



ORDINARY MEETING

AGENDA

4 AUGUST 2026

Your attendance is required at an Ordinary meeting of Council to be held in the Council Chambers, 4 Lagoon Place, Yeppoon on 4 August 2026 commencing at 9:30 AM (Development & Strategic Planning) for transaction of the enclosed business.

Thomas Upton
CHIEF EXECUTIVE OFFICER
30 July 2026

Next Meeting Date: 17 August 2026

Please note:

In accordance with the *Local Government Regulation 2012*, please be advised that all discussion held during the meeting is recorded for the purpose of verifying the minutes. This will include any discussion involving a Councillor, staff member or a member of the public.

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1 OPENING

Acknowledgement of Country

"I would like to take this opportunity to respectfully acknowledge the Darumbal People. The traditional custodians and elders past, present and emerging of the land on which this meeting is taking place today."

Opening Prayer

Councillor Lance Warcon is scheduled to deliver an opening prayer.

2 ATTENDANCE

Members Present:

Mayor, Councillor Adam Belot
Deputy Mayor, Councillor Pat Eastwood
Councillor Glenda Mather
Councillor Rhodes Watson
Councillor Wade Rothery
Councillor Lance Warcon
Councillor Andrea Friend

Officers in Attendance:

Thomas Uptom – Chief Executive Officer
Michael Kriedemann – General Manager Infrastructure
Katrina Paterson – General Manager Communities and Environment
Andrea Ellis – General Manager Corporate Services
Kristy Mansfield - Chief People and Performance Officer
Graham Scott – Project Director Blueprint Livingstone

3 LEAVE OF ABSENCE / APOLOGIES

Nil

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Minutes of the Ordinary Meeting held 21 July 2026

5 DECLARATION OF INTEREST IN MATTERS ON THE AGENDA

6 DEPUTATIONS

6.1 9:30AM - DEPUTATION - GIDEON TOWN PLANNING - D-247-2025 - 64 HIDDEN VALLEY ROAD, HIDDEN VALLEY

File No: qA81488

Attachments: Nil

Responsible Officer: Tom Upton - Chief Executive Officer

Author: Gretta Cowie - Executive Support Officer

SUMMARY

Gideon Town Planning will be presenting in relation to D-247-2025 – 64 Hidden Valley Road, Hidden Valley. An Officers Report will be presented in this meeting.

OFFICER'S RECOMMENDATION

THAT the deputation be received.

**6.2 10:00AM - DEPUTATION - GIDEON TOWN PLANNING - D-484-2025 - 151
HIDDEN VALLEY ROAD, HIDDEN VALLEY****File No:** qA81488**Attachments:** Nil**Responsible Officer:** Tom Upton - Chief Executive Officer**Author:** Gretta Cowie - Executive Support Officer

SUMMARY

Gideon Town Planning will be presenting in relation to D-484-2025 – 151 Hidden Valley Road, Hidden Valley. An Officers Report will be presented in this meeting.

OFFICER'S RECOMMENDATION

THAT the deputation be received.

7 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS

Nil

8 PRESENTATION OF PETITIONS

Nil

9 NOTICES OF MOTION

Nil

10 QUESTIONS ON NOTICE

Nil

11 COMMITTEE REPORTS

Nil

12 AUDIT, RISK AND IMPROVEMENT COMMITTEE REPORTS

Nil

13 REPORTS

13.1 D-247-2025 MATERIAL CHANGE OF USE FOR AN UNDEFINED USE (COMPANION ANIMAL CREMATION SERVICE) AT 64 HIDDEN VALLEY ROAD, HIDDEN VALLEY

File No: D-247-2025

Attachments:

1. [Locality Plan](#)  
2. [Site Plan](#)  
3. [Planning Scheme Overlays](#)  
4. [Code Assessment](#)  

Responsible Officer: Shari Rankin - Coordinator Development Assessment
Sonia Tomkinson - Manager Economy and Places
Katrina Paterson - General Manager Communities and Environment
Tom Upton - Chief Executive Officer

Author: Esther Erhahon - Principal Planning Officer

SUMMARY

This report is presented to Council for consideration of Development Application D-247-2025, which seeks a Development Permit for a Material Change of Use for an Undefined Use, being a Companion Animal Cremation Service, at 64 Hidden Valley Road, Hidden Valley. The subject site is located in the Rural zone and contains an existing dwelling house and ancillary buildings.

The report outlines the assessment of the application against the relevant provisions of the Planning Act 2016, Planning Regulation 2017, Development Assessment Rules and the Livingstone Planning Scheme 2018, including consideration of planning scheme benchmarks, site constraints, public submissions and infrastructure charging. The report recommends that Council determine the application in accordance with the officer recommendation.

OFFICER'S RECOMMENDATION

That Council resolve to approve Development Application D-247-2025 for a Development Permit for a Material Change of Use for an Undefined Use, being a Companion Animal Cremation Service, at 64 Hidden Valley Road, Hidden Valley, subject to the conditions contained in this report.

BACKGROUND

There is no relevant development history over the site.

PREVIOUS DECISIONS

A review of Council's records has not identified any other relevant development approvals over the subject site that are material to the assessment of this application.

ENGAGEMENT AND CONSULTATION

The application was publicly notified from 20 October 2025 to 7 November 2025 in accordance with the *Planning Act 2016*. Council received thirty-six submissions, of which thirty-five were properly made. Matters raised included the appropriateness of the use in the Rural Zone, amenity and lifestyle impacts, odour, smoke, air emissions, noise, waste management, public health, biosecurity, hazardous materials, natural hazards, infrastructure capacity, traffic, access, flooding and process integrity. The assessment considers that these matters can be appropriately managed through the design of the proposal, the low scale of the use and recommended conditions of approval.

BUDGET IMPLICATIONS

Any appeal to the Planning and Environment Court by the applicant or the properly made submitter will result in financial implications not envisaged or captured as part of the application fee.

LEGISLATIVE CONTEXT AND LEGAL IMPLICATIONS

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

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. It should be noted that these risks are difficult to quantify at the assessment stage.

Risk has been appropriately managed through a documented assessment process, in accordance with the requirements of the *Planning Act 2016*.

CORPORATE PLAN REFERENCE***Vibrant Culture & Healthy Community***

Deliver strategic land use, infrastructure planning and urban design activities that support growth, liveability, and sustainability

CONCLUSION

The proposed development seeks approval for a small-scale companion animal cremation service within an existing shed at 64 Hidden Valley Road, Hidden Valley. The application has been assessed against the relevant State and local planning instruments and is considered capable of satisfying the applicable assessment benchmarks when managed in accordance with the approved plans, application material and recommended conditions.

The assessment supports approval on the basis that the proposal is low scale, will operate within an existing building, does not require expansion of the building footprint, can be appropriately serviced, and is not expected to result in unacceptable impacts on adjoining properties, environmental values, public health, traffic, infrastructure or natural hazard risk.

RECOMMENDATION A

That in relation to the application for a Development Permit for a Material Change of Use for an Undefined Use (Companion Animal Cremation Service), made by S M Perdomo and C D Braseiro on Lot 22 RP607080 and located at 64 Hidden Valley Road, Hidden Valley QLD 4703, Council resolves to Approve the application pursuant to Section 60(2)(b) 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:

- a) The proposed development does not strictly comply with the Rural Zone Code, as the proposal is not a preferred or listed use within the Rural Zone; however, it has been assessed on its planning merits as an undefined use. The assessment concludes that, having regard to its small scale, operation within an existing building, limited traffic generation, lack of public access and separation from adjoining uses, the proposal is capable of achieving the relevant performance outcomes and is compatible with the surrounding rural locality.
- b) Environmental matters including odour, smoke, air emissions, noise, waste handling, water quality and public health have been considered through the application material and internal referral advice. Public and Environmental Health supports the proposal subject to conditions relating to erosion and sediment control, general

environmental duty, waste management, licensable activities, regulated device noise attenuation and lighting. Natural Resource Management raised no comments or conditions, and Development Engineering raised no objection.

- c) The site is affected by biodiversity, flood and bushfire hazard mapping. The proposed use is contained within an existing developed area and does not involve vegetation clearing, additional building works, filling, earthworks or drainage modifications. The submitted bushfire hazard assessment concludes that the proposal presents a minimal and acceptable bushfire risk, with general bushfire management measures able to be secured by condition.

RECOMMENDATION B

That in relation to the application for a Development Permit for a Material Change of Use for an Undefined Use (Companion Animal Cremation Service), made by S M Perdomo and C D Braseiro on Lot 22 RP607080 and located at 64 Hidden Valley Road, Hidden Valley QLD 4703, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 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.
- 1.2 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.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of the use.
- 1.5 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.
- 1.6 Where relevant the following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
 - 1.6.1 Operational Works:
 - (i) Access Works;
 - (ii) Stormwater Works;
 - (iii) Site Works
 - 1.6.2 Plumbing and Drainage Works
 - 1.6.3 Building Works
- 1.7 All relevant Development Permits for Operational Works must be obtained prior to the issue of a Development Permit for Plumbing and Drainage Works and Building Works.
- 1.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.9 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.

2.0 APPROVED PLANS AND DOCUMENTS

- 2.1 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>
Proposed Site Plan	SK-002 REV 3	10 June 2025
Internal Shed Layout Plan	D-247-2025 fp	15 October 2025
Floor Plan & Elevation	ROCKH3-55152 PAGE 1/1	Copyright 2009
Cremation Furnace Data Sheet	GTP-027	15 October 2025

- 2.2 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.
- 2.3 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.

3.0 LIMITATION OF USE

- 3.1 The approved use for a Pet Crematorium is limited to the following:
- a) The provision for cremation of animals only as per the information included within the application material, and must not be utilised for the creation of human remains;
 - b) All cremation and associated activities must only occur within the proposed shed structure as shown on the approval plans;
 - c) All cremation and associated activities, including deliveries and service vehicles to and from the site, must be limited to between 9am and 4pm Monday to Friday;
 - d) No on-site memorial services are to occur;
 - e) No public viewing or public access is permitted as part of the proposed operations; and,
 - f) A maximum of two (2) staff members at all times.

4.0 BUILDING WORKS

- 4.1 A Development Permit for Building Works must be obtained prior to the commencement of any building works on the site.
- 4.2 All roof water must be discharged lawfully.

5.0 PLUMBING AND DRAINAGE WORKS

- 5.1 All internal plumbing and sanitary drainage works must be in accordance with regulated work under the *Plumbing and Drainage Act* and Council's Plumbing and Drainage Policies.
- 5.2 The existing dwelling must have available a 25,000 litre minimum size water tank for fire fighting purposes and must be:
- 5.2.1 Constructed with fire-proof materials, or located underground with above-ground access points;
 - 5.2.2 Located no more than ten (10) metres from the use;
 - 5.2.3 Located more than nine (9) metres from any potential fire hazards (such as venting gas bottles and combustible structures);
 - 5.2.4 Located within six (6) metres of a hardstand area allowing access for a heavy rigid fire appliance;

- 5.2.5 Fitted with fire brigade tank fittings consisting of;
- (i) For above ground tanks, a fifty (50) millimetre ball valve and male camlock coupling and metal pipe fittings; or
 - (ii) For underground tanks, an access hole having a minimum diameter of 200 millimetres to allow access for suction lines; and
 - (iii) Identified by directional signage clearly provided at the street access point (Hidden Valley Road).

6.0 STORMWATER WORKS

- 6.1 A development Permit for Operational Works for stormwater works must be obtained prior to the commencement of any stormwater works on the site.
- 6.2 Any stormwater drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines, Urban Stormwater Quality Planning Guidelines, State Planning Policy, sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).
- 6.3 All stormwater including roof water must achieve demonstrated lawful discharge and must not adversely affect the upstream or downstream land or damage infrastructure when compared to pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or cause an actionable nuisance.

7.0 SITE WORKS

- 7.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works.
- 7.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks plan which clearly identifies the following:
- 7.2.1 The location of cut and/or fill;
 - 7.2.2 The type of fill to be used and the manner in which it is to be compacted;
 - 7.2.3 The quantum of fill to be deposited or removed and finished cut and/or fill levels;
 - 7.2.4 Details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and
 - 7.2.5 The maintenance of access roads to and from the site so that they are free of all cut and/or fill material and cleaned as necessary.
- 7.3 Any earthworks must be undertaken in accordance with Australian Standard AS3798 Guidelines on Earthworks for Commercial and Residential Developments.
- 7.4 Site works 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 an actionable nuisance or worsening to nearby properties or infrastructure.
- 7.5 Any site works must be undertaken to ensure that there is:
- 7.5.1 No increase in upstream or downstream stormwater inundation levels for all levels of immunity up to one per cent (1%) Annual Exceedance Probability rainfall event for a range of storm durations including critical storm duration;
 - 7.5.2 No increase in velocity profiles, for which no remedy exists to prevent erosion and/or scouring.
 - 7.5.3 Lawful discharge to which the developed flows from the land drain. Easements are required over land that is to accommodate the flows.
- 7.6 Any vegetation cleared or removed must be:
- 7.6.1 Mulched on-site and utilised on-site for landscaping purposes; or
-

7.6.2 Removed for disposal at a location approved by Council; and

7.6.3 Within sixty (60) days of clearing. Any vegetation removed must not be burnt unless a fire permit has been issued.

8.0 ELECTRICITY AND TELECOMMUNICATIONS

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

9.0 ASSET MANAGEMENT

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

9.2 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.

10.0 ENVIRONMENTAL CONTROLS

10.1 The following documented environmental management procedures and practices must be implemented and maintained on-site for the duration of the use. These documents must be made available on-site for inspection by Council Officers during the use.

- Waste management
- Dust management; and
- Noise management

11.0 LIGHTING

11.1 All 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*'.

12.0 GENERAL ENVIRONMENTAL DUTY

12.1 The use must be undertaken 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.

13.0 LICENSABLE ACTIVITIES

13.1 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.

14.0 OPERATING PROCEDURES

14.1 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 on Hidden Valley Road.

ADVISORY NOTES**NOTE 1. 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 Women, Aboriginal and Torres Strait Islander Partnerships and Multiculturalism website www.dwatsipm.qld.gov.au

NOTE 2. General Environmental Duty

General environmental duty under the *Environmental Protection Act* prohibits unlawful environmental nuisance caused by noise, aerosols, particles dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks, construction and operation.

NOTE 3. Pump noise

An occupier of the premises must not use, or permit the use of, the pump on any day:

- (a) Before 7a.m, if it makes an audible noise; or
- (b) From 7a.m. to 7p.m, if it makes a noise of more than 5dB(A) above the background level; or
- (c) From 7p.m. to 10p.m, if it makes a noise of more than 3dB(A) above the background level; or
- (d) After 10p.m, if it makes an audible noise.

NOTE 4. Waste Management

Waste management procedures and practices must be in place throughout the construction phase. Waste must be appropriately contained and regularly removed from the site by appropriately licensed waste management company.

NOTE 5. Air-conditioning units

In accordance with the *Environmental Protection Act 1994*, all air conditioning equipment must not exceed the following parameters: Less than 3dB(A) above background level between the hours of 10pm – 7am; and less than 5dB(A) above background level between the hours 7am – 10pm. Careful consideration must be given to locating them away from boundaries, and providing a separation distance such as a minimum of three (3) metres away from any site boundary that adjoins property capable of being developed.

NOTE 6. Noise – Building Work

Building work as authorised under this approval may legally occur between the hours 6:30am to 6:30pm Monday to Saturday only. No work is permitted on a Sunday or public holiday.

RECOMMENDATION C

That in relation to the application for a Development Permit for a Material Change of Use for an Undefined Use (Companion Animal Cremation Service), made by S M Perdomo and C D Brasileiro, on Lot 22 RP607080, and located at 64 Hidden Valley Road, Hidden Valley QLD 4703, Council resolves to issue an Infrastructure Charges Notice of \$3,966.96.

INFRASTRUCTURE CHARGES

Infrastructure charges are levied pursuant to the Adopted Infrastructure Charges Resolution (No.7) LSC 2025. The details and breakdown of the charges are outlined below:

Charge amount:	\$3,696.03 This charge is subject to indexation in accordance with <i>Adopted Infrastructure Charges Resolution (No 7) 2025</i> .
Charge area:	The subject site is located outside the priority infrastructure area
Calculation:	The charge is calculated in accordance with Table 5 – Adopted charge for development - Material Change of Use, as follows: 1. Undefined use (pet crematorium) \$172.25 per m² Gross Floor Area (GFA) x 35m² area for shed = \$6028.75. 2. Proportional Split:- Transport (50%) - \$3,014.38, Parks & Community Facilities (9%) - \$542.59. 3. Producer Price Index (PPI) from December 2024 to March 2026 quarter of \$139.07.
Credit:	The above calculation takes into account no credit due to this being used by the existing dwelling house on the site.
Offset:	No offsets are applicable to the development.

A total charge of **\$3,696.03** is payable and will be reflected in an Infrastructure Charges Notice for the development.

**13.1 - D-247-2025 MATERIAL CHANGE
OF USE FOR AN UNDEFINED USE
(COMPANION ANIMAL CREMATION
SERVICE) AT 64 HIDDEN VALLEY
ROAD, HIDDEN VALLEY**

Locality Plan

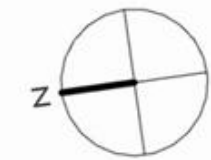
Meeting Date: 4 August 2026

Attachment No: 1

**project:**PROPOSED
SUBDIVISION**drawing title:**LOCATION
PLAN**location:**64 Hidden Valley Road, Hidden Valley
(Lot 22 on RP607080)**client:**

drawing no:

SK-001

**REVISIONS**

REVISION	DESCRIPTION	DATE
1	PRELIMINARY	04/06/2025

ISSUED FOR
PRELIMINARY

scale

As indicated

A3 DRAWING

NOTED SCALES RELATE TO A3 DRAWINGS

project no:

GTP-017

date

JUN 25

drawn

SV

rev

1

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5/06/2025 11:52:09 AM



1 LOCALITY PLAN
1: 5000 @ A3

GENERAL LEGEND:

— · — APPROX
BOUNDARY LINE

GENERAL NOTE:
ALL BOUNDARIES, LOCATIONS AND
DIMENSIONS ARE APPROXIMATES

GENERAL NOTE:
- THESE DRAWINGS ARE PART OF A TOWN PLANNING APPROVAL
APPLICATION AND SHOULD NOT BE USED FOR ANY OTHER REASON
- THESE DRAWINGS ARE APPROXIMATE AND HIGHLY CONCEPTUAL
- REFER TO TOWNPLANNING APPLICATION AND OPERATIONAL WORKS
DOCUMENTATION WHEN VIEWING THESE PLANS.

13.1 - D-247-2025 MATERIAL CHANGE OF USE FOR AN UNDEFINED USE (COMPANION ANIMAL CREMATION SERVICE) AT 64 HIDDEN VALLEY ROAD, HIDDEN VALLEY

Site Plan

Meeting Date: 4 August 2026

Attachment No: 2

project:

**PROPOSED
SUBDIVISION**

drawing title:

**PROPOSED
SITE PLAN**

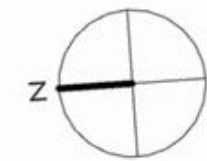
location:

64 Hidden Valley Road, Hidden Valley
(Lot 22 on RP607080)

client:

drawing no:

SK-002



REVISIONS

REVISION	DESCRIPTION	DATE
1	PRELIMINARY	04/06/2025

**ISSUED FOR
PRELIMINARY**

scale

As indicated

A3 DRAWING

NOTED SCALES RELATE TO A3 DRAWINGS

project no:

GTP-017

date	rev
JUN 25	1
drawn	
SV	



1 OVERALL SITE PLAN
1 : 1000 @ A3

GENERAL LEGEND

---	APPROX EXISTING BOUNDARY LINE
■	EXISTING SHED (APPROX 8.5m X 6.5m)
■	EXISTING SITE ACCESS
■	EXISTING DWELLING
■	PROPOSED LANDSCAPING

GENERAL NOTE:
ALL BOUNDARIES, LOCATIONS AND
DIMENSIONS ARE APPROXIMATES

GENERAL NOTE:
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- REFER TO TOWNPLANNING APPLICATION AND OPERATIONAL WORKS
DOCUMENTATION WHEN VIEWING THESE PLANS.

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13.1 - D-247-2025 MATERIAL CHANGE OF USE FOR AN UNDEFINED USE (COMPANION ANIMAL CREMATION SERVICE) AT 64 HIDDEN VALLEY ROAD, HIDDEN VALLEY

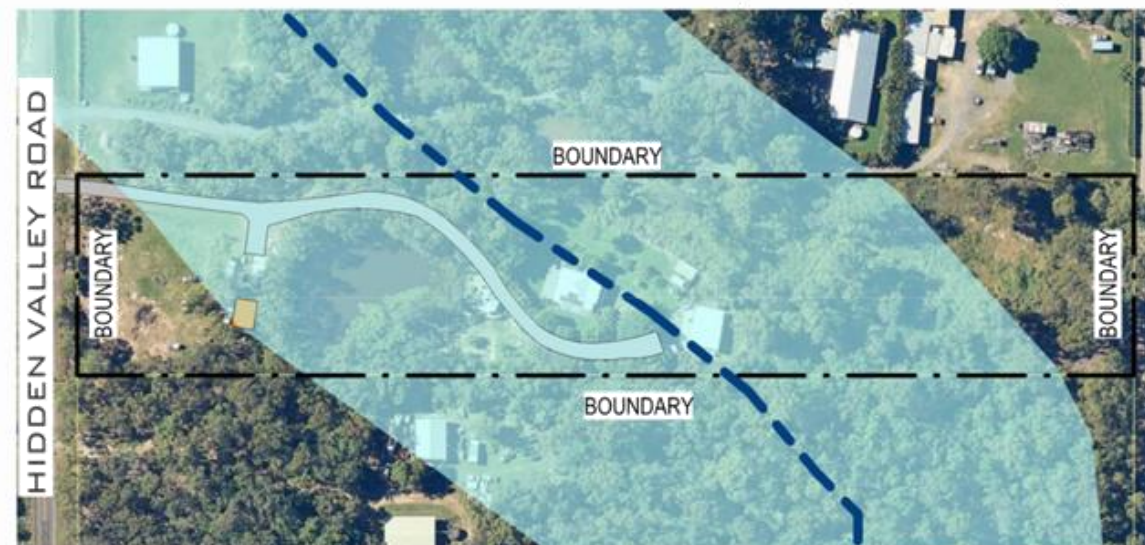
Planning Scheme Overlays

Meeting Date: 4 August 2026

Attachment No: 3



1 BIODIVERSITY HABITAT - OVERALL
1 : 2000 @ A3



2 BIODIVERSITY STREAM- OVERALL
1 : 2000 @ A3



3 WETLANDS WATERWAYS- OVERALL
1 : 2000 @ A3



4 BUSHFIRE HAZARD - OVERALL
1 : 2000 @ A3

project:

**PROPOSED
SUBDIVISION**

drawing title:

**SITE PLAN -
OVERLAYS**

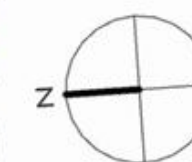
location:

64 Hidden Valley Road, Hidden Valley
(Lot 22 on RP607080)

client:

drawing no:

SK-003



REVISIONS

REVISION	DESCRIPTION	DATE
1	PRELIMINARY	04/06/2025

**ISSUED FOR
PRELIMINARY**

scale

As indicated

A3 DRAWING

NOTED SCALES RELATE TO A3 DRAWINGS

project no:

GTP-017

date

JUN 25

drawn

SV

rev

1

GENERAL LEGEND

- APPROX EXISTING BOUNDARY LINE
- EXISTING SHED (APPROX 12m X 8m)
- EXISTING SITE ACCESS

GENERAL NOTE:
ALL BOUNDARIES, LOCATIONS AND
DIMENSIONS ARE APPROXIMATES

GENERAL NOTE:
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DOCUMENTATION WHEN VIEWING THESE PLANS.

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project:

PROPOSED
SUBDIVISION

drawing title:

SITE PLAN -
OVERLAYS

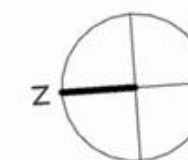
location:

64 Hidden Valley Road, Hidden Valley
(Lot 22 on RP607080)

client:

drawing no:

SK-004



REVISIONS

REVISION	DESCRIPTION	DATE
1	PRELIMINARY	04/06/2025

ISSUED FOR
PRELIMINARY

scale

As indicated

A3 DRAWING

NOTED SCALES RELATE TO A3 DRAWINGS

project no:

GTP-017

date

JUN 25

drawn

SV

rev

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1 FLOOD HAZARD AREA - OVERALL

1 : 2000 @ A3



2 DRAINAGE PROBLEM AREA- OVERALL

1 : 2000 @ A3

GENERAL LEGEND

- APPROX EXISTING BOUNDARY LINE
- EXISTING SHED (APPROX 12m X 9m)
- EXISTING SITE ACCESS

GENERAL NOTE:
ALL BOUNDARIES, LOCATIONS AND
DIMENSIONS ARE APPROXIMATES

GENERAL NOTE:
- THESE DRAWINGS ARE PART OF A TOWN PLANNING APPROVAL
APPLICATION AND SHOULD NOT BE USED FOR ANY OTHER REASON
- THESE DRAWINGS ARE APPROXIMATE AND HIGHLY CONCEPTUAL
- REFER TO TOWNPLANNING APPLICATION AND OPERATIONAL WORKS
DOCUMENTATION WHEN VIEWING THESE PLANS.

13.1 - D-247-2025 MATERIAL CHANGE OF USE FOR AN UNDEFINED USE (COMPANION ANIMAL CREMATION SERVICE) AT 64 HIDDEN VALLEY ROAD, HIDDEN VALLEY

Code Assessment

Meeting Date: 4 August 2026

Attachment No: 4

Code assessment - D-247-2025 - Development Permit for a Material Change of Use for a Undefined Use (Companion Animal Cremation Service) - 64 Hidden Valley Road, Hidden Valley

Rural zone code

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

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: (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: (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 - Not applicable The proposal is not for a use within the Accommodation activities group.
	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: (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 proposal is not for a use within the Accommodation activities group.
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 The proposal is not for a use within the Rural activities group.
If a roadside stall		
PO3	AO3.1 Any structure used for a roadside	AO3.1 - Not applicable The proposal is not for a road side

Code assessment - D-247-2025 - Development Permit for a Material Change of Use for a Undefined Use (Companion Animal Cremation Service) - 64 Hidden Valley Road, Hidden Valley

Performance outcomes	Acceptable outcomes	Assessment Response
The roadside stall: (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 safety and efficiency of the road network; (d) is ancillary to the farming use conducted on the same site; and (e) sells only fresh produce grown locally.	stall: (a) has a maximum floor area of twenty (20) square metres; and (b) is located entirely within the lot and not on the road reserve.	stall.
	AO3.2 Site access, car parking and storage areas: (a) are located entirely within the lot and not on the road reserve; and (b) use the same driveway as the primary lot access	AO3.2 - Not applicable The proposal is not for a road side stall.
Built form		
PO4 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.	AO4.1 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).	AO4.1 - Complies The building has a height of 2.7 metres to the eave and 3.223 metres to the apex.
	AO4.2 The height of structures does not exceed twenty-five (25) metres above ground level.	AO4.2 – Not applicable The development includes a building not a structure.
PO5 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: (a) minimisation of potential sources of nuisance; (b) prevention of overshadowing of habitable buildings of any sensitive land use on adjoining lots; and (c) prevention of overshadowing of public places.	AO5.1 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.	AO5.1 – Complies Road frontage property boundary – 46.2 metres Eastern side property boundary – 13.7 metres Western side property boundary – 37 Metres Rear property boundary – In excess of 50 metres
Where located in the Yaamba Historic Township Precinct		
Land use		
If a use within the rural activities group		
PO6 The development of a use within the rural activities group is designed, sited and operated to minimise significant adverse impacts on sensitive land use.	AO6.1 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.	AO6.1 - Not applicable The site is not located in the Yaamba Historic Township Precinct.
If a roadside stall		
PO7 The roadside stall: (a) is small in scale;	AO7.1 Any structure used for a roadside stall: (a) has a maximum floor area of	AO7.1 - Not applicable The site is not located in the Yaamba Historic Township Precinct.

Code assessment - D-247-2025 - Development Permit for a Material Change of Use for a Undefined Use (Companion Animal Cremation Service) - 64 Hidden Valley Road, Hidden Valley

Performance outcomes	Acceptable outcomes	Assessment Response
(b) does not impact on the amenity of adjoining land uses and the surrounding area;	twenty (20) square metres; and (b) is located entirely within the lot and not on the road reserve.	
(c) does not adversely affect the safety and efficiency of the road network;	AO7.2 Site access, car parking and storage areas:	AO7.2 - Not applicable The site is not located in the Yaamba Historic Township Precinct.
(d) is ancillary to the farming use conducted on the same site; and	(a) are located entirely within the lot and not on the road reserve; and	
(e) sells only fresh produce grown locally.	(b) use the same driveway as the primary lot access.	
Built form		
PO8 The development does not result in the intensification of buildings and structures in the precinct unless they are associated with and necessary for preferred uses for the precinct.	AO8.1 The development does not involve the construction of buildings and structures unless they are associated with and necessary for: (a) a park; or (b) a use within the rural activities group; or (c) a use within the special activities group undertaken at the site.	AO8.1 - Not applicable The site is not located in the Yaamba Historic Township Precinct.
PO9 If buildings and structures are associated with and necessary for a park, a use within the rural activities group, or a use within the special activities group undertaken at the site, the height of the 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.	AO9.1 Building height does not exceed ten (10) metres above ground level (excluding silos and similar structures that are ancillary to the operations of a use within the rural activities group).	AO9.1 - Not applicable The site is not located in the Yaamba Historic Township Precinct.
	AO9.2 The height of structures does not exceed twenty-five (25) metres above ground level.	AO9.2 - Not applicable The site is not located in the Yaamba Historic Township Precinct.
PO10 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: (a) minimisation of potential sources of nuisance; and (b) provision of access to natural light and ventilation for habitable buildings of any sensitive land use on adjoining lots and for public places.	AO10.1 Buildings or structures have a setback from side, rear and road frontage lot boundaries in accordance with the following: (a) at any point where the 'outermost projection height' is between two (2) metres and 4.5 metres, a setback of at least twenty (20) metres; or (b) at any point where the 'outermost projection height' is greater than 4.5 metres, a setback of at least twenty (20) metres plus 0.3 of a metre for every additional metre or part thereof in height over 4.5 metres.	AO10.1 - Not applicable The site is not located in the Yaamba Historic Township Precinct.

Table 6.5.4.4.2 — Additional outcomes for assessable development

Code assessment - D-247-2025 - Development Permit for a Material Change of Use for a Undefined Use (Companion Animal Cremation Service) - 64 Hidden Valley Road, Hidden Valley

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 The proposal of an Undefined Use (Companion Animal Cremation Service) is not for a preferred use for the zone (as identified in the overall outcomes for the Rural Zone). The proposal is not a use within the accommodation activities code. The proposal is small in scale and utilises the existing buildings on the site. Overall Outcome (1)(b)(ii) The proposed use does not limit or compromise the development of a use within the rural activities group on an adjoining rural zoned lot. Compatible with the surrounding uses**** Overall Outcome (4), (c), (d), (e) and (f)(iii)(D) is this considered essential component of infrastructure servicing the community? (5)(b)(c)(d)
Where located in the Capricorn Coast Rural Precinct		
Land use		
PO12 The use contributes to the development of a Capricorn Coast Rural Precinct which is comprised of the following: (a) preferred uses for the precinct (as identified in the overall outcomes for the zone); or (b) intensive animal industry or intensive horticulture (where in accordance with the circumstances identified in the overall outcomes for the precinct); or (c) a use from within the accommodation activities group or other non-rural uses (where in accordance with the circumstances identified in the overall outcomes for the	No acceptable outcome is nominated.	PO12 - Not applicable The proposal is not located within the Capricorn Coast Rural Precinct.

Code assessment - D-247-2025 - Development Permit for a Material Change of Use for a Undefined Use (Companion Animal Cremation Service) - 64 Hidden Valley Road, Hidden Valley

Performance outcomes	Acceptable outcomes	Assessment Response
precinct).		
Where located in the Yaamba Historic Township Precinct		
Land use		
PO13 The use is a preferred use for the precinct (as identified in the overall outcomes for the precinct).	No acceptable outcome is nominated.	PO13 - Not applicable The site is not located in the Yaamba Historic Township Precinct.
PO14 The use: (a) is small in scale and has a limited intensity; and (b) has low impacts on sensitive land use in the immediate area.	No acceptable outcome is nominated.	PO14 - Not applicable The site is not located in the Yaamba Historic Township Precinct.
PO15 A new use from within the accommodation activities group, business activities group, community activities group, entertainment activities group, or industrial activities group does not establish in the zone.	No acceptable outcome is nominated.	PO15 - Not applicable The site is not located in 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 The proposal is not for a use within the rural activities group.
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	No acceptable outcome is nominated.	PO17 - Not applicable The proposal is not for a use within the rural activities group.

Code assessment - D-247-2025 - Development Permit for a Material Change of Use for a Undefined Use (Companion Animal Cremation Service) - 64 Hidden Valley Road, Hidden Valley

Performance outcomes	Acceptable outcomes	Assessment Response
noise and odours produced by the animals.		
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 Complies subject to reasonable and relevant conditions
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 proposed land use is to be located within an existing building on the site. If vegetation clearing is to occur it would be considered necessary for fire protection. Earthworks are not proposed or required.
If an extractive industry		
PO20 To the extent practicable, scarred areas of the natural landscape resulting from extractive industry are screened from view of public roads, prominent public viewer places and neighbouring properties.	AO20.1 A densely vegetated buffer area having a minimum depth from the lot boundary of twenty (20) metres is located along all boundaries of the site (excluding access points), and the buffer area contains vegetation having a foliage height and density capable of visually screening scarred areas of land when viewed from public roads, prominent public viewer places and neighbouring properties.	AO20.1 - Not applicable The proposal is not for an extractive industry.
PO21 Rehabilitation of the site occurs over the life of the project and the development is undertaken in accordance with a management plan which satisfies Council that premises that will be safe and useable upon completion and the following actions will be appropriately undertaken: (a) progressive rehabilitation works at the site; (b) appropriate clean-up works (including areas of possible soil or water contamination); (c) provision of stable and usable final landform and soil profiles; and (d) revegetation of the site using suitable native species.	No acceptable outcome is nominated.	PO21 - Not applicable The proposal is not for an extractive industry.
PO22 Noise generating activities occur at times that are unlikely to result	AO22.1 Significant noise generating activities such as blasting, crushing,	AO22.1 - Not applicable The proposal is not for an extractive industry.

Code assessment - D-247-2025 - Development Permit for a Material Change of Use for a Undefined Use (Companion Animal Cremation Service) - 64 Hidden Valley Road, Hidden Valley

Performance outcomes	Acceptable outcomes	Assessment Response
in unreasonable disturbance to sensitive land use.	grinding, milling, loading or similar only occur between the hours of 9:00 and 17:00.	
	AO22.2 Noise generating activities (other than those listed in AO22.1) only occur between the hours of 06:00 and 18:00.	AO22.2 - Not applicable The proposal is not for an extractive industry.
If a transport depot		
PO23 Development for the purpose of a transport depot: (a) is located at an appropriate sized site; (b) is ancillary to the use of the site primarily for rural purposes; (c) is small in scale; (d) is designed and sited to minimise adverse impacts on the amenity of any sensitive land use in the immediate area; (e) does not result in a significant amount of daily vehicle trips to and from the site; and (f) is located at a site adjoining an appropriate road in the planning scheme road hierarchy in order to: (i) minimise disturbance to adjoining land use from dust and vehicle noise; (ii) minimise costly damage to the road surface; and (iii) minimise any adverse impacts to the safety, efficiency and effectiveness of the road network.	AO23.1 The transport depot does not store any more than four (4) vehicles. (a)	AO23.1 - Not applicable The proposal is not for a transport depot.
	AO23.2 The transport depot: (b) is situated a minimum distance of fifty (50) metres from a side or rear lot boundary; (c) is situated a minimum distance of fifty (50) metres from a road frontage lot boundary; (d) is situated a minimum distance of 150 metres from a sensitive land use located on an adjoining site; and (e) is within a garage.	AO23.2 - Not applicable The proposal is not for a transport depot.
	AO23.3 Any maintenance of vehicles: (a) is minor in nature; (b) does not involve major body work; and (c) does not involve major engine or mechanical repairs.	AO23.3 - Not applicable The proposal is not for a transport depot.
	AO23.4 The transport depot is located at a site which gains access from a road having the following characteristics: (a) the road is bitumen sealed; and (b) the road is not classified in the road hierarchy as an access street or an access place.	AO23.4 - Not applicable The proposal is not for a transport depot.
Where located within Agricultural Land Class A and Class B identified on an overlay		
PO24 Land that is identified as Agricultural Land Class A or Class B is developed only in the following circumstances: (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	No acceptable outcome is nominated.	PO24 - Not applicable The site is not mapped with Agricultural Land Class A and Class B.

Code assessment - D-247-2025 - Development Permit for a Material Change of Use for a Undefined Use (Companion Animal Cremation Service) - 64 Hidden Valley Road, Hidden Valley

Performance outcomes	Acceptable outcomes	Assessment Response
(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 (c) it is proven that the land should not actually be identified as Agricultural Land Class A or Class B; or (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 (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 (f) the land is identified as Key Resource Area; or (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 (h) the potential undertaking of agriculture on the subject land (alone or in association with surrounding land) is not practicable.		
Where located adjacent to the township of Cawarral, Mount Chalmers, or The Caves		
PO25 Reconfiguration of rural zoned lots located adjacent to the townships of Cawarral, Mount Chalmers or The Caves only occurs when all of the following circumstances exist: (a) the site is not located within the Capricorn Coast Rural Precinct or is not located within Agricultural Land Class A or Class B land; (b) the site is not included in, or within five (5) kilometres of land designated as <i>urban</i>,	No acceptable outcome is nominated.	PO25 - Not applicable The site is not located adjacent to the township of Cawarral, Mount Chalmers, or The Caves.

Code assessment - D-247-2025 - Development Permit for a Material Change of Use for a Undefined Use (Companion Animal Cremation Service) - 64 Hidden Valley Road, Hidden Valley

Performance outcomes	Acceptable outcomes	Assessment Response
<i>new urban, or future urban as shown on the Strategic Framework maps;</i> (c) 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; (d) it can be demonstrated that there are fewer than ten (10) existing vacant lots, which have areas of between one (1) and three (3) hectares in extent, within a five (5) kilometre radius of the township zone; (e) the site is within ten (10) kilometres of a primary school or within one (1) kilometre of a school bus route; (f) the site is within ten (10) kilometres of an existing useable hall or other acceptable meeting place such as a shop or sporting facility; (g) each new lot created has regular proportions and is not smaller than two (2) hectares in area and eighty (80) metres in width; (h) lots that adjoin rural zoned land are provided with adequate additional internal areas to provide separation and buffers between any established or future use of adjoining lots for rural activities and any future sensitive land use on the new lot; (i) new lots do not take direct access from a State main road; (j) a minimum of twenty (20) new lots is proposed in one estate; (k) 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 (l) the following infrastructure and services are provided: (i) a bitumen sealed road to rural standard or higher; (ii) municipal water supply; and		

Code assessment - D-247-2025 - Development Permit for a Material Change of Use for a Undefined Use (Companion Animal Cremation Service) - 64 Hidden Valley Road, Hidden Valley

Performance outcomes	Acceptable outcomes	Assessment Response
(iii) electricity and telecommunications.		
Appearance		
PO26 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.	PO26 - Not applicable The site is not located adjacent to the township of Cawarral, Mount Chalmers, or The Caves.
Stock routes		
PO27 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.	PO27 - Not applicable The site is not located adjacent to the township of Cawarral, Mount Chalmers, or The Caves.
Infrastructure		
PO28 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.	AO28.1 The development complies with the requirements of the Development Works Code.	AO28.1 - Not applicable The site is not located adjacent to the township of Cawarral, Mount Chalmers, or The Caves.
Where located in the Yaamba Historic Township Precinct		
Lot size and shape		
PO29 Development does not involve the reconfiguration of a lot below the minimum size and shape requirements for lots specified in the reconfiguring a lot code.	No acceptable outcome is nominated.	PO29 - Not applicable The site is not located in the Yaamba Historic Township Precinct.
Appearance		
PO30 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.	PO30 - Not applicable The site is not located in the Yaamba Historic Township Precinct.

Biodiversity overlay code

Table 8.2.3.4.1 Outcomes for development that is accepted subject to developments and assessable development

Performance outcomes	Acceptable outcomes	Assessment Response
Land use		

Code assessment - D-247-2025 - Development Permit for a Material Change of Use for a Undefined Use (Companion Animal Cremation Service) - 64 Hidden Valley Road, Hidden Valley

Performance outcomes	Acceptable outcomes	Assessment Response
PO1 In areas identified as having matters of environmental significance, all uses are located, designed and operated to: (a) retain and protect significant environmental values; and (b) maintain the underlying ecological functions and biophysical processes of the site and surrounds.	No acceptable outcome is nominated. 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.	PO1 - Complies The building location is not within any areas mapped with specific environmental values.
Native vegetation and habitat		
PO2 Development retains and regenerates native vegetation in such a way as to: (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. Editor's note: Council may adopt an offsets planning scheme policy for matters of local environmental significance at a future date. 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.	No acceptable outcome is nominated.	PO2 - Complies The proposed land use is within an existing building with no further clearing of the site. The location of the building is not within a mapped biodiversity area.
PO3 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. Editor's note: Council may adopt an offsets planning scheme policy for matters of local environmental significance at a future date. 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	No acceptable outcome is nominated.	PO3 - Complies The proposed land use is within an existing building with no further clearing of the site. The location of the building is not within a mapped biodiversity area.

Code assessment - D-247-2025 - Development Permit for a Material Change of Use for a Undefined Use (Companion Animal Cremation Service) - 64 Hidden Valley Road, Hidden Valley

Performance outcomes	Acceptable outcomes	Assessment Response
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.		
PO4 Development protects existing biodiversity corridors and assists in the establishment of new corridors which have adequate dimensions and characteristics to support: (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; (b) the natural change in distributions of species and connectivity between populations of species over long periods of time; (c) ecological responses to climate change; (d) maintenance of large scale seasonal/ migratory species processes and movement of fauna; (e) connectivity between large tracts and patches of native remnant vegetation and habitat areas; and (f) effective and continuous movement of terrestrial and aquatic fauna.	AO4.1 Development involving roads, pipelines, pedestrian access and in-stream structures: (a) does not create barriers to the movement of fauna (including fish passage) along or within biodiversity corridors; or (b) provides effective wildlife movement infrastructure in accordance with best practice which: (i) enables fauna to safely negotiate a development area; and (ii) separates fauna from potential hazards through the use of appropriate fencing.	AO4.1 - Not applicable The proposal doesn't involve roads, pipelines, pedestrian access.
	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 proposal is not within 500 metres of a biodiversity corridor.
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 - Does not comply The building is located within the buffer area surrounding a waterway with the building 10 metres into the buffer. PO5 – Complies Despite the encroachment the building is located approximately 63 metres from the mapped overlay. The development is expected to avoid impacts on water quality.
PO6 Development does not cause land degradation near a waterway or	AO6.1 Native vegetation is retained or where retention is unavoidable, it is reinstated within riparian areas and	AO6.1 - Complies The proposed land use is within an existing building with no further clearing of the site. The location of

Code assessment - D-247-2025 - Development Permit for a Material Change of Use for a Undefined Use (Companion Animal Cremation Service) - 64 Hidden Valley Road, Hidden Valley

Performance outcomes	Acceptable outcomes	Assessment Response
wetland, including:	buffer areas.	the building is not within a mapped biodiversity area.
(a) mass movement, gully erosion, rill erosion, sheet erosion, tunnel erosion, stream bank erosion, wind erosion, or scalding; and	AO6.2 Foreshore areas are fenced to prevent stock access.	AO6.2 – Not applicable The site is no near a foreshore.
(b) loss or modification of chemical, physical or biological properties or functions of soil.	AO6.3 Riparian areas are fenced to limit stock access to a limited number of watering holes.	AO6.3 – Not applicable No stock is located on the site.
All matters of environmental significance		
PO7 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.	PO7 - Not applicable
Hydrology		
PO8 Development enhances or maintains the existing surface water hydrological regime of all areas containing matters of environmental significance.	No acceptable outcome is nominated.	PO8 - Not applicable
PO9 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.	PO09 - Not applicable
Ongoing management, construction and operation		
PO10 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.	PO10 - Not applicable
PO11 Development transfers into public	No acceptable outcome is nominated.	PO11 - Not applicable The development does not transfer

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Performance outcomes	Acceptable outcomes	Assessment Response
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.		into public ownership, or incorporate within a voluntary statutory covenant registered under the <i>Land Title Act 1994</i> .
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 The proposed land use is within an existing building with no further clearing of the site. The location of the building is not within a mapped biodiversity area. Any modification will occur within the building.
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 proposed land use is within an existing building with no further clearing of the site. The location of the building is not within a mapped biodiversity area. Further, landscaping of the front of the site will be undertaken to assist in visually screening the development. Conditions will be included to ensure species are native.
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 front of the site is mostly clear of vegetation and species in PO14 have not been identified on the site.

Bushfire hazard overlay code

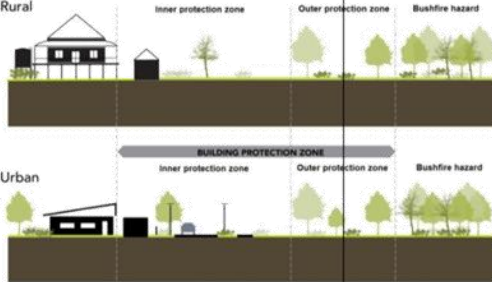
Table 8.2.4.4.1 Outcomes for development that is accepted subject to developments and assessable development

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		

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Performance outcomes	Acceptable outcomes	Assessment response
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: Schedule 6, Part 2 of the Planning Regulation, 2017, makes specific development within a bushfire hazard overlay located on a lot smaller than 2,000m ² which is zoned residential accepted development.	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 - Does not comply The development is not located in an approved building protection zone.
	AO1.2 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: (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: (i) sufficient distance to achieve a bushfire attack level no greater than 29kW/m ² ; 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. 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. 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.	AO1.2 - Complies in part A Bushfire Hazard Assessment prepared by Steer Environmental Consulting and dated 10 June 2025 was provided to support the application. The assessment advised the proposed activity is subject to a minimal and acceptable risk of bushfire attack. Given the limited scale and nature of the proposed activity, the preparation of a standalone BMP specific to the shed would offer minimal benefit in terms of broader bushfire risk management. Accordingly, it is recommended that general bushfire management principles be applied to the proposed activity.
	AO1.3 Buildings and structures are located within a building protection zone which achieves the following: (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	AO1.3 – Conditioned to comply The Bushfire Hazard Assessment prepared by Steer Environmental Consulting and dated 10 June 2025 will be conditioned as an approved document. The assessment recommends general bushfire management principles be applied.

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Performance outcomes	Acceptable outcomes	Assessment response
	following characteristics: (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 cent; and (iii) tree canopy is located greater than two (2) metres from any part of the roofline of a building; and (c) the outer zone has the following characteristics: (i) it has a minimum distance of ten (10) metres plus one (1) metre for every degree of downslope vegetation; and (ii) tree canopy cover in the zone is less than thirty (30) per cent. Note: The following figures illustrate the desired outcome.  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 defensible space. Regardless of the name, the above figures illustrate the key features of the zone.	
Land use		
PO2 In areas determined to be at an unacceptable risk from bushfire hazards, development does not occur if it is for a use which: (a) results in a significant concentration of people at any one time; or (b) results in a significant increase in people living or working in the area; or (c) involves institutional uses where evacuating people may	No acceptable outcome is nominated.	PO2 - Complies The proposal does not increase the concentration of people living or working at the site at any one time as no additional people will be on the premise for the purpose of the use. The use does not involve the manufacture of hazardous materials. At storage of hazardous materials

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Performance outcomes	Acceptable outcomes	Assessment response
be difficult; or (d) involves a significant number of vulnerable people; or (e) involves essential public infrastructure; or (f) involves manufacture or storage of hazardous materials.		
PO3 In areas determined to have bushfire hazard risk within tolerable levels, development occurs only if: (a) it adequately mitigates potential adverse impacts from bushfire hazard through siting, design, and other mitigation measures; (b) it supports safe and efficient evacuation and emergency services access to the site in the event of a bushfire; and (c) essential public infrastructure is not put at significant risk from destruction or failure during and immediately after bushfire events.	No acceptable outcome is nominated.	PO3 - Complies The building is located approximately 50 metres from the road frontage property boundary. The internal access will be conditioned to comply with the requirements of AO5.1 ensuring safe and efficient evacuation of the site can occur in the event of a bushfire.
Vegetation protection		
PO4 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. Editor's note: For assessable development, building locations envelopes may be accepted in some cases, in place of buildings being illustrated on plans. 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.	AO4.1 Buildings, structures and their associated buffer areas, access routes and fire management trails, avoid causing significant adverse impacts on the following: (a) areas identified as containing matters of environmental significance; and (b) areas identified as: (i) Scenic amenity management area A; or (ii) Scenic amenity management area B; or (iii) Coastal green break; or (iv) Coastline foreshore.	AO4.1 - Complies The building location is not mapped with Biodiversity or Scenic Amenity.
Internal access		
PO5 Development ensures that the location, siting, and design of development and associated internal access ways: (c) avoid potential for entrapment during a bushfire; and (d) enable safe evacuation of the site during a bushfire for site occupants.	AO5.1 Internal access ways have: (a) a minimum cleared width of six (6) metres; (b) a minimum cleared height of 4.8 metres; (c) a minimum formed width of four (4) metres; (d) a maximum gradient of twenty-five (25) per cent if sealed, or eighteen (18) per cent if	AO5.1 – Conditioned to comply AO5.1 is conditioned to ensure compliance.

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Performance outcomes	Acceptable outcomes	Assessment response
	unsealed; (e) where the length of the access way is greater than thirty (30) metres, an average gradient no greater than 14.4 per cent; (f) a cross fall no greater than eighteen (18) per cent if sealed, or 12.5 per cent if unsealed; (g) where there are dips or peaks, entry and exit angles no greater than 12.5 per cent; (h) adequate drainage to prevent soil erosion; (i) where the site: (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 (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.	
Emergency access		
PO6 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.	AO6.1 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.	AO6.1 - Complies Access to the site is via Hidden Valley Road. A sealed Rural minor collector.
Water supply for firefighting purposes		
PO7 Development provides adequate water supply for firefighting purposes and the water supply is safely located and freely accessible for firefighting.	AO7.1 Development involving existing or new buildings having a gross floor area greater than fifty (50) square metres comply with the following: (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	AO7.1 - Not applicable The building is approximately 12 square metres in area.

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Performance outcomes	Acceptable outcomes	Assessment response
	(b) all buildings are located within ten (10) metres of a water tank, which: (i) is constructed with fire-proof materials or is located underground with above-ground access points; (ii) meets the minimum water supply requirements outlined in Table 8.2.4.4.3; (iii) is located more than nine (9) metres from any potential fire hazards (such as venting gas bottles and combustible structures); (iv) is located within six (6) metres of a hardstand area allowing access for a heavy rigid fire appliance; (v) is fitted with fire brigade tank fittings consisting of: (A) for above ground tanks, a fifty (50) millimetre ball valve and male camlock coupling and metal pipe fittings; or (B) for underground tanks, an access hole having a minimum diameter of 200 millimetres to allow access for suction lines; and (vi) is identified by directional signage clearly provided at the street access point. 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.	
Activities involving hazardous material		
PO8 The manufacture or storage of hazardous materials does not increase the risk of fire hazard.	AO8.1 Development does not involve the manufacture or storage of hazardous materials beyond that which is commonly associated with domestic use.	AO8.1 - 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	AO9.1 Development complies with a landscaping plan which: (a) is prepared in compliance with an approved bushfire management plan;	AO9.1 – Conditioned to comply AO9.1 is conditioned to ensure compliance.

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Performance outcomes	Acceptable outcomes	Assessment response
bushfire.	(b) preserves the requirements of any building protection zone; and (c) does not increase the exposure of a habitable building not located in a building protection zone to a bushfire hazard.	
PO10 Development utilises fencing that: (a) does not contribute to the spread of bushfire; (b) provides access for fire-fighting purposes; (c) facilitates the safe movement of fauna in rural areas.	AO10.1 Fences are constructed: (a) using non-combustible or fire retardant materials within twenty (20) metres of any building used for accommodation; (b) with gates that can be freely accessed for fire-fighting purposes (if applicable); and (c) to not impede the safe movement of fauna (where applicable).	AO10.1 - Conditioned to comply AO10.1 is conditioned to ensure compliance.

Development Works code

Table 9.3.2.4.1 Outcomes for development that is accepted subject to developments and assessable development

Performance outcomes	Acceptable outcomes	Assessment Response
Access and parking		
PO1 The development is provided with an on-site parking and movement system designed and constructed to: (a) be integrated with the site layout including: (i) direct access to a road providing an appropriate level of service required to accommodate traffic generated by the use; (ii) having appropriately designed footpath crossovers; (iii) provision for safe pedestrian movement between public footpath and facility entry points; (b) accommodate sufficient manoeuvring room for the safe entry and exit of all modes of transport generated by the use (including refuse collection vehicles, trucks, buses and the like as relevant to the development); (c) accommodate sufficient parking for the expected number and type of vehicles	AO1.1 The development is provided with sufficient on-site vehicle parking and queuing space in accordance with the standards relevant to the use in compliance with Table 9.3.2.4.3. AO1.2 For development other than a use listed in the table below, an engineer who qualifies as a registered professional engineer of Queensland certifies that all vehicles likely to use the site are able to enter and leave the site in a forward gear, and that the on-site vehicle parking spaces, pick-up areas, loading and unloading areas, queuing areas, circulation and manoeuvring areas for the development are designed and constructed in accordance with the most up to date version of the Australian Standards as relevant to the development, including but not limited to the following: (a) <i>Australian Standard AS2890.1-1993: Parking Facilities –Off-street Car parking;</i>	AO1.1 - Complies The site is 19,100 square metres. Given the small scale operation parking for a single vehicle (the one staff member) is sufficient. Parking can be provided on the sealed access in front of the building. AO1.2 - Not applicable Due to the small scale operation there is no car parking requirement.

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Performance outcomes	Acceptable outcomes	Assessment Response																				
generated by the use; (d) facilitate non-discriminatory accessibility; (e) provide for safe and efficient loading and unloading of goods; (f) allow for vehicle queuing necessary for the use; (g) provide for passenger set down and pick up necessary for the use (including public transport needs); (h) facilitate public access to the foreshore and public open space networks; (i) provide a safe environment; (j) be compatible with the character and amenity of the area; and (k) make a positive aesthetic contribution to the streetscape character of the setting, particularly if involving multi-level parking.	(b) <i>Australian Standard AS1428.1-2001: Design for access and mobility – General requirements for access – New building work;</i> (c) <i>Australian Standard AS2890.2-1993: Off-street parking – Commercial vehicle facilities.</i> <table><tr><td>Accommodation activities</td></tr><tr><td>Caretaker's accommodation</td></tr><tr><td>Community residence</td></tr><tr><td>Dual occupancy</td></tr><tr><td>Dwelling house</td></tr><tr><td>Dwelling unit</td></tr><tr><td>Home based business</td></tr><tr><td>Recreation activities</td></tr><tr><td>Environment facility</td></tr><tr><td>Park</td></tr><tr><td>Rural activities</td></tr><tr><td>Animal husbandry</td></tr><tr><td>Cropping</td></tr><tr><td>Permanent plantation</td></tr><tr><td>Roadside stall</td></tr><tr><td>Special activities</td></tr><tr><td>Landing</td></tr><tr><td>Major electricity infrastructure</td></tr><tr><td>Substation</td></tr><tr><td>Telecommunications facility</td></tr></table>	Accommodation activities	Caretaker's accommodation	Community residence	Dual occupancy	Dwelling house	Dwelling unit	Home based business	Recreation activities	Environment facility	Park	Rural activities	Animal husbandry	Cropping	Permanent plantation	Roadside stall	Special activities	Landing	Major electricity infrastructure	Substation	Telecommunications facility	
Accommodation activities																						
Caretaker's accommodation																						
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Dwelling unit																						
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Permanent plantation																						
Roadside stall																						
Special activities																						
Landing																						
Major electricity infrastructure																						
Substation																						
Telecommunications facility																						
	AO1.3 A solid, good quality brick, timber or masonry screen fence having a minimum height of 1.8 metres is provided between the car parking area of development (other than a use within the accommodation activities group being for long-term accommodation) where adjoining a sensitive land use located within the residential category zone or the township zone	AO1.3 - Not applicable Due to the small scale operation there is no car parking requirement.																				
PO2 Access driveways are designed and sited: (a) to minimise disruption to public infrastructure; (b) to operate safely and efficiently taking into account the volume, frequency and type of vehicle traffic expected to be generated by the development; (c) to operate safely and efficiently taking into account	AO2.1 The access driveway of the development does not require the modification, relocation or removal of any street tree or public infrastructure including a fire hydrant, water meter, street sign, manhole, stormwater gully pit or other Council asset. AO2.2 The access driveway of the development is not constructed	AO2.1 - Complies The existing access will remain unchanged. AO2.2 - Complies The existing access will remain unchanged.																				

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Performance outcomes	Acceptable outcomes	Assessment Response
the function of the adjoining road; and (d) to minimise impacts on the safety, efficiency, or function of the road network.	over an access point to infrastructure under the control of a regulatory authority, including storm water pits, water meters, water hydrants and telephone pits.	
	AO2.3 The access driveway of the development does not enter the road carriageway at the location of an existing traffic island, speed control device, car parking bay, pedestrian crossing, bus stop or other infrastructure within the road carriageway.	AO2.3 - Complies The existing access will remain unchanged.
	AO2.4 The access driveway of the development is not located within: (a) two (2) metres of any adjoining property access driveway (excluding shared property accesses at the property line); and (b) one (1) metre of any public infrastructure such as a street sign, power pole, street light, manhole, stormwater gully pit or other Council asset; (c) the closest half of the road frontage to a road intersection for any corner lot.	AO2.4 - Complies The existing access will remain unchanged.
	AO2.5 The access driveway of the development is designed and constructed in accordance with the Capricorn Municipal Development Guidelines Standard Drawing relevant to the development including but not limited to the following: (a) <i>Standard Drawing CMDG-R-040 Rural Road Access and Property Access over Table Drains;</i> (b) <i>Standard Drawing CMDG-R-041 Residential Driveway Slab and Tracks;</i> (c) <i>Standard Drawing CMDG-R-042 Commercial Driveway Slab (Type A) Two Way Access;</i> (d) <i>Standard Drawing CMDG-R-043 Commercial Driveway Slab (Type B) Two Way Access.</i>	AO2.5 – Conditioned to comply The existing access will remain unchanged. The proposal creates minimal additional traffic. The residential access standard is sufficient to cater to the demand of the development. The access driveway is conditioned to be updated if it does not already comply with <i>Standard Drawing CMDG-R-040 Rural Road Access and Property Access over Table Drains;</i>
	AO2.6 Where adjoining a state-controlled road or Key Resource Area	AO2.6 - Not applicable The site does not adjoin a state controlled road or key resource

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Performance outcomes	Acceptable outcomes	Assessment Response					
	transport route, the development provides: (a) a single site access driveway; (b) the access driveway to the lowest order road to which the site has frontage; (c) an access driveway which enables vehicles to enter and exit the site in a forward direction.	area.					
Advertising devices							
PO3, PO4 and PO5 – Not Applicable							
In the supporting documentation provided by the applicant no advertising devices are proposed.							
Clearing of native vegetation							
PO6 Clearing does not result in any significant adverse impacts on the following: (a) values associated with large tracts of native vegetation which serve as habitat or viable biodiversity corridors; or (b) the regeneration of biodiversity corridors; or (c) wetlands, waterways and native riparian vegetation; or (d) the quality of land and water resources (including underground water).	AO6.1 With the exception of clearing for a purpose identified in AO6.3, clearing does not result in damage, removal or destruction of native vegetation located in proximity to a biodiversity corridor identified on a biodiversity overlay map in accordance with the following: (a) clearing native vegetation is not undertaken within 250 metres of a regional biodiversity corridor; or (b) clearing native vegetation is not undertaken within twenty-five (25) metres of a local biodiversity corridor.	AO6.1 - Complies No clearing of vegetation will occur.					
	AO6.2 With the exception of clearing for a purpose identified in AO6.3, clearing does not result in damage, removal or destruction of any native vegetation located in proximity to a waterway or wetland identified on a biodiversity overlay map, if it is within the buffer distances in the following table: <table><tr><th>Location</th><th>Buffer distance</th></tr><tr><td>Top of the bank of a waterway classified as stream order one or stream order two</td><td>10 metres</td></tr><tr><td>Top of the bank of a waterway classified as stream order three or stream order four</td><td>25 metres</td></tr></table>	Location	Buffer distance	Top of the bank of a waterway classified as stream order one or stream order two	10 metres	Top of the bank of a waterway classified as stream order three or stream order four	25 metres
Location	Buffer distance						
Top of the bank of a waterway classified as stream order one or stream order two	10 metres						
Top of the bank of a waterway classified as stream order three or stream order four	25 metres						

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Performance outcomes	Acceptable outcomes		Assessment Response
	Top of the bank of a waterway classified as stream order five or higher order	50 metres	
	Wetland	100 metres	
	AO6.3 If the development involves clearing of native vegetation, the clearing does not result in damage, removal or destruction of the native vegetation, unless the clearing satisfies the following circumstances: (a) the clearing involves lawful forestry; or (b) the clearing involves plants or plant material that had been planted for a 'cropping' use; or (c) the clearing is for landscape gardening purposes; or (d) the clearing is within a building location envelope or it is outside an environmental covenant area, which forms part of a prior approved development permit for material change of premises or a development permit for a reconfiguration of a lot.		AO6.3 - Complies No clearing of vegetation will occur.
PO7 Clearing does not result in land degradation due to soil erosion.	AO7.1 If the development involves clearing of native vegetation which is likely to result in the removal of ground cover and the exposure of soil to weather, clearing only occurs if it is undertaken in accordance with an erosion and sediment control plan which has been prepared and endorsed by a suitably qualified person, and the plan ensures that the erosion and sediment control measures are in accordance with best practice.		AO7.1 - Complies No clearing of vegetation will occur.
Earthwork and retaining walls			
PO8 Earthwork or the construction of any retaining wall occurs only if it results in the following: (a) minimal modification of the natural slope of the land; (b) minimal increase of the elevation of land due to the placement of fill material; (c) no unsightly scarring of the	AO8.1 The volume of fill material added to the natural ground level on any lot does not exceed a net increase of two-hundred (200) cubic metres calculated cumulatively, with the only exception being the addition of fill material for a lawfully undertaken use from within the rural activities group if located in the rural zone.		AO8.1 - Not applicable No earthworks or retaining walls are proposed.

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Performance outcomes	Acceptable outcomes	Assessment Response
landscape; (d) retaining walls which are not prominent; and (e) no significant adverse impacts on the character or visual amenity of the streetscape or neighbourhood.	AO8.2 The development does not involve construction of a retaining wall having a height exceeding two (2) metres, or terraced retaining walls having a combined height exceeding two (2) metres unless the following: (a) the wall is part of a split level building design and it is concealed in its entirety; or (b) no more than forty (40) square metres of total wall face area is visible from a location at any boundary of the lot on which the wall is located.	AO8.2 - Not applicable No earthworks or retaining walls are proposed.
	AO8.3 The bulk of a retaining wall or terraced retaining walls having a combined total wall face area greater than forty (40) square metres, is broken up by the following: (a) the planting of vegetation so that the vegetation screens at least fifty (50) per centum of the face of the walls as viewed from a location at any boundary of the lot on which the wall is located; or (b) buildings or other non-retaining wall structures so that they screen at least fifty (50) per centum of the face of the walls as viewed from a location at any boundary of the lot on which the wall is located.	AO8.3 - Not applicable No earthworks or retaining walls are proposed.
PO9 Earthwork or the construction of any retaining wall occurs only if it results in structurally stable and safe development sites.	AO9.1 Earthwork does not involve the use of material for structural fill which includes: (a) organic soils, such as many topsoils, severely root affected subsoils and peat; or (b) materials contaminated through past site usage which may contain toxic substances or soluble compounds harmful to water supply or agriculture; or (c) materials containing substances which can be dissolved or leached out in the presence of moisture (for example, gypsum), or which undergo volume change or loss of strength when disturbed and exposed to moisture (for example, some shales and sandstones), unless these matters are specifically	AO9.1 - Not applicable No earthworks or retaining walls are proposed.

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Performance outcomes	Acceptable outcomes	Assessment Response
	addressed in the design; or (d) silts or materials that have the deleterious engineering properties of silt; or (e) other materials with properties that are unsuitable for the forming of structural fill; or (f) fill which contains wood, metal, plastic, boulders or other material that may decompose or cause the creation of voids.	
	AO9.2 If the development involves filling in of a dam or detention basin, sludge lining is removed and filling consists of clean fill material, which is compacted to a Level 2 standard in accordance with Australian Standard AS3798-2007.	AO9.2 - Not applicable No earthworks or retaining walls are proposed.
	AO9.3 The development does not require earthwork that results in batter slopes, which exceed twenty-five (25) per cent, unless the earthwork has been certified by an engineer who qualifies as a registered professional engineer of Queensland as having been designed and constructed in accordance with best practice and as being structurally stable and safe.	AO9.3 - Not applicable No earthworks or retaining walls are proposed.
	AO9.4 If the development involves construction of a retaining wall having a height exceeding one (1) metre, the retaining wall has been certified by an engineer who qualifies as a registered professional engineer of Queensland as having been designed and constructed in accordance with best practice and as being structurally stable and safe.	AO9.4 - Not applicable No earthworks or retaining walls are proposed.
PO10 Earthwork or the construction of any retaining wall occurs only if it results in the following: (a) lawful discharge of stormwater; (b) no substantial damage to buildings, structures, infrastructure, or land; (c) no adverse impacts on the natural environment; and (d) erosion and sediment control in accordance with best practice.	AO10.1 Earthwork or a retaining wall is designed to ensure that any stormwater drainage achieves lawful discharge of surface water flows or ground water flows to or from adjoining land by: (a) not unreasonably interfering with or redirecting the site's natural stormwater drainage characteristics; or (b) ensuring that water is conveyed to kerb and channel in a road reserve; or (c) ensuring that water is	AO10.1 - Not applicable No earthworks or retaining walls are proposed.

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Performance outcomes	Acceptable outcomes	Assessment Response
	conveyed to an approved inter-allotment drainage system; or (d) ensuring that water is conveyed to an approved drainage reserve; or (e) ensuring that water is conveyed to an approved and secured drainage easement.	
	AO10.2 The development does not involve earthwork or the construction of a retaining wall within a wetland or within ten (10) metres of the top of a bank of a waterway of any stream order.	AO10.2 - Not applicable No earthworks or retaining walls are proposed.
	AO10.3 Earthwork occurs in accordance with an erosion and sediment control plan and the plan ensures that the erosion and sediment control measures are in accordance with best practice. Editor's note: Queensland Development Code Mandatory Part MP1.4 – Building over or near relevant infrastructure contains mandatory requirements for particular buildings and structures in proximity to relevant infrastructure.	AO10.3 - Not applicable No earthworks or retaining walls are proposed.
Energy supply		
PO11 An energy supply is provided in a manner which: (a) is safe; and (b) is sufficient to support the needs of the development and the reasonable expectations for the development based on its location; and (c) does not compromise other infrastructure.	AO11.1 The development is provided with an energy supply in accordance with the requirements of Table 9.3.2.4.6.	AO11.1 - Complies The supporting documentation indicates the existing reticulated energy supply will be retained and utilised for the development.
	AO11.2 If the development requires the provision of reticulated grid electricity supply in accordance with Table 9.3.2.4.6 or if the development is to be provided with a reticulated grid electricity supply, the reticulated grid electricity supply infrastructure is provided in accordance with the requirements of the relevant energy supply authority.	AO11.2 - Complies The supporting documentation indicates the existing reticulated energy supply will be retained and utilised for the development.
	AO11.3 If the development requires an on-site energy supply in accordance with Table 9.3.2.4.6 (and the development is not to be provided with a reticulated energy supply in accordance with AO11.2 above), the on-site energy supply is installed in accordance with all laws and regulations and current best practice.	AO11.3 - Not applicable The supporting documentation indicates the existing reticulated energy supply will be retained and utilised for the development.

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Performance outcomes	Acceptable outcomes	Assessment Response
Sewage and waste water treatment and disposal		
PO12 The development is provided with sewage and wastewater treatment and disposal infrastructure which: (a) treats and disposes all generated sewage and waste water in a manner that protects public health and avoids environmental harm; (b) where practicable, is integrated with the existing public sewerage networks; (c) where practicable, facilitates the orderly provision of future public sewerage networks; and (d) is designed and constructed to be safe, operationally reliable and easily maintained.	AO12.1 The development is provided with sewage and waste water treatment and disposal infrastructure in accordance with the requirements of Table 9.3.2.4.5.	AO12.1 - Complies The supporting documentation indicates the existing on-site sewer will be retained. No toilet facilities are proposed within the building. The toilet in the dwelling house will be utilised by the single staff member.
	AO12.2 If the development requires the provision of reticulated sewerage in accordance with Table 9.3.2.4.5 or if the development is to be provided with reticulated sewerage, the reticulated sewerage is provided in accordance with the current version of the Capricorn Municipal Development Guidelines.	AO12.2 - Not applicable The supporting documentation indicates the existing on-site sewer will be retained.
	AO12.3 If the development requires on-site sewerage infrastructure in accordance with Table 9.3.2.4.5 (and the development is not to be provided with reticulated sewerage in accordance with AO12.2 above), the on-site sewerage infrastructure is provided in accordance with the current version of the Queensland Plumbing and Wastewater Code.	AO12.3 - Complies The supporting documentation indicates the existing on-site sewer will be retained. No toilet facilities are proposed within the building. The toilet in the dwelling house will be utilised by the single staff member.
Roof and allotment drainage		
PO13 Roof and allotment drainage is able to be collected and discharged from the development in a manner that does not adversely affect the stability of buildings, structures, or land on the site or on adjoining land.	AO13.1 Roof and allotment drainage is conveyed to the kerb and channel or an inter-allotment drainage system in accordance with the most current version of the Australian Standard AS3500.3 (stormwater drainage).	AO13.1 – Conditioned to comply AO13.1 is conditioned to comply to ensure compliance.
Telecommunications		
PO14 The development is provided with telecommunications infrastructure or equipment which: (a) is sufficient to support the needs of the development and the reasonable expectations for the development based on its location; (b) where practicable, is integrated with the existing public telecommunication networks; and (c) is designed and constructed to be safe, operationally reliable and easily maintained.	AO14.1 The development is provided with telecommunications infrastructure or equipment in accordance with the requirements of Table 9.3.2.4.6.	AO14.1 - Complies The supporting documentation indicates the existing on-site telecommunication infrastructure will be retained.
	AO14.2 If the development requires the provision of reticulated telecommunications infrastructure in accordance with Table 9.3.2.4.6 or if the development is to be provided with a reticulated telecommunications infrastructure, the reticulated telecommunications infrastructure is provided in accordance with the requirements of the relevant telecommunications supply authority.	AO14.2 Not applicable The supporting documentation indicates the existing on-site telecommunication infrastructure will be retained.

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Performance outcomes	Acceptable outcomes	Assessment Response
	AO14.3 If the development requires on-site telecommunications equipment in accordance with Table 9.3.2.4.6, the telecommunications equipment is sufficient to enable contact in normal circumstances with the each of the following nearest emergency services: (a) ambulance station; (b) police station; (c) fire brigade; and (d) state emergency service facility.	AO14.3 - Complies The supporting documentation indicates the existing on-site telecommunication infrastructure will be retained.
Water supply		
PO15 The development is provided with water supply infrastructure which: (a) is sufficient to support the consumption and emergency needs of the development and the reasonable expectations for the development based on its location; (b) where practicable, is integrated with the existing public water supply networks; (c) where practicable, facilitates the orderly provision of future public water supply networks; and (d) is designed and constructed to be safe, operationally reliable and easily maintained.	AO15.1 The development is provided with a water supply in accordance with the requirements of Table 9.3.2.4.5.	AO15.1 - Complies
	AO15.2 If the development requires the provision of reticulated municipal water supply in accordance with Table 9.3.2.4.5 or if the development is to be provided with a reticulated municipal water supply, the reticulated municipal water supply is provided in accordance with the current version of the <i>Capricorn Municipal Development Guidelines</i> .	AO15.2 - Complies
	AO15.3 If the development requires an on-site water supply in accordance with Table 9.3.2.4.5 (and the development is not to be provided with a reticulated municipal water supply in accordance with AO15.2 above), the development is provided with an on-site water tank or multiple tanks for domestic water supply purposes, which have a minimum combined capacity of 50,000 litres.	AO15.3 - Complies

General Development code

Table 9.3.1.4.1 Outcomes for development that is accepted subject to developments 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	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	AO1.1 - Not applicable The proposal is not located in and area mapped by the Flood hazard overlay.

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Performance outcomes	Acceptable outcomes	Assessment Response								
risk of property damage.	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.									
Location, design, siting, operation										
PO2 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: (a) adversely affecting the amenity of adjoining land use and the surrounding area; (b) adversely affecting the safety, health and wellbeing of occupants of sensitive land use; (c) adversely affecting the operations of adjoining land use; (d) reducing the potential to use adjoining land for its intended purpose; and (e) adversely affecting the safe and effective provision of services to the development.	AO2.1 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.	AO2.1 - Does not comply The proposed undefined land use (Companion Animal Cremation Service) which best aligns with a crematorium is required to be located 250 metres from a residential category zone. The building used for the cremation of animals is located approximately 64 metres from a residential category zone. PO2 – Complies								
PO3 Development maintains a high level of amenity for adjoining sensitive land use with regard to the generation of unreasonable noise.	AO3.1 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: <table><tr><th>Period</th><th>Noise level at property boundary</th></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 $L_{max adj T}$.</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 $L_{max adj T}$.		AO3.1 - Not applicable The proposal is located within the Rural zone.
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 $L_{max adj T}$.										
PO4 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	AO4.1 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	AO4.1 – Conditioned to comply AO4.1 is conditioned to ensure compliance.								

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Performance outcomes	Acceptable outcomes	Assessment Response
emissions, either directly or by reflection.	effects of outdoor lighting.	
PO5 A refuse container and container storage area is provided in a manner that: (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.	AO5.1 The development of a use within the accommodation activities group is provided with a refuse container and container storage area that: (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.	AO5.1 - Not applicable The proposal is not for a use within the accommodation activities group.
	AO5.2 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: (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	AO5.2 – Conditioned to comply AO5.2 has been conditioned to ensure compliance.

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;	AO6.1 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	AO6.1 - Conditioned to comply

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Performance outcomes	Acceptable outcomes	Assessment Response
(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.	(b) appropriately designed and sited signage for way finding and premises identification.	
	AO6.2 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.	AO6.2 - Not applicable The proposal does not contain any lighting in any public places or community places.
	AO6.3 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.	AO6.3 - Not applicable The proposal does not involve members of the public/community attending the site.
	AO6.4 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.	AO6.4 - Not applicable The proposed building is site 46 metres from the road frontage property boundary and is screened from view. The proposal does not involve members of the public attending site. The site is private property.
	AO6.5 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	AO6.5 - Not applicable The proposed building is site 46 metres from the road frontage property boundary and is screened from view. The proposal does not involve members of the public attending site. The site is private property.
	AO6.6 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	AO6.6 - Not applicable The proposed building is site 46 metres from the road frontage property boundary and is screened from view. The proposal does not involve members of the public attending site. The site is private property.

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Performance outcomes	Acceptable outcomes	Assessment Response
	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.	
	AO6.7 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.	AO6.7 - Not applicable
	AO6.8 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.	AO6.8 - Complies The proposed development is solely private property with no public access.
Location, design, siting, operation		
PO7 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.	AO7.1 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.	AO7.1 - Not applicable The proposed land use is not expected to generate ten (10) vehicle trips per day.
	AO7.2 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	AO7.2 - Not applicable

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Performance outcomes	Acceptable outcomes	Assessment Response
	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 .	
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 The proposal will not generate any traffic beyond the operator's own private vehicle.
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 - Complies The proposal will not generate any traffic beyond the operator's own private vehicle which does not involve the use of heavy haulage vehicles, bulk freight of goods, or the transportation of dangerous or hazardous goods, liquids, materials and the like.
PO10 Development occurs on sites that are safe from contaminants that may cause harm to people or property.	No acceptable outcome is nominated.	PO10 - Conditioned to comply
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	No acceptable outcome is nominated.	PO11 – Complies The location of the building on the subject site does not impact: (a) large tracts of established native vegetation; (b) inland and coastal waterways and wetlands; (c) riparian vegetation; (d) biodiversity corridors; (e) visually prominent mainland and island mountains, hills, ridges, headlands, dunes, beaches;

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Performance outcomes	Acceptable outcomes	Assessment Response
(e) visually prominent mainland and island mountains, hills, ridges, headlands, dunes, beaches; or (f) important urban green break areas; or (g) cultural heritage features.		(f) important urban green break areas; or (g) cultural heritage features.

13.2 D-484-2025 RECONFIGURING A LOT (1 LOT INTO 3 LOTS) AND MATERIAL CHANGE OF USE FOR A DWELLING HOUSE (2X BUILDING LOCATION ENVELOPES) AT 151 HIDDEN VALLEY ROAD, HIDDEN VALLEY

File No: D-484-2025

Attachments:

1. [Locality Plan](#) 
2. [Proposal Plans](#) 
3. [Planning Scheme Overlays](#) 
4. [Code Assessment](#) 

Responsible Officer: Shari Rankin - Coordinator Development Assessment
 Sonia Tomkinson - Manager Economy and Places
 Katrina Paterson - General Manager Communities and Environment
 Tom Upton - Chief Executive Officer

Author: Esther Erhahon - Principal Planning Officer

SUMMARY

This report is presented to Council for consideration of Development Application D-484-2025, which seeks a Development Permit for Reconfiguring a Lot from one lot into three lots and a Material Change of Use for two dwelling house building location envelopes at 151 Hidden Valley Road, Hidden Valley. The subject site is located in the Rural zone and contains an existing dwelling house and ancillary buildings.

The report outlines the assessment of the application against the relevant provisions of the Planning Act 2016, Planning Regulation 2017, Development Assessment Rules and the Livingstone Planning Scheme 2018, including consideration of planning scheme benchmarks, site constraints, public submissions and infrastructure charging. The report recommends that Council determine the application in accordance with the officer recommendation.

OFFICER'S RECOMMENDATION

That Council resolve to approve Development Application D-484-2025 for a Development Permit for Reconfiguring a Lot from one lot into three lots and a Material Change of Use for two dwelling house building location envelopes at 151 Hidden Valley Road, Hidden Valley, subject to the conditions contained in this report.

BACKGROUND

The subject site was established in its current configuration through a boundary realignment approved in 2004 under development application 60/014/2412. That approval incorporated land from the adjoining property to the east, resulting in the current site area of 5.823 hectares. Prior to the boundary realignment, the original allotment had been in existence since 1923.

A review of Council's records has not identified any other relevant development approvals over the subject site that are material to the assessment of this application.

The proposal is for Reconfiguring of a Lot (1 into 3 lot subdivision) and a Material Change of Use for a Dwelling house (2x Building Location Envelopes) on proposed lots 1 and 3. The proposal to subdivide the existing 5.823 hectare lot involves the following sizes and configurations:

Lot	Size (hectares)	Notable features
1	2.519	Includes access easement for the benefit of lot 2 and 3. Proposed Building Location Envelope (30m x 30m).
2	1.68	Existing Dwelling and ancillary buildings.

3	1.624	Proposed Building Location Envelope (30m x 30m).
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Access to the site is from Hidden Valley Road. The proposal includes the provision for on-site parking spaces to be established when dwellings are constructed on the proposed BLE's.

PREVIOUS DECISIONS

Council records identify one previous development approval relevant to the subject site. Development application 60/014/2412 approved a boundary realignment in 2004, which resulted in the subject site being established in its current configuration with an area of 5.823 hectares.

Additionally, it is noted that Council has previously approved development applications for Reconfiguring a Lot within the vicinity of the subject site which also failed to meet the minimum lot size stipulated in the *Livingstone Shire Planning Scheme 2018*. The decisions are as follows;

- Development Permit D-183-2022 for Reconfiguring a Lot (one lot into three lots); and a Preliminary Approval for Reconfiguring a Lot (two lots into seventy-two lots)
- Development Permit D-448-2025 for Reconfiguring a Lot (two lots into two lots)
- Development Permit D-151-2019 for Reconfiguring a Lot (two lots into three lots and access easement).

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 sufficient grounds to support the proposal must be established, subject to reasonable and relevant conditions.

ENGAGEMENT AND CONSULTATION

The application has been reviewed by relevant internal Council officers as part of the development assessment process. Internal advice was received from Growth Management on 13 April 2026, which did not support the proposal due to concerns regarding rural land fragmentation, strategic framework consistency, traffic implications and potential precedent. Engineering advice was received on 22 December 2025 and recommended approval subject to engineering conditions, including matters relating to access, stormwater, erosion and sediment control, and infrastructure requirements. The assessment has also had regard to environmental, bushfire, scenic amenity, infrastructure and servicing matters as addressed throughout this report.

Council issued an information request on 16 January 2026 seeking further information in relation to matters including minimum lot size non-compliance, rural character, potential land use conflict, rural productivity, the requirement for a Rural Land Study and the planning justification for the proposal. The applicant provided a full response on 27 February 2026; however, the proposal was not amended and no additional supporting studies, including a Rural Land Study, were provided. The proposed development did not trigger any external referral requirements.

Public notification was undertaken from 16 March to 7 April 2026 in accordance with the requirements of the Planning Act 2016. Seventeen properly made submissions were received. Matters raised in support included housing supply, consistency with the existing settlement pattern, limited visual impact and the agricultural viability of the land. Matters raised in objection included potential traffic impacts, fragmentation of rural land, loss of rural character and the potential for precedent. These matters have been considered in the assessment and are addressed in the Public Notification section of this report.

BUDGET IMPLICATIONS

Any appeal to the Planning and Environment Court by the applicant or the properly made submitter will result in financial implications not envisaged or captured as part of the application fee.

LEGISLATIVE CONTEXT AND LEGAL IMPLICATIONS

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

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. It should be noted that these risks are difficult to quantify at the assessment stage.

Risk has been appropriately managed through a documented assessment process, in accordance with the requirements of the *Planning Act 2016*.

CORPORATE PLAN REFERENCE***Vibrant Culture & Healthy Community***

Deliver strategic land use, infrastructure planning and urban design activities that support growth, liveability, and sustainability

CONCLUSION

As demonstrated in the above assessment, the proposal is consistent with the Strategic Framework and generally complies with relevant codes, prescribed by the planning scheme.

The development presents circumstances and relevant matters that, on balance, support approval notwithstanding the identified non-compliances. Accordingly, it is recommended that Council approve the application, subject to appropriate conditions.

RECOMMENDATION A

That in relation to the application for a Development Permit for a Reconfiguring a Lot (one lot into three lots) and a Material Change of Use for a Dwelling house (2x Building Location Envelopes), made by E J Johnson, L B Johnson and J C Johnson on Lot 1 SP163715 and located at 151 Hidden Valley Road, Hidden Valley QLD 4703, Council resolves to Approve the application pursuant to Section 60(2)(b) 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:

- a) The proposed development does not strictly comply with the Rural Zone Code, including PO11 and Overall Outcome 3, as the proposed accommodation activities use is not ancillary to a rural activities use. The proposal introduces a non-rural use on land zoned Rural, however there would still remain sufficient space on the new lots for a small scale rural activity in the future.
- b) The proposed development does not strictly comply with the Rural Zone Code, including Overall Outcome 7, as the subdivision would result in fragmentation of rural land into lots smaller than the minimum area intended for rural holdings, however as the existing lot is smaller than the desired 150ha for a rural zoned property (5.8ha), the proposed further subdivision of the land would not likely result in a significant change to the potential to use the land for primary production compared with the current situation. Furthermore, the proposal is in character with the existing settlement pattern in the immediate surrounding area, with similar sized lots and accommodation uses.
- c) The proposed development does not strictly comply with AO11.1 and PO11 of the Reconfiguring a Lot Code, as the proposed lots do not meet the minimum lot size and dimensions, as per the above point.
- d) The proposed development does not strictly comply with Overall Outcome 2 and Overall Outcome 3 of the Reconfiguring a Lot Code, as it does not provide a genuine

variety of lot sizes capable of accommodating the preferred uses of the zone. However, the new lots would retain a suitable size and dimension to enable an appropriate use of the lots for residential within the proposed BLEs and small-scale rural uses on the remainder of the properties. All lots would be usable, accessible, with onsite services and appropriate level of amenity due to the siting on the property and existing vegetation on site.

RECOMMENDATION B

That in relation to the application for a Development Permit for a Reconfiguring a Lot (one lot into three lots) and a Material Change of Use for a Dwelling house (2x Building Location Envelopes), made by E J Johnson, L B Johnson and J C Johnson on Lot 1 SP163715 and located at 151 Hidden Valley Road, Hidden Valley QLD 4703, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
 - 1.2 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.
 - 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
 - 1.4 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.
 - 1.5 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.
 - 1.6 Where relevant the following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
 - 1.6.1 Operational Works:
 - (i) Access Works;
 - (i) Stormwater Works;
 - (ii) Site Works
 - 1.6.2 Plumbing and Drainage Works
 - 1.6.3 Building Works
 - 1.7 Any Development Permits for Operational Works must be obtained prior to the issue of a Development Permit for Plumbing and Drainage Works and Building Works.
 - 1.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
 - 1.9 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.
- ### **2.0 APPROVED PLANS AND DOCUMENTS**
- 2.1 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>
---------------------------	--------------------------------	--------------

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Proposed Site Plan (1)	SK-002 REV 3	10 December 2025
Proposed Site Plan (2)	SK-003 REV 3	10 December 2025
Bushfire Hazard Assessment	GTP-027	18 December 2025
Bushfire Management Plan (Lot 1)	GTP-027	18 December 2025
Bushfire Management Plan (Lot 3)	GTP-027	18 December 2025
Supporting Environmental Report	GTP-027	18 December 2025

2.2 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.

2.3 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.

3.0 ACCESS WORKS

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

3.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, and the provisions of a Development Permit for Operational Works (access works).

3.3 The vehicle crossover must be designed and constructed from the existing edge of sealed access pavement to the proposed Lot 1 boundary.

3.4 The internal access to proposed Lots 1, 2 and 3 must be designed and constructed to have:

- a) A minimum four (4) metre wide compacted all weather pavement gravel pavement not less than 100 millimetres thick and, if the grade is steeper than 10% at any point a, four metre wide sealed pavement on a six metre wide formation.
- b) Immune from inundation in a ten (10) per cent Annual Exceedance Probability rainfall event.

3.5 All stormwater runoff from vehicular manoeuvring areas must be discharged lawfully.

4.0 PLUMBING AND DRAINAGE WORKS

4.1 Any internal plumbing and sanitary drainage works must be in accordance with regulated work under the Plumbing and Drainage Act and Council's Plumbing and Drainage Policies.

4.2 Infrastructure associated with any existing uses must remain within the respective property boundaries of the lot it serves.

4.3 The existing Lot 2 dwelling must have available a 25,000 litre minimum size water tank for fire fighting purposes and must be:

- 4.3.1 Constructed with fire-proof materials, or located underground with above-ground access points;
- 4.3.2 Located no more than ten (10) metres from the use;
- 4.3.3 Located more than nine (9) metres from any potential fire hazards (such as venting gas bottles and combustible structures);
- 4.3.4 Located within six (6) metres of a hardstand area allowing access for a heavy rigid fire appliance;

- 4.3.5 Fitted with fire brigade tank fittings consisting of;
 - (i) For above ground tanks, a fifty (50) millimetre ball valve and male camlock coupling and metal pipe fittings; or
 - (ii) For underground tanks, an access hole having a minimum diameter of 200 millimetres to allow access for suction lines; and
- 4.3.6 Identified by directional signage clearly provided at the street access point (Hidden Valley Road).
- 4.4 Upon construction of a dwelling house for proposed Lots 1 and 3, each site is to be provided with a 25,000 litre minimum size water tank for fire fighting purposes and must be:
 - 4.4.1 Constructed with fire-proof materials, or located underground with above-ground access points;
 - 4.4.2 Located no more than ten (10) metres from the use;
 - 4.4.3 Located more than nine (9) metres from any potential fire hazards (such as venting gas bottles and combustible structures);
 - 4.4.4 Located within six (6) metres of a hardstand area allowing access for a heavy rigid fire appliance;
 - 4.4.5 Fitted with fire brigade tank fittings consisting of;
 - (i) For above ground tanks, a fifty (50) millimetre ball valve and male camlock coupling and metal pipe fittings; or
 - (ii) For underground tanks, an access hole having a minimum diameter of 200 millimetres to allow access for suction lines; and
 - 4.4.6 Identified by directional signage clearly provided at the street access point (Hidden Valley Road).
- 4.5 Upon construction of a dwelling house for proposed Lots 1 and 3, each site is to be provided with an on-site water tank or multiple tanks for domestic water supply purposes, which have a minimum combined capacity of 50,000 litres.
- 5.0 **STORMWATER WORKS**
- 5.1 A development Permit for Operational Works for stormwater works or to the commencement of any stormwater works on the site.
- 5.2 Any stormwater drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines, Urban Stormwater Quality Planning Guidelines, State Planning Policy, sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).
- 5.3 Any stormwater including roof water must achieve demonstrated lawful discharge and must not adversely affect the upstream or downstream land or damage infrastructure when compared to pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or cause an actionable nuisance.
- 5.4 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.
- 5.5 Any drainage easement 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.

- 5.6 A stormwater channel must be properly designed and constructed along the property boundary, to discharge the stormwater from proposed Lot 3.
- 5.7 A Development Permit for Operational works for Stormwater works (cross drainage) must be obtained prior to the commencement of any cross drainage works on proposed Lot 1. The application must include:
 - 5.7.1 Details to demonstrate the proposed cross drainage structure for the internal access way is capable of providing the required immunity and trafficability during the relevant defined events;
 - 5.7.2 Details to demonstrate that the cross drainage structure will not adversely impact the upstream and downstream land or damage infrastructure when compared to pre-development conditions;
 - 5.7.3 Include design details of the culvert structure; and
 - 5.7.4 Include detailed engineering plans certified by Registered Professional Engineer of Queensland.
- 5.8 Trunk infrastructure for stormwater management, identified as D-40 (Yeppoon Creek Tributary G Drainage System) under Council's Adopted Infrastructure Charges Resolution (No. 7) 2025, must be provided by the developer.
- 5.9 Part of the D-40 traverse along the property boundary must be provided prior to the issue of the Compliance Certificate for the Survey plan.
- 5.10 As an alternative to the requirement of the condition 5.8, the Developer may enter into an infrastructure agreement with Council, which specifies the development obligations relating to trunk infrastructure for the future development of the site. The infrastructure agreement must incorporate (but not be limited to) the following principles:
 - 5.10.1 Trunk drainage infrastructure necessary to service the development, identified as item D-40 under the Adopted Infrastructure Charges Resolution (no. 7) 2025, must be provided prior to the issue of a Compliance Certificate for the Survey Plan for the relevant development stage(s).
 - 5.10.2 The agreed cost of the drainage infrastructure provided by the Developer must be credited against contributions to be paid.
 - 5.10.3 The agreement must be prepared and finalised by Council's solicitors at no cost to Council (including the payment of any State tax) and must be executed by the Developer. The agreed repayment date must be negotiated between Council and the Developer as part of the Infrastructure Agreement process.
- 6.0 SITE WORKS
- 6.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works.
- 6.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks plan which clearly identifies the following:
 - 6.2.1 The location of cut and/or fill;
 - 6.2.2 The type of fill to be used and the manner in which it is to be compacted;
 - 6.2.3 The quantum of fill to be deposited or removed and finished cut and/or fill levels;
 - 6.2.4 Details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and
 - 6.2.5 The maintenance of access roads to and from the site so that they are free of all cut and/or fill material and cleaned as necessary.

- 6.3 Any earthworks must be undertaken in accordance with Australian Standard AS3798 Guidelines on Earthworks for Commercial and Residential Developments.
- 6.4 Site works 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 an actionable nuisance or worsening to nearby properties or infrastructure.
- 6.5 All site works must be undertaken to ensure that there is:
- 6.5.1 No increase in upstream or downstream stormwater inundation levels for all levels of immunity up to one per cent (1%) Annual Exceedance Probability rainfall event for a range of storm durations including critical storm duration;
 - 6.5.2 No increase in velocity profiles, for which no remedy exists to prevent erosion and/or scouring.
 - 6.5.3 Lawful discharge to which the developed flows from the land drain. Easements are required over land that is to accommodate the flows.
- 6.6 Any vegetation cleared or removed must be:
- 6.6.1 Mulched on-site and utilised on-site for landscaping purposes; or
 - 6.6.2 Removed for disposal at a location approved by Council within sixty (60) days of clearing; and
 - 6.6.3 Any vegetation removed must not be burnt unless a fire permit has been issued.
- 7.0 ELECTRICITY AND TELECOMMUNICATIONS
- 7.1 Electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.
- 7.2 Evidence must be provided of a certificate of supply with the relevant service providers to provide each lot with live electricity and telecommunication connections, in accordance with the requirements of the relevant authorities prior to the issue of the Compliance Certificate for the Survey Plan.
- 8.0 ASSET MANAGEMENT
- 8.1 Any alteration necessary to electricity, telephone, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.
- 8.2 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.
- 8.3 '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.
- 9.0 ENVIRONMENTAL
- 9.1 Any application for a Development Permit for Operational Works must be accompanied by a detailed Environmental Management Plan, which addresses, but is not limited to, the following matters:
- (i) water quality and drainage;
 - (i) erosion and silt/sedimentation management;
 - (ii) acid sulphate soils;
-

- (iii) fauna management;
 - (iv) vegetation management and clearing;
 - (v) top soil management;
 - (vi) interim drainage plan during construction;
 - (vii) construction programme;
 - (viii) geotechnical issues;
 - (ix) weed control;
 - (x) bushfire management;
 - (xi) emergency vehicle access;
 - (xii) noise and dust suppression; and
 - (xiii) waste management.
- 9.2 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan which addresses, but is not limited to, the following:
- (i) objectives;
 - (i) site location / topography;
 - (ii) vegetation;
 - (iii) site drainage;
 - (iv) soils;
 - (v) erosion susceptibility;
 - (vi) erosion risk;
 - (vii) concept;
 - (viii) design; and
 - (ix) implementation, for the construction and post construction phases of work.
- 9.3 The Environmental Management Plan approved as part of a Development Permit for Operational Works must be part of the contract documentation for the development works.
- 9.4 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, hydro mulched, concreted, landscaped). The prepared Erosion Control and Stormwater Control Management Plan must be available on-site for inspection by Council Officers during those works.
- 9.5 The development must be undertaken in accordance with the recommendations in the approved Bushfire Management Plans (refer to condition 2.1).
- 10.0 OPERATING PROCEDURES
- 10.1 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 on Hidden Valley Road.
-

ADVISORY NOTES

NOTE 1. 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 Women, Aboriginal and Torres Strait Islander Partnerships and Multiculturalism website <https://www.dwatsipm.qld.gov.au/>

NOTE 2. General Environmental Duty

General environmental duty under the *Environmental Protection Act* prohibits unlawful environmental nuisance caused by noise, aerosols, particles dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks, construction and operation.

NOTE 3. 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 4. Property Notes

All vehicular access to and from proposed Lot 1 to 3 (inclusive) must be via the proposed existing accessway only.

All future buildings on the proposed lots must be constructed in compliance with *Australian Standard AS3959 “Construction in Bushfire Prone Areas”* and the approved Bush Fire Management Plan.

NOTE 5. Application to Undertake Alterations or Improvements to Council Controlled Areas and Roads

An Application to Undertake Alterations or Improvements to Council Controlled Areas and Roads (including a fee for the vehicle crossover and compliant with Standard *Capricorn Municipal Development Guideline* Drawings) may be accepted in place of the Development Permit for Operational Works (access works).

NOTE 6. 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 C

That in relation to the application for a Development Permit for a Reconfiguring a Lot (one lot into three lots) and a Material Change of Use for a Dwelling house (2x Building Location Envelopes), made by E J Johnson, L B Johnson and J C Johnson on Lot 1 SP163715 and located at 151 Hidden Valley Road, Hidden Valley QLD 4703, Council resolves to issue an Infrastructure Charges Notice for the amount of \$42,243.58.

**13.2 - D-484-2025 RECONFIGURING A
LOT (1 LOT INTO 3 LOTS) AND
MATERIAL CHANGE OF USE FOR A
DWELLING HOUSE (2X BUILDING
LOCATION ENVELOPES) AT 151
HIDDEN VALLEY ROAD, HIDDEN
VALLEY**

Locality Plan

Meeting Date: 4 August 2026

Attachment No: 1

**project:**

PROPOSED
SUBDIVISION

drawing title:

LOCATION
PLAN

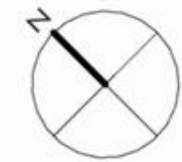
location:

151 Hidden Valley Rd Hidden Valley
QLD 4703
(Lot 1 SP163715)

client:

drawing no:

SK-001

**REVISIONS**

REVISED	DESCRIPTION	DATE
1	PRELIMINARY	26/11/2025

ISSUED FOR
PRELIMINARY

scale

As indicated

A3 DRAWING

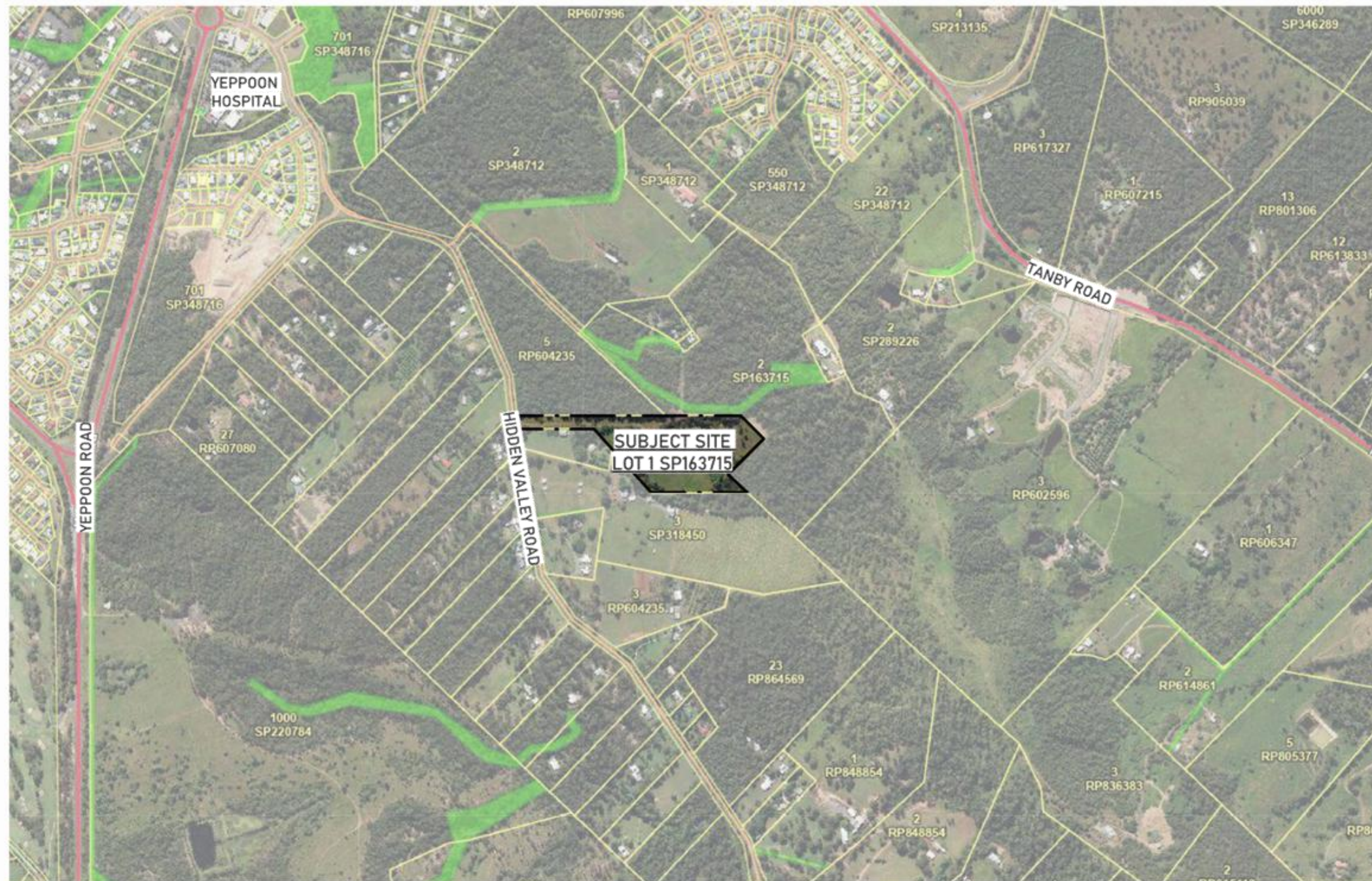
NOTED SCALES RELATE TO A3 DRAWINGS

project no:

GTP-027

date
DEC 25
drawn
SV

rev
1



SUBJECT SITE
LOT 1 SP163715

GENERAL LEGEND:

--- - ---
APPROX
BOUNDARY LINE

GENERAL NOTE:
ALL BOUNDARIES, LOCATIONS AND
DIMENSIONS ARE APPROXIMATES

GENERAL NOTE:
- THESE DRAWINGS ARE PART OF A TOWN PLANNING APPROVAL
APPLICATION AND SHOULD NOT BE USED FOR ANY OTHER REASON
- THESE DRAWINGS ARE APPROXIMATE AND HIGHLY CONCEPTUAL
- REFER TO TOWNPLANNING APPLICATION AND OPERATIONAL WORKS
DOCUMENTATION WHEN VIEWING THESE PLANS.

1 LOCALITY PLAN
1 : 10000 @ A3

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13.2 - D-484-2025 RECONFIGURING A LOT (1 LOT INTO 3 LOTS) AND MATERIAL CHANGE OF USE FOR A DWELLING HOUSE (2X BUILDING LOCATION ENVELOPES) AT 151 HIDDEN VALLEY ROAD, HIDDEN VALLEY

Proposal Plans

Meeting Date: 4 August 2026

Attachment No: 2

**project:**

PROPOSED
SUBDIVISION

drawing title:

PROPOSED
SITE PLAN

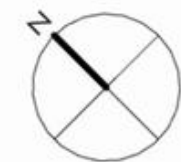
location:

151 Hidden Valley Rd Hidden Valley
QLD 4703
(Lot 1 SP163715)

client:

drawing no:

SK-002

**REVISIONS**

REVISION	DESCRIPTION	DATE
1	PRELIMINARY	26/11/2025
2	PRELIMINARY	03/12/2025
3	PRELIMINARY	10/12/2025

ISSUED FOR
PRELIMINARY

scale

As indicated

A3 DRAWING

NOTED SCALES RELATE TO A3 DRAWINGS

project no:

GTP-027

date

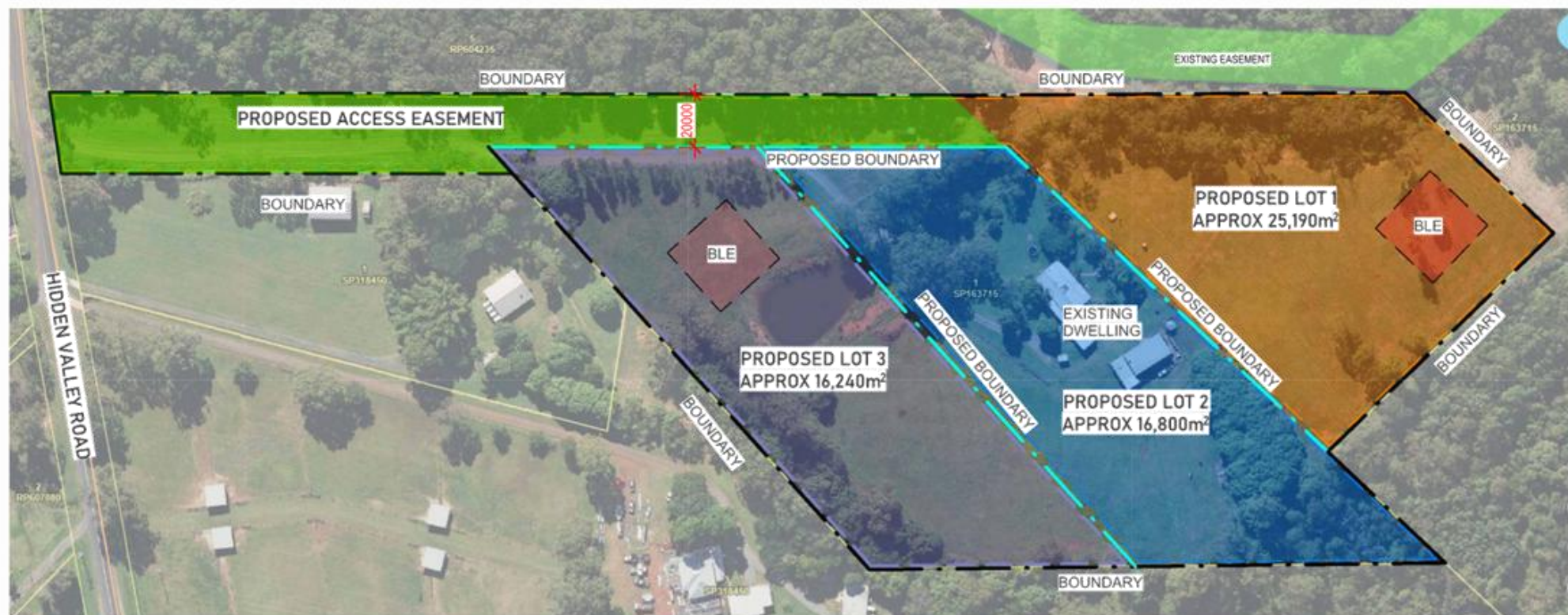
DEC 25

drawn

SV

rev

3



1 OVERALL SITE PLAN
1 : 2000 @ A3

GENERAL LEGEND

	APPROX EXISTING BOUNDARY LINE (TOTAL SITE APPROX 58,230m ²)		PROPOSED LOT 3 - (APPROX 16,240m ²)
	PROPOSED BOUNDARY		PROPOSED ACCESS EASEMENT (APPROX 8,800m ²)
	PROPOSED LOT 1 - (TOTAL APPROX AREA - 25,190m ²) (APPROX AREA CLEAR OF EASEMENT - 16,540m ²)		PROPOSED BLE 30m X 30m
	PROPOSED LOT 2 (APPROX 16,800m ²)		

GENERAL NOTE:
ALL BOUNDARIES, LOCATIONS AND
DIMENSIONS ARE APPROXIMATES

GENERAL NOTE:
- THESE DRAWINGS ARE PART OF A TOWN PLANNING APPROVAL
APPLICATION AND SHOULD NOT BE USED FOR ANY OTHER REASON
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- REFER TO TOWNPLANNING APPLICATION AND OPERATIONAL WORKS
DOCUMENTATION WHEN VIEWING THESE PLANS.

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**project:**

PROPOSED
SUBDIVISION

drawing title:

PROPOSED
SITE PLAN

location:

151 Hidden Valley Rd Hidden Valley
QLD 4703
(Lot 1 SP163715)

client:

drawing no:

SK-003

**REVISIONS**

REVISION	DESCRIPTION	DATE
1	PRELIMINARY	26/11/2025
2	PRELIMINARY	03/12/2025
3	PRELIMINARY	10/12/2025

ISSUED FOR
PRELIMINARY

scale

As indicated

A3 DRAWING

NOTED SCALES RELATE TO A3 DRAWINGS

project no:

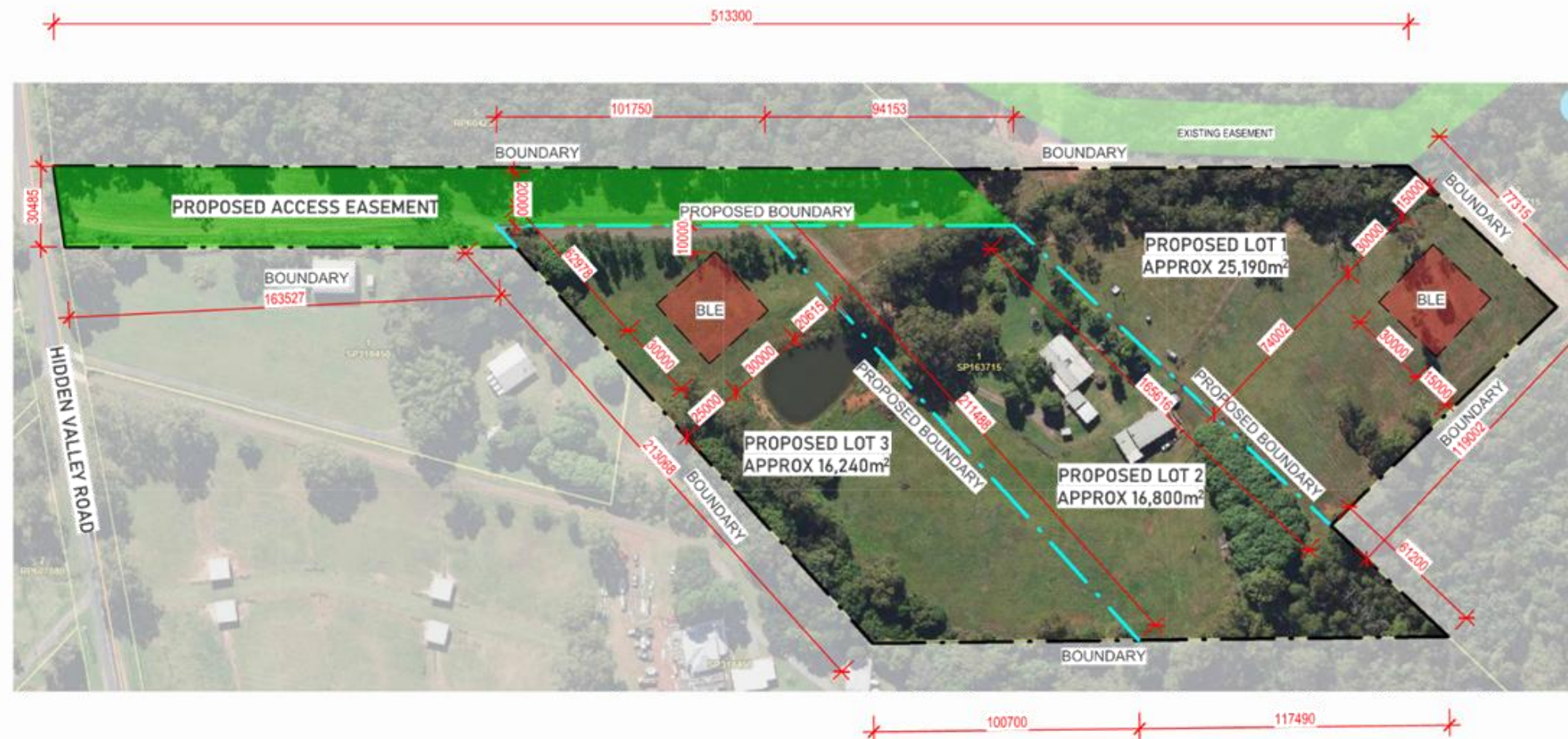
GTP-027

date

DEC 25

rev

3



2 OVERALL SITE PLAN - APPROX BOUNDARIES

1 : 2000 @ A3

GENERAL LEGEND

	APPROX EXISTING BOUNDARY LINE (TOTAL SITE APPROX 58,230m ²)		PROPOSED LOT 3 - (APPROX 16,240m ²)
	PROPOSED BOUNDARY		PROPOSED ACCESS EASEMENT (APPROX 8,800m ²)
	PROPOSED LOT 1 - (TOTAL APPROX AREA - 25,190m ²) (APPROX AREA CLEAR OF EASEMENT - 16,540m ²)		PROPOSED BLE 30m X 30m
	PROPOSED LOT 2 (APPROX 16,800m ²)		

GENERAL NOTE:
ALL BOUNDARIES, LOCATIONS AND
DIMENSIONS ARE APPROXIMATES

GENERAL NOTE:
- THESE DRAWINGS ARE PART OF A TOWN PLANNING APPROVAL
APPLICATION AND SHOULD NOT BE USED FOR ANY OTHER REASON
- THESE DRAWINGS ARE APPROXIMATE AND HIGHLY CONCEPTUAL
- REFER TO TOWNPLANNING APPLICATION AND OPERATIONAL WORKS
DOCUMENTATION WHEN VIEWING THESE PLANS.

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13.2 - D-484-2025 RECONFIGURING A LOT (1 LOT INTO 3 LOTS) AND MATERIAL CHANGE OF USE FOR A DWELLING HOUSE (2X BUILDING LOCATION ENVELOPES) AT 151 HIDDEN VALLEY ROAD, HIDDEN VALLEY

Planning Scheme Overlays

Meeting Date: 4 August 2026

Attachment No: 3

Planning Scheme Overlays

Site Details

Real Property Address	Lot 1 on SP163715
Area of Site	5.823 hectares
Planning Scheme	<i>Livingstone Planning Scheme 2018</i>

Planning Scheme Overlays

Overlay Map	Overlay Description
OM01	Acid sulfate soils – known or actual potential acid sulfate soils and land at or below 20 metres and 5 metres AHD
OM2	Agricultural Land Classification – Agricultural Land Class A and Class B
OM07	Biodiversity – Matters of local environmental significance (MLES) – Habitat and vegetation
OM11	Biodiversity – Stream Order – Waterway potential assessment area
OM12	Bushfire hazard – Medium potential intensity and potential impact buffer
OM15	Drainage Problem Area
OM20	Road hierarchy – Rural access
OM21	Scenic amenity – Scenic management area B
OM27	Height limits

Overlay Map Extracts

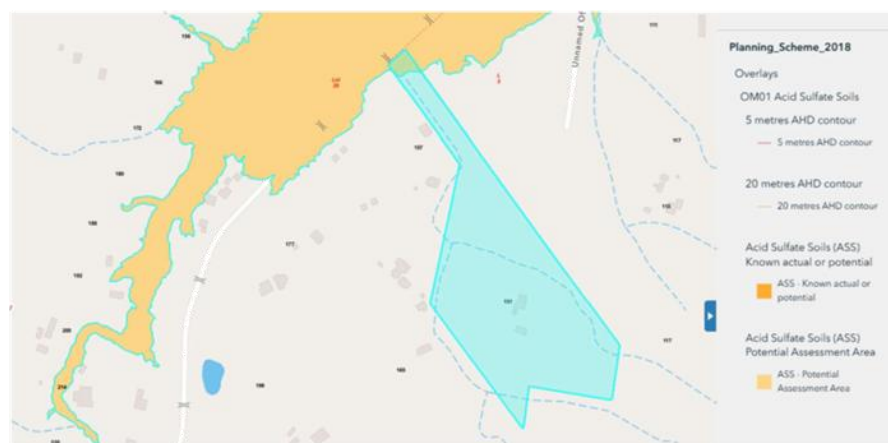


Figure 1: OM01 – Acid sulfate soils
Potential assessment area.



Figure 2: OM02 – Agricultural land classification
Agricultural land class A and class B

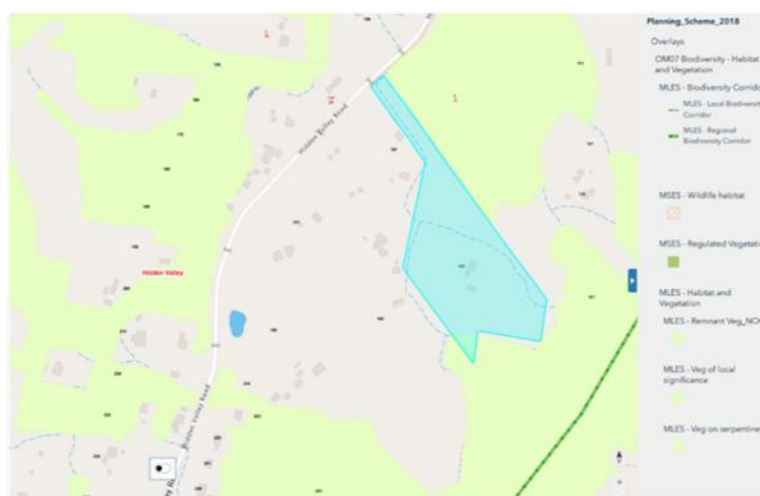


Figure 3: OM07 – Biodiversity
Matters of local environmental significance (MLES) – Habitat and vegetation.

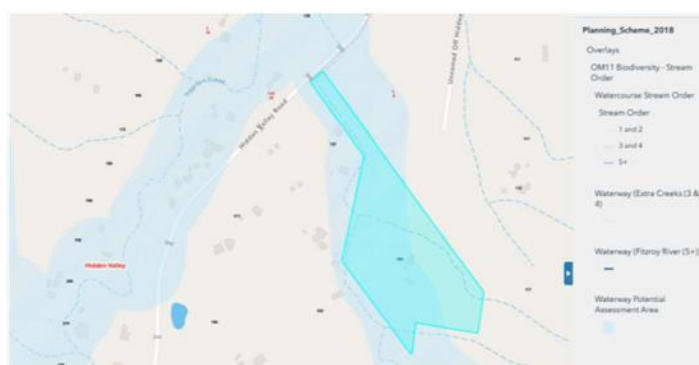
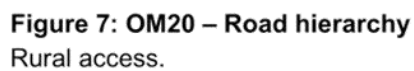
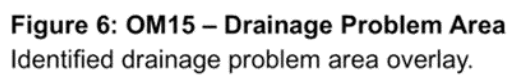
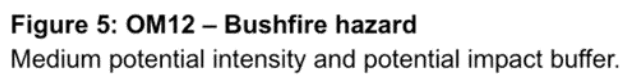


Figure 4: OM11 – Biodiversity
Stream Order – Waterway potential assessment area.



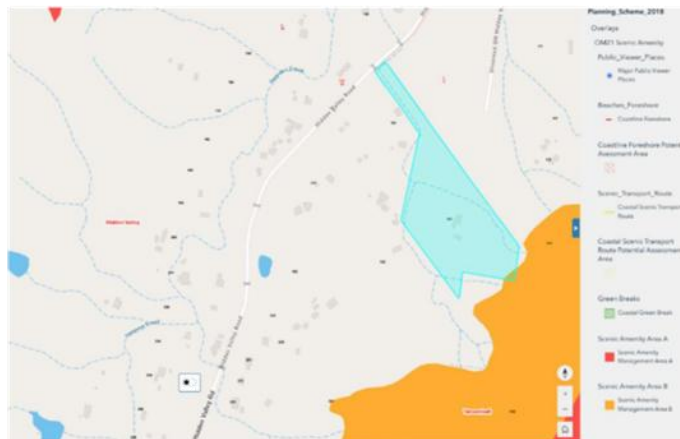


Figure 8: OM21 – Scenic amenity
Scenic management area B.

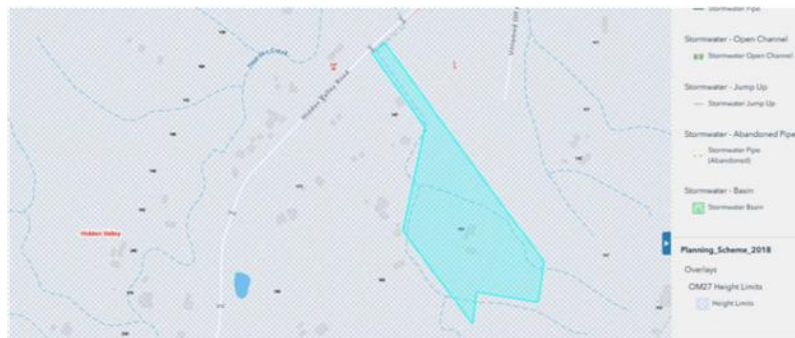


Figure 9: OM27 – Height limits
Height limits.

**13.2 - D-484-2025 RECONFIGURING A
LOT (1 LOT INTO 3 LOTS) AND
MATERIAL CHANGE OF USE FOR A
DWELLING HOUSE (2X BUILDING
LOCATION ENVELOPES) AT 151
HIDDEN VALLEY ROAD, HIDDEN
VALLEY**

Code Assessment

Meeting Date: 4 August 2026

Attachment No: 4

Code assessment - D-484-2025 - Development Permit for a Reconfiguring a Lot for a (one lot into three lots) and a Material Change of Use for a Dwelling house (2x Building Location Envelopes) - 151 Hidden Valley Road, Hidden Valley QLD 4703

Rural Zone code

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

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: (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: (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 The proposed Building Location Envelope on Lot 1 and Lot 3 are both located in excess of 10 metres from a road frontage property boundary.
	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: (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 - Complies The proposed Building Location Envelope on Lot 1 and Lot 3 are both located in excess of 10 metres from a road frontage property boundary.
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 The proposed Building Location Envelope is for the purpose of a dwelling house and does not include a rural use.
If a roadside stall		
PO3	AO3.1 Any structure used for a roadside	AO3.1 - Not applicable The proposal is not for a Roadside

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Performance outcomes	Acceptable outcomes	Assessment Response
The roadside stall: (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 safety and efficiency of the road network; (d) is ancillary to the farming use conducted on the same site; and (e) sells only fresh produce grown locally.	stall: (a) has a maximum floor area of twenty (20) square metres; and (b) is located entirely within the lot and not on the road reserve. AO3.2 Site access, car parking and storage areas: (a) are located entirely within the lot and not on the road reserve; and (b) use the same driveway as the primary lot access	Stall. AO3.2 - Not applicable The proposal is not for a Roadside stall.
Built form		
PO4 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.	AO4.1 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). AO4.2 The height of structures does not exceed twenty-five (25) metres above ground level.	AO4.1 – Conditioned to comply AO4.1 can be conditioned to ensure compliance. AO4.2 – Conditioned to comply AO4.1 can be conditioned to ensure compliance.
PO5 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: (a) minimisation of potential sources of nuisance; (b) prevention of overshadowing of habitable buildings of any sensitive land use on adjoining lots; and (c) prevention of overshadowing of public places.	AO5.1 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.	AO5.1 - Complies The proposed Building Location Envelope on Lot 1 and Lot 3 are both located in excess of 10 metres from a road frontage property boundary.
Where located in the Yaamba Historic Township Precinct		
PO6 – PO10		AO6.1 - Not applicable The subject site is not within the Yaamba Historic Precinct.

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	No acceptable outcome is nominated.	PO11 - Does not comply The proposed reconfiguration will limit the opportunity for the land to be used for its preferred use. The

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Performance outcomes	Acceptable outcomes	Assessment Response
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).		reconfiguration is of a nature that is not in line with the overall outcomes of the zone, the development is not ancillary to an existing rural use, and it will compromise the future development of primary production on the site as intended in the Rural Zone.
Where located in the Capricorn Coast Rural Precinct		
Land use		
PO12 The use contributes to the development of a Capricorn Coast Rural Precinct which is comprised of the following: (a) preferred uses for the precinct (as identified in the overall outcomes for the zone); or (b) intensive animal industry or intensive horticulture (where in accordance with the circumstances identified in the overall outcomes for the precinct); or (c) a use from within the accommodation activities group or other non-rural uses (where in accordance with the circumstances identified in the overall outcomes for the precinct).	No acceptable outcome is nominated.	PO12 - Not applicable The subject site is not located in the Capricorn Coast rural Precinct
Where located in the Yaamba Historic Township Precinct		
PO13 – PO15	No acceptable outcome is nominated.	PO13 - Not applicable The subject site is not located in 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	No acceptable outcome is nominated.	PO16 - Not applicable

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Performance outcomes	Acceptable outcomes	Assessment Response
manner.		
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 - Not applicable
PO19 The use: (a) avoids unnecessary clearing of native vegetation and habitat; and (b) minimises major earthworks.	No acceptable outcome is nominated.	PO19 - Not applicable
If an extractive industry		
PO20 To the extent practicable, scarred areas of the natural landscape resulting from extractive industry are screened from view of public roads, prominent public viewer places and neighbouring properties.	AO20.1 A densely vegetated buffer area having a minimum depth from the lot boundary of twenty (20) metres is located along all boundaries of the site (excluding access points), and the buffer area contains vegetation having a foliage height and density capable of visually screening scarred areas of land when viewed from public roads, prominent public viewer places and neighbouring properties.	AO20.1 - Not applicable

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Performance outcomes	Acceptable outcomes	Assessment Response
PO21 Rehabilitation of the site occurs over the life of the project and the development is undertaken in accordance with a management plan which satisfies Council that premises that will be safe and useable upon completion and the following actions will be appropriately undertaken: (a) progressive rehabilitation works at the site; (b) appropriate clean-up works (including areas of possible soil or water contamination); (c) provision of stable and usable final landform and soil profiles; and (d) revegetation of the site using suitable native species.	No acceptable outcome is nominated.	PO21 - Not applicable
PO22 Noise generating activities occur at times that are unlikely to result in unreasonable disturbance to sensitive land use.	AO22.1 Significant noise generating activities such as blasting, crushing, grinding, milling, loading or similar only occur between the hours of 9:00 and 17:00.	AO22.1 - Not applicable
	AO22.2 Noise generating activities (other than those listed in AO22.1) only occur between the hours of 06:00 and 18:00.	AO22.2 - Not applicable
If a transport depot		
PO23 Development for the purpose of a transport depot: (a) is located at an appropriate sized site; (b) is ancillary to the use of the site primarily for rural purposes; (c) is small in scale; (d) is designed and sited to minimise adverse impacts on the amenity of any sensitive land use in the immediate area; (e) does not result in a significant amount of daily vehicle trips to and from the site; and (f) is located at a site adjoining an appropriate road in the planning scheme road hierarchy in order to: (i) minimise disturbance to adjoining land use from dust and vehicle noise;	AO23.1 The transport depot does not store any more than four (4) vehicles.	AO23.1 - Not applicable
	AO23.2 The transport depot: (a) is situated a minimum distance of fifty (50) metres from a side or rear lot boundary; (b) is situated a minimum distance of fifty (50) metres from a road frontage lot boundary; (c) is situated a minimum distance of 150 metres from a sensitive land use located on an adjoining site; and (d) is within a garage.	AO23.2 - Not applicable
	AO23.3 Any maintenance of vehicles: (a) is minor in nature; (b) does not involve major body work; and (c) does not involve major engine	AO23.3 - Not applicable

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Performance outcomes	Acceptable outcomes	Assessment Response
(ii) minimise costly damage to the road surface; and (iii) minimise any adverse impacts to the safety, efficiency and effectiveness of the road network.	or mechanical repairs. AO23.4 The transport depot is located at a site which gains access from a road having the following characteristics: (a) the road is bitumen sealed; and (b) the road is not classified in the road hierarchy as an access street or an access place.	AO23.4 - Not applicable
Where located within Agricultural Land Class A and Class B identified on an overlay		
PO24 Land that is identified as Agricultural Land Class A or Class B is developed only in the following circumstances: (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 (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 (c) it is proven that the land should not actually be identified as Agricultural Land Class A or Class B; or (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 (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 (f) the land is identified as Key Resource Area; or (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	No acceptable outcome is nominated.	PO24 - Not applicable The existing lot size is not viable for primary production.

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Performance outcomes	Acceptable outcomes	Assessment Response
associated with primary produce sourced from the site or local area; or (h) the potential undertaking of agriculture on the subject land (alone or in association with surrounding land) is not practicable.		
Where located adjacent to the township of Cawarral, Mount Chalmers, or The Caves		
PO25 – PO28		PO25 – PO28 - Not applicable The subject site is not located adjacent to the township of Cawarral, Mount Chalmers, or The Caves.
Where located in the Yaamba Historic Township Precinct		
PO29 – PO30 Development does not involve the reconfiguration of a lot below the minimum size and shape requirements for lots specified in the reconfiguring a lot code.		PO29 - Not applicable The subject site is not located in the Yaamba Historic Township Precinct

Reconfiguring a Lot code

Table 9.3.3.4.1 Outcomes for development that is accepted subject to developments and assessable development

Performance outcomes	Acceptable outcomes	Assessment Response
If boundary realignment		
PO1 Boundary realignment: (a) does not result in the creation of additional lots; (b) does not create the potential to introduce uses or activities which conflict with the intent of the applicable zone for all or part of the site.	AO1.1 No additional lots are created by the re-alignment of boundaries.	AO1.1 - Not applicable The proposal result in additional lot.
	AO1.2 Boundary realignment is contained entirely within a single zone, precinct or sub precinct.	AO1.2 - Not applicable The proposal result in additional lot.
PO2 All existing connections to water, sewer, electricity and other infrastructure are retained and additional infrastructure connections or augmentation is not required.	AO2.1 Boundary realignment does not require any change to infrastructure or services.	AO2.1 - Not applicable The proposal result in additional lot.
PO3 Boundary realignment results in lots which meet the minimum lot area, dimensions and frontage width, applicable to the zone in which the site is located.	AO3.1 The size of the resulting lots complies with the Table 9.3.3.4.2.	AO3.1 - Not applicable The proposal result in additional lot.
If reconfiguring a lot associated with a prior related Material Change of Use		
PO4 Lots have a regular shape and	AO4.1 The lots are designed in	AO4.1 - Not applicable The proposal is not associated

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Performance outcomes	Acceptable outcomes	Assessment Response	
consistent dimensions to facilitate the development of the land in accordance with a prior related Material Change of Use, and the lots have sufficient area to provide for: (a) the approved density of development; (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.	accordance with the density of development of a prior related Material Change of Use. AO4.2 The lots have an appropriate size and dimension to cater for the needs of the development including the needs for private lots and communal lots, in accordance with the prior related Material Change of Use.	with a prior related Material Change of use. AO4.2 - 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 Development included in the table below requires the preparation of a structure plan to accompany the development application.	No acceptable outcome is nominated.	PO5 - Not applicable The site in in a zone which requires an impact assessment for reconfiguring a lot. A structure plan has not been provided to support the development application. Given it is a rural lot it is deemed not necessary.	
Zone	Proposed additional lots in the stage/ development	Small structure plan	Large structure plan
All residential category zones	7 – 15	☐	
	16 or more		☐
All centres category zones and all industrial category zones	5 - 10	☐	
	11 or more		☐
All other zones where reconfiguring a lot requires impact assessment	1 or more		☐
PO6 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.	No acceptable outcome is nominated.	PO6 - Not applicable Structure plan not provided.	
PO7 Lot design is well integrated with the surrounding locality, having regard to: (a) roads, streets, pedestrian and cycle networks; (a) utility installations and other	No acceptable outcome is nominated.	PO7 - Does not comply **does it or does it not integrate with the existing land uses** The site is physically separated from the existing town, resulting in poor connectivity to centres and	

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Performance outcomes	Acceptable outcomes	Assessment Response
infrastructure networks; (b) open space networks, significant vegetation and habitat areas, waterways and wetlands, and valued biodiversity corridors; (c) connections to centres and employment areas; (d) surrounding landscaping and streetscape treatments; and (e) the interface with established land uses. 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.		employment areas. The development also lacks access to reticulated infrastructure, such as water and sewerage, making it unsuitable for increased residential density. As a result, the proposal fails to respond appropriately to existing infrastructure networks and planning for sustainable growth.
PO8 Lot design: (a) protects areas with significant environmental values; (a) appropriately utilises the natural topography of the site as far as practicable and minimises the need for significant earthworks for future development; (b) avoids crossing or otherwise interfering with natural drainage lines, waterways, wetlands, habitat areas or biodiversity corridors; and (c) retains key site characteristics, landmarks, and places of heritage significance.	No acceptable outcome is nominated.	PO8 - Complies The proposed lot configuration does not interfere with natural environmental values.
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 resulting lot configuration is unlikely to be visually obtrusive
PO10 Lot reconfiguration does not: (a) increase the likelihood of significant land use conflict; (a) compromise the potential to use adjoining land for its zoned purpose; (b) compromise the use of stock routes; (c) compromise the safe and efficient operation of major transport networks and other major infrastructure networks.	No acceptable outcome is nominated.	PO10 - Does not comply The proposed lot configuration limits the potential for the site and adjoining sites to be used for the intended purpose for the zone, which will increase the potential for potential land use conflicts.
Lot design - size and dimension		

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Performance outcomes	Acceptable outcomes	Assessment Response
PO11 Reconfiguration only occurs if it creates lot sizes and dimensions that: (a) are consistent with the intended character of the zone, precinct or sub-precinct in which the land is located; (a) do not limit or compromise the ability to use rural land for its preferred uses; (b) do not limit or compromise the ability to use industrial zoned land or special purpose zoned land for their preferred uses; (c) protect resources (including potential mining and extractive resources), environmental and landscape values of rural land; (d) protect ground and surface water quality in the rural residential zone; (e) protect areas with significant biodiversity values; and (f) 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 - Does not comply The resulting lot sizes will not meet the minimum lot size and frontage requirements. Resulting lot sizes will not be consistent with the intended character of the zone and further limits the ability to use rural land for a rural use.
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: (a) buildings and structures; (a) usable open space and landscaping (b) ventilation and sunlight for buildings; (c) privacy for residents; (d) suitable vehicle access and on-site parking where required; and (e) 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 - Does not comply Lot sizes do not meet minimum lot sizes outlined, and are not large enough to facilitate the use of land for the 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 - Not applicable It is not a residential lot
Lot size and dimensions where located in the emerging community zone		
PO13 Reconfiguring in the emerging community zone does not compromise the development potential of the area for urban activities.	AO13.1 Reconfiguring below the minimum lot size specified in Table 9.3.3.4.2 does not occur, unless it is undertaken only to facilitate new urban development which accords with an approved structure plan.	AO13.1 - Not applicable The proposal is not located within the Emerging Community Zone.
PO14 Reconfiguring for new urban development in the emerging	No acceptable outcome is nominated.	PO14 - Not applicable The proposal is not located within the Emerging Community Zone.

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community zone: (a) creates attractive, safe and self-contained communities that enable the provision of a choice of housing types; (a) provides convenient access to residential areas, employment areas, community facilities and centres; (b) provides certainty for landowners and residents as to the type and location of future land uses and transport infrastructure; (c) is undertaken in an orderly and sequential manner and avoids sporadic subdivision of land, particularly on small and isolated sites; (d) is provided with the desired infrastructure and services in an efficient and timely manner which minimises whole of life costs; (e) is integrated with the natural environment to minimise impacts on matters of environmental significance and natural hazards; and (f) is designed in a manner which results in an appropriate interface between existing land use or zones that may result in land use conflict. Editor's note: Applicants may refer to SC7.14 for assistance in preparing a structure plan to assist in compliance with this performance outcome.		
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; (a) provides an appropriate level of amenity for the new lots and adjoining lots; (b) incorporates a direct means of access to the road network for the rear lot; (c) 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;	AO15.1 If the lot reconfiguration results in a rear lot, only one (1) rear lot is created.	AO15.1 - Does not comply The proposal results in three (3) rear lots.
	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 - Does not comply
	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 - Complies

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(i) suitable drainage and flood immunity; and (ii) to enable the implementation of measures to mitigate nuisance to any adjoining sensitive land use due to emissions likely to result from vehicular access; and (e) ensures that infrastructure services to the rear lot can be lawfully and easily constructed, monitored and maintained.	AO15.4 No more than two (2) rear lot access ways directly adjoin each other.	AO15.4 - Does not comply
	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
	AO15.6 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: (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): (i) a minimum three (3) metres wide compacted gravel pavement not less than one-hundred (100) millimetres thick and sealed with: (A) twenty-five (25) millimetres of asphaltic concrete; or (A) hot sprayed bitumen consisting of a prime and two (2) seal coats; or (B) interlocking pavers; or (ii) a minimum three (3) metres wide reinforced concrete driveway (not car tracks) not less than one-hundred (100) millimetres thick; or (a) if located in the rural zone or rural residential zone (other than Park Residential Precinct): (i) a four (4) metres wide all weather gravel pavement; and (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 (ii) if within twenty (20) metres of an existing dwelling house or other sensitive	AO15.6 – Conditioned to comply AO15.6 can be conditioned to ensure compliance.

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Performance outcomes	Acceptable outcomes	Assessment Response
	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 past the extremities of the dwelling house or sensitive land use projected perpendicular from the access way boundary	
	AO15.7 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: (a) if located in a residential category zone, the township zone, or the rural residential zone (Park Residential Precinct): five (5) metres; or (a) if located in an industry category zone: eight (8) metres; (b) if located in the rural residential zone (not within the Park Residential Precinct): (i) eight (8) metres where the access way has a length up to and including fifty (50) metres; or (i) fifteen (15) metres where the access way has a length greater than fifty (50) metres; or (c) if located in the rural zone: twenty (20) metres; or (d) if located in any other zone: no acceptable outcome is nominated.	AO15.7 - Complies The proposed access easement is 30.485 metres wide.
Road and street network		
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: (a) traffic volumes, vehicle speeds and driver behaviour; (a) on street parking; (b) sight distance; (c) provision for public transport routes and stops; (d) provision for pedestrian and cyclist movement, prioritising these where appropriate; (e) provision for waste collection	AO16.1 The roads and streets network is designed in accordance with Schedule SC7.17.	AO16.1 - Not applicable The lot layout does not result in additional roads or streets.

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Performance outcomes	Acceptable outcomes	Assessment Response
and emergency vehicles; (f) lot access; (g) convenience; (h) public safety; (i) amenity; (j) the incorporation of public utilities and drainage; and (k) street scaping and street furniture.		
PO17 The road and street network provides for: (a) high levels of permeability and connection between places to provide for short travel distances; (a) the convenient and safe movement between local streets and higher order roads; (b) at least two road or street access points to every neighbourhood; (c) 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 - Not applicable The lot layout does not result in additional roads or streets.
	AO17.2 No more than twenty-five (25) lots are served by any single road access point.	AO17.2 - Not applicable The lot layout does not result in additional roads or streets.
	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 - Not applicable The lot layout does not result in additional roads or streets.
	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 - Not applicable The lot layout does not result in additional roads or streets.
	AO17.5 An access place: (a) is straight, with a clear view from the start of the street to the turning head: (a) 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 - Not applicable The lot layout does not result in additional roads or streets.
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 - Not applicable The lot layout does not result in additional roads or streets.
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 - Not applicable The lot layout does not result in additional roads or streets.
Road and street design		
PO20	AO20.1	AO20.1 - Not applicable

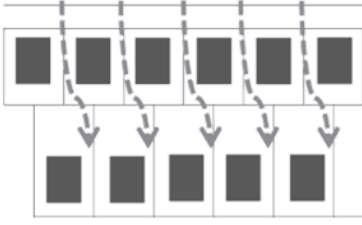
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Performance outcomes	Acceptable outcomes	Assessment Response
The geometric design features of each type of road and street: (a) convey its primary function for all relevant design vehicle types; (a) have an adequate horizontal and vertical alignment that is not conducive to excessive speeds; (b) encourage traffic speeds and volumes to levels commensurate with road hierarchy function; (c) ensure unhindered access by emergency and waste collection vehicles and buses; (d) ensures safe access to lots.	Roads are designed in compliance with Capricorn Municipal Development Guidelines.	The lot layout does not result in additional roads or streets.
PO21 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: (a) create an attractive and legible environment with a clear character and identity; (a) use and highlight features of the site such as views, vistas, existing vegetation, landmarks and places of cultural heritage significance; (b) enhance safety and comfort, and meet user needs; (c) complement the function of the street in which they are located by reinforcing desired traffic speed and behaviour; (d) assist integration with the surrounding environment; (e) maximise infiltration of stormwater runoff; and (f) minimise maintenance costs through: (i) street pavement, parking bays and speed control devices; (i) street furniture, shading, lighting and utility installations; (ii) retention of existing vegetation; and (iii) on-street planting.	No acceptable outcome is nominated.	PO21 - Not applicable The lot layout does not result in additional roads or streets.
PO22 Road access to new lots minimises impacts on the function, vehicle speeds, safety, efficiency and capacity of streets	AO22.1 Access arrangements are consistent with the characteristics intended for the particular type of road or street specified in the	AO22.1 - Not applicable The lot layout does not result in additional roads or streets.

Code assessment - D-484-2025 - Development Permit for a Reconfiguring a Lot for a (one lot into three lots) and a Material Change of Use for a Dwelling house (2x Building Location Envelopes) - 151 Hidden Valley Road, Hidden Valley QLD 4703

Performance outcomes	Acceptable outcomes	Assessment Response
and roads.	Capricorn Municipal Development Guidelines.	
Pedestrian and cycle networks		
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 - Not applicable The site is located within the Rural Zone. Bicycle and pedestrian pathways are not reasonable to condition.
PO24 The alignment of bicycle and pedestrian pathways is designed so that they: (a) allow for the retention of trees and other significant features; (a) maximise the visual interest provided by views and landmarks where they exist; (b) are well lit and allow for casual surveillance; (c) do not compromise the operation of or access to other infrastructure services; and (d) are widened at potential conflict points.	No acceptable outcome is nominated.	PO24 - Not applicable The site is located within the Rural Zone. Bicycle and pedestrian pathways are not reasonable to condition.
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 - Not applicable The site is located within the Rural Zone. Bicycle and pedestrian pathways are not reasonable to condition.
Climatic response		
PO26 Lot layout facilitates building design which minimises sun penetration in summer and maximises cooling breezes into buildings.	AO26.1 The long axis of street blocks is oriented generally east-west.	AO26.1 - Not applicable The lot layout does not result in street blocks.
	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 - Not applicable The lot layout does not result in street blocks.
	AO26.3	AO26.3 - Not applicable

Code assessment - D-484-2025 - Development Permit for a Reconfiguring a Lot for a (one lot into three lots) and a Material Change of Use for a Dwelling house (2x Building Location Envelopes) - 151 Hidden Valley Road, Hidden Valley QLD 4703

Performance outcomes	Acceptable outcomes	Assessment Response
	Lots are offset to enable breezes to pass between buildings. Off-set lots enable cooling breezes between buildings 	The lot layout does not result in street blocks.
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 site is not within one-hundred (100) metres of any trunk gas pipeline.
	AO27.2 Where adjoining a high voltage electricity easement (above 11kV), lot design and layout incorporates: (a) a vegetated buffer within a distance of twenty (20) metres from the boundary of the electricity transmission line easement; and (a) the orientation of the primary lot frontage away from transmission line easement	AO27.2 - Complies The site does not adjoin a high voltage electricity easement.
	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/Does not comply/Not applicable/ Complies in part XXX
	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; (a) a landfill site or major waste transfer station; and major outfall facilities.	AO27.4 - Complies The site is not within five-hundred (500) metres of a sewage or waste water treatment plant or a landfill site or major waste transfer station; and major outfall facilities.
Infrastructure		
PO28 Infrastructure, including roads and streets, water supply, stormwater drainage, sewage disposal, waste disposal, electricity and communication facilities are	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	PO28 - Complies Proposed Lot 2 will retain its existing infrastructure, on-site services will be required to be supplied to Lot 1 and Lot 3.

Code assessment - D-484-2025 - Development Permit for a Reconfiguring a Lot for a (one lot into three lots) and a Material Change of Use for a Dwelling house (2x Building Location Envelopes) - 151 Hidden Valley Road, Hidden Valley QLD 4703

Performance outcomes	Acceptable outcomes	Assessment Response
provided in a manner that: (a) is efficient; (a) is adequate for the projected needs of the development; (b) is adaptable to allow for future infrastructure upgrades; (c) minimises risk of adverse environmental or amenity related impacts; (d) minimises whole of life cycle costs for that infrastructure.	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.	
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.		
PO29 Neighbourhood design and lot layout provides a balanced variety of park types, including: (a) small local parks, which are designed to: (i) provide a small open space setting for adjoining dwellings; (i) incorporate and retain existing natural features; and (ii) incorporate landscaping to assist in creating neighbourhood identity and way finding; and (a) neighbourhood parks, which are designed to: (i) be centrally located; (i) support the local community's recreational needs; and (ii) provide opportunities for community and special events; and (b) lineal or corridor parks, which are designed to: (i) connect with existing or planned open space in the locality; (i) incorporate pedestrian and cycle paths; (ii) protect significant natural features; (iii) convey stormwater; and (iv) provide for other recreational needs when not flooded; and (c) natural parkland areas which: (i) retain locally significant	AO29.1 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.	AO29.1 - Not applicable Development is not large enough to require public open space to be provided

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Performance outcomes	Acceptable outcomes	Assessment Response
wetlands, remnant vegetation and habitat for fauna; (i) continue ecological corridors and linkages to areas outside of the neighbourhood; and (ii) maintain important landscape and visual quality values.		
PO30 Neighbourhood design and lot layout provides for safe and secure, well distributed and located parkland that: (a) provides a clear relationship between the public realm and adjoining land uses through treatment including alignment, fencing and landscaping; (a) enhances the area's local identity and landscape amenity; (b) provides for a range of recreational opportunities to meet community needs; (c) forms a linkage to existing parkland or habitats; (d) respects and retains existing natural elements; and (e) protects biodiversity values and features.	No acceptable outcome is nominated.	PO30 - Not applicable Development is not large enough to require public open space to be provided
Hazards		
PO31 Reconfiguration of a lot avoids creating unacceptable risk to human safety, property and the environment due to natural hazards and contaminated land. 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. 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.	No acceptable outcome is nominated.	PO31 - Complies

13.3 D-35-2016 REQUEST FOR REDUCTION IN APPLICATION FEES

File No: D-35-2016

Attachments: 1. Request for Fee Reduction  

Responsible Officer: Sonia Tomkinson - Manager Economy and Places
Katrina Paterson - General Manager Communities and Environment
Tom Upton - Chief Executive Officer

Author: Shari Rankin - Coordinator Development Assessment

SUMMARY

RPS AAP Consulting Pty Ltd on behalf of their client, P D Dunbar, have made representations to Council seeking a reduction in development application fees for an Other Change to a Preliminary Approval for a Material Change of Use to vary the effect of the Planning Scheme for Park Residential Zone and Business Zone uses, located at Dawson Road, Glenlee (Lots 3, 6, and 7 on RP601965, Lots 11 and 12 on SP196244, and Lot 19 on RP600698). The application was lodged with Council on 24 April 2026.

OFFICER'S RECOMMENDATION

THAT Council resolve to accept an application fee of \$100,000.00 for the Development Application, on the basis of the proposed fee representing the approximate value of the Preliminary Approval application fee indexed to Producer Price Index (PPI) and being representative of cost recovery allowable under section 97(4) of the *Local Government Act 2009*.

BACKGROUND

The applicant has made representations to Council seeking a reduction of the development application fee which totals \$917,325.75, citing the fee is not considered cost recovery and that the application is an Other Change to an existing Preliminary Approval rather than a Development Permit for Reconfiguring a Lot and, therefore, should not be charged in the same manner as a subdivision application. They contend that the proposal does not alter the approved development footprint but instead seeks to introduce additional residential precincts and reduce the minimum lot size to provide greater flexibility for future development. As a result, they consider the assessment will be limited to the proposed amendments, including the appropriateness of the revised lot sizes, servicing requirements and traffic impacts, rather than a full assessment of a new subdivision.

The applicant further submits that the calculated application fee of \$917,325.75 is not proportionate to the anticipated assessment effort, notes that other Queensland councils adopt lower or capped fees for similar applications, and considers that a fee in the order of \$100,000 would more appropriately reflect the level of assessment required.

Information on Fees and Charges

Based on the proposal, the following is a calculation of the full development application fee:

Description of Fee	Amount
Change Application (other change) <i>The full application fee as if the application were a new application</i>	- Reconfiguring a lot – base fee (\$2,173.00) - Plus \$676.00 per lot fee (\$676.00 x 1803 lots = \$1,218,828) \$2,173.00 + \$1,218,828 = \$1,221,001
Application for Preliminary Approval (variation approval) <i>Application For Preliminary Approval - Seventy-five (75) per cent of the</i>	\$1,221,001 x 75% = \$915,750.75

Description of Fee	Amount
<i>standard application fee (calculated from potential lot yield, unit yield, GFA, and Site Area).</i>	
Applications involving impact assessment pursuant to Section 45 (5) of the Planning Act 2016	\$1,575.00
Total Fee Payable	\$917,325.75

PREVIOUS DECISIONS

Council has considered and applied fee reductions over the past several years for a variety of development applications including preliminary approvals and development permits. The application fees have been reduced based on site areas and in line with reasonable cost-recovery considerations.

Council has agreed to reduce the fees for the below development applications over the previous five (5) years:

- i) D-403-2025 - Reconfiguring a Lot - Boundary Realignment (two lots into two lots) and Access & Services Easement and Material Change of Use for a Retirement Facility (295 sites) – Council resolution 3 February 2026
 - Reduced fee of \$37,686.00 from \$151,851.00. Reduced per dwelling charge to \$110.00.
- ii) D-466-2025 - Reconfiguring a Lot (one lot into two lots), and Material Change of Use for a Retirement facility – Council resolution 3 February 2026
 - Reduced fee of \$42,145.00 from \$164,824.00. Reduced per dwelling charge to \$110.00.
- iii) D-369-2023 – Material Change of Use for a Relocatable home park – Council resolution 16 January 2024
 - Reduced fee of \$45,941.00 from \$77,041.00. Reduced per dwelling charge to \$150.00.
- iv) D-514-2022 – Preliminary approval, Material Change of Use for Relocatable home park and Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 129 lots) – Council resolution 25 October 2022;
 - Reduced fee of \$95,500.00 from \$366,530.00. Reduced Relocatable home park per dwelling charge by fifty (50) percent and reduced Reconfiguring a Lot per lot charge by twenty-five (25) percent.
- v) D-364-2022 – Material Change of Use for a Relocatable home park and Reconfiguring Lot (one lot into two lots) – Council resolution 20 September 2022;
 - Reduced fee of \$68,822.00 from \$134,678.00. Reduced Relocatable home park per dwelling charge by fifty (50) percent only;
- vi) D-207-2022 – Reconfiguring a Lot (three lots into 404 lots and two (2) balance lots) and Preliminary approval – Council resolution 21 June 2022;
 - Reduced fee of \$150,000.00 from \$502,937.00. Fee considered to be in line with other local government (Mackay, Townsville and Cairns) fees and charges;
- vii) D-439-2021 – Material Change of Use for a Relocatable home park – Council resolution 19 April 2022;
 - Reduced fee of to \$31,791.00 from \$127,163.00 (75%).
- viii) D-239-2021 – Material Change of Use for a High impact industry for Clarke Creek Wind Farm – Council resolution 20 July 2021;

- Reduced fee of \$20,000.00 from \$80,893.00.

ENGAGEMENT AND CONSULTATION

There has been consultation with the Development Assessment team in relation to this matter.

BUDGET IMPLICATIONS

Council must be cognisant of the fact that the budget has been developed based upon the need to recuperate the operating costs associated with the administration of the development assessment process. However, in relation to this proposed application, officers consider that the recommended reduction is appropriate and adequate to cover the cost of the assessment associated with this matter.

LEGISLATIVE CONTEXT AND LEGAL IMPLICATIONS

The consideration of this request is pursuant to the *Planning Act 2016* and the *Local Government Act 2009*.

RISK ASSESSMENT

A financial risk applies to this request in terms of not recuperating the full fee as prescribed under the fees and charges and possible precedent set by such a determination.

CORPORATE PLAN REFERENCE

Vibrant Culture & Healthy Community

Deliver strategic land use, infrastructure planning and urban design activities that support growth, liveability, and sustainability

The outcome will still be achieved through the assessment of the development application and the request only relates to the reduction of the development application fee to ensure it is applied on a cost-recovery and equitable basis.

CONCLUSION

In relation to the request to reduce the application fee for the proposed development, officers have considered the request by the applicant and support a reduced fee as appropriate and adequate to cover the cost of the assessment associated with the development application.

13.3 - D-35-2016 REQUEST FOR REDUCTION IN APPLICATION FEES

Request for Fee Reduction

Meeting Date: 4 August 2026

Attachment No: 1



Level 8, 31 Duncan Street
Fortitude Valley QLD 4006
T +61 7 3539 9500

Our ref: 118314

Date: 19 May 2026

Attn: Shari Rankin

Livingstone Shire Council
PO Box 2292
Yeppoon QLD 4703

Via email: Shari.Rankin@livingstone.qld.gov.au

Dear Shari,

Request for Fee Reduction

Dawson Road and Unnamed Road, Glenlee QLD 4711

Lots 3, 6, and 7 on RP601965, Lots 11 and 12 on SP196244, and Lot 19 on RP600698

On behalf of Peter Dunbar (the Applicant), we request Livingstone Shire Council's consideration for a reduced fee for the development application lodged over the abovementioned site. Specifically, the proposal seeks an 'Other Change' to amend the Preliminary Approval over the site to allow for conceptual flexibility to deliver a greater variety of residential allotments through the introduction of additional residential precincts and lower residential lot sizes.

The Preliminary Approval was originally issued by Livingstone Shire Council on 20 November 2018 (Council Ref: DA-35-2016) and later subject to a Minor Change granted via judgement of the Planning and Environment Court on 18 August 2025 (P&E Ref: 104/2023).

The application is subject to an Impact Assessment, in accordance with the *Livingstone Planning Scheme 2018* (the planning scheme).

While we acknowledge the application seeks to alter the potential density of development over the subject site, the development footprint remains consistent with the development footprint of the current approval. Therefore, the assessment of the application should be focused on the assessment of:

- The proposed minimum lot size in the context of the locality and the updated neighbourhood plan;
- Assessment of the services required to service the development when subsequent Development Permit applications to Reconfigure a Lot are made; and
- Assessment of the traffic implications of the project.

The relevant application fee has been calculated in accordance with Council's schedule of *Fees and Charges 2025-2026* (the schedule). The development application fee of \$917,325.75 is based on the following elements:

- Base fee + Impact Assessable Fee + fee per lot, with a discount of 75% applied to this calculation.

This fee substantially exceeded what is reasonably expected to recover Council's cost for the assessment of the application.

As the Other Change to the Preliminary Approval does not seek a subdivision, there is no comparable rate that is applicable to the type and scale of the development. The per lot basis is not appropriate and thus not commiserate with the level of effort required to assess the application.

Our ref: 118314

Review of Alternative Council fees

A review of comparable local government fees demonstrates that the proposed fee is considerably greater in Livingstone Shire Council.

We have considered the fee that would be calculated by a number of Councils in Queensland and there are some that adopt a 'Price on Application' approach and some adopt a per lot rate (which is not appropriate in this instance).

Of the South-East Queensland and regional Councils assessed, Logan City Council adopts a fee for an MCU Variation that is capped.

- Logan City Council: Cap of \$200,000.00

While this capped fee approach is more appropriate, we are still mindful this is latest application is a modification to an existing approval, which limits the assessment to the change only. The Logan City Council fee is still reflective of an assessment of a fresh development proposal and does not acknowledge the assessment being limited to only the changes proposed.

Alternative Fee Calculations

In assisting Council with determining a suitable application fee we

Further, the application fee for the Preliminary Approval lodged under Council's 2015-2016 fee schedule was \$75,000.00. Adopting Australia's Consumer Price Index (CPI), the Preliminary Approval fee of \$75,000 would reflect approximately \$100,000.00 in 2025-2026.

In the case of the fee cap above, a fee of \$200,000 would reflect the effort of 3 staff (based on an hourly rate of \$250/hour) individually assessing the application for 35 days each, which does not appear appropriate for this type of application. Comparatively, an application fee based in the order of \$100,000 would provide 3 staff over 17 days of effort (each) in the assessment of an application.

Certainly, from a consultant perspective a fee for a planning consultant alone would not exceed 50% of this indicative fee.

In seeking this fee reduction, we also ask that Council consider the considerable costs to the applicant to obtain the current the preliminary approval and a fee in the order of \$100,000.00 would assist Council with full cost recovery.

We look forward to Council's consideration of this request and welcome the opportunity to discuss this further with Council. As always, please do not hesitate to contact either Emma Gurney (Senior Planner) or the undersigned.

Yours sincerely,
for RPS AAP Consulting Pty Ltd

Simon Pollock
Technical Director – Planning
simon.pollock@rpsconsulting.com
+61 409 001 556

cc: Peter Dunbar

14 URGENT BUSINESS/QUESTIONS

Urgent Business is a provision in the Agenda for members to raise questions or matters of a genuinely urgent or emergent nature, that are not a change to Council Policy and cannot be delayed until the next scheduled Council or Committee Meeting.

15 CLOSURE OF MEETING