

# Making or amending a Ministerial Infrastructure Designation

Streamlined operational guidance for eligible proposals

The Department of State Development, Infrastructure and Planning connects industries, businesses, communities and government (at all levels) to leverage regions' strengths to generate sustainable and enduring economic growth that supports well-planned, inclusive and resilient communities.

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# Streamlined operational guidance for making or amending a Ministerial Infrastructure Designation

This document provides streamlined guidance for infrastructure entities requesting to make or amend a Ministerial Infrastructure Designation (MID) for eligible proposals consistent with **Attachment 2** or **Attachment 3**. The MID assessment process is set out across the following:

- Streamlined operational guidance - provides guidance on the MID process.
- Ministers Guidelines and Rules (MGR) – sets out the process for environmental assessment and consultation
- *Planning Act 2016* (the Planning Act) – includes provisions for consultation by the Planning Minister and the process for making (deciding) a MID.

The types of infrastructure that can be considered under the MID process are listed in Schedule 5 the Planning Regulation 2017 (the Planning Regulation).

The following infrastructure types can seek to utilise this streamlined guidance, where compliant with the eligibility criteria in **Attachment 2**:

- Item 3: community and cultural facilities, including community centres, galleries, libraries and meeting halls
- Item 4: community residences
- Item 6: educational facilities
- Item 8: emergency services facilities
- Item 9: facilities at which an education and care service under the [Education and Care Services National Law \(Queensland\)](#) is operated
- Item 10: facilities at which a QEC approved service under the [Education and Care Services Act 2013](#) is operated
- Item 12: hospitals and health care services
- Item 15: residential care facilities
- Item 17: sporting facilities
- Item 20: storage and works depots and similar facilities, including administrative facilities relating to the provision or maintenance of infrastructure stated in this part
- Item 21: any other facility not stated in this part that is intended mainly to accommodate government functions.

MID proposals for any of the above infrastructure that meet the eligibility criteria in **Attachment 2**, can expect a streamlined assessment and a decision within 5 months of lodgement. Note this does not preclude delays that may occur due to unforeseen issues or delays in the proponent's actions.

Where the Department of State Development, Infrastructure and Planning (the department) determines that a proposal does not meet the eligibility criteria in **Attachment 2**, the proposal will not progress under this document. Entities should withdraw the proposal and undertake pre-lodgement, preliminary stakeholder engagement and endorsement as outlined in [Making or Amending a MID Operational Guidance](#).

The following infrastructure types may utilise this streamlined guidance, where compliant with the eligibility criteria in **Attachment 3**:

- Item 13: housing that is provided as part of a program, funded by the State, for providing social or affordable housing
- Item 16: social or affordable housing that is provided by a registered provider or a registered entity under the [Australian Charities and Not-for-profits Commission Act 2012 \(Cwlth\)](#).

MID proposals for social and/or affordable housing that meet the eligibility criteria in **Attachment 3**, can expect a streamlined assessment and a decision within 3 months of lodgement. Note this does not preclude delays that may occur due to unforeseen issues.

Priority will still be given to a request to make or amend a MID that the department either determines does not meet all relevant criteria in **Attachment 3** or a need to request further information.

## 1.0 Effect of a designation on planning instruments and other legislation

Under section 44(6)(b) of the Planning Act, development of infrastructure on premises that is subject to a MID is accepted development, subject to compliance with any requirements that are imposed in accordance with section 35(2) of the Planning Act. This excludes building work under the *Building Act 1975*.

A MID does not prevent other development from taking place on the designated premises. However, any proposed development that departs from the MID would be classed as assessable development (under the relevant local planning instrument, or the Planning Regulation).

Other approvals may be required to authorise the development of the infrastructure. It is the responsibility of the entity to identify any other approvals before commencing works.

## 2.0 Planning Minister's role in the MID process

The Planning Minister is the decision maker for a MID and the department coordinates the assessment process. This includes obtaining advice from other state agencies and technical experts as relevant. As the decision maker, the Minister is also required to give consideration to issues raised by submitters during the consultation process.

## 3.0 Planning considerations in a MID

MID assessment centres around the impacts of proposed infrastructure, including for example traffic, parking, stormwater, noise, amenity and built form. In addition, consideration is given to the suitability of the proposed infrastructure in the context of its locality, including adjacent land uses.

Community concerns specific to a MID proposal are also key considerations. Matters raised that are not relevant to a MID proposal typically fall outside the scope of assessment and are not considered by the Minister in decision making. Where appropriate, these matters are referred to the relevant state agency or authority for consideration.

## 4.0 Process for making or amending a MID

### Endorsement to lodge the MID proposal

Prior to seeking a MID, the entity must write to the Minister seeking their endorsement to lodge a MID proposal (endorsement request). The purpose of the endorsement step is to ensure entities only progress to preparing a MID proposal where it is considered that a MID is the appropriate planning assessment pathway for the proposed infrastructure. An endorsement request must include the material identified in **Attachment 1**. An endorsement request can be made via email to: [infrastructuredesignation@dscip.qld.gov.au](mailto:infrastructuredesignation@dscip.qld.gov.au). Please note this step is not required for social and/or affordable housing proposals.

### Lodgement

The entity is required to undertake all of the following actions before lodgement:

- prepare the material identified in Schedule 3 of the Minister's Guidelines and Rules (MGR);
- provide a response that demonstrates the proposal meets all eligibility criteria listed in **Attachment 2 or 3**;
- where buildings or structures are proposed adjacent to a site boundary, write to adjoining landowners advising of the intention to lodge the MID proposal advising of upcoming formal consultation to follow;
- write to the local government Chief Executive Officer (CEO) advising of the intention to lodge the proposal for a MID advising of upcoming formal consultation to follow;
- provide a copy of the letter sent to the local government CEO with the proposal package; and
- provide details of the anticipated project value and funding commitments.

A MID proposal should be made to the Minister through the [Infrastructure Designations Portal](#).

### Consultation

#### Consultation by the Minister

Following receipt of the MID proposal, the Minister will commence consultation by writing to the local government, relevant State Member and the landowner/s, inviting submissions. The local government, relevant State Member and landowner/s are typically provided 25 business days to make a submission.

#### Consultation by the Entity

A consultation strategy is to be included in the material provided as part of a MID proposal. Entities are encouraged to use a variety of methods of consultation to increase community awareness. The minimum requirement for public notification is listed in Schedule 4 of the MGR and includes the need to publish a public notice, place signs on the site and send notices to the stakeholders listed in the endorsed consultation strategy.

Consulted stakeholders should include surrounding landowners, elected representatives and Native Title and/or Aboriginal or Torres Strait Islander party/parties for the area.

The entity will be responsible for undertaking public consultation in accordance with the consultation strategy. The department will liaise with the entity regarding any amendments required to be made to the consultation strategy prior to public consultation commencing.

The commencement of consultation by the Minister is to be taken as the Minister having endorsed the consultation strategy provided by the entity. The entity may commence consultation on the same day or any day within two weeks following the Minister commencing consultation.

The period for public consultation should be outlined in the consultation strategy, but is typically a minimum of 20 business days, commencing on the day the last of the consultation actions identified in Schedule 4, section 7 of the MGR have been undertaken. The end date for public consultation should be no earlier than the end date of the consultation by the Minister. Submissions regarding the MID proposal must be made to the Minister.

### Consideration of submissions

After consulting, the Minister must give the entity a copy of any submissions received or notify them if none were received. This allows the entity to consider and address any issues raised, including making changes to their proposal. The entity must submit evidence of consultation and any updated technical reports or plans that address matters raised by submitters.

### State agency comments

During consultation, the department will seek relevant comments from state agencies on the entity's proposal. The Planning Act outlines the applicable interests, and while planning instruments may vary between proposals, the department will review identified state interests, regional plans, developments schemes relating to state development or priority development areas that apply.

The Minister will share any state agency comments that need a response with the entity alongside submissions received during MID consultation. The entity must then summarise how they have addressed these comments when reporting to the Minister.

### Change to the entity's proposal

If a significant change is made to the proposal further consultation may be required. Any additional consultation may involve specific parties, have a limited scope, and be conducted within a set time frame. Afterward, the entity will receive any new submissions for consideration and must provide the Minister with a summary of the issues raised and how they were addressed. The decision process will then continue with the Minister. In the event that further consultation is required, either the 3 or 5 month decision timeframe will be unlikely to be met.

## Decision of the Minister

The process for deciding a MID is detailed in the Planning Act, covering all steps for the Minister's consideration. The Minister is deemed satisfied with the environmental assessment and consultation if guidelines are followed but may accept another way as per section 36(5) of the Planning Act. Entities should follow the process set out in this document, the **Attachment 2 or 3** eligibility checklists, and the MGR.

The Minister will review local government comments and public submissions when making a decision about a MID. If approved, a gazette notice will be published. The entity, local government, and affected parties will be informed of the decision and any requirements. The local government must then update the local planning instrument to reflect the MID.

## 5.0 Process for making a minor amendment to a MID

The process for making a minor amendment to a MID is the same as section 4.0 above, with the exception of the consultation by the entity. No consultation by the entity is required for minor amendments.

# Attachment 1 – Endorsement request

## Endorsement request for a MID proposal

An endorsement request for a MID proposal must include—

- (a) proposal plans indicating building(s) footprint and height, any proposed demolition, any proposed vegetation clearing and the quality of vegetation
- (b) details of project value
- (c) a list of any preliminary/technical assessments that have been undertaken and a list of the technical reports to be provided in support of the request
- (d) detail on the scale and intensity of the proposed use
- (e) outcomes of preliminary stakeholder engagement with the Local Government and other stakeholders including—
  - engagement activities undertaken and range of stakeholders engaged
  - key matters/issues raised by stakeholders
  - how the entity proposes to respond to the key matters raised
- (f) if relevant, a summary of the approvals history for the site including an analysis of the ongoing obligations of those approvals and how the entity proposes to avoid any conflicts between existing approvals and MID if approved.

## Endorsement request for a MID minor amendment proposal

An endorsement request for a MID minor amendment proposal must include—

- (a) proposal plans indicating details of the proposed amendment
- (b) a list of any preliminary/technical assessments that have been undertaken
- (c) a list of the technical reports to be provided in support of the request
- (d) detail on the scale and intensity of the proposed amendment.

## Attachment 2 – Eligibility checklist

When requesting to make or amend a MID for infrastructure types listed on Page 4, entities must provide responses to the below checklist. Where it can be demonstrated that a MID proposal meets all items, a 5 month assessment timeframe will apply. Note, this does not preclude delays that may occur due to unforeseen issues arising.

MID proposals that cannot meet the criteria should follow the process outlined in the [Making or Amending a MID Operational Guidance](#). It is at the discretion of the department as to whether the criteria has been satisfied based on the information provided. It is encouraged to undertake pre-lodgement to confirm eligibility where appropriate.

Mandatory criteria		Entity response
<b>Criteria for an education, health or sporting purpose</b>		
1	The proposal is limited to an extension of, or relates to, existing lawful infrastructure on the site.	Yes <input type="checkbox"/> <i>For each criterion insert further information or reference to supporting documentation to explain why this criterion is met.</i>
2	The scale and intensity of the proposal is less than or comparable to the current scale and intensity of development on site.	Yes <input type="checkbox"/>
<b>Criteria for all infrastructure types relevant to this guideline</b>		
3	(a) The proposed building height complies with the relevant planning scheme requirements; or (b) It is demonstrated that proposed building height is appropriate for the site context and amenity of adjoining residential uses.	Yes <input type="checkbox"/>
4	(a) The setbacks of proposed buildings comply with the relevant planning scheme requirements; or (b) It is demonstrated that setbacks of proposed buildings are appropriate for the site context and amenity of adjoining residential uses.	Yes <input type="checkbox"/>
5	Where a proposal includes either community residence or residential care facility, the proposal provides private open space for each new dwelling/unit and access to communal open space, consistent with the relevant planning scheme.	Yes <input type="checkbox"/>
6	(a) The proposal meets minimum car parking and traffic circulation requirements outlined in the relevant planning scheme or Department of Transport and Main Roads’ standards; or (b) The proposal demonstrates adequate provision of carparking and traffic circulation requirements for additional staff and visitors to meet operational demand.	Yes <input type="checkbox"/>

Mandatory criteria	Entity response
<p><i>Note: Consideration must be given to parking demands of any existing use(s), including any existing shortfall and need for additional parking. Where part (b) applies, a statement prepared by an appropriately qualified person must be provided to demonstrate compliance.</i></p>	
<p>7</p> <p>(a) The proposal does not involve a new or changed access; or</p> <p>(b) The proposal involves a new or changed access and includes a traffic impact assessment (TIA) which addresses:</p> <ul style="list-style-type: none"> <li>• safe and efficient access for vehicles, pedestrians and cyclists;</li> <li>• traffic generation and distribution and identifies impacts on the local and state transport network (including any impacts to public passenger transport infrastructure); and</li> <li>• demonstrates that the proposal will not significantly impact the safety and efficiency of the transport network (note any required mitigation measures must comply with relevant standards and endorsed by the relevant asset manager).</li> </ul> <p><i>Note: The TIA must be certified by a Registered Professional Engineer of Queensland (RPEQ). Where mitigation measures are included, evidence is provided demonstrating support from the relevant asset manager.</i></p> <p><i>Note: New or changed access is defined in Schedule 24 of the Planning Regulation 2017.</i></p>	<p>Yes <input type="checkbox"/></p>
<p>8</p> <p>(a) The proposal does not require additional, or upgrades to, trunk infrastructure identified by a Local Government Infrastructure Plan (LGIP) in the relevant local planning scheme; and</p> <p>(b) The proposal accommodates any mapped LGIP infrastructure identified in the relevant planning scheme or planned upgrades to state transport networks.</p>	<p>Yes <input type="checkbox"/></p>
<p>9</p> <p>The proposal directs stormwater to a legal point of discharge, includes adequate stormwater quantity and quality measures and does not cause actionable nuisance to adjoining properties.</p> <p><i>Note: Stormwater advice certified by a RPEQ is required to demonstrate compliance.</i></p>	<p>Yes <input type="checkbox"/></p>
<p>10</p> <p>(a) Buildings and structures are not proposed in a mapped bushfire prone area; or</p> <p>(b) The proposal demonstrates that the bushfire attack level is appropriate and emergency access requirements are achieved.</p> <p><i>Note: Bushfire prone area is identified in the State Planning Policy Interactive Mapping System (SPP IMS) or relevant planning scheme.</i></p>	<p>Yes <input type="checkbox"/></p>

Mandatory criteria	Entity response
<p><i>Note: Where buildings or structures are identified in a bushfire prone area, a technical report prepared by a suitably qualified expert is required to demonstrate compliance.</i></p>	
<p>11</p> <p>(a) Buildings and structures are not proposed in mapped flood or coastal hazard area; or</p> <p>(b) The proposal demonstrates the 1% Annual Exceedance Probability plus freeboard level and flood free emergency access for pedestrians and vehicles is achieved; and</p> <p>(c) Where buildings or structures are proposed in a mapped overland flow path, all buildings provide a flood planning level that complies with the relevant planning scheme and an undercroft which maintains the conveyance of flood waters.</p> <p><i>Note: Land identified as a flood hazard area or erosion prone area is identified in the SPP IMS or relevant planning scheme.</i></p> <p><i>Note: Where identified in a flood hazard area or erosion prone area, a technical report certified by a RPEQ is required to demonstrate compliance.</i></p>	Yes <input type="checkbox"/>
<p>12</p> <p>The proposal results in the retention of mapped state vegetation unless complying with relevant exemptions.</p> <p><i>Note: Land identified as koala habitat area and Matters of State Environmental Significance is identified in the SPP IMS.</i></p> <p><i>Note: Relevant exemptions in the Planning Regulation 2017 include Exempt Clearing Work (schedule 21) and/or Exempted development (schedule 24).</i></p>	Yes <input type="checkbox"/>
<p>13</p> <p>(a) The site does not include a mapped local or state heritage place; or</p> <p>(b) Where the site includes a mapped state heritage place, the proposal is supported by a Heritage Exemption Certificate; or</p> <p>(c) Where the site includes a mapped local heritage place, the proposal is supported by a letter of support from the local government.</p> <p><i>Note: Land identified as a state or local heritage place is identified in the SPP IMS or the relevant local planning scheme.</i></p>	Yes <input type="checkbox"/>
<p>14</p> <p>Where required by the relevant planning scheme or <i>Environmental Protection (Noise) Policy 2019</i>, the proposal provides adequate noise attenuation measures.</p> <p><i>Note: An acoustic report prepared by a suitably qualified expert may be required to demonstrate compliance.</i></p>	Yes <input type="checkbox"/>
<p>15</p> <p>Where required by the relevant planning scheme, the proposal provides adequate refuse storage including recycling and collection areas.</p>	Yes <input type="checkbox"/>

Mandatory criteria	Entity response
<p><i>Note: A waste management strategy prepared by a suitably qualified expert may be required to demonstrate compliance.</i></p>	

# Attachment 3 – Eligibility checklist for social and/or affordable housing

All eligible applicants requesting to make or amend a MID for social and/or affordable housing through a streamlined assessment process, must provide responses to both **Part A – Mandatory criteria** and **Part B – Additional technical considerations**.

## Part A – Mandatory criteria

**Part A** comprises ‘mandatory criteria’ that are required to be met in order for a streamlined 3-month assessment timeframe to apply. Proposals that do not comply with the criteria set out in **Part A** will be assessed on their merits but due to additional technical reporting and assessment that will be required, the assessment may be longer.

Mandatory criteria		Entity response
1	The proposal and entity align with item 13 and/or item 16 of Schedule 5 of the Planning Regulation.	Yes <input type="checkbox"/> <i>For each criterion insert further information or reference to supporting documentation to explain why this criterion is met.</i>
2	The proposal only includes other uses where they are ancillary and related to the Infrastructure as specified in item 13 and/or item 16 of Schedule 5 of the Planning Regulation 2017.	Yes <input type="checkbox"/>
3	The site is located in a residential zone, Community facilities zone, Centre zone, Mixed use zone or Township zone as defined in Schedule 2 of the Planning Regulation 2017 and categorised under the relevant planning scheme.	Yes <input type="checkbox"/>
4	The site is not identified within Bushfire prone area mapping. <i>Note: Land identified as a 'Bushfire prone area' is identified in the SPP interactive mapping system or relevant council planning scheme.</i>	Yes <input type="checkbox"/>
5	The site is not on the Contaminated Land Register or Environmental Management Register. <i>Note: Evidence of searches of the Contaminated Land Register and Environmental Management Register.</i>	Yes <input type="checkbox"/>
6	The proposal does not involve a <b>new or changed access</b> to a state transport corridor. <i>Note: Refer to the definition of new or changed access in schedule 24 of the Planning Regulation 2017.</i>	Yes <input type="checkbox"/>
7	The site is:	Yes <input type="checkbox"/>

Mandatory criteria	Entity response
<p>a. not mapped in a flood or coastal hazard area; or</p> <p>b. where mapped in a flood or coastal hazard area, demonstrates the development:</p> <ul style="list-style-type: none"> <li>i. achieves the 1% Annual Exceedance Probability + freeboard level and flood free access for pedestrians and vehicles.</li> <li>ii. is designed to achieve no worsening to adjacent properties.</li> </ul> <p><i>Note: Land identified as a 'flood hazard area' or 'Erosion prone area' are identified in the SPP interactive mapping system or the relevant planning scheme.</i></p> <p><i>Note: A flood report certified by a Registered Professional Engineer of Queensland (RPEQ) is required to demonstrate part (b) where applicable.</i></p>	
<p>8 The proposal results in the retention of all mapped vegetation unless complying with relevant exempt clearing requirements, including:</p> <ul style="list-style-type: none"> <li>a. Koala vegetation; and/or</li> <li>b. Matters of State Environmental Significance vegetation.</li> </ul> <p><i>Note: Land identified as a 'koala vegetation' and 'Matters of State Environmental Significance' is identified in the SPP interactive mapping system.</i></p>	<p>Yes <input type="checkbox"/></p>
<p>9 The site is:</p> <ul style="list-style-type: none"> <li>a. not mapped in a State or Local Heritage Place; or</li> <li>b. where mapped in a State or Local Heritage Place is supported by a Heritage Exemption Certificate or letter of support from the local government.</li> </ul> <p><i>Note: Land identified as a 'State or Local Heritage Place' is identified in the SPP interactive mapping system or the relevant local planning scheme.</i></p>	<p>Yes <input type="checkbox"/></p>
<p>10 The proposal accommodates any mapped Local Government Infrastructure Plan infrastructure identified in the relevant local planning scheme or planned upgrades to state transport networks.</p>	<p>Yes <input type="checkbox"/></p>

## Part B – Additional technical considerations

**Part B** comprises additional 'technical considerations' where eligible applicants should provide information about matters relating to the proposal. Insufficient information to demonstrate how each criterion has been achieved may necessitate additional technical reports and limit the Minister's ability to achieve the target date of 3 months. It will ultimately be at the discretion of the department as to whether the criteria in **Part B** have been satisfied based on the information provided by the applicant.

Additional technical considerations		Entity response
<b>Building height</b>		
1	The proposed building height complies with the relevant planning scheme requirements excluding rooftop communal space, or where no building height is specified is contextually appropriate with the adjoining sites and surrounding zoning.	<i>Use this column to identify either 'yes', 'no' or 'not applicable' and provide further information or reference to supporting documentation to explain why.</i>
<b>Setbacks</b>		
2	The proposed setbacks of buildings comply with the relevant local planning scheme or are contextually appropriate within the site and surrounds (current and future), having regard to the amenity and privacy of neighbouring buildings and managing bulk/scale towards site boundaries to ensure compatibility with adjoining development.	
<b>Open space and landscaping</b>		
3	The proposal provides private open space for each dwelling/unit that aligns with the relevant council planning scheme and/or Queensland Government's Social Housing Design Guidelines and Social Housing Design Guideline Toolkit Indicative Floor Plans.	
4	The proposal provides communal open space that considers the size, location and function of users and aligns with the relevant council planning scheme.	
5	The proposal is capable of achieving the design considerations for 'Make homes outside' in the <a href="#">Social Housing Design Guideline</a> and retains healthy trees where practical.	
<b>Servicing and waste</b>		
6	The proposal provides refuse storage, including recycling and collection areas that comply with the relevant local planning scheme or the <a href="#">Social Housing Design Guideline</a> .	
7	The proposal does not cause actionable nuisance to adjoining properties and directs stormwater to a legal point of discharge.  <i>Note: A technical note or report certified by a RPEQ may be required to demonstrate compliance.</i>	
<b>Traffic, access, and parking</b>		

Additional technical considerations		Entity response
8	<p>The proposal does not result in:</p> <ul style="list-style-type: none"> <li>a. increased traffic requiring external upgrades (e.g., intersection changes, lane markings) or</li> <li>b. create safety issues for vehicles, pedestrians, and active transport users.</li> </ul> <p><i>Note: A technical note or traffic report certified by a RPEQ may be required to demonstrate compliance with the above criteria.</i></p>	
9	<p>The site is easily accessible to a range of amenities such as public transport, employment, education, recreation or sport facilities, open space, shopping and service centres.</p> <p>The proposal provides at least one (1) car parking space for each residential unit and additional visitor parking.</p> <p><i>Note: A locality plan detailing proximity to nearby amenities is required to be provided with the MID proposal.</i></p>	
10	<p>The proposal can achieve access, manoeuvring and parking that is designed in accordance with relevant local planning scheme or Australian standard.</p> <p><i>Note: A technical note or traffic report certified by a RPEQ may be required to demonstrate compliance.</i></p>	
<b>Reverse amenity</b>		
11	<p>The site achieves the minimum buffer distance from industrial activities or industrial zoned land as prescribed under the relevant planning scheme.</p>	
<b>Constructing or raising waterway barrier works</b>		
12	<p>The proposal does not result in waterway barrier works or complies with relevant accepted development requirements.</p>	

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