

FREDRIKSEN, MACLEAN & ASSOCIATES

CONSULTING SURVEYORS

ABN: 76 306 935 739

Date: 18th May 2026
Attention: Planning
Re: Development Application
Your Ref:
Our Ref: 6406-1

9 Drewe Street (PO Box 1245)
Gladstone Qld 4680
Ph: 07 4972 5677
Email: mail@fredmac.com.au
Website: www.fredmac.com.au

Also Servicing:

Biloela Qld 4715
Moura Qld 4718
Theodore Qld 4719
Greater Central Queensland Area

CEO
Banana Shire Council
enquiries@banana.qld.gov.au

Re: Lot 5 on SP320069
25 Harris St Biloela

Dear Sir,

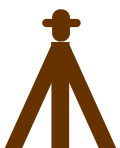
We forward herewith an application for Reconfiguring a Lot on behalf of the owners.

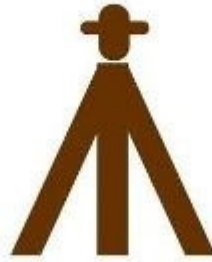
Would you please provide an invoice for the application fee for electronic payment.

Yours faithfully

FREDRIKSEN MACLEAN & ASSOCIATES


ALAN S MACLEAN
CADASTRAL SURVEYOR





FREDRIKSEN, MACLEAN & ASSOCIATES
CONSULTING SURVEYORS

DEVELOPMENT APPLICATION

DEVELOPMENT PERMIT FOR A RECONFIGURATION OF A
LOT FOR A 1 INTO 2 LOT SUBDIVISION

ON LAND LOCATED AT:
28 HARRIS STREET, BILOELA

APPLICANT: FREDRIKSEN MACLEAN & ASSOCIATES
Job Number: 6406
DATE: MAY 2026

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SECTION 1 - FORMS

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DA Form 1

Owners Consent Form

Item 1

DA FORM 1 – APPLICATION DETAILS

DA Form 1 – Development application details

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

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

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

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

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Fredriksen Maclean & Associates
Contact name (only applicable for companies)	Alan Maclean
Postal address (P.O. Box or street address)	PO Box 1245
Suburb	Gladstone
State	QLD
Postcode	4680
Country	Australia
Contact number	07 4972 5677
Email address (non-mandatory)	Alan.maclean@fredmac.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	6406
1.1) Home-based business	
☐ Personal details to remain private in accordance with section 264(6) of <i>Planning Act 2016</i>	
2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
☐ Yes – the written consent of the owner(s) is attached to this development application	
☐ No – proceed to 3)	

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		28	Harris Street	Biloela
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4715	5	SP320069	BSC
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- ☐ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		☐ WGS84 ☐ GDA94 ☐ Other:	

- ☐ Coordinates of premises by easting and northing

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

3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

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

Name of port authority for tidal area (if applicable)

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

5) Are there any existing easements over the premises?

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

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

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

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

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

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

c) What is the level of assessment?

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

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

ROL for a one (1) into two (2) lot subdivision

e) Relevant plans

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

- ☒ Relevant plans of the proposed development are attached to the development application

6.2) Provide details about the second development aspect

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

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

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

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

c) What is the level of assessment?

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

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

e) Relevant plans

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

- ☐ Relevant plans of the proposed development are attached to the development application

6.3) Additional aspects of development

- ☐ Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application
- ☒ Not required

6.4) Is the application for State facilitated development?

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

Section 2 – Further development details**7) Does the proposed development application involve any of the following?**

Material change of use	☐ Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	☒ Yes – complete division 2
Operational work	☐ Yes – complete division 3
Building work	☐ Yes – complete <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use

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

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

- ☐ Yes
- ☐ No

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

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

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

Division 2 – Reconfiguring a lot

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

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

One (1)

9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)

☒ Subdivision (complete 10)	☐ Dividing land into parts by agreement (complete 11)
☐ Boundary realignment (complete 12)	☐ Creating or changing an easement giving access to a lot from a constructed road (complete 13)

10) Subdivision					
10.1) For this development, how many lots are being created and what is the intended use of those lots:					
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:	
				Rural	Mixed use
Number of lots created				One (1)	One (1)

10.2) Will the subdivision be staged?	
☐ Yes – provide additional details below ☒ No	
How many stages will the works include?	
What stage(s) will this development application apply to?	

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

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

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

Division 3 – Operational work

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

14.1) What is the nature of the operational work?		
☐ Road work ☐ Drainage work ☐ Landscaping ☐ Other – please specify:	☐ Stormwater ☐ Earthworks ☐ Signage	☐ Water infrastructure ☐ Sewage infrastructure ☐ Clearing vegetation
14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)		
☐ Yes – specify number of new lots:		
☐ No		

14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)

\$

PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application

Banana Shire Council

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

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

PART 5 – REFERRAL DETAILS

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

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

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

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

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



Queensland
Government

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

Matters requiring referral to the local government:

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

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

- ☐ Infrastructure-related referrals – Electricity infrastructure

Matters requiring referral to:

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

Matters requiring referral to the Brisbane City Council:

- ☐ Ports – Brisbane core port land

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

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

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

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

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

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

Matters requiring referral to the Gold Coast Waterways Authority:

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

Matters requiring referral to the Queensland Fire and Emergency Service:

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

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

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

Referral requirement	Referral agency	Date of referral response

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

PART 6 – INFORMATION REQUEST

19) Information request under the DA Rules

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

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

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

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

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

PART 7 – FURTHER DETAILS

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

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

☒ No

List of approval/development application references	Reference number	Date	Assessment manager
☐ Approval			
☐ Development application			
☐ Approval			
☐ Development application			

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

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

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

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

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

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

☐ Yes – show cause or enforcement notice is attached

☒ No

23) Further legislative requirements

Environmentally relevant activities

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

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

Note: Application for an environmental authority can be found by searching "ESR/2015/1791" as a search term at www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.

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

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

Hazardous chemical facilities

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

- ☐ Yes – *Form 536: Notification of a facility exceeding 10% of schedule 15 threshold* is attached to this development application
- ☒ No

Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.

Clearing native vegetation

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

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

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

Environmental offsets

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

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

Note: The environmental offset section of the Queensland Government's website can be accessed at www.qld.gov.au for further information on environmental offsets.

Koala habitat in SEQ Region

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

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

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



Water resources

23.6) Does this development application involve **taking or interfering with underground water through an artesian or subartesian bore, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water under the *Water Act 2000***?

☐ Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the *Water Act 2000* may be required prior to commencing development

☒ No

Note: Contact the Department of Resources at www.resources.qld.gov.au for further information.

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

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

Waterway barrier works

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

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

☒ No

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

Marine activities

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

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

☒ No

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

Quarry materials from a watercourse or lake

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

☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

☒ No

Note: Contact the Department of Resources at www.resources.qld.gov.au and www.business.qld.gov.au for further information.

Quarry materials from land under tidal waters

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

☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

☒ No

Note: Contact the Department of Environment, Science and Innovation at www.desi.qld.gov.au for further information.

Referable dams

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

☐ Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the *Water Supply Act* is attached to this development application

☒ No

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

Tidal work or development within a coastal management district

23.12) Does this development application involve **tidal work or development in a coastal management district**?

- ☐ Yes – the following is included with this development application:
- ☐ Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)
 - ☐ A certificate of title

☒ No

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

Queensland and local heritage places

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

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

☒ No

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

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

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

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

☒ No

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

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

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

☒ No

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

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17	☒ Yes
Note: See the Planning Regulation 2017 for referral requirements	
If building work is associated with the proposed development, Parts 4 to 6 of DA Form 2 – Building work details have been completed and attached to this development application	☐ Yes ☒ Not applicable
Supporting information addressing any applicable assessment benchmarks is with the development application	☒ Yes
Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see DA Forms Guide: Planning Report Template .	
Relevant plans of the development are attached to this development application	☒ Yes
Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans .	
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)	☐ Yes ☒ Not applicable

25) Applicant declaration

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

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

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

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

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

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

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

Date received: Reference number(s):

Notification of engagement of alternative assessment manager

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

QLeave notification and payment

Note: For completion by assessment manager if applicable

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

Item 2

OWNERS CONSENT FORM

Individual owner's consent for making a development application under the *Planning Act 2016*

We, Madeleine Mary Wilkie and Terrance Keith Wilkie

[Insert full name.]

as owner of the premises identified as follows:

28 Harris St, Biloela 4715

Lot 5 on SP320069

consent to the making of a development application under the *Planning Act 2016* by:

Alan Maclean

Of Fredriksen Maclean & Associates

on the premises described above for:

Reconfiguring a Lot

One into Two

Plan 6406-1 Rev A

[signature of owner and

date signed]

23/4/26

SECTION 2 – SUPPORTING MATERIAL

CONTENTS

Town Planning Report

Applicable Planning Scheme Codes

Flood Study

Item 1

TOWN PLANNING REPORT

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1.0 EXECUTIVE SUMMARY

1. This report has been prepared by Fredriksen Maclean & Associates in relation to a Development Application seeking a Development Permit for a Reconfiguration of a Lot (Impact Assessable) for One (1) into Two (2) Lot Subdivision.
2. The proposed reconfiguration of a lot involves subdividing 28 Harris Street, Biloela (described as Lot 5 on SP320069) into two (2) standard format freehold allotments. The purpose of the proposed subdivision is to create separate lots to contain each of the planning scheme zones.
3. According to the Biloela Shire Council Planning Scheme 2021, the site is located within the boundaries of the Mixed-Use Zone, Highway Precinct & Rural Zone where the proposal represents an Impact Assessable form of development. Further information regarding the Biloela Shire Council Planning Scheme values applied to the site and the criteria relevant to the assessment of the development proposal is provided in **Part 6** of this report.
4. A review of the Banana Shire Council Planning Scheme Overlay Mapping reveals the site is identified on the following overlays:
 - Agricultural Land – Agricultural land
 - Biodiversity - Regulated vegetation intersecting watercourse & Regulated vegetation category R GBR riverine
 - Flood Hazard - Flood model 1 per cent AEP plus climate change
 - Infrastructure - Electricity transmission line less than 132kV & buffer
 - Water Resources - Callide groundwater management area
5. Our assessment of the proposal against the assessment criteria contained within the relevant local and State planning instruments has determined that the development proposal represents an appropriate outcome.
6. Following, we are of the view that the proposal warrants the approval of Banana Shire Council, subject to the imposition of reasonable and relevant conditions.

Any queries regarding the proposal or the development application should be directed to Alan Maclean of Frederiksen, Maclean & Associates on (07) 4972 5677 or by email alan.maclean@fredmac.com.au

2.0 OVERVIEW

2.1 Site & Application Details

A summary of key information regarding the development proposal and the site is provided in Figure 1 below:-

Figure 1 – Summary Of Site & Planning Controls	
PROPERTY ADDRESS, RPD & AREA	
Address	28 Harris St, Biloela
RPD	Lot 5 on SP320069
Site Area (Total)	19.57ha
Owner/Applicant	Fredriksen, Maclean & Associates
BANANA SHIRE OUNCIL PLANNING SCHEME	
Zone	Rural Zone & Mixed Use Zone
Precinct	Highway Precinct
Overlay Maps	• Agricultural Land – Agricultural land • Biodiversity - Regulated vegetation intersecting watercourse & Regulated vegetation category R GBR riverine • Flood Hazard - Flood model 1 per cent AEP plus climate change • Infrastructure - Electricity transmission line less than 132kV & buffer • Water Resources - Callide groundwater management area
Minimum Lot Size	Mixed use zone, Highway Precinct: 2,000m ² Rural Zone (agricultural land): 150ha
PROPOSAL	
Description	Standard Format Lot Freehold Subdivision
Lots	One (1) into two (2) Lots
Level of Assessment	Impact Assessable
Application Type	Reconfiguration of a Lot
Assessment Manager	Banana Shire Council

3.0 SITE & ENVIRONMENT

The subject site is located at 28 Harris St, Biloela (described as Lot 5 on SP320069). The site is relevantly large property with dual zonings (mixed use & rural) located on the periphery of the major town of Biloela. The property is largely vacant other than some residential structures located on the southern portion of the property. Land surrounding the site comprises a mixture of land uses, including:

- North - Immediately to the north of site exists mixed use zone land comprising a mix of businesses including agricultural supplies stores, manufactures workshops and service station. Further north is the Burnett Highway.
- East - Immediately to the east exists Harris St. Further east exists mixed used zone land involving a variety of commercial and industrial land uses including a truck stop, landscaping supply store, and manufacturing workshops.
- South – The site is bound to the south by a minor waterway. Opposite side of the waterway exists the Wahroonga Retirement & Aged Care facility. Further south is comprised of rural zone properties with mixture of residential and agricultural land uses.
- West– To the west exists similar sized and zoned properties containing single detached dwellings. Further west is comprised of rural zone properties with mixture of residential and agricultural land uses.

Key information related to the subject site is summarized in Figure 2 below, where as an aerial photograph of the site is reproduced in Figure 3 below.

3.1 Site Description

Figure 2 – Site Description	
Site Characteristic	Description
Existing land use	The subject is currently used for residential purposes in the form of a dwelling house.
Existing structures	A dwelling house and various outbuildings exist on the southern portion of the lot.
Lot size, frontage and access	The subject site is an irregular shaped lot with a road frontage along Harris Street of approx. 403m and a lot size of 19.57ha.
Topography and views	The site is generally flat with a slight slope along the southern boundary where a waterway exists.
Easements Encumbrance	The subject site is not encumbered by any easements.
Access to Services	The subject site does not currently have any existing infrastructure connections. Notwithstanding, there is access to Council's reticulated water supply and sewer

4.0 DESCRIPTION OF PROPOSAL

This development application seeks Council approval for the issue of a Development Permit for Reconfiguring a Lot for One (1) into Two (2) Lot Subdivision in accordance with the plans enclosed with this application prepared by Fredriksen, Maclean & Associates.

4.1 Development Summary

The proposed development comprises of subdividing Lot 5 on SP320069 in order to create separate lots to contain each of the planning scheme zones mapped across the property. Proposed Lot 5 has been designed to contain the mixed use zoned land whilst proposed Lot 6 has been designed to contain the rural zone & agricultural mapped land. Proposed Lot 5 has access to services with Council sewer and water mains, electricity supply & telecommunication infrastructure located within the Harris St road reserve. Proposed Lot 6 being rural zoned and containing the existing dwelling will maintain its existing infrastructure connections with no change proposed. It is considered the proposed subdivision has been designed to allow for the continuation of existing uses for Lot 6 and allow for future urban development or further subdivision on Lot 5. The proposed configuration of boundaries will:-

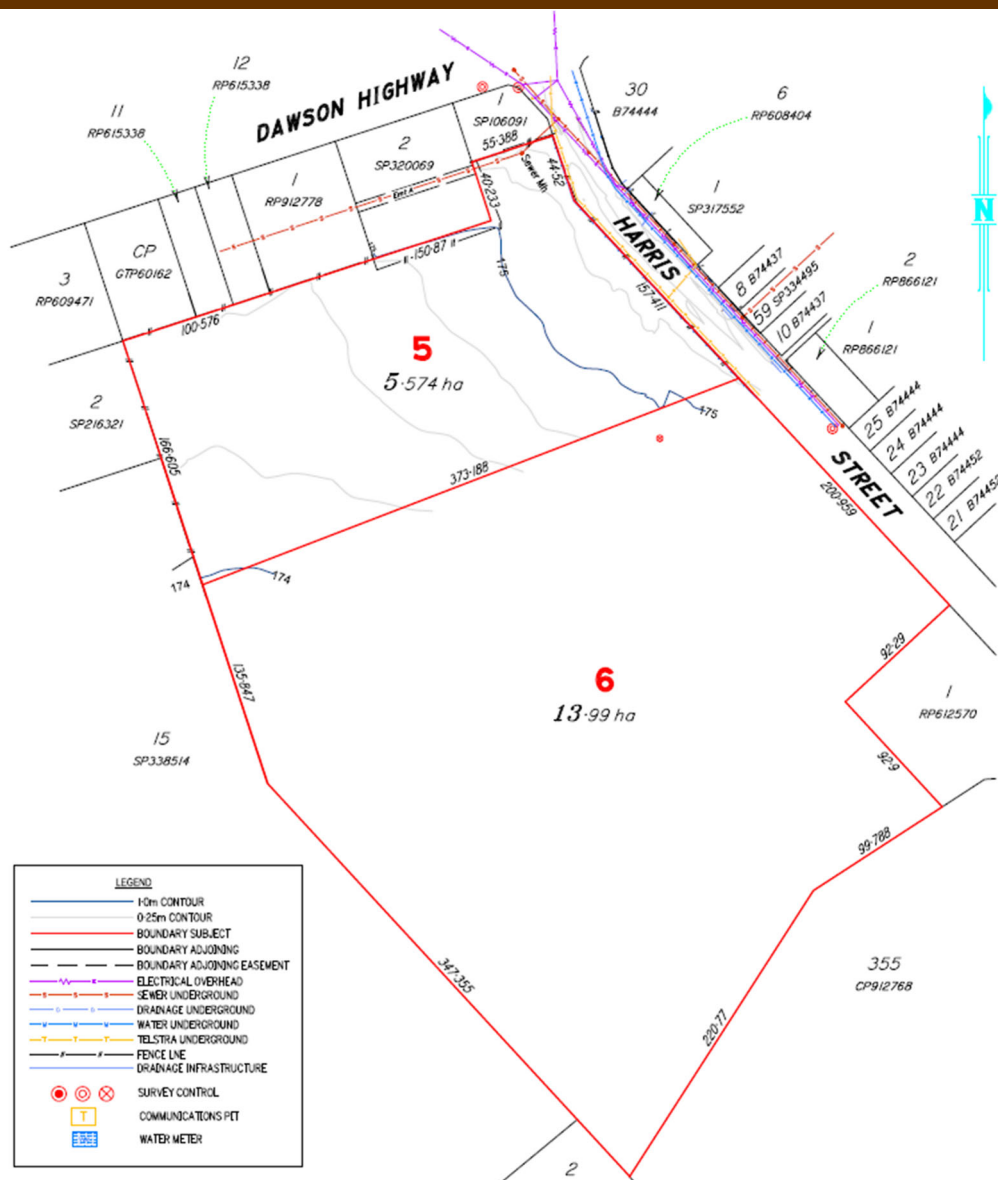
- Be consistent with the cadastral configuration of the locality and the size of the land to which the proposal relates;
- Provide means of access and services for both lots
- Not encroach upon ecologically significant areas and impact significant existing vegetation whilst conforming to the existing improvements and encumbrances associated with the land; and
- Maintain adequate area for existing or planned activities onsite.

We consider that the proposed form of development is consistent with the desired character for the area, meets the provisions of the Mixed Use Zone & Rural Zone and generally contributes to the strategic objectives of the Banana Shire Council Planning Scheme 2021. Refer to Figure 4 for a summary of the proposed development & Figure 5 showing the proposed subdivision configuration.

Figure 4 – Development Summary

Parameter	Existing Lot Size	Proposed
Lots Size	Lot 5: 195,700m ² (19.57ha)	Lot 5: 55,740m ² (5.574ha) Lot 6: 139,900m ² (13.99ha)
Road Frontage (Stowe Rd)	Lot 5: 402.89m	Lot 5: 201.931m Lot 2: 200.959m
Access Provisions	Lot 5: existing vehicle crossover (VXO) from Harris St	Lot 5: New VXO from Harris St Lot 6: Existing VXO from Harris St

Figure 5 – Subdivision Proposed Plan



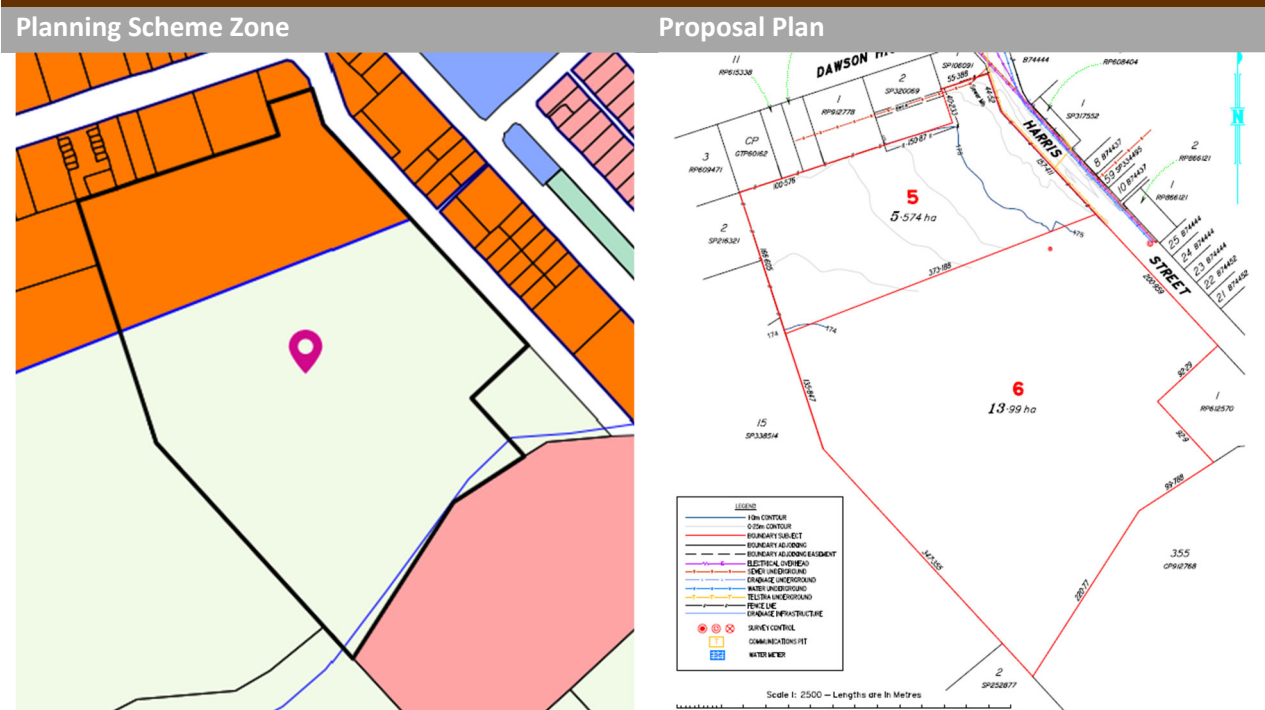
4.3 Subdivision – Key Considerations

The following sections detail the key considerations made when designing the location of the new boundary in response to the site's opportunities, constraints and relevant planning provisions.

4.3.1 Lot Configuration

The proposed one (1) into two (2) lot subdivision has been designed to separate the differing zoned land mapped across the property as illustrated in Figure 6 below. In addition to the zoning, it is noted that the subdivision will separate the 'Urban Area' mapped land from the 'Important Agricultural Land' (SFM-002) & 'Agricultural land' (OM-01) mapped land. The proposed subdivision results in two large and practical shaped lot suitable for future development or continuation of existing uses. Lot 5 being mixed use zoned has a suitable road frontage (202m) and large lot size of 55,740m² well above the minimum lot size for the mixed use zone, highway precinct (2,000m²). Lot 6 retains a relatively large lot size of 139,990m² and road frontage of 201m including retention of existing access arrangements from Harris St. Lot 6 will retain the existing dwelling and various outbuildings towards the southern boundary.

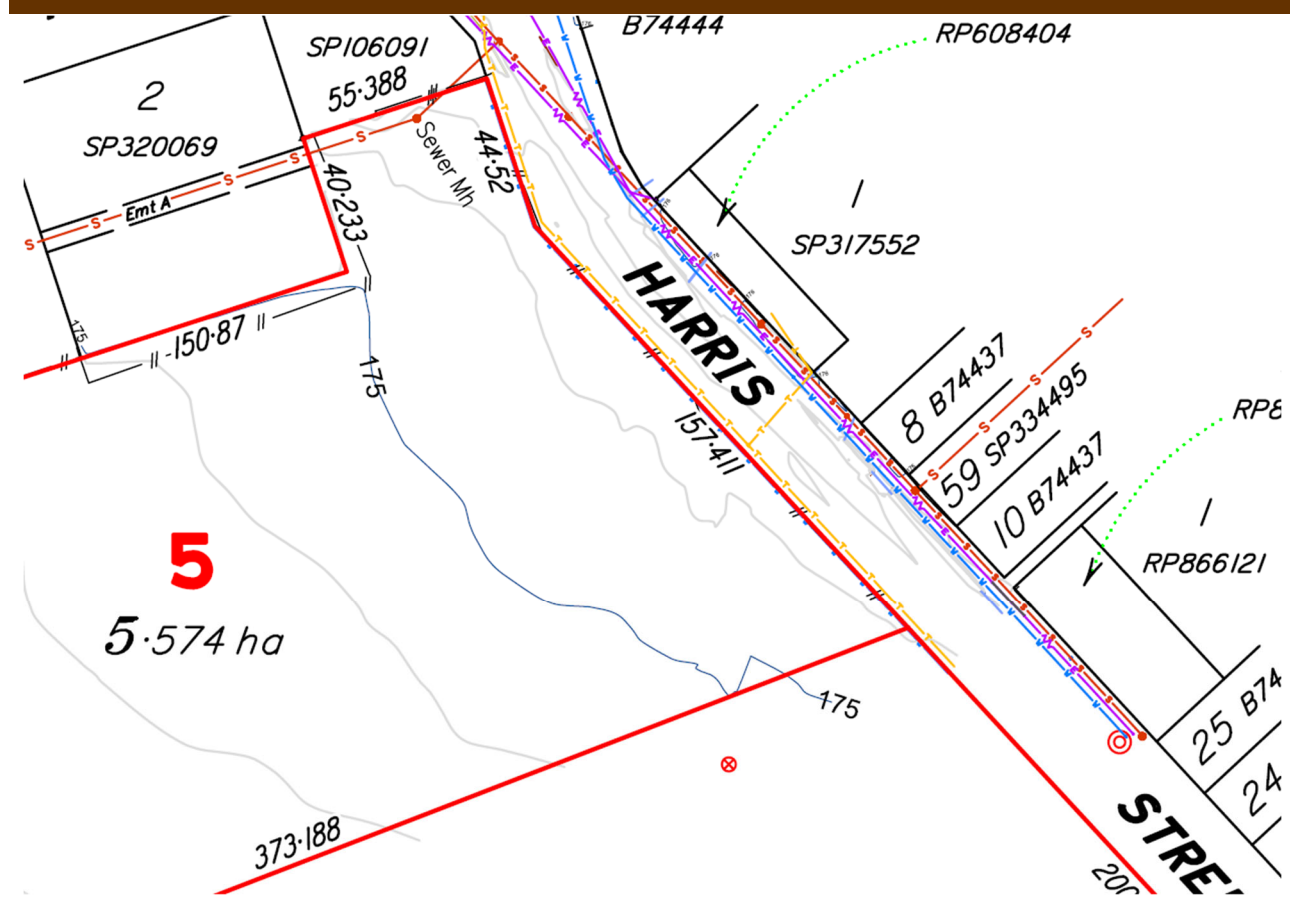
Figure 6 – Subdivision Configuration



4.3.2 Infrastructure & Services

Lot 6 being the rural zoned lot and containing the existing dwelling is proposed to retain its existing infrastructure services with no change proposed. Proposed Lot 5 being the mixed use zoned will have access to all relevant services including water supply, sewer reticulation, power supply & telecommunication infrastructure which exist within the Harris St road reserve as Illustrated in Figure 7 below and the proposal plan included in **Section 3: Item 1**.

Figure 7 – Existing Infrastructure with Harris St



4.3.2 Biodiversity

It is noted that a minor waterway (Browns Gully) exists along the rear boundary which is identified as 'Regulated vegetation intersecting watercourse' & 'Regulated vegetation category R GBR riverine' by Council overlay mapping and similarly mapped under State Planning Policy IMS. Notwithstanding, it is considered that with the new boundaries being well separated from the waterway, and no future development envisaged on Lot 6, the proposed subdivision will have no impact on the waterway and no further assessment required.

4.3.2 Flood Hazard

The subject site is identified as being subject to various levels of flood hazard including during the 2% AEP, 1% AEP & 1% AEP + Climate Change flood events as illustrated in Figure 8 below & within as indicated within the Flood Report included in **Section 2: Item 3**. However, It is considered the proposed subdivision will not increase the risk of flood hazard to people or property in any regard. It is noted that the existing dwelling and various outbuildings located within proposed Lot 6 are already within the flood hazard area, and this hazard will not worsen as a result of the subdivision.

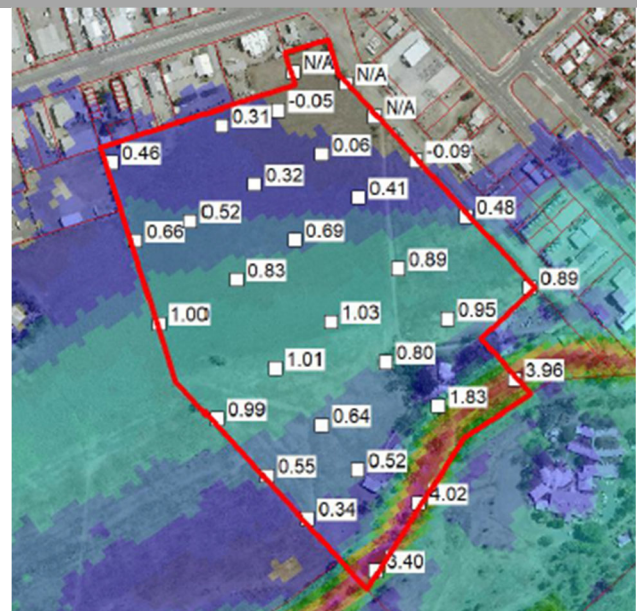
Proposed Lot 5 is noted as being subject to flood hazard at the very extreme of events (1% AEP + Climate Change) where in a 1% AEP event it remains flood free as indicated in figure 6 below. Furthermore, it is noted that Lot 5 was not affected during the 2013 Flood Event. Notwithstanding, even in the most extreme of events Lot 5 will have flood free ingress/egress with land in the north-east portion of the site & the road frontage remaining unaffected. Additionally, no earthworks or similar proposed in a flood hazard area that would impact upon flood storage or conveyancing.

Figure 8 – Flood Hazard

1 in 100 year event



1 in 100 year event + Climate Change



5.0 STATE PLANNING INSTRUMENTS

A summary of the values prescribed to the site under relevant State Planning Instruments is provided in Figure 9 below:-

Figure 9 – State Planning Values	
Instruments	Value Triggered
<i>Planning Act 2016</i>	Impact Assessment as per the provisions of Section 45(5) of the Act (subject to assessment benchmarks, regulation and relevant planning matters).
<i>Planning Regulation 2017</i>	- Compliance with Section 30(2)(a) of the Planning Regulation 2017 for a Code Assessable application has been addressed by the assessment benchmarks as applicable. - No referral required.
<i>State Planning Policy State Interests</i>	<u>FISH HABITAT AREAS</u> - Queensland waterways for waterway barrier works <u>WATER RESOURCES</u> - Water resource planning area boundaries
<i>State Planning Regulatory Provisions</i>	Not applicable
<i>Regional Plan</i>	Central Queensland Regional Plan
<i>Local Planning Instrument</i>	Banana Shire Council Planning Scheme 2021
<i>Development Assessment Rules</i>	The subject application has been prepared in the approved form and addresses the relevant benchmarks/assessment provisions.

6.0 LOCAL PLANNING INSTRUMENT

This section contains information regarding the conformance of the development proposal with the values and development requirements expressed in the Banana Shire Council Planning Scheme 2021 in relation to the land the subject of the application and the form of development proposed.

A summary of key values expressed for the subject site and the form of development proposed is presented below.

6.1 Mixed Use Zone, Highway Precinct & Rural Zone

According to the Banana Shire Council Planning Scheme the subject site is located within the boundaries of the Mixed Use Zone, Highway Precinct & the Rural Zone. The purpose of the Mixed Use Zone is described as:

“The purpose of the Mixed Use Zone is to provide for a variety of uses and activities, including, for example, business, residential, retail, service industry, tourist accommodation or low impact industrial uses or activities.”

Additionally, the purpose of the Rural Zone is described as

“The purpose of the Rural Zone Code is to:

- (a) provide for rural uses and activities; and*
- (b) provide for other uses and activities that are compatible with:*
 - i. existing and future rural uses and activities; and*
 - ii. the character and environmental features of the Zone; and*
- (c) maintain the capacity of rural land for rural uses and activities by protecting and managing significant natural resources and processes;*

The proposed subdivision complies with the intent of both the Mixed Use Zone & Rural Zone by creating separate practical shaped lots to contain each zoning so they may be used for their intended purpose in accordance with the Banana Shire Council Planning Scheme.

6.2 Level of Assessment

Our review of the Tables of Assessment 4.3.1 in the Banana Shire Council Planning Scheme has determined that a reconfiguration of a lot a subdivision resulting in any of the lots not complying with the minimum lot areas for Lot in Table 6.3.6 of the Reconfiguring a Lot Code is an Impact Assessable Form of development. Given proposed Lot 6 will not meet the minimum lot size of 150ha for the Rural Zone, the application will be subject to Impact Assessment.

6.3 Strategic Framework Assessment

In accordance with strategic framework mapping reproduced in Figure 10 below, the northern portion of the site is identified as being an 'urban area' whilst the central and southern portion of the lot are identified as 'important agricultural land' which align with the Rural & Mixed-Use zoning. Similar to responses above, the proposed subdivision complies with the intent of strategic framework by creating separate practical shaped lots to contain each zoning so they may be used or continue to be used for their intended purpose. Notwithstanding, the proposed subdivision is considered to advance the objectives of the strategic framework in that:

Settlement Pattern

- Section 2.3.1(2) – the proposed subdivision will make available mixed use zoned land in the township of Biloela, which is envisaged to accommodate the majority of new urban growth with the highest level of commercial, industrial, community and municipal services.
- Section 2.3.1(3) - the proposed subdivision will make available urban land in well-defined areas that integrate with existing urban areas, support town centres

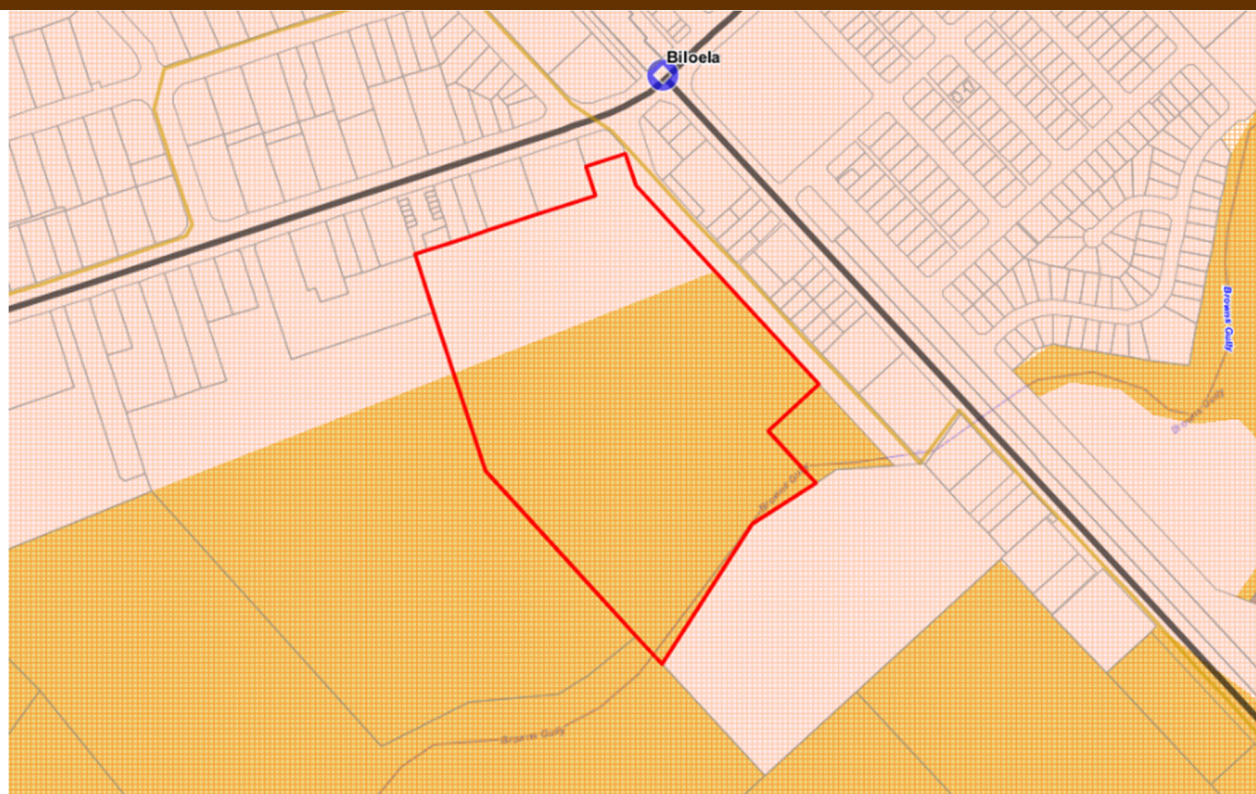
Rural Areas

- Section 2.4.1(1) - The productive capacity of agricultural land, rural areas and rural activities that contribute to the Shire's economy is protected by the subdivision. In this regard, all agricultural mapped land is fully contained within Lot 6 and is not fragmented
- Section 2.4.1(6) the proposed subdivision seeks to minimise Conflicts at the interface between rural land and urban and sensitive uses by creating separate lots in accordance with Council zoning.

Natural Systems and Hazards

- Section 2.6.1(2) - the proposed development does not cause any disturbance to the natural landform, ecology and wildlife habitats and contributes to ecosystem health, liveability and prosperity.
- Section 2.6.1(6) - Development is designed, located, constructed and operated to manage the impacts of hazards, while natural processes and biodiversity are protected.

Figure 10 – Strategic Framework Mapping



6.2 Relevant Codes & Code Compliance

Relevant codes identified within Table 4.3.1—Reconfiguring a lot are reproduced in Figure 11 below. An assessment of proposals compliance with the requirements of the relevant codes has also been undertaken. The following tables note the relevance and compliance with the applicable planning scheme codes.

Figure 11 – GRC Planning Scheme Compliance Summary

Code/Trigger	Level of Assessment	Assessment Criteria
Reconfiguration of a Lot	Impact Assessable	Reconfiguration of a lot code
Table 4.3.1		
Zone		
Mixed Use Zone	No change	Complies. No alternative outcomes required.
Rural Zone	No change	Complies. No alternative outcomes required.
Development Codes		
Reconfiguring a Lot	No change	Complies/Alternative Outcome Proposed. No alternative outcomes required.
Development Design	No change	Complies. No alternative outcomes required

7.0 CONCLUSION

Fredriksen, Maclean & Associates have been commissioned as the Applicant, to prepare a Development Application seeking a Development Permit for a Reconfiguration of a Lot for the purpose of a 1 into 2 Lot Subdivision on land located at 28 Harris St, Biloela (Lot 5 on SP320069).

The applicant contends that Council should favorably consider this development application on a planning merit basis for the following reasons:

- Will not compromise the intent or purpose of the Mixed Use Zone, Highway Precinct or Rural Zone in this locality.
- Largely retains the status quo such that it will result in no detrimental impacts on any adjoining uses or persons and the design of the proposed development will uphold the existing character of the locality.
- Not encroach upon ecologically significant areas and impact significant existing vegetation whilst conforming to the existing improvements and encumbrances associated with the land; and
- The proposal seeks to create practical shaped allotments suitable for future development or the continuation of existing uses.

The applicant considers the proposal to be appropriate and viable development that will have no perceived impact on the surrounding development. The proposed subdivision has demonstrated that it is in accordance with the purpose, intent and the objectives of the Banana Shire Council Planning Scheme, including the applicable performance outcomes and the Reconfiguring a Lot Code.

In summary, the proposal is considered to have sufficient planning merit to justify Council's favourable consideration, and that the application be recommended for approval subject to reasonable and relevant conditions.

Item 2

CODE RESPONSE

Table 6.3.2 For assessable development

Part 6 Development Codes

6.1 Other Development Codes

6.3.1 Development Design Code

6.3.1.1 Application

This code applies to assessing a material change of use, reconfiguring a lot or operational works where the code is identified as an assessment benchmark in the Categories of Assessment Table. When using this code, reference should be made to Section 1.6.1.

6.3.1.2 Purpose

- (1) The purpose of this code is to provide for:
 - (a) the efficient supply of non-trunk development infrastructure that supports the intended use of the site, integrates with existing networks and maintains or enhances the environment, public safety and visual amenity;
 - (b) the control of operational works;
- (2) The purpose of the Code will be achieved through the following overall outcomes:
 - (a) infrastructure services development in a cost-effective, safe, efficient and co-ordinated manner to a standard ordinarily expected in the locality;
 - (b) development is planned, designed, constructed and operated to manage stormwater and wastewater in ways that protect environmental values and achieve water quality objectives;
 - (c) safe and functional transport networks meet the reasonable demands generated by development;
 - (d) development is serviced by a suitable standard of vehicle access, parking, servicing and manoeuvring areas that enhance streetscape appeal and character and discourage crime and anti-social behaviour;
 - (e) landscaping enhances visual amenity, integrates the built and natural environments, maximises water efficiency, minimises soil loss, provides shade in large paved areas and does not adversely impact on infrastructure;
 - (f) filling or excavation maintains the safety, amenity and health of the community and environment;
 - (g) infrastructure responds to the environmental constraints and avoids or safely manages the adverse impacts of floodwaters to mitigate the effects of a natural hazard event;
 - (h) generated waste is stored in an environmentally friendly and nuisance free manner;

6.3.1.3 Requirements for accepted development or assessment benchmarks

Table 6.3.2 For assessable development

Performance Outcomes	Response
Vehicular access and driveway crossovers	

Table 6.3.2 For assessable development

Performance Outcomes	Response
PO1 Access arrangements protect the efficient functioning of the transport network and provide safe access to development in direct response to the demonstrated demand of the development. and PO2 There is no damage to or interference with the location, function or access to any utility infrastructure.	PO1 – Complies. Lot 5 afforded a large road frontage for a future vehicle crossover. Lot 6 to maintain existing access arrangements. PO2 – Complies.
Filling and excavation	
PO3 Any off-site impact from earthworks is minimised and acceptable having regard to: (a) the environment in which the earthworks are located; (b) the measures proposed to mitigate any off-site impact; (c) any compensation measures for an impact that are proposed by the applicant; and PO4 The earthworks are safe and stable and PO5 Community safety is ensured in the event that Category 3 earthworks fail. and PO6 Retaining walls protect the visual amenity of development on adjoining premises. and PO7 Fill material provides support for the proposed development in accordance with certified geotechnical engineering requirements. and PO8 Filling or excavation does not result in the contamination of land or water bodies, wetlands and waterways. and PO9 Filling or excavation does not cause environmental nuisance impacts.	PO3-PO9 – Not applicable. No earthworks proposed.
Roads	
PO10 Road infrastructure is: (a) of a width and standard as detailed in Table 6.3.4 - Provision of Infrastructure; or (b) of a width and standard as detailed in an infrastructure agreement; and (c) designed and constructed in accordance with the relevant part of the CMDG;	PO10 - Not applicable. No new roads proposed.
On-site parking and movement	

Table 6.3.2 For assessable development

Performance Outcomes	Response
PO11 The development provides car parking spaces to accommodate the demonstrated demand generated by the use. and PO12 The site provides safe and convenient movement areas for pedestrians and persons in wheelchairs. and PO13 The movement of vehicles on to and from the site does not create a traffic hazard. and PO14 Vehicle parking areas protect the character of surrounding development.	PO11 to PO14 – Not applicable. Proposal is for a 1 into 2 lot subdivision. No new uses proposed. .
Landscaping	
PO15 Landscaping does not interfere with motorists' sightlines. and PO16 Landscaping provides buffering and screening, shades activity areas and allows casual surveillance of the street. and PO17 Landscaped areas with species selected to suit the streetscape are provided adjacent to all road frontages (excluding crossover and pedestrian access). and PO18 Landscaping provides shading for the majority of spaces in outdoor parking areas. and PO19 Landscaping does not pose a potential risk to the ongoing operation of public infrastructure. PO20 Plant species used in landscaping are suited to the local climate and proposed purpose and do not increase the risk of pest species infestation. Editor's Note: Schedule 5.3 provides assistance in the selection of suitable species. and PO21 Existing native vegetation that already contribute to these requirements are retained where their removal is not required to site the use.	PO15-PO21 Not applicable. No landscaping proposed. Proposal is for a 1 into 2 lot subdivision only.
Street lighting and street signs	
PO22 If reconfiguring a lot –street lighting is provided to meet public safety needs in compliance with Australian best practice standards, methodology and design.	Not applicable. No new roads proposed.
and PO23 If reconfiguring a lot – street signage identifies street names in compliance with Australian best practice standards, methodology and design.	Not applicable. No new roads proposed. .

Table 6.3.2 For assessable development

Performance Outcomes	Response
Water supply infrastructure	
If in a water supply area PO24 The reticulated water supply has sufficient capacity and water quality to meet the development demand for potable use, operational use and emergency purposes without interfering with supply to existing development. and PO25 The installation and location of water meters allows lawful access by the relevant authority. If outside a water supply area PO26 A water supply is provided to meet the development demand of the intended use.	PO24 Not Applicable No new uses proposed. PO25 Will Comply (Lot 5). PO26 – Complies. No change to existing water supply arrangements for Lot 6. .
Sewerage infrastructure	
If in a reticulated sewerage area PO27 The reticulated sewerage has sufficient capacity to meet the development demand of the proposed use without interfering with supply to existing development. In all circumstances PO28 The disposal of effluent and other wastewater protects public health and safety and the environment.	PO27 Not applicable. No new uses proposed. PO28 – Complies. No change to existing effluent disposal arrangements for Lot 6. Lot 5 to be connected to reticulated sewer infrastructure. .
Developments accessed by common private title	
PO29 Development is located on streets where fire hydrants are provided at no more than: (a) 90m intervals for non-residential streets; or (b) 120m intervals for residential streets; and (c) at each street intersection; or PO30 Development provides internal fire hydrants at intervals no less than as identified in PO29. and PO31 Fire hydrants are identified by reflective blue road surface markers or reflective marker posts. and PO32 Road access minimum clearances of 3.5m width and 4.8m height are provided.	PO29 – PO32 Not applicable.
Stormwater drainage	

Table 6.3.2 For assessable development

Performance Outcomes	Response
PO33 Stormwater drainage: (a) detains, collects, reuses or otherwise manages stormwater without adversely affecting upstream or downstream premises; (b) directs stormwater to one or more legal points of discharge or to downstream properties, subject to the consent of the affected landowners; (c) protects the efficiency of downstream drainage; (d) protects and maintains environmental values and quality of downstream water by removing or reducing sediment, nutrients and other pollutants; and PO34 Development has no significant impact on the concentration or discharge rate of surface water flows from a development site. and PO35 Works effectively control onsite erosion and the release of sediment or sediment-laden stormwater from the site. and PO36 Works do not result in an increased risk to people and property from the effects of stormwater drainage or containment structure failure.	PO33-PO36 Complies. Proposal is for a 1 into 2 lot subdivision with no increase to impervious area or any change to uses proposed that would warrant stormwater treatment. No change to existing stormwater management arrangements for Lot 6 containing the existing dwelling. .
Parks	
PO37 The design and construction of parks and park infrastructure is in accordance with current Australian standards. and PO38 No land is dedicated open space recreation parkland that is subject to inundation during a 2% AEP rainfall event.	PO37-PO38 Not Applicable. The proposal does not involve any parks.
Waste	

Table 6.3.2 For assessable development

Performance Outcomes	Response
PO39 Waste generated by the development is collected and stored in a manner that: (a) prevents the intrusion of vermin; (b) does not create an odour nuisance; (c) contains all litter and refuse; (d) is kept clean; (e) screens the storage area and waste receptacles from view from external to the site; (f) does not result in any contamination of the environment; and PO40 The development utilises waste management systems that promote recycling, reuse and reduction of waste being disposed of to landfill. and PO41 The discharge of trade waste protects: (a) the health and safety of people working in and around the sewerage system; (b) receiving environments from harmful substances; (c) the sewerage treatment plants and sewage systems from damage from harmful substances; (d) assists treatment plants to process sewage and produce recycled water and bio-solids of a guaranteed quality;	PO39-PO41 Not applicable. Proposal is for a subdivision only.

Table 6.3.3 Vehicle parking rates

Development	Parking space rate	Service vehicle provision
Agriculture supplies store	1 per 25m ² GFA	1 AV
Animal keeping	1 per employee plus 5 additional	1 SRV
Aquaculture, Intensive animal industry, Intensive horticulture, Renewable energy facility	1 per employee	No rate specified
Bulk landscape supplies	1 per 200m ² of total use area with a minimum of 5 spaces	1 HRV
Caretaker's residence	1	Nil
Car wash	1 per 2 wash bays	No rate specified
Cemetery	30 plus one 1 per 2 employees	Nil
Child care centre	1 per 5 children	Nil
Club	No rate specified	1 SRV

Table 6.3.2 For assessable development

Community care centre	No rate specified	Nil
Community residence	2	Nil
Community use, Food and drink outlet, Function facility, Hotel	1 per 20m ² GFA	1 SRV
Dual occupancy, Dwelling house	2 per dwelling; may be provided in tandem	Nil
Dwelling unit	1 per 1 or 2 bedroom unit; 2 for each unit of 3 or more bedrooms	Nil
Educational establishment	Pick-up/drop-off (2minutes max) – 20% of short term supply Short-term (15 minutes max) – 1 per 15 students Long-term (staff/visitor) – 0.7 per staff member Preparatory/special education – 1 per 8-10 students	1 SRV
Emergency services	No rate specified	No rate specified
Environment facility	No rate specified	No rate specified
Extractive industry	No rate specified	No rate specified
Funeral parlour, Place of worship	0.3 per each square metre of GFA	1 SRV
Garden centre, Wholesale nursery	1 per 100m ² of use area open to the public	1 HRV

For accepted development

Table 6.3.3 Vehicle parking rates

Development	Parking space rate	Service vehicle provision
Hardware and trade supplies	1 per 50m ² GFA	Up to 500m ² GFA – 1 HRV; 500m ² – 1,999m ² GFA – 1 AV; otherwise – no rate specified
Health care service	5 for each practitioner	1 ambulance space if more than 2 practitioners
High impact industry, Low impact industry, Medium impact industry, Service industry, Special industry	1 space per employee plus one 1 per 100m ² GFA	Up to 500m ² GFA – 1 HRV; 500m ² – 1,999m ² GFA – 1 AV; otherwise – no rate specified
Home-based business	1 per non-resident employee plus 1 customer space	Nil
Hospital	1 per 4 beds, plus 1 per 2 employees, plus 1 per staff doctor	1 ambulance space
Indoor sport and recreation	No rate specified	No rate specified
Market	8 per 100m ² of stall area (excluding access paths)	Nil
Motor sport facility	No rate specified	No rate specified
Multiple dwelling	1 per 1 and 2 bedroom dwelling, 2 for each dwelling with 3 or more bedrooms and 1 visitor space for every 5 dwelling of developments of 5 or more dwellings	1 SRV where more than 10 units
Nature-based tourism	1 per cabin/site plus 1 per manager	Nil
Office, Sales office	1 space per 30m ² GFA	No rate specified
Outdoor sales	1 space per 150m ² of total use area	No rate specified
Outdoor sport and recreation	No rate specified	No rate specified

For accepted development

Relocatable home park, Retirement facility	1 per dwelling unit site, plus 1 visitor space for every 5 dwelling unit sites where development contains 5 or more dwelling sites	No rate specified
Residential care facility	1 space per 10 beds, plus 1 visitor space per 2 beds, plus 1 per 2 employees	No rate specified
Rooming accommodation	0.5 per bedroom, plus 0.25 visitor spaces per bedroom, plus 1 per manager	Nil
Rural industry, Winery	2 spaces plus 1 space per 100m ² of GFA	No rate specified
Rural workers' accommodation	No rate specified	No rate specified
Service station	2 plus one 1 space per 25m ² GFA	1 AV
Shop	1 space per 20m ² total use area	Up to 500m ² GFA – 1 HRV; 500m ² – 1,999m ² GFA – 1 AV; otherwise – no rate specified
Shopping centre, Showroom	1 space per 50m ² total use area	Up to 500m ² GFA – 1 HRV; 500m ² – 1,999m ² GFA – 1 AV; otherwise – no rate specified
Short-term accommodation	1 space per unit plus 50% of the requirement for each ancillary use	1 SRV
Theatre	2 per 5 seats	No rate specified
Tourist park	1 per dwelling unit site, plus 1 visitor space for every 10 dwelling unit sites	1 SRV

Table 6.3.3 Vehicle parking rates

Development	Parking space rate	Service vehicle provision
Transport depot	No rate specified	No rate specified
Veterinary services	5 per practitioner	1 SRV

For accepted development

Warehouse	1 per 200m ² of total use area	1 HRV
Wholesale nursery		
Winery		

Table 6.3.4 Provision of infrastructure

Zone	Roads			Off-street car parking	Water reticulation	Sewerage reticulation
	Width	Kerb & channel	Seal	Seal		
General Residential	Refer to CMDG	Yes	Yes	Yes	Yes	Yes
Centre		Yes	Yes	Yes	Yes	Yes
Recreation & Open Space		No	No	Yes	No, except for Banana, Baralaba and Thangool	No
Environmental Management & Conservation	Refer to the Rural Design Criteria in the CMDG	No	Refer to the Rural Design Criteria in the CMDG	No	No	No
Industry	Refer to CMDG	Yes	Yes	Yes	Yes	Yes
Special Industry		Yes	Yes	Yes	As per surrounding development	
Community Facilities		As per surrounding development				
Mixed Use	Refer to the Urban Design Criteria in the CMDG	Yes	Yes	Yes	Yes	Yes

For accepted development

Rural	Refer to CMDG	No	Refer to CMDG	No	No	No
Rural Residential		Yes	Yes	Yes	As per surrounding development	
Township		Yes	Yes	Yes	No, except for Banana, Baralaba and Thangool	No

6.3.2 Reconfiguring a Lot Code

6.3.2.1 Application

This code applies to assessing reconfiguring a lot where the code is identified as an assessment benchmark in the Categories of Assessment Table. When using this code, reference should be made to Section 1.6.1.

6.3.2.2 Purpose

- (1) The purpose of this code is to:
 - (a) accommodate a variety of land uses and lifestyle choices on allotments that are suited to their intended use;
 - (b) manage the potential risks of natural and man-made hazards;
 - (c) protect the values of natural environmental features and resources;
 - (d) allow for the efficient and sequential provision of infrastructure;
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) lots are of a size and dimension suitable for their intended use and have due regard to the zone, constraints and hazards and community expectations of residential separation and character;
 - (b) the reconfiguration does not compromise the future development of adjoining land and contributes to good urban design outcomes, safe and attractive neighbourhoods and functional industrial areas that are consistent with the overall outcomes sought by the relevant zone code in which the reconfiguration occurs;
 - (c) development creates a structured road hierarchy that provides safe, convenient and efficient connectivity and circulation for vehicles, cyclists and pedestrians without creating or exacerbating a traffic problem or adversely affect the function of an existing road;
 - (d) an integrated public open space network is available to meet the needs of the community for outdoor recreation and social activities and the protection of valuable features;
 - (e) lots are or can be connected to services in a cost-effective sequence and to standards appropriate for the zone;

For accepted development

6.3.2.3 Assessment benchmarks

Table 6.3.5 For assessable development

Performance Outcomes	Response
Reconfiguration in the Rural Zone only	
PO1 Boundary realignments result in the creation or consolidation of a viable agricultural unit. or PO2 Subdivision that creates lots less than the minimum area identified in Table 6.3.6 only occurs where the parent parcel is already fragmented by an existing road or waterway parcel and each allotment is demonstrated capable of supporting a viable agricultural income. Editor's Note: Submission of an agronomist report prepared by a suitably qualified person supporting the proposed subdivision is one way of complying with PO1 or PO2.	PO1 – Not applicable. PO2 – Complies. The proposed subdivision has been designed in accordance with the provisions of the Banana Shire Council Planning Scheme where all Rural Zoned & Agricultural Mapped Land is contained within Lot 6 and is not fragmented in any way. Only urban mapped (SFM-002) & Mixed Use Zoned land contained within Lot 5.
For boundary realignments other than in the Rural Zone	
PO3 The realignment does not result in a building contravening the setback standards required by this Planning Scheme or relevant building regulations. and PO4 The size of any new lot is no more than 5% smaller than the smallest existing lot. or PO5 The utility of the lots is maintained or improved by: (a) providing access to an allotment that previously had no access or an unviable access; or (b) correcting an existing boundary encroachment and PO6 The boundary realignment results in no more than one rear lot behind a standard lot.	PO3 – PO6 not applicable.
Reconfiguration under a Community Title Scheme	

For accepted development

Performance Outcomes	Response
PO7 Community Title Scheme development does not detract from the character of surrounding areas as the result of unapproved increases density or the introduction of an incompatible land use. and PO8 The minimum separation between the front of buildings on either side of an access way is 8m. and PO9 The common property is used for street access, utilities and recreation. and PO10 Easements are granted to contain all public utility service mains which traverse the site. and PO11 Fire hydrant installation is provided in accordance with the requirements of the relevant Australian Standard.	PO7-PO11 Not applicable. No community titles scheme proposed.
All other reconfigurations	
PO12 Development creates allotments with area, dimension and shape not less than the minimum identified in Table 6.3.6. and PO13 The minimum allotment size calculation for any rear allotment excludes the area of the access strip of the allotment. and PO14 Access is provided to each lot via: (a) direct road frontage; or (b) access strip with a minimum width of 3.5m (for rear lots only); or (c) access easement with a maximum length of 50m and minimum width of: (i) 5m in a zone other than the Industry Zone; or (ii) 8m in the Industry Zone; and PO15 Newly created lots do not have direct access to sub-arterial or higher order roads unless no other access is available. and PO16 Rear lots: (a) are limited to a maximum of 1 behind each regular full street frontage lot;	PO12 Complies. Lot 5 exceeds minimum lot size & frontage requirements for the mixed use zone, highway precinct of 2000m² & 20m respectively. Lot 6 addressed in response to PO1 above. PO13 Not applicable. PO14 Complies. Both lots have direct road frontage. PO15 Complies. Both lots get access from Harris St. PO16 Not applicable.

For accepted development

Performance Outcomes	Response
(b) access adjoin no more than one other rear lot access; (c) are limited to a maximum of 2 lots accessing the head of a cul-de-sac; (d) are limited to land with a gradient less than 5%;	
Design	
PO17 The reconfiguration design integrates with the surrounding development pattern and provides access connections for the future development on adjoining land. and PO18 Public open space with a minimum area of 4,000m² is provided for all subdivisions exceeding: (a) In the General Residential Zone – 45 lots (b) In the Rural Residential Zone – 10 lots (c) In the Industrial Zone – 20 lots and PO19 New road intersections are a minimum distance of 45m from an existing intersection and are provided as T-intersections or roundabouts. and PO20 Where adjoining land in the Rural or Industrial zones, subdivision for residential development includes a buffer that protects the amenity of future residents and preserves the operational requirements of the adjoining incompatible use from reverse amenity impacts.	PO17 – Complies. PO18 – Not applicable. Only two (2) lots proposed, and not located in any of the subject zones. PO19 – Not applicable. No new roads proposed. PO20 – Not applicable.

Table 6.3.6 Minimum lot sizes and frontages

Column 1 – Zone	Column 2 – Minimum area	Column 3 – Minimum frontage
General Residential	400m² if in the Multiple Dwelling Precinct 800m ² in all other circumstances	10m 10m
Centre	400m²	10m
Industry	2,000m²	20m
Special Industry	5ha	100m
Community Facilities	3,000m² if for air services in Precinct 3 None specified in all other circumstances	20m

For accepted development

Mixed Use	800m if in the Transition precinct 2,000m if in the Highway Precinct	20m 20m
Rural	150ha if on agricultural land 500ha in all other circumstances	100m 200m
Rural Residential	4,000m²	40m

Table 6.3.6 Minimum lot sizes and frontages

Column 1 – Zone	Column 2 – Minimum area	Column 3 – Minimum frontage
Township	1,000m² if serviced by reticulated sewerage 4,000m ² in all other circumstances	20m
All other zones	None specified	None specified

5.9.2 Mixed Use Zone Code

5.9.2.1 Application

- (1) This code applies to development where the code is identified as applicable in the Categories of Assessment Table. When using this code, reference should be made to Section 1.5.2 and, where applicable, Section 1.6.1.

5.9.2.2 Purpose

- (1) The purpose of the Mixed Use Zone is to provide for a variety of uses and activities, including, for example, business, residential, retail, service industry, tourist accommodation or low impact industrial uses or activities.
- (2) The purpose of the Code will be achieved through the following overall outcomes:
 - (a) generally:
 - (i) the scale, presentation, character and built form of development contributes to a high standard of amenity along major transport routes and adjacent to or opposite residential areas;
 - (ii) development is serviced with appropriate urban infrastructure;
 - (iii) development maintains the prevailing streetscape character;
 - (iv) and where affected by the overlay for:
 - (A) bushfire or flood risk:
 - I. the use and works support and do not unduly burden disaster management response or recovery activities, providing for access for evacuation resources and efficient evacuation of sites during emergency events;
 - II. development minimises the exposure of people or property to unacceptable risk from exposure to natural hazards and environmental constraints affecting the land through consideration of location, siting, design, construction and operation;
 - III. works do not contribute to an increase in the severity of natural hazard events and are designed, located and operated to minimise risk to people and damage to property, disruption to development function and reestablishment time following an event;
 - IV. development involving the manufacture or storage in bulk of hazardous materials does not adversely impact on public safety or the environment;
 - V. works retain the natural processes and protective function of landforms and vegetation in natural hazard areas;
 - (B) infrastructure:
 - I. the viability of essential community infrastructure is protected by requiring on-site buffering and separation of new development on adjoining sites that could limit the on-going operation of existing infrastructure;
 - II. an appropriate level of amenity is maintained for development in the vicinity of identified infrastructure;
 - III. the interaction between transport infrastructure and sensitive land uses is managed to maintain the efficiency of the transport network and to protect community health and amenity;
 - (C) water resources:
 - I. water supply catchments are protected from activities that may endanger the quality of drinking water supplies and the groundwater management areas;
 - II. development does not adversely impact on the recharge capacity of the groundwater management areas;
 - (b) for land in the Highway Precinct:
 - (i) uses reliant on and benefitting from passing traffic, the road transport sector, tourism, entertainment, sale of bulky goods, showrooms and trade sales are the dominant activity;

- (ii) accommodation uses minimise the potential for conflict with industrial and business activity in the area;
- (iii) in Moura, vehicle and pedestrian traffic associated with the development is directed to Dawson Parade wherever possible;
- (iv) development provides a high standard of visual amenity;
- (c) for land in the Transition Precinct:
 - (i) development manages the potential adverse impacts between sensitive land uses and non-residential uses;
 - (ii) on the abandonment of non-residential uses, land is redeveloped for residential purposes as the preferred land use;
 - (iii) development provides for a transition from housing on the north-eastern side of Kariboe Street to the light industry and other non-residential uses fronting Callide Street;
 - (iv) vehicle and pedestrian traffic associated with non-residential uses is directed to Callide Street wherever possible;

5.9.2.3 Requirements for accepted development or assessment benchmarks

Table 5.9.3 For assessable development		
Performance Outcomes	Acceptable Outcomes	Applicant's Response
General		
Site suitability		
PO1 Sites on the Contaminated Land Register or Environmental Management Register are remediated prior to plan sealing, issuing of operational works or building works permits or commencement of use for a sensitive land use.	AO1.1 Development for sensitive land uses does not occur on sites listed on the Contaminated Land Register or Environmental Management Register.	Not Applicable. No sensitive land uses proposed. Proposal is for a 1 into 2 lot subdivision.
Built form		
In the Transition Precinct PO2 Development creates a regularly-spaced urban form and a protected environment for residential uses. and	AO2.1 Direct pedestrian access from the footpath to the front entrance of the building is provided and separated from vehicle access and parking areas. and AO2.2 Front fences are less than 1.2m high or are 75% transparent. and AO2.3 Landscaping along all road frontages has either a maximum height of 0.5m or a minimum clear trunk height of 1.5m at maturity. AO2.4 Maximum building height is 8.5m above ground level. and AO2.5 Buildings are set back at least: (a) 6m from the primary street frontage; (b) 3m from the secondary street frontage; (c) 3m or half the building height from a side boundary,	Not applicable. No building work proposed. Proposal is for a 1 into 2 lot subdivision.
PO3 Re-development of land for new uses provides an increase in the proportion of residential land use in the Precinct. or		

Table 5.9.3 For assessable development

Performance Outcomes	Acceptable Outcomes	Applicant's Response
In the Highway Precinct PO4 The built form of development creates an open and functional commercial streetscape with a high level of visual appeal. and PO5 The site layout and design creates a safe, secure and attractive streetscape with direct access to buildings and a visual dominance of the primary use of the site.	AO2.8 Maximum building height is 12m above ground level. and AO2.9 Total use area is no more than 75% of the site, excluding car parking areas. And AO2.10 Buildings are setback from all road frontages by a minimum distance of 6m. and AO2.11 Buildings, loading/unloading areas and refuse storage are setback from common boundaries with land in the General Residential Zone by a minimum distance of: (a) 6m to rear boundaries; and (b) 3m or half the building height, whichever is the greater, from side boundaries and AO2.12 Any ancillary office or sales area is located at the front of the building and designed with 25% of un-obscured glazing in facades facing public areas. and AO2.13 Public entrances to buildings have an awning with minimum dimensions of 800mm.	Not applicable. No building work proposed. Proposal is for a 1 into 2 lot subdivision.
Servicing		
	AO3.1 Stormwater is discharged to a lawful point of discharge that integrates with established drainage infrastructure.	Not applicable. Future stormwater connection to be undertaken prior to commencement of use for Lot 5. Existing stormwater drainage arrangements maintained for Lot 6.
PO6 Development is connected to reticulated water supply and sewerage. and		Complies. Proposed Lot 5 will be connected to Water & Sewer. Proposed Lot 6 being rural zoned is proposed to maintain its existing servicing arrangements.
PO7 In the Transition Precinct, direct access for non-residential uses to Kariboe Street is only provided where no alternative exists. and		Not Applicable. Proposal is for a 1 into 2 lot subdivision.

Table 5.9.3 For assessable development

Performance Outcomes	Accetpable Outcomes	Applicant's Response
PO8 Residential developments up to 10 residential units or commercial developments with a maximum gross floor area of 250m ² allow for individual waste bins for each unit for kerbside collection. or		Not Applicable. Proposal is for a 1 into 2 lot subdivision.
PO9 For residential developments with 6 or more residential units or commercial developments greater than 250m ² in gross floor areas, refuse storage areas are provided on-site for communal industrial-sized waste bins.		Not Applicable. Proposal is for a 1 into 2 lot subdivision.
Specific uses		
Caretaker's accommodation		
PO10 Caretaker's accommodation is subsidiary to the non-residential use on the same site. and		Not Applicable. Proposal is for a 1 into 2 lot subdivision.
PO11 Caretaker's accommodation provides the amenity, privacy and comfort associated with long-term habitation.		Not Applicable. Proposal is for a 1 into 2 lot subdivision.
Dual occupancy		
PO12 A dual occupancy is of a size that meets the essential accommodation needs of the residents. and	AO5.1 Each dwelling has a minimum gross floor area of 60m ² exclusive of vehicle accommodation.	Not Applicable. Proposal is for a 1 into 2 lot subdivision.
PO13 Sufficient space is provided for on-site car parking to provide 1 covered car parking space for the residents and an additional car parking space for visitors with independent driveway access to its respective street frontage. and	AO5.2 Each dwelling has 1 covered car parking space with a minimum dimension of 5m by 3m wide with independent driveway access to its respective street frontage. and AO5.3 Each dual occupancy provides an additional car parking space for visitors.	Not Applicable. Proposal is for a 1 into 2 lot subdivision.
PO14 Each dwelling has its own exclusive outdoor living space available for private recreational and housekeeping needs.	AO5.4 An outdoor living space for the exclusive use of each residence is provided which: (a) has a minimum area of 40m ² ; and (b) has a minimum dimension of 4m; and (c) is directly accessible from internal living areas; and (d) is orientated within 20 degrees of north where practical; and (e) includes a minimum area of 2m ² for outdoor clothes	Not Applicable. Proposal is for a 1 into 2 lot subdivision.

Table 5.9.3 For assessable development

Performance Outcomes	Accetpable Outcomes	Applicant's Response
Home-based business		
PO15 The use protects existing streetscape character, integrates with and is subordinate to the existing dwelling. and	AO6.1 Only one non-resident employee is on the premises at any one time. and AO6.2 The maximum gross floor area used is 50m2.	Not Applicable. Proposal is for a 1 into 2 lot subdivision.
PO16 The amenity of the local residential area is protected. and	AO6.3 There is no: (a) sale of any goods from the premises other than those manufactured or serviced on the site; (b) hiring out of materials, goods, appliances or vehicles; (c) display of goods visible from outside the dwelling; (d) re-fuelling of vehicles; or (e) storage of chemicals, gases or other hazardous materials; and AO6.4 Signs displayed on the premises do not exceed 1.0m2 in area. and AO6.5 The use does not rely on delivery vehicles larger than a 2.5t rigid vehicle. and AO6.6 The use operates between 8.00am and 6.00pm Monday to Saturday. and AO6.7 The use operates for a maximum of 25 hours in any week. and AO6.8 A maximum of one parking space is provided in addition to the requirements of the principal dwelling. and AO6.9 The use utilises the same vehicle access as the existing dwelling.	Not Applicable. Proposal is for a 1 into 2 lot subdivision.
PO17 The home-based business supports the economic viability of existing lawful commercial and industrial uses in the Centre, Industry, Mixed Use and Township zones.	Not applicable. Proposal is for a boundary realignment only.	Not Applicable. Proposal is for a 1 into 2 lot subdivision.
Non-residential uses		
Streetscape and activity		

Table 5.9.3 For assessable development

Performance Outcomes	Accetpable Outcomes	Applicant's Response
PO18 Development creates an attractive, interesting, safe, legible and active streetscape, reduces the prominence of vehicle activity, and provides a safe pedestrian environment.	AO8.1 The main entry to the building is visible and directly accessible from the street. and AO8.2 Direct pedestrian access from the footpath to the front entrance of the building is provided and separated from vehicle access and parking areas. and AO8.3 Car parking is provided at the rear of the building with vehicle access occupying no more than 10m of the site frontage. and AO8.4 A full width sealed footpath extends along the full frontage of the site. AO8.5 Landscaping comprising large trees and spreading groundcovers is provided along the primary road frontage of the site to a minimum depth of 2m	Not Applicable. Proposal is for a 1 into 2 lot subdivision.
Amenity		
Where sharing a common boundary with a sensitive land use PO19 Landscaping and fencing along the full length of each common boundary protects the privacy and amenity of adjoining residences. and	AO9.4 Where a site has a common boundary with a sensitive land use: (a) a 1.8m high solid acoustic screen fence is constructed along the full length of each common boundary; and (b) the loading and unloading of service vehicles occurs only between the hours of: (i) 7:00am and 6:00pm, Monday to Friday; and (ii) 7:00am and 12:00pm on Saturdays; and (iii) loading or unloading does not occur on Sundays and public holidays;	Not Applicable. Proposal is for a 1 into 2 lot subdivision.
Where opposite land in the General Residential Zone PO20 Development creates an attractive appearance by: (a) establishing landscaping along the site frontage, where not required for access; (b) limiting activity in the front setback to landscaping and car parking; (c) locating all other activities inside or behind the building; and	AO9.5 Windows located above ground level and overlooking an adjoining residential use: (a) are fitted with fixed external privacy screens; or (b) incorporate non-transparent glazing; or, (c) have minimum sill heights of 1.5m;	Not Applicable. Proposal is for a 1 into 2 lot subdivision.

Table 5.9.3 For assessable development		
Performance Outcomes	Acceptable Outcomes	Applicant's Response
In all instances PO21 Outdoor activities associated with the use maintain the early morning and late evening amenity of the surrounding area. and		Not Applicable. Proposal is for a 1 into 2 lot subdivision.
PO22 Plant and service equipment (air conditioning, exhaust fans, lift motor rooms, telecommunication devices, etc.) is acoustically screened and are fully screened from view at the property boundary. and	AO9.2 All mechanical plant and equipment fitted to service the development incorporates acoustic attenuation and is fully screened from view at the property boundary.	Not Applicable. Proposal is for a 1 into 2 lot subdivision.
PO23 Light spill from the premises does not create a nuisance outside the site. and	AO9.1 The vertical illumination resulting from direct or indirect light from the premises is 8lux or less when measured at ground level at any point 1.5m outside the site.	Not Applicable. Proposal is for a 1 into 2 lot subdivision.
PO24 The air quality objectives of the <i>Environmental Protection (Air) Policy 2019</i> are maintained for the ongoing operation of the use. and		Not Applicable. Proposal is for a 1 into 2 lot subdivision.
PO25 The acoustic objectives of the <i>Environmental Protection (Noise) Policy 2019</i> are maintained for the ongoing operation of the use.		Not Applicable. Proposal is for a 1 into 2 lot subdivision.
Centre hierarchy		
PO26 Development reinforces the hierarchy of centres and the economic viability of existing uses in the Centre Zone.	Not applicable. Proposal is for a boundary realignment only.	Not Applicable. Proposal is for a 1 into 2 lot subdivision.
Contamination		
PO27 Areas where potentially contaminating substances are stored or used are covered and bunded. and	Not applicable. Proposal is for a boundary realignment only.	Not Applicable. Proposal is for a 1 into 2 lot subdivision.
PO28 Provision is made for spills to be controlled on-site for removal and disposal by an approved means. and	Not applicable. Proposal is for a boundary realignment only.	Not Applicable. Proposal is for a 1 into 2 lot subdivision.
PO29 Liquid or solid wastes are not discharged directly to land or waters.	Not applicable. Proposal is for a boundary realignment only.	Not Applicable. Proposal is for a 1 into 2 lot subdivision.
For development affected by one or more overlays		

Table 5.9.3 For assessable development

Performance Outcomes	Accetpable Outcomes	Applicant's Response
Biodiversity		
PO30 Development avoids land containing matters of environmental significance or provides protection for the values associated with those areas. and		Complies. The proposed subdivision does not impact upon matters of environmental significance.
PO31 Development establishes and maintains effective buffers to significant vegetation and wildlife habitat. and		Complies. The proposed boundary realignment does not impact upon matters of environmental significance.
PO32 Development protects ecological linkages between potential habitat areas to facilitate unimpeded, safe and effective movement of fauna. and		Complies. The proposed boundary realignment does not impact upon matters of environmental significance.
PO33 Development prevents the incursion or spread of species identified as invasive biosecurity matters.		Not applicable. Proposal is for a 1 into 2 lot subdivision..
Flood Risk		

Table 5.9.3 For assessable development

Performance Outcomes	Accetpable Outcomes	Applicant's Response
PO34 Development does not result in any increase in exposure to flood risk for all flood events up to and including the defined flood event. and	AO11.1 New buildings are not located within the area identified as Flood Hazard Area on Overlay Maps OM-0401 - OM-0404.or AO11.2 Development is sited above the defined flood level, or the highest known flood event, in accordance with the requirements of Council's adopted Floodplain Resolution. or AO11.3 Building work below the nominated flood level allows for the flow through of flood water at ground level by: (a) leaving the structure below flood level unenclosed; or (b) aligning any enclosure below flood level with the direction of water flow; or (c) ensuring any enclosure below flood level and not aligning with the direction of water flow have openings that are at least 50% of the enclosed area with a minimum opening of 75mm; and AO11.4 Resilient building materials are used below the nominated flood level in accordance with current building assessment provisions.	Complies. No new buildings or uses proposed in a Flood hazard area. Proposal is for a 1 into 2 lot subdivision only. Lot 5 has flood free land in the most extreme flood extents (1% AEP + CC). Lot 6 maintains its existing uses.
PO35 Siting and layout provides safe pedestrian and vehicular access and egress for all flood events up to and including the defined flood event. and	AO11.5 Signage is provided on site indicating at least one clear and direct pedestrian and vehicle evacuation route that remains passable during all floods up to and including the defined flood event	Complies. Flood free ingress/egress available for Lot 5. Lot 6 containing the existing uses will maintain their ingress/egress arrangements.
PO36 Development directly, indirectly and cumulatively avoids any increase in water flow depth, duration or velocity and does not increase the potential for flood damage either on site or on other properties. and	AO11.6 Works associated with the proposed development do not: (a) involve a net increase in filling greater than 50m3; or (b) result in any reductions of on-site flood storage capacity and contain within the site any changes to depth / duration/velocity of flood waters; or (c) change flood characteristics outside the site in ways that result in: (i) loss of flood storage; (ii) loss of/changes to flow paths; (iii) acceleration or retardation of flows; or (iv) any reduction in flood warning times;	Complies. No earthworks or similar proposed in a flood hazard area.

Table 5.9.3 For assessable development

Performance Outcomes	Accetpable Outcomes	Applicant's Response
PO37 Public safety and the environment are protected from the detrimental impacts of the release of hazardous materials into floodwaters. and	AO11.7 There is no manufacture or storage of hazardous materials on site or the floor level of buildings involving the manufacture or bulk storage of hazardous materials is located 300mm above the level of a defined flood event, or the highest known flood event. AO11.8 Works in urban areas do not involve: (a) any physical alteration to a watercourse or floodway including vegetation clearing; (b) a net increase in filling;	AO11.7 Not applicable. Proposal is for a 1 into 2 lot subdivision only. AO11.8 Complies. No earthworks or works near waterway proposed.
PO38 Essential community infrastructure in any area mapped on Overlay Maps OM-0401 - OM-0404 as Flood Hazard Area is able to function effectively during and immediately after flood. and	AO11.9 Essential community infrastructure is not located on land identified as Flood Hazard Area on Overlay Maps OM-0401 - OM-0404.	Not applicable. Proposal is for a 1 into 2 lot subdivision only.

Table 5.9.3 For assessable development

Performance Outcomes	Accetpable Outcomes	Applicant's Response
For reconfiguring a lot only PO39 The number of lots exposed to flood risk for all flood events up to and including the defined flood event is not increased.		Complies/Alternative solution proposed It is noted that the existing uses onsite (dwelling and domestic outbuildings) are currently located in the flood hazard area and to be contained within proposed Lot 6. It is considered there is no change or worsening of flood hazard for Lot 6 as a result of this subdivision. Proposed Lot 5 is noted as being flood free in a 1 in 100 year flood event per the Flood Study included in Section 2: Item 3, however, is subject to flood hazard in the most extreme events (1 into 100 year + Climate change). Additionally, it is worth noting that proposed Lot 5 was unaffected in the 2013 Flood Event as shown in the Flood study. Notwithstanding, it is noted that the road frontage and north eastern portion of Lot 5 remain unaffected in a 1 into 100 year flood event, allowing for safe ingress/egress or shelter in place in a flood event and the subdivision not considered to increase the risk to people or property. In accordance with overall outcome (2)(a)(iv)(A)(l): • the subdivision does not unduly burden disaster management response • does not expose people or property to unacceptable risk from natural hazards • works do not contribute to an increase in the severity of natural hazard events and are designed, located and operated to minimize risk to people and damage to property, disruption to development function and reestablishment time following an event

Table 5.9.3 For assessable development

Performance Outcomes	Acceptable Outcomes	Applicant's Response
Infrastructure		
Roads and railway PO40 Development on premises with a frontage to the road corridors shown on Infrastructure Overlay Maps OM-07A01 - OM-07A05 mitigates the potential adverse impacts of the road corridor including traffic noise, headlights and streetlights. and	AO12.1 Development for a sensitive land use fronting a road identified on Infrastructure Overlay Maps OM-07A01 - OM-07A05 incorporates a landscaped buffer along the frontage of the site: (a) a minimum width of two metres to a State-controlled road or one metre to any other identified road; (b) incorporating species with a minimum mature height of three metres;	Not applicable. Proposal is for a 1 into 2 lot subdivision only.
PO41 Sensitive land uses on land with a frontage to the road corridors shown on Infrastructure Overlay Maps OM-07A01 - OM-07A05 achieve a level of amenity consistent with the intended use. and	AO12.2 Sensitive land uses are: (a) designed with outdoor living areas that are shielded from the emission source associated with the road; (b) designed with emission-sensitive rooms furthest from the road corridor; (c) constructed of materials that achieve the weighted sound reduction value;	Not applicable. Proposal is for a 1 into 2 lot subdivision only.
Electricity PO42 Development is separated from major electricity infrastructure or substations and incorporates buffers to maintain public health and safety, residential amenity and allow access to infrastructure for maintenance. and	For sites 5 hectares or larger AO12.3 Sensitive land uses maintain the following separation distances from the following electricity infrastructure: Table 5.9.2 For accepted development Acceptable Outcomes (a) 20 m for transmission lines up to 132 kilovolts; (b) 0 m for transmission lines between 133 kilovolts and 275 kilovolts; (c) 3 40 m for transmission lines exceeding 275 kilovolts; (d) 50 m for high voltage substations;	Not applicable. Proposal is for a 1 into 2 lot subdivision only.
PO43 Development dedicates part of the site to establish landscaping which screens or otherwise softens the visually obtrusive impacts of electricity infrastructure.	AO12.4 A minimum 3m wide densely planted landscaped buffer is provided along the boundary adjoining the major electricity infrastructure or easement, including provision for advanced trees and shrubs that will grow to a minimum height of 10m.	Not applicable. Proposal is for a 1 into 2 lot subdivision only.

Table 5.9.3 For assessable development

Performance Outcomes	Accetpable Outcomes	Applicant's Response
Water Resources		
PO44 Stormwater releases and development discharges do not compromise the achievement of water quality objectives of receiving waters, including the groundwater management areas identified on Overlay Map OM-08. and	AO13.1 Development occurs in a sewerage serviced area and is connected to the reticulated sewerage network. or AO13.2 Development does not involve the establishment or expansion of an on-site wastewater treatment facility.	Complies. Proposed Lot 5 being mixed use zone will be provided with a sewer connection with an existing main located within Harris St. Proposed Lot 6 containing the existing dwelling will maintain its existing sewerage disposal arrangements.
PO45 Development does not deteriorate the quality of water supplies obtainable from a town water supply bore identified on Overlay Map OM-08.	AO13.3 Development does not involve: (a) any increase in ground level impervious area; and (b) Table 5.9.3 there is no discharge of potential water contaminants;	Complies. Proposal does not increase impervious area and involves no discharge of potential water contaminants.

5.10 Rural Zone

5.10.2 Rural Zone Code

5.10.2.1 Application

- (1) This code applies to development where the code is identified as applicable in the Categories of Assessment Table. When using this code, reference should be made to Section 1.5.2 and, where applicable, Section 1.6.1.

5.10.2.2 Purpose

- (1) The purpose of the Rural Zone Code is to
 - (a) provide for rural uses and activities; and
 - (b) provide for other uses and activities that are compatible with: (i) existing and future rural uses and activities; and (ii) the character and environmental features of the Zone; and
 - (c) maintain the capacity of rural land for rural uses and activities by protecting and managing significant natural resources and processes;
- (2) The purpose of the Code will be achieved through the following overall outcomes:
 - (a) intensive animal industries minimise or avoid adverse impacts on surrounding land uses;
 - (b) development is sensitive and responsive to the rural character and scenic amenity and maintains vegetation cover in significant areas;
 - (c) development, having regard to its location and design, protects people and premises from natural hazards and contamination;
 - (d) extractive industries and associated processing occur in a way that significant environmental impacts are contained within the site and provides for the effective site rehabilitation;
 - (e) development adjacent to an extractive resource or transport route permits the efficient extraction of the entire resource, the safe and efficient transport of materials to and from the site and provides effective and on-going separation of extractive industry activity from any sensitive uses;
 - (f) non-resident workforce accommodation is incompatible with the purpose of the Rural Zone and are located in a more suitable zone;
 - (g) tourism uses only locate where they have a nexus with the surrounding rural activities or places with high environmental values;
 - (h) infrastructure is provided at a standard normally expected in rural locations and is allowed to operate safely and efficiently without interference by incompatible uses or works;
 - (i) development is separated from existing and potential industry land uses located in rural areas including established uses identified in the Special Industry Zone;
 - (j) and where affected by an overlay for:
 - (i) agricultural land:
 - (A) the productive viability of agricultural land is not reduced due to the intrusion of incompatible land uses or unnecessary fragmentation or alienation;
 - (B) development is compatible with the viability, integrity, operation and maintenance of the stock route network;
 - (C) (ii) biodiversity:
 - (A) adverse impacts on ecological features and processes are avoided or minimised through the location, design and management of development and activities;

- (B) development retains the biodiversity and ecological connectivity functions of natural features such as waterways, wetlands and bushland;
- (C) areas of significant ecological and environmental value are protected from the intrusive impacts of adjacent development;
- (D) development includes effectual biosecurity management practices;
- (E) (iii) bushfire or flood risk:
- (A) the use and works support and do not unduly burden disaster management response or recovery activities, providing for access for evacuation resources and efficient evacuation of sites during emergency events;
- (B) development minimises the exposure of people or property to unacceptable risk from exposure to natural hazards and environmental constraints affecting the land through consideration of location, siting, design, construction and operation;
- (C) development that intensifies occupancy of a site in Theodore responds to the elevated flood risk hazard by ensuring that emergency management plans allow appropriate responses to emergency measures having consideration to the numbers and capabilities of existing and future users of the development;
- (D) works do not contribute to an increase in the severity of natural hazard events and are designed, located and operated to minimise risk to people and damage to property, disruption to development function and re-establishment time following an event;
- (E) development involving the manufacture or storage in bulk of hazardous materials does not adversely impact on public safety or the environment;
- (F) works retain the natural processes and protective function of landforms and vegetation in natural hazard areas; (iv) extractive or mining resources:
- (A) the establishment, continuation and productivity of mining tenements and designated Key Resource Areas is facilitated and protected from irreversible alienation;
- (B) uses and works for extractive industry are located, designed and managed to contain significant environmental impacts within the site, maintain safety on and off the site, avoid significant adverse effects on the natural environment and minimise impacts on existing incompatible uses in the surrounding area;
- (C) development for mining tenements or extractive resources provides access from transport infrastructure of a standard suitable to the volume and weight of traffic generated by the development;
- (D) existing or future development of mining tenements and within designated Key Resource Areas and their identified transport routes is not prejudiced by the intrusion of incompatible uses;
- (E) land used for extractive industry is effectively rehabilitated on cessation of extraction activities so the environmental, social and economic value of the land is restored; (v) heritage:
- (A) the cultural heritage values, the context and setting of a heritage place are conserved and (where feasible) enhanced;
- (B) development on a heritage place facilitates the appropriate use (including adaptive reuse) of the place;
- (C) demolition of identified buildings and structures only occurs where there is no prudent and feasible alternative to the demolition or removal;
- (D) development adjoining a heritage place is sympathetic to the cultural heritage significance of that place and does not have an adverse impact in terms of visibility, public accessibility or physical change; (vi) historical subdivisions:
- (A) land included in the Historic Subdivisions Overlay remains undeveloped for non-rural purposes where it is unable to access a reasonable level of service without direct intervention from Council; (vii) infrastructure:

- (A) the viability of essential community infrastructure is protected by requiring onsite buffering and separation of new development on adjoining sites that could limit the on-going operation of existing infrastructure;
- (B) an appropriate level of amenity is maintained for development in the vicinity of identified infrastructure;
- (C) the interaction between transport infrastructure and sensitive land uses is managed to maintain the efficiency of the transport network and to protect community health and amenity; (viii) water resources:
 - (A) water supply catchments are protected from activities that may endanger the quality of drinking water supplies and the groundwater management areas;
 - (B) development does not adversely impact on the recharge capacity of the groundwater management areas; (k) for land in the Muirs Road Precinct:
- (i) development does not result in an increase to unacceptable risk to people or property as a result of exposure to flood hazard associated with Callide Dam water releases;

5.10.2.3 Requirements for accepted development or assessment benchmarks

Performance Outcome	Acceptable Outcomes	Response
	General	
Built form		
PO1 Development maintains the rural character of the locality. and PO2 Vegetation clearing is limited to the immediate development area, vehicle accesses and maintenance trails.	AO1.1 Buildings are setback from road frontages: (a) primary road frontage - 10m; and (b) secondary road frontage – 6m; and AO1.2 Maximum building height is 12m above ground level. and Only for development in the Muirs Road Precinct AO1.3 Building work is (a) limited to 50m²; and (b) an ancillary use to animal husbandry (and not to be occupied by any animals), cropping or a permanent plantation;	AO1 – Not applicable. No buildings proposed.
Amenity		

Performance Outcome	Acceptable Outcomes	Response
PO3 Light spill from the premises does not create a nuisance outside the site. and PO4 The air quality objectives of the <i>Environmental Protection (Air) Policy 2019</i> are maintained for the ongoing operation of the use. and PO5 The acoustic objectives of the <i>Environmental Protection (Noise) Policy 2019</i> are maintained for the ongoing operation of the use.	AO2.1 The vertical illumination resulting from direct or indirect light from the premises is 8lux or less when measured at ground level at any point 1.5m outside the site. and AO2.2 Development achieves the applicable requirements of: (a) the <i>Environmental Protection (Air) Policy 2019</i>; and (b) the <i>Environmental Protection (Noise) Policy 2019</i>;	AO2 – Not Applicable. Proposal is for a 1 into 2 lot subdivision only.
Servicing		
PO6 Development has access to water supply, including fire-fighting, and approved wastewater disposal to a standard that meets the demonstrated demand of the proposed use.	AO3.1 A 45kl water tank is provided for consumption purposes. and AO3.2 A storage system that permanently holds a minimum of 5,000 litres (e.g. dam, swimming pool, or water tank) is located within 50 metres of new buildings. and AO3.3 On-site sewage treatment is provided in accordance with the <i>Queensland Plumbing and Wastewater Code</i>. and AO3.4 Development provides direct access or via a granted easement to a surveyed road constructed in accordance with the CMDG.	Complies. No change to existing water supply arrangements.
	Site suitability	
PO7 Development is not exposed to risk from natural hazard relating to landslide. and PO8 Development of sites on the Contaminated Land Register or Environmental Management Register do not expose sensitive land uses to any health risks associated with the previous or current use of the land.	AO4.1 Uses and associated works are confined to slopes not exceeding: (a) 6% for residential uses; (b) 10% for treated effluent disposal areas; (c) 15% for non-residential uses.	Not applicable. No new uses proposed.

Performance Outcome	Acceptable Outcomes	Response
	Separation distances	
PO9 New sensitive land uses are separated from agricultural production uses and activities so that they: (a) do not result in any loss of agricultural productivity in the Rural Zone; (b) are not exposed to impacts associated with chemical spray drift, noise, dust, odours or other emissions; and (c) do not represent a biosecurity risk to agriculture; and PO10 The siting of new sensitive uses protects the ongoing operation of special or extractive industries operating in the Rural or Special Industry Zones and any associated transport routes.	AO5.1 New development achieves the following separation distances between sensitive uses and lawfully existing or approved activities: (a) 30m – stables; (b) 100m – Rural Industry, Low Impact Industry, commercial pigeon or quail facility (up to 2,000 breeding pairs); (c) 100m – either side of an extractive industry transport route; (d) 200m – cattle dips, dairy bails and associated yards, extractive industry (where not involving blasting); (e) 250m – Medium Impact Industry; (f) 300m – Intensive Horticulture, Cropping (spray drift); (g) 500m – stock saleyards, kennels, commercial pigeon or quail facility (more than 2,000 breeding pairs), High Impact Industry, Moura Cotton Gin; (h) 1km – Teys Abattoir, extractive industry (where involving blasting), cattle feedlot (0 – 1,000 standard cattle units), piggery (0 – 400 standard pig units), poultry farm (up to 1,000 birds); (i) 1.5km – Moura Queensland Nitrate Plant; (j) 2km – cattle feedlot (1,001 – 10,000 standard cattle units), piggery (401 – 5,000 standard pig units), poultry farm (1,001 – 5,000 birds); (k) 5km – cattle feedlot (more than 10,000 standard cattle units), piggery (more than 5,000 standard pig units), poultry farm (more than 5,000 birds);	Not applicable. No new land uses proposed.
Contamination		

Performance Outcome	Acceptable Outcomes	Response
PO11 Development prevents the introduction to or departure from the site of species identified as invasive biosecurity matters. and PO12 Areas where potentially contaminating substances are stored or used are covered and bunded. and PO13 Provision is made for spills to be controlled on-site for removal and disposal by an approved means. and PO14 Liquid or solid wastes are not discharged directly to land or waters.	AO6.1 Development includes an approved biosecurity plan. and AO6.2 Development for sensitive land uses does not occur on sites listed on the Contaminated Land Register or Environmental Management Register. and AO6.3 Contaminating substances are stored in buildings or under roofed structures, with an imperviously sealed and bunded area and designed and constructed to prevent the release of contaminants. and Only for development in the Muirs Road Precinct AO6.4 Materials stored on site are not hazardous or contaminating in nature.	Not applicable. The subject site does not involve the use or storage of any contaminating substances or identified as containing invasive biosecurity matters.
For development affected by one or more overlays		
Agricultural Land		
PO40 An agricultural sustainability report prepared by a qualified agronomist demonstrates that: (a) the proposed development sustains or improves the productivity and viability of agricultural land identified on Overlay Map OM-01; and (b) the proposed development is financially viable, requiring a viability assessment that includes capital costs, operational costs, sustainable yields to support a family, climate, soils and geological factors affecting crop growth, nutrients, salinity, topography, susceptibility to flooding and erosion and an assessment of market robustness (both recent and	AO14.1 The proposal is not located on agricultural land identified on Overlay Map OM-01. or AO14.2 The proposal is necessary for efficient agricultural production and processing on the site. or AO14.3 The proposal provides an alternate productive rural activity that supports regionally significant agricultural industry. and AO14.4 Except for a dwelling directly associated with rural activities on the same site, sensitive land uses provide buffering to adjoining agricultural activities of: (a) 40m – where a vegetated buffer provides a screen of a minimum 50% porosity and achieves a mature height exceeding 1.5 times the height of the sensitive land use; or	PO40 to PO42 & AO14.1 to AO14.3 Not applicable. No new uses proposed.

Performance Outcome	Acceptable Outcomes	Response
projected) and alternative practices in the event of failure. and PO41 Development for non-agricultural purposes does not constrain agricultural land being used for production of broadacre or horticultural crops on land identified on Overlay Map OM-01. and PO42 Uses and works that do not have a specific locational requirement to be situated on agricultural land do not cause adverse impacts on such areas. and PO43 Development maintains the operational efficiency and ongoing integrity and function of stock routes. For reconfiguring a lot only PO44 Lot reconfigurations maintain the opportunity for agricultural production on agricultural land. and PO45 Subdivision: (a) results in a more productive use and management of agricultural land for agricultural use; (b) does not lead to increased fragmentation of agricultural land; (c) does not increase the potential conflict between agricultural and non-agricultural land uses; (d) does not result in any loss of flexibility in the way landholdings are used for agricultural production or	(b) 300m – in all other circumstances; and AO14.5 All new access points from a road serving as a stock route incorporate a grid or effective gate to prevent stock entry between the stock route and adjoining premises. and AO14.6 Boundary fencing is maintained to the road boundary adjoining a stock route.	PO43 Complies. The proposed subdivision does not impact the operational efficiency, function or integrity of stock routes. PO44 – Complies. The proposed subdivision contains all Rural Zoned & Agricultural Map in Lot 6. PO45 – Complies a) The proposed subdivision will allow for effective management of the agricultural mapped land whilst separating mixed use zone land. b) The proposed subdivision does not fragment agricultural land. c) The proposed subdivision does not increase potential conflict between agricultural and non-agricultural uses. In this regard, it is noted that urban development can already be undertaken on northern part of the subject lot in accordance with Council zoning, and the use of the site currently is primarily residential. d) The subdivision does not result in any loss of flexibility in the way landholdings are used for agricultural production

Performance Outcome	Acceptable Outcomes	Response
PO46 Boundary realignment: (a) results in consolidation of agricultural land and maximisation of agricultural utility of the site (b) provides improved land management; (c) does not give rise to, or worsen, land use conflicts between agricultural and incompatible land uses		PO46 – Not applicable.
	Biodiversity	

PO47 Development avoids land containing matters of environmental significance or provides protection for the values associated with those areas. and PO48 Development establishes and maintains effective buffers to significant vegetation and wildlife habitat. and PO49 Development protects ecological linkages between potential habitat areas to facilitate unimpeded, safe and effective movement of fauna. and PO50 Development retains, maintains and enhances the environmental and biodiversity values, hydrological characteristics, water quality objectives, habitat and visual amenity values of watercourses and wetlands. and PO51 The development prevents the incursion or spread of species identified as invasive biosecurity matters.	AO15.1 Uses and associated works are confined to areas not identified on Overlay Maps OM-0201 - OM0204. or AO15.2 For areas identified as Regulated Vegetation Category R and where an assessment confirms the presence of a defined drainage feature, watercourse or native vegetation, development is excluded from the mapped area. or AO15.3 Where a PMAV is approved by an administering authority following the commencement of this planning scheme, development may occur in mapped Regulated Vegetation Areas on Overlay Maps OM-0201 - OM-0204 where the PMAV identifies no regulated vegetation exists. or AO15.4 Where development within an area identified on Overlay Maps OM-02 - OM-0204 is unavoidable, measures recommended by a qualified ecologist to minimise adverse impacts on the mapped feature are implemented. and AO15.5 Development is setback from land identified as Wildlife Habitat, Watercourses or Wetlands on Overlay Maps OM-0201 - OM-0204 a minimum of: (a) 20 metres if in an urban or rural residential area; (b) 50 metres in other areas; and AO15.6 Development adjacent to Protected Areas identified on Overlay Maps OM-0201 - OM-0204 is set back a minimum of 100m from the feature boundaries in the absence of any current 'Management Plans' for these areas. and	Not applicable. The proposed subdivision does not impact upon any identified biodiversity matters.
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Performance Outcome	Acceptable Outcomes	Response
	AO15.7 Development does not involve the removal of native vegetation from an area identified as regulated vegetation on Overlay Maps OM-0201 - OM-0204 without the express consent of the relevant administering authority, except where identified as exempt clearing work under the Regulation. and AO15.8 A biosecurity plan is prepared and implemented to control the threat of species identified as invasive biosecurity matters.	
Bushfire Risk		
PO52 Development avoids any areas mapped on Overlay Maps OM-0301 - OM-0304 as a Bushfire Prone Area, does not increase the extent or severity of bushfire or exposure to the identified risk, taking into consideration: (a) vegetation type; (b) slope; (c) aspect; (d) bushfire history; (e) ecological values of the site; (f) ongoing maintenance; and (g) on-site and off-site fire hazard implications; and PO53 Essential community infrastructure in any area mapped on Overlay Maps OM-0301 - OM-0304 as a Bushfire Prone Area is able to function effectively during and immediately after bushfire events. and PO54 Public safety and the environment are not adversely affected by the detrimental impacts of bushfire on hazardous materials manufactured or stored in bulk.	AO16.1 Development does not occur in areas mapped on Overlay Maps OM-0301 - OM-0304 as a Bushfire Prone Area; or AO16.2 A written assessment by an experienced or qualified bushfire management consultant confirms that the site is not a Bushfire Prone Area as mapped on Overlay Maps OM-0301 - OM-0304; or AO16.3 Except for residential dwelling classes, development in areas mapped on Overlay Maps OM-0301 - OM-0304 as Medium Potential Bushfire Intensity Areas or Potential Impact Buffer Area complies with an approved Bushfire Management Plan incorporating: (a) lot design and the siting of buildings and uses such that: (i) high intensity uses are located on the least bushfire prone area on the site and activities least susceptible to fire are sited closest to the bushfire hazard; (ii) efficient emergency access is optimised; (iii) bushfire risk is effectively minimised having regard to aspect, elevation, slope and vegetation; (b) firebreaks that provide adequate:	Not applicable. The subject site is not identified as being subject to bushfire hazard risk.

Performance Outcome	Acceptable Outcomes	Response
and PO55 Adequate water storage is provided for firefighting purposes that is safely located, accessible at all times and fitted with the standard rural fire brigade fittings. and PO56 Bushfire hazard mitigation avoids impacts on matters of environmental significance such as fragmentation, habitat loss and edge effects. For reconfiguring a lot by subdivision only PO57 Subdivision design incorporates a perimeter road that: (a) is located between the boundary of the proposed lots and the bushfire hazard area; (b) has a minimum cleared width of 20m and a constructed minimum road width of 6m; (c) has a maximum gradient of 12.5%; (d) is constructed to an all-weather standard and ensures any culverts and bridges have a minimum load bearing of 15 tonnes; and PO58 Fire trails are provided to: (a) mitigate against bushfire hazard; (b) enable access for fire fighters, residents and equipment; and (c) allow access for hazard reduction management programs; and	(i) setbacks between buildings/ structures and hazardous vegetation; (ii) access for fire-fighting or other emergency vehicles; (c) provision for water supply dedicated to fire-fighting purposes; (d) the required extent of vegetation clearing and landscaping and where required modified development design and/or lot layout to minimise clearing of regulated vegetation and impacts on matters of environmental significance; (e) landscaping species that are less likely to exacerbate a bushfire event; and AO16.4 No hazardous materials, manufactured or stored in bulk, are on land mapped on Overlay Maps OM-0301 - OM-0304 as a Bushfire Prone Area. and AO16.5 New dwellings on land mapped on Overlay Maps OM-0301 - OM-0304 as a Bushfire Prone Area are: (a) located centrally within existing cleared areas on a lot which allows a regular shaped area (with a minimum dimension of 50m) of 5,000m² to be identified that: (i) is free of highly combustible vegetated areas; and (ii) is on southerly to easterly facing slopes not exceeding 15% gradient; or (iii) on flat lands at the base of north to western facing slopes not exceeding 15% gradient (b) provided with a fire protection buffer around the complete perimeter of the dwelling unit for a minimum width of 50m; and AO16.6 Where a reticulated water supply is not available, water supply tanks are provided for fire-fighting purposes within the development. The water tanks must:	Not applicable. The subject site is not identified as being subject to bushfire hazard risk.

Performance Outcome	Acceptable Outcomes	Response
(h) PO59 Development does not create additional lots in any areas mapped on Overlay Maps OM-0301 - OM-0304 as a Bushfire Prone Area.	(a) have 25,000 litres dedicated for fire-fighting purposes; (b) have a minimum pressure and flow of 10 litres a second at 200 kPa; (c) be of concrete construction; (d) have an outlet pipe of 50mm in diameter, fitted with a 50mm male camlock (standard rural fire brigade fitting) and an isolating valve; and AO16.7 The water supply outlet is located at least 9m from any potential fire hazards, such as venting gas bottles and combustible structures. and AO16.8 A safe and accessible hard stand area capable of accommodating a fire fighting vehicle is provided not more than 3m from the water supply outlet. and AO16.9 Development includes road access for fire-fighting appliances that has: (a) a minimum cleared width of 6m and a minimum formed width of 4m; (b) a minimum of 4.8m vertical clearance; (c) a cross-fall of no greater than 10 degrees; (d) a maximum gradient of 12.5%, with adequate drainage to prevent soil erosion and minimise ongoing trail maintenance; and AO16.10 Essential community infrastructure is not located on land identified on Overlay Maps OM-0301 - OM-0304 as Very High to Medium Potential Intensity Areas.	
	Extractive and Mining Resources	
PO60 The long term availability of the extractive or mining resource for extraction or processing is maintained. and	AO17.1 Development in the resource or processing area depicted on Overlay Map OM-09 is for:	Not applicable.

Performance Outcome	Acceptable Outcomes	Response
PO61 Development does not increase the number of people living in the separation areas for the Key Resource Areas identified on Overlay Map OM-09. and PO62 Extractive industry development maintains the function and integrity of the Key Resource Areas separation areas as an efficient and effective buffer between extractive/processing operations and incompatible uses beyond the separation area. and PO63 Development does not adversely affect the safe and efficient operation of vehicles transporting extractive materials along identified transport routes. and PO64 Development in the vicinity of mining tenements: (a) does not compromise the utilisation of mining resources and transport routes or access routes to the mining resources; (b) does not adversely affect the safe and efficient operation of the mining related activities; (c) is sited, designed or of a nature that ensures that the use is not sensitive to the potential impacts of mining related activities such as noise and dust emissions; and makes provision for adequate buffers between the mining resources and new development	(a) extractive or resource industries or is directly associated therewith, or (b) other uses that would not constrain existing or future extractive or resource activities, or (c) a temporary use. and AO17.2 Extraction or processing does not occur within the Key Resource Areas separation areas. and AO17.3 New residential, business and community activities are not located within the separation areas for the Key Resource Areas depicted on Overlay Map OM-09. and AO17.4 Sensitive land uses on lots which share a boundary with land identified as a mining tenement or designated Key Resource Areas are a minimum of 1000m from blasting-based extraction or 200m from mechanical extraction e.g. ripping. and AO17.5 Development does not increase the total number of lots within the separation areas for the Key Resource Areas depicted on Overlay Map OM-09. and AO17.6 Development does not increase the number of properties with access points to the Key Resource Areas transport route. or AO17.7 Access points are designed to avoid adversely affecting the safe and efficient operation of vehicles transporting extractive materials.	
	Flood Risk	

For development in the Muirs Road Precinct PO65 Development only includes: (a) animal husbandry if for grazing on open pasture; or (b) cropping; or (c) permanent plantation; and PO66 Building work or extensions to existing buildings are: (a) small scale; and (b) not for habitable use or occupation by people or animals; Editor's Note: Buildings should not be used for storage of expensive equipment or livestock that would be subject to risk in the event of a flood. Elsewhere PO67 Development does not result in any increase in exposure to flood risk for all flood events up to and including the defined flood event. and PO68 Siting and layout provides safe pedestrian and vehicular access and egress for all flood events up to and including the defined flood event. and PO69 Development directly, indirectly and cumulatively avoids any increase in water flow depth, duration or velocity and does not increase the potential for flood damage either on site or on other properties. and PO70 Public safety and the environment are protected from the detrimental impacts of the release of hazardous materials into floodwaters. and	AO18.1 New buildings are not located within the area identified as Flood Hazard Area on Overlay Maps OM-0401 - OM-0404. or AO18.2 Development is sited above the defined flood level, or the highest known flood event, in accordance with the requirements of Council's adopted Floodplain Resolution. or AO18.3 Building work below the nominated flood level allows for the flow through of flood water at ground level by: (a) leaving the structure below flood level unenclosed; or (b) aligning any enclosure below flood level with the direction of water flow; or (c) ensuring any enclosure below flood level and not aligning with the direction of water flow have openings that are at least 50% of the enclosed area with a minimum opening of 75mm; and AO18.4 In Theodore, development other than for a dwelling house is subject to a fit-for-purpose Flood Risk Assessment prepared by a suitably qualified person in accordance with the Flood Planning Scheme Policy. and AO18.5 Buildings in an area with a Flood Hazard Vulnerability Class of H5 or H6 as identified on Overlay Map OM-0402 are constructed in accordance with a structural engineer's recommendations that have considered the potential impacts from flood waters and debris on structural integrity. and AO18.6 Resilient building materials are used below the nominated flood level in accordance with current building assessment provisions. and AO18.7 Signage is provided on site indicating at least one clear and direct pedestrian and vehicle evacuation route that remains passable during all floods up to and including the defined flood event.	PO65 to PO66 Not applicable. No new uses proposed.
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PO71 Essential community infrastructure in any area mapped on Overlay Maps OM-0401 - OM-0404 as Flood Hazard Area is able to function effectively during and immediately after flood. and For reconfiguring a lot only PO72 The number of lots exposed to flood risk for all flood events up to and including the defined flood event is not increased.	and AO18.8 Works associated with the proposed development do not: (a) involve (i) a net increase in filling greater than 500m³; or (ii) filling in excess of 1m vertical height; or (iii) filling exceeding 250m in unbroken length; or (b) result in any reductions of on-site flood storage capacity and contain within the site any changes to depth / duration/velocity of flood waters; or (c) change flood characteristics outside the site in ways that result in: (i) loss of flood storage; (ii) loss of/changes to flow paths; (iii) acceleration or retardation of flows; and (iv) any reduction in flood warning times. and AO18.9 There is no manufacture or storage of hazardous or contaminating materials on site or the floor level of buildings involving the manufacture or bulk storage of hazardous materials is located 300mm above the level of a defined flood event, or the highest known flood event. and AO18.10 Works in rural areas: (a) do not involve a net increase in filling greater than 50m³ if within 100 metres of a wetland or waterway; (b) do not result in any reductions of on-site flood storage capacity; (c) contain within the subject site any changes to the depth, duration or velocity of flood waters; and	PO72 Complies/Alternative solution proposed It is noted that the existing uses onsite (dwelling and domestic outbuildings) are currently located in the flood hazard area and to be contained within proposed Lot 6. It is considered there is no change or worsening of flood hazard for Lot 6 as a result of this subdivision. Proposed Lot 5 is noted as being flood free in a 1 in 100 year flood event per the Flood Study included in Section 2: Item 3, however, is subject to flood hazard in the most extreme events (1 into 100 year + Climate change). Additionally, it is worth noting that proposed Lot 5 was unaffected in the 2013 Flood Event as shown in the Flood study. Notwithstanding, it is noted that the road frontage and north eastern portion of Lot 5 remain unaffected in a 1 into 100 year flood event, allowing for safe ingress/egress or shelter in place in a flood event and the subdivision not considered to increase the risk to people or
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	AO18.11 Essential community infrastructure is not located on land identified as Flood Hazard Area on Overlay Maps OM-0401 - OM-0404.	property. In accordance with overall outcome (2)(j)(ii)(A): • the subdivision does not unduly burden disaster management response • does not expose people or property to unacceptable risk from natural hazards • works do not contribute to an increase in the severity of natural hazard events and are designed, located and operated to minimize risk to people and damage to property, disruption to development function and re-establishment time following an event
--	--	---

Performance Outcome	Acceptable Outcomes	Response
	Heritage	
PO73 Development of a heritage place conforms to a conservation management plan for the site prepared in accordance with <i>The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance</i>. and PO74 All alterations to a heritage place are documented by a suitably qualified person. and PO75 New buildings or structures and extensions to new buildings and structures incorporate but do not replicate the valued architectural features of the heritage place. and PO76 Demolition of significant components of a heritage place only occurs where options for the restoration of the existing building have been investigated and deemed to be impractical. and PO77 Reconfiguring a lot does not: (a) reduce public access to the heritage place; (b) result in the heritage place being obscured from public view; (c) obscure or destroy the following elements relating to the heritage place: (i) established pattern of subdivision; (ii) the landscape setting;	AO19.1 Works do not alter, remove or conceal significant features of the heritage place. and AO19.2 Where part of a building is intended to be demolished or adapted for an adjusted need (i.e. to provide disabled access) the works are limited to the immediate area of need, use materials matching similar aspects of the original building and the remaining parts of the building are retained. and AO19.3 Development is minor and necessary to maintain a significant use for the heritage place.	Not applicable.

Performance Outcome	Acceptable Outcomes	Response
and PO78 Works conserve the features and values that contribute to the significance of the heritage place and are visually unobtrusive in the setting of the heritage place. and PO79 Development adjoining a heritage place is designed, sited and constructed so that the cultural heritage significance of the heritage place, including its context, setting, appearance and archaeology is not adversely affected.		
	Historic Subdivisions	
PO80 A site in the Historic Subdivisions Overlay is not developed for a non-rural use where: (a) the site characteristics, including impacts from natural hazards, make it unsuitable for development; and (b) infrastructure, including water, sewerage, stormwater and roads are not adequate or result in environmental harm.	AO20.1 The site is: (a) connected to a reticulated town water supply; or (b) provided with a rainwater tank or other supplementary water supply system is installed with a minimum capacity of 45,000 litres; and AO20.2 The site has sufficient area to provide for on-site effluent disposal in accordance with the requirements of the <i>Queensland Plumbing and Wastewater Code</i>; and AO20.3 The site is within 5km distance by constructed road of a school if not on a current school bus route. and AO20.4 The site has direct access to a surveyed road constructed in accordance with the CMDG. and AO20.5 Stormwater is discharged to: (a) a lawful point of discharge; or (b) downstream properties, subject to the written consent of the affected landowners; or (c) a natural drainage system; and	Not applicable.

Performance Outcome	Acceptable Outcomes	Response
	AO20.6 New buildings are confined to areas outside of overland flow paths and natural drainage features. Note: This does not apply to outbuildings and extensions to an existing house.	
	Infrastructure	

Performance Outcome	Acceptable Outcomes	Response
Water treatment, wastewater treatment and waste disposal facilities PO81 Separation distances are established between solid waste management facilities, water or sewerage treatment plants and incompatible land uses that protects the ongoing operation of the facility and the amenity for occupants or users of nearby premises. and Roads and railway PO82 Development on premises with a frontage to the road corridors shown on Infrastructure Overlay Maps OM-07A01 - OM-07A05 mitigates the potential adverse impacts of the road corridor including traffic noise, headlights and streetlights. and PO83 Sensitive land uses on land with a frontage to the road corridors shown on Infrastructure Overlay Maps OM-07A01 - OM-07A05 achieve a level of amenity consistent with the intended use. and PO84 Development provides protection for site users from unreasonable interference associated with rail operations noise. and PO85 Development protects rail corridors from intrusion of incompatible land use by incorporating separation distances consistent with the intended use. and	Water treatment, wastewater treatment and waste disposal facilities AO21.1 Development does not result in an increase in the number of people on a site for a sensitive land use in the separation area associated with the solid waste management, sewerage and water treatment facilities as identified on Infrastructure Overlay Maps OM-07A01 - OM-07A05. and Roads and railway AO21.2 Development for a sensitive land use fronting a road identified on Infrastructure Overlay Maps OM-07A01 - OM-07A05 incorporates a landscaped buffer along the frontage of the site: (a) a minimum width of two metres to a State-controlled road or one metre to any other identified road; (b) incorporating species with a minimum mature height of three metres; and AO21.3 Sensitive land uses are: (a) designed with outdoor living areas that are shielded from the emission source associated with the road; (b) designed with emission-sensitive rooms furthest from the road corridor; (c) constructed of materials that achieve the weighted sound reduction value; Editor's Note: Refer to Part 4.4 of the Queensland Development Code weighted sound reduction values. and AO21.4 Works not associated with the rail corridor provide a minimum separation of 20 metres from a rail corridor	Not applicable. Proposal is for one into two lot subdivision only. No new uses proposed.

Performance Outcome	Acceptable Outcomes	Response
Coal load-out facility and haul route PO86 Uses are protected from adverse noise, vibration, air emissions and traffic safety impacts associated with the intensive haulage of coal along a Coal Train Load-Out Facility Haul Route and operation of a Coal Train Load-Out Facility identified on Overlay Map OM-07B01. and Oil and gas pipelines PO87 Separation distances between petroleum and natural gas pipeline infrastructure and people, property and hazardous materials establishes a low risk of harm or damage to people, property and the infrastructure. and Power station PO88 Separation distance between sensitive land uses and the power station protects the safety and amenity for occupants or users of nearby premises and the continued and unimpeded operation of the power station. and PO89 There is no increase in the number of lots in the separation area associated with the power station as identified on Infrastructure Overlay Map OM-07C05. and Electricity PO90 Development is separated from major electricity infrastructure or substations and incorporates buffers to maintain public health and safety, residential amenity and allow access to infrastructure for maintenance. and	boundary or the Surat Basin Infrastructure Corridor identified on Infrastructure Overlay Maps OM-07B01 – OM-07B04. and Coal load-out facility and transport road AO21.5 Development for a sensitive land use is separated a minimum of 300 metres from any boundary adjacent to a Coal Train Load-Out Facility or Coal Transport Road identified on Overlay Map OM07B01 or OM-07B03. and AO21.6 Access to the coal transport road is designed and constructed in accordance with the CMDG. and Oil and gas pipelines AO21.7 A minimum of 200 metres separates buildings and structures from the identified petroleum and natural gas pipeline infrastructure on Infrastructure Overlay Maps OM-07B01 – OM-07B02 if the development: (a) increases the number of people living, working or congregating on the site; or (b) involves the storage of flammable, explosive or other hazardous materials and Power station AO21.8 Development does not establish a sensitive land use in the separation area associated with the power station as identified on Infrastructure Overlay Map OM-07C05. and Electricity For sites 5 hectares or larger AO21.9 Sensitive land uses maintain the following separation distances from the following electricity infrastructure: (a) 20 m for transmission lines up to 132 kilovolts;	

Performance Outcome	Acceptable Outcomes	Response
PO91 Development dedicates part of the site to establish landscaping which screens or otherwise softens the visually obtrusive impacts of electricity infrastructure.	(b) 30 m for transmission lines between 133 kilovolts and 275 kilovolts; (c) 40 m for transmission lines exceeding 275 kilovolts; (d) 50 m for high voltage substations; and AO21.10 A minimum 3m wide densely planted landscaped buffer is provided along the boundary adjoining the major electricity infrastructure or easement, including provision for advanced trees and shrubs that will grow to a minimum height of 10m.	
	Water Resources	
PO92 Development within the Callide and Kroombit Dam Water Resource Catchment Areas or the weir buffers shown on Overlay Map OM-08 protects the quality and availability of raw water for consumption, as determined by a suitably qualified water quality expert. and PO93 Stormwater releases and development discharges do not compromise the achievement of water quality objectives of receiving waters, including the groundwater management areas identified on Overlay Map OM-08. and	AO22.1 The following activities do not establish within the Callide and Kroombit Dam Water Resource Catchment Areas or within the weir buffers shown on Overlay Map OM-08: (a) intensive horticulture; (b) intensive animal industry; and AO22.2 Development occurs in a sewerage serviced area and is connected to the reticulated sewerage network. or AO22.3 Development does not involve the establishment or expansion of an on-site wastewater treatment facility. and AO22.4 Development does not involve: (a) any increase in ground level impervious area; and (b) there is no discharge of potential water contaminants;	AO22.1 Complies. AO22.2 Not applicable. AO22.3 Complies. AO22.4 Complies.

Performance Outcome	Acceptable Outcomes	Response
PO94 Development does not deteriorate the quality of water supplies obtainable from a town water supply bore identified on Overlay Map OM-08.		

Item 3

FLOOD STUDY

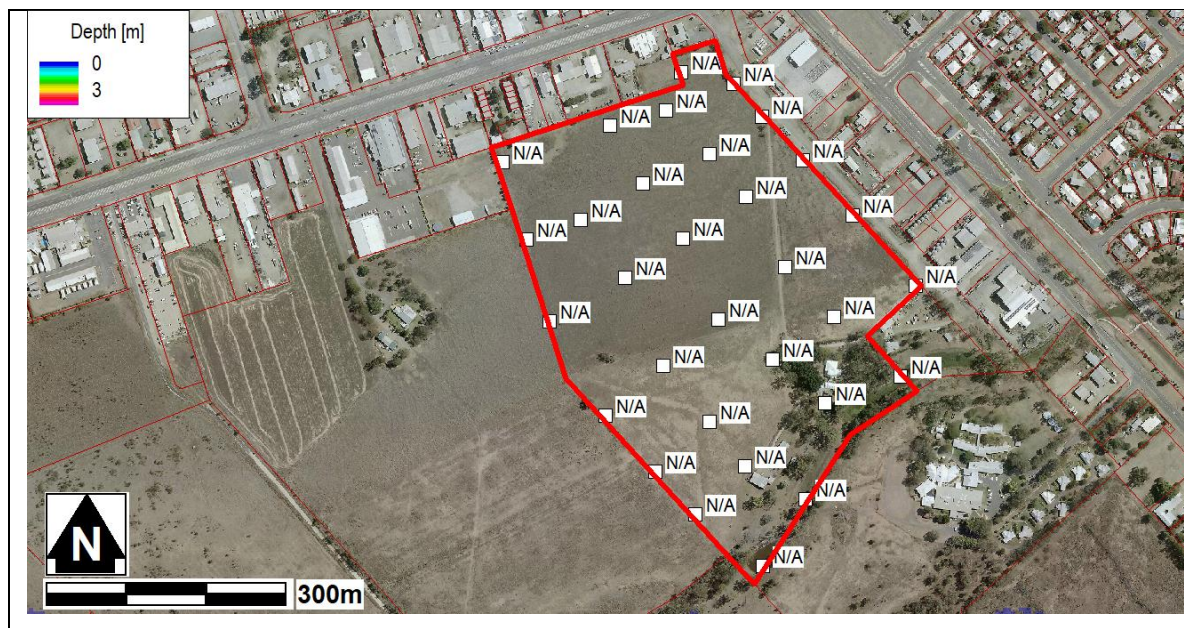
The following flood information relates to this property:

	10yr ARI	20 yr ARI	50yr ARI	100yr ARI	100yr+CC ARI	2013 Flood
Max. Water Level (m AHD)	N/A	N/A	173.99	174.99	175.60	172.90
. Water Depth (m AHD)	N/A	N/A	2.79	4.04	4.70	2.17

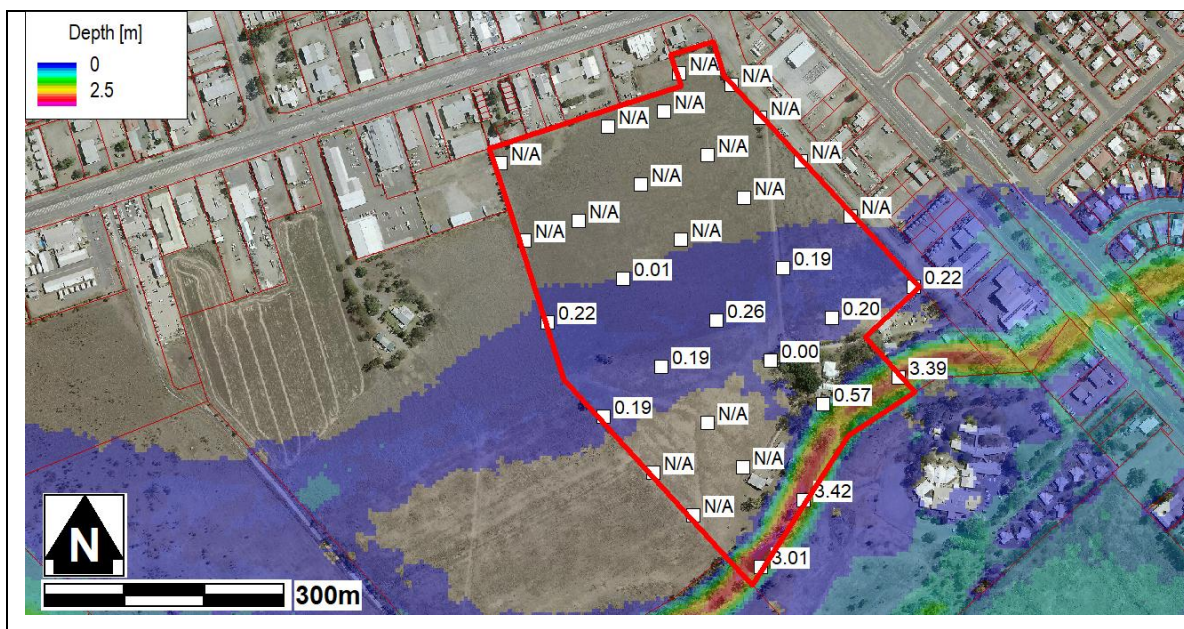
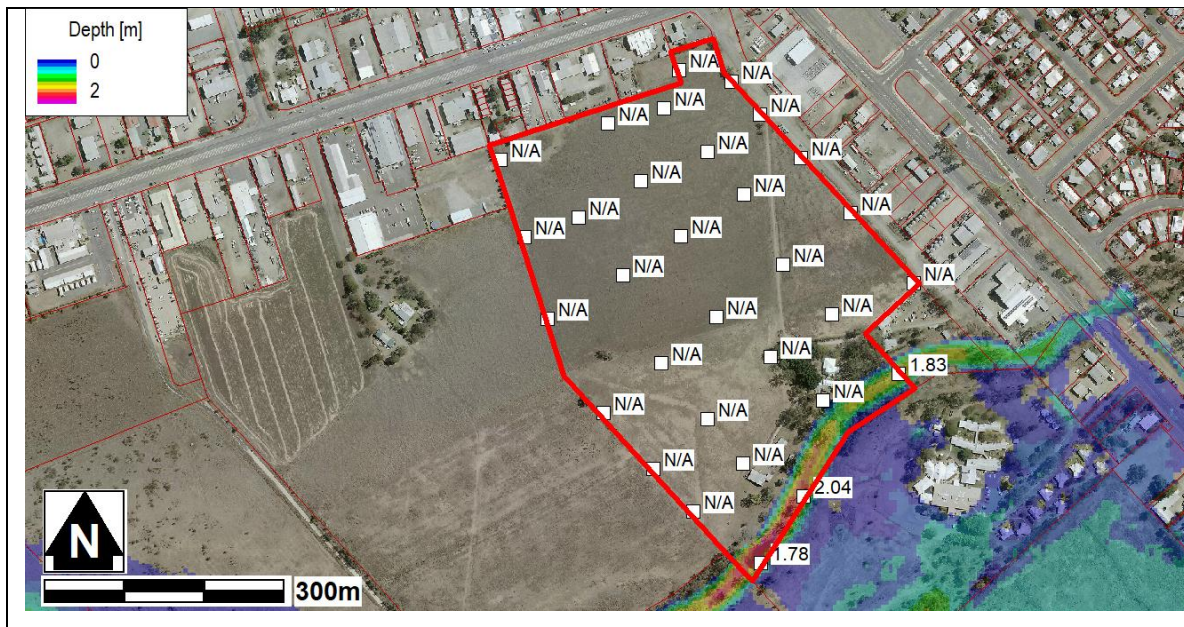
The following figures provide an indication of the extent of flooding on this property:

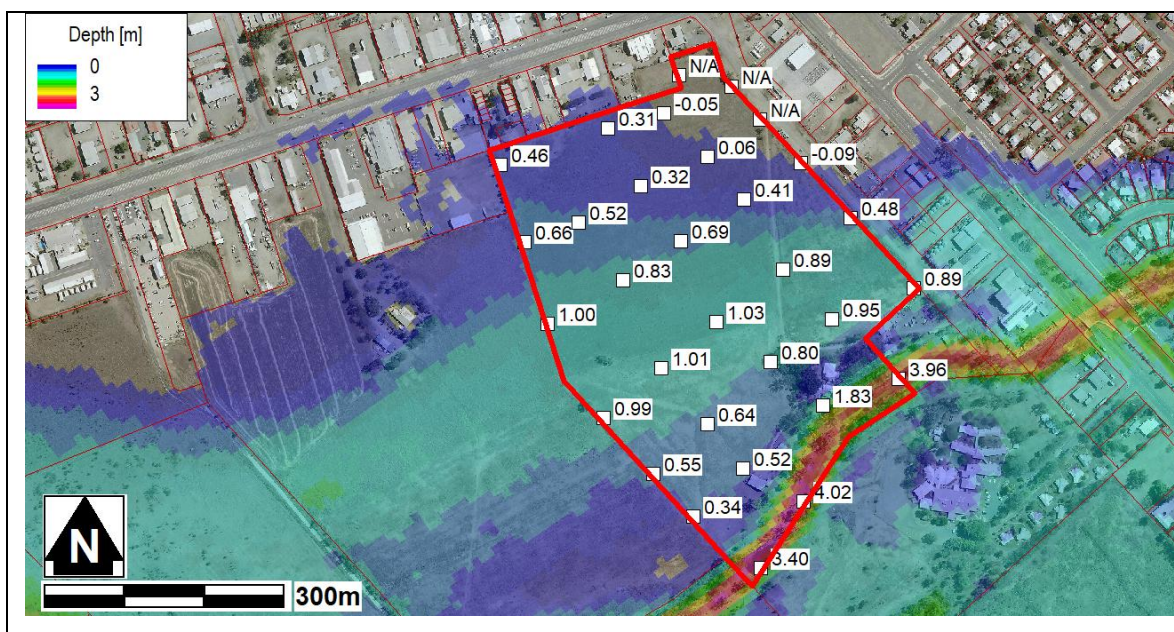


Maximum Flood Depth - 10yr ARI Flood

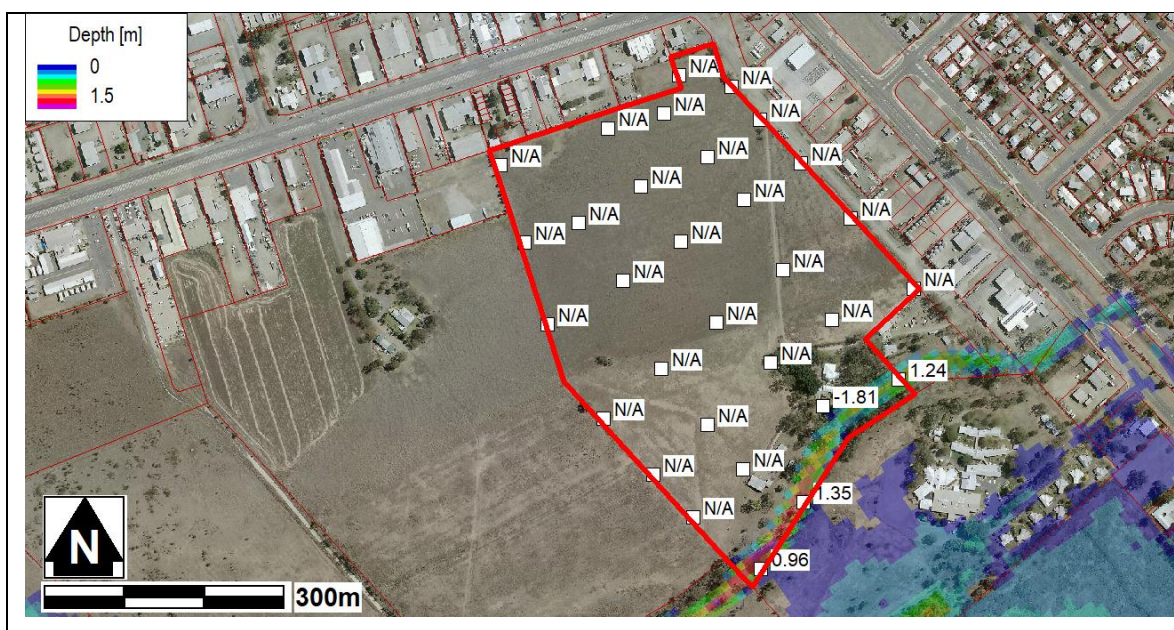


Maximum Flood Depths - 20yr ARI Flood





Maximum Flood Depths – 100+ccyr ARI Flood



Maximum Flood Depths – 2013 Flood ARI Flood

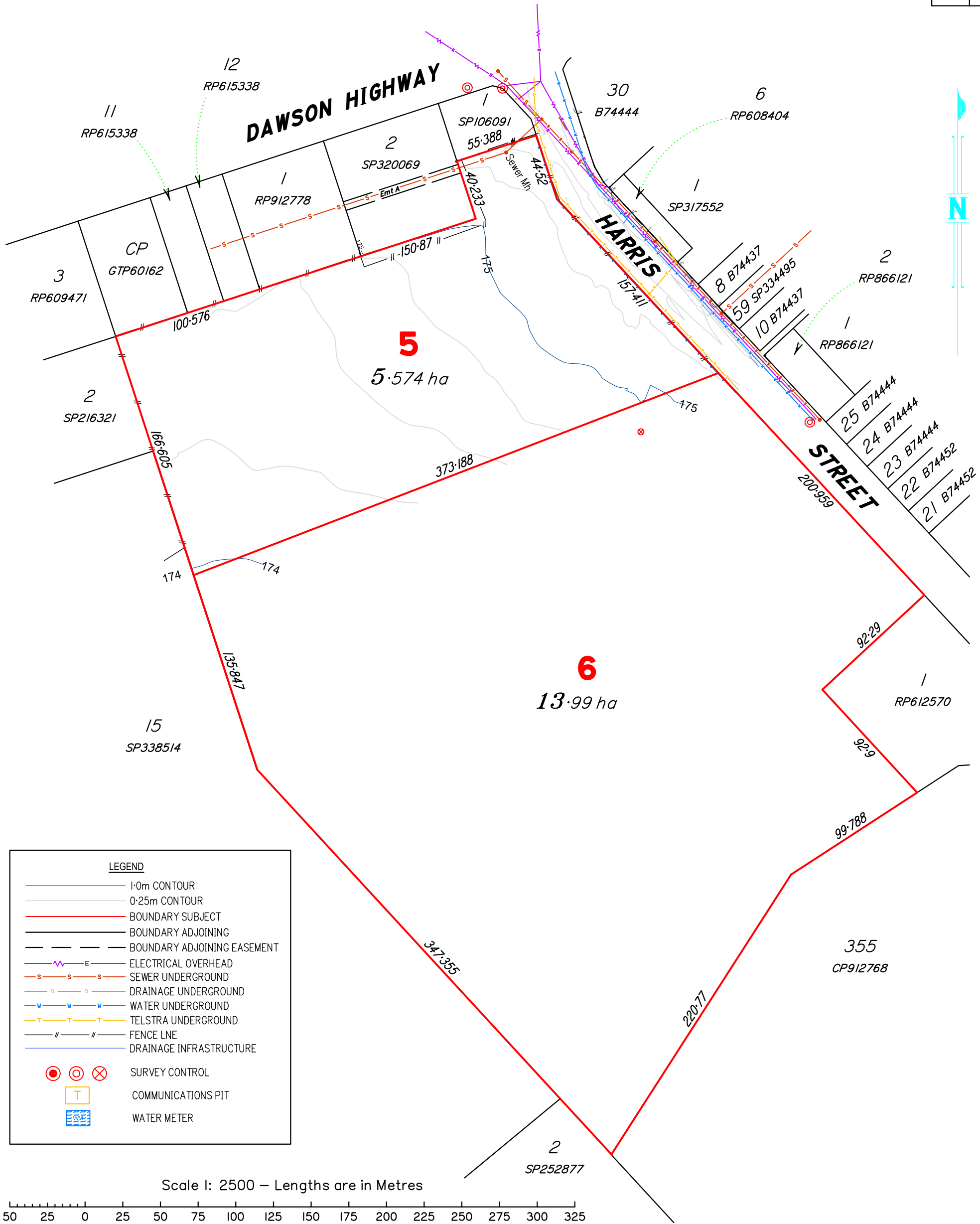
SECTION 3 – PLANS & DRAWINGS

CONTENTS

Subdivision Proposal Plan

Item 1

SUBDIVISION PROPOSAL PLAN



LEGEND

- 1:0m CONTOUR
- 0:25m CONTOUR
- BOUNDARY SUBJECT
- BOUNDARY ADJOINING
- BOUNDARY ADJOINING EASEMENT
- ELECTRICAL OVERHEAD
- SEWER UNDERGROUND
- DRAINAGE UNDERGROUND
- WATER UNDERGROUND
- TELSTRA UNDERGROUND
- FENCE LNE
- DRAINAGE INFRASTRUCTURE
- SURVEY CONTROL
- COMMUNICATIONS PIT
- WATER METER

Scale 1: 2500 – Lengths are in Metres

50 25 0 25 50 75 100 125 150 175 200 225 250 275 300 325

0 50mm 100mm 150mm State copyright reserved.

– AREAS AND DISTANCES SUBJECT TO SURVEY

FREDRIKSEN MACLEAN & ASSOCIATES
CONSULTING SURVEYORS



GLADSTONE, BILOELA & MOURA
(07)49725677

EMAIL: mail@fredmac.com.au

Proposal Plan of Lots 5 & 6

Cancelling Lot 5 on SP320069

LOCAL
GOVERNMENT: **BANANA S.C.**

LOCALITY: **Biloela**

Meridian: MGA Zone 56 vide GNSS

Scale: **1:2500**

Format: **SKETCH**

6406-1-2
Rev A



– AREAS AND DISTANCES SUBJECT TO SURVEY

FREDRIKSEN MACLEAN & ASSOCIATES
CONSULTING SURVEYORS

GLADSTONE, BILOELA & MOURA
(07)49725677

EMAIL: mail@fredmac.com.au



0 50mm 100mm 150mm State copyright reserved.	
Proposal Plan of Lots 5 & 6	
Cancelling Lot 5 on SP320069	
LOCAL GOVERNMENT: BANANA S.C.	LOCALITY: Biloela
Meridian: MGA Zone 56 vide GNSS	
Scale:	1:2500
Format:	SKETCH
6406-1-2P Rev A	

Your Reference: 6406
Our Reference: AL: GR: 26-06 (FID98749, RAL008-25/26, FID14465, 13048954)
Contact: enquiries@banana.qld.gov.au

2 June 2026

Fredriksen, Maclean and Associates
Attn: Alan Maclean
PO Box 1245
GLADSTONE QLD 4680

Email: alan.maclean@fredmac.com.au

Dear Sir,

Confirmation Notice

Planning Act 2016 Section 68(1)

Development Assessment Rules Section 2

Application Number: RAL008-25/26
Description: Reconfiguring a Lot – Subdivision 1 lot into 2 lots
Level of Assessment: Impact assessable
Site Address: 28 Harris Street, BILOELA
Lot & Plan Details: Lot 5 on SP320069
Relevant Planning Scheme: *Banana Shire Council Planning Scheme 2021*

The development application described above was received by Council on 18 May 2026 and determined to be properly made on 19 May 2026.

1. Details of the Application

The application seeks development approval for:

	Planning Regulation 2017	Development Permit	Preliminary Approval
Reconfiguring a Lot – Subdivision 1 lot into 2 lots	Section 20 – Assessable development	☒	☐

2. Referral Agencies

The development application requires referral to the State Assessment and Referral Agency (SARA) as a concurrence agency in accordance with Schedule 10 of the *Planning Regulation 2017*.

The referrals for this application are:

Planning Regulation Reference	Referral Trigger	Agency
<i>State transport infrastructure</i>		
Schedule 10 Part 9 Division 4 Subdivision 2 Table 3 Item 1	Development application for Reconfiguring a Lot within 100m of a state controlled intersection.	SARA Concurrence

You are required to give the referral agency a copy of:

- The application (including application form and supporting material);
- This confirmation notice; and
- Any applicable concurrence agency application fee.

The development application must be referred to all relevant referral agency(s) within 10 business days, or a further period agreed with the assessment manager. If the application is not referred within that time, the application will lapse.

You must also advise Council in writing of the date the application and supporting material was given to the referral agency within five (5) business days of referring the application.

3. Public notification

Public notification is required for this application under Section 68(1) of the *Planning Act 2016*. This includes advising adjoining owners, placing a public notice in the paper circulating in the area and placing a sign on each street frontage of the site.

Please note that public notification is required to be undertaken within legislative timeframes. This will be at least 15 business days. You can electronically access public notification templates, the *Development Assessment Rules*, and the *Planning Act 2016* on the State Planning Department's website.

Failure to commence public notification or provide a Notice of Compliance within the legislative timeframes will result in your application lapsing.

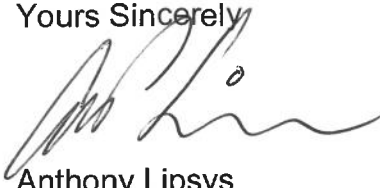
Please find attached the adjoining owner's details to assist with public notification.

4. Information Request

An information request may be made by the assessment manager.

If you find an inaccuracy in any of the information provided above or have a query or seek clarification about any of these details, please contact Council's Development Services section on (07) 4992 9500, quoting application number RAL008-25/26.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Anthony Lipsys', written over the printed name.

Anthony Lipsys

DIRECTOR COUNCIL SERVICES

Enc Attachment 1 Adjoining Landowner Details
 Attachment 2 Adjoining Landowners Map

Attachment 1

RAL008-25/26 Adjoining Land Owners Details

Lot & Plan: 1SP106091
Name: Biloela Land Pty Ltd
C/- Think Commercial
Address: PO Box 5463
CAIRNS QLD 4870
Property Location: 2-4 Dawson Highway, Biloela

Lot & Plan: 2SP320069
Name: Willmack Pty Ltd
Address: PO Box 424
BILOELA QLD 4715
Property Location: 6-10 Dawson Highway, Biloela

Lot & Plan: 1RP912778
Name: Blubberlip Pty Ltd
Address: 3 Theodore Moura Road
MOURA QLD 4718
Property Location: 12-16 Dawson Highway, Biloela

Lot & Plan: 12RP615338
Name: Camhill Super Pty Ltd
Address: PO Box 241
BILOELA QLD 4715
Property Location: 18 Dawson Highway, Biloela

Lot & Plan: 11RP615338
Name: Camhill Super Pty Ltd
Address: PO Box 241
BILOELA QLD 4715
Property Location: 20 Dawson Highway, Biloela

Lot & Plan: 12GTP100800
Name: NHNF Pty Ltd
Address: Unit 7, 36-38 Dawson Highway
BILOELA QLD 4715
Property Location: 22-24 Dawson Highway, Biloela

Lot & Plan: 0GTP60162
Name: Body Corporate for Rosevilla Community
C/- Conarc Anya Pty Ltd
Address: 16 Hardy Avenue
RIVERWOOD NSW 2210
Property Location: 22-24 Dawson Highway, Biloela

Lot & Plan: 3RP609471
 Name: Banana Pty Ltd
 Address: 43-47 Burnett Highway
 BILOELA QLD 4715
 Property Location: 26-28 Dawson Highway, Biloela

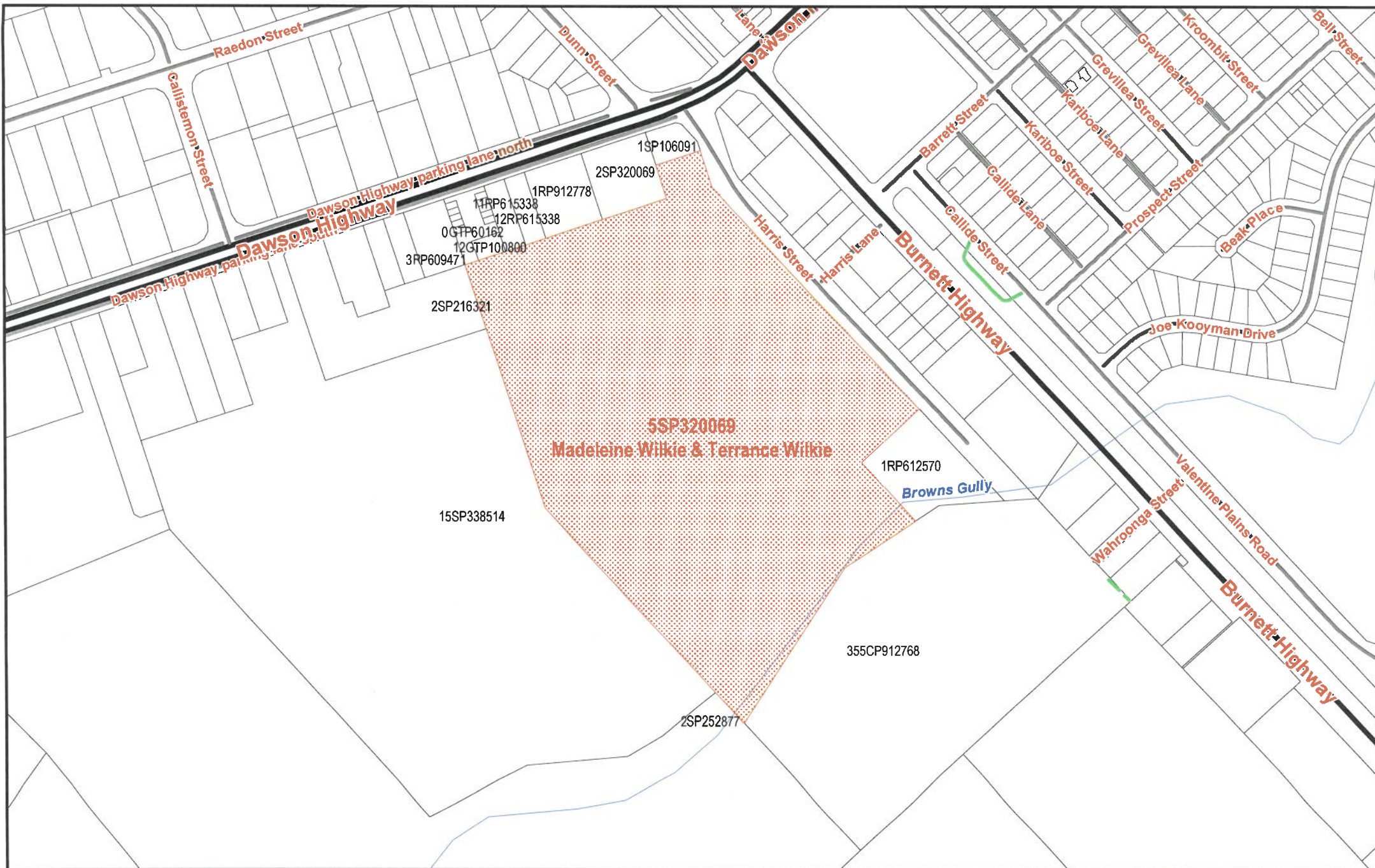
Lot & Plan: 2SP216321
 Name: Gold Coast Australia Pty Ltd
 Address: 13 Harbourvue Court
 HELENSVALE QLD 4212
 Property Location: 36-38 Dawson Highway, Biloela

Lot & Plan: 15SP338514
 Name: John Plummer & Roseanne Plummer
 Address: PO Box 299
 BILOELA QLD 4715
 Property Location: 40 Dawson Highway, Biloela

Lot & Plan: 2SP252877
 Name: Cambell Hill
 Address: PO Box 241
 BILOELA QLD 4715
 Property Location: 56A Dawson Highway, Biloela

Lot & Plan: 355CP912768
 Name: Lutheran Services
 Address: PO Box 1535
 MILTON QLD 4064
 Name: Lutheran Church of Australia
 C/- Wahroonga Retirement Village
 Address: Wahroonga Street
 BILOELA QLD 4715
 Property Location: 1 Wahroonga Street, Biloela

Lot & Plan: 1RP612570
 Name: Campbell Wakenshaw
 Address: 1 Harris Street
 BILOELA QLD 4715
 Property Location: 30 Harris Street, Biloela



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0 100 200
metres

Scale 1 : 5,705 (A4 Original Size)
Transverse Mercator projection, GDA94, MGA Zone 56



Attachment 2 - Adjoining Landowners Map

SARA reference: 2606-53186 SRA
Council reference: RAL008-25/26
Applicant reference: 6406

16 July 2026

Chief Executive Officer
Banana Shire Council
PO Box 412
Biloela QLD 4715
enquiries@banana.qld.gov.au

Attention: Anthony Lipsys

Dear Anthony,

SARA referral agency response — 28 Harris Street, Biloela

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 1 July 2026.

Response

Outcome:	Referral agency response - No requirements Under section 56(1)(a) of the <i>Planning Act 2016</i> , SARA advises it has no requirements relating to the application.
Date of response:	16 July 2026
Advice:	Advice to the applicant is in Attachment 1
Reasons:	The reasons for the referral agency response are in Attachment 2

Development details

Description:	Development permit	Reconfiguring a lot for – Subdivision 1 lot into 2 lots
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 3, Item 1 (Planning Regulation 2017)	
	Reconfiguring a lot near a state-controlled road intersection	
SARA reference:	2606-53186 SRA	

Assessment manager:	Banana Shire Council
Street address:	28 Harris Street, Biloela
Real property description:	Lot 5 on SP320069
Applicant name:	Fredriksen Maclean & Associates
Applicant contact details:	Po Box 1245 Gladstone QLD 4680 Alan.maclean@fredmac.com.au
<i>Human Rights Act 2019</i> considerations:	Consideration of the <i>Human Rights Act 2019</i> sections 15 to 35 has been undertaken as part of this decision. It has been determined that this decision does not limit human rights.

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s. 30 Development Assessment Rules).

Copies of the relevant provisions are in **Attachment 3**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Megha Subodh Nair, Planning Officer, on (07) 3452 7705 or via email RockhamptonSARA@dspdip.qld.gov.au who will be pleased to assist.

Yours sincerely



Anthony Walsh
Manager Planning

cc Alan Maclean - Fredriksen Maclean & Associates, Alan.maclean@fredmac.com.au
enc Attachment 1 - Advice to the applicant
Attachment 2 - Reasons for referral agency response
Attachment 3 - Representations about a referral agency response provisions

Attachment 1—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP), (version 3.6). If a word remains undefined it has its ordinary meaning.

Attachment 2—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for SARA's decision are:

- SARA assessed the development against the following code(s) of the State Development Assessment Provisions (SDAP), version 3.6:
 - o State code 1: Development in a state-controlled road environment.
- The development complies with the assessment benchmarks of State code 1 of SDAP in that the development:
 - o does not increase the likelihood or frequency of accidents, fatalities or serious injury for users of the state-controlled road;
 - o does not adversely impact the structural integrity or physical condition of the state-controlled road
 - o does not adversely impact the function and efficiency of the state-controlled road

Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP, version [3.6], as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- Section 58 of the *Human Rights Act 2019*

Attachment 3— Representations about a referral agency response provisions

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Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

Part 7: Miscellaneous

30 Representations about a referral agency response

30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.³

³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.