

# DA Form 1 – Development application details

Approved form (version 1.6 effective 2 August 2024) made under section 282 of the Planning Act 2016.

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

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

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

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

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

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

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

## PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Mark Featherston and Stacey Wilson c/- RPS AAP Consulting Pty Ltd
Contact name (only applicable for companies)	Stacey Devaney - RPS
Postal address (P.O. Box or street address)	PO Box 1949
Suburb	Cairns
State	QLD
Postcode	4870
Country	Australia
Contact number	(07) 4276 1033
Email address (non-mandatory)	stacey.devaney@rpsconsulting.com
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	604-PDPLNCNS-380057
1.1) Home-based business	
<input type="checkbox"/> Personal details to remain private in accordance with section 264(6) of <i>Planning Act 2016</i>	
2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input checked="" type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application	
<input type="checkbox"/> No – proceed to 3)	

## PART 2 – LOCATION DETAILS

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

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

#### 3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		11	Egret Close	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	176	RP747295	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
		13	Egret Close	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	177		Douglas Shire Council

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

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

##### ☐ Coordinates of premises by longitude and latitude

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

##### ☐ Coordinates of premises by easting and northing

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

#### 3.3) Additional premises

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

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

- ☐ In or adjacent to a water body or watercourse or in or above an aquifer

Name of water body, watercourse or aquifer:

- ☐ On strategic port land under the *Transport Infrastructure Act 1994*

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

Name of local government for the tidal area (if applicable):

Name of port authority for tidal area (if applicable)

<input type="checkbox"/> On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>
Name of airport: <input type="text"/>
<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification: <input type="text"/>
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>
CLR site identification: <input type="text"/>

#### 5) Are there any existing easements over the premises?

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

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

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

#### 6.1) Provide details about the first development aspect

a) What is the type of development? *(tick only one box)*

- ☐ Material change of use    ☒ Reconfiguring a lot    ☐ Operational work    ☐ Building work

b) What is the approval type? *(tick only one box)*

- ☒ Development permit    ☐ Preliminary approval    ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

- ☒ Code assessment    ☐ Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):*

Reconfiguring a Lot (Boundary Realignment 2 Lots into 2 Lots)

e) Relevant plans

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

- ☒ Relevant plans of the proposed development are attached to the development application

#### 6.2) Provide details about the second development aspect

a) What is the type of development? *(tick only one box)*

- ☐ Material change of use    ☐ Reconfiguring a lot    ☐ Operational work    ☐ Building work

b) What is the approval type? *(tick only one box)*

- ☐ Development permit    ☐ Preliminary approval    ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

- ☐ Code assessment    ☐ Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):*

e) Relevant plans

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

- ☐ Relevant plans of the proposed development are attached to the development application

**6.3) Additional aspects of development**

- ☐ Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application
- ☒ Not required

**6.4) Is the application for State facilitated development?**

- ☐ Yes - Has a notice of declaration been given by the Minister?
- ☒ No

**Section 2 – Further development details****7) Does the proposed development application involve any of the following?**

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

**Division 1 – Material change of use**

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

**8.1) Describe the proposed material change of use**

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

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

- ☐ Yes
- ☐ No

**8.3) Does the proposed development relate to temporary accepted development under the Planning Regulation?**

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

Provide a general description of the temporary accepted development	Specify the stated period dates under the Planning Regulation

**Division 2 – Reconfiguring a lot**

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

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

2

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

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



10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				

10.2) Will the subdivision be staged?	
<input type="checkbox"/> Yes – provide additional details below <input type="checkbox"/> No	
How many stages will the works include?	
What stage(s) will this development application apply to?	

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

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )
Lot 176 on RP747295	1,114	2	1,102
Lot 177 on RP747295	2,233	1	2,345
12.2) What is the reason for the boundary realignment?			
To address and existing encroachment of the common boundary between Lots 176 and 177 on RP747295			

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

### Division 3 – Operational work

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

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

14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)

\$

## PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application

Douglas Shire Council

16) Has the local government agreed to apply a superseded planning scheme for this development application?

- ☐ Yes – a copy of the decision notice is attached to this development application
- ☐ The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- ☒ No

## PART 5 – REFERRAL DETAILS

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

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

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

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

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



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- ☐ SEQ northern inter-urban break – community activity
- ☐ SEQ northern inter-urban break – indoor recreation
- ☐ SEQ northern inter-urban break – urban activity
- ☐ SEQ northern inter-urban break – combined use
- ☐ Tidal works or works in a coastal management district
- ☐ Reconfiguring a lot in a coastal management district or for a canal
- ☐ Erosion prone area in a coastal management district
- ☐ Urban design
- ☐ Water-related development – taking or interfering with water
- ☐ Water-related development – removing quarry material *(from a watercourse or lake)*
- ☐ Water-related development – referable dams
- ☐ Water-related development – levees *(category 3 levees only)*
- ☐ Wetland protection area

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

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

Matters requiring referral to the **Chief Executive of the distribution entity or transmission entity**:

- ☐ Infrastructure-related referrals – Electricity infrastructure

Matters requiring referral to:

- The **Chief Executive of the holder of the licence**, if not an individual
- The **holder of the licence**, if the holder of the licence is an individual
- ☐ Infrastructure-related referrals – Oil and gas infrastructure

Matters requiring referral to the **Brisbane City Council**:

- ☐ Ports – Brisbane core port land

Matters requiring referral to the **Minister responsible for administering the *Transport Infrastructure Act 1994***:

- ☐ Ports – Brisbane core port land *(where inconsistent with the Brisbane port LUP for transport reasons)*
- ☐ Ports – Strategic port land

Matters requiring referral to the **relevant port operator**, if applicant is not port operator:

- ☐ Ports – Land within Port of Brisbane's port limits *(below high-water mark)*

Matters requiring referral to the **Chief Executive of the relevant port authority**:

- ☐ Ports – Land within limits of another port *(below high-water mark)*

Matters requiring referral to the **Gold Coast Waterways Authority**:

- ☐ Tidal works or work in a coastal management district *(in Gold Coast waters)*

Matters requiring referral to the **Queensland Fire and Emergency Service**:

- ☐ Tidal works or work in a coastal management district *(involving a marina (more than six vessel berths))*

**18) Has any referral agency provided a referral response for this development application?**

- ☐ Yes – referral response(s) received and listed below are attached to this development application
- ☒ No

Referral requirement	Referral agency	Date of referral response

Identify and describe any changes made to the proposed development application that was the subject of the referral response and this development application, or include details in a schedule to this development application *(if applicable)*.

PART 6 – INFORMATION REQUEST

19) Information request under the DA Rules

☒ I agree to receive an information request if determined necessary for this development application

☐ I do not agree to accept an information request for this development application

**Note:** By not agreeing to accept an information request I, the applicant, acknowledge:

- that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties
- Part 3 under Chapter 1 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules or
- Part 2 under Chapter 2 of the DA Rules will still apply if the application is for state facilitated development

Further advice about information requests is contained in the [DA Forms Guide](#).

PART 7 – FURTHER DETAILS

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

☐ Yes – provide details below or include details in a schedule to this development application

☒ No

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

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

☐ Yes – a copy of the receipted QLeave form is attached to this development application

☐ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid

☒ Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)

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

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

☐ Yes – show cause or enforcement notice is attached

☒ No

## 23) Further legislative requirements

### Environmentally relevant activities

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

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

**Note:** Application for an environmental authority can be found by searching "ESR/2015/1791" as a search term at [www.qld.gov.au](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

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

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

### Hazardous chemical facilities

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

- ☐ Yes – *Form 536: Notification of a facility exceeding 10% of schedule 15 threshold* is attached to this development application
- ☒ No

**Note:** See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information about hazardous chemical notifications.

### Clearing native vegetation

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

- ☐ Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)
- ☒ No

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

### Environmental offsets

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

- ☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter
- ☒ No

**Note:** The environmental offset section of the Queensland Government's website can be accessed at [www.qld.gov.au](http://www.qld.gov.au) for further information on environmental offsets.

### Koala habitat in SEQ Region

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

- ☐ Yes – the development application involves premises in the koala habitat area in the koala priority area
- ☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area
- ☒ No

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

### **Water resources**

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

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

☒ No

**Note:** Contact the Department of Resources at [www.resources.qld.gov.au](http://www.resources.qld.gov.au) for further information.

DA templates are available from [planning.statedevelopment.qld.gov.au](http://planning.statedevelopment.qld.gov.au). If the development application involves:

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

### **Waterway barrier works**

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

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

☒ No

DA templates are available from [planning.statedevelopment.qld.gov.au](http://planning.statedevelopment.qld.gov.au). For a development application involving waterway barrier works, complete DA Form 1 Template 4.

### **Marine activities**

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

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

☒ No

**Note:** See guidance materials at [www.daf.qld.gov.au](http://www.daf.qld.gov.au) for further information.

### **Quarry materials from a watercourse or lake**

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

☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

☒ No

**Note:** Contact the Department of Resources at [www.resources.qld.gov.au](http://www.resources.qld.gov.au) and [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

### **Quarry materials from land under tidal waters**

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

☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

☒ No

**Note:** Contact the Department of Environment, Science and Innovation at [www.desi.qld.gov.au](http://www.desi.qld.gov.au) for further information.

### **Referable dams**

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

☐ Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the *Water Supply Act* is attached to this development application

☒ No

**Note:** See guidance materials at [www.resources.qld.gov.au](http://www.resources.qld.gov.au) for further information.

### **Tidal work or development within a coastal management district**

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

- ☐ Yes – the following is included with this development application:
- ☐ Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)
  - ☐ A certificate of title

☒ No

**Note:** See guidance materials at [www.desi.qld.gov.au](http://www.desi.qld.gov.au) for further information.

### **Queensland and local heritage places**

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

☐ Yes – details of the heritage place are provided in the table below

☒ No

**Note:** See guidance materials at [www.desi.qld.gov.au](http://www.desi.qld.gov.au) for information requirements regarding development of Queensland heritage places. For a heritage place that has cultural heritage significance as a local heritage place and a Queensland heritage place, provisions are in place under the Planning Act 2016 that limit a local categorising instrument from including an assessment benchmark about the effect or impact of, development on the stated cultural heritage significance of that place. See guidance materials at [www.planning.statedevelopment.qld.gov.au](http://www.planning.statedevelopment.qld.gov.au) for information regarding assessment of Queensland heritage places.

Name of the heritage place:

Place ID:

### **Decision under section 62 of the Transport Infrastructure Act 1994**

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

☐ Yes – this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)

☒ No

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

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

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

☐ No

**Note:** See guidance materials at [www.planning.statedevelopment.qld.gov.au](http://www.planning.statedevelopment.qld.gov.au) for further information.

## **PART 8 – CHECKLIST AND APPLICANT DECLARATION**

### **24) Development application checklist**

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

☒ Yes

**Note:** See the Planning Regulation 2017 for referral requirements

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

☐ Yes

☒ Not applicable

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

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

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☐ Yes

☒ Not applicable



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## 25) Applicant declaration

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

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

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

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

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

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

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

Date received:  Reference number(s):

### Notification of engagement of alternative assessment manager

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

### QLeave notification and payment

**Note:** For completion by assessment manager if applicable

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



## 11 AND 13 EGRET CLOSE, PORT DOUGLAS

Planning Report for Reconfiguring a Lot (Boundary Realignment 2 Lots into 2 Lots)



604-PDPLNCNS-380057

A

5 February 2025


REPORT

Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
A	Planning Report	S. Devaney	P. Clifton	S. Devaney	19/12/2024

Approval for issue

Stacey Devaney



5 February 2025

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

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## SUMMARY

**Table 1: Summary**

Details			
Site Address:	11 and 13 Egret Close, Port Douglas		
Real Property Description:	Lot 176 on RP747295 and Lot 177 on RP747295		
Site Area:	Lot 176 on RP747295 – 1,114m <sup>2</sup> Lot 177 on RP747295 – 2,332m <sup>2</sup>		
Regional Plan Land Use Designation:	Urban Footprint		
Zone:	Low Density Residential Zone		
Local Plan:	Port Douglas – Craiglie Local Plan		
Owner(s):	Lot 176 on RP747295 – Robyn Maree Levitzke & Andrew John Levitzke Lot 177 on RP747295 – Mark William Featherston & Stacey Louise Wilson		
Proposal			
Brief Description/ Purpose of Proposal	Development Permit for Reconfiguring a Lot (Boundary Realignment 2 Lots into 2 Lots)		
Application Details			
Aspect of Development	Preliminary approval	Development permit	
Material change of use	<input type="checkbox"/>	<input type="checkbox"/>	
Building Work	<input type="checkbox"/>	<input type="checkbox"/>	
Operational Work	<input type="checkbox"/>	<input type="checkbox"/>	
Reconfiguration of a Lot	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Assessment Category	<input checked="" type="checkbox"/> Code	<input type="checkbox"/> Impact	
Public Notification	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes:	
Superseded Planning Scheme Application	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Referral Agencies			
Agency	Concurrence	Advice	Pre-lodgement response
Nil	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Pre-lodgement / Consultation			
Entity	Date	Contact Name	
Council DA Team	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Other			
Applicant contact person	Stacey Devaney Senior Planner D: +61 7 4276 1033 E: <a href="mailto:stacey.devaney@rpsconsulting.com">stacey.devaney@rpsconsulting.com</a>		

# 1 INTRODUCTION

RPS has been engaged by Mark Featherston and Stacey Wilson to seek development approval for Reconfiguring a Lot (Boundary Realignment – 2 Lots into 2 Lots) over land at 11 and 13 Egret Close, Port Douglas, and described as Lots 176 and 177 on RP747295.

The subject site comprises two (2) irregular shaped residential lots. Lot 176 on RP747295 has an area of 1,114m<sup>2</sup> and frontage to Egret Close of approximately 12 metres. Lot 176 is improved by a single detached dwelling house and ancillary shed. Lot 177 on RP747295 has an area of 2,233m<sup>2</sup> and frontage to Egret Close of approximately 12 metres. Lot 177 is improved with a single detached dwelling house and ancillary outbuildings (Garage and rear shed). Both lots are accessible via existing crossovers from Egret Close and are serviced by all urban infrastructure.

The locality containing the site is characterised by predominately single detached dwellings.

The proposal comprises the realignment of the common boundary between Lots 176 and 177 on RP747295 to address an existing encroachment of the rear shed located on Lot 177 on RP747295.

No other development would occur as part of the proposed development and the existing dwelling house, garage and shed on the site would remain unchanged.

The site is contained within the Douglas Shire Council area and the Douglas Shire Council Planning Scheme 2018, identifies the site within the Port Douglas – Craiglie Local Plan of the Low Density Residential Zone. The subject site is affected by the following overlays:

- Acid Sulfate Soils Overlay;
- Bushfire Hazard Overlay;
- Coastal Processes Overlay;
- Flood Storm Overlay;
- Landscape Values Overlay;
- Natural Areas Overlay; and
- Transport Road Hierarchy Overlay.

The Tables of Assessment identify the realigning of boundaries (Reconfiguring a Lot) as requiring the submission of a code assessable application to Douglas Shire Council. As code assessable application, the council, in determining the application, are only able to have regards to the applicable codes.

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

Based on these assessments the proposal is recommended for approval subject to reasonable and relevant conditions.



## 2 SITE DETAILS

### 2.1 Site Particulars

Key details of the subject site are as follows:

**Table 2: Site Particulars**

Site Particulars	
Site Address	11 and 13 Egret, Port Douglas
Real Property Description	Lots 176 and 177 on RP747295
Site Area	Lot 176 on RP747295 – 1,114m <sup>2</sup> Lot 177 on RP747295 – 2,332m <sup>2</sup>
Landowner(s)	Lot 176 on RP747295 – Robyn Maree Levitzke & Andrew John Levitzke Lot 177 on RP747295 – Mark William Featherston & Stacey Louise Wilson

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

Certificate/s of title confirming site ownership details are included at **Appendix A**.



**Figure 1 Site Location**

Source: Queensland Globe

### 2.2 Planning Context

The planning context of the site includes the following:

**Table 3: Planning Context**

Instrument	Designation
State Planning Policy Mapping	

Instrument	Designation
Environment and Heritage	<ul style="list-style-type: none"> <li>Biodiversity <ul style="list-style-type: none"> <li>MSES – Wildlife Habitat (Endangered or vulnerable)</li> <li>MSES – Wildlife Habitat (Special least concern animal)</li> <li>MSES - Regulated vegetation (category C)</li> <li>MSES - Regulated vegetation (category R)</li> <li>MSES – Regulated vegetation (essential habitat)</li> <li>MSES – Regulated vegetation (intersecting a watercourse)</li> </ul> </li> <li>Coastal Environment <ul style="list-style-type: none"> <li>Coastal management district</li> </ul> </li> </ul>
Safety and Resilience to Hazards	<ul style="list-style-type: none"> <li>Natural Hazards Risk and Resilience <ul style="list-style-type: none"> <li>Flood hazard area – Level 1 – Queensland floodplain assessment overlay</li> <li>Flood hazard area – Local Government flood mapping area</li> <li>Bushfire Prone</li> <li>Erosion Prone area</li> <li>Medium storm tide inundation area</li> <li>High storm tide inundation area</li> </ul> </li> </ul>
<b>Development Assessment Mapping</b>	
DA Mapping	<ul style="list-style-type: none"> <li>Coastal Protection <ul style="list-style-type: none"> <li>Coastal management district</li> <li>Coastal area – erosion prone area</li> <li>Coastal area – medium storm tide inundation area</li> <li>Coastal area – high storm tide inundation area</li> </ul> </li> <li>Fish Habitat Areas <ul style="list-style-type: none"> <li>Queensland waterways for waterway barrier works</li> </ul> </li> <li>Wetland Protection Areas <ul style="list-style-type: none"> <li>Wetland protection area trigger area</li> <li>Major (tidal)</li> </ul> </li> </ul>
<b>Far North Queensland Regional Plan 2009 - 2031</b>	
Regional Plan Map:	<ul style="list-style-type: none"> <li>Urban Footprint</li> </ul>
<b>Douglas Shire Council Planning Scheme 2018 (v.1.0)</b>	
Zoning:	Low Density Residential Zone
Local Plan:	Port Douglas - Craiglie
Overlays:	<ul style="list-style-type: none"> <li>Acid Sulphate Soils Overlay</li> <li>Bushfire Hazard Overlay</li> <li>Coastal Protection Overlay</li> <li>Flood Storm Overlay</li> <li>Transport Road Hierarchy</li> </ul>

Zoning of the subject site and surrounding lands is shown on **Figure 2**.



Figure 2 Zoning

Source: Douglas Shire Planning Scheme 2018 (v1.0)

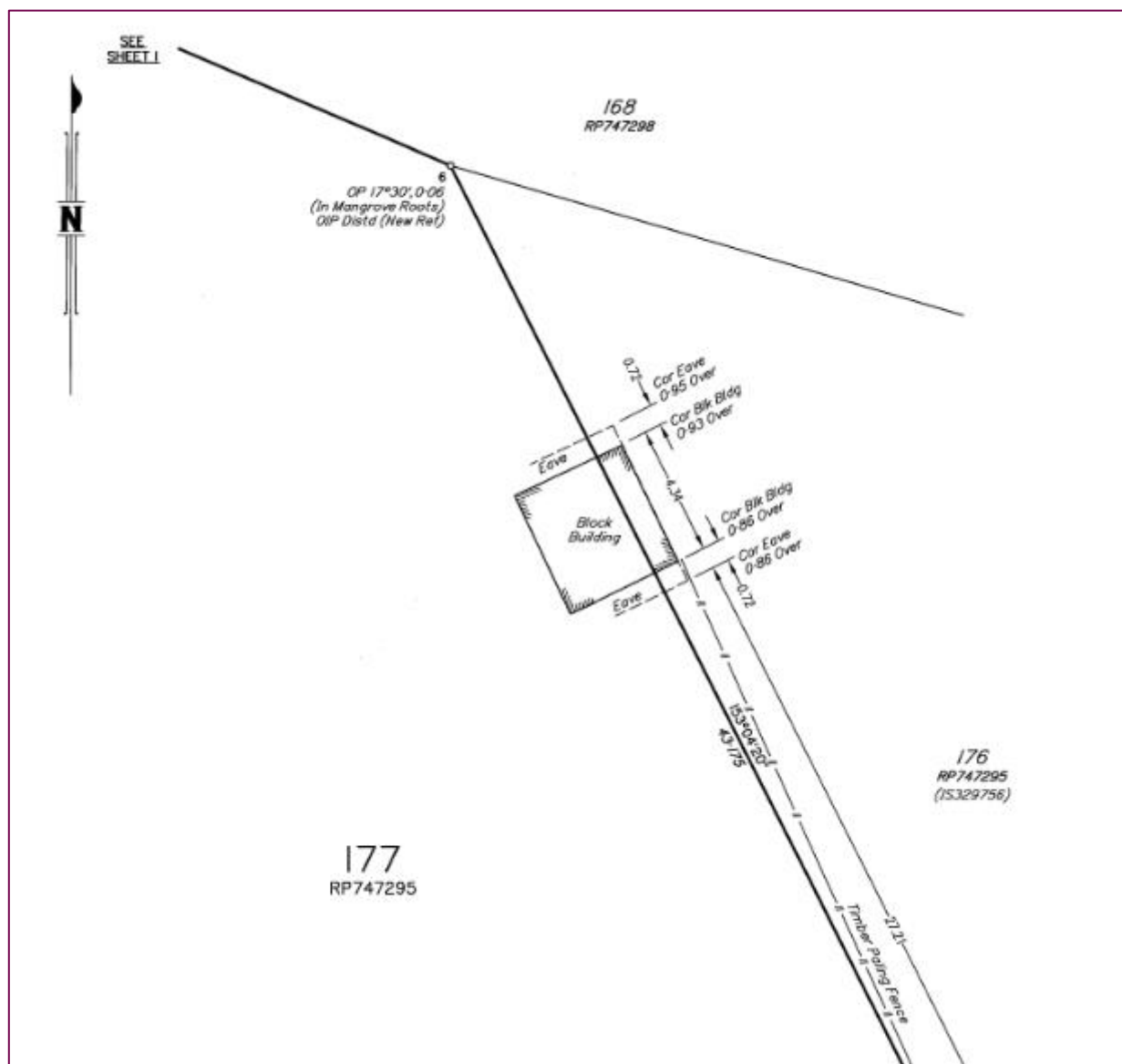


### 3 PROPOSAL

### 3.1 Overview

This application seeks development approval for Reconfiguring a Lot (Boundary Realignment – 2 Lots into 2 Lots) on land located at 11 and 13 Egret Close, Port Douglas and described as Lots 176 and 177 on RP747295.

A recent identification survey of Lot 177 on RP747295 revealed that the existing rear shed on Lot 177 encroached the eastern boundary by 0.95 metres from the outer most projection of the existing building. The applicant has engaged in discussion with the adjoining landowner of Lot 176 on RP747295 with a view to negotiating a successful resolution to address the encroachment. Both parties have agreed to realign the common boundary. The existing encroachment is depicted in **Figure 3** below.



### Figure 3 Existing Shed Encroachment

**Source: RPS**

The intent of the application is to facilitate a realignment of the common boundary between Lots 176 and 177 on RP747295 to address the existing encroachment of the rear shed located on Lot 177, which currently straddles the common boundary with an overhang of approximately 0.95 metres. The proposal would result in the existing common boundary from Egret Close to the shed remaining in situ, with a dog leg in the

proposed boundary, zero metre setback along the side of the shed and tapering back towards the existing common boundary at the rear of the shed.

The proposed boundary realignment is depicted in Figure 4 and provided for reference as **Appendix C**.



**Figure 4 Proposed Boundary Realignment**

Source: RPS

The existing 10a building has a mean height of less than 3.5 metres and maximum length of 6 metres, on this basis the applicant proposes a zero setback from the common boundary between Lots 176 and 177 on RP747295, which is consistent with the provisions of the Queensland Development Code.

## 4 LEGISLATIVE REQUIREMENTS

### 4.1 Assessment Manager

In accordance with Schedule 8 of the *Planning Regulation 2017*, the assessment manager for this application is Douglas Shire Council.

### 4.2 Categories of Assessment

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

**Table 4: Categories of Assessment**

Aspect of development	Categorising instrument	Category of assessment
Reconfiguring a Lot (Boundary Realignment - 2 Lots into 2 Lots)	Douglas Shire Council Planning Scheme 2018 (v1.0)	Code Assessment

### 4.3 Referrals

In accordance with Schedule 10 of the *Planning Regulation 2017*, the proposed development does not trigger referral to the State Assessment and Referral Agency (SARA).

### 4.4 Public Notification

This application does not require public notification as it is subject to Code Statutory planning assessment.

## 5 STATUTORY PLANNING ASSESSMENT

### 5.1 Overview

This section assesses the application against relevant assessment benchmarks.

As the application is subject to Code Assessment, pursuant to section 45(3) of the *Planning Act 2016*, the assessment must only be carried out against the assessment benchmarks identified in the Douglas Shire Council Planning Scheme and the matters prescribed by sections 26 and 27 of the *Planning Regulation 2017* and Schedule 10.

### 5.2 State and Regional Assessment Benchmarks

#### 5.2.1 State Planning Policy

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

It is understood that the minister has identified that the State Planning Policy has been appropriately integrated into the Douglas Shire Council Planning Scheme 2018 (v.1.0) and consequently no further assessment is required in this instance

#### 5.2.2 Regional Plan

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

The Minister has identified that the Douglas Shire Planning Scheme 2018 (v.1.0), specifically the strategic framework, appropriately advances the Far North Queensland Regional Plan 2009-2031, as it applies in the planning scheme area, on that basis, no further assessment is required in this instance.

#### 5.2.3 Development Assessment under Schedule 10 (SDAP)

Schedule 10 of the *Planning Regulation 2017* identify the matters that the assessment manager and/or referral agency assessment must have regard to. In this instance, the application does not trigger referral and, therefore, no state codes apply.

### 5.3 Local Authority Assessment Benchmarks

This application is to be assessed against the Douglas Shire Council Planning Scheme 2018 (v1.0). The assessment benchmarks applicable under the Planning Scheme are addressed below.

#### 5.3.1 Codes

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

Planning Scheme Codes	Applicability	Comment
<b>Zone Code</b>		
Low Density Zone Code	Applies	Complies with the applicable assessment benchmarks.
<b>Local Plan Code</b>		
Port Douglas / Craiglie Local Plan Code	Applies	Complies with the applicable assessment benchmarks.

Planning Scheme Codes	Applicability	Comment
<b>Overlay Codes</b>		
Acid Sulfate Soils Overlay Code	Not applicable	No applicable assessment benchmarks. The proposal is for Reconfiguring a Lot (Boundary Realignment) only. No excavation or filling proposed or required.
Bushfire Hazard Overlay Code	Applies	Complies with the applicable assessment benchmarks.
Coastal Processes Overlay Code	Not applicable	No applicable assessable benchmarks. The proposal is for Reconfiguring a Lot (Boundary Realignment) only, and will not alter the existing dwelling house development within the erosion prone area.
Flood Storm Overlay Code	Applies	No applicable assessment benchmarks.
Landscape Values Overlay Code	Applies	Complies with the applicable assessment benchmarks.
Natural Areas Overlay Code	Applies	Complies with the applicable assessment benchmarks.
Transport Network Overlay Code	Not applicable	No applicable assessable benchmarks. The proposal is for Reconfiguring a Lot (Boundary Realignment) only. The proposal would not impact the transport network.
<b>Development Codes</b>		
Reconfiguring a Lot Code	Applies	Complies with the applicable assessment benchmarks.

## 6 CONCLUSION

RPS has been engaged by Mark Featherston and Stacey Wilson to seek development approval for Reconfiguring a Lot (Boundary Realignment – 2 Lots into 2 Lots) over land at 11 and 13 Egret Close, Port Douglas, described as Lots 176 and 177 on RP747295.

The subject site is comprised of two (2) irregular shaped residential lots. Lot 176 on RP747295 has an area of 1,114m<sup>2</sup> and frontage to Egret Close of approximately 12 metres. Lot 176 is improved by a single detached dwelling house and ancillary shed. Lot 177 on RP747295 has an area of 2,233m<sup>2</sup> and frontage to Egret Close of approximately 12 metres. Lot 177 is improved with a single detached dwelling house and ancillary outbuildings (Garage and rear shed). Both lots are accessible via existing crossovers from Egret Close and is serviced by all urban infrastructure.

The locality containing the site is characterised by predominately single detached dwellings.

The proposal comprises the realignment of the common boundary between Lots 176 and 177 on RP747295 to address an existing encroachment of the rear shed located on Lot 177 on RP747295.

No other development would occur as part of the proposed development and the existing dwelling house, garage and shed on the site would remain unchanged.

The site is contained within the Douglas Shire Council area and the Douglas Shire Council Planning Scheme 2018, identifies the site within the Port Douglas – Craiglie Local Plan of the Low Density Residential Zone.

The Tables of Assessment identify the realigning of boundaries (Reconfiguring a Lot) as requiring the submission of a code assessable application to Douglas Shire Council. As code assessable application, the council, in determining the application, are only able to have regards to the applicable codes.

This report provides greater detail on the nature of the proposal and provides an assessment of the proposal against the intents and code requirements of relevant statutory planning documents. Based on these assessments the proposal is recommended for approval subject to reasonable and relevant conditions.

## Appendix A

### Certificate(s) of Title

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>21374011</b>	<b>Search Date:</b>	28/11/2024 17:05
<b>Date Title Created:</b>	01/09/1988	<b>Request No:</b>	50186988
<b>Previous Title:</b>	21367141		

**ESTATE AND LAND**

Estate in Fee Simple

LOT 176 REGISTERED PLAN 747295  
Local Government: DOUGLAS

**REGISTERED OWNER**

Dealing No: 722634485 25/07/2023

ROBYN MAREE LEVITZKE  
ANDREW JOHN LEVITZKE

JOINT TENANTS

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20977007 (POR 93)

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

NIL

\*\* End of Current Title Search \*\*



**Individual owner's consent for making a development application under the *Planning Act 2016***

I, Robyn Maree Levitzke

[Insert full name.]

and

I, Andrew John Levitzke

[Insert full name.]

as owners of the premises identified as follows:

Lot 176 on RP747295

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

Mark Featherston and Stacey Wilson (Lot 177 on RP747295)

on the premises described above for:

Reconfiguring a Lot (Boundary Realignment – 2 Lots into 2 Lots)

Robyn M Levitzke

[signature of owner and

24.02.25 date signed]

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>21374012</b>	<b>Search Date:</b>	28/11/2024 17:07
<b>Date Title Created:</b>	01/09/1988	<b>Request No:</b>	50187026
<b>Previous Title:</b>	21367141		

**ESTATE AND LAND**

Estate in Fee Simple

LOT 177 REGISTERED PLAN 747295  
Local Government: DOUGLAS

**REGISTERED OWNER**

Dealing No: 722044373 18/10/2022

MARK WILLIAM FEATHERSTON  
STACEY LOUISE WILSON

JOINT TENANTS

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20977007 (POR 93)
2. MORTGAGE No 722044374 18/10/2022 at 10:57  
COMMONWEALTH BANK OF AUSTRALIA A.C.N. 123 123 124

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

## Appendix B

### Planning Context Mapping

2018 Douglas Shire Council Planning Scheme Property Report

The following report has been automatically generated to provide a general indication of development related information applying to the premise.

For more information and to determine if the mapping layers are applicable, refer to the [2018 Douglas Shire Council Planning Scheme](#). This report is not intended to replace the need for carrying out a detailed assessment of Council and State controls or the need to seek your own professional advice on any town planning instrument, local law or other controls that may impact on the existing or intended use of the premise mentioned in this report. For further information please contact Council by phone: [07 4099 9444](tel:0740999444) or [1800 026 318](tel:1800026318) or email [enquiries@douglas.qld.gov.au](mailto:enquiries@douglas.qld.gov.au).

Visit Council's website to apply for an [official property search or certificate](#), or contact the [Department of Natural Resources, Mines and Energy](#) to undertake a title search to ascertain how easements may affect a premise.


Property Information

Property Address

[11 Egret Close PORT DOUGLAS](#)

Lot Plan

[176RP747295](#) (Freehold - 1114m<sup>2</sup>)




Selected Property

Easements

Property







Douglas Shire Planning Scheme 2018 version 1.0

The table below provides a summary of the Zones and Overlays that apply to the selected property.

<div><div> Zoning</div></div>	<div><div>Applicable Zone</div><div>Low Density Residential</div></div>	<div><div>More Information</div><div><div><div><a href="#">View Section 6.2.6 Low Density Residential Zone Code</a></div><div><a href="#">View Section 6.2.6 Low Density Residential Zone Compliance table</a></div><div><a href="#">View Section 6.2.6 Low Density Residential Zone Assessment table</a></div></div></div></div>
---	---	---

## Douglas Shire Planning Scheme 2018 version 1.0

The table below provides a summary of the Zones and Overlays that apply to the selected property.

 <a href="#">Local Plans</a>	<b>Applicable Precinct or Area</b> Port Douglas - Craiglie	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 7.2.4 Port Douglas/Craiglie Local Plan Code</a></li> <li><a href="#">View Section 7.2.4 Port Douglas/Craiglie Local Plan Compliance table</a></li> </ul>
 <a href="#">Acid Sulfate Soils</a>	<b>Applicable Precinct or Area</b> Acid Sulfate Soils (< 5m AHD)	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.1 Acid Sulfate Soils Overlay Code</a></li> <li><a href="#">View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table</a></li> </ul>
 <a href="#">Bushfire Hazard</a>	<b>Applicable Precinct or Area</b> Potential Impact Buffer	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.2 Bushfire Hazard Overlay Code</a></li> <li><a href="#">View Section 8.2.2 Bushfire Hazard Overlay Compliance table</a></li> </ul>
 <a href="#">Coastal Processes</a>	<b>Applicable Precinct or Area</b> Erosion Prone Area	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.3 Coastal Environment Overlay Code</a></li> <li><a href="#">View Section 8.2.3 Coastal Environment Overlay Compliance table</a></li> </ul>
 <a href="#">Flood Storm</a>	<b>Applicable Precinct or Area</b> Medium Storm Tide Hazard High Storm Tide Hazard 100 Year ARI - Mosman and Port Douglas Flood Studies	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.4 Flood and Storm Tide Hazard Overlay Code</a></li> <li><a href="#">View Section 8.2.4 Flood and Storm Tide Hazard Overlay Compliance table</a></li> </ul>
 <a href="#">Transport Road Hierarchy</a>	<b>Applicable Precinct or Area</b> Access Road	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.10 Transport Network Overlay Code</a></li> <li><a href="#">View Section 8.2.10 Transport Network Overlay Compliance table</a></li> </ul>



Zoning

Applicable Zone

Low Density Residential

More Information

- [View Section 6.2.6 Low Density Residential Zone Code](#)
- [View Section 6.2.6 Low Density Residential Zone Compliance table](#)
- [View Section 6.2.6 Low Density Residential Zone Assessment table](#)



☒ Selected Property

☐ Property

Zoning

- |  |  |   |   |
|--|--|---|---|
| <input type="checkbox"/> Centre                    | <input type="checkbox"/> Community Facilities    | <input type="checkbox"/> Conservation                   | <input type="checkbox"/> Environmental Management   |
| <input type="checkbox"/> Industry                  | <input type="checkbox"/> Low Density Residential | <input type="checkbox"/> Low-medium Density Residential | <input type="checkbox"/> Medium Density Residential |
| <input type="checkbox"/> Recreation and Open Space | <input type="checkbox"/> Rural                   | <input type="checkbox"/> Rural Residential              | <input type="checkbox"/> Special Purpose            |
| <input type="checkbox"/> Tourism                   | <input type="checkbox"/> Tourist Accommodation   |   |   |

Local Plans

Applicable Precinct or Area

Port Douglas - Craiglie

More Information

- [View Section 7.2.4 Port Douglas/Craiglie Local Plan Code](#)
- [View Section 7.2.4 Port Douglas/Craiglie Local Plan Compliance table](#)



Selected Property

Property

Transport Investigation Corridor

Transport Investigation Corridors

Major Road Connections

Major Road Connections

Major Road Connections (No Arrow)

Major Road Connections

Daintree River to Bloomfield

Daintree River to Bloomfield

Creb Track and Quaid Road

Creb Track

60 metre contour

60 metre contour

Local Plan Boundary

Local Plan Boundary

Local Plan Sub Precincts

1a Town Centre

1b Waterfront North

1c Waterfront South

1d Limited Development

1e Community and Recreation

1f Flagstaff Hill

Local Plan Precincts

Not Part of a Precinct

Precinct 1

Precinct 2

Precinct 3

Precinct 4

Precinct 5

Precinct 6

Precinct 7

Precinct 8

Precinct 9

Live Entertainment Precinct

Live Entertainment Precinct

Indicative Future Open Space

Indicative Future Open Space

Road Reserve Esplanade

DOUGLAS SHIRE PLANNING SCHEME

4 of 9



Acid Sulfate Soils

**Applicable Precinct or Area**  
Acid Sulfate Soils (< 5m AHD)

- More Information**
- [View Section 8.2.1 Acid Sulfate Soils Overlay Code](#)
  - [View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table](#)



☒ Selected Property

☐ Property

**Acid Sulfate Soils**

☒ Acid Sulfate Soils (< 5m AHD)

☐ Acid Sulfate Soils (5-20m AHD)

☐ all others



Bushfire Hazard

Applicable Precinct or Area  
Potential Impact Buffer

- More Information
- [View Section 8.2.2 Bushfire Hazard Overlay Code](#)
  - [View Section 8.2.2 Bushfire Hazard Overlay Compliance table](#)



☒ Selected Property

☐ Property

Bushfire\_Hazard

☒ High Potential Bushfire Intensity

☒ Medium Potential Bushfire Intensity

☒ Potential Impact Buffer

☒ Very High Potential Bushfire Intensity

☐ all others







Coastal Processes

Applicable Precinct or Area  
Erosion Prone Area

- More Information
- [View Section 8.2.3 Coastal Environment Overlay Code](#)
  - [View Section 8.2.3 Coastal Environment Overlay Compliance table](#)



 Selected Property	 Property	 Coastal Management District	 Erosion Prone Area
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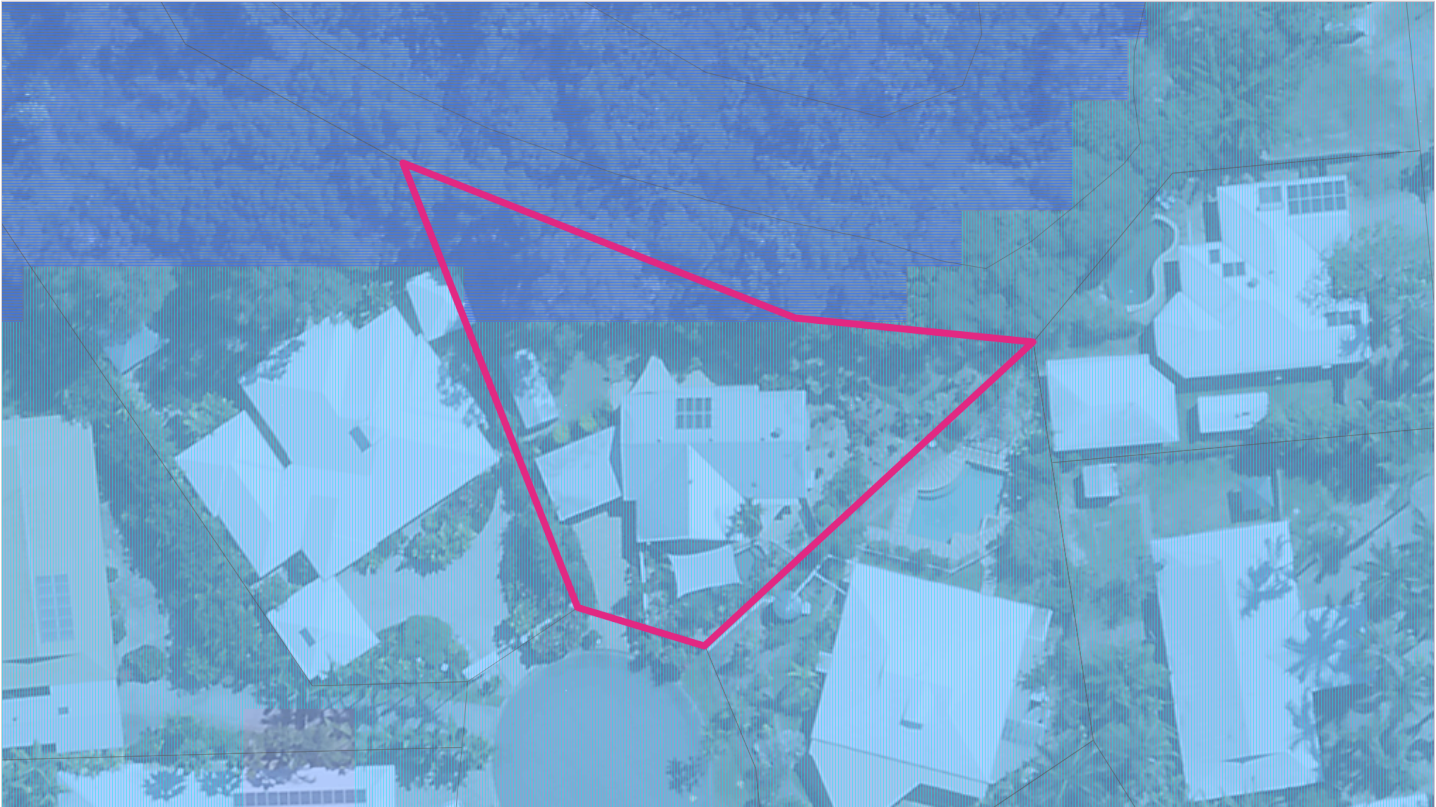
Flood Storm

Applicable Precinct or Area

Medium Storm Tide Hazard  
High Storm Tide Hazard  
100 Year ARI - Mosman and Port Douglas Flood Studies

More Information

- [View Section 8.2.4 Flood and Storm Tide Hazard Overlay Code](#)
- [View Section 8.2.4 Flood and Storm Tide Hazard Overlay Compliance table](#)



Transport Road Hierarchy

Applicable Precinct or Area  
Access Road

- More Information
- [View Section 8.2.10 Transport Network Overlay Code](#)
  - [View Section 8.2.10 Transport Network Overlay Compliance table](#)



Disclaimer

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2018 Douglas Shire Council Planning Scheme Property Report

The following report has been automatically generated to provide a general indication of development related information applying to the premise.

For more information and to determine if the mapping layers are applicable, refer to the [2018 Douglas Shire Council Planning Scheme](#). This report is not intended to replace the need for carrying out a detailed assessment of Council and State controls or the need to seek your own professional advice on any town planning instrument, local law or other controls that may impact on the existing or intended use of the premise mentioned in this report. For further information please contact Council by phone: [07 4099 9444](tel:0740999444) or [1800 026 318](tel:1800026318) or email [enquiries@douglas.qld.gov.au](mailto:enquiries@douglas.qld.gov.au).

Visit Council's website to apply for an [official property search or certificate](#), or contact the [Department of Natural Resources, Mines and Energy](#) to undertake a title search to ascertain how easements may affect a premise.


Property Information


Property Address

[13 Egret Close PORT DOUGLAS](#)


Lot Plan

[177RP747295](#) (Freehold - 2332m<sup>2</sup>)






Selected Property




Easements



Property









Douglas Shire Planning Scheme 2018 version 1.0

The table below provides a summary of the Zones and Overlays that apply to the selected property.

 <b>Zoning</b>	<b>Applicable Zone</b> Low Density Residential	<b>More Information</b> <ul style="list-style-type: none"><li><a href="#">View Section 6.2.6 Low Density Residential Zone Code</a></li><li><a href="#">View Section 6.2.6 Low Density Residential Zone Compliance table</a></li><li><a href="#">View Section 6.2.6 Low Density Residential Zone Assessment table</a></li></ul>
--	---	--

## Douglas Shire Planning Scheme 2018 version 1.0

The table below provides a summary of the Zones and Overlays that apply to the selected property.

 <a href="#">Local Plans</a>	<b>Applicable Precinct or Area</b> Port Douglas - Craiglie	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 7.2.4 Port Douglas/Craiglie Local Plan Code</a></li> <li><a href="#">View Section 7.2.4 Port Douglas/Craiglie Local Plan Compliance table</a></li> </ul>
 <a href="#">Acid Sulfate Soils</a>	<b>Applicable Precinct or Area</b> Acid Sulfate Soils (< 5m AHD)	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.1 Acid Sulfate Soils Overlay Code</a></li> <li><a href="#">View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table</a></li> </ul>
 <a href="#">Bushfire Hazard</a>	<b>Applicable Precinct or Area</b> Potential Impact Buffer	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.2 Bushfire Hazard Overlay Code</a></li> <li><a href="#">View Section 8.2.2 Bushfire Hazard Overlay Compliance table</a></li> </ul>
 <a href="#">Coastal Processes</a>	<b>Applicable Precinct or Area</b> Erosion Prone Area	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.3 Coastal Environment Overlay Code</a></li> <li><a href="#">View Section 8.2.3 Coastal Environment Overlay Compliance table</a></li> </ul>
 <a href="#">Flood Storm</a>	<b>Applicable Precinct or Area</b> Medium Storm Tide Hazard High Storm Tide Hazard 100 Year ARI - Mosman and Port Douglas Flood Studies	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.4 Flood and Storm Tide Hazard Overlay Code</a></li> <li><a href="#">View Section 8.2.4 Flood and Storm Tide Hazard Overlay Compliance table</a></li> </ul>
 <a href="#">Landscape Values</a>	<b>Landscape Values</b> High landscape values	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.6 Landscape Values Overlay Code</a></li> <li><a href="#">View Section 8.2.6 Landscape Values Overlay Compliance table</a></li> </ul>
 <a href="#">Natural Areas</a>	<b>Applicable Precinct or Area</b> MSES - Regulated Vegetation (Intersecting a Watercourse) MSES - Regulated Vegetation	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.7 Natural Areas Overlay Code</a></li> <li><a href="#">View Section 8.2.7 Natural Areas Overlay Compliance table</a></li> </ul>
 <a href="#">Transport Road Hierarchy</a>	<b>Applicable Precinct or Area</b> Access Road	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.10 Transport Network Overlay Code</a></li> <li><a href="#">View Section 8.2.10 Transport Network Overlay Compliance table</a></li> </ul>



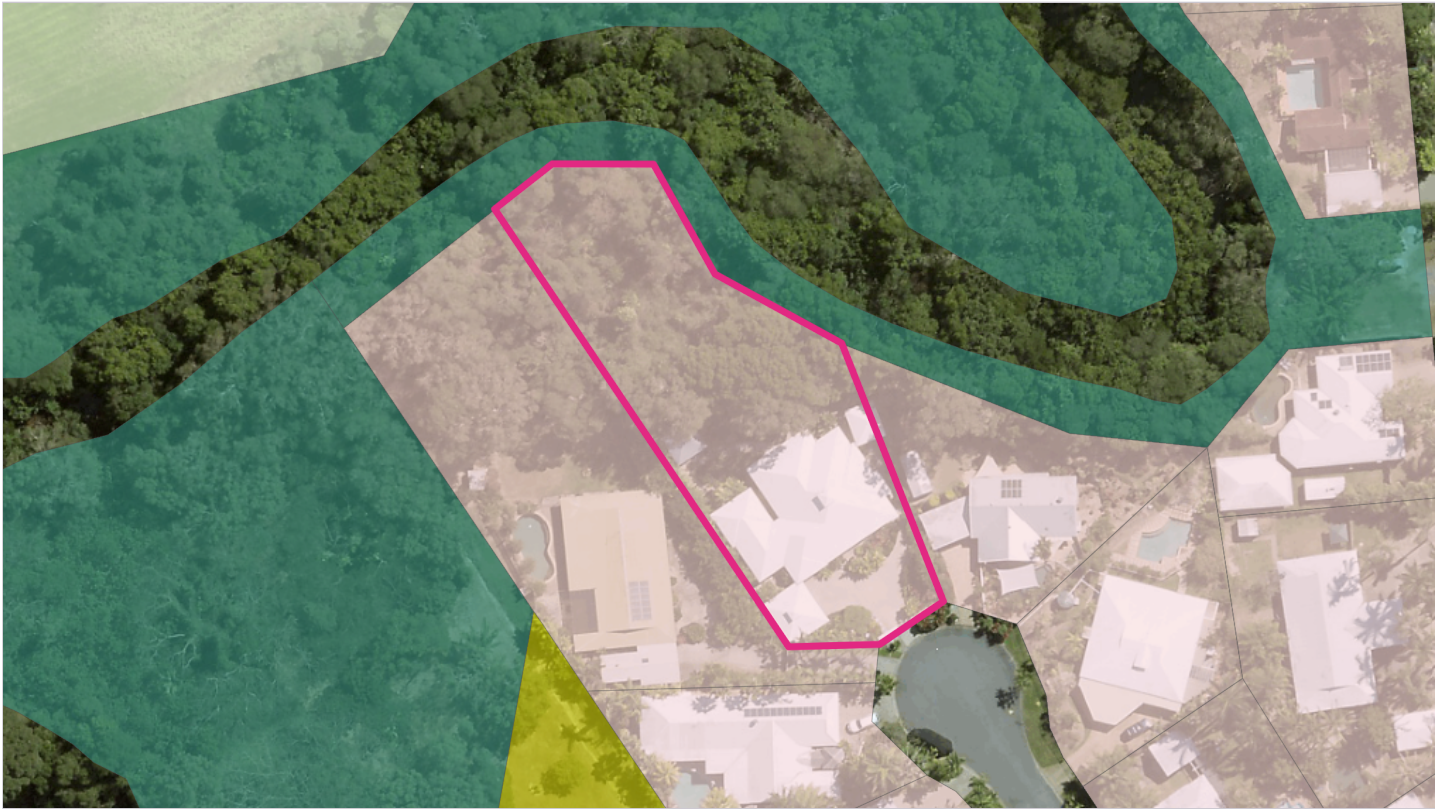
Zoning

Applicable Zone

Low Density Residential

More Information

- [View Section 6.2.6 Low Density Residential Zone Code](#)
- [View Section 6.2.6 Low Density Residential Zone Compliance table](#)
- [View Section 6.2.6 Low Density Residential Zone Assessment table](#)



☒ Selected Property

☐ Property

Zoning

- |  |  |   |   |
|--|--|---|---|
| <input type="checkbox"/> Centre                    | <input type="checkbox"/> Community Facilities    | <input type="checkbox"/> Conservation                   | <input type="checkbox"/> Environmental Management   |
| <input type="checkbox"/> Industry                  | <input type="checkbox"/> Low Density Residential | <input type="checkbox"/> Low-medium Density Residential | <input type="checkbox"/> Medium Density Residential |
| <input type="checkbox"/> Recreation and Open Space | <input type="checkbox"/> Rural                   | <input type="checkbox"/> Rural Residential              | <input type="checkbox"/> Special Purpose            |
| <input type="checkbox"/> Tourism                   | <input type="checkbox"/> Tourist Accommodation   |   |   |

Local Plans

**Applicable Precinct or Area**  
Port Douglas - Craiglie

- More Information**
- [View Section 7.2.4 Port Douglas/Craiglie Local Plan Code](#)
  - [View Section 7.2.4 Port Douglas/Craiglie Local Plan Compliance table](#)



Selected Property	Property	<b>Transport Investigation Corridor</b> Transport Investigation Corridors	<b>Major Road Connections</b> Major Road Connections
<b>Major Road Connections (No Arrow)</b> Major Road Connections	<b>Daintree River to Bloomfield</b> Daintree River to Bloomfield	<b>Creb Track and Quaid Road</b> Creb Track	<b>60 metre contour</b> 60 metre contour
<b>Local Plan Boundary</b> Local Plan Boundary			
<b>Local Plan Sub Precincts</b>			
1d Limited Development	1a Town Centre	1b Waterfront North	1c Waterfront South
	1e Community and Recreation	1f Flagstaff Hill	
<b>Local Plan Precincts</b>			
Not Part of a Precinct	Precinct 1	Precinct 2	Precinct 3
Precinct 4	Precinct 5	Precinct 6	Precinct 7
Precinct 8	Precinct 9		
<b>Live Entertainment Precinct</b> Live Entertainment Precinct	<b>Indicative Future Open Space</b> Indicative Future Open Space		Road Reserve Esplanade



Acid Sulfate Soils

**Applicable Precinct or Area**  
Acid Sulfate Soils (< 5m AHD)

- More Information**
- [View Section 8.2.1 Acid Sulfate Soils Overlay Code](#)
  - [View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table](#)



☒ Selected Property

☐ Property

**Acid Sulfate Soils**

☒ Acid Sulfate Soils (< 5m AHD)

☐ Acid Sulfate Soils (5-20m AHD)

☐ all others

Bushfire Hazard

Applicable Precinct or Area  
Potential Impact Buffer

- More Information
- [View Section 8.2.2 Bushfire Hazard Overlay Code](#)
  - [View Section 8.2.2 Bushfire Hazard Overlay Compliance table](#)



☒ Selected Property

☐ Property

Bushfire\_Hazard

- ☒ High Potential Bushfire Intensity
- ☒ Medium Potential Bushfire Intensity
- ☒ Potential Impact Buffer
- ☒ Very High Potential Bushfire Intensity
- ☐ all others




Coastal Processes


Applicable Precinct or Area  
Erosion Prone Area

- More Information
- [View Section 8.2.3 Coastal Environment Overlay Code](#)
  - [View Section 8.2.3 Coastal Environment Overlay Compliance table](#)



 Selected Property

 Property

 Coastal Management District

 Erosion Prone Area



Flood Storm







Applicable Precinct or Area

Medium Storm Tide Hazard  
High Storm Tide Hazard  
100 Year ARI - Mosman and Port Douglas Flood Studies

More Information

- [View Section 8.2.4 Flood and Storm Tide Hazard Overlay Code](#)
- [View Section 8.2.4 Flood and Storm Tide Hazard Overlay Compliance table](#)



 Selected Property	 Property	 Medium Storm Tide Hazard	 High Storm Tide Hazard
 100 Year ARI - Mossman Port Douglas and Daintree Flood Studies		 Floodplain Assessment Overlay	

Landscape Values

**Landscape Values**  
High landscape values

- More Information**
- [View Section 8.2.6 Landscape Values Overlay Code](#)
  - [View Section 8.2.6 Landscape Values Overlay Compliance table](#)



Selected Property

Property

**Scenic Buffer Area**

Gateway

Lookout

Scenic route

Scenic route buffer

View corridor

all others

**Landscape Values**

Coastal scenery

High landscape values

Medium Landscape Value

all others



Natural Areas

Applicable Precinct or Area

MSES - Regulated Vegetation (Intersecting a Watercourse)  
MSES - Regulated Vegetation

More Information

- [View Section 8.2.7 Natural Areas Overlay Code](#)
- [View Section 8.2.7 Natural Areas Overlay Compliance table](#)



<input checked="" type="checkbox"/> Selected Property	<input type="checkbox"/> Property	MSES - Regulated Vegetation (Intersecting a Watercourse)
MSES - High Ecological Value Waters (Watercourse)	MSES - Wildlife Habitat	MSES - Regulated Vegetation
MSES - Protected Area	MSES - Marine Park	MSES - Legally Secured Offset Area
MSES - High Ecological Value Waters (Wetland)	MSES - High Ecological Significance Wetlands	

Transport Road Hierarchy

Applicable Precinct or Area  
Access Road

- More Information
- [View Section 8.2.10 Transport Network Overlay Code](#)
  - [View Section 8.2.10 Transport Network Overlay Compliance table](#)



☒ Selected Property

☐ Property

Road Hierarchy

- |                  |                  |                   |                 |
|------------------|------------------|-------------------|-----------------|
| Access Road      | Arterial Road    | Collector Road    | Industrial Road |
| Major Rural Road | Minor Rural Road | Sub Arterial Road | Unformed Road   |
| all others       |                  |                   |                 |

☐ Major Transport Corridor Buffer Area

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# State Planning Policy - Lot Plan Search

Making or amending a local planning instrument  
and designating land for community infrastructure

Date: 27/11/2024



Location Diagram

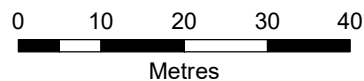


Queensland



Queensland Government

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# State Planning Policy mapping layers - consolidated list for all selected Lot Plans

(Note: Please refer to following pages for State Interests listed for each selected Lot Plan)

## BIODIVERSITY

- MSES - Wildlife habitat (endangered or vulnerable)
- MSES - Wildlife habitat (special least concern animal)
- MSES - Regulated vegetation (category C)
- MSES - Regulated vegetation (category R)
- MSES - Regulated vegetation (essential habitat)
- MSES - Regulated vegetation (intersecting a watercourse)

## COASTAL ENVIRONMENT

- Coastal management district

## NATURAL HAZARDS RISK AND RESILIENCE

- Flood hazard area - Level 1 - Queensland floodplain assessment overlay\*
- Flood hazard area - Local Government flood mapping area\*
- Bushfire prone area
- Erosion prone area
- Medium storm tide inundation area
- High storm tide inundation area



Queensland Government

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**State Planning Policy**  
Making or amending a local planning instrument  
and designating land for community infrastructure

Date: 27/11/2024

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# State Planning Policy mapping layers for each selected Lot Plan

## Lot Plan: 176RP747295 (Area: 1114 m<sup>2</sup>)

### BIODIVERSITY

- MSES - Wildlife habitat (endangered or vulnerable)
- MSES - Wildlife habitat (special least concern animal)
- MSES - Regulated vegetation (category C)
- MSES - Regulated vegetation (category R)
- MSES - Regulated vegetation (essential habitat)

### COASTAL ENVIRONMENT

- Coastal management district

### NATURAL HAZARDS RISK AND RESILIENCE

- Flood hazard area - Level 1 - Queensland floodplain assessment overlay\*
- Flood hazard area - Local Government flood mapping area\*
- Bushfire prone area
- Erosion prone area
- Medium storm tide inundation area
- High storm tide inundation area

## Lot Plan: 177RP747295 (Area: 2332 m<sup>2</sup>)

### BIODIVERSITY

- MSES - Wildlife habitat (endangered or vulnerable)
- MSES - Wildlife habitat (special least concern animal)
- MSES - Regulated vegetation (category C)
- MSES - Regulated vegetation (category R)
- MSES - Regulated vegetation (essential habitat)
- MSES - Regulated vegetation (intersecting a watercourse)

### COASTAL ENVIRONMENT

- Coastal management district

### NATURAL HAZARDS RISK AND RESILIENCE

- Flood hazard area - Level 1 - Queensland floodplain assessment overlay\*
- Flood hazard area - Local Government flood mapping area\*
- Bushfire prone area
- Erosion prone area
- Medium storm tide inundation area
- High storm tide inundation area



Queensland Government

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**State Planning Policy**  
Making or amending a local planning instrument  
and designating land for community infrastructure  
Date: 27/11/2024

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# Appendix C

## Proposal Plans

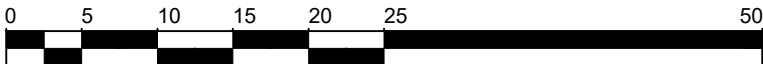




- IMPORTANT NOTE**
1. This plan was prepared for the sole purposes of the client for the specific purpose of accompanying an application to the Douglas Shire Council for a reconfiguration of a lot described on this plan. This plan is strictly limited to the Purpose and does not apply directly or indirectly and will not be used for any other application, purpose, use or matter. The plan is presented without the assumption of a duty of care to any other person (other than the Client) ("Third Party") and may not be relied on by Third Party.
  2. RPS AAP Consulting Pty Ltd will not be liable (in negligence or otherwise) for any direct or indirect loss, damage, liability or claim arising out of or incidental to:
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    - B. RPS AAP Consulting Pty Ltd relying on information provided to it by the Client or a Third Party where the information is incorrect, incomplete, inaccurate, out-of-date or unreasonable;
    - C. any inaccuracies or other faults with information or data sourced from a Third Party;
    - D. RPS AAP Consulting Pty Ltd relying on surface indicators that are incorrect or inaccurate;
    - E. the Client or any Third Party not verifying information in this plan where recommended by RPS AAP Consulting Pty Ltd;
    - F. lodgement of this plan with any local authority against the recommendation of RPS AAP Consulting Pty Ltd;
    - G. the accuracy, reliability, suitability or completeness of any approximations or estimates made or referred to by RPS AAP Consulting Pty Ltd in this plan.
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  4. Scale shown is correct for the original plan and any copies of this plan should be verified by checking against the bar scale.
  5. The dimensions, area, size and location of improvements, flood information (if shown) and number of lots shown on this plan are approximate only and may vary.
  6. Cadastral boundaries are obtained by title dimensions and DCDB. These boundaries have not been verified and are approximate only.



**Mark Featherston**  
Reconfiguration of a Lot - Cancelling Lot 176 & 177 on RP747295  
Egret Close, Port Douglas



**PRELIMINARY - FOR DISCUSSION PURPOSES ONLY**

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## Appendix D

### Planning Scheme Code Responses

## **6.2.6 Low density residential zone code**

### **6.2.6.1 Application**

- (1) This code applies to assessing development in the Industry zone.
- (2) When using this code, reference should be made to Part 5.

### **6.2.6.2 Purpose**

- (1) The purpose of the Low density residential zone code is to provide for predominantly dwelling houses supported by community uses and small-scale services and facilities that cater for local residents.
- (2) The local government purpose of the code is to:
  - (a) implement the policy direction set in the Strategic Framework, in particular:
    - (i) Theme 1 : Settlement pattern, Element 3.4.2 – Urban settlement, Element 3.4.5 Residential areas and activities, Element 3.4.7 – Mitigation of hazards.
    - (ii) Theme 4 : Strong community and identity, Element 3.7.3 – Active communities, Element 3.7.4 – Sense of place, community and identity, Element 3.7.5 – Housing choice and affordability.
    - (iii) Theme 6 : Infrastructure and transport, Element 3.9.2 - Energy, Element 3.9.3 – Water and waste management, Element 3.9.4 Transport, Element 3.9.5 – Information technology.
  - (b) retain the low density residential character and amenity of the area, consisting predominantly of low-rise 1 and 2 storey detached dwelling houses;
  - (c) provide support for compatible small scale non-residential use activities;
  - (d) ensure development occurs on appropriately sized and shaped lots.
- (3) The purpose of the code will be achieved through the following overall outcomes:
  - (a) A range of housing, predominantly detached dwelling houses, on a range of lot sizes is provided.
  - (b) Development maintains a high level of residential amenity having regard to traffic, noise, dust, odour, lighting and other locally specific impacts.
  - (c) Development reflects and enhances the existing low density scale and character of the area.
  - (d) Development is reflective and responsive to the environmental constraints of the land.
  - (e) Development is supported by necessary community facilities, open space and recreational areas and appropriate infrastructure to support the needs of the local community.

**Criteria for assessment****Table 6.2.6.3.a – Low density residential zone code – assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> The height of all buildings and structures must be in keeping with the residential character of the area.	<b>AO1</b> Buildings and structures are not more than 8.5 metres and two storeys in height.  Note – Height is inclusive of the roof height.	<b>Not applicable</b> The proposal is solely for Reconfiguring a Lot (Boundary Realignment).
<b>For assessable development</b>		
<b>PO2</b> The establishment of uses is consistent with the outcomes sought for the Low density residential zone and protects the zone from the intrusion of inconsistent uses.	<b>AO2</b> Uses identified in Table 6.2.6.3.b are not established in the Low density residential zone.	<b>Not applicable</b> The proposal is solely for Reconfiguring a Lot (Boundary Realignment).
<b>PO3</b> The setback of buildings and structures: (a) maintains the amenity of adjoining lots and the residential character of the area; (b) achieves separation from neighbouring buildings and frontages.	<b>AO3</b> No acceptable outcomes are prescribed.	<b>Complies with PO3</b> The proposal seeks to address an existing encroachment. The proposal would provide for a zero metre setback from the side boundary to facilitate adequately separate from proposed neighbouring buildings.
<b>PO4</b> Development is located, designed, operated and	<b>AO4</b> No acceptable outcomes are prescribed.	<b>Complies with PO4</b> The proposal is for Reconfiguring a Lot (Boundary

Performance outcomes	Acceptable outcomes	Applicant response
<p>managed to respond to the natural characteristics, features and constraints of the site and surrounds.</p> <p>Note – Planning scheme policy – Site assessments provides guidance on identifying the characteristics and features and constraints of a site and its surrounds.</p>		<p>Realignment) to address an existing encroachment. The proposal would not impact the natural and environmental features of the site and surrounds.</p>
<p><b>PO5</b></p> <p>Development does not adversely affect the residential character and amenity of the area in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.</p>	<p><b>AO5</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Complies with PO5</b></p> <p>The proposal is for Reconfiguring a Lot (Boundary Realignment) to address an existing encroachment and would not affect the existing residential character.</p>
<p><b>PO6</b></p> <p>New lots contain a minimum area of :</p> <p>(a) 600m<sup>2</sup> (in sewerred areas);</p> <p>(b) 1000m<sup>2</sup> (in unsewered areas).</p>	<p><b>AO6</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>The proposal is solely for Reconfiguring a Lot (Boundary Realignment).</p>
<p><b>PO7</b></p> <p>New lots have a minimum road frontage of 15 metres.</p>	<p><b>AO7</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>The proposal is solely for Reconfiguring a Lot (Boundary Realignment).</p>
<p><b>PO8</b></p> <p>New lots contain a 20m x 15m rectangle.</p>	<p><b>AO10</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>The proposal is solely for Reconfiguring a Lot (Boundary Realignment).</p>



**Table 6.2.6.3.b - Inconsistent uses within the Low density residential zone**

Inconsistent uses		
<ul style="list-style-type: none"> <li>• Adult store</li> <li>• Agricultural supplies store</li> <li>• Air services</li> <li>• Animal husbandry</li> <li>• Aquaculture</li> <li>• Bar</li> <li>• Brothel</li> <li>• Bulk landscape supplies</li> <li>• Car wash</li> <li>• Club</li> <li>• Crematorium</li> <li>• Cropping</li> <li>• Detention facility</li> <li>• Emergency services</li> <li>• Extractive industry</li> <li>• Food and drink outlet</li> <li>• Function facility</li> <li>• Funeral parlour</li> <li>• Garden centre</li> <li>• Hardware and trade supplies</li> </ul>	<ul style="list-style-type: none"> <li>• Hospital</li> <li>• Hotel</li> <li>• Indoor sport and recreation</li> <li>• Intensive animal industry</li> <li>• Intensive horticulture</li> <li>• Landing</li> <li>• Low impact industry</li> <li>• Major electricity infrastructure</li> <li>• Major sport, recreation and entertainment facility</li> <li>• Marine industry</li> <li>• Medium impact industry</li> <li>• Motor sport facility</li> <li>• Nature based tourism</li> <li>• Nightclub entertainment facility</li> <li>• Non-resident workforce accommodation</li> <li>• Office</li> <li>• Outdoor sales</li> <li>• Outstation</li> <li>• Parking station</li> </ul>	<ul style="list-style-type: none"> <li>• Permanent plantation</li> <li>• Port services</li> <li>• Renewable energy facility</li> <li>• Research and technology industry</li> <li>• Resort complex</li> <li>• Roadside stall</li> <li>• Rooming accommodation</li> <li>• Rural industry</li> <li>• Rural workers accommodation</li> <li>• Service industry</li> <li>• Shop</li> <li>• Shopping Centre</li> <li>• Showroom</li> <li>• Special industry</li> <li>• Theatre</li> <li>• Transport depot</li> <li>• Veterinary services</li> <li>• Warehouse</li> <li>• Wholesale nursery</li> <li>• Winery</li> </ul>

• High impact industry		
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Note – This table does not imply that all other uses not listed in the table are automatically consistent uses within the zone. Assessable development must still demonstrate consistency through the assessment process.

## 7.2.4 Port Douglas/Craigie local plan code

### 7.2.4.1 Application

- (1) This code applies to assessing development within the Port Douglas/Craigie local plan area as identified on the Port Douglas/Craigie local plan maps contained in Schedule 2.
- (2) When using this code, reference should be made to Part 5.

### 7.2.4.2 Context and setting

Editor's note - This section is extrinsic material under section 15 of the *Statutory Instruments Act 1992* and is intended to assist in the interpretation of the Port Douglas/Craigie local plan code.

The Port Douglas/Craigie local plan encompasses the traditional Port Douglas town centre and surrounding tourist and residential areas, including Four Mile Beach and Craigie.

Port Douglas was officially named in 1877. It was initially settled as the port of entry and supply for the Hodgkinson goldfield on the Hann Tableland which was proclaimed in 1876. It was the dominant port in Far North Queensland until a decision was made to establish Cairns as the terminus for a new railway in 1884. This ended the town's dominance, and it gradually became a small centre for local residents and fishing activities. During the 1970s and 1980s, a renewed interest in Far North Queensland as a holiday destination led to a boom in large scale tourism and residential development with Port Douglas re-emerging as a premium destination.

The Captain Cook Highway runs north-south to the west of Port Douglas through Craigie (Four Mile). Craigie caters for the permanent resident population associated with Port Douglas, as well as providing for service industries to support business in the town. The majority of urban development is confined to the eastern side of the highway. The main entrance to Port Douglas at the intersection of Port Douglas Road is accentuated by mature oil palms lining both sides of the street for almost the entire length of the corridor into the heart of Port Douglas.

Flagstaff Hill is a prominent headland on the northern side of the Port Douglas town centre providing a green tropical backdrop to the town. Island Point Road runs to the top of Flagstaff Hill and provides access to the iconic lookout overlooking the sweep of Four Mile Beach.

Macrossan Street is the main shopping area in Port Douglas running in a general east-west direction at the base of Flagstaff Hill connecting Four Mile Beach to Dickson Inlet. Tourist and commercial development is concentrated towards the western side of Macrossan Street, with marine orientated activity focussed around the inlet. The western side of the inlet provides unspoiled views across mangroves to the distinctive formations and features of the coastal range.

The street pattern in the town centre is based on the original grid pattern survey of 1878. While the town has lost many of its original buildings to cyclones and redevelopment, a number of important built features remain including the Central Hotel, the Court House Hotel, a number of relocated buildings such as St Mary's Church, the former Clink Theatre and the Court House Museum and scattered memorials such as the Carstens memorial in Macrossan Street and the Port Douglas War memorial in Wharf Street. The Sugar Wharf on Dickson Inlet was the original terminus of the tramline to Mossman. The tramline now terminates adjacent to the Port Douglas marina and operates as the Balley Hooley passenger service on four kilometres of track between the Port Douglas Marina and St Crispins Station.

A particular characteristic of the local plan area is its high quality, lush landscaping complementing the tropical resort town atmosphere. This theme will be carried throughout the local plan area with gateways, nodes and corridor planting emphasising the role of the town as a tropical tourist destination.

#### 7.2.4.3 Purpose

- (1) The purpose of the Port Douglas/Craigie local plan code is to facilitate development outcomes consistent with community values, the local tropical built-form and protection of the natural environment within the Port Douglas/Craigie local plan area, while providing a platform for investment and prosperity.
  - (a) In addition, the purpose of the code is supported by the Port Douglas Waterfront Master Plan which provides a clear strategic direction for the incremental transformation of the Port Douglas Waterfront, including the following objectives:
    - (b) To set out a vision for revitalisation of the waterfront;
    - (c) To protect and enhance the environmental attributes; and
- (2) To provide a flexible framework, expressed through several key strategies that will assist the Council and community in managing change.
- (3) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Port Douglas will continue to develop as the premium destination for international and domestic tourists in the Far North Queensland Region, while also acting for permanent residents attracted to the associated lifestyle.
  - (b) Major tourist, retail, dining and entertainment facilities will consolidate in the Town Centre and the Waterfront North sub-precincts, with improved pedestrian connections between the town centre and the waterfront.
  - (c) Craigie will develop as an integrated residential community with some low scale tourism development opportunities in appropriate locations. Craigie will also function as small scale commercial and light industry node, providing employment opportunities for the Shire's permanent resident population.
  - (d) All forms of development will complement the tropical image of the town through distinctive tropical vernacular, urban design and landscaping.
  - (e) Character will be enhanced through the identification of gateway sites, landmarks, main approach routes and pedestrian thoroughfares and view corridors;
  - (f) The Flagstaff Hill, Dickson Inlet, Four Mile Beach and other areas of scenic and environmental significance will be protected from development. Vegetation cover will dominate over built form.
  - (g) Vegetation, iconic to the character of Port Douglas, including the avenues of Oil Palms, is retained and where appropriate supplemented.
  - (h) Development will be indistinguishable from view from Four Mile Beach. In addition, any development on Flagstaff Hill will be indistinguishable when viewed from vantage points in Port Douglas.
  - (i) Residential areas are designed as pleasant, functional and distinctive, in visually well-defined areas.
- (4) The purpose of the code will be further achieved through the following overall outcomes:
  - (a) Precinct 1 – Port Douglas precinct
    - (i) Sub-precinct 1a – Town Centre sub-precinct

- (ii) Sub-precinct 1b – Waterfront North sub-precinct
- (iii) Sub-precinct 1c – Waterfront South sub-precinct
- (iv) Sub-precinct 1d – Limited Development sub-precinct
- (v) Sub-precinct 1e – Community and recreation sub-precinct
- (vi) Sub-precinct 1f – Flagstaff Hill sub-precinct
- (b) Precinct 2 – Integrated Resort precinct
- (c) Precinct 3 – Craiglie Commercial and Light Industry precinct
- (d) Precinct 4 – Old Port Road / Mitre Street precinct
- (e) Precinct 5 – Very Low Density Residential/ Low Scale Recreation/Low Scale Educational/Low Scale Entertainment Uses precinct

**Precinct 1 – Port Douglas precinct**

- (5) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
  - (a) development will contribute to the incremental transformation of the township, preserving and enhancing maritime activities and environmental areas, delivering tropical open spaces and a high quality public realm, and allowing for tourism opportunities and investment.
  - (b) development contributes to the enhancement of the Port Douglas precinct through the following development outcomes:
    - (i) access and connectivity throughout the township is enhanced through a series of improvements to circulation and mobility, including:
      - (A) access to, and connectivity along, the waterfront and foreshore areas is maintained and, where appropriate, enhanced;
      - (B) reducing reliance on the waterfront as a car parking resource.
    - (ii) the use of land in the Port Douglas precinct improves the cohesive layout of the township through:
      - (A) the establishment of distinct sub-precincts that reinforce the character and built form of the Port Douglas local plan area including:
        - Port Douglas centre sub-precinct 1a – Town Centre sub-precinct;
        - Port Douglas centre sub-precinct 1b – Waterfront North sub-precinct;
        - Port Douglas centre sub-precinct 1c – Waterfront South sub-precinct;
        - Port Douglas centre sub-precinct 1d – Limited development sub-precinct;
        - Port Douglas centre sub-precinct 1e – Community and recreation precinct;
        - Port Douglas centre sub-precinct 1f – Flagstaff Hill sub-precinct;

- (B) facilitating marina facilities and supporting marine industry uses as a key part of the local economy;
- (C) reducing conflict between industry, community and commercial activities in the waterfront, without diminishing the marine industry capacity in the Port Douglas precinct;
- (i) environment and sustainability is integrated into the township through:
  - (A) preservation and enhancement of the qualities and characteristics of environmental areas of the township;
  - (B) water sensitive urban design is considered as a means of water quality improvement and management of overland flow to ensure hard infrastructure solutions in Warner Street can be mitigated;
  - (C) design of buildings and access way improvements prioritises walking and cycling modes of transport.
- (ii) the tropical character of the Port Douglas precinct is enhanced by ensuring development:
  - (A) maintains and enhances the built form, local character, streetscapes and natural elements of the township;
  - (B) is compatible with the desired character and amenity of local places and neighbourhoods;
  - (C) does not exceed the height of buildings designations which contribute to the desired form of the township which contains three storey development heights in sub-precinct 1a – Town Centre sub-precinct and part of sub-precinct 1b – Waterfront North sub-precinct;
  - (D) implements high quality landscaped environments around buildings and on streets;
  - (E) protects the recognisable character and locally significance sites throughout the precinct.
- (iii) public spaces and the streetscape are enhanced through:
  - (A) an increase in the quantity and quality of public land and places throughout the precinct;
  - (B) consolidating community recreation and sporting uses to create a precinct of community focussed activity between Mudlo Street and Wharf Street;
  - (C) improved connections between the town centre and the waterfront marina, including an investigation of a plaza on the waterfront;
  - (D) improved streetscapes with high quality landscaping, surface treatments and shaded pedestrian environments;
  - (E) the creation of a sense of place through aesthetic streetscapes and built-form character;
  - (F) managing vegetation to ensure succession of planting and the ongoing presence of significant trees.
- (iv) advertising signage is small scale, low-key and complements the tropical character of the town.

**Sub-precinct 1a – Town Centre sub-precinct**

- (6) In addition to other overall development outcomes, development in the Town Centre sub-precinct facilitates the following development outcomes:



- (a) tourist, retail, dining and entertainment activities are facilitated at an appropriate pedestrian scale;
- (b) drive-through developments, bulky goods showrooms, outdoor sales, saleyards and other big-box retailing or entertainment facilities are not established;
- (c) development contributes to a high quality public realm;
- (d) parking (and associated infrastructure) does not undermine the relationship between buildings and street or pedestrian circulation patterns;
- (e) consolidation of community and cultural land use activities along Mowbray Street between Wharf Street and Mudlo Street;
- (f) active street frontages are established along Macrossan and Wharf Streets and other nearby streets as shown on the Port Douglas Centre Active Frontages and Pedestrian and Cycle Network Plan;
- (g) Live entertainment activities are concentrated within the Live Entertainment Precinct and are subject to the recommendations of a suitably qualified acoustic engineer.

**Sub- precinct 1b - Waterfront North sub-precinct**

- (7) In addition to other overall development outcomes, development in the Waterfront North sub-precinct facilitates the following development outcomes:
  - (a) the precinct evolves as a revitalised open space and waterside development precinct;
  - (b) development within the precinct is designed to be sympathetic to the environmentally sensitive Dickson Inlet and mitigates any adverse impacts;
  - (c) the establishment of mixed-use development is facilitated to promote activity and vitality;
  - (d) public pedestrian access is maximised along the extent of the edge of the waterfront, consisting of a boardwalk or similar structure available for 24-hour use;
  - (e) development contributes to a high quality public realm;
  - (f) built form provides an attractive point of arrival from both land and sea;
  - (g) pedestrian connectivity is safe, efficient and provides for the needs of all users of the Port Douglas waterfront;
  - (h) parking (and associated infrastructure) does not undermine the relationship between buildings and street or pedestrian circulation patterns;
  - (i) the importance of existing marine-based industries to the area is recognised, not diminished and protected from incompatible uses. Relocation of marine based industries to an alternative precinct does not occur until such time that agreement has been reached among all relevant stakeholders such that 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;
  - (j) marine infrastructure is established to service the tourism, fishing and private boating community;
  - (k) Live entertainment activities are concentrated within the Live Entertainment Precinct and are subject to the recommendations of a suitably qualified acoustic engineer;

- (l) the functionality of the Balley Hooley tourist rail is retained.

**Sub-precinct 1c – Waterfront South sub-precinct**

- (8) In addition to all other overall development outcomes, development in the Waterfront South sub-precinct facilitates the following development outcomes:
  - (a) any use of land in the precinct does not affect the environmental, habitat, conservation or scenic values of Dickson Inlet and surrounding land;
  - (b) marine-based industries are established on appropriate land having regard to site suitability, accessibility, surrounding land uses, and location of utilities and services;
  - (c) marine-based industry achieves appropriate environmental standards;
  - (d) industrial buildings have a high standard of layout and building design;
  - (e) landscaping provides an attractive streetscape and screens utility, storage and car parking from the street and other public areas;
  - (f) the precinct is protected from encroachment of incompatible land use activities.

**Sub-precinct 1d – Limited Development sub-precinct**

- (9) In addition to all other overall development outcomes, development in the Limited Development sub-precinct facilitates the following development outcomes:
  - (a) any use of land in the precinct does not affect the environmental, habitat, conservation or scenic values of Dickson Inlet and surrounding land;
  - (b) the open nature and character of the precinct is retained maintaining view lines across the inlet;
  - (c) community and recreation land use activities are established that promote public access to the foreshore.

**Sub-precinct 1e – Community and recreation sub-precinct**

- (10) In addition to all other overall development outcomes, development in the Community and recreation sub-precinct facilitates the following development outcomes:
  - (a) development for community uses, including sport and recreation is facilitated.
  - (b) sport and recreation activities predominantly involve outdoor activities;
  - (c) areas of natural vegetation are protected from further development;
  - (d) shade trees are increased, in appropriate locations, surrounding the sports fields.

**Sub-precinct 1f – Flagstaff Hill sub-precinct**

- (11) In addition to all other overall development outcomes, development in the Flagstaff Hill sub-precinct facilitates the following development outcomes:
  - (a) development is not established where it results in detriment to the vegetated and scenic qualities of Flagstaff Hill;

- (b) development minimises excavation and filling;
- (c) buildings and other works are unobtrusive when viewed from vantage points in Port Douglas and are designed and constructed of colours and materials which complement the hill's vegetated state;
- (d) views from public viewing points within the precinct are protected.

### **Precinct 2 – Integrated Resort precinct**

- (12) In addition to the overall outcomes, development in the Integrated Resort precinct facilitates development in accordance with the *Integrated Development Resort Act, 1987*.

Editor's note – The development of land within this precinct is subject to the Integrated Development Resort Act 1987 (IDRA). Where a conflict exists between this planning scheme and the IDRA, the IDRA prevails.

### **Precinct 3 – Craigie Commercial and Light Industry precinct**

- (13) In addition to the overall outcomes, development in the Craigie Commercial and Light Industry precinct facilitates the following overall outcomes:
- (a) development supports the tourism and marine industries in Port Douglas, along with the small-scale commercial and light industry land uses that support the local economy that would otherwise be better suited to a location outside the Port Douglas Centre Precinct unless they pose a safety issue;
  - (b) development adjacent to the Captain Cook Highway presents an attractive appearance to the highway. The rain-trees, melaleucas and eucalypt trees along the Captain Cook Highway are retained where possible, taking into account the Department of Transport and main Road's requirements;
  - (c) retailing activities are generally restricted to those which are ancillary and necessarily associated with the primary service and light industry nature of the area;
  - (d) adjacent residential areas are protected from industry nuisances;
  - (e) lots fronting Downing Street, between Dickson Street and Beor Street, are provided with an appropriate standard of road access and infrastructure, prior to development occurring.

### **Precinct 4 – Old Port Road / Mitre Street precinct**

- (14) In addition to the overall outcomes, development in the Old Port Road / Mitre Street precinct facilitates the following overall outcomes:
- (a) the precinct is intended to be used for outdoor recreational land use activity, primarily as a golf course;
  - (b) areas of significant vegetation are protected from development and retained;
  - (c) other forms of development will only be considered if substantial areas of open space are retained adjacent to existing residential areas to maintain the existing residential amenity of open views across open space.

### Precinct 5 – Very Low Density Residential/Low Scale Recreation/Low Scale Educational/Low Scale Entertainment Uses precinct

(15) In addition to the overall outcomes, development in the Very Low Residential Density/Low Scale Recreation/Low Scale Educational/Low Scale Entertainment Uses precinct facilitates the following overall outcomes:

- (a) residential accommodation does not exceed a maximum of 8.5 metres in building height;
- (b) minimum lot sizes exceed 2 hectares;
- (c) very low scale and intensity recreation/ very low scale and intensity educational/ and very low scale entertainment uses may be appropriate in areas of the precinct subject to erosion and other flooding constraints.

Note - Undeveloped lots in this precinct are located on very low-lying land. Council may consider a consolidation of existing land titles via lot reconfiguration to lot sizes less than 2 hectares, where the reconfigured lots are consolidated onto the highest terrain, to avoid a pattern of development consisting of dwelling houses located on isolated islands of raised building pads.

#### 7.2.4.4 Criteria for assessment

**Table 7.2.4.4.a — Port Douglas / Craiglie local plan - assessable development**

Performance outcomes	Acceptable outcomes	Compliance
<b>For self assessable and assessable development</b>		
<b>Development in the Port Douglas / Craiglie local plan area generally</b>		
<b>PO1</b> Pedestrians, cyclists, motorists and public transport users can easily move into and through the precinct along planned connectivity routes, identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.	<b>AO1</b> A pedestrian and cycle movement network is integrated and delivered through development.	<b>Not applicable</b> The proposal is for Reconfiguring a Lot (Boundary Realignment) only.
<b>PO2</b> Development retains and enhances key landscape elements including character trees and areas of significant vegetation contributing to the character and quality of the local plan area and	<b>AO2.1</b> Development provides for the retention and enhancement of existing mature trees and character vegetation that contribute to the lush tropical character of the town, including:	<b>Complies with AO2.1</b> The proposal is for a boundary realignment to address an existing encroachment. No vegetation would be impacted by the proposal.

Performance outcomes	Acceptable outcomes	Compliance
significant views and vistas and other landmarks important to the context of Port Douglas / Craiglie (as identified on the Port Douglas/ Craiglie Townscape Plan map contained in Schedule 2).	(a) the tree covered backdrop of Flagstaff Hill; (b) natural vegetation along watercourses, in particular the Mowbray River, Beor Creek and Dickson Inlet; (c) the tidal vegetation along the foreshore; (d) beachfront vegetation along Four Mile Beach, including the fringe of Coconut Palms; (e) the oil palm avenues along the major roads; (f) the lush landscaping within major roundabouts at key nodes; (g) Macrossan Street and Warner Street; (h) Port Douglas waterfront.	
	<b>AO2.2</b> Development protects and does not intrude into important views and vistas as identified on the Port Douglas Townscape Plan map contained in Schedule 2, in particular: (a) Flagstaff Hill; (b) Four Mile Beach; (c) Across to the ranges over Dickson Inlet; (d) Mowbray Valley.	<b>Not applicable</b> The proposal is for Reconfiguring a Lot (boundary realignment) only to address an existing encroachment.
	<b>AO2.3</b> Important landmarks, memorials and monuments are retained.	<b>Not applicable</b> The proposal is for Reconfiguring a Lot (boundary realignment) only to address an existing encroachment.

Performance outcomes	Acceptable outcomes	Compliance
<b>PO3</b> Development contributes to the protection, reinforcement and where necessary enhancement of gateways and key intersections identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.	<b>AO3</b> Development adjacent to the gateways and nodes as identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 incorporates architectural features and landscaping treatments and design elements that enhance the sense of arrival and way finding within the town.	<b>Not applicable</b> The subject site is not a gateway or node.
<b>PO4</b> Landscaping of development sites complements the existing tropical character of Port Douglas and Craiglie.	<b>AO4</b> Landscaping incorporates the requirements of Planning scheme policy SC6.7 – Landscaping, in particular landscaping should be capable of achieving a 60% screening of development within 5 years and predominantly consists of endemic vegetation.	<b>Not applicable</b> The proposal is for Reconfiguring a Lot (boundary realignment) only to address an existing encroachment.
<b>PO5</b> Development does not compromise the safety and efficiency of the State-controlled road network.	<b>AO5</b> Direct access is not provided to a State-controlled road where legal and practical access from another road is available.	<b>Not applicable</b> The subject site does not adjoin a State-controlled road.
<b>For assessable development</b>		
<b>Additional requirements in Precinct 1 – Port Douglas precinct</b>		
<b>PO6</b> The views and vistas identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 are maintained.	<b>AO6.1</b> Development does not impede continued views to scenic vistas and key streetscapes within the local plan area.	<b>Not applicable</b> The subject site is not located within Precinct 1 – Port Douglas precinct.



Performance outcomes	Acceptable outcomes	Compliance
	<b>AO6.2</b> Unless otherwise specified within this Local Plan, buildings are set back not less than 6 metres from the primary street frontage.	<b>Not applicable</b> The subject site is not located within Precinct 1 – Port Douglas precinct.
<b>P07</b> Vehicle access, parking and service areas: (a) do not undermine the relationship between buildings and street or dominate the streetscape; (b) are designed to minimise pedestrian vehicle conflict; (c) are clearly identified and maintain ease of access at all times.	<b>AO7.1</b> For all buildings, parking is: (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.	<b>Not applicable</b> The subject site is not located within Precinct 1 – Port Douglas precinct.
	<b>AO7.2</b> Ground level parking incorporates clearly defined pedestrian routes.	<b>Not applicable</b> The subject site is not located within Precinct 1 – Port Douglas precinct.
	<b>AO7.3</b> Any porte-cocheres, disabled and pedestrian accesses are accommodated within the boundary of new or refurbished development.	<b>Not applicable</b> The subject site is not located within Precinct 1 – Port Douglas precinct.
	<b>AO7.4</b> Where the development is an integrated mixed-use development incorporating short term accommodation or multiple dwellings and either	<b>Not applicable</b> The subject site is not located within Precinct 1 – Port Douglas precinct.

Performance outcomes	Acceptable outcomes	Compliance
	food and drink outlet or hotel or shop or shopping centre or office, on-site parking spaces are provided as per the number prescribed in the Parking and access code with a relaxation of 30% of spaces required for the non-residential uses.	
	<b>A07.5</b> On-site car parking available for public use is clearly signed at the site frontage.	<b>Not applicable</b> The subject site is not located within Precinct 1 – Port Douglas precinct.
	<b>A07.6</b> Boom gates, pay machines or other regulatory devices to control access to a publicly available car parking area are not constructed or installed.	<b>Not applicable</b> The subject site is not located within Precinct 1 – Port Douglas precinct.
<b>P08</b> Precinct 1 – Port Douglas precinct is not characterised by a proliferation of advertising signs.	<b>A08</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within Precinct 1 – Port Douglas precinct.
<b>Additional requirements for Sub-precinct 1a – Town Centre sub-precinct</b>		
<b>P09</b> Building heights: (a) do not overwhelm or dominate the town centre; (b) respect the desired streetscape; (c) ensure a high quality appearance when viewed from both within the town centre sub-	<b>A09</b> Buildings and structures are not more than 3 storeys and 13.5 metres in height, with a roof height of not less than 3 metres.  Note – Height is inclusive of the roof height.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1a – Town Centre sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
<p>precinct and external to the town centre sub-precinct;</p> <p>(d) remain subservient to the natural environment and the backdrop of Flagstaff Hill.</p> <p>(e) do not exceed 3 storeys.</p>		
<p><b>PO10</b></p> <p>Building design, the streetscape, pedestrian paths and street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port Douglas Precinct.</p>	<p><b>AO10</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>The subject site is not located within Sub-precinct 1a – Town Centre sub-precinct.</p>
<p><b>PO11</b></p> <p>Buildings:</p> <p>(a) address street frontages;</p> <p>(b) ensure main entrances front the street or public spaces;</p> <p>(c) do not focus principally on internal spaces or parking areas.</p>	<p><b>AO11</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>The subject site is not located within Sub-precinct 1a – Town Centre sub-precinct.</p>
<p><b>PO12</b></p> <p>Setbacks at ground level provide for:</p> <p>(a) connection between pedestrian paths and public places;</p> <p>(b) areas for convenient movement of pedestrians;</p> <p>(c) changes in gradient of the street.</p>	<p><b>AO12</b></p> <p>Setbacks at ground level:</p> <p>(a) are clear of columns and other obstructions;</p> <p>(b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites;</p> <p>(c) connect without any lip or step to adjoining footpaths.</p>	<p><b>Not applicable</b></p> <p>The subject site is not located within Sub-precinct 1a – Town Centre sub-precinct.</p>

Performance outcomes	Acceptable outcomes	Compliance
<b>AO13</b> Buildings do not result in a reduction of views and vistas from public places to: (a) Flagstaff Hill; (b) Dickson Inlet; (c) public open space; (d) places of significance.	<b>AO13</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1a – Town Centre sub-precinct.
<b>PO14</b> Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at street level including shade protection across the footpath for the length of the building.	<b>AO14</b> Development is built up to the street frontage/s at the street level and incorporates a light frame awning, a minimum of 3 metres in width 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 3 metres and the required awning is still maintained along the length of the street frontage/s. Note – PO24 provides more detail on awning design.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1a – Town Centre sub-precinct.
<b>PO15</b> Development is predominantly commercial in nature with any tourist accommodation having a secondary focus and not located on the street-level frontage where active frontages are encouraged as identified the Port Douglas local plan maps contained in Schedule 2.	<b>AO15.1</b> Centre activities establish: at street level on active street frontages; a maximum of one level above street level.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1a – Town Centre sub-precinct.
	<b>AO15.2</b> Any residential development activities or short	<b>Not applicable</b> The subject site is not located within Sub-precinct

Performance outcomes	Acceptable outcomes	Compliance
	term accommodation is located above street level of the active frontage, but not on or up to the street frontage in any development, including mixed use development.	1a – Town Centre sub-precinct.
<b>PO16</b> Detailed building design: <ul style="list-style-type: none"> <li>(a) enhances the visual amenity of the streetscape;</li> <li>(b) has a legible and attractive built form that is visually enhanced by architectural elements;</li> <li>(c) contributes to a distinctive tropical north Queensland, seaside tourist town character;</li> <li>(d) integrates major landscaping elements to maximise their aesthetic value to ensure that the lush, vegetated character of the Town Centre sub-precinct is maintained.</li> </ul>	<b>AO16</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1a – Town Centre sub-precinct.
<b>PO17</b> Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through: <ul style="list-style-type: none"> <li>(a) surface decoration;</li> <li>(b) wall recesses and projections;</li> <li>(c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements.</li> <li>(d) differentiating between the lower, middle and upper parts of the building by varying the</li> </ul>	<b>AO17</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1a – Town Centre sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
façade and/or the shape of the built form, where comprised of more than two storeys.		
<b>P018</b> Roofs are not characterised by a cluttered display of plant and equipment, in particular: <ul style="list-style-type: none"> <li>(a) building caps and rooftops contribute to the architectural distinction of the building and create a coherent roofscape for the Town Centre sub-precinct;</li> <li>(b) service structures, lift motor rooms and mechanical plant and equipment are designed as an architectural feature of the building or are screened from public view;</li> <li>(c) rooftops are not used for advertising.</li> </ul>	<b>AO18</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1a – Town Centre sub-precinct.
<b>P019</b> Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to: <ul style="list-style-type: none"> <li>(a) shade windows;</li> <li>(b) reduce glare;</li> <li>(c) assist in maintaining comfortable indoor temperatures;</li> <li>(d) minimising heat loads;</li> <li>(e) enrich the North Queensland tropical character of the Town Centre sub-precinct;</li> <li>(f) provide architectural interest to building</li> </ul>	<b>AO19</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1a – Town Centre sub-precinct.



Performance outcomes	Acceptable outcomes	Compliance
façades.		
<b>PO20</b> Buildings are finished with high quality materials, selected for: <ul style="list-style-type: none"> <li>(a) their ability to contribute the character of Town Centre sub-precinct;</li> <li>(b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate.</li> </ul>	<b>AO20</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1a – Town Centre sub-precinct.
<b>PO21</b> Buildings do not incorporate any type of glass or other materials that are likely to reflect the sun's rays in a manner that may create a nuisance, discomfort or a hazard.	<b>AO21</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1a – Town Centre sub-precinct.
<b>PO22</b> Façades and elevations do not include large blank walls. Openings and setbacks are used to articulate vertical building surfaces.	<b>AO22.1</b> 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.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1a – Town Centre sub-precinct.
	<b>AO22.2</b> Any break in the building façade varies the alignment by a 1 metre minimum deviation.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1a – Town Centre sub-precinct.
	<b>AO22.3</b> A minimum of three of the following building	<b>Not applicable</b> The subject site is not located within Sub-precinct

Performance outcomes	Acceptable outcomes	Compliance
	<p>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) a change in roof profile;</li> <li>(b) a change in parapet coping;</li> <li>(c) a change in awning design;</li> <li>(d) a horizontal or vertical change in the wall plane; or</li> <li>(e) a change in the exterior finishes and exterior colours of the development.</li> </ul>	1a – Town Centre sub-precinct.
<p><b>PO23</b></p> <p>Building facades that face public spaces at ground level:</p> <ul style="list-style-type: none"> <li>(a) complement the appearance of the development and surrounding streetscape;</li> <li>(b) enhance the visual amenity of the public place;</li> <li>(c) include a variety of human scale architectural elements and details;</li> <li>(d) provide an opportunity for the casual and convenient surveillance of public space from within the development.</li> </ul>	<p><b>AO23</b></p> <p>Building facades at the ground floor of development that face public space are designed to ensure:</p> <ul style="list-style-type: none"> <li>(a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit the casual surveillance of the public space from the development;</li> <li>(b) a visually prominent main entrance that faces the principal public place;</li> <li>(c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade.</li> </ul>	<p><b>Not applicable</b></p> <p>The subject site is not located within Sub-precinct 1a – Town Centre sub-precinct.</p>
<p><b>PO24</b></p> <p>Awnings for pedestrian shelter are consistent with the character setting of the Town Centre sub-precinct and:</p>	<p><b>AO24</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>The subject site is not located within Sub-precinct 1a – Town Centre sub-precinct.</p>

Performance outcomes	Acceptable outcomes	Compliance
<ul style="list-style-type: none"> <li>(a) extend and cover the footpath to provide protection from the sun and rain;</li> <li>(b) include lighting under the awning;</li> <li>(c) are continuous across the frontage of the site;</li> <li>(d) align to provide continuity with existing or future awnings on adjoining sites;</li> <li>(e) are a minimum of 3.0 metres in width and generally not more than 3.5 metres above pavement height;</li> <li>(f) do not extend past a vertical plane, 1.2 metres inside the kerb-line to enable street trees to be planted and grow;</li> <li>(g) are cantilevered from the main building with any posts within the footpath being non load-bearing.</li> </ul>		
<b>PO25</b> Development integrates with the streetscape and landscaping improvements for Port Douglas.	<b>AO25</b> Development fronting Davidson Street, Macrossan Street, Wharf Street, Mowbray Street and Warner Street is designed to integrate with the on-street landscaping and design improvements as outlined within the Port Douglas landscape master plan contained within Planning scheme policy SC6.7 – Landscaping.  Note - Planning scheme policy SC6.7 - Landscaping provides guidance on meeting the Performance Outcome.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1a – Town Centre sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
<b>Additional requirements for Sub-precinct 1b – Waterfront North sub-precinct</b>		
<b>PO26</b> The establishment of uses is consistent with the outcomes sought for sub-precinct 1b – Waterfront North.	<b>AO26</b> Uses identified as inconsistent uses in Table 7.2.4.4.b – inconsistent uses in sub-precinct 1b – Waterfront North sub-precinct are not established in sub-precinct 1b - Waterfront North.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.
<b>PO27</b> The bulk and scale of buildings is consistent with surrounding development and steps down to complement the open space areas in the adjoining limited development sub-precinct.	<b>AO27</b> Buildings and structures are not more than: (a) 3 storeys and 13.5 metres in height , with a roof height of not less than 3 metres, in those parts of the precinct south of Inlet Street; (b) 2 storeys and 8.5 metres in height, with a roof height of not less than 3 metres, in those parts of the precinct north of Inlet Street. Note – Height is inclusive of roof height.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.
<b>PO28</b> Building design, streetscape, pedestrian paths and street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port Douglas Precinct.	<b>AO28</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.
<b>PO29</b> Public pedestrian access along the water's edge is maximised.	<b>AO29.1</b> Public pedestrian access is provided along the frontage of the water's edge consisting of a boardwalk of a minimum width of 4 metres that is available of 24-hour use.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.



Performance outcomes	Acceptable outcomes	Compliance
	<b>AO29.2</b> A public plaza is incorporated into the design generally reflecting the requirements of the Port Douglas Waterfront Master Plan, focussing in the vicinity of the 'Duck Pond'.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.
	<b>AO29.3</b> Built envelopes are setback a minimum of 3.0 metres from the board walk, with a shelter/shade zone between the building envelopes and the boardwalk consisting of shade structure, canopies, verandahs and the like.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.
<b>PO30</b> Buildings: (a) address street frontages; (b) ensure main entrances front the street or public spaces.	<b>AO30</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.
<b>PO31</b> Setbacks at ground level provide for: (a) connection between pedestrian paths and public places; (b) areas for convenient movement of pedestrians; (c) changes in gradient.	<b>AO31</b> Setbacks at ground level: (a) are clear of columns and other obstructions; (b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites; (c) connect without any lip or step to adjoining footpaths.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
<b>PO32</b> Buildings do not result in a reduction of views and vistas from public places to: (a) Dickson Inlet; (b) public open space; (c) places of significance.	<b>AO32</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.
<b>PO33</b> Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at ground level including shade protection across the footpath and open space areas.	<b>AO33</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.
<b>PO34</b> Development is predominantly commercial in nature with any tourist accommodation having a secondary focus and not located on the street-level frontage where active frontages are encouraged as identified the Port Douglas local plan maps contained in Schedule 2.	<b>AO34.1</b> Centre activities establish: (a) at street level on active street frontages; (b) a maximum of one level above street level.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.
	<b>AO34.2</b> Residential development activities or short term accommodation is located above street /ground floor level of the active frontage, but not on or up to the street / public frontage in any development, including mixed use development.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.
<b>PO35</b>	<b>AO35</b>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Compliance
<p>Detailed building design:</p> <ul style="list-style-type: none"> <li>(a) enhances the visual amenity of the streetscape;</li> <li>(b) has a legible and attractive built form that is visually enhanced by architectural elements;</li> <li>(c) contributes to a distinctive tropical north Queensland, seaside tourist town character;</li> <li>(d) integrates major landscaping elements to maximise their aesthetic value to ensure that the lush, vegetated character of the Waterfront North sub-precinct is maintained.</li> </ul>	No acceptable outcomes are prescribed.	The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.
<p><b>PO36</b></p> <p>Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through:</p> <ul style="list-style-type: none"> <li>(a) surface decoration;</li> <li>(b) wall recesses and projections;</li> <li>(c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements.</li> <li>(d) differentiating between the lower, middle and upper parts of the building by varying the façade and/or the shape of the built form, where comprised of more than two storeys.</li> </ul>	<p><b>AO36</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.</p>
<p><b>PO37</b></p> <p>Roofs are not characterised by a cluttered display of plant and equipment, in particular:</p>	<p><b>AO37</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.</p>

Performance outcomes	Acceptable outcomes	Compliance
(a) building caps and rooftops contribute to the architectural distinction of the building and create a coherent roofscape for the Waterfront North sub-precinct; (b) service structures, lift motor rooms and mechanical plant and equipment are designed as an architectural feature of the building or are screened from public view; (c) rooftops are not used for advertising.		
<b>PO38</b> Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to: (a) shade windows; (b) reduce glare; (c) assist in maintaining comfortable indoor temperatures; (d) minimising heat loads; (e) enriching the North Queensland tropical character of the Waterfront North sub-precinct; (f) architectural interest to building façades.	<b>AO38</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.
<b>PO39</b> Buildings are finished with high quality materials, selected for: (a) their ability to contribute the character of	<b>AO39</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
Waterfront North sub-precinct; (b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate.		
<b>PO40</b> Buildings do not incorporate any type of glass or other materials that are likely to reflect the sun's rays in a manner that may create a nuisance, discomfort or a hazard.	<b>AO40</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.
<b>PO41</b> Façades and elevations do not include large blank walls and openings and setbacks are used to articulate vertical building surfaces.	<b>AO41.1</b> 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.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.
	<b>AO41.2</b> Any break in the building façade varies the alignment by a 1 metre minimum deviation.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.
	<b>AO41.3</b> 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: (a) a change in roof profile; (b) a change in parapet coping; (c) a change in awning design;	<b>Not applicable</b> The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.



Performance outcomes	Acceptable outcomes	Compliance
	(d) a horizontal or vertical change in the wall plane; or (e) a change in the exterior finishes and exterior colours of the development.	
<b>PO42</b> Building facades that face public spaces at ground level: (a) complement the appearance of the development and surrounding streetscape; (b) enhance the visual amenity of the public place; (c) include a variety of human scale architectural elements and details; (d) provide an opportunity for the casual and convenient surveillance of public space from within the development.	<b>AO42</b> Building facades at the ground floor of development that face public space are designed to ensure: (a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit the casual surveillance of the public space from the development; (b) a visually prominent main entrance that faces the principal public place; (c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.
<b>PO43</b> Awnings for pedestrian shelter are consistent with the character setting of the Waterfront North sub-precinct and: (a) extend and cover the footpath to provide protection from the sun and rain; (b) include lighting under the awning; (c) are continuous across pedestrian circulation areas; (d) align to provide continuity with existing or	<b>AO43</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
<p>future awnings on adjoining sites;</p> <p>(e) are a minimum of 3 metres in width and generally not more than 3.5 metres above pavement height;</p> <p>(f) do not extend past a vertical plane, 1.2 metres inside the street kerb-line to enable street trees to be planted and grow;</p> <p>(g) are cantilevered from the main building with any posts within the footpath being non load-bearing.</p>		
<p><b>PO44</b></p> <p>The Balley Hooley rail line and turn-table is retained and incorporated into development and maintains its functionality.</p>	<p><b>AO44.1</b></p> <p>Bally Hooley rail line and turn-table is retained and incorporated into development to maintain its functionality.</p>	<p><b>Not applicable</b></p> <p>The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.</p>
	<p><b>AO44.2</b></p> <p>Where development provides floor area for the Bally Hooley rail station, the gross floor area of the rail line and station does not generate a requirement for additional vehicle parking.</p>	<p><b>Not applicable</b></p> <p>The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.</p>
<p><b>PO45</b></p> <p>Development recognises the importance of and relationship between the marina, commercial and residential development in the Waterfront North sub-precinct, and includes measures to mitigate the impact of:</p> <p>(a) noise;</p>	<p><b>AO45</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.</p>

Performance outcomes	Acceptable outcomes	Compliance
(b) odour; (c) hazardous materials; (d) waste and recyclable material storage.		
<b>PO46</b> Formalised public spaces and pedestrian paths/areas on freehold land are made accessible to the public.	<b>AO46</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.
<b>PO47</b> Buildings, civic spaces, roads and pedestrian links are enhanced by: (a) appropriate landscape design and planting; (b) themed planting that defines entry points, and creates strong 'entry corridors' into the waterfront; (c) lighting and well-considered discrete signage that complements building and landscape design; (d) public artwork and other similar features that reflect the heritage and character of the Port Douglas Waterfront.	<b>AO47</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.
<b>PO48</b> Buildings are designed and sited to provide vistas along shared pedestrian/open space and movement areas in suitable locations.	<b>AO48</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
<b>PO49</b> 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.	<b>AO49</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.
<b>PO50</b> Marine infrastructure to service the tourism, fishing and private boating community is provided.	<b>AO50</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.
<b>PO51</b> Changes to the Port Douglas Waterfront quay-line do not cause adverse impacts to the environmentally sensitive Dickson Inlet.	<b>AO51</b> Development that results in changes to the Port Douglas Waterfront quay-line is only established where an Ecological assessment report provides support to the changes.  Note - Planning scheme policy SC6.8 – Natural environment provides guidance on preparing an ecological assessment report.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1b – Waterfront North sub-precinct.
<b>Additional requirements for Sub-precinct 1c – Waterfront South sub-precinct</b>		
<b>PO52</b> The establishment of uses is consistent with the outcomes sought for Precinct 1c – Waterfront South.	<b>AO52</b> Uses identified as inconsistent uses Table 7.2.4.4.c – are not established in Precinct 1c – Waterfront South.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1c – Waterfront South sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
<b>PO53</b>  Development does not adversely impact on the natural environment, natural vegetation or watercourses.	<b>AO53.1</b>  An Ecological assessment report is prepared identifying the environmental qualities of the surrounding natural and built features which are to be managed.  Note - Planning scheme policy SC6.8 – Natural environment provides guidance on preparing an ecological assessment report.	<b>Not applicable</b>  The subject site is not located within Sub-precinct 1c – Waterfront South sub-precinct.
	<b>AO53.2</b>  An Environmental Management Plan is prepared to manage potential impacts of the operation of the development on surrounding natural areas.  Note - Planning scheme policy SC6.4 – Environmental management plans contains information to demonstrate compliance and guidance on preparing an Environmental Management Plan.	<b>Not applicable</b>  The subject site is not located within Sub-precinct 1c – Waterfront South sub-precinct.
<b>PO54</b>  Development of land at the end of Port Street adjacent to Dickson Inlet incorporates a slipway, or an alternative functioning facility, with capacity to service the Port Douglas marine and tourism industry.	<b>AO54</b>  A master plan for the development is provided and implemented to demonstrate the integration of the slipway, or an alternative functioning facility, with other supporting service industry activities that service the marine and tourism industry of Port Douglas.	<b>Not applicable</b>  The subject site is not located within Sub-precinct 1c – Waterfront South sub-precinct.
<b>PO55</b>  Buildings and structures are of a height and are set back from side boundaries and other sensitive	<b>AO55.1</b>  Development has a height of not more than 10 metres.	<b>Not applicable</b>  The subject site is not located within Sub-precinct 1c – Waterfront South sub-precinct.



Performance outcomes	Acceptable outcomes	Compliance
areas to ensure the scenic amenity and environmental qualities of the adjacent area are not adversely affected.	<b>AO55.2</b> Development is setback from all property boundaries not less than 3 metres.	
<b>PO56</b> The site coverage of all buildings and structures ensures development: (a) is sited in an existing cleared area or in an area approved for clearing; (b) has sufficient area for the provision of services; (c) development does not have an adverse effect on the environmental, habitat, conservation or landscape values of the on-site and surrounding sensitive areas.	<b>AO56</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1c – Waterfront South sub-precinct.
<b>PO57</b> Premises include adequate provision for service vehicles, to cater for generated demand. Loading areas for service vehicles are designed to: (a) be accommodated on-site; (b) maximise safety and efficiency of loading; (c) protect the visual and acoustic amenity of sensitive land use activities; (d) minimise adverse impacts on natural characteristics of adjacent areas.	<b>AO57.1</b> Sufficient manoeuvring area is provided on-site to allow a Medium Rigid Vehicle to enter and leave the site in a forward gear.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1c – Waterfront South sub-precinct.
	<b>AO57.2</b> Development is designed to ensure all service vehicles are contained within the site when being loaded/unloaded.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1c – Waterfront South sub-precinct.
	<b>AO57.3</b>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Compliance
	Driveways, parking and manoeuvring areas are constructed and maintained to: (a) minimise erosion from storm water runoff; (b) retain all existing vegetation.	The subject site is not located within Sub-precinct 1c – Waterfront South sub-precinct.
<b>PO58</b> Development ensures adverse impacts from service vehicles on the road network, external to the site, are minimised.	<b>AO58</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1c – Waterfront South sub-precinct.
<b>PO59</b> Entry to the site is landscaped to enhance the amenity of the area and provide a pleasant working environment.	<b>AO59</b> Areas used for loading and unloading, storage, utilities and car parking are screened from public view: (a) by a combination of landscaping and screen fencing; (b) dense planting along any road frontage is a minimum width of 3 metres.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1c – Waterfront South sub-precinct.
<b>PO60</b> Landscaping is informal in character and complementary to the existing natural environment, provides screening and enhances the visual appearance of the development.	<b>AO60</b> For any development landscaping is in accordance with the Plant species schedule in Planning scheme policy SC6.7– Landscaping.	<b>Not applicable</b> The subject site is not located within Sub-precinct 1c – Waterfront South sub-precinct.
<b>Additional requirements for Sub-precinct 1d – Limited Development sub-precinct</b>		
<b>PO61</b>	<b>AO61</b>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Compliance
The height of buildings and structures contributes to the desired form and outcomes for the sub-precinct and are limited to a single storey.	Buildings and structures are not more than one storey and 4 metres in height.  Note - Height is inclusive of the roof height.	The subject site is not located within Sub-precinct 1d – Limited Development sub-precinct.
<b>Additional requirements for Sub-precinct 1e – Community and recreation sub-precinct</b>		
<b>PO62</b>  The precinct is developed for organised sporting activities and other community uses.	<b>AO62</b>  No acceptable outcomes are prescribed.	<b>Not applicable</b>  The subject site is not located within Sub-precinct 1e – Community and recreation sub-precinct.
<b>Additional requirements for Sub-precinct 1f – Flagstaff Hill sub-precinct</b>		
<b>PO63</b>  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 Town centre.	<b>AO63</b>  No acceptable outcomes are prescribed.	<b>Not applicable</b>  The subject site is not located within Sub-precinct 1f – Flagstaff Hill sub-precinct.
<b>PO64</b>  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:  (a) building design which minimises excavation and filling;  (b) buildings being designed to step down the site and incorporate foundations and footings on piers or poles;	<b>AO64</b>  No acceptable outcomes are prescribed.	<b>Not applicable</b>  The subject site is not located within Sub-precinct 1f – Flagstaff Hill sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
<p>(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 view-shed;</p> <p>(d) protection of the views from public viewing points in the Port Douglas precinct.</p>		
<b>Additional requirements for Precinct 3 – Craiglie Commercial and Light Industry precinct</b>		
<p><b>PO65</b></p> <p>Development supports the tourism and marine industries in Port Douglas, along with the small-scale commercial and light industry land uses that support the local economy that would otherwise be better suited to a location outside the Port Douglas Town Centre Precinct.</p>	<p><b>AO65</b></p> <p>Development consists of service and light industries and associated small scale commercial activities.</p>	<p><b>Not applicable</b></p> <p>The subject site is not located within Precinct 3 – Craiglie Commercial and Light Industry precinct.</p>
<p><b>PO66</b></p> <p>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 car parking areas setback a sufficient distance from the frontage to enable landscaping to soften or screen the appearance of the development.</p>	<p><b>AO66.1</b></p> <p>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), whichever is the greater.</p>	<p><b>Not applicable</b></p> <p>The subject site is not located within Precinct 3 – Craiglie Commercial and Light Industry precinct.</p>
	<p><b>AO66.2</b></p> <p>The setback area to the Captain Cook Highway frontage is landscaped with advanced dense planting including tree species (100 litre bag stock), which will, at maturity, exceed the height of the building(s) on the site.</p>	<p><b>Not applicable</b></p> <p>The subject site is not located within Precinct 3 – Craiglie Commercial and Light Industry precinct.</p>

Performance outcomes	Acceptable outcomes	Compliance
	<b>AO66.3</b> 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	<b>Not applicable</b> The subject site is not located within Precinct 3 – Craiglie Commercial and Light Industry precinct.
	<b>AO66.4</b> Car parking areas, loading and other service areas are designed to be screened from the Captain Cook Highway and are located so as to not be visually prominent from the Captain Cook Highway.	<b>Not applicable</b> The subject site is not located within Precinct 3 – Craiglie Commercial and Light Industry precinct.
<b>Additional requirements for Precinct 6 – Very Low Residential Density / Low Scale Recreation / Low Scale Educational / Low Scale Entertainment Uses precinct</b>		
<b>PO67</b> No additional lots are created within the precinct.	<b>AO67</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within Precinct 6 – Very Low Residential Density / Low Scale Recreation / Low Scale Educational / Low Scale Entertainment Uses precinct.
<b>PO68</b> Reconfigured lots have a minimum lot size of 2 hectares, unless the lot reconfiguration transfers lots to the higher parts of the land, to avoid the need to fill existing lots to accommodate dwelling houses.	<b>AO68</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within Precinct 6 – Very Low Residential Density / Low Scale Recreation / Low Scale Educational / Low Scale Entertainment Uses precinct.



**Table 7.2.4.4.b — Inconsistent uses in sub-precinct 1b - Waterfront North sub-precinct**

Inconsistent uses		
<ul style="list-style-type: none"> <li>• Agricultural supplies store</li> <li>• Air services</li> <li>• Animal husbandry</li> <li>• Animal keeping</li> <li>• Aquaculture</li> <li>• Brothel</li> <li>• Bulk landscape supplies</li> <li>• Car wash</li> <li>• Cemetery</li> <li>• Crematorium</li> <li>• Cropping</li> <li>• Detention facility</li> <li>• Dual occupancy</li> <li>• Dwelling house</li> </ul>	<ul style="list-style-type: none"> <li>• Extractive industry</li> <li>• Funeral parlour</li> <li>• High impact industry</li> <li>• Intensive animal industry</li> <li>• Intensive horticulture</li> <li>• Major electricity infrastructure</li> <li>• Major sport, recreation and entertainment facility</li> <li>• Medium impact industry</li> <li>• Motor sport facility,</li> <li>• Outstation</li> <li>• Permanent plantation</li> </ul>	<ul style="list-style-type: none"> <li>• Relocatable home park</li> <li>• Roadside stall</li> <li>• Rural industry</li> <li>• Rural workers accommodation</li> <li>• Service station</li> <li>• Showroom</li> <li>• Special industry</li> <li>• Tourist park</li> <li>• Transport depot</li> <li>• Veterinary services</li> <li>• Warehouse</li> <li>• Wholesale nursery</li> <li>• Winery</li> </ul>

**Table 7.2.4.4.c — Inconsistent uses in sub-precinct 1c - Waterfront South sub-precinct**

Inconsistent uses		
<ul style="list-style-type: none"> <li>• Adult store</li> <li>• Agricultural supplies store</li> <li>• Air services</li> </ul>	<ul style="list-style-type: none"> <li>• Hardware and trade supplies</li> <li>• Health care services</li> <li>• Home based business</li> </ul>	<ul style="list-style-type: none"> <li>• Permanent plantation</li> <li>• Place of worship</li> <li>• Relocatable home park</li> </ul>

<ul style="list-style-type: none"> <li>• Animal husbandry</li> <li>• Animal keeping</li> <li>• Brothel</li> <li>• Bulk landscape supplies</li> <li>• Car wash</li> <li>• Cemetery</li> <li>• Child care centre</li> <li>• Community care centre</li> <li>• Community residence</li> <li>• Community use</li> <li>• Crematorium</li> <li>• Cropping</li> <li>• Detention facility</li> <li>• Dual occupancy</li> <li>• Dwelling house</li> <li>• Dwelling unit</li> <li>• Extractive industry</li> <li>• Function facility</li> <li>• Funeral parlour</li> <li>• Garden centre</li> </ul>	<ul style="list-style-type: none"> <li>• Hospital</li> <li>• Hotel</li> <li>• Indoor sport and recreation</li> <li>• Intensive animal industry</li> <li>• Intensive horticulture</li> <li>• Major electricity infrastructure</li> <li>• Major sport, recreation and entertainment facility</li> <li>• Market</li> <li>• Motor sport facility</li> <li>• Multiple dwelling</li> <li>• Nature-based tourism</li> <li>• Nightclub entertainment facility</li> <li>• Outdoor sales</li> <li>• Outdoor sport and recreation</li> <li>• Outstation</li> </ul>	<ul style="list-style-type: none"> <li>• Residential care facility</li> <li>• Resort complex</li> <li>• Retirement facility</li> <li>• Roadside stall</li> <li>• Rooming accommodation</li> <li>• Rural industry</li> <li>• Rural workers accommodation</li> <li>• Sales office</li> <li>• Shopping centre</li> <li>• Short-term accommodation</li> <li>• Showroom</li> <li>• Special industry</li> <li>• Theatre</li> <li>• Tourist attraction</li> <li>• Tourist park</li> <li>• Transport depot</li> <li>• Veterinary services</li> <li>• Warehouse</li> <li>• Wholesale nursery</li> <li>• Winery</li> </ul>
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## 8.2.2 Bushfire hazard overlay code

Note - Land shown on the bushfire hazard overlay map is designated as the bushfire prone area for the purposes of section 12 of the Building Regulations 2006. The bushfire hazard area (bushfire prone area) includes land covered by the high and medium hazard areas as well as the buffer area category on the overlay map.

### 8.2.2.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational works or building work in the Bushfire hazard overlay, if:
  - (a) self-assessable or assessable where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
  - (b) impact assessable development.
- (2) Land in the Bushfire hazard overlay is identified on the Bushfire hazard overlay map in Schedule 2 and includes the following sub-categories:
  - (a) Medium bushfire risk sub-category;
  - (b) High bushfire risk sub-category;
  - (c) Very high bushfire risk sub-category;
  - (d) Potential impact buffer sub-category.
- (3) When using this code, reference should be made to Part 5.

### 8.2.2.2 Purpose

- (1) The purpose of the Bushfire overlay code is to:
  - (a) implement the policy direction in the Strategic Framework, in particular:
    - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
    - (ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.
  - (b) enable an assessment of whether development is suitable on land within the Bushfire risk overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) development avoids the establishment or intensification of vulnerable activities within or near areas that are subject to bushfire hazard;
  - (b) development is designed and located to minimise risks to people and property from bushfires;
  - (c) bushfire risk mitigation treatments are accommodated in a manner that avoids or minimises impacts on the natural environment and ecological processes;

- (d) development involving the manufacture or storage of hazardous materials does not increase the risk to public safety or the environment in a bushfire event;
- (e) development contributes to effective and efficient disaster management response and recovery capabilities.

Note - A site based assessment may ground-truth the extent of hazardous vegetation and extent and nature of the bushfire hazard area (bushfire prone area). Such assessments should be undertaken using the methodology set out in Planning scheme policy SC6.9 - Natural Hazards.

### Criteria for assessment

**Table 8.2.2.3.a – Bushfire hazard overlay code –assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>Compatible development</b>		
<b>PO1</b> A vulnerable use is not established or materially intensified within a bushfire hazard area (bushfire prone area) unless there is an overriding need or other exceptional circumstances.  Note - See the end of this code for examples of vulnerable uses.	<b>AO1</b> Vulnerable uses are not established or expanded.  Note – Where, following site inspection and consultation with Council, it is clear that the mapping is in error in identifying a premises as being subject to a medium, high, very high bushfire hazard or potential impact buffer sub-category, Council may supply a letter exempting the need for a Bushfire Management Plan.  Note – Where the assessment manager has not previously approved a Bushfire Management Plan (either by condition of a previous development approval), the development proponent will be expected to prepare such a plan.  Note – Planning scheme policy SC6.9 - Natural hazards, provides a guide to the preparation of a Bushfire Management Plan.	<b>Not applicable</b>  The proposal is for Reconfiguring a Lot (boundary realignment) to address an existing boundary encroachment. No additional uses would be established.
<b>PO2</b>	<b>AO2</b>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
Emergency services and uses providing community support services are able to function effectively during and immediately after a bushfire hazard event.	Emergency Services and uses providing community support services are not located in a bushfire hazard sub-category and have direct access to low hazard evacuation routes.	The proposal is for Reconfiguring a Lot (boundary realignment) only.
<b>PO3</b> Development involving hazardous materials manufactured or stored in bulk is not located in bushfire hazard sub-category.	<b>AO3</b> The manufacture or storage of hazardous material in bulk does not occur within bushfire hazard sub-category.	<b>Not applicable</b> The proposal is for Reconfiguring a Lot (boundary realignment) only.
<b>Development design and separation from bushfire hazard – reconfiguration of lots</b>		
<b>PO4.1</b> Where reconfiguration is undertaken in an urban area or is for urban purposes or smaller scale rural residential purposes, a separation distance from hazardous vegetation is provided to achieve a radiant heat flux level of 29kW/m <sup>2</sup> at the edge of the proposed lot(s).  Note - "Urban purposes" and "urban area" are defined in the <i>Sustainable Planning Regulations 2009</i> . Reconfiguration will be taken to be for rural residential purposes where proposed lots are between 2000m <sup>2</sup> and 2ha in area. "Smaller scale" rural residential purposes will be taken to be where the average proposed lot size is 6000m <sup>2</sup> or less.  Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.  dimensions is provided on each lot which achieves radiant heat flux level of 29kW/m <sup>2</sup> at any point.	<b>AO4.1</b> No new lots are created within a bushfire hazard sub-category. or <b>AO4.2</b> Lots are separated from hazardous vegetation by a distance that:  (a) achieves radiant heat flux level of 29kW/m <sup>2</sup> at all boundaries; and  (b) is contained wholly within the development site.  Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation.	<b>Complies with AO4.1</b> The proposal is for Reconfiguring a Lot (boundary realignment) only. No new lots would be created.



Performance outcomes	Acceptable outcomes	Applicant response
<b>PO4.2</b> Where reconfiguration is undertaken for other purposes, a building envelope of reasonable	For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages.  Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.	
<b>PO5</b> Where reconfiguration is undertaken in an urban area or is for urban purposes, a constructed perimeter road with reticulated water supply is established between the lots and the hazardous vegetation and is readily accessible at all times for urban fire fighting vehicles.  The access is available for both fire fighting and maintenance/defensive works.	<b>AO5.1</b> Lot boundaries are separated from hazardous vegetation by a public road which: <ul style="list-style-type: none"> <li>(a) has a two lane sealed carriageway;</li> <li>(b) contains a reticulated water supply;</li> <li>(c) is connected to other public roads at both ends and at intervals of no more than 500m;</li> <li>(d) accommodates geometry and turning radii in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</li> <li>(e) has a minimum of 4.8m vertical clearance above the road;</li> <li>(f) is designed to ensure hydrants and water access points are not located within parking bay allocations; and</li> <li>(g) incorporates roll-over kerbing.</li> </ul>	<b>Not applicable</b>  The proposal is for Reconfiguring a Lot (boundary realignment) to address an existing boundary encroachment. The proposal would not reduce separation distances from hazardous vegetation.
	<b>AO5.2</b>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>Fire hydrants are designed and installed in accordance with AS2419.1 2005, unless otherwise specified by the relevant water entity.</p> <p>Note - Applicants should have regard to the relevant standards set out in the reconfiguration of a lot code and works codes in this planning scheme.</p>	The proposal is for Reconfiguring a Lot (boundary realignment) to address an existing boundary encroachment.
<p><b>PO6</b></p> <p>Where reconfiguration is undertaken for smaller scale rural residential purposes, either a constructed perimeter road or a formed, all weather fire trail is established between the lots and the hazardous vegetation and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>The access is available for both fire fighting and maintenance/hazard reduction works.</p>	<p><b>AO6</b></p> <p>Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> <li>(a) a reserve or easement width of at least 20m;</li> <li>(b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation;</li> <li>(c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path;</li> <li>(d) a minimum of 4.8m vertical clearance;</li> <li>(e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</li> <li>(f) a maximum gradient of 12.5%;</li> <li>(g) a cross fall of no greater than 10 degrees;</li> </ul>	<p><b>Not applicable</b></p> <p>The proposed development is for a boundary realignment only.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<ul style="list-style-type: none"> <li>(h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;</li> <li>(i) vehicular access at each end which is connected to the public road network at intervals of no more than 500m;</li> <li>(j) designated fire trail signage;</li> <li>(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and</li> <li>(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.</li> </ul>	
<p><b>PO7</b></p> <p>Where reconfiguration is undertaken for other purposes, a formed, all weather fire trail is provided between the hazardous vegetation and either the lot boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>However, a fire trail will not be required where it would not serve a practical fire management purpose.</p>	<p><b>AO7</b></p> <p>Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> <li>(a) a reserve or easement width of at least 20m;</li> <li>(b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation;</li> <li>(c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path;</li> <li>(d) a minimum of 4.8m vertical clearance;</li> </ul>	<p><b>Not applicable</b></p> <p>The proposed development is for a boundary realignment only.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<ul style="list-style-type: none"> <li>(e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</li> <li>(f) a maximum gradient of 12.5%;</li> <li>(g) a cross fall of no greater than 10 degrees;</li> <li>(h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;</li> <li>(i) vehicular access at each end which is connected to the public road network;</li> <li>(j) designated fire trail signage;</li> <li>(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and</li> <li>(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.</li> </ul>	
<b>PO8</b> The development design responds to the potential threat of bushfire and establishes clear evacuation routes which demonstrate an acceptable or tolerable risk to people.	<b>AO8</b> The lot layout: <ul style="list-style-type: none"> <li>(a ) minimises the length of the development perimeter exposed to, or adjoining hazardous vegetation;</li> <li>(b) avoids the creation of potential bottle-neck points in the movement network;</li> </ul>	<b>Not applicable</b> The proposed development is for a boundary realignment only to address an existing common boundary encroachment.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(c) establishes direct access to a safe assembly /evacuation area in the event of an approaching bushfire; and</p> <p>(d) ensures roads likely to be used in the event of a fire are designed to minimise traffic congestion.</p> <p>Note - For example, developments should avoid finger-like or hour-glass subdivision patterns or substantive vegetated corridors between lots.</p> <p>In order to demonstrate compliance with the performance outcome, a bushfire management plan prepared by a suitably qualified person may be required. The bushfire management plan should be developed in accordance with the Public Safety Business Agency (PSBA) guideline entitled "Undertaking a Bushfire Protection Plan.</p> <p>Advice from the Queensland Fire and Emergency Services (QFES) should be sought as appropriate</p>	
<p><b>PO9</b></p> <p>Critical infrastructure does not increase the potential bushfire hazard.</p>	<p><b>AO9</b></p> <p>Critical or potentially hazardous infrastructure such as water supply, electricity, gas and telecommunications are placed underground.</p>	<p><b>Not applicable</b></p> <p>The proposal is for a boundary realignment to address an existing encroachment. No changes to existing infrastructure would be required.</p>
<b>Development design and separation from bushfire hazard – material change of use</b>		
<p><b>PO10</b></p> <p>Development is located and designed to ensure proposed buildings or building envelopes achieve a radiant heat flux level at any point on the building or envelope respectively, of:</p>	<p><b>AO10</b></p> <p>Buildings or building envelopes are separated from hazardous vegetation by a distance that:</p> <p>(a) achieves a radiant heat flux level of at any point on the building or envelope</p>	<p><b>Not applicable</b></p> <p>The proposed development is for a boundary realignment only.</p>



Performance outcomes	Acceptable outcomes	Applicant response
<p>(a) 10kW/m<sup>2</sup> where involving a vulnerable use; or</p> <p>(b) 29kW/m<sup>2</sup> otherwise.</p> <p>The radiant heat flux level is achieved by separation unless this is not practically achievable.</p> <p>Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.</p>	<p>respectively, of 10kW/m<sup>2</sup> for a vulnerable use or 29kW/m<sup>2</sup> otherwise; and</p> <p>(b) is contained wholly within the development site.</p> <p>Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation.</p> <p>For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages.</p> <p>Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.</p>	
<p><b>PO11</b></p> <p>A formed, all weather fire trail is provided between the hazardous vegetation and the site boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>However, a fire trail will not be required where it would not serve a practical fire management purpose.</p> <p>Note - Fire trails are unlikely to be required where a development site involves less than 2.5ha</p>	<p><b>AO11</b></p> <p>Development sites are separated from hazardous vegetation by a public road or fire trail which has:</p> <p>(a) a reserve or easement width of at least 20m;</p> <p>(b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation;</p> <p>(c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path;</p> <p>(d) a minimum of 4.8m vertical clearance;</p>	<p><b>Not applicable</b></p> <p>The proposed development is for a boundary realignment only.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<ul style="list-style-type: none"> <li>(e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</li> <li>(f) a maximum gradient of 12.5%;</li> <li>(g) a cross fall of no greater than 10 degrees;</li> <li>(h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;</li> <li>(i) vehicular access at each end which is connected to the public road network which is connected to the public road network at intervals of no more than 500m;</li> <li>(j) designated fire trail signage;</li> <li>(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and</li> <li>(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.</li> </ul>	
<b>All development</b>		
<b>PO12</b>	<b>AO12</b> Private driveways:	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
All premises are provided with vehicular access that enables safe evacuation for occupants and easy access by fire fighting appliances.	(a) do not exceed a length of 60m from the street to the building; (b) do not exceed a gradient of 12.5%; (c) have a minimum width of 3.5m; (d) have a minimum of 4.8m vertical clearance; (e) accommodate turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and (f) serve no more than 3 dwellings or buildings.	The proposed development is for a boundary realignment only. The existing driveways to the subjects sites would remain unchanged.
<b>PO13</b> Development outside reticulated water supply areas includes a dedicated static supply that is available solely for fire fighting purposes and can be accessed by fire fighting appliances.	<b>AO13</b> A water tank is provided within 10m of each building (other than a class 10 building) which: (a) is either below ground level or of non-flammable construction; (b) has a take off connection at a level that allows the following dedicated, static water supply to be left available for access by fire fighters: (i) 10,000l for residential buildings Note – A minimum of 7,500l is required in a tank and the extra 2,500l may be in the form of accessible swimming pools or dams. (ii) 45,000l for industrial buildings; and	<b>Not applicable</b> The proposed development is for a boundary realignment only.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(iii) 20,000l for other buildings;</p> <p>(c) includes shielding of tanks and pumps in accordance with the relevant standards;</p> <p>(d) includes a hardstand area allowing medium rigid vehicle (15 tonne fire appliance) access within 6m of the tank;</p> <p>(e) is provided with fire brigade tank fittings – 50mm ball valve and male camlock coupling and, if underground, an access hole of 200mm (minimum) to accommodate suction lines; and</p> <p>(f) is clearly identified by directional signage provided at the street frontage.</p>	
<p><b>PO14</b></p> <p>Landscaping does not increase the potential bushfire risk.</p>	<p><b>AO14</b></p> <p>Landscaping uses species that are less likely to exacerbate a bushfire event, and does not increase fuel loads within separation areas.</p>	<p><b>Not applicable</b></p> <p>The proposed development is for a boundary realignment only. No additional landscaping is proposed or required.</p>
<p><b>PO15</b></p> <p>The risk of bushfire and the need to mitigate that risk is balanced against other factors (such as but not limited to, biodiversity or scenic amenity).</p>	<p><b>AO15</b></p> <p>Bushfire risk mitigation treatments do not have a significant impact on the natural environment or landscape character of the locality where this has value.</p>	<p><b>Not applicable</b></p> <p>The proposed development is for a boundary realignment only. No additional bushfire risk mitigation treatments are proposed or required.</p>

Note – 'Vulnerable activities' are those involving:

- (1) the accommodation or congregation of vulnerable sectors of the community such as child care centres, community care centre, educational establishments, detention facilities, hospitals, rooming accommodation, retirement facilities or residential care facilities; or
- (2) the provision of essential services including community uses, emergency services, utility installation, telecommunications facility, substations and major electricity infrastructure.

## 8.2.4 Flood and storm tide hazard overlay code

### 8.2.4.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Flood and storm tide hazard overlay, if:
  - (a) self assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
  - (b) impact assessable development.
- (2) Land in the Flood and storm tide hazard overlay is identified on the Flood and storm tide hazard overlay map in Schedule 2 and includes the:
  - (a) Storm tide – high hazard sub-category;
  - (b) Storm tide – medium hazard sub-category;
  - (c) Flood plain assessment sub-category;
  - (d) 100 ARI Mossman, Port Douglas and Daintree Township Flood Studies sub-category.
- (3) When using this code, reference should be made to Part 5.

Note - The Flood and storm tide hazards overlay maps contained in Schedule 2 identify areas (Flood and storm tide inundation areas) where flood and storm tide inundation modelling has been undertaken by the Council. Other areas not identified by the Flood and inundation hazards overlay maps contained in Schedule 2 may also be subject to the defined flood event or defined storm tide event.

### 8.2.4.2 Purpose

- (1) The purpose of the Flood and storm tide hazard overlay code is to:
  - (a) implement the policy direction in the Strategic Framework, in particular:
    - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
    - (ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.
  - (b) enable an assessment of whether development is suitable on land within the Flood and storm tide hazard sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) development siting, layout and access responds to the risk of the natural hazard and minimises risk to personal safety;
  - (b) development achieves an acceptable or tolerable risk level, based on a fit for purpose risk assessment;
  - (c) the development is resilient to natural hazard events by ensuring siting and design accounts for the potential risks of natural hazards to property;



- (d) the development supports, and does not unduly burden disaster management response or recovery capacity and capabilities;
- (e) the development directly, indirectly and cumulatively avoids an unacceptable increase in severity of the natural hazards and does not significantly increase the potential for damage on site or to other properties;
- (f) the development avoids the release of hazardous materials as a result of a natural hazard event;
- (g) natural processes and the protective function of landforms and/or vegetation are maintained in natural hazard areas;
- (h) community infrastructure is located and designed to maintain the required level of functionality during and immediately after a hazard event.

### Criteria for assessment

**Table 8.2.4.3.a – Flood and storm tide hazards overlay code –assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> Development is located and designed to: <ul style="list-style-type: none"> <li>a) ensure the safety of all persons;</li> <li>b) minimise damage to the development and contents of buildings;</li> <li>c) provide suitable amenity;</li> <li>d) minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events.</li> </ul> Note – For assessable development within the flood plain assessment sub-category, a flood study by a suitably qualified professional is required to identify compliance with the intent of the acceptable outcome.	<b>AO1.1</b> Development is sited on parts of the land that is not within the Flood and Storm tide hazards overlay maps contained in Schedule 2; or For dwelling houses,	<b>Not applicable</b> The proposal is for Reconfiguring a Lot (boundary realignment) only to address an existing boundary encroachment. The proposal would not impact existing development immunity to flood and storm tide hazards.
	<b>AO1.2</b> Development within the Flood and Storm Tide hazards overlay maps (excluding the Flood plain assessment sub-category) is designed to provide immunity to the Defined Inundation Event as outlined within Table 8.2.4.3.b plus a freeboard of 300mm.	
	<b>AO1.3</b>	<b>Not applicable</b> The proposal is for Reconfiguring a Lot

Performance outcomes	Acceptable outcomes	Applicant response
	<p>New buildings are:</p> <ul style="list-style-type: none"> <li>(a) not located within the overlay area;</li> <li>(b) located on the highest part of the site to minimise entrance of flood waters;</li> <li>(c) provided with clear and direct pedestrian and vehicle evacuation routes off the site.</li> </ul>	(boundary realignment) only to address an existing boundary encroachment. No new buildings area proposed.
	<p><b>AO1.4</b></p> <p>In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.</p>	<p><b>Not applicable</b></p> <p>The subject site is located within an urban area.</p>
<b>For assessable development</b>		
<p><b>PO2</b></p> <p>The development is compatible with the level of risk associated with the natural hazard.</p>	<p><b>AO2</b></p> <p>The following uses are not located in land inundated by the Defined Flood Event (DFE) / Storm tide:</p> <ul style="list-style-type: none"> <li>(a) Retirement facility;</li> <li>(b) Community care facility;</li> <li>(c) Child care centre.</li> </ul>	<p><b>Not applicable</b></p> <p>The proposal is for Reconfiguring a Lot (boundary realignment) only to address an existing boundary encroachment.</p>
<p><b>PO3</b></p> <p>Development siting and layout responds to flooding potential and maintains personal safety</p>	<p>For Material change of use</p> <p><b>AO3.1</b></p> <p>New buildings are:</p>	<p><b>Not applicable</b></p> <p>The proposal is for Reconfiguring a Lot (boundary realignment) only to address an existing boundary encroachment.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(a) not located within the overlay area;</p> <p>(b) located on the highest part of the site to minimise entrance of flood waters;</p> <p>(c) provided with clear and direct pedestrian and vehicle evacuation routes off the site.</p> <p>or</p> <p><b>AO3.2</b></p> <p>The development incorporates an area on site that is at least 300mm above the highest known flood inundation level with sufficient space to accommodate the likely population of the development safely for a relatively short time until flash flooding subsides or people can be evacuated.</p> <p>or</p> <p><b>AO3.3</b></p> <p>Where involving an extension to an existing dwelling house that is situated below DFE /Storm tide, the maximum size of the extension does not exceed 70m<sup>2</sup> gross floor area.</p> <p>Note – If part of the site is outside the Hazard Overlay area, this is the preferred location of all buildings.</p>	
	<p>For Reconfiguring a lot</p> <p><b>AO3.4</b></p> <p>Additional lots:</p> <p>(a) are not located in the hazard overlay area;</p>	<p><b>Not applicable</b></p> <p>The proposal is for Reconfiguring a Lot (boundary realignment) only to address an existing boundary encroachment.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>or</p> <p>(b) are demonstrated to be above the flood level identified for the site.</p> <p>Note - If part of the site is outside the Hazard Overlay area, this is the preferred location for all lots (excluding park or other open space and recreation lots).</p> <p>Note – Buildings subsequently developed on the lots will need to comply with the relevant building assessment provisions under the <i>Building Act 1975</i>.</p>	
	<p><b>AO3.5</b></p> <p>Road and/or pathway layout ensures residents are not physically isolated from adjacent flood free urban areas and provides a safe and clear evacuation route path:</p> <p>(a) by locating entry points into the reconfiguration above the flood level and avoiding culs-de-sac or other non-permeable layouts; and</p> <p>(b) by direct and simple routes to main carriageways.</p>	<p><b>Not applicable</b></p> <p>The proposal is for Reconfiguring a Lot (boundary realignment) only to address an existing boundary encroachment. No new roads or pathways are required.</p>
	<p><b>AO3.6</b></p> <p>Signage is provided on site (regardless of whether the land is in public or private ownership) indicating the position and path of all safe evacuation routes off the site and if the site contains, or is within 100m of a floodable waterway, hazard warning signage and depth indicators are also provided at key hazard points, such as at floodway crossings or entrances to</p>	<p><b>Not applicable</b></p> <p>The proposal is for Reconfiguring a Lot (boundary realignment) only to address an existing boundary encroachment.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>low-lying reserves.</p> <p>or</p> <p><b>AO3.7</b></p> <p>There is no intensification of residential uses within the flood affected areas on land situated below the DFE/Storm tide</p>	
	<p>For Material change of use (Residential uses)</p> <p><b>AO3.8</b></p> <p>The design and layout of buildings used for residential purposes minimise risk from flooding by providing:</p> <p>(a) parking and other low intensive, non-habitable uses at ground level;</p> <p>Note - The high-set 'Queenslander' style house is a resilient low-density housing solution in floodplain areas. Higher density residential development should ensure only non-habitable rooms (e.g. garages, laundries) are located on the ground floor.</p>	<p><b>Not applicable</b></p> <p>The proposal is for Reconfiguring a Lot (boundary realignment) only to address an existing boundary encroachment.</p>
<p><b>PO4</b></p> <p>Development is resilient to flood events by ensuring design and built form account for the potential risks of flooding.</p>	<p>For Material change of use (Non-residential uses)</p> <p><b>AO4.2</b></p> <p>Non residential buildings and structures allow for the flow through of flood waters on the ground floor.</p> <p>Note - Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p>	<p><b>Not applicable</b></p> <p>The proposal is for Reconfiguring a Lot (boundary realignment) only to address an existing boundary encroachment.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>Note - The relevant building assessment provisions under the <i>Building Act 1975</i> apply to all building work within the Hazard Area and need to take into account the flood potential within the area.</p>	
	<p><b>AO4.3</b></p> <p>Materials are stored on-site:</p> <p>(a) are those that are readily able to be moved in a flood event;</p> <p>(b) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood.</p> <p>Notes -</p> <p>(a) Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p> <p>(b) Queensland Government Fact Sheet 'Repairing your House after a Flood' provides information about water resilient products and building techniques.</p>	<p><b>Not applicable</b></p> <p>The proposal is for Reconfiguring a Lot (boundary realignment) only to address an existing boundary encroachment.</p>
<p><b>PO5</b></p> <p>Development directly, indirectly and cumulatively avoids any increase in water flow velocity or flood level and does not increase the potential flood damage either on site or on other properties.</p> <p>Note – Berms and mounds are considered to be an</p>	<p>For Operational works</p> <p><b>AO5.1</b></p> <p>Works in urban areas associated with the proposed development do not involve:</p> <p>(a) any physical alteration to a watercourse or floodway including vegetation clearing; or</p> <p>(b) a net increase in filling (including berms and</p>	<p><b>Not applicable</b></p> <p>The proposal is for Reconfiguring a Lot (boundary realignment) only to address an existing boundary encroachment.</p>

Performance outcomes	Acceptable outcomes	Applicant response
undesirable built form outcome and are not supported.	mounds).	
	<p><b>AO5.2</b></p> <p>Works (including buildings and earthworks) in non urban areas either:</p> <p>(a) do not involve a net increase in filling greater than 50m<sup>3</sup>; or</p> <p>(b) do not result in any reductions of on-site flood storage capacity and contain within the subject site any changes to depth/duration/velocity of flood waters;</p> <p>or</p> <p>(c) do not change flood characteristics outside the subject site in ways that result in:</p> <p>(i) loss of flood storage;</p> <p>(ii) loss of/changes to flow paths;</p> <p>(iii) acceleration or retardation of flows or any reduction in flood warning times elsewhere on the flood plain.</p>	<p><b>Not applicable</b></p> <p>The proposal is for Reconfiguring a Lot (boundary realignment) only to address an existing boundary encroachment. No operational works are required.</p>
	<p>For Material change of use</p> <p><b>AO5.3</b></p> <p>Where development is located in an area affected by DFE/Storm tide, a hydraulic and hydrology report, prepared by a suitably qualified professional, demonstrates that the development maintains the flood storage capacity on the</p>	<p><b>Not applicable</b></p> <p>The proposal is for Reconfiguring a Lot (boundary realignment) only to address an existing boundary encroachment.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>subject site; and</p> <p>(a) does not increase the volume, velocity, concentration of flow path alignment of stormwater flow across sites upstream, downstream or in the general vicinity of the subject site; and</p> <p>(b) does not increase ponding on sites upstream, downstream or in the general vicinity of the subject site.</p>	
	<p>For Material change of use and Reconfiguring a lot</p> <p><b>AO5.4</b></p> <p>In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.</p> <p>Note – Fences and irrigation infrastructure (e.g. irrigation tape) in rural areas should be managed to minimise adverse the impacts that they may have on downstream properties in the event of a flood.</p>	<p><b>Not applicable</b></p> <p>The proposal is for Reconfiguring a Lot (boundary realignment) only in an urban area.</p>
<p><b>PO6</b></p> <p>Development avoids the release of hazardous materials into floodwaters.</p>	<p>For Material change of use</p> <p><b>AO6.1</b></p> <p>Materials manufactured or stored on site are not hazardous or noxious, or comprise materials that may cause a detrimental effect on the environment if discharged in a flood event;</p> <p>or</p>	<p><b>Not applicable</b></p> <p>The proposal is for Reconfiguring a Lot (boundary realignment) only to address an existing boundary encroachment.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<b>AO6.2</b> If a DFE level is adopted, structures used for the manufacture or storage of hazardous materials are: (a) located above the DFE level; or (b) designed to prevent the intrusion of floodwaters.	
	<b>AO6.3</b> Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE.	<b>Not applicable</b> The proposal is for Reconfiguring a Lot (boundary realignment) only to address an existing boundary encroachment.
	<b>AO6.4</b> If a flood level is not adopted, hazardous materials and their manufacturing equipment are located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of floodwaters.  Note – Refer to <i>Work Health and Safety Act 2011</i> and associated Regulation and Guidelines, the <i>Environmental Protection Act 1994</i> and the relevant building assessment provisions under the <i>Building Act 1975</i> for requirements related to the manufacture and storage of hazardous materials.	<b>Not applicable</b> The proposal is for Reconfiguring a Lot (boundary realignment) only to address an existing boundary encroachment.
<b>PO7</b> The development supports, and does not unduly burden, disaster management response or	<b>AO7</b> Development does not:	<b>Not applicable</b> The proposal is for Reconfiguring a Lot (boundary realignment) only to address an

Performance outcomes	Acceptable outcomes	Applicant response
recovery capacity and capabilities.	<ul style="list-style-type: none"> <li>(a) increase the number of people calculated to be at risk of flooding;</li> <li>(b) increase the number of people likely to need evacuation;</li> <li>(c) shorten flood warning times; and</li> <li>(d) impact on the ability of traffic to use evacuation routes, or unreasonably increase traffic volumes on evacuation routes.</li> </ul>	existing boundary encroachment.
<p><b>PO8</b></p> <p>Development involving community infrastructure:</p> <ul style="list-style-type: none"> <li>(a) remains functional to serve community need during and immediately after a flood event;</li> </ul> <p>is designed, sited and operated to avoid adverse impacts on the community or environment due to impacts of flooding on infrastructure, facilities or access and egress routes;</p> <p>retains essential site access during a flood event;</p> <p>is able to remain functional even when other infrastructure or services may be compromised in a flood event.</p>	<p><b>AO8.1</b></p> <p>The following uses are not located on land inundated during a DFE/Storm tide:</p> <ul style="list-style-type: none"> <li>(a) community residence; and</li> <li>(b) emergency services; and</li> <li>(c) residential care facility; and</li> <li>(d) utility installations involving water and sewerage treatment plants; and</li> <li>(e) storage of valuable records or items of historic or cultural significance (e.g. archives, museums, galleries, libraries).</li> </ul> <p>or</p> <p><b>AO8.2</b></p> <p>The following uses are not located on land inundated during a 1% AEP flood event:</p> <ul style="list-style-type: none"> <li>(a) community and cultural facilities, including facilities where an education and care</li> </ul>	<p><b>Not applicable</b></p> <p>The proposal is for Reconfiguring a Lot (boundary realignment) only to address an existing boundary encroachment.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>service under the Education and care Services National law (Queensland) is operated or child care service under the <i>Child Care Act 2002</i> is conducted,</p> <p>(b) community centres;</p> <p>(c) meeting halls;</p> <p>(d) galleries;</p> <p>(e) libraries.</p> <p>The following uses are not located on land inundated during a 0.5% AEP flood event.</p> <p>(a) emergency shelters;</p> <p>(b) police facilities;</p> <p>(c) sub stations;</p> <p>(d) water treatment plant</p> <p>The following uses are not located on land inundated during a 0.2% AEP flood event:</p> <p>(a) correctional facilities;</p> <p>(b) emergency services;</p> <p>(c) power stations;</p> <p>(d) major switch yards.</p> <p>and/or</p> <p><b>AO8.3</b></p> <p>The following uses have direct access to low hazard evacuation routes as defined in Table <b>8.2.4.3.c</b> :</p>	



Performance outcomes	Acceptable outcomes	Applicant response
	(a) community residence; and (b) emergency services; and (c) hospitals; and (d) residential care facility; and (e) sub stations; and (f) utility installations involving water and sewerage treatment plants.	
	<b>AO8.4</b> Any components of infrastructure that are likely to fail to function or may result in contamination when inundated by flood, such as electrical switch gear and motors, telecommunications connections, or water supply pipeline air valves are: (a) located above DFE/Storm tide or the highest known flood level for the site; (b) designed and constructed to exclude floodwater intrusion / infiltration.	<b>Not applicable</b> The proposal is for Reconfiguring a Lot (boundary realignment) only to address an existing boundary encroachment.
	<b>AO8.5</b> Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by a flood.	<b>Not applicable</b> The proposal is for Reconfiguring a Lot (boundary realignment) only to address an existing boundary encroachment.

**Table 8.2.4.3.b - Minimum immunity (floor levels) for development**

Minimum immunity to be achieved (floor levels)	Uses and elements of activities acceptable in the event
20% AEP level	<ul style="list-style-type: none"> <li>Parks and open space.</li> </ul>
5% AEP level	<ul style="list-style-type: none"> <li>Car parking facilities (including car parking associated with use of land).</li> </ul>
1% AEP level	<ul style="list-style-type: none"> <li>All development (where not otherwise requiring an alternative level of minimum immunity).</li> </ul>
0.5% AEP level	<ul style="list-style-type: none"> <li>Emergency services (if for a police station);</li> <li>Industry activities (if including components which store, treat or use hazardous materials);</li> <li>Substation;</li> <li>Utility installation.</li> </ul>
0.2% AEP level	<ul style="list-style-type: none"> <li>Emergency services;</li> <li>Hospital;</li> <li>Major electricity infrastructure;</li> <li>Special industry.</li> </ul>

**Table 8.2.4.3.c - Degree of flood**

Criteria	Low	Medium	High	Extreme
Wading ability	If necessary children and the elderly could wade. (Generally, safe wading velocity depth product is less than 0.25)	Fit adults can wade. (Generally, safe wading velocity depth product is less than 0.4)	Fit adults would have difficulty wading. (Generally, safe wading velocity depth product is less than 0.6)	Wading is not an option.
Evacuation distances	< 200 metres	200-400 metres	400-600 metres	600 metres
Maximum flood depths	< 0.3 metre	< 0.6 metre	< 1.2 metres	1.2 metres
Maximum flood velocity	< 0.4 metres per second	< 0.8 metres per second	< 1.5 metres per second	1.5 metres per second
Typical means of egress	Sedan	Sedan early, but 4WD or trucks later	4WD or trucks only in early stages, boats or helicopters	Large trucks, boats or helicopters
Timing Note: This category cannot be implemented until evacuation times have been established in the Counter Disaster Plan (Flooding)	Ample flood forecasting. Warning and evacuation routes remain passable for twice as long as evacuation time.	Evacuation routes remain trafficable for 1.5 times as long as the evacuation.	Evacuation routes remain trafficable for only up to minimum evacuation time.	There is insufficient evacuation time.

Note: The evacuation times for various facilities or areas would (but not necessarily) be included in the Counter Disaster Plan.

Generally safe wading conditions assume even walking surfaces and no obstructions, steps, soft underfoot etc.

## 8.2.6 Landscape values overlay code

### 8.2.6.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Landscape values overlay, if:
  - (a) self-assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
  - (b) impact assessable development.
- (2) Land in the Landscape values overlay is identified on the Landscape values overlay map in Schedule 2 and includes in following sub-categories:
  - (a) High landscape value sub-category;
  - (b) Medium landscape value sub-category;
  - (c) Scenic route buffer / view corridor area sub-category;
  - (d) Coastal scenery area sub-category.
- (3) When using this code, reference should be made to Part 5.

### 8.2.6.2 Purpose

- (1) The purpose of the Landscape values overlay code is to:
  - (a) implement the policy direction of the Strategic Framework, in particular:
    - (i). Theme 2: Environment and landscape values Element 3.5.5 Scenic amenity;
    - (ii). Theme 3: Natural resource management Element 3.6.4 – Resource extraction.
  - (b) enable an assessment of whether development is suitable on land within the Landscape values overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) areas of High landscape value are protected, retained and enhanced;
  - (b) areas of Medium landscape value are managed to integrate and limit the visual impact of development;
  - (c) the landscape values of the Coastal scenery area are managed to integrate and limit the visual impact of development;
  - (d) development maintains and enhances the significant landscape elements and features which contribute to the distinctive character and identity of Douglas Shire;

- (e) ridges and vegetated hillslopes are not developed in a way that adversely impacts on landscape values;
- (f) watercourses, forested mountains and coastal landscape character types remain predominantly natural in appearance in order to maintain the region's diverse character and distinctive tropical image, in particular:
  - (i). areas in the coastal landscape character type which are predominantly natural and undeveloped in appearance retain this natural landscape character;
  - (ii). watercourses which are predominantly natural and undeveloped in appearance retain this natural landscape character;
  - (iii). the rural character of cane fields and lowlands landscape character types which are predominantly rural or natural in appearance are maintained;
  - (iv). landscape values are maintained when viewed from lookouts, scenic routes, gateways and public places.
- (g) views towards High landscape value areas and the Coral Sea are not diminished;
- (h) development is consistent with the prevailing landscape character of its setting, and is neither visually dominant nor visually intrusive;
- (i) advertising devices do not detract from the landscape values, character types or amenity of an area.

### Criteria for assessment

**Table 8.2.1.3.a – Acid sulfate soils overlay code – assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable development</b>		
<b>PO1</b> Development within High landscape value areas identified on the Landscape values overlay maps contained in Schedule 2:  (a) avoids detrimental impacts on the landscape values of forested skylines, visible hillslopes, ridgelines, the coastal foreshore or the shoreline of other water bodies through the	<b>AO1.1</b> Buildings and structures are not more than 8.5 metres and two storeys in height. Note - Height is inclusive of roof height.	<b>Not applicable</b> The proposal is for Reconfiguring a Lot (boundary realignment) only. No new buildings or structures are proposed.
	<b>AO1.2</b> Buildings and structures are setback not less than 50 metres from ridgelines or peaks.	<b>Not applicable</b> The proposal is for Reconfiguring a Lot (boundary realignment) only.

Performance outcomes	Acceptable outcomes	Applicant response
<p>loss of vegetation;</p> <p>(b) is effectively screened from view from a road, lookout or other public place by an existing natural landform or native vegetation, or will be effectively screened by native vegetation within 3 years of construction;</p> <p>(c) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements;</p> <p>(d) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality;</p> <p>(e) avoids detrimental impacts on landscape values and excessive changes to the natural landform as a result of the location, position on site, scale, design, extent and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure;</p> <p>(f) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and lines and other tall infrastructure;</p> <p>(g) extractive industry operations are avoided.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape</p>	<p><b>AO1.3</b></p> <p>Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.</p>	<p><b>Not applicable</b></p> <p>The proposal is for Reconfiguring a Lot (boundary realignment) only.</p>
	<p><b>AO1.4</b></p> <p>Where development on land steeper than 1 in 6 (16.6%) cannot be avoided:</p> <p>(a) development follows the natural; contours of the site;</p> <p>(b) buildings are split level or suspended floor construction, or a combination of the two;</p> <p>(c) lightweight materials are used to areas with suspended floors.</p> <p>Note - Examples of suitable lightweight materials include timber or fibre cement boards or sheeting for walls and factory treated metal sheeting for walls and roofs.</p>	<p><b>Not applicable</b></p> <p>The proposal is for Reconfiguring a Lot (boundary realignment) only. No works are proposed on land steeper than 1 in 6.</p>
	<p><b>AO1.5</b></p> <p>The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette.</p> <p>Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow.</p>	<p><b>Not applicable</b></p> <p>The proposal is for Reconfiguring a Lot (boundary realignment) only. No building works are proposed.</p>
	<p><b>AO1.6</b></p> <p>No clearing of native vegetation occurs on land</p>	<p><b>Complies with AO1.6</b></p> <p>The proposal is for Reconfiguring a Lot (boundary</p>



Performance outcomes	Acceptable outcomes	Applicant response
values in order to satisfy performance outcomes.	with a slope greater than 1 in 6 (16.5%).	realignment). No clearing of vegetation is proposed or required.
	<b>AO1.7</b> Where for accommodation activities or reconfiguration of a lot in a High landscape value area, development demonstrates that the height, design, scale, positioning on-site, proposed construction materials and external finishes are compatible with the landscape values.  Note - A visual impact assessment undertaken in accordance with Planning scheme policy SC6.6 – Landscape values may be required.	<b>Not applicable</b>  The proposal is for Reconfiguring a Lot (boundary realignment) only.
	<b>AO1.8</b>  Advertising devices do not occur.	<b>Not applicable</b>  The proposal is for Reconfiguring a Lot (boundary realignment) only.
<b>Development within the Medium landscape value area</b>		
<b>PO2</b> Development within Medium landscape value areas identified on the Landscape values overlay maps contained in Schedule 2:  (a) avoids detrimental impacts on the landscape values of forested skylines, visible hillslopes, ridgelines, the coastal foreshore or the shoreline of other water bodies through the loss of vegetation;	<b>AO2.1</b> Buildings and structures are not more than 8.5 metres and two storeys in height.  Note - Height is inclusive of the roof height.	<b>Not applicable</b>  The subject site is not located within a Medium landscape value area.
	<b>AO2.2</b> Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.	<b>Not applicable</b>  The subject site is not located within a Medium landscape value area.

Performance outcomes	Acceptable outcomes	Applicant response
(b) is effectively screened from view from a road, lookout or other public place by an existing natural landform or native vegetation, or will be effectively screened by native vegetation within 5 years of construction; (c) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements; (d) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality; (e) avoids detrimental impacts on landscape values and excessive changes to the natural landform as a result of the location, position on site, scale, design and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure; (f) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and lines and other tall infrastructure; (g) extractive industry operations are avoided, or where they cannot be avoided, are screened from view.	<b>AO2.3</b> Where development on land steeper than 1 in 6 (16.6%) cannot be avoided: (a) development follows the natural; contours of the site; (b) buildings are split level or suspended floor construction, or a combination of the two; (c) lightweight materials are used to areas with suspended floors. Note - Examples of suitable lightweight materials include timber or fibre cement boards or sheeting for walls and factorytreated metal sheeting for walls and roofs.	<b>Not applicable</b> The subject site is not located within a Medium landscape value area.
	<b>AO2.4</b> The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette. Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow	<b>Not applicable</b> The subject site is not located within a Medium landscape value area.
	<b>AO2.5</b> No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.6%).	<b>Not applicable</b> The subject site is not located within a Medium landscape value area.
	<b>AO2.6</b> Advertising devices do not occur.	<b>Not applicable</b> The subject site is not located within a Medium landscape value area.

Performance outcomes	Acceptable outcomes	Applicant response
Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.		
<b>Development within a Scenic route buffer / view corridor area</b>		
<b>PO3</b> Development within a Scenic route buffer / view corridor area as identified on the Landscape values overlay maps contained in Schedule 2: (a) retains visual access to views of the surrounding landscape, the sea and other water bodies; (b) retains existing vegetation and incorporates landscaping to visually screen and soften built form elements whilst not impeding distant views or view corridors; (c) incorporates building materials and external finishes that are compatible with the visual amenity and the landscape character; (d) minimises visual impacts on the setting and views in terms of: (i). the scale, height and setback of buildings; (ii). the extent of earthworks and impacts on the landform including the location and configuration of access roads and driveways; (iii). the scale, extent and visual	<b>AO3.1</b> Where within a Scenic route buffer / view corridor area, the height of buildings and structures is not more than identified within the acceptable outcomes of the applicable zone code.	<b>Not applicable</b> The subject site is not located within a Scenic route buffer / view corridor area.
	<b>AO3.2</b> No clearing of native vegetation is undertaken within a Scenic route buffer area.	<b>Not applicable</b> The subject site is not located within a Scenic route buffer / view corridor area.
	<b>AO3.3</b> Where within a Scenic route buffer / view corridor area development is set back and screened from view from a scenic route by existing native vegetation with a width of at least 10 metres and landscaped in accordance with the requirements of the landscaping code.	<b>Not applicable</b> The subject site is not located within a Scenic route buffer / view corridor area.
	<b>AO3.4</b> Development does not result in the replacement of, or creation of new, additional, or enlarged advertising devices.	<b>Not applicable</b> The subject site is not located within a Scenic route buffer / view corridor area.

Performance outcomes	Acceptable outcomes	Applicant response
<p>prominence of advertising devices.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>		
<b>Development within the Coastal scenery area</b>		
<p><b>PO4</b></p> <p>The landscape values of the Coastal scenery zone as identified on the Landscape values overlay maps contained in Schedule 2 are managed to integrated and limit the visual impact of development.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p><b>AO4.1</b></p> <p>The dominance of the natural character of the coast is maintained or enhanced when viewed from the foreshore.</p>	<p><b>Not applicable</b></p> <p>The subject site is not located within the Coastal scenery area.</p>
	<p><b>AO4.2</b></p> <p>Where located adjacent to the foreshore buildings and structures are setback:</p> <p>(a) Where no adjoining development, a minimum of 50 metres from the coastal high water mark and the setback area is landscaped with a native vegetation buffer that has a minimum width of 25 metres; or</p> <p>(b) Where there is adjoining development, setbacks will be consistent with that of adjoining buildings and structures, but not less than 10 metres from the coastal high water mark. The setback area is landscaped in accordance with the requirements of the Landscaping code.</p>	<p><b>Not applicable</b></p> <p>The subject site is not located within the Coastal scenery area.</p>
	<p><b>AO4.3</b></p>	<p><b>Not applicable</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>Where separated from the foreshore by land contained within public ownership (e.g. unallocated State land, esplanade or other public open space), buildings and structures area setback:</p> <p>(a) where no adjoining development, a minimum of 6 metres from the coastward property boundary. The setback area is landscaped in accordance with the requirements of the Landscaping code; or</p> <p>(b) where there is adjoining development, setbacks will be consistent with that of adjoining buildings and structures. The setback area is landscaped in accordance with the requirements of the Landscaping code.</p>	The subject site is not located within the Coastal scenery area.
<p><b>PO5</b></p> <p>Development is to maximise opportunities to maintain and/or enhance natural landscape values through the maintenance and restoration of vegetated buffers between development and coastal waters, where practical.</p> <p>Note – A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in satisfaction of a performance outcome.</p>	<p><b>AO5</b></p> <p>No clearing of native vegetation is undertaken within a Coastal scenery area zone, except for exempt vegetation damage undertaken in accordance with the Vegetation management code</p>	<p><b>Not applicable</b></p> <p>The subject site is not located within the Coastal scenery area.</p>

## 8.2.7 Natural areas overlay code

### 8.2.7.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Natural areas overlay, if:
  - (a) self-assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
  - (b) impact assessable development.
- (2) Land in the Natural areas overlay is identified on the Natural areas overlay map in Schedule 2 and includes the following sub-categories:
  - (a) MSES – Protected area;
  - (b) MSES – Marine park;
  - (c) MSES – Wildlife habitat;
  - (d) MSES – Regulated vegetation;
  - (e) MSES – Regulated vegetation (intersecting a Watercourse);
  - (f) MSES – High ecological significance wetlands;
  - (g) MSES – High ecological value waters (wetlands);
  - (h) MSES – High ecological value waters (watercourse);
  - (i) MSES – Legally secured off set area.

Note – MSES = Matters of State Environmental Significance.

- (3) When using this code, reference should be made to Part 5.

### 8.2.7.2 Purpose

- (1) The purpose of the Natural areas overlay code is to:
  - (a) implement the policy direction in the Strategic Framework, in particular:
    - (i) Theme 2: Environment and landscape values, Element 3.5.3 Biodiversity, Element 3.5.4 Coastal zones;
    - (ii) Theme 3: Natural resource management Element 3.6.2 Land and catchment management, Element 3.6.3 Primary production, forestry and fisheries.
  - (b) enable an assessment of whether development is suitable on land within the Biodiversity area overlay sub-categories.



- (2) The purpose of the code will be achieved through the following overall outcomes:
- (a) development is avoided within:
    - (i) areas containing matters of state environmental significance (MSES);
    - (ii) other natural areas;
    - (iii) wetlands and wetland buffers;
    - (iv) waterways and waterway corridors.
  - (b) where development cannot be avoided, development:
    - (i) protects and enhances areas containing matters of state environmental significance;
    - (ii) provides appropriate buffers;
    - (iii) protects the known populations and supporting habitat of rare and threatened flora and fauna species, as listed in the relevant State and Commonwealth legislation;
    - (iv) ensures that adverse direct or indirect impacts on areas of environmental significance are minimised through design, siting, operation, management and mitigation measures;
    - (v) does not cause adverse impacts on the integrity and quality of water in upstream or downstream catchments, including the Great Barrier Reef World Heritage Area;
    - (vi) protects and maintains ecological and hydrological functions of wetlands, waterways and waterway corridors;
    - (vii) enhances connectivity across barriers for aquatic species and habitats;
    - (viii) rehabilitates degraded areas to provide improved habitat condition, connectivity, function and extent;
    - (ix) protects areas of environmental significance from weeds, pests and invasive species.
  - (c) strategic rehabilitation is directed to areas on or off site, where it is possible to achieve expanded habitats and increased connectivity.

### Criteria for assessment

**Table 8.2.7.3.a - Natural areas overlay code – assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		

Performance outcomes	Acceptable outcomes	Applicant response
<b>Protection of matters of environmental significance</b>		
<b>PO1</b> Development protects matters of environmental significance.	<b>AO1.1</b> Development avoids significant impact on the relevant environmental values. or	<b>Complies with AO1.1</b> The proposal is solely for Reconfiguring a Lot (boundary realignment) to address an existing boundary encroachment.
	<b>AO1.2</b> A report is prepared by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, that the development site does not contain any matters of state and local environmental significance. or	<b>Not applicable</b> The proposal is solely for Reconfiguring a Lot (boundary realignment) to address an existing boundary encroachment. No changes to the existing development is proposed.
	<b>AO1.3</b> Development is located, designed and operated to mitigate significant impacts on environmental values. For example, a report certified by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, how the proposed development mitigates impacts, including on water quality, hydrology and biological processes.	<b>Not applicable</b> The proposal is solely for Reconfiguring a Lot (boundary realignment) only.
<b>Management of impacts on matters of environmental significance</b>		
<b>PO2</b> Development is located, designed and constructed	<b>AO2</b> The design and layout of development minimises	<b>Not applicable</b> The proposal is solely for Reconfiguring a Lot

Performance outcomes	Acceptable outcomes	Applicant response
to avoid significant impacts on matters of environmental significance.	adverse impacts on ecologically important areas by: <ul style="list-style-type: none"> <li>(a) focusing development in cleared areas to protect existing habitat;</li> <li>(b) utilising design to consolidate density and preserve existing habitat and native vegetation;</li> <li>(c) aligning new property boundaries to maintain ecologically important areas;</li> <li>(d) ensuring that alterations to natural landforms, hydrology and drainage patterns on the development site do not negatively affect ecologically important areas;</li> <li>(e) ensuring that significant fauna habitats are protected in their environmental context; and</li> <li>(f) incorporating measures that allow for the safe movement of fauna through the site.</li> </ul>	(boundary realignment) only to address an existing boundary encroachment. The proposal would not impact ecologically important areas and no additional development is proposed.
<b>PO3</b> An adequate buffer to areas of state environmental significance is provided and maintained.	<b>AO3.1</b> A buffer for an area of state environmental significance (Wetland protection area) has a minimum width of: <ul style="list-style-type: none"> <li>(a) 100 metres where the area is located outside Urban areas; or</li> <li>(b) 50 metres where the area is located within a Urban areas.</li> </ul> or	<b>Not applicable</b> The subject site does not contain any wetland protection areas.
	<b>AO3.2</b> A buffer for an area of state environmental significance	<b>Not applicable</b> The proposal is solely for Reconfiguring a Lot

Performance outcomes	Acceptable outcomes	Applicant response
	is applied and maintained, the width of which is supported by an evaluation of environmental values, including the function and threats to matters of environmental significance.	(boundary realignment) only to address an existing boundary encroachment. The proposal would not impact environmentally significant areas.
<b>PO4</b> Wetland and wetland buffer areas are maintained, protected and restored. Note – Wetland buffer areas are identified in AO3.1.	<b>AO4.1</b> Native vegetation within wetlands and wetland buffer areas is retained.	<b>Not applicable</b> The subject site does not contain any wetlands or wetland buffer areas.
	<b>AO4.2</b> Degraded sections of wetlands and wetland buffer areas are revegetated with endemic native plants in patterns and densities which emulate the relevant regional ecosystem.	<b>Not applicable</b> The subject site does not contain any wetlands or wetland buffer areas.
<b>PO5</b> Development avoids the introduction of non-native pest species (plant or animal), that pose a risk to ecological integrity.	<b>AO5.1</b> Development avoids the introduction of non-native pest species.	<b>Complies with AO5.1</b> The proposal is solely for a boundary realignment and no non-native or pest species would be introduced.
	<b>AO5.2</b> The threat of existing pest species is controlled by adopting pest management practices for long-term ecological integrity.	<b>Complies with AO5.2</b> Existing pest management measures would be maintained.
<b>Ecological connectivity</b>		
<b>PO6</b>	<b>AO6.1</b>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
Development protects and enhances ecological connectivity and/or habitat extent.	Development retains native vegetation in areas large enough to maintain ecological values, functions and processes. and	The proposal is solely for Reconfiguring a Lot (boundary realignment) to address an existing boundary encroachment. Native vegetation on the balance of the site would be retained and not impacted by the proposal.
	<b>AO6.2</b> Development within an ecological corridor rehabilitates native vegetation. and	<b>Not applicable</b> The proposal is solely for Reconfiguring a Lot (boundary realignment) to address an existing boundary encroachment.
	<b>AO6.3</b> Development within a conservation corridor mitigates adverse impacts on native fauna, feeding, nesting, breeding and roosting sites and native fauna movements.	<b>Not applicable</b> The subject site is not located within a conservation corridor.
<b>P07</b> Development minimises disturbance to matters of state environmental significance (including existing ecological corridors).	<b>A07.1</b> Development avoids shading of vegetation by setting back buildings by a distance equivalent to the height of the native vegetation. and	<b>Not applicable</b> The proposal is solely for Reconfiguring a Lot (boundary realignment) to address an existing boundary encroachment.
	<b>A07.2</b> Development does not encroach within 10 metres of existing riparian vegetation and watercourses.	<b>Not applicable</b> The proposal is solely for Reconfiguring a Lot (boundary realignment) to address an existing boundary encroachment.

Performance outcomes	Acceptable outcomes	Applicant response
<b>Waterways in an urban area</b>		
<b>PO8</b> Development is set back from waterways to protect and maintain: (a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values; (e) riparian and in-stream habitat values and connectivity; (f) in-stream migration	<b>AO8.1</b> Where a waterway is contained within an easement or a reserve required for that purpose, development does not occur within the easement or reserve; or	
	<b>AO8.2</b> Development does not occur on the part of the site affected by the waterway corridor. Note – Waterway corridors are identified within Table 8.2.7.3.b.	<b>Complies with AO8.2</b> The proposed boundary realignment would be adequately setback from the waterway corridor.
<b>Waterways in a non-urban area</b>		
<b>PO9</b> Development is set back from waterways to protect and maintain: (a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values; (e) riparian and in-stream habitat values and connectivity;	<b>AO9</b> Development does not occur on that part of the site affected by a waterway corridor. Note – Waterway corridors are identified within Table 8.2.7.3.b.	<b>Not applicable</b> The subject site does not contain any non-urban waterways.



Performance outcomes	Acceptable outcomes	Applicant response
(f) in-stream migration.		

**Table 8.2.7.3.b — Widths of waterway corridors for waterways**

Waterways classification	Waterway corridor width
Waterways in Urban areas	10 metres measured perpendicular from the top of the high bank.
Waterways in Other areas	For a dwelling house, 10 metres measured perpendicular from the top of the high bank. For all other development, 20 metres measured perpendicular from the top of the high bank.

## 9.4.7 Reconfiguring a lot code

### 9.4.7.1 Application

- (1) This code applies to assessing reconfiguring a lot if:
  - (a) assessable development where the code is an applicable code identified in the assessment criteria column of a table of assessment;
  - (b) impact assessable development, to the extent relevant.
- (2) When using this code, reference should be made to Part 5.

### 9.4.7.2 Purpose

- (1) The purpose of the Reconfiguring a lot code is to regulate development for reconfiguring a lot.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) development results in a well-designed pattern of streets supporting walkable communities;
  - (b) lots have sufficient areas, dimensions and shapes to be suitable for their intended use taking into account environmental features and site constraints;
  - (c) road networks provide connectivity that is integrated with adjoining existing or planned development while also catering for the safe and efficient access for pedestrians, cyclists and for public transport;
  - (d) lots are arranged to front all streets and parkland such that development enhances personal safety, traffic safety, property safety and security; and contributes to streetscape and open space quality;
  - (e) development does not diminish environmental and scenic values, and where relevant, maintains and enhances public access and use of natural areas, rivers, dams, creeks and the foreshore, in a way that protects natural resources;
  - (f) people and property are not placed at risk from natural hazards;
  - (g) a range of functional parkland, including local and district parks, major areas of parkland with a region-wide focus and open space links are available for the use and enjoyment of residents and visitors to the region;
  - (h) the appropriate standard of infrastructure is provided.

### 9.4.7.3 Criteria for assessment

**Table 9.4.7.3.a – Reconfiguring a lot code – assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
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Performance outcomes	Acceptable outcomes	Applicant response
<b>General lot design standards</b>		
<b>PO1</b> Lots comply with the lot reconfiguration outcomes of the applicable Zone code in Part 5.	<b>AO1</b> No acceptable outcomes are prescribed.	<b>Complies with PO1</b> The proposal is solely for Reconfiguring a Lot (Boundary realignment) to address an existing boundary encroachment.
<b>PO2</b> New lots are generally rectangular in shape with functional areas for land uses intended by the zone.	<b>AO2</b> Boundary angles are not less than 45 degrees.	<b>Not applicable</b> The proposal is solely for Reconfiguring a Lot (Boundary realignment) to address an existing boundary encroachment. No new lots are proposed.
<b>PO3</b> Lots have legal and practical access to a public road.	<b>AO3</b> Each lot is provided with: (a) direct access to a gazetted road reserve; or (b) access to a gazetted road via a formal access arrangement registered on the title.	<b>Complies with AO3</b> The proposal is solely for Reconfiguring a Lot (Boundary realignment) to address an existing boundary encroachment. Both lots would maintain existing access arrangements to Egret Close.
<b>PO4</b> Development responds appropriately to its local context, natural systems and site features.	<b>AO4</b> Existing site features such as: (a) significant vegetation and trees; (b) waterways and drainage paths; (c) vistas and vantage points are retained and/or are incorporated into open space, road reserves, near to lot boundaries or as common property.	<b>Complies with AO4</b> The proposal is solely for Reconfiguring a Lot (Boundary realignment) to address an existing boundary encroachment. Existing site features would not be impact by the proposed boundary realignment.
<b>PO5</b> New lots which have the capability of being further	<b>AO5</b> The ability to further reconfigure land at a later	<b>Not applicable</b> The proposal is solely for Reconfiguring a Lot

Performance outcomes	Acceptable outcomes	Applicant response
reconfigured into smaller lots at a later date are designed to not compromise ultimate development outcomes permitted in the relevant zone.	date is demonstrated by submitting a concept plan that meets the planning scheme requirements for the applicable Zone.	(Boundary realignment) to address an existing boundary encroachment. No further reconfiguration is proposed.
<p><b>PO6</b></p> <p>Where existing buildings or structures are to be retained, development results in:</p> <ul style="list-style-type: none"> <li>(a) boundaries that offer regular lot shapes and usable spaces;</li> <li>(b) existing improvements complying with current building and amenity standards in relation to boundary setbacks.</li> </ul> <p>Note - This may require buildings or structures to be modified, relocated or demolished to meet setback standards, resolve encroachments and the like.</p>	<p><b>AO6</b></p> <p>Development ensures setbacks between existing buildings or structures and proposed boundaries satisfy relevant building standards or zone code requirements, whichever is the greater.</p>	<p><b>Complies with AO6</b></p> <p>The proposal is solely for Reconfiguring a Lot (Boundary realignment) to address an existing boundary encroachment. The proposal would provide for a zero metre setback from the side boundary. The proposed setback of the Class 10a building is in accordance with the Queensland Development Code, given that the mean height of the existing shed is not more than 3.5m and the length is less than 9 metres.</p>
<p><b>PO7</b></p> <p>Where rear lots are proposed, development:</p> <ul style="list-style-type: none"> <li>(a) provides a high standard of amenity for residents and other users of the site and adjoining properties;</li> <li>(b) positively contributes to the character of adjoining properties and the area;</li> <li>(c) does not adversely affect the safety and efficiency of the road from which access is gained.</li> </ul>	<p><b>AO7.1</b></p> <p>Where rear lots are to be established:</p> <ul style="list-style-type: none"> <li>(a) the rear lot is generally rectangular in shape, avoiding contrived sharp boundary angles;</li> <li>(b) no more than 6 lots directly adjoin the rear lot;</li> <li>(c) no more than one rear lot occurs behind the road frontage lot;</li> <li>(d) no more than two access strips to rear lots directly adjoin each other;</li> <li>(e) access strips are located only on one side of the road frontage lot.</li> </ul>	<p><b>Not applicable</b></p> <p>No rear lots are proposed.</p>
	<b>AO7.2</b>	<b>Not applicable</b>




Performance outcomes	Acceptable outcomes	Applicant response
	Access strips to the rear lot have a minimum width dimension of: (a) 4.0 metres in Residential Zones. (b) 8.0 metres in Industrial Zones category. (c) 5.0 metres in all other Zones. Note - Rear lots are generally not appropriate in non-Residential or non-Rural zones.	No rear lots are proposed.
	<b>AO7.3</b> Access strips are provided with a sealed pavement of sufficient width to cater for the intended traffic, but no less than: (a) 3.0 metres in Residential Zone. (b) 6.0 metres in an Industrial Zone. (c) 3.5 metres in any other Zone.	<b>Not applicable</b> No rear lots are proposed.
<b>Structure plans</b> Additional requirements for: (a) a site which is more than 5,000m <sup>2</sup> in any of the Residential zones; or within these zones, and (b) creates 10 or more lots; or (c) involves the creation of new roads and/or public use land. or (d) For a material change of use involving: (i) preliminary approval to vary the effect of the planning scheme; (ii) establishing alternative Zones to the planning scheme. Note - This part is to be read in conjunction with the other parts of the code		
<b>PO8</b>	<b>AO8.1</b>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
<p>A structure plan is prepared to ensure that neighbourhood design, block and lot layout, street network and the location and provision on any open space recognises previous planning for the area and its surroundings, and integrates appropriately into its surroundings.</p>	<p>Neighbourhood design, lot and street layout, and open space provides for, and integrates with, any:</p> <ul style="list-style-type: none"> <li>(a) approved structure plan;</li> <li>(b) the surrounding pattern of existing or approved subdivision.</li> </ul> <p>Note - Planning scheme policy SC14– Structure planning provides guidance on meeting the performance outcomes.</p>	<p>The proposal is solely for Reconfiguring a Lot (Boundary realignment) to address an existing boundary encroachment.</p>
	<p><b>AO8.2</b></p> <p>Neighbourhood design, lot and street layouts enable future connection and integration with adjoining undeveloped land.</p>	<p><b>Not applicable</b></p> <p>No new lots are proposed.</p>
<p><b>PO9</b></p> <p>Neighbourhood design results in a connected network of walkable streets providing an easy choice of routes within and surrounding the neighbourhood.</p>	<p><b>AO9.1</b></p> <p>Development does not establish cul-de-sac streets unless:</p> <ul style="list-style-type: none"> <li>(a) cul-de-sacs are a feature of the existing pattern of development in the area;</li> <li>(b) there is a physical feature or incompatible zone change that dictates the need to use a cul-de- sac streets.</li> </ul>	<p><b>Not applicable</b></p> <p>The proposal is for Reconfiguring a Lot (Boundary Realignment) only.</p>
	<p><b>AO9.2</b></p> <p>Where a cul-de-sac street is used, it:</p> <ul style="list-style-type: none"> <li>(a) is designed to be no longer than 150 metres in length;</li> <li>(b) is designed so that the end of the cul-de-sac is visible from its entrance;</li> <li>(c) provides connections from the top of the</li> </ul>	<p><b>Not applicable</b></p> <p>The proposal is for Reconfiguring a Lot (Boundary Realignment) only.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	cul- de-sac to other streets for pedestrians and cyclists, where appropriate.	
	<b>AO9.3</b> No more than 6 lots have access to the turning circle or turning-tee at the end of a cul-de-sac street.	<b>Not applicable</b> The proposal is for Reconfiguring a Lot (Boundary Realignment) only.
<b>PO10</b> Neighbourhood design supports diverse housing choices through block sizes and lot design. In developing areas, significant changes in lot size and frontage occur at the rear of lots rather than on opposite sides of a street.	<b>PO10</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The proposal is for Reconfiguring a Lot (Boundary Realignment) only.
<b>PO11</b> Provision of physical and social infrastructure in developing residential neighbourhoods is facilitated through the orderly and sequential development of land.  Note - Part 4 – Local government infrastructure plan may identify specific levels of infrastructure to be provided within development sites.	<b>AO11.1</b> New development adjoins adjacent existing or approved urban development.	<b>Not applicable</b> The proposal is for Reconfiguring a Lot (Boundary Realignment) only.
	<b>AO11.2</b> New development is not established beyond the identified Local government infrastructure plan area.	<b>Not applicable</b> The proposal is for Reconfiguring a Lot (Boundary Realignment) only.
<b>Urban parkland and environmental open space</b>		
<b>PO12</b> Where appropriate development maintains and enhances public access and use of natural areas, rivers, dams, creeks and the foreshore.	<b>AO12</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The proposal is for Reconfiguring a Lot (Boundary Realignment) only.
<b>PO13</b>	<b>AO13</b>	<b>Not applicable</b> The proposal is for Reconfiguring a Lot (Boundary

Performance outcomes	Acceptable outcomes	Applicant response
<p>Development provides land to:</p> <p>(a) meet the recreation needs of the community;</p> <p>(b) provide an amenity commensurate with the structure of neighbourhoods and land uses in the vicinity; and adjacent to open space areas;</p> <p>(c) provide for green corridors and linkages.</p>	<p>No acceptable outcomes are prescribed.</p> <p>Note - Part 4 – Priority infrastructure plan and Planning scheme policy SC14 – Structure Plans provides guidance in providing open space and recreation land.</p>	<p>Realignment) only.</p>
<p><b>AO14</b></p> <p>Lot size, dimensions, frontage and orientation permits buildings to be established that will facilitate casual surveillance to urban parkland and environmental open space.</p>	<p><b>AO14.1</b></p> <p>Urban parkland is regular in shape.</p>	<p><b>Not applicable</b></p> <p>The proposal is for Reconfiguring a Lot (Boundary Realignment) only.</p>
	<p><b>AO14.2</b></p> <p>At least 75% of the urban parkland's frontage is provided as road.</p>	<p><b>Not applicable</b></p> <p>The proposal is for Reconfiguring a Lot (Boundary Realignment) only.</p>
	<p><b>AO14.3</b></p> <p>Urban parkland and environmental open space areas are positioned to be capable of being overlooked by surrounding development.</p>	<p><b>Not applicable</b></p> <p>The proposal is for Reconfiguring a Lot (Boundary Realignment) only.</p>
	<p><b>AO14.4</b></p> <p>Surrounding lots are orientated so that facades will front and overlook the urban parkland and environmental open space.</p>	<p><b>Not applicable</b></p> <p>The proposal is for Reconfiguring a Lot (Boundary Realignment) only.</p>
	<p><b>AO14.5</b></p> <p>The number of lots that back onto, or are side-orientated to the urban parkland and</p>	<p><b>Not applicable</b></p> <p>The proposal is for Reconfiguring a Lot (Boundary Realignment) only.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>environmental open space is minimised.</p>  <p>Inconsistent design solution - low total number of lots complying with the acceptable outcomes.</p>  <p> Lots orientated to front and overlook park to provide casual surveillance.</p> <p>Consistent design solution - high total number of lots complying with the acceptable outcomes.</p>	
<b>Private subdivisions (gated communities)</b>		
<b>PO15</b> Private subdivisions (gated communities) do not compromise the establishment of connected and integrated infrastructure and open space	<b>PO15</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The proposal is for Reconfiguring a Lot (Boundary Realignment) only.

Performance outcomes	Acceptable outcomes	Applicant response
networks.		
<b>Additional requirements for reconfiguration involving the creation of public streets or roads</b>		
<b>PO16</b> The function of new roads is clearly identified and legible and provides integration, safety and convenience for all users.	<b>AO16</b> No acceptable outcomes are prescribed. Note - The design and construction standards are set out in Planning scheme policy SC5 – FNQROC Regional Development Manual, with reference to the specifications set out in Sections D1 and D3.	<b>Not applicable</b> The proposal is for Reconfiguring a Lot (Boundary Realignment) only.
<b>PO17</b> Street design supports an urban form that creates walkable neighbourhoods. Street design: (a) is appropriate to the function(s) of the street; (b) meets the needs of users and gives priority to the needs of vulnerable users.	<b>AO17</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The proposal is for Reconfiguring a Lot (Boundary Realignment) only.
<b>Public transport network</b>		
<b>PO18</b> Development provides a street pattern that caters for the extension of public transport routes and infrastructure including safe pedestrian pick-up and set-down up facilities.	<b>AO18</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The proposal is for Reconfiguring a Lot (Boundary Realignment) only.
<b>Pest plants</b>		
<b>PO19</b> Development activities and sites provide for the removal of all pest plants and implement ongoing	<b>AO19</b> Pest plants detected on a development site are removed in accordance with a management plan	<b>Not applicable</b> The proposal is for Reconfiguring a Lot (Boundary Realignment) only.

Performance outcomes	Acceptable outcomes	Applicant response
<p>measures to ensure that pest plants do not reinfest the site or nearby sites.</p> <p>Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the Land Protection (Pest and Stock Route Management) Act 2002.</p>	<p>prepared by an appropriately qualified person prior to earthworks commencing.</p> <p>Note - A declaration from an appropriately qualified person validates the land being free from pest plants.</p> <p>Declared pest plants include locally declared and State declared pest plants.</p>	