

Our Ref: 18-19/000908
Date: 8 January 2019

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

Dear Sir

RE: APPLICATION FOR A DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR 'EDUCATIONAL ESTABLISHMENT' (STEINER SCHOOL) OVER LAND AT FOXTON AVENUE, MOSSMAN, DESCRIBED AS LOTS 127 & 128 ON SR826 AND LOT 29 ON SP121816

Planning Plus Pty Ltd has been engaged by Tropical North Steiner School Inc. ('the Applicant') to prepare and lodge the abovementioned development application with Douglas Shire Council.

In support of the application, please find attached completed DA Forms (**Annexure 1**). Please note that the applicant will pay the relevant application fee of **\$2,380.00** in accordance with Council's 2018/19 Schedule of Fees & Charges, direct to Council.

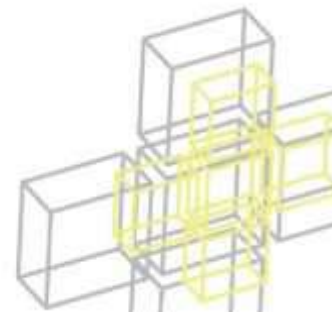
In addition to the above, the following submission has been prepared to assist Council and other relevant authorities with their assessment of the application.

1 Site Information

1.1 Site Details

Key details of the subject site include:

Address:	Foxton Avenue, Mossman, QLD 4873
Real Property Description:	Lots 127 & 128 on SR826 and Lot 29 on SP121816 <i>Refer to Figures 1 & 2 – QLD Globe Overlay and SmartMap</i>
Site Area:	7,253m ²
Easements:	Nil



Land Owner:	Lot 127 on SR826 & Lot 29 on SP121816 – Douglas Shire Council 128 on SR826 – Girl Guides Association (Queensland Australia) <i>Refer to Annexure 2 –Title Search</i>
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1.2 Planning Context

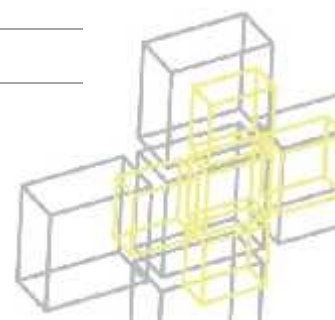
The planning context of the site includes:

Regional Plan designation:	Urban Footprint.
Local Plan:	Mossman Local Plan
Zoning:	Recreation and Open Space / Community Facilities.
Planning Scheme Overlays:	Acid Sulfate Soils Overlay; Flood and Storm Tide Inundation Overlay; Landscape Values Overlay; Natural Areas Overlay; Places of Local Significance Overlay; Transport Network (Pedestrian and Cycle) Overlay; Transport Network (Road Hierarchy) Overlay; and Transport Network (Transport Noise Corridors) Overlay.

1.3 Site Characteristics

Key site characteristics include:

Topography:	Generally flat.
Vegetation:	Predominately in the northern portion of site along the Mossman River. Some remnant and regrowth.
Wetlands:	None.
Conservation:	None.
Services:	The site is connected to, or has access to, all of the following urban infrastructures: <ul style="list-style-type: none"> ▪ Reticulated water supply; ▪ Sewerage; ▪ Telecommunications; ▪ Electricity; and ▪ Roads.
Waterways:	Mossman River to the north.
Road frontages:	Foxton Avenue.
Existing use of site:	Girl Guides.



1.4 Surrounding Land Uses

The subject site is located in the northern portion of Mossman and is located adjacent to an existing pre-school or kindergarten.

2 Application Details

2.1 General Description

Aspects of Development Sought:	Development Permit for Material Change of Use for 'Educational Establishment' (Steiner School).
Applicant:	Tropical North Steiner School Inc. C/- Planning Plus PO Box 8046 CAIRNS Q 4870
Contact:	Mr Evan Yelavich Planning Plus PO Box 8046 CAIRNS QLD 4870 Ph: 0402 073 082 E: evan@planningplusqld.com.au

3 Proposal

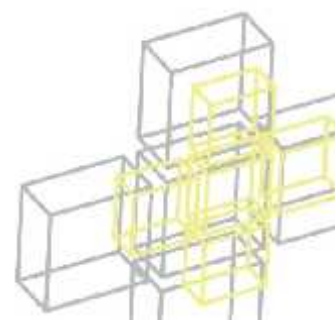
3.1 Proposal Detail

This application seeks a Development Permit for Material Change of Use for 'Educational Establishment' for a Steiner School.

A site plan of the proposed development is included as **Figure 3**. It is proposed to undertake the development in two (2) stages, with the first being to utilise the existing building and parking onsite, and the second stage involving the construction of an additional building to the south of the existing. A plan of the existing building is also included as **Figure 4**.

While the application includes three (3) lots in total, it is noted that Lot 127 on SR826 and Lot 29 on SP121816 simply provide existing access and that the proposed school is to be located on Lot 128 on SR826 only.

As noted on the site plan, the proposal will include two (2) classrooms plus kitchen, toilets, storeroom, playground and car parking as part of Stage 1, while an additional two (2) classrooms, offices, toilets and playground will be added as Stage 2.



4 Legislative Requirements

4.1 *Planning Act 2016*

This section provides an overview of the legislative context of the application under the provisions of the *Planning Act 2009*.

4.1.1 *Assessable Development*

The proposed development is identified as ‘assessable’ under the *Planning Act 2016* due to the effect of the Douglas Shire Planning Scheme.

4.1.2 *Assessment Manager*

The Assessment Manager for this development application is Douglas Shire Council as determined by Schedule 8 of the *Planning Regulation 2017*.

4.1.3 *Level of Assessment*

The Level of Assessment of the proposal is outlined in the below table.

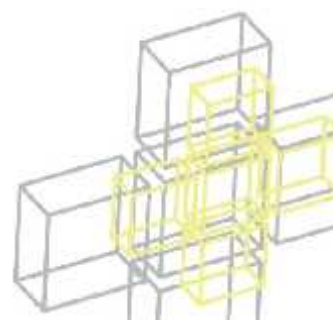
Planning Scheme Zone	Aspect of Development	Level of Assessment
Community Facilities	Material Change of Use for ‘Educational Establishment’	Code Assessable
Recreation and Open Space	Material Change of Use for ‘Educational Establishment’	Impact Assessable

4.1.4 *Referral Agencies*

A review of Schedule 10 of the *Planning Regulation 2009* indicates that the application will require referral under Subdivision 2, Table 4.

4.1.5 *Public Notification*

This application is subject to ‘impact-assessment’ and therefore requires Public Notification.



4.2 Statutory Planning Assessment

This section assesses the application against all relevant statutory planning provisions.

4.2.1 State Planning Regulatory Provisions

No State Planning Regulatory Provisions are relevant to this application.

4.2.2 State Planning Policy

It is understood that the State Planning Policy is appropriately integrated into the 2018 Douglas Shire Planning Scheme.

4.2.3 Regional Plan

The Far North Queensland Regional Plan 2009-2031 identifies the subject site as being within the 'Urban Footprint'. The proposal is consistent with the intent of land within this designation.

4.2.4 State Development Assessment Provisions (SDAP)

The following State Development Assessment Provisions are identified as being applicable to the proposal:

- State code 1: Development in a state-controlled road environment.

The proposal will utilise the existing access from the State-controlled road in accordance with TMR requirements.

4.3 Planning Scheme

Under the Douglas Shire Planning Scheme 2018, the subject site is included within the 'Community Facilities' and 'Recreation and Open Space' Zones. Given the inclusion of land within the 'Recreation and Open Space' Zone, the proposed Material Change of Use is identified as being 'impact-assessable' development.

4.3.1 Strategic Framework

Settlement Pattern

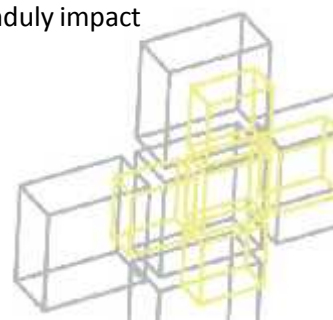
The proposed development is located within the defined Urban Area of Mossman and will enhance and reinforce the role of the township as a main centre of activity in the Shire.

Environment and Landscape Values

The proposed development is to occur on an existing developed site and will utilise existing cleared land and protect the more sensitive areas of the site containing vegetation and riparian values.

Natural Resource Management

As above, the proposed development is to occur on existing developed land and will not unduly impact the natural resources of the Shire.



Strong Communities and Identity

The proposal will result in the provision of a new element of social infrastructure in the Shire and will enhance educational opportunities for the region's youth.

Economy

The proposal will create employment during construction and ongoing operation and therefore contribute to the economy of the Shire.

Infrastructure and Transport

The proposal will make efficient use of existing infrastructure and transport systems.

4.3.2 Applicable Codes

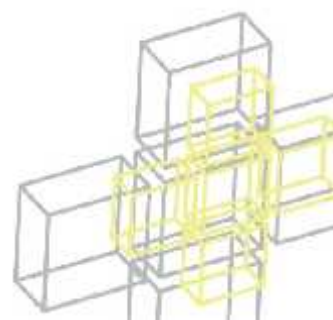
The following codes are considered to be relevant to this development:

- Community Facilities Zone Code;
- Recreation and Open Space Zone Code;
- Community Facilities Code;
- Acid Sulfate Soils Overlay Code;
- Flood and Storm Tide Inundation Overlay Code;
- Landscape Values Overlay Code;
- Natural Areas Overlay Code;
- Places of Local Significance Overlay Code;
- Transport Network Overlay Code;
- Filling and Excavation Code;
- Infrastructure Works Code;
- Landscape Code;
- Access, Parking and Services Code; and
- Environmental Performance Code.

A detailed assessment against the Douglas Shire Planning Scheme codes is included as **Annexure 3** to this report. The proposal is considered generally compliant with the relevant 'Acceptable Solutions' and/or 'Performance Criteria' of the relevant codes. Where strict compliance with the 'Acceptable Solutions' is not achieved, comments addressing the relevant 'Performance Criteria' are provided.

5 Conclusions and Recommendations

This submission supports an application by Tropical North Steiner School Inc ('the Applicant') for a Development Permit for Material Change of Use for an 'Educational Establishment' (Steiner School) over land at Foxtton Avenue Mossman, described as Lots 127 & 128 on SR826 and Lot 29 on SP121816.



The submission has included an assessment of the proposal against the relevant statutory planning controls at both the local and state level and included supporting information intended to address the likely concerns of Council and assessing authorities.

In summary, we submit that the proposed development is unlikely to have any significant impacts on the infrastructure, environment or community of the surrounding area that cannot be adequately controlled through the use of reasonable and relevant conditions.

We trust this information is sufficient for your purposes; however should you require any further details or clarification, please do not hesitate to contact the undersigned.

Yours Faithfully



Evan Yelavich
Senior Planner
Planning Plus Pty Ltd

- enc: Figure 1:** QLD Globe Overlay
- Figure 2:** SmartMap
- Figure 3:** Proposed Site Plan
- Figure 4:** Existing Building Plan
- Annexure 1:** DA Forms
- Annexure 2:** Title Certificate
- Annexure 3:** Code Assessment – Douglas Shire Planning Scheme 2018

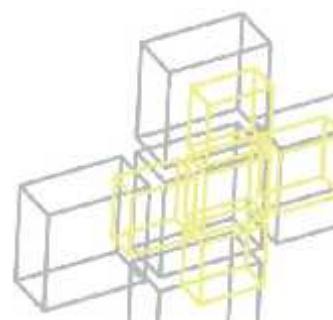
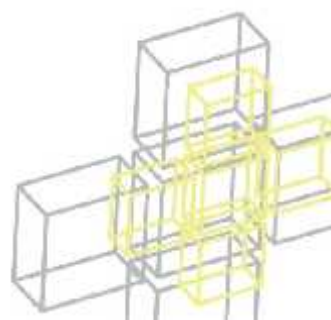


Figure 1

QLD Globe Overlay



LOT 127 ON
SR826

LOT 128 ON
SR826

LOT 29 ON
SP121816



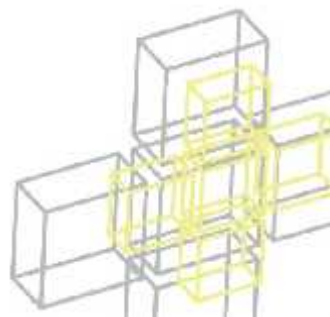
Foxton Avenue

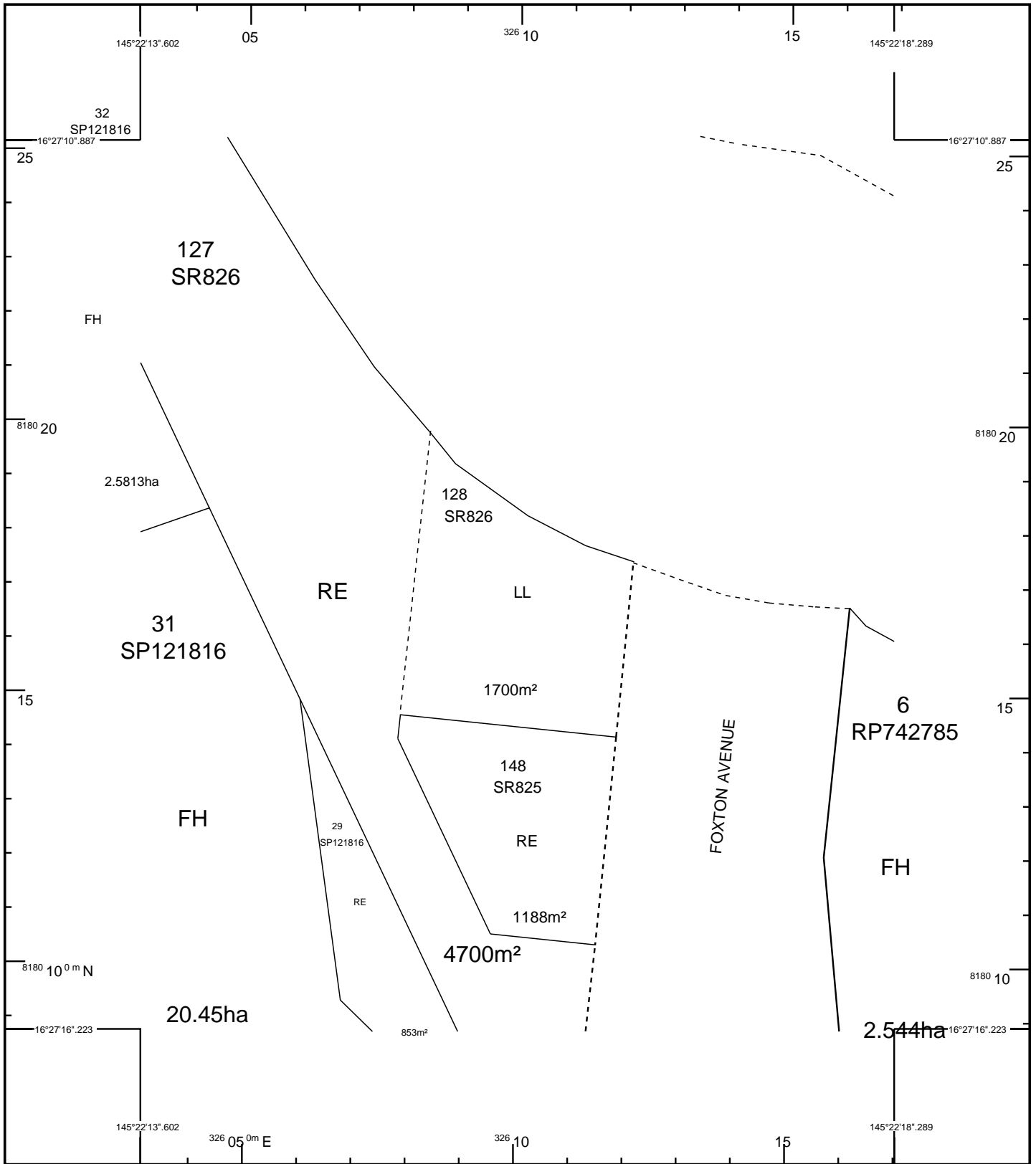
Mossman Daintree Road



Figure 2

SmartMap





STANDARD MAP NUMBER
7965-23212

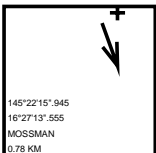


SmartMap

An External Product of
SmartMap Information Services

Based upon an extraction from the
Digital Cadastral Data Base

MAP WINDOW POSITION &
NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	128/SR826
Area/Volume	1700m ²
Tenure	LANDS LEASE
Local Government	DOUGLAS SHIRE
Locality	MOSSMAN
Segment/Parcel	8797/37

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy)	08/01/2019
DCDB	07/01/2019
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Despite Department of Natural Resources, Mines and Energy(DNRME)'s best efforts, DNRME makes no representations or warranties in relation to the Information, and, to the extent permitted by law, exclude or limit all warranties relating to correctness, accuracy, reliability, completeness or currency and all liability for any direct, indirect and consequential costs, losses, damages or expenses incurred in any way (including but not limited to that arising from negligence) in connection with any use of or reliance on the Information	
For further information on SmartMap products visit http://nrw.qld.gov.au/property/mapping/blinmap	

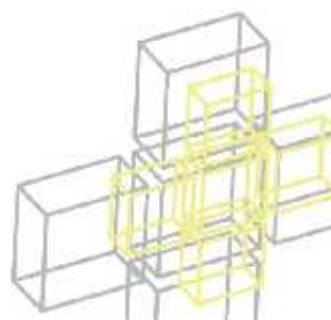


Queensland Government
(c) The State of Queensland,
(Department of
Natural Resources,
Mines and Energy) 2019.



Figure 3

Proposed Site Plan



LOT 128 on SR826 MOSSMAN DAINTREE ROAD

PROPOSED FUTURE FLOOR & SITE PLAN

TROPICAL NORTH STEINER SCHOOL
MOSSMAN QLD 4873



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CLIENT DETAILS

NOTES

- _____
- _____
- _____
- _____
- _____
- _____

STRUCTURAL DETAILS
ADEQUATE AS CERTIFIED

RODGERS
CONSULTING ENGINEERS

DESIGNED BY: Designer

DRAWN BY: Author

APPROVED BY: Approver

**COPY RIGHT!!!
NATHAN VERRI PTY LTD**

SHEET NAME:
SHEET NUMBER: 2 OF 2
DATE: 01-Mar-18
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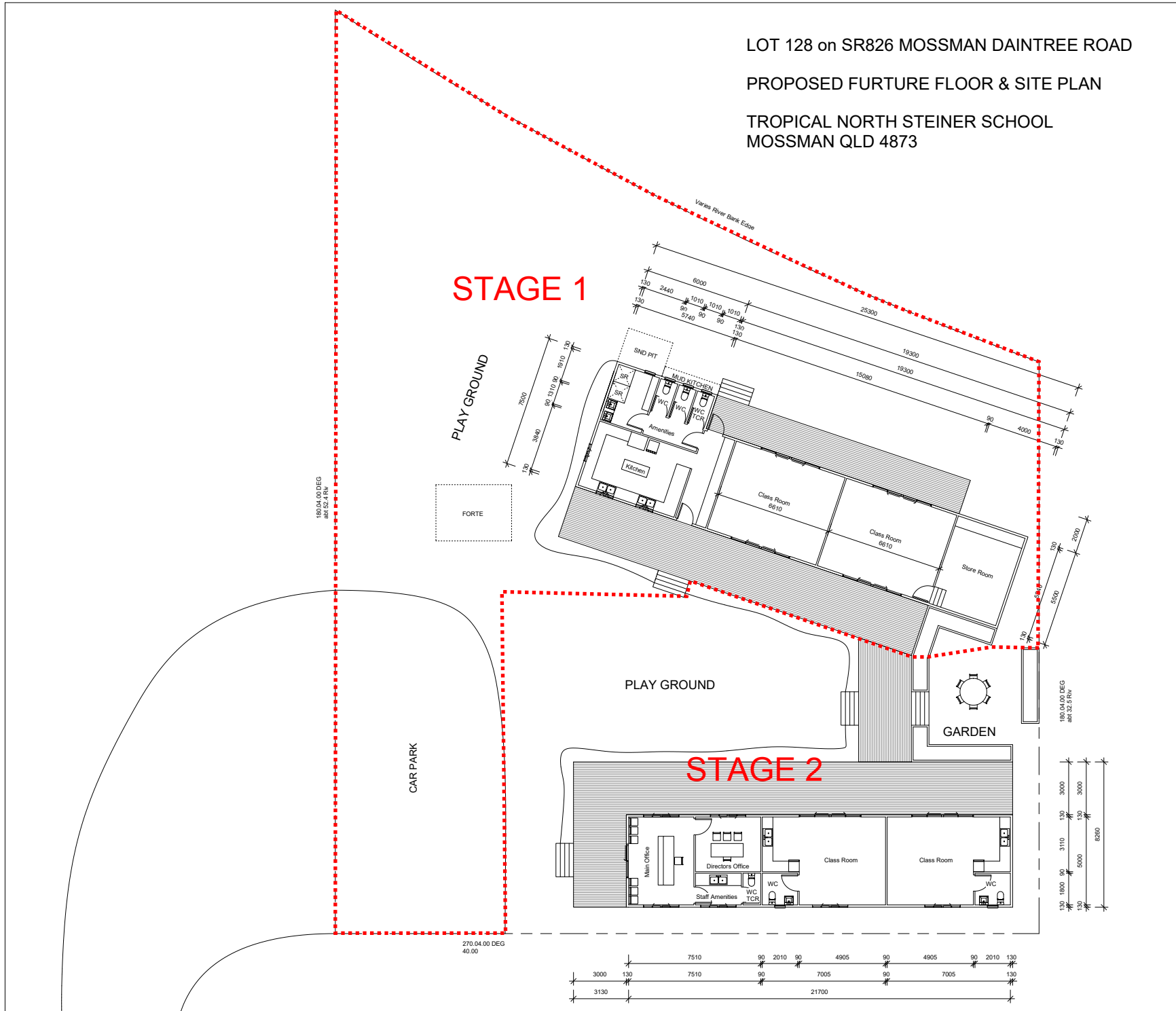
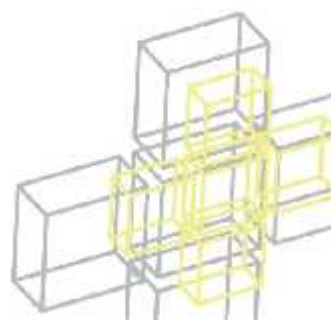


Figure 4

Existing Building Plan



LOT 128 on SR826 MOSSMAN DAINTREE ROAD

EXISTING FLOOR & SITE PLAN

TROPICAL NORTH STEINER SCHOOL
MOSSMAN QLD 4873



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CLIENT DETAILS

NOTES

STRUCTURAL DETAILS
ADEQUATE AS CERTIFIED

RODGERS
CONSULTING ENGINEERS

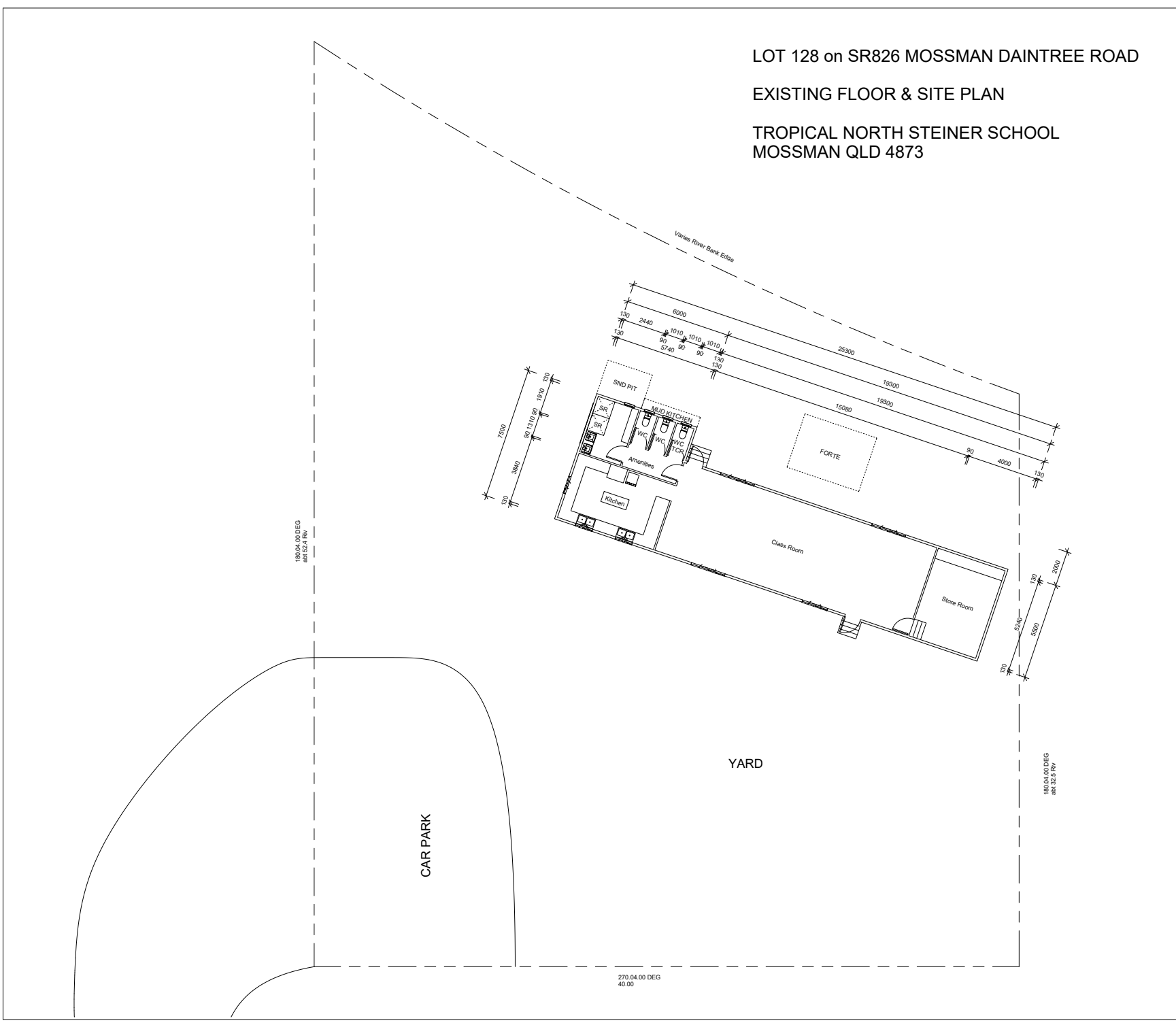
DESIGNED BY: Julie Verri

DRAWN BY: Nathan Verri

APPROVED BY: TBC

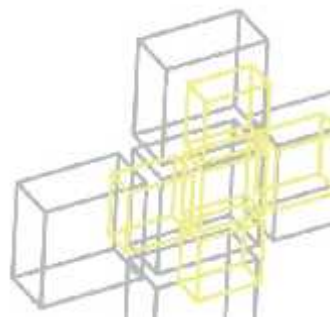
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DATE: 01-Mar-18
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Annexure 1

DA Forms



DA Form 1 – Development application details

Approved form (version 1.1 effective 22 JUNE 2018) 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 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) <i>(individual or company full name)</i>	Tropical North Steiner School Inc. c/- Planning Plus
Contact name <i>(only applicable for companies)</i>	Evan Yelavich
Postal address <i>(P.O. Box or street address)</i>	PO Box 399
Suburb	Redlynch
State	QLD
Postcode	4870
Country	Australia
Contact number	0402073082
Email address <i>(non-mandatory)</i>	info@planningplusqld.com.au
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	18-19

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
			Foxtton Avenue	Mossman
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	127 & 128	SR826	Douglas Shire
b)	Unit No.	Street No.	Street Name and Type	Suburb
			Foxtton Avenue	Mossman
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	29	SP121816	Douglas Shire

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. Only one set of coordinates is required for this part.

- 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:	Douglas Shire

- 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 their details have been attached in a schedule to this application
 Not required

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

<input checked="" type="checkbox"/> In or adjacent to a water body or watercourse or in or above an aquifer	
Name of water body, watercourse or aquifer:	Mossman River
<input type="checkbox"/> On strategic port land under the <i>Transport Infrastructure Act 1994</i>	
Lot on plan description of strategic port land:	
Name of port authority for the lot:	
<input type="checkbox"/> In a tidal area	
Name of local government for the tidal area (if applicable):	
Name of port authority for tidal area (if applicable):	
<input type="checkbox"/> On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>	
Name of airport:	

<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>	
EMR site identification:	
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>	
CLR site identification:	

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):*

Steiner School.

e) Relevant plans

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

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

6.2) Provide details about the second development aspect

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

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

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

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

c) What is the level of assessment?

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

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

e) Relevant plans

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

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

6.3) Additional aspects of development

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

Section 2 – Further development details

7) Does the proposed development application involve any of the following?

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

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
Steiner School	Educational Establishment		

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

<input checked="" type="checkbox"/> Yes		
<input type="checkbox"/> No		

Division 2 – Reconfiguring a lot

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

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

--

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

<input type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input type="checkbox"/> Boundary realignment (complete 12))	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a construction 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 ²)	Lot on plan description	Area (m ²)

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"/> Stormwater | <input type="checkbox"/> Water infrastructure |
| <input type="checkbox"/> Drainage work | <input type="checkbox"/> Earthworks | <input type="checkbox"/> Sewage infrastructure |
| <input type="checkbox"/> Landscaping | <input type="checkbox"/> Signage | <input type="checkbox"/> Clearing vegetation |
| <input type="checkbox"/> Other – please specify: <input style="width: 300px;" type="text"/> | | |

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 style="width: 150px;" type="text"/>	
<input type="checkbox"/> No	

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

\$ <input style="width: 150px;" type="text"/>

PART 4 – ASSESSMENT MANAGER DETAILS

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

Douglas Shire Council

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

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

PART 5 – REFERRAL DETAILS

17) Do any aspects of the proposed development require referral for 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 Regulation 2017:**

- Clearing native vegetation
- Contaminated land (*unexploded ordnance*)
- Environmentally relevant activities (ERA) (*only if the ERA have not been devolved to a local government*)
- Fisheries – aquaculture
- Fisheries – declared fish habitat area
- Fisheries – marine plants
- Fisheries – waterway barrier works
- Hazardous chemical facilities
- Queensland heritage place (*on or near a Queensland heritage place*)
- Infrastructure – designated premises
- Infrastructure – state transport infrastructure
- Infrastructure – state transport corridors and future state transport corridors
- Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels
- Infrastructure – near a state-controlled road intersection
- On Brisbane core port land near a State transport corridor or future State transport corridor
- On Brisbane core port land – ERA
- On Brisbane core port land – tidal works or work in a coastal management district
- On Brisbane core port land – hazardous chemical facility
- On Brisbane core port land – taking or interfering with water
- On Brisbane core port land – referable dams
- On Brisbane core port land - fisheries
- Land within Port of Brisbane's port limits
- 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 – construction of new levees or modification of existing 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 have been devolved to local government*)
- Local heritage places

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

18) Has any referral agency provided a referral response for this development application?		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application <input checked="" type="checkbox"/> No		
Referral requirement	Referral agency	Date of referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and the development application the subject of this form, or include details in a schedule to this development application (<i>if applicable</i>).		

PART 6 – INFORMATION REQUEST

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

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
\$		

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. An ERA requires an environmental authority to operate. See 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 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 for further information on environmental offsets.

Koala conservation

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

Yes

No

Note: See guidance materials at 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 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 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 and 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 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 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 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 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

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 Note: See the Planning Regulation 2017 for referral requirements	<input checked="" type="checkbox"/> Yes
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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
Supporting information addressing any applicable assessment benchmarks is with 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 .	<input checked="" type="checkbox"/> 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 .	<input checked="" type="checkbox"/> Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21))	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable

25) Applicant declaration	
<input checked="" type="checkbox"/> By making this development application, I declare that all information in this development application is true and correct <input checked="" type="checkbox"/> 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 <i>Electronic Transactions Act 2001</i> 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 <i>Planning Act 2016</i> , Planning Regulation 2017 and the DA Rules except where: <ul style="list-style-type: none"> • such disclosure is in accordance with the provisions about public access to documents contained in the <i>Planning Act 2016</i> and the Planning Regulation 2017, and the access rules made under the <i>Planning Act 2016</i> and Planning Regulation 2017; or • required by other legislation (including the <i>Right to Information Act 2009</i>); or • otherwise required by law. This information may be stored in relevant databases. The information collected will be retained as required by the <i>Public Records Act 2002</i> .	

PART 9 – 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	
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QLeave notification and payment	
<i>Note: For completion by assessment manager if applicable</i>	
Description of the work	
QLeave project number	
Amount paid (\$)	
Date paid	
Date received form sighted by assessment manager	
Name of officer who sighted the form	

**Company owner's consent to the making of a development application
under the *Planning Act 2016***

I, Mark Stoermer
Chief Executive Officer

Of Douglas Shire Council

the company being the trustee of the premises identified as follows:

Lot 127 on SR826 & Lot 29 on SP121816

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

Tropical North Steiner School Inc. C/- Planning Plus Pty Ltd

on the premises described above for:

Material Change of Use (Educational Establishment)

Company Name and ABN: Douglas Shire Council ABN 71241237800



.....
Signature of Chief Executive Officer

70/12/18

.....
Date



THIS LICENCE

made on the 1st day of July 2018

BETWEEN:

GUIDES QUEENSLAND

of Unit 1, 132 Lutwyche Road, in the State of Queensland, 4030
("Guides Queensland")

AND:

Tropical Steiner School

20 Daintree Horizon Drive, Mossman, 4873
("Licensee")

BACKGROUND:

- A. Guides Queensland is the owner/lessee of the land upon which the Hut is situated.
- B. Guides Queensland has agreed to grant to the Licensee a licence to enter and use the Premises (being part of the Hut) on the terms specified in this Licence.

IT IS AGREED:

1. Definitions

1.1 In this Licence, unless the context or subject matter otherwise requires:

- (a) any reference in this Licence to any of the terms set out in the Schedule of this Licence is to be construed to incorporate the data that corresponds with those terms in the Schedule;
- (b) "**District Leader**" or "**Region Leader**" means the district leader or region leader respectively of Guides Queensland for the district or region within which the Hut is situated; and
- (c) "**Premises**" means part of the inside area of the Hut from the surface of the floor to the underside of the ceiling and between the internal surfaces of all exterior window frames and exterior walls of the Hut, and includes all fixtures and fittings and floor coverings in the Premises, but excludes any cupboards, rooms, storage or other areas or facilities which are locked by Guides Queensland or which Guides Queensland notifies the Tenant are not part of the area that is able to be licensed from time to time.

Initialed RC.....

2. Interpretation

- 2.1 In the interpretation of this Licence, unless the context or subject matter otherwise requires:
- (a) a reference to the singular includes the plural and vice versa;
 - (b) a reference to any gender includes every gender;
 - (c) a reference to a person includes a corporation, trust, association, partnership, government authority or other legal entity;
 - (d) a reference to writing includes printing, typing, facsimile and other means of representing or reproducing words, figures, drawings or symbols in a visible and tangible form, in English;
 - (e) references to statutes include statutes amending, consolidating or replacing the statutes referred to and all regulations, order-in-council, rules, by-laws and ordinances made under those statutes;
 - (f) headings are for convenience only and do not form part of this Licence or affect its interpretation;
 - (g) where any word or phrase is given a defined meaning, another grammatical form of that word or phrase has a corresponding meaning;
 - (h) a reference to a party includes that party's executors, administrators, successors and permitted assigns;
 - (i) a reference to money is to Australian dollars unless otherwise stated;
 - (j) the word 'including' and similar expressions are not words of limitation; and
 - (k) if a party consists of more than one person this Licence binds them jointly and each of them severally.

3. Grant of Licence

- 3.1 Guides Queensland grants to the Licensee and the Licensee accepts a licence to enter and use the Premises for the Permitted Term commencing on the Commencement Date but limited to the Permitted Hour/s on the Permitted Day/s subject to the terms of this Licence.
- 3.2 Guides Queensland reserves the right during the term of this Licence:
- (a) to change the Permitted Day/s or the Permitted Hour/s; or
 - (b) to use the Premises itself to the exclusion of the Licensee during any one or more of the Permitted Day/s or the Permitted Hour/s,

provided that Guides Queensland gives the Licensee at least 4 weeks prior written notice of the change referred to in clause 3.2(a) or of Guides Queensland's intention to use the Premises on one or more occasion instead of the Licensee as referred to in clause 3.2(b).

Initialed *RC*

- 3.3 Guides Queensland also reserves the right of the District Leader or Region Leader or any person authorised by one of them, to enter the Hut (including the Premises) and to use the Hut and its facilities (not including the Premises) for any purpose and at any time when the Licensee may be using the Premises provided that reasonable steps are taken to minimise interference with the Licensee's use of the Premises at the material time.

4. Purpose

- 4.1 The Licensee will not use or permit the Premises or any part of it to be used for any purpose other than the Permitted Purpose.
- 4.2 The Licensee must obtain the permission of the District Leader or Region Leader before using the Premises for any purpose other than the Permitted Purpose.

5. Occupation Fee

- 5.1 The Licensee will pay to Guides Queensland the Occupation Fee for each Fee Period without any formal or other demand, in advance, commencing on the Commencement Date and then on the first day of each Fee Period and in the case of any broken period of less than one full Fee Period by an instalment on the first day of the broken period of a proportionate amount.

- 5.2 All payments by the Licensee to Guides Queensland are to be made by way of a cheque, credit card or electronic bank transfer to Girl Guides Queensland to:

5-2-1
* No payment of rent is expected, as Tropical North Steiner School will be paying electricity, water and Rates instead.
RC

- 5.3 Notwithstanding clause 5.1, in the event Guides Queensland uses the Premises itself to the exclusion of the Licensee during any one or more of the Permitted Day/s or the Permitted Hour/s pursuant to clause 3.2, the Licensee will not be obliged to pay for the proportionate part of the Occupation Fee relating to the Permitted Day/s or Permitted Hour/s in the Fee Period when Guides Queensland used the Premises instead of the Licensee. However, if the Licensee uses the Premises at an alternate time in the Fee Period to make up for the time when Guides Queensland used the Premises instead of the Licensee, the Licensee must still pay the Occupation Fee.

6. GST

- 6.1 Regardless of any other provision of this Licence, if a goods and services tax or similar value added tax ("GST") is imposed on any supply made to the Licensee under or in accordance with this Licence, the amount the Licensee must pay for that supply is increased by the amount of the applicable GST.
- 6.2 The Licensee must pay the applicable GST amount to Guides Queensland at the same time and in the same manner as the GST-exclusive amount is paid by the Licensee.

Initialed RC.....

6.3 If GST is payable by the Licensee, Guides Queensland must provide to the Licensee a tax invoice for the supply in the approved form in accordance with the relevant GST law.

7. Keys

7.1 Guides Queensland will provide the Licensee with the Permitted Number of keys to enable entry to the Premises.

7.2 The details of any person holding a key on behalf of the Licensee must be entered into a key register kept by the District Leader or Region Leader and signed for by the holder. If there is any change in the person holding a key on behalf of the Licensee, the new holder must be registered in the key register kept by the District Leader or Region Leader.

7.3 The Licensee must not duplicate any key provided by Guides Queensland and if the Licensee loses or misplaces any key provided by Guides Queensland, Guides Queensland will arrange a replacement key for the Licensee and the Licensee must pay (or reimburse Guides Queensland) for the cost incurred in producing a replacement key.

7.4 All keys provided by Guides Queensland must be returned to the District Leader or Region Leader at the end of the Permitted Term or the earlier termination of this Licence.

8. Use of the Premises

8.1 The Licensee must:

- (a) keep the Premises clean and tidy;
- (b) comply with all statutes, regulations and ordinances regarding the use of the Premises;
- (c) follow all reasonable and lawful instruction given by Guides Queensland concerning the use by the Licensee of the Premises;
- (d) comply with any directions and regulations displayed in the Premises by Guides Queensland;
- (e) not cause or permit any rubbish to be left in or about the Premises;
- (f) not let the Premises be used in any noxious or offensive manner or do or permit any nuisance, annoyance or obstruction to Guides Queensland or other users or occupiers of the Hut or of any adjoining or nearby properties;
- (g) not bring onto or store in the Premises any inflammable or corrosive fluids or chemicals other than those that are normally used in the conduct of the Permitted Purpose (in which case any such fluids or chemicals must be kept in suitable containers);

Initialed RC.....

- (h) not store any property of the Licensee in the Premises without first obtaining the consent of the District Leader or Region Leader, which will not be unreasonably refused;
- (i) not deface or alter the Premises;
- (j) not use or interfere with any equipment or items of property in the Premises that is owned by or in the possession and control of Guides Queensland;
- (k) not display or affix any signage in or on the Premises without first obtaining the consent of the District Leader or Region Leader, which may be given, refused or given upon conditions in the Leader's absolute discretion;
- (l) promptly report to the District Leader or Region Leader all damage caused to the Premises by the Licensee or its invitees;
- (m) promptly repair all damage to the Premises or replace damaged property in the Premises at the Licensee's cost where such damage was caused by the Licensee or its invitees; and
- (n) ensure the exterior doors and windows of the Premises are locked securely each time the Licensee finishes using the Premises.

9. Use of the Hut and its Facilities

- 9.1 When the Licensee is using the Premises for the Permitted Purpose during the term of this Licence, the Licensee may use any kitchen facilities in the Hut on the basis that the Licensee's obligations in clause 8.1 apply to the use of those kitchen facilities as if they were part of the Premises and in particular:
- (a) all rubbish must be removed from the kitchen (and the Hut) on the day of use;
 - (b) any heating or cooking equipment in the kitchen must be turned off when the kitchen is not in use;
 - (c) any damage caused to the kitchen facilities by the Licensee or its invitees must be reported to the District Leader or Region Leader promptly; and
 - (d) any damage caused to the kitchen facilities by the Licensee or its invitees must be repaired or damaged items replaced by the Licensee promptly, at the Licensee's cost.
- 9.2 When the Licensee is using the Premises for the Permitted Purpose during the term of this Licence, the Licensee may use any toilet facilities in the Hut on the basis that the Licensee's obligations in clause 8.1 apply to the use of those toilet facilities as if they were part of the Premises.
- 9.3 When the Licensee is using the Premises for the Permitted Purpose during the term of this Licence, the Licensee may use any car parking facilities on the land where the Hut is situated on the basis that the Licensee's obligations in clause 8.1 apply (where they can) to the use of those car parking facilities as if they were part of the Premises.

Initialed .. *RC* ..

10. Risk

- 10.1 Guides Queensland is not responsible for the safe custody of any property used or left in the Premises (or in the Hut or its facilities) by the Licensee.
- 10.2 The Licensee uses the Premises (and the Hut and its facilities) at its own risk and Guides Queensland is not responsible for loss or damage to any property of the Licensee used or left in the Premises (or the Hut or its facilities) or injury or damage done or suffered by any person when entering, leaving or being in the Premises (or the Hut or its facilities) unless caused by the negligence of Guides Queensland, and Guides Queensland is exempted from liability for such loss, injury or damage however caused.

11. Indemnity

- 11.1 The Licensee indemnifies Guides Queensland against any losses, liabilities or legal costs incurred by Guides Queensland or any claims or actions against Guides Queensland brought by the Licensee or anyone else, arising directly or indirectly out of or in connection with the Licensee's breach or non-performance of its obligations under this Licence or the Licensee's use of the Premises (or the Hut or its facilities).

12. Insurance

- 12.1 The Licensee will during the term of this Licence at its expense obtain and keep in full force and effect in the name of the Licensee (noting the interests of Guides Queensland if requested), public risk liability insurance covering the Licensee's use of the Premises (and the Hut and its facilities) to the extent of not less than \$10 million per occurrence. Evidence of such insurance must be given to Guides Queensland on or before the Commencement Date and upon the periodic renewal of any such insurance policy by the Licensee.

13. Termination

- 13.1 Guides Queensland may terminate this Licence during its term by giving at least 7 days prior written notice of termination at any time in any of the following circumstances:
- (a) where the Licensee fails to pay the Occupation Fee for a period in excess of 7 days; or
 - (b) where the Licensee breaches any covenant contained in this Licence.
- 13.2 The Licensee or Guides Queensland may terminate this Licence during its term at any time by giving at least 4 weeks prior written notice to the other party.

Initialed *RC*

14. On Expiry or Termination

- 14.1 On the expiry or earlier termination of this Licence, the Licensee must promptly remove from the Premises (and the Hut and its facilities) all of the Licensee's property, leaving the Premises (and any part of the Hut or its facilities that the Licensee used) clean and tidy, and returning to Guides Queensland all keys in accordance with clause 7.4.
- 14.2 If the Licensee fails to comply with clause 14.1, Guides Queensland may remove any property of the Licensee from the Premises (or the Hut or its facilities) at the risk and as the agent of the Licensee and may retain it until the Licensee pays the costs incurred in such removal and storage and any other money owing by the Licensee to Guides Queensland in connection with this Licence.

15. Costs of this Licence

- 15.1 Each party must pay its own costs and outlays in connection with the negotiation, preparation and execution of this Licence.
- 15.2 The Licensee must pay any stamp duty payable in connection with this Licence.

16. Option to Extend Term (if applicable)

- 16.1 Subject to clause 16.3, if the Licensee gives Guides Queensland written notice during the Notice Period that it wishes to extend this Licence for the Extension Period and the Licensee has at all times during the Permitted Term complied with its obligations under this Licence, then Guides Queensland will grant a further licence on the following conditions:
- (a) the Permitted Term of the further licence will be the Extension Period;
 - (b) the Occupation Fee payable during the further licence will be an amount set by Guides Queensland before the further licence commences; and
 - (c) the terms and conditions will be the same as the terms and conditions of this Licence except this clause 16 will be deleted and the items in the Schedule will be amended or deleted as appropriate to apply to the further licence.
- 16.2 Any documents that Guides Queensland may reasonably require to be entered into for the further licence must be prepared and stamped (if necessary) by Guides Queensland and executed by the Licensee within 1 month after Guides Queensland gives them to the Licensee.
- 16.3 If the Occupation Fee payable during the further licence, which is to be set in accordance with clause 16.1(b), is not acceptable to the Licensee, then the Licensee will not be obliged to take the further licence and Guides Queensland will not be obliged to grant the further licence.

Initialed RC.....

17. General Provisions

- 17.1 The Licensee has a personal right of occupation on the terms specified in this Licence and has no interest in the land on which the Premises are situated. The legal right to possession and control over the Premises remains vested in Guides Queensland throughout the term of this Licence.
- 17.2 This Licence is personal to the Licensee and the Licensee must not assign the benefit of this Licence or grant any sub-licence or cease to use the Premises personally.
- 17.3 Any notice may be served on either party by post or by personal delivery to that party at its current residential or business address, and by leaving it with that party personally, or by leaving it with some person over the age of 18 years residing or working at that party's address, or in the case of a notice to Guides Queensland then by personal delivery to the District Leader or Region Leader. A notice must be treated as given and received upon delivery, or if posted then on the expiration of 2 business days after posting.
- 17.4 The law of Queensland governs this Licence. The parties submit to the non-exclusive jurisdiction of the courts of Queensland for the purpose of any action, suit or proceedings relating in any way to this Licence.
- 17.5 This Licence contains the entire agreement and understanding between the parties on everything connected with the subject matter of this Licence. All representations or agreements made prior to the date of this Licence and relating to any matter dealt with in this Licence are merged in this deed and do not have any effect from the date of this Licence.
- 17.6 If any part of this Licence is, or becomes, illegal, void or unenforceable then it is severed and the remainder of this Licence remains in force.
- 17.7 Failure or delay in exercise, or partial exercise of a right, power, authority, discretion or remedy arising from a breach of or default under this Licence does not result in a waiver of that right, power, authority, discretion or remedy. A right, power, authority, discretion or remedy may only be waived by notice signed by the party to be bound by the waiver and a waiver is effective only in respect of the specific instance to which it relates and for the specific purpose for which it is given.
- 17.8 Where Guides Queensland is the lessee of the land upon which the Hut is situated, this Licence is subject to the terms of the lease to Guides Queensland.

Initialed *RC*

SCHEDULE

Item 1	Hut	The District Guide Hut at: Foxtan Avenue, Mossman in the State of Queensland, 4873
Item 2	Permitted Term	Six Months
Item 3	Commencement Date	1st day of July 2018
Item 4	Permitted Hour/s	8:00am - 3:00pm (subject to clause 3.2)
Item 5	Permitted Day/s	Thursday (subject to clause 3.2)
Item 6	Permitted Purpose	Running of a Playgroup
Item 7	Occupation Fee	\$P'mt of Water/Electricity/Rates for the period in lieu of \$60 p/wk (GST exclusive) per Fee Period
Item 8	Fee Period	Week
Item 9	Permitted Number of keys	One
Item 10	Extension Period	No extension as a new lease will be required.
Item 11	Notice Period	Not more than one month and not less than one month before the expiration of the Licence

Initialed RC.....

EXECUTED as a Deed.

THE COMMON SEAL of **GUIDES QUEENSLAND**

was hereunto affixed this 1st day of <July 2018

by authority of a resolution of the State Commissioner.

District Leader

Signature	Rachelle Cooper
Name of District Leader (BLOCK LETTERS)	Rachelle Cooper

Region Leader

Signature	Rachelle Cooper
Name of Region Leader (BLOCK LETTERS)	Rachelle Cooper

State Executive Officer

Signature	
Name of State Executive Officer	DAILE KELLEHER

and by **LICENSEE**

if company

ACN43 293 947 620 in accordance with section 127 of the *Corporations Act 2001*;

Director/Executive

Signature	
Name of Director/Executive (BLOCK LETTERS)	

Director

Signature	
Name of Director (BLOCK LETTERS)	

if an individual

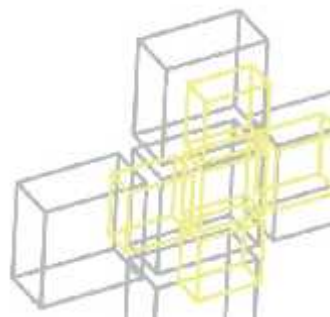
Signature	
Name	

witnessed in the presence of

Signature	
Name of Witness (BLOCK LETTERS)	

Annexure 2

Title Certificate



CURRENT RESERVE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 30242459
Search Date: 17/12/2018 09:30

Title Reference: 49008811
Date GAZETTED: 17/03/1962
PAGE: 796

Opening Ref: SG 62-07614
Purpose: PARK
Sub-Purpose:
Local Name:
Address: FOXTON AVENUE MOSSMAN
County (R) No: R132
File Ref: RES 10943

TRUSTEES

DOUGLAS SHIRE COUNCIL GAZETTED ON 17/03/1962 PAGE 796

LAND DESCRIPTION

LOT 127 CROWN PLAN SR826 Gazetted on 29/09/2000 Page 343-344
Local Government: DOUGLAS
LOT 29 SURVEY PLAN 121816 Gazetted on 29/09/2000 Page 343-344
Local Government: DOUGLAS

Area: 0.555300 Ha. (ABOUT)

EASEMENTS AND ENCUMBRANCES

ADMINISTRATIVE ADVICES - NIL
UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

** End of Current Reserve Search **

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Requested By: D-ENQ PROPERTY & TITLE SEARCH

CURRENT STATE TENURE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 30242464

Search Date: 17/12/2018 09:30

Title Reference: 40059642

Date Created: 19/01/2010

Previous Title: 17556237

DESCRIPTION OF LAND

Tenure Reference: TL 0/233845

Lease Type: TERM

LOT 128 CROWN PLAN SR826
Local Government: DOUGLAS

Area: 0.170000 Ha. (ABOUT)

No Land Description

No Forestry Entitlement Area

Purpose for which granted:
COMMUNITY

TERM OF LEASE

Term and day of beginning of lease

Term: 30 years commencing on 10/12/2009

Expiring on 09/12/2039

REGISTERED LESSEE

GIRL GUIDES ASSOCIATION (QUEENSLAND AUSTRALIA)

CONDITIONS

CURRENT STATE TENURE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 30242464

Search Date: 17/12/2018 09:30

Title Reference: 40059642

Date Created: 19/01/2010

CONDITIONS

- A78
- (1) The lessee must use the leased land for recreation purposes namely Community purposes - Girl Guides.
 - (2) This lease may be forfeited if not used for the purpose stated above.
 - (3) The annual rent must be paid in accordance with the Land Act 1994.
 - (4) The Parties acknowledge that GST may be payable in respect of a supply made under this lease. Where GST becomes payable in respect of a supply made under this lease, the State (lessor) may recover the GST from the lessee by increasing the consideration payable by the lessee to the State by an amount equal to that which the State is obliged to remit to the Commonwealth as GST on the supply and that amount may be recovered from the lessee as part of the money payable to the State under this lease. The State will upon request by the lessee, issue to the lessee a valid GST tax invoice in respect of any taxable supply made under this lease. (NOTE: For the purposes of this condition "GST" means the goods and services tax which results from the enactment of A New Tax System (Goods and Services Tax) Act 1999 and the related Acts which constitute the Commonwealth taxation reform (as amended from time to time)).
 - (5) The lessee must pay the cost of any required survey or re-survey of the leased land.
 - (6) The lessee must control pest plants and animals, on the leased land, in accordance with the Land Protection (Pest and Stock Route Management) Act 2002 and the Local Laws and requirements of the Cairns Regional Council.
 - (7) The lessee has the responsibility for a duty of care, to take all reasonable and practicable measures to sustainably manage the leased land by conserving the physical, biological, productive and cultural values, either on the leased land or in areas affected by the management of the leased land.
 - (8) The lessee must ensure that the use and development of the leased land conforms to the Planning Scheme, Local Laws and requirements of the Cairns Regional Council, binding on the lessee.
 - (9) The lessee must give the Minister administering the Land Act 1994, information about the lease, when requested.
 - (10) The lessee must not clear any vegetation on the leased land, unless in accordance with the Integrated Planning Act 1997.
 - (11) No compensation for improvements or developmental work is payable by the State at the forfeiture, surrender or expiry of the lease, but the lessee has the right to remove moveable improvements within a period of from the forfeiture, surrender or expiry of the lease, provided all money due by the lessee to the State on any account whatsoever has been paid, or be required to remove those improvements as specified in any further condition of lease.

CURRENT STATE TENURE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 30242464

Search Date: 17/12/2018 09:30

Title Reference: 40059642

Date Created: 19/01/2010

CONDITIONS

- (12) This lease is subject to the Land Act 1994 and all other relevant State and Commonwealth Acts.
- A89 (1) The lessee must allow any person authorised under the Forestry Act 1959 access to the leased land for the purpose of cutting and removing timber or removing other forest products, or quarry material, or other material from the leased land.
- (2) Except as hereinafter provided the lessee must not interfere with any forest products or remove any quarry material (including any stone, gravel, sand, earth, soil, rock, guano or clay which is not a mineral within the meaning of the Mineral Resources Act 1989) or other material upon the leased land without the permission of the Minister administering the Land Act 1994 except under the authority of and in compliance in every respect with the requirements or a permit, licence, agreement or contract granted or made under the Forestry Act 1959.
- C342 The lessee must comply with any lawful requirements of Cairns Regional Council.
- C345 The Minister administering the Land Act 1994 may resume the whole or any part of the leased land, provided the said Minister gives the lessee six (6) months notice. Compensation to the lessee will be for lawful improvements only, as provided for under the Land Act 1994.
- I66 The lessee indemnifies and agrees to keep indemnified the Minister administering the Land Act 1994, and the State of Queensland, (the "Indemnified parties") against all actions, suits, proceedings, claims, demands, costs, losses, damages and expenses ("Claim") arising out of or in any way connected to or resulting from the granting of this lease to the lessee or which is connected to or resulting from the lessees' use and occupation of the leased land (all of which are referred to as "the indemnified acts or omissions") save to the extent that the Claim arises as a result of any negligent act or omission of the Indemnified parties, however, any negligent act or omission of one of the Indemnified parties does not negate the indemnity to any of the other Indemnified party/ies. The lessee hereby releases and discharges the Indemnified parties from any Claim relating to the indemnified acts or omissions which may be made against the Indemnified parties.

CURRENT STATE TENURE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 30242464

Search Date: 17/12/2018 09:30

Title Reference: 40059642

Date Created: 19/01/2010

ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Lease No. 40059642

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

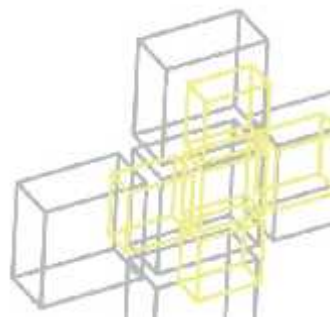
** End of Current State Tenure Search **

Information provided under section 34 Land Title Act(1994) or
section 281 Land Act(1994)

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Requested By: D-ENQ PROPERTY & TITLE SEARCH

Annexure 3

Code Assessments – Douglas Shire Planning Scheme 2018



Mossman local plan code

Application

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

Context and setting

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

The Mossman local plan area is located at the northern end of the Captain Cook Highway where it continues on to the Daintree township as the Mossman-Daintree Road. The local plan area contains the rural and local administrative centre of Mossman.

The town of Mossman is located on a flat plain framed by the southern portion of the Daintree National Park to the west and Mount Beaufort to the east. The lush Daintree National Park dominates the town with striking views across to Mt Demi (Manjal Dimbi) and the spectacular Mossman Bluff above the Mossman Gorge. South Mossman River and North Mossman river provide significant natural entry and exit gateways to the town supported by Marrs Creek to the west. Parker Creek divides the town midway separating the commercial township from the more predominately residential areas in the southern half of the town.

Mossman developed as a strong sugar producing region at the end of the nineteenth century and quickly developed into a prosperous small town. From the mid-1930s the main commercial street was Mill Street. However Front Street, being the main access from Port Douglas and the Daintree also saw a concentration of commercial development from the 1930s onward. The town focusses on "the Triangle" and central grassed area at the five way junction at the northern end of the town providing a focal community hub that contributes significantly to the town's central setting.

The Mossman Sugar Mill in the north eastern part of the town is the northern most sugar mill in Queensland with its building and chimney stack dominating the town centre while forming part of an important vista along Mill Street looking toward Mount Beaufort. The mill is also the central focus of the cane rail network that radiates outward through the town adding an important character element that contributes to the appeal of the sugar town. Part of the cane rail network runs east-west through the Triangle occasionally delaying north-south vehicular traffic during cane harvesting months.

Mossman is a discrete linear township surrounded by sugar cane cultivation. The established business centre serves much of the northern part of the Shire with generally lower order goods and services. Service industries are concentrated at the southern end of the town providing for the general needs of the community. A limited area of expansion is available if the need arises.

Much of the township's character is derived from its picturesque rural setting and heritage character. Significant stands of mature vegetation (rain-trees and fig trees) dominate parts of the streetscape providing a much valued and identifiable feature to the town.

At the southern end of town centre, Johnston Road heads west from Front Street providing access to the Mossman Gorge, a popular tourist attraction and small indigenous community in the Daintree National Park to the west of the town. This intersection is another important focal point, particularly for tourists finding their way to the gorge. Johnston Road also provides access to the hospital and showgrounds on the western side of the town and the developing residential area off Daintree Horizon Drive: currently the main expanding residential estate in the township.

A more contemporary shopping facility is available at the southern end of Front Street on the western side of the road. Expansion of this shopping precinct has recently been completed. It is not intended that this precinct be expanded any further, and any form of redevelopment of the older retail component, will occur as an integrated development.

On the south western side of the town, off Coral Sea Drive, is a rural residential subdivision providing a green backdrop to the town. It is not intended that further lot reconfiguration occur in this area in order to protect the appeal of the hillside on the western flank of the township.

The indigenous Mossman Gorge community is located approximately three kilometres to the west of Mossman township where improved infrastructure, housing and economic opportunities are to be facilitated.

The Mossman North community located approximately two kilometres north of the Mossman township will remain as a residential community.

Purpose

- (1) The purpose of the Mossman local plan code is to facilitate development which creates a vibrant and independent community which supports the needs of the local community and surrounding rural areas, while protecting and enhancing the unique local and historic character of the town.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Mossman will continue to develop as the major administrative, commercial and industrial centre in Douglas Shire.
 - (b) The key built form and main street character of the town centre is to be retained and reinforced.
 - (c) Mossman's identity as Queensland's northern-most sugar mill town is strengthened through the development of a distinct, ordered and attractive streetscape which responds to the tropical climate and the special features of the town's setting and layout.
 - (d) Mossman's distinct character is enhanced through appropriate building design and landscaping.
 - (e) The significant avenues of rain-trees and fig trees and other such vegetation that contribute significantly to township identity are protected.
 - (f) Residential development is encouraged within designated areas to consolidate Mossman's character as a permanent residential settlement.
 - (g) Residential areas are pleasant, functional, distinctive and well-defined and residential amenity is maintained and enhanced with all residential areas having good access to services and facilities, while minimising any land use conflicts associated with different urban activities or nearby rural activities.
 - (h) Development in the Low-medium density residential zone provides a range of housing options and contributes to a high standard of residential amenity, scale and design consistent with the character of Mossman.
 - (i) Opportunities for a limited range of tourist accommodation and services are facilitated to cater for the requirements of tourists passing through Mossman or visiting the Mossman Gorge.

- (j) To provide the opportunity for an alternative truck route to by-pass the town centre for safer and less disruptive access between the sugar mill and Cairns (subject to further investigation as a local initiative).
 - (k) Improved local land use planning, housing and infrastructure arrangements enable private home ownership, economic development and municipal service delivery for the Mossman Gorge community.
 - (l) Mossman North will remain as a residential land use community only, with no further outward expansion intended.
 - (m) Conflicts between alternative land uses are minimised.
 - (n) Mossman's role as an industrial service centre is enhanced by facilitating the expansion of industrial development adjacent to existing industrial areas and protecting industrial areas from encroachment of incompatible land use activities.
 - (o) Remnant vegetation areas, riverine corridors and natural features are protected by ensuring any adjacent development is low key and sensitive to its surroundings.
- (3) The purpose of the code will be further achieved through the following overall outcomes:
- (a) Precinct 1 – Mossman North precinct;
 - (b) Precinct 2 – Foxtan Avenue precinct;
 - (c) Precinct 3 – Junction Road residential precinct;
 - (d) Precinct 4 – Junction Road industry precinct;
 - (e) Precinct 5 – Town Centre precinct;
 - (f) Precinct 6 – Front Street precinct;
 - (g) Precinct 7 – Emerging community precinct;
 - (h) Precinct 8 – Mossman South industry precinct;
 - (i) Precinct 9 – Mossman Gorge community precinct

Precinct 1 – Mossman North precinct

- (4) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
- (a) development is restricted to low density residential uses only.
 - (b) development reliant on exposure to the Mossman-Daintree Road does not occur.

Precinct 2 – Foxtan Avenue precinct

- (5) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
- (a) development occurs that is compatible with the establishment of a botanical garden, including a range of ancillary tourist facilities (not tourist accommodation), educational facilities and research facilities.
 - (b) Development takes into account physical constraints with particular attention paid to flooding and vegetation.
 - (c) development is adequately separated from, and protects, the existing cane railway track along the south boundary of the land;
 - (d) development does not impact on the environmental values of Marris Creek.

Precinct 3 - Junction Road residential precinct

- (6) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
- (a) land within the Junction Road residential precinct is developed taking into account the opportunities and constraints with particular attention paid to flooding and vegetation. Any form of urban development is to be free from flood inundation and will not impact on current drainage regimes;
 - (b) development in the form of lot reconfiguration consists of lot sizes and shapes that match the character and configuration of surrounding lots;
 - (c) development on the site does not impact on the environmental values of the North Mossman River.

Precinct 4 - Junction Road industry precinct

- (7) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
- (a) the Mossman Mill is located within Precinct 4 and is the catalyst for encouraging and accommodating further industrial development.
 - (b) low and medium impact industry uses are located within the Junction Road industry precinct to service the needs of the sugar mill and to consolidate allied industrial uses;
 - (c) residential areas on the western side of Junction Street are protected from any industrial use, including industrial lot reconfiguration, by a dense screen of vegetation.

Precinct 5 - Town Centre precinct

- (8) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
- (a) key elements which contribute to the character and integrity of the town centre are retained;
 - (b) the sense of place which characterises the main town intersection of Foxtan Avenue, Mill Street and Junction Road is reinforced with new development or redevelopment contributing to the existing continuity of built form by being built up to the street frontage;
 - (c) the cane tram line which runs along Mill Street, the vista down Mill Street to Mount Beaufort and the sugar mill chimney are retained as unique features of the town and its sugar town heritage;
 - (d) views from Front Street of the mountains (from various vantage points) are maintained;
 - (e) avenue planting within the town centre along the centre median in Front Street is maintained and extended to reinforce the character of the town centre.

Precinct 6 - Front Street precinct

- (9) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that any expansion of the development is integrated with the existing shopping facilities incorporating the following design parameters:
- (a) vehicular access is limited to:
 - (i) the existing access from Front Street opposite the Harper Street intersection;
 - (ii) the existing access at the southern boundary of the precinct limited to commercial vehicles and staff only.
 - (b) any expansion complements the existing development in scale, height, roof alignment and colour;
 - (c) any expansion is integrated with existing development such that the final development functions as one shopping/commercial development;

- (d) any expansion takes into account adjacent (existing and future) residential development and incorporates service areas, car parking and other utilities which are visually and acoustically screened to protect the residential amenity of the area.

Precinct 7 – Emerging community precinct

- (10) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure:
 - (a) development takes into account the provision of road links, cycle links, pedestrian connections and parkland allocation, generally in accordance with the local plan, to ensure that each land subdivision does not compromise the future development of adjoining land. Open space is provided with extensive road frontage for visibility / utility.

Precinct 8 - Mossman south industry precinct

- (11) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
 - (a) low impact industry uses are the predominant form of industry within the Mossman South industry precinct;
 - (b) no uses that compete with the commercial and retail primacy of the town centre are established;
 - (c) development protects the amenity of adjacent and nearby residential land uses.

Precinct 9 – Mossman Gorge community precinct

- (12) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
 - (a) existing commercial, community and residential uses are recognised within the discrete area contained by the Mossman Gorge community;
 - (b) a flexible approach to land use planning is advanced through the adoption of a structure plan for the community;
 - (c) a flexible approach to lot reconfiguration is permitted to advance home ownership aspirations for the community;
 - (d) infrastructure upgrading is undertaken and transitioned to Council for future maintenance.

Criteria for assessment

Table Error! No text of specified style in document..a – Mossman local plan – assessable development

Performance outcomes	Acceptable outcomes	Applicant's response
For self-assessable and assessable development		
<p>PO1 Building and structures complement the height of surrounding development.</p>	<p>AO1 Buildings and structures are not more than 8.5 metres in height, except where included in the Industry zone where buildings and structures are not more than 10 metres in height.</p>	<p>Proposal complies.</p>
For assessable development		
Development in the Mossman local plan area generally		
<p>PO1 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 Mossman (as identified on the Mossman Townscape Plan map contained in Schedule 2).</p>	<p>AO1.1 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 the low density subdivision at Coral Sea Drive and Gorge View Crescent; natural vegetation along watercourses, in particular the Mossman River, the South Mossman River, Parker Creek and Marrs Creek; the avenue of planting in the town centre in Front Street; the Raintrees in Foxtan Avenue; the trees on the eastern side of the Mossman-Daintree Road, just north of the North Mossman River; the avenue planting of Melaleucas on the southern approach to the town along Alchera Drive;</p>	<p>Proposal complies.</p>

Performance outcomes	Acceptable outcomes	Applicant's response
	<p>Mossman sugar mill site.</p> <p>AO1.2 Development protects and does not intrude into important views and vistas as identified on the Mossman Townscape Plan map contained in Schedule 2, in particular: (a) Mount Demi (Manjal Dimbi); Mossman Bluff; Mount Beaufort; Shannonvale Valley.</p> <p>AO1.3 Important landmarks, memorials and monuments are retained, including, but not limited to: (a) the cane tram line running east west through the town at Mill Street; the general configuration of the 'Triangle' at the intersection of Front Street, Mill Street, Foxtan Avenue and Junction Road</p>	<p>Proposal complies.</p> <p>N/A</p>
<p>PO2 Development contributes to the protection, reinforcement and where necessary enhancement of gateways and key intersections identified on the Mossman local plan maps contained in Schedule 2.</p>	<p>AO2 Development adjacent to the gateways and key intersections as identified on the Mossman 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.</p>	<p>N/A</p>
<p>PO3 Landscaping of development sites complements the existing tropical character of Mossman.</p>	<p>AO3 Landscaping incorporates the requirements of Planning scheme policy SC 6.2- Landscaping.</p>	<p>Proposal is capable of complying.</p>

Performance outcomes	Acceptable outcomes	Applicant's response
<p>P04 Development does not compromise the safety and efficiency of the State-controlled road network.</p>	<p>AO4 Direct access is not provided to a State-controlled road where legal and practical access from another road is available.</p>	<p>Proposal is to use existing access.</p>
<p>For assessable development</p>		
<p>Additional requirements for Precinct 2 – Foxtan Avenue precinct</p>		
<p>P05 Development takes into account the opportunities and constraints with particular attention paid to flooding and vegetation.</p>	<p>AO5 Buildings and structures are located outside areas subject to flooding. Development is undertaken in accordance with the recommendations of a Drainage/Flood Study which outlines the necessary improvements to be undertaken on the site to make it suitable for development and avoid impacts on adjoining land.</p>	<p>N/A</p>
<p>P06 Development is adequately separated from and protects the existing cane railway track along the southern boundary of the land.</p>	<p>PO6.1 Buildings and structures are setback a minimum of 10 metres from the cane railway.</p> <p>PO6.2 Pedestrian access to the cane railway is restricted.</p>	<p>N/A</p>
<p>Additional requirements for Precinct 3 – Junction Road residential precinct</p>		
<p>P07 Land within the Junction Road residential precinct is developed taking into account of the opportunities and constraints with particular attention paid to flooding and vegetation. Any form of urban development is to be free from flood inundation and will not impact on current drainage regimes.</p>	<p>AO7 Development is undertaken in accordance with the recommendations of a Drainage/Flood Study which outlines the necessary improvements to be undertaken on the site to make it suitable for residential</p>	<p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant's response
	development and avoid impacts on adjoining land.	
<p>PO8 Development in the form of lot reconfiguration consists of lot sizes and shapes that match the character and configuration of surrounding lots.</p>	<p>AO8.1 Lots have a minimum area of 800m².</p> <p>AO8.2 Lots have a minimum frontage of 20m.</p>	<p>N/A</p> <p>N/A</p>
<p>PO9 Development on the site does not impact on the environmental values of the North Mossman River, with any land dedication along the creek provided with access to, at minimum, a partial esplanade road frontage.</p>	<p>AO9.1 Subject to any greater width requirement as a consequence of the studies required to satisfy AO8, a minimum riparian width of 30 metres is dedicated as open space along the frontage to the Mossman River.</p> <p>AO9.2 Practical road access is available to the minimum riparian width of 30 metres along the frontage to the Mossman River.</p>	<p>N/A</p> <p>N/A</p>
Additional requirements for Precinct 4 – Junction Road industry precinct		
<p>PO10 Residential areas on the western side of Junction Road are protected from any industrial use, including industrial lot reconfiguration, by a dense screen of vegetation.</p>	<p>AO10.1 A dense screen of vegetation of at least 10 metres depth separates any industrial use, including any lot reconfiguration, along the full frontage of Junction Road except where road access is required.</p> <p>AO10.2</p>	<p>N/A</p> <p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant's response
	No individual lots will have direct access to Junction Road across the 10 metre dense screen of vegetation.	
Additional requirements for Precinct 5 – Town Centre precinct		
<p>PO11 Buildings in the precinct are designed and sited to complement the existing distinctive and cohesive character of the retail and business area, including:</p> <ul style="list-style-type: none"> (a) buildings built to the frontage to reinforce the existing built-form character; <p>buildings that address the street;</p> <p>development that incorporates awnings and verandahs providing weather protection for pedestrians.</p>	<p>AO11 With respect to Front Street, Foxtan Avenue, Mill Street and Johnston Road, development incorporates buildings that front the street designed with non-transparent awnings that:</p> <ul style="list-style-type: none"> (a) provide for pedestrian shelter that are consistent with the character and setting of the town centre; <p>are a minimum of 3.2 metres and a maximum of 3.5 metres above the finished footpath level;</p> <p>extend and cover the adjoining footpath with a 1.5 metre setback to the kerb;</p> <p>are continuous across the frontage of the site;</p> <p>are cantilevered from the main building and where posts are used, posts are non-load bearing;</p> <p>include under awning lighting.</p>	N/A
<p>PO12 Development in the precinct contributes positively to the character of the town and is complementary in scale to surrounding development.</p>	<p>AO12 Development incorporates the following design features:</p> <ul style="list-style-type: none"> (a) 'built up to the front' alignment addressing the street frontage and continuing the scale of the existing built form and where necessary providing car parking spaces at the rear of the site;* appropriate built form and roofing material; 	N/A

Performance outcomes	Acceptable outcomes	Applicant's response
	<p>appropriate fenestration in combination with roof form;</p> <p>appropriate window openings, screens or eaves shading 80% of window openings;</p> <p>minimum of 700mm eaves;</p> <p>orientation of the building to address the street/s;</p> <p>sheltered pedestrian access by enclosed covered common area walkway of 1.5 metres in width from the car park area/s to the development;</p> <p>ground level façades facing streets consist of windows, wall openings or shop fronts;</p> <p>vertical architectural elements a minimum of 3 metres along the length of the ground level façade;</p> <p>inclusion of windows and balconies on the upper levels facing the street façade;</p> <p>provision of lattice, battens or privacy screens;</p> <p>the overall length of a building does not exceed 30 metres and the overall length of any continuous wall does not exceed 15 metres;</p> <p>Any air conditioning plant is screened from the street frontage and public view by use of architectural features.</p> <p><small>*Note - access to car parking must not adversely impact on 'built up to the front' alignment continuity.</small></p>	
<p>PO13 Site coverage of all buildings: (a) does not result in a built form that is bulky or visually intrusive to the streetscape; respects the individual character of the town centre.</p>	<p>AO13 Site cover does not exceed 60%.</p>	<p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant's response
<p>PO14 Side and rear setbacks: (a) are appropriate for the scale of the development and the character of the town centre; provide adequate daylight for habitable rooms on adjoining sites; adequate separation between residential and non-residential uses.</p>	<p>AO14.1 For side boundary setbacks, no acceptable measures are specified.</p> <p>AO14.2 Buildings are setback a minimum of 6 metres from rear boundaries.</p> <p>Note: Building code requirements must be satisfied.</p>	N/A
<p>PO15 Development in the precinct is predominantly retail or office based in nature or has a service delivery function.</p>	<p>AO15 Development at street level is limited to retail, office or restaurant/cafe based activities or personal services, with residential development limited to minor ancillary residential uses or to tourist accommodation located above ground level, or to the rear of the site at ground level.</p>	N/A
Additional requirements for Precinct 6 – Front Street precinct		
<p>PO16 Vehicular access is limited to: (a) the existing access from Front Street opposite the Harper Street intersection; the existing access at the southern boundary of the precinct limited to commercial vehicles and staff only.</p>	<p>AO16 No acceptable outcomes are prescribed.</p>	N/A
<p>PO17 Any expansion complements the existing development in scale, height, roof alignment and colour.</p>	<p>AO17 No acceptable outcomes are prescribed.</p>	N/A
<p>PO18</p>	<p>AO18 No acceptable outcomes are prescribed.</p>	N/A

Performance outcomes	Acceptable outcomes	Applicant's response
Any expansion is integrated with existing development such that the final development functions as one shopping/commercial development.		
PO19 Any expansion takes into account adjacent residential development and incorporates service areas, car parking and other utilities which are visually and acoustically screened to protect the residential amenity of the area.	AO19 No acceptable outcomes are prescribed.	N/A
Additional requirements for Precinct 7 – Emerging Community precinct		
PO20 Development provides road connections, pedestrian and cycling links and open space to establish integrated, connected communities with adjoining land.	AO20 No acceptable outcomes are prescribed.	N/A
Additional requirements for Precinct 8 – Mossman South industry		
PO21 Low impact industry uses are the predominant form of industry.	AO21 Development for industrial purposes consists of service industry or low impact industry uses.	N/A
PO22 No uses that compete with the commercial and retail primacy of the Mossman town centre are established.	AO22 Office or retail uses: (a) are ancillary to an industrial use; or directly service the needs of the surrounding industrial precinct; do not rely on passing trade from Alchera Drive.	N/A
PO23 Development protects the amenity of adjacent and nearby residential land uses.	AO23 No acceptable outcomes are prescribed.	N/A
Additional requirements for Precinct 9 – Mossman Gorge Community		
PO24	AO24 No acceptable outcomes are prescribed.	N/A

Performance outcomes	Acceptable outcomes	Applicant's response
No uses that compete with commercial and retail activities in Mossman town centre are established.		

Community facilities zone code

Application

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

Purpose

- (1) The purpose of the Community facilities zone code is to provide for community related activities and facilities whether under public or private ownership.
These may include the provision of municipal services, public utilities, government installations, hospitals and schools, transport and telecommunication networks and community infrastructure of an artistic, social or cultural nature.
- (2) The local government purpose of the code is to:
 - (a) implement the policy direction set in the Strategic Framework, in particular:
 - (i) Theme 1 : Settlement pattern, Element 3.4.3 Activity centres.
 - (ii) Theme 4 : Strong communities and identity, Element 3.7.2 – Social planning and infrastructure, Element 3.7.3 – Active communities, Element 3.7.4 – Sense of place, community and identity, Element 3.7.6 – Arts and culture
 - (b) provide for the development of uses that meet the economic, community and social needs of the community.
- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Development is located in publicly accessible locations and is generally consistent in scale, height and bulk with that of surrounding development.
 - (b) Development is designed to provide and promote safe and efficient public use, walking and cycling;
 - (c) Facilities are in accessible locations, are supplied with necessary infrastructure and are well integrated with surrounding land uses;
 - (d) Community facilities are protected by excluding development that could limit the on-going operation of existing community uses or prejudice appropriate new activities;
 - (e) Development is provided with a level of infrastructure that is appropriate to the use;
 - (f) Development is of a form specific to the operational requirements of the facility.

Note—Where a community facility ceases or redevelopment occurs, the limited number of sites within the Community facilities zone must be protected for public rather than private use. Not every site within the Community facilities zone is appropriate for every use within the community facilities activity group. However, where a use that is described as suitable within a particular Community facilities zone ceases, its replacement may be another community facility. For example, a premises formerly used as a school, may be transitioned to accommodate an arts and / or cultural services hub.

Criteria for assessment

Table Error! No text of specified style in document..a – Community facilities zone – assessable development

Performance outcomes	Acceptable outcomes	Applicant's response
For self-assessable and assessable development		
<p>PO1 The height of buildings and structures is compatible with the character of the area and must not detrimentally impact on amenity of the area.</p>	<p>AO1 Buildings and structures are not more than 8.5 metres and two storeys in height.</p> <p>Note - Height is inclusive of the roof height.</p>	<p>Proposal complies.</p>
<p>PO2 Buildings and structures are setback to ensure that they are compatible with the character of the area and do not adversely affect other uses, particularly residential uses.</p>	<p>AO2 Buildings and structures are setback not less than: (a) 8 metres from the frontage of a State-controlled road, existing or proposed arterial road, existing or proposed sub-arterial road, as identified on the Transport network overlay maps contained in Schedule 2; 6 metres from any other road frontage(s); 6 metres from a boundary with land in a Residential zone; 3 metres from a boundary in any other zone.</p>	<p>Proposal includes an existing building which is approximately 0.5m from the frontage of a State-controlled road and adjoins another building on an adjacent lot which is approximately 2m from the frontage. The proposal includes a new building at 2m from the frontage as per the existing adjacent building. It is noted that the site is well screened from the road by existing vegetation.</p>
<p>PO3 Areas used for vehicle parking are setback to ensure a high standard of amenity and to ensure the protection of the amenity of the: (a) the streetscape; any land use associated with the Accommodation activity group and/or the Sensitive land use activity group.</p>	<p>AO3 Areas used for vehicle parking are setback not less than: (a) 6 metres from any road frontage(s); 3 metres from any side or rear boundaries common with any land use associated with the Accommodation activity group and / or the Sensitive land use activity group. 2 metres from any other side or rear boundary.</p>	<p>Proposal seeks to utilise the existing parking area in the south-west corner of the site.</p>

Performance outcomes	Acceptable outcomes	Applicant's response
<p>PO4 The setbacks for areas used for vehicle parking are provided with landscape planting and other visual screening to enhance the appearance of the site and to provide a buffer to any land associated with the Accommodation activity group and/or the Sensitive land use activity group.</p>	<p>AO4.1 The setback areas nominated in AO3 of this code are provided with landscape planting that: (a) provides an effective visual screen; is maintained at all times.</p> <p>AO4.2 Common boundaries with any land use associated with the Accommodation activity group and / or the Sensitive land use activity group are provided with a minimum 1.8 metre high screen fence and/or wall that is constructed of durable materials.</p>	<p>Proposal is capable of complying.</p> <p>Proposed land use is considered consistent with the adjoining kindergarten and use, therefore a fence is not considered necessary.</p>
For assessable development		
<p>PO5 The establishment of uses is consistent with the outcomes sought for the Community facilities zone and protects the zone from the intrusion of inconsistent uses.</p>	<p>AO5 Uses identified in Table Error! No text of specified style in document..b. are not established in the Community facilities zone.</p>	<p>Proposal complies.</p>
<p>PO6 Buildings and structures adjacent to any land use associated with the Accommodation activity group and/or the Sensitive activity group are designed and operated to maintain the character and amenity of the surrounding area taking into account: (a) noise; dust; light; odours; electrical interference; appearance; streetscape.</p>	<p>AO6 No acceptable outcomes are prescribed.</p>	<p>Proposal is capable of complying.</p>

Performance outcomes	Acceptable outcomes	Applicant's response
P07 All lots must be of suitable dimensions to accommodate the intended land use.	A07 No acceptable outcomes are prescribed.	Proposal complies.

Table Error! No text of specified style in document..b - Inconsistent uses within the Community facilities zone

Inconsistent uses		
<ul style="list-style-type: none"> • Adult store • Agricultural supplies store • Animal husbandry • Animal keeping • Aquaculture • Brothel • Bulk landscape supplies • Cropping • Detention facility • Extractive industry • Hardware and trade supplies • High impact industry • Hotel • Intensive animal industry • Intensive horticulture 	<ul style="list-style-type: none"> • Low impact industry • Major electricity infrastructure • Marine industry • Medium impact industry • Motor sport facility • Multiple dwelling • Nightclub entertainment facility • Non-resident workforce accommodation • Outstation • Permanent plantation • Port services • Renewable energy facility, being a wind farm • Research and technology industry 	<ul style="list-style-type: none"> • Resort complex • Rural industry • Rural workers accommodation • Service station • Shopping centre • Showroom • Special industry • Tourist attraction • Transport depot • Veterinary services • Warehouse • Wholesale nursery • Winery

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

Transport network overlay code

Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Transport network overlay; if:
 - (a) self-assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
 - (b) impact assessable development.

- (2) Land within the Transport network overlay is identified on the Transport network (Road Hierarchy) overlay map and the Transport network (Pedestrian and Cycle) overlay map in Schedule 2 and includes the following sub-categories:
 - (a) Transport network (Road Hierarchy) overlay sub-categories:
 - (i) State controlled road sub-category;
 - (ii) Sub-arterial road sub-category;
 - (iii) Collector road sub-category;
 - (iv) Access road sub-category;
 - (v) Industrial road sub-category;
 - (vi) Major rural road sub-category;
 - (vii) Minor rural road sub-category;
 - (viii) Unformed road sub-category;
 - (ix) Major transport corridor buffer area sub-category.
 - (b) Transport network (Pedestrian and Cycle) overlay sub-categories:
 - (i) Principal route;
 - (ii) Future principal route;
 - (iii) District route;
 - (iv) Neighbourhood route;
 - (v) Strategic investigation route.

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

Purpose

- (1) The purpose of the Transport network overlay code is to:
 - (a) implement the policy direction of the Strategic Framework, in particular:

- (i) Theme 1: Settlement pattern Element 3.4.2 Urban settlement, Element 3.4.3 Activity centres;
- (ii) Theme 6: Infrastructure and transport Element 3.9.4 Transport;
- (b) enable an assessment of whether development is suitable on land within the Transport network overlay.

- (2) The purpose of the code will be achieved through the following overall outcomes:
- (a) development provides for transport infrastructure (including active transport infrastructure);
 - (b) development contributes to a safe and efficient transport network;
 - (c) development supports the existing and future role and function of the transport network;
 - (d) development does not compromise the safety and efficiency of major transport infrastructure and facilities.

Criteria for assessment

Table Error! No text of specified style in document..a – Transport network overlay code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For assessable development		
<p>PO1 Development supports the road hierarchy for the region.</p> <p>Note -A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.</p>	<p>AO1.1 Development is compatible with the intended role and function of the transport network as identified on the Transport network overlay maps contained in Schedule 2.</p> <p>AO1.2 Development does not compromise the safety and efficiency of the transport network.</p> <p>AO1.3 Development is designed to provide access via the lowest order road, where legal and practicable access can be provided to that road.</p>	<p>Proposal complies. Existing access is to be used.</p>
<p>PO2 Transport infrastructure is provided in an integrated and timely manner.</p>	<p>AO2 Development provides infrastructure (including improvements to existing infrastructure) in accordance with:</p>	<p>Proposal is capable of complying.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>Note - A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.</p>	<p>(a) the Transport network overlay maps contained in Schedule 2; (b) any relevant Local Plan.</p> <p>Note – The Translink Public Transport Infrastructure Manual provides guidance on the design of public transport facilities.</p>	
<p>PO3 Development involving sensitive land uses within a major transport corridor buffer area is located, designed and maintained to avoid or mitigate adverse impacts on amenity for the sensitive land use.</p>	<p>AO3 No acceptable outcomes are prescribed.</p> <p>Note – Part 4.4 of the Queensland Development Code provides requirements for residential building design in a designated transport noise corridor.</p>	<p>Proposal is capable of complying.</p>
<p>PO4 Development does not compromise the intended role and function or safety and efficiency of major transport corridors.</p> <p>Note - A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.</p>	<p>AO4.1 Development is compatible with the role and function (including the future role and function) of major transport corridors.</p> <p>AO4.2 Direct access is not provided to a major transport corridor where legal and practical access from another road is available.</p> <p>AO4.3 Intersection and access points associated with major transport corridors are located in accordance with: (a) the Transport network overlay maps contained in Schedule 2; and (b) any relevant Local Plan.</p> <p>AO4.4 The layout of development and the design of the associated access is compatible with</p>	<p>Proposal complies. Existing access is to be used.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	existing and future boundaries of the major transport corridor or major transport facility.	
<p>PO5 Development retains and enhances existing vegetation between a development and a major transport corridor, so as to provide screening to potential noise, dust, odour and visual impacts emanating from the corridor.</p>	<p>AO5 No acceptable outcomes are prescribed.</p>	<p>Proposal complies.</p>
Pedestrian and cycle network		
<p>PO6 Lot reconfiguration assists in the implementation of the pedestrian and cycle movement network to achieve safe, attractive and efficient pedestrian and cycle networks.</p>	<p>AO6.1 Where a lot is subject to, or adjacent to an element of the pedestrian and cycle Movement network (identified on the Transport network overlay maps contained in Schedule 2) the specific location of this element of the pedestrian and cycle network is incorporated in the design of the lot layout.</p> <p>AO6.2 The element of the pedestrian and cycle network is constructed in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC6.5 – FNQROC Regional Development Manual.</p>	<p>Proposal complies.</p>

Places of significance overlay code

Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Places of significance overlay; if
 - (a) self-assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
 - (b) impact assessable development.
- (2) Land in the Places of significance overlay is identified on the Places of significance overlay maps in Schedule 2 and includes the following sub-categories:
 - (a) Places of local significance sub-category;
 - (b) State heritage places sub-category;
 - (c) Premises adjoining a state heritage place sub-category.

Note - The places of significance overlay code does not apply to indigenous cultural heritage which is protected under the Aboriginal Cultural Heritage Act 2003

Note - Development on a state heritage place is regulated by the Queensland Heritage Act 1992. Development on premises adjoining a state heritage place is regulated by the Places of significance overlay code.

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

Purpose

- (1) The purpose of the Places of significance overlay code is to:
 - (a) implement the policy direction of the Strategic Framework, in particular:
 - (i) Theme 4: Strong communities and identity Element 3.7.7 Cultural and landscape heritage.
 - (b) enable an assessment of whether development is suitable on land within the Places of significance overlay.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) to ensure places of local significance are conserved and development is compatible with the cultural significance of the place. Development on premises adjoining a state heritage place protects the cultural significance of the place and its setting;
 - (b) development does not result in the demolition or removal of a place of local significance, unless there is no prudent and feasible alternative to the demolition or removal;

Note - In considering whether there is no prudent and feasible alternative to the demolition or removal of a place of local significance, the Council will have regard to:

- (i) safety, health, structural and economic considerations;
 - (ii) any other matters the Council considers relevant.
- (c) development is compatible with the cultural significance of the place of local significance;
 - (d) the adaptive reuse of a place of local significance is encouraged so that the cultural significance is retained;
 - (e) the fabric and setting of a place of local significance is conserved and any changes are managed, documented and interpreted;
 - (f) development does not have a detrimental impact on archaeological values;
 - (g) development on premises adjoining a state heritage place is sympathetic to the cultural significance and setting of the state heritage place.

Criteria for assessment

Table Error! No text of specified style in document..a – Places of significance overlay code – assessable development

Performance outcomes		Acceptable outcomes
For assessable development		
Demolition or removal of a place of local significance		
<p>PO1 Development does not result in the demolition or removal of a place of local significance.</p> <p>Note - Guidance on meeting the performance outcome is provided within Planning scheme policy SC6.11 – Places of significance.</p>	<p>AO1 No acceptable outcomes are prescribed.</p>	Proposal complies.
<p>PO2 Development is compatible with the conservation and management of the cultural significance of the place.</p> <p>Note - Guidance on meeting the performance outcome is provided within Planning scheme policy SC6.11 – Places of significance.</p>	<p>AO2 No acceptable outcomes are prescribed.</p>	Proposal complies.
<p>PO3 Development conserves the features and values of a place of local significance that contribute to its cultural significance.</p>	<p>AO3 Development does not alter, remove or conceal significant features of a place of local significance.</p>	Proposal complies.

Performance outcomes	Acceptable outcomes	
<p>Note - Guidance on meeting the performance outcome is provided within Planning scheme policy SC6.11 – Places of significance.</p>		
<p>PO4 Changes to a place of local significance are appropriately managed, documented and interpreted.</p> <p>Note - Guidance on meeting the performance outcome is provided within Planning scheme policy SC6.11 – Places of significance.</p>	<p>AO4.1 Development is compatible with a conservation management plan prepared in accordance with the Australia ICOMOS Charter for Places of Cultural Heritage Significance.</p> <p>AO4.2 An archival record is prepared to document the changes.</p> <p>AO4.3 Development includes interpretation that explains the cultural significance of the place and the changes.</p>	<p>Proposal is capable of complying.</p>
<p>PO5 Development does not adversely affect the character, setting or appearance of the place of local significance, including removal of vegetation that contributes to the cultural heritage significance of the place.</p>	<p>AO5.1 The scale, location and design of the development are compatible with the character, setting and appearance of the place of local significance.</p> <p>AO5.2 The development is unobtrusive and cannot readily be seen from surrounding streets or other public places.</p> <p>AO5.3 Existing vegetation that forms part of the place is retained and incorporated into the design and layout of development.</p>	<p>Proposal complies.</p> <p>Proposal complies.</p> <p>Proposal complies.</p>
<p>PO6 Excavation or other earthworks do not have a detrimental impact on archaeological values.</p>	<p>AO6.1</p>	<p>Proposal complies.</p>

Performance outcomes	Acceptable outcomes	
<p>Note - Guidance on meeting the performance criteria is provided within Planning scheme policy SC6.11 – Places of significance.</p>	<p>The impact of excavation is minor and limited to parts of the place of local significance that have been disturbed by previous excavation.</p> <p>AO6.2 An archaeological management plan is prepared for development involving subsurface disturbance.</p>	<p>Proposal is capable of complying.</p>
Advertising devices		
<p>PO7 Advertising devices located on, or on premises adjoining a state heritage place are sited and designed so as to: (a) be compatible with the cultural significance of the state heritage place or place of local significance; not obscure the appearance or prominence of the state heritage place or place of local significance when viewed from the street or other public places; not alter or conceal significant features of the state heritage place, or place of local significance.</p>	<p>AO7 No acceptable outcomes are prescribed.</p>	<p>Proposal is capable of complying.</p>
Development on premises adjoining a state heritage place		
<p>PO8 Where on a premises adjoining a state heritage place or place of local significance, development is designed and constructed so as to: (a) not to obscure the appearance or prominence of the state heritage place from surrounding streets or public places; not to intrude into important vistas of the state heritage place; not to place buildings and structures between a state heritage place and its primary or secondary street frontage; to ensure new buildings or structures are setback from the street frontage and are of a height, bulk and</p>	<p>AO8 No acceptable outcomes are prescribed.</p>	<p>N/A</p>

Performance outcomes	Acceptable outcomes	
<p>scale which retains the visual prominence and values of the state heritage place; to minimise disturbance to the original fabric of the state heritage place; to retain, where intact, the significant or original siting and context of the state heritage place.</p> <p>Note - Guidance on meeting the performance criteria is provided within Planning scheme policy SC6.11 – Places of significance.</p>		

Natural areas overlay code

Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Natural areas overlay, if:
 - (a) self-assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
 - (b) impact assessable development.

- (2) Land in the Natural areas overlay is identified on the Natural areas overlay map in Schedule 2 and includes the following sub-categories:
 - (a) MSES – Protected area;
 - (b) MSES – Marine park;
 - (c) MSES – Wildlife habitat;
 - (d) MSES – Regulated vegetation;
 - (e) MSES – Regulated vegetation (intersecting a Watercourse);
 - (f) MSES – High ecological significance wetlands;
 - (g) MSES – High ecological value waters (wetlands);
 - (h) MSES – High ecological value waters (watercourse);
 - (i) MSES – Legally secured off set area.

Note – MSES = Matters of State Environmental Significance.

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

Purpose

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

- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development is avoided within:

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

Criteria for assessment

Table Error! No text of specified style in document..a – Natural areas overlay code – assessable development

Performance outcomes		Acceptable outcomes
For self-assessable and assessable development		
Protection of matters of environmental significance		
PO1 Development protects matters of environmental significance.	AO1.1 Development avoids significant impact on the relevant environmental values. or AO1.2 A report is prepared by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, that the	Proposal complies.

Performance outcomes	Acceptable outcomes	
	<p>development site does not contain any matters of state and local environmental significance.</p> <p>or</p> <p>AO1.3 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>	
Management of impacts on matters of environmental significance		
<p>PO2 Development is located, designed and constructed to avoid significant impacts on matters of environmental significance.</p>	<p>AO2 The design and layout of development minimises adverse impacts on ecologically important areas by:</p> <ul style="list-style-type: none"> (a) focusing development in cleared areas to protect existing habitat; utilising design to consolidate density and preserve existing habitat and native vegetation; aligning new property boundaries to maintain ecologically important areas; ensuring that alterations to natural landforms, hydrology and drainage patterns on the development site do not negatively affect ecologically important areas; ensuring that significant fauna habitats are protected in their environmental context; and incorporating measures that allow for the safe movement of fauna through the site. 	<p>Proposal complies.</p>

Performance outcomes	Acceptable outcomes	
<p>PO3 An adequate buffer to areas of state environmental significance is provided and maintained.</p>	<p>AO3.1 A buffer for an area of state environmental significance (Wetland protection area) has a minimum width of: (a) 100 metres where the area is located outside Urban areas; or 50 metres where the area is located within a Urban areas.</p> <p>or</p> <p>AO3.2 A buffer for an area of state environmental significance is applied and maintained, the width of which is supported by an evaluation of environmental values, including the function and threats to matters of environmental significance.</p>	<p>N/A</p>
<p>PO4 Wetland and wetland buffer areas are maintained, protected and restored.</p> <p>Note – Wetland buffer areas are identified in AO3.1.</p>	<p>AO4.1 Native vegetation within wetlands and wetland buffer areas is retained.</p> <p>AO4.2 Degraded sections of wetlands and wetland buffer areas are revegetated with endemic native plants in patterns and densities which emulate the relevant regional ecosystem.</p>	<p>N/A</p>
<p>PO5 Development avoids the introduction of non-native pest species (plant or animal), that pose a risk to ecological integrity.</p>	<p>AO5.1 Development avoids the introduction of non-native pest species.</p> <p>AO5.2</p>	<p>Proposal is capable of complying.</p>

Performance outcomes	Acceptable outcomes	
	<p>The threat of existing pest species is controlled by adopting pest management practices for long-term ecological integrity.</p>	
Ecological connectivity		
<p>PO6 Development protects and enhances ecological connectivity and/or habitat extent.</p>	<p>AO6.1 Development retains native vegetation in areas large enough to maintain ecological values, functions and processes.</p> <p>and</p> <p>AO6.2 Development within an ecological corridor rehabilitates native vegetation.</p> <p>and</p> <p>AO6.3 Development within a conservation corridor mitigates adverse impacts on native fauna, feeding, nesting, breeding and roosting sites and native fauna movements.</p>	<p>Proposal complies.</p>
<p>PO7 Development minimises disturbance to matters of state environmental significance (including existing ecological corridors).</p>	<p>AO7.1 Development avoids shading of vegetation by setting back buildings by a distance equivalent to the height of the native vegetation.</p> <p>and</p> <p>AO7.2</p>	<p>Proposal complies.</p>

Performance outcomes	Acceptable outcomes	
	Development does not encroach within 10 metres of existing riparian vegetation and watercourses.	
Waterways in an urban area		
<p>PO8 Development is set back from waterways to protect and maintain: (a) water quality; hydrological functions; ecological processes; biodiversity values; riparian and in-stream habitat values and connectivity; in-stream migration.</p>	<p>AO8.1 Where a waterway is contained within an easement or a reserve required for that purpose, development does not occur within the easement or reserve;</p> <p>or</p> <p>AO8.2 Development does not occur on the part of the site affected by the waterway corridor.</p> <p>Note – Waterway corridors are identified within Table Error! No text of specified style in document..b.</p>	Proposal complies.
Waterways in a non-urban area		
<p>PO9 Development is set back from waterways to protect and maintain: (a) water quality; hydrological functions; ecological processes; biodiversity values; riparian and in-stream habitat values and connectivity; in-stream migration.</p>	<p>AO9 Development does not occur on that part of the site affected by a waterway corridor.</p> <p>Note – Waterway corridors are identified within Table Error! No text of specified style in document..b.</p>	Proposal complies.

Table Error! No text of specified style in document..b — Widths of waterway corridors for waterways

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

Landscaping code

Application

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

Purpose

- (1) The purpose of the Landscaping code is to assess the landscaping aspects of a development.
- (2) 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.

Criteria for assessment

Table Error! No text of specified style in document..a – Landscaping code –assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
Landscape design		
PO1	AO1	Proposal is capable of complying.

Performance outcomes	Acceptable outcomes	Applicant response
<p>Development provides landscaping that contributes to and creates a high quality landscape character for the site, street and local areas of the Shire by:</p> <ul style="list-style-type: none"> (a) promoting the Shire's character as a tropical environment; (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. 	<p>Development provides landscaping:</p> <ul style="list-style-type: none"> (a) in accordance with the minimum area, dimensions and other requirements of applicable development codes; (b) that is designed and planned in a way that 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. <p>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.</p>	
For assessable development		
<p>PO2 Landscaping contributes to a sense of place, is functional to the surroundings and enhances the streetscape and visual appearance of the development.</p>	<p>AO2.1 No acceptable outcomes are specified.</p> <p>Note - Landscaping is in accordance with the requirements specified in Planning scheme policy SC6.7 – Landscaping.</p>	<p>Proposal is capable of complying.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>AO2.2 Tropical urbanism is incorporated into building design.</p> <p>Note – ‘Tropical urbanism’ includes many things such as green walls, green roofs, podium planting and vegetation incorporated into the design of a building.</p>	
<p>PO3 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.</p>	<p>AO3.1 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.</p> <p>AO3.2 Mature vegetation on the site that is removed or damaged during development is replaced with advanced species.</p> <p>AO3.3 Where there is an existing landscape character in a street or locality which results from existing vegetation, similar species are incorporated into new development.</p> <p>AO3.4 Street trees are species which enhance the landscape character of the streetscape, with species chosen from the Planning scheme policy SC6.7 – Landscaping.</p>	<p>Proposal is capable of complying.</p>
<p>PO4 Plant species are selected with consideration to the scale and form of development, screening, buffering, streetscape, shading and the locality of the area.</p>	<p>AO4 Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.</p>	<p>Proposal is capable of complying.</p>
<p>PO5</p>	<p>AO5</p>	<p>Proposal is capable of complying.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal roadways.</p>	<p>Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.</p>	
<p>PO6 Landscaped areas are designed in order to allow for efficient maintenance.</p>	<p>AO6.1 A maintenance program is undertaken in accordance with Planning scheme policy SC6.7 – Landscaping.</p> <p>AO6.2 Tree maintenance is to have regard to the ‘Safe Useful Life Expectancy of Trees (SULE).’</p> <p>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.</p>	<p>Proposal is capable of complying.</p>
<p>PO7 Podium planting is provided with appropriate species for long term survival and ease of maintenance, with beds capable of proper drainage.</p>	<p>AO7.1 Podium planting beds are provided with irrigation and are connected to stormwater infrastructure to permit flush out.</p> <p>AO7.2 Species of plants are selected for long term performance designed to suit the degree of access to podiums and roof tops for maintenance.</p>	<p>N/A</p>
<p>PO8 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.</p>	<p>AO8 Weed and invasive species detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person.</p>	<p>Proposal is capable of complying.</p>
<p>PO9 The landscape design enhances personal safety and reduces the potential for crime and vandalism.</p>	<p>AO9 No acceptable outcomes are specified.</p>	<p>Proposal is capable of complying.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>Note - Planning scheme policy SC6.3 – Crime prevention through environmental design (CPTED) provides guidance on meeting this outcome.</p>	
<p>PO10 The location and type of plant species does not adversely affect the function and accessibility of services and facilities and service areas.</p>	<p>AO10 Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.</p>	<p>Proposal is capable of complying.</p>

Landscape values overlay code

Application

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

Purpose

- (1) The purpose of the Landscape values overlay code is to:
 - (a) implement the policy direction of the Strategic Framework, in particular:
 - (i) Theme 2: Environment and landscape values Element 3.5.5 Scenic amenity;
 - (ii) Theme 3: Natural resource management Element 3.6.4 – Resource extraction.
 - (b) enable an assessment of whether development is suitable on land within the Landscape values overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) areas of High landscape value are protected, retained and enhanced;
 - (b) areas of Medium landscape value are managed to integrate and limit the visual impact of development;
 - (c) the landscape values of the Coastal scenery area are managed to integrate and limit the visual impact of development;
 - (d) development maintains and enhances the significant landscape elements and features which contribute to the distinctive character and identity of Douglas Shire;
 - (e) ridges and vegetated hillslopes are not developed in a way that adversely impacts on landscape values;
 - (f) watercourses, forested mountains and coastal landscape character types remain predominantly natural in appearance in order to maintain the region's diverse character and distinctive tropical image, in particular:
 - (i) areas in the coastal landscape character type which are predominantly natural and undeveloped in appearance retain this natural

- landscape character;
- (ii) watercourses which are predominantly natural and undeveloped in appearance retain this natural landscape character;
- (iii) the rural character of cane fields and lowlands landscape character types which are predominantly rural or natural in appearance are maintained;
- (iv) landscape values are maintained when viewed from lookouts, scenic routes, gateways and public places.
- (g) views towards High landscape value areas and the Coral Sea are not diminished;
- (h) development is consistent with the prevailing landscape character of its setting, and is neither visually dominant nor visually intrusive;
- (i) advertising devices do not detract from the landscape values, character types or amenity of an area.

Criteria for assessment

Table Error! No text of specified style in document..a – Landscape values overlay code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For assessable development		
Development in a High landscape value area		
<p>PO1 Development within High landscape value areas 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 3 years of construction;</p> <p>(c) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements;</p> <p>(d) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality;</p> <p>(e) avoids detrimental impacts on landscape values and excessive changes to the natural landform as</p>	<p>AO1.1 Buildings and structures are not more than 8.5 metres and two storeys in height.</p> <p>Note - Height is inclusive of roof height.</p> <p>AO1.2 Buildings and structures are setback not less than 50 metres from ridgelines or peaks.</p> <p>AO1.3 Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.</p> <p>AO1.4 Where development on land steeper than 1 in 6 (16.6%) cannot be avoided: (a) development follows the natural; contours of the site;</p>	<p>Proposal complies.</p> <p>Proposal complies.</p> <p>Proposal complies.</p> <p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>a result of the location, position on site, scale, design, extent and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure;</p> <p>(f) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and lines and other tall infrastructure;</p> <p>(g) extractive industry operations are avoided.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</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>AO1.5 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>AO1.6 No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.5%).</p> <p>AO1.7 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>AO1.8 Advertising devices do not occur.</p>	<p>Proposal complies.</p> <p>Proposal complies.</p> <p>N/A</p> <p>Proposal complies.</p>

Performance outcomes	Acceptable outcomes	Applicant response
Development within the Medium landscape value area		
<p>PO2 Development within Medium landscape value areas identified on the Landscape values overlay maps contained in Schedule 2:</p> <ul style="list-style-type: none"> (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 5 years of construction; (c) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements; (d) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality; (e) avoids detrimental impacts on landscape values and excessive changes to the natural landform as a result of the location, position on site, scale, design and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure; (f) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and lines and other tall infrastructure; (g) extractive industry operations are avoided, or where they cannot be avoided, are screened from view. 	<p>AO2.1 Buildings and structures are not more than 8.5 metres and two storeys in height.</p> <p>Note - Height is inclusive of the roof height.</p> <p>AO2.2 Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.</p> <p>AO2.3 Where development on land steeper than 1 in 6 (16.6%) cannot be avoided:</p> <ul style="list-style-type: none"> (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. <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>AO2.4 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>AO2.5</p>	<p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
<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>AO2.6 Advertising devices do not occur.</p>	
Development within a Scenic route buffer / view corridor area		
<p>PO3 Development within a Scenic route buffer / view corridor area as identified on the Landscape values overlay maps contained in Schedule 2:</p> <ul style="list-style-type: none"> (a) retains visual access to views of the surrounding landscape, the sea and other water bodies; (b) retains existing vegetation and incorporates landscaping to visually screen and soften built form elements whilst not impeding distant views or view corridors; (c) incorporates building materials and external finishes that are compatible with the visual amenity and the landscape character; (d) minimises visual impacts on the setting and views in terms of: <ul style="list-style-type: none"> (i) the scale, height and setback of buildings; (ii) the extent of earthworks and impacts on the landform including the location and configuration of access roads and driveways; (iii) the scale, extent and visual prominence of advertising devices. <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>AO3.1 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>AO3.2 No clearing of native vegetation is undertaken within a Scenic route buffer area.</p> <p>AO3.3 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>AO3.4 Development does not result in the replacement of, or creation of new, additional, or enlarged advertising devices.</p>	<p>Proposal complies.</p> <p>Proposal complies.</p> <p>Proposal complies – existing vegetation in the road reserve screens the site.</p> <p>Proposal complies.</p>
Development within the Coastal scenery area		
PO4	AO4.1	N/A

Performance outcomes	Acceptable outcomes	Applicant response
<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>The dominance of the natural character of the coast is maintained or enhanced when viewed from the foreshore.</p> <p>AO4.2 Where located adjacent to the foreshore buildings and structures are setback:</p> <ul style="list-style-type: none"> (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 (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>AO4.3 Where separated from the foreshore by land contained within public ownership (e.g. unallocated State land, esplanade or other public open space), buildings and structures area setback:</p> <ul style="list-style-type: none"> (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 (b) where there is adjoining development, setbacks will be consistent with that of adjoining buildings and structures. The setback area is landscaped in 	

Performance outcomes	Acceptable outcomes	Applicant response
	accordance with the requirements of the Landscaping code.	
<p>PO5 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>AO5 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>	N/A

Infrastructure works code

Application

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

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

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

Purpose

- (1) The purpose of the Infrastructure works code is to ensure that development is safely and efficiently serviced by, and connected to, infrastructure.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) the standards of water supply, waste water treatment and disposal, stormwater drainage, local electricity supply, telecommunications, footpaths and road construction meet the needs of development and are safe and efficient;
 - (b) development maintains high environmental standards;
 - (c) development is located, designed, constructed and managed to avoid or minimise impacts arising from altered stormwater quality or flow, wastewater discharge, and the creation of non-tidal artificial waterways;
 - (d) the integrity of existing infrastructure is maintained;
 - (e) development does not detract from environmental values or the desired character and amenity of an area.

Criteria for assessment

Table Error! No text of specified style in document..a – Infrastructure works code –assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
Works on a local government road		
PO1 Works on a local government road do not adversely impact on footpaths or existing infrastructure within the	AO1.1 Footpaths/pathways are located in the road verge and are provided for the hierarchy of	N/A

Performance outcomes	Acceptable outcomes	Applicant response
<p>road verge and maintain the flow, safety and efficiency of pedestrians, cyclists and vehicles.</p>	<p>the road and located and designed and constructed in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p>AO1.2 Kerb ramp crossovers are constructed in accordance with Planning scheme policy SC 5 – FNQROC Regional Development Manual.</p> <p>AO1.3 New pipes, cables, conduits or other similar infrastructure required to cross existing footpaths: (a) are installed via trenchless methods; or (b) where footpath infrastructure is removed to install infrastructure, the new section of footpath is installed to the standard detailed in the Planning scheme policy SC5 – FNQROC Regional Development Manual, and is not less than a 1.2 metre section.</p> <p>AO1.4 Where existing footpaths are damaged as a result of development, footpaths are reinstated ensuring: (a) similar surface finishes are used; (b) there is no change in level at joins of new and existing sections; (c) new sections are matched to existing in terms of dimension and reinforcement.</p> <p>Note – Figure Error! No text of specified style in document..a provides guidance on meeting the outcomes.</p>	

Performance outcomes	Acceptable outcomes	Applicant response
	<p>AO1.5 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.</p>	
Accessibility structures		
<p>PO2 Development is designed to ensure it is accessible for people of all abilities and accessibility features do not impact on the efficient and safe use of footpaths.</p> <p>Note – Accessibility features are those features required to ensure access to premises is provided for people of all abilities and include ramps and lifts.</p>	<p>AO2.1 Accessibility structures are not located within the road reserve.</p> <p>AO2.2 Accessibility structures are designed in accordance with AS1428.3.</p> <p>AO2.3 When retrofitting accessibility features in existing buildings, all structures and changes in grade are contained within the boundaries of the lot and not within the road reserve.</p>	<p>Proposal complies.</p>
Water supply		
<p>PO3 An adequate, safe and reliable supply of potable, fire fighting and general use water is provided.</p>	<p>AO3.1 The premises is connected to Council’s reticulated water supply system in accordance with the Design Guidelines set out in Section D6 of the Planning scheme policy SC5 – FNQROC Regional Development Manual;</p> <p>or</p> <p>AO3.2 Where a reticulated water supply system is not available to the premises, on site water</p>	<p>Proposal complies.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>storage tank/s with a minimum capacity of 10,000 litres of stored water, with a minimum 7,500 litre tank, with the balance from other sources (e.g. accessible swimming pool, dam etc.) and access to the tank/s for fire trucks is provided for each new house or other development. Tank/s are to be fitted with a 50mm ball valve with a camlock fitting and installed and connected prior to occupation of the house and sited to be visually unobtrusive.</p>	
Treatment and disposal of effluent		
<p>PO4 Provision is made for the treatment and disposal of effluent to ensure that there are no adverse impacts on water quality and no adverse ecological impacts as a result of the system or as a result of increasing the cumulative effect of systems in the locality.</p>	<p>AO4.1 The site is connected to Council's sewerage system and the extension of or connection to the sewerage system is designed and constructed in accordance with the Design Guidelines set out in Section D7 of the Planning scheme policy SC5 – FNQROC Regional Development Manual;</p> <p>or</p> <p>AO4.2 Where not in a sewerage scheme area, the proposed disposal system meets the requirements of Section 33 of the <i>Environmental Protection Policy (Water) 1997</i> and the proposed on site effluent disposal system is designed in accordance with the <i>Plumbing and Drainage Act (2002)</i>.</p>	<p>Proposal complies.</p>
Stormwater quality		

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO5 Development is planned, designed, constructed and operated to avoid or minimise adverse impacts on stormwater quality in natural and developed catchments by:</p> <ul style="list-style-type: none"> (a) achieving stormwater quality objectives; (b) protecting water environmental values; (c) maintaining waterway hydrology. 	<p>AO5.1 A connection is provided from the premises to Council's drainage system;</p> <p>or</p> <p>AO5.2 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.</p> <p>AO5.3 A stormwater quality management plan is prepared, and provides for achievable stormwater quality treatment measures meeting design objectives listed in Table Error! No text of specified style in document..b and Table Error! No text of specified style in document..c, reflecting land use constraints, such as:</p> <ul style="list-style-type: none"> (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. <p>AO5.4 Erosion and sediment control practices are designed, installed, constructed, monitored, maintained, and carried out in accordance with an erosion and sediment control plan.</p> <p>AO5.5</p>	<p>Proposal complies.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>Development incorporates stormwater flow control measures to achieve the design objectives set out in Table Error! No text of specified style in document..b and Table Error! No text of specified style in document..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>	
Non-tidal artificial waterways		
<p>PO6 Development involving non-tidal artificial waterways is planned, designed, constructed and operated to:</p> <ul style="list-style-type: none"> (a) protect water environmental values; (b) be compatible with the land use constraints for the site for protecting water environmental values; (c) be compatible with existing tidal and non-tidal waterways; (d) perform a function in addition to stormwater management; (e) achieve water quality objectives. 	<p>AO6.1 Development involving non-tidal artificial waterways ensures:</p> <ul style="list-style-type: none"> (a) environmental values in downstream waterways are protected; (b) any ground water recharge areas are not affected; (c) the location of the waterway incorporates low lying areas of the catchment connected to an existing waterway; (d) existing areas of ponded water are included. <p>AO6.2 Non-tidal artificial waterways are located:</p> <ul style="list-style-type: none"> (a) outside natural wetlands and any associated buffer areas; (b) to minimise disturbing soils or sediments; 	N/A

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas.</p> <p>AO6.3 Non-tidal artificial waterways located adjacent to, or connected to a tidal waterway by means of a weir, lock, pumping system or similar ensures:</p> <ul style="list-style-type: none"> (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. <p>AO6.4 Non-tidal artificial waterways are designed and managed for any of the following end-use purposes:</p> <ul style="list-style-type: none"> (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. <p>AO6.5 The end-use purpose of the non-tidal artificial waterway is designed and operated in a way that protects water environmental values.</p> <p>AO6.6 Monitoring and maintenance programs adaptively manage water quality to achieve</p>	

Performance outcomes	Acceptable outcomes	Applicant response
	<p>relevant water quality objectives downstream of the waterway.</p> <p>AO6.7 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.</p>	
Wastewater discharge		
<p>PO7 Discharge of wastewater to waterways, or off site:</p> <ul style="list-style-type: none"> (a) meets best practice environmental management; (b) is treated to: <ul style="list-style-type: none"> (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. 	<p>AO7.1 A wastewater management plan is prepared and addresses:</p> <ul style="list-style-type: none"> (a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best practice environmental management. <p>AO7.2 The waste water management plan is managed in accordance with a waste management hierarchy that:</p> <ul style="list-style-type: none"> (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. <p>AO7.3 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.</p>	<p>Proposal is capable of complying.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>AO7.4 Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and:</p> <ul style="list-style-type: none"> (a) avoids lowering ground water levels where potential or actual acid sulfate soils are present; (b) manages wastewater so that: <ul style="list-style-type: none"> (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; (ii) holding times of neutralised wastewater ensures the flocculation and removal of any dissolved iron prior to release; (iii) visible iron floc is not present in any discharge; (iv) precipitated iron floc is contained and disposed of; (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. 	
Electricity supply		
<p>PO8 Development is provided with a source of power that will meet its energy needs.</p>	<p>AO8.1 A connection is provided from the premises to the electricity distribution network;</p> <p>or</p> <p>AO8.2 The premises is connected to the electricity distribution network in accordance with the Design Guidelines set out in Section D8 of the</p>	<p>Proposal complies.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p>Note - Areas north of the Daintree River have a different standard.</p>	
<p>PO9 Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.</p>	<p>AO9.1 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.</p> <p>AO9.2 Pad-mount electricity infrastructure within a building, in a Town Centre is designed and located to enable an active street frontage.</p> <p>Note – Pad-mounts in buildings in activity centres should not be located on the street frontage.</p>	<p>Proposal complies.</p>
Telecommunications		
<p>PO10 Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.</p>	<p>AO10 The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.</p>	<p>Proposal complies.</p>
<p>PO11 Provision is made for future telecommunications services (e.g. fibre optic cable).</p>	<p>AO11 Conduits are provided in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.</p>	<p>Proposal is capable of complying.</p>
Road construction		

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO12 The road to the frontage of the premises is constructed to provide for the safe and efficient movement of:</p> <ul style="list-style-type: none"> (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. 	<p>AO12.1 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.</p> <p>AO12.2 There is existing road, kerb and channel for the full road frontage of the site.</p> <p>AO12.3 Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for the safe passage of emergency vehicles.</p>	<p>Proposal is capable of complying.</p>
Alterations and repairs to public utility services		
<p>PO13 Infrastructure is integrated with, and efficiently extends, existing networks.</p>	<p>AO13 Development is designed to allow for efficient connection to existing infrastructure networks.</p>	<p>Proposal complies.</p>
<p>PO14 Development and works do not affect the efficient functioning of public utility mains, services or installations.</p>	<p>AO14.1 Public utility mains, services and installations are not required to be altered or repaired as a result of the development;</p> <p>or</p> <p>AO14.2 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</p>	<p>Proposal complies.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	
Construction management		
<p>PO15 Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be retained.</p>	<p>AO15 Works include, at a minimum: (a) installation of protective fencing around retained vegetation during construction; (b) erection of advisory signage; (c) no disturbance, due to earthworks or storage of plant, materials and equipment, of ground level and soils below the canopy of any retained vegetation; (d) removal from the site of all declared noxious weeds.</p>	Proposal is capable of complying.
<p>PO16 Existing infrastructure is not damaged by construction activities.</p>	<p>AO16 Construction, alterations and any repairs to infrastructure is undertaken in accordance with the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p>Note - Construction, alterations and any repairs to State-controlled roads and rail corridors are undertaken in accordance with the Transport Infrastructure Act 1994.</p>	Proposal is capable of complying.
For assessable development		
High speed telecommunication infrastructure		
<p>PO17 Development provides infrastructure to facilitate the roll out of high speed telecommunications infrastructure.</p>	<p>AO17 No acceptable outcomes are prescribed.</p>	Proposal is capable of complying.
Trade waste		

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO18 Where relevant, the development is capable of providing for the storage, collection treatment and disposal of trade waste such that:</p> <ul style="list-style-type: none"> (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. 	<p>AO18 No acceptable outcomes are prescribed.</p>	<p>N/A</p>
Fire services in developments accessed by common private title		
<p>PO19 Hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.</p>	<p>AO19.1 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.</p> <p>AO19.2 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.</p>	<p>N/A</p>
<p>PO20 Hydrants are suitable identified so that fire services can locate them at all hours.</p> <p>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'.</p>	<p>AO20 No acceptable outcomes are prescribed.</p>	<p>Proposal is capable of complying.</p>

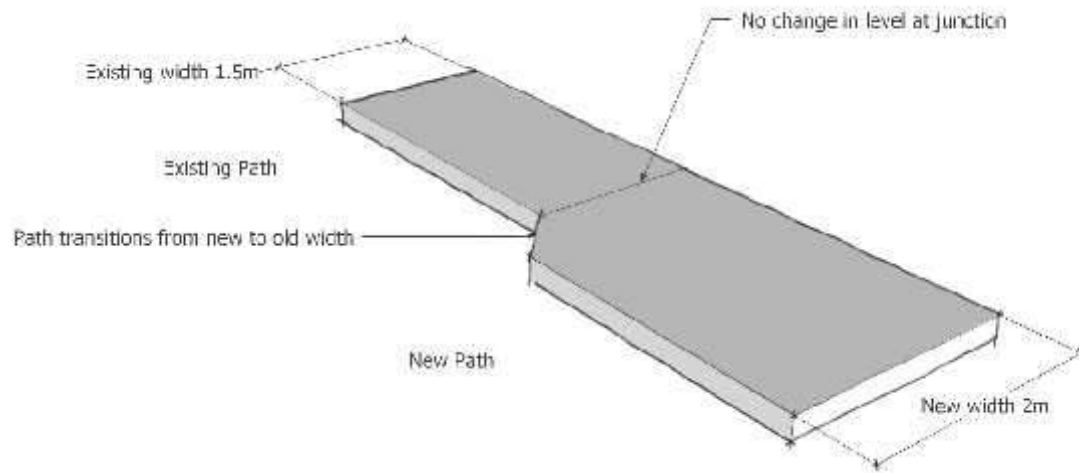
Table Error! No text of specified style in document..b – Stormwater management design objectives (Construction phase).

Issue	Design objectives
<p>Drainage control (Temporary drainage works)</p>	<p>(a) Design life and design storm for temporary drainage works: (vi) Disturbed open area for <12 months – 1 in 2 year ARI event; (vii) Disturbed open area for 12-24 months – 1 in 5 year ARI event; (viii) Disturbed open area for >24 months – 1 in 10 year ARI event. (b) Design capacity excludes minimum 150mm freeboard. (c) Temporary culvert crossing – minimum of 1 in 1-year ARI hydraulic capacity.</p>
<p>Erosion control (Erosion control measures)</p>	<p>(a) Minimise exposure of disturbed soils at any time. (b) Divert water run-off from undisturbed areas around disturbed areas. (c) Determine erosion risk rating using local rainfall erosivity, rainfall depth, soil loss rate or other acceptable methods. (d) Implement erosion control methods corresponding to identified erosion risk rating.</p>
<p>Sediment control measures (sediment control measures, design storm for sediment control basins, Sediment basin dewatering)</p>	<p>(a) Determine appropriate sediment control measures using: (i) potential soil loss rate; or (ii) monthly erosivity; or (iii) average monthly rainfall. (b) Collect and drain stormwater from disturbed soils to sediment basin for design storm event: (i) design storm for sediment basin sizing is 80th% five-day event or similar. (c) Site discharge during sediment basin dewatering: (i) TSS < 50mg/L TSS; (ii) Turbidity not > 10% receiving water's turbidity; (iii) pH 6.5-8.5.</p>
<p>Water quality (Litter and other waste, hydrocarbons and other contaminants)</p>	<p>(a) Avoid wind-blown litter; remove grass pollutants. (b) Ensure there is no visible oil or grease sheen on released waters. (c) Dispose of waste containing contaminants at authorised facilities.</p>
<p>Waterway stability and flood flow management (Changes to the natural hydraulics and hydrology)</p>	<p>(a) For peak flow for the 100% AEP event and 1% AEP event, use constructed sediment basins to attenuate the discharge rate of stormwater from the site.</p>

Table Error! No text of specified style in document..c – Stormwater management design objectives (post-construction phase)

Design objectives				Application
Minimum reductions in mean annual load from unmitigated development (%)				
Total suspended solids (TSS)	Total phosphorus (TP)	Total nitrogen (TN)	Gross pollutants >5mm	
80	60	40	90	<p>Development for urban purposes</p> <p>Excludes development that is less than 25% pervious.</p> <p>In lieu of modelling, the default bio-retention treatment area to comply with load reduction targets of 1.5% of contributing catchment area.</p>
<p>Water stability management</p> <p>(2) Limit peak 100% AEP event discharge within the receiving waterway to the pre-development peak 100% AEP event discharge.</p>				<p>Catchments contributing to un-lined receiving waterway. Degraded waterways may seek alternative discharge management objectives to achieve waterway stability.</p> <p>For peak flow for the 100% AEP event, use co-located storages to attenuate site discharge rate of stormwater.</p>

Figure Error! No text of specified style in document..a – New footpath sections



Flood and storm tide hazard overlay code

Application

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

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

Purpose

- (1) The purpose of the Flood and storm tide hazard overlay code is to:
 - (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
 - (ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.
 - (b) enable an assessment of whether development is suitable on land within the Flood and storm tide hazard sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development siting, layout and access responds to the risk of the natural hazard and minimises risk to personal safety;
 - (b) development achieves an acceptable or tolerable risk level, based on a fit for purpose risk assessment;
 - (c) the development is resilient to natural hazard events by ensuring siting and design accounts for the potential risks of natural hazards to property;
 - (d) the development supports, and does not unduly burden disaster management response or recovery capacity and capabilities;

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

Criteria for assessment

Table Error! No text of specified style in document..a – Flood and storm tide hazards overlay code –assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For assessable and self assessable development		
<p>PO1 Development is located and designed to:</p> <ul style="list-style-type: none"> (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 (e) rebuilding or restoration costs after inundation events. <p>Note – For assessable development within the flood plain assessment sub-category, a flood study by a suitably qualified professional is required to identify compliance with the intent of the acceptable outcome.</p>	<p>AO1.1 Development is sited on parts of the land that is not within the Flood and Storm tide hazards overlay maps contained in Schedule 2;</p> <p>or</p> <p>For dwelling houses,</p> <p>AO1.2 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 Error! No text of specified style in document..b plus a freeboard of 300mm.</p> <p>AO1.3 New buildings are:</p> <ul style="list-style-type: none"> (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. <p>AO1.4 In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their</p>	<p>Proposal complies. No development is proposed on parts of the site which are mapped as being subject to flood hazard.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	natural function of reducing velocity of floodwaters.	
For assessable development		
<p>PO2 The development is compatible with the level of risk associated with the natural hazard.</p>	<p>AO2 The following uses are not located in land inundated by the Defined Flood Event (DFE) / Storm tide: (a) Retirement facility; (b) Community care facility; (c) Child care centre.</p>	<p>Proposal complies.</p>
<p>PO3 Development siting and layout responds to flooding potential and maintains personal safety</p>	<p>For Material change of use</p> <p>AO3.1 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.</p> <p>or</p> <p>AO3.2 The development incorporates an area on site that is at least 300mm above the highest known flood inundation level with sufficient space to accommodate the likely population of the development safely for a relatively short time until flash flooding subsides or people can be evacuated.</p> <p>or</p>	<p>Proposal complies. No development is proposed on parts of the site which are mapped as being subject to flood hazard.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>AO3.3 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 70m² gross floor area.</p> <p>Note – If part of the site is outside the Hazard Overlay area, this is the preferred location of all buildings.</p> <p>For Reconfiguring a lot</p> <p>AO3.4 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>AO3.5 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>N/A</p> <p>Proposal complies.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(b) by direct and simple routes to main carriageways.</p> <p>AO3.6 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>AO3.7 There is no intensification of residential uses within the flood affected areas on land situated below the DFE/Storm tide.</p>	
	<p>For Material change of use (Residential uses)</p> <p>AO3.1 The design and layout of buildings used for residential purposes minimise risk from flooding by providing:</p> <p>(a) parking and other low intensive, non-habitable uses at ground level;</p> <p>Note - The high-set 'Queenslander' style house is a resilient low-density housing solution in floodplain areas. Higher density residential development should ensure only non-habitable rooms (e.g. garages, laundries) are located on the ground floor.</p>	N/A
PO4	For Material change of use (Non-residential uses)	N/A

Performance outcomes	Acceptable outcomes	Applicant response
<p>Development is resilient to flood events by ensuring design and built form account for the potential risks of flooding.</p>	<p>AO4.2 Non residential buildings and structures allow for the flow through of flood waters on the ground floor.</p> <p>Note - Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p> <p>Note - The relevant building assessment provisions under the <i>Building Act 1975</i> apply to all building work within the Hazard Area and need to take into account the flood potential within the area.</p> <p>AO4.3 Materials are stored on-site: (a) are those that are readily able to be moved in a flood event; (b) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood.</p> <p>Notes - (a) Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site). (b) Queensland Government Fact Sheet 'Repairing your House after a Flood' provides information about water resilient products and building techniques.</p>	
<p>PO5 Development directly, indirectly and cumulatively avoids any increase in water flow velocity or flood level and does not increase the potential flood damage either on site or on other properties.</p>	<p>For Operational works AO5.1 Works in urban areas associated with the proposed development do not involve:</p>	<p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>Note – Berms and mounds are considered to be an undesirable built form outcome and are not supported.</p>	<p>(a) any physical alteration to a watercourse or floodway including vegetation clearing; or</p> <p>(b) a net increase in filling (including berms and mounds).</p> <p>AO5.2 Works (including buildings and earthworks) in non urban areas either:</p> <p>(a) do not involve a net increase in filling greater than 50m³; or</p> <p>(b) do not result in any reductions of on-site flood storage capacity and contain within the subject site any changes to depth/duration/velocity of flood waters;</p> <p>or</p> <p>(c) do not change flood characteristics outside the subject site in ways that result in:</p> <ul style="list-style-type: none"> (i) loss of flood storage; (ii) loss of/changes to flow paths; (iii) acceleration or retardation of flows or any reduction in flood warning times elsewhere on the flood plain. <p>For Material change of use</p> <p>AO5.3 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>	

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(a) does not increase the volume, velocity, concentration of flow path alignment of stormwater flow across sites upstream, downstream or in the general vicinity of the subject site; and</p> <p>(b) does not increase ponding on sites upstream, downstream or in the general vicinity of the subject site.</p> <p>For Material change of use and Reconfiguring a lot</p> <p>AO5.4 In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.</p> <p>Note – Fences and irrigation infrastructure (e.g. irrigation tape) in rural areas should be managed to minimise adverse the impacts that they may have on downstream properties in the event of a flood.</p>	
<p>PO6 Development avoids the release of hazardous materials into floodwaters.</p>	<p>For Material change of use</p> <p>AO6.1 Materials manufactured or stored on site are not hazardous or noxious, or comprise materials that may cause a detrimental effect on the environment if discharged in a flood event;</p> <p>or</p> <p>AO6.2</p>	<p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>If a DFE level is adopted, structures used for the manufacture or storage of hazardous materials are:</p> <p>(a) located above the DFE level;</p> <p>or</p> <p>(b) designed to prevent the intrusion of floodwaters.</p> <p>AO6.3 Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE.</p> <p>AO6.4 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>PO7 The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.</p>	<p>AO7 Development does not:</p> <p>(a) increase the number of people calculated to be at risk of flooding;</p> <p>(a) increase the number of people likely to need evacuation;</p> <p>(b) shorten flood warning times; and</p>	<p>Proposal complies.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(c) impact on the ability of traffic to use evacuation routes, or unreasonably increase traffic volumes on evacuation routes.</p>	
<p>PO8 Development involving community infrastructure:</p> <ul style="list-style-type: none"> (a) remains functional to serve community need during and immediately after a flood event; (b) is designed, sited and operated to avoid adverse impacts on the community or environment due to impacts of flooding on infrastructure, facilities or access and egress routes; (c) retains essential site access during a flood event; (d) is able to remain functional even when other infrastructure or services may be compromised in a flood event. 	<p>AO8.1 The following uses are not located on land inundated during a DFE/Storm tide:</p> <ul style="list-style-type: none"> (a) community residence; and (b) emergency services; and (c) residential care facility; and (d) utility installations involving water and sewerage treatment plants; and (e) storage of valuable records or items of historic or cultural significance (e.g. archives, museums, galleries, libraries). <p>or</p> <p>AO8.2 The following uses are not located on land inundated during a 1% AEP flood event:</p> <ul style="list-style-type: none"> (a) community and cultural facilities, including facilities where an education and care service under the Education and care Services National law (Queensland) is operated or child care service under the <i>Child Care Act 2002</i> is conducted, (b) community centres; (c) meeting halls; (d) galleries; (e) libraries. <p>The following uses are not located on land inundated during a 0.5% AEP flood event.</p> <ul style="list-style-type: none"> (a) emergency shelters; (b) police facilities; 	<p>Proposal complies.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(c) sub stations; (d) water treatment plant 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>AO8.3 The following uses have direct access to low hazard evacuation routes as defined in Table Error! No text of specified style in document..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>AO8.4 Any components of infrastructure that are likely to fail to function or may result in contamination when inundated by flood, such as electrical switch gear and motors, telecommunications connections, or water supply pipeline air valves are: (a) located above DFE/Storm tide or the highest known flood level for the site; (b) designed and constructed to exclude floodwater intrusion / infiltration.</p> <p>AO8.5</p>	

Performance outcomes	Acceptable outcomes	Applicant response
	Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by a flood.	

Table Error! No text of specified style in document..b - Minimum immunity (floor levels) for development

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

Table Error! No text of specified style in document..c - Degree of flood

Criteria	Low	Medium	High	Extreme
Wading ability	If necessary children and the elderly could wade. (Generally, safe wading velocity depth product is less than 0.25)	Fit adults can wade. (Generally, safe wading velocity depth product is less than 0.4)	Fit adults would have difficulty wading. (Generally, safe wading velocity depth product is less than 0.6)	Wading is not an option.
Evacuation distances	< 200 metres	200-400 metres	400-600 metres	600 metres

Maximum flood depths	< 0.3 metre	< 0.6 metre	< 1.2 metres	1.2 metres
Maximum flood velocity	< 0.4 metres per second	< 0.8 metres per second	< 1.5 metres per second	1.5 metres per second
Typical means of egress	Sedan	Sedan early, but 4WD or trucks later	4WD or trucks only in early stages, boats or helicopters	Large trucks, boats or helicopters
Timing Note: This category cannot be implemented until evacuation times have been established in the Counter Disaster Plan (Flooding)	Ample flood forecasting. Warning and evacuation routes remain passable for twice as long as evacuation time.	Evacuation routes remain trafficable for 1.5 times as long as the evacuation.	Evacuation routes remain trafficable for only up to minimum evacuation time.	There is insufficient evacuation time.

Note: The evacuation times for various facilities or areas would (but not necessarily) be included in the Counter Disaster Plan. Generally safe wading conditions assume even walking surfaces and no obstructions, steps, soft underfoot etc.

Filling and excavation code

Application

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

Note—This code does not apply to building work that is regulated under the Building Code of Australia.

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

Purpose

- (1) The purpose of the Filling and excavation code is to assess the suitability of development for filling or excavation.
- (2) 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.

Criteria for assessment

Table Error! No text of specified style in document..a – Filling and excavation code – for self-assessable and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
Filling and excavation - General		
PO1 All filling and excavation work does not create a detrimental impact on the slope stability, erosion	AO1.1 The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height.	Proposal complies or is capable of complying.

Performance outcomes	Acceptable outcomes	Applicant response
<p>potential or visual amenity of the site or the surrounding area.</p>	<p>and</p> <p>Cuts in excess of those stated in A1.1 above are separated by benches/ terraces with a minimum width of 1.2 metres that incorporate drainage provisions and screen planting.</p> <p>AO1.2 Cuts are supported by batters, retaining or rock walls and associated benches/terraces are capable of supporting mature vegetation.</p> <p>AO1.3 Cuts are screened from view by the siting of the building/structure, wherever possible.</p> <p>AO1.4 Topsoil from the site is retained from cuttings and reused on benches/terraces.</p> <p>AO1.5 No crest of any cut or toe of any fill, or any part of any retaining wall or structure is closer than 600mm to any boundary of the property, unless the prior written approval of the adjoining landowner has been obtained.</p> <p>AO1.6 Non-retained cut and/or fill on slopes are stabilised and protected against scour and erosion by suitable measures, such as grassing, landscaping or other protective/aesthetic measures.</p>	<p>Proposal complies or is capable of complying.</p> <p>Proposal complies or is capable of complying.</p> <p>Proposal complies or is capable of complying.</p> <p>Proposal complies or is capable of complying.</p> <p>Proposal complies or is capable of complying.</p> <p>Proposal complies or is capable of complying.</p>
Visual Impact and Site Stability		
PO2	AO2.1	Proposal complies or is capable of complying.

Performance outcomes	Acceptable outcomes	Applicant response
<p>Filling and excavation are carried out in such a manner that the visual/scenic amenity of the area and the privacy and stability of adjoining properties is not compromised.</p>	<p>The extent of filling and excavation does not exceed 40% of the site area, or 500m² whichever is the lesser,</p> <p>except that AO2.1 does not apply to reconfiguration of 5 lots or more.</p> <p>AO2.2 Filling and excavation does not occur within 2 metres of the site boundary.</p>	
Flooding and drainage		
<p>PO3 Filling and excavation does not result in a change to the run off characteristics of a site which then have a detrimental impact on the site or nearby land or adjacent road reserves.</p>	<p>AO3.1 Filling and excavation does not result in the ponding of water on a site or adjacent land or road reserves.</p> <p>AO3.2 Filling and excavation does not result in an increase in the flow of water across a site or any other land or road reserves.</p> <p>AO3.3 Filling and excavation does not result in an increase in the volume of water or concentration of water in a watercourse and overland flow paths.</p> <p>AO3.4 Filling and excavation complies with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.</p>	<p>Proposal complies or is capable of complying.</p> <p>Proposal complies or is capable of complying.</p> <p>Proposal complies or is capable of complying.</p> <p>Proposal complies or is capable of complying.</p>
Water quality		
PO4	AO4	Proposal complies or is capable of complying.

Performance outcomes	Acceptable outcomes	Applicant response
Filling and excavation does not result in a reduction of the water quality of receiving waters.	Water quality is maintained to comply with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	
Infrastructure		
PO5 Excavation and filling does not impact on Public Utilities.	A05 Excavation and filling is clear of the zone of influence of public utilities.	Proposal complies or is capable of complying.

Environmental performance code

Application

- (1) This code applies to assessing:
 - (a) building work for outdoor lighting;
 - (b) a material change of use or reconfiguring a lot if:
 - (i) assessable development where the code is identified in the assessment criteria column of a table of assessment; or
 - (ii) impact assessable development, to the extent relevant.

Note – Where for the purpose of lighting a tennis court in a Residential zone, a compliance statement prepared by a suitably qualified person must be submitted to Council with the development application for building work.

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

Purpose

- (1) The purpose of the Environmental performance code is to ensure development is designed and operated to avoid or mitigate impacts on sensitive receiving environments.
- (2) 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.

Criteria for assessment

Table Error! No text of specified style in document..a – Environmental performance code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
Lighting		
PO1	AO1.1	Proposal is capable of complying.

Performance outcomes	Acceptable outcomes	Applicant response
<p>Lighting incorporated within development does not cause an adverse impact on the amenity of adjacent uses and nearby sensitive land uses.</p>	<p>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.</p> <p>AO1.2 Development that involves flood lighting is restricted to a type that gives no upward component of light where mounted horizontally.</p> <p>AO1.3 Access, car parking and manoeuvring areas are designed to shield nearby residential premises from impacts of vehicle headlights.</p>	<p>Proposal is capable of complying.</p> <p>Proposal is capable of complying.</p>
Noise		
<p>PO2 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.</p>	<p>AO2.1 Development does not involve activities that would cause noise related environmental harm or nuisance; or AO2.2 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.</p> <p>AO2.3 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;</p>	<p>Proposal complies.</p> <p>Existing car park is buffered with landscaping.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(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 visual amenity impact on the adjoining premises; (d) buffered with dense landscaping.</p> <p>Editor's note - The <i>Environmental Protection (Noise) Policy 2008</i>, Schedule 1 provides guidance on acoustic quality objectives to ensure environmental harm (including nuisance) is avoided.</p>	
Airborne particles and other emissions		
<p>PO3 Potential airborne particles and emissions generated from 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>AO3.1 Development does not involve activities that will result in airborne particles or emissions being generated;</p> <p>or</p> <p>AO3.2 The design, layout and operation of the development activity ensures that no airborne particles or emissions cause environmental harm or nuisance.</p> <p>Note - examples of activities which generally cause airborne particles include spray painting, abrasive blasting, manufacturing activities and car wash facilities.</p> <p>Examples of emissions include exhaust ventilation from basement or enclosed parking structures, air conditioning/refrigeration ventilation and exhaustion.</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>	<p>Proposal complies.</p>

Performance outcomes	Acceptable outcomes	Applicant response
Odours		
<p>PO4 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>AO4.1 The development does not involve activities that create odorous emissions;</p> <p>or</p> <p>AO4.2 The use does not result in odour that causes environmental harm or nuisance with respect to surrounding land uses.</p>	<p>Proposal complies.</p>
Waste and recyclable material storage		
<p>PO5 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>AO5.1 The use ensures that all putrescent waste is stored in a manner that prevents odour nuisance and is disposed of at regular intervals.</p> <p>AO5.2 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:</p> <ul style="list-style-type: none"> (a) the location of the waste and recyclable material storage areas in relation to the noise and odour generated; (b) the number of receptacles provided in relation to the collection, maintenance and use of the receptacles; (c) the durability of the receptacles, sheltering and potential impacts of local climatic conditions; (d) the ability to mitigate spillage, seepage or leakage from receptacles into adjacent 	<p>N/A</p> <p>Proposal is capable of complying.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>areas and sensitive receiving waters and environments.</p> <p>Editor's note - the <i>Environmental Protection (Waste Management) Policy 2008</i> provides guidance on the design of waste containers (receptacles) to ensure environmental harm (including nuisance) is avoided.</p>	
Sensitive land use activities		
<p>PO6 Sensitive land use activities are not established in areas which will receive potentially incompatible impacts on amenity from surrounding, existing development activities and land uses.</p>	<p>AO6.1 Sensitive land use activities are not established in areas that will be adversely impacted upon by existing land uses, activities and potential development possible in an area;</p> <p>or</p> <p>AO6.2 Sensitive land activities are located in areas where potential adverse amenity impacts mitigate all potential impacts through layout, design, operation and maintenance.</p>	<p>Proposal complies.</p>
Stormwater quality		
<p>PO7 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:</p> <ul style="list-style-type: none"> (a) the amount and type of pollutants borne from the activity; (b) maintaining natural stream flows; (c) the amount and type of site disturbance; (d) site management and control measures. 	<p>AO7.1 Development activities are designed to ensure stormwater over roofed and hard stand areas is directed to a lawful point of discharge.</p> <p>AO7.2 Development ensures movement of stormwater over the site is not impeded or directed through potentially polluting activities.</p>	<p>Proposal is capable of complying.</p> <p>Proposal is capable of complying.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>AO7.3 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. 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 1994</i>.</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>	<p>Proposal is capable of complying.</p>
Pest plants (for material change of use on vacant land over 1,000m²)		
<p>PO8 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>AO8.1 The land is free of declared pest plants before development establishes new buildings, structures and practices;</p> <p>or</p> <p>AO8.2 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>Proposal is capable of complying.</p>

Acid sulfate soils overlay code

Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Acid sulfate soils overlay, if:
 - (a) self-assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
 - (b) impact assessable development.
- (2) Land in the Acid sulphate soils overlay is identified on the Acid sulfate soils overlay map in Schedule 2 and includes the following sub-categories:
 - (a) Land at or below the 5m AHD sub-category;
 - (b) Land above the 5m AHD and below the 20m AHD sub-category.
- (3) When using this code, reference should be made to Part 5.

Purpose

- (1) The purpose of the acid sulfate soils overlay code is to:
 - (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 2: Environment and landscape values, Element 3.5.4 Coastal zones.
 - (ii) Theme 3: Natural resource management, Element 3.6.2 land and catchment management, Element 3.6.3 Primary production, forestry and fisheries.
- (2) enable an assessment of whether development is suitable on land within the Acid sulfate soils overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (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.

Criteria for assessment

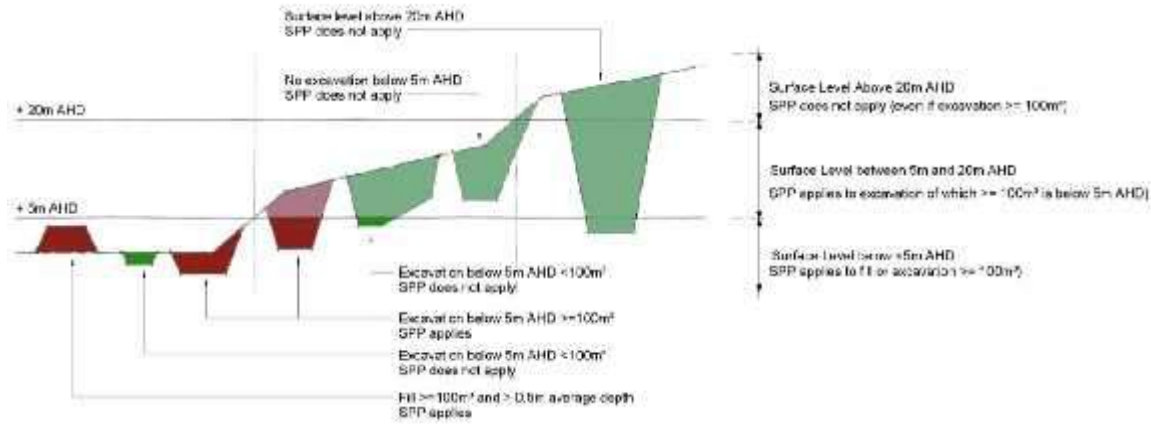
Table Error! No text of specified style in document..a – Acid sulfate soils overlay code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For assessable development		

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO1 The extent and location of potential or actual acid sulfate soils is accurately identified.</p>	<p>AO1.1 No excavation or filling occurs on the site.</p> <p>or</p> <p>AO1.2 An acid sulfate soils investigation is undertaken.</p> <p>Note - Planning scheme policy SC 6.12– Potential and actual acid sulfate soils provides guidance on preparing an acid sulfate soils investigation.</p>	<p>Proposal will include only minor excavations for footings and services associated with Stage 2.</p>
<p>PO2 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.</p>	<p>AO2.1 The disturbance of potential acid sulfate soils or actual acid sulfate soils is avoided by:</p> <ul style="list-style-type: none"> (a) not excavating, or otherwise removing, soil or sediment identified as containing potential or actual acid sulfate soils; (b) not permanently or temporarily extracting groundwater that results in the aeration of previously saturated acid sulfate soils; (c) not undertaking filling that results in: (d) actual acid sulfate soils being moved below the water table; (e) previously saturated acid sulfate soils being aerated. <p>or</p> <p>AO2.2 The disturbance of potential acid sulfate soils or actual acid sulfate soils is undertaken in accordance with an acid sulfate soils management plan and avoids the release of metal contaminants by:</p>	<p>Proposal is capable of complying.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<ul style="list-style-type: none"> (a) neutralising existing acidity and preventing the generation of acid and metal contaminants; (b) preventing the release of surface or groundwater flows containing acid and metal contaminants into the environment; (c) preventing the in situ oxidisation of potential acid sulfate soils and actual acid sulfate soils through ground water level management; (d) appropriately treating acid sulfate soils before disposal occurs on or off site; (e) documenting strategies and reporting requirements in an acid sulfate soils environmental management plan. <p>Note - Planning scheme policy SC 6.12 – Acid sulfate soils provides guidance on preparing an acid sulfate soils management plan.</p>	
<p>PO3 No environmental harm is caused as a result of exposure to potential acid sulfate soils or actual acid sulfate soils.</p>	<p>AO3 No acceptable outcomes are prescribed.</p>	<p>Proposal is capable of complying.</p>

Figure 0.a – Acid sulfate soils (SPP triggers)



Access, parking and servicing code

Application

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

Purpose

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

Criteria for assessment

Table Error! No text of specified style in document..a – Access, parking and servicing code – assessable development

Performance outcomes	Acceptable outcomes	
For self-assessable and assessable development		
PO1 Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be	AO1.1 The minimum number of on-site vehicle parking spaces is not less than the number prescribed in	The proposed school will cater for approximately 7-12 students in Stage 1 and approximately 10-25 in Stage 2. Staffing

Performance outcomes	Acceptable outcomes	
<p>generated by the use or uses of the site, having particular regard to:</p> <p>(a) the desired character of the area; the nature of the particular use and its specific characteristics and scale; the number of employees and the likely number of visitors to the site; the level of local accessibility; the nature and frequency of any public transport serving the area; whether or not the use involves the retention of an existing building and the previous requirements for car parking for the building whether or not the use involves a heritage building or place of local significance; whether or not the proposed use involves the retention of significant vegetation.</p>	<p>Table Error! No text of specified style in document..b for that particular use or uses.</p> <p>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.</p> <p>AO1.2 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.</p> <p>AO1.3 Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.</p> <p>AO1.4 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.</p>	<p>numbers will therefore be minimal and sufficient parking exists onsite to cater for the demand.</p>
<p>PO2 Vehicle parking areas are designed and constructed in accordance with relevant standards.</p>	<p>AO2 Vehicle parking areas are designed and constructed in accordance with Australian Standard: (a) AS2890.1; AS2890.3; AS2890.6.</p>	<p>Proposal complies.</p>
<p>PO3 Access points are designed and constructed: (a) to operate safely and efficiently;</p>	<p>AO3.1 Access is limited to one access cross over per site and is an access point located, designed and constructed in accordance with:</p>	<p>Proposal complies.</p>

Performance outcomes	Acceptable outcomes	
<p>to accommodate the anticipated type and volume of vehicles</p> <p>to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate;</p> <p>so that they do not impede traffic or pedestrian movement on the adjacent road area;</p> <p>so that they do not adversely impact upon existing intersections or future road or intersection improvements;</p> <p>so that they do not adversely impact current and future on-street parking arrangements;</p> <p>so that they do not adversely impact on existing services within the road reserve adjacent to the site;</p> <p>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).</p>	<p>(a) Australian Standard AS2890.1; Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers.</p> <p>AO3.2 Access, including driveways or access crossovers:</p> <p>(a) are not placed over an existing:</p> <ul style="list-style-type: none"> (i) telecommunications pit; stormwater kerb inlet; sewer utility hole; water valve or hydrant. <p>are designed to accommodate any adjacent footpath;</p> <p>adhere to minimum sight distance requirements in accordance with AS2980.1.</p> <p>AO3.3 Driveways are:</p> <p>(a) designed to follow as closely as possible to the existing contours, but are no steeper than the gradients outlined in Planning scheme policy SC6.5 – FNQROC Regional Development Manual;</p> <p>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 in 6 (16.6%) prior to this area, for a distance of at least 5 metres;</p> <p>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>constructed such that the transitional change in grade from the road to the lot is fully</p>	

Performance outcomes	Acceptable outcomes	
	<p>contained within the lot and not within the road reserve; designed to include all necessary associated drainage that intercepts and directs storm water runoff to the storm water drainage system.</p> <p>AO3.4 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>PO4 Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.</p>	<p>AO4 The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.</p>	<p>Proposal complies.</p>
<p>PO5 Access for people with disabilities is provided to the building from the parking area and from the street.</p>	<p>AO5 Access for people with disabilities is provided in accordance with the relevant Australian Standard.</p>	<p>Proposal complies.</p>
<p>PO6 Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development.</p>	<p>AO6 The number of on-site bicycle parking spaces complies with the rates specified in Table Error! No text of specified style in document..b.</p>	<p>Proposal complies.</p>

Performance outcomes	Acceptable outcomes	
<p>PO7 Development provides secure and convenient bicycle parking which:</p> <p>(a) for visitors is obvious and located close to the building's main entrance; 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; is easily and safely accessible from outside the site.</p>	<p>AO7.1 Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers);</p> <p>AO7.2 Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street.</p> <p>AO7.3 Development provides visitor bicycle parking which does not impede pedestrian movement.</p>	<p>Proposal complies.</p>
<p>PO8 Development provides walking and cycle routes through the site which:</p> <p>(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; encourage walking and cycling; ensure pedestrian and cyclist safety.</p>	<p>AO8 Development provides walking and cycle routes which are constructed on the carriageway or through the site to:</p> <p>(a) create a walking or cycle route along the full frontage of the site; connect to public transport and existing cycle and walking routes at the frontage or boundary of the site.</p>	<p>N/A</p>
<p>PO9 Access, internal circulation and on-site parking for service vehicles are designed and constructed:</p> <p>(a) in accordance with relevant standards; so that they do not interfere with the amenity of the surrounding area;</p>	<p>AO9.1 Access driveways, vehicle manoeuvring and on-site parking for service vehicles are designed and constructed in accordance with AS2890.1 and AS2890.2.</p> <p>AO9.2</p>	<p>Proposal complies.</p>

Performance outcomes	Acceptable outcomes	
<p>so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles.</p>	<p>Service and loading areas are contained fully within the site.</p> <p>AO9.3 The movement of service vehicles and service operations are designed so they: (a) do not impede access to parking spaces; do not impede vehicle or pedestrian traffic movement.</p>	
<p>PO10 Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.</p>	<p>AO10.1 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: (a) car wash; child care centre; educational establishment where for a school; food and drink outlet, where including a drive-through facility; hardware and trade supplies, where including a drive-through facility; hotel, where including a drive-through facility; service station.</p> <p>AO10.2 Queuing and set-down areas are designed and constructed in accordance with AS2890.1.</p>	<p>Proposal complies.</p>

Table Error! No text of specified style in document..b – Access, parking and servicing requirements

Note – Where the number of spaces is not a whole number, the number of spaces to be provided is the next highest whole number.

Note – Where the proposed development involves one or more land use, the minimum number of spaces for the proposed development will be calculated using the minimum number of spaces specified for each land use component.

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Agricultural supplies store	1 space per 50m ² of GFA and outdoor display area.	1 space per 200m ² of GFA.	n/a	LRV
Air services	1 car space per 20m ² 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
Bulk landscape supplies	1 space per 50m ² GFA and outdoor display area.	1 space per 200m ² of GFA.	n/a	MRV
Caretaker's accommodation	A minimum of 1 space	n/a	n/a	n/a
Child care centre	1 space per 10 children to be used for setting down and picking up of children, with a minimum of 3 car spaces to be provided for set down and collection; plus 1 space per employee. Any drive-through facility can provide tandem short term parking for 3 car spaces for setting down/picking up of children, on the basis that a passing lane is provided and line-marked to be kept clear of standing vehicles at all times.	n/a	n/a	VAN
Club	Unlicensed clubrooms: 1 space per 45m ² of GFA. Licensed clubrooms: 1 space per 15m ² of GFA.	1 space per 4 employees.	n/a	Licensed and equal or greater than 1500m ² : RCV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
				Other: VAN
Community care centre	1 space per 20m ² of GFA.	A minimum of 1 space.	n/a	RCV
Community residence	A minimum of 2 spaces.	A minimum of 1 space.	n/a	VAN
Community use	1 space per 15m ² GFA.	1 space per 100m ² of GFA.	n/a	RCV
Dual occupancy	A minimum of 2 spaces per dwelling unit which may be in tandem with a minimum of 1 covered space per dwelling unit.	n/a	n/a	n/a
Dwelling house	A minimum of 2 spaces which may be in tandem plus 1 space for a secondary dwelling	n/a	n/a	n/a
Dwelling unit	1.5 spaces per one or two bedroom unit; or 2 spaces per three bedroom unit.	n/a	n/a	n/a
Educational establishment	Primary school or secondary schools: 1 car space per 2 staff members, plus provision of space to be used for setting down and picking up of students. Tertiary and further education: 1 car space per 2 staff members, plus 1 car space per 10 students, plus provision of space to be used for setting down and picking up of students.	Primary school or secondary schools: 1 space per 5 students over year 4. Tertiary and further education: 2 spaces per 50 full time students.	Required for all educational establishments with a GFA greater than 2000m ² .	RCV
Food and drink outlet	1 space per 25m ² GFA and outdoor dining area. 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 ² of GFA, and outdoor dining area.	1 space per 100m ² of GFA, and outdoor dining area.	n/a	See Table Error! No text of specified style in document..d
Function facility	1 space per 15m ² GFA.	1 space per 100m ² of GFA.	n/a	RCV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Funeral parlour	1 space per 15m ² GFA.	n/a	n/a	RCV
Garden centre	1 space per 50m ² GFA and outdoor display area	1 space per 200m ² of GFA.	n/a	AV
Hardware and trade supplies	1 space per 50m ² GFA and outdoor display area	1 space per 200m ² of GFA.	n/a	AV
Health care services	1 space per 20m ² of GFA.	1 space per 100m ² of GFA.	Required for all health care services with a GFA greater than 2000m ² .	VAN
High impact industry	1 space per 90m ² of GFA.	n/a	n/a	AV
Home based business	The parking required for the dwelling house, plus 1 space per bedroom where the Home based business involves the provision of accommodation; or 1 space per 25m ² GFA for any other Home Based Business.	n/a	n/a	n/a
Hospital	The greater of 1 space per 2 bedrooms or 1 space per 4 beds; plus 1 car space for ambulance parking, designated accordingly.	1 space per 100m ² of GFA.	Required for all hospitals with a GFA greater than 2000m ² .	RCV
Hotel	1 space per 10m ² GFA and licensed outdoor area; plus For 1 space per 50m ² GFA of floor area of liquor barn or bulk liquor sales area; plus, if a drive in bottle shop is provided, queuing lane/s on site for 12 vehicles. Note - Use standard for any Short Term Accommodation for hotel accommodation use.	1 space per 100m ² of GFA.	n/a	LRV
Indoor sport and recreation	Squash court or another court game: 4 spaces per court. Basketball, netball, soccer, cricket:	1 space per 4 employees.	n/a	RCV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
	25 spaces per court / pitch. Ten pin bowling: 3 spaces per bowling lane. Gymnasium: 1 space per 15m ² of GFA.			
Low impact industry	1 space per 90m ² of GFA.	n/a	n/a	AV
Marine industry	1 space per 90m ² of GFA.	n/a	n/a	AV
Medium impact industry	1 space per 90m ² of GFA.	n/a	n/a	AV
Multiple dwelling	If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie Local plan: 1 car space per dwelling unit. If outside Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie Local plan: 1.5 car spaces per dwelling unit In all cases 60% of the car parking area is to be covered.	1 bicycle space per 3 units and 1 visitor bicycle space per 12 units.	n/a	RCV (over 10 units)
Office	1 space per 25m ² 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 ² of GFA	1 space per 200m ² GFA	Required for all office development with a GFA greater than 2000m ² .	See Table Error! No text of specified style in document..e
Outdoor sales	1 space per 50m ² GFA and outdoor display area	1 space per 200m ² of GFA.	n/a	AV
Outdoor sport and recreation	Coursing, horse racing, pacing, trotting: 1 space per 5 seated spectators, plus 1 space per 5m ² of other spectator areas. Football:	Football: 5 space per field. Lawn bowls: 5 spaces per green.	n/a	RCV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
	<p>50 spaces per field.</p> <p>Lawn bowls: 30 spaces per green.</p> <p>Swimming pool: 15 spaces; plus 1 space per 100m² of useable site area.</p> <p>Tennis court or other court game: 4 spaces per court.</p> <p>Golf course: 4 spaces per tee on the course.</p> <p>Note - Use standard for Club for clubhouse component.</p>	<p>Swimming pool: 1 space per swimming lane.</p> <p>Tennis court or other court game: 4 space per court.</p> <p>Golf course: 1 space per 15m² of GFA for clubhouse component.</p>		
Place of worship	1 space per 15m ² of GFA.	1 space per 100m ² of GFA.	n/a	LRV
Relocatable home park	1 space per relocatable home site; plus 0.1 space per relocatable home site for visitor parking; plus 1 space for an on-site manager	n/a	n/a	LRV
Research and technology industry	1 space per 90m ² of GFA.	n/a	n/a	MRV
Residential care facility	1 visitor car space per 5 bedroom units; plus 1 car space per 2 staff members	n/a	n/a	LRV
Resort complex	Use standard for relevant standard for each component.	Use standard for relevant standard for each component.	n/a	RCV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
	For example: Use Short Term Accommodation standard for accommodation component and Food and Drink Outlet for restaurant component.	For example: Use Short Term Accommodation standard for accommodation component and Food and Drink Outlet for restaurant component.		
Retirement facility	1 space per dwelling unit; plus 1 visitor space per 5 dwelling units; plus 1 visitor car space per 10 hostel units, nursing home or similar beds, plus 1 car space per 2 staff members; plus 1 car parking space for ambulance parking.	n/a	n/a	LRV
Sales office	A minimum of 1 space.	n/a	n/a	n/a
Service industry	1 space per 90m ² of GFA.	n/a	n/a	SRV
Service station	1 space per 25m ² of GFA	n/a	n/a	AV
Shop	1 space per 25m ² 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 ² of GFA.	1 space per 100m ² of GFA.	Required for all shops with a GFA greater than 2000m ² .	See Table Error! No text of specified style in document..d
Shopping centre	1 space per 25m ² 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 ² of GFA.	1 space per 200m ² GFA.	Required for all shopping centres with a GFA greater than 2000m ² .	See Table Error! No text of specified style in document..d
Short term accommodation	If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan:	1 space per 10 rooms	n/a	SRV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
	<p>0.5 car spaces per dwelling unit.</p> <p>If outside Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan: For up to 5 units: 1 car space per dwelling unit, plus 1 space for visitors and 1 service/staff spaces. For 5 – 10 units: 1 car space per dwelling unit, plus 2 spaces for visitors and 1 service/staff spaces. For over 10 units: 0.75 car spaces per dwelling unit, plus 3 spaces for visitors and 2 service/staff parking for the first 10 units and 0.5 additional service/staff space per 10 units, there-above.</p> <p>In all cases 60% of the car parking area is to be covered.</p> <p>Note: Where Short term accommodation is to be inter-changeable with a Multiple dwelling land use, multiple dwelling parking rates apply.</p>			
Showroom	1 space per 50m ² GFA.	1 space per 200m ² GFA.	n/a	AV
Special industry	1 space per 90m ² of GFA.	n/a	n/a	AV
Tourist park	1 car space per caravan site, tent site or cabin; plus 1 visitor car space per 10 caravan sites, tent sites or cabins; plus 1 car space for an on-site manager.	n/a	n/a	LRV
Theatre	<p>Indoor: 1 space per 15m² of GFA.</p> <p>Outdoor cinema: 1 space per 5m² of designated viewing area, plus 1 car space per 2 employees.</p>	1 space per 200m ² GFA.	n/a	VAN

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Veterinary services	1 space per 50m ² of GFA.	n/a	n/a	VAN
Warehouse	1 space per 90m ² of GFA.	n/a	n/a	Where self-storage: RCV Other: AV
Any use not otherwise specified in this table.	Sufficient spaces to accommodate number of vehicles likely to be parked at any one time.	Sufficient spaces to accommodate number of vehicles likely to be parked at any one time.		To be determined

Table Error! No text of specified style in document..c – Design vehicles

VAN	A 99.8th percentile vehicle equivalent to a large car.
SRV	Small rigid vehicle as in AS2890.2-2002 parking facilities – Off-street commercial vehicle facilities, but incorporating a body width of 2.33m
MRV	Medium rigid vehicle equivalent to an 8-tonne truck.
LRV	Large rigid vehicle described by AS2890.2-2002 parking facilities – Off-street commercial vehicle facilities as heavy rigid vehicle.
RCV	Industrial refuse collection vehicle
AV	19 metre articulated vehicle from AUSTRROADS

Table Error! No text of specified style in document..d – Standard number of service bays required for Food and drink outlet, Shop or Shopping centre

Gross floor area (m ²)	Service bays required			
	VAN	SRV	MRV	LRV
0-199	-	1	-	-
200 – 599	1	-	1	-
600 – 999	1	1	1	-

1000 – 1499	2	1	1	-
1500 – 1999	2	2	1	-
2000 – 2799	2	2	2	-
2800 – 3599	2	2	2	1
3600 and over	To be determined via a parking study.			

Table Error! No text of specified style in document..e – Standard number of service bays required for Office

Gross floor area (m ²)	Service bays required			
	VAN	SRV	MRV	LRV
0-999	-	1	-	-
1000 – 2499	1	-	1	-
2500 – 3999	2	1	1	-
4000 – 5999	3	1	1	-
6000 – 7999	4	1	1	-
8000 – 9999	4	2	1	-
10000 and over	To be determined via a parking study.			

Community facilities code

Application

- (1) This code applies to assessing development for a use within the Community facilities activities group, if:
 - (a) self-assessable or assessable development where this code is an applicable code identified in the assessment criteria column of a table of assessment or
 - (b) impact assessable development.
- (2) When using this code, reference should be made to Part 5.

Note – Development involving any residential component including multiple dwelling, residential care facility or on-site student accommodation as part of an educational establishment is also assessed against the Multiple dwelling, Short term accommodation and Retirement facilities code, whichever is relevant.

Note – Community facilities is a defined activity group listed in Table 1 SC1.1.1 in Schedule 1 that applies to uses in the Community facilities zone. When the term community facilities is used within this code it means any of the above uses to which this code is applicable.

Purpose

- (1) The purpose of the Community facilities use code is to assess the suitability of development to which this code applies.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Design, siting, construction and built form are suited to the facility, in accordance with particular operational, functional and locational requirements of community services and facilities;
 - (b) Development is integrated or co-located with other community facilities where possible to create a multi-functional hub;
 - (c) Development that may limit the ongoing operation and expansion of existing uses or prejudice development of new facilities appropriate to the specific nature of the Community facilities zone is excluded;
 - (d) Development:
 - (i) is appropriately located according to the type of use;
 - (ii) is highly accessible and preferably integrated and co-located with complementary uses;
 - (iii) is of a scale, height and bulk that provides a high level of amenity;
 - (iv) is generally consistent with the character of the area;
 - (v) transitions sensitively to surrounding zones.

Criteria for assessment

Table Error! No text of specified style in document..a – Community facilities code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
<p>PO1 Development ensures that the hours of operation are consistent with reasonable community expectations for the use and do not impact on the amenity of nearby sensitive land uses.</p>	<p>AO1 Development for non-residential use has hours of operation, including indoor activity areas and delivery vehicles, which are limited to 7am to 6pm.</p>	<p>Proposal complies.</p>
<p>PO2 Development is designed to protect nearby sensitive land uses from adverse impacts on the existing levels of amenity, including by way of light, noise, odour or other nuisance.</p>	<p>AO2.1 Where on a site adjoining a sensitive land use and located within 20 metres from the common boundary, a minimum 1.8 metre high acoustic fence is provided for the full length of the common boundary.</p> <p>AO2.2 Development does not involve amplification devices and does not generate noise that is clearly audible from nearby sensitive land uses.</p> <p>AO2.3 Development provides outdoor lighting which is installed and operated in compliance with the requirements of AS4282-1997 Control of the obtrusive effects of outdoor lighting.</p> <p>AO2.4 Mechanical plant and equipment is acoustically and visually screened from adjoining sensitive land uses.</p> <p>Note – Mechanical plant includes generators, motors, compressors and pumps such as air conditioning, refrigeration or cold rooms.</p>	<p>Proposed use is considered consistent with adjoining kindergarten/day care use so a fence is not considered necessary.</p> <p>Proposed use is considered consistent with adjoining kindergarten/day care use so noise impacts are not considered to present an issue.</p> <p>Proposal is capable of complying.</p> <p>Proposal is capable of complying.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>AO2.5 Development: (a) does not involve activities that generate air emissions, including odour dust, fumes or smoke beyond the site; where cooking or food odour is released, exhaust is discharged vertically and directed away from a sensitive land use, and vents are separated by the following distances: (i) a minimum of 6 metres horizontally from a sensitive land use; a minimum of 2 metres above any thoroughfare with regular traffic.</p>	Proposal complies.
For assessable development		
<p>PO3 Development on a site within a Community facilities zone must be protected for public use, and where a community facility ceases, its replacement must be for another community facility.</p>	<p>AO3 Development of an existing community facility within a Community facilities zone may be transitioned to another type of use within the community facilities activity group where a demonstrable need of the community will be fulfilled.</p>	Proposal complies.
<p>PO4 Development for a community facility which is purpose built on public land delivers buildings and structures that are designed as multi-purpose community hubs where possible, rather than stand-alone or single use facilities to: (a) create a sense of place, belonging and community and to provide a focal point for community activity; increase efficiencies in built form; provide efficiencies in infrastructure costs;</p>	<p>AO4 No acceptable outcomes are prescribed.</p>	Proposal complies.

Performance outcomes	Acceptable outcomes	Applicant response
facilitate adaption of building and infrastructure to respond to changing community needs.		
<p>PO5 Development must be consistent with the reasonable expectations for built form, site layout and landscape design of development on surrounding land.</p>	<p>AO5 Development is of a scale, height and bulk that is not greater than that of surrounding development.</p>	<p>Proposal complies.</p>
<p>PO6 Development does not impose adverse visual amenity impacts on any land associated with Accommodation activity group.</p>	<p>AO6.1 Development has a building setback from a site boundary with any land use associated with the Accommodation activity group of 6 metres, or half the height of the building at that point, whichever is the greater.</p> <p>AO6.2 Development provides a 3 metre wide landscape buffer capable of deep planting provided between vehicle movement and car parking areas and common boundaries any land use associated with the Accommodation activity group</p>	<p>N/A</p> <p>N/A</p>
<p>PO7 Development ensures that on-site car parking is located so as to ensure that employee, patron and visitor car parking associated with the use does not dominate the frontage of the premises and maintains the amenity of the street and adjacent properties.</p>	<p>AO7 Car parking is: (a) provided below or at the rear of the primary building for the use and is not within the front setback of the site; or where forward of the building line, car parking is integrated with high quality landscaping.</p>	<p>Proposal complies.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO8 Safety of users of the development and surrounding community is considered and incorporated into the design of the facility.</p> <p>Note - Planning scheme policy SC6.3 – Crime prevention through environmental design (CPTED) provides guidance on appropriate design responses.</p>	<p>A08 No acceptable outcomes are prescribed.</p>	<p>Proposal complies.</p>
<p>PO9 Landscaping contributes to establishing an attractive and safe streetscape and a high standard of amenity.</p>	<p>A09 No acceptable outcomes are prescribed.</p>	<p>Proposal is capable of complying.</p>

Recreation and open space zone code

Application

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

Purpose

- (1) The purpose of the Recreation and open space zone code is to provide for:
 - (a) informal recreation where the built form is not essential to the enjoyment of the space;
 - (b) local and district scale parks that serve the recreational needs of a wide range of residents and visitors
 - (c) a range of organised activities that includes sport, cultural and educational activities where the uses require a level of built infrastructure.
- (2) The local government purpose of the code is to:
 - (a) implement the policy direction set in the Strategic Framework, in particular:
 - (i) Theme 1 : Settlement pattern, Element 3.4.5 Residential areas and activities.
 - (ii) Theme 4 – Strong communities and identity, Element 3.7.3 Active communities, Element 3.7.6 – Arts and culture.
 - (b) provide land for the recreational needs to enhance liveability and the health and well-being of the Douglas community.
- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Areas are provided for active sport and recreation to meet community needs, including playing fields, outdoor cultural facilities, educational activities, public swimming pools and outdoor courts.
 - (b) Open space is accessible to the general public for a range of outdoor sport and recreation activities.
 - (c) A range of functional and accessible open spaces, including local and regional parks and linkages, are available for the use and enjoyment of residents and visitors.
 - (d) Ancillary structures and buildings such as shelters, amenity facilities, picnic tables and playgrounds are provided where necessary.
 - (e) Sport and recreation areas are planned and designed to enhance community liveability, scenic amenity and provide a retreat from developed areas.
 - (f) The use of sport and recreation areas does not unduly affect the amenity of adjacent areas, particularly residential areas.

Criteria for assessment

Table Error! No text of specified style in document..a – Recreation and open space zone code – assessable development

Performance outcomes	Acceptable outcomes	
For self-assessable development		
<p>PO1 The height of buildings and structures respects the low-scale character of the area.</p>	<p>AO1 Buildings and structures, other than pole structures, are not more than 10 metres in height. Note – Height is inclusive of roof height.</p>	<p>No development is proposed in this zone other than use of existing access.</p>
<p>PO2 Buildings and structures are setback to ensure that they do not detract from the open character of the site or impact on any use in the Sensitive land use activity group.</p>	<p>AO2 Buildings and structures are setback a minimum of: (a) 8 metres from a State-controlled road; 6 metres from road frontages; 6 metres from land within a Residential zone; or 3 metres from land in any other zone.</p>	<p>No development is proposed in this zone other than use of existing access.</p>
<p>PO3 Car parking areas are setback from the boundaries of the site to ensure a high standard of amenity and to ensure the amenity of adjacent sensitive uses is protected.</p>	<p>AO3 Car parking areas are setback: (a) 6 metres from the road frontage of the site; 3 metres from any other site boundary.</p>	<p>No development is proposed in this zone other than use of existing access.</p>
<p>PO4 The setbacks to car parking areas are landscaped to enhance the amenity of the site and to provide a buffer to adjacent residential land, residential uses or any other sensitive land uses.</p>	<p>AO4 The setback between the road frontage and the car parking area is landscaped with dense planting.</p>	<p>No development is proposed in this zone other than use of existing access.</p>
<p>PO5 Lighting of playing fields and club facilities do not adversely impact on the amenity of adjacent areas or uses.</p>	<p>AO5.1 Structures for lighting: (a) on a site greater than 5000m² are not more than 25 metres in height. on a site less than 5000m² are not more than 8.5 metres in height.</p> <p>AO5.2</p>	<p>No development is proposed in this zone other than use of existing access.</p>

Performance outcomes	Acceptable outcomes	
	Structures for lighting poles are designed, constructed and operated in a manner which complies with: (a) AS4282-1997 Control of the obtrusive effects of outdoor lighting; AS2560-2007 Sports lighting.	
<p>PO6 Organised sporting activities and training ensure that the hours of operation are consistent with reasonable community expectations for the use and do not impact on the amenity of nearby sensitive land uses.</p>	<p>AO6.1 Hours of operation of organised sporting and training activities are limited to between 6.00am and 10.00pm.</p>	Proposal complies.
For assessable development		
<p>PO7 The establishment of uses is consistent with the outcomes sought for the Recreation and open space zone and protects the zone from the intrusion of inconsistent uses.</p>	<p>AO7 Uses identified in Table Error! No text of specified style in document..b are not established in the Recreation and open space zone.</p>	Proposal complies.
<p>PO8 Reconfiguration does not prejudice the use of the land for open space and recreational purposes.</p>	<p>AO8 No acceptable outcomes are prescribed.</p>	N/A

Table Error! No text of specified style in document..b — Inconsistent uses within the Recreation and open space zone

Inconsistent uses		
<ul style="list-style-type: none"> • Adult store • Agricultural supplies store • Animal husbandry • Aquaculture • Brothel • Bulk landscape supplies • Cemetery • Community care centre • Community residence • Crematorium • Cropping • Detention facility • Dual occupancy • Dwelling house • Environment facility • Extractive industry • Garden centre • Hardware and trade supplies 	<ul style="list-style-type: none"> • High impact industry • Home based business • Hospital • Hotel • Intensive animal industry • Intensive horticulture • Low impact industry • Major electricity infrastructure • Marine industry • Medium impact industry • Multiple dwelling • Non-resident workforce accommodation • Nightclub entertainment facility • Office • Outdoor sales • Outstation • Port services • Relocatable home park • Residential care facility 	<ul style="list-style-type: none"> • Renewable energy facility • Research and technology industry • Retirement facility • Rooming accommodation • Rural industry • Rural workers accommodation • Sales office • Service industry • Service station • Shopping centre • Short-term accommodation • Showroom • Special industry • Theatre • Transport depot • Veterinary services • Warehouse • Wholesale nursery • Winery

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