

5 July 2021

Our ref: P82169

Chief Executive Officer  
Douglas Shire Council  
PO Box 723  
Mossman QLD 4873

Attention: Neil Beck

Dear Neil,

**Material Change of Use – Air Services (Helipad) and Caretaker's Accommodation  
35-39 Port Street, Port Douglas described as Lot 11 on SP273000 (access via Easement C on 273000)**

I am pleased to lodge this application for a Material Change of Use for Air Services (Helipad) and Caretaker's Accommodation located at 35-39 Port Street, Port Douglas over Lot 11 on SP273000 with access via Easement C on 273000.

The application does not require referral to SARA. The relevant information for the application is:

**Applicant:** Morris Aviation Australia  
c/- Planz Town Planning

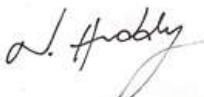
**Mailing address:** PO Box 181  
Edge Hill Qld 4870

**Landowner:** Marano Enterprises (Miallo) Pty Ltd as Trustee for the Marano Family Unit Trust

**Application fee:** \$2,093

If you require any further information, please call me.

Yours faithfully,



**Nikki Huddy (FPIA)**  
Registered Planner

**Att:**

1. DA Form 1
2. Landowner's Consent
3. Planning Report
4. Proposed Plans

# 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)	Morris Aviation Australia
Contact name (only applicable for companies)	c-/ Planz Town Planning Pty Ltd
Postal address (P.O. Box or street address)	PO Box 181
Suburb	Edge Hill
State	QLD
Postcode	4870
Country	Australia
Contact number	07 4041 0445
Email address (non-mandatory)	<a href="mailto:info@planztp.com">info@planztp.com</a>
Mobile number (non-mandatory)	0447 323 384
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	P82169

2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input checked="" type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application	
<input type="checkbox"/> No – proceed to 3)	

## PART 2 – LOCATION DETAILS

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

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

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

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		35-39	Port Street	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	11	SP273000	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
		23-33	Port Street	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
		C	SP273000	Douglas Shire Council

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

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

- ☐ Coordinates of premises by longitude and latitude

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

- ☐ Coordinates of premises by easting and northing

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

#### 3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer: Dickson Inlet

- ☐ 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):*

Air service (2 helipads, hangar, reception/office) with access via Lot C on SP273000

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):*

Ancillary Caretaker's Accommodation (self-assessable) on the same Lot as the Air Service

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)
2 x Helipads, hangar, reception/office	Air services		548m <sup>2</sup>
Caretaker's accommodation	Caretaker's accommodation		58m <sup>2</sup>
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input type="checkbox"/> Yes			
<input checked="" 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 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 type="checkbox"/> I agree to receive an information request if determined necessary for this development application
<input checked="" 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 type="checkbox"/> Approval <input type="checkbox"/> Development application			
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

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

- ☐ Yes – a copy of the receipted QLeave form is attached to this development application  
☐ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid  
☒ Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)

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

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

- ☐ Yes – show cause or enforcement notice is attached  
☒ No

### 23) Further legislative requirements

#### **Environmentally relevant activities**

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

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

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

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

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

#### **Hazardous chemical facilities**

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

- ☐ Yes – *Form 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.dsdmip.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.dsdmip.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			

## Consent to the making of a development application under the *Planning Act 2016*

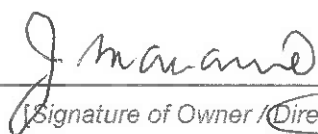
I / we:

On behalf of: Marano Enterprises (Miallo) Pty Ltd as Trustee for the  
Marano Family Unit Trust

Of premises identified as: 35-39 Port Street, Port Douglas  
Insert street address

Described as: Lot 11 on SP273000  
Insert Real Property Description Easement C on SP273000 (Access)

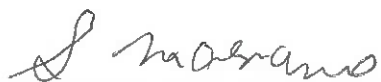
Consent to Planz Town Planning making an application for: Material Change of Use for Air Services (Helicopter Services) and Caretaker's Accommodation

  
[Signature of Owner / Director\*\* / Body Corporate\*\*]

24-06-21

[Date]

\*\* If signing on behalf of Company or Body Corporate - insert name of Company or Body Corporate

  
[Signature of Owner / Director Body Corporate]

24-06-21

[Date]

\*\* If signing on behalf of Company or Body Corporate - insert name of Company or Body Corporate

### \*\*Guide – To determine who is the owner of the land

**Landowner:** The Person, Company, or Body Corporate shown on the rates notice or lease documents.

**When there are multiple owners:** The consent of each owner must be obtained.

**When there are multiple lots:** The consent of each of those landowners is required.

**When the owner is a company:** The company must consent to the application in accordance with Section 127 of The Corporations Act 2001

**Easements:** The consent of easement owners is not always required. This is considered on an application by application basis.

**Leases:** If the land leased to you from someone else, Council or State, the lessors (not you) of the land must give the owner's consent.

**State owned land:** If the land is state-owned land that is leased or subleased, The State as the lessor of the land must give owner's consent

**Power of attorney:** If power of attorney has been granted authorising another person to sign on the owner's behalf, a certified copy of the power of attorney is required to accompany the consent.



**PLANZ**  
**Town Planning**

## DEVELOPMENT PERMIT

MATERIAL CHANGE OF USE  
AIR SERVICES (HELIPAD) AND CARETAKER'S ACCOMMODATION  
LOT 11 SP273000 & EASEMENT C SP273000

5 JULY 2021

PREPARED BY  
PLANZ TOWN PLANNING PTY LTD  
on behalf of  
MORRIS AVIATION AUSTRALIA

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## Application Summary

Application details					
<b>Proposal</b>	Air Services and Caretaker's Accommodation				
<b>Applicant</b>	Morris Aviation Australia				
<b>Property Owner</b>	Marano Enterprises (Miallo) Pty Ltd as Trustee for the Marano Family Unit Trust				
<b>Address</b>	35-39 Port Street, Port Douglas				
<b>Real Property Description</b>	Lot 11 SP273000 Easement C SP273000 (Access)				
<b>Lot Size</b>	<table> <tr> <td>Lot 11</td><td>4,915m<sup>2</sup></td></tr> <tr> <td>Easement C</td><td>1,568m<sup>2</sup></td></tr> </table>	Lot 11	4,915m <sup>2</sup>	Easement C	1,568m <sup>2</sup>
Lot 11	4,915m <sup>2</sup>				
Easement C	1,568m <sup>2</sup>				
<b>Zone</b>	Industry				
<b>Current Use</b>	Vacant				
<b>Level of Assessment</b>	Impact				
<b>Referral Triggers</b>	<p>Not required as the development:</p> <ul style="list-style-type: none"> <li>• Does not involve operational work that requires excavation and fill to exceed 1,000m<sup>3</sup></li> <li>• Does not involve building work that increases the total gross floor area on the premise by 1,000m<sup>2</sup></li> </ul>				

# 1 PROPOSED DEVELOPMENT

## 1.1 Nature of the Proposal

This application for a Development Permit for a Material Change of Use – *Air Services (Helipad)* and *Caretaker's Accommodation* on Lot 11 on SP273000 at 35-39 Port Street, Port Douglas with access via Easement C on SP273000. The 4,915m<sup>2</sup> site is located in the Industry zone and the use of Air Services is Impact Assessable development. The use of Caretaker's Accommodation is Self-Assessable development.

The uses of Air Services and Caretaker's Accommodation are defined as:

***Air Services:*** Premises used for any of the following:

- (a) the arrival and departure of aircraft;
- (b) the housing, servicing, refuelling, maintenance and repair of aircraft;
- (c) the assembly and dispersal of passengers or goods on or from an aircraft;
- (d) any ancillary activities directly serving the needs of passengers and visitors to the use;
- (e) associated training and education facilities;
- (f) aviation facilities

The use includes Airport, airstrip, **helipad**, public or private airfield.

***Caretaker's Accommodation:*** A dwelling provided for a caretaker of a non-residential use on the same premises.

Specifically, the applicant proposes to develop an Aviation Facility at the subject site for the purpose of providing passenger transport including connections from the Cairns Airport to support the local tourism sector. Associated uses including medical transfers, aerial firefighting and search and rescue operations will also be undertaken on an as required basis. The proposed development will comprise of the following:

- |   |   |
|---|---|
| • 2 Helipads                                    | • Aviation refuelling tanks (2 x 5000L) |
| • 2 Helicopter (4-seater and 8-seater)          | • 9 Parking Spaces (includes Caretaker) |
| • Hangar (448m <sup>2</sup> )                   | • 2 Bus Set Down spaces                 |
| • Office (100m <sup>2</sup> )                   | • 12.32% Site Coverage                  |
| • Caretaker's Accommodation (58m <sup>2</sup> ) | • 39.91% Landscaped area                |



Council is requested to approve the application subject to reasonable conditions. Key points demonstrating that the proposal meets the requirements of the Planning Scheme are summarised below:

The proposed development:

- contributes to the range of industrial and tourist uses to support the economy of Port Douglas and the greater region
- can operate without alteration to the landscape
- avoids areas containing matters of state environmental significance
- has sufficient vehicle parking on-site to cater for all types of vehicular traffic accessing and parking on-site, including staff, guests, residents and short term delivery vehicles
- has been designed to minimise or avoid adverse impact on amenity of adjacent and surrounding land, or environmental harm through location, design and operation



**Figure 1: Site location**





*Figure 2: DSC zone mapping*

## 1.2 The Site

The 4,915m<sup>2</sup> site is located in Port Douglas approximately 1km to the south of Macrossan Street (**figure 3**) and 1.4km north of the Sheraton Helipad. The site was established as a refuelling depot circa 1980, to service the marina that was developing at the same time (**photo 1**).

The site has been clear of vegetation since the 1980s and is accessed from Port Street which services adjoining Lot 12 SP273000 to the south through Marano's Fuel Station which was established in early 2000 (**photos 2 and 3**). The site is separated from Dickson Inlet to the west by Lot 3 SP262338 which has a pontoon for boats (**figure 4**).

The helipad is located a minimum of 240m from the nearest sensitive land uses (located in Port Street), which is similar to the current site at the Sheraton, where the helipad is located 270m from the nearest sensitive land use.



*Photo 1: Aerial image of Port Douglas in 1981 – Site location*



*Photo 2: Adjoining site - Marano's Fuel*



*Photo 3: Adjoining site - Marano's Fuel*



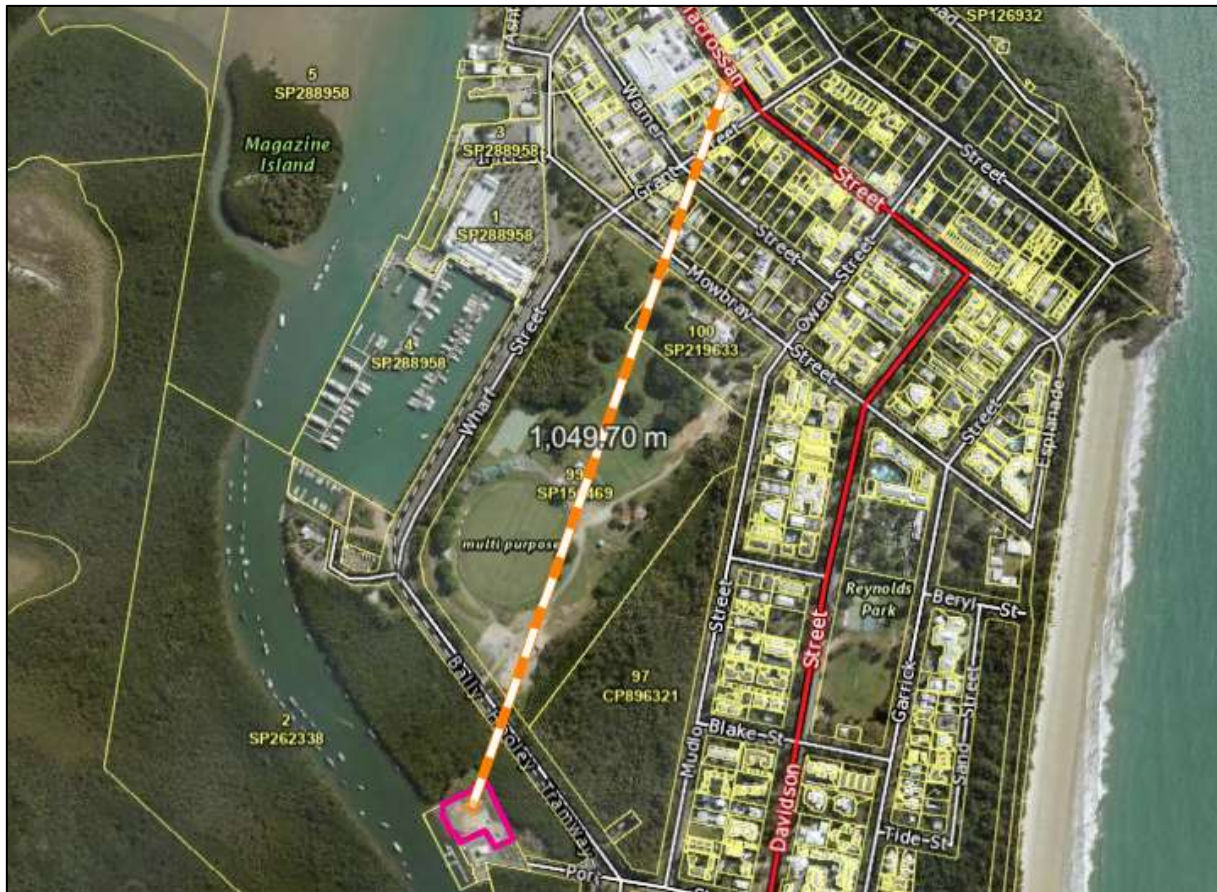


Figure 3: Site location relative to Port Douglas Centre



Figure 4: Access to Lot 11 SP273000 via Easement C SP273000

### 1.3 Proposed operation

The site will be used by Nautilus Aviation. The proposed development will provide a facility that can store and refuel helicopters, lounge / waiting area for passengers and onsite security via the Caretaker's accommodation.

Nautilus Aviation currently operate helicopter services the Sheraton Mirage Port Douglas approx. 1.4km south of the proposed site. The Sheraton's Integrated Resort Development Scheme deed of agreement does not allow for a hangar or refuelling in the location of the helipad – this is an historical oversight, however the process to amend the Scheme is incredibly complicated, which has resulted in the applicants re-locating to the new site. The applicants currently employ overnight security guards at the Sheraton site, the new site will allow for a caretaker to be on site along with security fencing.

For safety reasons aircraft, including helicopters take off and land into the wind. Prevailing winds are from the south-east and accordingly the typical take-off flight path over the sewerage treatment plant. When the wind is from the north, the flight path for landing is typically over the Inlet. A typical helicopter tour provides sightseeing over the Great Barrier Reef, the Daintree National Park, and rainforest covered peaks (**figure 5**).

There will be 4 staff onsite (2 pilots and 2 administration) that will facilitate the operation of the 2 helicopters (4-seater and 8-seater) onsite (**photo 4**). The helicopters seat 2-7 guests per flight and will operate during daylight hours (other flights for safety and emergencies may occur as required). During the busier times of the year, the maximum number of flights per day is anticipated to be approx. 22. All flights are pre-booked and the maintenance and repair of the helicopters will be undertaken offsite.

There will be 2 x 5000L storage tanks for the storage of Aviation Fuel located on the northern side of the hangar which will be bunded and roofed. The hangar will store the 2 helicopters overnight, and if required an emergency helicopter will be stored on the helipad which will only operate in an emergency situation.

The applicant provides 1 bus for pickup/drop-off services that transfer guests to and from the proposed site (including from/to Cairns Airport), and provides parking onsite for self-drive guests.

There is a long history of helicopter flights from the general locality (including the Sheraton and the Marina) the site is an appropriate location for the use. The applicant has a well-established business and a very good understanding of the weather conditions, flight paths, operating hours. The development is not anticipated to have any change on the social or environmental impacts in the locality. The new site:

- Will continue to be operated in a manner that is compatible with the Port Douglas Community
- Will not result in unacceptable impacts on the amenity and tranquillity of Port Douglas
- Will not pose risks associated with proposed on site fuel storage arrangements
- Will be consistent with the Region's existing aviation facilities (for ease of reference a summary of facilities is provided in **Appendix 3**).

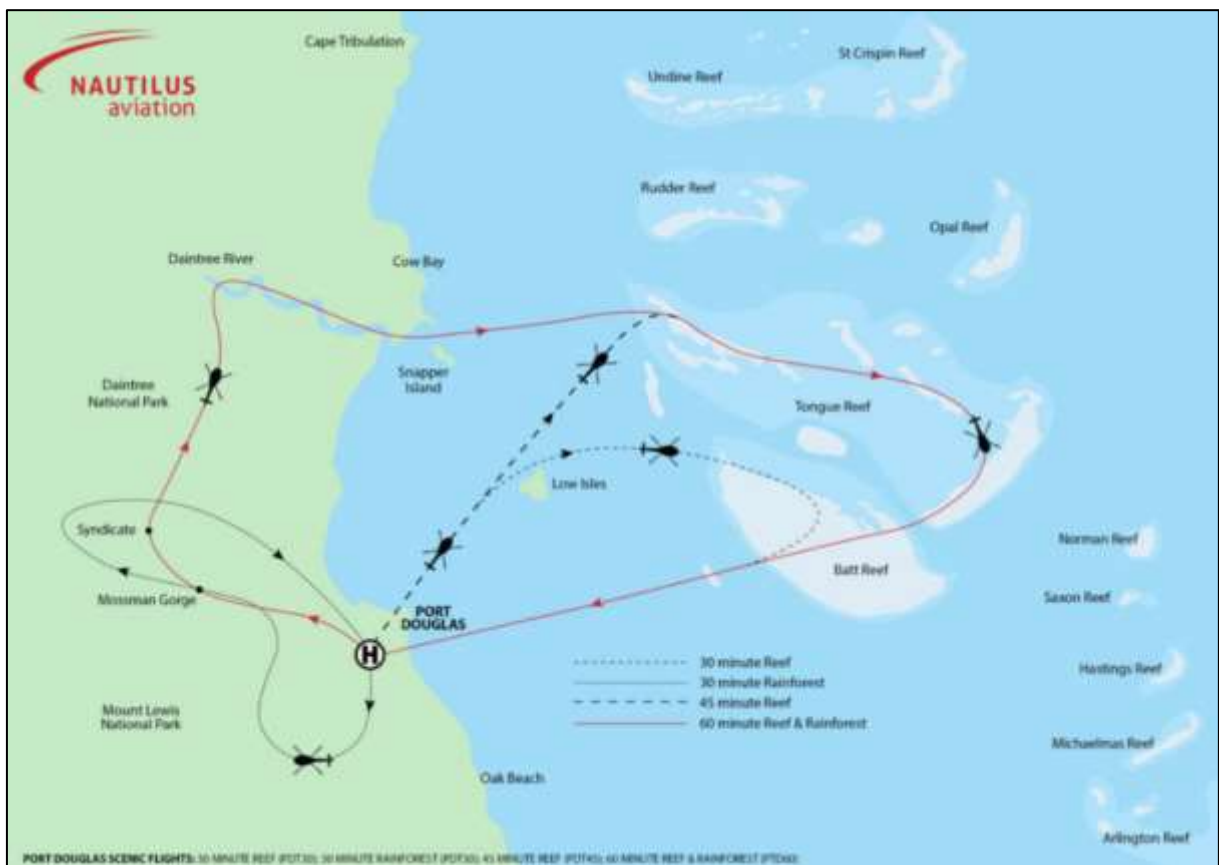


Figure 5: Current tours out of Port Douglas





*Photo 4: Typical helicopters to be onsite*

## 2 PLANNING CONSIDERATIONS

### 2.1 State Interest

The Planning Regulations and State Development Assessment Provisions (SDAP) set out the matters of interest to the state for development assessment (**figures 6a & 6b**). The site is mapped as having the following state interests:

- Coastal Protection
  - Coastal management district
  - Coastal area - erosion prone area
  - Coastal area – medium storm tide inundation area
  - Coastal area – high storm tide inundation

**Referral is not required for this application**, as the proposed development does not involve operational work that requires excavation and fill to exceed 1,000m<sup>3</sup>, and does not involve building work that increases the total gross floor area on the premise by 1,000m<sup>2</sup>.



Figure 6a: SARA DA Mapping

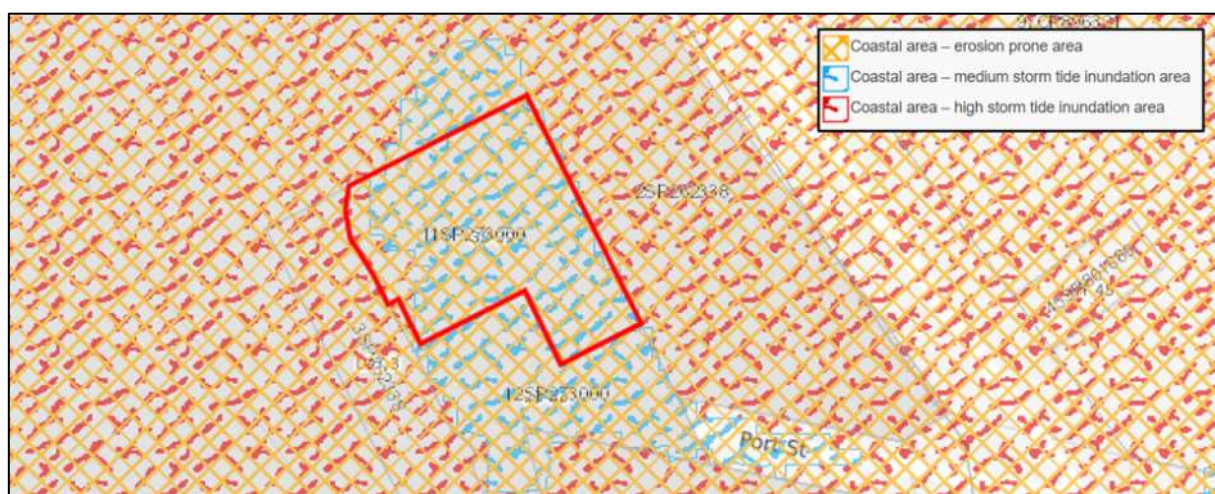


Figure 6b: SARA DA Mapping

## 2.2 Planning Scheme Assessment

The proposed use is Impact Assessable Development against the *Douglas Shire Council Planning Scheme 2018*. In considering the proposal against the relevant codes, there are Performance Outcomes and Acceptable Outcomes which are to be considered:

1. Assessable development must demonstrate that the Performance Outcomes can be achieved.
2. The Acceptable Outcomes that are nominated in the Codes are just one means by which the Performance Outcomes may be achieved.

The proposal satisfies the Purpose and Overall Outcomes of the Planning Scheme Codes, as identified in **Appendix 1**. The assessment and compliance table for this development is shown below.

Planning Scheme Assessment Table Codes		Applicability
<b>Zone Code</b>	6.2.5 Industry zone	✓
<b>Local Plan</b>	7.2.4 Port Douglas/Craigie	✓
<b>Overlay Codes</b>	8.2.1 Acid Sulfate Soils	✓
	8.2.2 Bushfire Hazard	N/A
	8.2.3 Coastal Environment	✓
	8.2.4 Flood and storm tide hazard	✓
	8.2.5 Hillslopes	N/A
	8.2.6 Landscape values	✓
	8.2.7 Natural areas	✓
	8.2.8 Places of significance o	N/A
	8.2.9 Potential landslide	N/A
	8.2.10 Transport network	N/A
<b>Use Codes</b>	9.3.2 Caretaker's Accommodation	✓
<b>Development Codes</b>	9.4.1 Access, parking and servicing	✓
	9.4.2 Advertising devices	✓
	9.4.3 Environmental performance	✓
	9.4.4 Filling and Excavation	✓
	9.4.5 Infrastructure works	✓
	9.4.6 Landscaping	✓
	9.4.7 Reconfiguring a lot	N/A
	9.4.8 Ship-sourced pollutants reception facilities in marinas	N/A
	9.4.9 Vegetation management	✓



The use of an *Air Service* is an Impact Assessable development within the Douglas Shire Council, as the *Planning Scheme 2018* does not provide a zone for the use to be Code or Self Assessable development (note: the use is permitted in a resort complex, however the Sheraton's Integrated Resort Development Scheme deed of agreement does not allow for a hangar or refuelling at the helipad – this is an historical oversight, the process to amend the Integrated Resort Development Scheme has been extensively researched and discussed with the State Government and is incredibly complicated and essentially an unviable option).

Impact assessable development allows the Council to consider the ability of the proposed development contribute to the wider Shire vision as outlined in the Strategic Framework as demonstrated in **Appendix 1**. Furthermore, the site is appropriately located for the use:

1. the proposed development is separated from sensitive land uses - approx. 240m away from tourist accommodation zone to the east (**figure 7**);
2. the associated impacts with helicopter take-offs, and landings are naturally mitigated through:
  - a. the operation of the use
    - i. is during the day (besides emergency services in an emergency situation i.e., medivac)
    - ii. impacts are only temporary as the helicopters move away from the site
    - iii. only operate if needed (i.e., while tourists are booked)
    - iv. helicopter does not fly over urban areas (usually departs to the south and approaches from the north-west over Dickson Inlet)
  - b. location, siting, and design of the development
    - i. Dickson Inlet is to the west
    - ii. lot size is sufficient for the proposed use
    - iii. adjoining owner to the south is supportive of the proposed development
3. The site is located in Precinct 1c Waterfront South of the Port Douglas/Craigie local plan area which allows for development that provide services to the Port Douglas tourism industry
4. Is co-located with existing marine and tourism infrastructure.



**Figure 7: Approx. 240 metres to closest potential sensitive land use**

### 3.0 CONCLUSION

This report provides a detailed assessment of the relevant matters within the Planning Scheme and demonstrates that there are no relevant State Development Assessment Provisions.

This report demonstrates that the proposed development supports the achievement of the Strategic Framework including:

- Theme 1: Settlement pattern.
- Theme 2: Environment and landscape values
- Theme 5: Economy
- Theme 6: Infrastructure and transport

The development is able to adequately comply with the purpose of the relevant codes and applicable Performance Outcomes and the development is of a minor built form and scale.

#### **Statement of Compliance with *Douglas Shire Planning Scheme 2018***

1. The proposed development complies with the purpose of the Port Douglas/Craigie local plan code including:
  - the provision of a platform for investment and prosperity
  - supporting the implementation of the Port Douglas Waterfront Master Plan which provides a clear strategic direction for the incremental transformation of the Port Douglas Waterfront
  - 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
  - The site is located in Precinct 1c Waterfront South which allows for development that provide services to the Port Douglas tourism industry and encourages tourism uses to be co-located with existing marine and tourism infrastructure.
2. The proposed development complies with the purpose of the Industry zone code to provide for a range of service, low or medium impact industrial uses. It may include non-industrial and business uses that support the industrial activities where they do not compromise the long-term use of the land for industrial purposes. Furthermore:
  - The scale, character and built form of development is appropriate.
  - Development has access to appropriate infrastructure and essential services.

- The viability of both existing and future industrial activities, including the heliport is protected from the intrusion of incompatible uses.
- The site and the helipad are adequately separated from sensitive land uses to minimise the likelihood of environmental harm or environmental nuisance occurring.

The proposed development provides adequate on-site parking;

3. The proposed development is appropriate for the site and compliance with the relevant assessment benchmarks of the Douglas Shire Planning Scheme 2018 can be met.

## APPENDIX 1: ASSESSMENT AGAINST THE PLANNING SCHEME

### Strategic Framework

The strategic framework sets the policy direction for the planning scheme and forms the basis for ensuring appropriate development occurs within the planning scheme area for the life of the planning scheme.

Council's vision for Douglas Shire is described in the six themes which set the policy direction in this framework. These themes are as follows:

- (i) settlement pattern;
- (ii) environment and landscape values
- (iii) natural resource management;
- (iv) strong communities and identity;
- (v) economy;
- (vi) infrastructure and transport.

The Strategic Framework covers a variety of outcomes. The most relevant to the development are discussed below.

### 3.4 Theme 1 - Settlement pattern

#### **3.4.2 Element – Urban settlement**

- (1) *The urban area is intended to include residential areas, business areas, community and recreational facilities and other services and facilities necessary to provide for the Shire's urban population.*

#### **3.4.3 Element – Activity centres**

##### **3.4.3.1 Specific outcomes**

- (9) *Community services and facilities are provided close to the communities they serve and public transport routes.*

#### **3.4.4 Element – Industry areas and activities**

- (1) *Growth in manufacturing, property and business services and transport and storage will continue to contribute to Douglas Shire's economy. The infrastructure required to support industry and business development will continue to be planned and provided.*
- (2) *Any future expansion of industry is encouraged in Mossman rather than Port Douglas having regard to the high demand for land for tourism and residential purposes at Port Douglas and the role of Mossman as a commercial centre.*

##### **3.4.4.1 Specific outcomes**

- (1) *Sufficient land and infrastructure is supplied in Industry areas such as Craiglie and Mossman South to accommodate new and expanding enterprises.*

Comment
The proposed development is located in Port Douglas in an area that is appropriate to service to the Tourism industry. The use of <i>Air Service</i> is included as <i>Community Infrastructure</i> , and can serve the community by providing an accessible facility that allows Emergency Services to use in an emergency situation (i.e. medivac). The proposed development aligns with the strategic intention for future Industry areas is to be locate in Mossman, with Port Douglas being primarily for tourism industries. The proposed use of Air Services (Helipad), although not an Industry use, has impacts that are consistent with an Industry use. Therefore, the use is considered to be desirable on the site, is consistent with the current zoned area, and strategic direction of Port Douglas being for tourism purposes.

### 3.7 Theme 4 - Strong communities and identity

#### **3.7.1 Strategic outcomes**

- (2) *The distinctive character and unique sense of place of the Shire's towns, villages and other settlement areas are maintained, promoting community pride and well-being and community safety and prosperity.*
- (4) *Development is managed to enhance the character and identity of existing and future communities, providing services, facilities, parks, recreation areas, places to work, live and play and to celebrate culture, history and identity*

#### **3.7.4 Element – Sense of place, community and identity**

- (1) *Sense of place is the dual characteristic that derives from certain distinctive features of a place and the feelings and perceptions that people hold with respect to that place. Fostering a good sense of place promotes community attachment. New development in the Shire should avoid the delivery of homogeneous development consisting of identical communities. In growth areas, gated enclave communities will not be encouraged. The larger new developments will be supplied with a range of facilities to support new residents and to ensure that these new developments are a good place to live.*
- (3) *New development will not be characterised by off-the-shelf corporate designs that have little regard for the Shire's unique communities and sense of place, in order to ensure the experience of living and visiting the Shire is not diminished.*

##### **3.7.4.1 Specific outcomes**

- (1) *The distinctive character and unique sense of place of towns and villages and other communities, including Aboriginal communities, throughout the Shire is maintained, promoting community pride and well-being and community safety and prosperity*
- (3) *Through site specific tropical design, franchise corporate designs are adapted to integrate with established urban qualities that make the Shire's local communities unique and distinct from other places.*

#### **Comment**

The proposed development enhances the sense of place, unique character, and community identity of Port Douglas. The development is not homogenous development as the development provides for purpose-built buildings that will service the proposed use. The use serves the Port Douglas tourism industry and caters for a distinct and unique tourist operation that specifically shows-off the Port Douglas landscapes. The Air Service (defined as *Community Infrastructure*) can serve the wider community by providing an accessible facility that allows Emergency Services to use in an emergency situation (i.e. medivac).



### **3.8 Theme 5 – Economy**

#### **3.8.1 Strategic outcomes**

- (1) *A prosperous community with a strong rural sector, a dynamic tourism industry and commercial and industrial activities offering a diverse range of employment opportunities is supported by the sustainable use and management of the Shire's natural resources*
- (3) *Economic benefits are maximised through the promotion of appropriate land uses, minimisation of land use conflicts and the protection of strategic economic infrastructure*

#### **3.8.2.1 Specific outcomes**

- (1) *Economic growth that supports clean, green businesses and resilient communities is encouraged throughout the Shire. In particular a range of economic initiatives is facilitated in appropriate locations, including:*
  - (a) *the growth of new and traditional industries;*
  - (b) *further development of Port Douglas as a premium tourist destination;*
  - (c) *establishing Douglas Shire as a player in the global tropical tourist market;*
  - (d) *targeting infrastructure that strengthens Douglas Shire as a tourist destination and a gateway to the region;*
  - (e) *promoting the Shire's marine industries;*
  - (f) *providing for higher value jobs, particularly for young people;*
  - (g) *focussing on education and knowledge-based industries;*
  - (h) *taking advantage of the digital age and associated digital economy;*
  - (i) *protecting the assets on which existing and future business relies, such as agricultural land resources and the beautiful natural environment;*
  - (j) *enhanced economic opportunities through appropriate development of Aboriginal Freehold Land.*
- (2) *Business development and innovation are supported in appropriate settings, particularly within the Shire's activity centres and employment clusters.*

#### **3.8.3 Element – Tourism**

- (1) *Tourism is a significant employer and generator of economic activity within the Shire. The Shire boasts two of the State's major icons, the World Heritage Wet Tropics and the Great Barrier Reef. The quality of the Shire's natural and rural landscapes, spectacular mountains, dramatic bluffs, outstanding scenic coastal areas and environmental features, and numerous historic and culturally significant sites are a major tourism drawcard.*



- (2) *The extent, range and configuration of tourist accommodation, facilities and services is based on the intrinsic and distinctive qualities of the Shire which promotes an efficient and sustainable tourism industry, and the well-being of the resident population.*

#### **3.8.3.1 Specific outcomes**

- (1) *Development that contributes to the tourism industry and complements and promotes the Shire's natural assets is facilitated. In particular, tourism development is consistent with, and sensitive to, the nature of tourism appropriate in different parts of the Shire.*

#### **Applicant Comment**

The proposed development is a purpose-built facility that enhances the sense of place, unique character, and community identity of Port Douglas Tourism industry. The proposed development contributes to Port Douglas being a unique tourist destination, and provides a tourism venture that compliments the Douglas regions strategic intent of being “*a player in the global tropical tourist market*”, specifically in the Port Douglas area as the “*premium tourism destination*”. The proposed development provides specialised industrial employment via the operation and maintenance of helicopters, as well in the tourism industry associated with the scenic flights showing off the World Heritage Wet Tropics and Great Barrier Reef. The development provides specialised tourism infrastructure and growth to the existing tourism industry in Port Douglas.

### **3.9 Theme 6 - Infrastructure and transport**

#### **3.9.1 Strategic outcomes**

- (1) *Development is facilitated through the provision of physical infrastructure which complements the economy of the Shire in an efficient, equitable and environmentally safe manner, as well as circulation networks which provide for the efficient movement of people and goods without compromising the Captain Cook Highway as a scenic corridor in the Shire.*
- (2) *Infrastructure and services are provided to Douglas Shire's communities in a planned, timely, economical and efficient manner in order to support community needs.*
- (8) *Infrastructure is located and designed and sited to respect the visual amenity of the shire.*

#### **3.9.4 Element – Transport**

- (4) *There are no commercially operating airfields within Douglas Shire. However there are a number of smaller scale airstrips. Careful planning is needed to ensure that the distribution of such air strips does not compromise the safety of their function.*

#### **3.9.4.1 Specific outcomes**

- (3) *Dickson's Inlet close to the Port Douglas Town Centre continues to function as the main passenger terminal for the reef.*

#### Comment

The proposed development is for a purpose-built facility that facilitates the transportation of guests to the surrounding World Heritage Wet Tropics and Great Barrier Reef via helicopter scenic tours. The proposed development also facilitates the transport of passengers from/to Cairns which compliments the Port Douglas area intended for tourism. The use of Air Service is considered to be *Community infrastructure* and is able provide for emergency services in emergency events. The site is located appropriately away from residential areas and other sensitive land uses, and does not impact the visual amenity of the area. The site is located at the end of Port Street and adjoins Lot 3 SP262338 which has a Pontoon (*Landing*) for boats in Dickson Inlet, and within proximity of the Port Douglas Town Centre (1.2km from Macrossan Street). The use contributes to the intended function of the area being the main passenger terminal to the reef.

## 6.2.5 Industry Zone code

### **Purpose**

The purpose of the Industry zone code is to provide for a range of service, low or medium impact industrial uses. It may include non-industrial and business uses that support the industrial activities where they do not compromise the long-term use of the land for industrial purposes.

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 3.4.4 – Industry areas and activities.
  - (ii) Theme 2: Environment and landscape values, Element 3.5.6 – Air and acoustic protection and hazardous materials.
  - (iii) Theme 5: Economy, Element 5.8.2 – Economic growth and diversification, Element 5.8.5 – Innovation and technology.
- (b) provide and protect land that is accessible and serviced for the location of industry;
- (c) manage development to maintain an industrial amenity and provide adequate separation to sensitive land use activities.
- (d) ensure the long term dominance of the Mossman Mill as an industrial activity on Industry zoned land in Mossman will continue to contribute to the development and prosperity of the town.
- (e) recognise the opportunity to consolidate further industrial development around the Mossman Mill site to create a low /medium impact industry precinct in Mossman.

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

- (a) Uses and works for industrial purposes are located, designed and managed to maintain safety to people, avoid significant adverse effects on the natural environment and minimise impacts on adjacent non-industrial land.
- (b) The scale, character and built form of development contributes to a high standard of amenity.
- (c) Development has access to development infrastructure and essential services.
- (d) The viability of both existing and future industrial activities is protected from the intrusion of incompatible uses.
- (e) Industrial uses are adequately separated from sensitive land uses to minimise the likelihood of environmental harm or environmental nuisance occurring.

Table 6.2.5.3.a – Industry zone code – assessable development

Performance Outcomes	Acceptable Outcomes	Applicant Response
<b>For self-assessable and assessable Development</b>		
<b>PO1</b> The height of buildings and structures is consistent with those of nearby buildings	<b>AO1</b> Buildings and structures are not more than 10 metres in height.	<b>Complies with acceptable outcome</b> Proposed development has a maximum height of 6.78m.
<b>PO2</b> Buildings and structures are setback to contribute to an attractive and consistent streetscape appearance and to protect the amenity of other land uses.	<b>AO2.1</b> Buildings, structures, display and storage areas are set back a minimum of: (a) 8 metres to a State-Controlled Road (b) 6 metres from any other road frontage(s).	<b>Complies with acceptable outcome</b> Access to the site is via Easement CSP273000. Site has no road frontage.
	<b>AO2.2</b> Where a site has a common boundary with land in an Industry zone, the buildings are setback either: (a) 0 metres from the side and rear boundaries; or (b) 2.5 metres or ¼ of the height of the building, which ever if the greater; and (c) not any distance between 0 metres and 2.5 metres.  <i>Note – Building Code requirements must be satisfied.</i>	<b>Complies with performance outcome</b> The site adjoins: <ul style="list-style-type: none"> <li>• <i>Recreation and Open space</i> zone to the north and east; and</li> <li>• <i>Industry</i> zone to the south and west.</li> </ul> The proposed Hangar complies with A02.1.  The proposed caretaker's accommodation is setback 2.4m from the east and south side boundaries. The adjoining land to the south is easement C SP273000 which is used to access Lot 11. There is also Easement B SP262350 which is a Electricity Padmount setback 17m from this common boundary. Additionally, the proposed development provides landscaping along southern common boundary. Therefore, the proposed caretaker's accommodation is setback sufficiently that protects the amenity of the surrounding land uses.

Performance Outcomes	Acceptable Outcomes	Applicant Response
	<p><b>AO2.3</b> Where a site has a common boundary with land not in an Industry zone, the buildings, structures, display areas and storage are setback 2.5 metres or ¼ of the height of the building, whichever is the greater from the common boundary.</p> <p><i>Note – Building Code requirements must be satisfied.</i></p>	<p><b>Complies with performance outcome</b> The site adjoins:</p> <ul style="list-style-type: none"> <li>• <i>Recreation and Open space</i> zone to the north and east; and</li> <li>• <i>Industry</i> zone to the south and west.</li> </ul> <p>The proposed Hangar is setback 3m from the eastern side boundary and 15m from the northern side boundary (Complies with AO2.3).</p> <p>The proposed caretaker's accommodation is setback 2.4m from the east and south side boundaries. The adjoining lot to the east has dense vegetation. Therefore, the proposed caretaker's accommodation is setback sufficiently that protects the amenity of the surrounding land uses.</p>
<p><b>PO3</b> The site coverage of buildings ensures that there is sufficient space available to cater for services, landscaping and the on-site parking and manoeuvring of vehicles.</p>	<p><b>AO3</b> The site coverage of buildings does not exceed 60%.</p>	<p><b>Complies with acceptable outcome</b> Site coverage is 12.32%</p>
<p><b>PO4</b> Development provides a quality workplace.</p>	<p><b>AO4.1</b> Pedestrian entrances to buildings are: (a) easy to identify from the street and on-site car parking areas; (b) provided with sun and rain protection consisting of a minimum width of 900mm and positioned immediately above the entry way.</p>	<p><b>Complies with acceptable outcome</b></p>
	<p><b>AO4.2</b></p>	<p><b>Not applicable</b></p>

Performance Outcomes	Acceptable Outcomes	Applicant Response
	Any office or sales spaces are orientated toward the street and are provided with human scale elements (including, but not limited to, windows, doors, shading devices and variations in construction materials, colours etc.).	
	<b>AO4.3</b> Customer parking is located at the front of the building between the building and the street or to the side of the building with clear visibility to the street.	<b>Complies with acceptable outcome</b>
	<b>AO4.4</b> Any gates are sliding, or alternatively, open inward to the site so that the adjoining footpath reserve is not blocked when gates are open.	<b>Complies with acceptable outcome</b>
	<b>AO4.5</b> Car parking surfaces are constructed or coated with glare-reducing materials	<b>Complies with acceptable outcome</b>
<b>PO5</b> The appearance and amenity of development is enhanced through landscaping works.  <i>Note – Planning scheme policy – Landscaping provides further guidance on meeting the performance outcome.</i>	<b>AO5.1</b> A minimum of 20% of the site is provided with space available for landscape planting.	<b>Complies with acceptable outcome</b> There is 39.91% of space available for landscape planting.
	<b>AO5.2</b> A 2-metre landscape planting strip for dense planting is provided along the road frontage(s), except that a 3-metre strip is provided along any frontage to the Captain Cook Highway.	<b>Not applicable</b> Access to the site is via Easement CSP273000. Site has no road frontage.
	<b>AO5.3</b> Landscape planting beds adjacent to parking and manoeuvring areas are protected from vehicle	<b>Not applicable</b> Planting beds not proposed.

Performance Outcomes	Acceptable Outcomes	Applicant Response
	encroachment by a 150mm high vertical kerb edge or similar durable obstruction.	
	<b>A05.4</b> Landscape planting consists of hardy tropical species suited to Douglas Shire's climatic conditions.	<b>Complies with acceptable outcome</b>
<b>PO6</b> The movement of traffic on roads is not compromised by the loading and unloading of goods.	<b>A06</b> All delivery/pick up vehicles are situated entirely within the site when being loaded and/or unloaded with goods.	<b>Not applicable</b>
<b>PO7</b> The movement of traffic on roads is not compromised by access and egress to the site.	<b>A07.1</b> Site access for vehicles is limited to one point per road frontage. or	<b>Not applicable</b> Access to the site is via Easement CSP273000. Site has no road frontage.
	<b>A07.2</b> If needed, two access points separated by a minimum of 10 metres to facilitate on-site vehicular manoeuvring for large vehicles.	<b>Not applicable</b>
	<b>A07.3</b> Sufficient space is available for vehicles to manoeuvre within the site so as to enter and leave the site in forward gear.	<b>Complies with acceptable outcome</b>
<b>PO8</b> Development collects and disposes of waste materials and caters for spillages in a manner that prevents contamination of land or water.	<b>A08.1</b> Sources of potential contaminants are roofed and sealed with impervious surfaces and provided with 110% storage capacity bund for spillage containment.	<b>Complies with acceptable outcome</b>
	<b>A08.2</b> Roof and storm water are directed away from areas of potential contamination.	<b>Complies with acceptable outcome</b>

Performance Outcomes	Acceptable Outcomes	Applicant Response
	<b>AO8.3</b> Contaminating materials are stored at levels above the defined flood / storm tide event, whichever is the highest.	<b>Will be complied with</b>
<b>For assessable development</b>		
<b>PO9</b> The establishment of uses is consistent with the outcomes sought for the Industry Zone and protects the zone from the intrusion of inconsistent uses.	<b>AO9</b> Uses identified in Table 6.2.5.3.b are not established in the Industry Zone.	<b>Complies with performance outcome</b> The sites adjoining to the south and west are zoned Industry and have the following uses: 1. Lots 12SP273000 has a Marano's Fuel (Service Station); and 2. 3SP262338 has a jetty for boats (Landing)  Marano's Fuel is the landowner and has given consent.  The use is consistent with the outcomes sought for the industry zone and is considered non-intrusive.  <b>Refer to Section 2.3 for further discussion</b>
<b>PO10</b> Development does not lower the standards of amenity in terms of air, noise, odour, electrical interference and vibrations at any land use associated with the: (a) the Accommodation activity group, located outside the Industry Zone; (b) the Sensitive land use activity group, located outside the Industry Zone.	<b>AO10</b> No acceptable outcomes are prescribed.	<b>Complies with performance outcome</b> The proposed helicopters are sited on the western side of the site. The proposed design of the development provides buildings to be built along the eastern boundary. The development mitigates impacts associated with the take-off and landing of helicopters through the following: 1. only operates during the day (besides emergency services in an emergency situation i.e., medivac)



Performance Outcomes	Acceptable Outcomes	Applicant Response
		<p>2. impacts are only temporary as the helicopters move away from the site</p> <p>3. only operate if needed (i.e., while tourists are booked)</p> <p>4. helicopter does not fly over urban areas (usually departs to the south and approaches from the north-west over Dickson inlet)</p> <p>5. helicopters are located approx. 240m away from closest tourist accommodation to the east.</p> <p>The proposed development will not have an unacceptable level impact on the amenity in terms of air, noise, odour, electrical interference and vibrations associated with the use.</p>
<b>PO11</b> New lots contain a minimum area of 1000m <sup>2</sup> .	<b>AO11</b> No acceptable outcomes are prescribed.	<b>Not applicable</b>
<b>PO12</b> New lots have a minimum road frontage of 20 metres.	<b>AO12</b> No acceptable outcomes are prescribed.	<b>Not applicable</b>
<b>PO13</b> New lots contain a 20 metre x 40 metre rectangle.	<b>AO13</b> No acceptable outcomes are prescribed.	<b>Not applicable</b>

## 7.2.4 Port Douglas/Craigie Local Plan Code

### **Purpose**

The purpose of the Port Douglas/Craigie local plan code is to facilitate development outcomes consistent with community values, the local tropical built-form and protection of the natural environment within the Port Douglas/Craigie local plan area, while providing a platform for investment and prosperity.

- (a) In addition, the purpose of the code is supported by the Port Douglas Waterfront Master Plan which provides a clear strategic direction for the incremental transformation of the Port Douglas Waterfront, including the following objectives:
- (b) To set out a vision for revitalisation of the waterfront;
- (c) To protect and enhance the environmental attributes; and

To provide a flexible framework, expressed through several key strategies that will assist the Council and community in managing change.

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

- (a) Port Douglas will continue to develop as the premium destination for international and domestic tourists in the Far North Queensland Region, while also acting for permanent residents attracted to the associated lifestyle.
- (b) Major tourist, retail, dining and entertainment facilities will consolidate in the Town Centre and the Waterfront North sub-precincts, with improved pedestrian connections between the town centre and the waterfront.
- (c) Craigie will develop as an integrated residential community with some low scale tourism development opportunities in appropriate locations. Craigie will also function as small-scale commercial and light industry node, providing employment opportunities for the Shire's permanent resident population.
- (d) All forms of development will complement the tropical image of the town through distinctive tropical vernacular, urban design and landscaping.
- (e) Character will be enhanced through the identification of gateway sites, landmarks, main approach routes and pedestrian thoroughfares and view corridors;
- (f) The Flagstaff Hill, Dickson Inlet, Four Mile Beach and other areas of scenic and environmental significance will be protected from development. Vegetation cover will dominate over built form.
- (g) Vegetation, iconic to the character of Port Douglas, including the avenues of Oil Palms, is retained and where appropriate supplemented.
- (h) Development will be indistinguishable from view from Four Mile Beach. In addition, any development on Flagstaff Hill will be indistinguishable when viewed from vantage points in Port Douglas.
- (i) Residential areas are designed as pleasant, functional and distinctive, in visually well-defined areas.

The purpose of the code will be further achieved through the following overall outcomes:

- (a) Precinct 1 – Port Douglas precinct
- (iii) Sub-precinct 1c – Waterfront South sub-precinct

### **Precinct 1 – Port Douglas**

In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:

- (a) development will contribute to the incremental transformation of the township, preserving and enhancing maritime activities and environmental areas, delivering tropical open spaces and a high quality public realm, and allowing for tourism opportunities and investment.
- (b) development contributes to the enhancement of the Port Douglas precinct through the following development outcomes:
  - (i) access and connectivity throughout the township is enhanced through a series of improvements to circulation and mobility, including:
    - (A) access to, and connectivity along, the waterfront and foreshore areas is maintained and, where appropriate, enhanced;
    - (B) reducing reliance on the waterfront as a car parking resource.
  - (ii) the use of land in the Port Douglas precinct improves the cohesive layout of the township through:
    - (A) the establishment of distinct sub-precincts that reinforce the character and built form of the Port Douglas local plan area including:
      - Port Douglas centre sub-precinct 1a – Town Centre sub-precinct;
      - Port Douglas centre sub-precinct 1b – Waterfront North sub-precinct;
      - Port Douglas centre sub-precinct 1c – Waterfront South sub-precinct;
      - Port Douglas centre sub-precinct 1d – Limited development subprecinct;
      - 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;
  - (iii) 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.
  - (iv) 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 subprecinct 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.
- (v) public spaces and the streetscape are enhanced through:
  - (A) an increase in the quantity and quality of public land and places throughout the precinct;
  - (B) consolidating community recreation and sporting uses to create a precinct of community focussed activity between Mudlo Street and Wharf Street;
  - (C) improved connections between the town centre and the waterfront marina, including an investigation of a plaza on the waterfront;
  - (D) improved streetscapes with high quality landscaping, surface treatments and shaded pedestrian environments;
  - (E) the creation of a sense of place through aesthetic streetscapes and builtform character;
  - (F) managing vegetation to ensure succession of planting and the ongoing presence of significant trees.
- (vi) advertising signage is small scale, low-key and complements the tropical character of the town.

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

In addition to all other overall development outcomes, development in the Waterfront South sub precinct facilitates the following development outcomes:

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

**Table 7.2.4.4.a –Port Douglas / Craigie local plan – assessable development**

Performance Outcomes	Acceptable Outcomes	Applicant Response
<b>For self-assessable and assessable development</b>		
<b>Development in the Port Douglas / Craigie 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 / Craigie local plan maps contained in Schedule 2.	<b>AO1</b> A pedestrian and cycle movement network is integrated and delivered through development	<b>Not applicable to this scale of development</b>
<b>PO2</b> Development retains and enhances key landscape elements including character trees and areas of significant vegetation contributing to the character and quality of the local plan area and significant views and vistas and other landmarks important to the context of Port Douglas / Craigie (as identified on the Port Douglas/ Craigie Townscape Plan map contained in Schedule 2).	<b>AO2.1</b> Development provides for the retention and enhancement of existing mature trees and character vegetation that contribute to the lush tropical character of the town, including: (a) the tree covered backdrop of Flagstaff Hill; (b) natural vegetation along watercourses, in particular the Mowbray River, Beor Creek and Dickson Inlet; (c) the tidal vegetation along the foreshore; (d) beachfront vegetation along Four Mile Beach, including the fringe of Coconut Palms; (e) the oil palm avenues along the major roads; (f) the lush landscaping within major roundabouts at key nodes; (g) Macrossan Street and Warner Street; (h) Port Douglas waterfront.	<b>Complies with acceptable outcome</b> Site has been clear of vegetation since circa 1980s. The proposed development provides 39.91% of the site for landscaping.
	<b>AO2.2</b> Development protects and does not intrude into important views and vistas as identified on the Port	<b>Complies with acceptable outcome</b>

Performance Outcomes	Acceptable Outcomes	Applicant Response
	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>AO2.3</b> Important landmarks, memorials and monuments are retained.	<b>Not applicable</b>
<b>PO3</b> Development contributes to the protection, reinforcement and where necessary enhancement of gateways and key intersections identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.	<b>AO3</b> Development adjacent to the gateways and nodes as identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 incorporates architectural features and landscaping treatments and design elements that enhance the sense of arrival and way finding within the town.	<b>Not applicable</b>
<b>PO4</b> Landscaping of development sites complements the existing tropical character of Port Douglas and Craiglie.	<b>AO4.1</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	<b>Complies with acceptable outcome</b> Site is naturally screened.
<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>Complies with acceptable outcome</b>
<b>For assessable development</b>		
<b>Additional requirements in Precinct 1 – Port Douglas precinct</b>		



Performance Outcomes	Acceptable Outcomes	Applicant Response
<b>PO6</b> The views and vistas identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 are maintained.	<b>AO6.1</b> Development does not impede continued views to scenic vistas and key streetscapes within the local plan area.	<b>Complies with acceptable outcome</b>
	<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> Access to the site is via Easement C SP273000. Site has no road frontage.
<b>PO7</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 acceptable outcome</b>
	<b>AO7.2</b> Ground level parking incorporates clearly defined pedestrian routes.	<b>Complies with acceptable outcome</b>
	<b>AO7.3</b> Any porte-cocheres, disabled and pedestrian accesses are accommodated within the boundary of new or refurbished development.	<b>Complies with acceptable outcome</b>
	<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	<b>Not applicable</b>

Performance Outcomes	Acceptable Outcomes	Applicant Response
	with a relaxation of 30% of spaces required for the non-residential uses.	
	<b>A07.5</b> On-site car parking available for public use is clearly signed at the site frontage.	<b>Complies with acceptable outcome</b>
	<b>A07.6</b> Boom gates, pay machines or other regulatory devices to control access to a publicly available car parking area are not constructed or installed.	<b>Not applicable</b>
<b>PO8</b> Precinct 1 – Port Douglas precinct is not characterised by a proliferation of advertising signs	<b>A08</b> No acceptable outcomes are prescribed.	<b>Complies with performance outcome</b> Advertising signs will only be erected as necessary, and will not have a proliferation of advertising signs in Precinct 1.
<b>PO9 – PO51 is not applicable to this development as the site is located in Sub-precinct 1c – Waterfront South sub-precinct</b>		
<b>Additional Requirements for Sub-precinct 1c – Waterfront South sub-precinct</b>		
<b>PO52</b> The establishment of uses is consistent with the outcomes sought for Precinct 1c – Waterfront South.	<b>A052</b> Uses identified as inconsistent uses Table 7.2.4.4.c are not established in Precinct 1c – Waterfront South.	<b>Complies with performance outcome</b> The site has been clear of vegetation since circa 1980s. The proposed development does not affect the environmental, habitat, conservation or scenic values of Dickson Inlet and surrounding land. The design of the hangar and caretaker's accommodation are of a high standard and provide landscaping on site that provides an attractive layout.  The proposed development is consistent with the outcomes sought for Precinct 1c – Waterfront South.

Performance Outcomes	Acceptable Outcomes	Applicant Response
<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.  <i>Note - Planning scheme policy SC6.8 – Natural environment provides guidance on preparing an ecological assessment report.</i>	<b>Complies with performance outcome</b> The site has been clear of vegetation since circa 1980s. The site does not have direct access to Dickson Inlet. The proposed development has been designed and will be operated to not have an adverse impact on the natural environment, natural vegetation, or watercourses.
	<b>AO53.2</b> An Environmental Management Plan is prepared to manage potential impacts of the operation of the development on surrounding natural areas.  <i>Note - Planning scheme policy SC6.4 – Environmental management plans contains information to demonstrate compliance and guidance on preparing an Environmental Management Plan.</i>	<b>Complies with performance outcome</b> The site has been clear of vegetation since circa 1980s. The site does not have direct access to Dickson Inlet. The proposed development has been designed and will be operated to not have an adverse impact on the natural environment, natural vegetation, or watercourses.
<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>Complies with the performance outcome</b> The site is one of 3 properties at the end of Port Street. The existing development includes a fuel station and landing to service the Port Douglas Marine and Tourism industries. The proposed helipad will complement the existing marine tourism facilities and does not compromise their operation. The helipad supports the Port Douglas Tourism industry.
<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>Complies with acceptable outcome</b> Proposed development has a maximum height of 6.78m.
	<b>AO55.2</b> Development is setback from all property boundaries not less than 3 metres.	<b>Complies with performance outcome</b>

Performance Outcomes	Acceptable Outcomes	Applicant Response
		<p>The proposed Hangar is setback 3m from the eastern side boundary and 15m from the northern side boundary (Complies with AO55.2).</p> <p>The proposed caretaker's accommodation is setback 2.4m from the east and south side boundaries. The adjoining lot to the east has dense vegetation. The adjoining lot to the south is easement C SP273000 which is used to access Lot 11. There is also Easement B SP262350 which is an Electricity Padmount setback 17m from this common boundary. Additionally, the proposed development provides landscaping along southern common boundary. Therefore, the proposed caretaker's accommodation is setback to not adversely affect the scenic amenity and environmental qualities of the adjacent area.</p>
<b>PO56</b> The site coverage of all buildings and structures ensures development: (a) is sited in an existing cleared area or in an area approved for clearing; (b) has sufficient area for the provision of services; (c) development does not have an adverse effect on the environmental, habitat, conservation or landscape values of the on-site and surrounding sensitive areas.	<b>AO56</b> No acceptable outcomes are prescribed.	<b>Complies with performance outcome</b> The site has been clear of vegetation since circa 1980s. The site does not have direct access to Dickson Inlet and does not have environmental habitat, conservation or landscape values onsite.  The site is 4,915m <sup>2</sup> which is sufficient for the provision of services for the proposed development. The proposed development will not have an adverse effect on the surrounding environmental, habitat, conservation, and landscape values.
<b>PO57</b>	<b>AO57.1</b>	<b>Complies with performance outcome</b>

Performance Outcomes	Acceptable Outcomes	Applicant Response
Premises include adequate provision for service vehicles, to cater for generated demand. Loading areas for service vehicles are designed to: (a) be accommodated on-site; (b) maximise safety and efficiency of loading; (c) protect the visual and acoustic amenity of sensitive land use activities; (d) minimise adverse impacts on natural characteristics of adjacent areas.	Sufficient manoeuvring area is provided on-site to allow a Medium Rigid Vehicle to enter and leave the site in a forward gear.	There is sufficient vehicle manoeuvring area to accommodate the likely vehicular demand that services the site.
	<b>AO57.2</b> Development is designed to ensure all service vehicles are contained within the site when being loaded/unloaded.	<b>Complies with acceptable outcome</b>
	<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>Complies with acceptable outcome</b>
<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>Complies with performance outcome</b> The site is located at the end of Port Street and does not have direct road frontage. The site is accessed via Easement CSP273000. The proposed development will not have an adverse impact on the road network.
<b>PO59</b> Entry to the site is landscaped to enhance the amenity of the area and provide a pleasant working environment.	<b>AO59</b> Areas used for loading and unloading, storage, utilities and car parking are screened from public view: (a) by a combination of landscaping and screen fencing; (b) dense planting along any road frontage is a minimum width of 3 metres.	<b>Complies with acceptable outcome</b>
<b>PO60</b> Landscaping is informal in character and complementary to the existing natural	<b>AO60</b> For any development landscaping is in accordance with the Plant species schedule in Planning scheme policy SC6.7– Landscaping.	<b>Complies with acceptable outcome</b>

Performance Outcomes	Acceptable Outcomes	Applicant Response
environment, provides screening and enhances the visual appearance of the development.		
<b>PO61 – PO68 is not applicable to this development as the site is located in Sub-precinct 1c – Waterfront South sub-precinct</b>		



## Purpose

- (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.
- (b) enable an assessment of whether development is suitable on land within the Acid sulfate soils overlay sub-categories.

- (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 sulfate 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.

[illegible]

Performance outcomes	Acceptable outcomes	Applicant response
<b>PO2</b> Development avoids disturbing potential acid sulfate soils or actual acid sulfate soils, or is managed to avoid or minimise the release of acid and metal contaminants.	<b>AO2.1</b> The disturbance of potential acid sulfate soils or actual acid sulfate soils is avoided by: <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> Or	<b>Complies with acceptable outcome</b>
	<b>AO2.2</b> 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: <ul style="list-style-type: none"> <li>(f) neutralising existing acidity and preventing the generation of acid and metal contaminants;</li> <li>(g) preventing the release of surface or groundwater flows containing acid and metal contaminants into the environment;</li> <li>(h) preventing the in situ oxidation of potential acid sulfate soils and actual acid sulfate soils through ground water level management;</li> <li>(i) appropriately treating acid sulfate soils before</li> </ul>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>disposal occurs on or off site; (j) 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>P03</b> No environmental harm is caused as a result of exposure to potential acid sulfate soils or actual acid sulfate soils.</p>	<p><b>A03</b> No acceptable outcomes are prescribed.</p>	<p><b>Complies with performance outcome</b> No environmental harm will be caused as a result of the development in relation to acid sulfate soils.</p>

### 8.2.3 Coastal Environment Overlay Code

#### **Purpose**

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;
  - (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.

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.

[illegible]

Performance outcomes	Acceptable outcomes	Applicant response
development is setback to maintain the amenity and use of the coastal resource.	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.	The site does not front the coast or a reserve adjoining the coast.
<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>Complies with performance outcome</b>  The site along with all of Port Douglas is identified as erosion prone land refer to Figure 6b.
<b>PO4</b> Erosion prone areas are free from development to allow for natural coastal processes.	<b>AO4.1</b> Development is not located within the Erosion prone area, unless it can be demonstrated that the development is for: (a) community infrastructure where no suitable alternative location or site exists for this infrastructure; or (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)	<b>Not applicable</b> The site is in the Industry zone and has been cleared of vegetation since 1980.
	<b>AO4.2</b> Development involving existing permanent buildings and structures within an erosion prone area does not increase in intensity of its use by: (a) adding additional buildings or structures; or (b) incorporating a land use that will result in an increase in the number of people or employees occupying the site.	<b>Not applicable</b>



Performance outcomes	Acceptable outcomes	Applicant response
<b>Coastal management districts</b>		
<b>PO5</b> Natural processes and protective functions of landforms and vegetation are maintained.	<b>PO5.1</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 location, design and construction and operating standards;</li> <li>(c) minimises the need for erosion control structures or riverine hardening through location, design and construction standards;</li> <li>(d) maintains physical coastal processes outside the development footprint for the development, including longshore transport of sediment along the coast;</li> <li>(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.</li> </ul>	<b>Complies with performance outcome</b> The site is in the Industry zone and is clear of vegetation and the site has been filled. The operational works permit for the fill ensured that this matter was adequately responded to. There is no change to the existing landform.
	<b>PO5.2</b>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>Where development proposes the construction of an erosion control structure:</p> <ul style="list-style-type: none"> <li>(a) it is demonstrated that it is the only feasible option for protecting permanent structures from coastal erosion; and</li> <li>(b) those permanent structures cannot be abandoned or relocated in the event of coastal erosion occurring</li> </ul> <p><b>PO5.3</b> 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 run-off erosion.</li> </ul>	<b>Not applicable</b>
<p><b>PO6</b> Development avoids or minimises adverse impacts on coastal resources and their values to the maximum extent reasonable.</p>	<p><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.</p>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>And</p> <p><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;</p> <p>and</p> <p><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 and water quality objectives outlined in the Environmental Protection (Water) Policy 2009.</p> <p>and</p> <p><b>AO6.4</b> Development avoids the disturbance of acid sulfate soils, or where it is demonstrated that this is not possible, the disturbance of acid sulfate soils is carefully managed to minimise and mitigate the adverse effects of disturbance on coastal resources.</p> <p>and</p> <p><b>AO6.4</b> Design and siting of development protects and retains identified ecological values and underlying</p>	<p><b>Complies with acceptable outcome</b> The proposed development is co-located with existing marine infrastructure.</p> <p><b>Will be complied with</b></p> <p><b>Will be complied with</b></p> <p><b>Will be complied with</b></p>

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Performance outcomes	Acceptable outcomes	Applicant response
	<p>esplanades or easement corridors to preserve future access;</p> <p>(ii) ensure emergency vehicles can access the area near the development.</p> <p>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 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>AO10</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>or</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><b>Not applicable</b></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</p>	<p><b>Not applicable</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
development attaching to, or extending across, non-tidal State coastal land.	use do not attach to or extend across State 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>
<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 performance outcome</b> The site has been clear of vegetation since circa 1980. The proposed development will not have an adverse effect on the natural coastal landscapes, views and vistas
<b>PO14</b> Coastal settlements are consolidated through the concentration of development within the existing urban areas through infill and conserving the natural state of the coastal area outside existing urban areas.	<b>AO14</b> No acceptable outcomes are prescribed.	<b>Complies with performance outcome</b> The proposed development is within an urban area and is infill development.
<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 <i>Land Act 1994</i> .	<b>Not applicable</b>
<b>PO16</b>	<b>AO16</b>	<b>Not applicable</b>



Performance outcomes	Acceptable outcomes	Applicant response
The location and design of private marine development does not adversely affect the safety of members of the public access to the foreshore.	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>PO17</b> Private marine development is of a height and scale and size compatible with the character and amenity of the location.	<b>AO17</b> Private marine development has regard to: <ul style="list-style-type: none"> <li>(a) the height, scale and size of the natural features of the immediate surroundings and locality;</li> <li>(b) the height, scale and size of existing buildings or other structures in the immediate surroundings and the locality;</li> <li>(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.</li> </ul> Note – The prescribed tidal works code in the <i>Coastal Protection and Management Regulation 2003</i> outlines design and construction requirements that must be complied with.	<b>Not applicable</b>
<b>PO18</b> Private marine development avoids adverse impacts on coastal landforms and coastal processes.	<b>AO18</b> Private marine development does not require the construction of coastal protection works, shoreline or riverbank hardening or dredging for marine access.	<b>Not applicable</b>
<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> </ul>	<b>AO19</b> No acceptable solutions are prescribed.	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
<p>(e) do not result in an adverse change to the tidal prism of the natural waterway to which development is connected.</p> <p>(f) does not involve reclamation of tidal land other than for the purpose of:</p> <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> <li>(iii) strategic ports, boat harbours or strategic airports and aviation facilities in accordance with a statutory land use plan; or</li> <li>(iv) coastal protection works or works necessary to protect coastal resources and processes.</li> </ul>		

## 8.2.4 Flood and Storm Tide Hazard Overlay Code

### Purpose

The purpose of the Flood and storm tide hazard overlay code is to:

- (a) implement the policy direction in the Strategic Framework, in particular:
  - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
  - (ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.
- (b) enable an assessment of whether development is suitable on land within the Flood and storm tide hazard sub-categories.

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.



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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> Development is located and designed to: (a) ensure the safety of all persons; (b) minimise damage to the development and contents of buildings; (c) provide suitable amenity; (d) minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events.  Note – For assessable development within the flood plain assessment sub-category, a flood study by a suitably qualified professional is required to identify compliance with the intent of the acceptable outcome.	<b>AO1.1</b> Development is sited on parts of the land that is not within the Flood and Storm tide hazards overlay maps contained in Schedule 2;  or  <b>For dwelling houses,</b>  <b>AO1.2</b> Development within the Flood and Storm Tide hazards overlay maps (excluding the Flood plain assessment sub-category) is designed to provide immunity to the Defined Inundation Event as outlined within Table 82.4.3.b <b>Error! Reference source not found.</b> plus a freeboard of 300mm.  <b>AO1.3</b> New buildings are: (a) not located within the overlay area; (b) located on the highest part of the site to minimise entrance of flood waters; (c) provided with clear and direct pedestrian and vehicle evacuation routes off the site.  <b>AO1.4</b> In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to	<b>Complies with performance outcome</b> Development is designed to ensure the safety of persons that is anticipated to be onsite, minimise damage to the contents of new buildings and structures, and suitable amenity.  <b>Complies</b> The development includes a caretaker's residence which will have appropriate flood impunity.  <b>Complies with performance outcome</b> Development is designed to ensure the safety of persons that is anticipated to be onsite, minimise damage to the contents of new buildings and structures, and suitable amenity.  <b>Not applicable</b> Site is in an urban area in the Industry zone.

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Performance outcomes	Acceptable outcomes	Applicant response
	<p>Where involving an extension to an existing dwelling house that is situated below DFE /Storm tide, the maximum size of the extension does not exceed 70m<sup>2</sup> gross floor area.</p> <p>Note – If part of the site is outside the Hazard Overlay area, this is the preferred location of all buildings.</p> <p><b>For Reconfiguring a lot</b>  <b>AO3.4</b>  Additional lots:  (a) are not located in the hazard overlay area;  or  (b) are demonstrated to be above the flood level identified for the site.</p> <p>Note - If part of the site is outside the Hazard Overlay area, this is the preferred location for all lots (excluding park or other open space and recreation lots).</p> <p>Note – Buildings subsequently developed on the lots will need to comply with the relevant building assessment provisions under the <i>Building Act 1975</i>.</p> <p><b>AO3.5</b>  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:  (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>Not applicable</b></p> <p><b>Not applicable</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(b) by direct and simple routes to main carriageways.</p> <p><b>AO3.6</b> 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>AO3.7</b> There is no intensification of residential uses within the flood affected areas on land situated below the DFE/Storm tide.</p> <p><b>For Material change of use (Residential uses)</b> <b>AO3.8</b> The design and layout of buildings used for residential purposes minimise risk from flooding by providing: (a) parking and other low intensive, non-habitable uses at ground level;</p> <p>Note - The high-set 'Queenslander' style house is a resilient low-density housing solution in floodplain areas. Higher density residential development should ensure only non-habitable rooms (e.g. garages, laundries) are located on the ground floor.</p>	<p><b>Not applicable</b></p> <p><b>Not applicable</b></p> <p><b>Complies</b></p>



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Performance outcomes	Acceptable outcomes	Applicant response
<p>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>Works in urban areas associated with the proposed development do not involve:</p> <ul style="list-style-type: none"> <li>(a) any physical alteration to a watercourse or floodway including vegetation clearing; or</li> <li>(b) a net increase in filling (including berms and mounds).</li> </ul> <p><b>A05.2</b> Works (including buildings and earthworks) in non urban areas either:</p> <ul style="list-style-type: none"> <li>(a) do not involve a net increase in filling greater than 50m<sup>3</sup>; or</li> <li>(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;</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>(c) do not change flood characteristics outside the subject site in ways that result in: <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> </li> </ul> <p><b>For Material change of use</b></p>	<p>The site has been filled as part of the service station redevelopment circa 2000. The appropriate development permits were obtained. The development does not physically alter the site and does not change the existing site having regard to watercourses or floodway and vegetation. The development does not directly, indirectly and cumulatively increase in water flow velocity or flood level and does not change the potential flood damage either on site or on other properties.</p> <p><b>Not applicable</b></p> <p><b>As above</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>AO5.3</b> 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> <p>(a) does not increase the volume, velocity, concentration of flow path alignment of stormwater flow across sites upstream, downstream or in the general vicinity of the subject site; and</p> <p>(b) does not increase ponding on sites upstream, downstream or in the general vicinity of the subject site.</p> <p><b>For Material change of use and Reconfiguring a lot</b></p> <p><b>AO5.4</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.</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>	Not applicable
<p><b>PO6</b> Development avoids the release of hazardous materials into floodwaters.</p>	<p><b>For Material change of use</b></p> <p><b>AO6.1</b> Materials manufactured or stored on site are not hazardous or noxious, or comprise materials that</p>	<p><b>Complies with performance outcome</b> There will be 2 x 5000L aviation fuel tanks that will be located above ground along the northern side of the Hangar. The tanks will be roofed and bunded as</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>may cause a detrimental effect on the environment if discharged in a flood event;</p> <p>or</p> <p><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.</p> <p><b>AO6.3</b> Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE.</p> <p><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.</p> <p>Note – Refer to <i>Work Health and Safety Act 2011</i> and associated Regulation and Guidelines, the <i>Environmental Protection Act 1994</i> and the relevant building assessment provisions under the <i>Building Act 1975</i> for requirements related to the manufacture and storage of hazardous materials.</p>	<p>to avoid and not release hazard materials into potential floodwaters.</p> <p><b>Not applicable</b></p> <p><b>Complies with acceptable outcome</b></p> <p><b>Complies with acceptable outcome</b></p>
<b>PO7</b>	<p><b>AO7</b> Development does not:</p>	<b>Complies with acceptable outcome</b>

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Performance outcomes	Acceptable outcomes	Applicant response
	<p>(c) meeting halls; (d) galleries; (e) libraries.</p> <p>The following uses are not located on land inundated during a 0.5% AEP flood event. (a) emergency shelters; (b) police facilities; (c) sub stations; (d) water treatment plant</p> <p>The following uses are not located on land inundated during a 0.2% AEP flood event: (a) correctional facilities; (b) emergency services; (c) power stations; (d) major switch yards.</p> <p>and/or</p> <p><b>AO8.3</b> The following uses have direct access to low hazard evacuation routes as defined in Table 8.2.4.3.c: (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.</p> <p><b>AO8.4</b></p>	<p>Not applicable</p> <p>Complies with acceptable outcome</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>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:</p> <ul style="list-style-type: none"> <li>(a) located above DFE/Storm tide or the highest known flood level for the site;</li> <li>(b) designed and constructed to exclude floodwater intrusion / infiltration.</li> </ul> <p><b>AO8.5</b> Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by a flood.</p>	<p><b>Complies with acceptable outcome</b></p>



## 8.2.6 Landscape Values Overlay Code

### Purpose

The purpose of the Landscape values overlay code is to:

- (a) implement the policy direction of the Strategic Framework, in particular:
  - (i) Theme 2: Environment and landscape values Element 3.5.5 Scenic amenity;
  - (ii) Theme 3: Natural resource management Element 3.6.4 – Resource extraction.
- (b) enable an assessment of whether development is suitable on land within the Landscape values overlay sub-categories.

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

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



Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable development</b>		
<b>Development in a High landscape value area</b>		
<b>PO1</b> Development within High landscape value areas identified on the Landscape values overlay maps contained in Schedule 2: (a) avoids detrimental impacts on the landscape values of forested skylines, visible hillslopes, ridgelines, the coastal foreshore or the shoreline of other water bodies through the loss of vegetation; (b) is effectively screened from view from a road, lookout or other public place by an existing natural landform or native vegetation, or will be effectively screened by native vegetation within 3 years of construction; (c) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements; (d) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality; (e) avoids detrimental impacts on landscape values and excessive changes to the natural landform as a result of the location, position on site, scale, design, extent and alignment of earthworks, roads, driveways, retaining walls	<b>AO1.1</b> Buildings and structures are not more than 8.5 metres and two storeys in height.  Note - Height is inclusive of roof height.  <b>AO1.2</b> Buildings and structures are setback not less than 50 metres from ridgelines or peaks.  <b>AO1.3</b> Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.  <b>AO1.4</b> Where development on land steeper than 1 in 6 (16.6%) cannot be avoided: (a) development follows the natural; contours of the site; (b) buildings are split level or suspended floor construction, or a combination of the two; (c) lightweight materials are used to areas with suspended floors.  Note - Examples of suitable lightweight materials include timber or fibre cement boards or sheeting for walls and factory treated metal sheeting for walls and roofs.	<b>Not applicable</b> Site is not located in a High landscape value area.   <b>Not applicable</b>   <b>Not applicable</b>   <b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
<p>and other on-ground or in-ground infrastructure;</p> <p>(f) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and lines and other tall infrastructure;</p> <p>(g) extractive industry operations are avoided.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p><b>AO1.5</b> The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette.</p> <p>Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow.</p> <p><b>AO1.6</b> No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.5%).</p> <p><b>AO1.7</b> Where for accommodation activities or reconfiguration of a lot in a High landscape value area, development demonstrates that the height, design, scale, positioning on-site, proposed construction materials and external finishes are compatible with the landscape values.</p> <p>Note - A visual impact assessment undertaken in accordance with Planning scheme policy SC6.6 – Landscape values may be required.</p> <p><b>AO1.8</b> Advertising devices do not occur.</p>	<p><b>Not applicable</b></p> <p><b>Not applicable</b></p> <p><b>Not applicable</b></p> <p><b>Not applicable</b></p>
<b>Development within the Medium landscape value area</b>		
<p><b>PO2</b> Development within Medium landscape value areas</p>	<p><b>AO2.1</b> Buildings and structures are not more than 8.5</p>	<p><b>Complies with acceptable outcome</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>identified on the Landscape values overlay maps contained in Schedule 2:</p> <p>(a) avoids detrimental impacts on the landscape values of forested skylines, visible hillslopes, ridgelines, the coastal foreshore or the shoreline of other water bodies through the loss of vegetation;</p> <p>(b) is effectively screened from view from a road, lookout or other public place by an existing natural landform or native vegetation, or will be effectively screened by native vegetation within 5 years of construction;</p> <p>(c) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements;</p> <p>(d) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality;</p> <p>(e) avoids detrimental impacts on landscape values and excessive changes to the natural landform as a result of the location, position on site, scale, design and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure;</p> <p>(f) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and lines and other tall</p>	<p>metres and two storeys in height.</p> <p>Note - Height is inclusive of the roof height.</p> <p><b>AO2.2</b> Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.</p> <p><b>AO2.3</b> Where development on land steeper than 1 in 6 (16.6%) cannot be avoided:</p> <p>(a) development follows the natural; contours of the site;</p> <p>(b) buildings are split level or suspended floor construction, or a combination of the two;</p> <p>(c) lightweight materials are used to areas with suspended floors.</p> <p>Note - Examples of suitable lightweight materials include timber or fibre cement boards or sheeting for walls and factory treated metal sheeting for walls and roofs.</p> <p><b>AO2.4</b> The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette.</p> <p>Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow.</p> <p><b>AO2.5</b></p>	<p><b>Complies with acceptable outcome</b></p> <p><b>Not applicable</b> Site is relatively flat.</p> <p><b>Complies with acceptable outcome</b> The site plan – elevations show the external colours which are subdued and non-reflective that complement the Medium landscape values (<b>refer to Appendix 2</b>).</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>infrastructure;</p> <p>(g) extractive industry operations are avoided, or where they cannot be avoided, are screened from view.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes</p>	<p>No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.6%).</p> <p><b>AO2.6</b> Advertising devices do not occur.</p>	<p><b>Complies with acceptable outcome</b></p> <p><b>Complies with acceptable outcome</b> Advertising devices are located outside the mapped Medium Impact landscape value area.</p>
<b>Development within a Scenic route buffer / view corridor area</b>		
<p><b>PO3</b> Development within a Scenic route buffer / view corridor area as identified on the Landscape values overlay maps contained in Schedule 2:</p> <p>(a) retains visual access to views of the surrounding landscape, the sea and other water bodies;</p> <p>(b) retains existing vegetation and incorporates landscaping to visually screen and soften built form elements whilst not impeding distant views or view corridors;</p> <p>(c) incorporates building materials and external finishes that are compatible with the visual amenity and the landscape character;</p> <p>(d) minimises visual impacts on the setting and views in terms of:</p> <p>(i) the scale, height and setback of buildings;</p> <p>(ii) the extent of earthworks and impacts on the landform including the location and configuration of access roads and driveways;</p> <p>(iii) the scale, extent and visual prominence</p>	<p><b>AO3.1</b> Where within a Scenic route buffer / view corridor area, the height of buildings and structures is not more than identified within the acceptable outcomes of the applicable zone code.</p> <p><b>AO3.2</b> No clearing of native vegetation is undertaken within a Scenic route buffer area.</p> <p><b>AO3.3</b> Where within a Scenic route buffer / view corridor area development is set back and screened from view from a scenic route by existing native vegetation with a width of at least 10 metres and landscaped in accordance with the requirements of the landscaping code.</p> <p><b>AO3.4</b> Development does not result in the replacement of, or creation of new, additional, or enlarged advertising devices.</p>	<p><b>Not applicable</b> Site is not located in a Scenic route buffer/view corridor area.</p> <p><b>Not applicable</b></p> <p><b>Not applicable</b></p> <p><b>Not applicable</b></p>

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

Performance outcomes	Acceptable outcomes	Applicant response
	<p>buildings and structures area setback:</p> <p>(a) where no adjoining development, a minimum of 6 metres from the coastward property boundary. The setback area is landscaped in accordance with the requirements of the Landscaping code; or</p> <p>(b) where there is adjoining development, setbacks will be consistent with that of adjoining buildings and structures. The setback area is landscaped in accordance with the requirements of the Landscaping code.</p>	
<p><b>P05</b></p> <p>Development is to maximise opportunities to maintain and/or enhance natural landscape values through the maintenance and restoration of vegetated buffers between development and coastal waters, where practical.</p> <p>Note – A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in satisfaction of a performance outcome.</p>	<p><b>A05</b></p> <p>No clearing of native vegetation is undertaken within a Coastal scenery area zone, except for exempt vegetation damage undertaken in accordance with the Vegetation management code</p>	<p><b>Not applicable</b></p>



## 8.2.7 Natural Areas Overlay Code

### **Purpose**


The purpose of the Natural areas overlay code is to:

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

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

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

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>Protection of matters of environmental significance</b>		
<b>PO1</b> Development protects matters of environmental significance.	<b>AO1.1</b> Development avoids significant impact on the relevant environmental values.  Or	<b>Complies with acceptable outcome</b> The site is incorrectly mapped as having MSES - Regulated Vegetation along the western half of the site, however historical air photos confirm the site has been clear of vegetation since circa 1980. Proposed buildings are located along the eastern boundary and outside the mapped Natural areas overlay and will avoid impacts on relevant environmental values.
	<b>AO1.2</b> A report is prepared by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, that the development site	 <p>MSES - Regulated Vegetation</p> <b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>does not contain any matters of state and local environmental significance.</p> <p>or</p> <p><b>AO1.3</b> Development is located, designed and operated to mitigate significant impacts on environmental values. For example, a report certified by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, how the proposed development mitigates impacts, including on water quality, hydrology and biological processes.</p>	<b>Not applicable</b>
<b>Management of impacts on matters of environmental significance</b>		
<p><b>PO2</b> Development is located, designed and constructed to avoid significant impacts on matters of environmental significance.</p>	<p><b>AO2</b> The design and layout of development minimises adverse impacts on ecologically important areas by:</p> <ul style="list-style-type: none"> <li>(a) focusing development in cleared areas to protect existing habitat;</li> <li>(b) utilising design to consolidate density and preserve existing habitat and native vegetation;</li> <li>(c) aligning new property boundaries to maintain ecologically important areas;</li> <li>(d) ensuring that alterations to natural landforms, hydrology and drainage patterns on the development site do not negatively affect ecologically important areas;</li> </ul>	<p><b>Not applicable</b> Site not mapped as having Ecologically important areas.</p>

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Performance outcomes	Acceptable outcomes	Applicant response
	Degraded sections of wetlands and wetland buffer areas are revegetated with endemic native plants in patterns and densities which emulate the relevant regional ecosystem.	
<b>PO5</b> Development avoids the introduction of non-native pest species (plant or animal), that pose a risk to ecological integrity.	<b>AO5.1</b> Development avoids the introduction of non-native pest species.  <b>AO5.2</b> The threat of existing pest species is controlled by adopting pest management practices for long-term ecological integrity.	<b>Will be complied with</b>   <b>Not applicable</b>
<b>Ecological connectivity</b>		
<b>PO6</b> Development protects and enhances ecological connectivity and/or habitat extent.	<b>AO6.1</b> Development retains native vegetation in areas large enough to maintain ecological values, functions and processes.  And  <b>AO6.2</b> Development within an ecological corridor rehabilitates native vegetation.  And  <b>AO6.3</b>	<b>Complies with acceptable outcome</b>          <b>Not applicable</b>          <b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
	Development within a conservation corridor mitigates adverse impacts on native fauna, feeding, nesting, breeding and roosting sites and native fauna movements.	
<b>PO7</b> Development minimises disturbance to matters of state environmental significance (including existing ecological corridors).	<b>AO7.1</b> Development avoids shading of vegetation by setting back buildings by a distance equivalent to the height of the native vegetation.  and  <b>AO7.2</b> Development does not encroach within 10 metres of existing riparian vegetation and watercourses.	<b>Complies with acceptable outcome</b> The site is incorrectly mapped. Buildings are sufficiently setback from the boundaries that avoid shading of vegetation.          <b>Complies with acceptable outcome</b>
<b>Waterways in an urban area</b>		
<b>PO8</b> Development is set back from waterways to protect and maintain: (a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values; (e) riparian and in-stream habitat values and connectivity; (f) in-stream migration	<b>AO8.1</b> Where a waterway is contained within an easement or a reserve required for that purpose, development does not occur within the easement or reserve;  Or  <b>AO8.2</b> Development does not occur on the part of the site affected by the waterway corridor.   Note – Waterway corridors are identified within Table 8.2.7.3.b.	<b>Not applicable</b>          <b>Complies with acceptable outcome</b>

Performance outcomes	Acceptable outcomes	Applicant response
<b>Waterways in a non-urban area</b>		
<b>PO9</b> Development is set back from waterways to protect and maintain: <ul style="list-style-type: none"> <li>(a) water quality;</li> <li>(b) hydrological functions;</li> <li>(c) ecological processes;</li> <li>(d) biodiversity values;</li> <li>(e) riparian and in-stream habitat values and connectivity;</li> <li>(f) in-stream migration.</li> </ul>	<b>A09</b> Development does not occur on that part of the site affected by a waterway corridor.  Note – Waterway corridors are identified within Table 8.2.7.3.b.	<b>Complies with acceptable outcome</b>



### 9.3.2 Caretaker's accommodation code

#### Purpose

The purpose of the Caretaker's accommodation code is to assess the suitability of development to which this code applies.

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

- (a) caretaker's accommodation is used for genuine caretaking or property management purposes;
- (b) an acceptable level of amenity is provided to the caretaker.

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> The caretaker's accommodation is of a small scale.	<b>AO1</b> The gross floor area of the caretaker's accommodation is not greater than: (a) 120m <sup>2</sup> in a Rural zone; (b) 80m <sup>2</sup> in any other zone.	<b>Complies with acceptable outcome</b> Gross floor area of Caretaker's accommodation is 58m <sup>2</sup> .
<b>PO2</b> The caretaker's accommodation provides sufficient outdoor private open space for the reasonable recreation and domestic needs of the resident(s)	<b>AO2.1</b> Development: (a) at ground-level provides private open space of at least 30m <sup>2</sup> with a minimum dimension of 3 metres that is screened from other activities on site; or  (a) located entirely above ground floor level provides a private open space comprising a balcony or deck or open roof space, with a minimum horizontal dimension of at least 8m <sup>2</sup> and minimum dimension of 2 metres, which is directly accessible to a living area.	<b>Complies with performance outcome</b> There is sufficient outdoor/open space private area that is screened from the proposed Air Service use on site.  <b>Not applicable</b> See above

Performance outcomes	Acceptable outcomes	Applicant response
	<b>A02.2</b> The caretaker's accommodation is provided with: <ul style="list-style-type: none"> <li>(a) an outdoor service court with a minimum area of 5m<sup>2</sup> to facilitate clothes drying;</li> <li>(b) an area for general storage;</li> <li>(c) an area for the storage of a garbage receptacle;</li> <li>(d) a designated covered car parking space;</li> <li>(e) separate occupant access, independent from access to any non-residential building on the site.</li> </ul>	<b>Complies with performance outcome</b> The proposed Caretaker's Accommodation has sufficient outdoor private open space fenced from the primary Air Service use. The design allows for a reasonable amount of domestic area to serve the residential needs.
<b>P03</b> The caretaker's accommodation is necessary for the operation of the primary use of the site.	<b>A03.1</b> Only one caretaker's accommodation is established per site.  <b>A03.2</b> The caretaker's accommodation is occupied only by the proprietor, manager or caretaker of the use where located in an Industry or Centre zone or  <b>A03.3</b> The caretaker's accommodation is occupied only by the proprietor, manager or caretaker of the use where located in any other zone together with any immediate family of that person.  <b>A03.4</b> The caretaker's accommodation is located on the same lot as the primary use.	<b>Complies with acceptable outcome</b>  <b>Complies with acceptable outcome</b>  <b>Not applicable</b> The site is located in the Industry zone and complies with A03.2 above.  <b>Complies with acceptable outcome</b>

Performance outcomes	Acceptable outcomes	Applicant response
<b>Additional requirements in a Rural zone</b>		
<b>P04</b> The site for a caretaker's accommodation is of a sufficient area to be consistent with the nature of its intended function.	<b>A04</b> The site has a minimum area of 4.0ha and the caretaker's accommodation is located within 500 metres of the primary dwelling.	<b>Not applicable</b> The site is not located in the Rural zone.

### 9.4.1 Access, Parking and Servicing code

#### **Purpose**

The purpose of the Access, parking and servicing code is to assess the suitability of access, parking and associated servicing aspects of a development.

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

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

Performance outcomes	Acceptable outcomes	Applicant response
<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: <ul style="list-style-type: none"> <li>(a) the desired character of the area;</li> <li>(b) the nature of the particular use and its specific characteristics and scale;</li> <li>(c) the number of employees and the likely number of visitors to the site;</li> <li>(d) the level of local accessibility;</li> <li>(e) the nature and frequency of any public transport serving the area;</li> <li>(f) whether or not the use involves the retention of an existing building and the previous requirements for car parking for the building</li> <li>(g) whether or not the use involves a heritage building or place of local significance;</li> <li>(h) whether or not the proposed use involves the retention of significant vegetation.</li> </ul>	<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 acceptable outcome</b> The proposed development requires 8 parking spaces and 2 bus parking spaces: <ul style="list-style-type: none"> <li>• 100m<sup>2</sup> Office area requires 5 parking spaces (1 per 20m<sup>2</sup>)</li> <li>• Caretaker's requires 1 parking space (min 1 space)</li> <li>• 4 staff members requires 2 parking spaces (1 per 2 staff).</li> </ul> Proposed development provides 9 carparking areas (including 1 PWD and 1 caretaker's), and 2 bus parking spaces.
	<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 acceptable outcome</b>
	<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>
	<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> Parking area does not exceed 50 spaces.

Performance outcomes	Acceptable outcomes	Applicant response
<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 acceptable outcome</b>
<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; (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).	<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>Complies with acceptable outcome</b> Access to the site is existing via Easement C SP273000.
	<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; (c) adhere to minimum sight distance requirements in accordance with AS2980.1.	<b>Complies with acceptable outcome</b> Access to the site is existing via Easement C SP273000.
	<b>AO3.3</b> Driveways are: (a) designed to follow as closely as possible to the existing contours, but are no steeper than the	<b>Complies with acceptable outcome</b> Access to the site is existing via Easement C SP273000.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>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>(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>A03.4</b> 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>Will be complied with</b> Surface construction materials will be consistent with the existing character of the area.</p>
<p><b>PO4</b> Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.</p>	<p><b>AO4</b> The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.</p>	<p><b>Complies with acceptable outcome</b> The proposed development has 1 PWD parking space.</p>
<b>PO5</b>	<b>AO5</b>	<b>Will be complied with</b>



Performance outcomes	Acceptable outcomes	Applicant response
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.	
<b>PO6</b> Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development.	<b>AO6</b> The number of on-site bicycle parking spaces complies with the rates specified in Table 9.4.1.3.b.	<b>Not applicable</b> Bicycle parking is not required as the office is less than 200m <sup>2</sup> .
<b>PO7</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>AO7.1</b> Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers);  <b>AO7.2</b> Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street.  <b>AO7.3</b> Development provides visitor bicycle parking which does not impede pedestrian movement.	<b>Not applicable</b> Bicycle parking is not required as the office is less than 200m <sup>2</sup> .  <b>Not applicable</b> Bicycle parking is not required as the office is less than 200m <sup>2</sup> .  <b>Not applicable</b> Bicycle parking is not required as the office is less than 200m <sup>2</sup> .
<b>PO8</b> Development provides walking and cycle routes through the site which: (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; (b) encourage walking and cycling; (c) ensure pedestrian and cyclist safety.	<b>AO8</b> Development provides walking and cycle routes which are constructed on the carriageway or through the site to: (a) create a walking or cycle route along the full frontage of the site; (b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site.	<b>Not applicable to this scale of development</b>

Performance outcomes	Acceptable outcomes	Applicant response
<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> <li>(b) so that they do not interfere with the amenity of the surrounding area;</li> <li>(c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles.</li> </ul>	<b>AO9.1</b> Access driveways, vehicle manoeuvring and onsite parking for service vehicles are designed and constructed in accordance with AS2890.1 and AS2890.2.	<b>Complies with acceptable outcome</b>
	<b>AO9.2</b> Service and loading areas are contained fully within the site.	<b>Complies with acceptable outcome</b>
	<b>AO9.3</b> The movement of service vehicles and service operations are designed so they: <ul style="list-style-type: none"> <li>(a) do not impede access to parking spaces;</li> <li>(b) do not impede vehicle or pedestrian traffic movement.</li> </ul>	<b>Complies with performance outcome</b> Service vehicles can be managed to not interfere with the amenity of the surrounding area, and so they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles onsite.  The proposed development supplies 1 extra parking space and it is assumed that service vehicle onsite will not be an issue.
<b>PO10</b> Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.	<b>AO10.1</b> 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: <ul style="list-style-type: none"> <li>(a) car wash;</li> <li>(b) child care centre;</li> <li>(c) educational establishment where for a school;</li> <li>(d) food and drink outlet, where including a drivethrough facility;</li> </ul>	<b>Not applicable</b> Vehicle queuing is not required.

Performance outcomes	Acceptable outcomes	Applicant response
	(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>Will be complied with</b> Proposed development provides 2 bus set down areas.

Table 9.4.1.3.b – Access, parking and servicing requirements

Land Use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service
<b>Air services</b>	1 car space per 20m <sup>2</sup> of covered reception area, plus 1 car space per 2 staff, plus a covered bus set down area adjacent to the entry of the reception area and 2 bus parking spaces.	n/a	n/a	LRV
<b>Caretaker's Accommodation</b>	A minimum of 1 space	n/a	n/a	n/a
<b>Office</b>	1 space per 25m <sup>2</sup> of GFA or If within Precinct 1: Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m <sup>2</sup> of GFA	1 space per 200m <sup>2</sup> GFA	Required for all office development with a GFA greater than 2000m <sup>2</sup> .	SRV

## 9.4.2 Advertising devices code

### **Purpose**

The purpose of the Advertising devices code is to ensure that advertising devices are established in a manner which is consistent with the desired character and amenity of Douglas Shire.

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

- (a) an advertising device complements, and does not detract from the desirable characteristics of the natural and built environment in which the advertising device is exhibited;
- (b) Third party advertising devices are not encouraged to establish in the Shire, being contrary to the unique character, lifestyle and environmental attributes of the Shire;
- (c) an advertising device is designed and integrated into the built form so as to minimise visual clutter;
- (d) an advertising device does not adversely impact on visual amenity of a scenic route, heritage building or public open space;
- (e) an advertising device does not adversely impact on rural, rural residential, residential, environmental management or conservation areas;
- (f) an advertising device does not pose a hazard for pedestrians, cyclists or drivers of motor vehicles.

Note - For billboards and/or other devices on a State-controlled road, contact the Department of Transport and Main Roads for further information about obtaining an 'Ancillary Works and Encroachment (AWE) Permit' under the Transport Infrastructure Act 1994.

Performance outcomes	Acceptable outcomes	Applicant response
<b>Requirements for all Advertising devices regulated by this planning scheme</b>		
<b>For assessable development</b>		
<b>PO1</b> An advertising device: (a) is compatible with the existing and future planned character of the locality in which it is erected; (b) is compatible with the scale, proportion, bulk and other characteristics of buildings, structures, landscapes and other advertising devices on the site; (c) is of a scale, proportion and form that is appropriate to the streetscape or other setting in which it is located; (d) is sited designed to be compatible with the nature and extent of development and advertising devices on adjoining sites and does not interfere with the reasonable enjoyment of those sites; (e) is sited and designed to: (i) not unduly dominate the visual landscape; (ii) maintain views and vistas of public value; and (iii) protect the visual amenity of scenic routes; (f) is designed to achieve a high standard of architectural, urban and landscape design, or at least does not detract from the architectural, urban or landscape design standards of a locality; and (g) is designed and sited so as to not contribute to	<b>AO1</b> Self-assessable development  For self-assessable development, the advertising device complies with the requirements specified in Column 2 of Table 9.4.2.3.b.  Assessable development  For assessable development, in partial fulfilment of Performance Outcome P1 – the advertising device substantially complies with the requirements specified in Column 2 of Table 9.4.2.3.b – Specific requirements for types of advertising devices.  Note – Third party advertising devices, fly-posters, inflatable signs, blimps, bunting/streamers and standing vehicle signs are not encouraged to establish in Douglas Shire. In most circumstances, these forms of advertising device would: (a) be contrary to Performance Outcome PO1 and the applicable specific requirements for advertising devices in this code; and (b) risk compromising the character, lifestyle and environmental attributes of the Shire as defined in the Part 3 (Strategic Framework).  Note – A planning report and streetscape or landscape analysis prepared by a competent person may be required in support of a developop	<p><b>Not applicable</b></p> <p><b>Complies with acceptable outcome</b>            There are two signs associated with this development. One entrance sign located along the southern boundary, and one wall sign attached to the hangar (see attached plans <i>Sheet No: WD04</i>, &amp; <i>Sheet No: WD05</i>)</p> <p>The proposed signs:</p> <ol style="list-style-type: none"> <li>1. is compatible character of the locality;</li> <li>2. is of a scale, proportion and form that is appropriate to surrounding location;</li> <li>4. is designed to be compatible with the nature and extent of development;</li> <li>5. is sited and designed to not unduly dominate the landscape;</li> <li>6. is designed to achieve a high standard of architectural, urban and landscape design; and</li> <li>7. is not a proliferation of visual clutter</li> </ol>

Performance outcomes	Acceptable outcomes	Applicant response
the proliferation of visual clutter.		
<b>Illumination, lighting and movement</b>		
<b>PO2</b> An advertising device only incorporates illumination and lighting where it: (a) is appropriate to its setting and is compatible with the amenity of the local area; (b) does not cause nuisance or distraction; (c) does not create glare, reflecting or flaring of colours; and (d) will not create a potential safety hazard, including a potential traffic safety hazard.	<b>AO2.1</b> The advertising device is only illuminated where it is: (a) located in a Centre zone or an Industry zone, or a Recreation and Open Space zone; and (b) associated with a business that operates at night.  <b>AO2.2</b> Where an advertising device is illuminated, it: (a) it has a maximum luminance of 350 candelas per m2; (b) does not incorporate flashing lights or digital displays; and (c) is switched off between 11.00pm and 5.00am the following day or at any time the business is not operating between these hours	<b>Not applicable</b> Illumination signs are not proposed as part of this development.  <b>Not applicable</b>
<b>Safety of pedestrians and vehicles</b>		
<b>PO4</b> An advertising device is designed so as not to create a traffic or pedestrian safety hazard.	<b>AO4.1</b> The advertising device does not physically obstruct the passage of pedestrians or vehicles.  <b>AO4.2</b> The advertising device does not mimic, and is not able to be confused with, a traffic control device.  <b>AO4.3</b> The advertising device does not restrict sight lines at intersections or site access points.	<b>Complies with acceptable outcome</b>  <b>Complies with acceptable outcome</b>  <b>Complies with acceptable outcome</b>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>Note - Refer to Figure 9.4.2.3.a for details.</p> <p><b>AO4.4</b> The advertising device is: (a) appropriately secured and supported so as to cause no injury or damage to persons or property; (b) not on or attached to a tree, telegraph and/or electricity poles, traffic or safety signs.</p>	<b>Complies with acceptable outcome</b>
<b>Maintenance</b>		
<p><b>PO5</b> A high quality appearance of advertising devices is established, and is maintained.</p>	<p><b>AO5</b> Advertising devices (a) are constructed of high quality materials selected for easy maintenance, durability and an ability not to readily stain, discolour or deteriorate; (b) that have stained, discoloured or deteriorated are either: (i) remedied; or (ii) removed.</p>	<p><b>Complies with acceptable outcome</b> Advertising devices will be constructed of high quality materials.</p>
<b>Additional requirements for Advertising devices in the Conservation zone, the Environmental management zone and the Rural zone north of the Daintree River</b>		
<b>PO6 is not applicable</b> as the site is not located in in the Conservation zone, the Environmental management zone and the Rural zone north of the Daintree River		



### 9.4.3 Environmental performance code

#### Purpose

The purpose of the Environmental performance code is to ensure development is designed and operated to avoid or mitigate impacts on sensitive receiving environments.

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

- (a) activities that have potential to cause an adverse impact on amenity of adjacent and surrounding land, or environmental harm is avoided through location, design and operation of the development;
- (b) sensitive land uses are protected from amenity related impacts of lighting, odour, airborne particles and noise, through design and operation of the development;
- (c) stormwater flowing over, captured or discharged from development sites is of a quality adequate to enter receiving waters and downstream environments;
- (d) development contributes to the removal and ongoing management of weed species.

**Table 9.4.3.3.a – Environmental performance code – assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
<b>Lighting</b>		
<b>PO1</b> Lighting incorporated within development does not cause an adverse impact on the amenity of adjacent uses and nearby sensitive land uses.	<b>AO1.1</b> Technical parameters, design, installation, operation and maintenance of outdoor lighting comply with the requirements of Australian standard AS4282-1997 Control of the obtrusive effects of outdoor lighting.	Complies with acceptable outcome
	<b>AO1.2</b> Development that involves flood lighting is restricted to a type that gives no upward component of light where mounted horizontally.	Complies with acceptable outcome

Performance outcomes	Acceptable outcomes	Applicant response
	<b>AO1.3</b> Access, car parking and manoeuvring areas are designed to shield nearby residential premises from impacts of vehicle headlights.	<b>Complies with acceptable outcome</b> Residential areas in the surrounding vicinity are shielded by the existing vegetation surrounding the site.
<b>Noise</b>		
<b>PO2</b> Potential noise generated from the development is avoided through design, location and operation of the activity.  Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.	<b>AO2.1</b> Development does not involve activities that would cause noise related environmental harm or nuisance  <b>Or</b>  <b>AO2.2</b> Development ensures noise does not emanate from the site through the use of materials, structures and architectural features to not cause an adverse noise impact on adjacent uses.	<b>Complies with performance outcome</b> Noise related environmental harm or nuisance is unavoidable for the proposed development. The noise related harm and nuisance is mitigated through the siting and operation of the use.  <b>Refer to Section 2.3 for further discussion.</b>  <b>Not applicable</b>
	<b>AO2.3</b> The design and layout of development ensures car parking areas avoid noise impacting directly on adjacent sensitive land uses through one or more of the following: (a) car parking is located away from adjacent sensitive land uses; (b) car parking is enclosed within a building; (c) a noise ameliorating fence or structure is established adjacent to car parking areas where the fence or structure will not have a	<b>Complies with acceptable outcome</b> Car parking areas avoid impacts to sensitive land uses that are located approx. 200m away. Site is naturally screened via vegetation on the adjoining lot to the east.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>visual amenity impact on the adjoining premises; (d) buffered with dense landscaping.</p> <p><small>Editor's note - <i>The Environmental Protection (Noise) Policy 2008</i>, Schedule 1 provides guidance on acoustic quality objectives to ensure environmental harm (including nuisance) is avoided.</small></p>	
<b>Airborne particles and other emissions</b>		
<p><b>P03</b> Potential airborne particles and emissions generated from the development are avoided through design, location and operation of the activity.</p> <p><small>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</small></p>	<p><b>A03.1</b> Development does not involve activities that will result in airborne particles or emissions being generated</p> <p><b>Or</b></p> <p><b>A03.2</b> The design, layout and operation of the development activity ensures that no airborne particles or emissions cause environmental harm or nuisance.</p> <p><small>Note - examples of activities which generally cause airborne particles include spray painting, abrasive blasting, manufacturing activities and car wash facilities.</small></p> <p><small>Examples of emissions include exhaust ventilation from</small></p>	<p><b>Complies with performance outcome</b> The proposed use is designed to mitigate potential airborne particles and emissions via the impervious surface that the helicopter take-off/land on. The operation of the use will also mitigate adverse environmental harm or nuisance via keeping the area clean of foreign objects. The design of the proposed development also includes buildings along the eastern boundary to mitigate impacts encroaching from the site.</p> <p><b>Refer to Section 2.3 for further discussion.</b></p> <p><b>Complies with performance criteria</b> As above.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>basement or enclosed parking structures, air conditioning/refrigeration ventilation and exhaust.</p> <p>The <i>Environmental Protection (Air) Policy 2008</i>, Schedule 1 provides guidance on air quality objectives to ensure environmental harm (including nuisance) is avoided.</p>	
<b>Odours</b>		
<p><b>PO4</b> Potential odour causing activities associated with the development are avoided through design, location and operation of the activity.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p><b>AO4.1</b> The development does not involve activities that create odorous emissions</p> <p><b>Or</b></p> <p><b>AO4.2</b> The use does not result in odour that causes environmental harm or nuisance with respect to surrounding land uses.</p>	<p><b>Complies with acceptable outcome</b> The site adjoins a petrol station. The proposed development does not create odorous emissions.</p> <p><b>Not applicable</b></p>
<b>Waste and recyclable material storage</b>		
<p><b>PO5</b> Waste and recyclable material storage facilities are located and maintained to not cause adverse impacts on adjacent uses.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p><b>AO5.1</b> The use ensures that all putrescent waste is stored in a manner that prevents odour nuisance and is disposed of at regular intervals.</p>	<b>Will be complied with</b>
	<p><b>AO5.2</b> Waste and recyclable material storage facilities are located, designed and maintained to not cause an adverse impact on users of the premises and adjacent uses through consideration of: (a) the location of the waste and recyclable material storage areas in relation to the noise</p>	<b>Will be complied with</b>

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Performance outcomes	Acceptable outcomes	Applicant response
		<p>accommodation is appropriated designed and located that mitigate adverse amenity impacts due to the following:</p> <ul style="list-style-type: none"> <li>• is a sufficient size for the private recreation and domestic needs of the resident;</li> <li>• is fenced from the Air service section of the site;</li> <li>• located as far away practical from the Helipads</li> </ul> <p>Note: Caretaker's accommodation is self-assessable development and this response is additional information</p>
<b>Stormwater quality</b>		
<b>PO7</b> The quality of stormwater flowing over, through or being discharged from development activities into watercourses and drainage lines is of adequate quality for downstream environments, with respect to: <ul style="list-style-type: none"> <li>(a) the amount and type of pollutants borne from the activity;</li> <li>(b) maintaining natural stream flows;</li> <li>(c) the amount and type of site disturbance;</li> <li>(d) site management and control measures.</li> </ul>	<b>A07.1</b> Development activities are designed to ensure stormwater over roofed and hard stand areas is directed to a lawful point of discharge.	<b>Complies with acceptable outcome</b> Stormwater will be directed to a lawful point of discharge.
	<b>A07.2</b> Development ensures movement of stormwater over the site is not impeded or directed through potentially polluting activities.	<b>Will be complied with</b> Proposed development will ensure stormwater will not be directed through potentially polluting activity.
	<b>A07.3</b> Soil and water control measures are incorporated into the activity's design and operation to control sediment and erosion potentially entering watercourses, drainage lines and downstream receiving waters. <p>Note - Planning scheme policy - FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act</i></p>	<b>Not applicable</b> Soil and water control measures is not anticipated for this development.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>1994.</p> <p>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>Pest plants (for material change of use on vacant land over 1,000m<sup>2</sup>)</b>		
<p><b>PO8</b> Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not reinfest the site or nearby sites.</p> <p>Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the <i>Land Protection (Pest and Stock Route Management) Act 2002</i>.</p>	<p><b>AO8.1</b> The land is free of declared pest plants before development establishes new buildings, structures and practices;</p> <p>or</p> <p><b>AO8.2</b> Pest plants detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person prior to construction of buildings and structures or earthworks.</p> <p>Note - A declaration from an appropriately qualified person validates the land being free from pest plants.</p> <p>Declared pest plants include locally declared and State declared pest plants.</p>	<p><b>Complies with acceptable outcome</b> Land is free of pest plants.</p> <p><b>Not applicable</b></p>



#### 9.4.4 Filling and excavation code

##### **Purpose**

The purpose of the Filling and excavation code is to assess the suitability of development for filling or excavation.

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

- (a) filling or excavation does not impact on the character or amenity of the site and surrounding areas;
- (b) filling and excavation does not adversely impact on the environment;
- (c) filling and excavation does not impact on water quality or drainage of upstream, downstream or adjoining properties;
- (d) filling and excavation is designed to be fit for purpose and does not create land stability issues;
- (e) filling and excavation works do not involve complex engineering solutions.

##### **Applicant response**

**Fill has previously been taken on the site. No further excavation and fill are required for this development.**

### 9.4.5 Infrastructure works code

#### Purpose

The purpose of the Infrastructure works code is to ensure that development is safely and efficiently serviced by, and connected to, infrastructure.

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

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

Performance outcomes	Acceptable outcomes	Applicant response
<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> Proposed development does not require works 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>

Performance outcomes	Acceptable outcomes	Applicant response
	<b>A01.3</b> New pipes, cables, conduits or other similar infrastructure required to cross existing footpaths: <ul style="list-style-type: none"> <li>(a) are installed via trenchless methods; or</li> <li>(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.</li> </ul>	<b>Not applicable</b> Footpaths do not exist.
	<b>A01.4</b> Where existing footpaths are damaged as a result of development, footpaths are reinstated ensuring: <ul style="list-style-type: none"> <li>(a) similar surface finishes are used;</li> <li>(b) there is no change in level at joins of new and existing sections;</li> <li>(c) new sections are matched to existing in terms of dimension and reinforcement.</li> </ul> <p>Note – Figure 9.4.5.3.a provides guidance on meeting the outcomes.</p>	<b>Not applicable</b>
	<b>A01.5</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>
<b>Accessibility structures</b>		
<b>PO2</b> Development is designed to ensure it is accessible	<b>A02.1</b> Accessibility structures are not located within the	<b>Complies with acceptable outcome</b> The proposed development does not require

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Performance outcomes	Acceptable outcomes	Applicant response
stormwater quality in natural and developed catchments by: (a) achieving stormwater quality objectives; (b) protecting water environmental values; (c) maintaining waterway hydrology.	or  <b>A05.2</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>Not applicable</b>
	<b>A05.3</b> A stormwater quality management plan is prepared, and provides for achievable stormwater quality treatment measures meeting design objectives listed in Table 9.4.5.3.b and Table 9.4.5.3.c, 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>Not applicable for this scale of development</b>
	<b>A05.4</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 to this scale of development</b>
	<b>A05.5</b> Development incorporates stormwater flow control measures to achieve the design objectives set out in	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>Table 9.4.5.3.b and Table 9.4.5.3.c, including 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>		
<b>PO6</b> Development involving non-tidal artificial waterways is planned, designed, constructed and operated to: <ul style="list-style-type: none"> <li>(a) protect water environmental values;</li> <li>(b) be compatible with the land use constraints for the site for protecting water environmental values;</li> <li>(c) be compatible with existing tidal and non-tidal waterways;</li> <li>(d) perform a function in addition to stormwater management;</li> <li>(e) achieve water quality objectives.</li> </ul>	<b>AO6.1</b> Development involving non-tidal artificial waterways ensures: <ul style="list-style-type: none"> <li>(a) environmental values in downstream waterways are protected;</li> <li>(b) any ground water recharge areas are not affected;</li> <li>(c) the location of the waterway incorporates low lying areas of the catchment connected to an existing waterway;</li> <li>(d) existing areas of ponded water are included.</li> </ul>	<b>Not applicable</b> Development does not involve non-tidal artificial waterways.
	<b>AO6.2</b> Non-tidal artificial waterways are located: <ul style="list-style-type: none"> <li>(a) outside natural wetlands and any associated buffer areas;</li> <li>(b) to minimise disturbing soils or sediments;</li> <li>(c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas.</li> </ul>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
	<b>A06.3</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) 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>Not applicable</b>
	<b>A06.4</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>
	<b>A06.5</b> The end-use purpose of the non-tidal artificial waterway is designed and operated in a way that protects water environmental values.	<b>Not applicable</b>
	<b>A06.6</b> Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway.	<b>Not applicable</b>



Performance outcomes	Acceptable outcomes	Applicant response
	<b>A06.7</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>
<b>Wastewater discharge</b>		
<b>P07</b> Discharge of wastewater to waterways, or off site: (a) meets best practice environmental management; (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>A07.1</b> A wastewater management plan is prepared and addresses: (a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best practice environmental management.	<b>Not applicable</b> The site is connected to council sewerage system.
	<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> The site is connected to council sewerage system.
	<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> The site is connected to council sewerage system.

Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>A07.4</b> Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and:</p> <ul style="list-style-type: none"> <li>(a) avoids lowering ground water levels where potential or actual acid sulfate soils are present;</li> <li>(b) manages wastewater so that: <ul style="list-style-type: none"> <li>(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;</li> <li>(ii) holding times of neutralised wastewater ensures the flocculation and removal of any dissolved iron prior to release;</li> <li>(iii) visible iron floc is not present in any discharge;</li> <li>(iv) precipitated iron floc is contained and disposed of;</li> <li>(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.</li> </ul> </li> </ul>	<p><b>Not applicable</b> The site is connected to council sewerage system.</p>
<b>Electricity supply</b>		
<p><b>PO8</b> Development is provided with a source of power that will meet its energy needs.</p>	<p><b>AO8.1</b> A connection is provided from the premises to the electricity distribution network;</p> <p>or</p>	<p><b>Complies with acceptable outcome</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
	<b>A08.2</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>Not applicable</b>
<b>PO9</b> Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.	<b>A09.1</b> 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.	<b>Not applicable</b>
	<b>A09.2</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>
<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 acceptable outcome</b>

Performance outcomes	Acceptable outcomes	Applicant response
<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>Will be complied with where necessary</b>
<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>Not applicable</b> There is no road frontage to the site. Access to the site is via easement C SP273000 which has road frontage to Port Street.
	<b>AO12.2</b> There is existing road, kerb and channel for the full road frontage of the site.	<b>Not applicable</b> There is no road frontage to the site. Access to the site is via easement C SP273000 which has road frontage to Port Street.
	<b>AO12.3</b> Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for the safe passage of emergency vehicles.	<b>Complies with acceptable outcome</b>
<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 acceptable outcome</b>
<b>PO14</b> Development and works do not affect the efficient	<b>AO14.1</b> Public utility mains, services and installations are	<b>Complies with acceptable outcome</b> Public utility main will not be altered.

Performance outcomes	Acceptable outcomes	Applicant response
functioning of public utility mains, services or installations.	<p>not required to be altered or repaired as a result of the development;</p> <p>or</p> <p><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 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p>	<b>Not applicable</b>
<b>Construction management</b>		
<p><b>PO15</b> Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be retained.</p>	<p><b>AO15</b> Works include, at a minimum:</p> <ul style="list-style-type: none"> <li>(a) installation of protective fencing around retained vegetation during construction;</li> <li>(b) erection of advisory signage;</li> <li>(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;</li> <li>(d) removal from the site of all declared noxious weeds.</li> </ul>	<b>Will be complied with</b>
<p><b>PO16</b> Existing infrastructure is not damaged by construction activities.</p>	<p><b>AO16</b> Construction, alterations and any repairs to infrastructure is undertaken in accordance with the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p>	<b>Will be complied with where necessary</b>

Performance outcomes	Acceptable outcomes	Applicant response
	Note - Construction, alterations and any repairs to Statecontrolled roads and rail corridors are undertaken in accordance with the <i>Transport Infrastructure Act 1994</i> .	
<b>For assessable development</b>		
<b>High speed telecommunication infrastructure</b>		
<b>PO17</b> Development provides infrastructure to facilitate the roll out of high speed telecommunications infrastructure.	<b>AO17</b> No acceptable outcomes are prescribed.	<b>Not applicable to this scale of development</b>
<b>Trade waste</b>		
<b>PO18</b> Where relevant, the development is capable of providing for the storage, collection treatment and disposal of trade waste such that: (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>AO18</b> No acceptable outcomes are prescribed.	<b>Complies with performance outcome</b> Development is capable of providing storage, collection treatment and disposal of trade waste if required.
<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> Site is not accessed via common private title.

Performance outcomes	Acceptable outcomes	Applicant response
	<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 than 90 metre intervals and at each intersection. Above ground fire hydrants have dual-valved outlets.	<b>Not applicable</b> Site is not accessed via common private title.
<b>PO20</b> Hydrants are suitably 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>Not applicable</b> Site is not accessed via common private title.

## 9.4.6 Landscaping code

### Purpose

The purpose of the Landscaping code is to assess the landscaping aspects of a development.

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

- (a) The tropical, lush landscape character of the region is retained, promoted and enhanced through high quality landscape works;
- (b) The natural environment of the region is enhanced;
- (c) The visual quality, amenity and identity of the region is enhanced;
- (d) Attractive streetscapes and public places are created through landscape design;
- (e) As far as practical, existing vegetation on site is retained, and protected during works and integrated with the built environment;
- (f) Landscaping is provided to enhance the tropical landscape character of development and the region;
- (g) Landscaping is functional, durable, contributes to passive energy conservation and provides for the efficient use of water and ease of ongoing maintenance;
- (h) Landscaping takes into account utility service protection;
- (i) Weed species and invasive species are eliminated from development sites;
- (j) Landscape design enhances personal safety and incorporates CPTED principles.

**Table 9.4.6.3.a – Landscaping code –assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>Landscape design</b>		
<b>PO1</b> Development provides landscaping that contributes to and creates a high quality landscape character for the site, street and local areas of the Shire by: <ul style="list-style-type: none"> <li>(a) promoting the Shire's character as a tropical environment;</li> </ul>	<b>AO1</b> Development provides landscaping: <ul style="list-style-type: none"> <li>(a) in accordance with the minimum area, dimensions and other requirements of applicable development codes;</li> <li>(b) that is designed and planned in a way that</li> </ul>	<b>Complies with acceptable outcome</b> Industry zone requires 20% site area available for landscaping. The proposed development has 39.91% of the site available for landscaping.



Performance outcomes	Acceptable outcomes	Applicant response
(b) softening the built form of development; (c) enhancing the appearance of the development from within and outside the development and makes a positive contribution to the streetscape; (d) screening the view of buildings, structures, open storage areas, service equipment, machinery plant and the like from public places, residences and other sensitive development; (e) where necessary, ensuring the privacy of habitable rooms and private outdoor recreation areas; (f) contributing to a comfortable living environment and improved energy efficiency, by providing shade to reduce glare and heat absorption and re-radiation from buildings, parking areas and other hard surfaces; (g) ensuring private outdoor recreation space is useable; (h) providing long term soil erosion protection; (i) providing a safe environment; (j) integrating existing vegetation and other natural features of the premises into the development; (k) not adversely affecting vehicular and pedestrian sightlines and road safety.	meets the guidelines for landscaping outlined in Planning Scheme Policy SC6.7 – Landscaping; (c) that is carried out and maintained in accordance with a landscaping plan that meets the guidelines for landscaping outlined in Planning Scheme Policy SC6.7 – Landscaping.  Note - Planning scheme policy SC6.7 – Landscaping provides guidance on meeting the outcomes of this code. A landscape plan submitted for approval in accordance with the Planning policy is one way to achieve this outcome.	
<b>For assessable development</b>		
<b>PO2</b> Landscaping contributes to a sense of place, is	<b>AO2.1</b> No acceptable outcomes are specified.	<b>Complies with performance outcome</b> The site is naturally screened to the north and east.

Performance outcomes	Acceptable outcomes	Applicant response
functional to the surroundings and enhances the streetscape and visual appearance of the development.	Note - Landscaping is in accordance with the requirements specified in Planning scheme policy SC6.7 – Landscaping.	There is a landscaped strip along the southern boundary of the site which contributes to a sense of place and enhances the visual appearance of the development.
	<b>A02.2</b> Tropical urbanism is incorporated into building design.  Note – ‘Tropical urbanism’ includes many things such as green walls, green roofs, podium planting and vegetation incorporated into the design of a building.	<b>Complies with performance outcome</b> The site is naturally screened to the north and east. There is a landscaped strip along the southern boundary of the site which contributes to a sense of place and enhances the visual appearance of the development.
<b>P03</b> Development provides landscaping that is, as far as practical, consistent with the existing desirable landscape character of the area and protects trees, vegetation and other features of ecological, recreational, aesthetic and cultural value.	<b>A03.1</b> Existing vegetation on site is retained and incorporated into the site design, wherever possible, utilising the methodologies and principles outline in AS4970-2009 Protection of Trees on Development Sites.	<b>Not applicable</b> The site has been clear of vegetation since circa 1980.
	<b>A03.2</b> Mature vegetation on the site that is removed or damaged during development is replaced with advanced species.	<b>Not applicable</b> The site has been clear of vegetation since circa 1980.
	<b>A03.3</b> Where there is an existing landscape character in a street or locality which results from existing vegetation, similar species are incorporated into new development.	<b>Complies with acceptable outcome</b> The site is naturally screened to the north and east. There is a landscaped strip along the southern boundary of the site which contributes aesthetically and to the character of the area.
	<b>A03.4</b> Street trees are species which enhance the	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
	landscape character of the streetscape, with species chosen from the Planning scheme policy SC6.7 – Landscaping.	
<b>PO4</b> Plant species are selected with consideration to the scale and form of development, screening, buffering, streetscape, shading and the locality of the area.	<b>AO4</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	<b>Will be complied with</b>
<b>PO5</b> Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal roadways.	<b>AO5</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	<b>Will be complied with</b>
<b>PO6</b> Landscaped areas are designed in order to allow for efficient maintenance.	<b>AO6.1</b> A maintenance program is undertaken in accordance with Planning scheme policy SC6.7 – Landscaping.	<b>Complies with performance outcome</b> Landscaping is designed to allow for efficient maintenance.
	<b>AO6.2</b> Tree maintenance is to have regard to the 'Safe Useful Life Expectancy of Trees (SULE).  Note – It may be more appropriate to replace trees with a SULE of less than 20 years (as an example), and replant with younger healthy species.	<b>Complies with performance outcome</b> Landscaping is designed to allow for efficient maintenance.
<b>PO7</b> Podium planting is provided with appropriate species for long term survival and ease of maintenance, with beds capable of proper drainage.	<b>AO7.1</b> Podium planting beds are provided with irrigation and are connected to stormwater infrastructure to permit flush out.	<b>Not applicable</b> Podium planting not proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	<b>A07.2</b> Species of plants are selected for long term performance designed to suit the degree of access to podiums and roof tops for maintenance.	<b>Not applicable</b> Podium planting not proposed.
<b>PO8</b> Development provides for the removal of all weed and invasive species and implement on-going measures to ensure that weeds and invasive species do not reinfest the site and nearby premises.	<b>A08</b> Weed and invasive species detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person.	<b>Will be complied with</b> The site has been clear of vegetation circa 1980.
<b>PO9</b> The landscape design enhances personal safety and reduces the potential for crime and vandalism.	<b>A09</b> No acceptable outcomes are specified.  Note - Planning scheme policy SC6.3 – Crime prevention through environmental design (CPTED) provides guidance on meeting this outcome.	<b>Complies with performance outcome</b> Landscaping is designed to enhance personal safety on the site.
<b>PO10</b> The location and type of plant species does not adversely affect the function and accessibility of services and facilities and service areas.	<b>A010</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	<b>Will be complied with</b>

#### 9.4.9 Vegetation management code

##### **Purpose**

The purpose of the Vegetation management code is achieved through the overall outcomes.

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

- (a) vegetation is protected from inappropriate damage;
- (b) where vegetation damage does occur it is undertaken in a sustainable manner;
- (c) significant trees are maintained and protected;
- (d) biodiversity and ecological values are protected and maintained;
- (e) habitats for rare, threatened and endemic species of flora and fauna are protected and maintained;
- (f) landscape character and scenic amenity is protected and maintained;
- (g) heritage values are protected and maintained.

##### **Applicant response**

Vegetation damage is not required for this development as the site has been clear of vegetation since circa 1980.

## APPENDIX 2: PROPOSAL PLANS

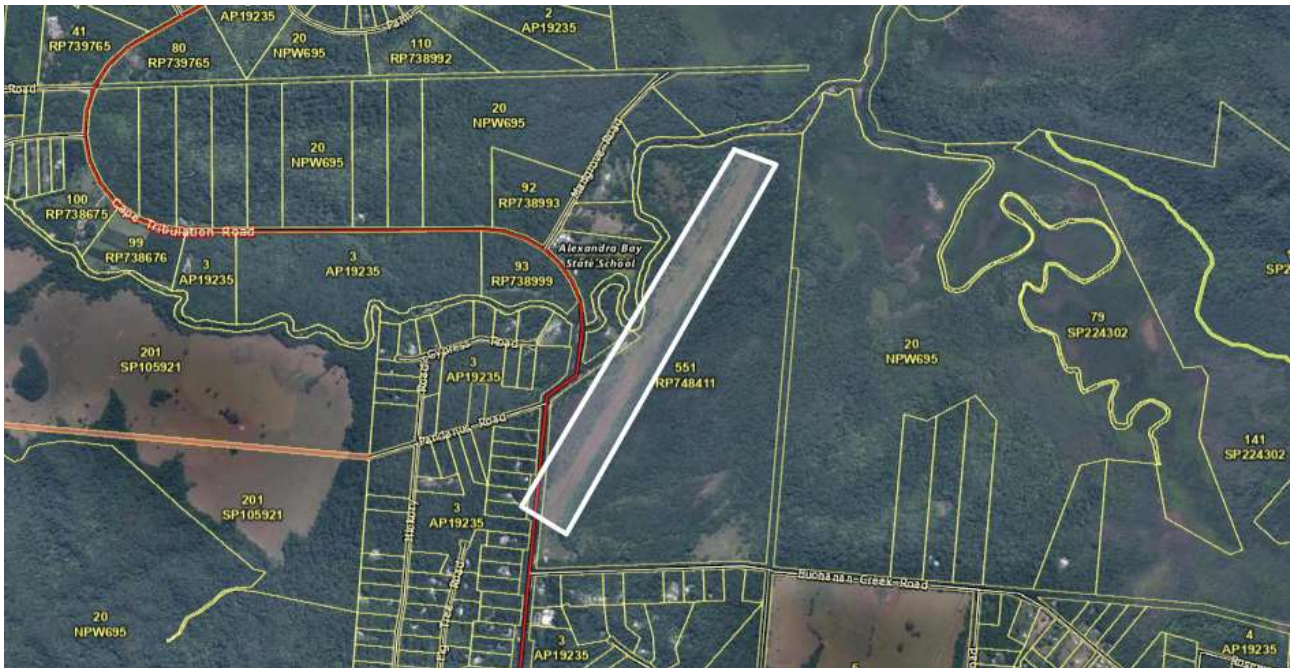
Drawing or Document	Reference	Date
Locality Plan & Indicative Flight Paths	Job No: 21-055 Sheet No: WD01 Issue: B	17/06/2021
Site Plan	Job No: 21-055 Sheet No: WD02 Issue: B	25/06/2021
Floor Plan – Office / Hangar	Job No: 21-055 Sheet No: WD03 Issue: B	25/06/2021
Elevations (East and South)	Job No: 21-055 Sheet No: WD04 Issue: B	25/06/2021
Elevations (North and West)	Job No: 21-055 Sheet No: WD05 Issue: B	25/06/2021
Caretakers Residence (Ground Floor)	Job No: 21-055 Sheet No: WD06 Issue: B	25/06/2021
Caretakers - Elevations	Job No: 21-055 Sheet No: WD07	25/06/2021
3D	Job No: 21-055 Sheet No: WD08 Issue: B	25/06/2021



## APPENDIX 3: AVIATION FACILITIES IN FAR NORTH COASTAL REGION

### Cow Bay Airstrip

There is an existing 1.6km airstrip located in the Douglas Shire Council area in Cow Bay which adjoins the Wet Tropic World Heritage area.



### Mossman Multi-Purpose Health Service

There is an existing Helipad for the use of Emergency service (ie medivac) at the Mossman Multipurpose Health Service facility located in Mossman. The site adjoins residential areas and sensitive land uses.



### Sheraton Mirage Port Douglas



The applicant currently operates from the existing Helipad located at the Sheraton Mirage in Port Douglas. The environmental settings are similar. The reason for the change of site is due to the current site of operation does not provide a hangar for helicopter storage, office, and caretakers accommodation. The proposed development is purpose built to accommodate the proposed tourist use.



### Cairns Airport (Domestic and International)

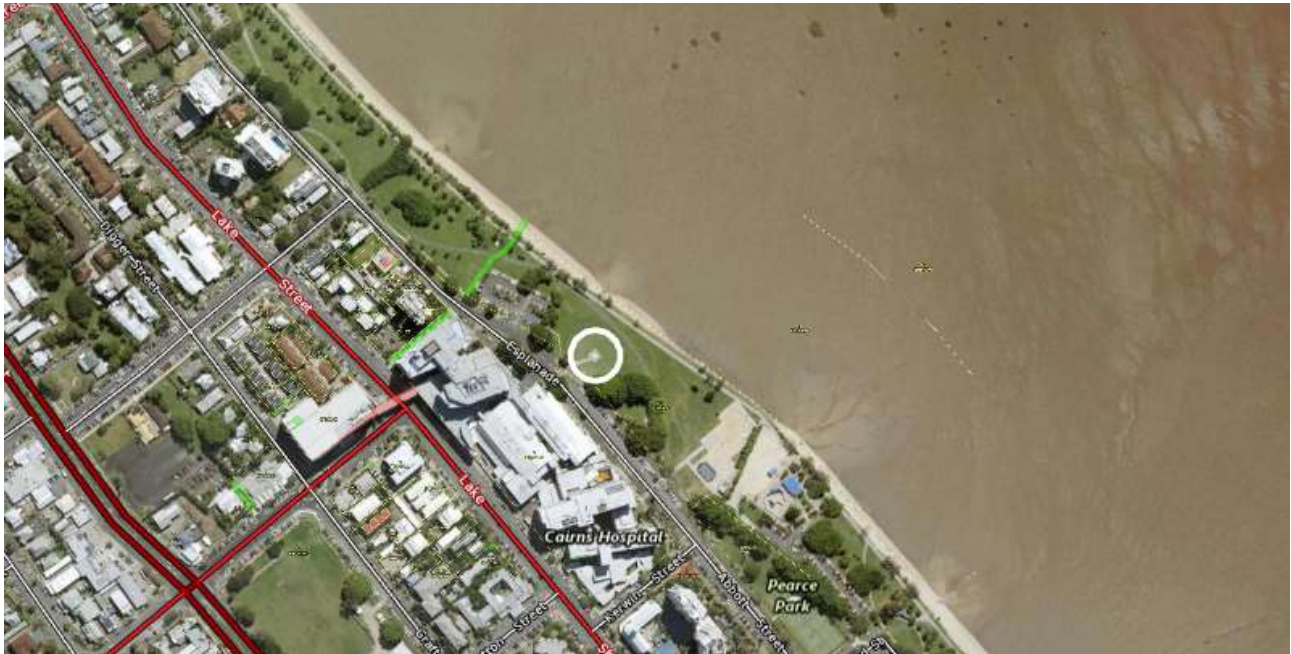
The Cairns airport is used for Domestic and International travellers and is an intensive use in relation to air travel within the Cairns Regional Council area.



### Cairns and Hinterland Hospital and Health Service

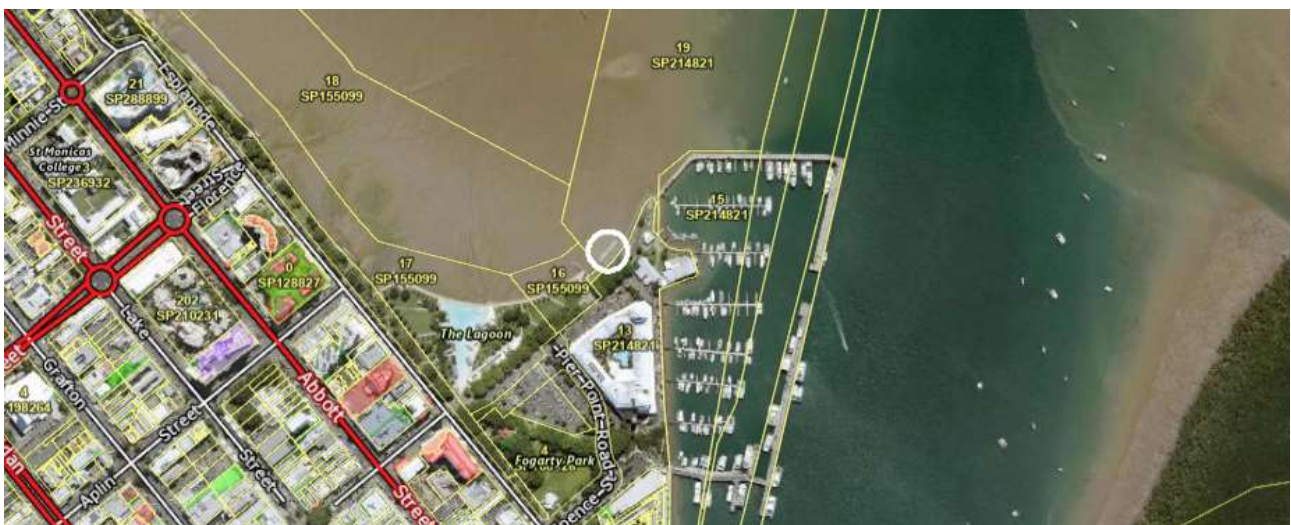


The Cairns and Hinterland Hospital and Health Service has an existing helipad located on the Cairns esplanade for Emergency services (i.e. medivac) in the Cairns City. The site adjoins the Cairns Esplanade mudflats which is internationally known for the migrating birds and adjoins sensitive land uses (short term accommodation). The helipad provides an emergency medical service to Cairns and the surrounding regions. The proposed development can facilitate emergency transport of a patient from Port Douglas to Cairns.

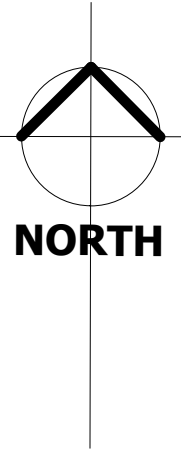


### Cairns Esplanade

The helipad is on a floating pontoon located at the southern end of the Cairns esplanade. The site adjoins the Cairns Esplanade mudflats which is internationally known for the migrating birds. The helipads are used for scenic tours out of Cairns.







FLIGHT APPROACH AND  
DEPARTURE PATHS ARE  
INDICATIVE AND SUBJECT TO  
WEATHER AND OTHER  
CONDITIONS



1  
WD01

Locality Plan & Indicative Flight Paths  
1 : 10000

Locality Plan & Indicative Flight Paths

MCU Air Services

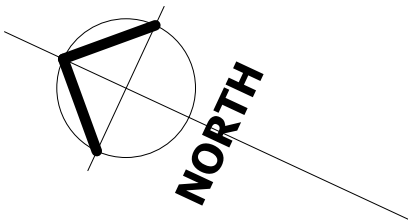
35-39 Port St, Port Douglas

Morris Aviation Australia

J B DESIGN CAIRNS PTY LTD  
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Job No: 21-055  
Date: 17/06/2021  
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Sheet No: WD01  
Issue: B







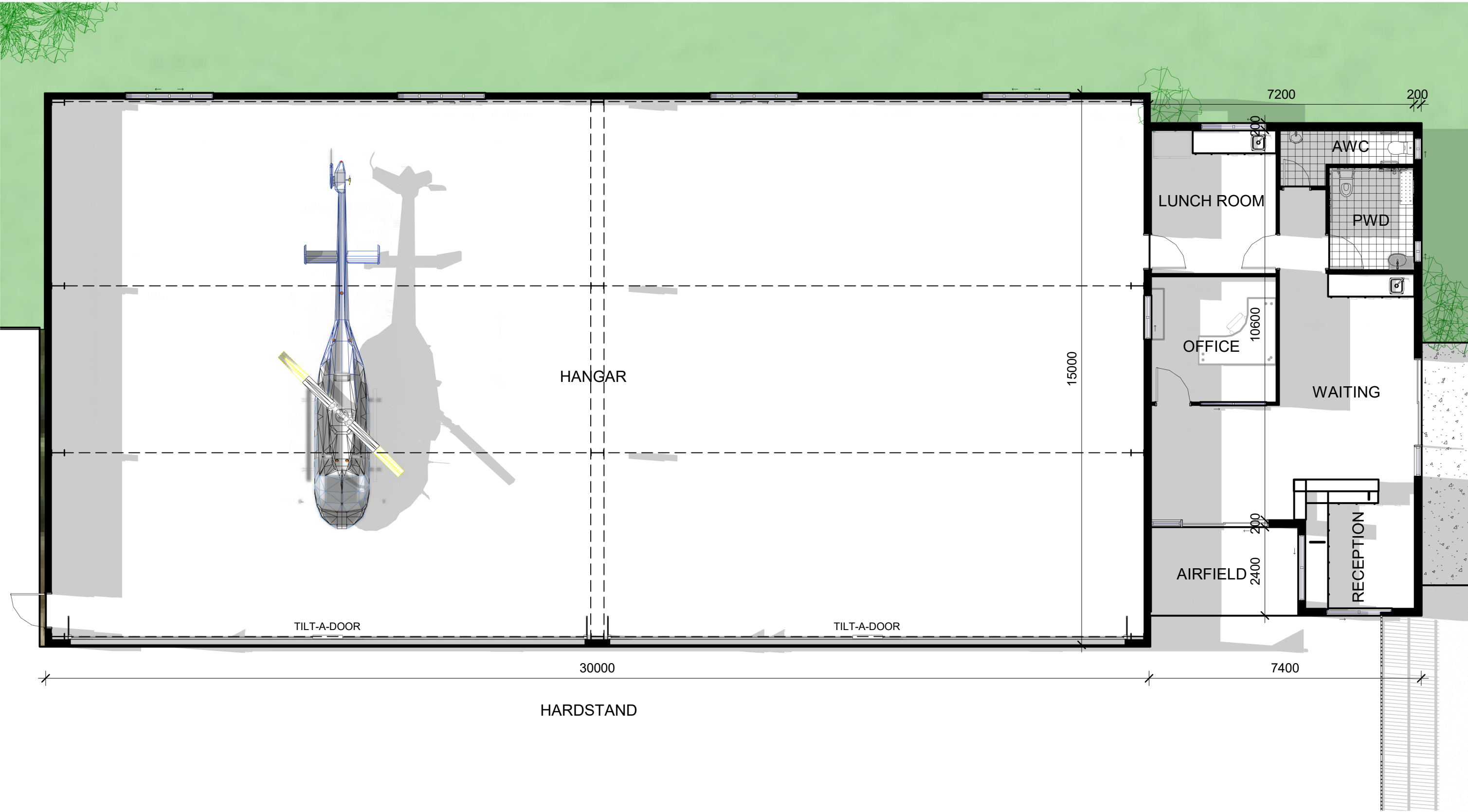
Town Planning Information

Property Description:	LOT 11 RP273000 35-39 PORT STREET PORT DOUGLAS
Proposal:	HANGAR, OFFICE, CARETAKERS AND HELICOPTER OPERATIONS
Planning Area:	DOUGLAS SHIRE COUNCIL
Land Use:	INDUSTRY
Site Area:	4915m²
Gross Floor Area:	HANGAR - 448m² OFFICE - 100m² CARETAKERS - 58m² TOTAL - 606m²
Site Coverage:	606M2 OR 12.32%
Car Parking Required:	1 PER 20m² OFFICE - 5 SPACES 1 PER 2 STAFF (4 STAFF) - 2 SPACES BUS SETDOWN - 2 SPACES
Car Parking Provided:	CAR PARKS - 8 SPACES BUS SETDOWN - 2 SPACES
Landscaping Required:	20% - 983m²
Landscaping Provided:	31.73% OR 1560m²

1 Site  
WD02 1 : 500

Site Plan





**1** Ground Floor  
WD03 1 : 100





**2** East  
WD04 1 : 100



**1** South  
WD04 1 : 100

Elevations

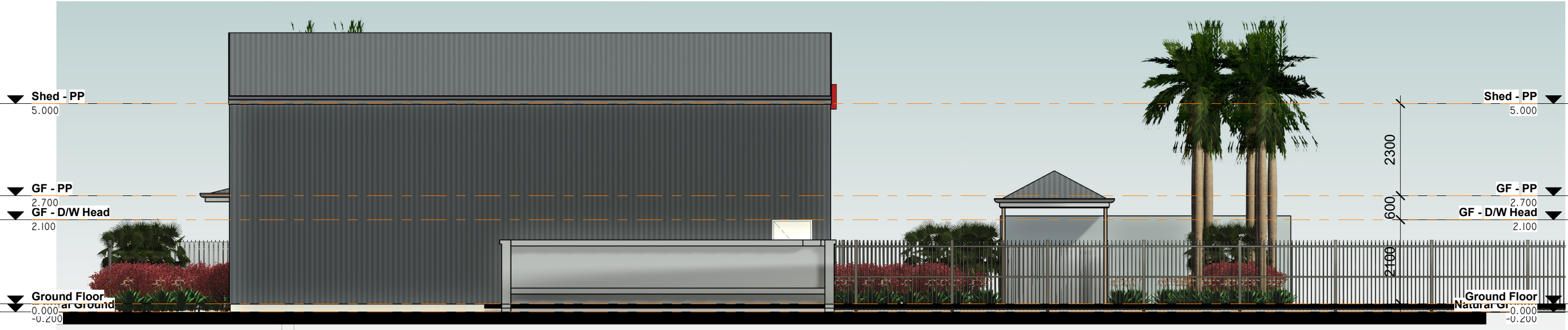
MCU Air Services

35-39 Port St, Prot Douglas

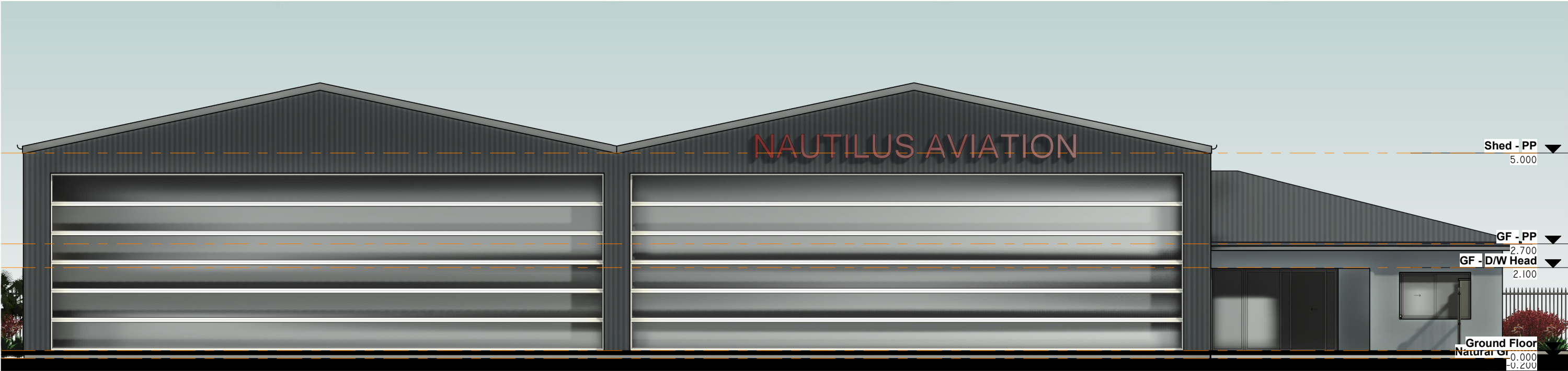
Morris Aviation Australia

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Job No: 21-055  
Date: 25/06/2021  
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192 Mulgrave Road,  
Cairns 4870, Australia  
Scale: @A3 1 : 100  
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Tel +61 7 40440500  
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Issue: B





**2** North  
WD05 1 : 100



**1** West  
WD05 1 : 100

Elevations

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ABN 056 308 153 - QBCC 67805  
Job No: 21-055  
Date: 30/06/2021  
Scale: @A3 1 : 100  
Sheet No: WD05  
Issue: C

ADDRESS  
192 Mulgrave Road,  
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www.jbdesign.com.au

Tel +61 7 40440500







**1** Ground Floor - Caretakers  
WD06 1 : 100

Caretakers Residence

MCU Air Services

35-39 Port St, Prot Douglas

Morris Aviation Australia

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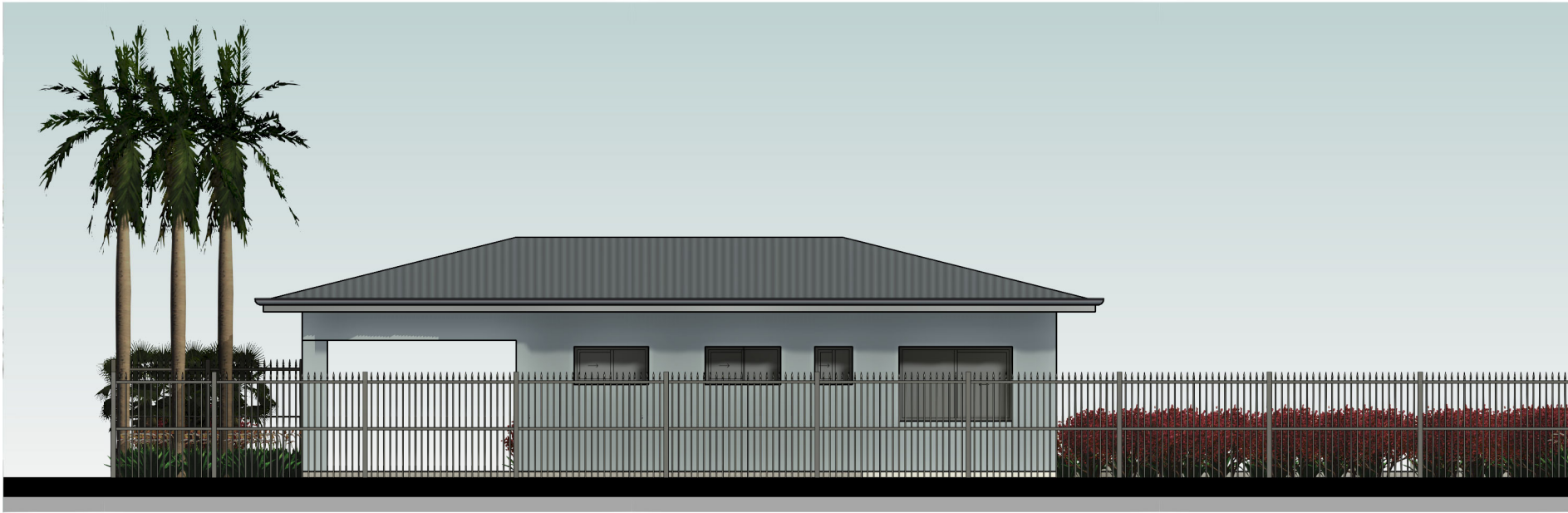
**3** CT - South  
WD07 1 : 100



**4** CT- West  
WD07 1 : 100



**1** CT - North  
WD07 1 : 100



**2** CT - East  
WD07 1 : 100

Caretakers - Elevations

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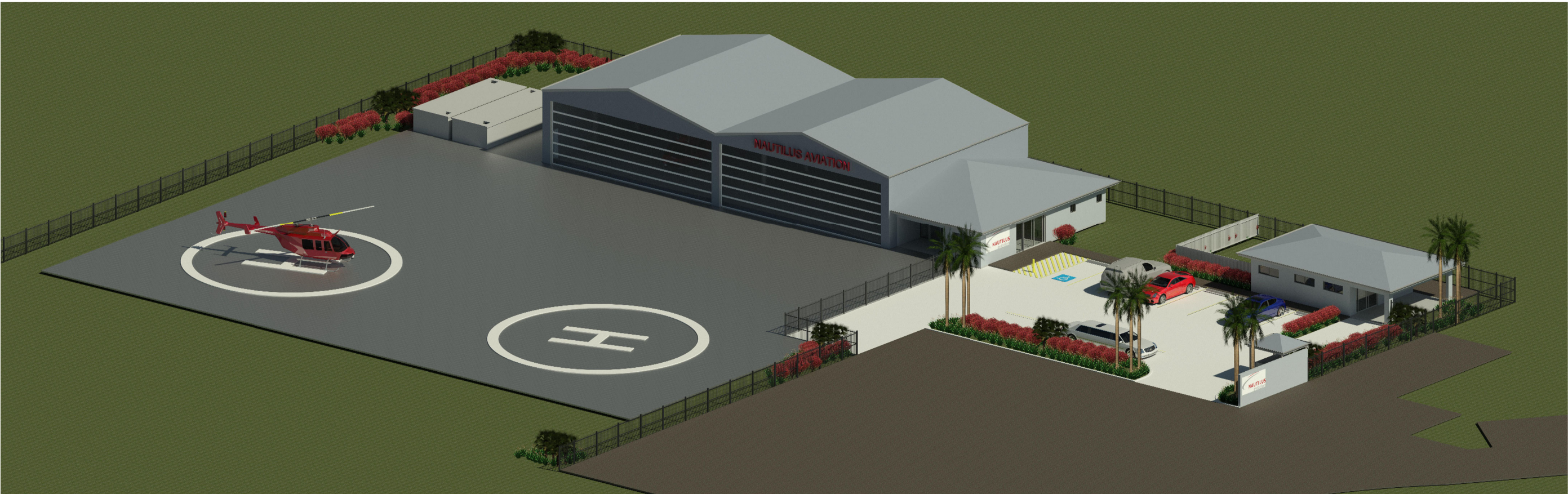
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3D

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