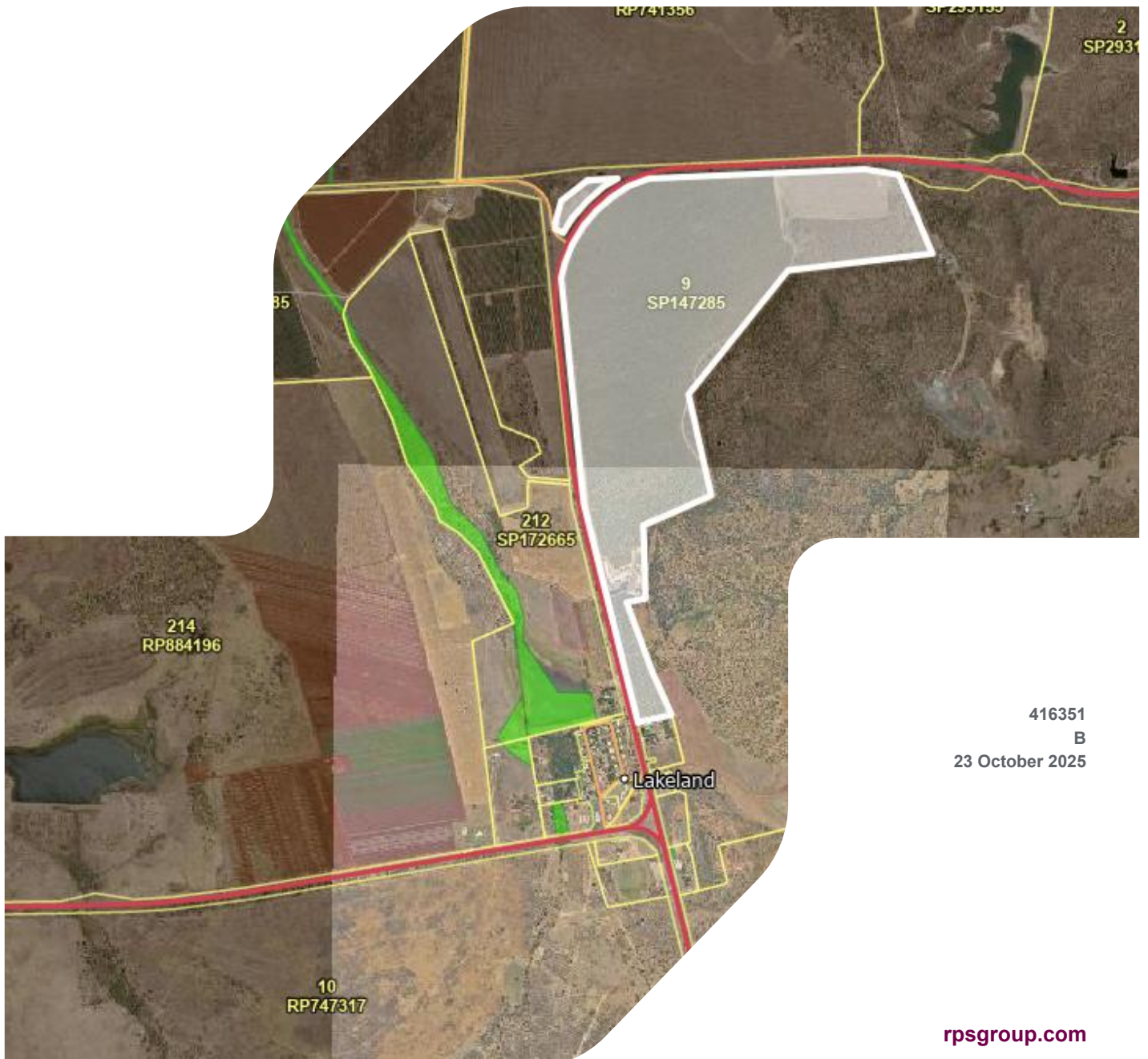


# 7639-7641 MULLIGAN HIGHWAY, LAKELAND

## Planning Report for Reconfiguring a Lot (1 lot into 2 lots)



416351  
B  
23 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	14/10/2025
B	Application submission	J Cussen	P Clifton	P Clifton	123/10/2025

### Approval for issue

Patrick Clifton



23 October 2025

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Prepared by:

Prepared for:

**RPS**

**P Inderbitzin, F Inderbitzin and Sharprock Pty Ltd**

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## REPORT

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# SUMMARY

Table 1: Summary

Details			
Site Address:	7639-7641 Mulligan Highway, Lakeland		
Real Property Description:	Lot 9 on SP147285		
Site Area:	178,071 hectares		
Regional Plan Land Use Designation:	Priority Agricultural Area		
Zone/Precinct:	Rural zone		
Owner(s):	Peter Joseph Inderbitzin, Franziska Maria Margarit Inderbitzin and Sharrock 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	<input type="checkbox"/>	<input type="checkbox"/>	
Building Work	<input type="checkbox"/>	<input type="checkbox"/>	
Operational Work	<input type="checkbox"/>	<input type="checkbox"/>	
Reconfiguration of a Lot	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Assessment Category	<input checked="" type="checkbox"/> Code	<input type="checkbox"/> Impact	
Public Notification	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes:	
Superseded Planning Scheme Application	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Referral Agencies			
Agency	Concurrence	Advice	Pre-lodgement response
SARA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Pre-lodgement / Consultation			
Entity		Date	Contact Name
Department of State Development, Infrastructure and Planning	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	02/09/2025	Javier Samanes
Other			
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 by Peter and Franziska Inderbitzin and Sharprock Pty Ltd (the 'applicant') to seek development approval for Reconfiguring a Lot (1 lot into 2 lots) on land at 7639-7641 Mulligan Highway, Lakeland, described as Lot 9 on SP147285.

The site is an irregular shaped rural parcel of land with an area of 178,071 hectares and frontage to the Mulligan Highway of approximately 4.15 kilometres. The site is located to the north of the township of Lakeland and to the east of the airstrip. The land is generally cleared and used for banana farming with an existing dwelling house and farm buildings, including a banana packing shed, located to the south of the site and an additional farm building located in the north east. Access is provided from three locations off the Mulligan Highway with two minor access points located in the north and the principal access in the south west.

The Mulligan Highway dissects the site with part of the lot, with an area of on the order of 2.5 hectares located on the western side of the highway and the balance of the land located on the eastern side of the highway. The portion of the west is unimproved and not used for any farming purpose.

The site is contained within the Cook Shire Council area and the Cook Shire Council Planning Scheme 2017v2, identifies the site within the Rural Zone and as being affected by the following overlays:

- Bushfire Hazard (Medium Bushfire Hazard and Potential Impact Buffer), in part
- Extractive Resource Overlay – Separation Area, in part; and,
- Rural Land Overlay – Important Agricultural Areas & Agricultural Land Class B.

This application seeks to reconfigure the lot to excise the area of the lot that has been separated from the balance by the Mulligan Highway. The development would be reconfiguring a lot (1 into 2). The proposed new lot would have an area of approximately 2.5 hectares and would have frontage to the Mulligan Highway and Dawson Road. It is envisaged that access to the new lot would be from Dawson Road, which is a gravel road providing farm access to other properties.

The proposed development would trigger referral to the State Assessment and Referral Agency in accordance with Schedule 10 of the *Planning Regulation 2017* in regard to Reconfiguring a Lot near a state transport corridor (Mulligan Highway).

In accordance with the Table of Assessment, the proposal is identified as a Code Assessable development. As Code Assessable, in determining the application, the Council can only have regard to the relevant Planning Scheme Codes and no other matter.

The report provides greater detail on the nature of the proposal and provides an assessment of the proposal against the intent and code requirements of relevant statutory planning documents. 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 rural parcel of land located at 7639-7641 Mulligan Highway, Lakeland, and described as Lot 9 on SP147285. The site is located to the north of Lakeland and has a total area of 178,071 hectares with frontage to the Mulligan Highway of approximately 4.15 kilometres. The land is generally cleared and used for banana farming. To the south of the site is an existing dwelling house and farm buildings, including a banana packing shed. An additional farm building is located within the north east of the site. Access is provided from three locations off the Mulligan Highway with two minor access points located in the north and the principal access in the south west.

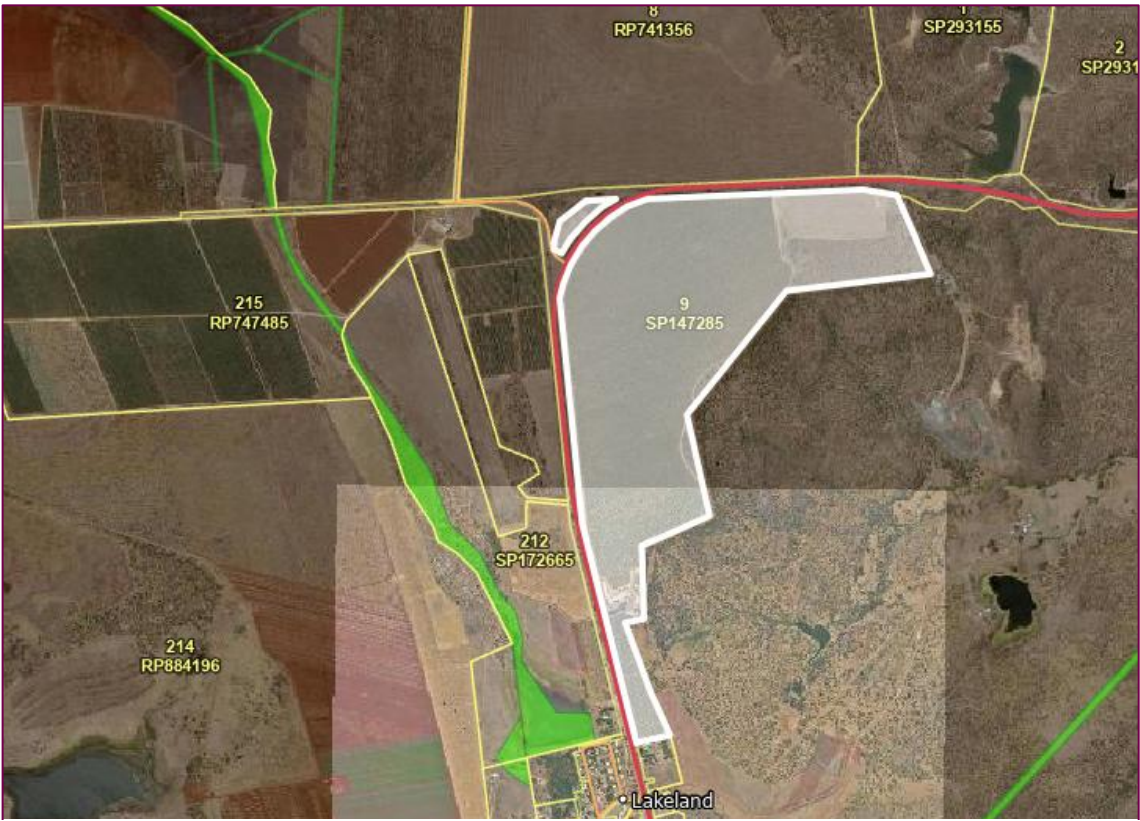
The Mulligan Highway dissects the site with part of the lot, with an area of on the order of 2.5 hectares located on the western side of the highway and the balance of the land located on the eastern side

**Table 2: Site Particulars**

Site Particulars	
Site Address	7639-7641 Mulligan Highway, Lakeland
Real Property Description	Lot 9 on SP147285
Site Area	178,071 hectares
Landowner(s)	Peter Joseph Inderbitzin, Franziska Inderbitzin and Sharprock Pty Ltd

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

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



**Figure 1 Site Location**

Source: Queensland Globe

## 2.2 Planning Context

The planning context of the site includes the following:

**Table 3: Planning Context**

Instrument	Designation
<b>State Planning Policy Mapping</b>	
Economic Growth	<ul style="list-style-type: none"> <li>• Agriculture               <ul style="list-style-type: none"> <li>◦ Agricultural land classification – class A and B</li> <li>◦ Important agricultural area</li> </ul> </li> </ul>
Mining and extractive resources	<ul style="list-style-type: none"> <li>• Key resource area – transport route separation area</li> <li>• Key resource area – separation area</li> </ul>
Natural Hazards Risk and Resilience	<ul style="list-style-type: none"> <li>• Flood hazard area – local government flood mapping area</li> <li>• Bushfire prone area, in part</li> </ul>
Transport Infrastructure	<ul style="list-style-type: none"> <li>• Adjacent a State Controlled Road</li> </ul>
<b>Development Assessment Mapping</b>	
Native Vegetation Clearing	<ul style="list-style-type: none"> <li>• Category X on the Regulated Vegetation Management Map, in part</li> <li>• Category B, that is a least concern regional ecosystem, in minor part</li> </ul>
State transport	<ul style="list-style-type: none"> <li>• Within 25 metres of a state controlled road</li> </ul>
<b>Cape York Regional Plan</b>	
Regional Plan designation	Priority Agricultural Areas
<b>Cook Shire Council Planning Scheme v2</b>	
Zoning	Rural zone
Overlays	<ul style="list-style-type: none"> <li>• Bushfire hazard               <ul style="list-style-type: none"> <li>– Medium Bushfire Hazard;</li> <li>– Potential Impact Buffer, in part;</li> </ul> </li> <li>• Extractive Resource Overlay – Separation Area;</li> <li>• Rural Land Overlay               <ul style="list-style-type: none"> <li>– Important Agricultural Areas;</li> <li>– Agricultural Land – Class B</li> </ul> </li> </ul>

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**

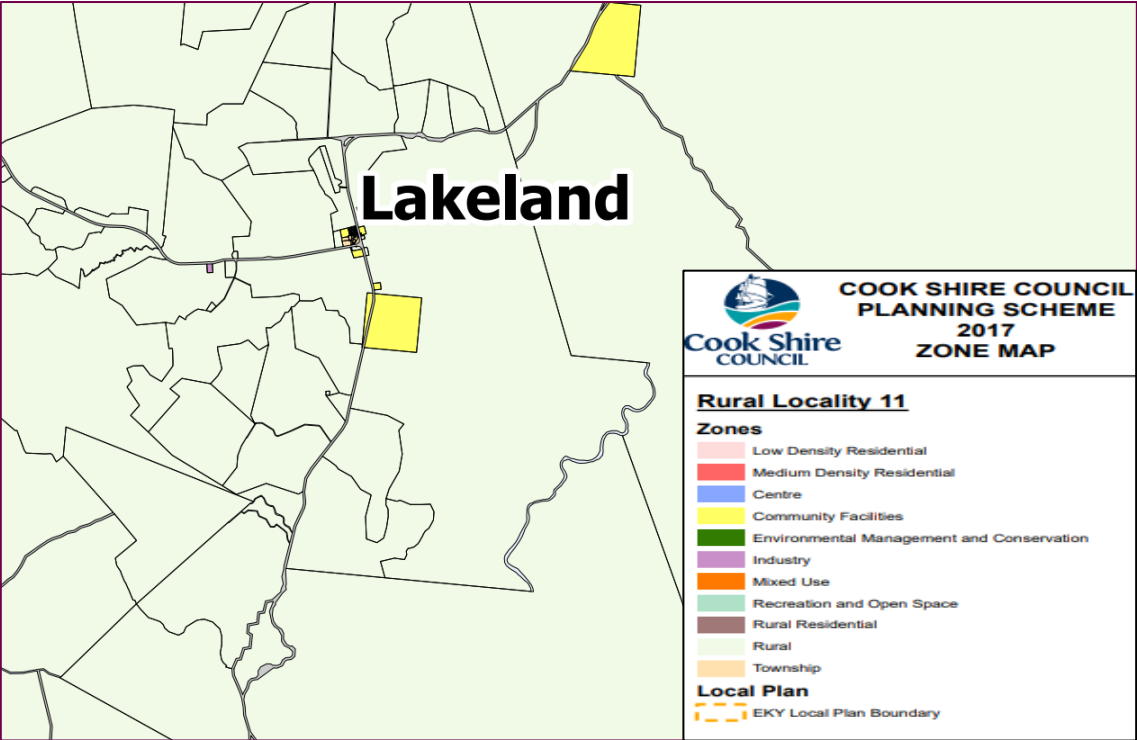


Figure 2 Zoning

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 a development permit for Reconfiguring a Lot (1 lot into 2 lots) on land at 7639-7641 Mulligan Highway, Lakeland, described as Lot 9 on SP147285.

It is proposed to reconfigure this lot to excise the area of the lot that has been separated from the balance by the Mulligan Highway. The proposed new lot would have an area of approximately 2.5 hectares and would have frontage to the Mulligan Highway and Dawson Road. It is envisaged that access to the new lot would be from Dawson Road, which is a gravel road providing farm access to other properties.

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 lots are illustrated in Figure 4 below attached at **Appendix F**.

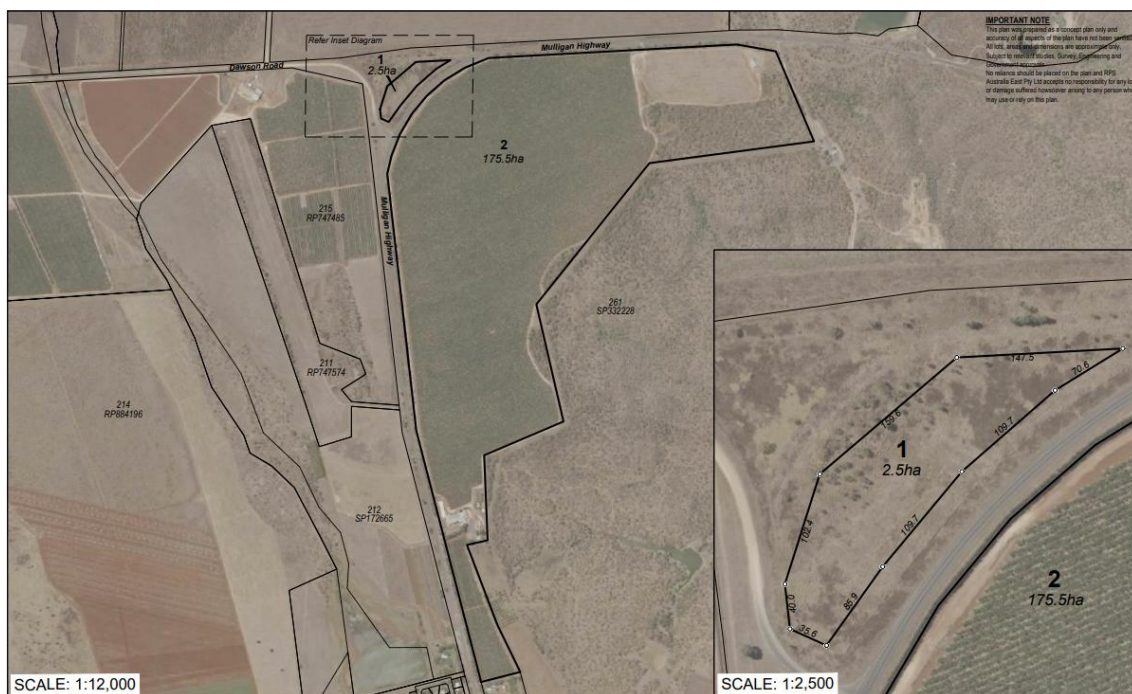


Figure 4 - Proposed plan of subdivision

Source: RPS AAP Consulting Pty Ltd

### 4.2 Proposed Lots

Table 4: Proposed Lot Areas

Proposed Lots	Lot Size	Comment
Lot 1	2.5 hectares	Existing access from Mulligan Highway, the lot is vacant and unused.
Lot 2	175.5 hectares	Existing access from Mulligan Highway; the lot is improved by a Dwelling House, Packing Shed and farm buildings and is used for banana farming.

## 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 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 5: 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 6: 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 Codes 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 assessment benchmarks are addressed below.

### 6.3.1 Codes

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

**Table 7: Planning Scheme Code Responses**

Planning Scheme Codes	Applicability	Comment
<b>Zone Code</b>		
Rural Zone Code	Applies	Complies with applicable Assessment Benchmarks.
<b>Overlay Codes</b>		
Bushfire Hazard Overlay Code	Applies	Complies with applicable Assessment Benchmarks.
Extractive Resource Overlay Code	Applies	Complies with applicable Assessment Benchmarks.
<b>Development Codes</b>		
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 adjacent the Lakeland township;
- (b) The Mulligan Highway is a State Controlled Road and Dawson Road is a local road. Access is able to be provided from Dawson Road.
- (c) the new lot would be the least suitable part of the parent parcel for the purpose of agriculture and buffered from the continued rural use of adjacent land by existing road reserves.
- (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 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 by Peter and Franziska Inderbitzin and Sharprock Pty Ltd (the 'applicant') to seek development approval for Reconfiguring a Lot (1 lot into 2 lots) on land at 7639-7641 Mulligan Highway, Lakeland, described as Lot 9 on SP147285.

The site is an irregular shaped rural parcel of land with an area of 178,071 hectares and frontage to the Mulligan Highway of approximately 4.15 kilometres. The site is located to the north of the township of Lakeland and to the east of the airstrip. The land is generally cleared and used for banana farming with an existing dwelling house and farm buildings, including a banana packing shed, located to the south of the site and an additional farm building located in the north east. Access is provided from three locations off the Mulligan Highway with two minor access points located in the north and the principal access in the south west.

The Mulligan Highway dissects the site with part of the lot, with an area of on the order of 2.5 hectares located on the western side of the highway and the balance of the land located on the eastern side of the highway. The portion of the west is unimproved and not used for any farming purpose.

This application seeks to reconfigure the lot to excise the area of the lot that has been separated from the balance by the Mulligan Highway. The development would be reconfiguring a lot (1 into 2). The proposed new lot would have an area of approximately 2.5 hectares and would have frontage to the Mulligan Highway and Dawson Road. It is envisaged that access to the new lot would be from Dawson Road, which is a gravel road providing farm access to other properties.

The proposed development would trigger referral to the State Assessment and Referral Agency in accordance with Schedule 10 of the *Planning Regulation 2017* in regard to Reconfiguring a Lot near a state transport corridor (Mulligan Highway).

In accordance with the Table of Assessment, the proposal is identified as a Code Assessable development. As Code Assessable, in determining the application, the Council can only have regard to the relevant Planning Scheme Codes and no other matter.

The assessment of the proposed development against the applicable Assessment Benchmarks contained within the state and planning scheme codes indicates that the proposed development is a suitable development of the land and satisfies the intents and purposes of the Assessment Benchmarks. On this basis, the application is submitted for approval subject to reasonable and relevant conditions.

## Appendix A

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

Queensland Titles Registry Pty Ltd  
 ABN 23 648 568 101

<b>Title Reference:</b>	<b>50409351</b>	<b>Search Date:</b>	01/10/2025 09:12
<b>Date Title Created:</b>	30/09/2002	<b>Request No:</b>	53556136
<b>Previous Title:</b>	21309033		

### ESTATE AND LAND

Estate in Fee Simple

LOT 9 SURVEY PLAN 147285

Local Government: COOK

### REGISTERED OWNER

### INTEREST

Dealing No: 712418733 19/05/2009

PETER JOSEPH INDERBITZIN

FRANZISKA MARIA MARGARET INDERBITZIN

SHARPROCK PTY LTD A.C.N. 128 361 348

UNDER INSTRUMENT 712418733

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 721594014 04/04/2022 at 13:03  
COMMONWEALTH BANK OF AUSTRALIA A.C.N. 123 123 124

### ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status
714491128	VEG NOTICE VEGETATION MANAGEMENT ACT 1999	31/05/2012 10:09	CURRENT

### UNREGISTERED DEALINGS

NIL

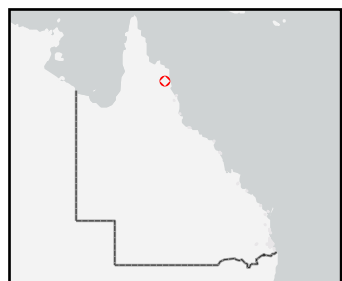
Caution - Charges do not necessarily appear in order of priority

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

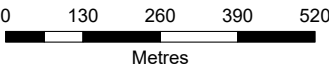
## Appendix B

### Planning Context Mapping

144.8513° 144.8527° 144.8541° 144.8555° 144.8569° 144.8583° 144.8597° 144.8611° 144.8625° 144.8638° 144.8652° 144.8666° 144.868° 144.8694° 144.8708° 144.8722°



Scale: 1:12,700



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)*

#### **AGRICULTURE**

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

#### **TRANSPORT INFRASTRUCTURE**

- State-controlled road

#### **MINING AND EXTRACTIVE RESOURCES**

- Key resource area - transport route separation area
- Key resource area - separation area

#### **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: 9SP147285 (Area: 1780710 m<sup>2</sup>)**

## AGRICULTURE

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

## MINING AND EXTRACTIVE RESOURCES

- Key resource area - transport route separation area
- Key resource area - separation area

## 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**

*Regulated vegetation management map (Category A and B extract)*

*State-controlled road*

*Area within 25m of a State-controlled road*

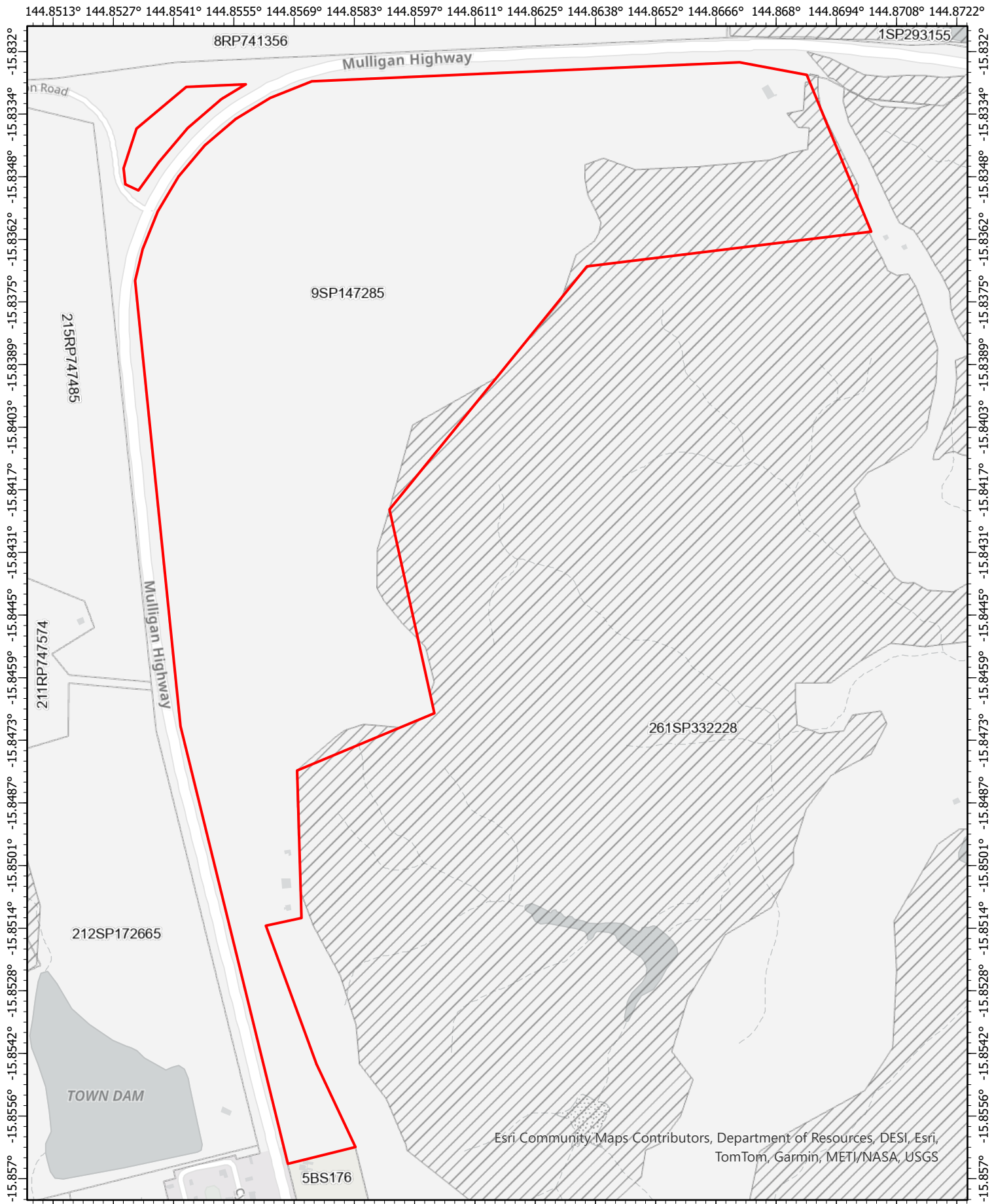
### **Matters of Interest by Lot Plan**

**Lot Plan: 9SP147285 (Area: 1780710 m<sup>2</sup>)**

*Regulated vegetation management map (Category A and B extract)*

*State-controlled road*

*Area within 25m of a State-controlled road*



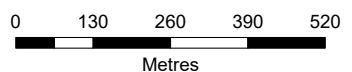
Regulated vegetation  
management map (Category A  
and B extract)

 Category B on the  
regulated vegetation  
management map

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Scale: 1:12,700

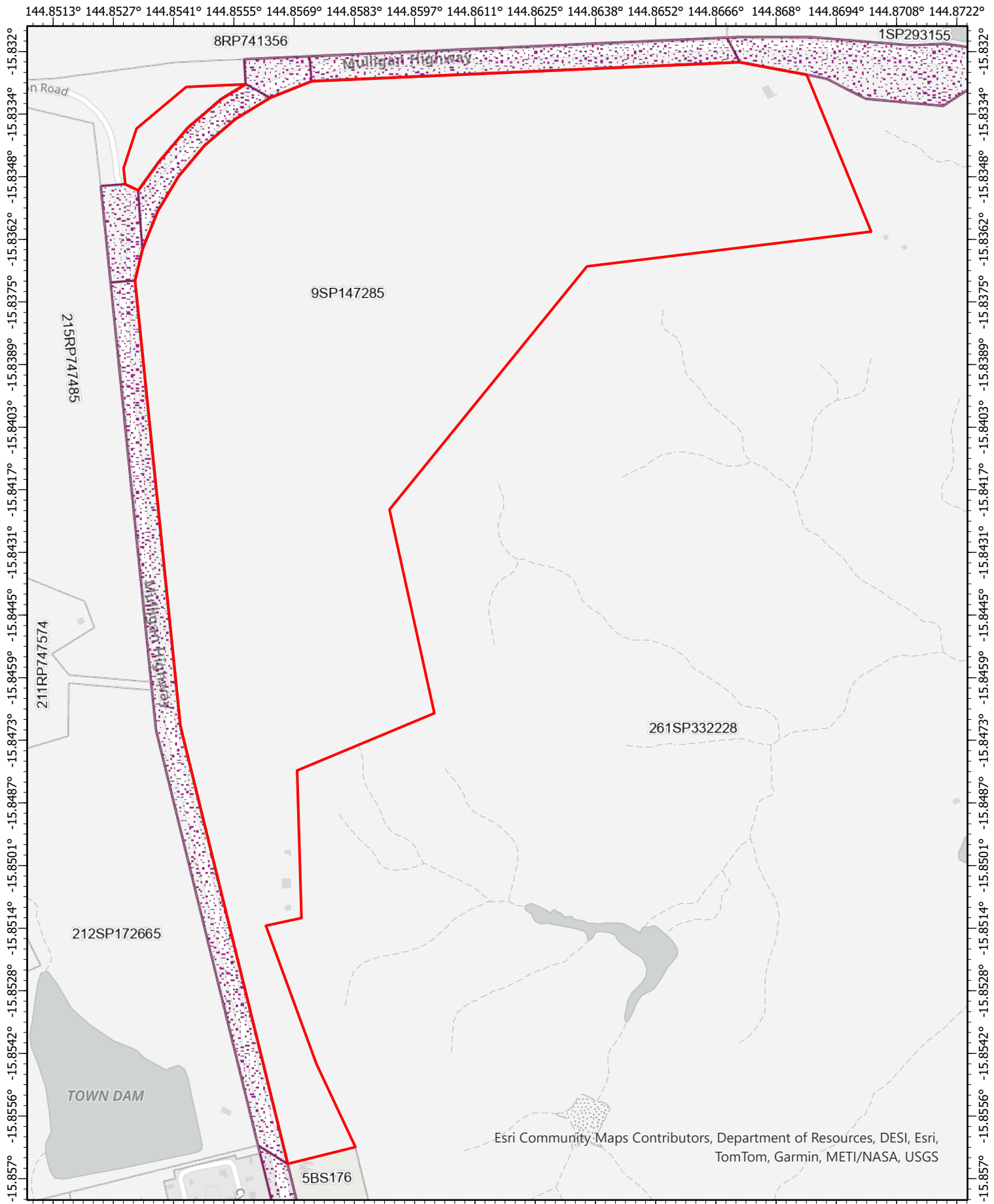


Date: 25/09/2025

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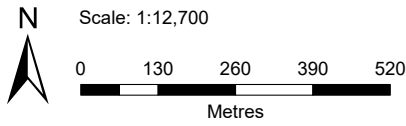
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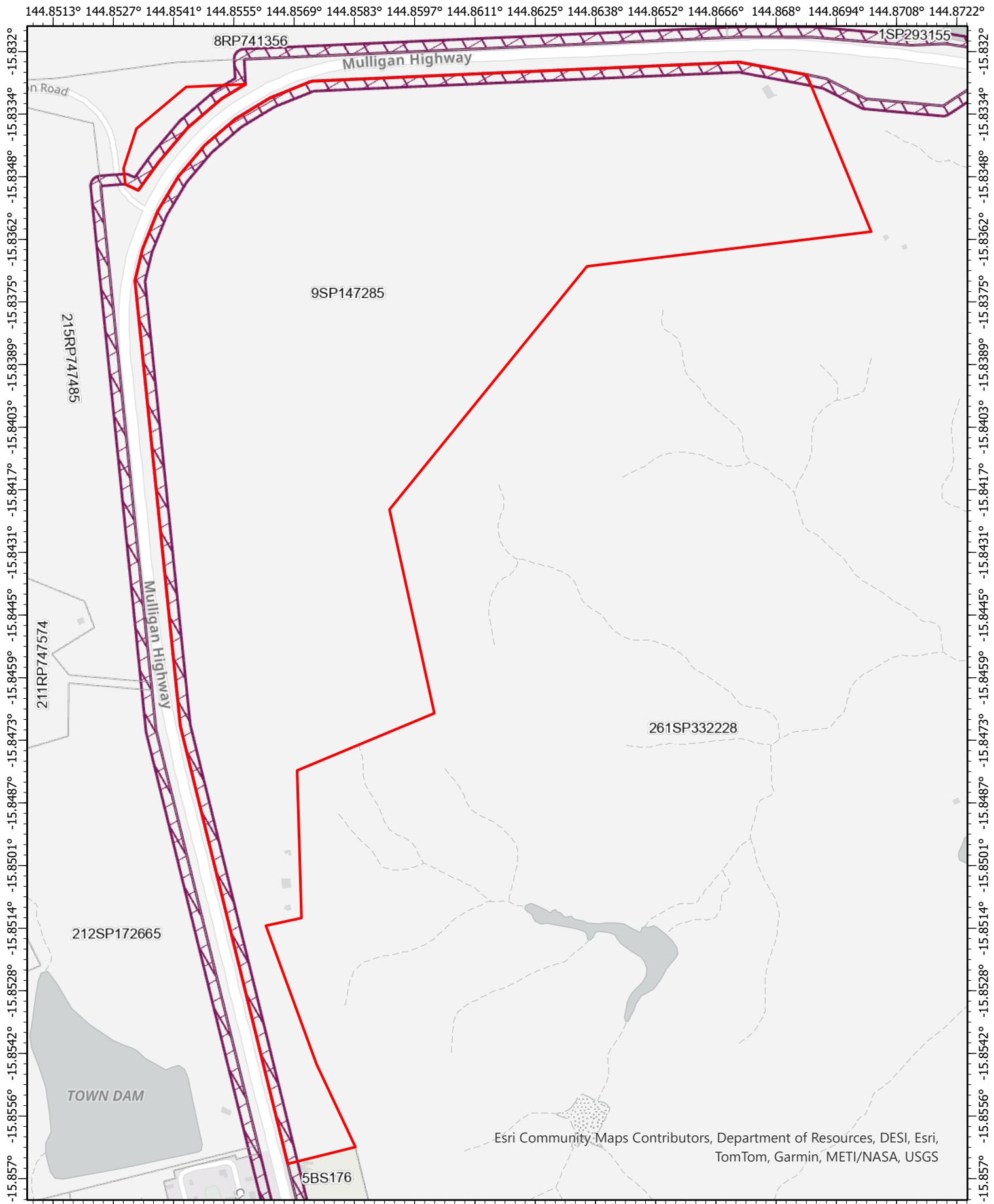
Esri Community Maps Contributors, Department of Resources, DESI, Esri, TomTom, Garmin, METI/NASA, USGS


Date: 25/09/2025

 State-controlled road



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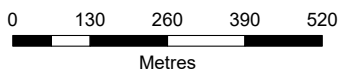


 Area within 25m of a State-controlled road

Date: 25/09/2025



Scale: 1:12,700



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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](mailto: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](mailto: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:	<p>Proposal to reconfigure three rural properties, namely:</p> <ul style="list-style-type: none"><li>• <b>7639-7641 Mulligan Highway, Lakeland</b> 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.</li><li>• <b>94 Peninsula Developmental Road, Lakeland</b> 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.</li><li>• <b>181-185 Honey Dam Road, Lakeland</b> 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.</li></ul>
Description:	Development Permit for Reconfiguring a Lot
Street address:	As above

### **Pre-lodgement advice**

SARA provides the following pre-lodgement advice:

<b>Advice within SARA's jurisdiction</b>	
1.	<p><b>Advice requested:</b> You are seeking advice from SARA on the following:</p> <ul style="list-style-type: none"> <li>• SARA's level of support for additional housing land in Lakeland</li> <li>• suitability of the proposed sites for rural residential development, considering the housing land shortage and emerging planning controls</li> <li>• recommended form of application.</li> <li>• SARAs requirements for application submission and referral.</li> </ul> <p><b>Response to specific queries raised:</b> 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.</p> <p>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.</p> <p>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:</p> <ul style="list-style-type: none"> <li>• the potential clearing of native vegetation, including the creation of vegetation clearing exemptions; and</li> <li>• the site's proximity to state transport corridors.</li> </ul> <p>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.</p> <p>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.</p> <p>Advice in relation to state transport matters and the clearing of native vegetation can be provided separately if required.</p>

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](mailto:charlton.best@dsdilgp.qld.gov.au) who will be pleased to assist.

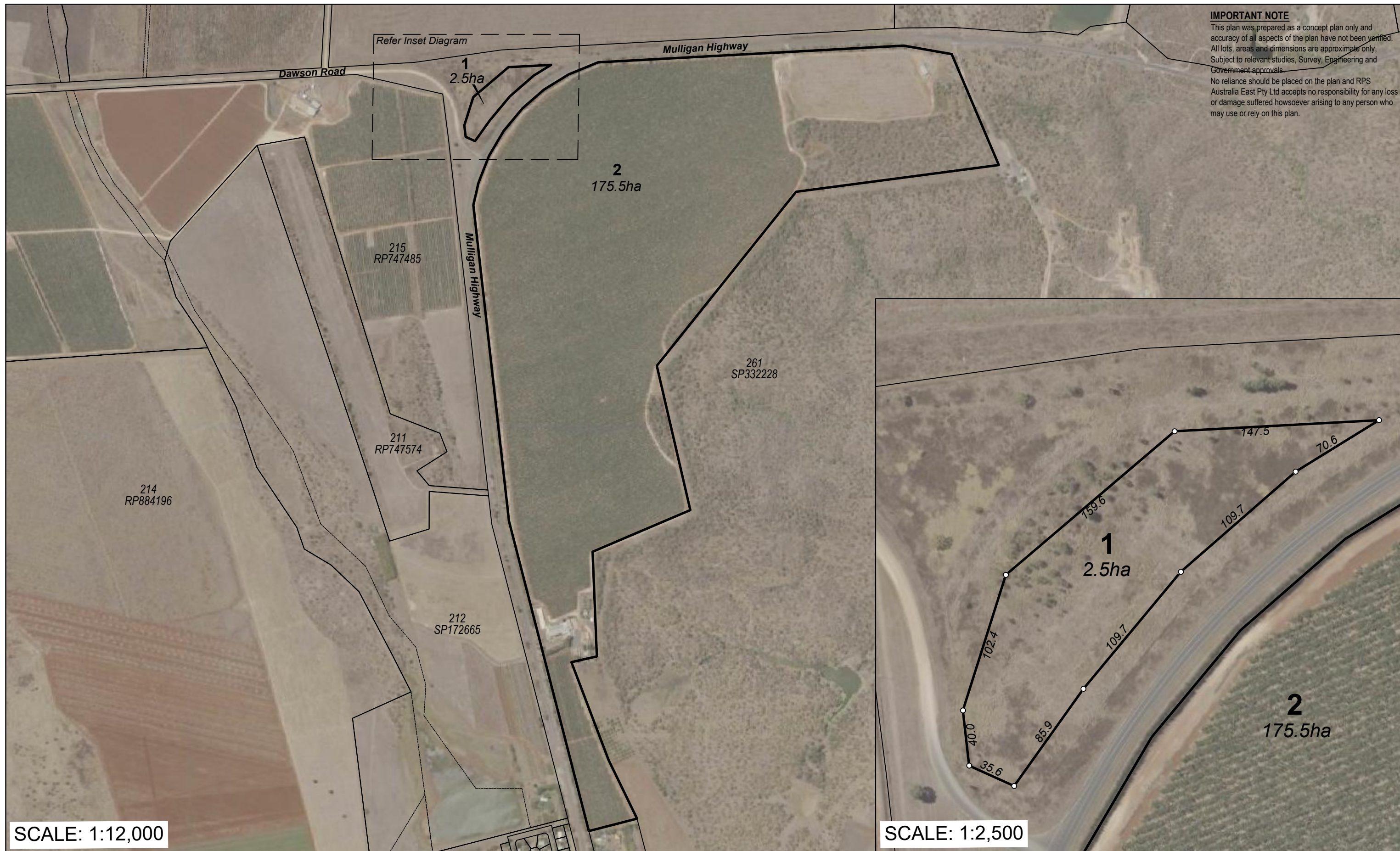
Yours sincerely

A handwritten signature in black ink, appearing to read 'Javier Samanes', written over a horizontal line.

Javier Samanes  
A/ Manager (Planning)

# Appendix D

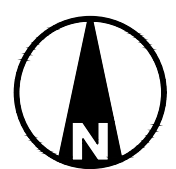
## Proposal Plans



**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.

SCALE: 1:12,000

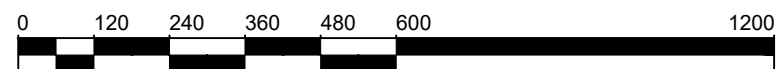
SCALE: 1:2,500



**Sharprock Partnership - Site 1**  
Reconfiguration of a Lot - Cancelling Lot 9 on SP147285  
Dawson Road and Mulligan Highway, Lakeland

**PRELIMINARY - FOR DISCUSSION PURPOSES ONLY**

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T +61 7 4031 1336  
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W rpsgroup.com



Datum: MGA2020 Z55 | Scale: 1:12,000 @ A3 | Date: 23-09-2025 | Drawing: 416351-1

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

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

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

Performance outcomes	Acceptable outcomes	Response
	<p>AND</p> <p><b>AO11.2</b> Development does not concentrate flows to a <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO11.3</b> Stormwater run-off is discharged to a <b>lawful point of discharge</b>.</p> <p>AND</p> <p><b>AO11.4</b> Development does not worsen the condition of an existing <b>lawful point of discharge</b> to the <b>state-controlled road</b>.</p>	<p>No new points of discharge would be created as a result of this development and the development would not result in an increase in run-off or discharge through an existing point of discharge.</p>
<b>Flooding</b>		
<p><b>PO12</b> Development does not result in a material worsening of flooding impacts within a <b>state-controlled road</b>.</p>	<p><b>AO12.1</b> For all flood events up to 1% <b>annual exceedance probability</b>, development results in negligible impacts (within +/- 10mm) to existing flood levels within a <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO12.2</b> For all flood events up to 1% <b>annual exceedance probability</b>, development results in negligible impacts (up to a 10% increase) to existing peak velocities within a <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO12.3</b> For all flood events up to 1% <b>annual exceedance probability</b>, development results in negligible impacts (up to a 10% increase) to existing time of submergence of a <b>state-controlled road</b>.</p>	<p><b>Complies with AO12.1 – AO12.3</b></p> <p>The development is for reconfiguring a lot only and no physical development is proposed. The development would not alter the current flood levels on the site or adjacent land.</p>

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

**Table 1.2 Vehicular access, road layout and local roads**

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

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

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

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Performance outcomes	Acceptable outcomes	Response
<b>infrastructure, public passenger services and active transport infrastructure.</b>		transport infrastructure services in vicinity of the site
<b>PO23</b> Development does not adversely impact the operating performance of <b>public passenger transport infrastructure, public passenger services and active transport infrastructure.</b>	No acceptable outcome is prescribed.	<b>Not applicable</b>  There are no public passenger transport infrastructure, public passenger services or active transport infrastructure services in vicinity of the site.
<b>PO24</b> Development does not adversely impact the <b>structural integrity</b> or physical condition of <b>public passenger transport infrastructure and active transport infrastructure.</b>	No acceptable outcome is prescribed.	<b>Not applicable</b>  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
<b>PO25</b> Development does not compromise the safety of users of the <b>state-controlled road network.</b>	No acceptable outcome is prescribed.	<b>Complies with PO25</b>  The proposed development does not involve any new or changed accesses to the state-controlled road. Access is available to the new lot from a local road and the proposed development is unlikely to generate traffic movements that would adversely affect the safety of the Mulligan Highway.
<b>PO26</b> Development ensures <b>no net worsening</b> of the operating performance of the <b>state-controlled road network.</b>	No acceptable outcome is prescribed.	<b>Complies with PO26</b>  The proposed development does not involve any new or changed accesses to the state-controlled road. Access is available to the new lot from a

Performance outcomes	Acceptable outcomes	Response
		local road and the proposed development is unlikely to generate traffic movements that would adversely affect the operating performance of the Mulligan Highway.
<b>PO27</b> Traffic movements are not directed onto a <b>state-controlled road</b> where they can be accommodated on the <b>local road</b> network.	No acceptable outcome is prescribed.	<b>Complies with PO27</b> No new accesses to land is proposed as part of this application.
<b>PO28</b> Development involving haulage exceeding 10,000 tonnes per year does not adversely impact the pavement of a <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b> No haulage is proposed as part of the application.
<b>PO29</b> Development does not impede delivery of <b>planned upgrades</b> of <b>state-controlled roads</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b> There are no planned upgrades of the Mulligan Highway in the vicinity of the site.
<b>PO30</b> Development does not impede delivery of <b>corridor improvements</b> located entirely within the <b>state-controlled road corridor</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b> There is no planned corridor improvements of the Mulligan Highway in the vicinity of the site.

**Table 1.4 Filling, excavation, building foundations and retaining structures**

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

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

## 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
<b>Reconfiguring a lot</b>		
<b>Involving the creation of 5 or fewer new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor</b>		
<b>PO37</b> Development minimises free field noise intrusion from a <b>state-controlled road</b> .	<b>AO37.1</b> Development provides a noise barrier or earth mound which is designed, sited and constructed:	<b>Not applicable</b> No residential lots are proposed as part of this application.

State Development Assessment Provisions v3.3

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

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

State Development Assessment Provisions v3.3

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

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Performance outcomes	Acceptable outcomes	Response
	<ol style="list-style-type: none"> <li>1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1);</li> <li>2. in accordance with: <ol style="list-style-type: none"> <li>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;</li> <li>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</li> <li>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020.</li> </ol> </li> </ol> <p>OR</p> <p><b>AO38.2</b> Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.</p>	No residential lots are proposed as part of this application.
<b>Material change of use (accommodation activity)</b>		
<b>Ground floor level requirements adjacent to a state-controlled road or type 1 multi-modal corridor</b>		
<b>PO39</b> Development minimises noise intrusion from a <b>state-controlled road</b> in <b>private open space</b> .	<b>AO39.1</b> Development provides a noise barrier or earth mound which is designed, sited and constructed:	<p><b>Not applicable</b></p> <p>No accommodation activities are proposed as part of this application.</p>

Performance outcomes	Acceptable outcomes	Response
	<ol style="list-style-type: none"> <li>1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.2) for <b>private open space</b> at the ground floor level;</li> <li>2. in accordance with: <ol style="list-style-type: none"> <li>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;</li> <li>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</li> <li>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020</li> </ol> </li> </ol> <p>OR</p> <p><b>AO39.2</b> Development achieves the maximum free field acoustic level in reference table 2 (item 2.2) for <b>private open space</b> by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.</p>	
<b>PO40</b> Development (excluding a <b>relevant residential building</b> or <b>relocated building</b> ) minimises noise intrusion from a <b>state-controlled road</b> in <b>habitable rooms</b> at the facade.	<p><b>AO40.1</b> Development (excluding a <b>relevant residential building</b> or <b>relocated building</b>) provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> <li>1. to achieve the maximum building façade acoustic level in reference table 1 (item 1.1) for <b>habitable rooms</b>;</li> <li>2. in accordance with:</li> </ol>	<p><b>Not applicable</b></p> <p>No accommodation activities or buildings are proposed as part of this application..</p>

Performance outcomes	Acceptable outcomes	Response
	<ul style="list-style-type: none"> <li>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;</li> <li>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</li> <li>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020.</li> </ul> <p>OR</p> <p><b>AO40.2</b> Development (excluding a <b>relevant residential building</b> or <b>relocated building</b>) achieves the maximum building façade acoustic level in reference table 1 (item 1.1) for <b>habitable rooms</b> by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.</p>	
<b>PO41 Habitable rooms</b> (excluding a <b>relevant residential building</b> or <b>relocated building</b> ) 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.	<p><b>Not applicable</b></p> <p>No accommodation activities or buildings are proposed as part of this application.</p>
<b>Above ground floor level requirements (accommodation activity) adjacent to a state-controlled road or type 1 multi-modal corridor</b>		
<p><b>PO42</b> Balconies, podiums, and roof decks include:</p> <ul style="list-style-type: none"> <li>1. a continuous <b>solid gap-free structure</b> or balustrade (excluding gaps required for</li> </ul>	No acceptable outcome is provided.	<p><b>Not applicable</b></p> <p>No accommodation activities are proposed as part of this application.</p>

Performance outcomes	Acceptable outcomes	Response
<p>drainage purposes to comply with the Building Code of Australia);</p> <p>2. highly acoustically absorbent material treatment for the total area of the soffit above balconies, podiums, and roof decks.</p>		
<p><b>PO43 Habitable rooms</b> (excluding a <b>relevant residential building</b> or <b>relocated building</b>) are designed and constructed using materials to achieve the maximum internal acoustic level in reference table 3 (item 3.1).</p>	No acceptable outcome is provided.	<p><b>Not applicable</b></p> <p>No accommodation activities are proposed as part of this application..</p>
<b>Material change of use (other uses)</b>		
<b>Ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor</b>		
<p><b>PO44</b> Development:</p> <p>1. provides a noise barrier or earth mound that is designed, sited and constructed:</p> <p>a. to achieve the maximum free field acoustic level in reference table 2 (item 2.3) for all <b>outdoor education areas</b> and <b>outdoor play areas</b>;</p> <p>b. in accordance with:</p> <p>i. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;</p>	No acceptable outcome is provided.	<p><b>Not applicable</b></p> <p>No childcare centres, educational establishments or hospital are proposed as part of this application.</p>

Performance outcomes	Acceptable outcomes	Response
<ul style="list-style-type: none"> <li>ii. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</li> <li>iii. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or</li> </ul> <p>2. achieves the maximum free field acoustic level in reference table 2 (item 2.3) for all <b>outdoor education areas</b> and <b>outdoor play areas</b> by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.</p>		
<p><b>PO45</b> Development involving a <b>childcare centre</b> or <b>educational establishment</b>:</p> <ul style="list-style-type: none"> <li>1. provides a noise barrier or earth mound that is designed, sited and constructed:</li> <li>2. to achieve the maximum building facade acoustic level in reference table 1 (item 1.2);</li> <li>3. in accordance with: <ul style="list-style-type: none"> <li>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;</li> <li>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</li> </ul> </li> </ul>	No acceptable outcome is provided.	<p><b>Not applicable</b></p> <p>No childcare centres, educational establishments or hospital are proposed as part of this application.</p>

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

Performance outcomes	Acceptable outcomes	Response
2. highly acoustically absorbent material treatment for the total area of the soffit above balconies or elevated <b>outdoor play areas</b> .		
<b>PO48</b> Development including: <ol style="list-style-type: none"> <li>1. <b>indoor education areas</b> and <b>indoor play areas</b> in a <b>childcare centre</b> or <b>educational establishment</b>; or</li> <li>2. sleeping rooms in a <b>childcare centre</b>; or</li> <li>3. <b>patient care areas</b> in a <b>hospital</b> located above ground level, is designed and constructed to achieve the maximum internal acoustic level in reference table 3 (items 3.2-3.4).</li> </ol>	No acceptable outcome is provided.	<b>Not applicable</b> No childcare centres, educational establishments or hospital are proposed as part of this application.
<b>Air, light and vibration</b>		
<b>PO49</b> Private open space, outdoor education areas and outdoor play areas are protected from air quality impacts from a <b>state-controlled road</b> .	<b>AO49.1</b> Each dwelling or unit has access to a <b>private open space</b> which is shielded from a <b>state-controlled road</b> by a building, <b>solid gap-free fence</b> , or other <b>solid gap-free structure</b> . OR <b>AO49.2</b> Each <b>outdoor education area</b> and <b>outdoor play area</b> is shielded from a <b>state-controlled road</b> by a building, <b>solid gap-free fence</b> , or other <b>solid gap-free structure</b> .	<b>Not applicable</b> No private open space is proposed as part of this application.

Performance outcomes	Acceptable outcomes	Response
<b>PO50 Patient care areas within hospitals</b> are protected from vibration impacts from a <b>state-controlled road</b> or <b>type 1 multi-modal corridor</b> .	<p><b>AO50.1 Hospitals</b> are designed and constructed to ensure vibration in the patient treatment area does not exceed a vibration dose value of <math>0.1\text{m/s}^{1.75}</math>.</p> <p>AND</p> <p><b>AO50.2 Hospitals</b> are designed and constructed to ensure vibration in the ward of a <b>patient care area</b> does not exceed a vibration dose value of <math>0.4\text{m/s}^{1.75}</math>.</p>	<p><b>Not applicable</b></p> <p>No private open space is proposed as part of this application.</p>
<p><b>PO51</b> Development is designed and sited to ensure light from infrastructure within, and from users of, a <b>state-controlled road</b> or <b>type 1 multi-modal corridor</b>, does not:</p> <ol style="list-style-type: none"> <li>1. intrude into buildings during night hours (10pm to 6am);</li> <li>2. create unreasonable disturbance during evening hours (6pm to 10pm).</li> </ol>	No acceptable outcomes are prescribed.	<p><b>Not applicable</b></p> <p>No private open space is proposed as part of this application.</p>

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

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

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

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

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

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.	<p>For uses other than Rural industry, Animal Keeping, Aquaculture, Intensive Animal Industries and Advertising Devices, buildings and structures are setback:</p> <p>(a) 50m from the centre line of a State controlled road identified on OM10-State controlled roads; and</p> <p>(b) 6m from all other boundaries.</p>	This application is for reconfiguring a lot. No buildings or structures are proposed as part of this application.
<b>State controlled road - amenity</b>		
<p><b>PO3</b></p> <p>Development achieves acceptable levels of amenity for residents and visitors.</p>	<p>For sites with frontage to a State controlled road as mapped on <b>OM10 – State controlled road Overlay</b>:</p> <p><b>AO3.1</b></p> <p>Development uses noise attenuation measures, such as earth mounds and noise barrier fences, between the noise source and the noise sensitive place.</p> <p>Or</p> <p><b>AO3.2</b></p> <p>Development maintains an appropriate buffer distance between the noise source and the noise sensitive place.</p>	<p><b>Not applicable</b></p> <p>The application is for reconfiguring a lot only. No new sensitive land uses are proposed.</p>
<b>Cropping</b>		
<p><b>PO4</b></p> <p>Agricultural land is protected for agricultural production.</p>	<p><b>AO4.1</b></p> <p>Permanent plantations do not occur on agricultural land mapped on <b>Overlay Map 8</b>.</p> <p>Note. This does not apply to windbreaks that are grown to</p>	<p><b>Complies with AO4.1</b></p> <p>No permanent plantations are proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	protect legitimate agricultural crops.	
<b>Section 2 – For assessable development</b>		
<b>Siting</b>		
<b>PO5</b> 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.	<b>AO5.1</b> 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 <b>AO5.2</b> For Intensive Animal Industries buildings and structures are setback in accordance with the minimum requirements in Schedule 1 of this code. Or <b>AO5.3</b> If the use is not listed in Schedule 1 of this code, no Acceptable Outcome is specified.	<b>Not applicable</b> No buildings or structures are proposed as part of this application.
<b>Rural land use</b>		

Performance outcomes	Acceptable outcomes	Applicant response
<b>PO6</b> 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.	<b>AO6.1</b> Development complies with minimum lot size and dimensions identified in <b>Schedule 1</b> of the Reconfiguring a Lot Code. And	<b>Complies with PO6</b> While the site is located within the Rural Zone, the development is considered consistent with the reconfiguring a lot code and satisfies the characteristics to create rural lifestyle lots in the Rural Zone.
	<b>AO6.2</b> Development does not occur within the Annan River Resource Buffer on the Water Resource area identified on <b>OM11- Water Resources Overlay</b> .	<b>Not applicable</b> The site is not located within the Annan River Resource Buffer on the Water Resource area identified on OM11-Water Resources Overlay.
<b>Extractive resources</b>		
<b>PO7</b> Extractive industry operations and proven resource deposits are protected from the encroachment of incompatible land uses.	<b>AO7.1</b> 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;	<b>Complies with AO7.1</b> The proposed new lot would be located approximately 2,000 metres from the existing extractive industry to the south east.
<b>Stock routes</b>		
<b>PO8</b> Development must not compromise the primary use of the stock route or capacity for stock movement.	<b>AO8.1</b> Development on sites adjoining a stock route identified on <b>OM8 Rural land use Overlay</b> must demonstrate access is safe and protects the usability of the stock route.	<b>Complies with AO8.1</b> The proposed development would not compromise the operation of the Mulligan Highway as a stock route.
<b>Visual amenity</b>		

Performance outcomes	Acceptable outcomes	Applicant response
<b>PO9</b> Development maintains and enhances the scenic amenity of prominent hillsides, coastal landscapes, views and vistas.	No Acceptable Outcome specified.	<b>Not applicable</b> 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
<b>Road frontage</b>	200m	60m	50m	50m
<b>Natural waterway, wetlands or declared fish habitat area</b>	100m	50m	50m	100m
<b>Side or rear boundary</b>	15m	15m	15m	15m
<b>Any house on surrounding land</b>	500m	400m	200m	100m

## 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
<b>Section 1 – For accepted subject to requirement and assessable development</b>		
<b>PO1</b> 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	<b>Complies with PO1</b> The proposed new lot would not be located in the Bushfire Hazard Area.
<b>Safety</b>		
<b>PO2</b> 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.	<b>AO2.1</b> Development will be located in an area with a Low or Very Low Bushfire Hazard Rating in accordance with the 'Bushfire Hazard Checklist' in <b>Bushfire Hazard Analysis Planning Scheme Policy</b> . 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.	<b>Complies with AO2.1</b> The proposed new lot would not be located in a Bushfire Hazard Area
<b>PO3</b> Landscaping does not increase the potential bushfire risk.	<b>AO3.1</b> Landscaping uses species that are less likely to exacerbate a bushfire event, and does not increase fuel loads in separation areas.	<b>Not applicable</b> No landscaping is proposed or required.
<b>PO4</b> 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..	<b>AO4.1</b> Bushfire risk mitigation treatments do not involve vegetation clearing within an area identified on <b>OM1 – Biodiversity Overlay Map</b> .	<b>Not applicable</b> No bushfire mitigation measures are required or proposed.
<b>Private water supply – in areas with no water reticulation</b>		

Performance outcomes	Acceptable outcomes	Responses
<b>PO5</b> The development provides adequate water supply for fire fighting purposes, safely located and freely accessible for fire fighting purposes at all times.	<b>AO5.1</b> A water tank is provided within 10 metres of each building (other than a Class 10 building) which: <ul style="list-style-type: none"> <li>(a) Is either below ground or of non-flammable construction; and</li> <li>(b) Provides the following capacities exclusively for fire fighting purposes: <ul style="list-style-type: none"> <li>i. 10KL for residential buildings;</li> <li>ii. 45KL for industrial buildings;</li> <li>iii. 20KL for other buildings; and</li> </ul> </li> <li>(c) Minimum pressure and flow of 10L per second at 200kPa; and</li> <li>(d) Fitted with a 50mm male camlock or, if underground, an access hole of a minimum 200mm to accommodate suction lines; and</li> <li>(e) Includes a hardstand area allowing a 15 tonne fire appliance access within 6 metres of the tank;</li> </ul> Or <b>AO5.2</b> The property contains: <ul style="list-style-type: none"> <li>(a) Storage in an accessible location such as a dam or swimming pool installed upon construction of the dwelling.</li> </ul>	<b>Not applicable</b> No buildings are proposed as part of this application.
<b>Private water supply – in areas with water reticulation</b>		
<b>PO6</b> The water supply must be reliable and have	<b>AO6.1</b> Reticulated water supply is provided in accordance	<b>Not applicable</b> The site is not located in a reticulated water supply

Performance outcomes	Acceptable outcomes	Responses
sufficient flow and pressure requirements for fire fighting purposes at all times.	with FNQROC.	area.
<b>Section 2 – For assessable development</b>		
<b>Firebreaks and vehicular access for Reconfiguring a Lot applications</b>		
<b>PO7</b> 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.	<b>AO7.1</b> 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	<b>Complies with AO7.1</b> The proposed new lot would not be located in a bushfire hazard area and firebreaks are provided by the existing roads that surround the proposed lot.
	<b>AO7.2</b> 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	<b>Not applicable</b> The proposed new lot would not be located in a bushfire hazard area.

Performance outcomes	Acceptable outcomes	Responses
	(e) Serve no more than 3 dwellings or buildings. And	
	<b>AO7.3</b> Road design is capable of providing access for fire fighting and emergency vehicles in accordance with the FNQROC. And	<b>Complies with AO7.3</b> The proposed new lot is surrounded by road that provides suitable access.
	<b>AO7.4</b> 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	<b>Not applicable</b> No vehicular links are proposed with this application.
	<b>AO7.5</b> The firebreak and/or road has vehicle access at both ends to either another firebreak or road. Or <b>AO7.6</b> 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.	<b>Not applicable</b> No firebreak and/ or roads are proposed or required for the proposed development.
	<b>AO7.7</b> 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).	<b>Not applicable</b> No firebreak and/ or roads are proposed or required for the proposed development.

Performance outcomes	Acceptable outcomes	Responses
	<b>A07.8</b> Firebreaks/vehicle access located on private land have an access easement granted in favour of Council and fire brigades.	<b>Not applicable</b> No firebreak and/ or roads are proposed or required for the proposed development.
<b>Land use</b>		
<b>PO8</b> 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.	<b>A08.1</b> 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 <b>A08.2</b> 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.	<b>Not applicable</b> This application is for reconfiguring a lot and no vulnerable uses are proposed.
<b>PO9</b> Development involving hazardous materials manufactured or stored in bulk does not create an increase in risk of bushfire hazard.	<b>A09.1</b> The manufacture or storage of hazardous material in bulk does not occur within bushfire hazard area.	<b>Not applicable</b> The application is for Reconfiguring a Lot only.

## 8.2.5 Extractive resources overlay code

### 8.2.5.1. Application

- (a) 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
- (b) Impact assessable development.

### 8.2.5.2. Purpose

- (1) The purpose of the Extractive resources overlay code is to protect extractive resources from development that might prevent or constrain current or future utilization of the resource to meet the needs of the community.
- (2) The purpose of the Code will be achieved through the following overall outcomes:
  - (a) Existing or future development of extractive resource in areas to which OM4 – Extractive Overlay Map applies is not prejudiced by the intrusion of incompatible development.
  - (b) Activities not associated with extractive industry are buffered from, and mitigate any existing or potential impacts caused by extractive industry activities.

### 8.2.5.3. Criteria for assessment

**Table 8.5—Assessable development**

Performance outcomes	Acceptable outcomes	Responses
<b>PO1</b> Development does not reduce the long-term viability or availability of the extractive resources mapped on <b>OM4 – Extractive Resources Overlay Map</b> .	<b>AO1.1</b> Development is for: <ul style="list-style-type: none"> <li>(a) extractive industry or directly associated with extractive industry; or</li> <li>(b) uses that would not constrain existing or future extractive industries; or</li> <li>(c) a temporary use.</li> </ul> <b>And</b> <b>AO1.2</b> Sensitive land uses are located outside all resource and separation areas mapped on <b>OM4 –</b>	<b>Complies with AO1.1 – AO1.3</b> The proposal would result in an additional rural lifestyle lot that would be located outside of all resource and separation areas and which would be more than 10 metres from the transport route.

Performance outcomes	Acceptable outcomes	Responses
	<b>Extractive Resources Overlay Map.</b> <b>And</b> <b>AO1.3</b> Sensitive land uses are located a minimum of 100m from a transport route mapped on <b>OM4 – Extractive Resources Overlay Map.</b>	
<b>PO2</b> Development incorporates measures to mitigate the potential adverse effects from existing or future extractive industry that will occur in all resource areas mapped on <b>OM4 – Extractive Resources Overlay Map.</b>	<b>AO2.1</b> Sensitive land uses occurring within the separation distances listed in AO1.2 above achieve noise and air levels in accordance with the National Construction Code. <b>And</b> <b>AO2.2</b> The number of people working and congregating in the separation area is not increased. <b>And</b> <b>AO2.3</b> The number of properties within access points to the transport route is not increased. <b>Or</b> <b>AO2.4</b> Access points are designed to avoid adversely affecting the safe and efficient operation of vehicles transporting extractive materials.	<b>Not applicable</b> The development would result in a new lot located outside of the separation area and removed from the haulage and transport route.
<b>PO3</b> Reconfiguration does not lead to land use conflict that would compromise the operation of extractive	<b>AO3.1</b> New lots are not created within the resource or separation areas shown on <b>OM4 – Extractive</b>	<b>Complies with AO3.1</b> The new lot would not be located within the resource or separation area.

Performance outcomes	Acceptable outcomes	Responses
resource deposits within the Shire.	<b>Resources Overlay Map.</b>	

**Schedule 1 – Gravel pits**

Quarry name	Latitude	Longitude
Bizant pit	-14.744989	144.122003
Battle Camp Road	-15.290704	144.994747
	-15.266853.	144.945888
Violet vale	-14.750394	143.561889
Black pinch quarry	-16.74125	145.233472

## 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
<b>Lot configuration</b>		
<p><b>PO1</b></p> <p>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.</p> <p>The subdivision is demonstrated to be appropriate having regard to:</p> <ul style="list-style-type: none"> <li>(a) The unique size, shape, location or topography of existing and proposed allotments;</li> <li>(b) The unique character of the proposed use intended to be made of the land following subdivision (as set out in the development application);</li> <li>(c) The existing and future amenity of the</li> </ul>	<p><b>AO1.1</b></p> <p>Lots comply with the minimum area and dimensions for those zones listed in <b>Schedule 1</b> of this code.</p>	<p><b>Complies with PO1</b></p> <p>The proposal is for the creation of a rural lifestyle lot within proximity of the township of Lakeland and the need for additional residential land in the Lakeland area has been identified by Council.</p> <p>The proposal would result in unproductive land being excised from the balance of the land with the balance retaining the viable and arable land.</p> <p>The proposed rural lifestyle lot is considered to be consistent with the purpose of the code given the following:</p> <ul style="list-style-type: none"> <li>• The site is adjacent the Lakeland Township;</li> <li>• The site has access to the Mulligan Highway;</li> <li>• The development would not affect the</li> </ul>

Performance outcomes	Acceptable outcomes	Response
<p>locality;</p> <p>(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;</p> <p>(e) The relevant zone and overlay</p> <p>overall outcomes and performance outcomes.</p>		<p>productive arable land on the overall site and is buffered from agricultural uses by the surrounding roads;</p> <ul style="list-style-type: none"> <li>• The creation of a single lot would not affect the natural environment as a result of effluent disposal;</li> <li>• The land is unaffected by natural hazards, including bushfire; and,</li> <li>• The development would be consistent with the existing and emerging intent for the development of Lakeland.</li> </ul>
<b>Subdivision design</b>		
<p><b>PO2</b></p> <p>Subdivision design:</p> <p>(a) Provides each lot with practical access to the public road system;</p> <p>(b) Minimises strip development;</p> <p>(c) Provides for safe and efficient traffic movements; and</p> <p>(d) Does not compromise the long term potential for further higher density subdivision in the Cooktown locality.</p>	<p><b>AO2.1</b></p> <p>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.</p> <p><b>And</b></p> <p><b>AO2.2</b></p> <p>Applications for subdivisions creating 10 or more additional lots are accompanied by a Traffic 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.</p>	<p><b>Not applicable</b></p> <p>No new roads are proposed as part of this application.</p> <p><b>Not applicable</b></p> <p>This application is for reconfiguring a lot (1 lot into 2 lots).</p>

Performance outcomes	Acceptable outcomes	Response
<b>PO3</b> 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.	<b>Not applicable</b> This application is for the creation of a rural lifestyle lot adjacent the Mulligan Highway which is identified as a voluntary noise corridor. Noise amelioration features would be included in any future development, where required.
<b>PO4</b> 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.	<b>AO4.1</b> The development does not propose rear lots. <b>Or</b> <b>AO4.2</b> 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.	<b>Complies with AO4.1</b> No rear lots are proposed.
<b>PO5</b> Secure access of adequate width and standard to accommodate emergency vehicles is provided to all rear lots.	<b>AO5.1</b> Where the access handle from the public road does not form part of the rear lot, the handle is protected by an access easement shown on the plan of survey. <b>And</b>	<b>Not applicable</b> No rear lots are proposed.

Performance outcomes	Acceptable outcomes	Response
	<b>AO5.2</b> 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	<b>Not applicable</b> No rear lots are proposed.
<b>Duck Farm Sub-Artesian Area</b>		
<b>PO6</b> Development does not have an adverse impact on the capacity or water quality of the Duck Farm-Sub- Artesian Area.	<b>AO6.1</b> Development does not create additional lots in the Duck Farm Sub- Artesian Area or the Annan River Water Resource Catchment as shown on <b>OM11 – Water Resource Overlay Map</b> . <b>Or</b> <b>AO6.2</b> Development wholly or partly within the Duck Farm Sub-Artesian Area or the Annan River Water Resource Catchment as shown on <b>OM11 – Water Resource Overlay Map</b> does not result in: (a) Additional groundwater extraction. (b) Infiltration of sewerage effluent or other contaminants.	<b>Not applicable</b> This site is not mapped in the Duck Farm Sub-Artesian Area or the Annan River Water Resource catchment.
<b>Public open space</b>		
<b>PO7</b> Public open space for recreation purposes is	<b>AO7.1</b> Public open space (or monetary payment) is	<b>Able to comply with AO7.1</b> No public open space for recreation purposes is proposed as part of this application a contribution

Performance outcomes	Acceptable outcomes	Response
provided in a manner which:	provided in accordance with the Provision of <b>Public Open Space Planning Scheme Policy.</b> <b>And</b>	is able to be made in accordance with the Councils Adopted Infrastructure Charges Resolution.
(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.	<b>AO7.2</b> Land within 20m of the edge of the dam at the Old Dam Site shown on <b>OM13 – Old Dam Overlay Map</b> is transferred to public ownership.	<b>Not applicable</b> The site is not within 20 metres of the edge of the dam at the Old Dam Site shown on OM13 – Old Dam Overlay Map.
<b>Erosion prone land</b>		
<b>PO8</b> Reconfiguration of Erosion Prone Areas provides protection from future development that increases risk of erosion.	No Acceptable Outcome specified	<b>Not applicable</b> The site is not mapped in an Erosion Prone area.
<b>Acid sulfate soils</b>		
<b>PO9</b> Natural or built environments and human health are not harmed by the production of acid leachate 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	No Acceptable Outcome specified.	<b>Not applicable</b> The site is not mapped in an area of acid sulfate soils.

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

Performance outcomes	Acceptable outcomes	Response
(c) Will not impact transport/supply chains critical to rural production, rural industry and extractive industry.	<p><b>Or</b></p> <p><b>AO11.3</b></p> <p>The subdivision results in one or more allotments with a minimum area, road frontage and/or depth to frontage ratio less than specified in <b>Schedule 1</b> and the proposed allotments contain building envelopes capable of accommodating a dwelling house that:</p> <ul style="list-style-type: none"> <li>(a) Maintains the minimum separation distances to existing rural activities or extractive industry as detailed in <b>Schedule 1</b> of the Rural Zone Code;</li> <li>(b) Ensures risks associated with flood, bushfire and landslide hazard can be managed;</li> <li>(c) Maintain safe road access; and</li> <li>(d) Each allotment sustains a proven and reliable water supply.</li> </ul>	<p><b>Complies with AO11.3</b></p> <p>The proposed development would result in an additional lot with an area of approximately 2.6 hectares.</p> <p>The lot would be separated from adjacent agricultural activities by existing road reserves and would be outside of any buffer to an extractive industry. The site is not subject to any environmental constraints and is provided with good access from Dawson Road.</p> <p>A suitable on-site water supply is able to be provided as part of the future development of the land.</p>
<b>Rural Lifestyle Allotments</b>		
<p><b>PO12</b></p> <p>Reconfiguring a lot in the Rural Zone results in Rural Lifestyle Lots that:</p> <ul style="list-style-type: none"> <li>(a) Are in reasonable proximity to services and facilities such as health, education and retail opportunities;</li> </ul>	<p>No Acceptable Outcome specified.</p> <p>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.</p>	<p><b>Complies with PO12</b></p> <ul style="list-style-type: none"> <li>(a) the lot is adjacent the Lakeland township;</li> <li>(b) The Mulligan Highway is a state Controlled Road and the new lot has an existing access from Dawson Road, a local road;</li> <li>(c) the new lot would be the least suitable part</li> </ul>

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

Performance outcomes	Acceptable outcomes	Response
	kilovolts; or (b) 30m for transmission lines between 133 kilovolts and 275 kilovolts; or (c) 40m for transmission lines exceeding 275 kilovolts.	
<b>PO14</b> Reconfiguring of lots ensures that access requirements of major electricity and bulk water supply infrastructure are maintained.	<b>AO14.1</b> Major Electricity Infrastructure or an Electricity Substation traversing or within private land (as identified on <b>OM7 – Infrastructure Overlay Map</b> ) are protected by an easement in favour of the service provider for access and maintenance	<b>Not applicable</b> The site does not contain any 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 <sup>2</sup>	20m	NA
Medium density residential zone	800m <sup>2</sup>	20m	NA
Mixed use zone	800m <sup>2</sup>	20m	NA
Centre zone	400m <sup>2</sup>	10m	NA
Industry zone	1,000m <sup>2</sup>	20m	NA
Rural zone	100ha	100m	5:1

Zone	Minimum Area	Minimum road frontage	Maximum depth to frontage ratio
Rural residential zone	2,000m <sup>2</sup> where reticulated water is available	40m	3:1
	4,000m <sup>2</sup> where reticulated water is not available		
Township zone	800m <sup>2</sup>	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
<b>Infrastructure services</b>		
<b>PO1</b> An adequate, safe and reliable supply of potable and general use water is provided.	<b>AO1.1</b> If the site is located within Council's reticulated water area, as identified on an <b>OM7 – Infrastructure Services Overlay Map</b> , 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	<b>Not applicable</b> The site is not located in the mapped reticulated water area.
	<b>AO1.2</b> If the site is not located within Council's reticulated water area as identified on <b>OM7 – Infrastructure Services Overlay Map</b> , rainwater tanks of minimum capacity 50,000 litres must be installed	<b>Not applicable</b> The application is for Reconfiguring a Lot only.

Performance outcomes	Acceptable outcomes	Responses
	for each residential dwelling unit.	
<b>PO2</b> 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.	<b>AO2.1</b> If the site is located within Council's reticulated sewerage area, as identified on an <b>OM7 – Infrastructure Services Overlay Map</b> , the site must be connected to Council's reticulated sewerage network in accordance with Section D7 of the Development Manual Planning Scheme Policy. And	<b>Not applicable</b> The site is not located in the mapped reticulated sewerage area.
	<b>AO2.2</b> If the site is not located within Council's reticulated sewerage area, as identified on an <b>OM7 – Infrastructure Services Overlay Map</b> , an on-site sewerage treatment facility must be installed.	<b>Able to comply with AO2.2</b> The application is for Reconfiguring a Lot only; however, the site has sufficient area to accommodate the required on-site effluent disposal.
<b>PO3</b> Land is provided with internal and external drainage to an appropriate standard to minimise runoff and impacts on receiving waters.	<b>AO3.1</b> A reticulated drainage system is provided in accordance with Sections D4 and D5 of the Development Manual Planning Scheme Policy.	<b>Not applicable</b> The application is for Reconfiguring a Lot only. It is not proposed to alter the stormwater regime as part of this application.
<b>PO4</b> Land is provided with a reliable electricity supply.	<b>AO4.1</b> Connection is made to an electricity supply network in accordance with Section D8 of the Development Manual Planning Scheme Policy.	<b>Able to comply with AO4.1</b> Overhead power lines are located to the north and waste of the site within the road reserves and provide opportunity for connection to the electricity supply network.
<b>PO5</b> The road to the frontage of the site must be constructed to provide for the safe and efficient	<b>AO5.1</b> The road to the frontage of the site is constructed in accordance with Sections D1 and D3 of the	<b>Complies with AO5.1</b> The site fronts the Mulligan Highway and Dawson Road. Access is provided from Dawson Road.

Performance outcomes	Acceptable outcomes	Responses
movement of: (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.	Development Manual Planning Scheme Policy. <b>And</b>  <b>AO5.2</b> 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.	   <b>Able to comply with AO5.2</b> Access would be provided from Dawson Road in accordance with the relevant requirements.
<b>PO6</b>  Works associated with a Material Change of Use or Operational Work must not affect the efficient functioning of public utility mains, services or installations.	<b>AO6.1</b>  Public utility mains, services and installations are altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines set out in Section D8 of the Development Manual Planning Scheme Policy.	<b>Not applicable</b>  No public utility mains are required to be altered to facilitate this development.
<b>Filling and excavation</b>		
<b>PO7</b>  Filling and excavation does not result in the instability of a site or adjacent land.	<b>AO7.1</b>  Filling and excavation is no greater than 1.5m in height or depth (above or below existing ground level)  And	<b>Not applicable</b>  No filling or excavation is proposed as part of this application.
	<b>AO7.2</b>  Retaining walls and other structures used for the supporting of fill and excavated areas do not exceed 1.5m in height  And	<b>Not applicable</b>  No filling or excavation is proposed as part of this application.
	<b>AO7.3</b>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Responses
	Filling and excavation does not occur within 2m of the site boundary. And	No filling or excavation is proposed as part of this application.
	<b>AO7.4</b> Soil is not stockpiled in locations that can be viewed from adjoining properties or from a road frontage for more than 1month. And	<b>Not applicable</b> No filling or excavation is proposed as part of this application.
	<b>AO7.5</b> 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.	<b>Not applicable</b> No filling or excavation is proposed as part of this application.
<b>PO8</b> 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.	<b>AO8.1</b> Filling and excavation does not result in the ponding of water on the site or adjacent land. And	<b>Not applicable</b> No filling or excavation is proposed as part of this application.
	<b>AO8.2</b> 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	<b>Not applicable</b> No filling or excavation is proposed as part of this application.
	<b>AO8.3</b> Filling and excavation does not result in an increase in the volume of water or concentration of	<b>Not applicable</b> No filling or excavation is proposed as part of this application.

Performance outcomes	Acceptable outcomes	Responses
	water in a watercourse or overland flow paths. And	
	<b>AO8.4</b> Filling and excavation complies with the specifications set out in Section D2 – D7 of the Development Manual Planning Scheme Policy.	<b>Not applicable</b> No filling or excavation is proposed as part of this application.
<b>PO9</b> Filling and excavation does not result in a reduction of the water quality of receiving waters.	<b>AO9.1</b> Water quality complies with Section D5 of the Development Manual Planning Scheme Policy.	<b>Not applicable</b> No filling or excavation is proposed as part of this application.
<b>PO10</b> 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.	<b>Not applicable</b> No filling or excavation is proposed as part of this application.
<b>PO11</b> Effective measures are put in place such that filling and excavation associated with site works and construction activity do not cause erosion.	<b>AO11.1</b> 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	<b>Not applicable</b> No filling or excavation is proposed as part of this application.

Performance outcomes	Acceptable outcomes	Responses
	that area and is maintained for a period of at least months.	
<b>Major electricity infrastructure and buffers</b>		
<b>PO12</b> Development involving a sensitive land use is sufficiently separated from major electricity infrastructure or substations to minimise the likelihood of nuisance or complaint.	<b>AO12.1</b> Sensitive land uses maintain the following separation distances from Major Electrical Infrastructure or Electricity Substation shown on <b>OM7 – Infrastructure Overlay Map</b> : (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.	<b>Not applicable</b> The site is not located adjacent any Major Electrical Infrastructure or Electricity Substations.
<b>PO13</b> Major electricity infrastructure on private land is included in an easement.	<b>AO13.1</b> Existing infrastructure easements are maintained and where none currently exist, new easements are created which are sufficient for the electricity provider's requirements.	<b>Not applicable</b> The site does not contain any Major Electrical Infrastructure or Electricity Substations.
<b>Fire services in developments accessed by common private title</b>		
<b>PO14</b> Hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	<b>AO14.1</b> 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.	<b>Not applicable</b> No common private title is proposed.

Performance outcomes	Acceptable outcomes	Responses
	<b>AO14.2</b> 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.	<b>Not applicable</b> No common private title is proposed.
<b>PO15</b> 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.	<b>AO15.1</b> Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for safe passage of emergency vehicles.	<b>Not applicable</b> No common private title is proposed.
<b>PO16</b> Hydrants are suitably identified so that fire services can locate them at all hours.	<b>AO16.1</b> 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 <a href="http://www.tmr.qld.gov.au/business-industry/Technical-standardspublications/Traffic-and-Road-Use-Management-manual/Volume-1.aspx">http://www.tmr.qld.gov.au/business-industry/Technical-standardspublications/Traffic-and-Road-Use-Management-manual/Volume-1.aspx</a> .	<b>Not applicable</b> 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 Margaret Inderbitzin & 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	
<input type="checkbox"/> 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?	
<input type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application	
<input checked="" type="checkbox"/> No – proceed to 3)	

## PART 2 – LOCATION DETAILS

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

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

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

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		7639-7641	Mulligan Highway	Lakeland
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4871	9	SP147285	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)
		<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

- ☐ Coordinates of premises by easting and northing

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

#### 3.3) Additional premises

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

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

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

<input type="checkbox"/> On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>
Name of airport: <input type="text"/>
<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification: <input type="text"/>
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>
CLR site identification: <input type="text"/>

#### 5) Are there any existing easements over the premises?

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

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

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

#### 6.1) Provide details about the first development aspect

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

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

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

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

c) What is the level of assessment?

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

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

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	<input type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input checked="" type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

**Division 1 – Material change of use**

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

**8.1) Describe the proposed material change of use**

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

<input checked="" type="checkbox"/> Subdivision (complete 10)	<input type="checkbox"/> Dividing land into parts by agreement (complete 11)
<input type="checkbox"/> Boundary realignment (complete 12)	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road (complete 13)

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
				Rural and Rural Lifestyle
Number of lots created				2

10.2) Will the subdivision be staged?	
<input type="checkbox"/> Yes – provide additional details below <input checked="" type="checkbox"/> No	
How many stages will the works include?	
What stage(s) will this development application apply to?	

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

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )
12.2) What is the reason for the boundary realignment?			

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

### Division 3 – Operational work

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

14.1) What is the nature of the operational work?		
<input type="checkbox"/> Road work <input type="checkbox"/> Drainage work <input type="checkbox"/> Landscaping <input type="checkbox"/> Other – please specify:	<input type="checkbox"/> Stormwater <input type="checkbox"/> Earthworks <input type="checkbox"/> Signage	<input type="checkbox"/> Water infrastructure <input type="checkbox"/> Sewage infrastructure <input type="checkbox"/> Clearing vegetation
14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)		
<input type="checkbox"/> Yes – specify number of new lots:		
<input type="checkbox"/> 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
<input type="checkbox"/> Approval			
<input type="checkbox"/> Development application			
<input type="checkbox"/> Approval			
<input type="checkbox"/> Development application			

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

☐ Yes – a copy of the receipted QLeave form is attached to this development application

☐ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid

☒ Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)

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

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

☐ Yes – show cause or enforcement notice is attached

☒ No

## 23) Further legislative requirements

### Environmentally relevant activities

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

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

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

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

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

### Hazardous chemical facilities

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

- ☐ Yes – *Form 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](http://www.business.qld.gov.au) for further information about hazardous chemical notifications.

### Clearing native vegetation

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

- ☐ Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)
- ☒ No

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

### Environmental offsets

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

- ☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter
- ☒ No

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

### Koala habitat in SEQ Region

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

- ☐ Yes – the development application involves premises in the koala habitat area in the koala priority area
- ☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area
- ☒ No

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

DA templates are available from [planning.statedevelopment.qld.gov.au](http://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](http://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](http://www.daf.qld.gov.au) for further information.

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

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

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

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

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

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

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

**Note:** Contact the Department of Environment, Science and Innovation at [www.desi.qld.gov.au](http://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](http://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](http://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](http://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](http://www.planning.statedevelopment.qld.gov.au) for information regarding assessment of Queensland heritage places.

Name of the heritage place:

Place ID:

### **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](http://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	