



## 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

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<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"> <li>• Community and Recreation Facilities</li> </ul> <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"> <li>• Residential 1;</li> <li>• Industry;</li> <li>• Conservation;</li> <li>• Community and Recreational Facilities (except in the Port Douglas Waterfront);</li> <li>• Residential 2;</li> <li>• Tourist and Residential (Medium Scale);</li> <li>• Commercial – (Medium Scale, outside the Tourist Centre);</li> <li>• Commercial – (High Scale, outside the Tourist Centre);</li> </ul>



	<ul style="list-style-type: none"> <li>• 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.</li> <li>• Port Douglas Waterfront North (where depicted within Figure 1 of the Port Douglas Waterfront North Planning Area Code); and</li> <li>• Port Douglas Waterfront South.</li> </ul> <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"> <li>• Tourist and Residential – (High Scale); and</li> <li>• Commercial – (High Scale, within the Tourist Centre and on the low side of Macrossan Street, through to Warner Street); and</li> <li>• Port Douglas Waterfront North (where depicted within Figure 1 of the Port Douglas Waterfront North Planning Area Code).</li> </ul>
<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*

<b>PERFORMANCE CRITERIA</b>		<b>ACCEPTABLE SOLUTIONS</b>	
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	<p>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.</p> <p style="text-align: center;">OR</p> <p>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.</p>
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"> <li>• a change in roof profile;</li> <li>• a change in parapet coping;</li> <li>• a change in awning design;</li> <li>• a horizontal or vertical change in the wall plane; or</li> <li>• a change in the exterior finishes and exterior colours of the development.</li> </ul> <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"><li>a) appropriate roof form and roofing material [10% Plot Ratio Bonus]; and</li><li>b) appropriate fenestration in combination with roof form [5% Plot Ratio Bonus]; and</li><li>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</li><li>d) minimum of 700mm eaves [15% Plot Ratio Bonus]; and</li><li>e) orientation of the Building to address the street/s [5% Plot Ratio Bonus];</li><li>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</li><li>g) inclusion of windows and balconies to the street façade of the Building [10% Plot Ratio Bonus]; and</li><li>h) provision of lattice, battens or privacy screens [5% Plot Ratio Bonus]; and</li><li>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].</li></ul>
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<p>P9 Car parking generated by:</p> <ul style="list-style-type: none"> <li>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</li> <li>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.</li> </ul>	<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"> <li>a) does not dominate street Frontages, especially along streets with high pedestrian traffic and pedestrian-oriented development; and</li> <li>b) facilitates pedestrian connectivity; and</li> <li>c) is safe and convenient.</li> </ul>	<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*

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<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 m<sup>2</sup> 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 m<sup>2</sup>, 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**

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<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"> <li>• land designated High Scale has a base Plot Ratio of 0.5:1 and a maximum Plot Ratio of 0.8:1;</li> <li>• land designated Medium Scale has a base Plot Ratio of 0.3:1 and a maximum Plot Ratio of 0.45:1;</li> </ul> <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> <li>• land designated Low Scale has a base Plot Ratio of 0.25:1 and a maximum Plot Ratio of 0.35:1.</li> </ul> <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"> <li>a) appropriate roof form and roofing material [10% Plot Ratio Bonus]; and</li> <li>b) appropriate fenestration in combination with roof form [5% Plot Ratio Bonus]; and</li> <li>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</li> <li>d) minimum of 700mm eaves [15% Plot Ratio Bonus]; and</li> <li>e) orientation of the Building to address the street/s [5% Plot Ratio Bonus];</li> <li>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</li> <li>g) inclusion of windows and balconies to the street façade of the Building [10% Plot Ratio Bonus]; and</li> <li>h) provision of lattice, battens or privacy screens [5% Plot Ratio Bonus]; and</li> <li>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].</li> </ol>



<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"> <li>• 45% at Ground Level;</li> <li>• 40% at first floor level; and</li> <li>• 35% at second floor level, if applicable.</li> </ul>
<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*

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<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"> <li>• Special Management Area 3 - Service Industry Precincts (Craiglie); and</li> <li>• Special Management Area 4 - Service Industry Precincts (Mahogany Street)</li> </ul>

### *Community Facilities*

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<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<sup>17,18</sup>.</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>

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

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



**Special Management Areas**

***Special Management Area 1 – Flagstaff Hill***

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<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"> <li>a) building design which minimises excavation and filling; and</li> <li>b) buildings being designed to step down the Site and incorporate foundations and footings on piers or poles; and</li> <li>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</li> <li>d) protection of the views from public viewing points.</li> </ul>	<p>No Acceptable Solution</p>



***Special Management Area 2 – Residential Growth Area***

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<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"> <li>a) does not involve the construction of a canal estate or similar form of development; and</li> <li>b) is separated from the river by a road and substantial public open space.</li> </ul>





**Special Management Area 3 – Service Industry Precincts (Craiglie)**

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<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)***

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<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>