

11.4 D-514-2022 MATERIAL CHANGE OF USE FOR A RELOCATABLE HOME PARK AND RECONFIGURIG A LOT (ONE LOT IMTO TWO AND ACCESS EASEMENT) AND (ONE LOT INTO ONE HUNDRED AND TWENTY NINE LOTS) AND PRELIMINARY APPROVAL FOR A VARIATION REQUEST (TO VARY THE EFFECT OF THE PLANNING SCHEME) FOR RURAL LIVING TO LOW DENSITY RESIDENTIAL

File No: D-514-2022

Attachments:

1. [Locality Plan](#)
2. [Overall Master Plan](#)
3. [Reconfiguring of Lot Plan \(1 into 2\)](#)
4. [Staging Plans](#)
5. [Code Assessment](#)

Responsible Officer: Greg Abbotts - Manager Development and Environment
Chris Ireland - General Manager Communities

Author: Declan Cox - Principal Planning Officer

SUMMARY

<i>Applicant:</i>	<i>Limestone Creek Road Developments Pty Ltd</i>
<i>Consultant:</i>	<i>Reel Planning Pty Ltd</i>
<i>Real Property Address:</i>	<i>Lot 3 – 5 on RP614856</i>
<i>Area of Site:</i>	<i>157.783 hectares (residential development over 55.38 hectares – Lot 5 only)</i>
<i>Planning Scheme:</i>	<i>Livingstone Planning Scheme 2018 (Version 3)</i>
<i>Planning Scheme Zone:</i>	<i>Rural Zone</i>
<i>Planning Scheme Overlays:</i>	<i>OM02 – Agricultural Land Classification</i>
	<i>OM07 – Biodiversity – Habitat and Vegetation</i>
	<i>OM11 – Biodiversity – Stream Order</i>
	<i>OM12 – Bushfire Hazard Area</i>
	<i>OM15 - Drainage Problem Area</i>
	<i>OM20 – Road Hierarchy</i>
	<i>OM27 – Heights Limits</i>
<i>Existing Development:</i>	<i>Vacant land (grazing)</i>
<i>Level of Assessment:</i>	<i>Impact assessable</i>
<i>Submissions:</i>	<i>91 Submissions received and 1 Petition</i>
<i>Referral matters:</i>	<i>Infrastructure – State transport infrastructure (10.9.4.1.1.1)</i>
	<i>Clearing Native Vegetation (10.3.4.2.1)</i>
	<i>Clearing Native Vegetation (10.3.4.3.1)</i>
<i>Infrastructure Charge Area:</i>	<i>Outside the Priority Infrastructure Area</i>

OFFICER'S RECOMMENDATION

RECOMMENDATION A

THAT in relation to public notification, the public notification signs referenced 319 dwellings for the Relocatable home park rather than 391 dwellings. Despite the sign identifying a lower number of dwellings, the proposal plans available identified 391 dwellings and the land use

remains unchanged. Therefore, the sign identifying 319 dwellings rather than 391 dwellings was unlikely to affect a person's ability to make a submission or be made aware of the development application being on public notification. In accordance with section 53 (3) of the *Planning Act 2016*, even though some requirements were not complied with (as detailed above), the assessment manager is satisfied that the noncompliance has not adversely affected the public's awareness of the existence and nature of the application or restricted the public's opportunity to make properly made submissions about the application. Therefore, the notification period was not required to be repeated.

RECOMMENDATION B

That in relation to the application for a Preliminary Approval (variation request) to vary the effect of the Local Planning Instrument (*Livingstone Planning Scheme 2018*), Development Permit for a Material Change of Use for a Relocatable home park (391 sites), Reconfiguring a Lot (one lot into two lots and access and drainage easements) and (one lot into 132 lots), made by Limestone Creek Road Developments Pty Ltd, on Lot 5 RP 614856, and located at 73 Limestone Creek Road, Inverness, Council resolves to Approve the application despite the development not meeting some of the assessment benchmarks pursuant to Section 60(3) and 61 of the *Planning Act 2016*, the assessment manager may decide to approve the application even if the development does not comply with some of the assessment benchmarks and circumstances/relevant matters have been established in support of the development as follows:

- (i) The proposed development generally complies with the Strategic Framework under the *Livingstone Planning Scheme 2018*, Version 3. The proposal has been justified to comply with Specific Outcomes SO3 and SO5 of the Settlement pattern theme for rural places as the land uses require a large parcel of land, not suited to an urban area. Furthermore, the development seeks to utilise the rural nature of the site and surrounding sites as a feature and will not limit or compromise the agricultural capacity of the surrounding land for primary production through existing operations and buffers to boundaries.
- (ii) The proposed development has been justified to comply with Specific Outcomes SO2 and SO5 of the Natural environment and hazard's theme for Natural hazards and climate change as the use will be carried out in accordance with the Bushfire Hazard Assessment and conditioned to ensure uses are above flood levels.
- (iii) The proposed Relocatable Home Park is not a preferred use in the Rural zone. Despite not being a preferred use, the development is adequately separated from sensitive land uses (Dwelling houses on rural lots), will not limit existing rural activities and will not compromise future rural activities establishing on the surrounding land. Further, the proposed development is unique in respect of operational and siting needs and requires a large area of land with access and servicing provision that is not available in an urban, special purpose, or tourism zoned land.
- (iv) The subject site has a local biodiversity corridor (habitats and vegetation) mapped within the south-eastern portion of the subject site. An ecological assessment report has been provided in support of addressing the Biodiversity Overlay Code. The proposal is considered to overall demonstrate compliance with the code while providing a vegetation buffer in this area by providing an environmental covenant Lots 1101-1107.
- (v) A bushfire management plan has been provided to address the Bushfire Hazard Overlay Code. The subject site is affected by the medium potential bushfire intensity and potential impact buffer predominately to the south and south-east of the site. The site will be connected to the reticulated water supply and has access to a formed road, and higher order road network. All buildings will be assessed for a Bushfire Attack Level by the building certifier at the time of building works. Therefore, the risk to life, property, community, economic activity and the environment is considered to be a tolerable level of risk to not require further assessment against the bushfire hazard overlay code. An updated plan for Lots 1101-1107 of the development is required in

relation to Condition 33.12 that provides for all vegetation outside of the building envelopes identified in the overall masterplan and subject to the covenant in Condition 33.10 to be retained and not cleared, accounting for all vegetation clearing exemptions and provisions under the *Planning Regulation 2017*.

- (vi) The development either complies with, or has been conditioned to comply with, the relevant Performance Outcomes and Acceptable Outcomes of the Rural zone code, Bushfire hazard overlay code, Biodiversity overlay code, Reconfiguring a Lot Code, Accommodation activities code, General development code and Development works code.
- (vii) The development does not compromise the achievement of the *State Planning Policy 2017*.
- (viii) On balance, the application should be approved because the development has been justified against the strategic framework and can be conditioned to comply with the assessment benchmarks.

RECOMMENDATION C

That in relation to the application for a Preliminary Approval (variation request) to vary the effect of the Local Planning Instrument (*Livingstone Planning Scheme 2018*), Development Permit for a Material Change of Use for a Relocatable home park (391 sites), Reconfiguring a Lot (one lot into two lots and access and drainage easements) and (one lot into 132 lots), made by Limestone Creek Road Developments Pty Ltd, on Lot 5 RP 614856, and located at 73 Limestone Creek Road, Inverness, Council resolves to Approve the application subject to the following conditions:

PART A – PRELIMINARY APPROVAL (VARIATION REQUEST)

1.0 DEFINITIONS AND INTERPRETATIONS

1.1 In this approval:

- 1.1.1. **Applicant** means Limestone Creek Road Developments Pty Ltd being the applicant for a preliminary approval affecting the Council's Planning Scheme with respect to the subject land.
- 1.1.2. **Approval** means the approval of the Application by the Council.
- 1.1.3. **Capricorn Municipal Development Guidelines** means a document adopted by Council containing guidelines and standards for development, as amended from time to time.
- 1.1.4. **Conditions** mean the conditions of this approval including any attachment referred to in these conditions.
- 1.1.5. **Council** means the local government authority having jurisdiction over land use and development on the subject land.
- 1.1.6. **Developer** means the registered proprietor and any occupier of the Subject Land.
- 1.1.7. **Infrastructure** means infrastructure reasonably required to service the proposed development including roads (internal, external and access), water services, sewer services and stormwater drainage.
- 1.1.8. **Schedule of Plans for Trunk Infrastructure** means the infrastructure schedules mentioned in Council's *Local Government Infrastructure Plan* or any other plan which replaces it.
- 1.1.9. **Subject land** means Proposed Lot 1 (or subsequent lot and plan number).
- 1.1.10. **Planning Act 2016** means the *Planning Act 2016* as amended from time to time.
- 1.1.11. **Planning Scheme** means Council's *Livingstone Planning Scheme 2018*,

version 3, in effect 15 February 2021.

2.0 ADMINISTRATION

- 2.1 The owner, the owner's successors in title, and any occupier of the premises is responsible for ensuring compliance with the conditions of this development approval.
- 2.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 2.3 All conditions, works, or requirements of this approval must be undertaken and completed to Council's satisfaction, at no cost to Council.
- 2.4 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council.

3.0 APPROVED PLANS AND DOCUMENTS

- 3.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

<u>Plan/Document Name</u>	<u>Reference</u>	<u>Dated</u>
Overall Master Plan	Land Dynamics, Job 5614, Drawing No. 0001, Rev F	29 June 2023
Reconfiguration of a Lot (1 into 2 Lots) Plan	Land Dynamics, Job 5614, Drawing No. 0017, Rev D	4 September 2023

- 3.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 3.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of the first application for a Development Permit over the subject land.

4.0 REQUIRED DEVELOPMENT PERMIT(S)

- 4.1 Other development permits which are necessary to allow the development to be undertaken are listed below and these Conditions do not affect the need to obtain such permits, namely:
- 4.1.1. Development permits(s) for Reconfiguring a Lot (where required/proposed);
 - 4.1.2. Development permit(s) for Material Change of Use (where required);
 - 4.1.3. Development permit(s) for carrying out Operational Work (where required);
 - 4.1.4. Development permit(s) for Building work regulated under the Planning Scheme (where required);
 - 4.1.5. Development permit(s) for all necessary Plumbing and Drainage Works; and
 - 4.1.6. Development permit(s) for carrying out Building Work.
- 4.2 A Development Permit for Operational Works, Plumbing and Drainage Works or Building Works for development associated with this Approval must not be issued prior to the receipt of the relevant Material Change of Use development permit(s).

5.0 PLANNING FRAMEWORK

Preamble - This is a preliminary approval (variation request) for a Material Change of Use, Reconfiguring a Lot, Building Work and Operational Works, to vary the

effect of Council's Planning Scheme under Section 50(3) of the Planning Act 2016 for development in accordance with the Low density residential zone of the Planning Scheme and generally in accordance with the proposal plans (refer to condition 3.1).

- 5.1 To remove any doubt the process for determining a category of development and category of assessment is for any development on the subject land is section 1.4 and Part 5 of the Planning Scheme relevant to the Low density residential zone for the purpose of this approval.
- 5.2 The Planning Scheme overlays apply to the subject land.
- 5.3 The Applicant must submit a copy of this Variation Approval with any Material Change of Use and/or Reconfiguring a Lot and/or Operational Works and/or Building Development application relating to or arising from this development approval.
- 5.4 Any application submitted to the Council under this Variation Approval must be consistent with this Variation Approval and where inconsistent, must be submitted to the Council instead under the Planning Scheme in effect at the date of application.
- 6.0 CURRENCY PERIOD
- 6.1 The currency period for this Preliminary Approval is ten (10) years from the date the approval takes effect.
- 7.0 STAGED DEVELOPMENT
- 7.1 Infrastructure must be provided by the developer in a co-ordinated and a planned manner having regard to the overall catchment and staging of the development in a logical and orderly sequence.
- 7.2 Infrastructure (for example: road, property accesses, water, sewer, services) must be provided (if necessary) to the development or stage boundaries for connectivity and to facilitate ease of extension of these Infrastructure during future stages.
- 8.0 INFRASTRUCTURE
- Preamble – In order for development to proceed, infrastructure must be available (or be capable of being made available) to service the development proposed on the subject land.*
- 8.1 Infrastructure must be provided by the Developer in a co-ordinated and a planned manner having regard to the staging of the development in a logical and orderly sequence.

PART B – RECONFIGURING A LOT (1 LOT INTO 2 LOTS)

- 9.0 ADMINISTRATION
- 9.1 The owner, the owner's successors in title, and any occupier of the premises is responsible for ensuring compliance with the conditions of this development approval.
- 9.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 9.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 9.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the issue of the approval of a plan of subdivision (survey plan endorsement), unless otherwise stated.
- 9.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior, to the issue of the approval of a plan of subdivision (survey plan endorsement), unless otherwise stated.

- 9.6 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 9.7 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

10.0 APPROVED PLANS AND DOCUMENTS

- 10.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Overall Master Plan	Land Dynamics, Job 5614, Drawing No. 0001, Rev F	29 June 2023
Reconfiguration of a Lot (1 into 2 Lots) Plan	Land Dynamics, Job 5614, Drawing No. 0017, Rev D	4 September 2023

- 10.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 10.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of a Development Application for Operational Works.

11.0 EASEMENT

- 11.1 Lodge for registration at the office of the Land Registry the following easement(s):
- 11.1.1 Easements must be provided over all sewerage infrastructure located within private property. The easement location(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 11.1.2 Easements must be provided over all water infrastructure located within private property. The easement location(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 11.1.3 Drainage easement(s) must be dedicated in favour of Council over all major overland flow paths (land inundated by Defined Flood Event) and major drainage systems to provide drainage corridors suitable for the conveyance of peak stormwater flows through the subject land during the Defined Flood Event.
- 11.1.4 Any drainage easements dedicated over the major overland flow paths or major drainage system must be able to contain all earthworks, batters and include freeboard and access and maintenance provisions consistent with the Queensland Urban Drainage Manual.
- 11.1.5 The access easement for Proposed Lot 2 must be generally in accordance with the approved plans (refer to condition 10.1) and Conditions 12.0 – Access Works. The easement must be shown on the plan of subdivision and the relevant documentation submitted to Council as part of the request for approval of a plan of subdivision (survey plan endorsement).

12.0 ACCESS WORKS

- 12.1 Provide an access easement for vehicle access and Bushfire Evacuation Route from Limestone Creek Road to Proposed Lot 1 of the development that is in accordance with the general location of the main thoroughfare in Proposed Lot 2 development as shown on the approved plans (refer to Condition 10.1).

- 12.2 The access driveway for Proposed Lot 1 must be designed and upgraded if required, to comply with the following:
- (i) Minimum cleared width of six (6) metres;
 - (ii) Minimum cleared height of 4.8 metres;
 - (iii) Minimum formed width of four (4) metres;
 - (iv) Passing bays twenty (20) metres long by three (3) metres wide, or turning facilities every 200 metres;
 - (v) Maximum allowable gradient of twenty-five (25) per cent if sealed, or eighteen (18) per cent if unsealed;
 - (vi) Maximum average gradient must be 14.4 per cent;
 - (vii) Maximum allowable cross fall of eighteen (18) per cent if sealed, or twelve (12) per cent if unsealed; and
 - (viii) Immune to a flood inundation event having an annual exceedance probability of ten (10) per cent.
- 12.3 A compliant vehicle access must be designed and constructed Proposed Lot 2 in accordance with the *Capricorn Municipal Development Guidelines, standard drawing CMDG-R-040, titled as rural road access and property access over table drain*. Any non-compliant vehicle access driveway will require a Development Permit for Operational Works (access works) prior to the commencement of any vehicle access works associated with that lot.
- 12.4 No vehicle access is permitted from Condon Drive in this stage.
- 13.0 STORMWATER WORKS
- 13.1 All stormwater must achieve demonstrated lawful discharge and must not adversely affect the upstream or downstream land when compared to pre-development condition or damage infrastructure.
- 14.0 EARTHWORKS
- 14.1 Earthworks must be undertaken such that stormwater runoff is managed and discharged lawfully and must not adversely affect the adjoining properties compared to pre-development conditions or damage infrastructure.
- 15.0 ASSET MANAGEMENT
- 15.1 Any damage or alteration to existing council infrastructure including traffic signs and pavement marking and other public or private utility which occurs during any works carried out in association with the approved development must be repaired and/or replaced at the cost of the Developer.
- 16.0 ENVIRONMENTAL
- 16.1 An Erosion and Sediment Control Plan must be implemented and maintained on-site for the duration of the works. The Erosion and Sediment Control Plan must be available on-site for inspection by Council Officers during those works.
- 17.0 OPERATING PROCEDURES
- 17.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Limestone Creek Road, Condon Drive or the unconstructed road reserve.

PART C – RECONFIGURING A LOT (1 LOT INTO 132 LOTS)

18.0 ADMINISTRATION

- 18.1 The owner, the owner's successors in title, and any occupier of the premises is responsible for ensuring compliance with the conditions of this development approval.
- 18.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power, or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 18.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 18.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the issue of the Compliance Certificate for the Survey Plan, unless otherwise stated.
- 18.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior, to the issue of the Compliance Certificate for the Survey Plan, unless otherwise stated.
- 18.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
- 18.6.1 Operational Works:
- (i) Road Works;
 - (ii) Access Works ;
 - (iii) Sewerage Works;
 - (iv) Water Works;
 - (v) Stormwater Works;
 - (vi) Site Works; and
 - (vii) Landscaping Works
- 18.7 Unless otherwise stated, all works must be designed, constructed, and maintained in accordance with the relevant Council policies, guidelines and standards.
- 18.8 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 18.9 Part B of this approval must not commence until Part A – Reconfiguring a Lot (one lot into two lots) has been undertaken. The development must be wholly located on Proposed Lot 1.
- 18.10 All development conditions contained in this development approval about infrastructure under Chapter 4 of the Planning Act 2016 should be read as being non-trunk infrastructure conditioned under *section 145* of the *Planning Act 2016*, unless otherwise stated.
- 19.0 APPROVED PLANS AND DOCUMENTS
- 19.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Overall Master Plan	Land Dynamics Job 5614 Drawing No. 0001 Rev F	29 June 2023
Staging Plan	Land Dynamics Job 5614 Drawing No. 0016 Rev F	29 June 2023

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Flood Impact Assessment Stormwater Management Plan	Allan & Dennis Report Reference J22091 Version R1v3	09 July 2023
Response to Further Advice	Allan & Dennis Reference J22091_Lt01	07 September 2023
Preliminary Sewer Design Overall Sewer Layout	Sewer Report, Engineers Plus Drawing No. 5614 – L 1001, Revision B	5 March 2023
Preliminary Sewer Design Sewer Layout Plan - North	Sewer Report, Engineers Plus, Drawing No. 5614 – L 1002, Revision B	5 March 2023
Preliminary Sewer Design Sewer Layout Plan - South	Sewer Report, Engineers Plus, Drawing No. 5614 – L 1003, Revision B	5 March 2023
Limestone Creek Road – Large Lot Residential Preliminary Sewer Design	Sewer Report, Engineers Plus, Drawing No. 5614 – L 3002, Revision C	19 April 2023
Water Report	Engineers Plus Job 22421 Rev 4	26 July 2023
Bushfire Hazard Report (not approved for Lots 1101-1107)	Urban Catalyst 3 Reference 21-066	15 November 2022

19.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.

19.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of a Development Application for Operational Works.

20.0 BUILDING ENVELOPE

20.1 Carry out building envelopes on Lots 1101 - 1107 in accordance with the approved plans of development unless another condition of this development approval specifically states otherwise.

20.2 No development for buildings or structures is to occur outside the nominated building envelopes.

20.3 Ensure that a Building Certifier does not issue a Building Works Approval until such time as the Survey Plan has been registered at the Titles Office, Department of Natural Resources & Mines.

Further Advice: Property Record Notation will be imposed on all lots advising that a building envelope encumbers the property. The Property Record notification is to read as follows:

“Building Envelope restrictions apply in respect to the use and development of this property. A copy of the building envelope plan is available from Council. Landowners or purchasers are strongly advised to seek further details by contacting Council’s Development Assessment Branch”.

21.0 STAGED DEVELOPMENT

- 21.1 This approval is for a development to be undertaken in five discrete stages, namely:
- 21.1.1 Condon Drive extension, Rail Trail Underpass, Adelaide Park Road (Water Main Upgrade) and Lot 1101 to Lot 1127 (Stage One);
 - 21.1.2 Lot 1201 to Lot 1237 (Stage Two);
 - 21.1.3 Lot 1301 to Lot 1329 (Stage Three);
 - 21.1.4 Lot 1401 to Lot 1421 (Stage Four); and
 - 21.1.5 Lot 1501 to Lot 1518 (Stage Five);
- in accordance with the approved Staging Plan (refer to condition 19.1).
- Stage One must be completed prior to any other Stage. All other Stages are not required to be undertaken in any chronological order.
- 21.2 Development Infrastructure must be provided by the developer in a coordinated and planned manner, having regard to the overall catchment and staging of the development in a logical and orderly sequence to facilitate ease of extension and integration of infrastructure during future stages.
- 21.3 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.

22.0 ROAD WORKS

- 22.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works on the site/associated with the development
- 22.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 19.1), *Capricorn Municipal Development Guidelines*, relevant *Australian Standards* and the provisions of a Development Permit for Operational Works (road works).
- 22.3 If the applicant elects to provide part or all of the trunk infrastructure in Condition 35.3, as part of an Operational Works application (road works) the following information must be provided to support the detailed design:
- 22.3.1 Detailed design of Condon Drive, from the existing roundabout with Rockhampton Road to the access point of the proposed 129 new lots, at the southeast of the parent lot and the intersection of Condon Drive and the Rail Trail must be provided.
 - 22.3.2 The design of this segment of Condon Drive must be consistent with the design criteria of "Major Urban Collector" in accordance with *Capricorn Municipal Development Guidelines*.
 - 22.3.3 An appropriate intersection designed in accordance with Austroads and *Capricorn Municipal Development Guidelines* standards providing access to the development from the Condon Drive extension. The intersection must be capable of supporting the movements of all vehicles up to and including the design vehicle nominated by *Capricorn Municipal Development Guidelines D01 Annexure D01E*.
 - 22.3.4 Detail Stormwater Management Report with 2-D hydraulic models and appropriate hydrological inflow / outflow conditions and appropriate ground surface parameters demonstrating that:
 - 22.3.4.1 The road is safe for traffic at the defined rainstorm event in accordance with Queensland Urban Drainage Manual.
 - 22.3.4.2 All crossroad drainage and road surface drainage are designed to the defined rainstorm event in accordance with Queensland Urban Drainage Manual.

- 22.3.4.3 Stormwater is discharged into a lawful point of discharge and it is not causing actionable nuisances to other properties and the public in accordance with Queensland Urban Drainage Manual.
- 22.3.5 Detailed Geotechnical Investigation and Assessment Report, with reasonable geotechnical investigation works, demonstrating that:
 - 22.3.5.1 The existing ground condition is suitable to support the proposed road, the intersection with the Rail Trail, and the associated loadings.
 - 22.3.5.2 Necessary ground treatment or improvement works are provided to ensure sufficient bearing capacity of the ground to support the proposed road and intersection with the Rail Trail.
 - 22.3.5.3 The estimated settlement of the ground, and any proposed fill material underneath the road and the intersection with the Rail Trail, are within an acceptable range. Reasonable assumptions of loading from the traffic and the structures above must be considered.
 - 22.3.5.4 Differential settlement of the ground must be considered and reviewed to ensure that it is within an acceptable range which will not affect the structural stability of the structures supporting the road and the pavements of the road.
- 22.4 As part of an Operational Works application (road works), under the relevant stage, details of all new road infrastructure to the relevant hierarchy, with cross sections, in accordance with *Capricorn Municipal Development Guidelines* D1 Annexure D01E must be provided.
- 22.5 Provide on-road bicycle lanes in accordance with *Capricorn Municipal Development Guidelines* D1 Annexure D01E to all minor and major urban collector roads.
- 22.6 As part of an Operational Works application (road works), consultation with Translink must be conducted to determine the necessity of providing bus stop(s) to support the proposed development. Locations and details of the bus stop(s) must be provided if it is deemed necessary as per advices from Translink.
- 22.7 Street and public space lighting must be provided in accordance with *Australian Standard AS1158 "Lighting for Roads and Public Spaces"*, and road, street and public space lighting policy and procedures.
- 22.8 Traffic signs and pavement markings including any alterations must be provided in accordance with the *Manual of Uniform Traffic Control Devices (Queensland)*.
- 23.0 The design and construction of all terminating roads must include a temporary turning area which complies with the relevant performance and technical criteria, and facilitates suitable turning movements for a Council refuse collection vehicle.
- 24.0 Traffic calming devices must be provided to control vehicle speeds. Details of traffic calming devices and practical access to adjacent allotments must be demonstrated in any application for a Development Permit for Operational Works (road works).
- 24.1 All pathways and access ramps must be designed and constructed in accordance with *Australian Standard AS1428 "Design for Access and Mobility"*. All pathways located within a road reserve or public use land must be provided with public space lighting in accordance with *Australian Standard AS1158 "Lighting for Roads and Public Spaces"*.
- 24.2 All pathways must incorporate kerb ramps at all road crossing points.
- 24.3 Any application for a Development Permit for Operational Works (road works) must include details of the Council approved road names for all new roads.

25.0 ACCESS AND PARKING WORKS

- 25.1 A Development Permit for Operational Works (access and parking works) must be obtained prior to the commencement of any access and parking works on the site.
- 25.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 19.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 "Off Street Car Parking"* and the provisions of a Development Permit for Operational Works (access and parking works).
- 25.3 Provide Lots 1101 to 1107 (inclusive) with appropriately designed shared access crossovers as part of Stage R1. Direct lot access to the road frontage is prohibited from any location other than the provided access crossovers.
- 25.4 No direct lot access is to be permitted to any part of the Major Urban Collector road.
- 25.5 Stormwater runoff from vehicular manoeuvring areas including from internal access ways must be discharged lawfully.

26.0 SEWERAGE WORKS

- 26.1 A Development Permit for Operational Works (sewerage works) must be obtained prior to the commencement of any sewerage works on the site.
- 26.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 19.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (sewerage works).
- 26.3 Easements must be provided over all sewerage infrastructure located within private property. The easement location(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 26.4 The development must connect to Council's reticulated sewerage service.

27.0 WATER WORKS

- 27.1 A Development Permit for Operational Works (water works) must be obtained prior to the commencement of any water works on the site.
- 27.2 If the applicant elects to provide part or all of the trunk infrastructure in Condition 35.3, as part of an Operational Works application (Water works), submit to Council for approval, a Water Network Plan with an updated Water Network Analysis, demonstrating the following:
- 27.2.1 Provide details of the upgrading of the water main along Adelaide Park Road, in general in accordance with the recommendations under Section 4 of the approved Water Supply Report Revision 4 (Job Number 22421) prepared by Engineers Plus.
- 27.3 All works must be designed and constructed in accordance with the approved plans (refer to condition 19.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (water works).
- 27.4 Easements must be provided over all water infrastructure located within private property. The easement location(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 27.5 The proposed development must be connected to Council's reticulated water supply.
- 28.0 STORMWATER WORKS**
- 28.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the site.
- 28.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 19.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal*

Development Guidelines, Urban Stormwater Quality Planning Guidelines, State Planning Policy, any Council flood study reports, and sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).

- 28.3 Drainage easement(s) must be dedicated in favour of Council over all major overland flow paths (land inundated by Defined Flood Event) and major drainage systems to provide drainage corridors suitable for the conveyance of peak stormwater flows through the subject land during the Defined Flood Event.
- 28.4 Any drainage easements dedicated over the major overland flow paths or major drainage system must be able to contain all earthworks, batters and include freeboard and access and maintenance provisions consistent with the Queensland Urban Drainage Manual.
- 28.5 As part of an Operational Works application (stormwater works), provide a revised Stormwater Management Plan that minimises the number of bio-retention basins as far as practicable.
- 28.6 All ongoing maintenance and management actions necessary for any proposed stormwater quality management devices must be carried out by suitably qualified person(s) in a timely manner. A completed log book must be maintained and must be available on-site for inspection by Council and/or relevant authorities.

29.0 EARTHWORKS

- 29.1 A Development Permit for Operational Works (earthworks) must be obtained prior to the commencement of any earthworks on the site.
- 29.2 As part of an Operational Works application (earthworks), provide a clearing plan detailing all areas to be cleared of vegetation in accordance with the requirements of the approved Bushfire Hazard Report.
- 29.3 Earthworks must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.
- 29.4 Any retaining structures one metre or above in height must be separately approved for structural adequacy by a suitably qualified Registered Professional Engineer of Queensland or equally qualified person at design submission and certified on completion of construction for compliance with the design.

30.0 ELECTRICITY AND TELECOMMUNICATIONS

- 30.1 Electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.

31.0 ASSET MANAGEMENT

- 31.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.
- 31.2 Any damage to existing kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.
- 31.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the issue of the Compliance Certificate for the Survey Plan. This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.

32.0 ENVIRONMENTAL

- 32.1 Any application for a Development Permit for Operational Works must be accompanied by a detailed Environmental Management Plan certified by a suitably qualified person which addresses, but is not limited to, the following matters:
- 32.1.1.1 erosion and silt/sedimentation management plan;
 - 32.1.1.2 acid sulphate soils;
 - 32.1.1.3 vegetation management and clearing;
 - 32.1.1.4 top soil management;
 - 32.1.1.5 interim drainage plan during construction;
 - 32.1.1.6 construction programme including instruction times;
 - 32.1.1.7 noise and dust suppression; and
 - 32.1.1.8 waste management.
- 32.2 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan certified by a Certified Professional in Erosion and Sediment Control or suitably qualified Registered Professional Engineer of Queensland.
- 32.3 The plan must demonstrate how the Construction-Phase stormwater management design objectives of the State Planning Policy (Appendix 2 Table A) will be achieved.
- 32.4 The plan must address the following, but is not limited to;
- 32.4.1.1 top soil management;
 - 32.4.1.2 dust suppression;
 - 32.4.1.3 erosion susceptibility and risk;
 - 32.4.1.4 vegetation;
 - 32.4.1.5 interim drainage control during construction;
 - 32.4.1.6 acid sulphate soils (if applicable); and
 - 32.4.1.7 Implementation and maintenance procedures during construction and post construction phases of work.
- 32.5 The Erosion Control and Stormwater Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The prepared Erosion Control and Stormwater Control Management Plan must be available onsite for inspection by Council Officers during those works.
- 33.0 VEGETATION CLEARING
- 33.1 A Development Permit for Operational Works (Clearing Works) must be obtained prior to the commencement of any clearing works on the site.
- 33.2 Retained trees must be protected from impacts of adjacent clearing or earthworks through use of exclusion fencing or protective barriers as per Australian Standard 4970 – 2009 Protection of Trees on Development Sites.
- 33.3 A plan indicating the staged clearing of the site must be provided with any application for a Development Permit for Operational Works.
- 33.4 All trees cleared must be felled away from adjoining vegetation.
- 33.5 Vegetative materials cleared from the site must not be placed near or within vegetation adjacent to the site, other than strategic placement of fauna habitat if required.

-
- 33.6 Development does not cause land degradation near a waterway or wetland, including:
- 33.6.1 mass movement, gully erosion, rill erosion, sheet erosion, tunnel erosion, stream bank erosion, wind erosion, or scalding; and
 - 33.6.2 loss or modification of chemical, physical or biological properties or functions of soil.
- 33.7 FAUNA MANAGEMENT AND HABITAT
- 33.8 A Local Wildlife Management Plan must be submitted to Council as part of an application for Operational Works (Clearing). The Plan must include, but not be limited to, the following information:
- 33.8.1 The potential direct and indirect impacts of both the construction and operation phase of the proposed development to the wildlife wellbeing/colony/ roost/ breeding place;
 - 33.8.2 How this is to be monitored, evaluated and reported; and
 - 33.8.3 The mitigation options which will be utilized to minimize the potential impacts on the wildlife and their habitat.
- 33.9 ENVIRONMENTAL COVENANT
- 33.10 An environmental covenant must be registered over Lots 1101 – 1107 pursuant to Section 97A of the Land Title Act 1994, in the location of land outside the proposed building envelopes to the effect that:
- 33.10.1 the Covenant area is protected as a vegetated flora habitat and all native vegetation must be retained;
 - 33.10.2 there is to be no artificial interference or disturbance of the habitat. Approval may be sought from Council to remove hazards to safety of persons outside of the habitat, or remove weeds and revegetate with local native species under an approved plan; and
 - 33.10.3 An environmental covenant must be registered over Lots 1101 - 1107. The covenant area must be shown on the Survey Plan and the respective documentation submitted to Council, prior to the Compliance assessment for the Survey Plan.
- 33.11 BUSHFIRE HAZARD
- 33.12 An amended Bushfire Management Plan is required, specifically for Lots 1101-1107 of the development that addresses the Bushfire Hazard Overlay Code, and includes the following:
- 33.12.1 An updated plan that provides for all vegetation outside of the building envelopes identified in the overall masterplan and subject to the covenant in Condition 33.10 to be retained and not cleared, accounting for all vegetation clearing exemptions and provisions under the *Planning Regulation 2017*. This plan is to clearly show:
 - 33.12.1.1 the proposed location for buildings, structures and infrastructure within the lots;
 - 33.12.1.2 any necessary bushfire buffer or setback from vegetation; and
 - 33.12.1.3 the extent of vegetation to be retained, which must correspond with the overall masterplan and Condition 33.10.
 - 33.12.2 Alternatively, if the applicant cannot provide sufficient information to comply with the Bushfire Hazard Overlay Code to provide adequate buffers, clearing and maintenance of vegetation for the abovementioned lots for future dwellings, a consolidation of these lots and amended plans reflecting this will be required to comply with the Code.
-

Advice Note: The applicant has not provided sufficient information to date regarding bushfire management of Lots 1101-1107 that consider the existing vegetation, buffers required between the building envelopes and the vegetation and the full extent of exempt vegetation clearing provisions. Therefore, an amended plan is required to identify the true extent of vegetation clearing with the above considerations for Lots 1101-1107 in order to determine that the proposed lots will not result in loss of local scenic vegetation onsite.

33.13 The development must be undertaken in accordance with the recommendations in the approved Bushfire Management Plan.

33.14 An easement and practical vehicle access to Limestone Creek Road in the location of the main thoroughfare shown on the approved plans must be provided. This will secure evacuation to Limestone Creek Road in the event that the access to Condon Drive is unsafe.

33.15 LANDSCAPING WORKS

33.16 A landscaping and rehabilitation planting plan must be prepared and submitted to Council as part of an application for Operational Works and must document the "Extent of Works" which includes, but is not limited to:

33.16.1 location and name of existing trees, including those to be retained (the location of the trees shall be overlayed or be easily compared with the proposed development design);

33.16.2 the extent of soft and hard landscape proposed;

33.16.3 important spot levels and/or contours. The levels of the trees to be retained shall be provided in relation to the finished levels of the proposed buildings and works;

33.16.4 for vehicle parking areas, the planting of vegetation involves species that have clear trunks up to a height of two (2) metres or that have low ground covers less than one (1) metre in height;

33.16.5 underground and overhead services;

33.16.6 typical details of critical design elements (stabilisation of batters, retaining walls, trees in car park areas, fences);

33.16.7 details of landscape structures including areas of deep planting; and

33.16.8 specification notes on mulching and soil preparation;

33.16.9 details of species to be used in the bio-basins (stormwater);

33.16.10 trees, shrubs and groundcovers to all areas to be landscaped;

33.16.11 position and canopy spread of all trees and shrubs;

33.16.12 the extent and type of works (inclusive but not limited to paving, fences and garden bed edging). All plants shall be located within an edged garden; and

33.16.13 a plant schedule with the botanic and common names, total plant numbers and pot sizes at the time of planting.

33.17 The planting plan must consider the approved Bushfire Hazard Assessment and Bushfire Management Plan when nominating species.

33.18 The landscaping on the site must include the:

- (i) Use of locally endemic flora species, with a focus on those species that flower prolifically to promote habitat amenity and foraging opportunities for resident fauna; and

- (ii) Use of endemic columnar and / or fastigate form trees will allow for screening amenity.
- 33.19 Landscaping, or any part thereof, upon reaching full maturity, must not:
 - (i) obstruct sight visibility zones as defined in the Austroads 'Guide to Traffic Engineering Practice' series of publications;
 - (ii) adversely affect any road lighting or public space lighting; or
 - (iii) adversely affect any Council infrastructure, or public utility plant.
- 33.20 Landscaping must not increase the exposure of a habitable building not located in a building protection zone to a bushfire hazard.
- 33.21 The landscaped areas must be subject to an ongoing maintenance and replanting programme (if necessary).

34.0 ENVIRONMENTAL HEALTH

- 34.1 Follow the recommendations of the acoustic report.
- 34.2 Where necessary air conditioning units are to be provided with acoustic screening to meet the standards set out in the *Environmental Protection Regulation 2019*.
- 34.3 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the site and shielded so as not to cause glare or other nuisance to nearby residents and motorists. Night lighting must be designed, constructed and operated in accordance with '*Australian Standard AS4282 – Control of the obtrusive effects of outdoor lighting*'.

35.0 TRANSPORT AND WATER NETWORK INFRASTRUCTURE (EXTRA PAYMENT CONDITION)

- 35.1 This is an extra payment condition, which is imposed under sections 130 and 133 of the *Planning Act 2016*, and in accordance with section 131 of the *Planning Act 2016* states the following:
- 35.2 This extra payment condition for the extra trunk infrastructure costs stated in Condition 35.1 is imposed on the basis of the following:
 - 35.2.1 The development is for premises completely outside the Priority Infrastructure Area;
 - 35.2.2 The development will require new trunk infrastructure earlier than when identified in the Local Government Infrastructure Plan; and
 - 35.2.3 The development would impose extra trunk infrastructure costs on Council after taking into account the levied charges for the development and the trunk infrastructure provided, or to be provided, by the applicant under this part for the following:
 - 35.2.4 The establishment cost of trunk infrastructure that is:
 - 35.2.4.1 Made necessary by the development; and
 - 35.2.4.2 Necessary to service an area intended for future development for purposes other than rural or rural residential purposes - necessary to service the rest of the area.
- 35.3 The applicant must pay to Council the amount of trunk infrastructure costs stated in *Table 1 (Extra Trunk Infrastructure Costs)* for the establishment cost of the infrastructure:

Table 1. Extra Trunk Infrastructure Costs

Column 1 Item	Column 2 Infrastructure	Column 3 Establishment Cost	Column 4 Amount of Payment
------------------	----------------------------	--------------------------------	-------------------------------

Transport Network			
1	T-12 (part) - Condon Drive 550 - 0	\$8,663,550 including consultant (10%) and approvals	\$8,663,550 including consultant (10%) and approvals
2	T-121 Intersection Condon Drive - Rail Trail		
Water Network			
3	Adelaide Park Road water main upgrade	\$732,600 plus Operational works approval costs	\$732,600

35.4 The amount of the payment to be made under this extra payment condition which is stated in Condition 35.3 is to be increased in accordance with the increase for the PPI index for the period starting the day the decision notice is given and ending on the day the relevant amount is paid, adjusted by reference to the 3-yearly PPI index average;

35.5 The details of the trunk infrastructure for which the payment is required is stated in Condition 35.3 and Appendix 1;

35.6 The payment is to be made for the trunk infrastructure stated in Condition 35.3 before the day of development, or the work associated with the development starts, unless otherwise agreed in an infrastructure agreement;

35.7 The applicant may instead of making the payment for the establishment cost for the trunk infrastructure stated in Condition 35.3, elect to provide all or part of the infrastructure stated in Condition 35.3; and

Advice note: Council advises that there is a current development application (D-253-2023) under assessment, situated at Lot 2 Condon Drive, Yeppoon. The Applicant may enter into an Infrastructure Agreement with this applicant and Council regarding Condition 35.3 for items 1 and 2 of transport network infrastructure only.

35.8 If the applicant elects to provide part or all of the trunk infrastructure stated in Condition 35.3, the applicant must provide the trunk infrastructure:

35.8.1 In accordance with the requirements for providing the trunk infrastructure stated in Appendix 1;

35.8.2 For infrastructure identified as Items 1, 2 and 3 in Table 1, before the approval of the Plan of Subdivision for PART C - Reconfiguring a Lot (Stage 1).

Appendix 1: Details and Construction Requirements of Trunk Infrastructure Items

Infrastructure Item	Details
1. T-12 (part) - Condon Drive 550 - 0	<u>The design and construction works requirements accord with the following:</u> <ol style="list-style-type: none"> 1. All relevant conditions under PART C – ROL; 2. Capricorn Municipal Development Guidelines; 3. Relevant Australian Standards; and 4. Manual of Uniform Traffic Control Devices
2. T-121 - Intersection Condon Drive - Rail Trail	

	(Queensland).
3. Adelaide Park Road (Water Main Upgrade)	<p><u>The design and construction works requirements accord with the following:</u></p> <ol style="list-style-type: none"> 1. All relevant conditions under PART C – ROL; 2. Capricorn Municipal Development Guidelines; 3. Water Supply (Safety and Reliability) Act; and 4. Plumbing and Drainage Act.

PART D – MATERIAL CHANGE OF USE FOR A RELOCATABLE HOME PARK

36.0 ADMINISTRATION

- 36.1 The owner, the owner's successors in title, and any occupier of the premises is responsible for ensuring compliance with the conditions of this development approval.
- 36.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 36.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 36.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of use, unless otherwise stated.
- 36.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior to the commencement of use, unless otherwise stated.
- 36.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
- 36.6.1 Operational Works:
- (i) Road Works;
 - (ii) Access and Parking Works;
 - (iii) Sewerage Works;
 - (iv) Water Works;
 - (v) Stormwater Works;
 - (vi) Earthworks;
 - (vii) Clearing works; and
 - (viii) Landscaping Works;
- 36.6.2 Building Works; and
- 36.6.3 Plumbing and Drainage Works.
- 36.7 All Development Permits for Operational Works must be obtained prior to the issue of a Development Permit for Plumbing and Drainage Works and Building Works.
- 36.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 36.9 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 36.10 Part C of this approval must not commence until Part A – Reconfiguring a Lot (one lot into two lots) has been undertaken. The development must be wholly located on Proposed Lot 2.

- 36.11 All development conditions contained in this development approval about infrastructure under Chapter 4 of the Planning Act 2016 should be read as being non-trunk infrastructure conditioned under section 145 of the Planning Act 2016, unless otherwise stated.

37.0 APPROVED PLANS AND DOCUMENTS

- 37.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Overall Master Plan	Land Dynamics Job 5614 Drawing No. 0001 Rev F	29 June 2023
Staging Plan	Land Dynamics Job 5614 Drawing No. 0016 Rev F	29 June 2023
Flood Impact Assessment Stormwater Management Plan	Allan & Dennis Report Reference J22091 Version R1v3	29 July 2023
Response to Further Advice	Allan & Dennis Reference J22091_Lt01	7 September 2023
Preliminary Sewer Design Overall Sewer Layout	Sewer Report, Engineers Plus Drawing No. 5614 – L 1001, Revision B	5 March 2023
Preliminary Sewer Design Sewer Layout Plan - North	Sewer Report, Engineers Plus, Drawing No. 5614 – L 1002, Revision B	5 March 2023
Preliminary Sewer Design Sewer Layout Plan - South	Sewer Report, Engineers Plus, Drawing No. 5614 – L 1003, Revision B	5 March 2023
Limestone Creek Road – Large Lot Residential Preliminary Sewer Design	Sewer Report, Engineers Plus, Drawing No. 5614 – L 3002, Revision C	19 April 2023
Water Report	Engineers Plus Job 22421 Rev 4	26 July 2023
Bushfire Hazard Report (not approved for Lots 1101-1107)	Urban Catalyst 3 Reference 21-066	15 November 2022

- 37.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 37.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of a Development Application for Operational Works.

38.0 STAGED DEVELOPMENT

-
- 38.1 This approval is for a development to be undertaken in eleven (11) discrete stages, with sub-staging namely:
- 38.1.1 Limestone Creek Road Access, Adelaide Park Road (Water main upgrade) & Stage 1 (39 sites) and clubhouse/facilities;
 - 38.1.2 Stage 2 (35 sites);
 - 38.1.3 Stage 3 (38 sites);
 - 38.1.4 Stage 4 (35 sites);
 - 38.1.5 Stage 5 (43 sites);
 - 38.1.6 Stage 6 (29 sites);
 - 38.1.7 Stage 7 (35 sites);
 - 38.1.8 Stage 8 (29 sites);
 - 38.1.9 Stage 9 (40 sites);
 - 38.1.10 Stage 10 (43 sites);
 - 38.1.11 Stage 11 (20 sites).
- Stage 1 including the Limestone Creek Road Access must be completed prior to any other Stage. All other Stages are not required to be undertaken in any chronological order in accordance with condition 37.1.
- 38.2 Development Infrastructure must be provided by the developer in a coordinated and planned manner, having regard to the overall catchment and staging of the development in a logical and orderly sequence to facilitate ease of extension and integration of infrastructure during future stages.
- 38.3 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.
- 39.0 ROAD WORKS
- 39.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works on the site.
- 39.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 37.1), *Capricorn Municipal Development Guidelines*, relevant *Australian Standards* and the provisions of a Development Permit for Operational Works (road works).
- 39.3 Street and public space lighting must be provided in accordance with *Australian Standard AS1158 "Lighting for Roads and Public Spaces"*, and road, street and public space lighting policy and procedures.
- 39.4 Traffic signs and pavement markings including any alterations must be provided in accordance with the *Manual of Uniform Traffic Control Devices (Queensland)*.
- 39.5 If the applicant elects to provide part or all of the trunk infrastructure in Condition 57.2, as part of an Operational Works application (road works) the following information must be provided to support the detailed design:
- 39.5.1 Details of upgrading Limestone Creek Road between the proposed access point to the relocatable home park and the intersection with Adelaide Park Road must be provided, in conjunction with Stage 1 of the relocatable home park development.
 - 39.5.2 Details of upgrading of Limestone Creek Road between the proposed access point to the relocatable home park and the intersection with Neils Road must be provided, in conjunction with Stage 7 of the relocatable home park development, or earlier stage if it is deemed appropriate by the applicant's Registered Professional Engineer of Queensland.
-

39.5.3 Consultation with Translink must be conducted to determine the necessity of providing bus stop(s) to support the proposed development. Locations and details of the bus stop(s) must be provided if it is deemed necessary as per advices from Translink.

39.5.4 Details of the access from Limestone Creek Road to the proposed relocatable home park must be provided, in conjunction with Stage 1 of the relocatable home park development. The design of the access must be consistent with the design criteria of "Minor Urban Collector" in accordance with *Capricorn Municipal Development Guidelines*. The design of this access must include all relevant intersection sight distance details in accordance with *Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections*.

Note: This minor urban collector is not a trunk item as it is not consistent with the assumption of Local Government Infrastructure Plan Item T-38 under Table SC3.2.4 – Transport Network Schedule of Works.

39.5.5 Any design of the upgrading must be supported with a Traffic Impact Assessment Report making reference to the latest traffic data and predicted traffic from the relocatable home park.

40.0 ACCESS AND PARKING WORKS

40.1 A Development Permit for Operational Works (access and parking works) must be obtained prior to the commencement of any access and parking works on the site.

40.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 37.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 "Off Street Car Parking"* and the provisions of a Development Permit for Operational Works (access works).

40.3 All ingress and egress movements to and from the development must be in forward direction.

40.4 A minimum of one (1) covered parking space must be provided per dwelling, with an additional one-hundred (100) parking spaces (one per four dwellings) provided for visitors.

40.5 Accessible spaces must be provided in accordance with *Australian Standard AS 2890.6. 2009 "Off-Street parking for people with disabilities"*.

40.6 All vehicle operations associated with the proposed use must be directed by suitable directional, informative, regulatory or warning signs in accordance with *"Manual of Uniform Traffic Control Devices"*.

40.7 All internal access road and parking spaces must be sealed, with turning templates provided as part of the application for Operational Works (access and parking works).

40.8 Stormwater runoff from vehicular manoeuvring areas including from internal access way, must be discharged lawfully.

40.9 The internal access must be of a suitable width to enable fire services to access water safely, effectively and efficiently.

41.0 SEWERAGE WORKS

41.1 A Development Permit for Operational Works (sewerage works) must be obtained prior to the commencement of any sewerage works on the site.

41.2 As part of an Operational Works application (Sewerage works), submit to Council for approval, a Sewerage Network Plan with an updated Sewerage Network Analysis, detailing the proposed sewerage networks from the subject site to Yeppoon Sewerage Treatment Plant.

Note: The proposed sewerage networks shall be designed to support the proposed development only and is not a trunk infrastructure item.

-
- 41.3 All works must be designed and constructed in accordance with the approved plans (refer to condition 37.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (sewerage works).
- 41.4 The proposed development must be connected to Council's sewerage service.
- 41.5 Any sewerage access chambers located below the peak water level of the ten percent (10%) Annual Exceedance Probability rainfall event or below Highest Astronomical Tide (HAT) level must be provided with covers and bolt down lids.
- 41.6 Easements must be provided over all sewerage infrastructure located within private property. The easement location(s) must be in accordance with the requirements of the Capricorn Municipal Development Guidelines.
- 42.0 WATER WORKS
- 42.1 A Development Permit for Operational Works (water works) must be obtained prior to the commencement of any water works on the site.
- 42.2 If the applicant elects to provide part or all of the trunk infrastructure in Condition 57.2, as part of an Operational Works application (Water works), submit to Council for approval, a Water Network Plan with an updated Water Network Analysis, demonstrating the following:
- 42.2.1 Provide details of the upgrading of the water main along Adelaide Park Road, in general in accordance with the recommendations under Section 4 of the approved Water Supply Report Revision 4 (Job Number 22421) prepared by Engineers Plus.
- 42.3 All works must be designed and constructed in accordance with the approved plans (refer to condition 37.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (water works).
- 42.4 The proposed development must connected to Councils reticulated water supply.
- 42.5 The proposed development must be serviced with a master meter at the property boundary.
- 42.6 The development must be connected to suitably designed system for domestic and firefighting purposes at the issue of building approvals.
- 42.7 Fire hydrants must be installed internal to the site and must be:
- 42.7.1 maintained by the owner of the property; and
- 42.7.2 suitably identified.
- 43.0 STORMWATER WORKS
- 43.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the site.
- 43.2 All stormwater drainage works must be designed and constructed in accordance with the approved plans (refer to condition 37.1), *Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines*, sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).
- 43.3 Any existing cross drainage structures on Limestone Creek Road must be upgraded where necessary to achieve immunity in accordance with QUDM and CMDG D1 Annexure D01E.
- 43.4 Drainage easement(s) must be dedicated in favour of Council over all major overland flow paths (land inundated by Defined Flood Event) and major drainage systems to provide drainage corridors suitable for the conveyance of peak stormwater flows through the subject land during the Defined Flood Event.
-

-
- 43.5 Any drainage easements dedicated over the major overland flow paths or major drainage system must be able to contain all earthworks, batters and include freeboard and access and maintenance provisions consistent with the Queensland Urban Drainage Manual.
- 43.6 As part of an Operational Works application (stormwater works), provide a revised Stormwater Management Plan that minimises the number of bio-retention basins as far as practicable.
- 43.7 All ongoing maintenance and management actions necessary for any proposed stormwater quality management devices must be carried out by suitably qualified person(s) in a timely manner. A completed log book must be maintained and must be available on-site for inspection by Council and/or relevant authorities.
- 44.0 EARTHWORKS
- 44.1 A Development Permit for Operational Works (earthworks) must be obtained prior to the commencement of any site works.
- 44.2 All earthworks must be designed and constructed / undertaken generally in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 44.3 Earthworks, must be undertaken such that stormwater runoff is managed and discharged lawfully and must not adversely affect the adjoining properties compared to pre-development conditions or damage infrastructure.
- 44.4 Any application for a Development Permit for Operational Works (Earth works) must be accompanied by an earthworks' plan certified by a registered (RPEQ) Engineer which clearly identifies the following:
- 44.4.1 the location and quantum of cut and/or fill;
 - 44.4.2 the type of fill and finished cut and/or fill levels;
 - 44.4.3 Retaining Structures (if any); and
 - 44.4.4 Surface and sub-surface drainage controls.
- 44.5 Lot and embankment filling must be carried out to comply with Level 1 certification requirements in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*, to confirm as "controlled fill" upon completion.
- 44.6 Earthworks must be approved at detailed design submission stage and certified on completion of construction for compliance with the design by a suitably qualified Registered Professional Engineer of Queensland.
- 44.7 Any retaining structures above one (1) metre in height must:
- (i) be separately approved for structural adequacy by a Registered Professional Engineer of Queensland at design submission, and certified on completion of construction for compliance with the design;
 - (ii) have a detailed inspection and 'as constructed' record provided to Council by a Registered Professional Engineer of Queensland, prior to acceptance of the works, including certification that the wall's foundation ground conditions nominated in the design were inspected and achieved during construction; and
 - (iii) not be modified or altered without Council's prior written approval.
- 44.8 If preliminary testing indicates that acid sulphate soils are present in the areas to be excavated / proposed fill area, a more detailed acid sulphate soil investigation must be completed, and an appropriate management plan certified by a suitably qualified person in accordance with *State Planning Policy, Planning Scheme, Queensland Acid Sulphate Soil Technical Manual, and best industry practices with regards to Planning and Managing Development Involving Acid Sulphate Soils must be*
-

submitted to Council, as part of any application for a Development Permit for Operational Works (site works).

- 44.9 Vegetation must not be cleared unless and until written approval has been provided by Council. A Development Permit for Operational Works constitutes written approval, only for the purposes of clearing vegetation directly pertinent to the operational works which are the subject of the Development Permit.

- 44.10 Any vegetation cleared or removed must be:

- (i) mulched on-site and utilised on-site for landscaping purposes, in accordance a landscaping plan approved by Council; or
- (ii) removed for disposal at a location approved by Council;

within sixty (60) days of clearing. Any vegetation removed must not be burnt.

- 44.11 Large trees must not be planted within one (1) metre of the centreline of any sewerage infrastructure. Small shrubs and groundcover are acceptable.

45.0 BUILDING WORKS

- 45.1 A Development Permit for Building Works must be obtained prior to the commencement of any building works on the site.

- 45.2 Building height must not exceed 8.5 metres above ground level.

- 45.3 The dwellings must be designed, constructed and certified to satisfy the performance requirements for bushfire ignition risk under the *National Construction Code Building Code of Australia (Volume 2)*.

- 45.4 All roof and allotment drainage must be discharged lawfully.

- 45.5 The Dwelling house must be demolished as part of Stage one.

46.0 PLUMBING AND DRAINAGE WORKS

- 46.1 A Development Permit for Plumbing and Drainage Works must be obtained prior to the commencement of any plumbing or drainage works on the site.

- 46.2 All internal plumbing and sanitary drainage works must be in accordance with the approved plans (refer condition 37.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act*, regulated work under the *Plumbing and Drainage Act*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.

- 46.3 Each dwelling must be connected to Council's reticulated water and sewer network.

47.0 ELECTRICITY AND TELECOMMUNICATIONS

- 47.1 Electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.

48.0 ASSET MANAGEMENT

- 48.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.

- 48.2 Any damage to existing kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.

- 48.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the issue of the Compliance Certificate for the Survey Plan. This

information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.

49.0 ENVIRONMENTAL

49.1 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan certified by a Certified Professional in Erosion and Sediment Control (CPESC) or suitably qualified Registered Professional Engineer of Queensland.

49.2 The plan must demonstrate how the Construction-Phase stormwater management design objectives of the State Planning Policy (Appendix 2 Table A) will be achieved and also addresses the following, but is not limited to;

49.2.1 The plan must address the following, but is not limited to;

- (i) top soil management;
- (ii) dust suppression;
- (iii) erosion susceptibility and risk;
- (iv) vegetation;
- (v) interim drainage control during construction;
- (vi) acid sulphate soils (if applicable); and
- (vii) Implementation and maintenance procedures during construction and post construction phases of work.

49.2.2 The Erosion Control and Stormwater Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The prepared Erosion Control and Stormwater Control Management Plan must be available on-site for inspection by Council Officers during those works.

50.0 VEGETATION CLEARING

50.1 A Development Permit for Operational Works (clearing works) must be obtained prior to the commencement of any clearing works on the site.

50.2 Retained trees must be protected from impacts of adjacent clearing or earthworks through use of exclusion fencing or protective barriers as per Australian Standard 4970 – 2009 Protection of Trees on Development Sites.

50.3 A plan indicating the staged clearing of the site must be provided with any application for a Development Permit for Operational Works.

50.4 All trees cleared must be felled away from adjoining vegetation.

50.5 Vegetative materials cleared from the site must not be placed near or within vegetation adjacent to the site, other than strategic placement of fauna habitat if required.

50.6 Development does not cause land degradation near a waterway or wetland, including:

- a. mass movement, gully erosion, rill erosion, sheet erosion, tunnel erosion, stream bank erosion, wind erosion, or scalding; and
- b. loss or modification of chemical, physical or biological properties or functions of soil.

51.0 FAUNA MANAGEMENT AND HABITAT

51.1 A Local Wildlife Management Plan must be submitted to Council as part of an application for Operational Works (Clearing). The Plan must include, but not be limited to, the following information:

- (i) The potential direct and indirect impacts of both the construction and operation phase of the proposed development to the wildlife wellbeing/colony/roost/ breeding place;
- (ii) How this is to be monitored, evaluated and reported; and
- (iii) The mitigation options which will be utilized to minimize the potential impacts on the wildlife and their habitat.

52.0 BUSHFIRE

52.1 An easement and practical vehicle access to Limestone Creek Road in the location of the main thoroughfare shown on the approved plans must be provided. This will secure evacuation to Limestone Creek Road in the event that the access to Condon Drive is unsafe.

52.2 The development must be undertaken in accordance with the recommendations in the approved Bushfire Management Plan.

53.0 LANDSCAPING WORKS

53.1 A landscaping and rehabilitation planting plan must be prepared and submitted to Council as part of an application for Operational Works and must document the "Extent of Works" which includes, but is not limited to:

- (i) location and name of existing trees, including those to be retained (the location of the trees shall be overlaid or be easily compared with the proposed development design);
- (ii) the extent of soft and hard landscape proposed;
- (iii) important spot levels and/or contours. The levels of the trees to be retained shall be provided in relation to the finished levels of the proposed buildings and works;
- (iv) for vehicle parking areas, the planting of vegetation involves species that have clear trunks up to a height of two (2) metres or that have low ground covers less than one (1) metre in height;
- (v) underground and overhead services;
- (vi) typical details of critical design elements (stabilisation of batters, retaining walls, trees in car park areas, fences);
- (vii) details of landscape structures including areas of deep planting; and
- (viii) specification notes on mulching and soil preparation;
- (ix) details of species to be used in the bio-basins (stormwater);
- (x) trees, shrubs and groundcovers to all areas to be landscaped;
- (xi) position and canopy spread of all trees and shrubs;
- (xii) the extent and type of works (inclusive but not limited to paving, fences and garden bed edging). All plants shall be located within an edged garden; and
- (xiii) a plant schedule with the botanic and common names, total plant numbers and pot sizes at the time of planting.

53.2 The landscaping on the site and in the buffer area, must include the:

- (i) Use of locally endemic flora species, with a focus on those species that flower prolifically to promote habitat amenity and foraging opportunities for resident fauna; and
 - (ii) Use of endemic columnar and / or fastigate form trees will allow for screening amenity.
- 53.3 The planting plan must consider the approved Bushfire Hazard Assessment and Bushfire Management Plan when nominating species.
- 53.4 Landscaping, or any part thereof, upon reaching full maturity, must not:
 - (i) obstruct sight visibility zones as defined in the *Austroads 'Guide to Traffic Engineering Practice'* series of publications;
 - (ii) adversely affect any road lighting or public space lighting; or
 - (iii) adversely affect any Council infrastructure, or public utility plant.
- 53.5 Landscaping must not increase the exposure of a habitable building not located in a building protection zone to a bushfire hazard.
- 54.0 ENVIRONMENTAL HEALTH
- 54.1 Follow the recommendations of the acoustic report.
- 54.2 Where necessary air conditioning units are to be provided with acoustic screening to meet the standards set out in the *Environmental Protection Regulation 2019*.
- 54.3 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the site and shielded so as not to cause glare or other nuisance to nearby residents and motorists. Night lighting must be designed, constructed and operated in accordance with '*Australian Standard AS4282 – Control of the obtrusive effects of outdoor lighting*'.
- 55.0 OPERATING PROCEDURES
- 55.1 The occupancy of any lot and/ or home within the approved Relocatable Home Park must not occur to a person or related person under the age of 55, unless otherwise approved by Council.
- 55.2 The management and operation of the Relocatable Home Park must ensure the easement for the purpose of vehicle access and Bushfire Evacuation Route of Proposed Lot 1 under PART A – Reconfiguration of a Lot (1 into 2 Lots) is free of obstruction for access in the event of a bushfire event that prevents safe access to Condon Drive.
- 55.3 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. All construction materials and waste must be secured and not allowed to be washed or blown by the wind off-site.
- 55.4 At all times machinery and contractor's vehicles must be parked so as to not unreasonably obstruct the road pavement, road verges/footpaths or any neighbouring property accesses.
- 55.5 Outdoor lighting must be designed, installed and maintained in accordance with the parameters and requirements of the current version of the *Australian Standard AS4282 - Control of the obtrusive effects of outdoor lighting*.
- 55.6 Undertake the activity in a manner that does not allow environmental nuisance or water contamination caused by construction material, noise, aerosols, particles dust, ash, fumes, light, odour and smoke, which must not go beyond the boundaries of the property during all stages of the development including earthworks, construction and operation as stated in the *Environmental Protection Act 1994* and subordinate legislation.

-
- 55.7 Each site of the relocatable home park must be clearly defined and include numbering.
- 55.8 A waste management plan must be provided prior to the commencement of the use to determine how waste will be stored prior to collection, and how waste will be collected from the site and collection frequency. The plan must include but not limited to amount of waste generated from the development, bin types, number of bins, a concept drawing of bin collection location and bin wash down facilities/area.
- 55.9 The plan must be provided showing how all vehicles enter and exit the site in a forward gear. In particular how the garbage truck can enter and exit the site in a forward manner. This must also demonstrate that enough overhead clearance (if applicable) is available to empty refuse bin/s.
- 55.10 The development must be provided with a refuse container and container storage area that:
- (i) is screened from view from a public place by a solid screen fence, wall or dense vegetation having a minimum height of 1.5 metres;
 - (ii) is large enough to accommodate at least one (1) standard issue sized rubbish bin per dwelling.
- 55.11 Other than for controlled and well-lit emergency exits, the development must have a clearly identifiable and well-lit entry and exit point which:
- (i) front a road, public place, or communal place; or
 - (ii) are in clear unobstructed view of a road, public place, or communal place; or
 - (iii) front a well-defined, unobstructed and appropriately lit pathway which connects to a road, public place, or communal place.
- 56.0 TRANSPORT AND WATER NETWORK INFRASTRUCTURE (EXTRA PAYMENT CONDITION)
- 56.1 This is an extra payment condition, which is imposed under sections 130 and 133 of the *Planning Act 2016*, and in accordance with section 131 of the *Planning Act 2016* states the following:
- 56.1.1 This extra payment condition for the extra trunk infrastructure costs stated in Condition 56.2 is imposed on the basis of the following:
- 56.1.1.1 The development is for premises completely outside the Priority Infrastructure Area;
 - 56.1.1.2 The development will require new trunk infrastructure earlier than when identified in the Local Government Infrastructure Plan; and
 - 56.1.1.3 The development would impose extra trunk infrastructure costs on Council after taking into account the levied charges for the development and the trunk infrastructure provided, or to be provided, by the applicant under this part for the following:
 - 56.1.1.4 The establishment cost of trunk infrastructure that is:
 - 56.1.1.4.1 Made necessary by the development; and
 - 56.1.1.4.2 Necessary to service an area intended for future development for purposes other than rural or rural residential purposes - necessary to service the rest of the area.
- 56.2 The applicant must pay to Council the amount of trunk infrastructure costs stated in Table 1 (Extra Trunk Infrastructure Costs) for the establishment cost of the infrastructure:
-

Table 1. Extra Trunk Infrastructure Costs

Column 1 Item	Column 2 Infrastructure	Column 3 Establishment Cost	Column 4 Amount of Payment
Transport Network			
1	T-39 (part) - Limestone Creek Road 2700 - 1800	\$2,250,041 including consultant (10%) and approvals	\$2,250,041 including consultant (10%) and approvals
2	T-39 (part) - Limestone Creek Road 1800 - 0		
Water Network			
3	Adelaide Park Road water main upgrade	\$732,600 plus Operational works approval costs	\$732,600

56.3 The amount of the payment to be made under this extra payment condition which is stated in Condition 56.2 is to be increased in accordance with the increase for the PPI index for the period starting the day the decision notice is given and ending on the day the relevant amount is paid, adjusted by reference to the 3-yearly PPI index average;

56.4 The details of the trunk infrastructure for which the payment is required is stated in Condition 56.2 and Appendix 1;

56.5 The payment is to be made for the trunk infrastructure stated in Condition 56.2 before the day of development, or the work associated with the development starts, unless otherwise agreed in an infrastructure agreement;

56.6 The applicant may instead of making the payment for the establishment cost for the trunk infrastructure stated in Condition 56.2, elect to provide all or part of the infrastructure stated in Condition 56.2; and

56.7 If the applicant elects to provide part or all of the trunk infrastructure stated in Condition 56.2, the applicant must provide the trunk infrastructure:

56.7.1 In accordance with the requirements for providing the trunk infrastructure stated in Appendix 1;

56.7.2 For infrastructure identified as Items 1, 2 and 3 in Table 1, before the start of the first change of use for PART D - Material Change of Use (Stage 1).

Appendix 1: Details and Construction Requirements of Trunk Infrastructure Items

Infrastructure Item	Details
1. T-39 (part) - Limestone Creek Road 2700 - 1800	<p><u>The design and construction works requirements accord with the following:</u></p> <ol style="list-style-type: none"> 1. All relevant conditions under PART D – MCU; 2. Capricorn Municipal Development Guidelines; and 3. Relevant Australian Standards.
2. T-39 (part) - Limestone Creek Road 1800 - 0	

3. Adelaide Park Road (Water Main Upgrade)	<p><u>The design and construction works requirements accord with the following:</u></p> <ol style="list-style-type: none"> 1. All relevant conditions under PART D – MCU; 2. Capricorn Municipal Development Guidelines; 3. Water Supply (Safety and Reliability) Act; and 4. Plumbing and Drainage Act.
--	---

ADVISORY NOTES

NOTE 1. Stormwater Works - Section 4 Fig Tree Creek Erosion Mitigation Works

Council is undertaking Fig Tree Creek Erosion Management Study and Couduroy Creek Reinstatement Works Design. By the time of issuing the Decision Notice, this project is in progress. Based on Council's preliminary design, Section 4 of the project will impact the stormwater management of the subject development. Council invites the applicant to contact Council for the latest and detailed information of this project before lodging the Operational Works Permit (Stormwater Works). The Stormwater Management Report shall be updated by considering this project when lodging the application of Operational Works Permit (Stormwater Works) in associate with this application.

NOTE 2. Aboriginal Cultural Heritage

It is advised that under Section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal Cultural Heritage legislation. The information on Aboriginal Cultural Heritage is available on the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander and Multicultural Affairs website <https://www.dsdsatsip.qld.gov.au/>

NOTE 3. General Environmental Duty

Undertake the activity in a manner that does not allow environmental nuisance or water contamination caused by construction material, noise, aerosols, particles dust, ash, fumes, light, odour and smoke, which must not go beyond the boundaries of the property during all stages of the development including earthworks, construction and operation as stated in the *Environmental Protection Act 1994* and subordinate legislation.

NOTE 4. General Safety of Public During Construction

The *Workplace Health and Safety Act* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being constructed on a road.

NOTE 5. Water Services

In accordance with the *Water Supply (Safety & Reliability) Act 2008*, it is an offence to interfere with a service provider's infrastructure. Livingstone Shire Council is the service provider and Infrastructure is the department responsible for water services. Alterations to existing services consequential to necessary connections to existing water infrastructure must be at the responsibility and cost of the Developer. Please contact Infrastructure for further information. Negotiation with other service authorities such as Telstra and Ergon may also be required to adequately affect these connections.

NOTE 6. Licensable Activities

Should an activity licensable by Livingstone Shire Council be proposed for the premises, Council's Environmental Health Unit must be consulted to determine whether any approvals are required. Such activities may include food business licensing or devolved Environmental Relevant Activity. Approval for such activities is required before 'fit out' and operation.

NOTE 7. ENVIRONMENTAL MANAGEMENT PLAN

An Environmental Management Plan (EMP) covering Erosion and Sediment Controls, noise and dust mitigation, waste management, hours of operation, will be requested to be submitted during the Operational Works stage; for approval by Council prior to commencement of Operational Works.

ENVIRONMENTAL

NOTE 8. The land subject to the above development application must be free of declared pest plants; as declared at the date of development application in *Local Law No. 3 (Community & Environmental Management) 2011* and Schedule 1 of *Subordinate Local Law 3 (Community & Environmental Management) 2011*; and restricted invasive species in the *Biosecurity Act 2014* or as amended; to the satisfaction of Council's Pest Management Officer, prior to the commencement of any site works. Council will supply a free inspection and advice service on the request of the land owner.

NOTE 9. It is advised that part of the subject site is mapped by the Department of Natural Resources, Mines and Energy as containing Least Concern Remnant Vegetation. The *Vegetation Management Act 1999* has requirements with regard to the clearing of vegetation. Information on Vegetation Management is available at: <https://www.qld.gov.au/environment/land/vegetation/management/>

NOTE 10. It is advised that part of the subject site is mapped by the Department of Environment and Science as a high priority area for protected plants, which is administered under the *Nature Conservation Act 1992*. Further advice regarding protected plants can be sought from the Department of Environment and Science.

NOTE 11. Infrastructure Charges Notice

This application is subject to infrastructure charges in accordance with Council policies. The charges are presented on an Infrastructure Charges Notice which has been supplied with this decision notice.

RECOMMENDATION D

That in relation to the application for a Preliminary Approval (variation request) to vary the effect of the Local Planning Instrument (*Livingstone Planning Scheme 2018*), Development Permit for a Material Change of Use for a Relocatable home park (391 sites), Reconfiguring a Lot (one lot into two lots and access and drainage easements) and (one lot into 132 lots), made by Limestone Creek Road Developments Pty Ltd, on Lot 5 RP 614856, and located at 73 Limestone Creek Road, Inverness, Council resolves to issue an Infrastructure Charges Notice for the amount of **\$11,044,250**.

COMMENTARY

PROPOSAL

The application seeks the following approvals over the subject lot:

- Preliminary Approval (variation request) to vary the effect of the Local Planning Instrument (*Livingstone Planning Scheme 2018*, Version 3);
- Development Permit for Reconfiguring a Lot (one lot into two lots and access easements) and (one lot into 132 lots); and

- Development Permit for Material Change of Use for Relocatable home park (391 sites).

Material Change of Use (Variation Request):

The proposed variation request seeks to:

- Apply the relevant assessment benchmarks, Categories of Development and Assessment consistent with the Low Density Residential Zone for the Lot 1 (subdivided site) only; and
- The variation request does not seek to undertake changes to the assessment benchmarks of the Livingstone Planning Scheme 2018.

Development Permit for Reconfiguring a Lot (one lot into two lots and access easements) and (one lot into 132 lots)

The proposal is for two stages. The first stage will be to subdivide the land into two lots. Proposed Lot 1 is 24.12 hectares and contains an easement for water and access to Limestone Creek Road for the purpose of bushfire evacuation route and access for Lot 1 in the interim until Condon Drive is constructed as part of the larger subdivision development. Proposed Lot 2 is 31.25 hectares and contains easements for drainage and access for Lot 1.

The second stage of the development is for a residential subdivision within Proposed Lot 1 and a Relocatable home park within Proposed Lot 2. The residential subdivision proposes 132 urban residential lots ranging from 1,001 square metres up to 5,789 square metres in area. The subdivision will be accessed via Condon Drive, which will need to be constructed as part of the first stage of the development.

Development Permit for Material Change of Use for Relocatable home park (391 sites).

The proposal seeks a Material Change of Use for Relocatable home park (391 sites) over Proposed Lot 2. The proposed 391 units will be constructed across five (5) housing types with either two or three bedrooms as follows:

Unit Type	Total	Percentage of Total
Type 2B	151	39%
Type A – 3B	92	23%
Type B – 3B	6	2%
Type RV – 2B	95	24%
Type RV – 3B	47	12%

The proposed relocatable home park units will be subject to an indicative building envelope, with relevant parameters identified below:

Unit Type	Development Area	Setbacks	Height
Type 2B	Unit – 105m ² Garage – 35.6m ² Alfresco – 19.1m ²	Rear – 2m Side – 0m to 1m Front – 2m	4.3m to roof garage
Type A – 3B	Unit – 124.8m ² Garage – 38.4m ² Alfresco – 20.9m ²	Rear – 2m Side – 0m to 1m Front – 2m	4.3m to roof garage

Type B – 3B	Unit – 137m ² Garage – 33.9m ² Alfresco – 11.7m ²	Rear – 2m Side – 0m to 2m Front – 2m	4.3m to roof garage
Type A – RV 2B	Unit – 116.2m ² Garage – 74.3m ² Alfresco – 26.9m ²	Rear – 2m Side – 0m to 1m Front – 2m	4.3m to roof garage
Type B – RV 2B	Unit – 118.5m ² Garage – 79.5m ² Alfresco – 18.2m ²	Rear – 2m Side – 0m to 1m Front – 2m	4.3m to roof garage
Type A – RV 3B	Unit – 122.4m ² Garage – 81.7m ² Alfresco – 25.1m ²	Rear – 2m Side – 0m to 1m Front – 2m	4.3m to roof garage
Type B – RV 3B	Unit – 131.1m ² Garage – 76.3m ² Alfresco – 18.7m ²	Rear – 2m Side – 0m to 1m Front – 2m	4.3m to roof garage

The development also includes a variety of community facilities to support the relocatable home park dwellings, including a clubhouse, pool, bar, and bowling green is also proposed. Each unit is to include an individual garage for parking, with dedicated parking available for the clubhouse, with 36 parking spaces including 2 PWD (Persons with Disabilities).

The Relocatable home park will be gated off Limestone Creek Road and towards proposed Lot 1 (future residential subdivision) except for providing a bushfire evacuation route and access for Lot 1 in the interim until Condon Drive is constructed as part of the larger subdivision development.

Change to the application

The application originally was only over Lot 5 on RP614856, however in response to the information request, Lots 3 to 5 on RP614856 to the west of the original site, were added to the development application to address stormwater items. The change met the requirements under section 26.1 of the *Development Assessment Rules*, and as a result, the development assessment process does not stop and section 26 of the *Development Assessment Rules* is relevant to the development assessment process.

SITE AND LOCALITY

The subject site is 55.38 hectares in area. The site has a gradual slope north-south from fifty five metres Australian Height Datum to thirty five metres Australian Height Datum. The land is currently purposed for rural land uses including cattle grazing and includes a cattle yard and unsealed airstrip which traverses through the centre of the site. The site is characterised with sporadic native trees over the northern sections and is densely vegetated to the south-eastern corner and along the rail trail corridor.

The site adjoins St Brendan's school to the northeast, vacant and vegetated rural land to the east, the rail trail corridor to the south and large vacant rural lots to the west (currently used for cattle grazing).

The site has frontage to Limestone Creek Road to the north and the unformed road reserve of Condon Drive to the east.

The locality is characterised by predominately residential uses, a school, rural land (grazing) and rural residential sized lots to the north of Limestone Creek Road.

ASSESSMENT INCLUDING BENCHMARKS AND RELEVANT MATTERS

This application has been assessed by relevant Council planning, engineering, environmental health, natural resource management and other technical officers as required. The assessment has been undertaken in accordance with Chapter 3 of the *Planning Act*

2016, Part 4 of the *Planning Regulation 2017* and the Development Assessment Rules under the *Planning Act 2016*.

The assessment has been carried out against the assessment benchmarks in the relevant categorising instrument/s for the development and having regard to the State Planning Policy, any development approval for and any lawful use of the premises or adjoining premises, and the common material. The assessment also had regard to other relevant matters (other than a person's personal circumstances, financial or otherwise) discussed further in this report.

Benchmarks applying for the development	Benchmark reference
Strategic Framework Rural zone code Reconfiguring a lot code Development works code Bushfire hazard overlay code Biodiversity overlay code	<i>Livingstone Planning Scheme 2018</i> , Version 3 in effect 15 February 2021
Chapter 4 – Regional outcomes and policies	<i>Central Queensland Regional Plan</i> , October 2013
Part E: State interest policies and assessment benchmarks	<i>State Planning Policy</i> , July 2017
Relevant matters considered	
Any development approval for, and any lawful use of, the premises or adjacent premises	The relevance of existing approvals on the subject site and adjoining properties in respect of the land use pattern and commensurate development
The common material submitted with the application	In respect of the reports provided in the material including proposal plans and supporting information
Submissions provided on the application	In respect of relevant matters raised in submissions.
The Local Government Infrastructure Plan	In respect of trunk infrastructure provisions and charging for development.
Low density residential zone	<i>Livingstone Planning Scheme 2018</i> , Version 3 in effect 15 February 2021 In respect of the future proposed use of the proposed lots.
Residential Needs Assessment report	In respect of the need for the proposed development.
Other relevant matters considered:	
<p>The following other relevant matters were considered when addressing the assessment benchmarks and relevant matters as listed above:</p> <ul style="list-style-type: none"> whether an approval of the Proposed Development would prejudice existing zoned urban development, within the priority infrastructure area and if it may be consistent with urban expansion beyond the scope of the strategic framework; whether the layout, amenity, and servicing arrangements (including traffic, water, sewer 	

and stormwater) of the Proposed Development support its approval;

- whether the reasonable expectations of the community were being adhered to.

Internal advice and assessment

Development Engineering – 23 October 2023

Support subject to conditions relating to access, road works, water works, sewerage works, landscaping and stormwater works.

Natural Resource Management – 3 November 2023

Support, subject to conditions

Environmental Health – 2 August 2023

Support, subject to conditions relating to noise, lighting, general environmental duty and the requirement for Environmental Management Plans to be prepared at Operational works stage.

Growth Management – 7 November 2023

Provided comments regarding Strategic Framework and Zoning in the context of the subject lots.

External referral

The application was referred to the State Development, Infrastructure, Local Government and Planning as a concurrence agency given the site is identified as containing regulated vegetation and due to the number of proposed lots and relocatable homes requiring referral due to state transport infrastructure in accordance with Schedule 10 of the *Planning Regulation 2017*. The Department assessed the application and requested further information on 5 January 2023 in relation to traffic. Following a response to the information request, the Department provided conditions on 9 August 2023.

Information request

An information request was issued by council on 10 January 2023 which included (but was not limited to) the following;

- The proposed use and adjoining rural zoned land
- Access for the Reconfiguring a Lot in terms of bushfire
- Biodiversity and bushfire
- Needs report to identify need for the proposed use in this location
- Infrastructure – stormwater, traffic, water and sewer

The applicant provided a response (in full) on 14 March 2018.

Further advice

Council issued further advice to the applicant on 7 June 2023 pertaining to:

- Traffic and access;
- Water supply; and
- Sewerage;

The applicant responded to the further advice on 2 August 2023 by providing an amended (updated) Traffic Impact Assessment and plans for Condon Drive, an updated water supply report and updated sewerage supply report.

Council issued a second further advice letter to the applicant on 1 September 2023 pertaining to:

- Earthworks;
- Stormwater;
- Traffic and access;
- Sewerage;
- Building location envelopes; and
- Refuse collection.

The applicant responded to the further advice on 8 September 2023 by providing an amended (updated) Traffic Impact Assessment and further information.

Council issued a third further advice letter to the applicant on 27 September 2023 pertaining to:

- Traffic impact assessment; and
- Condon drive design

The applicant responded to the further advice on 29 September 2023 by providing a further amended (updated) Traffic Impact Assessment and additional details on the design of Condon Drive.

State Planning Policy – July 2017

The Minister has identified that the *State Planning Policy* (July 2017) is integrated in the planning scheme for the following aspects:

- Guiding principles
- Agriculture
- Development and construction
- Mining and extractive resources
- Tourism
- Emissions and hazardous activities

Part E of the *State Planning Policy* provides for interim development assessment benchmarks for local government until such time as the other aspects of the *State Planning Policy* are reflected in the planning scheme. An assessment of the State interests relevant to the application are detailed below.

Liveable Communities: Not applicable as the proposal is not in an urban area, however the development is urban in nature and the benchmark has been addressed.

Assessment benchmark	Officer response
Development ensures fire hydrants are installed and located to enable fire services to access water safely, effectively and efficiently.	Complies The proposed relocatable home park has been conditioned to install fire hydrants in accordance with the relevant standards.
Road widths, and construction within the development, are adequate for fire emergency vehicles to gain access to a safe working area close to buildings and near water supplies whether or not on-street parking spaces are occupied.	Complies The proposed relocatable home park includes internal road widths consistent with public roads. The road widths are

Fire hydrants are suitably identified so that fire services can locate them at all hours.	Complies The proposed relocatable home park has been conditioned to install fire hydrants in accordance with the relevant standards.
---	--

Environment and Heritage - Water quality: Applicable as the site results in 6 or more dwellings and is for an urban purpose.

Assessment benchmarks	Officer response
Development is located, designed, constructed and operated to avoid or minimise adverse impacts on environmental values arising from: (a) altered stormwater quality and hydrology (b) waste water (c) the creation or expansion of non-tidal artificial waterways (d) the release and mobilisation of nutrients and sediments.	Complies The proposal is designed to avoid altering the natural hydrology and does not result in the creation of non-tidal artificial waterways. Waste water and stormwater will be appropriately managed.
Development achieves the applicable stormwater management design objectives outlined in tables A and B (appendix 2)	Complies A condition has been included for stormwater management to meet the design objectives in tables A and B of Appendix A.
Development in a water supply buffer area avoids adverse impacts on drinking water supply environmental values.	Not applicable The site is not located in a water supply buffer area.

Natural hazards, risk and resilience: Applicable as the site is in the Bushfire prone area and the Flood hazard area – Local Government flood mapping area. While, located on the Flood hazard area, the site is not mapped in the Flood hazard Overlay Map of the *Livingstone Planning Scheme 2018*.

Erosion prone areas within a coastal management district: Not applicable	
Bushfire, flood, landslide, storm tide inundation, and erosion prone areas outside the coastal management district:	
Development other than that assessed against (1) above, avoids natural hazard areas, or where it is not possible to avoid the natural hazard area, development mitigates the risks to people and property to an acceptable or tolerable level.	Complies The proposal mitigates the bushfire hazards through a development that is connected to reticulated water supply, provides suitable buffer to the bushfire hazard and provides alternate opportunities for evacuation.
All natural hazard areas:	
Development supports and does not hinder disaster management response or recovery capacity and capabilities.	Complies The proposal supports disaster management response or recovery capacity and capabilities and provides development that is connected to reticulated water supply and a road network that is suitable for emergency vehicles.
Development directly, indirectly and cumulatively avoids an increase in the severity of the natural hazard and the potential for damage on the site or to other properties.	Complies The proposal does not increase the severity of the natural hazard or the potential for damage to other properties and will be connected to reticulated water supply.
Risks to public safety and the environment from the location of hazardous materials and the release	Complies

of these materials as a result of a natural hazard are avoided.	The proposal is for residential development and does not include the storage, manufacture or release of hazardous materials.
The natural processes and the protective function of landforms and the vegetation that can mitigate risks associated with the natural hazard are maintained or enhanced.	Complies The site does not contain significant protective landforms that would mitigate the risk of bushfire.

Central Queensland Regional Plan

The Minister has identified that the planning scheme, specifically the strategic framework, appropriately advances the *Central Queensland Regional Plan* October 2013, as it applies in the planning scheme area.

It is identified that the land falls within the priority living area, identified in the priority living area maps. The priority living area is designed to provide opportunities for identified towns to expand through the establishment of a town buffer. Currently the area is experiencing rapid growth, mostly in response to employment opportunities associated with the resources sector or its support industries. There has been significant development pressure to increase urban development for the provision of housing.

As identified in the strategic framework strategic outcomes, the Planning Scheme has provided sufficient land supply to accommodate the forecast population and employment growth over the next twenty-five (25) years. However, based on the recent unexpected growth experienced, land that may be zoned is unavailable and is currently not meeting the required demand for housing within the region. The response to the strategic framework addresses this in further detail.

State or Commonwealth Legislation

Planning Act 2016

In accordance with section 61 (2) of the Planning Act 2016, the assessment manager must consider -

- (a) the result of the assessment of that part of the development application that is not the variation request; and*
- (b) the consistency of the variations sought with the rest of the local planning instrument that is sought to be varied; and*
- (c) the effect the variations would have on submission rights for later development applications, particularly considering the amount and detail of information included in, attached to, or given with the application and available to submitters; and*
- (d) any other matter prescribed by regulation.*

The variation request does not seek to vary or change the categories of development nor assessment benchmarks listed in the current *Livingstone Planning Scheme 2018* for the Low density residential zone. The proposal seeks to apply the relevant assessment provisions to the proposed residential lots (over Proposed Lot 2). Therefore, the assessment meets the provisions as detailed in section 61 of the *Planning Act 2016*.

Manufactured Homes (Residential Parks) Act 2003

The *Manufactured Homes (Residential Parks) Act 2003*, is the principle Act that governs manufactured homes (mobile or relocatable home). It is an Act to provide for the positioning and occupancy of manufactured homes in residential parks, and for other purposes. The Act will apply to the subject development as part of the Relocatable Home Park, due to the dwellings being relocatable.

Other relevant matters

Livingstone's 5 Year Housing Demand Analysis Report

Livingstone is currently experiencing an acute residential shortage as outlined in the analysis report. This is causing difficulties in several respects, not the least of which being the loss of potential new residents. Over the next five years there is identified need to build 330 new dwellings per annum. This new housing supply will need to appeal to empty nesters downsizing or retiring, plus people in retirement/age-care facilities and also younger renters. A range of housing products are considered to be needed. Much of this new housing stock will fit between a small apartment in a large complex and the traditional detached home (the 'missing middle' as it is often labelled). The proposal seeks to provide long term accommodation.

Livingstone Planning Scheme 2018

The *Livingstone Planning Scheme 2018, Version 3* (commenced 1 May 2018) is the relevant categorising instrument applicable to the assessment of this application.

Strategic Framework

The strategic framework sets the policy direction for the planning scheme and forms the basis for ensuring appropriate development occurs within the planning scheme area for the life of the planning scheme. The following themes are relevant to the assessment of this application:

- (i) Settlement pattern;
 - a) Rural places
- (ii) Natural environment and hazards;
 - a) Areas of ecological significance;
 - b) Natural hazards and climate change;
- (iii) Community identity and diversity;
 - a) Housing diversity;
 - b) Safe communities;
- (iv) Transportation and movement;
 - a) Road network;
- (v) Infrastructure and services;
 - a) Interregional networks;
 - b) Local area networks;
- (vi) Natural resources and economic development;
 - a) Rural land.

Settlement pattern theme:

Specific Outcome	Assessment response
3.3.1 Strategic outcome	
(1) Urban development occurs on land identified to accommodate the forecast population and employment growth over the next twenty-five (25) years. These identified areas provide sufficient land supply for projected requirements.	The proposed development within the rural zone, which is not identified for accommodating growth. However, it is considered that the subject site, being adjacent to the existing communities in the rural residential zone to the south, as well as contiguous to the emerging community zone to the east, represents a consistency with the surrounding land uses and planning intent. Additionally, this land can be serviced with the urban infrastructure necessary for its integration within the Yeppoon development footprint over time. Therefore, it is considered that the land is generally consistent with the Strategic Outcome.

Specific Outcome	Assessment response
(2) Development makes efficient use of land and existing or planned infrastructure.	The proposed development delivers a significant amount of residential land to accommodate growth in the area. This land can be serviced with the urban infrastructure necessary for its integration within the Yeppoon development footprint over time.
(3) Expansion of settlements for urban activities predominantly avoids known and potential natural hazard areas, or where natural hazard areas cannot be avoided, development is designed to mitigate and be resilient to potential adverse impacts.	The proposed development is impacted by the bushfire hazard overlay, with significant amounts of medium impact bushfire hazard covering much of the southern section of the site. The proposed Relocatable Home Park is not impacted by this hazard. The proposal has demonstrated that it can comply with the Bushfire Hazards Overlay Code and the State Planning Policy 2017. Proposed Lot 1 is partially within the buffer and High Bushfire Hazard Overlay, specifically for Lots 1101-1107 of the subject development. Building envelopes have been conditioned to regulate the location of the future dwelling houses and outside of these envelopes will be restricted by an environmental covenant to be consistent with the recommendations
(4) Expansion of settlements for urban activities avoids nature places. Nature places are protected or enhanced for their biodiversity, ecosystem services and landscape values.	The subject site is not considered to be a nature place, given its historic agricultural use and the significant clearing of natural vegetation. It is noted that biodiversity valued do exist on the subject lots, however, an ecological assessment report was undertaken by the applicant with recommendations for clearing and maintaining local and significant environmental matters onsite. The impact of the clearing, particularly in the southern portion of the site, does not adversely impact the existing biodiversity, ecosystem services or landscape values in accordance with the report and its recommendations. Therefore, the proposal is conditioned to comply with the recommendations of the report.
(5) Population growth is predominantly accommodated within urban and urban infill places, as identified on the strategic framework maps SFM-01 to SFM-04.	The subject site is identified as a rural area identified in SFM-02. The subject lots is surrounded by semi urban zoning, which includes Emerging Community Zoning to the east, Rural Residential Zoning to the south, adjoining the subject development and further residential development to the east represents a consistency with the surrounding land uses and planning intent. The site can serviced with the urban infrastructure necessary for its integration within the Yeppoon development footprint. Therefore, it is considered that the land is generally consistent with the Strategic Outcome.
(6) Employment growth is predominantly accommodated within industrial places, centres, and specific use places as identified on the strategic framework maps SFM-01 to SFM-04.	Not Applicable The proposed development does not promote significant employment growth, only jobs required to operate the proposed relocatable home park for residents over the age of 55.
(7) The settlement pattern provides for a diverse range of housing options to meet the changing needs of the population, and creates opportunities for living close to services and facilities.	The proposed development offers predominantly dwelling houses on individual allotments (including the relocatable home park). The intent of the relocatable home park is to provide for residents of age over 55. This provides for housing choices, particularly in terms of lifestyle and retirement opportunities.
(8) Higher density development is focussed around centres and public transport nodes and high order public transport corridors so as to stimulate strong and vibrant centres and community focal points, and to assist in making more efficient use of infrastructure and other public investment.	Not applicable The proposed development is not high density in nature.

Specific Outcome	Assessment response
(9) Accommodation activities in urban places are well connected to places of employment, sports and recreation facilities, and major community facilities by a developing and planned public transport network.	Given that the subject site is situated adjacent to the urban area of Yeppoon, and some 2.5 km from the Yeppoon CBD, it is considered that the development is well placed to provide housing proximate to employment opportunities, community facilities and public infrastructure in Yeppoon.
(10) The design of development is consistent with the desired built form and character of specific places and the existing or intended role and function of the place in the settlement pattern.	The design of proposed development is considered to be generally consistent with settlement patterns and emerging development in the surrounding locality.
(11) There is a network of centres which provide opportunities to supply goods and services, create employment, and provide for community activities in a safe built environment.	Not Applicable The proposed development does not involve a centre.
(12) Centres develop based on a hierarchy to ensure that their role, function and scale are appropriate in the context of their catchment area and the surrounding setting.	Not Applicable The proposed development does not involve a centre.
(13) Expansion of existing centres into any adjoining residential zones does not occur within the life of the planning scheme.	Not Applicable The proposed development does not involve a centre.
(14) An integrated open space and recreation network is accessible and caters for the needs of the community, particularly at locations in proximity to centres and urban infill and intensification places.	The proposed development utilises the topography of the site to establish open space through stormwater corridors and ridgelines.
(15) Places providing for economic development such as industrial places, specific use places, rural places, known natural resources, and other important features such as major infrastructure and movement networks are protected from incompatible land uses.	Not Applicable The proposed development involves accommodation uses that will provide limited opportunity for economic development.
(16) Opportunities for rural residential living continue on land identified as a rural residential place and in limited opportunities adjacent to the townships of Cawarral, Mt Chalmers, or The Caves where there is a community need.	Not Applicable The subject site is not located in a rural residential area. Due to its location between rural and residential, the proposed subdivision involves many lots that are larger than is typical in low density residential areas. This allows for a more effective transition between the two zones and facilitates a similar standard of living.
(17) Small townships remain a focal point for their surrounding rural places and provide limited opportunities for growth in population, convenience businesses and community facilities.	The proposed development intends to integrate with the greater Yeppoon area rather than support rural activities and proposes significant accommodation for population growth.
(19) Rural places are predominantly used for purposes that contribute to primary production.	The proposed development intends to vary the intent of the planning scheme to deliver a low density residential development within a rural place. However, it is considered that land proximate to the Yeppoon CBD, such as this site, where it can be serviced by urban infrastructure, and is appropriate to transition to an urban form rather than remaining available for primary production on the basis that the surrounding area is being developed for urban development.
(20) Development does not limit or compromise agricultural land or uses involved in primary production.	The proposed development will diminish the agricultural potential of the land, which has historically been for primary agricultural production. However, it is considered that land proximate to the Yeppoon CBD, such as this site, where it can be serviced by urban infrastructure, is appropriate to transition to an urban form rather than remaining available for primary production.

Specific Outcome	Assessment response
(21) Development avoids causing significant adverse impacts on matters of environmental significance, or when this cannot be achieved, impacts are minimised or residual impacts offset.	It is noted that there are matters of both local and state environmental significance mapped on the subject site. The applicant demonstrates that these matters have been considered in development design, by allocating access arrangements over existing tracks and assigning asset protection zones to limit development in areas containing protected ecological values. An amended bushfire management plan for lots with building envelopes will be required to demonstrate that the Proposed Lots (Lots 1101-1107) can be maintain without significant vegetation clearing and a condition has been added in this regard.
3.3.5 Rural places	
3.3.5.1. Specific outcomes	
(1) Rural places are identified on strategic framework maps (SFM-01 to SFM-04) to show the broad locations preferred for rural activities.	The proposed development is located within an identified rural place.
(2) Rural activities develop in rural places only where they can be managed to mitigate significant adverse impacts.	Not Applicable The proposed development does not involve rural activities. However, it is considered that land proximate to the Yeppoon CBD, such as this site, where it can be serviced by urban infrastructure and conveniences, is appropriate to transition to an urban form rather than remaining available for primary production.
(3) Non-rural activities only occur in rural places if: <ul style="list-style-type: none"> (a) they are compatible with the area, or have a nexus with a specific natural resource or requires a large land area which is not available in an urban zone; (b) they do not limit or compromise the operations of established rural activities on adjoining land; (c) they do not limit or compromise the potential development of rural activities on the site or on adjoining land; (d) they do not result in adverse impacts on amenity or infrastructure 	The proposed non-rural activities display consistency with the emerging settlement pattern to the south, but are not considered to be consistent with the existing rural nature of the immediate area. It is considered that land proximate to the Yeppoon CBD, such as this site, where it can be serviced by urban infrastructure and conveniences, is appropriate to transition to an urban form rather than remaining available for primary production. The conversion of this land from rural to urban may have a slight impact on the overall productivity of agricultural land in the Livingstone Shire Council area. However it is considered that this site will be better utilised for an urban purpose in the longer term.
(4) Rural places containing important features identified by scenic amenity overlays or biodiversity areas overlays are protected from development which could adversely affect the values associated with the overlay features	Though development site contains areas flagged with matters of ecological significance, appropriate action has been taken to limit impact on these areas.
(5) Development in rural places does not result in fragmentation of land which is suitable for primary production by virtue of the following: <ul style="list-style-type: none"> (a) being identified as agricultural land Class A or Class B; or (b) being identified as rural land needing retention in larger lot sizes; or (c) being identified as having known minerals or other natural resources. 	The proposed development will result in significant fragmentation of land that is identified as Agricultural Land Class A and Class B. However, it is considered that land proximate to the Yeppoon CBD, such as this site, where it can be serviced by urban infrastructure and conveniences, is appropriate to transition to an urban form rather than remaining available for primary production.

Specific Outcome	Assessment response
(6) A range of lot sizes in rural places is identified based on the capabilities of the land for primary production, with rural places predominantly being retained in larger lots except for the Capricorn Coast Rural Precinct, where minimum lot sizes of ten (10) hectares or greater are provided for.	The subject site is currently a 55 hectare lot that is primarily used for primary agricultural production, being cattle breeding. The proposed development will result in the loss of this land for agricultural purposes. However, it is considered that land proximate to the Yeppoon CBD, such as this site, where it can be serviced by urban infrastructure and conveniences, is appropriate to transition to an urban form rather than remaining available for primary production.
(7) In the Capricorn Coast Rural Precinct, relatively low impact rural activities involved in primary production remain as the preferred and dominant land use.	The land is not located in the Capricorn Coast Rural Precinct.
(8) The development of small rural residential lots does not occur unless there is a demonstrated need for an additional supply of lots only where located adjacent to the townships of Cawarral, Mount Chalmers, or The Caves.	The proposed development involves significant subdivision to produce lots ranging from 1,000m ² – 4,000m ² . An economic needs report has been provided by the applicant which demonstrates that there is sufficient need for the additional lots of the subdivision and the Relocatable Home Park.
(9) Development of non-rural activities (other than a dwelling house, home based business, rural workers accommodation, or secondary dwelling) only occurs on agricultural land Class A or Class B if: <ul style="list-style-type: none"> (a) there is a significant need, an overriding community benefit and there are no available alternative sites of lesser agricultural value; or (b) the development is small-scale, has low impacts and is focussed on tourism which is directly associated with a rural activity undertaken on the site; or (c) the development is small-scale, has low impacts and is focussed on tourism which involves education, promotion, or sales associated with primary produce sourced from the site or local area; or (d) the potential undertaking of agriculture on the subject land (alone or in association with surrounding land) is not practicable. 	Not Applicable The proposed development involves an accommodation use, and subdivision for residential development.
(10) Key Resource Areas (including their haulage routes) and other identified resource areas which are located in rural places are protected from the encroachment of sensitive land uses by the implementation of appropriate separation distances and mitigation measures.	Not Applicable The subject site is not impacted by resource areas.
(11) Rural places having historical subdivisions which are considered to be inappropriate for certain types of development, are limited to development for rural activities which: <ul style="list-style-type: none"> (a) do not involve accommodation activities; (b) can operate having access to limited infrastructure; and (c) can mitigate potential impacts from any natural hazards. 	Not Applicable The current lot configuration is not considered to be inappropriate for the proposed development.
3.3.7 Rural places	
3.3.7.1. Specific outcomes	

Specific Outcome	Assessment response
(1) The planning scheme area contains a sufficient supply of identified urban land to accommodate the forecast population growth and to provide opportunities to contribute to employment growth.	The planning scheme contains a number of identified existing and future urban tracts of land available to accommodate growth. This development is situated outside those areas. However it is considered that the land is contiguous with the urban and future urban places and will not compromise the overall growth strategy contained in the Strategic Framework.
(2) Urban activities locate within the identified urban and new urban places so as to avoid encroachment on future urban places, nature places, rural places or other valuable resources or features.	The planning scheme contains a number of identified existing and future urban tracts of land available to accommodate growth. This development is situated outside those areas. However it is considered that the land is contiguous with the urban and future urban places and will not compromise the overall growth strategy contained in the Strategic Framework.
(3) The towns of Emu Park and Yeppoon and coastal urban settlements continue to grow in an orderly and planned manner, within the identified areas where they can be efficiently serviced with infrastructure and facilities.	The development is representative of the growth of Yeppoon in an orderly manner, particularly because it is immediately adjacent to the emerging communities zone and can be appropriately serviced by new connections to infrastructure.
(4) Development is contained within: (a) Urban places prior to 2026; (b) New urban places from 2026 – 2031; unless it is demonstrated that there is an overriding community need as a result of unforeseen rapid population growth, land ownership constraints, market forces, site characteristics or other factors, and the development can be efficiently serviced with infrastructure and facilities in the timeframe proposed.	The planning scheme contains a number of identified existing and future urban tracts of land available to accommodate growth. This development is situated outside those areas. However, it is considered that the land is contiguous with the urban and future urban places and will not compromise the overall growth strategy contained in the Strategic Framework. The applicant has provided a needs assessment to support the development. It is considered, particularly, that the relocatable home park meets an immediate need in the community. Given its close proximity to the Yeppoon CBD, therefore it is considered that the proposal complies with the specific outcome of the Strategic Framework.
(6) Urban places and new urban places provide opportunities for the development of a mixture of residential land uses, with the urban form reflecting the land use, the nature and character of an area and the zone.	The development is representative of housing needs in the Livingstone Shire and contributes to the establishment of the character of this emerging urban area.

The development is considered to represent the form of urban development that is expected to emerge from the growth at the edges of Yeppoon. While the Strategic Framework identifies the land as a Rural Place, its utility in the long term is best as an Urban Place, and officers considered that the development application has appropriately demonstrated the need, type of housing, and ability to provide supporting infrastructure in a way that would support approval of the development.

Natural environment and hazard theme:

Specific Outcome	Assessment response
3.4.1 Strategic outcomes	

Specific Outcome	Assessment response
(1) Important areas containing matters of environmental significance and landscape features are identified and protected for their contribution to the planning scheme area's biodiversity, economic prosperity, culture, identity, character and sense of place.	<p>It is noted that there are matters of both local and state environmental significance mapped on the subject site. The applicant demonstrates that these matters have been considered in development design, by allocating access arrangements over existing tracks and assigning asset protection zones to limit development in areas containing protected ecological values.</p> <p>In assessing the impact of the clearing, particularly in the southern portion of the site, it is considered at a strategic level, the development will not impact on the biodiversity, ecosystem services or landscape values as a result of being developed. An amended bushfire management plan for lots with building envelopes will be required to demonstrate the Proposed Lots (Lots 1101-1107) can be maintained without significant vegetation clearing outside of the building envelope in consideration of the exempt vegetation clearing provisions under the Planning Regulation 2017. To this effect, a condition has been added. Alternatively the applicant will be required to consolidate these lots to comply with the Bushfire Hazard Overlay Code.</p>
(2) Areas which are affected by natural hazards including storm tide, erosion, sea-level rise or other coastal processes, flooding, bushfire, or landslide, are identified and development does not occur in these areas if it is incompatible with the nature of the hazard or if it is likely to expose people, property and vital infrastructure to unacceptable risk.	<p>The proposed development is impacted by the bushfire hazard overlay, with significant amounts of medium impact bushfire hazard covering much of the southern section of the site. The proposed relocatable home park is not impacted by this hazard.</p> <p>The proposal has demonstrated that it can comply with the Bushfire Hazards Overlay Codes and State Planning Policy. An amended bushfire management plan for lots with building envelopes will be required to demonstrate the Proposed Lots (Lots 1101-1107) can be maintained without significant vegetation clearing outside of the building envelope in consideration of the exempt vegetation clearing provisions under the Planning Regulation 2017. To this effect, a condition has been added for bushfire and an environmental covenant placed on the lots outside of the building envelope in consideration of the bushfire setbacks and exempt clearing setbacks. Alternatively, the applicant will be required to consolidate these lots to comply with the Bushfire Hazard Overlay Code.</p>
(3) Development does not result in adverse impacts on: <ul style="list-style-type: none"> a) the natural functioning of flood plains; b) environmentally significant waterways and wetlands which support biodiversity; c) waterway and wetlands which support landscape and scenic amenity values; and d) the quality of water entering waterways, wetlands, local catchments and the Great Barrier Reef Marine Park. 	<p>The applicant has undertaken a flood hazard assessment for pre and post development scenarios. As a result of the reporting, we note that there are significant waterway areas which will be retained and potentially rehabilitated as for water quality purposes.</p> <p>The overall approach to the flood hazard management is compliant with the strategic outcome.</p>
3.4.2 Areas of Ecological significance	
3.4.2.1. Specific outcomes	
1) A network of nature conservation and open space places, waterways, water bodies and nature corridors or links are identified for protection within the planning scheme area.	The land does not contain conservation or open space places, water bodies or nature corridor links, and is not identified for protection per the strategic outcome.

Specific Outcome	Assessment response
<p>2) Nature corridors or links are maintained and where appropriate, rehabilitated and expanded to support:</p> <ul style="list-style-type: none"> a) the natural movement and proliferation of native species; b) ecological responses to climate change; c) the maintenance of large scale migratory lifecycle processes; and d) connectivity between significant habitat areas and areas of remnant vegetation 	<p>The land does not contain conservation or open space places, water bodies or nature corridor links, and is not identified for protection per the strategic outcome.</p>
<p>3) Development avoids causing adverse impacts on areas containing matters of environmental significance and protects these areas from encroachment by development and human activity and the negative impacts of both (including but not limited to pollution, species or habitat loss, soil degradation due to clearing, erosion and contamination, acidification, salinity, waste disposal and modification to natural processes).</p>	<p>It is noted that there are matters of both local and state environmental significance mapped on the subject site. The applicant demonstrates that these matters have been considered in development design, by allocating access arrangements over existing tracks and assigning asset protection zones to limit development in areas containing protected ecological values.</p> <p>An amended bushfire management plan for lots with building envelopes will be required to demonstrate the Proposed Lots (Lots 1101-1107) can be maintained without significant vegetation clearing outside of the building envelope in consideration of the exempt vegetation clearing provisions under the Planning Regulation 2017. To this effect, a condition has been added for bushfire and an environmental covenant placed on the lots outside of the building envelope in consideration of the bushfire setbacks and exempt clearing setbacks. Alternatively, the applicant will be required to consolidate these lots to comply with the Bushfire Hazard Overlay Code.</p> <p>In assessing the impact of the clearing, particularly in the southern portion of the site, it is considered at a strategic level, the development will not impact on the biodiversity, ecosystem services or landscape values as a result of being developed.</p>
<p>4) Corridors and associated buffers have dimensions which suitably provide for:</p> <ul style="list-style-type: none"> a) movement of native fauna; b) viable habitat areas; c) minimisation of edge effects; d) maintenance of the hydrological functions of waterways or wetlands; e) appropriate access for sustainable recreation; and f) any additional maintenance and bushfire setback functions to be located outside the areas required for ecological purposes. 	<p>The land does not contain conservation or open space places, water bodies or nature corridor links, and is not identified for protection.</p>
<p>5) Fragmentation of existing habitat areas is minimised, particularly where it impacts on the future health of populations of native fauna and flora species.</p>	<p>It is noted that there are matters of both local and state environmental significance mapped on the subject site. The applicant demonstrates that these matters have been considered in development design, by allocating access arrangements over existing tracks and assigning asset protection zones to limit development in areas containing protected ecological values.</p>
3.4.3 Natural hazards and climate change 3.4.3.1. Specific outcomes	

Specific Outcome	Assessment response
<p>1) Unacceptable risks to human life, property and vital infrastructure due to potential impacts from natural hazards including acid sulfate soils, storm tide hazard, erosion, sea-level rise or other coastal processes, flooding, bushfire, or landslide, are avoided as far as practicable.</p>	<p>The applicant has prepared a flood hazard report and model to demonstrate that the development addresses the risk of flooding hazards on the premises.</p> <p>Bushfire hazard risk separation is integrated into the development through setbacks from vegetation, and clearing of vegetation in affected areas. However, it is considered that there is bushfire risk on adjoining land that the constrains the subdivision as the access to Condon Drive is the only evacuation route. As there is no proposed ability for access through the gated community to the north, a condition is imposed regarding an alternative evacuation route to Limestone Creek Road through the Relocatable Home Park via an access easement.</p>
<p>2) Where development in natural hazard areas is unavoidable, the development is located, designed, constructed and operated to minimise and mitigate adverse impacts to within acceptable levels, provided that it is done in a manner which:</p> <ul style="list-style-type: none"> a) does not compromise environmental values; and b) does not unduly burden disaster management response or recovery capacity and capabilities. 	<p>The applicant has prepared a flood hazard report and model to demonstrate that the development addresses the risk of flooding hazards on the premises.</p> <p>It is considered that the flood hazard response is appropriate having regard to the identified ecological values.</p> <p>Bushfire hazard risk separation is integrated into the development through setbacks from vegetation, and clearing of vegetation in affected areas. However, it is considered that there is bushfire risk on adjoining land that the constrains the subdivision as the access to Condon Drive is the only evacuation route. As there is no proposed ability for access through the gated community to the north, a condition is imposed regarding an alternative evacuation route to Limestone Creek Road through the Relocatable Home Park via an access easement.</p>
<p>3) The potential exacerbation of adverse natural hazard impacts on development due to climate change is considered in the location and design of development.</p>	<p>The development has integrated hazards considerations into the design of the subdivision.</p>
<p>4) Development maximises resilience to natural hazards.</p>	<p>The development is considered to appropriately respond to hazards in the design. However an alternative bushfire evacuation route is necessary to improve resilience to the presence of bushfire hazards.</p>
<p>5) Development does not directly, indirectly and cumulatively increase the severity of natural hazards and any adverse impacts associated with natural hazards upon the site or other sites, property and infrastructure.</p>	<p>The development does not contribute to an increase in severity of natural hazards.</p>
<p>6) Development in bushfire hazard areas is avoided where conservation and landscape protection constraints preclude necessary risk-reduction measures, including clearing and provision of adequate access.</p>	<p>It is noted that the lots 1101 to 1107 have a building envelope so as to be able to retain vegetation and achieve separation from the bushfire hazards. This land is notably adjacent to the scenic Pineapple Rail Trail and the retention of the vegetation is considered quite important in terms of retaining the scenic values. It is also noted that the applicant intends to retain the vegetation. areas containing protected ecological values. Therefore, an amended bushfire management plan for lots with building envelopes will be required to demonstrate the Proposed Lots (Lots 1101-1107) can be maintained without significant vegetation clearing outside of the building envelope in consideration of the exempt vegetation clearing provisions under the Planning Regulation 2017. To this effect, a condition has been added for bushfire and an environmental covenant placed on the lots outside of the building envelope in consideration of the bushfire setbacks and exempt clearing setbacks. Alternatively, the applicant will be required to consolidate these lots to comply with the Bushfire Hazard Overlay Code.</p>

The development responds to the presence of flooding and bushfire hazards. The development will have two (2) fire evacuation routes for the subdivision development via an access easement through the relocatable home park that secures evacuation to Limestone Creek Road in the event that access to Condon Drive is unsafe.

In addition to this, the layout of the larger lots to integrate vegetation for scenic purposes, coupled with the threat and presence of bushfire has not been wholly demonstrated. To that end, it is recommended a condition is imposed regarding an amended bushfire management plan be required to consider design, full extent of clearing under exempt clearing provisions and bushfire clearing setbacks for Lots 1101 to 1107.

Community identity and diversity theme:

Specific Outcome	Assessment response
3.5.1 Strategic outcomes	
(1) There is a sufficient number and variety of appropriately located residential lots and housing types to cater for the diverse and changing housing needs and preferences within the community.	The proposed development represents a variety of housing types that supports the needs of the community. This is supported through a needs assessment provided by the applicant.
(2) Development contributes to the creation of a diverse range of safe, vibrant and functional places which meet community needs and which are characterised by good urban design.	The proposed development represents a variety of housing types that supports the needs of the community. This is supported through a needs assessment provided by the applicant. The design of the subdivision and relocatable home park provides for recreational and community oriented infrastructure that meets community's expectation for new facilities in this type of development.
(3) Community health and well-being is supported by having equitable and convenient access to community facilities and infrastructure, places supplying goods and services, places providing for employment and places providing opportunities for informal or formal recreation.	The design of the subdivision and relocatable home park provides for recreational and community oriented infrastructure that meets community's expectation for new facilities in this type of development.
(4) Places having unique character values or cultural heritage significance values are identified and protected from inappropriate development.	Not applicable.
3.5.2 Housing diversity	
3.5.2.1 Specific outcomes	
1) Development contributes to growth in the number and types of housing options available for the community to: a) cater for a growing population; and b) cater for different community lifestyle preferences and needs over their life-time.	The proposed development represents a variety of housing types that supports the needs of the community. This is supported through a needs assessment provided by the applicant.
2) Accommodation activities are appropriately located so as to have good access to: (a) essential community activities; (b) places providing goods and services and opportunities for employment; and (c) places providing opportunities for informal and formal recreation.	The proposed development represents a variety of housing types that supports the needs of the community. This is supported through a needs assessment provided by the applicant. The proposed relocatable home park provides for community infrastructure and activities supporting this form of living for people aged over 55.
3.5.3 Safe Communities	
3.5.3.1 Specific outcomes	

Specific Outcome	Assessment response
1) Development contributes to the creation of places which are safe by: <ul style="list-style-type: none"> a) concentrating a range of complementary land uses in centres or nodes so as to encourage activity at different times of the day and night; b) creating opportunities for passive surveillance of public space to discourage antisocial behaviour; c) providing clear boundaries between public and private areas; d) limiting opportunities for vandalism and nuisance; e) providing appropriate lighting of public space; and f) providing safe pedestrian pathways and entry points to buildings. 	It is considered that the development has the ability to create places that are safe by providing a layout that assists in passive surveillance, clear boundaries between private and public realms and can be conditioned in relation to access and lighting to support this outcome.

The proposed development represents a variety of housing types that supports the needs of the community. It has the opportunity to present an emerging identity and deliver a range of housing solutions that meets existing and emerging markets with the overlay layout and existing infrastructure.

Transport and movement theme:

Specific Outcome	Assessment response
3.6.1 Specific outcomes	
1) Connectivity between accommodation activities, centres, and places providing for employment, community activities and recreation, is enhanced by the provision of a safe and efficient transport and movement network.	The development is supported by an appropriate road layout which connects to the wider transport network in an efficient manner.
2) The transport and movement network supports the settlement pattern and the economy of the planning scheme area by facilitating the efficient and safe movement of people, goods, resources and materials both within the planning scheme area and to and from other areas outside the planning scheme area.	The development is supported by an appropriate road layout which connects to the wider transport network in an efficient manner. The surrounding transport network offers efficient and convenient access to economic nodes and community infrastructure in Yeppoon.
3) The transport and movement network (including the location and design of future links) is designed to minimise impacts on existing and future communities, natural environments and scenic amenity.	The transport network proposed as part of this development is appropriate for the development outcomes sought. It is noted that additional design justification will be necessary for the access onto Condon Drive where vegetation retention and bushfire hazard risks are present.
4) Development does not compromise the safety, efficiency, effectiveness and operation of the transport and movement network.	The applicant has provided sufficient demonstration that the development is consistent with the surrounding transport and movement network. However, additional details around infrastructure improvements to support the development is necessary.
5) The transport and movement network encourages and supports active lifestyles by providing for integrated walking, cycling and public transport infrastructure to support a progressive reduction in car dependency.	It is considered that the development layout provides for opportunities to progressively reduce car dependency in the long term.
3.6.2 Public and active transport	
3.6.2.1 Specific outcomes	
1) Development contributes to the establishment and extension of safe and convenient active	The design of the development provides appropriate opportunity for the establishment and expansion of

transport networks catering for pedestrians, cyclists, mobility scooters and the like.	safe and convenient active transport networks and opportunities.
2) Development contributes to the establishment and extension of safe and convenient public transport networks.	The design of the development provides appropriate opportunity for the establishment and expansion of safe and convenient active transport networks and opportunities.
3) Centres are designed and developed to include safe and convenient public transport stops and interchanges.	Not applicable
4) Where practicable, development in and around centres contributes to a high quality pedestrian environment, including weather protection, seating and street trees and safe parking for bicycles.	Not applicable
3.6.3 Road network	
3.6.3.1. Specific outcomes	
1) The local road hierarchy and its connection to State-controlled roads are safe, efficient and legible for all road users.	The proposed development proposes lower-order roads which are appropriate for its yield and surrounding network.
2) Development contributes to or provides local roads which support the State-controlled road network, to the extent provided for by the council's infrastructure plans.	The proposed development proposes lower-order roads which are appropriate for its yield and surrounding network.
3) Development recognises the identified function of roads within the state and local transport network, and provides an acceptable level of access to, and impact on, each road. In particular: <ul style="list-style-type: none"> a) the interregional functions of the Bruce Highway for freight and all passenger vehicles, are protected through limited access and, where possible, appropriate separation distances between development and the road corridor; b) the intraregional function of major roads which provide access for freight, all vehicles, cyclists and pedestrians between centres and industrial and employment areas is protected by ensuring there are no significant impacts due to access arrangements with development on adjoining land and, where necessary, separation or buffering between incompatible development and the road corridor; and c) the local road network provides safe connections to higher order roads for cyclists, pedestrians and all vehicles. 	The proposed development proposes lower-order roads which are appropriate for its yield and surrounding network.
4) The safety, efficiency and effectiveness of all existing and future road networks are protected from incompatible land uses and the impacts of development.	The proposed development proposes lower-order roads which are appropriate for its yield and surrounding network.
5) Important future major road links are identified and they are not compromised by development.	The proposed development proposes lower-order roads which are appropriate for its yield and surrounding network. A condition has been imposed for identified trunk infrastructure required to ensure consistency with the development.
6) The road network accommodates and prioritises a variety of transport needs, including: <ul style="list-style-type: none"> (a) freight; (b) public transport; and (c) pedestrian and cycle paths. 	The proposed development proposes lower-order roads which are appropriate for its yield and surrounding network.

The development proposes an internal network of roads appropriate for the development. The required infrastructure identified as 'trunk' is conditioned accordingly. Therefore, it is considered that the development can comply with appropriate Road Work conditions for trunk infrastructure.

Infrastructure and services theme:

Specific Outcome		Assessment response
3.7.1 Strategic outcomes		
1)	Infrastructure and services are planned and delivered in a logical, timely and cost effective manner which: a) supports the identified settlement pattern, b) is fit for purpose; c) is sensitive to cultural and environmental values; d) meets the long term needs of the community, industry and business; and e) achieves the desired standards of service in Part 4.	The development proposes an internal network of roads appropriate for the development. The required infrastructure identified as 'trunk' is conditioned accordingly. Therefore, it is considered that the development can comply with appropriate Road Work conditions for trunk infrastructure.
3.7.2 Interregional networks		
3.7.2.1 Specific outcomes		
1)	Key sites and corridors for current and future infrastructure and services including those identified on strategic framework maps SFM-01 to SFM-04 are protected from inappropriate development.	The development provides appropriately for the identified links in the Strategic Framework maps.
2)	Federal, State and approved private infrastructure networks are delivered in an integrated and co-ordinated way that supports the settlement pattern.	The sequencing of development stages ensures the coordinated role out of infrastructure to support the settlement pattern..
3)	Telecommunications infrastructure meets the needs of the community, industry and business.	The development can be conditioned to ensure that appropriate telecommunication connections are provided.
4)	Utility installations and infrastructure services and their corridors including bulk water supply networks, gas pipelines, major electricity infrastructure and substations, are protected from encroachment and impacts of development.	Not applicable to this development
5)	Development is provided with energy adequate to satisfy community needs and where possible accommodate sustainable/alternative energy options such as solar.	The development can be conditioned to ensure that appropriate energy connections are provided.
3.7.3 Local area networks		
3.7.3.1 Specific outcomes		
1)	The local function component of State and Federal infrastructure networks is recognised as a legitimate and integral function of these networks.	Not applicable.
2)	Local areas are supplied with infrastructure meeting specified desired standards of service which meet the need of residents and other users, in a timely manner and in accordance with the Council's infrastructure planning.	The development can be conditioned to ensure that the appropriate standards of infrastructure are delivered.

Specific Outcome	Assessment response
3) Development in urban places, industrial places and centres is serviced by or connected to: <ul style="list-style-type: none"> a) a reliable supply of potable water; b) a reliable sewerage network; c) effective stormwater drainage and treatment; d) an effective and safe transport network; e) a reliable and safe electricity network; and f) communication networks. 	The development can connect to the necessary infrastructure networks. It can also be conditioned to ensure that the appropriate standards of infrastructure are delivered.
4) Waste is safely and efficiently managed to meet relevant environmental requirements at the optimal cost.	The road network ensures that efficient waste management can be provided to future residents.
5) Opportunities for renewable and alternative energy generation occur where local infrastructure network, environmental and community impacts are mitigated.	While there is opportunity for domestic energy production, this is not applicable at a strategic level to this development.
6) Development contributes to the delivery of necessary infrastructure to the extent provided for by Councils infrastructure planning and adopted Council infrastructure charging and conditioning arrangements.	The applicant has provided sufficient demonstration that the development is consistent with the surrounding infrastructure networks. However, additional details around infrastructure improvements to support the development is necessary. These can ultimately be conditioned, except where

The development is able to be serviced by appropriate infrastructure having sufficiently demonstrated that the development can be serviced efficiently by local infrastructure networks and conditions for required infrastructure has been added accordingly.

Nature resources and economic development theme:

Specific Outcome	Assessment response
3.8.1 Strategic outcomes	
1) Important nature places and marine environments which underpin current and emerging tourism opportunities and important lifestyle values of residents are identified and protected.	<p>The development has a strand of vegetation which is situated adjacent to the Pineapple Rail Trail. It is intended that a buffer of vegetation between the trail and future dwellings in this area is retained.</p> <p>An amended bushfire management plan for lots with building envelopes will be required to demonstrate the Proposed Lots (Lots 1101-1107) can be maintained without significant vegetation clearing outside of the building envelope in consideration of the exempt vegetation clearing provisions under the Planning Regulation 2017. To this effect, a condition has been added for bushfire and an environmental covenant placed on the lots outside of the building envelope in consideration of the bushfire setbacks and exempt clearing setbacks. Alternatively, the applicant will be required to consolidate these lots to comply with the Bushfire Hazard Overlay Code.</p>
2) The economy continues to grow and provides the community with a diverse range of employment opportunities.	Not applicable
3) The sectors of tourism, agriculture, horticulture, aquaculture, resource extraction and forestry are strong and continue to develop at appropriate locations to contribute to the local economy.	Not applicable

Specific Outcome	Assessment response
4) The valuable natural resources of the planning scheme area which include agricultural land Class A and Class B, extractive and mineral resources, marine resources, water resources and forestry resources, are utilised in a sustainable manner and are not compromised by inappropriate development.	The development of the site is identified agricultural land. However, it is considered that the application has sufficiently demonstrated its utilisation in an appropriate way for urban purposes.
3.8.2 Rural land	
3.8.2.1 Specific outcomes	
1) Land with productive capacity, including agricultural land Class A and Class B which is not identified for future urban development, is protected from development which would alienate, fragment or otherwise limit its potential for productive rural activities.	The development of the site is identified agricultural land. However, it is considered that the application has sufficiently demonstrated its utilisation in an appropriate way for urban purposes.
2) Industries which add value to existing rural production are encouraged where: <ul style="list-style-type: none"> a) they have access to appropriate infrastructure; b) their impacts are managed; c) they do not unreasonably impact on environmental values, scenic amenity or other rural activities; and d) adverse impacts on concentrations of sensitive land uses are avoided or can be effectively mitigated. 	Not applicable

The development represents a change in the use of the premises from a rural to an urban form. With this, the utilisation of the land as an economic activity is removed.

Code assessment

An assessment against the relevant codes (refer code assessment attachment) demonstrates that the proposal complies with the various requirements of the codes with deviations able to be justified against the performance outcomes and overall outcomes. A summary of the key assessments for each code is provided below:

Rural zone code

The proposed development does not include a preferred use as nominated in the purpose or overall outcomes of the Rural Zone Code. Despite this the development is adequately separated from sensitive land uses (Dwelling houses on rural lots) and will not compromise future rural activities establishing on the surrounding land. Further, the proposed development is unique in respect of operational and siting needs and requires a large area of land with access and servicing provision for the Relocatable Home Park that is not available in an urban, special purpose, or tourism zoned land. The master plan subdivision for further residential development will be separate from the park facility with its own direct access and services.

The code assessment is included as an attachment to the report and includes an assessment of the proposal against the specific benchmarks of the Rural Zone Code.

Reconfiguring a Lot code

The proposal has been assessed in accordance with the relevant outcomes of the General development code and can comply with the code subject to conditions relating, lot size, fire evacuation route, infrastructure services, environmental matters, stormwater management and bushfire.

Biodiversity overlay code

The subject site has a local biodiversity corridor (habitats and vegetation) mapped within the south-eastern portion of the subject site. An ecological assessment report has been provided in support of addressing the Biodiversity Overlay Code. The proposal is considered to overall demonstrate compliance with the code while providing a vegetation buffer in this area by providing an environmental covenant and will provide an amended bushfire management

plan that specifically addresses the extent of clearing in this area after taking into consideration bushfire buffers, environmental values and exempt clearing provisions for future dwellings and access from Condon Drive.

Bushfire hazard overlay code

The site is affected by the medium potential bushfire intensity and potential impact buffer predominately to the south and south-east of the site. A bushfire management plan has been provided for the whole subject site to address the Bushfire hazard overlay code. The site will also be connected to the reticulated water supply and has access to a formed road, and higher order road network. All buildings will be assessed for a Bushfire Attack Level by the building certifier at the time of building works. Therefore, the risk to life, property, community, economic activity and the environment is considered to be a tolerable level of risk to not require further assessment against the bushfire hazard overlay code.

Further to the above, an amended bushfire management plan for proposed building envelopes (Lots 1101-1107) located in the south-east corridor of the site with access from Condon Drive will be required to demonstrate that this part of the proposal can be maintained without significant vegetation clearing outside of the building envelope in consideration of the exempt vegetation clearing provisions under the Planning Regulation 2017. To this effect, a condition has been added for bushfire and an environmental covenant placed on the lots outside of the building envelope in consideration of the bushfire setbacks and exempt clearing setbacks. Alternatively, the applicant will be required to consolidate these lots to comply with the Bushfire Hazard Overlay Code requirements.

Accommodation activities code

The proposal (Relocatable Home Park) has been assessed in accordance with the relevant outcomes of the Accommodation Activities Code and can comply with the code subject to conditions accordingly for landscaping, staging, housing types and parkland and amenities.

General development code

The proposal has been assessed in accordance with the relevant outcomes of the General development code and can comply with the code subject to conditions relating to lighting, refuse storage, noise (general environmental duty) and community safety.

Development works code

The proposal has been assessed in accordance with the relevant outcomes of the Development works code and can comply with the code subject to further development permits for Operational Works for Road Works, Access and Parking Works, Sewerage Works, Water Works, Stormwater Works, Earthworks, Landscaping Works and Clearing Works.

Preliminary Approval (Variation Request) – Low density residential zone code

Preliminary Approval (variation request) is to vary the effect of the Local Planning Instrument (Livingstone Planning Scheme 2018, Version 3). The proposed variation request seeks to:

- Apply the relevant assessment benchmarks, Categories of Development and Assessment consistent with the Low-Density Residential Zone for the Lot 1 (subdivided site) only; and
- The variation request does not seek to undertake changes to the assessment benchmarks of the Livingstone Planning Scheme 2018.

PUBLIC NOTIFICATION

The proposal was the subject to 30 business days of public notification between 20 March 2023 and 4 May 2023, as per the requirements of the Planning Act 2016, and 91

submissions were received and one petition containing 51 signatures. Of these submissions, 91 and 1 petition are considered to be properly made in accordance with the *Planning Act 2016*.

26 submitters did not supply a residential or business address and as such are not considered to have been properly made. The concerns raised in these 26 submissions have been noted nonetheless, however no formal correspondence regarding the outcome of the application will be required to these submitters following a decision by Council.

The following is a summary of the submissions lodged, with Council officer comments:

Issue	Officer Comment
Items of concern or of impact:	
Amenity, Character and Community	<p>It is considered that the establishment of a residential subdivision and a relocatable home park is appropriately located on this site having regard to:</p> <ul style="list-style-type: none"> • its close proximity to the Yeppoon CBD; • it being contiguous to existing residential subdivisions; • it is able to be appropriately serviced by urban infrastructure networks; and • a need has been demonstrated for the development. <p>While the development may result in the change of the underlying zone. The applicant has appropriately demonstrated the impact from the development in terms of noise, light and other emissions remains appropriately separated from existing adjacent residential and rural-residential areas.</p>
Traffic Congestion and Capacity	<p>It is recommended that a condition restricting occupants of the Relocatable Home Park are limited to a minimum age of 55. This will ensure that the development outcomes described in the application are maintained by the development into the future.</p>
Impacts to Flora and Fauna	<p>The applicant has undertaken an ecological assessment which demonstrates the ecological values of the site are misrepresented by the underlying mapping from the State. However, the scenic value of this vegetation is noted and it is recommended that additional details are provided as to the certainty of retaining vegetation in the buffer areas identified in proposed Lot 1101 to 1107 before those lots area approved. An amended bushfire management plan for these lots will be required to further understand the extent of clearing in consideration of the building envelopes and exempt clearing provisions outside these envelopes and protecting the remaining vegetation via an environmental</p>

Issue	Officer Comment
	covenant.
Lot Size and Density	<p>It is considered that the establishment of a residential subdivision and a relocatable home park is appropriately located on this site having regard to:</p> <ul style="list-style-type: none"> • its close proximity to the Yeppoon CBD; • it being contiguous to existing residential subdivisions; • it is able to be appropriately serviced by urban infrastructure networks; and • a need has been demonstrated for the development. <p>While the development may result in the change of the underlying zone. The applicant has appropriately demonstrated the impact from the development in terms of noise, light and other emissions remain appropriately separated from existing adjacent residential and rural-residential areas.</p> <p>The development is located outside the Priority Infrastructure Area and is therefore responsible for providing the level of infrastructure necessary to support this development which is available to the site now. In addition, the increase in residential allotments brings a correlating increase in rates income to the Council. Therefore, there should be no increase in rates as a result of the development.</p>
Local Networks (Pineapple Trail)	<p>Retention of a proper vegetation buffer between the development and the Rail Trail is particularly important for Yeppoon's economic activity and community wellbeing. An amended bushfire management plan for lots 1101 to 1107 will be required to further understand the extent of clearing in consideration of the building envelopes and exempt clearing provisions outside these envelopes and protecting the remaining vegetation via an environmental covenant to ensure adequate protection of the future dwellings and maintaining environmental values.</p>
Zoning	<p>It is considered that the establishment of a residential subdivision and a relocatable home park is appropriately located on this site having regard to:</p> <ul style="list-style-type: none"> • its close proximity to the Yeppoon CBD; • it being contiguous to existing residential subdivisions;

Issue	Officer Comment
	<ul style="list-style-type: none"> • it is able to be appropriately serviced by urban infrastructure networks; and • a need has been demonstrated for the development. <p>While the development may result in the change of the underlying zone. The applicant has appropriately demonstrated the impact from the development in terms of noise, light and other emissions remains appropriately separated from existing adjacent residential and rural-residential areas.</p> <p>The Relocatable Home Park is an appropriate use at only 2 km from the Yeppoon CBD. With conditions that ensure that ownership and residents have a minimum age of 55, the development is a form of urban development that is supported by the planning scheme.</p> <p>It is considered that there is additional land in the same ownership and which may attract further development applications. These would need to go through the same process, and if no development commences as a result of an approval of this application, is would be a relevant consideration of Council as to whether there is demand for any further development in this emerging corridor. It is therefore considered to be outside of the realm of a relevant matter for the assessment of this application.</p>
Stormwater and Flooding	<p>The flood modelling has been prepared by a suitably qualified consultant in their respective field. Notably, any impact on existing and future residents will be the responsibility of the developer and their consultant team to demonstrate that they did not create an adverse impact.</p> <p>It is considered that conditions can be reasonably applied to the development in respect of this development.</p>
Road Network Connectivity	<p>The Relocatable Home Park is intended to be a gated community with access onto Limestone Creek Road being for that development. It is recommended that approval of each component of the development (the material change of use and the reconfiguring a lot) be conditioned to ensure that the access roads into each development is undertaken in the first stage.</p>
Other matters <ul style="list-style-type: none"> • property values • market constraints 	<p>While it is not a town planning consideration, the concern about property values will increase or decrease over time depending on a combination of more factors than amenity alone. Notwithstanding this, the applicant has</p>

Issue	Officer Comment
	<p>demonstrated that amenity related impacts are not likely to be experienced by existing communities in the vicinity of the development.</p> <p>The application has provided the necessary information about the property, its environmental values and the proposed development's integration of existing physical characteristics of the site. The developer's care or intent for the existing community and environmental characteristics have been integrated in response to Council's care for the community and the environment and is found to be generally consistent with the planning outcomes sought under the planning scheme.</p> <p>Market constraints are one factor in a developer's consideration for obtaining approval and then undertaking the works necessary to prepare the subdivision. House and land packages are more likely to be established in current development markets and therefore the initial works are less likely to occur if the demand for the house and land (together) is not existing. While this is not a relevant matter for assessment, it should be noted that this would not likely have an adverse impact on the community.</p> <p>There are no reasons raised to not approve the Relocatable Home Park, as opposed concerns that it should not occur at this stage. It should be noted that the term Relocatable Home Park is a generic land use definition and the more appropriate term, is Manufactured Homes Park is more befitting of the intended development form. These are very popular with the over 55 demographic and are successfully established across Queensland, affording retirees an affordable and independent lifestyle with a high degree of amenity. Therefore, support for this form of development in this area, where it is quite close to services and external amenities are well established, is highly recommended.</p>

In relation to public notification, the public notification signs referenced 319 dwellings for the Relocatable home park rather than 391 dwellings. Despite the sign identifying a lower number of dwellings, the proposal plans available identified 391 dwellings and the land use remains unchanged.

Therefore, the sign identifying 319 dwellings rather than 391 dwellings was unlikely to affect a person's ability to make a submission or be made aware of the development application being on public notification.

In accordance with section 53 (3) of the *Planning Act 2016*, even though some requirements were not complied with (as detailed above), the assessment manager is satisfied that the noncompliance has not adversely affected the public's awareness of the existence and

nature of the application or restricted the public's opportunity to make properly made submissions about the application. Therefore, the notification period was not required to be repeated.

INFRASTRUCTURE CHARGES

Infrastructure charges are levied pursuant to the *Adopted Infrastructure Charges Resolution (No.4) 2019*.

The details and breakdown of the charges are outlined below:

Charge area:	The subject site is located outside the priority infrastructure area
Calculation:	<p>The charge is calculated in accordance with Table 5 - Minimum infrastructure charge for Reconfiguring a Lot partly outside or entirely outside the Priority Infrastructure Area, as follows:</p> <p>PART B – Reconfiguring a Lot (1 into 2 lots)</p> <ol style="list-style-type: none"> Two lots at \$14,750.00 per lot Less a credit of \$14,750.00 Total: \$14,750.00 <p>PART C – Reconfiguring a Lot (1 lot into 132 lots)</p> <ol style="list-style-type: none"> 132 lots at \$25,000.00 per lot Total: 3,300,000 Less a credit of \$14,750.00 <p>The charge is calculated in accordance with section 3.4.2 - Development located partly outside or entirely outside the priority infrastructure area, Table 4 - Adopted charge for development Uses within the Priority Infrastructure Area and Table 6 – Proportional Split of adopted infrastructure charge for trunk infrastructure networks within the priority infrastructure area for Reconfiguring a Lot and development Uses, as follows:</p> <p>PART D – Material Change of Use for Relocatable Home Park (391 sites)</p> <ol style="list-style-type: none"> 252 relocatable dwelling sites at \$17,000.00 per 1 or 2 bedroom relocatable dwelling site 139 relocatable dwelling sites at \$25,000.00 per 3 or more bedroom relocatable dwelling site Total: 7,759,000 less a credit of \$14,750.00.
Credit:	<p>The above calculations takes into account a credit of \$14,750.00 for the existing rural allotment pursuant to Part 4.0 of Council's <i>Adopted infrastructure Charges Resolution (No.4) 2019</i>. The credits is calculated as follows:</p> <p>PART B – Reconfiguring a Lot (1 lot into 2 lots)</p> <ol style="list-style-type: none"> one existing lot at \$14,750.00 per lot. <p>PART C - Proposed Lot 1 – Reconfiguring a Lot (1 lot into 132 lots)</p> <ol style="list-style-type: none"> one existing lot at \$14,750.00 per lot. <p>PART D - Proposed Lot 2 – Material Change of Use for Relocatable Home Park (391 sites)</p>

	3. one existing lot at \$14,750.00 per lot.
Networks Covered:	Apportionment of charges over the following networks Transport Parks & Community Facilities Water Sewerage Stormwater

A total contribution of **\$11,044,250** is payable and will be reflected in an Infrastructure Charges Notice for the development.

Relocatable home park

A request has been made that all dwellings within the relocatable home park be charged at a one or two bedroom unit rate due to the occupancy rates and the infrastructure charges as per the resolution not being reflective of the actual demand generated by the proposed use. The following information is provided in the application documentation:

- Despite the mix of housing types proposed, the average occupiers for this type of development are typically singles and couples.
- The demographic of residents living in the dwellings will be couples and singles without children who will not have the same demand on services as a family living in a 3-bedroom dwelling. While 3-bedroom dwellings are proposed as part of the development, they are not expected to create the same demand as a 1- or 2-bedroom dwelling. The second and third bedroom of each unit is generally utilised for storage, arts and crafts, or a spare bedroom for visiting friends and family.
- Taking this into consideration, the demand on Council infrastructure would be equivalent to a couple living in a 1-bedroom apartment. Whilst there are 3-bedroom dwellings proposed as part of the development we are of the opinion that each 3-bedroom unit will not generate a demand to warrant the associated charge.
- For the reasons stated above, it is our opinion that if the infrastructure charges were to be applied as per the Resolution, they would be excessive and not representative of the increased demand on services that will be generated as part of the proposed development. Council should be satisfied that on balance, the average charge of a 2-bedroom unit will far exceed the demand and impact upon the Council owned infrastructure.
- Accordingly, it is requested that charges be applied for 2-bedroom dwellings across the entire development which will be reflective of the demand generated by the proposed use.

Officers recommend that the one or two bedroom unit charge **are not supported** and do not apply to all dwelling units. It is noted that this is a proposed reduction in charges from approximately \$7,759,000 down to \$6,647,000.00, which is a reduction of \$1,112,000.00 (or an approximately 15 percent reduction).

Request for Infrastructure Agreement

The applicant has requested to enter into an Infrastructure Agreement to offset the cost of trunk infrastructure works against the infrastructure charges and will be conditioned accordingly for relevant trunk infrastructure.

PREVIOUS DECISIONS

It is noted that there have been no recent development applications for similar land uses surrounding the subject site. The following is information on similar applications and decisions.

Council has previously approved development applications for a Preliminary Approval (variation request) and some examples include:

- (i) Preliminary Approval D-120-2021 (Variation Request) to vary the effect of the Local Planning Instrument (*Livingstone Planning Scheme 2018*, version 3) in accordance

with the Surf Lake Local Plan ('SLLP' or Variation Instrument) pursuant to Section 50(3) of the *Planning Act 2016*; Development Permit for a Material Change of Use for a Tourist attraction (Surf Lake and associated facilities), Tourist park (fifty two (52) cabins and 100 caravan or tent sites), Short-term Accommodation (fifty two (52) cabins) and Renewable energy facility (stage one); and Development Permit for a Reconfiguration of a Lot (two (2) lots into three (3) lots);

- (ii) Preliminary Approval D-122-2013, affecting the Planning Scheme (section 242) for a Material Change of Use and Preliminary Approval affecting the Planning Scheme (section 241) for Operational Work for undertaking Tidal Work in a coastal management district and a Preliminary Approval (section 241) for a Material Change of Use for Environmentally Relevant Activity 63, Sewerage Treatment and Environmentally Relevant Activity 53, Composting and Soil Conditioner Manufacturing, located at Great Keppel Island;
- (iii) Preliminary Approval D-245-2007, that includes a variation request for a Material Change of Use for a Master Planned development located at 318 Tanby Road, Taroomball; and
- (iv) Preliminary Approval D-35-2016 for a Material Change of Use to vary the effect of the Planning Scheme for Park Residential Zone and Business Zone uses.

Council has previously approved a development application for a Relocatable home park as follows:

- (i) Development Permit D-439-2021 for a Relocatable home park located at 78 Svendsen Road, Zilzie; and
- (ii) Development Permit D-364-2022 for a Relocatable home park located at Lot 4 Tanby Road, Taroomball.

It is also noted that Council has previously approved a development application for Reconfiguring a Lot in the Rural zone below the minimum lot size, for various reasons of site suitability and surrounding development.

It should be noted that each decision is made on its merits at the time of assessment and with the best planning information available. There are instances whereby grounds of justification to support the proposal must be established, subject to reasonable and relevant conditions.

ACCESS AND INCLUSION

There are no identified access or inclusion issues associated with this development application.

ENGAGEMENT AND CONSULTATION

The application was publicly notified between 20 March 2023 to 4 May 2023, being thirty (30) business days, and ninety-one (91) submissions and one (1) petition was received in accordance with the *Planning Act 2016*.

HUMAN RIGHTS IMPLICATIONS

There are no identified human rights implications associated with this development application. Consideration of the 23 fundamental human rights protected under the *Human Rights Act 2019* has been undertaken as part of this decision. It has been determined that this decision does not limit human rights.

BUDGET IMPLICATIONS

Management of this application has been within the existing budget allocations.

LEGISLATIVE CONTEXT

The application is being assessed pursuant to the *Planning Act 2016* and all subordinate legislation and policies.

LEGAL IMPLICATIONS

The legal implications of deciding this development application favorably or unfavorably is the risk of appeal from the developer (should Council refuse the development application). These potential legal implications also bring unknown budget implications.

STAFFING IMPLICATIONS

No staffing implications have been identified in the assessment.

RISK ASSESSMENT

The risks associated with this assessment have been appropriately addressed in the body of this report. Specifically, the risk of appeal to any decision made by Council and any financial/budget implications such action may have.

CORPORATE PLAN REFERENCE***Future Livingstone***

Community Plan Goal 5.1 - Balanced environmental and development outcomes

5.1.2 Balance development within Livingstone Shire in accordance with the community's desired environmental and economic outcomes.

The decision will be made in accordance with the *Livingstone Planning Scheme 2018* and relevant legislation, to ensure that development is consistent with current best practice and community expectations

CONCLUSION

The proposed development seeks a Preliminary Approval (variation request) to vary the effect of the Local Planning Instrument (*Livingstone Planning Scheme 2018*, Version 3), Development Permit for Reconfiguring a Lot (one lot into two lots and access easements) and (one lot into 132 lots) and a Development Permit for Material Change of Use for Relocatable home park (391 sites). The proposal for the establishment of a residential subdivision in the Low Density Residential Zone and a Relocatable Home Park in the Rural Zone has been justified against the relevant codes and can be supported based on the site being appropriately located, need, dual access and reticulated infrastructure services can be provided to service the development.

In addition, the development has measures in place to mitigate and reduce impacts to surrounding rural land and sensitive land uses, through noise management and landscape buffers around the boundaries. Bushfire and environmental matters will be conditioned accordingly to effectively maintain relevant scenic vegetation onsite.

In summary, despite the development not being for preferred uses within the zone, the activities will not undermine the viability, role or function of the Rural zone and there are reasonable circumstances to support the location for development. The performance assessment of the proposal demonstrates that the development will not compromise the Strategic Framework and can comply with all relevant overall outcomes subject to relevant and reasonable conditions and infrastructure charges as detailed in the recommendation.

**11.4 - D-514-2022 MATERIAL CHANGE
OF USE FOR A RELOCATABLE HOME
PARK AND RECONFIGURIG A LOT
(ONE LOT IMTO TWO AND ACCESS
EASEMENT) AND (ONE LOT INTO ONE
HUNDRED AND TWENTY NINE LOTS)
AND PRELIMINARY APPROVAL FOR A
VARIATION REQUEST (TO VARY THE
EFFECT OF THE PLANNING SCHEME)
FOR RURAL LIVING TO LOW DENSITY
RESIDENTIAL**

Locality Plan

Meeting Date: 21 November 2023

Attachment No: 1



**11.4 - D-514-2022 MATERIAL CHANGE OF USE FOR A
RELOCATABLE HOME PARK AND RECONFIGURIG A LOT
(ONE LOT IMTO TWO AND ACCESS EASEMENT) AND (ONE
LOT INTO ONE HUNDRED AND TWENTY NINE LOTS) AND
PRELIMINARY APPROVAL FOR A VARIATION REQUEST (TO
VARY THE EFFECT OF THE PLANNING SCHEME) FOR
RURAL LIVING TO LOW DENSITY RESIDENTIAL**

Code Assessment

Meeting Date: 21 November 2023

Attachment No: 5

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Reconfiguring a lot code

Purpose

The purposes of the reconfiguring a lot code are:

- (1) to facilitate the creation of a range of lot sizes which have an appropriate size, shape and slope, to accommodate the intended uses within each zone;
- (2) to facilitate the design of urban neighbourhoods which are compact, well connected with vehicle and pedestrian access and enable the most efficient use of land;
- (3) to facilitate the productive use of natural resources;
- (4) to protect the landscape character and ecological functions of the natural environment; and
- (5) to minimise risks to life and property, associated with hazards.

Overall outcomes

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

- (1) lot reconfiguration results in a pattern of urban development which is broadly sequential, to maximise the efficiency of infrastructure provision and connect to surrounding movement and infrastructure networks¹;
- (2) a variety and mix of lot sizes enable a range of development options to accommodate the preferred uses in each zone;
- (3) lots have suitable areas, dimensions and slope for the intended use, including space for vehicle access and parking, on-site services and recreation, appropriate for the zone;
- (4) lot reconfiguration avoids areas where there is an unacceptable risk from hazards, including flood, storm tide, slope instability and bushfire;
- (5) in urban areas and emerging communities, compact and walkable neighbourhoods are created, which connect to employment nodes, centres, open space, recreational areas, community services and educational opportunities;
- (6) lot reconfiguration does not increase the likelihood of significant land use conflict;
- (7) lot reconfiguration does not result in adverse impacts on natural topography, drainage systems, vegetation, ecological values, ecosystems and cultural heritage features;
- (8) lot reconfiguration does not result in adverse impacts on utility installations, major transport and movement networks, and other important infrastructure;
- (9) street and pathway design maximises opportunities to create landmarks, views and vistas;
- (10) lots are orientated in a way which facilitates the design of buildings that are appropriate for the local climatic conditions;
- (11) infrastructure is provided to new lots in a way which minimises whole of life cycle costs and maximises the use of sustainable technologies;
- (12) public open space is provided in a way which is accessible, safe and integrated with active and passive transport networks;
- (13) streets and roads are designed to maximise convenience and safety for all users.

Table 9.3.3.4.1 — Outcomes for assessable development

Performance outcomes	Acceptable outcomes	Assessment Response
If boundary realignment		
PO1 – PO3 – Not applicable		
The proposal is not for a boundary realignment.		

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response																						
If reconfiguring a lot associated with a prior related Material Change of Use																								
PO4 – Not applicable																								
The proposal is not associated with a prior related Material Change of Use																								
All other reconfiguring a lot applications																								
Lot design – general																								
PO5	No acceptable outcome is nominated.	PO5 – Complies																						
Development included in the table below requires the preparation of a structure plan to accompany the development application.		A masterplan of the full extent of development, including proposed subdivision, has been provided.																						
<table><tr><th>Zone</th><th>Proposed additional lots in the stage/ development</th><th>Small structure plan</th><th>Large structure plan</th></tr><tr><td rowspan="2">All residential category zones</td><td>7 – 15</td><td><input type="checkbox"/></td><td></td></tr><tr><td>16 or more</td><td></td><td><input type="checkbox"/></td></tr><tr><td rowspan="2">All centres category zones and all industrial category zones</td><td>5 - 10</td><td><input type="checkbox"/></td><td></td></tr><tr><td>11 or more</td><td></td><td><input type="checkbox"/></td></tr><tr><td>All other zones where reconfiguring a lot requires impact assessment</td><td>1 or more</td><td></td><td><input type="checkbox"/></td></tr></table>			Zone	Proposed additional lots in the stage/ development	Small structure plan	Large structure plan	All residential category zones	7 – 15	<input type="checkbox"/>		16 or more		<input type="checkbox"/>	All centres category zones and all industrial category zones	5 - 10	<input type="checkbox"/>		11 or more		<input type="checkbox"/>	All other zones where reconfiguring a lot requires impact assessment	1 or more		<input type="checkbox"/>
Zone	Proposed additional lots in the stage/ development	Small structure plan	Large structure plan																					
All residential category zones	7 – 15	<input type="checkbox"/>																						
	16 or more		<input type="checkbox"/>																					
All centres category zones and all industrial category zones	5 - 10	<input type="checkbox"/>																						
	11 or more		<input type="checkbox"/>																					
All other zones where reconfiguring a lot requires impact assessment	1 or more		<input type="checkbox"/>																					
PO6	No acceptable outcome is nominated.	PO6 – Complies																						
Development which requires a structure plan is undertaken in accordance with the structure plan, and the structure plan is prepared in accordance with the requirements of Schedule SC7.14.		The submitted masterplan largely complies with the requirements of Schedule SC7.14. Details of lot sizes and frontages have not been included, however, are indicated on further subdivision plans.																						

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
<p>PO7</p> <p>Lot design is well integrated with the surrounding locality, having regard to:</p> <ul style="list-style-type: none"> (a) roads, streets, pedestrian and cycle networks; (b) utility installations and other infrastructure networks; (c) open space networks, significant vegetation and habitat areas, waterways and wetlands, and valued biodiversity corridors; (d) connections to centres and employment areas; (e) surrounding landscaping and streetscape treatments; and (f) the interface with established land uses. <p>Editor's note: When assessing the location and design for lot reconfiguration, consideration should be given to the standards for separating conflicting land use specified in Schedule 4 of the planning scheme. Where standards are not specified, a specialist report may be required to demonstrate the suitability of the development.</p>	<p>No acceptable outcome is nominated.</p>	<p>PO7 – Complies</p> <p>Lots are considered to be appropriately designed for the surrounding context. The proposed layout is sufficiently connected to movement networks, and is able to be connected to necessary infrastructure. Lots impacted by ecological matters have been arranged to minimise the need for clearing and recommendations under the bushfire management plan. An updated plan for Lots 1101-1107 will be conditioned to be provided to identify the extent of clearing in these lots outside the building envelopes. Proximity to adjoining land uses (animal husbandry) is not compliant with the standards for separating conflicting land uses as per Schedule 4.</p> <p>Although the proposal conflicts with Schedule 4, the development is in a preferred location for scale, proximity to CBD centre, surrounding zoning similar to proposed site and overall need for further affordable accommodation. Therefore, the proposal is considered to comply with PO7 of the Code.</p>

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
PO8 Lot design: (a) protects areas with significant environmental values; (b) appropriately utilises the natural topography of the site as far as practicable and minimises the need for significant earthworks for future development; (c) avoids crossing or otherwise interfering with natural drainage lines, waterways, wetlands, habitat areas or biodiversity corridors; and (d) retains key site characteristics, landmarks, and places of heritage significance.	No acceptable outcome is nominated.	PO8 – Conditioned to comply. Ecological assessment and associated amendments demonstrate that matters of environmental significance have been considered in the proposed lot reconfiguration, namely where asset protection zones have been implemented to limit the effects of future development on ecological values. It is noted that building envelopes and road reserves are still proposed over areas flagged as matters of environmental significance, and will result in some loss of biodiversity. However, the location of the vegetation is predominately in the south-east corridor of the site (Proposed Lots 1101-1107) and will be imposed with building envelopes. An amended bushfire management plan for proposed building envelopes (Lots 1101-1107) will be required to demonstrate that this part of the proposal can be maintained without significant vegetation clearing outside of the building envelope in consideration of the exempt vegetation clearing provisions under the Planning Regulation 2017. To this effect, a condition has been added for bushfire and an environmental covenant placed on the lots outside of the building envelope in consideration of the bushfire setbacks and exempt clearing setbacks. Alternatively, the applicant will be required to consolidate these lots to comply with the Bushfire Hazard Overlay Code requirements.
PO9 Lot reconfiguration does not facilitate development which would be visually obtrusive on skylines, headlands or prominent landscape features.	No acceptable outcome is nominated.	PO9 - Complies The proposed lot reconfiguration is intended for low density residential development that will not significantly impact on visual amenity.
PO10 Lot reconfiguration does not: (a) increase the likelihood of significant land use conflict; (b) compromise the potential to use adjoining land for its zoned purpose; (c) compromise the use of stock routes; (d) compromise the safe and efficient operation of major transport networks and other major infrastructure networks.	No acceptable outcome is nominated.	PO10 – Complies in part The proposed lot configuration is consistent with emerging residential development in the area, but increases the likelihood of significant land use conflict, given that the adjoining western lot is rurally zoned. However, it is noted the adjoining lots to the west will be likely subject to further residential development given the location and proximity to the CBD.
Lot design - size and dimension		

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
PO11 Reconfiguration only occurs if it creates lot sizes and dimensions that: <ul style="list-style-type: none"> (a) are consistent with the intended character of the zone, precinct or sub-precinct in which the land is located; (b) do not limit or compromise the ability to use rural land for its preferred uses; (c) do not limit or compromise the ability to use industrial zoned land or special purpose zoned land for their preferred uses; (d) protect resources (including potential mining and extractive resources), environmental and landscape values of rural land; (e) protect ground and surface water quality in the rural residential zone; (f) protect areas with significant biodiversity values; and (g) protect areas of high scenic amenity value. 	AO11.1 The lots are designed in accordance with the minimum lot sizes and dimensions specified within Table 9.3.3.4.2.	AO11.1 – Complies in part The proposed lots meet the minimum lot sizes for the Low Density Residential Zone, which the applicant has requested be applied to this section of the application. Areas of environmental significance are demonstrated to have been It is noted that the application of an alternative zone code, as well as the extent of the proposed reconfiguration, diminished the potential of the subject site for rural uses.
PO12 Lots have a regular shape and consistent dimensions to facilitate the efficient development of the land for its intended purpose, and have sufficient area to provide for: <ul style="list-style-type: none"> (a) buildings and structures; (b) usable open space and landscaping (c) ventilation and sunlight for buildings; (d) privacy for residents; (e) suitable vehicle access and on-site parking where required; and (f) any on-site services and infrastructure such as effluent disposal areas if required. 	AO12.1 The lots are designed in accordance with the minimum lot sizes and dimensions specified within Table 9.3.3.4.2.	AO12.1 - Complies in part Proposed lots generally meet the prescribed lot sizes and dimensions for the Low Density Residential Zone, however it is noted that a number of proposed lots do not demonstrate a compliant road frontage of at least 20m. This is not considered to significantly impede the ability to deliver efficient development of the land for its intended purpose.
	AO12.2 All residential lots are able to contain a constraint free rectangular building location envelope, having dimensions no less than nine (9) metres by fifteen (15) metres.	AO12.2 - Complies All proposed lots are of an appropriate size and shape to accommodate a building location envelope of at least nine (9) metres by fifteen (15) metres.
Lot size and dimensions where located in the emerging community zone		

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
PO13 – PO14 – Not applicable		
The site is not located in the Emerging community zone.		
Lot design – rear lots		
PO15 If the lot reconfiguration results in a rear lot, the resulting lots are designed in a manner which: (a) retains suitable size and dimensions to enable an appropriate use of the lots; (b) provides an appropriate level of amenity for the new lots and adjoining lots; (c) incorporates a direct means of access to the road network for the rear lot; (d) incorporates an access for the rear lot which has a sufficient width and design to provide for the following: (i) the use of the rear lot; (ii) suitable drainage and flood immunity; and (iii) to enable the implementation of measures to mitigate nuisance to any adjoining sensitive	AO15.1 If the lot reconfiguration results in a rear lot, only one (1) rear lot is created.	AO15.1 – Complies in Part The proposed reconfiguration results in more than one lot – however can comply with the overall performance outcomes.
	AO15.2 If the lot reconfiguration results in a rear lot, all resulting lots comply with the minimum size and dimensions for the location as specified within Table 9.3.3.4.2, and the minimum lot area for the rear lot does not include the area of the access way.	AO15.2 - Complies The proposed reconfiguration complies with the minimum lot sizes.
	AO15.3 If the lot reconfiguration results in a rear lot, the rear lot does not gain access from the head of a cul-de-sac.	AO15.3 – Does not comply 4 lots gain access from the head of the cul-de-sac , however the overall performance outcomes are met.
	AO15.4 No more than two (2) rear lot access ways directly adjoin each other.	AO15.4 – Does not comply 4 lots gain side by side however the pverall performance outcomes are met.
	AO15.5 If the lot reconfiguration results in a rear lot, the access way for the rear lot has a driveway which is immune to a flood inundation event having an annual exceedance probability of ten (10) per cent.	AO15.5 - Complies Flood modelling carried out for the development shows no inundation and therefore it can be expected that all rear lots will have an immunity to flood inundation for an event having an AEP of 10%.

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
<p>land use due to emissions likely to result from vehicular access; and</p> <p>(e) ensures that infrastructure services to the rear lot can be lawfully and easily constructed, monitored and maintained.</p>	<p>AO15.6</p> <p>If the lot reconfiguration results in a rear lot, the access way for the rear lot contains a driveway that is designed and constructed in accordance with the following:</p> <p>(a) if located in a residential category zone, the township zone, any other zone located within an urban setting, or in the rural residential zone (Park Residential Precinct):</p> <p>(i) a minimum three (3) metres wide compacted gravel pavement not less than one-hundred (100) millimetres thick and sealed with:</p> <p>(A) twenty-five (25) millimetres of asphaltic concrete; or</p> <p>(B) hot sprayed bitumen consisting of a prime and two (2) seal coats; or</p> <p>(C) interlocking pavers; or</p> <p>(ii) a minimum three (3) metres wide reinforced concrete driveway (not car tracks) not less than one-hundred (100) millimetres thick; or</p> <p>(b) if located in the rural zone or rural residential zone (other than Park Residential Precinct):</p> <p>(i) a four (4) metres wide all weather gravel pavement; and</p> <p>(ii) if the grade of the driveway is steeper than ten (10) per cent at any point, a four (4) metres wide sealed pavement on a six (6) metres wide formation; and</p> <p>(iii) if within twenty (20) metres of an existing dwelling house or other sensitive land use on an adjacent lot, a four (4) metres wide sealed pavement on a six (6) metres wide formation for a distance of at least twenty (20) metres</p>	<p>AO15.6 - Complies</p> <p>Access handles in excess of 5 metres width have been provided to all rear lots which allows sufficient width for a 3 metre wide driveway.</p>
D-514-2022		Page 7

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
	<p>AO15.7</p> <p>If the lot reconfiguration results in a rear lot, the access way for the rear lot has a minimum width which complies with the following:</p> <ul style="list-style-type: none"> (a) if located in a residential category zone, the township zone, or the rural residential zone (Park Residential Precinct): five (5) metres; or (b) if located in an industry category zone: eight (8) metres; (c) if located in the rural residential zone (not within the Park Residential Precinct): <ul style="list-style-type: none"> (i) eight (8) metres where the access way has a length up to and including fifty (50) metres; or (ii) fifteen (15) metres where the access way has a length greater than fifty (50) metres; or (d) if located in the rural zone: twenty (20) metres; or (e) if located in any other zone: no acceptable outcome is nominated. 	<p>AO15.7 - Complies</p> <p>Access handles greater than 5 metres width have been provided to all rear lots which allows sufficient width for a 3 metre wide driveway.</p>
Road and street network		

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
PO16 The road and street network has a clear hierarchical structure, with roads that are designed and constructed to achieve their function in the network, having regard to: <ul style="list-style-type: none"> (a) traffic volumes, vehicle speeds and driver behaviour; (b) on street parking; (c) sight distance; (d) provision for public transport routes and stops; (e) provision for pedestrian and cyclist movement, prioritising these where appropriate; (f) provision for waste collection and emergency vehicles; (g) lot access; (h) convenience; (i) public safety; (j) amenity; (k) the incorporation of public utilities and drainage; and (l) street scaping and street furniture. 	AO16.1 The roads and streets network is designed in accordance with Schedule SC7.17.	AO16.1 - Complies Road and street network in accordance with CMDG D1 and Schedule SC7.17.
PO17 The road and street network provides for: <ul style="list-style-type: none"> (a) high levels of permeability and connection between places to provide for short travel distances; (b) the convenient and safe movement between local streets and higher order roads; (c) at least two road or street access points to every neighbourhood; (d) the avoidance of the use of access places, unless the slope, shape or location of the site provides no alternative. 	AO17.1 Road intersections are designed in compliance with Capricorn Municipal Development Guidelines	AO17.1 - Complies Road intersections in accordance with CMDG D1.
	AO17.2 No more than twenty-five (25) lots are served by any single road access point.	AO17.2 - Complies Access places and Access Streets do not serve more than 25 lots.
	AO17.3 Street blocks are generally rectangular and arranged in a modified grid pattern, taking account of topography and minimising cut and fill on steeper land.	AO17.3 - Complies Generally arranged on a grid pattern given the topography of the site.
	AO17.4 Street block lengths do not exceed two-hundred (200) metres. Note: An access place is not regarded as defining the end of a street block.	AO17.4 - Complies Street block lengths do not exceed two-hundred metres.

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
	AO17.5 An access place: (a) is straight, with a clear view from the start of the street to the turning head; (b) provides a pedestrian connection from the head of the cul-de-sac to another road, and is a minimum width of ten (10) metres.	AO17.5 – Partly complies All cul de sac would not have access to another road adjoining, roads will be conditioned to comply with the geometric standards in the CMDG to allow safe trafficability.
PO18 Road crossings are provided for the safe and efficient movement of pedestrians and cyclists at regular intervals on higher order roads.	No acceptable outcome is nominated.	PO18 - Complies Road crossing will be provided in accordance with the road type requirements of the Capricorn Municipal Development Guideline.
PO19 Local streets do not operate as through traffic routes for externally generated traffic (other than for pedestrians, cyclists and public transport).	No acceptable outcome is nominated.	PO18 - Complies Access streets do operate as through traffic routes.
Road and street design		
PO20 The geometric design features of each type of road and street: (a) convey its primary function for all relevant design vehicle types; (b) have an adequate horizontal and vertical alignment that is not conducive to excessive speeds; (c) encourage traffic speeds and volumes to levels commensurate with road hierarchy function; (d) ensure unhindered access by emergency and waste collection vehicles and buses; (e) ensures safe access to lots.	AO20.1 Roads are designed in compliance with Capricorn Municipal Development Guidelines.	AO20.1 - Complies Roads are designed in accordance with the Capricorn Municipal Development Guidelines.

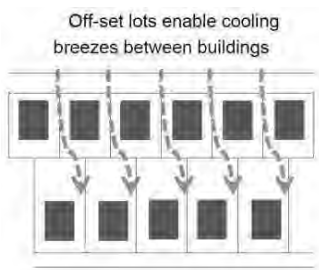
Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
<p>PO21</p> <p>Where lot reconfiguration involves the creation of a new street (other than in a rural zone or the rural residential zone), streetscape and landscape treatments are provided which:</p> <ul style="list-style-type: none"> (a) create an attractive and legible environment with a clear character and identity; (b) use and highlight features of the site such as views, vistas, existing vegetation, landmarks and places of cultural heritage significance; (c) enhance safety and comfort, and meet user needs; (d) complement the function of the street in which they are located by reinforcing desired traffic speed and behaviour; (e) assist integration with the surrounding environment; (f) maximise infiltration of stormwater runoff; and (g) minimise maintenance costs through: <ul style="list-style-type: none"> (i) street pavement, parking bays and speed control devices; (ii) street furniture, shading, lighting and utility installations; (iii) retention of existing vegetation; and (iv) on-street planting. 	<p>No acceptable outcome is nominated.</p>	<p>PO21 – Complies</p> <p>Roads are provided in accordance with the Capricorn Municipal Development Guidelines and have been designed to create attractive and legible subdivision that is considerate of the topography of the site.</p>
<p>PO22</p> <p>Road access to new lots minimises impacts on the function, vehicle speeds, safety, efficiency and capacity of streets and roads.</p>	<p>AO22.1</p> <p>Access arrangements are consistent with the characteristics intended for the particular type of road or street specified in the Capricorn Municipal Development Guidelines.</p>	<p>AO22.1 - Complies</p> <p>Access arrangements are consistent with the Capricorn Municipal Development Guidelines.</p>
Pedestrian and cycle networks		

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
PO23 A network of bicycle and pedestrian pathways, which is designed to maximise safety, convenience and comfort for users, is provided along higher order roads.	No acceptable outcome is nominated.	PO23 - Complies Pedestrian and cycle pathways are provided where required by the relevant road type.
PO24 The alignment of bicycle and pedestrian pathways is designed so that they: <ul style="list-style-type: none"> (a) allow for the retention of trees and other significant features; (b) maximise the visual interest provided by views and landmarks where they exist; (c) are well lit and allow for casual surveillance; (d) do not compromise the operation of or access to other infrastructure services; and (e) are widened at potential conflict points. 	No acceptable outcome is nominated.	PO24 - Complies Pedestrian and cycle pathways are provided where required by the relevant road type.
Public transport		
PO25 The road and street network caters for the extension of public transport routes to provide services that are convenient and accessible to the community.	AO25.1 If the lot reconfiguration is within a residential category zone or the emerging community zone, or it results in lots which provide for the development of accommodation activities at a density consistent with a residential category zone, then at least eighty (80) per cent of proposed lots are within four-hundred (400) metres walking distance from a road which is designed and constructed to accommodate buses.	AO25.1 – Complies The proposed lot configuration is considered to be of a density consistent with the corresponding low density residential zone. Based on existing roads, the number of lots within 400m of a road that can accommodate buses will not meet the required threshold. Proposed roads may be conditioned to guarantee that buses can be accommodated and ensure compliance.
Climatic response		
PO26 Lot layout facilitates building design which minimises sun penetration in summer and maximises cooling breezes	AO26.1 The long axis of street blocks is oriented generally east-west.	AO26.1 – Complies The street layouts generally have a long axis of east-west, but are also dictated by the need for stormwater to be appropriately managed in the central area of the subject land.

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
into buildings.	AO26.2 Where it is unavoidable that the long axis of a street block cannot be oriented east-west, lots are wider or are aligned at an angle to the street, to enable the longer sides of the building to be oriented to the north and south.	AO26.2 - Complies The lots are of sufficient size and widths where not on the east-west orientation to enable buildings that can maximise climate responsive design.
	AO26.3 Lots are offset to enable breezes to pass between buildings. 	AO26.3 - Complies Lots are generally offset to ensure prevailing breezes can penetrate the subdivision.
Development near infrastructure and special activities		
PO27 Reconfiguring minimises exposure to risks and amenity impacts from major infrastructure and enables the safe and efficient operation of infrastructure.	AO27.1 Reconfiguration within one-hundred (100) metres of any trunk gas pipeline does not increase the density of development	AO27.1 – Complies The proposed subdivision is not proximate to the infrastructure identified.
	AO27.2 Where adjoining a high voltage electricity easement (above 11kV), lot design and layout incorporates: <ul style="list-style-type: none"> (a) a vegetated buffer within a distance of twenty (20) metres from the boundary of the electricity transmission line easement; and (b) the orientation of the primary lot frontage away from transmission line easement 	AO27.2 - Complies The proposed subdivision is not proximate to the infrastructure identified.
	AO27.3 Lots are designed and oriented to ensure that a habitable building or primary open space areas on each lot can comply with the separation distances set out in Schedule 4.	AO27.3 – Complies The proposed subdivision is not proximate to the infrastructure identified.

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
	AO27.4 Reconfiguring of land for residential purposes does not take place within five-hundred (500) metres of the following: (a) a sewage or waste water treatment plant; (b) a landfill site or major waste transfer station; and major outfall facilities.	AO27.4 – Complies The proposed subdivision is not proximate to the infrastructure identified.
Infrastructure		
PO28 Infrastructure, including roads and streets, water supply, stormwater drainage, sewage disposal, waste disposal, electricity and communication facilities are provided in a manner that: (a) is efficient; (b) is adequate for the projected needs of the development; (c) is adaptable to allow for future infrastructure upgrades; (d) minimises risk of adverse environmental or amenity related impacts; (e) minimises whole of life cycle costs for that infrastructure.	No acceptable outcome is nominated. Editor's note: In the majority of instances, infrastructure is to be provided in accordance with the requirements of the Development Works Code. Noteworthy is that the acceptable outcomes for the provision of infrastructure, as specified in the Development Works Code, are considered to be acceptable assuming that the development is located in a suitable zone which is intended for that development. Although not desirable, should there be a situation where a reconfiguration of a lot results in lot sizes that are below the minimum lot sizes for the zone it is located in (as specified in this code) and the intended land use for the lots are different from that which is preferred for the zone it is located in, then the appropriateness of infrastructure is to be determined by an assessment against the relevant performance outcomes. It is likely that development for urban activities will in the majority of instances require the provision of infrastructure to a standard expected for development in urban zones.	PO28 - Complies The development is able to be serviced by urban infrastructure which is adequate to meet the needs of the development. Land containing dense vegetation will be protected in covenants.
Parks and open Space		
Editor's note—Where acceptable outcomes are set out in this section, it is acknowledged that they may primarily be practicable in greenfield developments. Alternative outcomes are likely to be appropriate in existing developed areas. This may include works and embellishment to existing parks or recreational corridors to meet the development's demand, or as part of an infrastructure partnership agreement.		

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
<p>PO29</p> <p>Neighbourhood design and lot layout provides a balanced variety of park types, including:</p> <p>(a) small local parks, which are designed to:</p> <p>(i) provide a small open space setting for adjoining dwellings;</p> <p>(ii) incorporate and retain existing natural features; and</p> <p>(iii) incorporate landscaping to assist in creating neighbourhood identity and way finding; and</p> <p>(b) neighbourhood parks, which are designed to:</p> <p>(i) be centrally located;</p> <p>(ii) support the local community's recreational needs; and</p> <p>(iii) provide opportunities for community and special events; and</p> <p>(c) lineal or corridor parks, which are designed to:</p> <p>(i) connect with existing or planned open space in the locality;</p> <p>(ii) incorporate pedestrian and cycle paths;</p> <p>(iii) protect significant natural features;</p> <p>(iv) convey stormwater; and</p> <p>(v) provide for other recreational needs when not flooded; and</p> <p>(d) natural parkland areas which:</p> <p>(i) retain locally significant wetlands, remnant vegetation and habitat for fauna;</p> <p>(ii) continue ecological corridors and linkages to</p> <p>(iii) maintain</p>	<p>AO29.1</p> <p>Open space is provided in accordance with the rates and desired standards of service contained in Schedule SC7.9 and Part 4 of this planning scheme.</p>	<p>AO29.1 - Complies in part</p> <p>The development provides for passive recreational opportunities through the local road network being developed and within the centrally located stormwater management area.</p> <p>Detailed design of this area and footpath networks should be provided in any operational works application.</p>
<p>D-514-2022</p> <p>areas outside of the neighbourhood; and</p>		

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
<p>PO30</p> <p>Neighbourhood design and lot layout provides for safe and secure, well distributed and located parkland that:</p> <ul style="list-style-type: none"> (a) provides a clear relationship between the public realm and adjoining land uses through treatment including alignment, fencing and landscaping; (b) enhances the area's local identity and landscape amenity; (c) provides for a range of recreational opportunities to meet community needs; (d) forms a linkage to existing parkland or habitats; (e) respects and retains existing natural elements; and (f) protects biodiversity values and features. 	<p>No acceptable outcome is nominated.</p>	<p>PO30 - Complies</p> <p>The centrally located stormwater area provides for recreational opportunities that is connected with existing vegetation communities and natural areas to the east. It is recommended that the design of this area to meet appropriate standards of service is conditioned.</p>
Hazards		
<p>PO31</p> <p>Reconfiguration of a lot avoids creating unacceptable risk to human safety, property and the environment due to natural hazards and contaminated land.</p> <p>Editor's note: Not all areas of the planning scheme area (which may be subject to risk from natural hazards) are identified by overlays. Determination of potential hazards and constraints should be undertaken through the development application process and appropriate analysis of the site and surrounding area.</p> <p>Editor's note: Where contamination is suspected (for example former cattle dip yards, industrial sites, landfill, areas of unexploded ordnances and the like), applicants may be requested to provide a preliminary contamination report when for residential, rural residential or emerging community zone subdivisions.</p>	<p>No acceptable outcome is nominated.</p>	<p>PO31 - Complies in part</p> <p>The development responds to the presence of flooding and bushfire hazards. However some concern remains with the single evacuation route to the south for the residential subdivision. It is recommended that the development provide a mechanism (such as an easement through the relocatable home park) that secures evacuation to Limestone Creek Road in the event that the access to Condon Drive is unsafe.</p> <p>In addition to this, the layout of the larger lots to integrate vegetation for scenic purposes, coupled with the threat and presence of bushfire has not been wholly demonstrated. To that end, it is recommended that additional information be provided in support of the design of Lots 1101 to 1107.</p>

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Comments:

As evident from the above assessment, the proposal complies with the various requirements of the reconfiguring a lot code. It is recommended that conditions be applied in relation to:

- the design of Lots 1101 to 1107 to ensure vegetation is retained:
- detailed design of the central stormwater management area to ensure vegetation and passive recreation opportunities are afforded to the community in accordance with standards of service.

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Low density residential zone code

Purpose

The purpose of the low density residential zone code is:

- (1) to identify the desired character and amenity for the zone and to protect it from incompatible development;
- (2) to provide for the development of low density neighbourhoods comprising accommodation activities in the form of detached dwellings (predominantly detached dwelling houses) as the preferred and dominant land use within the zone;
- (3) to provide for the development of other accommodation options only if they provide for the long-term stay of residents and they are designed to be consistent with the character of a neighbourhood comprised of predominantly detached dwellings;
- (4) to provide for the development of a limited range of non-residential uses only if they are compatible with and support preferred land use;
- (5) to establish one (1) precinct within the zone where particular development outcomes are specified, and the precinct is identified as follows:
 - (a) the Tanby Road Commercial Transition Precinct; and
- (6) to facilitate the achievement of the overall outcomes sought for the zone.

Overall outcomes

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

- (1) the development is:
 - (a) a use within the accommodation activities group which:
 - (i) provides only for the long-term stay of residents;
 - (ii) is designed at a low dwelling density; and
 - (iii) is designed to be consistent with the character of a residential neighbourhood which is predominantly comprised of detached dwellings; or
 - (b) a use which supports the residential dwellings of the immediate surrounding area; or
 - (c) a use which services the convenience needs of residents of the immediate surrounding area; and
- (2) the development of a use from within the accommodation activities group is a preferred use within the zone in the following circumstances:
 - (a) it is a caretaker's accommodation; or
 - (b) it is a community residence; or
 - (c) it is a dual occupancy and it does not result in there being a dominance of dual occupancies in the street or immediate surrounding area; or
 - (d) it is a dwelling house; or
 - (e) it is a dwelling unit; or
 - (f) it is a home based business and it complies strictly with specified design, siting, and operational requirements; and
- (3) if the development is a use from within the accommodation activities group and it is not identified in Overall Outcome (2) above, the development occurs within the zone only in the following circumstances:
 - (a) the use is designed to be consistent with the character of the zone and other uses in the immediate area; and
 - (b) the use:
 - (i) is multiple dwellings; or
 - (ii) is non-resident workforce accommodation; or
 - (iii) is a relocatable home park; or
 - (iv) is a residential care facility; or
 - (v) is a retirement facility; or
 - (vi) is rooming accommodation; and
- (4) the development of a use that is not within the accommodation activities group occurs within the zone only in the following circumstances:
 - (a) it is small in scale;

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

- (b) it is consistent with the built form and appearance of development in the immediate surrounding area;
- (c) it is located at a site adjoining an appropriate road in the planning scheme road hierarchy; and
- (d) the use:
 - (i) is an environment facility; or
 - (ii) is a child care centre; or
 - (iii) is a park; or
 - (iv) is a sales office; or
 - (v) shop for the purpose of a general corner store; or
 - (vi) is within the special activities group and it is an essential component of infrastructure servicing the community; and
- (5) development that is likely to have a high impact on sensitive land use does not occur within the zone;
- (6) development contributes to a high level of amenity and an attractive living environment;
- (7) sensitive land use is not located in proximity to any established incompatible uses without appropriate design and siting to minimise adverse impacts on amenity;
- (8) the development is compatible with an urban form that is characterised by:
 - (a) a low 'net' dwelling density (up to fifteen dwellings per hectare);
 - (b) the height of buildings does not exceed two (2) storeys above ground level;
 - (c) low site cover;
 - (d) provision of private or communal open space for dwellings;
 - (e) appealing streetscapes and public places;
- (9) the appearance of development provides visual interest and contributes to a high level of visual amenity when viewed from the street, public places, and the surrounding area;
- (10) the development is provided with adequate infrastructure and essential services; and

Where located in the Tanby Road Commercial Transition Precinct

Note: The overall outcomes of the Tanby Road Commercial Transition Precinct are additional to those of the zone and take precedence in the event of a conflict.

- (11) the development is:
 - (a) a use within the accommodation activities group which provides for the long-term stay of residents; or
 - (b) a use within the centre activities group which:
 - (i) has low-impacts;
 - (ii) is within an existing dwelling house;
 - (iii) suitably integrates with the established accommodation activities in the immediate area; and
- (12) the development of a use within the centre activities group occurs within the precinct only in the following circumstances:
 - (a) it is health care services; or
 - (b) it is an office; and

Where located in the Kinka Local Business Precinct

Note: The overall outcomes of the Kinka Local Business Precinct are additional to those of the zone and take precedence in the event of a conflict.

- (13) the development:
 - (a) is oriented towards supporting the local convenience needs only of the immediate area;
 - (b) is oriented towards supporting the tourism and recreation development potential of the immediate area;
 - (c) is designed to integrate with development in the immediate area;

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

- (d) does not undermine the viability, role or function of established neighbourhood centres, local centres, district centres or major centres;
- (e) provides visual interest and contributes to a high level of visual amenity when viewed from the street, public places and the surrounding area;
- (f) access to the site:
 - (i) maintains and public transport infrastructure along the Scenic Highway; and
 - (ii) is limited to one access point;
- (14) the development of a food and drink outlet occurs only in the following circumstances:
 - (a) it is a continuation of an existing use; and
 - (b) it does not involve a drive-through facility;
- (15) if sited with non-residential uses, the development of a use within the accommodation activities group occurs within the precinct in the following circumstances:
 - (a) it is located above the ground level storey of the non-residential use; and
 - (b) it provides for the long-term stay residents.

6.7.1.1 Specific benchmarks for assessment

Table 6.7.1.4.1 – Outcomes for development that is accepted subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Assessment response
Land use		
Outcomes applicable to a dual occupancy		
PO1 In the low density residential zone, the development of a dual occupancy occurs only if: <ul style="list-style-type: none"> (a) it does not result in a dominance of dual occupancies in the block compared to detached dwelling houses; (b) it does not result in a high concentration of similarly designed dual occupancies; and (c) it does not adversely impact the character or amenity of the streetscape. 	AO1.1 In the low density residential zone, the development of a dual occupancy occurs only if it does not result in more than twenty (20) per cent of the lots in the block having a dual occupancy.	AO1.1 - Not applicable The overall lots composition and tables of assessment will likely end up with a number of tracts of land that may result in potential for Dual Occupancies. It is suggested that the applicability of this aspect of the codes should appropriately manage the outcomes of this occurring.
	AO1.2 The dual occupancy: <ul style="list-style-type: none"> (a) does not adjoin another dual occupancy; or (b) where it adjoins another dual occupancy, the development has variations to the adjoining dual occupancy in relation to the following: <ul style="list-style-type: none"> (i) roof pitch; and (ii) façade design. 	AO1.2 - Not applicable
	AO1.3 Each dwelling has a clearly identifiable and visible entrance when viewed from a point in the street, located directly in front of the development site.	AO1.3 - Not applicable

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment response
	AO1.4 The development is oriented to the street and has at least one window or balcony that faces the street.	AO1.4 - Not applicable
	AO1.5 To soften the visual impact of large building surfaces when viewed from a point in the street, located directly in front of the development site, articulation in the design of building walls and roofs is used at least for every ten (10) metres of surface.	AO1.5 - Not applicable
Built form		
PO2 The height and bulk of buildings and structures are consistent with the intended character of the zone and do not adversely impact the character or amenity of the streetscape, adjoining sites and surrounding area.	AO2.1 Building height (for buildings other than a Class 10a building under the Building Code of Australia) does not exceed the following: (a) 8.5 metres above ground level where the ground has a slope less than fifteen (15) per cent; or (b) ten (10) metres above ground level where the ground has a slope equal to or greater than fifteen (15) per cent.	AO2.1 – Complies The future delivery of dwellings on lots is considered to be able to comply
	AO2.2 Building height of a standalone Class 10a building under the Building Code of Australia does not exceed the lesser of the following: (a) if there is a dwelling house on the site, the height of the dwelling house; or (b) five (5) metres to the apex of the Class 10a building.	AO2.2 – Complies The future delivery of dwellings on lots is considered to be able to comply
	AO2.3 The volume of a standalone Class 10a building under the Building Code of Australia, being a garage or shed, does not exceed three (3) per cent of the lot volume. Editor's note: Lot volume is defined in SC1.2 Administrative definitions.	AO2.3 – Complies The future delivery of dwellings on lots is considered to be able to comply
	AO2.4 A standalone class 10a building under the Building Code of Australia, being a garage or shed, has a maximum visible width of seven (7) metres when viewed from a position at the primary road frontage lot boundary located perpendicular to and directly in front of the Class 10a building.	AO2.4 – Complies The future delivery of dwellings on lots is considered to be able to comply

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment response
	A02.5 Site cover does not exceed fifty (50) per cent.	A02.5 - Complies The future delivery of dwellings on lots is considered to be able to comply
PO3 The design and siting of buildings and structures results in a high level of on-site amenity and does not adversely impact the character or amenity of the streetscape or adjoining sites having regard to the following: (a) minimisation of potential sources of nuisance; (b) provision of and maintenance of access to natural light and ventilation; (c) provision of recreational open space for the occupants of dwellings; and (d) integration with and consideration of the design and siting of any buildings and structures located on adjoining sites or public places.	A03.1 There is a 1.8 metre high screen fence located along all common lot boundaries between a sensitive land use and an adjacent centre category zone, industry category zone, special purpose zone or a use within the business activities group, centre activities group, entertainment activities group, industrial activities group or special activities group.	A03.1 - Complies The future delivery of dwellings on lots is considered to be able to comply
	A03.2 Buildings or structures have a setback from side, rear, and road frontage lot boundaries in compliance with the setback standards identified in Table SC10.1.2 of Schedule 10.	A03.2 - Complies The future delivery of dwellings on lots is considered to be able to comply

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment response
	<p>A03.3</p> <p>The development of a use within the accommodation activities group (other than an ancillary secondary dwelling) is provided with an open space area in accordance with the following:</p> <p>(a) each dwelling is provided with a private open space area as follows:</p> <p>(i) a minimum area directly accessible from the dwelling of fifty (50) square metres (inclusive of verandas, patios and terraces) and part of the area has minimum dimensions of six (6) metres by six (6) metres; or</p> <p>(ii) if a dwelling is located entirely or predominantly above the ground level storey, each dwelling has a balcony, or a veranda, or a deck, or a roof top area directly accessible from the main living area, having a minimum private area of ten (10) square metres and the area has minimum dimensions of three (3) metres by three (3) metres; or</p> <p>(b) the development has a communal open space area of twenty (20) per cent of the total site area and part of the area has minimum dimensions of six (6) metres by six (6) metres.</p>	<p>A03.3- Complies</p> <p>The future delivery of dwellings on lots is considered to be able to comply</p>
	<p>A03.4</p> <p>If the distance separating a window of a habitable room, a balcony or a patio is less than three (3) metres at ground level or nine (9) metres at levels above the ground level storey, of a window of a habitable room or a balcony or a patio of an adjacent building, privacy is protected by utilising the following:</p> <p>(a) window sill heights a minimum of 1.5 metres above floor level; or</p> <p>(b) fixed opaque glazing in any part of the window below 1.5 metres above floor level; or</p> <p>(c) fixed external screens; or</p> <p>(d) in the case of screening for a ground floor level, fencing to a height of 1.5 metres above ground floor level.</p>	<p>A03.4 - Complies</p> <p>The future delivery of dwellings on lots is considered to be able to comply</p>

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment response
Appearance		
PO4 The development is designed in a manner that contributes to a high level of visual amenity when viewed from the street, public places, and the surrounding area by incorporating elements including but not limited to the following: (a) emphasis on entry points; (b) orientation to the street and any public places; (c) inclusion of structures or vegetation to screen any building plant and waste storage areas from view of the street or other public places; (d) minimising the length of unarticulated buildings; and (e) inclusion of vegetation to screen any large unarticulated walls.	A04.1 The development has a pedestrian entry point at or visible from the primary road frontage.	A04.1 - Complies The future delivery of dwellings on lots is considered to be able to comply
	A04.2 If fencing is provided between the road frontage lot boundary and the front building line, the fencing is: (a) a maximum height of 1.2 metres; or (b) a maximum height of 1.8 metres if having a minimum transparency of fifty (50) per cent.	A04.2 - Complies The future delivery of dwellings on lots is considered to be able to comply
	A04.3 Any waste storage areas are screened from view of the street and adjoining public places by one or more of the following: (a) a solid screen fence; or (b) a wall; or (c) dense vegetation.	A04.3 - Complies The future delivery of dwellings on lots is considered to be able to comply
	A04.4 Any building plant is screened from view of the street and adjoining public places by one or more of the following: (a) a solid screen fence, or (b) a roof design feature; or (c) a wall; or (d) dense vegetation.	A04.4 - Complies The future delivery of dwellings on lots is considered to be able to comply

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment response
	A04.5 There is a densely vegetated buffer area having a depth of at least five (5) metres from the lot boundary, located along all common lot boundaries between a sensitive land use and an adjacent centre category zone, industry category zone, special purpose zone or a use within the business activities group, centre activities group, entertainment activities group, industrial activities group or special activities group.	A04.5 – Not applicable

Table 6.7.1.4.2 – Additional outcomes for assessable development

Performance outcomes	Acceptable outcomes	
Land use		
Outcomes applicable where not located in the Tanby Road Commercial Transition Precinct		
PO5 The use contributes to the development of residential neighbourhoods which: (a) comprise the following: (i) preferred uses for the zone (as identified in the overall outcomes for the zone); or (ii) other long-term accommodation activities identified in the overall outcomes for the zone that are designed to be consistent in form and appearance with preferred uses for the zone; or (b) comprise other small-scale relatively low-impact uses that are identified in the overall outcomes for the zone where they service the community or convenience needs of the immediate residential area.	No acceptable outcome is nominated.	PO5 – Complies It is considered that the subdivision and the relocatable home park are appropriate uses for the site and the proposed Low Density Residential Zone code applying to the site.
PO6 The use contributes to a high level of amenity and an attractive living environment for residents in the immediate area.	No acceptable outcome is nominated.	PO6 – Complies It is considered that the subdivision and the relocatable home park are appropriate uses for the site and the proposed Low Density Residential Zone code applying to the site and are a logical continuation of the character and amenity of the adjacent residential communities.
PO7 The use appropriately integrates with any established dwellings and other sensitive land use in the immediate area.	No acceptable outcome is nominated.	PO7 – Complies It is considered that the subdivision and the relocatable home park are appropriate uses for the site and the proposed Low Density Residential Zone code

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	
		applying to the site and are a logical continuation of the character and amenity of the adjacent residential communities.
PO8 The development of a use that is not within the accommodation activities group occurs only if it does not undermine the viability, role or function of a nearby centre.	No acceptable outcome is nominated.	PO8 - Not applicable
PO9 The development of a use that is not within the accommodation activities group occurs only if it is located at a site adjoining a road that is classified as a collector road or a higher order road in the road hierarchy, and the road: <ul style="list-style-type: none"> (a) is designed to accommodate the traffic generated by the use; (b) provides for convenient and safe access; and (c) can minimise nuisance and disturbance to the surrounding residential area. 	No acceptable outcome is nominated.	PO9 - Not applicable
Outcomes applicable where located in the Tanby Road Commercial Transition Precinct		
PO10 The use contributes to the development of a commercial transition precinct which: <ul style="list-style-type: none"> (a) for the life of the planning scheme, is to slowly transition to a commercial area containing only a limited range of non-residential uses; (b) while in the transitional phase, contains non-residential uses only if they are within an existing building; and (c) is comprised of the following: <ul style="list-style-type: none"> (i) a dwelling house; or (ii) a low-impact non-residential use within the centre activities group (as identified in the overall outcomes for the precinct). 	No acceptable outcome is nominated.	PO10 - Not applicable
PO11 The use contributes to a high level of amenity and an attractive living environment for existing residents in the immediate area.	No acceptable outcome is nominated.	PO11 - Not applicable
PO12 The use appropriately integrates with any established accommodation activities and other sensitive land use in the immediate area.	No acceptable outcome is nominated.	PO12 - Not applicable

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes		Acceptable outcomes	
Dwelling density			
<p>PO13</p> <p>If the development is for a use within the accommodation activities group, the use is designed in a manner that is compatible with the following:</p> <p>(a) the planned low dwelling density for the zone (as identified in the overall outcomes for the zone); and</p> <p>(b) the ability of the land and infrastructure to support the development.</p>	<p>No acceptable outcome is nominated.</p>	<p>PO13 - Complies</p> <p>The proposed density is consistent with the overall intended densities for the low density residential zone.</p>	
Appearance			
<p>PO14</p> <p>Large expanses of blank unarticulated building walls are broken up by use of fenestration, recesses, wall offsets, balconies, projections, or other building design features so that the development has an appearance which provides visual interest and contributes to a high level of visual amenity when viewed from the street, public places, and the surrounding area.</p>	<p>No acceptable outcome is nominated.</p>	<p>PO14 - Complies</p> <p>The future delivery of dwellings and the relocatable home park are considered to be able to comply</p>	
Infrastructure			
<p>PO15</p> <p>Safe, accessible, robust and reliable infrastructure relating to access and parking, energy supply, roads, roof and allotment drainage, sewage and wastewater treatment and disposal, stormwater management, telecommunications, and water supply, is adequately provided for the development in accordance with best practice and endorsed standards for the location, and relative to the needs of the development.</p>	<p>AO15.1</p> <p>The development complies with the requirements of the Development Works Code.</p>	<p>AO15.1 – Complies</p> <p>The delivery of infrastructure for each part of the development is generally compliant with the Development Works Code.</p>	

Comment

The proposed development has demonstrated compliance is able to be achieved with the Low Density Residential Zone Code with the Variation to include the land in this zone.

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Rural zone code

The purpose of the rural zone code is:

- (1) *to identify the desired character and amenity for the zone and to protect it from incompatible development;*
- (2) *to provide predominantly for a wide range of uses from within the rural activities group, particularly those involved primary production, and to protect these from land use conflict that may result from the development of sensitive land use and other non-rural uses;*
- (3) *to protect or manage significant natural resources and processes to maintain the capacity for primary production;*
- (4) *to provide for the development of a limited range of other uses that are compatible with rural areas and rural activities, where they do not limit or compromise the potential for the development of uses involved in primary production;*
- (5) *to establish two precincts within the zone where particular development outcomes are specified, and the precincts are identified as follows:*
 - (a) *the Capricorn Coast Rural Precinct;*
 - (b) *the Yaamba Historic Township Precinct; and*
- (6) *to facilitate the achievement of the overall outcomes sought for the zone.*

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

- (1) *the development is:*
 - (a) *a use within the rural activities group; or*
 - (b) *a use which:*
 - (i) *is compatible with and supports a use within the rural activities group; or*
 - (ii) *does not limit or compromise the development of a use within the rural activities group on an adjoining rural zoned lot;*
- (2) *the development of a use from within the rural activities group is a preferred use within the zone in the following circumstances:*
 - (a) *it is designed, sited and operated to mitigate significant adverse impacts on [sensitive land use](#);*
and
 - (b) *the use:*
 - (i) *is animal husbandry; or*
 - (ii) *is [animal keeping](#); or*
 - (iii) *is [aquaculture](#); or*
 - (iv) *is [cropping](#); or*
 - (v) *is [extractive industry](#); or*
 - (vi) *is [intensive animal industry](#); or*
 - (vii) *is [intensive horticulture](#); or*
 - (viii) *is a [permanent plantation](#); or*
 - (ix) *is a [roadside stall](#); or*
 - (x) *is a [rural industry](#); or*
 - (xi) *is a [wholesale nursery](#); or*
 - (xii) *is a [winery](#); and*
- (3) *the development of a use from within the accommodation activities group occurs within the zone only in the following circumstances:*
 - (a) *it is ancillary to the use of the land for a use within the rural activities group;*
 - (b) *it is designed and sited so as not to limit or compromise the continuing operation of an established use from within the rural activities group on an adjoining lot;*
 - (c) *it is designed and sited so as not to limit or compromise the future development of rural zoned land on an adjoining lot for a use from within the rural activities group;*

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

- (d) *it is appropriately separated and buffered from uses that are likely to result in adverse impacts on amenity; and*
- (e) *the use:*
 - (i) *is a caretaker's accommodation; or*
 - (ii) *is a dwelling house; or*
 - (iii) *is a dwelling unit; or*
 - (iv) *is a home based business; or*
 - (v) *is rural workers' accommodation; or*
 - (vi) *is short-term accommodation (being a farm stay);*
- (4) *the development of other non-rural uses occur within the zone only in the following circumstances:*
 - (a) *the use:*
 - (i) *is compatible with development in the immediate area; or*
 - (ii) *has characteristics which tie it to a specific natural resource; or*
 - (iii) *requires large area of land that is not available in an area zoned for urban activities; and*
 - (b) *it is designed and sited so as not to limit or compromise the continuing operation of an established use from within the rural activities group on an adjoining lot; and*
 - (c) *it is designed and sited so as not to limit or compromise the future development of rural zoned land on an adjoining lot for a use from within the rural activities group; and*
 - (d) *it is designed, sited and operated to mitigate significant adverse impacts on sensitive land use; and*
 - (e) *it is located at a site adjoining an appropriate road in the planning scheme road hierarchy; and*
 - (f) *the use:*
 - (i) *is within the business activities group and is:*
 - (A) *bulk landscape supplies; or*
 - (B) *a garden centre; or*
 - (C) *veterinary services; or*
 - (ii) *is within the recreation activities group and is:*
 - (A) *an environment facility; or*
 - (B) *outdoor sport and recreation; or*
 - (C) *a park; or*
 - (iii) *is within the special activities group and is:*
 - (A) *is emergency services; or*
 - (B) *a landing; or*
 - (C) *a transport depot containing no more than four (4) vehicles; or*
 - (D) *other uses within the special activities group if they are an essential component of infrastructure servicing the community; and*
- (5) *the development is compatible with a [form](#) that is characterised by:*
 - (a) *development on lots which have appropriate areas and dimensions relative to the quality and potential of the land to be developed for uses from within the rural activities group, particularly those involved in primary production;*
 - (b) *buildings and structures having a height designed relative to the operational needs of the use, characteristics of the location, and the surrounding land use;*
 - (c) *use of vegetation screening, separation distances and buffering to manage impacts between adjoining land use;*
 - (d) *protection of a reasonable level of visual amenity when viewed from the street and public places; and*

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

- (e) *development being appropriately integrated with any large tracts and corridors of remnant vegetation and habitat, and any State or local significant vegetation, habitat, wetlands or waterways, so as to protect landscape values and natural environment values; and*
- (6) *land that is identified as Agricultural Land Class A or Class B:*
 - (a) *is retained for development that is unlikely to limit or compromise the capacity of the land to be used for primary production;*
 - (b) *is protected from fragmentation due the creation of inappropriate lot sizes for the location;*
 - (c) *is protected from inappropriate and incompatible development, unless:*
 - (i) *there is a proven overriding need in terms of public benefit for the development and no other site is suitable for that particular development; or*
 - (ii) *the development is small-scale, has low impacts and is focussed on tourism which is directly associated with a rural activity undertaken on the site or involves education, promotion, or sales associated with primary produce sourced from the site or local area; or*
 - (iii) *the potential undertaking of agriculture on the subject land (alone or in association with surrounding land) is not practicable ; and*
- (7) *development maximises the potential to undertake uses from within the rural activities group by retaining lots in a suitable size and shape (unless there is a demonstrated need adjacent to an identified township in accordance with Overall Outcome (7)(c) or if located in the Capricorn Coast rural precinct) as specified in the minimum lot sizes and dimensions of the reconfiguration of a lot code and in this code as follows:*
 - (a) *a minimum area of sixty (60) hectares only where located upon land identified as being entirely within Agricultural Land Class A or Class B; or*
 - (b) *a minimum area of one-hundred and fifty (150) hectares where located upon land that is not as being entirely within Agricultural Land Class A or Class B;*
 - (c) *a minimum area of two (2) hectares where located adjacent to the township of Cawarral, Mount Chalmers, or The Caves, and all of the following circumstances exist:*
 - (i) *the site is not located within the Capricorn Coast rural precinct or is not located within land identified as Agricultural Land Class A or Class B; and*
 - (ii) *the site is not included in, or within five (5) kilometres of land designated as urban, new urban, or future urban as shown on the [Strategic framework maps](#); and*
 - (iii) *the new lots do not limit or compromise the continuing operation of an established use from within the rural activities group on an adjoining lot; and*
 - (iv) *it can be demonstrated that there is a need for additional supply of lots within a five (5) kilometre radius of the township zone; and*
 - (v) *the site is in proximity to primary school or a bus route; and*
 - (vi) *each new lot created has regular proportions; and*
 - (vii) *lots that adjoin rural zoned land are provided with adequate additional internal areas to provide separation and buffer areas; and*
 - (viii) *new lots do not take direct access from a State main road; and*
 - (ix) *a sufficient minimum number of lots is proposed in the one estate; and*
 - (x) *the land is capable of adequately providing for the on-site treatment and disposal of effluent and wastewater (where reticulated municipal sewerage is unavailable); and*
 - (xi) *the following infrastructure and services are provided:*
 - (A) *a bitumen sealed road of a suitable standard;*
 - (B) *approved municipal water supply; and*
 - (C) *electricity and telecommunications; and*
- (8) *the development does not compromise the use of declared stock routes; and*
- (9) *the development is provided with adequate infrastructure and essential services; and*

Specific benchmarks for assessment

Table 6.5.4.4.1 —Outcomes for development that is accepted subject to requirements and assessable development

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
Where located in all areas of the zone (excluding the Yaamba Historic Township Precinct)		
Land use		
If a use within the accommodation activities group		
PO1 The development of a use within the accommodation activities group: <ul style="list-style-type: none"> (a) does not limit or compromise the continuing operation of an established use from within the rural activities group on an adjoining lot; (b) does not limit or compromise the future development of rural zoned land on an adjoining lot for a use from within the rural activities group; and (c) is appropriately separated and buffered from uses that are likely to result in adverse impacts on amenity. 	AO1.1 The habitable buildings of a use from within the accommodation activities group have a setback from side and rear lot boundaries in accordance with the greater of the following: <ul style="list-style-type: none"> (a) if there is an established use from within the rural activities group located on an adjoining lot, a setback from the common boundary with that lot, which complies with the minimum separation distances specified in Table SC4.1.1 and Table SC4.1.2 of Schedule 4; or (b) in compliance with the setback standards identified in Table SC10.1.1 of Schedule 10. 	AO1.1 – Complies in part The development will alter the land's use from rural to accommodation activities, associated open space and community related uses. While there is a common boundary between the activities and the rural zone, the development is adjacent to continuing rural land in the same ownership and therefore there is not a reverse amenity issue anticipated.
	AO1.2 The habitable buildings of a use within the accommodation activities group have a setback from road frontage lot boundaries in accordance with the greater of the following: <ul style="list-style-type: none"> (a) if there is an established use from within the rural activities group located on a lot on the opposite side of the road, a distance from the road frontage boundary, which complies with the minimum separation distances specified in Table SC4.1.1 and Table SC4.1.2 of Schedule 4; or (b) in compliance with the setback standards identified in Table SC10.1.1 of Schedule 10. 	AO1.2 - Not applicable The development is residential in nature and will comply with the building separation distances applicable to the Low Density Residential Zone.
If a use within the rural activities group		
PO2 The development of a use within the rural activities group is designed, sited and operated to minimise significant adverse impacts on sensitive land use.	AO2.1 The development of a use within the rural activities group complies with the minimum separation distances specified in Table SC4.1.1 and Table SC4.1.2 of Schedule 4.	AO2.1 - Not applicable
If a roadside stall		
PO3 The roadside stall: <ul style="list-style-type: none"> (a) is small in scale; (b) does not impact on the amenity of adjoining land uses and the surrounding area; (c) does not adversely affect the 	AO3.1 Any structure used for a roadside stall: <ul style="list-style-type: none"> (a) has a maximum floor area of twenty (20) square metres; and (b) is located entirely within the 	AO3.1 - Not applicable

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
<p>safety and efficiency of the road network;</p> <p>(d) is ancillary to the farming use conducted on the same site; and</p> <p>(e) sells only fresh produce grown locally.</p>	<p>lot and not on the road reserve.</p>	
	<p>A03.2</p> <p>Site access, car parking and storage areas:</p> <p>(a) are located entirely within the lot and not on the road reserve; and</p> <p>(b) use the same driveway as the primary lot access</p>	A03.2 - Not applicable
Built form		
<p>PO4</p> <p>The height of buildings and structures are consistent with the rural character of the locality and the reasonable expectations as to the operational needs of the use, and they do not adversely impact the character or amenity of the streetscape, adjoining sites or the immediate area.</p>	<p>A04.1</p> <p>Building height does not exceed twelve (12) metres above ground level (excluding silos and similar structures that are ancillary to the operations of a use within the rural activities group).</p>	<p>A04.1 – Complies in part</p> <p>The development will be residential in nature, and consistent with the Low Density Residential Zone for which the application seeks to vary the planning scheme to facilitate.</p>
	<p>A04.2</p> <p>The height of structures does not exceed twenty-five (25) metres above ground level.</p>	A04.2 - Not applicable
<p>PO5</p> <p>The design and siting of buildings and structures does not adversely impact the amenity of the streetscape or adjoining sites having regard to the following:</p> <p>(a) minimisation of potential sources of nuisance;</p> <p>(b) prevention of overshadowing of habitable buildings of any sensitive land use on adjoining lots; and</p> <p>(c) prevention of overshadowing of public places.</p>	<p>A05.1</p> <p>Buildings or structures have a setback from side, rear and road frontage lot boundaries in compliance with the setback standards identified in Table SC10.1.1 of Schedule 10.</p>	<p>A05.1 – Complies in part</p> <p>The development will be residential in nature, and consistent with the Low Density Residential Zone for which the application seeks to vary the planning scheme for. This will facilitate buildings that are compliant with the Low Density Residential Zone Code rather than the Rural Zone Code.</p>
Where located in the Yaamba Historic Township Precinct		
PO6-PO10 – Not applicable as the site is not located within the Yaamba Historic Township Precinct		

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Table 6.5.4.4.2 – Additional outcomes for assessable development

Performance outcomes	Acceptable outcomes	Assessment Response
Where located in all areas of the zone (excluding the Capricorn Coast Rural Precinct and excluding the Yaamba Historic Township Precinct)		
Land use		
PO11 The use contributes to the development of the rural zone which is comprised of the following: (a) preferred uses for the zone (as identified in the overall outcomes for the zone); or (b) uses within the accommodation activities group (where in accordance with the circumstances identified in the overall outcomes for the zone); or (c) other uses that are not within the rural activities group or accommodation activities group (where in accordance with the circumstances identified in the overall outcomes for the zone).	No acceptable outcome is nominated.	PO11 - Does not comply/Not applicable It is noted that there is an inherent conflict between the use and the Rural zone Code as the proposal is consistent with an urban form of development. This is assessed under the Strategic Framework and considered to be an appropriate development outcome for this site.
Where located in the Capricorn Coast Rural Precinct		
PO12 – Not applicable as the site is not located in the Capricorn Coast Rural Precinct		
Where located in the Yaamba Historic Township Precinct		
PO13 – PO15 - Not applicable as the site is not located within the Yaamba Historic Township Precinct		
Where located in all areas of the zone (excluding the Yaamba Historic Township Precinct)		
PO16 The development of a use within the rural activities group is designed and operated at an appropriate scale and intensity relative to the capacity of water resources and soil to sustain the development activity in an environmentally responsible manner.	No acceptable outcome is nominated.	PO16 - Not applicable

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
PO17 The development of a use within the rural activities group or a use being veterinary services, where involving the boarding, accommodation, care, training, holding, keeping, production, or cultivation of animals and the like, ensures that the animals are confined within the site in secure fencing or other enclosures, and these confinements are sited, designed and managed in a manner which achieves the following: (a) accepted best practice for the welfare of animals; (b) prevention of the escape of animals; (c) best practice for the hygienic confinement of animals; and (d) minimal nuisance beyond the site boundaries by way of noise and odours produced by the animals.	No acceptable outcome is nominated.	PO17 - Not applicable
PO18 The use does not result in land and water quality degradation (above ground and underground) due to the following: (a) movement of sediment, nutrients, pathogens, and pollutants; or (b) the handling, treatment and disposal of solid and liquid waste.	No acceptable outcome is nominated.	PO18 - Complies The proposal has addressed water quality through the use of sediment basin central to the development.
PO19 The use: (a) avoids unnecessary clearing of native vegetation and habitat; and (b) minimises major earthworks.	No acceptable outcome is nominated.	PO19 - Complies The development application has provided an ecological assessment to demonstrate that the development is consistent with the ecological values of the vegetation on the site, with its removal.
If an extractive industry		
PO20 – PO22 – Not applicable as the proposal does not involve an extractive industry		
If a transport depot		
PO23 – Not applicable as the proposal does not include a transport depot		
Where located within Agricultural Land Class A and Class B identified on an overlay		

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
<p>P024</p> <p>Land that is identified as Agricultural Land Class A or Class B is developed only in the following circumstances:</p> <p>(a) it is for a land use from within the rural activities group, which does not limit or compromise the capacity of the land to be used for primary production; or</p> <p>(b) it is for a land use that is not within the rural activities group, which is not irreversible, and which does not limit or compromise the capacity of the land to be used for primary production; or</p> <p>(c) it is proven that the land should not actually be identified as Agricultural Land Class A or Class B; or</p> <p>(d) other than in the Capricorn Coast Rural Precinct, it does not result in the creation of a lot having an area less than sixty (60) hectares and a width less than 450 metres; or</p> <p>(e) it is for a land use that is not within the rural activities group and there is an overriding need in terms of public benefit for the development and that the development cannot be located on alternative sites that are suitable for the development; or</p> <p>(f) the land is identified as Key Resource Area; or</p> <p>(g) the development is small-scale, has low impacts and is focussed on tourism which is directly associated with a rural activity undertaken on the site or involves education, promotion, or sales associated with primary produce sourced from the site or local area; or</p> <p>(h) the potential undertaking of agriculture on the subject land (alone or in association with surrounding land) is not practicable.</p>	<p>No acceptable outcome is nominated.</p>	<p>P024 - Does not comply</p> <p>It is noted that there is an inherent conflict between the use and the Rural zone Code as the proposal is consistent with an urban form of development. This is assessed under the Strategic Framework and considered to be an appropriate development outcome for this site.</p>
Where located adjacent to the township of Cawarral, Mount Chalmers, or The Caves		
P025 – Not applicable as the sites are not adjacent to the townships of Cawarral, Mount Chalmers, or The Caves		
Appearance		

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
P026 The development is designed in a manner that does not significantly adversely affect visual amenity when viewed from the street, public places, and the surrounding area.	No acceptable outcome is nominated.	P026 - Complies The development is urban in nature and is consistent with the variations sought to the underlying zoning in the planning scheme.
Stock routes		
P027 The development does not limit or compromise the use of identified stock routes for stock movement or other compatible uses.	No acceptable outcome is nominated.	P027 – Not applicable No mapped stock route(s) is over the properties as per overlay map OM19.
Infrastructure		
P028 Safe, accessible, robust and reliable infrastructure relating to access and parking, energy supply, roads, roof and allotment drainage, sewage and wastewater treatment and disposal, stormwater management, telecommunications, and water supply, is adequately provided for the development in accordance with best practice and endorsed standards for the location, and relative to the needs of the development.	A028.1 The development complies with the requirements of the Development Works Code.	A028.1 - Complies The development complies with the Performance Outcomes of the Development works code and is able to service the development with urban infrastructure.
Where located in the Yaamba Historic Township Precinct		
P029 and P030 – not applicable as the site is not located within the Yaamba Historic Township Precinct		

Comment

The development application is for a Preliminary Approval for a Variation Request to include the land in the Low Density Residential Zone.

An assessment against the Strategic Framework has revealed that the development, as an extension of the existing urban area of Yeppoon is able to comply with the strategic intent of the planning scheme. In line with this, the assessment against the Rural Zone Code to confirm the nature of compliance and non-compliance is given less importance in the balance of assessment, compared to the compliance with the Low Density Residential Zone.

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Accommodation activities code

9.2.1.2 Specific benchmarks for assessment

Table 9.2.1.4.1 – Outcomes for development that is accepted subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Assessment Response
Location, design and siting		
If a caretaker's accommodation		
PO1	- Not applicable The development is not for caretaker's accommodation.	
If a dwelling house (secondary dwelling)		
PO2	Not applicable as the development is not for Secondary dwelling.	
If a dwelling unit		
PO3	Not applicable as the development is not for a dwelling unit.	
If a home-based business		
PO4	Not applicable as the development is not for home-based business.	

Table 9.2.1.4.2 - Additional outcomes for assessable development

Performance outcomes	Acceptable outcomes	Assessment Responses
Location, design and siting		
If multiple dwellings		
PO5	Not applicable as the development is not for multiple dwellings.	
If nature based tourism		
PO6 – PO11	Not applicable as the development is not for nature based tourism.	
If non-resident workforce accommodation		
PO12 – PO20	Not applicable as the development is not for non-residential workforce accommodation.	
If a relocatable home park		
PO21 The relocatable home park is located at a highly accessible site which: (a) is convenient for people residing at the premises; and (b) is: (i) within proximity to a centre of activity which contains shops, food and drink outlets, community activities, and entertainment activities; or (ii) is in proximity to a major visitor or tourist destination; and (c) is in proximity to public transport facilities and high order transport routes; and (d) can minimise adverse impacts on local amenity and the local transport network.	No acceptable outcome is nominated.	Complies The relocatable home park Is considered to be appropriately located, within 2 km of the Yeppoon CBD, and highly accessible to the surrounding local road network.

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Responses
PO22 The relocatable home park is designed and developed: <ul style="list-style-type: none"> (a) at appropriate scale and density relative to the zone of the site and surrounding land use; (b) to ensure there is appropriate living space for residents; (c) to ensure the safety of residents of the relocatable home park; (d) to ensure there is a high level of amenity and privacy for residents of the relocatable home park and for residents on adjoining premises. 	No acceptable outcome is nominated.	Complies The relocatable home park affords a highly accessible layout with appropriate internal amenity and privacy for residents. The development will be a gated community with two facilities to cater for residents daily amenity, being a clubhouses, bowling green, pool, men's shed and linear parklands.
PO23 The visual impact of the relocatable home park upon the external streetscape and on adjoining land is minimised by use of dense vegetation to visually screen the buildings and structures of the development.	AO23.1 Other than for the site entry and exit and any management buildings associated with entry to the relocatable home park, the development has a densely vegetated setback depth of at least five (5) metres along all external road frontage boundaries and along all side and rear property boundaries.	Complies The development will give the appearance of a gated residential community. A surrounding stormwater drain provides for ample opportunity for landscaping. It is recommended that this be appropriately conditioned.
PO24 The amenity of the relocatable home park is enhanced by provision of open space and landscaping dispersed throughout the development site.	No acceptable outcome is nominated.	Complies The development will be a gated community with two facilities to cater for residents daily amenity, being a clubhouses, bowling green, pool, men's shed and linear parklands.
PO25 The development contains a clearly signed on-site office building for management of the relocatable home park, and the building is sited in a highly accessible manner in proximity to the entry of the relocatable home park.	No acceptable outcome is nominated.	Complies The clubhouse(s) provide for onsite administration and management of the relocatable home park. This will need to be conditioned to be delivered as a component of Stage 1.
PO26 The relocatable home park: <ul style="list-style-type: none"> (a) contains a range of site sizes to accommodate variations in the size of relocatable homes in common use and to accommodate a carport for each site; (b) contains sites that are clearly defined and include numbering; and (c) contains sites that are all equipped with electricity, telecommunications, reticulated water, and reticulated sewerage infrastructure to an urban standard. 	No acceptable outcome is nominated.	Complies The relocatable home park contains a number of home site typologies to be approved as part of the master plan for the site. Conditions relating to the internal configuration of infrastructure and numbering are able to be included on any approval.

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Responses
PO27 A sufficient amount of living space and functional recreation space is provided for occupants of the relocatable home park.	AO27.1 A minimum of ten (10) per cent of the total site area is provided as communal open space and the communal open space: (a) does not include any landscape buffer areas; (b) is clear of obstacles; and (c) has regular dimensions.	Complies The development provides substantial communal open space which is linear in nature. This provides sufficient opportunity to meet resident needs. It is recommended that a condition for detailed design to achieve these specific items be placed on the development.
	AO27.2 A minimum of one (1) indoor communal recreation and entertainment area is provided for occupants of the relocatable home park having a minimum size which is the greater of the following: (a) one (1) square metre per resident able to occupy the relocatable home park; or (b) one-hundred (100) square metres	Complies The development provides two clubhouses along with active and passive recreation opportunities.
PO28 Communal recreation or entertainment space, amenities buildings, a kiosk, or a food and drink outlet provided as part of the development are small-scale and ancillary to the use of the premises for long-term accommodation and they primarily service the convenience needs of residents of the relocatable home park.	No acceptable outcome is nominated.	Complies The development provides two clubhouses along with active and passive recreation opportunities.
PO29 Communal recreation or entertainment space, amenities building, kiosk, or a food and drink outlet provided as part of the development are designed and sited so as to minimise potential noise impacts on neighbouring premises.	AO29.1 Any communal indoor recreation or entertainment space, community building, amenities building, kiosk, or food and drink outlet is designed and sited so as to minimise potential noise impacts on neighbouring premises in accordance with the following: (a) it is sited a minimum of ten (10) metres from the property boundaries that adjoin land within a residential category zone or land within the township zone; or (b) it is sited a minimum of five (5) metres from the property boundaries that adjoin land within a residential category zone or land within the township zone, and the area is enclosed by an acoustic screen fence, or a solid building, or a part of a building with no voids.	Complies The location of clubhouses are appropriate for the surrounding communities and are appropriately separated so as not to cause an ongoing nuisance to adjoining existing residential areas. It is recommended that fencing and landscaping of boundaries are provided to assist in the mitigation of noise and amenity impacts in the long term.
If a residential care facility		
PO30 – PO34 Not applicable as the development is not for a residential care facility.		
If a resort complex		

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Responses
PO37 – PO43	Not applicable as the development is not for a resort complex.	
If a retirement facility		
PO44 – PO50	Not applicable as the development is not for a retirement facility.	
If rooming accommodation		
PO51 – PO50	Not applicable as the development is not for rooming accommodation.	
If rural workers' accommodation		
PO57 – PO59	Not applicable as the development is not for rural workers' accommodation.	
If short-term accommodation		
PO60 – PO66	Not applicable as the development is not for short-term accommodation.	
If a tourist park		
PO67 – PO78	Not applicable as the development is not for a tourist park.	

Comment

It is considered that the relocatable home park demonstrates compliance with the applicable development outcomes in the Accommodation Activities Code. Conditions are recommended to be imposed in relation to:

- the landscaping and external features of the premises;
- the staging and delivery of the recreation/ communal facilities for residents as part of the first stage(s) of development;
- the typologies of housing so that it does not become singular in nature;
- detailed design of parkland areas to ensure both passive and active recreational opportunities are achieved.

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

General development code

Purpose

The purpose of the general development code is to:

- (1) *to enable an assessment of the suitability of the location, design, siting, operation and other aspects of development that are not zone dependent;*
- (2) *to facilitate the achievement of the overall outcomes sought for development.*

Overall outcomes

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

- (1) *the development is located at a site which does not result in an unacceptable risk to health and safety of occupants of the premises or an unacceptable risk of property damage;*
- (2) *the development contributes to functional and safe private and public environments;*
- (3) *the development is located at a site which has a sufficient area and suitable dimensions relative to the characteristics of the use and the characteristics of surrounding land use;*
- (4) *the development does not compromise the safety, efficiency and effectiveness of the transport network;*
- (5) *the development appropriately integrates with adjoining land use;*
- (6) *the development protects the character and amenity of the surrounding area; and*
- (7) *the development does not significantly adversely affect valued natural environment and landscape features of the site and surrounds.*

9.3.1.1. Specific benchmarks for assessment

Table 9.3.1.4.1 – Outcomes for development that is accepted subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Assessment Response
Flood resilience		
PO1 The development is resilient to the adverse impacts of flood events which result in unacceptable risk to health and safety or unacceptable risk of property damage.	AO1.1 The development is resilient to the adverse impacts of a flood by locating the floor level of all building rooms used for habitation or work a minimum of 300 millimetres above the level of a flood event of at least the annual exceedance probability specified in Table SC5.1.1 located in Schedule 5 of the planning scheme.	AO1.1 - Complies Flood modelling informs the bulk earthworks levels proposed which considers freeboard to floor levels.
Location, design, siting, operation		

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response								
<p>PO2</p> <p>The development is located at a site that is able to accommodate all the buildings, facilities, and operational needs of the use without increasing the likelihood of land use conflict by:</p> <p>(a) adversely affecting the amenity of adjoining land use and the surrounding area;</p> <p>(b) adversely affecting the safety, health and wellbeing of occupants of sensitive land use;</p> <p>(c) adversely affecting the operations of adjoining land use;</p> <p>(d) reducing the potential to use adjoining land for its intended purpose; and</p> <p>(e) adversely affecting the safe and effective provision of services to the development.</p>	<p>A02.1</p> <p>The development is located at a site that does not conflict with the minimum separation distances specified in tables SC4.1.1, SC4.1.2, SC4.1.3, and SC4.1.4, located in Schedule 4 of the planning scheme.</p>	<p>A02.1 - Complies</p> <p>The development is substantial in size and provides appropriate design to contain the impacts of the development on the site.</p> <p>An acoustic report supports the development application and demonstrates the appropriateness of the development in this location.</p>								
<p>PO3</p> <p>Development maintains a high level of amenity for adjoining sensitive land use with regard to the generation of unreasonable noise.</p>	<p>A03.1</p> <p>Where located within a residential category zone, rural residential zone, or township zone, development does not exceed noise generation levels at the property boundary, interpreted under the provisions of the current version of the <i>Environmental Protection (Noise) Policy</i> as unreasonable, or the following whichever is the lesser:</p> <table><tr><td>Period</td><td>Noise level at property boundary</td></tr><tr><td>0700 to 2000</td><td>Background noise level plus 5 dB(A)</td></tr><tr><td>2000 to 0700</td><td>Background noise level plus 3 dB(A)</td></tr><tr><td colspan="2">Measured as the adjusted maximum sound pressure level Lmax adj T.</td></tr></table>	Period	Noise level at property boundary	0700 to 2000	Background noise level plus 5 dB(A)	2000 to 0700	Background noise level plus 3 dB(A)	Measured as the adjusted maximum sound pressure level Lmax adj T.		<p>A03.1 - Complies</p> <p>Generally, the development provides sufficient separation from existing residential areas to be able to comply with the development outcome.</p> <p>An acoustic report supports the development application and demonstrates the appropriateness of the development in this location.</p>
Period	Noise level at property boundary									
0700 to 2000	Background noise level plus 5 dB(A)									
2000 to 0700	Background noise level plus 3 dB(A)									
Measured as the adjusted maximum sound pressure level Lmax adj T.										
<p>PO4</p> <p>Outdoor lighting maintains the amenity of any adjoining residential zoned premises and does not adversely impact the safety for vehicles or pedestrians on the adjoining streets as a result of light emissions, either directly or by reflection.</p>	<p>A04.1</p> <p>Outdoor lighting is designed, installed and maintained in accordance with the parameters and requirements of the current version of the Australian Standard AS4282 — Control of the obtrusive effects of outdoor lighting.</p>	<p>A04.1 - Complies</p> <p>This is recommended to be contained in a condition of approval.</p>								

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
<p>PO5</p> <p>A refuse container and container storage area is provided in a manner that:</p> <ul style="list-style-type: none"> (a) maintains the amenity of the surrounding area; (b) is of adequate size to accommodate the expected amount of refuse to be generated by the use; (c) is in a position that is conveniently accessible for collection; and (d) is able to be kept in a clean state at all times. 	<p>A05.1</p> <p>The development of a use within the accommodation activities group is provided with a refuse container and container storage area that:</p> <ul style="list-style-type: none"> (a) is screened from view from a public place by a solid screen fence, wall or dense vegetation having a minimum height of 1.5 metres; (b) is large enough to accommodate at least one (1) standard issue sized rubbish bin per dwelling. 	<p>A05.1 - Complies</p> <p>It is recommended that a condition on the relocatable home park ensures waste is appropriately managed in accordance with Council's standards and requirements.</p>
	<p>A05.2</p> <p>The development of a use (other than an use within the accommodation activities group), is provided with a refuse container and container storage area that:</p> <ul style="list-style-type: none"> (a) is screened from view from a public place by a solid screen fence, wall or dense vegetation having a minimum height of 1.8 metres; (b) has an imperviously sealed pad, on which to stand the bin(s), and which is drained to an approved waste disposal system; (c) is within proximity to a hose cock; (d) is large enough to accommodate at one (1) or more industrial bins of a size appropriate to the nature and scale of use; and (e) is not located within three (3) metres of the common property boundary where adjoining a lot within a residential category zone or township zone 	<p>A05.2 – Not applicable</p>

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Table 9.3.1.4.2 – Additional outcomes for assessable development

Performance outcomes	Acceptable outcomes	Assessment Response
Community safety		
PO6 Personal safety and property security are optimised through the design of buildings and spaces incorporating the following: (a) means of easily identifying the premises; (b) appropriate night lighting; (c) suitably designed and located building entry and exit points; (d) opportunities for surveillance; (e) appropriate plant species for landscaping; (f) clear definition of boundaries between private and public spaces; and (g) any best practice for crime prevention through environmental design.	A06.1 The development contains: (a) appropriately designed and sited numbering which clearly identifies the street address and any individual tenancies or dwelling units at the premises; and (b) appropriately designed and sited signage for way finding and premises identification.	A06.1 - Complies This is recommended to be contained in a condition of approval.
	A06.2 The development contains lighting that is designed and installed in any public places and community places in accordance with Australian Standard AS1158: Public Lighting Code.	A06.2 - Complies This is recommended to be contained in a condition of approval.
	A06.3 Other than for controlled and well lit emergency exits, the development has clearly identifiable and well lit entry and exit points which: (a) front a road, public place, or communal place; or (b) are in clear unobstructed view of a road, public place, or communal place; or (c) front a well-defined, unobstructed and appropriately lit pathway which connects to a road, public place, or communal place.	A06.3 - Complies This is recommended to be contained in a condition of approval.

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
	A06.4 Building entrances facing onto roads, public places or communal places: (a) do not incorporate recesses of sufficient size to conceal a person; or (b) where the recess is of sufficient size to conceal a person it: (i) is well lit; and (ii) is: (A) gated with restricted access; or (B) has strategically placed mirrors.	A06.4 - Complies This is recommended to be contained in a condition of approval of the relocatable home park.
	A06.5 Any movement corridor (walkways, laneways, pathways, tunnels, stairways, cycleways and the like) within a site or between sites do not exceed two-hundred (200) metres in length	A06.5 - Complies This is recommended to be contained in a condition of approval and demonstrated in an operational works permit.
	A06.6 Any movement corridor (walkways, laneways, pathways, tunnels, stairways, cycleways and the like) having blind corners involving a change in direction of seventy-five (75) degrees or more are provided with design elements that maximise the ability to sense the presence of danger around the corner such as one of or a combination of the following: (a) a mirror to allow viewing around the blind corner; or (b) use of permeable material for the building or structure at the blind corner; or (c) reduction of the height of the building or structure at the blind corner to a height allowing for an unobstructed view; or (d) inclusion of a barrier extending out from the blind corridor with the barrier being permeable or having a height allowing for an unobstructed view; or (e) use of night lighting fixed at locations which can cast shadow of persons or objects into view; or (f) other effective design elements.	A06.6 - Complies This is recommended to be contained in a condition of approval and demonstrated in an operational works permit.

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
	A06.7 For vehicle parking areas, the planting of vegetation involves species that have clear trunks up to a height of two (2) metres or that have low ground covers less than one (1) metre in height.	A06.7 – Complies This is recommended to be contained in a condition of approval and demonstrated in an operational works permit.
	A06.8 The development has clearly defined boundaries between private and public space by use of one or more of the following elements: (a) fencing; or (b) changes in surface finishes; or (c) landscape treatments.	A06.8 - Complies This is recommended to be contained in a condition of approval and demonstrated in an operational works permit.
Location, design, siting, operation		
P07 The safety, efficiency, effectiveness and operation of the transport network servicing the site and surrounding area or any identified future components of the transport network, are not compromised by the development.	A07.1 Non-residential development, which commonly generates greater than ten (10) vehicle trips per day, does not have direct access to a road that is classified in the road hierarchy as a local residential access street or a residential access place.	A07.1 - Not applicable The proposal is for residential development.
	A07.2 A traffic impact assessment report is prepared by an engineer who qualifies as a registered professional engineer of Queensland and the traffic impact assessment report satisfies Council that the safety, efficiency, effectiveness and operation of components of the transport network servicing the site and surrounding area or any identified strategic future components of the transport network, are not compromised by the development.	A07.2 – Complies A traffic impact assessment report was provided and identifies the development can be provided with safe and efficient transport network subject to the upgrade of Limestone Creek Road and the construction of Condon Drive.

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
PO8 Development that generates use by a high quantity of people or frequent use by people is located at a highly accessible premises: (a) which is convenient for people needing to use the premises; and (b) which: (i) contains public transport facilities, or (ii) is in proximity to current or future public transport facilities; or (iii) is in proximity to current or future high order transport routes; and (c) which provides for the efficient travel of emergency vehicles; and (d) which can minimise adverse impacts on local amenity.	No acceptable outcome is nominated.	PO8 – Complies Higher order transport routes being constructed as part of the development.
PO9 Development that requires frequent use of heavy haulage vehicles, bulk freight of goods, or the transportation of dangerous or hazardous goods, liquids, materials and the like, is located at premises able to effectively utilise major transport facilities and routes, and other high order components of the transport network.	No acceptable outcome is nominated.	PO9 - Not applicable The proposal is for residential development and does not require frequent use of bulk haulage vehicles or freight of goods.
PO10 Development occurs on sites that are safe from contaminants that may cause harm to people or property.	No acceptable outcome is nominated.	PO10 – Complies The site is not known to be contained on a register or subject to contaminants that may cause harm to people.
PO11 The development does not significantly adversely affect valued natural environment and landscape features of the site and surrounds including but not limited to the following: (a) large tracts of established native vegetation; or (b) inland and coastal waterways and wetlands; or (c) riparian vegetation; or (d) biodiversity corridors; or (e) visually prominent mainland and island mountains, hills, ridges, headlands, dunes, beaches; or (f) important urban green break areas; or (g) cultural heritage features.	No acceptable outcome is nominated.	PO11 - Complies The application provides a supporting Ecological Assessment Report that demonstrates the development will not significantly affect valued natural environmental and landscape features across the site.

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Comment

The proposal is generally compliant with the General Development Code. Many of the detailed requirements contained in the code are best imposed as conditions on the development to be detailed in an operational works application following approval of the relocatable home park and subdivision.

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Biodiversity overlay code

Purpose

The purpose of the biodiversity overlay code is to identify, protect, enhance and rehabilitate areas containing matters of environmental significance and the ecological processes and biodiversity values of terrestrial and aquatic ecosystems.

Overall outcomes

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

- (1) *matters of environmental significance and corridors which link them are identified, protected, enhanced and rehabilitated to maintain ecological processes and biodiversity;*
- (2) *nature corridors or links are maintained and where appropriate, rehabilitated and expanded to support:*
 - (a) *the natural movement and proliferation of native species;*
 - (b) *ecological responses to climate change;*
 - (c) *the maintenance of large scale migratory lifecycle processes; and*
 - (d) *connectivity between significant habitat areas and areas of remnant vegetation;*
- (3) *development does not cause significant adverse impacts on areas containing matters of environmental significance, by appropriately addressing impacts on issues including but not limited to the following:*
 - (a) *species or habitat loss or disturbance, including terrestrial and aquatic wildlife corridors;*
 - (b) *soil degradation, pollution, erosion, contamination, acidification or salinization;*
 - (c) *modification to natural processes; and*
 - (d) *reduction in water quality, ecological values and the natural hydrological regimes of surface and ground waters;*
- (4) *development maintains or increases the resilience of ecosystems and wildlife habitats to threatening processes, including the impacts of climate change;*
- (5) *development facilitates land tenure and other management arrangements for the long-term conservation of environmentally significant areas, ecological processes and biodiversity values;*
- (6) *corridors and associated buffers have dimensions which suitably provide for:*
 - (a) *movement of native fauna;*
 - (b) *viable habitat areas;*
 - (c) *minimisation of edge effects;*
 - (d) *maintenance of the hydrological functions of waterways or wetlands;*
 - (e) *appropriate access for sustainable recreation; and*
 - (f) *any additional maintenance and bushfire setback functions to be located outside the areas required for ecological purposes; and*
- (7) *fragmentation of existing habitat areas is minimised, particularly where it impacts on the future health of populations of native fauna and flora species.*

Specific benchmarks for assessment

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Table 8.2.3.4.1 — Outcomes for assessable development

Performance outcomes	Acceptable outcomes	Assessment Response
Land use		
<p>PO1</p> <p>In areas identified as having matters of environmental significance, all uses are located, designed and operated to:</p> <ul style="list-style-type: none"> (a) retain and protect significant environmental values; and (b) maintain the underlying ecological functions and biophysical processes of the site and surrounds. 	<p>No acceptable outcome is nominated.</p> <p>Editor's note: Schedule SC7.5 identifies the primary attributes included in areas containing matters of State environmental significance. Site-specific investigation will be required to confirm the extent and nature of values indicated on the overlay map.</p>	<p>PO1 – Complies</p> <p>The applicant has provided an assessment of the ecological values of the site. While vegetation clearing is proposed, this vegetation has been incorrectly mapped as having remnant or high value regrowth. Notwithstanding this, the applicant intends to retain a vegetation buffer adjacent to the Pineapple Rail Trail and rehabilitate the waterway corridor that traverses the site.</p>
Native vegetation and habitat		
<p>PO2</p> <p>Development retains and regenerates native vegetation in such a way as to:</p> <ul style="list-style-type: none"> (a) retain vegetation that is in patches of greatest size and smallest possible edge-to-area ratio; (b) maximise the linkages between vegetation located on the subject site; (c) maximise linkages between vegetation located on adjacent properties within the biodiversity network; (d) allow the dispersal or movement through biodiversity corridors; and (e) protect riparian vegetation in and adjacent to watercourses. <p>Editor's note: Council may adopt an offsets planning scheme policy for matters of local environmental significance at a future date.</p> <p>Editor's note: Development applications proposed in areas identified as having matters of environmental significance that prepare all relevant material in accordance with Schedule SC7.5 Environmental Management Planning Scheme Policy, will assist in demonstrating achievement of these performance outcomes.</p>	<p>No acceptable outcome is nominated.</p>	<p>PO2 - Complies</p> <p>The applicant has provided an assessment of the ecological values of the site. While vegetation clearing is proposed, this vegetation has been incorrectly mapped as having remnant or high value regrowth. Notwithstanding this, the applicant intends to retain a vegetation buffer adjacent to the Pineapple Rail Trail and rehabilitate the waterway corridor that traverses the site.</p>

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
<p>P03</p> <p>Development retains, protects and enhances areas of habitat that support a critical life stage in ecological process such as feeding, breeding or roosting for the identified species.</p> <p>Editor's note: Council may adopt an offsets planning scheme policy for matters of local environmental significance at a future date.</p> <p>Editor's note: Development applications lodged with Council must identify all species listed that are present within or adjacent to the premises and habitats that may be affected by the proposal. In particular applications are to identify and describe how the development protects or enhances wildlife habitat at any critical life stage ecological processes within or adjacent to the development area. This should be reflected in an ecological assessment report prepared in accordance with the Schedule SC7.5.</p>	<p>No acceptable outcome is nominated.</p>	<p>P03 - Complies</p> <p>The applicant has provided an assessment of the ecological values of the site. While vegetation clearing is proposed, this vegetation has been incorrectly mapped as having remnant or high value regrowth. Notwithstanding this, the applicant intends to retain a vegetation buffer adjacent to the Pineapple Rail Trail and rehabilitate the waterway corridor that traverses the site.</p>
<p>P04</p> <p>Development protects existing biodiversity corridors and assists in the establishment of new corridors which have adequate dimensions and characteristics to support:</p> <p>(a) unimpeded movement of terrestrial and aquatic fauna that are associated with or are likely to use the biodiversity corridor as part of their normal life cycle evolutionary and genetic processes;</p> <p>(b) the natural change in distributions of species and connectivity between populations of species over long periods of time;</p> <p>(c) ecological responses to climate change;</p> <p>(d) maintenance of large scale seasonal/ migratory species processes and movement of fauna;</p> <p>(e) connectivity between large tracts and patches of native remnant vegetation and habitat areas; and</p> <p>(f) effective and continuous movement of terrestrial and aquatic fauna.</p>	<p>A04.1</p> <p>Development involving roads, pipelines, pedestrian access and in-stream structures:</p> <p>(a) does not create barriers to the movement of fauna (including fish passage) along or within biodiversity corridors; or</p> <p>(b) provides effective wildlife movement infrastructure in accordance with best practice which:</p> <p>(i) enables fauna to safely negotiate a development area; and</p> <p>(ii) separates fauna from potential hazards through the use of appropriate fencing.</p>	<p>A04.1 -Complies</p> <p>The applicant has provided an assessment of the ecological values of the site. While vegetation clearing is proposed, this vegetation has been incorrectly mapped as having remnant or high value regrowth. Notwithstanding this, the applicant intends to retain a vegetation buffer adjacent to the Pineapple Rail Trail and rehabilitate the waterway corridor that traverses the site.</p>

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
	AO4.2 Development ensures that biodiversity corridors have a sufficient width to protect habitat, minimise impacts from adjoining land use, and to enhance connectivity in accordance with the following: (a) regional corridors retain a width of at least five-hundred (500) metres; and (b) local corridors retain a width of at least fifty (50) metres.	AO4.2 - Complies The applicant has provided an assessment of the ecological values of the site. While vegetation clearing is proposed, this vegetation has been incorrectly mapped as having remnant or high value regrowth. Notwithstanding this, the applicant intends to retain a vegetation buffer adjacent to the Pineapple Rail Trail and rehabilitate the waterway corridor that traverses the site.
Wetlands and waterways		
PO5 Development retains waterways and wetlands and avoids impacts on: (a) native riparian vegetation; (b) habitat; (c) ecological functions; (d) water quality; and (e) nature conservation values.	AO5.1 A buffer surrounding a waterway or wetland is established and maintained free of development, the width of which is supported by an evaluation of the environmental values and functions and threats to matters of State or local environmental significance. Editor's note: The Queensland wetland buffer guideline, Department of Environment and Heritage, 2011 should be referred to when planning detailed buffer design to position development, determine any alternative buffer widths, and establish operating measures that avoid adverse impacts on a wetland.	AO5.1 - Complies The applicant has provided an assessment of the ecological values of the site. The applicant intends to retain a vegetation buffer adjacent to the Pineapple Rail Trail and rehabilitate the waterway corridor that traverses the site.
PO6 Development does not cause land degradation near a waterway or wetland, including: (a) mass movement, gully erosion, rill erosion, sheet erosion, tunnel erosion, stream bank erosion, wind erosion, or scalding; and (b) loss or modification of chemical, physical or biological properties or functions of soil.	AO6.1 Native vegetation is retained or where retention is unavoidable, it is reinstated within riparian areas and buffer areas.	AO6.1 - Complies The applicant has provided an assessment of the ecological values of the site. The applicant intends to retain a vegetation buffer adjacent to the Pineapple Rail Trail and rehabilitate the waterway corridor that traverses the site.
	AO6.2 Foreshore areas are fenced to prevent stock access.	AO6.2 Not applicable
	AO6.3 Riparian areas are fenced to limit stock access to a limited number of watering holes.	AO6.3 Not applicable
All matters of environmental significance		

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
P07 All matters of environmental significance are identified and protected from significant adverse impacts associated with development. Editor's note – Council may adopt an offsets planning scheme policy for matters of local environmental significance at a future date.	No acceptable outcome is nominated.	P07 – Complies The applicant has provided an assessment of the ecological values of the site. While vegetation clearing is proposed, this vegetation has been incorrectly mapped as having remnant or high value regrowth. Notwithstanding this, the applicant intends to retain a vegetation buffer adjacent to the Pineapple Rail Trail and rehabilitate the waterway corridor that traverses the site.
Hydrology		
P08 Development enhances or maintains the existing surface water hydrological regime of all areas containing matters of environmental significance.	No acceptable outcome is nominated.	P08 - Complies The applicant has provided an assessment of the ecological values of the site. The applicant intends to retain a vegetation buffer adjacent to the Pineapple Rail Trail and rehabilitate the waterway corridor that traverses the site.
P09 Development: (a) enhances or maintains the existing groundwater hydrological regime of all areas containing matters of environmental significance; (b) ensures that the water table and hydrostatic pressure in the area of environmental significance is returning to its natural state; and (c) does not result in ingress of saline water into freshwater aquifers.	No acceptable outcome is nominated.	P009 - Complies The applicant has provided an assessment of the ecological values of the site. The applicant intends to retain a vegetation buffer adjacent to the Pineapple Rail Trail and rehabilitate the waterway corridor that traverses the site.
Ongoing management, construction and operation		
P010 During the construction and operation of development, ongoing management, monitoring and maintenance is undertaken to ensure impacts on environmentally significant areas, biodiversity values and ecological processes, including water quality and hydrology, are avoided or minimised.	No acceptable outcome is nominated.	P010 - Complies The applicant has provided an assessment of the ecological values of the site. While vegetation clearing is proposed, this vegetation has been incorrectly mapped as having remnant or high value regrowth. Notwithstanding this, the applicant intends to retain a vegetation buffer adjacent to the Pineapple Rail Trail and rehabilitate the waterway corridor that traverses the site.

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
PO11 Development transfers into public ownership, or incorporates within a voluntary statutory covenant registered under the <i>Land Title Act 1994</i> , any land required for public access or for some other public purpose consistent with its ecological functions, including: (a) access for maintenance; (b) linking core and remnant habitat areas; and (c) land protecting water quality and ecological processes.	No acceptable outcome is nominated.	PO11 - Complies The applicant has provided an assessment of the ecological values of the site. While vegetation clearing is proposed, this vegetation has been incorrectly mapped as having remnant or high value regrowth. Notwithstanding this, the applicant intends to retain a vegetation buffer adjacent to the Pineapple Rail Trail and rehabilitate the waterway corridor that traverses the site.
Rehabilitation		
PO12 Areas degraded as a result of development are rehabilitated by the proponent as near as is practicable to the naturally occurring local native plant species and ecological communities. Editor's note: A rehabilitation plan supported by expert ecological advice prepared in accordance with Schedule SC7.5 will assist in demonstrating achievement of this performance outcome.	No acceptable outcome is nominated.	PO12 - Complies/Does not comply/Not applicable/Complies in part The applicant intends to rehabilitate the central waterway corridor. A condition should be put on any approval to obtain detailed design.
Vegetation clearing		
PO13 Development avoids indiscriminate and unnecessary clearing of vegetation in order to protect: (a) the visual integrity of the natural landscape; (b) ecological features and processes that underpin biodiversity.	AO13.1 Vegetation clearing: (a) does not occur; or (b) where it cannot be avoided, is carried out in accordance with the Development Works Code.	AO13.1 - Complies The applicant has provided an assessment of the ecological values of the site. While vegetation clearing is proposed, this vegetation has been incorrectly mapped as having remnant or high value regrowth. Notwithstanding this, the applicant intends to retain a vegetation buffer adjacent to the Pineapple Rail Trail.
PO14 Development retains and protects locally significant species, including but not limited to the following: (a) <i>Cycas ophiolitica</i> ; (b) <i>Byfield Fern</i> ; (c) <i>Stackhousia tryonii</i> ; and (d) <i>Koala</i> .	No acceptable outcome is nominated.	PO14 - Complies The applicant has provided an assessment of the ecological values of the site. The identified vegetation and flora have not been identified as being located in the area proposed to be devegetated.
If reconfiguring a lot		

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment Response
<p>PO15</p> <p>The ecological function and biodiversity values of existing vegetation and habitat are maintained by ensuring that reconfiguring a lot in areas containing matters of environmental significance does not result in significant adverse impacts on the values present.</p> <p>Editor's note – Council may adopt an offsets planning scheme policy for matters of local environmental significance at a future date.</p> <p>Editor's note: Development applications proposed in areas identified as having matters of environmental significance that prepare all relevant material in accordance with Schedule SC7.5 Environmental Management Planning Scheme Policy, will assist in demonstrating achievement of these performance outcomes.</p>	<p>AO15.1</p> <p>Reconfiguring a lot does not result in the following:</p> <p>(a) the creation of additional lots within areas mapped as containing matters of environmental significance; or</p> <p>(b) the creation of new lots adjoining areas mapped as containing matters of environmental significance of less than ten (10) hectares.</p>	<p>AO15.1 - Complies</p> <p>The applicant has provided an assessment of the ecological values of the site. While vegetation clearing is proposed, this vegetation has been incorrectly mapped as having remnant or high value regrowth. Notwithstanding this, the applicant intends to retain a vegetation buffer adjacent to the Pineapple Rail Trail and rehabilitate the waterway corridor that traverses the site.</p>
<p>PO16</p> <p>Reconfiguring a lot incorporates a buffer to areas containing matters of environmental significance in accordance with minimum best practice standards and the buffer area has characteristics to minimise development impacts on the values present.</p> <p>Editor's note: The Queensland wetland buffer guideline, Department of Environment and Heritage, 2011 should be referred to when planning detailed buffer design to position development, determine any alternative buffer widths, and establish operating measures that avoid adverse impacts on a wetland.</p>	<p>No acceptable outcome is nominated.</p>	<p>PO16 - Complies</p> <p>The applicant has provided an assessment of the ecological values of the site. While vegetation clearing is proposed, this vegetation has been incorrectly mapped as having remnant or high value regrowth. Notwithstanding this, the applicant intends to retain a vegetation buffer adjacent to the Pineapple Rail Trail and rehabilitate the waterway corridor that traverses the site.</p>

Comment

The development is supported by an ecological assessment which demonstrates that while the vegetation on the site has scenic value, it has less value from an ecological integrity perspective. The vegetation community is largely restricted to the southern portion of the site. The applicant intends to retain a buffer adjacent to the Pineapple Rail Trail. This assists in retaining the scenic values of the vegetation.

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Bushfire hazard overlay code

Purpose

The purpose of the bushfire hazard overlay code is to ensure that development in bushfire prone areas does not increase risk to life, property, community, economic activity and the environment during bushfire events.

Overall outcomes

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

- (1) *development is located where bushfire hazard risk to personal safety and property is avoided or minimised and mitigated to acceptable levels;*
- (2) *highly vulnerable and community uses are not located in bushfire hazard areas;*
- (3) *vegetation which is identified as matters of State or local environmental significance is not cleared to achieve bushfire hazard minimisation;*
- (4) *natural processes and the protective function of landforms and vegetation are maintained in bushfire hazard areas;*
- (5) *access is provided for safe entry and exit requirements for residents during bushfire events;*
- (6) *development provides for the efficient operational requirements of fire fighters during bushfire events;*
- (7) *development is provided with adequate water supply and fittings for fire-fighting vehicles, and access arrangements for fire fighters;*
- (8) *emergency services facilities are located and designed to function effectively during and after a bushfire;*
- (9) *development does not create an unacceptable burden on disaster management response or recovery capacity and capabilities; and*
- (10) *development avoids the storage of hazardous materials in a bushfire hazard area.*

Specific benchmarks for assessment

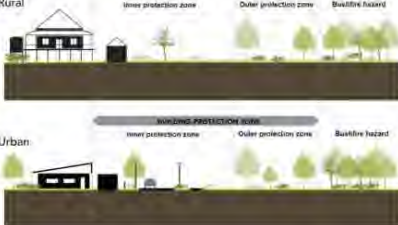
Table 8.2.4.4.1 — Outcomes for assessable development

Performance outcomes	Acceptable outcomes	Assessment response
Development other than reconfiguring a lot where located in bushfire hazard areas identified as potential impact buffer, or medium potential bushfire intensity, or high potential bushfire intensity, or very high potential bushfire intensity		
Bushfire planning		
PO1 Development does not expose people and property to unacceptable risk from bushfire hazard taking into account: (a) vegetation type; (b) slope; (c) aspect; (d) bushfire history; (e) ongoing maintenance; and (f) on-site and off-site fire hazard implications. Editor's note: Off-site impacts may include potential hazard from land up to ten (10) kilometres away from the site. For example, it may be relevant to consider how large tracts of forest away from the site may impact on the bushland that surrounds the site. Editor's note: <i>Schedule 6, Part 2 of the Planning Regulation, 2017</i> , makes specific development within a bushfire hazard overlay located on a lot smaller than 2,000m ² which is zoned residential accepted	AO1.1 Development is located within a building protection zone approved as part of a Development Permit for reconfiguration of a lot, and the building protection zone was determined in accordance with SC7.2 Bushfire hazard planning scheme policy.	AO1.1 - Complies The application provides for Bushfire Hazard assessment report which demonstrates the overall compliance with the performance outcome.

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment response
development.		
	<p>AO1.2</p> <p>If the development is not located within an approved building protection zone for the site in accordance with AO1.1, then the development occurs only if it is located in accordance with a bushfire management plan which has been prepared in accordance with SC7.2 Bushfire hazard planning scheme policy, and the bushfire management plan demonstrates that:</p> <ul style="list-style-type: none"> (a) the development is not in a medium, high or very high bushfire hazard area; or (b) the outermost walls or living spaces of buildings on the site are separated from the edge of the bushfire hazard source, the greater of the following: <ul style="list-style-type: none"> (i) sufficient distance to achieve a bushfire attack level no greater than 29kW/m²; or (ii) a distance of twenty (20) metres; or (iii) no less than 1.5 times the mature tree canopy height in the hazard hazardous vegetation. <p>Editor's note: The Bushfire Attack Level is calculated in accordance with the methodology described in the Australian Standard AS 3959 – Construction of buildings in bushfire prone areas.</p> <p>Editor's note: Council may accept a bushfire management plan that was prepared for a previous development approval over the land, prior to the SC7.2 Bushfire hazard planning scheme policy coming into effect, subject to further assessment to ensure compliance with current standards.</p>	<p>AO1.2 - Complies</p> <p>The application provides for Bushfire Hazard assessment report which demonstrates the overall compliance with the performance outcome.</p>
	<p>AO1.3</p> <p>Buildings and structures are located within a building protection zone which achieves the following:</p> <ul style="list-style-type: none"> (a) the inner zone and outer zone of the building protection zone have slopes under thirty-three (33) per cent; and (b) the inner zone has the following characteristics: <ul style="list-style-type: none"> (i) it has a minimum distance of ten (10) metres, or a distance sufficient to achieve a bushfire attack level no greater than 29kW/m²; and (ii) tree canopy cover in the zone is less than ten (10) per 	<p>AO1.3 - Complies in part</p> <p>The application provides for Bushfire Hazard assessment report which demonstrates the overall compliance with the performance outcome.</p> <p>However some concern remains with the single evacuation route to the south for the residential subdivision. It is recommended that the development provide a mechanism (such as an easement through the relocatable home park) that secures evacuation to Limestone Creek Road in the event that the access to Condon Drive is unsafe.</p>

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment response
	<p>cent; and</p> <p>(iii) tree canopy is located greater than two (2) metres from any part of the roofline of a building; and</p> <p>(c) the outer zone has the following characteristics:</p> <p>(i) it has a minimum distance of ten (10) metres plus one (1) metre for every degree of downslope vegetation; and</p> <p>(ii) tree canopy cover in the zone is less than thirty (30) per cent.</p> <p>Note: The following figures illustrate the desired outcome.</p>  <p>Editor's note: The term 'building protection zone' is explanatory in nature. In documents other than this Code, it may also be referred to as an asset protection zone, building radiation zone, or defendable space. Regardless of the name, the above figures illustrate the key features of the zone.</p>	<p>In addition to this, the layout of the larger lots to integrate vegetation for scenic purposes, coupled with the threat and presence of bushfire has not been wholly demonstrated. To that end, it is recommended that additional information be provided in support of the design of Lots 1101 to 1107.</p>
Land use		
<p>PO2</p> <p>In areas determined to be at an unacceptable risk from bushfire hazards, development does not occur if it is for a use which:</p> <p>(a) results in a significant concentration of people at any one time; or</p> <p>(b) results in a significant increase in people living or working in the area; or</p> <p>(c) involves institutional uses where evacuating people may be difficult; or</p> <p>(d) involves a significant number of vulnerable people; or</p> <p>(e) involves essential public infrastructure; or</p> <p>(f) involves manufacture or storage of hazardous materials.</p>	<p>No acceptable outcome is nominated.</p>	<p>PO2 - Complies in part</p> <p>The application provides for Bushfire Hazard assessment report which demonstrates that the development is potentially able to be carried out, although there are additional matters relating to evacuation planning to be properly completed.</p>
<p>PO3</p> <p>In areas determined to have bushfire hazard risk within tolerable levels, development occurs only if:</p>	<p>No acceptable outcome is nominated.</p>	<p>PO3 - Complies</p> <p>Generally the development addresses the bushfire hazard presence. However some concern remains with the single</p>

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment response
<p>(a) it adequately mitigates potential adverse impacts from bushfire hazard through siting, design, and other mitigation measures;</p> <p>(b) it supports safe and efficient evacuation and emergency services access to the site in the event of a bushfire; and</p> <p>(c) essential public infrastructure is not put at significant risk from destruction or failure during and immediately after bushfire events.</p>		<p>evacuation route to the south for the residential subdivision. It is recommended that the development provide a mechanism (such as an easement through the relocatable home park) that secures evacuation to Limestone Creek Road in the event that the access to Condon Drive is unsafe.</p>
Vegetation protection		
<p>PO4</p> <p>Buildings, structures and their associated buffer areas, access routes and fire management trails, are located to maximise the protection of vegetation in areas of high biodiversity or scenic value.</p> <p>Editor's note: For assessable development, building locations envelopes may be accepted in some cases, in place of buildings being illustrated on plans.</p> <p>Editor's note: Due to the conflict between the need for vegetation clearing for bushfire mitigation and the need for protecting vegetation with biodiversity values or scenic values, a site will need to be chosen where development has no significant adverse impacts on biodiversity values or scenic values, while achieving the required bushfire objectives.</p>	<p>A04.1</p> <p>Buildings, structures and their associated buffer areas, access routes and fire management trails, avoid causing significant adverse impacts on the following:</p> <p>(a) areas identified as containing matters of environmental significance; and</p> <p>(b) areas identified as:</p> <p>(i) Scenic amenity management area A; or</p> <p>(ii) Scenic amenity management area B; or</p> <p>(iii) Coastal green break; or</p> <p>(iv) Coastline foreshore.</p>	<p>A04.1 - Complies in part</p> <p>Generally the development addresses the bushfire hazard presence. However some concern remains with the single evacuation route to the south for the residential subdivision. It is recommended that the development provide a mechanism (such as an easement through the relocatable home park) that secures evacuation to Limestone Creek Road in the event that the access to Condon Drive is unsafe.</p> <p>It is intended that the vegetation buffer to the Pineapple Rail Trail is retained. Considering this, the design of the lots (1101 to 1107) have not appropriately demonstrated that the retention of this vegetation and the management of bushfire has been appropriately achieved.</p>
Internal access		
<p>PO5</p> <p>Development ensures that the location, siting, and design of development and associated internal access ways:</p> <p>(c) avoid potential for entrapment during a bushfire; and</p> <p>(d) enable safe evacuation of the site during a bushfire for site occupants.</p>	<p>A05.1</p> <p>Internal access ways have:</p> <p>(a) a minimum cleared width of six (6) metres;</p> <p>(b) a minimum cleared height of 4.8 metres;</p> <p>(c) a minimum formed width of four (4) metres;</p> <p>(d) a maximum gradient of twenty-five (25) per cent if sealed, or eighteen (18) per cent if unsealed;</p> <p>(e) where the length of the access way is greater than thirty (30) metres, an average gradient no greater than 14.4 per cent;</p> <p>(f) a cross fall no greater than eighteen (18) per cent if sealed, or 12.5 per cent if unsealed;</p> <p>(g) where there are dips or peaks,</p>	<p>A05.1 - Complies in part</p> <p>Conditions relating to access to Lots 1101 to 1107 will be required on any approval, where the evacuation routes for the subdivision can be resolved.</p>

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment response
	<p>entry and exit angles no greater than 12.5 per cent;</p> <p>(h) adequate drainage to prevent soil erosion;</p> <p>(i) where the site:</p> <p>(i) is located within a reticulated municipal water supply area, a maximum length of seventy (70) metres from the development to an all-weather public road designed with culverts and bridges constructed with a minimum load bearing of fifteen (15) tonnes; or</p> <p>(ii) is not located within a reticulated municipal water supply area, a maximum length of 200 metres from the development to an all-weather public road designed with culverts and bridges constructed with a minimum load bearing of eight (8) tonnes.</p>	
Emergency access		
<p>PO6</p> <p>Development has adequate access to external road networks which can be utilised by emergency vehicles, and provides safe evacuation in the event of a bushfire.</p>	<p>A06.1</p> <p>Where located on a property greater than two-thousand (2000) square metres in area, the development has direct access to a constructed all-weather public road which is capable of carrying emergency service vehicles.</p>	<p>A06.1 - Complies in part</p> <p>Conditions relating to access to Lots 1101 to 1107 will be required on any approval, where the evacuation routes for the subdivision can be resolved.</p>
Water supply for firefighting purposes		
<p>PO7</p> <p>Development provides adequate water supply for firefighting purposes and the water supply is safely located and freely accessible for firefighting.</p>	<p>A07.1</p> <p>Development involving existing or new buildings having a gross floor area greater than fifty (50) square metres comply with the following:</p> <p>(a) the development site has access to a reliable municipal reticulated water supply with sufficient flow and pressure characteristics for fire-fighting purposes at all times (the minimum pressure and flow is 10 litres per second at 200 kPa; or</p> <p>(b) all buildings are located within ten (10) metres of a water tank, which:</p> <p>(i) is constructed with fire-proof materials or is located underground with above-ground access points;</p> <p>(ii) meets the minimum water supply requirements outlined in Table 8.2.4.4.3;</p> <p>(iii) is located more than nine (9) metres from any potential fire hazards (such as venting gas bottles and combustible structures);</p>	<p>A07.1 - Complies in part</p> <p>Conditions relating to water pressures and supply for fire fighting purposes will need to be placed on any development approval.</p>

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment response
	<p>(iv) is located within six (6) metres of a hardstand area allowing access for a heavy rigid fire appliance;</p> <p>(v) is fitted with fire brigade tank fittings consisting of:</p> <p>(A) for above ground tanks, a fifty (50) millimetre ball valve and male camlock coupling and metal pipe fittings; or</p> <p>(B) for underground tanks, an access hole having a minimum diameter of 200 millimetres to allow access for suction lines; and</p> <p>(vi) is identified by directional signage clearly provided at the street access point.</p> <p>Editor's note: Water supply for fire-fighting is in addition to water supply for household use. Where a non-reticulated supply of water is required, swimming pools, creeks and dams should not be used as a substitute for a dedicated static supply as these sources of water are not reliable during drought conditions.</p>	
Activities involving hazardous material		
PO8 The manufacture or storage of hazardous materials does not increase the risk of fire hazard.	A08.1 Development does not involve the manufacture or storage of hazardous materials beyond that which is commonly associated with domestic use.	A08.1 - Not applicable
Landscaping and fencing		
PO9 Landscaping does not create an unacceptable risk to people or property and provides for ongoing management of risk to the development and people from a bushfire.	A09.1 Development complies with a landscaping plan which: <p>(a) is prepared in compliance with an approved bushfire management plan;</p> <p>(b) preserves the requirements of any building protection zone; and</p> <p>(c) does not increase the exposure of a habitable building not located in a building protection zone to a bushfire hazard.</p>	A09.1 - Complies in part Generally the development addresses the bushfire hazard presence. However some concern remains with the single evacuation route to the south for the residential subdivision. It is recommended that the development provide a mechanism (such as an easement through the relocatable home park) that secures evacuation to Limestone Creek Road in the event that the access to Condon Drive is unsafe.
PO10 Development utilises fencing that: <p>(a) does not contribute to the spread of bushfire;</p> <p>(b) provides access for fire-fighting purposes;</p> <p>(c) facilitates the safe</p>	A010.1 Fences are constructed: <p>(a) using non-combustible or fire retardant materials within twenty (20) metres of any building used for accommodation;</p> <p>(b) with gates that can be freely accessed for fire-fighting purposes</p>	A010.1 - Not applicable XXX

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment response
movement of fauna in rural areas.	(if applicable); and (c) to not impede the safe movement of fauna (where applicable).	
Reconfiguring a lot where located in bushfire hazard areas identified as potential impact buffer, or medium potential bushfire intensity, or high potential bushfire intensity, or very high potential bushfire intensity Note: The following performance outcomes and acceptable outcomes apply only to the following categories of development: ▪ Reconfiguring a lot in the Rural zone and in the Emerging Community zone; Reconfiguring a lot in any other zone where more than 6 additional lots are created and a new road is created.		
Bushfire planning		
PO11 The lot layout is designed as a consequence of, and in accordance with the recommendations of a bushfire hazard assessment and management plan. Editor's note: A bushfire hazard assessment and management plan should precede the reconfiguring design and inform the lot layout, not vice versa. Editor's note: The recommendations of a bushfire hazard assessment and management plan (if considered suitable) may be attached to the conditions of any development approval (if given).	No acceptable outcome is nominated.	PO11 - Does not comply Generally the development addresses the bushfire hazard presence. However some concern remains with the single evacuation route to the south for the residential subdivision. It is recommended that the development provide a mechanism (such as an easement through the relocatable home park) that secures evacuation to Limestone Creek Road in the event that the access to Condon Drive is unsafe.
PO12 A bushfire hazard assessment and management plan demonstrates that all future buildings are able to be separated from the bushfire hazard by a distance which is the greater of the following: (a) a sufficient distance to achieve a bushfire attack level no greater than 29kW/m ² ; or (b) no less than 1.5 times the mature tree canopy height in the hazard hazardous vegetation; or (c) for forest or woodland vegetation, a sufficient area to create a building protection zone which achieves the following: (i) the inner zone and outer zone of the building protection zone have slopes under thirty-three (33) per cent; and (ii) the inner zone has the following characteristics: (A) it has a minimum	No acceptable outcome is nominated.	PO12 - Does not comply Generally the development addresses the bushfire hazard presence. However some concern remains with the single evacuation route to the south for the residential subdivision. It is recommended that the development provide a mechanism (such as an easement through the relocatable home park) that secures evacuation to Limestone Creek Road in the event that the access to Condon Drive is unsafe. It is intended that the vegetation buffer to the Pineapple Rail Trail is retained. Considering this, the design of the lots (1101 to 1107) have not appropriately demonstrated that the retention of this vegetation and the management of bushfire has been appropriately achieved.

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment response
<p>distance of ten (10) metres, or a distance sufficient to achieve a bushfire attack level no greater than 29kW/m²; and</p> <p>(B) tree canopy cover in the zone is less than ten (10) per cent; and</p> <p>(C) three canopy is located greater than two (2) metres from any part of the roofline of a building; and</p> <p>(iii) the outer zone has the following characteristics:</p> <p>(A) it has a minimum distance of ten (10) metres plus one (1) metre for every degree of downslope vegetation; and</p> <p>(B) tree canopy cover in the zone is less than thirty (30) per cent.</p> <p>Editor's note: The separation area between buildings and the bushfire hazard may include:</p> <ul style="list-style-type: none"> ▪ a cleared road reserve of adequate width; or ▪ open space acceptable to Council as a reserve contributed as part of the open space requirements of a development; or ▪ maintainable land retained in private ownership in lots which are large enough to contain the required separation distance; or ▪ maintainable open space or fire trail in a Community Management Scheme owned and maintained by the body corporate. 		
<p>PO13</p> <p>Lot design minimises the number of lots which have a direct interface with the bushfire hazard.</p>	<p>AO13.1</p> <p>No more than twenty (20) per cent of the total number of lots in the development interface directly with the fire hazard.</p>	<p>AO13.1 - Complies in part</p> <p>The number of lots which interface with the bushfire buffer area as a result of the development is minimised to seven lots which are larger in area to provide for increased buffer areas.</p>
Access		
<p>PO14</p> <p>The reconfiguring design ensures</p>	<p>AO14.1</p> <p>Where creating lots having an area less</p>	<p>AO14.1 - Does not comply</p> <p>Generally the development</p>

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment response
<p>that the road network, future driveways and access routes:</p> <p>(a) avoid potential for entrapment during a bushfire;</p> <p>(b) provide safe and efficient movement of residents, workers and visitors out of the subdivision and away from an approaching bushfire;</p> <p>(c) provides alternative access and egress considering the most likely bushfire scenarios;</p> <p>(d) ensures that the location, siting, and design of development and associated driveways and access routes enables safe and efficient access for emergency services vehicles during and after a bushfire.</p> <p>Editor's note: A bushfire hazard assessment and management plan can assist in demonstrating compliance with this performance outcome.</p>	<p>than two (2) hectares:</p> <p>(a) all lots are separated from hazardous vegetation by a constructed all-weather, public road;</p> <p>(b) the road layout provides for at least one alternative access route connecting all lots in the development to a public road that meets the requirements in Table 8.2.4.4.2 and which connects to a collector road; and</p> <p>(c) cul-de-sacs are avoided except where:</p> <p>(i) a perimeter road with a cleared width of twenty (20) metres separates the lots at the head of the cul-de-sac from hazardous vegetation; and</p> <p>(ii) the cul-de-sac is no longer than seventy (70) metres from the intersection with another road to the furthest future building.</p> <p>Editor's note: Where staged development occurs or development is in accordance with an approved master plan, a temporary perimeter road may be considered, subject to availability of reticulated water supply.</p>	<p>addresses the bushfire hazard presence. However some concern remains with the single evacuation route to the south for the residential subdivision. It is recommended that the development provide a mechanism (such as an easement through the relocatable home park) that secures evacuation to Limestone Creek Road in the event that the access to Condon Drive is unsafe.</p>
	<p>AO14.2</p> <p>Where creating lots having an area greater than two (2) hectares:</p> <p>(e) all lots have a driveway or private road access which connects directly to a constructed all-weather public road;</p> <p>(f) dead-end roads are a maximum length of 200 metres and an alternative emergency evacuation route is provided away from the most likely source of bushfire risk.</p>	<p>AO14.2 - Not applicable</p>
	<p>AO14.3</p> <p>For all lots, private roads and access driveways comply with the requirements specified in Table 8.2.4.4.2.</p>	<p>AO14.3 - Complies</p> <p>Lots are generally designed appropriately to manage the presence of the hazard risk. Conditions for detailed access arrangements for lots 1101 to 1107 are recommended to be provided in an application for operational works.</p>
	<p>AO14.4</p> <p>Where the lots:</p> <p>(a) are required to be supplied with reticulated municipal water supply, private roads and access driveways have a maximum length of seventy (70) metres from an all-weather public road designed with culverts and bridges constructed with a minimum load</p>	<p>AO14.4 - Complies</p> <p>Lots are supplied with municipal water supply and are designed to have appropriate driveway access lengths.</p>

Code assessment - D-514-2022 - Preliminary Approval for Variation Request (to vary the effect of the Planning Scheme to Low Density Residential), Development Permit for a Material Change of Use for a Relocatable Home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) - 73 Limestone Creek Road, Inverness

Performance outcomes	Acceptable outcomes	Assessment response
	bearing of fifteen (15) tonnes; or (b) are not required to be supplied with reticulated municipal water supply, private roads and access driveways have a maximum length of 200 metres from an all-weather public road designed with culverts and bridges constructed with a minimum load bearing of eight (8) tonnes.	
Water for fire fighting purposes		
PO15 Development involving new premises provides adequate infrastructure to support firefighting.	AO15.1 Where the development is connected to a reticulated water supply, lots are provided with water supply and pressure in accordance with Australian Standard AS2419 Fire Hydrant Installations.	AO15.1 - Complies Conditions relating to water pressures and supply for fire fighting purposes will need to be placed on any development approval.

Comment

The applicant has provided a bushfire hazard assessment which demonstrates that the development is able to address the presence of vegetation and associated bushfire hazards.

While this is ordinarily an appropriate development outcome, concern remains with the single evacuation route to the south for the subdivision. It is recommended that the development provide a mechanism (such as an easement through the relocatable home park) that secures evacuation to Limestone Creek Road in the event that the access to Condon Drive is unsafe.

It is intended that the vegetation buffer to the Pineapple Rail Trail is retained. Considering this, the design of the lots (1101 to 1107) has not appropriately demonstrated that the retention of this vegetation and the management of bushfire has been appropriately achieved.