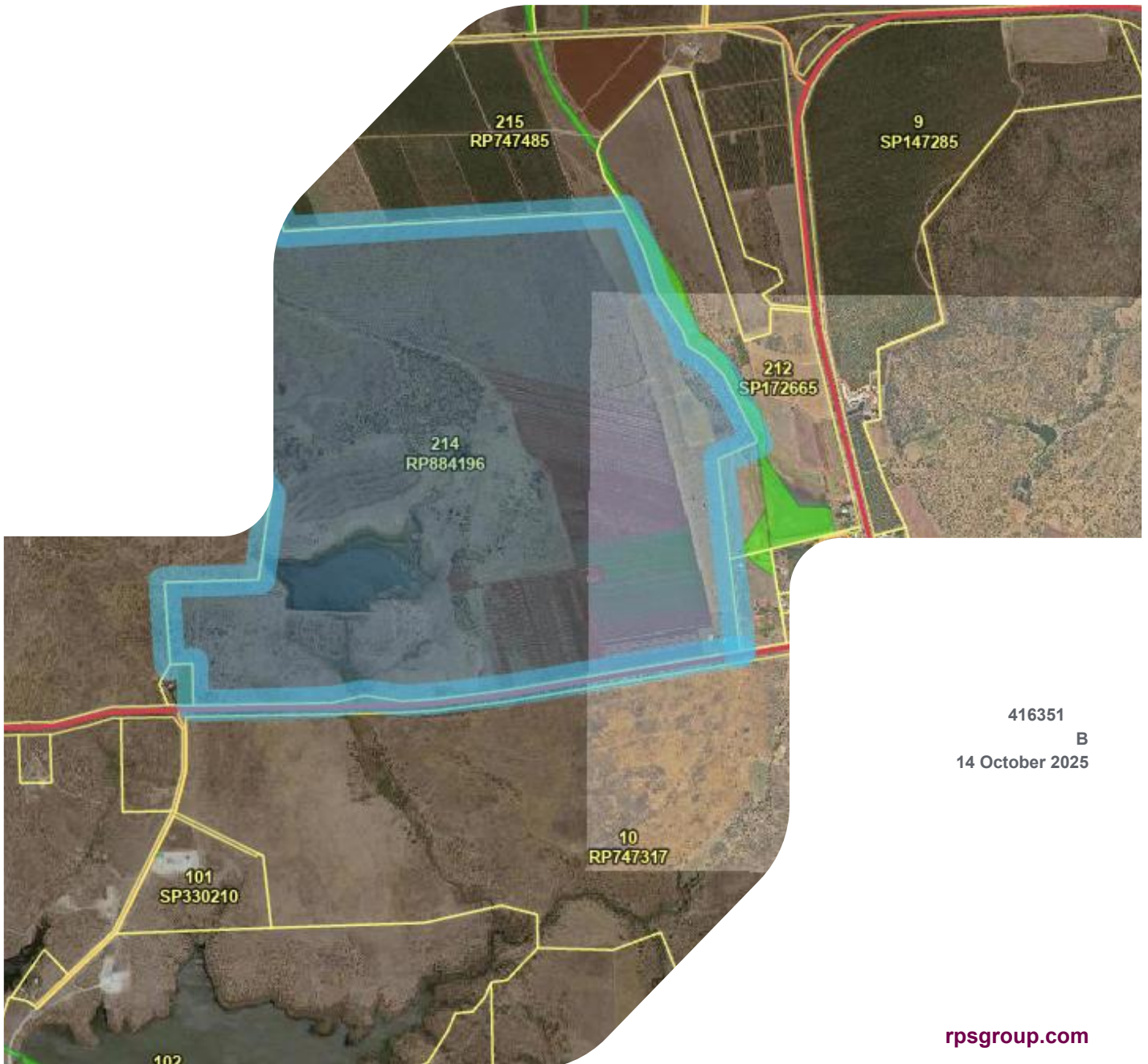


94 PENINSULA DEVELOPMENTAL ROAD, LAKELAND

Planning Report for Reconfiguring a Lot (1 Lot into 2 Lots)



416351
B
14 October 2025

REPORT

Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
A	Client Review	J Cussen	P. Clifton	P Clifton	9/10/2025
B	Application Submission	P Clifton	P Clifton	P Clifton	14/10/2025

Approval for issue

Patrick Clifton



14 October 2025

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Prepared by:

Prepared for:

RPS

P Inderbitzin, F Inderbitzin and Sharprock Pty Ltd

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Appendix F Planning Scheme Code Responses

SUMMARY

Table 1: Summary

Details			
Site Address:	94 Peninsula Developmental Road, Lakeland		
Real Property Description:	Lot 214 on RP884196		
Site Area:	658.7 hectares		
Regional Plan Land Use Designation:	Regional Landscape and Rural Production Area		
Zone/Precinct:	Rural Zone/ Regional Landscape and Rural Production Area		
Owner(s):	Peter Joseph Inderbitzen, Franziska Maria Margarit Inderbitzen and Sharprock Pty Ltd		
Proposal			
Brief Description/ Purpose of Proposal	Development Permit for Reconfiguring a Lot (1 lot into 2 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Superseded Planning Scheme Application	☐ Yes	☒ No	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
SARA	☒	☐	☐ Yes ☒ No
Pre-lodgement / Consultation			
Entity		Date	Contact Name
Department of State Development, Infrastructure and Planning	☒ Yes ☐ No	02/09/2025	Javier Samanes
Other			
Council officer/s previously involved:			
Applicant contact person	Patrick Clifton Senior Principal Practice Leader D: +61 7 4031 1336 E: Patrick.clifton@rpsconsulting.com	Jan Cussen Principal Planner D: +61 7 4031 1336 E: jan.cussen@rpsconsulting.com	

1 INTRODUCTION

RPS AAP Consulting Pty Ltd has been engaged Peter Inderbitzin, Franziska Inderbitzen and Sharprock Pty Ltd (the 'applicant') to seek development approval for Reconfiguring a Lot (1 lot into 2 lots) on land at 94 Peninsula Developmental Road, Lakeland, and described as Lot 214 on RP884196.

The land is an irregular shaped lot with a total area of 658.7 hectares and frontage to the Peninsula Developmental Road of approximately 2.9 kilometres. The land is generally cleared of vegetation and is used, in part for cropping. It is improved by a Dwelling House and farm buildings located in the south east of the site and an irrigation dam located adjacent to the western boundary. A watercourse forms the north eastern boundary of the site with the Peninsula Developmental Road the Southern boundary.

The site is to the west of and within proximity of the township of Lakeland. To the north, west and east of the site land is used for rural purposes; however to the east are rural lifestyle lots and the residential area of Lakeland.

This application seeks to reconfigure the lot to excise one lot from the balance for the purpose of creating a rural living lot. The lot would have an area of 58.2 hectares and frontage to Peninsula Developmental Road of approximately 197 metres. It would extend the full length of the western boundary of the site and would adjoin the residential area of Lakeland to the east. The new lot would contain the dwelling house and shed with the balance land retaining the arable farming land and the dam.

The land is located within the Cook Shire Council area and the Cook Shire Council Planning Scheme 2017 v.2 identifies the site within the Rural Zone and within the Residential expansion area of the Lakeland Local Plan, in part, and as being affected by the following overlays:

- Bushfire Hazard, in part; and,
- Rural Land Overlay.

In accordance with the Tables of Assessment, Reconfiguring a Lot requires the submission of a Code Assessable application to Council as the Assessment Manager. As the Assessment Manager, in determining the application, the council can only have regard to the applicable planning scheme codes.

As the site fronts the Peninsula Developmental Road, which is a state-controlled road, in accordance with Schedule 10 of the *Planning Regulation 2017* the application will require referral to the State Assessment and Referral Agency for the assessment of the impact of the development on the state controlled road.

The report provides greater detail on the nature of the proposal and provides an assessment of the proposal against the applicable intent and code requirements. Based on these assessments the proposal is recommended for approval subject to reasonable and relevant conditions.

2 SITE DETAILS

2.1 Site Particulars

The site is an irregular shaped parcel of rural land with an area of 658.7 hectares and frontage to the Peninsula Developmental Road of approximately 2.9 kilometres. The land is generally cleared of vegetation and is used, in the main for cropping. It is improved by a Dwelling House and farm buildings located in the south east of the site and an irrigation dam located adjacent the western boundary. A watercourse forms the north eastern boundary of the site with the Peninsula Developmental Road the Southern boundary.

The site is located adjacent the western boundary of the Lakeland Township area and shares a common boundary to the east with land that is understood to be owned by council and identified as a potential site for a water treatment plant.

The land is subject to bushfire mapping and biodiversity constraints in the north east; however for the main part is unconstrained and the area to the south is identified in the Lakeland Local Plan for Residential expansion.

The region has experienced a significant expansion of agricultural activities and related industries in recent years. Lakeland is identified as a major agricultural centre for Far North Queensland, with vast areas of basalt soils and a history of cropping, grazing and other agricultural industries.

Key details of the subject site are as follows:

Table 2: Site Particulars

Site Particulars	
Site Address	94 Peninsula Developmental Road, Lakeland
Real Property Description	Lot 214 on RP 884196
Site Area	658.7 hectares
Landowner(s)	Peter Joseph Inderbitzen, Franziska Inderbitzen and Sharprock Pty Ltd

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

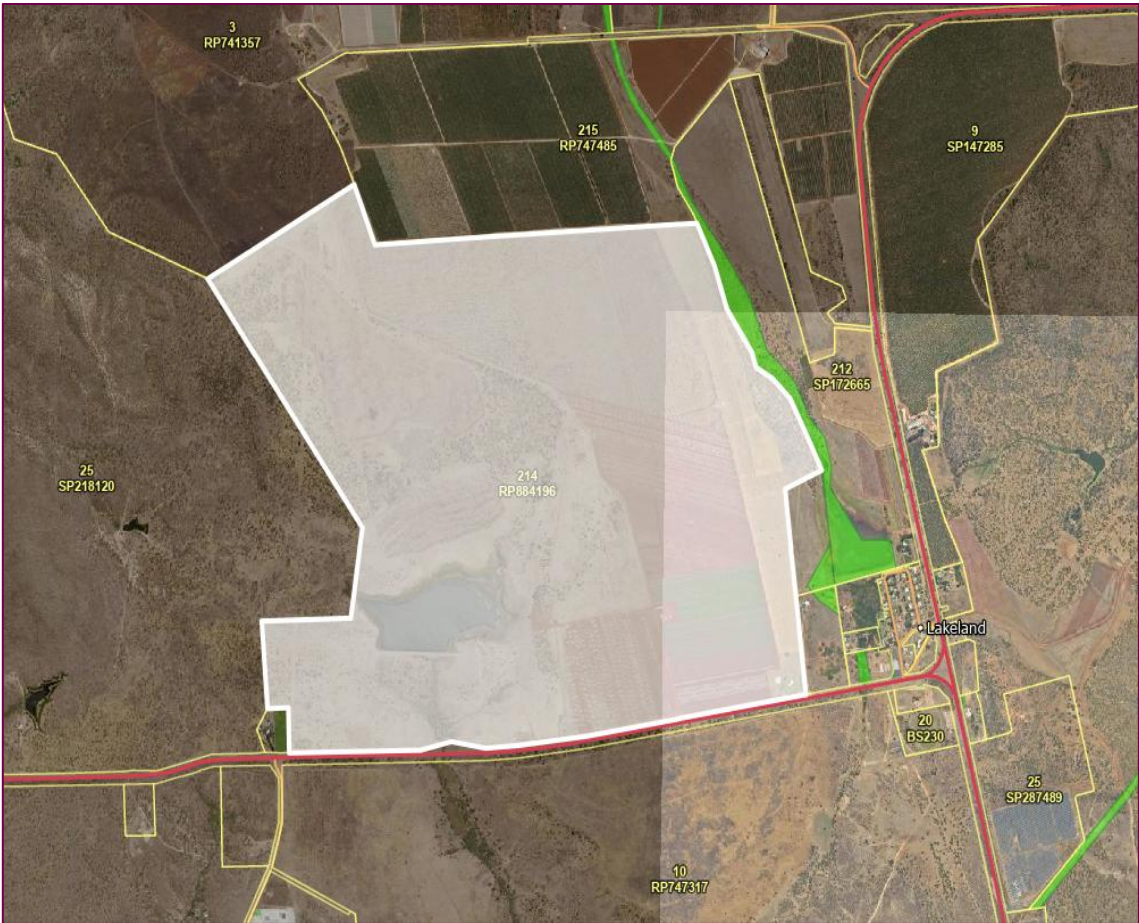


Figure 1 Site Location

Source: Queensland Globe

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: ○ Stock Route Network; ○ Agricultural land classification – class A and B; and, ○ Important agricultural area.
Environment and Heritage	• Biodiversity: ○ MSES – Regulated vegetation (intersecting a watercourse), in part; and, ○ MSES - Wildlife habitat (special least concern animal), in part.
Natural Hazards Risk and Resilience	• Flood hazard area – local government flood mapping area • Bushfire prone area, in part
Transport Infrastructure	• Adjacent a State Controlled Road
Development Assessment Mapping	

REPORT

Instrument	Designation
Fish Habitat Areas	Queensland waterways for waterway barrier works (One Mile Creek)
Native Vegetation Clearing	- Category X on the Regulated Vegetation Management Map, in part; and, - Category B, that is a least concern regional ecosystem, in minor part.
State Transport	Within 25 metres of a state controlled road
Cape York Regional Plan	
Regional Plan designation	Priority Agricultural Areas
Cook Shire Council Planning Scheme 2017 Version 2.0	
Zoning	Rural Zone
Lakeland Local Plan	Residential Expansion, in part
Overlays	- Bushfire Hazard - Medium Bushfire Hazard and Potential Impact Buffer, in part - Rural Land Use Overlay - Important Agricultural Areas; - Agricultural Land Class B

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

Other relevant mapping, including overlays, regional plan and state interests is provided at **Appendix B**

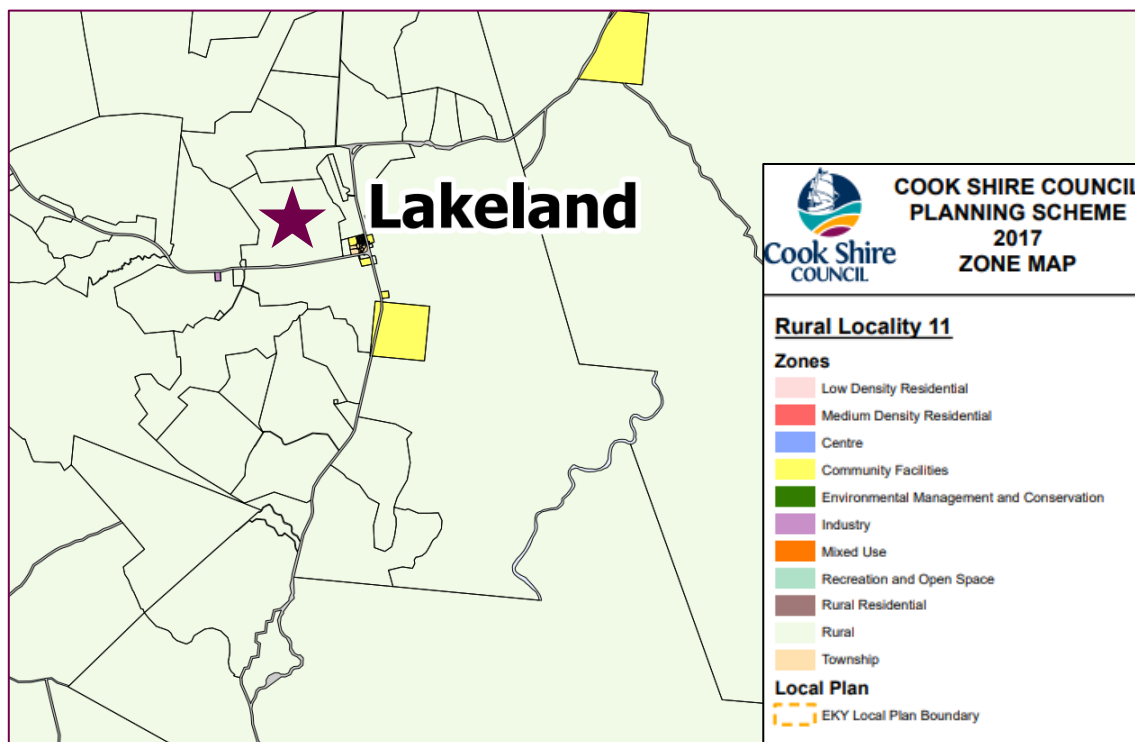


Figure 2 Zoning

Source: Cook Shire Council Planning Scheme 2017 v2

3 PRE-LODGEEMENT HISTORY

3.1 Local Authority Pre-Lodgement Advice

The applicant has sought and received pre-application comment from the Cook Shire Council Officers in respect of the supply of additional housing land within Lakeland.

By letter dated 21 May 2025, the council provided a letter of support regarding the significant shortage of land available for residential and rural residential purposes in Lakeland.

A copy of this letter is provided at **Appendix C**.

3.2 State Assessment and Referral Agency Pre-Lodgement Advice

Pre-application advice was sought from the State Assessment and Referral Agency (SARA) in respect of the proposed development and the role of SARA in the assessment.

SARA formally responded on 29 September 2025 and confirmed their interests are generally confined to:

- The potential clearing of native vegetation, including the creation of vegetation clearing exemptions; and
- The sites' proximity to state transport corridors.

There would be no clearing of native vegetation or the creation of vegetation clearing exemptions as a result of this development, however the proposed development would trigger referral to the SARA in accordance with Schedule 10 of the *Planning Regulation 2017* in regard to reconfiguring a lot near a state transport corridor (Peninsula Developmental Road).

A copy of the SARA pre-application response is provided at **Appendix C**.

4 PROPOSAL

4.1 Overview

This application seeks development approval for Reconfiguring a Lot (1 lot into 2 lots) on land at 94 Peninsula Developmental Road, Lakeland, described as Lot 214 on RP884196.

The plan of reconfiguration is to create a new lot adjacent to the eastern boundary and contiguous with the township of Lakeland. The new lot would have an area of approximately 58.2 hectares and would include the existing Dwelling House and farm buildings. The land that would be contained by the new lot is not currently used for cropping and is not considered suitable for future cropping and the arable and grazing land would be retained in the balance parcel.

Access to the lots would be provided by the existing arrangements from Peninsula Developmental Road. The applicant notes that the subject site is adjacent a State controlled Road (Peninsula Developmental Road). The application requires referral to the State Assessment and Referral Agency for consideration of impacts on the State controlled road.

The proposed plan of reconfiguration is illustrated in Figure 3 below and attached at **Appendix D**.

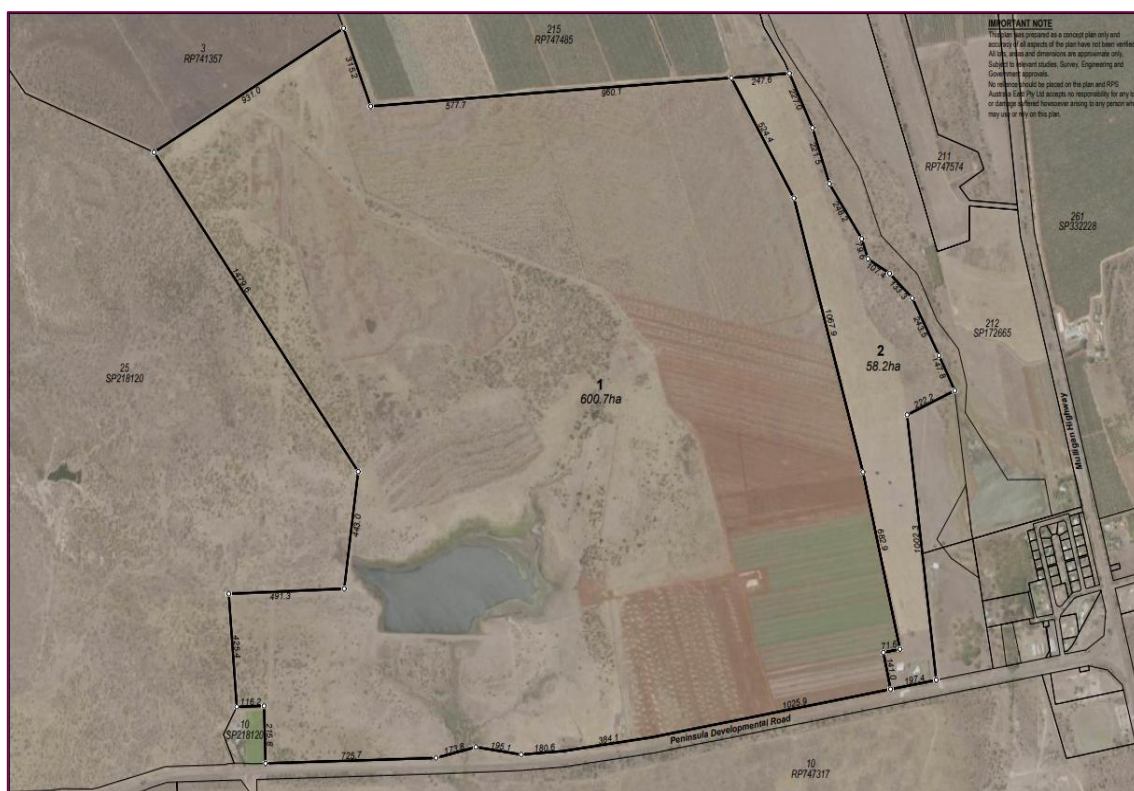


Figure 3 Proposed Lots

Source: RPS AAP Consulting Pty Ltd

4.2 Proposed Lots

Table 4: Proposed Lot Areas

Proposed Lots	Lot Size	Comment
Lot 1	600.7 hectares	Existing access is provided from Peninsula Developmental Road at two points to the west.
Lot 2	58.2 hectares	Contains a dwelling and farm buildings with existing access

provided from Peninsula
Developmental Road;

5 LEGISLATIVE REQUIREMENTS

5.1 Assessment Manager

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

5.2 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
Reconfiguring a Lot (1 lot into 2 lots)	Cook Shire Planning Scheme 2017 Version 2 - Table 5.6.1 – Reconfiguring a Lot	Code Assessment

5.3 Referrals

In accordance with Schedule 10 of the *Planning Regulation 2017*, the follow referral applies.

Table 6: Schedule 10 Referral Matters

Schedule 10	Referral topic and reason	Referral Agency
10.9.4.2.1	Reconfiguring a lot near a State transport corridor	SARA, DSDMIP

5.4 Public Notification

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

6 STATUTORY PLANNING ASSESSMENT

6.1 Overview

This section assesses the application against relevant assessment benchmarks.

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*.

As Cook Shire Council is the assessment the relevant local authority categorising instrument is the Cook Shire Council Planning Scheme 2017 v.2.

6.2 State and Regional Assessment Benchmarks

6.2.1 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 the planning scheme. The minister has identified that the State Planning Policy has been appropriately integrated into the Cook Shire Council Planning Scheme 2017 v.2. and consequently no further assessment is required in this instance.

6.2.2 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 in the planning scheme as being appropriately integrated into the planning scheme.

The Minister has identified that the Cook Shire Council Planning Scheme 2017 – Version 2.0, specifically the strategic framework appropriate advances the Cape York Regional Plan. Therefore, consistent with the State Planning Policy, no further assessment is required in this instance.

6.2.3 Development Assessment under Schedule 10 (SDAP)

Schedule 10 of the *Planning Regulation 2017* identifies the matters that the assessment manager and/or referral agency assessment must have regard to.

The State Development Assessment Provisions (SDAP) nominate applicable State Codes based on the referral triggers. The State Codes applicable to the proposal are identified in the table below.

Table 7: Relevant SDAP State Codes

Schedule 10	Referral Topic	State Code
10.9.4.2.1	Reconfiguring a lot near a State-controlled road intersection	State code 1 – Development in a state-controlled road environment

A response to the State Code is included in **Appendix E**.

6.3 Local Authority Assessment Benchmarks

This application is to be assessed against *Cook Shire Council Planning Scheme 2017 – Version 2.0*. The relevant Planning Scheme assessment benchmarks are addressed below.

6.3.1 Codes

The planning scheme codes applicable to the proposal are identified below:

Table 8: Planning Scheme Code Responses

Planning Scheme Codes	Applicability	Comment
Zone Code		
Rural Zone Code	Applies	Complies with applicable Assessment Benchmarks.
Local Plan Code		
Lakeland Local Plan Code	Applies	Complies with the relevant Overall Outcomes for the Local Plan area. It would provide for the separation of the identified residential expansion area from the arable land and would advance the strategic intent to provide additional housing land in the area.
Overlay Codes		
Bushfire Hazard Overlay Code	Applies	Complies with applicable Assessment Benchmarks.
Development Codes		
Reconfiguring a Lot Code	Applies	Detailed consideration is required in relation to Performance Outcome PO1 relating to lot size and dimensions and PO12 relating to the creation of Rural Lifestyle Lots. refer below.
Works, Services & Infrastructure Code	Applies	Complies with applicable Assessment Benchmarks.

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

6.4 Statement of Compliance

6.4.1 Reconfiguring a Lot Code

Performance Outcome PO1 – Lot configuration, of the Reconfiguring a Lot Code states:

PO1

Lots have adequate area and appropriate dimensions for their intended use and agricultural land is not lost to production through its fragmentation into economically unviable units unless over-riding public benefit can be demonstrated.

The subdivision is demonstrated to be appropriate having regard to:

- (a) The unique size, shape, location or topography of existing and proposed allotments;*
- (b) The unique character of the proposed use intended to be made of the land following subdivision (se set out in the development application);*
- (c) The existing and future amenity of the locality;*
- (d) The ability of the site to accept and disperse wastewater within the site without causing infiltration of the groundwater or run-off to nearby watercourse;*
- (e) The relevant zone and overlay overall outcomes and performance outcomes.*

The associated Accepted Outcome states:

AO1.1

*Lots comply with the minimum area and dimensions for those zones listed in **Schedule 1** of this code.*

Performance Outcome PO12 – Rural lifestyle allotments of the Reconfiguring a Lot Code, states:

PO12

Reconfiguring a lot in the Rural Zone results in Rural Lifestyle Lots that:

- (a) Are in reasonable proximity to services and facilities such as health, education and retail opportunities;*
- (b) Have frontage to a road and access to a road network that complies with the rural roads design criteria in the FNQROC Development Manual;*
- (c) Protects rural activities and extractive industry from encroachment by sensitive land uses;*
- (d) Will not impact transport/supply chains critical to rural production, rural industry and extractive industry;*
- (e) Have a sustainable level of impact on the natural environment having regard to water supply and water quality effluent disposal, potential erosion and natural habitat.*
- (f) Provide a high level of residential and scenic amenity and safety from risk of natural hazards such as bushfire;*
- (g) Does not compromise the orderly development of land where such land is subject to the Future Urban Expansion Overlay*

The proposal is considered to comply with the purpose of the code and the intent in respect of the provision of rural lifestyle lots on the following grounds:

- (a) The site is immediately adjacent the Lakeland township;
- (b) The Peninsula Developmental Road is a State Controlled Road and the new lot has an existing access.
- (c) the new lot would be the least suitable part of the parent parcel for the purpose of agriculture and provides sufficient area to accommodate buffering from the continued rural use of that land.
- (d) the creation of a single lot would not have an adverse impact on any transport/supply chains;
- (e) The creation of a single lot would not affect the natural environment as a result of effluent disposal or water supply;
- (f) The land is generally unaffected by natural hazards, including bushfire; and,
- (g) The development would be consistent with the existing and emerging intent for the development of Lakeland and the provision of additional housing supply.

7 CONCLUSION

RPS AAP Consulting Pty Ltd has been engaged Peter Inderbitzin, Franziska Inderbitzen and Sharprock Pty Ltd (the 'applicant') to seek development approval for Reconfiguring a Lot (1 lot into 2 lots) on land at 94 Peninsula Developmental Road, Lakeland, and described as Lot 214 on RP884196.

The land is an irregular shaped lot with a total area of 658.7 hectares and frontage to the Peninsula Developmental Road of approximately 2.9 kilometres. The land is generally cleared of vegetation and is used, in part for cropping. It is improved by a Dwelling House and farm buildings located in the south east of the site and an irrigation dam located adjacent to the western boundary. A watercourse forms the north eastern boundary of the site with the Peninsula Developmental Road the Southern boundary.

The site is to the west of and within proximity of the township of Lakeland. To the north, west and east of the site land is used for rural purposes; however to the east are rural lifestyle lots and the residential area of Lakeland.

This application seeks to reconfigure the lot to excise one lot from the balance for the purpose of creating a rural living lot. The lot would have an area of 58.2 hectares and frontage to Peninsula Developmental Road of approximately 197 metres. It would extend the full length of the western boundary of the site and would adjoin the residential area of Lakeland to the east. The new lot would contain the dwelling house and shed with the balance land retaining the arable farming land and the dam.

The land is located within the Cook Shire Council area and the Cook Shire Council Planning Scheme 2017 v.2 identifies the site within the Rural Zone and within the Residential expansion area of the Lakeland Local Plan, in part, and as being affected by the following overlays:

- Bushfire Hazard, in part; and,
- Rural Land Overlay.

In accordance with the Tables of Assessment, Reconfiguring a Lot requires the submission of a Code Assessable application to Council as the Assessment Manager. As the Assessment Manager, in determining the application, the council can only have regard to the applicable planning scheme codes.

As the site fronts the Peninsula Developmental Road, which is a state-controlled road, in accordance with Schedule 10 of the *Planning Regulation 2017* the application will require referral to the State Assessment and Referral Agency for the assessment of the impact of the development on the state controlled road.

The report provides an assessment against the applicable Assessment Benchmarks and it is considered that the proposal is able to satisfy these benchmarks. In particular, the proposal is able to satisfy the requirements relating to the creation of rural lifestyle lots.

Based on this assessment, the application is submitted subject to reasonable and relevant conditions.

Appendix A

Certificate(S) of Title and Search Results

Queensland Titles Registry Pty Ltd
 ABN 23 648 568 101

Title Reference:	50077725	Search Date:	01/10/2025 09:09
Date Title Created:	29/06/1995	Request No:	53556087
Previous Title:	21395038		

ESTATE AND LAND

Estate in Fee Simple

LOT 214 REGISTERED PLAN 884196
 Local Government: COOK

REGISTERED OWNER

INTEREST

Dealing No: 716915073 27/11/2015

PETER JOSEF INDERBITZIN
 FRANZISKA MARIA MARGARIT INDERBITZIN
 SHARPROCK PTY LTD A.C.N. 128 361 348
 UNDER INSTRUMENT 716915073

JOINT TENANTS INTER SE
 TRUSTEE 1/2
 1/2

AS TENANTS IN COMMON

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
 Deed of Grant No. 20849110 (POR 1)
2. MORTGAGE No 721644406 26/04/2022 at 16:18
 COMMONWEALTH BANK OF AUSTRALIA A.C.N. 123 123 124

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

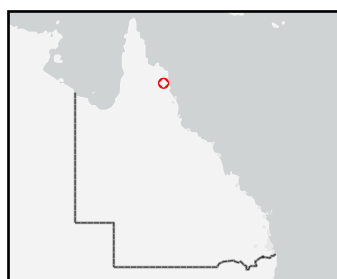
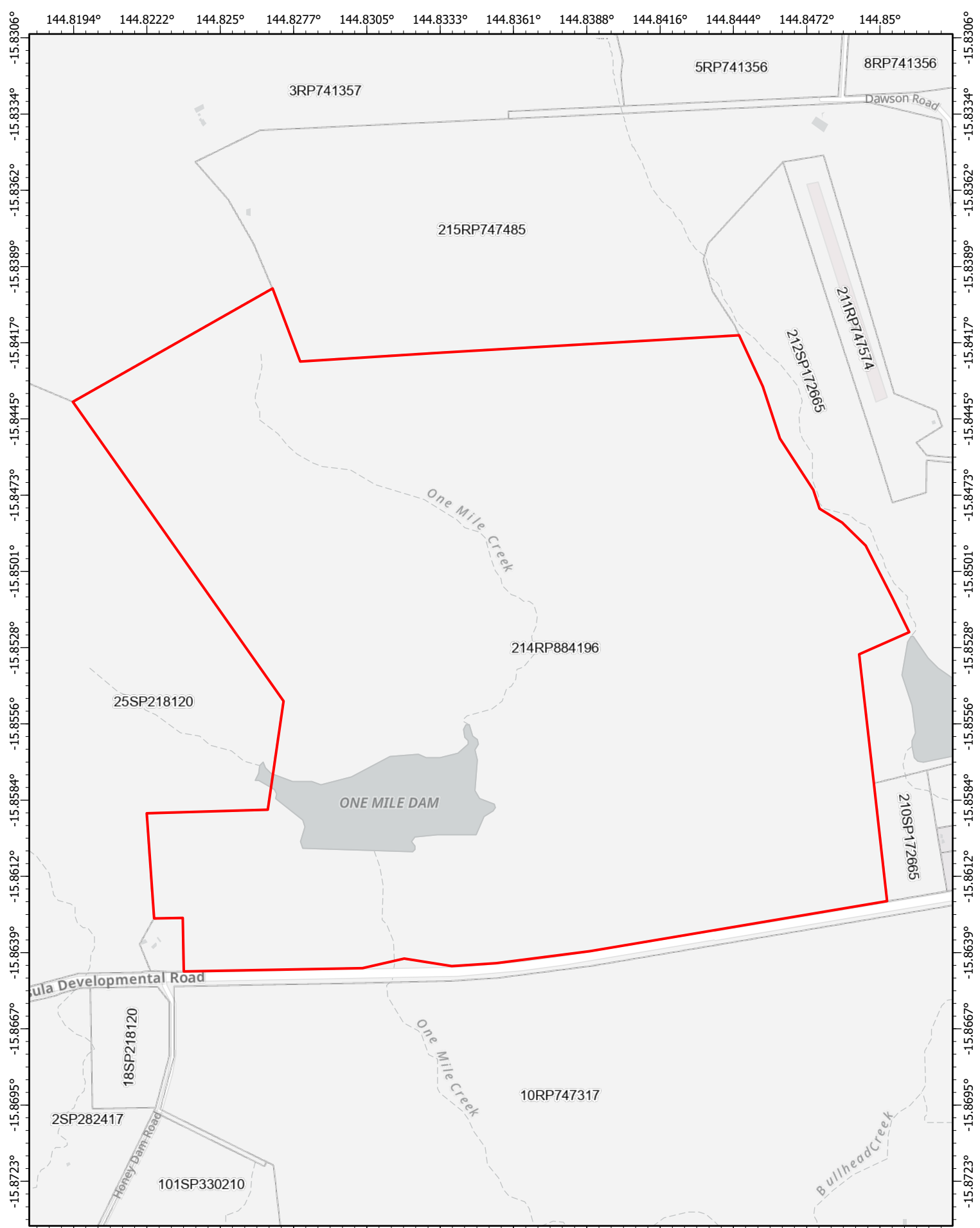
NIL

Caution - Charges do not necessarily appear in order of priority

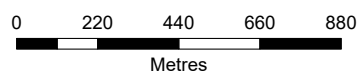
** End of Current Title Search **

Appendix B

Planning Context Mapping



Scale: 1:20,500



Date: 25/09/2025

Disclaimer This map has been prepared with due care based on the best available information at the time of publication. However, the State of Queensland (acting through the department) makes no representations, either express or implied, that the map is free from errors, inconsistencies or omissions. Reliance on information contained in this map is the sole responsibility of the user. The State disclaims responsibility for any loss, damage or inconvenience caused as a result of reliance on information or data contained in this map

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State Planning Policy mapping layers - consolidated list for all selected Lot Plans

State Planning Policy mapping layers - consolidated list for all selected Lot Plans

(Note: Please refer to following pages for State Interests listed for each selected Lot Plan)

BIODIVERSITY

- MSES - Regulated vegetation (intersecting a watercourse)
- MSES - Wildlife habitat (special least concern animal)
- MSES - Regulated vegetation (category R)

AGRICULTURE

- Important agricultural areas
- Stock route network
- Agricultural land classification - class A and B

TRANSPORT INFRASTRUCTURE

- State-controlled road

NATURAL HAZARDS RISK AND RESILIENCE

- Flood hazard area - local government flood mapping area
- Bushfire prone area

State Planning Policy mapping layers for selected

Lot Plan: 214RP884196 (Area: 6587000 m²)

AGRICULTURE

- Stock route network
- Agricultural land classification - class A and B
- Important agricultural areas

BIODIVERSITY

- MSES - Regulated vegetation (intersecting a watercourse)
- MSES - Wildlife habitat (special least concern animal)
- MSES - Regulated vegetation (category R)

NATURAL HAZARDS RISK AND RESILIENCE

- Flood hazard area - local government flood mapping area
- Bushfire prone area

TRANSPORT INFRASTRUCTURE

- State-controlled road

State Planning Policy

**Making or amending a local planning instrument
and designating land for community infrastructure**

Date: 25/09/2025



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State Assessment and Referral Agency - Matters of Interest Report

Matters of Interest for all selected Lot Plans

Queensland waterways for waterway barrier works

Regulated vegetation management map (Category A and B extract)

State-controlled road

Area within 25m of a State-controlled road

Matters of Interest by Lot Plan

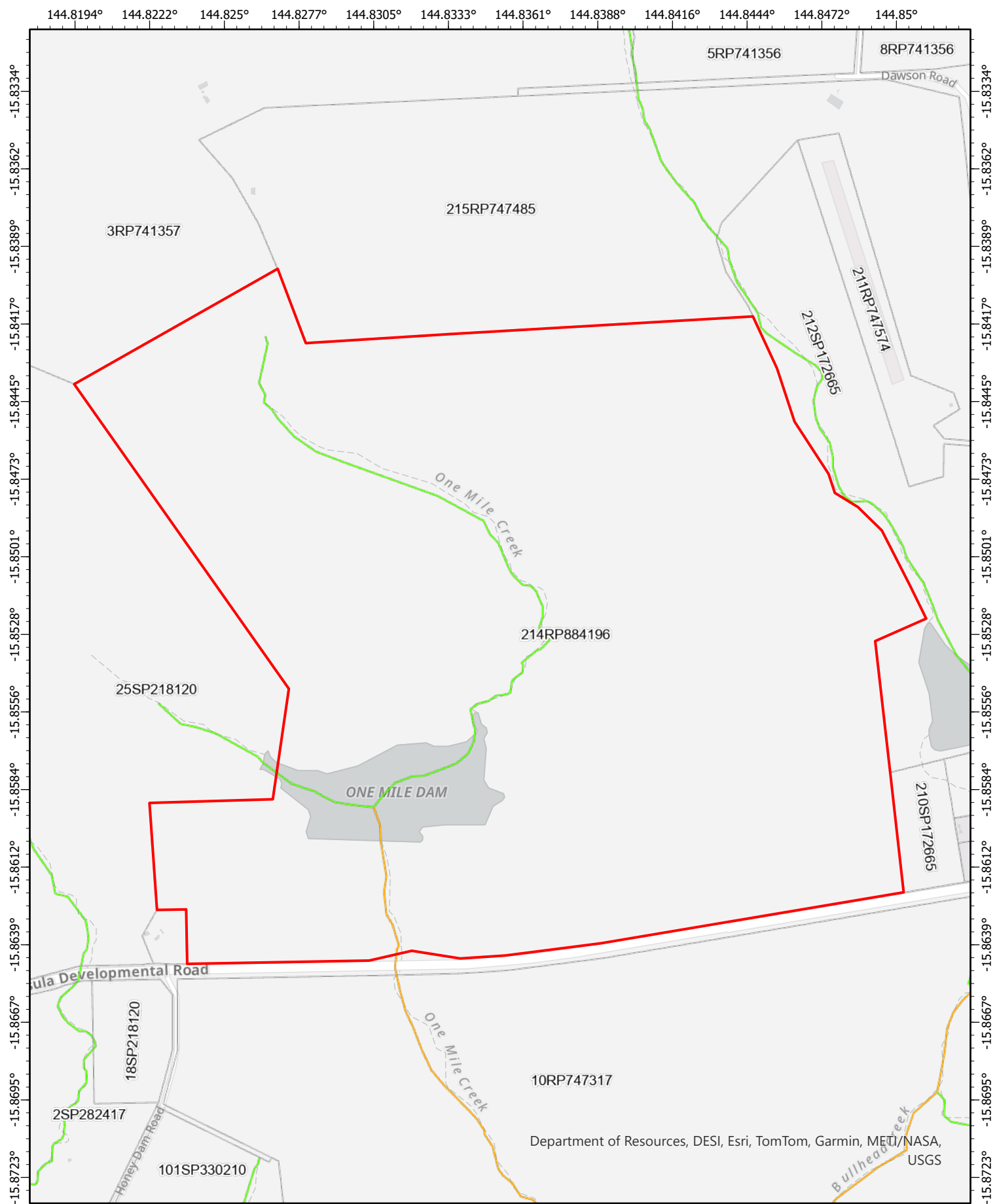
Lot Plan: 214RP884196 (Area: 6587000 m²)

Queensland waterways for waterway barrier works

Regulated vegetation management map (Category A and B extract)

State-controlled road

Area within 25m of a State-controlled road

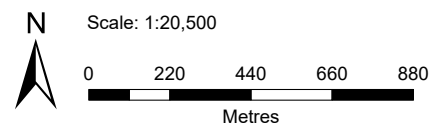


Queensland waterways for waterway barrier works

Risk of impact

- Low
- Moderate

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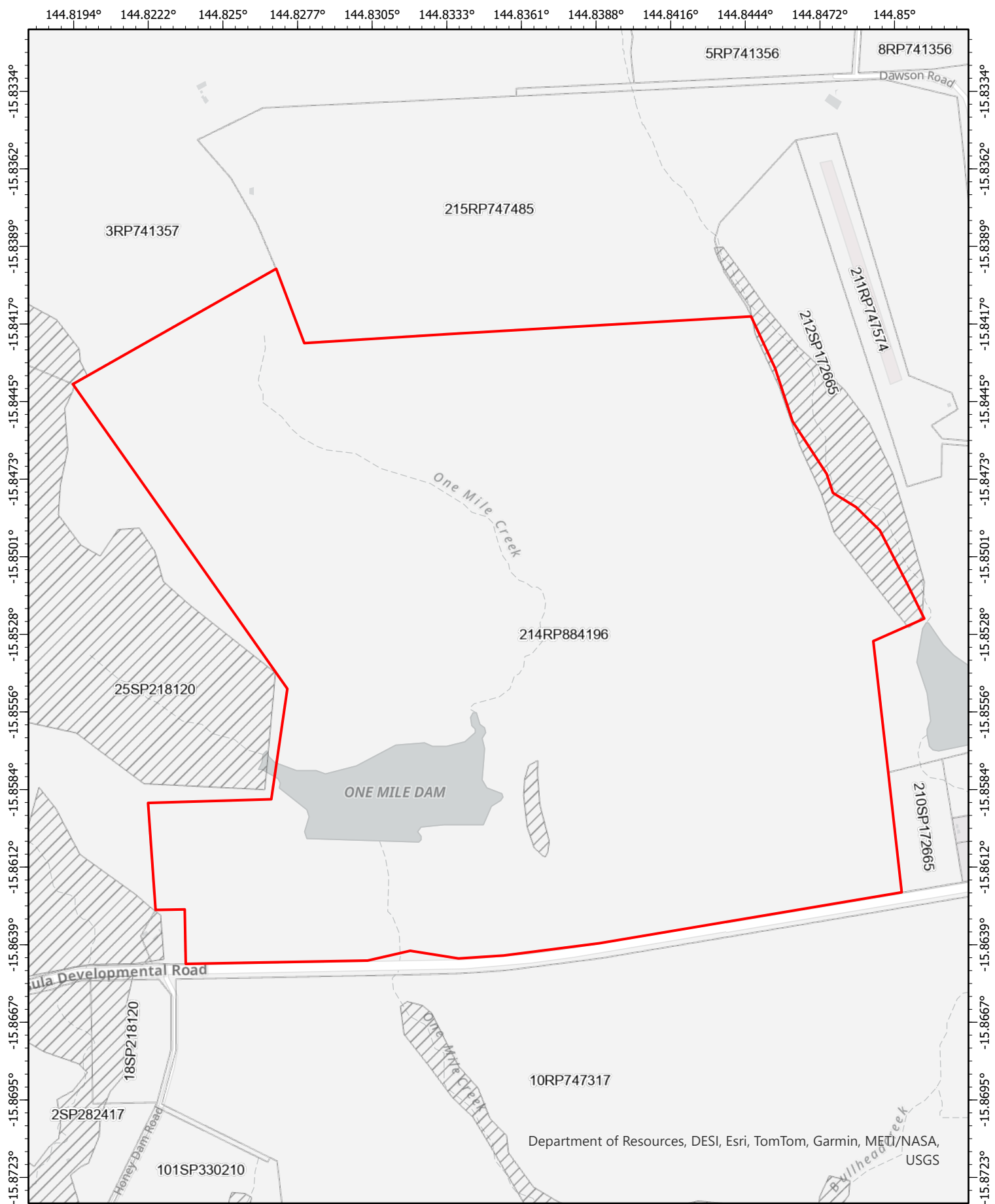


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Date: 25/09/2025

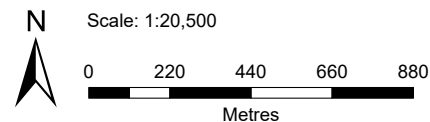


Regulated vegetation
management map (Category A
and B extract)

 Category B on the
regulated vegetation
management map

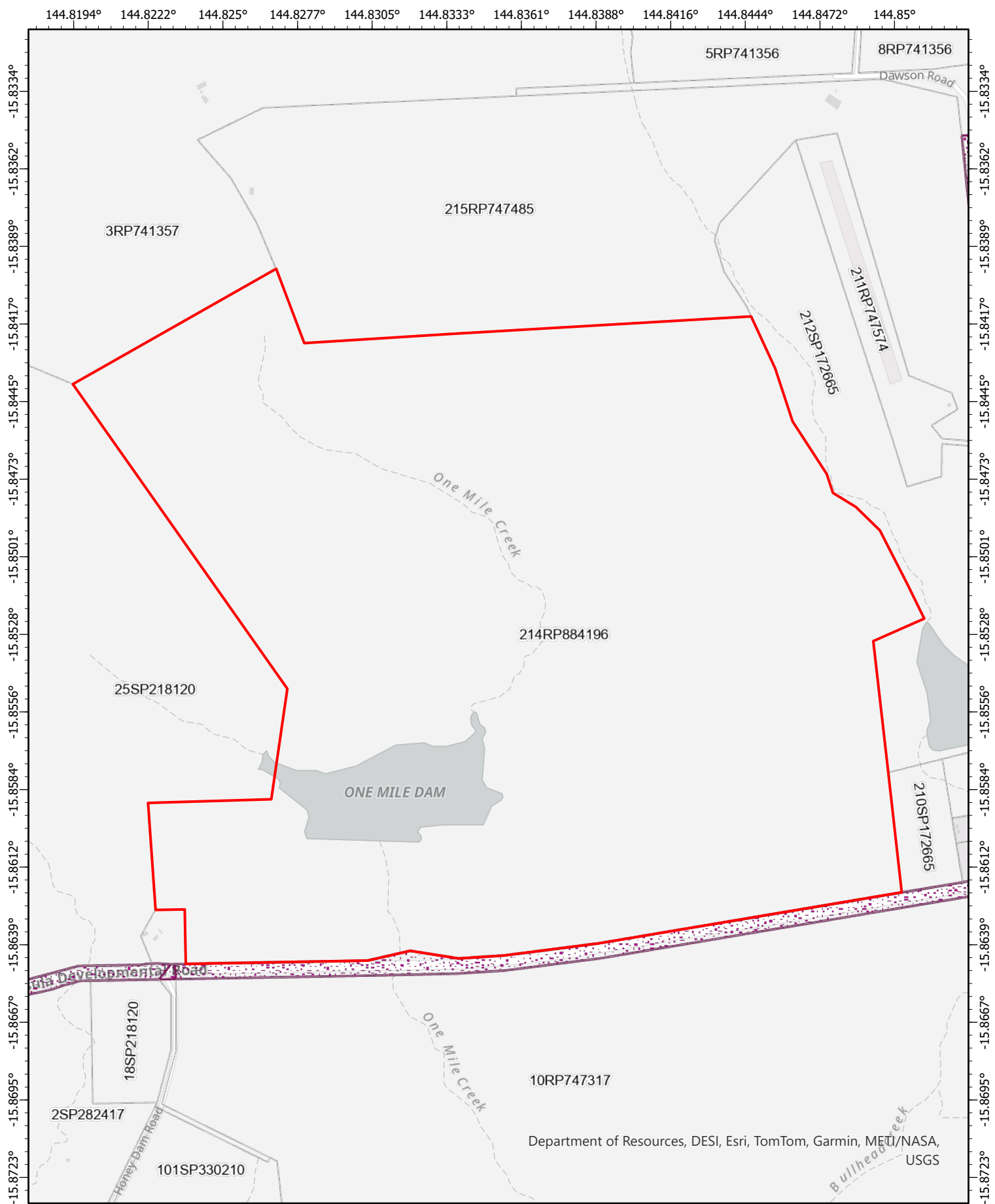
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Date: 25/09/2025



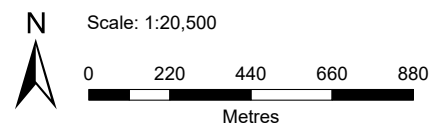
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 State-controlled road

Date: 25/09/2025

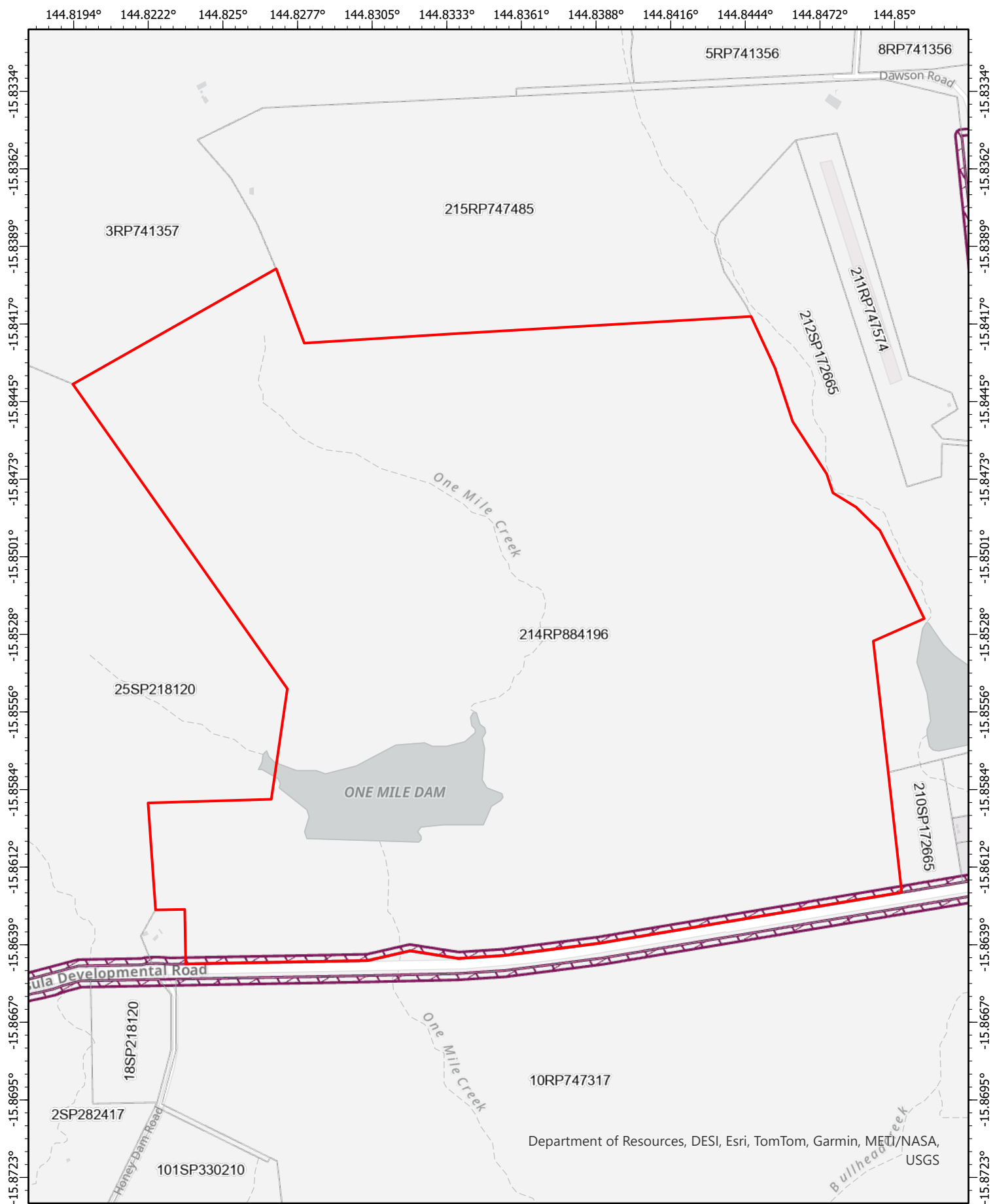


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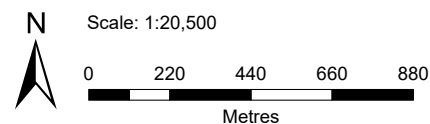
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 Area within 25m of a State-controlled road

Date: 25/09/2025



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Appendix C

Prelodgement Outcomes

Our reference: LM:D25/16876

Your reference:

21 May 2025

Franziska Inderbitzin

Email: sales@redvalley.com.au

To whom it may concern

Re: Support – Lakeland expansion and demand for housing and land / rural residential land supply for community growth and sustainability.

On behalf of Cook Shire Council, I am providing this letter of support regarding the significant shortage of land available for residential and rural residential purposes in Lakeland.

This issue has been comprehensively outlined and is supported by the strategic direction set out in the *Lakeland Masterplan and Infrastructure Plan 2023*, which was formally endorsed by Cook Shire Council at its meeting on 23 April 2024 (Resolution #2024/57). Council has since taken further steps to progress this vision by allocating budget and resolving to initiate a major amendment to the Cook Shire Planning Scheme, with the intent to incorporate the Lakeland Masterplan into the statutory planning framework.

The Lakeland region is currently experiencing notable growth due to the expansion of agricultural industries and associated infrastructure. This has placed immediate pressure and long term implications on the township's housing supply, which is already limited and unable to meet the demand for both permanent and seasonal accommodation.

The Lakeland community is committed to supporting the region's growth in order to retain families and individuals with valuable skills in trades, education, essential services, and agriculture—ensuring the long-term sustainability of both the township and its farming-based lifestyle.

Should further information or clarification be required, please do not hesitate to contact Council on (07) 4082 0500 or by email at mail@cook.qld.gov.au.

Yours sincerely



Lisa Miller

Manager, Planning and Environment
Cook Shire Council

SARA reference: 2509-48163 SPL
Applicant reference: 416351

Department of
**State Development,
Infrastructure and Planning**

29 September 2025

Sharprock Partnership
PO Box 1949
CAIRNS QLD 4870
Patrick.Clifton@rpsconsulting.com

Dear Mr

SARA Pre-lodgement advice – Reconfiguration of a Lot, Various (Dawson Road/Mulligan Highway, Peninsula Development Road and Honey Dam Road, Lakeland

I refer to your pre-lodgement request received on 12 September 2025 in which you sought pre-lodgement advice from the State Assessment and Referral Agency (SARA) regarding the proposed development at the above address.

This notice provides advice on aspects of the proposal that are of relevance to SARA that is based on the documentation uploaded into MyDAS2 on 12 September 2025.

Development details

Summary of proposal:	Proposal to reconfigure three rural properties, namely: • 7639-7641 Mulligan Highway, Lakeland One lot into two, excising approximately 2.6 hectares of land separated by the Mulligan Highway. The new lot would have frontage to both the Mulligan Highway and Dawson Road, with access envisaged from Dawson Road, a local road. • 94 Peninsula Developmental Road, Lakeland One lot into two, creating a 57-hectare lot adjacent to the eastern boundary of the property, contiguous with the Lakeland township. The new lot includes existing structures (a dwelling house and farm buildings) and land not used for cropping. • 181-185 Honey Dam Road, Lakeland One lot into two, exercising the northeastern portion of the land, separated from the arable area by Honey Dam. Access to be provided via an extension of the unnamed road reserve connecting to Honey Dam Road.
Description:	Development Permit for Reconfiguring a Lot
Street address:	As above

Pre-lodgement advice

SARA provides the following pre-lodgement advice:

Advice within SARA's jurisdiction	
1.	Advice requested: You are seeking advice from SARA on the following: • SARA's level of support for additional housing land in Lakeland • suitability of the proposed sites for rural residential development, considering the housing land shortage and emerging planning controls • recommended form of application. • SARAs requirements for application submission and referral. Response to specific queries raised: The Queensland government recognises that the supply of residential land is a critical matter of public interest. Ensuring an adequate and appropriate supply of land is essential to support the growth, sustainability, and prosperity of communities like Lakeland. While the Queensland government acknowledges the importance of housing supply, SARA's role in the assessment of the proposed development application(s) is limited to referral matters identified within the Planning Regulation 2017. As you are aware, in Queensland, local governments are responsible for ensuring the good rule and governance of their Local Government Areas. Under Queensland legislation, the State has limited authority to intervene in or direct Councils on operational matters, including decisions regarding local planning. It is at the discretion of each Council to make decisions they consider appropriate to meet the needs and views of their community. The State Government becomes involved only where development applications potentially impact matters of State interest. In this instance, SARA's interests are generally confined to: • the potential clearing of native vegetation, including the creation of vegetation clearing exemptions; and • the site's proximity to state transport corridors. Cook Shire Council is best placed to evaluate the suitability of the proposed development for rural residential purposes. The Council is responsible for determining whether the proposal aligns with local planning schemes and community needs. You are encouraged to continue your collaboration with the Council to ensure that the proposed development contributes positively to the housing supply and broader planning objectives for the Lakeland community. In terms of the form of an application at this stage, SARA has no preference i.e. one application of all proposed RALs, or three applications for each RAL. SARA also has no preference for any intended further subdivision of the land for rural residential purposes. Advice in relation to state transport matters and the clearing of native vegetation can be provided separately if required.

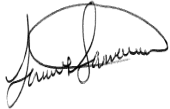
This advice is provided in good faith and is:

- based on the material and information provided to SARA
- current at the time of issue
- not applicable if the proposal is changed from that which formed the basis of this advice.

This advice does not constitute an approval or an endorsement that SARA supports the development proposal. Additional information may be required to allow SARA to properly assess the development proposal when a formal application has been lodged.

If you require further information please contact Charlton Best, on 4037 3200 or via email charlton.best@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely

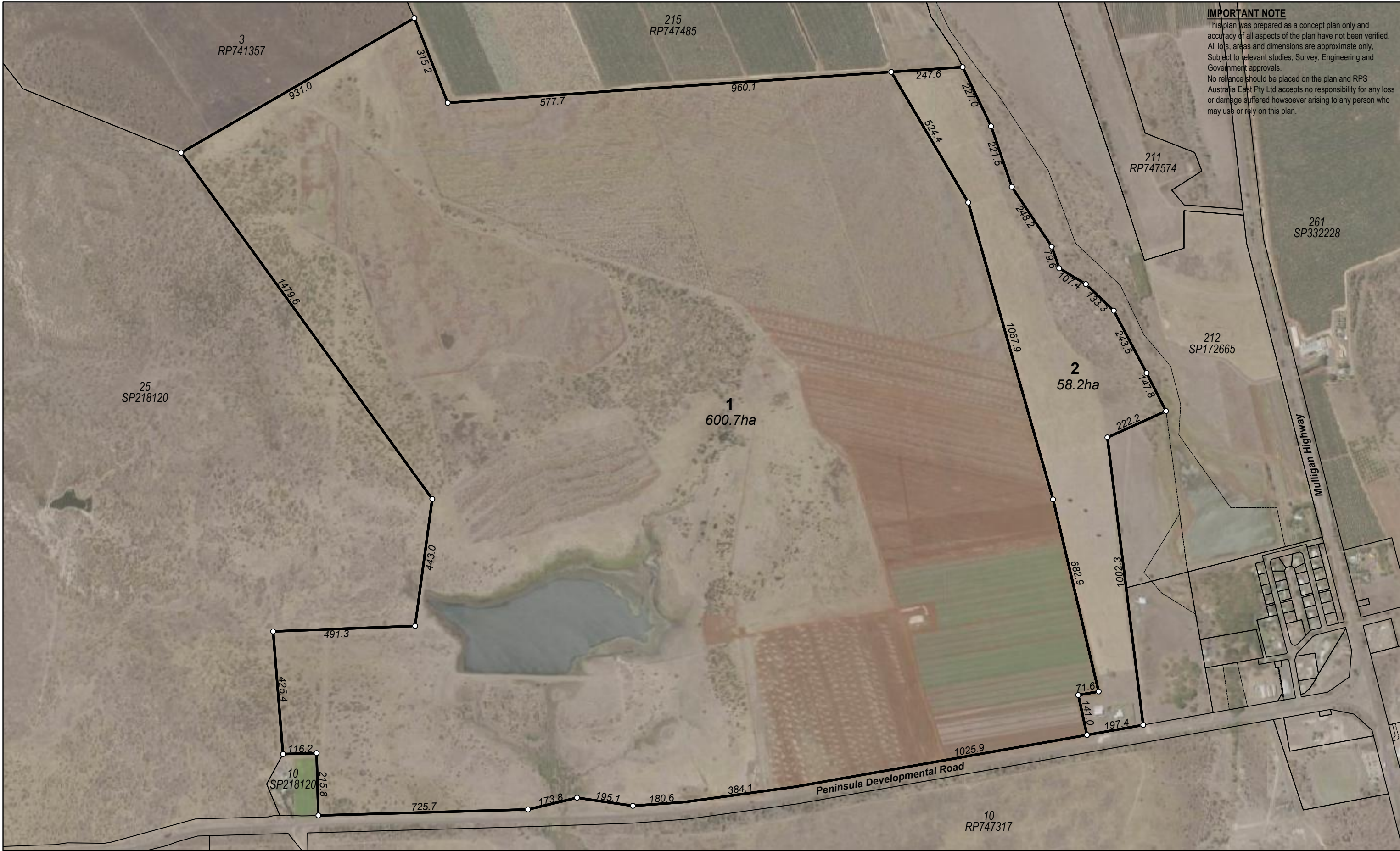
A handwritten signature in black ink, appearing to read 'Javier Samanes', written in a cursive style.

Javier Samanes
A/ Manager (Planning)

Appendix D

Proposal Plans

IMPORTANT NOTE
This plan was prepared as a concept plan only and accuracy of all aspects of the plan have not been verified. All lots, areas and dimensions are approximate only. Subject to relevant studies, Survey, Engineering and Government approvals.
No reliance should be placed on the plan and RPS Australia East Pty Ltd accepts no responsibility for any loss or damage suffered howsoever arising to any person who may use or rely on this plan.



Sharprock Partnership - Site 2
Reconfiguration of a Lot - Cancelling Lot 214 on RP884196
Peninsula Developmental Road, Lakeland



PRELIMINARY - FOR DISCUSSION PURPOSES ONLY

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Appendix E

State Code Responses

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

State Development Assessment Provisions guideline - State Code 1: Development in a state-controlled road environment. This guideline provides direction on how to address State Code 1.

Table 1.1 Development in general

Performance outcomes	Acceptable outcomes	Response
Buildings, structures, infrastructure, services and utilities		
PO1 The location of the development does not create a safety hazard for users of the state-controlled road .	AO1.1 Development is not located in a state-controlled road . AND AO1.2 Development can be maintained without requiring access to a state-controlled road .	Complies with AO1.1 and AO1.2 No development would be located in the state-controlled road and would be able to be maintained without requiring access to the State-controlled road.
PO2 The design and construction of the development does not adversely impact the structural integrity or physical condition of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Not applicable This application is for reconfiguring a lot. No construction activity is proposed as part of this application.
PO3 The location of the development does not obstruct road transport infrastructure or adversely impact the operating performance of the state-controlled road .	No acceptable outcome is prescribed.	Complies with PO3 No works would be undertaken within the state-controlled road.
PO4 The location, placement, design and operation of advertising devices, visible from the state-controlled road , do not create a	No acceptable outcome is prescribed.	Not applicable This application is for reconfiguring a lot. No advertising devices are proposed.

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

Performance outcomes	Acceptable outcomes	Response
PO7 The location of landscaping does not create a safety hazard for users of the state-controlled road .	AO7.1 Landscaping is not located in a state-controlled road . AND AO7.2 Landscaping can be maintained without requiring access to a state-controlled road . AND AO7.3 Landscaping does not block or obscure the sight lines for vehicular access to a state-controlled road .	Not applicable This application is for reconfiguring a lot. No landscaping is required or proposed.
Stormwater and overland flow		
PO8 Stormwater run-off or overland flow from the development site does not create or exacerbate a safety hazard for users of the state-controlled road .	No acceptable outcome is prescribed.	Complies with PO8 This application is for reconfiguring a lot. No changes to the stormwater management regime would occur as a result of the development.
PO9 Stormwater run-off or overland flow from the development site does not result in a material worsening of the operating performance of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Complies with PO9 This application is for reconfiguring a lot. No changes to the stormwater management regime would occur as a result of the development.
PO10 Stormwater run-off or overland flow from the development site does not adversely impact the structural integrity or physical condition of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Complies with PO10 This application is for reconfiguring a lot. No changes to the stormwater management regime would occur as a result of the development.
PO11 Development ensures that stormwater is lawfully discharged.	AO11.1 Development does not create any new points of discharge to a state-controlled road .	Complies with AO11.1 – AO11.4

Performance outcomes	Acceptable outcomes	Response
	AND AO11.2 Development does not concentrate flows to a state-controlled road. AND AO11.3 Stormwater run-off is discharged to a lawful point of discharge. AND AO11.4 Development does not worsen the condition of an existing lawful point of discharge to the state-controlled road.	This application is for reconfiguring a lot. No changes to the stormwater management regime would occur as a result of the development.
Flooding		
PO12 Development does not result in a material worsening of flooding impacts within a state-controlled road.	AO12.1 For all flood events up to 1% annual exceedance probability, development results in negligible impacts (within +/- 10mm) to existing flood levels within a state-controlled road. AND AO12.2 For all flood events up to 1% annual exceedance probability, development results in negligible impacts (up to a 10% increase) to existing peak velocities within a state-controlled road. AND AO12.3 For all flood events up to 1% annual exceedance probability, development results in negligible impacts (up to a 10% increase) to existing time of submergence of a state-controlled road.	Complies with AO12.1 – AO12.3 This application is for reconfiguring a lot. No changes to the stormwater management regime are proposed.

Performance outcomes	Acceptable outcomes	Response
Drainage Infrastructure		
PO13 Drainage infrastructure does not create a safety hazard for users in the state-controlled road .	AO13.1 Drainage infrastructure is wholly contained within the development site, except at the lawful point of discharge . AND AO13.2 Drainage infrastructure can be maintained without requiring access to a state-controlled road .	Not applicable This application is for reconfiguring a lot. No drainage infrastructure is proposed.
PO14 Drainage infrastructure associated with, or within, a state-controlled road is constructed, and designed to ensure the structural integrity and physical condition of existing drainage infrastructure and the surrounding drainage network.	No acceptable outcome is prescribed.	Not applicable This application is for reconfiguring a lot. No drainage infrastructure would be located within the state-controlled road.

Table 1.2 Vehicular access, road layout and local roads

Performance outcomes	Acceptable outcomes	Response
Vehicular access to a state-controlled road or within 100 metres of a state-controlled road intersection		
PO15 The location, design and operation of a new or changed access to a state-controlled road does not compromise the safety of users of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable No new vehicular access is proposed.
PO16 The location, design and operation of a new or changed access does not adversely impact the functional requirements of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable No new or changed access is proposed as part of this application.

Performance outcomes	Acceptable outcomes	Response
PO17 The location, design and operation of a new or changed access is consistent with the future intent of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable No new or changed access is proposed as part of this application.
PO18 New or changed access is consistent with the access for the relevant limited access road policy : 1. LAR 1 where direct access is prohibited; or 2. LAR 2 where access may be permitted, subject to assessment.	No acceptable outcome is prescribed.	Not applicable No new or changed access is proposed as part of this application.
PO19 New or changed access to a local road within 100 metres of an intersection with a state-controlled road does not compromise the safety of users of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable No new or changed access is proposed as part of this application.
PO20 New or changed access to a local road within 100 metres of an intersection with a state-controlled road does not adversely impact on the operating performance of the intersection.	No acceptable outcome is prescribed.	Not applicable No new or changed access is proposed as part of this application.
Public passenger transport and active transport		
PO21 Development does not compromise the safety of users of public passenger transport infrastructure, public passenger services and active transport infrastructure .	No acceptable outcome is prescribed.	Not applicable There are no public passenger transport infrastructure, public passenger services or active transport infrastructure services in vicinity of the site.
PO22 Development maintains the ability for people to access public passenger transport	No acceptable outcome is prescribed.	Not applicable There are no public passenger transport infrastructure, public passenger services or active

Performance outcomes	Acceptable outcomes	Response
infrastructure, public passenger services and active transport infrastructure.		transport infrastructure services in vicinity of the site.
PO23 Development does not adversely impact the operating performance of public passenger transport infrastructure, public passenger services and active transport infrastructure.	No acceptable outcome is prescribed.	Not applicable There are no public passenger transport infrastructure, public passenger services or active transport infrastructure services in vicinity of the site.
PO24 Development does not adversely impact the structural integrity or physical condition of public passenger transport infrastructure and active transport infrastructure.	No acceptable outcome is prescribed.	Not applicable There are no public passenger transport infrastructure, public passenger services or active transport infrastructure services in vicinity of the site.

Table 1.3 Network impacts

Performance outcomes	Acceptable outcomes	Response
PO25 Development does not compromise the safety of users of the state-controlled road network.	No acceptable outcome is prescribed.	Complies with PO25 The proposal is for the creation of one additional lot and no new accesses. The proposed development would not have an adverse impact on the operation of the Peninsula Developmental Road.
PO26 Development ensures no net worsening of the operating performance of the state-controlled road network.	No acceptable outcome is prescribed.	Complies with PO26 The proposal is for the creation of one additional lot and no new accesses. The proposed development would not have a net worsening

Performance outcomes	Acceptable outcomes	Response
		impact on the performance of the Peninsula Developmental Road.
PO27 Traffic movements are not directed onto a state-controlled road where they can be accommodated on the local road network.	No acceptable outcome is prescribed.	Not applicable The site only has frontage to the Peninsula Development Road.
PO28 Development involving haulage exceeding 10,000 tonnes per year does not adversely impact the pavement of a state-controlled road .	No acceptable outcome is prescribed.	Not applicable No haulage is proposed as part of the application.
PO29 Development does not impede delivery of planned upgrades of state-controlled roads .	No acceptable outcome is prescribed.	Not applicable There are no planned upgrades of the Peninsula Developmental Road in the vicinity of the site.
PO30 Development does not impede delivery of corridor improvements located entirely within the state-controlled road corridor .	No acceptable outcome is prescribed.	Not applicable There are no planned upgrades of the Peninsula Developmental Road in the vicinity of the site.

Table 1.4 Filling, excavation, building foundations and retaining structures

Performance outcomes	Acceptable outcomes	Response
PO31 Development does not create a safety hazard for users of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Not applicable No filling or excavation is proposed as part of this application.
PO32 Development does not adversely impact the operating performance of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable No filling or excavation is proposed as part of this application

Performance outcomes	Acceptable outcomes	Response
PO33 Development does not undermine, damage or cause subsidence of a state-controlled road .	No acceptable outcome is prescribed.	Not applicable No filling or excavation is proposed as part of this application
PO34 Development does not cause ground water disturbance in a state-controlled road .	No acceptable outcome is prescribed.	Not applicable No filling or excavation is proposed as part of this application
PO35 Excavation, boring, piling, blasting and fill compaction do not adversely impact the physical condition or structural integrity of a state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Not applicable No filling or excavation is proposed as part of this application
PO36 Filling and excavation associated with the construction of new or changed access do not compromise the operation or capacity of existing drainage infrastructure for a state-controlled road .	No acceptable outcome is prescribed.	Not applicable No filling or excavation is proposed as part of this application

Table 1.5 Environmental emissions

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

Performance outcomes	Acceptable outcomes	Response
Reconfiguring a lot		
Involving the creation of 5 or fewer new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor		

Performance outcomes	Acceptable outcomes	Response
PO37 Development minimises free field noise intrusion from a state-controlled road.	AO37.1 Development provides a noise barrier or earth mound which is designed, sited and constructed: 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1); 2. in accordance with: a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. OR AO37.2 Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound. OR AO37.3 Development provides a solid gap-free fence or other solid gap-free structure along the full extent of the boundary closest to the state-controlled road.	Not applicable The development does not involve the creation of residential lots.
Involving the creation of 6 or more new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor		

Performance outcomes	Acceptable outcomes	Response
PO38 Reconfiguring a lot minimises free field noise intrusion from a state-controlled road .	AO38.1 Development provides noise barrier or earth mound which is designed, sited and constructed: 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1); 2. in accordance with: a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. OR AO38.2 Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.	Not applicable The development does not involve the creation of residential lots.
Material change of use (accommodation activity)		
Ground floor level requirements adjacent to a state-controlled road or type 1 multi-modal corridor		

Performance outcomes	Acceptable outcomes	Response
PO39 Development minimises noise intrusion from a state-controlled road in private open space .	AO39.1 Development provides a noise barrier or earth mound which is designed, sited and constructed: 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.2) for private open space at the ground floor level; 2. in accordance with: a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. OR AO39.2 Development achieves the maximum free field acoustic level in reference table 2 (item 2.2) for private open space by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.	Not applicable The application is for Reconfiguring a Lot only.
PO40 Development (excluding a relevant residential building or relocated building) minimises noise intrusion from a state-controlled road in habitable rooms at the facade.	AO40.1 Development (excluding a relevant residential building or relocated building) provides a noise barrier or earth mound which is designed, sited and constructed:	Not applicable The application is for Reconfiguring a Lot only.

Performance outcomes	Acceptable outcomes	Response
	1. to achieve the maximum building façade acoustic level in reference table 1 (item 1.1) for habitable rooms; 2. in accordance with: a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. OR AO40.2 Development (excluding a relevant residential building or relocated building) achieves the maximum building façade acoustic level in reference table 1 (item 1.1) for habitable rooms by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.	
PO41 Habitable rooms (excluding a relevant residential building or relocated building) are designed and constructed using materials to achieve the maximum internal acoustic level in reference table 3 (item 3.1).	No acceptable outcome is provided.	Not applicable The application is for Reconfiguring a Lot only.
Above ground floor level requirements (accommodation activity) adjacent to a state-controlled road or type 1 multi-modal corridor		

Performance outcomes	Acceptable outcomes	Response
PO42 Balconies, podiums, and roof decks include: 1. a continuous solid gap-free structure or balustrade (excluding gaps required for drainage purposes to comply with the Building Code of Australia); 2. highly acoustically absorbent material treatment for the total area of the soffit above balconies, podiums, and roof decks.	No acceptable outcome is provided.	Not applicable The application is for Reconfiguring a Lot only.
PO43 Habitable rooms (excluding a relevant residential building or relocated building) are designed and constructed using materials to achieve the maximum internal acoustic level in reference table 3 (item 3.1).	No acceptable outcome is provided.	Not applicable The application is for Reconfiguring a Lot only.
Material change of use (other uses)		
Ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor		
PO44 Development: 1. provides a noise barrier or earth mound that is designed, sited and constructed: a. to achieve the maximum free field acoustic level in reference table 2 (item 2.3) for all outdoor education areas and outdoor play areas; b. in accordance with: i. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice:	No acceptable outcome is provided.	Not applicable The application is for Reconfiguring a Lot only.

Performance outcomes	Acceptable outcomes	Response
Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; ii. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; iii. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or 2. achieves the maximum free field acoustic level in reference table 2 (item 2.3) for all outdoor education areas and outdoor play areas by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.		
PO45 Development involving a childcare centre or educational establishment: 1. provides a noise barrier or earth mound that is designed, sited and constructed: 2. to achieve the maximum building facade acoustic level in reference table 1 (item 1.2); 3. in accordance with: a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;	No acceptable outcome is provided.	Not applicable The application is for Reconfiguring a Lot only.

Performance outcomes	Acceptable outcomes	Response
b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or 4. achieves the maximum building facade acoustic level in reference table 1 (item 1.2) by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.		
PO46 Development involving: 1. indoor education areas and indoor play areas; or 2. sleeping rooms in a childcare centre; or 3. patient care areas in a hospital achieves the maximum internal acoustic level in reference table 3 (items 3.2-3.4).	No acceptable outcome is provided.	Not applicable The application is for Reconfiguring a Lot only.
Above ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor		
PO47 Development involving a childcare centre or educational establishment which have balconies, podiums or elevated outdoor play areas predicted to exceed the maximum free field acoustic level in reference table 2 (item 2.3) due to noise from a state-controlled road are provided with: 1. a continuous solid gap-free structure or balustrade (excluding gaps required for	No acceptable outcome is provided.	Not applicable The application is for Reconfiguring a Lot only.

Performance outcomes	Acceptable outcomes	Response
drainage purposes to comply with the Building Code of Australia); 2. highly acoustically absorbent material treatment for the total area of the soffit above balconies or elevated outdoor play areas.		
PO48 Development including: 1. indoor education areas and indoor play areas in a childcare centre or educational establishment; or 2. sleeping rooms in a childcare centre; or 3. patient care areas in a hospital located above ground level, is designed and constructed to achieve the maximum internal acoustic level in reference table 3 (items 3.2-3.4).	No acceptable outcome is provided.	Not applicable The application is for Reconfiguring a Lot only..
Air, light and vibration		
PO49 Private open space, outdoor education areas and outdoor play areas are protected from air quality impacts from a state-controlled road.	AO49.1 Each dwelling or unit has access to a private open space which is shielded from a state-controlled road by a building, solid gap-free fence, or other solid gap-free structure. OR AO49.2 Each outdoor education area and outdoor play area is shielded from a state-controlled road by a building, solid gap-free fence, or other solid gap-free structure.	Not applicable The application is for Reconfiguring a Lot only.

Performance outcomes	Acceptable outcomes	Response
PO50 Patient care areas within hospitals are protected from vibration impacts from a state-controlled road or type 1 multi-modal corridor .	AO50.1 Hospitals are designed and constructed to ensure vibration in the patient treatment area does not exceed a vibration dose value of $0.1\text{m/s}^{1.75}$. AND AO50.2 Hospitals are designed and constructed to ensure vibration in the ward of a patient care area does not exceed a vibration dose value of $0.4\text{m/s}^{1.75}$.	Not applicable The application is for Reconfiguring a Lot only.
PO51 Development is designed and sited to ensure light from infrastructure within, and from users of, a state-controlled road or type 1 multi-modal corridor, does not: 1. intrude into buildings during night hours (10pm to 6am); 2. create unreasonable disturbance during evening hours (6pm to 10pm).	No acceptable outcomes are prescribed.	Not applicable The application is for Reconfiguring a Lot only.

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

Performance outcomes	Acceptable outcomes	Response
PO52 Development does not impede delivery of a future state-controlled road .	AO52.1 Development is not located in a future state-controlled road. OR ALL OF THE FOLLOWING APPLY: AO52.2 Development does not involve filling and excavation of, or material changes to, a future state-controlled road.	Not applicable The site is not adjacent and does not contain a future state-controlled road.

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Performance outcomes	Acceptable outcomes	Response
	AND AO52.3 The intensification of lots does not occur within a future state-controlled road. AND AO52.4 Development does not result in the landlocking of parcels once a future state-controlled road is delivered.	
PO53 The location and design of new or changed access does not create a safety hazard for users of a future state-controlled road .	AO53.1 Development does not include new or changed access to a future state-controlled road .	Not applicable The site is not adjacent and does not contain a future state-controlled road.
PO54 Filling, excavation, building foundations and retaining structures do not undermine, damage or cause subsidence of a future state-controlled road .	No acceptable outcome is prescribed.	Not applicable The site is not adjacent and does not contain a future state-controlled road..
PO55 Development does not result in a material worsening of stormwater, flooding, overland flow or drainage impacts in a future state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Not applicable The site is not adjacent and does not contain a future state-controlled road..
PO56 Development ensures that stormwater is lawfully discharged.	AO56.1 Development does not create any new points of discharge to a future state-controlled road. AND AO56.2 Development does not concentrate flows to a future state-controlled road. AND	Not applicable The site is not adjacent and does not contain a future state-controlled road.

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

Appendix F

Planning Scheme Code Responses

6.2.9 Rural zone code

6.2.9.1 Application

This code applies to assessing a material change of use or a reconfiguring a lot for development in the rural zone. For development within the Rural Zone and the Eastern Kuku Yalanji Local Plan area, development shall be assessed against both codes. The provisions of the Eastern Kuku Yalanji Local Plan Code prevail over the Rural Zone Code to the extent of any inconsistency. When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3 located in Part 5.

6.2.9.2 Purpose

- (1) The purpose of the rural zone is to –
 - (a) provide for rural uses and activities; and
 - (b) provide for other uses and activities that are compatible with –
 - i. existing and future rural uses and activities; and
 - ii. the character and environmental features of the zone; and
 - (c) maintain the capacity of land for rural uses and activities by protecting and managing significant natural resources and processes.
- (2) The purpose of the code will be achieved through the following overall outcomes;
 - (a) Agricultural land is protected from fragmentation or alienation;
 - (b) Adequate infrastructure (particularly roads) is provided to service rural communities and support the rural economy;
 - (c) Intensive rural activities and aquaculture is separated from sensitive land uses to ensure they do not have a detrimental impact on the amenity of adjoining land;
 - (d) Existing extractive industries and known resource deposits are protected and provide opportunities for new extractive industry operations. All new and existing operations are located and designed to mitigate environmental impacts;
 - (e) Appropriate forms of tourism-based activities and associated short term accommodation are supported where at an appropriate scale and impacts can be managed;
 - (f) Development in the Eastern Kuku Yalanji Local Plan is supported, including higher densities for rural zoned sites at Little Annan and South Mungumby (Precincts 4 and 5 of the Local Plan).
 - (g) Built form is consistent with the rural character, which is typically a single dwelling house and ancillary structures necessarily associated with the rural activity, such as sheds.
 - (h) Scenic landscape values and rural character are protected from the visual impacts of clearing, construction and intensive uses;
 - (i) Development maintains adequate separation from natural features such as prominent hills and ridges, creeks, gullies, waterways, wetlands so

they are retained, managed and enhanced.

- (j) Non-rural development is designed and located so it does not compromise the long-term use of the land for rural purposes.
- (k) Rural zoned land is protected from adhoc subdivision or changes of use. OM6.4 – Future Urban Expansion Overlay Map identifies Rural zoned land that may provide for the long-term expansion of the township subject to the provision of infrastructure and orderly, sequencing and assessment of constraints.

6.2.9.3 Criteria for assessment

Table 6.9 – Accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
Section 1 – For accepted development subject to requirements and assessable development		
Built form		
PO1 The scale, density and height of buildings and structures is consistent with the rural built form.	AO1.1 One dwelling per site. Note: A secondary dwelling is not a separate dwelling for the purpose of satisfying this outcome. And	Not applicable This application is for reconfiguring a lot. No buildings or structures are proposed as part of this application.
	AO1.2 Building height does not exceed 8.5m. And	Not applicable This application is for reconfiguring a lot. No buildings or structures are proposed as part of this application.
	AO1.3 Buildings have a pitched roof.	Not applicable This application is for reconfiguring a lot. No buildings or structures are proposed as part of this application.
Siting		
PO2	AO2.1	Not applicable

Performance outcomes	Acceptable outcomes	Applicant response
Buildings and structures are sited to protect the rural amenity of the area when viewed from roads and neighbouring properties, and to minimise the impacts of noise and dust.	For uses other than Rural industry, Animal Keeping, Aquaculture, Intensive Animal Industries and Advertising Devices, buildings and structures are setback: (a) 50m from the centre line of a State controlled road identified on OM10-State controlled roads; and (b) 6m from all other boundaries.	This application is for reconfiguring a lot. No buildings or structures are proposed as part of this application.
State controlled road - amenity		
PO3 Development achieves acceptable levels of amenity for residents and visitors.	For sites with frontage to a State controlled road as mapped on OM10 – State controlled road Overlay: AO3.1 Development uses noise attenuation measures, such as earth mounds and noise barrier fences, between the noise source and the noise sensitive place. Or AO3.2 Development maintains an appropriate buffer distance between the noise source and the noise sensitive place.	Complies with AO3.2 The existing dwelling is setback approximately 55 metres from the Peninsula Developmental Road, which is a Noise Corridor – state-controlled road (VOLUNTARY area).
Cropping		
PO4 Agricultural land is protected for agricultural production.	AO4.1 Permanent plantations do not occur on agricultural land mapped on Overlay Map 8. Note. This does not apply to windbreaks that are grown to	Complies with AO4.1 No permanent plantations are proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	protect legitimate agricultural crops.	
Section 2 – For assessable development		
Siting		
PO5 Buildings and structures are sited to protect the rural amenity of the area when viewed from roads and neighbouring properties, and to minimise the impacts of noise and dust.	AO5.1 Rural Industry buildings and structures are setback as follows: (a) Where access is from a sealed road, a minimum of 6m from all boundaries; or (b) Where access is from an unsealed road, a minimum of 20m from the road frontage; and (c) a minimum of 6m from all boundaries; and (d) a minimum of 200m from any dwelling on an adjoining premises; and (e) a minimum of 200m from any land in the Low Density Residential, Township or Rural Residential Zones; Or AO5.2 For Intensive Animal Industries buildings and structures are setback in accordance with the minimum requirements in Schedule 1 of this code. Or AO5.3 If the use is not listed in Schedule 1 of this code, no Acceptable Outcome is specified.	Not applicable This application is for reconfiguring a lot. No rural industry buildings or structures are proposed as part of this application.
Rural land use		

Performance outcomes	Acceptable outcomes	Applicant response
PO6 Development ensures the following rural outcomes are achieved: (a) new or existing rural or extractive industries will not be prevented from establishing and/or expanding. (b) infrastructure critical to agricultural and extractive industry supply chains are protected and used sustainably; and (c) rural landscape values, water resources and environmental quality are protected.	AO6.1 Development complies with minimum lot size and dimensions identified in Schedule 1 of the Reconfiguring a Lot Code. And AO6.2 Development does not occur within the Annan River Resource Buffer on the Water Resource area identified on OM11- Water Resources Overlay .	Complies with PO6 While the site is located within the Rural Zone, the development is considered consistent with the reconfiguring a lot code and satisfy the characteristics to create rural lifestyle lots in the Rural Zone. Not applicable The site is not located within the Annan River Resource Buffer on the Water Resource area identified on OM11-Water Resources Overlay.
Extractive resources		
PO7 Extractive industry operations and proven resource deposits are protected from the encroachment of incompatible land uses.	AO7.1 A dwelling is not located within: (a) 200m from an extractive industry or resource not involving blasting; (b) 1,000m from an extractive industry or resource involving blasting;	Not applicable The site is not located in close proximity of any extractive industry.
Stock routes		
PO8 Development must not compromise the primary use of the stock route or capacity for stock movement.	AO8.1 Development on sites adjoining a stock route identified on OM8 Rural land use Overlay must demonstrate access is safe and protects the usability of the stock route.	Complies with AO8.1 The proposed development would not compromise the operation of the Peninsula Developmental Road as a stock route.
Visual amenity		

Performance outcomes	Acceptable outcomes	Applicant response
PO9 Development maintains and enhances the scenic amenity of prominent hillsides, coastal landscapes, views and vistas.	No Acceptable Outcome specified.	Able to comply with PO9 The subject site does not contain any prominent hillsides, coastal landscapes or vistas.

Schedule 1 – Minimum setback distances for certain types of Animal Keeping and Intensive Animal Industries

Setback from	Abattoir, piggery or feedlot	Poultry farm or processing plant	Cattery or kennel	Aquaculture
Road frontage	200m	60m	50m	50m
Natural waterway, wetlands or declared fish habitat area	100m	50m	50m	100m
Side or rear boundary	15m	15m	15m	15m
Any house on surrounding land	500m	400m	200m	100m

7.1.2. Lakeland Local Plan code

7.1.2.1. Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work in the Lakeland Local Plan area, if:
 - (a) Assessable development where this code is an applicable code identified in the assessment benchmarks column of a table of assessment for a local plan; or
 - (b) Impact assessable development.
- (2) Land in the Lakeland Local area is identified on Local Plan Maps 7 and 8.
- (3) When using this code, reference should be made to Sections 1.5 and 5.3

7.1.3. Purpose

- (1) The purpose of the Residential development code is to facilitate a high standard of design and amenity for all residential development.
- (2) The purpose of the Lakeland Local Plan code will be achieved through Overall Outcomes.
- (3) The Overall Outcomes for the Local Plan area are:
 - (a) The existing agricultural activities and future agricultural potential is protected from medium to long term sterilization as a result of development or fragmentation/isolation.
 - (b) Greenfield development does not occur until infrastructure is available to service the development to an appropriate urban standard.
 - (c) New retail, commercial and rural service industry uses are centered around the Peninsula Developmental Road and Foyster Drive.
 - (d) Development contributes to the pedestrian environment through the provision of footpaths (1.5m wide) and shared cycle/pedestrian paths (2.5m wide) in locations indicated on the Local Plan Map 8 as well as the provision of landscaping and street trees.
 - (e) Development on land fronting the Mulligan Highway/Peninsula Developmental Road intersection facilitates the establishment of a future information centre and Cape York gateway signage.
 - (f) Development contributes towards and does not prejudice a future highway pedestrian crossing opposite the Lakeland Roadhouse to link the primary school and the sport and recreation facility.
 - (g) Development is not envisaged to occur adjacent to Perfume Gully. Where development is proposed, it protects and enhances Perfume Gully as a public passive recreation space.
 - (h) New residential development:
 - (i) occurs in locations identified for Residential Expansion on the Local Plan Map 7 subject to the provision of services;

- (ii) does not occur outside the locations identified for Residential Expansion on the Local Plan Map 7 unless economic and planning need is demonstrated;
 - (iii) is consistent with an approved structure plan identifying how the site and adjoining land can be serviced; and
 - (iv) contributes to pedestrian linkages connecting to existing services, facilities and residential and recreational areas generally in accordance with Local Plan Map 8.
- (i) The ongoing use of land for Low impact Industry, Rural Industry and Service industry is supported in the locations shown on the Local Plan Map 7 and is protected from incompatible development.
 - (j) Development for an industrial use is located, designed and managed to maintain safety to people and minimises impacts on adjacent non-industrial land including sensitive uses.
 - (k) Medium impact industry and High impact industry is supported on land west of Lakeland where indicated on the Local Plan Map 7.
 - (l) Short term accommodation, including use as a Caravan park, is supported on Lot 2 on RP744574.
 - (m) Development on or adjoining the stock route network does not compromise the connectivity and integrity of the network and protects the ongoing efficient and safe use by travelling stock.
 - (n) Development for urban purposes is supported by a 'fit for purpose' assessment consistent with the State Planning Policy guidance material.

8.2.3 Bushfire hazard overlay code

Editor's 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 very high, high and medium hazard areas as well as the buffer area category on the overlay map.

8.2.3.1 Application

- (a) Accepted development subject, where acceptable outcomes of this code are identified requirements in a table of assessment for an overlay (section 5.10); or
- (b) Assessable development where this code is an applicable code identified in the assessment benchmarks column of a table of assessment for an overlay (section 5.10); or
- (c) Impact assessable development.

8.2.3.2 Purpose

- (1) The purpose of the Bushfire Hazard Overlay Code is to:
 - (a) Provide for the assessment of the suitability of development in the Bushfire Hazard Overlay area to ensure that risk to life, property, community, economic activity and the environment during bushfire events is minimised.
 - (b) Ensure that development does not increase the potential for bushfire damage onsite or to other property.
- (2) The purpose of the Bushfire Hazard Overlay Code will be achieved through the following overall outcomes:
 - (a) the development siting, layout, and access responds to the risk of the bushfire hazard and minimises risk to personal safety.
 - (b) the development is resilient to bushfire hazard events by ensuring siting and design accounts for the potential risks of bushfire hazards to property.
 - (c) the development supports, and does not unduly burden disaster management response or recovery capacity and capabilities.
 - (d) the development directly, indirectly and cumulatively avoids an unacceptable increase in severity of then bushfire hazard and does not significantly increase the potential for damage on the site or to other properties.
 - (e) development avoids the establishment or intensification of vulnerable uses in or near areas subject to bushfire hazard.
 - (f) the development avoids the release of hazardous materials as a result of a bushfire hazard event.
 - (g) impacts from bushfire mitigation treatments on natural processes and the protective function of landforms and/or vegetation are avoided or minimised.

8.2.3.3 Criteria for assessment

Table 8.3—Accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Responses
Section 1 – For accepted subject to requirement and assessable development		
PO1 Development is sited in a Bushfire Hazard area only where there is no reasonable opportunity to avoid the area and where the extent of development in the Bushfire Hazard area has been minimised.	No Acceptable Outcome	Complies with PO1 The application would not result in an increase of built form within the area subject to the bushfire overlay.
Safety		
PO2 Development maintains the safety of people and property by avoiding Bushfire Hazard areas or mitigating the risk of bushfire hazard through lot design, firebreaks, emergency vehicle access, safe evacuation and adequate water supply.	AO2.1 Development will be located in an area with a Low or Very Low Bushfire Hazard Rating in accordance with the 'Bushfire Hazard Checklist' in Bushfire Hazard Analysis Planning Scheme Policy . Note: A copy of the completed Bushfire Hazard Checklist must be submitted to Council with the MCU or ROL development application. For accepted MCU development, a copy must be provided to the building certifier.	Complies with AO2.1 The application would not result in an increase of built form within the area subject to the bushfire overlay. All existing built form is located outside of the bushfire hazard overlay.
PO3 Landscaping does not increase the potential bushfire risk.	AO3.1 Landscaping uses species that are less likely to exacerbate a bushfire event, and does not increase fuel loads in separation areas.	Not applicable No landscaping is required or proposed.
PO4 The risk of bushfire and the need to mitigate that risk is balanced against the impacts on natural processes and the protective function of landforms and/or vegetation..	AO4.1 Bushfire risk mitigation treatments do not involve vegetation clearing within an area identified on OM1 – Biodiversity Overlay Map .	Not applicable No bushfire mitigation treatments are required or proposed.
Private water supply – in areas with no water reticulation		

Performance outcomes	Acceptable outcomes	Responses
PO5 The development provides adequate water supply for fire fighting purposes, safely located and freely accessible for fire fighting purposes at all times.	AO5.1 A water tank is provided within 10 metres of each building (other than a Class 10 building) which: (a) Is either below ground or of non-flammable construction; and (b) Provides the following capacities exclusively for fire fighting purposes: i. 10KL for residential buildings; ii. 45KL for industrial buildings; iii. 20KL for other buildings; and (c) Minimum pressure and flow of 10L per second at 200kPa; and (d) Fitted with a 50mm male camlock or, if underground, an access hole of a minimum 200mm to accommodate suction lines; and (e) Includes a hardstand area allowing a 15 tonne fire appliance access within 6 metres of the tank; Or AO5.2 The property contains: (a) Storage in an accessible location such as a dam or swimming pool installed upon construction of the dwelling.	Not applicable This application is for reconfiguring a lot. No buildings are proposed as part of this application.
Private water supply – in areas with water reticulation		
PO6 The water supply must be reliable and have	AO6.1 Reticulated water supply is provided in accordance	Not applicable The site is not serviced by reticulated water

Performance outcomes	Acceptable outcomes	Responses
sufficient flow and pressure requirements for fire fighting purposes at all times.	with FNQROC.	supply.
on 2 – For assessable development		
breaks and vehicular access for Reconfiguring a Lot applications		
PO7 Firebreaks and roads must: (a) Enable access for fire fighters, residents and equipment; (b) Mitigate against fire hazard by slowing a fire's rate of spread.	AO7.1 The subdivision design incorporates a firebreak and vehicular access that: (a) Is located between the perimeter boundary of the lots and proposed house sites; and (b) has a minimum cleared width of 6 metres; and (c) A maximum gradient of 16% with adequate drainage to prevent soil erosion and minimise ongoing maintenance; and (d) accommodates geometry and turning radii in accordance with Qld Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines. And	Complies with AO7.1 There is a n existing significant firebreak between the hazardous vegetation in the north east and the existing dwelling.
	AO7.2 Private driveways: (a) Have a maximum length of length of 60m from the street to the building; and (b) Do not exceed a gradient of 12.5%; and (c) Have a minimum width of 3.5 metres; and (d) Have a minimum of 4.8 metres vertical clearance; and	Complies with AO7.2 The driveway to the existing dwelling is approximately 55 metres in length.

Performance outcomes	Acceptable outcomes	Responses
	(e) Serve no more than 3 dwellings or buildings. And	
	A07.3 Road design is capable of providing access for fire fighting and emergency vehicles in accordance with the FNQROC. And	Not applicable No new roads are proposed.
	A07.4 Vehicular links are provided along the firebreak either to existing firebreaks or roads, and these links are designed to suit topography, fire fighter safety and access to water supplies. And	Not applicable No new roads are proposed.
	A07.5 The firebreak and/or road has vehicle access at both ends to either another firebreak or road. Or A07.6 A turning circle, or 'T' or 'Y' shaped turning bay, is provided at the end of the firebreak/road, provided it is of sufficient size for the turning of a fire fighting vehicle.	Not applicable No firebreak and/ or road are proposed with this application.
	A07.7 The firebreak provides areas for vehicles to pass or turn at intervals of not more than 400 metres and with a maximum grade of 5% (1 in 20).	Not applicable No firebreak and/ or road are proposed with this application.

Performance outcomes	Acceptable outcomes	Responses
	A07.8 Firebreaks/vehicle access located on private land have an access easement granted in favour of Council and fire brigades.	Not applicable No firebreak and/ or road is proposed.
Land use		
PO8 Vulnerable uses must not result in a high concentration of people living or congregating in a Very High, High or Medium Bushfire Hazard Area unless there is an overriding need or other exceptional circumstances.	A08.1 Vulnerable uses are not established or expanded in a Very High, High or Medium Bushfire Hazard Area unless supported by a Bushfire Hazard Management Plan. Or A08.2 Vulnerable uses proposed in a Very High, High or Medium Bushfire Hazard Areas are supported by a Bushfire Hazard Management Plan demonstrating satisfactory safety measures and have direct access to low hazard evacuation routes. Note: To demonstrate compliance with this provision, the applicant shall engage a suitably qualified person to prepare a Bushfire Hazard Management Plan; and submit the Plan with their development application to Council. Council reserves the right to refer the Plan to the Queensland Fire & Rescue Service for third party advice during their assessment of the development application. If Council approves the development, a condition may be included to require compliance with the Plan at all times.	Not applicable This application is for reconfiguring a lot only.
PO9 Development involving hazardous materials manufactured or stored in bulk does not create an increase in risk of bushfire hazard.	A09.1 The manufacture or storage of hazardous material in bulk does not occur within bushfire hazard area.	Not applicable This application is for reconfiguring a lot only.

9.4.1 Reconfiguring a lot code

9.4.1.1 Application

This code applies to assessing development for reconfiguring a lot, with the exception of lot amalgamation, where identified as code or impact assessable in Part 5. When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3 located in Part 5.

9.4.1.2 Purpose

- (1) The purpose of the Reconfiguring a lot code is to ensure new lots are suitable for their intended use and are appropriately designed and sited given the local landscape and topography:
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Lots are of a size and dimension suitable for their intended use and have due regard to local geographical constraints, identified hazards, fragmentation of agricultural land and community expectations of residential separation and character.
 - (b) Environmental and scenic values are protected;
 - (c) Reconfiguration does not impact on the Shire's water resources;
 - (d) Subdivision of land achieves the efficient use of land and the efficient provision of infrastructure and transport services;
 - (e) Lots are provided with the appropriate level of infrastructure to meet user requirements;
 - (f) A range and mix of lot sizes is provided to facilitate a variety of commercial, industry and housing types;
 - (g) Subdivision design achieves road networks that provide connectivity and circulation for vehicles and provides safe and efficient access for pedestrians, cyclists and public transport;
 - (h) Subdivision design provides opportunities for walking and cycling, for recreation and as alternative methods of travel;
 - (i) Subdivision of land provides and integrates a range of functional parkland, including local and district parks and open space links for the use and enjoyment of the residents of the locality and the region;
 - (j) Subdivision of land contributes to an open space network that achieves connectivity along riparian corridors and connectivity between areas with conservation values;
 - (k) Subdivision of land in the Rural zone does not result in the fragmentation or alienation of Good Quality Agricultural Land.
 - (l) Subdivision within the Rural zone maintains rural landholdings in viable parcels unless it can be demonstrated that the land is suitable for rural lifestyle allotments that and the other overall outcomes in this section are not compromised.
 - (m) New Rural Lifestyle Lots:
 - a. Are in reasonable proximity to services and facilities such as health, education and retail opportunities;

- b. Have frontage to a road and access to a road network that complies with the rural roads design criteria in the FNQROC Development Manual;
- c. Protects rural activities and extractive industry from encroachment by sensitive land uses;
- d. Will not impact transport/supply chains critical to rural production, rural industry and extractive industry;
- e. Have a sustainable level of impact on the natural environment having regard to water supply and water quality effluent disposal, potential erosion and natural habitat.
- f. Provide a high level of residential and scenic amenity and safety from risk of natural hazards such as bushfire;
- g. Does not compromise the orderly development of land where such land is subject to the Future Urban Expansion Overlay.

9.4.1.3 Criteria for assessment

Table 9.6—Assessable development

Performance outcomes	Acceptable outcomes	Response
Lot configuration		
PO1 Lots have adequate area and appropriate dimensions for their intended use and agricultural land is not lost to production through its fragmentation into economically unviable units unless over-riding public benefit can be demonstrated. The subdivision is demonstrated to be appropriate having regard to: (a) The unique size, shape, location or topography of existing and proposed allotments; (b) The unique character of the proposed use intended to be made of the land following subdivision (as set out in the development application); (c) The existing and future amenity of the	AO1.1 Lots comply with the minimum area and dimensions for those zones listed in Schedule 1 of this code.	Complies with PO1 The proposal is for the creation of a large rural lifestyle lot that may be suitable for further subdivision for smaller rural lifestyle lots in the future. The need for additional residential land in the Lakeland area has been identified by Council and the site is located adjacent the Lakeland Township and is, in part, identified for future residential purposes. The proposal would result in the least productive land being excised from the balance of the land with the balance retaining the viable and arable land. The proposed rural lifestyle lot is considered to be consistent with the purpose of the code given the following:

Performance outcomes	Acceptable outcomes	Response
locality; (d) The ability of the site to accept and disperse wastewater within the site without causing infiltration of the groundwater or runoff to nearby watercourses; (e) The relevant zone and overlay overall outcomes and performance outcomes.		- The site is immediately adjacent the Lakeland Township; - The site has access to the Peninsula Developmental Road : - The development would not affect the productive arable land on the overall site and is large enough to accommodate any required buffering associated with any future and more intense residential use; - The creation of a single lot would not affect the natural environment as a result of effluent disposal; - The land is generally unaffected by natural hazards, including bushfire; and, - The development would be consistent with the existing and emerging intent for the development of Lakeland.
Subdivision design		
PO2 Subdivision design: (a) Provides each lot with practical access to the public road system; (b) Minimises strip development; (c) Provides for safe and efficient traffic movements; and (d) Does not compromise the long term potential for further higher density subdivision in the Cooktown locality.	AO2.1 Subdivision of land in the Rural and Rural Residential Zones provides for the opening of a new internal public road connecting to the external public road system and access to all lots is via the internal road. And AO2.2 Applications for subdivisions creating 10 or more additional lots are accompanied by a Traffic	Not applicable No new roads are proposed as part of this application. Not applicable This application is for reconfiguring a lot (1 lot into 2 lots) only.

Performance outcomes	Acceptable outcomes	Response
	Impact Assessment prepared by a suitably qualified engineer. At a minimum such assessment shall detail existing conditions, expected vehicle trip generation and the capacity of the local and trunk road network to deal with the additional demand.	
PO3 Noise amelioration features are incorporated in the development to mitigate impacts from road networks and such noise amelioration features are designed to minimise adverse impacts on visual amenity.	No Acceptable Outcome specified.	Not applicable This application is for reconfiguring a lot with the new lot to contain an existing dwelling house that is setback 55 metres from the road frontage.
PO4 Rear lots only occur in exceptional circumstances where justified by the need to protect amenity or where the site's physical characteristics make this form of subdivision more practical.	AO4.1 The development does not propose rear lots. Or AO4.2 If the development proposes rear lot access, the access handle is located and constructed to: (a) Minimise impacts on adjoining properties (b) Allow all weather practical access (c) Prevent erosion and sedimentation due to vehicle movements; (d) Minimise dust generation; and (e) Ensure stormwater flow is managed and discharged to a legal point.	Not applicable No rear lots are proposed.
PO5 Secure access of adequate width and standard to	AO5.1 Where the access handle from the public road	Not applicable No rear lots are proposed.

Performance outcomes	Acceptable outcomes	Response
accommodate emergency vehicles is provided to all rear lots.	does not form part of the rear lot, the handle is protected by an access easement shown on the plan of survey. And	
	AO5.2 The minimum width of access handles for land in each zone is as follows: (a) Rural Zone – 10m (b) Rural Residential, Township or Industry Zone – 6m (c) All other zones – 4m	Not applicable No rear lots are proposed.
Duck Farm Sub-Artesian Area		
PO6 Development does not have an adverse impact on the capacity or water quality of the Duck Farm-Sub- Artesian Area.	AO6.1 Development does not create additional lots in the Duck Farm Sub- Artesian Area or the Annan River Water Resource Catchment as shown on OM11 – Water Resource Overlay Map . Or AO6.2 Development wholly or partly within the Duck Farm Sub-Artesian Area or the Annan River Water Resource Catchment as shown on OM11 – Water Resource Overlay Map does not result in: (a) Additional groundwater extraction. (b) Infiltration of sewerage effluent or other contaminants.	Not applicable The site is not within the Duck Farm sub-artesian Area or the Annan Rive Water Resource catchment.

Performance outcomes	Acceptable outcomes	Response
Public open space		
PO7 Public open space for recreation purposes is provided in a manner which: (a) Meets the recreation and leisure needs of the community; (b) Is not subject to constraints such as inundation or excessive slope which would reduce its usefulness; (c) Has a functional shape; (d) Connects with existing public open space or natural areas where feasible; (e) Is readily and safely accessible by vehicles, cyclists and pedestrians; and (f) Conserves and takes advantage of significant landmarks and natural vegetation.	A07.1 Public open space (or monetary payment) is provided in accordance with the Provision of Public Open Space Planning Scheme Policy . And	Abel to comply with A07.1 No public open space for recreation purposes is proposed as part of this application a contribution is able to be made in accordance with the Councils Adopted Infrastructure Charges Resolution.
	A07.2 Land within 20m of the edge of the dam at the Old Dam Site shown on OM13 – Old Dam Overlay Map is transferred to public ownership.	Not applicable The site is not identified in the old dam overlay.
Erosion prone land		
PO8 Reconfiguration of Erosion Prone Areas provides protection from future development that increases risk of erosion.	No Acceptable Outcome specified	Not applicable The site is not mapped in an Erosion Prone area.
Acid sulfate soils		
PO9 Natural or built environments and human health are not harmed by the production of acid leachate	No Acceptable Outcome specified.	Not applicable The site is not mapped in an area of acid sulfate soils.

Performance outcomes	Acceptable outcomes	Response
resulting from disturbance of potential and/or actual acid sulphate soil by: (a) Not reconfiguring lots in such areas; or (b) Treating and managing the disturbance to minimise the volume of acidic leachate within manageable levels; and (c) Treating and managing surface and groundwater flows to minimise environmental harm.		
Watercourse protection		
PO10 Where reconfiguration involves land adjacent to or including a wetland and/or watercourses, there are no significant adverse effects on: (a) Water quality; (b) Ecological and biodiversity values; or (c) Landscape quality.	No Acceptable Outcome specified.	Complies with PO10 The proposed reconfiguration would not result in any new boundaries adjacent an existing watercourse.
Protection of rural values – Rural Zone		
PO11 Reconfiguring a lot in the Rural Zone results in lots that: (a) reflect the capability and sustainability of land for agricultural or pastoral purposes; (b) Protects rural activities and extractive industry from encroachment by sensitive	AO11.1 Each proposed lot has access from a constructed, gazetted road; And AO11.2 The proposed subdivision achieves the minimum area, road frontage and depth to frontage ratio	Complies with AO11.3 Refer below.

Performance outcomes	Acceptable outcomes	Response
land uses; and (c) Will not impact transport/supply chains critical to rural production, rural industry and extractive industry.	specified in Schedule 1 below. Or AO11.3 The subdivision results in one or more allotments with a minimum area, road frontage and/or depth to frontage ratio less than specified in Schedule 1 and the proposed allotments contain building envelopes capable of accommodating a dwelling house that: (a) Maintains the minimum separation distances to existing rural activities or extractive industry as detailed in Schedule 1 of the Rural Zone Code; (b) Ensures risks associated with flood, bushfire and landslide hazard can be managed; (c) Maintain safe road access; and (d) Each allotment sustains a proven and reliable water supply.	Complies with AO11.3 The proposed development would result in an additional lot with an area of approximately 58.2 hectares that contains an existing dwelling. The dwelling is setback approximately 100 metres from the proposed boundary and approximately 1.2km from the nearest hazardous vegetation. It has existing access to the Peninsula Developmental Road and a proven water supply for the existing dwelling.
Rural Lifestyle Allotments		
PO12 Reconfiguring a lot in the Rural Zone results in Rural Lifestyle Lots that: (a) Are in reasonable proximity to services and facilities such as health, education and retail opportunities; (b) Have frontage to a road and access to a road network that complies with the rural roads design criteria in the FNQROC	No Acceptable Outcome specified. Note – as contemplated in section 3.4.1.1 of the scheme, Council will consider proposals for Rural Lifestyle Allotments down to 4ha in size, where compliance with the Performance Outcome is demonstrated.	Complies with PO12 (a) the lot is immediately adjacent the Lakeland township; (b) The Peninsula Developmental Road is a State Controlled Road and the new lot has an existing access. (c) the new lot would be the least suitable part of the parent parcel for the purpose of agriculture and provides sufficient area

Performance outcomes	Acceptable outcomes	Response
Development Manual; (c) Protects rural activities and extractive industry from encroachment by sensitive land uses; (d) Will not impact transport/supply chains critical to rural production, rural industry and extractive industry; (e) Have a sustainable level of impact on the natural environment having regard to water supply and water quality effluent disposal, potential erosion and natural habitat. (f) Provide a high level of residential and scenic amenity and safety from risk of natural hazards such as bushfire; (g) Does not compromise the orderly development of land where such land is subject to the Future Urban Expansion Overlay.		to accommodate buffering from the continued rural use of that land. (d) the creation of a single lot would not have an adverse impact on any transport/supply chains; (e) The creation of a single lot would not affect the natural environment as a result of effluent disposal or water supply; (f) The land is generally unaffected by natural hazards, including bushfire; and, (g) The development would be consistent with the existing and emerging intent for the development of Lakeland and the provision of additional housing supply.
Protect key infrastructure and corridors		
PO13 Reconfiguration of lots does not compromise or adversely impact upon the efficiency and integrity of major electricity infrastructure.	AO13.1 Residential subdivision of land containing Major Electricity Infrastructure or the Electricity Substation (as identified on OM7 – Infrastructure Overlay Map) demonstrates that all allotments are capable of siting all buildings and structures outside of easements or otherwise a minimum of: (a) 20m for transmission lines up to 132 kilovolts; or (b) 30m for transmission lines between 133	Not applicable The site does not contain any containing Major Electricity Infrastructure or an Electricity Substation.

Performance outcomes	Acceptable outcomes	Response
	kilovolts and 275 kilovolts; or (c) 40m for transmission lines exceeding 275 kilovolts.	
PO14 Reconfiguring of lots ensures that access requirements of major electricity and bulk water supply infrastructure are maintained.	AO14.1 Major Electricity Infrastructure or an Electricity Substation traversing or within private land (as identified on OM7 – Infrastructure Overlay Map) are protected by an easement in favour of the service provider for access and maintenance	Not applicable The site does not contain any containing Major Electricity Infrastructure or an Electricity Substation.

Schedule 1— Minimum Lot Dimensions

Zone	Minimum Area	Minimum road frontage	Maximum depth to frontage ratio
Low density residential zone	800m ²	20m	NA
Medium density residential zone	800m ²	20m	NA
Mixed use zone	800m ²	20m	NA
Centre zone	400m ²	10m	NA
Industry zone	1,000m ²	20m	NA
Rural zone	100ha	100m	5:1
Rural residential zone	2,000m ² where reticulated water is available	40m	3:1

Zone	Minimum Area	Minimum road frontage	Maximum depth to frontage ratio
	4,000m ² where reticulated water is not available		
Township zone	800m ²	20m	NA
Community use zone	Not specified	Not specified	Not specified

- (a) For rear allotments, the minimum area excludes the area of the proposed access way.

9.4.3 Works, services and infrastructure code

9.4.3.1 Application

This code applies to material change of use, reconfiguring a lot and operational work development were identified as code or impact assessable in Part 5. When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3 located in Part 5.

9.4.3.2 Purpose

- (1) The purpose of this code is to ensure development is provided with the range of infrastructure services expected by the community.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Infrastructure is designed and constructed to a suitable standard;
 - (b) Works, services and infrastructure do not cause environmental degradation or increase the risk of natural hazards; and
 - (c) Development is designed, constructed and managed to avoid or minimise impacts on receiving waters.

9.4.3.3 Criteria for assessment

Table 9.4—Accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Responses
Infrastructure services		
PO1 An adequate, safe and reliable supply of potable and general use water is provided.	AO1.1 If the site is located within Council's reticulated water area, as identified on an OM7 – Infrastructure Services Overlay Map , the site must be connected to Council's reticulated water supply system in accordance with Section D6 of the Development Manual Planning Scheme Policy. And	Not applicable The site is not located in the mapped reticulated water area.
	AO1.2 If the site is not located within Council's reticulated water area as identified on OM7 – Infrastructure Services Overlay Map , rainwater tanks of minimum capacity 50,000 litres must be installed	Complies with AO1.2 The existing dwelling is provided with rainwater tanks.

Performance outcomes	Acceptable outcomes	Responses
	for each residential dwelling unit.	
PO2 Provision is made for the treatment and disposal of sewerage effluent to ensure there are no adverse impacts on water quality and no adverse ecological impacts as a result of the effluent disposal system or as a result of the cumulative effect of systems in the locality.	AO2.1 If the site is located within Council's reticulated sewerage area, as identified on an OM7 – Infrastructure Services Overlay Map , the site must be connected to Council's reticulated sewerage network in accordance with Section D7 of the Development Manual Planning Scheme Policy. And	Not applicable The site is not located in the mapped reticulated sewerage area.
	AO2.2 If the site is not located within Council's reticulated sewerage area, as identified on an OM7 – Infrastructure Services Overlay Map , an on-site sewerage treatment facility must be installed.	Able to comply with AO2.2 The existing dwelling is serviced by an on-site effluent disposal facility.
PO3 Land is provided with internal and external drainage to an appropriate standard to minimise runoff and impacts on receiving waters.	AO3.1 A reticulated drainage system is provided in accordance with Sections D4 and D5 of the Development Manual Planning Scheme Policy.	Not applicable The development is to create a single lot that contains an existing dwelling with an existing stormwater drainage system.
PO4 Land is provided with a reliable electricity supply.	AO4.1 Connection is made to an electricity supply network in accordance with Section D8 of the Development Manual Planning Scheme Policy.	Complies with AO4.1 The proposed new lot with an existing dwelling has an existing electricity connection.
PO5 The road to the frontage of the site must be constructed to provide for the safe and efficient movement of:	AO5.1 The road to the frontage of the site is constructed in accordance with Sections D1 and D3 of the Development Manual Planning Scheme Policy.	Complies with AO5.1 The site fronts the Peninsula Developmental Road and has an existing access from that road.

Performance outcomes	Acceptable outcomes	Responses
(a) Vehicles on the road adjacent to the site; (b) Vehicles to and from the site; (c) Pedestrians and cyclists adjacent to the site; and (d) Pedestrians and cyclists to and from the site.	And AO5.2 Vehicle crossover/s are constructed to provide access to the site in accordance with Sections D1 and D3 of the Development Manual Planning Scheme Policy.	Complies with AO5.2 The site is provided with an existing lawful crossover and access.
PO6 Works associated with a Material Change of Use or Operational Work must not affect the efficient functioning of public utility mains, services or installations.	AO6.1 Public utility mains, services and installations are altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines set out in Section D8 of the Development Manual Planning Scheme Policy.	Not applicable No public utility mains are required to be altered to facilitate this development.
Filling and excavation		
PO7 Filling and excavation does not result in the instability of a site or adjacent land.	AO7.1 Filling and excavation is no greater than 1.5m in height or depth (above or below existing ground level) And	Not applicable No filling or excavation is proposed as part of this application.
	AO7.2 Retaining walls and other structures used for the supporting of fill and excavated areas do not exceed 1.5m in height And	Not applicable No filling or excavation is proposed as part of this application..
	AO7.3 Filling and excavation does not occur within 2m of	Not applicable No filling or excavation is proposed as part of this

Performance outcomes	Acceptable outcomes	Responses
	the site boundary. And	application.
	A07.4 Soil is not stockpiled in locations that can be viewed from adjoining properties or from a road frontage for more than 1month. And	Not applicable No filling or excavation is proposed as part of this application.
	A07.5 Filling and excavation works comply with Australian Standard – AS 3798 <i>Guidelines on Earthworks for Commercial and Residential Development</i> as set out in Section D2 in the Development Manual Planning Scheme Policy.	Not applicable No filling or excavation is proposed as part of this application.
PO8 Filling and excavation does not result in a change to the run off characteristics of a site or have a detrimental impact upon the site and nearby land.	A08.1 Filling and excavation does not result in the ponding of water on the site or adjacent land. And	Not applicable No filling or excavation is proposed as part of this application.
	A08.2 Filling and excavation does not result in an increase in flow of water from the site to any other land or a transport corridor. And	Not applicable No filling or excavation is proposed as part of this application.
	A08.3 Filling and excavation does not result in an increase in the volume of water or concentration of water in a watercourse or overland flow paths.	Not applicable No filling or excavation is proposed as part of this application.

Performance outcomes	Acceptable outcomes	Responses
	And	
	AO8.4 Filling and excavation complies with the specifications set out in Section D2 – D7 of the Development Manual Planning Scheme Policy.	Not applicable No filling or excavation is proposed as part of this application.
PO9 Filling and excavation does not result in a reduction of the water quality of receiving waters.	AO9.1 Water quality complies with Section D5 of the Development Manual Planning Scheme Policy.	Not applicable No filling or excavation is proposed as part of this application.
PO10 Filling and excavation is carried out so that the visual amenity of the area and the privacy of adjoining properties are not compromised.	No Acceptable Solution specified.	Not applicable No filling or excavation is proposed as part of this application.
PO11 Effective measures are put in place such that filling and excavation associated with site works and construction activity do not cause erosion.	AO11.1 Filling and excavation and associated site works and construction activity are carried out as follows: (a) Construction activity is timed to avoid periods of high rainfall; (b) Earth works/site regrading and rehabilitation is carried out at the completion of each stage of works; (c) Erosion/sediment control barriers/fences and drains are installed and maintained; (d) Hydro-mulching or similar treatment is applied to newly disturbed areas; and (e) Revegetation of a disturbed area commences immediately upon the completion of works on that area and is maintained for a period of at	Not applicable No filling or excavation is proposed as part of this application.

Performance outcomes	Acceptable outcomes	Responses
	least months.	
Major electricity infrastructure and buffers		
PO12 Development involving a sensitive land use is sufficiently separated from major electricity infrastructure or substations to minimise the likelihood of nuisance or complaint.	AO12.1 Sensitive land uses maintain the following separation distances from Major Electrical Infrastructure or Electricity Substation shown on OM7 – Infrastructure Overlay Map : (a) 20 m for transmission lines up to 132 kilovolts; or (b) 30m for transmission lines (c) between 133 kilovolts and 275 kilovolts; or (d) 40 m for transmission lines exceeding 275 kilovolts.	Not applicable The site is not located adjacent any Major Electrical Infrastructure or Electricity Substations.
PO13 Major electricity infrastructure on private land is included in an easement.	AO13.1 Existing infrastructure easements are maintained and where none currently exist, new easements are created which are sufficient for the electricity provider's requirements.	Not applicable The site does not contain any Major Electrical Infrastructure or Electricity Substations.
Fire services in developments accessed by common private title		
PO14 Hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	AO14.1 Residential streets and common access ways within a common private title should have hydrants placed at intervals of no more than 120 metres and at each intersection. Hydrants may have a single outlet and should be situated above or below ground.	Not applicable No common private title is proposed.

Performance outcomes	Acceptable outcomes	Responses
	AO14.2 Commercial and industrial streets and access ways within streets serving commercial properties such as factories, warehouses and offices should be provided with above or below ground fire hydrants at not more than 90 metre intervals and at each street intersection. Above ground fire hydrants should have dual valved outlets.	Not applicable No common private title is proposed.
PO15 Road widths and construction within the development are adequate for fire emergency vehicles to gain access to a safe working area close to dwellings and near water supplies whether or not on-street parking spaces are occupied.	AO15.1 Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for safe passage of emergency vehicles.	Not applicable No common private title is proposed.
PO16 Hydrants are suitably identified so that fire services can locate them at all hours.	AO16.1 Hydrants are identified as specified in the 'Traffic and Road Use Management Manual, Volume 1: Guide to traffic management, Part 10: Traffic Control and Communication Devices, section 6.7.2-1 Fire hydrant indication system' available on the Department of Transport and Main Roads Website http://www.tmr.qld.gov.au/business-industry/Technical-standardspublications/Traffic-and-Road-Use-Management-manual/Volume-1.aspx .	Not applicable No common private title is proposed.

DA Form 1 – Development application details

Approved form (version 1.6 effective 2 August 2024) made under section 282 of the Planning Act 2016.

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

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

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

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Peter Joseph Inderbitzin, Franziska Maria Margarit Inderbitzin – and Sharprock Pty Ltd
Contact name (only applicable for companies)	c/- RPS AAP Consulting Pty Ltd, Patrick Clifton
Postal address (P.O. Box or street address)	P.O. Box 1949
Suburb	Cairns
State	QLD
Postcode	4870
Country	Australia
Contact number	+61 7 4031 1336
Email address (non-mandatory)	Patrick.clifton@rpsconsulting.com
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	416361
1.1) Home-based business	
☐ Personal details to remain private in accordance with section 264(6) of <i>Planning Act 2016</i>	
2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
☐ Yes – the written consent of the owner(s) is attached to this development application	
☒ No – proceed to 3)	

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

- ☒ 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
		94	Peninsula Developmental Road	Lakeland
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4871	214	RP884196	Cook Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- ☐ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		☐ 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 <i>Airport Assets (Restructuring and Disposal) Act 2008</i>
Name of airport:
☐ Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification:
☐ Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>
CLR site identification:

5) Are there any existing easements over the premises?

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

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

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

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

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

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

c) What is the level of assessment?

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

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

Reconfiguring a lot (1 lot into 2 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

6.4) Is the application for State facilitated development?

- ☐ Yes - Has a notice of declaration been given by the Minister?
- ☒ No

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 <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use

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

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

- ☐ Yes
- ☐ No

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

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

Provide a general description of the temporary accepted development	Specify the stated period dates under the Planning Regulation

Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?

One

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 and Rural Lifestyle
Number of lots created				2

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

Cook Shire Council

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

- ☐ Yes – a copy of the decision notice is attached to this development application
- ☐ The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- ☒ No

PART 5 – REFERRAL DETAILS

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

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

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

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

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



Queensland
Government

- ☐ SEQ northern inter-urban break – community activity
- ☐ SEQ northern inter-urban break – indoor recreation
- ☐ SEQ northern inter-urban break – urban activity
- ☐ SEQ northern inter-urban break – combined use
- ☐ Tidal works or works in a coastal management district
- ☐ Reconfiguring a lot in a coastal management district or for a canal
- ☐ Erosion prone area in a coastal management district
- ☐ Urban design
- ☐ Water-related development – taking or interfering with water
- ☐ Water-related development – removing quarry material *(from a watercourse or lake)*
- ☐ Water-related development – referable dams
- ☐ Water-related development – levees *(category 3 levees only)*
- ☐ Wetland protection area

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

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

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

- ☐ Infrastructure-related referrals – Electricity infrastructure

Matters requiring referral to:

- The **Chief Executive of the holder of the licence**, if not an individual
- The **holder of the licence**, if the holder of the licence is an individual
- ☐ Infrastructure-related referrals – Oil and gas infrastructure

Matters requiring referral to the **Brisbane City Council**:

- ☐ Ports – Brisbane core port land

Matters requiring referral to the **Minister responsible for administering the *Transport Infrastructure Act 1994***:

- ☐ Ports – Brisbane core port land *(where inconsistent with the Brisbane port LUP for transport reasons)*
- ☐ Ports – Strategic port land

Matters requiring referral to the **relevant port operator**, if applicant is not port operator:

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

Matters requiring referral to the **Chief Executive of the relevant port authority**:

- ☐ Ports – Land within limits of another port *(below high-water mark)*

Matters requiring referral to the **Gold Coast Waterways Authority**:

- ☐ Tidal works or work in a coastal management district *(in Gold Coast waters)*

Matters requiring referral to the **Queensland Fire and Emergency Service**:

- ☐ Tidal works or work in a coastal management district *(involving a marina (more than six vessel berths))*

18) Has any referral agency provided a referral response for this development application?

- ☐ Yes – referral response(s) received and listed below are attached to this development application
- ☒ No

Referral requirement	Referral agency	Date of referral response

Identify and describe any changes made to the proposed development application that was the subject of the referral response and this development application, or include details in a schedule to this development application *(if applicable)*.

PART 6 – INFORMATION REQUEST

19) Information request under the DA Rules

☒ I agree to receive an information request if determined necessary for this development application

☐ I do not agree to accept an information request for this development application

Note: By not agreeing to accept an information request I, the applicant, acknowledge:

- that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties
- Part 3 under Chapter 1 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules or
- Part 2 under Chapter 2 of the DA Rules will still apply if the application is for state facilitated development

Further advice about information requests is contained in the [DA Forms Guide](#).

PART 7 – FURTHER DETAILS

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

☐ Yes – provide details below or include details in a schedule to this development application

☒ No

List of approval/development application references	Reference number	Date	Assessment manager
☐ 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 536: Notification of a facility exceeding 10% of schedule 15 threshold* is attached to this development application
- ☒ No

Note: See www.business.qld.gov.au 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.desi.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 Resources at www.resources.qld.gov.au for further information.

DA templates are available from planning.statedevelopment.qld.gov.au. If the development application involves:

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

Waterway barrier works

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

- ☐ Yes – the relevant template is completed and attached to this development application
- ☒ No

DA templates are available from planning.statedevelopment.qld.gov.au. 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 Resources at www.resources.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, Science and Innovation at www.desi.qld.gov.au for further information.

Referable dams

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

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

Note: See guidance materials at www.resources.qld.gov.au 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.desi.qld.gov.au for further information.

Queensland and local heritage places

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

☐ Yes – details of the heritage place are provided in the table below

☒ No

Note: See guidance materials at www.desi.qld.gov.au for information requirements regarding development of Queensland heritage places.

For a heritage place that has cultural heritage significance as a local heritage place and a Queensland heritage place, provisions are in place under the Planning Act 2016 that limit a local categorising instrument from including an assessment benchmark about the effect or impact of, development on the stated cultural heritage significance of that place. See guidance materials at www.planning.statedevelopment.qld.gov.au for information regarding assessment of Queensland heritage places.

Name of the heritage place:		Place ID:	
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Decision under section 62 of the Transport Infrastructure Act 1994

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

☐ Yes – this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)

☒ No

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

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

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

☒ No

Note: See guidance materials at www.planning.statedevelopment.qld.gov.au for further information.

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

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

☒ Yes

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

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

☐ Yes

☒ Not applicable

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

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

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☐ Yes

☒ Not applicable



**Queensland
Government**

25) Applicant declaration

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

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

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

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

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

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

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

Date received: Reference number(s):

Notification of engagement of alternative assessment manager

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

QLeave notification and payment

Note: For completion by assessment manager if applicable

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