



Trustee Meeting

Agenda

Date:	25 May 2023
Time:	9.00am
Venue:	Calvary Christian Church Level 1, Auditorium 3 108 Grafton Street, Cairns

Agenda

TSIRC **Trustee** Meeting – 25 May 2023

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Time	Agenda	
9.00am	1.	Welcome (Chair)
9.05am	2.	Opening Prayer
9.10am	3.	Attendance
9.15am	4.	Apologies
9.20am	5.	Conflict of Interest (COI) - Declarable/Prescribed
9.25am	6.	Previous Minutes
9.35am	7.	Action Items from Previous Meetings
9.45am	8.	CORPORATE SERVICES: St. Pauls Lots 46 and 152 – consent to development application
9.45am	9.	MOVE INTO CLOSED BUSINESS
9.46am	10.	CORPORATE SERVICES: Status of LHA Lease Resolution
10.14am	11.	MOVE OUT OF CLOSED BUSINESS
10.15am	12.	BUSINESS ARISING
10.20am	13.	Next Meeting: 27 June 2023
10.25am	14.	Closing Remarks & Prayer



Draft Minutes

TORRES STRAIT ISLAND REGIONAL COUNCIL

April 2023

TRUSTEE MEETING

Tuesday, 18 April 2023

Video Conference

TRUSTEE MEETING
Tuesday 18 April 2023

PRESENT:

Cr Phillemon Mosby, Mayor
Cr Dimas Toby, Division 1 – Boigu
Cr Torenzo Elisala, Division 2 – Dauan (*by telephone dial-in due to internet issues*)
Cr Keith Fell, Division 4 – Mabuiag
Cr Laurie Nona, Division 5 - Badu
Cr Lama Trinkoon, Division 6 – Arkai
Cr Seriako Dorante, Division 8 – Kirirri (Hammond)
Cr Getano Lui (Jnr), Deputy Mayor Division 9 – Iama
Cr Kabay Tamu, Division 10 – Warraber
Cr Francis Pearson, Division 11 – Poruma
Cr Hilda Mosby, Division 12 – Masig
Cr Jimmy Gela, Division 14 – Erub
Division 15 – Mer was not represented

PRESENT:

Mr James William, Chief Executive Officer
Ms Hollie Faithfull, Executive Director Financial Services
Mr David Baldwin, Executive Director Engineering Services
Mr Wayne Green, Executive Director Building Services
Mr Dawson Sailor, Head of Community Services
Mr David Kempton, Acting Executive Director Community Services
Ms Julie Marino, Senior Executive Assistant to the CEO
Ms Trudy Lui, Executive Assistant to the Mayor
Mr Darryl Brooks, Secretariat Officer

APOLOGIES:

Cr Conwell Tabuai, Division 3 – Saibai
Cr John Levi, Division 7 – Wug (St. Pauls), Mua Island
Cr Rocky Stephen, Division 13 – Ugar

Note: The participation of Cr Torenzo Elisala via telephone dial-in was noted and approved by Council, as inclement weather was affecting internet services at the time the meeting commenced.

TRUSTEE MEETING
Tuesday 18 April 2023

1. 9:15am Welcome

Deputy Mayor Cr Getano Lui (Jnr) commenced the Council's Trustee Meeting for April 2023 at 9.15am. and acknowledged, Councillors, Executive and Administration Staff.

The Deputy Mayor Cr Getano Lui (Jnr) being physically in Cairns at this time, also acknowledged the traditional Aboriginal custodians of Cairns, where the TSIRC office is located; as well as:

- Cultural acknowledgements for the Torres Strait region across the length and breadth of Zenadth Kes and the Gimuy-walubarra yidi people – the traditional owners of the lands on which we are meeting;
- Our Heavenly Father for his awesome wisdom, knowledge and understanding; and
- All Elders, past, present and emerging.

The Deputy Mayor Cr Getano Lui (Jnr) advised Council that Mayor Mosby was currently travelling to Cairns and would join the meeting as soon as possible after arrival.

2. Opening Prayer

The Deputy Mayor Cr Getano Lui (Jnr) asked everyone to be upstanding and delivered the opening prayer.

3. Attendance

The Deputy Mayor Cr Getano Lui (Jnr) completed a roll call of Councillors to establish a Quorum.

4. Apologies

The following apologies were tabled.

- Cr Conwell Tabuai, Division 3 – Saibai
- Cr John Levi, Division 7 – Wug (St. Pauls), Mua Island
- Cr Rocky Stephen, Division13 - Ugar

RESOLUTION

Moved: Cr Francis Pearson; Second: Cr Jimmy Gela

That Council accepts the apology for Cr Conwell Tabuai and Cr John Levi for the April 2023 Trustee Meeting.

MOTION CARRIED UNANIMOUS

RESOLUTION

Moved: Cr Hilda Mosby; Second: Cr Laurie Nona

Against: Cr Keith Fell

That Council accepts the apology for Cr Rocky Stephen for the April 2023 Trustee Meeting.

MOTION CARRIED

5. Conflict of Interest (COI) - Declarable/Prescribed

The Deputy Mayor Cr Getano Lui (Jnr) requested that members make any relevant conflict of interest declarations and advise if any relevant legal proceedings were current pertaining to Council business to be considered at the meeting. No such declarations were made.

6. Confirmation of Previous Trustee Minutes of 22 March 2023

RESOLUTION

Moved: Cr Keith Fell; Second: Cr Kabay Tamu

That Council resolves to accept the minutes of the Trustee Meeting held on 22 March 2023, to be a true and accurate account of that meeting.

MOTION CARRIED UNANIMOUSLY

7. Action Items from Previous Meetings

The Chief Executive Officer provided the Council with a verbal update on action items from the Trustee Meeting held on 22 March 2023.

8. Council Moves into Closed Business

RESOLUTION

Moved: Cr Keith Fell; Second: Cr Kabay Tamu

That in accordance with Section 254J of the *Local Government Regulation 2012 (Qld)* it is resolved for the meeting to go into closed business to discuss matters of the following nature:

- **Corporate Services: Veto Powers**

MOTION CARRIED UNANIMOUSLY

9. Corporate Services – Veto Powers

Resolution completed after Council moved out of Closed Business.

10. Move out of Closed Business

RESOLUTION

Moved: Cr Keith Fell; Second: Cr Torenzo Elisala

That Council resolves to move out of closed business and resume in open business.

MOTION CARRIED UNANIMOUSLY

Resolution from Closed Business Agenda item

9. Corporate Services – Veto

RESOLUTION

Moved: Cr Francis Pearson; Second: Cr Seriako Dorante

Against: Cr Torenzo Elisala

That Council write to Mr Mike Kaiser, the Director General State Development, Infrastructure, Local Government and Planning, advising that the Council does not support any changes to its existing veto powers in Part 4 Chapter 3 of the Local Government Act 2009 confers on divisional Councillors.

A. ACTION: Council to write to Mr Mike Kaiser, the Director General State Development, Infrastructure, Local Government and Planning, advising that the Council does not support any changes to its existing veto powers in Part 4 Chapter 3 of the Local Government Act 2009 confers on divisional Councillors.

B. ACTION: Acting Executive Director Corporate Services to monitor outcomes of the Government's Review of Veto Powers and report back to Council.

11. Business Arising

No items discussed as business arising.

12. Next Meeting

Council noted that its next meeting will be on 25-26 May 2023 in Cairns.

13. Closing Remarks & Prayer

The meeting closed at 9.40am.

ACTION ITEMS - TSIRC Trustee Meetings

Item	Action Area	Status
22 March 2023		
Executive Director Corporate Services with the assistance of Legal Services to create a template for Council use when Councillors are required to submit a formal submission in order to be excused from attending Council meetings to attend “other” meetings that are of significance to Council and are considered Council business. This template is to be assessed by Council against current Policy.	Legal Services	Policy Paper to be considered at April 2023 Ordinary Meeting.
Executive Director Corporate Services to provide Council with advice which clarifies current policy in relation to the payment of monthly meeting allowances to Councillors who are unable to attend Council meetings.		
Item	Action Area	Status
18 April 2023		
Agenda Item 9A. Council to write to Mr Mike Kaiser, the Director General State Development, Infrastructure, Local Government and Planning, advising that the Council does not support any changes to its existing veto powers in Part 4 Chapter 3 of the Local Government Act 2009 confers on divisional Councillors.	Council/Mayor Mosby	
Agenda Item 9B Acting Executive Director Corporate Services to monitor outcomes of the Government’s Review of Veto Powers and report back to Council.	Acting Executive Director Corporate Services	

TRUSTEE REPORT

ORDINARY MEETING:	May 2023
DATE:	25 May 2023
ITEM:	Agenda Item for Resolution by Trustee
SUBJECT:	St Pauls Lots 46 and 152 SP256048 – consent to development application
AUTHOR:	Julia Mauro, Senior Legal Officer
PRESENTER:	David Kempton, Acting Executive Director, Corporate Services

Recommendation:

1. That the Trustee grant owner's consent to Community Enterprises Queensland in support of a development application for a Reconfiguration of Lot (2 into 3 lots) over **Lots 46 and 152 on SP256048** (Oza Bosun Road, St Pauls), as per RPS Drawing 10358-85a, dated 17 Nov 2022; and
2. Authorise the Chief Executive Officer to sign the owner's consent form and, subject to local government approval, the resulting survey plans.

Executive Summary:

As part of the undocumented commercial land occupation project, it was identified that Community Enterprises Queensland (trading as IBIS) requires a lease for its supermarket at St Pauls.

The St Pauls Community Store is located on Lot 152 SP256048, which is 4,365m². Over half of Lot 152 (the half situated on Pedro Crescent, behind the Community Store) is vacant land.

CEQ has confirmed that it does not require the balance of Lot 152 and only requires 2,156m², approximately half the size of the current lot. A subdivision of Lot 152 is necessary to grant a lease to CEQ for the requested area. It is also appropriate to straighten the boundary between Lot 46 and Lot 152.

Background:

A Conditional Agreement to Lease has been negotiated, commencing 1 July 2022, at is at execution stage. The agreement is based on this proposed subdivision, so that CEQ is not required to pay rent for land that it does not occupy. The subdivision will also make the balance of Lot 152 available as separately surveyed land for other community uses deemed appropriate by the Trustee and Council.

CEQ is responsible for arranging and paying for the subdivision.

CEQ has engaged Owen Caddick-King of RPS to:-

- Prepare and submit the development application for subdivision of Lot 152
- Re survey to subdivide, and straighten the boundary adjoining Lot 46.

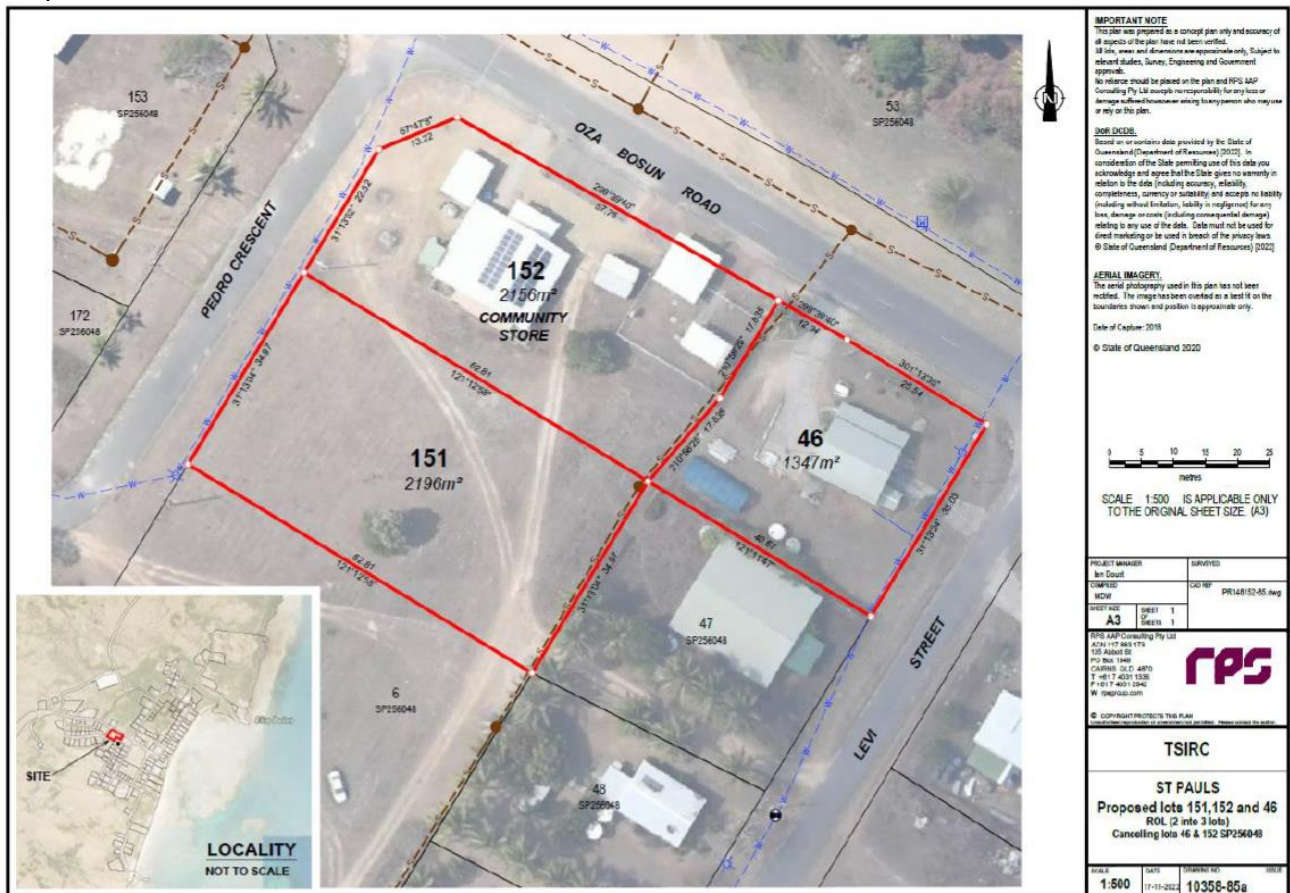
Comment:

Once the Trustee has provided owner's consent to the subdivision, the development application will be presented to the Council for local government approval.

Current survey plan shown below in blue:



Proposed subdivision shown below in red:



Considerations

Risk Management

The subdivision is supported by Cr Levi and CEQ, and recommended by Council's planning consultant (Ian Doust of RPS).

Council Finance

Not applicable

Consultation:

- Supported by Cr John Levi.
- Community Enterprises Queensland.
- Ian Doust, RPS (Planning Consultant).
- TSIRC Legal Services.

Links to Strategic Plans:

TSIRC Corporate Plan 2020–2025

Delivery Pillar: Sustainability

Outcome 8: We manage council affairs responsibly for the benefit of our communities

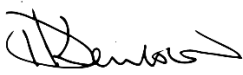
- 8.1: Effective management of DOGIT Land as a Trustee

Statutory Requirements:

Torres Strait Islander Land Act 1991 (Qld)

Conclusion:

It is recommended that the Trustee consent to the proposed development application.

**Recommended & Endorsed:**

David Kempton

Acting Executive Director, Corporate
Services

Endorsed:

James William

Chief Executive Officer

Attachment: Town Planning Report from RPS (21 March 2023).

OZA BOSUN ROAD, ST PAULS, MOA ISLAND – APPLICATION FOR RECONFIGURING A LOT (2 INTO 3 LOTS)

Town Planning Report



PR142524
A
21 March 2023

REPORT

Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
A	Final	S Leggerini	O Caddick-King	O Caddick-King	21/03/2023

Approval for issue

Owen Caddick-King



21 March 2023

This report was prepared by RPS within the terms of RPS' engagement with its client and in direct response to a scope of services. This report is supplied for the sole and specific purpose for use by RPS' client. The report does not account for any changes relating the subject matter of the report, or any legislative or regulatory changes that have occurred since the report was produced and that may affect the report. RPS does not accept any responsibility or liability for loss whatsoever to any third party caused by, related to or arising out of any use or reliance on the report.

Prepared by:

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Appendices

Appendix A DA Form 1 and Owners Consent

Appendix B Reconfiguration Proposal Plan, RPS Drawing 10358-85a, dated 17 Nov '22

Appendix C Planning Scheme Code Responses

SUMMARY

Table 1: Summary

Details			
Site Address:	Oza Bosun Road, St Pauls (Moa Island)		
Real Property Description:	152 on SP256048 46 on SP256048		
Site Area:	4,365m ² (Lot 152) 1,334m ² (Lot 46)		
Regional Plan Land Use Designation:	N/A		
Zone/Precinct:	Township Zone		
Neighbourhood Plan/Precinct:	St Pauls (on Moa Island)		
Owner(s):	Torres Strait Island Regional Council as Trustee		
Proposal			
Brief Description/ Purpose of Proposal	Reconfiguring a Lot (2 into 3 lots)		
Application Details			
Aspect of Development	Preliminary approval	Development permit	
Material change of use	<input type="checkbox"/>	<input type="checkbox"/>	
Building Work	<input type="checkbox"/>	<input type="checkbox"/>	
Operational Work	<input type="checkbox"/>	<input type="checkbox"/>	
Reconfiguration of a Lot	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Assessment Category	<input checked="" type="checkbox"/> Code	<input type="checkbox"/> Impact	
Public Notification	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes:	
Superseded Planning Scheme Application	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Referral Agencies			
Agency	Concurrence	Advice	Pre-lodgement response
N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Pre-lodgement / Consultation			
Entity		Date	Contact Name
Council Legal Team	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	25/01/2023	Julia Mauro
Other			
Applicant contact person	Owen Caddick-King Principal – Planning D: +61 7 4276 1027 E: owen.caddick-king@rpsgroup.com.au		

1 INTRODUCTION

RPS has been engaged by Community Enterprise Queensland (CEQ) to seek development approval for Reconfiguring a Lot (2 into 3 lots) on land located on Oza Bosun Road, St Pauls, Moa Island, described as Lots 46 and 152 on SP256048. The reconfiguring a lot development is consistent with the terms of an Agreement between CEQ and the Torres Strait Island Regional Council.

Lot 152 is an irregular shaped site with an area of 4,365m² and a road frontage to Oza Bosum Road of approximately 70 metres. A secondary road frontage extends for approximately 55 metres along Pedro Crescent. Lot 46 is an irregular shaped site with an area of 1,334m² and a road frontage to Oza Bosum Road of approximately 24 metres. A secondary road frontage extends for approximately 35 metres along Levi Street.

This development application seeks:

- Development Permit for Reconfiguring a Lot (2 into 3 lots)

The DA Form 1 and Owners Consent is provided for reference in **Appendix A**.

Under the Zanadth Kes Planning Scheme, the subject site is identified within the Township Zone. In accordance with the Tables of Assessment, the development of Reconfiguring a Lot is identified as Code Assessable and would not require public notification.

This report provides greater detail on the nature of the proposal and provides an assessment of the proposal against the intents and code requirements of relevant statutory planning documents.

2 SITE DETAILS

2.1 Site Particulars

The two sites are located in the St Pauls community on Moa Island. Both sites are located on Oza Bosun Road and are formally described as Lot 152 on SP256048 and Lot 46 on SP256048.

Lot 152 is an irregular shaped site with an area of 4,365m² and a road frontage to Oza Bosun Road of approximately 70 metres. A secondary road frontage extends for approximately 55 metres along Pedro Crescent. The site is currently improved by one primary structure located in the northern part of the site, utilised for a Community Store and several outbuildings, primarily located towards the Oza Bosun frontage. On the Oza Bosun frontage the site provides a small fuel station. The balance of the site is largely vacant.

Lot 46 is an irregular shaped site with an area of 1,334m² and a road frontage to Oza Bosun Road of approximately 24 metres. A secondary road frontage extends for approximately 35 metres along Levi Street. The site is currently improved by one primary structure located centrally to the site.

The locality containing the site is generally categorised as a mix of residential and commercial uses as the sites are within the township area of St Pauls.

Table 2: Site Particulars

Site Particulars	
Site Address	Oza Bosun Road, St Pauls, Moa Island
Real Property Description	152 on SP256048 46 on SP256048
Site Area	4,365m ² (Lot 152) 1,334m ² (Lot 46)
Landowner(s)	Torres Strait Island Regional Council as Trustee

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



Figure 1 Site Location

Source: Queensland Globe 2023



Figure 2 Oza Bosun Road Frontage – St Pauls Community Store

Source: Community Enterprises Queensland

2.2 Planning Context

The planning context of the site includes the following:

Table 3: Planning Context

Instrument	Designation
State Planning Policy Mapping	
Safety and Resilience to Hazards	<ul style="list-style-type: none"> Coastal Environment <ul style="list-style-type: none"> Coastal management district Natural Hazards Risk and Resilience <ul style="list-style-type: none"> Flood hazard area - Level 1 - Queensland floodplain assessment overlay
Development Assessment Mapping	
Coastal Protection	<ul style="list-style-type: none"> Coastal Management District
Native Vegetation Clearing	<ul style="list-style-type: none"> Category X on the regulated vegetation management map
Torres Strait and Northern Peninsula Area Regional Plan 2009-2029	
Regional Plan designation	N/A
Zanadth Kes Planning Scheme	
Strategic framework designation	St Pauls (on Moa Island)
Zoning	Township Zone
Overlays	<ul style="list-style-type: none"> Flood overlay <ul style="list-style-type: none"> flood planning areas 4 and 5 overland flow

Zoning of the subject site and surrounding lands is shown on **Figure 3**



Figure 3 Zoning

Source: Zenadth Kes Planning Scheme

3 PROPOSAL

3.1 Overview

The application seeks a Development Permit for Reconfiguring a lot (2 into 3 Lots) on sites located on Oza Bosun Road, St Pauls, also described at Lot 152 on SP256048 and Lot 46 on SP256048.

The intent of the proposed development is to create three (3) lots, the details of the three proposed lots are as follows. The proposed Lot 46 would have an area of 1,347m² and would wholly contain the existing structure located on the current lot 46. The boundary line with Lot 152 would be altered to align with the existing fencing between the two sites. The proposed Lot 152 would have an area in the order of 2,156m² and would contain the existing Community Store. The proposed lot 151 would have an area of 2,196m² and would be vacant. All existing access arrangement into the three sites would be wholly contained within the proposed property boundaries and therefore maintained.

The proposed lots would have frontage to a gazetted road. The proposed lots are summarised in **Table 4** below:

Table 4: Proposed Lot Details

Proposed Lot	Area	Frontage
Lot 46	1,347m ²	RPS Drawing 10358-85a, dated 17 Nov '22
Lot 152	2,156m ²	RPS Drawing 10358-85a, dated 17 Nov '22
Lot 151	2,196m ²	RPS Drawing 10358-85a, dated 17 Nov '22

The proposed development is shown in the Reconfiguration Proposal Plan, RPS Drawing 10358-85a, dated 17 Nov '22 provided for reference in **Appendix B**. The reconfiguring a lot development is consistent with the terms of an Agreement between CEQ and the Torres Strait Island Regional Council.

4 LEGISLATIVE REQUIREMENTS

4.1 Assessment Manager

In accordance with Schedule 8 of the *Planning Regulation 2017*, the assessment manager for this application is Torres Strait Island Regional Council.

4.2 Categories of Assessment

The table below summarises the categorising instruments and categories of assessment applicable to this application.

Table 5: Categories of Assessment

Aspect of development	Categorising instrument	Category of assessment
Reconfiguring a Lot (2 into 3 lots)	Zenadth Kes Planning Scheme, Table 5.5.1 – Reconfiguring a lot	Code Assessment

4.3 Referrals

The application does not trigger any referrals in accordance with Schedule 10 of the *Planning Regulation 2017*.

4.4 Public Notification

This application does not require public notification as it is subject to code assessment.

5 STATUTORY PLANNING ASSESSMENT

5.1 Overview

As the application is subject to code assessment, the assessment benchmarks, and the matters the assessment manager must have regard to, are those identified in section 45(3) of the *Planning Act 2016* and sections 26 and 27 of the *Planning Regulation 2017*.

5.2 State and Regional Assessment Benchmarks

5.2.1 State Planning Policy

The *Planning Regulation 2017* at Section 26(2)(a)(ii) requires the assessment manager to assess the application against the assessment benchmarks stated in the State Planning Policy, Part E, to the extent Part E of the State Planning Policy is not identified in the planning scheme as being appropriately integrated into the planning scheme.

It is understood that the minister has identified that the State Planning Policy has been appropriately integrated into the Planning Scheme.

5.2.2 Regional Plan

The *Planning Regulation 2017* at Section 26(2)(a)(i) requires the assessment manager to assess the application against the assessment benchmarks stated in the regional plan, to the extent the Regional Plan is not identified in the planning scheme as being appropriately integrated into the planning scheme.

Consistent with the State Planning Policy, the Minister has identified that the planning scheme, specifically the strategic framework, appropriately advances the Torres Strait and Northern Peninsula Area Regional Plan 2009-2029, as it applies in the planning scheme area. On that basis, no further assessment of the Regional Plan is required.

5.2.3 Development Assessment under Schedule 10 (SDAP)

No matters have been identified as requiring assessment under Schedule 10 of the *Planning Regulation 2017* for this Development Application.

5.3 Local Authority Assessment Benchmarks

This application is to be assessed against Zanadth Kes Planning Scheme. The assessment benchmarks applicable under the planning scheme are addressed below.

5.3.1 Codes

The planning scheme codes applicable to the proposal, and the location of the relevant appended code response are identified below:

Table 6: Planning Scheme Code Responses

Planning Scheme Codes	Applicability	Comment
Zone code		
Township Zone Code	Applies	The proposed development is consistent with the Purpose of the Township Zone Code.

REPORT

Planning Scheme Codes	Applicability	Comment
Local plan code		
St Pauls (on Moa Island) – Local Plan Code	Applies	Complies with or is able to comply with all relevant assessment benchmarks.
Development Codes		
Infrastructure and Works Code	Applies	Complies with or is able to comply with all relevant assessment benchmarks.
Reconfiguring a Lot Code	Applies	Complies with or is able to comply with all relevant assessment benchmarks.
Water Quality and Acid Sulfate Soils Code	Applies	Complies with or is able to comply with all relevant assessment benchmarks.

An assessment against each of the Planning Scheme Codes is provided for reference in **Appendix C**.

6 CONCLUSION

RPS has been engaged by Community Enterprise Queensland to seek development approval for Reconfiguring a Lot (2 into 3 lots) on land located on Oza Bosun Road, St Pauls, Moa Island described as Lots 46 and 152 on SP256048.

Under the Zanadth Kes Planning Scheme, the subject site is identified within the Township Zone. In accordance with the Tables of Assessment, the development of Reconfiguring a Lot is identified as Code Assessable and would not require public notification.

In addition, the reconfiguring a lot development is consistent with the terms of an Agreement between CEQ and the Torres Strait Island Regional Council.

This report has demonstrated the proposal's consistency with the intents and code requirements of the Zanadth Kes Planning Scheme and has provided appropriate justification for the proposed development. Therefore, approval is sought subject to reasonable and relevant conditions.

Appendix A

DA From 1 and Owners Consent

DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 2020) made under section 282 of the Planning Act 2016.

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

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

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

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Community Enterprise Queensland
Contact name (only applicable for companies)	c/- RPS AAP Consulting Pty Ltd, Owen Caddick-King
Postal address (P.O. Box or street address)	PO Box 1949
Suburb	Cairns
State	Queensland
Postcode	4870
Country	Australia
Contact number	07 4276 1027
Email address (non-mandatory)	Owen.caddick-king@rpsgroup.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	PR142524

2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input checked="" type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application	
<input type="checkbox"/> No – proceed to 3)	

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
			Oza Bosun Road	St Pauls
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4875	152	SP256048	Torres Strait Island Regional Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
			Oza Bosun Road	St Pauls
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4875	46	SP256048	Torres Strait Island Regional Council

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

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

☐ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

☐ Coordinates of premises by easting and northing

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

3.3) Additional premises

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

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

☐ In or adjacent to a water body or watercourse or in or above an aquifer
Name of water body, watercourse or aquifer:

☐ On strategic port land under the *Transport Infrastructure Act 1994*
Lot on plan description of strategic port land:
Name of port authority for the lot:

☐ In a tidal area
Name of local government for the tidal area (if applicable):
Name of port authority for tidal area (if applicable):

☐ On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*

Name of airport:	
<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>	
EMR site identification:	
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>	
CLR site identification:	

5) Are there any existing easements over the premises?

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

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

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect
a) What is the type of development? <i>(tick only one box)</i>
<input type="checkbox"/> Material change of use <input checked="" type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input checked="" type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
Reconfiguring a Lot (2 into 3 lots)
e) Relevant plans
Note: <i>Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms guide: Relevant plans.</i>
<input checked="" type="checkbox"/> Relevant plans of the proposed development are attached to the development application
6.2) Provide details about the second development aspect
a) What is the type of development? <i>(tick only one box)</i>
<input type="checkbox"/> Material change of use <input type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
e) Relevant plans
Note: <i>Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>
<input type="checkbox"/> Relevant plans of the proposed development are attached to the development application
6.3) Additional aspects of development
<input type="checkbox"/> Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application

☒ Not required

Section 2 – Further development details

7) Does the proposed development application involve any of the following?

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

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use

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

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

☐ Yes

☐ No

Division 2 – Reconfiguring a lot

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

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

Two

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

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

10) Subdivision

10.1) For this development, how many lots are being created and what is the intended use of those lots:

Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created		3		

10.2) Will the subdivision be staged?

☐ Yes – provide additional details below

☒ No

How many stages will the works include?

What stage(s) will this development application apply to?

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

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

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

Division 3 – Operational work

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

14.1) What is the nature of the operational work?	
<input type="checkbox"/> Road work <input type="checkbox"/> Drainage work <input type="checkbox"/> Landscaping <input type="checkbox"/> Other – please specify:	<input type="checkbox"/> Stormwater <input type="checkbox"/> Earthworks <input type="checkbox"/> Signage <input type="checkbox"/> Water infrastructure <input type="checkbox"/> Sewage infrastructure <input type="checkbox"/> Clearing vegetation
14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)	
<input type="checkbox"/> Yes – specify number of new lots:	
<input type="checkbox"/> No	
14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)	
\$	

PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application
Torres Strait Island Regional Council
16) Has the local government agreed to apply a superseded planning scheme for this development application?
<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application <input type="checkbox"/> The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached <input checked="" type="checkbox"/> No

PART 5 – REFERRAL DETAILS

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

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

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

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

- ☐ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure-related referrals – designated premises
- ☐ Infrastructure-related referrals – state transport infrastructure
- ☐ Infrastructure-related referrals – State transport corridor and future State transport corridor
- ☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure-related referrals – near a state-controlled road intersection
- ☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- ☐ Koala habitat in SEQ region – key resource areas
- ☐ Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- ☐ Ports – Brisbane core port land – environmentally relevant activity (ERA)
- ☐ Ports – Brisbane core port land – tidal works or work in a coastal management district
- ☐ Ports – Brisbane core port land – hazardous chemical facility
- ☐ Ports – Brisbane core port land – taking or interfering with water
- ☐ Ports – Brisbane core port land – referable dams
- ☐ Ports – Brisbane core port land – fisheries
- ☐ Ports – Land within Port of Brisbane's port limits (*below high-water mark*)
- ☐ SEQ development area
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – community activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – combined use
- ☐ Tidal works or works in a coastal management district
- ☐ Reconfiguring a lot in a coastal management district or for a canal
- ☐ Erosion prone area in a coastal management district
- ☐ Urban design
- ☐ Water-related development – taking or interfering with water
- ☐ Water-related development – removing quarry material (*from a watercourse or lake*)
- ☐ Water-related development – referable dams
- ☐ Water-related development – levees (*category 3 levees only*)
- ☐ Wetland protection area

Matters requiring referral to the **local government:**

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

<input type="checkbox"/> Heritage places – Local heritage places
Matters requiring referral to the Chief Executive of the distribution entity or transmission entity:
<input type="checkbox"/> Infrastructure-related referrals – Electricity infrastructure
Matters requiring referral to:
<ul style="list-style-type: none"> • The Chief Executive of the holder of the licence, if not an individual • The holder of the licence, if the holder of the licence is an individual
<input type="checkbox"/> Infrastructure-related referrals – Oil and gas infrastructure
Matters requiring referral to the Brisbane City Council:
<input type="checkbox"/> Ports – Brisbane core port land
Matters requiring referral to the Minister responsible for administering the <i>Transport Infrastructure Act 1994</i>:
<input type="checkbox"/> Ports – Brisbane core port land (<i>where inconsistent with the Brisbane port LUP for transport reasons</i>)
<input type="checkbox"/> Ports – Strategic port land
Matters requiring referral to the relevant port operator , if applicant is not port operator:
<input type="checkbox"/> Ports – Land within Port of Brisbane's port limits (<i>below high-water mark</i>)
Matters requiring referral to the Chief Executive of the relevant port authority:
<input type="checkbox"/> Ports – Land within limits of another port (<i>below high-water mark</i>)
Matters requiring referral to the Gold Coast Waterways Authority:
<input type="checkbox"/> Tidal works or work in a coastal management district (<i>in Gold Coast waters</i>)
Matters requiring referral to the Queensland Fire and Emergency Service:
<input type="checkbox"/> Tidal works or work in a coastal management district (<i>involving a marina (more than six vessel berths)</i>)

18) Has any referral agency provided a referral response for this development application?		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application		
<input type="checkbox"/> No		
Referral requirement	Referral agency	Date of referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and this development application, or include details in a schedule to this development application (<i>if applicable</i>).		

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application
<input type="checkbox"/> I do not agree to accept an information request for this development application
Note: By not agreeing to accept an information request I, the applicant, acknowledge: <ul style="list-style-type: none"> • that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties • Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules. Further advice about information requests is contained in the DA Forms Guide .

PART 7 – FURTHER DETAILS

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

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

List of approval/development application references	Reference number	Date	Assessment manager
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

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

- ☐ Yes – a copy of the receipted QLeave form is attached to this development application
☐ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid
☒ Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)

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

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

- ☐ Yes – show cause or enforcement notice is attached
☒ No

23) Further legislative requirements

Environmentally relevant activities

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

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

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

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

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

Hazardous chemical facilities

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

- ☐ Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application
☒ No

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

Clearing native vegetation

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

☐ Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)

☒ No

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

Environmental offsets

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

☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter

☒ No

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

Koala habitat in SEQ Region

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

☐ Yes – the development application involves premises in the koala habitat area in the koala priority area

☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area

☒ No

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

Water resources

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

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

☒ No

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au for further information.

DA templates are available from <https://planning.dsdmip.qld.gov.au/>. If the development application involves:

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

Waterway barrier works

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

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

☒ No

DA templates are available from <https://planning.dsdmip.qld.gov.au/>. For a development application involving waterway barrier works, complete DA Form 1 Template 4.

Marine activities

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

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

☒ No

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

Quarry materials from a watercourse or lake

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

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

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au and www.business.qld.gov.au for further information.

Quarry materials from land under tidal waters

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

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

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

Referable dams

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

- ☐ Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the Water Supply Act is attached to this development application
☒ No

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

Tidal work or development within a coastal management district

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

- ☐ Yes – the following is included with this development application:
- ☐ Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)
 - ☐ A certificate of title
- ☒ No

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

Queensland and local heritage places

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

- ☐ Yes – details of the heritage place are provided in the table below
☒ No

Note: See guidance materials at www.des.qld.gov.au for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
-----------------------------	--	-----------	--

Brothels

23.14) Does this development application involve a **material change of use for a brothel**?

- ☐ Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*
☒ No

Decision under section 62 of the Transport Infrastructure Act 1994

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

- ☐ Yes – this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)
☒ No

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

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

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

☒ No

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

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17

☒ Yes

Note: See the Planning Regulation 2017 for referral requirements

If building work is associated with the proposed development, Parts 4 to 6 of [DA Form 2 – Building work details](#) have been completed and attached to this development application

☐ Yes

☒ Not applicable

Supporting information addressing any applicable assessment benchmarks is with the development application

Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see [DA Forms Guide: Planning Report Template](#).

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)

☐ Yes

☒ Not applicable

25) Applicant declaration

☒ By making this development application, I declare that all information in this development application is true and correct

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

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

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

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

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

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

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

Date received: Reference number(s):

Notification of engagement of alternative assessment manager

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

QLeave notification and payment

Note: For completion by assessment manager if applicable

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

Owner's consent as Trustee to the making of a development application under the *Planning Act 2016*

I,

[Insert name in full.]

Chief Executive Officer

Of the Torres Strait Island Regional Council

the Trustee for the the premises identified as follows:

Lots 46 and 152 on SP256048

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

Community Enterprises Queensland

ABN: 42 060 262 890

on the premises described above for:

Reconfiguring a Lot (2 into 3 Lots) as per RPS Drawing 10358-85a, dated 17 Nov '22

Torres Strait Island Regional Council

ABN: 15 292 645 165

.....
Chief Executive Officer

.....
Date

Appendix B

Reconfiguration Proposal Plan, RPS Drawing 10358-85a, dated 17 Nov '22



IMPORTANT NOTE

This plan was prepared as a concept plan only and accuracy of all aspects of the plan have not been verified. All lots, areas and dimensions are approximate only. Subject to relevant studies, Survey, Engineering and Government approvals. No reliance should be placed on the plan and RPS AAP Consulting Pty Ltd accepts no responsibility for any loss or damage suffered howsoever arising to any person who may use or rely on this plan.

DoR DCDB.

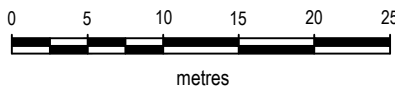
Based on or contains data provided by the State of Queensland (Department of Resources) [2022]. In consideration of the State permitting use of this data you acknowledge and agree that the State gives no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data. Data must not be used for direct marketing or be used in breach of the privacy laws. © State of Queensland (Department of Resources) [2022]

AERIAL IMAGERY.

The aerial photography used in this plan has not been rectified. The image has been overlaid as a best fit on the boundaries shown and position is approximate only.

Date of Capture: 2018

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SCALE 1:500 IS APPLICABLE ONLY TO THE ORIGINAL SHEET SIZE. (A3)

PROJECT MANAGER		SURVEYED	
Ian Doust			
COMPILED		CAD REF	
MDW		PR148152-85.dwg	
SHEET SIZE	SHEET OF SHEETS		
A3	1 OF 1		

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TSIRC

ST PAULS
Proposed lots 151,152 and 46
ROL (2 into 3 lots)
Cancelling lots 46 & 152 SP256048

SCALE	DATE	DRAWING NO.	ISSUE
1:500	17-11-2022	10358-85a	

Appendix C

Planning Scheme Code Responses

7.2.13 St Pauls (on Moa Island) – local plan code

7.2.13.3 Specific benchmarks for assessment

Table 7.2.13.3 — Assessable development

Performance outcomes	Acceptable outcomes	Applicant response
Gogobithiay (land, sea and sky)		
<p>PO1</p> <p>In limited circumstances, land within the environmental management and conservation zone can be developed for urban purposes provided that the development:</p> <ul style="list-style-type: none">(1) needs to be separated from where people live; or(2) needs to be located in a particular place or near a particular resource to be able to function; or(3) requires a large area of land that can not physically fit within the township zone; or(4) is for the purpose of town infrastructure; or(5) is required to support ailan kastom or traditional practices. <p>Editor's Note – Urban purposes is used in this document to describe all of the defined activity groups other than rural activities in schedule 1.1.1 in this planning scheme. An exception to this is part 4 of the planning scheme where urban purposes is defined as per the administrative definitions in schedule 1.2 of this planning scheme.</p>	<p>No acceptable outcome is nominated.</p>	<p>Not applicable</p> <p>The site is not within the environmental management and conservation zone</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO2</p> <p>Development does not occur within the environmental management and conservation zone unless it:</p> <ul style="list-style-type: none"> (1) minimises and mitigates impacts to areas of high and moderate environmental value; (2) maintains connectivity of habitat and fauna movement corridors; and (3) connects tracts of fragmented habitat by vegetating rehabilitation areas where possible. 	<p>No acceptable outcome is nominated.</p>	<p>Not applicable</p> <p>The site is not within the environmental management and conservation zone</p>
<p>PO3</p> <p>Development is separated from waterways and wetlands to help maintain habitat values, water quality and natural ecological and hydrological processes.</p> <p>Editor's Note – The maps provided in schedule 2 show the locations of all known waterways. It should be noted that other waterways may exist that are not shown on these maps.</p>	<p>AO3.1</p> <p>Development:</p> <ul style="list-style-type: none"> (1) provides a minimum buffer of 40m to high value waterways, wetlands and marine habitats; or (2) is no closer to these areas than existing buildings on the site. 	<p>Complies with AO3.1</p> <p>The site is located more than 40 metres from the nearest waterway.</p>
	<p>AO3.2</p> <p>Within these buffer areas, vegetation is retained, no infrastructure is established and no earthworks are carried out.</p>	<p>Complies with AO3.2</p> <p>The site is not within a waterway buffer area.</p>
<p>PO4</p> <p>Development does not introduce or spread known or potential pest or weed species by:</p> <ul style="list-style-type: none"> (1) removing existing weed or pest infestations; and (2) adopting measures to control the introduction of new pests, such as cane toads and norwegian rats, and weeds. 	<p>No acceptable outcome is nominated.</p>	<p>Complies with PO4</p> <p>The site is not identified as containing weed or pest species.</p>

Performance outcomes	Acceptable outcomes	Applicant response
PO5 Development does not occur within the water catchment area.	No acceptable outcome is nominated.	Complies with PO5 The site is not within a water catchment area.
PO6 All landscaping and revegetation is done using plants native to Moa Island.	No acceptable outcome is nominated.	Not applicable No landscaping or revegetation is proposed, only RaL development.
Natural Hazards – Coastal Hazards		
PO7 Essential community infrastructure, community facilities and accommodation activities (excluding dwelling houses and dual occupancies) are located outside of the coastal hazard area unless involving: (1) coastal-dependent development; or (2) development that is temporary or readily relocatable; or (3) the upgrade or replacement of existing essential community infrastructure, community facilities or accommodation activities. Editor's Note – Dwelling houses and dual occupancies are not made assessable under section 5 of this planning scheme, therefore, the planning scheme provisions do not apply to these land uses. However, building works approval will be required.	No acceptable outcome is nominated.	Not applicable No community infrastructure is proposed.
PO8 New lots are not created within a coastal hazard area unless the purpose of the subdivision is to create a lot over a lease area or house site established before the	AO8.1 New lots are not created within the erosion prone area or storm tide inundation area.	Complies with AO8.1 The new lots are located outside the erosion prone area and storm tide inundation area.

Performance outcomes	Acceptable outcomes	Applicant response
planning scheme was adopted.		
<p>PO9</p> <p>Unless development is coastal dependent development, temporary or readily relocatable, development within a coastal hazard area is:</p> <p>(1) sited to lessen potential risk of erosion and storm tide inundation by locating in a landward position of adjacent buildings or, where there are no adjacent buildings, the most landward position on the lot;</p> <p>(2) designed to withstand the erosion and storm tide inundation hazard; and</p> <p>(3) designed to minimise susceptibility to storm tide inundation by ensuring floor levels are above the defined food level.</p> <p>Editor's Note – To demonstrate achievement with this PO, a report prepared by a suitably qualified RPEQ (Registered Professional Engineer of Queensland) with coastal engineering experience may be required.</p> <p>Editor's Note – For the purpose of this PO, storage sheds and storage buildings associated with barge ramps, marinas and piers are considered to be coastal-dependent development.</p>	No acceptable outcome is nominated.	<p>Not applicable</p> <p>The site is not within the erosion prone area or storm tide inundation area.</p>
<p>PO10</p> <p>Essential community infrastructure is able to function effectively during and immediately after a coastal hazard.</p>	No acceptable outcome is nominated.	<p>Not applicable</p> <p>No community infrastructure is proposed.</p>
<p>PO11</p> <p>Community facilities, accommodation activities and</p>	No acceptable outcome is nominated.	<p>Complies with PO11</p> <p>The existing road network surrounding the sites would</p>

Performance outcomes	Acceptable outcomes	Applicant response
coastal dependent development provide for an evacuation route that is available at all times.		function as an adequate evacuation route.
PO12 Development involving hazardous materials manufactured or stored in bulk is not located on land subject to coastal hazard.	AO12.1 The manufacture or storage of hazardous materials in bulk does not occur within the erosion prone area or storm tide inundation area.	Not applicable No manufacture or storage of hazardous materials is proposed.
PO13 Development: (1) maintains vegetation on coastal landforms where its removal or damage may: (a) destabilise the area and increase the potential for erosion; or (b) interrupt natural sediment trapping processes or sand dune or land building processes; and (2) maintains the sediment volumes of sand dunes and near-shore coastal landforms; and maintains physical coastal processes outside the development, including longshore transport of sediment along the coast.	No acceptable outcome is nominated.	Not applicable It is not proposed to remove or destroy vegetation on the site.
PO14 Development does not result in a worsening of coastal hazards outside of the development site.	No acceptable outcome is nominated.	Complies with PO14 The site is not subject to coastal hazards.
Natural Hazards – Flooding		
PO15 Essential community infrastructure, community facilities and accommodation activities (excluding dwelling houses and dual occupancies) are located outside of a food	AO15.1 Essential community infrastructure and community facilities are not established or expanded within a food hazard area.	Complies with AO15.1 No community infrastructure or community facilities are proposed.

Performance outcomes	Acceptable outcomes	Applicant response
<p>hazard area unless involving:</p> <p>(1) development that is temporary or readily relocatable; or</p> <p>(2) the upgrade or replacement of existing essential community infrastructure, community facilities or accommodation activities.</p> <p>Editor's Note – Dwelling houses and dual occupancies are not made assessable under section 5 of this planning scheme, therefore, the planning scheme provisions do not apply to these land uses. However, building works approval will be required.</p>		
<p>PO16</p> <p>Essential community infrastructure is able to function effectively during and immediately after a flood.</p>	<p>AO16.1</p> <p>Essential community infrastructure and community facilities are not established or expanded within a flood hazard area.</p>	<p>Complies with AO16.1</p> <p>No community infrastructure or community facilities are proposed.</p>
<p>PO17</p> <p>Development involving hazardous materials manufactured or stored in bulk is not located on land subject to flood hazard.</p>	<p>AO17.1</p> <p>The manufacture or storage of hazardous material in bulk does not occur in the flood hazard area.</p>	<p>Not applicable</p> <p>This provision is not considered applicable to existing land uses/activities and no manufacture or storage of hazardous materials is intended on the proposed vacant lot.</p>
<p>PO18</p> <p>Community facilities and accommodation activities provide for an evacuation route that is available at all times.</p>	<p>No acceptable outcome is nominated.</p>	<p>Complies with PO18</p> <p>The existing road network surrounding the sites would function as an adequate evacuation route.</p>
<p>PO19</p> <p>Development for an urban purpose within a flood hazard area is designed to minimise susceptibility to flood impacts by ensuring floor levels are above the defined flood level.</p>	<p>No acceptable outcome is nominated.</p>	<p>Not applicable</p> <p>No new buildings are proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant response
Editor's Note – Urban purposes is used in this document to describe all of the defined activity groups other than rural activities in schedule 1.1.1 in this planning scheme. An exception to this is part 4 of the planning scheme where urban purposes is defined as per the administrative definitions in schedule 1.2 of this planning scheme.		
PO20 The extent of filling utilised to achieve the necessary floor levels, evacuation routes and food immunity for infrastructure is minimised.	No acceptable outcome is nominated.	Not applicable No filling is proposed.
PO21 Development does not change flooding characteristics outside of the site in a manner that results in: (1) loss of food storage; (2) loss of, or changes to, fow paths; (3) acceleration or retardation of fows; (4) increase in the depth, duration or velocity of food waters; (5) any reduction in food warning times; or (6) any other worsening of food hazards on other properties or town infrastructure. Editor's Note – To demonstrate achievement with this PO, a food assessment and hydraulic report prepared by a suitably qualified professional may be required. Editor's Note - This PO applies to all food water	No acceptable outcome is nominated.	Complies with PO21 No physical changes to the site are proposed, therefore the flooding characteristics would not change.

Performance outcomes	Acceptable outcomes	Applicant response
whether or not the flooding is caused by is caused by storm tides or heavy rainfall.		
PO22 Town infrastructure is designed to prevent the intrusion of flood waters.	No acceptable outcome is nominated.	Not applicable No new town infrastructure is proposed.
PO23 In areas other than the township expansion area, subdivision does not intensify the number of people living or working within a food hazard area.	AO23.1 New lots are not created within the food hazard area.	Complies with PO23 The proposed reconfiguring a lot represents infill development, not expansion of the township and therefore, is consistent with the intent of PO23.
PO24 Development contributes to effective and efficient disaster management response and recovery capabilities.	No acceptable outcome is nominated.	Complies with PO24 The proposed reconfiguring a lot represents infill development within the town center area, away from significant coastal impacts, which would assist effective and efficient disaster management.
Natural Hazards - Bushfire (Material Change of Use)		
PO25 Essential community infrastructure and community facilities are not established or materially intensified within a bushfire hazard area (bushfire prone area) unless there is an overriding need or other exceptional circumstances.	AO25.1 Essential community infrastructure and community facilities are not established or expanded within a bushfire hazard area.	Not applicable The site has not been identified in the Bushfire Hazard Area.
PO26 Essential community infrastructure are able to function effectively during and immediately after a bushfire.	AO26.1 Essential community infrastructure is not established or expanded within a bushfire hazard area (bushfire prone area) unless underground.	Not applicable The site has not been identified in the Bushfire Hazard Area.
PO27	AO27.1	Not applicable

Performance outcomes	Acceptable outcomes	Applicant response
Development involving hazardous materials manufactured or stored in bulk is not located within a bushfire hazard area (bushfire prone area).	The manufacture or storage of hazardous material in bulk does not occur within the bushfire hazard area (bushfire prone area).	The site has not been identified in the Bushfire Hazard Area.
<p>PO28</p> <p>Development is located and designed to ensure proposed buildings achieve a radiant heat flux level at any point on the building of:</p> <p>(1) 10kW/sqm where involving essential community infrastructure or community facilities; or</p> <p>(2) 29kW/sqm for all other uses.</p> <p>Editor's Note - The radiant heat flux level is to be achieved by separation unless this is not practically achievable.</p> <p>Editor's Note – The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959- 2009.</p>	<p>AO28.1</p> <p>Buildings are separated from hazardous vegetation by a distance that:</p> <p>(1) achieves a radiant heat flux level at any point on the building of 10kW/sqm, where involving essential community infrastructure or community facilities, or 29kW/sqm for all other uses; and</p> <p>(2) is contained wholly within the development site.</p> <p>Editor's Note – Where a separation distance is to be achieved utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation.</p>	<p>Not applicable</p> <p>The site has not been identified in the Bushfire Hazard Area.</p>
<p>PO29</p> <p>All premises are provided with vehicular access that enables safe evacuation for occupants and easy access by fire fighting appliances.</p>	No acceptable outcome is nominated.	<p>Not applicable</p> <p>The site has not been identified in the Bushfire Hazard Area.</p>
<p>PO30</p> <p>Development outside reticulated water supply areas includes a dedicated static supply that is available solely for fire fighting purposes and can be accessed by fire fighting appliances.</p>	<p>AO30.1</p> <p>A water tank is provided within 10m of each building (other than a class 10 building) which:</p> <p>(1) is either below ground level or of non-flammable construction;</p> <p>(2) has a take off connection at a level that allows the following dedicated, static water supply to be left available for access by fire fighters:</p>	<p>Not applicable</p> <p>The site has not been identified in the Bushfire Hazard Area.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	(a) 10,000L for residential buildings; (b) 45,000L for industrial buildings; and (c) 20,000L for other buildings; and (3) is provided with fire brigade tank fittings - 50mm ball valve and male camlock coupling and, if underground, an access hole of 200mm (minimum) to accommodate suction lines.	
PO31 Landscaping uses species that are less likely to exacerbate a bushfire and does not increase fuel loads within separation areas.	No acceptable outcome is nominated.	Not applicable The site has not been identified in the Bushfire Hazard Area.
PO32 Bushfire risk mitigation treatments do not have a significant impact on the natural environment or landscape character of the locality.	No acceptable outcome is nominated.	Not applicable The site has not been identified in the Bushfire Hazard Area.
Natural Hazards - Bushfire (Reconfiguration of a Lot)		
PO33 Where subdivision is being undertaken for an urban purpose or within the township zone, a separation distance from hazardous vegetation is provided to achieve a radiant heat flux level of 29kW/sqm at the boundary of the proposed lots. Editor's Note – Urban purposes is used in this document to describe all of the defined activity groups other than rural activities in schedule 1.1.1 in this planning scheme. An exception to this is part 4 of the planning scheme where urban purposes is defined as per the	AO33.1.1 No new lots are created within a bushfire hazard area (bushfire prone area). OR AO33.1.2 Lots are separated from hazardous vegetation by a distance that: (1) achieves a radiant heat flux level of 29kW/sqm at all lot boundaries; and (2) is contained wholly within the development site.	Not applicable The site has not been identified in the Bushfire Hazard Area.

Performance outcomes	Acceptable outcomes	Applicant response
<p>administrative definitions in schedule 1.2 of this planning scheme.</p> <p>Editor's Note – The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959- 2009.</p>	<p>Editor's Note – Where a separation distance is to be achieved utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation.</p>	
<p>PO34</p> <p>Where subdivision is undertaken for a purpose other than an urban purpose, a building envelope of reasonable dimensions is provided on each lot which achieves a radiant heat flux level of 29kW/sqm at any point.</p>	<p>No acceptable outcome is nominated.</p>	<p>Not applicable</p> <p>The site has not been identified in the Bushfire Hazard Area.</p>
<p>PO35</p> <p>The development design responds to the potential threat of bushfire and establishes clear evacuation routes which demonstrate an acceptable or tolerable risk to people, by:</p> <ol style="list-style-type: none"> (1) minimising the length of the development perimeter exposed to, or adjoining hazardous vegetation; (2) avoiding the creation of potential bottle-neck points in the movement network; (3) establishing direct access to a safe assembly/ evacuation area in the event of an approaching bushfire; and (4) ensuring roads likely to be used in the event of a fire are designed to minimise traffic congestion. 	<p>No acceptable outcome is nominated.</p>	<p>Not applicable</p> <p>The site has not been identified in the Bushfire Hazard Area.</p>
Natural Hazards – Landslide		
<p>PO36</p>		<p>Not applicable</p>

Performance outcomes	Acceptable outcomes	Applicant response
Development does not result in an increase in risk to people and buildings from landslide hazard. Editor's Note – To demonstrate compliance with this PO, a geotechnical engineering report prepared by an experienced geotechnical professional may be required.	No acceptable outcome is nominated.	The site has not been identified in the landslide hazard area.
PO37 Access is available to the site during and after a landslide.	No acceptable outcome is nominated.	Not applicable The site has not been identified in the landslide hazard area.
PO38 Landslide control structures or works are contained wholly within the development site.	No acceptable outcome is nominated.	Not applicable The site has not been identified in the landslide hazard area.
PO39 Landslide risk mitigation treatments do not have a significant impacts are area of high environmental value and medium environmental value.	No acceptable outcome is nominated.	Not applicable The site has not been identified in the landslide hazard area.
PO40 Development involving hazardous materials manufactured or stored in bulk is not located on land subject to landslide hazard.	AO40.1 The manufacture or storage of hazardous material in bulk does not occur in the landslide hazard area.	Not applicable The site has not been identified in the landslide hazard area.
PO41 Essential community infrastructure and community facilities are able to function effectively during and immediately after a landslide.	AO41.1 Essential community infrastructure and community facilities are not established or expanded within a landslide hazard area.	Not applicable The site has not been identified in the landslide hazard area.
Torres Strait People and Townships		

Performance outcomes	Acceptable outcomes	Applicant response
PO42 New commercial and government uses, other than home based businesses, industrial activities, community facilities and waterfront activities, are consolidated within the township centre core area.	No acceptable solution is nominated.	Complies with PO42 The proposal will provide the opportunity for an alternate commercial or government use to be established on the land in place of its current vacant unused state.
PO43 Industrial activities minimise any noise, odour or other emissions and do not impact on the community's ability to enjoy their lifestyle.	No acceptable outcome is nominated.	Not applicable The proposal is related to reconfiguring a lot.
PO44 Multiple dwellings occur within the township zone and are located, designed and oriented to create pleasant, safe and attractive living environments, including through: (1) interspersing with lower density forms of accommodation activities; (2) provision of generous outdoor open space suited to tenant needs; (3) creation of privacy within individual dwellings; (4) provision of an attractive outlook from individual dwellings; (5) optimum access to cooling breezes to dwellings; (6) provision of main building entrances, verandahs and windows that allow overlooking of the street; and (7) screening along site boundaries or dwelling openings to obscure any undesirable views.	No acceptable solution is nominated.	Not applicable The proposal is related to reconfiguring a lot.

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO45</p> <p>Accommodation activities and community facilities are located and sited so that visual, lighting, noise and other impacts do not unduly affect residents and visitors to the site.</p>	<p>AO45.1</p> <p>Accommodation activities and community facilities are separated from:</p> <ul style="list-style-type: none"> (1) existing and future substations by a minimum distance of 50m; and (2) existing and future sea and air transport infrastructure by a minimum distance of 100m. 	<p>Not applicable</p> <p>No new accommodation activities or community facilities are proposed.</p>
<p>PO46</p> <p>Development within the township expansion precinct:</p> <ul style="list-style-type: none"> (1) is primarily for the purpose of accommodation activities; (2) connects to surrounding streets and parks to allow easy movement for pedestrians and vehicles between older and newer parts of town; (3) minimises runoff, wastage of water and negative impacts on water quality by retaining natural drainage lines, maximising permeable surfaces and, where possible, maximising opportunities for reuse of water; (4) provides for building orientation that maximises access to cooling breezes; (5) includes a local park in a central location that caters to the needs of future residents of the new development and can be easily seen from residential areas; (6) is sequenced to allow efficient connections or upgrades to town infrastructure such as roads, water, waste water, drainage and 	<p>No acceptable solution is nominated.</p>	<p>Not applicable</p> <p>The site is not within the township expansion precinct.</p>

Performance outcomes	Acceptable outcomes	Applicant response
electricity; and (7) includes landscaping in streets and public areas.		
PO47 Community facilities, particularly those accommodating child care, educational, training and health services are located within the township zone.	No acceptable solution is nominated.	Not applicable No community facilities are proposed.
PO48 Development that may be incompatible with or compromise the ongoing operation or expansion of community facilities does not occur near these uses.	No acceptable solution is nominated.	Complies with PO48 The proposed reconfiguring a lot would not impact the ongoing operation or expansion of community facilities in the surrounding area.
PO49 Where possible, community facilities are co-located, multi-purpose and flexible to be able to respond to the changing needs of the community over time.	No acceptable solution is nominated.	Not applicable No community facilities are proposed.
PO50 Opportunities are taken to subdivide existing residential lots to provide access to traditional family land and so that additional housing can be provided within the township zone	No acceptable solution is nominated.	Not Applicable The proposed subdivision does not relate to an existing residential lot.
PO51 Development within the township expansion precinct does not preclude relocating the township core to a location within the precinct at a future time.	No acceptable solution is nominated.	Not applicable The site is not within the township expansion precinct.

Performance outcomes	Acceptable outcomes	Applicant response
Ailan Kastom and Cultural Heritage		
PO52 The continued practice of Ailan Kastom is facilitated and not impeded by development.	No acceptable solution is nominated.	Complies with PO52 The proposed changes would not impede the continued practice of Ailan Kastom.
PO53 Development does not cause run off, soil erosion or other impacts that may lessen the significance or use of nearby cultural heritage places and sacred sites. Editor's Note – Places shown as sacred sites and significant trees are potential locations of cultural heritage value. Other locations of cultural heritage value will exist that are not shown on the maps in schedule 2. It is recommended that, prior to the commencement of new development: <ul style="list-style-type: none"> consultation with Traditional Owners, the relevant native title prescribed body corporates and TSIRC and is undertaken to identify potential cultural heritage values and where these exist, appropriate responses; cultural heritage surveys are undertaken prior to the ground disturbing activities taking place; and a local Torres Strait Islander Traditional Owner is employed as a cultural heritage manager and monitor throughout construction works. 	No acceptable solution is nominated.	Complies with PO53 The proposed reconfiguring a lot would not facilitate soil erosion or runoff.
Getting Around		

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO54</p> <p>Development does not impact on St Pauls' air and sea transport infrastructure, including the barge ramp, finger pier and associated facilities, or the efficient and safe operation of services from these facilities.</p>	No acceptable solution is nominated.	<p>Complies with PO54</p> <p>The proposed development would not impact St Pauls' air and sea transport infrastructure.</p>
<p>PO55</p> <p>Where upgrading existing, or establishing new, barge ramps or piers, development:</p> <p>(1) is designed to minimise noise, lighting and other disturbances to residents and users of accommodation activities and community facilities;</p> <p>and</p> <p>(2) provides for nearby set down or storage areas to avoid congestion around the facility.</p> <p>/ Editor's Note – Only development above high water mark is assessable against this planning scheme.</p>	No acceptable solution is nominated.	<p>Not applicable</p> <p>The proposal is related to reconfiguring a lot.</p>
<p>PO56</p> <p>Roads and associated culverts do not increase the concentration and flow of water through the township zone and contribute to problems of coastal erosion.</p>	No acceptable outcome is nominated.	<p>Not applicable</p> <p>No new roads or culverts are proposed.</p>
<p>PO57</p> <p>Development does not impede the future ability to construct a hardstand helicopter landing pad in the location shown as future helipad or an alternative location to be determined by Council.</p>	No acceptable solution is nominated.	<p>Complies with PO57</p> <p>The proposed reconfiguring a lot would not impede the future ability to construct a hardstand helicopter landing pad.</p>

Performance outcomes	Acceptable outcomes	Applicant response
Town Infrastructure		
PO58 Waste materials generated from construction activities are reused or recycled, wherever possible, to minimise reliance on local waste facilities.	No acceptable solution is nominated.	Not applicable Only reconfiguring a lot development.
PO59 The visual impact of town infrastructure is minimised.	No acceptable solution is nominated.	Not applicable Only reconfiguring a lot development.
PO60 Town infrastructure is located and designed to avoid or minimise impacts on the community resulting from noise, odour and other emissions.	No acceptable outcome is nominated.	Not applicable No town infrastructure is proposed.
PO61 Development is separated from land identified for a waste facility or for the expansion of the existing waste facility.	No acceptable outcome is nominated.	Not applicable Only reconfiguring a lot development.
PO62 New development increases or maintain separation to major drainage channels.	No acceptable outcome is nominated.	Not applicable Only infill development within the main town center area.

8.2.1 Infrastructure and works code

8.2.1.1 Application

- (1) This code applies where identified in the assessment benchmarks in the categories of development and assessment column of table 5.5.1 in part 5 of this planning scheme.
- (2) When using this code, reference should be made to section 5.3.

8.2.1.2 Purpose

- (1) The purpose of the infrastructure and works code is to ensure development is provided with infrastructure and services in accordance with recognised standards.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) works are carried out with an appropriate level of service and safety;
 - (b) infrastructure is provided in a cost-effective, efficient and coordinated manner; and
 - (c) works do not cause negative impacts to environmental values or people.

8.2.1.3 Specific benchmarks for assessment

Table 8.2.1.3 – Assessable development

Performance outcomes	Acceptable outcomes	Applicant Response
General		
PO1 All lots are provided with access to services including: <ol style="list-style-type: none">1) waste water disposal;2) water supply services;3) electricity services; and4) telecommunications services.	AO1.1 The lot is connected to reticulated water supply, sewerage service, electricity and telecommunications.	Able to comply with AO1.1 The proposed additional lot is able to be connected to all available urban services.
Earthworks		
PO2 The design and construction of site earthworks is undertaken in a safe and efficient manner while minimising impacts to adjoining properties and	AO2.1 Design of site earthworks is undertaken in accordance with: <ol style="list-style-type: none">1) FNQROC Operational Works Design Guideline	Not applicable No earthworks are proposed.

Performance outcomes	Acceptable outcomes	Applicant Response
environmental values.	D2, Site Regrading; 2) FNQROC Operational Works Design Guidelines D5, Stormwater Quality; and 3) Department of Transport & Main Roads Technical Standard MRTS04, General Earthworks.	
	A02.2 Construction of site earthworks is undertaken in accordance with: 1) FNQROC Operational Works Specification S1, Earthworks; and 2) Department of Transport & Main Roads Standard Specification MRS04, General Earthworks.	Not applicable No earthworks are proposed.
Roadways, Pathways and Cycleways		
PO3 New roads are designed and constructed to be able to: 1) accommodate walking, cycling and vehicle movements; 2) provide on street parking; and 3) incorporate services and drainage.	No acceptable solution is nominated.	Not applicable No new roads are proposed.
PO4 Where roadways, pathways and cycleways are to be provided, design and construction is undertaken in a safe, cost-effective, coordinated and efficient manner.	A04.1 Design of roadways, pathways and cycleways is undertaken in accordance with: 1) FNQROC Operational Works Design Guideline D1, Road Geometry; 2) FNQROC Operational Works Design Guidelines D3, Road Pavements; 3) FNQROC Operational Works Design Guidelines D4 Stormwater Drainage	Not applicable No new roads are proposed.

Performance outcomes	Acceptable outcomes	Applicant Response
	4) Department of Transport & Main Roads Technical Standard MRTS05, Unbound Pavements; 5) Department of Transport & Main Roads Technical Standard MRTS11, Sprayed Bituminous Surfacing; and 6) Department of Transport & Main Roads Technical Standard MRTS22, Supply of Cover Aggregate.	
	AO4.2 Construction of roadways are undertaken in accordance with: 1) FNQROC Operational Works Specification S2, Road Pavements; 2) FNQROC Operational Works Specification S3, Segmental Paving; 3) FNQROC Operational Works Specification S4, Stormwater Drainage; 4) Department of Transport & Main Roads Standard Specification MRS05, Unbound Pavements; 5) Department of Transport & Main Roads Standard Specification MRS11, Sprayed Bituminous Surfacing; and 6) Department of Transport & Main Roads Standard Specification MRS22, Supply of Cover Aggregate.	Not applicable No new roads are proposed.
Traffic and Driveway Crossovers		
PO5 Sites are managed during construction to minimize negative traffic impacts to existing roads.	AO5.1 All site works are managed in accordance with Manual of Uniform Traffic Control Devices (MUTCD) Part 3, Works on Roads.	Not applicable No site works are proposed.

Performance outcomes	Acceptable outcomes	Applicant Response
PO6 Driveways are provided to a standard that protects community safety and the safe and efficient operation of transport networks.	AO6.1 A driveway crossover to each lot is designed and constructed in accordance with the FNQROC Regional Development Manual, Standard Drawings.	Not applicable If required, the proposed additional lot is able to comply.
Water Supply		
PO7 Where lots are intended to be connected to a water supply, the design and construction is undertaken in a safe, cost-effective, coordinated and efficient manner that supports sustainable development practices.	AO7.1 Design and construction of water supply systems is undertaken in accordance with FNQROC Operational Works Design Guidelines D6, Water Reticulation.	Able to comply with AO7.1 The proposed additional lot is able to be connected to the water supply in accordance with the relevant standards.
Sewerage Infrastructure		
PO8 Where lots are intended to be provided with reticulated sewerage, the design and construction is undertaken in a safe, cost effective, coordinated and efficient manner that supports sustainable development practices.	AO8.1 Design and construction of sewerage systems is undertaken in accordance with FNQROC Operational Works Design Guidelines D7, Sewerage System.	Able to comply with AO8.1 The proposed additional lot is able to be connected to the sewerage system in accordance with the relevant standards.
Service Conduits		
PO9 The design and construction of the service conduits is undertaken in a safe, cost effective, coordinated and efficient manner that supports sustainable development practices.	AO9.1 The design of service conduits is undertaken in in accordance with FNQROC Operational Works Design Guidelines D8, Utilities.	Able to comply with AO9.1 If required, the proposed additional lot is able to comply.

8.2.2 Reconfiguring a lot code

8.2.2.1 Application

This code applies where identified in the assessment benchmarks in the categories of development and assessment column of table 5.5.1 in part 5 of this planning scheme.

When using this code, reference should be made to section 5.3.

8.2.2.2 Purpose

- (1) The purpose of the reconfiguring a lot code is to provide for good subdivision design that:
 - (a) is consistent with the creation of connected, accessible, pleasant and safe communities; and
 - (b) promotes the efficient use and servicing of land.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development helps to create pleasant, safe and attractive living environments;
 - (b) the layout, size and dimensions of lots are suited to the intended use of the land including buildings, associated structures, vehicle access, parking and recreation areas;
 - (c) the design and layout of lots is responsive to the natural environment, including its topography, drainage flow paths, slope of the land, environmental and natural resource values;
 - (d) development meets the needs of the community for a range of different housing types;
 - (e) the orientation and layout of lots allows buildings to be positioned in a way that is suited to the local climate and to reduce demand for energy and water;
 - (f) public open spaces are well designed, centrally located and sufficient to meet the needs of the community;
 - (g) the street system provides for safe and convenient traffic flows and supports pedestrian and cyclist movement;
 - (h) development is logically coordinated to maximise the efficient use of transport, energy, water and sewage infrastructure.

8.2.2.3 Specific benchmarks for assessment

Table 8.2.2.3 (a) – Assessable development

Performance outcomes	Acceptable outcomes	Applicant Response
General		
PO1 The layout of new lots: (1) responds to the site characteristics, including natural features, views and topography; and (2) minimises the need for earthworks.	No acceptable solution is nominated.	Complies with PO1 The layout of the new lots would be in accordance with the existing character of the area. No changes are proposed to the built form of the sites.
Accessible and Pleasant Residential Areas		
PO2 The layout of new lots: (1) is easily accessible by people walking and cycling; and (2) is well connected to other facilities and township areas, including community facilities and public parks.	No acceptable solution is nominated.	Complies with PO2 The proposed new lots are located within the St Pauls Township and would have adequate access to the surrounding community and facilities.
PO3 Street orientation, lot orientation and lot size facilitate development that conserves non-renewable energy sources and enhances climate responsiveness by: (1) optimising an east-west orientation for the long axis of street blocks or where north-south street orientation is unavoidable, proportioning lots to allow for appropriate building orientation; and (2) creating lots that are generally rectangular in shape.	No acceptable solution is nominated.	Complies with PO3 The proposed lots are generally rectangular in shape. Due to the existing buildings on the lots and existing road structure in the area, orientating the blocks east-west is practical in this instance.

Performance outcomes	Acceptable outcomes	Applicant Response
PO4 Residential lots are not subjected to unreasonable nuisance noise and air quality impacts.	AO4.1 Residential lots are located more than: <ol style="list-style-type: none"> (1) 100m (straight line measurement) of existing or future air services, animal keeping, animal husbandry, cropping, emergency services, high impact industry, intensive animal industry, intensive horticulture, major electricity infrastructure, medium impact industry, major sport facility, renewable energy facility, service station, special industry, substation, telecommunications facility, transport depot and utility installation; (2) 1,000m (straight line measurement) of existing extractive industries involving blasting or crushing; and (3) 200m (straight line measurement) of existing extractive industries not involving blasting or crushing. 	Complies with AO4.1 The proposed additional lot has adequate separation distances from uses that would pose unreasonable nuisance noise and air quality impacts.
Safe Communities		
PO5 The design and layout of lots helps to make communities safe for residents and visitors by: <ol style="list-style-type: none"> (1) creating an interconnected grid street pattern; (2) avoiding the creation of rear lots except where necessary to gain access to traditional land by Traditional Owners; (3) providing public parks that are centrally located to maximise overlooking from nearby development; and (4) facilitating walking and cycling. 	No acceptable solution is nominated.	Complies with PO5 The proposed reconfiguring a lot would not create rear lots and align with the existing road pattern of St Pauls. The existing built form of the site is not proposed to be changed by the development.

Performance outcomes	Acceptable outcomes	Applicant Response
Road Access		
PO6 Residential lots have road frontages that are of sufficient width to allow easy and safe access.	AO6.1 All lots, other than rear lots, have a minimum road frontage of 10m.	Complies with AO6.1 Each of the proposed lots would be provided with a road frontage of greater than 10 metres
Lot Size and Dimensions		
PO7 Rear lots are established only where necessary in order to: (1) facilitate access to traditional land by Traditional Owners; or (2) avoid subdivision of land unsuitable for development, such as land affected by natural hazards.	No acceptable solution is nominated.	Not applicable No rear lots are proposed.
PO8 Subdivision results in lots of a size, shape and orientation that allows for: (1) siting of a building required for the intended use; (2) front, rear and side building setbacks consistent with surrounding development; (3) on-site parking and private open space, including space for zarzars and outdoor kitchens for feasting, where required; (4) a mix of lot sizes to allow for small and large dwellings, dual occupancies and multiple dwellings; and (5) on-site sewage treatment where reticulated sewerage is not available.	AO8.1 <i>For all lots:</i> Minimum lot size is in accordance with table 8.2.3.3 (b).	Complies with AO8.1 In accordance with table 8.2.3.3(b), the minimum lot size for the area is 300m ² . The proposed lots would be a minimum of 1347m ² .
	AO8.2 <i>For rear lots:</i> An access strip or easement is provided for access, which: (1) has a minimum width of 4m; and (2) has a maximum length of 40m.	Not applicable No rear lots are proposed.

Performance outcomes	Acceptable outcomes	Applicant Response
Road Function and Layout		
PO9 The road network accommodates the following primary functions: (1) access to lots; (2) social and activity space; (3) stormwater drainage paths; (4) utility services location; and (5) streetscape and landscaping.	No acceptable solution is nominated.	Not applicable No roads are proposed.
PO10 Intersections along residential streets are spaced to create safe and convenient pedestrian movements.	AO10.1 Block lengths are no greater than 100m.	Not applicable No roads are proposed.

Table 8.2.3.3 (b) – Minimum Lot Size

Acceptable outcomes (AO)	
Environmental Management and Conservation Zone	10ha
Township Zone where reticulated sewerage is available	300sqm
Township Zone where no reticulated sewerage is available	2000sqm

8.2.3 Water quality and acid sulfate soils code

8.2.3.1 Application

- (1) This code applies where identified in the assessment benchmarks in the categories of development and assessment column of tables 5.4.1, 5.4.2, 5.5.1 or 5.7.1, in part 5 of this planning scheme.
- (2) When using this code, reference should be made to section 5.3.

8.2.3.2 Purpose

- (1) The purpose of the water quality and acid sulfate soils code is to ensure that development effectively manages stormwater run-off and acid sulfate soils to protect the environmental values and quality of Torres Strait Island fresh and marine waters.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) the environmental values of Torres Strait waterways, wetlands and marine areas are protected or enhanced;
 - (b) stormwater run-off does not reduce the quality of receiving waters, including waterways, wetlands and marine areas;
 - (c) stormwater is managed to ensure that the impacts of overland flow and flooding are not worsened for people or property;
 - (d) the natural flow regime, including flow paths and quantity, is maintained to the extent possible;
 - (e) potential negative impacts resulting from acid sulfate soils, erosion and sediment flow are avoided;
 - (f) stormwater, water quality and erosion control infrastructure is:
 - (i) provided in a cost effective and efficient manner; and
 - (ii) located and designed to minimise whole-of-lifecycle costs.

8.2.3.3 Specific benchmarks for assessment

Table 8.2.3.3(a) – Assessable development

Performance Outcome	Acceptable Outcome	Applicant Response
Water Quality		
PO1 Development contributes to the protection of environmental values of receiving waters and meets the water quality objectives nominated for the Torres Strait region during both construction and operation.	AO1.1 <i>For development involving a site area of 2,500sqm or more, six or more residential lots, or six or more dwellings:</i> Stormwater run-off leaving the development site complies with the stormwater quality objectives set out in table 8.2.3.3(b) and 8.2.3.3(c).	Complies with PO1 No changes to the existing stormwater management regime are proposed.

Performance Outcome	Acceptable Outcome	Applicant Response
PO2 The entry and transport of contaminants in stormwater or wastewater is avoided or minimised.	No acceptable outcomes are nominated.	Complies with PO2 No changes to the existing stormwater management regime are proposed.
PO3 During construction and operation, development does not discharge wastewater into waterways unless: (1) it cannot practicably be avoided; (2) the wastewater discharge is minimised through re-use, recycling, recovery and treatment for disposal to sewer, surface water and groundwater; (3) ecological processes, riparian vegetation, waterway integrity and downstream ecosystem health are maintained. Editor's Note – To demonstrate achievement with this PO, a wastewater management plan (WWMP) and stormwater quality management plan (SQMP) prepared by a suitably qualified person may be required.	No acceptable outcomes are nominated.	Not applicable No construction or operational changes would occur as a result of this reconfiguring a lot proposal.
PO4 Acid, iron, aluminium and other metals are not released into waterways through wastewater discharge.	AO4.1 Wastewaters are managed so that: (1) the pH of any wastewater discharged is maintained between 6.5 and 8.5 to avoid mobilisation of acid, iron, aluminium and metals; (2) holding times of neutralised wastewaters ensures the flocculation and removal of any dissolved iron prior to release; (3) visible iron floc is not present in any discharge; (4) precipitated iron floc is contained and disposed of; and (5) wastewater and precipitates that cannot be contained and treated for discharge on site are removed and disposed of through trade waste and	Complies with PO4 The existing uses on the site would not release metals into waterway through wastewater discharge under normal circumstances.

Performance Outcome	Acceptable Outcome	Applicant Response
	another lawful method.	
Stormwater Drainage Design		
PO5 Wherever practicable, natural drainage lines and associated natural hydraulic capacity are retained.	AO5.1 All existing natural waterways and overland flow paths are retained.	Complies with AO5.1 No waterways and overland flow paths would be affected by the proposed development.
PO6 The stormwater drainage system maintains the pre-development velocity and quantity of run-off outside of the site and does not otherwise worsen or cause nuisance to adjacent upstream or downstream land.	No acceptable outcomes are nominated.	Not applicable No changes to the existing stormwater management regime are proposed.
PO7 The stormwater drainage system is designed to function in the event of a minor system blockage.	No acceptable outcomes are nominated.	Not applicable No changes to the existing stormwater management regime are proposed.
PO8 Roof and surface run-off is managed to prevent stormwater flows from entering buildings and to be directed to a lawful point of discharge.	No acceptable outcomes are nominated.	Not applicable No changes to the existing stormwater management regime are proposed.
PO9 Where located within open space, stormwater devices or functions do not reduce the utility of that space for its intended recreational or ecological functions.	No acceptable outcomes are nominated.	Not applicable No changes to the existing stormwater management regime are proposed.
PO10 The full extent of maintenance requirements and costs associated with devices used within the stormwater system are minimised.	No acceptable outcomes are nominated.	Not applicable No changes to the existing stormwater management regime are proposed.
Port Services		
PO11 Development involving port services provides facilities for	No acceptable outcomes are nominated.	Not applicable No port services are proposed.

Performance Outcome	Acceptable Outcome	Applicant Response
<p>the handling and disposal of ship-sourced pollutants by:</p> <ul style="list-style-type: none"> (1) providing common user facilities for the handling and disposal of ship-sourced pollutants including oil, garbage and sewage; (2) designing and operating the facilities to ensure the risk of spillage from operations is minimised; (3) storing appropriate equipment to contain and remove spillages in a convenient position near the facility that is available for immediate use; and (4) allowing for boats visiting the facility to make use of ship-sourced pollutants reception facilities. <p>Editor's Note – Refer to: Australian and New Zealand Environment and Conservation Council (ANZECC), 1997, Best Practice Guidelines for Waste Reception Facilities at Ports, Marinas and Boat Harbours in Australia and New Zealand.</p> <p>Editor's Note – Reception facilities require code assessment under the <i>Plumbing and Drainage Act 2002</i>. The plumbing code assessment process will ensure that the proposed facilities address 'peak load'.</p>		
Erosion Prevention and Sediment Control		
<p>PO12</p> <p>Development does not increase:</p> <ul style="list-style-type: none"> (1) the concentration of total suspended solids or other contaminants in stormwater flows during site construction; and (2) run-off which causes erosion either on site or off site. <p>Editor's Note – In order to demonstrate compliance with PO12-PO16, an erosion and sediment control plan prepared by a suitably qualified RPEQ (Registered Professional Engineer of Queensland), Certified Practising Soil Scientist (CPSS) or Certified Professional</p>	<p>No acceptable outcomes are nominated.</p>	<p>Not applicable</p> <p>No physical changes are proposed. It is considered unlikely the Reconfiguring a Lot proposal would create additional erosion or sediment flows through stormwater.</p>

Performance Outcome	Acceptable Outcome	Applicant Response
in Erosion and Sediment Control (CPESC) may be required. Such a plan should address the design parameters set out in table 8.2.3.3(b) and 8.2.3.3(c).		
PO13 Development avoids unnecessary disturbance to soil, waterways or drainage channels.	No acceptable outcomes are nominated.	Not applicable No physical changes are proposed. It is considered unlikely the Reconfiguring a Lot proposed would create unnecessary disturbance to soil, waterways or drainage channels.
PO14 All soil surfaces are effectively stabilised against erosion.	No acceptable outcomes are nominated.	Not applicable No physical changes are proposed. It is considered unlikely the Reconfiguring a Lot proposed would create additional erosion of soils.
PO15 The functionality of stormwater infrastructure is protected from the impacts of erosion, turbidity and sedimentation, both within and external to the development site.	No acceptable outcomes are nominated.	Not applicable No physical changes are proposed. It is considered unlikely the Reconfiguring a Lot proposed would create additional erosion of soils into stormwater infrastructure.
PO16 Areas outside the development site are not adversely impacted by erosion or sedimentation.	No acceptable outcomes are nominated.	Not applicable No physical changes are proposed. It is considered unlikely the Reconfiguring a Lot proposed would create additional erosion or sedimentation into areas outside the development site.
Acid Sulfate Soils		
PO17 For development within an area identified as potentially affected by acid sulfate soils on the local plan maps in Schedule 2, the generation or release of acid and metal contaminants into the environment from acid sulfate soils is avoided by: (1) avoiding the disturbance of acid sulfate soils when excavating or otherwise removing soil or sediment, draining or extracting groundwater, excluding tidal	AO17.1 Development does not involve: (1) excavating or otherwise removing 100 cubic meters or more of soil or sediment at or below 5m AHD; (2) permanently or temporarily extracting groundwater resulting in the aeration of of previously saturated acid sulfate soils; or	Not applicable The sites are not identified as containing acid sulfate soils.

Performance Outcome	Acceptable Outcome	Applicant Response
<p>water or filling land; or</p> <p>(2) where disturbance of acid sulfate soils can not be avoided, development:</p> <p>(a) neutralises existing acidity and prevents the generation of acid and metal contaminants; and</p> <p>(b) prevents the release of surface or groundwater flows containing acid and metal contaminants into the environment.</p> <p>Editor's Note – Where works are propose within an area identified as potentially affected by acid sulfate soils, it is likely that an onsite acid sulfate soils investigation will be required. Where acid sulfate soils can not reasonably be avoided, investigation results assist in the planning of treatment and remedial activities and must be undertaken in accordance with the Queensland Acid Sulfate Soil Technical Manual. Applicants should also refer to the Guidelines for Sampling Analysis of Lowland Acid Sulfate Soils in Queensland, Acid Sulfate Soils Laboratory Methods Guidelines or Australian Standard 4969. It is highly recommended that the applicant develop a practical Acid Sulfate Management Plan for use in monitoring and treating acid sulfate soils.</p>	<p>(3) filling in excess of 500 cubic meters with an average depth of 0.5m or greater that results in:</p> <p>(a) actual acid sulfate soils being moved below the water table; or</p> <p>(b) previously saturated acid sulfate soils being aerated.</p>	

Table 8.2.3.3(b) – Stormwater Management Design Objectives: Construction Phase

Issue		Design Objective
Drainage control	Temporary drainage works	<p>(1) Design life and design storm for temporary drainage works:</p> <p>(a) Disturbed area open for <12 months—1 in 2-year ARI event</p> <p>(b) Disturbed area open for 12–24 months—1 in 5-year ARI event</p> <p>(c) Disturbed area open for > 24 months—1 in 10-year</p>

		<p>ARI event</p> <p>(2) Design capacity excludes minimum 150 mm freeboard</p> <p>(3) Temporary culvert crossing—minimum 1 in 1-year ARI hydraulic capacity</p>
Erosion control	Erosion control measures	<p>(1) Minimise exposure of disturbed soils at any time</p> <p>(2) Divert water run-off from undisturbed areas around disturbed areas</p> <p>(3) Determine the erosion risk rating using local rainfall erosivity, rainfall depth, soil-loss rate or other acceptable methods</p> <p>(4) Implement erosion control methods corresponding to identified erosion risk rating</p>
Sediment control	<p>Sediment control measures</p> <p>Design storm for sediment control basins</p> <p>Sediment basin dewatering</p>	<p>(1) Determine appropriate sediment control measures using:</p> <ul style="list-style-type: none"> (a) potential soil loss rate, or (b) monthly erosivity, or (c) average monthly rainfall <p>(2) Collect and drain stormwater from disturbed soils to sediment basin for design storm event:</p> <ul style="list-style-type: none"> (a) design storm for sediment basin sizing is 80th% five-day event or similar <p>(3) Site discharge during sediment basin dewatering:</p> <ul style="list-style-type: none"> (a) TSS < 50 mg/L TSS, and (b) Turbidity not >10% receiving waters turbidity, and (c) pH 6.5–8.5
Water quality	Litter and other waste, hydrocarbons and other contaminants	<p>(1) Avoid wind-blown litter; remove gross pollutants</p> <p>(2) Ensure there is no visible oil or grease sheen on released waters</p> <p>(3) Dispose of waste containing contaminants at authorised facilities</p>
Waterway stability and flood flow	Changes to the natural waterway hydraulics and	<p>(1) For peak flow for the 1-year and 100-year ARI event, use constructed sediment basins to attenuate the discharge</p>

management	hydrology	rate of stormwater from the site
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Table 8.2.3.3(c) – Stormwater Management Design Objectives: Post Construction Works

Issue		Design Objective
Minimum reductions in mean annual load from unmitigated development (%)	Total suspended solids (TSS)	80 or in lieu of modelling, provide a bio-retention treatment area that is 1.5% of the contributing catchment area.
	Total phosphorus (TP)	60 or in lieu of modelling, provide a bio-retention treatment area that is 1.5% of the contributing catchment area.
	Total Nitrogen (TN)	40 or in lieu of modelling, provide a bio-retention treatment area that is 1.5% of the contributing catchment area.
	Gross pollutants > 5mm	90 or in lieu of modelling, provide a bio-retention treatment area that is 1.5% of the contributing catchment area.