



ORDINARY MEETING

AGENDA

21 MARCH 2023

Your attendance is required at an Ordinary meeting of Council to be held in the Council Chambers, 4 Lagoon Place, Yeppoon on 21 March 2023 commencing at 9.00am for transaction of the enclosed business.

Cale Dendle
CHIEF EXECUTIVE OFFICER
16 March 2023

Next Meeting Date: 18.04.23

Please note:

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

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1 OPENING

Acknowledgement of Country

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

Opening Prayer

Reverend Rob Stanley of the Keppel Anglican Church is scheduled to deliver an opening prayer.

2 ATTENDANCE

Members Present:

Mayor, Councillor Andrew Ireland (Chairperson)
Deputy Mayor, Councillor Adam Belot
Councillor Nigel Hutton
Councillor Pat Eastwood
Councillor Glenda Mather
Councillor Andrea Friend
Councillor Rhodes Watson

Officers in Attendance:

Cale Dendle - Chief Executive Officer
Chris Ireland – General Manager Communities
Michael Kriedemann – General Manager Infrastructure
Andrea Ellis – Chief Financial Officer
Matthew Willcocks - Chief Technology Officer
Kristy Mansfield - Chief Human Resources Officer

3 LEAVE OF ABSENCE / APOLOGIES

Nil

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Minutes of the Ordinary Meeting held 21 February 2023

5 DECLARATION OF INTEREST IN MATTERS ON THE AGENDA

6 DEPUTATIONS

Nil

7 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS

7.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

File No: GV13.4
Attachments: 1. Business Outstandin Table March 2023
Responsible Officer: Amanda Ivers - Coordinator Executive Support
Cale Dendle - Chief Executive Officer

SUMMARY

The Business Outstanding table is used as a tool to monitor outstanding items resolved at previous Council or Committee Meetings. The current Business Outstanding table for the Ordinary Council Meeting is presented for Councillors' information.

OFFICER'S RECOMMENDATION

THAT the Business Outstanding table for the Ordinary Council Meeting be received.

	Date	Report Title	Resolution	Comments
1.	16/03/2021	Local Law Reviews	<p>COUNCIL RESOLUTION</p> <p>THAT Council</p> <p>1) Resolve to incorporate the proposed amendments to Subordinate Local Laws 2 and 4 as part of the complete review and redrafting of Council's Local Laws which will be commencing late March 2021 with an emphasis placed as priority for Local Laws 2 and 4; and</p> <p>2) Waive the requirement for fees for applications for specified animal permits other than dogs and cats and take no enforcement action where the driver of the motor vehicle is using a boat ramp to launch, retrieve or supply a vessel.</p>	<p>14 March 2023</p> <p>Meeting with internal stakeholders to finalise Council perspective of the proposed local law to be provided to Solicitors</p>
2.	20/04/2021	Response to Notice of Motion - Tree protection and replanting	<p>COUNCIL RESOLUTION</p> <p>THAT the resolutions concerning significant trees, tree protection, and replanting be progressed through the drafting, adoption, and implementation of four key projects, namely the Local Laws review, Biodiversity Strategy, Open Spaces Masterplan, and Planning Scheme Amendments.</p>	<p>14 March 2023</p> <p>Meeting with internal stakeholders to finalise Council perspective of the proposed local law to be provided to Solicitors</p>
3.	19/10/2021	Notice of Motion - Mayor Andy Ireland - Strategic Road Network Planning	<p>COUNCILLOR RECOMMENDATION</p> <p>THAT</p> <p>1) officers provide a report to council outlining the strategic considerations and plans for Livingstone Shire Council's road network, in the face of likely traffic volume increases due to expected population and industry growth; and</p> <p>2) said report be presented to council within four months.</p>	<p>3 March 2023</p> <p>The Local Government Infrastructure Plan workshop is scheduled for 5 April 2023. Officers will present the draft Plan and strategic road network plan at this meeting.</p>
4.	25/10/2022	Notice of Motion - Councillor Belot - GKI Wastewater Treatment Plant	<p>COUNCIL RESOLUTION</p> <p>That pursuant to s2.18.1(d) and s2.18.11 of Livingstone Shire Council's Meeting Procedures Policy the matter lay on the table pending further discussions with the State Government to return to a future Council Meeting.</p>	<p>14 March 2022</p> <p>State government-appointed consultants have been reviewing proposals commissioned by The Hideaway for its wastewater treatment plant and conducted a site visit on 17 January 2023. Once the consultant's report is received, the State Government will provide further advice about their proposals to advance solutions</p>

5.	20/12/2022	Notice of Motion - Cr Friend - Paramount Park Recreational Facilities	<p>COUNCIL RESOLUTION</p> <p>PART A THAT council, in February 2023 undertake public consultation with residents of Rockyview for the construction of a playground recreational park to be located at Paramount Park.</p> <p>PART B THAT Councillors and Officers meet onsite with engaged community members in order to view the two locations referenced in the business plan.</p> <p>PART C THAT Council consider the allocation of \$350,000 in the 2023 to 2024 budget for the planning and construction of this recreational park.</p>	<p>14 March 2023 Community meeting took place on Thursday 9th March 2023. Link to 'Get Involved' survey sent to all Rockyview residents 10th March 2023, survey closing 24 March 2023. Will await results of this survey.</p>
6.	20/12/2022	Notice of Motion - Cr Belot - Review of DA Process for Community Groups	<p>COUNCIL RESOLUTION</p> <p>THAT Council review the current Development Application process applicable to Community groups like the Show Society / Yeppoon Go Kart Club and provide a report within six months with potential recommendations on how to streamline the DA process and thus assist our community groups save valuable time and money.</p>	<p>14 March 2023 Report to be presented at May Ordinary meeting</p>
7.	20/12/2023	Report Tabled by Cr Mather from Jardine Rural Fire Brigade	<p>COUNCIL RESOLUTION</p> <p>THAT the report from the Secretary of the Jardine Rural Fire Brigade tabled by Councillor Mather be received and referred to a briefing session.</p>	<p>14 March 2023 Council Officers have complete site visit assessment of the various road related matters and a report will be tabled at the April Council Briefing Session.</p>
8.	21/02/2023	Notice of Motion - Cr Watson - Bungundarra Wild Dogs Removal	<p>COUNCILLOR RECOMMENDATION</p> <p>THAT Council resolve to conduct a survey to residents of Bungundarra by email or a mailed letter asking who:</p> <ol style="list-style-type: none"> 1. Has seen these packs of dogs, when and where. 2. Who is interested in contributing towards the cost of a contractor to remove them. 	<p>14 March 2023 Meeting arranged with FBA, Councillors and Council Officers for 12 April 2023</p>

			<p>3. Asking residents to contribute any information they have on wild dogs.</p> <p>This survey will also gauge the interest in the area about wild dogs and possible removal.</p>	
9.	21/02/2023	Notice of Motion - Cr Friend - Sewer Access Chambers	<p>COUNCILLOR RECOMMENDATION</p> <p>THAT Council resolve to</p> <p>A. Create a Policy for the rising of sewer access chambers within the Livingstone Shire Councils sewerage infrastructure;</p> <p>B. Rescind all Council invoices issued to residents for the completed works of rising of the sewer access chamber;</p> <p>C. Include budgetary requirements for upgrading sewer access chambers in the 2023-2024 budget deliberations;</p> <p>D. Media to be undertaken once policy has been resolved by Council; and</p> <p>E. Review the documentation sent to ratepayers in relation to this matter, adjusting the tone of the letters to be less adversarial.</p>	<p>14 March 2023</p> <p>Matter laid on the table at meeting of 21 February.</p> <p>Workshop has been scheduled for 29 May 2023 including Councillors, CEO, Andrea Ellis, Michael Kriedemann and Nige Deacon.</p>
10.	21/02/2023	Notice of Motion - Cr Hutton - Town Plan - Building Heights	<p>COUNCIL RESOLUTION</p> <p>THAT Council requests a formal review of building heights in the Emu Park CBD and amend the Town Plan to provide clear direction for all parties.</p>	<p>14 March 2023</p> <p>Matter was discussed/raised at Briefing Session 7 March 2023. Planned Councillor workshop in April/May to discuss planning scheme amendment processes incorporating building heights</p>
11.	21/02/2023	Notice of Motion - Cr Hutton - 100,000 Trees	<p>COUNCIL RESOLUTION</p> <p>THAT Council request a report be provided on the development of a 100,000 trees strategy which can be considered by Council identifying opportunities, strategies and current policies that support: the planting of 100,000 trees within Livingstone by 2035 and a budget estimate for consideration in the 23/24 budget.</p>	<p>14 March 2023</p> <p>Report to be presented at April Briefing session</p>

12.	21/02/2023	Notice of Motion - Mayor Ireland - Recreational Boating Update from TMR	<p>COUNCIL RESOLUTION</p> <p>THAT Council:</p> <ol style="list-style-type: none"> 1. writes to the Minister for Transport and Main Road, the Hon. Mark Bailey, to seek an update on his department's plans to address the future demand for recreational boating facilities within Livingstone Shire, in particular, the Capricorn Coast; and 2. sends a copy of the above letter to the Member for Keppel for her information. 	<p>14 March</p> <p>Correspondence dated 10 March 2023 forwarded to Minister Bailey and Brittany Lauga.</p>
13.	21/02/2023	Notice of Motion - Cr Mather - Upgrade Marlborough Police Station	<p>COUNCIL RESOLUTION</p> <p>THAT Council write to both the Assistant Commissioner Central Region Kev Guteridge, and Superintendent, District Officer Capricornia Glen Pointing, thanking them for their positive response in procuring a permanent officer for the Marlborough Station, and the urgent interim response for Police presence due to criminal activities in the area.</p> <p>Further, Council and the Marlborough community recognizes the multiple issues to be addressed by one officer at this station is substantially demanding and both physically and emotionally taxing.</p> <p>Given the confirmed 800 additional workers from various work camps now living in various parts of the community, this poses additional pressures on the town, and the officer.</p> <p>With due consideration to community protection, highway and officer safety, we therefore request the upgrade of the Marlborough station to a permanent two-officer station.</p> <p>Documentation confirming the camp numbers be enclosed.</p>	<p>14 March 2023</p> <p>Correspondence has been sent.</p>

7.2 LIFTING MATTERS LAYING ON THE TABLE

File No: GV13.04.06
Attachments: Nil
Responsible Officer: Cale Dendle - Chief Executive Officer

SUMMARY

This report is being presented to Council in order for the stated matters to be formally lifted from the table prior to being dealt with at this meeting.

OFFICER'S RECOMMENDATION

THAT Council resolves that the following reports which are currently 'laying on the table' within the Business Outstanding Table awaiting return to a Council meeting, be lifted from the table to be dealt with later in this meeting:

1. Office of the CEO Quarterly Report (14 April 2022)

BACKGROUND

These matters were presented at previous Council meetings at which time Council resolved to lay each matter on the table pending return to a future Council meeting.

COMMENTARY

These matters are now requested to be formally lifted from the table and brought back for discussion and consideration.

8 PRESENTATION OF PETITIONS

8.1 PETITION - COOEE BAY HEATED SWIMMING POOL

File No:	qA25758
Attachments:	1. Peition - Yvonne Logan - Cooee Bay Heated Swimming Pool
Responsible Officer:	Amanda Ivers - Coordinator Executive Support Cale Dendle - Chief Executive Officer

SUMMARY

Council has received the following petition from Yvonne Logan requesting increased facilities at Cooee Bay Heated Swimming Pool:

RECOMMENDATION

THAT in accordance with s.5.2.4(2) of the Livingstone Shire Council Petition Guideline, the petition be received, and contents noted.

Council Meeting Standing Orders:

2.9 Petitions

2.9.1 Any petition presented to a Meeting must:

- (a) be in legible writing or typewritten and contain a minimum of ten (10) signatures;
- (b) include the name and contact details of the principal petitioner (id est, one person who is the organiser and who will act as the key contact for the issue);
- (c) include the postcode of all petitioners, and
- (d) have the details of the specific request/matter appear on each page of the petition.

2.9.2 Only valid petitions in accordance with the Petitions Guideline will generally be accepted by Council. Other petitions will be received at the discretion of Council, if deemed appropriate.

2.9.3 The only motions which will be moved in relation to a petition are that:

- (a) the petition be received and referred to a Council briefing; or
- (b) the petition be received and its contents noted.

Petition to Livingstone Shire Council Form

Office of the Mayor & CEO



Enquiries: 07 4913 5000 / 1300 790 919 Email: enquiries@livingstone.qld.gov.au

Address: PO Box 2292 YEPPOON QLD 4703

PRIVACY NOTICE: Requesting or signing a petition is not anonymous. Livingstone Shire Council is collecting the personal information you supply on this form for the purpose of processing petitions. Your name, address, email address and signature may be published on Council Meeting agendas, Council's website or other publications. By submitting this information you acknowledge and accept that your personal information will be used by Council, agents and contractors acting on behalf of Council for the purpose of petitions. You agree that Council, agents and contractors are entitled to publish the information provided including your personal information for the purpose of petitions.

All fields marked * are mandatory and must be filled appropriately in order for the petition to be considered a properly completed

Principal Petitioner Details

Name* YVONNE LOGAN Address* 4 FITZROY DR. H.V.

Daytime Phone Number* 0429809969 Email logan.yvonne@gmail.com Signature* [Signature]

Petition Request

We the undersigned request that Council give consideration to*:
WE NEED MORE FACILITIES IN THE HEATED POOL. DR. ARE RECOMMENDING THESE EXCUSES & WE NEED MORE SPACE

Petitioner Details and Signatures
 (If space for further signatures is required, a copy of this page must be used each time. Photocopies of signatures will not be accepted.)

Date*	Name*	Address*	Signature*
24.1.23	Yvonne Murray	1147 Farnborough Rd	[Signature]
27.1.23	Rita Prady	12 Norfolk DR	[Signature]
"	Dawn Butcher	22/31 Barmayke Rd	[Signature]
27.1.23	BEV. DAVEY	8 HIGH ST YEPPOON	[Signature]
27.1	Fay Rowe.	1 Mallow DV	[Signature]
1-2-23	Gonda Lavender	2/11 Goldfish Ave	[Signature]
1/2/23	Maggie Day	34 Stevenson St Barlow Hill	[Signature]
1-2-23	Becky Butcher	38 Stanley Ave Barmayke	[Signature]
1-2-23	MICKI DICKFOS	113 BOTTLEBRUSH DRIVE LAMMINGTON	[Signature]
5/2/23	KAREN LOGAN	33 NEILLAND ST YEPPOON	[Signature]
6/2/23	Joan Hinrichsen	4 GALLEON CT YEPPOON	[Signature]
7/2/23	Boya Kovacev	3 KIRRA ST YEPPOON	[Signature]
7.2.23	Kolleen Schuster	120 CLAYTON RD	[Signature]
9-2.23	Elb Olijnyk	431 asone. Bld	[Signature]
9-2.23	m. walden	41 TASSONE BVL	[Signature]
10-2-33	W. ORGILL	31 TASSONE BVL YEPPOON	[Signature]
10/2/23	K. STARK	2/12 Thornhill Av. Yepoon	[Signature]
10/2/23	S. Kneen	31 Higson St, Emu Park	[Signature]
"	L. Harry	18 Lorikeet Ave, Yepoon	[Signature]
22/2/23	CATHIE AKRIGG	41 NEILLAND ST YEPPOON	[Signature]

Please include number of pages 1 Page 1

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All fields marked * are mandatory and must be filled appropriately in order for the petition to be considered a properly completed

Principal Petitioner Details

Name* YVONNE LOGAN Address* 4 FITZROY DR. HIDDEN VALLEY

Daytime Phone Number* 0429 809 969 Email logan.yvonne@gmail.com Signature* [Signature]

Petition Request

We the undersigned request that Council give consideration to*:

WE NEED MORE ROOM IN THE COOEBAY HEATED POOL FOR THE NUMBER OF PEOPLE WANTING TO ATTEND THE HYDROTHERAPY EXERCISE CLASS. INFRASTRUCTURE INADEQUATE

Petitioner Details and Signatures

(If space for further signatures is required, a copy of this page must be used each time. Photocopies of signatures will not be accepted.)

Date*	Name*	Address*	Signature*
13.1.23	VERA KEATING	170 QUEEN ST YEPPOON	V. Keating
13.1.23	DEB WEISBERGER	9 CORDINGLEY YEPPOON	D. Weisberger
13.1.23	MAREE JOHNSTON	51 TASSONE BRID. YPN	M. Johnston
" " "	GLENYS GRICE	244 COBRADALL RD. YPN	G. Grice
" "	JAN ROBINSON	89 WILLIAMS WAY, Y'U	Jan Robinson
" "	DOROTHY BUDD	2/26 WHISTLER AVE YPN	D. Budd
" " "	JESSIE CONAGHAN	24 TABOR DRIVE LAMMERMOON YPN	J. Conaghan
" "	SANDRA FISHLACK	2/26 BIRDWOOD AVE	S. Fishlack
" "	ANNETE COX	5 BELLS COURT ROSSLYN	A. Cox
" "	LORRAINE SUGAR	15/21 SYPHIA DR	L.S.
" "	CAROLINE DONGES	59/66 BIRDWOOD AV Y	C. Donges
" "	FAY BYRNE	1K Forrester Way YEPPOON	F. Byrne
" "	LURIE PLUMITAGE	11 Ryans Court YEPPOON	L. Plumitage
" "	Carmel Mallard	2/48 ROCKHAMPTON RD	C. Mallard
17/1/23	M. PONTON	18 ADVENTURER DRV PRASMAN	M. Ponton
17/1/23	Terry Benson	4 Sea Salt Dr	T. Benson
" "	Sally Hann	7 Peilyn Taranganba	S. Hann
" "	BETTY MIBURNIE	2/14 GUY ST YEPPOON	B. Miburnie
18/01/23	Caralyn Johansen	20 Capricornian Drive	C. Johansen
18/10/23	MERYL WALLIS	1/12 THORNBILL AY	M. Wallis

Please include number of pages

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9 COUNCILLOR/DELEGATE REPORTS

Nil

10 QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM COUNCILLORS

10.1 NOTICE OF MOTION - COUNCILLOR HUTTON - GREAT KEPPEL ISLAND - JEWEL IN THE CROWN

File No: qA24221

Attachments: 1. NoM - Cr Hutton - Great Keppel Island - Jewel in the Crown

Responsible Officer: Amanda Ivers - Coordinator Executive Support
Cale Dendle - Chief Executive Officer

SUMMARY

Councillor Nigel Hutton has submitted a 'Notice of Motion' in relation to Great Keppel Island – Jewel in the Crown.

COUNCILLOR RECOMMENDATION

THAT Council request a discussion paper on the benefit/costs of an allocation in the 23/24 budget for way finding signage and walking track improvements, with potential partners identified.

BACKGROUND

Renown as the Jewel of Keppel Bay, and remembered fondly by generations of Australians, Great Keppel Island is a key part of advancing any localised tourism growth through the 'In our own backyard' transformation of the tourism economy in the COVID age.

Visitors and locals alike have much to enjoy and experience, however investment in maintaining the small-scale tourism assets of the island inclusive of walk ways, lookouts, signage etc has dropped. The desire has been to see these assets renewed/improved concurrently with any large-scale development due to cost efficiencies and capacity. However, the culmination of recent investments by council in additional facilities and services, the continued desirability of the island supports a more immediate and coordinated robust response. Contributions from both the private and public sector have demonstrably shown the benefit / the outcome of enhancing the facilities available.

One of the great successes of Livingstone has been its capacity to raise the profile of issues / opportunities and work collaboratively with groups and government to find both cost effective ways forward and achieve great community outcomes. I would encourage Livingstone Shire Council to adopt this motion and advance the common desire of all members of our community by escalating the importance and timeliness of improvements to the tourism infrastructure of Great Keppel Island.

C/O PO BOX 2292
Yeppoon Q 4703

Chief Executive Officer
Livingstone Shire Council
Anzac Parade Yeppoon Q 4703

Monday, 6 Feb 2023

Notice of Motion
Great Keppel Island – Jewel in the Crown

Dear Cale,

I hereby request consideration of this motion and give notice of my intention to move the following motions at the next Ordinary Meeting of Council:

“That Council request a discussion paper on the benefit/costs of an allocation in the 23/24 budget for way finding signage and walking track improvements, with potential partners identified.”

Background:

Renown as the Jewel of Keppel Bay, and remembered fondly by generations of Australians, Great Keppel Island is a key part of advancing any localised tourism growth through the ‘In our own backyard’ transformation of the tourism economy in the COVID age.

Visitors and locals alike have much to enjoy and experience, however investment in maintaining the small scale tourism assets of the island inclusive of walk ways, lookouts, signage etc has dropped. The desire has been to see these assets renewed/improved concurrently with any large scale development due to cost efficiencies and capacity. However, the culmination of recent investments by council in additional facilities and services, the continued desirability of the island supports a more immediate and coordinated robust response. Contributions from both the private and public sector have demonstrably shown the benefit / the outcome of enhancing the facilities available.

One of the great successes of Livingstone has been its capacity to raise the profile of issues / opportunities and work collaboratively with groups and government to find both cost effective ways forward and achieve great community outcomes. I would encourage Livingstone Shire Council to adopt this motion and advance the common desire of all members of our community by escalating the importance and timeliness of improvements to the tourism infrastructure of Great Keppel Island.

Regards

Councillor Nigel Hutton

10.2 NOTICE OF MOTION - COUNCILLOR MATHER - DRIVEWAY MOUNT STREET

File No: qA24221
Attachments: 1. NoM - Cr Mather - Driveway Mount Street
Responsible Officer: Amanda Ivers - Coordinator Executive Support
Cale Dendle - Chief Executive Officer

SUMMARY

Councillor Glenda Mather has submitted a 'Notice of Motion' in relation to Driveway in Mount Street.

COUNCILLOR RECOMMENDATION

THAT Council give written Notice to the owner of the illegal driveway in Mount Street that they be directed to:

1. Immediately cease the use of this entrance for any purpose due to public safety concerns, and
2. replace the fence panel, as opposed to a serviceable gate in this space, and
3. remove all gravel from the driveway entrance, being a road reserve road which also acts as a pedestrian walkway, and
4. restore the gravelled area with turf, to its pre-existing state, and
5. further be advised that no future access to the property will be approved at this site due to identified public safety concerns."

BACKGROUND

Details of the Notice of Motion are contained within Attachment One and in the interests of brevity will not be repeated in this report.

OFFICER COMMENTARY

The property owner has voluntarily closed the gate, has ceased using the temporary access and confirmed that he will reinstate the area.

Council can not lawfully regulate where a gate is installed, however a property owner can lawfully access their property from any adjoining road reserve.

The property in question already has an approved permanent driveway and the owner is aware that he is not allowed to formalise a second permanent driveway.

PO Box 5186
Red Hill PO
Rockhampton Q 4701
10 March 2023

Chief Executive Officer
Livingstone Sire Council
Yeppoon Q 4703

Notice of Motion
Illegal Driveway Mount Street

Dear Sir,

I wish to give Notice of my intention to move the following motion at the next Ordinary Meeting of Council set down for 21 March 2023:

"That Council give written Notice to the owner of the illegal driveway in Mount Street that they be directed to:

1. Immediately cease the use of this entrance for any purpose due to public safety concerns, and
2. replace the fence panel, as opposed to a serviceable gate in this space, and
3. remove all gravel from the driveway entrance, being a road reserve road which also acts as a pedestrian walkway, and
4. restore the gravelled area with turf, to its pre-existing state, and
5. further be advised that no future access to the property will be approved at this site due to identified public safety concerns."

Background:

Works at this property location have been in progress for some considerable time during the construction of a shed.

There have been a number of complaints over vehicle movements servicing the site, all relating to public safety due to visibility aspects on a corner.

There have also been conflicting and confused messages to members of the public as to the status of the driveway, and its future.

This Notice will remove that confusion and send a clear message that this action is taken as a result of known traffic incidents (which have been reported to the Police), road safety and public expectations.

Many thanks,

Glenda Mather Clr

10.3 NOTICE OF MOTION - COUNCILLOR MATHER - MARLBOROUGH AND SARINA ROAD CONCERNS

File No: qA24221
Attachments: 1. NoM - Cr Mather - Marlborough and Sarina Road Concerns
Responsible Officer: Amanda Ivers - Coordinator Executive Support
Cale Dendle - Chief Executive Officer

SUMMARY

Councillor Glenda Mather has submitted a 'Notice of Motion' in relation to Marlborough and Sarina Road Concerns.

COUNCILLOR RECOMMENDATION

THAT Council write to the Department Transport Main Roads (TMR) voicing public concerns about the quality and capabilities of the Marlborough-Sarina Road to transport all the long loads to the Clark Creek Windfarm for the long duration of the transportation.

TMR be advised that public concerns include:

- where the road is not wide enough to cater for these long loads, shared with domestic traffic, and
- that the quality of the pavement, especially on the range and west of the range where the pavement is already failing through multiple potholes, sections of road are already devoid of a tar seal.
- Our Council would also like confirmation that these sections will receive the necessary upgrades prior to any transportation taking place.

BACKGROUND

Details of the Notice of Motion are contained within Attachment One and in the interests of brevity will not be repeated in this report.

PO Box 5186
Red Hill PO
Rockhampton Q 4701

Chief Executive Officer
Livingstone Shire Council
Yeppoon Q 4703

Notice of Motion
Marlborough / Sarina Road Concerns

Dear Sir,

I wish to give Notice of my intention to move the following motion at the 21 March Ordinary Meeting of Council:

“That Council write to the Department Transport Main Roads (TMR) voicing public concerns about the quality and capabilities of the Marlborough-Sarina Road to transport all the long loads to the Clark Creek Windfarm for the long duration of the transportation.

TMR be advised that public concerns include:

- where the road is not wide enough to cater for these long loads, shared with domestic traffic, and
- that the quality of the pavement, especially on the range and west of the range where the pavement is already failing through multiple potholes, sections of road are already devoid of a tar seal.
- Our Council would also like confirmation that these sections will receive the necessary upgrades prior to any transportation taking place.”

Background:

I believe the motion is self explanatory.

Regards,
Glenda Mather Clr

10.4 NOTICE OF MOTION - COUNCILLOR EASTWOOD - MOTOR VEHICLE ALLOWANCE

File No: qA24221
Attachments: 1. NoM - Cr Eastwood - Motor Vehicle Allowance
Responsible Officer: Amanda Ivers - Coordinator Executive Support
Cale Dendle - Chief Executive Officer

SUMMARY

Councillor Pat Eastwood has submitted a 'Notice of Motion' in relation to Motor Vehicle Allowance.

COUNCILLOR RECOMMENDATION

THAT Council amends the Councillor Facilities and Expenses Policy section 5.10.2 to read, The use of Councillor's private vehicles for Council business (as defined) will be reimbursed by Council, with Councillors electing one of the following two options:

1. Councillors accept an annual payment of \$5000 as reimbursement for the use of their private vehicles on council business; or
2. Councillors make a monthly claim for reimbursement of the use of their private vehicles on Council business by submitting the appropriate form detailing the relevant travel based on log book details. The amount reimbursed will be based upon the published Australian Taxation Office business use of motor vehicle cents per kilometre rate applicable at the time of travel.

BACKGROUND

Details of the Notice of Motion are contained within Attachment One and in the interests of brevity will not be repeated in this report.

OFFICER COMMENTARY

Councillor allowances are published within Council's Annual Reports which can be found via: <https://www.livingstone.qld.gov.au/downloads/download/64/annual-report>. Motor Vehicle Allowance for 2021/22 can be found on page 11 of the respective Annual Report.

Chief Executive Officer
Livingstone Shire Council
Anzac Parade, Yeppoon
Queensland 4703

10 March 2023

NOTICE OF MOTION

COUNCILLOR MOTOR VEHICLE ALLOWANCE AMENDMENT

Dear Cale,

I hereby request consideration of this motion and give notice of my intention to move the same at the next ordinary council meeting on Tuesday the 21st of March 2023.

“That Council amends the Councillor Facilities and Expenses Policy section 5.10.2 to read,

The use of Councillor’s private vehicles for Council business (as defined) will be reimbursed by Council, with Councillors electing one of the following two options:

- 1) Councillors accept an annual payment of \$5000 as reimbursement for the use of their private vehicles on council business; or
- 2) Councillors make a monthly claim for reimbursement of the use of their private vehicles on Council business by submitting the appropriate form detailing the relevant travel based on log book details. The amount reimbursed will be based upon the published Australian Taxation Office business use of motor vehicle cents per kilometre rate applicable at the time of travel.”

Background

Up until recently and the advent of the newly elected council at the last election the Mayor received a MV (Pajero 4x4) as part of his Mayoral package with Councillors receiving a vehicle allowance and the use of the Councillors MV (Pajero 4x4).

Mayor Ireland opted to use his private vehicle and was given a MV allowance of \$20,000. Councillors were given the option of a MV allowance of \$3,000 or to submit MV allowance claims at the latest tax office rate with councillors able to choose between the two. The specific councillor's vehicle was withdrawn. Some councillors find the need to fill out a log each time they use their private vehicle for council use not only messy but it is easy to overlook some use and this is why the flat rate was introduced. Due to this some councillors mileage rate decreased over the previous financial year 21/22 compared to the one before 20/21.

On comparing neighbouring councils vehicle allowance 'packages' Livingstone members aren't travelling so well (excuse the pun). We have a large demographic for a relative small population and travel can be extensive.

It can also be seen that the Councillors \$3000 vehicle allowance compared to the Mayors \$20,000 allowance is incredibly disproportionate and not a great optic. Cost of running a Motor Vehicle has risen dramatically with not only fuel prices but insurance and servicing increasing. The ATO for this financial year have risen the cents per klm rate 0.06c from 72 cents to 78 cents. This would mean that for eg. Councillor Mathers 21/22 claim of \$13,926 would be another \$1,160.50c and Councillor Friends claim of \$4957 would be well over \$5000 with another \$414.

With Covid all but behind us we hope, travel will once again be more forthcoming and the recent year has shown this to be true.

This amendment will make no difference to Councillors who wish to avail themselves to the benefit of Section 5.10.2 Sub clause 2) and if they travel extensive kilometres can still fill out their travel log and make their claim in this way.

10.5 NOTICE OF MOTION - COUNCILLOR EASTWOOD - LIGHTING OF PATHWAYS

File No: qA24221
Attachments: 1. NoM - Cr Eastwood - Lighting of Pathways
Responsible Officer: Amanda Ivers - Coordinator Executive Support
Cale Dendle - Chief Executive Officer

SUMMARY

Councillor Pat Eastwood has submitted a 'Notice of Motion' in relation to Lighting of Pathways.

COUNCILLOR RECOMMENDATION

THAT Council prioritise lighting of existing major pathways within the Shire and that consideration for lighting be budgeted into new pathways.

BACKGROUND

Details of the Notice of Motion are contained within Attachment One and in the interests of brevity will not be repeated in this report.

Chief Executive Officer
Livingstone Shire Council
Anzac Parade
Yeppoon
Qld. 4703

10 March 2023

NOTICE OF MOTION
LIGHTING OF MAJOR PATHWAYS

Dear Cale,

I hereby request consideration of this motion and give notice of my intention to move the same at the next ordinary council meeting.

“That Council prioritise lighting of existing major pathways within the Shire and that consideration for lighting be budgeted into new pathways.”

BACKGROUND

Over the last few years council has been able through grants and it's own stewardship to build some great pathways throughout the Shire. One such major pathway along the coast between the Lioness Park on Lammermoor Beach and Kemp Beach has become very popular for walkers, cyclists, skaters and scooters. This councillor has been approached by members of the public in regards to night time safety and the possibility of lighting. This would not only give the pathways greater use especially as the days get shorter and thus become a huge recreational and health benefit but would make it a much safer place to do the above mentioned activities.

10.6 NOTICE OF MOTION - MAYOR IRELAND - LSC NAME CHANGE

File No: qA24221
Attachments: 1. NoM - Mayor Ireland - LSC Name Change
Responsible Officer: Amanda Ivers - Coordinator Executive Support
Cale Dendle - Chief Executive Officer

SUMMARY

Mayor Andrew Ireland has submitted a 'Notice of Motion' in relation to LSC Name Change.

COUNCILLOR RECOMMENDATION

THAT Council officers provide a report within three (3) months on the advantages and disadvantages of changing Council's name. Said report should reference the following as a minimum:

- Advantages and disadvantages of changing Council's name from Livingstone Shire Council to another name;
- Suggested name change(s);
- Costs and benefits of any change;
- Details of the process to be undertaken to change Council's name;
- Results from engagement with the community on this issue.

BACKGROUND

Details of the Notice of Motion are contained within Attachment One and in the interests of brevity will not be repeated in this report.

THAT: Council officers provide a report within three (3) months on the advantages and disadvantages of changing Council's name. Said report should reference the following as a minimum:

- **Advantages and disadvantages of changing Council's name from Livingstone Shire Council to another name;**
- **Suggested name change(s);**
- **Costs and benefits of any change;**
- **Details of the process to be undertaken to change Council's name;**
- **Results from engagement with the community on this issue.**

BACKGROUND

Extensive engagement with Federal Ministers and senior Defence personnel has occurred over the past six months as part of the CQROC and RDA Central and Western Queensland submission to the Defence Strategic Review.

When introduced as the Mayor of Livingstone Shire Council at these meetings, the question "Where's that" is invariably asked.

When follow up explanation that Livingstone is "the home of Shoalwater Bay", or "we are the LGA that takes in the Capricorn Coast and its hinterland", or "coastal Central Queensland", or mention of Great Keppel Island occurs, recognition follows. The name Livingstone has no geographical reference (as opposed to shires and region containing names of prominent cities or geographical landmarks) and provides no clue as to its location.

From a tourism perspective, a similar argument applies. Local tourism operators and the Regional Tourism Organisation have long advocated for a change of name from Livingstone Shire Council, to something that has the word "coast" in it.

Key to any discussion of a potential name change is seeking the views of the community. Hence, it is suggested that the first four points in the above recommendation be researched thoroughly prior to any such engagement. These are matters that a reasonable person would enquire after, with suggested names being prompted from respondents during the engagement process.

I seek Council's support in requesting a report from officers on the potential impacts of a name change, together with suggested names.

11 REPORTS

11.1 DEVELOPMENT APPLICATION - PRELIMINARY APPROVAL (VARIATION REQUEST) FOR A LOW IMPACT BUSINESS & INDUSTRY PARK - LOT 240 JAKE COURT, HIDDEN VALLEY

File No: D-45-2022

Attachments:

1. Locality Plan
2. Site Plan
3. Proposal Plans
4. Local Plan Document
5. Planning Scheme Code Assessment

Responsible Officer: Erin McCabe - Coordinator Development Assessment
 Greg Abbotts - Manager Development and Environment
 Chris Ireland - General Manager Communities

Author: Jenna Davies - Principal Planning Officer

SUMMARY

Applicant: Jake Ct Pty Ltd

Consultant: Capricorn Survey Group (CQ) Pty Ltd

Real Property Address: Lot 240 on SP296920 Area of Site: 7,707 square metres

Planning Scheme: Livingstone Planning Scheme 2018

Planning Scheme Zone: Emerging community

Planning Scheme Overlays: OM02 – Agricultural Land Classification
 OM12 – Bushfire Hazard Area
 OM15 - Drainage Problem Area
 OM27 – Heights Limits

Existing Development: Vacant land

Existing Approvals: D/169-2013 - Preliminary Approval affecting the Planning Scheme for a Material Change of Use for Residential and Open Space Purposes
 D/162-2015 - Development Permit for Reconfiguring a Lot (one lots into three lots)
 D/163-2015 - Development Permit for Reconfiguring a Lot (three (3) lots into ninety-six (96) lots)
 D/38-2016 - Development Permit for Reconfiguring a Lot (one lot into eleven lots)
 Development Permit D-158-2016 for a Material Change of Use for a Retirement facility (102 Units) (lapsed)

Level of Assessment: Impact assessable

Submissions: Two (2) Submissions received

Referral matters: Nil

Infrastructure Charge Area: Located outside the priority infrastructure area

OFFICER'S RECOMMENDATION

THAT in relation to the application for a Preliminary approval (variation request) to vary the effect of the local planning Instrument (*Livingstone Planning Scheme 2018, Version 3*), in accordance with The Pines - Low Impact Business & Industry Park Preliminary Approval Document pursuant to Section 50(3) of the *Planning Act 2016*, made by Jake Ct Pty Ltd, on Lot 240 on SP296920 and located at Lot 240 Jake Court, Hidden Valley, Council resolves to Approve the application pursuant to Section 61 of the *Planning Act 2016*, as the assessment manager is satisfied that:

- (a) The proposed variations are consistent levels of assessment to that of development within The Gateway Development Document and for uses in the Low impact industry zone along Cassam Street, for industry activities.
- (b) The land use definitions for accommodation activities are secondary to a business, industry or recreation activity establishing in a unit, therefore the level of assessment is appropriate and consistent with what is permitted in a Low impact industry zone and Low density residential zone.
- (c) Indoor sport and recreation uses require a code assessable application, lower than the relevant level of assessment if the land was residential however consistent with the level of assessment if the land was zoned industrial. An application will be required for an Indoor sport and recreation use and the assessment benchmarks are generally consistent with that of the Planning Scheme.
- (d) The level of assessment and assessment benchmarks for Operational Works are consistent with the Planning Scheme levels of assessment and conditions have been included to ensure road works, stormwater works, water supply and sewerage services be code assessable.
- (e) The Local Plan Document will remove future submission rights if each land use was applied for separately. Despite this the opportunity was available as part of this application process for thirty (30) business days, for a submitter to make a submission about the development. Proposal plans were publicly available in relation to the building design and site layout. The local plan document is generally consistent with the terminology in the proposed assessment benchmarks and levels of assessment to that of the *Livingstone Planning Scheme 2018* for the proposed uses, in the preferred zone.
- (f) Regard was given to existing approvals over the subject site and surrounding sites, to ensure consistency and minimise land use conflicts.
- (g) The proposed variation request will facilitate a transition between the industrial land to the north and west and the residential land to the south and east. The purpose is for small scale, low impact uses to establish within small units on the site.

RECOMMENDATION B

That in relation to the application for a Preliminary approval (variation request) to vary the effect of the local planning Instrument (*Livingstone Planning Scheme 2018, Version 3*), in accordance with The Pines - Low Impact Business & Industry Park Preliminary Approval Document pursuant to Section 50(3) of the *Planning Act 2016*, made by Jake Ct Pty Ltd, on Lot 240 on SP296920 and located at Lot 240 Jake Court, Hidden Valley, Council resolves to Approve the application subject to the following conditions:

1.0 DEFINITIONS AND INTERPRETATIONS**1.1 In this approval:**

- 1.1.1. **Applicant** means Jake Ct Pty Ltd being the applicant for a preliminary approval affecting the Council's Planning Scheme with respect to the Subject Land.
- 1.1.2. **Approval** means the approval of the Application by the Council.

-
- 1.1.3. **Capricorn Municipal Development Guidelines** means a document adopted by Council containing guidelines and standards for development, as amended from time to time.
- 1.1.4. **Conditions** mean the conditions of this approval including any attachment referred to in these conditions.
- 1.1.5. **Council** means the local government authority having jurisdiction over land use and development on the subject land.
- 1.1.6. **Developer** means the registered proprietor and any occupier of the Subject Land.
- 1.1.7. **Infrastructure** means infrastructure reasonably required to service the proposed development including roads (internal, external and access), water services, sewer services and stormwater drainage.
- 1.1.8. **Schedule of Plans for Trunk Infrastructure** means the infrastructure schedules mentioned in Council's *Local Government Infrastructure Plan* or any other plan which replaces it.
- 1.1.9. **Subject land** means Lot 240 on SP296920 (or subsequent lot and plan number).
- 1.1.10. **Planning Act 2016** means the *Planning Act 2016* as amended from time to time.
- 1.1.11. **Planning Scheme** means Council's *Livingstone Planning Scheme 2018*, version 3, in effect 15 February 2021.
- 1.1.12. **Local Plan Document** means the document titled '*The Pines - Low Impact Business & Industry Park Preliminary Approval Document*', listed under condition 3.1 of this approval, which includes the assessment table and development codes being a plan of the proposed development for a Material Change of Use, Reconfiguring a Lot, and Overlays, which affects Council's Planning Scheme with respect to the Subject Land, which in particular:
- (i) states what development is:
 - (a) Assessable Development (requiring Code or Impact Assessment); or
 - (b) Accepted, subject to requirements; or
 - (c) Accepted Development; and
 - (ii) identifies codes for the development.

2.0 ADMINISTRATION

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

3.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Reference</u>	<u>Dated</u>
The Pines - Low Impact Business & Industry Park Preliminary Approval Document	Rev.A	September 2022
Site Plan	Sheet 7 of 87,	8 August 2022
Site Plan	Sheet 8 of 87	8 August 2022
Site Plan – Mezzanine Areas	Sheet 9 of 87	8 August 2022
Staging Layout	Sheet 10 of 87	8 August 2022
Views	Sheet 1 of 87	5 October 2021
Views	Sheet 2 of 87	5 October 2021
Views	Sheet 3 of 87	5 October 2021
Views	Sheet 4 of 87	5 October 2021
Elevations – Block A	Sheet 33 of 87	5 October 2021
Elevations – Block B	Sheet 34 of 87	5 October 2021
Elevations – Block C	Sheet 35 of 87	5 October 2021
Elevations – Block D	Sheet 36 of 87	5 October 2021
Elevations – Block E	Sheet 37 of 87	5 October 2021
Elevations – Block E	Sheet 38 of 87	5 October 2021

- 3.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 3.3 The development must be generally in accordance with the plans listed in condition 3.1 in terms of articulation, building design and materials, height and landscaping (refer to condition 6.1.3).
- 3.4 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of the first application for a Development Permit over the subject land.

4.0 REQUIRED DEVELOPMENT PERMIT(S)

- 4.1 Other development permits which are necessary to allow the development to be undertaken are listed below and these Conditions do not affect the need to obtain such permits, namely:
- 4.1.1. Development permits(s) for Reconfiguring a Lot (where required/proposed);
- 4.1.2. Development permit(s) for Material Change of Use (where required);

- 4.1.3. Development permit(s) for carrying out Operational Work (where required);
 - 4.1.4. Development permit(s) for Building work regulated under the Planning Scheme (where required);
 - 4.1.5. Development permit(s) for all necessary Plumbing and Drainage Works; and
 - 4.1.6. Development permit(s) for carrying out Building Work.
- 4.2 A Development Permit for Operational Works, Plumbing and Drainage Works or Building Works for development associated with this Approval must not be issued prior to the receipt of the relevant Material Change of Use development permit(s).

5.0 PLANNING FRAMEWORK

Preamble - This is a preliminary approval (variation request) for a Material Change of Use, Reconfiguring a Lot, Building Work and Operational Works, to vary the effect of Council's Planning Scheme under Section 50(3) of the Planning Act 2016 for development in accordance with the proposed The Pines - Low Impact Business & Industry Park Preliminary Approval Document (the Local Plan Document) and generally in accordance with the proposal plans (refer to condition 3.1).

The Local Plan Document overrides the Planning Scheme overlays and no changes to the category of development or assessment occurs.

The Local Plan Document is an independent document which is the sole reference for the determination of any application over the Subject Land for a Material Change of Use, Reconfiguring a Lot, Building Work and Operational Works, in accordance with this approval. The subject land must be developed generally in accordance with the approved Local Plan Document (refer to condition 3.1).

- 5.1 To remove any doubt the process for determining a category of development and category of assessment is for any development on the Subject Land is section 2.1 of the Local Plan Document for the purposes of this approval and the development of five blocks containing individual units, up to a total of forty-three (43) units, to accommodate small scale, low impact industry, business, recreation, and special activities and ancillary Accommodation activities within each individual unit.
- 5.2 Units within blocks must not be amalgamated to make larger units/tenancies.
- 5.3 The planning scheme overlays do not change the category of development or assessment under the Local Plan Document.

6.0 LOCAL PLAN

- 6.1 The local plan must be updated and lodged with Council for endorsement prior to any further development application being made over the site as follows:
- 6.1.1 Operational Works for road works, water works, sewer works and stormwater management works must be made Code assessable in section 2.3, Table 3.
 - 6.1.2 The level of assessment or assessment criteria terminology should be updated to reflect the current terminology being either assessment benchmarks and categories of assessment and development.
 - 6.1.3 Update to section 2.4 Table 4 to replace operational works with Building Works.
 - 6.1.4 The table of assessment for Reconfiguring a Lot must be changed to either:
 - a) Option 1: the heading of Column 2 is amended to 'categories of development and assessment' and the circumstances for code assessment are included in Column 2 rather than Column 1 so that the circumstance for impact assessment can be achieved (as it refers to the categories of development assessment column); or

- b) Option 2: the heading of Column 2 is amended to 'categories of development and assessment' and the circumstance for impact assessment is amended in a manner that refers to the development circumstances currently stated in Column 1 and the corresponding Category of Development or Category of Assessment in Column 2.
- 6.1.5 The table of assessment for Building Works be updated to align the nominated acceptable outcomes with the relevant outcomes including the built form outcomes AO9.1, AO9.2, and AO10.1.
- 6.1.6 Dividing walls between units must be fire rated and achieve a suitable level of acoustic amenity to the adjoining unit, and external to the site. Dividing walls must not be removed.
- 6.1.7 AO11.3 be updated to ensure building plant and equipment be screened from view of the street and adjoining public places
- 6.1.8 Acoustic treatments must be in accordance with the Acoustic Report (refer to condition 10.1).
- 6.1.9 Additional acceptable outcomes are required to align with the performance outcome PO11 in terms of unarticulated walls and orientated to the street requires clarification. The acceptable outcomes may include, but not limited to:
- c) statements regarding vertical and horizontal articulation,
 - d) variations in façade building materials (to ensure that modern industrial/residential style architecture is the outcome as opposed to standard industrial buildings) including, but not limited to:
 - (i) mix of lightweight and textured external building materials, including timber finishes or masonry construction with variation provided in detailing
 - (ii) articulated, pitched, skillion or curved roof forms;
 - (iii) open or transparent balustrades; and
 - (iv) development uses understated colour themes and low-reflective roofing and cladding materials.
 - e) requirements for a window, balcony and door or other devices on the façade within minimum specified distances
 - f) provision of tenancy recognition elements;
 - g) inclusion of specific design plans to ensure consistency with a specific design or material/s, including, but not limited to:
- 6.1.10 Acceptable outcomes and setbacks to the rail trail corridor to the north must be amended to facilitate either:
- a) A two (2) metre landscape buffer must be established to the rail trail corridor; and/or
 - b) The mezzanine level be setback back from the boundary to allow for balconies / windows / openings to be integrated into the design to provide surveillance to the rail trail corridor and visual interest to the proposed corridor area.
- 6.1.11 Proposed AO31.3 be updated to clearly reference acceptable outcome AO31.2 within the local plan document.
- 6.1.12 AO18.1 be updated to identify when a loading bay is required onsite and AO18.2 be updated to identify the design vehicle.

- 6.1.13 The definition of caretaker's residence and dwelling unit be included in the local plan document and be updated to remove reference of premise to reference 'per unit'. The table of assessment for Material Change of Use must be clear that only one caretaker's residence or one dwelling unit is permitted per unit.
- 6.1.14 All acceptable outcomes applicable to development categorised as 'accepted subject to requirements' should be contained within in the first part of the table in 3.4 specific benchmarks for assessment (development that is accepted, subject to requirements).
- 6.1.15 A second table should be made for the Additional outcomes for assessable development (development requiring code or impact assessment).
- 6.1.16 Acceptable Outcomes relating to Community Safety must be incorporated into the local plan document, applicable for all uses.
- 6.1.17 Acceptable outcomes must be included as follows:
- (i) Outdoor lighting must be designed, installed and maintained in accordance with the parameters and requirements of the current version of the *Australian Standard AS4282 - Control of the obtrusive effects of outdoor lighting*; and
 - (ii) The development must be provided with a refuse container and container storage area that:
 - (a) is screened from view from a public place by a solid screen fence, wall or dense vegetation having a minimum height of 1.8 metres;
 - (b) has an imperviously sealed pad, on which to stand the bin(s), and which is drained to an approved waste disposal system;
 - (c) is within proximity to a hose cock; and
 - (d) is large enough to accommodate at one (1) or more industrial/commercial bins of a size appropriate to the nature and scale of use.
 - (iii) development does not exceed noise generation levels at the property boundary, interpreted under the provisions of the current version of the *Environmental Protection (Noise) Policy* as unreasonable, or the following whichever is the lesser:

Period	Noise level at property boundary
0700 to 2000	Background noise level plus 5 dB(A)
2000 to 0700	Background noise level plus 3 dB(A)
Measured as the adjusted maximum sound pressure level L _{max} adj T.	

7.0 CURRENCY PERIOD

- 7.1 The currency period for this Preliminary Approval is ten (10) years from the date the approval takes effect.

8.0 STAGED DEVELOPMENT

- 8.1 Infrastructure must be provided by the developer in a co-ordinated and a planned manner having regard to the overall catchment and staging of the development in a logical and orderly sequence.
- 8.2 Infrastructure (for example: road, property accesses, water, sewer, services) must be provided (if necessary) to the development or stage boundaries for connectivity and to facilitate ease of extension of these Infrastructure during future stages.

9.0 INFRASTRUCTURE

Preamble – In order for development to proceed, infrastructure must be available (or be capable of being made available) to service the development proposed on the Subject Land.

- 9.1 Infrastructure must be provided by the Developer in a co-ordinated and a planned manner having regard to the staging of the development in a logical and orderly sequence.

10.0 ROAD WORKS

- 10.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works associated with the development.
- 10.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, relevant *Australian Standards* and the provisions of a Development Permit for Operational Works (road works).
- 10.3 Any application for a Development Permit for Operational Works (road works) must demonstrate that all new roads and road reserves included in the application connect with existing constructed road(s) within and road reserve(s) at the time of making the application.
- 10.4 A traffic impact assessment report must be prepared demonstrating the safety, efficiency, effectiveness and operation of components of the transport network servicing the subject land and surrounding area or any identified strategic future components of the transport network, are not compromised by the development. The report must identify the design vehicle and when a loading bay is required.
- 10.5 Jake Court must be designed and constructed to the width of 7.5 metre carriageway including all associated drainage system(s), and on-street car parking.
- 10.6 All pathways and access ramps must be designed and constructed in accordance with *Australian Standard AS1428 "Design for Access and Mobility"*. All pathways must incorporate kerb ramps at all road crossing points.
- 10.7 Road reserve or public use land must be provided with public space lighting in accordance with *Australian Standard AS1158 "Lighting for Roads and Public Spaces"*.

11.0 ACCESS AND PARKING WORKS

- 11.1 Access, parking (including any temporary car parking areas) and associated vehicle manoeuvring areas must be sealed.
- 11.2 Stormwater runoff from parking and vehicular manoeuvring areas must be collected on the site and achieve demonstrated lawful discharge in accordance with *Queensland Urban Drainage Manual*.

12.0 WATER WORKS

- 12.1 A Development Permit for Operational Works (water works) must be obtained prior to the commencement of any water works on the site.
- 12.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, the *Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (water works).
- 12.3 The development must be connected to Council's water supply network.
- 12.4 The connection to Council's water supply network must be a combined fire and domestic metered connection located at a point nominated by Council.
- 12.5 Adequate firefighting protection measures (including access to the most disadvantage point) must be provided generally in accordance *with Australian*
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Standard 2419.1 Fire Hydrant Installation-System Design, Installation and Commissioning, Building Code Australia or Building Act and to the satisfaction of Queensland Fire and Emergency Services.

- 12.6 The existing 150 millimetre diameter water main, located on the north western corner of the Jordy Drive/Jake Court roundabout, must be extended into Jake Court to service the development.
- 12.7 The proposed development must be provided with a master meter at the property boundary and sub meters for each sole occupancy building in accordance with the *Queensland Plumbing and Wastewater Code* and Council's Sub-metering Policy.
- 13.0 SEWER WORKS
- 13.1 A Development Permit for Operational Works (sewerage works) must be obtained prior to the commencement of any sewerage works on the site.
- 13.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (sewerage works).
- 13.3 The development must be connected to Council's sewerage network.
- 13.4 Easements must be provided over any sewerage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 14.0 PLUMBING AND DRAINAGE WORKS
- 14.1 The development must be connected to Council's sewerage service and water supply network.
- 14.2 A sewerage trade waste permit must be obtained for the discharge of any non-domestic waste into Council's sewerage reticulation.
- 15.0 STORMWATER WORKS
- 15.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the site.
- 15.2 All stormwater management works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines, Urban Stormwater Quality Planning Guidelines, State Planning Policy*, and sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).
- 15.3 All stormwater including roof and allotment runoff must achieve demonstrated lawful discharge in accordance with the requirements of the *Queensland Urban Drainage Manual* and *Capricorn Municipal Development Guideline*.
- 15.4 All stormwater runoff must not adversely affect the upstream or downstream land when compared to pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or cause an actionable nuisance or damage infrastructure.
- 15.5 Approval must be sought from Council for any works proposed within Council Easements for works consistent with the easement terms, prior to works commencing.
- 15.6 Water quality must be in accordance with the *State Planning Policy*.
- 16.0 BUILDING WORKS
- 16.1 The locations of structures must comply with the *Queensland Development Code (MP1.4: Building Over or near relevant infrastructure)*.

17.0 LANDSCAPING WORKS

- 17.1 Existing landscaping to Jake Court and Jordy Drive within the road reserve, must be retained and maintained and where necessary enhanced to screen the development to the road frontages. Landscaping must not be removed without consultation with Council.
- 17.2 Any damage to existing landscaping in the road reserve must be reinstated (including reinstated with mature plantings where necessary), prior to commencement of any use.
- 17.3 All landscaping must be constructed and or established relevant to the stage being commenced for use.

18.0 ELECTRICITY AND TELECOMMUNICATIONS

- 18.1 Underground electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.

19.0 ASSET MANAGEMENT

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

20.0 ACOUSTIC REPORT

- 20.1 An acoustic report must be prepared prior to any works commencing on site. The report must identify any acoustic treatments, based on the land uses proposed and surrounding land uses.

21.0 OPERATING PROCEDURES

- 21.1 Access for any works including construction or vehicle access to the site must not be from the rail trail corridor. All access to the site must be via Jake Court.
- 21.2 The activities must be undertaken in a manner that does not allow environmental nuisance or water contamination caused by construction material, noise, aerosols, particles dust, ash, fumes, light, odour and smoke, which must not go beyond the boundaries of the property during all stages of the development including earthworks, construction and operation as stated in the *Environmental Protection Act 1994* and subordinate legislation.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

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

NOTE 2. General Environmental Duty

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

NOTE 3. General Safety Of Public During Construction

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

NOTE 4. Infrastructure Charges

The land uses proposed in the Local Plan Document are subject to infrastructure charges in accordance with Council policies. The charges will be presented on an Infrastructure Charges Notice at the time of a future development approval for a Material Change of Use, Reconfiguring a Lot, Operational Works or Building Works.

NOTE 5. Licensable Activities

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

NOTE 6. Wall of Building B placemaking opportunity

There is the opportunity to undertake place making on the wall to the Rail Trail corridor, including paint, articulation, artwork or plantings. Further information is available online here: <https://www.livingstone.qld.gov.au/placemaking>

Please refer to images in the [Placemaking Strategy Document](#) for examples of treatments and similar should be incorporated into the design and construction of the proposed wall. Please contact Council's Economic Development team if you require further information.

BACKGROUND

The subject site forms part of The Pines Local Plan area. The applicant has elected to make the application pursuant to the current Planning Scheme which is an option available for assessment purposes. Consideration has been given to the Pines Local Plan.

The Pines Local Plan states that precincts are to be designated as part of approval for Reconfiguring a Lot, the subject site was nominated as being within the Low Density Residential precinct as part of D-168-2013

COMMENTARY**PROPOSAL**

The preliminary approval application is a variation request, to vary the effect of the *Livingstone Planning Scheme 2018* and facilitate the adoption and implementation of The Pines - Low Impact Business & Industry Park Preliminary Approval Document. The local plan seeks to vary the land use intent, development standards and design provisions to be consistent with the development intention and allow for uses to move interchangeably between individual units. The local plan includes overall outcomes, assessment categories and assessment benchmarks, in the future The Pines - Low Impact Business & Industry Park Preliminary Approval Document. The main change is reducing the level of assessment for land uses from Impact assessable (as would be required by the current emerging community zoning or The Pines local plan) to either Accepted, subject to requirements or Code assessable.

A preliminary approval overrides the provisions of the zone that would ordinarily apply to the land as prescribed by the planning scheme, or The Pines Local Plan document (D-169-2013). To this extent, Council may approve a development plan (essentially a master plan for the site) which authorises certain assessable development to take place. The conditions of an approval, including an approved Local Plan, set out the future requirements for development of the area which apply in lieu of the planning scheme provisions.

Concept plans were provided and the intention is to establish five (5) buildings with forty three (43) units. Each unit can be used for storage purposes, small scale business operations, and the opportunity for a caretaker or dwelling unit on an upper (or mezzanine) level. The local plan document identifies that the proposal will provide vacant built spaces and it is anticipated that the site will cater for private storage of toys (boats, cars, caravans, and the like) and small business and industrial uses.

The application states that the purpose of the Local Plan document is:

“is to provide predominantly for a range of business and industrial activities that are low impact and small-scale, suitable for on the subject land that do not cause adverse impacts on any sensitive land use (compatible accommodation activities) within The Pines Low Impact Business & Industry Local Area. Development of a limited range and mixture of low impact uses from within other activity groups are appropriate only if they are compatible with and do not limit or compromise the development of preferred land uses”.

The main land uses proposed for the subject site are low scale industry, business or recreation activities on the ground level of each unit, with the accommodation activities establishing secondary to the ground level use. The preliminary approval lists uses as Accepted, subject to requirements, Code assessable and Impact assessable against The Pines Low Impact Business and Industry Park Code. Uses that are likely to establish in the development include:

- A private storage shed for personal cars, boats, trailers, caravans;
- Mechanic;
- Bicycle repairs;
- Medical laboratory or biotechnology industry;
- Gymnasium; or
- Caretaker’s unit or dwelling unit (single unit associated with a non-residential use).

The local plan also allows for Special activities, being a Telecommunications facility as Accepted, subject to requirements, only if it is aerial cabling for broadband purposes.

The local plan identifies that:

“The development of any use which results in medium impacts, high impacts, or extreme impacts and risks due to emissions, or dangerous or hazardous goods and activities, does not occur within the The Pines Low Impact Business & Industry Local Area.”

Access to the site is from Jake Court. The proposal includes provision for on-site parking spaces in front of each unit and loading bays internal to the site. Two new access points (one, dual access and one ‘exit only’ point) are proposed to Jake Court.

Change to the application

The application originally included a Material Change of Use however, prior to the application being properly made, the application was changed to be only for the Preliminary Approval. In response to the Information Request, the local plan document was amended to provide flexibility in the construction and ability for uses to change in each tenancy, in accordance with the local plan document.

SITE AND LOCALITY

The subject site is located on the corner of Jake Court and The Pines Boulevard. The location of the site renders it as an entry into the Pines residential estate, and an important transition site between the Cassam Street industrial area to the north and the residential estate. It is also noteworthy that the site is in proximity to the Yeppoon Road arterial route and the former rail reserve, which is intended to form part of the Yeppoon 'Rail Trail' network. In terms of topography, the site slopes downwards to the north.

The broader locality features a mix of land uses, ranging from rural/agricultural to industrial, recreational and Park Residential.

The subject site joins two parcels, one being Lot 4010 Jordy Drive, Hidden Valley. The area on the adjoining Lot 4010 is within a drainage easement and not subject to development. The subject site also adjoins Lot 9002 on SP275126 which is parkland and contains a drainage feature in ownership of Council.

ASSESSMENT INCLUDING BENCHMARKS AND RELEVANT MATTERS

This application has been assessed by relevant Council planning, engineering, environmental health, natural resource management and other technical officers as required. The assessment has been undertaken in accordance with Chapter 3 of the *Planning Act 2016*, Part 4 of the *Planning Regulation 2017* and the Development Assessment Rules under the *Planning Act 2016*.

The assessment has been carried out against the assessment benchmarks in the relevant categorising instrument/s for the development and having regard to the State Planning Policy, any development approval for and any lawful use of the premises or adjoining premises, and the common material.

Benchmarks applying for the development	Benchmark reference
Strategic Framework - Emerging community zone code Accommodation activities code Bushfire hazard overlay code General development code Development works code	<i>Livingstone Planning Scheme 2018</i> , Version 3 in effect, 15 February 2022
Part E: State interest policies and assessment benchmarks	<i>State Planning Policy</i> , July 2017
Relevant matters considered	
Any development approval for, and any lawful use of, the premises or adjacent premises	The relevance of existing approvals on the subject site (including The Pines Local Plan Document under Development Permit D-169-2013) and adjoining properties in respect of the land use pattern and commensurate development
The common material submitted with the application	In respect of the reports provided in the material including proposal plans and supporting information
Submissions provided on the application	In respect of relevant matters raised in submissions.
The Local Government Infrastructure Plan	In respect of trunk infrastructure provisions and charging for development.

Internal advice and assessment

Development Engineering – 11 March 2022 and 7 March 2023

Support, subject to compliance with The Pines – Low Impact Business & Industrial Park Preliminary Approval Document (Rev. A) dated October 2021. The conditions were reviewed on 7 March 2023.

Natural Resource Management

No comments.

Environmental Health – 15 February 2022

Support, subject to conditions for General environmental duty and licensable activities.

Growth Management – 8 February 2023

Support, with comments as follows:

The level of assessment or assessment criteria terminology should be updated to reflect the current terminology being either assessment benchmarks and categories of assessment and development.

Update to section 2.4 Table 4 to replace operational works with Building Works.

The table of assessment for Reconfiguring a Lot must be changed to either:

- a) Option 1: the heading of Column 2 is amended to 'categories of development and assessment' and the circumstances for code assessment are included in Column 2 rather than Column 1 so that the circumstance for impact assessment can be achieved (as it refers to the categories of development assessment column); or
- b) Option 2: the heading of Column 2 is amended to 'categories of development and assessment' and the circumstance for impact assessment is amended in a manner that refers to the development circumstances currently stated in Column 1 and the corresponding Category of Development or Category of Assessment in Column 2.

The table of assessment for Building Works be updated to align the nominated acceptable outcomes with the relevant outcomes including the built form outcomes AO9.1, AO9.2, and AO10.1.

Further Acceptable Outcomes be provided in terms of articulation and built form provisions. **Information request**

An information request was issued by council on 15 March 2022. The applicant provided a response (in full) on 13 September 2022.

Further advice was requested via email on 15 December 2022 and a full response was provided on 25 January 2023.

State Planning Policy – July 2017

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

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

Part E of the *State Planning Policy* provides for interim development assessment benchmarks for local government until such time as the other aspects of the *State Planning Policy* are reflected in the planning scheme. The site contains or is adjacent to the following

state interests: Agriculture, Natural hazards risk and resilience (flood and bushfire) and transport infrastructure (active transport).

In terms of Agriculture, the land has held an approval for land uses consistent with residential since 2013 and is not conducive to agriculture due to the size of the site and surrounding land uses. Therefore, the state interest is not compromised.

In terms of Natural hazards, risk and resilience, the site is identified as Flood hazard area - Local Government flood mapping area. The subject site is not mapped as a flood hazard area under the planning scheme. Stormwater will be considered through Operational Works and there is the opportunity to discharge stormwater to the adjoining Council land or via stormwater easements in favour of Council. This will be subject to detailed design and in accordance with the requirements of the Local Plan document. In relation to Bushfire hazard, the hazard is to the north-west of Jordy Drive. There is considered adequate separation by Jordy Drive to the hazardous vegetation to ensure the risks to people and property are mitigated to an acceptable or tolerable level and that the risk is not increased due to the proposed development. The proposed development is unlikely to hinder disaster management response or recovery capacity and capabilities as there is direct access to higher order roads and the site will be connected to the reticulated water supply. The site is clear of vegetation and adequately separated from the hazardous area to the north-west to ensure that the risk is manageable, tolerable and unlikely to result in the release of hazardous materials, if associated with one of the low impact land uses proposed for the subject site.

The site also adjoins the active transport to the north which is the rail trail corridor. The development proposed with a zero metre setback to this frontage however not within this corridor, nor impacts the future development of the active corridor. The corridor is approximately twenty metres wide for the length of the subject site, with adequate area for the future pedestrian corridor to be established, along with any future planting of vegetation.

Water Quality will be conditioned to ensure it is in accordance with the State Planning Policy.

Central Queensland Regional Plan

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

Livingstone Planning Scheme 2018

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

Strategic Framework

The strategic framework sets the policy direction for the planning scheme and forms the basis for ensuring appropriate development occurs within the planning scheme area for the life of the planning scheme.

The subject site is generally mapped within the Urban area, with Industrial to the north and New industrial to the west. The proposal for an urban development and is on land identified to accommodate the forecast population and employment growth, achieving strategic outcome (1). The proposed development intention (through use and design) of the preliminary approval, provides a transition between the industrial land to the north and west through the Industrial and Business activities proposed, and incorporates Accommodation activities to transition to the urban land to the south and east (with The Pines Estate). The development will provide an alternative housing option to meet the needs of the growing population.

The proposed development will facilitate two residential uses that are not commonly offered in Yeppoon or surrounding areas being a Caretaker's accommodation or Dwelling unit, achieving specific outcome (6) for Urban places. The proposed design is a mix of the industrial uses to the north and west, however provides a mix of materials and articulation through balconies and openings for upper levels, with surveillance also provided over the

street frontages. Further, the development achieves specific outcome (9) by co-locating small-scale, low-impact non-residential uses with residential uses. The site is separated by Jordy Drive and The Pines Boulevard to the sensitive land uses within The Pines Estate, and the uses operating hours are limited as per the proposed local plan document, to achieve specific outcome (12).

To ensure the integrity of the Industrial activities is not compromised by the proposed Accommodation activities, the land use definitions of Caretaker's accommodation and Dwelling unit have been nominated to ensure both accommodation activities are only able to occur if there is an Industry, Business or Recreation activity on ground level of each unit, with the accommodation activities establishing secondary to the ground level use. Therefore, reducing the potential for land use conflicts given the known understanding of the operation of the ground level of each tenancy.

The performance assessment of the proposal demonstrates that the development will not compromise the Strategic Framework and facilitates an alternative development type, not yet seen or established within the Shire.

Although the Local Plan and development is not consistent with every Strategic Outcome and Specific Outcome identified in the Strategic Framework of the *Livingstone Planning Scheme 2018*, Version 3, this specific mixed use development as a whole (including the proposed new categorising instrument) arguably results in development that does not at large compromise the policy direction embodied in the Strategic Framework. It facilitates an alternative development type and provides a transition site between the industry and urban areas.

Livingstone Planning Scheme 2018

Emerging community zone code

The purpose of the emerging community zone code is:

- (1) *to provide for development on land that is considered to be generally suitable for urban activities;*
- (2) *to protect land in the zone from development which compromises or limits its ability to develop for urban activities when needed;*
- (3) *to provide for the timely, orderly and efficient conversion of non-urban land to land providing for urban activities;*
- (4) *to provide for the development of new well planned urban communities;*
- (5) *to provide for the development of small scale and low intensity uses until such time as the land is needed for urban activities; and*
- (6) *to facilitate the achievement of the overall outcomes sought for the zone.*

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

- (1) *a demonstrated overriding community need is established prior to the land being developed for urban activities;*
- (2) *structure planning of areas within the zone is undertaken in advance of development of the land (with the only exception being the interim uses identified in Overall Outcome (4), Overall Outcome (5), Overall Outcome (6), and Overall Outcome (7));*
- (3) *until such time as there is a demonstrated overriding community need established for the land to be developed for urban activities, development occurs only in the following circumstances:*
 - (a) *if it does not limit or compromise the ability to develop the land for urban activities at a time when needed; and*
 - (b) *if it is for the following:*
 - (i) *a small scale and low intensity use from within the rural activities group; or*

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- (ii) *a small scale and low intensity use from within the recreation activities group; or*
 - (iii) *a use from within the accommodation activities group which is compatible with and supports a use from within the rural activities group; or*
 - (iv) *a use from within the special activities group which is an essential component of infrastructure servicing the community; and*
 - (c) *if it involves reconfiguration of a lot, it does not result in fragmentation of the land into lots having inappropriate sizes and dimensions;*
 - (4) *until such time as there is a demonstrated overriding community need established for the land to be developed for urban activities, the development of a use from within the rural activities group is a preferred use within the zone in the following circumstances:*
 - (a) *it is designed, sited and operated to mitigate significant adverse impacts on sensitive land use; and*
 - (b) *the use:*
 - (i) *is animal husbandry; or*
 - (ii) *is cropping; or*
 - (iii) *is a roadside stall; or*
 - (iv) *is a wholesale nursery;*
 - (5) *until such time as there is a demonstrated overriding community need established for the land to be developed for urban activities, the development of a use from within the recreation activities group is a preferred use within the zone in the following circumstances:*
 - (a) *it is an environment facility; or*
 - (b) *it is a park;*
 - (6) *until such time as there is a demonstrated overriding community need established for the land to be developed for urban activities, the development of a use from within the accommodation activities group is a preferred use within the zone only in the following circumstances:*
 - (a) *it is ancillary to the use of the land for a use within the rural activities group;*
 - (b) *it is designed and sited so as not to limit or compromise the continuing operation of an established use from within the rural activities group on an adjoining lot;*
 - (c) *it is designed and sited so as not to limit or compromise the future development of rural zoned land on an adjoining lot for a use from within the rural activities group;*
 - (d) *it is appropriately separated and buffered from uses that are likely to result in adverse impacts on amenity; and*
 - (e) *the use:*
 - (i) *is a dwelling house; or*
 - (ii) *is a home based business;*
 - (7) *until such time as there is a demonstrated overriding community need established for the land to be developed for urban activities, the development of a use from within the special activities group occurs within the zone only in the following circumstances:*
 - (a) *it has relatively low impacts and is an essential component of infrastructure servicing the community;*
 - (b) *it is designed and sited so as not to limit or compromise the continuing operation of an established use from within the rural activities group on an adjoining lot;*
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- (c) *it is designed and sited so as not to limit or compromise the future development of rural zoned land on an adjoining lot for a use from within the rural activities group;*
 - (d) *it is designed and sited so as to limit significant adverse impacts on any established sensitive land use in the immediate area and any future sensitive land use in the emerging community; and*
 - (e) *the use:*
 - (i) *is a landing; or*
 - (ii) *is a utility installation (for example, water supply pump station, water supply reservoir, sewerage pump station, other essential urban infrastructure networks);*
 - (8) *until such time as there is a demonstrated overriding community need established for the land to be developed for urban activities, development is consistent with a built form that is characterised by low building heights and large boundary setbacks;*
 - (9) *when there is a demonstrated overriding community need established for the land to be developed for urban activities, development occurs only in the following circumstances:*
 - (a) *the development is undertaken in accordance with a structure plan that has been approved by Council for the site;*
 - (b) *the Council approved structure plan for development of the site provides a framework for the coordinated provision and layout of land use and infrastructure and it includes specific details in relation to the planned development yield for the site; and*
 - (c) *the Council approved structure plan for development of the site and surrounding area provides for the achievement of the following outcomes:*
 - (i) *land that is unsuitable for development because of constraints arising from significant heritage features, matters of environmental significance, scenic landscape features or other important features is avoided, protected and appropriately managed;*
 - (ii) *land that is unsuitable for development because of constraints arising from natural hazards is avoided and appropriately managed;*
 - (iii) *development is appropriately integrated with established urban communities;*
 - (iv) *development occurs in an orderly and sequenced way;*
 - (v) *development ensures that the efficient extension of existing urban infrastructure occurs;*
 - (vi) *development does not limit or compromise the development of identified future trunk infrastructure;*
 - (vii) *the provision of a variety of lot sizes to suit the needs of different land use envisioned within the structure plan area occurs;*
 - (viii) *development is provided with necessary infrastructure and services to an appropriate urban standard in a coordinated, timely and efficient manner;*
 - (ix) *development is able to be supported by transport infrastructure that promotes public transport use, walking and cycling;*
 - (x) *sensitive land use is not located in proximity to any established incompatible uses without appropriate design and siting to minimise adverse impacts on amenity;*
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- (xi) *the development of uses from within the accommodation activities group contributes to housing diversity which predominantly caters for the long-term stay of residents;*
- (xii) *the development of uses from within the accommodation activities group predominantly occurs at densities that are consistent with the low density residential zone code and the low-medium density residential density zone code of the planning scheme;*
- (xiii) *opportunities for the development of uses from within the accommodation activities group at a medium density are provided where adjoining or in proximity to land identified for the development of a centre;*
- (xiv) *uses from within the accommodation activities group have safe and convenient access to an appropriate range of uses from within the community activities group and recreation activities group;*
- (xv) *the development of a limited range of uses from within the special activities group occurs at appropriate locations where they are an essential component of infrastructure servicing the emerging community;*
- (xvi) *where involving a centre, the centre is provided in accordance with the hierarchy of centres and the investigation areas stated in the Strategic Framework;*
- (xvii) *the development of other urban activities occurs at appropriate locations as identified in the Strategic Framework; and*
- (xviii) *the built form of development in areas identified for specific land use, is generally consistent with the built form that is intended for other zones of the planning scheme where they have a similar purpose.*

The proposed development does not include a preferred use as nominated in the purpose or overall outcomes of the Emerging community zone code. Despite this the subject site is separated from sensitive land uses (Dwelling houses) by higher order roads and existing landscaping and the land is no longer conducive to rural activities. Further, the proposed development is unique in respect of a mixed use development, providing a transition from industrial land to the north and west, to residential to the south and east.

The code assessment is included as an attachment to the report and includes an assessment of the proposal against the specific benchmarks of the Emerging community zone code, with consideration given to the proposed Local Plan, which includes an assessment of the development against the relevant performance outcomes of the codes.

The Pines Local Plan

The subject site was created under The Pines Local Plan and as per the master plan, the area is generally within the Medium density residential precinct. The precinct is to provide for low to medium density residential activities, comprising multi-unit residential uses, supported by community activities and small-scale services and facilities to cater for the local residents. As stated in the code response to the Emerging community zone, the proposal seeks to facilitate an alternative to only residential uses by providing a mix of uses and create a transition between the industrial estates and the residential. The intent is to provide an area for people to store their belongings if they do not have the opportunity to do so on their residential property (or live out of town). There is also the opportunity for low impact, small scale businesses to operate from the site, close to an expanding residential area, with high connectivity via higher order roads to both Rockhampton and Yeppoon. The proposal also provides an alternative housing choice by allowing Caretaker's accommodation or Dwelling units to establish secondary to the (either) industry, business or recreational activities use.

Whilst not directly consistent with the purpose of The Pines Local Plan Medium density residential precinct code, as detailed above, this preliminary approval seeks to provide a mix of small scale services and facilities to cater for residents – either from within The Pines Estate or from further afar. It has the ability to provide a base for a start up business that has

outgrown a home based business status, a place to store personal goods if the land of their primary residence does not allow a private class 10a building, it provides an alternative housing option for long term living, and provides a transition between industrial land and residential land.

Accommodation activities code

The relevant provisions in terms of private recreation and noise levels, of the Accommodation activities code for both a Caretaker's residence and Dwelling unit have been integrated into the local plan document. The accommodation activities must occur secondary to an industry, business or recreational use within each unit tenancy. The accommodation activity cannot occur on its own.

Bushfire hazard overlay code

Through an assessment of the Bushfire hazard risk to the property, the hazard is towards the north-west of Jordy Drive. The nearest area of significant vegetation is located around 80 metres to the north-west, within the road reserve of Yeppoon Road. This is more than double the height of existing vegetation, meeting all bushfire hazard setback requirements. The hazardous area is further fragmented by Yeppoon Road. The site will also be connected to the reticulated water supply and has access to a formed road, and higher order road network. All buildings will be assessed for a Bushfire Attack Level by the building certifier at the time of building works. Therefore, the risk to life, property, community, economic activity and the environment is considered to be a tolerable level of risk to not require further assessment against the bushfire hazard overlay code as per the proposed Local Plan. This is consistent with The Pines Local Plan document.

Development works code

Both the Development works code table of assessment and code have been replicated within the proposed local plan. Refinements have been made in terms of removing requirements such as on-site provisions for water, electricity and telecommunications given the site is located in an urban area. The levels of assessment remain consistent with that of the *Livingstone Planning Scheme 2018*. Operational works for road works is required for the first stage prior to or as part of any building works for the first building to develop on the site.

General development code

The General development code has not been wholly integrated into the proposed Local Plan document.

A condition requiring community safety, lighting, waste storage and noise outcomes be included in the Local plan document will be included. A traffic impact assessment has been conditioned to be provided prior to any works occurring. The Local plan does include noise regulations for a Dwelling unit (consistent with the accommodation activities code in the Planning Scheme).

PUBLIC NOTIFICATION

The proposal was the subject of public notification between 19 September 2022 to 3 November 2022, as per the requirements of the *Planning Act 2016*, and two submissions were received. Both submissions are considered to be properly made in accordance with the *Planning Act 2016*.

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

Issue	Officer Comment
The Pines Local Plan <ul style="list-style-type: none"> The site is in the Medium density node under Development Approval D-169-2013 for development in accordance with The Pines Local Plan 	Consideration has been given to the Pines Local Plan. Whilst not directly consistent with the purpose of The Pines Local Plan Medium density residential precinct code, as detailed above,

Issue	Officer Comment
<ul style="list-style-type: none"> • The intention is for residential and not for industrial to encroach • Provides for industrial uses with no benefit to the residents of The Pines 	<p>this preliminary approval seeks to provide a mix of small scale services and facilities to cater for residents – either from within The Pines Estate or from further afar. It has the ability to provide a base for a start up business that has outgrown a home based business status, a place to store personal goods if the land of their primary residence does not allow a private class 10a building, it provides an alternative housing option for long term living, and provides a transition between industrial land and residential land.</p>
<p>No assessment against the Planning Scheme or The Pines Local Plan</p>	<p>The planning scheme, emerging community zone has been addressed and the bushfire overlay code has been addressed in the local plan document.</p>
<p>Inappropriate industrial encroachment into a residential estate</p>	<p>The local plan will facilitate small-scale, low-impact uses on the subject site, with the site transitioning between the industrial to the north and west and residential to the south and east.</p>
<p>The Pines – Low Impact Business & Industry Park Preliminary Approval Document does not provide robust assessment benchmarks addressing built form or potential impacts surrounding the site and within the site.</p> <p>The proposal could allow for a 12 metre high building with a 2 metre setback from The Pines Boulevard with 75% site cover. This would present a building which is overbearing, out of scale in the context with inadequate landscaping and will have a significant detrimental impact on visual and residential amenity of the area.</p> <p>The site is a prominent site on the entry to The Pines Estate and direct line of sight from Yeppoon Road.</p>	<p>It is acknowledged that the proposed setbacks are closer than permitted under the planning scheme.</p> <p>The proposal has included plans for the development which will be included as approved documents. The plans illustrate generally two storey buildings, approximately 9 metres in height. The buildings hold a dwelling appearance to the street frontages with window openings, balconies, and a mix of materials. The proposal plans will be included in the approved plans to provide certainty and that the local plan is tied to this specific development.</p> <p>The site is at a higher elevation than the road however there is significant established landscaping, including shrubs and trees in the road reserve which will provide adequate screening to the site. The wall to the rail trail is recommended to be used for a placemaking opportunity to the rail trail.</p> <p>The setbacks to the street frontages is considered suitable specific to the site. The frontages are densely vegetated in the road reserves and currently in a well maintained state. The buildings are articulated to the street frontages with balconies and openings, to also provide casual surveillance where there is currently no surveillance. The proposed building height is also generally consistent with the previous approval D-158-2016 for a Retirement facility which was</p>

Issue	Officer Comment
	approved (and still current until 2025) to be up to three (3) storeys and approximately twelve (12) metres in height (for some buildings).
<p>No traffic engineering assessment was lodged. Heavy vehicle traffic accessing Jake Court – affect on amenity and pedestrians.</p>	<p>A Traffic Impact Assessment will be conditioned as part of any Operational Works application, in accordance with the local plan document. The development has access to higher order roads, directly out to Yeppoon Road. A traffic impact assessment is required as part of the Operational works conditions. Jake Court will be required to be opened and upgraded as per the proposal plans including on street parking and access arrangements (included as a condition and that operational works for road works be made code assessable in the local plan document).</p>
<p>Uses within the local plan document are not compatible with the residential area. The mix of land uses result in a poor planning outcome.</p>	<p>The purpose of the local plan is for small-scale, low impact uses. It provides for the private storage of goods, or small businesses to establish once they have outgrown a home based business status. Accommodation activities are proposed to be secondary to the ground level use, to provide an alternative housing choice in a well connected and emerging residential area. The accommodation activities proposed are secondary to the primary use, therefore any future resident would understand the primary intent of the site. Further each tenancy/unit will be divided by a fire wall and have acoustics treatments through the building process. There are also hours of operation in the local plan to ensure the operating times are suitable.</p>
<p>The local plan document does not include multiple dwellings or dual occupancy as land use definitions.</p>	<p>The proposal does not include both proposed land use definitions as it is not intended to provide for these uses. Each tenancy / unit will have the opportunity to establish either a Caretaker's accommodation or Dwelling unit secondary to a business, industry or recreation activity. Each tenancy/unit will provide for suitable building provisions for fire separation.</p>
<p>Updates required to the Local Plan document:</p> <ul style="list-style-type: none"> • The code does not provide sufficient requirements with respect to built form, building and site aesthetics, activation of frontages and the rail trail and the potential impact on amenity. • Figure 1 should be removed • Update to building work trigger • Minimum lot size 	<p>The local plan has been conditioned to be updated to include additional built form provisions. The proposal plans have been included in the approval to ensure the development is tied to the proposal plans and that the local plan allows for the material change of use and subsequent change of uses. The Operational Works for road works, stormwater works, water supply and sewerage services has been made code assessable.</p>

Issue	Officer Comment
<ul style="list-style-type: none"> • Visual and residential amenity • Building height and site cover • Inadequate setbacks to street frontages and rail trail • Pedestrian point in AO11.1 • Plant or equipment be visible from the site in AO11.3 • Increase landscaping should be required • More car parking should be provided • Does not identify the design vehicle or when a loading bay is required • Operational works earthworks thresholds should be consistent with The Pines Local Plan • Non-worsening should be referenced in AO30.1 	<p>The building design as per the proposal plans, and the landscaping will address and soften the amenity to frontages. The building to the rail trail is noted to be utilised for placemaking opportunities and will be screened by mature landscaping in the road reserve. Further, it fronts industrial zoned land to the north.</p> <p>Council does not agree to remove figure 1 as it provides the site layout.</p> <p>The building work trigger has been conditioned to be updated.</p> <p>The minimum lot size is to facilitate building format plans over the units.</p> <p>The building heights is generally consistent with the previous retirement village proposal. The site cover is considered suitable given the development is separated from adjoining lots by roads and landscaping, to not be overbearing to the surrounding area and consistent with the Low impact industry zone code requirements (and industrial uses in the area). It is noted that the site cover based on the proposal plans is approximately 33 per cent.</p> <p>The setbacks have been accepted based on the proposal plans showing articulated buildings and residential features to the street frontages.</p> <p>The pedestrian point and plant or equipment has been included in the local plan update conditions.</p> <p>Landscaping is suitable given the mature and existing vegetation located in the road reserve.</p> <p>The proposed carparking is a suitable alternative outcome and there is the opportunity to park within units.</p> <p>The earthwork threshold is consistent with the planning scheme.</p> <p>Non-worsening is referenced in QUDM and operational works for stormwater works has been required to be code assessable.</p>

INFRASTRUCTURE CHARGES

Infrastructure charges are levied pursuant to the Adopted Infrastructure Charges Resolution current at the time of application. Any development on the site must be in accordance with the assessment benchmarks listed in the local plan. If a code assessable Material Change of Use application is not required, the development can progress to Operational Works or Building Works. Infrastructure charges will be issued in accordance with Section 119 of the *Planning Act 2016* as part of the building works or operational works process. Infrastructure charges will be issued in accordance with the resolution at the time of the Material Change of Use, Operational Works or Building Works development permit.

Based on the current *Adopted Infrastructure Charges Resolution (No.4) 2019*, the infrastructure charges are as follows:

Charge area:	The subject site is located outside the priority infrastructure area
Calculation:	<p>The charge is calculated in accordance with section 3.4.2 - Development located partly outside or entirely outside the priority infrastructure area, Table 4 - Adopted charge for development Uses within the Priority Infrastructure Area and Table 6 – Proportional Split of adopted infrastructure charge for trunk infrastructure networks within the priority infrastructure area for Reconfiguring a Lot and development Uses, as follows:</p> <ol style="list-style-type: none"> 1. Low impact industry at \$50.00 per m2 of Gross Floor Area (GFA) plus \$10.00 per impervious m2 for stormwater; 2. Indoor sport and recreation at \$70.00 per m2 of Gross Floor Area (GFA), Court Areas at \$20.00 per m2 of GFA plus \$10.00 per impervious m2 for stormwater; 3. Service industry at \$70.00 per m2 of Gross Floor Area (GFA) plus \$10.00 per impervious m2 for stormwater. 4. Caretaker's accommodation or Dwelling unit at \$17,000.00 per 1 or 2 bedroom dwelling (per tenancy that elects to develop an accommodation use). 5. less a credit.
Credit:	<p>The existing allotment holds a credit pursuant to Part 4.0 of Council's <i>Adopted Infrastructure Charges Resolution (No. 4) 2019</i>. The credit is calculated as follows:</p> <ol style="list-style-type: none"> 1. one existing lot at \$25,000.00 per lot.
Offset:	No offsets are applicable to the development.

It is noted that the expected Infrastructure Charges are as follows (based on the buildings being entirely low impact industry with one residence per unit):

Charge area:	The subject site is located outside the priority infrastructure area
Calculation:	<p>The charge is calculated in accordance with section 3.4.2 - Development located partly outside or entirely outside the priority infrastructure area, Table 4 - Adopted charge for development Uses within the Priority Infrastructure Area and Table 6 – Proportional Split of adopted infrastructure charge for trunk infrastructure networks within the priority infrastructure area for Reconfiguring a Lot and development Uses, as follows:</p> <ol style="list-style-type: none"> 1. Low impact industry at \$50.00 per m2 of Gross Floor Area (GFA) plus \$10.00 per impervious m2 for stormwater; <ol style="list-style-type: none"> A. GFA: 3,179 square metres = \$158,950.00 B. Impervious: 3,981 square metres for driveways and parking, 3,179 square metres for buildings = \$71,600.00 2. Caretaker's accommodation or Dwelling unit at \$17,000.00 per 1 or 2 bedroom dwelling (per tenancy that elects to develop an accommodation use).

	A. 43 Units = \$731,000.00 3. less a credit .
Credit:	The existing allotment holds a credit for the existing lot pursuant to Part 4.0 of Council's <i>Adopted Infrastructure Charges Resolution (No. 4) 2019</i> . The credit is calculated as follows: 2. one existing lot at \$25,000.00 per lot.
Offset:	No offsets are applicable to the development.
Total charge:	\$961,550.00 Note: this is based on the <i>Adopted Infrastructure Charges Resolution (No.4) 2019</i> and a new charges resolution commenced on 1 January 2023.

PREVIOUS DECISIONS

It is noted that there have been recent development applications for similar land uses surrounding the subject site. The following is information on similar applications and decisions:

- (i) Development Permit D-199-2022 for a Material Change of Use for a Warehouse located at Lot 4009 Yeppoon Road, Hidden Valley;
- (ii) Development Application D-362-2022 for a Material Change of Use for a Warehouse located at Lot 51 Fred Lawn Drive, Yeppoon;
- (iii) Development Application D-59-2023 for a Material Change of Use for a Warehouse located at Lot 4009 Yeppoon Road, Hidden Valley; and
- (iv) Low impact industry and Warehouse land uses at 2, 6 and 10 Macadamia Drive, Hidden Valley, as Accepted development subject to meeting the requirements of The Gateway Development Document;

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

- (i) Preliminary approval D-Y/2006-322 overriding the planning scheme for a Material Change of use for an Industrial estate – The Gateway Business and Industry Park (The Gateway Development Document);
- (ii) Preliminary Approval D-120-2021 for a Variation Request to vary the effect of the Local Planning Instrument (*Livingstone Planning Scheme 2018*) in accordance with the Surf Lake Local Plan ('SLLP' or Variation Instrument) pursuant to Section 50(3) of the *Planning Act 2016*;
- (iii) Preliminary Approval D-122-2013, affecting the Planning Scheme (section 242) for a Material Change of Use and Preliminary Approval affecting the Planning Scheme (section 241) for Operational Work for undertaking Tidal Work in a coastal management district and a Preliminary Approval (section 241) for a Material Change of Use for Environmentally Relevant Activity 63, Sewerage Treatment and Environmentally Relevant Activity 53, Composting and Soil Conditioner Manufacturing, located at Great Keppel Island;
- (iv) Preliminary Approval D-245-2007, that includes a variation request for a Material Change of Use for a Master Planned development located at 318 Tanby Road, Taroomball; and
- (v) Preliminary Approval D-35-2016 for a Material Change of Use to vary the effect of the Planning Scheme for Park Residential Zone and Business Zone uses at Dawson Road, Glenlee.

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

ACCESS AND INCLUSION

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

ENGAGEMENT AND CONSULTATION

The application was publicly notified between 19 September 2022 to 3 November 2022, being thirty (30) business days, and two (2) submissions were received in accordance with the *Planning Act 2016*.

HUMAN RIGHTS IMPLICATIONS

There are no identified human rights implications associated with this development application.

BUDGET IMPLICATIONS

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

LEGISLATIVE CONTEXT

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

LEGAL IMPLICATIONS

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

STAFFING IMPLICATIONS

No staffing implications have been identified in the assessment.

RISK ASSESSMENT

The risks associated with this assessment have been appropriately addressed in the body of this report. Specifically, the risk of appeal to any decision made by Council and any financial/budget implications such action may have. It should be noted that these risks are difficult to quantify at the assessment stage.

CORPORATE PLAN REFERENCE

Future Livingstone

Community Plan Goal 5.1 - Balanced environmental and development outcomes

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

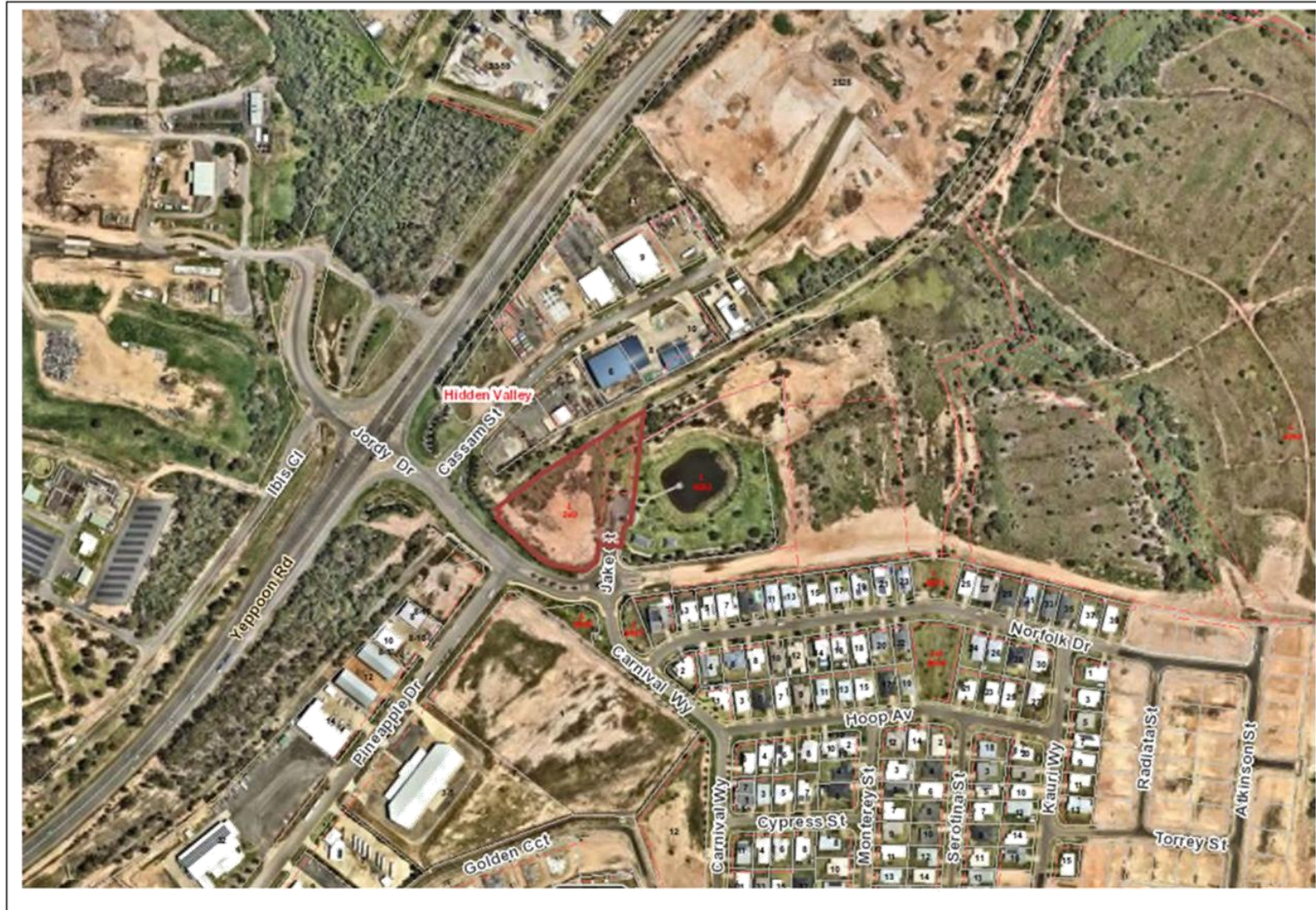
The decision will be made in accordance with the *Livingstone Planning Scheme 2018* and relevant legislation, to ensure that development is consistent with current best practice and community expectations.

CONCLUSION

The proposed development seeks to vary the planning scheme to be in accordance with The Pines - Low Impact Business & Industry Park Preliminary Approval Document. The Local Plan is a reasonable and relevant assessment document, generally consistent with the code requirements of the *Livingstone Planning Scheme 2018*, for the appropriate future development of the mixed use development.

In summary, despite the development not being for preferred uses within the zone or as per the current The Pines Local Plan, the activities will not undermine the viability, role or function of the Emerging community zone and there are reasonable circumstances to support the location for development. The performance assessment of the proposal demonstrates that the development will not compromise the Strategic Framework and the relevant overall outcomes have been integrated in the proposed local plan document and is subject to relevant and reasonable conditions as detailed in the recommendation.

D-45-2022 Locality Plan, Lot 240 Jake Court, Hidden Valley



D-45-2022 Site Plan, Lot 240 Jake Court, Hidden Valley



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PROPOSED INDUSTRIAL UNITS
THE PINE'S YEPPOON ROAD QLD
Client: Jake Ct Pty Ltd

SITE PLAN

Scale: As Shown
Drawn: DL AGP
Date: 8 Aug 2022
Sheet: 1 of 37

Scale: As Shown
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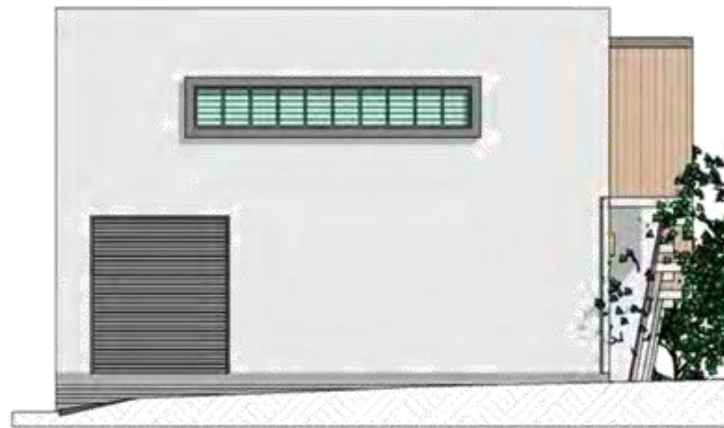
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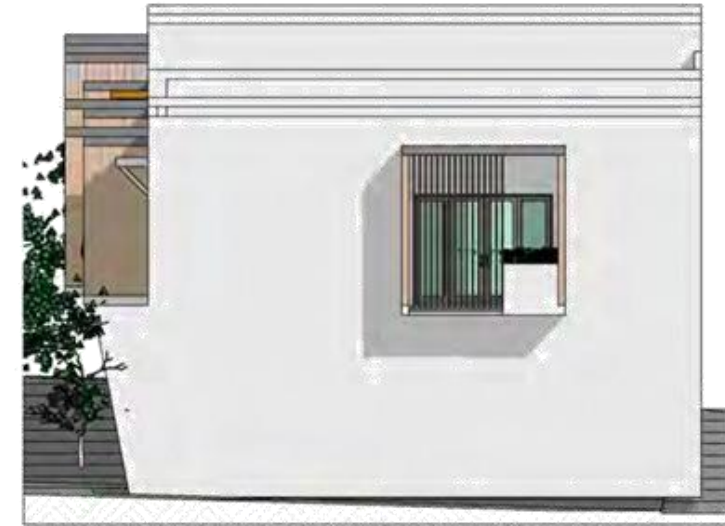
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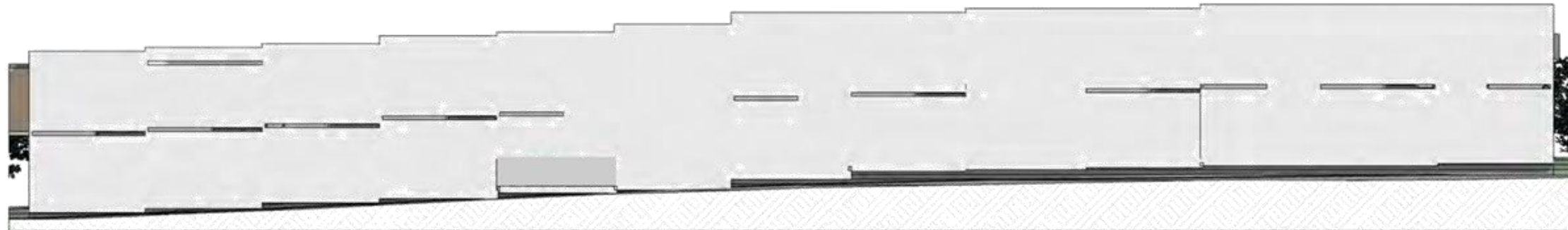
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WALL LEGEND NOTE	NOTE	SOLAR INSTALLATION NOTE	GLAZING NOTES	COLOR SCHEDULE	AIR CONDITIONING INVERTERS NOTE
ALL EXTERNAL WALLS TO BE WEATHERPROOFED WITH 3 COATS OF 100% ACRYLIC BASED EXTERIOR QUALITY GLOSS PAINT OR 1 COMPLETE COAT OF CEMENT BASED PAINT AND 2 COATS OF 100% ACRYLIC BASED EXTERIOR QUALITY GLOSS PAINT	ROOF SHEETING AND WALL/GABLE CLADDING TO BE AS PER RELEVANT DTC STANDARDS. SCREW AND WASHER ASSEMBLY TO BE IN STRICT ACCORDANCE WITH THE DTC STANDARD FOR THE SPECIFIC SHEETING INSTALLED. TYPICAL ALL SECURITY SCREEN TO FRONT FACADE TO BE STAINLESS STEEL WOVEN MESH	SOLAR SYSTEMS ARE TO BE INSTALLED, THEY CAN BE LOCATED ON ROOF, BUT THEY SHOULD BE POSITIONED AT REAR OF HOUSE BALUSTRADE NOTE BALUSTRADE AS SELECTED TO BCA REQUIREMENTS AND CERTIFIED BY MANUFACTURER / INSTALLER. ALTERNATIVES: GLASS OR STAINLESS STEEL WIRE	- WATER PENETRATION RESISTANCE TEST PRESSURE: 300Pa - ULTIMATE DESIGN WIND PRESSURE FOR GLAZING (kPa) LOCATION IN BUILDING (DISTANCE FROM EXTERNAL CORNER TO CENTRE OF GLASS PANEL) 0 - 1.0 m ELSEWHERE 3.8 kPa 3.3 kPa	ROOF COLOUR SURFMIST WALL COLOUR 1 (WC1) SHALE GREY WALL COLOUR 2 (WC2) MONUMENT DRIVEWAY FINISH CONCRETE WITH FEATURE EXPOSED LOCATIONS ROLLER DOOR COLOUR IRONSTONE FASCA COLOUR SHALE GREY FEATURE MATERIAL URBANLINE	1. AIR CONDITIONING UNITS LOCATED ON PLAN ARE PREFERRED LOCATION. IF BUILDER OR CLIENT WISHES TO INSTALL AIR CONDITIONING UNITS ELSEWHERE THEY MUST SEEK APPROVAL FROM DESIGNER 2. NO AIR CONDITIONING INVERTERS ARE PERMITTED ON THE FRONT FACADE OR WITHIN THE FIRST 2 METRES OF THE HOUSE 3. AIR CONDITIONING INVERTERS WITHIN THE FIRST 2 TO 5 METRES ARE TO BE PLACED AT GROUND LEVEL OR SCREENED WITH VEGETARIAN (METAL SCREENS WILL BE CONSIDERED BUT ARE NOT VIEWED AS DESIRABLE OUTCOME) 4. THE PLACEMENT OF AIR CONDITIONING INVERTERS BEYOND THE FIRST 5 METRES ARE AT THE OWNER / BUILDERS DISCRETION OWNER BUILDER MIGHT SEEK APPROVAL PRIOR TO ANY WORKS CARRIED OUT ON SITE

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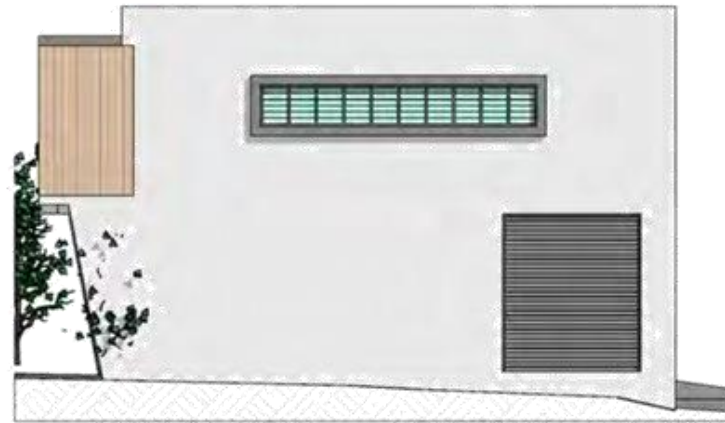
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Sheet	33 of 87	Attend.	-

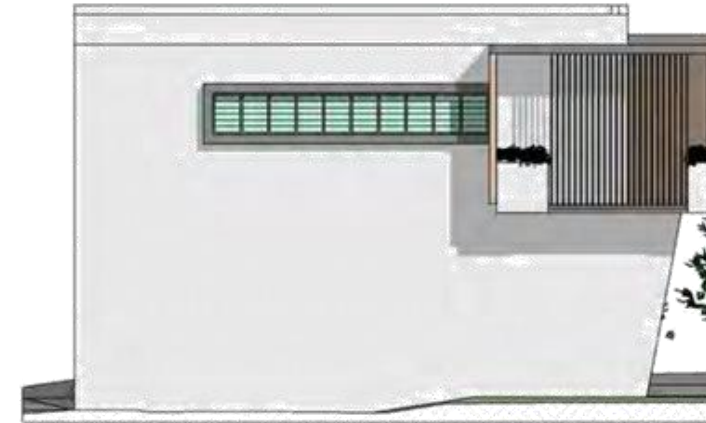
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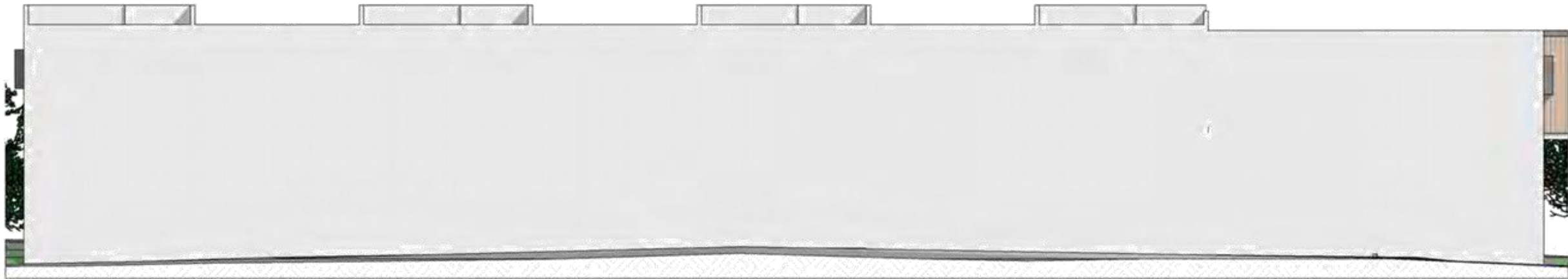
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Sheet	35 of 87	Attend.	-

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WALL LEGEND NOTE	NOTE	SOLAR INSTALLATION NOTE	GLAZING NOTES	COLOR SCHEDULE	AIR CONDITIONING INVERTERS NOTE
ALL EXTERNAL WALLS TO BE WEATHERPROOFED WITH 3 COATS OF 100% ACRYLIC BASED EXTERIOR QUALITY GLOSS PAINT OR 1 COMPLETE COAT OF CEMENT BASED PAINT AND 2 COATS OF 100% ACRYLIC BASED EXTERIOR QUALITY GLOSS PAINT	ROOF SHEETING AND WALL/GABLE CLADDING TO BE AS PER RELEVANT DTC STANDARDS. SCREW AND WASHER ASSEMBLY TO BE IN STRICT ACCORDANCE WITH THE DTC STANDARD FOR THE SPECIFIC SHEETING INSTALLED. TYPICAL ALL SECURITY SCREEN TO FRONT FACADE TO BE STAINLESS STEEL WOVEN MESH	SOLAR SYSTEMS ARE TO BE INSTALLED, THEY CAN BE LOCATED ON ROOF, BUT THEY SHOULD BE POSITIONED AT REAR OF HOUSE BALUSTRADE NOTE BALUSTRADE AS SELECTED TO BCA REQUIREMENTS AND CERTIFIED BY MANUFACTURER / INSTALLER. ALTERNATIVES: GLASS OR STAINLESS STEEL WIRE	- WATER PENETRATION RESISTANCE TEST PRESSURE: 300Pa - ULTIMATE DESIGN WIND PRESSURE FOR GLAZING (kPa) LOCATION IN BUILDING (DISTANCE FROM EXTERNAL CORNER TO CENTRE OF GLASS PANEL) 0 - 1.0 m ELSEWHERE 3.8 kPa 3.3 kPa	ROOF COLOUR SURFMIST WALL COLOUR 1 (WC1) SHALE GREY WALL COLOUR 2 (WC2) MONUMENT DRIVEWAY FINISH CONCRETE WITH FEATURE EXPOSED LOCATIONS ROLLER DOOR COLOUR IRONSTONE FASCIA COLOUR SHALE GREY FEATURE MATERIAL URBANLINE	1. AIR CONDITIONING UNITS LOCATED ON PLAN ARE PREFERRED LOCATION. IF BUILDER OR CLIENT WISHES TO INSTALL AIR CONDITIONING UNITS ELSEWHERE THEY MUST SEEK APPROVAL FROM DESIGNER 2. NO AIR CONDITIONING INVERTERS ARE PERMITTED ON THE FRONT FACADE OR WITHIN THE FIRST 2 METRES OF THE HOUSE 3. AIR CONDITIONING INVERTERS WITHIN THE FIRST 2 TO 5 METRES ARE TO BE PLACED AT GROUND LEVEL OR SCREENED WITH VEGETARIAN (METAL SCREENS WILL BE CONSIDERED BUT ARE NOT VIEWED AS DESIRABLE OUTCOME) 4. THE PLACEMENT OF AIR CONDITIONING INVERTERS BEYOND THE FIRST 5 METRES ARE AT THE OWNER / BUILDERS DISCRETION OWNER BUILDER MIGHT SEEK APPROVAL PRIOR TO ANY WORKS CARRIED OUT ON SITE

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Client: Jake Ct Pty Ltd

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JOB No. TRS 21-28
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WALL LEGEND NOTE

ALL EXTERNAL WALLS TO BE WEATHERPROOFED WITH 3 COATS OF 100% ACRYLIC BASED EXTERIOR QUALITY GLOSS PAINT
OR
1 COMPLETE COAT OF CEMENT BASED PAINT AND 2 COATS OF 100% ACRYLIC BASED EXTERIOR QUALITY GLOSS PAINT

ALL SECURITY SCREEN TO FRONT FACADE TO BE STAINLESS STEEL WOVEN MESH

SOLAR INSTALLATION NOTE

SOLAR SYSTEMS ARE TO BE INSTALLED, THEY CAN BE LOCATED ON ROOF, BUT THEY SHOULD BE POSITIONED AT REAR OF HOUSE

BALUSTRADE NOTE

BALUSTRADE AS SELECTED TO BCA REQUIREMENTS AND CERTIFIED BY MANUFACTURER / INSTALLER.
ALTERNATIVES: GLASS OR STAINLESS STEEL WIRE

NOTE

ROOF SHEETING AND WALL/GABLE CLADDING TO BE AS PER RELEVANT DTC STANDARDS. SCREW AND WASHER ASSEMBLY TO BE IN STRICT ACCORDANCE WITH THE DTC STANDARD FOR THE SPECIFIC SHEETING INSTALLED. TYPICAL

GLAZING NOTES

- WATER PENETRATION RESISTANCE TEST PRESSURE: 300Pa
- ULTIMATE DESIGN WIND PRESSURE FOR GLAZING (kPa)

LOCATION IN BUILDING (DISTANCE FROM EXTERNAL CORNER TO CENTRE OF GLASS PANEL)

0 - 1.0 m	ELSWHERE
3.8 kPa	3.3 kPa

COLOR SCHEDULE

ROOF COLOUR	SURFMIST
WALL COLOUR 1 (WC1)	SHALE GREY
WALL COLOUR 2 (WC2)	MONUMENT
DRIVEWAY FINISH	CONCRETE WITH FEATURE EXPOSED LOCATIONS
ROLLER DOOR COLOUR	IRONSTONE
FASCIA COLOUR	SHALE GREY
FEATURE MATERIAL	URBANLINE

AIR CONDITIONING INVERTERS NOTE

1. AIR CONDITIONING UNITS LOCATED ON PLAN ARE PREFERRED LOCATION. IF BUILDER OR CLIENT WISHES TO INSTALL AIR CONDITIONING UNITS ELSEWHERE THEY MUST SEEK APPROVAL FROM DESIGNER
2. NO AIR CONDITIONING INVERTERS ARE PERMITTED ON THE FRONT FACADE OR WITHIN THE FIRST 2 METRES OF THE HOUSE
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4. THE PLACEMENT OF AIR CONDITIONING INVERTERS BEYOND THE FIRST 5 METRES ARE AT THE OWNER / BUILDERS DISCRETION

OWNER BUILDER MIGHT SEEK APPROVAL PRIOR TO ANY WORKS CARRIED OUT ON SITE



1 BLOCK E ELEVATION 1:150



2 BLOCK E ELEVATION 1:150

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THE PINES YEPPOON ROAD QLD

Client: Jake Ct Pty Ltd

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Style: -

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3 BLOCK E ELEVATION 1:150



4 BLOCK E ELEVATION 1:150

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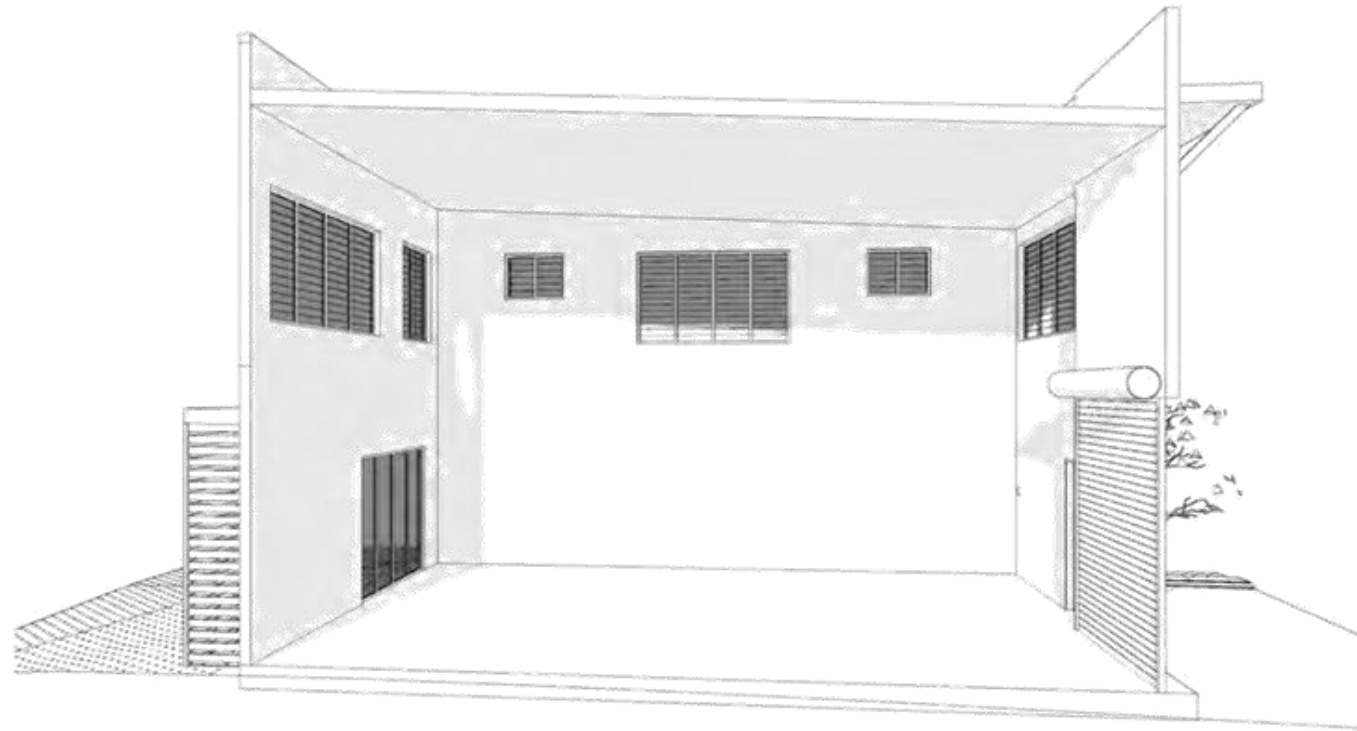
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Drawing: VIEWS

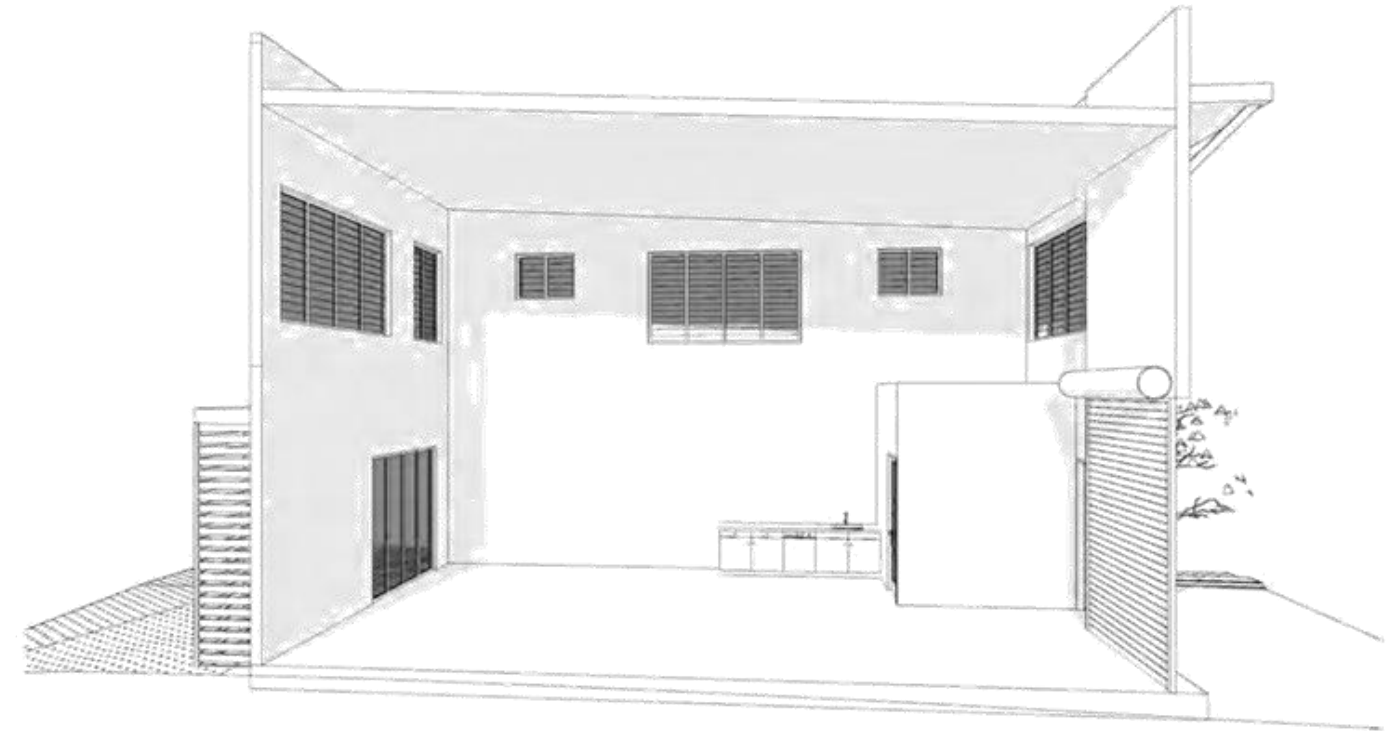
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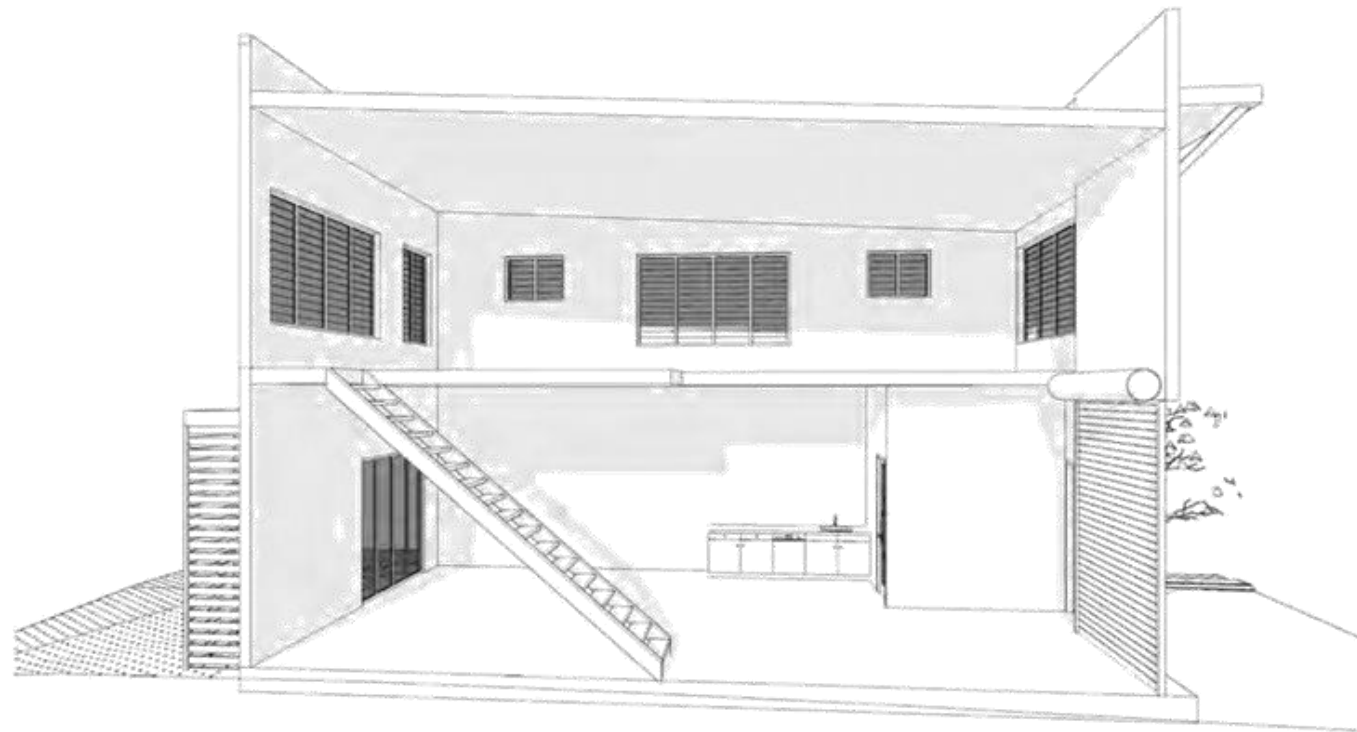
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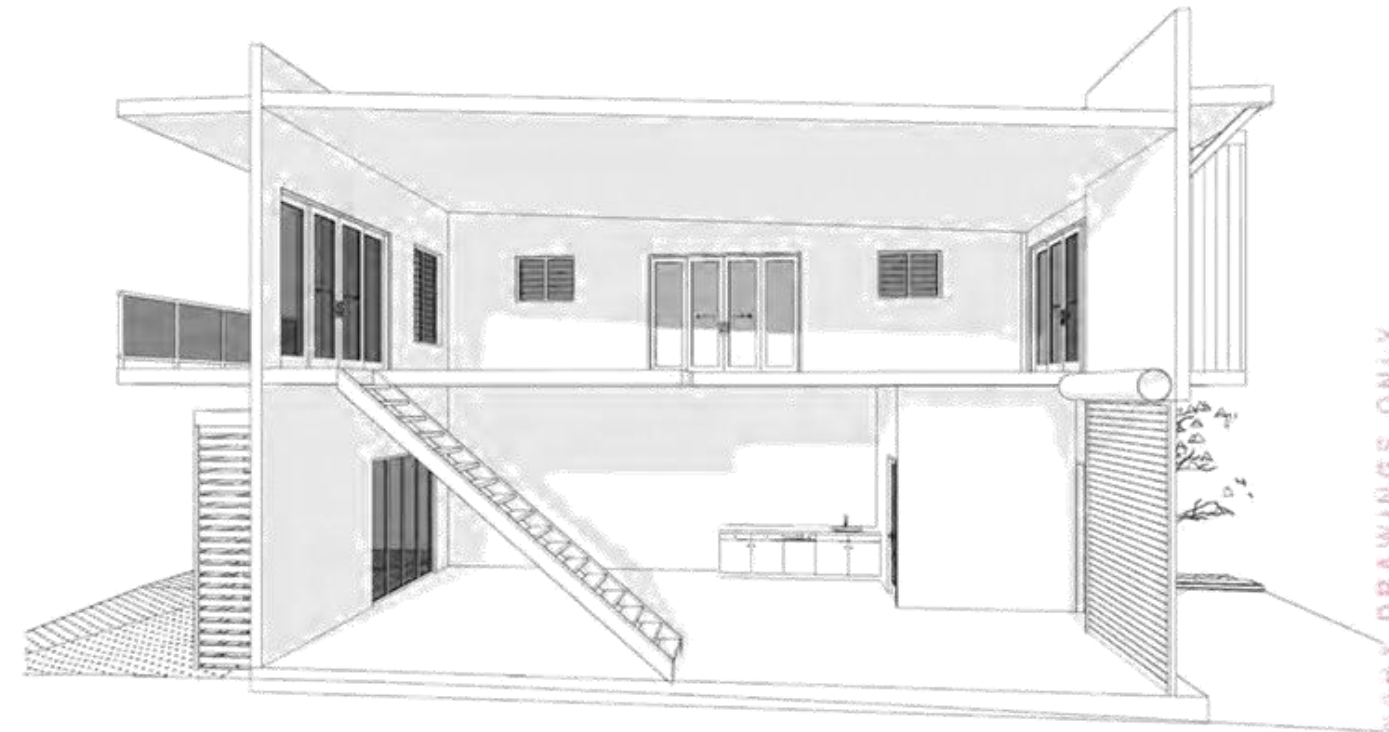
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WITH KITCHENETTE & UNIVERSAL WC



WITH KITCHEN, UNIVERSAL WC & MEZZANINE



WITH KITCHENETTE, UNIVERSAL WC, MEZZANINE & BALCONY

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The Pines - Low Impact Business & Industry Park Preliminary Approval Document

Lot 240 on SP296920

The Pines Boulevard & Jake Court, Hidden Valley

September 2022

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FIGURE 1 Site Pan (Plan No. TRS 21-28 A1.7 dated 8th August 2022) prepared by The Red Shed

1 Introduction

The preliminary approval document applies to all development located within 'The Pines Low Impact Business & Industry Park' on land described as Lot 240 on SP296920, located at Yeppoon Road, Hidden Valley. Refer to Figure 1 (Plan No. TRS 21-28 A1.7 dated 8th August 2022) prepared by The Red Shed.

The Pines Low Impact Business & Industry Park is a unique development for the Capricorn Coast and Central Queensland. Strategically located on the cusp of a long-standing industrial area and an emerging urban community. The proposal will provide vacant built spaces as opposed to vacant land. It is anticipated that the site will cater for private storage of toys (boats, cars, caravans, etc) and small business and industrial uses.

1.1 Purpose

The preliminary approval document has been prepared to:

- Indicate the nature of land uses and development activities suitable on the subject land; and
- Provide development assessment tables and code elements that will override the *Livingstone Shire Planning Scheme 2018* (version 3) in so far as proposing and assessing future development for the site.

1.2 Using the Preliminary Approval

In accordance with Section 50(3) of the Planning Act 2016 this Preliminary Approval varies the effect of the *Livingstone Shire Planning Scheme 2018* (version 3) as it relates to the subject site by:

- Specifying certain development as accepted development;
- Specifying certain development as assessable development (requiring code assessment);
- Specifying the applicable assessment benchmarks for development within the Preliminary Approval Area; and,
- Specifying that the Emerging Community Zone Code does not apply within the Preliminary Approval Area.

To the extent this Preliminary Approval Document conflicts with the *Livingstone Shire Planning Scheme 2018* (version 3), the Preliminary Approval Document prevails.

Where no provision of this Preliminary Approval Document overrides an equivalent or similar provision of the *Livingstone Shire Planning Scheme 2018* (version 3), the provisions contained within the *Livingstone Shire Planning Scheme 2018* (version 3), including all applicable Planning Scheme Codes shall apply.

This preliminary approval also overrides the bushfire hazard overlay, including the nominated levels of assessment, within the *Livingstone Shire Council Planning Scheme 2018* (version 3). The purpose of this overlay is to identify the level of susceptibility so that development in bushfire prone areas does not increase risk to life, property, community, economic activity and the environment during bushfire events. Lot 240 on SP296920 is mapped within the bushfire hazard buffer overlay under the *Livingstone Shire Planning Scheme* (version 3).

The site is clear of all significant vegetation with very little grass and shrub cover on the outer bounds of the land.

- To the north of the site is the Yeppoon Rail Trail (road reserve) which has a similar ground cover. The opposite side of the rail trail is an existing industrial subdivision.
- Adjoining to the east is parkland - generally landscaped grassy open plain with palm trees, some recreational equipment/structures and a large pond.
- The southern and western boundaries are bound by The Pines Boulevard, which is the main thoroughfare and entry point to The Pines Estate. The Pines Boulevard road reserve contains significant manicured grass covered nature strips, street trees and several entry walls.
- The nearest area of significant vegetation is located around 80m to the north-west, within the road reserve of Yeppoon Road. This is more than double the height of existing vegetation, meeting all bushfire hazard setback requirements.
- Yeppoon Road provides a natural firebreak from hazardous vegetation on the north-western side of the road.
- All buildings will be assessed for Bushfire Attack Level by the building certifier at the time of building works.

A term or definition used in this Preliminary Approval Document has the meaning assigned to that term by:

- the *Planning Act 2016* and the *Planning Regulation 2017*; or
- this Section of the Preliminary Approval Document, where not defined in the Act and Regulation; or
- The *Livingstone Shire Planning Scheme 2018* (version 3), where not defined in the Act and Regulation or this section of the Preliminary Approval Document; or
- the Acts Interpretation Act 1954, where that term is not defined in the Act and Regulation,
- this part of the Preliminary Approval Document or the *Livingstone Shire Planning Scheme 2018* (version 3); or
- the Macquarie Dictionary where a term is not defined in the Act and Regulation, this part of the Preliminary Approval Document, the *Livingstone Shire Planning Scheme 2018* (version 3), or the Acts Interpretation Act 1954.

The Pines – Low Impact Business & Industry Park PAD

6

2 Development Assessment Tables

The following tables establish the level of assessment and assessment benchmarks for Material Change of Use, Reconfiguring a Lot, Operational Works and Building Works within the Preliminary Approval Area.

The Planning Scheme overlays do not apply to the Local Plan Area and therefore do not further change the indicated level of assessment.

Development for Material Change of Use, Reconfiguring a Lot, Operational Works and Building Works not mentioned in the Development Assessment Tables contained in this section of the Preliminary Approval Document is subject to the Development Assessment Tables contained in Part 5 (Tables of Assessment) of the *Livingstone Planning Scheme 2018* (version 3).

Rev.A September 2022

2.1 Table 1 – Categories of Development and Assessment - Material Change of Use

The following table identifies the levels of assessment for development being a Material Change of Use and the applicable assessment criteria.

Use Column	Categories of development and assessment column	Assessment benchmarks for assessable development and requirements for accepted development column
<p>If the circumstances for impact assessment (as specified at the end of this table) do not apply to the development, then the following are the circumstances for accepted, accepted subject to requirements, and code assessment</p>		
<p>Accommodation activities</p>		
<ul style="list-style-type: none"> ➤ Caretaker’s Accommodation ➤ Dwelling Unit 	<p>Accepted subject to requirements</p>	<p>The Pines Low Impact Business and Industry Park Code</p>
<p>Business activities</p>		
<ul style="list-style-type: none"> ➤ Sales office 	<p>Accepted subject to requirements</p>	<p>The Pines Low Impact Business and Industry Park Code</p>
<p>Industry activities</p>		
<ul style="list-style-type: none"> ➤ Low impact industry ➤ Service industry ➤ Research and technology industry ➤ Warehouse 	<p>Accepted subject to requirements</p>	<p>The Pines Low Impact Business and Industry Park Code</p>
<p>Recreation activities</p>		
<ul style="list-style-type: none"> ➤ Indoor sport and recreation 	<p>Code assessment</p>	<p>The Pines Low Impact Business and Industry Park Code</p>
<p>Special activities</p>		
<ul style="list-style-type: none"> ➤ Telecommunications facility 	<p>Accepted If it is aerial cabling for broadband purposes. Otherwise;</p>	<p>Not applicable</p>
	<p>Code assessment</p>	<p>The Pines Low Impact Business and Industry Park Code</p>
<p>Impact assessment</p>		
<p>Any other use or undefined use not listed in this table.</p> <p>Any use listed in the table and not complying with the circumstance described in the categories of development and assessment column.</p>	<p>Impact assessment</p>	

2.2 Table 2 - Categories of Development and Assessment – Reconfiguring a Lot

The following table identifies the levels of assessment for development for Reconfiguring a Lot and the applicable assessment criteria.

Development	Level of Assessment	Assessment benchmarks for assessable development and requirements for accepted development column
Where it does not create any number of additional lots	Code assessment	The Pines Low Impact Business and Industry Park Code
Where it creates any number of additional lots; and, Each proposed lot has an area of 300 square metres or greater.	Code assessable	The Pines Low Impact Business and Industry Park Code
Any reconfiguration of a lot (other than if prescribed) listed in this table and not complying with the circumstance described in the categories of development and assessment column	Impact assessment	

Note:

- The above categories of development and assessment apply unless otherwise prescribed in the Regulation.

2.3 Table 3 - Categories of Development and Assessment – Operational Works

The following table identifies the levels of assessment for development for Operational Works and the applicable assessment criteria.

Development	Level of Assessment	Assessment benchmarks for assessable development and requirements for accepted development column
Accepted subject to requirements and code assessment		
If the operational work is for the purpose of providing access and parking.	Accepted subject to requirements	The Pines Low Impact Business and Industry Park Code (outcomes applicable for access and parking)
If the operational work is for the purpose of providing an <u>advertising device</u> .	Accepted subject to requirements	The Pines Low Impact Business and Industry Park Code (outcomes applicable for advertising devices)
	Code Assessment If it does not comply with the circumstance for being accepted subject to requirements	
If the operational work is for the purpose of roof and allotment drainage.	Accepted subject to requirements	The Pines Low Impact Business and Industry Park Code (outcomes applicable for roof and allotment drainage)
If the operational work is for the purpose of providing telecommunications.	Accepted subject to requirements	The Pines Low Impact Business and Industry Park Code (outcomes applicable for telecommunications)
If the operational work is for the purpose of providing energy supply.	Accepted subject to requirements	The Pines Low Impact Business and Industry Park Code (outcomes applicable for energy supply)
If the operational work is for the purpose of undertaking earthwork (excavation or filling that materially affects premises or their use).	Accepted subject to requirements	The Pines Low Impact Business and Industry Park Code (outcomes applicable for earthworks and retaining walls)
If the operational work is for the purpose of stormwater management.	Accepted subject to requirements	The Pines Low Impact Business and Industry Park Code (outcomes applicable for stormwater management)
If the operational work is for the purpose of providing reticulated water supply requiring extension, alteration or augmentation of Council's water supply network.	Accepted subject to requirements	The Pines Low Impact Business and Industry Park Code (outcomes applicable for water supply)
If the operational work is for the purpose of providing reticulated sewerage requiring extension, alteration or augmentation of Council's sewer network.	Accepted subject to requirements	The Pines Low Impact Business and Industry Park Code (outcomes applicable for sewer and waste water treatment and disposal)
If the operational work is for the purpose of constructing a road, pathway, bridge or other structures	Accepted subject to requirements	The Pines Low Impact Business and Industry Park Code (outcomes applicable for roadwork)

Development	Level of Assessment	Assessment benchmarks for assessable development and requirements for accepted development column
Accepted subject to requirements and code assessment		
within a road reserve (not including vehicle access crossovers).		
Operational works associated with reconfiguring a lot		
In all circumstances	Code assessment	The Pines Low Impact Business and Industry Park Code
Accepted Development		
Any other operational work not listed in this table.		

Note:

- The above categories of development and assessment apply unless otherwise prescribed in the Regulation.

2.4 Table 4 - Categories of Development and Assessment – Building Works

The following table identifies the levels of assessment for development for Operational Works and the applicable assessment criteria.

Development	Level of Assessment	Assessment benchmarks for assessable development and requirements for accepted development column
Accepted subject to requirements and code assessment		
If the building work does not satisfy an alternative category of development description in this table and it involves: (a) a new building or structure; or (b) an alteration, addition or extension to an existing building or structure which results in an increase in <u>site cover</u> or an increase in the height of the building or structure.	Accepted subject to requirements	The Pines Low Impact Business and Industry Park Code ➤ AO10.1, AO10.2, AO11.1 and AO13.1
Accepted subject to requirements If the building work involves: (a) a retaining wall; or (b) excavating or filling in accordance with the definition of Building Work in the Act.	Accepted subject to requirements	The Pines Low Impact Business and Industry Park Code ➤ (all outcomes applicable for earthwork and retaining walls)

Note:

- The above categories of development and assessment apply unless otherwise prescribed in the Regulation.

3. The Pines Low Impact Business & Industry Park Code

3.1 Application

This code applies to the assessment of development within 'The Pines Low Impact Industry and Business Park Local Area' as identified in Figure 1.

3.2 Purpose

The purpose of The Pines Low Impact Business & Industry Park is to provide predominantly for a range of business and industrial activities that are low impact and small-scale, suitable for on the subject land that do not cause adverse impacts on any sensitive land use (compatible accommodation activities) within The Pines Low Impact Business & Industry Local Area. Development of a limited range and mixture of low impact uses from within other activity groups are appropriate only if they are compatible with and do not limit or compromise the development of preferred land uses.

3.3 Overall outcomes

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

- (1) the development is:
 - (a) a use from within the industrial activities group which has low impacts; or
 - (b) a use from within the business activities group which has low impacts; or
 - (c) a use from within the special activities group which has low impacts; or
 - (d) a use which:
 - (i) is compatible with and supports a preferred use from within the industrial activities group, business activities group, and special activities group; and
 - (ii) does not limit or compromise the development of a preferred use from within the industrial activities group, business activities group, and special activities group; and
 - (iii) has relatively low impacts;
- (2) the development of a use from within the industrial activities group is a preferred use in the following circumstances:
 - (a) it is a low impact industry; or
 - (b) it is a research and technology industry; or
 - (c) it is a service industry; or
 - (d) it is a warehouse;
- (3) the development of a use from within the business activities group is a preferred use in the following circumstances:
 - (a) it is a sales office;
- (4) the development of a use from within the special activities group is a preferred use in the following circumstances:
 - (a) it is a telecommunications facility;
- (5) if the development is a use from within the industrial activities group, business activities group or the special activities group and it is not identified as a preferred use, it occurs in the following circumstances:

- (a) it is compatible with and does not limit or compromise the development of the preferred uses identified in Overall Outcome (2), Overall Outcome (3) or Overall Outcome (4);
 - (b) it has low impacts;
 - (c) it is designed to appropriately integrate with development in the immediate area;
 - (d) there is appropriate design and siting to ensure that there are no adverse impacts on any sensitive land use;
 - (e) it is consistent with the built form and appearance of development in the immediate area;
- (6) if the development is for a use that is not within the industrial activities group, business activities group or special activities group, it occurs within The Pines Low Impact Business & Industry Local Area only in the following circumstances:
- (a) it is compatible with and does not limit or compromise the development of the preferred uses identified in Overall Outcome (2), Overall Outcome (3) or Overall Outcome (4);
 - (b) it has low impacts;
 - (c) it is designed to integrate with development in the immediate area;
 - (d) there is appropriate design and siting to ensure that there are no adverse impacts on any sensitive land use;
 - (e) it is consistent with the built form and appearance of development in the immediate area;
 - (f) the use:
 - (i) is a caretaker's accommodation; or
 - (ii) is a dwelling unit; or
 - (iii) is indoor sport and recreation;
- (7) the development of any use which results in medium impacts, high impacts, or extreme impacts and risks due to emissions, or dangerous or hazardous goods and activities, does not occur within the The Pines Low Impact Business & Industry Local Area;
- (8) the development is compatible with an urban form that is characterised by:
- (a) low to moderate building heights;
 - (b) moderate to high site cover;
 - (c) use of vegetation screening and buffering between development and any adjoining sensitive land use; and;
- (9) the appearance of development results in a high level of visual amenity when viewed from any major transport routes or scenic transport routes;
- (10) the development is provided with adequate infrastructure and essential services.

3.4 Specific benchmarks for assessment

Outcomes for development that is accepted subject to requirements and assessable development

Performance outcomes	Acceptable outcomes
Land use	
All Industrial Activities	
PO1 If the use includes office space, the office space is a scale that is <u>ancillary</u> to and has a direct nexus with the use conducted on the <u>site</u> .	AO1.1 If the use includes office space, the office area does not exceed twenty (20) per cent of the total <u>gross floor area</u> of the use.
PO2 If the use is a use from within the industrial activities group and the development involves direct sales to the public, the direct sales to the public only occur at a scale that is <u>ancillary</u> to the primary activities of the use and the items for sale have a direct nexus with the use conducted on the <u>site</u> .	AO2.1 The use must be conducted entirely within the building unit. No activities are to occur on the internal pedestrian paths or carparking areas .
PO3 Industry activities operate at times that do not create nuisance to sensitive land uses (accommodation activities) within the Local Area and surrounding development.	AO3.1 Hours of operation for industrial activities are restricted to between: (a) 7:00am and 6:00pm Monday to Saturday (b) 8:00am and 4:00pm Sundays (c) No operations on Public Holidays AO3.2 The use does not involve the operation of heavy machinery.
Business Activities	
If a Sales Office	
PO4 The duration of the use of premises for a sales office does not extend beyond a reasonable period required to construct and complete sales within The Pines Low Impact Business & Industry Park	No acceptable outcome provided
PO5 The hours of operation of the Sales Office does not adversely affect the operations of nearby industrial development	AO5.1 The hours of operation of a Sales Office do not commence before 7:00am or extend later than 6:00pm.
Recreation Activities	
If for Indoor Sport and Recreation	
PO6 Recreation activities operate at times that do not create nuisance to sensitive land uses (accommodation activities) within the Local Area and surrounding development.	AO6.1 Hours of operation for recreation activities are restricted to between: (a) 6:00am and 6:30pm Monday to Saturday (b) 8:00am and 4:00pm Sundays AO6.2 The use must be conducted entirely within the building unit. No activities are to occur on the internal pedestrian paths or carparking areas within the Local Area.
Accommodation Activities	

Performance outcomes	Acceptable outcomes
If a Caretakers Accommodation	
<p>PO7 The <u>caretaker’s accommodation</u>: (a) is an appropriate scale relative to the primary use in the unit; (b) is integrated with the primary use of the unit; (c) has appropriate living space for residents; (d) is designed to ensure an appropriate level of amenity. (e) The development does not compromise the productivity of the use.</p>	<p>AO7.1 The caretaker’s accommodation must be located above the primary use of the unit.</p> <p>AO7.2 The <u>caretaker’s accommodation</u> is provided with a private recreation area which: (a) is directly accessible from a habitable room; and (b) if at <u>ground level</u>, has a minimum area (inclusive of verandas, patios and terraces) of at least nine (9) square metres in total, and having minimum dimensions of three (3) metres by three (3) metres; or (c) if located above <u>ground level</u>, has a balcony, a veranda or a deck, having a minimum area of four (4) square metres and minimum dimensions of four (4) metres by one (1) metre.</p> <p>AO7.3 The <u>caretaker’s accommodation</u> is designed, sited and constructed in a manner that achieves the following average maximum noise levels; (a) internal noise level in the bedrooms of thirty-five (35) decibels; (b) internal noise level in living areas of forty (40) decibels; and (c) noise level in external living areas of fifty-three (53) decibels.</p>
If a dwelling unit	
<p>PO8 The <u>dwelling unit</u>: (a) has appropriate living space for residents; (b) is designed to ensure an appropriate level of privacy and amenity for residents on the <u>site</u>.</p>	<p>AO8.1 The <u>dwelling unit</u> is provided with a private recreation area which: (a) is directly accessible from a habitable room; and (b) if at <u>ground level</u>, has a minimum area (inclusive of verandas, patios and terraces) of at least nine (9) square metres in total, and having minimum dimensions of three (3) metres by three (3) metres; or (c) if located above <u>ground level</u>, has a balcony, a veranda or a deck, having a minimum area of four (4) square metres and minimum dimensions of four (4) metres by one (1) metre.</p> <p>AO8.2 The <u>dwelling unit</u> is designed, sited and constructed in a manner that achieves the following average maximum noise levels ($L_{Amax\ adjT}$): (a) internal noise level in the bedrooms of thirty-five (35) decibels; (b) internal noise level in living areas of forty (40) decibels; and</p>

Performance outcomes	Acceptable outcomes
	(c) noise level in external living areas of fifty-three (53) decibels.
Built form	
<p>PO9 The height and <u>bulk</u> of buildings and structures are consistent with the intended character of the The Pines Low Impact Business & Industry Park’ and do not adversely impact the character or amenity of the <u>streetscape</u>, adjoining sites and surrounding area.</p>	<p>AO9.1 <u>Building height</u> does not exceed twelve (12) metres.</p> <p>AO9.2 <u>Site cover</u> does not exceed seventy-five (75) per cent.</p>
<p>PO10 The design and siting of buildings and structures does not adversely impact the amenity of the <u>streetscape</u> or adjoining sites having regard to the following: (a) minimisation of potential sources of nuisance; (b) enhancing the ability to soften the visual impact of large expanses of building walls by the provision of areas for the planting of dense screening vegetation; (c) provision of and maintenance of access to natural light and ventilation; and (d) provision of and maintenance of privacy for any habitable buildings.</p>	<p>AO10.1 Buildings have a <u>setback</u> from lot boundaries in accordance with the following: (a) A zero (0) metre setback from the north-eastern lot boundaries (shared with the Yeppoon Rail Trail); and (b) A zero (0) metre <u>setback</u> from the pathway at the extension of Jake Court; and (c) A two (2) metre <u>setback</u> the Pines Boulevard south-eastern boundary. (d) A one (1) metre setback to the truncation on corner of Jake Court and Pines Boulevard at one instant</p>
Appearance	
<p>PO11 The development is designed in a manner that contributes to a high level of visual amenity when viewed from the street, public places, and the surrounding area by incorporating elements including but not limited to the following: (a) emphasis on entry points; (b) orientation to the street and any public places; (c) inclusion of walls, structures or vegetation to screen any material stockpiles, waste storage areas, and building plant from view of the street or other public places; (d) inclusion of vegetation to soften the impact of any large unarticulated building walls when viewed from residential category zones and scenic transport routes; and (e) inclusion of vegetation between buildings and lot boundaries that adjoin major transport routes.</p>	<p>AO11.1 The development has a pedestrian entry point at or visible from the primary frontage to the internal accessway.</p> <p>AO11.2 Any waste storage areas are screened from view of the street and adjoining public places by one or more of the following: (a) a solid screen fence; or (b) a wall; or (c) dense vegetation.</p> <p>AO11.3 Any building plant: (a) is screened from view of the internal accessway by one or more of the following: i. a solid screen fence, or ii. a roof design feature; or iii. a wall; or iv. dense vegetation; or (b) is located within, underneath or central to the building so as to not be visible from the street.</p>

Performance outcomes	Acceptable outcomes
	<p>AO11.4 There is a vegetated area having a depth of generally two (2) metres from the lot boundary, located along Pines Boulevard road frontage.</p>
Additional Outcomes for Assessable Development	
<p>PO12 The use is: (a) a preferred use for The Pines Low Impact Business & Industry Park' (as identified in the overall outcomes); or (b) another use identified in the overall outcomes for The Pines Low Impact Business & Industry Park' that: i. is compatible with and supports a preferred use for The Pines Low Impact Business & Industry Park'; or ii. will not limit or compromise the development of a preferred use for The Pines Low Impact Business & Industry Park'.</p>	<p>No acceptable outcome is nominated.</p>
<p>PO13 If the use is not a preferred use for The Pines Low Impact Business & Industry Park' (as identified in the overall outcomes), the use does not undermine the viability, role or function of centres in the planning scheme centres hierarchy.</p>	<p>No acceptable outcome is nominated.</p>
<p>PO14 The use appropriately integrates with any established uses in the immediate area.</p>	<p>No acceptable outcome is nominated.</p>
<p>PO15 The use is located, designed and operated in a manner that maintains public health and safety.</p>	<p>No acceptable outcome is nominated.</p>
<p>PO16 The use does not result in medium impacts, high impacts, or extreme impacts and risks due to emissions, or dangerous or hazardous goods and activities.</p>	<p>AO16.1 The use is not any of the following uses from the industrial activities group: (a) <u>High impact industry</u>; or (b) <u>Marine industry</u>; or (c) <u>Medium impact industry</u>; or (d) <u>Special industry</u>.</p> <p>AO16.2 The use is not any of the following uses from the special activities group: (a) <u>Major electricity infrastructure</u>; or (b) <u>Utility installation</u> being one of the following: i. a water supply treatment plant; or ii. a sewage treatment plant; or</p>

Performance outcomes	Acceptable outcomes
	<ul style="list-style-type: none"> iii. a waste transfer station (for all refuse other than a recycling community drop-off facility); or iv. a waste landfill.
Development Works	
<p>PO17 Development within The Pines Low Impact Business & Industry Park is adequately connected to essential infrastructure and services.</p>	<p>AO17.1 Development is connected to the following services:</p> <ul style="list-style-type: none"> (a) reticulated water supply, which meets the stated standard of service for intended use and fire fighting purposes; (b) reticulated sewerage; (c) electricity supply; (d) telecommunications <p>AO17.2 Development design makes allowance for proposed and future infrastructure and servicing requirements, including where relevant:</p> <ul style="list-style-type: none"> (a) refuse and recycling storage areas; (b) waste pre-treatment devices; (c) vehicle parking and manoeuvring areas; and (d) water recycling, retention and re-use infrastructure.
Access and parking	
<p>PO18 The development is provided with <u>on-site</u> parking designed and constructed to:</p> <ul style="list-style-type: none"> (a) accommodate sufficient parking for the expected number and type of vehicles generated by the use; (b) facilitate non-discriminatory accessibility; (c) provide for safe and efficient loading and unloading of goods; (d) allow for vehicle queuing necessary for the use; (e) provide for passenger set down and pick up necessary for the use (including public transport needs); (f) facilitate public access to the foreshore and public open space networks; (g) provide a safe environment; (h) be compatible with the character and amenity of the area; and (i) make a positive aesthetic contribution to the <u>streetscape</u> character of the setting, particularly if involving multi-level parking. 	<p>AO18.1 The development is provided with sufficient <u>on-site</u> vehicle parking in accordance with the following standards: For all uses:</p> <ul style="list-style-type: none"> (a) At least one (1) vehicle parking space <p>AO18.2 For development, an engineer who qualifies as a registered professional engineer of Queensland certifies that all vehicles likely to use the <u>site</u> are able to enter and leave the <u>site</u> in a forward gear, and that the <u>on-site</u> vehicle parking spaces, pick-up areas, loading and unloading areas, queuing areas, circulation and manoeuvring areas for the development are designed and constructed in accordance with the most up to date version of the Australian Standards as relevant to the development, including but not limited to the following:</p> <ul style="list-style-type: none"> (a) <i>Australian Standard AS2890.1-1993: Parking Facilities – Off-street Car parking;</i> (b) <i>Australian Standard AS1428.1-2001: Design for access and mobility – General requirements for access – New building work;</i> (c) <i>Australian Standard AS2890.2-1993: Off-street parking – Commercial vehicle facilities.</i>

Performance outcomes	Acceptable outcomes				
<p>PO19 Development:</p> <ul style="list-style-type: none"> (a) Is provided with adequate vehicle access to service the uses proposed for the site, including a safe and easily accessible vehicle movement layout; and (b) Does not gain direct access to The Pines Boulevard or the road reserve along the northern boundary 	<p>AO19.1 Development provides for all vehicles, including servicing and waste disposal vehicles, to enter and exit the site in a forward gear.</p>				
Advertising devices					
<p>PO20 The <u>advertising device</u> is designed and sited in a manner that:</p> <ul style="list-style-type: none"> (a) results in a size, shape, design and location that does not adversely impact on: <ul style="list-style-type: none"> (i) the visual amenity and character of a building, <u>streetscape</u>, locality or natural <u>landscape</u> setting; (ii) the operational safety of a road or pedestrian safety of footpath; (iii) the operations of an airport; (iv) the visual amenity of the rural areas when viewed from a main transport route through the rural area; and (v) the visual and civic importance of entrances into a town or township; (b) is integrated with the design of buildings on the premises; (c) does not visually dominate the premises, <u>streetscape</u>, locality or natural <u>landscape</u> setting; (d) is constructed of durable materials; (e) does not resemble traffic or road signs; and (f) does not result in the proliferation of advertising, causing <u>visual clutter</u>. 	<p>AO20.1 If the development involves an <u>advertising device</u>, the <u>advertising device</u> is a preferred <u>advertising device</u> type defined in the below Table 5.</p> <p>Table 5</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #eee;">Preferred advertising device</th> </tr> </thead> <tbody> <tr> <td>Business name plate sign</td> </tr> <tr> <td>Business hours sign</td> </tr> <tr> <td>Flush wall sign</td> </tr> </tbody> </table> <p>AO20.2 If the development involves an <u>advertising device</u>, the <u>advertising device</u> complies with the design standards applicable to that particular type of <u>advertising device</u></p> <ul style="list-style-type: none"> (a) for a business name plate sign; <ul style="list-style-type: none"> (i) only two (2) signs are displayed per unit entry (ii) the sign face area of each sign does not exceed one (1) square metre (iii) if a business name plate sign incorporates a business hours sign, the sign face area does not exceed one (1) square metre (b) for a business hours sign <ul style="list-style-type: none"> (i) only one (1) sign is displayed per entry point; (ii) the sign face area of each sign does not exceed 1 (one) square metre (iii) the sign is fixed to a wall or glazed panel (c) for a flush wall sign <ul style="list-style-type: none"> (i) the sign area does not exceed five (5) square metres (ii) the sign does not project any further than twelve (12) millimetres from the wall; and (iii) the sign does not project beyond the property boundary; and (iv) the sign does not project above the eaves or parapet of the wall, or the external edges of the <u>building element</u> to which it is attached. 	Preferred advertising device	Business name plate sign	Business hours sign	Flush wall sign
Preferred advertising device					
Business name plate sign					
Business hours sign					
Flush wall sign					
Earthwork and retaining walls					
<p>PO21</p>	<p>AO21.1</p>				

Performance outcomes	Acceptable outcomes
<p>Earthwork or the construction of any retaining wall occurs only if it results in the following:</p> <ul style="list-style-type: none"> (a) minimal modification of the natural slope of the land; (b) minimal increase of the elevation of land due to the placement of fill material; (c) no unsightly scarring of the <u>landscape</u>; (d) retaining walls which are not prominent; and (e) no significant adverse impacts on the character or visual amenity of the <u>streetscape</u> or neighbourhood. 	<p>The volume of fill material added to the natural <u>ground level</u> on any lot does not exceed a net increase of two-hundred (200) cubic metres calculated cumulatively.</p> <p>AO21.2 The development does not involve construction of a retaining wall having a height exceeding two (2) metres, or terraced retaining walls having a combined height exceeding two (2) metres unless the following:</p> <ul style="list-style-type: none"> (a) the wall is part of a split level building design and it is concealed in its entirety; or (b) no more than forty (40) square metres of total wall face area is visible from a location at any boundary of the lot on which the wall is located. <p>AO21.3 The <u>bulk</u> of a retaining wall or terraced retaining walls having a combined total wall face area greater than forty (40) square metres, is broken up by the following:</p> <ul style="list-style-type: none"> (a) the planting of vegetation so that the vegetation screens at least fifty (50) per centum of the face of the walls as viewed from a location at any boundary of the lot on which the wall is located; or (b) buildings or other non-retaining wall structures so that they screen at least fifty (50) per centum of the face of the walls as viewed from a location at any boundary of the lot on which the wall is located.
<p>PO22 Earthwork or the construction of any retaining wall occurs only if it results in structurally stable and safe development sites.</p>	<p>AO22.1 Earthwork does not involve the use of material for structural fill which includes:</p> <ul style="list-style-type: none"> (a) organic soils, such as many topsoils, severely root affected subsoils and peat; or (b) materials contaminated through past <u>site</u> usage which may contain toxic substances or soluble compounds harmful to water supply or agriculture; or (c) materials containing substances which can be dissolved or leached out in the presence of moisture (for example, gypsum), or which undergo volume change or loss of strength when disturbed and exposed to moisture (for example, some shales and sandstones), unless these matters are specifically addressed in the design; or (d) silts or materials that have the deleterious engineering properties of silt; or (e) other materials with properties that are unsuitable for the forming of structural fill; or

Performance outcomes	Acceptable outcomes
	<p>(f) fill which contains wood, metal, plastic, boulders or other material that may decompose or cause the creation of voids.</p> <p>AO22.2 If the development involves filling in of a dam or detention basin, sludge lining is removed and filling consists of clean fill material, which is compacted to a Level 2 standard in accordance with Australian Standard AS3798-2007.</p> <p>AO22.3 The development does not require earthwork that results in batter slopes, which exceed twenty-five (25) per cent, unless the earthwork has been certified by an engineer who qualifies as a registered professional engineer of Queensland as having been designed and constructed in accordance with best practice and as being structurally stable and safe.</p> <p>AO22.4 If the development involves construction of a retaining wall having a height exceeding one (1) metre, the retaining wall has been certified by an engineer who qualifies as a registered professional engineer of Queensland as having been designed and constructed in accordance with best practice and as being structurally stable and safe.</p>
<p>PO23 Earthwork or the construction of any retaining wall occurs only if it results in the following:</p> <ul style="list-style-type: none"> (a) lawful discharge of stormwater; (b) no substantial damage to buildings, structures, infrastructure, or land; (c) no adverse impacts on the natural environment; and (d) erosion and sediment control in accordance with best practice. 	<p>AO23.1 Earthwork or a retaining wall is designed to ensure that any stormwater drainage achieves lawful discharge of surface water flows or ground water flows to or from adjoining land by:</p> <ul style="list-style-type: none"> (a) not unreasonably interfering with or redirecting the <u>site's</u> natural stormwater drainage characteristics; or (b) ensuring that water is conveyed to kerb and channel in a road reserve; or (c) ensuring that water is conveyed to an approved inter-allotment drainage system; or (d) ensuring that water is conveyed to an approved drainage reserve; or (e) ensuring that water is conveyed to an approved and secured drainage easement. <p>AO23.2 The development does not involve earthwork or the construction of a retaining wall within a wetland or within ten (10) metres of the top of a bank of a waterway of any stream order.</p>

Performance outcomes	Acceptable outcomes
	<p>AO23.3 Earthwork occurs in accordance with an erosion and sediment control plan and the plan ensures that the erosion and sediment control measures are in accordance with best practice. Editor's note: Queensland Development Code Mandatory Part MP1.4 – Building over or near relevant infrastructure contains mandatory requirements for particular buildings and structures in proximity to relevant infrastructure.</p>
Energy supply	
<p>PO24 An energy supply is provided in a manner which:</p> <ol style="list-style-type: none"> 1. is safe; and 2. is sufficient to support the needs of the development and the reasonable expectations for the development based on its location; and 3. does not compromise other infrastructure. 	<p>AO24.1 The development is provided with reticulated grid electricity supply in accordance with the requirements of the relevant energy supply authority.</p>
Sewage and waste water treatment and disposal	
<p>PO25 The development is provided with sewage and wastewater treatment and disposal infrastructure which:</p> <ol style="list-style-type: none"> (a) treats and disposes all generated sewage and waste water in a manner that protects public health and avoids environmental harm; (b) where practicable, is integrated with the existing public sewerage networks; (c) where practicable, facilitates the orderly provision of future public sewerage networks; and (d) is designed and constructed to be safe, operationally reliable and easily maintained. 	<p>AO25.1 The development is to be provided with reticulated sewerage, the reticulated sewerage is provided in accordance with the current version of the <i>Capricorn Municipal Development Guidelines</i>.</p>
Roof and Allotment Drainage	
<p>PO26 Roof and allotment drainage is able to be collected and discharged from the development in a manner that does not adversely affect the stability of buildings, structures, or land on the <u>site</u> or on adjoining land.</p>	<p>AO26.1 Roof and allotment drainage is conveyed to the kerb and channel or an inter-allotment drainage system in accordance with the most current version of the <i>Australian Standard AS3500.3 (stormwater drainage)</i>.</p>
Telecommunications	
<p>PO27 The development is provided with</p>	<p>AO27.1 The development is to be provided with a reticulated telecommunications infrastructure in accordance with</p>

Performance outcomes	Acceptable outcomes
<p>telecommunications infrastructure or equipment which:</p> <ul style="list-style-type: none"> (a) is sufficient to support the needs of the development and the reasonable expectations for the development based on its location; (b) where practicable, is integrated with the existing public telecommunication networks; and (c) is designed and constructed to be safe, operationally reliable and easily maintained. 	<p>the requirements of the relevant telecommunications supply authority.</p>
Water Supply	
<p>PO28 The development is provided with water supply infrastructure which:</p> <ul style="list-style-type: none"> (a) is sufficient to support the consumption and emergency needs of the development and the reasonable expectations for the development based on its location; (b) where practicable, is integrated with the existing public water supply networks; (c) where practicable, facilitates the orderly provision of future public water supply networks; and (d) is designed and constructed to be safe, operationally reliable and easily maintained. 	<p>AO28.1 The development is provided with reticulated municipal water supply in accordance with the current version of the <i>Capricorn Municipal Development Guidelines</i>.</p>
Roadwork	
<p>PO29 All roadwork is designed and constructed in an economically cost-effective manner and ensures that the pedestrian, cycle and vehicle movement network:</p> <ul style="list-style-type: none"> (a) is safe; (b) is efficient; (c) is orderly; and (d) does not significantly adversely affect amenity. 	<p>AO29.1 If the development involves roadwork, an engineer who qualifies as a registered professional engineer of Queensland certifies that all roadwork is designed and constructed in accordance with the <i>Capricorn Municipal Development Guidelines</i>.</p>
Stormwater Management	
<p>PO30 The development:</p> <ul style="list-style-type: none"> (a) collects and discharges stormwater in a manner that does not adversely affect the stability of buildings, structures, infrastructure or land, located on the <u>site</u> or off the <u>site</u>; (b) has a stormwater management system that is designed and constructed to be safe, operationally reliable, and easily maintained; (c) ensures that the stormwater management system and <u>site</u> work does not adversely impact flooding or drainage characteristics of premises 	<p>AO30.1 An engineer who qualifies as a registered professional engineer of Queensland certifies that the development has a stormwater management system which:</p> <ul style="list-style-type: none"> (a) collects and discharges stormwater to a lawful point of discharge; (b) is compatible with and does not compromise the stormwater management system for the catchment; and (c) is designed and constructed in accordance with the <i>Capricorn Municipal Development Guidelines</i>

Performance outcomes	Acceptable outcomes
<p>which are up slope, down slope or adjacent to the <u>site</u>;</p> <p>(d) ensures that the stormwater management system and <u>site</u> work does not result in ponding or retention of water in a manner that is likely to result in loss of amenity for <u>sensitive land use</u>, or result in adverse impacts on public health and safety;</p> <p>(e) where practicable, is integrated with existing public stormwater management networks and planned future stormwater management networks; and</p> <p>(f) does not compromise the ability of the stormwater management system for the catchment to ensure that stormwater causes minimal nuisance, danger, and damage to people, property, infrastructure and the environment due to the quantity of stormwater discharge.</p>	
<p>PO31 The development is planned, designed and constructed, and managed to avoid or minimise adverse impacts on environmental values associated with water quality in natural and developed catchments by achieving:</p> <p>(a) identified stormwater quality design objectives for the location; or</p> <p>(b) current best practice environmental management.</p>	<p>AO31.1 A <u>site</u> stormwater quality management plan has been prepared by a suitably qualified person and the plan:</p> <p>(a) provides for appropriate stormwater quality treatment</p> <p>AO31.2 An erosion and sediment control plan is prepared by a suitably qualified person, and the plan ensures that the release of sediment-laden stormwater:</p> <p>(a) is avoided for the nominated design storm; and</p> <p>(b) is minimised when the nominated design storm is exceeded by addressing the construction phase design objectives for drainage control, erosion control, sediment control and water quality</p> <p>AO31.3 Erosion and sediment control practices (including any proprietary erosion and sediment control products) are designed, installed, constructed, operated, monitored and maintained in accordance with the erosion and sediment control plan required by AO20.2.</p> <p>AO31.4 Development incorporates stormwater flow control measures to achieve current best practice environmental management, including management of frequent flows and peak flows.</p>
Reconfiguring a Lot	
<p>PO32.1 Reconfiguration only occurs if it creates lot sizes and dimensions that are consistent with the Purpose and</p>	<p>AO32.1 Each proposed lot has an area of 300 square metres or greater.</p>

The Pines – Low Impact Business & Industry Park PAD

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Performance outcomes	Acceptable outcomes
Overall Outcomes of The Pines Low Impact Business & Industry Park Code.	

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FIGURE 1



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Emerging community zone code

The following is an assessment of the proposal against the specific benchmarks of the Emerging community zone code, which includes an assessment of the development against the relevant outcomes of the code.

Table 6.5.2.4.1 – Outcomes for development that is accepted subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Assessment Response
Land use		
Where located in an area that is not the subject of an approved structure plan		
If a use within the accommodation activities group		
<p>PO1 The development of a use within the accommodation activities group:</p> <p>(a) does not limit or compromise the continuing operation of an established use from within the rural activities group on an adjoining lot;</p> <p>(b) does not limit or compromise the future development of rural zoned land on an adjoining lot for a use from within the rural activities group; and</p> <p>(c) is appropriately separated and buffered from uses that are likely to result in adverse impacts on amenity.</p>	<p>AO1.1 The habitable buildings of a use from within the accommodation activities group have a setback from side and rear lot boundaries in accordance with the greater of the following:</p> <p>(a) if there is an established use from within the rural activities group located on an adjoining lot, a setback from the common boundary with that lot, which complies with the minimum separation distances specified in Table SC4.1.1 and Table SC4.1.2 of Schedule 4; or</p> <p>(b) in compliance with the setback standards identified in Table SC10.1.1 of Schedule 10.</p>	<p>AO1.1 and AO1.2 – Complies for (a) and does not comply for (b) The subject site does not adjoin land used, or able to be used by Rural activities. The proposed setbacks within the local plan document vary those within Table SC10.1.1 of Schedule 10.</p> <p>PO1 – Complies The proposal, whilst not in accordance with The Pines Local Plan, proposes a mix of uses, with Caretaker’s accommodation and Dwelling units proposed secondary to the other land uses. The site is separated from land used or able to be used for rural activities to ensure there is no land use compromise due to the Emerging community zoning.</p>
	<p>AO1.2 The habitable buildings of a use within the accommodation activities group have a setback from road frontage lot boundaries in accordance with the greater of the following:</p> <p>(a) if there is an established use from within the rural activities group located on a lot on the opposite side of the road, a setback from the road frontage lot boundary, which complies with the minimum separation distances specified in Table SC4.1.1 and Table SC4.1.2 of Schedule 4; or</p> <p>(b) in compliance with the setback standards identified in Table SC10.1.1 of Schedule 10.</p>	<p>It is noted that the site technically does not have any side or rear boundaries as all boundaries are technically road frontages.</p>
If a use within the rural activities group		
<p>PO2 The development of a use within the rural activities group is designed, sited and operated to minimise significant adverse impacts on sensitive land use.</p>	<p>AO2.1 The development of a use within the rural activities group complies with the minimum separation distances specified in Table SC4.1.1 and Table SC4.1.2 of Schedule 4.</p>	<p>AO2.1 – Not applicable</p>

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Performance outcomes	Acceptable outcomes	Assessment Response
If a roadside stall		
PO3 The roadside stall: (a) is small in scale; (b) does not impact on the amenity of adjoining land uses and the surrounding area; (c) does not adversely affect the safety and efficiency of the road network; (d) is ancillary to the rural use conducted on the same site; and (e) sells only fresh produce grown locally.	AO3.1 Any structure used for a roadside stall: (a) has a maximum floor area of twenty (20) square metres; and (b) is located entirely within the lot and not on the road reserve.	AO3.1 – Not applicable
	AO3.2 Site access, car parking and storage areas: (a) are located entirely within the lot and not on the road reserve; and (b) use the same driveway as the primary lot access.	AO3.2 – Not applicable
Built form		
Where located in an area that is not the subject of an approved structure plan		
PO4 The height and bulk of buildings and structures are consistent with the intended character of the zone and do not adversely impact the character or amenity of the streetscape, adjoining sites and surrounding area.	AO4.1 Building height and the height of structures does not exceed the following: (a) 8.5 metres above ground level where the ground has a slope less than fifteen (15) per cent; or (b) ten (10) metres above ground level where the ground has a slope equal to or greater than fifteen (15) per cent.	AO4.1 – Does not comply The proposed local plan document proposes a building height of twelve (12) metres. PO4 – Complies The preliminary approval application was supported by proposal plans which indicate buildings of approximately 9 metres in height. The preliminary approval will facilitate the transition between the industrial land to the north and west of the site to the residential uses to the south (and further east). The main frontages to Jordy Drive and The Pines Boulevard are densely vegetated outside of the property boundary. The Jake Court frontage will be setback and is only used for access to the parkland to the east of the site. The proposal is considered consistent with the mixed amenity surrounding the subject site.
	AO4.2 Site cover does not exceed fifty (50) per cent.	AO4.2 – Does not comply The proposed site cover of the local plan is a maximum of seventy five percent. PO4 – Complies Despite the high nominated site cover, the plans supplied with the

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Performance outcomes	Acceptable outcomes	Assessment Response
		application show approximately
	<p>AO4.3</p> <p>If located on a on a lot having an area 0 m² to 2,999 m², building height of a standalone Class 10a building under the Building Code of Australia, does not exceed the lesser of the following:</p> <p>(a) if there is a dwelling house on the site, the height of the dwelling house; or</p> <p>(b) five (5) metres to the apex of the Class 10a building.</p>	<p>AO4.3 – Not applicable</p> <p>The local plan does not intend to facilitate Class 10a buildings.</p> <p>However the proposal seeks to provide a complex of individual tenancies/units that people can lease to store goods that may usually be stored in a Class 10a building on a private residential property (such as a boat/s, caravan/s and the like).</p>
	<p>AO4.4</p> <p>If located on a on a lot having an area 0 m² to 2,999 m², the volume of a standalone Class 10a building under the Building Code of Australia, being a garage or shed, does not exceed three (3) per cent of the lot volume.</p> <p>Editor's note: Lot volume is defined in SC1.2 Administrative definitions.</p>	<p>AO4.4 – Not applicable to this application</p>
<p>PO5</p> <p>The design and siting of buildings and structures does not adversely impact the amenity of the streetscape or adjoining sites having regard to the following:</p> <p>(a) minimisation of potential sources of nuisance;</p> <p>(b) prevention of overshadowing of habitable buildings of any sensitive land use on adjoining lots; and</p> <p>(c) prevention of overshadowing of public places.</p>	<p>AO5.1</p> <p>Buildings or structures have a setback from side, rear and road frontage lot boundaries in compliance with the setback standards identified in Table SC10.1.1 of Schedule 10.</p>	<p>AO5.1 – Does not comply</p> <p>The local plan nominates the following setbacks:</p> <p><i>Buildings have a setback from lot boundaries in accordance with the following:</i></p> <p>(a) A zero (0) metre setback from the north-eastern lot boundaries (shared with the Yeppoon Rail Trail); and</p> <p>(b) A zero (0) metre setback from the pathway at the extension of Jake Court; and</p> <p>(c) A two (2) metre setback the Pines Boulevard south-eastern boundary.</p> <p>(d) A one (1) metre setback to the truncation on corner of Jake Court and Pines Boulevard at one instant</p> <p>The subject site is landscaped within the road reserve and landscaping is proposed on site to soften the development to the street frontages. The site is separated by road reserve to all boundaries to reduce potential sources of nuisance and overshadowing towards sensitive land uses within The Pines Estate.</p> <p>The development is unlikely to significantly overshadow the adjoining parkland and may cause some overshadowing towards the rail trail corridor at some times of</p>

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Performance outcomes	Acceptable outcomes	Assessment Response
		the year, however not to an extent considered unreasonable.

Table 6.5.2.4.2 — Additional outcomes for assessable development

Performance outcomes	Acceptable outcomes	Assessment Response
Land use		
Where located in an area that is not the subject of an approved structure plan		
<p>PO6</p> <p>If the development is for a use that is not consistent with Performance Outcome (PO7), the development does not occur within the zone until a structure plan has been approved by Council in accordance with the overall outcomes for the zone.</p> <p>Editor's note: For structure plans, other than the overall outcomes of this code, reference should also be made to Schedule SC7.14.</p>	<p>No acceptable outcome is nominated.</p>	<p>PO6 – Complies</p> <p>The site does hold an approved structure plan under D-169-2013 which through the subdivision, generally identified this site (area) as a Medium density node. The proposal seeks to facilitate an alternative to simply residential uses by providing a mix of uses and create a transition between the industrial estates and the residential. The intent is to provide an area for people to store their belongings if they do not have the opportunity to do so on their residential property (or live out of town). There is also the opportunity for low impact, small scale businesses to operate from the site, close to an expanding residential area, with high connectivity via higher order roads to both Rockhampton and Yeppoon. The proposal also provides an alternative housing choice by allowing Caretaker's accommodation or Dwelling units to establish secondary to the Industry, business, industry or recreation activities.</p> <p>Whilst not directly consistent with the purpose of The Pines Local Plan Medium density residential precinct code, as detailed above, this preliminary approval seeks to provide a mix of small scale services and facilities to cater for residents – either from within The Pines Estate or from further afar. It has the ability to provide a base for a start up business that has outgrown a home based business status, a place to store personal goods if the land of their primary residence does not allow a private class 10a building, it provides an alternative housing option for long term living, and provides a transition between industrial land and residential land.</p>
PO7	No acceptable outcome is	PO7 – Does not comply –

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Performance outcomes	Acceptable outcomes	Assessment Response
The use is only one of the following: (a) a preferred use for the zone (as identified in the overall outcomes for the zone); or (b) a use from within the special activities group where it is an essential component of infrastructure servicing the community (where in accordance with the circumstances identified in the overall outcomes for the zone).	nominated.	justified against PO6 above
PO8 The use does not limit or compromise the ability to develop the land for urban activities at a time when needed.	No acceptable outcome is nominated.	PO8 – Complies The subject site has been created for urban development and the proposed variation to the planning scheme seeks to develop the land for a range of urban activities consistent with the proposed local plan.
PO9 The use appropriately integrates with any established uses in the immediate area.	No acceptable outcome is nominated.	PO9 - Complies As stated through the report, the proposal is a transition from industrial developments to the north and west, to the residential within The Pines Estate. The residential uses are separated by The Pines Boulevard. The exterior of the buildings, as per the plans lodged, show articulation and materials consistent with that of a residential product. Further, the frontages of the site are vegetated with mature landscaping, to provide a buffer to both Jordy Drive and The Pines Boulevard. The plans lodged will be included to ensure the final buildings are generally in accordance with the concept plans.
PO10 The use is located and designed in a manner that maintains public safety and minimises impacts on other land use.	No acceptable outcome is nominated.	PO10 – Complies The proposed local plan reflects this performance outcome in PO15.
PO11 The development of any public use that generates frequent and a large amount of public visitation: (a) is highly accessible; and (b) is well located in relation to public and active transport networks.	No acceptable outcome is nominated.	PO11 – Complies The proposed local plan reflects this performance outcome in PO19 in terms of transport. The site is highly accessible via Jake Court, directly to Jordy Drive and onto Yeppoon Road. The site is well connected to The Pines Estate via existing footpaths along higher order roads.
PO12 The development of a use within	No acceptable outcome is nominated.	PO12 – Not applicable No rural activities group uses are

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Performance outcomes	Acceptable outcomes	Assessment Response
<p>the rural activities group, where involving the boarding, accommodation, care, training, holding, keeping, production, or cultivation of animals and the like, ensures that the animals are confined within the site in secure fencing or other enclosures, and these confinements are sited, designed and managed in a manner which achieves the following:</p> <p>(a) accepted best practice for the welfare of animals;</p> <p>(b) prevention of the escape of animals;</p> <p>(c) best practice for the hygienic confinement of animals; and</p> <p>(d) minimal nuisance beyond the site boundaries by way of noise and odours produced by the animals.</p>		proposed.
<p>PO13</p> <p>The use does not result in land and water quality degradation (above ground and underground) due to the following:</p> <p>(a) movement of sediment, nutrients, pathogens, and pollutants; or</p> <p>(b) the handling, treatment and disposal of solid and liquid waste.</p>	No acceptable outcome is nominated.	<p>PO13 – Complies</p> <p>The proposed local plan reflects the intention of the performance outcome in AO31.1 in terms of a stormwater quality management plan being prepared.</p> <p>Solid and liquid waste will be discharged to the sewer (reflected in AO25.1 of the proposed local plan).</p>
<p>PO14</p> <p>The use:</p> <p>(a) avoids unnecessary clearing of native vegetation and habitat; and</p> <p>(b) minimises major earthworks.</p>	No acceptable outcome is nominated.	<p>PO14 – Complies</p> <p>The subject site is clear of vegetation and is generally flat.</p>
Lot size and shape		
Where located in an area that is not the subject of an approved structure plan		
<p>PO15</p> <p>The development does not reconfigure a lot into an inappropriate size which limits the potential to develop the land for urban activities in an efficient and coordinated manner.</p> <p>Note: Council considers that lots below a minimum area of ten (10) hectares and a minimum lot frontage and lot width of two-hundred (200) metres are unsuitable for enhancing the potential to develop the land for urban activities in an efficient and</p>	No acceptable outcome is nominated.	<p>PO15 – Not applicable</p> <p>No change to the lot size or shape is proposed.</p>

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Performance outcomes	Acceptable outcomes	Assessment Response
coordinated manner.		
Appearance		
Where located in an area that is not the subject of an approved structure plan		
PO16 The development is designed in a manner that does not significantly adversely affect visual amenity when viewed from the street, public places, and the surrounding area.	No acceptable outcome is nominated.	PO16 – Complies The proposed local plan reflects this performance outcome in PO11. Conditions will be included for the local plan to be updated to provide relevant AO's to the items (a) to (e) in terms of articulation to the sites frontages. The proposal plans do illustrate articulation through changes in building materials, windows, balconies,
Infrastructure		
Where located in an area that is not the subject of an approved structure plan		
PO17 Safe, accessible, robust and reliable infrastructure relating to access and parking, energy supply, roads, roof and allotment drainage, sewage and wastewater treatment and disposal, stormwater management, telecommunications, and water supply, is adequately provided for the development in accordance with best practice and endorsed standards for the location, and relative to the needs of the development.	AO17.1 The development complies with the requirements of the Development Works Code.	AO17.1 – Complies The development works code has been integrated into the proposed local plan document, including the tables of assessment (with consistent levels of assessment for all operational works). Road works, stormwater works, water supply and sewerage works have been made code assessable through the conditions.
Structure Plan Area		
Note: to confirm the location of approved structure plan areas, reference should be made to the notation of decisions affecting the planning scheme contained within Schedule 8 – Notations required under the Planning Act.		

11.2 DEVELOPMENT APPLICATION - WAREHOUSE (SELF-STORAGE FACILITY) - LOT 51 FRED LAWN DRIVE, YEPPOON

File No: D-362-2022

Attachments:

1. Locality Plan
2. Zoning Plan
3. Proposal Plans
4. Code Assessment

Responsible Officer: Erin McCabe - Coordinator Development Assessment
Greg Abbotts - Manager Development and Environment
Chris Ireland - General Manager Communities

Author: Elysha Marriott - Planning Officer

SUMMARY

<i>Applicant:</i>	<i>Middle Pond Pty Ltd</i>
<i>Consultant:</i>	<i>Adams + Sparkes Town Planning</i>
<i>Real Property Address:</i>	<i>Lot 51 on SP207759 Area of Site: 5,972 square metres</i>
<i>Planning Scheme:</i>	<i>Livingstone Planning Scheme 2018</i>
<i>Planning Scheme Zone:</i>	<i>Low density residential zone</i>
<i>Planning Scheme Overlays:</i>	<i>OM01 Acid Sulfate Soils OM02 Agricultural Land Classification OM11 Biodiversity – Stream Order OM19 Regional Infrastructure OM27 Heights Limits</i>
<i>Existing Development:</i>	<i>Vacant land</i>
<i>Level of Assessment:</i>	<i>Impact Assessable</i>
<i>Submissions:</i>	<i>2 Submissions received</i>
<i>Referral matters:</i>	<i>Infrastructure – State transport infrastructure (10.9.4.2.3.1) Infrastructure – Ergon (10.9.2.1.1)</i>
<i>Infrastructure Charge Area:</i>	<i>Charge Area 1</i>

OFFICER'S RECOMMENDATION

RECOMMENDATION A

THAT in relation to the application for a Development Permit for a Material Change of Use for a Warehouse (Self Storage Facility), made by Middle Pond Pty Ltd, on Lot 51 on SP207759 and located at L 51 Fred Lawn Drive, Yeppoon, Council resolves to Approve the application given pursuant to Section 45(5)(b) of the *Planning Act 2016*, the assessment manager may decide to approve the application even if the development does not comply with some of the assessment benchmarks and circumstances/relevant matters have been established in support of the development as follows:

- (a) The development is consistent with the Strategic Framework - Settlement pattern theme: Specialised centres.

-
- (b) The development does not compromise the Strategic Framework – Natural environment and hazards theme, Transportation and movement theme, Infrastructure and services theme, and Natural resources and economic development theme.
 - (c) The development does not comply with Performance Outcome PO2, PO5, PO6 and PO14 of the Low density residential zone code as the development is not a preferred use in the zone, the site cover is not consistent with the intended character of the zone, the proposal does not contribute to a high level of amenity and an attractive living environment and includes large expanses of blank unarticulated wall that are not broken up. While not resulting in a high level of amenity and includes unarticulated walls, the proposal incorporates a mix of materials along the Fred Lawn Drive frontage to create visual interest. The development also includes extensive landscaping along the road frontage and western side lot boundary to screen blank walls, mitigate the visual impact and soften the bulk and scale of the development. In addition, the buildings are to be cut into the slope of the site, resulting in Building A having a height ranging from 2.8 metres to 5.2 metres from natural ground level along the western side boundary, further reducing the perceived bulk of the development.
 - (d) The development does not comply with Acceptable Outcome AO3.2 of the Low density residential zone code as the one (1) metre setback to the northern side boundary does not meet the minimum standards identified in Table SC10.1.2 of Schedule 10. Despite the non-compliance, the development complies with Performance Outcome PO3 as the development is not anticipated to have an adverse impact on the character or amenity of the adjoining industrial uses.
 - (e) The proposal does not comply with Performance Outcome PO9 of the Low density residential zone code as the development is accessed via Fred Lawn Drive which is identified as an Urban Access Street. Despite the non-compliance, the Traffic Impact Assessment has demonstrated that the traffic generated by the development is not anticipated to have an adverse impact on the safety and operation of Fred Lawn Drive.
 - (f) The development does not comply with Acceptable Outcome AO7.1 of the General development code as the site has access from Fred Lawn Drive which is identified as which is identified as an Urban Access Street. Despite the non-compliance, the development complies with Performance Outcome PO7 as the Traffic Impact Assessment has demonstrated that the traffic generated by the development is not anticipated to have adverse impact on the safety, efficiency, effectiveness and operation of Fred Lawn Drive.
 - (g) The development does not comply with Acceptable Outcome AO1.1 of the Development works code as the development does not provide on-site vehicle parking in accordance with Table 9.3.2.4.3. Despite the non-compliance, the provision of 10 on-site vehicle spaces has been demonstrated to be accommodate sufficient parking for the expected number and type of vehicles generated by development.
 - (h) The development does not comply with Acceptable Outcome AO2.4 of the Development works code as the access driveway off Fred Lawn Drive is located in the closet half of the road frontage to the intersection. Despite the non-compliance, the development complies with Performance Outcome PO2 as the development has demonstrated the location of the access driveway provides safe and efficient access to the site and does not have an adverse impact on the safety or function of Fred Lawn Drive.
 - (i) The development does not comply with Acceptable Outcome AO2.5 of the Development works code as the proposed driveways do not meet the Capricorn Municipal Development Guidelines Standard Drawing relevant to the development. Despite the non-compliance, the development complies with Performance Outcome PO2 as the development has demonstrated that the driveways provide safe and
-

efficient access and do not have an adverse impact on the safety or function of the road network.

- (j) The development does not comply with Acceptable Outcome AO3.3 of the Development works code as the flush wall sign on Building A and Building B exceed three (3) square metres in size. Despite the non-compliance, the flush wall sign complies with Performance Outcome PO3 as the signs do not resemble traffic or road signs and do not detract from the visual amenity of the area.
- (k) On balance, the application should be approved because the circumstances favour Council exercising its discretion to approve the application even though the development does not comply with some aspects of the assessment benchmarks.

RECOMMENDATION B

THAT in relation to the application for a Development Permit for a Material Change of Use for a Warehouse (Self Storage Facility), made by Middle Pond Pty Ltd, on Lot 51 on SP207759, and located at L 51 Fred Lawn Drive, Yeppoon, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of the use, unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior, to the commencement of the use, unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
 - 1.6.1 Operational Works:
 - (i) Road Works;
 - (ii) Access Works;
 - (iii) Sewerage Works;
 - (iv) Water Works;
 - (v) Stormwater Works;
 - (vi) Site Works; and
 - (vii) Landscaping works.
 - 1.6.2 Plumbing and Drainage Works; and
 - 1.6.3 Building Works.
- 1.7 All Development Permits for Operational Works must be obtained prior to the issue of a Development Permit for Plumbing and Drainage Works and Building Works.
- 1.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.

1.9 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Site Plan	D032877-DA100-D	23 September 2022
Site Plan Stage 1	D032877-DA102-A	23 September 2022
Site Plan Stage 2	D032877-DA103-A	23 September 2022
Ground Floor Plan	D032877-DA200-C	23 September 2022
Upper Floor Plan	D032877-DA201-C	23 September 2022
Level 1 Floor Plan	D032877-DA204-B	11 August 2022
Street Elevations	D032877-DA300-C	17 August 2022
Elevations Building A	D032877-DA301-B	11 August 2022
Elevations Building B – North and South	D032877-DA302-B	11 August 2022
Elevations Building B – East and West	D032877-DA303-B	11 August 2022
Overall Sections	D032877-DA400-B	11 August 2022
Sections Building A	D032877-DA401-B	11 August 2022
Sections Building B	D032877-DA402-B	11 August 2022
Engineering Infrastructure Report	MIS-1036/R01, Revision B	17 August 2022
Site Based Stormwater Management Plan	MIS1036/R02	24 January 2023
Environmental Noise Level Impact Assessment for Proposed Warehouse (Self Storage Facility)	R22117.docx/D3734/Rev.0/01.12.2022	1 December 2022
Landscaping Plan – Site Location Plan	ED 22279 MCU – 01, Sheet 01 of 03, Issue B	December 2020
Landscaping Plan – Landscape Concept Plan	ED 22279 MCU – 02, Sheet 01 of 03, Issue B	August 2022
Landscape Plan – Photo	ED 22279 MCU – 03, Issue	December 2020

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Montage Plan	B	

- 2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of a Development Application for Operational Works.
- 3.0 STAGED DEVELOPMENT
- 3.1 This approval is for a development to be undertaken in two discrete stages, namely:
- 3.1.1 Building A (Stage One); and
- 3.1.2 Building B (Stage Two);
- Stage One must be completed prior Stage Two however both stages may be developed concurrently.
- 3.2 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.
- 4.0 ROAD WORKS
- 4.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works associated with the development.
- 4.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, relevant *Australian Standards* and the provisions of a Development Permit for Operational Works (road works).
- 4.3 Traffic signs and pavement markings must be provided in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*. Where necessary, existing traffic signs and pavement markings must be modified in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*.
- 4.4 As part of an Operational Works Application for road works, provide a linemarking plan incorporating the proposed modifications to the existing linemarking on Tabone Street per drawing MIS-1036-SKC001 Revision 1 contained within the approved Engineering Infrastructure Report (refer to Condition 2.1).
- 5.0 ACCESS WORKS
- 5.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access works associated with the development.
- 5.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 “Off Street Car Parking”* and the provisions of a Development Permit for Operational Works (access works).
- 5.3 Access, parking and associated vehicle manoeuvring areas must be sealed.
- 5.4 All ingress and egress movements to and from the development must be in a forward direction.
- 5.5 A minimum of ten (10) off-street parking spaces (including one universal access spaces) must be provided.
- 5.6 Universal access spaces must be provided in accordance with *Australian Standard AS 2890.6. 2009 “Off-Street parking for people with disabilities”*.

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- 5.7 Stormwater runoff from parking and vehicular manoeuvring areas must be collected on the site and drained to a lawful point of discharge in accordance with *Queensland Urban Drainage Manual*.
- 5.8 All vehicle operations associated with the proposed use must be directed by suitable directional, informative, regulatory or warning signs in accordance with *Australian Standards AS1742.1 "Manual of Uniform Traffic Control Devices"*.
- 5.9 Any redundant vehicular crossing(s) must be removed and replaced with Council's standard kerb and channel in accordance with the *Capricorn Municipal Development Guidelines*.

6.0 SEWERAGE WORKS

- 6.1 A Development Permit for Operational Works (sewerage works) must be obtained prior to the commencement of any sewerage works on the site.
- 6.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (sewerage works).
- 6.3 The development must be connected to Council's reticulated sewerage service.
- 6.4 Sewer connections located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with trafficable lids.
- 6.5 All works must be undertaken in accordance with *Queensland Development Code, Mandatory Part 1.4 – Building over or near relevant infrastructure*. (Refer condition 8.6).
- 6.6 Easements must be provided over all sewerage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.

7.0 WATER WORKS

- 7.1 A Development Permit for Operational Works (water works) must be obtained prior to the commencement of any water works on the site.
- 7.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, the *Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (water works).
- 7.3 The development must be connected to Council's reticulated water supply.
- 7.4 Water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface level and must be provided with heavy duty trafficable lids.
- 7.5 The applicant must ensure adequate fire-fighting protection is available from the existing hydrant within Fred Lawn Drive and Tabone Street reserves and also from the on-site fire fighting equipment for the proposed development. Should adequate protection not be achievable, upgrade of on-site fire fighting equipment, internal pillar hydrant, water tanks, and pumps may be required.

8.0 BUILDING WORKS

- 8.1 A Development Permit for Building Works must be obtained prior to the commencement of any building works on the site.
- 8.2 All earthworks must be undertaken in accordance with *Australian Standard, AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"* and any recommendations of a site specific report.
- 8.3 Earthworks must be undertaken such that stormwater runoff is managed and discharged lawfully and must not adversely affect the adjoining properties compared to pre-development conditions or damage infrastructure.
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- 8.4 All roof and allotment drainage must be discharged lawfully.
- 8.5 Any retaining structures one (1) metre or above in height must be separately approved for structural adequacy by a suitably qualified Registered Professional Engineer of Queensland or equally qualified person at design submission and certified on completion of construction for compliance with the design.
- 8.6 The development must comply with the minimum clearing requirements to relevant infrastructure in accordance with the *Queensland Development Code, Mandatory Part 1.4 – Building over or near relevant infrastructure*. The sewer be positively identified prior to construction. A Building over or near relevant infrastructure application must be lodged for any non-compliance.
- 9.0 PLUMBING AND DRAINAGE WORKS
- 9.1 A Development Permit for Plumbing and Drainage Works must be obtained prior to the commencement of any plumbing and drainage works on the site.
- 9.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act* and the provisions of a Development Permit for Plumbing and Drainage Works.
- 9.3 The development must be connected to Council’s reticulated water supply and sewer service.
- 9.4 A Sewerage Trade Waste Permit must be obtained for the discharge of any non-domestic waste into Council’s reticulated sewerage network.
- 10.0 STORMWATER WORKS
- 10.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the site.
- 10.2 All stormwater drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines, the State Planning Policy*, sound engineering practice and the provisions of a Development Permit for Operational Works (Stormwater works).
- 10.3 All stormwater including roof water and allotment runoff must achieve demonstrated lawful discharge and must not adversely affect the upstream or downstream land or damage infrastructure when compared to pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or cause an actionable nuisance.
- 10.4 The potential pollutants in stormwater runoff, discharged from the site must be managed in accordance with *Urban Stormwater Quality Planning Guidelines and State Planning Policy*.
- 10.5 The proposed detention storage must be designed and constructed as part of Stage One.
- 10.6 Sufficient erosion protection must be provided to the outlet of the detention storage in accordance with the *Queensland Urban Drainage Manual*.
- 10.7 All ongoing maintenance and management actions necessary for the proposed stormwater quality management devices must be carried out by suitably qualified person(s) in a timely manner. A completed log book must be maintained and must be available on-site for inspection by Council and /or relevant authorities.
- 11.0 ROOF AND ALLOTMENT DRAINAGE WORKS
- 11.1 A Development Permit for Operational Works (roof and allotment drainage works) must be obtained prior to the commencement of any drainage works on the site.
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- 11.2 All roof and allotment drainage must be in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*.
- 12.0 SITE WORKS
- 11.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works.
- 11.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks' plan which clearly identifies the following:
- 11.2.1 the location of cut and/or fill;
 - 11.2.2 the type of fill to be used and the manner in which it is to be compacted;
 - 11.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
 - 11.2.4 details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and
 - 11.2.5 the maintenance of access roads to and from the site so that they are free of all cut and/or fill material and cleaned as necessary.
- 11.3 All earthworks must be undertaken in accordance with Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments".
- 11.4 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.
- 11.5 The structural design of all retaining walls above one (1) metre in height must be separately and specifically certified by a Registered Professional Engineer of Queensland as part of the Operational Works submission. A Registered Professional Engineer of Queensland must on completion certify that all works are compliant with the approved design.
- 11.6 A detailed inspection and as constructed record must be provided to Council by the consultant Registered Professional Engineer of Queensland prior to acceptance of the works. The consultant must include in the certification confirmation that the wall's foundation ground conditions nominated in the design were inspected and achieved during construction.
- 11.7 The approved design and/or the construction of the retaining walls must not be modified or altered without Council's prior written approval.
- 11.8 Any vegetation cleared or removed must be:
- (i) mulched on-site and utilised on-site for landscaping purposes, in accordance with the landscaping plan approved by Council; or
 - (ii) removed for disposal at a location approved by Council;
- within sixty (60) days of clearing. Any vegetation removed must not be burnt.
- 11.9 Large trees must not be planted within one (1) metre of the centreline of any sewerage infrastructure. Small shrubs and groundcover are acceptable.
- 12.1 Any application for a Development Permit for Operational Works (earthworks) must be accompanied by a preliminary site investigation into acid sulphate soils in accordance with the *State Planning Policy*.
- 13.0 ADVERTISING DEVICE
- 13.1 Advertising devices must be provided in accordance with the approved plans (refer to condition 2.1).
- 14.0 LANDSCAPING WORKS
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- 14.1 Landscaping must be provided in accordance with the approved Landscaping Plan (refer to condition 2.1) and the conditions of this permit.
- 14.2 Vegetation buffers must be provided on site as follows:
- 14.2.1 a minimum 3.5 metre wide densely vegetated buffer to the western side lot boundary with species that will reach a mature height of at least 4 metres containing the following screening species:
- a) leptospermum polygalifolium;
 - b) grevillea banksia;
 - c) jacksonia scopraria;
 - d) dodonaea viscosa;
 - e) syzygium australe;
 - f) melaleuca viminalis
- 14.2.2 a minimum three (3) metre wide densely vegetated buffer along the Fred Lawn Drive road frontage boundary and Tabone Street road frontage boundary with a minimum of:
- a) two (2) rounded canopy trees for every five (5) linear metres or part thereof of the length of the road frontage lot boundary; and
 - b) minimum of two (2) shrubs for every three (3) linear metres or part thereof of the length of the road frontage lot boundary;
- 14.2.3 in accordance with SC7.16 Landscaping planning scheme policy.
- 14.2.4 The vegetation buffers must assist with visually screening the development from Fred Lawn Drive and Tabone Street and must be established with fast growing or mature screening species that are endemic to the location.
- 14.3 Street trees must be provided in accordance with SC7.16 Landscaping planning scheme policy.
- 14.4 Large trees must not be planted within one (1) metre of the centreline of any sewerage infrastructure. Small shrubs and groundcover are acceptable.
- 14.5 Root barriers must be provided between proposed trees and relevant infrastructure.
- 14.6 Landscaping, or any part thereof, upon reaching full maturity, must not:
- (i) obstruct sight visibility zones as defined in the *Austroads 'Guide to Traffic Engineering Practice'* series of publications;
 - (ii) adversely affect any road lighting or public space lighting; or
 - (iii) adversely affect any Council infrastructure, or public utility plant.
- 14.7 All landscaping must be constructed and or established, prior to the commencement of the use.
- 14.8 The landscaped areas must be subject to an ongoing maintenance and replanting programme (if necessary).
- 14.9 A 1.8 metre high solid screen fence must be provided along the western boundary of the site.
- 15.0 ELECTRICITY AND TELECOMMUNICATIONS
- 15.1 Electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.
- 16.0 ASSET MANAGEMENT
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- 16.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.
- 16.2 Any damage to existing kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.
- 16.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the commencement of use. This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.
- 17.0 ENVIRONMENTAL
- 17.1 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan certified by a Certified Professional in Erosion and Sediment Control or suitably qualified Registered Professional Engineer of Queensland.
- 17.2 The plan must demonstrate how the Construction-Phase stormwater management design objectives of the *State Planning Policy* (Appendix 2 Table A) will be achieved and also addresses the following, but is not limited to;
- (i) top soil management;
 - (ii) dust suppression;
 - (iii) vegetation;
 - (iii) acid sulphate soils (if applicable); and
 - (iv) implementation and maintenance procedures during construction and post construction phases of work.
- 18.0 OPERATING PROCEDURES
- 18.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Fred Lawn Drive or Tabone Street.
- 18.2 Undertake the activity in a manner that does not allow environmental nuisance or water contamination caused by construction material, noise, aerosols, particles dust, ash, fumes, light, odour and smoke, which must not go beyond the boundaries of the property during all stages of the development including earthworks, construction and operation as stated in the *Environmental Protection Act 1994* and subordinate legislation (refer to Advisory Note 5 for noise monitoring requirements).
- 18.3 Outdoor lighting must be designed, installed and maintained in accordance with the parameters and requirements of the current version of the *Australian Standard AS4282 — Control of the obtrusive effects of outdoor lighting*.
- 18.4 All air conditioning units must be located a minimum of three (3) metres away from any boundary of the site to an adjoining property that accommodates a dwelling unit or accommodation unit.
- 18.5 Where necessary air conditioning units must be provided with acoustic screening to meet the standards set out in the *Environmental Protection Regulation 2019*.
- 18.6 Any building plant must be screened from view of the street and adjoining public places by one or more of the following:
- (i) a solid screen fence, or
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- (ii) a roof design feature; or
 - (iii) a wall; or
 - (iv) dense vegetation.
- 18.7 A refuse container and container storage area must be provided which:
- (i) is screened from view from a public place by a solid screen fence, wall or dense vegetation having a minimum height of 1.8 metres;
 - (ii) has an imperviously sealed pad, on which to stand the bin(s), and which is drained to an approved waste disposal system;
 - (iii) is within proximity to a hose cock;
 - (iv) is not located within three (3) metres of the common property boundary where adjoining a lot within a residential category zone or township zone;
 - (v) sufficient in size to accommodate commercial sized bins serviced by a commercial contractor plus clearances around the bin for maneuvering and cleaning;
 - (vi) Kept in a clean, tidy condition;
 - (vii) Must not be located within 2 metres of a road frontage;
 - (viii) No waste material (eg pallets, cardboard) is to be stored external to the waste storage enclosures.
- 18.8 Hours of operation must not exceed 0600 to 2000 daily.
- 18.9 'Storage choice yellow' colour must not exceed twenty (20) per cent of the building façade fronting Fred Lawn Drive (excluding roller doors on Building B).

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

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

NOTE 2. General Environmental Duty

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

NOTE 3. General Safety Of Public During Construction

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

NOTE 4. Water and Sewerage Services

(1) In accordance with the Water Supply (Safety & Reliability) Act 2008, it is an offence to interfere with a service provider's infrastructure. Livingstone Shire Council is the service provider and Infrastructure is the department responsible for water and sewerage services. Alterations to existing services consequential to necessary connections to existing sewerage and / or water infrastructure must

be at the responsibility and cost of the Developer. Please contact Infrastructure for further information. Negotiation with other service authorities such as Telstra and Ergon may also be required to adequately affect these connections.

NOTE 5. Noise Monitoring

When requested by the administering authority, noise monitoring must be undertaken and recorded to investigate any complaint of nuisance caused by noise. The monitoring data, an analysis of the data and a report, including noise mitigation measures, must be provided to the administering authority within fourteen days of the completion of the investigation.

NOTE 6. Infrastructure Charges Notice

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

RECOMMENDATION C

That in relation to the application for a Development Permit for a Material Change of Use for a Warehouse (Self Storage Facility) only, made by Middle Pond Pty Ltd, on Lot 51 on SP 207759, and located at L 51 Fred Lawn Drive, Yeppoon, Council resolves to issue an Infrastructure Charges Notice for the amount of \$181,320.00.

BACKGROUND

The site was created through Development Permit D-Y/1999-1125 for Reconfiguring a lot (one lot into three lots) which was approved with conditions on 19 January 2000. At this time the site was in the Light industry zone. Under the Livingstone Planning Scheme 2005 the site was in the Industry zone. The Livingstone Planning Scheme 2018 changed the zoning from Light industry to Low density residential.

PLANNING ASSESSMENT

PROPOSAL

The proposal is for a self-storage warehouse and includes two buildings with a maximum height of 8.5 metres proposed to be constructed over two stages.

Stage:	Features:	Gross floor area:	Car parking spaces:
1	Building A, access crossovers and landscaping	3,304 square metres	7, including one staff parking space
2	Building B	3,378 square metres	3

Access to the site is from Fred Lawn Drive (Building A) and Tabone Street (Building B) The proposal includes provision for ten on-site parking spaces.

SITE AND LOCALITY

The site is 5,972 square metres in area. The site has a gradual slope from 22.5 metres Australian Height Datum in the south-west corner of the site to 14 metres Australian Height Datum along the eastern boundary of the site.

The site is located within an established urban area and is able to connect to reticulated urban infrastructure.

The locality is characterised by industrial uses to the north and north-east, residential uses to the north-west, west and south-west, a church to the south and vacant land to the east.

The related permits over the subject site and permits and development on adjoining properties are detailed in the following table:

Existing applications/development permit over the site	
Lot 51 on SP207759 L51 Fred Lawn Drive, Yeppoon	Development Permit D-Y/1999-1125 for Reconfiguring a lot (one lot into three lots) approved with conditions on 19 January 2000.
Applications/development permits on adjoining properties	
Lot 0 on SP170932 44-46 McBean Street, Yeppoon (to the north)	Warehouse and building permits for a Class 7 building.
Lot 4 on RP620303 48-56 McBean Street, Yeppoon (to the north)	<p>Development Permit D/1500-2009 for Extension to Vehicle Depot approved with conditions on 10 November 2014.</p> <p>Development Permit D-160-2015 for Material Change of Use for General Industry approved with conditions on 20 July 2017.</p> <p>Development Permit D-92-2016 for Operational Works for Access and Parking, Stormwater Works, Site Works Roof and Allotment Drainage and Sewer Works.</p> <p>Building Permit 531-2006-YCOMM for Commercial Shed and Carport.</p> <p>Building Permit B-990-2015 for As-constructed Industrial Shed.</p> <p>Building Permit B-350-2018-B-COMM for Change of Classification.</p> <p>Plumbing Permit P-410-2015 for Commercial Shed.</p>
Lot 10 on RP848838 14-18 Fred Lawn Drive, Yeppoon (to the west)	Permits relevant to a Dwelling house, swimming pool, carport and retaining wall.
Lot 2 on SP131845 1-13 Fred Lawn Drive, Yeppoon (to the south)	<p>Development Permit for Place of Worship and extensions (D-Y/2005-1727, D/453-2007, D-139-2014) and associated building and plumbing permits.</p> <p>Development Permit D-25-2016 for Operational Works for Stormwater works; Drainage works; Earthworks and Parking works for an extension to a Place of Worship approved with conditions with 22 February 2016.</p>
Lot 50 on SP207759 L50 Fred Lawn Drive, Yeppoon	Development Permit D-Y/1999-1125 for Reconfiguring a Lot (one into three lots) approved with conditions on 19 January 2000.

(to the east)	<p>Building Permit for a Temporary subdivision sign approved with conditions on 9 March 2005.</p> <p>Development Permit D-4-2017 for Material Change of Use for a Service station and Retail warehouse approved with conditions on 1 April 2019 and subject to Planning and Environment Court Judgement on 5 August 2021.</p>
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ASSESSMENT INCLUDING BENCHMARKS AND RELEVANT MATTERS

This application has been assessed by relevant Council planning, engineering, environmental health, natural resource management and other technical officers as required. The assessment has been undertaken in accordance with Chapter 3 of the *Planning Act 2016*, Part 4 of the *Planning Regulation 2017* and the Development Assessment Rules under the *Planning Act 2016*.

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

Benchmarks applying for the development	Benchmark reference
Strategic Framework Low density residential zone code General development code Development works code Assessment of specialised centre and low impact industry codes	<i>Livingstone Planning Scheme 2018</i> , Version 3, in effect 15 February 2021
Chapter 4 – Regional outcomes and policies	<i>Central Queensland Regional Plan</i> , October 2013
Part E: State interest policies and assessment benchmarks	<i>State Planning Policy</i> , July 2017
Relevant matters considered	
Any development approval for, and any lawful use of, the premises or adjacent premises	The relevance of existing approvals on the subject site and adjoining properties in respect of the land use pattern and commensurate development
The common material submitted with the application	In respect of the reports provided in the material including proposal plans and supporting information
Submissions provided on the application	In respect of relevant matters raised in submissions.
The Local Government Infrastructure Plan	In respect of trunk infrastructure provisions and charging for development.

Internal advice and assessment

Development Engineering – 22 February 2023

Support, subject to conditions relating to obtaining further operational works permits for stormwater and earthworks.

Public and Environmental Health – 24 August 2022

Support, subject to conditions for light and noise.

Growth Management – 16 February 2023

Comments relating to the existing and approved uses in proximity and the need to consider the amenity impact on the adjoining residential development. The change is zoning between the Livingstone Planning Scheme 2005 and the current scheme was done in recognition:

- The site is adjacent to residential development;
- The fragmentation of industry zoned land that resulted from the connection of Tabone Street to Yeppoon Road;
- If the site remained in the Industry zone, the impact that industrial development on the site establishing without appropriate levels of assessment was not acceptable.

External referral

The application was referred to the Department of State Development, Manufacturing, Infrastructure and Planning as a concurrence agency given the site is identified as adjacent to a road that intersects with a state controlled road (Yeppoon Road) and within 100 metres of the intersection in accordance with Table 4 Item 1 of Schedule 10, Part 9, Division 4, Subdivision 2 of the *Planning Regulation 2017*. The Department assessed the application and requested further information on 19 September 2022. Following a response to the information request, the Department provided conditions on 7 February 2023 relating to providing appropriate stormwater management so that the development does not cause worsening to the operational performance of Yeppoon Road from stormwater flows.

The application was referred to Ergon Energy as a concurrence agency given the site contains an easement for the benefit of a distribution entity or transmission entity under the Electricity Act and is for a transmission supply in accordance with Table 2 Item 1 of Schedule 10, Part 9, Division 2 of the *Planning Regulation 2017*. Ergon Energy assessed the application and requested further information on 16 September 2023. Following a response to the information request, the Department provided conditions on 19 January 2023. The conditions outline the proponent must relocate the electricity line and must enact any required easements in favour of Ergon at no cost to Ergon.

Information request

An information request was issued by Council on 7 September 2022 which included (but was not limited to) the following;

- Electrical power line
- Noise impact assessment
- Landscaping plan
- Staging plan
- Parking

The applicant provided a response (in full) on 7 December 2022.

State Planning Policy – July 2017

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

- Guiding principles
- Agriculture

- Development and construction
- Mining and extractive resources
- Tourism
- Emissions and hazardous activities

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

Liveable Communities: Not applicable as the development will not be accessed or contain common private title.

Environment and Heritage - Water quality: Applicable as the site is greater than 2500 square metres and requests in an impervious area greater than 25 per cent of the net developable area.

Assessment benchmarks	Officer response
Development is located, designed, constructed and operated to avoid or minimise adverse impacts on environmental values arising from: (a) altered stormwater quality and hydrology (b) waste water (c) the creation or expansion of non-tidal artificial waterways (d) the release and mobilisation of nutrients and sediments.	Complies The proposal minimises adverse impacts of the environmental values and includes an on-site detention tank and filtration system that will hold and filter the water prior to release in accordance with the design objectives in tables A and B of Appendix 2.
Development achieves the applicable stormwater management design objectives outlined in tables A and B (appendix 2)	Complies The proposal has been conditioned to meet the stormwater design objectives in tables A and B of Appendix 2.
Development in a water supply buffer area avoids adverse impacts on drinking water supply environmental values.	Not applicable The proposal is not located in a water supply buffer area.

Natural hazards, risk and resilience: Applicable as the site is within Flood hazard area – Local Government flood mapping area. Under the Livingstone Planning Scheme 2018, the site is not with the Flood hazard overlay. As such the proposal avoids the natural hazard and does not alter the protective landforms or hinder recovery capacity or capabilities.

Central Queensland Regional Plan

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

Livingstone Planning Scheme 2018

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

Strategic Framework

The strategic framework sets the policy direction for the planning scheme and forms the basis for ensuring appropriate development occurs within the planning scheme area for the life of the planning scheme.

The following themes are relevant to the assessment of this application:

- (i) Settlement pattern;
- (ii) Natural environment and hazards;
- (iii) Transportation and movement theme;
- (iv) Infrastructure and services theme; and
- (v) Natural resources and economic development.

Settlement pattern theme: Specialised centres

Specific Outcome	Assessment response
3.3.10 Strategic outcome	
(1) Specialised centres have a primary role in providing opportunities for the development of large format shops, warehouses and showrooms which have characteristics which are less appropriate for locating in other centres due to different built form or transport requirements which can affect amenity.	Complies The proposal is for a self-storage warehouse.
(2) Specialised centres are located in proximity to higher order roads and do not contain a high concentration of land uses which are more suited to other centres.	Complies The proposal has access to Tabone Street and is in proximity to Yeppoon Road.
(3) Specialised centres develop in a manner which is consistent with their primary role and they do not compromise the role of any other centre.	Complies The proposal is a use consistent with the specialised centre and does not compromise the role of the Yeppoon major centre and the use cannot be located in the centre due to the size of land required for the use.
(4) Specialised centres are protected from the establishment of new land uses which are likely to impede the full utilisation of these places for specialty business activities.	Complies The proposal is a preferred use in the place type and does not impede the utilisation of the place for specialty business activities.
(5) The built form and site layout of development within specialised centres allows for the safe and functional operation of activities, while minimising potential amenity impacts on any adjoining residential category zones or on important scenic transport routes.	Complies The proposal provides safe and functional operation of the use and minimises potential amenity impacts of the adjoining residential zoned land through the inclusion of densely vegetated buffer along the western boundary of the site and landscaping along the full frontage of the site. The development also seeks to cut the site which reduces the bulk of Building A along the western boundary.
(6) Development results in a high level of visual amenity when viewed from the street, public places, and the surrounding area.	Complies While the proposal is large in scale, the proposal includes landscaping and variation in colours and building material to soften the built form and bulk of the development to result in a development that has a high level visual amenity when viewed from the street and is consistent with development approved to the east of the site and existing development to the north of the site.
(7) In order to protect land within specialised centres for preferred land uses and enhance the growth and viability of other centres and industrial places, land uses which are more suited to other centres or industrial places do not develop within specialised centres unless it is demonstrated that a use has synergies with or supports the effective use of the entire specialist centre by the community.	Complies The proposal is for a self-storage warehouse which is a preferred land use in the specialised centre.

Natural environment and hazards theme:

The site is clear of vegetation and does not contain areas of ecological significance. The development does not compromise or adversely impact on the natural function of the waterway located to the north of the site.

Transportation and movement theme:

The proposal does not include new transport networks or active transport routes. The proposal has access to Fred Lawn Drive and Tabone Street and has provided a Traffic Impact Assessment that demonstrates the proposal does not compromise the safety, efficiency, effectiveness or operation of the transport and movement network directly adjoining and surrounding the site.

Infrastructure and services theme

The proposal can connect to urban infrastructure that is fit for purpose and meets the long term needs of the development.

Natural resources and economic development theme

The proposal supports the growth of the economy and provides additional and diverse employment opportunities for the community.

Low density residential zone code

The purpose of the low density residential zone code is:

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

Overall outcomes

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

Overall Outcome	Assessment response
(1) the development is: <ul style="list-style-type: none"> (a) a use within the accommodation activities group which: <ul style="list-style-type: none"> (i) provides only for the long-term stay of residents; (ii) is designed at a low dwelling density; and (iii) is designed to be consistent with the character of a residential neighbourhood which is predominantly comprised of detached dwellings; or (b) a use which supports the residential dwellings of the immediate surrounding area; or (c) a use which services the convenience needs of residents of the immediate surrounding 	<p>Does not comply</p> <p>The proposal is not for a use in the accommodation activities group, support the residential dwellings of the immediate surrounding area or a use that services the convenience needs of residents in the immediate surrounding area.</p>

<p>area; and</p>	
<p>(2) the development of a use from within the accommodation activities group is a preferred use within the zone in the following circumstances:</p> <ul style="list-style-type: none"> (a) it is a caretaker’s accommodation; or (b) it is a community residence; or (c) it is a dual occupancy and it does not result in there being a dominance of dual occupancies in the street or immediate surrounding area; or (d) it is a dwelling house; or (e) it is a dwelling unit; or (f) it is a home based business and it complies strictly with specified design, siting, and operational requirements; and 	<p>Not applicable The proposal is not for a use in the accommodation activities group.</p>
<p>(3) if the development is a use from within the accommodation activities group and it is not identified in Overall Outcome (2) above, the development occurs within the zone only in the following circumstances:</p> <ul style="list-style-type: none"> (a) the use is designed to be consistent with the character of the zone and other uses in the immediate area; and (b) the use: <ul style="list-style-type: none"> (i) is multiple dwellings; or (ii) is non-resident workforce accommodation; or (iii) is a relocatable home park; or (iv) is a residential care facility; or (v) is a retirement facility; or (vi) is rooming accommodation; and 	<p>Not applicable The proposal is not for a use in the accommodation activities group.</p>
<p>(4) the development of a use that is not within the accommodation activities group occurs within the zone only in the following circumstances:</p> <ul style="list-style-type: none"> (a) it is small in scale; (b) it is consistent with the built form and appearance of development in the immediate surrounding area; (c) it is located at a site adjoining an appropriate road in the planning scheme road hierarchy; and (d) the use: <ul style="list-style-type: none"> (i) is an environment facility; or (ii) is a child care centre; or (iii) is a park; or (iv) is a sales office; or (v) shop for the purpose of a general corner store; or (vi) is within the special activities group and it is an essential component of infrastructure servicing the community; and 	<p>Does not comply The proposal is not for an environmental facility, child care centre, park, sales office, shop or within the special activities group.</p>
<p>(5) development that is likely to have a high impact on sensitive land use does not occur within the zone;</p>	<p>Complies The proposal is not likely to have a high impact on sensitive land uses. A Traffic Impact Assessment and Noise Impact Assessment has demonstrated that the proposal does not result in a high impact on sensitive land use in relation to noise and traffic impacts.</p>
<p>(6) development contributes to a high level of amenity</p>	<p>Does not comply The proposal is large in bulk and scale and includes</p>

and an attractive living environment;	walls with little articulation that does not result in a high level of amenity and attractive living environment. The proposal does, however, minimise the visual impact and softens the bulk and scale of the buildings through landscaping along the frontage of the site and a dense vegetation buffer along the western boundary adjoining the existing Dwelling house.
(7) sensitive land use is not located in proximity to any established incompatible uses without appropriate design and siting to minimise adverse impacts on amenity;	Complies The proposal minimises the adverse impact on amenity by including a dense vegetation buffer along the western boundary adjoining the existing Dwelling house and provides landscaping along the frontage of the site.
(8) the development is compatible with an urban form that is characterised by: (a) a low 'net' dwelling density (up to fifteen dwellings per hectare); (b) the height of buildings does not exceed two (2) storeys above ground level; (c) low site cover; (d) provision of private or communal open space for dwellings; (e) appealing streetscapes and public places;	Complies in part The proposed height of 7.750 metres (highest point of Building A) does not exceed two storeys and includes a mix of building material and landscaping to create an appealing streetscape. The proposal has a site cover of 58.7 per cent and does not result in low site cover.
(9) the appearance of development provides visual interest and contributes to a high level of visual amenity when viewed from the street, public places, and the surrounding area;	Complies A mix of building materials and colours are used to provide visual interest and landscaping is used along the frontage of the site
(10) the development is provided with adequate infrastructure and essential services.	Complies The proposal can be connected to urban infrastructure and has direct access the existing road network.

The proposal complies with the various requirements of the Low density residential zone code apart from a deviation from Acceptable outcome/Performance outcome AO2.5, PO2, AO3.2, AO4.5 PO5, PO6, PO9 and PO14.

The proposal does not meet Acceptable outcome AO2.5 and Performance outcome PO2 as the proposed site cover of 58.7 per cent exceeds the acceptable outcome of fifty (50) per cent and is not consistent with the intended character of the zone. While exceeding the site cover, the proposal is setback from the road frontage and adjoining Dwelling house in accordance with the accepted setbacks in Table SC10.1.2 of Schedule 10 and is of a height consistent with the height requirements of the zone. The proposal incorporates extensive landscaping along the frontage of the site and western side boundary to mitigate the perceived bulk and scale of the development and soften the built form.

The proposal does not meet Acceptable outcome AO3.2 as the setback to the northern side boundary setback does not meet the required setback in SC10.1.2 of Schedule 10. Suitable justification has been provided for the reduced setback to the northern side boundary and the proposal is able to meet corresponding Performance outcome PO3 given the reduced setback will not have an adverse impact on the adjoining industrial zoned land and is separated from the existing industrial buildings by 33 metres of dense vegetation.

The proposal does not meet Acceptable outcome AO4.5 as the proposal provides a 3.5 metre wide densely vegetated buffer area instead of the required minimum depth of five (5) metres. Although the required depth has not been provided, the Landscape Plan provided demonstrates that selected small trees along the entire length of the western lot boundary can provide sufficient density and height to appropriately screen the wall of the proposal contribute to the visual amenity of the streetscape and surrounding areas.

The proposal does not meet Performance outcome PO5, PO6 and PO14 as the proposal is not a preferred use in the zone, does not contribute to a high level of amenity and an attractive living environment and includes large expanses of blank unarticulated wall that are

not broken up. While not resulting in a high level of amenity and includes unarticulated walls, the proposal incorporates a mix of materials along the Fred Lawn Drive frontage to create visual interest and includes landscaping to mitigate the visual impact and soften the bulk and scale of the development. In addition, the proposal seeks to cut the block to reduce the height of Building A to 5.2 to 2.8 metres above natural ground level at the western boundary closes to existing residential development.

The proposal is accessed via Fred Lawn Drive which is an Urban Access Street and as a result is not able to meet Performance Outcome PO9. A traffic impact assessment has been provided to demonstrate the traffic generated by the development does not have an adverse impact on the safety and operation of Fred Lawn Drive.

General development code

The proposal complies with the various requirements of the General development code apart from a deviation from Acceptable outcome AO7.1 as the development will commonly generate greater than ten vehicle trips per day and has direct access to Fred Lawn Drive which is classified as an Urban Access Street. Suitable justification has been provided in the Traffic Impact Assessment provided that demonstrates the access does not have an adverse impact on the safety, efficiency, effectiveness and operation of Fred Lawn Drive and appropriate sight distances, turning dimensions and speeds are provided. As a result, the proposal is able to comply with corresponding Performance outcome PO7.

Development works code

As evident from the above assessment, the proposal complies with the various requirements of the Development works code apart from a deviation from Acceptable outcome AO1.1, AO2.4, AO2.5 and AO3.3 as the proposal does not provide on-site car parking spaces in accordance with Table 9.3.2.4.3., the access driveway in Fred Lawn Drive is located in the closest half of the road frontage to the road intersection, the driveway does not meet Standard Drawing CMDG-R-042 Commercial Driveway Slab (Type A) Two Way Access and the flush wall sign on Building A and Building B exceeds 3 square metres in area.

While the proposal has only provided 10 on-site car parking spaces, the parking is sufficient for the number of people expected at the site at any one time. The Engineering Report and Traffic Impact Assessment demonstrates that the parking and manoeuvring areas provides sufficient space of loading and unloading of goods and the two way access driveway off Fred Lawn Drive provides safe entry and exit to the site and does not impact on the safety or function of Fred Lawn Drive. As such the proposal is able to comply with Performance outcomes PO1 and PO2.

The flush wall sign on Building A and Building B exceeds three square metres in area. Despite the sign exceeding the size in Acceptable outcome AO3.3, the sign only advertises the occupier of the building and is situated on the building to not have an adverse impact on the character or amenity of the area. the sign does not impact on the operational safety of the road or pedestrian path and does not resemble a traffic or road sign and as such is able to comply with Performance outcome PO3.

Low impact industry

It is noted that while the site is not located in the Low impact industry zone, the zone is in proximity. The proposal is a preferred use in this zone and complies with the overall outcomes. The proposal is able to comply with the various requirements of the code except for a deviation from Acceptable outcomes AO4.3 and AO5.5 as the western and northern side setbacks do not comply with the specified setbacks, and the densely vegetated buffer does not meet the required width of five metres. While the proposal does not comply with the acceptable outcomes, suitable justification has been provided that demonstrates compliance with corresponding Performance outcomes PO4 and PO5.

Specialised centre zone

It is noted that while the site is not located in the specialised centre zone, the zone is in proximity. The proposal is a consistent use in this zone and is able to comply with the

various requirements of the code except for a deviation from Acceptable outcome AO1.2, AO2.3 and AO3.4 as the site cover exceeds fifty (50) per cent, the western and northern side setbacks do not comply with the specified setbacks, and the densely vegetated buffer does not meet the required width of five metres. While the proposal does not comply with the acceptable outcomes, suitable justification has been provided that demonstrates compliance with corresponding Performance outcomes PO1, PO2 and PO3.

PUBLIC NOTIFICATION

The proposal was the subject of public notification between 13 January 2023 and 6 February 2023, as per the requirements of the *Planning Act 2016*, and two (2) submissions were received. Of these submissions, two (2) are considered to be properly made in accordance with the *Planning Act 2016*.

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

Issue	Officer Comment
<p>Noise and hours of operation</p> <p>Concerns that noise from Building B will travel up Fred Lawn Drive. Preference for doors on Building B to be orientated only to Tabone Street or noise mitigation measures used and request for hours of operation to be limited to 7am to 5pm given the site is in a residential area.</p>	<p>A Noise Impact Assessment has been provided and demonstrates the proposal will not exceed the current noise levels on the site plus 5 dB(A) for hours 0700 to 2000 or 3 dB(A) for hours 2000 to 0700 in accordance with Acceptable outcome AO3.1 of the General development code. Given the residential area, the hours of operation have been conditions to be reduced to 0600 to 2000.</p>
<p>Incompatible land use, loss of residential zoned land and inconsistent with community expectations</p> <p>Concerns the proposal is an inappropriate and incompatible land use with the established residential area and the Low density residential zone and does not align with the community expectations set by the Low density residential zone code and Strategic Frameworks and will result in increase in vehicle movements and operational hours that will impair the amenity of the residential locality.</p> <p>Concerns the proposal will result in the intensification of industrial land uses and diminish the low-scale, residential character of the locality. Recommends the proposal should be located on industrial zoned land and insufficient information has been provided to demonstrate the planning need for the proposal.</p>	<p>It is noted that the proposal is not a preferred use or consistent use anticipated to occur in the Low density residential zone. The proposal is however, consistent with Specialised centre place type of the Strategic Framework's Settlement Pattern theme. Specialised centres are in proximity to higher order roads such as Yeppoon Road and have a primary role in providing opportunities for the development of large format shops, warehouses and showrooms which have the characteristics which are less appropriate for locating in in other centres. Consideration of the existing and approved non-residential high impact uses in proximity including service stations, food and drink outlet, transport depot, warehouse has given merit to the proposal despite the zoning.</p> <p>A Traffic Impact Assessment has been provided and demonstrates the estimated traffic generated by the proposed development is also not expected to have an adverse effect on the existing road network.</p> <p>In relation to visual amenity, the proposal includes variation in building material and colours for walls fronting Fred Lawn Drive to create visual interest. Appropriate landscaping has been provided to screen</p>

Issue	Officer Comment
	<p>and mitigate the negative amenity impacts.</p> <p>In relation to acoustic amenity, a Noise Impact Assessment has been provided and has confirmed that the proposal will not exceed the not exceed the current background noise levels on the site plus 5 dB(A) for the expected hours of operation between 0700 and 2000 or 3 dB(A) for the expected hours of operation between 2000 and 0700.</p>
<p>Inappropriate bulk and scale and amenity impact on adjoining land uses</p> <p>Concerns the bulk and scale of the proposal is inconsistent with the built form, character and amenity of the Low density residential area. Concerns for impact on amenity of the adjoining Dwelling house given the proposal exceeds site cover, is two storeys in height and provides a landscape buffer of 3.5 metres.</p>	<p>It is noted that the proposal does not comply with the acceptable outcomes of the Low density residential zone code for site cover (AO2.5) and landscaping along the common boundary adjoining a sensitive land use. The proposal has demonstrated that despite the non-compliances, the provided Landscaping Plan has demonstrated that the reduced landscaping buffer is able to achieve sufficient screening of the unarticulated wall and further conditions have been included for planning density and height to ensure the buffer is maintained and suitable for screening.</p> <p>In relation to bulk and scale, it has been determined that the proposal is not consistent with the intended character of the zone, however, given the existing land use pattern and proximity to Yeppoon Road, the use is appropriate in the general area and landscaping along the road frontage and western boundary can appropriately mitigate the impact of the bulk and scale of the development. As such, conditions for landscaping to be established and maintained along the frontage and western side boundary have been included.</p>

INFRASTRUCTURE CHARGES

Infrastructure charges are levied pursuant to the *Adopted Infrastructure Charges Resolution (No.4) LSC 2019*. The details and breakdown of the charges are outlined below:

Charge area:	The subject site is located within charge area 1.
Calculation:	<p>The charge is calculated in accordance with Table 4 - Adopted charge for development Uses within the Priority Infrastructure Area, as follows:</p> <ol style="list-style-type: none"> 1. Use at 6,682 square metres gross floor area at \$20.00 per square metre (\$133,640.00); and 2. impervious area of 4,768 square metres at \$10.00 per square metre (\$47,680.00) comprising of: <ul style="list-style-type: none"> • 3,506 square metres for the building; and • 1,262 square metres for the parking and manoeuvring area,

	<p>footpaths, roofs, hardstand area.</p> <p>3. less a credit of \$25,000.00.</p> <p>4. less an offset of \$0,000.00.</p>
Credit:	<p>The above calculation takes into account a credit of \$25,000.00 for the existing allotment pursuant to Part 4.0 of Council's <i>Adopted infrastructure Charges Resolution (No.4) LSC 2019</i>. The credit is calculated as follows:</p> <p>1. one existing lot at \$25,000.00 per lot.</p>
Offset:	No offsets are applicable to the development.
Networks Covered:	<p>Apportionment of charges over the following networks</p> <p>Transport</p> <p>Parks & Community Facilities</p> <p>Water</p> <p>Sewerage</p> <p>Stormwater</p>

A total contribution of \$181,320.00 is payable and will be reflected in an Infrastructure Charges Notice for the development including a breakdown of the charge applying to each stage of the development.

PREVIOUS DECISIONS

It is noted that Council has previously approved a development application for a Warehouse (Self Storage Facility) which was not a preferred use in the zone it was located. The decision is as follows:

- Development Permit D-276-2021 for a Material Change of Use for a Warehouse (Self Storage Facility) at 420 Scenic Highway, Rosslyn.

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

Other Warehouse (Self Storage Facility) approved in Industry zoned land:

- Development Permit D-199-2022 for a Material Change of Use for a Warehouse (Self Storage Facility) at Lot 4009 Yeppoon Road, Hidden Valley
- Development Permit D-42-2020 for a Material Change of Use for a Warehouse (Self Storage Facility) at 84 Cordingley Street, Yeppoon.

ACCESS AND INCLUSION

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

ENGAGEMENT AND CONSULTATION

The application was publicly notified between 13 January 2023 to 6 February 2023, being fifteen (15) business days, and two (2) submissions were received in accordance with the *Planning Act 2016*.

HUMAN RIGHTS IMPLICATIONS

There are no identified human rights implications associated with this development application.

BUDGET IMPLICATIONS

Management of this application has been within the existing budget allocations

LEGISLATIVE CONTEXT

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

LEGAL IMPLICATIONS

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

STAFFING IMPLICATIONS

No staffing implications have been identified in the assessment.

RISK ASSESSMENT

The risks associated with this assessment have been appropriately addressed in the body of this report. Specifically, the risk of appeal to any decision made by Council and any financial/budget implications such action may have. It should be noted that these risks are difficult to quantify at the assessment stage.

CORPORATE PLAN REFERENCE***Future Livingstone***

Community Plan Goal 5.1 - Balanced environmental and development outcomes

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

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

CONCLUSION

The performance assessment of the proposal demonstrates that the development will not compromise the Strategic Framework and despite not complying with all aspects of the assessment benchmarks, the development is considered reasonable development for this location given the surrounding land uses and proximity to Yeppoon Road.

D-362-2022 - Locality Plan, L 51 Fred Lawn Drive, Yeppoon QLD 4703





PROPOSED SELF-STORAGE FACILITY
AT CNR FRED LAWN DRIVE & TABONE ROAD, YEPPON, QLD

**PARKER PROPERTY
GROUP**
STORAGE CHOICE YEPPON

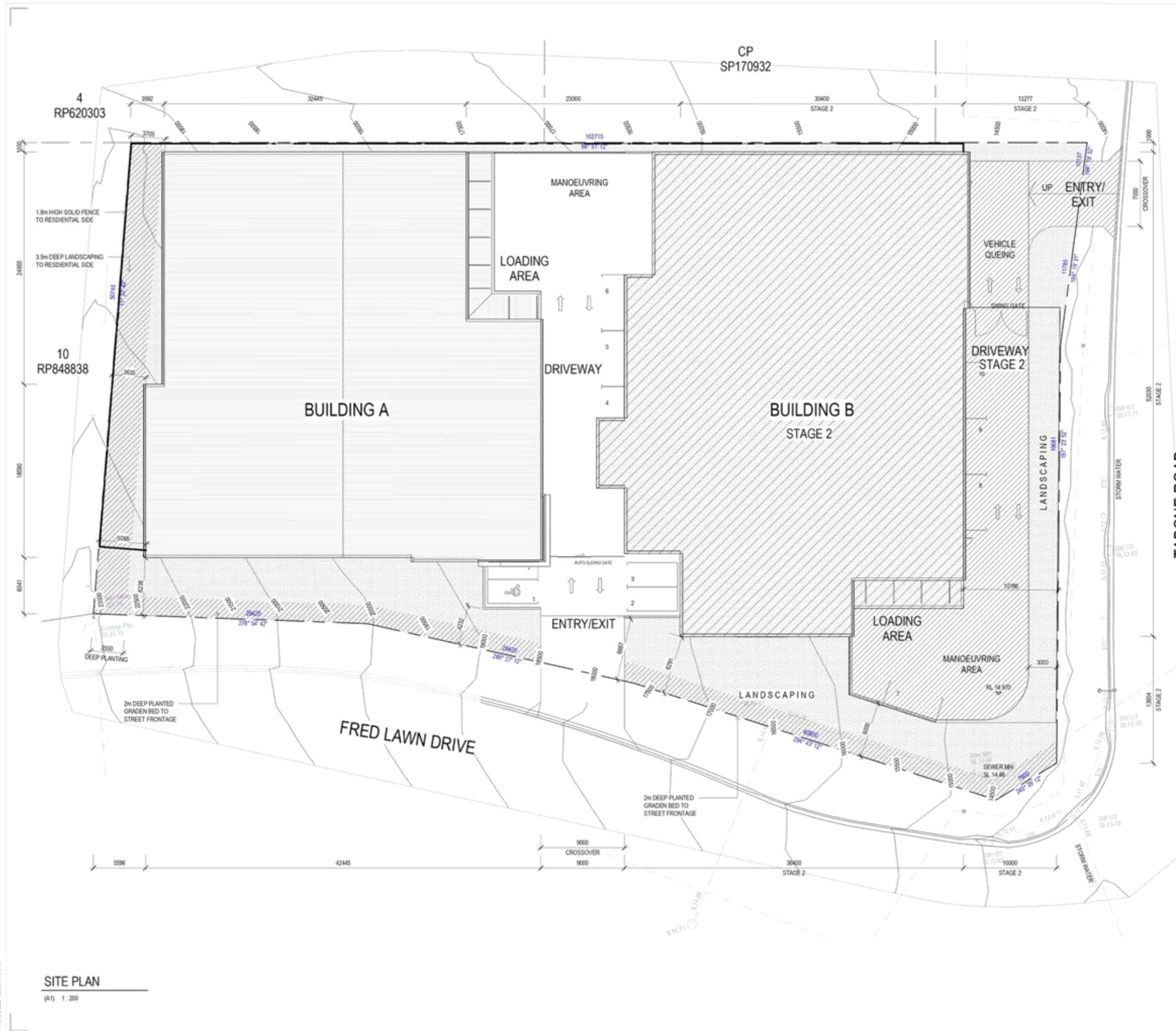
CNR FRED LAWN DRIVE &
TABONE ROAD

COVER PAGE

DWG N° D032877-DA00-B by MG
DATE 11.08.2022

STEEL STORAGE
A Janus International Company

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GENERAL NOTES

CROSS OVERS TO BE CONSTRUCTED AS PER LOCAL AUTHORITY STANDARD DETAILS DRAWINGS.
 150mm WDE CONCRETE KERBING TO CAR PARK AND DRIVEWAY PERIMETER - WHERE SHOWN.
 PROVIDE DISABLED ACCESS FROM CARPARK TO BUILDING RAMP TO BE MAX. GRADES OF 1:30 ACROSS CAR TURNING AREA WITH MAX. 30MM STEP UP FROM RAMP TO FLOOR TO COMPLY WITH A.S. 1428.1-2001.
 ALL RAMP FROM CARPARK TO TENANCY ENTRY DOORS TO BE 1:14 MAXIMUM GRADIENT.
 AREAS SHOWN IN SITE INFORMATION SCHEDULE EXCLUDE STAIR & LIFT VOIDS

LEGEND

- 27.000 — EXISTING CONTOUR
- + 10.000 EXISTING GROUND LEVELS
- 10.000 — PROPOSED FINISHED LEVELS
- ▲ T.B.M. TEMPORARY BENCH MARK (A.H.D.)
- P.S.M. PERMANENT SURVEY MARK (A.H.D.)
- L.P. EXISTING LIGHT POLE
- T.P. EXISTING TELECOMMUNICATIONS PIT
- ◆ D.P.H. DUAL PILLAR HYDRANT
- SW — SW — EXISTING STORMWATER LINE
- W — W — EXISTING WATER LINE
- S — S — EXISTING SEWER LINE
- E — E — EXISTING ELECTRICAL
- T — T — EXISTING TELECOM.
- F — F — EXISTING FENCING
- P — P — PROPOSED FENCING
- ▨ LANDSCAPING
- ▩ GRAVEL

SITE DATA
 LOT 51 ON SP 207759
 LIVINGSTONE SHIRE COUNCIL

AREA SCHEDULE

SITE AREA	5972m ²
PROPOSED SITE COVER	3506m ² (58.7%)
BUILDING A GFA (INCL. SHOWROOM)	3304m ²
BUILDING B GFA	3378m ²
TOTAL GFA	6682m ²
CARPARKING	10REQ.
LANDSCAPING	1204m ² (20.2%)



PARKER PROPERTY GROUP
 STORAGE CHOICE YEPPON

CNR FRED LAWN DRIVE & TABONE ROAD

PROPOSED SITE PLAN

DWG N° D032877-DA100-C by MG
 DATE 17.08.2022



SITE PLAN
 (A1) 1:200

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1 OVERALL - SOUTH
 DA200 (A1) 1:150



2 OVERALL - EAST
 DA200 (A1) 1:150

- COLORBOND 'BASALT'
CONC. BLOCKWORK (PAINTED)
- COLORBOND 'DEEP OCEAN'
WALL CLADDING, ROOFS, GLAZING FRAMES, EAVES GUTTERS
- COLORBOND 'SHALE GREY'
ROOFS
- COLORBOND 'STORAGE CHOICE YELLOW'
FEATURE CLADDING, ROOFS
- COLORBOND 'SURFMIST'
WALL CLADDING

PARKER PROPERTY GROUP
 STORAGE CHOICE YEPPOON

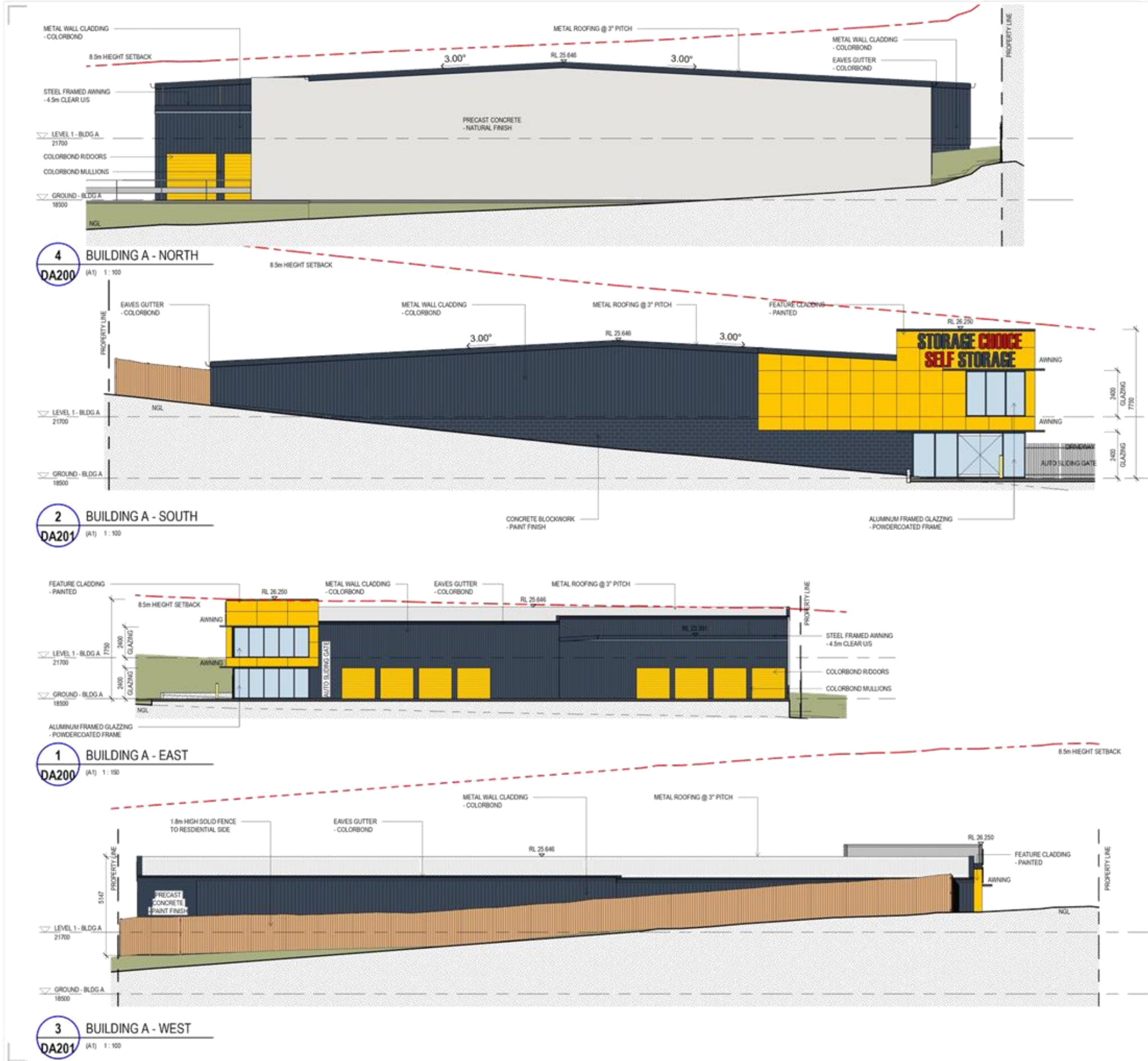
CNR FRED LAWN DRIVE &
 TABONE ROAD

STREET ELEVATIONS

DWG N° D032877-DA300-C by MG
 DATE 17.08.2022



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- COLORBOND 'BASALT'
CONC. BLOCKWORK (PAINTED)
- COLORBOND 'DEEP OCEAN'
WALL CLADDING, ROOFS, GLAZING FRAMES, EAVES GUTTERS
- COLORBOND 'SHALE GREY'
ROOFS
- COLORBOND 'STORAGE CHOICE YELLOW'
FEATURE CLADDING, ROOFS
- COLORBOND 'SURFMIST'
WALL CLADDING

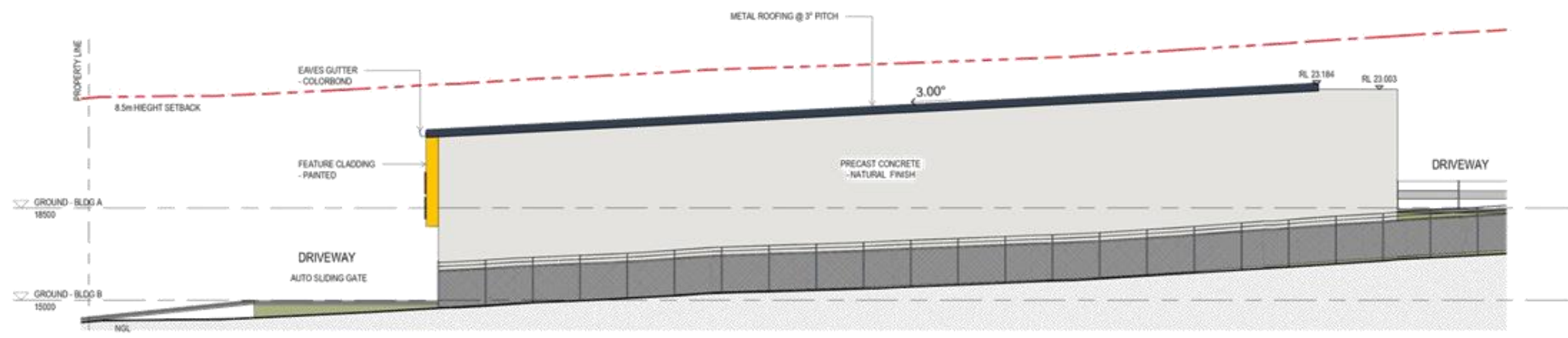
PARKER PROPERTY GROUP
STORAGE CHOICE YEPPOON

CNR FRED LAWN DRIVE & TABONE ROAD

ELEVATIONS BUILDING A

DWG N° D032877-DA301-B by MG
DATE 11.08.2022





1 BUILDING B - NORTH
(A1) 1:100



2 BUILDING B - SOUTH
DA200 (A1) 1:100

- COLORBOND 'BASALT'
CONC. BLOCKWORK (PAINTED)
- COLORBOND 'DEEP OCEAN'
WALL CLADDING, RDOORS, GLAZING FRAMES, EAVES GUTTERS
- COLORBOND 'SHALE GREY'
RDOORS
- COLORBOND 'STORAGE CHOICE YELLOW'
FEATURE CLADDING, RDOORS
- COLORBOND 'SURFMIST'
WALL CLADDING

PARKER PROPERTY GROUP
STORAGE CHOICE YEPPOON

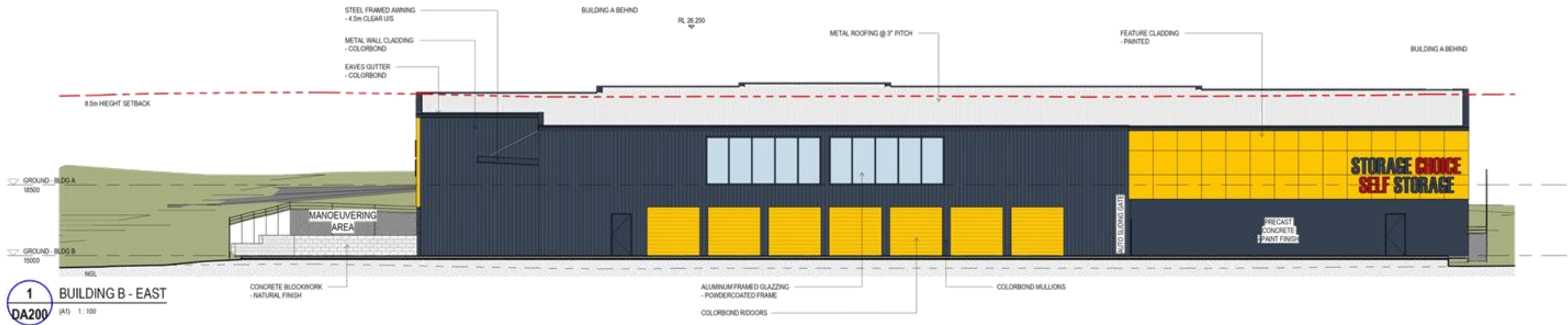
CNR FRED LAWN DRIVE &
TABONE ROAD

ELEVATIONS BUILDING B

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DATE 11.08.2022



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- COLORBOND 'BASALT'
CONC. BLOCKWORK (PAINTED)
- COLORBOND 'DEEP OCEAN'
WALL CLADDING, ROOFS, GLAZING FRAMES, EAVES GUTTERS
- COLORBOND 'SHALE GREY'
ROOFS
- COLORBOND 'STORAGE CHOICE YELLOW'
FEATURE CLADDING, ROOFS
- COLORBOND 'SURFMIST'
WALL CLADDING

PARKER PROPERTY GROUP
STORAGE CHOICE YEPPON

CNR FRED LAWN DRIVE &
TABONE ROAD

ELEVATIONS BUILDING B

DWG N° D032877-DA303-B by MG
DATE 11.08.2022



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SHEET 02 - LANDSCAPE CONCEPT PLAN (Ground Level) - MCU APPLICATION - FOR COUNCIL APPROVAL

	AMENDMENTS Issue Date Description A 25.08.22 ISSUE FOR REVIEW B 29.08.22 ISSUE FOR REVIEW	LEGEND TREE PLANTING SHRUB PLANTINGS ACCENT PLANTING	NEW PAVEMENT NEW DRIVEWAY PROPOSED BUILDING	TURF BOUNDARY		element design landscape architecture MASTER PLANNING • SUBDIVISIONS • COMMERCIAL DEVELOPMENTS • RESORTS • PARKLANDS • REVEGETATION • MULTIHUNTS 151 Brisbane Rd, Mooloolaba Phone 07 5444 6155 Fax 07 5444 6055 PO Box 1546, Suderim QLD 4556 admin@elementdesign.net.au	PROJECT STORAGE CHOICE YEPPOON CNR FRED LAWN & TABONE ROAD, YEPPOON CLIENT PARKER PROPERTY GROUP DATE 29.08.22 THIS SHEET LANDSCAPE CONCEPT PLAN ED 22279 MCU - 02	 Date AUGUST 2022 Scale 1:500 @ A3 Design JRV Drawn JRV Sheet 02 OF 03 Issue B
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Low density residential zone code

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

Performance outcomes	Acceptable outcomes	Assessment response
Land use		
Outcomes applicable to a dual occupancy		
PO1 – Not applicable		
The proposal is not for a dual occupancy.		
Built form		
PO2 The height and bulk of buildings and structures are consistent with the intended character of the zone and do not adversely impact the character or amenity of the streetscape, adjoining sites and surrounding area.	AO2.1 Building height (for buildings other than a Class 10a building under the Building Code of Australia) does not exceed the following: (a) 8.5 metres above ground level where the ground has a slope less than fifteen (15) per cent; or (b) ten (10) metres above ground level where the ground has a slope equal to or greater than fifteen (15) per cent.	AO2.1 - Complies The proposal does not exceed 8.5 metres
	AO2.2 Building height of a standalone Class 10a building under the Building Code of Australia does not exceed the lesser of the following: (a) if there is a dwelling house on the site, the height of the dwelling house; or (b) five (5) metres to the apex of the Class 10a building.	AO2.2 - Not applicable The proposal is not for a standalone Class 10a building under the Building Code of Australia.
	AO2.3 The volume of a standalone Class 10a building under the Building Code of Australia, being a garage or shed, does not exceed three (3) per cent of the lot volume. Editor's note: Lot volume is defined in SC1.2 Administrative definitions.	AO2.3 - Not applicable The proposal is not for a standalone Class 10a building under the Building Code of Australia.
	AO2.4 A standalone class 10a building under the Building Code of Australia, being a garage or shed, has a maximum visible width of seven (7) metres when viewed from a position at the primary road frontage lot boundary located perpendicular to and directly in front of the Class 10a building.	AO2.4 - Not applicable The proposal is not for a standalone Class 10a building under the Building Code of Australia.
	AO2.5 Site cover does not exceed fifty (50) per cent.	AO2.5/PO2 – Does not comply The proposal has a site cover of 58.7 per cent and is of a bulk that is not consistent with the intended character of the zone.

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Performance outcomes	Acceptable outcomes	Assessment response
<p>PO3</p> <p>The design and siting of buildings and structures results in a high level of on-site amenity and does not adversely impact the character or amenity of the streetscape or adjoining sites having regard to the following:</p> <p>(a) minimisation of potential sources of nuisance;</p> <p>(b) provision of and maintenance of access to natural light and ventilation;</p> <p>(c) provision of recreational open space for the occupants of dwellings; and</p> <p>(d) integration with and consideration of the design and siting of any buildings and structures located on adjoining sites or public places.</p>	<p>AO3.1</p> <p>There is a 1.8 metre high screen fence located along all common lot boundaries between a sensitive land use and an adjacent centre category zone, industry category zone, special purpose zone or a use within the business activities group, centre activities group, entertainment activities group, industrial activities group or special activities group.</p>	<p>AO3.1 – Complies</p> <p>The proposal includes a solid 1.8 metre high timber fence along the western boundary adjoining the existing dwelling house on 14-18 Fred Lawn Drive.</p>
	<p>AO3.2</p> <p>Buildings or structures have a setback from side, rear, and road frontage lot boundaries in compliance with the setback standards identified in Table SC10.1.2 of Schedule 10.</p>	<p>AO3.2 - Complies in part</p> <p>The proposal is setback 6.238 metres from the Fred Lawn Drive road frontage boundary and 10.186 metres from the Tabone Street road frontage boundary. The required setback in Table SC10.1.2 is 6 metres.</p> <p>The proposal is setback 3.635 metres from the western side boundary. The required setback in Table SC10.1.2 is 2 metres.</p> <p>The proposal is setback 1 metre from the northern side boundary. The required setback in Table SC10.1.2 is 2.5 metres.</p> <p>PO3 – Complies</p> <p>Despite the side setback does not meet the required setback of 2.5 metres, the proposal is not anticipated to have an impact on the adjoining site as it is zoned Low Impact Industry and is separated by a minimum of 33 metres of dense vegetation.</p>
	<p>AO3.3</p> <p>The development of a use within the accommodation activities group (other than an ancillary secondary dwelling) is provided with an open space area in accordance with the following:</p> <p>(a) each dwelling is provided with a private open space area as follows:</p> <p>(i) a minimum area directly accessible from the dwelling of fifty (50) square metres (inclusive of verandas, patios and terraces) and part of the area has minimum dimensions of six (6) metres by six (6) metres; or</p> <p>(ii) if a dwelling is located entirely or predominantly above the ground level storey, each dwelling has</p>	<p>AO3.3- Not applicable</p> <p>The proposal is not a use from the accommodation activities group.</p>

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Performance outcomes	Acceptable outcomes	Assessment response
	<p>a balcony, or a veranda, or a deck, or a roof top area directly accessible from the main living area, having a minimum private area of ten (10) square metres and the area has minimum dimensions of three (3) metres by three (3) metres; or</p> <p>(b) the development has a communal open space area of twenty (20) per cent of the total site area and part of the area has minimum dimensions of six (6) metres by six (6) metres.</p>	
	<p>AO3.4 If the distance separating a window of a habitable room, a balcony or a patio is less than three (3) metres at ground level or nine (9) metres at levels above the ground level storey, of a window of a habitable room or a balcony or a patio of an adjacent building, privacy is protected by utilising the following:</p> <p>(a) window sill heights a minimum of 1.5 metres above floor level; or</p> <p>(b) fixed opaque glazing in any part of the window below 1.5 metres above floor level; or</p> <p>(c) fixed external screens; or</p> <p>(d) in the case of screening for a ground floor level, fencing to a height of 1.5 metres above ground floor level.</p>	<p>AO3.4 - Not applicable The proposal is not for an accommodation use.</p>
Appearance		
<p>PO4 The development is designed in a manner that contributes to a high level of visual amenity when viewed from the street, public places, and the surrounding area by incorporating elements including but not limited to the following:</p> <p>(a) emphasis on entry points;</p> <p>(b) orientation to the street and any public places;</p> <p>(c) inclusion of structures or vegetation to screen any building plant and waste storage areas from view of the street or other public places;</p> <p>(d) minimising the length of unarticulated buildings; and</p> <p>(e) inclusion of vegetation to screen any large unarticulated walls.</p>	<p>AO4.1 The development has a pedestrian entry point at or visible from the primary road frontage.</p>	<p>AO4.1 - Complies The pedestrian entry is visible from the primary road frontage.</p>
	<p>AO4.2 If fencing is provided between the road frontage lot boundary and the front building line, the fencing is:</p> <p>(a) a maximum height of 1.2 metres; or</p> <p>(b) a maximum height of 1.8 metres if having a minimum transparency of fifty (50) per cent.</p>	<p>AO4.2 - Complies Fencing proposed in front of the main building line is transparent chain link fencing.</p>
	<p>AO4.3 Any waste storage areas are screened from view of the street and adjoining public places by one or more of the following:</p> <p>(a) a solid screen fence; or</p>	<p>AO4.3 - Complies All waste storage areas are screened by vegetation along the property boundary.</p>

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Performance outcomes	Acceptable outcomes	Assessment response
	(b) a wall; or (c) dense vegetation.	
	AO4.4 Any building plant is screened from view of the street and adjoining public places by one or more of the following: (a) a solid screen fence, or (b) a roof design feature; or (c) a wall; or (d) dense vegetation.	AO4.4 - Complies All waste storage areas are screened by vegetation along the property boundary.
	AO4.5 There is a densely vegetated buffer area having a depth of at least five (5) metres from the lot boundary, located along all common lot boundaries between a sensitive land use and an adjacent centre category zone, industry category zone, special purpose zone or a use within the business activities group, centre activities group, entertainment activities group, industrial activities group or special activities group.	AO4.5 – Conditioned to comply The proposal includes a 3.5 metre vegetation buffer along side boundary adjoining residential zoned land. PO4 – Complies The proposal contributes to the visual amenity of the streetscape and surrounding area through the inclusion of landscaping to screen the development.

Table 6.7.1.4.2 – Additional outcomes for assessable development

Performance outcomes	Acceptable outcomes	Assessment response
Land use		
Outcomes applicable where not located in the Tanby Road Commercial Transition Precinct		
PO5 The use contributes to the development of residential neighbourhoods which: (a) comprise the following: (i) preferred uses for the zone (as identified in the overall outcomes for the zone); or (ii) other long-term accommodation activities identified in the overall outcomes for the zone that are designed to be consistent in form and appearance with preferred uses for the zone; or comprise other small-scale relatively low-impact uses that are identified in the overall outcomes for the zone where they service the community or convenience needs of the immediate residential area.	No acceptable outcome is nominated.	PO5 – Does not comply The proposal is not a preferred use, long term accommodation activity or other small-scale relatively low impact use identified in the overall outcomes of the zone.
PO6 The use contributes to a high level of amenity and an attractive living		PO6 - Does not comply The proposal does not contribute to a high level of amenity and

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Performance outcomes	Acceptable outcomes	
environment for residents in the immediate area.		attractive living environment. The development does however, include landscaping to mitigate some of the amenity impacts of the development. The proposal seeks to cut the block to reduce the height of Building A to 5.2 to 2.8 metres above natural ground level at the western boundary.
PO7 The use appropriately integrates with any established dwellings and other sensitive land use in the immediate area.	No acceptable outcome is nominated.	PO7 – Complies The proposal has a height consistent with the zone and has been conditioned to meet the site cover acceptable outcome and provide a densely vegetated landscape buffer with a minimum width of 5 metres.
PO8 The development of a use that is not within the accommodation activities group occurs only if it does not undermine the viability, role or function of a nearby centre.	No acceptable outcome is nominated.	PO8 - Complies The proposal does not undermine the viability, role and function of the Yeppoon centre as the use is not a use that is preferred in the centre zone.
PO9 The development of a use that is not within the accommodation activities group occurs only if it is located at a site adjoining a road that is classified as a collector road or a higher order road in the road hierarchy, and the road: (a) is designed to accommodate the traffic generated by the use; (b) provides for convenient and safe access; and (c) can minimise nuisance and disturbance to the surrounding residential area.	No acceptable outcome is nominated.	PO9 – Complies in part Tabone Street is an Urban Minor Collector and is designed to accommodate traffic generated by the development and minimise nuisance and disturbance on surrounding land uses. Fred Lawn Drive is an Urban Access Street. A traffic impact assessment has been prepared for the proposal and demonstrates that access to Fred Lawn Drive is safe and will not have an adverse impact on the existing operation of Fred Lawn Drive.
Outcomes applicable where located in the Tanby Road Commercial Transition Precinct		
PO10 – PO12 – Not applicable The site is not located in the Tanby Road Commercial Transition Precinct.		
Dwelling density		
PO13 If the development is for a use within the accommodation activities group, the use is designed in a manner that is compatible with the following: (a) the planned low dwelling density for the zone (as identified in the overall outcomes for the zone); and (b) the ability of the land and infrastructure to support the development.	No acceptable outcome is nominated.	PO13 - Not applicable The proposal is not for a use within the accommodation activities group.
Appearance		

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Performance outcomes	Acceptable outcomes	
PO14 Large expanses of blank unarticulated building walls are broken up by use of fenestration, recesses, wall offsets, balconies, projections, or other building design features so that the development has an appearance which provides visual interest and contributes to a high level of visual amenity when viewed from the street, public places, and the surrounding area.	No acceptable outcome is nominated.	PO14 – Does not comply The proposal includes large expanses of blank walls that are not broken up by use of fenestration, recesses, wall offsets, balconies, projections, or other building design features. The proposal does however include a mix of finishes and landscaping to mitigate some of the amenity impacts and create visual interest from the streetscape and adjoining residential uses.
Infrastructure		
PO15 Safe, accessible, robust and reliable infrastructure relating to access and parking, energy supply, roads, roof and allotment drainage, sewage and wastewater treatment and disposal, stormwater management, telecommunications, and water supply, is adequately provided for the development in accordance with best practice and endorsed standards for the location, and relative to the needs of the development.	AO15.1 The development complies with the requirements of the Development Works Code.	AO15.1 – Complies The proposal complies with the Performance outcomes of the Development works code.

As evident from the above assessment, the proposal complies with the various requirements of the Low density residential zone code apart from a deviation from Acceptable outcome/Performance outcome AO2.5, PO2, AO3.2, AO4.5 PO5, PO6, PO9 and PO14.

The proposal does not meet Acceptable outcome AO2.5 and Performance outcome PO2 as the proposed site cover of 58.7 per cent exceeds the acceptable outcome of fifty (50) per cent and is not consistent with the intended character of the zone. While exceeding the site cover, the proposal is setback from the road frontage and adjoining Dwelling house in accordance with the accepted setbacks in Table SC10.1.2 of Schedule 10 and is of a height consistent with the height requirements of the zone. The proposal incorporates extensive landscaping along the frontage of the site and western side boundary to mitigate the perceived bulk and scale of the development and soften the built form.

The proposal does not meet Acceptable outcome AO3.2 as the setback to the northern side boundary setback does not meet the required setback in SC10.1.2 of Schedule 10. Suitable justification has been provided for the reduced setback to the northern side boundary and the proposal is able to meet corresponding Performance outcome PO3 given the reduced setback will not have an adverse impact on the adjoining industrial zoned land and is separated from the existing industrial buildings by 33 metres of dense vegetation.

The proposal does not meet Acceptable outcome AO4.5 as the proposal provides a 3.5 metre wide densely vegetated buffer area instead of the required minimum depth of five (5) metres. Although the required depth has not been provided, the Landscape Plan provided demonstrates that selected small trees along the entire length of the western lot boundary can provide sufficient density and height to appropriately screen the wall of the proposal contribute to the visual amenity of the streetscape and surrounding areas.

The proposal does not meet Performance outcome PO5, PO6 and PO14 as the proposal is not a preferred use in the zone, does not contribute to a high level of amenity and an attractive living environment and includes large expanses of blank unarticulated wall that are not broken up. While not resulting in a high level of amenity and includes unarticulated walls, the proposal incorporates a mix of materials along the Fred Lawn Drive frontage to create visual interest and includes landscaping to mitigate the visual impact and soften the bulk and scale of the development. In addition, the proposal

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seeks to cut the block to reduce the height of Building A to 5.2 to 2.8 metres above natural ground level at the western boundary closes to existing residential development.

The proposal is accessed via Fred Lawn Drive which is an Urban Access Street and as a result is not able to meet Performance Outcome PO9. A traffic impact assessment has been provided to demonstrate the proposal is able to meet access to Fred Lawn Drive and traffic generated by the development does not have an adverse impact on the safety and operation of Fred Lawn Drive.

General development code

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

Performance outcomes	Acceptable outcomes	Assessment Response
Flood resilience		
<p>PO1</p> <p>The development is resilient to the adverse impacts of flood events which result in unacceptable risk to health and safety or unacceptable risk of property damage.</p>	<p>AO1.1</p> <p>The development is resilient to the adverse impacts of a flood by locating the floor level of all building rooms used for habitation or work a minimum of 300 millimetres above the level of a flood event of at least the annual exceedance probability specified in Table SC5.1.1 located in Schedule 5 of the planning scheme.</p>	<p>AO1.1 - Complies</p> <p>The site is not subject to flooding and all floor levels are above the minimum floor level.</p>
Location, design, siting, operation		
<p>PO2</p> <p>The development is located at a site that is able to accommodate all the buildings, facilities, and operational needs of the use without increasing the likelihood of land use conflict by:</p> <p>(a) adversely affecting the amenity of adjoining land use and the surrounding area;</p> <p>(b) adversely affecting the safety, health and wellbeing of occupants of sensitive land use;</p> <p>(c) adversely affecting the operations of adjoining land use;</p> <p>(d) reducing the potential to use adjoining land for its intended purpose; and</p> <p>(e) adversely affecting the safe and effective provision of services to the development.</p>	<p>AO2.1</p> <p>The development is located at a site that does not conflict with the minimum separation distances specified in tables SC4.1.1, SC4.1.2, SC4.1.3, and SC4.1.4, located in Schedule 4 of the planning scheme.</p>	<p>AO2.1 - Complies</p> <p>The proposal is not for a rural use or major source of emissions and does not conflict with the minimum separation distances specified in tables SC4.1.1, SC4.1.2 and SC4.1.3.</p> <p>The proposal is within 20 metres of an electricity transmission line easement and seeks to relocate the existing line traversing to the site to the road reserve and does not meet the separation distance in table SC4.1.4.</p>
<p>PO3</p> <p>Development maintains a high level of amenity for adjoining sensitive land use with regard to the generation of unreasonable noise.</p>	<p>AO3.1</p> <p>Where located within a residential category zone, rural residential zone, or township zone, development does not exceed noise generation levels at the property boundary, interpreted under the provisions of the current version of the <i>Environmental Protection (Noise) Policy</i> as</p>	<p>AO3.1 – Complies</p> <p>A Noise Impact Assessment has confirmed that the proposal will not exceed the background noise plus the decibel allowance of 3 and 5.</p>

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Performance outcomes	Acceptable outcomes	Assessment Response								
	<p>unreasonable, or the following whichever is the lesser:</p> <table border="1"> <tr> <td>Period</td> <td>Noise level at property boundary</td> </tr> <tr> <td>0700 to 2000</td> <td>Background noise level plus 5 dB(A)</td> </tr> <tr> <td>2000 to 0700</td> <td>Background noise level plus 3 dB(A)</td> </tr> <tr> <td colspan="2">Measured as the adjusted maximum sound pressure level $L_{max adj T}$.</td> </tr> </table>	Period	Noise level at property boundary	0700 to 2000	Background noise level plus 5 dB(A)	2000 to 0700	Background noise level plus 3 dB(A)	Measured as the adjusted maximum sound pressure level $L_{max adj T}$.		
Period	Noise level at property boundary									
0700 to 2000	Background noise level plus 5 dB(A)									
2000 to 0700	Background noise level plus 3 dB(A)									
Measured as the adjusted maximum sound pressure level $L_{max adj T}$.										
<p>PO4</p> <p>Outdoor lighting maintains the amenity of any adjoining residential zoned premises and does not adversely impact the safety for vehicles or pedestrians on the adjoining streets as a result of light emissions, either directly or by reflection.</p>	<p>AO4.1</p> <p>Outdoor lighting is designed, installed and maintained in accordance with the parameters and requirements of the current version of the Australian Standard AS4282 — Control of the obtrusive effects of outdoor lighting.</p>	<p>AO4.1 - Complies</p> <p>A condition has been included for outdoor lighting to be in accordance with Australian Standard AS4282 — Control of the obtrusive effects of outdoor lighting.</p>								
<p>PO5</p> <p>A refuse container and container storage area is provided in a manner that:</p> <p>(a) maintains the amenity of the surrounding area;</p> <p>(b) is of adequate size to accommodate the expected amount of refuse to be generated by the use;</p> <p>(c) is in a position that is conveniently accessible for collection; and</p> <p>(d) is able to be kept in a clean state at all times.</p>	<p>AO5.1</p> <p>The development of a use within the accommodation activities group is provided with a refuse container and container storage area that:</p> <p>(a) is screened from view from a public place by a solid screen fence, wall or dense vegetation having a minimum height of 1.5 metres;</p> <p>(b) is large enough to accommodate at least one (1) standard issue sized rubbish bin per dwelling.</p>	<p>AO5.1 - Not applicable</p> <p>The proposal is not for an accommodation activity.</p>								
	<p>AO5.2</p> <p>The development of a use (other than an use within the accommodation activities group), is provided with a refuse container and container storage area that:</p> <p>(a) is screened from view from a public place by a solid screen fence, wall or dense vegetation having a minimum height of 1.8 metres;</p> <p>(b) has an imperviously sealed pad, on which to stand the bin(s), and which is drained to an approved waste disposal system;</p> <p>(c) is within proximity to a hose cock;</p> <p>(d) is large enough to accommodate at one (1) or more industrial bins of a size appropriate to the nature and</p>	<p>AO5.2 - Complies</p> <p>The proposal includes refuse storage area that is screened from view by dense vegetation along the road frontage boundaries.</p>								

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Performance outcomes	Acceptable outcomes	Assessment Response
	<p>scale of use; and</p> <p>(e) is not located within three (3) metres of the common property boundary where adjoining a lot within a residential category zone or township zone</p>	

Table 9.3.1.4.2 – Additional outcomes for assessable development

Performance outcomes	Acceptable outcomes	Assessment Response
Community safety		
<p>PO6</p> <p>Personal safety and property security are optimised through the design of buildings and spaces incorporating the following:</p> <p>(a) means of easily identifying the premises;</p> <p>(b) appropriate night lighting;</p> <p>(c) suitably designed and located building entry and exit points;</p> <p>(d) opportunities for surveillance;</p> <p>(e) appropriate plant species for landscaping;</p> <p>(f) clear definition of boundaries between private and public spaces; and</p> <p>(g) any best practice for crime prevention through environmental design.</p>	<p>AO6.1</p> <p>The development contains:</p> <p>(a) appropriately designed and sited numbering which clearly identifies the street address and any individual tenancies or dwelling units at the premises; and</p> <p>(b) appropriately designed and sited signage for way finding and premises identification.</p>	<p>AO6.1 - Complies</p> <p>The proposal will provide clear street numbering and way finding signage.</p>
	<p>AO6.2</p> <p>The development contains lighting that is designed and installed in any public places and community places in accordance with Australian Standard AS1158: Public Lighting Code.</p>	<p>AO6.2 - Not applicable</p> <p>The proposal does not include public places.</p>
	<p>AO6.3</p> <p>Other than for controlled and well lit emergency exits, the development has clearly identifiable and well lit entry and exit points which:</p> <p>(a) front a road, public place, or communal place; or</p> <p>(b) are in clear unobstructed view of a road, public place, or communal place; or</p> <p>(c) front a well-defined, unobstructed and appropriately lit pathway which connects to a road, public place, or communal place.</p>	<p>AO6.3 – Complies</p> <p>The proposal provides clear entry and exit points which front the road.</p>
	<p>AO6.4</p> <p>Building entrances facing onto roads, public places or communal places:</p> <p>(a) do not incorporate recesses of sufficient size to conceal a person; or</p> <p>(b) where the recess is of sufficient size to conceal a person it:</p> <p>(i) is well lit; and</p>	<p>AO6.4 - Complies</p> <p>The building entrance to the showroom faces onto Fred Lawn Drive.</p>

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Performance outcomes	Acceptable outcomes	Assessment Response
	(ii) is: (A) gated with restricted access; or (B) has strategically placed mirrors.	
	AO6.5 Any movement corridor (walkways, laneways, pathways, tunnels, stairways, cycleways and the like) within a site or between sites do not exceed two-hundred (200) metres in length	AO6.5 - Not applicable The proposal does not include public movement corridors.
	AO6.6 Any movement corridor (walkways, laneways, pathways, tunnels, stairways, cycleways and the like) having blind corners involving a change in direction of seventy-five (75) degrees or more are provided with design elements that maximise the ability to sense the presence of danger around the corner such as one of or a combination of the following: (a) a mirror to allow viewing around the blind corner; or (b) use of permeable material for the building or structure at the blind corner; or (c) reduction of the height of the building or structure at the blind corner to a height allowing for an unobstructed view; or (d) inclusion of a barrier extending out from the blind corridor with the barrier being permeable or having a height allowing for an unobstructed view; or (e) use of night lighting fixed at locations which can cast shadow of persons or objects into view; or (f) other effective design elements.	AO6.6 - Not applicable The proposal does not include public movement corridors.
	AO6.7 For vehicle parking areas, the planting of vegetation involves species that have clear trunks up to a height of two (2) metres or that have low ground covers less than one (1) metre in height.	AO6.7 – Complies The public car parking areas are screen with shrub plantings which are not anticipated to exceed one metre in height.
	AO6.8 The development has clearly	AO6.8 – Complies The proposal provides fencing and

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Performance outcomes	Acceptable outcomes	Assessment Response
	defined boundaries between private and public space by use of one or more of the following elements: (a) fencing; or (b) changes in surface finishes; or (c) landscape treatments.	access gates that define the boundary between the public car parking and entry point and the provide storage areas.
Location, design, siting, operation		
PO7 The safety, efficiency, effectiveness and operation of the transport network servicing the site and surrounding area or any identified future components of the transport network, are not compromised by the development.	AO7.1 Non-residential development, which commonly generates greater than ten (10) vehicle trips per day, does not have direct access to a road that is classified in the road hierarchy as a local residential access street or a residential access place.	AO7.1 – Complies in part The proposal is accessed via Fred Lawn Drive which is identified as an Urban Access Street and Tabone Street which is identified as a Minor Urban Collector. PO7 – Complies While Fred Lawn Drive is a Urban Access Street, a traffic impact assessment was provided for the development has been that demonstrates the proposal does not have an adverse impact on the safety, efficiency, effectiveness and operation of the transport network and provides appropriate sight distances and turning dimensions into the site.
	AO7.2 A traffic impact assessment report is prepared by an engineer who qualifies as a registered professional engineer of Queensland and the traffic impact assessment report satisfies Council that the safety, efficiency, effectiveness and operation of components of the transport network servicing the site and surrounding area or any identified strategic future components of the transport network, are not compromised by the development .	AO7.2 – Complies A traffic impact assessment was provided and demonstrates the proposal does not have an adverse impact of the safety, efficiency, effectiveness and operation of Fred Lawn Drive/Tabone Street area and is anticipated to generate 20 to 40 vehicle trips per peak business hour in which both roads are sufficient to accommodate.
PO8 Development that generates use by a high quantity of people or frequent use by people is located at a highly accessible premises: (a) which is convenient for people needing to use the premises; and (b) which: (i) contains public transport facilities, or (ii) is in proximity to current or future public transport facilities; or (iii) is in proximity to current or future high order transport routes; and (c) which provides for the efficient	No acceptable outcome is nominated.	PO8 - Complies The proposal has convenient access to major transport routes and is in proximity to industrial development and is located within 100 metres of Yeppoon Road.

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Performance outcomes	Acceptable outcomes	Assessment Response
travel of emergency vehicles; and (d) which can minimise adverse impacts on local amenity.		
PO9 Development that requires frequent use of heavy haulage vehicles, bulk freight of goods, or the transportation of dangerous or hazardous goods, liquids, materials and the like, is located at premises able to effectively utilise major transport facilities and routes, and other high order components of the transport network.	No acceptable outcome is nominated.	PO9 - Complies The proposal is in proximity to Yeppoon Road which is suitable to carry heavy haulage vehicles.
PO10 Development occurs on sites that are safe from contaminants that may cause harm to people or property.	No acceptable outcome is nominated.	PO10 – Complies The site does not contain contaminated land.
PO11 The development does not significantly adversely affect valued natural environment and landscape features of the site and surrounds including but not limited to the following: (a) large tracts of established native vegetation; or (b) inland and coastal waterways and wetlands; or (c) riparian vegetation; or (d) biodiversity corridors; or (e) visually prominent mainland and island mountains, hills, ridges, headlands, dunes, beaches; or (f) important urban green break areas; or (g) cultural heritage features.	No acceptable outcome is nominated.	PO11 – Complies The proposal does not contain landscape or environmental features.

As evident from the above assessment, the proposal complies with the various requirements of the General development code apart from a deviation from Acceptable outcome AO7.1 as the development will commonly generate greater than ten vehicle trips per day and has direct access to Fred Lawn Drive which is classified as an Urban Access Street. Suitable justification has been provided in the Traffic Impact Assessment provided that demonstrates the access does not have an adverse impact on the safety, efficiency, effectiveness and operation of Fred Lawn Drive and appropriate sight distances, turning dimensions and speeds are provided. As a result, the proposal is able to comply with corresponding Performance outcome PO7.

Development works code

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

Performance outcomes	Acceptable outcomes	Assessment Response
Access and parking		

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Performance outcomes	Acceptable outcomes	Assessment Response									
<p>PO1 The development is provided with an on-site parking and movement system designed and constructed to:</p> <p>(a) be integrated with the site layout including:</p> <p>(i) direct access to a road providing an appropriate level of service required to accommodate traffic generated by the use;</p> <p>(ii) having appropriately designed footpath crossovers;</p> <p>(iii) provision for safe pedestrian movement between public footpath and facility entry points;</p> <p>(b) accommodate sufficient manoeuvring room for the safe entry and exit of all modes of transport generated by the use (including refuse collection vehicles, trucks, buses and the like as relevant to the development);</p> <p>(c) accommodate sufficient parking for the expected number and type of vehicles generated by the use;</p> <p>(d) facilitate non-discriminatory accessibility;</p> <p>(e) provide for safe and efficient loading and unloading of goods;</p> <p>(f) allow for vehicle queuing necessary for the use;</p> <p>(g) provide for passenger set down and pick up necessary for the use (including public transport needs);</p> <p>(h) facilitate public access to the foreshore and public open space networks;</p> <p>(i) provide a safe environment;</p> <p>(j) be compatible with the character and amenity of the area; and</p> <p>(k) make a positive aesthetic contribution to the streetscape character of the setting, particularly if involving multi-level parking.</p>	<p>AO1.1 The development is provided with sufficient on-site vehicle parking and queuing space in accordance with the standards relevant to the use in compliance with Table 9.3.2.4.3.</p>	<p>AO1.1 - Does not comply The required on-site vehicle parking in accordance with Table 9.3.2.4.3 is one space per staff member and one space per four self-storage shed. The proposal provide 9 spaces and one visitor park.</p> <p>PO1 – Complies While the number of spaces proposed does not meet the requirements in Table 9.3.2.4.3, the number on onsite carparking is sufficient for the expected number and type of vehicles expected at any one time and is provides safe and efficient areas for loading and unloading of goods.</p>									
	<p>AO1.2 For development other than a use listed in the table below, an engineer who qualifies as a registered professional engineer of Queensland certifies that all vehicles likely to use the site are able to enter and leave the site in a forward gear, and that the on-site vehicle parking spaces, pick-up areas, loading and unloading areas, queuing areas, circulation and manoeuvring areas for the development are designed and constructed in accordance with the most up to date version of the Australian Standards as relevant to the development, including but not limited to the following:</p> <p>(a) <i>Australian Standard AS2890.1-1993: Parking Facilities –Off-street Car parking;</i></p> <p>(b) <i>Australian Standard AS1428.1-2001: Design for access and mobility – General requirements for access – New building work;</i></p> <p>(c) <i>Australian Standard AS2890.2-1993: Off-street parking – Commercial vehicle facilities.</i></p> <table border="1" style="width: 100%;"> <tr> <td>Accommodation activities</td> </tr> <tr> <td>Caretaker's accommodation</td> </tr> <tr> <td>Community residence</td> </tr> <tr> <td>Dual occupancy</td> </tr> <tr> <td>Dwelling house</td> </tr> <tr> <td>Dwelling unit</td> </tr> <tr> <td>Home based business</td> </tr> <tr> <td>Recreation activities</td> </tr> <tr> <td>Environment facility</td> </tr> <tr> <td>Park</td> </tr> </table>	Accommodation activities	Caretaker's accommodation	Community residence	Dual occupancy	Dwelling house	Dwelling unit	Home based business	Recreation activities	Environment facility	Park
Accommodation activities											
Caretaker's accommodation											
Community residence											
Dual occupancy											
Dwelling house											
Dwelling unit											
Home based business											
Recreation activities											
Environment facility											
Park											

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Performance outcomes	Acceptable outcomes	Assessment Response
	Rural activities Animal husbandry Cropping Permanent plantation Roadside stall Special activities Landing Major electricity infrastructure Substation Telecommunications facility	
	AO1.3 A solid, good quality brick, timber or masonry screen fence having a minimum height of 1.8 metres is provided between the car parking area of development (other than a use within the accommodation activities group being for long-term accommodation) where adjoining a sensitive land use located within the residential category zone or the township zone	AO1.3 – Not applicable The proposal does not include car parking areas adjoining accommodation activity uses. A solid 1.8 metre fence has been provided along the western side lot boundary.
PO2 Access driveways are designed and sited: (a) to minimise disruption to public infrastructure; (b) to operate safely and efficiently taking into account the volume, frequency and type of vehicle traffic expected to be generated by the development; (c) to operate safely and efficiently taking into account the function of the adjoining road; and (d) to minimise impacts on the safety, efficiency, or function of the road network.	AO2.1 The access driveway of the development does not require the modification, relocation or removal of any street tree or public infrastructure including a fire hydrant, water meter, street sign, manhole, stormwater gully pit or other Council asset.	AO2.1 - Complies The access driveways do not require the modification, relocation or removal of any street tree or public infrastructure.
	AO2.2 The access driveway of the development is not constructed over an access point to infrastructure under the control of a regulatory authority, including storm water pits, water meters, water hydrants and telephone pits.	AO2.2 – Complies The proposed access driveways are not over an access point to infrastructure under the control of a regulatory authority.
	AO2.3 The access driveway of the development does not enter the road carriageway at the location of an existing traffic island, speed control device, car parking bay, pedestrian crossing, bus stop or other infrastructure within the road carriageway.	AO2.3 - Complies The proposed access driveways do not enter the road carriageway at the location of an existing traffic island, speed control device, car parking bay, pedestrian crossing, bus stop or other infrastructure within the road carriageway.
	AO2.4 The access driveway of the development is not located within: (a) two (2) metres of any adjoining property access driveway (excluding shared property accesses at the property line); and	AO2.4 - Complies in part The access driveway off Tabone Street is not located within two metres of an adjoining property, one metre of public infrastructure and not on the closest half of the road frontage to the intersection. The access driveway off Fred Lawn

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	<p>(b) one (1) metre of any public infrastructure such as a street sign, power pole, street light, manhole, stormwater gully pit or other Council asset;</p> <p>(c) the closest half of the road frontage to a road intersection for any corner lot.</p>	<p>Drive is not located within two metres of an adjoining property or one metre of public infrastructure. The access driveway is however, located centrally along the road frontage boundary in the closest half of the road frontage to the intersection.</p> <p>PO2 – Complies</p> <p>While the access driveway off Fred Lawn Drive is located in the closet half of the road frontage to the intersection, the Traffic Impact Assessment provided demonstrates that the location of the two way driveway can provide safe and efficient access to the site and does not have an impact on the safety or function of Fred Lawn Drive.</p>
	<p>AO2.5</p> <p>The access driveway of the development is designed and constructed in accordance with the Capricorn Municipal Development Guidelines Standard Drawing relevant to the development including but not limited to the following:</p> <p>(a) <i>Standard Drawing CMDG-R-040 Rural Road Access and Property Access over Table Drains;</i></p> <p>(b) <i>Standard Drawing CMDG-R-041 Residential Driveway Slab and Tracks;</i></p> <p>(c) <i>Standard Drawing CMDG-R-042 Commercial Driveway Slab (Type A) Two Way Access;</i></p> <p>(d) <i>Standard Drawing CMDG-R-043 Commercial Driveway Slab (Type B) Two Way Access.</i></p>	<p>AO2.5 – Does not comply</p> <p>The proposed driveway design does not meet Standard Drawing CMDG-R-042 Commercial Driveway Slab (Type A) Two Way Access and provides an alternate two way driveway design of 9 metres off Fred Lawn Drive and 7 metres off Tabone Street.</p> <p>PO2 – Complies</p> <p>Although the proposed driveways do not meet relevant standard drawing, the Traffic Impact Assessment and Engineering Report has demonstrated that access is safe and efficient and does not compromise the safety of the road network.</p>
	<p>AO2.6</p> <p>Where adjoining a state-controlled road or Key Resource Area transport route, the development provides:</p> <p>(a) a single site access driveway;</p> <p>(b) the access driveway to the lowest order road to which the site has frontage;</p> <p>(c) an access driveway which enables vehicles to enter and exit the site in a forward direction.</p>	<p>AO2.6 - Not applicable</p> <p>The proposal does not adjoin a state-controlled road or Key Resource Area transport route.</p>
Advertising devices		
PO3 The advertising device is designed	AO3.1 The maximum total sign face area	AO3.1 - Complies The proposed sign on Building A

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Performance outcomes	Acceptable outcomes	Assessment Response
<p>and sited in a manner that:</p> <p>(a) results in a size, shape, design and location that does not adversely impact on:</p> <p>(i) the visual amenity and character of a building, streetscape, locality or natural landscape setting;</p> <p>(ii) the operational safety of a road or pedestrian safety of footpath;</p> <p>(iii) the operations of an airport;</p> <p>(iv) the visual amenity of the rural areas when viewed from a main transport route through the rural area; and</p> <p>(v) the visual and civic importance of entrances into a town or township;</p> <p>(b) is integrated with the design of buildings on the premises;</p> <p>(c) does not visually dominate the premises, streetscape, locality or natural landscape setting;</p> <p>(d) is constructed of durable materials;</p> <p>(e) does not resemble traffic or road signs; and</p> <p>(f) does not result in the proliferation of advertising, causing visual clutter.</p>	<p>for an advertising device at any premises is limited to the larger of the areas calculated using the following methods:</p> <p>(a) boundary length method (refer to SC7.1);</p> <p>(b) building elevation method (refer to SC7.1).</p> <p>AO3.2 If the development involves an advertising device, the advertising device is a preferred advertising device type defined in Table 9.3.2.4.4.</p> <p>AO3.3 If the development involves an advertising device, the advertising device complies with the design standards identified in Table 9.3.2.4.4 applicable to that particular type of advertising device.</p>	<p>and Building B do not exceed 90 square metres as allowed by the boundary length method.</p> <p>AO3.2 – Complies The proposed sign on Building A and Building B is a flush wall sign.</p> <p>AO3.3 - Does not comply The proposed flush wall sign on Building A and Building B exceeds 3 square metres in area. PO3 – Complies While the size of the signs exceed 3 square metres, the signs do not have an impact on the operational safety of the road or pedestrian path as it is a flush wall sign and does not resemble traffic or road signs. The site is located off the main scenic amenity route and is does not detract from the visual amenity of the area. The sign does not have an adverse impact on the visual amenity and character of the building or streetscape as it is located at the top of the building and only states the occupiers name.</p>
<p>PO4 The advertising device:</p> <p>(a) is located to ensure that members of the community have equitable access to advertising space at appropriate locations;</p> <p>(b) does not adversely affect the character and visual amenity of the rural zone, residential category zones, the township zone or zones having a predominantly natural landscape setting, due to:</p> <p>(i) loss of views;</p> <p>(ii) overshadowing;</p> <p>(iii) loss of access to breezes;</p> <p>(iv) illumination effects;</p> <p>(v) impact on sight lines for vehicles; and</p> <p>(vi) loss of landscaping; and</p> <p>(c) does not proliferate advertising for third-parties which are not</p>	<p>AO4.1 If the development involves an advertising device, the advertising device only advertises the following:</p> <p>(a) the name of the occupier of the building, or persons carrying on, conducting or practising therein any trade, business or calling; or</p> <p>(b) the trade, business or calling then being so carried on, conducted or practised; or</p> <p>(c) goods or commodities actually or ordinarily on sale or for hire in the normal course of business on the premises; or</p> <p>(d) services actually or ordinarily available in the normal course of business on the premises; or</p> <p>(e) third party advertising if:</p> <p>(i) it is located in a centre category zone, industrial category zone, or sport and recreation category</p>	<p>AO4.1 - Complies The proposed flush wall sign on Building A and Building B only advertises the name of the occupier of the building.</p>

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<p>directly associated with a business operating on the premises.</p>	<p>zone; or</p> <p>(ii) it is located at a premises that is being used for an approved use from within the business activities group, centre activities group, entertainment activities group, industry activities group, or sports and recreation; or</p> <p>(iii) it is a real estate sale or lease sign; or</p> <p>(iv) it is a temporary advertisement on a lot upon which an approved building is being or is to be erected, giving particulars of such buildings and the names, addresses and descriptions of the owner, architect, engineer, builder and other person(s) concerned in the erection of the building; or</p> <p>(v) it is used to promote a community event and the advertising device is located for a period that is not longer than four (4) weeks; or</p> <p>(vi) it is used to promote a political candidate or a political issue, only during a period of four (4) weeks prior to a State, Federal or local government election.</p> <p><small>Editor's note: 'Third party advertising' is defined in Schedule 1 of the planning scheme.</small></p>						
<p>PO5</p> <p>The illumination of an advertising device does not detract from the character and amenity of an area and does not cause a visual nuisance to any adjoining premise or road.</p>	<p>AO5.1</p> <p>If the development involves an advertising device, the light produced by any illuminated advertising device does not spill beyond the boundary of the premises upon which it is located.</p>	<p>AO5.1 - Complies</p> <p>The proposed advertising device is not illuminated or flashing.</p>					
	<p>AO5.2</p> <p>The luminance of any externally or internally illuminated advertising device (measured in candelas per square metre) does not exceed the maximum levels expressed in the table below, where in the applicable zone.</p> <table border="1" data-bbox="624 1720 963 1899"> <thead> <tr> <th data-bbox="624 1720 815 1787">Zone</th> <th data-bbox="815 1720 963 1787">Maximum luminance</th> </tr> </thead> <tbody> <tr> <td data-bbox="624 1787 815 1854">Major centre zone</td> <td data-bbox="815 1787 963 1854">500 candelas per square metre</td> </tr> <tr> <td data-bbox="624 1854 815 1899">District centre zone</td> <td data-bbox="815 1854 963 1899"></td> </tr> </tbody> </table>	Zone	Maximum luminance	Major centre zone	500 candelas per square metre	District centre zone	
Zone	Maximum luminance						
Major centre zone	500 candelas per square metre						
District centre zone							

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	Local centre zone Neighbourhood centre zone Medium impact industry zone Low impact industry zone	350 candelas per square metre
	All other zones	300 candelas per square metre
	AO5.3 If the development involves an advertising device that is a flashing device, a minimum of ten (10) per cent of the device is illuminated at all times when the illumination of the device is in operation and it is flashing.	AO5.3 - Complies The proposed advertising device is not illuminated or flashing.
	AO5.4 If the development involves an advertising device that is a flashing device, the device is not located in a low density residential zone, low-medium density residential zone, medium density residential zone, tourist area (major) zone, or township zone.	AO5.4 - Complies The proposed advertising device is not illuminated or flashing.
Clearing of native vegetation		
PO6 – PO7 – Not applicable The site is clear of vegetation.		
Earthwork and retaining walls		
PO8 Earthwork or the construction of any retaining wall occurs only if it results in the following: (a) minimal modification of the natural slope of the land; (b) minimal increase of the elevation of land due to the placement of fill material; (c) no unsightly scarring of the landscape; (d) retaining walls which are not prominent; and (e) no significant adverse impacts on the character or visual amenity of the streetscape or neighbourhood.	AO8.1 The volume of fill material added to the natural ground level on any lot does not exceed a net increase of two-hundred (200) cubic metres calculated cumulatively, with the only exception being the addition of fill material for a lawfully undertaken use from within the rural activities group if located in the rural zone.	AO8.1 - Complies The proposal will be subject to further operational works applications but is not anticipated to include more than two hundred cubic metres of fill.
	AO8.2 The development does not involve construction of a retaining wall having a height exceeding two (2) metres, or terraced retaining walls having a combined height exceeding two (2) metres unless the following: (a) the wall is part of a split level building design and it is concealed in its entirety; or (b) no more than forty (40) square metres of total wall face area is visible from a location at any	AO8.2 - Complies The wall of Building A will provide a retaining structure and as such the face of the retaining structure is not visible external to the site.

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	<p>boundary of the lot on which the wall is located.</p> <p>AO8.3 The bulk of a retaining wall or terraced retaining walls having a combined total wall face area greater than forty (40) square metres, is broken up by the following:</p> <ul style="list-style-type: none"> (a) the planting of vegetation so that the vegetation screens at least fifty (50) per centum of the face of the walls as viewed from a location at any boundary of the lot on which the wall is located; or (b) buildings or other non-retaining wall structures so that they screen at least fifty (50) per centum of the face of the walls as viewed from a location at any boundary of the lot on which the wall is located. 	<p>AO8.3 – Complies</p> <p>The wall of Building A will provide a retaining structure and as such the face of the retaining structure is not visible external to the site. Landscaping is also proposed along the western boundary of the site.</p>
<p>PO9 Earthwork or the construction of any retaining wall occurs only if it results in structurally stable and safe development sites.</p>	<p>AO9.1 Earthwork does not involve the use of material for structural fill which includes:</p> <ul style="list-style-type: none"> (a) organic soils, such as many topsoils, severely root affected subsoils and peat; or (b) materials contaminated through past site usage which may contain toxic substances or soluble compounds harmful to water supply or agriculture; or (c) materials containing substances which can be dissolved or leached out in the presence of moisture (for example, gypsum), or which undergo volume change or loss of strength when disturbed and exposed to moisture (for example, some shales and sandstones), unless these matters are specifically addressed in the design; or (d) silts or materials that have the deleterious engineering properties of silt; or (e) other materials with properties that are unsuitable for the forming of structural fill; or (f) fill which contains wood, metal, plastic, boulders or other material that may decompose or cause the creation of voids. 	<p>AO9.1 - Complies</p> <p>The proposal will be subject to further operational works applications and will use appropriate fill material.</p>
	<p>AO9.2 If the development involves filling in</p>	<p>AO9.2 - Not applicable The proposal does not include the</p>

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Performance outcomes	Acceptable outcomes	Assessment Response
	of a dam or detention basin, sludge lining is removed and filling consists of clean fill material, which is compacted to a Level 2 standard in accordance with Australian Standard AS3798-2007.	filling of a dam or detention basin.
	<p>AO9.3</p> <p>The development does not require earthwork that results in batter slopes, which exceed twenty-five (25) per cent, unless the earthwork has been certified by an engineer who qualifies as a registered professional engineer of Queensland as having been designed and constructed in accordance with best practice and as being structurally stable and safe.</p>	<p>AO9.3 - Complies</p> <p>The proposal will be subject to further operational works applications but is not anticipated to result in batter slopes exceeding twenty-five per cent.</p>
	<p>AO9.4</p> <p>If the development involves construction of a retaining wall having a height exceeding one (1) metre, the retaining wall has been certified by an engineer who qualifies as a registered professional engineer of Queensland as having been designed and constructed in accordance with best practice and as being structurally stable and safe.</p>	<p>AO9.4 - Complies</p> <p>The proposal will be subject to further operational works applications. A condition has been included for retaining walls exceeding one metre in height to be certified by a suitable qualified person.</p>
<p>PO10</p> <p>Earthwork or the construction of any retaining wall occurs only if it results in the following:</p> <p>(a) lawful discharge of stormwater;</p> <p>(b) no substantial damage to buildings, structures, infrastructure, or land;</p> <p>(c) no adverse impacts on the natural environment; and</p> <p>(d) erosion and sediment control in accordance with best practice.</p>	<p>AO10.1</p> <p>Earthwork or a retaining wall is designed to ensure that any stormwater drainage achieves lawful discharge of surface water flows or ground water flows to or from adjoining land by:</p> <p>(a) not unreasonably interfering with or redirecting the site's natural stormwater drainage characteristics; or</p> <p>(b) ensuring that water is conveyed to kerb and channel in a road reserve; or</p> <p>(c) ensuring that water is conveyed to an approved inter-allotment drainage system; or</p> <p>(d) ensuring that water is conveyed to an approved drainage reserve; or</p> <p>(e) ensuring that water is conveyed to an approved and secured drainage easement.</p>	<p>AO10.1 – Complies</p> <p>A site-based stormwater management plan has been provided and demonstrates the stormwater generated from the development is able to discharge lawfully.</p>
	<p>AO10.2</p> <p>The development does not involve earthwork or the construction of a retaining wall within a wetland or within ten (10) metres of the top of</p>	<p>AO10.2 - Complies</p> <p>The proposed retaining wall is not located within ten metres of the top of bank of the waterway.</p>

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	a bank of a waterway of any stream order.	
	<p>AO10.3</p> <p>Earthwork occurs in accordance with an erosion and sediment control plan and the plan ensures that the erosion and sediment control measures are in accordance with best practice.</p> <p>Editor's note: Queensland Development Code Mandatory Part MP1.4 – Building over or near relevant infrastructure contains mandatory requirements for particular buildings and structures in proximity to relevant infrastructure.</p>	<p>AO10.3 - Complies</p> <p>A condition has been included for an erosion and sediment control plan to be provided with any application for Operational Works application.</p>
Energy supply		
<p>PO11</p> <p>An energy supply is provided in a manner which:</p> <p>(a) is safe; and</p> <p>(b) is sufficient to support the needs of the development and the reasonable expectations for the development based on its location; and</p> <p>(c) does not compromise other infrastructure.</p>	<p>AO11.1</p> <p>The development is provided with an energy supply in accordance with the requirements of Table 9.3.2.4.6.</p>	<p>AO11.1 - Complies</p> <p>The proposal is to be connected to reticulated energy in accordance with Table 9.3.2.4.6 and has been conditioned accordingly.</p>
	<p>AO11.2</p> <p>If the development requires the provision of reticulated grid electricity supply in accordance with Table 9.3.2.4.6 or if the development is to be provided with a reticulated grid electricity supply, the reticulated grid electricity supply infrastructure is provided in accordance with the requirements of the relevant energy supply authority.</p>	<p>AO11.2 - Complies</p> <p>The proposal is to be connected to reticulated energy in accordance with Table 9.3.2.4.6 and has been conditioned accordingly.</p>
	<p>AO11.3</p> <p>If the development requires an on-site energy supply in accordance with Table 9.3.2.4.6 (and the development is not to be provided with a reticulated energy supply in accordance with AO11.2 above), the on-site energy supply is installed in accordance with all laws and regulations and current best practice.</p>	<p>AO11.3 - Not applicable</p> <p>The proposal does not require on-site energy supply.</p>
Sewage and waste water treatment and disposal		
<p>PO12</p> <p>The development is provided with sewage and wastewater treatment and disposal infrastructure which:</p> <p>(a) treats and disposes all generated sewage and waste water in a manner that protects public health and avoids environmental harm;</p> <p>(b) where practicable, is integrated with the existing public sewerage networks;</p> <p>(c) where practicable, facilitates the orderly provision of future</p>	<p>AO12.1</p> <p>The development is provided with sewage and waste water treatment and disposal infrastructure in accordance with the requirements of Table 9.3.2.4.5.</p>	<p>AO12.1 - Complies</p> <p>The proposal is to be connected to reticulated sewer in accordance with Table 9.3.2.4.5 and has been conditioned accordingly.</p>
	<p>AO12.2</p> <p>If the development requires the provision of reticulated sewerage in accordance with Table 9.3.2.4.5 or if the development is to be provided with reticulated sewerage, the reticulated sewerage is provided in accordance with the current version</p>	<p>AO12.2 - Complies</p> <p>The proposal is to be connected to reticulated sewer in accordance with Table 9.3.2.4.5 and has been conditioned accordingly.</p>

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public sewerage networks; and (d) is designed and constructed to be safe, operationally reliable and easily maintained.	of the Capricorn Municipal Development Guidelines. AO12.3 If the development requires on-site sewerage infrastructure in accordance with Table 9.3.2.4.5 (and the development is not to be provided with reticulated sewerage in accordance with AO12.2 above), the on-site sewerage infrastructure is provided in accordance with the current version of the Queensland Plumbing and Wastewater Code.	AO12.3 - Not applicable The proposal does not require on-site sewerage infrastructure.
Roof and allotment drainage		
PO13 Roof and allotment drainage is able to be collected and discharged from the development in a manner that does not adversely affect the stability of buildings, structures, or land on the site or on adjoining land.	AO13.1 Roof and allotment drainage is conveyed to the kerb and channel or an inter-allotment drainage system in accordance with the most current version of the Australian Standard AS3500.3 (stormwater drainage).	AO13.1 - Complies The proposal includes a stormwater detention tank that will hold and filtrate on-site stormwater prior to release to the kerb in accordance with the relevant standards.
Telecommunications		
PO14 The development is provided with telecommunications infrastructure or equipment which: (a) is sufficient to support the needs of the development and the reasonable expectations for the development based on its location; (b) where practicable, is integrated with the existing public telecommunication networks; and (c) is designed and constructed to be safe, operationally reliable and easily maintained.	AO14.1 The development is provided with telecommunications infrastructure or equipment in accordance with the requirements of Table 9.3.2.4.6.	AO14.1 - Complies The proposal is to be provided with reticulated telecommunications in accordance with Table 9.3.2.4.6 and has been conditioned accordingly.
	AO14.2 If the development requires the provision of reticulated telecommunications infrastructure in accordance with Table 9.3.2.4.6 or if the development is to be provided with a reticulated telecommunications infrastructure, the reticulated telecommunications infrastructure is provided in accordance with the requirements of the relevant telecommunications supply authority.	AO14.2 - Complies The proposal is to be connected to reticulated telecommunications in accordance with Table 9.3.2.4.6 and has been conditioned accordingly.
	AO14.3 If the development requires on-site telecommunications equipment in accordance with Table 9.3.2.4.6, the telecommunications equipment is sufficient to enable contact in normal circumstances with the each of the following nearest emergency services: (a) ambulance station; (b) police station; (c) fire brigade; and (d) state emergency service facility.	AO14.3 - Not applicable The proposal does not require on-site telecommunications equipment.
Water supply		

Code assessment - D-362-2022 - Development Permit for a Material Change of Use for a Warehouse (Self Storage Facility) - L 51 Fred Lawn Drive, Yeppoon

Performance outcomes	Acceptable outcomes	Assessment Response
PO15 The development is provided with water supply infrastructure which: <ul style="list-style-type: none"> (a) is sufficient to support the consumption and emergency needs of the development and the reasonable expectations for the development based on its location; (b) where practicable, is integrated with the existing public water supply networks; (c) where practicable, facilitates the orderly provision of future public water supply networks; and (d) is designed and constructed to be safe, operationally reliable and easily maintained. 	AO15.1 The development is provided with a water supply in accordance with the requirements of Table 9.3.2.4.5.	AO15.1 – Complies The proposal is to be connected to reticulated water supply in accordance with Table 9.3.2.4.5 and has been conditioned accordingly.
	AO15.2 If the development requires the provision of reticulated municipal water supply in accordance with Table 9.3.2.4.5 or if the development is to be provided with a reticulated municipal water supply, the reticulated municipal water supply is provided in accordance with the current version of the <i>Capricorn Municipal Development Guidelines</i> .	AO15.2 - Complies The proposal is to be connected to reticulated water supply and has been conditioned accordingly.
	AO15.3 If the development requires an on-site water supply in accordance with Table 9.3.2.4.5 (and the development is not to be provided with a reticulated municipal water supply in accordance with AO15.2 above), the development is provided with an on-site water tank or multiple tanks for domestic water supply purposes, which have a minimum combined capacity of 50,000 litres.	AO15.3 - Not applicable The proposal does not require on-site water supply.

Table 9.3.2.4.2 – Additional outcomes for assessable development

Performance outcomes	Acceptable outcomes	Assessment Response
Non-tidal artificial waterways		
PO16 – Not applicable The proposal does not include a non-tidal artificial waterway.		
Roadwork		
PO18 – Not applicable The proposal does not include road work.		
Stormwater management		
PO19 The development: <ul style="list-style-type: none"> (a) collects and discharges stormwater in a manner that does not adversely affect the stability of buildings, structures, infrastructure or land, located on the site or off the site; (b) has a stormwater management system that is designed and constructed to be safe, operationally reliable, and easily maintained; (c) ensures that the stormwater management system and site 	AO19.1 An engineer who qualifies as a registered professional engineer of Queensland certifies that the development has a stormwater management system which: <ul style="list-style-type: none"> (a) collects and discharges stormwater to a lawful point of discharge; (b) is compatible with and does not compromise the stormwater management system for the catchment; and (c) is designed and constructed in accordance with the Capricorn 	AO19.1 - Complies A stormwater management plan was provided and demonstrates that the proposal can discharge stormwater to a lawful point and meet the requirements of the State Planning Policy.

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Performance outcomes	Acceptable outcomes	Assessment Response
<p>work does not adversely impact flooding or drainage characteristics of premises which are located up-slope, down-slope, or adjacent to the site;</p> <p>(d) ensures that the stormwater management system and site work does not result in ponding or retention of water in a manner that is likely to result in loss of amenity for sensitive land use, or result in adverse impacts on public health and safety;</p> <p>(e) where practicable, is integrated with existing public stormwater management networks and planned future stormwater management networks; and</p> <p>(f) does not compromise the ability of the stormwater management system for the catchment to ensure that stormwater causes minimal nuisance, danger, and damage to people, property, infrastructure and the environment due to the quantity of stormwater discharge.</p>	<p>Municipal Development Guidelines and any requirements of the stormwater management planning scheme policy contained in schedule 7.13 of the planning scheme.</p>	
<p>PO20 The development is planned, designed and constructed, and managed to avoid or minimise adverse impacts on environmental values associated with water quality in natural and developed catchments by achieving:</p> <p>(a) identified stormwater quality design objectives for the location; or</p> <p>(b) current best practice environmental management.</p>	<p>AO20.1 A site stormwater quality management plan has been prepared by a suitably qualified person and the plan:</p> <p>(a) is consistent with any local area stormwater management planning; and</p> <p>(b) provides for achievable stormwater quality treatment measures which meet the construction phase design objectives identified in Table 9.3.2.4.7 and the post-construction phase design objectives identified in Table 9.3.2.4.8, or current best practice environmental management, reflecting land use constraints, such as:</p> <p>(i) erosive, dispersive, sodic and/or saline soil types;</p> <p>(ii) landscape features (including landform);</p> <p>(iii) acid sulfate soil and management of nutrient of concern;</p> <p>(iv) rainfall erosivity.</p> <p><small>Editor's note: Local area stormwater management planning may include urban stormwater quality management plans,</small></p>	<p>AO20.1 - Complies A stormwater management plan was provided and demonstrates the proposed stormwater detention tank can meet the requirements of the Planning Scheme and State Planning Policy for water quality.</p>

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Performance outcomes	Acceptable outcomes	Assessment Response
	catchment management plans, waterway management plans, healthy waters management plans, water quality improvement plans, and natural resource management plans.	
	<p>AO20.2</p> <p>An erosion and sediment control plan is prepared by a suitably qualified person, and the plan ensures that the release of sediment-laden stormwater:</p> <p>(a) is avoided for the nominated design storm; and</p> <p>(b) is minimised when the nominated design storm is exceeded by addressing the construction phase design objectives for drainage control, erosion control, sediment control and water quality identified in Table 9.3.2.4.7.</p>	<p>AO20.2 - Complies</p> <p>A condition has been included for an erosion and sediment control plan to accompany the Operational Works application for stormwater.</p>
	<p>AO20.3</p> <p>Erosion and sediment control practices (including any proprietary erosion and sediment control products) are designed, installed, constructed, operated, monitored and maintained in accordance with the erosion and sediment control plan required by AO20.2.</p>	<p>AO20.3 - Complies</p> <p>A stormwater management plan was provided and demonstrates the proposed stormwater detention will include erosion and sediment control measures to meet the requirements.</p>
	<p>AO20.4</p> <p>Development incorporates stormwater flow control measures to achieve the design objectives identified in Table 9.3.2.4.7 and identified in Table 9.3.2.4.8, or current best practice environmental management, including management of frequent flows and peak flows.</p>	<p>AO20.4 - Complies</p> <p>A stormwater management plan was provided and demonstrates the proposed stormwater detention will meet the relevant stormwater flow control measures.</p>
Waste water treatment and disposal (where discharging to a waterway or off-site)		
PO21 – Not applicable		
The proposal does not include waste-water treatment and disposal discharging to a waterway or off-site.		

As evident from the above assessment, the proposal complies with the various requirements of the Development works code apart from a deviation from Acceptable outcome AO1.1, AO2.4, AO2.5 and AO3.3 as the proposal does not provide on-site car parking spaces in accordance with Table 9.3.2.4.3., the access driveway in Fred Lawn Drive is located in the closest half of the road frontage to the road intersection, the driveway does not meet Standard Drawing CMDG-R-042 Commercial Driveway Slab (Type A) Two Way Access and the flush wall sign on Building A and Building B exceeds 3 square metres in area.

While the proposal has only provided 10 on-site car parking spaces, the parking is sufficient for the number of people expected at the site at any one time. The Engineering Report and Traffic Impact Assessment demonstrates that the parking and manoeuvring areas provides sufficient space of loading and unloading of goods and the two way access driveway off Fred Lawn Drive provides safe entry and exit to the site and does not impact on the safety or function of Fred Lawn Drive. As such the proposal is able to comply with Performance outcomes PO1 and PO2.

The flush wall sign on Building A and Building B exceeds three square metres in area. Despite the sign exceeding the size in Acceptable outcome AO3.3, the sign only advertises the occupier of the

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building and is situated on the building to not have an adverse impact on the character or amenity of the area. the sign does not impact on the operational safety of the road or pedestrian path and does not resemble a traffic or road sign and as such is able to comply with Performance outcome PO3.

11.3 BANGALEE BEACH ACCESS REFERENCE GROUP (BBARG) CHANGE OF NAME

File No:	5.2.1
Attachments:	Nil
Responsible Officer:	Tony Lau - Manager Engineering Services Michael Kriedemann - General Manager Infrastructure
Author:	Meegan Armstrong - Coordinator Engagement & Events

SUMMARY

The Bangalee Beach Access Reference Group held a meeting on the 7 December 2022 with ten (10) members in attendance and six (6) members recording apologies. Following the briefing session on the 7 February 2023, Officer's are seeking council's approval to change the name of the Reference Group to better reflect its purpose.

OFFICER'S RECOMMENDATION

THAT the Bangalee Beach Access Reference Group change its name to the Farnborough Beach Reference Group based on a recommendation from the reference group members.

BACKGROUND

The Bangalee Beach Access Reference Group (BBARG) voted unanimously to change the name of the group to the Farnborough Beach Reference Group at its meeting on the 7 December 2022.

COMMENTARY

The current title suggests that there is an access problem when in fact there is a wider issue surrounding the environment and the overall management of Farnborough Beach. Recent meetings and interactions with the wider community have resulted in the community assuming that the beach issues are just to benefit the Bangalee community which has created a higher number of agitated members. The name change will better reflect the purpose of the group going forward.

PREVIOUS DECISIONS

Council adopted the current name at its ordinary meeting on the 18 January 2022 along with the Terms of Reference for the group.

ACCESS AND INCLUSION

There are no access or inclusion issues involved in this report.

ENGAGEMENT AND CONSULTATION

There were ten (10) members present at the meeting who voted to recommend to Council to change the name and following the meeting, the minutes were distributed to all members with no one providing further feedback or objection to the recommendation.

HUMAN RIGHTS IMPLICATIONS

There are no human rights implications in regard to this report.

BUDGET IMPLICATIONS

There are no budget implications in regard to this report.

LEGISLATIVE CONTEXT

There are no legislative requirements in regard to this report.

LEGAL IMPLICATIONS

There are no legal implications in regard to this report.

STAFFING IMPLICATIONS

There are no staffing implications in regard to this report.

RISK ASSESSMENT

The only risk to Council would be community perception that Council has formed another group to manage Farnborough Beach. And although a small risk, officers will ensure that the name change is well communicated to the community.

CORPORATE PLAN REFERENCE***Liveable Livingstone***

Community Plan Goal 1.3 - Places for active and passive recreation

1.3.2 Optimise community benefit from the use of parklands and facilities by improving the quality, access to, and shared use of, public spaces and facilities for cultural, recreational, and community activities.

The formation of the Bangalee Beach Access Reference Group supports the Community Plan by providing a forum for residents and other stakeholders to be involved with the decision making process as the project progresses.

CONCLUSION

The reference group members and officers seek Council endorsement to change the name of the Bangalee Beach Access Reference Group to the Farnborough Beach Reference Group to better reflect the terms of reference and the purpose of the group going forward.

11.4 RESPONSE TO NOTICE OF MOTION - COUNCILLOR HUTTON - COLLINS ROAD, FARNBOROUGH

File No:	qa24221
Attachments:	<ol style="list-style-type: none"> 1. Notice of Motion - Councillor Hutton - Collins Road Farnborough 2. Upgrading Unsealed Roads to a Sealed Standard Procedure
Responsible Officer:	Michael Kriedemann - General Manager Infrastructure
Author:	Jeff Carter - Manager Construction & Maintenance

SUMMARY

At the Ordinary Meeting of Council held on 21 February 2023, Councillor Nigel Hutton submitted a 'Notice of Motion' in relation to Collins Road, Farnborough.

OFFICER'S RECOMMENDATION

THAT Collins Road continue to be maintained at its current service level and a traffic count be undertaken to assess if the road meets existing warrants for upgrading to sealed standard. Should such warrants be met then Collins Road should be added to the list of prioritised upgrades.

BACKGROUND

Details of the Notice of Motion are contained within Attachment One and in the interests of brevity will not be repeated in this report.

COMMENTARY

Collins Road is a 780m long Class 75 road last graded in December 2022. Class 75 roads are funded for 55% gravel coverage and typically reaches intervention for grading every 18 months.

Since de-amalgamation in 2014, previous capital works within Collins Road include the construction of a 15m long concrete floodway at Ch645 with 25m sealed before the floodway, and 55m sealed after it. This project was a flood repair constructed in the first half of 2015. There is also a floodway at Ch120 which received a full concrete overlay in 2019.

Maintenance works since de-amalgamation include the following:

29/01/2014	77 Collins Rd Farnborough	Roll/remove large stones on side of road in front of #77
10/11/2014	Collins Road, Farnborough	Heavy Formation Grading & Gravel
06/02/2015	Collins Road, Farnborough	Heavy Formation Grading & Gravel
05/08/2016	Collins Road, Farnborough	July Rain Event 2016 Works
21/04/2017	Collins Road, Farnborough	Scheduled Grading Maintenance Program
10/01/2018	Collins Road, Farnborough	Collins Road Farnborough - Cyclone Debbie Rain Event Works March 2017. Resheeting and bulk fill
11/01/2018	Collins Road, Farnborough	Gravel Supply, Heavy Formation Grading, Clear drains, Install Guide Posts - Chainage 600 Collins Road Farnborough - January 2018
25/01/2018	Collins Road, Farnborough	Patch repair sealed section of Chainage 700 Collins Road, Farnborough.
05/07/2018	Chainage 100	Drainage Works - Chainage 100 Collins Road,

	Collins Road, Farnborough	Farnborough
26/07/2018	Collins Road, Farnborough	Maintenance Grading Program - Collins Road, Farnborough - October 2018
07/05/2019	Collins Road, Farnborough	Maintenance Grading Program - Collins Road, Farnborough - July 2019
25/03/2020	Collins Road, Farnborough	Maintenance Grading Program - Collins Road, Farnborough – June 2020
15/01/2021	Collins Road, Farnborough	Pothole repair
23/08/2021	Collins Road, Farnborough	Replace 'No Through Road' sign at the start of Collins Road, replace both Curve signs, remove 'No Through Road' sign at the end of Collins Road
25/08/2021	Collins Road, Farnborough	Maintenance Grading Program - Collins Road, Farnborough – August 2021
27/06/2022	CH20 and CH100 (Floodway) Collins Road, Farnborough	Repair the isolated defect 20m from the intersection of Millview Road and the three affected sides of the floodway and the approach each end for 30 meters.
22/11/2022	Collins Road, Farnborough	Maintenance Grading Program - Collins Road, Farnborough

The road has recently been inspected and the running surface has been found to be in good condition with the exception of scouring in a section of the roadside table drain, which has had a works order issued for repair of such.

Upgrading of unsealed roads to sealed standard is currently prioritised by way of an existing policy and procedure (see Attachment 2). In the past 15 years 17 roads have been upgraded based on this procedure whilst a further 30 roads have been assessed, of which 7 are currently listed in Council's Forward Works Program. It appears Collins Road has never been considered for upgrading to sealed standard, as a class 75 road it is unlikely to meet warrants for such.

PREVIOUS DECISIONS

There have been no previous decisions in regard to upgrading Collins Road to sealed standard.

ACCESS AND INCLUSION

Nil

ENGAGEMENT AND CONSULTATION

Nil

HUMAN RIGHTS IMPLICATIONS

Nil

BUDGET IMPLICATIONS

There are no adverse operational budget implications should Collins Road continue to be maintained at its current service level, whilst a capital budget of approximately \$600,000 would be required to upgrade the entire length of the road to sealed standard.

LEGISLATIVE CONTEXT

There is no legislative requirement for Council to maintain unsealed roads to a specific standard. Each Council, as the asset owner, sets its desired level of service based on a number of factors.

LEGAL IMPLICATIONS

The existing unsealed road formation and geometry is appropriate for the function and speed environment. Collins Road is a 780m long class 75 road in Council's unsealed road hierarchy and typically has usage of 30 - 75 vehicles per day. As with all roads, users are required to drive to the prevailing conditions.

STAFFING IMPLICATIONS

Road grading crews are allocated maintenance activities through the monthly grading program. The March 2023 list of roads has been set and published on the Council website. The April 2023 preliminary grading program is being developed and will be finalised by the third week of March 2023.

RISK ASSESSMENT

No associated risks have been identified.

CORPORATE PLAN REFERENCE***Future Livingstone***

Community Plan Goal 5.2 - Connected places, people and services

5.2.1 Implement an integrated transport strategy which encourages alternative transport usage to maximum economic, environmental, and liveability outcomes.

CONCLUSION

Collins Road is a 780m long Class 75 road in Council's hierarchy. Between 30 - 75 vehicles per day (on average) use this road, which is currently maintained in accordance with Council's current level of service for unsealed road surface maintenance. This level of service results in typical grading intervals of 18 months and 55% imported gravel coverage.

C/O PO BOX 2292
Yeppoon Q 4703

Chief Executive Officer
Livingstone Shire Council
Anzac Parade Yeppoon Q 4703

Tuesday, 5 Feb 2022

**Notice of Motion
Collins Road, Farnborough**

Dear Cale,

I hereby request consideration of this motion and give notice of my intention to move the following motions at the next Ordinary Meeting of Council:

“That Council requests

- 1) an update on current road condition, maintenance works and scheduling for Collins Road.**
- 2) a report on the cost of upgrading Collins Road, Farnborough for consideration as part of the 23/24 budget process.”**

Background:

Residents from this community, identify immediate safety concerns and seek council’s investment in their only access point to the broader community. While the desire is for immediate improvement, it is also beneficial to consider the longer-term future upgrade of this road.

Regards

Councillor Nigel Hutton



UPGRADING UNSEALED RURAL ROADS TO SEALED STANDARD PROCEDURE

1. Scope

The Upgrading Unsealed Rural Roads to Sealed Standard Procedure (this 'Procedure') applies to all unsealed rural roads under Council's jurisdiction.

This Procedure does not apply to:

- Driveway accesses from the road to the property boundary;
- Sealing of an unsealed road required as a result of an approval under the *Planning Act 2016*; and
- Intermittent seals adjacent to habitable dwellings, generally less than 200m in length.

2. Purpose

This Procedure relates to requests to upgrade unsealed rural roads to a sealed standard and establishes:

- guidelines and scoring criteria to ensure consistent assessment of requests; and
- a systematic approach for the evaluation of the scoring criteria to establish a priority order for inclusion of projects in the Capital Works Program.

3. Related Documents

Primary

Management of Unsealed and Unconstructed Roads Policy

Legislative reference

Local Government Act 2009 s 60

Related documents

ARRB Group - Unsealed roads manual – Guidelines to good practice (3rd ed March 2009)

Austrroads - Guide to Road Design Part 3: Geometric Design

4. Definitions

To assist in interpretation, the following definitions shall apply:

AADT	Annual Average Daily Traffic.
AEP	Annual Exceedance Probability
Council	Livingstone Shire Council.
Road	As defined in the <i>Local Government Act 2009</i> .
Rural road	A road servicing allotments in a rural area, for which the majority of allotments have a road frontage in excess of 40m.

Upgrading Unsealed Rural Roads to Sealed Standard Procedure

Adopted/Approved: Approved – 21 December 2021

Version: 3.0

Portfolio: Infrastructure
Business Unit: Construction and Maintenance

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5. Procedure

Based on the Unsealed Roads Manual - Guidelines to good practice published by the Australian Road Research Board (ARRB), Council will apply the principle and philosophy that:

- sealing a road carrying less than 100 vehicles per day will not be a priority unless warranted by special circumstances; and
- use of resources will be concentrated on roads that have traffic counts exceeding 150 vehicles per day or have exceptional maintenance or safety issues.

5.1 Assessment

5.1.1 Infrastructure will assess applications using the scoring criteria in Tables 2 & 4 to prioritise projects and decisions to seal a rural road will be based on the following factors:

- a) Safety features;
- b) Current and projected traffic volumes (AADT);
- c) Maintenance costs;
- d) Type of traffic that will use the road;
- e) Road classification (i.e. collector road or access road);
- f) Geometric standard of the road;
- g) Percentage of commercial vehicles;
- h) Road pavement and drainage system of the unsealed road; and
- i) Road use as a school bus route.

5.1.2 Assessment of the above factors will determine which roads are suitable for sealing and will be upgraded to the relevant standard nominated in Item 5.3.

5.1.3 The priority listing will be reviewed annually on the basis of the latest data available.

5.1.4 Generally, priority will be given to roads with higher than 150 vehicles per day and/or roads or sections of roads with abnormal values of the characteristics identified in Item 5.1.1 and documented high maintenance costs.

5.2 Approval

If the road being assessed meets the criteria outlined in this Procedure, the Manager Construction & Maintenance will allocate a priority and include the road in the Capital Works Program.

5.3 Design Standards of Upgraded Sealed Roads

5.3.1 Minimum Standard Seal (Category 1)

Roads under this category will receive a layer of CBR 40 compacted gravel (as per design Chart 8 – Appendix 1) and a two coat bitumen seal.

Because minimum standard seals are generally formed and cross-drained to minimum standards, significant rain events may cause temporary closure.

5.3.2 All roads that qualify for this category have to meet the following evaluation criteria:

- a) Traffic Volumes – an unsealed rural road must be in the range of 150 - 500 AADT.

A road will not be considered for a minimum standard seal if there is less than 150 AADT unless there are significant issues shown in the assessment score. A road that has an AADT greater than 500 will qualify for a full road design;

- b) Minimum Width – the road can be easily upgraded to the appropriate formation and seal width set out in Table 1.

The AADT of the road must be known so that the appropriate pavement width in Table 1 can be selected;

- c) Solid Base – the road must have a solid, well compacted road base that is able to support the overlay for the expected traffic loads.

Having a solid road base will minimise future pavement failures if the road is sealed;

- d) Reasonable Alignment – the road must have reasonable gradients, vertical/horizontal alignment and sight distance that will not compromise safety if sealed.

If the road has poor alignment, consideration may be given to an upgrade to full design standard (refer to Item 5.3.3);

- e) Commercial Vehicles – roads in this category should not carry excessive amounts of heavy traffic.

If the road has commercial vehicle counts greater than 20% of AADT it should be considered for full design standard (refer to Item 5.3.3); and

- f) Drainage System – if the unsealed road has a poor longitudinal drainage system, every effort should be made to provide adequate longitudinal drainage to minimise future pavement failures.

Table 1: Minimum Standard Seal Element Widths

Element Width	Design AADT			
	100-150	150-250	251-500	>500
Formation	5.5 m	6.5 m	8.0 m	Refer To Full Design
Traffic Lanes	5.5 m	6.5 m (2 x 3.25)	6.5 m (2 x 3.25)	Refer To Full Design
Total Shoulder	0.0m	0.0 m	1.5 m	Refer To Full Design
Sealed Shoulders	0.0m	0.0 m	0.0 m	Refer To Full Design

NOTE: Once the road has met the criteria identified above, it is prioritised using the scoring points and weighting method displayed in Table 2.

Table 2: Scoring and Assessment Method for Category 1 – Minimum Standard Seal

Criteria	Points	Weighting
Traffic Volumes	Add 1 point for every vehicle Additional 1 point for every commercial vehicle (max of 20% of AADT) Additional 25 points if road is a school bus route	1
Strategic Significance	Examples: tourist location/facility, land development (abutting or servicing), industry or mines, etc. Nil 0 – (no through road < 10ha – no farms) Low 2 – (no through road, some > 10ha – farms, tourist) Medium 4 – (through road with 1-2 tourist facilities) High 6 – (through road with 2+ tourist facilities or major link)	5
Costs incurred in maintaining unsealed road	Low 1 – (close to depots, suitable gravel and water) Medium 2 – (2 of the above) High 5 – (none of the above)	10
Geometric design and safety features of unsealed road	Take into account the standard of the current geometric design of the unsealed road. This includes vertical/horizontal alignment, sight distance, etc. Safety features of the unsealed road include actual/potential accidents. 0 – Poor horizontal/vertical alignment and width <5m. 1 – Poor width <5m (good horizontal and/or vertical alignment). 2 – Moderate width 5-6.5m (poor horizontal and/or vertical alignment). 4 – Good horizontal alignment and minimum 6.5m width. 6 – Good horizontal/vertical alignment and minimum 6.5m width.	10
Pavement subject to inundation and road side drainage	8 - Unlikely and good longitudinal drainage 5 - Infrequent inundation and/or poor cross drainage 2 - Frequent inundation and/or poor cross and longitudinal drainage	5

NOTE: Scores less than 250 do not justify sealing. Scores in excess of 250 may result in the programming of a minimum standard seal at widths detailed in Table 1 and Appendix 1. Scores in excess of 500 should be considered for full construction.

5.3.3 Full Road Design (Category 2)

Projects proposed for funding are assessed using benefit analysis as a guide to determine what priority should be allocated to a project.

Roads under this category will require formation and pavement widening, full depth pavement and 50% AEP or 20% AEP drainage. Roads that qualify for this category do not meet any of the evaluation criteria set out in Category 1 – Minimum Standard Seal.

The main criteria for this category are roads that have an AADT greater than 500 or have greater than 20% commercial traffic in the range of 100 – 500 AADT.

The AADT of the road must be known so that the appropriate pavement width for full design can be selected from Table 3.

Table 3: Full Design Element Widths

Element Width	Design AADT			
	<500	501-1,000	1,001-3,000	3,001-8,000
Formation	8.0 m	8.5 m	10.0 m	10.0 m
Traffic Lanes	6.5 m (2 x 3.25)	7.0 m (2 x 3.5)	7.0 m (2 x 3.5)	7.0 m (2 x 3.5)
Total Shoulder	1.5 m	1.5 m	3.0 m	3.0 m
Sealed Shoulder	0.75 m	0.5 m	1.0 m	1.5 m

NOTE: Once the road has met the criteria above, it is prioritised using the scoring points and weighting method displayed in Table 4.

Table 4: Scoring and Assessment Method for Category 2 – Full Road Design

Criteria	Points	Weighting
Traffic Volumes	Add 1 point for every vehicle Additional 1 point for every commercial vehicle Additional 25 points if road is a school bus route	1
Strategic Significance	Examples: tourist location/facility, land development (abutting or servicing), industry or mines, etc. Nil 0 – (no through road < 10ha – no farms) Low 2 – (no through road, some > 10ha – farms, tourist) Medium 4 – (through road with 1-2 tourist facilities) High 6 – (through road with 2+ tourist facilities or major link)	8
Costs incurred in maintaining unsealed road	Low 1 – (close to depots, suitable gravel and water) Medium 2 – (2 of the above) High 5 – (none of the above)	5
Geometric design and safety features of unsealed road	Take into account the standard of the current geometric design of the unsealed road. This includes vertical/horizontal alignment, sight distance, etc. Safety features of the unsealed road include actual/potential accidents. 0 – Poor horizontal, vertical alignment and width <5m 1 – Poor width <5m (good horizontal and/or vertical alignment) 2 – Moderate width 5-6.5m (poor horizontal and/or vertical alignment) 4 – Good horizontal alignment and minimum 6.5m width 6 – Good horizontal, vertical alignment and minimum 6.5m width	10
Pavement subject to inundation and road side drainage	8 - Unlikely and good longitudinal drainage 5 - Infrequent inundation and/or poor cross drainage 2 - Frequent inundation and/or poor cross and longitudinal drainage	10

5.4 Privately Funded Upgrades

Requests to upgrade an unsealed rural road to a sealed standard that do not meet the criteria defined in this Procedure may be considered, if the requestor provides all funds required to upgrade the road to the relevant standard.

Council may also require the requestor to contribute to the ongoing maintenance/depreciation of the road, above and beyond funds required to maintain the road, prior to it being sealed.

6. Changes to this Procedure

This Procedure is to remain in force until otherwise amended/replaced by the Executive Director Infrastructure.

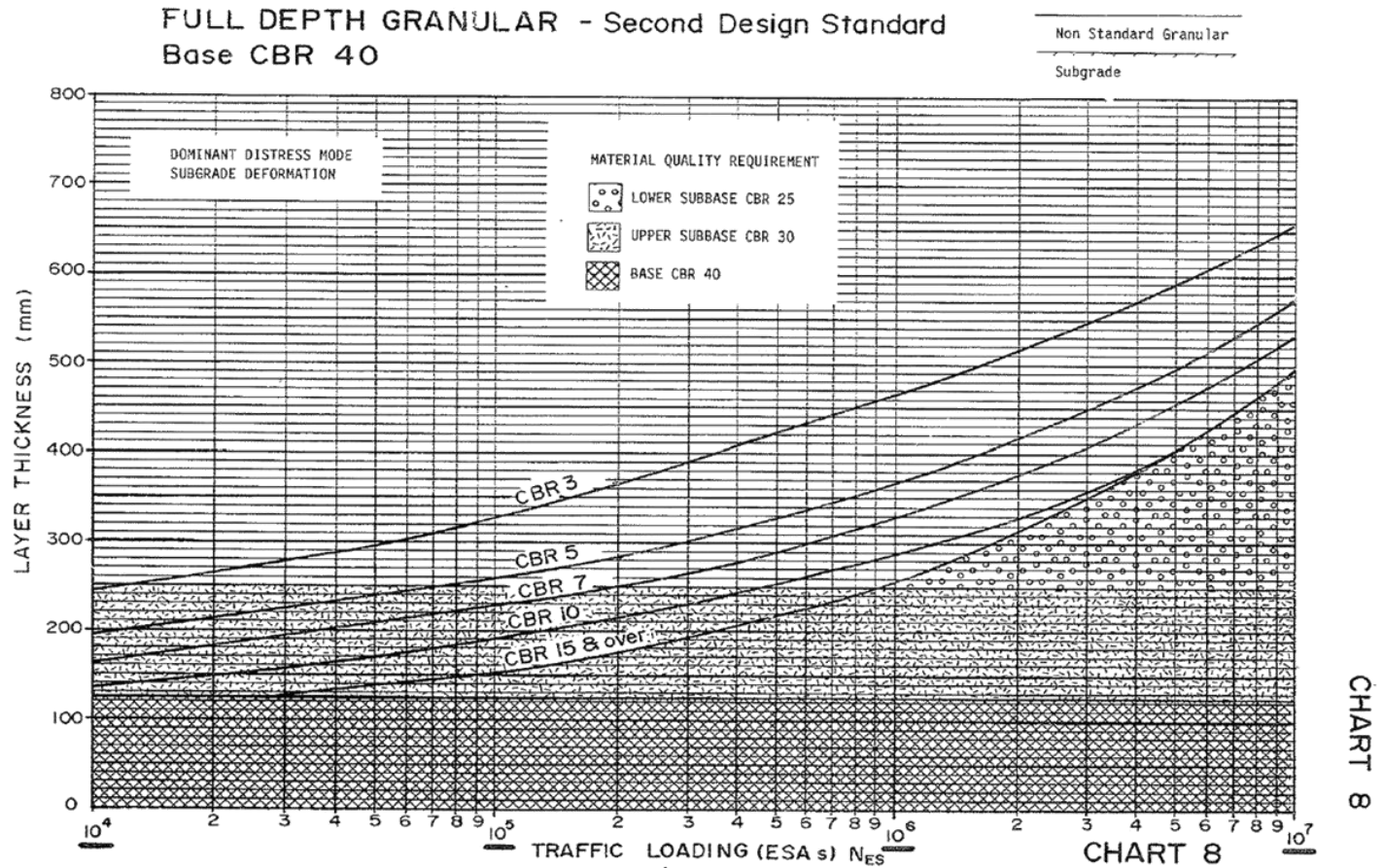
7. Repeals/Amendments

This Procedure repeals Livingstone Shire Council Procedure titled 'Upgrading of Unsealed Rural Roads to Sealed Standard Procedure v2.2'.

Version	Date	Action
1.0	22/04/2014	Approved
2.0	01/08/2017	Amended Procedure Approved
2.1	04/12/2018	Administrative Amendments – reflect organisational restructure
2.2	18/11/2020	Administrative Amendments – Executive Director details updated
3.0	21/12/2021	Amended Procedure – Full review undertaken and content of former/repealed policy of same name included. Approved by Executive Director and endorsed by Council.

MICHAEL KRIEDEMANN
EXECUTIVE DIRECTOR INFRASTRUCTURE

APPENDIX 1 – PAVEMENT DESIGN CHART



Upgrading Unsealed Rural Roads to Sealed Standard Procedure

Adopted/Approved: Approved – 21 December 2021
Version: 3.0

Portfolio: Infrastructure
Business Unit: Construction and Maintenance