DA Form 1 – Development application details

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

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

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

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

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (*individual or company full name*)	Wade Peter Tibaldi
Contact name *(only applicable for companies)*	c/- RPS AAP Consulting Pty Ltd, Patrick Clifton
Postal address *(P.O. Box or street address)*	PO Box 1949
Suburb	Cairns
State	Qld
Postcode	4870
Country	Australia
Contact number	07 4276 1017
Email address *(non-mandatory)*	patrick.clifton@rpsgroup.com.au
Mobile number *(non-mandatory)*	07 40311336
Fax number *(non-mandatory)*	
Applicant's reference number(s) *(if applicable)*	PR2000021

2) Owner's consent
2.1) Is written consent of the owner required for this development application?
☐ Yes – the written consent of the owner(s) is attached to this development application ☒ No – proceed to 3)

Queensland Government

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

☒ Street address **AND** lot on plan (*all lots must be listed*), ***or***

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		37	Splendour Road	Mossman
	Postcode	Lot No.	Plan Type and Number *(e.g. RP, SP)*	Local Government Area(s)
	4873	5	SP297291	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	-	-	Jones Street	Mossman
	Postcode	Lot No.	Plan Type and Number *(e.g. RP, SP)*	Local Government Area(s)
	4873	4	RP804929	Douglas Shire Council

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)*
		☐ WGS84 ☐ GDA94 ☐ Other:	

☐ Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) *(if applicable)*
		☐ 54 ☐ 55 ☐ 56	☐ WGS84 ☐ GDA94 ☐ Other:	

3.3) Additional premises

☐ Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development application

☒ Not required

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

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

Name of water body, watercourse or aquifer:	

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

Lot on plan description of strategic port land:	
Name of port authority for the lot:	

☐ In a tidal area

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

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

Name of airport:	

☐ Listed on the Environmental Management Register (EMR) under the *Environmental Protection Act 1994*	
EMR site identification:	
☐ Listed on the Contaminated Land Register (CLR) under the *Environmental Protection Act 1994*	
CLR site identification:	

5) Are there any existing easements over the premises?

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

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

☐ No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

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

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

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

c) What is the level of assessment?

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

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

Subdivision (2 lots 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

6.2) 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	☐ Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	☒ Yes – complete division 2
Operational work	☐ Yes – complete division 3
Building work	☐ Yes – complete *DA Form 2 – Building work details*

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition *(include each definition in a new row)*	Number of dwelling units *(if applicable)*	Gross floor area (m^2) *(if applicable)*

8.2) Does the proposed use involve the use of existing buildings on the premises?
☐ Yes
☐ 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?	
2	
9.2) What is the nature of the lot reconfiguration? *(tick all applicable boxes)*	
☒ Subdivision *(complete 10))*	☐ Dividing land into parts by agreement *(complete 11))*
☐ Boundary realignment *(complete 12))*	☐ 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: Rural
Number of lots created	-	-	-	3
10.2) Will the subdivision be staged?				
☐ Yes – provide additional details below ☒ No				
How many stages will the works include?				
What stage(s) will this development application apply to?				

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?				
Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:

Number of parts created				

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m^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?		
☐ Road work	☐ Stormwater	☐ Water infrastructure
☐ Drainage work	☐ Earthworks	☐ Sewage infrastructure
☐ Landscaping	☐ Signage	☐ Clearing vegetation
☐ Other – please specify:		
14.2) Is the operational work necessary to facilitate the creation of new lots? *(e.g. subdivision)*		
☐ Yes – specify number of new lots:		
☐ No		
14.3) What is the monetary value of the proposed operational work? *(include GST, materials and labour)*		
$		

PART 4 – ASSESSMENT MANAGER DETAILS

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

PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements?
***Note**: A development application will require referral if prescribed by the* Planning Regulation 2017.

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

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

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

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

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

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

☐ Infrastructure-related referrals – Electricity infrastructure

Matters requiring referral to: • The **Chief Executive of the holder of the licence**, if not an individual • The **holder of the licence**, if the holder of the licence is an individual ☐ Infrastructure-related referrals – Oil and gas infrastructure
Matters requiring referral to the **Brisbane City Council:** ☐ Ports – Brisbane core port land
Matters requiring referral to the **Minister responsible for administering the *Transport Infrastructure Act 1994*:** ☐ Ports – Brisbane core port land *(where inconsistent with the Brisbane port LUP for transport reasons)* ☐ Ports – Strategic port land
Matters requiring referral to the **relevant port operator**, if applicant is not port operator**:** ☐ Ports – Land within Port of Brisbane's port limits *(below high-water mark)*
Matters requiring referral to the **Chief Executive of the relevant port authority:** ☐ Ports – Land within limits of another port *(below high-water mark)*
Matters requiring referral to the **Gold Coast Waterways Authority:** ☐ Tidal works or work in a coastal management district *(in Gold Coast waters)*
Matters requiring referral to the **Queensland Fire and Emergency Service:** ☐ Tidal works or work in a coastal management district *(involving a marina (more than six vessel berths))*

18) Has any referral agency provided a referral response for this development application?		
☐ Yes – referral response(s) received and listed below are attached to this development application ☒ No		
Referral requirement	Referral agency	Date of referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and this development application, or include details in a schedule to this development application *(if applicable).*		

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules
☒ I agree to receive an information request if determined necessary for this development application ☐ I do not agree to accept an information request for this development application ***Note**: By not agreeing to accept an information request I, the applicant, acknowledge:* • *that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties* • *Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.* *Further advice about information requests is contained in the DA Forms Guide.*

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? *(e.g. a preliminary approval)*			
☐ Yes – provide details below or include details in a schedule to this development application ☒ No			
List of approval/development application references	Reference number	Date	Assessment manager

☐ Approval ☐ Development application			
☐ Approval ☐ 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.dsdmip.qld.gov.au/. If the development application involves:

- *Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1*
- *Taking or interfering with water in a watercourse, lake or spring: complete DA Form1 Template 2*
- *Taking overland flow water: complete DA Form 1 Template 3.*

Waterway barrier works

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

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

☒ No

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

Marine activities

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

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

☒ No

***Note**: See guidance materials at www.daf.qld.gov.au 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:	

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

RECONFIGURING A LOT (2 LOTS INTO 3 LOTS), 37 SPLENDOUR ROAD, MOSSMAN

Town Planning Report

PR2000021
B
13 September 2022

rpsgroup.com

Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
A	Draft for Client	T Pringle	P Clifton	P Clifton	13/09/2022
B	Application Submission	T Pringle	P Clifton	P Clifton	14/09/2022

Approval for issue

Patrick Clifton 14 September 2022

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Prepared by**:**

RPS

Patrick Clifton
Senior Principal Planner

135 Abbott Street
Cairns QLD 4870

T +61 7 4031 1336
E patrick.clifton@rpsgroup.com.au

Prepared for**:**

W Tibaldi (Owner)

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Appendices

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Appendix B Douglas Shire Council Planning Scheme Property Reports
Appendix C Proposal Plans
Appendix D Planning Scheme Code Responses

SUMMARY

Table 1: Summary

Details	
Site Address:	37 Splendour Road, Mossman , QLD 4878
Real Property Description:	Lot 5 on SP297291 & Lot 4 on RP804929
Site Area:	• Lot 5 – 103.4 hectares • Lot 4 – 20.45 hectares
Regional Plan Land Use Designation:	Regional Landscape and rural Production Area
Zone/Precinct:	Rural Zone
Owner(s):	Wade Peter Tibaldi
Proposal	
Brief Description/ Purpose of Proposal	Reconfiguring a Lot (2 lots onto 3 lots)

Application Details		
Aspect of Development	**Preliminary approval**	**Development permit**
Material change of use	☐	☐
Building Work	☐	☐
Operational Work	☐	☐
Reconfiguration of a Lot	☐	☒
Assessment Category	☒ Code	☐ Impact
Public Notification	☒ No	☐ Yes:
Superseded Planning Scheme Application	☐ Yes	☒ No

Referral Agencies			
Agency	**Concurrence**	**Advice**	**Pre-lodgement response**
Nil	☐	☐	☐ Yes ☐ No

Other	
Applicant contact person	Patrick Clifton Senior Principal Planner D: +61 7 42761017 **E: Patrick.clifton@rpsgroup.com.au**

1 INTRODUCTION

RPS has been engaged by Wade Peter Tibaldi to obtain a Development permit for Reconfiguring a Lot (2 Lots into 3 Lots) on land located at 37 Splendour Road, Mossman, and described as Lot 5 on SP297291 & Lot 4 on RP804929.

The subject lots, lot 5 and lot 4, have areas of 103.4 hectares and 20.45 hectares, respectively. Lot 5 is currently predominantly used for the cultivation of sugar cane and lot 4 is predominantly a residential lifestyle hillside lot with an established building pad and access. The area containing the site is characterised by rural lost used for cropping and rural lifestyle lots on the elevated areas.

Under the Douglas Shire Council planning Scheme 2018, the subject site is identified within the Rural Zone and is affected by the following overlays:

- Acid Sulfate Soils;
- Bushfire Hazard;
- Flood and Storm Tide Hazard;
- Hillslopes;
- Landscape Values;
- Natural Areas;
- Potential Landslide Hazard; and,
- Transport Network.

In accordance with the Tables of Assessment, the application is required to be subject to Code Assessment. As a Code Assessable application, the Council, as the Assessment Manager, can only have regard to the relevant codes in determining the application.

This report provides greater detail on the nature of the proposal and provides an assessment of the proposal against the intents and code requirements of relevant statutory planning documents. Based on this assessment the proposal is recommended for approval subject to reasonable and relevant conditions.

2 SITE DETAILS

2.1 Site Particulars

Key details of the subject site are as follows:

Table 2: Site Particulars

Site Particulars	
Site Address	37 Splendour Road, Mossman QLD 4878
Real Property Description	Lot 5 on SP297291 & Lot 4 on RP804929
Site Area	• Lot 5 – 103.4 hectares • Lot 4 – 20.45 hectares
Landowner(s)	Wade Peter Tibaldi

The site location and its extent are shown in **Figure 1** below.

Certificate/s of title confirming site ownership details are included at **Appendix A**.

Figure 1 Site Location

Source: Queensland Globe 2022

2.2 Planning Context

The planning context of the site includes the following:

Table 3: Planning Context

Instrument	Designation
State Planning Policy Mapping	
Economic Growth:	• Agriculture ○ Agricultural land classification - class A and B.

Environment and Heritage:	• Biodiversity
	  ○ MSES - Wildlife habitat (endangered or vulnerable);
	  ○ MSES - Regulated vegetation (category C);
	  ○ MSES - Regulated vegetation (category R); and,
	  ○ MSES - Regulated vegetation (essential habitat).

Safety and Resilience to Hazards:	• Natural Hazards Risk and Resilience
	  ○ Flood hazard area - Level 1 - Queensland floodplain assessment overlay; and,
	  ○ Bushfire prone area (Very High Potential Bushfire Intensity – Potential Impact Buffer)

Development Assessment Mapping	
Fish Habitat Areas	• Queensland waterways for waterway barrier works (High).
Native Vegetation Clearing	• Category B on the regulated vegetation management map; • Category C on the regulated vegetation management map; and, • Category X on the regulated vegetation management map.
Far North Queensland Regional Plan 2009-2031	
Regional Plan Map:	• Regional Landscape and Rural Production Area.
Douglas Shire Planning Scheme 2018	
Zone:	• Rural Zone

Overlays:	• Acid Sulfate Soils:
	  - Acid Sulfate Soils (< 5m AHD); and,
	  - Acid Sulfate Soils (5-20m AHD).
	• Bushfire Hazard:
	  - Potential Impact Buffer;
	  - Very High Potential Bushfire Intensity; and,
	  - Medium Potential Bushfire Intensity.
	• Flood and Storm Tide Hazard:
	  - Floodplain Assessment Overlay (Mossman River).
	• Hillslopes:
	  - Area Affect by Hillslopes.
	• Landscape Values:
	  - High landscape values; and,
	  - Medium Landscape Values.
	• Natural Areas
	  - MSES - Regulated Vegetation (Intersecting a Watercourse)
	  - MSES - Regulated Vegetation
	• Potential Landslide Hazard:
	  - Landslides Hazard (High & Medium Hazard Risk)
	• Transport Road Hierarchy
	  - Major Rural

Zoning of the subject site and surrounding lands is shown on **Figure 2**

Council Planning Scheme Property Reports are attached at **Appendix B**

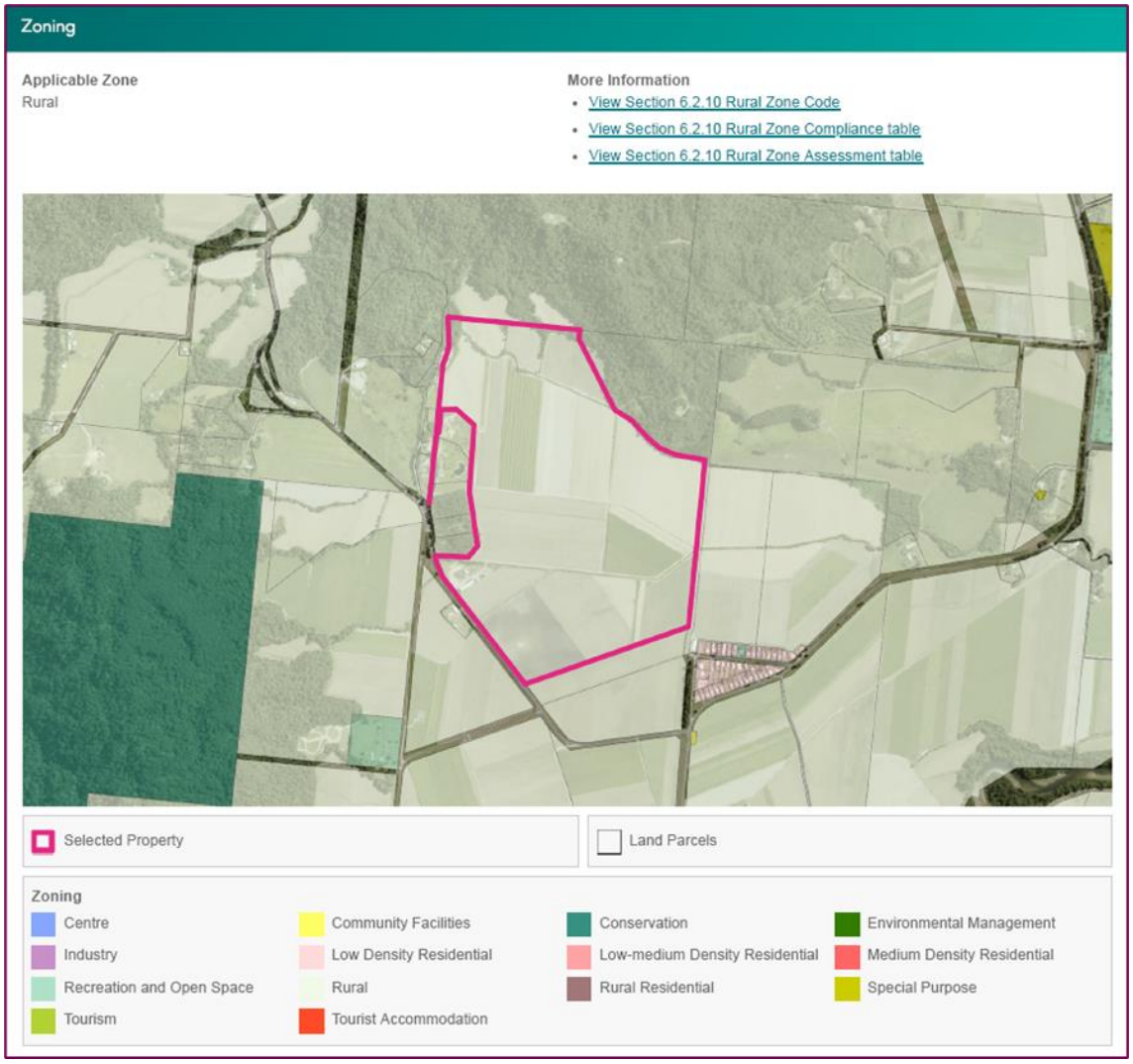


Figure 2 Zoning

Source: Douglas Shire Council Planning Scheme 2018

3 PROPOSAL

3.1 Overview

The application seeks a Development Permit for Reconfiguring a Lot (2 lots into 3 lots) on land located at 37 Splendour Road, Mossman, formally described as Lot 5 on SP297291 & Lot 4 on RP804929. The proposed lots would all have areas of greater than 40 hectares and frontage to a gazetted road. The proposed lots are summarised in **table 4** below:

Table 4: Planning Context

Proposed Lot	Area	Frontage
Proposed Lot 1	43.25 hectares	Approx. 765 metres
Proposed Lot 2	40.3 hectares	Approx. 320 metres
Proposed Lot 3	40.3 hectares	Approx. 22 metres

Proposed Lots 1 and 2 would contain the land under cultivation for sugar cane and proposed lot 3 would include the existing vegetated hillside (contained within current lot 4) and the house pad. An image of the plan if subdivision is provided as **figure 3** below a full plan is provided at **Appendix C**.

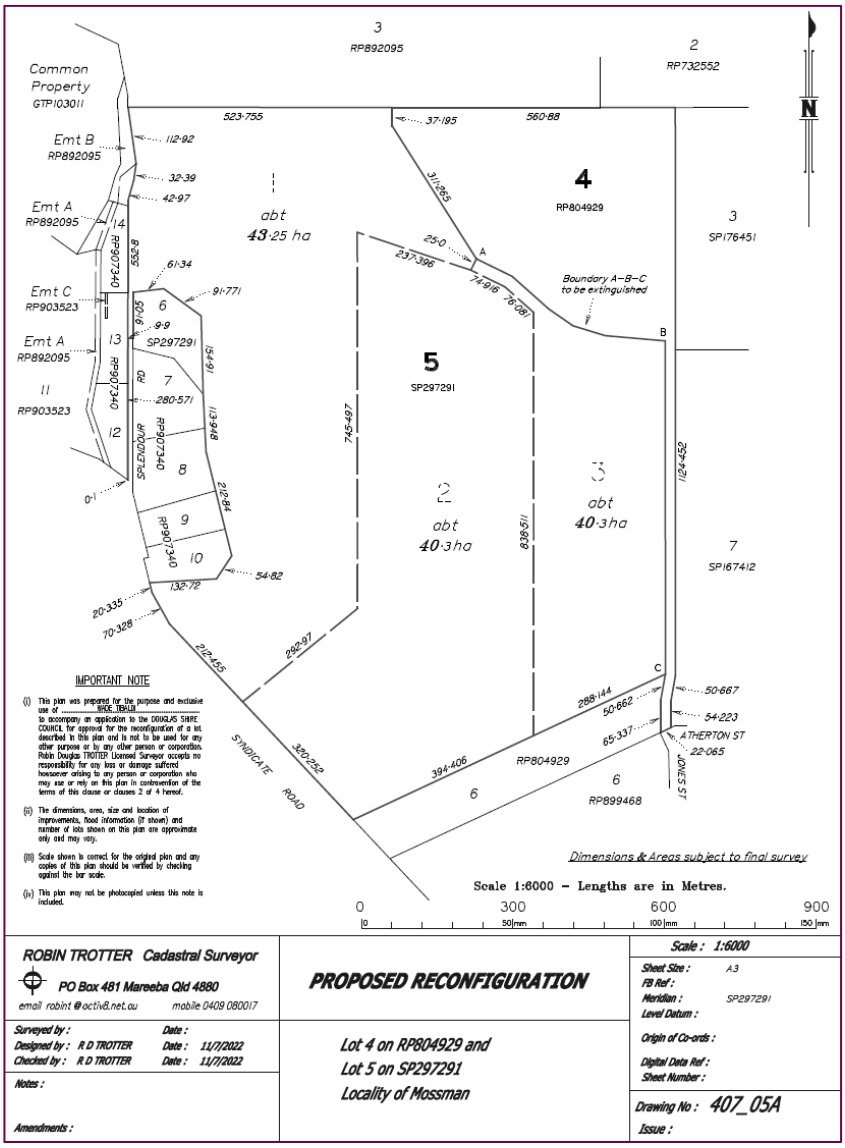


Figure 3 Proposed plan of subdivision.

4 LEGISLATIVE REQUIREMENTS

4.1 Assessment Manager

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

4.2 Categories of Assessment

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

Table 5: Categories of Assessment

Aspect of development	Categorising instrument	Category of assessment
Development Permit for Reconfiguring a Lot	Douglas Shire Council Planning Scheme 2018, Table 5.6.j	Code Assessment

4.3 Referrals

In accordance with Schedule 10 of the *Planning Regulation 2017*, no referrals are applicable to the application.

4.4 Public Notification

This application does not require public notification as it is subject to Code Assessment.

5 STATUTORY PLANNING ASSESSMENT

5.1 Overview

As the application is subject to code assessment, the assessment benchmarks, and the matters the assessment manager must have regard to, are those identified in section 45(3) of the Planning Act 2016 and sections 26 and 27 of the Planning Regulation 2017.

5.2 State and Regional Assessment Benchmarks

5.2.1 State Planning Policy

Section 26(2)(a)(ii) of the *Planning Regulation 2017* requires the assessment manager to assess the application against the assessment benchmarks stated in the State Planning Policy, Part E, to the extent Part E of the State Planning Policy is not identified as being appropriately integrated into planning scheme.

It is understood that the minister has identified that the State Planning Policy has been appropriately integrated into Douglas Shire Planning Scheme 2018 and consequently no further assessment is required in this instance.

5.2.2 Regional Plan

The *Planning Regulation 2017* at section 26(2)(a)(i) requires the assessment manager to assess the application against the assessment benchmarks stated in the regional plan, to the extent the Regional Plan is not identified as being appropriately integrated into the planning scheme.

Section 2.2 of the Douglas Shire Planning Scheme 2018 states “The minister has identified that the planning scheme appropriately advances the Far North Queensland Regional Plan 2009-2031, as it applies in the planning scheme area”, therefore assessment against the applicable Planning Scheme provisions will address any relevant Regional Plan matters.

5.2.3 Development Assessment under Schedules 10 (SDAP)

The State Development Assessment Provisions (SDAP) nominate applicable State Codes based on the referral triggers. As the proposed development does not trigger referral, assessment against SDAP is not required.

5.3 Local Authority Assessment Benchmarks

This application is to be assessed against Douglas Shire Planning Scheme 2018. The assessment benchmarks applicable under the Planning Scheme are identified below.

Table 6: Planning Scheme Code Responses

Planning Scheme Codes	Applicability	Comment
Zone code		
Rural zone code	Applies	Complies with Acceptable Outcomes and Assessment Benchmarks.
Overlay Codes		
Acid sulfate soils overlay code	Not applicable	No excavation or filling is proposed as part of this application.
Bushfire hazard overlay code	Applies	Complies with applicable Assessment Benchmarks.
Flood and storm tide hazard overlay code	Applies	Complies with applicable Assessment Benchmarks.
Hillslopes overlay code	Applies	Complies with applicable Assessment Benchmarks.

Planning Scheme Codes	Applicability	Comment
Landscape values overlay code	Not applicable	The application is for reconfiguring a lot only and no new building or vegetation clearing is proposed.
Natural areas overlay code	Applies	Complies with applicable Assessment Benchmarks.
Potential landslide hazard overlay code	Not applicable	The application I for a rural subdivision only and no new house pads or lots would be created within the potential landslide hazard area.
Transport network overlay code	Applies	Complies with applicable Assessment Benchmarks.
Development Codes		
Reconfiguring a lot code	Applies	Complies with applicable Assessment Benchmarks.

A detailed assessment against the relevant Planning Scheme Codes is provided at **Appendix D**.

6 CONCLUSION

RPS has been engaged by Wade Peter Tibaldi to apply for a Development permit for Reconfiguring a Lot (2 Lots into 3 Lots) on land located at 37 Splendour Road, Mossman, and described as Lot 5 on SP297291 & Lot 4 on RP804929.

The subject lots, lot 5 and lot 4, have areas of 103.4 hectares and 20.45 hectares, respectively. Lot 5 is currently predominantly used for the cultivation of sugar cane and lot 4 is predominantly a residential lifestyle hillside lot with an established building pad and access. The area containing the site is characterised by rural lost used for cropping and rural lifestyle lots on the elevated areas.

Under the Douglas Shire Council planning Scheme 2018, the subject site is identified within the Rural Zone and is affected by the following overlays:

- Acid Sulfate Soils;
- Bushfire Hazard;
- Flood and Storm Tide Hazard;
- Hillslopes;
- Landscape Values;
- Natural Areas;
- Potential Landslide Hazard; and,
- Transport Network.

In accordance with the Tables of Assessment, the application is required to be subject to Code Assessment. As a Code Assessable application, the Council, as the Assessment Manager, can only have regard to the relevant codes in determining the application. An assessment against the relevant codes has demonstrated that the proposed development is able to satisfy all of the Assessment Benchmarks.

On this basis, the Council is requested to approve the application subject to reasonable and relevant conditions.

Appendix A

Certificate(S) of Title and Search Results

Current Title Search

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	**21477075**	**Search Date:**	13/09/2022 09:39
Date Title Created:	22/10/1991	**Request No:**	42249368
Previous Title:	20395141, 21376241		

ESTATE AND LAND

Estate in Fee Simple

LOT 4 REGISTERED PLAN 804929
Local Government: DOUGLAS

REGISTERED OWNER

Dealing No: 715592953 11/02/2014

WADE PETER TIBALDI

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by Deed of Grant No. 10558201 (POR 54)
2. MORTGAGE No 719153870 10/12/2018 at 16:08 LYNDEL DIANE TIBALDI
3. MORTGAGE No 719153871 10/12/2018 at 16:08 PETER TIBALDI

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

COPYRIGHT QUEENSLAND TITLES REGISTRY PTY LTD [2022]
Requested by: D-ENQ GLOBALX

Current Title Search

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	**51116228**	**Search Date:**	13/09/2022 09:34
Date Title Created:	10/10/2017	**Request No:**	42249244
Previous Title:	50221389, 50221390		

ESTATE AND LAND

Estate in Fee Simple

LOT 5 SURVEY PLAN 297291
Local Government: DOUGLAS

REGISTERED OWNER

Dealing No: 718313681 05/10/2017

WADE PETER TIBALDI

EASEMENTS, ENCUMBRANCES AND INTERESTS

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

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

COPYRIGHT QUEENSLAND TITLES REGISTRY PTY LTD [2022]
Requested by: D-ENQ GLOBALX

Appendix B

Douglas Shire Council Planning Scheme Property Reports

2018 Douglas Shire Council Planning Scheme Property Report

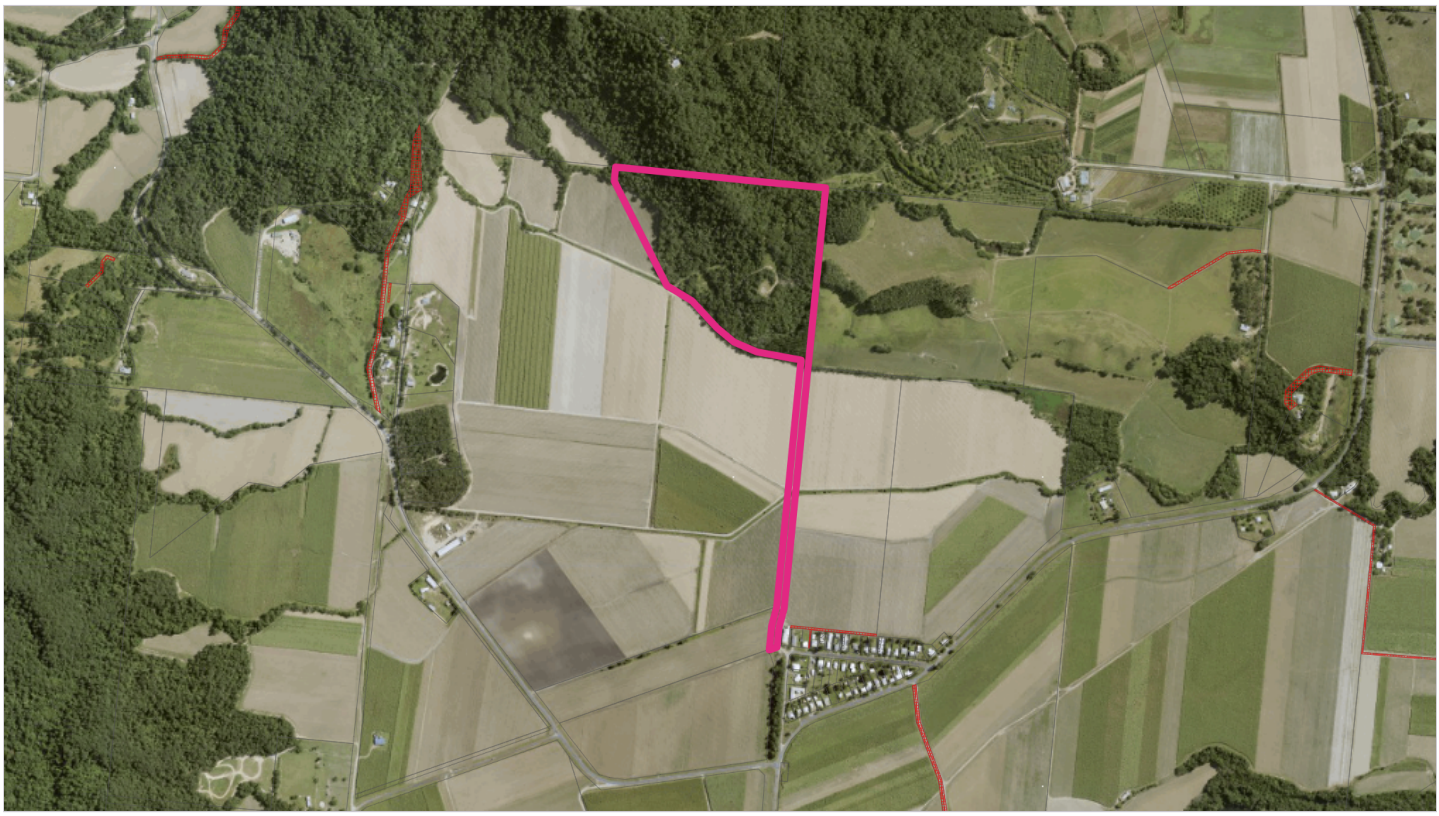
The following report has been automatically generated to provide a general indication of development related information applying to the premise.

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

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

Property Information

Property Address	
Lot Plan	4RP804929 (Freehold - 204500m^2)



Selected Property | Easements | Land Parcels

Douglas Shire Planning Scheme 2018 version 1.0

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

Zoning	Applicable Zone	More Information
	Rural	• View Section 6.2.10 Rural Zone Code • View Section 6.2.10 Rural Zone Compliance table • View Section 6.2.10 Rural Zone Assessment table

Douglas Shire Planning Scheme 2018 version 1.0

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

Acid Sulfate Soils	**Applicable Precinct or Area** Acid Sulfate Soils (< 5m AHD) Acid Sulfate Soils (5-20m AHD)	**More Information** • View Section 8.2.1 Acid Sulfate Soils Overlay Code • View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table
Bushfire Hazard	**Applicable Precinct or Area** Potential Impact Buffer Very High Potential Bushfire Intensity High Potential Bushfire Intensity Medium Potential Bushfire Intensity	**More Information** • View Section 8.2.2 Bushfire Hazard Overlay Code • View Section 8.2.2 Bushfire Hazard Overlay Compliance table
Flood Storm	**Applicable Precinct or Area** Floodplain Assessment Overlay (Mossman River)	**More Information** • View Section 8.2.4 Flood and Storm Tide Hazard Overlay Code • View Section 8.2.4 Flood and Storm Tide Hazard Overlay Compliance table
Hillslopes	**Applicable Precinct or Area** Area Affected by Hillslopes	**More Information** • View Section 8.2.5 Hillslopes Overlay Code • View Section 8.2.5 Hillslopes Overlay Compliance table
Landscape Values	**Landscape Values** High landscape values Medium Landscape Value	**More Information** • View Section 8.2.6 Landscape Values Overlay Code • View Section 8.2.6 Landscape Values Overlay Compliance table
Landslide	**Applicable Precinct or Area** Landslide Hazard (High & Medium Hazard Risk)	**More Information** • View Section 8.2.9 Potential Landslide Hazard Overlay Code • View Section 8.2.9 Potential Landslide Hazard Overlay Compliance table
Natural Areas	**Applicable Precinct or Area** MSES - Regulated Vegetation (Intersecting a Watercourse) MSES - Wildlife Habitat	**More Information** • View Section 8.2.7 Natural Areas Overlay Code • View Section 8.2.7 Natural Areas Overlay Compliance table

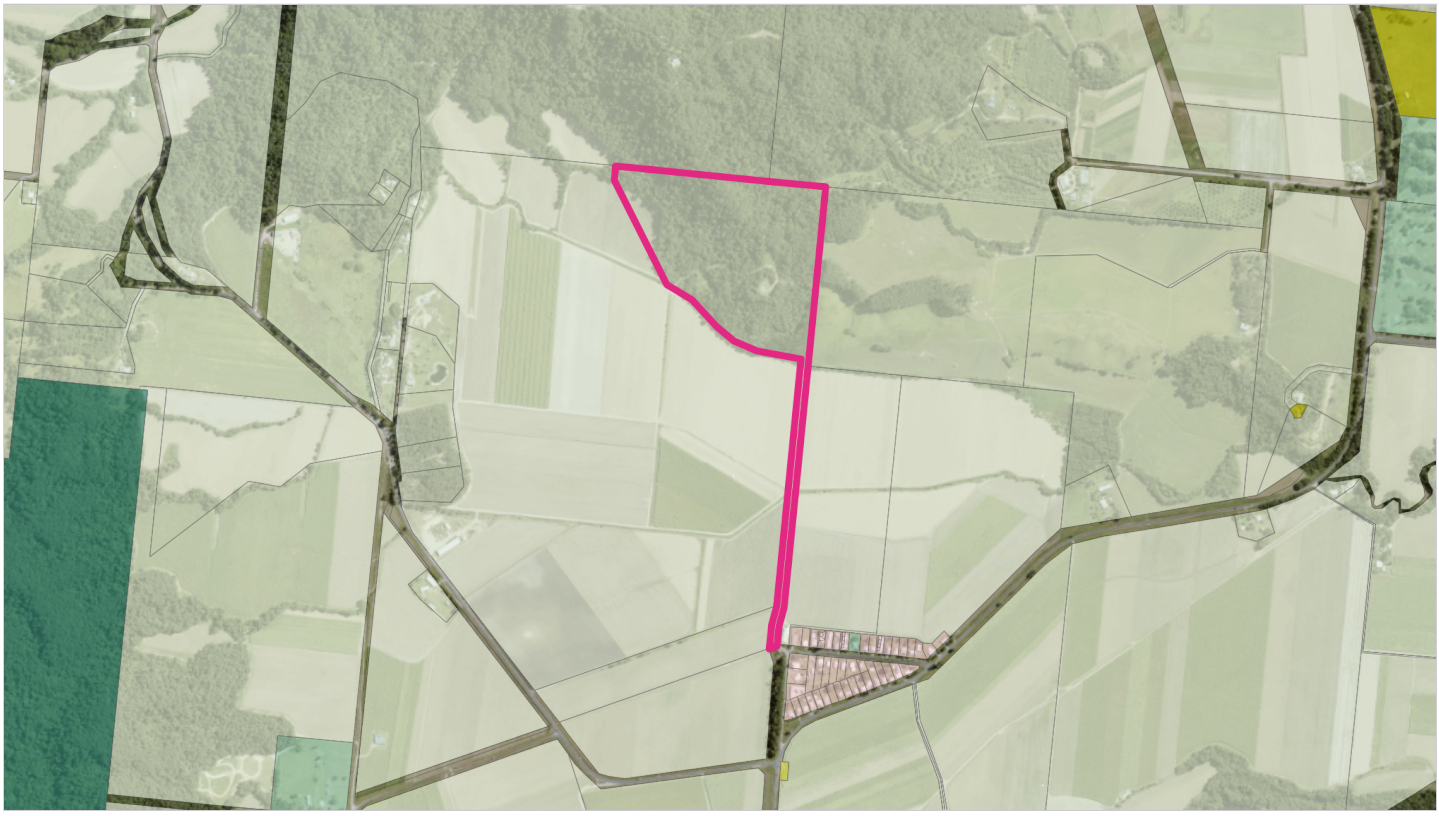
Zoning

Applicable Zone

Rural

More Information

- View Section 6.2.10 Rural Zone Code
- View Section 6.2.10 Rural Zone Compliance table
- View Section 6.2.10 Rural Zone Assessment table



Selected Property

Land Parcels

Zoning

- Centre
- Community Facilities
- Conservation
- Environmental Management
- Industry
- Low Density Residential
- Low-medium Density Residential
- Medium Density Residential
- Recreation and Open Space
- Rural
- Rural Residential
- Special Purpose
- Tourism
- Tourist Accommodation

Acid Sulfate Soils

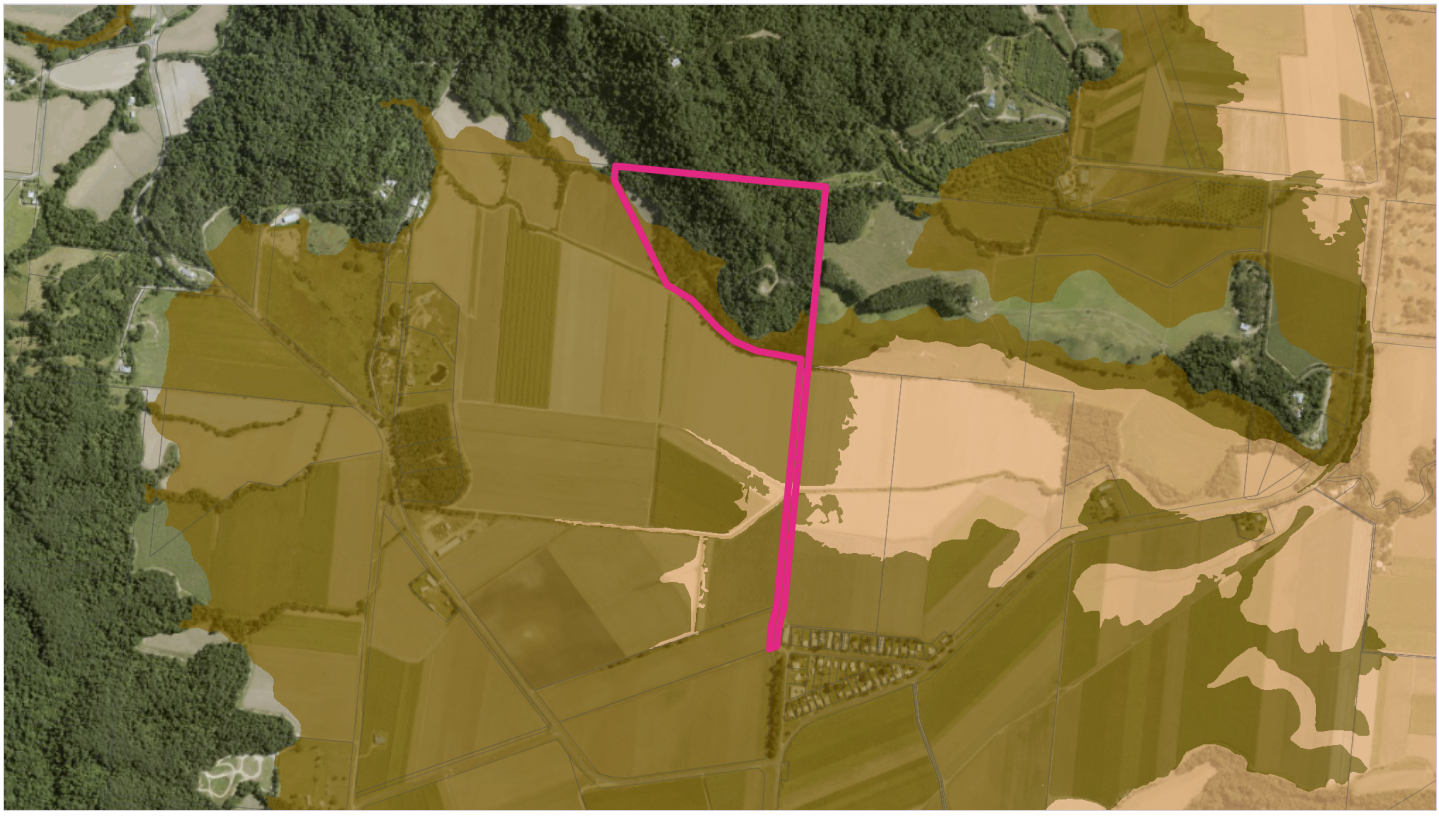
Applicable Precinct or Area

Acid Sulfate Soils (< 5m AHD)

Acid Sulfate Soils (5-20m AHD)

More Information

- View Section 8.2.1 Acid Sulfate Soils Overlay Code
- View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table



Selected Property

Land Parcels

Acid Sulfate Soils

Acid Sulfate Soils (< 5m AHD)

Acid Sulfate Soils (5-20m AHD)

all others

Bushfire Hazard

Applicable Precinct or Area

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

More Information

- View Section 8.2.2 Bushfire Hazard Overlay Code
- View Section 8.2.2 Bushfire Hazard Overlay Compliance table

Selected Property

Land Parcels

Bushfire_Hazard

High Potential Bushfire Intensity

Medium Potential Bushfire Intensity

Potential Impact Buffer

Very High Potential Bushfire Intensity

all others

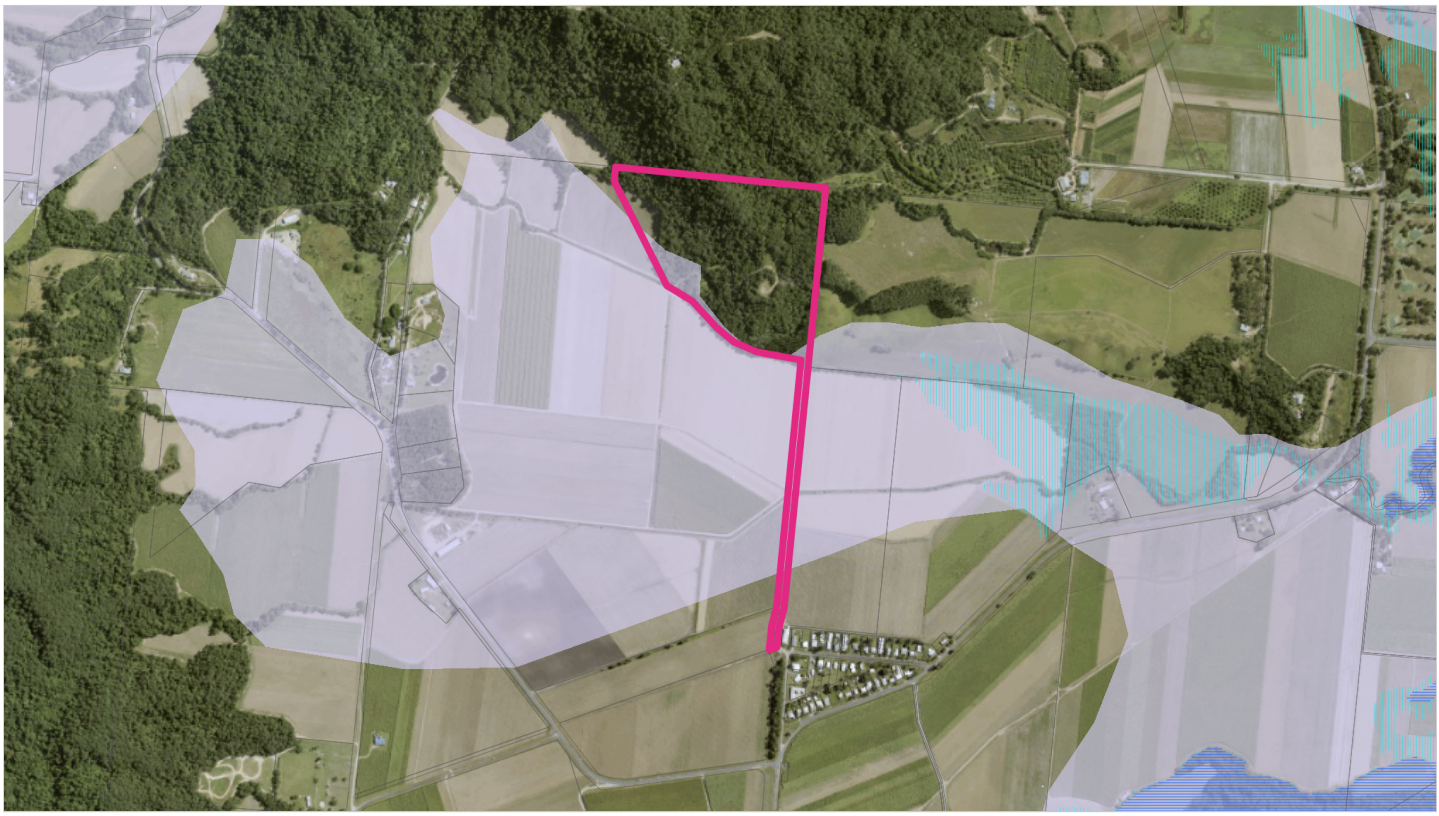
Flood Storm

Applicable Precinct or Area

Floodplain Assessment Overlay (Mossman River)

More Information

- View Section 8.2.4 Flood and Storm Tide Hazard Overlay Code
- View Section 8.2.4 Flood and Storm Tide Hazard Overlay Compliance table



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

Hillslopes

Applicable Precinct or Area

Area Affected by Hillslopes

More Information

- View Section 8.2.5 Hillslopes Overlay Code
- View Section 8.2.5 Hillslopes Overlay Compliance table

Selected Property	Land Parcels	Area Affected by Hillslopes

Landscape Values

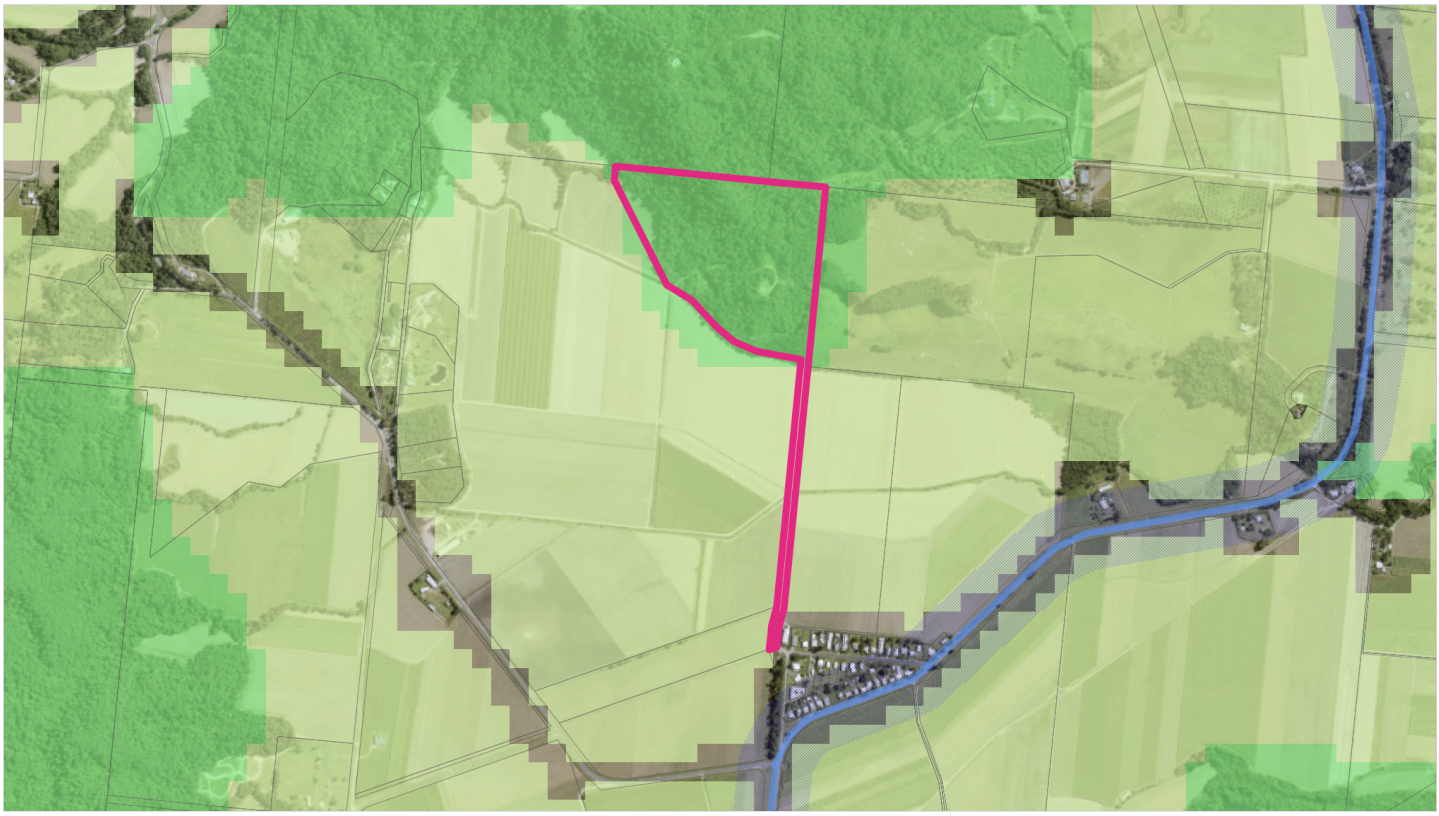
Landscape Values

High landscape values

Medium Landscape Value

More Information

- View Section 8.2.6 Landscape Values Overlay Code
- View Section 8.2.6 Landscape Values Overlay Compliance table



Selected Property

Land Parcels

Scenic Buffer Area

Gateway

Lookout

Scenic route

Scenic route buffer

View corridor

all others

Landscape Values

Coastal scenery

High landscape values

Medium Landscape Value

all others

Landslide

Applicable Precinct or Area

Landslide Hazard (High & Medium Hazard Risk)

More Information

- View Section 8.2.9 Potential Landslide Hazard Overlay Code
- View Section 8.2.9 Potential Landslide Hazard Overlay Compliance table

Selected Property	Land Parcels	Potential Landslide Hazard

Natural Areas

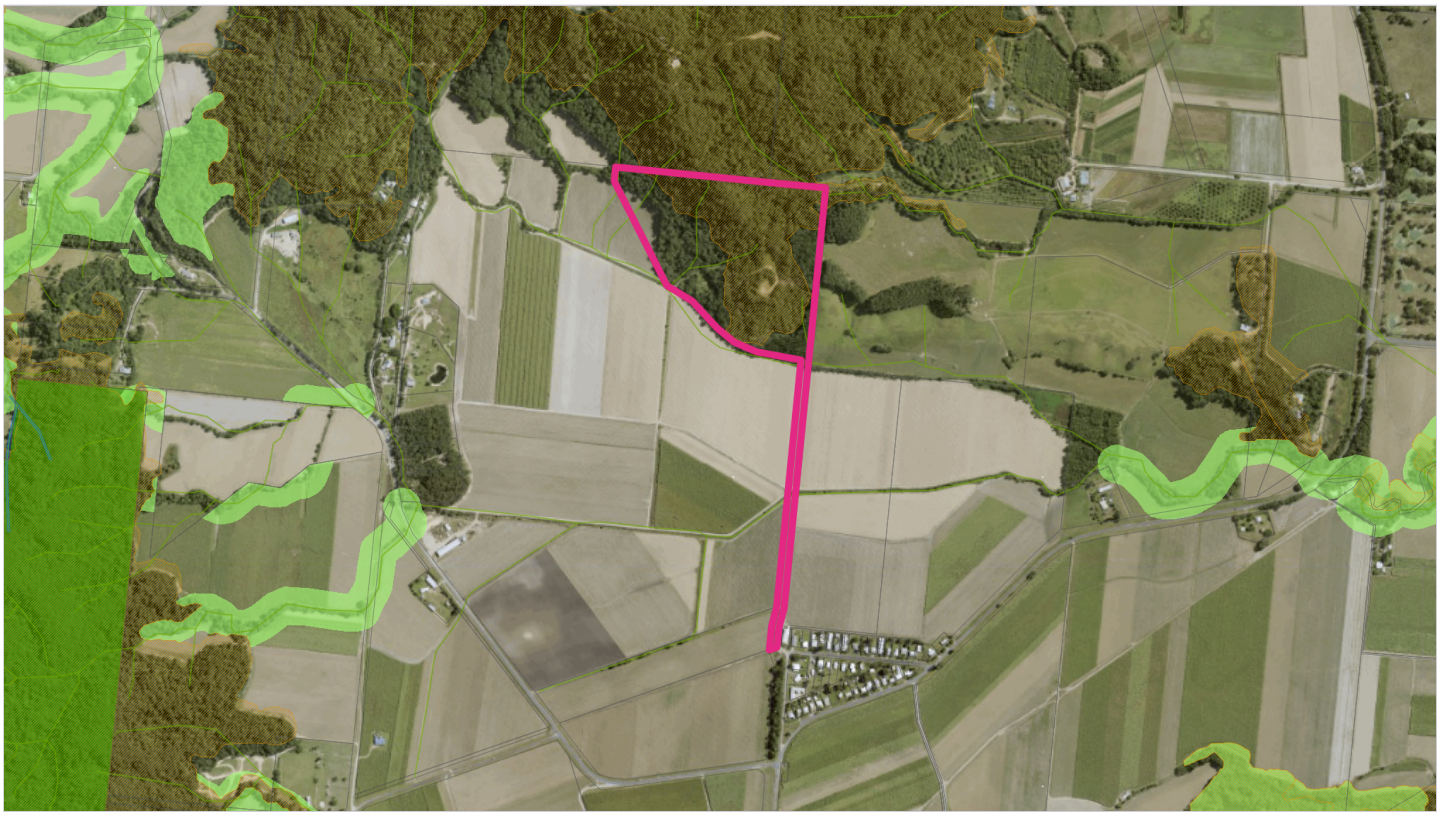
Applicable Precinct or Area

MSES - Regulated Vegetation (Intersecting a Watercourse)

MSES - Wildlife Habitat

More Information

- View Section 8.2.7 Natural Areas Overlay Code
- View Section 8.2.7 Natural Areas Overlay Compliance table



Selected Property

Land Parcels

MSES - Regulated Vegetation (Intersecting a Watercourse)

MSES - High Ecological Value Waters (Watercourse)

MSES - Wildlife Habitat

MSES - Regulated Vegetation

MSES - Protected Area

MSES - Marine Park

MSES - Legally Secured Offset Area

MSES - High Ecological Value Waters (Wetland)

MSES - High Ecological Significance Wetlands

Disclaimer

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

2018 Douglas Shire Council Planning Scheme Property Report

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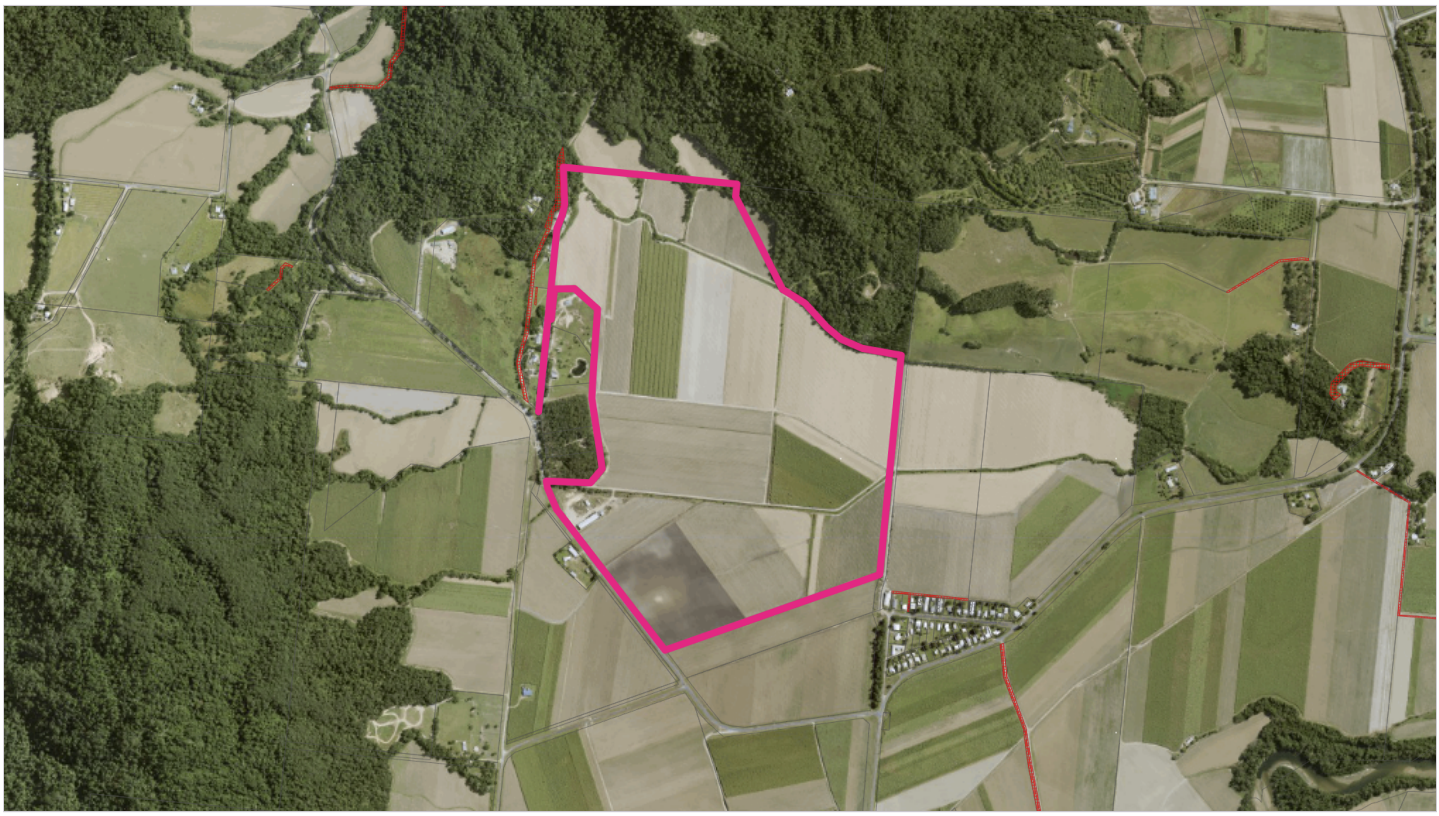
Visit Council's website to apply for an official property search or certificate, or contact the Department of Natural Resources, Mines and Energy to undertake a title search to ascertain how easements may affect a premise.

Property Information

Property Address	37 Splendour Road MOSSMAN
Lot Plan	5SP297291 (Freehold - 1034000m^2)



Selected Property | Easements | Land Parcels

Douglas Shire Planning Scheme 2018 version 1.0

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

Zoning	Applicable Zone	More Information
	Rural	• View Section 6.2.10 Rural Zone Code • View Section 6.2.10 Rural Zone Compliance table • View Section 6.2.10 Rural Zone Assessment table

Douglas Shire Planning Scheme 2018 version 1.0

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

Acid Sulfate Soils	**Applicable Precinct or Area** Acid Sulfate Soils (< 5m AHD) Acid Sulfate Soils (5-20m AHD)	**More Information** • View Section 8.2.1 Acid Sulfate Soils Overlay Code • View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table
Bushfire Hazard	**Applicable Precinct or Area** Potential Impact Buffer Very High Potential Bushfire Intensity Medium Potential Bushfire Intensity	**More Information** • View Section 8.2.2 Bushfire Hazard Overlay Code • View Section 8.2.2 Bushfire Hazard Overlay Compliance table
Flood Storm	**Applicable Precinct or Area** Floodplain Assessment Overlay (Mossman River)	**More Information** • View Section 8.2.4 Flood and Storm Tide Hazard Overlay Code • View Section 8.2.4 Flood and Storm Tide Hazard Overlay Compliance table
Hillslopes	**Applicable Precinct or Area** Area Affected by Hillslopes	**More Information** • View Section 8.2.5 Hillslopes Overlay Code • View Section 8.2.5 Hillslopes Overlay Compliance table
Landscape Values	**Landscape Values** High landscape values Medium Landscape Value	**More Information** • View Section 8.2.6 Landscape Values Overlay Code • View Section 8.2.6 Landscape Values Overlay Compliance table
Landslide	**Applicable Precinct or Area** Landslide Hazard (High & Medium Hazard Risk)	**More Information** • View Section 8.2.9 Potential Landslide Hazard Overlay Code • View Section 8.2.9 Potential Landslide Hazard Overlay Compliance table
Natural Areas	**Applicable Precinct or Area** MSES - Regulated Vegetation (Intersecting a Watercourse) MSES - Regulated Vegetation	**More Information** • View Section 8.2.7 Natural Areas Overlay Code • View Section 8.2.7 Natural Areas Overlay Compliance table
Transport Road Hierarcy	**Applicable Precinct or Area** Major Rural Road Unformed Road	**More Information** • View Section 8.2.10 Transport Network Overlay Code • View Section 8.2.10 Transport Network Overlay Compliance table

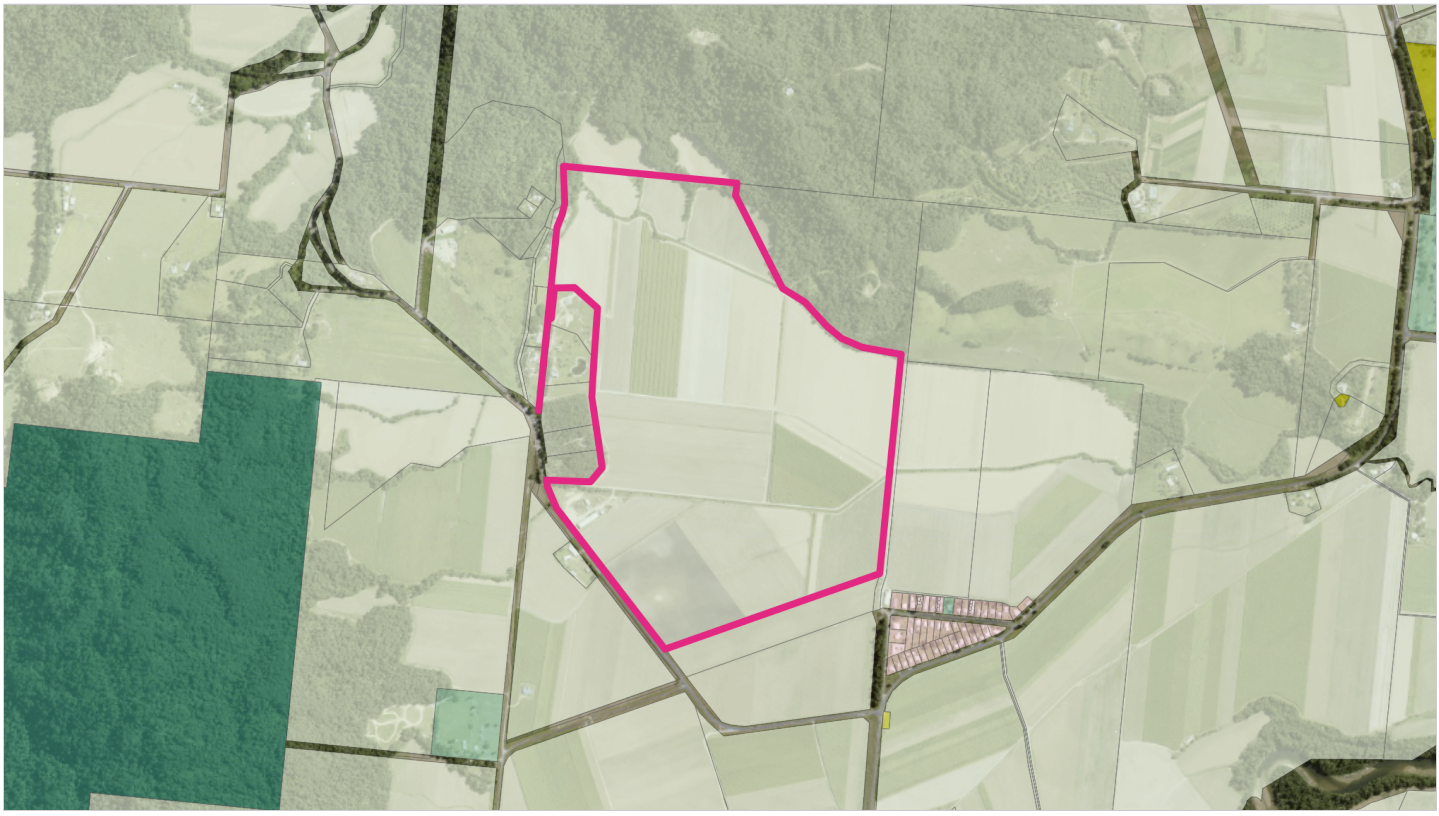
Zoning

Applicable Zone

Rural

More Information

- View Section 6.2.10 Rural Zone Code
- View Section 6.2.10 Rural Zone Compliance table
- View Section 6.2.10 Rural Zone Assessment table



Selected Property

Land Parcels

Zoning

- Centre
- Community Facilities
- Conservation
- Environmental Management
- Industry
- Low Density Residential
- Low-medium Density Residential
- Medium Density Residential
- Recreation and Open Space
- Rural
- Rural Residential
- Special Purpose
- Tourism
- Tourist Accommodation

Acid Sulfate Soils

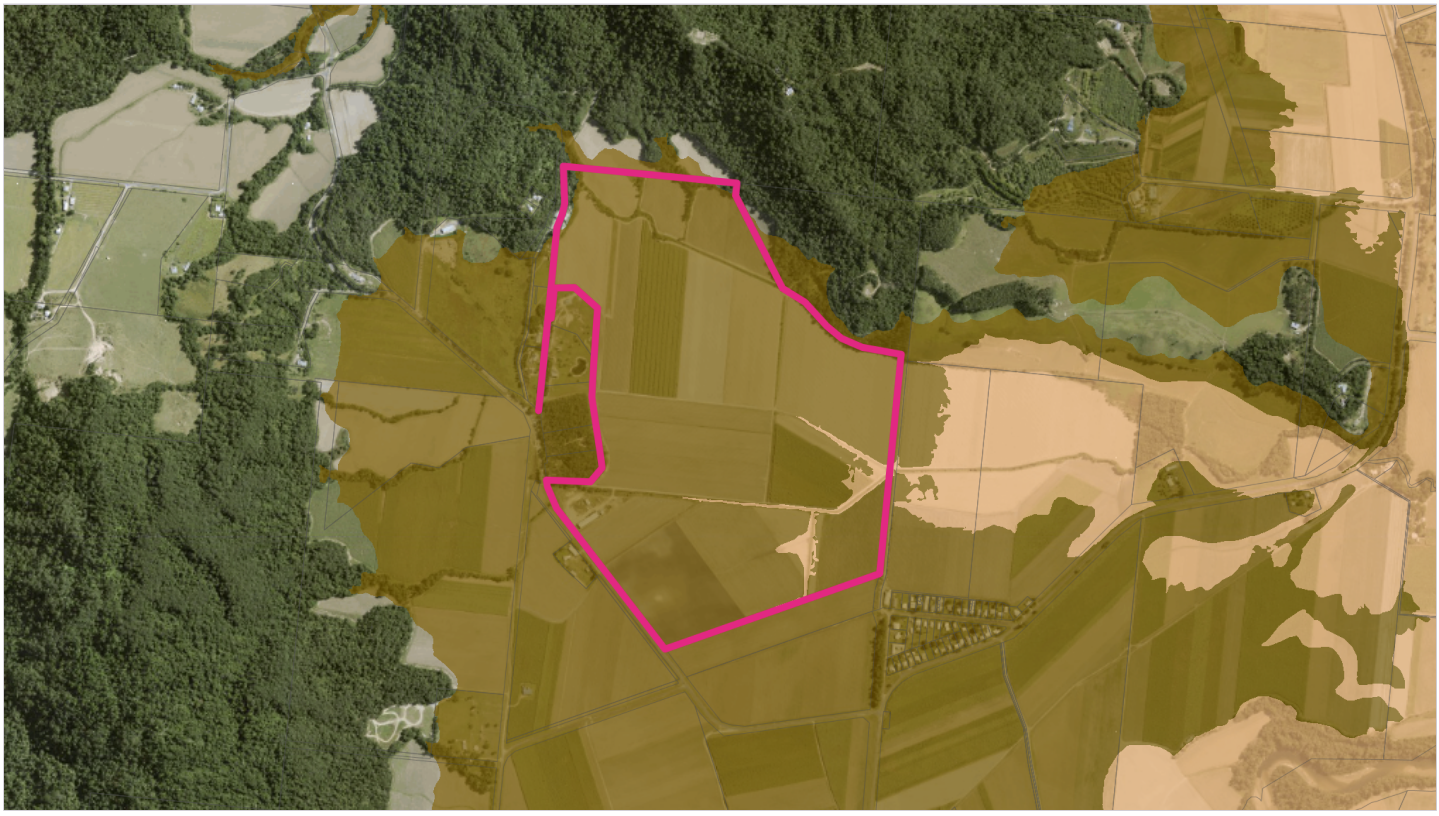
Applicable Precinct or Area

Acid Sulfate Soils (< 5m AHD)

Acid Sulfate Soils (5-20m AHD)

More Information

- View Section 8.2.1 Acid Sulfate Soils Overlay Code
- View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table



Selected Property

Land Parcels

Acid Sulfate Soils

Acid Sulfate Soils (< 5m AHD)

Acid Sulfate Soils (5-20m AHD)

all others

Bushfire Hazard

Applicable Precinct or Area

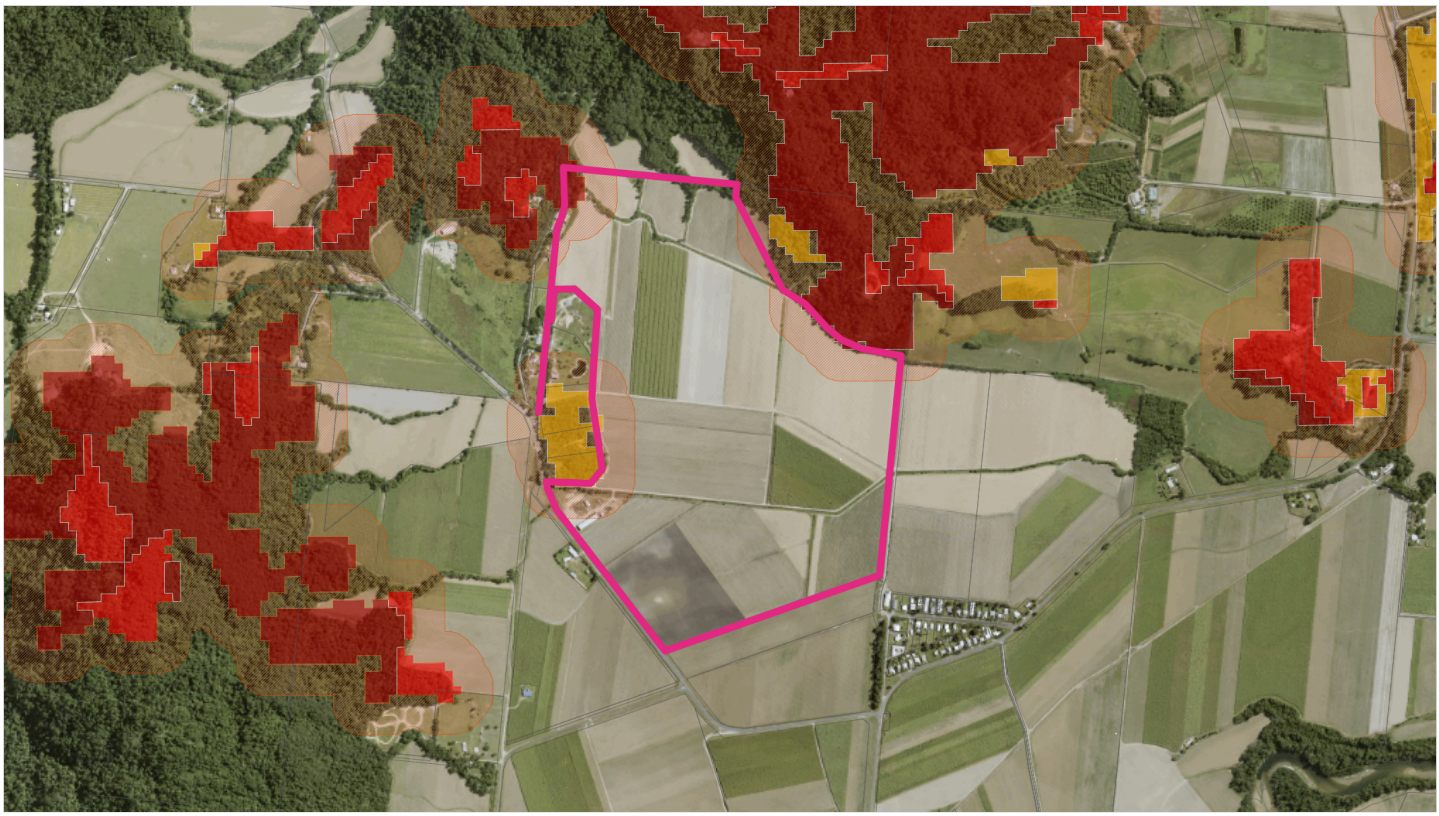
Potential Impact Buffer

Very High Potential Bushfire Intensity

Medium Potential Bushfire Intensity

More Information

- View Section 8.2.2 Bushfire Hazard Overlay Code
- View Section 8.2.2 Bushfire Hazard Overlay Compliance table



Selected Property

Land Parcels

Bushfire_Hazard

High Potential Bushfire Intensity

Medium Potential Bushfire Intensity

Potential Impact Buffer

Very High Potential Bushfire Intensity

all others

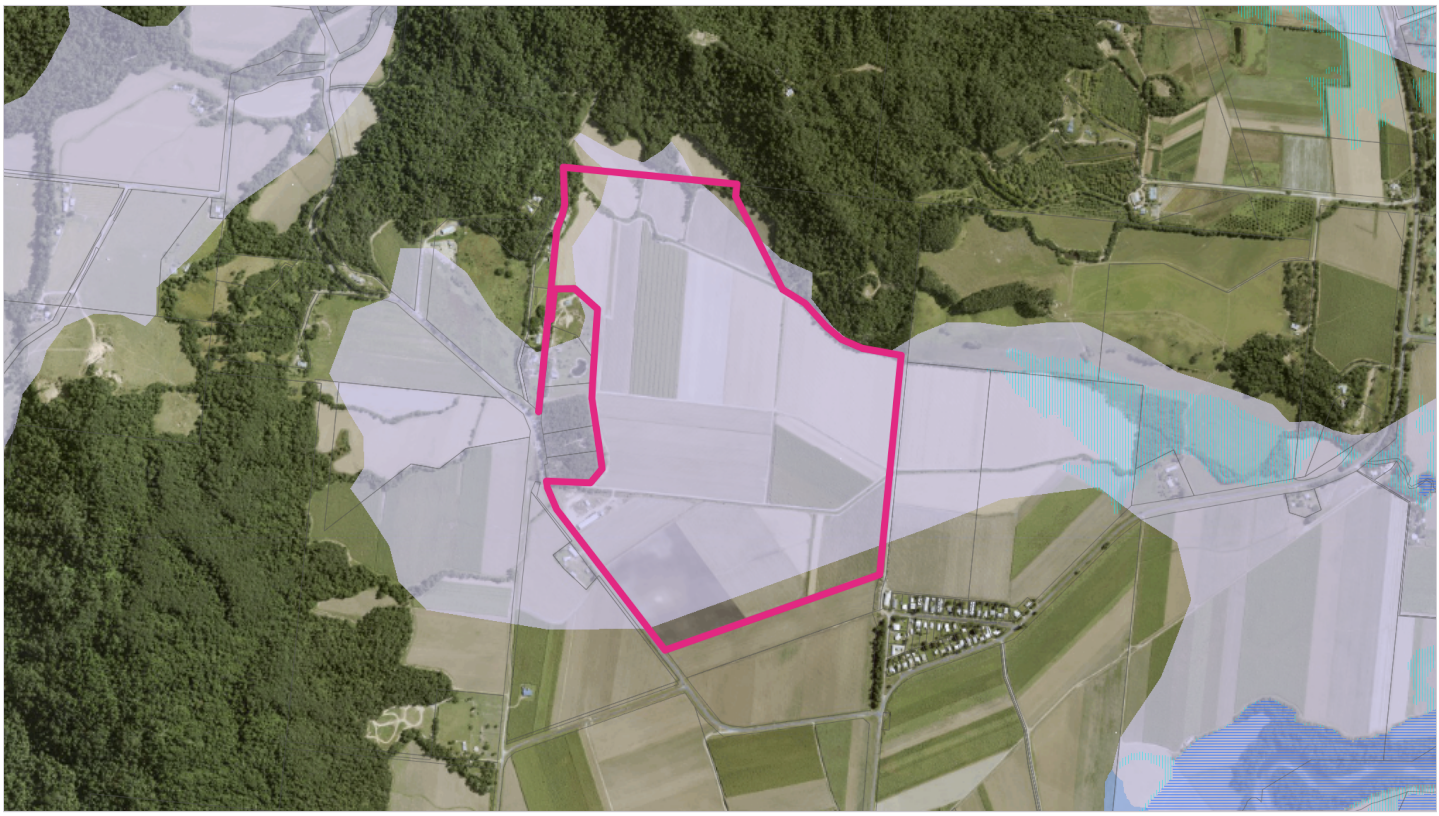
Flood Storm

Applicable Precinct or Area

Floodplain Assessment Overlay (Mossman River)

More Information

- View Section 8.2.4 Flood and Storm Tide Hazard Overlay Code
- View Section 8.2.4 Flood and Storm Tide Hazard Overlay Compliance table



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

Hillslopes

Applicable Precinct or Area

Area Affected by Hillslopes

More Information

- View Section 8.2.5 Hillslopes Overlay Code
- View Section 8.2.5 Hillslopes Overlay Compliance table

Selected Property	Land Parcels	Area Affected by Hillslopes

Landscape Values

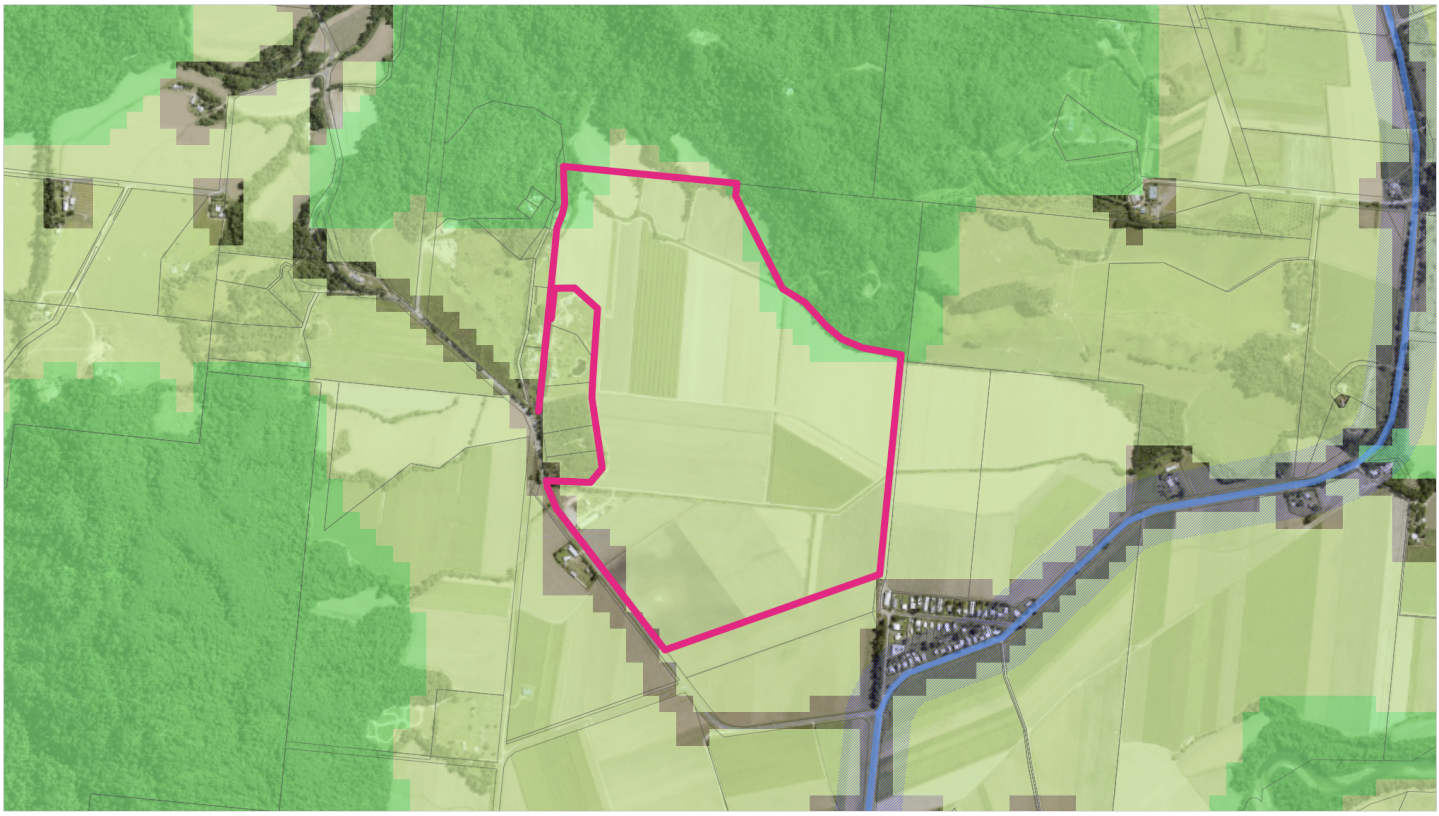
Landscape Values

High landscape values

Medium Landscape Value

More Information

- View Section 8.2.6 Landscape Values Overlay Code
- View Section 8.2.6 Landscape Values Overlay Compliance table



Selected Property

Land Parcels

Scenic Buffer Area

Gateway

Lookout

Scenic route

Scenic route buffer

View corridor

all others

Landscape Values

Coastal scenery

High landscape values

Medium Landscape Value

all others

Landslide

Applicable Precinct or Area

Landslide Hazard (High & Medium Hazard Risk)

More Information

- View Section 8.2.9 Potential Landslide Hazard Overlay Code
- View Section 8.2.9 Potential Landslide Hazard Overlay Compliance table

Selected Property	Land Parcels	Potential Landslide Hazard

Natural Areas

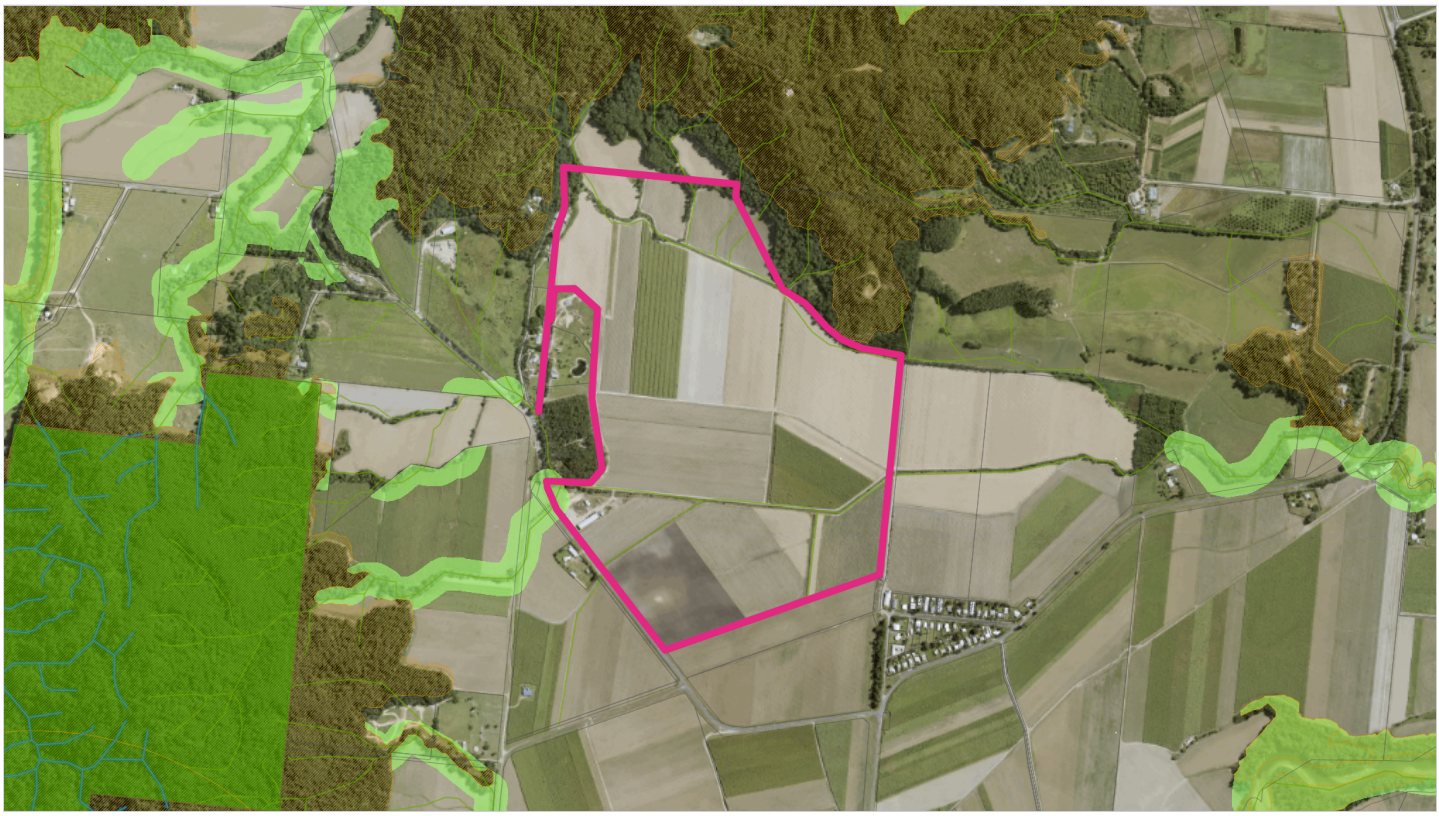
Applicable Precinct or Area

MSES - Regulated Vegetation (Intersecting a Watercourse)

MSES - Regulated Vegetation

More Information

- View Section 8.2.7 Natural Areas Overlay Code
- View Section 8.2.7 Natural Areas Overlay Compliance table



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

Transport Road Hierarcy

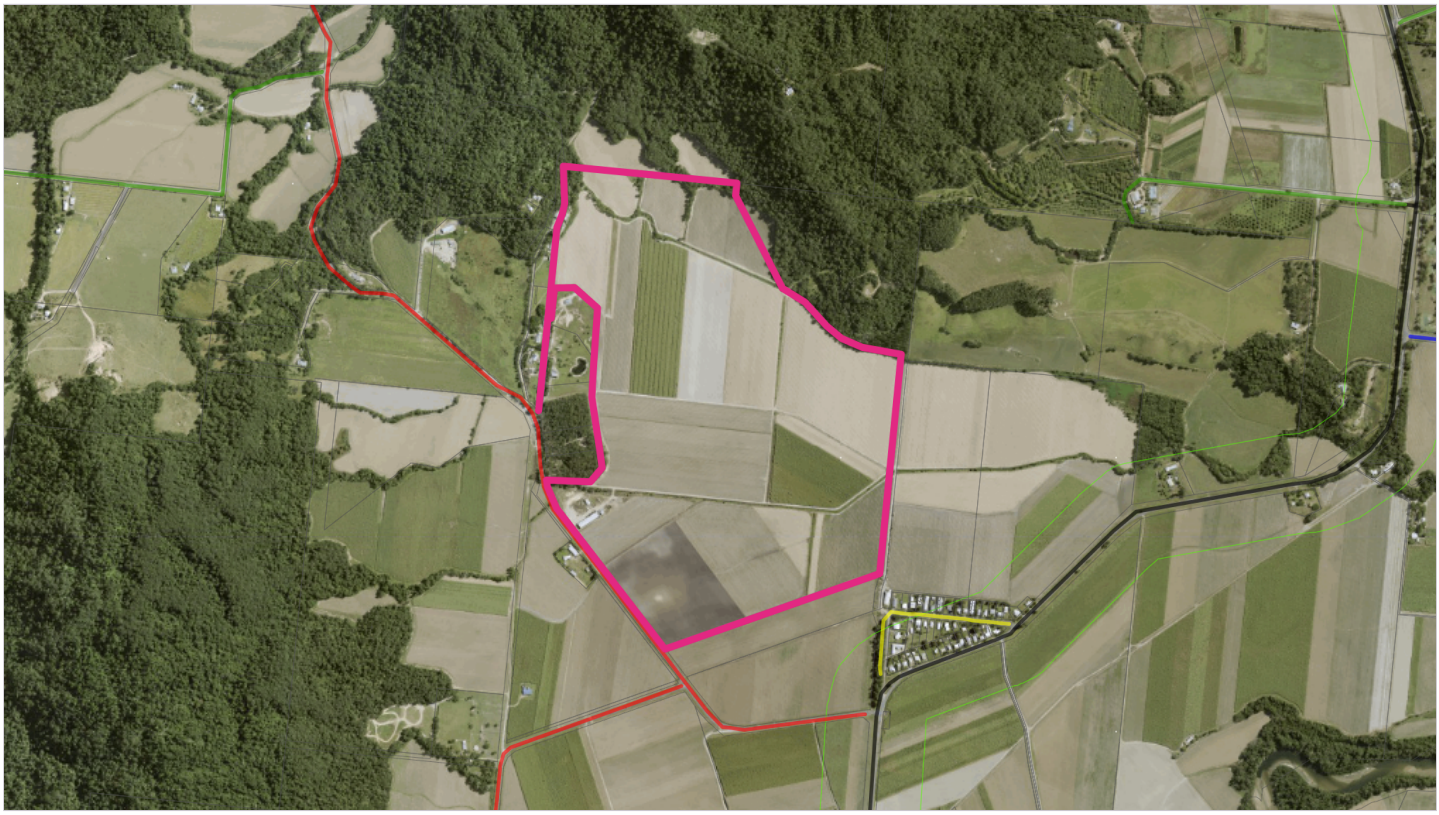
Applicable Precinct or Area

Major Rural Road

Unformed Road

More Information

- View Section 8.2.10 Transport Network Overlay Code
- View Section 8.2.10 Transport Network Overlay Compliance table



Selected Property

Land Parcels

Road Hierarchy

Access Road

Arterial Road

Collector Road

Industrial Road

Major Rural Road

Minor Rural Road

Sub Arterial Road

Unformed Road

all others

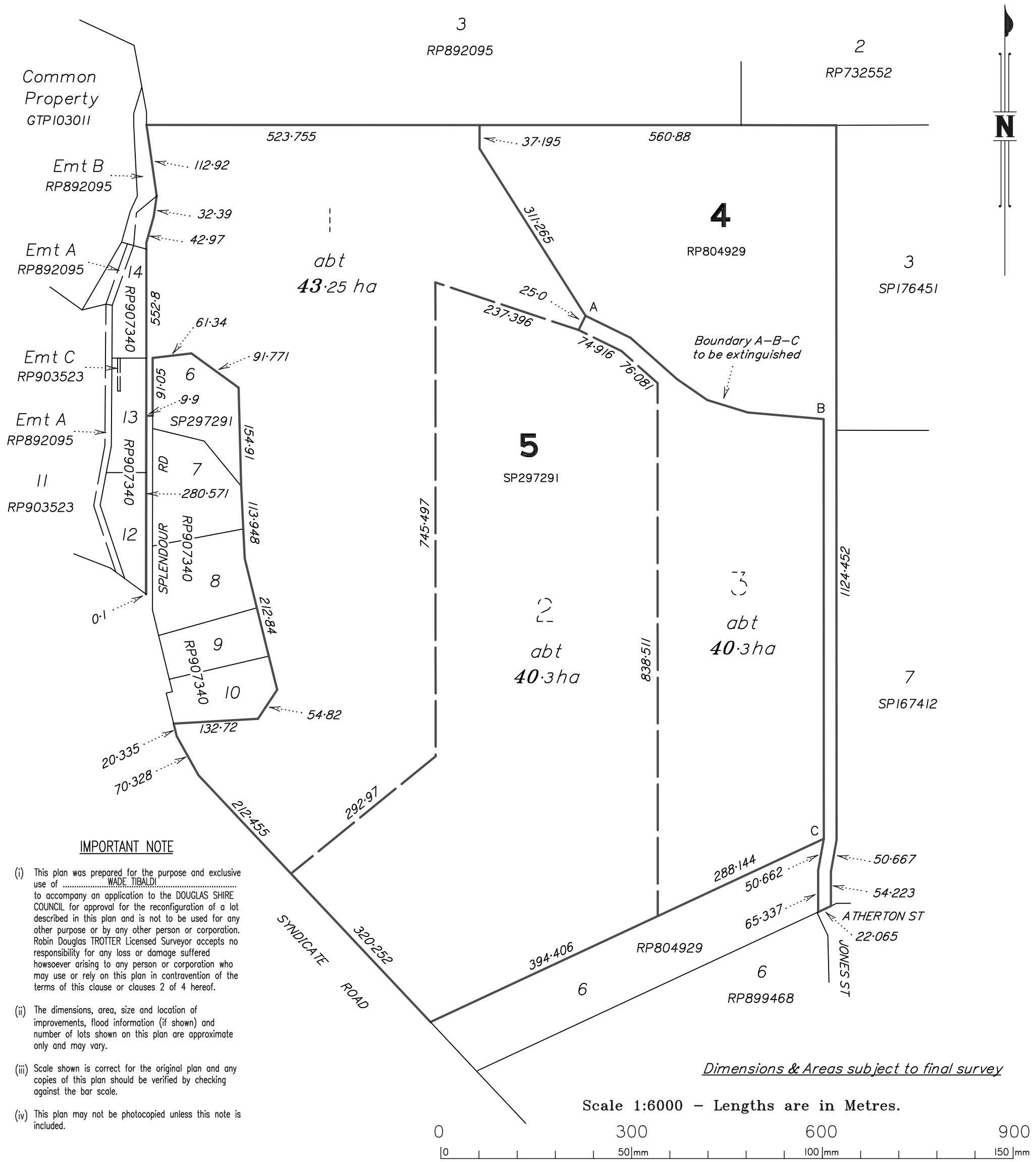
Major Transport Corridor Buffer Area

Disclaimer

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

Appendix C

Proposal Plans



IMPORTANT NOTE

(i) This plan was prepared for the purpose and exclusive use of .....WADE TIBALDI..... to accompany an application to the DOUGLAS SHIRE COUNCIL for approval for the reconfiguration of a lot described in this plan and is not to be used for any other purpose or by any other person or corporation. Robin Douglas TROTTER Licensed Surveyor accepts no responsibility for any loss or damage suffered howsoever arising to any person or corporation who may use or rely on this plan in contravention of the terms of this clause or clauses 2 of 4 hereof.

(ii) The dimensions, area, size and location of improvements, flood information (if shown) and number of lots shown on this plan are approximate only and may vary.

(iii) Scale shown is correct for the original plan and any copies of this plan should be verified by checking against the bar scale.

(iv) This plan may not be photocopied unless this note is included.

Dimensions & Areas subject to final survey

Scale 1:6000 – Lengths are in Metres.

0 300 600 900

0 50 mm 100 mm 150 mm

ROBIN TROTTER Cadastral Surveyor

PO Box 481 Mareeba Qld 4880

email robint@activ8.net.au mobile 0409 080017

PROPOSED RECONFIGURATION

Lot 4 on RP804929 and
Lot 5 on SP297291
Locality of Mossman

Surveyed by : Date :
Designed by : R D TROTTER Date : 11/7/2022
Checked by : R D TROTTER Date : 11/7/2022

Notes :

Amendments :

Scale : 1:6000

Sheet Size : A3
FB Ref :
Meridian : SP297291
Level Datum :
Origin of Co-ords :
Digital Data Ref :
Sheet Number :

Drawing No : 407_05A
Issue :

Appendix D

Planning Scheme Code Responses

6.2.10 Rural zone code

6.2.10.1 Application

(1) This code applies to assessing development in the Industry zone.

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

6.2.10.2 Purpose

(1) The purpose of the Rural zone code is to provide for:

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

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

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

(2) The local government purpose of the code is to:

(a) implement the policy direction set in the Strategic Framework, in particular:

(i) Theme 2 : Environment and landscape values, Element 3.5.5 – Scenic amenity.

(ii) Theme 3 : Natural resource management, Element 3.6.2 – Land and catchment management, Element 3.6.3 Primary production, forestry and fisheries, Element 3.6.4 – Resource extraction.

(iii) Theme 5 Economy, Element 3.8.2 – Economic growth and diversification, Element 3.8.4 – Primary production.

(iv) Theme 6 : Infrastructure and transport, Element 3.9.4 – Transport.

(b) recognise the primacy of rural production, in particular sugar cultivation, and other farming practices in rural areas;

(c) provide protection to areas of ecological significance and scenic amenity significance where present.

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

(a) Areas for use for primary production are conserved and fragmentation is avoided.

(b) Development embraces sustainable land management practices and contributes to the amenity and landscape of the area.

(c) Adverse impacts of land use, both on-site and on adjoining areas, are avoided and any unavoidable impacts are minimised through location, design, operation and management.

(d) Areas of remnant and riparian vegetation are retained or rehabilitated.

Criteria for assessment

Table 6.2.10.3.a – Rural zone code assessable development

Performance outcomes	Acceptable outcomes	Applicant response
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.	**Not applicable** The development is reconfiguring a lot only.
	AO1.2 Rural farm sheds and other rural structures are not more than 10 metres in height.	**Not applicable** The development is reconfiguring a lot only.
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; (b) 25 metres from the property boundary adjoining Cape Tribulation Road; (c) 20 metres from the boundary with any other road; (d) 6 metres from side and rear property boundaries.	**Complies with AO2** The proposed reconfiguration would not result in a building within the minimum setback from a proposed boundary.
PO3	**AO3**	**Not applicable**

Performance outcomes	Acceptable outcomes	Applicant response
Buildings/structures are designed to maintain the rural character of the area.	White and shining metallic finishes are avoided on external surfaces of buildings.	The development is reconfiguring a lot only.
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 Table 6.2.10.3.b are not established in the Rural zone.	**Not applicable** The development is reconfiguring a lot only.
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 (b) promote low impact tourist activities based on the appreciation of the rural character, landscape and rural activities; or (c) are compatible with rural activities.	**AO5** No acceptable outcomes are prescribed.	**Complies with PO5** The proposed development would not result in a change of use.
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 with PO6** The proposed development would not result in the removal or damage of native vegetation.
PO7 The minimum lot size is 40 hectares, unless	**AO7** No acceptable outcomes are prescribed.	**Complies with PO7**

Performance outcomes	Acceptable outcomes	Applicant response
(a) the lot reconfiguration results in no additional lots (e.g. amalgamation, boundary realignments to resolve encroachments); or (b) the reconfiguration is limited to one additional lot to accommodate: (i) Telecommunications facility; (ii) Utility installation.		The proposed reconfiguring a lot (subdivision) would result in 3 lots each greater than 40 hectares in area/

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

Inconsistent uses		
• Adult store • Bar • Brothel • Car wash • Child care centre • Club • Community care centre • Community residence • Detention facility, • Dual occupancy • Dwelling unit • Food and drink outlet • Hardware and trade supplies • Health care services • High impact industry	• Hotel • Indoor sport and recreation • Low impact industry • Medium impact industry • Multiple dwelling • Nightclub entertainment facility • Non-resident workforce accommodation • Office • Outdoor sales • Parking station • Permanent plantation • Port services • Relocatable home park • Renewable energy facility, being a wind farm	• Residential care facility • Resort complex • Retirement facility • Rooming accommodation • Sales office • Service station • Shop • Shopping centre • Short-term accommodation • Showroom • Special industry • Theatre • Warehouse

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

8.2.2 Bushfire hazard overlay code

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

8.2.2.1 Application

(1) This code applies to assessing a material change of use, reconfiguring a lot, operational works or building work in the Bushfire hazard overlay, if:

(a) self-assessable or assessable where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;

(b) impact assessable development.

(2) Land in the Bushfire hazard overlay is identified on the Bushfire hazard overlay map in Schedule 2 and includes the following sub-categories:

(a) Medium bushfire risk sub-category;

(b) High bushfire risk sub-category;

(c) Very high bushfire risk sub-category;

(d) Potential impact buffer sub-category.

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

8.2.2.2 Purpose

(1) The purpose of the Bushfire overlay code is to:

(a) implement the policy direction in the Strategic Framework, in particular:

(i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;

(ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.

(b) enable an assessment of whether development is suitable on land within the Bushfire risk overlay sub-categories.

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

(a) development avoids the establishment or intensification of vulnerable activities within or near areas that are subject to bushfire hazard;

(b) development is designed and located to minimise risks to people and property from bushfires;

(c) bushfire risk mitigation treatments are accommodated in a manner that avoids or minimises impacts on the natural environment and ecological processes;

(d) development involving the manufacture or storage of hazardous materials does not increase the risk to public safety or the environment in a bushfire event;

(e) development contributes to effective and efficient disaster management response and recovery capabilities.

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

Criteria for assessment

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

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

Performance outcomes	Acceptable outcomes	Applicant response
during and immediately after a bushfire hazard event.	sub-category and have direct access to low hazard evacuation routes.	
PO3 Development involving hazardous materials manufactured or stored in bulk is not located in bushfire hazard sub-category.	**AO3** The manufacture or storage of hazardous material in bulk does not occur within bushfire hazard sub-category.	**Not applicable** The application is for Reconfiguring a Lot only.
Development design and separation from bushfire hazard – reconfiguration of lots		
PO4.1 Where reconfiguration is undertaken in an urban area or is for urban purposes or smaller scale rural residential purposes, a separation distance from hazardous vegetation is provided to achieve a radiant heat flux level of 29kW/m^2 at the edge of the proposed lot(s). Note - "Urban purposes" and "urban area" are defined in the *Sustainable Planning Regulations 2009*. Reconfiguration will be taken to be for rural residential purposes where proposed lots are between 2000m^2 and 2ha in area. "Smaller scale" rural residential purposes will be taken to be where the average proposed lot size is 6000m2 or less. Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009. **PO4.2** Where reconfiguration is undertaken for other purposes, a building envelope of reasonable dimensions is provided on each lot which achieves radiant heat flux level of 29kW/m^2 at any point.	**AO4.1** No new lots are created within a bushfire hazard sub-category. or **AO4.2** Lots are separated from hazardous vegetation by a distance that: (a) achieves radiant heat flux level of 29kW/m^2 at all boundaries; and (b) is contained wholly within the development site. Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation. For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages. Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme	**Complies with AO4.1** No new lots would be created in the Bushfire Hazard Area.

Performance outcomes	Acceptable outcomes	Applicant response
	require protection of certain ecological, slope, visual or character features or functions.	
PO5 Where reconfiguration is undertaken in an urban area or is for urban purposes, a constructed perimeter road with reticulated water supply is established between the lots and the hazardous vegetation and is readily accessible at all times for urban fire fighting vehicles. The access is available for both fire fighting and maintenance/defensive works.	**AO5.1** Lot boundaries are separated from hazardous vegetation by a public road which: (a) has a two-lane sealed carriageway; (b) contains a reticulated water supply; (c) is connected to other public roads at both ends and at intervals of no more than 500m; (d) accommodates geometry and turning radii in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (e) has a minimum of 4.8m vertical clearance above the road; (f) is designed to ensure hydrants and water access points are not located within parking bay allocations; and (g) incorporates roll-over kerbing. **AO5.2** Fire hydrants are designed and installed in accordance with AS2419.1 2005, unless otherwise specified by the relevant water entity. Note - Applicants should have regard to the relevant standards set out in the reconfiguration of a lot code and works codes in this planning scheme.	**Not applicable** The site is within the rural area.
PO6	**AO6**	**Not applicable**

Performance outcomes	Acceptable outcomes	Applicant response
Where reconfiguration is undertaken for smaller scale rural residential purposes, either a constructed perimeter road or a formed, all weather fire trail is established between the lots and the hazardous vegetation and is readily accessible at all times for the type of fire fighting vehicles servicing the area. The access is available for both fire fighting and maintenance/hazard reduction works.	Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has: (a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (f) a maximum gradient of 12.5%; (g) a cross fall of no greater than 10 degrees; (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy; (i) vehicular access at each end which is connected to the public road network at intervals of no more than 500m; (j) designated fire trail signage; (k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and (l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.	The site is within the rural area and the application is for a rural subdivision.

Performance outcomes	Acceptable outcomes	Applicant response
PO7 Where reconfiguration is undertaken for other purposes, a formed, all weather fire trail is provided between the hazardous vegetation and either the lot boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area. However, a fire trail will not be required where it would not serve a practical fire management purpose.	**AO7** Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has: (a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (f) a maximum gradient of 12.5%; (g) a cross fall of no greater than 10 degrees; (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy; (i) vehicular access at each end which is connected to the public road network; (j) designated fire trail signage; (k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and	**Complies with PO7** The proposed new lot boundaries would not be located within a bushfire hazard area and would be separated from hazardous vegetation.

Performance outcomes	Acceptable outcomes	Applicant response
	(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.	
PO8 The development design responds to the potential threat of bushfire and establishes clear evacuation routes which demonstrate an acceptable or tolerable risk to people.	**AO8** The lot layout: (a) minimises the length of the development perimeter exposed to, or adjoining hazardous vegetation; (b) avoids the creation of potential bottle-neck points in the movement network; (c) establishes direct access to a safe assembly /evacuation area in the event of an approaching bushfire; and (d) ensures roads likely to be used in the event of a fire are designed to minimise traffic congestion. Note - For example, developments should avoid finger-like or hour-glass subdivision patterns or substantive vegetated corridors between lots. In order to demonstrate compliance with the performance outcome, a bushfire management plan prepared by a suitably qualified person may be required. The bushfire management plan should be developed in accordance with the Public Safety Business Agency (PSBA) guideline entitled “Undertaking a Bushfire Protection Plan. Advice from the Queensland Fire and Emergency Services (QFES) should be sought as appropriate	**Complies with AO8** The proposed lot layout would not result in any more lots exposed to hazardous vegetation and would provide a suitable mans of escape for each lot to a constructed road.
PO9 Critical infrastructure does not increase the potential bushfire hazard.	**AO9** Critical or potentially hazardous infrastructure such as water supply, electricity, gas and telecommunications are placed underground.	**Not applicable** The application is for reconfiguring a lot only.

Performance outcomes	Acceptable outcomes	Applicant response
Development design and separation from bushfire hazard – material change of use		
PO10 Development is located and designed to ensure proposed buildings or building envelopes achieve a radiant heat flux level at any point on the building or envelope respectively, of: (a) 10kW/m^2 where involving a vulnerable use; or (b) 29kW/m^2 otherwise. The radiant heat flux level is achieved by separation unless this is not practically achievable. Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.	**AO10** Buildings or building envelopes are separated from hazardous vegetation by a distance that: (a) achieves a radiant heat flux level of at any point on the building or envelope respectively, of 10kW/m^2 for a vulnerable use or 29kW/m^2 otherwise; and (b) is contained wholly within the development site. Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation. For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages. Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.	**Not applicable** The application is for reconfiguring a lot only.
PO11 A formed, all weather fire trail is provided between the hazardous vegetation and the site boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area. However, a fire trail will not be required where it would not serve a practical fire management purpose.	**AO11** Development sites are separated from hazardous vegetation by a public road or fire trail which has: (a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation;	**Not applicable** The application is for reconfiguring a lot only.

Performance outcomes	Acceptable outcomes	Applicant response
Note - Fire trails are unlikely to be required where a development site involves less than 2.5ha	(c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (f) a maximum gradient of 12.5%; (g) a cross fall of no greater than 10 degrees; (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy; (i) vehicular access at each end which is connected to the public road network which is connected to the public road network at intervals of no more than 500m; (j) designated fire trail signage; (k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and (l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.	
All development		
PO12	**AO12** Private driveways:	**Not applicable**

Performance outcomes	Acceptable outcomes	Applicant response
All premises are provided with vehicular access that enables safe evacuation for occupants and easy access by fire fighting appliances.	(a) do not exceed a length of 60m from the street to the building; (b) do not exceed a gradient of 12.5%; (c) have a minimum width of 3.5m; (d) have a minimum of 4.8m vertical clearance; (e) accommodate turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and (f) serve no more than 3 dwellings or buildings.	No new private driveways would be constructed as part of this application for Reconfiguring a Lot.
PO13 Development outside reticulated water supply areas includes a dedicated static supply that is available solely for fire fighting purposes and can be accessed by fire fighting appliances.	**AO13** A water tank is provided within 10m of each building (other than a class 10 building) which: (a) is either below ground level or of non-flammable construction; (b) has a take off connection at a level that allows the following dedicated, static water supply to be left available for access by fire fighters: (i) 10,000l for residential buildings Note – A minimum of 7,500l is required in a tank and the extra 2,500l may be in the form of accessible swimming pools or dams. (ii) 45,000l for industrial buildings; and (iii) 20,000l for other buildings; (c) includes shielding of tanks and pumps in accordance with the relevant standards;	**Not applicable** The application is for reconfiguring a lot only.

Performance outcomes	Acceptable outcomes	Applicant response
	(d) includes a hardstand area allowing medium rigid vehicle (15 tonne fire appliance) access within 6m of the tank; (e) is provided with fire brigade tank fittings – 50mm ball valve and male camlock coupling and, if underground, an access hole of 200mm (minimum) to accommodate suction lines; and (f) is clearly identified by directional signage provided at the street frontage.	
PO14 Landscaping does not increase the potential bushfire risk.	**AO14** Landscaping uses species that are less likely to exacerbate a bushfire event, and does not increase fuel loads within separation areas.	**Not applicable** The application is for reconfiguring a lot only.
PO15 The risk of bushfire and the need to mitigate that risk is balanced against other factors (such as but not limited to, biodiversity or scenic amenity).	**AO15** Bushfire risk mitigation treatments do not have a significant impact on the natural environment or landscape character of the locality where this has value.	**Not applicable** The application is for reconfiguring a lot only and no bushfire treatments are proposed.

Note – 'Vulnerable activities' are those involving:

(1) the accommodation or congregation of vulnerable sectors of the community such as child care centres, community care centre, educational establishments, detention facilities, hospitals, rooming accommodation, retirement facilities or residential care facilities; or

(2) the provision of essential services including community uses, emergency services, utility installation, telecommunications facility, substations and major electricity infrastructure.

8.2.4 Flood and storm tide hazard overlay code

8.2.4.1 Application

(1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Flood and storm tide hazard overlay, if:

(a) self assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;

(b) impact assessable development.

(2) Land in the Flood and storm tide hazard overlay is identified on the Flood and storm tide hazard overlay map in Schedule 2 and includes the:

(a) Storm tide – high hazard sub-category;

(b) Storm tide – medium hazard sub-category;

(c) Flood plain assessment sub-category;

(d) 100 ARI Mossman, Port Douglas and Daintree Township Flood Studies sub-category.

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

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

8.2.4.2 Purpose

(1) The purpose of the Flood and storm tide hazard overlay code is to:

(a) implement the policy direction in the Strategic Framework, in particular:

(i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;

(ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.

(b) enable an assessment of whether development is suitable on land within the Flood and storm tide hazard sub-categories.

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

(a) development siting, layout and access responds to the risk of the natural hazard and minimises risk to personal safety;

(b) development achieves an acceptable or tolerable risk level, based on a fit for purpose risk assessment;

(c) the development is resilient to natural hazard events by ensuring siting and design accounts for the potential risks of natural hazards to property;

(d) the development supports, and does not unduly burden disaster management response or recovery capacity and capabilities;

(e) the development directly, indirectly and cumulatively avoids an unacceptable increase in severity of the natural hazards and does not significantly increase the potential for damage on site or to other properties;

(f) the development avoids the release of hazardous materials as a result of a natural hazard event;

(g) natural processes and the protective function of landforms and/or vegetation are maintained in natural hazard areas;

(h) community infrastructure is located and designed to maintain the required level of functionality during and immediately after a hazard event.

Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
PO1 Development is located and designed to: a) ensure the safety of all persons; b) minimise damage to the development and contents of buildings; c) provide suitable amenity; d) minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events. Note – For assessable development within the flood plain assessment sub-category, a flood study by a suitably qualified professional is required to identify compliance with the intent of the acceptable outcome.	**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, **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 Table **8.2.4.3.b** plus a freeboard of 300mm.	**Not applicable** The application is for Reconfiguring a Lot to create rural lots only. No additional development is proposed within the land potentially affected by flooding.
	AO1.3 New buildings are:	**Not applicable** The application is for Reconfiguring a Lot to

Performance outcomes	Acceptable outcomes	Applicant response
	(a) not located within the overlay area; (b) located on the highest part of the site to minimise entrance of flood waters; (c) provided with clear and direct pedestrian and vehicle evacuation routes off the site.	create rural lots only. No additional development is proposed within the land potentially affected by flooding.
	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.	**Not applicable** The application is for Reconfiguring a Lot to create rural lots only. No additional development is proposed within the land potentially affected by flooding.
For assessable development		
PO2 The development is compatible with the level of risk associated with the natural hazard.	**AO2** The following uses are not located in land inundated by the Defined Flood Event (DFE) / Storm tide: (a) Retirement facility; (b) Community care facility; (c) Child care centre.	**Not applicable** The application is for Reconfiguring a Lot to create rural lots only. No additional development is proposed within the land potentially affected by flooding.
PO3 Development siting and layout responds to flooding potential and maintains personal safety	For Material change of use **AO3.1** New buildings are: (a) not located within the overlay area; (b) located on the highest part of the site to	**Not applicable** The application is for Reconfiguring a Lot to create rural lots only. No additional development is proposed within the land potentially affected by flooding.

Performance outcomes	Acceptable outcomes	Applicant response
	minimise entrance of flood waters; (c) provided with clear and direct pedestrian and vehicle evacuation routes off the site. or **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. or **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 70m^2 gross floor area. Note – If part of the site is outside the Hazard Overlay area, this is the preferred location of all buildings.	
	For Reconfiguring a lot **AO3.4** Additional lots: (a) are not located in the hazard overlay area; or (b) are demonstrated to be above the flood level identified for the site.	**Complies with AO3.4** The application is for Reconfiguring a Lot to create rural lots with each lot having an area suitable to accommodate a dwelling outside of the area of potential flooding.

Performance outcomes	Acceptable outcomes	Applicant response
	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). Note – Buildings subsequently developed on the lots will need to comply with the relevant building assessment provisions under the *Building Act 1975*.	
	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 (b) by direct and simple routes to main carriageways.	**Complies with AO3.5** There is sufficient rea of frontage within each of the proposed lots to allow for floor free access and egress to a constructed road.
	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. or **AO3.7** There is no intensification of residential uses within the	**Not applicable** This is not considered applicable to a rural subdivision.

Performance outcomes	Acceptable outcomes	Applicant response
	flood affected areas on land situated below the DFE/Storm tide	
	For Material change of use (Residential uses) **AO3.8** 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; 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.	**Not applicable** The application is for Reconfiguring a Lot to create rural lots only. No additional development is proposed within the land potentially affected by flooding.
PO4 Development is resilient to flood events by ensuring design and built form account for the potential risks of flooding.	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. 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). Note - The relevant building assessment provisions under the *Building Act 1975* apply to all building work within the Hazard Area and need to take into account the flood potential within the area.	**Not applicable** The application is for Reconfiguring a Lot to create rural lots only. No additional development is proposed within the land potentially affected by flooding.
	AO4.3 Materials are stored on-site: (a) are those that are readily able to be moved in a	**Not applicable** The application is for Reconfiguring a Lot to create rural lots only. No additional development is proposed within the land

Performance outcomes	Acceptable outcomes	Applicant response
	flood event; (b) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood. 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.	potentially affected by flooding.
PO5 Development directly, indirectly and cumulatively avoids any increase in water flow velocity or flood level and does not increase the potential flood damage either on site or on other properties. Note – Berms and mounds are considered to be an undesirable built form outcome and are not supported.	For Operational works **AO5.1** Works in urban areas associated with the proposed development do not involve: (a) any physical alteration to a watercourse or floodway including vegetation clearing; or (b) a net increase in filling (including berms and mounds).	**Not applicable** The application is for Reconfiguring a Lot to create rural lots only. No additional development is proposed within the land potentially affected by flooding.
	AO5.2 Works (including buildings and earthworks) in non urban areas either: (a) do not involve a net increase in filling greater than 50m^3; or (b) do not result in any reductions of on-site flood	**Complies with AO5.2** The No excavation or filling is proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	storage capacity and contain within the subject site any changes to depth/duration/velocity of flood waters; or (c) do not change flood characteristics outside the subject site in ways that result in: (i) loss of flood storage; (ii) loss of/changes to flow paths; (iii) acceleration or retardation of flows or any reduction in flood warning times elsewhere on the flood plain.	
	For Material change of use **AO5.3** 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 (a) does not increase the volume, velocity, concentration of flow path alignment of stormwater flow across sites upstream, downstream or in the general vicinity of the subject site; and (b) does not increase ponding on sites upstream, downstream or in the general vicinity of the subject site.	**Not applicable** The application is for Reconfiguring a Lot to create rural lots only. No additional development is proposed within the land potentially affected by flooding.

Performance outcomes	Acceptable outcomes	Applicant response
	For Material change of use and Reconfiguring a lot **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. 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.	
PO6 Development avoids the release of hazardous materials into floodwaters.	For Material change of use **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; or **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; or (b) designed to prevent the intrusion of floodwaters.	**Not applicable** The application is for Reconfiguring a Lot to create rural lots only. No additional development is proposed within the land potentially affected by flooding.
	AO6.3 Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of	**Not applicable** The application is for Reconfiguring a Lot to create rural lots only. No additional

Performance outcomes	Acceptable outcomes	Applicant response
	inundation by the DFE.	development is proposed within the land potentially affected by flooding.
	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. Note – Refer to *Work Health and Safety Act 2011* and associated Regulation and Guidelines, the *Environmental Protection Act 1994* and the relevant building assessment provisions under the *Building Act 1975* for requirements related to the manufacture and storage of hazardous materials.	**Not applicable** The application is for Reconfiguring a Lot to create rural lots only. No additional development is proposed within the land potentially affected by flooding.
PO7 The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.	**AO7** Development does not: (a) increase the number of people calculated to be at risk of flooding; (b) increase the number of people likely to need evacuation; (c) shorten flood warning times; and (d) impact on the ability of traffic to use evacuation routes, or unreasonably increase traffic volumes on evacuation routes.	**Complies with AO7** The application is for Reconfiguring a Lot to create rural lots only. No additional development is proposed within the land potentially affected by flooding.
PO8 Development involving community infrastructure: (a) remains functional to serve community need	**AO8.1** The following uses are not located on land inundated during a DFE/Storm tide:	**Complies with AO8.1** The application is for Reconfiguring a Lot to create rural lots only. No additional development is proposed within the land

Performance outcomes	Acceptable outcomes	Applicant response
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.	(a) community residence; and (b) emergency services; and (c) residential care facility; and (d) utility installations involving water and sewerage treatment plants; and (e) storage of valuable records or items of historic or cultural significance (e.g. archives, museums, galleries, libraries). or **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 Education and care Services National law (Queensland) is operated or child care service under the *Child Care Act 2002* is conducted, (b) community centres; (c) meeting halls; (d) galleries; (e) libraries. The following uses are not located on land inundated during a 0.5% AEP flood event. (a) emergency shelters; (b) police facilities;	potentially affected by flooding.

Performance outcomes	Acceptable outcomes	Applicant response
	(c) sub stations; (d) water treatment plant The following uses are not located on land inundated during a 0.2% AEP flood event: (a) correctional facilities; (b) emergency services; (c) power stations; (d) major switch yards. and/or **AO8.3** The following uses have direct access to low hazard evacuation routes as defined in Table 8.2.4.3.c : (a) community residence; and (b) emergency services; and (c) hospitals; and (d) residential care facility; and (e) sub stations; and (f) utility installations involving water and sewerage treatment plants.	
	AO8.4 Any components of infrastructure that are likely to fail	**Not applicable** The application is for Reconfiguring a Lot to

Performance outcomes	Acceptable outcomes	Applicant response
	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: (a) located above DFE/Storm tide or the highest known flood level for the site; (b) designed and constructed to exclude floodwater intrusion / infiltration.	create rural lots only. No additional development is proposed within the land potentially affected by flooding.
	AO8.5 Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by a flood.	**Not applicable** The application is for Reconfiguring a Lot to create rural lots only. No additional development is proposed within the land potentially affected by flooding.

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

Minimum immunity to be achieved (floor levels)	Uses and elements of activities acceptable in the event
20% AEP level	• Parks and open space.
5% AEP level	• Car parking facilities (including car parking associated with use of land).
1% AEP level	• All development (where not otherwise requiring an alternative level of minimum immunity).
0.5% AEP level	• Emergency services (if for a police station); • Industry activities (if including components which store, treat or use hazardous materials); • Substation; • Utility installation.
0.2% AEP level	• Emergency services; • Hospital; • Major electricity infrastructure; • Special industry.

Table 8.2.4.3.c - Degree of flood

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

Note: The evacuation times for various facilities or areas would (but not necessarily) be included in the Counter Disaster Plan.
Generally safe wading conditions assume even walking surfaces and no obstructions, steps, soft underfoot etc.

8.2.5 Hillslopes overlay code

8.2.5.1 Application

(1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Hillslopes 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 Hillslopes overlay is identified on the Hillslopes overlay map in Schedule 2 and includes the following sub-categories:

(a) Hillslopes constraint sub-category.

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

8.2.5.2 Purpose

(1) The purpose of the Hillslopes 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 3.5.5 Scenic amenity.

(b) enable an assessment of whether development is suitable on land within the Hillslopes sub-categories.

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

(a) development on hillslopes is safe, serviceable and accessible;

(b) the ecological values, landscape character and visual quality of the hillslopes are protected from development so as to retain the scenic backdrop to the region;

(c) Development on hillslopes is appropriate, having regard to the topographic constraints and environmental characteristics of the land;

(d) Development responds to the constraints of the site including gradient and slope stability;

(e) Works do not involve complex engineering solutions.

Criteria for assessment

Table 8.2.5.3.a – Hillslopes overlay code –assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable development		
PO1 The landscape character and visual amenity quality of hillslopes areas is retained to protect the scenic backdrop to the region.	**AO1.1** Development is located on parts of the site that are not within the Hillslopes constraint sub-category as shown on the Hillslopes overlay Maps contained in schedule 2.	**Complies with AO1.1** The proposed new lot would not be located in the area affected by hillslopes.
For assessable development		
PO2 The landscape character and visual amenity quality of hillslopes areas is retained to protect the scenic backdrop to the region.	**AO2.1** Development does not occur on land with a gradient in excess of 1 in 6 (16.6%) or **AO2.2** Where development on land steeper than 1 in 6 (16.6%) cannot be avoided, development follows the natural contours of the site.	**Complies with AO2.1** The proposed new lot would not be located in the area affected by hillslopes.
	AO2.3 Access ways and driveways are:	**Not applicable** No new driveways or accessways are proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	(a) constructed with surface materials that blend with the surrounding environment; (b) landscaped with dense planting to minimise the visual impact of the construction; (c) provided with erosion control measures immediately after construction.	
	AO2.4 The clearing or disturbance of vegetation is limited to clearing and disturbance that: (a) is necessary for the construction of driveways; (b) is necessary to contain the proposed development; (c) minimises canopy clearing or disturbance; (d) minimises riparian clearing or disturbance.	**Not applicable** No vegetation clearing is proposed or required.
	AO2.5 On land with slopes greater than 1 in 6 (16.6%) or greater, alternative construction methods to concrete slab on ground are utilised (i.e. split level or post and beam constructed buildings that minimise modification to the natural terrain of the land).	**Not applicable** The application is for reconfiguring a lot only.
	AO2.6 Development does not alter the sky line.	**Not applicable** The application is for reconfiguring a lot only
	AO2.7	**Not applicable**

Performance outcomes	Acceptable outcomes	Applicant response
	Buildings and structures: (a) are finished predominantly in the following exterior colours or surfaces: (b) moderately dark to darker shades of olive green, brown, green, blue, or charcoal; or (c) moderately dark to darker wood stains that blend with the colour and hues of the surrounding vegetation and landscape; (d) are not finished in the following exterior colours or surfaces: (e) pastel or terracotta colours, reds, yellows, shades of white or beige, or other bright colours that do not blend with the surrounding vegetation and landscape; (f) reflective surfaces.	The application is for reconfiguring a lot only
	AO2.8 Exterior colour schemes limit the use of white or other light colours to exterior trim and highlighting of architectural features.	**Not applicable** The application is for reconfiguring a lot only
	AO2.9 Areas between the first floor (including outdoor deck areas) and ground level are screened from view.	**Not applicable** The application is for reconfiguring a lot only
	AO2.10	**Not applicable** The application is for reconfiguring a lot only

Performance outcomes	Acceptable outcomes	Applicant response
	Recreational or ornamental features (including tennis courts, ponds or swimming pools) do not occur on land: (a) with a gradient of 1 in 6 (16.6%) or more; (b) are designed to be sited and respond to the natural constraints of the land and require minimal earthworks	
PO3 Excavation or filling does not have an adverse impact on the amenity, safety, stability or function of the site or adjoining premises through: (a) loss of privacy; (b) loss of access to sunlight; (c) intrusion of visual or overbearing impacts; (d) complex engineering solutions.	**AO3** Excavation or fill: (a) is not more than 1.2 metres in height for each batter or retaining wall; (b) is setback a minimum of 2 metres from property boundaries; (c) is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with Planning scheme policy SC6.7 – Landscaping; (d) does not exceed a maximum of 3 batters and 3 berms (i.e. not greater than 3.6 metres in height) on any one lot.	**Not applicable** The application is for reconfiguring a lot only and no excavation or filling is proposed.
Lot reconfiguration		

Performance outcomes	Acceptable outcomes	Applicant response
PO4 For development that involves reconfiguring a lot, lot layout and design is responsive to the natural constraints of the land and each lot is capable of being used for its intended purpose.	**AO4.1** The frontage and depth of all lots is of sufficient width to: (a) allow driveways to follow the natural contours of the site and not exceed a gradient of 1 in 6 (16.6%); (b) accommodate any changes in gradient between the road and lot within the lot boundary and not within the road reserve.	**Complies with AO4.1** All lots would have sufficient area to accommodate the driveway design.
	AO4.2 Development does not create new lots containing land of greater than 1 in 6 (16.6%), except where a rectangular area of land of lesser grade is contained within the new lots to accommodate the intended land use, with the balance left in its natural state to the greatest extent possible. Note – The size of rectangular areas is outlined within each zone code.	**Complies with AO4.2** The proposed new lot would not be within the hillslopes area.
	AO4.3 Development does not alter ridgelines.	**Not applicable** The application is for reconfiguring a lot only
	AO4.4 Lots are designed to ensure rooflines of future buildings and structures do not protrude above a ridgeline.	**Complies with AO4.4** The proposed new lot would not be within the hillslopes area.

8.2.7 Natural areas overlay code

8.2.7.1 Application

(1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Natural areas overlay, if:

(a) self-assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;

(b) impact assessable development.

(2) Land in the Natural areas overlay is identified on the Natural areas overlay map in Schedule 2 and includes the following sub-categories:

(a) MSES – Protected area;

(b) MSES – Marine park;

(c) MSES – Wildlife habitat;

(d) MSES – Regulated vegetation;

(e) MSES – Regulated vegetation (intersecting a Watercourse);

(f) MSES – High ecological significance wetlands;

(g) MSES – High ecological value waters (wetlands);

(h) MSES – High ecological value waters (watercourse);

(i) MSES – Legally secured off set area.

Note – MSES = Matters of State Environmental Significance.

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

8.2.7.2 Purpose

(1) The purpose of the Natural areas overlay code is to:

(a) implement the policy direction in the Strategic Framework, in particular:

(i) Theme 2: Environment and landscape values, Element 3.5.3 Biodiversity, Element 3.5.4 Coastal zones;

(ii) Theme 3: Natural resource management Element 3.6.2 Land and catchment management, Element 3.6.3 Primary production, forestry and fisheries.

(b) enable an assessment of whether development is suitable on land within the Biodiversity area overlay sub-categories.

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

(a) development is avoided within:

(i) areas containing matters of state environmental significance (MSES);

(ii) other natural areas;

(iii) wetlands and wetland buffers;

(iv) waterways and waterway corridors.

(b) where development cannot be avoided, development:

(i) protects and enhances areas containing matters of state environmental significance;

(ii) provides appropriate buffers;

(iii) protects the known populations and supporting habitat of rare and threatened flora and fauna species, as listed in the relevant State and Commonwealth legislation;

(iv) ensures that adverse direct or indirect impacts on areas of environmental significance are minimised through design, siting, operation, management and mitigation measures;

(v) does not cause adverse impacts on the integrity and quality of water in upstream or downstream catchments, including the Great Barrier Reef World Heritage Area;

(vi) protects and maintains ecological and hydrological functions of wetlands, waterways and waterway corridors;

(vii) enhances connectivity across barriers for aquatic species and habitats;

(viii) rehabilitates degraded areas to provide improved habitat condition, connectivity, function and extent;

(ix) protects areas of environmental significance from weeds, pests and invasive species.

(c) strategic rehabilitation is directed to areas on or off site, where it is possible to achieve expanded habitats and increased connectivity.

Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
Protection of matters of environmental significance		
PO1 Development protects matters of environmental significance.	**AO1.1** Development avoids significant impact on the relevant environmental values. or **AO1.2** A report is prepared by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, that the development site does not contain any matters of state and local environmental significance. or **AO1.3** Development is located, designed and operated to mitigate significant impacts on environmental values. For example, a report certified by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, how the proposed development mitigates impacts, including on water quality, hydrology and biological processes.	**Complies with AO1.1** The proposed development would not affect any areas of environmental significance.
Management of impacts on matters of environmental significance		

Performance outcomes	Acceptable outcomes	Applicant response
PO2 Development is located, designed and constructed to avoid significant impacts on matters of environmental significance.	**AO2** The design and layout of development minimises adverse impacts on ecologically important areas by: (a) focusing development in cleared areas to protect existing habitat; (b) utilising design to consolidate density and preserve existing habitat and native vegetation; (c) aligning new property boundaries to maintain ecologically important areas; (d) ensuring that alterations to natural landforms, hydrology and drainage patterns on the development site do not negatively affect ecologically important areas; (e) ensuring that significant fauna habitats are protected in their environmental context; and (f) incorporating measures that allow for the safe movement of fauna through the site.	**Complies with AO2** The proposed new lot would not be within an area of environmental significance.
PO3 An adequate buffer to areas of state environmental significance is provided and maintained.	**AO3.1** A buffer for an area of state environmental significance (Wetland protection area) has a minimum width of: (a) 100 metres where the area is located outside Urban areas; or (b) 50 metres where the area is located within a Urban areas. or **AO3.2**	**Not applicable** The site is not located adjacent a wetland or within a wetland protection area.

Performance outcomes	Acceptable outcomes	Applicant response
	A buffer for an area of state environmental significance is applied and maintained, the width of which is supported by an evaluation of environmental values, including the function and threats to matters of environmental significance.	
PO4 Wetland and wetland buffer areas are maintained, protected and restored. Note – Wetland buffer areas are identified in AO3.1.	**AO4.1** Native vegetation within wetlands and wetland buffer areas is retained. **AO4.2** Degraded sections of wetlands and wetland buffer areas are revegetated with endemic native plants in patterns and densities which emulate the relevant regional ecosystem.	**Not applicable** The site is not located adjacent a wetland or within a wetland protection area.
PO5 Development avoids the introduction of non-native pest species (plant or animal), that pose a risk to ecological integrity.	**AO5.1** Development avoids the introduction of non-native pest species. **AO5.2** The threat of existing pest species is controlled by adopting pest management practices for long-term ecological integrity.	**Complies with AO5.1** It is not proposed to introduce pests.
Ecological connectivity		
PO6 Development protects and enhances ecological connectivity and/or habitat extent.	**AO6.1** Development retains native vegetation in areas large enough to maintain ecological values, functions and	**Complies with AO6.1-AO6.3** No native vegetation would be removed or is required to be removed to facilitate this

Performance outcomes	Acceptable outcomes	Applicant response
	processes. and **AO6.2** Development within an ecological corridor rehabilitates native vegetation. and **AO6.3** Development within a conservation corridor mitigates adverse impacts on native fauna, feeding, nesting, breeding and roosting sites and native fauna movements.	development.
PO7 Development minimises disturbance to matters of state environmental significance (including existing ecological corridors).	**AO7.1** Development avoids shading of vegetation by setting back buildings by a distance equivalent to the height of the native vegetation. and **AO7.2** Development does not encroach within 10 metres of existing riparian vegetation and watercourses.	**Not applicable** The application is for reconfiguring a lot only.
Waterways in an urban area		
PO8 Development is set back from waterways to protect and maintain:	**AO8.1** Where a waterway is contained within an easement or a reserve required for that purpose, development does	**Not applicable** The site is within a rural area.

Performance outcomes	Acceptable outcomes	Applicant response
(a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values; (e) riparian and in-stream habitat values and connectivity; (f) in-stream migration	not occur within the easement or reserve; or **AO8.2** Development does not occur on the part of the site affected by the waterway corridor. Note – Waterway corridors are identified within Table 8.2.7.3.b.	
Waterways in a non-urban area		
PO9 Development is set back from waterways to protect and maintain: (a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values; (e) riparian and in-stream habitat values and connectivity; (f) in-stream migration.	**AO9** Development does not occur on that part of the site affected by a waterway corridor. Note – Waterway corridors are identified within Table 8.2.7.3.b.	**Not applicable** The application is for reconfiguring a lot only.

Table 8.2.7.3.b — Widths of waterway corridors for waterways

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

8.2.10 Transport network overlay code

8.2.10.1 Application

(1) This code applies to assessing a material change of use, reconfiguring a lot, operational work orbuilding work within the Transport network overlay; if:

(a) self-assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels ofAssessment Tables in section 5.6;

(b) impact assessable development.

(2) Land within the Transport network overlay is identified on the Transport network (Road Hierarchy) overlay map and the Transport network (Pedestrian and Cycle) overlay map inSchedule 2 and includes the following sub-categories:

(a) Transport network (Road Hierarchy) overlay sub-categories:

(i) State controlled road sub-category;

(ii) Sub-arterial road sub-category;

(iii) Collector road sub-category;

(iv) Access road sub-category;

(v) Industrial road sub-category;

(vi) Major rural road sub-category;

(vii) Minor rural road sub-category;

(viii) Unformed road sub-category;

(ix) Major transport corridor buffer area sub-category.

(b) Transport network (Pedestrian and Cycle) overlay sub-categories:

(i) Principal route;

(ii) Future principal route;

(iii) District route;

(iv) Neighbourhood route;

(v) Strategic investigation route.

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

8.2.10.2 Purpose

(1) The purpose of the Transport network overlay code is to:

(a) implement the policy direction of the Strategic Framework, in particular:

(i) Theme 1: Settlement pattern Element 3.4.2 Urban settlement, Element 3.4.3Activity centres;

(ii) Theme 6: Infrastructure and transport Element 3.9.4 Transport;

(b) enable an assessment of whether development is suitable on land within the Transportnetwork overlay.

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

(a) development provides for transport infrastructure (including active transportinfrastructure);

(b) development contributes to a safe and efficient transport network;

(c) development supports the existing and future role and function of the transport network;

(d) development does not compromise the safety and efficiency of major transportinfrastructure and facilities.

8.2.10.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
For assessable development		
PO1 Development supports the road hierarchy for the region. Note -A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.	**AO1.1** Development is compatible with the intended role and function of the transport network as identified on the Transport network overlay maps contained in Schedule 2.	**Complies with AO1.1** The proposed development is for rural lots in a rural area accessed by rural roads.
	AO1.2 Development does not compromise the safety and efficiency of the transport network.	**Complies with AO1.2** The proposed development is for rural lots in a rural area accessed by rural roads.
	AO1.3 Development is designed to provide access via the lowest order road, where legal and practicable access can be provided to that road	**Complies with AO1.3** The proposed development is for rural lots in a rural area accessed by rural roads.
PO2 Transport infrastructure is provided in an integrated and timely manner. Note - A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.	**AO2** Development provides infrastructure (including improvements to existing infrastructure) in accordance with: (a) the Transport network overlay maps contained in Schedule 2; (b) any relevant Local Plan. Note – The Translink Public Transport Infrastructure Manual provides guidance on the design of public transport facilities.	**Not applicable** No transport infrastructure is required to support this development.

Performance outcomes	Acceptable outcomes	Compliance
PO3 Development involving sensitive land uses within a major transport corridor buffer area is located, designed and maintained to avoid or mitigate adverse impacts on amenity for the sensitive land use.	**AO3** No acceptable outcomes are prescribed. Note – Part 4.4 of the Queensland Development Code provides requirements for residential building design in a designated transport noise corridor.	**Not applicable** No sensitive land uses are proposed.
PO4 Development does not compromise the intended role and function or safety and efficiency of major transport corridors. Note - A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.	**AO4.1** Development is compatible with the role and function (including the future role and function) of major transport corridors.	**Not applicable** The site is not adjacent a major transport corridor.
	AO4.2 Direct access is not provided to a major transport corridor where legal and practical access from another road is available.	**Not applicable** The site does not have frontage to a major transport corridor.
	AO4.3 Intersection and access points associated with major transport corridors are located in accordance with: (a) the Transport network overlay maps contained in Schedule 2; and (b) any relevant Local Plan.	**Not applicable** The site does not have frontage to a major transport corridor.
	AO4.4 The layout of development and the design of the associated access is compatible with existing and future boundaries of the major transport corridor or major transport facility.	**Not applicable** The site does not have frontage to a major transport corridor.

Performance outcomes	Acceptable outcomes	Compliance
PO5 Development retains and enhances existing vegetation between a development and a major transport corridor, so as to provide screening to potential noise, dust, odour and visual impacts emanating from the corridor.	**AO5** No acceptable outcomes are prescribed.	**Not applicable** The site does not have frontage to a major transport corridor.
Pedestrian and cycle network		
PO6 Lot reconfiguration assists in the implementation of the pedestrian and cycle movement network to achieve safe, attractive and efficient pedestrian and cycle networks.	**AO6.1** Where a lot is subject to, or adjacent to an element of the pedestrian and cycle Movement network (identified on the Transport network overlay maps contained in Schedule 2) the specific location of this element of the pedestrian and cycle network is incorporated in the design of the lot layout.	**Not applicable** The site is not subject to an element of the pedestrian or cycle movement network.
	AO6.2 The element of the pedestrian and cycle networkis constructed in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC6.5 – FNQROC Regional Development Manual.	**Not applicable** The site is not subject to an element of the pedestrian or cycle movement network.

9.4.7 Reconfiguring a lot code

9.4.7.1 Application

(1) This code applies to assessing reconfiguring a lot if:

(a) assessable development where the code is an applicable code identified in theassessment criteria column of a table of assessment;

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

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

9.4.7.2 Purpose

(1) The purpose of the Reconfiguring a lot code is to regulate development for reconfiguring a lot.

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

(a) development results in a well-designed pattern of streets supporting walkablecommunities;

(b) lots have sufficient areas, dimensions and shapes to be suitable for their intend usetaking into account environmental features and site constraints;

(c) road networks provide connectivity that is integrated with adjoining existing or planned development while also catering for the safe and efficient access for pedestrians, cyclistsand for public transport;

(d) lots are arranged to front all streets and parkland such that development enhances personal safety, traffic safety, property safety and security; and contributes to streetscapeand open space quality;

(e) development does not diminish environmental and scenic values, and where relevant, maintains and enhances public access and use of natural areas, rivers, dams, creeks andthe foreshore, in a way that protects natural resources;

(f) people and property are not placed at risk from natural hazards;

(g) a range of functional parkland, including local and district parks, major areas of parkland with a region-wide focus and open space links are available for the use and enjoyment ofresidents and visitors to the region;

(h) the appropriate standard of infrastructure is provided.

9.4.7.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
General lot design standards		
PO1	**AO1**	**Complies with PO1**

Performance outcomes	Acceptable outcomes	Applicant response
Lots comply with the lot reconfiguration outcomes of the applicable Zone code in Part 5.	No acceptable outcomes are prescribed.	Refer to the assessment against the zone code.
PO2 New lots are generally rectangular in shape with functional areas for land uses intended by the zone.	**AO2** Boundary angles are not less than 45 degrees.	**Complies with AO2** No boundary angle is less than 45 degrees.
PO3 Lots have legal and practical access to a public road.	**AO3** Each lot is provided with: (a) direct access to a gazetted road reserve; or (b) access to a gazetted road via a formal accessarrangement registered on the title.	**Complies with AO3** The proposed development allows for direct access to from all lots to gazetted roads.
PO4 Development responds appropriately to its local context, natural systems and site features.	**AO4** Existing site features such as: (a) significant vegetation and trees; (b) waterways and drainage paths; (c) vistas and vantage points are retained and/or are incorporated into open space, road reserves, near to lot boundaries or as commonproperty.	**Complies with AO4** The proposed development would not result in any physical changes to the site.
PO5 New lots which have the capability of being further reconfigured into smaller lots at a later date are designed to not compromise ultimate development outcomes permitted in the relevant zone.	**AO5** The ability to further reconfigure land at a later date is demonstrated by submitting a concept plan that meets the planning scheme requirements for the applicable Zone.	**Not applicable** The site would not be capable of further reconfiguration under the current planning requirements.
PO6 Where existing buildings or structures are to be	**AO6** Development ensures setbacks between existingbuildings or structures and proposed	**Complies with AO6** The proposed reconfiguration ensures all property

Performance outcomes	Acceptable outcomes	Applicant response
retained, development results in: (a) boundaries that offer regular lot shapes and usable spaces; (b) existing improvements complying with current building and amenity standards in relation to boundary setbacks. Note - This may require buildings or structures to be modified, relocated or demolished to meet setback standards, resolve encroachments and the like.	boundaries satisfy relevant building standards or zone code requirements, whichever is the greater.	boundaries meet the required minimum setbacks.
PO7 Where rear lots are proposed, development: (a) provides a high standard of amenity for residents and other users of the site and adjoining properties; (b) positively contributes to the character of adjoining properties and the area; (c) does not adversely affect the safety and efficiency of the road from which access is gained.	**AO7.1** Where rear lots are to be established: (a) the rear lot is generally rectangular in shape,avoiding contrived sharp boundary angles; (b) no more than 6 lots directly adjoin the rear lot; (c) no more than one rear lot occurs behind theroad frontage lot; (d) no more than two access strips to rear lotsdirectly adjoin each other; (e) access strips are located only on one side ofthe road frontage lot.	**Not applicable** No rear lots would be established as part of this development.
	AO7.2 Access strips to the rear lot have a minimum widthdimension of: (a) 4.0 metres in Residential Zones. (b) 8.0 metres in Industrial Zones category. (c) 5.0 metres in all other Zones. Note - Rear lots a generally not appropriate in non-Residential or non-Rural zones.	**Not applicable** No rear lots would be established as part of this development.

Performance outcomes	Acceptable outcomes	Applicant response
	AO7.3 Access strips are provided with a sealed pavementof sufficient width to cater for the intended traffic, but no less than: (a) 3.0 metres in Residential Zone. (b) 6.0 metres in an Industrial Zone. (c) 3.5 metres in any other Zone.	**Not applicable** No rear lots would be established as part of this development.
Structure plans Additional requirements for: (a) a site which is more than 5,000m^2 in any of the Residential zones; or within these zones, and (b) creates 10 or more lots; or (c) involves the creation of new roads and/or public use land. or (d) For a material change of use involving: (i) preliminary approval to vary the effect of the planning scheme; (ii) establishing alternative Zones to the planning scheme. Note - This part is to be read in conjunction with the other parts of the code		
PO8 A structure plan is prepared to ensure that neighbourhood design, block and lot layout, street network and the location and provision on any open space recognises previous planning for the area and its surroundings, and integrates appropriately into its surroundings.	**AO8.1** Neighbourhood design, lot and street layout, and open space provides for, and integrates with, any: (a) approved structure plan; (b) the surrounding pattern of existing or approvedsubdivision. Note - Planning scheme policy SC14– Structure planning provides guidance on meeting the performance outcomes.	**Not applicable** The site is in the rural zone.

Performance outcomes	Acceptable outcomes	Applicant response
	AO8.2 Neighbourhood design, lot and street layoutsenable future connection and integration withadjoining undeveloped land.	**Not applicable** The site is in the rural zone.
PO9 Neighbourhood design results in a connected network of walkable streets providing an easy choice of routes within and surrounding the neighbourhood.	**AO9.1** Development does not establish cul-de-sac streetsunless: (a) cul-de-sacs are a feature of the existing patternof development in the area; (b) there is a physical feature or incompatible zonechange that dictates the need to use a cul-de- sac streets.	**Not applicable** The development would not result in the creation of any cul-de-sacs.
	AO9.2 Where a cul-de-sac street is used, it: (a) is designed to be no longer than 150 metres inlength; (b) is designed so that the end of the cul-de-sac isvisible from its entrance; (c) provides connections from the top of the cul-de-sac to other streets for pedestrians and cyclists, where appropriate.	**Not applicable** The development would not result in the creation of any cul-de-sacs.
	AO9.3 No more than 6 lots have access to the turningcircle or turning-tee at the end of a cul-de-sac street.	**Not applicable** The development would not result in the creation of any cul-de-sacs.
PO10 Neighbourhood design supports diverse housing choices through block sizes and lot design. In developing areas, significant changes in lot size and frontage occur at the rear of lots	**PO10** No acceptable outcomes are prescribed.	**Not applicable** The site is in the rural zone.

Performance outcomes	Acceptable outcomes	Applicant response
rather than on opposite sides of a street.		
PO11 Provision of physical and social infrastructure in developing residential neighbourhoods is facilitated through the orderly and sequential development of land. Note - Part 4 – Local government infrastructure plan may identify specific levels of infrastructure to be provided within development sites.	**AO11.1** New development adjoins adjacent existing orapproved urban development.	**Not applicable** The site is in the rural zone.
	AO11.2 New development is not established beyond the identified Local government infrastructure plan area.	**Not applicable** The site is in the rural zone.
Urban parkland and environmental open space		
PO12 Where appropriate development maintains and enhances public access and use of natural areas, rivers, dams, creeks and the foreshore.	**AO12** No acceptable outcomes are prescribed.	**Not applicable** The site is in the rural zone.
PO13 Development provides land to: (a) meet the recreation needs of the community; (b) provide an amenity commensurate with the structure of neighbourhoods and land uses in the vicinity; and adjacent to open space areas; (c) provide for green corridors and linkages.	**AO13** No acceptable outcomes are prescribed. Note - Part 4 – Priority infrastructure plan and Planning scheme policy SC14 – Structure Plans provides guidance in providing open space and recreation land.	**Not applicable** The site is in the rural zone.
AO14 Lot size, dimensions, frontage and orientation permits buildings to be established that will facilitate casual surveillance to urban parkland and environmental open space.	**AO14.1** Urban parkland is regular in shape.	**Not applicable** The site is in the rural zone.
	AO14.2 At least 75% of the urban parkland's frontage is provided as road.	**N Not applicable** The site is in the rural zone.

Performance outcomes	Acceptable outcomes	Applicant response
	AO14.3 Urban parkland and environmental open spaceareas are positioned to be capable of being overlooked by surrounding development.	**Not applicable** The site is in the rural zone.
	AO14.4 Surrounding lots are orientated so that facades willfront and overlook the urban parkland and environmental open space.	**Not applicable** The site is in the rural zone.
	AO14.5 The number of lots that back onto,or are side-orientated to the urban parkland and environmentalopen space is minimised. Inconsistent design solution - low total number of lots complying with the acceptable outcomes.	**Not applicable** The site is in the rural zone.

Performance outcomes	Acceptable outcomes	Applicant response
	 Lots orientated to front and overlook park to provide casual surveillance. Consistent design solution - high total number of lots complying with the acceptable outcomes.	
Private subdivisions (gated communities)		
PO15 Private subdivisions (gated communities) do not compromise the establishment of connected and integrated infrastructure and open space networks.	**PO15** No acceptable outcomes are prescribed.	**Not applicable** The development does not involve the creation of any gated communities.
Additional requirements for reconfiguration involving the creation of public streets or roads		
PO16 The function of new roads is clearly identified and legible and provides integration, safety and convenience for all users.	**AO16** No acceptable outcomes are prescribed. Note - The design and construction standards are set out in Planning scheme policy SC5 – FNQROC Regional Development Manual, with reference to the specifications set out in Sections D1 and D3.	**Not applicable** No new roads would be created as part of this development.
PO17 Street design supports an urban form that creates walkable neighbourhoods. Street design:	**AO17** No acceptable outcomes are prescribed.	**Not applicable** No new roads would be created as part of this development.

Performance outcomes	Acceptable outcomes	Applicant response
(a) is appropriate to the function(s) of the street; (b) meets the needs of users and gives priority to the needs of vulnerable users.		
Public transport network		
PO18 Development provides a street pattern that caters for the extension of public transport routes and infrastructure including safe pedestrian pick-up and set-down up facilities.	**AO18** No acceptable outcomes are prescribed.	**Not applicable** The development would not impact upon the existing transport route.
Pest plants		
PO19 Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not reinfest the site or nearby sites. Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the Land Protection (Pest and Stock Route Management) Act 2002.	**AO19** Pest plants detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person priorto earthworks commencing. Note - A declaration from an appropriately qualified person validates the land being free from pest plants. Declared pest plants include locally declared and State declared pest plants.	**Complies with AO19** In the event where any pest plants are detected across the subject site, they would be removed in accordance with their pest management plan.