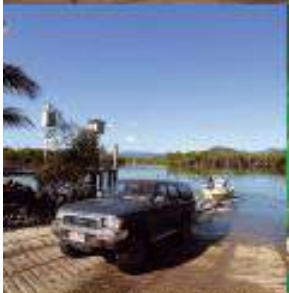
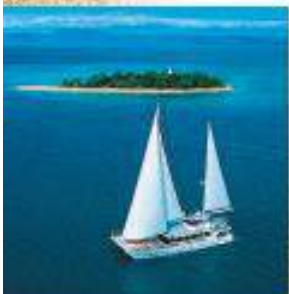


douglas shire planning scheme



AUGUST 2006

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Integrated Planning Act 1997

Planning Scheme for Douglas Shire

Adoption

The Local Government for Douglas Shire adopted this Planning Scheme on 21 August, 2006.

Commencement

The Planning Scheme took effect on and from 4 September, 2006.

Amendments

On 4th March 2008, the Douglas Shire Council adopted the following amendments, both gazetted on 14th March 2008:

- Amendment 2007 No. 1
- Amendment 2007 No. 2

On 8th December 2010, the Cairns Regional Council adopted the following amendment, gazetted on 17th December 2010:

- Amendment 2010 No. 4

On 24th August 2011, the Cairns Regional Council adopted the following amendment, gazetted on 9th September 2011 to take effect from the date of gazettal:

- Amendment No. 1 of 2010

On 5th December 2012, the Cairns Regional Council adopted the following amendment, gazetted on 11th January 2013 to take effect from the date of gazettal:

- Vegetation Management Amendment 2012

State Planning Policies

The Minister for Environment, Local Government, Planning and Women identified the following State Planning Policies as having been appropriately reflected in the Planning Scheme:

- State Planning Policy 1/92: Development and the Conservation of Agricultural Land; and
- State Planning Policy 2/02: Planning and Managing Development Involving Acid Sulfate Soils; and
- State Planning Policy 1/03: Mitigating the Adverse Impacts on Flood, Bushfire and Landslide (Bushfire Only).

Integrated Planning Act 1997 Section 6.1.54 (Provisions applying for State-controlled roads)

The Minister for Environment, Local Government, Planning and Women has given notice that the Integrated Planning Act 1997 Section 6.1.54 applies to the Planning Scheme.

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CHAPTER 1

INTRODUCTION



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CHAPTER 1 – INTRODUCTION

1.1 Introduction

The Douglas Shire Planning Scheme relates to the whole of the Shire and has been prepared in accordance with the *Integrated Planning Act 1997* (IPA). Chapter 1 provides explanatory material which does not have a role in the development assessment process and is provided only to assist in understanding the planning process and land use planning influences in the Shire.

Douglas Shire is an environmentally unique Shire embracing two World Heritage Areas. Approximately 85% of the Shire is included in the Wet Tropics World Heritage Area (WTWHA) or National Park and the northern part of the Shire's coastline and offshore Islands are contained in the Great Barrier Reef World Heritage Area (GBRWHA).

The Planning Scheme establishes the Council's planning intent for the interface between the development of the Shire and the management of these unique environmental resources over the next 10 – 15 years.

The preferred form of development within the Shire is discussed, in broad terms, in Section 1.4.

The Planning Scheme has been prepared with an overall lifespan of 10 – 15 years. However, to ensure the Planning Scheme remains contemporary and satisfies the timeframes established for reviews in the IPA, the Planning Scheme will be reviewed in accordance with the Act.

1.2 The Integrated Planning Act 1997

1.2.1 The Purpose of the Integrated Planning Act

- The purpose of the IPA is to achieve ecological sustainability.

The Planning Scheme advances the purpose of the Act through the integration and co-ordination of the core matters of land use and development, infrastructure and valuable features.

The Planning Scheme aims to:

- establish a clear strategy for future growth, land use and development within the Shire;
- ensure that an appropriate level of infrastructure is provided in an efficient and equitable manner; and
- recognise the valuable features of the Shire including areas of ecological significance, scenic value, cultural value and natural resources and provide for their management in a sustainable way.



The Planning Scheme advances the purpose of the IPA by:

- identifying outcomes sought to be achieved in the Shire as the context for assessing development; and
- identifying assessable and self-assessable development.

1.2.2 The Planning Scheme as Part of the Integrated Development Assessment System

The Planning Scheme functions as part of the Integrated Development Assessment System (IDAS), which is detailed in Chapter 3 of the IPA, and must be read together with the IPA.

1.3 Other Relevant Planning Initiatives

1.3.1 Douglas Shire Council Corporate Plan

The Corporate Plan is an overarching document that establishes the Council's Vision for the Shire and outlines the Council's strategies and goals for a number of matters for which the Council is responsible.

The Planning Scheme is aimed at achieving the Council's Vision for the Shire by:

- conserving, protecting and managing the Shire's natural resources;
- maintaining the Shire's tourism and agricultural resources; and
- providing the equitable and timely provision of infrastructure services to current and future populations of the Shire.

1.3.2 The Far North Queensland Regional Plan

The FNQ Regional Plan is intended to guide and manage the development of the Far North Queensland Region over the next 20 years. It does this by addressing the region in a holistic and integrated manner to achieve a balance between key economic, social, environmental, infrastructure and development objectives for the future. The development of the FNQ Regional Plan was a joint undertaking between all levels of government and community interest groups.

The FNQ Regional Plan contains a Regional Structure Plan which is intended to establish, in general terms, the preferred physical arrangements for the region over the next 20 years, primarily in relation to urban settlement and regional infrastructure.

In general terms, the preferred settlement pattern for the region is to be based on the principle of accommodating the majority of regional growth in existing urban centres or within designated urban growth areas.



The urban growth proposals specific to the Shire include:

- continued development of Mossman as the primary urban and service centre for the north coast;
- continued development of Port Douglas as a combined tourist and urban node; and
- management of urban and tourist development in the Daintree-Cape Tribulation area whereby development is restricted in size and extent and is of a low intensity and environmentally sensitive in nature.

The Regional Structure Plan acknowledges the restricted capacity of the Shire to accommodate major urban growth demands due to the following factors:

- impacts on the natural environment;
- loss and alienation of Good Quality Agricultural Land (GQAL); and
- the limited capacity of water supply, sewerage and Road infrastructure, including the Captain Cook Highway.

The preferred development pattern for the Shire is based on:

- identifying suitable land to accommodate the long term urban development needs of Mossman, Port Douglas and other coastal settlements;
- the continuing role of Port Douglas as a major tourist node which accommodates intensive tourist development;
- restricting expansion of urban development north of the Daintree River in order to protect the scenic quality and environmental values of the Daintree-Cape Tribulation area;
- developing strategies for provision and maintenance of infrastructure services which do not unduly impact on scenic and environmental quality; and
- protecting GQAL.

The Planning Scheme is consistent with the FNQ Regional Plan and is intended to assist in the implementation of the FNQ Regional Plan, particularly through the land use and development strategies identified in the Planning Scheme.



1.3.3 The Wet Tropics World Heritage Area

Approximately 82% of the Douglas Shire is included in the WTWHA.

The aim of the Wet Tropics Plan is to achieve the primary goal: “*protect, conserve, present, rehabilitate and transmit to future generations*” the WTWHA.

The Wet Tropics Plan also seeks to maximise the benefits of the area for the local and wider community, while minimising threats to the area’s integrity and providing for groups and individuals throughout the region to contribute to the management of the area.

The Wet Tropics Plan divides the area into four management zones in order of prioritised environmental and ecological significance. The Plan then provides for the management of each zone by classifying activities in each zone.

The Planning Scheme complements the Wet Tropics Plan by:

- identifying the WTWHA for conservation;
- providing for the management of private lands within and adjoining the Area;
- ensuring any development on these lands minimises impacts on the Area; and
- providing opportunities, where appropriate, for the enjoyment of, and interaction with, this unique natural resource.

1.3.4 The Great Barrier Reef World Heritage Area

The northern part of the coastal boundary of the Shire adjoins the GBRWHA. The off-shore Islands of Snapper Island and Low Isles are located within the Shire and are contained within the World Heritage Area. The Great Barrier Reef is a natural resource of international significance and plays an important role in the tourism industry of the Shire by providing a world renowned recreation and tourism experience.

The GBRWHA is managed by a range of Commonwealth and State legislation. In addition, a 25 year Strategic Plan for the GBRWHA has been prepared and was adopted in 1994.

The 25 year objective outlined in the Strategic Plan for the GBRWHA is:

“To ensure the persistence of the Great Barrier Reef World Heritage Area as a diverse, resilient and productive ecological system, while retaining opportunity for a diverse range of experiences and uses consistent with Australia’s obligations under the World Heritage Convention.”



The Planning Scheme seeks to be consistent with this objective by providing for the management of land based activities to reduce impacts on the Great Barrier Reef. It also provides for the continued long term viability of the Great Barrier Reef as a major tourist attraction and tourist experience in the Shire and seeks to protect the two off shore Islands of Snapper Island and Low Isles which are located within the GBRWHA and the Shire.

1.4 The Shire Land Use and Settlement Pattern

Key features of the Shire land use and settlement pattern, which will be reinforced through the implementation of the Planning Scheme, are:

- the maintenance and consolidation of Mossman as the primary administrative, service, agricultural and industrial centre of the Shire;
- the maintenance and consolidation of Port Douglas as the major tourist accommodation and tourist service centre in the Shire, accommodating Service Industry activities, particularly those supporting the tourism industry, and activities associated with the fishing industry;
- the containment of residential expansion areas in Port Douglas on the eastern side of the Captain Cook Highway between Port Douglas Road and the Mowbray River;
- providing for the land management aspirations of the local Indigenous communities;
- the clear delineation of existing and future residential areas in the beach suburbs and other coastal settlements with future residential growth areas identified at Mossman, Cooya Beach and Port Douglas;
- the containment of development north of the Daintree River in size, scale and location to ensure the unique environmental values of the area are maintained and protected;
- the protection of GQAL and other rural land from alienation and conversion to other land uses.

1.5 Native Title

Nothing in this Planning Scheme is intended to diminish or extinguish native title and associated rights.

This Planning Scheme has been adopted by the Council prior to the finalisation of native title negotiations. Nevertheless, there is an understanding that the Indigenous Land Use Agreements (ILUAs) will result in the transfer of some land to Aboriginal Freehold within the Douglas Shire.

As a party to the ILUAs, the Council acknowledges the land use aspirations of Indigenous peoples and will work with the Traditional Owners and others to be responsive to their land use aspirations as established in the ILUAs.



1.6 Structural Elements of the Planning Scheme

The Planning Scheme contains a number of structural elements.

1.6.1 Desired Environmental Outcomes

The Desired Environmental Outcomes express the broad outcomes sought by the Planning Scheme. The Planning Scheme has 12 DEOs which are categorised under the three core matters as identified by the Act.

1.6.2 Planning for the Localities in the Shire

The Planning Scheme divides the Shire into six Localities that cover the entire Planning Scheme Area. The Localities are:

- World Heritage Areas and Environs
- Settlement Areas North of the Daintree River
- Mossman and Environs
- Port Douglas and Environs
- Coastal Suburbs, Villages and Townships
- Rural Areas and Rural Settlements.

1.6.3 Planning Areas

The Planning Scheme divides the Shire into eleven Planning Areas that cover the entire Planning Scheme Area. The relevant Planning Areas for each Locality are shown on the Locality Map/s for each Locality.

The eleven Planning Areas are:

- Rural
- Rural Settlement
- Residential 1
- Residential 2
- Tourist and Residential
- Commercial
- Industry
- Community and Recreational Facilities
- Conservation.
- Port Douglas Waterfront North
- Port Douglas Waterfront South

1.6.4 Overlays

The Planning Scheme includes three Overlays. The Overlays are:

- Acid Sulfate Soils
- Cultural Heritage and Valuable Sites



- Natural Hazards.

Any Overlays which apply in a Locality are shown on the Locality Map/s.

1.6.5 Assessment Tables

The Assessment Tables for each Locality, determine the level of assessment required for development within each Planning Area and identify the relevant or applicable Codes. Development is: Exempt, Self-Assessable, Code Assessable or Impact Assessable.

Self-Assessable development converts to Code Assessable development where there is non compliance with the Acceptable Solutions/s specified in any relevant or applicable Codes.

1.6.6 Codes

The Planning Scheme includes five different types of Codes. The Codes are:

- Locality Codes
- Planning Area Codes
- Overlay Codes
- Land Use Codes
- General Codes.

The Codes set out the development requirements for development in the Shire.

Where there is an inconsistency or conflict between the requirements of the applicable codes for development, the inconsistency or conflict is to be resolved as follows:-

- The achievement of the purpose and performance criteria of an Overlay Code is a priority development outcome and must be demonstrated. Where there is a true conflict between achievement of the purpose or performance criteria of an Overlay Code and the purpose or performance criteria of other applicable codes, the applicant must demonstrate how the development can achieve the purpose and performance criteria of the applicable Overlay Code.
- The achievement of the purpose and performance criteria of a Locality Code is a preferred development outcome where there is a true conflict between the requirements of a Locality Area Code and the achievement of the purpose or performance criteria of an applicable Planning Area Code or a Land Use Code.
- The achievement of the purpose and performance criteria of a Planning Area Code is a preferred development outcome where there is a true conflict between the requirements of a Planning Area Code and the achievement of the purpose or performance criteria of an applicable Land Use Code.



- The achievement of the purpose and performance criteria of a Land Use Code is a preferred development outcome where there is a true conflict between the requirements of a Land Use Code and the achievement of the purpose or performance criteria of an applicable General Code.

1.6.7 Definitions

The Planning Scheme includes three types of Definitions. The Definitions are:

- Land Use Definitions
- Operational Works Definitions
- Administrative Definitions.

The Land Use Definitions and the Operational Works Definitions have a specific meaning in the Assessment Tables.

1.7 Achieving Outcomes through the Planning Scheme

Development within the Shire must satisfy outcomes identified in the Planning Scheme which seek to achieve ecological sustainability.

Outcomes are categorised within the following levels:

- Desired Environmental Outcomes
- Overall Outcomes for Localities
- Specific Outcomes for areas affected by an Overlay
- Specific Outcomes for Planning Areas or particular Development
- Performance Criteria and associated Acceptable Solutions for a Specific Outcome, or Performance Criteria and associated Acceptable Solutions for Overall Outcomes.

1.8 The Planning Scheme Area

The Planning Scheme is applicable to the whole of the Shire, including the off-shore Islands of Snapper Island and Low Isles.

1.9 Roads, Watercourses and Reclaimed Land

If a Road, Watercourse or reclaimed land is not shown as being included in a Planning Area on the relevant Locality Map, the following applies:

- if the Road or Watercourse is adjoined on both sides by land in the same Planning Area – the Road or Watercourse has the same Planning Area designation as the adjoining land;



- if the Road or Watercourse is adjoined on one side by land in one Planning Area and adjoined on the other side by land in a different Planning Area – the Road or Watercourse has the same Planning Area designation as the adjoining land and the centre line of the Road or Watercourse is the boundary between the two designations;
- if the Road, Watercourse or reclaimed land is adjoined on one side only by land in a Planning Area – the entire Road, Watercourse or reclaimed land has the same Planning Area designation as the adjoining land.

To remove any doubt, subsection 1.9 also applies to a closed Road if the Road is closed after the commencement of the Planning Scheme.



CHAPTER 2

DESIRED ENVIRONMENTAL OUTCOMES



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CHAPTER 2 – DESIRED ENVIRONMENTAL OUTCOMES

2.1 Introduction

Twelve Desired Environmental Outcomes (DEOs) underpin the Planning Scheme for the Shire. The Planning Scheme represents the framework for achieving ecological sustainability. The Planning Scheme coordinates and integrates the purpose of the Act and the Council's Vision for the Shire through the statement of the DEOs.

The DEOs are outlined below, grouped under the core matters which comprise ecological sustainability:

- Ecological Processes and Natural Systems;
- Economic Development;
- Cultural, Economic, Physical and Social Well-being of the Community.

2.2 The Desired Environmental Outcomes

2.2.1 Ecological Processes and Natural Systems

- DEO 1 – The unique environmental values of the Shire, which result from its location within the Wet Tropics Bioregion, are maintained and protected for current and future generations.**
- DEO 2 – Those parts of the Shire located within the Wet Tropics and Great Barrier Reef World Heritage Areas and other adjacent areas of environmental value and ecological significance, are preserved and protected for nature conservation, landscape/scenic quality, Biodiversity and habitat values, in particular the protection of the Southern Cassowary and its habitat and to ensure the integrity of natural processes.**
- DEO 3 – Natural waterways such as the Daintree River, the Mossman River, the Mowbray River and Dicksons Inlet, all wetlands but particularly those on the Directory of Wetlands of Importance in Australia, being the Lower Daintree River, Alexandra Bay and the Hilda Creek Headwater; and all catchments located in coastal areas within the Shire, are managed to protect their ecological processes, enhance water quality, conserve riparian ecological values and landscape/scenic quality, while acknowledging nature based recreation opportunities.**
- DEO 4 – The unique environmental character of the Shire comprised of internationally renowned landscapes, ecologically significant rainforest systems, sensitive coastal systems and areas of unsurpassed natural beauty, are maintained in association with sustainable development practices, which seek to minimise the effects of development on the natural environment.**



The primary measures contained in the Planning Scheme which seek to support and achieve these DEOs are:

- the inclusion of major areas of environmental significance, natural habitat and critical conservation areas in private and public ownership, in the Conservation Planning Area;
- the inclusion of management, siting and design criteria for development in Codes which seek to ensure protection and enhancement of these areas;
- recognition of the requirements of the Wet Tropics Management Authority and the Great Barrier Reef Marine Park Authority in protecting these areas.

2.2.2 Economic Development

- DEO 5 – A prosperous community with a strong rural sector, a dynamic tourism industry and commercial and industrial activities offering a diverse range of employment opportunities, is supported by the sustainable use and management of the natural resources of the Shire.**
- DEO 6 – The natural resources of the Shire, such as GQAL, extractive resources, water and forestry resources, are protected and managed in a manner that ensures their ecological and economic values are assured for present and future generations.**
- DEO 7 – The values of the Shire are protected by a preferred pattern of development through identifying GQAL which sustains productive primary industries, particularly the sugar, horticultural and cattle grazing industries, and consolidates growth and employment opportunities, primarily in the identified locations of Mossman and Port Douglas.**
- DEO 8 – The economic development of the Shire is facilitated by the provision of infrastructure which complements the conservation economy of the Shire with 82% of its lands within the WTWHA in an efficient, equitable and environmentally safe manner, as well as circulation networks which provide for the efficient movement of people and goods, without compromising the Captain Cook Highway as the scenic entry corridor to the Shire.**



The primary measures contained in the Planning Scheme which seek to support and achieve these DEOs are:

- the delineation and protection of GQAL for a range of primary production options;
- the clear delineation on the Planning Scheme maps of the preferred land use pattern for the consolidation of the different land use activities in the Shire.
- the strategic siting of services and facilities to provide convenience to residents, visitors and those who do business in the Shire.

2.2.3 Cultural, Economic, Physical and Social Well-being of the Community

- | |
|--|
| <ul style="list-style-type: none"><input type="checkbox"/> DEO 9 – Places of cultural and heritage significance, both Indigenous and European, are identified, protected and retained for their significance and importance to the history and identity of the Shire.<input type="checkbox"/> DEO 10 – A range of housing options, which provide a high standard of living and a variety of different residential lifestyle opportunities, are available in the Shire and are provided in a sustainable manner with regard to the environment, including its people and communities and the provision of services and facilities.<input type="checkbox"/> DEO 11 – The distinctive character and unique sense of place of the towns, villages and other settlement areas in the Shire including the Daintree Lowlands Community, are maintained, promoting community pride and well-being and community safety and prosperity.<input type="checkbox"/> DEO 12 – Residential communities, particularly communities within the major tourism areas of Port Douglas, Daintree Village and the Daintree Lowlands maintain a prosperous economy, a sense of community with the natural features, character of those areas and community values and cohesion, promoting harmony between residents and visitors. |
|--|

The primary measures contained in the Planning Scheme which seek to achieve these DEOs are:

- the division of the Shire into six Localities that cover the entire Planning Scheme Area and provide for variation in the Planning Scheme requirements for each different Locality; and
- the inclusion of management, siting and design criteria for development in Codes which seek to ensure the well-being of the community.



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CHAPTER 3

**PLANNING FOR LOCALITIES –
MAPS AND TABLES OF
ASSESSMENT**



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CHAPTER 3 – PLANNING FOR LOCALITIES – MAPS AND TABLES OF ASSESSMENT

3.1 Locality Maps

The Shire is divided into six Localities. The six Localities are identified on the Key Map. The boundaries of each Locality have been determined by a combination of factors including, geographic and topographic features, existing and future preferred land use patterns and areas with a distinct homogeneity.

Each Locality is identified on a suite of Locality Maps providing detailed information on:

- the preferred pattern of development and in some instances, the preferred intensity of development and the location of Special Management Areas, in the Locality; and
- the Overlays applicable to the Locality.

The Maps relating to the six Localities are in the following order:

- World Heritage Areas and Environs Locality
- Settlement Areas North of the Daintree River Locality
- Mossman and Environs Locality
- Port Douglas and Environs Locality
- Coastal Suburbs, Villages and Townships Locality
- Rural Areas and Rural Settlements Locality.

The Maps are included with the Tables of Assessment at the end of this Chapter.

3.1.1 Planning Areas

The Locality Maps identify the particular Planning Areas within each Locality in order to establish the preferred pattern of development and to identify the preferred location of different land uses in each Locality.

The Planning Areas are the key elements which illustrate the land use strategy for each Locality and for the Shire as a whole.

3.1.2 Special Management Areas

The Locality Maps also identify, where appropriate, Special Management Areas. The Special Management Areas identify land or areas which have special qualities or characteristics that are sensitive to the impacts of development. Proposed development on land included in a Special Management Area requires more detailed and rigorous Site assessment and may require a change in the level of assessment.



3.1.3 Overlays

The Locality Maps also identify, where appropriate, particular Overlays. The Overlays are a layer in the Planning Scheme for determining assessment measures for development based on identifying land or areas which have special qualities or characteristics that are sensitive to the impacts of development and are constrained due to cultural heritage values, bushfire risk or potential for Acid Sulfate Soils. Proposed development on land affected by an Overlay requires more detailed and rigorous Site assessment and may require a change in the level of assessment.

3.2 Tables of Assessment

The Tables of Assessment for each Locality indicate the level of assessment required in each Planning Area for development regulated by the Planning Scheme. They also indicate the level of assessment required for various types of development activity regulated by the Planning Scheme. The level of assessment outlined in the Tables of Assessment may vary in each Planning Area and for each type of development activity according to the Locality in which development is proposed.

Development falls within four levels of assessment:

- Exempt development;
- Self Assessable development;
- Code Assessable development; and
- Impact Assessable development.

Impact Assessable development is divided further into two categories:

- Impact; and
- Impact (Inconsistent).

These two categories of assessment require the most rigorous level of assessment. The Impact (Inconsistent) category indicates that the development is not considered to be consistent with achieving ecological sustainability or the DEOs for the Shire in that particular Planning Area and Locality.

The Tables of Assessment for the six Localities are in the following order:

- World Heritage Areas and Environs Locality
- Settlement Areas North of the Daintree River Locality
- Mossman and Environs Locality
- Port Douglas and Environs Locality
- Coastal Suburbs, Villages and Townships Locality
- Rural Areas and Rural Settlements Locality.

The Tables of Assessment are included with the Maps at the end of this Chapter.

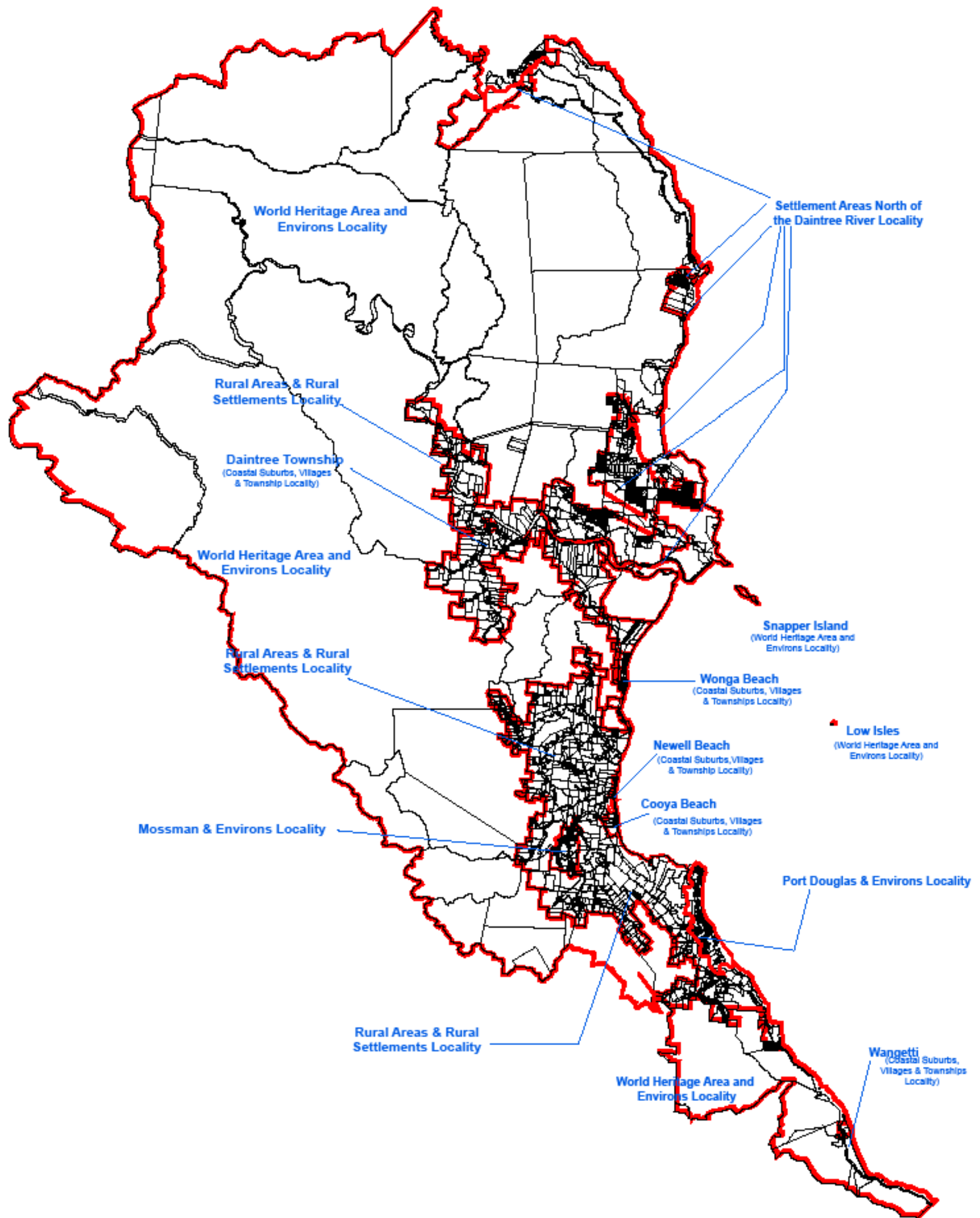


KEY MAP

**IDENTIFYING THE SIX LOCALITIES
WITHIN THE SHIRE**



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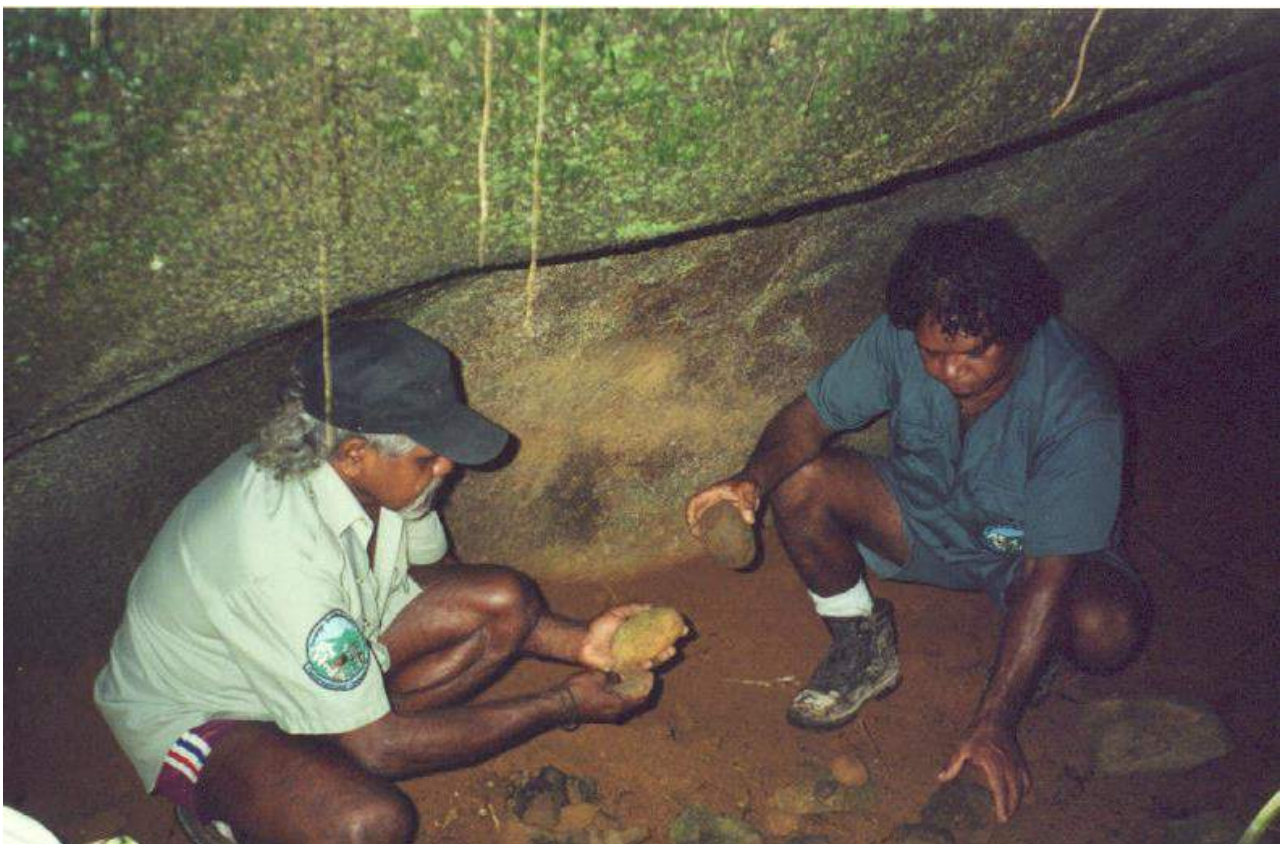
<p>DOUGLAS SHIRE COUNCIL This is and shall remain the property of the Douglas Shire Council. Using or copying this document or any part of it without specific authorization is absolutely prohibited. NOT TO SCALE P.O. Box 357 Tel: (07) 4098 2599 Mossman, Qld., 4873 Fax: (07) 4098 2502</p>		<p style="text-align: center;">Douglas Shire Council</p> <p style="text-align: center;">Key Map</p> <p style="text-align: center;">Identifying the 6 Localities within the Shire</p>		<p>Date: August 2006 Author: GDK Map No: KEY</p>
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WORLD HERITAGE AREAS AND ENVIRONS LOCALITY

**TABLES OF ASSESSMENT
&
MAPS**



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WORLD HERITAGE AREAS AND ENVIRONS LOCALITY – TABLE 1

DEVELOPMENT ACTIVITY	PLANNING AREAS	GUIDE TO APPLICABILITY OF CODES															
		World Heritage Areas and Environs Locality Code	Planning Area Code	OVERLAYS			LAND USE CODE	GENERAL									
Acid Sulfate Soils	Cultural Heritage & Valuable Sites			Natural Hazards	Design & Siting of Advertising Devices	Filling & Excavation		Landscaping	Natural Areas and Scenic Amenity	Vehicle Parking & Access	Sustainable Development						
MATERIAL CHANGE OF USE	Conservation																
DEFINED LAND USE																	
Aircraft Landing Facility - Commercial	1	A	A	O	O	O	Yes	A	A	A	*A	A	*A				
Aquaculture	1	A	A	O	O	O	*Yes	A	A	A	*A	A	*A				
Business Facilities – using an existing Building	1	A	A	O	O	O	No	A		A	*A	A	*A				
Business Facilities – not using an existing Building	1	A	A	O	O	O	No	A	A	A	*A	A	*A				
Camping Ground	1	A	A	O	O	O	Yes	A	A	A	*A	A	*A				
Caravan Park	1	A	A	O	O	O	Yes	A	A	A	*A	A	*A				
Caretaker's Residence	1	A	A	O	O	O	Yes		A	A	*A	A					
Car Park	1	A	A	O	O	O	Yes	A	A	A	*A	A					
Cemetery & Crematorium	1	A	A	O	O	O	No	A	A	A	*A	A	*A				
Child Care Centre	1	A	A	O	O	O	Yes	A	A	A	*A	A	*A				
Display Facilities	1	A	A	O	O	O	Yes	A	A	A	*A	A	*A				
Educational Establishment	1	A	A	O	O	O	No	A	A	A	*A	A	*A				
Extractive Industry	1	A	A	O	O	O	Yes	A	A	A	*A	A					
Health Facility	1	A	A	O	O	O	No	A	A	A	*A	A	*A				
Holiday Accommodation	1	A	A	O	O	O	**Yes	A	A	A	*A	A	*A				
Home Activity	1	A	A	O	O	O	Yes	A		A	*A	A					
Home Based Business	1	A	A	O	O	O	Yes	A	A	A	*A	A	*A				
Home Industry	1	A	A	O	O	O	No		A	A	*A						
House	1	A	A	O	O	O	Yes		A	A	*A	A					
Indoor Sports & Entertainment	1	A	A	O	O	O	No	A	A	A	*A	A	*A				
Industry	1	A	A	O	O	O	No	A	A	A	*A	A					
Intensive Animal Husbandry	1	A	A	O	O	O	*Yes	A	A	A	*A	A	*A				
Interpretive Facility	1	A	A	O	O	O	Yes	A	A	A	*A	A	*A				

NOTE: Self Assessable development converts to Code Assessable development if the development cannot comply in full with the applicable Acceptable Solutions in any relevant Code

KEY

E	Exempt
S	Self Assessable
C	Code Assessable
I	Impact Assessable
I	Impact Assessable (Inconsistent)

A	The Code is Applicable
*A	If the circumstances described in the Applicability of the Code are triggered, the Code applies

O	Refer to the Overlay Maps for the World Heritage Areas and Environs Locality. If the site is affected by an Overlay and if the circumstances described in the Applicability of the relevant Code are triggered, the Code for the Overlay applies
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*	See – Aquaculture & Intensive Animal Husbandry Code
---	---

**	See – Multi-Unit Housing/Holiday Accommodation/Retirement Facility Code
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WORLD HERITAGE AREAS AND ENVIRONS LOCALITY – TABLE 1

DEVELOPMENT ACTIVITY	PLANNING AREAS	GUIDE TO APPLICABILITY OF CODES																			
		World Heritage Areas and Environs Locality Code	Planning Area Code	OVERLAYS			LAND USE CODE	GENERAL													
				Acid Sulfate Soils	Cultural Heritage & Valuable Sites	Natural Hazards		Design & Siting of Advertising Devices	Filling & Excavation	Landscaping	Natural Areas and Scenic Amenity	Vehicle Parking & Access	Sustainable Development								
MATERIAL CHANGE OF USE																					
DEFINED LAND USE	Conservation																				
Multi-Unit Housing	I	A	A	O	O	O	**Yes	A	A	A	*A	A	*A								
Off Premises Advertising Device	I	A	A	O	O	O	No	A		A	*A										
Outdoor Sport & Recreation	I	A	A	O	O	O	No	A	A	A	*A	A	*A								
Outstation/Seasonal Camp	I	A	A	O	O	O	No		A	A	*A	A									
Park & Open Space	E										*A										
Place of Assembly	I	A	A	O	O	O	No	A	A	A	*A	A	*A								
Primary Industry	I	A	A	O	O	O	Yes			A	*A	A									
Private Forestry	I	A	A	O	O	O	Yes			A	*A	A									
Public Utilities & Facilities	C	A	A	O	O	O	No		A	A	*A	A	*A								
Restaurant – using an existing Building	I	A	A	O	O	O	No	A		A	*A	A	*A								
Restaurant – not using an existing Building	I	A	A	O	O	O	No	A	A	A	*A	A	*A								
Retirement Facility	I	A	A	O	O	O	**Yes	A	A	A	*A	A	*A								
Service Industry	I	A	A	O	O	O	No	A	A	A	*A	A	*A								
Service Station	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A								
Shopping Facility – using an existing Building	I	A	A	O	O	O	No	A		A	*A	A	*A								
Shopping Facility – not using an existing Building	I	A	A	O	O	O	No	A	A	A	*A	A	*A								
Short Term Accommodation	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A								
Special Residential Use	I	A	A	O	O	O	No		A	A	*A	A	*A								
Staff Quarters	I	A	A	O	O	O	No		A	A	*A	A	*A								
Tavern	I	A	A	O	O	O	No	A	A	A	*A	A	*A								
Telecommunication Facilities	C	A	A	O	O	O	Yes	A	A	A	*A	A									
Tourist Attraction	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A								
Veterinary Facilities	I	A	A	O	O	O	No	A	A	A	*A	A	*A								
Other-Undefined (Except Use for a Road)	I	A	A	O	O	O	No	A	A	A	*A	A	*A								

NOTE: Self Assessable development converts to Code Assessable development if the development cannot comply in full with the applicable Acceptable Solutions in any relevant Code

KEY

E	Exempt
S	Self Assessable
C	Code Assessable
I	Impact Assessable
I	Impact Assessable (Inconsistent)
A	The Code is Applicable
*A	If the circumstances described in the Applicability of the Code are triggered, the Code applies
O	Refer to the Overlay Maps for the World Heritage Areas and Environs Locality. If the site is affected by an Overlay and if the circumstances described in the Applicability of the relevant Code are triggered, the Code for the Overlay applies
*	See – Aquaculture & Intensive Animal Husbandry Code
**	See – Multi-Unit Housing/Holiday Accommodation/Retirement Facility Code

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WORLD HERITAGE AREAS AND ENVIRONS LOCALITY – TABLE 2

DEVELOPMENT ACTIVITY	PLANNING AREA	GUIDE TO APPLICABILITY OF CODES										
		OVERLAYS					GENERAL					
		World Heritage Areas and Environs Locality	Planning Area	Acid Sulfate Soils	Cultural Heritage & Valuable Sites	Natural Hazards	Design & Siting of Advertising Devices	Filling & Excavation	Landscaping	Natural Areas and Scenic Amenity	Reconfiguring a Lot	Sustainable Development
Reconfiguring a Lot	I	A	A	O	O	O			*A	A		
Operational Work Associated with Reconfiguring a Lot	C	A	A	O	O	O		A	A	*A	A	
Operational Work - Filling or Excavation not associated with a Material Change of Use	C	A	A	O	O	O		A		*A		
Operational Work - Engineering Works not associated with a Material Change of Use	C	A	A	O	O	O		A		*A		
Operational Work - Placing an Advertising Device on Premises not associated with a Material Change of Use	C	A	A	O	O	O	A			*A		
Operational Works – Vegetation Damage	S											A
Building Work other than Minor Building Work not associated with a Material Change of Use	C	A	A	O	O	O				*A		

KEY

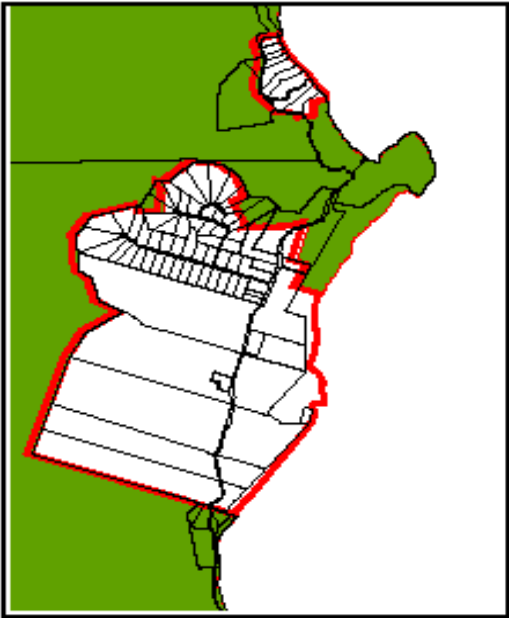
E	Exempt
S	Self Assessable
C	Code Assessable
I	Impact Assessable
I	Impact Assessable (Inconsistent)

A	The Code is Applicable
*A	If the circumstances described in the Applicability of the Code are triggered, the Code applies

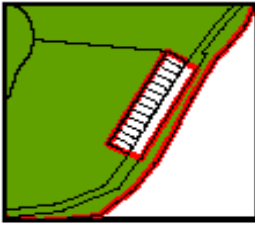
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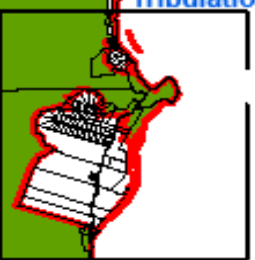
- Planning Areas**
- Rural
 - Rural Settlement
 - Residential 1
 - Residential 2
 - Commercial
 - Tourist & Residential
 - Industry
 - Conservation
 - Community and Recreational Facilities



Cape Tribulation

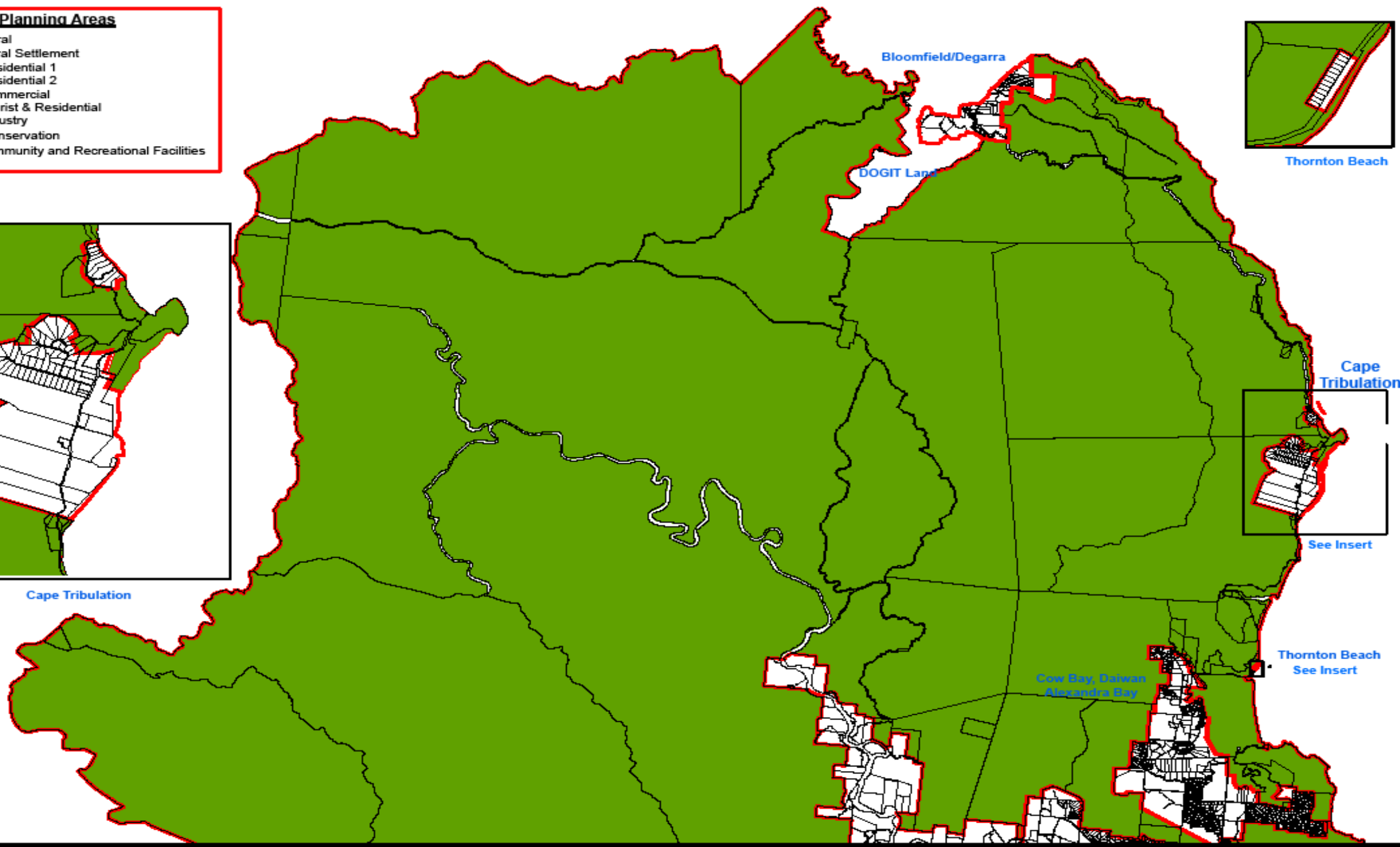


Thornton Beach



See Insert

Thornton Beach
See Insert



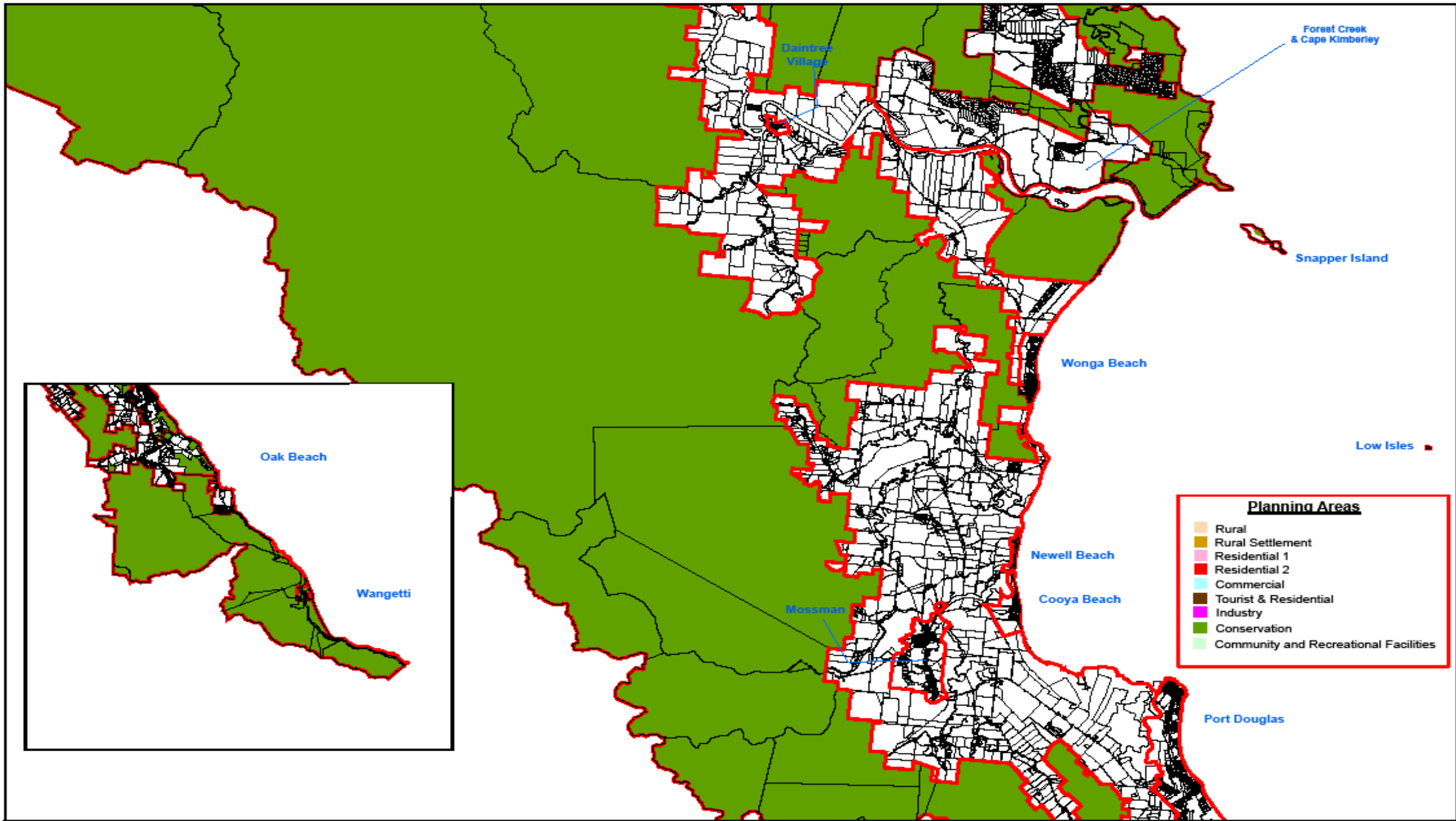
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Douglas Shire Council
Planning Areas
 World Heritage Areas and Environs Locality - Sheet 1



Date: August 2008
 Author: GDK
 Map No: **W1(a)**



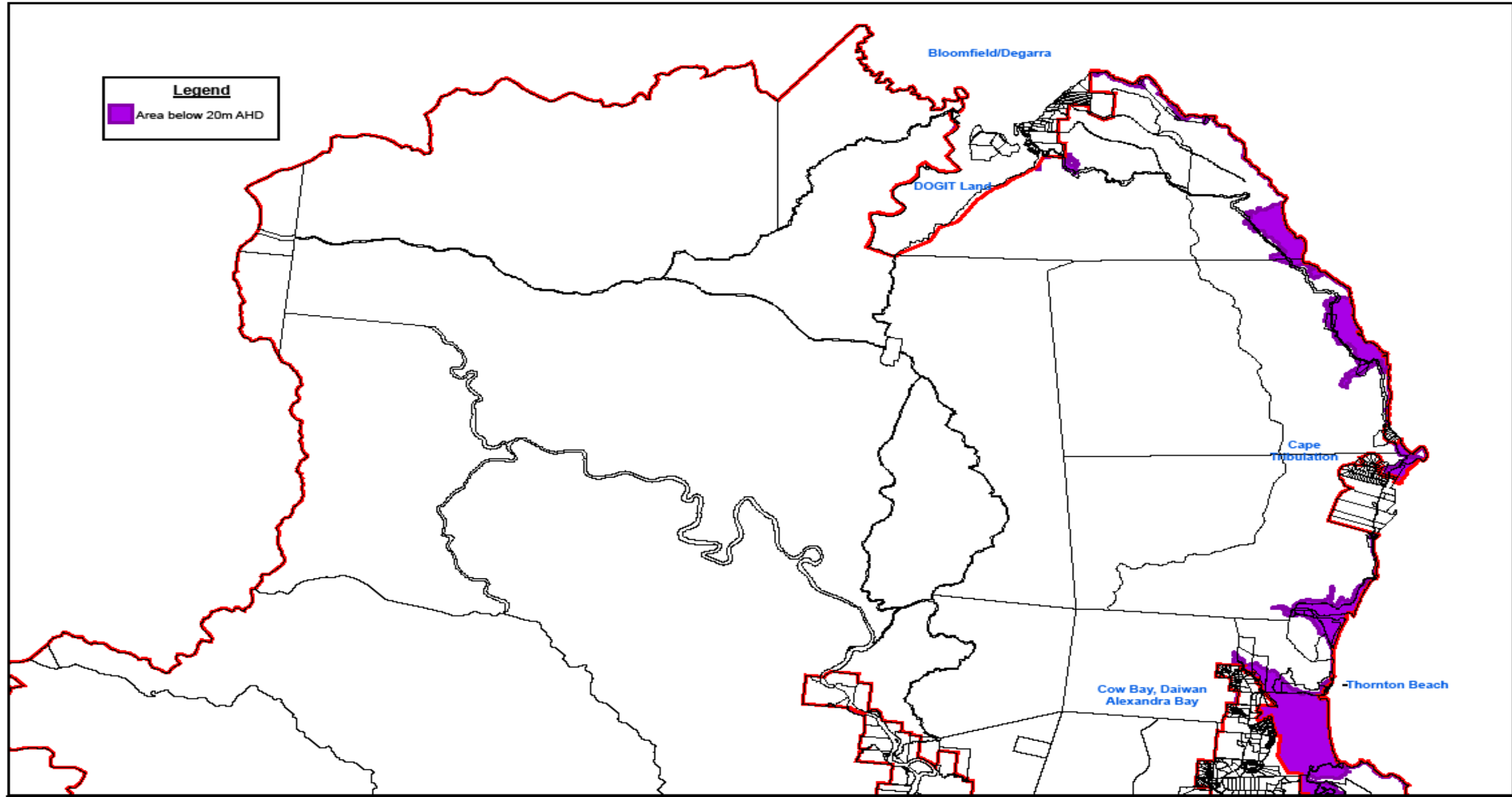
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 Planning Areas
 World Heritage Areas and Environs Locality - Sheet 2



Date: August 2006
 Author: GDK
 Map No: W1(b)



Legend
 Area below 20m AHD

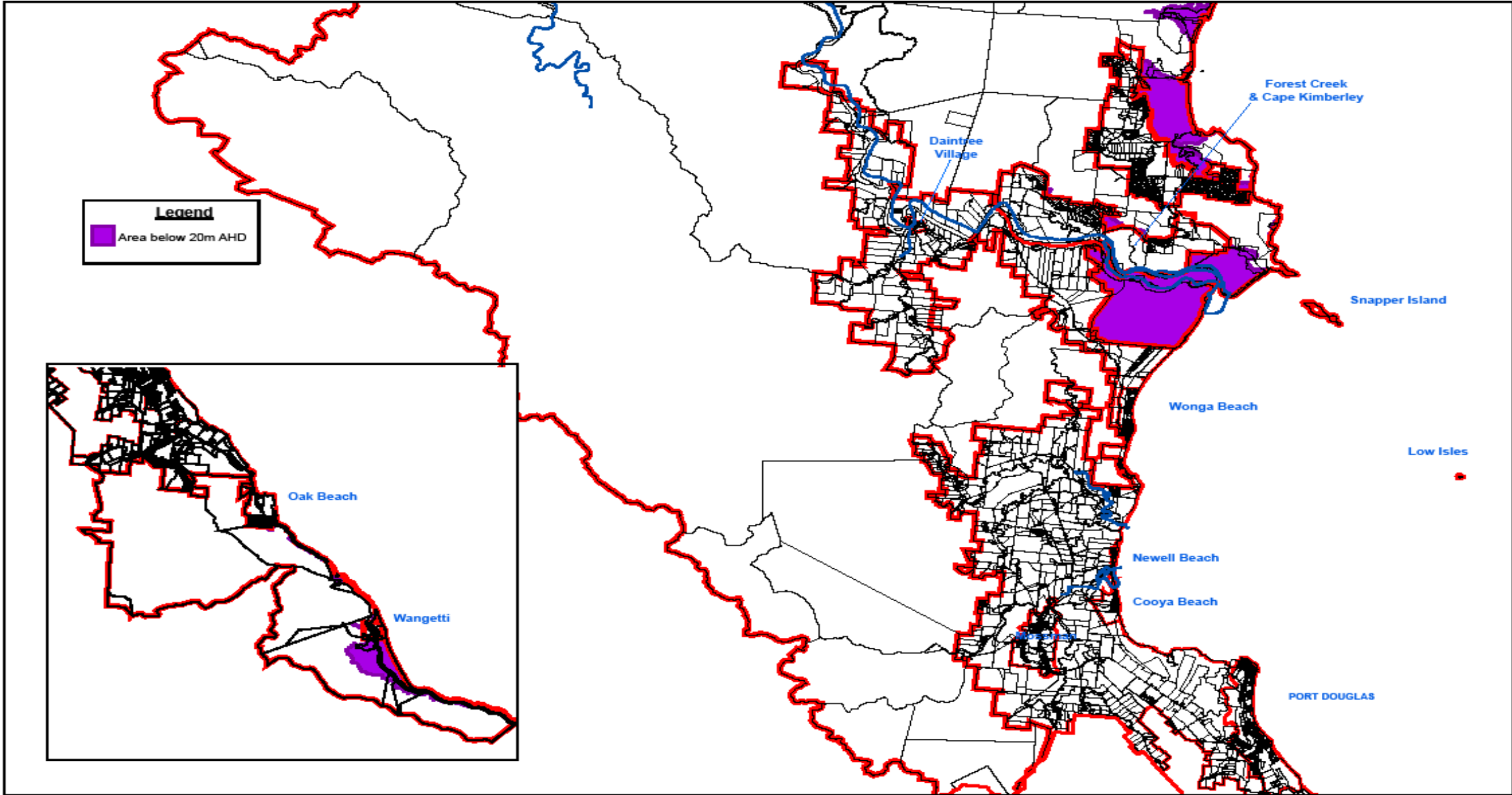
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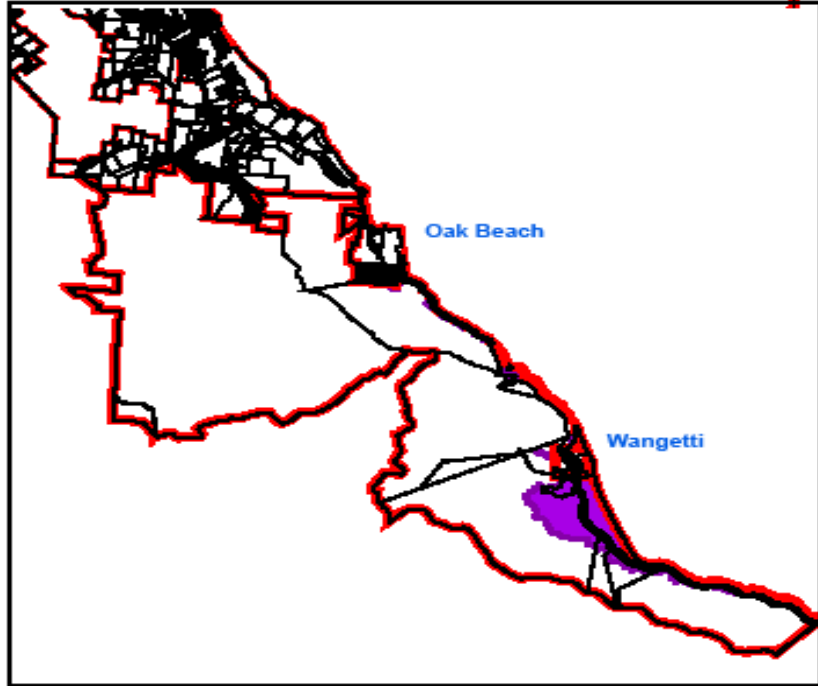
Douglas Shire Council
 Overlay - Acid Sulfate Soils
 World Heritage Areas and Environs Locality - Sheet 1



Date: August 2006
 Author: GDN
 Map No: **W2(a)**



Legend
 Area below 20m AHD



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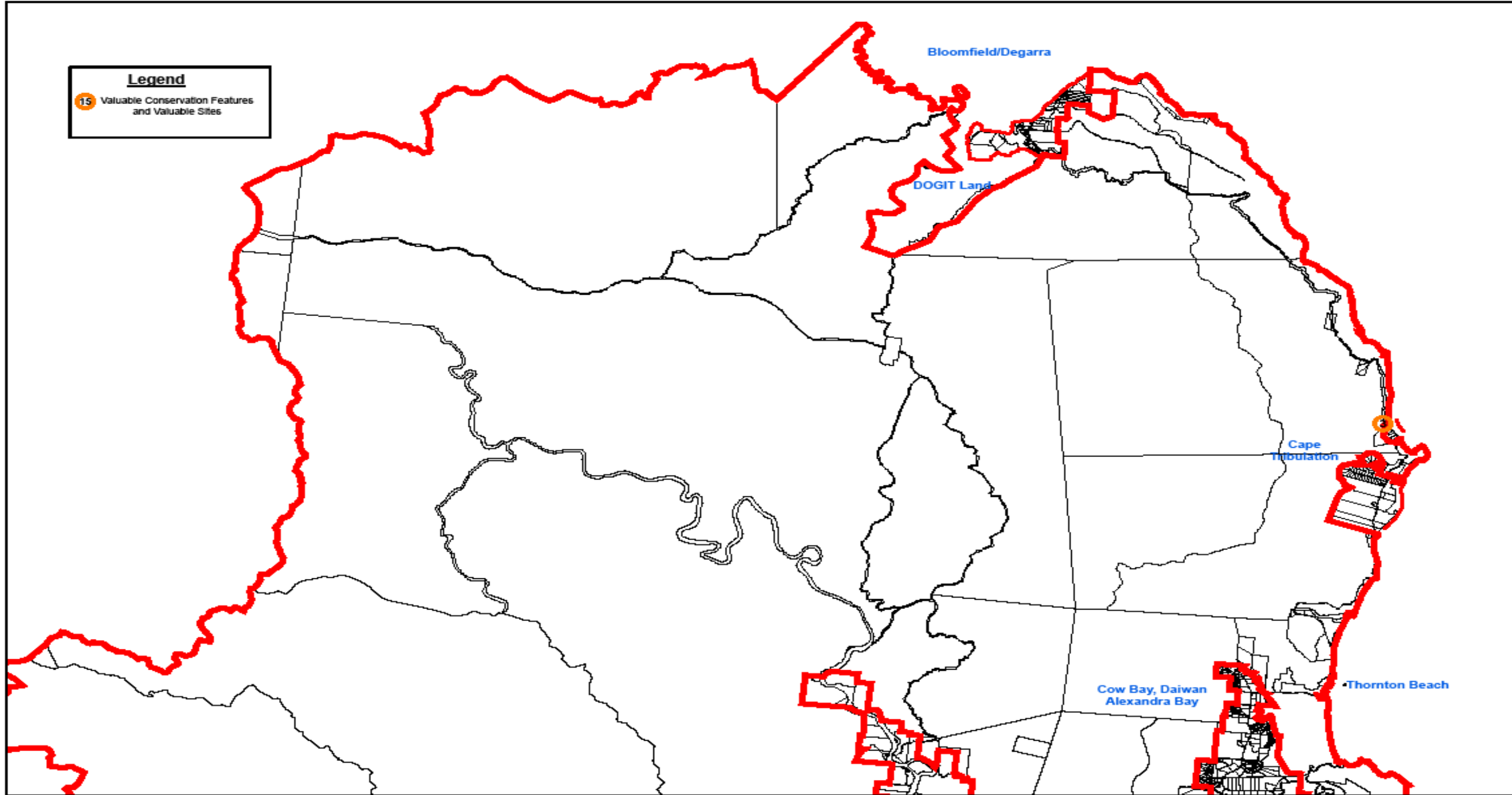
Douglas Shire Council
 Overlay - Acid Sulfate Soils
 World Heritage Areas and Environs Locality - Sheet 2



Date: August 2006
 Author: GDK
 Map No: **W2(b)**

Legend

15 Valuable Conservation Features and Valuable Sites



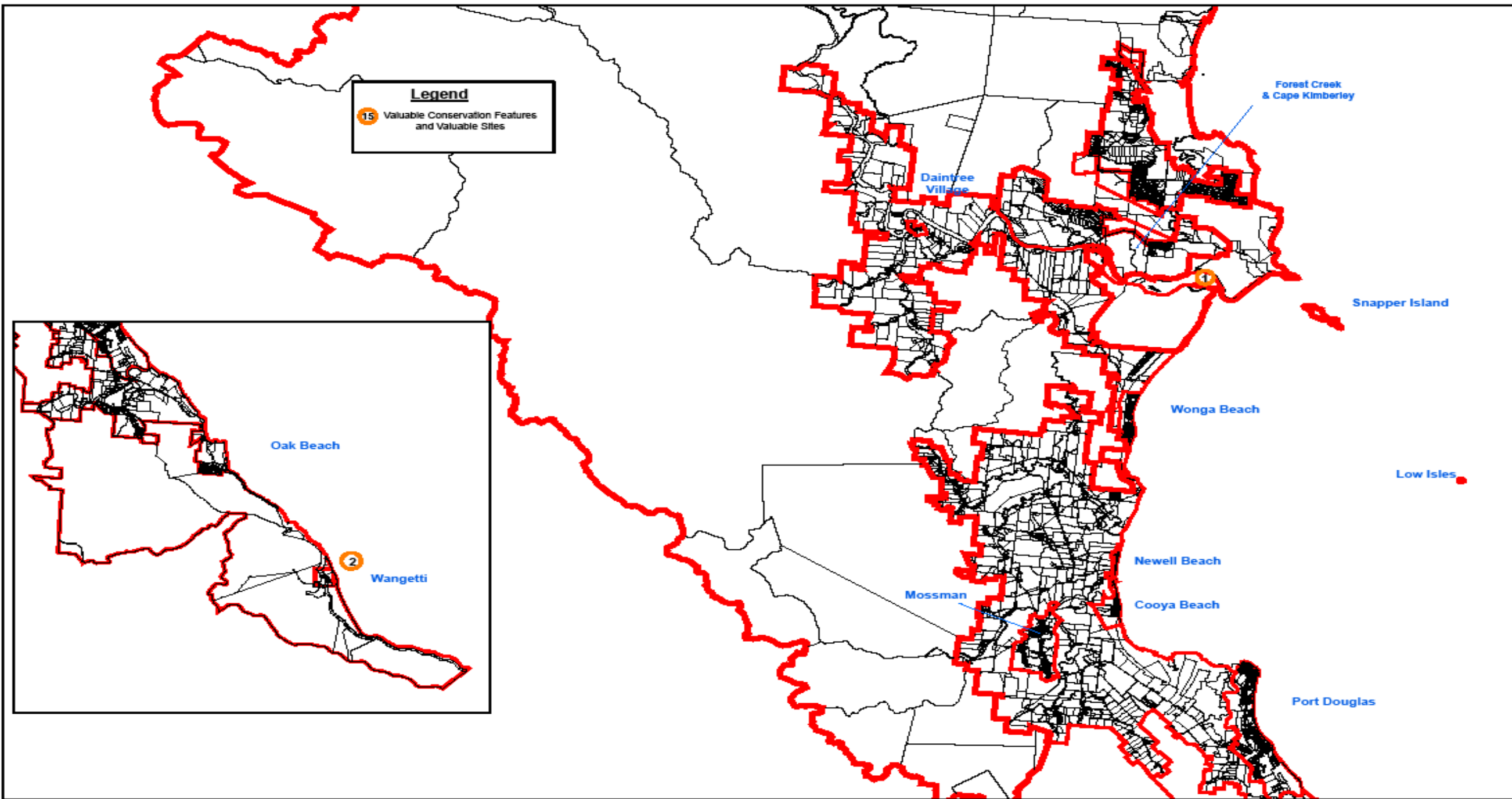
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Douglas Shire Council
 Overlay - Cultural Heritage & Valuable Sites
 World Heritage Areas & Environs Locality - Sheet 1



Date: August 2006
 Author: GDK
 Map No: W3(a)



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Douglas Shire Council
 Overlay - Cultural Heritage & Valuable Sites
 World Heritage Areas & Environs Locality - Sheet 2




Date: August 2006
 Author: GDK
 Map No: W3(b)




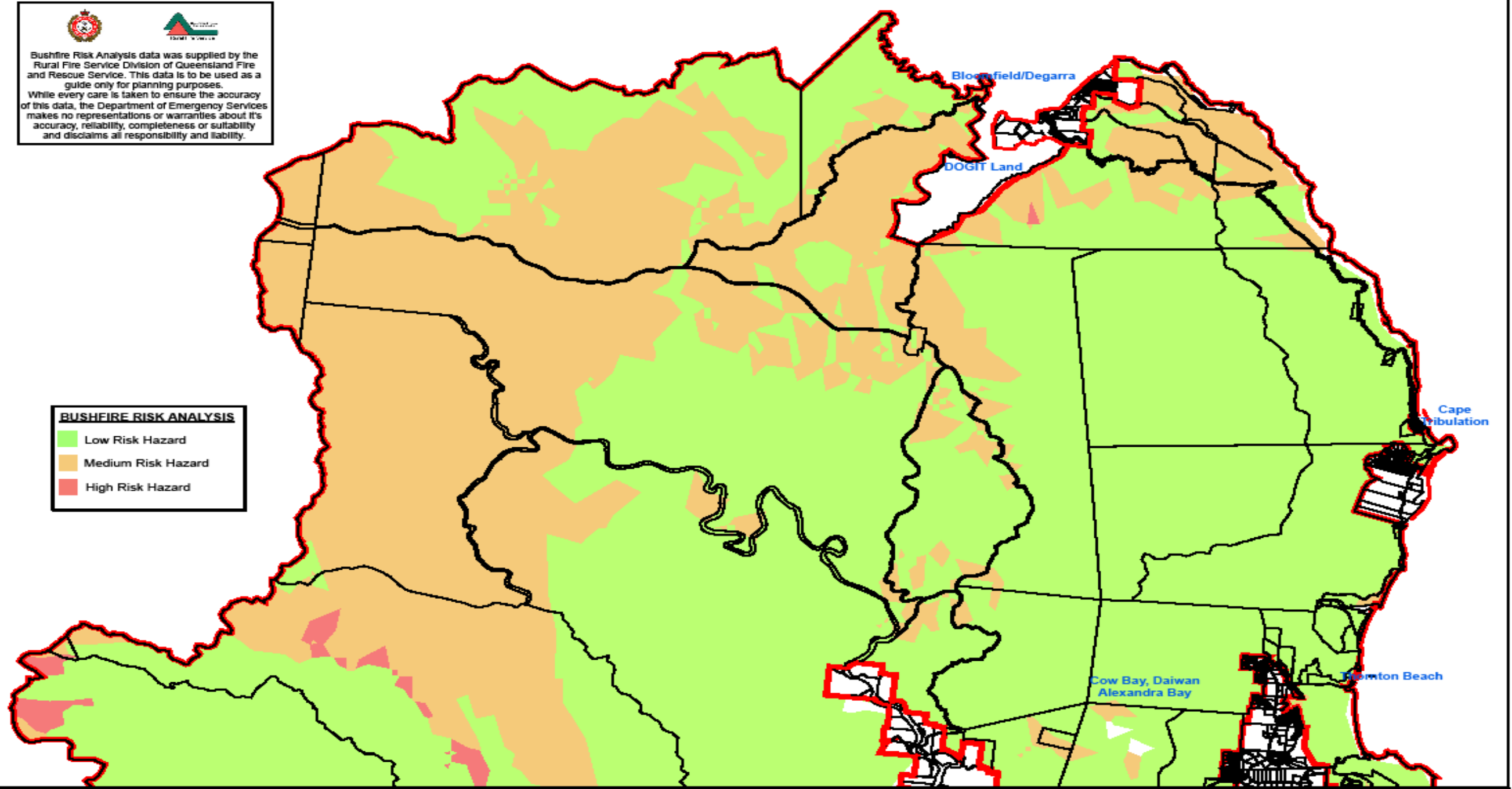
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BUSHFIRE RISK ANALYSIS

 Low Risk Hazard

 Medium Risk Hazard

 High Risk Hazard



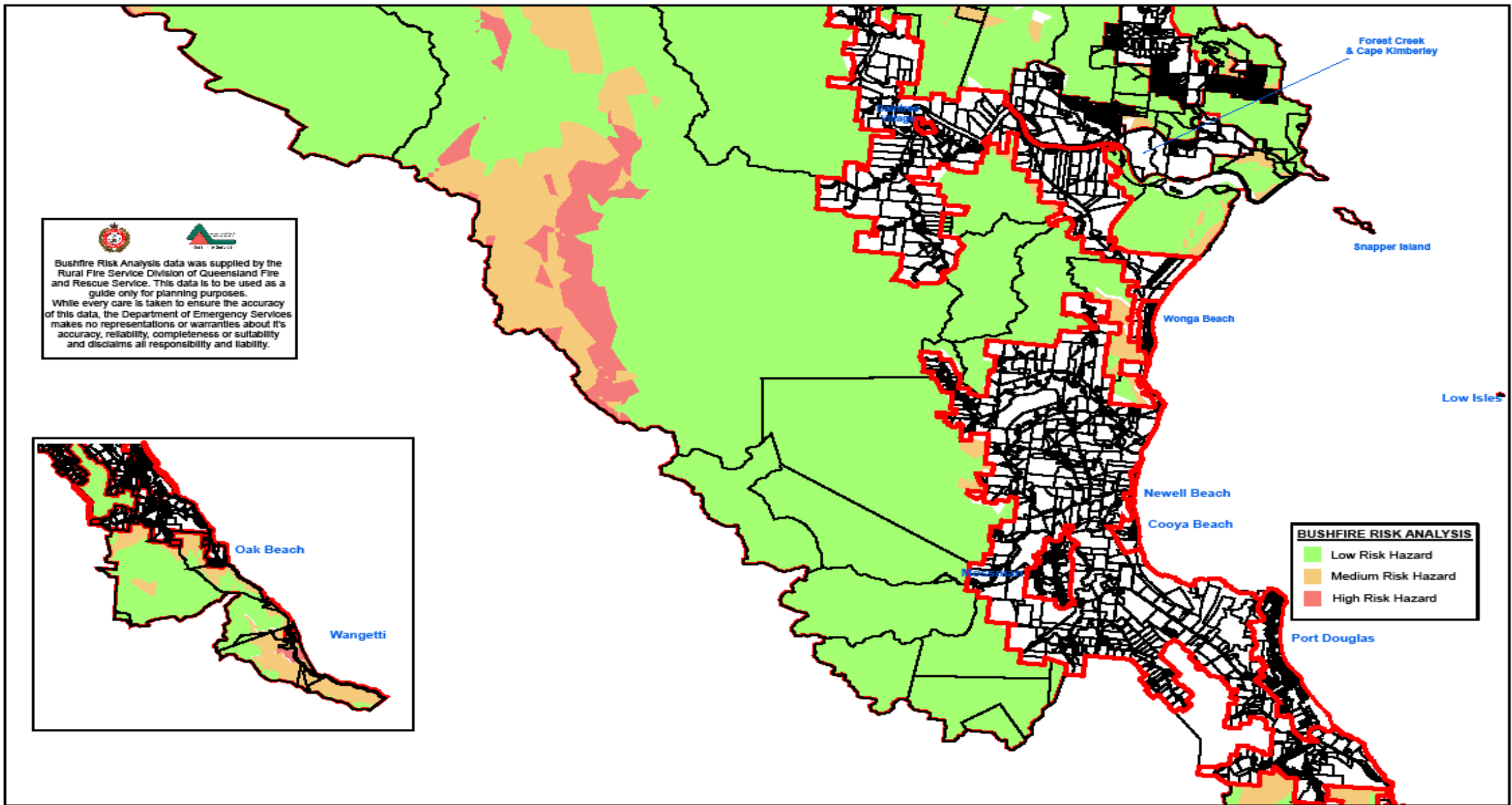
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Douglas Shire Council
 Overlay - Natural Hazards
 World Heritage Areas & Environs Locality - Sheet 1

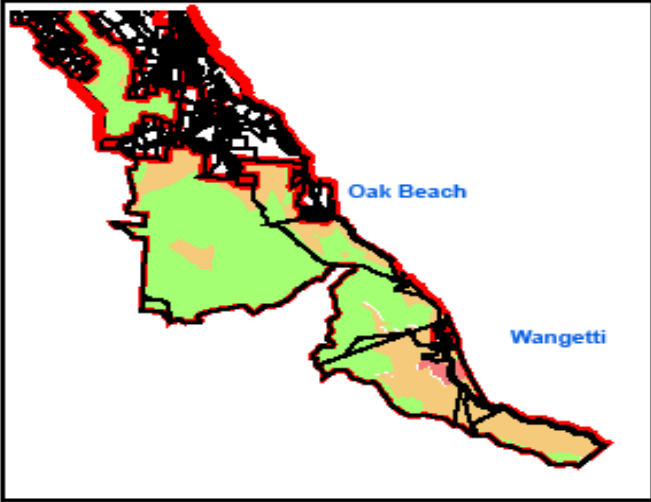


Date: August 2006
 Author: GDK
 Map No: **W5(a)**





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Douglas Shire Council
 Overlay - Natural Hazards
 World Heritage Areas & Environs Locality - Sheet 2



Date: August 2008
 Author: GDK
 Map No: **W5(b)**



SETTLEMENT AREAS NORTH OF THE DAINTREE RIVER LOCALITY

**TABLES OF ASSESSMENT
&
MAPS**



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SETTLEMENT AREAS NORTH OF THE DAINTREE RIVER LOCALITY – TABLE 1

DEVELOPMENT ACTIVITY	PLANNING AREA						GUIDE TO THE APPLICABILITY OF CODES											
	MATERIAL CHANGE OF USE						Settlement Areas North of the Daintree River Locality Code	Planning Area Code	OVERLAYS			LAND USE CODE	GENERAL					
	DEFINED LAND USE								Acid Sulfate Soils	Cultural Heritage and Valuable Sites	Natural Hazards		Design & Siting of Advertising Devices	Filling and Excavation	Landscaping	Natural Areas and Scenic Amenity	Vehicle Parking and Access	Sustainable Development
Rural	Rural Settlement	Rainforest Conservation Precinct	Rainforest Residential Precinct	Rainforest Tourism Precinct	Rainforest Commercial/Community Precinct													
Aircraft Landing Facility - Commercial	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A
Aquaculture	*I	I	I	I	I	I	A	A	O	O	O	*Yes	A	A	A	*A	A	*A
Business Facilities – using an existing Building	I	I	I	I	I	C	A	A	O	O	O	No	A	A	A	*A	A	*A
Business Facilities – not using an existing Building	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A
Camping Ground	*I	*I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A
Caravan Park	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A
Caretaker's Residence	C	I	I	I	I	I	A	A	O	O	O	Yes		A	A	*A	A	
Car Park	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	
Cemetery & Crematorium	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A
Child Care Centre	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A
Display Facilities	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A
Educational Establishment	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A
Extractive Industry	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	
Health Facility	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A
Holiday Accommodation	I	I	I	I	I	I	A	A	O	O	O	**Yes	A	A	A	*A	A	*A
Home Activity	C	I	I	C	C	I	A	A	O	O	O	Yes	A		A	*A	A	
Home Based Business	C	I	I	C	C	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A
Home Industry	*I	*I	I	I	I	I	A	A	O	O	O	No		A	A	*A		
House	C	C	**I	C	C	C	A	A	O	O	O	Yes		A	A	*A	A	
Indoor Sports & Entertainment	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A
Industry	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	
Intensive Animal Husbandry	C	I	I	I	I	I	A	A	O	O	O	*Yes	A	A	A	*A	A	*A
Interpretive Facility	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A

NOTE: Self Assessable development converts to Code Assessable development if the development cannot comply in full with the applicable Acceptable Solutions in any relevant Code

KEY

E	Exempt
S	Self Assessable
C	Code Assessable
I	Impact Assessable
*I	Impact Assessable, when included in the Degarra/Bloomfield Area. Elsewhere in the Locality, Impact Assessable (Inconsistent)
I	Impact Assessable (Inconsistent)
*I	Impact Assessable (Inconsistent) unless located on Lot 551 on RP 748411, then Impact Assessable
**I	Impact Assessable (Inconsistent) unless compliant with either A23.1, A27.1 or A36.1 of the Locality Code and then Code Assessable.
A	The Code is Applicable
*A	If the circumstances described in the Applicability of the Code are triggered, the Code applies
AA	The Code is applicable for all development EXCEPT Self Assessable development.
O	Refer to the Overlay Maps for the Settlement Areas North of the Daintree River Locality. If the site is affected by an Overlay and if the circumstances described in the Applicability of the relevant Code are triggered, the Code for the Overlay applies
*	See – Aquaculture & Intensive Animal Husbandry Code
**	See – Multi-Unit Housing/Holiday Accommodation/Retirement Facility Code

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SETTLEMENT AREAS NORTH OF THE DAINTREE RIVER LOCALITY – TABLE 1

DEVELOPMENT ACTIVITY	PLANNING AREA						GUIDE TO THE APPLICABILITY OF CODES											
	MATERIAL CHANGE OF USE						Settlement Areas North of the Daintree River Locality Code	Planning Area Code	OVERLAYS			LAND USE CODE	GENERAL					
	DEFINED LAND USE								Acid Sulfate Soils	Cultural Heritage and Valuable Sites	Natural Hazards		Design & Siting of Advertising Devices	Filling and Excavation	Landscaping	Natural Areas and Scenic Amenity	Vehicle Parking and Access	Sustainable Development
Rural	Rural Settlement	Rainforest Conservation Precinct	Rainforest Residential Precinct	Rainforest Tourism Precinct	Rainforest Commercial/Community Precinct	Conservation												
Multi-Unit Housing	I	I	I	I	I	I	A	A	O	O	O	**Yes	A	A	A	*A	A	*A
Off Premises Advertising Device	I	I	I	I	I	I	A	A	O	O	O	No	A		A	*A		
Outdoor Sport & Recreation	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A
Outstation/Seasonal Camp	I	I	I	I	I	I	A	A	O	O	O	No		A	A	*A	A	
Park & Open Space	E	E	I	I	C	I	A	A	O	O	O	No		A	A	*A	A	
Place of Assembly	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A
Primary Industry	C	I	I	I	C	I	A	A	O	O	O	Yes			A	*A	A	
Private Forestry	C	I	I	I	C	I	A	A	O	O	O	Yes			A	*A	A	
Public Utilities & Facilities	C	C	I	I	I	I	A	A	O	O	O	No		A	A	*A	A	*A
Restaurant – using an existing Building	*I	I	I	I	I	C	A	A	O	O	O	No	A		A	*A	A	*A
Restaurant – not using an existing Building	*I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A
Retirement Facility	I	I	I	I	I	I	A	A	O	O	O	**Yes	A	A	A	*A	A	*A
Service Industry	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A
Service Station	*I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A
Shopping Facility – using an existing Building	I	I	I	I	I	C	A	A	O	O	O	No	A		A	*A	A	*A
Shopping Facility – not using an existing Building	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A
Short Term Accommodation	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A
Special Residential Use	I	I	I	I	I	I	A	A	O	O	O	No		A	A	*A	A	*A
Staff Quarters	I	I	I	I	I	I	A	A	O	O	O	No		A	A	*A	A	*A
Tavern	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	
Telecommunication Facilities	C	C	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A
Tourist Attraction	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A
Veterinary Facilities	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A
Other-Undefined (Except Use for a Road)	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A

NOTE: Self Assessable development converts to Code Assessable development if the development cannot comply in full with the applicable Acceptable Solutions in any relevant Code

KEY

E	Exempt
S	Self Assessable
C	Code Assessable
I	Impact Assessable
*I	Impact Assessable, when included in the Degarra/Bloomfield Area. Elsewhere in the Locality, Impact Assessable (Inconsistent)
I	Impact Assessable (Inconsistent)
*I	Impact Assessable (Inconsistent) unless located on Lot 551 on RP 748411, then Impact Assessable
**I	Impact Assessable (Inconsistent) unless compliant with either A23.1, A27.1 or A36.1 of the Locality Code and then Code Assessable.
A	The Code is Applicable
*A	If the circumstances described in the Applicability of the Code are triggered, the Code applies
AA	The Code is applicable for all development EXCEPT Self Assessable development.
O	Refer to the Overlay Maps for the Settlement Areas North of the Daintree River Locality. If the site is affected by an Overlay and if the circumstances described in the Applicability of the relevant Code are triggered, the Code for the Overlay applies
*	See – Aquaculture & Intensive Animal Husbandry Code
**	See – Multi-Unit Housing/Holiday Accommodation/Retirement Facility Code

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SETTLEMENT AREAS NORTH OF THE DAINTREE RIVER LOCALITY – TABLE 2

DEVELOPMENT ACTIVITY	PLANNING AREAS			GUIDE TO APPLICABILITY OF CODES											
	Rural	Rural Settlement	Conservation	Settlement Areas North of the Daintree River Locality Code	Planning Area Code	OVERLAYS			GENERAL						
						Acid Sulfate Soils	Cultural Heritage & Valuable Sites	Natural Hazards	Design & Siting of Advertising Devices	Filling & Excavation	Landscaping	Natural Areas and Scenic Amenity	Reconfiguring a Lot	Sustainable Development	Vegetation Management
Reconfiguring a Lot	C	C	I	A	A	O	O	O				*A	A		
Operational Work Associated with Reconfiguring a Lot	C	C	C	A	A	O	O	O		A	A	*A	A		
Operational Work - Filling or Excavation not associated with a Material Change of Use	C	C	C	A	A	O	O	O		A		*A			
Operational Work - Engineering Works not associated with a Material Change of Use	C	C	C	A	A	O	O	O		A		*A			
Operational Work - Placing an Advertising Device on Premises not associated with a Material Change of Use	C	C	C	A	A				A			*A			
Operational Work – Vegetation Management	S	S	S												A
Building Work other than Minor Building Work not associated with a Material Change of Use	E	C	C	A	A							*A			

KEY

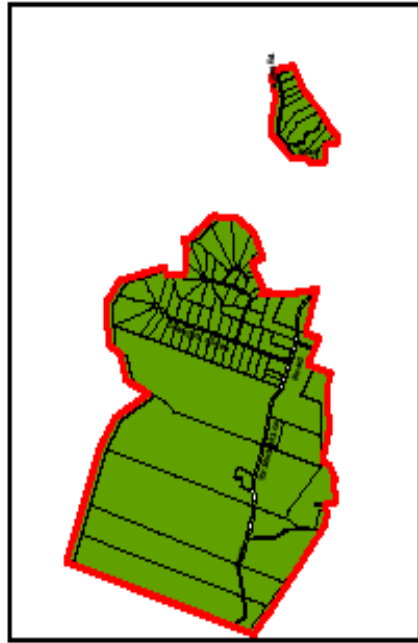
E	Exempt
S	Self Assessable
C	Code Assessable
I	Impact Assessable
I	Impact Assessable (Inconsistent)

A	The Code is Applicable
*A	If the circumstances described in the Applicability of the Code are triggered, the Code applies

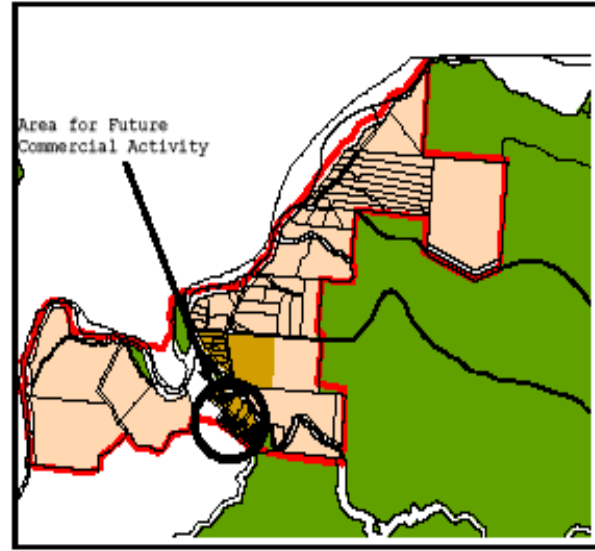
O	Refer to the Overlay Maps for the Settlement Areas North of the Daintree River Locality. If the site is affected by an Overlay and if the circumstances described in the Applicability of the relevant Code are triggered, the Code for the Overlay applies
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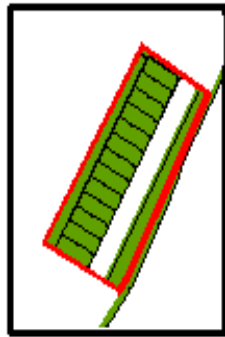
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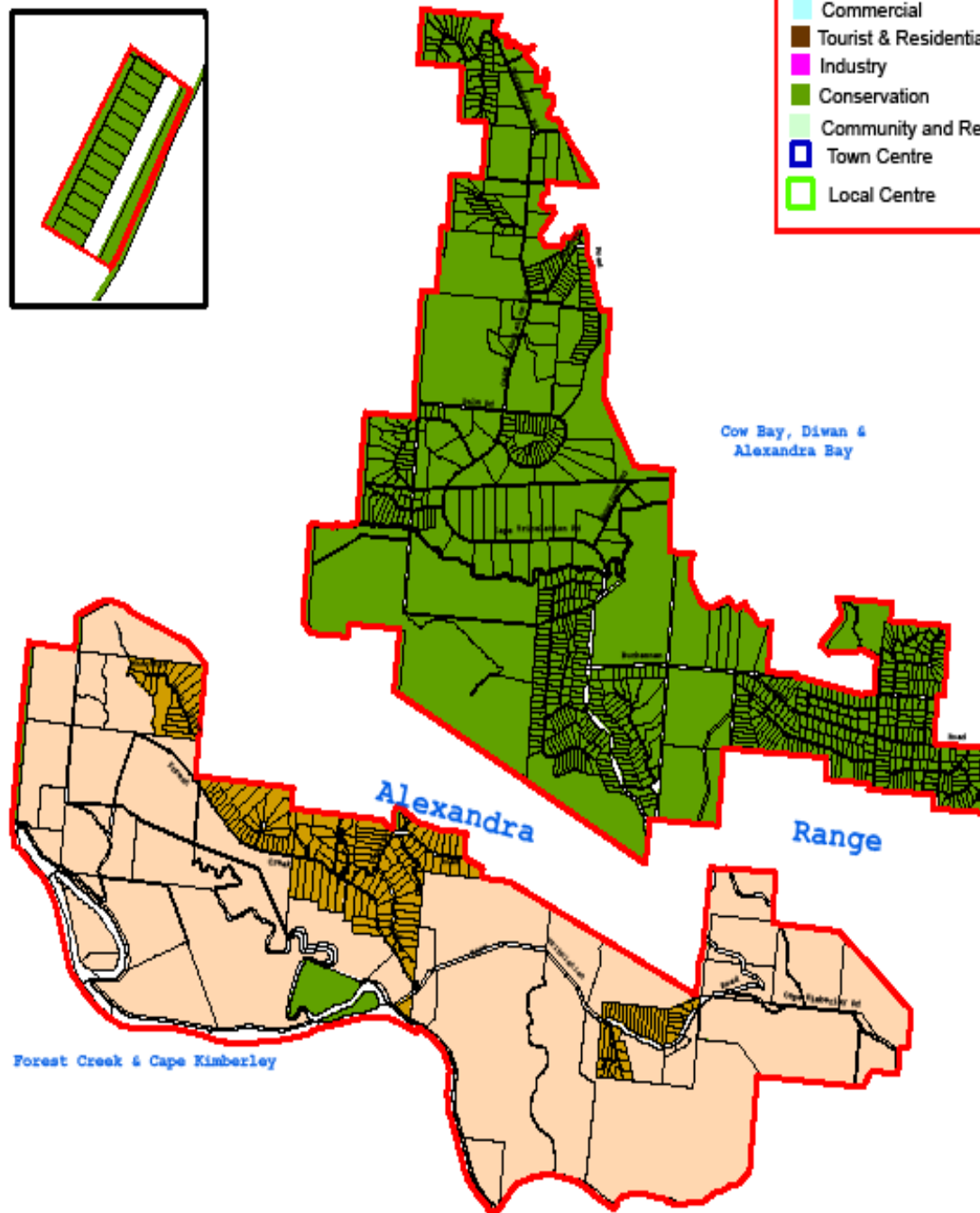
Cape Tribulation

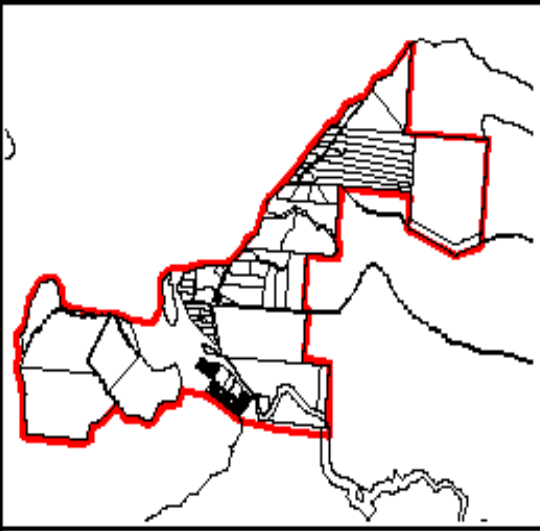
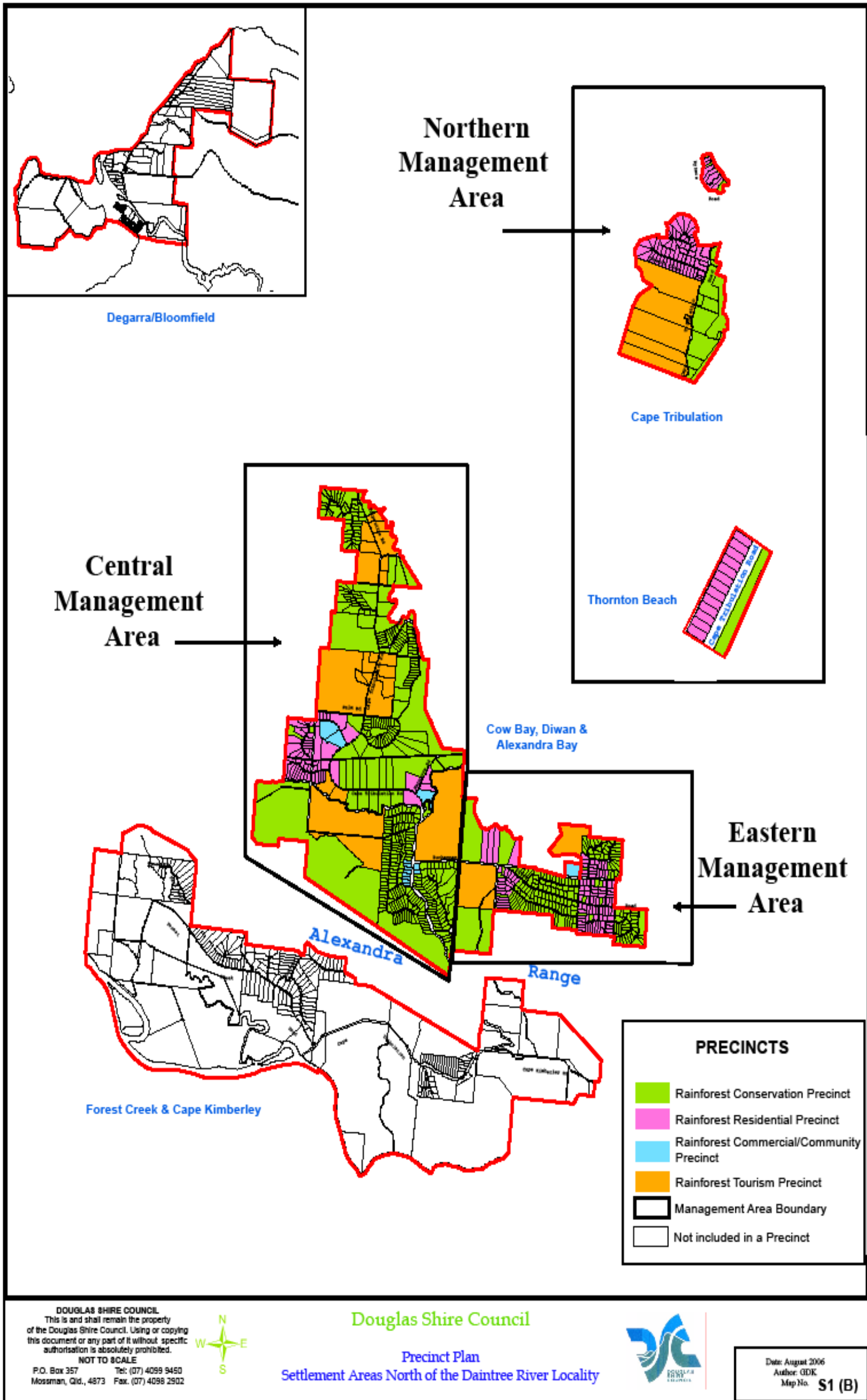


Bloomfield/Degarra

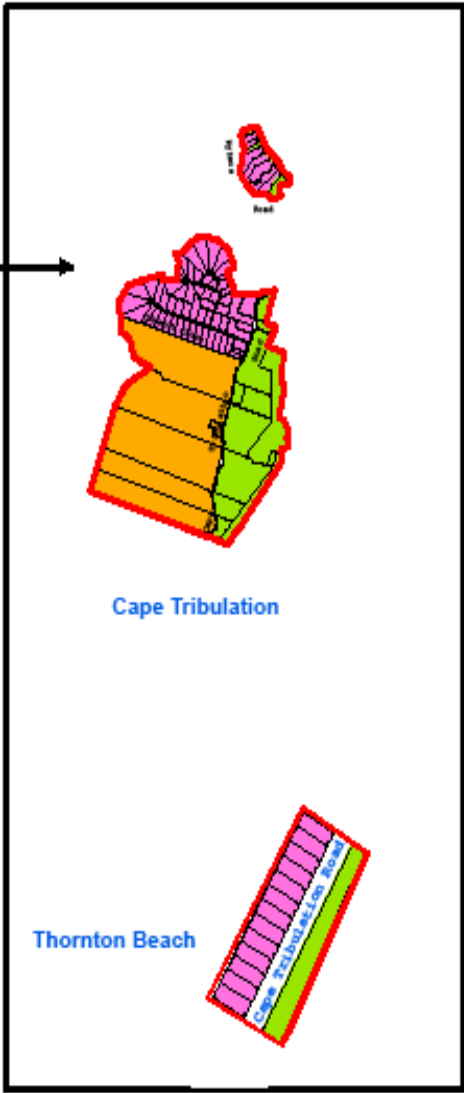


Thornton Beach





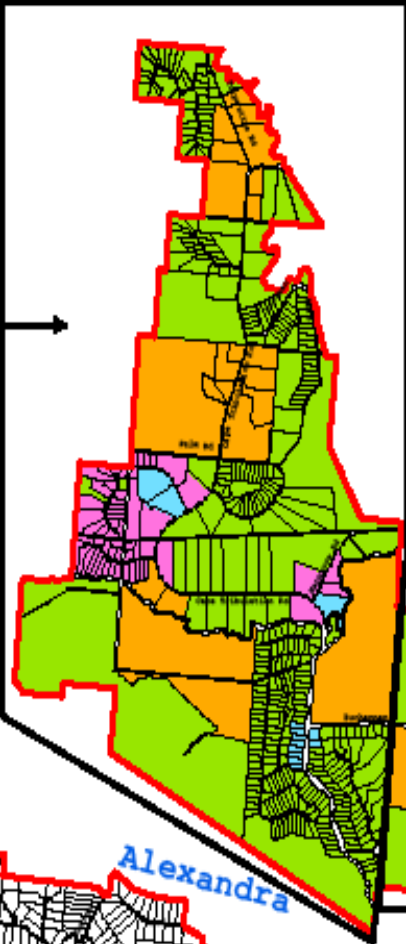
Degarra/Bloomfield



Cape Tribulation

Thornton Beach

Cow Bay, Diwan & Alexandra Bay



Alexandra

Range

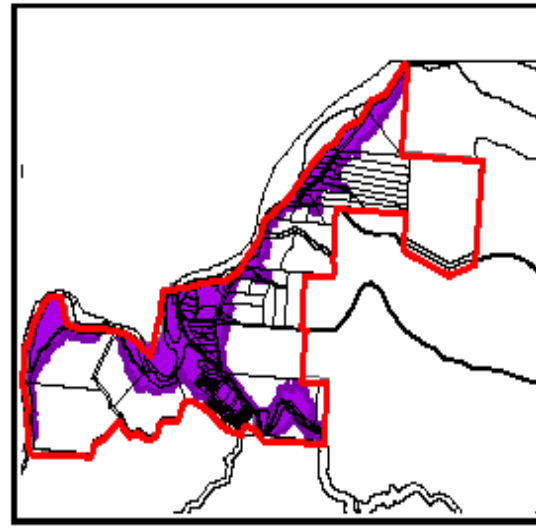


Forest Creek & Cape Kimberley

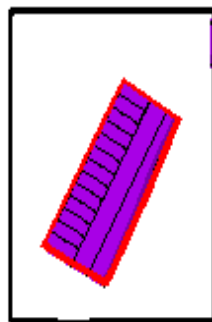




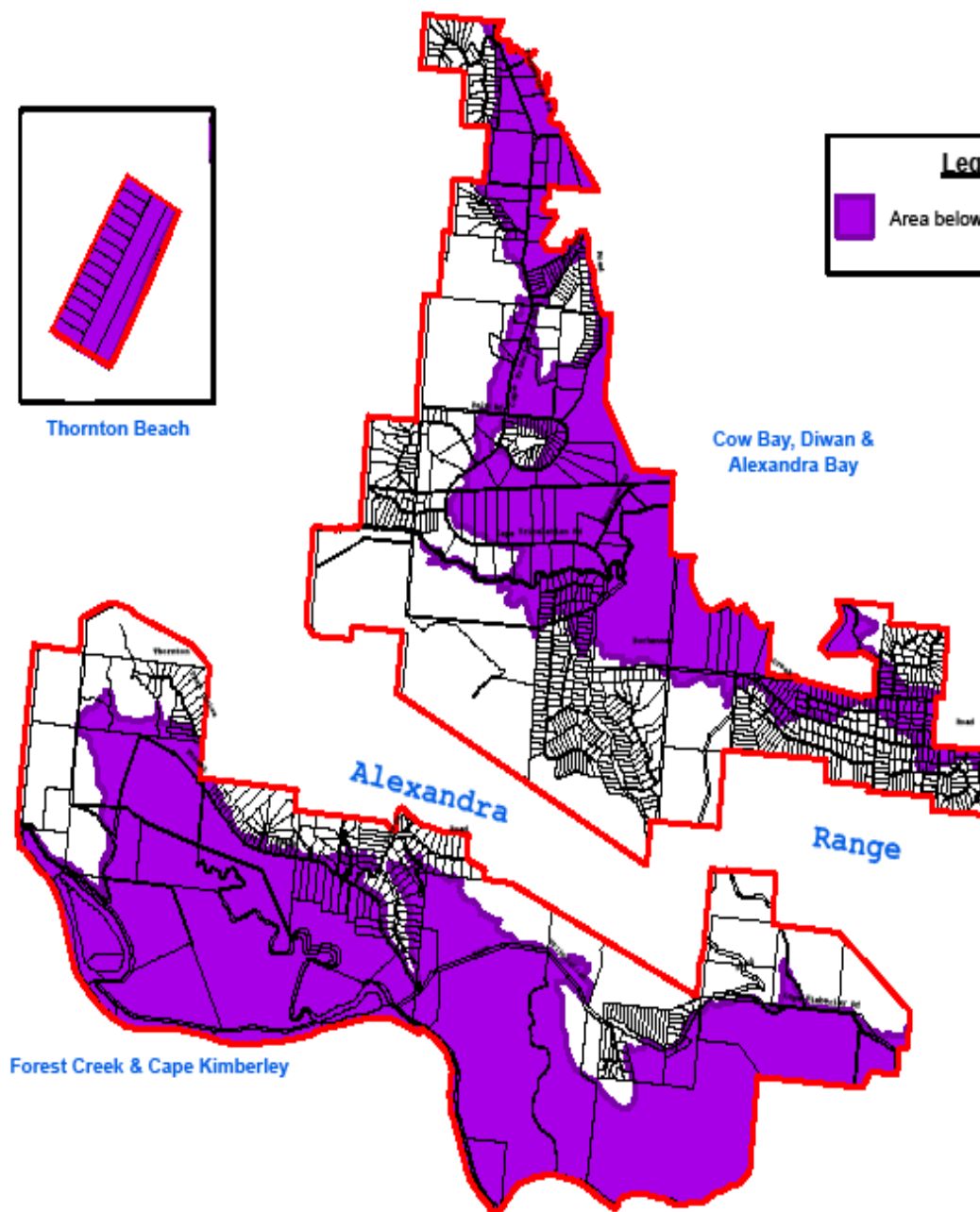
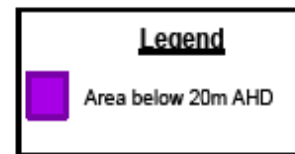
Cape Tribulation



Bloomfield/Degarra



Thornton Beach



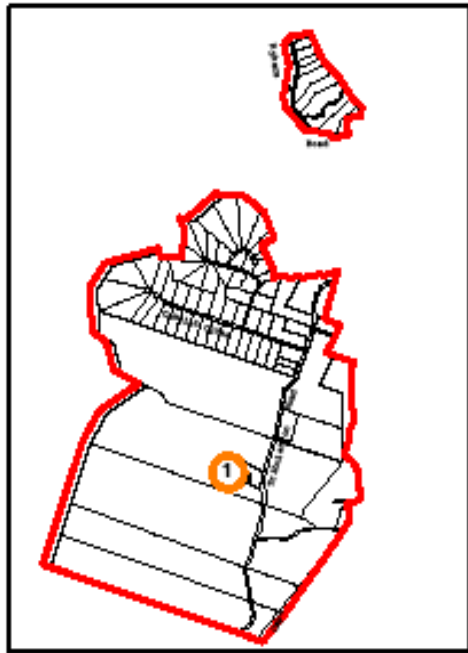
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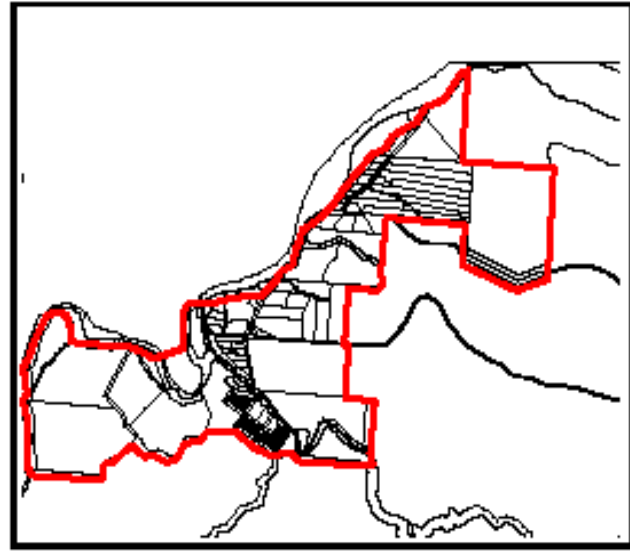
Douglas Shire Council
 Overlay - Acid Sulfate Soils
 Settlement Areas North of the Daintree River Locality



Date: August 2006
 Author: GDK
 Map No. S2



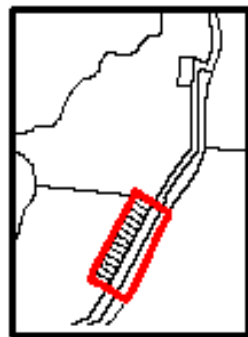
Cape Tribulation



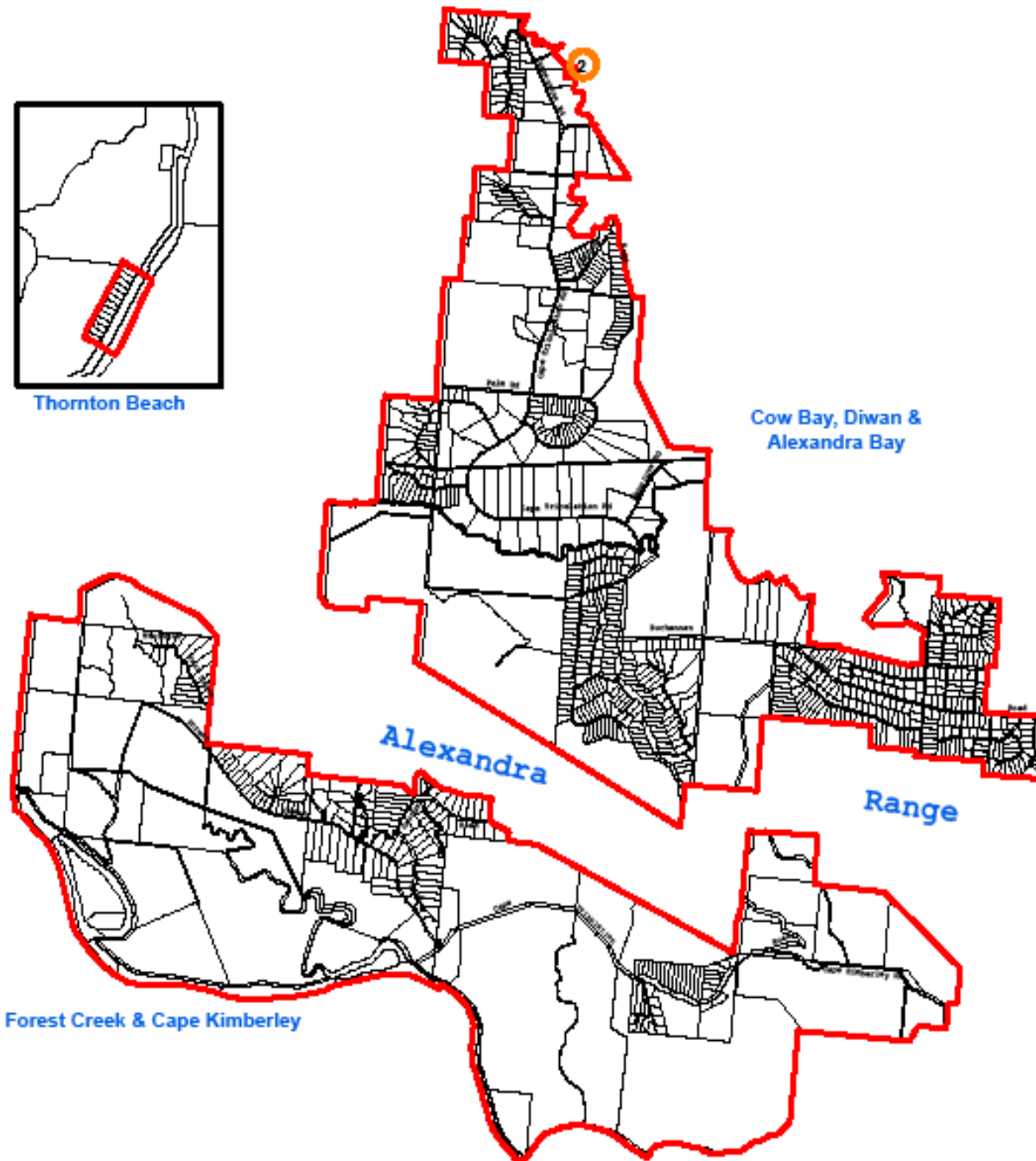
Bloomfield/Degarra

Legend

15 Valuable Conservation Features and Valuable Sites



Thornton Beach



Forest Creek & Cape Kimberley

Alexandra

Range

Cow Bay, Diwan & Alexandra Bay

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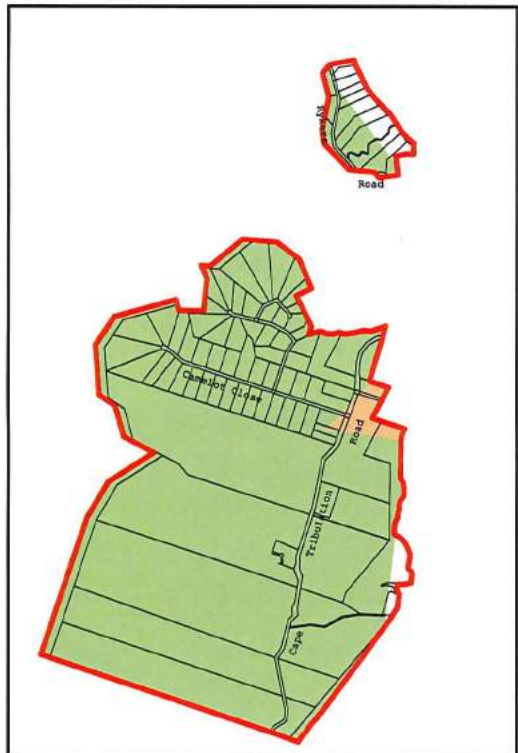


Douglas Shire Council

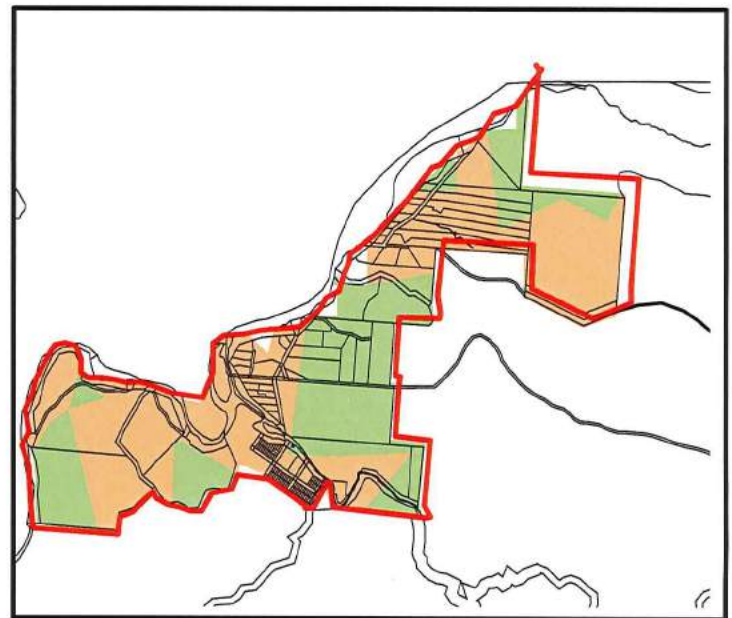
Overlay - Cultural Heritage & Valuable Sites
 Settlement Areas North of the Daintree River Locality



Date: August 2006
 Author: GDK
 Map No. S3




Cape Tribulation



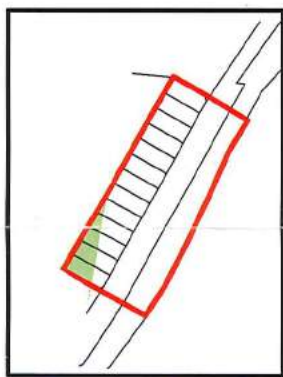
Bloomfield/Degarra

BUSHFIRE RISK ANALYSIS

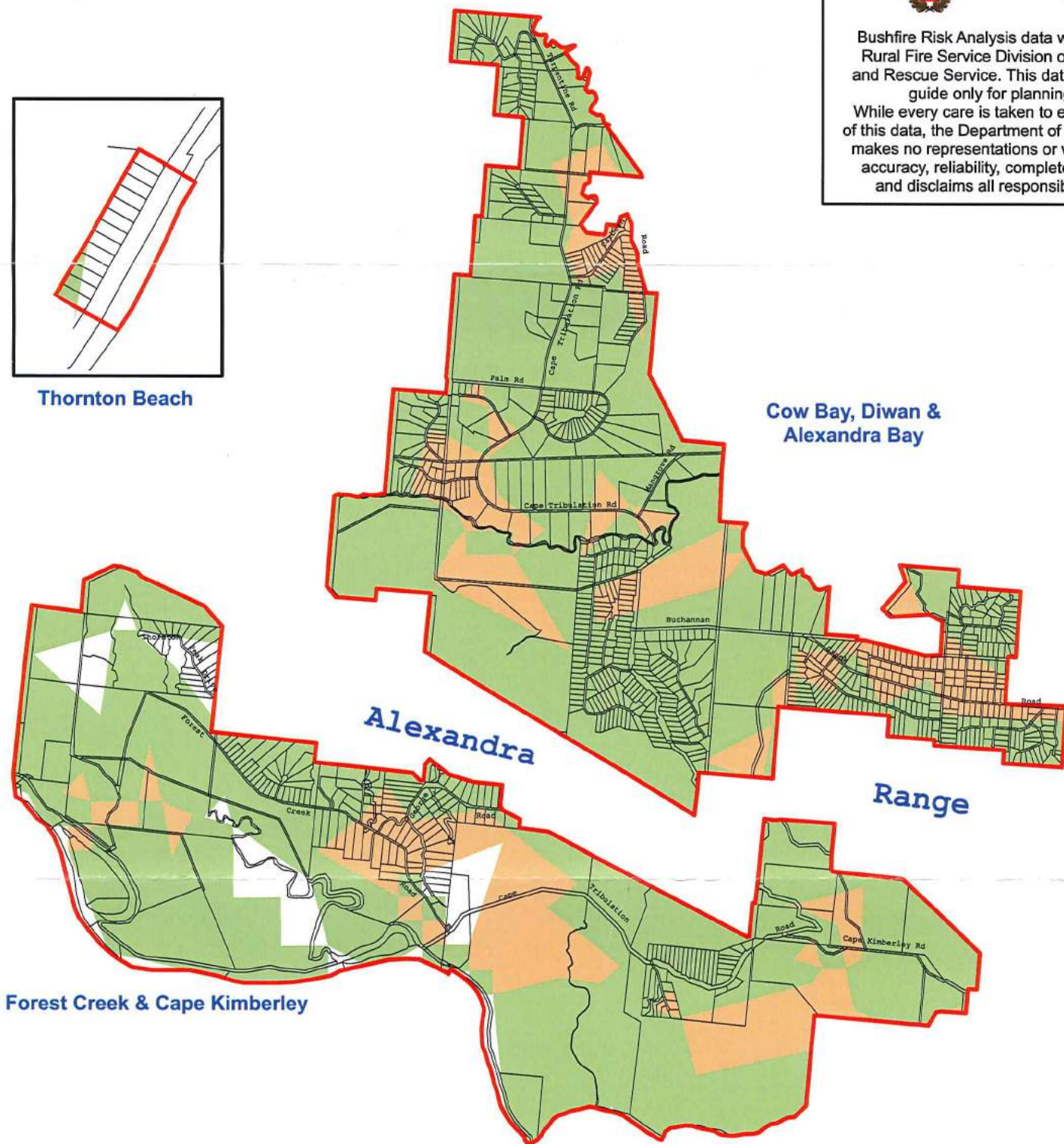
- Low Risk Hazard
- Medium Risk Hazard
- High Risk Hazard



Bushfire Risk Analysis data was supplied by the Rural Fire Service Division of Queensland Fire and Rescue Service. This data is to be used as a guide only for planning purposes. While every care is taken to ensure the accuracy of this data, the Department of Emergency Services makes no representations or warranties about its accuracy, reliability, completeness or suitability and disclaims all responsibility and liability.



Thornton Beach



Forest Creek & Cape Kimberley

Alexandra

Cow Bay, Diwan & Alexandra Bay

Range



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MOSSMAN & ENVIRONS LOCALITY

**TABLES OF ASSESSMENT
&
MAP**



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MOSSMAN AND ENVIRONS LOCALITY – TABLE 1

DEVELOPMENT ACTIVITY	PLANNING AREA								GUIDE TO APPLICABILITY OF CODES											
									OVERLAYS			LAND USE CODE	GENERAL							
	MATERIAL CHANGE OF USE	Rural	Rural Settlement	Residential 1	Residential 2	Commercial	Industry	Community & Recreational Facilities	Conservation	Mossman & Environs Locality Code	Planning Area Code		Acid Sulfate Soils	Cultural Heritage and Valuable Sites	Natural Hazards	Design & Siting of Advertising Devices	Filling and Excavation	Landscaping	Natural Areas and Scenic Amenity	Vehicle Parking & Access
DEFINED LAND USE																				
Aircraft Landing Facility – Commercial	I	I	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A
Aquaculture	I	I	I	I	I	I	I	I	A	A	O	O	O	*Yes	A	A	A	*A	A	*A
Business Facilities – using an existing Building	I	I	I	I	S	I	I	I	AA	AA	OO	OO	OO	No	AA		AA	*A	A	*A
Business Facilities – not using an existing Building	I	I	I	I	C	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A
Camping Ground	I	I	I	I	I	I	C	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A
Caravan Park	I	I	I	I	I	I	C	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A
Caretaker's Residence	C	I	I	I	C	C	C	I	A	A	O	O	O	Yes		A	A	*A	A	
Car Park	I	I	I	I	C	C	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	
Cemetery & Crematorium	I	I	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A
Child Care Centre	I	I	C	C	C	I	C	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A
Display Facilities	I	I	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A
Educational Establishment	I	I	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A
Extractive Industry	I	I	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	
Health Facility	I	I	I	I	C	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A
Holiday Accommodation	I	I	I	I	C	I	I	I	A	A	O	O	O	**Yes	A	A	A	*A	A	*A
Home Activity	C	C	C	C	C	I	I	I	A	A	O	O	O	Yes	A		A	*A	A	
Home Based Business	C	C	C	C	C	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A
Home Industry	I	I	I	I	I	I	I	I	A	A	O	O	O	No		A	A	*A		
House	S	C	S	S	I	I	I	I	A	A	OO	OO	OO	Yes		AA	AA	*A	A	
Indoor Sports & Entertainment	I	I	I	I	C	I	C	I	A	A	O	O	O	No	A	A	A	*A	A	*A
Industry	I	I	I	I	I	C	I	I	A	A	O	O	O	No	A	A	A	*A	A	
Intensive Animal Husbandry	C	I	I	I	I	I	I	I	A	A	O	O	O	*Yes	A	A	A	*A	A	*A
Interpretive Facility	I	I	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A
Multi-Unit Housing	I	I	I	C	C	I	I	I	A	A	O	O	O	**Yes	A	A	A	*A	A	*A

NOTE: Self Assessable development converts to Code Assessable development if the development cannot comply in full with the applicable Acceptable Solutions in any relevant Code

KEY

E	Exempt
S	Self Assessable
C	Code Assessable
I	Impact Assessable
I	Impact Assessable (Inconsistent)

A	The Code is Applicable
*A	If the circumstances described in the Applicability of the Code are triggered, the Code applies
AA	The Code is applicable for all development EXCEPT Self Assessable development

O	Refer to the Overlay Maps for the Mossman and Environs Locality. If the site is affected by an Overlay and if the circumstances described in the Applicability of the relevant Code are triggered, the Code for the Overlay applies
---	---

OO	The Code is applicable for all development EXCEPT Self Assessable development
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*	See – Aquaculture & Intensive Animal Husbandry Code
---	---

**	See – Multi-Unit Housing/Holiday Accommodation/Retirement Facility Code
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MOSSMAN AND ENVIRONS LOCALITY – TABLE 1

DEVELOPMENT ACTIVITY	PLANNING AREA								GUIDE TO APPLICABILITY OF CODES												
									MATERIAL CHANGE OF USE	Rural	Rural Settlement	Residential 1	Residential 2	Commercial	Industry	Community & Recreational Facilities	Conservation	Mossman & Environs Locality Code	Planning Area Code	OVERLAYS	
Acid Sulfate Soils	Cultural Heritage and Valuable Sites	Natural Hazards	Design & Siting of Advertising Devices	Filling and Excavation	Landscaping	Natural Areas and Scenic Amenity	Vehicle Parking & Access	Sustainable Development													
Off Premises Advertising Device	I	I	I	I	I	I	I	I	I	A	A	O	O	O	No	A		A	*A		
Outdoor Sport & Recreation	I	I	I	I	I	I	C	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A
Outstation/Seasonal Camp	I	I	I	I	I	I	I	I	I	A	A	O	O	O	No		A	A	*A	A	
Park & Open Space	E	E	E	E	E	E	E	E	E										*A		
Place of Assembly	I	I	I	C	C	I	C	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A
Primary Industry	S	I	I	I	I	I	I	I	I	AA	A	OO	OO	OO	Yes			AA	*A	A	
Private Forestry	C	I	I	I	I	I	I	I	I	A	A	O	O	O	Yes			A	*A	A	
Public Utilities & Facilities	C	C	C	C	C	C	C	C	C	A	A	O	O	O	No		A	A	*A	A	*A
Restaurant – using an existing Building	I	I	I	I	S	I	I	I	I	AA	AA	OO	OO	OO	No	AA		AA	*A	A	*A
Restaurant – not using an existing Building	I	I	I	I	C	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A
Retirement Facility	I	I	C	C	I	I	C	I	I	A	A	O	O	O	**Yes	A	A	A	*A	A	*A
Service Industry	I	I	I	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A
Service Station	I	I	I	I	I	C	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A
Shopping Facility– using an existing Building	I	I	I	I	S	I	I	I	I	AA	AA	OO	OO	OO	No	AA		AA	*A	A	*A
Shopping Facility– not using an existing Building	I	I	I	I	C	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A
Short Term Accommodation	I	I	I	C	C	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A
Special Residential Use	I	I	C	C	C	I	I	I	I	A	A	O	O	O	No		A	A	*A	A	*A
Staff Quarters	I	I	I	I	I	I	I	I	I	A	A	O	O	O	No		A	A	*A	A	*A
Tavern	I	I	I	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A
Telecommunication Facilities	C	C	C	C	C	C	C	C	C	A	A	O	O	O	Yes	A	A	A	*A	A	
Tourist Attraction	I	I	I	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A
Veterinary Facilities	I	I	I	I	C	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A
Other-Undefined (Except Use for a Road)	I	I	I	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A

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* See – Aquaculture & Intensive Animal Husbandry Code

** See – Multi-Unit Housing/Holiday Accommodation/Retirement Facility Code

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MOSSMAN AND ENVIRONS LOCALITY – TABLE 2

DEVELOPMENT ACTIVITY	PLANNING AREA								GUIDE TO APPLICABILITY OF CODES											
	Rural	Rural Settlement	Residential 1	Residential 2	Commercial	Industry	Community & Recreational Facilities	Conservation	Mossman & Environs Locality Code	Planning Area	OVERLAYS			GENERAL						
											Acid Sulfate Soils	Cultural Heritage & Valuable Sites	Natural Hazards	Design & Siting of Advertising Devices	Filling & Excavation	Landscaping	Natural Areas and Scenic Amenity	Reconfiguring a Lot	Sustainable Development	Vegetation Management
Reconfiguring a Lot – Within the Priority Infrastructure Area	C	C	C	C	C	C	C	I	A	A	O	O	O				*A	A		
Reconfiguring a Lot – Outside the Priority Infrastructure Area	C	I	I	I	I	I	I	I	A	A	O	O	O				*A	A		
Operational Work Associated with Reconfiguring a Lot	C	C	C	C	C	C	C	C	A	A	O	O	O		A	A	*A	A		
Operational Work - Filling or Excavation not associated with a Material Change of Use	C	C	C	C	C	C	C	C	A	A	O	O	O		A		*A			
Operational Work - Engineering Works not associated with a Material Change of Use	C	C	C	C	C	C	C	C	A	A	O	O	O		A		*A			
Operational Work - Placing an Advertising Device on Premises not associated with a Material Change of Use	C	C	C	C	C	C	C	C	A	A				A			*A			
Operational Work – Vegetation Management	S	S	S	S	S	S	S	S												A
Building Work other than Minor Building Work not associated with a Material Change of Use	E	E	E	E	E	E	E	C	A	A							*A			

KEY

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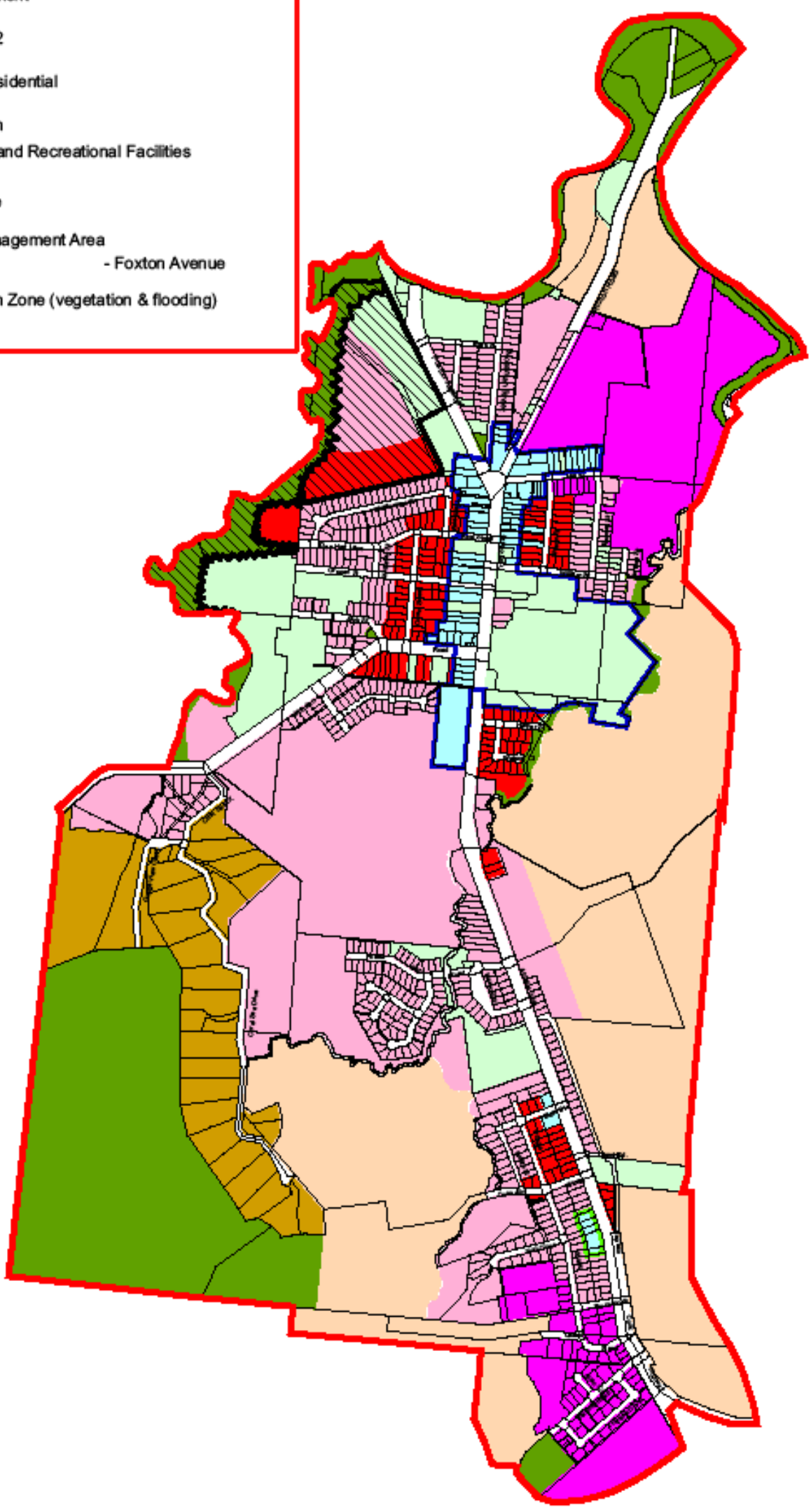
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Planning Areas

- Rural
- Rural Settlement
- Residential 1
- Residential 2
- Commercial
- Tourist & Residential
- Industry
- Conservation
- Community and Recreational Facilities
- Town Centre
- Local Centre
- Special Management Area
- Foxtan Avenue
- Investigation Zone (vegetation & flooding)



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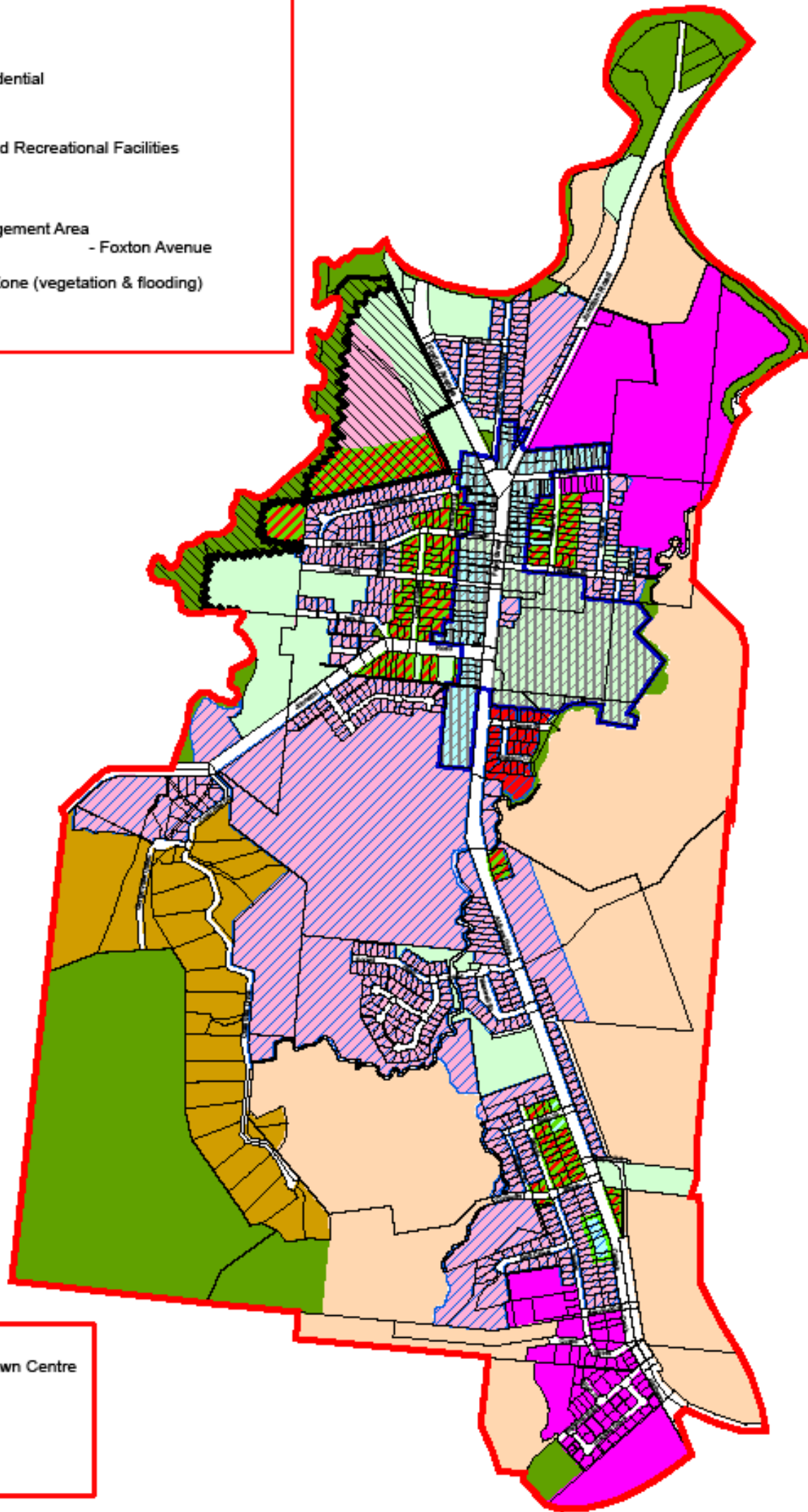
Douglas Shire Council
 Planning Areas
 Mossman & Environs Locality



Date: August 2006
 Author: GDK
 Map No. **M 1**

Planning Areas

- Rural
- Rural Settlement
- Residential 1
- Residential 2
- Commercial
- Tourist & Residential
- Industry
- Conservation
- Community and Recreational Facilities
- Town Centre
- Local Centre
- Special Management Area
- Foxtan Avenue
- Investigation Zone (vegetation & flooding)



Plot Ratio

- High Scale - Town Centre
- Medium Scale
- Low Scale


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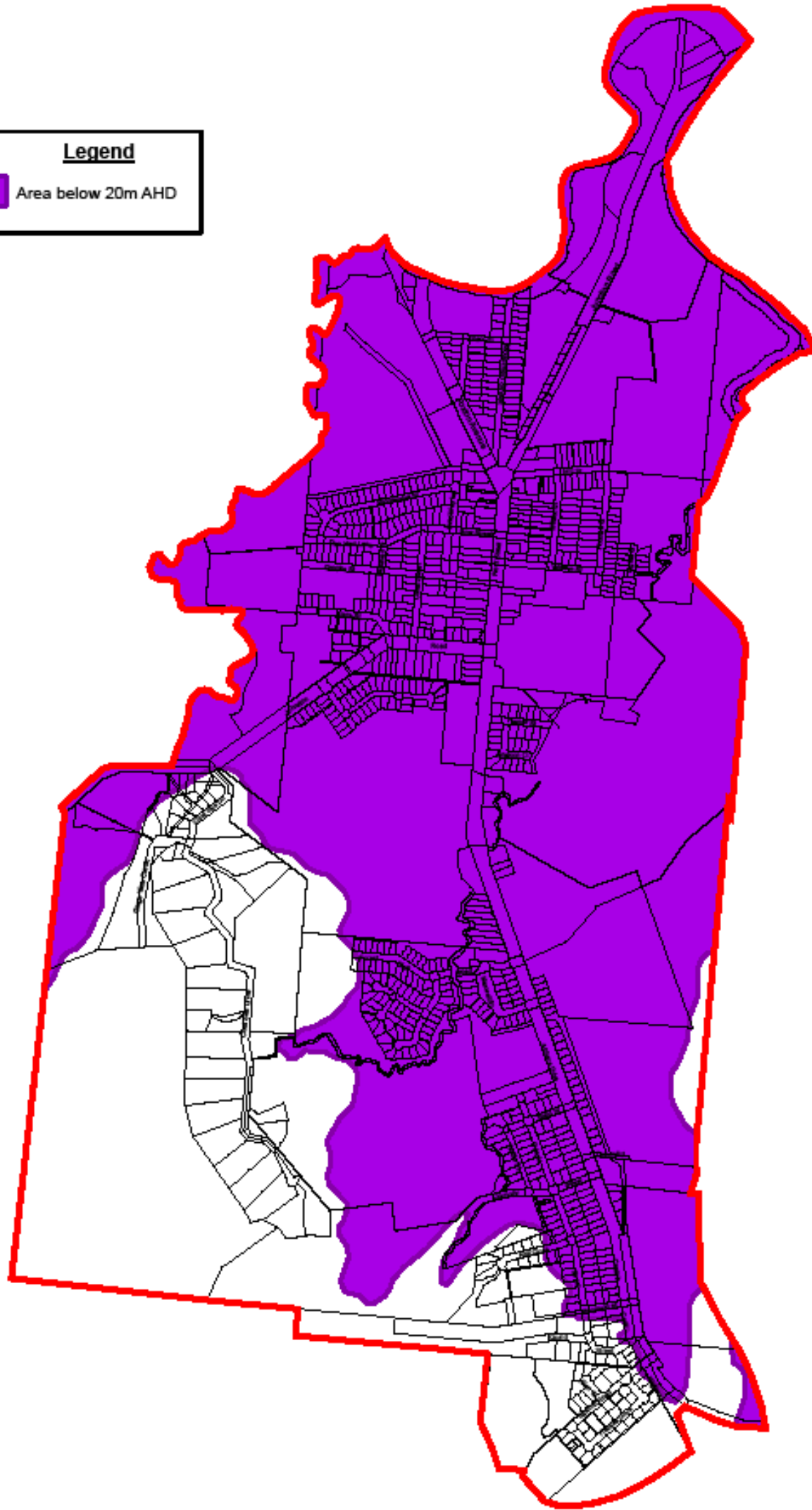


Douglas Shire Council
 Plot Ratio Designations
 Mossman & Environs Locality



Date: August 2006
 Author: GDK
 Map No. **M 2**

Legend
 Area below 20m AHD



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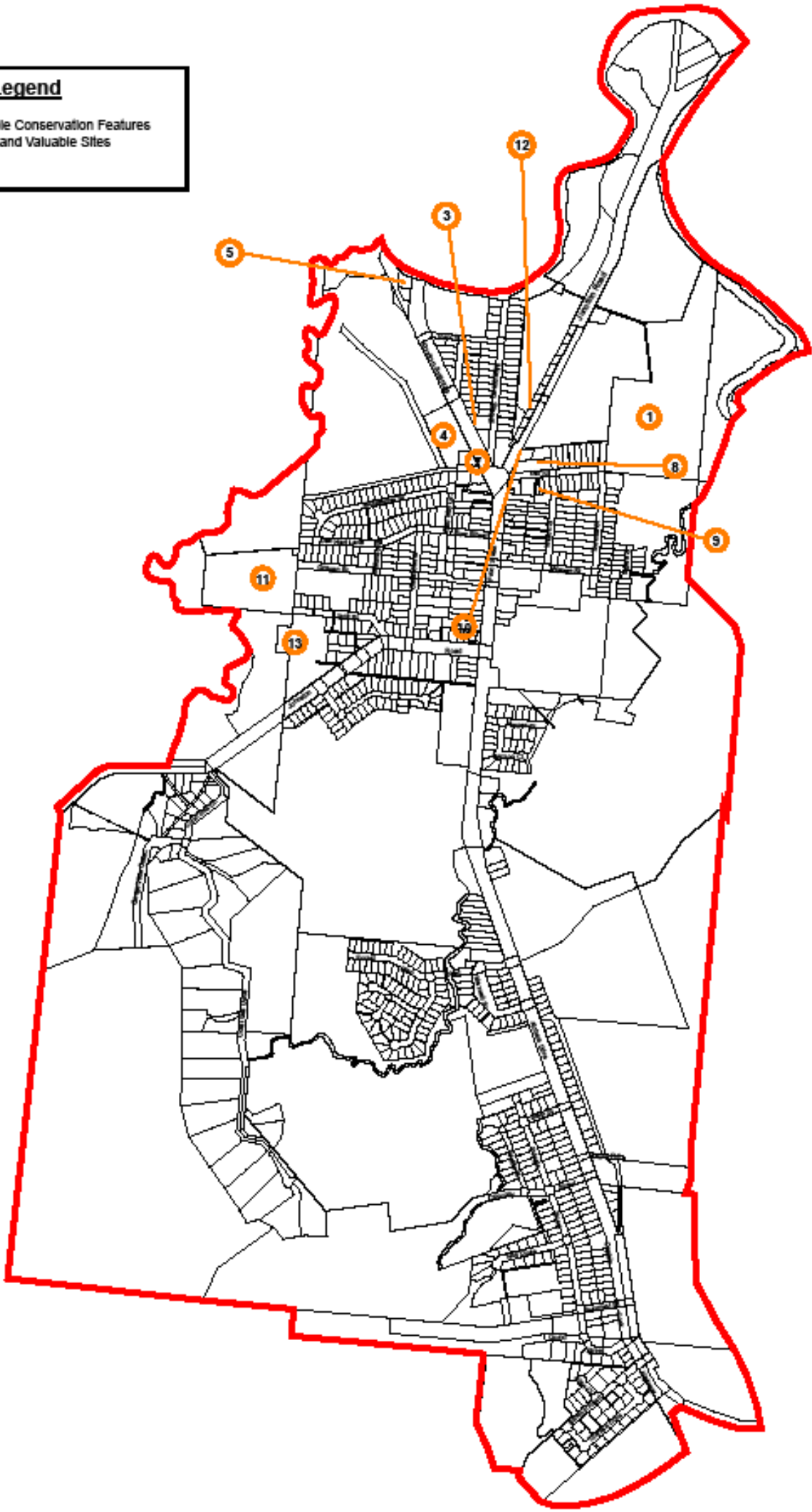
Douglas Shire Council
 Overlay- Acid Sulfate Soils
 Mossman & Environs Locality



Date: August 2006
 Author: GDK
 Map No. **M3**

Legend

15 Valuable Conservation Features and Valuable Sites



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Douglas Shire Council
 Overlay- Cultural Heritage & Valuable Sites
 Mossman & Environs Locality



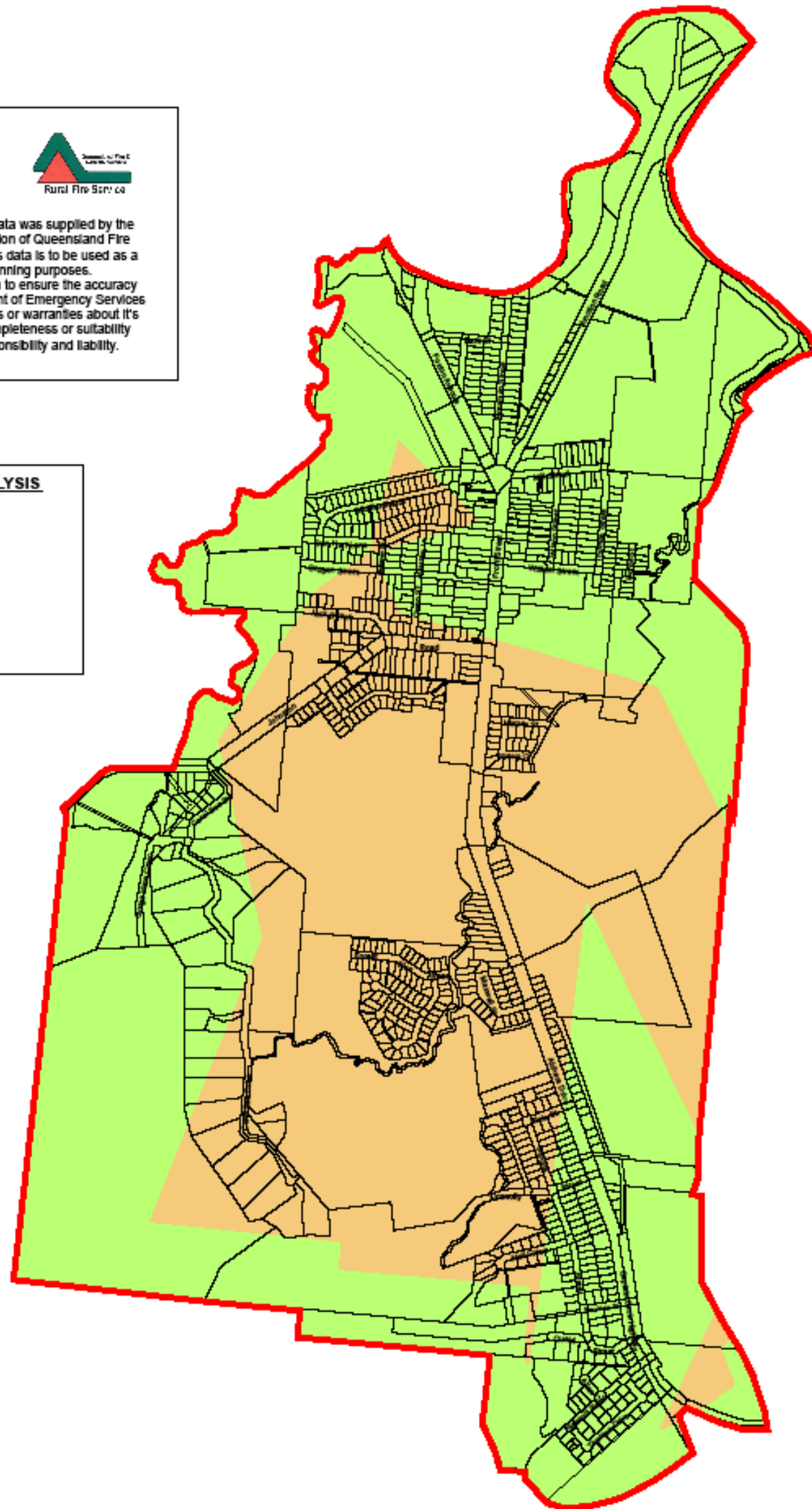
Date: August 2006
 Author: GDK
 Map No. **M4**



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BUSHFIRE RISK ANALYSIS

-  Low Risk Hazard
-  Medium Risk Hazard
-  High Risk Hazard



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Douglas Shire Council
 Overlay - Natural Hazards
 Mossman & Environs Locality



Date: August 2006
 Author: GOK
 Map No. **M6**

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PORT DOUGLAS & ENVIRONS LOCALITY

**TABLES OF ASSESSMENT
&
MAPS**



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PORT DOUGLAS AND ENVIRONS LOCALITY – TABLE 1

DEVELOPMENT ACTIVITY	PLANNING AREA										GUIDE TO APPLICABILITY OF CODES										
	MATERIAL CHANGE OF USE										Port Douglas & Environs Locality Code	Planning Area Code	OVERLAY			LAND USE CODE	GENERAL				
	DEFINED LAND USE	Rural	Residential 1	Residential 2	Tourist & Residential	Commercial	Industry	Community & Recreational Facilities	Conservation	Port Douglas Waterfront North			Port Douglas Waterfront South	Acid Sulfate Soil	Cultural Heritage and Valuable Sites		Natural Hazards	Design & Siting of Advertising Devices	Filling and Excavation	Landscaping	Natural Areas and Scenic Amenity
Aircraft Landing Facility - Commercial	I	I	I	I	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A
Aquaculture	I	I	I	I	I	I	I	I	I	C	A	A	O	O	O	*Yes	A	A	A	*A	A
Business Facilities – using an existing Building	I	I	I	I	S	I	I	I	S	I	AA	AA	OO	OO	OO	No	AA		AA	*A	A
Business Facilities – not using an existing Building	I	I	I	I	C	I	I	I	C	I	A	A	O	O	O	No	A	A	A	*A	A
Camping Ground	I	I	I	I	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A
Caravan Park	I	I	I	I	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A
Caretaker's Residence	C	I	I	I	C	C	C	I	S	C	A	A	O	O	O	Yes		A	A	*A	A
Car Park	I	I	I	I	I	I	I	I	C	I	A	A	O	O	O	Yes	A	A	A	*A	A
Cemetery & Crematorium	I	I	I	I	I	I	C	I	I	I	A	A	O	O	O	No	A	A	A	*A	A
Child Care Centre	I	*I	I	I	C	I	C	I	C	I	A	A	O	O	O	Yes	A	A	A	*A	A
Display Facilities	I	I	I	I	I	I	I	I	C	I	A	A	O	O	O	Yes	A	A	A	*A	A
Educational Establishment	I	I	I	I	I	I	I	I	C	I	A	A	O	O	O	No	A	A	A	*A	A
Extractive Industry	I	I	I	I	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A
Health Facility	I	I	I	I	C	I	I	I	C	I	A	A	O	O	O	No	A	A	A	*A	A
Holiday Accommodation	I	I	I	C	C	I	I	I	C	I	A	A	O	O	O	**Yes	A	A	A	*A	A
Home Activity	I	C	C	C	C	I	I	I	S	I	A	A	O	O	O	Yes	A		A	*A	A
Home Based Business	I	C	C	C	C	I	I	I	C	I	A	A	O	O	O	Yes	A	A	A	*A	A
Home Industry	I	I	I	I	I	I	I	I	C	I	A	A	O	O	O	No		A	A	*A	
House	S	*S	S	S	I	I	I	I	I	I	A	A	OO	OO	OO	Yes		AA	AA	*A	A
Indoor Sports & Entertainment	I	I	I	I	C	I	C	I	C	I	A	A	O	O	O	No	A	A	A	*A	A
Industry	I	I	I	I	I	C	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A
Intensive Animal Husbandry	C	I	I	I	I	I	I	I	I	I	A	A	O	O	O	*Yes	A	A	A	*A	A
Interpretive Facility	I	I	I	I	I	I	C	I	S	I	A	A	O	O	O	Yes	A	A	A	*A	A
Marina	I	I	I	I	I	I	I	I	C	I	A	A	O	O	O	No	A	A	A	*A	A
Multi-Unit Housing	I	*I	C	C	I	I	I	I	C	I	A	A	O	O	O	**Yes	A	A	A	*A	A
Off Premises Advertising Device	I	I	I	I	I	I	I	I	I	I	A	A	O	O	O	No	A		A	*A	

NOTE: Self Assessable development converts to Code Assessable development if the development cannot comply in full with the applicable Acceptable Solutions in any relevant Code

KEY

E	Exempt
S	Self Assessable
*S	Self Assessable, except when included in Special Management Area 1 on the Locality Map and then Code Assessable
C	Code Assessable
I	Impact Assessable
*I	Impact Assessable except when included in Special Management Area 1 on the Locality Map and then Impact Assessable (Inconsistent)
I	Impact Assessable (Inconsistent)
A	The Code is Applicable
*A	If the circumstances described in the Applicability of the Code are triggered, the Code applies
AA	The Code is applicable for all development EXCEPT Self Assessable development
O	Refer to the Overlay Maps for the Port Douglas and Environs Locality. If the site is affected by an Overlay and if the circumstances described in the Applicability of the relevant Code are triggered, the Code for the Overlay applies
OO	The Code is applicable for all development EXCEPT Self Assessable development
*	See – Aquaculture & Intensive Animal Husbandry Code
**	See – Multi-Unit Housing/Holiday Accommodation/Retirement Facility Code



PORT DOUGLAS AND ENVIRONS LOCALITY – TABLE 1

DEVELOPMENT ACTIVITY	PLANNING AREA										GUIDE TO APPLICABILITY OF CODES													
	MATERIAL CHANGE OF USE										Port Douglas & Environs Locality Code	Planning Area Code	OVERLAY			LAND USE CODE	GENERAL							
	Rural	Residential 1	Residential 2	Tourist & Residential	Commercial	Industry	Community & Recreational Facilities	Conservation	Port Douglas Waterfront North	Port Douglas Waterfront South			Acid Sulfate Soil	Cultural Heritage and Valuable Sites	Natural Hazards		Design & Siting of Advertising Devices	Filling and Excavation	Landscaping	Natural Areas and Scenic Amenity	Vehicle Parking and Access			
DEFINED LAND USE																								
Outdoor Sport & Recreation	I	I	I	I	I	I	C	I	C	I	A	A	O	O	O	No	A	A	A	*A	A			
Outstation/Seasonal Camp	I	I	I	I	I	I	I	I	I	I	A	A	O	O	O	No		A	A	*A	A			
Park & Open Space	E	E	E	E	E	E	E	E	E	E										*A				
Place of Assembly	I	*I	I	I	I	I	I	I	C	I	A	A	O	O	O	No	A	A	A	*A	A			
Primary Industry	S	I	I	I	I	I	I	I	I	I	AA	A	OO	OO	OO	Yes			AA	*A	A			
Private Forestry	I	I	I	I	I	I	I	I	I	I	A	A	O	O	O	Yes			A	*A	A			
Public Utilities & Facilities	C	C	C	C	C	C	C	C	S	C	A	A	O	O	O	No		A	A	*A	A			
Restaurant – using an existing Building	I	I	I	I	S	I	I	I	S	I	AA	AA	OO	OO	OO	No	AA		AA	*A	A			
Restaurant – not using an existing Building	I	I	I	I	C	I	I	I	C	I	A	A	O	O	O	No	A	A	A	*A	A			
Retirement Facility	I	*I	C	C	I	I	C	I	C	I	A	A	O	O	O	**Yes	A	A	A	*A	A			
Service Industry	I	I	I	I	I	C	I	I	C	I	A	A	O	O	O	No	A	A	A	*A	A			
Service Station	I	I	I	I	C	C	I	I	C	I	A	A	O	O	O	Yes	A	A	A	*A	A			
Shopping Facility – using an existing Building	I	I	I	I	C	I	I	I	S	I	A	A	O	O	O	No	A		A	*A	A			
Shopping Facility – not using an existing Building	I	I	I	I	C	I	I	I	C	I	A	A	O	O	O	No	A	A	A	*A	A			
Short Term Accommodation	I	I	I	C	C	I	I	I	C	I	A	A	O	O	O	Yes	A	A	A	*A	A			
Special Residential Use	I	C	C	C	C	I	I	I	C	I	A	A	O	O	O	No		A	A	*A	A			
Staff Quarters	I	I	I	I	I	I	I	I	C	I	A	A	O	O	O	No		A	A	*A	A			
Tavern	I	I	I	I	C	I	I	I	C	I	A	A	O	O	O	No	A	A	A	*A	A			
Telecommunication Facilities	C	C	C	C	C	C	C	C	C	C	A	A	O	O	O	Yes	A	A	A	*A	A			
Tourist Attraction	I	I	I	I	I	I	I	I	C	I	A	A	O	O	O	Yes	A	A	A	*A	A			
Veterinary Facilities	I	I	I	I	C	I	I	I	C	I	A	A	O	O	O	No	A	A	A	*A	A			
Other-Undefined (Except Use for a Road)	I	I	I	I	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A			

NOTE: Self Assessable development converts to Code Assessable development if the development cannot comply in full with the applicable Acceptable Solutions in any relevant Code

KEY

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PORT DOUGLAS AND ENVIRONS LOCALITY – TABLE 2

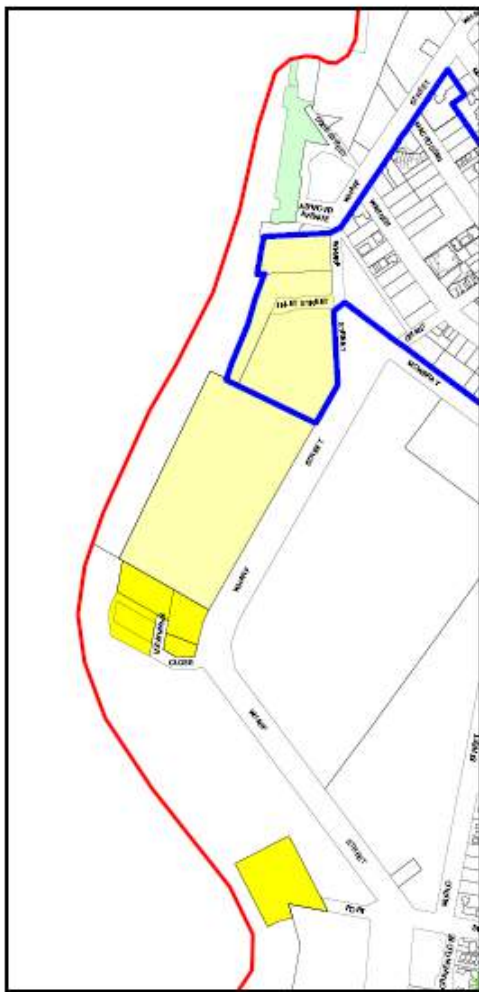
DEVELOPMENT ACTIVITY	PLANNING AREA										GUIDE TO APPLICABILITY OF CODES										
											OVERLAY					GENERAL					
											Port Douglas & Environs Locality Code	Planning Area	Acid Sulfate Soils	Cultural Heritage & Valuable Sites	Natural Hazards	Design & Siting of Advertising Devices	Filling & Excavation	Landscaping	Natural Areas and Scenic Amenity	Reconfiguring a Lot	Vegetation Management
Rural	Residential 1	Residential 2	Tourist & Residential	Commercial	Industry	Community & Recreational Facilities	Conservation	Port Douglas Waterfront North	Port Douglas Waterfront South												
Reconfiguring a Lot	C	C	C	C	C	C	C	I	C	C	A	A	O	O	O				*A	A	
Operational Work Associated with Reconfiguring a Lot	C	C	C	C	C	C	C	C	C	C	A	A	O	O	O		A	A	*A	A	
Operational Work - Filling or Excavation not associated with a Material Change of Use	C	C	C	C	C	C	C	C	C	C	A	A	O	O	O		A		*A		
Operational Work - Engineering Works not associated with a Material Change of Use	C	C	C	C	C	C	C	C	C	C	A	A	O	O	O		A		*A		
Operational Work - Placing an Advertising Device on Premises not associated with a Material Change of Use	C	C	C	C	C	C	C	C	C	C	A	A				A			*A		
Operational Work – Vegetation Management	S	S	S	S	S	S	S	S	S	S											A
Building Work other than Minor Building Work not associated with a Material Change of Use	E	E	E	E	E	E	E	C	C	C	A	A							*A		

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Planning Areas

- Rural
- Rural Settlement
- Residential 1
- Residential 2
- Commercial
- Tourist & Residential
- Industry
- Conservation
- Community and Recreational Facilities
- Port Douglas Waterfront - North
- Port Douglas Waterfront - South
- Tourist Centre
- Special Management Area
 - Flagstaff Hill
 - Service Industry Precinct
 - Craiglie
 - Mahogany Street
 - Residential Growth Area
- Scheme of Integrated Resort Development
- Reef Park Residential Estate
- Solander Residential Estate
- Local Centre

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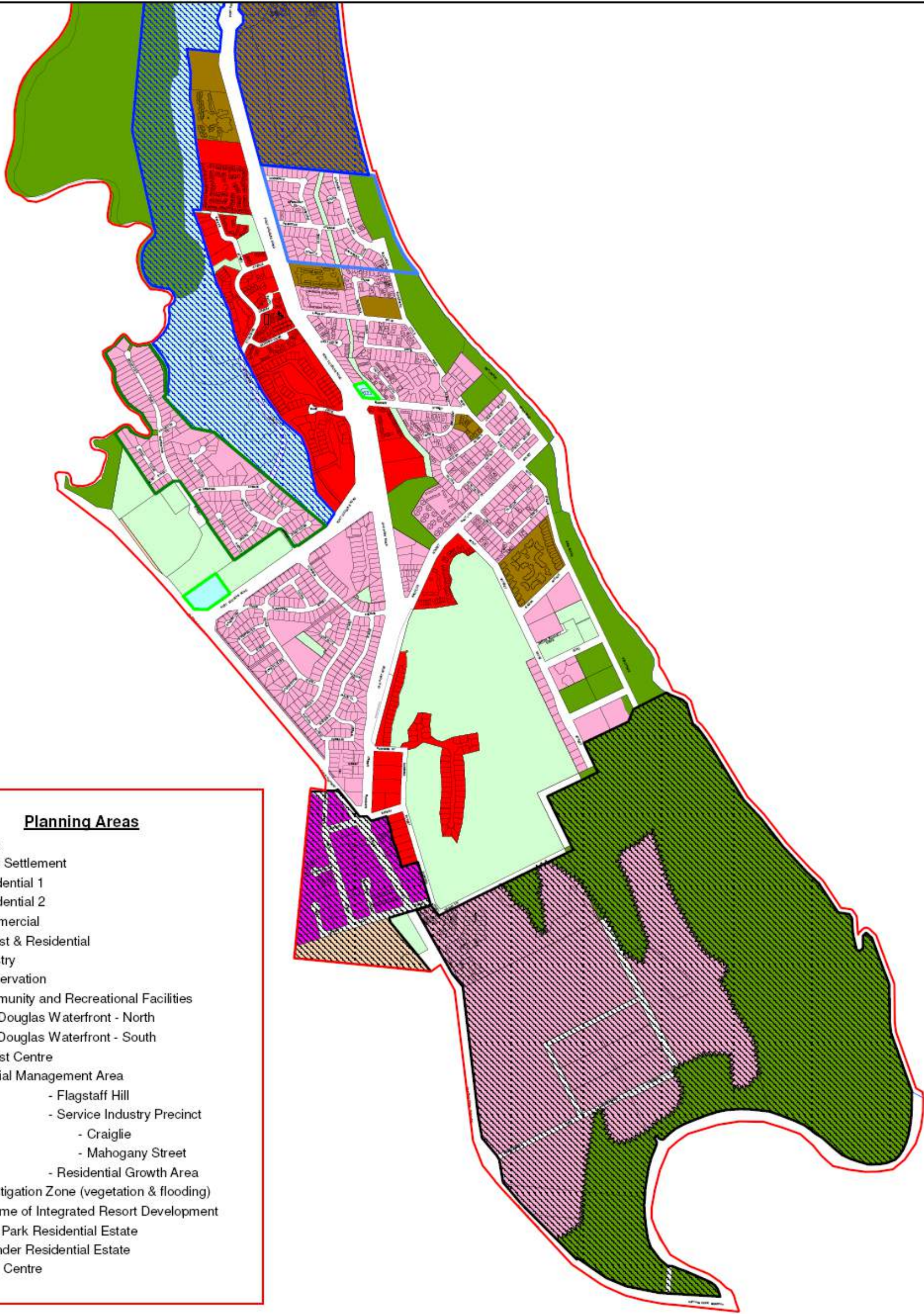


Douglas Shire Council
Planning Areas
 Port Douglas & Environs Locality - Sheet 1



Amendment - 2010, No.1

Date: August 2006
 Author: GDK
 Map No. **P1(a)**



Planning Areas

- Rural
- Rural Settlement
- Residential 1
- Residential 2
- Commercial
- Tourist & Residential
- Industry
- Conservation
- Community and Recreational Facilities
- Port Douglas Waterfront - North
- Port Douglas Waterfront - South
- Tourist Centre
- Special Management Area
 - Flagstaff Hill
 - Service Industry Precinct
 - Craigie
 - Mahogany Street
 - Residential Growth Area
- Investigation Zone (vegetation & flooding)
- Scheme of Integrated Resort Development
- Reef Park Residential Estate
- Solander Residential Estate
- Local Centre

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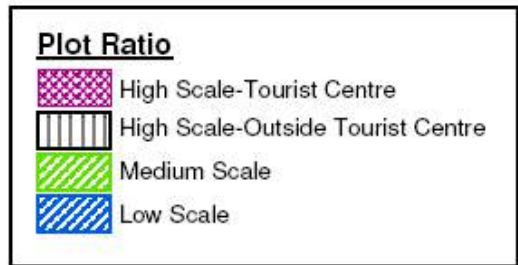
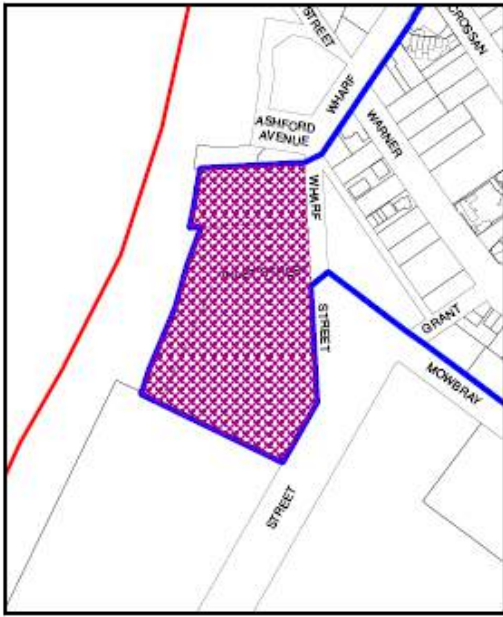


Douglas Shire Council
Planning Areas
 Port Douglas & Environs Locality - Sheet 2



Amendment - 2010, No.1

Date: August 2008
 Author: GDK
 Map No. **P1(b)**



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Plot Ratio Designations

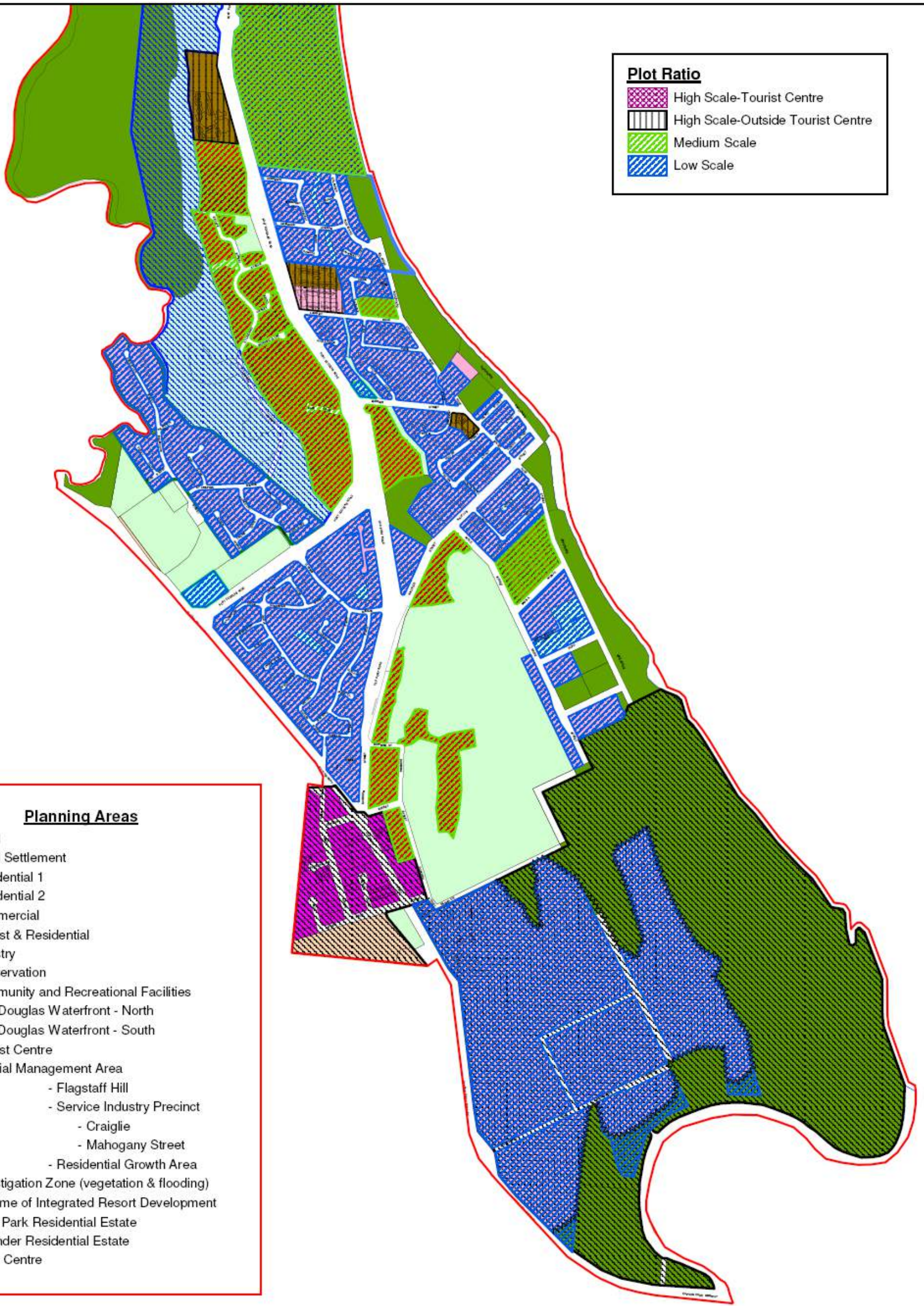
Port Douglas & Environs Locality - Sheet 1







Amendment - 2010, No.1

Date: August 2008
 Author: GDK
 Map No. **P2(a)**

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Plot Ratio

-  High Scale-Tourist Centre
-  High Scale-Outside Tourist Centre
-  Medium Scale
-  Low Scale

Planning Areas

-  Rural
-  Rural Settlement
-  Residential 1
-  Residential 2
-  Commercial
-  Tourist & Residential
-  Industry
-  Conservation
-  Community and Recreational Facilities
-  Port Douglas Waterfront - North
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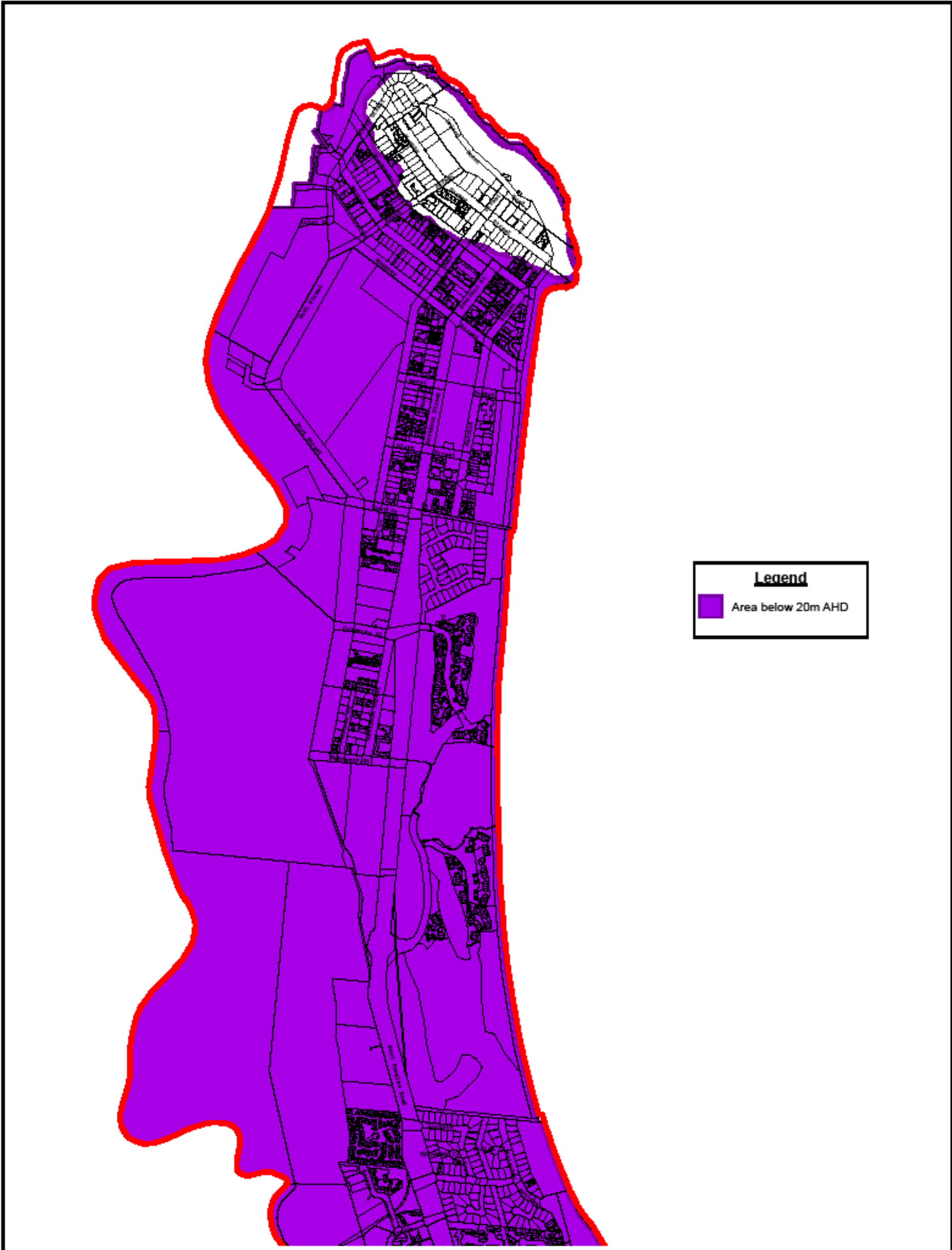


Douglas Shire Council
Plot Ratio Designations
 Port Douglas & Environs Locality - Sheet 2



Amendment - 2010, No.1

Date: August 2006
 Author: GDK
 Map No. **P2(b)**



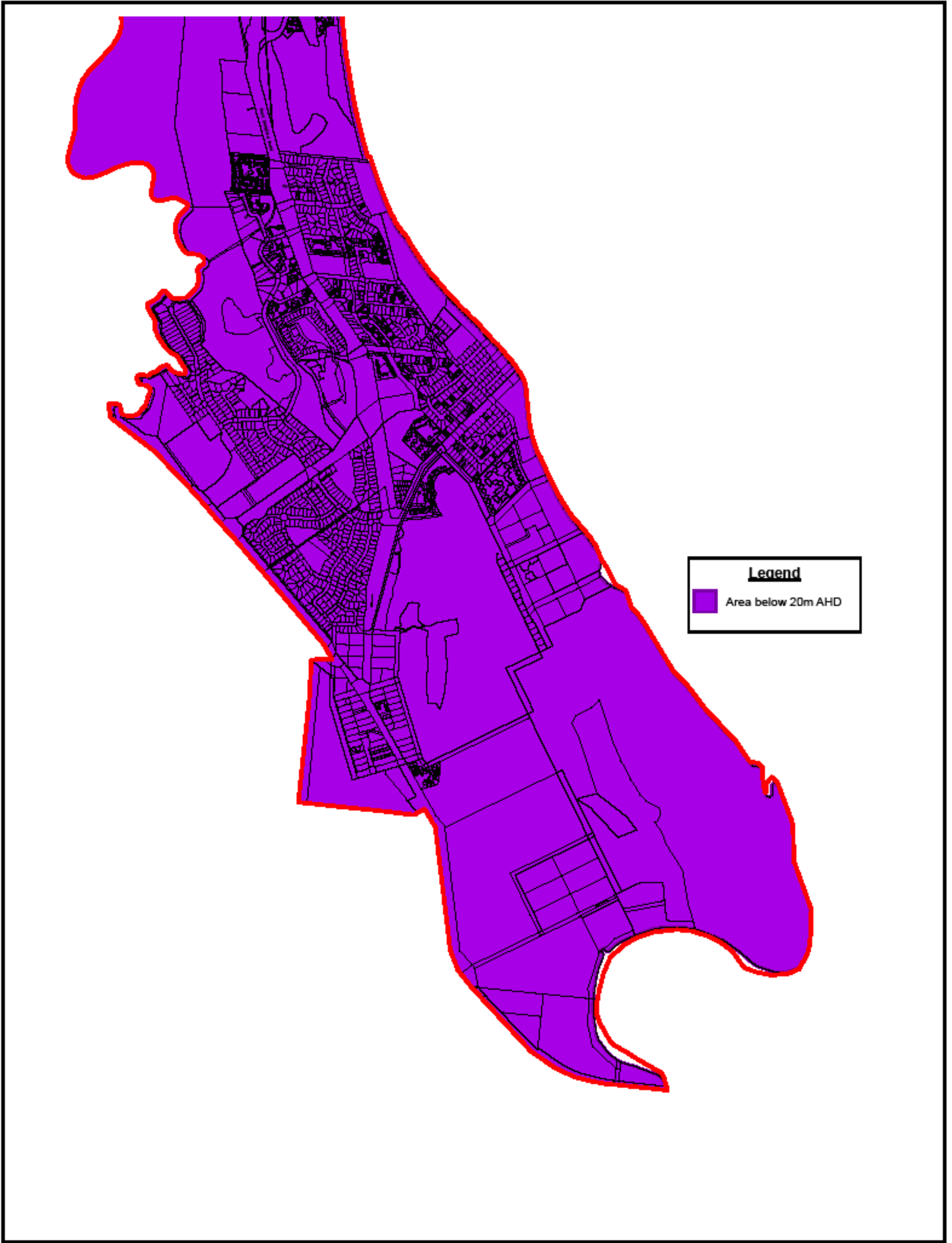
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Douglas Shire Council
 Planning Areas
 Port Douglas & Environs Locality - Sheet 1



Date: August 2006
 Author: GOK
 Map No. **P3 (a)**



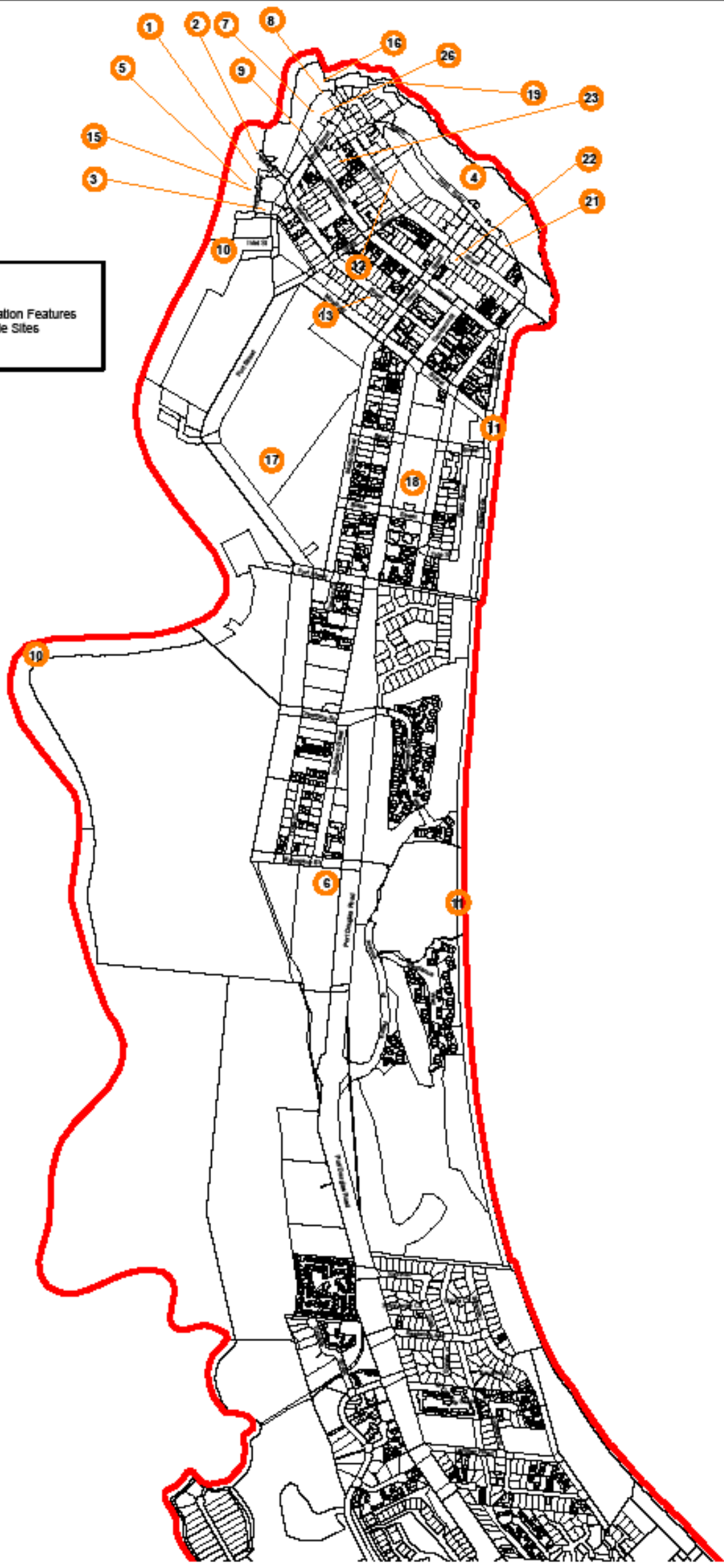
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Douglas Shire Council
 Planning Areas
 Port Douglas & Environs Locality - Sheet 1



Date: August 2006
 Author: GOK
 Map No. **P3 (b)**



Legend

15 Valuable Conservation Features and Valuable Sites

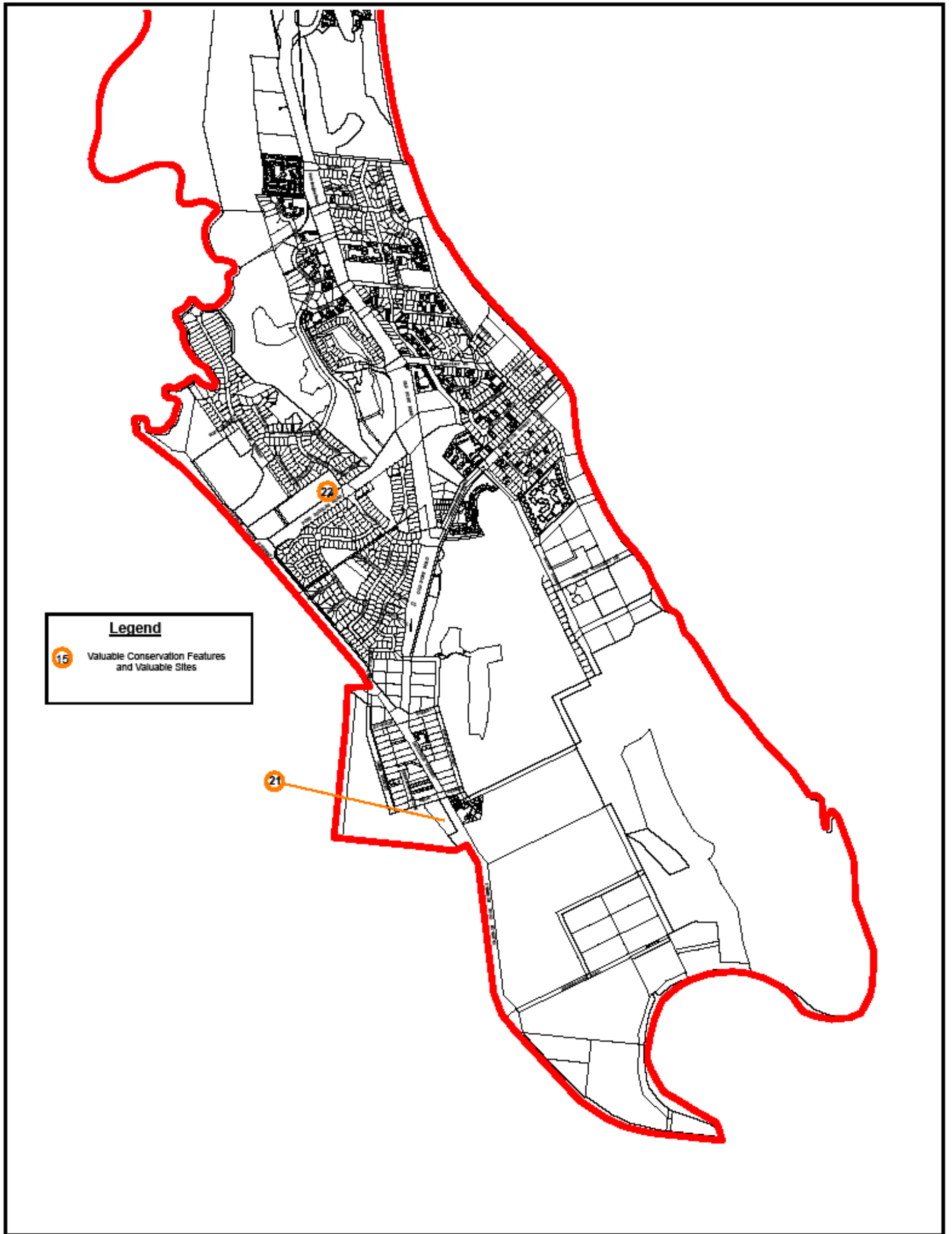
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Douglas Shire Council
 Overlay- Cultural Heritage & Valuable Sites
 Port Douglas & Environs Locality - Sheet 1



Date: August 2006
 Author: GOK
 Map No. **P4(a)**



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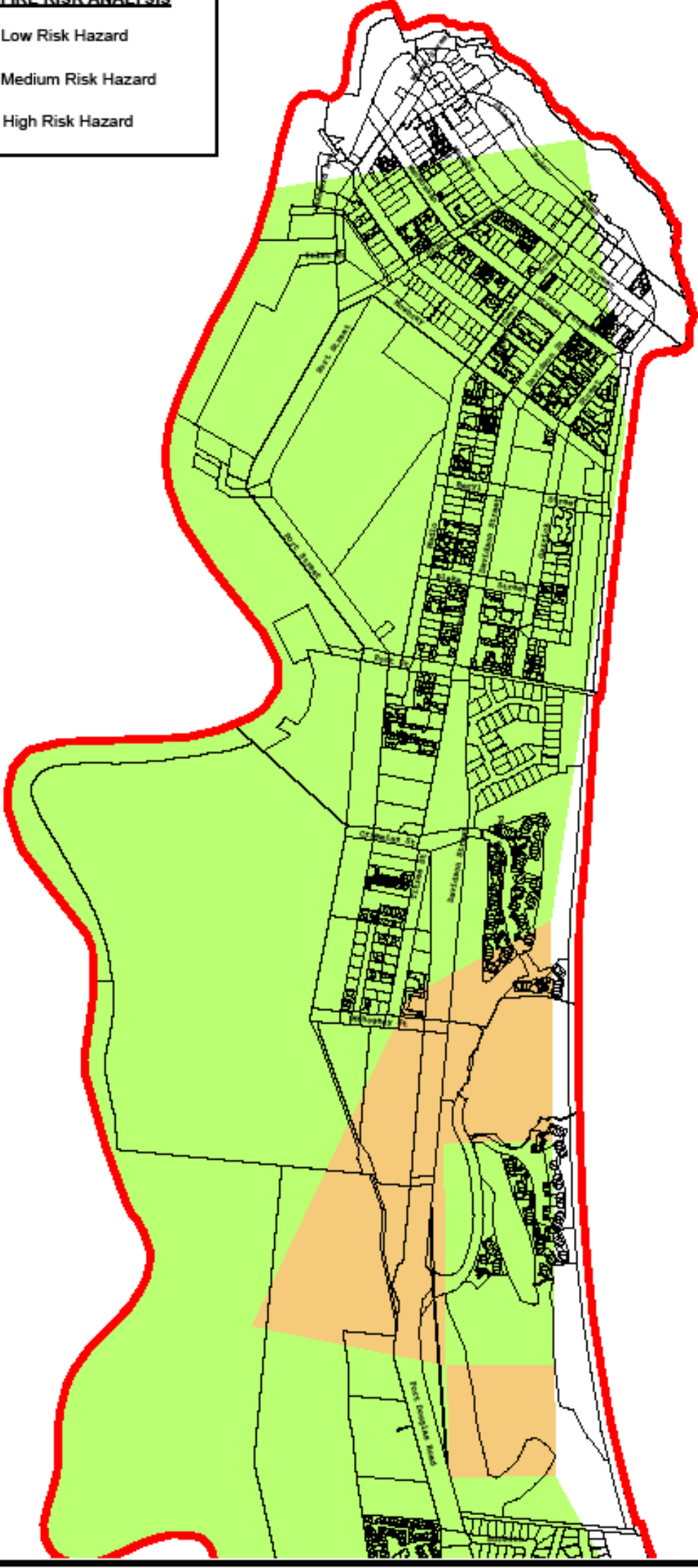
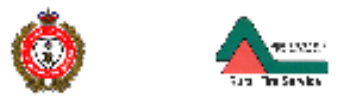
Douglas Shire Council
 Overlay - Cultural Heritage & Valuable Sites
 Port Douglas & Environs Locality - Sheet 2



Date: August 2006
 Author: GDK
 Map No. P4(b)

BUSHFIRE RISK ANALYSIS

- Low Risk Hazard
- Medium Risk Hazard
- High Risk Hazard

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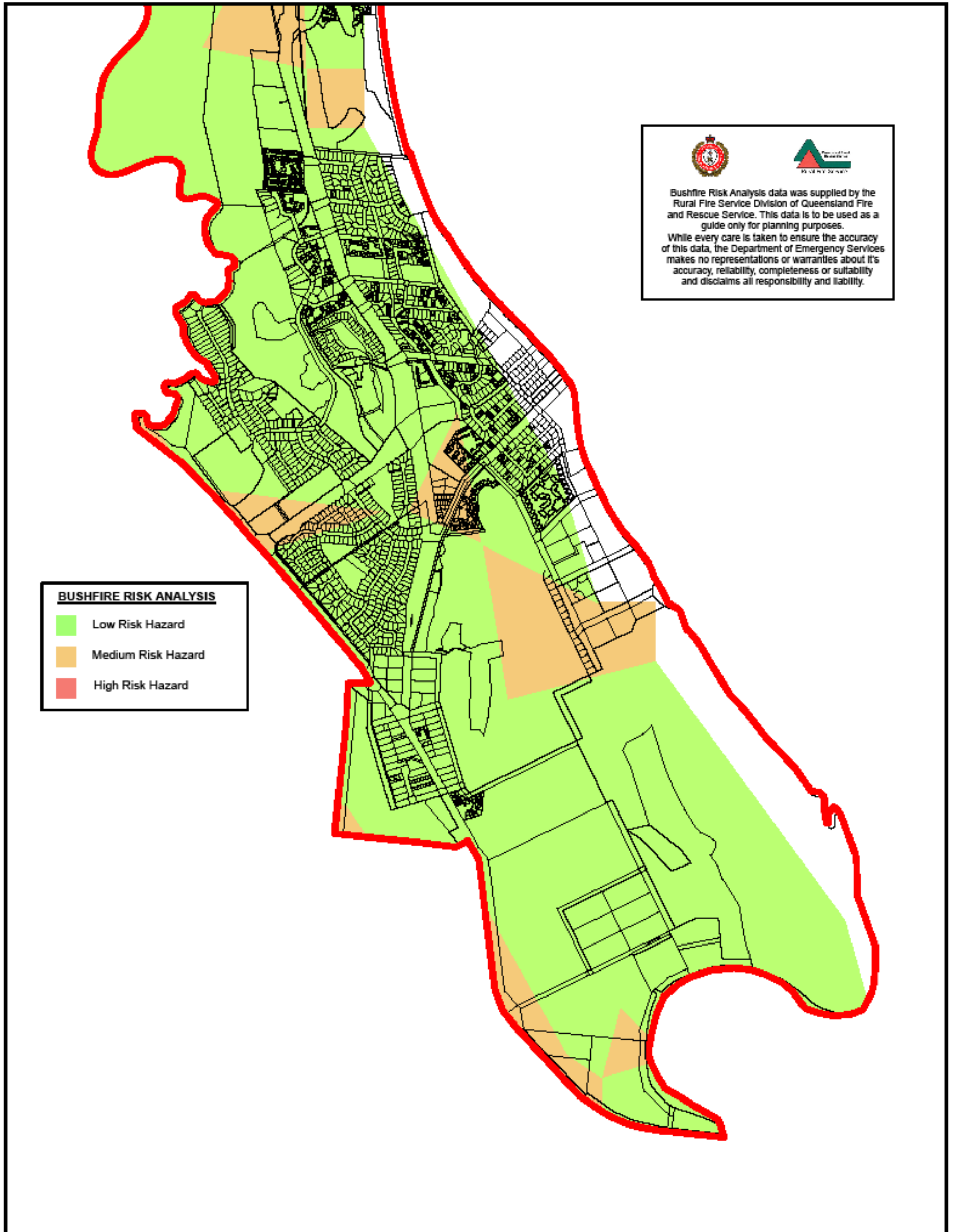
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Douglas Shire Council
 Overlay - Natural Hazards
 Port Douglas & Environs Locality - Sheet 1



Date: August 2006
 Author: GDK
 Map No. **P6(a)**



BUSHFIRE RISK ANALYSIS

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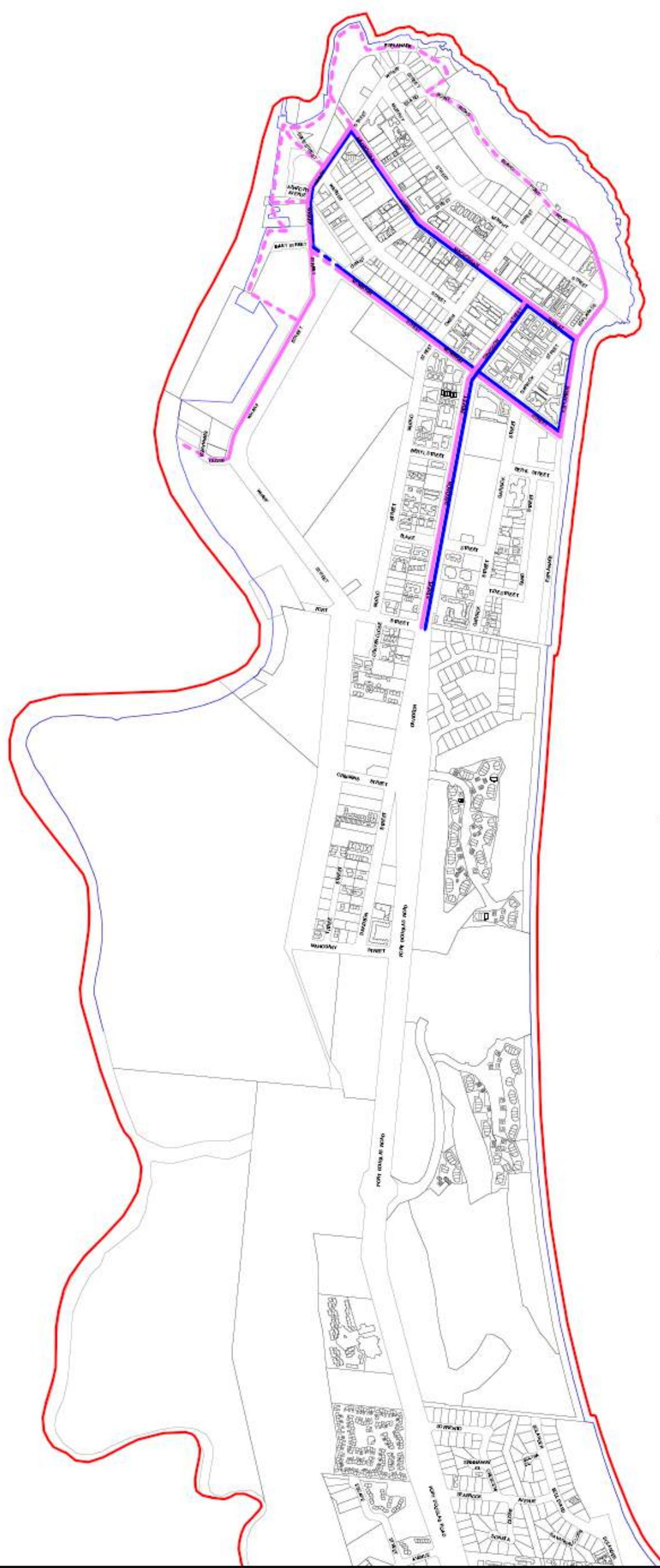
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Douglas Shire Council
 Overlay - Natural Hazards
 Port Douglas & Environs Locality - Sheet 2



Date: August 2006
 Author: GDK
 Map No. **P6(b)**



LEGEND

- Principle Pedestrian Route
- - - Future Principle Pedestrian Route
- Principle Cycle Route
- - - Future Principle Cycle Route

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Douglas Shire Council
Pedestrian & Cycle Movement Overlay
Port Douglas & Environs Locality - Sheet 1



Amendment - 2010, No.1
 Date: August 2006
 Author: GDK
 Map No. **P7(a)**



COASTAL SUBURBS, VILLAGES & TOWNSHIPS LOCALITY

**TABLES OF ASSESSMENT
&
MAPS**



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COASTAL SUBURBS, VILLAGES AND TOWNSHIPS LOCALITY – TABLE 1

DEVELOPMENT ACTIVITY	PLANNING AREAS								GUIDE TO THE APPLICABILITY OF CODES												
									OVERLAY		LAND USE CODES			GENERAL							
MATERIAL CHANGE OF USE	Rural	Rural Settlement	Residential 1	Residential 2	Tourist & Residential	Commercial	Community & Recreational Facilities	Conservation	Coastal Suburbs, Villages and Townships Locality Code	Planning Area Code	Acid Sulfate Soils	Cultural Heritage & Valuable Sites	Natural Hazards		Design & Siting of Advertising Devices	Filling & Excavation	Landscaping	Natural Areas and Scenic Amenity	Vehicle Parking & Access	Sustainable Development	
DEFINED LAND USE														Yes							
Aircraft Landing Facility - Commercial	I	I	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A	
Aquaculture	I	I	I	I	I	I	I	I	A	A	O	O	O	*Yes	A	A	A	*A	A	*A	
Business Facilities – using an existing Building	I	I	I	I	I	S	I	I	AA	AA	OO	OO	OO	No	AA		AA	*A	A	*A	
Business Facilities – not using an existing Building	I	I	I	I	I	C	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A	
Camping Ground	I	I	I	I	I	I	C	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A	
Caravan Park	I	I	I	I	I	I	C	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A	
Caretaker's Residence	C	C	I	I	I	C	I	I	A	A	O	O	O	Yes		A	A	*A	A		
Car Park	I	I	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A		
Cemetery & Crematorium	I	I	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A	
Child Care Centre	I	I	I	I	I	C	C	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A	
Display Facilities	I	I	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A	
Educational Establishment	I	I	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A	
Extractive Industry	I	I	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A		
Health Facility	I	I	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A	
Holiday Accommodation	I	I	I	I	I	I	I	I	A	A	O	O	O	**Yes	A	A	A	*A	A	*A	
Home Activity	C	C	C	I	C	I	I	I	A	A	O	O	O	Yes	A		A	*A	A		
Home Based Business	C	C	C	I	C	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A	
Home Industry	I	I	I	I	I	I	I	I	A	A	O	O	O	No		A	A	*A			
House	S	C	S	S	S	I	I	I	A	A	OO	OO	OO	Yes		AA	AA	*A	A		
Indoor Sports & Entertainment	I	I	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A	
Industry	I	I	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A		
Intensive Animal Husbandry	C	I	I	I	I	I	I	I	A	A	O	O	O	*Yes	A	A	A	*A	A	*A	
Interpretive Facility	I	I	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A	
Multi-Unit Housing	I	I	I	C	C	I	I	I	A	A	O	O	O	**Yes	A	A	A	*A	A	*A	
Off Premises Advertising Device	I	I	I	I	I	I	I	I	A	A	O	O	O	No	A		A	*A			

NOTE: Self Assessable development converts to Code Assessable development if the development cannot comply in full with the applicable Acceptable Solutions in any relevant Code

KEY

E	Exempt
S	Self Assessable
C	Code Assessable
I	Impact Assessable
I	Impact Assessable (Inconsistent)
A	The Code is Applicable
*A	If the circumstances described in the Applicability of the Code are triggered, the Code applies
AA	The Code is applicable for all development EXCEPT Self Assessable development
O	Refer to the Overlay Maps for the Coastal Suburbs, Villages and Townships Locality. If the site is affected by an Overlay and if the circumstances described in the Applicability of the relevant Code are triggered, the Code for the Overlay applies
OO	The Code is applicable for all development EXCEPT Self Assessable development
*	See – Aquaculture & Intensive Animal Husbandry Code
**	See – Multi-Unit Housing/Holiday Accommodation/Retirement Facility Code

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COASTAL SUBURBS, VILLAGES AND TOWNSHIPS LOCALITY – TABLE 1

DEVELOPMENT ACTIVITY	PLANNING AREAS								GUIDE TO THE APPLICABILITY OF CODES												
									OVERLAY					LAND USE CODES	GENERAL						
MATERIAL CHANGE OF USE	Rural	Rural Settlement	Residential 1	Residential 2	Tourist & Residential	Commercial	Community & Recreational Facilities	Conservation	Coastal Suburbs, Villages and Townships Locality Code	Planning Area Code	Acid Sulfate Soils	Cultural Heritage & Valuable Sites	Natural Hazards			Design & Siting of Advertising Devices	Filling & Excavation	Landscaping	Natural Areas and Scenic Amenity	Vehicle Parking & Access	Sustainable Development
DEFINED LAND USE																					
Outdoor Sport & Recreation	I	I	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A	
Outstation/Seasonal Camp	I	I	I	I	I	I	I	I	A	A	O	O	O	No		A	A	*A	A		
Park & Open Space	E	E	E	E	E	E	E	E						No				*A			
Place of Assembly	I	I	I	I	I	C	C	I	A	A	O	O	O	No	A	A	A	*A	A	*A	
Primary Industry	S	I	I	I	I	I	I	I	AA	A	OO	OO	OO	Yes			AA	*A	A		
Private Forestry	C	I	I	I	I	I	I	I	A	A	O	O	O	Yes			A	*A	A		
Public Utilities & Facilities	C	C	C	C	C	C	C	C	A	A	O	O	O	No		A	A	*A	A	*A	
Restaurant – using an existing Building	I	I	I	I	I	C	I	I	A	A	O	O	O	No	A		A	*A	A	*A	
Restaurant – not using an existing Building	I	I	I	I	I	C	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A	
Retirement Facility	I	I	I	I	C	C	C	I	A	A	O	O	O	**Yes	A	A	A	*A	A	*A	
Service Industry	I	I	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A	
Service Station	I	I	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A	
Shopping Facility– using an existing Building	I	I	I	I	I	S	I	I	AA	AA	OO	OO	OO	No	AA		AA	*A	A	*A	
Shopping Facility– not using an existing Building	I	I	I	I	I	C	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A	
Short Term Accommodation	I	I	I	I	C	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A	
Special Residential Use	I	I	C	C	C	C	I	I	A	A	O	O	O	No		A	A	*A	A	*A	
Staff Quarters	I	I	I	I	I	I	I	I	A	A	O	O	O	No		A	A	*A	A	*A	
Tavern	I	I	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A	
Telecommunication Facilities	C	C	C	C	C	C	C	C	A	A	O	O	O	Yes	A	A	A	*A	A		
Tourist Attraction	I	I	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A	
Veterinary Facilities	I	I	I	I	I	C	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A	
Other-Undefined (Except Use for a Road)	I	I	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A	

NOTE: Self Assessable development converts to Code Assessable development if the development cannot comply in full with the applicable Acceptable Solutions in any relevant Code

KEY

E	Exempt
S	Self Assessable
C	Code Assessable
I	Impact Assessable
I	Impact Assessable (Inconsistent)

A	The Code is Applicable
*A	If the circumstances described in the Applicability of the Code are triggered, the Code applies
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O	Refer to the Overlay Maps for the Coastal Suburbs, Villages and Townships Locality. If the site is affected by an Overlay and if the circumstances described in the Applicability of the relevant Code are triggered, the Code for the Overlay applies
OO	The Code is applicable for all development EXCEPT Self Assessable development

* See – Aquaculture & Intensive Animal Husbandry Code

** See – Multi-Unit Housing/Holiday Accommodation/Retirement Facility Code

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COASTAL SUBURBS, VILLAGES AND TOWNSHIPS LOCALITY – TABLE 2

DEVELOPMENT ACTIVITY	PLANNING AREAS								GUIDE TO DEVELOPMENT CODES												
									OVERLAY					GENERAL							
									Coastal Suburbs, Villages & Townships Locality Code	Planning Area	Acid Sulfate Soils	Cultural Heritage & Valuable Sites	Natural Hazards	Design & Siting of Advertising Devices	Filling & Excavation	Landscaping	Natural Areas and Scenic Amenity	Reconfiguring a Lot	Sustainable Development	Vegetation Management	
Reconfiguring a Lot – Within the Priority Infrastructure Area	C	C	C	C	C	C	C	C	I	A	A	O	O	O				*A	A		
Reconfiguring a Lot – Outside of the Priority Infrastructure Area	I	I	I	I	I	I	I	I	I	A	A	O	O	O				*A	A		
Operational Work Associated with Reconfiguring a Lot	C	C	C	C	C	C	C	C	C	A	A	O	O	O		A	A	*A	A		
Operational Work - Filling or Excavation not associated with a Material Change of Use	C	C	C	C	C	C	C	C	C	A	A	O	O	O		A		*A			
Operational Work - Engineering Works not associated with a Material Change of Use	C	C	C	C	C	C	C	C	C	A	A	O	O	O		A		*A			
Operational Work - Placing an Advertising Device on Premises not associated with a Material Change of Use	C	C	C	C	C	C	C	C	C	A	A				A			*A			
Operational Work – Vegetation Damage	S	S	S	S	S	S	S	S	S												A
Building Work other than Minor Building Work not associated with a Material Change of Use	E	E	E	E	E	E	E	E	C	A	A							*A			

KEY

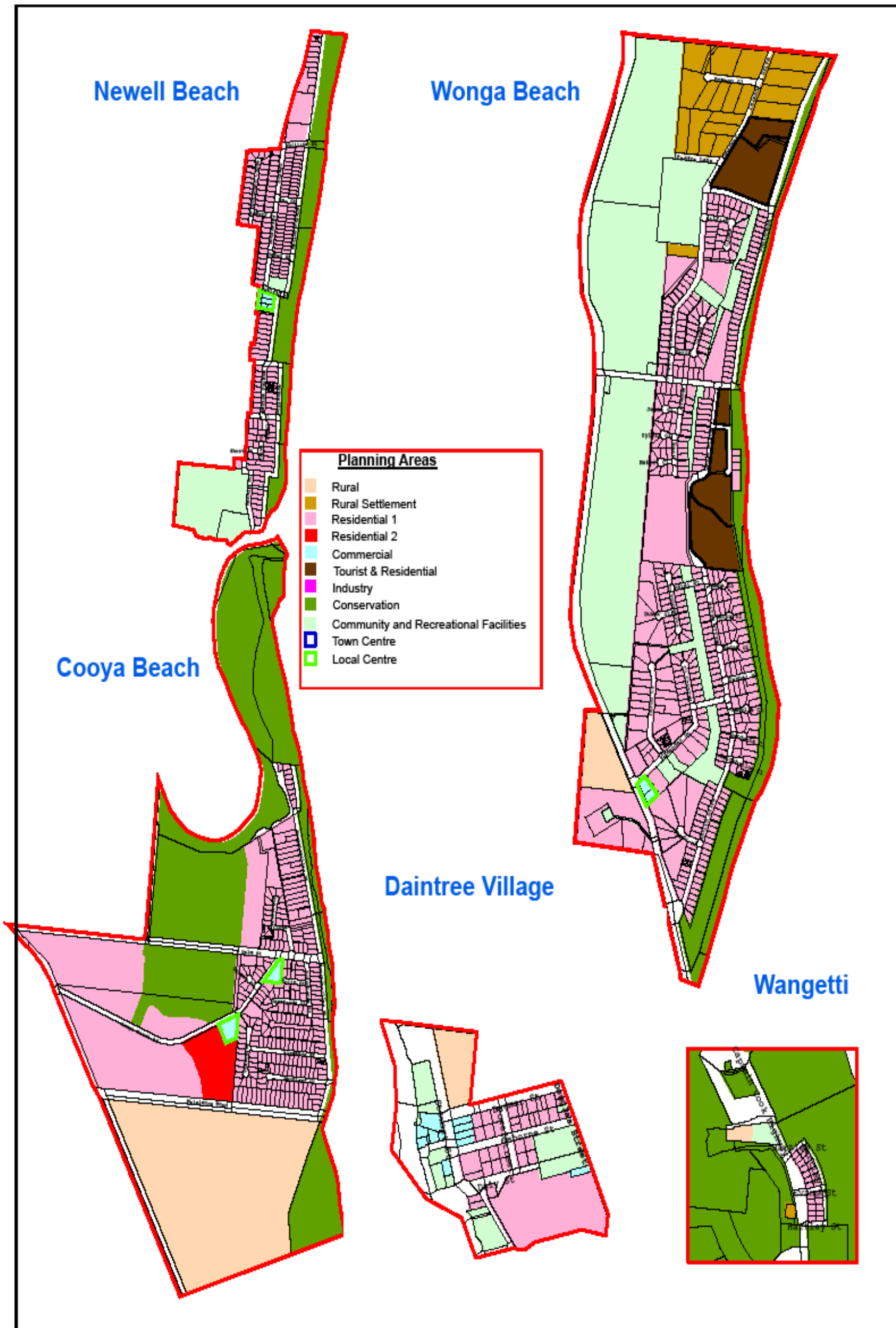
E	Exempt
S	Self Assessable
C	Code Assessable
I	Impact Assessable
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A	The Code is Applicable
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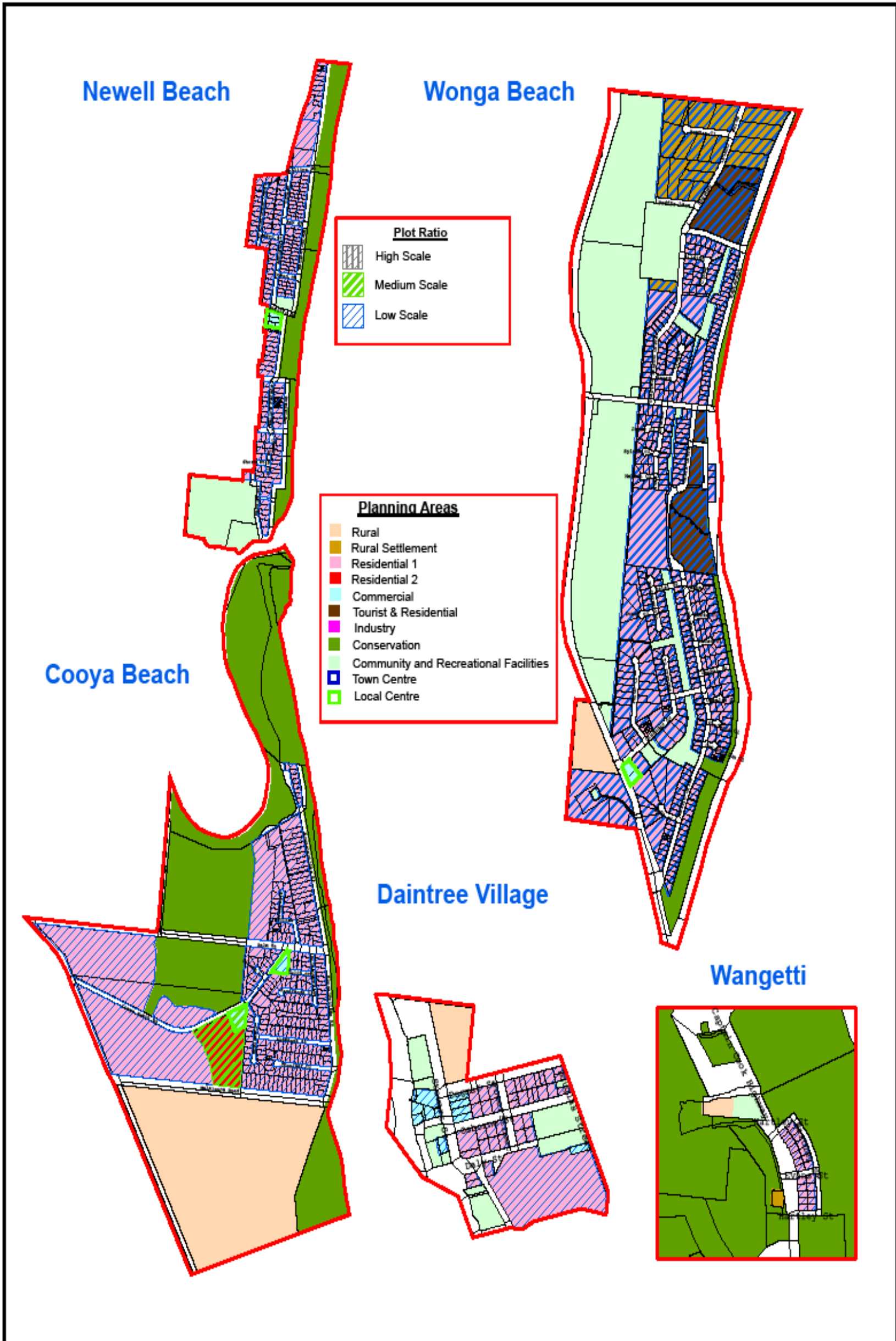
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Douglas Shire Council
 Planning Areas
 Coastal Suburbs, Villages & Townships Locality



Date: August 2006
 Author: GDK
 Map No. **C1**



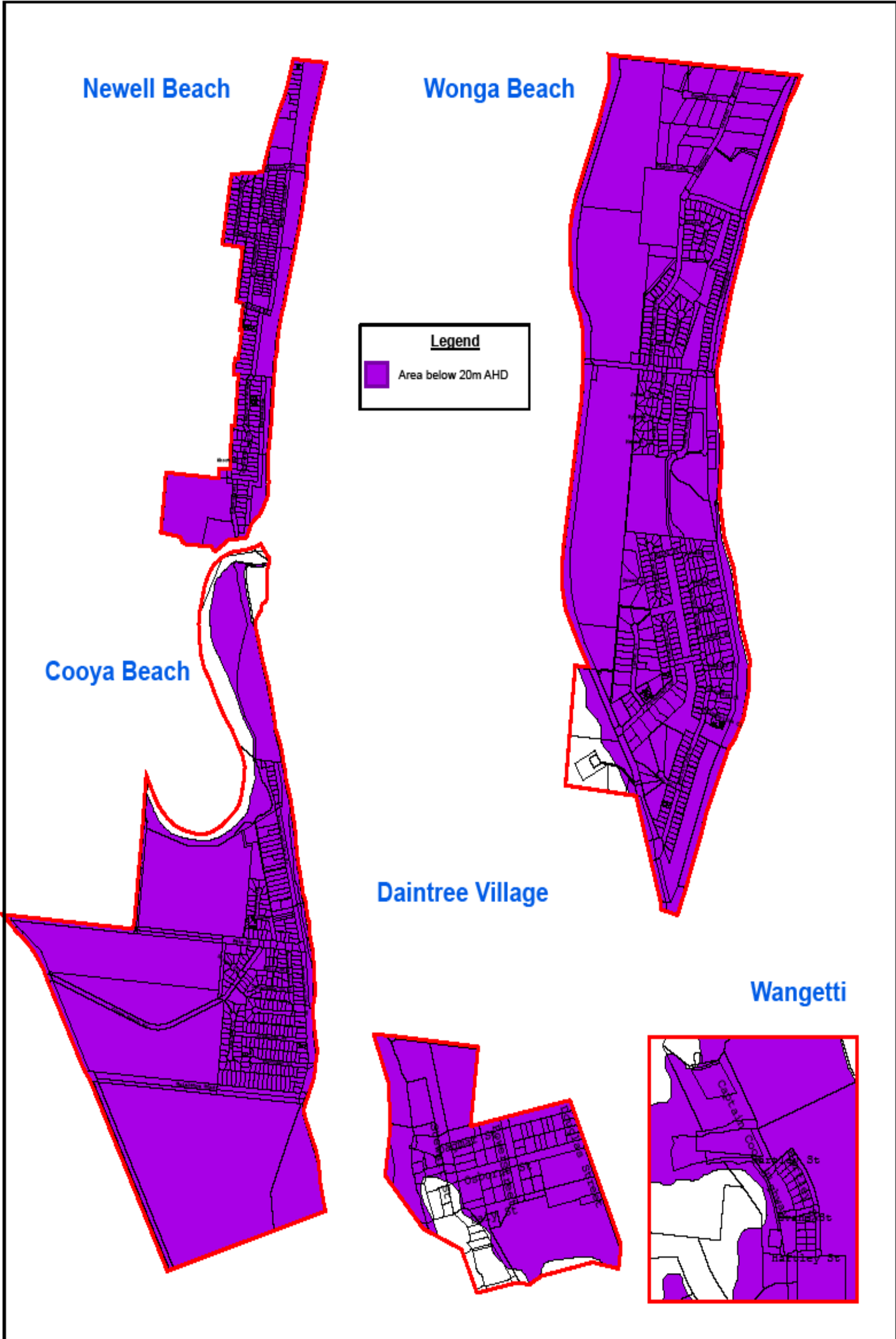
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Douglas Shire Council
 Plot Ratio Designations
 Coastal Suburbs, Villages & Townships Locality



Date: August 2006
 Author: GOK
 Map No. C2



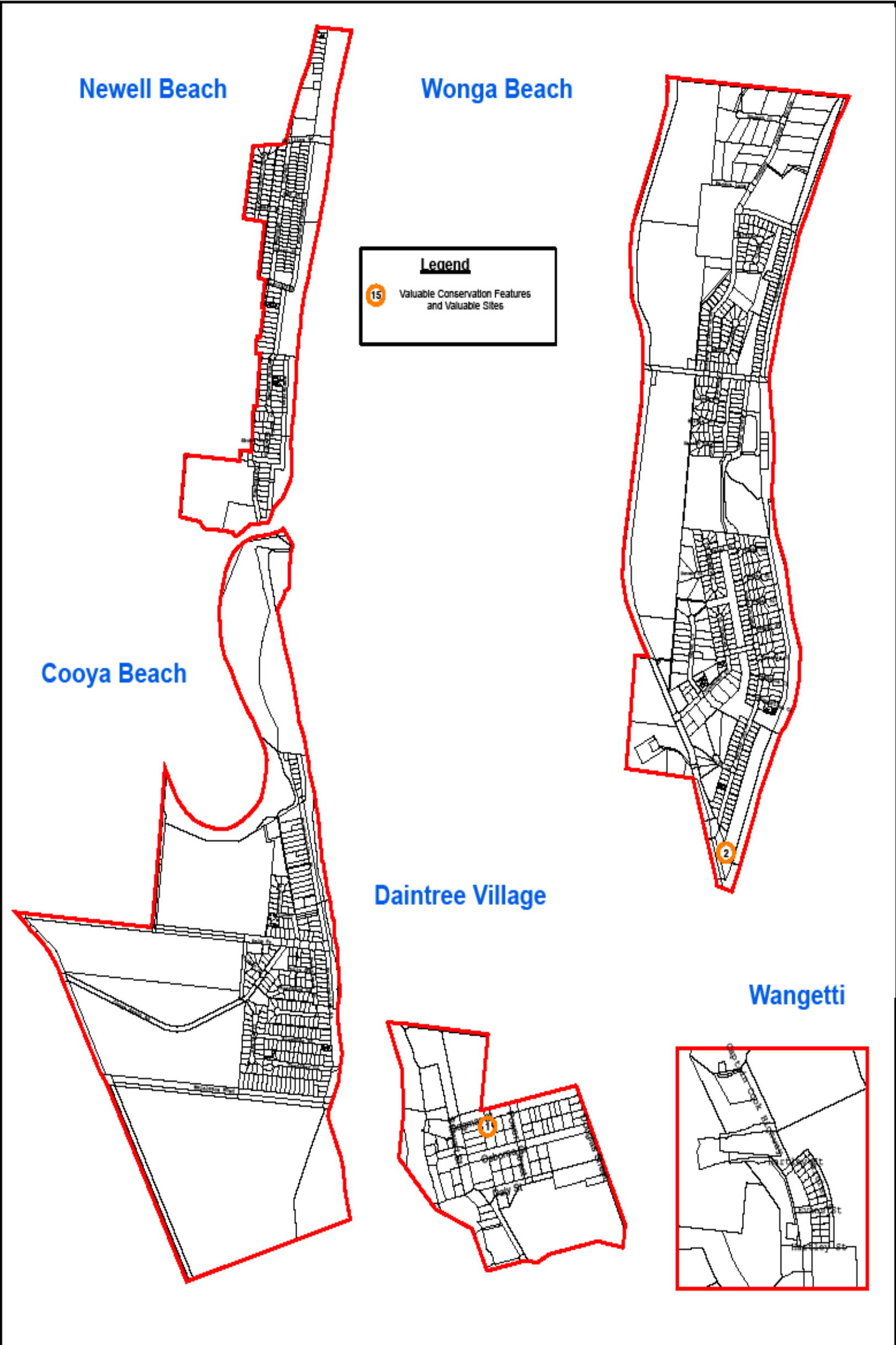
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Douglas Shire Council
 Overlay - Acid Sulfate Soils
 Coastal Suburbs, Villages & Townships Locality



Date: August 2006
 Author: GOK
 Map No. **C3**



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Douglas Shire Council
 Overlay - Cultural Heritage & Valuable Sites
 Coastal Suburbs, Villages & Townships Locality



Date: August 2006
 Author: GDK
 Map No. **C4**

Newell Beach

Wonga Beach

Cooya Beach




Daintree Village

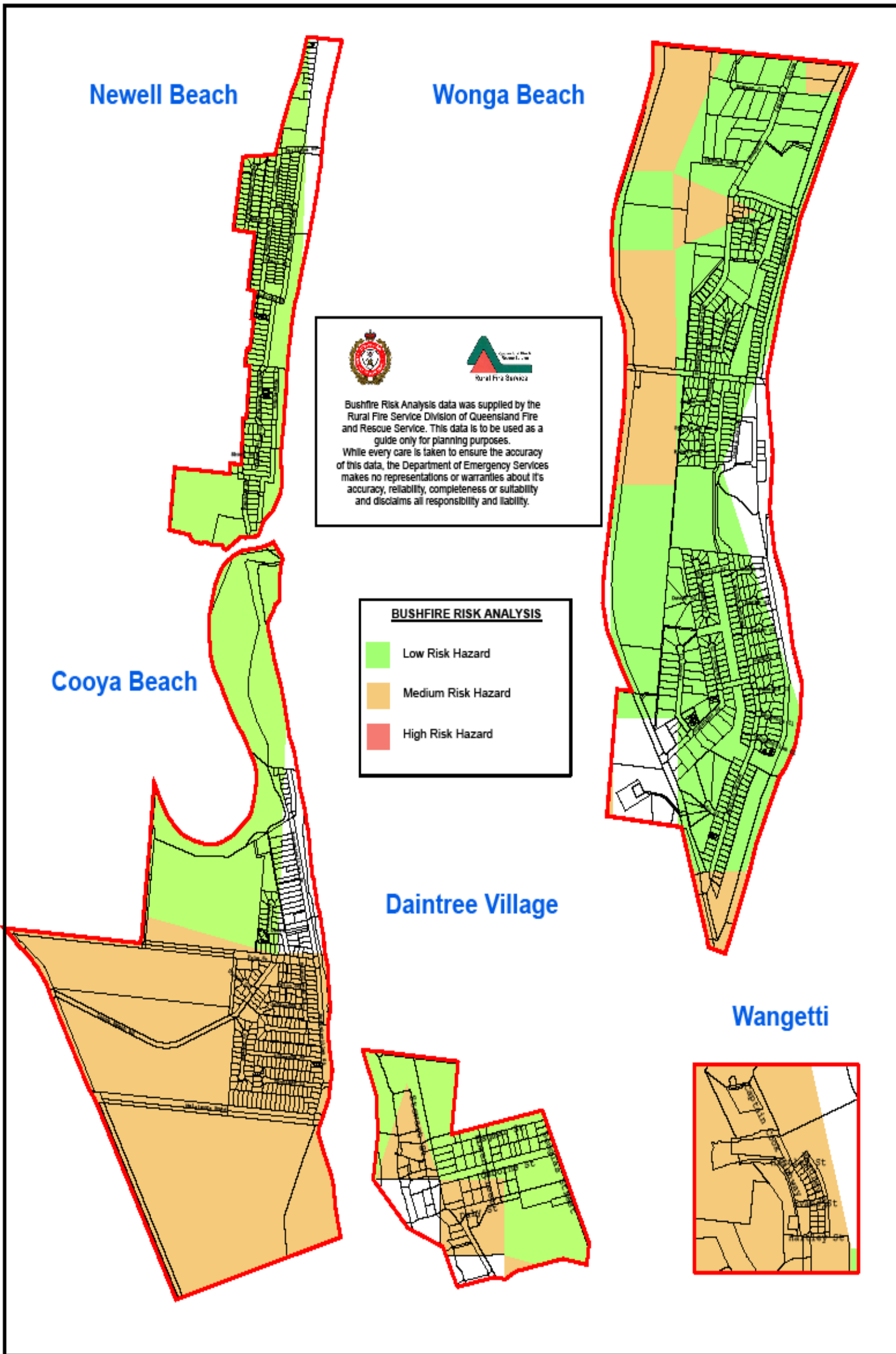
Wangetti



Bushfire Risk Analysis data was supplied by the Rural Fire Service Division of Queensland Fire and Rescue Service. This data is to be used as a guide only for planning purposes. While every care is taken to ensure the accuracy of this data, the Department of Emergency Services makes no representations or warranties about its accuracy, reliability, completeness or suitability and disclaims all responsibility and liability.

BUSHFIRE RISK ANALYSIS

-  Low Risk Hazard
-  Medium Risk Hazard
-  High Risk Hazard



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Douglas Shire Council
 Overlay - Natural Hazards
 Coastal Suburbs, Villages & Townships Locality



Date: August 2006
 Author: GDK
 Map No. **C6**

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RURAL AREAS & RURAL SETTLEMENTS LOCALITY

**TABLES OF ASSESSMENT
&
MAPS**



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RURAL AREAS AND RURAL SETTLEMENTS LOCALITY – TABLE 1

DEVELOPMENT ACTIVITY	PLANNING AREA							GUIDE TO APPLICABILITY OF CODES												
								OVERLAYS					LAND USE CODES	GENERAL						
MATERIAL CHANGE OF USE	Rural	Rural Settlement	Residential 1	Tourist & Residential	Industry	Community & Recreational Facilities	Conservation	Rural Areas and Rural Settlements Locality Code	Planning Area Code	Acid Sulfate Soils	Cultural Heritage & Valuable Sites	Natural Hazards			Design & Siting of Advertising Devices	Filling & Excavation	Landscaping	Natural Areas and Scenic Amenity	Vehicle Parking & Access	Sustainable Development
DEFINED LAND USE																				
Aircraft Landing Facility - Commercial	I	I	I	I	I	I	I	A	A	O	O	O		Yes	A	A	A	*A	A	*A
Aquaculture	I	I	I	I	I	I	I	A	A	O	O	O		*Yes	A	A	A	*A	A	*A
Business Facilities – using an existing Building	I	I	I	I	I	I	I	A	A	O	O	O		No	A		A	*A	A	*A
Business Facilities – not using an existing Building	I	I	I	I	I	I	I	A	A	O	O	O		No	A	A	A	*A	A	*A
Camping Ground	I	I	I	I	I	I	I	A	A	O	O	O		Yes	A	A	A	*A	A	*A
Caravan Park	I	I	I	I	I	I	I	A	A	O	O	O		Yes	A	A	A	*A	A	*A
Caretaker's Residence	C	C	C	C	I	C	I	A	A	O	O	O		Yes		A	A	*A	A	
Car Park	I	I	I	I	I	I	I	A	A	O	O	O		Yes	A	A	A	*A	A	
Cemetery & Crematorium	I	I	I	I	I	I	I	A	A	O	O	O		No	A	A	A	*A	A	*A
Child Care Centre	I	I	I	I	I	I	I	A	A	O	O	O		Yes	A	A	A	*A	A	*A
Display Facilities	I	I	I	I	I	I	I	A	A	O	O	O		Yes	A	A	A	*A	A	*A
Educational Establishment	I	I	I	I	I	I	I	A	A	O	O	O		No	A	A	A	*A	A	*A
Extractive Industry	I	I	I	I	I	I	I	A	A	O	O	O		Yes	A	A	A	*A	A	
Health Facility	I	I	I	I	I	I	I	A	A	O	O	O		No	A	A	A	*A	A	*A
Holiday Accommodation	I	I	I	I	I	I	I	A	A	O	O	O		**Yes	A	A	A	*A	A	*A
Home Activity	C	C	C	C	I	I	I	A	A	O	O	O		Yes	A		A	*A	A	
Home Based Business	C	C	C	C	I	I	I	A	A	O	O	O		Yes	A	A	A	*A	A	*A
Home Industry	I	I	I	I	I	I	I	A	A	O	O	O		No		A	A	*A		
House	S	C	C	C	I	I	I	A	A	OO	OO	OO		Yes		AA	AA	*A	A	
Indoor Sports & Entertainment	I	I	I	I	I	I	I	A	A	O	O	O		No	A	A	A	*A	A	*A
Industry	I	I	I	I	I	I	I	A	A	O	O	O		No	A	A	A	*A	A	
Intensive Animal Husbandry	C	I	I	I	I	I	I	A	A	O	O	O		*Yes	A	A	A	*A	A	*A
Interpretive Facility	I	I	I	I	I	I	I	A	A	O	O	O		Yes	A	A	A	*A	A	*A

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RURAL AREAS AND RURAL SETTLEMENTS LOCALITY – TABLE 1

DEVELOPMENT ACTIVITY	PLANNING AREA							GUIDE TO APPLICABILITY OF CODES													
								OVERLAYS					LAND USE CODES	GENERAL							
	MATERIAL CHANGE OF USE							Rural Areas and Rural Settlements Locality Code	Planning Area Code	Acid Sulfate Soils	Cultural Heritage & Valuable Sites	Natural Hazards			Design & Siting of Advertising Devices	Filling & Excavation	Landscaping	Natural Areas and Scenic Amenity	Vehicle Parking & Access	Sustainable Development	
DEFINED LAND USE	Rural	Rural Settlement	Residential 1	Tourist & Residential	Industry	Community & Recreational Facilities	Conservation														
Multi-Unit Housing	I	I	I	I	I	I	I	A	A	O	O	O	**Yes	A	A	A	*A	A	*A		
Off Premises Advertising Device	I	I	I	I	I	I	I	A	A	O	O	O	No	A		A	*A				
Outdoor Sport & Recreation	I	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A		
Outstation/Seasonal Camp	I	I	I	I	I	I	I	A	A	O	O	O	No		A	A	*A	A			
Park & Open Space	E	E	E	E	E	E	E										*A				
Place of Assembly	I	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A		
Primary Industry	S	I	I	I	I	I	I	AA	A	OO	OO	OO	Yes			AA	*A	A			
Private Forestry	C	I	I	I	I	I	I	A	A	O	O	O	Yes			A	*A	A			
Public Utilities & Facilities	C	C	C	C	C	C	C	A	A	O	O	O	No		A	A	*A	A	*A		
Restaurant – using an existing Building	I	I	I	I	I	I	I	A	A	O	O	O	No	A		A	*A	A	*A		
Restaurant – not using an existing Building	I	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A		
Retirement Facility	I	I	I	I	I	I	I	A	A	O	O	O	**Yes	A	A	A	*A	A	*A		
Service Industry	I	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A		
Service Station	I	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A		
Shopping Facility – using an existing Building	I	I	I	I	I	I	I	A	A	O	O	O	No	A		A	*A	A	*A		
Shopping Facility – not using an existing Building	I	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A		
Short Term Accommodation	I	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A		
Special Residential Use	I	I	I	I	I	I	I	A	A	O	O	O	No		A	A	*A	A	*A		
Staff Quarters	I	I	I	I	I	I	I	A	A	O	O	O	No		A	A	*A	A	*A		
Tavern	I	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A		
Telecommunication Facilities	C	C	C	C	C	C	C	A	A	O	O	O	Yes	A	A	A	*A	A			
Tourist Attraction	I	I	I	I	I	I	I	A	A	O	O	O	Yes	A	A	A	*A	A	*A		
Veterinary Facilities	I	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A		
Other-Undefined (Except Use for a Road)	I	I	I	I	I	I	I	A	A	O	O	O	No	A	A	A	*A	A	*A		

NOTE: Self Assessable development converts to Code Assessable development if the development cannot comply in full with the applicable Acceptable Solutions in any relevant Code

KEY

E	Exempt
S	Self Assessable
C	Code Assessable
I	Impact Assessable
I	Impact Assessable (Inconsistent)

A	The Code is Applicable
*A	If the circumstances described in the Applicability of the Code are triggered, the Code applies
AA	The Code is applicable for all development EXCEPT Self Assessable development

O	Refer to the Overlay Maps for the Rural Areas and Rural Settlements Locality. If the site is affected by an Overlay and if the circumstances described in the Applicability of the relevant Code are triggered, the Code for the Overlay applies
OO	The Code is applicable for all development EXCEPT Self Assessable development

*	See – Aquaculture & Intensive Animal Husbandry Code
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**	See – Multi-Unit Housing/Holiday Accommodation/Retirement Facility Code
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RURAL AREAS AND RURAL SETTLEMENTS LOCALITY – TABLE 2

DEVELOPMENT ACTIVITY	PLANNING AREA							GUIDE TO APPLICABILITY OF CODES											
								OVERLAY					GENERAL						
								Rural Areas & Rural Settlements Locality Code	Planning Area Code	Acid Sulfate Soils	Cultural Heritage & Valuable Sites	Natural Hazards	Design & Siting of Advertising Devices	Filling & Excavation	Landscaping	Natural Areas and Scenic Amenity	Reconfiguring a Lot	Sustainable Development	Vegetation Management
Rural	Rural Settlement	Residential I	Tourist & Residential	Industry	Community & Recreational Facilities	Conservation													
Reconfiguring a Lot	C	C	C	C	C	C	I	A	A	O	O	O				*A	A		
Operational Work Associated with Reconfiguring a Lot	C	C	C	C	C	C	C	A	A	O	O	O		A	A	*A	A		
Operational Work - Filling or Excavation not associated with a Material Change of Use	C	C	C	C	C	C	C	A	A	O	O	O		A		*A			
Operational Work - Engineering Works not associated with a Material Change of Use	C	C	C	C	C	C	C	A	A	O	O	O		A		*A			
Operational Work - Placing an Advertising Device on Premises not associated with a Material Change of Use	C	C	C	C	C	C	C	A	A				A			*A			
Operational Work – Vegetation Management	S	S	S	S	S	S	S												A
Building Work other than Minor Building Work not associated with a Material Change of Use	E	E	E	E	E	E	C	A	A							*A			

KEY

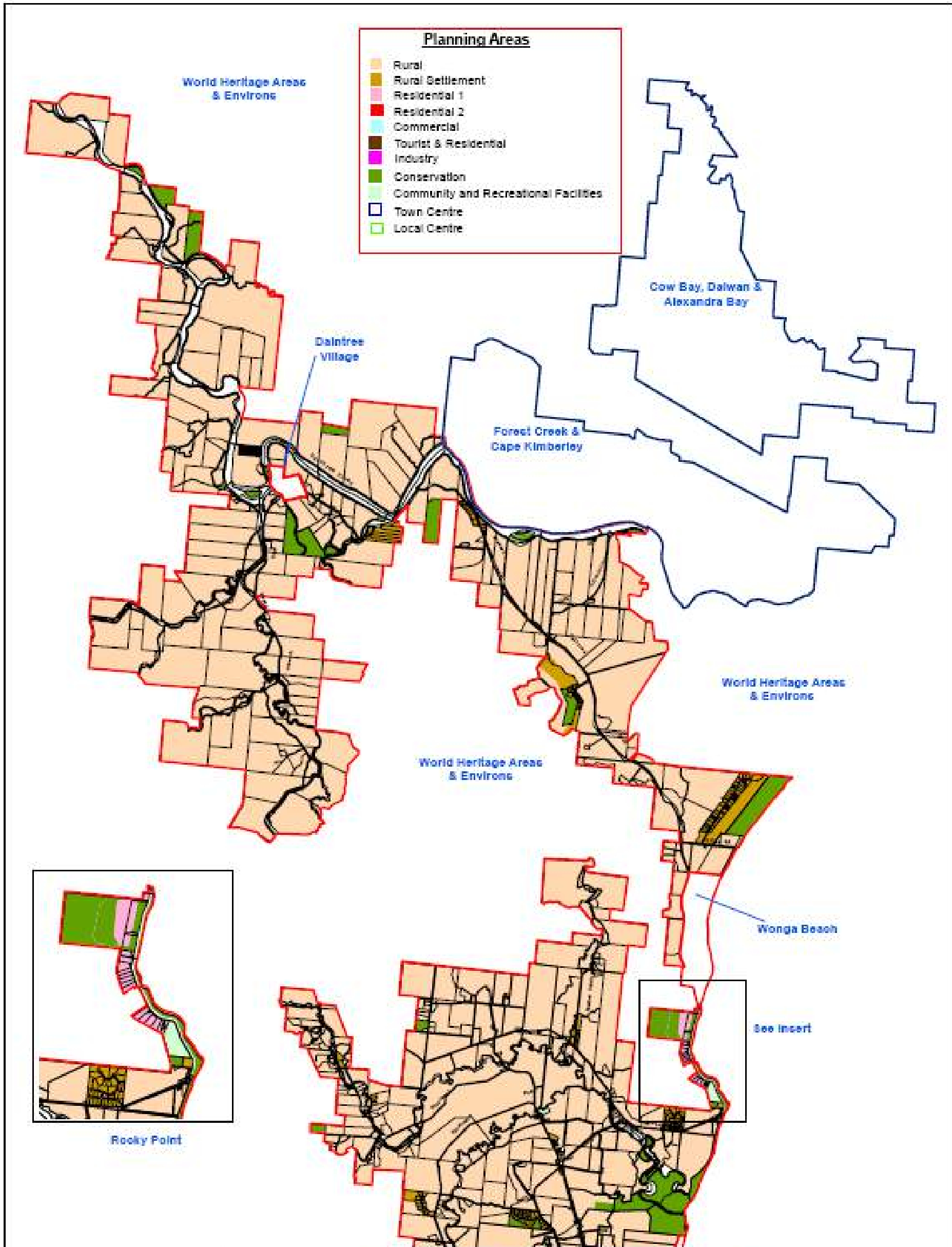
E	Exempt
S	Self Assessable
C	Code Assessable
I	Impact Assessable
I	Impact Assessable (Inconsistent)

A	The Code is Applicable
*A	If the circumstances described in the Applicability of the Code are triggered, the Code applies

O	Refer to the Overlay Maps for the Rural Areas and Rural Settlements Locality. If the site is affected by an Overlay and if the circumstances described in the Applicability of the relevant Code are triggered, the Code for the Overlay applies
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NOTE: Self Assessable development converts to Code Assessable development if the development cannot comply in full with the applicable Acceptable Solutions in any relevant Code

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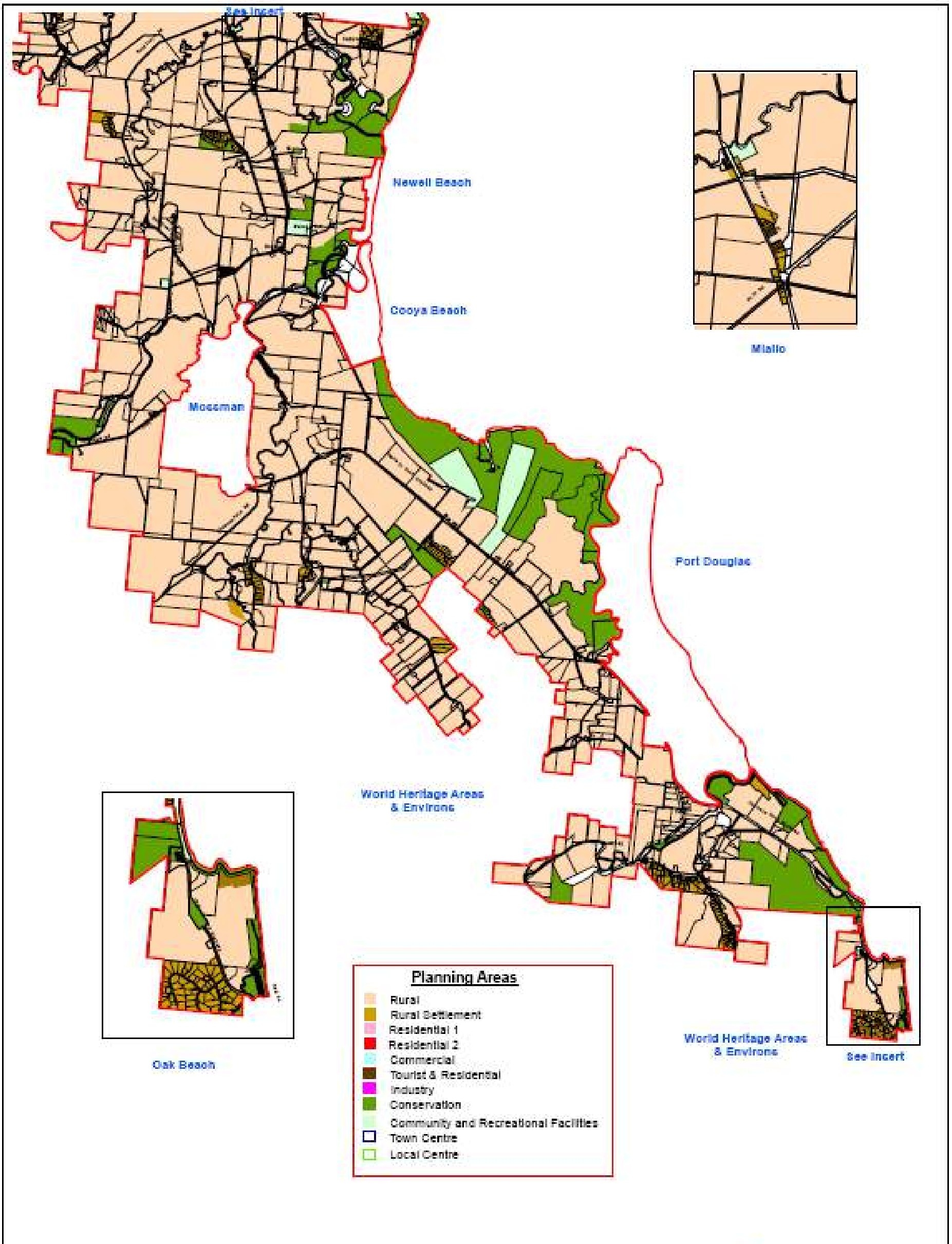
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Douglas Shire Council
 Planning Areas
 Rural Areas & Rural Settlements Locality - Sheet 1



Date: August 2006
 Author: GOK
 Map No. R1(a)



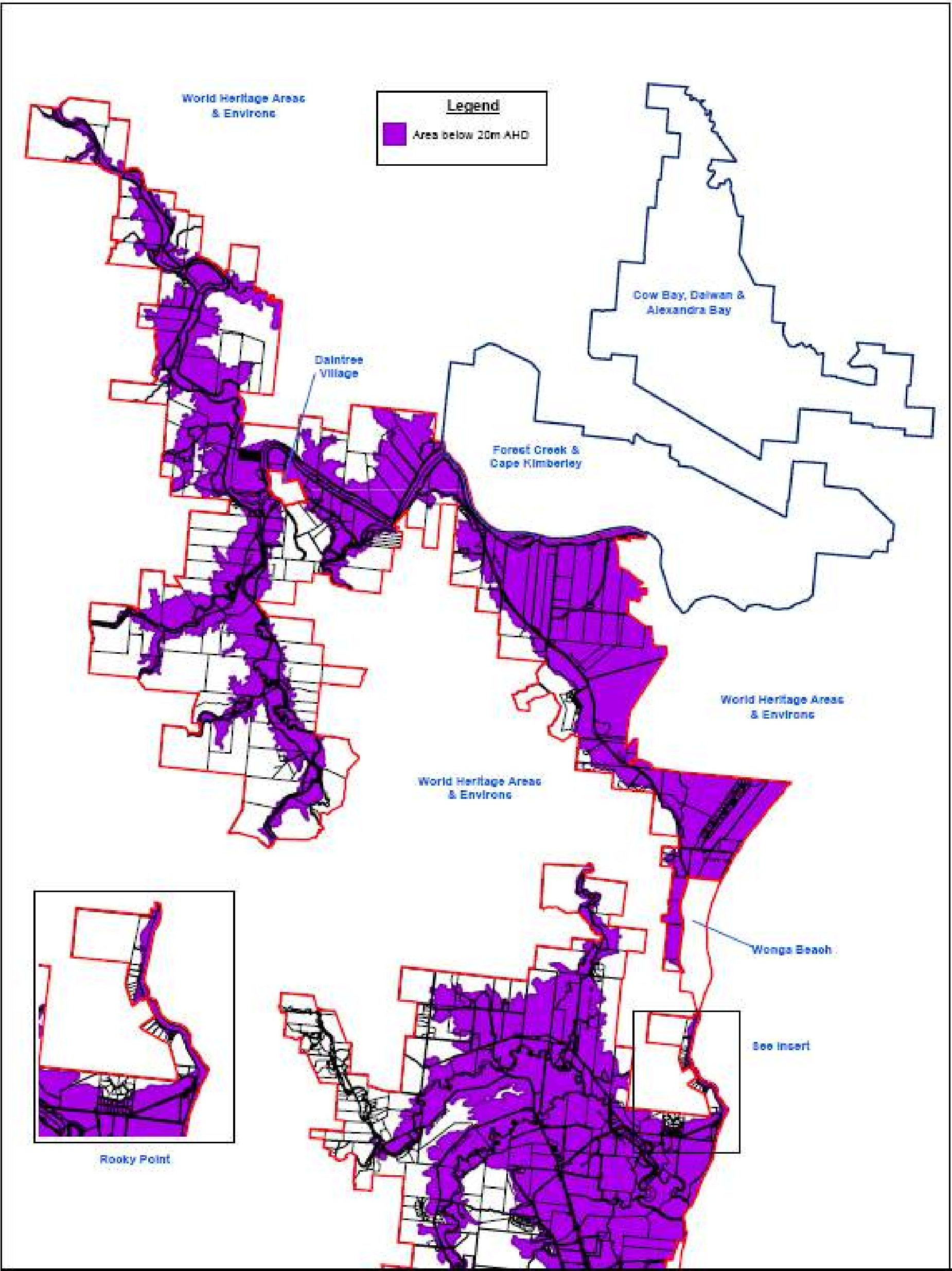
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Douglas Shire Council
 Planning Areas
 Rural Areas & Rural Settlements Locality - Sheet 2



Date: August 2009
 Author: GOK
 Map No. R1 (b)



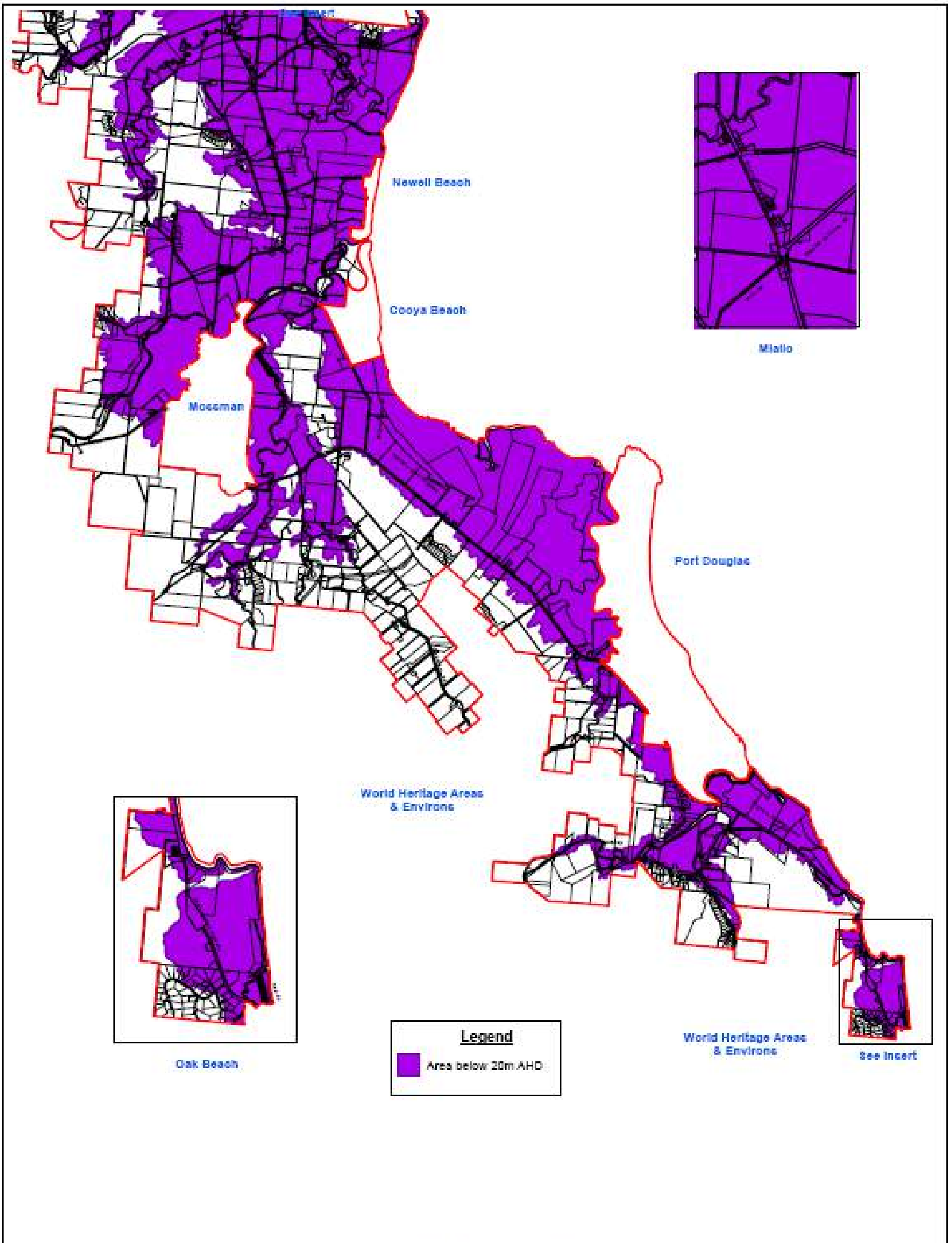
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Douglas Shire Council
 Overlay - Acid Sulfate Soils
 Rural Areas & Rural Settlements Locality - Sheet 1



Date: August 2006
 Author: GDM
 Map No. R2(a)



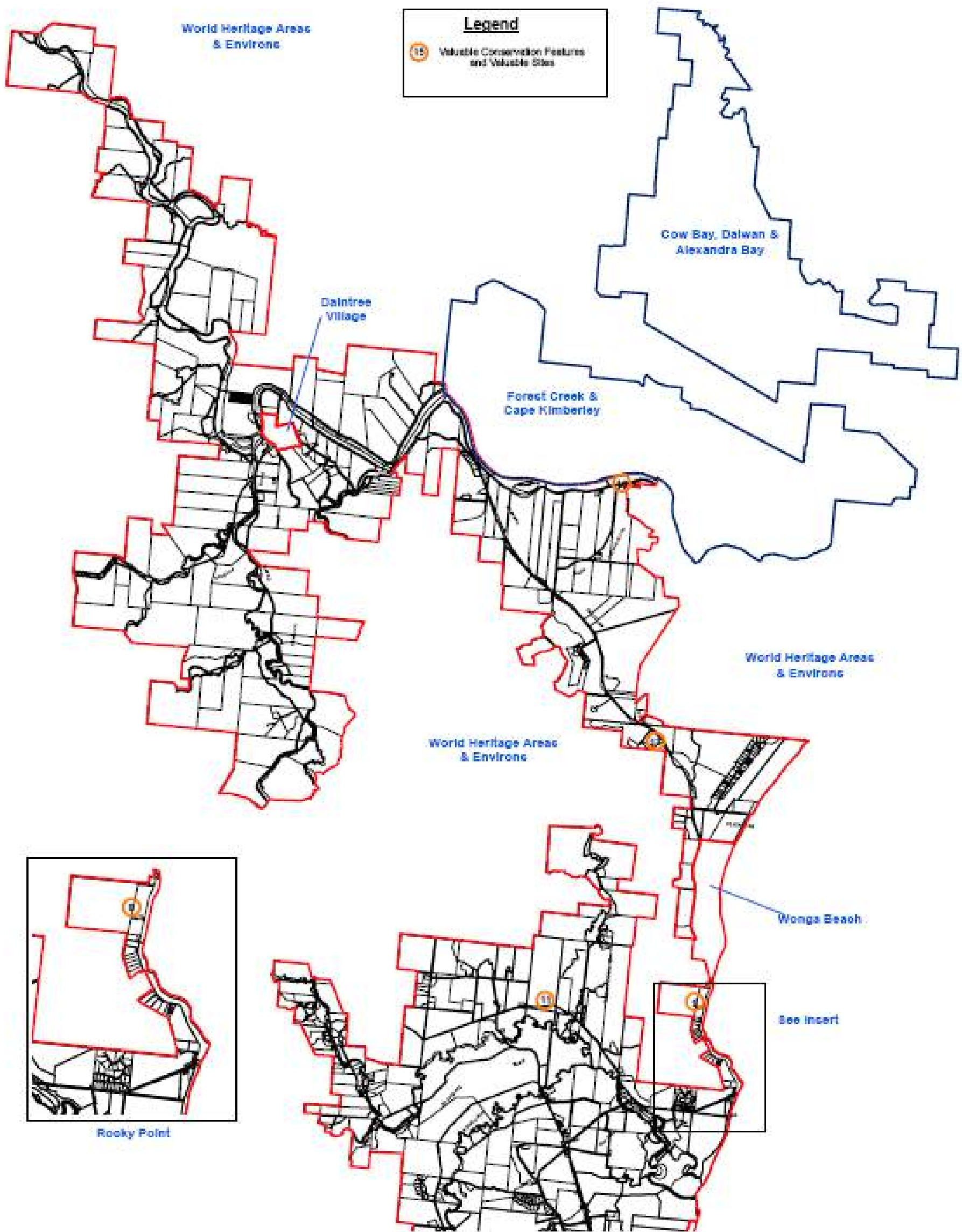
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Douglas Shire Council
 Overlay - Acid Sulfate Soils
 Rural Areas & Rural Settlements Locality - Sheet 2



Date: August 2006
 Author: GCM
 Map No. R2(b)



Legend
 18 Valuable Conservation Features and Valuable Sites



Rocky Point

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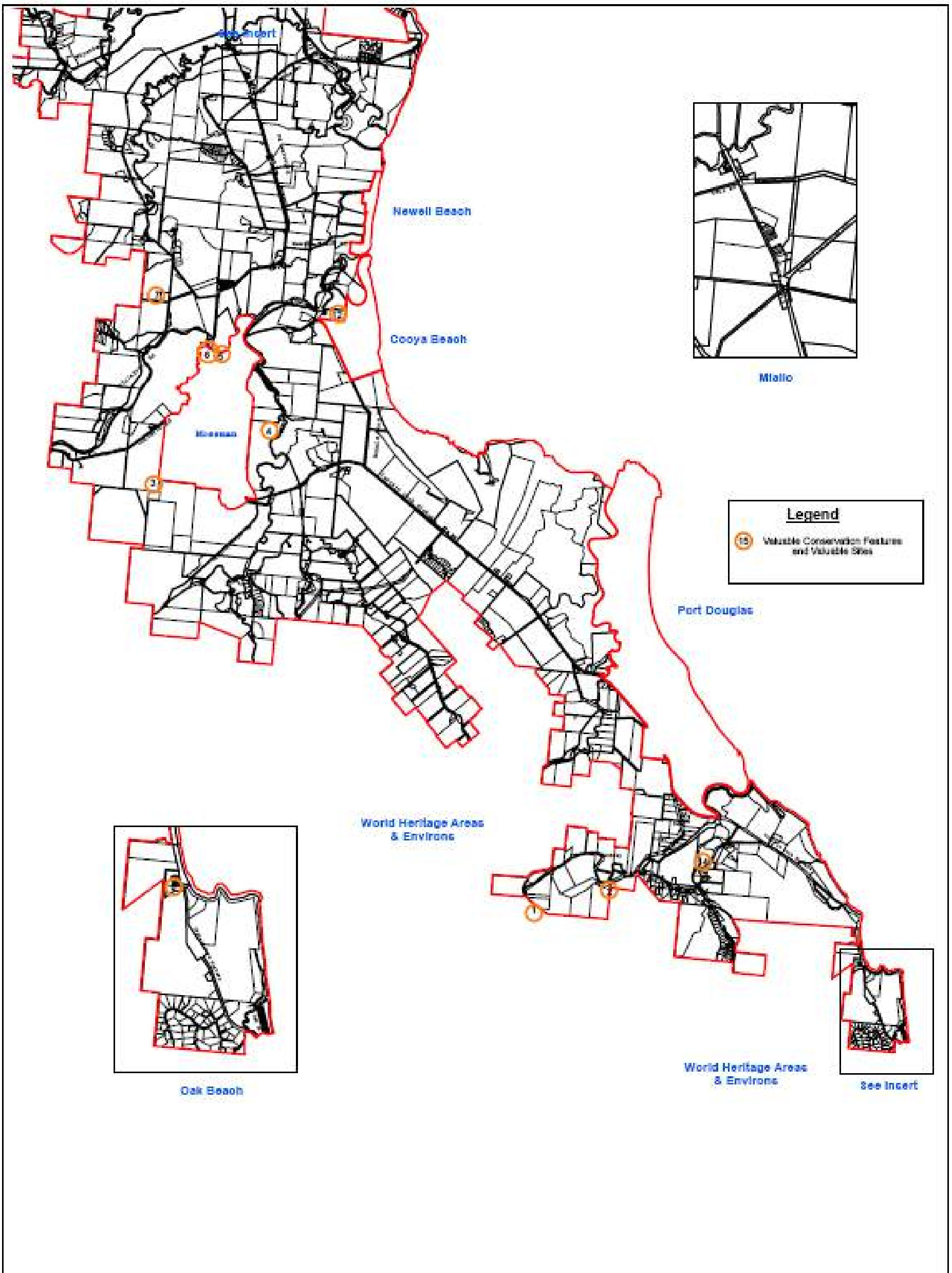


Douglas Shire Council

Overlay - Cultural Heritage & Valuable Sites
 Rural Areas & Rural Settlements Locality - Sheet 1



Date: August 2008
 Author: GJK
 Map No. R3(a)



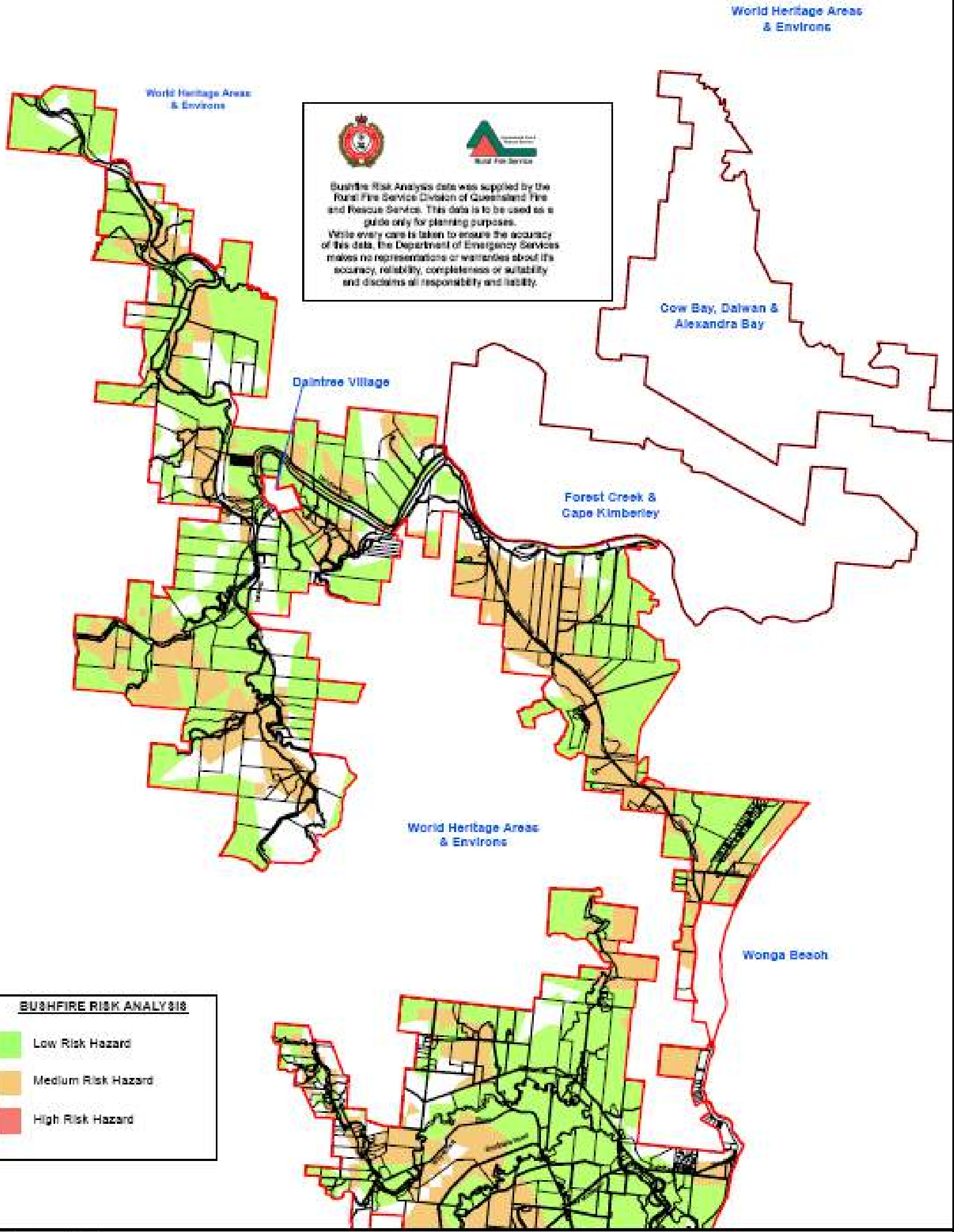
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Douglas Shire Council
 Overlay - Cultural Heritage & Valuable Sites
 Rural Areas & Rural Settlements Locality - Sheet 2



Date: August 2006
 Author: GDK
 Map No. R3(b)



BUSHFIRE RISK ANALYSIS

- Low Risk Hazard
- Medium Risk Hazard
- High Risk Hazard

Bushfire Risk Analysis data was supplied by the Rural Fire Service Division of Queensland Fire and Rescue Service. This data is to be used as a guide only for planning purposes. While every care is taken to ensure the accuracy of this data, the Department of Emergency Services makes no representations or warranties about its accuracy, reliability, completeness or suitability and disclaims all responsibility and liability.

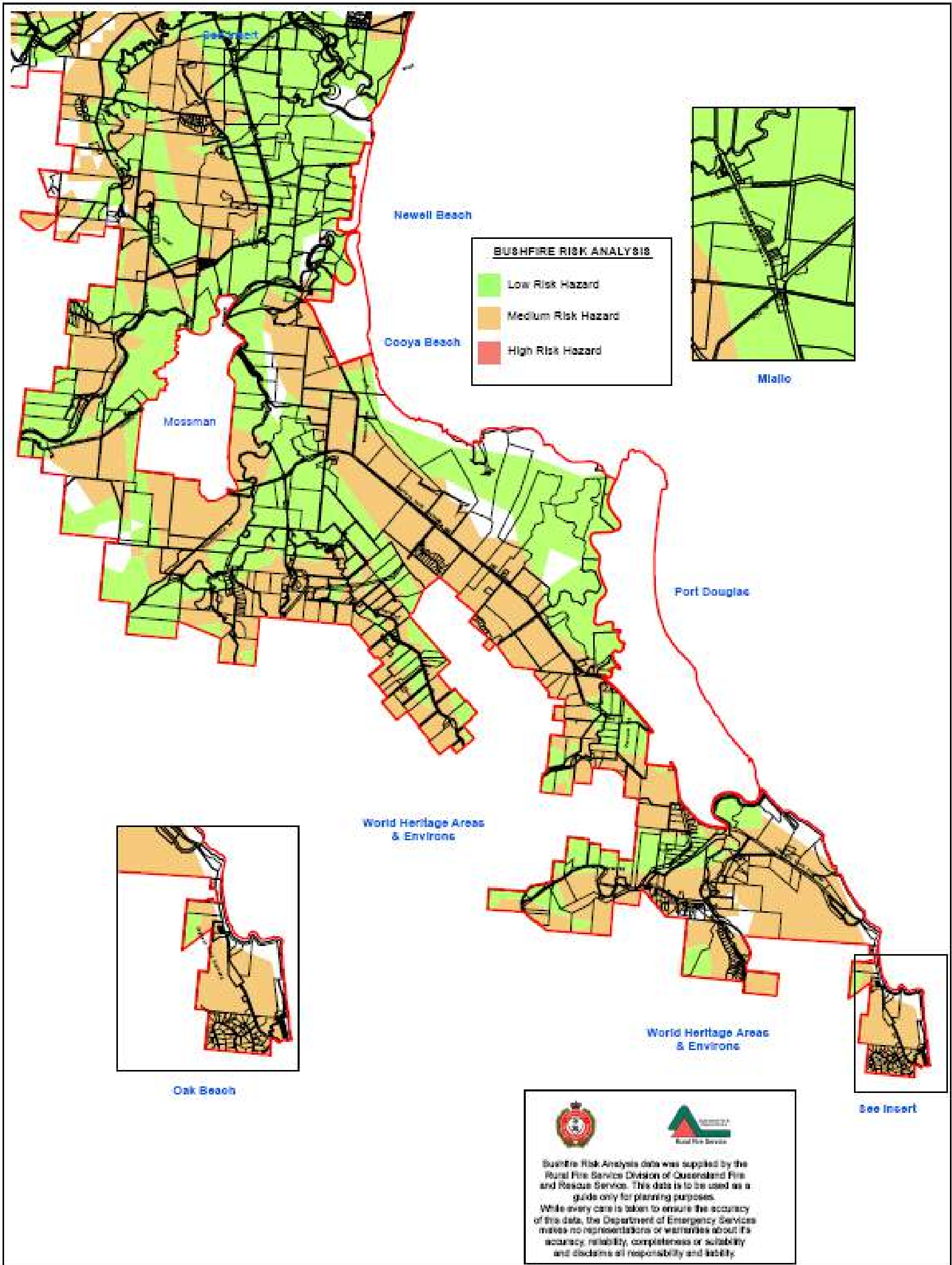
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Douglas Shire Council
 Overlay - Natural Hazards
 Rural Areas & Rural Settlements Localities - Sheet 1



Date: August 2009
 Author: GOK
 Map No. **R5(a)**



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Douglas Shire Council
 Overlay - Natural Hazards
 Rural Areas & Rural Settlements Locality - Sheet 2



Date: August 2006
 Author: GDM
 Map No. R5(b)



CHAPTER 4

CODES



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CHAPTER 4 – CODES

4.1 Introduction

The Codes relevant to the Planning Scheme are detailed below in specific groups and in alphabetical order, followed by each Code outlined in detail. A Code that is applicable to a material change of use is also applicable to the ongoing use that results from that change¹.

Self Assessable development which does not comply with the applicable Acceptable Solutions outlined in the Codes will require Code Assessment.

Codes for Localities

- World Heritage Areas and Environs Locality
- Settlement Areas North of the Daintree River Locality
- Mossman and Environs Locality
- Port Douglas and Environs Locality
- Coastal Suburbs, Villages and Townships Locality
- Rural Areas and Rural Settlements Locality.

Codes for Planning Areas

- Rural Planning Area
- Rural Settlement Planning Area
- Residential 1 Planning Area
- Residential 2 Planning Area
- Tourist and Residential Planning Area
- Commercial Planning Area
- Industry Planning Area
- Community and Recreational Facilities Planning Area
- Conservation Planning Area.
- Port Douglas Waterfront North Planning Area
- Port Douglas Waterfront South Planning Area

Codes for Overlays

- Acid Sulfate Soils
- Cultural Heritage and Valuable Sites
- Natural Hazards.

¹ IPA, Section 2.1.23 (3) (Local Planning Instruments have Force of Law) relates with respect to regulating the use of premises, and also IPA, Section 4.3.4 (Compliance with Identified Code for Use of Premises) with respect to an offence under the Act.



Codes for Land Uses

- Aircraft Landing Facility – Commercial
- Aquaculture and Intensive Animal Husbandry
- Camping Ground
- Caravan Park
- Caretaker's Residence
- Car Park
- Child Care Centre
- Display Facilities
- Extractive Industry
- Home Activity
- Home Based Business
- House
- Interpretive Facility
- Multi-Unit Housing/Holiday Accommodation/ Retirement Facility
- Primary Industry
- Private Forestry
- Service Station
- Short Term Accommodation
- Telecommunication Facility
- Tourist Attraction.

General Codes

- Design and Siting of Advertising Devices
- Filling and Excavation
- Landscaping
- Natural Areas and Scenic Amenity
- Reconfiguring a Lot
- Vehicle Parking and Access.
- Sustainable Development



WORLD HERITAGE AREAS AND ENVIRONS LOCALITY



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4.2 Codes for Localities

4.2.1 World Heritage Areas and Environs Locality Code

Purpose

The purpose of this Code is to facilitate the achievement of the following outcomes for the World Heritage Areas and Environs Locality:

- protect the values of the WTWHA and the GBRWHA;
- ensure that any development is undertaken in a sensitive and sympathetic manner and that future activities associated with any development protect the environmental values of the World Heritage Areas (WHA's);
- ensure that any development occurring immediately adjacent to the WTWHA provides for an effective buffer to the Area to ensure the protection of the high ecological values of the Area and any environmental values of adjacent land;
- facilitate any future land use aspirations of the local Indigenous communities which are compatible with achieving the other planning outcomes for the Locality; and
- ensure that Roads within the WTWHA are retained as scenic drives.

Applicability

This Code applies to assessable development in the World Heritage Areas and Environs Locality and also applies to assessable development on land which is partially in the World Heritage Areas and Environs Locality and partially within an adjoining Locality, for:

- Material Change of Use;
- Reconfiguring a Lot;
- Operational Work Associated with Reconfiguring a Lot;
- Operational Work – Filling or Excavation not associated with a Material Change of Use;
- Operational Work – Engineering Works not associated with a Material Change of Use;
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use; and
- Building Work other than Minor Building Work not associated with a Material Change of Use.



Elements of the Code

General Requirements

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	Buildings and structures complement the Height of surrounding development and are subservient to the surrounding environment and in keeping with the unique character of the Locality.	A1.1	In the Conservation Planning Area in this Locality the maximum Height of Buildings/structures is 6.5 metres and 2 storeys. In addition, the roof or any ancillary roof features do not exceed a maximum Height of 3.5 metres.
P2	Development is connected to sustainable on Site infrastructure services.	A2.1	Water storage tank/s with a capacity to service the proposed use, including fire fighting capacity and Access to the tank/s for fire trucks. Tank/s to be fitted with a 50 mm ball valve with a camlock fitting and installed and connected prior to occupation and sited so as to be visually unobtrusive. Water storage tanks are to be fitted with screening at the inlet to prevent the intrusion of leaves and insects.
		A2.2	On any roof exceeding 100m ² , gutters are installed and the flow diverted to a storage tank.
		A2.3	An environmentally acceptable and energy efficient power supply is constructed and connected prior to occupation and sited so as to be visually unobtrusive.
P3	Onsite wastewater does not adversely impact on the environmental quality of the water and soil resources or the amenity of residents, through the implementation of best environmental practice.		No Acceptable Solution. (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).



<p>P4 Landscaping of development Sites complements the existing character of the Locality.</p>	<p>A4.1 Landscaping utilises only native species and complies with the requirements of Planning Scheme Policy No 7 – Landscaping.</p> <p>AND</p> <p>All of the existing Landscaping to be retained and all of the proposed Landscaping is 100% endemic or native species and the details are provided on a Landscape Plan.</p>
<p>P5 Development Sites are provided, in an ecologically sustainable manner, with efficient and safe vehicle Access and manoeuvring areas on Site.</p>	<p>A5.1 Vehicular Access with a maximum width of 4 metres is sited in an approved location, following the contours of the Site, avoiding large tree specimens or significant vegetation and habitat corridors and is constructed and maintained to a minimum gravel standard of 75 mm of road base on a compacted soil surface.</p> <p>A5.2 Vehicular Access is constructed prior to the construction of the development. The alignment of the vehicular Access is sited clear of significant vegetation, any Watercourse or steep slopes.</p>
<p>P6 Site Access driveways and Roads within the Locality are retained as safe, slow speed, scenic drives.</p>	<p>A6.1 Site Access driveways and existing or proposed Roads comply with the relevant requirements of Planning Scheme Policy No 6 – FNQROC Development Manual and are maintained as low speed gravel Roads to maintain the scenic drive experience and to discourage the use of Roads by through-traffic.</p>



	<p>A6.2 Existing Roads adjacent to a development Site are upgraded and regularly maintained to an all weather standard in accordance with the relevant requirements of Planning Scheme Policy No 6 – FNQROC Development Manual, to provide for the volumes of traffic now and in the future without compromise to corridors, habitat values, flora and fauna linkages and scenic values.</p> <p>HOWEVER</p> <p>Where existing Roads/tracks are 4 wheel drive only, upgrading to facilitate conventional vehicles and an increase in through-traffic does not occur.</p>
<p>P7 Development minimises the loss of native vegetation and has minimal impacts on the habitat of native animals and on the environment².</p>	<p>A7.1 The elements of development and Access to the site are included in a Designated Development Area (DDA).</p> <p>A7.2 Development is sited where a Clearing is limited to a maximum area of 700 m² of a Site (The 700m² area of Clearing does not include an access driveway.)</p> <p>AND</p> <p>No fences or barriers are Erected which compromise or alienate habitat values, (in particular the Southern Cassowary), or vegetation connectivity and any fences or barriers are constructed with a top wire of plain wire with any barbed wire confined to the lower strands.</p>

² Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



Protecting the Values of the WTWHA

Protection of the Wet Tropics Biodiversity – General

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P8 Any development within the WTWHA is undertaken in accordance with the requirements of the Wet Tropics Management Plan 1998 (WTMP)³.</p>	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
<p>P9 Flora which comprises a distinctive plant community is protected in accordance with the WTMP³.</p>	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
<p>P10 Fauna which comprise unique animal communities is protected in accordance with the WTMP³.</p>	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
<p>P11 Habitat connectivity of forests and other vegetation communities is maintained and protected.</p>	<p>A11.1 Development is sited so as to ensure vegetation/habitat connectivity is maintained and protected.</p>

³Applicants are advised that in accordance with the Wet Tropics World Heritage Protection and Management Act 1993, further permits and/or approvals may be required in accordance with the Wet Tropics Management Plan 1998.



<p>P12 Rehabilitation of natural processes on a disturbed Site is undertaken to improve the environmental integrity of the area.</p>	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
<p>P13 Water quality including groundwater, Watercourses and water catchments are protected and, if necessary, enhanced.</p>	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
<p>P14 Building form, materials and colours are compatible with the natural surroundings.</p>	<p>A14.1 The exterior finishes and colours of Building/s are non reflective and complement the colours of the surrounding vegetation and viewshed.</p> <p>A14.2 The development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements.</p>
<p>P15 Development is subservient to and in harmony with, the environment and low key in character and scale.</p>	<p>A15.1 The development is comprised of a number of small scale Buildings strategically sited to reduce the visual impact of development and to provide opportunities to appreciate the surrounding environment.</p> <p>A15.2 Connectivity between Buildings is provided to facilitate easy manoeuvrability within the Site for guests and staff.</p>



<p>P16 Interpretation and education associated with WHA's are encouraged.</p>	<p>A16.1 The scale and character of interpretive facilities and educational facilities reflects the importance of maintaining the environmental values of the area as the dominant feature and not the built environment.</p> <p>A16.2 Interpretive facilities and educational facilities are of high quality and contribute to the visitor's experience to the area.</p>
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Commercial Development – North of the Daintree River to Rykers Creek, Cape Tribulation

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P17 Commercial development north of the Daintree River to Rykers Creek at Cape Tribulation protects the environmental values of the WTWHA and is consistent with the character of the area.	A17.1 No new commercial uses involving Bed Spaces are established.

Protecting the Values of the GBRWHA

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P18 Development proposed on a Site which interfaces with the GBRWHA minimises impacts.	No Acceptable Solution. (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).
P19 The critical habitat of species, including migratory species, and ecological communities which are an integral part of the GBRWHA system are protected from adverse impacts associated with development.	No Acceptable Solution. (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).
P20 The environmental values and undeveloped character of Snapper Island and Low Isles are protected and sustained.	No Acceptable Solution. (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).



<p>P21 The recreational activities on Snapper Island and Low Isles remain low key and informal.</p>	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
<p>P22 The human impacts on Snapper Island and Low Isles are minimised.</p>	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>

Protection of Scenic Amenity and Natural Values

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P23 Development does not adversely impact on areas of sensitive natural vegetation, foreshore areas, Watercourses and areas of tidal inundation which contribute to the Scenic Amenity and natural values of the Locality⁴.</p>	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>

Indigenous Interests

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P24 The land use aspirations in any Indigenous Land Use Agreement (ILUA) are acknowledged and facilitated.</p>	<p>A24.1 Development is consistent with any ILUA relating to the land and the relevant provisions of the Planning Scheme.</p>

⁴ The Environmental Protection Agency is a Concurrence Agency for assessable development within a Coastal Management District.



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SETTLEMENT AREAS NORTH OF THE DAINTREE RIVER LOCALITY



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4.2.2 Settlement Areas North of the Daintree River Locality Code

Purpose

The purpose of this Code is to facilitate the achievement of the following outcomes for the Settlement Areas North of the Daintree River Locality:

- protect the values of the WTWHA by ensuring that adjacent settlement areas are limited in extent and have a character and identity which are complementary to those values;
- ensure that all development remains low key and sustainable and within the development limits imposed by the Daintree River ferry crossing and the vehicular capacity of the Alexandra Range crossing and the local Road network;
- provide adequate services and facilities for settlement areas and an appropriate level of economic opportunity for local residents;
- ensure that all development is designed and operated to achieve an environmentally sustainable outcome by taking into account the specific values of the area and/or Management Area and Precinct in which it is located and the site's constraints and opportunities;
- ensure that all development is sensitive and sympathetic to its remote location in an area of unique Biodiversity and Scenic Amenity value; and
- ensure the natural forested landscape character of the locality is protected and enhanced.

Applicability

This Code applies to assessable development in the Settlement Areas North of the Daintree River Locality for:

- Material Change of Use;
- Reconfiguring a Lot;
- Operational Work Associated with Reconfiguring a Lot;
- Operational Work – Filling or Excavation not associated with a Material Change of Use;
- Operational Work – Engineering Works not associated with a Material Change of Use;
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use; and
- Building Work other than Minor Building Work not associated with a Material Change of Use, except when in the Rural Planning Area.



Elements of the Code

General Requirements – All Development in this Locality

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 The Height of Buildings and structures is subservient to the surrounding environment and is in keeping with the unique character of the Locality.</p>	<p>A1.1 In the Planning Areas in this Locality the maximum Height of Buildings/structures is 6.5 metres and 2 Storeys. In addition, the roof or any ancillary roof features do not exceed a maximum Height of 3.5 metres.</p>
<p>P2 Development is connected to sustainable on Site infrastructure services.</p>	<p>A2.1 Water storage is provided in tank/s with a minimum capacity to service the proposed use, including fire fighting capacity, and Access to the tank/s for fire trucks. Tank/s to be fitted with a 50 mm ball valve with a camlock fitting and installed and connected prior to occupation and sited so as to be visually unobtrusive.</p> <p>Water storage tanks are to be fitted with screening at the inlet to prevent the intrusion of leaves and insects.</p> <p>A2.2 On any roof exceeding 100 m², gutters are installed and the flow diverted to a storage tank.</p> <p>A2.3 An environmentally acceptable and energy efficient power supply is constructed, installed and connected prior to occupation and sited so as to be screened from the road.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>



<p>P3 Onsite wastewater does not adversely impact on the environmental quality of the water and soil resources or the amenity of residents, through the implementation of best environmental practice.</p>	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
<p>P4 The sustainability of the natural water resources of the area is protected for ecological and domestic consumption purposes.</p>	<p>A4.1 If groundwater is to be used development is limited to one bore per site and the bore is:</p> <ul style="list-style-type: none"> • Not located within 100 metres of a septic disposal trench (on the Site or adjoining Sites); and • not located within 100 metres of another bore. <p>A4.2 Surface water is to be used for domestic purposes only.</p>
<p>P5 Development does not adversely on areas of sensitive natural vegetation, foreshore areas, Watercourses and areas of tidal inundation which contribute to the Scenic Amenity and the natural values of the Locality⁵.</p>	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
<p>P6 Development is subservient to the surrounding natural environment in scale and intensity and is designed to be energy efficient and functional in a humid tropical rainforest environment.</p>	<p>A6.1 The exterior finishes and colours of Buildings are non-reflective and complement the colours of the surrounding vegetation and viewshed.</p> <p>A6.2 Buildings must be designed such that natural light is maximized and the need for internal lighting during daylight hours is minimized.</p>

⁵ The Environmental Protection Agency is a Concurrence Agency for assessable development within a Coastal Management District.



	<p>A6.3 The development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements.</p> <p>A6.4 The noise of generators is controlled by design or the generator is enclosed in a sound insulated building with a residential approved muffler. The noise level generated is less than 65 dBA when measured from a distance of 7 metres.</p> <p>A6.5 Any fuel storage associated with an on site generator and storage of 20 Litres or more of fuel is enclosed in a building and banded.</p>
<p>P7 Landscaping of development Sites ensures the native landscape character of the Locality is dominant.</p>	<p>A7.1 Landscaping utilises only native species and complies with the requirements of Planning Scheme Policy No 7 – Landscaping.</p> <p style="text-align: center;">AND</p> <p>All of the existing Landscaping to be retained and all of the proposed Landscaping is 100% endemic or native species and the details are provided on a Landscape Plan.</p>
<p>P8 Site Access driveways and Roads within the Locality are retained as safe, slow speed, scenic drives.</p>	<p>A8.1 Site Access driveways and existing or proposed Roads comply with the relevant requirements of Planning Scheme Policy No 6 – FNQROC Development Manual and are maintained as low speed gravel Roads to maintain the scenic drive experience and to discourage the use of Roads by through-traffic.</p> <p style="text-align: center;">AND</p> <p>Where existing Roads/tracks are 4 wheel drive only, upgrading to facilitate conventional vehicles and an increase in through-traffic does not occur.</p>
<p>P9 The onsite impacts on natural flow regimes and erosion and sedimentation are</p>	<p>A9.1 Excavation and Fill is kept to a minimum and involves not more than</p>



<p>minimised.</p>	<p>5% of the cleared area of the lot.</p> <p>A9.2 All exposed surfaces must incorporate erosion and sediment controls during construction and must be maintained until revegetation or other permanent stabilization has occurred.</p> <p>A9.3 There is no disturbance to tree roots and trenching does not involve any damage to tree roots.</p> <p>A9.4 On Site drainage and stormwater management:</p> <p>P1 maintains natural flow regimes; P2 minimises impervious surfaces; P3 avoids concentration of flows, but where there is any form of concentration of flow, energy dissipation measures are installed at the outlet to avoid erosion (eg: rock rip rap, gravel beds, diffusers etc).</p>
<p>P10 The land use aspirations in any Indigenous Land Use Agreement (ILUA) are acknowledged and facilitated.</p>	<p>A10.1 Development is consistent with any ILUA relating to the land and the relevant provisions of the Planning Scheme.</p>

General Requirements – House

<p>PERFORMANCE CRITERIA</p>	<p>ACCEPTABLE SOLUTIONS</p>
<p>P11 Development minimises the loss of vegetation and habitat connectivity on Site and is sited to protect the environmental values of the Site⁶.</p>	<p>A11.1 The elements of development and Access to the site are included in a Designated Development Area (DDA).</p> <p>A11.2 Development is sited in an existing cleared area or in an area approved for Clearing under the Local Law – Vegetation Management but which is not cleared until a Building Permit is issued.</p>
	<p>A11.3 Any new Clearing is limited to a maximum area of 700 m² and is sited clear of the High Bank of any Watercourse.</p>

⁶ Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



	(The 700m ² area of new Clearing does not include an access driveway).
P12 All existing native vegetation on a House Site, other than that required and approved to be cleared to provide for the construction of a House and Access thereto, is protected to ensure the environmental integrity of the Locality.	No Acceptable Solution. (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).
P13 Wildlife movement, fauna habitat and habitat corridors are protected and domestic impacts minimised.	A13.1 Fences are limited in extent to the confines of the cleared area around the House and any associated gates are self closing. A13.2 External lighting is to be kept to the minimum necessary for orientation, safety and security. Flood lights must not point up and areas of retained vegetation should, in general, not be illuminated. Where appropriate, outdoor lights are controlled by movement detectors and/or have timers.
P14 House Sites have efficient and safe vehicle Access and manoeuvring areas on Site and to the Site to an acceptable standard for the Locality.	A14.1 Vehicle Access is limited to one access per lot and sited in an approved location clear of significant vegetation, any Watercourse or steep slopes. A14.2 Vehicular Access, with a maximum width of 4 metres, follows the contours of the Site, avoids large tree specimens or significant vegetation and habitat corridors and is constructed and maintained to a minimum gravel standard of 75 mm of road base on a compacted soil surface. A14.3 Vehicular Access is constructed prior to the construction of the House.

General Requirements – Tourist and Commercial/Community Development

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P15 Development minimises the loss of vegetation and habitat connectivity on Site and is sited to protect the environmental	A15.1 The elements of development and Access to the site are included in a Designated Development Area (DDA).



<p>values of the Site⁷.</p>	<p>A15.2 Development is sited in an existing cleared area.</p> <p style="text-align: center;">AND</p> <p>Where the existing cleared area is greater than that required for the use, the balance of the clearing is revegetated and rehabilitated.</p> <p style="text-align: center;">OR</p> <p>Where no clearing exists, development is sited in an area approved for clearing under the Local Law – Vegetation Management but which is not cleared until a Building Permit is issued.</p> <p>A15.3 Any new clearing is limited to a maximum area of 700 m² and is sited clear of the High Bank of any Watercourse.</p> <p>(The 700 m² of new clearing does not include an access driveway).</p>
<p>P16 Development is sited so that it is not clearly visible from any public Road or public viewing point.</p>	<p>A16.1 Any Tourist or other development is effectively screened from view either by existing native vegetation located within the Setback area/s or by the planting of additional native trees identified on an approved Landscape Plan prepared by a suitably qualified professional and lodged at Development Application stage..</p>

⁷ Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



	A16.2 Any Commercial development, which relies on passing trade, is partially screened from the Road Frontage by filtered views using native vegetation located within the Setback area/s or by the planting of additional native trees identified on an approved Landscape Plan prepared by a suitably qualified professional and lodged at Development Application stage
P17 Native fauna, their habitat and corridors are protected from development or the impact of the operations of the development.	A17.1 No fences or barriers are Erected within 10 metres of an area identified as a fauna habitat or corridor and no perimeter fences or barriers are Erected around the development Site.
P18 Development Sites have efficient and safe vehicle Access and manoeuvring areas on Site and to the Site, to an acceptable standard for the Locality.	A18.1 Vehicular Access with a maximum width of 6 metres is sited in an approved location, follows the contours of the Site, avoids large tree specimens or significant vegetation and habitat corridors, is clear of significant vegetation, any Watercourse or steep slopes and is constructed and maintained to a standard commensurate with the use. A18.2 Vehicular Access is constructed prior to the construction of the development.
P19 The establishment of a Caretaker's Residence reduces traffic impacts in the Locality.	A19.1 A Caretaker's Residence only establishes in association with an operational Commercial / Community activity located on the same Site.

Specific Provisions for the Settlement Area of Degarra/Bloomfield

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P20 For the future economic and social well being of all residents, opportunities are provided for local commercial development and employment opportunities in the Degarra/Bloomfield area.	A20.1 The development of commercial activities at Degarra/Bloomfield which service the residents of the local area and passing tourists/travellers are to occur in the area designated for that purpose on the Locality Map subject to an assessment of the opportunities and constraints of the Site.



	<p>A20.2 Home Industry uses are also supported generally in the Degarra/Bloomfield area, subject to an assessment of the opportunities and constraints of the Site.</p>
<p>P21 For the future social well being of residents of the Wujal Wujal Community, alternative-housing options will be supported in the Degarra/Bloomfield area.</p>	<p>A21.1 Within the area designated for that purpose on the Locality Map the development of Outstations/Seasonal Camps will be supported, provided:</p> <ul style="list-style-type: none"> • the number of Expanded Houses is limited to a maximum of one Expanded House for every 500 m² of Site area; <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> • the siting and design of any Expanded Houses takes account of the opportunities and constraints of the Site. <p>A21.2 Other community services and facilities may also be supported by Council within this designated area on the Locality Map, subject to an assessment of the opportunities and constraints of the Site.</p>
<p>P22 The development of recreational facilities to service the local community at Degarra/Bloomfield is supported and encouraged.</p>	<p>A22.1 Part of Lot 10 on RP 903517, adjacent to the Bloomfield River, is developed for a multi purpose sporting complex (including clubhouse and ancillary facilities) to service the local community.</p> <p>A22.2 The design and siting of a multi purpose sporting complex on part of Lot 10 takes account of the opportunities and constraints of the Site.</p>



Specific Provisions for the Settlement Area of Daintree Lowlands

Northern Management Area – Cape Tribulation to Thornton Beach

Rainforest Conservation Precinct

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P23 The biodiversity value of the area and the habitat of endemic species is protected on land included in the Rainforest Conservation Precinct⁸.</p>	<p>A23.1 No new development occurs in the Rainforest Conservation Precinct whether on vacant land or already developed land.</p> <p style="text-align: center;">EXCEPT THAT</p> <p>Vacant land which meets one or more of the following criteria and is listed on Council's Register:</p> <ul style="list-style-type: none"> (a) Land which has previously been lawfully cleared and currently remains cleared; or (b) Land which is the subject of a current Clearing Permit but has yet to be cleared; or (c) Land which is the subject of a current Operational Works Permit, <p>can be developed for a House or, where appropriate, a Caretaker's Residence, subject to compliance with all the relevant Codes.</p> <p style="text-align: center;">IN ADDITION</p> <p>Minor extensions can be undertaken to an existing development.</p> <p style="text-align: center;">PROVIDED</p>

⁸ Any existing land use activities undertaken in association with a lawfully established land use, such as ongoing maintenance and operational activities, can continue, notwithstanding the Rainforest Conservation Precinct designation, until such time as the cessation of the lawful land use.



	<p>The extensions are limited to a maximum area of 30% of the existing gross floor area for a House.</p> <p style="text-align: center;">OR</p> <p>The extent of extensions are determined on a site specific/use specific basis for other land uses.</p> <p style="text-align: center;">AND PROVIDED</p> <p>No further on site clearing is required to accommodate the extensions for either a House or any other land use development.</p>
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Rainforest Residential Precinct

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P24 Land included in the Rainforest Residential Precinct is only developed for a House and Bed and Breakfast Accommodation where it can be demonstrated that the scale of the Bed and Breakfast Accommodation can establish on the site and not detrimentally impact on the environmental or scenic values of the Site and the surrounding area.</p>	<p>A24.1 Development in the Rainforest Residential Precinct is limited to one House per lot.</p> <p>A24.2 Establishment of Bed and Breakfast Accommodation only occurs on land in the Rainforest Residential Precinct on which a House has been approved and constructed.</p> <p style="text-align: center;">AND</p> <p>Is limited to existing cleared areas on the land confirmed by Council's Environmental Officer as a preferred location/s for development, in order to protect the integrity of existing vegetation on the site.</p> <p style="text-align: center;">EXCEPT THAT</p> <p>Bed and Breakfast can establish within an existing House where there is no existing cleared area to facilitate development in separate building/s.</p>



A24.3 Bed and Breakfast Accommodation only establishes in accordance with the following criteria:

- a) a maximum of 4 bedrooms (8 Bed Spaces) where a site has a minimum area of 4 hectares;
- b) a maximum of 3 bedrooms (6 Bed Spaces) where a site has a minimum area of 3 hectares;
- c) a maximum of 2 bedrooms (4 Bed Spaces) where a site has a minimum area of 2 hectares; and
- d) a maximum of 1 bedroom (2 Bed Spaces) where a site has a minimum area of 1 hectare.

A24.4 Development on any site in the Rainforest Residential Precinct with frontage to the Esplanade is setback from the Esplanade 250 metres,

EXCEPT THAT

Lots 2 and 3 on RP 726706 have a minimum development setback from the Esplanade of 100 metres.

UNLESS

An existing clearing exists on site and is confirmed by Council's Environmental Officer as a preferred location for development, in order to protect the integrity of existing vegetation on the site.



Rainforest Tourism Precinct

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P25 Development on land in the Rainforest Tourism Precinct complements, protects and enhances the environmental and scenic values of the site.</p>	<p>A25.1 Only one House establishes per lot.</p> <p>A25.2 Development in the Rainforest Tourism Precinct is limited to existing cleared areas on the site.</p> <p>A25.3 No development is to occur above the 60m contour line.</p> <p>A25.4 Any new Primary Industry activity or a change in Primary Industry activity has minimal impact on the existing natural values of the Site and the surrounding area⁹.</p> <p>A25.5 Rural activities are carried out in accordance with a Property Management Plan.</p> <p>A25.6 The balance area of the Development Site, including any existing cleared area/s not identified for development, is/are revegetated / rehabilitated in accordance with a Landscaping Plan.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
<p>P26 Large partially cleared sites are revegetated and rehabilitated in association with small scale environmentally sustainable development.</p>	<p>A26.1 Lots with a maximum area greater than 65 hectares and containing cleared areas are developed for Forest Stay Accommodation or Staff Quarters</p>

⁹ Examples of inconsistent Primary Industry activity include: animal grazing due to the potential environmental impacts associated with erosion and runoff; and non-endemic fruit trees, crops and flower farms due to the potential for dispersal of seeds which may naturalise and alter the natural environment.



	<p>.A26.2 Any Forest Stay Accommodation is limited to a maximum of 20 guests (20 Bed Spaces) and provides staff accommodation for a minimum of 6 staff (6 Bed Spaces).</p> <p>A26.3 Any Staff Quarters accommodates a maximum of 26 staff (26 Bed Spaces).</p> <p>AND</p> <p>Contains a mix of accommodation types, in the form of both self contained and non-self contained accommodation.</p> <p>AND</p> <p>The Staff Quarters remain on one land title with the provision of communal recreation areas and car parking areas for the use of tenants.</p>
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Central Management Area – Upper Cooper Creek to McLean Creek

Rainforest Conservation Precinct

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P27 The biodiversity value of the area and the habitat of endemic species is protected on land included in the Rainforest Conservation Precinct¹⁰.</p>	<p>A27.1 No new development occurs in the Rainforest Conservation Precinct whether on vacant land or already developed land.</p> <p style="text-align: center;">EXCEPT THAT</p> <p>Vacant land which meets one or more of the following criteria and is listed on Council’s Register:</p> <ul style="list-style-type: none"> (d) Land which has previously been lawfully cleared and currently remains cleared; or (e) Land which is the subject of a current Clearing Permit but has yet to be cleared; or (f) Land which is the subject of a current Operational Works Permit, <p>can be developed for a House or, where appropriate, a Caretaker’s Residence, subject to compliance with all the relevant Codes.</p> <p style="text-align: center;">IN ADDITION</p> <p>Minor extensions can be undertaken to an existing development.</p> <p style="text-align: center;">PROVIDED</p> <p>The extensions are limited to a maximum area of 30% of the existing gross floor area for a House.</p> <p style="text-align: center;">OR</p>

¹⁰ Any existing land use activities undertaken in association with a lawfully established land use, such as ongoing maintenance and operational activities, can continue, notwithstanding the Rainforest Conservation Precinct designation, until such time as the cessation of the lawful land use.



	<p>The extent of extensions are determined on a site specific/use specific basis for other land uses.</p> <p>AND PROVIDED</p> <p>No further on site clearing is required to accommodate the extensions for either a House or any other land use development.</p>
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Rainforest Residential Precinct

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P28 Land included in the Rainforest Residential Precinct is only developed for a House and Bed and Breakfast Accommodation where it can be demonstrated that the scale of the Bed and Breakfast Accommodation can establish on the site and not detrimentally impact on the environmental or scenic values of the Site and the surrounding area.</p>	<p>A28.1 Development in the Rainforest Residential Precinct is limited to one House per lot.</p> <p>A28.2 Establishment of Bed and Breakfast Accommodation only occurs on land in the Rainforest Residential Precinct on which a House has been approved and constructed.</p> <p>AND</p> <p>Is limited to existing cleared areas on the land confirmed by Council's Environmental Officer as a preferred location/s for development, in order to protect the integrity of existing vegetation on the site.</p> <p>EXCEPT THAT</p> <p>Bed and Breakfast can establish within an existing House where there is no existing cleared area to facilitate development in separate building/s.</p> <p>A28.3 Bed and Breakfast Accommodation only establishes in accordance with the following criteria:</p> <ul style="list-style-type: none"> - a maximum of 3 bedrooms (6 Bed Spaces) where a site has a minimum area of 3 hectares.



Rainforest Tourism Precinct

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P29 Development on land in the Rainforest Tourism Precinct complements, protects and enhances the environmental and scenic values of the site.</p>	<p>A29.1 Only one House establishes per lot.</p> <p>A29.2 Development in the Rainforest Tourism Precinct is limited to existing cleared areas on the Site.</p> <p>A29.3 Any new Primary Industry activity or a change in Primary Industry activity has minimal impact on the existing natural values of the Site and the surrounding area¹¹.</p> <p>A29.4 Rural activities are carried out in accordance with a Property Management Plan.</p> <p>A29.5 The balance area of the Development Site, including any existing cleared area/s not identified for development is/are revegetated / rehabilitated in accordance with a Landscaping Plan.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
<p>P30 Large partially cleared sites are revegetated and rehabilitated in association with small scale environmentally sustainable development.</p>	<p>A30.1 Lots with a maximum area greater than 100 hectares and containing cleared areas are developed for Forest Stay Accommodation.</p> <p>A30.2 Any Forest Stay Accommodation is limited to a maximum of 20 guests (20 Bed Spaces) and provides staff accommodation for a minimum of 6 staff (6 Bed Spaces).</p>

¹¹ Examples of inconsistent Primary Industry activity include: animal grazing due to the potential environmental impacts associated with erosion and runoff; and non-endemic fruit trees, crops and flower farms due to the potential for dispersal of seeds which may naturalise and alter the natural environment.



<p>P31 Medium sized partially cleared sites are revegetated and rehabilitated in association with small scale environmentally sustainable development.</p>	<p>A31.1 Lots with a maximum area greater than 10 hectares and containing cleared areas are developed for Forest Stay Accommodation.</p> <p>A31.2 Any Forest Stay Accommodation is limited to a maximum of 10 guests (10 Bed Spaces) and provides staff accommodation for a minimum of 4 staff (4 Bed Spaces).</p>
<p>P32 Small cleared sites are revegetated and rehabilitated in association with small scale environmentally sustainable development.</p>	<p>A32.1 Establishment of Bed and Breakfast Accommodation only occurs on land in the Rainforest Tourism Precinct on which a House has been approved and constructed.</p> <p style="text-align: center;">AND</p> <p>Is limited to existing cleared areas on the land confirmed by Council's Environmental Officer as a preferred location/s for development, in order to protect the integrity of existing vegetation on the site.</p> <p style="text-align: center;">EXCEPT THAT</p> <p>Bed and Breakfast can establish within an existing House where there is no existing cleared area to facilitate development in separate building/s.</p> <p>A32.2 Bed and Breakfast Accommodation only establishes in accordance with the following criteria:</p> <ul style="list-style-type: none"> • a maximum of 3 bedrooms (6 Bed Spaces) where a site has a minimum area of 3 hectares.



<p>P33 A range of suitable options for access and transportation are provided for residents and tourists.</p>	<p>A33.1 Any limited commercial airport facility to service the local area is only established on the existing Cow Bay Airstrip located on Lot 551 on RP 748411.</p> <p>A33.2 Any proposed upgrading of the Cow Bay Airstrip for small scale commercial purposes must only occur if the residential and general amenity of the area is protected.</p>
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Rainforest Commercial/Community Precinct

<p>PERFORMANCE CRITERIA</p>	<p>ACCEPTABLE SOLUTIONS</p>
<p>P34 Commercial development is located in a convenient location and meets the requirements of the local community and visitors to the area.</p>	<p>A34.1 Commercial development is located within the Rainforest Commercial/Community Precinct on Cape Tribulation Road at Cow Bay.</p>
<p>P35 Community facilities are protected and established for the use of local residents in convenient locations, central to residential settlement. New community facilities establish, taking into account the environmental integrity of the site.</p>	<p>A35.1 Community facilities are located and established within the Rainforest Commercial/Community Precinct at Diwan and the Alexandra Bay Primary School.</p> <p style="text-align: center;">AND</p> <p>The QPWS Ranger Station site, being Lot 42 on RP 739765, is developed and the Ranger Station sited and operated taking into account the environmental integrity of the site.</p>



Eastern Management Area – Cow Bay

Rainforest Conservation Precinct

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P36 The biodiversity value of the area and the habitat of endemic species is protected on land included in the Rainforest Conservation Precinct¹².</p>	<p>A36.1 No new development occurs in the Rainforest Conservation Precinct whether on vacant land or already developed land.</p> <p style="text-align: center;">EXCEPT THAT</p> <p>Vacant land which meets one or more of the following criteria and is listed on Council's Register:</p> <ul style="list-style-type: none"> (g) Land which has previously been lawfully cleared and currently remains cleared; or (h) Land which is the subject of a current Clearing Permit but has yet to be cleared; or (i) Land which is the subject of a current Operational Works Permit, <p>can be developed for a House or, where appropriate, a Caretaker's Residence, subject to compliance with all the relevant Codes.</p> <p style="text-align: center;">IN ADDITION</p> <p>Minor extensions can be undertaken to an existing development.</p> <p style="text-align: center;">PROVIDED</p> <p>The extensions are limited to a maximum area of 30% of the existing gross floor area for a House.</p> <p style="text-align: center;">OR</p>

¹² Any existing land use activities undertaken in association with a lawfully established land use, such as ongoing maintenance and operational activities, can continue, notwithstanding the Rainforest Conservation Precinct designation, until such time as the cessation of the lawful land use.



	<p>The extent of extensions are determined on a site specific/use specific basis for other land uses.</p> <p>AND PROVIDED</p> <p>No further on site clearing is required to accommodate the extensions for either a House or any other land use development.</p>
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Rainforest Residential Precinct

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P37 Land included in the Rainforest Residential Precinct is only developed for a House.	A37.1 Development in the Rainforest Residential Precinct is limited to one House per lot.



Rainforest Tourism Precinct

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P38 Development on land in the Rainforest Tourism Precinct complements, protects and enhances the environmental and scenic values of the site.</p>	<p>A38.1 Only one House establishes per lot.</p> <p>A38.2 No development is to occur above the 60 metre contour line.</p> <p>A38.3 Any new Primary Industry activity or a change in Primary Industry activity has minimal impact on the existing natural values of the site and on the surrounding area¹³.</p> <p>A38.4 Rural activities are carried out in accordance with a Property Management Plan.</p> <p>A38.5 The balance area of the Development Site, including any existing cleared area/s not identified for development is/are revegetated / rehabilitated in accordance with a Landscaping Plan.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
<p>P39 Medium partially cleared sites are revegetated and rehabilitated in association with small scale environmentally sustainable development.</p>	<p>A39.1 Lots with a maximum area greater than 30 hectares and containing cleared areas are developed for Forest Stay Accommodation.</p> <p>A39.2 Any Forest Stay Accommodation is limited to a maximum of 10 guests (10 Bed Spaces) and provides staff accommodation for a minimum of 4 staff (4 Bed Spaces).</p>

¹³ Examples of inconsistent Primary Industry activity include: animal grazing due to the potential environmental impacts associated with erosion and runoff; and non-endemic fruit trees, crops and flower farms due to the potential for dispersal of seeds which may naturalise and alter the natural environment.



Rainforest Commercial/Community Precinct

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P40 Community facilities are protected and established for use by local residents, in convenient locations and have no detrimental impact on the environment.	A40.1 The Waster Transfer Station located within the Commercial /Community Precinct on Cedar Road is operated under stringent environmental controls to protect the environmental integrity of the area.

Specific Provisions for the Settlement Areas of Forest Creek and Cape Kimberley

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P41 Development in the Rural Settlement Planning Area consolidates and protects the values of the area and provides for Houses and where appropriate, Bed and Breakfast Accommodation.	<p>A41.1 Only one House per lot is allowed in the Rural Settlement Planning Area.</p> <p>A41.2 Establishment of Bed and Breakfast Accommodation only occurs on land in the Rural Settlement Planning Area on which a House has been approved and constructed.</p> <p style="text-align: center;">AND</p> <p>Is limited to existing cleared areas on the land confirmed by Council's Environmental Officer as a preferred location/s for development, in order to protect the integrity of existing vegetation on the site.</p>
P42 Land included in the Rural Planning Area is only developed for rural and/or tourism accommodation purposes which complement the values of the area.	<p>A42.1 Only one House establishes per lot.</p> <p>A42.2 Any new Primary Industry activity or a change in the Primary Industry activity has minimal impact on the existing natural values of the Site and the surrounding area¹⁴.</p> <p>A42.3 Rural activities are carried out in accordance with a Property Management Plan.</p>

¹⁴ Examples of inconsistent Primary Industry activity include: animal grazing due to the potential environmental impacts associated with erosion and runoff; and non-endemic fruit trees, crops and flower farms due to the potential for dispersal of seeds which may naturalise and alter the natural environment.



	<p>A42.4 The balance area of the Development Site, including any existing cleared area/s not identified for development is/are revegetated / rehabilitated in accordance with a Landscaping Plan.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
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MOSSMAN & ENVIRONS LOCALITY



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4.2.3 Mossman and Environs Locality Code

Purpose

The purpose of this Code is to facilitate the achievement of the following outcomes for the Mossman and Environs Locality:

- consolidate Mossman as the major administrative, commercial and industrial centre of the Shire;
- retain and enhance the built form and main street character of the Town Centre;
- reinforce Mossman's identity as Queensland's northernmost sugar mill town, and develop a distinctive, ordered and attractive streetscape which responds to the tropical climate and the special features of the town's setting and layout;
- enhance Mossman's distinct character through appropriate building design and Landscaping;
- encourage residential development within designated areas to consolidate Mossman's character as a permanent residential settlement, without the loss of GQAL, especially sugar cane land;
- ensure the residential areas of Mossman and Environs are pleasant, functional, distinctive and well defined and that residential amenity is maintained and enhanced with all residential areas having good access to services and facilities while minimising any land use conflicts associated with different urban activities;
- facilitate opportunities for tourist accommodation and services within the Town Centre, which satisfy the requirements of tourists passing through Mossman or visiting Mossman Gorge;
- minimise conflicts between alternative land uses, such as residential, commercial, agricultural and industrial uses;
- enhance Mossman's role as the industrial service centre of the Shire by facilitating the expansion of industrial development adjacent to existing industrial areas and protecting industrial areas from encroachment of incompatible land use activities;
- facilitate the future upgrading of Bonnie Doon and Junction Roads for heavy vehicle traffic accessing the Mossman sugar mill and northern industrial area of Mossman; and
- protect remnant vegetation areas, riverine corridors and natural features by ensuring any adjacent development is low key and sensitive to its surroundings.



Applicability

This Code applies to self assessable and assessable development in the Mossman and Environs Locality for:

- Material Change of Use:

Except for:

- Business Facilities – using an existing Building in the Commercial Planning Area
 - Primary Industry in the Rural Planning Area
 - Restaurant – using an existing Building in the Commercial Planning Area
 - Shopping Facility – using an existing Building
- Reconfiguring a Lot;
 - Operational Work Associated with Reconfiguring a Lot;
 - Operational Work – Filling or Excavation not associated with a Material Change of Use;
 - Operational Work – Engineering Works not associated with a Material Change of Use;
 - Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use; and
 - Building Work other than Minor Building Work not associated with a Material Change of Use in the Conservation Planning Area.

For self-assessable development assessed against this Code, the applicable Acceptable Solutions are A1.1 and A2.1a).

Self assessable development which does not comply with Acceptable Solutions listed above and outlined in this Code will require Code Assessment.



Elements of the Code

General Requirements

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	Buildings and structures complement the Height of surrounding development and Buildings are limited to two Storeys.	A1.1	In this Locality the maximum Height of Buildings/structures is 6.5 metres. In addition, the roof (including any ancillary roof features) does not exceed a maximum Height of 3.5 metres above the intersection of the pitching part of the roof and the wall of the Building.
P2	Development is connected to all urban services.	A2.1	Development is connected to available urban services by underground connections, wherever possible. AND/OR Contributions are paid when applicable in accordance with the requirements of Planning Scheme Policy No 11 – Water Supply and Sewerage Headworks and Works External Contributions.
P3	Landscaping of development Sites complement the existing character of the Mossman Locality.	A3.1	Landscaping incorporates the requirements of Planning Scheme Policy No 7 – Landscaping with particular emphasis on appropriate species for this Locality.
P4	Development Sites are provided with efficient and safe vehicle Access and manoeuvring areas on Site and to the Site, to an acceptable standard for the Locality.	A4.1	All Roads, driveways and manoeuvring areas on Site and adjacent to the Site are designed and maintained to comply with the specifications set out in the Planning Scheme Policy No 6 – FNQROC Development Manual.



i. *Town Centre*

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P5 Buildings in the Town Centre are designed and sited to complement the existing distinctive and cohesive character of the retail and business area, including through:</p> <ul style="list-style-type: none">a) buildings built to the Frontage to reinforce the existing built-form character; andb) buildings that address the street; andc) development that incorporates awnings and verandahs providing weather protection for pedestrians.	<p>A5.1 In respect to P5c), development on Front Street, Foxton Avenue, Mill Street, Junction Road and Johnson Road, incorporates a non-transparent cantilevered awning along all Frontages.</p>



<p>P6 Development in the Town Centre is climate responsive, contributes positively to the character of the locality, is complementary in scale to surrounding development, and does not exceed a base Plot Ratio of 0.5:1 and a maximum Plot Ratio of 0.9:1</p> <p style="text-align: center;">AND</p> <p>will not achieve the maximum Plot Ratio specified above unless the development incorporates building design features and architectural elements detailed in Planning Scheme No. 2 – Building Design and Architectural Elements (and referred to in the Acceptable Solution).</p>	<p>A6.1 Development incorporates the following design features and corresponding plot ratio bonuses [in brackets]:</p> <ul style="list-style-type: none"> a) appropriate roof form and roofing material [10% Plot Ratio Bonus]; and b) appropriate fenestration in combination with roof form [5% Plot Ratio Bonus]; and c) appropriate window openings with window awnings, screens or eaves shading 80% of the window opening – refer Planning Scheme Policy No. 2 – Building Design and Architectural Elements [15% Plot Ratio Bonus]; and d) minimum of 700mm eaves [15% Plot Ratio Bonus]; and e) orientation of the Building to address the street/s [5% Plot Ratio Bonus]; f) sheltered pedestrian Access by unenclosed covered common area walkway of 1.5 metres in width from the car parking area/s to the development [5% Plot Ratio Bonus]; and g) inclusion of windows and balconies to the street façade of the Building [10% Plot Ratio Bonus]; and h) provision of lattice, battens or privacy screens [5% Plot Ratio Bonus]; and i) the overall length of a Building does not exceed 30 metres and the overall length of any continuous wall does not exceed 15 metres [10% Plot Ratio Bonus].
<p>P7 Development in the Town Centre is predominantly commercial in nature or has a service delivery function.</p>	<p>A7.1 Development at street level is limited to commercial activities or community services, with residential development limited to minor ancillary residential uses or to tourist accommodation located above Ground Level, or to the rear of the Site at Ground Level.</p>



<p>P8 Key elements which contribute to the character and integrity of the Town Centre are retained.</p>	<p>A8.1 The sense of place which characterises the main town intersection of Foxton Avenue, Mill Street and Junction Road is reinforced with new development or redevelopment contributing to the existing continuity of the built form by being built up to the street Frontage.</p> <p>A8.2 The cane tram line which runs along Mill Street, the vista down Mill Street to Mt Beaufort and the sugar mill chimney are retained as unique features of the town and its sugar town heritage.</p> <p>A8.3 Views from Front Street of the mountains (from various vantage points) are maintained.</p> <p>A8.4 Avenue planting within the Town Centre along the centre median of Front Street is maintained and extended to reinforce the character of the Town Centre.</p>
<p>P9 Display Facilities are appropriately located and designed to integrate with the street frontage and provide a proportional street facade to reflect the existing streetscape, with design elements such as glass shop fronts.</p>	<p>A9.1 Display Facilities are only located within the Town Centre and within areas included in the Commercial Planning Area.</p> <p>A9.2 Display Facilities are built to the front alignment addressing the street Frontage and continue the scale of the existing built form and provide car parking spaces at the rear of the Site.</p> <p>A9.3 The exterior colours of the Building complement the existing colours of surrounding Buildings and are in keeping with the character of the Town Centre.</p> <p>A9.4 Any air conditioning plant is screened from the street Frontage and the public view by the use of architectural features as referred to in Planning Scheme Policy No 2 – Building Design and Architectural Elements</p>



<p>P10 Commercial expansion of Lot 10 on RP 891901 in Front Street is integrated with the existing shopping facilities.</p>	<p>A10.1 Any future expansion of the shopping development on this site incorporates the following design parameters:</p> <ul style="list-style-type: none">• access is limited to the existing access from Front Street;• any additional access is limited to Johnston Road;• any expansion complements the existing development in scale, height, roof alignment and colour;• any expansion is integrated with the existing development such that the final development functions as one shopping/commercial development;• any expansion takes account of adjacent (future) residential development and incorporates service areas, car parking and other utilities which are screened to protect the residential amenity of the area; and• provision is made in the final layout and design for pedestrian access to the shopping development from adjacent residential areas.
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Local Centres

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P11 Local Centres outside the Town Centre service the surrounding residential area and do not adversely impact on the viability of the Mossman Town Centre.</p>	<p>A11.1 The Net Lettable Area of the existing Local Centre does not exceed 300 m² and is apportioned equally between the total number of lots which comprise the Local Centre.</p> <p>A11.2 Any proposed new Local Centre with a maximum Net Lettable Area of 300 m², only establishes when an identifiable population of 1000 persons is located more than 2 km from the existing Local Centre or the Town Centre.</p> <p>A11.3 Any new Local Centre is located at a “gateway” location to a residential area which best serves the surrounding residential area.</p>



Residential Development

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P12 Residential development, other than a House, is climate-responsive, contributes positively to the character of the Locality, is complementary in scale to surrounding development and does not exceed the identified Plot Ratio designation on the Locality Map (that is):</p> <ul style="list-style-type: none"> • land designated Medium Scale has a base Plot Ratio of 0.3:1 and a maximum Plot Ratio of 0.5:1; <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • land designated Low Scale has a base Plot Ratio of 0.25:1 and a maximum Plot Ratio of 0.4:1. <p style="text-align: center;">AND</p> <p>Will not achieve the maximum Plot Ratio specified above unless the development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements (and referred to in the Acceptable Solution).</p>	<p>A12.1 Development incorporates the following design features and corresponding plot ratio bonuses [in brackets]:</p> <ul style="list-style-type: none"> a) appropriate roof form and roofing material [10% Plot Ratio Bonus]; and b) appropriate fenestration in combination with roof form [5% Plot Ratio Bonus]; and c) appropriate window openings with window awnings, screens or eaves shading 80% of the window opening – refer Planning Scheme Policy No. 2 – Building Design and Architectural Elements [15% Plot Ratio Bonus]; and d) minimum of 700mm eaves [15% Plot Ratio Bonus]; and e) orientation of the Building to address the street/s [5% Plot Ratio Bonus]; f) sheltered pedestrian Access by unenclosed covered common area walkway of 1.5 metres in width from the car parking area/s to the development [5% Plot Ratio Bonus]; and g) inclusion of windows and balconies to the street façade of the Building [10% Plot Ratio Bonus]; and h) provision of lattice, battens or privacy screens [5% Plot Ratio Bonus]; and i) the overall length of a Building does not exceed 30 metres and the overall length of any continuous wall does not exceed 15 metres [10% Plot Ratio Bonus].



Other Development

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P13 Good quality agricultural land, particularly sugar cane land, within the environs of the locality is protected from urban or incompatible development.</p>	<p>A13.1 No urban development encroaches into the Rural Planning Area located within the Locality boundary.</p> <p style="text-align: center;">UNLESS</p> <p>A buffer is provided in accordance with the requirements of State Planning Policy 1/92 and Planning Guidelines – Separating Agricultural and Residential Land Uses (DNR 1997).</p>
<p>P14 Industrial development is located in existing or identified industrial areas to facilitate efficient use of industrial land and to effectively service the needs of the Shire.</p>	<p>A14.1 Class A Industry uses are located in the Industry Planning Area at the southern end of Mossman around Sawmill Road to effectively service the Shire, particularly Port Douglas.</p> <p>A14.2 Class B Industry uses are located in the Industry Planning Area at the northern end of Mossman around the Mill to service the needs of the Mill and to consolidate allied industrial uses.</p>
<p>P15 Industrial land and uses are protected from incompatible urban development.</p>	<p>A15.1 No residential development encroaches into the Industry Planning Area.</p> <p>A15.2 Buffers are provided between Industry uses and incompatible urban uses of 40 metres and include Landscaping for screening or incorporate land use activities which are compatible to interface with the adjacent Industry uses.</p>



Community Facilities

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P16 Community facilities are provided to service the local community in convenient and accessible locations.</p>	<p>A16.1 Community facilities are conveniently located within or near the Town Centre and in close proximity to existing community facilities to service the needs of local residents.</p> <p>A16.2 Public car parking areas are provided within or in close proximity to the Town Centre, existing community facilities, sporting/recreation grounds.</p>

Flood Immunity for Residential Development

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P17 Residential development does not occur on flood prone land.</p>	<p>A17.1 Residential development occurs on land on or above Q100 flood level.</p> <p>A17.2 Development of Lot 3 on RP 720296, Junction Road is undertaken in accordance with the recommendations of a Drainage/Flood Study which outlines the necessary improvements to be undertaken on the Site to make it suitable for residential development and avoid impacts on adjoining land.</p> <p style="text-align: center;">AND</p> <p>Council may enter into a partnership to investigate/address the drainage and flooding issues which affect the general area.</p>



Scenic Amenity and Conservation Areas

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P18 Development does not adversely impact on Scenic Amenity, natural vegetation or Watercourses, in particular the Mossman River, the South Mossman River, Parker Creek and Marrs Creek ^{15,16} .	No Acceptable Solution. (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).

Special Management Area

Special Management Area 1 – Foxton Avenue

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P19 Land described as Lot 31 on SP 121816 adjacent to Foxton Avenue is developed taking account of the opportunities and constraints and existing topographic and man made features of the whole of the Site, and in particular, that part of the Site identified as Investigation Zone (vegetation and flooding).	No Acceptable Solution (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for this Special Management Area.)
P20 Development located on the Site is free from flood inundation and does not adversely affect current drainage regimes.	A20.1 The extent of future urban development is established following flood investigations of the Site. A20.2 Residential development occurs on land on or above the Q100 flood level.
P21 Development on the Site does not impact on the environmental values of Marrs Creek.	No Acceptable Solution (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).

¹⁵ The Environmental Protection Agency is a Concurrence Agency for assessable development within a Coastal Management District.

¹⁶ Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



<p>P22 Development does not adversely impact on the operations of the cane rail line.</p>	<p>A22.1 Residential Buildings are Setback 25 metres from the common boundary with the cane rail line and the common boundary is fenced.</p>
<p>P23 Where residential development is sited adjacent to a State-Controlled Road the residential amenity of residents is protected and Access to the State-Controlled Road is minimised.</p>	<p>A23.1 Residential development sited adjacent to a State-Controlled Road incorporates noise attenuation measures to protect the residential amenity of residents.</p> <p>A23.2 Vehicular Access to the Foxton Avenue is limited to one Access point with internal vehicular and pedestrian connectivity provided throughout the Site, if development occurs in stages.</p>

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PORT DOUGLAS & ENVIRONS LOCALITY



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4.2.4 Port Douglas and Environs Locality Code

Purpose

The purpose of this Code is to facilitate the achievement of the following outcomes for the Port Douglas and Environs Locality:

- consolidate Port Douglas as the major tourist accommodation and tourist service centre in the Shire;
- ensure that tourist development and associated Landscaping is of high quality which reflects and complements the image of Port Douglas as a tropical seaside resort town of international renown;
- consolidate the area between Macrossan Street and Marina Mirage as the major tourist, retail, dining and entertainment centre of the Shire;
- ensure that all forms of development complement the tropical image of the town by incorporating attractive design and architectural features;
- encourage the expansion of residential areas that are pleasant, functional, distinctive and in visually well-defined areas;
- protect existing and future residential areas from the intrusion of tourist accommodation and activity;
- protect sensitive environments and natural features which give Port Douglas its distinctive character and identity, in particular Four Mile Beach, Dicksons Inlet and Flagstaff Hill;
- protect the surrounding rural and natural environments from intrusion by urban development;
- maintain the distinct rural hinterland, dominant natural environment of the western escarpment, and the existing vegetated hillside of Flagstaff Hill; and
- protect primary functions of the port (marine and fishing activities) from incompatible land uses and acknowledge the industrial and commercial land uses associated with the maritime industry, while also providing secondary opportunities for recreational use by residents and tourists.

Applicability

This Code applies to self assessable and assessable development in the Port Douglas and Environs Locality for:

- Material Change of Use:

Except for:

- Business Facilities – using an existing Building in the Commercial Planning Area and the Port Douglas Waterfront North Planning Area
- Primary Industry in the Rural Planning Area
- Restaurant – using an existing Building in the Commercial Planning Area and the Port Douglas Waterfront North Planning Area



- Reconfiguring a Lot;
- Operational Work Associated with Reconfiguring a Lot;
- Operational Work – Filling or Excavation not associated with a Material Change of Use;
- Operational Work – Engineering Works not associated with a Material Change of Use;
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use; and
- Building Work other than Minor Building Work not associated with a Material Change of Use in the Conservation Planning Area.

For self-assessable development assessed against this Code, the applicable Acceptable Solutions are A1.1 and A2.1.

Self assessable development which does not comply with Acceptable Solutions as listed above, outlined in this Code will require Code Assessment.



Elements of the Code

General Requirements

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 Buildings and structures complement the Height of surrounding development,</p> <p style="text-align: center;">AND</p> <p>The height of buildings in the Port Douglas Waterfront transitions from single storey in the Community and Recreation Facilities Planning Area through to three storeys in the Port Douglas Waterfront North Planning Area.</p> <p style="text-align: center;">AND</p> <p>Buildings are limited to two Storeys outside the Port Douglas Waterfront, except; in the High Scale locations depicted on the Locality Plan, where development of three Storeys is appropriate.</p>	<p>A1.1 In the Planning Areas (and parts thereof) contained in the Port Douglas Waterfront listed below, the maximum Height of Buildings/structures is 3.0 metres. In addition, the roof (including any ancillary roof features) does not exceed a maximum Height of 3.5 metres above the intersection of the pitching part of the roof and the wall of the Building:</p> <ul style="list-style-type: none"> • Community and Recreation Facilities <p style="text-align: center;">AND</p> <p>In the Planning Areas (and parts thereof) listed below the maximum Height of Buildings/structures is 6.5 metres. In addition, the roof (including any ancillary roof features) does not exceed a maximum Height of 3.5 metres above the intersection of the pitching part of the roof and the wall of the Building:</p> <ul style="list-style-type: none"> • Residential 1; • Industry; • Conservation; • Community and Recreational Facilities (except in the Port Douglas Waterfront); • Residential 2; • Tourist and Residential (Medium Scale); • Commercial – (Medium Scale, outside the Tourist Centre); • Commercial – (High Scale, outside the Tourist Centre);



	<ul style="list-style-type: none"> • Commercial – (High Scale, within the Tourist Centre and on the high side of Macrossan Street) – in this instance there is no specified number of Storeys, however the maximum Height prevails. • Port Douglas Waterfront North (where depicted within Figure 1 of the Port Douglas Waterfront North Planning Area Code); and • Port Douglas Waterfront South. <p style="text-align: center;">AND</p> <p>In the Planning Areas (parts thereof) listed below the maximum Height of Buildings/structures is 10 metres and 3 Storeys. In addition, the roof (including any ancillary roof features) does not exceed a maximum Height of 3.5 metres above the intersection of the pitching part of the roof and the wall of the Building:</p> <ul style="list-style-type: none"> • Tourist and Residential – (High Scale); and • Commercial – (High Scale, within the Tourist Centre and on the low side of Macrossan Street, through to Warner Street); and • Port Douglas Waterfront North (where depicted within Figure 1 of the Port Douglas Waterfront North Planning Area Code).
<p>P2 Development is connected to available urban services.</p>	<p>A2.1 Development is connected to available urban services by underground connections, wherever possible.</p> <p style="text-align: center;">AND/OR</p> <p>Contributions are paid when applicable in accordance with the requirements of Planning Scheme Policy No 11 – Water Supply and Sewerage Headworks and Works External Contributions.</p>



P3	Landscaping of development Sites complements the existing tropical seaside resort town character of Port Douglas and creates a dominant tropical vegetated streetscape.	A3.1	Landscaping of a development Site complies with Planning Scheme Policy No 7 – Landscaping, with particular emphasis on appropriate species for Port Douglas.
P4	Development Sites are provided with efficient and safe vehicle Access and manoeuvring areas on Site and to the Site, to an acceptable standard for the Locality.	A4.1	All Roads, driveways and manoeuvring areas on Site and adjacent to the Site are designed and maintained to comply with the specifications set out in the Planning Scheme Policy No 6 – FNQROC Development Manual.

Tourist Centre

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P5	Development in the Tourist Centre enhances the distinct tropical resort town character and identity of Port Douglas and encourages pedestrian activity at street level including shade protection across the entire footpath for the length of the building	A5.1	Development is built up to the street Frontage/s at Ground Level and incorporates a light frame awning a minimum of 3 metres wide for the length of the street Frontage/s. OR If a development includes an outdoor dining area at ground/footpath level, the dining area has a maximum Setback of 6 metres and the required awning is still maintained along the length of the street Frontage/s.
P6	Development in the Tourist Centre is predominantly commercial in nature with any tourist accommodation having a secondary focus and not located on the street-level Frontage.	A6.1	Commercial development establishes at Ground Level and a maximum of one level above ground with any residential tourist development establishing on levels above ground or on Ground Level but not on the street Frontage, in any mixed use development.



<p>P7 Development in the Tourist Centre is of a height and scale which complements the village character of the town and remains subservient to the natural environment and the backdrop of Flagstaff Hill, in particular.</p>	<p>A7.1 The achievement of the maximum Building/structure Height specified above in A1.1, relies on compliance with Acceptable Solutions A7.2, A7.3, A7.4 and A8.1 below.</p> <p>A7.2 Development has a maximum length of unbroken building facade of 20 metres and a maximum extent of overall development in the same style/design along the street Frontage/s of 40 metres.</p> <p>A7.3 Any break in the building facade varies the alignment by a 1 metre minimum deviation.</p>
	<p>A7.4 A minimum of three of the following building design features and architectural elements detailed below are incorporated to break the extended facade of a development:</p> <ul style="list-style-type: none"> • a change in roof profile; • a change in parapet coping; • a change in awning design; • a horizontal or vertical change in the wall plane; or • a change in the exterior finishes and exterior colours of the development. <p>Planning Scheme Policy No 2 – Building Design and Architectural Elements should be referred to for demonstrating compliance with elements listed above.</p> <p>A7.5 Any Building which does not comply with A7.2, A7.3 and A7.4 above, is limited to 1 storey and/or 4.5 metres in height.</p>



<p>P8 Development in the Tourist Centre is climate-responsive, contributes positively to the character of the Locality, is complementary in scale to surrounding development and does not exceed a base Plot Ratio of 0.5:1 and a maximum Plot Ratio of 1:1.</p> <p style="text-align: center;">AND</p> <p>Will not achieve the maximum Plot Ratio specified above unless the development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements (and referred to in the Acceptable Solution).</p>	<p>A8.1 Development incorporates the following design features and corresponding plot ratio bonuses [in brackets]:</p> <ul style="list-style-type: none">a) appropriate roof form and roofing material [10% Plot Ratio Bonus]; andb) appropriate fenestration in combination with roof form [5% Plot Ratio Bonus]; andc) appropriate window openings with window awnings, screens or eaves shading 80% of the window opening – refer Planning Scheme Policy No. 2 – Building Design and Architectural Elements [15% Plot Ratio Bonus]; andd) minimum of 700mm eaves [15% Plot Ratio Bonus]; ande) orientation of the Building to address the street/s [5% Plot Ratio Bonus];f) sheltered pedestrian Access by unenclosed covered common area walkway of 1.5 metres in width from the car parking area/s to the development [5% Plot Ratio Bonus]; andg) inclusion of windows and balconies to the street façade of the Building [10% Plot Ratio Bonus]; andh) provision of lattice, battens or privacy screens [5% Plot Ratio Bonus]; andi) the overall length of a Building does not exceed 30 metres and the overall length of any continuous wall does not exceed 15 metres [10% Plot Ratio Bonus].
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<p>P9 Car parking generated by:</p> <ul style="list-style-type: none"> a) the commercial component of development is fully or partly accommodated on the Site of the development, depending on the availability of alternative public car parking nearby with any balance to be paid in lieu of providing on-site car parking for commercial development in accordance with Planning Scheme Policy No 3 – Car Parking Contributions; and b) the residential component of any mixed use development is provided on the Site for the full allocation for units and visitor parking and is held in a common pool for common use. 	<p>A9.1 In respect to P9 (a), a minimum of 30% of the car parking requirements for the commercial component of development is provided on the Site of a development fronting Grant, Macrossan, Owen or Wharf Street, with 100% on-site provision applying for a commercial component along other streets in the Tourist Centre.</p> <p style="text-align: center;">AND</p> <p>Any balance is paid in lieu of providing on-site car parking for commercial development in accordance with Planning Scheme Policy No. 3 – Car Parking Contributions.</p>
<p>P10 The use of on Site public car parking in the Tourist Centre is maximised.</p>	<p>A10.1 On Site car parking available for public use in the Tourist Centre is clearly sign-posted at the Site Frontage.</p> <p>A10.2 Signage for car parking for public use is to be of a standard blue and white sign with a directional arrow unless otherwise specified.</p> <p>A10.3 Boom gates, pay machines or other regulatory devices to control Access to public car parking areas are not constructed/erected.</p>
<p>P11 Car parking and access in the Tourist Centre:</p> <ul style="list-style-type: none"> a) does not dominate street Frontages, especially along streets with high pedestrian traffic and pedestrian-oriented development; and b) facilitates pedestrian connectivity; and c) is safe and convenient. 	<p>A11.1 In respect to P11 (a), along Grant, Macrossan, Owen and Wharf Streets, on-site car parking and Access is minimised, and where possible, shared access driveways and Access easements are to be provided to limit the number of vehicles crossings.</p>



<p>P12 Residents in residential accommodation located within the Tourist Centre are protected from noise intrusion associated with night time activities, such as outdoor dining, bars and nightclubs.</p>	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
<p>P13 Safe and convenient pedestrian linkages are promoted in the Tourist Centre.</p>	<p>A13.1 One centrally located pedestrian Access is provided via a sheltered walkway/arcade from Macrossan Street to Warner Street between Grant Street and Owen Street.</p>

Local Centres

<p>PERFORMANCE CRITERIA</p>	<p>ACCEPTABLE SOLUTIONS</p>
<p>P14 Local Centres outside the Tourist Centre service the surrounding residential area and do not adversely impact on the viability of the Tourist Centre.</p>	<p>A14.1 The Net Lettable Area of each of the existing Local Centres does not exceed 300 m² and is apportioned equally between the total number of lots which comprise the Local Centre.</p> <p>A14.2 Any proposed new Local Centre with a maximum Net Lettable Area of 500 m², only establishes when an identifiable population of 1000 persons is located more than 2 km from any existing Local Centre or the Tourist Centre.</p> <p>A14.3 Any new Local Centre is located at a “gateway” location to a residential area, which best serves the surrounding residential area.</p>



Residential Development Outside Tourist Centre

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P15 Existing residential housing estates are protected from incursion by higher density residential uses.</p>	<p>A15.1 Multi-Unit Housing does not establish in the residential estate of Solander and the areas in Reef Park estate included in the Residential 1 Planning Area.</p>
<p>P16 Residential development, other than a House, is climate-responsive, contributes positively to the character of the Locality, is complementary in scale to surrounding development and does not exceed the identified Plot Ratio designation on the Locality Map/s (that is):</p> <ul style="list-style-type: none"> • land designated High Scale has a base Plot Ratio of 0.5:1 and a maximum Plot Ratio of 0.8:1; • land designated Medium Scale has a base Plot Ratio of 0.3:1 and a maximum Plot Ratio of 0.45:1; <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • land designated Low Scale has a base Plot Ratio of 0.25:1 and a maximum Plot Ratio of 0.35:1. <p style="text-align: center;">AND</p> <p>Will not achieve the maximum Plot Ratio specified above unless the development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements (and referred to in the Acceptable Solution).</p>	<p>A16.1 Development incorporates the following design features and corresponding plot ratio bonuses [in brackets]:</p> <ol style="list-style-type: none"> a) appropriate roof form and roofing material [10% Plot Ratio Bonus]; and b) appropriate fenestration in combination with roof form [5% Plot Ratio Bonus]; and c) appropriate window openings with window awnings, screens or eaves shading 80% of the window opening – refer Planning Scheme Policy No. 2 – Building Design and Architectural Elements [15% Plot Ratio Bonus]; and d) minimum of 700mm eaves [15% Plot Ratio Bonus]; and e) orientation of the Building to address the street/s [5% Plot Ratio Bonus]; f) sheltered pedestrian Access by unenclosed covered common area walkway of 1.2 metres in width from the car parking area/s to the development [5% Plot Ratio Bonus]; and g) inclusion of windows and balconies to the street façade of the Building [10% Plot Ratio Bonus]; and h) provision of lattice, battens or privacy screens [5% Plot Ratio Bonus]; and i) the overall length of a Building does not exceed 30 metres and the overall length of any continuous wall does not exceed 15 metres [10% Plot Ratio Bonus].



<p>P17 The Site Coverage of any residential or tourist development does not result in a built form that is bulky or visually obtrusive.</p>	<p>A17.1 The Site Coverage of any residential or tourist development, other than a House, is limited to:</p> <ul style="list-style-type: none"> • 45% at Ground Level; • 40% at first floor level; and • 35% at second floor level, if applicable.
<p>P18 Tourist development provides a range of services and facilities for the recreational convenience of in-house guests.</p>	<p>A18.1 Tourist development provides a range of recreational facilities and small scale commercial services such as Restaurant/bars, shop/boutique, and tour booking office, for the enjoyment and convenience of in-house guests.</p>

Other Development

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P19 Industrial development is limited to Service Industry and is located in existing or identified Industrial areas and is of a scale and intensity of development which is acceptable in the Locality.</p>	<p>A19.1 Service Industry development is located in the identified Industrial areas of:</p> <ul style="list-style-type: none"> • Special Management Area 3 - Service Industry Precincts (Craiglie); and • Special Management Area 4 - Service Industry Precincts (Mahogany Street)

Community Facilities

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P20 Community facilities are provided to service the local community and visitors in convenient and accessible locations.</p>	<p>A20.1 Community facilities are conveniently located within or near the Tourist Centre and in close proximity to existing community facilities to service the needs of local residents and visitors.</p> <p>A20.2 Public car parking areas are provided within or in close proximity to the Tourist Centre, existing community facilities, sporting/recreation grounds and Four Mile Beach.</p>



Protection of Scenic Amenity and Natural Values

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P21 The views and vistas of Four Mile Beach from the intersection of Davidson Street and Macrossan Street to the beach front are maintained.</p>	<p>A21.1 Any development in Macrossan Street between Davidson Street and the beach front, outside the Tourist Centre, is designed with Macrossan Street as the Main Street Frontage and the Buildings are Setback 6 metres from the Main Street Frontage.</p>
<p>P22 Development does not adversely impact on areas of sensitive natural vegetation, foreshore areas, Watercourses and areas of tidal inundation which contribute the Scenic Amenity and natural values of the locality^{17,18}.</p>	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>

Port Douglas Waterfront

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P23 The Port Douglas Waterfront is protected from any new incompatible land uses and activities or intensification of existing incompatible uses, to allow for the future planned spatial arrangements of the waterfront.</p>	<p>A23.1 Development in the Port Douglas Waterfront North Planning Area and the Port Douglas Waterfront South Planning Area complies with the respective Codes for each Planning Area; and</p> <p>A23.2 Development in the Commercial Planning Area on premises that has road frontages on both Warner Street and the unnamed laneway at the rear, use Warner Street as the Primary Road frontage for pedestrian access and business frontage ensuring centralised parking on Lot 12 on SR787 for the Port Douglas Waterfront and Tourist Centre is unimpeded.</p>

¹⁷ The Environmental Protection Agency is a Concurrence Agency for assessable development within a Coastal Management District.

¹⁸ Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



Special Management Areas

Special Management Area 1 – Flagstaff Hill

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P24 Flagstaff Hill is protected from inappropriate development to protect the Hill as an important natural landmark feature of Port Douglas and as a vegetated backdrop to the Tourist Centre.</p>	<p>A24.1 Only Houses on large allotments are developed in Special Management Area 1 - Flagstaff Hill.</p>
<p>P25 All development on Flagstaff Hill is designed to minimise the visibility of the development and to ensure development is subservient to the natural landscape and topography of the Site, including through:</p> <ul style="list-style-type: none"> a) building design which minimises excavation and filling; and b) buildings being designed to step down the Site and incorporate foundations and footings on piers or poles; and c) buildings being visually unobtrusive and incorporating exterior finishes and muted colours which are non reflective and complement the colours of the surrounding vegetation and viewshed; and d) protection of the views from public viewing points. 	<p>No Acceptable Solution</p>



Special Management Area 2 – Residential Growth Area

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P26 The Residential Growth Area is developed taking account of the opportunities and constraints and existing topographic and man made features of the whole of the Site, and in particular, that part of the Site identified as Investigation Zone (vegetation and flooding).</p>	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
<p>P27 Any reconfiguration layout ensures that Access to the State-Controlled Road is minimised.</p>	<p>A27.1 Vehicular Access to the Captain Cook Highway is limited to one Access point via Andreasson Road with internal vehicular connectivity provided throughout the Residential Growth Area, if development occurs in stages.</p>
<p>P28 Residential development near Mowbray River does not detrimentally impact on the natural values of the river system, or of coastal waters.</p>	<p>A28.1 Any residential development on land adjacent to Mowbray River:</p> <ul style="list-style-type: none"> a) does not involve the construction of a canal estate or similar form of development; and b) is separated from the river by a road and substantial public open space.



Special Management Area 3 – Service Industry Precincts (Craiglie)

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P29 Development within the Craiglie Service Industry Precinct supports the tourism and marine industries within Port Douglas.</p>	<p>A29.1 Only Service Industry uses are located in the Service Industry Precincts (Craiglie).</p> <p style="text-align: center;">AND</p> <p>The proponent of the proposed Service Industry use provides written evidence to Council that it supports/services the tourism or marine industry in Port Douglas.</p>
<p>P30 Development on lots adjacent to the Captain Cook Highway is sited, designed and landscaped to provide an attractive visual approach to Port Douglas with all buildings, structures and carparking areas setback a sufficient distance from the Frontage to enable landscaping to screen or soften the appearance of the development.</p>	<p>A30.1 Buildings and structures are setback 8 metres from the Captain Cook Highway Frontage, or no closer to the Captain Cook Highway Frontage than buildings and structures on adjoining Sites (averaged), which ever is the greater.</p> <p>A30.2 The Setback area to the Captain Cook Highway Frontage is landscaped with advanced Dense Planting including trees species (100 litre bag stock), which will, at maturity, exceed the Height of the Building on Site.</p> <p>A30.3 Advertising signs are discreet in appearance with no large advertising signs including tenancy signs located on or near the Captain Cook Highway Frontage, or within any landscaped setback area adjacent to the highway.</p> <p>A30.4 Car parking areas, loading and other service areas are designed to be screened from the Captain Cook Highway and are located so as not to be visually prominent from the Captain Cook Highway.</p>



<p>P31 The reconfiguration of Lot 83 on SR 724 for Industrial development proceeds in line with a demonstrated demand for industrial land at Craiglie</p>	<p>A31.1 Council will only support the staged reconfiguration of that part of Lot 83 on SR 724 designated in the Industry Planning Area, in association with a Needs Analysis, prepared in accordance with Planning Scheme Policy No 10 – Reports and Information the Council May Request, which demonstrates a clear demand for additional industrial land at Craiglie.</p> <p>A31.2 The Needs Analysis incorporates a methodology to be approved by Council for the staged development of any reconfiguration of the land for industrial purposes, in line with a specified future demand scenario.</p> <p>A31.3 The reconfiguration and/or redesignation for industrial development of that part of Lot 83 on SR 724 included in the Rural Planning Area does not occur in the life of this Planning Scheme, unless supported by another Needs Analysis prepared in accordance with A29.1 and A29.2 above.</p>
<p>P32 The parkland contribution associated with the reconfiguration of Lot 83 on SR 724 provides for the expansion of Teamster Park.</p>	<p>A32.1 Provision shall be made for a park contribution associated with the reconfiguration of Lot 83 on SR 724. Should the park contribution be provided in stages, the total contribution of land must be identified in one area in association with Stage 1 of any reconfiguration application.</p>
<p>P33 Development on the western side of Owen Street provides for a range of Service Industry uses, which may incorporate a minor, ancillary and necessarily associated retail component.</p>	<p>A33.1 Service Industry development on the western side of Owen Street can be designed to designate up to a maximum of 30% of the total Gross Floor Area of any Building/s on the Site for a retail component to be located at the front of the development, provided the retail component is allied to the primary Service Industry activity carried out on the Site.</p>



<p>P34 The potential for conflict between Industrial development and any residential development is minimised.</p>	<p>A34.1 Any residential development occurring immediately adjacent to Special Management Area 3 does not occur until Road closures and Road openings have been undertaken to provide physical separation between residential land and industrial land.</p> <p style="text-align: center;">AND</p> <p>New Road alignments are generally sited in accordance with the Access points identified on the relevant Locality Plan.</p>
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Special Management Area 4 – Service Industry Precincts (Mahogany Street)

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P35 Development on Lot 147 on SR 866 supports the marine industries within Port Douglas.</p>	<p>A35.1 Only Service Industry uses are located on that part of Lot 147 on SR 866 included in the Industry Planning Area.</p> <p style="text-align: center;">AND</p> <p>Only once lease arrangements on the land facilitate Service Industry uses.</p> <p style="text-align: center;">AND</p> <p>The proponent of the proposed Service Industry use provides written evidence to Council that it supports/services the marine industries in Port Douglas.</p>



<p>P36 Development on Lot 147 on SR 866 provides for the protection of vegetation on the Site.</p>	<p>A36.1 Development is limited to that part of the Site that is currently cleared in accordance with a vegetation assessment to determine the exact vegetation line along the boundaries of the Conservation and Industry Planning Areas.</p> <p>A36.2 Buildings and structures are Setback 4 metres from the vegetation line and 6 metres from the front boundary of the Site.</p>
<p>P37 Development on Lot 147 on SR 866 is provided with appropriate Access.</p>	<p>A37.1 Access to the Site will be limited to existing Access points (maximum of 2) outside the Conservation Planning Area and constructed to a standard suitable for Service Industry uses.</p>



COASTAL SUBURBS, VILLAGES & TOWNSHIPS LOCALITY



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4.2.5 Coastal Suburbs, Villages and Townships Locality Code

Purpose

The purpose of this Code is to facilitate the achievement of the following outcomes for the Coastal Suburbs, Villages and Townships Locality:

- provide for attractive residential communities in areas of the Shire other than Mossman and Port Douglas;
- maintain development in the coastal suburbs, villages and townships as primarily low density residential development;
- encourage the development of tourist accommodation and facilities at an appropriate scale within and in convenient proximity to Daintree Village;
- protect the residential suburbs, villages and townships, in particular Wonga Beach, Newell Beach, Cooya Beach and Wangetti, from incursion by tourist accommodation and facilities;
- facilitate the development of local commercial and community services and facilities, including active and passive open space to a level adequate to service the resident population;
- ensure GQAL is protected from the impacts of residential development or indiscriminate residential expansion; and
- protect environmentally sensitive coastal areas and coastal processes from detrimental impacts associated with urban development.

Applicability

This Code applies to self assessable and assessable development in the Coastal Suburbs, Villages and Townships Locality for:

- Material Change of Use:

Except for:

- Business Facilities – using an existing Building in the Commercial Planning Area
- Primary Industry in the Rural Planning Area
- Shopping Facility – using an existing Building in the Commercial Planning Area;
- Reconfiguring a Lot;
- Operational Work Associated with Reconfiguring a Lot;
- Operational Work – Filling or Excavation not associated with a Material Change of Use;
- Operational Work – Engineering Works not associated with a Material Change of Use;
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use; and



- Building Work other than Minor Building Work not associated with a Material Change of Use in the Conservation Planning Area.

For self-assessable development assessed against this Code, the applicable Acceptable Solutions are A1.1 and A2.1 a), c) and e).

Self assessable development which does not comply with Acceptable Solutions as listed above, outlined in this Code will require Code Assessment.

Elements of the Code

General Requirements

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	Buildings and structures complement the Height of surrounding development and Buildings are limited to two Storeys.	A1.1	In this Locality, the maximum Height of Buildings/structures is 6.5 metres. In addition, the roof (including any ancillary roof features) does not exceed a maximum Height of 3.5 metres above the intersection of the pitching part of the roof and the wall of the Building.
P2	Development is connected to all urban services or to sustainable on Site infrastructure services.	A2.1	<p>Development is connected to available urban services by underground connections, wherever possible.</p> <p style="text-align: center;">AND/OR</p> <p>Contributions are paid when applicable in accordance with the requirements of Planning Scheme Policy No 11 – Water Supply and Sewerage Headworks and Works External Contributions.</p> <p style="text-align: center;">OR</p> <p>Water storage tank/s with a minimum capacity of not less than 30 000 litres to service the proposed use, including fire fighting capacity and Access to the tank/s for fire trucks. Tank/s to be fitted with a 50 mm ball valve with a camlock fitting and installed and connected prior to occupation and screened with Dense Planting.</p> <p style="text-align: center;">AND</p>



	<p>An environmentally acceptable and energy efficient power supply is constructed and connected prior to occupation and sited so as to be visually unobtrusive.</p> <p style="text-align: center;">AND</p> <p>On-site sewerage facilities are provided in accordance with the On-site Sewerage Code and screened with Dense Planting.</p>
<p>P3 Landscaping of development Sites complements the existing character of the Coastal Suburbs, Villages and Townships Locality.</p>	<p>A3.1 Landscaping incorporates the requirements of Planning Scheme Policy No 7 – Landscaping with particular emphasis on appropriate species for this Locality</p>
<p>P4 Development Sites are provided with efficient and safe vehicle Access and manoeuvring areas on Site and to the Site, to an acceptable standard for the Locality.</p>	<p>A4.1 All Roads, driveways and manoeuvring areas on Site and adjacent to the Site are designed and maintained to comply with the specifications set out in the Planning Scheme Policy No 6 – FNQROC Development Manual.</p>



Local Centres

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P5 Local Centres are provided in the Coastal Suburbs to service the needs of the local communities.</p>	<p>A5.1 The existing Local Centre at Wonga Beach does not exceed a maximum Net Lettable Area of 300 m².</p> <p>A5.2 Any additional Local Centre at Wonga Beach only establishes when the population has increased by 700 persons and then the second Local Centre, with a maximum Net Lettable Area of 350 m², establishes in proximity to the existing Primary School in North Wonga.</p> <p>A5.3 The Local Centre at Newell Beach does not exceed a maximum Net Lettable Area of 200 m².</p> <p>A5.4 The Local Centres at Cooya Beach are limited in size to:</p> <ul style="list-style-type: none"> • Existing Centre – 320 m² of Net Lettable Area; • New Centre – 500 m² of Net Lettable Area, (only to establish after the connection of a sewerage system to service the new residential area of Cooya Beach). <p style="text-align: center;">AND</p> <p>Any further commercial development at Cooya Beach over and above the Net Lettable Area specified for Local Centres above, is limited to commercial services which service the local community, such as Child Care Centres, Libraries etc.</p>



Residential Development

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P6	Any expansion of residential development in the Shire outside Mossman and Port Douglas only occurs in areas designated for future residential development.	A6.1	Residential expansion occurs in the designated area at Cooya Beach, identified on the Locality Plan and a buffer area is provided between Bonnie Doon Road (the preferred route for heavy vehicles) and any residential uses.
P7	The existing large residential allotments at Wonga Beach in the Rural Settlement Planning Area are retained to maintain diversity and the existing character of the locality.	No Acceptable Solution	
P8	The residential amenity of permanent residents at Wangetti is protected.	A8.1	Any services and facilities are located on the western side of the Captain Cook Highway at Wangetti.



<p>P9 Residential and tourist development, other than a House, is climate-responsive, contributes positively to the character of the Locality, is complementary in scale to surrounding development and does not exceed the identified Plot Ratio designation on the Locality Map (that is):</p> <ul style="list-style-type: none"> • land designated Medium Scale in Cooya Beach has a base Plot Ratio of 0.3:1 and a maximum Plot Ratio of 0.5:1; <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • land designated Low Scale has a base Plot Ratio of 0.25:1 and a maximum Plot Ratio of 0.4:1. <p style="text-align: center;">AND</p> <p>Will not achieve the maximum Plot Ratio specified above unless the development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements. (as referred to in the Acceptable Solution)</p>	<p>A9.1 Development incorporates the following design features and corresponding plot ratio bonuses [in brackets]:</p> <ol style="list-style-type: none"> a) appropriate roof form and roofing material [10% Plot Ratio Bonus]; and b) appropriate fenestration in combination with roof form [5% Plot Ratio Bonus]; and c) appropriate window openings with window awnings, screens or eaves shading 80% of the window opening – refer Planning Scheme Policy No. 2 – Building Design and Architectural Elements [15% Plot Ratio Bonus]; and d) minimum of 700mm eaves [15% Plot Ratio Bonus]; and e) orientation of the Building to address the street/s [5% Plot Ratio Bonus]; f) sheltered pedestrian Access by unenclosed covered common area walkway of 1.5 metres in width from the car parking area/s to the development [5% Plot Ratio Bonus]; and g) inclusion of windows and balconies to the street façade of the Building [10% Plot Ratio Bonus]; and h) provision of lattice, battens or privacy screens [5% Plot Ratio Bonus]; and i) the overall length of a Building does not exceed 30 metres and the overall length of any continuous wall does not exceed 15 metres [10% Plot Ratio Bonus].
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Community Facilities

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P10 Community facilities are appropriately located to service the needs of the community.</p>	<p>A10.1 Community facilities, such as community halls and clubs, Child Care Centres and emergency service facilities are located with direct Access to a main street and in proximity to other community facilities or commercial services.</p> <p>A10.2 The existing landfill Site at Newell Beach is ultimately developed for community/recreational facilities.</p>
<p>P11 Public open space for active or passive recreation, parkland or community recreation uses is provided and appropriately located to service the needs of the local community and to avoid detrimental impacts on the amenity of residential areas. Public Open Space should be made available free from drainage and flooding issues in accordance with the requirements of Planning Scheme Policy No 9 – Open Space Contributions.</p>	<p>A11.1 Public open space, which provides for the active or passive recreation of local residents is provided as follows:</p> <ul style="list-style-type: none"> • informal active parkland is provided at Wonga Beach, Cooya Beach and Newell Beach with an area of approximately two hectares for each residential area, being: <ul style="list-style-type: none"> – level usable land; – of regular configuration, such as rectangular; and – in an accessible location with a Road Frontage of not less than 60 metres; <p style="text-align: center;">AND</p> • in accordance with the relevant provisions of the Reconfiguring a Lot Code and Planning Scheme Policy No 9 – Open Space Contributions.



Other Development

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P12 Tourist facilities and services are low key and do not adversely impact on residential areas.	<p>A12.1 Tourist accommodation and facilities are not located in the residential areas of Cooya Beach, Newell Beach and Wangetti, other than Bed and Breakfast Accommodation.</p> <p>A12.2 Any tourist accommodation or facilities at Wonga Beach are limited to the Site already included in the Tourist and Residential Planning Area.</p>
P13 Tourist accommodation and facilities are of an appropriate scale in the Daintree Village Township and are in character with the existing village.	A13.1 Tourist accommodation and facilities which establish within or in convenient proximity to Daintree Village are limited to small scale uses such as: Bed and Breakfast Accommodation, Host Farm Accommodation and small scale commercial/tourist uses such as art galleries, craft stores and cafes.

Protection of Scenic Amenity and Natural Values

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P14 Development does not adversely impact on areas of sensitive natural vegetation, foreshore areas, Watercourse and areas of tidal inundation which contribute to the Scenic Amenity and natural values of the Locality ^{19,20} .	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>

¹⁹ The Environmental Protection Agency is a Concurrence Agency for assessable development within a Coastal Management District.

²⁰ Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



RURAL AREAS & RURAL SETTLEMENT LOCALITY



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4.2.6 Rural Areas and Rural Settlements Locality Code

Purpose

The purpose of this Code is to facilitate the achievement of the following outcomes for the Rural Areas and Rural Settlement Locality:

- retain rural areas for primary industry;
- conserve the rural character and rural landscape elements as important and distinctive to the scenic value of the Shire;
- protect rural areas from encroachment by incompatible urban development;
- protect and conserve valuable riverine vegetation and systems in rural areas;
- retain the rural lifestyle opportunities and amenity of rural settlement areas with no further compromise to surrounding productive rural areas;
- ensure rural settlement areas remain unobtrusive and have no detrimental impact on the Scenic Amenity of surrounding rural areas; and
- facilitate any future land use aspirations of the local Indigenous communities which are compatible with achieving the other planning outcomes for the Area.

Applicability

This Code applies to self assessable and assessable development in the Rural Areas and Rural Settlements Locality for:

- Material Change of Use:

Except for:

- Primary Industry in the Rural Planning Area;
- Reconfiguring a Lot;
- Operational Work Associated with Reconfiguring a Lot;
- Operational Work – Filling or Excavation not associated with a Material Change of Use;
- Operational Work – Engineering Works not associated with a Material Change of Use;
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use; and
- Building Work other than Minor Building Work not associated with a Material Change of Use in the Conservation Planning Area.

For self assessable development assessment against this Code, the applicable Acceptable Solutions are A1.1 and A2.1 a), c) and e).

Self assessable development which does not comply with Acceptable Solution as listed above, outlined in this Code will require Code Assessment.



Elements of the Code

General Requirements

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 Buildings and structures complement the Height of surrounding development and/or are subservient to the surrounding environment and are in keeping with the character of the Locality.</p>	<p>A1.1 In all Planning Areas in this Locality the maximum Height of Buildings/structures is 6.5 metres and 2 Storeys. In addition, the roof or any ancillary roof features do not exceed a maximum Height of 3.5 metres.</p>
<p>P2 Development is connected to all urban services or to sustainable on Site infrastructure services.</p>	<p>A2.1 Development is connected to available urban services by underground connections, wherever possible.</p> <p style="text-align: center;">AND/OR</p> <p>Contributions are paid when applicable in accordance with the requirements of Planning Scheme Policy No 11 – Water Supply and Sewerage Headworks and Works External Contributions.</p> <p style="text-align: center;">OR</p> <p>Water storage tank/s with a minimum capacity of not less than 30 000 litres to service the proposed use, including fire fighting capacity and Access to the tank/s for fire trucks. Tank/s to be fitted with a 50 mm ball valve with a camlock fitting and installed and connected prior to occupation and screened with Dense Planting.</p> <p style="text-align: center;">AND</p> <p>An environmentally acceptable and energy efficient power supply is constructed and connected prior to occupation and sited so as to be visually unobtrusive.</p> <p style="text-align: center;">AND</p> <p>On-site sewerage facilities are provided in accordance with the On-site Sewerage Code</p>



<p>P3 Landscaping of development Sites complements the existing rural character of the Locality.</p>	<p>A3.1 Landscaping utilises predominantly native species and complies with the requirements of Planning Scheme Policy No 7 – Landscaping with particular emphasis on appropriate species for this Locality.</p> <p style="text-align: center;">AND</p> <p>A minimum of 60% of the total proposed species are endemic or native species.</p>
<p>P4 Development Sites are provided with efficient and safe vehicle Access and manoeuvring areas on Site and to the Site, to an acceptable standard for the Locality.</p>	<p>A4.1 All Roads, driveways and manoeuvring areas on Site and adjacent to the Site are designed and maintained to comply with the specifications set out in the Planning Scheme Policy No 6 – FNQROC Development Manual.</p>



Protecting Rural/Rural Settlement Amenity – General

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P5 Industrial development in a rural area relies on or has a strong nexus with the primary rural activity undertaken on Site or in the surrounding area.</p>	<p>A5.1 Any industrial development is limited to rural industrial activities which, by necessity, are related to primary industries in the surrounding area and require a rural location and where an urban location is inappropriate.</p>
<p>P6 Any community facilities or service infrastructure located in a rural area or rural settlement areas are sited to protect the general amenity and the visual amenity of the surrounding rural area/rural settlement area.</p>	<p>A6.1 Community facilities are only sited in a rural area or a rural settlement area by necessity and where an urban location is inappropriate.</p> <p>A6.2 Community facilities are screened from adjacent Roads by landscape buffers of Dense Planting a minimum of 5 metres in width.</p> <p style="text-align: center;">AND</p> <p>All side and rear boundaries are provided with Dense Planting for a minimum width of 1.5 metres.</p>
<p>P7 Rural settlement areas are visually unobtrusive in the rural landscape to protect the integrity of the rural areas as a dominant landscape element of high quality²¹.</p>	<p>A7.1 The old Rocky Point School Site is developed for residential purposes in accordance with the following:</p> <ul style="list-style-type: none"> • reconfiguration is in accordance with the Rural Settlement Planning Area requirements specified in Table 1 of the Reconfiguring a Lot Code and all the relevant requirements of the Reconfiguring a Lot Code, taking account of the existing topography of the Site. <p style="text-align: center;">AND</p> <p>The remnant vegetation on the western boundary of the Site is dedicated as public park.</p>

²¹ Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



<p>P8 Areas at Rocky Point included in the Residential 1 Planning Area maintain the integrity of the dominant landscape qualities of the area and ensure safe Access onto Mossman-Daintree Road.</p>	<p>A8.1 The minimum lot size in this area is 3500 m².</p> <p style="text-align: center;">AND</p> <p>Any proposed reconfiguration of existing lots in this area only occurs utilising the Access driveway servicing the existing lot, by including reciprocal Access easements over the existing Access driveway for any additional lots.</p> <p>A8.2 Any new lots are included in a Designated Development Area (DDA) identified on the proposal plan of reconfiguration and ultimately, on the registered survey plan.</p> <p>A8.3 Development located within a Designated Development Area is sited where Clearing is limited to a maximum area of 800 m² of the Site or 4% Site Coverage of the Site, whichever is the lesser. (The 800m² area of Clearing does not include an access driveway.)</p> <p style="text-align: center;">OR, ALTERNATIVELY</p> <p>If a greater part of the Site is to be cleared, that part of a Site not cleared is to be included in a Conservation Covenant to protect the integrity of the natural environment²².</p> <p>A8.4 Clearing is limited to the DDA and the DDA is sited on that part of the lot which is least constrained by slope, vegetation or Access constraints, and does not require extensive cut and fill and/or complex geotechnical solutions.</p>
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²² Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



	<p>A8.5 The DDA is sited so that the development of a House does not obstruct the views from any adjacent existing Houses.</p> <p style="text-align: center;">AND</p> <p>Ensures the new House is not visually prominent from adjacent public viewing points, such as Mossman-Daintree Road and Rocky Point.</p>
<p>P9 Development of Lot 32 on RP 850495, Vixies Road, Wonga Beach is connected to urban services.</p>	<p>A9.1 Any future reconfiguration of Lot 32 on RP 850495 for Rural Settlement purposes only occurs in association with connection to reticulated sewerage and water supply servicing Wonga Beach.</p>
<p>P10 The development of part of Lots 10 and 11 on SP 132055 for residential purposes is undertaken to protect the environmental values of the site and the scenic amenity of the local area.</p>	<p>A10.1 Residential development occurs on the more gently sloping part of the site, elevated above the steep bank adjacent to Mossman-Daintree Road.</p> <p style="text-align: center;">AND</p> <p>The area appropriate for residential development is determined on the basis of contour and vegetation surveys of the site.</p> <p style="text-align: center;">AND</p> <p>Only one access point from the site to the State-Controlled Road is permitted.</p> <p style="text-align: center;">AND</p> <p>At reconfiguration stage a broad vegetation screen is provided along the elevated frontage of the site to the Mossman-Daintree Road so that the residential development is screened from the road.</p> <p style="text-align: center;">AND</p> <p>The balance of the site is protected from clearing to maintain the forested mountain landscape and no further reconfiguration of the balance area occurs.</p>



Protection of Scenic Amenity and Natural Values

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P11 Development does not adversely impact on areas of sensitive natural vegetation, foreshore areas, Watercourses and areas of tidal inundation which contribute to the Scenic Amenity and natural values of the Locality²³.</p>	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>

Indigenous Interests

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P12 The land use aspirations in any Indigenous Land Use Agreement (ILUA) are acknowledged and facilitated.</p>	<p>A12.1 Development is consistent with any ILUA relating to the land and the relevant provisions of the Planning Scheme.</p>

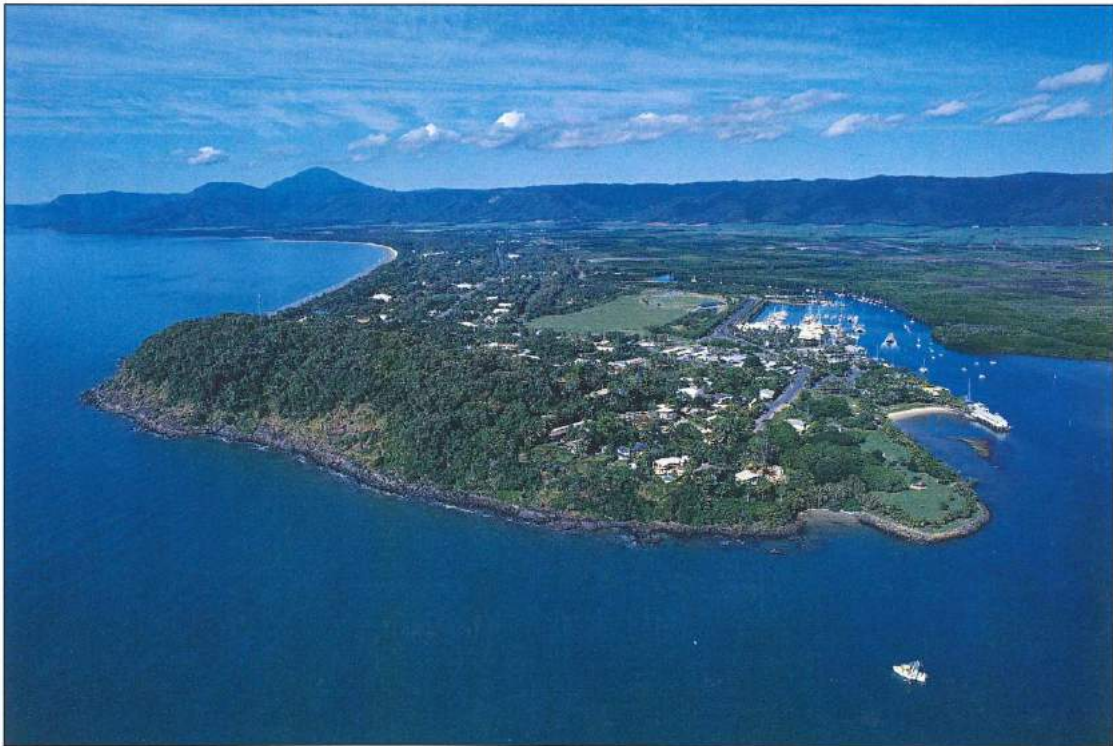
²³ The Environmental Protection Agency is a Concurrence Agency for assessable development within a Coastal Management District.



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PLANNING AREAS



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RURAL



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4.3 Codes for Planning Areas

4.3.1 Rural Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following outcomes for the Rural Planning Area:

- conserve areas for use for primary production, particularly areas of GQAL;
- facilitate the establishment of a wide range of agricultural and animal husbandry uses, together with other compatible primary production uses;
- facilitate the establishment of Farm Forestry in suitable locations;
- facilitate the establishment of Extractive Industry operations, provided that the significant environmental impacts of such operations are contained within the Site;
- ensure existing Extractive Industry operations are protected from incompatible land uses establishing in close proximity;
- ensure that rural activities are protected from the intrusion of incompatible uses;
- ensure that areas of remnant vegetation and riparian vegetation are retained or rehabilitated; and
- ensure that land which is not classified as GQAL, but which is important to the scenic landscape of the Shire, retains its rural character and function.

Applicability

This Code applies to self assessable and assessable development in the Rural Planning Area for:

- Material Change of Use;
- Reconfiguring a Lot;
- Operational Work Associated with Reconfiguring a Lot;
- Operational Work – Filling or Excavation not associated with a Material Change of Use;
- Operational Work – Engineering Works not associated with a Material Change of Use; and
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use.

For self-assessable development assessed against this Code, the applicable Acceptable Solutions are A4.1, A5.1, A12.1, A12.2, A14.1, A16.1 and A17.1.

Self assessable development which does not comply with the Acceptable Solutions listed above, will require Code Assessment.



Elements of the Code

Consistent and Inconsistent Uses

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	The establishment of uses is consistent with the outcomes sought for the Rural Planning Area.	A1.1	Uses identified as inconsistent uses in the Assessment Table are not established in the Rural Planning Area.

Good Quality Agricultural Land

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P2	GQAL ²⁴ is only used for agricultural uses and primary production purposes.	A2.1	Agricultural land is used for agricultural uses in accordance with the classifications of the Agricultural Land Classes identified in the Shire and the requirements of State Planning Policy 1/92 – Development and the Conservation of Agricultural Land.

Buffering Incompatible Land Uses

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P3	A buffer is provided to separate agricultural activities that create odour, excessive noise or use agricultural chemicals, (including Aquaculture and Intensive Animal Husbandry), from residential development.	A3.1	A buffer is provided in accordance with the requirements of State Planning Policy 1/92 and Planning Guidelines – Separating Agricultural and Residential Land Uses (DNR 1997).

²⁴ GQAL is rural land identified as ‘suitable land with negligible to moderate limitations’, on the *Land Suitability for Sugarcane Map* included in the document entitled: *Project Report Q091010 – Agricultural Land Suitability of the Wet Tropical Coast – Mossman – Julatten Area*, PR Wilson, Land Resources Branch, Queensland Department of Primary Industries 1991.



Building/Structure Setbacks and Screening

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P4	Buildings/structures are Setback to: <ul style="list-style-type: none"> maintain the rural character of the area; and achieve separation from neighbouring Buildings and from Road Frontages. 	A4.1	Buildings/structures are Setback not less than: <ul style="list-style-type: none"> 40 metres from the property boundary adjoining a State-Controlled Road; or 25 metres from the property boundary adjoining the Cape Tribulation Road; or 20 metres from the property boundary fronting any other Road; and 6 metres from the side and rear property boundaries of the Site.
P5	Rural activities north of the Daintree River are screened to protect the Scenic Amenity of the area.	A5.1	A 10 metre Setback on rural land adjacent to any Road Frontage north of the Daintree River including Dense Planting of the setback area.

Rural Character

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P6	Buildings/structures are designed to maintain the rural character of the area.	A6.1	White and shining metallic finishes are avoided on external surfaces of Buildings located in prominent view.

Protecting and Enhancing Native Vegetation and Adjacent Environmentally Sensitive Area

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P7	Native vegetation existing along Watercourses and in or adjacent to areas of environmental value or areas of remnant vegetation of value is protected ²⁵ .		No Acceptable Solution (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Report and Information the Council May Request, for code and impact assessable development).

²⁵ Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



Sloping Sites

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P8 Building/structures are designed and sited to be responsive to the constraints of sloping Sites.</p>	<p>A8.1 Building/structures are Erected on land with a maximum slope not exceeding 15%.</p> <p style="text-align: center;">OR</p> <p>Development proposed to be Erected on land with a maximum slope between 15% and 33% is accompanied by a Geotechnical Report prepared by a qualified engineer at development application stage.</p> <p style="text-align: center;">OR</p> <p>Development proposed to be Erected on land with a maximum slope above 33% is accompanied by a Specialist Geotechnical Report prepared by a qualified engineer at development application stage which includes sign-off that the Site can be stabilised.</p> <p style="text-align: center;">AND</p> <p>Any Building/structures proposed to be Erected on land with a maximum slope above 15% are accompanied by an additional Geotechnical Report prepared by a qualified engineer at building application stage.</p> <p>(Information that the Council may request as part of the Geotechnical Report are outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development.)</p>



<p>P9 The building style and construction methods used for development on sloping Sites are responsive to the Site constraints.</p>	<p>A9.1 A split level building form is utilised.</p> <p>A9.2 A single plane concrete slab is not utilised.</p> <p>A9.3 Any voids between the floor of the Building and Ground Level, or between outdoor decks and Ground Level, are screened from view by using lattice/batten screening and/or Landscaping.</p>
<p>P10 Development on sloping sites minimises any impact on the landscape character of the surrounding area.</p>	<p>A10.1 Buildings/structures are sited below any ridgelines and are sited to avoid protruding above the surrounding tree level.</p>
<p>P11 Development on sloping sites ensures that the quality and quantity of stormwater traversing the Site does not cause any detrimental impact to the natural environment or to any other Sites.</p>	<p>A11.1 All stormwater drainage discharges to a lawful point of discharge and does not adversely affect downstream, upstream, underground stream or adjacent properties.</p>



Sustainable Siting and Design of Houses on land where the Natural Areas and Scenic Amenity Code is triggered

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P12 A House sited on hillside land is sited in an existing cleared area, or in an area approved for Clearing.</p>	<p>A12.1 A House is sited in an existing cleared area or in an area approved for Clearing under the Local Law – Vegetation Management but which is not cleared until development occurs. The Clearing is limited to a maximum area of 800 m² and is sited clear of the High Bank of any Watercourse.</p> <p style="text-align: center;">EXCEPT</p> <p>In the World Heritage Areas and Environs Locality and the Settlement Areas North of the Daintree River Locality where the maximum clearing is limited to 700m².</p> <p>(The 800m²/700m² area of Clearing does not include an access driveway.)</p> <p>A12.2 The approved area for the Clearing of the House is not cleared until a Building Permit is issued.</p>
<p>P13 A House sited on hillside land is sited and designed so that it is subservient to the surrounding natural environment.</p>	<p>A13.1 A House is effectively screened from view by existing native trees in designated Setback area/s, or by the planting of additional native trees endemic to the local area.</p>



<p>P14 The exterior finishes of a House complements the surrounding natural environment.</p>	<p>A14.1 The exterior finishes and colours of Building/s are non reflective and complement the colours of the surrounding vegetation and viewshed.</p> <p style="text-align: center;">AND</p> <p>For self assessable development the exterior colours of Buildings/structures are chosen from the following list of Colourbond Colours:</p> <ul style="list-style-type: none"> • Jasper • Sandbank • Paperbark • Dune • Windspray • Woodland Grey • Bushland • Pale Eucalypt • Wilderness • Cottage Green • Plantation • Blue Ridge and • Ironstone.
<p>P15 A House is designed to be energy efficient and functional in a humid tropical rainforest environment.</p>	<p>A15.1 The development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements.</p>
<p>P16 Any filling and excavation work does not create a detrimental impact on slope stability, erosion potential or Visual Amenity of the Site or the surrounding area.</p>	<p>A16.1 The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height.</p>
<p>P17 The bulk and scale of a House is not visually obtrusive and does not compromise the Visual Amenity of the site and the surrounding area.</p>	<p>A17.1 The Gross Floor Area of the House does not exceed 250m².</p>



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RURAL SETTLEMENT



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4.3.2 Rural Settlement Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following outcomes for the Rural Settlement Planning Area:

- maintain and enhance the natural or semi-rural character of these settlement areas;
- protect areas of vegetation, riparian corridors and wildlife corridors;
- identify and provide for low density rural residential living in a limited number of areas in the Shire; and
- ensure residential development remains subservient to the rural character of the area.

Applicability

This Code applies to assessable development in the Rural Settlement Planning Area for:

- Material Change of Use;
- Reconfiguring a Lot;
- Operational Work Associated with Reconfiguring a Lot;
- Operational Work – Filling or Excavation not associated with a Material Change of Use;
- Operational Work – Engineering Works not associated with a Material Change of Use; and
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use.

Elements of the Code

Consistent and Inconsistent Uses

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	The establishment of uses is consistent with the outcomes sought for the Rural Settlement Planning Area.	A1.1	Uses identified as inconsistent uses in the Assessment Table are not established in the Rural Settlement Planning Area.



Site Coverage

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P2	The built form is subservient to the natural environment or the rural character of the area.	A2.1	The maximum Site Coverage for all Buildings (including Outbuildings) contained on an allotment is 450 m ² .
		A2.2	An Outbuilding used for purposes ancillary to a House has a maximum Site Coverage not greater than 20% of the total Site Coverage specified in A2.1 above.

Building Setbacks

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P3	Buildings are Setback to: <ul style="list-style-type: none"> • maintain the natural or rural character of the area; and • achieve separation from neighbouring Buildings and from Road Frontages. 	A3.1	Buildings are Setback not less than: <ul style="list-style-type: none"> • a minimum of 40 metres from the property boundary adjoining a State-Controlled Road; or • a minimum of 25 metres from the property boundary adjoining the Cape Tribulation Road Frontage; or • 20 metres from the property boundary adjoining any other Road; and • 6 metres from side and rear property boundaries.
P4	Buildings/structures are screened from any adjacent Road to maintain the natural or rural character of the area.	A4.1	At the time that a Site is developed for any purpose, the Road Frontage Setback areas are landscaped so that 10 metres of the Setback area immediately adjacent to any Road Frontage, where the minimum total Setback required is 20 metres or greater, is landscaped with Dense Planting.



Scenic Amenity

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P5	Buildings/structures are designed to maintain the low-density rural settlement character of the area and sited to minimise impacts on the environment and Scenic Amenity values of the area.	A5.1	White and shining metallic finishes are avoided on external surfaces in prominent view.
P6	Buildings/structures are sited to achieve the retention of native trees and protect existing Watercourses, riparian vegetation and wildlife corridors ²⁶ .		No Acceptable Solution. (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).

²⁶ Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



Sloping Sites

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P7 Building/structures are designed and sited to be responsive to the constraints of sloping Sites.</p>	<p>A7.1 Building/structures are Erected on land with a maximum slope not exceeding 15%.</p> <p style="text-align: center;">OR</p> <p>Development proposed to be Erected on land with a maximum slope between 15% and 33% is accompanied by a Geotechnical Report prepared by a qualified engineer at development application stage.</p> <p style="text-align: center;">OR</p> <p>Development proposed to be Erected on land with a maximum slope above 33% is accompanied by a Specialist Geotechnical Report prepared by a qualified engineer at development application stage which includes sign-off that the Site can be stabilised.</p> <p style="text-align: center;">AND</p> <p>Any Building/structures proposed to be Erected on land with a maximum slope above 15% are accompanied by an additional Geotechnical Report prepared by a qualified engineer at building application stage. (Information that the Council may request as part of the Geotechnical Report are outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development.)</p>



<p>P8 The building style and construction methods used for development on sloping Sites are responsive to the Site constraints.</p>	<p>A8.1 A split level building form is utilised.</p> <p>A8.2 A single plane concrete slab is not utilised.</p> <p>A8.3 Any voids between the floor of the Building and Ground Level, or between outdoor decks and Ground Level, are screened from view by using lattice/batten screening and/or Landscaping.</p>
<p>P9 Development on sloping land minimises any impact on the landscape character of the surrounding area.</p>	<p>A9.1 Buildings/structures are sited below any ridgelines and are sited to avoid protruding above the surrounding tree level.</p>
<p>P10 Development on sloping land ensures that the quality and quantity of stormwater traversing the Site does not cause any detrimental impact to the natural environment or to any other Sites.</p>	<p>A10.1 All stormwater drainage discharges to a lawful point of discharge and does not adversely affect downstream, upstream, underground stream or adjacent properties.</p>



Sustainable Siting and Design of Houses on Sloping Sites and/or on land where the Natural Areas and Scenic Amenity Code is triggered

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P11 A House sited on hillside land is sited in an existing cleared area, or in an area approved for Clearing</p>	<p>A11.1 A House is sited in an existing cleared area or in an area approved for Clearing under the Local Law – Vegetation Management but which is not cleared until development occurs. The Clearing is limited to a maximum area of 800 m² and is sited clear of the High Bank of any Watercourse.</p> <p style="text-align: center;">EXCEPT</p> <p>In the World Heritage Areas and Environs Locality and the Settlement Areas North of the Daintree River Locality where the maximum clearing is limited to 700m².</p> <p>(The 800m²/700m² area of Clearing does not include an access driveway.)</p> <p>A11.2 The approved area for the Clearing of the House is not cleared until a Building Permit is issued.</p>
<p>P12 A House sited on hillside land is sited and designed so that it is subservient to the surrounding natural environment.</p>	<p>A12.1 A House is effectively screened from view by existing native trees planted in designated Setback area/s, or by the planting of additional native trees endemic to the local area.</p>
<p>P13 The exterior finishes of a House complements the surrounding natural environment.</p>	<p>A13.1 The exterior finishes and colours of Building/s are non reflective and complement the colours of the surrounding vegetation and viewshed.</p>
<p>P14 A House is designed to be energy efficient and functional in a humid tropical rainforest environment.</p>	<p>A14.1 The development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements.</p>



RESIDENTIAL 1

RESIDENTIAL 1



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4.3.3 Residential 1 Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following outcomes for the Residential 1 Planning Area:

- maintain and enhance the residential character and amenity of established residential neighbourhoods;
- ensure that the configuration of new residential areas is compatible with established residential neighbourhoods which are characterised by conventional residential housing;
- identify new areas intended for residential living and provide for a high level of residential amenity within the opportunities and constraints imposed by the land; and
- provide for the establishment of facilities to service the local community.

Applicability

This Code applies to self assessable and assessable development in the Residential 1 Planning Area for:

- Material Change of Use;
- Reconfiguring a Lot;
- Operational Work Associated with Reconfiguring a Lot;
- Operational Work – Filling or Excavation not associated with a Material Change of Use;
- Operational Work – Engineering Works not associated with a Material Change of Use; and
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use.

For self-assessable development assessed against this Code, the applicable Acceptable Solutions is A4.1.

Self assessable development which does not comply with the Acceptable Solution as listed above, will require Code Assessment.



Elements of the Code

Consistent and Inconsistent Uses

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	The establishment of uses is consistent with the outcomes sought for the Residential 1 Planning Area.	A1.1	Uses identified as inconsistent uses in the Assessment Table are not established in the Residential 1 Planning Area.

Site Coverage – Other than a House

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P2	The Site Coverage of all Buildings does not result in a built form that is bulky or visually obtrusive ²⁷ .	A2.1	Any form of development, other than a House, has a Site Coverage which does not exceed the Site Coverage specified for Multi-Unit Housing outlined below in this Code.

Building Setbacks – Other than a House

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P3	All Buildings are Setback to: <ul style="list-style-type: none"> maintain the character of residential neighbourhoods; and achieve separation from neighbouring Buildings and from Road Frontages²⁷. 	A3.1	Any form of development, other than a House, satisfies the same Setback requirements as specified for Multi-Unit Housing outlined below in this Code.

Fencing

P4	Any perimeter fencing to the Frontage of a Site in the Residential 1 Planning Area is not visually obtrusive and does not detract from the residential character of the area.	A4.1	Any fencing provided to the Main Street Frontage of the Site is a maximum of 1.2 metres in Height and does not present a blank facade to the street. AND Fencing at the side and the rear boundaries of the Site is a maximum of 1.8 metres in Height.
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²⁷ For a House or an Outbuilding, the setbacks from road frontages and from side and rear boundaries and the site coverage are in accordance with the Standard Building Regulation.



Landscaping – Other than a House

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P5 A Site which is developed for any purpose, other than a House, has Landscaping which is functional, provides visual interest and form, incorporates native vegetation and provides privacy to adjacent residential uses.</p>	<p>A5.1 Within the Site Frontage Setback area a minimum width of 2 metres of Landscaping including 60% Dense Planting is provided.</p> <p style="text-align: center;">AND</p> <p>Within the side and rear Setback areas a minimum width of 1.5 metres of Landscaping including 60% Dense Planting is provided in accordance with the Landscaping Code.</p> <p>A5.2 Where the proposed use incorporates or requires the provision of a public open space recreation/landscape area, that area is connected and integrated with the development.</p>

Multi-Unit Housing

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P6 In new residential areas, Multi-Unit Housing:</p> <ul style="list-style-type: none"> a. is limited to a small proportion of available lots (eg. 15% of the total number of new lots), with a preference for corner allotments; and b. is dispersed to ensure conventional residential detached Houses dominate the streetscape; and c. uses building forms (eg. development footprint, height, massing, positioning of garages to reduce their dominance, and architectural detail) that match or complement those of the established detached Houses in the area. 	<p>No Acceptable Solution.</p>



<p>P7 Multi-Unit Housing is sited and designed to complement the residential amenity of the area. A Multi-Unit Housing development incorporates 1 Dwelling Unit per 500 m² of Site area and with a maximum of 3 Dwelling Units per Site area.</p>	<p>A7.1 Multi-Unit Housing establishes on a lot with a minimum area of 1000 m² and the lot has a minimum Frontage of 25 metres.</p> <p>A7.2 A Dwelling Unit in a Multi-Unit Housing development incorporates a maximum number of 3 bedrooms (or rooms capable of being used as a bedroom).</p> <p>A7.3 Site Coverage of Multi-Unit Housing is limited to:</p> <ul style="list-style-type: none"> • 40% for 1 Storey development; or • 35% for 2 Storey development. <p>A7.4 Building Setbacks for Multi-Unit Housing are:</p> <ul style="list-style-type: none"> • 6 metres to the Main Street Frontage • 4 metres to any secondary Road Frontage • 6 metres to the rear boundary • 2.5 metres to the side boundary for 1 Storey development or 3 metres to the side boundary for 2 Storey development. <p>A7.5 A minimum of 40% of the Site is provided as Landscaping and Recreation Area.</p> <p style="text-align: center;">AND</p> <p>A minimum of 4 metres by 4 metres of Landscaping and Recreation Area is provided for each Dwelling Unit which is directly accessible from a habitable living room.</p> <p style="text-align: center;">OR</p> <p>At least 50% of the total Landscaping and Recreation Area is provided as one communal area having a minimum dimension of 6 metres.</p>
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	<p>A7.6 Each Dwelling Unit is provided with a designated refuse area which is screened from public view.</p> <p>A7.7 Balconies, patios and similar spaces are not enclosed or capable of being used as a Habitable Room.</p> <p style="text-align: center;">AND</p> <p>Balconies, patios and similar spaces are designed to be open and of light weight appearance with a maximum of 20% of the facade being fully enclosed.</p>
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Buffering Incompatible Land Uses

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P8 A buffer is provided to separate agricultural activities that create odour, excessive noise or use agricultural chemicals, (including Aquaculture and Intensive Animal Husbandry), from residential development.</p>	<p>A8.1 Any reconfiguration of Residential 1 land which shares a boundary with land in the Rural Planning Area provides a buffer in accordance with the requirements of State Planning Policy 1/92 and Planning Guidelines – Separating Agricultural and Residential Land Uses (DNR 1997).</p> <p style="text-align: center;">OR</p> <p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>



Sloping Sites

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P9 Building/structures are designed and sited to be responsive to the constraints of sloping Sites.</p>	<p>A9.1 Building/structures are Erected on land with a maximum slope not exceeding 15%.</p> <p style="text-align: center;">OR</p> <p>Development proposed to be Erected on land with a maximum slope between 15% and 33% is accompanied by a Geotechnical Report prepared by a qualified engineer at development application stage.</p> <p style="text-align: center;">OR</p> <p>Development proposed to be Erected on land with a maximum slope above 33% is accompanied by a Specialist Geotechnical Report prepared by a qualified engineer at development application stage which includes sign-off that the Site can be stabilised.</p> <p style="text-align: center;">AND</p> <p>Any Building/structures proposed to be Erected on land with a maximum slope above 15% are accompanied by a an additional Geotechnical Report prepared by a qualified engineer at building application stage.</p> <p>(Information that the Council may request as part of the Geotechnical Report are outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development.)</p>



<p>P10 The building style and construction methods used for development on sloping Sites are responsive to the Site constraints.</p>	<p>A10.1 A split level building form is utilised.</p> <p>A10.2 A single plane concrete slab is not utilised.</p> <p>A10.3 Any voids between the floor of the Building and Ground Level, or between outdoor decks and Ground Level, are screened from view by using lattice/batten screening and/or Landscaping.</p>
<p>P11 Development on sloping land minimises any impact on the landscape character of the surrounding area.</p>	<p>A11.1 Buildings/structures are sited below any ridgelines and are sited to avoid protruding above the surrounding tree level.</p>
<p>P12 Development on sloping land ensures that the quality and quantity of stormwater traversing the Site does not cause any detrimental impact to the natural environment or to any other Sites.</p>	<p>A12.1 All stormwater drainage discharges to a lawful point of discharge and does not adversely affect downstream, upstream, underground stream or adjacent properties.</p>

Sustainable Siting and Design of Houses on Sloping Sites

<p>PERFORMANCE CRITERIA</p>	<p>ACCEPTABLE SOLUTIONS</p>
<p>P13 A House sited on hillside land is sited in an existing cleared area, or in an area approved for Clearing.</p>	<p>A13.1 A House is sited in an existing cleared area or in an area approved for Clearing under the Local Law – Vegetation Management but which is not cleared until development occurs. The Clearing is limited to a maximum area of 800 m² and is sited clear of the High Bank of any Watercourse.</p> <p>(The 800m² area of Clearing does not include an access driveway.)</p> <p>A13.2 The approved area for the Clearing of the House is not cleared until a Building Permit is issued.</p>
<p>P14 A House sited on hillside land is sited and designed so that it is subservient to the surrounding natural environment.</p>	<p>A14.1 A House is effectively screened from view by existing native trees in designated Setback area/s, or by the planting of additional native trees endemic to the local area.</p>



P15	The exterior finishes of a House complements the surrounding natural environment.	A15.1	The exterior finishes and colours of Building/s are non reflective and complement the colours of the surrounding vegetation and viewshed.
P16	A House is designed to be energy efficient and functional in a humid tropical rainforest environment.	A16.1	The development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements.



RESIDENTIAL 2



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4.3.4 Residential 2 Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following outcomes for the Residential 2 Planning Area:

- encourage residential development which provides for a wider choice of housing in terms of form, size and affordability to meet the needs of residents;
- encourage medium density housing in a range of accommodation types, particularly in areas with a high level of accessibility to public transport, shopping facilities, community facilities and employment centres;
- ensure that residential development is of an appropriate scale and achieves an attractive built form which is sympathetic to the location and enhances the character of established residential areas;
- ensure that residential development is designed to take account of the tropical climate of the Shire by incorporating architectural features and elements which are appropriate in a tropical environment;
- promote the efficient use of physical and social infrastructure;
- ensure that Landscaping of residential development enhances the visual appearance of the development and the streetscape, provides attractive outdoor spaces and privacy between adjoining developments; and
- provide for the establishment of facilities to service the local community.

Applicability

This Code applies to development that is self assessable or assessable in the Residential 2 Planning Area for:

- Material Change of Use;
- Reconfiguring a Lot;
- Operational Work Associated with Reconfiguring a Lot;
- Operational Work – Filling or Excavation not associated with a Material Change of Use;
- Operational Work – Engineering Works not associated with a Material Change of Use; and
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use;

For self-assessable development assessed against this Code, the applicable Acceptable Solutions is A4.1.

Self assessable development which does not comply with the Acceptable Solution listed above, will require Code Assessment.



Elements of the Code

Consistent and Inconsistent Uses

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	The establishment of uses is consistent with the outcomes sought for the Residential 2 Planning Area.	A1	Uses identified as inconsistent uses in the Assessment Table are not established in the Residential 2 Planning Area.

Site Coverage –Other than a House

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P2	The Site Coverage of all Buildings, other than a House, does not result in a built form that is bulky or visually obtrusive ²⁸ .	A2.1	<p>The Site Coverage of any Buildings, other than a House, is limited to:</p> <ul style="list-style-type: none"> • 45% at Ground Level; • 40% at first floor level; • 35% at second floor level, if applicable.

Building Setbacks –Other than a House

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P3	<p>Buildings, other than a House, are Setback to:</p> <ul style="list-style-type: none"> • maintain the character of residential neighbourhoods; and • achieve separation from neighbouring Buildings and from Road Frontages²⁸; and • maintain a cohesive streetscape pattern; and • provide for daylight access, privacy and appropriate landscaping. 	A3.1	<p>Buildings are Setback:</p> <ul style="list-style-type: none"> (a) at least 6 metres from the Main Street Frontage; and (b) at least 4 metres from any secondary Road Frontage; and (c) to side and rear boundaries: <ul style="list-style-type: none"> (i) 1.5 metres; or (ii) an average of half of the Height of the wall of the Building, whichever is the greater.

²⁸ For a House or an Outbuilding, the setbacks from road frontages and from side and rear boundaries and the site coverage are in accordance with the Standard Building Regulation.



Fencing

<p>P4 Perimeter fencing to the Frontage of a Site is not visually obtrusive and does not detract from the residential character of the area.</p>	<p>A4.1 Any fencing provided to any Street Frontage of the Site is a maximum of 1.2 metres in Height and does not present a blank facade to the street.</p> <p style="text-align: center;">AND</p> <p>Fencing at the side and rear of the Site is a maximum of 1.8 metres in Height.</p>
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Building Proportions and Scale – Other than a House

<p>PERFORMANCE CRITERIA</p>	<p>ACCEPTABLE SOLUTIONS</p>
<p>P5 The proportions and scale of any development, other than a House, are in character with the area and local streetscape.</p>	<p>A5.1 Balconies, patios and similar spaces are not enclosed or capable of being used as a Habitable Room.</p> <p style="text-align: center;">AND</p> <p>Balconies, patios and similar spaces are designed to be open and of light weight appearance with a maximum of 20% of the façade being fully enclosed.</p> <p>A5.2 The development incorporates building design features and architectural elements detailed in Planning Scheme No. 2 – Building Design and Architectural Elements.</p> <p>A5.3 The overall length of a Building does not exceed 30 metres and the overall length of continuous wall does not exceed 15 metres.</p>



Landscaping –Other than a House

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P6 A Site which is developed for any residential purpose, other than a House, is established with Landscaping which is functional, provides visual interest and form, incorporates native vegetation and provides privacy to adjacent residential uses²⁹.</p>	<p>A6.1 A minimum of 35% of the Site is provided as Landscaping and Recreation Area. 30% of this total area is provided as Landscaping.</p> <p style="text-align: center;">UNLESS</p> <p>A greater percentage is specified in a Land Use Code.</p> <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> • within the Site Frontage Setback area a minimum width of 2 metres of Landscaping, including 75% Dense Planting; and • within the side and rear Setback areas a minimum width of 1.5 metres of Landscaping, including 75% Dense Planting, <p>is provided in accordance with the Landscaping Code.</p> <p style="text-align: center;">UNLESS</p> <p>A greater distance is specified in a Land Use Code.</p>

²⁹ Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



TOURIST & RESIDENTIAL



TOURIST
RESIDENTIAL

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4.3.5 Tourist and Residential Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following outcomes for the Tourist and Residential Planning Area:

- provide for tourist development to establish in areas in close proximity to commercial and recreational services and facilities;
- also provide for residential development for permanent residents to establish in these areas as an alternative residential option;
- encourage a range of tourist accommodation types to establish in these areas;
- ensure that tourist development is of an appropriate scale and achieves an attractive built form which incorporates the character and natural attributes of the Site and the surrounding area as integral features of the theme and design of the development;
- ensure that tourist development is designed to take account of the tropical climate by incorporating appropriate architectural elements and building design features;
- promote the efficient use of physical and social infrastructure; and
- ensure that Landscaping of tourist development is of high quality and contributes to the visual dominance of tropical vegetation and the local streetscape.

Applicability

This Code applies to development that is self assessable or assessable in the Tourist and Residential Planning Area for:

- Material Change of Use;
- Reconfiguring a Lot;
- Operational Work Associated with Reconfiguring a Lot;
- Operational Work – Filling or Excavation not associated with a Material Change of Use;
- Operational Work – Engineering Works not associated with a Material Change of Use; and
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use.

For self-assessable development assessed against this Code, the applicable Acceptable Solutions is A4.1.

Self assessable development which does not comply with the Acceptable Solution listed above, will require Code Assessment.



Elements of the Code

Consistent and Inconsistent Uses

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	The establishment of uses is consistent with the outcomes sought for the Tourist and Residential Planning Area.	A1.1	Uses identified as inconsistent uses in the Assessment Table are not established in the Tourist and Residential Planning Area.

Site Coverage –Other than a House

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P2	The Site Coverage of all Buildings, other than a House, does not result in a built form that is bulky or visually obtrusive ³⁰ .	A2.1	<p>The Site Coverage of any Building, other than a House, is limited to:</p> <ul style="list-style-type: none"> • 45% at Ground Level; • 40% at first floor level; and • 35% at second floor level, if applicable.

Building Setback and Siting – Other than a House

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P3	<p>Buildings, other than a House, are Setback to:</p> <ul style="list-style-type: none"> • maintain the character and amenity of the area; and • achieve separation from neighbouring Buildings and from Road Frontages³⁰. 	A3.1	<p>Buildings, other than a House is Setback:</p> <ul style="list-style-type: none"> • a minimum of 6 metres from the Main Street Frontage • a minimum of 4 metres from any secondary street Frontage; and • for side and rear boundary Setbacks: <ul style="list-style-type: none"> – 1.5 metres; or – an average of half of the Height of the wall of the Building, <p>whichever is the greater.</p>

³⁰ For a House or Outbuilding, the setbacks from road frontages and from side and rear boundaries and the site coverage are in accordance with the Standard Building Regulation.



Fencing

<p>P4 Perimeter fencing to the Frontage of a Site is not visually obtrusive and does not detract from the residential character of the area.</p>	<p>A4.1 Any fencing provided at the Main Street Frontage of the Site is a maximum of 1.2 metres in Height and does not present a blank facade to the street.</p> <p style="text-align: center;">AND</p> <p>Fencing at side and rear boundaries of the Site are a maximum of 1.8 metres in Height.</p>
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Building Proportions and Scale – Other than a House

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P5 The proportions and scale of any development, other than a House, are in character with the area and local streetscape.</p>	<p>A5.1 The overall length of a Building, other than a House, does not exceed 30 metres and the overall length of any continuous wall does not exceed 15 metres.</p> <p>A5.2 Balconies, patios and similar spaces are not enclosed or capable of being enclosed and used as a Habitable Room.</p> <p style="text-align: center;">AND</p> <p>Balconies, patios and similar spaces are designed to be open and of light weight appearance with a maximum of 20% of the façade being fully enclosed.</p> <p>A5.3 Roof forms, materials and colours of the Building enhance the amenity of the street and locality including:</p> <ul style="list-style-type: none"> • the roof of Buildings are light coloured and non reflective; and • white and shining metallic finishes are avoided on external surfaces in prominent view. <p>The development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements.</p>



Landscaping – Other than a House

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P6 A Site in the Tourist and Residential Planning Area which is developed for any residential purpose, other than a House, is landscaped to provide for the recreational amenity of residents/guests and also incorporates dominant tropical vegetation which enhances the streetscape and the amenity of the area.</p>	<p>A6.1 A minimum of 35% of the Site is provided as Landscaping and Recreation Area. 30% of this total area is provided as Landscaping.</p> <p style="text-align: center;">UNLESS</p> <p>A greater percentage is specified in a Land Use Code.</p> <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> • within the Site Frontage Setback area a minimum width of 2 metres of Landscaping, including 75% Dense Planting; and • within the side and rear Setback areas a minimum width of 1.5 metres of Landscaping, including 75% Dense Planting <p>is provided in accordance with the Landscaping Code.</p> <p style="text-align: center;">UNLESS</p> <p>A greater distance is specified in a Land Use Code.</p>



Recreation and Ancillary Facilities

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P7 Tourist developments include recreational and ancillary services and facilities for the enjoyment and convenience of guests.</p>	<p>A7.1 Development which includes accommodation for tourists incorporates a mix of the following recreational and ancillary services and facilities:</p> <ul style="list-style-type: none"> • swimming pool/s • tennis courts • BBQ areas • volleyball courts • outdoor lounging/Recreation Areas • Restaurants/bars • shops/boutique • tour booking office • spas/health clubs. <p>A7.2 Any commercial services or facilities incorporated into a tourist development are small scale and predominantly service in-house guests only.</p> <p>A7.3 Where a commercial service or facility offers services to persons over and above in-house guests the commercial component provides on Site car parking for 50% of the floor area available for use in accordance with the relevant requirements of the Vehicle Parking and Access Code.</p>



COMMERCIAL



COMMERCIAL

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4.3.6 Commercial Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following outcomes for the Commercial Planning Area:

- provide for the establishment of new and the continuation of existing commercial and shopping facilities to serve the needs of the local and where appropriate, the wider community;
- to encourage the consolidation of commercial areas by providing for shopping facilities together, where appropriate, with a range of business, professional, medical services and community facilities;
- to accommodate a range of commercial uses that serve the needs of the local and, where appropriate, the wider community;
- facilitate the option for residential development to be integrated with commercial development in appropriate locations; and
- ensure that commercial and shopping areas are attractive through high quality design and the provision and maintenance of Landscaping and street trees.

Applicability

This Code applies to self-assessable and assessable development in the Commercial Planning Area for:

- Material Change of Use:

Except for:

- Business Facilities – using an existing Building in the Mossman and Environs Locality, the Port Douglas and Environs Locality and the Coastal Suburbs, Villages and Townships Locality
 - Restaurant – using an existing Building in the Mossman and Environs Locality and the Port Douglas and Environs Locality
 - Shopping Facility – using an existing Building in the Mossman and Environs Locality
- Reconfiguring a Lot;
 - Operational Work Associated with Reconfiguring a Lot;
 - Operational Work – Filling or Excavation not associated with a Material Change of Use;
 - Operational Work – Engineering Works not associated with a Material Change of Use; and
 - Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use.



For self-assessable development assessed against this Code, the applicable Acceptable Solutions are A5.1 and A5.2.

Self assessable development which does not comply with the Acceptable Solutions listed above, will require Code Assessment.



Elements of the Code

Consistent and Inconsistent Uses – General

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	The establishment of uses is consistent with the outcomes sought for the Commercial Planning Area.	A1.1	Uses identified as inconsistent uses in the Assessment Table are not established in the Commercial Planning Area.

Building Setbacks

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P2	The siting of Buildings/structures is in keeping with the existing and desired amenity and character of the area and protects the amenity of adjoining land uses.	A2.1	Buildings/structures are built up to the front boundary for the full Frontage of the Site. UNLESS Buildings/structures are required to be Setback as stated in the relevant Locality Code.
		A2.2	Buildings/structures are constructed to the side and rear boundaries. OR Where the Site adjoins land in a residential planning area or where the Site adjoins land developed partially or wholly, for a residential or tourist accommodation purpose: <ul style="list-style-type: none"> • the Building/structure is Setback from the common boundary 1.5 metres or an average of half the Height of the wall of the Building, whichever is the greater; and • a 1.8 metre high solid screen fence is established along the length of the common boundary.



Awnings

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P3	The design of Buildings provides for the integration of the development with the existing streetscape and provides for the protection of the public from the inclement weather.	A3.1	An awning, a minimum of 3 metres in width, is provided to the full Frontage/s of the Site where the Building is built to the front property alignment/s.
		A3.2	Buildings include design features that support the character of the commercial area including parapets. HOWEVER Any parapet wall does not exceed 900mm when measured from the intersection of the underside of the ceiling and the wall of the Building.

Landscaping

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P4	Landscaping provides a suitable buffer between incompatible uses ³¹ .	A4.1	Where a Building is not built up to the Main Street Frontage the setback area is landscaped with Deep Planting.
		A4.2	Where a Building is not built to the side or rear boundary the setback from the side and rear boundary is landscaped with Deep Planting.
		A4.3	Where the Building is setback and the Site adjoins land in a residential planning area or where the Site adjoins land developed partially or wholly, for residential or tourist accommodation uses a 1.5 metre wide Setback of Dense Planting is provided to the common boundary with that land in accordance with all the relevant requirements of the Landscaping Code.

³¹ Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



Site Access and Car Parking

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P5	Site Access and Car Parking are appropriately located and provided to service the development and to provide off street parking which is safe and conveniently located for users.	A5.1	Site Access/es is/are conveniently located to encourage usage and enable customers to enter and exit the commercial development safely.
		A5.2	Off street car parking is provided at the rear or the side of the Building or underneath a Building in accordance with all the relevant provisions of the Vehicle Parking and Access Code.
		A5.3	Vehicle unloading areas, goods storage areas, waste storage areas and outdoor equipment areas are designed and located to be screened from the street and to be accessible by service delivery vehicles without conflicting with the traffic flow of the car parking areas and on Site pedestrian areas.

Local Centres

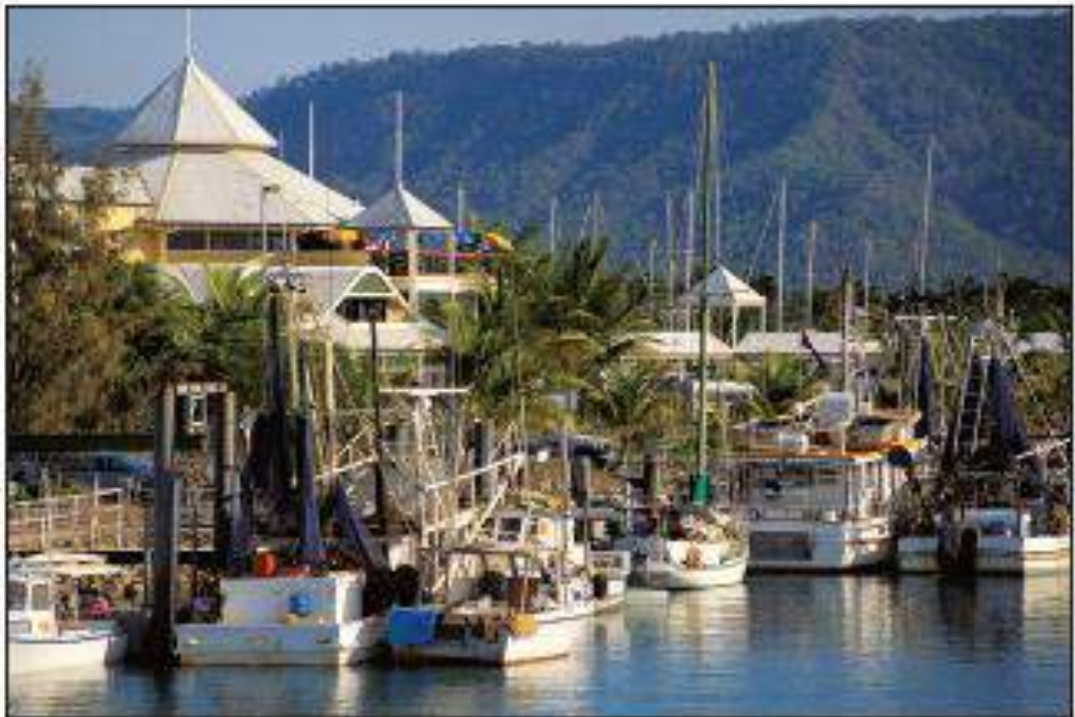
PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P6	A Local Centre services only the convenience needs of the surrounding local community.	A6.1	All Local Centres have a maximum Net Lettable Area which is specified in the relevant Locality Code. The Net Lettable Area of any one individual use does not exceed 50% of the Net Lettable Area for the Local Centre and with all non retail uses not exceeding 50% of the total Net Lettable Area.
		A6.2	The maximum Net Lettable Area specified, for an existing Local Centre, comprised of a number of lots, is allocated on a pro-rata basis between all the lots.
		A6.3	Non retail service uses are limited to food outlets such as a cafe or Restaurant, personal services such as hairdresser, beautician, small offices such as a dentist, doctor, bakery or laundromat.



	<p>A6.4 On Site car parking is provided in accordance with that specified in Schedule 1 – Car Parking Requirements of the Vehicle Parking and Access Code for the proposed use within a Local Centre. Where no differential rate is specified the standard rate applies.</p> <p>A6.5 Additional short term car parking is designated on the Road reserve adjacent to the Local Centre, (other than a State-Controlled Road unless it is a service road).</p> <p>A6.6 Any residential use proposed within a Local Centre, such as a Caretaker’s Residence or Multi-Unit Housing, is located above Ground Level and complies with the specified plot ratio designation.</p> <p>A6.7 A new Local Centre is co-located with parkland and other community services and facilities.</p>
<p>P7 A Local Centre is designed to be compatible with the scale and character of surrounding residential development and functions safely and efficiently.</p>	<p>A7.1 A Local Centre is designed in accordance with the general provisions of the Commercial Planning Area Code outlined above in A1.1 to A6.3.</p> <p style="text-align: center;">AND</p> <p>A Local Centre is designed to integrate with the streetscape providing paving and planting to all street Frontages.</p>
<p>P8 In a Local Centre the Site Coverage of Buildings ensures that there is sufficient area for the provision of services.</p>	<p>A8.1 The Site Coverage of all Buildings does not exceed 80% of the Site area.</p>



INDUSTRY



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4.3.7 Industry Planning Area Code

Purpose

The purpose of this Code is to:

- provide for the establishment of Industry, Class A and Class B and Service Industry on appropriate land with regard to Site suitability, accessibility, surrounding land uses, and location of utilities and services;
- ensure that Industry achieves appropriate environmental standards;
- ensure that industrial Buildings have a high standard of layout and building design that provides an efficient, safe and attractive working environment;
- ensure that Industry, Class A and Class B and Service Industry do not adversely impact on surrounding land uses and Setback areas provide landscaped buffers to adjacent incompatible land uses;
- ensure that Landscaping provides an attractive streetscape and screens utility, storage and car parking from the street; and
- ensure that industrial land uses are protected from encroachment of incompatible land use activities.

Applicability

This Code applies to development that is assessable in the Industry Planning Area for

- Material Change of Use;
- Reconfiguring a Lot;
- Operational Work Associated with Reconfiguring a Lot;
- Operational Work – Filling or Excavation not associated with a Material Change of Use;
- Operational Work – Engineering Works not associated with a Material Change of Use; and
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use.



Elements of the Code

Consistent and Inconsistent Uses

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	The establishment of uses is consistent with the outcomes sought for the Industry Planning Area.	A1.1	Uses identified as inconsistent uses in the Assessment Table are not established in the Industry Planning Area.
P2	A Caretaker's Residence is only established in association with an industrial use or activity operating as the primary use on the Site.	A2.1	Only one Caretaker's Residence is established on the parent Site in association with an industrial use or activity located on one industrial allotment identified on a Standard Format Plan.

Site Coverage

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P3	The Site Coverage of Buildings ensures that there is sufficient area for the provision of services and Landscaping.	A3.1	The Site Coverage of all Buildings does not exceed 60% of the Site area.

Design and Siting

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P4	The siting of industrial Buildings/structures contributes to the desired amenity of the area and protects the amenity of other land uses. ³²	A4.1	Buildings/structures on Sites with Frontage to a State-Controlled Road, are Setback 8 metres from the Road Frontage.
		A4.2	In other cases, Buildings/structures are Setback: <ul style="list-style-type: none"> • 6 metres from the Main Street Frontage; and • 4 metres from any secondary street Frontage.

³² Storage and disposal of contaminants may constitute an Environmentally Relevant Activity and may require approval from the Environmental Protection Agency



	<p>A4.3 Where the Site has a common boundary with land in an Industry Planning Area, the Building/structure may be built to the side and rear boundaries where the Building Code requirements are satisfied.</p> <p style="text-align: center;">HOWEVER</p> <p>Where the Building Code requirements are not satisfied, Buildings are Setback 2.5 metres or a quarter of the Height of the Building/structure, whichever is the greater, from side and rear boundaries.</p> <p>A4.4 Where the Site adjoins land not in an Industry Planning Area or land developed partially or wholly for a residential use, the Building/structure is Setback 2.5 metres or a quarter of the Height of the Building/structure, whichever is the greater, from the common boundary.</p> <p>A4.5 The Building/structure is sited to maximise energy conservation, natural cooling and shading from summer sun, with the use of high quality materials and non-reflective roof materials.</p>
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Loading/Unloading Facilities

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P5	The transport of goods and materials to and from industrial Sites does not adversely affect the movement of traffic on the Roads adjacent to the Site.	A5.1	All delivery/pick up vehicles are contained wholly within the Site when being loaded/unloaded.
		A5.2	Sufficient manoeuvring area is provided on Site to allow a single unit truck to ingress and egress the Site in a forward gear.
		A5.3	Site Access is limited to one Access point for each street Frontage.
			OR
			If the Site has Frontage to the Captain Cook Highway and another Road, Access is limited to the secondary Road.
		A5.4	Where two Access points to the street Frontage are necessitated, to facilitate manoeuvrability of large industrial vehicles, the accesses are separated by a minimum distance of 10 metres.



Landscaping and Amenity

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P6 Industrial Sites are landscaped to enhance the amenity of industrial areas and provide a pleasant working environment³³.</p>	<p>A6.1 A minimum of 20% of the area of the Site is landscaped.</p> <p>A6.2 Dense Planting along any Road Frontage is a minimum width of 3 metres.</p> <p style="text-align: center;">EXCEPT THAT</p> <p>Dense Planting along the Road Frontage is a minimum of 4 metres in width where adjacent to the Captain Cook Highway.</p> <p>A6.3 Any Setback areas from side and rear boundaries where the Site adjoins land not in an Industry Planning Area or land developed partially or wholly for a residential use, are landscaped with Dense Planting in accordance with all the relevant requirements of the Landscaping Code and Planning Scheme Policy No 7 – Landscaping.</p> <p>A6.4 Areas used for loading and unloading, storage, utilities and car parking are screened from public view by a combination of Landscaping and screen fencing.</p>
<p>P7 Industrial areas are not characterised by a proliferation of advertising signs and/or the use of large advertising signs.</p>	<p>A7.1 Signage complies with the Design and Siting of Advertising Devices Code.</p> <p style="text-align: center;">AND</p> <p>No wall signs are located on the walls of industrial Buildings facing the Captain Cook Highway or any other State-Controlled Road.</p>

³³ Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



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COMMUNITY & RECREATIONAL FACILITIES



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4.3.8 Community and Recreational Facilities Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following outcomes for the Community and Recreational Facilities Planning Area:

- accommodate community facilities such as schools, churches, community centres, State and Local Government facilities and major public utility depots or operations which are important to a locality or to the Shire, in locations which are convenient and accessible to the communities which the facilities serve;
- ensure that any expansion or redevelopment of community facilities is in keeping with the purpose and character of the facility and reflect contemporary community needs;
- ensure that areas are available for active sport and recreational pursuits, including facilities for commercial recreation;
- provide opportunities for sporting clubs using playing fields to establish club facilities;
- ensure that the use of recreational or club facilities does not affect the amenity of adjacent areas, particularly residential or environmental areas, through the sensitive design and siting of facilities and through buffering of facilities from sensitive land uses;
- ensure that areas and facilities are available to the general public and visitors to the Shire for recreational use and enjoyment;
- ensure that a range of functional open spaces, including local and district parks, major areas of parkland with a Shire-wide focus and open space links are provided for the use and enjoyment of residents of, and visitors to, the Shire; and
- ensure that the use of parkland does not affect the amenity of adjacent areas, particularly residential areas.

Applicability

This Code applies to assessable development in the Community and Recreational Facilities Planning Area for:

- Material Change of Use;
- Reconfiguring a Lot;
- Operational Work Associated with Reconfiguring a Lot;
- Operational Work – Filling or Excavation not associated with a Material Change of Use;
- Operational Work – Engineering Works not associated with a Material Change of Use; and
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use.



Elements of the Code

Consistent and Inconsistent Uses

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	The establishment of uses is consistent with the outcomes sought for the Community and Recreational Facilities Planning Area.	A1.1	Uses identified as inconsistent uses in the Assessment Table are not established in the Community and Recreational Facilities Planning Area.

Building/Structure Siting

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P2	Buildings/structures are Setback to ensure that they are compatible with the character of the area and do not adversely affect other uses, particularly residential uses.	A2.1	Buildings are Setback not less than: <ul style="list-style-type: none"> • a minimum of 8 metres from a State-Controlled Road; or • in other cases, a minimum of 6 metres from the Main Street Frontage; • 4 metres from any secondary Road Frontage; and • 3 metres from side and rear boundaries.

Site Access and Car Parking

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P3	Car parking areas are Setback from the boundaries of the Site to ensure a high standard of amenity and to ensure that the amenity of adjacent residential land, residential uses or other sensitive Sites is protected.	A3.1	Car parking areas are Setback; <ul style="list-style-type: none"> • 6 metres from the Road Frontage/s of the Site; and • 3 metres from any other Site boundary.
P4	The Setbacks to car parking areas are landscaped to enhance the amenity of the Site and to provide a buffer to adjacent residential land, residential uses and other sensitive Sites.	A4.1	The Setback between the Road Frontage/s and the car parking area is landscaped with Dense Planting.



Night Lighting

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P5 Night lighting of playing fields and club facilities do not adversely affect the amenity of adjacent areas or uses.</p>	<p>A5.1 Where the Site adjoins land included in a Residential 1, Residential 2 or Tourist and Residential Planning Area or land developed partially or wholly for residential purposes, illumination levels parallel to and at a distance of 1.5 metres outside the Site for a Height of 10 metres do not exceed 8 lux in either the vertical or horizontal plane.</p> <p style="text-align: center;">OR</p> <p>Where regional standard facilities require a lux level of 100 – 200 lux shielding mechanisms and the correct design and positioning of the lights ensure minimal spillage to adjacent land.</p>

Landscaping

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P6 Landscaping is functional, provides visual interest and form, incorporates native vegetation, provides screening and enhances the visual appearance of the development and provides for useable public recreation/congregation areas, where appropriate.</p>	<p>A6.1 All Site boundary Setback areas are provided with Dense Planting for a minimum distance of 2 metres or as specified above in A3.1.</p> <p style="text-align: center;">OR</p> <p>A greater distance specified in a Land Use Code.</p>



Sloping Sites

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P7 Building/structures are designed and sited to be responsive to the constraints of sloping Sites.</p>	<p>A7.1 Building/structures are Erected on land with a maximum slope not exceeding 15%.</p> <p style="text-align: center;">OR</p> <p>Development proposed to be Erected on land with a maximum slope between 15% and 33% is accompanied by a Geotechnical Report prepared by a qualified engineer at development application stage.</p> <p style="text-align: center;">OR</p> <p>Development proposed to be Erected on land with a maximum slope above 33% is accompanied by a Specialist Geotechnical Report prepared by a qualified engineer at development application stage which includes sign-off that the Site can be stabilised.</p> <p style="text-align: center;">AND</p> <p>Any Building/structures proposed to be Erected on land with a maximum slope above 15% are accompanied by an additional Geotechnical Report prepared by a qualified engineer at building application stage.</p> <p>(Information that the Council may request as part of the Geotechnical Report are outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development.)</p>



<p>P8 The building style and construction methods used for development on sloping Sites are responsive to the Site constraints.</p>	<p>A8.1 A split level building form is utilised.</p> <p>A8.2 A single plane concrete slab is not utilised.</p> <p>A8.3 Any voids between the floor of the Building and Ground Level, or between outdoor decks and Ground Level, are screened from view by using lattice/batten screening and/or Landscaping.</p>
<p>P9 Development on sloping land minimises any impact on the landscape character of the surrounding area.</p>	<p>A9.1 Buildings/structures are sited below any ridgelines and are sited to avoid protruding above the surrounding tree level.</p>
<p>P10 Development on sloping land ensures that the quality and quantity of stormwater traversing the Site does not cause any detrimental impact to the natural environment or to any other Sites.</p>	<p>A10.1 All stormwater drainage discharges to a lawful point of discharge and does not adversely affect downstream, upstream, underground stream or adjacent properties.</p>



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CONSERVATION



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4.3.9 Conservation Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following outcomes for the Conservation Planning Area:

- protect biological diversity, ecological integrity and Scenic Amenity;
- ensure that any recreational or other uses of areas within the Planning Area that are in the control of the Crown or the Council, such as Reserves, National Parks and the Wet Tropics World Heritage Area or areas adjacent to these areas, are consistent with the management plans of the controlling authority so that the conservation and scenic values of these areas are not adversely affected;
- ensure that any use of land in private ownership in the Planning Area does not affect the environmental, habitat, conservation or scenic values of that land or surrounding area; and
- ensure that any low intensity facilities based on an appreciation of the natural environment or nature based recreation only establish when there is a demonstrated need and provided they will have minimal impact on the environmental and Scenic Amenity values of the Site or the surrounding area.

Applicability

This Code applies to development that is assessable in the Conservation Planning Area for:

- Material Change of Use;
- Reconfiguring a Lot;
- Operational Work Associated with Reconfiguring a Lot;
- Operational Work – Filling or Excavation not associated with a Material Change of Use;
- Operational Work – Engineering Works not associated with a Material Change of Use;
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use; and
- Building Work other than Minor Building Work not associated with a Material Change of Use.



Elements of the Code

Consistent and Inconsistent Uses – General

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 The establishment of uses is consistent with the outcomes sought for the Conservation Planning Area.</p>	<p>A1.1 Uses identified as inconsistent uses in the Assessment Tables are not established in the:</p> <ul style="list-style-type: none"> • Conservation Planning Area. <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • In the four Precincts included in the Conservation Planning Area in the Settlement Areas North of the Daintree River Locality

Site Coverage

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P2 The Site Coverage of all Buildings does not have an adverse effect on the conservation or Scenic Amenity values of the Site and Buildings are subservient to the natural environment.</p>	<p>A2.1 Development is sited in an existing cleared area or in an area approved for Clearing under the Local Law – Vegetation Management but which is not cleared until a Building Permit is issued. Any Clearing is limited to a maximum area of 700 m² and is sited clear of the High Bank of any Watercourse.</p> <p>(The 700 m² area of new Clearing does not include an access driveway.)</p>



Building/Structure Setbacks

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P3	Buildings/structures are Setback from the boundaries of the Site so they are screened from view from the boundaries of adjoining properties and adjoining Roads and so that the Scenic Amenity values of the area are not adversely affected.	A3.1	Buildings are Setback not less than: <ul style="list-style-type: none"> • a minimum of 40 metres from the Frontage of a State-Controlled Road; or • a minimum of 25 metres from Cape Tribulation Road Frontage; or • 20 metres from the Frontage to any other Road; and • 10 metres from the side and rear boundaries.
P4	Buildings/structures are Setback from Watercourses and other sensitive areas to ensure the environmental values of the area are not adversely affected.		No Acceptable Solution (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).

Residential Density

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P5	Residential density of any development is very low to ensure that the conservation and Scenic Amenity values of the Site and the surrounding area are not adversely affected.		No Acceptable Solution. (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).



Landscaping

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P6	Landscaping incorporates endemic/native vegetation, is informal in character and complementary to the existing natural environment, provides screening and enhances the visual appearance of the development ³⁴ .	A6.1	For any development, the balance area of the Site not built upon must be landscaped/revegetated, predominantly with native vegetation and in accordance with the Plant Species Schedule in Planning Scheme Policy No 7 – Landscaping.
		A6.2	Landscaping must be informal in character.
		A6.3	At the time that a Site is developed for any purpose, the Road Frontage Setback areas are landscaped/revegetated so that 10 metres of the Setback area immediately adjacent to any Road Frontage, where the minimum total Setback required is 20 metres or greater, is landscaped with Dense Planting.

³⁴ Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



Environmental Values – General

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS
P7	Development does not adversely impact on the natural environment, natural vegetation or Watercourses.	<p>No Acceptable Solution</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
P8	Development is complementary to the surrounding environment.	<p>A8.1 Development harmonises with the surrounding environment, for example, through suspended, light weight construction on sloping Sites, which requires minimal excavation and fill.</p> <p>A8.2 A Development is subservient to the natural landscape in scale and in the use of exterior colours and finishes.</p> <p>A8.3 Any driveway or car park is constructed and maintained to:</p> <ul style="list-style-type: none"> • minimise erosion, particularly in the wet season; and • minimise cut and fill; • follow the natural contours of the Site; and • minimise vegetation Clearing.



Sloping Sites

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P9 Building/structures are designed and sited to be responsive to the constraints of sloping Sites.</p>	<p>A9.1 Building/structures are Erected on land with a maximum slope not exceeding 15%.</p> <p style="text-align: center;">OR</p> <p>Development proposed to be Erected on land with a maximum slope between 15% and 33% is accompanied by a Geotechnical Report prepared by a qualified engineer at development application stage.</p> <p style="text-align: center;">OR</p> <p>Development proposed to be Erected on land with a maximum slope above 33% is accompanied by a Specialist Geotechnical Report prepared by a qualified engineer at development application stage which includes sign-off that the Site can be stabilised.</p> <p style="text-align: center;">AND</p> <p>Any Building/structures proposed to be Erected on land with a maximum slope above 15% are accompanied by an additional Geotechnical Report prepared by a qualified engineer at building application stage.</p> <p>(Information that the Council may request as part of the Geotechnical Report are outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development.)</p>



<p>P10 The building style and construction methods used for development on sloping Sites are responsive to the Site constraints.</p>	<p>A10.1 A split level building form is utilised.</p> <p>A10.2 A single plane concrete slab is not utilised.</p> <p>A10.3 Any voids between the floor of the Building and Ground Level, or between outdoor decks and Ground Level, are screened from view by using lattice/batten screening and/or Landscaping.</p>
<p>P11 Development on sloping land minimises any impact on the landscape character of the surrounding area.</p>	<p>A11.1 Buildings/structures are sited below any ridgelines and are sited to avoid protruding above the surrounding tree level.</p>
<p>P12 Development on sloping land ensures that the quality and quantity of stormwater traversing the Site does not cause any detrimental impact to the natural environment or to any other Sites.</p>	<p>A12.1 All stormwater drainage discharges to a lawful point of discharge and does not adversely affect downstream, upstream, underground stream or adjacent properties.</p>



Sustainable Siting and Design of Houses on Sloping Sites

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P13	A House sited on hillside land is sited in an existing cleared area, or in an area approved for Clearing	A13.1	A House is sited in an existing cleared area or in an area approved for Clearing under the Local Law – Vegetation Management but which is not cleared until development occurs. The Clearing is limited to a maximum area of 700 m ² and is sited clear of the High Bank of any Watercourse. (The 700 m ² area of Clearing does not include an access driveway.)
		A13.2	The approved area for the Clearing of the House is not cleared until a Building Permit is issued.
P14	A House sited on hillside land is sited so that it is not clearly visible from any public Road.	A14.1	A House is Setback a minimum of 25 metres from Cape Tribulation Road or 20 metres from any other Road Frontage.
P15	A House sited on hillside land is sited and designed so that it is subservient to the surrounding natural environment.	A15.1	A House is effectively screened from view by existing native trees planted in designated Setback area/s, or by the planting of additional native trees endemic to the local area.
P16	The exterior finishes of a House complements the surrounding natural environment.	A16.1	The exterior finishes and colours of Building/s are non reflective and complement the colours of the surrounding vegetation and viewshed.
P17	A House is designed to be energy efficient and functional in a humid tropical rainforest environment.	A17.1	The development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements.



4.3.10 Port Douglas Waterfront North Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following desired development outcomes for the Port Douglas Waterfront North Planning Area:

- The Port Douglas Waterfront North Planning Area evolves as revitalised open space and waterside development precinct;
- Development within the Port Douglas Waterfront North Planning Area is designed to be sympathetic to the environmentally sensitive Dickson Inlet **and** mitigates any adverse impacts;
- The establishment of mixed-use development is facilitated to promote activity and vitality;
- Development contributes to a high quality public realm;
- Built form provides an attractive point of arrival from both land and sea;
- Pedestrian connectivity is safe, efficient and provides for the needs of all users of the Port Douglas Waterfront;
- Parking (and associated infrastructure) does not undermine the relationship between buildings and street;
- A sense of place is created through aesthetic streetscapes and innovative public and private open space;
- Character is enhanced through the identification of gateway sites, landmarks, main approach routes and pedestrian thoroughfares and view corridors;
- A high level of pedestrian and streetscape amenity is facilitated along the waterfront and road network through the use of landscaping, public art and streetscape elements;
- The importance of marine-based industries to the area is recognised;
- Marine-based industries are protected from incompatible uses;
- Marine infrastructure is established to service the tourism, fishing and private boating community;
- The functionality of the Balley Hooley tourist rail is retained;
- Uses identified as inconsistent uses in the Assessment Table dealing with material change of use for the Port Douglas & Environs Locality are not established in the Port Douglas Waterfront North Planning Area.

Applicability

This Code applies to self assessable and assessable development in the Port Douglas Waterfront North Planning Area for:

- Material Change of Use:

Except for:

- Shopping Facilities, Business Facilities or Restaurant – using an existing Building
- Reconfiguring a Lot;
- Operational Work Associated with Reconfiguring a Lot;



- Operational Work – Filling or Excavation not associated with a Material Change of Use;
- Operational Work – Engineering Works not associated with a Material Change of Use;
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use;
- Building Work other than Minor Building Work not associated with a Material Change of Use.

For self-assessable development assessed against this Code, the applicable Acceptable Solutions are A1.1 and A2.1.

Self assessable development which does not comply with Acceptable Solutions as listed above, outlined in this Code will require Code Assessment.

Elements of the Code

Consistent and Inconsistent Uses

PERFORMANCE CRITERIA		ACCEPTABLE solutions
P1	The establishment of uses is consistent with the outcomes sought for the Port Douglas Waterfront South Planning Area.	A1.1 Uses identified as inconsistent uses in the Assessment Table are not established in the Waterfront South Planning Area.

Design, Layout and Built Form

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS
P2	The bulk and scale of buildings is consistent with surrounding development and steps down to compliment the open space areas in the northern parts of the Port Douglas Waterfront..	A2.1 Development is designed in accordance with the control guidelines shown in <i>Figure 1</i> . Setbacks and building envelopes will be generally in accordance with those specified in this figure.

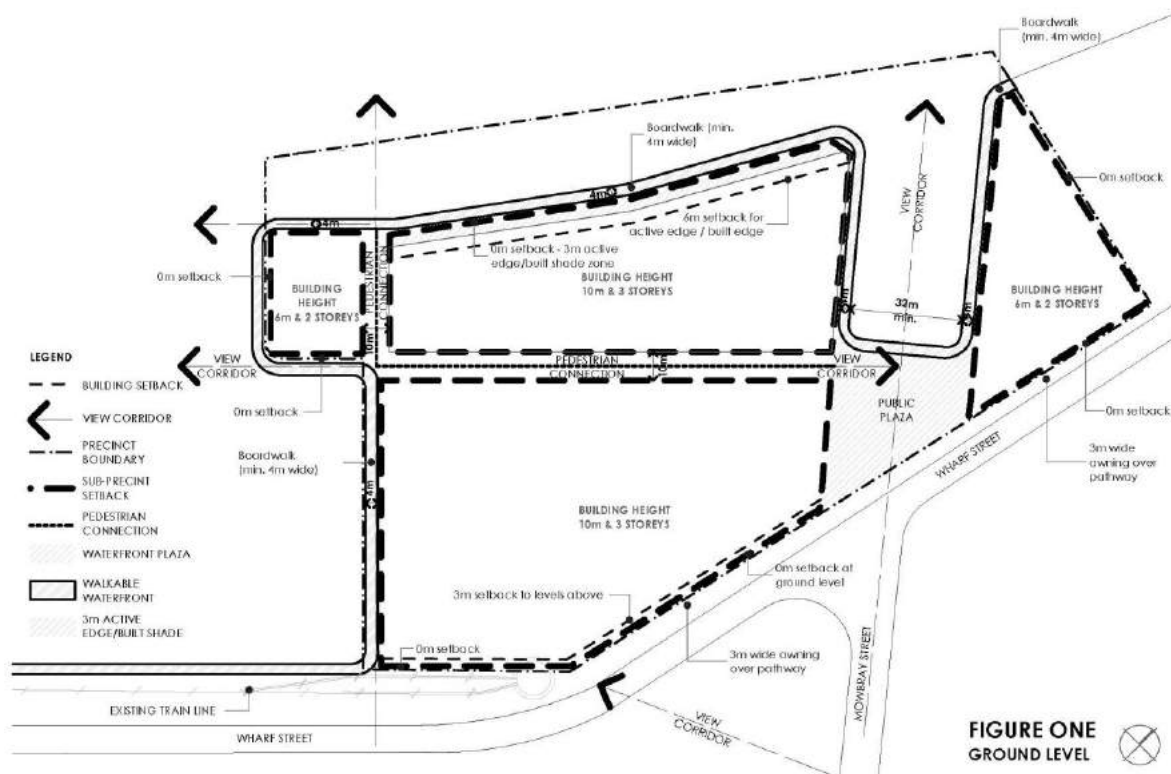


Figure 1: Development Control Guideline

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P3 Building design is distinctive and reflects the tropical character of Port Douglas and reinforces the amenity of the waterfront and surrounding areas as a major component of the tourism experience.</p>	<p>A3.1 Building design incorporates lightweight cladding and extensive sun-shading and shadowing devices to improve aesthetics and energy efficiency; and</p> <p>A3.2 Buildings are designed in accordance with the requirements of the Planning Scheme Policy No 2 – Building Design and Architectural Elements.</p>
<p>P4 Buildings are designed and oriented to address and provide activity in the public realm, particularly the public plaza and Wharf Street.</p>	<p>A4.1 Land uses, such as shops, restaurants, bars and commercial services, activate Wharf Street and the pedestrian plaza; and</p> <p>A4.2 Where a building is adjacent to a public place, the building’s main entrance addresses the public place; and</p>



	<p>A4.3 Through use of design features, development enables:</p> <ul style="list-style-type: none"> a. activities in public areas, such as outdoor dining; and b. passive recreation (such as places for meeting or busking); and c. informal seating around edges such as garden beds.
<p>P5 The design of buildings ensures that:</p> <ul style="list-style-type: none"> a. the streetscape is cohesive; and b. pedestrians are afforded protection from the sun and from rain; and c. development allows for on-site landscaping and street trees for an attractive and tropical streetscape. 	<p>A5.1 A non-transparent cantilevered awning is provided for the full length of the road frontage/s of buildings with a zero metre setback, as generally depicted in Figure 1. Posts may be included in the awnings design however these are to be non load bearing; and</p> <p>A5.2 The underside of the awning is a minimum of 3 metres and a maximum of 4 metres above the finished level of the footpath; and</p> <p>A5.3 The design of the awning allows for street tree plantings; and</p> <p>A5.4 Dense landscaping is provided adjacent to the road frontage where buildings are not built to the front boundary.</p>

Retention of Balley Hooley Rail Line

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P6 The Bally Hooley rail line and turn-table is retained and incorporated in development to maintain its functionality.</p>	<p>A6.1 No Acceptable Solutions Specified.</p>



Mitigating Adverse Impacts

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P7 Development mitigates the adverse impacts of flood, storm tide inundation and sea level rise.</p>	<p>A7.1 Floors that provide tourist or permanent accommodation are located above the Storm Tide Inundation Area and consider rising sea levels; and</p> <p>A7.2 Floors for new commercial and retail uses are located 150mm above the 1 in 100 year ARI flood event; or</p> <p>A7.3 Additions to existing buildings may use existing floor levels only where it is necessary to retain functionality of the building's use.</p>
<p>P8 Development recognises the importance of and relationship between the marina, commercial and residential development in the Port Douglas Waterfront Planning Area, and includes measures to mitigate the impact of:</p> <ul style="list-style-type: none"> a. noise; and b. odour; and c. hazardous materials; and d. aesthetics. 	<p>A8.1 Development incorporates buildings, structures and landscaped areas that can serve as a buffer between residential and non-residential use areas; and</p> <p>A8.2 Service and rubbish collection points:</p> <ul style="list-style-type: none"> a. are positioned to minimise conflict with residential accommodation; and b. include measures to mitigate adverse noises and smells; and c. minimise the need for trucks to use their reversing horns. <p>A8.3 Service structures and mechanical plant is not visible from:</p> <ul style="list-style-type: none"> a. the street; and b. adjoining properties; and c. Public open space; and <p>A8.4 Service structures and mechanical plant is located away from:</p> <ul style="list-style-type: none"> a. balconies or adjacent to other liveable areas; and b. multiple reflective surfaces such as walls and eaves; and



	<p>A8.5 Potential noise impacts are mitigated through the use of:</p> <ol style="list-style-type: none"> a. sound insulation; and b. sensitive internal planning; and c. acoustic barriers between residential and non-residential uses; and <p>A8.6 Hazardous Materials are stored in an enclosed, bunded area, away from residential uses.</p>
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Sustainable Building Design

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P9 New buildings promote exemplary environmentally sustainable building design outcomes.	A9.1 No Acceptable Solutions Specified.

Parking, Access and Mobility

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P10 Vehicle access, parking and service areas:</p> <ol style="list-style-type: none"> a. do not undermine the relationship between buildings and street or dominate the streetscape; and b. are designed to minimise pedestrian vehicle conflict. 	<p>A10.1 For all buildings parking is:</p> <ol style="list-style-type: none"> a. to the side of buildings and recessed behind the main building line; or b. behind buildings; or c. wrapped by the building façade, and not visible from the street; and <p>A10.2 Ground level parking incorporates clearly defined pedestrian routes; and</p> <p>A10.3 Any porte cocheres, disabled and pedestrian access are accommodated within the boundary of new or refurbished development.</p> <p>A10.4 Where development provides floor area for the Bally Hooley rail station, the gross floor area of the rail line and station does not attract a vehicle parking rate under this Code, or Schedule 1 of the Parking</p>



	<p>and Access Code.</p> <p>A10.5 Where the development is an integrated mixed-use development incorporating holiday accommodation or multiple dwellings and either restaurant or tavern or shopping facilities or business facilities, on-site parking spaces are provided as per the number prescribed in Schedule 1 – Car Parking Requirements of the Vehicle Parking and Access Code with a relaxation of 30% of the non-residential use.</p>
<p>P11 Pedestrians, cyclists, motorists and public transport users can easily move into and through the Waterfront along planned connectivity routes.</p>	<p>A11.1 An integrated pedestrian and cycle movement network is provided as depicted on the <i>Port Douglas Pedestrian and Cycle Movement Overlay</i>.</p> <p>A11.2 Vehicular access from Wharf Street, is provided for the:</p> <ol style="list-style-type: none"> a. Accommodation parking and drop off area, this may include a port cochere and entry feature; and b. Non-residential parking; and <p>A11.3 To avoid any confusion, vehicular access may be via separate access points from Wharf Street which must be designed to maintain the pedestrian integrity of the area through safe sightlines for both pedestrians and vehicles.</p>



View Corridors, Gateways, Landscaping and Open Space

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P12 A combination of pedestrian linkages and open space areas in the private and public realms are provided:</p> <ul style="list-style-type: none"> a. as a key feature of the Port Douglas Waterfront; and b. through the creation of a continuous waterfront promenade/boardwalk along the quayline. 	<p>A12.1 Development establishes an integrated open space and pedestrian movement network is provided as generally depicted on the <i>Port Douglas Pedestrian and Cycle Movement Overlay</i>.</p>
<p>P13 A public plaza and pedestrian access is established to create an arrival node to the Port Douglas Waterfront.</p>	<p>A13.1 Development establishes the public plaza as shown in <i>Figure 1</i>.</p>
<p>P14 The public plaza shown in <i>Figure 1</i> is designed and constructed to:</p> <ul style="list-style-type: none"> a. reflect the character of the Port Douglas Waterfront; b. meet the needs of its users; and c. provide opportunities for social interaction. 	<p>A14.1 The public plaza is designed to be adaptable to community based events and are serviced accordingly; and</p> <p>A14.1 Paths, meeting spaces and seat locations are designed to encourage incidental social interaction; and</p> <p>A14.3 Shaded seats and shaded standing areas are provided along with drinking taps.</p>
<p>P15 Formalised public spaces and pedestrian paths/areas on freehold land are made accessible to the public, particularly the public plaza and foreshore access.</p>	<p>A15.1 No Acceptable Solutions Specified.</p>
<p>P16 Buildings, civic spaces, roads and pedestrian links:</p> <ul style="list-style-type: none"> a. are enhanced by appropriate landscape design and planting; and b. themed planting defines entry points, and create strong ‘entry corridors’ into the waterfront; and c. lighting and well-considered signage complements the building and landscape design; and d. public artwork and other similar features are provided that reflect the heritage and character of the Port Douglas Waterfront. 	<p>A16.1 No Acceptable Solutions Specified.</p>



PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P17 Buildings are designed and sited to provide vistas along shared pedestrian/open space and movement areas in suitable location.	A17.1 Development is in accordance with the control guidelines shown in <i>Figure 1</i> .

Marine-Based Industry and Marine Infrastructure

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P18 Development does not diminish the viability of marine-based industrial uses that directly serve the Port Douglas tourist and fishing operators and private boat owners, particularly with respect to the slipway operation.	<p>A18.1 The Slipway is retained until such time as the capacity of the existing slipway is established in the Port Douglas Waterfront South Planning Area, or as otherwise approved by Council; and</p> <p>A18.2 Buildings are designed to minimise conflict between tourist and pedestrian areas and continued marine-based industrial activities.</p>
P19 Marine infrastructure is established to service the tourism, fishing and private boating community.	A19.1 No Acceptable Solutions Specified.
P20 Changes to the Port Douglas Waterfront quayline does not cause adverse impacts to the environmentally sensitive Dickson Inlet.	<p>A20.1 Development that results in changes to the Port Douglas Waterfront quayline are only established where an Ecological Assessment Report provides support to the changes.</p> <p><i>Note: Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, with particular reference to the requirements of an Ecological Assessment Report</i></p>



4.3.11 Port Douglas Waterfront South Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following desired development outcomes for the Waterfront South Planning Area:

- ensure that any use of land in the Port Douglas Waterfront South Planning Area does not affect the environmental, habitat, conservation or scenic values of surrounding land and Dickson Inlet;
- provide for the establishment of marine-based industry on appropriate land with regard to site suitability, accessibility, surrounding land uses, and location of utilities and services;
- ensure that marine-based industry achieves appropriate environmental standards;
- ensure that industrial buildings have a high standard of layout and building design;
- ensure that landscaping provides an attractive streetscape and screens utility, storage and car parking from the street; and
- ensure that the Port Douglas Waterfront South Planning Area is protected from encroachment of incompatible land use activities.

Applicability

This Code applies to assessable development in the Port Douglas Waterfront South Planning Area for:

- Material Change of Use;
- Reconfiguring a Lot;
- Operational Work Associated with Reconfiguring a Lot;
- Operational Work – Filling or Excavation not associated with a Material Change of Use;
- Operational Work – Engineering Works not associated with a Material Change of Use;
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use;
- Building Work other than Minor Building Work not associated with a Material Change of Use.



Elements of the Code

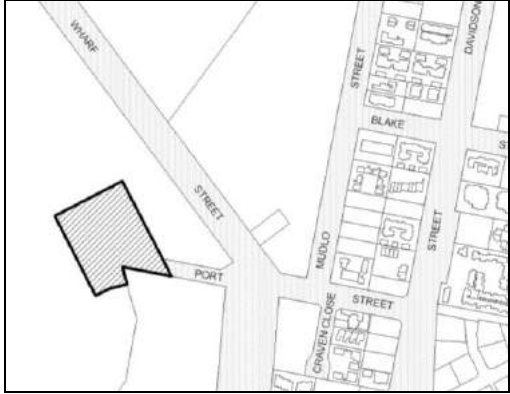
Consistent and Inconsistent Uses

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P1 The establishment of uses is consistent with the outcomes sought for the Port Douglas Waterfront South Planning Area.	A1.1 Uses identified as inconsistent uses in the Assessment Table are not established in the Waterfront South Planning Area.

Environmental Values

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P2 Development does not adversely impact on the natural environment, natural vegetation or Watercourses and uses existing infrastructure to service development.	<p>A2.1 An Ecological Assessment Report is prepared identifying the environmental qualities of the surrounding natural and man-made features which are to be managed; and</p> <p>A2.2 An Environmental Management Plan is prepared to manage potential impacts of the operation of the development on surrounding natural areas.</p> <p><i>Note: Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, with particular reference to the requirements of an Ecological Assessment Report and Environmental Management Plan.</i></p>

Design and Layout

PERFORMANCE CRITERIA	ACCEPTABLE solutions
<p>P3 Development of land at the end of Port Street adjacent to Dickson Inlet shown in Figure 1 incorporates a slipway, or alternatively functioning facility, with capacity to service the Port Douglas marine and tourism industry.</p> <p>Figure 1</p> 	<p>A3.1 Development of land at the end of Port Street adjacent to Dickson Inlet shown in Figure 1 incorporates a slipway, or alternatively functioning facility, with capacity to service the Port Douglas marine and tourism industry; or</p> <p>A3.2 If development of land at the end of Port Street adjacent to Dickson Inlet shown in Figure 1 incorporates a slipway, or alternatively functioning facility, the development demonstrates and provides sufficient area on-site for a facility to provide the capacity of the existing Slipway located adjacent to Wharf Street; and</p> <p>A3.3 A master plan for the development of the whole land shown in Figure 1 is provided to demonstrate the integration of the slipway, or alternatively functioning facility, with other supporting service industry activities that service the marine and tourism industry of Port Douglas.</p>
<p>P4 Buildings and structures are set back from side boundaries and other sensitive areas such that the scenic amenity and environmental qualities of the adjacent area are not adversely affected</p>	<p>A4.1 No Acceptable Solutions Specified.</p>



Site Coverage

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P5 The site coverage of all Buildings ensures development:</p> <ul style="list-style-type: none"> a. is sited in an existing cleared area or in an area approved for clearing; and b. has sufficient area for the provision of services; and c. development does not have an adverse effect on the environmental, habitat, conservation or scenic values of the sensitive, adjacent areas. 	<p>A5.1 No Acceptable Solutions Specified.</p>

Loading/Unloading Facilities

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P6 Premises include adequate provision for service vehicles, to cater for generated demand. Loading areas for service vehicles are designed to:</p> <ul style="list-style-type: none"> a. be accommodated on-site; b. maximise safety and efficiency of loading; c. protect the visual and acoustic amenity of the premises and adjoining premises; and d. minimise adverse impacts on natural characteristics of adjacent areas. 	<p>A6.1 Sufficient manoeuvring area is provided on-site to allow a Medium Rigid Vehicle to ingress and egress the site in a forward gear; and</p> <p>A6.2 Development is designed to ensure all service vehicles are contained wholly within the site when being loaded/unloaded; and</p> <p>A6.3 Driveways, parking and manoeuvring areas are constructed and maintained to:</p> <ul style="list-style-type: none"> a. minimise erosion from storm water runoff; and b. retain all existing vegetation.

Road Network

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P7 Development ensures adverse impacts from service vehicles on the road network, external to the site, are minimised.</p>	<p>A7.1 No Acceptable Solutions Specified.</p>



Landscaping and Amenity

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P8 Entry to the site is landscaped to enhance the amenity of industrial areas and provide a pleasant working environment.</p>	<p>A8.1 Areas used for loading and unloading, storage, utilities and car parking are screened from public view:</p> <ul style="list-style-type: none"> a. by a combination of Landscaping and screen fencing; and b. dense planting along any Road Frontage is a minimum width of 3 metres.
<p>P9 Landscaping is informal in character and complementary to the existing natural environment, provides screening and enhances the visual appearance of the development.</p>	<p>P9.1 For any development landscaping must be in accordance with the Plant Species Schedule in Planning Scheme Policy No 7 – Landscaping.</p>
<p>P10 The Port Douglas Waterfront South Planning Area is not characterised by a proliferation of advertising signs and/or the use of large advertising signs.</p>	<p>P10.1 Signage complies with the Design and Siting of Advertising Devices Code.</p>



OVERLAYS



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4.4 Codes for Overlays

4.4.1 Acid Sulfate Soils Code

Purpose

The purpose of this Code is to ensure that development which occurs on a Site containing or potentially containing Acid Sulfate Soils is undertaken so that the potential risks associated with disturbing Acid Sulfate Soils are addressed and minimised.

Applicability

This Code applies to assessable development for:

- Material Change of Use;
- Reconfiguring a Lot;
- Operational Work Associated with Reconfiguring a Lot;
- Operational Work – Filling or Excavation not associated with a Material Change of Use;
- Operational Work – Engineering Works not associated with a Material Change of Use;
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use in the World Heritage and Environs Locality; and
- Building Work other than Minor Building Work not associated with a Material Change of Use in the World Heritage and Environs Locality

INVOLVING

- excavating or otherwise removing more than 100 m³ of material; or
- filling of a Site involving placing more than 500 m³ of material at greater than an average depth of 0.5 metres,

WHERE

- the Site is at or below 5 metres Australian Height Datum (AHD); or
- the activity affects subsoil below 5 metres AHD, although the Ground Level of the Site exceeds 5 metres AHD;

as depicted on the Acid Sulfate Soils Overlay on the Locality Maps.



Elements of the Code

Disturbance of Acid Sulfate Soils

	PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P1	<p>The release of acid and associated metal contaminants into the environment are avoided either by:</p> <ul style="list-style-type: none"> • not disturbing Acid Sulfate Soils; or by • preventing the potential impacts of any disturbance through appropriate Site planning, treatment and ongoing management. 	<p>A1.1 The disturbance of Acid Sulfate Soils is avoided by:</p> <ul style="list-style-type: none"> • not excavating or removing more than 100 m³ of material identified as containing or potentially containing Acid Sulfate Soils; • not permanently or temporarily extracting groundwater that results in the aeration of previously saturated Acid Sulfate Soils; and • demonstrating that any filling in excess of 500 m³ of material to depths greater than an average depth of 0.5 metres will not result in ground water extrusion from Acid Sulfate Soils and the aeration of previously saturated Acid Sulfate Soils from the compaction or movement of those soils. <p>A1.2 Site planning, treatment and ongoing management are undertaken so that:</p> <ul style="list-style-type: none"> • acid and metal contaminants are not generated and acidity is neutralised; • untreated Acid Sulfate Soils are not taken off-Site unless this is to an alternative location for treatment; and • surface and groundwater flows from areas containing Acid Sulfate Soils do not release leachate containing acid or metal contaminants into the environment.



Identification and Management of Acid Sulfate Soils

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P2	The location and extent of Acid Sulfate Soils are identified on the development Site and appropriately management so as to avoid the release of acid and associated metal contaminants into the environment.	A2.1	No Acceptable Solution (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 9 – Reports and Information the Council May Request, for code and impact assessable development).



4.4.2 Cultural Heritage and Valuable Sites Code

Purpose

The purpose of this Code is to ensure that cultural heritage features of value, places/Sites/elements of cultural/historical significance and valuable Sites to the local and wider community are identified, recorded, retained and conserved, where possible, in order to:

- protect the cultural heritage of the Shire;
- acknowledge the local history of the Shire as an important community asset;
- ensure that cultural heritage features of value and places/Sites/elements of cultural/historical significance and valuable Sites are protected from damage or loss, inappropriate redevelopment and from inappropriate adjacent development, wherever possible.

Applicability

This Code applies to assessable development for:

- Material Change of Use;
- Reconfiguring a Lot;
- Operational Work Associated with Reconfiguring a Lot;
- Operational Work – Filling or Excavation not associated with a Material Change of Use;
- Operational Work – Engineering Works not associated with a Material Change of Use;
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use in the World Heritage and Environs Locality; and
- Building Work other than Minor Building Work not associated with a Material Change of Use in the World Heritage and Environs Locality

on a site/land identified on a Cultural Heritage and Valuable Sites Overlay on the Locality Maps.



Elements of the Code

Cultural Heritage Features

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P1 Cultural Heritage Features of National and State Cultural Heritage Significance are protected and enhanced.	No Acceptable Solution. (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).



Valuable Conservation Features and Valuable Sites – Identified in Schedule 1 of Planning Scheme Policy No 4 – Cultural Heritage and Valuable Sites

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P2 Valuable Conservation Features and Valuable Sites identified on a Cultural Heritage and Valuable Sites Overlay on any Locality Map are identified, recognised, recorded and retained, wherever possible and the form, appearance and integrity of Valuable Conservation Features and Valuable Sites is not adversely affected by new development.</p>	<p>A2.1 Buildings, structures, places or Sites containing Valuable Conservation Features and Valuable Sites, which are to be demolished, removed or altered are recorded prior to demolition, removal or alteration by means of photographs, maps and Site records with the material submitted to Council in accordance with Planning Scheme Policy No 4 – Cultural Heritage and Valuable Sites.</p> <p>A2.2 Where a Building, structure, place or Site containing Valuable Conservation Features and Valuable Sites is to be redeveloped and it is proposed to retain the Valuable Cultural Features and Valuable Sites, various provisions of the relevant Land Use Code, Planning Area Code or Locality Code may be relaxed to accommodate the retention of the Valuable Conservation Features and Valuable Sites.</p> <p style="text-align: center;">PROVIDED</p> <p>Development/redevelopment is in accordance with the requirements of <i>The Australia ICOMOS Charter for the Conservation of Places of Cultural Significance</i>, detailed in Planning Scheme Policy No 4 – Cultural Heritage and Valuable Sites.</p>



Valuable Conservation Features and Valuable Sites not Identified Precisely in Schedule 1 of Planning Scheme Policy No 4 – Cultural Heritage and Valuable Sites

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P3 The cultural significance of Valuable Conservation Features and Valuable Sites, the precise locations of which have not been specifically identified, is not adversely affected by development.</p>	<p>A3.1 Operational works are not undertaken within areas listed in Schedule I of Planning Scheme Policy No 4 – Cultural Heritage and Valuable Sites and identified as – “Address/Property Description – Non Specific”, until Site investigations confirm there are no features, items or elements of cultural heritage significance within the designated development Site.</p> <p>Should features, items or elements of cultural heritage significance be identified then Acceptable Solutions A2.1 and A2.2 above apply.</p> <p>A3.2 Where representations are made to the Council prior to development, identifying a Site of Indigenous or European cultural heritage significance not listed in Schedule 1 of Planning Scheme Policy No 4 – Cultural Heritage and Valuable Sites, no Operational Works are undertaken until Site investigations confirm there are no features, items or elements of cultural heritage significance within the designated development Site.</p> <p>Should features, items or elements of cultural heritage significance be identified then Acceptable Solutions A2.1 and A2.2 above apply and Schedule 1 of Planning Scheme Policy No 4 – Cultural Heritage and Valuable Sites is amended, if applicable, to include details of the Site.</p>



<p>P4 The management of Sites identified on a Cultural Heritage Overlay on any Locality Map and Sites of potential cultural heritage significance ensures they are not disturbed before their significance has been evaluated.</p>	<p>A4.1 Before any disturbance of a place identified in Acceptable Solutions A2.1, A2.2, A3.1 and A3.2 above, where it is known or may be expected that features, items or elements of cultural heritage significance exist, the significance of that Site is established and should features, items or elements of significance be identified, then:</p> <ul style="list-style-type: none">• disturbance of below ground relics is minimised;• the contribution of all periods to the cultural significance of a Site is respected;• design and location of new works do not negatively impact on the inherent significance of the Site;• a feature, item or element of cultural heritage significance is not moved unless it has a previous history of being moved, and does not have a strong association with its current Site. Any structure that is moved is recorded as described above in A2.1 and the details submitted to Council in accordance with Planning Scheme Policy No 4 – Cultural Heritage and Valuable Sites.
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4.4.3 Natural Hazards Code

Purpose

The purpose of this Code is to ensure that development does not occur in areas prone to the natural hazard of bushfires and to minimise any risks associated with bushfires in the Shire.

Applicability

This Code applies to assessable development for:

- Material Change of Use;
- Reconfiguring a Lot;
- Operational Work Associated with Reconfiguring a Lot;
- Operational Work – Filling or Excavation not associated with a Material Change of Use;
- Operational Work – Engineering Works not associated with a Material Change of Use;
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use in the World Heritage and Environs Locality; and
- Building Work other than Minor Building Work not associated with a Material Change of Use in the World Heritage and Environs Locality.

on a Site identified as containing:

- Medium Risk Hazard; or
- High Risk Hazard;

as depicted on the Natural Hazards Overlay on the Locality Maps.



Elements of the Code

Bushfire

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 Development does not compromise the safety of people or property from bushfire.</p>	<p>A1.1 Any development on land identified as High Risk Hazard on any Natural Hazards Overlay on any Locality Map complies with the relevant requirements of State Planning Policy 1/03 – Mitigating the Adverse Impacts of Flood, Bushfire and Landslide.</p> <p style="text-align: center;">AND</p> <p>Development complies with a Bushfire Management Plan prepared for the site.</p>



<p>P2 Development maintains the safety of people and property by:</p> <ul style="list-style-type: none"> • avoiding areas of High or Medium Risk Hazard; or • mitigating the risk through: <ul style="list-style-type: none"> - lot design and the siting of Buildings; and - including firebreaks that provide adequate: <ul style="list-style-type: none"> ▪ Setbacks between Building/structures and hazardous vegetation, and ▪ Access for fire fighting/other emergency vehicles; - providing adequate Road Access for fire fighting/other emergency vehicles and safe evacuation; and - providing an adequate and accessible water supply for fire-fighting purposes 	<p>A2.1 Development is located on a Site that is not subject to High or Medium Risk Hazard.</p> <p style="text-align: center;">OR</p> <p>For all development (if development is proposed to be located on a Site that is subject to High or Medium Risk Hazard), then:</p> <p>Buildings and structures on lots greater than 2500 m²:</p> <ul style="list-style-type: none"> • are sited in locations of lowest hazard within the lot; and • achieve Setbacks from hazardous vegetation of 1.5 times the predominant mature canopy tree Height or 10 metres, whichever is the greater; and • 10 metres from any retained vegetation strips or small areas of vegetation; and • are sited so that elements of the development least susceptible to fire are sited closest to the bushfire hazard. <p>Building and structures on lots less than or equal to 2500 m², maximise Setbacks from hazardous vegetation.</p> <p style="text-align: center;">AND</p>
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	<p>For uses involving new or existing Buildings with a Gross Floor Area greater than 50 m² each lot has:</p> <ul style="list-style-type: none">• a reliable reticulated water supply that has sufficient flow and pressure characteristics for fire fighting purposes at all times (minimum pressure and flow is 10 litres a second at 200 kPa); or• an on Site water storage of not less than 5000 litres (eg. accessible dam or tank with fire brigade tank fittings, swimming pool). <p>A2.2 For development that will result in multiple Buildings or lots (if development is proposed to be located on a Site that is subject to High or Medium Risk Hazard), then:</p> <p>Residential lots are designed so that their size and shape allow for:</p> <ul style="list-style-type: none">• efficient emergency Access to Buildings for fire fighting appliances (eg. by avoiding long narrow lots with long Access drives to Buildings); and• Setbacks and Building siting in accordance with 2.1 (a) above. <p style="text-align: center;">AND</p>
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	<p>Firebreaks are provided by:</p> <ul style="list-style-type: none">• a perimeter Road that separates lots from areas of bushfire hazard and that Road has:<ul style="list-style-type: none">- a minimum cleared width of 20 metres; and- a constructed Road width and all-weather standard complying with Council standards. <p style="text-align: center;">OR</p> <ul style="list-style-type: none">• where it is not practicable to comply with fire break provisions above, maintenance trails are located as close as possible to the boundaries of the lots and the adjoining bushland hazard, and the fire/maintenance trails:<ul style="list-style-type: none">- have a minimum cleared width of 6 metres; and- have a formed width and gradient, and erosion control devices to Council standards; and- have vehicular Access at each end; and- provide passing bays and turning areas for fire fighting applicants; and- are either located on public land, or within an Access easement that is granted in favour of the Council and Queensland Fire Rescue Service (QFRS). <p style="text-align: center;">AND</p>
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	<ul style="list-style-type: none"> • sufficient cleared breaks of 6 metres minimum width in retained bushland within the development (eg. creek corridors and other retained vegetation) to allow burning of sections and Access for bushfire response. <p style="text-align: center;">AND</p> <p>Roads are designed and constructed in accordance with applicable Council and State government standards and:</p> <ul style="list-style-type: none"> • have a maximum gradient of 12.5%; and • exclude culs-de-sac, except where a perimeter Road isolates the development from hazardous vegetation or the culs-de-sac are provided with an alternative Access linking the cul-de-sac to other through Roads.
<p>P3 Public safety and the environment are not adversely affected by the detrimental impacts of bushfire on hazardous materials manufactured or stored in bulk.</p>	<p>A3.1 Development complies with a Bushfire Management Plan prepared for the site.</p>



LAND USES

LAND USES





4.5 Codes for Land Uses

4.5.1 Aircraft Landing Facility – Commercial Code

Purpose

The purpose of this Code is to ensure that Aircraft Landing Facilities – Commercial, operate effectively and efficiently without significant adverse impacts on existing and planned land uses in the surrounding area.

Applicability

This Code applies to assessable development for a Material Change of Use for an Aircraft Landing Facility – Commercial.

Elements of the Code

Site Location and Suitability

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	The establishment of an Aircraft Landing Facility – Commercial does not affect native vegetation.	A1.1	The establishment of the Landing Facility does not involve the removal of littoral, riparian or other remnant endemic vegetation.
P2	The establishment of an Aircraft Landing Facility – Commercial does not result in the alienation of GQAL unless there is an overriding community benefit in doing so.	A2.1	The area of the Site containing the Landing Facility is not classified as GQAL under the State Planning Policy 1/92.
P3	The establishment of an Aircraft Landing Facility – Commercial does not adversely affect residential amenity ³⁵ .	A3.1	The Landing Facility is not located in proximity to any Residential 1, Residential 2 or Tourist and Residential Planning Area.

³⁵ The operation of a Landing Facility is required to meet the noise standards set out in the Environmental Protection (Noise) Policy.



Building/Structure Height

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P4	The Height of all Buildings/structures is in keeping with the character of the surrounding area and the Height of Buildings/structures does not adversely affect visual amenity.	A4.1	Any additional Height of Buildings/structures required for the operation of the Landing Facility – over and above that specified in the relevant Locality Code, exceeds the prescribed maximum Height by no greater than 5 metres.

On Site Facilities

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P5	Facilities are provided for passengers and for the handling and storage of freight.	A5.1	Covered reception and waiting areas for passengers, including a covered setdown area, are provided commensurate with the scale of the use.
		A5.2	Covered areas are provided for the handling and storage of freight commensurate with the scale of the use.
		A5.3	Sealed car parking, bus set-down and loading areas are provided commensurate with the scale of the use.

Site Access and Car Parking

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P6	Access to the Site is safe and traffic generated by the facility does not adversely affect the amenity of the surrounding area.	A6.1	Access to the site is from a sealed road and internal roads/driveways and setdown and car parking areas on site are also sealed.



Landscaping

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P7	Landscaping is provided to create an attractive Aircraft Landing Facility.	A7.1	The entrance to the Landing Facility from the Road is landscaped.
		A7.2	The area of the Site containing the built elements and car parking, bus set-down and loading areas is landscaped.
		A7.3	Fuel storage facilities are screened from public view with Dense Planting



4.5.2 Aquaculture and Intensive Animal Husbandry Code

Purpose

The purpose of this Code is to ensure that:

- Aquaculture and Intensive Animal Husbandry are established on suitable Sites;
- Aquaculture, Intensive Animal Husbandry and associated activities do not adversely affect the amenity of residential areas or residential uses; and
- Aquaculture and Intensive Animal Husbandry do not have adverse impacts on the environment.

Applicability

This Code applies to assessable development for a Material Change of Use for Aquaculture or Intensive Animal Husbandry.

Elements of the Code

Site Location and Suitability

	PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P1	The Site has sufficient area to accommodate the Aquaculture or Intensive Animal Husbandry facility and to achieve adequate Setbacks.	No Acceptable Solution. (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).
P2	The establishment of Aquaculture or Intensive Animal Husbandry does not interfere with coastal processes or affect native vegetation.	A2.1 The area of the Site containing the Aquaculture or Intensive Animal Husbandry facility is not located below Highest Astronomical Tide. A2.2 The establishment of the Aquaculture or Intensive Animal Husbandry facility does not involve the removal of littoral, riparian or other remnant endemic vegetation.
P3	The establishment of Aquaculture or Intensive Animal Husbandry does not result in the alienation of GQAL unless there is a lack of alternative Sites and an overriding need for the development.	A3.1 The area of the Site containing the Aquaculture or Intensive Animal Husbandry facility is not classified as GQAL under the State Planning Policy.



<p>P4 The topography of the Site is suitable for the intended use.</p>	<p>A4.1 The area of the Site containing the Aquaculture or Intensive Animal Husbandry facility has a slope less than 10%.</p> <p>A4.2 The area of the Site containing the Aquaculture or Intensive Animal Husbandry Facility is located above the Q100 flood level.</p>
<p>P5 The Site is provided with appropriate Access so that the use may operate effectively and efficiently.</p>	<p>A5.1 Access to the Aquaculture or Intensive Animal Husbandry Facility is provided via a Road constructed to a rural all-weather standard, as a minimum standard.</p>
<p>P6 The establishment of Intensive Animal Husbandry does not adversely affect existing or planned urban areas.</p>	<p>A6.1 The Site is not less than:</p> <ul style="list-style-type: none"> • 5000 metres from any Residential 1, Residential 2 or Tourist and Residential Planning Area; • 1000 metres from any Rural Settlement Planning Area; and • 1000 metres from any community facilities where people gather, such as community halls or schools.
<p>P7 The establishment of Aquaculture does not adversely affect existing or planned residential or community uses.</p>	<p>A7.1 The Site is not less than 300 metres from any Residential 1, Residential 2, Tourist and Residential or Rural Settlement Planning Areas or any community facility where people gather such as community halls or schools.</p>



Site Management

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P8	Buildings, pens, other structures, ponds and waste disposal areas are sited, constructed and managed so that the maximum number of animals intended to be kept or processed on the Site can be accommodated without having any significant adverse environmental impacts outside the Site ³⁶ .	A8.1	Barriers are provided and maintained to prevent the escape of animals.
		A8.2	Waste disposal areas are situated only where there is minimal risk of contaminating any groundwater supply or surface water resource, and are of an adequate size to provide for the amount of waste generated on the Site.

Amenity

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P9	Buildings/structures, ponds and waste disposal areas are designed and sited so that the Aquaculture or Intensive Animal Husbandry facility does not impact on the amenity of the area and does not have significant adverse environmental impacts outside the Site.	A9.1	Buildings, pens, other structures, ponds and waste disposal areas are sited clear of any Watercourse or any environmentally sensitive area.

Noise and Odour

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P10	The establishment of Aquaculture or Intensive Animal Husbandry does not create unacceptable levels of odour or noise.		No Acceptable Solution ³⁷ . (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).

³⁶ Development and management of the site may need to satisfy State Government requirements.

³⁷ Environmental Protection Agency requirements may apply.



Treatment and Disposal of Waste

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P11 The treatment and disposal of waste and waste water does not have adverse impacts on the environment.	No Acceptable Solution. (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).



4.5.3 Camping Ground Code

Purpose

The purpose of this Code is to ensure that Camping Grounds are designed and located to provide adequate facilities and a suitable amenity for short term occupants and are compatible with the amenity of the locality.

Applicability

This Code applies to assessable development for a Material Change of Use for a Camping Ground.

Elements of the Code

Siting, Area and Design

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	The Site of a Camping Ground contains sufficient area to accommodate the accommodation and facilities necessary for the short term occupants and any Buildings/structures ensure minimal impact on the natural environment.	A1.1	The Site area for a Camping Ground is a minimum of 1 hectare.
		A1.2	Camping sites are not less than 30 m ² or 1.5 times the area of the tent, whichever is the greater; and campervan/motorhome sites are not less than 100 m ² or twice the area of the vehicle, whichever is the greater.
		A1.3	Camping sites and campervan/motor home sites are located such that they meet the following requirements: <ul style="list-style-type: none"> • 3 metre Setback from any adjoining Buildings (other than toilets/ablution facilities); • 6 metre Setback from toilets/ablution facilities); • 3 metre Setback from an internal Road; and • minimum of 10 metres from the Site Frontage.



Facilities

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P2	Sufficient services and ablution facilities are provided to satisfy the short term requirements of the occupants, including disabled Access and facilities ³⁸ .	A2.1	<p>Where there are 40 camping/campervan/motorhome sites or less, 1 pedestal for every 7 Sites is provided for female occupants and 1 pedestal for every 10 sites is provided for male occupants and a 0.6 metre urinal is provided for every 20 sites, or part thereof, for male occupants.</p> <p>For every 15 additional sites, or part thereof, exceeding 40 sites an additional pedestal is provided for both male and female occupants and an additional 0.6 metre urinal is provided for every additional 20 sites, or part thereof, for male occupants.</p>
		A2.2	Toilet/ablution facilities are located at least 6 metres but not more than 100 metres from any camping site.
		A2.3	A source of artificial light is provided to the ablution facilities to provide illumination, as required, during night time hours.
		A2.4	Separate male/female bathing facilities are provided at the rate of 1 shower or bath and hand basin for every 15 sites.
P3	Sufficient refuse disposal facilities are provided for the safe and convenient disposal of refuse by the occupants ³⁹ .	A3.1	Refuse bins are located at least 10 metres from children’s play areas, cooking facilities and camping sites.

³⁸ Disabled access and facilities are provided in accordance with the Building Code of Australia and the Australian Standards.

³⁹ The design of refuse bins and waste storage areas may need to meet the requirements of the Environmental Protection Waste Regulation.



Landscaping

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P4	Adequate Landscaping and Recreation Areas are provided for the recreation requirements of the occupants.	A4.1	A minimum of 10% of the Site is provided as Landscaping and Recreation Areas.
P5	Camping Grounds are designed to ensure a suitable buffer is provided to protect the amenity of the locality and the amenity of the Camping Ground.	A5.1	A 10 metre wide landscaped buffer of Dense Planting (excluding all structures) is provided to the Site Frontage.
		A5.2	A 5 metre wide landscaped buffer of Dense Planting (excluding all structures) is provided to all other Site boundaries.

Vehicular Access

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P6	An internal vehicular movement network is provided to allow for the safe and convenient Access of vehicles to camping sites.	A6.1	Internal Road widths meet the following criteria: <ul style="list-style-type: none"> • two way Road – 5.5 metres • 1 way Road – 3.5 metres.

Operation and Maintenance

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P7	The location and number of camping sites and facilities are readily identifiable within the Camping Ground.	A7.1	A permanent sign clearly indicating the type, number and location of camping Sites and the location of facilities is provided at the main entrance to the Camping Ground.
		A7.2	Each camping site is clearly identified on the ground by a permanent marker/sign containing the Site type and number.



<p>P8 Camping Grounds provide for short term accommodation for the travelling public.</p>	<p>A8.1 The maximum duration of stay by any occupants of a Camping Ground is limited to 14 consecutive days, other than in extended school holiday periods.</p> <p>A8.2 A Register containing the camping Site number, the name, date of arrival and date of departure of all occupants of the Camping Ground is maintained and is available for inspection by the Council Officers at all times.</p>
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4.5.4 Caravan Park Code

Purpose

The purpose of this Code is to ensure that Caravan Parks are located and designed to provide attractive and liveable environments for travellers and longer term residents and are compatible with the amenity of the localities in which they are situated.

Applicability

This Code applies to assessable development for a Material Change of Use for a Caravan Park.

Elements of the Code

Site Area and Design

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	The Site of the Caravan Park contains sufficient area to accommodate the accommodation and facilities necessary for travellers and the longer term residents.	A1.1	The Site area of a Caravan Park is a minimum of 1 hectare.
P2	The layout and design of the Caravan Park are compatible with the locality and the surrounding area in which it is located.	A2.1	Individual sites are regular in shape and have the following minimum areas and widths: Camping sites <ul style="list-style-type: none"> • minimum area of 30 m² • minimum width 6 metres Short Term Caravan, Campervan/Motorhome sites <ul style="list-style-type: none"> • minimum area 100 m² • minimum width 9 metres Permanent Caravan sites and Cabin sites <ul style="list-style-type: none"> • minimum area 200 m² • minimum width 10 metres.



	<p>A2.2 Individual sites are designed to meet the following criteria:</p> <ul style="list-style-type: none"> • 10 metre Setback from the Site Frontage; • 5 metre Setback from all other Site boundaries; • 3 metre Setback from any adjacent Building/s (other than toilets/ablution facilities) • 6 metre Setback from toilets/ablution facilities; • 3 metre Setback from an internal Road.
<p>P3 All sites are designed and located so that caravans can be easily manoeuvred onto or removed from the site.</p>	<p>A3.1 Individual sites are provided with direct Access to an internal Road.</p>



Facilities

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P4	Sufficient services and ablution facilities are provided to satisfy the requirements of travellers and the longer term residents of the Caravan Park, including disabled Access and facilities ⁴⁰ .	A4.1	Where there are 40 sites or less, 1 pedestal for every 7 sites is provided for female occupants and 1 pedestal for every 10 sites is provided for male occupants and a 0.6 metre urinal is provided for every 20 sites or part thereof for male occupants. For every 15 sites, or part thereof, exceeding 40 sites, an additional pedestal is provided for both male and female occupants and an additional 0.6 metres urinal is provided for every additional 20 sites, or part thereof, for male occupants.
		A4.2	Toilet and ablution facilities are located at least 6 metres but not more than 100 metres from any individual camping, caravan, campervan/motorhome or cabin site (except where private facilities are provided).
		A4.3	A source of artificial light is provided to the ablution facilities to provide illumination, as required, during night time hours.
		A4.4	Separate bathing facilities are provided at the rate of 1 shower or bath and 1 hand basin for every 15 sites.
P5	Sufficient laundry and clothes drying facilities are provided to satisfy the requirements of travellers and long term residents.	A5.1	1 laundry tub, 1 washing machine and 1 clothes line are provided for every 20 sites, or part thereof.
		A5.2	1 mechanical drying facility is provided for every 40 sites.
		A5.3	1 ironing board and 1 power outlet is provided for every 20 sites.

⁴⁰ Disabled access and facilities are provided in accordance with the Building Code of Australia and the Australian Standards.



P6	Sufficient refuse disposal facilities are provided for the safe and convenient disposal of refuse by the occupants ⁴¹ .	A6.1	Refuse bins are located at least 10 metres from children's playing areas, cooking facilities and individual sites.
		A6.2	A designated dump point is provided on site for holding tanks to be emptied.

Landscaping

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P7	Adequate Landscaping and Recreation Areas are provided to satisfy the recreational requirements of the occupants.	A7.1	A minimum of 10% of the Site area is provided as Landscaping and Recreation Area.
P8	Caravan Parks are designed to ensure a suitable buffer is provided to protect the amenity of the locality of the amenity of the Caravan Park.	A8.1	A 10 metre wide landscaped buffer of Dense Planting (excluding all structures), is provided to the Site Frontage.
		A8.2	A 5 metre wide landscape buffer of Dense Planting, (excluding all structure), is provided to all other Site boundaries.

⁴¹ The design of the refuse bins and waste storage area/s satisfies the requirements of the Environmental Protection Waste Regulation.



Vehicular Access

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P9 An internal vehicular movement network is provided to allow the safe and convenient Access of vehicles and caravans, campervans/motorhomes on Site.</p>	<p>A9.1 The entrance/exit Road provides all-weather Access and has a width of 7 metres to allow two vehicles towing caravans or two campervans/motorhomes to pass each other.</p> <p>A9.2 A caravan holding bay with dimensions of 4 metres x 20 metres is provided adjacent to the entrance/exit Road.</p> <p>A9.3 Internal Roads meet the following criteria:</p> <ul style="list-style-type: none"> • 1 way – minimum 4 metres wide • two way – minimum 6 metres wide. <p>A9.4 Speed control devices such as speed bumps are provided at regular intervals on all internal Roads.</p> <p>A9.5 Internal street lighting is provided to all internal Roads until 10.00 pm.</p>



Operation and Maintenance

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P10	The number, type and location of sites and facilities are readily identifiable within the Caravan Park.	A10.1	A permanent sign clearly indicating the number and location of each type of site and the location of facilities within the Caravan Park is provided at the main entrance to the Caravan Park.
		A10.2	Each Site is identified on the ground with the number and type of Site clearly displayed on a permanent marker/sign located at the front of the Site.
P11	Caravan Parks are predominantly provided for short term accommodation for the travelling public.	A11.1	Cabins (whether for permanent or short term occupation) occupy a maximum of 20% of the total number of sites contained within the Caravan Park.
		A11.2	A maximum of 20% of the total number of sites contained within a Caravan Park are available for permanent occupation in the form of stationery/permanent caravans and cabins.



4.5.5 Caretaker's Residence Code

Purpose

The purpose of this Code is to:

- facilitate the establishment of a Caretaker's Residence which is used for genuine caretaking or property management purposes; and
- to ensure that an acceptable level of amenity is provided for the occupants.

Applicability

This Code applies to assessable development for a Material Change of Use for a Caretaker's Residence.

Elements of the Code

Provision of Accommodation for Caretaker

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 Only one Caretaker's Residence is established on one Site and in association with a legitimate caretaking or property management purpose operating on the Site.</p>	<p>A1.1 Only one Caretaker's Residence is established on one allotment identified on a Standard Format Plan.</p> <p style="text-align: center;">AND</p> <p>The Caretaker's Residence is located on the same lot as the primary use.</p> <p style="text-align: center;">EXCEPT THAT</p> <p>A Caretaker's Residence associated with primary production is located on the holding.</p> <p>A1.2 The Caretaker's Residence is occupied only by the proprietor, manager or caretaker of the primary use established on the Site, together with any immediate family of that person.</p>



Residential Amenity

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P2 A Caretaker's Residence is provided with an appropriate level of recreation and service facilities and is domestic in Height and scale.</p>	<p>A2.1 The Gross Floor Area of the Caretaker's Residence is not greater than 120 m².</p> <p>A2.2 The Caretaker's Residence is provided with a Landscaping and Recreation Area at the rate of 30 m² for the first bedroom plus 15 m² for each additional bedroom, and</p> <ul style="list-style-type: none"> • at least 35 m² is provided as private Recreation Area which is directly accessible from the residence and which has a minimum dimension of 3 metres. <p>A2.3 The private Recreation Area is fenced or screened to facilitate the private enjoyment of the space by the occupants of the Caretaker's Residence.</p> <p>A2.4 The Caretaker's Residence is provided with:</p> <ul style="list-style-type: none"> • an outdoor service court with a minimum area of 5 m² to facilitate clothes drying facilities; • an area for general storage; • an area for the storage of a garbage receptacle; and • a designated covered car parking space.



4.5.6 Car Park Code

Purpose

The purpose of this Code is to:

- ensure that a Car Park has no adverse impacts on adjoining uses and is accessible to users; and
- ensure that a Car Park has appropriate Landscaping to provide a buffer to adjoining land uses and to be visually attractive from the street.

Applicability

This Code applies to assessable development for a Material Change of Use for a Car Park.

Elements of the Code

Amenity and Accessibility

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	The location of the Car Park does not adversely affect adjoining uses.	A1.1	The Car Park is located in an appropriate area to service the needs of the community and does not adversely affect adjoining uses, in terms of excessive noise, dust, fumes or other environmental impacts.
P2	The Car Park is designed to be accessible to users.	A2.1	The Car Park has one Access point if the Site has one street frontage, and a maximum of one Access point for each Road Frontage, if the Site has more than one street Frontage.

Setbacks and Landscaping

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P3	Appropriate Landscaping is provided to the Site Frontage/s and Site boundaries, where appropriate, to screen the use from adjoining land uses and provide an attractive streetscape.	A3.1	Landscaping of Dense Planting is provided within a minimum of 1.5 metres from the side or rear boundaries adjacent to residential uses; or developments which include a residential component.



4.5.7 Child Care Centre Code

Purpose

The purpose of this Code is to:

- facilitate the establishment of Child Care Centres which provide a safe and attractive environment for children attending the Centre; and
- ensure Child Care Centres are compatible with the amenity of the surrounding area.

Applicability

This Code applies to assessable development for a Material Change of Use for a Child Care Centre.

Elements of the Code

Location

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	Child Care Centres are located so that they are accessible to the community they serve.	A1.1	Where located in a residential area, Child Care Centres are located adjacent to a school, other community or commercial facilities or open space.
		A1.2	The Child Care Centre is located within close proximity to existing or proposed future public transport routes.
		A1.3	The Child Care Centre is located on a collector or distributor Road but not on a State-Controlled Road – the Captain Cook Highway, Port Douglas Road, Mossman-Mount Molloy Road or Mossman-Daintree Road.



Site Criteria

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P2	The Site of a Child Care Centre has sufficient area to accommodate the range of facilities necessary for the care and recreation of the children, for Landscaping, car parking areas and Access and for staff facilities ⁴² .	A2.1	<p>A Child Care Centre is located on a Site with a minimum area of:</p> <ul style="list-style-type: none"> • 1000 m² where no more than 25 children are to be accommodated; • 1500 m² where more than 25 children but not more than 50 children are to be accommodated; • 2000 m² where more than 50 children are to be accommodated.

Setbacks and Buffering

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P3	The Child Care Centre is consistent, in terms of Building siting and design, with the existing built form in the locality and potential conflict with adjoining land uses is minimised and adjacent residential amenity is protected .	A3.1	All Setback areas are landscaped with Dense Planting.
		A3.2	A 1.8 metre screen fence is Erected to side and rear boundaries.
		A3.3	<p>Perimeter fencing to any street Frontage complies with any fencing specifications of the relevant Planning Area Code.</p> <p style="text-align: center;">EXCEPT THAT</p> <p>The fence may have a maximum Height of 1.8 metres.</p>
		A3.4	Child Care Centres operate between the hours of 7 am to 6 pm Monday to Friday.

⁴² Child Care Centres are to be designed in accordance with the requirements of the Child Care Regulation 2003.



4.5.8 Display Facilities Code

Purpose

The purpose of this Code is to facilitate the establishment of Display Facilities that are consistent with the streetscape, built form and amenity of the locality.

Applicability

This Code applies to assessable development for a Material Change of Use for Display Facilities.

Elements of the Code

Site Layout

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	The siting of Buildings is consistent with the existing or desired amenity and built form of the streetscape and the area.	A1.1	The development achieves the Building Setbacks specified in the applicable Planning Area Code, except where the Site adjoins land developed partially or wholly for residential purposes and then the development is Setback 3 metres from the common boundary with the residential use.

Landscaping

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P2	The development of outdoor display areas is appropriately landscaped to create an attractive facility and to enhance the amenity of the area.	A2.1	Where the Site adjoins land included in the Residential 1, Residential 2 or Tourist/Residential Planning Area or is developed partially or wholly, for a residential purpose, a landscaped strip of Dense Planting 3 metres wide is provided to the common boundary.
		A2.2	Where outdoor display areas are incorporated in the development, they are integrated on Site with Landscaping.



Loading/Unloading Facilities

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P3	The transport of goods, materials, vehicles and equipment to and from the Site does not restrict the movement of traffic on Roads or affect the amenity of the area.	A3.1	All designated delivery docks, loading and unloading areas or storage areas are located on Site and are screened from public view.
		A3.2	All delivery/pick-up vehicles are contained wholly within the Site when being loaded/unloaded.

Outdoor Display Areas

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P4	Areas used for the outdoor display of goods for sale or for hire are integrated into the on Site Landscaping so that they are compatible with the amenity of the area and the streetscape.	A4.1	Areas are designated for outdoor display of goods for sale or for hire and satisfy Acceptable Solution A2.2.
		A4.2	Adjacent Roads or other adjacent unrelated land not approved for Display Facilities is not used for the purpose of displaying goods for sale or for hire.



4.5.9 Extractive Industry Code

Purpose

The purpose of this Code is to ensure that:

- extractive resources are efficiently exploited;
- the significant impacts of Extractive Industry on the environment are addressed in the planning of Extractive Industry operations;
- Extractive Industry operations are managed so that significant environmental impacts are contained within the Site;
- Extractive Industry Sites are progressively rehabilitated;
- external operations of Extractive Industry operations, eg: haulage, do not impact on the amenity and well being of the community; and
- existing Extractive Industry operations are protected from incompatible land uses establishing in close proximity.

Applicability

This Code applies to assessable development for a Material Change of Use for an Extractive Industry.

Elements of the Code

Site Identification and Suitability

	PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P1	The Site of an Extractive Industry is suitable for the extraction of material without degradation of valuable environmental values.	A1.1 Extractive material in commercially viable quantities is proven to exist on Site. AND Methods of extraction provide for the retention or rehabilitation of natural environmental features on the Site.
P2	The Site of an Extractive Industry is of a suitable size and dimensions to accommodate the use and to provide sufficient buffering to protect the amenity of adjoining land.	A2.1 The Site has sufficient area to provide for the following: <ul style="list-style-type: none"> • the extractive use; • area of stockpiles; • sufficient car parking area to accommodate the level of car parking demand generated, including staff demand; • vehicle Access and manoeuvring areas;



	<ul style="list-style-type: none"> • staff facilities removed from dust and noise; • the retention of riparian corridors and important vegetation communities; and • a minimum 5 metre wide landscaped buffer of Dense Planting within the Site to all boundaries in accordance with all the relevant requirements of the Landscaping Code and Planning Scheme Policy No 7 – Landscaping.
<p>P3 The Site of an Extractive Industry is located and appropriately screened so as not to impact on the visual amenity of a locality, and any Buildings/structures are designed to be compatible with the locality and surrounding area in which it is located.</p>	<p>A3.1 The Site of an Extractive Industry is not readily visible from urban development or from major Roads in the Shire.</p> <p>A3.2 Existing mature vegetation is retained and only removed to provide for the extractive use.</p>



Construction and Operation

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P4	The Extractive Industry operation incorporates mitigation measures to minimise the likely adverse impacts on environmental, ecological and hydrological processes.		<p>No Acceptable Solution.</p> <p>Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
P5	The Extractive Industry is established and operated in a way that does not impact upon public safety.	A5.1	The Site is appropriately signed with warning signs.
		A5.2	Access to the Site is clearly identified and constructed to a standard capable of accommodating the heavy traffic, in accordance with the relevant Australian Standards and provided with adequate sight distance at the Access in accordance with the relevant Australian Standards.
		A5.3	Blasting does not result in material escaping or being ejected from the Site.
		A5.4	Prior to blasting, appropriate warning signs are Erected not less than 800 metres from the blast centre advising those working on the Site and passers by.
P6	The Extractive Industry is operated in such a way that it does not impact on the amenity of the area or have any detrimental community impacts.	A6.1	Blasting operations are limited to the hours of 9.00 am to 5.00 pm, Monday to Friday. Other operations are limited to 7.00 am to 6.00 pm Monday to Saturday.
		A6.2	No operations are undertaken on Sundays or Public Holidays.



Traffic and Transport

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P7	Heavy vehicle traffic from the operation of the Extractive Industry does not impact on the safety and amenity of the community.	A7.1	Haulage routes are predominantly higher order Roads, capable of accommodating the anticipated tonnage of the vehicles, and not through established residential areas.
		A7.2	Loads are covered to prevent the escape of material being transported or of dust from this material.

Rehabilitation

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P8	<p>The Site is progressively rehabilitated to ensure that:</p> <ul style="list-style-type: none"> • a stable landform is achieved; • there are no adverse environmental or visual amenity impacts; and • the final landform is suitable for alternative uses. 		<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>



4.5.10 Home Activity Code

Purpose

The purpose of this Code is to:

- facilitate the establishment of Home Activities which are at a scale and level of intensity compatible with residential areas; and
- ensure that the amenity of residential areas is not adversely affected.

Applicability

This Code applies to assessable development for a Material Change of Use for a Home Activity.

Elements of the Code

Scale of the Use

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<ul style="list-style-type: none"> • A Home Activity is compatible with adjacent residential uses. 	<p>A1.1 The Home Activity is conducted only by a resident or residents of the House or of a Dwelling Unit within Multi-Unit Housing.</p> <p>A1.2 The total use area of the Home Activity is not more than one third of the total floor area or covered area of the House or Dwelling Unit.</p> <p>A1.3 Goods are not displayed so that they are visible from outside the Site.</p> <p>A1.4 The Home Activity is conducted between the hours of 8.00 am to 6.00 pm Monday to Friday and 8.00 am to 6.00 pm Saturday.</p> <p>The Home Activity is not conducted at all on Sundays or on public holidays.</p> <p>A1.5 The Home Activity does not generate regular visitation from customers or clients and typically visitation by customers or clients does not exceed a total of six visits per day.</p>



	A1.6	There is no sale of goods manufactured or fabricated at locations other than the Site
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Protection of Residential Amenity

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<ul style="list-style-type: none"> A Home Activity does not adversely affect the amenity of the surrounding residential area. 	<p>A2.1 The Home Activity does not produce any odour, dust, vibration or electrical interference which is detectable at the boundary of the Site.</p> <p>A2.2 The Home Activity does not produce noise which exceeds the background noise level plus 5 dB(A) (8.00 am – 6.00 pm) (measured as adjusted sound level).</p> <p>A2.3 Not more than one commercial vehicle is associated with the Home Activity and is garaged/parked on the Site.</p> <p>A2.4 No more than one commercial vehicle not exceeding 4.49 tonnes gross vehicle mass is associated with the Home Activity and is garaged and parked at the Site.</p> <p>A2.5 No vehicle or machinery is fuelled, serviced or repaired on the Site.</p> <p>A2.6 No sign other than a sign not exceeding 0.3 m² and having only the name and occupation of the operator is displayed.</p>



4.5.11 Home Based Business Code

Purpose

The purpose of this Code is to ensure that:

- the amenity of the area in which the Home Based Business is intended to operate is protected from any adverse impacts;
- the operation of the business is secondary to the residential use, whether or not the residential use is carried out in a residential area; and
- the traffic, both pedestrian and vehicular, generated by the use can be accommodated within the local Road network without adverse impacts on the network.

Applicability

This Code applies to assessable development for a Material Change of Use for a Home Based Business, including Bed and Breakfast Accommodation , Forest Stay Accommodation and Host Farm Accommodation.

Elements of the Code

Siting and Design

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 The Home Based Business is compatible with adjacent uses and is small scale and secondary to the primary residential use.</p>	<p>A1.1 The Home Based Business is conducted by residents of the House and no more than 2 persons, who are not residents of the House, employed in association with the business.</p> <p>A1.2 The Home Based Business is located within the House and is limited to a designated area of the House which is less than one third of the entire roofed area of the House.</p> <p style="text-align: center;">OR</p> <p>If the Home Based Business (other than Bed & Breakfast, Forest Stay and Host Farm Accommodation) is located separate to the House, it is located in only one Building which has a maximum area of 30m²; and is located within 20 metres of the House.</p>



<p>P2 The Home Based Business provides adequate car parking on Site for the traffic generated by the use in association with car parking for the residents.</p>	<p>A2.1 Car parking is located to provide easy Access to the premises from which the Home Based Business will operate.</p>
<p>P3 Any new Building/s to be Erected in association with a Home Based Business complement existing Buildings on Site and create no significant visual impacts from adjoining public Roads.</p>	<p>A3.1 Buildings are small scale and low key and are designed to be in character with the predominant built character and streetscape of the area. AND The exterior building materials and colours are consistent with any existing Buildings on Site and complement the surrounding natural landscape.</p>
<p>P4 The Home Based Business does not adversely affect the amenity of the locality containing the Site.</p>	<p>A4.1 The Home Based Business does not produce any odour, dust, vibration or electrical interference which is detectable at the boundary of the Site.</p> <p>A4.2 The Home Based Business does not produce any noise which exceeds the background noise level plus 5dB(A) (8.00 am to 6.00 pm).</p> <p>A4.3 No more than one commercial vehicle, not exceeding 4.49 tonnes gross vehicle mass is associated with the Home Based Business and is garaged/parked on the Site.</p> <p>A4.4 No vehicle or machinery is fuelled, serviced or repaired on the Site.</p> <p>A4.5 No sign other than a sign not exceeding 0.3 m² and having only the name and occupation of the operator/operation is displayed.</p> <p>A4.6 The Home Based Business (other than Bed and Breakfast, Forest Stay and Host Farm Accommodation) is conducted between the hours of 8.00 am to 6.00 pm Monday to Friday and 8.00 am to 6.00 pm Saturday. The Home Based Business is not conducted at all on Sundays or on Public Holidays</p>



Bed and Breakfast Accommodation – Additional Provisions

<p>P5 In the case of Bed and Breakfast Accommodation, the accommodation remains ancillary to the primary residential use.</p>	<p>A5.1 In Urban Areas no more than 2 bedrooms (a maximum of 4 Bed Spaces) and optional ensuite within a House are used for Bed and Breakfast Accommodation for the travelling public.</p> <p>A5.2 In Urban Areas no kitchen or cooking facilities, with the exception of those located within the existing House on the Site, are provided in association with the Bed and Breakfast Accommodation.</p> <p>A5.3 In Other Areas, no more than 4 bedrooms (a maximum of 8 Bed Spaces) and optional ensuite are used for Bed and Breakfast Accommodation for the travelling public.</p> <p>A5.4 In Other Areas, Bed and Breakfast Accommodation can be located in a maximum of 4 separate Building/s to the existing House, provided that each Building is a maximum of 50m² (inclusive of verandahs, patios etc) and located within 20 metres of the existing House and on the same lot.</p> <p>A5.5 In Other Areas, no kitchen or cooking facilities, with the exception of those located within the existing House on the Site, are provided in association with the Bed and Breakfast Accommodation.</p> <p>A5.6 In the Settlement Areas North of the Daintree River Locality the maximum number of bedrooms, (Bed Spaces), is as set out in the Locality Code and with all other relevant provisions for Other Areas set out above, in A5.4 and A5.5, being applicable.</p>
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Forest Stay Accommodation – Additional Provisions

<p>P6 Forest Stay Accommodation provides a local economic opportunity for permanent residents of those parts of the Shire which are isolated and constrained by lack of urban services and facilities.</p>	<p>A6.1 Forest Stay Accommodation only establishes in the Settlement Areas North of the Daintree River Locality and the World Heritage Areas and Environs Locality.</p>
<p>P7 In the case of Forest Stay Accommodation, the accommodation remains ancillary to the primary residential use and the significant natural values of the land and the use is compatible with the surrounding amenity of the locality.</p>	<p>A7.1 The number of bedrooms (Bed Spaces) used for Forest Stay Accommodation and the number of staff accommodation (Bed Spaces) required to be provided are specified in the Locality Code.</p> <p style="text-align: center;">AND</p> <p>None of the accommodation, whether for guests or staff, is self contained as the use operates only in association with an existing House on the Site.</p> <p style="text-align: center;">AND</p> <p>Forest Stay Accommodation is located on a site which has an existing cleared area.</p> <p>A7.2 The natural values of the balance area of the site are protected and enhanced with organised tours being conducted for visiting guests.</p> <p>A7.3 If Forest Stay Accommodation is provided in Building/s which are separated from the House:</p> <ul style="list-style-type: none"> • The maximum number of separate Building/s is determined based on each building containing a minimum of 2 Bed Spaces each, provided that each Building has a maximum area of 50 m² (inclusive of verandahs, patios etc); <p style="text-align: center;">OR</p>



	<ul style="list-style-type: none">• A maximum of one communal bunk house is provided with a maximum area of 150 m² to accommodate 10 guests (10 Bed Spaces) (inclusive of verandahs, patios etc); <p style="text-align: center;">OR</p> <ul style="list-style-type: none">• A maximum of two communal bunk houses are provided with a maximum area of 150 m² each to accommodate a maximum of 20 guests (20 Bed Spaces) (inclusive of verandahs, patios etc); <p style="text-align: center;">AND</p> <ul style="list-style-type: none">• The Building/s is/are located within 50 metres of the existing House and on the same lot. <p>A7.4 No kitchen or cooking facilities, with the exception of those located within the existing House on the Site, are provided in association with the Forest Stay Accommodation.</p>
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Host Farm Accommodation – Additional Provisions

<p>P8 Host Farm Accommodation establish in areas where existing rural practices are not in conflict with the natural areas and not in areas of high environmental value.</p>	<p>A8.1 Host Farm Accommodation only establishes in the Rural Areas and Rural Settlements Locality and no further Host Farm Accommodation establishes in the Settlement Areas North of the Daintree River Locality or the World Heritage Areas and Environs Locality.</p>
<p>P9 In the case of Host Farm Accommodation, the accommodation remains ancillary to the primary rural use of the land and is compatible with the agricultural amenity of the locality.</p>	<p>A9.1 No more than 5 bedrooms (a maximum of 10 Bed Spaces) and optional ensuites, or a communal bunkhouse comprising 10 Bed Spaces and ablution facilities are used for Host Farm Accommodation for the travelling public.</p> <p>A9.2 There is no loss of GQAL as a result of the Host Farm Accommodation.</p> <p>A9.3 The productive rural use remains as the predominant use of the land.</p> <p>A9.4 If Host Farm Accommodation is provided in Building/s which are separated from the House:</p> <ul style="list-style-type: none"> • A maximum of 5 separate Building/s (containing 2 Bed Spaces each) provided that each Building has a maximum area of 50m² (inclusive of verandahs, patios etc); or • A maximum of one communal bunkhouse (containing 10 Bed Spaces) with a maximum area of 150m² (inclusive of verandahs, patios etc). <p style="text-align: center;">AND</p> <p>The Building/s is/are located within 50 metres of the existing House and on the same lot.</p> <p>A9.5 No kitchen or cooking facilities, with the exception of those located within the existing House on the Site, are provided in association with the Host Farm Accommodation.</p>



4.5.12 House Code

Purpose

The purpose of this Code is to ensure that:

- Houses and ancillary facilities are compatible with and complementary to surrounding development;
- Houses do not adversely impact on the natural environment;
- the location of Houses is appropriate and separated from incompatible noise and hazards; and
- Houses contribute to the creation of a sense of place within residential areas or their local environment.

Applicability

This Code applies to assessable and self-assessable development for a Material Change of Use for a House.

For self-assessable development assessed against this Code, the applicable Acceptable Solutions are A1.1, A1.2, A2.1, A3.1 and A3.2

Self assessable development which does not comply with Acceptable Solutions as listed above, will require Code Assessment.

Elements of the Code

General

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	Buildings on a lot have the appearance and bulk of a single House with ancillary Outbuildings.	A1.1	A lot contains no more than one House.
		A1.2	Ancillary Outbuildings have a maximum Site Coverage of 10% of the balance area of the Site not otherwise taken up by the House.
P2	The House is used for residential purposes.	A2.1	The House is used by one Household.
P3	Resident's vehicles are accommodated on Site and are sited to minimise the dominance of car accommodation on the streetscape.	A3.1	A minimum of 2 vehicle spaces are provided on Site and may be provided in tandem.
		A3.2	At least one garage, carport or designated car space must be located at least 6 metres from the Main Street Frontage.



4.5.13 Interpretive Facility Code

Purpose

The purpose of this Code is to:

- facilitate the development of Interpretive Facilities that provide information and educational experiences relating specifically to the unique natural features of the Shire; and
- ensure that Interpretive Facilities are low-impact, small-scale and complementary to the surrounding environment and locality in which they are located, in terms of design, materials and signage.

Applicability

This Code applies to assessable development for Material Change of Use for an Interpretive Facility.

Elements of the Code

Location

	PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS
P1	The Interpretive Facility provides information and educational experiences appropriate to the locality.	A1.1	The purpose and theme of the facility is relevant to and complements the natural environment and surrounding uses in the locality.



Amenity and Landscaping

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P2	The design and siting of the Interpretive Facility is complementary to the surrounding environment and locality.	A2.1	Buildings are compatible in scale, design and colour with the surrounding natural and built environment.
		A2.2	Signage is minimal and complies with all the relevant requirements of the Design and Siting of Advertising Devices Code.
		A2.3	Landscaping of the Site is appropriate to the facility and existing locality, with the retention of existing native vegetation and the inclusion of additional vegetation with species identified in the Plant Species Schedule in Planning Scheme Policy No 7 – Landscaping.

Ancillary Facilities

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P3	Any ancillary facilities or uses are complementary and relevant to the theme of the Interpretive Facility.	A3.1	Any ancillary facilities or uses are limited to small-scale retail areas, café/Restaurant or display areas.
P4	Any ancillary Buildings are appropriate in terms of scale and design to the main Interpretive Facility Building and weather protection and connectivity are provided between Buildings for patrons and staff.	A4.1	Any ancillary Buildings are compatible in scale, design and colour with the main Interpretive Facility Building and the surrounding environment and locality.
		A4.2	Any ancillary Buildings are connected to the main Interpretive Facility Building with covered walkways with a minimum width of 1.2 metres footspace.



4.5.14 Multi-Unit Housing/Holiday Accommodation/Retirement Facility Code

Purpose

The purpose of this Code is to:

- ensure that Multi-Unit Housing/Holiday Accommodation/Retirement Facilities are compatible and complementary with surrounding development, with regard to scale, bulk, appearance and streetscape;
- ensure that Multi-Unit Housing/Holiday Accommodation/Retirement Facilities do not adversely impact on the natural environment;
- ensure that Multi-Unit Housing/Holiday Accommodation/Retirement Facilities are located in appropriate locations and separated from incompatible noise and hazards; and
- ensure that the design of Multi-Unit Housing/Holiday Accommodation/Retirement Facilities creates a pleasant living environment and is appropriate for the tropical climate of Far North Queensland.

Applicability

This Code applies to assessable development for a Material Change of Use for Multi-Unit Housing/Holiday Accommodation/Retirement Facility.

Elements of the Code

Multi-Unit Housing/Holiday Accommodation/Retirement Facility

Site Requirements

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	A Site for Multi-Unit Housing/Holiday Accommodation/Retirement Facilities has sufficient area and dimensions to accommodate the Buildings/structures, open space, car parking and associated vehicular Access, Landscaping and recreation facilities for the enjoyment of guests.	A1.1	The Site has a minimum area of 1000 m ² . AND The Site has a minimum Road Frontage of 25 metres.



Site Layout

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P2 The building bulk is reduced through effective design and materials.</p>	<p>A2.1 The overall length of any Building does not exceed 30 metres.</p> <p>A2.2 The length of any continuous wall plane does not exceed 15 metres.</p> <p>A2.3 Building bulk is reduced by balconies, patios, recesses and variations in exterior building materials and colours.</p> <p>A2.4 Elevations provide visual interest through building elements, exterior colours, textures and materials.</p> <p style="text-align: center;">AND</p> <p>Buildings are designed in accordance with the requirements of the Planning Scheme Policy No 2 – Building Design and Architectural Elements.</p>
<p>P3 The development addresses the Main Street Frontage to facilitate casual surveillance and to enhance the amenity of the streetscape.</p>	<p>A3.1 The Building has balconies, windows or patios that face the Main Street Frontage, and remain unenclosed.</p> <p>A3.2 Perimeter fencing to any street Frontage complies with any specific fencing requirements detailed in the relevant Planning Area Code.</p>
<p>P4 The development does not adversely affect the privacy or liveability of adjoining development, and achieves a pleasant living environment for residents.</p>	<p>A4.1 Windows and openings of Habitable Rooms do not overlook Habitable Rooms of adjoining developments.</p> <p style="text-align: center;">OR</p> <p>Where Habitable Rooms overlook Habitable Rooms of adjoining developments, privacy is protected by fixed external screens or other suitable elements to avoid overlooking.</p> <p>A4.2 Screening is provided where any windows, balconies or patios overlook other windows, balconies or patios of other Dwelling Units/Private Rooms within the development.</p>



<p>P5 Vehicle parking areas and driveways are safe, convenient and have minimal impacts on adjoining development.</p>	<p>A5.1 Vehicle parking areas are located under or behind the Building so they are not visually prominent from the street.</p> <p>A5.2 The car parking area is:</p> <ul style="list-style-type: none"> • illuminated at night; • well ventilated to avoid fumes being trapped; • screened from adjoining development; • 60% covered. <p>A5.3 The driveway is a minimum of 2 metres from the side or rear boundary.</p> <p style="text-align: center;">OR</p> <p>A minimum of 1 metre with an average of 1.5 metre Landscaping screen is provided along the side or rear boundary adjacent to the driveway.</p>
<p>P6 Development does not adversely impact on the natural environment⁴³.</p>	<p>A6.1 The siting of Multi-Unit Housing/Holiday Accommodation minimises cut unless required for a basement or semi-basement car park.</p>

⁴³ Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



Landscaping and Open Space

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P7 The development provides a functional and usable Landscaping and Recreation Area for the use of guests.</p>	<p>A7.1 Landscaping and Recreation Areas must be provided at a minimum rate of:</p> <ul style="list-style-type: none"> • 30 m² for the first bedroom of each Dwelling Unit; plus • 15 m² for each additional bedroom of each Dwelling Unit; or • 15 m² for each Private Room. <p style="text-align: center;">AND</p> <p>A minimum of 4 metres by 4 metres of Landscaping and Recreation Area is provided for each Dwelling Unit which is directly accessible from a habitable living room.</p> <p style="text-align: center;">OR</p> <p>At least 50% of the total Landscaping and Recreation Area required for all Dwelling Units/Private Rooms specified above is provided as one communal area, having a minimum dimension of 6 metres.</p> <p>A7.2 Each Dwelling Unit/Private Room is provided with a private roofed balcony, or patio with a minimum area of 6 m² and a minimum depth of 2 metres.</p> <p>In the case of each Dwelling Unit if the private roofed balcony, or patio is directly accessible to the private open space area required in A7.1 above, the area of the balcony, or patio can be used in the calculation of the private open space area up to a maximum area of 6 m² for each Dwelling Unit.</p>



	<p>A7.3 Any swimming pool, including surrounding coping or paving, located within the front Setback is Setback a minimum of 3 metres from the Main Street Frontage.</p> <p style="text-align: center;">AND</p> <p>No suspended or above ground swimming pool structures are located within the 6 metre Setback to the Main Street Frontage.</p>
<p>P8 The development provides residents with a range of on Site services and facilities.</p>	<p>A8.1 A communal clothes drying area of 30 m² is provided in a central location.</p> <p style="text-align: center;">OR</p> <p>Each Dwelling Unit has its own clothes drying area designated in their private open space and screened from view from public vantage points and other Dwelling Units on Site or on adjacent Sites.</p> <p>A8.2 A refuse bin storage area is provided and located for convenient use by all guests and is readily accessible to waste management contractors.</p> <p style="text-align: center;">AND</p> <p>The refuse bin storage area is screened from view from public Roads, is roofed and drained to sewer and has a hose and hose cock attached to provide for cleaning.</p>

Retirement Facility – Additional Provisions

Location and Amenity

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P9 Retirement Facilities are located in areas which offer convenience to residents, and are designed to be compatible with the locality and surrounding area in which they are located.</p>	<p>A9.1 Retirement Facilities are conveniently located in established areas in close proximity to public transport, Shopping Facilities and health care services.</p>



Design Layout

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P10	Retirement Facilities are designed to provide for the amenity and security of residents ⁴⁴ .	A10.1	The Retirement Facility incorporates covered walkways wide enough to accommodate wheelchairs and ramps, where necessary, which provide on Site weather protection between all areas of the complex.
		A10.2	Decorative perimeter security fencing and gates are provided to ensure the safety and security of residents and the fencing complies with the relevant Planning Area Code.
		A10.3	Security screens are provide on all Dwelling Units or residential rooms to ensure the safety and security of residents, while allowing for the capture of prevailing breezes.
P11	The internal layout of the Retirement Facility and the location of the Retirement Facility allows for the safe evacuation of residents in an emergency and provides for emergency services to efficiently Access the Site.	A11.1	The design of the Retirement Facility ensures that external circulation and Access and egress points on the Site facilitate the evacuation of the Site in an efficient manner.
		A11.2	The Site of the Retirement Facility is not prone to inundation and all circulation pathways throughout the Site are constructed above 3.2 metres AHD.
		A11.3	The location and Site of the Retirement Facility are readily accessible to emergency vehicles.

⁴⁴ Retirement Facilities are required to be designed in accordance with the requirements of the Aged Care Act 1997 or any other relevant legislation.



Ancillary Facilities

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P12 Retirement Facilities provides residents with a range of on Site services and facilities.	A12.1 Retirement Facilities incorporate a range of ancillary services and facilities, such as: lounge areas, library/reading room, TV games/recreation room, pharmacy, hairdresser, convenience store and the like.



4.5.15 Primary Industry Code

Purpose

The purpose of this Code is to ensure that:

- Primary Industries are managed and operated to be ecologically sustainable;
- Any detrimental impacts associated with the operation of Primary Industries in the Shire are minimised; and
- Rural land, with existing Watercourse/s and areas of environmental integrity is progressively revegetated and rehabilitated in association with the Primary Industry activity on the land.

Applicability

The Code applies to assessable and self-assessable development for a Material Change of Use for a Primary Industry.

For self-assessable development assessed against this Code, the applicable Acceptable Solutions are A1.1, A2.1 and A3.1.

Self Assessable development which does not comply with Acceptable Solutions listed above and outlined in this Code will require Code Assessment.

Elements of Code

Site Identification and Suitability

	PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS
P1	Rural land used for agricultural production does not have unacceptable impacts on environmentally sensitive areas.	A1.1	Rural land used for agricultural production is limited to existing Clearings.
P2	Riparian corridors adjacent to Watercourses and areas of remnant native vegetation on rural land are protected and rehabilitated.	A2.1	When changing from agriculture to grazing, Category 1 and Category 2 Watercourses are to be fenced with stock fencing suitable to ensure the particular animal is contained.
P3	The Height of all Buildings/structures is in keeping with the character of the surrounding area and the Height of Buildings/structures does not adversely affect visual amenity.	A3.1	The maximum Height of ancillary Buildings/structures required for the operation of rural activities is 15 metres.



4.5.16 Private Forestry Code

Purpose

The purpose of this Code is to:

- facilitate the practice of Private Forestry within the Shire;
- encourage Private Forestry on currently unproductive, under-utilised or environmentally degraded land;
- ensure that all Private Forestry operates in an ecologically sustainable manner;
- ensure that all Private Forestry does not have negative impacts upon identified ecological, catchment or landscape values;
- minimise the potential for Private Forestry to conflict with other land uses; and
- promote the long term harvest security of Private Forestry.

Applicability

This Code applies to assessable development for a Material Change of Use for Private Forestry.

Elements of the Code

Private Forestry Development Plan

	PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P1	Adequate planning is undertaken to provide details of the intentions for, and the long term management objectives of the Private Forestry use.	No Acceptable Solution ⁴⁵ .

⁴⁵ Refer to the LGAQ Private Forestry Model Planning Framework (PFMPF)



Establishment

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P2	<p>The establishment of the Private Forestry use:</p> <ul style="list-style-type: none"> • reduces potential for land use conflict; • establishes adequate Setbacks from natural features and infrastructure; and • addresses safety and the threat of fire. 	A2.1	<p>The following separation distances are established and maintained:-</p> <ul style="list-style-type: none"> • Houses <ul style="list-style-type: none"> • Private Forestry < 3 hectares – 30 metres • Private Forestry > 3 hectares – 60 metres • Property Boundary <ul style="list-style-type: none"> • Private Forestry < 3 hectares – 5 metres • Private Forestry > 3 hectares – 10 metres • Watercourses <ul style="list-style-type: none"> • Category 1 – 20 metres • Category 2 – 10 metres • Transmission Lines – as provided for in the Forest Harvesting Industry Code of Practice (DETIR 2000)

Fire Management

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P3	<p>The threat of fire to the Private Forestry use and to surrounding land is limited by adequate planning and fire control measures.</p>	A3.1	<p>The Fire Planning Section within the Private Forestry Development Plan is completed.</p> <p style="text-align: center;">AND</p> <p>Fire breaks/Access Roads are provided within forests used for Private Forestry.</p> <p style="text-align: center;">AND</p> <p>The maximum contiguous plantation area without an internal Access Road does not exceed 30 hectares in area.</p>



Timber Harvesting and Haulage

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P4	The conduct of on Site value adding does not adversely affect adjacent ecosystems, land uses or Houses.	A4.1	Any portable sawmill is located at least 100 metres away from any neighbour's property boundary.
P5	The haulage of logs or timber from the Site has minimal impact upon local transport infrastructure and safety.	A5.1	The Council is notified of the expected tonnage, duration and intended haulage routes 90 days prior to these activities, where timber or log haulage is expected to be greater than 100 tonnes within a period of 7 days.
		A5.2	Haulage on local Roads is not carried out during school bus hours.
			AND
			Haulage on unsealed Roads is conducted only during dry weather.



4.5.17 Service Station Code

Purpose

The purpose of this Code is to ensure that Service Stations operate efficiently and do not have adverse effects on the amenity of the surrounding area or on the operation of the Road network.

Applicability

This Code applies to assessable development for a Material Change of Use for a Service Station.

Elements of the Code

Site Area and Dimensions

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	A Service Station Site has sufficient area and dimensions to accommodate the Buildings/structures, vehicle Access and movement areas, customer facilities and Landscaping.	A1.1	The Site is regular in shape and is configured generally as a rectangle or square.
		A1.2	The Site has a minimum Frontage of: <ul style="list-style-type: none"> • 40 metres where the Site is not a corner Site; or • 30 metres to each Road where the Site is a corner Site.

Site Layout

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P2	Service Station Buildings/structures are compatible with surrounding development and are Setback from Roads to ensure that high standards of appearance and safety are achieved.	A2.1	Buildings/structures, excluding canopies, are Setback a minimum of 15 metres from the Road Frontages of the Site and any canopy is Setback not less than 6 metres from the Main Street Frontage.
P3	The design of a Service Station provides suitable buffers to residential properties and residential uses to protect their amenity.	A3.1	Where the Site adjoins land included in a Residential 1, Residential 2 or Tourist and Residential Planning Area or land used for residential purposes, all Buildings/structures are Setback 10 metres from the common boundary with the residential property.



<p>P4 The design of a Service Station facilitates the safe and convenient movement of vehicles/pedestrians on the Site.</p>	<p>A4.1 Fuel pumps are Setback 10 metres from the Road Frontages of the Site.</p> <p>A4.2 Any liquid petroleum gas tanks are set back 10 metres from the Road Frontages of the Site.</p> <p>A4.3 Bulk fuel storage tanks are located on the Site so that, when a fuel delivery vehicle is discharging fuel into the storage tanks, the fuel delivery vehicle is standing wholly within the Site in a location which does not restrict the movement of other vehicles on the Site.</p>
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Landscaping

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P5 Landscaping and fencing are provided to create an attractive facility and a buffer to surrounding uses.</p>	<p>A5.1 A 3 metre wide landscaped Setback is provided and maintained within the Site adjacent to the Road Frontages of the Site.</p> <p>A5.2 Landscaping to the side boundaries is provided for a distance of 10 metres and a width of 3 metres measured from the street Frontages.</p> <p>A5.3 Where the Site adjoins land included in a Residential 1, Residential 2 or Tourist/Residential Planning Area or used for residential purposes:</p> <ul style="list-style-type: none"> • a 5 metre wide landscaped Setback of Dense Planting is provided and maintained within the Site adjacent to the common boundary with the residential land; and • a solid fence 1.8 metres high is constructed along the common boundary with the residential land.



Customer Facilities

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P6	Customer facilities such as air and water points, automatic mechanical car washing facilities and other customer services and facilities are located so that the efficient operation of the Service Station is not adversely affected by the use of these facilities.	A6.1	Facilities are located within the Site and are not located closer than 3 metres to any boundary of the Site.
		A6.2	Facilities are located so that vehicles using or waiting to use the facilities are standing wholly within the Site and in locations which do not restrict the movement of other vehicles on the Site.
		A6.3	Services and facilities are conveniently located to minimise conflict points for both vehicles and pedestrians.

Vehicle Crossovers

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P7	Safe and convenient movement to and from the Service Station Site is provided consistent with minimising disruption to the flow of traffic on the adjoining Roads and ensuring pedestrian safety within and adjacent to the Site.	A7.1	The maximum width of any vehicle crossover across a footpath is 9 metres.
		A7.2	Any vehicle crossover across a footpath is located at least 15 metres from a Road intersection.
		A7.3	Vehicle crossovers are separated by a distance of at least 14 metres.
		A7.4	Separate entrances to and exits from the Site are provided.



Roads External to the Site

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P8	The Roads adjacent to the Service Station Site are of an appropriate standard to meet the needs of the use and maintain safety in and around the Site.	A8.1	A 6 metre wide deceleration lane is provided along the Frontage/s of the Site.
		A8.2	A 9 metre by 3 chord truncation is provided at any Road intersection adjacent to the Site.
		A8.3	Any land required for the deceleration lane or the corner truncation is dedicated as Road at no cost to Council.
		A8.4	A 1.5 metre footpath is provided for the full length of the Site Frontage/s, if the Service Station is located in an urban area.
		A8.5	Roadworks are constructed to the Frontage/s of the Site in accordance with the relevant Australian Standard and include: <ul style="list-style-type: none"> • bitumen seal • kerb and channel • drainage works as required.



4.5.18 Short Term Accommodation Code

Purpose

The purpose of this Code is to:

- ensure that Short Term Accommodation is consistent with the desired character and amenity of the area; and
- ensure that an acceptable level of facilities is provided for guests and short term residents of Short Term Accommodation.

Applicability

This Code applies to assessable development for a Material Change of Use for Short Term Accommodation.

Elements of the Code

Site Requirements

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	A Site for Short Term Accommodation has sufficient area and dimensions to accommodate the Buildings/structures, open space, car parking and associated vehicular Access, Landscaping and recreation facilities for the enjoyment of guests and short term residents.	A1.1	The Site has a minimum area of 1000 m ² . AND The Site has a Road Frontage of 25 metres.

Location and Amenity

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P2	Short Term Accommodation is located in areas which offer convenience to residents, and is designed to be compatible with the locality and surrounding area in which it is located.	A2.1	Short Term Accommodation is conveniently located in established areas in close proximity to public transport, Shopping Facilities and health care services.



Site Layout

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P3	The siting of Buildings is compatible with the desired character of the area and contributes to the streetscape and amenity of the area.	A3.1	Landscaping is provided within the Setback areas to provide a buffer to adjoining uses and privacy for guests.
P4	The building bulk is reduced through effective design and materials.	A4.1	The overall length of any Building does not exceed 30 metres.
		A4.2	The length of any continuous wall plane does not exceed 15 metres.
		A4.3	Building bulk is reduced by balconies, patios, recesses and variations in exterior building materials and colours.
		A4.4	Elevations provide visual interest through building elements, exterior colours, textures and materials.
			AND
			Buildings are designed in accordance with the requirements of Planning Scheme Policy No 2 – Building Design and Architectural Elements.
P5	The development addresses the street Frontage to enhance the amenity of the streetscape.	A5.1	The Building has balconies and patios that face the Main Street Frontage, and remain unenclosed.
		A5.2	Perimeter fencing to any street Frontage complies with any specific fencing requirements detailed in the relevant Planning Area Code.



<p>P6 Short Term Accommodation does not adversely affect the privacy or liveability of adjoining development, and achieves a pleasant living environment for residents.</p>	<p>A6.1 Windows and openings of Habitable Rooms do not overlook Habitable Rooms of adjoining developments.</p> <p style="text-align: center;">OR</p> <p>Where Habitable Rooms overlook Habitable Rooms of adjoining developments, privacy is protected by one or more fixed external screens or other suitable elements that avoid overlooking.</p> <p>A6.2 Screening is provided where any windows, balconies or patios overlook other windows, balconies or patios of other units within the development.</p>
<p>P7 Vehicle parking areas and driveways are safe, convenient and have minimal impacts on adjoining development.</p>	<p>A7.1 Vehicle parking areas are located under or behind the Building so they are not visually prominent from the street.</p> <p>A7.2 The car parking area is:</p> <ul style="list-style-type: none"> • illuminated at night • well ventilated to avoid fumes being trapped • screened from adjoining development • 60% covered. <p>A7.3 The driveway is a minimum of 2 metres from the side or rear boundary.</p> <p style="text-align: center;">AND</p> <p>1.5 metre landscaped screen is provided along the side or rear boundary adjacent to the driveway with Landscaping planted in an area clear of underground services.</p>



<p>P8 The Short Term Accommodation does not adversely impact on the natural environment.</p>	<p>A8.1 The siting and design of the development ensures the retention of existing mature vegetation on the Site.</p> <p>A8.2 Where removal of mature vegetation is required for siting of the new Building/s, replacement advanced mature vegetation is planted on Site.</p> <p>A8.3 The siting of Short Term Accommodation minimises cut unless required for a basement or semi-basement car park.</p>
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Landscaping and Recreational Areas

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P9 Landscaping and Recreation Areas are provided to meet the reasonable requirements of guests or short term residents.</p>	<p>A9.1 Landscaping and Recreation Areas must be provided at a minimum rate of:</p> <ul style="list-style-type: none"> • 5 m² per bed for dormitory accommodation; and • 10 m² per Private Room. <p style="text-align: center;">AND</p> <p>At least 50% of the total Landscaping and Recreation Area required above is provided as one communal area, having a minimum dimension of 6 metres.</p> <p>A9.2 In addition, each Private Room is provided with a private roofed balcony, or patio with a minimum area of 6 m² and a minimum depth of 2 metres.</p> <p>A9.3 In the case where more than 20 Bed Spaces are contained in the Short Term Accommodation, a recreational facility such as a swimming pool, unlit tennis court or unlit volleyball court is provided.</p> <p>A9.4 Any swimming pool located within the front setback is a minimum of 3 metres from the Main Street frontage.</p> <p>A9.5 No suspended or above ground swimming pool structures are located within the 6 metre setback to the Main Street frontage.</p>



Facilities and Services

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P10 Sufficient services and facilities are provided for the requirements of the guests or short term residents, and are provided in convenient locations for their use.</p>	<p>A10.1 In the case of boarding houses, hostels and dormitory accommodation, an external clothes drying area of 30 m² is provided for use by all guests. The external clothes drying area/s is screened from view form public viewing points.</p> <p>A10.2 In the case of Private Room accommodation, an internal communal mechanical drying facility may be provided.</p> <p>A10.3 A refuse bin storage area is provided and located for convenient use by all guests and is readily accessible to waste management contractors.</p> <p>AND</p> <p>The refuse bin storage area is screened from view from public Roads, is roofed and drained to sewer and has a hose and hose cock attached to provide for cleaning.</p>



4.5.19 Telecommunication Facilities Code

Purpose

The purpose of this Code is to facilitate the provision of telecommunication services while minimising detrimental visual, environmental and community safety impacts.

Applicability

This Code applies to assessable development for a Material Change of Use for Telecommunication Facilities, excluding low impact facilities as defined by the Telecommunications, (Low Impact Facilities Determination) 1997 under the *Telecommunications Act*.

Elements of the Code

Siting and Design

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 Telecommunication Facilities are located so as to minimise their impact on the landscape or townscape.</p>	<p>A1.1 Telecommunication Facilities are located underground.</p> <p style="text-align: center;">OR</p> <p>Telecommunication Facilities are co-located with other Telecommunication Facilities.</p> <p style="text-align: center;">OR</p> <p>Telecommunication Facilities are located in or on an existing structure.</p> <p style="text-align: center;">AND</p> <p>Telecommunication Facilities are not located on the exterior of any Building identified on any relevant Cultural Heritage/Valuable Site Overlay on any relevant Locality Map.</p>



<p>P2 Telecommunication Facilities are sited and designed such that they are visually integrated, as much as possible, with the landscape or townscape so as not to be visually obtrusive.</p>	<p>A2.1 The Height of any Telecommunication Facility does not protrude more than 1 metre above the level of the existing tree canopy or ridgelines or the Building rooftops in the townscape.</p> <p>A2.2 Telecommunication Facilities are painted a colour which blends in with the surrounding landscape/townscape.</p> <p>A2.3 Telecommunication Facilities are sited to minimise the potential of over shadowing on adjoining and nearby land uses.</p> <p>A2.4 Telecommunication Facilities are located predominantly in industrial, commercial or rural areas.</p>
<p>P3 Telecommunication Facilities are sited and designed having taken into account contemporary standards relevant to the mobile telecommunications industry.</p>	<p>A3.1 Telecommunication Facilities are sited and designed in accordance with any relevant requirements detailed in the: Industry Code for the Deployment of Radiocommunications Infrastructure, ACIF C564:2002.</p>

Community Safety

<p>PERFORMANCE CRITERIA</p>	<p>ACCEPTABLE SOLUTIONS</p>
<p>P4 Telecommunication Facilities are constructed, operated and managed so as public health and safety are maintained.</p>	<p>A4.1 Emission of light, vibration, smell or radiation beyond the Site meets the State and National standards including Australian Standard Radio Frequency Radiation – Maximum Exposure Levels.</p>
<p>P5 Any stand alone Telecommunication Facilities are securely fenced and adequately sign posted.</p>	<p>A5.1 To discourage public Access, the Site of any stand alone facility is enclosed by 1.8 metre high mesh security fence painted the same or similar colour as the facility.</p> <p>A5.2 The Site of any stand alone facility is appropriately signed with warning signs.</p>



Access and Car Parking

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P6 The Site of a stand alone Telecommunication Facility is provided with adequate Access and vehicle standing area to facilitate the required level of servicing and maintenance.</p>	<p>A6.1 Any stand alone facility is provided with a vehicular driveway, of a maximum width of 4 metres, and vehicle standing area which are constructed to an all weather surface and to accommodate stormwater drainage, where required.</p> <p style="text-align: center;">AND</p> <p>A vehicle standing area is provided within the fenced Site of any stand alone facility.</p>



4.5.20 Tourist Attraction Code

Purpose

The purpose of this Code is to:

- facilitate the development of Tourist Attractions in the Shire that showcase environmental, agricultural or rural attractions and which are compatible in character and scale with the surrounding environment and the locality;
- ensure that a Tourist Attraction is not located on GQAL; and
- ensure that a Tourist Attraction is located to be conveniently accessible and where there are minimal impacts on surrounding land uses.

Applicability

This Code applies to assessable development for a Material Change of Use for a Tourist Attraction.

Elements of the Code

Location and Compatibility

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 Tourist Attractions are appropriately located to showcase existing environmental, agricultural or rural attractions and be complementary to surrounding uses, the environment and the locality.</p>	<p>A1.1 Tourist Attractions are not located on GQAL.</p> <p>A1.2 Tourist Attractions are based on environmental, agricultural or rural themes appropriate to the locality in which they are located and with the environmental, agricultural or rural activity remaining as the dominant or primary land use on the Site.</p> <p>A1.3 Tourist Attractions are located in accessible locations with all weather Access to a bitumen sealed Road.</p> <p>A1.4 Tourist Attractions are located on an existing lot or lots that do not require reconfiguration to contain the use.</p> <p>A1.5 Tourist Attractions do not adversely impact on surrounding uses, in terms of noise, traffic and general amenity.</p>



Amenity

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P2	Any Buildings/structures associated with the Tourist Attraction are complementary to the surrounding environment.	A2.1	Buildings/structures are compatible in scale, design and colour to the surrounding natural and built environment.
		A2.2	Buildings/structures are compatible in scale with existing Buildings in the locality and are located on the Site so as to be unobtrusive.
		A2.3	Landscaping of the Site is appropriate to the facility and existing locality, with the retention of existing native vegetation and the inclusion of additional vegetation with species identified in the Plant Species Schedule in Planning Scheme Policy No 7 – Landscaping.

Ancillary facilities

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P3	Any ancillary facilities or uses are compatible with and relevant to the theme of the Tourist Attraction.	A3.1	Any ancillary facilities or uses are limited to small-scale retail areas, café/Restaurant or display areas.
P4	Any ancillary Buildings are appropriate in terms of scale and design with the primary Tourist Attraction Building and provide connectivity and weather protection for patrons and staff.	A4.1	Any ancillary Buildings are compatible in scale, design and colour to the main Tourist Attraction Building and the surrounding environment.
		A4.2	Any ancillary Buildings are connected to the main Tourist Attraction Building with covered walkways 1.2 metres footspace.



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GENERAL

GENERAL





4.6 General Codes

4.6.1 Design and Siting of Advertising Devices Code

Purpose

The purpose of this Code is to:

- ensure that Advertising Devices do not adversely impact on the streetscape or detract from the amenity of the locality;
- ensure that Advertising Devices are appropriate to the scale of surrounding Buildings and the locality;
- ensure that any Advertising Devices which are incorporated in the Site design of a development or the architecture of a Building, complement the Building or development;
- limit the number of Advertising Devices to avoid excessive signage throughout the Shire; and
- ensure that Advertising Devices do not dominate the surrounding vegetation, Landscaping or natural features of the environment and scenic amenity values of the Shire.

Applicability

This Code applies to assessable development for:

- Material Change of Use:

Except for the following Uses in all Localities:

- Caretaker's Residence
 - Educational Establishment
 - Home Industry
 - House
 - Outstation/Seasonal Camp
 - Primary Industry
 - Private Forestry
 - Public Utilities and Facilities
 - Special Residential Use
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use.



Elements of the Code

Signage Type

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 Advertising Devices are subservient in scale to the primary use of the Site and relate to the use/s carried out on the Site.</p>	<p>A1.1 Where a Balloon, Blimp, Kite, Bunting, Flag, Banner or similar:</p> <ul style="list-style-type: none"> • safely tethered to the ground, Building or structure; • maximum one per business; • displayed for one calendar month; • not located over or attached to the ground of a Council controlled Road or a State-Controlled Road (SCR). <p>A1.2 Where a Below Awning Sign:</p> <ul style="list-style-type: none"> • maximum one per business, or one per Frontage; • maximum Height of 0.6 metres • ground clearance not less than 2.6 metres • maximum width of 0.3 metres; • maximum length of 2.5 metres and does not project beyond the awning.

	<p>A1.3 Where a Chalk Board or A Frame Sign:</p> <ul style="list-style-type: none"> • maximum of one Chalk Board or A Frame Sign per business, or Frontage; • maximum Height of 1 metre; • maximum width of 0.6 metre; • able to be readily relocatable on a daily basis, if located within a Road reserve; • do not rotate or spin in the wind; • only allowable within a State-controlled Road reserve where the speed limit is 60 km/hr or less; • if located within the Road reserve, located a minimum of 1 metre from the kerb; <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • where no kerb, a minimum of 10 metres from the edge of the Road carriageway. <p>A1.4 Where a Directional Sign:</p> <ul style="list-style-type: none"> • if attached to a street sign, has the same dimensions as the street sign, unilluminated and advertising the name and distance/direction to the business; • maximum of one directional sign per business attached to any street sign; • if attached to a property boundary fence or gate, maximum area of 0.3 m², unilluminated and advertising only the name and distance/direction to the business which is carried out on the property; • maximum of one directional sign to any property boundary fence or gate for each Road Frontage.
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	<p>A1.5 Where a Fascia Sign located on the fascia of an awning:</p> <ul style="list-style-type: none">• maximum of one fascia sign per business or one per Frontage;• maximum Height above Ground Level of 2.5 metres;• does not project above or below the fascia of the Building;• does not project within 0.45 metre Setback from the face of the kerb or where no kerb exists, 0.30 metre from the fascia. <p>A1.6 Where a Home Activity or Home Based Business Sign:</p> <ul style="list-style-type: none">• maximum of one sign per business;• maximum area of 0.3 m²;• located on the same premises as the Home Activity/ Home Based Business;• not illuminated;• advertises only the name and occupation of the operator of the business. <p>A1.7 Where a Projecting Wall Sign:</p> <ul style="list-style-type: none">• maximum of one projecting wall sign on any building facade or boundary wall;• does not project further than 0.75 metres from the building line;• minimum vertical clearance of 2.6 metres from the ground;• not located above any awning and located at ground floor level;• maximum surface area of 1 m²;• maximum depth of 0.3 metres;• does not project above the roof, parapet, or Building or wall line.
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	<p>A1.8 Where a Symbol, being any ornamental design or device not otherwise described, whether or not a message is included in the design or device:</p> <ul style="list-style-type: none">• maximum area of 1 m². <p>A1.9 Where a Tenancy Sign:</p> <ul style="list-style-type: none">• maximum of one tenancy sign per Site or development;• maximum Height of 5 metres;• maximum width of 1.5 metres;• maximum depth of 0.3 metres;• limited to one double sided sign with one advertising panel on each side of the sign, each advertising panel with a maximum area of 4 m²;• located on the boundary of a Site or fixed to a wall on the boundary of a Site to a Road Frontage. <p>A1.10 Where a Wall Sign:</p> <ul style="list-style-type: none">• maximum of one wall sign on any building facade or boundary wall;• maximum area of 4 m²;• maximum length of 3 metres;• maximum Height of 2 metres and sited at ground floor level of a Building or boundary wall;• does not project further than 0.10 metres from the face of the wall. <p>A1.11 Where a Window Sign:</p> <ul style="list-style-type: none">• limited to windows on ground floor level only of any Building, or ground floor level and one level above if the Building is of a commercial nature;• maximum area of 1.2 m²;• maximum Height of 1 metre;• maximum length of 2.4 metres.
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	<p>A1.12 Where an Indirectly Illuminated Sign:</p> <ul style="list-style-type: none">• artificial light limited to illuminating the face of the sign;• does not cause light spillage from the source of external illumination;• complies with other relevant requirements for the particular type of Advertising Device, which are specified in this Code;• not located within a State-Controlled Road or on a Council Road.
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Signage Location

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P2 Advertising Devices are located in appropriate areas, relative to the land uses in the area and the amenity and character of the area⁴⁶.</p>	<p>A2.1 Particular types of Advertising Devices are considered appropriate in the following locations:</p> <ul style="list-style-type: none"> • Residential, Rural and Rural Settlement Areas: <ul style="list-style-type: none"> - Home Activity/Home Based Business Sign; and - Directional Sign • Tourist and Residential Areas: <ul style="list-style-type: none"> - Directional Sign; - Projecting Wall Sign; - Symbol; - Wall Sign; and - Indirectly Illuminated Sign. • Commercial and Tourist Commercial Areas: <ul style="list-style-type: none"> - Balloon, Blimp, Kite, Bunting, Flag, Banner or similar (temporary); - Below Awning Sign; - Chalk Board or A Frame Sign; - Directional Sign; - Fascia Sign; - Projecting Wall Sign; - Symbol; - Tenancy Sign; - Wall Sign; - Window Sign; and - Indirectly Illuminated Sign. • Industrial Areas: <ul style="list-style-type: none"> - Balloon, Blimp, Kite, Bunting, Flag, Banner or similar (temporary); - Tenancy Sign; - Wall Sign; - Window Sign; and - Indirectly Illuminated Sign.

⁴⁶ Any Advertising Device located on a State-Controlled Road, must comply with the requirements of the *Transport Infrastructure Act 1994* and in particular the *Ancillary Works and Encroachment Notice (No 1) 2001*.



4.6.2 Filling and Excavation Code

Purpose

The purpose of this Code is to ensure that filling and excavation do not:

- affect visual/scenic amenity values of the Shire;
- cause flooding and drainage problems;
- impact upon the environment of an area;
- cause land instability; or
- adversely impact upon utility services.

Applicability

This Code applies to assessable development for:

- Material Change of Use:

Except for the following Uses in all Localities:

- Business Facilities – using and existing Building
 - Home Activity
 - Off Premises Advertising Device
 - Primary Industry
 - Private Forestry
 - Restaurant – using and existing Building
 - Shopping Facility – using an existing Building
- Operational Work Associated with Reconfiguring a Lot;
 - Operational Work – Filling or Excavation not associated with a Material Change of Use; and
 - Operational Work – Engineering Works not associated with a Material Change of Use;



Elements of the Code

Filling and Excavation – General

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 All filling and excavation work does not create a detrimental impact on the slope stability, erosion potential or visual amenity of the Site or the surrounding area.</p>	<p>A1.1 The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height.</p> <p style="text-align: center;">AND</p> <p>Cuts in excess of those stated in A1.1 above are separated by benches/terraces with a minimum width of 1.2 metres that incorporate drainage provisions and screen planting.</p> <p>A1.2 Cuts are supported by batters, retaining or rock walls and associated benches/terraces are capable of supporting mature vegetation.</p> <p>A1.3 Cuts are screened from view by the siting of the Building/structure, wherever possible.</p> <p>A1.4 Topsoil from the Site is retained from cuttings and reused on benches/terraces.</p> <p>A1.5 No crest of any cut or toe of any fill, or any part of any retaining wall or structure, is located closer than 600 mm to any boundary of the property, unless the prior written approval of the adjoining landowner and the Council, has been obtained.</p> <p>A1.6 Non-retained cut and/or fill on slopes are stabilised and protected against scour and erosion by suitable measures, such as grassing, Landscaping or other protective/aesthetic measures.</p>



Visual Impact and Site Stability

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P2	Filling and excavation are carried out in such a manner that the visual/scenic amenity of the area and the privacy and stability of adjoining properties is not compromised.	A2.1	The extent of filling or excavation does not exceed 40% of the Site area or 500 m ² whichever is the lesser. EXCEPT THAT A2.1 does not apply to reconfiguration of 5 lots or more.
		A2.2	Filling and excavation does not occur within 2 metres of the Site boundary.

Flooding and Drainage

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P3	Filling and excavation does not result in a change to the run off characteristics of a Site which then have a detrimental impact upon the Site or nearby land or adjacent Road reserves.	A3.1	Filling and excavation does not result in the ponding of water on a Site or adjacent land or Road reserves.
		A3.2	Filling and excavation does not result in an increase in the flow of water across a Site or any other land or Road reserves.
		A3.3	Filling and excavation does not result in an increase in the volume of water or concentration of water in a Watercourse and overland flow paths.
		A3.4	Filling and excavation complies with the specifications set out in the Planning Scheme Policy No 6 – FNQROC Development Manual.

Water Quality

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P4	Filling and excavation does not result in a reduction of the water quality of receiving waters.	A4.1	Water quality is maintained to comply with the specifications set out in the Planning Scheme Policy No 6 – FNQROC Development Manual.



4.6.3 Landscaping Code

Purpose

The purpose of this Code is to:

- ensure that new Landscaping incorporates plants which encourage Biodiversity;
- maintain and strengthen the tropical and native landscape character of the Shire through high quality landscape works;
- ensure that Landscaping enhances the visual quality and unique identity of different parts of the Shire by featuring endemics;
- create attractive streetscapes and public spaces through landscape design and the use of street trees and shade trees;
- ensure that native species are incorporated into Landscaping, as a means of providing continuity between developed and undeveloped areas;
- ensure that existing vegetation on Site is retained, protected during works and integrated with the built environment;
- ensure preferred plant species are selected in accordance with the Plant Species Schedule in Planning Scheme Policy No 7 – Landscaping; and
- ensure that Landscaping screens Buildings to reduce their bulk and to enhance the landscape character of the Shire.

Applicability

This Code applies to assessable development for:

- Material Change of Use:
Except for the following Use:
 - House (other than a House which is Code Assessable and then the Code applies)
- Operational Work Associated with Reconfiguring a Lot;



Elements of the Code

Landscape Design

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	Landscape design satisfies the purpose and the detailed requirements of this Code.	A1.1	<p>Landscaping is undertaken in accordance with a Landscape Plan drawn to scale which complies with and illustrates all the relevant requirements of this Code and Planning Scheme Policy No 7 – Landscaping.</p> <p style="text-align: center;">AND</p> <p>Landscaping is maintained in accordance with the requirements specified in this Code and Planning Scheme Policy No 7 – Landscaping.</p>

Landscape-Character and Planting

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P2	Landscaping contributes to a sense of place, is functional to the surroundings and provides dominant visual interest and form.	A2.1	A minimum of 80% of the proposed landscape area is open to the sky for sunlight and ventilation.
		A2.2	The percentage of native or endemic species utilised in the Landscaping is as specified in the Locality Code.
			OR
			Where not specified in the Locality Code, in accordance with Planning Scheme Policy No. 7 – Landscaping.
		A2.3	Landscaping includes planting layers comprised of canopy, middle storey, screening and groundcovers, with palm trees used as accent plants only.



<p>P3 Landscaping is consistent with the existing landscape character of the area and native vegetation existing on the Site is to be retained wherever possible and integrated with new Landscaping⁴⁷.</p>	<p>A3.1 Existing native vegetation on Site is retained and incorporated into the Site design, wherever possible.</p> <p>A3.2 Any mature vegetation on the Site which is removed or damaged during development of the Site is replaced with advanced native species.</p> <p>A3.3 Where there is an existing landscape character in a street or locality which results from existing vegetation, similar species are planted on Site or on the street.</p> <p>A3.4 Street trees are 100% native species which enhance the landscape character of the streetscape, with species chosen from the Plant Species Schedule in Planning Scheme Policy No 7 – Landscaping.</p>
<p>P4 Plant species are selected with consideration to the scale and form of development, screening, buffering, streetscape, shading and the locality of the area.</p>	<p>A4.1 Species are selected in accordance with the Plant Species Schedule in Planning Scheme Policy No 7 – Landscaping.</p>
<p>P5 Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal Roadways.</p>	<p>A5.1 Where car parking areas are uncovered or open, shade trees are planted at regular intervals (a minimum of 1 shade tree is provided for every 5 car parks) throughout the car parking areas, and adjacent to driveways and internal Roadways.</p> <p>A5.2 A minimum of 1 shade tree is provided for every 10 metres along a driveway or internal Roadway.</p> <p>A5.3 Landscape beds and trees are protected by garden edging, bollards or wheel stops.</p> <p>A5.4 Trees within car parking areas have a minimum planting area the equivalent of 1 car parking bay, with a minimum topsoil depth of 0.8 metre.</p>

⁴⁷ Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



Screening

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P6	Fences along street Frontages are articulated with appropriate Landscaping.	A6.1	Perimeter fencing to any street Frontage complies with the relevant Planning Area Code.
		A6.2	Trees, shrubs and groundcovers are planted within any recessed areas along the fence line.
P7	Landscaping within Recreation Areas of residential development are functional, well designed and enhance the residential amenity.	A7.1	One shade tree is provided for each private open space or private Recreation Area.
		A7.2	Tree species provide 30% shade over the area within 5 years.
		A7.3	A minimum of 50% of the Landscaping and Recreational Area is landscaped, with trees, shrubs, groundcovers, minimising large expanses of hardstand areas and structures.
		A7.4	Plants are located to provide shelter and shade to Habitable Rooms and outdoor Recreation Areas from the hot summer sun.
P8	Undesirable features are screened with Landscaping.	A8.1	Landscaping of Dense Planting is planted along and near retaining walls, long blank walls of Buildings, mechanical and air-conditioning units, clothes drying areas, bin enclosures and other utility structures with appropriate trees, shrubs and groundcovers.
P9	The environmental values of the Site and adjacent land are enhanced.	A9.1	Landscaping using similar endemic or native species, is planted on-Site on land adjoining an area of natural environmental value.



Streetscape and Site Amenity

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P10	Landscaping for residential development enhances the streetscape and the visual appearance of the development.	A10.1	<p>Dense Planting along the front of the Site incorporates:</p> <ul style="list-style-type: none"> • shade canopy trees to provide shade to the Frontage of the Site within 5 years of planting; • landscape screening of blank walls; • low shrubs, groundcovers and mulch to completely cover unsealed ground.
		A10.2	<p>Dense Planting to the rear of the Site incorporates:</p> <ul style="list-style-type: none"> • 1 shade tree for an average of every 75 m², growing to the Building eave Height within 5 years of planting; • screening shrubs to grow to 3 metres in Height within 2 years of planting; • low shrubs, groundcovers and mulch to completely cover unsealed ground.
		A10.3	<p>Dense Planting to the side boundaries incorporates:</p> <ul style="list-style-type: none"> • trees planted for an average of every 10 metres where adjacent to a Building; • low shrubs, groundcovers and mulch to completely cover unsealed ground.
P11	Landscaping for non-residential development enhances the streetscape and the visual appearance of the development.	A11.1	<p>Dense Planting along the front boundary of the Site where a Building is Setback from the front alignment, incorporates:</p> <ul style="list-style-type: none"> • shade canopy trees to provide shade to the Frontage of the Site within 5 years of planting where appropriate; • landscape screening of blank

	<p>walls;</p> <ul style="list-style-type: none"> • low shrubs, groundcovers and mulch to completely cover unsealed ground. <p>A11.2 Dense Planting to the rear of the Site where a Building is Setback from the rear alignment, incorporates:</p> <ul style="list-style-type: none"> • 1 shade tree for an average of every 75 m² growing to the Building eave Height within 5 years of planting; • screening shrubs to grow to 3 metres in Height within 2 years of planting; • low shrubs, groundcovers and mulch to completely cover unsealed ground. <p>A11.3 Dense Planting to the side boundaries where visible from the street or adjoining a boundary to a different Planning Area, and where a Building is Setback from the side boundary, incorporates:</p> <ul style="list-style-type: none"> • trees planted for an average of every 10 metres where adjacent to a Building; • screening shrubs, low shrubs and groundcover appropriate for the amount of space, light and ventilation of the area; • low shrubs, groundcovers and mulch to completely cover unsealed ground. <p>A11.4 A minimum of 20% of shade trees and shrubs is incorporated in all areas of Landscaping growing to the Building eave Height within 5 years.</p>
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Maintenance and Drainage

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P12 Landscaped areas are designed in order to be maintained in an efficient manner.</p>	<p>A12.1 A maintenance program is undertaken in accordance with the Maintenance Schedule in Planning Scheme Policy No 7 – Landscaping.</p> <p>A12.2 A reticulated irrigation system is provided to common Landscaping and Recreation Areas and planter boxes in accordance with Australian Standards, with 1 hose cock within each area.</p> <p>A12.3 Turf areas are accessible by standard lawn maintenance equipment.</p> <p>A12.4 Plant species are selected with long life expectancy and minimal maintenance requirements where on-Site management will be limited.</p> <p>A12.5 Mulching is provided to all garden beds to reduce weed growth and to retain water, and is to be replenished every year in the ongoing maintenance program.</p>
<p>P13 Stormwater runoff is minimised and re-used in Landscaping through water infiltration, where appropriate.</p>	<p>A13.1 Adequate drainage is provided to all paving, turf and garden beds, including the use of swales, spoon drains, subsurface drainage, field gullies, rock or pebble lined Watercourses and stormwater connections.</p> <p>A13.2 Overland flow paths are not to be restricted by Landscaping works.</p> <p>A13.3 Water runoff is re-used through draining of hard surface areas towards permeable surfaces, turf, garden beds and by minimising impervious surfaces on the Site.</p>



Safety

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P14	Tree species and their location accommodate vehicle and pedestrian sight lines.	A14.1	Trees located near pathways, driveways, Access points, parking areas and street corners have a minimum 3.0 metres of clear trunk.
P15	The landscape design enhances personal safety and reduces the potential for crime and vandalism.	A15.1	Security and foot lighting is provided to all common areas, including car parks, entries, driveways and pathways.
		A15.2	Hard surfaces are stable, non-slippery and useable in all weathers.
		A15.3	Bushfire hazard is minimised with planting of bushfire resistant species near bushfire prone areas, (refer to the Bushfire Risk Overlay on the relevant Locality Map).
		A15.4	Lighting for bicycle paths is provided in accordance with the relevant Australian Standards

Utilities and Services

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P16	The location and type of plant species does not adversely affect the function and accessibility of services and facilities and service areas.	A16.1	Plant species are selected and sited with consideration to the location of overhead and underground services.
		A16.2	All underground services are to be located under pathways and below the eaves of the Building.
		A16.3	Irrigation control devices are located in the common Landscaping and Recreation Area.
		A16.4	Landscaping is located to enable trade persons to Access and view meters and other mechanical equipment within the Site.
		A16.5	Landscaping does not limit Access for service vehicles or rubbish trucks to utility areas, bin enclosures or docking areas.



	<p>A16.6 Landscaping near electric lines or substations is designed and developed so that any vegetation at maturity or Landscaping structures or works do not exceed 40 metres in Height on land:</p> <ul style="list-style-type: none">• in an electric line shadow; or• within 5.0 metres of an electric line shadow; or within 5.0 metres of a substation boundary. <p>A16.7 Elsewhere, vegetation is planted at a distance that is further from the nearest edge of an electric line shadow or substation boundary than the expected maximum Height at maturity of the vegetation.</p> <p>A16.8 On a Site adjoining an electricity substation boundary, the vegetation foliage at maturity is not within 3.0 metres of the substation boundary. However, where a substation has a solid wall along any part of its boundary, foliage may extend to, but not above or beyond, that solid wall.</p>
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4.6.4 Natural Areas and Scenic Amenity Code

Purpose

The purpose of this Code is to ensure that areas of natural value/environmental significance and Scenic Amenity value throughout the Shire are retained and conserved in order to:

- maintain and improve landscape integrity and Scenic Amenity values;
- retain areas in their natural state and protect them from inappropriate, visually obtrusive development;
- protect areas as valuable natural, environmental and scenic areas which are an asset to the Shire;
- maintain areas for their combination of landscape elements which create the dominant landscape character of the Shire;
- protect fauna habitat and linkages;
- maintain and improve the ecosystem functions of aquatic systems;
- maintain essential ecological processes;
- protect Biodiversity; and
- protect the unique environmental values of the Shire which are of International significance.

Applicability

This Code applies to assessable development for:

- Material Change of Use;
- Reconfiguring a Lot;
- Operational Work Associated with Reconfiguring a Lot;
- Operational Work – Filling or Excavation not associated with a Material Change of Use;
- Operational Work – Engineering Works not associated with a Material Change of Use;
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use in the World Heritage and Environs Locality; and
- Building Work other than Minor Building Work not associated with a Material Change of Use in the World Heritage and Environs Locality

where the Designated Development Area (DDA) is within, or partially within, an area of *Remnant Vegetation,

OR

the boundary of the DDA is within 50 metres of an area of *Remnant Vegetation,

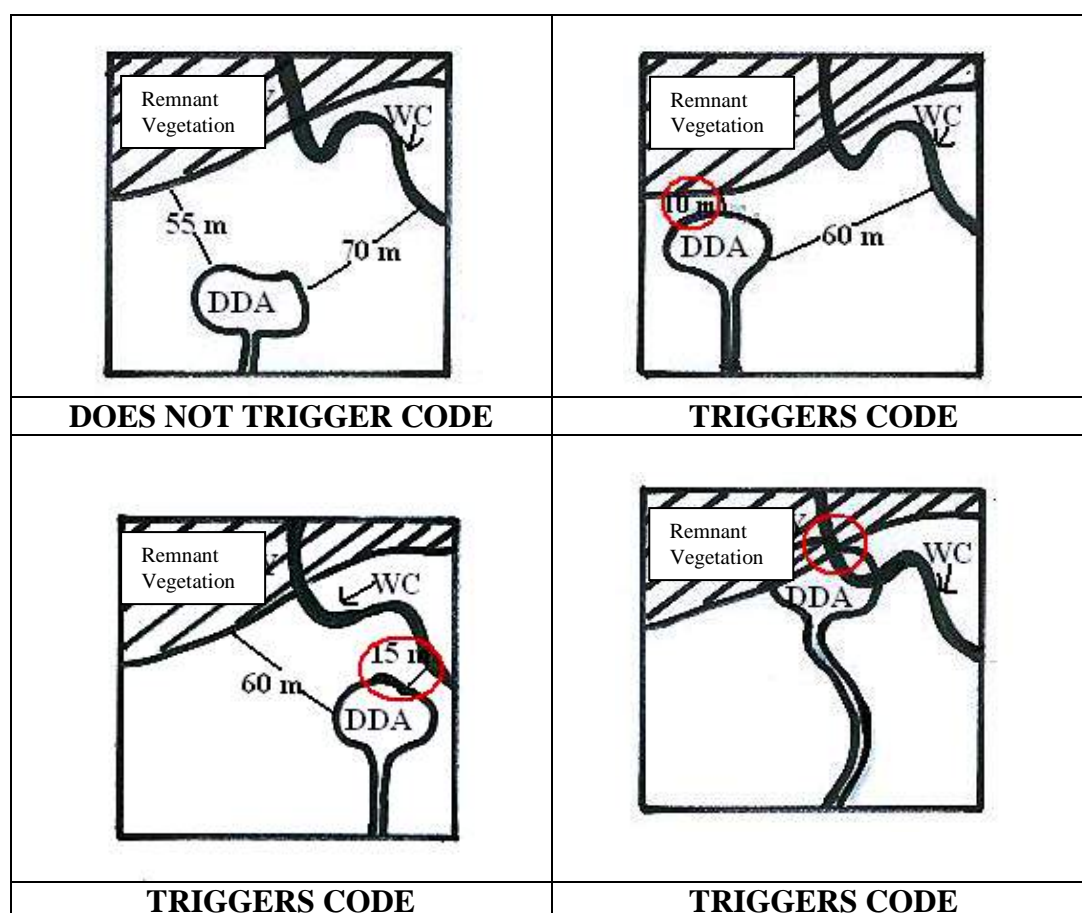
OR

the boundary of the DDA is within 50 metres of a *Watercourse included in:

- Category 1 - Major Perennial Watercourse;
- Category 2 - Perennial Watercourse; or
- Category 3 – Minor Perennial Watercourse;

** as defined in the Administrative Definitions of this Planning Scheme*

SEE DIAGRAMS BELOW:



NOTE:

The boundary and the extent of Remnant Vegetation and the boundary of any Watercourse on a development Site is to be ground-truthed by Council prior to an application being made to Council⁴⁸.

The accurate location of a DDA will be determined on a site specific basis to identify the boundary of existing vegetation and the location of any watercourse on the development site.

⁴⁸ The boundary and the extent of Remnant Vegetation and the boundary of any Watercourse on a development Site will be ground-truthed by Council at no cost to the landowner – refer to Planning Scheme Policy No. 8 – Natural Areas and Scenic Amenity.



Elements of the Code

Development in Areas of Natural and Scenic Amenity Value

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 Where a development within a DDA triggers this Code, the natural and environmental values of the areas of Remnant Vegetation and/or Watercourse/s are protected from inappropriate development.</p>	<p>A1.1 Buildings/structures Access Roads/car parking, infrastructure and landscape/recreation facilities are constructed within the DDA identified on a Site Plan drawn to scale.</p> <p>A1.2 Where internal Roads are required to service the development, the Roads are located within a DDA identified on a Site Plan drawn to scale.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 8 – Natural Areas and Scenic Amenity and Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
<p>P2 Development does not adversely impact on the natural and environmental values and Scenic Amenity of areas identified as Remnant Vegetation and/or Watercourse/s.</p>	<p>A2.1 Where development occurs, it is located on that part of the Site which poses the least threat to the natural and environmental values and Scenic Amenity, for example:</p> <ul style="list-style-type: none"> • adjacent to existing development; • within an existing cleared area; • within a disturbed area with little potential for rehabilitation; • within an area close to an Access Road; • removed from an identified area of important habitat. <p>A2.2 Development within the DDA is sited to minimise visual intrusion on the Site and the surrounding landscape.</p> <p>A2.3 No continuous boundary fence lines or barriers are Erected on an approved development Site within a DDA identified on a Site Plan drawn to scale.</p>



	<p>A2.4 Infrastructure, such as water mains, sewers, electricity and telecommunication services, is sited underground, wherever reasonable, to protect Scenic Amenity, and is located within a DDA on a Site Plan drawn to scale.</p> <p>A2.5 Internal Roads associated with the development are designed and constructed to achieve a low speed environment.</p> <p>A2.6 Roads and infrastructure services do not cross the Setback area/riparian corridor; or if this is not possible, the number of crossings is minimised.</p> <p>A2.7 Setback areas/riparian corridors are provided in accordance with A4.1, A4.2, A4.3 and A4.4 below;</p> <p style="text-align: center;">AND</p> <p>The lowest intensity of development occurs adjacent to any Setback area/riparian corridor, and in the case of reconfiguration, larger lots are located adjacent to any Setback area/riparian corridor.</p> <p>A2.8 There is no fragmentation or alienation of any Remnant Vegetation.</p> <p>A2.9 Any natural, environmental or Scenic Amenity value of any balance area outside the DDA is protected.</p>
<p>P3 Any development involving filling and excavation minimises detrimental impacts on any aquatic environment.</p>	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 8 – Natural Areas and Scenic Amenity and Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>



Setback Areas/Riparian Corridors

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P4 Setback areas/riparian corridors adjacent to Watercourses are provided/maintained or re-established and revegetated with species endemic to the local area.</p>	<p>A4.1 For residential reconfiguration (Residential 1, Residential 2 or Rural Settlement Planning Area), Aquaculture, Tourist Activities, Industrial Activities and other large scale developments or development likely to have an impact on water quality of adjacent Watercourse/s any degraded sections of the Setback area/riparian corridor are revegetated with endemic species typical of the riparian corridor in the area.</p> <p>A4.2 Revegetation occurs in accordance with a Landscape Plan prepared by a suitably qualified professional in compliance with the requirements of Planning Scheme Policy No 8 – Natural Areas and Scenic Amenity, Landscaping Code and Planning Scheme Policy No 7 – Landscaping.</p> <p>A4.3 The minimum width of the Setback area/riparian corridor, measured out from the shoulder of each high bank, for the respective categories of Watercourses, where a riparian corridor of vegetation already exists is:</p> <ul style="list-style-type: none"> • Category 1 – Major Perennial Watercourse – 30 metres • Category 2 – Perennial Watercourse – 20 metres • Category 3 – Minor Perennial – 10 metres, <p style="text-align: center;">AND</p> <p>buildings are sited clear of the Setback area/riparian corridor, in accordance with the relevant Setbacks outlined above.</p>



	<p style="text-align: center;">OR</p> <p>The minimum width of the Setback area/riparian corridor, measured out from the shoulder of each high bank, for the respective categories of Watercourses, where no riparian corridor of vegetation already exists is:</p> <ul style="list-style-type: none"> • Category 1 – Major Perennial Watercourse – 10 metres • Category 2 – Perennial Watercourse – 5 metres • Category 3 – Minor Perennial – 2.5 metres, <p style="text-align: center;">AND</p> <p>buildings are sited clear of the Setback area/riparian corridor, in accordance with the relevant Setbacks above.</p> <p>A4.4 Native vegetation within the Setback area/riparian corridor, other than identified noxious and environmental weeds, is retained.</p>
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Use of Setback Areas/Riparian Corridors

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P5 Any use of a Setback area/riparian corridor does not adversely affect the integrity of the Setback area/riparian corridor.</p>	<p>A5.1 Only low key, passive, low impact recreational facilities, including pedestrian and cycle paths or boardwalks, are located within the Setback area/riparian corridor.</p> <p>A5.2 The location of low key, passive, low impact recreational facilities, including pedestrian and cycle paths or boardwalks within the Setback area/riparian corridor, does not affect the connectivity function and landscape/environmental or Scenic Amenity values of the Setback area/riparian corridor.</p>



Retaining and Protecting Highly Visible Areas

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P6 Any development sited wholly or partially on land with a slope greater than 15% protects the Scenic Amenity values of the land from inappropriate and visually prominent development.</p>	<p>A6.1 Land with a slope greater than 15% and including Remnant Vegetation remains undeveloped and in its natural state.</p> <p>A6.2 Any development remains unobtrusive and sited below the tree line and ridge line.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 8 – Natural Areas and Scenic Amenity and Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>



4.6.5 Reconfiguring a Lot Code

Purpose

The purpose of this Code is to ensure that:

- lots are suitable for their intended purpose;
- the environmental and scenic values of the Shire are protected;
- lot reconfiguration in the Rural Planning Area and Rural Settlement Planning Area does not result in the fragmentation or alienation of GQAL;
- lot reconfiguration of land achieves good urban design outcomes; and
- lot reconfiguration in the urban areas of the Shire facilitates:
 - the efficient use of land;
 - safe, convenient and attractive neighbourhoods and functional industrial or commercial areas;
 - the efficient provision of infrastructure;
 - the efficient provision of transport services;
 - the provision of public open space, Landscaping and Recreational Areas for outdoor recreation and community activities; and
 - opportunities for walking and cycling for recreation and as alternative methods of travel.

Applicability

This Code applies to assessable development for:

- Reconfiguring a Lot; and
- Operational Work Associated with Reconfiguring a Lot.

Rearranging a boundary or boundaries that does not create any additional lots requires assessment against Performance Criteria P21 and Acceptable Solution A21.1 relating to Boundary Realignment in this Code.

Elements of the Code

Area and Dimensions of Lots

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	Lots are of sufficient area and dimensions to meet the requirements of the users and accommodate the form of development likely to be constructed in the respective Planning Areas, together with the open space, Landscaping, Access and car parking associated with the particular form of development.	A1.1	Lots comply with the area and dimensions identified for lots in the respective Planning Areas in Table 1.



Table 1 – Minimum Area and Dimensions of Lots for each Planning Area

Planning Area	Minimum Area	Minimum Dimensions
Rural EXCEPT FOR <ul style="list-style-type: none"> World Heritage Areas and Environs Locality; and Settlement Areas North of the Daintree River Locality. 	<ul style="list-style-type: none"> 40 hectares As existing with no further reconfiguration 	To accommodate square with minimum side of 500 metres
Rural Settlement <ul style="list-style-type: none"> Within Settlement Areas North of the Daintree River Locality and at Rocky Point. In other Localities and areas 	<ul style="list-style-type: none"> As existing with no further reconfiguration 0.4 hectares 	<ul style="list-style-type: none"> To accommodate square with minimum side of 50 metres
Residential 1 <ul style="list-style-type: none"> Within sewered areas Within unsewered areas Within Special Management Area 1 – Flagstaff Hill Located at Rocky Point 	<ul style="list-style-type: none"> 800 m² 1000 m² 1500 m² 3500 m² 	<ul style="list-style-type: none"> To accommodate square with minimum side of 20 metres To accommodate square with minimum side of 25 metres To accommodate square with minimum side of 30 metres To accommodate square with a minimum side of 50 metres
Residential 2	1000 m ²	To accommodate square with minimum side of 25 metres
Tourist and Residential	1000 m ²	To accommodate square with minimum side of 25 metres
Commercial	800 m ²	To accommodate square with minimum side of 20 metres
Industrial	1000 m ²	To accommodate square with minimum side of 25 metres
Community and Recreational Facilities	Not specified	Not specified
Conservation EXCEPT FOR <ul style="list-style-type: none"> Settlement Areas North of the Daintree River Locality; and World Heritage Areas and Environs Locality 	<ul style="list-style-type: none"> As existing with no further reconfiguration 	Not specified



Planning Area	Minimum Area	Minimum Dimensions
Port Douglas Waterfront North	Not specified – Must be able to accommodate development in accordance with Figure 1 of the Port Douglas Waterfront North Planning Area Code.	Not specified – Must be able to accommodate development in accordance with Figure 1 of the Port Douglas Waterfront North Planning Area Code.
Port Douglas Waterfront South	Not specified – Must be able to accommodate development in accordance with the Port Douglas Waterfront South Planning Area Code.	Not specified – Must be able to accommodate development in accordance with the Port Douglas Waterfront South Planning Area Code.

Rural Planning Area

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P2 Lots are of an appropriate size and configuration to sustain the utility and productive capacity of the land for rural purposes, and to reduce potential for impacts on the natural environment by facilitating opportunities for the implementation of improved land management practices and through provision of safe and adequate water supply and sewage disposal.	<p>A2.1 Lot boundaries relate to natural features such as ridges or other catchment boundaries, drainage lines or flood flows, or remnant stands of vegetation.</p> <p>A2.2 Lots comply with the area and dimensions identified for Lots in the Rural Planning Area in Table 1, above.</p> <p>A2.3 Designated Development Areas are identified on any lots exceeding a maximum slope of 15% and are registered on title.</p>



Rural Settlement Planning Area

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P3 Rural Settlement lots are located and designed such that they:</p> <ul style="list-style-type: none"> • have a sustainable level of impact on the natural environment, having regard to water supply and water quality, effluent disposal, potential erosion and natural habitat; • retain significant landscape features, views and vegetation cover; • provide for a high level of residential and scenic amenity, Access to services and facilities, and safety from risk of natural hazards such as bushfire; and • do not impact on the safety and efficiency of the Shire’s Road network. 	<p>A3.1 The location and layout of new lots does not fragment GQAL or areas of ecological or scenic value and provides for buffers that adequately protect such areas from fringe deterioration and other impacts and maximises connectivity between such areas.</p> <p>A3.2 Designated Development Areas are identified on any lots exceeding a maximum slope of 15% and are registered on title.</p> <p>A3.3 The location and layout of lots minimises the extent of cut and fill for Building area or Road construction.</p> <p>A3.4 The location and layout of lots allows for the buffering of riparian vegetation and waterways.</p> <p>A3.5 Lots are buffered from any potentially incompatible land use.</p> <p>A3.6 The location and layout of new lots minimises risk from bushfire through the following measures:</p> <ul style="list-style-type: none"> • the Road layout provides for through Roads and avoids cul-de-sacs and “dead end” Roads; • Designated Development Areas are sited in cleared areas, away from the tops of ridges, and not on north to west facing vegetated slopes; and • the use of firebreaks. <p>A3.7 Lots are not located in an area affected by noise from a State-Controlled Road.</p>



Residential 1 Planning Area

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P4	<p>The layout for a residential reconfiguration greater than 10 lots, gives the neighbourhood a positive identity by:</p> <ul style="list-style-type: none"> • protecting natural features, areas of environmental value and Watercourses; • incorporating Site characteristics, views and landmarks; • providing a legible, connected and safe street, bicycle and pedestrian network that links to existing external networks; • providing community or necessary facilities at convenient focal points; • orientating the street and lots to ensure the siting and design of residential development maximises energy efficiency; 		<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
P5	<p>Multi-Unit Housing is limited to a small proportion of the total number of lots in a new residential area and is dispersed to ensure conventional residential detached Houses dominate the streetscape.</p>	A5.1	<p>In new residential areas, not more than 15% of the total number of new lots are nominated on an approved Plan of Reconfiguration for Multi-Unit Housing, with corner lots being preferred.</p>

Commercial/Industrial Planning Areas

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P6	<p>The reconfiguration layout of an industrial/commercial area:</p> <ul style="list-style-type: none"> • facilitates the efficient use of industrial or commercial land; • ensures minimum impact on the natural environment and on the amenity of adjacent uses; • provides for a variety of lot sizes and complementary uses. 	P6.1	<p>A Concept Plan for the proposed reconfiguration is prepared by a suitably qualified professional and identifies the location of:</p> <ul style="list-style-type: none"> • natural features, areas of environmental value and Watercourses; • street, bicycle and pedestrian networks and linkages to adjoining areas; • a variety of lot sizes and dimensions, with the minimum areas of dimensions satisfying the requirements of Table 1 above.



Infrastructure for Local Communities

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P7	Provision is made for open space that: <ul style="list-style-type: none"> • meets the recreational needs of residents and visitors to the Shire; • provides a diverse range of settings; • creates effective linkages with other areas of open space and natural areas; and • contributes to the visual and Scenic Amenity of the Shire. 	A7.1	An area of 10% of the land to be reconfigured is provided as open space in accordance with Planning Scheme Policy No 9 – Open Space Contributions. OR A contribution is paid in lieu of an area being designated for open space in accordance with Planning Scheme Policy No 9 – Open Space Contributions OR A combination of the above, as agreed to by Council.
P8	Informal Parks and Sporting Parks are provided and sited to meet the needs of local residents in the Shire.	A8.1	Informal Parks are provided at the ratio of 2 hectares per 1000 persons with a minimum size of Informal Parks being 0.5 – 1 hectare (Local Parks) and 3 – 5 hectares (District Parks). AND Sporting Parks are provided at the ratio of 2 hectares per 1000 persons with a minimum size of Sporting Parks being 1.2 – 2 hectares (Local Parks) and 5 hectares (District Parks).



Road Network

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P9	<p>The Road network:</p> <ul style="list-style-type: none"> • is integrated and consistent with the existing and proposed local Road network; • is legible and retains existing features, views, topography and vegetation; • is convenient and safe for local residents; • facilitates walking and cycling within the neighbourhood; and • is compatible with the intended role of the State-Controlled Road and does not prejudice traffic safety or efficiency. 	A9.1	Roads are designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.
		A9.2	The Road network takes into consideration the natural and cultural features of the Site, existing vegetation, Watercourses and contours.
		A9.3	The Road network is designed to reduce traffic speeds and volumes on local streets in residential areas to facilitate parking and manoeuvring and to integrate with the existing and proposed pedestrian and bicycle paths network.
		A9.4	Direct Access is not provided to a State-Controlled Road where legal and practical Access from another Road is possible.
		A9.5	Where the created allotments have Frontage to more than one Road, Access to the individual allotments is from the lower order Road.
P10	<p>The Road network for industrial/commercial reconfigurations ensures convenient movement and Access for vehicles, particularly heavy vehicles, without affecting the amenity of residential neighbourhoods.</p>	A10.1	Roads are designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.
		A10.2	Industrial/commercial traffic is able to Access a major Road without intruding into a residential neighbourhood.



Pedestrian and Bicycle Network

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P11 Networks of pedestrian and bicycle paths are provided in safe and convenient locations.</p>	<p>A11.1 Safe and convenient walking and cycling networks are provided to link residential areas to schools, community facilities, parks and public transport, Tourist Attractions, commercial and industrial areas.</p> <p>A11.2 The pedestrian and bicycle path network is constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.</p> <p>A11.3 Lighting for bicycle paths is provided in accordance with the relevant Australian Standards.</p>

Stormwater Drainage

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P12 Stormwater runoff is contained and managed so that it does not adversely affect:</p> <ul style="list-style-type: none"> • natural Watercourses; • surface or underground water quality; or • the built environment either upstream or downstream of the Site. 	<p>A12.1 Stormwater drainage is designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.</p>



Water Supply

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P13 An adequate, safe and reliable supply of potable water is provided.	A13.1 Where in a water supply area, each new lot is connected to Council's reticulated water supply system. AND The extension of and connection to the reticulated water supply system is designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual A13.2 A contribution is paid in accordance with Planning Scheme Policy No 11 – Water Supply and Sewerage Headworks and Works External Contributions.



Treatment and Supply of Effluent

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P14 Provision is made for the treatment and disposal of effluent to ensure that there are no adverse impacts on water quality and no adverse ecological impacts as a result of the system or as a result of increasing the cumulative effect of systems in the locality.</p>	<p>A14.1 Each new lot is connected to Council's sewerage system.</p> <p>AND</p> <p>The extension of and connection to the sewerage system is designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.</p> <p>OR</p> <p>Where the Site is not in a sewerage scheme area, the proposed disposal system meets the requirements of relevant Sections of the Environmental Protection Policy (Water) 1997.</p> <p>AND</p> <p>The proposed on Site effluent disposal system is located on and contained within the lot in accordance with the Standard Sewage Law.</p> <p>A14.2 A contribution is paid in accordance with Planning Scheme Policy No 11 – Water Supply and Sewerage Headworks and Works External Contributions</p>



Residential Development – Standard Format Plan with Common Property

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS
P15	Lots have an appropriate area and dimension to protect residential amenity.	A15.1 The lot configuration under a Standard Format Plan with Common Property satisfies the minimum area and Frontage provisions of the Residential 1 Planning Area Code, as set out in Table 1, above.
P16	The Setback of Residential Uses from the Access driveways makes efficient use of the Site and provides for the amenity and privacy of residents.	A16.1 A minimum separation distance of 15 metres is provided between Residential Uses with Frontage to the Access driveway.
P17	Internal Access driveways are designed to provide acceptable levels of safety, amenity and convenience for users, in addition to providing for visitor car parking.	A17.1 Access driveways serving more than 3 lots and a maximum of 20 lots are a minimum of 4 metres in width and provide designated areas for visitor parking at the rate of 1 car space for every 3 Houses/or other Residential Uses.
P18	Communal/public open space is provided to service the residents of the development and to contribute to the available public open space in the local community.	A18.1 The proportion of public open space and communal open space provided by the development is dependant upon the characteristics of the individual development and its proximity to nearby public open space, existing or planned. A split of 6% public open space and 4% communal open space is preferred, but will be determined on a Site/development specific basis.
P19	Boundary fencing does not have a significant impact on the visual amenity of the local area.	A18.1 The side and rear boundary fence is a maximum of 1.8 metres in Height and incorporates decorative panels which incorporate railings, pickets and/or vegetation screening to reduce the bulk and scale of the fence or wall.
P20	The installation of Fire Hydrants ensures that they are easy to locate and use in times of emergency and are of a standard consistent with service needs.	A19.1 Fire Hydrant installation for the development is provided in accordance with the requirements of the relevant Australian Standard.



Boundary Realignment

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P21 The realignment of a boundary or boundaries does not create additional allotments and achieves an improvement on the existing situation.</p>	<p>A20.1 No additional lots are created.</p> <p>AND</p> <p>The area and configuration of the proposed lots are consistent with the historical pattern of reconfiguration in the local area.</p> <p>AND</p> <p>An improvement on the existing situation is achieved by:</p> <ul style="list-style-type: none"> • the provision of Access to a lot which previously had no Access; <p>OR</p> <ul style="list-style-type: none"> • the proposed lots being better suited to the existing or proposed use of the lots, whether or not the provisions relating to minimum area and dimensions are met; <p>OR</p> <ul style="list-style-type: none"> • the Frontage to depth ratio of the proposed lots being greater than the Frontage to depth ratio of the existing lots.



Energy Efficiency

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS
P22	The road and lot layout facilitates the siting and design of buildings to conserve non-renewable energy sources and assists in orientation and design appropriate for the local tropical conditions.	No Acceptable Solution
P23	The road and lot layout minimises fossil fuel use by: <ul style="list-style-type: none">• reducing the need for and length of local vehicle trips,• maximising public transport effectiveness,• encouraging walking and cycling, and• provision of appropriate street landscaping	No Acceptable Solution



4.6.6 Vehicle Parking and Access Code

Purpose

The purpose of this Code is to ensure that:

- sufficient vehicle parking is provided on-Site to cater for all types of vehicular traffic accessing and parking on the Site, including staff, guests, patrons, residents and short term delivery vehicles;
- sufficient bicycle parking and end of trip facilities are provided on-Site to cater for customer and staff.
- on-Site parking is provided so as to be accessible and convenient, particularly for any short term use;
- the provision of on-Site parking, loading/unloading facilities and the provision of Access to the Site, do not impact on the efficient function of the street network or on the area in which the development is located; and
- new vehicle Access points are safely located and are not in conflict with the preferred ultimate streetscape character and local character and do not unduly disrupt any current or future on-street parking arrangements.

Applicability

This Code applies to self assessable or assessable development for:

- Material Change of Use.

Except for the following Uses in all Localities:

- Home Industry
- Off Premises Advertising Device

For self assessable development assessed against this Code, the applicable Acceptable Solutions is A1.1.

Self assessable development which does not comply with Acceptable Solution A1.1, will require Code Assessment.



Elements of the Code

Vehicle Parking Numbers

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 Sufficient parking spaces are provided on the Site to accommodate the amount and type of vehicle traffic expected to be generated by the use or uses of the Site, having particular regard to:</p> <ul style="list-style-type: none"> • the desired character of the area in which the Site is located; • the nature of the particular use and its specific characteristics and scale; • the number of employees and the likely number of visitors to the Site; • the level of local accessibility; • the nature and frequency of any public transport serving the area; • whether or not the use involves the retention of an existing Building and the previous requirements for car parking for the Building; • whether or not the use involves an identified Valuable Conservation Feature and Valuable Site; and • whether or not the use involves the retention of significant vegetation. 	<p>A1.1 The minimum number of vehicle parking spaces provided on the Site is not less than the number prescribed in Schedule 1 of this Code for the particular use or uses. Where the number of spaces calculated from the Schedule is not a whole number, the number of spaces provided is the next highest whole number.</p>



Parking for People with Disabilities

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P2	Parking spaces are provided to meet the needs of vehicle occupants with disabilities ⁴⁹ .	A2.1	For parking areas with a total number of ordinary vehicle spaces less than 50, wheelchair accessible spaces are provided as follows: <ul style="list-style-type: none"> • Medical, higher education, entertainment facilities and shopping centres – 2 spaces; • All other uses – 1 space.
		A2.2	For parking areas with 50 or more ordinary vehicle spaces, wheelchair accessible spaces are provided as follows: <ul style="list-style-type: none"> • Medical, higher education, entertainment facilities and shopping centres – 3% (to the closest whole number) of the total number of spaces required; • All other uses – 2% (to the closest whole number) of the total number of spaces required.

Motor Cycles

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P3	In recognition that motorcycles are low Road-space transport, a proportion of the parking spaces provided may be for motorcycles. The proportion provided for motor cycles is selected so that: <ul style="list-style-type: none"> • ordinary vehicles do not demand parking in the spaces reserved for motor cycles due to capacity constraints; and, • it is a reflection of the make-up of the likely vehicle fleet that uses the parking; and, • it is not a reflection of the lower cost of providing motorcycle 	A3.1	Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% per cent of total ordinary parking. <p style="text-align: center;">AND</p> <p>The motorcycle parking complies with other elements of this Code.</p>

⁴⁹ Disabled access and facilities are provided in accordance with the Building Code of Australia and the Australian Standards.



parking.

Compact Vehicles

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P4 A proportion of the parking spaces provided may be for compact vehicles. The proportion of total parking provided for compact vehicles is selected considering:</p> <ul style="list-style-type: none"> • compact vehicles spaces are not available to non-compact vehicles; and, • it is a reflection of the proportion of the likely vehicle fleet that uses the parking; and, • compact vehicle spaces are located so as to be proximate to pedestrian destinations such that they present significant inclination for use by users of compact vehicles; and, • the scale of parking spaces, likely users and the likely degree of familiarity with the availability of such spaces. 	<p>A4.1 For parking areas exceeding 100 spaces for short term users or 50 spaces for long-term users, parking is provided for compact vehicles as a substitute for ordinary vehicle parking so that:</p> <ul style="list-style-type: none"> • compact vehicle parking does not exceed 10% of total vehicle parking required; and, • the parking location is proximate to the entry locations for parking users; and, • the parking provided complies with other elements of this Code.

Bicycles Parking

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P5 Sufficient bicycle parking spaces with appropriate security and end of trip facilities are provided on-Site to accommodate the amount of bicycles expected to be generated by the use or uses.</p>	<p>A5.1 The minimum number of bicycle parking spaces provided on Site is not less than the number prescribed in Schedule 1 of this Code, for the particular use or uses.</p>



Vehicular Access to the Site

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P6	<p>The location of Access points minimises conflicts and is designed to operate efficiently and safely taking into account:</p> <ul style="list-style-type: none"> • the amount and type of vehicular traffic; • the type of use (eg long-stay, short-stay, regular, casual); • Frontage Road traffic conditions; • the nature and extent of future street or intersection improvements; • current and future on-street parking arrangements; • the capacity of the adjacent street system; and • the available sight distance. 	A6.1	<p>The location of the Access points is in accordance with the provisions of the relevant Australian Standards.</p> <p style="text-align: center;">AND</p> <p>Where the Site has Frontage to more than one street, the Access is from the lowest order street.</p>
		A6.2	<p>All redundant Accesses must be removed and a suitable barrier Erected to prevent further use of the Access.</p>
		A6.3	<p>Only one Access point is to be provided to each Site unless stated otherwise in another Code.</p>

Accessibility and Amenity for Users

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P7	<p>On-Site vehicle parking is provided where it is convenient, attractive and safe to use, and does not detract from an attractive or existing streetscape character.</p>	A7.1	<p>Short term visitor parking is provided at the front or on the main approach side of the Site, with easy Access to the Building entry, where such provision is in keeping with the desired character of the area in which the Site is located.</p> <p style="text-align: center;">AND</p> <p>In mixed use premises that include residential or accommodation uses (excluding, Port Douglas – Tourist Centre), at least 50% of the required number of parking spaces for the non-residential use/s on the Site is provided in an easily accessible location on the premises, so as to be convenient to use for customers and other visitors.</p>



<p>P8 The layout of parking areas provides a high degree of amenity and accessibility for different users.</p>	<p>A8.1 The layout of the parking area provides for the accessibility and amenity of the following:</p> <ul style="list-style-type: none"> • People with Disabilities • Cyclists • Motorcyclists • Compact Vehicles • Ordinary Vehicles • Service Delivery Vehicles. <p>A8.2 Where covered parking areas are required in accordance with Schedule 1 of this Code, sails or other secure structural forms of covering provide shade and weather protection for vehicles and passengers.</p>
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Access Driveways

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P9 The dimensions of Access driveways cater for all vehicles likely to enter the Site and minimises the disruption of vehicular, cyclist and pedestrian traffic.</p>	<p>A9.1 Access driveways are designed in accordance with the provisions of the relevant Australian Standards.</p>
<p>P10 The surface construction materials of Access driveways within the Road reserve contribute to the streetscape and alerts pedestrians to the location of the driveway.</p>	<p>A10.1 Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.</p>

Access for People with Disabilities⁵⁰

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P11 Access for people with disabilities is provided to the Building from the parking area and from the street.</p>	<p>A11.1 Access for people with disabilities is provided in accordance with the relevant provisions of the Australian Standards.</p>

⁵⁰ Disabled access and facilities are provided in accordance with the Building Code of Australia and the Australian Standards.



Access for Pedestrians

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P12	Access for pedestrians is provided to the Building from the parking area and from the street.	A12.1	Defined, safe pedestrian pathways are provided to the Building entry from the parking area and from the street.

Access for Cyclists

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P13	Access for cyclists is provided to the Building or to bicycle parking area from the street.	A13.1	<p>Access pathways for cyclists are provided in accordance with the relevant provisions of the Australian Standards.</p> <p style="text-align: center;">AND</p> <p>Where Access for cyclists is shared with Access for pedestrians and vehicles, the shared use is identified by signage and linemarking.</p>

Dimensions of Parking Spaces

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P14	Parking spaces have adequate areas and dimensions to meet user requirements.	A14.1	<p>Car parking for the disabled, ordinary car parking spaces and motorcycle parking spaces meet the requirements of the relevant Australian Standards.</p> <p style="text-align: center;">AND</p> <p>Parking spaces for special vehicles that are classified in accordance with the relevant Australian Standards meet the requirements of that Standard.</p> <p style="text-align: center;">AND</p> <p>Parking spaces for standard sized buses have the following minimum dimensions:</p> <ul style="list-style-type: none"> • width: 4 metres • length: 20 metres • clear Height: 4 metres. <p style="text-align: center;">AND</p>



	<p>Parking spaces for compact vehicles have the following minimum dimensions:</p> <ul style="list-style-type: none">• 15 per cent less in width measurements than required by Australian Standards for any ordinary vehicle; and,• 20 per cent less in length measurements than required by Australian Standards for any ordinary vehicle. <p style="text-align: center;">AND</p> <p>Parking spaces for special vehicles meet the requirements dictated by the vehicle dimensions and manoeuvring characteristics and provide sufficient clearance to obstructions and adjacent vehicles to achieve a level of service to users equivalent to that specified by the relevant Australian Standards.</p> <p>A14.2 Parking spaces for bicycles meet the requirement of the relevant Australian Standard.</p>
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On-Site Driveways, Manoeuvring Areas and Parking/Standing Areas

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P15 On-Site driveways, manoeuvring areas and vehicle parking/standing areas are designed, constructed and maintained such that they:</p> <ul style="list-style-type: none"> • are at gradients suitable for intended vehicle use; • consider the shared movements of pedestrians and cyclists; • are effectively drained and surfaced; and • are available at all times they are required. 	<p>A15.1 On-Site driveways, vehicle manoeuvring and loading/unloading areas:</p> <ul style="list-style-type: none"> • are sealed in urban areas: <p style="text-align: center;">AND</p> <p>upgraded to minimise noise, dust and runoff in other areas of the Shire in accordance with the relevant Locality Code;</p> <ul style="list-style-type: none"> • have gradients and other design features in accordance with the provisions of the relevant Australian Standards; and • drain adequately and in such a way that adjoining and downstream land is not adversely affected. <p>A15.2 Parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking.</p>

Vehicle Circulation, Queuing and Set Down Areas

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P16 Sufficient area or appropriate circulation arrangements are provided to enable all vehicles expected to use the Site to drive on and off the Site in forward gear.</p>	<p>A16.1 Circulation and turning areas comply with the provisions of the relevant Australian Standards.</p>
<p>P17 An on-Site circulation system provides safe and practical Access to all parking, loading/unloading and manoeuvring areas.</p>	<p>A17.1 Circulation driveways comply with the provisions of the relevant Australian Standards.</p>
<p>P18 Where vehicle queuing, set down or special vehicle parking is expected, sufficient queuing or parking area is provided to enable vehicles to stand without obstructing the free flow of moving traffic or pedestrian movement.</p>	<p>A18.1 Queuing and set down areas comply with the relevant Australian Standard and any relevant AUSTROAD Guidelines.</p>



Schedule 1 – Car Parking Requirements

LAND USE	MINIMUM NUMBER OF SPACES
Residential Uses	
Caretaker's Residence	1 car space.
Home Activity	The parking required for a House plus 1 car space.
Home Based Business	<p>The parking required for a House plus 1 car space per 25 m² of Net Lettable Area used for the Home Based Business.</p> <p><u>Bed & Breakfast Accommodation.</u></p> <p>The parking required for a House plus 1 car space per bedroom/2 Bed Spaces.</p> <p><u>Forest Stay Accommodation.</u></p> <p>The parking required for a House plus 1 car space per bedroom/2 Bed Spaces and/or 1 car space per 2 Bed Spaces in a communal bunkhouse and 2 car spaces for 6 staff or 1 car space for 4 staff.</p> <p><u>Host Farm Accommodation.</u></p> <p>The parking required for a House plus 1 car space per bedroom/2 Bed Spaces and/or 1 car space per 2 Bed Spaces in a communal bunkhouse.</p>
House	2 spaces which may be in tandem.
Multi-Unit Housing	<p>Within the Port Douglas Tourist Centre – 1 car space per Dwelling Unit</p> <p>Outside the Port Douglas Tourist Centre and elsewhere in the Shire – 1.5 car spaces per Dwelling Unit</p> <p>In all cases, 60% of the car parking area is to be covered.</p> <p>Plus 1 bicycle space per 3 units and 1 visitor bicycle space per 12 units.</p>
Outstation/Seasonal Camp	1 car space per 2 bedrooms.
Retirement Facility	<p>1 car space per Dwelling Unit;</p> <p>plus 1 visitor car space per 5 Dwelling Units;</p> <p>plus 1 visitor car space per 10 hostel, nursing home or similar beds;</p> <p>plus 1 car space per 2 staff members;</p> <p>plus 1 car space for ambulance parking, designated accordingly.</p>
Special Residential Use	1 visitor car space per 5 bedrooms plus 1 car space per 2 staff members.



Tourist and Short Term Accommodation Uses	
Caravan Park/Camping Ground	<p>1 car space per caravan Site, tent Site or cabin plus- 1 visitor car space per 10 caravan Sites, tent Sites or cabins; plus- 1 vehicle washing space per 20 caravan Sites, tent Sites or cabins; plus- 1 car space for an on-Site manager.</p>
Holiday Accommodation	<p><u>Non-Self Contained Rooms (motel or hotel):</u></p> <p>1 car space per room for the first ten rooms plus 1 car space for every 3 rooms for the remainder of rooms.</p> <p><u>Self Contained:</u></p> <p>Within the Port Douglas Tourist Centre – 1 car space per Dwelling Unit</p> <p>Outside the Port Douglas Tourist Centre and elsewhere in the Shire – 1.5 car spaces per Dwelling Unit</p> <p><u>Dual Key:</u></p> <p>1 car space for the self-contained element of the Dual Key Units; and</p> <p>30% of a car space for the non-Self Contained element of the Dual Key apartment.</p> <p>A parking bay for the loading and unloading of buses where thirty rooms/Dwelling Units or more.</p> <p>In all cases, 60% of car spaces are to be covered</p> <p>Plus 1 bicycle space per 10 rooms.</p>
Short Term Accommodation	<p>1 car space per Private Room for the first ten rooms, plus 1 car space for every 3 rooms for the remainder of rooms.</p> <p>1 car space per 10 beds where dormitory accommodation.</p> <p>A parking bay for the loading and unloading of buses where thirty rooms or more, or where 30 beds in the dormitory accommodation.</p> <p>In all cases, 60% of car parking spaces are to be covered.</p> <p>Plus 1 bicycle space per 4 rooms/4 beds and 1 visitor bicycle space per 16 rooms/16 beds.</p>
Staff Quarters	1 car space per 2 Bed Spaces



Retail Uses	
Shopping Facility	<p>1 car space per 25 m² of Net Lettable Area.</p> <p>Plus 1 bicycle space per 200 m² of Net Lettable Area and 1 visitor bicycle space per 500 m² over 1000 m²</p> <p><u>In a Local Centre:</u></p> <p>1 car space per 50 m² of Net Lettable Area.</p> <p><u>In the Tourist Centre of Port Douglas:</u></p> <p>1 car space per 30 m² of Net Lettable Area.</p>
Business and Commercial Uses	
Aircraft Landing Facility – Commercial	<p>1 car space per 20 m² of covered reception area, plus 1 car space per 2 staff, plus a covered bus setdown area adjacent to the entry to the reception area and 2 bus parking spaces.</p>
Business Facilities	<p>1 car space per 25 m² of Net Lettable Area.</p> <p>Plus 1 bicycle space per 200 m² Net Lettable Area and 1 visitor bicycle space per 750 m² over 1000 m²</p> <p><u>In a Local Centre:</u></p> <p>1 car space per 50 m² of Net Lettable Area.</p> <p><u>In the Tourist Centre of Port Douglas:</u></p> <p>1 car space per 30 m² of Net Lettable Area.</p>
Child Care Centre	<p>1 car space per full time staff member, plus 1 car space per 10 children to be used for setting down and picking up of children, with a minimum of 3 car spaces to be provided for set down/collection. Any drive-through facility can provide tandem short term parking for 3 car spaces for the setting down and picking up of children, on the basis that a passing lane is provided and linemarked to be kept clear of standing vehicles at all times.</p>



<p>Display Facilities</p>	<p>For garden supplies, hardware & the like: 1 car space per 50 m² Net Lettable Area.</p> <p>For boats, caravans, machinery, motor vehicles and the like: 1 car space per 100 m² Net Lettable Area.</p> <p style="text-align: center;">EXCEPT THAT</p> <p><u>When located in the Town Centre and in the Mossman and Environs Locality</u></p> <p>All Display Facilities provide 1 car space per 25 m² of Net Lettable Area.</p>
<p>Restaurant</p>	<p>1 car space per 25 m² of Net Lettable Area.</p> <p>Plus 1 bicycle space per 100 m² Net Lettable Area.</p> <p><u>In a Local Centre:</u></p> <p>1 car space per 50 m² of Net Lettable Area.</p> <p><u>In the Tourist Centre of Port Douglas:</u></p> <p>1 car space per 30 m² of Net Lettable Area.</p>
<p>Service Station</p>	<p>1 car space per 15 m² of the floor area of any Shopping Facility, Restaurant or take-away food facilities. Staff parking at the rate of 1 car space per full time or part time staff member.</p>
<p>Tavern</p>	<p>Licensed Facilities</p> <p>1 space per 10 m² of bar, lounge, beer garden, and other public area; plus</p> <p>1 space per 50 m² of floor area of liquor barn or bulk liquor sales area; plus if drive in bottle shop is provided queuing lane/s on site for 12 vehicles; plus parking for other uses incorporated in the Tavern, as listed in this Table.</p>
<p>Tourist Attraction</p>	<p>Sufficient car spaces to accommodate the amount of vehicular traffic likely to be generated by the particular use.</p> <p>Plus 1 bicycle space per 200 m² Net Lettable Area.</p>
<p>Veterinary Facilities</p>	<p>1 car space per 50 m² of Net Lettable Area.</p>



Industry and Associated Uses	
Aquaculture	1 car space per 2 staff members.
Extractive Industry	1 car space per 2 staff members.
Industry Class A and Class B	1 car space per 90 m ² of Net Lettable Area.
Intensive Animal Husbandry	1 car space per 2 staff members.
Primary Industry	1 car space per 2 staff members.
Private Forestry	1 car space per 2 staff members.
Service Industry	1 car space per 90 m ² of Net Lettable Area
Community Facilities	
Cemetery and Crematorium	Sufficient car spaces to accommodate the amount of vehicular traffic likely to be generated by the particular use.
Educational Establishment	<ul style="list-style-type: none"> • primary and secondary school: 1 car space per 2 staff members • tertiary and further education: 1 car space per 2 staff members plus 1 car space per 10 students • for all other establishments : • Designated area on Site for the short term setdown of students, in addition to the requirements above. <p>School – 1 bicycle space per 5 pupils over year 4</p> <p>University/TAFE – 2 bicycle spaces per 10 full time students</p>
Health Facility	1 car space per 4 beds, plus 1 car space per 2 staff members, plus 1 car space for ambulance parking, designated accordingly, 1 bicycle space per 200 m ² Net Lettable Area.
Interpretive Facility	Sufficient car spaces to accommodate the amount of vehicular traffic likely to be generated by the particular use.
Park and Open Space	Sufficient car spaces to accommodate the amount of vehicular traffic likely to be generated by the particular use.
Place of Assembly	1 car space per 15 m ² of Net Lettable Area. Plus 1 bicycle space per 200 m ² Net Lettable Area
Public Utilities and Facilities	1 car space per 2 staff members.
Telecommunication Facilities	1 car space per 2 staff members.



Recreation Uses	
Indoor Sports and Entertainment	<ul style="list-style-type: none"> • Squash Court or another court game: 4 car spaces per court. • Indoor Cricket 25 car spaces per cricket pitch. • Ten Pin bowling 3 car spaces per bowling lane. • Gymnasium 1 car space per 15 m² of Net Lettable Area. • Places where people congregate including Cinemas, Theatres, Convention Centre or Function Centre or the like. 1 car space per 15 m² of Net Lettable Area. • Unlicensed Clubrooms 1 car space per 45 m² of Net Lettable Area. • Licensed Clubrooms 1 car space per 15 m² of Net Lettable Area. <p>Plus 1 bicycle space per 4 employees</p>
Outdoor Sport and Recreation	<ul style="list-style-type: none"> • Coursing, horse racing, pacing or trotting 1 car space per 5 seated spectators plus, 1 car space per 5 m² of other spectator areas. • Football 50 car spaces per field. • Lawn Bowls 30 car spaces per green. • Swimming Pool 15 car spaces plus 1 car space per 100 m² of useable Site area. • Tennis or other Court game 4 car spaces per court. • Golf Course 4 car spaces per tee on the course, plus parking for club as per Indoor Entertainment. • Outdoor Cinema 1 car space per 5 m² of designated viewing area, plus 1 car space per 2 staff members. <p>Plus 1 bicycle space per 20 spectator places</p>

Note: A contribution may be required by Council if the car parking rate is different, where a new use is proposed in an existing Building.



4.6.7 Sustainable Development Code

Purpose

The purpose of this Code is to enhance the sustainability of development by increasing the extent to which it:

- protects the environment, including reducing greenhouse gas emissions, saving energy, conserving water and minimising waste; and
- enhances the economic, physical and social wellbeing of Shire's residents and communities, including lifecycle affordability, accessibility, safety and security.

Applicability

This Code applies to all assessable Material Change of Use, involving new Building Work other than minor alterations to an existing building, excluding the following uses:

- Caretaker's Residence,
- Car Park,
- Cemetery,
- Extractive Industry,
- Home Activity,
- Home Based Business (excluding Bed & Breakfast, Forest Stay & Host Farm Accommodation)
- Home Industry,
- House,
- Industry,
- Off Premise Advertising Device,
- Outstation/Seasonal Camp,
- Park & Open Space,
- Primary Industry,
- Private Forestry,
- Service Industry (excluding associated office), and
- Telecommunications Facility



Elements of the Code

Energy Efficiency

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	<p>Buildings are designed and sited to:</p> <ul style="list-style-type: none"> ▪ maximise the thermal comfort achieved within the building using passive design measures; and ▪ minimise the need for energy reliant cooling appliances to achieve accepted levels of thermal comfort. 	A1.1	<p>For residential buildings, each dwelling unit achieves a minimum 5 star BERS™ or NatHERS™ (or equivalent) energy rating.</p> <p style="text-align: center;">OR</p>
		A1.2	<p>For residential buildings:</p> <ul style="list-style-type: none"> (a) all door openings and windows in habitable rooms that face between north and south east and south west and north are fully shaded by adjustable external shutters or blinds, and (b) glazed windows or door assemblies have a minimum WERS⁵¹ Rating of 3 stars for cooling, and (c) all external walls (excluding windows and other glazing) achieve an overall R-value not less than R1.5, and (d) all ceilings (excluding garages, open verandas and carports) achieve an overall R-value of R3.0, and (e) all habitable rooms have: <ul style="list-style-type: none"> • have a window or door in opposite walls that are open-able to the outside; or • have a direct flow path from an open-able window through the doorways or other openings within the dwelling unit to another window or opening to the outside; Or • open directly onto an unobstructed breezeway that is a minimum of 900 mm wide and open-able at both ends with a minimum 1.5m² opening;

⁵¹ “WERS” means the Window Energy Rating Scheme®. For details about WERS, see www.wers.net .



	<p>Or</p> <ul style="list-style-type: none"> • have a minimum ceiling height of 2.7m and at least one ceiling fan. <p>A1.3 For non-residential buildings:</p> <ul style="list-style-type: none"> (a) glazed windows or door assemblies have a minimum WERS⁵² Rating of 3 stars for cooling, and (b) all external walls (excluding windows and other glazing) achieve an overall R-value not less than R1.5, and (c) all ceilings (excluding garages, open verandas and carports) achieve an overall R-value of R3.0.
<p>P2 Hot water systems support the efficient use of natural resources and minimise consequent pollution such as greenhouse gas emissions.</p>	<p>A2.1 For all buildings with individual hot water systems installed in each dwelling unit or tenancy, all hot water systems installed comprise:</p> <ul style="list-style-type: none"> (a) a system with a minimum of 24 Renewable Energy Certificates, or (b) a natural gas system, or (c) a liquid petroleum gas (LPG) system with a 5 star AGA Energy Rating Label. <p>A2.2 For all buildings with centrally installed hot water systems:</p> <ul style="list-style-type: none"> (a) a low NO_x gas water heating system/s supply hot water to all dwelling units or tenancies, or (b) solar water heaters supply hot water to all dwelling units or tenancies where less than 25% of water heating is provided by booster units,

⁵² “WERS” means the Window Energy Rating Scheme®. For details about WERS, see www.wers.net .



	<p>or</p> <p>(c) electric heat pump water heaters supply hot water to all dwelling units or tenancies,</p> <p>or</p> <p>(d) a gas-fired cogeneration or fuel cell unit is installed which supplies electricity and uses waste heat for cooling/heating and hot water.</p>
<p>P3 Where practicable, and consistent with density and design provisions, residents should have access to a non-mechanical clothes drying area:</p> <p>(a) taking advantage of natural ventilation; and</p> <p>(b) receiving ample sunlight,</p> <p>in a manner that does not impair visual amenity.</p>	<p>No Acceptable Solution</p>
<p>P4 Cooking appliances are energy efficient.</p>	<p>A4.1 For residential buildings, each dwelling unit has:</p> <p>(a) a gas cook-top installed with a range hood; and</p> <p>(b) a gas oven with appropriate ventilation; or</p> <p>(c) a fan-forced electric oven</p>
<p>P5 All electrical appliances intended to be installed as standard into any residential building shall meet a minimum standard of 4 stars in accordance with the Australian Energy Rating Label.</p>	<p>A5.1 All:</p> <ul style="list-style-type: none"> • Dishwashers; • Clothes dryers; • Clothes washers; • Airconditioners; and • Refrigerators/freezers <p>where installed with the development, shall meet a minimum 4 star rating in accordance with the Australian Energy Rating Label.</p>



<p>P6 Lighting is energy efficient.</p>	<p>A6.1 For residential buildings:</p> <ul style="list-style-type: none"> (a) The minimum circuit efficacy for all common area lighting is 75 lumens per watt. (b) All common area lighting is fitted with automatic controllers. (c) Kitchens and living areas are fitted with energy efficient light fixtures such as fluorescent lighting. <p>A6.2 For Business Facilities, the average lighting power density does not exceed 10 watts per square metre.</p> <p>A6.3 For Shops and Shopping Facilities, the average lighting power density does not exceed 23 watts per square metre.</p> <p>A6.4 Individual tenancies within non-residential buildings are fitted with energy efficient light fixtures such as fluorescent lighting.</p>
<p>P7 Air conditioning, where not covered by an Australian Energy Rating Label, is energy efficient.</p>	<p>A7.1 Air conditioning units or systems comply with the minimum energy performance requirements specified in the Australian/New Zealand Standard AS/NZS 3823.2.2003.</p>



Water Conservation and Reuse

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P8 Rainwater harvesting systems are incorporated into residential and non-residential buildings to ensure collection, treatment and reuse of rainwater on-site to reduce run-off and demand on the potable water supply. Internal fixtures supplied from a rainwater tank must have a continuous supply of water.</p>	<p>A8.1 All residential buildings provide rainwater storage tank/s on-site fitted with a first flush device and vermin-proof mesh strainer on the inlet and that has a capacity of:</p> <ul style="list-style-type: none"> (a) 30,000 litres per dwelling unit where located in the Rural Planning Area or the Rural Settlement Planning Area, or (b) 5,000 litres per dwelling unit where located in any other Planning Area. <p>All non-residential buildings provide rainwater storage tank/s on-site fitted with a first flush device and vermin-proof mesh strainer on the inlet and that has a capacity of 5,000 litres per toilet/urinal unit.</p> <p>A8.2 The rainwater tank is plumbed for external use for irrigation and pool top up and internal use for toilet cisterns and washing machine cold water taps.</p> <p>A8.3 A rainwater tank has –</p> <ul style="list-style-type: none"> (a) An automatic switching device providing supplementary water from the reticulated town water supply; or (b) A trickle top up system, providing supplementary water from the reticulated town water supply with – <ul style="list-style-type: none"> (i) A minimum flow rate of 2 litres per minute and a maximum flow rate of 4 litres per minute; and (ii) Top up valves installed in an accessible location; and



	<p>(iii) A storage volume of the reticulated town water supply top up shall be no more than and no less than 1000 litres</p> <p>A8.4 A backflow prevention device is installed to protect the potable water within the reticulated town water supply system in accordance with AS/NZS 3500:2003 Plumbing and Drainage.</p>
P9 Plumbing fittings must support the efficient use of water.	<p>A9.1 All sink, tub or basin taps or mixers have a certified AAA Water Conservation Rating.</p> <p>A9.2 All toilets have:</p> <p>(a) 4 litre or less average flush cisterns (when calculated in accordance with Australian/New Zealand Standard AS/NZS 6400:2003), and</p> <p>(b) matched pans.</p> <p>A9.3 All showers have thermostatic mixers.</p>

Waste Minimisation

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P10	Site and building design must facilitate efficient sorting and disposal to maximise recycling opportunities.	A10.1	For residential buildings, each dwelling unit has separated, built-in temporary storage for recyclable materials and general waste.



	<p>A10.2 All buildings include a refuse bin storage area:</p> <ul style="list-style-type: none"> (a) with sufficient capacity for the collection of recyclable materials and general refuse, and (b) located for convenient use by all residents/tenants and readily accessible to waste management contractors, and (c) screened from view from public roads, is roofed and drained to sewer and includes a hose cock to provide for cleaning of refuse bins.
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Landscaping and Irrigation

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P11 Landscaping must facilitate sustainable tropical design by:</p> <ul style="list-style-type: none"> • providing sufficient space for the retention and/or establishment of significant substantial vegetation, • using locally appropriate plant species, • using paving design and materials that minimise heat reflection and site run-off, • providing appropriate seasonal shade and passive cooling/heating of outdoor spaces throughout the year, • providing private open space located to maximise indoor/outdoor connections, and • design and plant selection to minimise water use and contribute to stormwater management. 	<p>A11.1 Impervious paving is limited to:</p> <ul style="list-style-type: none"> (a) vehicle manoeuvring areas, (b) vehicle hard-stand areas, and (c) pedestrian movement paths. <p>A11.2 Landscape and recreation areas are planted to:</p> <ul style="list-style-type: none"> (a) ensure the penetration of prevailing north-east and south summer breezes and north-east winter morning sun, and (b) minimise exposure to the prevailing west and south-west winter winds, and (c) shade the western walls of buildings.



	<p>A11.3 Opportunities for water infiltration on-site are maximised through:</p> <ul style="list-style-type: none"> (a) minimising the extent of impervious surfaces, (b) use of porous paving in low traffic areas, (c) draining hard surfaces towards permeable surfaces, and (d) inclusion of turf and garden beds.
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Solar Panels

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P12 Solar hot water systems are located for optimum performance.</p>	<p>A12.1 Solar hot water systems are located on the roof of a building and the panels face solar north.</p>

Private Swimming Pools

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P13 A swimming pool for recreational use by residents of a residential building is designed and constructed to minimise its resource needs by consideration of:</p> <ul style="list-style-type: none"> • potential usage in terms of number of swimmers; • purpose (e.g, lap swimming, plunging, etc); • siting issues; and • filtration systems. 	<p>A13.1 No Acceptable Solution.</p>



▪ **Vegetation Management Code**

Purpose

The purpose of this Code is to provide for the protection and management of vegetation within the planning scheme area to facilitate sustainable development and to ensure the Region’s biodiversity and ecological values, landscape character and amenity are maintained.

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

- Vegetation will be protected from inappropriate damage; and
- Vegetation damage will be undertaken in a sustainable manner; and
- Significant trees are maintained and protected; and
- The biodiversity and ecological values are protected and maintained; and
- Habitats for rare, threatened and endemic species of flora and fauna are protected and maintained; and
- The landscape character and amenity is protected and maintained; and
- Cultural heritage values are protected and maintained.

Applicability

This code applies to development that is operational work for vegetation damage which is identified as self-assessable or assessable in the table of assessment other than works undertaken by or on-behalf of Council.

For self assessable development assessed against this Code, the applicable Acceptable Solutions are A1.1 – A3.2 (Inclusive).

Self assessable development which does not comply with Acceptable Solutions A1.1 – A3.2 (Inclusive), will require Code Assessment.

Elements of the Code

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 Vegetation must be protected to ensure that -</p> <ul style="list-style-type: none"> a) The character and amenity of the local area is maintained; and b) Vegetation damage does not result in fragmentation of habitats; and c) Vegetation damage is undertaken in a sustainable manner; and d) The regions biodiversity and ecological values are maintained and protected; and e) Vegetation of historical, cultural and / or visual significance is retained; f) Vegetation is retained for erosion prevention and slope stabilisation. 	<p>A1.1 The vegetation damage occurs on a lot, other than a lot in the Flagstaff Hill Special Management Area, and has a lot size equal to or less than 800m². OR</p> <p>A1.2 The lot is within an Urban Area or Rural Settlement Planning Area, other than the Flagstaff Hill Special Management Area, and the vegetation damage is within six (6) metres (measured from the centre of the tree’s trunk, at ground level, to the nearest edge of the structure) of an existing or approved building or structure or within three (3) metres of a boundary fence. OR</p> <p>A1.3 The lot is within a Conservation Planning Area or the Flagstaff Hill Special Management Area and the vegetation damage is within three (3) metres (measured from the centre of the tree’s trunk, at ground level, to the nearest edge of the structure) of an existing or approved building or structure. OR</p>

	<p>A1.4 The vegetation damage occurs within the path of, or within three (3) metres (measured from the centre of the tree's trunk, at ground level, to the nearest edge of the structure/infrastructure) of the path of an approved road, water supply, sewerage or drainage works. OR</p> <p>A1.5 The vegetation damage is essential for carrying out work authorised or required under another Act. OR</p> <p>A1.5 The lot is within a Rural Planning Area and the vegetation damage is within ten (10) metres (measured from the centre of the tree's trunk, at ground level, to the nearest edge of the structure) of an existing or approved building or structure or within three (3) metres of a boundary fence. OR</p> <p>A1.7 The lot is within the Rural or Rural Settlement Planning Area and the vegetation damage is for Routine Management, Essential Management or in accordance with a regular maintenance program in conjunction with an existing lawful rural pursuit. OR</p> <p>A1.8 The vegetation damage is considered to be one or more of the following:</p> <ul style="list-style-type: none"> a) actually or potentially dangerous as a result of being dead, dying or diseased, structurally unsound, or having a growth form or habit which is hazardous <u>and</u> is presenting a threat to the safety of persons or property; b) is the removal of vegetation which was planted for landscaping purposes. OR <p>A1.9 The vegetation damage is essential for the survey of a property boundary by a licensed cadastral surveyor. OR</p> <p>A1.10 The vegetation damage is to maintain an existing fire break; OR</p> <p>A1.11 The vegetation is damaged as the result of pruning essential to prevent interference to overhead service cabling. OR</p> <p>A1.12 The vegetation is damaged as the result of a regular maintenance program to remove part of the vegetation (e.g. fronds or seeds or deadwooding). OR</p> <p>A1.13 The vegetation damage is the removal and disposal, at an approved site, of a declared pest; OR</p> <p>A1.14 The vegetation is damaged as the result of an approved Forest Practice, where the lot is subject to a scheme approved under another law; OR</p> <p>A1.15 The vegetation is damaged in association with a traditional Aboriginal or Torres Strait Islander cultural activity, other than a commercial activity.</p> <p>(For assistance in clarification please contact Council's Development Assessment team on 4044 3044.)</p>
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PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P2 Vegetation damaged on a lot does not result in a nuisance.	<p>A2.1 Damaged vegetation is removed and disposed of at an approved site. OR</p> <p>A2.2 Damaged vegetation is mulched or chipped and used onsite. OR</p> <p>A2.3 On a lot in the Rural Planning Area vegetation is disposed of by burning, approved by an appropriate authority.</p>



PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P3 Vegetation damage does not result in the removal of a healthy, significant tree from the streetscape.</p>	<p>A3.1 Vegetation damaged does not result in the removal of a significant tree from between the forward building line and the sites frontage or within six (6) metres of the sites frontage (if not building exists on-site).</p>

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P4 Vegetation damage on a lot identified on a Local Heritage Overlay or on a lot identified on the Queensland Heritage Register does not result in a negative impact on the sites heritage values.</p>	<p>A4.1 The vegetation damage results in the removal of vegetation that is one or more of the following:</p> <ul style="list-style-type: none"> a) actually or potentially dangerous as a result of being dead, dying or diseased, structurally unsound, or having a growth form or habit which is hazardous; b) a threat to the safety of persons or property; c) restricting the habitability of the dwelling on the lot or a neighbouring lot.

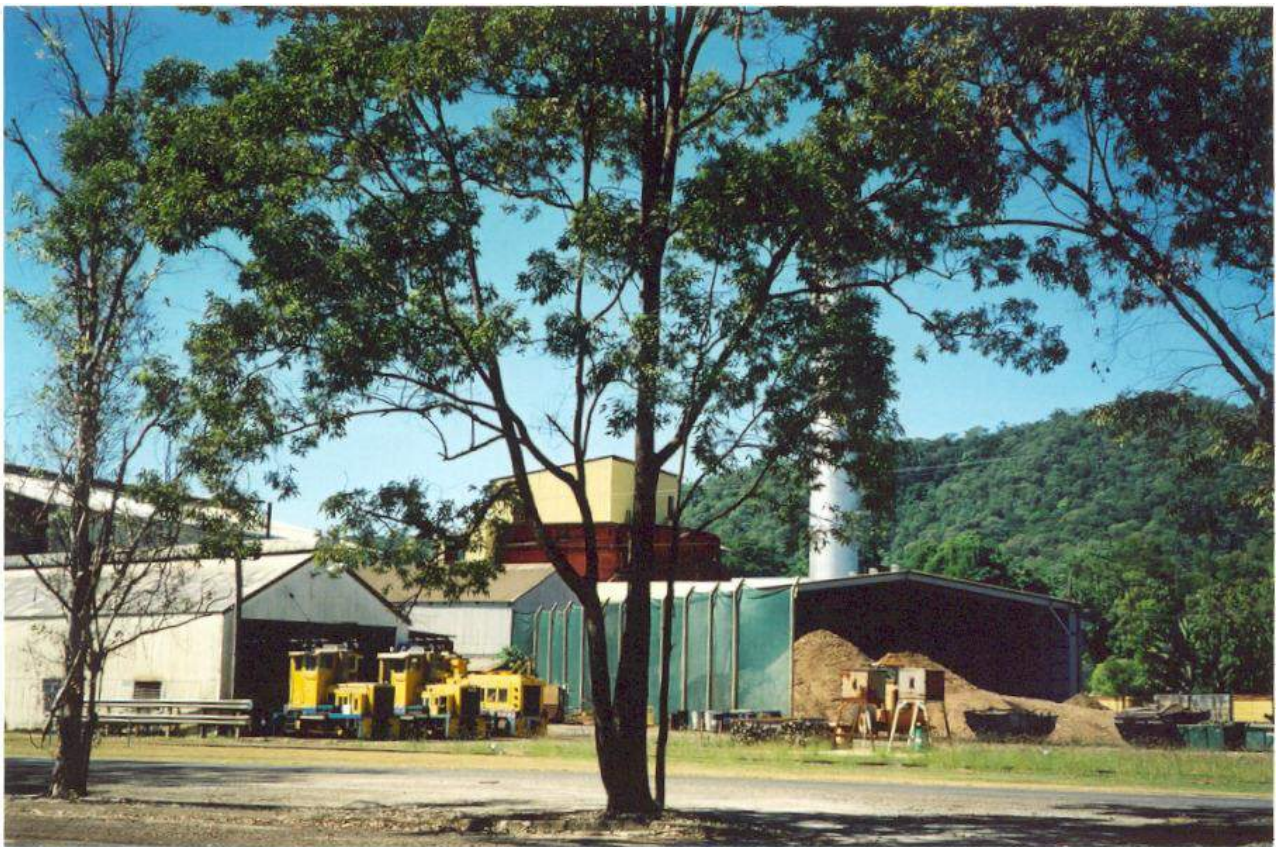


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CHAPTER 5

DEFINITIONS



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CHAPTER 5 – DEFINITIONS

5.1 Land Use Definitions

A list of Land Use Definitions is outlined below in alphabetical order, followed by the detailed Land Use Definitions in the same order.

5.1.1 List of Land Use Definitions

Aircraft Landing Facility – Commercial
Aquaculture
Business Facilities
Camping Ground
Caravan Park
Caretaker's Residence
Car Park
Cemetery and Crematorium
Child Care Centre
Display Facilities
Educational Establishment
Extractive Industry
Health Facility
Holiday Accommodation
Home Activity
Home Based Business – (includes Bed & Breakfast Accommodation, Forest Stay Accommodation and Host Farm Accommodation).
Home Industry
House
Indoor Sports and Entertainment
Industry – (includes Industry Class A and Industry Class B).
Intensive Animal Husbandry
Interpretive Facility
Marina
Multi-Unit Housing
Off Premises Advertising Device
Outdoor Sport and Recreation
Outstation/Seasonal Camp
Park and Open Space
Place of Assembly
Primary Industry
Private Forestry
Public Utilities and Facilities
Restaurant
Retirement Facility
Service Industry
Service Station



Shopping Facility
Short Term Accommodation
Special Residential Use
Staff Quarters
Tavern
Telecommunication Facilities
Tourist Attraction
Veterinary Facilities.

5.1.2 Detailed Land Use Definitions

Aircraft Landing Facility – Commercial

Means the use of premises for the arrival, departure and ground movement of aircraft, transporting passengers or goods on a commercial basis.

The use includes:

- Buildings, structures or installations used for the control, refuelling, maintenance and repair of aircraft; and
- the assembly or dispersal of passengers or goods transported by the aircraft.

Aquaculture

Means cultivating or holding marine, estuarine or freshwater organisms, other than molluscs, in ponds or enclosures and, being:

- Aquaculture (minor) where activities involve fresh water Aquaculture in tanks or ponds with a production area less than 5 hectares and no offsite discharge to natural waters; or
- Aquaculture (major) where activities are other than defined as minor.

Business Facilities

Means the use of premises for:

- the conduct of a business or office where the principle activity is the provision of business or professional advice, services and goods or the office based administrative functions of any organisation;
- the medical or paramedical care or treatment of persons, which does not involve the accommodation of those persons on the premises overnight;



- the medical care of animals, which does not involve the accommodation of those animals on the premises overnight.

The use includes:

- facilities commonly described as professional office, real estate office, bank, building society, credit union or funeral parlour;
- care or treatment by practitioners such as an acupuncturist, podiatrist, naturopath, chiropractor, dentist, general or specialist medical practitioner, optometrist, pathologist, physiotherapist, radiologist or veterinarian, together with ancillary services such as pharmacy.

Camping Ground

Means the use of premises on a short term basis for:

- the pitching of tents;
- the placement of campervans/motorhomes;
- provision of toilet/ablution facilities;
- provision of recreational area/s; and
- provision of administration facilities and staff/managers quarters,

where all facilities exclusively service the patrons of the Camping Ground.

Caravan Park

Means the use of premises for the placement of cabins, camping areas, caravans, campervans and motorhomes, primarily for temporary residential accommodation.

A Caravan Park includes:

- camping areas and cabins for overnight and holiday accommodation;
- amenity Buildings;
- recreational and entertainment facilities;
- manager's office and residence;
- kiosk and storage facilities which cater exclusively for occupants of the Caravan Park.



Caretaker's Residence

Means the use of premises comprising one Dwelling Unit for the use by a caretaker or manager, including their Household, who is employed for care taking or management purposes in connection with a commercial, industrial, recreational or other non-residential use conducted on the premises.

The use does not include:

- a manager's unit located within Multi-Unit Housing; Holiday Accommodation; or Short Term Accommodation.

Car Park

Means the commercial use of premises for the temporary parking of motor vehicles where this parking is not provided as part of the use of the premises for some other purpose.

Cemetery and Crematorium

Means the use of premises for the interment of, or the cremation of, the deceased. The use includes a funeral chapel or parlour, columbarium and mortuary when located on the same Site.

The use may include facilities commonly described as:

- a graveyard;
- burial ground;
- crematorium; or
- pet cemetery.

Child Care Centre

Means the use of premises for the minding or care, but not residence, of children generally under school age.

The use includes facilities commonly described as:

- a kindergarten;
- creche; or
- pre-school centre.



Display Facilities

Means the use of premises for the display, hire or sale, by retail or by auction, of goods such as:

- Building and construction materials with or without hardware;
- garden supplies including plants, tools, garden furniture and equipment and other products for use in gardening and Landscaping;
- vehicles including cars, trucks, motor cycles, boats, caravans and trailers;
- produce, animal fodder and farming goods and equipment.

The use includes facilities commonly described as:

- garden centre;
- produce market;
- produce store;
- car or truck sales yard;
- auction yard; or
- car hire centre.

and others more particularly described as bulky goods retail such as:

- Camping World
- Freedom Furniture
- Harvey Norman
- Capt'n Snooze
- Office Works
- Pet Cafe, among others.

The use does not include retail chain outlets such as:

- Crazy Clarke's
- The Warehouse
- Overflow

which are defined as Shopping Facilities.



Educational Establishment

Means the use of premises for the provision of pre-school, primary, secondary or tertiary education or courses of study or training for the purposes of general education or for preparation for an occupation.

The use includes:

- ancillary facilities which are located on the Site and are administered by the educational body responsible for the Site, such as:
 - offices;
 - libraries;
 - bookshop;
 - tuckshop;
 - sport and recreational facilities; and
 - residential accommodation for persons involved in the use.

Extractive Industry⁵³

Means the use of premises for the extraction and removal of sand, gravel, soil, rock, stone or other similar materials.

The use includes:

- the treatment of the extracted material; and
- the storage and preparation for transport of the extracted material when this is carried out on the premises or on adjacent premises.

Health Facility

Means the use of premises for primary health care and associated services.

The use includes:

- the medical or surgical care or treatment of persons accommodated on the premises to receive this care or treatment;

⁵³ DPI has a policy of not supporting the use of tidal land for non-marine related activities where other options of lesser impact exist. This includes such activities as treatment and storage areas for extractive material.



- the care or treatment of persons such as emergency patients or out-patients not residing on the premises;
- respite care and temporary aged care;
- the residential use of the premises by those conducting the use; and
- ancillary services such as a pharmacy, gift shop, florist or coffee shop.

Holiday Accommodation

Means the use of premises for the accommodation of tourists or travellers in private accommodation.

The use may include:

- Restaurants;
- bars;
- meeting and function facilities;
- dining room;
- facilities for the provision of meals to guests;
- a manager's unit and office; and
- a display unit which displays to the general public the type of construction or design offered by the builder/developer, for a maximum period of twelve (12) months and which is then demolished, (if a freestanding replica), or converts to its intended purpose within the complex

when these facilities are an integral part of the accommodation.

The use includes facilities commonly described as:

- holiday apartments or suites;
- international or resort hotel or motel.

Home Activity

Means the use of a House and its surrounds or a Dwelling Unit within Multi-Unit Housing by the permanent resident/s of the House or Dwelling Unit for the conduct of an occupation, vocation or profession.



Home Based Business

Means the use of a House and its surrounds, or an ancillary Building on the lot containing the House, by the permanent resident/s of the House for the conduct of a business, commercial or professional enterprise which is not industry based.

The use includes the provision of accommodation to tourists or travellers, commonly described as:

- Bed and Breakfast Accommodation – any premises used or intended for use as tourist accommodation which provides breakfast and overnight accommodation, which is not self contained.

OR

- Forest Stay Accommodation – any premises used or intended for use as tourist accommodation which is not self contained and which operates in association with organised tours of the natural and/or rehabilitated forest environment on the same site and includes some staff accommodation on site for employees.

OR

- Host Farm Accommodation – any premises used or intended for use as tourist accommodation, which is not self contained, and which operates in conjunction with a Primary Industry.

Home Industry

Means a light or Service Industry carried on, in or under a House, the curtilage of a House or within a shed located on the same allotment as a House by a permanent resident of such House and the conduct of which:

- entails the establishment of a workshop for servicing or manufacturing of goods, occupying a Building or other structure or an open area which does not exceed:
 - one hundred square metres (100 m²) in the case of an allotment up to but not exceeding eight (8) hectares in area; or
 - one hundred and twenty square metres (120 m²) in the case of an allotment exceeding eight (8) hectares in area;

with such areas to be exclusive of car parking and driveways;

- there is no change in the appearance of the premises in which the use is conducted that is out of the character with that of the surrounding area;
- any retail activity associated with the Home Industry is minor and is contained within the area or Building occupied by the Home Industry and does not exceed an area greater than 10% of that total area or Building;



- there is no interference with the amenity of the area by reason of the emission of ash, dust, electrical interference, fumes, grit, light, noise, oil, soot, smell, smoke, steam, vapour, vibration, waste water, waste products or otherwise;
- does not create hazards likely, in the opinion of Council, to cause undue disturbance and/or annoyance to a person or affect property not connected with the industry;
- employs only the person carrying on the business and members of his family who are also resident in the House and a maximum of two (2) other persons who are not permanent residents of the House;
- does not require the provision of any essential service of a greater capacity than normally required in the Planning Area in which it is located;
- requires no sign other than a sign not exceeding one square metre (1 m²) and bearing only the name and occupation of the resident is displayed;
- does not operate on Sunday or a public holiday or between the hours of 7.00 pm to 6.00 am;
- does not require, in the opinion of Council, more than one (1) on-Site car parking space for clients or customers of the Home Industry; and
- does not require the use at any time of more than one (1) commercial vehicle.

House

Means the use of premises comprising one Dwelling Unit, located on one lot for the exclusive residential use of one Household. The use includes:

- Outbuildings/structures incidental to and necessarily associated with the residential use;
- the care of children in accordance with the Child Care (Family Day Care) Regulation 1991;
- accommodation for a member or members of the extended family of the Household occupying the House and for personal staff;
- a display house which displays to the general public the type of construction or design offered by a builder/developer, for a maximum period of twelve (12) months and which then converts to a House for the exclusive use of one Household; and
- The short term letting of a house for the purpose of holiday rental accommodation.



Indoor Sports and Entertainment

Means the use of premises for sport, physical exercise, recreation or public entertainment predominantly within a Building.

The use includes facilities commonly described as:

- sports centre;
- gymnasium;
- amusement and leisure centre;
- cinema;
- dance club;
- music club;
- nightclub;
- reception room;
- theatre;
- convention centre; or
- function centre.

Industry

Means the use of premises for an activity which in the course of any trade or business, involves;

- the manufacture, production, processing, repair, recycling, storage or treatment of any article, material or thing (either solid, liquid or gaseous) or;
- the disposal of waste of any kind whatsoever.

The use includes the sale of goods resulting from the industrial activity and any administration associated with the use, where these are carried out on the same Site and are ancillary to the industrial activity.

Industry Class A

Means the use of premises for industries which should not ordinarily cause any significant interference with the amenity of the area.

The use includes bulk storage, panel beating and spray painting and equipment and vehicle depot.



Industry Class B

Means the use of premises for industries which may have an impact on the amenity of an area either in terms of hazard or risk or impacts arising from their normal operations.

The use includes activities such as:

- brewery;
- bulk fuel storage;
- cannery;
- concrete batching plant;
- concrete product manufacture;
- foundry;
- sawmill; and
- steel fabrication.

Intensive Animal Husbandry

Means the use of premises for the keeping or farming of animals as a commercial activity at a density which requires supplementary feeding and/or containment in feed lots, sheds or pens.

The use includes facilities commonly described as:

- beekeeping;
- cattery;
- kennels;
- lot feeding;
- piggeries;
- poultry farm; or
- stables.



Interpretive Facility

Means the use of premises for any activity or purpose intended to inform or educate members of the public on cultural, environmental, historical or scientific aspects of the Shire.

The use includes facilities commonly described as:

- a museum;
- interpretive centre; or
- cultural park.

Marina

Means premises used to moor or store marine vessels (including power driven, yachts and fishing vessels) on, or adjacent to the water.

The use may include ancillary facilities for the refuelling, servicing, repair, land storage and sale of marine craft and for the sale of related boating gear and equipment.

The use includes:

- slipway;
- marine infrastructure;
- offices and storerooms;
- laundry, toilet and shower facilities;
- general store not exceeding 250m²
- marine retail, including dive stores;
- marine related tourism activities;
- ancillary marina facilities used in connection with the marina;
- sale of freshly caught seafood produce from marine vessels (specifically the vessel the seafood was caught from).

Multi-Unit Housing

Means the use of premises comprising two or more Dwelling Units on one lot for residential purposes.

The use includes accommodation commonly described as:

- duplexes;
- flats;
- home units;



- apartments;
- townhouses;
- villa houses; or
- a display unit which displays to the general public the type of construction or design offered by the builder/developer, for a maximum period of twelve (12) months and which is then demolished if a freestanding replica or converts to its intended use within the complex.

Off Premises Advertising Device

Means an Advertising Device, as herein defined, which advertises a matter not associated with the primary purpose for which the premises upon which it is located is used.

Outdoor Sport and Recreation

Means the use of premises for sport, physical exercise, recreation or public entertainment, predominantly outdoors.

The use includes facilities commonly described as:

- race track (for cars, motor cycles, horses, dogs, etc);
- showground;
- theme park;
- pony club;
- golf course (including ancillary services and facilities);
- commercial sportsground; and
- other facilities based on the appreciation and enjoyment of the natural features of a locality.

The use also includes a landing area for ultralite aircraft used for personal recreation and enjoyment and not for commercial gain.

Out Station/Seasonal Camp

Means the use of premises for the permanent or seasonal occupation of more than one House, by the Traditional Owners of the land. The term also includes the occupation of Expanded House/s by the Traditional Owners of the land.

Park and Open Space

Means the use of premises for active and passive recreation, aesthetic appreciation and environmental protection.



The use includes facilities for the enjoyment and convenience of users of the park and open space, such as:

- kiosks;
- picnic places;
- scenic lookouts;
- shelters;
- boardwalks
- children's play areas;
- car parking areas; and
- public toilets.

Place of Assembly

Means the use of premises for the public activities of a religious organisation or for meetings and activities of community groups or organisations or associations of persons with a common interest.

The use includes social or recreational activities by the organisation or group and the short term residential use by persons involved in conducting the use.

The use includes facilities commonly described as:

- church;
- temple;
- mosque;
- hall; or
- meeting rooms.

Primary Industry

Means the use of premises for:

- growing of crops, trees, fruit, vegetables, flowers, turf or the like;
- cultivation of seedlings, plants, flowers, shrubs or trees; or
- breeding, keeping and rearing of any animal for commercial purposes.

The use includes:



- storing of produce grown on the land or products required in the operation of the primary industry;
- packing and processing of vegetable or plant produce grown on the land and the preparation of this produce for consignment to market or sale elsewhere, or for wholesale from the farm property.

The use includes activities commonly described as:

- farming;
- grazing;
- agriculture; or
- horticulture.

Private Forestry

Means the use of land for any establishment, silviculture, harvesting, enrichment planting and limited initial processing (such as log merchandising, and preparing fence posts and poles) of purpose planted forests on private land. The term includes:

- plantations;
- harvesting for the purposes of producing and extracting timber products such as:
 - pulp;
 - poles;
 - posts; and
 - sawlogs.

The term includes portable sawmilling (including log merchandising, and preparing fence posts and poles) of trees grown on the property, but does not extend to other value adding such as:

- kiln drying;
- chemical treatment; or
- oil extraction techniques.

The term does not include the selective Clearing of native forest on freehold land, which is dealt with under Local Law No 56 – Vegetation Management.



Public Utilities and Facilities

Means the use of premises for the provision of public facilities and services such as water, sewerage, electricity, gas, telecommunications, transport, drainage and refuse collection and disposal by Local Government or State Government.

The use includes emergency services such as:

- ambulance;
- fire (urban or rural);
- police services; and
- State Emergency Services.

Restaurant

Means the use of licensed or unlicensed premises for the provision of meals or light refreshments to members of the public for consumption on or off the premises.

The use includes facilities commonly described as:

- bistro;
- bar and grill;
- café;
- milk bar;
- snack bar;
- coffee shop;
- tearoom;
- takeaway;
- drive through food outlet; and
- fast food outlet.

Retirement Facility

Means the use of premises as an integrated community for permanent residential accommodation for older or retired persons, generally 55 or more years of age.

The use can include:

- Dwelling Units;



- serviced rooms/Private Rooms
- nursing home accommodation as well as facilities for the use of residents and staff, such as:
 - indoor and outdoor recreational facilities;
 - meeting rooms;
 - medical consulting rooms;
 - therapy rooms;
 - chapels;
 - meal preparation facilities; and
 - staff accommodation.
- a display unit which displays to the general public the type of construction or design offered by the builder/developer, for a maximum period of twelve (12) months and which is then demolished, (if a freestanding replica), or converts to its intended use within the complex.

Service Industry

Means any premises used, or intended to be used for trades and services that cater to the tourist and marine activities in Port Douglas. This includes the manufacturing of goods on the premises, depots for receiving goods to be serviced and any administration and minor sales functions associated with the use, where these are carried out on the same Site and are ancillary to the Service Industry activity. Service Industry uses are limited to uses, which are allied to tourist and marine activities in Port Douglas.

The term may include but is not limited to the following activities:

- Limousine/bus depot;
- Cleaning or detailing of motor vehicles;
- Catering business;
- Servicing of small items and appliances such as:
 - Bicycles;
 - Cameras;
 - Electrical appliances for domestic or office use; and
 - Marine equipment;
- Printing;
- Fishing gear manufacturing;
- Marine engineering;



- Bulk storage and ancillary sales of:
 - Indoor/Outdoor furniture;
 - Hardware supplies;
 - Raw materials;
 - Plants and Landscaping supplies;

Any off-Site effects do not cause any detriment to the amenity of the area. In particular, the noise levels generated, any dust, fumes, odours or other emissions produced from the Site, the appearance of the Site and any traffic generated by the activities on the Site must be managed so as not to cause detriment to adjoining Sites.

Service Station

Means the use of premises for:

- the retail sale of motoring requirements such as fuels, lubricants, oils and greases, batteries, tyres, spare parts, auto accessories, and general convenience items to the travelling public;
- the hire of a limited range of vehicles or trailers;
- the washing of motor vehicles for a fee, including facilities provided for the public to wash their own vehicles.

The use includes facilities commonly described as:

- garage; or
- car wash.

Shopping Facility

Means the use of premises for the display and retail sale of goods and for personal services such as betting (in the form of TAB agency or similar facility), hair and beauty care, laundromat, dry cleaning agent and other customer services.

The use includes:

- the hiring out of small domestic items such as appliances, entertainment, sporting and health equipment;
- the exchange of domestic items and clothing; and



- a small scale bakery, dressmaking establishment, jewellery manufacturing establishment, etc, where the use includes a shopfront retail component.

The use also includes facilities commonly described as shop, supermarket, department store, retail chain outlets and the like.

The use does not include facilities herein defined as Display Facilities.

Short Term Accommodation

Means the use of premises for the accommodation of visitors and residents in Private Rooms or dormitories, or a combination of both, and where communal facilities for the preparation of meals are provided for a maximum stay of 3 months.

The use includes a manager's unit and office as well as recreational and entertainment facilities which cater exclusively for guests or residents of the accommodation.

The use also includes a display unit which displays to the general public the type of construction or design offered by the builder/developer, for a maximum period of twelve (12) months and which is then demolished if a freestanding replica or converts to its intended use within the complex.

The use includes accommodation commonly described as:

- boarding house;
- guesthouse;
- backpackers hostel; or
- serviced rooms.

Special Residential Use

Means the use of premises for permanent residential accommodation by a group of unrelated persons associated with a religious order or for social or community purposes intended to ensure the health and well-being of the occupants.

The use includes:

- a facility for the accommodation, care and treatment of people with a disability other than in a single residential environment.
- facilities commonly described as a convent, a monastery, and a respite care home or supervised short-term crisis accommodation.



Staff Quarters

Means accommodation for employees working in the Locality whether or not the place of work is located on the same Site.

The accommodation may or may not be Self Contained, but if Self Contained :

- is limited to a maximum of 50% of the total staff accommodation provided; and
- each Dwelling Unit is limited to a maximum gross floor area of 60m².

Non Self Contained staff accommodation provides either communal cooking facilities in the accommodation or access to cooking facilities in an existing Building on the same Site.

There are no Advertising Devices associated with the use.

Tavern

Means the use of premises for:

- the sale of liquor for consumption on or off the premises;
- dining activities;
- entertainment activities, including gaming machines;

The use may include accommodation of tourists or travellers.

The use includes facilities commonly described as:

- hotel; or
- tavern.

Telecommunication Facilities

Means the use of premises for the provision of telecommunication services.

The use excludes Low Impact Telecommunications Facilities as defined by the *Telecommunications (Low Impact Facilities Determination) 1997* under the *Telecommunications Act*.



Tourist Attraction

Means the use of premises for an activity or range of activities which showcase surrounding environmental or agricultural/rural attractions and are designed and operated primarily to attract tourists.

The use includes:

- interpretive/educational facilities;
- administrative office and manager's residence;
- small scale ancillary facilities such as:
 - retail outlet for the sale of souvenirs and similar items;
 - kiosk; or
 - Restaurant.

The use includes facilities commonly described as:

- animal and bird park or sanctuary;
- crocodile farm; or
- zoo.

Veterinary Facilities

Means the use of premises for the veterinary care, surgery and treatment of animals which can involve the accommodation of those animals on the premises overnight.



5.2 Operational Works Definitions

A list of Operational Works Definitions is outlined below in alphabetical order, followed by the detailed Operational Works Definitions in the same order.

5.2.1 List of Operational Works Definitions

Advertising Device
Filling and Excavation

5.2.2 Detailed Operational Works Definitions

Advertising Device

Means any device, structure or sign intended for advertising purposes which is visible from a Road or other public place and includes any framework or supporting structure or device which is provided exclusively or primarily as part of the advertisement. The term is limited to the specific advertising devices listed in the Design and Siting of Advertising Devices Code. This term excludes:-

- a sign or signs of total area less than two square metres (2 m^2), non-illuminated and non-animated which provides information about a community organisation within the Shire;
- traffic signals, warning devices or directional signs;
- notices relating to local events, activities or entertainment not promoted or carried on for business purposes, provided that the period of display is limited to less than twenty eight (28) days;
- statutory notice or advertisement required to be displayed by a government department, public authority, or the Council or an applicant.

Filling and Excavation⁵⁴

Means the placement or removal of sand, soil, rock or similar material on/from a Site for the purpose of raising or lowering the natural surface level of the Site or part of the Site.

The term does not include:

- filling/excavation for gardening or domestic Landscaping;
- top dressing up to 100 mm in depth;
- filling/excavation of less than 20 m^3 .

⁵⁴ Note: Under Schedule 8 of the IPA, Operational Works relating to agricultural practices are exempt.



5.3 Administrative Definitions

A list of the Administrative Definitions is outlined below in alphabetical order, followed by the detailed Administrative Definitions in the same order.

5.3.1 List of Administrative Definitions⁵⁵

AAA Water Conservation Rating
Access
AGA Energy Rating Label
Approved site*
Approved structure*
Assessable development*
Basement
Bed Space
Biodiversity
Biodiversity*
Boundary fence*
Building
Building work*
Clearing
Code assessable*
Council
Damage*
Dead vegetation*
Declared pests*
Deep Planting
Defined Storm Tide Event (DSTE)
Dense Planting
Designated Development Area
Development*
Development application*
Development permit*
Diseased vegetation*
Dwelling Unit
Dying vegetation*
Erect
Essential management*
Exempt development*
Expanded House
Forest Practice*
Frontage
Gross Floor Area
Ground Level
Habitable Room
Height
High Bank
Household

⁵⁵ Definitions marked with an asterisk* apply to the Vegetation Management Code



Impact assessment*
Landscaping
Landscaping purposes*
Local heritage register*
Low NO_x
Main Street Frontage
Marine-based Industry
Master plan*
Material change of use*
Minor Building Work
Net Lettable Area
Non-residential building
Operational work*
Other Areas
Outbuilding
Plot Ratio
Port Douglas Waterfront
Private Room
R-value
Reconfiguring a lot*
Recreation Area
Register
Remnant Vegetation
Renewable Energy Certificate
Residential building
Residential Clearing*
Residential Uses
Road
Routine Management*
Scenic Amenity
Self-assessable*
Self Contained
Semi-Basement
Setback
Significant Tree*
Site
Site Coverage
State-Controlled Road
State heritage register*
Storey
Storm Tide
Storm Tide Inundation Area
Structure*
Structure Plan*
Tree*
Urban area*
Urban Areas
Vegetation*
Watercourse



5.3.2 Detailed Administrative Definitions

AAA Water Conservation Rating

Means the National Water Conservation Labelling Scheme, rated in accordance with *Australian Standards AS/NZS 3662 and AS6400:2003 Water Efficient Products Rating and Labelling*, conducted by Water Services Association of Australia on behalf of its members. All showers are required to provide a comfortable spray. AAA rated showers have a 9 litre per minute flow.

Access

Means the practicable means of entry of persons and vehicles onto a lot, either existing or proposed, from a Road.

AGA Energy Rating Label

Means the Australian Gas Association gas energy label showing star ratings and comparative energy consumption.

Approved site*

Waste transfer station or facility approved for the disposal of Vegetation.

Approved structure*

Approved or lawfully established existing building or structure (e.g. dwelling, shed, driveway), but does not include a pool.

Assessable development*

As defined in the *Sustainable Planning Act 2009*

Basement

Means that part of a Building entirely below Ground Level.

Bed Space

Means a space occupied by one person for the purpose of sleeping. The following types of beds or Sites have the Bed Space equivalencies assigned to them, as follows:

- single bed = 1 Bed Space



• double size bed/queen size bed/king size bed	=	2 Bed Spaces
• two – level bunk bed	=	2 Bed Spaces
• tri-level bunk bed	=	3 Bed Spaces
• single trundle bed	=	1 Bed Space
• sofa bed – single	=	1 Bed Space
• sofa bed – double	=	2 Bed Spaces
• camping Site	=	2 Bed Spaces
• caravan /campervan/motorhome/cabin site	=	2 Bed Spaces

Biodiversity

Means the variability among living organisms from all sources (including terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are a part) and includes:

- diversity within species and between species; and
- diversity of ecosystems⁵⁶

Biodiversity*

As defined in the Vegetation Management Act 1999.

Boundary fence*

A fence delineating the boundary between two different allotments owned by different parties.

Building

Means any fixed structure which is wholly or partly enclosed by walls and which is roofed. The term includes any part of a Building.

Building work*

As defined in the *Sustainable Planning Act 2009*

Clearing

Means the removal of vegetation from a Site by any means including cutting down, destroying, poisoning, ringbarking or undermining the vegetation.

⁵⁶ This definition has been sourced from the Federal Environmental Protection and Biodiversity Conservation Act 1999 – Section 528 – Definitions.



Code assessable*

As defined in the *Sustainable Planning Act 2009*

Council

Means the Douglas Shire Council.

Damage*

Remove, cut down, ringbark, push over, poison or destroy in any way including by burning, flooding or draining, but does not include standing vegetation by stock.

Dead vegetation*

Vegetation that is no longer alive.

Declared pests*

As defined in the *Land Protection (Pest and Stock Route Management) Act 2002*

Deep Planting

Means the planting of shrubs and trees within natural ground and at Ground Level and clear of service trenches and impervious surfaces.

Defined Storm Tide Event (DSTE)

Means the event (measured in terms of likelihood of reoccurrence) and associated inundation level adopted to manage the development of a particular area. The defined storm tide event is the 1% Annual Exceedance Probability (AEP) storm tide – equivalent to 1/100 yr Average Recurrence Interval (ARI) unless otherwise indicated for essential community service infrastructure. The DSTE must also account for sea level rise and the planning period for development of a particular area.



Dense Planting

Means the massed planting of large, advanced shrubs and trees within natural ground and at Ground Level and clear of service trenches and other impervious surfaces, to provide privacy screening and a landscape buffer for screening and amenity purposes.

Designated Development Area

Means an area to contain future development on a Site which is delineated on a Site plan or a Registered Plan of Survey.

If delineated on a Site plan, the Site plan and Designated Development Area are drawn to scale. If delineated on a Registered Plan of Survey, the Designated Development Area is identified by a metes and bounds description and registered on title.

Development*

As defined in the *Sustainable Planning Act 2009*

Development application*

As defined in the *Sustainable Planning Act 2009*

Development permit*

As defined in the *Sustainable Planning Act 2009*

Diseased vegetation*

Vegetation that is of an unhealthy condition.

Dwelling Unit

Means any Building or part of a Building comprising self-contained accommodation intended for exclusive use by one Household, for human habitation together with such land and Outbuildings in curtilage used for purposes ancillary to the use of the Building for human habitation.

Dying vegetation*

Vegetation that is in an unhealthy condition that cannot be cured.



Erect

Means:

- construct or commence or continue to construct;
- do, or commence or continue to do, any work in the course of or for the purpose of constructing;
- perform any structural work or make any alteration, addition or rebuilding;
- move from one position on a lot to another position on, or partly on, the same lot or another lot;
- re-construct with or without alteration on, or partly on, the same lot or another lot; or
- where a Building or structure is located on more than one lot:
 - move to another position on the same lot or any other lot or lots; or
 - re-construct with or without alteration on another position on the same lots or any of them or on another lot or lots.

Essential management*

As defined in the *Sustainable Planning Regulations 2009*

Exempt development*

As defined in the *Sustainable Planning Act 2009*

Expanded House

Means a group or cluster of Buildings which together function as a House as herein defined.

Forest Practice*

As defined in the *Sustainable Planning Act 2009*



Frontage

Means any boundary line, or part thereof, of a lot which coincides with the alignment of a Road.

Gross Floor Area

1. *Gross Floor Area* means the area calculated in accordance with the following formula:

$$\text{Gross Floor Area} = \text{Total Building Area} - (\text{minus}) \text{ Excluded Area}$$

2. *Total Building Area* means the sum of the floor areas of all levels of every *Building and Outbuilding* located on a *Site* including:

- a. all walls, columns, balconies, corridors and public areas including stairwells and toilets; and
- b. other ancillary or service facilities, including plant rooms;

whether roofed or not, measured from the inside of external walls or the centre of a common/party wall.

All areas of balustrading and internal walls must be included in the Total Building Area calculation.

3. *Excluded Area* means:

- a. the area of any private balcony or patio, whether roofed or not, which is:
 - i. directly accessible from only one Dwelling Unit; and
 - ii. unenclosed on at least one side, except for balustrading; and
 - iii. within three (3) metres of the wall of the Building to which access to the private balcony is obtained;
- b. any fully unenclosed roofed walkway located at Ground Level and providing weather protection linkages between Buildings on the Site or between Buildings and Recreation Areas or accesses to the Site;
- c. the area of one unenclosed porte cochere at Ground Level which provides access to the Building;
- d. the area of one public lobby located at Ground Level;
- e. a basement or semi-basement within a Building;
- f. dedicated car parking areas within the building envelope of the Building; and



- g. the area (inclusive of all walls and columns) of any lift motor room or air conditioning or other mechanical or electrical plant room.

4. *Qualifications:*

The following provisions assist in assessing Total Building Area and Excluded Areas under Clauses 2 and 3 above, for the purpose of calculating Gross Floor Area:

- a. Corridors, stairwells, staircases and public areas within the Building (except one porte cochere and one public lobby as referred to herein) are not excluded from the calculation of Total Building Area;
- b. any eaves of the Building are excluded from the calculation of Total Building Area; and
- c. some of the Excluded Areas listed above are excluded from the calculation of Gross Floor Area in order to encourage architectural elements which provide weather protection [eg: public walkway (3b) and porte cochere (3c)] or contribute to the amenity of the tropical lifestyle [eg: balconies (3a) and public lobbies (3d)].

Ground Level

Means the existing level of the ground, or in case where a finished Ground Level is specified or approved by the Council, then the finished Ground Level.

Habitable Room

Means a room used for normal domestic activities, and;

- includes a bedroom, living room, lounge room, music room, television/media room, dining room, sewing room, study, playroom and sunroom; but
- excludes a bathroom, kitchen, laundry, toilet, food-storage pantry, walk-in-wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods.

This definition has no relevance to Gross Floor Area.

Height

Scenario 1 For level land and sloping Sites less than 15% slope

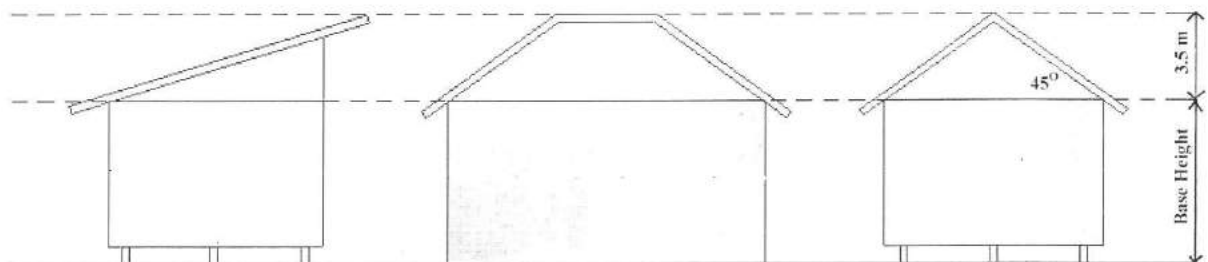
Means the distance in metres (base Height) measured in a vertical axis from Ground Level to the underside of the pitching point of the roof at the intersection with the wall of the Building, or in the case of a structure, to the highest point of the structure.

AND

The roof and/or ancillary features to the Building do not exceed a Height of 3.5 metres when measured in a vertical axis from the underside of the pitching point of the roof at its intersection with the wall of the Building, to the highest point of the roof or ancillary feature, when projected along the horizontal plane.

AND

Any roof is contained within a Building envelope determined by a maximum Height of 3.5 metres and a minimum angle of 15% and a maximum angle of 45% when measured from the intersection of the pitching point of the roof and the wall of the Building (as illustrated below).



Building Height and Roof Height - for level land
And sloping sites less than 15% slope

Scenario 2 For sloping Sites 15% slope and over

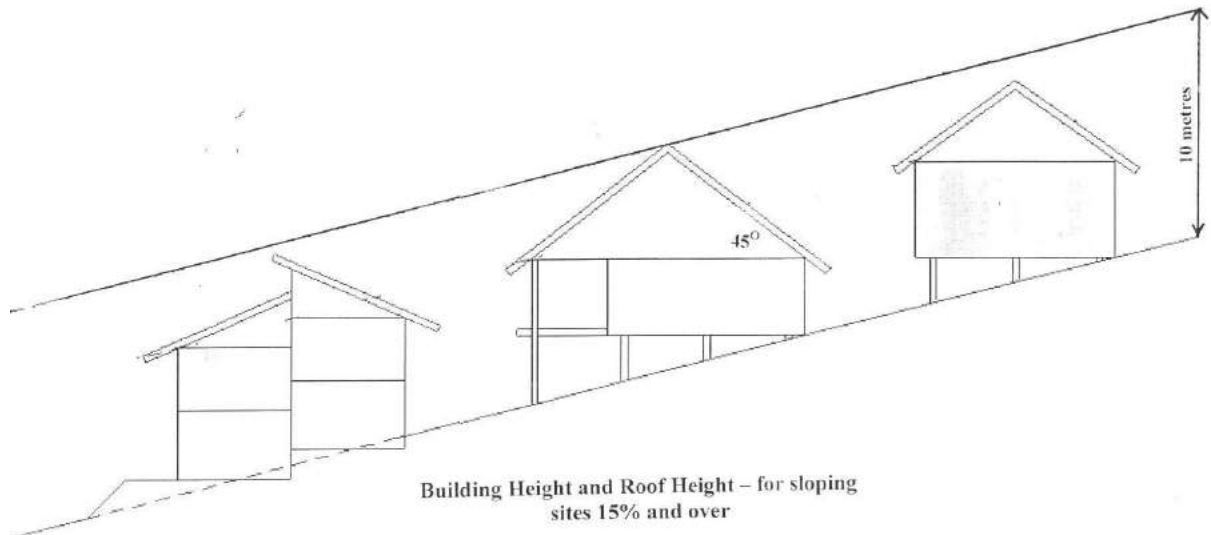
Means the distance in metres measured in a vertical axis from Ground Level to the highest point of the Building/structure to an overall Height of 10 metres where cut and fill is minimised (that is, less than 0.5 metres in Height), or in the case of a structure, to the highest point of the structure.

AND

Any roof is contained within a building envelope determined by a maximum Height of 3.5 metres and a minimum angle of 15% and a maximum angle of 45% when measured from the intersection of the pitching point of the roof and the wall of the Building (as illustrated below).

OR

Where cut and fill (greater than 0.5 metres in Height) is to be undertaken, the Height of a Building/structure will be determined in accordance with Scenario 1 outlined above, that is, the definition for level land and sloping Sites less than 15% slope.



High Bank

Means the terrace or bank or, if no bank is present, the point on the active floodplain which confines the average annual peak flow, and which is either permanent or intermittent⁵⁷.

Household

Means an individual or group of individuals whether related or unrelated, who occupy or share the same Dwelling Unit, Expanded House or House as provided below:

- two or more persons related by blood, marriage or adoption;
- not more than six persons not related by blood, marriage or adoption;
- not more than six persons under the age of eighteen years and not related by blood, marriage or adoption, and a married couple having the care and control of these persons either with or without domestic servants.

⁵⁷ Sourced from the Queensland Government Department of Natural Resources, Mines and Energy Concurrence Agency Policies, dated 17 December 2004.



For the purposes of this definition, a group of persons is deemed to be maintaining a Household by a common discipline unless one or more of the members of the group retains the power in and domination over the whole of the Dwelling Unit, Expanded House or House occupied by the group.

Impact assessment*

As defined in the *Sustainable Planning Act 2009*

Landscaping

Means the treatment of a Site for the purpose of enhancing and protecting the features of a Site and the development on a Site by:-

- screening with trees, hedges or shrubs;
- planting of trees, hedges, shrubs or grass;
- forming banks, terraces or other earthworks, including the placement of rocks as an integral element; or
- laying out of gardens,

but excluding plants in pots or containers.

Landscaping purposes

Vegetation planted for the purposes of landscaping.

Local heritage register*

As defined in the *Queensland Heritage Act 1992*

Low NO_x

Means emissions of oxides of nitrogen are 60ppm or less.

Main Street Frontage

Means the Frontage to the widest Road, or where both Roads are the same width, the Road Frontage of the shortest length.



However, in the case where the Site is irregular in shape, the Frontage of the narrower leg of the Site is deemed not to be the Main Street Frontage.

Marine-based Industry

Means waterfront or land based marine industry activities and facilities, which may include the following:

- maintenance, repair and refurbishing of vessels or marine equipment / machinery; and
- wet and dry vessel storage facilities;

Master Plan*

As defined in the *Sustainable Planning Act 2009*

Material change of use*

As defined in the *Sustainable Planning Act 2009*

Minor Building Work

Means Erection in relation to an existing Building whereby the Gross Floor Area of the modified existing Building:

- does not exceed the Gross Floor Area of the existing Building; or
- exceeds the Gross Floor Area of the existing Building by less than 25 m² or 10% of the Gross Floor Area of the existing Building, whichever is the lesser.

Includes exclusion of:

- internal Building works (including fitouts);
- roofed structures over Ground Level outdoor landscape and Recreation Areas (eg: pergolas and patios);
- construction of a roof over an existing deck or balcony;
- car port or car shade structures;
- swimming pools; and
- tennis courts.

Net Lettable Area

Means the sum of the areas (inclusive of columns, balconies, whether roofed or not) of all Storeys of a Building or Buildings measured from the internal surface of a wall, excluding:

- all stairs, recessed doorways, toilets, cleaners cupboards, lift shafts and motor rooms, escalators, tea rooms and other service areas, where all are provided as standard facilities in the Building;
- lift lobbies in which lifts face other lifts, blank walls or areas excluded by the provision above;
- areas set aside as public spaces or thoroughfares and not for the exclusive use of occupiers of the floor or Building, such as Access passageways in lift and service core areas;
- areas set aside for the provision of facilities or services such as electrical or telephone ducts and air-conditioning risers to the floor where such facilities are provided as a standard facility in the Building;
- areas set aside for use by service vehicles and for delivery of goods and Access ways thereto, where such areas are not for the exclusive use of occupiers of the floor or Building;
- areas set aside for car parking and Access ways thereto, where such areas are not for the exclusive use of occupiers of the floor or Building;
- areas having less than 1.5 metres clear Height above floor level. These areas are measured and recorded separately.

Non-residential building

Means buildings used for the following purposes as defined in Chapter 5 of the *Douglas Shire Planning Scheme*:

- Aircraft Landing Facility
- Aquaculture
- Business Facilities
- Child Care Centre
- Crematorium
- Display Facilities
- Educational Establishment
- Health Facility
- Indoor Sports and Entertainment
- Interpretive Facility
- Outdoor Sport & Recreation
- Place of Assembly



- Public Utilities & Facilities
- Restaurant
- Service Station
- Shop
- Shopping Facility
- Tavern
- Tourist Attraction
- Veterinary Facilities
- Office Use associated with Industry and Service Industry

Operational work*

As defined in the *Sustainable Planning Act 2009*

Other Areas

Means those areas of the Shire located in;

- Rural Areas and Rural Settlements Locality;
- Settlement Areas North of the Daintree River Locality; and
- World Heritage Areas and Environs Locality.

Outbuilding

Means any Building, being a non-habitable Building such as a garage, carport, shed or similar, classified as a Class Xa Building under the Building Code of Australia.

Plot Ratio

Means the ratio between the Gross Floor Area of a Building and the area of the Site upon which the Building is located.

Port Douglas Waterfront

Means the collective reserves, leases and property west of Wharf Street to Dickson Inlet, from Rex Smeal Park in the north and Port Street in the south. The Port Douglas Waterfront contains and continues to provide a mix of active and passive recreation parks, historic buildings along with community, accommodation, industry and commercial activity.

Dickson Inlet continues to provide harbour for marine vessels and activities, balancing the needs of the tourist industry with the environmental qualities and coastal processes of the inlet.



Private Room

Means a room in Short Term Accommodation or Holiday Accommodation (being non-self contained hotel or motel accommodation) which provides overnight accommodation with private ablution facilities for related or companion travellers but not containing more than 4 Bed Spaces.

R-value

Means a measure of the resistance to heat flow and therefore performance of insulation materials.

Reconfiguring a lot*

As defined in the *Sustainable Planning Act 2009*

Recreation Area

Means the area of a Site that is provided or used as any one or more of the following:

- a swimming pool;
- a tennis court;
- a children's play area, sand pit or the like; or
- an entertainment or Recreation Area, including a gazebo, a communal deck area and a communal bar-b-que area;

but excluding any areas which are used for:-

- the parking or standing of a vehicle;
- the passage of a vehicle;
- clothes drying;
- a refuse bin shelter;
- an incinerator, or other service areas;
- vehicle and gardening maintenance; or
- home handyman facilities.



Register

Means a document held by the Council which lists all vacant land in the Rainforest Conservation Precinct which has some development potential, as specified in A23.1, A27.1 and A36.1, of the Settlement Areas North of the Daintree River Locality Code.

Remnant Vegetation

Means remnant vegetation, for an area of Queensland for which there is no regional ecosystem map or remnant map, means the vegetation, part of which forms the predominant canopy of the vegetation –

- a) covering more than 50% of the undisturbed predominant canopy; and
- b) averaging more than 70% of the vegetation's undisturbed height; and
- c) composed of species characteristic of the vegetation's undisturbed predominant canopy.⁵⁸

Renewable Energy Certificates

Means the certificates issued under the *Commonwealth Renewable Energy (Electricity) Act 2000* and Regulations.

Residential Building

Means buildings used for the following purposes as defined in Chapter 5 of the *Douglas Shire Planning Scheme*:

- Boutique Tourist Facility
- Camping Ground
- Caravan Park
- Holiday Accommodation
- Home Based Business (Bed & Breakfast, Forest Stay & Host Farm Accommodation)
- Multi-Unit Housing
- Retirement Facility
- Short Term Accommodation
- Special Residential Use
- Staff Quarters

Residential Clearing*

As defined in the *Sustainable Planning Regulations 2009*

⁵⁸ This definition has been sourced from the *Vegetation Management Act 1999*.



Residential Uses

Means any of the following land uses:

- Camping Ground;
- Caravan Park;
- Caretaker's Residence;
- Holiday Accommodation;
- House;
- Multi-Unit Housing;
- Outstation/Seasonal Camp;
- Retirement Facility;
- Short Term Accommodation;
- Special Residential Use;
- Staff Quarters.

Road

Has the same meaning as in the *Transport Infrastructure Act 1994*

Routine Management*

As defined in the *Sustainable Planning Act 2009*

Scenic Amenity

Means a measure of the relative contribution of each place in the landscape to the collective community appreciation of open space, as viewed from places which are important to the public.⁵⁹

Self-assessable*

As defined in the *Sustainable Planning Act 2009*

⁵⁹ This definition has been sourced from a report by R A Preston on Scenic Amenity (2001) on behalf of the Department of Natural Resources and Mines and the Environmental Protection Agency.

Self Contained

Means a Dwelling Unit, capable of being occupied independently by residents, permanently or temporarily, such that the Dwelling Unit, must at least contain the following:

- a kitchen area including food preparation, cooking (not a microwave oven solely), cleaning, food storage and refrigeration facilities (not a bar fridge);
- a toilet;
- a laundry;
- a bathroom including wash basin, shower and/or bath;
- living area/s; and
- sleeping areas;

all of which are designed or appropriately adapted for human use.

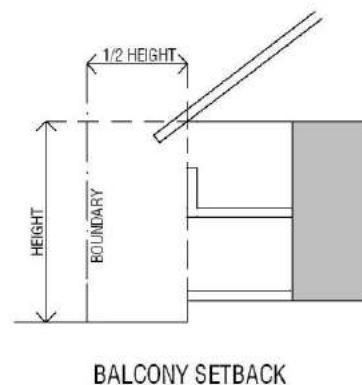
Semi-Basement

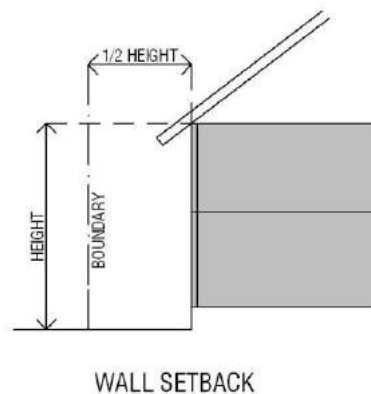
Means that part of a Building partly above and partly below Ground Level and of which no part (measured to the underside of the ceiling) exceeds 1 metre above Ground Level.

Setback

Means the space, distance or dimension between the boundary of the lot measured to the external face of the wall of a Building or to the edge of a balcony. Whether the balcony is roofed or not, the Setback is measured to the edge of the balcony.

Diagrams below illustrate measuring the Setback from the boundary to the external face of the wall of a Building and from the boundary to the edge of the balcony (whether roofed or not).





Significant Tree*

Trees with a height, measured from natural ground level, exceeding 7.5 metres in height.

Site

Means an area of land which comprises the whole of a lot or lots on which a development is established or is intended to be established.

Site Coverage

Means the largest area of a Site occupied by a Building/s at any level projected on to a horizontal plane and expressed as a percentage of total Site area.

In the calculation of Site Coverage, the area occupied by the Building/s is calculated by measuring along the external perimeter of the Building/s including all passageways, staircases and the like but excluding eaves. Unenclosed private balconies or patios accessible only from one Dwelling Unit, hotel room, motel room or the like are excluded from the calculation provided the depth of the balcony or patio measured from its back wall exceeds 1.25 metres but does not exceed 3.0 metres.

In all Planning Areas, Site Coverage includes all ancillary Buildings (eg Restaurants, foyers, reception areas) except where such ancillary Buildings are considered to be Outbuildings, as herein defined.

For developments where several Buildings of different Storeys are proposed to be Erected on the Site, the applicable Site Coverage for the entire development will be based on the particular Site Coverage requirements for the tallest Building, provided that the tallest Building represents more than 25% of the total development.

State-Controlled Road

Has the same meaning as in the *Transport Infrastructure Act 1994*



State heritage register*

As defined in the *Queensland Heritage Register 1992*

Storey

Means that space within a Building which is situated between one floor level and the floor level next above, or if there is no floor level above, the ceiling or roof above. A mezzanine level which extends over only part of a level is counted as a Storey for the purposes of this calculation.

In the calculation of a Storey a level used partly or solely for car parking is included, except where it is located in a Basement or Semi-Basement.

No Basement or Semi-Basement in a Building is included as a Storey.

Storm Tide

Means the effect on coastal water of a storm surge combined with the normally occurring astronomical tide.

Storm Tide Inundation Area

Means the area of land determined to be inundated by a storm tide as outlined below.

Factors for determining storm tide inundation areas

Where coastal hazard risk assessments are carried out for the purposes of determining the area at risk from inundation due to sea level rise or storm tide inundation, they are to be undertaken using the relevant methodologies for determining storm tide inundation areas outlined within the Queensland Coastal Plan. The minimum assessment factors to be applied in such assessments are outlined in Table 1 below.

Table 1: Minimum assessment factors for determining storm tide inundation areas

<ul style="list-style-type: none"> • Planning period equivalent to expected asset life to the development as outlined in Table 2; • Projected sea level rise of amount outlined in Table 3, based on asset life; • Adoption of the 1 in 100 year average recurrence interval extreme storm event/ or water level; and • Increase in cyclone intensity by 10% (relative to maximum potential intensity) due to climate change.

Table 2: Planning Period

Type of Development	Planning period (based on anticipated asset life)
Short term tourist accommodation	40 years

Residential development (less than 7 units)	50 years
Residential development (7 or more units)	60 years
Industrial building	40 years
Commercial building (single storey)	40 years
Commercial building (greater than single storey)	60 years

Table 3: Projected sea level rise for the year of the end of asset life as per Table 2

Year of end of planning period	Projected sea level rise
Year 2050	0.3 metres
Year 2060	0.4 metres
Year 2070	0.5 metres
Year 2080	0.6 metres
Year 2090	0.7 metres
Year 2100	0.8 metres

Determining storm tide inundation areas

The storm tide inundation area is the area of coast inundated by the Defined Storm Tide Event (DSTE), which is the storm tide level adopted for the development utilising the minimum assessment factors outlined in tables 1, 2 and 3 above.

The storm tide inundation area is taken to be all land between high water mark and a minimum default DSTE level of 1.5 metres above the level of Highest Astronomical Tide (HAT) for development.

Collectively, the Storm Tide Inundation Area can be expressed through the following formula:

$$\text{Storm Tide Inundation Area} = (\text{Highest Astronomical Tide (in metres AHD)} + 1.5\text{m} + 0.1\text{m} \times \text{asset life})$$

A Registered Professional Engineer Queensland, with expertise in physical coastal processes may determine the storm tide inundation area relevant to a proposed development by undertaking a storm tide inundation assessment consistent with methodology outlined by the Queensland Coastal Plan.

Structure*

As defined by the Building Code of Australia

Structure Plan*

As defined in the *Sustainable Planning Act 2009*



Tree*

Vegetation that has:

- a) A height equal to or exceeding 5 metres; or
- b) A trunk or bole which has a diameter, at a height of 1.5 metres above natural ground level, equal to or exceeding 12 centimetres; or
- c) A combined diameter of two or more boles, at a height of 1.5 metres above natural ground level, equal to or exceeding 12 centimetres; or
- d) A width of foliage equal to or exceeding 3 metres in diameter.

Urban area*

As defined in the *Sustainable Planning Regulations 2009*

Urban Areas

Means those areas of the Shire located in the;

- Mossman and Environs Locality;
- Port Douglas and Environs Locality; and
- Coastal Suburbs, Villages and Townships Locality.

Vegetation

An individual tree or trees, plants and all other organisms of vegetable origin (whether living or dead), not including marine plants.

Watercourse

Means any river, creek or stream categorised below:

- Category 1 – Major Perennial Watercourse

Means a river in which water flows permanently and includes the bed and banks and any other element of a river confining or containing water, which is identified as such, on the Major Perennial/Perennial Watercourse Maps, dated December 2005, held by Council.

- Category 2 – Perennial Watercourse

Means a river or creek in which water flows permanently and includes the bed and banks and any other element of a river/creek confining or containing water, which is identified as such, on the Major Perennial/Perennial Watercourse Maps, dated December 2005, held by Council.



- Category 3 – Minor Perennial Watercourse

Means a creek or stream in which water flows permanently and includes the bed and banks and any other element of a creek/stream confining or containing water, which is mapped on the Australian 1:50 000 Topographic Survey Map Series R733: Edition 1-AAS held by Council:

- Sheet 7965 – IV (Adeline Creek)
- Sheet 7966 – II (Ayton)
- Sheet 8064 – IV (MacAlister Range)
- Sheet 7965 – II (Mossman)
- Sheet 7965 – III (Mount Spurgeon)
- Sheet 7964 – I (Rumula)
- Sheet 7966 – III (Shiptons Flat)
- Sheet 7865 – I (Taylor Creek)
- Sheet 7965 – I (Thornton Peak)

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