A3

ALL DIMENSIONS IN METRES UNLESS NOTED OTHERWISE



DRAWN	CW	CHECKED	DJW	LOT 32 ON SP332240	
DESIGNED	CW	CHECKED	DJW	SITE DRAINAGE WORK	
APPROVED				CONCEPT DETAILS	
DATE: RPEQ:				DRAWING NO. 230-003-SK02	REVISION 4