

1. GENERAL

Responsible Officer: Glenn Hammill

APPLICATION DETAILS	
Proposed Development	Reconfiguring a Lot - Development Permit for Subdivision (1 into 28 Lots)
Applicant:	ARL No. 8 Pty Ltd C/- PeakUrban Pty Ltd
Lodgment Date:	15 January 2021
Decision Due Date:	8 December 2021

PROPERTY DETAILS	
Division:	10
Property Address:	"Yallambi" 79 Farm Road BUNYA QLD 4055
RP Description:	Lot 39 S 31417
Land Area:	32.3750ha
Property Owner:	The Corporation of the Society of the Missionaries of the Sacred Heart

STATUTORY DETAILS	
Planning Legislation:	<i>Planning Act 2016</i>
Planning Scheme:	Moreton Bay Regional Planning Scheme
Planning Locality / Zone:	Rural Residential Zone and Limited Development Zone.
Level of Assessment:	Code Assessable

2. PROPOSAL

This application seeks a Reconfiguring a Lot - Development Permit for Subdivision (1 into 28 Lots), located at 79 Farm Road, Bunya and described as Lot 39 on S31417.

It is proposed to subdivide the existing 32.3750ha allotment into twenty-eight (28) rural residential lots and two (2) park and open space lots. The proposed subdivision would result in a 'residential density' of 0.86 Lots per hectare (number of lots divided by total site area) and a net residential density of 2.21 lots per hectare (number of lots divided by development footprint). Further discussion of the proposed lot size/character is included in section 5 of this report.

The application is proposed in two (2) stages as follows:

- Stage 1: Sixteen (16) Rural Residential Lots and two (2) Park and Open Space lots; and
- Stage 2: Twelve (12) Rural Residential Lots.

The proposed rural residential Lots range in land area from 4,000m² to 7,014m². A variety of lot frontage widths are incorporated into the layout ranging from 8m (for rear access lots) up to 74m (for regular-shaped lots). The lot layout has typically been designed in response to constraint avoidance, particularly with regards to avoidance of impacts on mapped Koala Habitat, Flooding and Bushfire Hazard. Each lot is proposed to contain a 'Development Footprint' exceeding the minimum suggested area of 1,500m², where the extent of all development on a proposed lot is to be contained to avoid impacts on environmental values and maintaining appropriate separation to flood and bushfire hazard.

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The application seeks to transfer 19.7543ha of land being proposed Lot 901 (bushland areas including Koala habitat and Bergin Creek waterway and riparian area) and Lot 902 (Wongan Creek waterway and riparian area) to Council as non-trunk infrastructure (i.e. at no cost to Council) within Stage 1 of the development. The applicant also proposes to undertake extensive rehabilitation works in accordance with Planning Scheme Policy - Environmental Areas and Corridors to restore the pre-clearing regional ecosystem.

Access to the proposed development is via the extension of the existing Farm Road that presently terminates at the south eastern corner of the site. A new internal road network is proposed to provide access to all proposed lots. The new internal roads have been designed in accordance with the Rural Residential Road Typology that incorporates a 19m wide road reserve, incorporating 7m wide pavement and 6m verge both sides, including 2m wide pedestrian pathway one side. The proposed road works within Stage 1 of the development will require a crossing of Wongan Creek. The proposed crossing location is via an existing dammed section of Wongan Creek that presently traverses allotment boundaries. The existing dam bund wall is in a state of disrepair and is proposed to be decommissioned and replaced with a culvert crossing and will therefore lower the water level of the existing dam and return the natural flows of Wongan Creek. The details of this road crossing have been assessed and approved as part of a separate Development Approval for Operational Works - Earthworks and Vegetation Clearing (Council reference DA/2021/2100), approved by Council's delegate on 11 October 2021. The construction of the culvert/bridge structure has commenced on site.

In response to the environmental values and constraints present on site, extensive technical reporting has been prepared and submitted in support of the proposed application. The technical reporting is briefly summarised as follows:

Ecological Assessment

The subject site is mapped as containing Matters of State Environmental Significance (MSES) Vegetation and Matters of Local Environmental Significance (MLES) Vegetation, Waterway Buffers and Riparian and Wetland Setbacks under the *MBRC Planning Scheme*, Core Koala Habitat regulated under the *Planning Regulation 2017* and Category B (Remnant Vegetation (5.2ha) and Category C (High-Value Regrowth) Vegetation (11.2ha) mapped vegetation under the *Vegetation Management Act 1999*.

The Ecological Assessment Report prepared by Saunders Havill Group identifies the proposed developable area (area of the site containing the proposed rural residential lots) as being highly modified and has been subject to high levels of historic clearing to facilitate rural uses. As a result, modified ecological values exist throughout the site and a number of introduced flora species have been recorded during field surveys. The proposed developable area is mapped as Category X (non-remnant), with the exception of a small area of Category C (regrowth vegetation) along the western boundary. Within the developable area, twenty (20) habitat trees were observed and the unavoidable clearing of nine (9) habitat trees is proposed to facilitate the development.

The proposed development avoids all impacts on mapped Koala Habitat, Category B (Remnant) Vegetation and the Majority of Category C (Regrowth) Vegetation other than where clearing is exempt. All proposed lot boundaries maintain a minimum 10m setback to mapped Category B Vegetation and all aspects of future development (i.e. a future dwelling, all associated infrastructure and essential management areas) are proposed to be setback 35m from mapped Koala Habitat Areas (representing 1.5 time the median tree height (23m) of adjacent vegetation. The proposed 35m essential management setback (offset to mapped Core Koala Habitat) is consistent with the assessment benchmarks of *Schedule 11, Part 4 of the Planning Regulation*

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2017 and is sufficient to ensure there will be no impacts on mapped Koala Habitat for all aspects of development including bushfire management.

A total of 19.7543ha of land, being proposed Lot 901 (bushland areas including Koala habitat and Bergin Creek waterway and riparian area) and Lot 902 (Wongan Creek waterway and riparian area), are proposed to be rehabilitated and transferred at no cost to Council. The proposed rehabilitation of the bushland, waterways and riparian corridors will aid in fauna movement, habitat values and support native fauna, including threatened species.

Bushfire Management Plan

The site is mapped as containing Potential Impact Buffer, Medium Potential Bushfire Intensity and High Bushfire Hazard Intensity under the latest State Planning Policy mapping (yet to be incorporated into the MBRC Planning Scheme).

The Bushfire Management Plan prepared by Wollemi Eco-Logical has undertaken a bushfire risk assessment and confirmed that vegetation posing a medium risk to the proposed development is present on site. The report identifies a number of bushfire risk mitigation measures including:

- Asset Protection Zones (APZs) to achieve a maximum Bushfire Attack Level (BAL) rating of BAL-29 through setbacks from hazardous vegetation ranging from APZs of 20-26 metres across the site;
- Vegetation management measures within the APZ to ensure low fuel availability and reduced fire connectivity between buildings;
- The establishment of fire trails adjacent to hazardous vegetation for fire-fighting purposes, with covenants and easements granting access to Council and Queensland Fire and Rescue Service;
- Water availability for fire-fighting including the provision of fire hydrants within the road reserve of the New Road, adjacent to fire trail access locations; and
- Emergency assembly areas, in the event that emergency evacuation through Farm Road is not available in the event of an emergency.

The Bushfire Management has been independently peer reviewed and determined the proposed development could achieve an acceptable level of bushfire related risk of harm to people and property, subject to the inclusion of the mitigation measures specified above.

Geotechnical - Landslide Hazard Evaluation

The site is mapped as containing potential landslide hazard as shown on Overlay map - Landslide Hazard of the MBRC Planning Scheme, representing pre-development slopes greater than 15%.

The Geotechnical investigation prepared by Arcos has undertaken a site specific and slope stability assessment of each proposed building envelope. Based on the results of the assessment, the perceived risk based on the conditions encountered ranges from "Low to Very High". This assessment is based on the existing risk at the site (prior to development related site works commencing). Providing recommendations detailed within this report (appropriate hillside construction management, site preparation, earthworks and retaining structures and footings of future building and structures) are implemented appropriately and maintained, the level of perceived risk can be reassessed as "low". The report recommends that individual slope stability assessments will be required for each individual allotment which will supersede this report.

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Land Suitability (Wastewater Disposal) Report

The subject site is located within a Rural Residential area and is located outside of Unitywater's Sewer Connection Area. Accordingly, the site is unable to be serviced by reticulated sewer.

The Land Suitability (Effluent Disposal) Report prepared by Future Plus Environmental has undertaken an assessment of the proposed allotment's ability for on-site wastewater treatment and disposal to be undertaken in a suitable manner accounting for site specific characteristics, identify the level of treatment considered necessary and identify any potential adverse impacts on human health or the natural environment.

The report identifies that all lots would need to be treated to a minimum secondary level with a number of identified lots (lots closest to Wongan and Bergin Creeks) to be advanced secondary level treatment. The report also identifies that the minimum irrigation area would be 250m² and all setbacks would be required to be in accordance with the Queensland Plumbing and Wastewater Code. The report recommends future owners undertake their own site-specific assessment.

Flood Impact Assessment and Stormwater Management Plan

The site is mapped as containing medium and high-risk flood hazard as shown on Overlay map - Flood hazard of the MBRC Planning Scheme. The proposed development triggers the State Interest for Water Quality under the *State Planning Policy* (July 2017), as the site has a land area greater than 2,500m² and the resultant subdivision will result in more than six lots.

The Flood Impact Assessment prepared by Covey Associates Pty. Ltd. undertakes a hydrological assessment of the proposed development on the flow behaviour and extents of Wongan and Bergin Creeks. The report identifies that as a result of the proposed development, including an upgrade to the existing access road, some minor offsite increases in peak water surface level would be experienced. Given that the minor affluxes are contained within a Council controlled drainage reserve, the development will not result in any actionable nuisance to any of the surrounding properties or infrastructure.

The Stormwater Management Plan prepared by Covey Associates Pty. Ltd. undertakes an assessment of stormwater quantity and quality. With respect to stormwater quantity, the report identifies that any un-detained increase in runoff from the proposed development site will have a negligible impact on regional peak water surface levels within Wongan Creek, Bergin Creek and South Pine River. As such, no detention basins are required for the proposed development. With respect to stormwater quality, the report identifies that as a result of topography, allotments cannot be efficiently drained to the road or stormwater network for treatment. The stormwater treatment proposed for the development generally consists of road and footpath surfaces being collected in vegetated roadside swales before being treated in bioretention pods. Roof and ground surface nodes are proposed to be treated by a mixture of bioretention basins, swales, and buffers at the rear of lots. The report identifies that water quality objectives will be met through the proposed water quality treatment measures described above.

External Road and Intersection Assessment

The applicant has undertaken an assessment of existing external intersections and external roads to demonstrate that safe access is provided and existing access roads (namely Farm Road) are provided in accordance with relevant standards to accommodate the proposed development.

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The assessment has identified the intersection of Farm/Road Bunya Road Intersection presently and ten (10) years post-completion would operate with spare capacity and minimal delays and determines that no upgrades are required. The intersection of Bunya Lake Court and Farm Road is recommended to include minor widening and new priority-controlled line-marking. An audit of the existing Farm Road identifies a current pavement width of 6.0m metres, with unsealed shoulders. In order to achieve the identified Single carriage way rural road standard identified within *Table 4.5 of Austroads Guide to Road Design*, it is recommended Farm Road is upgraded to achieve a typical minimum 6.2m wide pavement seal and 1.5m gravel shoulders. The required upgrades will be ultimately determined through a subsequent Operational Works application, noting pavement widening and shoulder width may vary in order to retain existing mature trees within the road reserve, unless posing an obvious safety risk. Six (6) existing trees (having a diameter of 200mm or more) located less than 1.5m from the existing road pavement have been identified to be potentially removed for road safety purposes (subject to further assessment).

Site History / Tree Survey

The applicant has submitted a site history report with the application material. The report indicates the site has been historically known as 'Yallambi' and previously contained the Bunya Receiving Office which opened in 1875, however the name was later changed to 'Wongan' in 1888 and than 'Wongun' in 1903. The building was later converted to a post office in late 1927 and subsequently closed on 31 December 1950. The original post office/house has since been demolished (prior to current ownership). A number of locally significant (although not mapped) marker trees remain around the site of the former receiving station/post office.

As part of the application material, the applicant has indicated the site would be developed respectfully of the historical significance of the 'Yallambi'. The applicant has offered to install signage/plaque to identify the location of the old Bunya post office and retain the 'marker trees' adjacent to the former post-office as well as a number of other significant landscape trees including Moreton bay Figs, Queensland Kauri Pines, Hoop Pines and Bunya Pines.

3. SITE BACKGROUND AND HISTORY

The subject site has historically been known as 'Yallambi'. The site previously contained the Bunya Receiving Office (circa 1875) and later renamed to 'Wongan' (circa 1888) and then 'Wongun' Post office (circa 1903-1950).

On 21 October 2020, a prelodgement meeting was held to discuss a proposal for Reconfiguring a Lot for a 1 into 31 Lot Rural residential subdivision (Council reference: PRE/5765).

On 10 June 2021, the Department of Environment and Science (DES) issued a Koala Habitat determination map (Ref: MAR0041). The revised Koala Habitat Determination map for Lot 39 on S31417 is taken to be the Koala Conservation Plan Map as it relates to koala habitat areas for the land that is subject to this decision until the Koala Conservation Plan Map is updated in 2022.

On 11 October 2021, Council's delegate approved an Operational Works - Development Permit for Earthworks and Vegetation Clearing, relating to the decommissioning of the existing dam bund wall and culvert crossing of Wongan Creek (Council reference DA/2021/2100).

4. DESCRIPTION OF THE SITE AND SURROUNDS

4.1. Current use of the subject land and surrounding land

The site currently has a number of farm buildings/sheds. All existing buildings are proposed to be removed to facilitate the proposed subdivision.

4.2. Topography

The site contains undulating topography, characteristic by a ridgeline through the centre of the site and the waterways of Wongan and Bergin Creeks traversing the site. Areas of steep slope (greater than 15%) are present either side of the central ridgeline and within the bushland areas west of Bergin Creek.

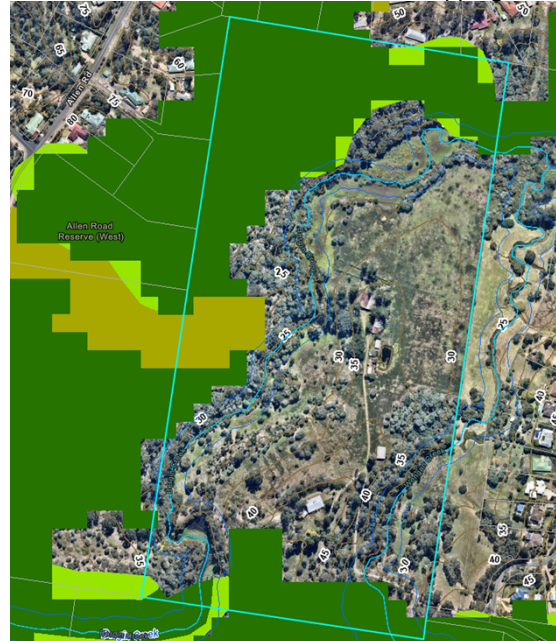
4.3. Vegetation

The subject site is heavily vegetated along the Bergin Creek corridor to the western boundary of the site and along the Wongan Creek corridor. Between the two waterways (the development footprint) the site contains scattered regrowth vegetation which has regenerated from previous grazing activities. The site is mapped as containing Matters of State Environmental Significance (MSES) vegetation under the MBRC Planning Scheme along the northern, southern and western boundaries of the site as follows.

1979 Aerial Photo



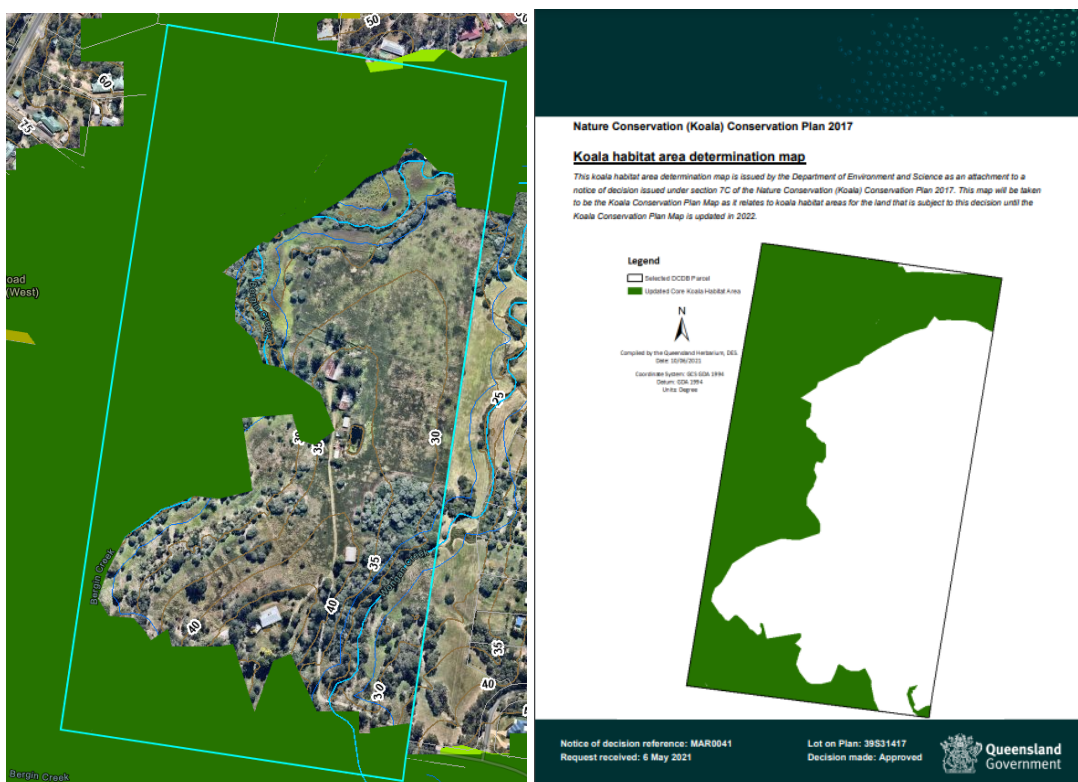
Present MBRC Environmental Areas Mapping



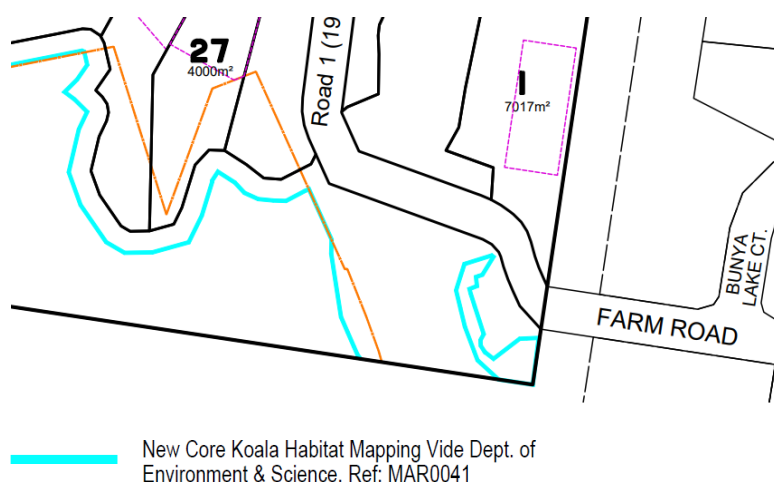
The site is also mapped as containing Core Koala habitat under the South East Queensland Koala Conservation State Planning Regulatory Provisions. On 6 May 2021, the applicant submitted a mapping determination request to the Queensland Government Department of Environment and Science (DES), following ground truthing of vegetation present on site. On 10 June 2021, DES approved the site-specific mapping determination for the site. A comparison of the mapping is included below:

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All mapped Koala Habitat is located outside of the proposed lots boundaries (all boundaries proposed >10m from mapped Koala Habitat) and all land containing mapped Koala Habitat is proposed to be transferred to Council as proposed Lot 901 (18.83ha). Based on the amended Koala Habitat mapping, the proposed extension of Farm Road avoids any exempt clearing of Koala habitat (500m² permitted under exemptions is not utilised) as shown below:



4.4. Access improvements

The site presently contains an access driveway from the termination of Farm Road in the south-eastern corner of the site. A dilapidated bridge structure is present over Wongan Creek, proposed to be replaced by a new culvert crossing of the waterway.

Refer to Appendix 1 and Appendix 2 of this report for an aerial photo of the subject site, and a locality plan.

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5. ASSESSMENT BENCHMARKS applicable from the *Planning Regulation 2017*

The *Planning Regulation 2017* (the Regulation) prescribes Assessment Benchmarks that the application must be carried out against, which are additional or alternative to the Assessment Benchmarks contained in Council's Planning Scheme.

State Planning Policy

- *State Planning Policy 2017, Part E*

Regional Plan

- *South East Queensland Regional Plan 2017 (ShapingSEQ)*

5.1. State Planning Policy (SPP)

The *State Planning Policy 2017* came into effect on 3 July 2017 and is currently not integrated into the MBRC Planning Scheme. The following assessment benchmarks apply to the assessment of development applications until the State interests have been appropriately integrated into Council's planning scheme:

Assessment benchmarks - livable communities	
Applicable to Development	SPP requirement
No	None
<u>Comment</u> Not applicable.	
Assessment benchmarks - mining and extractive resources	
Applicable to Development	SPP requirement
No	None
<u>Comment</u> Not applicable.	
Assessment benchmarks - water quality	
Applicable to Development	SPP requirement
No	None
<u>Comment</u> Not applicable.	
Assessment benchmarks - natural hazards, risk and resilience	
Applicable to Development	SPP requirement
Yes	Bushfire, flood, landslide, storm tide inundation, and erosion prone areas outside the coastal management district: (1) Development other than that assessed against (1) above, avoids natural hazard areas, or where it is not possible to avoid the natural hazard area, development mitigates the risks to people and property to an acceptable or tolerable level.

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	<p>All natural hazard areas:</p> <p>(2) Development supports and does not hinder disaster management response or recovery capacity and capabilities.</p> <p>(3) Development directly, indirectly and cumulatively avoids an increase in the severity of the natural hazard and the potential for damage on the site or to other properties.</p> <p>(4) Risks to public safety and the environment from the location of hazardous materials and the release of these materials as a result of a natural hazard are avoided.</p> <p>(5) The natural processes and the protective function of landforms and the vegetation that can mitigate risks associated with the natural hazard are maintained or enhanced.</p>
<u>Comment</u>	
An assessment of the proposed development has been undertaken, and the proposal has been determined to comply.	
Assessment benchmarks - strategic airports and aviation facilities	
Applicable to Development	SPP requirement
No	None
<u>Comment</u>	
Not applicable.	

5.2. South East Queensland Regional Plan 2017 (ShapingSEQ)

The site is located in the Rural Living Area under the SEQ Regional Plan.

The development proposal is for a Rural Residential Reconfiguring a Lot in the Rural Living Area, and there are no requirements in the State Planning Regulatory Provisions applicable to the development proposal.

6. ASSESSMENT BENCHMARKS applicable from the Moreton Bay Regional Council Planning Scheme.

An assessment against the relevant parts of the planning scheme is set out below.

6.1. Assessment of Applicable Codes

6.1.1. Code Compliance Summary

The assessment below identifies how the development proposal achieves the assessment benchmarks and where the development proposal;

- (a) proposes an alternative 'Example' satisfying or not satisfying the corresponding Performance Outcome; and
- (b) proposes an outcome where no 'Example' is stated in the code and the proposed outcome does not satisfy the corresponding Performance Outcome.

Assessment Benchmarks	Compliance with Overall Outcomes	Performance assessment is required	Outcomes
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Development Codes		
9.4.1.11.1 Reconfiguring a lot code - Rural Residential Zone	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PO1, PO3, PO35, PO40, PO61, PO69,
Limited Development Zone	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PO2
Flood hazard Overlay Code	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PO18

The assessment of the development proposal against the Performance Outcomes of the applicable code(s) is discussed below in section 6.1.2.

6.1.2. Performance Outcome Assessment

9.4.1.11.1 Reconfiguring a lot code - Rural residential zone	
Performance Outcome	Example
PO1 Lot size and design maintains the low density character and amenity associated with a rural residential environment by complying with the minimum lot sizes specified in Overlay map – Rural residential lot sizes.	No example provided.
<i>Performance Outcome Assessment</i>	
The site is mapped as having a minimum Lot size of 6,000m ² as shown on Overlay map - Rural Residential Lot sizes. The application proposes twenty-eight (28) lots having an area ranging from 4,000m ² to 7,014m ² . As the proposal cannot comply with Performance Outcome PO1, an assessment against the Overall Outcomes of the Reconfiguring a Lot Code, Rural Residential Zone is required.	
PO2 Residential lot road frontages have sufficient width to allow easy and safe access.	E2 Rear lots have a minimum frontage of 10m.
<i>Performance Outcome Assessment</i>	
The application proposes five (5) rear access allotments, each proposed to have an 8m wide frontage (and typical handle width of 5m), in lieu of the suggested minimum frontage width of 10m.	

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The proposal frontage width of 8m achieves compliance with Performance Outcome PO2 as the proposed width would allow for easy and safe access to the proposed internal road network. In addition, the frontage width of 8m is sufficient to cater for an access driveway, service location, refuse collection from the street frontage as well as opportunity for landscaping either side of a future driveway.

It is recommended the performance solution be accepted in this instance.

<p>PO3 Lot size and design complies with the minimum lot sizes specified in Overlay map - Rural residential lot sizes to:</p> <ol style="list-style-type: none"> a. accommodate the Dwelling house and associated structures, vehicle access, parking and manoeuvring, private open space and landscaping, and on-site effluent disposal areas; b. protect land from fragmentation that will inhibit conversion of future growth areas to general residential development; c. provide transitional areas between lands with different residential densities; d. ensure new lots are not created in areas affected by coastal hazards; e. ensure compliance with previous development approvals; f. provide buffers and limit intensification of development around particular areas, such as but not limited to, extractive industries, agricultural uses, environmentally significant areas, special areas, industrial areas and essential infrastructure; g. ensure land the subject of future investigation areas is not fragmented. 	<p>No example provided.</p>
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Performance Outcome Assessment

As outlined against PO1 above, the proposed lots sizes do not comply with the minimum lot sizes specified in Overlay map - Rural residential lot.

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With respect to items (a) to (g), the applicant has demonstrated:

- a. each proposed lot will contain an appropriately sized Development Footprint with a minimum area of 1,500m² capable of accommodating the extent of all development on a lot including all buildings and structures, open space, all associated facilities, landscaping, on-site stormwater drainage, on-site wastewater treatment, all areas of disturbance, on-site parking, access and manoeuvring areas.
- b. The site is not identified as a future growth area and accordingly will not inhibit the future conversion to general residential development.
- c. The site does not adjoin land identified with different residential densities. The subject site and surrounding land are all mapped as having the same minimum lot size (6,000m²).
- d. The subject site is not affected by Coastal hazards
- e. The site is not subject to a previous development approval.
- f. The site does not adjoin identified areas such as extractive industries, agricultural areas, special areas or essential infrastructure. The subject site contains areas of environmental significance including bushland areas west of Bergin Creek and the Wongan and Bergin Creek riparian areas. The proposed development footprints of each lot are located at least 35m from areas of environmental significance. The areas of environmental significance (proposed Lots 901 and 902) are proposed to be transferred to Council (19.7543ha) and the riparian areas of Bergan and Wongun Creeks are proposed to be rehabilitated.

As the proposal cannot comply with the minimum lot size shown on Overlay map - Rural residential lot size as referenced within Performance Outcome PO1 and PO3, an assessment against the Overall Outcomes of the Reconfiguring a Lot Code, Rural Residential Zone is required.

PO35

Reconfiguring a lot facilitates the retention of native vegetation by:

- a. incorporating native vegetation and habitat trees into the overall subdivision design, development layout, on-street amenity and landscaping where practicable;
- b. ensuring habitat trees are located outside a development footprint. Where habitat trees are to be cleared, replacement fauna nesting boxes are provided at the rate of 1 nest box for every hollow removed. Where hollows have not yet formed in trees > 80cm in diameter at 1.3m height, 3 nest boxes are required for every habitat tree removed.
- c. providing safe, unimpeded, convenient and ongoing wildlife movement;

No example provided.

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<p>d. avoiding creating fragmented and isolated patches of native vegetation.</p> <p>e. ensuring that biodiversity quality and integrity of habitats is not adversely impacted upon but are maintained and protected;</p> <p>f. ensuring that soil erosion and land degradation does not occur;</p> <p>g. ensuring that quality of surface water is not adversely impacted upon by providing effective vegetated buffers to water bodies</p>	
<i>Performance Outcome Assessment</i>	
<p>The applicant has prepared a Tree Retention Schedule (TRS) which identifies trees within the development layout to be retained, removed or subject to further assessment by project arborists. Across the developable area of the site, the TRS identifies 134 trees to be retained, a number of trees subject to further investigation (i.e. adjacent to areas of proposed earthworks or future road) with the remainder to be removed.</p> <p>The TRS identifies a total of twenty (20) trees that would meet the definition of a habitat tree under the MBRC Planning Scheme (a native tree with a diameter greater than 0.8m at 1.3m above the ground). The applicant proposes that the development would result in the unavoidable removal of nine (9) habitat trees, with the remaining eleven (11) habitat trees to be retained within the lot layout. The applicant contends that the retention and rehabilitation of large areas of Regulated Vegetation would mitigate the loss of the habitat values of trees proposed to be removed. To further compensate for the potential loss of fauna habitat, the applicant proposes the installation of fauna nest boxes within the retained environmental areas of the site.</p> <p>The TRS has been assessed and is generally acceptable however a number of additional trees have been identified in Council's assessment that could be retained within the Lot layout without unduly constraining the proposed development footprints. The trees identified as being Habitat Trees for significant Landscape Character Trees are recommended to be retained through an environmental covenant under the <i>Land Title Act 1994</i> and a number of additional native tree species are recommended to be retained through site works, with ultimate retention at the discretions of future owners:</p> <p>Trees to be retained through Environmental Covenants:</p> <ul style="list-style-type: none">• Tree No. 68 - Moreton Bay Fig (Lot 1);• Tree No. 115 - Moreton Bay Fig (Lot 4);• Tree No. 108, 109 and 201 - Hoop Pines (Lot 16);• Tree No. 110, 196 and 200 - Moreton Bay Figs and Palm Tree (Lot 17);• Tree No. 200 - Moreton Bay Fig (Lot 18);• Tree No. 104, 105, 193 and 192- Kauri Pines and Bunya Pine (Lot 27).	

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Native Trees to be retained by Developer (retention at discretion of future owners), in addition to those already nominated within the Tree Retention Schedule:

- Tree 116 - Brush Box - (Lot 2);
- Tree 117 - Grey Gum (Lot 26);
- Tree 194 - Crows Ash (Lot 24);
- Tree No. 206 - Grey Gum (Lot 26);
- Tree No. 208 - Crow's Ash (Lot 1).

The recommendations of this report include a condition of development requiring the submission of an amended TRS to include the above listed trees.

The recommendations of this report also include a recommended condition requiring the submission of a Fauna Nest Box Management Plan and installation of fauna nest boxes within the approved locations, prior to any vegetation clearing occurring on site.

Through the inclusion of the recommended conditions of development, the proposal complies with the Performance Outcome.

PO40

The road layout and design supports:

- a. safe and efficient emergency services access to all lots; and manoeuvring within the subdivision;
- b. availability and maintenance of access routes for the purpose of safe evacuation.

E40

Reconfiguring a lot provides a road layout which:

- a. includes a perimeter road that separating the new lots from hazardous vegetation on adjacent lots incorporating by:
 - i. a cleared width of 20m;
 - ii. road gradients not exceeding 12.5%;
 - iii. pavement and surface treatment capable of being used by emergency vehicles;
 - iv. Turning areas for fire fighting appliances in accordance with Qld Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines.
- b. Or if the above is not practicable, a fire maintenance trail separates the lots from hazardous vegetation on adjacent lots incorporating:
 - i. a minimum cleared width of 6m and minimum formed width of 4m;
 - ii. gradient not exceeding 12.5%;
 - iii. cross slope not exceeding 10%;
 - iv. a formed width and erosion control devices to the

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	<p>standards specified in Planning scheme policy - Integrated design;</p> <ul style="list-style-type: none"> v. a turning circle or turnaround area at the end of the trail to allow fire fighting vehicles to manoeuvre; vi. passing bays and turning/reversing bays every 200m; vii. an access easement that is granted in favour of the Council and the Queensland Fire and Rescue Service or located on public land. <p>c. excludes cul-de-sacs, except where a perimeter road with a cleared width of 20m isolates the lots from hazardous vegetation on adjacent lots; and</p> <p>d. excludes dead-end roads.</p>
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Performance Outcome Assessment

The application includes a performance solution against example E40(c), as the proposed layout includes cul-de-sac roads and does not include a perimeter road of 20m located between the lots and the hazardous vegetation. It is proposed to utilise a fire maintenance trail and Asset Protection Zone (APZ) located between the lots and hazardous vegetation and an identified public assembly area in the event that emergency access via the road network is restricted during an emergency event.

The performance solution is supported with a Bushfire Management Plan prepared by Wollemi Eco-logical which has been independently peer reviewed by a Council appointed Bushfire Expert (JD Environmental). The bushfire management solution proposes the following measures:

- (a) Asset Protection Zones (APZ) ranging in width from 7m to 26m extending along the boundaries of lots that adjoining areas of bushfire prone vegetation;
- (b) a Perimeter Fire Trail Network, with connections to the internal formed roadways, that provides access to and within the designated APZs;
- (c) fire hydrant locations within the internal formed roadways adjacent to each entry points to the Perimeter Fire Trail Network; and
- (d) a designated public Emergency Assembly Area, and access corridor to same via proposed Lot 8, located more than 100m from any adjacent Bushfire Prone Area.
- (e) the proposed Fire Trail Network and APZs are located within the proposed freehold lots and that an “access easement”, “statutory covenant” or equivalent arrangement will be used to ensure that an appropriate level of access for bushfire management purposes will be maintained.

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Through the implementation of the above bushfire mitigation measures, the proposal has demonstrated that safe and efficient emergency services access will be provided through the fire trail network and that safe and efficient emergency services access will be available to all lots, either through the public road network or in the event the vehicular access is restricted, access to a public assembly area in a location greater than 100m from hazardous vegetation.

It is recommended the Performance Solution be accepted in this instance.

PO61

Lots ensure that:

- a. future building location is located in part of a site not subject to landslide risk;
- b. the need for excessive on-site works, change to finished landform, or excessive vegetation clearance to provide for future development is avoided;
- c. there is minimal disturbance to natural drainage patterns;
- d. earthworks does not:
 - i. involve cut and filling having a height greater than 1.5m;
 - ii. involve any retaining wall having a height greater than 1.5m;
 - iii. involve earthworks exceeding 50m³;
 - iv. redirect or alter the existing flows of surface or groundwater.

E61.1

Lots provides development footprint free from risk of landslide.

E61.2

Development footprints and driveways for a lot does not exceed 15% slope.

Performance Outcome Assessment

The application proposes a Performance Solution as the Development Footprint for proposed Lots 3, 4 and 18-28 contains slope that exceeds 15%.

The applicant has submitted a Geotechnical investigation which has undertaken a site specific and slope stability assessment of each proposed Development Footprint. The recommendations detailed within the investigation conclude that if appropriate hillside construction management (site preparation and earthworks, retaining structures and appropriate footings) are implemented and maintained, the level of perceived risk is considered to be “low”. The report recommends that individual slope stability assessments will be required for each individual allotment that will ultimately supersede this report.

Whilst a number of development footprints contain slope exceeding 15%, it is noted that the proposed lots have been provided with development footprints of sizeable areas (ranging from 1509m² - 2919m²) and the ultimate location and

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form of a future dwelling (i.e. slab on ground, split level slabs or pier or pole homes) will be at the discretion of future owners.

In addition to the above, it is noted that future development on the proposed lots, including for a Dwelling House and associated Earthworks within an approved development footprint, will be required to comply with the requirements MBRC Planning (or scheme in effect at the time), which presently requires any development within the mapped landslide Hazard Overlay area (representing slope >15%) to comply with Requirements for Accepted Development (RADs 118-119), which require the following:

Landslide hazard (refer Overlay map - Landslide hazard to determine if the following requirements apply)	
RAD118	<p>Development does not:</p> <ul style="list-style-type: none"> a. involve earthworks exceeding 50m³; b. involve cut and fill having a height greater than 600mm; c. involve any retaining wall having a height greater than 600mm; d. redirect or alter the existing flow of surface or groundwater.
RAD119	<p>Buildings, excluding domestic outbuildings:</p> <ul style="list-style-type: none"> a. are split-level, multiple-slab, pier or pole construction; b. are not single plane slab on ground.

Based on the above, the proposed future building locations (development footprints) would not be located within areas of undue risk and future dwellings located within the mapped Landslide hazard overlay will require further assessment by Council if exceeding earthworks thresholds or retaining heights or where Dwellings are proposed as a single plane slab on ground.

It is recommended that the performance outcome be accepted in this instance.

<p>PO69</p> <p>Lots are designed to:</p> <ul style="list-style-type: none"> a. minimise the extent of encroachment into the riparian and wetland setback; b. ensure the protection of wildlife corridors and connectivity; c. reduce the impact on fauna habitats; d. minimise edge effects; e. ensure an appropriate extent of public access to waterways and wetlands. 	<p>E69</p> <p>Reconfiguring a lot ensures that:</p> <ul style="list-style-type: none"> a. no new lots are created within a riparian and wetland setback; b. new public roads are located between the riparian and wetland setback and the proposed new lots. <p>Note - Riparian and wetlands are mapped on Schedule 2, Section 2.5 Overlay Maps – Riparian and wetland setbacks.</p>
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Performance Outcome Assessment

The application seeks a performance solution against Example E69(b) as the proposal does not seek to include a new public road between the mapped riparian and wetland setback and the new lots. The performance solution seeks

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to locate a fire maintenance and access trail and Asset Protection Zone (APZ) between the lots and the riparian setback.

The proposal complies with the Performance Outcome as the proposed lots:

- a. do not encroach within the mapped riparian and wetland setback;
- b. will ensure the protection of wildlife corridors and connectivity as all development of the future lots will be confined to the development footprints and the riparian areas are proposed to be rehabilitated.
- c. will unlikely result in any adverse impacts on fauna habitat;
- d. Will minimise edge effects by limiting all development to within the approved Development Footprint.
- e. ensure an appropriate extent of public access to the waterway, which in this instance is intended to be limited access noting the proposal to rehabilitate the riparian areas of Bergin and Wongan Creeks.

It is recommended the performance solution be accepted in this instance.

9.4.1.8 Reconfiguring a lot code - Limited Development zone

PO2

Reconfiguring for any purpose other than Park or Permanent plantation ensures appropriate building area outside of the Limited development zone to support land uses consistent with the adjoining zone.

No example provided.

Performance Outcome Assessment

Refer overall outcome assessment against the Rural Residential Zone Code. Each lot has demonstrated an appropriate building area (development footprint) consistent with the adjoining zone, being the Rural Residential Zone.

8.2.2 Flood Hazard Overlay Code

PO18

Development is compatible with the intolerable or tolerable level of risk of the flood hazard applicable to the premises such that reconfiguring a lot for creating lots by subdividing another lot:

- a. in the High risk area, is only for the purposes of a Park or Permanent plantation unless:
 - i. in the Rural residential zone where; the minimum lot size for each rural residential lot is provided outside the High risk area; or

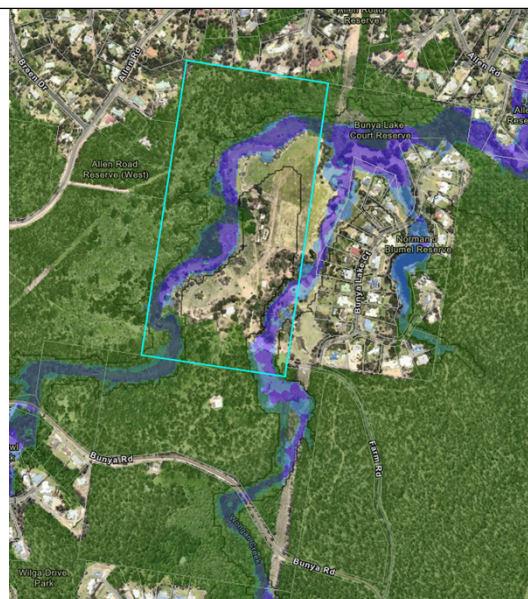
No example provided.

<ul style="list-style-type: none"> ii. in the Rural zone where a development footprint (flood and coastal) is provided outside the High risk area; or b. in the Medium risk area, is only for the purposes of a Park or Permanent plantation unless: <ul style="list-style-type: none"> i. in the Rural zone where a development footprint (flood and coastal) is provided outside the Medium risk area; or ii. in the Rural residential zone, where the development footprint (flood and coastal) for each rural residential lot is provided outside the Medium risk area; or iii. in any other zone, where all resultant lots are located outside the High risk or Medium risk area other than those for the purposes of Park or Permanent plantation; or c. In the Balance flood planning area, is consistent with the overall outcomes of the applicable zone and precinct. <p>Note - The overall outcomes of this code identify the development outcomes which are intended so as to avoid or mitigate the intolerable or tolerable level of risk applicable to premises in the High risk area, Medium risk area and Low risk area of the Flood planning area.</p>	
<i>Performance Outcome Assessment</i>	
<p>The proposal is unable to comply with PO18 as the proposed development does not include the minimum Rural Residential Lot size (i.e. 6000m² as shown on overlay map - Rural residential lot size) outside of the medium risk flood hazard area.</p> <p>An assessment against the overall outcome of the Flood Hazard Overlay Code is required.</p>	

6.1.3. Overall Outcome Assessment

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9.4.1.11.1 Reconfiguring a lot code - Rural Residential Zone		
Overall Outcome	Complies	Comment
<p>a. Reconfiguring a lot in the Rural residential zone maintains the established low density and open area local character and amenity of the streetscape through retaining appropriately larger lot sizes and retaining appropriate buffering of larger lots to particular uses.</p> <p>Note - The Rural residential zone consists of 3 distinctive low density character areas that are differentiated by lot types (with minimum sizes of 3000m², 6000m², or 2 ha) and areas identified for no further reconfiguring. Infill development below the minimum lot sizes identified on Overlay map - Rural residential lot sizes, including the transition of one rural residential lot type (or size) to another, does not occur unless in exceptional circumstances where it can be justified that there is no detrimental effect to the character and amenity of the area, and the departure from the minimum lot size achieves a positive outcome for constraint avoidance or protection of values.</p>	<p>Yes</p>	<p>The subject site is mapped as having a minimum Lot size of 6,000m² as shown on Overlay map - Rural Residential Lot sizes. The application proposes Lot sizes ranging from 4,000m² to 7,014m².</p> <p>In this instance, the proposed lots sizes would:</p> <ol style="list-style-type: none"> 1. maintain the established low-density local character of the area; and 2. the departure from the minimum size achieves a positive outcome for constraint avoidance and protection of environmental values. <p>These are discussed in more detail below;</p> <ol style="list-style-type: none"> 1. The proposed lot sizes would maintain the established low-density local character of the area. In this instance, the local character is predominately considered to be the adjoining Bunya Lake Estate, given: <ul style="list-style-type: none"> • the two developments are located within a 'closed catchment', physically separated from rural residential areas to the north by Bergin Creek, Allen Road Reserve and Bunya Lake Court Reserve; • the proposed development and Bunya Lake Estate are the only developments that gain access via Farm Road as the only road in and out of the Rural Residential pocket. • No other rural residential development in the immediate vicinity could likely occur as a result of current Koala Plan mapping. The below image shows the subject site (highlighted) and Bunya Lake Estate adjacent. The surrounding area is almost entirety mapped as Core Koala Habitat and the two sites are detached from development to the north by a waterway: <p style="text-align: right; font-size: small;">Site/Character Context</p>



With respect to the adjoining Bunya Lakes Estate that was approved by the former Pine Rivers Shire Council on 5 August 1997, that approval was a combined Rezoning (Future Rural Living to Special Residential) and Reconfiguring a Lot 1 lot into 37 lots + park under the Transitional Planning Scheme (now superseded). A comparison between the development statistics of the established Bunya Lake Estate and the proposal is as follows:

	Bunya Lake Development	Proposed Development
Site Area	30.78ha	32.3750ha
Lot Yield	37 Lots	28 Lots
Lot Density	1.21 Lots/ha	0.87 Lots/ha
Minimum Lot Size	4,000m ²	4,000m ²
Environmental reserve area	11.34ha	19.75ha
Environmental reserve %	37%	61%

As evidenced by the above, the proposed development will result in a similar development outcome to the adjoining Bunya Lake Estate, with a lesser residential density proposed as a result of a larger open space dedication. The proposed Lot sizes and road frontages are generally consistent between the two developments. The proposed development has been designed to provide wider frontage lots (typically 42m wide) along the eastern boundary which would give the appearance

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		<p>of lower density character at the interface with the established Bunya Lake Estate. Furthermore, the proposed lots would not directly adjoin another rural residential property as a result of the existing Bunya Lake Reserve (Lot 900 on SP106532) along the eastern boundary and the proposed park dedication along the southern western and northern boundaries.</p> <p>In addition to the above, the wider established rural residential area (Windarra Estate) on the southern side of Bunya Road (which intersects with Farm Road) has been developed with a similar but slightly lesser Lot Size (typical lot size of between 3500m² - 4,000m² with a number of lots on the southernmost portion of Wilga Drive having lots sizes ranging from 2,017m² to 3,238m²).</p> <p>Based on the above, the proposed minimum lot size is consistent with the established Bunya Lake Court development and would be generally larger larger than the Windarra Estate located on the southern side of Bunya Road. The proposed lots would not have a detrimental impact of the intended character and amenity of the area. All proposed lots would adjoin an existing or future open space area and a separation of at least 150m would be maintained between future dwellings on proposed lots and dwellings within the adjoining Bunya Lake estate.</p> <p>2. In addition to above justification that the proposed lot sizes would have no detrimental effect to the character and amenity of the area, the proposed departure from the minimum lot size achieves a positive outcome for constraint avoidance and the protection of values.</p> <p>Most notably, the application proposes to transfer a total of 19.7518ha of land to Council for open spaces purposes, including the riparian corridors of Wongan and Bergin Creeks and land mapped as containing Core Koala Habitat on the western side of Bergin Creek and along the southern boundary of the site. As identified from the field studies undertake as part of the Ecological Assessment, large portions</p>
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		<p>of the site have been degraded and contain modified ecological values as part of previous rural activities occurring on site and a number of introduced vegetation species are present on site. The applicant proposes extensive rehabilitation and revegetation works to the riparian corridors and bushland areas with likely results being a net benefit for fauna habitat.</p> <p>All proposed lot boundaries have been designed to maintain a minimum setback of 10m to mapped Category B vegetation. Development Footprints are proposed for each lot to be established to contain all aspects of future development to ensure no clearing exemptions are created as a result of the proposed layout, including for bushfire management purposes. The proposed lot layout is a beneficial outcome in terms of constraint avoidance over an alternative layout that could potentially achieve the minimum lot size of 6,000m², however contain environmental values within private lots and potential for exempt clearing for boundary fences and the like.</p> <p>The lot layout has also been designed to retain native vegetation within the lot layout. The submitted Vegetation Management Plan identifies at least 187 native trees will be retained and dispersed throughout the development layout, including the proposed retention of mature 'habitat trees' and significant landscape trees within the lot layout. The lot layout has also been designed to avoid Koala Habitat and does utilise the 500m² exempt clearing allowable under the Planning Regulation to facilitate the development.</p> <p>The proposed crossing of Wongan Creek which involves the installation of culverts and lowering of the existing dam wall bund will have environmental benefits including allowing fish passage in a mapped fish habitat area and will return natural water flows to Wongan Creek.</p> <p>Based on the above, the proposed lot sizes will be consistent with the established character and amenity of the area and will result in positive outcomes in terms of constraint avoidance and positive</p>
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		outcomes for environmental values. In this instance exceptional circumstances exist to allow a reduced lot size. The proposal complies with the Overall Outcome.
<p>b. Reconfiguring a lot identified as a potential future growth front (e.g Narangba, Morayfield-Burpengary and Burpengary East) does not result in further fragmentation of that land or prevent the future conversion of that land for future urban purposes.</p> <p>Note - The potential future growth areas are shown on Overlay map - Rural residential lot sizes as 'No further reconfiguration'.</p>	N/A	The subject land is not identified as a future growth area.
<p>c. Reconfiguring a lot identified as having particular values, qualities or characteristics that require buffering or are affected by constraints does not result in further fragmentation of that land or the establishment and encroachment of incompatible uses.</p> <p>Note - Land within buffers to particular values, qualities or characteristics such as industry are shown on Overlay Map - Rural residential lot sizes as 'No further reconfiguration'.</p>	N/A	The subject land is identified has being within the 'No Further Subdivision' area shown on Overlay Map - Rural Residential Lot Sizes.

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<p>d. Reconfiguring a lot avoids areas subject to constraint, limitation, or environmental values. Where reconfiguring a lot cannot avoid these identified areas, it responds by:</p> <ul style="list-style-type: none"> i. adopting a 'least risk, least impact' approach when designing, siting and locating development to minimise the potential risk to people, property and the environment; ii. ensuring no further instability, erosion or degradation of the land, water or soil resource; iii. maintaining environmental values, including natural, ecological, biological, aquatic, hydrological and amenity values, and enhancing these values through the provision of environmental offsets, landscaping and facilitating safe wildlife movement through the environment; iv. protecting native species and protecting and enhancing native species habitat; v. protecting and preserving the natural, aesthetic, architectural historic and cultural values of significant trees, places, objects and buildings of heritage and cultural significance; vi. establishing effective separation distances, buffers and mitigation measures associated with major infrastructure to minimise adverse 	<p>Yes</p>	<p>The proposed lot layout and identified 'Development Footprint' of each lot has been designed to avoid areas subject to constraint, limitation or environmental values.</p> <p>Each lot is proposed to contain a 'Development Footprint' exceeding the minimum suggested area of 1,500m², where the extent of all development on a proposed lots is to be contained without impacts on environmental values and maintaining appropriate separation to flood and bushfire hazard.</p> <p>The proposed development will result in the unavoidable clearing of nine (9) habitat trees within the developable area of the site. The habitat values of native vegetation are proposed to be replaced with Fauna Nest Boxes, and extensive rehabilitation/revegetation of riparian corridors and bushland areas are proposed to enhance the environmental values of the site.</p> <p>The proposal complies with the Overall Outcome.</p>
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<p>effects on sensitive land uses from noise, dust and other nuisance generating activities;</p> <p>vii. ensuring it promotes and does not undermine the ongoing viability, integrity, operation, maintenance and safety of major infrastructure;</p> <p>viii. Ensuring effective and efficient disaster management response and recovery capabilities.</p>		
<p>e. The Reconfiguring a lot, Operational works associated with the Reconfiguring a lot, and uses expected to occur as a result of the Reconfiguring a lot:</p> <p>i. responds to the risk presented by overland flow and minimises risk to personal safety;</p> <p>ii. is resilient to overland flow impacts by ensuring the siting and design accounts for the potential risks to property associated with overland flow;</p> <p>iii. does not impact on the conveyance of overland flow up to and including the Overland Flow Defined Flood Event;</p> <p>iv. directly, indirectly and cumulatively avoids an increase in the severity of overland flow and potential for damage on the premises or to a surrounding property.</p>	<p>Yes</p>	<p>The lot layout has been designed to be located outside of mapped overland flow paths. The application has been supported by a flood study which demonstrates the proposed development would not result in an actionable nuisance to adjoining properties.</p> <p>The proposal complies with the Overall Outcome.</p>

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<p>f. Reconfiguring a lot achieves the intent and purpose of the Rural residential zone and precinct outcomes as identified in Part 6.</p>	<p>Yes</p>	<p>The proposed reconfiguring a lot achieves the intent and purpose of the Rural Residential Zone Code as identified in part 6 of the MBRC Planning Scheme.</p> <p>The proposal complies with the Overall Outcome.</p>
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8.2.2 Flood Hazard Overlay Code		
Overall Outcome	Complies	Comment
<p>a. Development in the High risk flood hazard area included in the Limited development zone, avoids the extremely unacceptable intolerable risk of the flood hazard by ensuring that:</p> <ul style="list-style-type: none"> i. reconfiguring a lot for boundary realignment only occurs if the intolerable risk of flood hazard to people, property and infrastructure located on the premises and other premises is not increased and where practicable the intolerable risk of flood hazard for future occupants is mitigated; ii. reconfiguring a lot for creating lots by subdividing another lot only occurs for the purposes of Park or Permanent plantation or ensures that lots have sufficient area outside of the zone for development consistent in the adjoining zone and precinct; 	<p>Yes</p>	<p>The proposed development is mapped as containing areas of high-risk flood hazard adjacent to Wongan and Bergin Creeks. A number of lots that adjoin Bergin Creek corridor contain a small portion of High-risk flood hazard within the Limited Development Zone, within the lot boundaries. The portion of flood mapping and Limited Development Zone is within the Asset Protection Zones (APZ) and located outside of the proposed Development Footprint (areas to contain all aspects of development). Each development footprint is provided within the minimum area outside of the mapped Flood Hazard as identified within the Administrative definition of 'Development Footprint Flood and Coastal being 1,500m² outside of the mapped hazard.</p> <p>As discussed within the overall outcomes assessment of the Reconfiguring a Lot Code - Rural Residential Zone, the proposed lots have minimum lot sizes consistent with outcomes for the Rural Residential Zone.</p> <p>The proposal complies with the Overall Outcome.</p>

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<ul style="list-style-type: none"> iii. building work is less than 50m² in area and associated with a use in paragraph (i). iv. earthworks do not occur except where associated with a previous approval. 		
<p>b. Development in the High risk area not included in the Limited development zone, manages and mitigates the unacceptable intolerable risk of the flood hazard by ensuring that:</p> <ul style="list-style-type: none"> iii. reconfiguring a lot for creating lots by subdividing another lot is only for the following: <ul style="list-style-type: none"> A. in the Rural zone, where consistent with the overall outcomes of the rural zone and the required minimum development footprint (flood and coastal) for each rural lot is provided outside the High or Medium risk area of the Flood planning area; or B. in the Rural residential zone, residential lots provide the required minimum lot 	<p>Yes</p>	

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<p>size outside the High risk area of the Flood planning area; or</p> <p>C. in any other zone, for the purposes of a Park⁽⁵⁷⁾ or Permanent plantation⁽⁵⁹⁾;</p> <p>iv. building work complies with the flood planning level, engineering design and resilient materials requirements;</p> <p>v. earthworks do not occur except where associated with a previous approval;</p>		
<p>c. development in the Medium risk area manages and mitigates the tolerable risk of flood hazard by ensuring that:</p> <p>iii. reconfiguring a lot for creating lots by subdividing another lot is only for the following:</p> <p>A. in the Rural zone, where the required minimum development footprint (flood and coastal) for each rural lot is provided outside the High or Medium risk area of the Flood planning area and the development is consistent with the overall outcomes of the existing zone and precinct; or</p>	<p>Yes</p>	

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<p>B. in the Rural residential zone, where the required minimum development footprint (flood and coastal) for each rural residential lot is provided outside the Medium risk area of the Flood planning area; or</p> <p>C. in any other zone, where all resultant lots are located outside the High risk or Medium risk area other than those for the purposes of Park or Permanent plantation.</p> <p>iv. building work complies with the flood planning level, engineering design and resilient materials requirements;</p> <p>v. earthworks only occur if:</p> <p>A. in the Balance coastal planning area of the Coastal planning area or in the Medium risk storm tide inundation area of the Coastal planning area where in the General residential zone, Centre zone, Community facilities zone, Recreation and open space</p>		
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<p>zone or Industry zone;</p> <p>B. any filling raises the ground level to the Year 2100 Highest Astronomical Tide level as a minimum</p> <p>C. there are no adverse local drainage impacts, flooding and coastal impacts on other premises, public land, watercourses, roads or infrastructure or impacts on natural riverine and coastal processes or flood warning times; or</p> <p>D. associated with a previous approval.</p>		
<p>d. Development of premises subject to a drainage master plan manages and mitigates the risk of flood hazard and any coastal hazard in this area, such that:</p> <p>i. a drainage master plan for the relevant Drainage investigation area demonstrates that the development:</p> <p>A. adequately addresses the significant existing and future flood hazards and any coastal hazards affecting the</p>	<p>N/A</p>	<p>The site is not mapped as being within a Drainage Investigation Area.</p>

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<p>Drainage investigation area without cost to the local government;</p> <p>B. adequately addresses the significant infrastructure limitations of the Drainage investigation area without cost to the local government;</p> <p>C. does not result in adverse local drainage impacts, flooding impacts on other premises, public land, watercourses, roads or infrastructure, or impacts on natural riverine and coastal processes or flood warning times;</p> <p>ii. where it is demonstrated by an approved drainage master plan that the risk to people, property and infrastructure located on the premises and other premises is avoided or mitigated:</p> <p>iii. reconfiguring a lot is consistent with the overall outcomes of the applicable zone and precinct and complies with the</p>		
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<ul style="list-style-type: none"> iv. approved Drainage master plan; building work complies with the approved drainage master plan; v. earthworks comply with the approved drainage master plan. 		
<p>e. Development in the Balance flood planning area manages and mitigates the tolerable risk of the flood hazard by ensuring that:</p> <ul style="list-style-type: none"> i. reconfiguring a lot is consistent with the overall outcomes of the applicable zone and precinct; ii. building work complies with the flood planning level and resilient materials requirements; iii. earthworks only occur, if: <ul style="list-style-type: none"> a. filling raises the ground level to the Flood planning level as a minimum; b. there are no adverse local drainage impacts, flooding and coastal impacts on other premises, public land, watercourses, roads or infrastructure or impacts on natural riverine and coastal processes or flood warning times. 	<p>Yes</p>	<p>The proposed lots contain a small portion of mapped balance flood planning area within the lot boundaries, adjacent to Wongan and Bergin Creeks. The proposed portion of balance flood planning area within the proposed lots its located at the rear of the site within the APZs of lots and outside of the proposed development footprints.</p> <p>As discussed within the overall outcomes assessment of the Reconfiguring a Lot Code - Rural Residential Zone, the proposed Reconfiguring a Lot is consistent with outcomes for the Rural Residential Zone.</p> <p>All earthworks are limited to the construction of the proposed new road, located outside of the mapped area.</p> <p>The proposal complies with the Overall Outcome.</p>
<p>f. Development in the Flood planning area:</p> <ul style="list-style-type: none"> i. supports, and does not unduly burden the disaster 	<p>Yes</p>	<p>The proposed portion of balance flood planning area within the proposed lots its located at the rear of the site within the APZs of lots and outside of the proposed development footprints. On the basis that</p>

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<p>management response and recovery capacity and capabilities during and after significant flood events;</p> <p>ii. provides for efficient evacuation of on-site persons and facilitates direct and simple access for evacuation personnel and resources during flood events, while ensuring development does not hinder or place additional complexities upon evacuation activities for other premises;</p> <p>iii. avoids isolation of persons for flood events up to and including the Defined Flood Event;</p> <p>iv. provides for siting, built form, layout, and access (including evacuation access) which responds to the risk of the flood hazard and minimises risk to personal safety in all flood hazard events up to and including the Defined Flood Event;</p> <p>v. is resilient to flood events by ensuring the siting and design of development accounts for the potential risks to</p>	<p>all aspects of future development are contained within the Development Footprints, which are outside of mapped flood hazard, the proposal complies with the Overall Outcome.</p>
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<ul style="list-style-type: none"> vi. property associated with flood hazards; directly, indirectly and cumulatively avoids an increase in the severity of flood hazards and potential for damage on the premises or to other premises or elsewhere in the floodplain; vii. involving essential community infrastructure remains functional during and immediately after a flood event up to and including the Defined Flood Event; viii. avoids the accidental release of hazardous materials as a result of a flood event; ix. maintains natural processes and the protective function of landforms and vegetation; x. does not impact adversely on the ability for future flood hazard mitigation measures to be implemented on other premises. 		
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6.2. Strategic Framework

Not applicable to Code Assessment.

6.3. Trunk Infrastructure

In accordance with section 4 of the Moreton Bay Regional Council Planning Scheme, the subject site is located in the identified Priority Infrastructure Area. Infrastructure charges

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applying to the land, where applicable, are to be applied in accordance with the Council's Charges Resolution No. 8 that commenced on 14 August 2018 (CR).

6.3.1. Levied Charge

In accordance with section 10 of the CR, a Levied Charge is applicable to the development proposal and has been calculated as shown in the Infrastructure Charges Notice attached to this report taking into consideration any applicable credits or offsets.

6.3.2. Levied Charge Credit

In accordance with section 14 of the CR, a credit exists for the development based on the credit being the greater of the following amounts:

(a) Payment of previous charges or contributions

There is no record of a previous charge or contribution having been made in relation to the land in accordance with section 14 of the CR. Accordingly, the credit available under this option is \$0.00.

(b) Lawful use of land

There is no current existing lawful use of the land or record of a previous lawful use of the land that is no longer taking place. Accordingly, the credit available under this option is \$0.00.

(c) Other development able to occur without a development permit

There is no other development able to be lawfully carried out without a development permit (including a development permit for Building Works). Accordingly, the credit available under this option is \$0.00.

(d) The adopted charge for a residential lot (applied equally to non-residential development)

The credit available under this option is \$27,609.88, based on the proportional split stated in Table 3 of the CR for an existing Rural Residential Lot that has the ability to be connected to water but not sewer. This adopted charge rate is the prescribed amount in Schedule 16 of the *Planning Regulation 2017* as at 11 August 2017. This rate will be automatically indexed in accordance with section 112 of the Act.

6.3.3. Levied Charge Offset or Refund

The sited is not affected by a Trunk Infrastructure requirement and therefore there is no offset or refund applicable to the development proposal.

6.3.4. Additional Trunk Infrastructure Costs

In accordance with section 130 of the *Planning Act 2016*, an additional payment condition may be imposed if the proposed development:

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- (a) generates infrastructure demand of more than what is required to service the type or scale of future development assumed in the LGIP; or
- (b) requires new trunk infrastructure earlier than when identified in the LGIP; or
- (c) is for premises located completely or partly outside the Priority Infrastructure Area.

And

- 2 The development will impose additional trunk infrastructure costs on Council after taking into account the levied charge and any trunk infrastructure provided, or to be provided by the development.

In this instance, having assessed the proposed development, it does not warrant the imposition of an additional payment condition.

7. ASSESSMENT BENCHMARKS applicable from a Variation Approval

Not applicable.

8. ASSESSMENT BENCHMARKS applicable from a Temporary Local Planning Instrument

Not applicable.

9. OTHER RELEVANT ASSESSMENT MATTERS

Not applicable.

10. CONSULTATION

10.1. Referral Agencies

There were no referral agencies involved in the assessment of this application.

10.2. Council Internal Referrals

10.2.1. Development Engineering

Traffic Access & General Road Alignment

- 1. The traffic access and general road alignments as proposed are in principle generally compliant with the assessment benchmarks of the MBRC Planning Scheme, relevant planning scheme policies, standards and applicable specifications in relation to horizontal and vertical road geometry constraints, including Austroads design standards.

Note: The planned Road Works will be assessed by Development Services Engineering upon submission of the engineering design drawings for Operational Works; application for Road Work, Stormwater Drainage and Earthworks.

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Safe Access - Farm Road / Bunya Road Intersection

2. Upgrades are not required to the Bunya Road / Farm Road intersection as detailed in the Traffic Engineering Report prepared by *Hayes Traffic Engineering*. However, improvements to Farm Road in relation to safe access are recommended. Relevant Conditions have been recommended as part of Council's assessment.

Stormwater Drainage Culvert Structures - Wongan Creek Crossing

3. All stormwater drainage, including culvert structures, as proposed in the development proposal plans are in principle generally compliant with the applicable assessment benchmarks of the MBRC Planning Scheme, relevant planning scheme policies standards and applicable specifications, in particular Integrated Design - Appendix C Stormwater Management.

Note: The planned stormwater drainage culvert structures will be assessed by Development Services Engineering upon submission of the engineering design drawings for Operational Works; application for Road Work, Stormwater Drainage and Earthworks.

Stormwater / Flooding

4. The amended submitted stormwater management plans and flood impact assessment report require minor amendment to be fully compliant with the applicable assessment benchmarks of the MBRC Planning Scheme, relevant planning scheme policies standards, applicable specifications including SPP requirements. To ensure compliance relevant standard conditions have been recommended as part of Council's assessment.
5. In addition, the proposal relies upon Rainwater Tanks on each property, to achieve compliance with the applicable water quality objectives. A condition has been recommended as part of this assessment to ensure compliance.

Earthworks

6. The submitted amended RAL proposal plans detail that the future planned general earthworks will be compliant with the applicable assessment benchmarks of the MBRC Planning Scheme, relevant planning scheme policies standards and applicable specifications.

Note: The planned future earthworks will be assessed by Development Services Engineering upon submission of Operational Works application for Road Work, Stormwater Drainage and Earthworks.

10.2.2. Environmental Planning

General

The environmental factors of the proposed development are compliant with the purpose statement, (d) of the overall outcomes and *generally* compliant with the assessment benchmarks set out in Part O, Table 9.4.1.11.1 of the Reconfiguring a lot - Rural Residential Zone Code.

Bushfire Management

An alternative solution was required against Performance Outcome PO40 as the proposed development will substantially increase the number of residential dwellings (i.e. from 1 to 28) that are located at the end of a dead-end road (i.e. an extension of Farm Road) that traverses forested land with the potential to sustain bushfires with a Medium to High hazard. This will result in a potential entrapment situation should Farm Road become compromised.

An alternative measure of providing a fire trail that would separate dwellings from adjacent areas of bushfire prone vegetation and providing safe and efficient access for fire containment and asset protection purposes, as well as the provision of a safe evacuation assembly area has been proposed. Environmental Planning agrees that the proposed alternative measures comply with the assessment benchmarks of the Reconfiguring a Lot Code.

Fauna Management

To ensure compliance with PO6, PO42 and PO69 of the Reconfiguring a Lot Code, as well as Schedule 11 of the *Planning Regulations 2017*, it is recommended to be conditioned that the applicant provide a Fauna Management Plan including safe fauna movement measures in accordance with *Department of Transport and Main Roads Fauna Sensitive Road Design Manual Technical Document Volume 2: Preferred Practices*

Vegetation Management

To ensure compliance with PO35 of the Reconfiguring a Lot Code it will be conditioned that the applicant require that a vegetation management plan is required to identify all habitat trees that do not require clearing; site plans are amended so as building envelopes are not within proximity of habitat tree, as well as a tree protection covenant be attached to the title of lots, to prevent clearing of habitat and significant trees.

Schedule 11 of the Planning Regulations 2017

To ensure compliance with Schedule 11 of the *Planning Regulations 2017*, it is recommended to be conditioned that effluent disposal treatment areas maintain an appropriate distance from Koala Habitat Areas so as ground water pollution does not impact on vegetation health, by being located within the approved Development Footprint.

10.3. Other External Referrals

10.3.1 Peer Review of Bushfire Management Plan

JD Environmental were engaged to undertake an independent peer review of the submitted Bushfire Management Plan (v7 / 11 November 2021) prepared by Wollemi Eco-Logical Pty Ltd. The peer review has independently verified, using a methodology that is compliant with QFES (2019) guidance material, that the proposed widths of the APZs shown in ARC Surveys Plan Ref 2113-FT-1 (Rev D) are sufficient to:

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- (i) achieve the required radiant heat flux exposure benchmark of 29 kW/m²; and
- (ii) enable personnel and appliances involved in bushfire incident response activities to safely access and carry out bushfire response operations (i.e. bushfire suppression, bushfire containment and asset protection).

The updated BMP, at Figure 6, contains a copy of ARC Surveys Plan Ref 2113-FT-1 (Rev D) which provides new details concerning:

- (i) Asset Protection Zones (APZ) ranging in width from 7m to 26m extending along the boundaries of lots that adjoining areas of bushfire prone vegetation;
- (ii) a Perimeter Fire Trail Network, with connections to the internal formed roadways, that provides access to and within the designated APZs;
- (iii) fire hydrant locations within the internal formed roadways adjacent to each entry points to the Perimeter Fire Trail Network; and
- (iv) a designated public Emergency Assembly Area, and access corridor to same via proposed Lot 8, located more than 100m from any adjacent Bushfire Prone Area.

In summary, the amended Proposal Plan would, subject to compliance with relevant Conditions of Approval, achieve an acceptable level of bushfire related risk of harm to people and property. In terms of Conditions of Approval, it is recommended that Conditions of Approval that have the following effect should be considered:

- (1) In support of requisite Operational Works applications detailed design specifications for the Fire Trail (FT) network detailed in ARC Surveys Plan Ref 2113-FT-1 (Rev D) are to be provided that demonstrate that the following minimum design specifications are satisfied:
 - (a) a minimum cleared width of 6m and minimum formed width of 4m; b. gradient not exceeding 12.5%;
 - (b) cross slope not exceeding 10%;
 - (c) a formed width and erosion control devices to the standards specified in Planning scheme policy - Integrated design;
 - (d) where required, a turning circle or turnaround area at the end of the trail to allow fire fighting vehicles to manoeuvre; and f. passing bays and turning/reversing bays every 200m.
- (2) Staging of Development – should the development occur in stages, each stage of development should make provision for a functional perimeter Fire Trail Network and fire hydrants generally in accordance with the details of ARC Surveys Plan Ref 2113-FT-1 (Rev D).
- (3) A Statutory Covenant is to be established over the land within each Lot that encompasses an Asset Protection Zone (APZ) or Fire Trail (FT) as detailed in ARC Surveys Plan Ref 2113-FT-1 (Rev D).
- (4) A Statutory Covenant is to be established over that part of Lot 8 that is shown on ARC Surveys Plan Ref 2113-FT-1 (Rev D) as “4m Wide Emt for public access to reserve in case of emergency evacuation for bushfire”.
- (5) Each Statutory Covenant is to grant access to the Covenant Area to Council and the Queensland Fire and Rescue Service.
- (6) The Statutory Covenants are to specify that the Owner of each Lot that encompasses a Covenant Area must take reasonable measures to only use, or allow to be used, the Covenant Area in a manner that provides for bushfire risk reduction and management.

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The recommended conditions of approval will incorporate the advice provided for the external peer review of the Bushfire Management Plan.

11. PUBLIC NOTIFICATION AND SUBMISSIONS

Not applicable to Code Assessment.

12. REASONS FOR THE DECISION

The proposed development has been assessed against the applicable Assessment Benchmarks and does not raise any significant issues that cannot be addressed by reasonable and relevant conditions. The proposal:

- Is of a scale, density and design that respects the character of the zone, precinct and streetscape;
- Will not result in adverse impacts on adjoining properties or the wider environment;
- Will not result in unacceptable impacts on the capacity and safety of the external road network;
- Achieves compliance with planning scheme requirements through the imposition of development conditions.

13. REASONS FOR APPROVAL DESPITE NON-COMPLIANCE WITH ASSESSMENT BENCHMARKS

Not applicable.

14. RECOMMENDATION

- A. That Council's delegate, under delegated authority and in accordance with the *Planning Act 2016*, approves the development application for a Development Permit for a Reconfiguring a Lot for Subdivision (1 into 28 Lots), located at 79 Farm Road, Bunya, subject to the Assessment Manager Conditions outlined in the Attachment below, and the applicant be advised accordingly.
- B. That an Infrastructure Charges Notice for the development approval be provided to the applicant, and included as part of the Decision package.
- C. That the Council Assessment Report for this application be published to the website as required by section 63 (4) of the *Planning Act 2016*.
- D. That the following table of approved plans and documents be included in the Decision Notice:

Approved Plans and Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Engineering Services Report	PG/PG/101567Rpt Issue E	Covey Associates Pty. Ltd.	November 2021
Land Suitability Report	5927-201001-2.3	Future-Plus Environmental	2 August 2021
Report on Geotechnical Memo Dam Wall Stability	AG210290 Letter 01 Revision 0	ARCOS	25 May 2021

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Report on Geotechnical Investigation - Slope Stability Assessment	AG210290 Letter 01 Revision 0	ARCOS	20 May 2021
Additional Information Requirements for DA/2021/0062	10317	Saunders Havill Group	19 May 2021
Schedule 11 Response Development in Koala Priority Areas	10317 E pp. 1-59	Saunders Havill Group	22 July 2021
Site History - Yallambi	-	ARL No 8 PTY Ltd	1 December 2021

Plans and Documents to be Amended			
Plan / Document Name	Reference Number	Prepared By	Dated
Proposal Plan - Stage 1	2113-PP-12 Rev B	Arc Surveys	18 November 2021
Proposal Plan - Stage 2	2113-PP-13 Rev B	Arc Surveys	18 November 2021
Site Plans for Proposed Lots (Lots 1 -28)	2113-ILP-1 to 28, Revision D	Arc Surveys	18 November 2021
Fire Trails Location Plan	2113-FT-1, Revision D	Arc Surveys	11 November 2021
Ecological Assessment Report	10317 E, Revision B	Saunders Havill Group	22 July 2021
Flood Impact Assessment	JM/JM/101570 - Issue C	Covey Associates Pty. Ltd.	July 2021
Stormwater Management Plan	PG/PG/101568RPT Issue D	Covey Associates Pty. Ltd.	Nov 2021

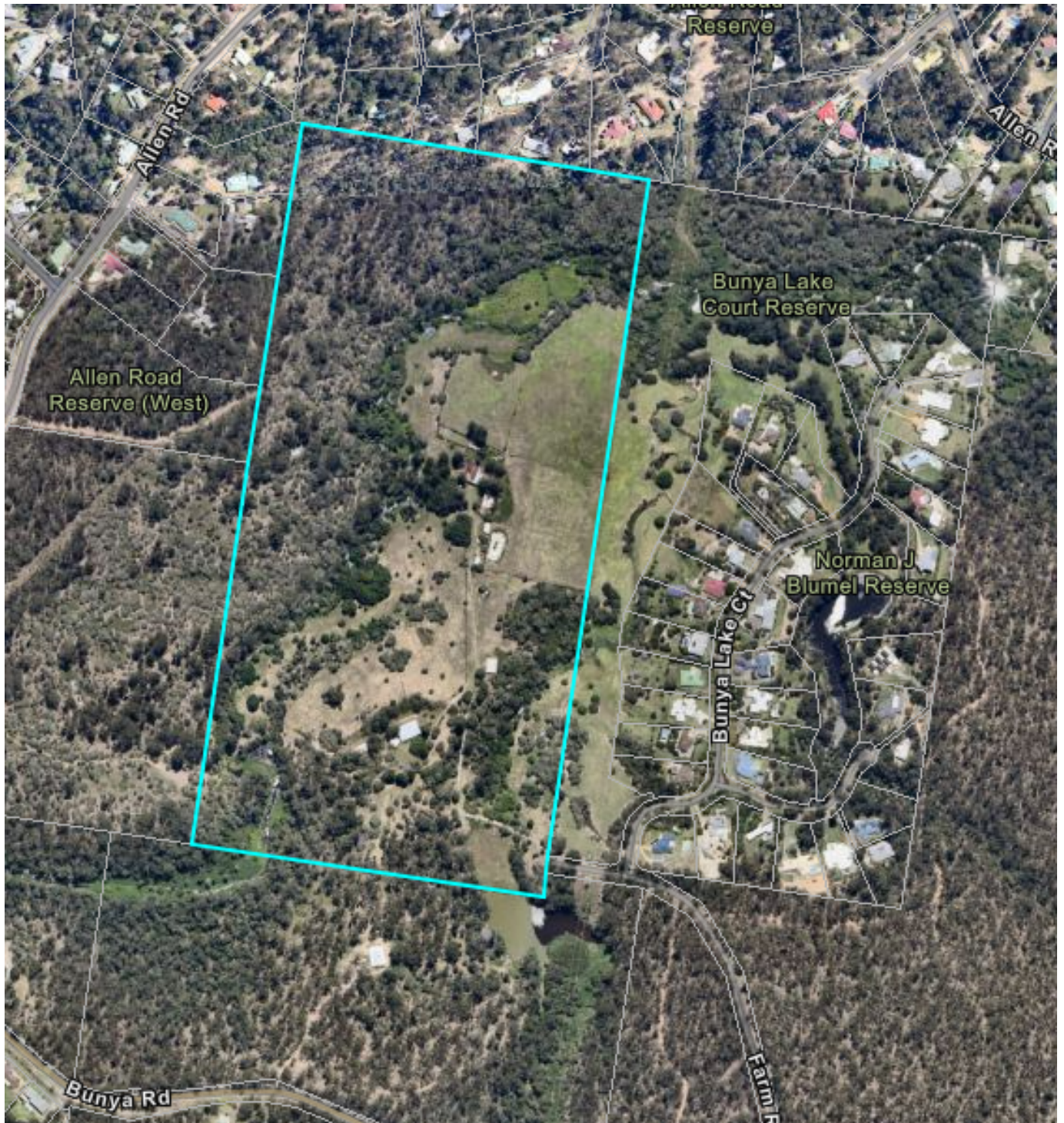
Council Delegate (Team Leader): Marco Alberti
Date: 9 December 2021

I approve the recommendations as detailed in this report.

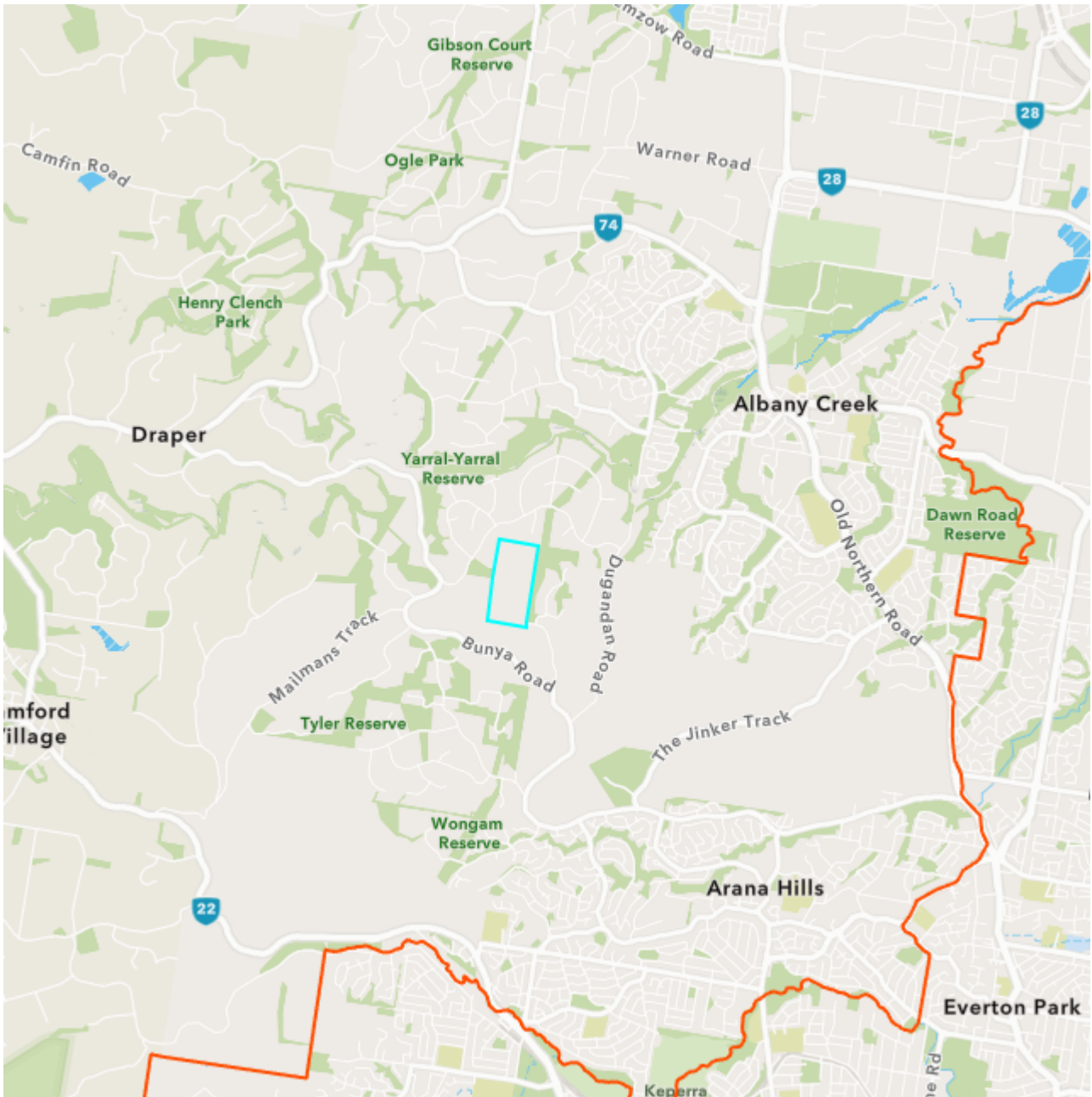


Marco Alberti
Coordinator - Planning Assessment (South)
Development Services

Appendix 1 - Aerial Photograph



Appendix 2 - Locality Plan



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Assessment Manager Conditions

CONDITION		TIMING
RECONFIGURING A LOT		
DEVELOPMENT PLANNING		
1.	Approved Plans and/or Documents	
	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) for each stage and to be maintained at all times.
2.	Amended Plans Required - Site Plan	
A	<p>Submit an amended Site Plan and Individual Lot Plans and Bushfire Trail Locations plan, incorporating the following:</p> <p>1. Show the location of the following additional habitat and significant landscape character trees to be retained:</p> <ul style="list-style-type: none"> • Tree No. 115 - Moreton Bay Fig (Lot 4) • Tree No. 192 - Bunya Pine (Lot 27) <p><i>Note: Tree reference number are taken from the GPS Plot Tree Schedule as contained within Appendix G of the Ecological Assessment Report.</i></p> <p><i>Note: Trees to be shown on the site plans are trees required to be retained and protected under Environmental Covenants as required by Conditions of this approval.</i></p>	Prior to any Approval of Operational Works.
B	Obtain approval from Council for the amended Site Plan in accordance with (A) above.	
C	Implement the requirements and recommendations of the approved plan(s). The approved amended plan(s) will form part of the approval.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
3.	Amended Plan Required - Tree Retention Plan	
A	<p>Submit an amended Ecological Assessment Report to include an updated Tree Retention Plan incorporating the following:</p> <p>1. Update the Tree Retention Plan to ensure the layout is consistent with approved site plans;</p>	Prior to any Approval of Operational Works.



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	<p>2. Update the Tree Retention Plan and Schedules to clearly identify trees required to be retained and protected through Environmental Covenants, being the following Habitat Trees and Significant Landscape Character Trees:</p> <ul style="list-style-type: none"> • Tree No. 68 - Moreton Bay Fig (Lot 1); • Tree No. 115 - Moreton Bay Fig (Lot 4); • Tree No. 108, 109 and 201 - Hoop Pines (Lot 16); • Tree No. 110, 196 and 200 - Moreton Bay Figs and Palm Tree (Lot 17); • Tree No. 200 - Moreton Bay Fig (Lot 18); • Tree No. 104, 105, 193 and 192- Kauri Pines and Bunya Pine (Lot 27). <p><i>Note: These trees are also shown on the Site Plan and Individual Lot Plans and are required to be retained and protected through Environmental Covenants, as required by conditions of this permit.</i></p> <p>3. Amend the Tree Retention Plan and Schedule to show the following additional native vegetation to be shown as being retained within the development layout:</p> <ul style="list-style-type: none"> • Tree 116 - Brush Box - (Lot 2); • Tree 117 - Grey Gum (Lot 26); • Tree 194 - Crows Ash (Lot 24); • Tree No. 206 - Grey Gum (Lot 26); • Tree No. 208 - Crow's Ash (Lot 1). <p><i>Note: These trees are required to be retained by the developer as part of the overall subdivision layout. Retention of these trees may ultimately be at the discretion of future owners based on ultimate house design and location.</i></p> <p><i>Note: Tree reference numbers are taken from the GPS Plot Tree Schedule as contained within Appendix G of the Ecological Assessment Report.</i></p>	
B	Obtain approval from Council for the amended Ecological Assessment (Tree Retention Plan) in accordance with (A) above.	
C	Implement the requirements and recommendations of the approved plan(s). The approved amended plan(s) will form part of the approval.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
4.	Amended Plan Required - Flood Impact Assessment and Stormwater Management Plan	
A	Submit to and have approved by Council, an amended Flood Impact Assessment (FIA) and Stormwater Management Plan (SMP) prepared and certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ). The FIA and SMP is to demonstrate	Prior to any Approval of Operational Works.

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	<p>that stormwater can be managed on/from the subject land in accordance with the MBRC Planning Scheme.</p> <p>The following specific amendments are to be included:</p> <ul style="list-style-type: none"> • Amend the FIA to accommodate all relevant changes completed to the SMP listed as PG/PG/101568RPT Issue D. • Include additional relevant changes to the SMP to align with the amended FIA as directed by the Certifying RPEQ. 	
B	Obtain approval from Council for the amended Stormwater Management Plan and Flood Impact Assessment accordance with (A) above.	
C	Implement the requirements and recommendations of the approved plan(s). The approved amended plan(s) will form part of the approval.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
5.	Entry Statement	
	<p>Establishment of any “Entry Statement” as a marketing strategy for the development must accord with the following, unless otherwise approved by Council:</p> <ol style="list-style-type: none"> 1. Located within a privately owned allotment or on the boundary of a privately owned allotment; 2. Limited to one (1) entry statement per development; 3. Constructed of durable, weather resistant materials; 4. Positively contributes to the character of the surrounding area; and 5. Does not contain the logo of any developer or other entity. 	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
6.	Develop in Stages	
	Develop the site generally in accordance with the stages identified on the approved plans in consecutive order. Development must comply with each condition of the development approval as it relates to each stage, unless otherwise stated in the condition.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
7.	Remove /Demolition of Existing Buildings	
	Remove / demolish all existing buildings located on the site.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).

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8.	Electricity	
A	Provide evidence (e.g. Certificate for Electricity Supply to Subdividers with Agreement Number or Certificate of Supply) demonstrating that an underground electricity supply network has or will be constructed within all new roads and along the frontage of each proposed lot.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage.
B	Provide an underground electricity supply connection to each proposed lot.	
C	Ensure any PAD Mount transformer visible from a public road is painted or has a film applied to it with a mural on all sides that integrates the infrastructure into the required location. Concepts for the mural are to be approved by the Council in writing and align with the environmental values of the area (i.e. Koalas) or a previous use of the land (i.e. Former Wongan Post Office). Examples are shown in the images below: <div style="display: flex; justify-content: space-around;">   </div>	
D	Submit certification from a licensed surveyor, Registered Professional Engineer of Queensland (RPEQ) or registered building surveyor that any electricity connections and infrastructure made redundant by the development is removed with the land reinstated.	
9.	New Telecommunications Infrastructure	
A	Provide Fibre-Ready telecommunications infrastructure (pit and pipe) throughout the development in accordance with the Communication Alliance specifications contained within Industry Guideline G645:2011 Fibre Ready Pit and Pipe Specifications for Real Estate Development Projects or in accordance with the NBN Co. specifications contained within New Developments: Deployment of the NBN Co Conduit and Pit Network – Guidelines for Developers NBN-TE-CTO-194 and Creating Pit and Pipe Designs for New Developments (Job Aid for Developers) NBN-TE-CTO-586, as amended and current at the date of installation.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage.
B	Provide certification from a RPEQ electrical engineer that the works specified in (A) above have been installed and evidence that a telecommunications carrier licensed under the <i>Telecommunications Act 1997</i> has agreed to take ownership of the infrastructure.	
10.	Telecommunications Infrastructure	
	Provide a 'Telecommunications Infrastructure Provisioning Confirmation' or a 'Telecommunications Network Infrastructure Notification' letter from a telecommunications carrier licensed under the <i>Telecommunications Act 1997</i> (e.g. Telstra) confirming that a	Prior to submitting to the Council any request for approval of a plan

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	telecommunications carrier has been engaged to install telecommunications infrastructure within the proposed development.	of subdivision (i.e. survey plan) for each stage.
11.	Water Supply Network	
	Submit to Council a Certificate of Completion or Provisional Certificate of Completion (for each stage where there are stages) for the development from the Northern SEQ Distributor–Retailer Authority (Unitywater) confirming: <ol style="list-style-type: none"> 1. a reticulated water supply network connection is available to the land; and 2. all the requirements of Unitywater have been satisfied. 	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage of the development where there are stages.
12.	Street Trees	
	Provide street trees within the development in accordance with Planning scheme policy - Integrated design Appendix D - Landscaping.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage.
13.	Landscaping for Reconfiguring a Lot	
A	Carry out landscaping and associated earthworks, site preparation and other necessary works in accordance with approved plans, details and technical specifications of any proposed planting or landscape work (both soft and hard works) where such works will be on land under the control of Council, whether as a park, reserve or road reserve. Landscaping is to accord with Planning scheme policy - Integrated design Appendix D - Landscaping.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage.
B	Before commencing the works obtain approval for the plans, details and technical specifications of any planting or landscape work from Council.	Prior to work commencing on site for each stage.
14.	Street Names	
A	Submit requests for the names of new street/s in accordance with Council's Policy 11-2150-038 Allocation of Road Names and Street Address Numbers or as amended;	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage.
B	Obtain approval from Council for the names of new streets in accordance with (A) above;	
C	Erect approved street name boards on all new roads in accordance (A) and (B); and	
D	Mark all street names on the survey plans.	


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15.	Development Footprint	
A	<p>Ensure that the extent of all development on site is contained within the approved Development Footprint, unless variations are approved in writing by the Council.</p> <p>The Development Footprint has been established to address site specific constraints including bushfire, landslide and flood hazard and to establish appropriate setbacks to environmental areas including Koala Habitat and riparian areas of Bergin and Wongan Creeks.</p> <p><u>Notes:</u></p> <p>1: For the purposes of this condition, the 'extent of all development' is inclusive of:</p> <ul style="list-style-type: none"> • all buildings and structures (whether classified by the Building Code of Australia or not); • earthworks and retaining walls; • onsite effluent disposal (refer to notes below); • onsite stormwater drainage; • driveways, access and manoeuvring areas; • open space and recreation areas (excluding landscaping as referred to in notes below); • fencing (refer to notes below); and • any other area of disturbance not listed. <p>2: Boundary fencing is not permitted within the Asset Protection Zones as a requirement of Covenant (Land Title Act 1994);</p> <p>3: Landscaping within the Asset Protection Zone (as shown on the approved plans) may be provided, only where provided in accordance with bushfire management - landscaping guidelines (refer requirements within this development approval).</p> <p>4: Onsite effluent disposal areas may extend within the Asset Protection Zone (as shown on the approved plans) provided the following limitations apply:</p> <ul style="list-style-type: none"> • No irrigation of treated effluent is to occur within the Fire Trail Access alignment (4m wide); • Infrastructure within the Asset Protections Zone is to be limited to the treated effluent delivery line and subsurface irrigation system only; • The wastewater treatment plant is to remain with the Development Footprint; and • The treated effluent delivery line is to be buried to a minimum depth of 450 mm below the ground level. 	To be maintained at all times.
B	Where a significant tree is identified to be retained within a Development Footprint, development must ensure the on-going health and vitality of the tree is not impacted by a direct or indirect impact of development (i.e. by way of soil compaction, on-site effluent disposal).	To be maintained at all times
C	The provision of a Development Footprint does not remove the requirement to comply with the Planning Scheme in effect at the time of development.	Note only.

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16.	Advice to Purchasers Regarding Development Footprint	
A	Acknowledge in writing that potential purchasers will be advised of the approved Development Footprint and the requirements to comply with the approved Development Footprint.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each Stage.
B	<p>Acknowledge in writing that potential purchasers will be advised of the following;</p> <p>(a) Future development must utilise a minimum standard of Secondary Treated Effluent only. Lots adjoining areas of ecological value may require Advanced Secondary Treated Effluent. Future Owners are advised to undertake their own site-specific assessment to determine minimum standards applicable to each lot.</p> <p>(b) Allotments containing slopes of >10% require the use of subsurface dripper lines for the disposal of treated effluent.</p> <p>(c) In the event that the treated effluent irrigation system is located within the Asset Protection Zone (as shown on the approved plans) the following limitations apply:</p> <p>(i) No irrigation of treated effluent is to occur within the Fire Trail Access alignment (4m wide);</p> <p>(ii) Infrastructure within the Asset Protections Zone is to be limited to the treated effluent delivery line and subsurface irrigation system only;</p> <p>(iii) The wastewater treatment plant is to remain within the Development Footprint; and</p> <p>(iv) The treated effluent delivery line is to be buried to a minimum depth of 450 mm below the ground level.</p> <p>(d) Issues relating to surface flows may become prevalent within the disposal areas during extended periods of rainfall. Accordingly, a cut-off drain or diversion drain/mound is required to be constructed upslope of the disposal areas to collect and divert any surface/subsurface waters away from the disposal area.</p> <p>(e) Irrigation area is to be planted with non-intrusive, water-tolerant trees, shrubs, groundcovers and / or turf to maximise nutrient uptake and evapotranspiration. Note: Irrigation area is to remain outside of tree protection zones of retained trees protected through covenant provisions (as required by conditions of the development permit to create the lots).</p> <p>(f) On-site wastewater systems are to be contained wholly within the new lot containing the future dwelling and comply with the land application system setback distances required by the Plumbing and Drainage Act and the South East Queensland Water (SEQWater) Development Guidelines, or as amended.</p>	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each Stage.
17.	Site History Signage	
	<p>Submit and have approved by Council, a detailed submission with specific details for site history signage that is to be installed on public land adjacent to the southern boundary of proposed Lot 16.</p> <p>The submission is to include:</p> <p>(g) An image or plans showing the dimensions of the proposed signage and how and where the signage will be installed. The</p>	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan)

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	<p>signage is to be elevated above the ground approximately 1.0 metre so that it is clearly identifiable, visible and easy to read;</p> <p>(h) Details of the text and imagery of the signage. At a minimum, the signage is to contain the image as depicted below and wording stating the history of the former Wongan Post Office and reference to the 'marker trees' that remain on site.</p> <p>(i) Details on the materials proposed to be used to create the signage ensuring it uses durable materials for the long term (25years+) and is resistant to fading and graffiti.</p>	for Stage 1
	B Install the signage as approved in (A) above.	
18.	Park and Open Space Lots	
A	<p>Transfer to Council the area of land identified on the approved layout plan as Lot 901 (approximately 18.83ha) and Lot 902 (approximately 0.9218ha) for Environmental purposes.</p> <p>The land is to be transferred to Council in fee simple on trust, at no cost to Council.</p> <p>This condition has been imposed under section 145 of the <i>Planning Act 2016</i>.</p>	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for Stage 1.
B	<p>If the applicant;</p> <p>(j) challenges the validity of part A of this condition by making an application to the Planning and Environment Court to have the condition amended or removed; or</p> <p>(k) seeks to have the land required in part A converted to trunk infrastructure under section 139 of the <i>Planning Act 2016</i>; the applicant is to then amend the approved plans to ensure each proposed lot has a minimum area of 6000m² that does not reduce the area of proposed Lots 901 or 902.</p>	At all times.
Environmental Planning		
19.	Removal of Noxious Weeds	
A	<p>Ensure as a General Biosecurity Obligation under the <i>Biosecurity Act 2014</i>, the land is free from groundsel and restricted matter, including any infestations of undesirable species as listed in Planning Scheme</p>	Prior to submitting to the Council any

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	Policy - Integrated design Appendix D - Landscaping unless otherwise agreed to in writing by the Council.	request for approval of a plan of subdivision (i.e. survey plan) that includes the transfer of land to the Council for each stage.
B	Submit evidence to Council from a suitably qualified person that the obligations under (A) above have been complied with	
20.	Bushfire Hazard - Access and Vegetation Management	
A	<p>Provide bushfire hazard mitigation measures, including but not limited to:</p> <p>(1) A perimeter fire trail network and fire hydrants for each stage, provided generally in accordance with the details shown on the approved Fire Trails Location Plan (ARC Surveys Plan Ref 2113-FT-1 (Rev D), or as amended and approved by Council). The fire trail network is to be constructed to the following minimum design specifications:</p> <p>(a) a minimum cleared width of 6m and minimum formed width of 4m;</p> <p>(b) gradient not exceeding 12.5%;</p> <p>(c) cross slope not exceeding 10%;</p> <p>(d) a formed width and erosion control devices to the standards specified in Planning scheme policy - Integrated design;</p> <p>(e) where required, a turning circle or turnaround area at the end of the trail to allow fire fighting vehicles to manoeuvre; and</p> <p>(f) passing bays and turning/reversing bays every 200m;</p> <p>(2) Asset Protection Zones are to be established in accordance with the approved Fire Trails Plan (7m adjacent to Lots 10, 20m adjacent to the north and west of Lots 11-23, and 26m to the south of Lots 23-28).</p> <p><i>Note: The above setback requirements for each elevation has been provided to inform detailed design of the proposed development. Final applicable BAL rating/s are recommended to be verified for individual Lots at detailed dwelling design stage;</i></p> <p>(3) A Statutory Covenant is to be established over the land within each Lot that encompasses an Asset Protection Zone or Fire Trail as shown on the approved Fire Trails Plan (or as amended).</p> <p><i>Note: Refer to separate conditions of this permit for requirements.</i></p> <p>(4) Install and maintain permanent Covenant Area boundary markers made of steel or concrete posts at each corner of the Covenant Area and at intervals of no greater than 25m. The</p>	<p>Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) and to be maintained</p>

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	markers are to be painted / powder coated / treated so that they are clearly visible.	
B	Construct and maintain a public access walkway to the east of the site within Lot 8, to an assembly area within adjacent managed parkland (Bunya Lake Reserve), in the event of a bushfire emergency. The walkway is to be clearly signed as an emergency accessway at times of bushfire attack.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for Stage 1
C	<p>Acknowledge in writing that future owners are made aware of Bushfire Management Requirements and provided the following advice.</p> <p>(a) Landscaping and vegetation retention adjacent the proposed development is to ensure:</p> <p>(1) Immediately adjacent to buildings is to be either fully cleared and regularly maintained (i.e. lawn) or retain trees as clumps or islands and provide a tree canopy cover of less than 15%.</p> <p>(i) Tree canopies are to be located greater than 2 metres from any part of the roofline of a building,</p> <p>(ii) Trees are to have lower limbs removed up to a height of 2 metres above the ground.</p> <p>(2) Asset Protection Zone (APZ) are to be maintained as effectively free of available fuel.</p> <p>(i) Landscaping plants may be used in this area so long as they are selected for their low combustibility, by virtue of high moisture content, low volatile oil content, high leaf mineral levels, large fleshy leaves, and absence of shedding bark.</p> <p>(ii) Landscaping is to be placed so as to not provide either vertical or horizontal connectedness of plant material, and avoid overhanging rooflines or contact with flammable parts of buildings.</p> <p>(iii) Any planted trees are to be of species which grow to over 2m, to maintain separation between lower canopy and the ground.</p> <p>(b) Turf is to be maintained regularly to reduce the potential for long grass to fuel an advancing fire toward buildings.</p> <p>Note: The above listed vegetation management measures do not apply to trees protected under an Environmental Covenant (land Title Act 1994).</p>	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage.
D	Site occupants should seek advice from the local fire authority every 5 years (as a minimum) to ensure site conditions and hazard mitigation methods remain appropriate.	As required
21.	Site Emergency Response Signage	
A	Submit and have approved by Council, details of the site Emergency Response signage to be installed on public land at the entrance to the development. The submission is to include:	Prior to submitting to the Council any

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	<p>(a) details of the text and imagery of the signage (b) dimensions and materials of signage. Signage is to be constructed of durable materials and is to be resistant to fading and graffiti to ensure it has a life of at least 25yrs. (c) located in a visually prominent position; (d) lighting (using streetlighting) to allow for 24 hour viewing.</p> <p>At a minimum, the signage is to advise residents, visitors and emergency response personnel of:</p> <ol style="list-style-type: none"> 1. the estate is located within a Bushfire Prone Area; and 2. contain an accurate site plan showing: <ol style="list-style-type: none"> (i) The overall layout of the development to scale; (ii) Any physical constraints that would restrict emergency vehicles; (iii) the location of Asset Protection Zones, Fire Trails and Fire Hydrants; (iv) the location of the Emergency Assembly Area and access to same; (v) The position of the site identification diagram in relation to its surroundings with the words "You Are (x) Here" highlighted and related to that position. <p>Note: Assistance with the content of the diagram may be obtained from the Department of Emergency Services.</p>	<p>request for approval of a plan of subdivision (i.e. survey plan) for Stage 1.</p>
B	<p>Install the signage as approved in (A) above.</p>	
22.	Covenant on Proposed Lots - Asset Protection Zone and Fire Maintenance Trails	
A	<p>Submit to Council for execution a properly executed Form 31 Covenant (and duplicate) pursuant to Section 97A(3)(a)(i) & (3)(b)(i) of the <i>Land Title Act 1994</i> –</p> <ol style="list-style-type: none"> (i) Preserving and maintaining the Asset Protection Zone (APZ) and Fire Trail (FT) as detailed on the approved Fire Trail Locations Plan, ARC Surveys Plan Ref 2113-FT-1 (Rev D) or as amended; (ii) Preserving and maintaining part of Lot 8 that is shown on ARC Surveys Plan Ref 2113-FT-1 (Rev D) or as amended as "<i>4m Wide Emt for public access to reserve in case of emergency evacuation for bushfire</i>"; (iii) Granting access to the Covenant Area to Council and the Queensland Fire and Rescue Service. <p>Note: To remove any doubt, the preservation and maintenance of asset protection zones requires safe and efficient emergency services access and manoeuvring within the approved fire maintenance trail and maintenance of the asset protection zones effectively free of available fuel.</p> <p>Requirements include:</p> <ul style="list-style-type: none"> • Take reasonable measures to only use, or allow to be used, the Covenant Area in a manner that provides for bushfire risk reduction and management' 	<p>Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage.</p>

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	<ul style="list-style-type: none"> • Maintains a clear 4m wide, all-weather through access, to enable Emergency Services to safely access; • Install and maintain permanent Covenant Area boundary markers made of steel or concrete posts at each corner of the Covenant Area and at intervals of no greater than 25m. • No fence posts / buildings or structures to be installed within the asset protection zones or along fire trail access; • Infrastructure within the Asset Protections Zone is to be limited to the treated effluent delivery line and subsurface irrigation system only; • No irrigation of treated effluent is to occur within the Fire Trail Access alignment (4m wide); • No storage or building material or landscaping material or parking of cars within the Asset Protections Zone or along fire trail access; • Native, noninvasive landscaping plants may be used within the asset protection zone so long as they are selected for their low combustibility, by virtue of high moisture content, low volatile oil content, high leaf mineral levels, large fleshy leaves, and absence of shedding bark. They are to be placed so as to not provide either vertical or horizontal connectedness of plant material <ul style="list-style-type: none"> • Any planted trees should be of species which grow to over 2m, to maintain separation between lower canopy and the ground; • maintain all ground cover vegetation within the Covenant Area at a maximum height of 300mm at all times. • No landscaping is to occur within the fire maintenance trail; • Turf is to be maintained regularly to reduce the potential for long grass to fuel an advancing fire toward buildings • Remove, trim, prune, lop any vegetation that extends into the Covenant Area from the adjacent Reserves (Lots 901 or Lot 902) and lawfully dispose of that material outside of the Covenant Area. 	
B	<p>Ensure the executed Form 31 Covenant is lodged for registration concurrently with the survey plan and lodged with the Titles Office by the applicant's solicitor at the applicant's expense, with the executed Covenant and endorsed survey plan only released to the applicant (or its agent) if the applicant's solicitor has given the Council a written undertaking to lodge the executed Covenant with the endorsed survey plan, concurrently with the Titles Office.</p>	
23.	Covenant on Proposed Lots - Significant and Habitat Trees	
A	<p>Submit to Council for execution a properly executed Form 31 Covenant (and duplicate) pursuant to Section 97A(3)(a)(i) & (3)(b)(i) of the Land Title Act 1994 –</p> <p>(i) Preserving the retained habitat and significant trees within the tree protections zones identified within the Vegetation Management Plans and approved Site plans.</p>	<p>Prior to submitting to the Council any request for approval of a plan of subdivision</p>


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	<p>(ii) Retained habitat and significant trees are to include, but are not limited to:</p> <ul style="list-style-type: none"> - Lot 1 - Moreton Bay Fig (tree No. 68) - Lot 4 - Moreton Bay Fig (tree No. 115) - Lot 16 - Hoop Pines x 3 (tree No. 108, 109, 201) - Lot 17, Moreton Bay Figs and Palm tree (tree No. 110, 196 and 200) - Lot 18, Moreton Bay Fig (tree No. 200) - Lot 27 - Kauri Pines and Bunya Pine (tree No. 104, 105, 192 and 193) <p>Note: To remove any doubt, the preservation of habitat and significant trees requires:</p> <ul style="list-style-type: none"> • no fence posts / buildings or structures to be installed within the tree protection zone of each tree; • no damaging root zone by compaction, excavation or filling within the tree protection zone of each tree; • no storage or building material or landscaping material or parking of cars within the tree protection zone of each tree; • no destroying of vegetation by ring bark, topping, lopping, poisoning, burning, flooding, draining, or otherwise injuring vegetation including cutting down, or pushing over; • effluent disposal irrigation areas are to be located outside of tree protection zones 	(i.e. survey plan) for each stage.
B	Ensure the executed Form 31 Covenant is lodged for registration concurrently with the survey plan and lodged with the Titles Office by the applicant's solicitor at the applicant's expense, with the executed Covenant and endorsed survey plan only released to the applicant (or its agent) if the applicant's solicitor has given the Council a written undertaking to lodge the executed Covenant with the endorsed survey plan, concurrently with the Titles Office.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage.
24.	Access easement	
	<p>Register an access easement in favor of Council over the;</p> <p>(a) whole of the Asset Protection Zone within each proposed lot; and</p> <p>(b) proposed 4m Wide Fire Trail Access as shown on the approved 'Proposed Fire Trail Locations' plan; and</p> <p>(c) proposed Emergency use Public Access Trail to reserve area as shown on the approved 'Proposed Fire Trail Locations' plan.</p>	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage.
25.	Ecological Restoration Plan Required	
A	Submit to Council for approval an Ecological Restoration Plan to ensure effective vegetation buffers and to reduce erosion of the Waterway Corridors. The Ecological Restoration Plan is to be developed for the mapped Riparian and Wetland Setbacks of Bergin and Wongan Creek within the site that are not already subject to approved Rehabilitation Plans for Development Approval DA/2021/2100.	Prior to approval of any Operational Works application.


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	<p>The plan must be prepared by a suitably qualified person and in accordance with section 9 of the Planning Scheme Policy - Environmental Areas and Corridors and the South East Queensland Ecological Restoration Framework and include the following provisions:</p> <p>(a) Planting densities and species selected are to be consistent with the relevant Regional Ecosystem in accordance with Appendix 3 of the Environmental Areas and Corridors Planning Scheme Policy. Technical Descriptions for Regional Ecosystems produced by the Queensland Government are to be used for determining densities and species selection.</p> <p>(b) Where densities are unavailable for a particular Regional Ecosystem, a tree and shrub density of 4500 stems per ha (i.e. spaced at 1.5 m centres) would be acceptable. This density is recommended in the SEQ Restoration</p> <p>(c) Framework Manual to facilitate a rapid canopy closure and reduce long-term maintenance.</p> <p>(d) Provide detail on the establishment and maintenance of restoration sites regarding weed management; watering; and replacement planting. For example, provide details on thresholds for replacement planting (e.g. mortality rate and how regularly plants will be replaced).</p>	
B	<p>(a) Maintenance of revegetated areas is required for a minimum of 24 months as per section 9 of the Planning Scheme Policy - Environmental Areas and Corridors.</p> <p>(b) Where maintenance periods for the revegetation works exceed the time required for endorsement of staged works, a development bond to ensure that revegetation works achieve acceptable standards will be required as per Planning Scheme Policy - Operational works inspection, maintenance and bonding procedures.</p> <p>(c) The security required as the maintenance bond is to have a monetary value equivalent to 5% of the agreed maintenance cost of the revegetation work or \$2000.00, whichever is greater, and is to be in a form acceptable to Council. Guidance on what constitutes an appropriate form for security in this context is provided in Council's policy on the provision of financial securities.</p>	<p>Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each Stage</p>
C	<p>Implement the requirements of the approved plan</p>	
26.	Disposal of Cleared Vegetation	
	<p>Chip, shred or tub grind cleared native vegetation and spread as mulch outside of any areas identified to be maintained as low fuel loads in an approved Bushfire Management Plan or dispose of at an authorised waste facility.</p> <p>Any hollows observed in cleared vegetation must be salvaged and installed as nest boxes in trees within the property or other location agreed with Council.</p>	<p>At all times</p>

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27.	Temporary Exclusion Fencing	
	Delineate areas where vegetation is proposed to be retained with exclusion fencing to prevent accidental damage. Delineation and fencing is to be undertaken in accordance with Australian Standard 4970-2009 Protection of Trees on Development Sites.	While site works are occurring
28.	Fauna Management Plan	
A	<p>Submit a Fauna Management Plan to reduce potential impacts on native fauna. The plan must be prepared by a suitably qualified person and contain at least the following information:</p> <ul style="list-style-type: none"> (a) Procedures for dealing with fauna observed immediately prior to vegetation clearing; (b) Procedures for dealing with fauna during vegetation clearing; (c) Procedures for the treatment / removal of injured fauna from the site; (d) The provision of Wildlife friendly lighting where required at the edge of environmental areas; (e) Safe wildlife movement measures for terrestrial, arboreal and semi aquatic species at the entrance of the development site, to allow for continuation of wildlife corridor along Wongan Creek Riparian Corridor; Note: Wildlife movement measures are to be consistent with the recommendations provided within the Department Of Transport and Main Roads - Fauna Sensitive Road Design Manual, Volume 2, Section 6; (f) As there will be increased traffic along Farm Road, the provision of safe wildlife measures will be required along Farm Road, including: <ul style="list-style-type: none"> (i) "Slow Down for Koalas" speed limit detection signs to be installed at entrances to Farm Road; and (ii) Wildlife road surface signs to be installed as each end of Farm Road. 	Prior to approval of any Operational Works application.
B	Obtain approval from Council for the Fauna Management Plan in accordance with (A) above.	During site works and to be maintained.

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C	Carry out works in accordance with the approved Fauna Management Plan	Prior to and during site works.
29.	Boundary Fences	
	<p>Install Koala exclusion fences along the boundary of each Development Footprint of lots that adjoin environmental areas (i.e. Lots 1-4 and 11-28). The Koala exclusion fencing is to be a minimum height of 1.5m and to contain a self-closing gate to allow access to Asset Protection Zones.</p> <p>Note: Koala exclusion fencing does not contain a gap between the fence and the ground and consists of materials that prevents Koalas from entering private back yards</p> <p style="text-align: center;">indicative image of koala exclusion fence.</p>  <p>Note: Boundary fencing is prevented within Asset Protection Zones as a requirement of Covenant (Land Title Act 1994).</p>	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each Stage
30.	Management of Wildlife - Standard	
A	Carry out approved vegetation clearing under the supervision of a Fauna Spotter Catcher holding a valid Rehabilitation Permit from the relevant State Government Agency.	During vegetation clearing
B	<p>The fauna spotter is to undertake following operations:</p> <p>(a) undertakes a wildlife load reduction measures through the pre-clearing trapping and relocation of wildlife 1-3 days prior to the approved clearing being conducted. Sequential clearing cannot be used as a primary fauna management measure as the remaining vegetation is insufficient to sustain the displaced fauna;</p> <p>(b) at sites that support potential koala habitat (fodder/habitat trees) conducts a site inspection the night before and the morning that the clearing will commence to identify fauna species and fauna habitat, using binoculars or a spotting scope when observing trees larger than 4.0 metres tall;</p>	As indicated before and during vegetation clearing

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	<p>(c) clearly marks (flag) vegetation found to contain fauna or fauna habitat (such as tree hollows, arboreal termite mounds, stick nests or possum drays with flagging tape), and visually and verbally communicate this information to the tree feller to ensure flagged trees are not felled until authorised by the fauna manager; and</p> <p>(d) works in conjunction with a professional tree feller in the removal of any vegetation identified for removal.</p>	
C	<p>Vegetation and rubble piles are not left to serve as a refuge for displaced or roaming wildlife through the implementation of the following measures:</p> <p>(a) immediately (within 12 hours) remove or destroy such materials; or</p> <p>(b) old (>12 hours) piles of felled vegetation are treated as potential wildlife habitat and inspected by a fauna spotter catcher prior to removal or destruction.</p>	As indicated
D	<p>The type of equipment used is matched to the specific clearing task to minimise the risk of death or injury to fauna. The use of bulldozers must be limited to low or regrowth vegetation that has been thoroughly inspected by a fauna spotter and is found to contain no fauna or potential habitat. Bulldozers are not to be used on any tree that may contain fauna or potential fauna habitat.</p>	During vegetation clearing
E	<p>Preserve valuable habitat features such as large fallen logs, log piles, rock piles or outcrops wherever practicable through the translocation and re-establishment in coordination with the wildlife spotter. The replacement of natural tree hollows occurs through the replacement with artificial hollows at a rate of a species dependent, per ha rate to be determined based upon the size of the retention area. Replacements should be erected prior to the commencement of clearing works and placed within suitable habitat. If additional tree hollows are discovered and removed during clearing works replacements should be erected within 24 hours of hollow loss.</p>	As indicated
31.	No Net Loss of Fauna Habitat /	
	<p>Where development results in the loss of a Habitat Tree (trees greater than 80cm in diameter at 1.3m above ground height), development must provide replacement fauna nesting boxes, in accordance with an approved nest box management plan, at the following rate:</p> <p>(a) One (1) nest box for every hollow removed, with a minimum of three (3) next boxes for each habitat tree removed; or</p> <p>(b) Where hollows have not yet formed, three (3) nest boxes for every habitat tree removed.</p>	Prior to any vegetation clearing
32.	Nest Box Management Plan	
A	<p>Where development does result in the loss of a Habitat Tree, submit and obtain approval from Council for a nest box management plan with details of the proposed construction, installation methods and GPS location for each nest box for Council's records. The plan must be prepared in accordance with Council's Planning scheme policy - Environmental areas and corridors and by a suitably qualified person</p>	Prior to any vegetation clearing

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	<p>and include details of proposed maintenance and protocols for replacing fallen or broken nest boxes. Include any additional information that may be relevant such as:</p> <ul style="list-style-type: none"> (a) Exact number of habitat trees and number of hollows to be impacted, (b) Assessment of replacement hollows required as per 'No Net Loss of Fauna Habitat' condition requirements, (c) Assessment of target species, (d) Requirements for the target species, (e) Nest box types - design and sizes, (f) Installation technique, (g) Proposed location of installed nest box including GPS location and owner's consent, (h) Installation timeframes which provide for installation prior to the commencement of clearing wherever possible, otherwise within 7 days of clearing; and (i) Monitoring and maintenance regime details, including protocols for replacing fallen or broken nest boxes. <p>Nest boxes must be maintained for a minimum of 12 months post installation.</p>	
B	<p>If nest box installation is proposed within a Council park, provide written confirmation from Council's Coordinator Parks and Recreation Planning that Council agrees to the installation of the nest boxes within Council park.</p> <p><i>Below is a link to Permission to carry out work on a road reserve or council owned land application</i> https://www.moretonbay.qld.gov.au/files/assets/public/services/building-development/building-plumbing/permission-to-carry-out-work-on-a-road-reserve.pdf</p>	Prior to any vegetation clearing
Development Engineering		
33.	Replace Existing Council Infrastructure	
	<p>Replace existing Council infrastructure (including but not limited to street trees and footpaths) that is damaged as part of works carried out in association with the development to Council's standards.</p>	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
34.	Alterations and Relocation of Existing Services	
	<p>Ensure any alteration or relocation in connection with or arising from the development to any service, installation, plant, equipment or other item belonging to or under the control of an entity engaged in the provision of public utility services is to be carried out with the development and at no cost to Council unless agreed to in writing by the Council.</p>	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).

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35.	Stormwater	
	Carry out the development to ensure that adjoining properties, reserves and roads are protected from ponding or nuisance from stormwater as a result of any works undertaken.	To be maintained at all times.
36.	Stormwater Management & Drainage Infrastructure – Design & Construction	
	<p>Design and construct at no cost to Council all necessary stormwater management and drainage works (internal and external to the site) in accordance with Council’s design standard current at the time of development.</p> <p>The design must consider “Water Sensitive Urban Design” principles, integrating the stormwater infrastructure into the urban design wherever possible.</p> <p>Note: The current design standards and relevant planning scheme codes are:</p> <ol style="list-style-type: none"> 1. Planning Scheme Policy Integrated Design; 2. Works Code. <p><i>This condition is imposed under section 145 of the Planning Act 2016.</i></p>	<p>Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).</p>
37.	Site Based Stormwater Management	
A	The approved Stormwater Management Plan is accepted as demonstrating that stormwater from the proposed development can be managed in accordance with Council’s planning scheme requirements and design standards, the “Healthy Waterways Water Sensitive Urban Design Technical Guidelines for South East Queensland” and other relevant legislative requirements.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B	Implement the works identified in the approved Stormwater Management Plan and provide certification from an RPEQ that all works have been designed and constructed in accordance with this permit condition.	
38.	Water Sensitive Residential Housing	
A	<p>(a) Submit to Council for execution a properly executed Form 31 Covenant (and duplicate) pursuant to Section 97A(3)(a) of the <i>Land Title Act 1994</i> that requires each proposed lot to be only used for the purposes of constructing a ‘Water Sensitive Residential House’ where a ‘Water Sensitive Residential House’ is defined as follows;</p> <p><i>A Dwelling House as defined under the Moreton Bay Regional Council Planning Scheme that has a rainwater tank with a minimum capacity of 20kL connected to the building to capture and collect all stormwater from the roof of the building.</i></p> <p>OR</p>	<p>Prior to lodging a request for compliance assessment of subdivision plans for each stage</p>

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	(b) Install water quality devices on each lot to achieve the recommendations of the approved stormwater management plan (SMP).	
B	Ensure any executed Form 31 Covenant is lodged for registration concurrently with the survey plan and lodged with the Titles Office by the applicant's solicitor at the applicant's expense, with the executed Covenant and endorsed survey plan only released to the applicant (or its agent) if the applicant's solicitor has given the Council a written undertaking to lodge any executed Covenant with the endorsed survey plan, concurrently with the Titles Office.	
39.	New Council Roads - Design & Construction	
A	<p>Submit to and have approved by Council, a development application for operational works for all new roads in accordance with the following classification as identified in the relevant planning scheme codes:</p> <ul style="list-style-type: none"> • Road Typology - Rural Residential (New Road) <p>Note: The current design standards and relevant planning scheme codes are:</p> <ol style="list-style-type: none"> 1. Planning Scheme Policy Integrated Design; 2. Works Code. <p>Note: Council acknowledges the required variation components against Council's current planning scheme to offset the road centreline to accommodate drainage type swale table drains.</p> <p><i>This condition is imposed under section 145 of the Planning Act 2016.</i></p>	Prior to lodging a request for compliance assessment of subdivision plans for each stage.
B	<p>Construct the works in accordance with the approved plans and documents of development.</p> <p><i>This condition is imposed under section 145 of the Planning Act 2016.</i></p>	
40.	External Road Works - Farm Road Upgrade	
	<p>Design and complete necessary road widening at no cost to Council of Farm Road from Bunya Road to the Bunya Lake Court intersection adopting the following minimum design parameters, Austroads Guide to Road Design - Part 3 - Section 4.2.6 Rural Road widths:</p> <ol style="list-style-type: none"> 1. Minimum 6.2m asphaltic concrete seal; 2. Minimum 1.5m CBR 45+ compacted and slurry sealed shoulders; 3. Realign the centerline of Farm Road to accommodate Austroads safety barrier impact provisions; and 4. Include MUTCD compliant line marking, street road advisory / warning signs including give way priority signage. <p>Submit to and have approved by Council, a development application for operational works for these works.</p>	Prior to lodging a request for compliance assessment of subdivision plans for the first stage.

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	<p>Note: The current design standards and relevant planning scheme codes are:</p> <ol style="list-style-type: none"> 1. Planning Scheme Policy Integrated Design; 2. Works Code. <p>Note: Council acknowledges the developers requirement to engage an arborist to identify issues and make recommendations to Council where new road construction / widening may encroach into tree root zones.</p> <p><i>This condition is imposed under section 145 of the Planning Act 2016.</i></p>	
41.	Construction Affecting Existing Roads	
	<p>Provide and maintain control measures for any works in or affecting roads (including verges) to ensure that the works will not injure, endanger, obstruct or unduly inconvenience any person or user of the road.</p> <p>Note: All traffic control devices must be installed and maintained in accordance with the Manual of Traffic Control Devices (Queensland).</p>	At all times.
42.	Stormwater Drainage - Lawful Discharge	
	<p>Ensure that stormwater from the proposed development is lawfully discharged from the subject land without causing nuisance and annoyance to any person.</p>	At all times.
43.	Overland Flow Management	
	<p>(a) Provide measures to properly manage overland flows draining to and through the land to ensure no nuisance or annoyance is created to any person or premises as a result of the development. The development must not result in ponding on adjacent land, redirection of overland flows to other premises and blockage of an overland flow relief path for flows exceeding the design flows for any underground system within the development.</p> <p>(b) Provide drainage easements, free of cost and compensation in Council's favour, over any drainage paths and drainage infrastructure within all new lots including all inter-allotment drainage works.</p> <p>(c) The major and minor drainage systems through the subject land are to be designed to cater for a fully developed (in accordance with the planning scheme) upstream catchment.</p> <p>(d) The roads, drainage pathways, drainage features and waterways safely convey the stormwater flows for the major storm event without allowing flows to encroach upon lots.</p> <p>(e) Overland flow paths and pipe drainage (for any storm event) from roads and public open space do not pass through residential lots. Drainage pathways or drainage reserves are</p>	At all times.

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	<p>provided to accommodate overland flows from roads and public open space areas.</p> <p>(f) Stormwater drainage infrastructure through or within private land is protected by easements in favour of Council (at no cost to Council) with easement areas and dimensions conforming to Council's standards.</p> <p>Note: The current design standards and relevant planning scheme codes are:</p> <ol style="list-style-type: none"> 1. Planning Scheme Policy Integrated Design; 2. Works Code. 	
44.	Construction Management Plan	
A	<p>Submit and have approved by Council, a Construction Management Plan (CMP) prepared by the Principal Contractor. The CMP is to outline, in sufficient detail, the processes that will be employed to minimise impacts on the surrounding community during construction. These processes are to cover the following:</p> <ol style="list-style-type: none"> (a) Proposed construction program; (b) Public safety, amenity and site security; (c) Operating Hours, Noise and Vibration Controls; (d) Air & dust management; (e) Stormwater runoff, erosion & sediment control; (f) Waste & materials refuse management; (g) Traffic management; (h) Construction materials delivery & storage; (i) Construction office accommodation; (j) Contractors vehicle parking arrangements; and (k) Extent of earthworks exposed on the site at any time; (l) Material delivery and storage locations; (m) Waste locations and collection details; (n) Works that may make audible noise outside of 6:30am to 6:30pm any business day or Saturday. <p>The CMP may include a site layout drawing identifying these areas.</p> <p>The CMP needs to reflect any staging requirements.</p> <p>Notes:</p> <ol style="list-style-type: none"> 1. Council will generally only approve early starts for large concrete pours during summer (e.g. monolithic concrete pours for basements and suspended floor slabs) 2. Dewatering directly into Council's stormwater system (pipes or overland flow) without appropriate water quality treatment/improvement is not acceptable 3. Traffic control measures may need to be put in place for the duration of the construction works to control contractor / tradesman vehicle parking arrangements, this should be documented within the CMP 4. Materials unloading and loading must occur on-site unless prior written approval is given by Council. 	<p>Not less than two (2) weeks prior to commencement of works of each stage. To be maintained current at all times during construction works.</p>

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	All construction office accommodation and associated temporary buildings is to be contained within the site or on a nearby site.	
B	Implement the approved Construction Management Plan (CMP) and keep a copy of the approved CMP on site during all construction phases.	At all times during construction of the development.
45.	Earth Retaining Structures	
A	<p>Design and construct all earth retaining structures within private land in accordance with:</p> <ul style="list-style-type: none"> • Council's planning scheme and relevant planning scheme policies; • Relevant Australian Standards; and • Relevant Building code requirements. <p>The minimum Design Life (the period assumed in design for which a structure or structural element is required to perform its intended purpose without replacement or major structural repairs) for the earth retaining structure is that specified in Table 3.1 of Australian Standard AS4678-2002.</p> <p>Note: Timber retaining structures and boulder retaining walls are not acceptable unless specifically approved in writing by Council.</p>	Prior to lodging a request for compliance assessment of subdivision plans for each stage.
B	Earth retaining structures within the land and around areas of cut on or near the boundaries of the site must be designed to allow for live and dead loads associated with the land/premise's current occupancy and use.	
C	<p>Provide design drawings that clearly show the location and overall configuration (fully dimensioned), design parameters and loads, materials and finishes of all earth retaining structures for the development.</p> <p>Note: The retaining wall configuration must not compromise the area of private open space as identified on the approved small lot plan and/or encroach into the road reserve beneath the finished surface.</p>	Prior to issue of a development permit for operational works for the development
D	Provide temporary safety fencing to all earth retaining structures over 1.0m in height.	Prior to acceptance of the development works "on maintenance" or completion of the permanent works, whichever occurs first.
E	Provide written certification from a suitably qualified and experienced RPEQ that the works comply with this permit condition.	Prior to lodging a request for compliance assessment of subdivision plans for each stage.
F	<p>Configure the retaining walls as follows:</p> <p>(a) For residential development the maximum cumulative height of retaining walls structures in cut (side and rear boundaries) is 3.0m with the maximum height of any wall limited to 1.5m unless there is a demonstrated and accepted amenity or drainage benefit in approving a higher wall.</p>	

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	<p>(b) For rear boundaries retaining walls in cut must be provided where the difference in allotment levels exceeds 1.5m (i.e. the maximum height of batter within the rear of an allotment is 1.5m).</p> <p>(c) For retaining walls supporting fill the cumulative maximum height is 1.0m.</p>	
46.	Pathways	
	<p>Construct, at no cost to Council a 2.0 metre wide reinforced shared concrete pathway for each stage on at least one side of the new road extending to the end of the head of each cul de sac.</p> <p><i>This condition is imposed under section 145 of the Planning Act 2016.</i></p>	Prior to submitting to the Council any request for approval of a plan of subdivision for each stage.
47.	New Roadworks to Join to Existing Roads	
	Where new roadworks (new internal roads and/or frontage roadworks) are constructed as part of a development these works are to be extended to join to any existing roadworks that is within 20.0 metres of the end of the new roadwork within and/or fronting the site.	Prior to lodging a request for compliance assessment of subdivision plans for each stage.
48.	Temporary Turnaround	
	<p>Design and fully construct at no cost to Council, a sealed temporary turnaround at the end of the New Road section extending off Farm Road. The turnaround is to be of a configuration that enables Council's standard waste collection vehicle to undertake a three point turn or better.</p> <p>Note: Additional road reserve width may be required in order to provide the turnaround within road reserve. Alternatively, approved easements may be provided within the adjacent new lots to facilitate the turnaround</p>	Prior to lodging a request for compliance assessment of subdivision plans for each stage.
49.	Erosion and Sediment Control	
	Implement an Erosion and Sediment Control Plan prepared by an experienced Certified Professional in Erosion and Sediment Control (CPESC) in accordance with the International Erosion Control Association Australasia (IECA) Best Practice and Sediment Control document.	Prior to commencement of works and to be maintained current at all times during construction.
50.	Road Bridge Culvert Structures	
A	<p>Submit a Culvert Structural Bridge Configuration Report (BCR) for approval by Council that includes (but is not limited to):</p> <p>(a) The overall configuration (fully dimensioned) and geometry/road planning layout of the bridge and its approaches;</p> <p>(b) Statement of design methodology, design parameters including design loadings, design life, materials and finishes and any proposed public utilities/services to run across the bridge;</p>	Not less than 12 weeks prior to submission of the operational works development application.

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	<p>(c) Where the bridge is over a waterway – design ARI, freeboard to design flood events or details of overtopping, allowance for debris loading and details of proposed scour and erosion protection to the waterway and/or embankments;</p> <p>(d) Where the bridge is proposed to be constructed as a feature of the estate, the developer shall provide details of the materials, construction techniques, and complete a safety review of any architectural features of the bridge; and</p> <p>(e) Assessment of inspection and maintenance serviceability of the proposed design.</p>	
B	<p>Design and construct the bridge culvert structure in accordance with:</p> <p>(a) Council's planning scheme and relevant planning scheme policies;</p> <p>(b) Council's design standards;</p> <p>(c) Relevant Australian Standards (including AS1158, AS1170, AS 5100, AS3600, AS4100, AP 23/94, AS/NZS3845);</p> <p>(d) Austroads Bridge Technology guidelines;</p> <p>(e) Queensland Urban Drainage Manual; and</p> <p>(f) The Council approved Bridge Configuration Report.</p> <p><i>This condition has been imposed under section 145 of the Planning Act.</i></p>	Prior to lodging a request for compliance assessment of subdivision plans for Stage 1.
C	<p>Submit a detailed bridge design and specifications conforming to the approved Bridge Configuration Report, for approval by Council. The design must be certified by an RPEQ with experience in design of road bridge structures.</p>	With the application for operational works.
D	<p>Submit a Bridge Construction Management Report (BCMR), for approval by Council, which addresses (but is not limited to) the following:</p> <p>(a) Proposed construction procedure and program;</p> <p>(b) Details of all temporary works proposed for the construction;</p> <p>(c) Identification of all construction risks and methods for reducing these risks;</p> <p>(d) Public safety, amenity and site security;</p> <p>(e) Operating Hours, Noise and Vibration Controls;</p> <p>(f) Air & Dust management;</p> <p>(g) Stormwater runoff, erosion & sediment control;</p> <p>(h) Waste & materials refuse management;</p> <p>(i) Traffic management;</p> <p>(j) Construction materials delivery & storage; and</p> <p>(k) Construction office accommodation.</p>	Not less than six (6) weeks prior to any bridge works commencing on site.
E	<p>Implement the approved BCMR and keep a copy of the BCMR on site.</p>	At all times during construction of the development.
51.	Rear Allotment Access Driveways	
A	<p>Design and construct residential rear allotment access driveways from the back of kerb for the full length of the access handle in accordance with the staging of development relevant at that time for Lot/s 11, 14, 23 & 27.</p>	Prior to submitting to the Council any request for approval of a plan

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	The following are the minimum requirements: (a) Design loading of 2.5x10 ³ Equivalent Standard Axles (ESA) for each lot entitled to use the driveway; (b) Minimum sealed width must be 3.0m; (c) The construction must be reinforced concrete slabs or interlocking concrete pavers, unless approved otherwise; (d) Appropriate longitudinal drainage, cross drainage and scour/erosion protection works must be provided; (e) General maximum longitudinal grade must be 16%, unless approved otherwise; (f) Install conduits for underground electricity supply and telecommunications including draw wires within and for the entire length of the access handle;	of subdivision for each stage.
B	Construct driveway crossovers to proposed Lots 11, 14, 23 and 27 in accordance with the staging of development relevant at that time, the approved plans and documents of development and MBRC Standard Drawing/s RS-049 & RS-050.	Prior to submitting to the Council any request for approval of a plan of subdivision for each stage.
C	Provide certification from a Registered Professional Engineer Queensland (RPEQ) that this condition has been complied with.	
52.	Geotechnical Report	
	Construct the works in accordance with RPEQ certified design and the recommendations of the approved Geotechnical Report.	Prior to submitting to the Council any request for approval of a plan of subdivision for each stage.

PROPERTY NOTES

1	Bushfire Management
	The following property note will be attached to Council's database for Lots 1-28: <i>"An approved Bushfire Management Measures apply to this lot. Any development on this lot must be in accordance with the conditions of approval related to Bushfire Hazard Mitigation. Further details can be found in the development permit creating the lot or the development approval for the use, and the associated Council report (Delegated or Council Meeting) or approval letter. This information is available through the PD Online facility on Council's website www.moretonbay.qld.gov.au."</i>
2	Animal Management Requirements
	The following property note will be attached to Council's database for Lot 1-4 and 11-28: <i>"This Lot is within a koala habitat area. Local Law 2 (Animal Management) and associated subordinate local law applies to Koala Habitat Areas - S11(1)(a) If a koala is on land to which a dog has access, or if the responsible person for a dog becomes aware there is a koala at large on land where the dog is kept, the responsible person for the dog must— (i) tether the dog to prevent it from attacking a koala until the koala has left the land; and</i>

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	<p><i>(ii) contain the dog by placing the dog in an enclosure between sunset and sunrise to prevent it from attacking a koala.”</i></p> <p>Further information can be obtained through Council’s website https://www.moretonbay.qld.gov.au/files/assets/public/services/local-laws/subordinate-local-law-2.pdf</p>
3	(Covenant) Requirements
	<p>The following property note will be attached to Council’s database for Lots 1-28:</p> <p><i>“An approved Covenant applies to this lot. Any development on this lot must be in accordance with the approved Covenant and any conditions related to the approved plan.</i></p> <p><i>Further details can be found in the development permit creating the lot or, and the associated Council report (Delegated or Council Meeting) or approval letter. This information is available through the DA Tracker facility on Council’s website www.moretonbay.qld.gov.au.”</i></p>
4	Fencing Requirements
	<p>The following property note will be attached to Council’s database for Lot 1-4-11-28:</p> <p>“Fences to the boundary of a development footprint must consist of Koala exclusion fencing, to be maintained at all times. Koala exclusion fencing is to be a minimum of 1.5m high, does not contain a gap between the fence and the ground and consist of materials which prevents Koalas from entering private back yards”.</p>
5	Additional Development Requirements
	<p>The following property note will be attached to Council’s database for Lots 1-28:</p> <p>“Additional development requirements apply to this lot. Any development on this lot must be in accordance with the approved plan and associated conditions.</p> <p>Further details can be found in the development permit creating the lot or the development approval for the use, and the associated Council report (Delegated or Council Meeting) or approval letter. This information is available through Council’s DA Tracker Online facility on Council’s website www.moretonbay.qld.gov.au.”</p>
6	On-Site Sewerage
	<p>The following property note will be attached to Council’s database for Lots 1-28.</p> <p><i>“An approved preliminary on-site sewerage report (Land Suitability Report) applies to this lot. This preliminary report is based on a number of assumptions including house size and location and is only intended to indicate the type of on-site sewerage system that may be required, where suitable effluent disposal areas are best located on this lot and assist the landowner in locating the new dwelling and other structures on the lot. The preliminary on-site sewerage report is not suitable for use as the design report required for approval of the on-site sewerage system design for the new dwelling.</i></p> <p><i>Further details can be found in the development permit creating the lot or the development</i></p>

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	<i>approval for the use, and the associated Council report (Delegated or Council Meeting) or approval letter. This information is available through the PD Online facility on Council's website www.moretonbay.qld.gov.au.</i>
7	Geotechnical Advice
	<p>The following property note will be attached to Council's database for Lots 1 to 28.</p> <p><i>"An approved preliminary Geotechnical Assessment report applies to this lot. Any development on this lot must be in accordance with the approved Geotechnical Assessment report and any conditions related to the approved report.</i></p> <p><i>Further details can be found in the development permit creating the lot or the development approval for the use, and the associated Council report (Delegated or Council Meeting) or approval letter. This information is available through the PD Online facility on Council's website www.moretonbay.qld.gov.au.</i></p>

ADVICES	
1	Aboriginal Cultural Heritage Act 2003
	<p>The <i>Aboriginal Cultural Heritage Act 2003</i> commenced in Queensland on April 16, 2004. The Act provides blanket protection of Aboriginal cultural heritage sites and places, including significant areas and objects, as well as archaeological remains. The Act also recognises that Aboriginal cultural heritage parties are key stakeholders in the assessment and management of Aboriginal cultural heritage.</p> <p>Under the Act, if a proposed activity involves disturbance of the ground surface, cultural heritage Duty of Care must be considered. This involves consideration of whether an activity is <i>likely</i> to harm Aboriginal cultural heritage. This may require involvement from the relevant Aboriginal cultural heritage party.</p> <p>Cultural heritage Duty of Care compliance ultimately lies with the person or entity conducting the activity, and penalty provisions apply for failing to fulfil this Duty of Care.</p> <p>Council strongly advises that before undertaking the land use activity, you refer to the <u>cultural heritage duty of care - Department of Aboriginal and Torres Strait Islander Partnerships (Queensland Government)</u> for further information regarding the responsibilities of the developer.</p>
2	Environmental Protection Act
	It remains the duty of care of the site owner not to cause Environmental Harm as defined under the <i>Environmental Protection Act 1994</i> .
3	Nature Conservation (Koala) Conservation Plan
	<p>The premise is located in Koala District A.</p> <p><i>The Nature Conservation (Koala) Conservation Plan 2017</i> requires that the clearing of koala habitat trees in District A must be carried out as outlined in Part 3 of the plan including:</p> <ol style="list-style-type: none"> 1 Compliance with the sequential clearing conditions outlined in Section 10 of the plan;

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	<p>2 If in a Koala Habitat Area - Koala spotter needed for clearing, in a koala habitat area, koala habitat trees having a trunk of a diameter of more than 10cm at 1.3m above the ground.</p>
4	Nature Conservation (Wildlife Management) Regulation
	<p>In Queensland, the Nature Conservation (Animals) Regulation 2020, legislates that it is an offence to tamper with an animal breeding place that is being used by a protected animal to incubate or rear the animal's offspring. For any proposed activity that will impact on breeding places of protected animals that are classified as extinct, in the wild, endangered, vulnerable, near threatened (EVNT), special least concern, colonial breeder or least concern, a <u>Species Management Plan</u> (or Damage Mitigation Permit if the person removing or tampering holds a DMP for the relevant species) for that species will be required. Animal breeding places include obvious structures such as bird nests and tree hollows, as well as more cryptic places such as amphibian or reptile habitat where breeding takes place.</p>
5	Biosecurity Act 2014
	<p>The Biosecurity Act 2014 commenced on 1 July 2016 and established a framework to regulate and control invasive plants and animals. Under the Biosecurity Act 2014, landowners are responsible for taking all reasonable and practical steps to minimise the risks associated with invasive plants and animals under their control. This obligation is known as the general biosecurity obligation (GBO).</p>
6	EPBC Act (Commonwealth)
	<p>The Act is set to protect and govern matters of National Environmental Significance, this includes flora, fauna, ecological communities and heritage places. All potential impacts are required to be assessed against the EPBC Act. A Protected Matters search has revealed some Matters of National Significance (MNES) that have potential to be found on site.</p> <p>It should be noted that a referral under the Act is not mandatory and the ultimate risk of not referring the action when there is potential to impact a matter of National Ecological Significance lies solely with the proponent.</p>