

# DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 2020) 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)	Cecil Casey & Kate Hewitt
Contact name (only applicable for companies)	c/- GMA Certification, Patrick Clifton
Postal address (P.O. Box or street address)	PO Box 831
Suburb	Port Douglas
State	QLD
Postcode	4877
Country	Australia
Contact number	0438 755 374
Email address (non-mandatory)	Patrick.C@gmacert.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	20213567

2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application	
<input checked="" 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
	14	21	Macrossan Street	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	14	SP150459	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

#### 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):

- ☐ On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*

Name of airport:



<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):*

Multiple Dwelling

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



## Section 2 – Further development details

7) Does the proposed development application involve any of the following?	
Material change of use	<input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input 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)
Multiple Dwelling	Multiple Dwelling	1	n/a
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input checked="" type="checkbox"/> Yes			
<input type="checkbox"/> No			

### 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?	
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 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> )
12.2) What is the reason for the boundary realignment?			

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?
<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application <input type="checkbox"/> The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached <input checked="" type="checkbox"/> 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
- ☐ 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*)



<input type="checkbox"/> Heritage places – Local heritage places
Matters requiring referral to the <b>Chief Executive of the distribution entity or transmission entity:</b>
<input type="checkbox"/> Infrastructure-related referrals – Electricity infrastructure
Matters requiring referral to:
<ul style="list-style-type: none"> <li>• The <b>Chief Executive of the holder of the licence</b>, if not an individual</li> <li>• The <b>holder of the licence</b>, if the holder of the licence is an individual</li> </ul>
<input type="checkbox"/> Infrastructure-related referrals – Oil and gas infrastructure
Matters requiring referral to the <b>Brisbane City Council:</b>
<input type="checkbox"/> Ports – Brisbane core port land
Matters requiring referral to the <b>Minister responsible for administering the <i>Transport Infrastructure Act 1994</i>:</b>
<input type="checkbox"/> Ports – Brisbane core port land ( <i>where inconsistent with the Brisbane port LUP for transport reasons</i> )
<input type="checkbox"/> Ports – Strategic port land
Matters requiring referral to the <b>relevant port operator</b> , if applicant is not port operator:
<input type="checkbox"/> Ports – Land within Port of Brisbane's port limits ( <i>below high-water mark</i> )
Matters requiring referral to the <b>Chief Executive of the relevant port authority:</b>
<input type="checkbox"/> Ports – Land within limits of another port ( <i>below high-water mark</i> )
Matters requiring referral to the <b>Gold Coast Waterways Authority:</b>
<input type="checkbox"/> Tidal works or work in a coastal management district ( <i>in Gold Coast waters</i> )
Matters requiring referral to the <b>Queensland Fire and Emergency Service:</b>
<input type="checkbox"/> Tidal works or work in a coastal management district ( <i>involving a marina (more than six vessel berths)</i> )

<b>18) Has any referral agency provided a referral response for this development application?</b>		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application		
<input checked="" type="checkbox"/> 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 ( <i>if applicable</i> ).		

## PART 6 – INFORMATION REQUEST

<b>19) Information request under Part 3 of the DA Rules</b>
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application
<input type="checkbox"/> I do not agree to accept an information request for this development application
<b>Note:</b> By not agreeing to accept an information request I, the applicant, acknowledge: <ul style="list-style-type: none"> <li>• 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</li> <li>• Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</li> </ul> Further advice about information requests is contained in the <a href="#">DA Forms Guide</a> .



## 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 checked="" type="checkbox"/> Approval <input type="checkbox"/> Development application	TBC	Circa 2001	Douglas Shire Council
<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 69: 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.des.qld.gov.au](http://www.des.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 Natural Resources, Mines and Energy at [www.dnrme.qld.gov.au](http://www.dnrme.qld.gov.au) for further information.

DA templates are available from <https://planning.dsdmp.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 <https://planning.dsdmp.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 Natural Resources, Mines and Energy at [www.dnrme.qld.gov.au](http://www.dnrme.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 and Science at [www.des.qld.gov.au](http://www.des.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.dnrme.qld.gov.au](http://www.dnrme.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.des.qld.gov.au](http://www.des.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.des.qld.gov.au](http://www.des.qld.gov.au) for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
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### **Brothels**

23.14) Does this development application involve a **material change of use for a brothel**?

- ☐ Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*  
☒ No

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

23.15) 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

23.16) 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.dsdmip.qld.gov.au](http://www.planning.dsdmip.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

### 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	





GMA Certification  
Group

*Leaders in  
Building Certification Services*



## **PLANNING STATEMENT**

---

For: Cecil Casey & Kate Hewitt  
Development: Multiple Dwelling  
At: Lot 14, 21 Macrossan Street, Port Douglas (Lot 14 on  
SP150459)  
Prepared by: GMA Certification Group  
File Ref: 20213567  
Revision: A



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## 1.0 Introduction

This report has been prepared on behalf of Cecil Casey & Kate Hewitt in support of a Development Application to Douglas Shire Council for a Development Permit for Material Change of Use for the purpose of a Multiple Dwelling unit on land located at Lot 14, 21 Macrossan Street, Port Douglas and described as Lot 14 on SP150459.

The application relates to one self-contained Multiple Dwelling (Tourist) apartment that forms part of the Mantra Heritage complex located at 21 Macrossan Street, Port Douglas. The specific apartment is Lot 14, which contains a total floor area of 128m<sup>2</sup>. The subject premises includes a single car parking space, located within the overall development, and which forms part of the title.

The overall site comprises residential apartments, which were approved under the 1996 Douglas Shire Planning Scheme for Multiple Dwelling (Tourist) units, retail units and communal recreation areas. The tourist use approval prevents the use of the premises for lawful permanent accommodation.

It is proposed to undertake a Material Change of Use of premises from self-contained Multiple Dwelling (Tourist) Unit to Multiple Dwelling Unit to provide for permanent and/or tourist accommodation.

The application is identified as being Code Assessable and consideration can only be given to the Assessment Benchmarks contained within the Planning Scheme. The proposed development is considered to be consistent with the Assessment Benchmarks and is considered to be a suitable use of the premises.

The application is submitted for approval, subject to reasonable and relevant conditions.



## 2.0 Development Summary

<b>Address:</b>	Lot 14, 21 Macrossan Street, Port Douglas
<b>Real Property Description:</b>	Lot 14 on SP150459
<b>Easements &amp; Encumbrances:</b>	nil
<b>Site Area:</b>	128m <sup>2</sup>
<b>Registered Owner:</b>	Cecil Casey & Kate Hewitt
<b>Proposal:</b>	Multiple Dwelling unit
<b>Approval Sought:</b>	Development Permit
<b>Level of Assessment:</b>	Code Assessment
<b>State Interests – State Planning Policy</b>	<ul style="list-style-type: none"> <li>• Safety and Resilience to Hazards               <ul style="list-style-type: none"> <li>○ Flood Hazard area – Level 1- Queensland floodplain;</li> <li>○ Erosion Prone Area;</li> <li>○ Medium Storm Tide Inundation Area, in part; and,</li> <li>○ High Storm Tide Inundation Area, in part.</li> </ul> </li> </ul>
<b>State Interests – SARA Mapping:</b>	<ul style="list-style-type: none"> <li>• Coastal Protection               <ul style="list-style-type: none"> <li>○ Erosion Prone Area;</li> <li>○ Medium Storm Tide Inundation Area; and,</li> <li>○ High Storm Tide Inundation Area;</li> </ul> </li> <li>• Native Vegetation Clearing – Category X on the regulated vegetation management map.</li> </ul>
<b>Referral Agencies:</b>	Nil
<b>State Development Assessment Provisions:</b>	Not applicable
<b>Regional Plan Designation:</b>	Urban Footprint
<b>Zone:</b>	Centre Zone
<b>Local Plan Designation:</b>	Port Douglas – Craiglie, Precinct 1 – 1a Town Centre



## Overlays:

- Acid Sulfate Soils Overlay
    - Acid Sulfate Soils 5-20m AHD, in part;
    - Acid Sulfate Soils <5m AHD, in part;
  - Coastal Environment Overlay – Erosion Prone Area;
  - Flood and Storm Tide Hazard Overlay, in part
    - Medium Storm Tide Hazard, in part;
    - High Storm Tide Hazard, in part;
    - 100 Year ARI – Mossman and Port Douglas Flood Studies.
-



### 3.0 Site and Locality

The application premises is an existing one bedroom apartment located at Lot 14, 21 Macrossan Street, Port Douglas, and described as Lot 14 on SP150459. The unit is an existing self-contained Multiple Dwelling (Tourist) unit located on the second floor of the existing Mantra Heritage complex. The overall complex has frontage to Macrossan Street to the north and to Warner Street to the south and contains accommodation units, retail uses and communal recreation areas. The site is located in the Port Douglas Town Centre, which is characterised by permanent and short term accommodation, retail and commercial recreation uses.

The unit contains two bedrooms, kitchen/dining/living area and utility rooms. The premises has a total area of 128m<sup>2</sup> comprising a basement car parking space of 14m<sup>2</sup>, a verandah of 27m<sup>2</sup> and an internal floor area of 81m<sup>2</sup>.

Development surrounding the site is typical of a town centre location with tourist and permanent accommodation, retail and entertainment activities. To the north west of the site is the coles shopping complex and to the east are retail and accommodation developments.



Photo 1 – Site Location (Source Queensland Globe)



## 4.0 Proposal

The application is for the Material Change of Use of Premises from self-contained Multiple Dwelling (Tourist) Unit to a Multiple Dwelling Unit. There would be no physical change to the premises and it would simply provide for the lawful occupation of the premises on a permanent basis and/or for short term tourist accommodation. The external appearance and floor plan of the proposed unit would remain as existing.



Image 1: Floor plan.

The key development features of the proposed development are summarised in the table below:

Development Feature	Proposal
Total Area:	128m <sup>2</sup>
Car Parking Spaces:	1 Space
Existing Use:	Multiple Dwelling (Tourist) unit
Proposed Use:	Multiple Dwelling Unit for permanent and or tourist occupation



## 5.0 Statutory Planning Considerations

This section provides a summary of the legislative framework affecting the application pursuant to the Planning Act 2016.

### 5.1 Planning Act 2016

#### 5.1.1 Categorisation of Development

The proposed development is not identified as prohibited development having regard to the relevant instruments that can prohibit development under the *Planning Act 2016*, including

- Schedule 10 of the Planning Regulations 2017
- Relevant Categorising Instruments.

The development is made assessable under the Douglas Shire Council Planning Scheme, which is a categorising instrument for the purpose of s43 of the *Planning Act 2016*.

#### 5.1.2 Assessment Manager

Pursuant to Schedule 8 of the *Planning Regulations 2017*, the Assessment Manager for the application is the Douglas Shire Council.

#### 5.1.3 Level of Assessment

The application involves the development of a Multiple Dwelling Unit. The table below identifies the level of assessment and the categorising section of the Douglas shire Council Planning Scheme.

Development	Categorising Section	Level of Assessment
Multiple Dwelling Unit	Table 4.6.a Centre Zone	Code Assessable

#### 5.1.4 Statutory Considerations for Assessable Development

As the application is subject to Code Assessment, in deciding the application pursuant to s60 of the *Planning Act 2016*, the Council, as Assessment Manager, can only have regard to the matters established in the relevant planning benchmarks.

This assessment is further discussed in Section 6.0 of this report and a detailed assessment of the proposed development against the assessment benchmarks is provided at [Appendix 2](#).



### **5.1.5 State Planning Policy**

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

### **5.1.6 Regional Plan**

The application site is identified in the Urban Footprint designation of the Far North Queensland Regional Plan. Consistent with the State Planning Policies, it is understood that the Planning Scheme has been determined to appropriately advance the Regional Plan and, on that basis, no further assessment is required in this instance.

### **5.1.7 Referral Agencies**

There are no referral agencies identified in respect of this application.

### **5.1.8 State Development Assessment Provisions**

As there are no referral agencies for the application, no State Development Assessment Provisions Apply to the assessment.



## 6.0 Local Planning Considerations

### 6.1 Douglas Shire Council Planning Scheme

Within the Douglas Shire Council Planning Scheme (2018, v.1.0), the site is identified within the Centre Zone and Precinct 1a Town Centre of the Port Douglas/Craigie Local Plan, and is affected by the following overlays:

- Acid Sulfate Soils Overlay;
- Coastal Environment Overlay; and,
- Flood and Storm Tide Hazard Overlay.

The Table below identifies the applicable Assessment Benchmarks contained within the Planning Scheme.

Assessment Benchmark	Applicability	Compliance
Centre Zone Code	Applies	Complies with applicable Acceptable Outcomes and Performance Outcomes.
Port Douglas – Craigie Local Plan Code	Applies	Complies with applicable Acceptable Outcomes and Performance Outcomes.
Acid Sulfate Soils Overlay Code	Applies	Complies with applicable Acceptable Outcomes.
Coastal Environment Overlay Code	Applies	Complies with applicable Acceptable Outcomes.
Flood and Storm Tide Hazard Overlay Code	Applies	Complies with applicable Acceptable Outcomes.
Multiple Dwelling, Short Term Accommodation and Retirement Facility Code	Applies	Generally complies with the applicable Acceptable Outcomes. Consideration is required in respect of Performance Outcome PO17, Secure Storage. Refer below.
Access, Parking and Servicing Code	Applies	Complies with applicable Acceptable Outcomes.
Infrastructure Works Code	Applies	Complies with applicable Acceptable Outcomes.



Landscaping Code	Not applicable	No applicable Assessment Benchmarks.
Vegetation Management Code	Not applicable	No applicable Assessment Benchmarks.

### 6.1.1 Statement of Compliance

#### 6.1.1.1 Multiple Dwelling, Short Term Accommodation and Retirement Village Code

Performance Outcome PO17 states of the Multiple Dwelling, Short Term Accommodation and Retirement Village Code states:

#### **PO17**

*Development provides a secure storage area for each dwelling.*

The associated Acceptable Outcome States:

#### **AO17**

*A secure storage area for each dwelling:*

- (a) is located to enable access by a motor vehicle or be near to vehicle parking;*
- (b) has a minimum space of 3.5m<sup>2</sup> per dwelling;*
- (c) has a minimum height of 2 metres;*
- (d) is weather proof;*
- (e) is lockable;*
- (f) has immunity to the 1% AEP inundation event.*

The proposal is for the material change of use of an existing self-contained Multiple Dwelling (Tourist) unit to a Multiple Dwelling Unit to provide for permanent occupation. The Dwelling Unit would have access to the storage facilities provided as part of the original development and would not require additional storage. It is considered that the proposed development complies with the requirements of the Performance Outcome.



## 7.0 Summary and Conclusion

This report has been prepared on behalf of Cecil Casey & Kate Hewitt in support of a Development Application to Douglas Shire Council for a Development Permit for Material Change of Use for the purpose of a Multiple Dwelling unit on land located at Lot 14, 21 Macrossan Street, Port Douglas and described as Lot 14 on SP150459.

The application relates to one self-contained Multiple Dwelling (Tourist) apartment that forms part of the Mantra Heritage complex located at 21 Macrossan Street, Port Douglas. The specific apartment is Lot 14, which contains a total floor area of 128m<sup>2</sup>. The subject premises includes a single car parking space, located within the overall development, and which forms part of the title.

It is proposed to undertake a Material Change of Use of premises from self-contained Multiple Dwelling (Tourist) Unit to Multiple Dwelling Unit to provide for permanent and/or tourist accommodation. No physical changes are proposed as part of the change of use.

The proposed development is considered to be consistent with the Assessment Benchmarks and is considered to be a suitable use of the premises. The application is submitted for approval, subject to reasonable and relevant conditions.



## Appendix 1.

# CERTIFICATE OF TITLE



**Queensland Titles Registry Pty Ltd**  
**ABN 23 648 568 101**

<b>Title Reference:</b> 50407286	<b>Search Date:</b> 06/08/2021 13:54
<b>Date Title Created:</b> 11/09/2002	<b>Request No:</b> 38122827
<b>Previous Title:</b> 50365430	

## ESTATE AND LAND

## Estate in Fee Simple

LOT 14      SURVEY PLAN 150459  
Local Government: DOUGLAS  
COMMUNITY MANAGEMENT STATEMENT 30573

**REGISTERED OWNER**

Dealing No: 716346936 05/03/2015

CECIL THOMAS CASEY  
KATE HEATHER HEWITT  
UNDER INSTRUMENT 716346936

## EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 10332031 (ALLOT 15 SEC 2)  
Deed of Grant No. 10332035 (ALLOT 16 SEC 2)  
Deed of Grant No. 10332073 (ALLOT 10 SEC 2)

## ADMINISTRATIVE ADVICES

NIL

## UNREGISTERED DEALINGS

NIL

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



Land Title Act 1994; Land Act 1994  
Form 21 Version 2

## SURVEY PLAN

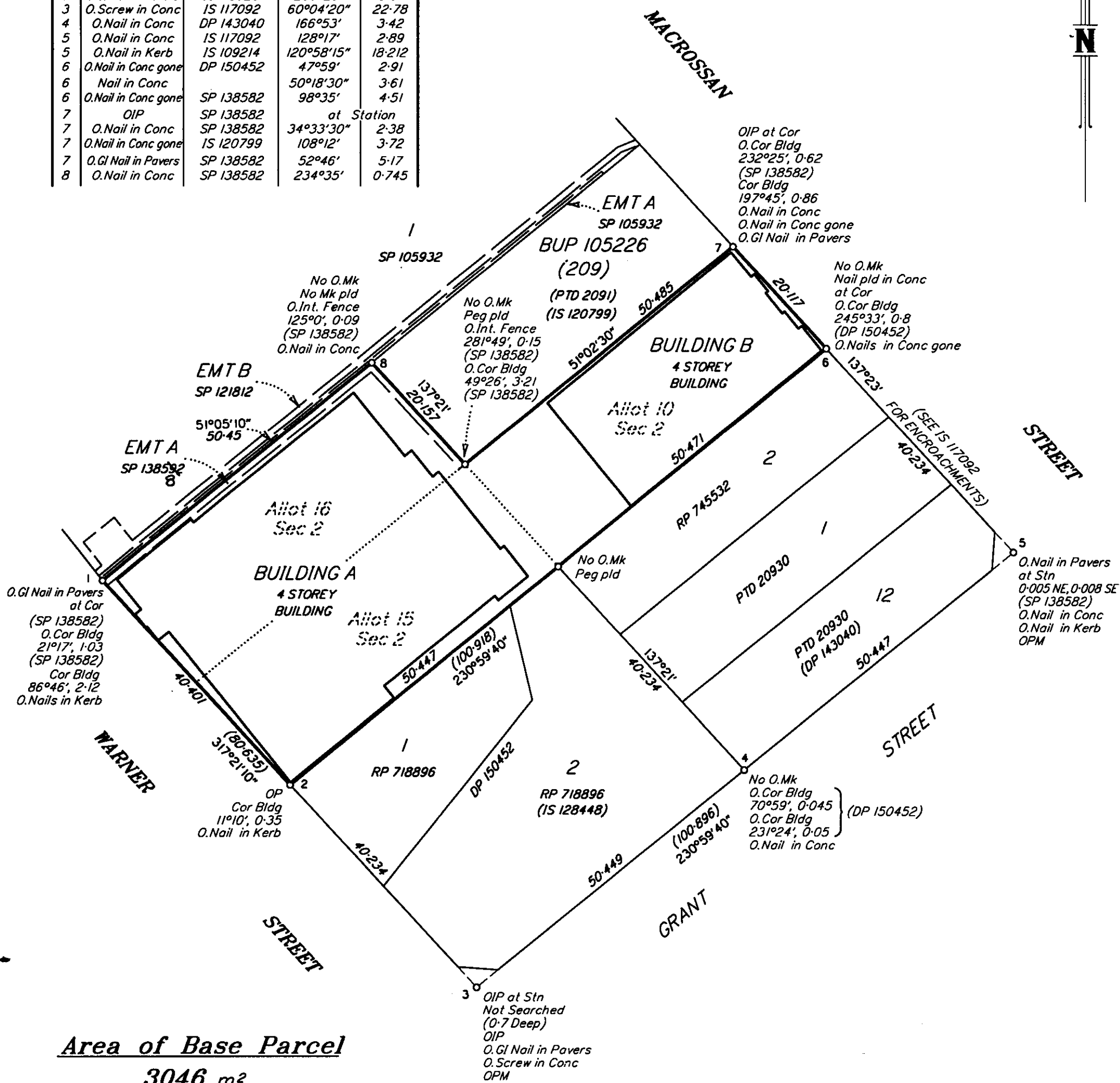
Sheet  
1 of  
9

## REFERENCE MARKS

STN	TO	ORIGIN	BEARING	DIST
1	O.Nail in Kerb	SP 138582	215°16'	4.41
1	O.Nail in Kerb	SP 105932	231°51'	25.58
2	O.Nail in Kerb	SP 138582	211°59'30"	5.2
3	OIP 0.7 deep (Not Searched)	RP 718896	at Station	
3	OIP	SP 105932	245°20'	7.96
3	O.Gl Nail in Pavers	IS 118328	205°29'	9.01
3	O.Screw in Conc	IS 117092	60°04'20"	22.78
4	O.Nail in Conc	DP 143040	166°53'	3.42
5	O.Nail in Conc	IS 117092	128°17'	2.89
5	O.Nail in Kerb	IS 109214	120°58'15"	18.212
6	O.Nail in Conc gone	DP 150452	47°59'	2.91
6	Nail in Conc		50°18'30"	3.61
6	O.Nail in Conc gone	SP 138582	98°35'	4.51
7	OIP	SP 138582	at Station	
7	O.Nail in Conc	SP 138582	34°33'30"	2.38
7	O.Nail in Conc gone	IS 120799	108°12'	3.72
7	O.Gl Nail in Pavers	SP 138582	52°46'	5.17
8	O.Nail in Conc	SP 138582	234°35'	0.745

## PERMANENT MARKS

PM	ORIGIN	BEARING	DIST	NO
3-OPM	SP 105932	261°29'15"	33.725	39989
5-OPM	PTD 20930	84°06'25"	42.028	1142



C & B CONSULTANTS PTY LTD ACN 055 931 096  
hereby certify that the Company has surveyed the land  
comprised in this plan by MARK PETER STOPFORD,  
Licensed Surveyor and Mark Gregory FERRERO,  
Surveying Associate, for whose work the company  
accepts responsibility, that the plan is accurate, that the  
said survey was performed in accordance with the  
Surveyors Act 1970 and the Surveyors Regulation 1992  
and that the said survey was completed on 16-7-2002.



Director  
Date 24.7.02

Plan of

**Lots 4-38 &  
Common Property**  
Cancelling Lot 210 on SP 138582

PARISH: **SALISBURY**COUNTY: **Solander**Meridian: **SP 105932**F/N's: **NO**

Scale:

**1:600**

Format:

**BUILDING****SP150459**

Plan Status:

State copyright reserved.



705910144

\$2285.85  
29/08/2002 13:08

CS 400 NT

WARNING : Folded or Mutilated Plans will not be accepted.  
Plans may be rolled.  
Information may not be placed in the outer margins.

Registered

5. Lodged by

MILLER HARRIS CS 715  
15 Lake St,  
CAIRNS Q 4870  
Ph 4

(Include address, phone number, reference, and Lodger Code)

## 1. Certificate of Registered Owners or Lessees.

✓ We THE PORT HERITAGE RESORT PTY LTD  
A.C.N. 092 089 186

(Names in full)

\* as Registered Owners of this land agree to this plan and dedicate the Public Use  
Land as shown hereon in accordance with Section 50 of the Land Title Act 1994.

\* as Lessees of this land agree to this plan.

Signature of \*Registered Owners \*Lessees

THE PORT HERITAGE RESORT PTY LTD  
A.C.N. 092 089 186

\* Rule out whichever is inapplicable

## 2. Local Government Approval.

\* DOUGLAS SHIRE COUNCIL

hereby approves this plan in accordance with the:

%

Integrated Planning Act 1997

Dated this Twenty First day of August 2002

D. Bearell  
MAYOR  
CHIEF EXECUTIVE OFFICER\* Insert the name of the Local Government. % Insert Integrated Planning Act 1997 or  
# Insert designation of signatory or delegation Local Government (Planning & Environment) Act 1990

## 3. Plans with Community Management Statement :

CMS Number : 30573

Name : THE PORT HERITAGE RESORT

## 4. References :

Dept File :  
Local Govt :  
Surveyor : 61598

## 6. Existing

Title Reference	Lot	Plan	Lots	Emts	Road
50365430	210	SP 138582	4-38 & Common Property		

## Created

## MORTGAGE ALLOCATIONS

Mortgage	Lots Fully Encumbered	Lots Partially Encumbered
704989281	4-38 & Common Property	
704989289	4-38 & Common Property	
705011663	4-38 & Common Property	

## ENCUMBRANCE EASEMENT ALLOCATIONS

Easement	Lots to be Encumbered
705005779	Common Property

Amendments by C&amp;B Consultants Pty Ltd

ACN 055 931 096

Date:- 10.9.02 S. Redgwell

Director/Licensed Surveyor

Amendments by C&amp;B Consultants Pty Ltd

ACN 055 931 096

Date:- 5.9.02 S. Redgwell

Director/Licensed Surveyor

SEC 2	
ALLOT 10	5, 21-38
ALLOT 15	4-25, 27-38
ALLOT 16	4-18, 25 & 26

Orig	Lots
------	------

## 7. Portion Allocation :

8. Map Reference :  
7965-222319. Locality :  
PORT DOUGLAS10. Local Government :  
DOUGLAS SHIRE COUNCIL

## 11. Passed &amp; Endorsed :

By: C &amp; B CONSULTANTS PTY LTD

Date: 24.7.02

Signed: S. Redgwell

Designation: LICENSED SURVEYOR

## 12. Building Format Plans only.

I certify that :

\* As far as it is practical to determine, no part  
of the building shown on this plan encroaches  
onto adjoining lots or road;\* Part of the building shown on this plan  
encroaches onto adjoining lots and roadS. Redgwell 24.7.02  
Licensed Surveyor/Director \* Date  
\* delete words not required

## 13. Lodgement Fees :

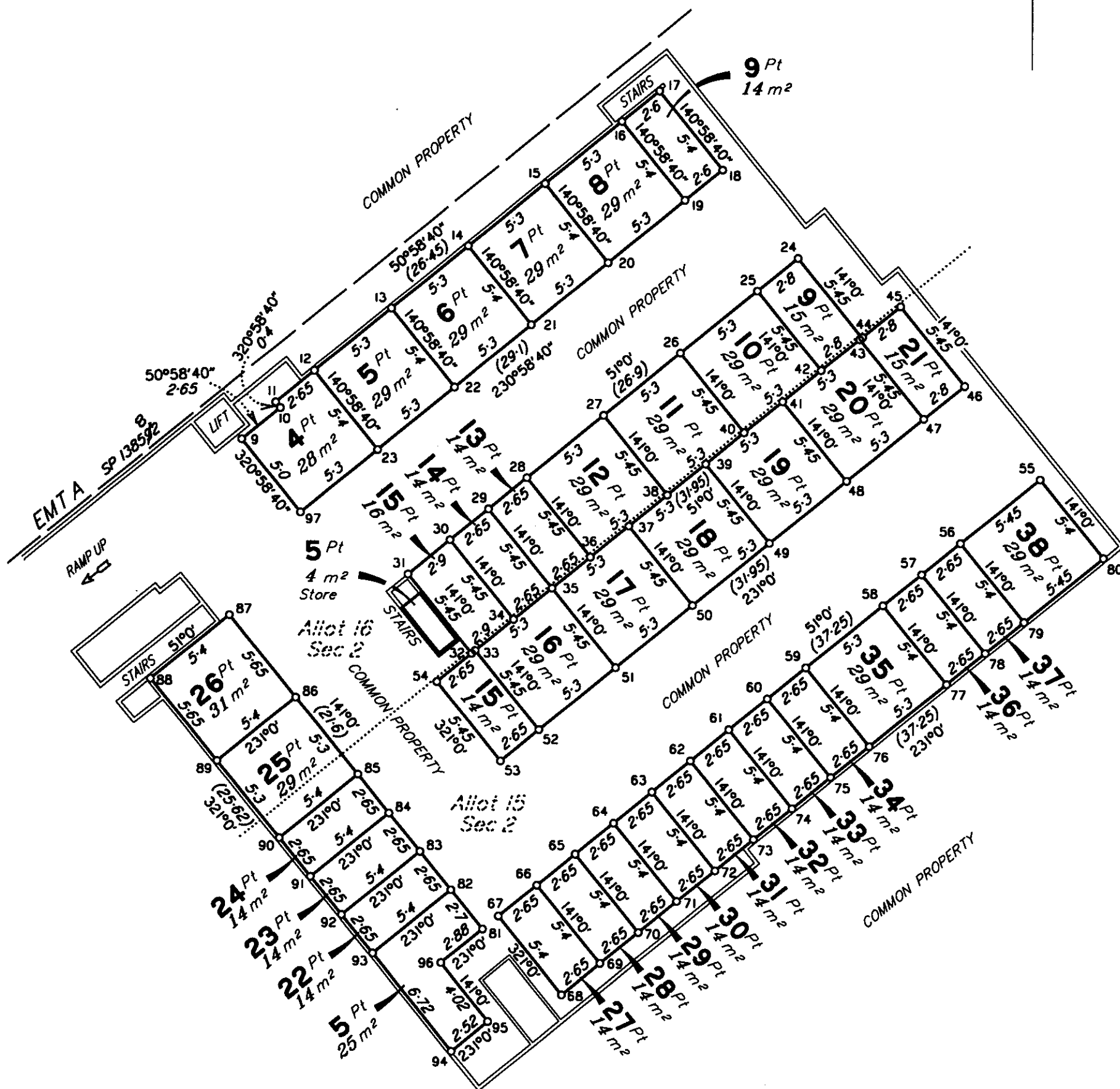
Survey Deposit	\$
Lodgement	\$
New Titles	\$
Photocopy	\$
Postage	\$
TOTAL	\$

14. Insert  
Plan  
Number

SP150459

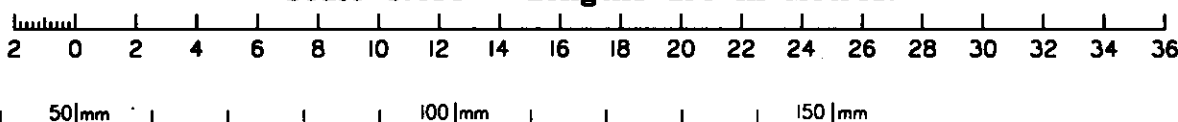


**BUILDING A**  
**LEVEL A**  
BASEMENT - GARAGES



Drill hole placed in concrete at  
stations 9, 10, 18-72, 81-87, 96 & 97.  
Nail placed in concrete at  
stations 11-17, 73-80 & 88-94.  
Centre GIFF at station 95.

Scale 1:250 - Lengths are in Metres.



State copyright reserved.

Insert Plan Number **SP150459**



# N

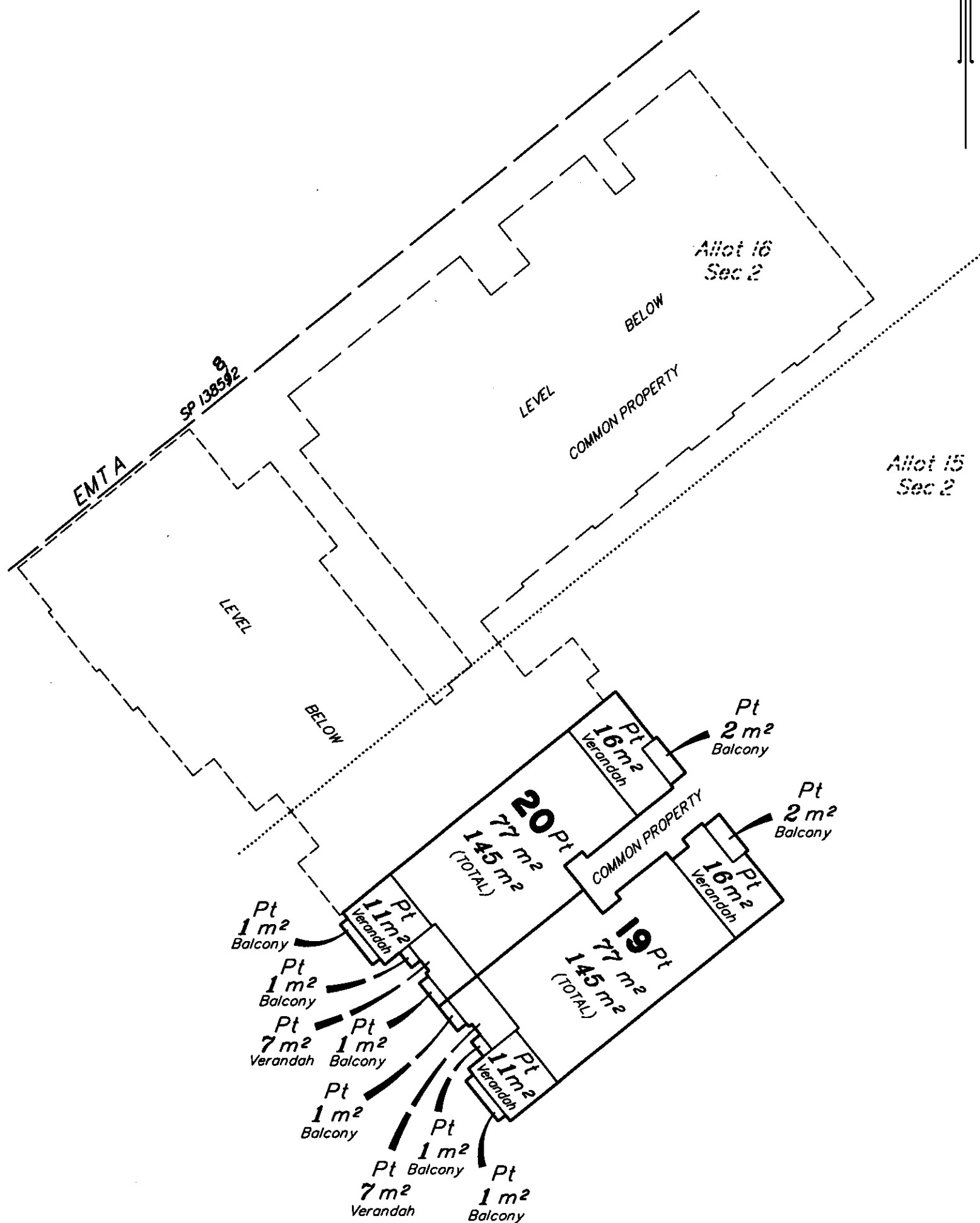
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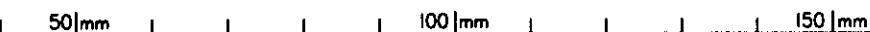
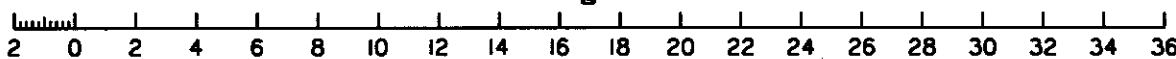




**BUILDING A**  
**LEVEL D**



Scale 1:250 - Lengths are in Metres.

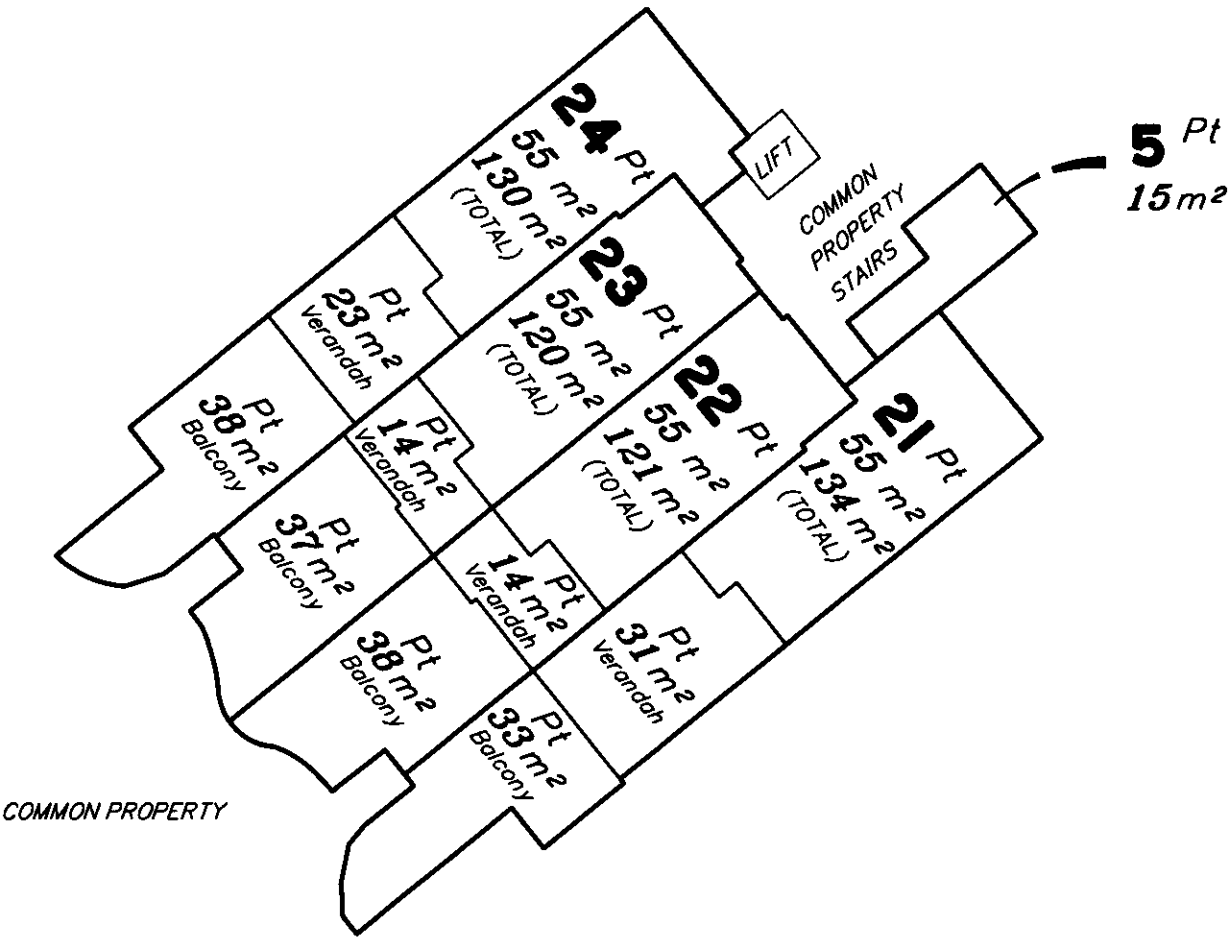


State copyright reserved.

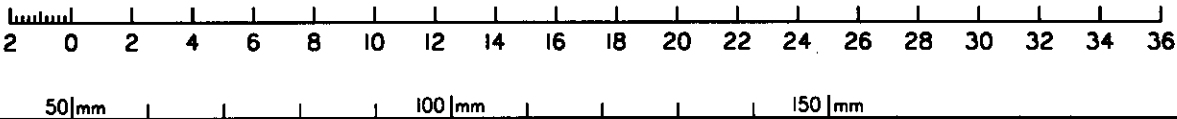
Insert  
Plan  
Number **SP150459**



BUILDING B  
LEVEL A



Scale 1:250 - Lengths are in Metres.

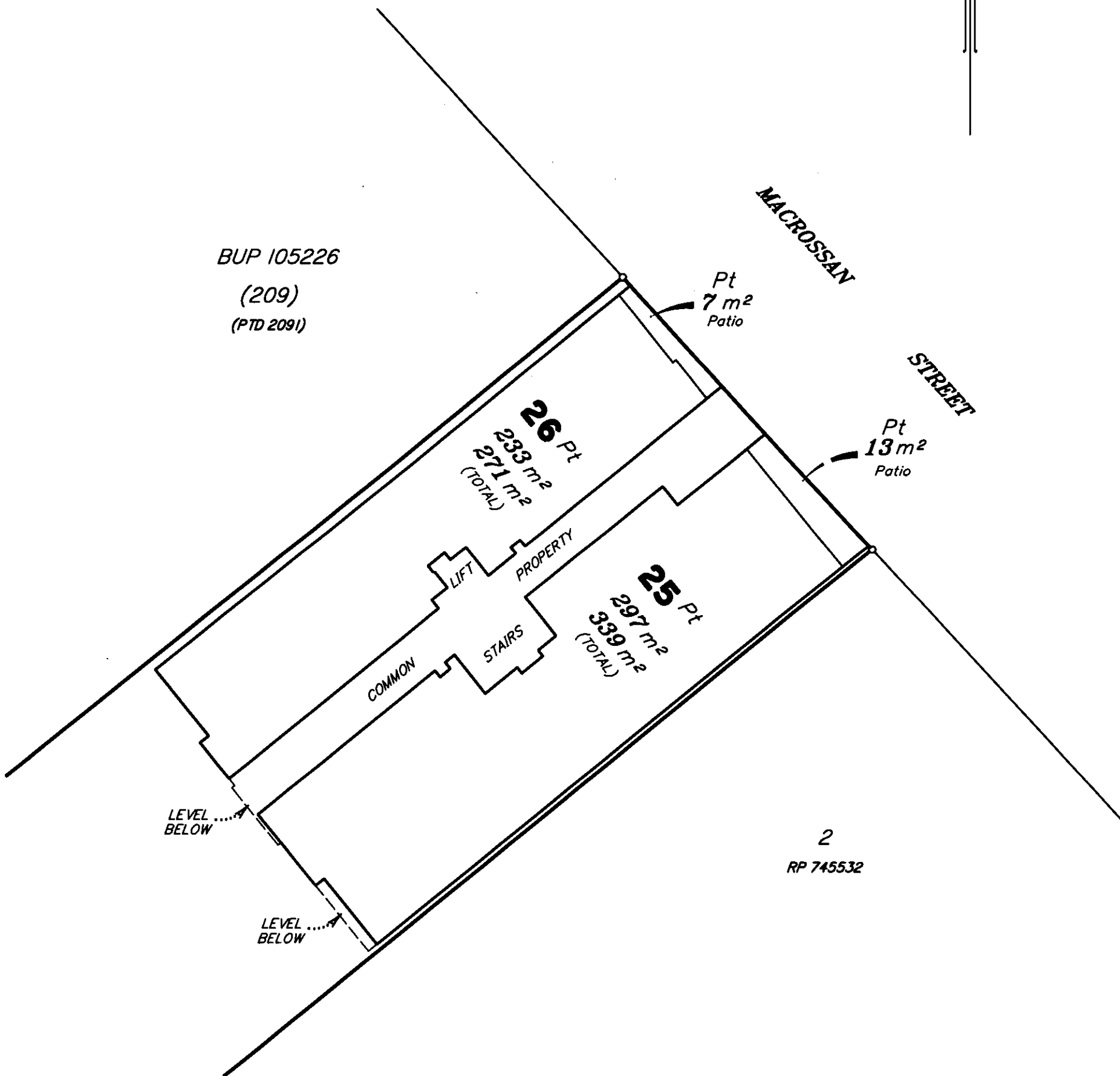


State copyright reserved.

Insert Plan Number **SP150459**



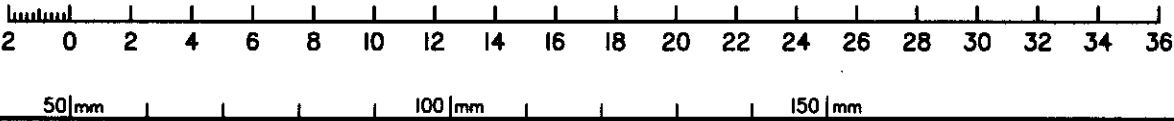
BUILDING B  
LEVEL B



LEVEL BELOW

LEVEL BELOW

Scale 1:250 - Lengths are in Metres.



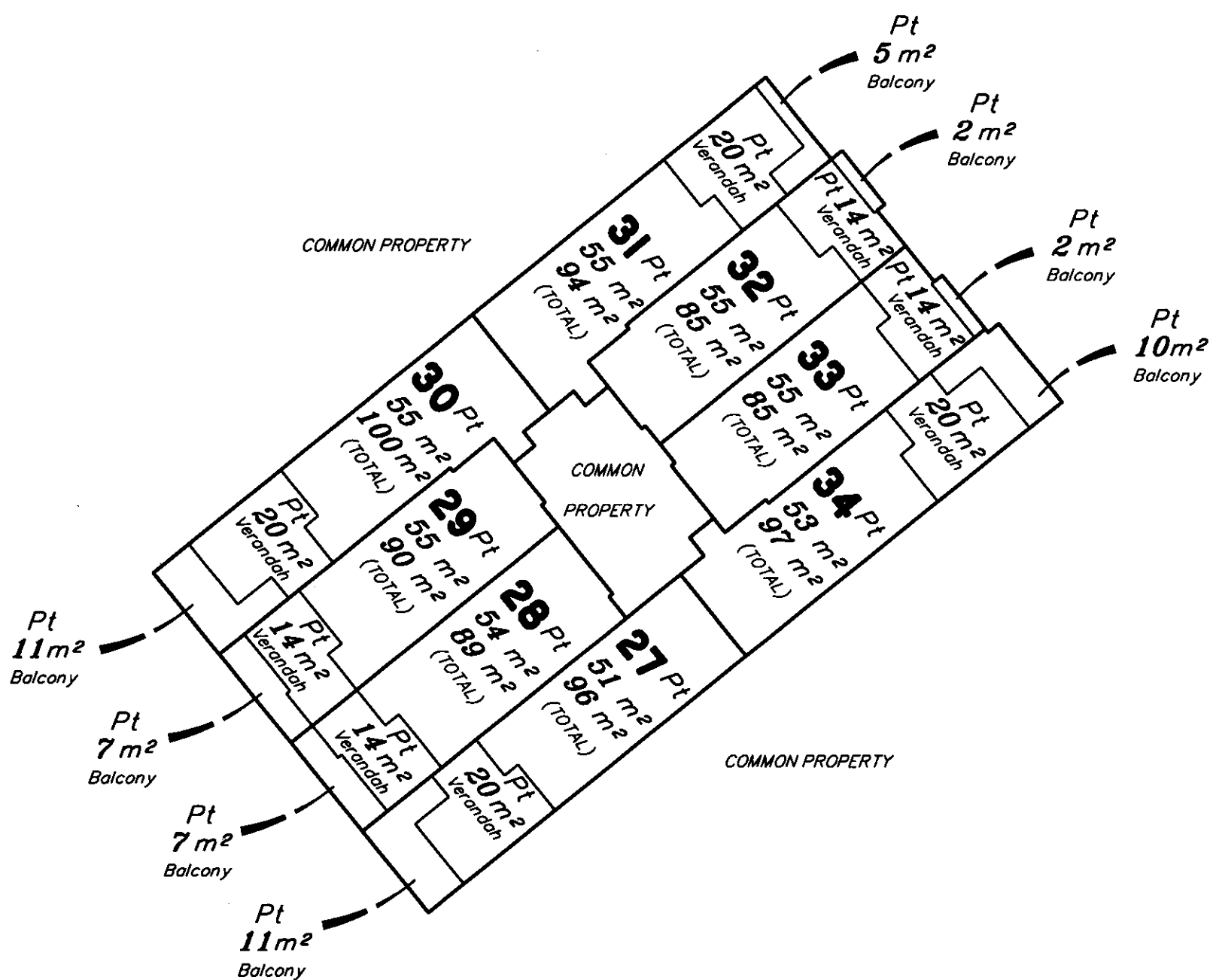
State copyright reserved.

Insert Plan Number **SP150459**

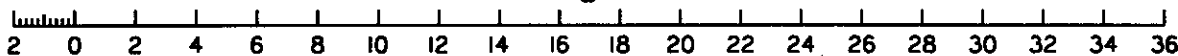


**BUILDING B**

**LEVEL C**



Scale 1:250 - Lengths are in Metres.

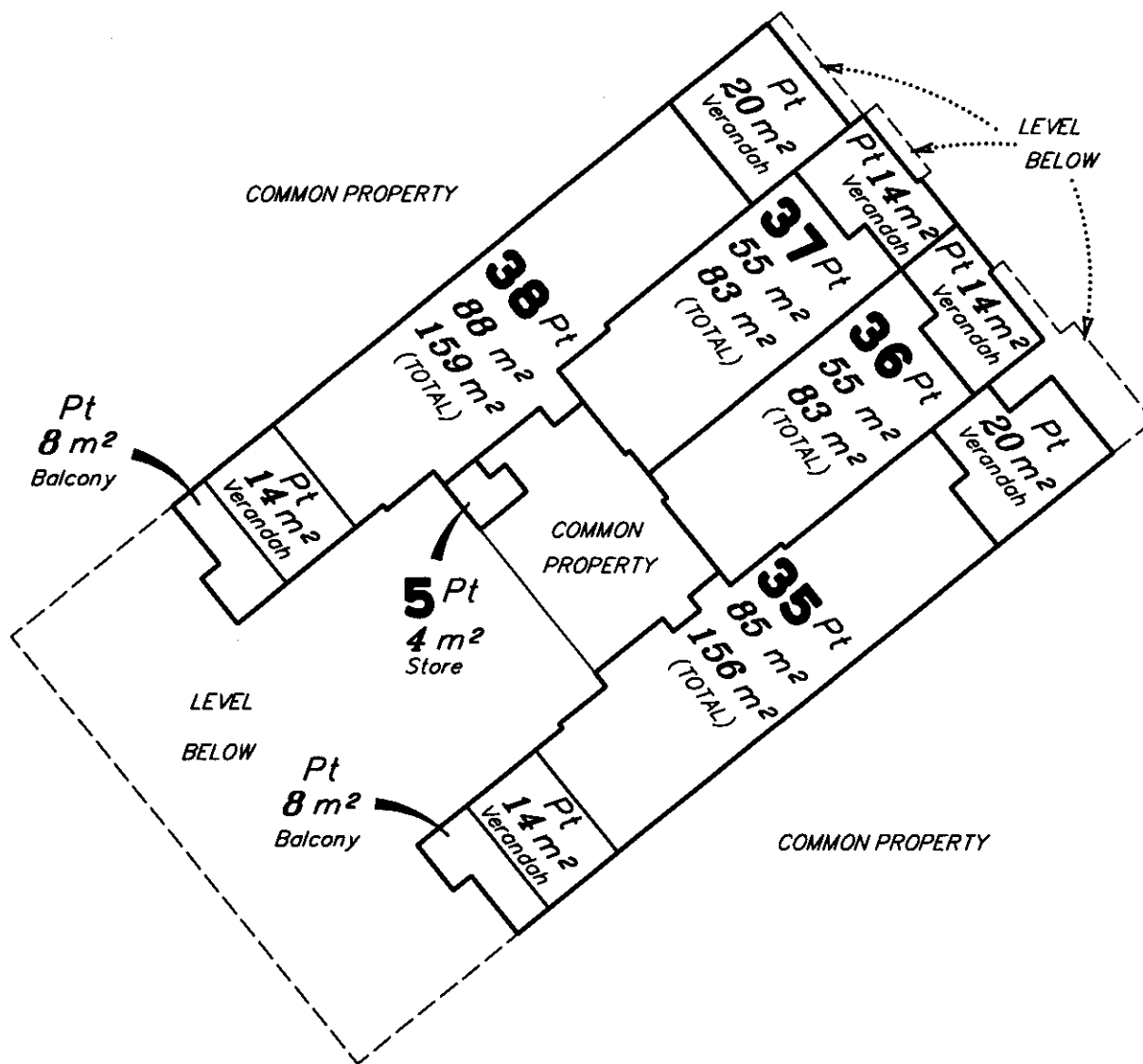


State copyright reserved.

Insert  
Plan  
Number  
**SP150459**



**BUILDING B**  
**LEVEL D**



Scale 1:250 - Lengths are in Metres.



State copyright reserved.

Insert  
Plan  
Number **SP150459**



## Appendix 2.

# PLANNING BENCHMARK ASSESSMENT





20213567 - Lot 14, 21 Macrossan Street, Port Douglas

## **6.2.1 Centre zone code**

### **6.2.1.1 Application**

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

### **6.2.1.2 Purpose**

- (1) The purpose of the Centre zone code is to provide for a mix of land uses and activities.
  - (a) These uses include, but are not limited to, business, retail, professional, administrative, community, entertainment, cultural and residential activities.
  - (b) Centres are found at a variety of scales based on their location and surrounding activities.
- (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 3.4.3 Activity Centres.
    - (ii) Theme 4 : Strong communities and identity, Element 3.7.4 Sense of place, community and identity, Element 3.7.6 Arts and Culture
    - (iii) Theme 5 : Economy, Element 3.8.2 – Economic growth and diversification, Element 3.8.3 Tourism.





20213567 - Lot 14, 21 Macrossan Street, Port Douglas

(b) provide for a mix of uses and level of economic and social activity to serve community needs.

(3) The purpose of the code will be achieved through the following overall outcomes:

- (a) Development creates a range of retail, commercial, community and residential uses.
- (b) Development is consistent with any location specific provisions contained within a Local Plan.
- (c) Development provides activation and surveillance at ground level where adjoining roads or other public spaces.
- (d) Development is integrated and coordinated both within the site and in relation to surrounding land uses and activities.
- (e) Development provides a built form that establishes a cohesive streetscape and continuous pedestrian connections and shelters.
- (f) Development is sensitively designed and managed to mitigate impacts on surrounding sensitive land uses.
- (g) Development has access to infrastructure and services.

### 6.2.1.3 Criteria for assessment

**Table 6.2.1.3.a - Centre zone – assessable development**

Performance outcomes		Acceptable outcomes	Compliance
For self-assessable and assessable development			
<b>PO1</b> The height of all buildings is in keeping with the character of the surrounding residential	<b>AO1</b> The maximum height of buildings and structures is:	<b>Not applicable</b> Development would be wholly contained within the existing building.	





20213567 - Lot 14, 21 Macrossan Street, Port Douglas

Performance outcomes	Acceptable outcomes	Compliance
neighbourhoods and must not adversely affect the amenity of the neighbourhood.	<p>(a) in accordance with the provisions of any applicable local plan;</p> <p>(b) if no local plan applies, not more than 8.5 metres and two storeys in height.</p> <p>Note - Height is inclusive of the roof height.</p>	
<p><b>PO2</b></p> <p>The siting of buildings contributes to the use of the land, desired amenity and character of the area and protects the amenity of other land uses.</p>	<p><b>AO2.1</b></p> <p>Buildings and structures are setback to road frontages:</p> <p>(a) in accordance with the provisions of any applicable local plan;</p> <p>(b) a minimum of 6 metres where no local plan applies or there are no particular provisions specified in the local plan for the site.</p>	<p><b>Not applicable</b></p> <p>Development would be wholly contained within the existing building.</p>
	<p><b>AO2.2</b></p> <p>Where adjoining land in the Industry zone, buildings are setback:</p>	<p><b>Not applicable</b></p> <p>Development would be wholly contained within an existing building and does not adjoin land in the Industry zone.</p>





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Performance outcomes	Acceptable outcomes	Compliance
	<p>(a) 0 metres from the side and rear boundaries; or</p> <p>(b) 2.5 metres or <math>\frac{1}{4}</math> of the height of the building, whichever is the greater; and</p> <p>(c) not any distance between 0 metres and 2.5 metres.</p>	
	<p><b>AO2.3</b></p> <p>Where adjoining land in any other zone, buildings are setback 3 metres or <math>\frac{1}{4}</math> of the height of the building, whichever is the greater and are provided with an acoustic barrier in accordance with the recommendations of a qualified acoustic expert.</p>	<p><b>Not applicable</b></p> <p>Development would be wholly contained within the existing building.</p>
	<p><b>AO2.4</b></p> <p>Setback areas are provided with a 2 metre landscaped strip capable of deep planting, which is kept clear of service equipment and storage areas:</p>	<p><b>Not applicable</b></p> <p>Development would be wholly contained within the existing building.</p>





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Performance outcomes	Acceptable outcomes	Compliance
	<p>(a) adjacent to the road frontage in all areas not required for pedestrian or vehicular access for the setback area nominated in AO2.1(b) above;</p> <p>(b) adjacent to the boundary with the other zone for the setback area nominated in AO2.3 above.</p>	
<p><b>PO3</b></p> <p>The site coverage of buildings ensures that there is sufficient space available to cater for services, landscaping and on-site parking.</p>	<p><b>AO3</b></p> <p>Site coverage does not exceed 80%, unless otherwise specified in a Local plan.</p>	<p><b>Not applicable</b></p> <p>Development would be wholly contained within the existing building.</p>
<b>For assessable development</b>		
<p><b>PO4</b></p> <p>The establishment of uses is consistent with the outcomes sought for the Centre zone and protects the zone from the intrusion of inconsistent uses.</p>	<p><b>AO4</b></p> <p>Inconsistent uses as identified in Table 6.2.1.3.b are not established in the Centre zone.</p>	<p><b>Complies with AO4</b></p> <p>The development of a Multiple Dwelling for permanent occupancy is not identified as an incompatible use.</p>
<p><b>PO5</b></p>	<p><b>AO5</b></p>	<p><b>Complies with AO5</b></p>





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Performance outcomes	Acceptable outcomes	Compliance
Development provides a range of convenient goods and services for the daily needs of discrete residential communities.	Development complies with the requirements specified in a local plan.	Refer to the assessment against the Local Plan Code.
<b>PO6</b> Development does not lower the standard of amenity in terms of air, noise, odour, electrical interference and vibrations at any land use associated with the: <ul style="list-style-type: none"> <li>(a) the Accommodation activity group, located outside the Centre zone;</li> <li>(b) the Sensitive land use activity group, located outside the Centre zone.</li> </ul>	<b>AO6</b> No acceptable outcomes are prescribed.	<b>Complies with PO6</b> The change of use from a self-contained tourist unit to a Multiple Dwelling unit capable of permanent occupation would not have any greater impact on the amenity of the area.
<b>PO7</b> Reconfiguration of land results in: <ul style="list-style-type: none"> <li>(a) a practical layout for centre land use activities, generally consisting of regular rectangular-shaped lots.</li> <li>(b) lots no less than 600m<sup>2</sup> in area</li> </ul>	<b>AO7</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> No reconfiguration is proposed.





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**Table 6.2.1.3.b — Inconsistent uses within the Centre zone.**

Inconsistent uses		
<ul style="list-style-type: none"> <li>• Air services</li> <li>• Animal husbandry</li> <li>• Animal keeping</li> <li>• Aquaculture</li> <li>• Brothel</li> <li>• Cemetery</li> <li>• Crematorium</li> <li>• Cropping</li> <li>• Detention facility</li> <li>• Environment facility</li> <li>• Extractive industry</li> <li>• High impact industry</li> <li>• Intensive animal industry</li> <li>• Intensive horticulture</li> </ul>	<ul style="list-style-type: none"> <li>• Major electrical infrastructure</li> <li>• Major sport and entertainment facility</li> <li>• Marine industry, except where located within subprecinct 1b Waterfront North in the Port Douglas / Craiglie Local Plan.</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>• Renewable energy facility, being a wind farm</li> <li>• Resort complex</li> <li>• Retirement facility</li> <li>• Roadside stall</li> <li>• Rural industry</li> <li>• Rural workers accommodation</li> <li>• Special industry</li> <li>• Tourist park</li> <li>• Transport depot</li> <li>• Utility installation</li> <li>• Winery</li> </ul>





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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.





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## **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





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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;





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- (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) Craiglie will develop as an integrated residential community with some low scale tourism development opportunities in appropriate locations. Craiglie 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





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- (iii) Sub-precinct 1a – 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;





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- Port Douglas centre sub-precinct 1a – 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;





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- (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.





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### **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 1a – 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:





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- (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.





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### **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 – Craiglie Commercial and Light Industry precinct**

- (13) In addition to the overall outcomes, development in the Craiglie Commercial and Light Industry precinct facilitates the following overall outcomes:





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- (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:





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- (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	<b>AO1</b> A pedestrian and cycle movement network is integrated and delivered through development.	<b>Not applicable</b> The proposed development does not trigger a requirement for a pedestrian or cycle network.





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Performance outcomes	Acceptable outcomes	Compliance
maps contained in Schedule 2.		
<p><b>PO2</b></p> <p>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 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).</p>	<p><b>AO2.1</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>(a) the tree covered backdrop of Flagstaff Hill;</li> <li>(b) natural vegetation along watercourses, in particular the Mowbray River, Beor Creek and Dickson Inlet;</li> <li>(c) the tidal vegetation along the foreshore;</li> <li>(d) beachfront vegetation along Four Mile Beach, including the fringe of Coconut Palms;</li> <li>(e) the oil palm avenues along the major roads;</li> <li>(f) the lush landscaping within major roundabouts at key nodes;</li> <li>(g) Macrossan Street and Warner Street;</li> <li>(h) Port Douglas waterfront.</li> </ul>	<p><b>Complies with AO2.1</b></p> <p>No vegetation would be removed to facilitate the development.</p>





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Performance outcomes	Acceptable outcomes	Compliance
	<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 development would be wholly contained within an existing building.
	<b>AO2.3</b> Important landmarks, memorials and monuments are retained.	<b>Complies with AO2.3</b> The development would be wholly contained within an existing building.
<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	<b>Not applicable</b> The development would be wholly contained within an existing building.





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Performance outcomes	Acceptable outcomes	Compliance
	arrival and way finding within the town.	
<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 development would be wholly contained within an existing building.
<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> No new access is proposed as part of this development.
<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	<b>AO6.1</b> Development does not impede continued views to scenic vistas and key streetscapes within the local	<b>Complies with AO6.1</b> The development would be wholly contained within an existing building and no new building works are





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Performance outcomes	Acceptable outcomes	Compliance
Schedule 2 are maintained.	plan area.	proposed.
	<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 development would be wholly contained within an existing building and no new building works are proposed.
<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>Complies with AO7.1</b> The existing car parking is provided behind the building line and beneath the building. No new car parking is proposed.
	<b>AO7.2</b> Ground level parking incorporates clearly defined pedestrian routes.	<b>Complies with AO7.2</b> The existing car parking area is provided with appropriate line marking and no new car parking is proposed.
	<b>AO7.3</b>	<b>Not applicable</b>





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Performance outcomes	Acceptable outcomes	Compliance
	Any porte-cocheres, disabled and pedestrian accesses are accommodated within the boundary of new or refurbished development.	The development does not propose any changes to the existing reception area.
	<b>AO7.4</b> Where the development is an integrated mixed-use development incorporating short term accommodation or multiple dwellings and either 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>Not applicable</b> This application relates to a single dwelling unit only.
	<b>AO7.5</b> On-site car parking available for public use is clearly signed at the site frontage.	<b>Not applicable</b> No public car parking is proposed.
	<b>AO7.6</b> Boom gates, pay machines or other regulatory devices to control access to a publicly available car	<b>Not applicable</b> No public car parking is proposed.





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Performance outcomes	Acceptable outcomes	Compliance
	parking area are not constructed or installed.	
<b>PO8</b> Precinct 1 – Port Douglas precinct is not characterised by a proliferation of advertising signs.	<b>AO8</b> No acceptable outcomes are prescribed.	<b>Complies with PO8</b> No advertising signs are proposed.
<b>Additional requirements for Sub-precinct 1a – Town Centre sub-precinct</b>		
<b>PO9</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-precinct and external to the town centre sub-precinct; (d) remain subservient to the natural environment and the backdrop of Flagstaff Hill. (e) do not exceed 3 storeys.	<b>AO9</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 development would be wholly contained within an existing building.





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Performance outcomes	Acceptable outcomes	Compliance
<b>PO10</b> 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.	<b>AO10</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The development would be wholly contained within an existing building.
<b>PO11</b> Buildings: (a) address street frontages; (b) ensure main entrances front the street or public spaces; (c) do not focus principally on internal spaces or parking areas.	<b>AO11</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The development would be wholly contained within an existing building.
<b>PO12</b> Setbacks at ground level provide for: (a) connection between pedestrian paths and public places; (b) areas for convenient movement of pedestrians;	<b>AO12</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;	<b>Not applicable</b> The development would be wholly contained within an existing building.





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Performance outcomes	Acceptable outcomes	Compliance
(c) changes in gradient of the street.	(c) connect without any lip or step to adjoining footpaths.	
<b>AO13</b> Buildings do not result in a reduction of views and vistas from public places to: <ul style="list-style-type: none"> <li>(a) Flagstaff Hill;</li> <li>(b) Dickson Inlet;</li> <li>(c) public open space;</li> <li>(d) places of significance.</li> </ul>	<b>AO13</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The development would be wholly contained within an existing building.
<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	<b>Not applicable</b> The development would be wholly contained within an existing building.





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Performance outcomes	Acceptable outcomes	Compliance
	awning is still maintained along the length of the street frontage/s. Note – PO24 provides more detail on awning design.\	
<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 site is not at street level and the proposed use is not a centre activity.
	<b>AO15.2</b> Any residential development activities or short 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.	<b>Complies with AO15.2</b> The change of use from Self-contained Multiple Dwelling (Tourist) unit to Multiple Dwelling unit relates to an existing unit located above street level.
<b>PO16</b> Detailed building design: (a) enhances the visual amenity of the streetscape; (b) has a legible and attractive built form that is	<b>AO16</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The development would be wholly contained within an existing building.





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Performance outcomes	Acceptable outcomes	Compliance
<p>visually enhanced by architectural elements;</p> <p>(c) contributes to a distinctive tropical north Queensland, seaside tourist town character;</p> <p>(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.</p>		
<p><b>PO17</b></p> <p>Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through:</p> <p>(a) surface decoration;</p> <p>(b) wall recesses and projections;</p> <p>(c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements.</p> <p>(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.</p>	<p><b>AO17</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>The development would be wholly contained within an existing building.</p>





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Performance outcomes	Acceptable outcomes	Compliance
<p><b>P018</b></p> <p>Roofs are not characterised by a cluttered display of plant and equipment, in particular:</p> <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>	<p><b>AO18</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>The development would be wholly contained within an existing building.</p>
<p><b>P019</b></p> <p>Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to:</p> <ul style="list-style-type: none"> <li>(a) shade windows;</li> <li>(b) reduce glare;</li> </ul>	<p><b>AO19</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>The development would be wholly contained within an existing building.</p>





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Performance outcomes	Acceptable outcomes	Compliance
(c) assist in maintaining comfortable indoor temperatures; (d) minimising heat loads; (e) enrich the North Queensland tropical character of the Town Centre sub-precinct; (f) provide architectural interest to building façades.		
<b>PO20</b> Buildings are finished with high quality materials, selected for: (a) their ability to contribute the character of Town Centre sub-precinct; (b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate.	<b>AO20</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The development would be wholly contained within an existing building.
<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,	<b>AO21</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The development would be wholly contained within an existing building.





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Performance outcomes	Acceptable outcomes	Compliance
discomfort or a hazard.		
<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 development would be wholly contained within an existing building.
	<b>AO22.2</b> Any break in the building façade varies the alignment by a 1 metre minimum deviation.	<b>Not applicable</b> The development would be wholly contained within an existing building.
	<b>AO22.3</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;	<b>Not applicable</b> The development would be wholly contained within an existing building.





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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> <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>	
<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 development would be wholly contained within an existing building.</p>





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Performance outcomes	Acceptable outcomes	Compliance
<p><b>PO24</b></p> <p>Awnings for pedestrian shelter are consistent with the character setting of the Town Centre sub-precinct and:</p> <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>	<p><b>AO24</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>The development would be wholly contained within an existing building.</p>





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Performance outcomes	Acceptable outcomes	Compliance
<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 development would be wholly contained within an existing building.
<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 site is located within Sub-precinct 1a – Town Centre.





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Performance outcomes	Acceptable outcomes	Compliance
<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 site is located within Sub-precinct 1a – Town Centre.
<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 site is located within Sub-precinct 1a – Town Centre.
<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	<b>Not applicable</b> The site is located within Sub-precinct 1a – Town Centre.





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Performance outcomes	Acceptable outcomes	Compliance
	available of 24-hour use.	
	<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 site is located within Sub-precinct 1a – Town Centre.
	<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 site is located within Sub-precinct 1a – Town Centre.
<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 site is located within Sub-precinct 1a – Town Centre.





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Performance outcomes	Acceptable outcomes	Compliance
<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 site is located within Sub-precinct 1a – Town Centre.
<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 site is located within Sub-precinct 1a – Town Centre.
<b>PO33</b> Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at ground level	<b>AO33</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The site is located within Sub-precinct 1a – Town Centre.





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Performance outcomes	Acceptable outcomes	Compliance
including shade protection across the footpath and open space areas.		
<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 site is located within Sub-precinct 1a – Town Centre.
	<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 site is located within Sub-precinct 1a – Town Centre.
<b>PO35</b> Detailed building design: (a) enhances the visual amenity of the streetscape; (b) has a legible and attractive built form that is	<b>AO35</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The site is located within Sub-precinct 1a – Town Centre.





20213567 – Lot 14, 21 Macrossan Street, Port Douglas

Performance outcomes	Acceptable outcomes	Compliance
<p>visually enhanced by architectural elements;</p> <p>(c) contributes to a distinctive tropical north Queensland, seaside tourist town character;</p> <p>(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.</p>		
<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> <p>(a) surface decoration;</p> <p>(b) wall recesses and projections;</p> <p>(c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements.</p> <p>(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.</p>	<p><b>AO36</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>The site is located within Sub-precinct 1a – Town Centre.</p>





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Performance outcomes	Acceptable outcomes	Compliance
<p><b>PO37</b></p> <p>Roofs are not characterised by a cluttered display of plant and equipment, in particular:</p> <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 Waterfront North 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>	<p><b>AO37</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>The site is located within Sub-precinct 1a – Town Centre.</p>
<p><b>PO38</b></p> <p>Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to:</p> <ul style="list-style-type: none"><li>(a) shade windows;</li><li>(b) reduce glare;</li></ul>	<p><b>AO38</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>The site is located within Sub-precinct 1a – Town Centre.</p>





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Performance outcomes	Acceptable outcomes	Compliance
(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>PO39</b> Buildings are finished with high quality materials, selected for: (a) their ability to contribute the character of Waterfront North sub-precinct; (b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate.	<b>AO39</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The site is located within Sub-precinct 1a – Town Centre.
<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 site is located within Sub-precinct 1a – Town Centre.





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Performance outcomes	Acceptable outcomes	Compliance
<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 site is located within Sub-precinct 1a – Town Centre.
	<b>AO41.2</b> Any break in the building façade varies the alignment by a 1 metre minimum deviation.	<b>Not applicable</b> The site is located within Sub-precinct 1a – Town Centre.
	<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; (d) a horizontal or vertical change in the wall	<b>Not applicable</b> The site is located within Sub-precinct 1a – Town Centre.





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Performance outcomes	Acceptable outcomes	Compliance
	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 site is located within Sub-precinct 1a – Town Centre.
<b>PO43</b> Awnings for pedestrian shelter are consistent with	<b>AO43</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The site is located within Sub-precinct 1a – Town





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Performance outcomes	Acceptable outcomes	Compliance
<p>the character setting of the Waterfront North sub-precinct and:</p> <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 pedestrian circulation areas;</li> <li>(d) align to provide continuity with existing or future awnings on adjoining sites;</li> <li>(e) are a minimum of 3 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 street 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>		Centre.
<b>PO44</b>	<b>AO44.1</b>	<b>Not applicable</b>





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Performance outcomes	Acceptable outcomes	Compliance
The Balley Hooley rail line and turn-table is retained and incorporated into development and maintains its functionality.	Bally Hooley rail line and turn-table is retained and incorporated into development to maintain its functionality.	The site is located within Sub-precinct 1a – Town Centre.
	<b>AO44.2</b> 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.	<b>Not applicable</b> The site is located within Sub-precinct 1a – Town Centre.
<b>PO45</b> 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: (a) noise; (b) odour; (c) hazardous materials; (d) waste and recyclable material storage.	<b>AO45</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The site is located within Sub-precinct 1a – Town Centre.





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Performance outcomes	Acceptable outcomes	Compliance
<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 site is located within Sub-precinct 1a – Town Centre.
<b>PO47</b> Buildings, civic spaces, roads and pedestrian links are enhanced by: <ul style="list-style-type: none"> <li>(a) appropriate landscape design and planting;</li> <li>(b) themed planting that defines entry points, and creates strong ‘entry corridors’ into the waterfront;</li> <li>(c) lighting and well-considered discrete signage that complements building and landscape design;</li> <li>(d) public artwork and other similar features that reflect the heritage and character of the Port Douglas Waterfront.</li> </ul>	<b>AO47</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The site is located within Sub-precinct 1a – Town Centre.
<b>PO48</b>	<b>AO48</b>	<b>Not applicable</b>





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Performance outcomes	Acceptable outcomes	Compliance
Buildings are designed and sited to provide vistas along shared pedestrian/open space and movement areas in suitable locations.	No acceptable outcomes are prescribed.	The site is located within Sub-precinct 1a – Town Centre.
<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 site is located within Sub-precinct 1a – Town Centre.
<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 site is located within Sub-precinct 1a – Town Centre.
<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	<b>Not applicable</b> The site is located within Sub-precinct 1a – Town Centre.





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Performance outcomes	Acceptable outcomes	Compliance
	environment provides guidance on preparing an ecological assessment report.	
<b>Additional requirements for Sub-precinct 1a – Waterfront South sub-precinct</b>		
<b>PO52</b> The establishment of uses is consistent with the outcomes sought for Precinct 1a – Waterfront South.	<b>AO52</b> Uses identified as inconsistent uses Table 7.2.4.4.c – are not established in Precinct 1a – Waterfront South.	<b>Not applicable</b> The site is located within Sub-precinct 1a – Town Centre.
<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 site is located within Sub-precinct 1a – Town Centre.
	<b>AO53.2</b> An Environmental Management Plan is prepared to manage potential impacts of the operation of the	<b>Not applicable</b> The site is located within Sub-precinct 1a – Town





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Performance outcomes	Acceptable outcomes	Compliance
	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.	Centre.
<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 site is located within Sub-precinct 1a – Town Centre.
<b>PO55</b> Buildings and structures are of a height and are set back from side boundaries and other sensitive areas to ensure the scenic amenity and environmental qualities of the adjacent area are not adversely affected.	<b>AO55.1</b> Development has a height of not more than 10 metres.	<b>Not applicable</b> The site is located within Sub-precinct 1a – Town Centre.
	<b>AO55.2</b> Development is setback from all property boundaries not less than 3 metres.	<b>Not applicable</b> The site is located within Sub-precinct 1a – Town Centre.





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Performance outcomes	Acceptable outcomes	Compliance
<b>PO56</b> The site coverage of all buildings and structures ensures development: <ul style="list-style-type: none"> <li>(a) is sited in an existing cleared area or in an area approved for clearing;</li> <li>(b) has sufficient area for the provision of services;</li> <li>(c) development does not have an adverse effect on the environmental, habitat, conservation or landscape values of the on-site and surrounding sensitive areas.</li> </ul>	<b>AO56</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The site is located within Sub-precinct 1a – Town Centre.
<b>PO57</b> Premises include adequate provision for service vehicles, to cater for generated demand. Loading areas for service vehicles are designed to: <ul style="list-style-type: none"> <li>(a) be accommodated on-site;</li> <li>(b) maximise safety and efficiency of loading;</li> <li>(c) protect the visual and acoustic amenity of sensitive land use activities;</li> </ul>	<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 site is located within Sub-precinct 1a – Town Centre.
	<b>AO57.2</b> Development is designed to ensure all service vehicles are contained within the site when being	<b>Not applicable</b> The site is located within Sub-precinct 1a – Town Centre.





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Performance outcomes	Acceptable outcomes	Compliance
(d) minimise adverse impacts on natural characteristics of adjacent areas.	loaded/unloaded.	
	<b>AO57.3</b> Driveways, parking and manoeuvring areas are constructed and maintained to: (a) minimise erosion from storm water runoff; (b) retain all existing vegetation.	<b>Not applicable</b> The site is located within Sub-precinct 1a – Town Centre.
<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 site is located within Sub-precinct 1a – Town Centre.
<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	<b>Not applicable</b> The site is located within Sub-precinct 1a – Town Centre.





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Performance outcomes	Acceptable outcomes	Compliance
	minimum width of 3 metres.	
<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 site is located within Sub-precinct 1a – Town Centre.
<b>Additional requirements for Sub-precinct 1d – Limited Development sub-precinct</b>		
<b>PO61</b> The height of buildings and structures contributes to the desired form and outcomes for the sub-precinct and are limited to a single storey.	<b>AO61</b> Buildings and structures are not more than one storey and 4 metres in height. Note - Height is inclusive of the roof height.	<b>Not applicable</b> The site is located within Sub-precinct 1a – Town Centre.
<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 site is located within Sub-precinct 1a – Town Centre.
<b>Additional requirements for Sub-precinct 1f – Flagstaff Hill sub-precinct</b>		





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Performance outcomes	Acceptable outcomes	Compliance
<p><b>PO63</b></p> <p>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.</p>	<p><b>AO63</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>The site is located within Sub-precinct 1a – Town Centre.</p>
<p><b>PO64</b></p> <p>All development on Flagstaff Hill is designed to minimise the visibility of the development and to ensure development is subservient to the natural landscape and topography of the site, including through:</p> <ul style="list-style-type: none"> <li>(a) building design which minimises excavation and filling;</li> <li>(b) buildings being designed to step down the site and incorporate foundations and footings on piers or poles;</li> <li>(c) buildings being visually unobtrusive and incorporating exterior finishes and muted colours which are non-reflective and</li> </ul>	<p><b>AO64</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>The site is located within Sub-precinct 1a – Town Centre.</p>





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Performance outcomes	Acceptable outcomes	Compliance
<p>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 site is located within Sub-precinct 1a – Town Centre.</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</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 site is located within Sub-precinct 1a – Town Centre.</p>





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Performance outcomes	Acceptable outcomes	Compliance
the frontage to enable landscaping to soften or screen the appearance of the development.	<b>AO66.2</b> 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.	<b>Not applicable</b> The site is located within Sub-precinct 1a – Town Centre.
	<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 site is located within Sub-precinct 1a – Town Centre.
	<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 site is located within Sub-precinct 1a – Town Centre.
<b>Additional requirements for Precinct 6 – Very Low Residential Density / Low Scale Recreation / Low Scale Educational / Low Scale Entertainment</b>		





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Performance outcomes	Acceptable outcomes	Compliance
<b>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 site is located within Sub-precinct 1a – Town Centre.
<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 site is located within Sub-precinct 1a – Town Centre.





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**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 1a - 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>





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<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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## **8.2.1 Acid sulfate soils overlay code**

### **8.2.1.1 Application**

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Acid sulfate soils 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 Acid sulphate soils overlay is identified on the Acid sulfate soils overlay map in Schedule 2 and includes the following sub-categories:
  - (a) Land at or below the 5m AHD sub-category;
  - (b) Land above the 5m AHD and below the 20m AHD sub-category.
- (3) When using this code, reference should be made to Part 5.

### **8.2.1.2 Purpose**

- (1) The purpose of the acid sulfate soils overlay code is to:
  - (a) implement the policy direction in the Strategic Framework, in particular:
    - (i) Theme 2: Environment and landscape values, Element 3.5.4 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.
- (2) enable an assessment of whether development is suitable on land within the Acid sulfate soils overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:





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- (a) Development ensures that the release of any acid and associated metal contaminant is avoided by not disturbing acid sulfate soils when excavating, removing soil or extracting ground water or filling land;
- (b) Development ensures that disturbed acid sulphate soils, or drainage waters, are treated and, if required, on-going management practices are adopted that minimise the potential for environmental harm from acid sulfate soil and protect corrodible assets from acid sulfate soil.

### 8.2.1.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
<b>For assessable development</b>		
<b>PO1</b> The extent and location of potential or actual acid sulfate soils is accurately identified.	<b>AO1.1</b> No excavation or filling occurs on the site. or <b>AO1.2</b> An acid sulfate soils investigation is undertaken. Note - Planning scheme policy SC 6.12– Potential and actual acid sulfate soils provides guidance on preparing an acid sulfate soils investigation.	<b>Complies with AO1.1</b> The development would be wholly contained within an existing building, no filling or excavation would be required.
<b>PO2</b> Development avoids disturbing potential acid	<b>AO2.1</b> The disturbance of potential acid sulfate soils or	<b>Complies with AO2.1</b> The development would be wholly contained within





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Performance outcomes	Acceptable outcomes	Compliance
sulfate soils or actual acid sulfate soils, or is managed to avoid or minimise the release of acid and metal contaminants.	<p>actual acid sulfate soils is avoided by:</p> <ul style="list-style-type: none"> <li>(a) not excavating, or otherwise removing, soil or sediment identified as containing potential or actual acid sulfate soils;</li> <li>(b) not permanently or temporarily extracting groundwater that results in the aeration of previously saturated acid sulfate soils;</li> <li>(c) not undertaking filling that results in:</li> <li>(d) actual acid sulfate soils being moved below the water table;</li> <li>(e) previously saturated acid sulfate soils being aerated.</li> </ul> <p>or</p> <p><b>AO2.2</b></p> <p>The disturbance of potential acid sulfate soils or actual acid sulfate soils is undertaken in accordance with an acid sulfate soils management plan and avoids the release of metal contaminants by:</p> <ul style="list-style-type: none"> <li>(a) neutralising existing acidity and preventing the generation of acid and metal contaminants;</li> </ul>	an existing building, no filling or excavation would be required.





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Performance outcomes	Acceptable outcomes	Compliance
	<p>(b) preventing the release of surface or groundwater flows containing acid and metal contaminants into the environment;</p> <p>(c) preventing the in situ oxidisation of potential acid sulfate soils and actual acid sulfate soils through ground water level management;</p> <p>(d) appropriately treating acid sulfate soils before disposal occurs on or off site;</p> <p>(e) documenting strategies and reporting requirements in an acid sulfate soils environmental management plan.</p> <p>Note - Planning scheme policy SC 6.12 – Acid sulfate soils provides guidance on preparing an acid sulfate soils management plan.</p>	
<p><b>PO3</b></p> <p>No environmental harm is caused as a result of exposure to potential acid sulfate soils or actual acid sulfate soils.</p>	<p><b>AO3</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Complies with AO3</b></p> <p>The development would be wholly contained within an existing building, no filling or excavation would be required.</p>





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### **8.2.3 Coastal environment overlay code**

#### **8.2.3.1 Application**

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Coastal environment 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 Coastal hazard overlay is identified on the Coastal environment overlay map in Schedule 2 and includes the following sub-categories:
  - (a) Coastal management district sub-category;
  - (b) Erosion prone area sub-category.
- (3) When using this code, reference should be made to Part 5

#### **8.2.3.2 Purpose**

- (1) The purpose of the Coastal environment 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 2 Environment and landscape values: Element 3.5.4 Coastal zones;





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(iii) Theme 3 Natural resource management: Element 3.6.2 Land and catchment management.

(b) enable an assessment of whether development is suitable on land within the Coastal processes sub-categories.

(2) The purpose of the code will be achieved through the following overall outcomes:

- (a) facilitate the protection of both coastal processes and coastal resources;
- (b) facilitating coastal dependent development on the foreshore over other development;
- (c) public access to the foreshore protects public safety;
- (d) maintain the erosion prone area as a development free buffer zone (other than for coastal dependent, temporary or relocatable development);
- (e) require redevelopment of existing permanent buildings or structures in an erosion prone area to avoid coastal erosion risks, manage coastal erosion risks through a strategy of planned retreat or mitigate coastal erosion risks;
- (f) require development to maintain or enhance natural processes and the protective function of landforms and vegetation that can mitigate risks associated with coastal erosion;
- (g) locate and design community infrastructure to maintain the required level of functionality during and immediately after a coastal hazard event.

#### 8.2.3.3 Criteria for assessment

**Table 8.2.3.3.a – Coastal environment overlay code – self-assessable and assessable development.**

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		





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Performance outcomes	Acceptable outcomes	Compliance
<b>PO1</b> No works other than coastal protection works extend seaward of the coastal building line	<b>AO1</b> Development (including all buildings and other permanent structures such as swimming pools and retaining walls) does not extend seaward of a coastal building line.  Note – Coastal building lines are declared under the Coastal Protection and Management Act 1995 and are administered by the State Department of Environment and Heritage Protection.	<b>Not applicable</b> The development would be wholly contained within an existing building.
	<b>AO1.2</b> Coastal protection works are only undertaken as a last resort where coastal erosion presents an immediate threat to public safety or existing buildings or structures and the property cannot be relocated or abandoned.	<b>Not applicable</b> No coastal protection works are proposed.
	<b>AO1.3</b> Coastal protection works are as far landward as practicable on the lot containing the property to the maximum extent reasonable.	<b>Not applicable</b> No coastal protection works are proposed.





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Performance outcomes	Acceptable outcomes	Compliance
	<b>AO1.4</b> Coastal protection work mitigates any increase in the coastal hazard.	<b>Not applicable</b> No coastal protection works are proposed.
<b>PO2</b> Where a coastal building line does not exist on a lot fronting the coast or a reserve adjoining the coast, development is setback to maintain the amenity and use of the coastal resource.	<b>AO2</b> Where a coastal building line does not exist on a lot fronting the coast or a reserve adjoining the coast, development (including all buildings and structures such as swimming pools) and retaining walls are set back not less than 6 metres from the seaward boundary of the lot.	<b>Not applicable</b> Development would be wholly contained within an existing building.
<b>For Assessable development</b> <b>Erosion Prone Areas</b>		
<b>PO3</b> Development identifies erosion prone areas (coastal hazards).	<b>AO3</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> Development would be wholly contained within an existing building.
<b>PO4</b>	<b>AO4.1</b> Development is not located within the Erosion	<b>Complies with AO4.1</b>





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Performance outcomes	Acceptable outcomes	Compliance
Erosion prone areas are free from development to allow for natural coastal processes.	<p>prone area, unless it can be demonstrated that the development is for:</p> <ul style="list-style-type: none"> <li>(a) community infrastructure where no suitable alternative location or site exists for this infrastructure; or</li> <li>(b) development that reflects the preferred development outcomes in accordance with the zoning of the site (i.e. in the Low density residential zone, a dwelling house is a preferred development outcome in accordance with the zoning of the site).</li> </ul>	The development of multiple dwellings is considered to reflect the preferred development outcome for the zone.
	<p><b>AO4.2</b></p> <p>Development involving existing permanent buildings and structures within an erosion prone area does not increase in intensity of its use by:</p> <ul style="list-style-type: none"> <li>(a) adding additional buildings or structures; or</li> </ul>	<p><b>Complies with AO4.2</b></p> <p>The proposed development would not result in an increase in the intensity of the use.</p>





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Performance outcomes	Acceptable outcomes	Compliance
	(b) incorporating a land use that will result in an increase in the number of people or employees occupying the site.	
<b>Coastal Management Districts</b>		
<b>PO5</b> Natural processes and protective functions of landforms and vegetation are maintained.	<b>AO5.1</b> Development within the coastal management district: <ul style="list-style-type: none"> <li>(a) maintains vegetation on coastal land forms where its removal or damage may:               <ul style="list-style-type: none"> <li>(i) destabilise the area and increase the potential for coastal erosion, or</li> <li>(ii) interrupt the natural sediment trapping processes or dune or land building processes;</li> </ul> </li> <li>(b) maintains sediment volumes of dunes and near-shore coastal landforms, or where a reduction in sediment volumes cannot be avoided, increased risks to development from coastal erosion are mitigated by</li> </ul>	<b>Not applicable</b> The site is not located within a Coastal Management District.





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Performance outcomes	Acceptable outcomes	Compliance
	<p>location, design and construction and operating standards;</p> <p>(c) minimises the need for erosion control structures or riverine hardening through location, design and construction standards;</p> <p>(d) maintains physical coastal processes outside the development footprint for the development, including longshore transport of sediment along the coast;</p> <p>(e) reduces the risk of shoreline erosion for areas adjacent to the development footprint to the maximum extent feasible in the case of erosion control structures.</p>	
	<p><b>PO5.2</b></p> <p>Where development proposes the construction of an erosion control structure:</p> <p>(a) it is demonstrated that it is the only feasible option for protecting permanent structures from coastal erosion; and</p>	<p><b>Not applicable</b></p> <p>The site is not located within a Coastal Management District.</p>





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Performance outcomes	Acceptable outcomes	Compliance
	(b) those permanent structures cannot be abandoned or relocated in the event of coastal erosion occurring.	
	<p><b>PO5.3</b></p> <p>Development involving reclamation:</p> <ul style="list-style-type: none"> <li>(a) does not alter, or otherwise minimises impacts on, the physical characteristics of a waterway or the seabed near the reclamation, including flow regimes, hydrodynamic forces, tidal water and riverbank stability;</li> <li>(b) is located outside active sediment transport area, or otherwise maintains sediment transport processes as close as possible to their natural state;</li> <li>(c) ensures activities associated with the operation of the development maintain the structure and condition of vegetation communities and avoid wind and water runoff erosion.</li> </ul>	<p><b>Not applicable</b></p> <p>The site is not located within a Coastal Management District.</p>





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Performance outcomes	Acceptable outcomes	Compliance
<b>PO6</b> Development avoids or minimises adverse impacts on coastal resources and their values to the maximum extent reasonable.	<b>AO6.1</b> Coastal protection work that is in the form of beach nourishment uses methods of placement suitable for the location that do not interfere with the long-term use of the locality, or natural values within or neighbouring the proposed placement site. and	<b>Not applicable</b> The site is not located within a Coastal Management District.
	<b>AO6.2</b> Marine development is located and designed to expand on or redevelop existing marine infrastructure unless it is demonstrated that it is not practicable to co-locate the development with existing marine infrastructure; and	<b>Not applicable</b> The site is not located within a Coastal Management District.
	<b>AO6.3</b> Measures are incorporated as part of siting and design of the development to maintain or enhance water quality to achieve the environmental values	<b>Not applicable</b> The site is not located within a Coastal Management District.





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Performance outcomes	Acceptable outcomes	Compliance
	and water quality objectives outlined in the Environmental Protection (Water) Policy 2009. and	
	<b>AO6.4</b> Design and siting of development protects and retains identified ecological values and underlying ecosystem processes within the development site to the greatest extent practicable.	<b>Not applicable</b> The site is not located within a Coastal Management District.
<b>P07</b> Development is to maintain access to and along the foreshore for general public access.	<b>AO7.1</b> Development provides for regular access points for pedestrians including approved walking tracks, boardwalks and viewing platforms. and	<b>Not applicable</b> The site is not located within a Coastal Management District.
	<b>AO7.2</b> Development provides for regular access points for vehicles including approved roads and tracks. or	<b>Not applicable</b> The site is not located within a Coastal Management District.





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Performance outcomes	Acceptable outcomes	Compliance
	<b>A07.3</b> Development demonstrates an alternative solution to achieve an equivalent standard of performance.	<b>Not applicable</b> The site is not located within a Coastal Management District.
<b>PO8</b> Public access to the coast is appropriately located, designed and operated.	<b>A08.1</b> Development maintains or enhances public access to the coast. or	<b>Not applicable</b> The site is not located within a Coastal Management District.
	<b>A08.2</b> Development is located adjacent to state coastal land or tidal water and minimises and offsets any loss of access to and along the foreshore within 500 metres. or	<b>Not applicable</b> The site is not located within a Coastal Management District.
	<b>A08.3</b> Development adjacent to state coastal land or tidal water demonstrates an alternative solution to achieve an equivalent standard and quality of access.	<b>Not applicable</b> The site is not located within a Coastal Management District.





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Performance outcomes	Acceptable outcomes	Compliance
<p><b>PO9</b></p> <p>Development adjacent to state coastal land or tidal water is located, designed and operated to:</p> <ul style="list-style-type: none"> <li>(a) maintain existing access to and along the foreshore;</li> <li>(b) minimise any loss of access to and along the foreshore, or</li> <li>(c) offset any loss of access to and along the foreshore by providing for enhanced alternative access in the general location.</li> </ul>	<p><b>AO9.1</b></p> <p>Development adjacent to state coastal land or tidal water:</p> <ul style="list-style-type: none"> <li>(a) demonstrates that restrictions to public access are necessary for: <ul style="list-style-type: none"> <li>(i) the safe and secure operation of development;</li> <li>(ii) the maintenance of coastal landforms and coastal habitat; or</li> </ul> </li> <li>(b) maintains public access (including public access infrastructure that has been approved by the local government or relevant authority) through the site to the foreshore for: <ul style="list-style-type: none"> <li>(i) pedestrians via access points including approved walking tracks, boardwalks and viewing platforms;</li> <li>(ii) vehicles via access points including approved roads or tracks.</li> </ul> </li> </ul>	<p><b>Not applicable</b></p> <p>The site is not located within a Coastal Management District.</p>





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Performance outcomes	Acceptable outcomes	Compliance
	<p><b>AO9.2</b></p> <p>Development adjacent to state coastal land or tidal water:</p> <p>(a) is located and designed to:</p> <p>(i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, for example through the provision of esplanades or easement corridors to preserve future access;</p> <p>(ii) ensure emergency vehicles can access the area near the development. or</p> <p>(b) minimises and offsets any loss of access to and along the foreshore within 500m of existing access points and development is located and designed to:</p> <p>(i) allow safe unimpeded access to, over, under or around built</p>	<p><b>Not applicable</b></p> <p>The site is not located within a Coastal Management District.</p>





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Performance outcomes	Acceptable outcomes	Compliance
	<p>infrastructure located on, over or along the foreshore, and</p> <p>(ii) ensure emergency vehicles can access the area near the development.</p>	
<p><b>PO10</b></p> <p>Development that involves reconfiguring a lot for urban purposes adjacent to the coast is designed to ensure public access to the coast in consideration of public access demand from a whole-of-community basis and the maintenance of coastal landforms and coastal habitat.</p>	<p><b>AO10.1</b></p> <p>Development complies if consideration of public access demand from a whole-of-community basis and the maintenance of coastal landforms and coastal habitat is undertaken.</p> <p><b>or</b></p> <p><b>AO10.2</b></p> <p>Development demonstrates an alternative solution to achieve an equivalent standard and quality of access.</p>	<p><b>Not applicable</b></p> <p>The site is not located within a Coastal Management District.</p>
<p><b>PO11</b></p> <p>Development maintains public access to State coastal land by avoiding private marine</p>	<p><b>AO11</b></p> <p>Private marine access structures and other structures such as decks or boardwalks for private use do not attach to or extend across State</p>	<p><b>Not applicable</b></p> <p>The site is not located within a Coastal Management District.</p>





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Performance outcomes	Acceptable outcomes	Compliance
development attaching to, or extending across, non-tidal State coastal land.	coastal land that is situated above high water mark.	
<b>PO12</b> Development in connection with an artificial waterway enhances public access to coastal waters.	<b>AO12</b> The artificial waterway avoids intersecting with or connection to inundated land or leased land where the passage, use or movement of vessels in water on the land could be restricted or prohibited by the registered proprietor of the inundated land or leased land.	<b>Not applicable</b> The site is not located within a Coastal Management District.
<b>Coastal landscapes, views and vistas</b>		
<b>PO13</b> Development maintains and / or enhances natural coastal landscapes, views and vistas.	<b>AO13</b> No acceptable outcomes are prescribed.	<b>Complies with AO13</b> The development would be wholly contained within an existing building.
<b>PO14</b> Coastal settlements are consolidated through the concentration of development within the existing urban areas through infill and conserving the	<b>AO14</b> No acceptable outcomes are prescribed.	<b>Complies with AO14</b> The development would be wholly contained within an existing building within the urban area.





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Performance outcomes	Acceptable outcomes	Compliance
natural state of the coastal area outside existing urban areas.		
<b>Private marine development</b>		
<b>PO15</b> Private marine development is to avoid attaching to, or extending across, non-tidal State coastal land.	<b>AO15</b> Private marine development and other structures such as decks or boardwalks for private use do not attach to, or extend across, State coastal land that is situated above high water mark.  Note – For occupation permits or allocations of State land, refer to the Land Act 1994.	<b>Not applicable</b>  The development would not involve private marine development.
<b>PO16</b> The location and design of private marine development does not adversely affect the safety of members of the public access to the foreshore.	<b>AO16</b> Private marine development does not involve the erection or placement of any physical barrier preventing existing access, along a public access way to the foreshores.	<b>Not applicable</b>  The development would not involve private marine development.
<b>PO17</b>	<b>AO17</b> Private marine development has regard to:	<b>Not applicable</b>  The development would not involve private marine development.





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Performance outcomes	Acceptable outcomes	Compliance
Private marine development is of a height and scale and size compatible with the character and amenity of the location.	<p>(a) the height, scale and size of the natural features of the immediate surroundings and locality;</p> <p>(b) the height, scale and size of existing buildings or other structures in the immediate surroundings and the locality;</p> <p>(c) if the relevant planning scheme states that desired height, scale or size of buildings or other structures in the immediate surroundings or locality – the stated desired height, scale or size.</p> <p>Note – The prescribed tidal works code in the Coastal Protection and Management Regulation 2003 outlines design and construction requirements that must be complied with.</p>	
<p><b>PO18</b></p> <p>Private marine development avoids adverse impacts on coastal landforms and coastal processes.</p>	<p><b>AO18</b></p> <p>Private marine development does not require the construction of coastal protection works, shoreline or riverbank hardening or dredging for marine access.</p>	<p><b>Not applicable</b></p> <p>The development would not involve private marine development.</p>





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Performance outcomes	Acceptable outcomes	Compliance
<b>For dry land marinas and artificial waterways</b>		
<b>PO19</b> Dry land marinas and artificial waterways: <ul style="list-style-type: none"> <li>(a) avoid impacts on coastal resources;</li> <li>(b) do not contribute to the degradation of water quality;</li> <li>(c) do not increase the risk of flooding;</li> <li>(d) do not result in the degradation or loss of MSES;</li> <li>(e) do not result in an adverse change to the tidal prism of the natural waterway to which development is connected.</li> <li>(f) does not involve reclamation of tidal land other than for the purpose of:               <ul style="list-style-type: none"> <li>(i) coastal dependent development, public marine development; or</li> <li>(ii) community infrastructure, where there is no feasible alternative; or</li> </ul> </li> </ul>	<b>AO19</b> No acceptable solutions are prescribed.	<b>Not applicable</b> The development would not involve a marina or waterways.





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Performance outcomes	Acceptable outcomes	Compliance
(iii) strategic ports, boat harbours or strategic airports and aviation facilities in accordance with a statutory land use plan; or (iv) coastal protection works or works necessary to protect coastal resources and processes.		





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## **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:





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- (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.

### 8.2.4.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
<b>For assessable and self-assessable development</b>		
<b>PO1</b>	<b>AO1.1</b> Development is sited on parts of the land that is	<b>Complies with AO1.1</b> The development site is not on land identified as





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Performance outcomes	Acceptable outcomes	Compliance
<p>Development is located and designed to:</p> <ul style="list-style-type: none"> <li>(a) ensure the safety of all persons; minimise damage to the development and contents of buildings;</li> <li>(b) provide suitable amenity; minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events.</li> </ul> <p>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.</p>	<p>not within the Flood and Storm tide hazards overlay maps contained in Schedule 2;</p> <p>or</p> <p>For dwelling houses,</p> <p><b>AO1.2</b></p> <p>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.</p>	<p>being subject to flood and storm tide hazards.</p>
	<p><b>AO1.3</b></p> <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>	<p><b>Not applicable</b></p> <p>No new buildings are proposed.</p>





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Performance outcomes	Acceptable outcomes	Compliance
	<b>AO1.4</b> 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.	<b>Not applicable</b> The site is within an urban area.
<b>For assessable development</b>		
<b>PO2</b> The development is compatible with the level of risk associated with the natural hazard.	<b>AO2</b> The following uses are not located in land inundated by the Defined Flood Event (DFE) / Storm tide: (a) Retirement facility; (b) Community care facility; (c) Child care centre.	<b>Complies with AO2</b> Th development proposal involves a Multiple Dwelling unit only.
<b>PO3</b> Development siting and layout responds to flooding potential and maintains personal safety	For Material change of use <b>AO3.1</b> New buildings are: (a) not located within the overlay area;	<b>Not applicable</b> No new buildings are proposed.





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Performance outcomes	Acceptable outcomes	Compliance
	<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,</p>	





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Performance outcomes	Acceptable outcomes	Compliance
	this is the preferred location of all buildings.	
	<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>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>Not applicable</b></p> <p>No reconfiguring a lot is proposed.</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><b>Not applicable</b></p> <p>No new roads or pathways are proposed.</p>





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Performance outcomes	Acceptable outcomes	Compliance
	<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>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 low-lying reserves.</p> <p>or</p>	<p><b>Complies with AO3.6</b></p> <p>The site is within an existing development with appropriate evacuation signage.</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><b>Complies with AO3.7</b></p> <p>No intensification of residential uses are proposed.</p>





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Performance outcomes	Acceptable outcomes	Compliance
	<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>Complies with AO3.8</b></p> <p>Car parking is provided at the lower level.</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</p>	<p><b>Not applicable</b></p> <p>The proposed material change of use is for a residential use.</p>





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Performance outcomes	Acceptable outcomes	Compliance
	building or off site).  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.	
	<b>AO4.3</b> Materials are stored on-site: (a) are those that are readily able to be moved in a flood event; (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.  Notes - (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). (b) Queensland Government Fact Sheet 'Repairing your House after a Flood' provides information about water resilient products and building techniques.	<b>Not applicable</b>  The proposed material change of use is for a residential use.





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Performance outcomes	Acceptable outcomes	Compliance
<p><b>P05</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 undesirable built form outcome and are not supported.</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 mounds).</p> <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</p>	<p><b>Not applicable</b></p> <p>No operational works are proposed.</p>





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Performance outcomes	Acceptable outcomes	Compliance
	<p>subject site in ways that result in:</p> <ul style="list-style-type: none"> <li>(i) loss of flood storage;</li> <li>(ii) loss of/changes to flow paths;</li> <li>(iii) acceleration or retardation of flows or any reduction in flood warning times elsewhere on the flood plain.</li> </ul>	
	<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 subject site; and</p> <ul style="list-style-type: none"> <li>(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</li> </ul>	<p><b>Not applicable</b></p> <p>The development would be wholly contained within a lawfully existing building. No physical alterations are proposed that would trigger the requirement for a hydraulic or hydrology report.</p>





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	(b) does not increase ponding on sites upstream, downstream or in the general vicinity of the subject site.	
	<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 site is within 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>Complies with AO6.1</b></p> <p>The proposed development would not involve the storage or manufacture of hazardous materials.</p>





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	<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> No infrastructure is proposed.
	<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	<b>Not applicable</b> Development would not involve the manufacture or storage of hazardous materials.





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Performance outcomes	Acceptable outcomes	Compliance
	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>PO7</b> The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.	<b>AO7</b> Development does not: <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>	<b>Complies with AO7</b> The development would not increase the number of people likely to be at risk of flooding or needing evacuation.
<b>PO8</b> Development involving community infrastructure: <ul style="list-style-type: none"> <li>(a) remains functional to serve community need during and immediately after a flood event;</li> </ul>	<b>AO8.1</b> The following uses are not located on land inundated during a DFE/Storm tide: <ul style="list-style-type: none"> <li>(a) community residence; and</li> </ul>	<b>Complies with AO8.1</b> The development would be for a Multiple Dwelling unit only.





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Performance outcomes	Acceptable outcomes	Compliance
<p>(b) 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>(c) retains essential site access during a flood event;</p> <p>(d) is able to remain functional even when other infrastructure or services may be compromised in a flood event.</p>	<p>(b) emergency services; and</p> <p>(c) residential care facility; and</p> <p>(d) utility installations involving water and sewerage treatment plants; and</p> <p>(e) storage of valuable records or items of historic or cultural significance (e.g. archives, museums, galleries, libraries).</p> <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> <p>(a) community and cultural facilities, including facilities where an education and care 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>	





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	<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><b>AO8.3</b></p> <p>The following uses have direct access to low hazard evacuation routes as defined in Table 8.2.4.3.c:</p>	<p><b>Not applicable</b></p> <p>The development would be for a Multiple Dwelling unit only.</p>





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Performance outcomes	Acceptable outcomes	Compliance
	(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.	
	and/or <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> No infrastructure is proposed.





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Performance outcomes	Acceptable outcomes	Compliance
	<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> No infrastructure is proposed.

**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>





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**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.





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### **9.3.13 Multiple Dwelling, short term accommodation and retirement facility code**

#### **9.3.13.1 Application**

- (1) This code applies to assessing development for a Multiple dwelling, short term accommodation, residential care facility or retirement facility if:
  - (a) assessable development where the code is an applicable code identified in the assessment criteria column of a table of assessment for a material change of use; or
  - (b) impact assessable development.
- (2) When using this code, reference should be made to Part 5.

#### **9.3.13.2 Purpose**

- (1) The purpose of the Multiple dwelling, short term accommodation and retirement facility code is to assess the suitability of development to which this code applies.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) development is compatible with and complementary to surrounding development, with regard to scale, bulk, and streetscape patterns;
  - (b) master planning is undertaken for larger developments to ensure connectivity and integration with adjoining uses and the wider neighbourhood;
  - (c) development does not adversely impact on the natural features on the site;
  - (d) the design of development creates a pleasant living environment and is appropriate for the tropical climate of the region;
  - (e) the impacts of development on adjoining premises are managed.





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### 9.3.13.3 Criteria for assessment

**Table 9.3.13.3.a – Multiple Dwelling, short term accommodation and retirement facility code – assessable development**

Performance outcomes	Acceptable outcomes	Compliance
<b>For assessable development</b>		
<b>Design</b>		
<b>PO1</b> The site has sufficient area and frontage to: <ul style="list-style-type: none"> <li>(a) accommodate the scale and form of buildings considering site features;</li> <li>(b) achieve communal open space areas and private outdoor spaces;</li> <li>(c) deliver viable areas of deep planting and landscaping to retain vegetation and protect or establish tropical planting;</li> <li>(d) achieve safe and convenient vehicle and pedestrian access;</li> <li>(e) accommodate on-site car parking and</li> </ul>	<b>AO1.1</b> The site has a minimum area of 1000m <sup>2</sup>	<b>Not Applicable</b> The proposed development would be wholly contained within an existing lawfully established building.
	<b>AO1.2</b> The site has a minimum frontage of 25 metres	<b>Not Applicable</b> The proposed development would be wholly contained within an existing lawfully established building.





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Performance outcomes	Acceptable outcomes	Compliance
manoeuvring for residents, visitors and service providers		
<p><b>PO2</b></p> <p>Development for large-scale multiple dwellings, short term accommodation and retirement villages contributes to the neighbourhood structure and integrates with the existing neighbourhood through:</p> <ul style="list-style-type: none"> <li>(a) the establishment and extension of public streets and pathways;</li> <li>(b) the provision of parks and other public spaces as appropriate to the scale of the development;</li> <li>(c) inclusion of a mix of dwelling types and tenures and forms;</li> <li>(d) buildings that address the street;</li> <li>(e) building height and setback transitions to adjoining development of a lower density or scale</li> </ul>	<p><b>AO2</b></p> <p>Development on a site 5,000m<sup>2</sup> or greater is in accordance with a structure plan.</p> <p>Note – Guidance on preparing a structure plan is provided within Planning scheme policy SC6.14 – Structure planning.</p>	<p><b>Not Applicable</b></p> <p>The proposed development would be wholly contained within an existing lawfully established building.</p>





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Performance outcomes	Acceptable outcomes	Compliance									
<b>PO3</b>  Development ensures that the proportion of buildings to open space is:  (a) in keeping with the intended form and character of the local area and immediate streetscape;  (b) contributes to the modulation of built form;  (c) supports residential amenity including access to breezes, natural light and sunlight;  (d) supports outdoor tropical living;  (e) provides areas for deep tropical planting and / or for the retention of mature vegetation.	<b>AO3.1</b>  The site cover is not more than 40%	<b>Not Applicable</b>  The proposed development would be wholly contained within an existing lawfully established building.									
	<b>AO3.2</b>  The development has a gross floor area of not more than: <table><tr><th>Zone</th><th>Maximum GFA</th></tr><tr><td>Low-medium density residential</td><td>0.8 x site area</td></tr><tr><td>Medium density residential</td><td>1.2 x site area</td></tr><tr><td>Tourist accommodation</td><td>1.2 x site area</td></tr><tr><td>All other zones</td><td>No acceptable outcome specified.</td></tr></table>	Zone	Maximum GFA	Low-medium density residential	0.8 x site area	Medium density residential	1.2 x site area	Tourist accommodation	1.2 x site area	All other zones	No acceptable outcome specified.
Zone	Maximum GFA										
Low-medium density residential	0.8 x site area										
Medium density residential	1.2 x site area										
Tourist accommodation	1.2 x site area										
All other zones	No acceptable outcome specified.										
<b>PO4</b>	<b>AO4.1</b>	<b>Not Applicable</b>									





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Performance outcomes	Acceptable outcomes	Compliance
<p>Development is sited so that the setback from boundaries:</p> <ul style="list-style-type: none"> <li>(a) provides for natural light, sunlight and breezes;</li> <li>(b) minimises the impact of the development on the amenity and privacy of neighbouring residents;</li> <li>(c) provides for adequate landscaping.</li> </ul>	<p>Buildings and structures are set back not less than 6 metres from a road frontage.</p>	<p>The proposed development would be wholly contained within an existing lawfully established building.</p>
	<p><b>AO4.2</b></p> <p>Buildings and structures are setback not less than 4 metres to the rear boundary</p>	<p><b>Not Applicable</b></p> <p>The proposed development would be wholly contained within an existing lawfully established building.</p>
	<p><b>AO4.3</b></p> <p>The side boundary setback for buildings and structures is:</p> <ul style="list-style-type: none"> <li>(a) for buildings up to 2 storeys not less than 2.5 metres for the entire building;</li> <li>(b) for buildings up to 3 storeys not less than 3.5 metres for the entire building.</li> </ul>	<p><b>Not Applicable</b></p> <p>The proposed development would be wholly contained within an existing lawfully established building.</p>
<p><b>PO5</b></p> <p>Building depth and form must be articulated to</p> <ul style="list-style-type: none"> <li>(a) ensure that the bulk of the development is in keeping with the form and character</li> </ul>	<p><b>AO5.1</b></p> <ul style="list-style-type: none"> <li>(a) The maximum length of a wall in any direction is 30 metres with substantial articulation provided every 15 metres.</li> </ul>	<p><b>Not Applicable</b></p> <p>The proposed development would be wholly contained within an existing lawfully established building.</p>





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Performance outcomes	Acceptable outcomes	Compliance
<p>intent of the area;</p> <p>(b) provide adequate amenity for residents in terms of natural light and ventilation.</p> <p>Note – Planning scheme policy SC6.1 – Building design and architectural elements provides guidance on reducing building bulk.</p>	<p>(b) The minimum distance between buildings on a site is not less than 6 metres;</p>	
	<p><b>AO5.2</b></p> <p>The length of any continuous eave line does not exceed 18 metres.</p>	<p><b>Not Applicable</b></p> <p>The proposed development would be wholly contained within an existing lawfully established building.</p>
<p><b>PO6</b></p> <p>Development reduces the appearance of building bulk, ensures a human-scale, demonstrates variations in horizontal and vertical profile and supports streetscape character.</p>	<p><b>AO6.1</b></p> <p>Development incorporates a number of the following design elements:</p> <ul style="list-style-type: none"> <li>(a) balconies;</li> <li>(b) verandahs;</li> <li>(c) terraces;</li> <li>(d) recesses</li> </ul>	<p><b>Not Applicable</b></p> <p>The proposed development would be wholly contained within an existing lawfully established building used for residential purposes.</p>
	<p><b>AO6.2</b></p> <p>Development reduces building bulk by:</p> <ul style="list-style-type: none"> <li>(a) variation in building colours, materials and textures;</li> </ul>	<p><b>Not Applicable</b></p> <p>The proposed development would be wholly contained within an existing lawfully established building used for residential purposes.</p>





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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> <li>(b) the use of curves, recesses, projections or variations in plan and elevation;</li> <li>(c) recession and projection of rooflines and the inclusion of interesting roof forms, such as cascading roof levels, gables, skillions or variations in pitch;</li> <li>(d) use of sun-shading devices and other façade features;</li> <li>(e) use of elements at a finer scale than the main structural framing of the building.</li> </ul>	
<b>P07</b> Development provides a building that must define the street to facilitate casual surveillance and enhance the amenity of the street through: <ul style="list-style-type: none"> <li>(a) orientation to the street;</li> <li>(b) front boundary setback;</li> <li>(c) balconies and windows to provide overlooking and casual surveillance;</li> <li>(d) building entrances.</li> </ul>	<b>A07.1</b> Development provides a building that is not set back further than 2m beyond the minimum required street front setback.	<b>Not Applicable</b> The proposed development would be wholly contained within an existing lawfully established building.
	<b>A07.2</b> Development provides balconies and windows from the primary living area that face and overlook the street or public space.	<b>Complies with A07.2</b> The Multiple Dwelling unit would have access to an existing balcony that overlooks public space.





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Performance outcomes	Acceptable outcomes	Compliance
<b>PO8</b> Buildings exhibit tropical design elements to support Douglas Shire's tropical climate, character and lifestyle.	<b>AO8.1</b> Development has floor to ceiling heights of 2.7 metres;	<b>Not Applicable</b> The proposed development would be wholly contained within an existing lawfully established building.
	<b>AO8.2</b> Buildings include weather protection and sun shading to all windows to all external doors and windows of habitable rooms.	<b>Not Applicable</b> The proposed development would be wholly contained within an existing lawfully established building.
	<b>AO8.3</b> Development incorporates deep recesses, eaves and sun-shading devices.	<b>Not Applicable</b> The proposed development would be wholly contained within an existing lawfully established building.
	<b>AO8.4</b> Western orientated facades are shaded using building and landscape elements, such as adjustable screens, awnings or pergolas or dense	<b>Not Applicable</b> The proposed development would be wholly contained within an existing lawfully established building.





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Performance outcomes	Acceptable outcomes	Compliance
	tropical planting.	
	<b>AO8.5</b> Individual dwelling units are not located on both sides of an enclosed central corridor (i.e. not double banked).	<b>Not Applicable</b> The proposed development would be wholly contained within an existing lawfully established building.
<b>PO9</b> Development minimises direct overlooking between buildings through appropriate building layout, location and the design of windows and balconies or screening devices. Note—Siting and building separation is used to minimise privacy screening requirements.	<b>AO9.1</b> Development where the dwelling is located within 2 metres at ground level or 9 metres above ground level of a habitable room window or private open space of an existing dwelling house, ensures habitable rooms and any private outdoor spaces have: <ul style="list-style-type: none"> <li>(a) an offset from the habitable room or private open space of the existing dwelling to limit direct outlook; or</li> <li>(b) sill heights a minimum of 1.5m above floor level; or</li> <li>(c) fixed obscure glazing in any part of the</li> </ul>	<b>Not Applicable</b> The proposed development would be wholly contained within an existing lawfully established building.





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Performance outcomes	Acceptable outcomes	Compliance
	<p>window below 1.5m above floor level; or</p> <p>(d) fixed external screens; or</p> <p>(e) in the case of screening for a ground floor level unit, fencing to a minimum 1.8m above the ground storey floor level.</p>	
	<p><b>AO9.2</b></p> <p>Development where a direct view is available from balconies, terraces, decks or roof decks into windows of habitable rooms, balconies, terraces or decks in an adjacent existing dwelling house, is screened from floor level to a height above 1.5m above floor level.</p>	<p><b>Not Applicable</b></p> <p>The proposed development would be wholly contained within an existing lawfully established building.</p>
	<p><b>AO9.3</b></p> <p>Development provides screening devices that are solid translucent screens, perforated or slatted panels or fixed louvres that have a maximum of 25% openings, with a maximum opening dimension of 50mm, and that are permanent and</p>	<p><b>Not Applicable</b></p> <p>The proposed development would be wholly contained within an existing lawfully established building used for residential purposes.</p>





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Performance outcomes	Acceptable outcomes	Compliance
	<p>durable.</p> <p>Note—The screening device is offset a minimum of 0.3m from the wall around any window.</p> <p>Note—Screening devices are hinged or otherwise attached to facilitate emergency egress</p>	
<p><b>PO10</b></p> <p>Development provides accessible and functional landscaping and recreation area for the benefit of residents/guests</p>	<p><b>AO10</b></p> <p>A minimum of 35% of the site is allocated as landscaping and recreation area</p>	<p><b>Not Applicable</b></p> <p>The proposed development would be wholly contained within an existing lawfully established building.</p>
<p><b>PO11</b></p> <p>Landscaping must contribute positively to the amenity of the area, streetscape and public spaces.</p>	<p><b>AO11</b></p> <p>Development provides landscaping as follows:</p> <ul style="list-style-type: none"> <li>(a) A dense landscape planting strip of at least 2 metres width suitable for deep planting is provided and maintained along all street frontages;</li> <li>(b) A dense landscape planting strip of at least 1.5 metres width suitable for deep planting is provided along all side and rear boundaries</li> </ul>	<p><b>Not Applicable</b></p> <p>The proposed development would be wholly contained within an existing lawfully established building.</p>





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Performance outcomes	Acceptable outcomes	Compliance
<b>PO12</b> The landscaping and recreation area provides for functional communal open space for all developments exceeding five dwellings on one site	<b>AO12.1</b> Communal open space is provided at: (a) a minimum of 5% of site area or 50m <sup>2</sup> whichever is the greater; and (b) a minimum dimension of 5 metres.	<b>Complies with AO12.1</b> The overall existing development provides significant communal open space containing two swimming pools, which exceeds 50m <sup>2</sup> .
	<b>AO12.2</b> Development provides communal open space that: (a) is consolidated into one useable space; (b) where communal open space exceeds 100m <sup>2</sup> , the communal open space may be split into two, and so forth incrementally.	<b>Complies with AO12.2</b> The overall existing development provides significant communal open space containing two swimming pools.
	<b>AO12.3</b> Communal open space: (a) is a minimum of 50% open to the sky; (b) achieves 25% shading by trees in 5 years; (c) does not include vehicle driveways and manoeuvring;	<b>Complies with AO12.3</b> The existing development provides communal open space that has previously been accepted by Council.





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Performance outcomes	Acceptable outcomes	Compliance
	(d) does not contain surface structures such as rainwater tanks, fire hydrants, transformers or water boosters.	
	<b>AO12.4</b> Communal open space is designed to provide for a range of facilities, typically including some, or all, of the following elements: <ul style="list-style-type: none"> <li>(a) seating;</li> <li>(b) barbecue;</li> <li>(c) play equipment;</li> <li>(d) swimming pool;</li> <li>(e) communal clothes drying;</li> <li>(f) vegetable garden.</li> </ul>	<b>Complies with AO12.4</b> The overall existing development provides landscaping and communal open space which contains seating, barbecue facilities and two swimming pools.
	<b>12.5</b> Development involving 5 or fewer dwellings on one lot can allocate additional private open space to a ground storey dwelling instead of providing communal open space.	<b>Not Applicable</b> The proposed development involves a single unit in an established mixed use development where communal open space is already provided.





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Performance outcomes	Acceptable outcomes	Compliance
<b>PO13</b> Development must provide attractive and functional private open space for residents and guests.	<b>AO13.1</b> Development provides private open space which: <ul style="list-style-type: none"> <li>(a) for ground storey dwellings, comprises of a minimum area of 35m<sup>2</sup> with a minimum dimension of 3 metres;</li> <li>(b) for dwellings above ground storey, comprises of a balcony with minimum area of 12m<sup>2</sup> and a minimum dimension of 3 metres</li> </ul>	<b>Complies with AO13.1(b)</b> The proposed Multiple Dwelling Unit would have access to a private balcony that has an area of 27m <sup>2</sup> .
	<b>AO13.2</b> Development provides private open space areas that are: <ul style="list-style-type: none"> <li>(a) directly accessible from internal primary living area of the dwelling (not bedrooms);</li> <li>(b) provided with a screened area of 2m<sup>2</sup> minimum dimension capable of screening air conditioning plant, private clothes drying etc.</li> <li>(c) provided with adjustable, moveable or</li> </ul>	<b>Complies with AO13.2</b> The Multiple Dwelling Unit would have access to a private balcony that is directly accessed from the living room.





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Performance outcomes	Acceptable outcomes	Compliance
	operable privacy screening where appropriate	
	<b>AO13.3</b> Development provides balconies that are located to the front or rear of the building except where adequate building separation can be achieved to maintain privacy.	<b>Complies with AO13.3</b> The proposed Multiple Dwelling Unit would have access to a lawfully existing private balcony.
	<b>AO13.4</b> Where secondary balconies are provided to a side of a building for additional amenity or services, such as clothes drying or to articulate facades, the setback may be reduced to the minimum setback, but these areas are not included in the calculation of private open space requirements.	<b>Not Applicable</b> A secondary balcony is not provided.
	<b>AO13.5</b> Private open space: (a) does not include vehicle driveways and manoeuvring;	<b>Complies with AO13.5</b> The private balcony does not include driveways or surface structures.





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Performance outcomes	Acceptable outcomes	Compliance
	(b) does not contain surface structures such as rainwater tanks, fire hydrants, transformers or water boosters	
<b>PO14</b> Development provides front fencing and retaining walls that must: <ul style="list-style-type: none"> <li>(a) facilitate casual surveillance of the street and public space;</li> <li>(b) enable use of private open space;</li> <li>(c) assist in highlighting entrances to the property;</li> <li>(d) provide a positive interface to the streetscape.</li> </ul>	<b>AO14.1</b> Development ensures that, where fencing is provided, the height of any new fence located on any common boundary to a street or public space is a maximum of: <ul style="list-style-type: none"> <li>(a) 1.2m, where fence construction is solid or less than 50% transparent;</li> <li>(b) 1.5m, where fence construction is at least 50% transparent;</li> <li>(c) 1.8m and solid only where the site is on an arterial road or higher order road.</li> </ul>	<b>Not Applicable</b> No new fencing is proposed.
	<b>AO14.2</b> Development incorporating solid front fences or walls that front the street or other public spaces and are longer than 10m, indentations, material	<b>Not Applicable</b> No new fencing is proposed.





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Performance outcomes	Acceptable outcomes	Compliance
	variation or landscaping is provided to add visual interest and soften the visual impact.	
	<b>AO14.3</b> Development for a retaining wall is: <ul style="list-style-type: none"> <li>(a) stepped to minimise impact on the streetscape and pedestrian environment;</li> <li>(b) a maximum of 0.6m in height if directly abutting the edge of the adjoining road reserve verge</li> </ul>	<b>Not Applicable</b> No retaining walls are proposed.
<b>PO15</b> Development minimises light nuisances.	<b>AO15</b> Outdoor lighting is in accordance with AS 4282-1997 Control of the obtrusive effects of outdoor lighting.	<b>Not Applicable</b> No outdoor lighting is proposed.
<b>PO16</b> Waste and recyclable material storage areas are: <ul style="list-style-type: none"> <li>(a) convenient and accessible to residents and waste and recyclable material collection</li> </ul>	<b>AO16</b> Waste and recyclable material storage areas: <ul style="list-style-type: none"> <li>(a) are located on site;</li> <li>(b) are sited and designed to be unobtrusive</li> </ul>	<b>Complies with AO16</b> The proposed Multiple Dwelling Unit would have access to the existing waste and recyclable storage areas provided as part of the overall development.





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Performance outcomes	Acceptable outcomes	Compliance
<p>services;</p> <p>(b) located and designed to mitigate adverse impacts:</p> <ul style="list-style-type: none"> <li>(i) within the site;</li> <li>(ii) on adjoining properties;</li> <li>(iii) to the street.</li> </ul>	<p>and screened from view from the street frontage:</p> <ul style="list-style-type: none"> <li>(c) are imperviously sealed roofed and bunded, and contain a hose down area draining to Council's sewer network;</li> <li>(d) are of a sufficient size to accommodate bulk (skip) bins;</li> <li>(e) have appropriate access and sufficient on site manoeuvrability area for waste and recyclable material collection services</li> </ul> <p>Note - The Environmental performance code contains requirements for waste and recyclable material storage</p>	
<p><b>PO17</b></p> <p>Development provides a secure storage area for each dwelling.</p>	<p><b>AO17</b></p> <p>A secure storage area for each dwelling:</p> <ul style="list-style-type: none"> <li>(a) is located to enable access by a motor vehicle or be near to vehicle parking;</li> <li>(b) has a minimum space of 3.5m<sup>2</sup> per dwelling;</li> <li>(c) has a minimum height of 2 metres;</li> </ul>	<p><b>Complies with PO17</b></p> <p>The proposal is for the material change of use of an existing self-contained Multiple Dwelling (Tourist) unit to a Multiple Dwelling Unit to provide for permanent occupation. The Dwelling Unit would have access to the storage facilities provided as part of the original development and would not require additional storage.</p>





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Performance outcomes	Acceptable outcomes	Compliance
	(d) is weather proof; (e) is lockable; (f) has immunity to the 1% AEP inundation event. Note – A cupboard within a unit will not satisfy this requirement	
<b>Additional requirements for a Retirement facility</b>		
<b>PO18</b> Retirement facilities are located in areas which offer convenience to residents, and are designed to be compatible with the locality and surrounding area in which they are located.	<b>AO18</b> Retirement facilities are conveniently located in established areas close to public transport, shopping facilities and health care services.	<b>Not Applicable</b> The proposal relates to Multiple Dwelling Unit.
<b>PO19</b> Retirement facilities are designed to provide for the amenity and security of residents.	<b>AO19.1</b> The Retirement facility incorporates covered walkways wide enough to accommodate wheel chairs and ramps, and where necessary, provide on-site weather protection between all parts of the complex.	<b>Not Applicable</b> The proposal relates to Multiple Dwelling Unit.





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Performance outcomes	Acceptable outcomes	Compliance
	<b>AO19.2</b> Internal pathways have firm, well drained and non-slip surfaces.	<b>Not Applicable</b> The proposal relates to Multiple Dwelling Unit.
	<b>AO19.2</b> Security screens are provided to all dwelling units or residential rooms to ensure the safety and security of residents.	<b>Not Applicable</b> The proposal relates to Multiple Dwelling Unit.
	<b>AO19.3</b> An illuminated sign and site map of the layout of the development is located near the main entrance to the facility.	<b>Not Applicable</b> The proposal relates to Multiple Dwelling Unit.
<b>PO20</b> The internal layout of a Retirement facility and the location of the retirement facility allows for safe evacuation of residents in an emergency and provides emergency services to efficiently access the site.	<b>AO20.1</b> The design of the Retirement facility ensures that external circulation and access and egress points on the site facilitate the evacuation of the site in an efficient manner.	<b>Not Applicable</b> The proposal relates to Multiple Dwelling Unit.
	<b>AO20.2</b>	<b>Not Applicable</b>





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Performance outcomes	Acceptable outcomes	Compliance
	The site of a Retirement facility is not prone to inundation.	The proposal relates to Multiple Dwelling Unit.
	<b>AO20.3</b> The location of the Retirement facility is readily accessible to emergency vehicles.	<b>Not Applicable</b> The proposal relates to Multiple Dwelling Unit.
<b>PO21</b> The development is designed for the needs of the age group, and to allow ‘aging in place’ to occur.	<b>AO21.1</b> Development applies adaptable housing principles.	<b>Not Applicable</b> The proposal relates to Multiple Dwelling Unit.
	<b>AO21.2</b> A range of housing designs and sizes are provided in the development to cater for different individual and household needs.	<b>Not Applicable</b> The proposal relates to Multiple Dwelling Unit.





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#### **9.4.1 Access, parking and servicing code**

##### **9.4.1.1 Application**

- (1) This code applies to assessing:
  - (a) operational work which requires a compliance assessment as a condition of a development permit; or
  - (b) a material change of use or reconfiguring a lot if:
    - (i) self-assessable or assessable development where this code is identified in the assessment criteria column of the table of assessment;
    - (ii) impact assessable development, to the extent relevant.
- (2) When using this code, reference should be made to Part 5.

##### **9.4.1.2 Purpose**

- (1) The purpose of the Access, parking and servicing code is to assess the suitability of access, parking and associated servicing aspects of a development.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) sufficient vehicle parking is provided on-site to cater for all types of vehicular traffic accessing and parking on-site, including staff, guests, patrons, residents and short term delivery vehicles;
  - (b) sufficient bicycle parking and end of trip facilities are provided on-site to cater for customer and service staff;
  - (c) on-site parking is provided so as to be accessible and convenient, particularly for any short term uses;
  - (d) development provides walking and cycle routes through the site which link the development to the external walking and cycling network;
  - (e) the provision of on-site parking, loading / unloading facilities and the provision of access to the site do not impact on the efficient function of street network or on the area in which the development is located;
  - (f) new vehicular access points are safely located and are not in conflict with the preferred ultimate streetscape character and local character and do





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not unduly disrupt any current or future on-street parking arrangements.

### 9.4.1.3 Criteria for assessment

**Table 9.4.1.3.a – Access, parking and servicing code –assessable development**

Performance outcomes	Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>		
<b>PO1</b> Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be generated by the use or uses of the site, having particular regard to: (a) the desired character of the area; (b) the nature of the particular use and its specific characteristics and scale; (c) the number of employees and the likely number of visitors to the site; (d) the level of local accessibility;	<b>AO1.1</b> The minimum number of on-site vehicle parking spaces is not less than the number prescribed in Table 9.4.1.3.b for that particular use or uses. Note - Where the number of spaces calculated from the table is not a whole number, the number of spaces provided is the next highest whole number.	<b>Complies with AO1.1</b> A Multiple Dwelling Unit it is required to provide 1 car parking space. The proposed Multiple Dwelling Unit would provide 1 car parking space, which forms part of the title.
	<b>AO1.2</b> Car parking spaces are freely available for the parking of vehicles at all times and are not used for external storage purposes, the display of products or rented/sub-leased.	<b>Complies with AO1.2</b> The existing car parking space would be maintained as freely available for vehicle parking.





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Performance outcomes	Acceptable outcomes	Compliance
(e) the nature and frequency of any public transport serving the area; (f) whether or not the use involves the retention of an existing building and the previous requirements for car parking for the building (g) whether or not the use involves a heritage building or place of local significance; (h) whether or not the proposed use involves the retention of significant vegetation.	<b>AO1.3</b> Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.	<b>Not Applicable</b> No motorcycle parking is proposed.
	<b>AO1.4</b> For parking areas exceeding 50 spaces parking, is provided for recreational vehicles as a substitute for ordinary vehicle parking to a maximum of 5% of total ordinary vehicle parking rate.	<b>Not Applicable</b> The proposal relates to one car parking space only.
<b>PO2</b> Vehicle parking areas are designed and constructed in accordance with relevant standards.	<b>AO2</b> Vehicle parking areas are designed and constructed in accordance with Australian Standard: (a) AS2890.1; (b) AS2890.3; (c) AS2890.6.	<b>Complies with AO2</b> The parking space is an existing lawfully approved car parking space.





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Performance outcomes	Acceptable outcomes	Compliance
<b>PO3</b> Access points are designed and constructed: (a) to operate safely and efficiently; (b) to accommodate the anticipated type and volume of vehicles (c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate; (d) so that they do not impede traffic or pedestrian movement on the adjacent road area; (e) so that they do not adversely impact upon existing intersections or future road or intersection improvements; (f) so that they do not adversely impact current and future on-street parking arrangements; (g) so that they do not adversely impact on existing services within the road reserve adjacent to the site;	<b>AO3.1</b> Access is limited to one access cross over per site and is an access point located, designed and constructed in accordance with: (a) Australian Standard AS2890.1; (b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers.	<b>Not Applicable</b> Access would be provided by the existing lawfully approved access crossover and no new crossovers are proposed.
	<b>AO3.2</b> Access, including driveways or access crossovers: (a) are not placed over an existing: (i) telecommunications pit; (ii) stormwater kerb inlet; (iii) sewer utility hole; (iv) water valve or hydrant. (b) are designed to accommodate any adjacent footpath;	<b>Not Applicable</b> Access would be provided by the existing lawfully approved access crossover and no new crossovers are proposed.





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Performance outcomes	Acceptable outcomes	Compliance
(h) so that they do not involve ramping, cutting of the adjoining road reserve or any built structures (other than what may be necessary to cross over a stormwater channel).	(c) adhere to minimum sight distance requirements in accordance with AS2980.1.	
	<p><b>AO3.3</b></p> <p>Driveways are:</p> <p>(a) designed to follow as closely as possible to the existing contours, but are no steeper than the gradients outlined in Planning scheme policy SC6.5 – FNQROC Regional Development Manual;</p> <p>(b) constructed such that where there is a grade shift to 1 in 4 (25%), there is an area with a grade of no more than 1 in 6 (16.6%) prior to this area, for a distance of at least 5 metres;</p> <p>(c) on gradients greater than 1 in 6 (16.6%) driveways are constructed to ensure the cross-fall of the driveway is one way and directed into the hill, for vehicle safety and drainage purposes;</p>	<p><b>Not Applicable</b></p> <p>Access would be provided by the existing lawfully approved access crossover and no new crossovers are proposed.</p>





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Performance outcomes	Acceptable outcomes	Compliance
	<p>(d) constructed such that the transitional change in grade from the road to the lot is fully contained within the lot and not within the road reserve;</p> <p>(e) designed to include all necessary associated drainage that intercepts and directs storm water runoff to the storm water drainage system.</p>	
	<p><b>AO3.4</b></p> <p>Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.</p>	<p><b>Not Applicable</b></p> <p>Access would be provided by the existing lawfully approved access crossover and no new crossovers are proposed.</p>
<p><b>PO4</b></p> <p>Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.</p>	<p><b>AO4</b></p> <p>The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.</p>	<p><b>Not Applicable</b></p> <p>No wheel chair accessible car parking spaces are required as part of this development.</p>
<p><b>PO5</b></p>	<p><b>AO5</b></p>	<p><b>Not Applicable</b></p>





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Performance outcomes	Acceptable outcomes	Compliance
Access for people with disabilities is provided to the building from the parking area and from the street.	Access for people with disabilities is provided in accordance with the relevant Australian Standard.	Access for people with disabilities is not required as part of this development.
<b>P06</b> Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development.	<b>A06</b> The number of on-site bicycle parking spaces complies with the rates specified in Table 9.4.1.3.b.	<b>Complies with A06</b> Bicycle parking has been accommodated as part of the overall development.
<b>P07</b> Development provides secure and convenient bicycle parking which: (a) for visitors is obvious and located close to the building's main entrance; (b) for employees is conveniently located to provide secure and convenient access between the bicycle storage area, end-of-trip facilities and the main area of the building; (c) is easily and safely accessible from outside the site.	<b>A07.1</b> Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers);	<b>Not Applicable</b> End of trip facilities are not required for Multiple Dwelling Units.
	<b>A07.2</b> Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street.	<b>Complies with A07.2</b> Bicycle parking has been accommodated as part of the overall development.
	<b>A07.3</b>	<b>Complies with A07.3</b>





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Performance outcomes	Acceptable outcomes	Compliance
	Development provides visitor bicycle parking which does not impede pedestrian movement.	Bicycle parking has been accommodated as part of the overall development..
<b>PO8</b> Development provides walking and cycle routes through the site which: <ul style="list-style-type: none"> <li>(a) link to the external network and pedestrian and cyclist destinations such as schools, shopping centres, open space, public transport stations, shops and local activity centres along the safest, most direct and convenient routes;</li> <li>(b) encourage walking and cycling;</li> <li>(c) ensure pedestrian and cyclist safety.</li> </ul>	<b>AO8</b> Development provides walking and cycle routes which are constructed on the carriageway or through the site to: <ul style="list-style-type: none"> <li>(a) create a walking or cycle route along the full frontage of the site;</li> <li>(b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site.</li> </ul>	<b>Not Applicable</b> Walking and cycle routes are not required as part of this development.
<b>PO9</b> Access, internal circulation and on-site parking for service vehicles are designed and constructed: <ul style="list-style-type: none"> <li>(a) in accordance with relevant standards;</li> </ul>	<b>AO9.1</b> Access driveways, vehicle manoeuvring and on-site parking for service vehicles are designed and constructed in accordance with AS2890.1 and AS2890.2.	<b>Complies with AO9.1</b> The existing driveways, vehicle manoeuvring and on-site parking for service vehicles comply with the relevant Australian Standards.





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Performance outcomes	Acceptable outcomes	Compliance
<p>(b) so that they do not interfere with the amenity of the surrounding area;</p> <p>(c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles.</p>	<p><b>AO9.2</b></p> <p>Service and loading areas are contained fully within the site.</p>	<p><b>Not Applicable</b></p> <p>No service or loading facilities are required as part of this application.</p>
	<p><b>AO9.3</b></p> <p>The movement of service vehicles and service operations are designed so they:</p> <p>(a) do not impede access to parking spaces;</p> <p>(b) do not impede vehicle or pedestrian traffic movement.</p>	<p><b>Not Applicable</b></p> <p>No service or loading facilities are required as part of this application.</p>
<p><b>PO10</b></p> <p>Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.</p>	<p><b>AO10.1</b></p> <p>Development provides adequate area on-site for vehicle queuing to accommodate the demand generated by the development where drive through facilities or drop-off/pick-up services are proposed as part of the use, including, but not limited to, the following land uses:</p> <p>(a) car wash;</p> <p>(b) child care centre;</p>	<p><b>Not Applicable</b></p> <p>No queueing or set down areas are required as part of this application.</p>





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Performance outcomes	Acceptable outcomes	Compliance
	(c) educational establishment where for a school; (d) food and drink outlet, where including a drive-through facility; (e) hardware and trade supplies, where including a drive-through facility; (f) hotel, where including a drive-through facility; (g) service station.	
	<b>AO10.2</b> Queuing and set-down areas are designed and constructed in accordance with AS2890.1.	<b>Not Applicable</b> No queueing or set down areas are required as part of this application.





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#### **9.4.5 Infrastructure works code**

##### **9.4.5.1 Application**

- (1) This code applies to assessing:
  - (a) operational work which requires an assessment as a condition of a development permit or is assessable development if this code is identified in the assessment criteria column of a table of assessment;
  - (b) a material change of use or reconfiguring a lot if:
    - (i) assessable development where this code is identified in the assessment criteria column of the table of assessment;
    - (ii) impact assessable development, to the extent relevant.

Note – The Filling and excavation code applies to operational work for filling and excavation.

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

##### **9.4.5.2 Purpose**

- (1) The purpose of the Infrastructure works code is to ensure that development is safely and efficiently serviced by, and connected to, infrastructure.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) the standards of water supply, waste water treatment and disposal, stormwater drainage, local electricity supply, telecommunications, footpaths and road construction meet the needs of development and are safe and efficient;
  - (b) development maintains high environmental standards;
  - (c) development is located, designed, constructed and managed to avoid or minimise impacts arising from altered stormwater quality or flow, wastewater discharge, and the creation of non-tidal artificial waterways;
  - (d) the integrity of existing infrastructure is maintained;





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- (e) development does not detract from environmental values or the desired character and amenity of an area.

### 9.4.5.3 Criteria for assessment

**Table 9.4.5.3.a – Infrastructure works code –assessable development**

Performance outcomes		Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>			
<b>Works on a local government road</b>			
<b>PO1</b> Works on a local government road do not adversely impact on footpaths or existing infrastructure within the road verge and maintain the flow, safety and efficiency of pedestrians, cyclists and vehicles.	<b>AO1.1</b> Footpaths/pathways are located in the road verge and are provided for the hierarchy of the road and located and designed and constructed in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.		<b>Not applicable</b> No works are proposed on a local government road.
	<b>AO1.2</b> Kerb ramp crossovers are constructed in accordance with Planning scheme policy SC 5 – FNQROC Regional Development Manual.		<b>Not applicable</b> No works are proposed on a local government road.





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Performance outcomes	Acceptable outcomes	Compliance
	<b>AO1.3</b> New pipes, cables, conduits or other similar infrastructure required to cross existing footpaths: (a) are installed via trenchless methods; or (b) where footpath infrastructure is removed to install infrastructure, the new section of footpath is installed to the standard detailed in the Planning scheme policy SC5 – FNQROC Regional Development Manual, and is not less than a 1.2 metre section.	<b>Not applicable</b> No works are proposed on a local government road.
	<b>AO1.4</b> Where existing footpaths are damaged as a result of development, footpaths are reinstated ensuring: (a) similar surface finishes are used; (b) there is no change in level at joins of new and existing sections; (c) new sections are matched to existing in terms of dimension and reinforcement.	<b>Not applicable</b> No works are proposed on a local government road.





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Performance outcomes	Acceptable outcomes	Compliance
	Note – <b>Error! Reference source not found.</b> provides guidance on meeting the outcomes.	
	<b>AO1.5</b> Decks, verandahs, stairs, posts and other structures located in the road reserve do not restrict or impede pedestrian movement on footpaths or change the level of the road verges.	<b>Not applicable</b> No works are proposed on a local government road.
<b>Accessibility structures</b>		
<b>PO2</b> Development is designed to ensure it is accessible for people of all abilities and accessibility features do not impact on the efficient and safe use of footpaths. Note – Accessibility features are those features required to ensure access to premises is provided for people of all abilities and include ramps and lifts.	<b>AO2.1</b> Accessibility structures are not located within the road reserve.	<b>Not applicable</b> No accessibility structures are proposed.
	<b>AO2.2</b> Accessibility structures are designed in accordance with AS1428.3.	<b>Not applicable</b> No accessibility structures are proposed.
	<b>AO2.3</b> When retrofitting accessibility features in existing buildings, all structures and changes in grade are	<b>Not applicable</b> No accessibility structures are proposed.





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Performance outcomes	Acceptable outcomes	Compliance
	contained within the boundaries of the lot and not within the road reserve.	
<b>Water supply</b>		
<b>PO3</b> An adequate, safe and reliable supply of potable, fire fighting and general use water is provided.	<b>AO3.1</b> The premises is connected to Council's reticulated water supply system in accordance with the Design Guidelines set out in Section D6 of the Planning scheme policy SC5 – FNQROC Regional Development Manual; or <b>AO3.2</b> Where a reticulated water supply system is not available to the premises, on site water storage tank/s with a minimum capacity of 10,000 litres of stored water, with a minimum 7,500 litre tank, with the balance from other sources (e.g. accessible swimming pool, dam etc.) and access to the tank/s for fire trucks is provided for each new house or other development. Tank/s are to be	<b>Complies with AO3.1</b> The existing development is connected to the councils reticulated water supply.





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Performance outcomes	Acceptable outcomes	Compliance
	fitted with a 50mm ball valve with a camlock fitting and installed and connected prior to occupation of the house and sited to be visually unobtrusive.	
<b>Treatment and disposal of effluent</b>		
<b>PO4</b> Provision is made for the treatment and disposal of effluent to ensure that there are no adverse impacts on water quality and no adverse ecological impacts as a result of the system or as a result of increasing the cumulative effect of systems in the locality.	<b>AO4.1</b> The site is connected to Council's sewerage system and the extension of or connection to the sewerage system is designed and constructed in accordance with the Design Guidelines set out in Section D7 of the Planning scheme policy SC5 – FNQROC Regional Development Manual; or <b>AO4.2</b> Where not in a sewerage scheme area, the proposed disposal system meets the requirements of Section 33 of the <i>Environmental Protection Policy (Water) 1997</i> and the proposed on site effluent disposal system is designed in	<b>Complies with AO4.1</b> The site is connected to the Council's sewerage system.





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Performance outcomes	Acceptable outcomes	Compliance
	accordance with the <i>Plumbing and Drainage Act (2002)</i> .	
<b>Stormwater quality</b>		
<b>PO5</b> Development is planned, designed, constructed and operated to avoid or minimise adverse impacts on stormwater quality in natural and developed catchments by: <ul style="list-style-type: none"> <li>(a) achieving stormwater quality objectives;</li> <li>(b) protecting water environmental values;</li> <li>(c) maintaining waterway hydrology.</li> </ul>	<b>AO5.1</b> A connection is provided from the premises to Council's drainage system; or <b>AO5.2</b> An underground drainage system is constructed to convey stormwater from the premises to Council's drainage system in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	<b>Complies with AO5.1</b> The premises has an existing connection to the Council's drainage system.
	<b>AO5.3</b> A stormwater quality management plan is prepared, and provides for achievable stormwater quality treatment measures meeting design	<b>Complies with AO5.3</b> The premises has an existing connection to the Council's drainage system.





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Performance outcomes	Acceptable outcomes	Compliance
	objectives listed in <b>Error! Reference source not found.</b> and <b>Error! Reference source not found.</b> , reflecting land use constraints, such as: (a) erosive, dispersive and/or saline soil types; (b) landscape features (including landform); (c) acid sulfate soil and management of nutrients of concern; (d) rainfall erosivity.	
	<b>AO5.4</b> Erosion and sediment control practices are designed, installed, constructed, monitored, maintained, and carried out in accordance with an erosion and sediment control plan.	<b>Not applicable</b> No construction activities are proposed or required.
	<b>AO5.5</b> Development incorporates stormwater flow control measures to achieve the design objectives set out in <b>Error! Reference source not found.</b> and <b>Error! Reference source not found.</b> , including	<b>Complies with AO5.5</b> The premises has an existing connection to the Councils drainage system.





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Performance outcomes	Acceptable outcomes	Compliance
	<p>management of frequent flows, peak flows, and construction phase hydrological impacts.</p> <p>Note – Planning scheme policy SC5 – FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p>Note – During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.</p>	
<b>Non-tidal artificial waterways</b>		
<p><b>PO6</b></p> <p>Development involving non-tidal artificial waterways is planned, designed, constructed and operated to:</p> <p>(a) protect water environmental values;</p>	<p><b>AO6.1</b></p> <p>Development involving non-tidal artificial waterways ensures:</p> <p>(a) environmental values in downstream waterways are protected;</p> <p>(b) any ground water recharge areas are not affected;</p>	<p><b>Not applicable</b></p> <p>No non-tidal artificial waterway are proposed.</p>





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Performance outcomes	Acceptable outcomes	Compliance
(b) be compatible with the land use constraints for the site for protecting water environmental values; (c) be compatible with existing tidal and non-tidal waterways; (d) perform a function in addition to stormwater management; (e) achieve water quality objectives.	(c) the location of the waterway incorporates low lying areas of the catchment connected to an existing waterway; (d) existing areas of ponded water are included.	
	<b>AO6.2</b> Non-tidal artificial waterways are located: (a) outside natural wetlands and any associated buffer areas; (b) to minimise disturbing soils or sediments; (c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas.	<b>Not applicable</b> No non-tidal artificial waterway are proposed.
	<b>AO6.3</b> Non-tidal artificial waterways located adjacent to, or connected to a tidal waterway by means of a weir, lock, pumping system or similar ensures: (a) there is sufficient flushing or a tidal range of >0.3 m; or	<b>Not applicable</b> No non-tidal artificial waterway are proposed.





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Performance outcomes	Acceptable outcomes	Compliance
	(b) any tidal flow alteration does not adversely impact on the tidal waterway; or (c) there is no introduction of salt water into freshwater environments.	
	<b>AO6.4</b> Non-tidal artificial waterways are designed and managed for any of the following end-use purposes: (a) amenity (including aesthetics), landscaping or recreation; or (b) flood management, in accordance with a drainage catchment management plan; or (c) stormwater harvesting plan as part of an integrated water cycle management plan; or (d) aquatic habitat.	<b>Not applicable</b> No non-tidal artificial waterway are proposed.
	<b>AO6.5</b>	<b>Not applicable</b> No non-tidal artificial waterway are proposed.





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Performance outcomes	Acceptable outcomes	Compliance
	The end-use purpose of the non-tidal artificial waterway is designed and operated in a way that protects water environmental values.	
	<b>AO6.6</b> Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway.	<b>Not applicable</b> No non-tidal artificial waterway are proposed.
	<b>AO6.7</b> Aquatic weeds are managed to achieve a low percentage of coverage of the water surface area, and pests and vectors are managed through design and maintenance.	<b>Not applicable</b> No non-tidal artificial waterway are proposed.
<b>Wastewater discharge</b>		
<b>PO7</b> Discharge of wastewater to waterways, or off site: (a) meets best practice environmental management;	<b>AO7.1</b> A wastewater management plan is prepared and addresses: (a) wastewater type;	<b>Not applicable</b> No wastewater would be discharged to waterways or off-site.





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Performance outcomes	Acceptable outcomes	Compliance
(b) is treated to: (i) meet water quality objectives for its receiving waters; (ii) avoid adverse impact on ecosystem health or waterway health; (iii) maintain ecological processes, riparian vegetation and waterway integrity; (iv) offset impacts on high ecological value waters.	(b) climatic conditions; (c) water quality objectives; (d) best practice environmental management.	
	<b>A07.2</b> The waste water management plan is managed in accordance with a waste management hierarchy that: (a) avoids wastewater discharge to waterways; or (b) if wastewater discharge cannot practicably be avoided, minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and ground water.	<b>Not applicable</b> No wastewater would be discharged to waterways or off-site.
	<b>A07.3</b> Wastewater discharge is managed to avoid or minimise the release of nutrients of concern so as to minimise the occurrence, frequency and intensity of algal blooms.	<b>Not applicable</b> No wastewater would be discharged to waterways or off-site.





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Performance outcomes	Acceptable outcomes	Compliance
	<p><b>AO7.4</b></p> <p>Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and:</p> <p>(a) avoids lowering ground water levels where potential or actual acid sulfate soils are present;</p> <p>(b) manages wastewater so that:</p> <p>(i) the pH of any wastewater discharges is maintained between 6.5 and 8.5 to avoid mobilisation of acid, iron, aluminium and other metals;</p> <p>(ii) holding times of neutralised wastewater ensures the flocculation and removal of any dissolved iron prior to release;</p> <p>(iii) visible iron floc is not present in any discharge;</p> <p>(iv) precipitated iron floc is contained and disposed of;</p>	<p><b>Not applicable</b></p> <p>No wastewater would be discharged to waterways or off-site.</p>





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Performance outcomes	Acceptable outcomes	Compliance
	(v) wastewater and precipitates that cannot be contained and treated for discharge on site are removed and disposed of through trade waste or another lawful method.	
<b>Electricity supply</b>		
<b>PO8</b> Development is provided with a source of power that will meet its energy needs.	<b>AO8.1</b> A connection is provided from the premises to the electricity distribution network; or <b>AO8.2</b> The premises is connected to the electricity distribution network in accordance with the Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual. Note - Areas north of the Daintree River have a different standard.	<b>Complies with AO8.1</b> The site has an existing connection to the electricity distribution network.
<b>PO9</b>	<b>AO9.1</b>	<b>Not applicable</b>





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Performance outcomes	Acceptable outcomes	Compliance
Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.	Pad-mount electricity infrastructure is: (a) not located in land for open space or sport and recreation purposes; (b) screened from view by landscaping or fencing; (c) accessible for maintenance.	The development does not involve pad-mount electricity infrastructure.
	<b>AO9.2</b> Pad-mount electricity infrastructure within a building, in a Town Centre is designed and located to enable an active street frontage. Note – Pad-mounts in buildings in activity centres should not be located on the street frontage.	<b>Not applicable</b> The development does not involve pad-mount electricity infrastructure.
<b>Telecommunications</b>		
<b>PO10</b> Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.	<b>AO10</b> The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.	<b>Complies with AO10</b> The site has an existing connection to the telecommunications infrastructure.





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Performance outcomes	Acceptable outcomes	Compliance
<b>PO11</b> Provision is made for future telecommunications services (e.g. fibre optic cable).	<b>AO11</b> Conduits are provided in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	<b>Complies with AO11</b> The site has an existing connection to the telecommunications infrastructure.
<b>Road construction</b>		
<b>PO12</b> The road to the frontage of the premises is constructed to provide for the safe and efficient movement of: (a) pedestrians and cyclists to and from the site; (b) pedestrians and cyclists adjacent to the site; (c) vehicles on the road adjacent to the site; (d) vehicles to and from the site; (e) emergency vehicles.	<b>AO12.1</b> The road to the frontage of the site is constructed in accordance with the Design Guidelines set out in Sections D1 and D3 of the Planning scheme policy SC5 – FNQROC Regional Development Manual, for the particular class of road, as identified in the road hierarchy.	<b>Complies with AO12.1</b> Warner Street and Macrossan Street are constructed and maintained roads.
	<b>AO12.2</b> There is existing road, kerb and channel for the full road frontage of the site.	<b>Complies with AO12.2</b> Warner Street and Macrossan Street are constructed and maintained roads.
	<b>AO12.3</b>	<b>Complies with AO12.3</b>





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Performance outcomes	Acceptable outcomes	Compliance
	Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for the safe passage of emergency vehicles.	Warner Street and Macrossan Street are constructed and maintained roads.
<b>Alterations and repairs to public utility services</b>		
<b>PO13</b> Infrastructure is integrated with, and efficiently extends, existing networks.	<b>AO13</b> Development is designed to allow for efficient connection to existing infrastructure networks.	<b>Complies with AO13</b> The site has existing connections to the existing infrastructure networks.
<b>PO14</b> Development and works do not affect the efficient functioning of public utility mains, services or installations.	<b>AO14.1</b> Public utility mains, services and installations are not required to be altered or repaired as a result of the development; or <b>AO14.2</b> Public utility mains, services and installations are altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines set out in Section D8	<b>Complies with AO14.1</b> No utility mains are required to be altered as part of this development.





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Performance outcomes	Acceptable outcomes	Compliance
	of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	
<b>Construction management</b>		
<b>PO15</b> Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be retained.	<b>AO15</b> Works include, at a minimum: (a) installation of protective fencing around retained vegetation during construction; (b) erection of advisory signage; (c) no disturbance, due to earthworks or storage of plant, materials and equipment, of ground level and soils below the canopy of any retained vegetation; (d) removal from the site of all declared noxious weeds.	<b>Not applicable</b> No construction works are proposed or required.
<b>PO16</b> Existing infrastructure is not damaged by construction activities.	<b>AO16</b> Construction, alterations and any repairs to infrastructure is undertaken in accordance with	<b>Not applicable</b> No infrastructure works are required as part of this development.





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Performance outcomes	Acceptable outcomes	Compliance
	<p>the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p>Note - Construction, alterations and any repairs to State-controlled roads and rail corridors are undertaken in accordance with the Transport Infrastructure Act 1994.</p>	
<b>For assessable development</b>		
<b>High speed telecommunication infrastructure</b>		
<p><b>PO17</b></p> <p>Development provides infrastructure to facilitate the roll out of high speed telecommunications infrastructure.</p>	<p><b>AO17</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>The site has existing connections to the telecommunications infrastructure.</p>
<b>Trade waste</b>		
<p><b>PO18</b></p> <p>Where relevant, the development is capable of providing for the storage, collection treatment and disposal of trade waste such that:</p>	<p><b>AO18</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>No trade waste would be generated by this proposed development.</p>





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Performance outcomes	Acceptable outcomes	Compliance
(a) off-site releases of contaminants do not occur; (b) the health and safety of people and the environment are protected; (c) the performance of the wastewater system is not put at risk.		
<b>Fire services in developments accessed by common private title</b>		
<b>PO19</b> Hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	<b>AO19.1</b> Residential streets and common access ways within a common private title places hydrants at intervals of no more than 120 metres and at each intersection. Hydrants may have a single outlet and be situated above or below ground.	<b>Not applicable</b> No streets or accessways are proposed.
	<b>AO19.2</b> Commercial and industrial streets and access ways within a common private title serving commercial properties such as factories and warehouses and offices are provided with above or below ground fire hydrants located at not more	<b>Not applicable</b> No streets or accessways are proposed





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Performance outcomes	Acceptable outcomes	Compliance
	than 90 metre intervals and at each intersection. Above ground fire hydrants have dual-valved outlets.	
<b>PO20</b> Hydrants are suitable identified so that fire services can locate them at all hours.  Note – Hydrants are identified as specified in the Department of Transport and Main Roads Technical Note: 'Identification of street hydrants for fire fighting purposes' available under 'Publications'.	<b>AO20</b> No acceptable outcomes are prescribed.	<b>Complies with PO20</b> Fire safety measures, including hydrants have been provided as part of the existing overall development.





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