

# DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 2020) made under section 282 of the Planning Act 2016.

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

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

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

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

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

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

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

## PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Macrossan Street Pty Ltd
Contact name (only applicable for companies)	c/- Patrick Clifton, GMA Certification Group
Postal address (P.O. Box or street address)	PO Box 831
Suburb	Port Douglas
State	Queensland
Postcode	4870
Country	Australia
Contact number	0438 755 374
Email address (non-mandatory)	Patrick.c@gmacert.com.au
Mobile number (non-mandatory)	0438 755 374
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	20211130

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

## PART 2 – LOCATION DETAILS

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

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

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

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		24	Macrossan Street	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	118	PTD2091	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- ☐ Coordinates of premises by longitude and latitude

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

- ☐ 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: <input type="text"/>	

#### 3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

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

Name of port authority for tidal area (if applicable):

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

Name of airport:

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

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

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

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

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

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

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

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

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

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

c) What is the level of assessment?

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

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

Shop(s)

e) Relevant plans

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

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

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

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

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

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

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

c) What is the level of assessment?

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

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

e) Relevant plans

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

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

#### 6.3) Additional aspects of development

- ☐ Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application

- ☒ Not required

## Section 2 – Further development details

7) Does the proposed development application involve any of the following?	
Material change of use	<input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

### Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m <sup>2</sup> ) (if applicable)
Shop(s)	Shop(s)	0	350m <sup>2</sup>
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input type="checkbox"/> Yes			
<input checked="" type="checkbox"/> No			

### Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?	
9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)	
<input type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input type="checkbox"/> Boundary realignment (complete 12))	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road (complete 13))

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				
10.2) Will the subdivision be staged?				
<input type="checkbox"/> Yes – provide additional details below				
<input type="checkbox"/> No				
How many stages will the works include?				
What stage(s) will this development application apply to?				



**11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?**

Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

**12) Boundary realignment**

**12.1) What are the current and proposed areas for each lot comprising the premises?**

Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )

**12.2) What is the reason for the boundary realignment?**

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**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: <table border="1" style="display: inline-table; width: 400px; height: 20px;"></table> |                                     |  |

**14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)**

☐ Yes – specify number of new lots:

☐ No

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

\$

**PART 4 – ASSESSMENT MANAGER DETAILS**

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

Douglas Shire Council

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

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

## PART 5 – REFERRAL DETAILS

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

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

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

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

- ☐ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure-related referrals – designated premises
- ☐ Infrastructure-related referrals – state transport infrastructure
- ☒ Infrastructure-related referrals – State transport corridor and future State transport corridor
- ☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure-related referrals – near a state-controlled road intersection
- ☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- ☐ Koala habitat in SEQ region – key resource areas
- ☐ Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- ☐ Ports – Brisbane core port land – environmentally relevant activity (ERA)
- ☐ Ports – Brisbane core port land – tidal works or work in a coastal management district
- ☐ Ports – Brisbane core port land – hazardous chemical facility
- ☐ Ports – Brisbane core port land – taking or interfering with water
- ☐ Ports – Brisbane core port land – referable dams
- ☐ Ports – Brisbane core port land – fisheries
- ☐ Ports – Land within Port of Brisbane's port limits (*below high-water mark*)
- ☐ SEQ development area
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – community activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – combined use
- ☐ Tidal works or works in a coastal management district
- ☐ Reconfiguring a lot in a coastal management district or for a canal
- ☐ Erosion prone area in a coastal management district
- ☐ Urban design
- ☐ Water-related development – taking or interfering with water
- ☐ Water-related development – removing quarry material (*from a watercourse or lake*)
- ☐ Water-related development – referable dams
- ☐ Water-related development – levees (*category 3 levees only*)
- ☐ Wetland protection area

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

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

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

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

## PART 6 – INFORMATION REQUEST

<b>19) Information request under Part 3 of the DA Rules</b>
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application
<input type="checkbox"/> I do not agree to accept an information request for this development application
<b>Note:</b> By not agreeing to accept an information request I, the applicant, acknowledge: <ul style="list-style-type: none"> <li>• that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties</li> <li>• Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</li> </ul> Further advice about information requests is contained in the <a href="#">DA Forms Guide</a> .

## PART 7 – FURTHER DETAILS

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

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

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

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

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

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

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

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

23) Further legislative requirements

### **Environmentally relevant activities**

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

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

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

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

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

### **Hazardous chemical facilities**

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

- ☐ Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application  
☒ No

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

### **Clearing native vegetation**

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

☐ Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)

☒ No

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

### **Environmental offsets**

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

☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter

☒ No

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

### **Koala habitat in SEQ Region**

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

☐ Yes – the development application involves premises in the koala habitat area in the koala priority area

☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area

☒ No

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

### **Water resources**

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

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

☒ No

**Note:** Contact the Department of Natural Resources, Mines and Energy at [www.dnrme.qld.gov.au](http://www.dnrme.qld.gov.au) for further information.

DA templates are available from <https://planning.dsdmp.qld.gov.au/>. If the development application involves:

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

### **Waterway barrier works**

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

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

☒ No

DA templates are available from <https://planning.dsdmp.qld.gov.au/>. For a development application involving waterway barrier works, complete DA Form 1 Template 4.

### **Marine activities**

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

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

☒ No

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

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

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

- ☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development  
☒ No

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

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

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

- ☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development  
☒ No

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

### **Referable dams**

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

- ☐ Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the Water Supply Act is attached to this development application  
☒ No

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

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

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

- ☐ Yes – the following is included with this development application:
- ☐ Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)
  - ☐ A certificate of title
- ☒ No

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

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

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

- ☐ Yes – details of the heritage place are provided in the table below  
☒ No

**Note:** See guidance materials at [www.des.qld.gov.au](http://www.des.qld.gov.au) for information requirements regarding development of Queensland heritage places.

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

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

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

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

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

- ☐ Yes – this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)  
☒ No

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

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

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

☒ No

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

## PART 8 – CHECKLIST AND APPLICANT DECLARATION

### 24) Development application checklist

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

☒ Yes

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

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

☐ Yes

☒ Not applicable

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

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

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☐ Yes

☒ Not applicable

### 25) Applicant declaration

☒ By making this development application, I declare that all information in this development application is true and correct

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

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

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

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

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

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

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

---

Date received:  Reference number(s):

### Notification of engagement of alternative assessment manager

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

### QLeave notification and payment

*Note: For completion by assessment manager if applicable*

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





GMA Certification  
Group

*Leaders in  
Building Certification Services*



## **PLANNING STATEMENT**

---

For: Macrossan Street Pty Ltd  
Development: Material Change of Use (Shops)  
At: 24 Macrossan Street, Port Douglas (Lot 118 of  
PTD2091)  
Prepared by: GMA Certification Group  
File Ref: 20211130  
Revision: A

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## 1.0 Introduction

This report has been prepared on behalf of Macrossan Street Pty Ltd in support of a Development Application to Douglas Shire Council for a Development Permit for Material Change of Use for the purpose of shops on land located at 24 Macrossan Street, Port Douglas and described as Lot 118 on PTD2091.

The application site is a single, regularly shaped allotment, located at 24 Macrossan Street, Port Douglas, and described as Lot 118 on PTD 2091. The site contains an area of 1,012m<sup>2</sup> and has frontage to Macrossan Street of approximately 20 metres. It is currently improved by a single storey building containing three retail tenancies that overlook a courtyard that faces the street. To the rear of the site and accessed via an existing driveway adjacent the eastern side boundary, is a car parking area that contains approximately 12 car parking spaces.

The site is located within the Port Douglas Town Centre and development surrounding the site is characterised by a mix of commercial, retail, entertainment and short and long term accommodation purposes.

It is proposed to redevelop the site and increase the retail floor area by expanding the retail floor space over the existing courtyard resulting in retail tenancies that have a direct relationship with the street front. The development would result in three retail tenancies with a total floor area of approximately 386.6m<sup>2</sup> and with shared car parking to the rear.

A shop is defined as a Centre Activity. An application for Centre Activities on the site is identified as being Code Assessable and consideration can only be given to the relevant Assessment Benchmarks in the determination of the application. The development is considered to be consistent with the Assessment Benchmarks and consistent, in terms of scale and intensity, with other forms of development in the locality. The application is submitted for approval, subject to reasonable and relevant conditions.

## 2.0 Development Summary

<b>Address:</b>	24 Macrossan Street, Port Douglas
<b>Real Property Description:</b>	Lot 118 of PTD2091
<b>Easements &amp; Encumbrances:</b>	Nil
<b>Site Area/Frontage:</b>	Area: 1,012m <sup>2</sup> Frontage: 20 metres to Macrossan Street
<b>Registered Owner:</b>	Macrossan Street Pty Ltd A.C.N. 648 677 856
<b>Proposal:</b>	Material Change of Use (Shops)
<b>Approval Sought:</b>	Development Permit
<b>Level of Assessment:</b>	Code Assessment
<b>State Interests – State Planning Policy</b>	<ul style="list-style-type: none"> <li>• Safety and Resilience to Hazards:               <ul style="list-style-type: none"> <li>○ Bushfire Prone Area – Potential Impact Buffer; and,</li> <li>○ Erosion Prone Area;</li> </ul> </li> <li>• Infrastructure – State-controlled Road (Macrossan Street).</li> </ul>
<b>State Interests – SARA Mapping:</b>	<ul style="list-style-type: none"> <li>• Coastal Protection – Erosion prone area;</li> <li>• Native Vegetation Clearing – Category X on the regulated vegetation management map; and,</li> <li>• State Transport – Area within 25m of a State-controlled road.</li> </ul>
<b>Referral Agencies:</b>	State Assessment and Referral Agency - Schedule 10, Part 9, Div 4, Subdiv 2, Table 4 <i>Planning Regulations 2017</i> .
<b>State Development Assessment Provisions:</b>	State Code 1: Development in a state-controlled road environment
<b>Regional Plan Designation:</b>	Urban Footprint
<b>Zone:</b>	Centre Zone
<b>Local Plan Designation:</b>	Port Douglas/ Craiglie Local Plan, Precinct 1 – 1a Town Centre
<b>Overlays:</b>	<ul style="list-style-type: none"> <li>• Acid Sulfate Soils – 5-20m AHD;</li> </ul>

- Bushfire Hazard – Potential Impact Buffer;
  - Coastal Environment – Erosion Prone Area;
  - Natural Areas – MSES Regulated Vegetation (Intersecting a Watercourse);
  - Potential Landslide Hazard - High & Medium Hazard Risk; and,
  - Transport Network Overlay Code – Principal Pedestrian Route and Collector Road.
-

### 3.0 Site and Locality

The application site is a single regularly shaped allotment located at 24 Macrossan Street, Port Douglas, and described as Lot 118 on PTD 2091. The site contains an area of 1,012m<sup>2</sup> and has frontage to Macrossan Street of approximately 20 metres. It is currently improved by a single storey building containing three retail tenancies that overlook a courtyard that faces the street. The courtyard is established at a higher level than the footpath and access to the courtyard is via steps from the footpath. The total existing floor area, excluding the courtyard is understood to be 250m<sup>2</sup>. To the rear of the site and accessed via an existing driveway adjacent the eastern side boundary, is a car parking area that contains approximately 12 car parking spaces.

The site is located within the Port Douglas Town Centre and development surrounding the site is characterised by a mix of commercial, retail, entertainment and short and long term accommodation purposes. Uses in the vicinity of the site include the Coles shopping complex on the opposite side of Macrossan Street, The Mantra Heritage Apartments, the Saltwater development comprising retail and accommodation activities and multiple dwellings to the rear.



Photo 1 – Site Location (Source Queensland Globe)



## 4.0 Proposal

It is proposed to redevelop the site and increase the retail floor area by expanding the retail floor space over the existing courtyard resulting in retail tenancies that have a direct relationship with the street front. The development would result in three retail tenancies with a total floor area of approximately 368.6m<sup>2</sup>. Each tenancy would have individual toilets and amenity facilities. To the rear of the tenancies would be a common covered area, providing protection to the rear access to the retail tenancies and bicycle storage for 3 bicycles.

At the street front, as part of the development, it is proposed to provide a cantilevered awning over the footpath and upgrade the footpath pavement and landscaping. The underside of the awning would be 2.545 metres above the footpath and with a maximum height of 3.950 metres. Above the awning, it is proposed to provide planters and vines that would cascade down to provide additional visual interest. Beneath the awning, double sided signage would be provided for each tenancy. The footpath pavement would be replaced with modern and improved paving and three planter boxes would be established adjacent the kerb to protect pedestrians from vehicular traffic.

The building would be single storey with an overall height of 4.76 metres at the street front. To provide for an entrance to the tenancies that is level with the footpath pavement, the building would be cut into the site and would have a lesser height above natural ground to the rear.

The car parking area and access to the rear of the site would be reconfigured as part of the development to provide 13 car parking spaces, including one space for mobility impaired drivers.

Proposal Plans are attached at [Appendix 2](#).

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

Development Feature	Proposal
Site Area:	1,012m <sup>2</sup>
Frontage:	Approx. 20 metres
Height:	4.76 metres
Gross Floor Area:	349.85m <sup>2</sup>
	<ul style="list-style-type: none"> <li>• Shop 1: 118.75m<sup>2</sup></li> <li>• Shop 2: 116.25m<sup>2</sup></li> <li>• Shop 3: 114.85m<sup>2</sup></li> </ul>
Site Cover:	45.3%

## Setbacks:

- 0 metres to frontage;
- 3.05 metres to south eastern side boundary;
- 0 metres to northern side boundary; and,
- 22.240 metres to the rear.

---

Access:

Existing driveway adjacent the south eastern boundary.

---

## Car Parking Spaces:

13



## 5.0 Statutory Planning Considerations

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

### 5.1 Planning Act 2016

#### 5.1.1 Categorisation of Development

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

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

The development is made assessable under the Douglas Shire Council Planning Scheme 2018, which is a categorising instrument for the purpose of s43 of the *Planning Act 2016*.

#### 5.1.2 Assessment Manager

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

#### 5.1.3 Level of Assessment

The application involves the development of a Centre Activity (Shops). The table below identifies the level of assessment and the categorising section of the Douglas Shire Council Planning Scheme.

Development	Categorising Section	Level of Assessment
Centre Activity	Table 5.6.a -Centre Zone	Code Assessable

#### 5.1.4 Statutory Considerations for Assessable Development

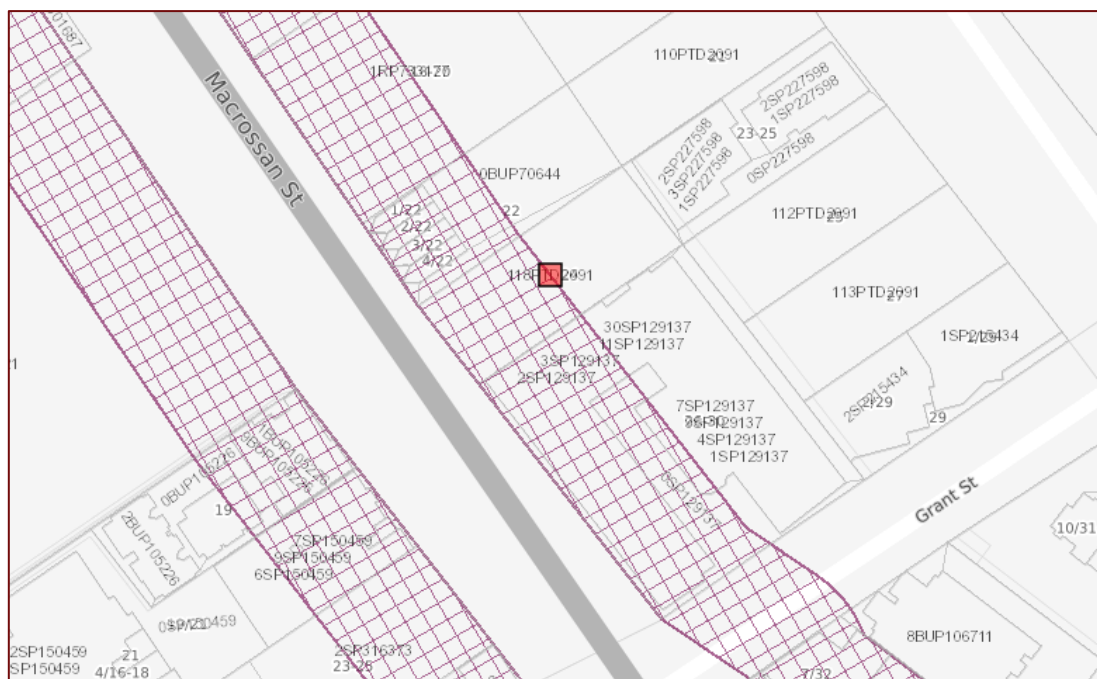
As the application is subject to Code Assessment, in deciding the application pursuant to s60 of the *Planning Act 2016*, the Council, as Assessment Manager, can only have regard to the matters established in the relevant planning Assessment Benchmarks.

This assessment is further discussed in Section 6.0 of this report and a detailed assessment of the proposed development against the assessment benchmarks is provided at [Appendix 3](#).

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

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

The application site is identified in the Queensland Government Development Assessment Mapping System as being within 25 metres of a State-controlled road. Consequently, in accordance with the *Planning Regulation 2017* Schedule 10, part 9, Division 4, Subdivision 2, Table 4, the application is required to be referred to the State Assessment and Referral Agency for consideration of the impact of the development on a State Controlled Road.



### 5.1.8 State Development Assessment Provisions

State Code 1: Development in a State-controlled Road Environment is relevant to the assessment of the application. An assessment of the proposed development against the state code is provided in **Appendix 3**.

The proposed development is considered to comply with the relevant Assessment Benchmarks contained in the State Code. The proposed development would not

involve a new or changed access to the state -controlled road and would not result in an increase in traffic generation that would affect the operation of the state-controlled road.

## 6.0 Local Planning Considerations

### 6.1 Douglas Shire Council Planning Scheme

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

- Acid Sulfate Soils Overlay;
- Bushfire Hazard Overlay;
- Coastal Environment Overlay;
- Natural Areas Overlay; and,
- Transport Network Overlay.

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

Assessment Benchmark	Applicability	Compliance
Centre Zone Code	Applies	Generally complies with the applicable Acceptable Outcomes. Consideration is required in respect of Performance Outcome PO2, Amenity. Refer below.
Port Douglas/Craigie Local Plan Code	Applies	Complies with applicable Acceptable Outcomes and Performance Outcomes where no Acceptable Outcome is provided.
Acid Sulfate Soils Overlay Code	Applies	Complies with the relevant Acceptable Outcomes and Performance Outcomes. Excavation would be limited and would not affect Acid Sulfate Soils.
Bushfire Hazard Overlay Code	Applies	Complies with applicable Acceptable Outcomes.
Coastal Environment Overlay Code	Applies	Complies with all applicable Acceptable

		Outcomes.
Natural Areas Overlay Code	Applies	Complies with all applicable Acceptable Outcomes.
Transport Network Overlay Code	Applies	Complies with all applicable Acceptable Outcomes.
Centre Activities Code	Applies	Generally complies with the applicable Acceptable Outcomes. Consideration is required in respect of Performance Outcome PO9, landscaping. Refer below.
Access, Parking and Servicing Code	Applies	Generally complies with the applicable Acceptable Outcomes. Consideration is required in respect of Performance Outcome PO9, servicing. Refer below.
Environmental Performance Code	Applies	Complies with all applicable Acceptable Outcomes.
Infrastructure Works Code	Applies	Complies with all applicable Acceptable Outcomes.
Landscaping Code	Applies	Complies with the applicable Acceptable Outcomes and Performance Outcomes where no Acceptable Outcomes are provided.
Vegetation Management Code	Not applicable	No vegetation damage is proposed.

## 6.1.1 Statement of Compliance – Benchmark Assessment

### 6.1.1.1 Centre Zone Code

Performance Outcome PO2 of the Centre Zone Code states:

#### **PO2**

*The siting of buildings contributes to the use of the land, desired amenity and character of the area and protects the amenity of other land uses.*

The associated Acceptable Outcome states:

#### **AO2.4**

*Setback areas are provided with a 2 metre landscaped strip capable of deep planting, which is kept clear of service equipment and storage areas:*

- (a) adjacent to the road frontage in all areas not required for pedestrian or vehicular access for the setback area nominated in AO2.1(b) above;
- (b) adjacent to the boundary with the other zone for the setback area nominated in AO2.3 above.

The proposed development would be constructed to the road frontage, consistent with the Local Plan requirements. The relationship with the rear boundary would be consistent with the existing arrangement and would not include a landscape strip. The proposed development would not adversely affect the amenity of the adjoining land users above the existing development on the site. Whilst a landscape buffer is not proposed to the rear boundary, the proposed development is considered to be consistent with the Performance Outcome.

#### **6.1.1.2 Centre Activities Code**

Performance Outcome PO9 of the Centre Activities Code states:

#### **PO9**

*Development provides for the site to be landscaped in a manner that is consistent with the function, location and setting of the development.*

The associated Acceptable Outcomes states:

#### **AO9.1**

*A minimum of 10% of the site is set aside for landscape planting.*

#### **AO9.2**

*Landscaping is provided in accordance with the following:*

- a mixture of shade trees and low planting is provided along street frontages where buildings are setback from the frontage;
- shade trees are provided in car parks;
- a landscaped area is provided between the centre activity, associated car parking and any adjacent residential use or zone which:

- (i) has a minimum width of 3 metres and is not used for storage or mechanical plant;
- (ii) is planted with a variety of hardy screening shrubs and trees;
- (iii) incorporates a minimum 1.8 metre high solid screen fence.

The site is located in Macrossan Street which is the primary shopping frontage of Port Douglas and where on-site landscaping is limited. The proposed development would result in an improved relationship with the street and a would maintain the existing relationship with the adjoining uses. The level of landscaping proposed, which does not satisfy the acceptable outcome for 10% of the site set aside for landscaping and for buffer planting, is considered to be consistent with the function and setting of Macrossan Street and consistent with the requirements for the Performance Outcome.

#### **6.1.1.3 Access, Parking and Servicing Code**

Performance Outcome PO9 of the Access, Parking and Servicing Code states:

##### **PO9**

*Access, internal circulation and on-site parking for service vehicles are designed and constructed:*

- (a) in accordance with relevant standards;*
- (b) so that they do not interfere with the amenity of the surrounding area;*
- (c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles.*

The associated Acceptable Outcomes state:

##### **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.*

##### **AO9.2**

*Service and loading areas are contained fully within the site.*

##### **AO9.3**

*The movement of service vehicles and service operations are designed so they:*

- (a) do not impede access to parking spaces;*
- (b) do not impede vehicle or pedestrian traffic movement.*

The proposal represents the redevelopment of an existing commercial premises for an improved retail development. The redevelopment relies on the existing parking, access and servicing arrangements which has operated without adverse impact on the amenity of the area or the safety of other road users. The proposed development would not

interfere with the amenity of the area and would not affect the convenient movement of pedestrians, cyclists and other vehicles.

## 6.2 Douglas Shire Council Adopted Infrastructure Charges Resolution

In accordance with the Councils Infrastructure Charges Resolution (No. 2) adopted by Council on 23 February 2021 Council is required to determine whether the proposed development is required to be the subject of an infrastructure charge.

The levied charge is based upon the adopted charged contained in the resolution applicable to the proposed development less any credits available to the premises as calculated as a unit of measure for the existing development.

In this instance the Adopted Charge is based upon the charge applicable to the amount of Gross floor Area of the proposed Shop(s) and the credit is based upon the Gross Floor Area of the existing development on the site, including areas available for patronage, whether enclosed within a building or not, i.e., outdoor beer garden, terraced function area.

The adopted charge for the creation of a new shop(s) is identified as \$165.54/m<sup>2</sup> of Gross Floor Area and the credit is based upon \$165.54 per square metre of Gross Floor Area plus any areas, available for patronage, whether enclosed within a building or not, i.e., outdoor beer garden, terraced function area.

The proposed development would result in a Gross Floor Area of 349.85m<sup>2</sup>, which attracts a charge of \$57,914.17.

The existing development, including the terraced function area, provides the following Gross Floor Areas:

- Shop 1 and Terrace – 117.32m<sup>2</sup>;
- Shop 2 and Terrace – 104.55m<sup>2</sup>
- Shop 3 – 104.55m<sup>2</sup>;

This reflects a total GFA, for the purpose of Infrastructure Charges of 326.42m<sup>2</sup>. This reflects a credit of \$54,035.57.

The applicable infrastructure charge is therefore calculated to be \$3,878.60.



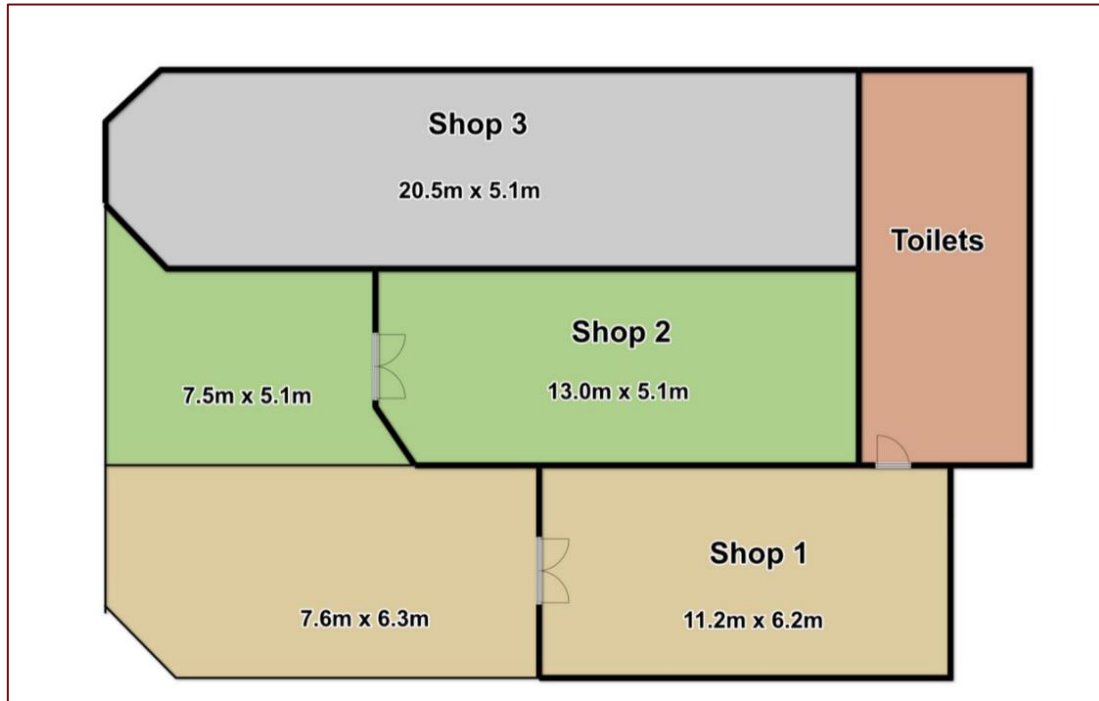


Image 2 – Existing Floor Areas

## 7.0 Summary and Conclusion

This report has been prepared on behalf of Macrossan Street Pty Ltd in support of a Development Application to Douglas Shire Council for a Development Permit for Material Change of Use for the purpose of shops on land located at 24 Macrossan Street, Port Douglas and described as Lot 118 on PTD2091.

The application site is a single, regularly shaped allotment, located at 24 Macrossan Street, Port Douglas, and described as Lot 118 on PTD 2091. The site contains an area of 1,012m<sup>2</sup> and has frontage to Macrossan Street of approximately 20 metres. It is currently improved by a single storey building containing three retail tenancies that overlook a courtyard that faces the street. To the rear of the site and accessed via an existing driveway adjacent the eastern side boundary, is a car parking area that contains approximately 12 car parking spaces.

It is proposed to redevelop the site and increase the retail floor area by expanding the retail floor space over the existing courtyard resulting in retail tenancies that have a direct relationship with the street front. The development would result in three retail tenancies with a total floor area of approximately 386.6m<sup>2</sup> and with shared car parking to the rear.

The application is identified as being Code Assessable and consideration can only be given to the relevant Assessment Benchmarks in the determination of the application. The development is considered to be consistent with the Assessment Benchmarks and consistent, in terms of scale and intensity, with other forms of development in the locality. The application is submitted for approval, subject to reasonable and relevant conditions.

## Appendix 1.

# CERTIFICATE OF TITLE

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>20891089</b>	<b>Search Date:</b>	02/07/2021 15:03
<b>Date Title Created:</b>	02/02/1973	<b>Request No:</b>	37745661
<b>Previous Title:</b>	20230218		

#### ESTATE AND LAND

Estate in Fee Simple

LOT 118 CROWN PLAN PTD2091  
Local Government: DOUGLAS

#### REGISTERED OWNER

Dealing No: 720751428 27/04/2021

MACROSSAN STREET PTY LTD A.C.N. 648 677 856 TRUSTEE  
UNDER INSTRUMENT 720751428

#### EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 10332057 (ALLOT 18 SEC 1)

#### ADMINISTRATIVE ADVICES

NIL

#### UNREGISTERED DEALINGS

NIL

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

## Appendix 2.

# PROPOSAL PLANS



# RETAIL DEVELOPMENT

SAM GAGALETA

24 MACROSSAN STREET, PORT DOUGLAS

30/6/21

TRANSMITTAL

DRG No.	DRAWING NAME	REV ID	CHANGE ID'S	ISSUE DATE	STATUS
DA-01	COVER PAGE	A		30/6/21, 10:25 am	
DA-02	SITE PLAN - EXISTING & DEMOLITION	A		30/6/21, 10:25 am	
DA-03	SITE PLAN - PROPOSED	A		30/6/21, 10:25 am	
DA-04	FLOOR PLAN	A		30/6/21, 10:25 am	
DA-05	ELEVATIONS	A		30/6/21, 10:25 am	
DA-06	VISUALISATION 01	A		30/6/21, 10:25 am	
DA-07	VISUALISATION 02	A		30/6/21, 10:25 am	





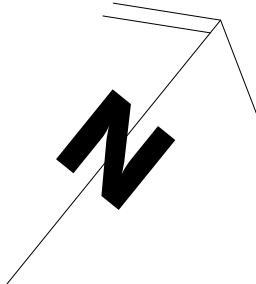
**SITE PLAN 1:100**  
SCALE 1:100

**RETAIL DEVELOPMENT**  
**FOR : MACROSSAN STREET TRUST**  
**SAM GAGALETA**

© COPYRIGHT HUNT DESIGN

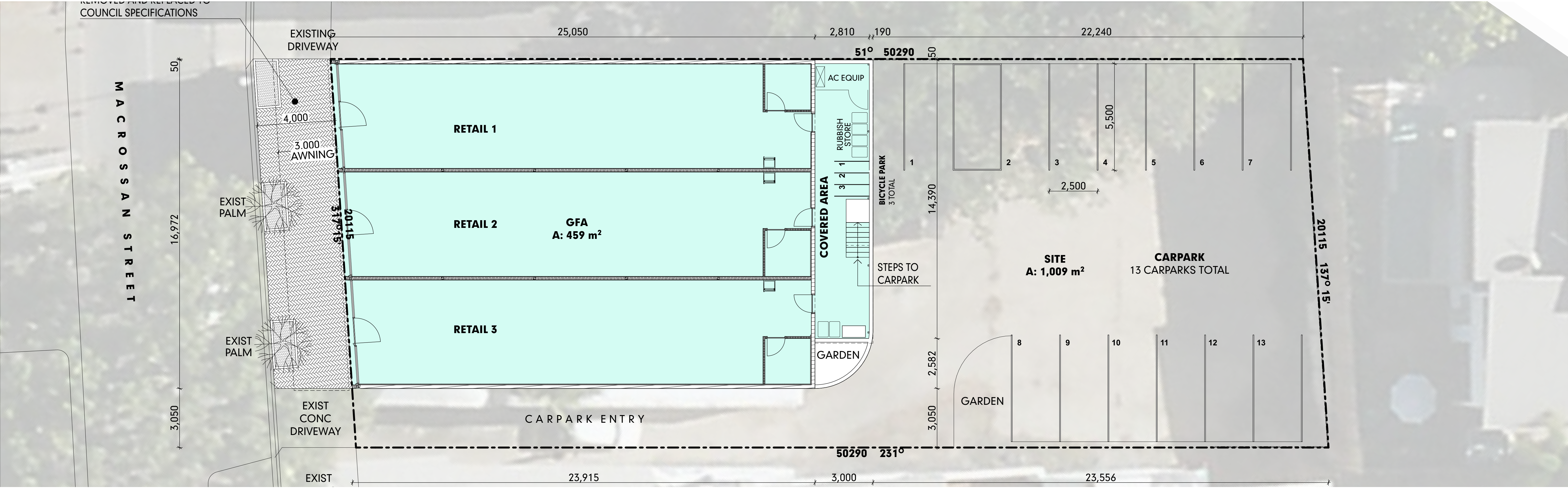
**24 MACROSSAN STREET, PORT DOUGLAS**  
**DA ISSUE**  
**SITE PLAN - EXISTING & DEMOLITION**

PROJECT NO. GAGELETA001  
DRAWING NO. DA-02  
REVISION NO. 01  
DATE 14/7/21



**HUNT**  
DESIGN

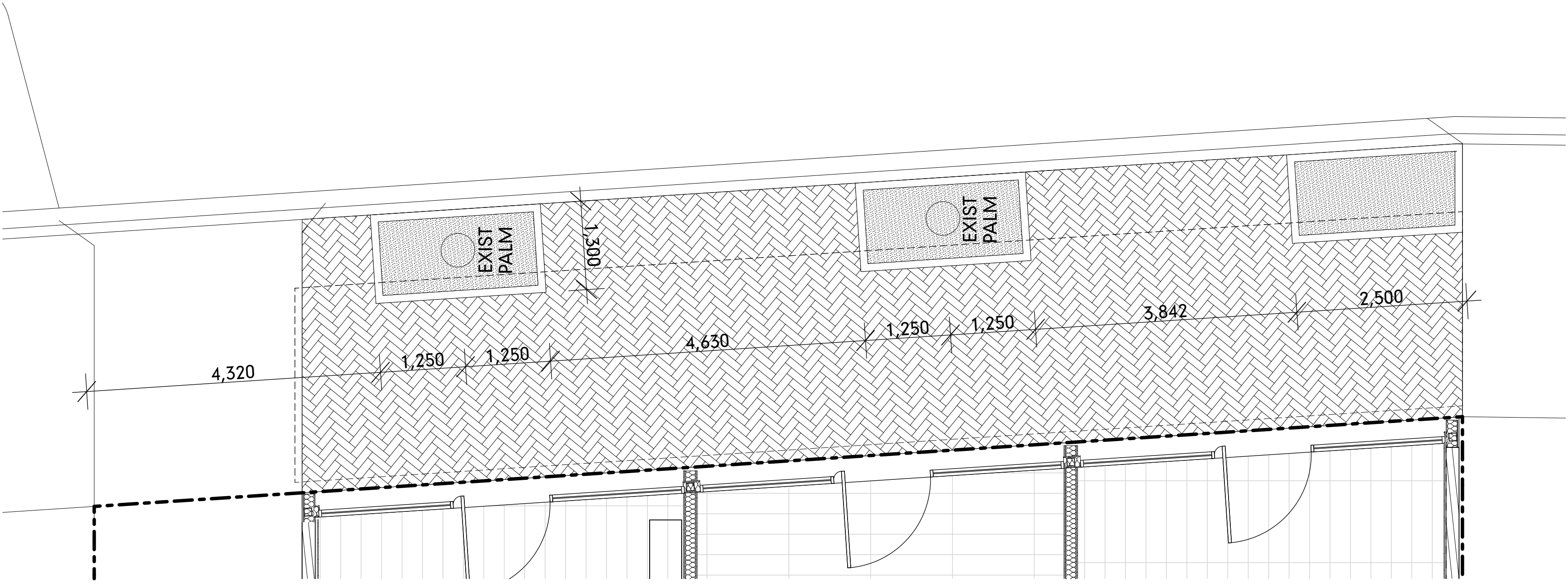




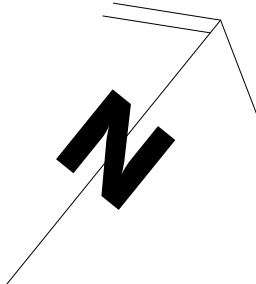
SITE PLAN 1:100  
SCALE 1:100

INTERNAL AREAS		
	Name	Area
RETAIL		
	SHOP 1 RETAIL	125.0
	SHOP 2 RETAIL	122.5
	SHOP 3 RETAIL	121.1
		368.6 m²

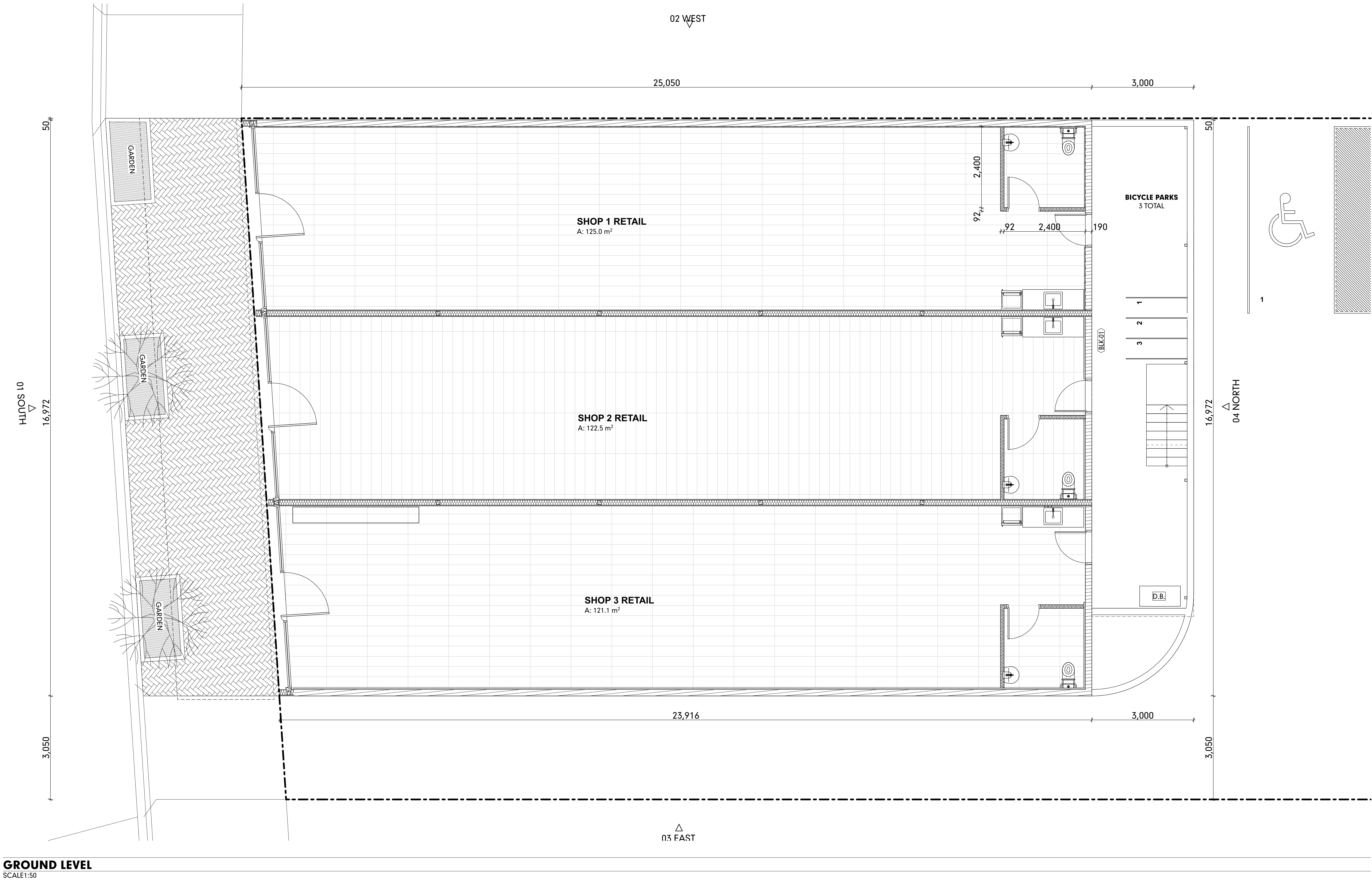
GROSS FLOOR AREA		
		Area
GROUND LEVEL		
	GFA	459.0

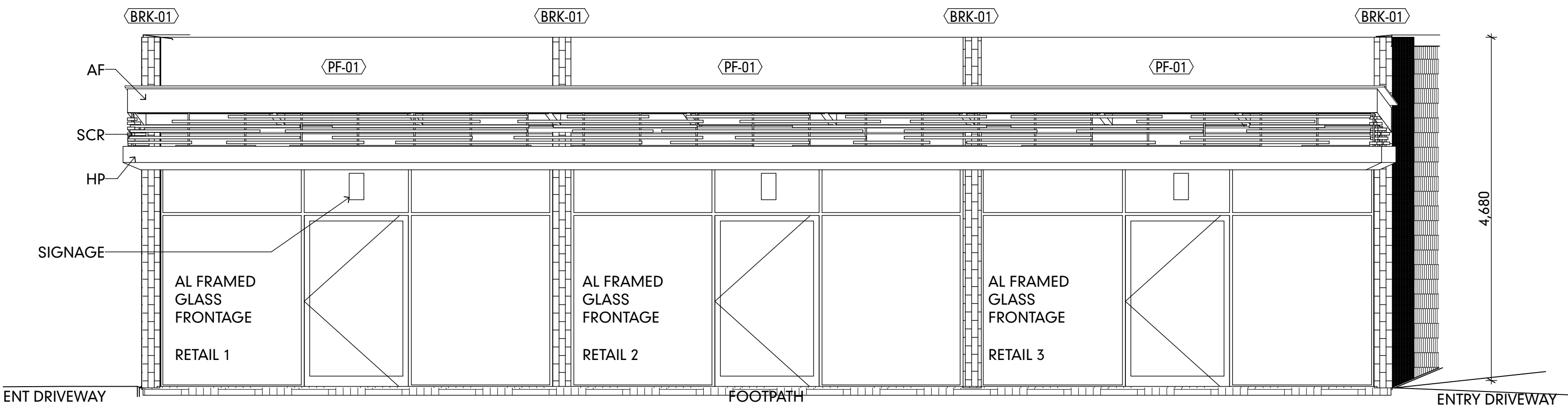


FOOTPATH  
SCALE 1:50



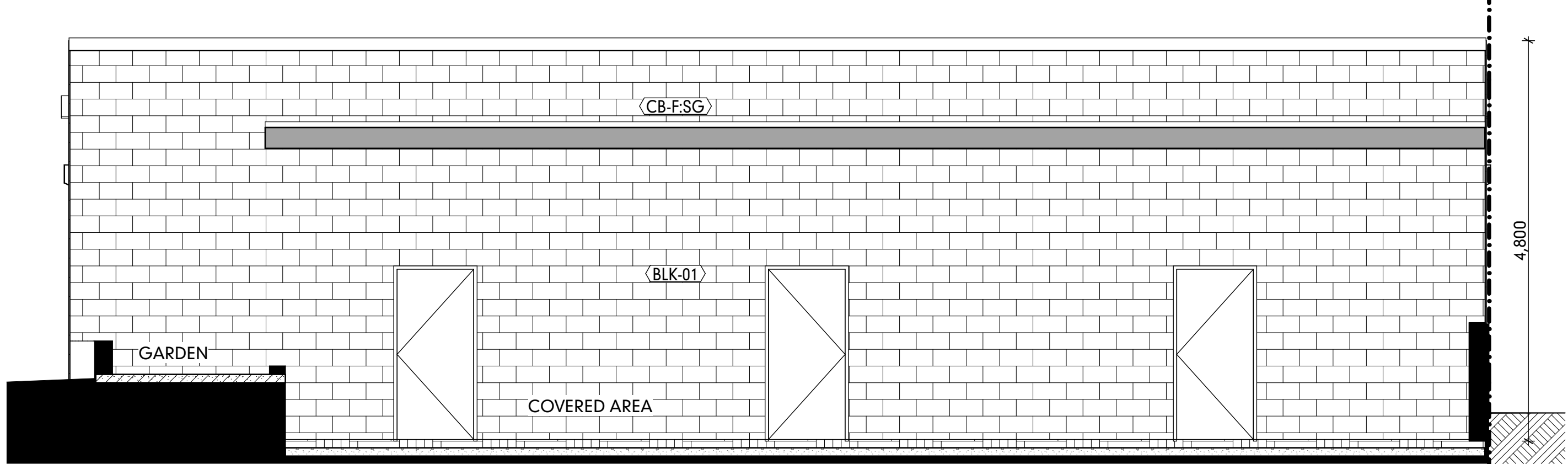






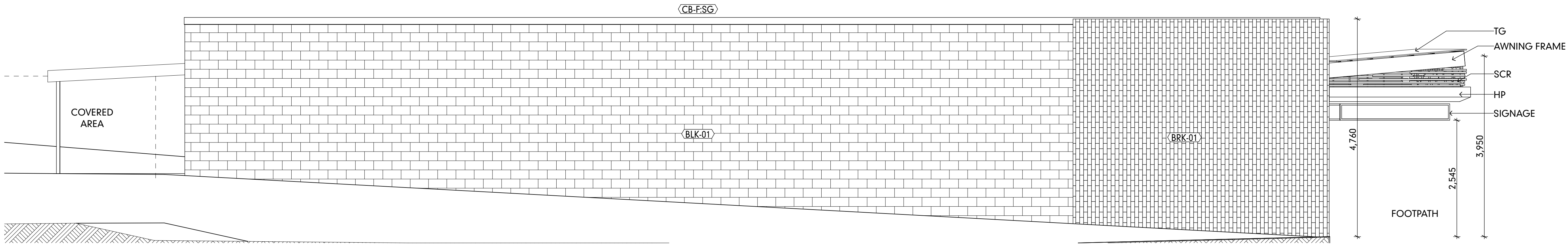
**SOUTH**  
SCALE1:50

**01**  
DA-04



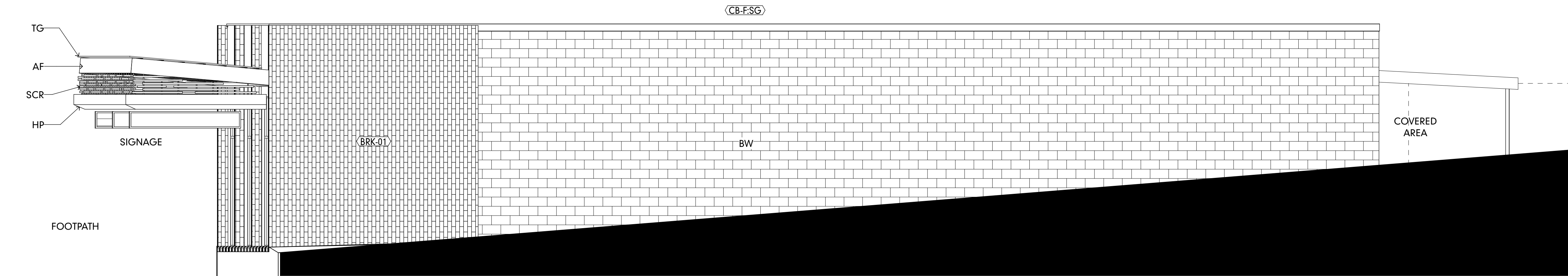
**NORTH**  
SCALE1:50

**2**  
DA-04



**WEST**  
SCALE1:50

**02**  
DA-04



**EAST**  
SCALE1:50

**03**  
DA-04

LEGEND FINISHES	
PF-01	WALL FINISH LABEL
BRK-01	BRICK TILE - ROBERTSON'S PARCHMENT
PF-01	PAINT FINISH 01 - DULUX ANTIQUE WHITE
AF	AWNING FRAME PAINT FINISH - MONUMENT
BLK-01	BLOCKWORK - PAINT FINISH DULUX ANTIQUE WHITE
CB-SH	COLORBOND ROOF SHEET & FLASHINGS - SHALE GREY
HP	HANGING PLANTER DULUX COPPER PEARL FINISH
SCR	SCREEN - TIMBER LOOK FINISH
TG	TOUGHENED GLASS - PRINTED PATTERN
SCR	SCREEN - TIMBER LOOK FINISH









**RETAIL DEVELOPMENT**  
**FOR : MACROSSAN STREET TRUST**  
**SAM GAGALETA**

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**24 MACROSSAN STREET, PORT DOUGLAS**  
**DA ISSUE**  
**VISUALISATION 02**

**PROJECT NO.** GAGELETA001  
**DRAWING NO.** DA-07  
**REVISION NO.** 01  
**DATE** 14/7/21

**HUNT**  
 DESIGN



## Appendix 3.

# PLANNING BENCHMARK ASSESSMENT

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

Table 1.2.1: Development in a state-controlled road environment

Performance outcomes	Acceptable outcomes	Response
<b>Buildings and structures</b>		
<b>PO1</b> The location of buildings, structures, infrastructure, services and utilities does not create a safety hazard in a state-controlled road, or cause damage to, or obstruct road transport infrastructure.	<b>AO1.1</b> Buildings, structures, infrastructure, services and utilities are not located in a state-controlled road.  AND	<b>Complies with PO1</b>  The proposed development would result in an awning that projects over the footpath of a state controlled road reserve. The awning is consistent with other awnings in the street and is a requirement of the Douglas Shire Planning Scheme. The proposed awning would not create a safety hazard in the state-controlled road.
	<b>AO1.2</b> Buildings, structures, infrastructure, services and utilities can be maintained without requiring access to a state-controlled road.	<b>Complies with AO1.2</b>  The building is able to be maintained without requiring access to the state controlled road.
<b>PO2</b> The design and construction of buildings and structures does not create a safety hazard by distracting users of a state-controlled road.	<b>AO2.1</b> Facades of buildings and structures facing a state-controlled road are made of non-reflective materials.  OR	<b>Complies with AO2.1</b>  The building façade would be non-reflective.
	<b>AO2.2</b> Facades of buildings and structures do not reflect point light sources into the face of oncoming traffic on a state-controlled road.	<b>Complies with AO2.2</b>

Performance outcomes	Acceptable outcomes	Response
	AND	The façade of the building would not reflect point light sources into the face of oncoming traffic.
	<b>AO2.3</b> External lighting of buildings and structures is not directed into the face of oncoming traffic on a state-controlled road and does not involve flashing or laser lights. AND	<b>Complies with AO2.3</b> No external lighting is proposed that would be directed to the road..
	<b>AO2.4</b> Advertising devices visible from a state-controlled road are located and designed in accordance with the Roadside Advertising Guide, 2 <sup>nd</sup> Edition, Department of Transport and Main Roads, 2017.	<b>Complies with AO2.4</b> Advertising is limited to below awning signs only.
<b>PO3</b> Road, pedestrian and bikeway bridges over a state-controlled road are designed and constructed to prevent projectiles from being thrown onto a state-controlled road.	<b>AO3.1</b> Road, pedestrian and bikeway bridges over a state-controlled road include throw protection screens in accordance with section 4.9.3 of the Design Criteria for Bridges and Other Structures Manual, Department of Transport and Main Roads, 2018.	<b>Not applicable</b> No road, pedestrian or bikeway bridges are proposed as part of this development application.
<b>Filling, excavation and retaining structures</b>		
<b>PO4</b> Filling and excavation does not interfere with, or result in damage to, infrastructure or services in a state-controlled road.	No acceptable outcome is prescribed.	<b>Complies with PO4</b> The excavation required to bring the floor level down to be consistent with the footpath would be undertaken wholly within the site.

Performance outcomes	Acceptable outcomes	Response
<p>Note: Information on the location of services and public utility plants in a <b>state-controlled road</b> can be obtained from the Dial Before You Dig service.</p> <p>Where development will impact on an existing or future service or public utility plant in a <b>state-controlled road</b> such that the service or public utility plant will need to be relocated, the alternative alignment must comply with the standards and design specifications of the relevant service or public utility provider, and any costs of relocation are to be borne by the developer.</p> <p>Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>		
<p><b>PO5</b> Filling, excavation, building foundations and retaining structures do not undermine, or cause subsidence of, a state-controlled road.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended an RPEQ certified geotechnical assessment, prepared in accordance with the Road Planning and Design Manual 2<sup>nd</sup> Edition: Volume 3, Department of Transport and Main Roads, 2016, is provided.</p> <p>Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a geotechnical assessment.</p>	No acceptable outcome is prescribed.	<p><b>Complies with PO5</b></p> <p>The filling and excavation would bring the site level down to be consistent with the footpath and any building foundations would be engineered to prevent damage external to the site.</p>
<p><b>PO6</b> Filling, excavation, building foundations and retaining structures do not cause ground water disturbance in a state-controlled road.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended an RPEQ certified geotechnical assessment, prepared in accordance with the Road Planning and Design</p>	No acceptable outcome is prescribed.	<p><b>Complies with PO6</b></p> <p>The filling and excavation would bring the site level down to be consistent with the footpath and any building foundations would be</p>



Performance outcomes	Acceptable outcomes	Response
<p>manual 2<sup>nd</sup> Edition: Volume 3, Department of Transport and Main Roads, 2016, is provided.</p> <p>Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a geotechnical assessment.</p>		engineered to prevent damage external to the site.
<p><b>PO7</b> Excavation, boring, piling, blasting or fill compaction during construction of a development does not result in ground movement or vibration impacts that would cause damage or nuisance to a state-controlled road, road transport infrastructure or road works.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended an RPEQ certified geotechnical assessment, prepared in accordance with Road Planning and Design Manual 2<sup>nd</sup> Edition: Volume 3, Department of Transport and Main Roads, 2016, is provided.</p> <p>Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a geotechnical assessment.</p>	No acceptable outcome is prescribed.	<p><b>Not applicable</b></p> <p>Development does not involve filling, excavation, boring, piling or blasting works.</p>
<p><b>PO8</b> Development involving the haulage of fill, extracted material or excavated spoil material exceeding 10,000 tonnes per year does not damage the pavement of a state-controlled road.</p>	<p><b>AO8.1</b> Fill, extracted material and spoil material is not transported to or from the development site on a state-controlled road.</p>	<p><b>Not applicable</b></p> <p>Excavation from the site would not exceed 10,000 tonnes per year.</p>

Performance outcomes	Acceptable outcomes	Response
<p>Note: It is recommended a pavement impact assessment is provided.</p> <p>Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, and the Guide to Traffic Impact Assessment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a pavement impact assessment.</p>		
<p><b>PO9</b> Filling and excavation associated with the construction of vehicular access to a development does not compromise the operation or capacity of existing drainage infrastructure for a state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	No acceptable outcome is prescribed.	<p><b>Not applicable</b></p> <p>The vehicular access exists.</p>
<p><b>PO10</b> Fill material used on a development site does not result in contamination of a state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p><b>AO10.1</b> Fill material is free of contaminants including acid sulfate content.</p> <p>Note: Soils and rocks should be tested in accordance with AS 1289.0 – Methods of testing soils for engineering purposes and AS 4133.0-2005 – Methods of testing rocks for engineering purposes.</p> <p>AND</p>	<p><b>Not applicable</b></p> <p>Th development would not involve any fill.</p>
	<p><b>AO10.2</b> Compaction of fill is carried out in accordance with the requirements of AS 1289.0</p>	<p><b>Not applicable</b></p> <p>The development would not involve any fill.</p>

Performance outcomes	Acceptable outcomes	Response
	2000 – Methods of testing soils for engineering purposes.	
<b>PO11</b> Filling and excavation does not cause wind-blown dust nuisance in a state-controlled road.  Note: Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	<b>AO11.1</b> Compaction of fill is carried out in accordance with the requirements of AS 1289.0 2000 – Methods of testing soils for engineering purposes.  AND	<b>Not applicable</b>  Development would not involve any fill.
	<b>AO11.2</b> Dust suppression measures are used during filling and excavation activities such as wind breaks or barriers and dampening of ground surfaces.	<b>Able to comply with AO11.2</b>  Construction management would require dust suppression where appropriate and required.
<b>Stormwater and drainage</b>		
<b>PO12</b> Development does not result in an actionable nuisance, or worsening of, stormwater, flooding or drainage impacts in a state-controlled road.  Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	No acceptable outcome is prescribed.	<b>Complies with PO12</b>  Development premises is already connected to Council's stormwater drainage network, which the new development would continue to utilise.
<b>PO13</b> Run-off from the development site is not unlawfully discharged to a state-controlled road.  Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of	<b>AO13.1</b> Development does not create any new points of discharge to a state-controlled road.  AND	<b>Complies with AO13.1</b>  All stormwater water would be discharged to the kerb and channel at the street front, which is the existing lawful point of discharge.

Performance outcomes	Acceptable outcomes	Response
<p>Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p><b>AO13.2</b> Stormwater run-off is discharged to a lawful point of discharge.</p> <p>Note: Section 3.9 of the Queensland Urban Drainage Manual, Institute of Public Works Engineering Australasia (Queensland Division) Fourth Edition, 2016, provides further information on lawful points of discharge.</p> <p>AND</p>	<p><b>Complies with AO13.2</b></p> <p>All stormwater water would be discharged to the kerb and channel at the street front, which is the existing lawful point of discharge.</p>
	<p><b>AO13.3</b> Development does not worsen the condition of an existing lawful point of discharge to the state-controlled road.</p>	<p><b>Complies with AO13.3</b></p> <p>The development would not result in an increase in the impervious surface on the site and would not increase stormwater run-off.</p>
<p><b>PO14</b> Run-off from the development site during construction does not cause siltation of stormwater infrastructure affecting a state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p><b>AO14.1</b> Run-off from the development site during construction is not discharged to stormwater infrastructure for a state-controlled road.</p>	<p><b>Complies with PO14</b></p> <p>Stormwater run-off during construction would be managed to avoid siltation of stormwater infrastructure through the implementation of sedimentation and erosion control plan. All stormwater would be directed to the Council stormwater infrastructure.</p>
<b>Vehicular access to a state-controlled road</b>		
<p><b>PO15</b> Vehicular access to a state-controlled road that is a limited access road is consistent with government policy for the management of limited access roads.</p> <p>Note: Refer to the SDAP Supporting Information: Vehicular access to a state-controlled road, Department of Transport and</p>	<p><b>AO15.1</b> Development does not require new or changed access to a limited access road.</p> <p>Note: Limited access roads are declared by the transport chief executive under section 54 of the <i>Transport Infrastructure Act 1994</i> and are identified in the DA mapping system.</p> <p>OR</p>	<p><b>Not applicable</b></p> <p>Macrossan Street is not a limited access road.</p>

Performance outcomes	Acceptable outcomes	Response
Main Roads, 2017, for further guidance on how to comply with this performance outcome.	<b>AO15.2</b> A new or changed access to a limited access road is consistent with the limited access policy for the state-controlled road.  Note: Limited access policies for limited access roads declared under the <i>Transport Infrastructure Act 1994</i> can be obtained by contacting the relevant Department of Transport and Main Roads regional office.  AND	<b>Not applicable</b>  Macrossan Street is not a limited access road.
	<b>AO15.3</b> Where a new or changed access is for a service centre, access is consistent with the Service centre policy, Department of Transport and Main Roads, 2013 and the Access policy for roadside service centre facilities on limited access roads, Department of Transport and Main Roads, 2013, and the Service centre strategy for the state-controlled road.  Note: The Service centre policy, Department of Transport and Main Roads, 2013, Access policy for roadside service centre facilities, Department of Transport and Main Roads, 2013 and the relevant Service centre strategy for a state-controlled road can be accessed by contacting the relevant Department of Transport and Main Roads regional office.	<b>Not applicable</b>  The development does not propose any new or changed access.
<b>PO16</b> The location and design of vehicular access to a state-controlled road (including access to a limited access road) does not create a safety hazard for users of a state-	<b>AO16.1</b> Vehicular access is provided from a local road.	<b>Not applicable</b>  Complies with AO16.2, AO16.3, <b>AO16.4</b> and AO16.5.
	OR all of the following acceptable outcomes apply:	<b>Complies with AO16.2</b>

Performance outcomes	Acceptable outcomes	Response
<p>controlled road or result in a worsening of operating conditions on a state-controlled road.</p> <p>Note: Where a new or changed access between the premises and a state-controlled road is proposed, the Department of Transport and Main Roads will need to assess the proposal to determine if the vehicular access for the development is safe. An assessment can be made by Department of Transport and Main Roads as part of the development assessment process and a decision under section 62 of <i>Transport Infrastructure Act 1994</i> issued.</p> <p>Refer to the SDAP Supporting Information: Vehicular access to a state-controlled road, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p><b>AO16.2</b> Vehicular access for the development is consistent with the function and design of the state-controlled road.</p> <p>AND</p>	<p>The access is an existing lawfully approved access.</p>
	<p><b>AO16.3</b> Development does not require new or changed access between the premises and the state-controlled road.</p> <p>Note: A decision under section 62 of the <i>Transport Infrastructure Act 1994</i> outlines the approved conditions for use of an existing vehicular access to a <b>state-controlled road</b>. Current section 62 decisions can be obtained from the relevant Department of Transport and Main Roads regional office.</p> <p>AND</p>	<p><b>Complies with AO16.3</b></p> <p>The development would not require new or changed access to the state-controlled road.</p>
	<p><b>AO16.4</b> Use of any existing vehicular access to the development is consistent with a decision under section 62 of the <i>Transport Infrastructure Act 1994</i>.</p> <p>Note: The development which is the subject of the application must be of an equivalent use and intensity for which the section 62 approval was issued and the section 62 approval must have been granted no more than 5 years prior to the lodgement of the application.</p> <p>AND</p>	<p><b>Complies with AO16.4</b></p> <p>The access is an existing lawfully approved access.</p>
	<p><b>AO16.5</b> On-site vehicle circulation is designed to give priority to entering vehicles at all times so vehicles do not queue in a road intersection or on the state-controlled road.</p>	<p><b>Complies with AO16.5</b></p> <p>On-site vehicle circulation prioritises entering vehicles.</p>

Performance outcomes	Acceptable outcomes	Response
<b>Vehicular access to local roads within 100 metres of an intersection with a state-controlled road</b>		
<b>PO17</b> The location and design of vehicular access to a local road within 100 metres of an intersection with a state-controlled road does not create a safety hazard for users of a state-controlled road.  Note: Refer to the SDAP Supporting Information: Vehicular access to a state-controlled road, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	<b>AO17.1</b> Vehicular access is located as far as possible from the state-controlled road intersection.  AND	<b>Not applicable</b>  No access from a local road is proposed.
	<b>AO17.2</b> Vehicular access is in accordance with parts, 3, 4 and 4A of the Road Planning and Design Manual, 2 <sup>nd</sup> Edition: Volume 3, Department of Transport and Main Roads, 2016.  AND	<b>Not applicable</b>  No access from a local road is proposed.
	<b>AO17.3</b> On-site vehicle circulation is designed to give priority to entering vehicles at all times so vehicles do not queue in the intersection or on the state-controlled road.	<b>Not applicable</b>  No access from a local road is proposed.
<b>Public passenger transport infrastructure on state-controlled roads</b>		
<b>PO18</b> Development does not damage or interfere with public passenger transport infrastructure, public passenger services or pedestrian or cycle access to public passenger transport infrastructure and public passenger services.  Note: Refer to the SDAP Supporting Information: Vehicular access to a state-controlled road, Department of Transport and	<b>AO18.1</b> Vehicular access and associated road access works are not located within 5 metres of existing public passenger transport infrastructure.  AND	<b>Not applicable</b>  There is no public passenger transport infrastructure located within 5 metres of vehicular access point.
	<b>AO18.2</b> Development does not necessitate the relocation of existing public passenger transport infrastructure.	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Response
Main Roads, 2017, for further guidance on how to comply with this performance outcome.	AND	There is no public transport infrastructure in Macrossan Street.
	<b>AO18.3</b> On-site vehicle circulation is designed to give priority to entering vehicles at all times so vehicles using a vehicular access do not obstruct public passenger transport infrastructure and public passenger services or obstruct pedestrian or cycle access to public passenger transport infrastructure and public passenger services. AND	<b>Not applicable</b> There is no public transport infrastructure in Macrossan Street.
	<b>AO18.4</b> The normal operation of public passenger transport infrastructure or public passenger services is not interrupted during construction of the development.	<b>Not applicable</b> There is no public transport infrastructure in Macrossan Street.
Planned upgrades		
<b>PO19</b> Development does not impede delivery of planned upgrades of state-controlled roads.	<b>AO19.1</b> Development is not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road.  Note: Land required for the planned upgrade of a state-controlled road is identified in the <a href="#">DA mapping system</a> .  OR	<b>Complies with AO19.1</b> The development is not located on land identified in the DA mapping system as subject to a planned upgrade.



Performance outcomes	Acceptable outcomes	Response
	<b>AO19.2</b> Development is sited and designed so that permanent buildings, structures, infrastructure, services or utilities are not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road.	<b>Not applicable</b> Complies with AO19.1.
	OR all of the following acceptable outcomes apply: <b>AO19.3</b> Structures and infrastructure located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road are able to be readily relocated or removed without materially affecting the viability or functionality of the development. AND	<b>Not applicable</b> Complies with AO19.1.
	<b>AO19.4</b> Vehicular access for the development is consistent with the function and design of the planned upgrade of the state-controlled road. AND	<b>Not applicable</b> Complies with AO19.1.
	<b>AO19.5</b> Development does not involve filling and excavation of, or material changes to, land required for a planned upgrade to a state-controlled road. AND	<b>Not applicable</b> Complies with AO19.1.

Performance outcomes	Acceptable outcomes	Response
	<b>AO19.6</b> Land is able to be reinstated to the pre-development condition at the completion of the use.	<b>Not applicable</b> Complies with AO19.1.
<b>Network impacts</b>		
<b>PO20</b> Development does not result in a worsening of operating conditions on the state-controlled road network.  <small>Note: To demonstrate compliance with this performance outcome, it is recommended that an RPEQ certified traffic impact assessment is provided. Please refer to the Guide to Traffic Impact Assessment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</small>	No acceptable outcome is prescribed.	<b>Complies with PO20</b>  The development would not result in an increase in traffic generation above the existing use of the site that would affect the operating conditions of Macrossan Street.
<b>PO21</b> Development does not impose traffic loadings on a state-controlled road which could be accommodated on the local road network.	<b>AO21.1</b> The layout and design of the development directs traffic generated by the development to the local road network.	<b>Not applicable</b>  The site does not have access to a local road.
<b>PO22</b> Upgrade works on, or associated with, a state-controlled road are built in accordance with Queensland road design standards.	<b>AO22.1</b> Upgrade works required as a result of the development are designed and constructed in accordance with the <i>Road Planning and Design Manual</i> , 2 <sup>nd</sup> edition, Department of Transport and Main Roads, 2016.  <small>Note: Road works in a state-controlled road require approval under section 33 of the <i>Transport Infrastructure Act 1994</i> before the works commence.</small>	<b>Not applicable</b>  No upgrade works are required for the state-controlled road as a result of the proposed development.

Table 1.2.2: Environmental emissions

Statutory note: Where a **state-controlled road** is co-located in the same transport corridor as a railway, the development should instead comply with table 2.2.2: Environmental emissions in State code 2: Development in a railway environment.

Refer to the SDAP Supporting Information: Environmental emissions in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with the performance outcomes in Table 1.2.2.

Performance outcomes	Acceptable outcomes	Response
<b>Noise</b>		
<b>Accommodation activities</b>		
<b>PO23</b> Development involving an accommodation activity or land for a future accommodation activity minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in habitable rooms.	<p><b>AO23.1</b> A noise barrier or earth mound is provided which is designed, sited and constructed:</p> <ol style="list-style-type: none"> <li>to meet the following external noise criteria at all facades of the building envelope: <ol style="list-style-type: none"> <li>≤60 dB(A) L<sub>10</sub> (18 hour) façade corrected (measured L<sub>90</sub> (8 hour) free field between 10pm and 6am ≤40 dB(A))</li> <li>≤63 dB(A) L<sub>10</sub> (18 hour) façade corrected (measured L<sub>90</sub> (8 hour) free field between 10pm and 6am &gt;40 dB(A))</li> </ol> </li> <li>in accordance with chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice:</li> </ol>	<p><b>Not applicable</b></p> <p>The development would not involve accommodation activities.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013.</p> <p>Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state-controlled road environment, Department of Transport and Main Roads, 2017.</p> <p>If the building envelope is unknown, the deemed-to-comply setback distances for buildings stipulated by the local planning instrument or relevant building regulations should be used.</p> <p>In some instances, the design of noise barriers and mounds to achieve the noise criteria above the ground floor may not be reasonable or practicable. In these instances, any relaxation of the criteria is at the discretion of the Department of Transport and Main Roads.</p>	
	<p>OR all of the following acceptable outcomes apply:</p> <p><b>AO23.2</b> Buildings which include a habitable room are setback the maximum distance possible from a state-controlled road or type 1 multi-modal corridor.</p> <p>AND</p>	<p><b>Not applicable</b></p> <p>The development would not involve accommodation activities.</p>
	<p><b>AO23.3</b> Buildings are designed and oriented so that habitable rooms are located furthest from a state-controlled road or type 1 multi-modal corridor.</p> <p>AND</p>	<p><b>Not applicable</b></p> <p>The development would not involve accommodation activities.</p>

Performance outcomes	Acceptable outcomes	Response
	<p><b>AO23.4</b> Buildings (other than a relevant residential building or relocated building) are designed and constructed using materials which ensure that habitable rooms meet the following internal noise criteria:</p> <p>1. <math>\leq 35</math> dB(A) <math>L_{eq}</math> (1 hour) (maximum hour over 24 hours).</p> <p>Note: Noise levels from a state-controlled road or type 1 multi-modal corridor are to be measured in accordance with AS1055.1–1997 Acoustics – Description and measurement of environmental noise.</p> <p>To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state controlled road environment, Department of Transport and Main Roads 2017.</p> <p><b>Habitable rooms of relevant residential buildings</b> located within a <b>transport noise corridor</b> must comply with the Queensland Development Code MP4.4 Buildings in a transport noise corridor, Queensland Government, 2015. <b>Transport noise corridors</b> are mapped on the State Planning Policy interactive mapping system.</p>	<p><b>Not applicable</b></p> <p>The development would not involve accommodation activities.</p>
<p><b>PO24</b> Development involving an accommodation activity or land for a future accommodation activity minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in outdoor spaces for passive recreation.</p>	<p><b>AO24.1</b> A noise barrier or earth mound is provided which is designed, sited and constructed:</p> <p>1. to meet the following external noise criteria in <b>outdoor spaces for passive recreation</b>:</p> <p>a. <math>\leq 57</math> dB(A) <math>L_{10}</math> (18 hour) free field (measured <math>L_{90}</math> (18 hour) free field</p>	<p><b>Not applicable</b></p> <p>The development would not involve accommodation activities.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>between 6am and 12 midnight <math>\leq 45</math> dB(A))</p> <p>b. <math>\leq 60</math> dB(A) <math>L_{10}</math> (18 hour) free field (measured <math>L_{90}</math> (18 hour) free field between 6am and 12 midnight <math>&gt; 45</math> dB(A))</p> <p>2. in accordance with chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice – Volume 1 Road Traffic Noise, Department of Transport and Main Roads, 2013.</p> <p>Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state controlled road environment, Department of Transport and Main Roads 2017</p> <p>OR</p>	
	<p><b>AO24.2</b> Each dwelling has access to an outdoor space for passive recreation which is shielded from a state-controlled road or type 1 multi-modal corridor by a building, solid gap-free fence, or other solid gap-free structure.</p> <p>AND</p>	<p><b>Not applicable</b></p> <p>The development would not involve accommodation activities.</p>
	<p><b>AO24.3</b> Each dwelling with a balcony directly exposed to noise from a state-controlled road or type 1 multi-modal corridor has a continuous</p>	<p><b>Not applicable</b></p> <p>The development would not involve accommodation activities.</p>

Performance outcomes	Acceptable outcomes	Response
	solid gap-free balustrade (other than gaps required for drainage purposes to comply with the Building Code of Australia).	
<b>Childcare centres and educational establishments</b>		
<p><b>PO25</b> Development involving a:</p> <ol style="list-style-type: none"> <li>1. childcare centre; or</li> <li>2. educational establishment</li> </ol> <p>minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in indoor education areas and indoor play areas.</p>	<p><b>AO25.1</b> A noise barrier or earth mound is provided which is designed, sited and constructed:</p> <ol style="list-style-type: none"> <li>1. to meet the following external noise criteria at all facades of the building envelope: <ol style="list-style-type: none"> <li>a. <math>\leq 58</math> dB(A) <math>L_{10}</math> (1 hour) façade corrected (maximum hour during normal opening hours)</li> </ol> </li> <li>2. in accordance with chapter 7 – Integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013.</li> </ol> <p>Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state controlled road environment, Department of Transport and Main Roads 2017.</p> <p>If the building envelope is unknown, the deemed-to-comply setback distances for buildings stipulated by the local planning instrument or relevant building regulations should be used.</p>	<p><b>Not applicable</b></p> <p>The development would not involve childcare centres or educational establishments.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>OR all of the following acceptable outcomes apply:</p> <p><b>AO25.2</b> Buildings which include indoor education areas and indoor play areas are setback the maximum distance possible from a state-controlled road or type 1 multi-modal corridor.</p> <p>AND</p>	<p><b>Not applicable</b></p> <p>The development would not involve childcare centres or educational establishments.</p>
	<p><b>AO25.3</b> Buildings are designed and oriented so that indoor education areas and indoor play areas are located furthest from the state-controlled road or type 1 multi-modal corridor.</p> <p>AND</p>	<p><b>Not applicable</b></p> <p>The development would not involve childcare centres or educational establishments.</p>
	<p><b>AO25.4</b> Buildings are designed and constructed using materials which ensure indoor education areas and indoor play areas meet the following internal noise criteria:</p> <p>1. <math>\leq 35</math> dB(A) <math>L_{eq}</math> (1 hour) (maximum hour during opening hours).</p> <p>Note: Noise levels from a state-controlled road or type 1 multi-modal corridor are to be measured in accordance with AS1055.1–1997 Acoustics – Description and measurement of environmental noise.</p> <p>To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state controlled road environment, Department of Transport and Main Roads 2017.</p>	<p><b>Not applicable</b></p> <p>The development would not involve childcare centres or educational establishments.</p>



Performance outcomes	Acceptable outcomes	Response
<b>PO26</b> Development involving a: <ol style="list-style-type: none"> <li>1. childcare centre; or</li> <li>2. educational establishment</li> </ol> minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in outdoor education areas and outdoor play areas.	<b>AO26.1</b> A noise barrier or earth mound is provided which is designed, sited and constructed: <ol style="list-style-type: none"> <li>1. to meet the following external noise criteria in each outdoor education area or outdoor play area:               <ol style="list-style-type: none"> <li>a. <math>\leq 63</math> dB(A) <math>L_{10}</math> (12 hour) free field (between 6am and 6pm)</li> </ol> </li> <li>2. in accordance with chapter 7 – Integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013.</li> </ol> <p>Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state controlled road environment, Department of Transport and Main Roads 2017.</p> <p>OR</p>	<b>Not applicable</b> The development would not involve childcare centres or educational establishments.
	<b>AO26.2</b> Each outdoor education area and outdoor play area is shielded from noise generated from a state-controlled road or type 1 multi-modal corridor by a building, solid gap-free fence, or other solid gap-free structure.	<b>Not applicable</b> The development would not involve childcare centres or educational establishments.
<b>Hospitals</b>		

Performance outcomes	Acceptable outcomes	Response
<b>PO27</b> Development involving a hospital minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in patient care areas.	<p><b>AO27.1</b> Hospitals are designed and constructed using materials which ensure patient care areas meet the following internal noise criteria:</p> <p>1. <math>\leq 35</math> dB(A) <math>L_{eq}</math> (1 hour) (maximum hour during opening hours).</p> <p>Note: Noise levels from a state-controlled road or type 1 multi-modal corridor are to be measured in accordance with AS1055.1–1997 Acoustics – Description and measurement of environmental noise.</p> <p>To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state controlled road environment, Department of Transport and Main Roads 2017.</p>	<p><b>Not applicable</b></p> <p>The development would not involve hospitals.</p>
<b>Vibration</b>		
<b>Hospitals</b>		
<b>PO28</b> Development involving a hospital minimises vibration impacts from vehicles using a state-controlled road or type 1 multi-modal corridor in patient care areas.	<p><b>AO28.1</b> Hospitals are designed and constructed to ensure vibration in the treatment area of a patient care area does not exceed a vibration dose value of <math>0.1 \text{ m/s}^{1.75}</math>.</p> <p>AND</p>	<p><b>Not applicable</b></p> <p>The development would not involve hospitals.</p>
	<p><b>AO28.2</b> Hospitals are designed and constructed to ensure vibration in the ward area of a patient care area does not exceed a vibration dose value of <math>0.4 \text{ m/s}^{1.75}</math>.</p>	<p><b>Not applicable</b></p> <p>The development would not involve hospitals.</p>

Performance outcomes	Acceptable outcomes	Response
	Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified vibration assessment report is provided.	
<b>Air and light</b>		
<b>PO29</b> Development involving an accommodation activity minimises air quality impacts from a state-controlled road or type 1 multi-modal corridor in outdoor spaces for passive recreation.	<b>AO29.1</b> Each dwelling has access to an outdoor space for passive recreation which is shielded from a state-controlled road or type 1 multi-modal corridor by a building, solid gap-free fence, or other solid gap-free structure.	<b>Not applicable</b> The development would not involve dwelling activities.
<b>PO30</b> Development involving a: 1. childcare centre; or 2. educational establishment minimises air quality impacts from a state-controlled road or type 1 multi-modal corridor in outdoor education areas and outdoor play areas.	<b>AO30.1</b> Each outdoor education area and outdoor play area is shielded from a state-controlled road or type 1 multi-modal corridor by a building, solid gap-free fence, or other solid gap-free structure.	<b>Not applicable</b> The development would not involve educational or play areas.
<b>PO31</b> Development involving an accommodation activity or hospital minimises lighting impacts from a state-controlled road or type 1 multi-modal corridor.	<b>AO31.1</b> Buildings for an accommodation activity or hospital are designed to minimise the number of windows or transparent/translucent panels facing a state-controlled road or type 1 multi-modal corridor.  OR	<b>Not applicable</b> The development would not involve accommodation activities or hospitals.
	<b>AO31.2</b> Windows facing a state-controlled road or type 1 multi-modal corridor include treatments	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Response
	to block light from a state-controlled road or type 1 multi-modal corridor.	The development would not involve accommodation activities or hospitals.

Table 1.2.3: Development in a future state-controlled road environment

Performance outcomes	Acceptable outcomes	Compliance
<b>PO32</b> Development does not impede delivery of a future state-controlled road.	<b>AO32.1</b> Development is not located in a future state-controlled road. OR	<b>Complies with AO32.1</b> The Site is not identified as a future state controlled road..
	<b>AO32.2</b> Development is sited and designed so that permanent buildings, structures, infrastructure, services or utilities are not located in a future state-controlled road.	<b>Not applicable</b> Complies with AO32.1.
	OR all of the following acceptable outcomes apply: <b>AO32.3</b> Structures and infrastructure located in a future state-controlled road are able to be readily relocated or removed without materially affecting the viability or functionality of the development. AND	<b>Not applicable</b> Complies with AO32.1.
	<b>AO32.4</b> Development does not involve filling and excavation of, or material changes to, a future state-controlled road.	<b>Not applicable</b> Complies with AO32.1.

Performance outcomes	Acceptable outcomes	Compliance
	AND	
	<b>AO32.5</b> Land is able to be reinstated to the pre-development condition at the completion of the use.	<b>Not applicable</b> Complies with AO32.1.
<b>P033</b> Vehicular access to a future state-controlled road is located and designed to not create a safety hazard for users of a future state-controlled road or result in a worsening of operating conditions on a future state-controlled road.  Note: Where a new or changed access between the premises and a future state-controlled road is proposed, the Department of Transport and Main Roads will need to assess the proposal to determine if the vehicular access for the development is safe. An assessment can be made by Department of Transport and Main Roads as part of the development assessment process and a decision under section 62 of <i>Transport Infrastructure Act 1994</i> issued.	<b>AO33.1</b> Development does not require new or changed access between the premises and a future state-controlled road.  AND	<b>Not applicable</b> The site is not located near a future state-controlled road.
	<b>AO33.2</b> Vehicular access for the development is consistent with the function and design of the future state-controlled road.	<b>Not applicable</b> The Site is not located near a future state-controlled road.
<b>P034</b> Filling, excavation, building foundations and retaining structures do not undermine, or cause subsidence of, a future state-controlled road.  Note: To demonstrate compliance with this performance outcome, it is recommended that an RPEQ certified geotechnical assessment is provided, prepared in accordance with the Road Planning and Design Manual, 2 <sup>nd</sup> edition: Volume 3, Department of Transport and Main Roads, 2016.  Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment,	No acceptable outcome is prescribed.	<b>Not applicable</b> The site is not located near a future state-controlled road.

Performance outcomes	Acceptable outcomes	Compliance
Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a geotechnical assessment.		
<b>PO35</b> Fill material from a development site does not result in contamination of land for a future state-controlled road.  Note: Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	<b>AO35.1</b> Fill material is free of contaminants including acid sulfate content.  Note: Soil and rocks should be tested in accordance with AS1289 – Methods of testing soils for engineering purposes and AS4133 2005 – Methods of testing rocks for engineering purposes.  <b>AND</b>	<b>Not applicable</b>  The site is not located near a future state-controlled road.
	<b>AO35.2</b> Compaction of fill is carried out in accordance with the requirements of AS1289.0 2000 – Methods of testing soils for engineering purposes.	<b>Not applicable</b>  The site is not located near a future state-controlled road.
<b>PO36</b> Development does not result in an actionable nuisance, or worsening of, stormwater, flooding or drainage impacts in a future state-controlled road.  Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	No acceptable outcome is prescribed.	<b>Not applicable</b>  The site is not located near a future state-controlled road.
<b>PO37</b> Run-off from the development site is not unlawfully discharged to a future state-controlled road.  Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	<b>AO37.1</b> Development does not create any new points of discharge to a future state-controlled road.  <b>AND</b>	<b>Not applicable</b>  The site is not located near a future state-controlled road.
	<b>AO37.2</b> Stormwater run-off is discharged to a lawful point of discharge.	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Compliance
	Note: Section 3.9 of the Queensland Urban Drainage Manual, Institute of Public Works Engineering Australasia (Queensland Division), Fourth Edition, 2016, provides further information on lawful points of discharge.  AND	The site is not located near a future state-controlled road.
	<b>AO37.3</b> Development does not worsen the condition of an existing lawful point of discharge to the future state-controlled road.	<b>Not applicable</b> The site is not located near a future state-controlled road.



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## **6.2.1 Centre zone code**

### **6.2.1.1 Application**

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

### **6.2.1.2 Purpose**

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





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

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

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

### 6.2.1.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>		
<b>PO1</b> The height of all buildings is in keeping with the character of the surrounding residential	<b>AO1</b> The maximum height of buildings and structures is:	<b>Complies with AO1</b> The building would be single storey with a height 4.76 metres.



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Performance outcomes	Acceptable outcomes	Compliance
neighbourhoods and must not adversely affect the amenity of the neighbourhood.	(a) in accordance with the provisions of any applicable local plan; (b) if no local plan applies, not more than 8.5 metres and two storeys in height. Note - Height is inclusive of the roof height.	
<b>PO2</b> The siting of buildings contributes to the use of the land, desired amenity and character of the area and protects the amenity of other land uses.	<b>AO2.1</b> Buildings and structures are setback to road frontages: (a) in accordance with the provisions of any applicable local plan; (b) a minimum of 6 metres where no local plan applies or there are no particular provisions specified in the local plan for the site.	<b>Complies with AO2.1</b> Refer to the assessment against the Port Douglas/Craigie Local Plan.
	<b>AO2.2</b> Where adjoining land in the Industry zone, buildings are setback: (a) 0 metres from the side and rear boundaries; or	<b>Not applicable</b> This development site would not adjoin land in the Industry Zone.



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Performance outcomes	Acceptable outcomes	Compliance
	(b) 2.5 metres or $\frac{1}{4}$ of the height of the building, whichever is the greater; and (c) not any distance between 0 metres and 2.5 metres.	
	<b>AO2.3</b> Where adjoining land in any other zone, buildings are setback 3 metres or $\frac{1}{4}$ of the height of the building, whichever is the greater and are provided with an acoustic barrier in accordance with the recommendations of a qualified acoustic expert.	<b>Complies with AO2.3</b> The site adjoins land in the Low-medium Density Residential zone to the rear and would be set back more than 3 metres from the rear boundary. The rear boundary is provided with approved boundary treatment consistent with the existing shop use of the site.
	<b>AO2.4</b> Setback areas are provided with a 2 metre landscaped strip capable of deep planting, which is kept clear of service equipment and storage areas:	<b>Complies with PO2</b> The proposed development would be constructed to the road frontage consistent with the Local Plan requirements. The relationship with the rear boundary would be consistent with the existing arrangement and the proposed development would not adversely affect the amenity of the adjoining land users.



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Performance outcomes	Acceptable outcomes	Compliance
	(a) adjacent to the road frontage in all areas not required for pedestrian or vehicular access for the setback area nominated in AO2.1(b) above; (b) adjacent to the boundary with the other zone for the setback area nominated in AO2.3 above.	
<b>PO3</b> The site coverage of buildings ensures that there is sufficient space available to cater for services, landscaping and on-site parking.	<b>AO3</b> Site coverage does not exceed 80%, unless otherwise specified in a Local plan.	<b>Complies with AO3</b> Site coverage would not exceed 80%.
<b>For assessable development</b>		
<b>PO4</b> The establishment of uses is consistent with the outcomes sought for the Centre zone and protects the zone from the intrusion of inconsistent uses.	<b>AO4</b> Inconsistent uses as identified in Table 6.2.1.3.b are not established in the Centre zone.	<b>Complies with AO4</b> The proposed development is not identified as an inconsistent use.
<b>PO5</b>	<b>AO5</b> Development complies with the requirements specified in a local plan.	<b>Complies with AO5</b> Refer to the assessment against the Port Douglas/Craigie Local Plan Code.



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Performance outcomes	Acceptable outcomes	Compliance
Development provides a range of convenient goods and services for the daily needs of discrete residential communities.		
<b>PO6</b> Development does not lower the standard of amenity in terms of air, noise, odour, electrical interference and vibrations at any land use associated with the: (a) the Accommodation activity group, located outside the Centre zone; (b) the Sensitive land use activity group, located outside the Centre zone.	<b>AO6</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The development would not result in any noise, odour, air, electrical or vibration impacts above the existing lawful use of the site.
<b>PO7</b> Reconfiguration of land results in: (a) a practical layout for centre land use activities, generally consisting of regular rectangular-shaped lots. (b) lots no less than 600m <sup>2</sup> in area	<b>AO7</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The development does not involve reconfiguring a lot.



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

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

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



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## **7.2.4 Port Douglas/Craigie local plan code**

### **7.2.4.1 Application**

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

### **7.2.4.2 Context and setting**

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

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

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

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



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

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

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

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

#### 7.2.4.3 Purpose

- (1) The purpose of the Port Douglas/Craigie local plan code is to facilitate development outcomes consistent with community values, the local tropical built-form and protection of the natural environment within the Port Douglas/Craigie local plan area, while providing a platform for investment and prosperity.
  - (a) In addition, the purpose of the code is supported by the Port Douglas Waterfront Master Plan which provides a clear strategic direction for the incremental transformation of the Port Douglas Waterfront, including the following objectives:
    - (b) To set out a vision for revitalisation of the waterfront;
    - (c) To protect and enhance the environmental attributes; and
- (2) To provide a flexible framework, expressed through several key strategies that will assist the Council and community in managing change.





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- (3) The purpose of the code will be achieved through the following overall outcomes:
- (a) Port Douglas will continue to develop as the premium destination for international and domestic tourists in the Far North Queensland Region, while also acting for permanent residents attracted to the associated lifestyle.
  - (b) Major tourist, retail, dining and entertainment facilities will consolidate in the Town Centre and the Waterfront North sub-precincts, with improved pedestrian connections between the town centre and the waterfront.
  - (c) Craiglie will develop as an integrated residential community with some low scale tourism development opportunities in appropriate locations. Craiglie will also function as small scale commercial and light industry node, providing employment opportunities for the Shire's permanent resident population.
  - (d) All forms of development will complement the tropical image of the town through distinctive tropical vernacular, urban design and landscaping.
  - (e) Character will be enhanced through the identification of gateway sites, landmarks, main approach routes and pedestrian thoroughfares and view corridors;
  - (f) The Flagstaff Hill, Dickson Inlet, Four Mile Beach and other areas of scenic and environmental significance will be protected from development. Vegetation cover will dominate over built form.
  - (g) Vegetation, iconic to the character of Port Douglas, including the avenues of Oil Palms, is retained and where appropriate supplemented.
  - (h) Development will be indistinguishable from view from Four Mile Beach. In addition, any development on Flagstaff Hill will be indistinguishable when viewed from vantage points in Port Douglas.
  - (i) Residential areas are designed as pleasant, functional and distinctive, in visually well-defined areas.
- (4) The purpose of the code will be further achieved through the following overall outcomes:
- (a) Precinct 1 – Port Douglas precinct
    - (i) Sub-precinct 1a – Town Centre sub-precinct
    - (ii) Sub-precinct 1b – Waterfront North sub-precinct
    - (iii) Sub-precinct 1c – Waterfront South sub-precinct
    - (iv) Sub-precinct 1d – Limited Development sub-precinct



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

#### **Precinct 1 – Port Douglas precinct**

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



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



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- (C) improved connections between the town centre and the waterfront marina, including an investigation of a plaza on the waterfront;
  - (D) improved streetscapes with high quality landscaping, surface treatments and shaded pedestrian environments;
  - (E) the creation of a sense of place through aesthetic streetscapes and built-form character;
  - (F) managing vegetation to ensure succession of planting and the ongoing presence of significant trees.
- (iv) advertising signage is small scale, low-key and complements the tropical character of the town.

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

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

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

- (7) In addition to other overall development outcomes, development in the Waterfront North sub-precinct facilitates the following development outcomes:
- (a) the precinct evolves as a revitalised open space and waterside development precinct;



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

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

- (8) In addition to all other overall development outcomes, development in the Waterfront South sub-precinct facilitates the following development outcomes:
  - (a) any use of land in the precinct does not affect the environmental, habitat, conservation or scenic values of Dickson Inlet and surrounding land;
  - (b) marine-based industries are established on appropriate land having regard to site suitability, accessibility, surrounding land uses, and location of utilities and services;



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- (c) marine-based industry achieves appropriate environmental standards;
- (d) industrial buildings have a high standard of layout and building design;
- (e) landscaping provides an attractive streetscape and screens utility, storage and car parking from the street and other public areas;
- (f) the precinct is protected from encroachment of incompatible land use activities.

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

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

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

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

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



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- (11) In addition to all other overall development outcomes, development in the Flagstaff Hill sub-precinct facilitates the following development outcomes:
- (a) development is not established where it results in detriment to the vegetated and scenic qualities of Flagstaff Hill;
  - (b) development minimises excavation and filling;
  - (c) buildings and other works are unobtrusive when viewed from vantage points in Port Douglas and are designed and constructed of colours and materials which complement the hill's vegetated state;
  - (d) views from public viewing points within the precinct are protected.

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

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

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

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

- (13) In addition to the overall outcomes, development in the Craiglie Commercial and Light Industry precinct facilitates the following overall outcomes:
- (a) development supports the tourism and marine industries in Port Douglas, along with the small-scale commercial and light industry land uses that support the local economy that would otherwise be better suited to a location outside the Port Douglas Centre Precinct unless they pose a safety issue;
  - (b) development adjacent to the Captain Cook Highway presents an attractive appearance to the highway. The rain-trees, melaleucas and eucalypt trees along the Captain Cook Highway are retained where possible, taking into account the Department of Transport and main Road's requirements;



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- (c) retailing activities are generally restricted to those which are ancillary and necessarily associated with the primary service and light industry nature of the area;
- (d) adjacent residential areas are protected from industry nuisances;
- (e) lots fronting Downing Street, between Dickson Street and Beor Street, are provided with an appropriate standard of road access and infrastructure, prior to development occurring.

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

(14) In addition to the overall outcomes, development in the Old Port Road / Mitre Street precinct facilitates the following overall outcomes:

- (a) the precinct is intended to be used for outdoor recreational land use activity, primarily as a golf course;
- (b) areas of significant vegetation are protected from development and retained;
- (c) other forms of development will only be considered if substantial areas of open space are retained adjacent to existing residential areas to maintain the existing residential amenity of open views across open space.

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

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

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





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

#### 7.2.4.4 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>		
<b>Development in the Port Douglas / Craiglie local plan area generally</b>		
<b>PO1</b> Pedestrians, cyclists, motorists and public transport users can easily move into and through the precinct along planned connectivity routes, identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.	<b>AO1</b> A pedestrian and cycle movement network is integrated and delivered through development.	<b>Complies with AO1</b> The proposed development would involve the upgrade of the footpath and the provision of an awning over the footpath to protect pedestrians from the inclement weather.
<b>PO2</b> Development retains and enhances key landscape	<b>AO2.1</b> Development provides for the retention and	<b>Complies with AO2.1</b> No trees are proposed to be removed to facilitate



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Performance outcomes	Acceptable outcomes	Compliance
elements including character trees and areas of significant vegetation contributing to the character and quality of the local plan area and significant views and vistas and other landmarks important to the context of Port Douglas / Craigie (as identified on the Port Douglas/ Craigie Townscape Plan map contained in Schedule 2).	enhancement of existing mature trees and character vegetation that contribute to the lush tropical character of the town, including: (a) the tree covered backdrop of Flagstaff Hill; (b) natural vegetation along watercourses, in particular the Mowbray River, Beor Creek and Dickson Inlet; (c) the tidal vegetation along the foreshore; (d) beachfront vegetation along Four Mile Beach, including the fringe of Coconut Palms; (e) the oil palm avenues along the major roads; (f) the lush landscaping within major roundabouts at key nodes; (g) Macrossan Street and Warner Street; (h) Port Douglas waterfront.	the development.
	<b>AO2.2</b> Development protects and does not intrude into important views and vistas as identified on the Port	<b>Complies with AO2.2</b> The development would be low rise and would not intrude into any important views or vistas.



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Performance outcomes	Acceptable outcomes	Compliance
	Douglas Townscape Plan map contained in Schedule 2, in particular: (a) Flagstaff Hill; (b) Four Mile Beach; (c) Across to the ranges over Dickson Inlet; (d) Mowbray Valley.	
	<b>AO2.3</b> Important landmarks, memorials and monuments are retained.	<b>Not applicable</b> The site does not contain any landmarks, memorials or monuments.
<b>PO3</b> Development contributes to the protection, reinforcement and where necessary enhancement of gateways and key intersections identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.	<b>AO3</b> Development adjacent to the gateways and nodes as identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 incorporates architectural features and landscaping treatments and design elements that enhance the sense of arrival and way finding within the town.	<b>Not applicable</b> The site is not adjacent a gateway or node identified on the local plan maps.
<b>PO4</b>	<b>AO4</b>	<b>Complies with AO4</b>



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Performance outcomes	Acceptable outcomes	Compliance
Landscaping of development sites complements the existing tropical character of Port Douglas and Craiglie.	Landscaping incorporates the requirements of Planning scheme policy SC6.7 – Landscaping, in particular landscaping should be capable of achieving a 60% screening of development within 5 years and predominantly consists of endemic vegetation.	The proposed development would provide for the retention of the existing vegetation and would provide a street front that responds to the tropical commercial character of Macrossan Street.
<b>PO5</b> Development does not compromise the safety and efficiency of the State-controlled road network.	<b>AO5</b> Direct access is not provided to a State-controlled road where legal and practical access from another road is available.	<b>Not applicable</b> No legal and practical access is available from any road other than a State-controlled road.
<b>For assessable development</b>		
<b>Additional requirements in Precinct 1 – Port Douglas precinct</b>		
<b>PO6</b> The views and vistas identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 are maintained.	<b>AO6.1</b> Development does not impede continued views to scenic vistas and key streetscapes within the local plan area.	<b>Complies with AO6.1</b> The proposed development would be low rise and would not affect any views of vistas.



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Performance outcomes	Acceptable outcomes	Compliance
	<b>AO6.2</b> Unless otherwise specified within this Local Plan, buildings are set back not less than 6 metres from the primary street frontage.	<b>Not applicable</b> The proposed development is required to be built to the street frontage.
<b>PO7</b> Vehicle access, parking and service areas: (a) do not undermine the relationship between buildings and street or dominate the streetscape; (b) are designed to minimise pedestrian vehicle conflict; (c) are clearly identified and maintain ease of access at all times.	<b>AO7.1</b> For all buildings, parking is: (a) to the side of buildings and recessed behind the main building line; or (b) behind buildings; or (c) wrapped by the building façade, and not visible from the street.	<b>Complies with AO7.1</b> The development would provide parking at the rear of the site accessed via the existing crossover.
	<b>AO7.2</b> Ground level parking incorporates clearly defined pedestrian routes.	<b>Complies with AO7.2</b> The development would provide clearly defined pedestrian access points.
	<b>AO7.3</b> Any porte-cocheres, disabled and pedestrian accesses are accommodated within the boundary	<b>Complies with AO7.3</b> Pedestrian access is accommodated within the boundary at the shop frontages, which would be



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Performance outcomes	Acceptable outcomes	Compliance
	of new or refurbished development.	level with the footpath pavement.
	<b>AO7.4</b> Where the development is an integrated mixed-use development incorporating short term accommodation or multiple dwellings and either food and drink outlet or hotel or shop or shopping centre or office, on-site parking spaces are provided as per the number prescribed in the Parking and access code with a relaxation of 30% of spaces required for the non-residential uses.	<b>Not applicable</b> The development would not be an integrated mixed-use development.
	<b>AO7.5</b> On-site car parking available for public use is clearly signed at the site frontage.	<b>Able to comply with AO7.5</b> Signage is able to be provided. Council may wish to attach a condition to any approval granted if appropriate.
	<b>AO7.6</b> Boom gates, pay machines or other regulatory devices to control access to a publicly available car parking area are not constructed or installed.	<b>Complies with AO7.6</b> No boom gates, pay machines or other regulatory devices are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
<b>PO8</b> Precinct 1 – Port Douglas precinct is not characterised by a proliferation of advertising signs.	<b>AO8</b> No acceptable outcomes are prescribed.	<b>Complies with PO8</b> Signage would be limited to fascia and below awning signs.
<b>Additional requirements for Sub-precinct 1a – Town Centre sub-precinct</b>		
<b>PO9</b> Building heights: (a) do not overwhelm or dominate the town centre; (b) respect the desired streetscape; (c) ensure a high quality appearance when viewed from both within the town centre sub-precinct and external to the town centre sub-precinct; (d) remain subservient to the natural environment and the backdrop of Flagstaff Hill. (e) do not exceed 3 storeys.	<b>AO9</b> Buildings and structures are not more than 3 storeys and 13.5 metres in height, with a roof height of not less than 3 metres. Note – Height is inclusive of the roof height.	<b>Complies with AO9</b> The building would be one storey with a height of 4.76 metres.
<b>PO10</b> Building design, the streetscape, pedestrian paths	<b>AO10</b> No acceptable outcomes are prescribed.	<b>Complies with PO10</b> The development would result in new shop fronts



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Performance outcomes	Acceptable outcomes	Compliance
and street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port Douglas Precinct.		that have a direct relationship with the street the street and are not elevated above the footpath level.
<b>PO11</b> Buildings: (a) address street frontages; (b) ensure main entrances front the street or public spaces; (c) do not focus principally on internal spaces or parking areas.	<b>AO11</b> No acceptable outcomes are prescribed.	<b>Complies with PO11</b> The development would result in new shop fronts that have a direct relationship with the street the street and are not elevated above the footpath level.
<b>PO12</b> Setbacks at ground level provide for: (a) connection between pedestrian paths and public places; (b) areas for convenient movement of pedestrians; (c) changes in gradient of the street.	<b>AO12</b> Setbacks at ground level: (a) are clear of columns and other obstructions; (b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites; (c) connect without any lip or step to adjoining footpaths.	<b>Not applicable</b> No setback to the street front is provided.





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Performance outcomes	Acceptable outcomes	Compliance
<p><b>PO13</b></p> <p>Buildings do not result in a reduction of views and vistas from public places to:</p> <p>(a) Flagstaff Hill;</p> <p>(b) Dickson Inlet;</p> <p>(c) public open space;</p> <p>(d) places of significance.</p>	<p><b>AO13</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Complies with AO13</b></p> <p>The development would be single storey and would not project into any vista or view.</p>
<p><b>PO14</b></p> <p>Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at street level including shade protection across the footpath for the length of the building.</p>	<p><b>AO14</b></p> <p>Development is built up to the street frontage/s at the street level and incorporates a light frame awning, a minimum of 3 metres in width for the length of the street frontage/s;</p> <p>or</p> <p>If a development includes an outdoor dining area at ground/footpath level, the dining area has a maximum setback of 3 metres and the required awning is still maintained along the length of the street frontage/s.</p>	<p><b>Complies with AO14</b></p> <p>The development would be built to the street frontage and an awning of 3.0 metres in width would be provided over the footpath.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	Note – PO24 provides more detail on awning design.\	
<b>PO15</b> Development is predominantly commercial in nature with any tourist accommodation having a secondary focus and not located on the street-level frontage where active frontages are encouraged as identified the Port Douglas local plan maps contained in Schedule 2.	<b>AO15.1</b> Centre activities establish: (a) at street level on active street frontages; (b) a maximum of one level above street level.	<b>Complies with AO15.1</b> The development would provide shopfronts accessed from the footpath.
	<b>AO15.2</b> Any residential development activities or short term accommodation is located above street level of the active frontage, but not on or up to the street frontage in any development, including mixed use development.	<b>Not applicable</b> No accommodation is proposed.
<b>PO16</b> Detailed building design: (a) enhances the visual amenity of the streetscape; (b) has a legible and attractive built form that is visually enhanced by architectural elements;	<b>AO16</b> No acceptable outcomes are prescribed.	<b>Complies with PO16</b> The proposed development would result in modern shopfronts with direct access from the footpath and an awning over the pedestrian footpath.



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Performance outcomes	Acceptable outcomes	Compliance
<p>(c) contributes to a distinctive tropical north Queensland, seaside tourist town character;</p> <p>(d) integrates major landscaping elements to maximise their aesthetic value to ensure that the lush, vegetated character of the Town Centre sub-precinct is maintained.</p>		
<p><b>PO17</b></p> <p>Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through:</p> <p>(a) surface decoration;</p> <p>(b) wall recesses and projections;</p> <p>(c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements.</p> <p>(d) differentiating between the lower, middle and upper parts of the building by varying the façade and/or the shape of the built form, where comprised of more than two storeys.</p>	<p><b>AO17</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Complies with PO17</b></p> <p>The proposed development would provide a landscaped awning and modern shopfronts with direct access from the footpath. It would enhance the sense of enclosure to the street and complement the existing built form.</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p><b>PO18</b></p> <p>Roofs are not characterised by a cluttered display of plant and equipment, in particular:</p> <ul style="list-style-type: none"> <li>(a) building caps and rooftops contribute to the architectural distinction of the building and create a coherent roofscape for the Town Centre sub-precinct;</li> <li>(b) service structures, lift motor rooms and mechanical plant and equipment are designed as an architectural feature of the building or are screened from public view;</li> <li>(c) rooftops are not used for advertising.</li> </ul>	<p><b>AO18</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Complies with PO18</b></p> <p>The proposal does not include any rooftop development.</p>
<p><b>PO19</b></p> <p>Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to:</p> <ul style="list-style-type: none"> <li>(a) shade windows;</li> <li>(b) reduce glare;</li> </ul>	<p><b>AO19</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Complies with PO19</b></p> <p>A 3 metre wide awning would be provided over the footpath at the site frontage.</p>



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Performance outcomes	Acceptable outcomes	Compliance
(c) assist in maintaining comfortable indoor temperatures; (d) minimising heat loads; (e) enrich the North Queensland tropical character of the Town Centre sub-precinct; (f) provide architectural interest to building façades.		
<b>PO20</b> Buildings are finished with high quality materials, selected for: (a) their ability to contribute the character of Town Centre sub-precinct; (b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate.	<b>AO20</b> No acceptable outcomes are prescribed.	<b>Complies with PO20</b> The proposed development would provide modern glazed shopfronts with aluminium framing with the balance of the building finished with high quality materials and finishes.
<b>PO21</b> Buildings do not incorporate any type of glass or other materials that are likely to reflect the sun's rays in a manner that may create a nuisance,	<b>AO21</b> No acceptable outcomes are prescribed.	<b>Complies with PO21</b> The development would provide glass shopfronts with an awning over the street to reduce light glare and reflection.



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Performance outcomes	Acceptable outcomes	Compliance
discomfort or a hazard.		
<b>PO22</b> Façades and elevations do not include large blank walls. Openings and setbacks are used to articulate vertical building surfaces.	<b>AO22.1</b> Development has a maximum length of unbroken building facade of 20 metres and a maximum extent of overall development in the same style/design along the street frontage/s of 40 metres.	<b>Complies with AO22.1</b> The development proposal would have a total unbroken building façade of 17 metres.
	<b>AO22.2</b> Any break in the building façade varies the alignment by a 1 metre minimum deviation.	<b>Not applicable</b> The development would not involve any breaks in the building façade.
	<b>AO22.3</b> A minimum of three of the following building design features and architectural elements detailed below are incorporated to break the extended facade of a development: (a) a change in roof profile; (b) a change in parapet coping;	<b>Not applicable</b> The development is not considered to provide an extended façade.



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> <li>(c) a change in awning design;</li> <li>(d) a horizontal or vertical change in the wall plane; or</li> <li>(e) a change in the exterior finishes and exterior colours of the development.</li> </ul>	
<p><b>PO23</b></p> <p>Building facades that face public spaces at ground level:</p> <ul style="list-style-type: none"> <li>(a) complement the appearance of the development and surrounding streetscape;</li> <li>(b) enhance the visual amenity of the public place;</li> <li>(c) include a variety of human scale architectural elements and details;</li> <li>(d) provide an opportunity for the casual and convenient surveillance of public space from within the development.</li> </ul>	<p><b>AO23</b></p> <p>Building facades at the ground floor of development that face public space are designed to ensure:</p> <ul style="list-style-type: none"> <li>(a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit the casual surveillance of the public space from the development;</li> <li>(b) a visually prominent main entrance that faces the principal public place;</li> <li>(c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade.</li> </ul>	<p><b>Complies with AO23</b></p> <p>The development would provide approximately 95% of the façade as glass windows and doors with clear pedestrian entrances and vertical design features.</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p><b>PO24</b></p> <p>Awnings for pedestrian shelter are consistent with the character setting of the Town Centre sub-precinct and:</p> <ul style="list-style-type: none"><li>(a) extend and cover the footpath to provide protection from the sun and rain;</li><li>(b) include lighting under the awning;</li><li>(c) are continuous across the frontage of the site;</li><li>(d) align to provide continuity with existing or future awnings on adjoining sites;</li><li>(e) are a minimum of 3.0 metres in width and generally not more than 3.5 metres above pavement height;</li><li>(f) do not extend past a vertical plane, 1.2 metres inside the kerb-line to enable street trees to be planted and grow;</li><li>(g) are cantilevered from the main building with any posts within the footpath being non load-bearing.</li></ul>	<p><b>AO24</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Complies with PO24</b></p> <p>The awning would be cantilevered over the footpath for the full frontage and provide lighting beneath the awning. It would be consistent with other awnings in the street and with have a height to the underside of the awning of 2.545 metres.</p>





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Performance outcomes	Acceptable outcomes	Compliance
<b>PO25</b> Development integrates with the streetscape and landscaping improvements for Port Douglas.	<b>AO25</b> Development fronting Davidson Street, Macrossan Street, Wharf Street, Mowbray Street and Warner Street is designed to integrate with the on-street landscaping and design improvements as outlined within the Port Douglas landscape master plan contained within Planning scheme policy SC6.7 – Landscaping.  Note - Planning scheme policy SC6.7 - Landscaping provides guidance on meeting the Performance Outcome.	<b>Complies with AO25</b> The development would provide an improved relationship between the shopfronts and the footpath and would provide an improved footpath paving consistent with the development in Macrossan Street.
<b>Additional requirements for Sub-precinct 1b – Waterfront North sub-precinct</b>		
<b>PO26</b> The establishment of uses is consistent with the outcomes sought for sub-precinct 1b – Waterfront North.	<b>AO26</b> Uses identified as inconsistent uses in Table 7.2.4.4.b – inconsistent uses in sub-precinct 1b – Waterfront North sub-precinct are not established in sub-precinct 1b - Waterfront North.	<b>Not applicable</b> This site is located in precinct 1a.
<b>PO27</b>	<b>AO27</b>	<b>Not applicable</b>



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



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Performance outcomes	Acceptable outcomes	Compliance
	<b>AO29.2</b> A public plaza is incorporated into the design generally reflecting the requirements of the Port Douglas Waterfront Master Plan, focussing in the vicinity of the 'Duck Pond'.	<b>Not applicable</b> This site is located in precinct 1a..
	<b>AO29.3</b> Built envelopes are setback a minimum of 3.0 metres from the board walk, with a shelter/shade zone between the building envelopes and the boardwalk consisting of shade structure, canopies, verandahs and the like.	<b>Not applicable</b> This site is located in precinct 1a.
<b>PO30</b> Buildings: (a) address street frontages; (b) ensure main entrances front the street or public spaces.	<b>AO30</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> This site is located in precinct 1a.
<b>PO31</b>	<b>AO31</b>	<b>Not applicable</b>



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Performance outcomes	Acceptable outcomes	Compliance
Setbacks at ground level provide for: (a) connection between pedestrian paths and public places; (b) areas for convenient movement of pedestrians; (c) changes in gradient.	Setbacks at ground level: (a) are clear of columns and other obstructions; (b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites; (c) connect without any lip or step to adjoining footpaths.	This site is located in precinct 1a.
<b>PO32</b> Buildings do not result in a reduction of views and vistas from public places to: (a) Dickson Inlet; (b) public open space; (c) places of significance.	<b>AO32</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> This site is located in precinct 1a.
<b>PO33</b> Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at ground level including shade protection across the footpath and	<b>AO33</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> This site is located in precinct 1a.



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Performance outcomes	Acceptable outcomes	Compliance
open space areas.		
<b>PO34</b> Development is predominantly commercial in nature with any tourist accommodation having a secondary focus and not located on the street-level frontage where active frontages are encouraged as identified the Port Douglas local plan maps contained in Schedule 2.	<b>AO34.1</b> Centre activities establish: (a) at street level on active street frontages; (b) a maximum of one level above street level.	<b>Not applicable</b> This site is located in precinct 1a.
	<b>AO34.2</b> Residential development activities or short term accommodation is located above street /ground floor level of the active frontage, but not on or up to the street / public frontage in any development, including mixed use development.	<b>Not applicable</b> This site is located in precinct 1a.
<b>PO35</b> Detailed building design: (a) enhances the visual amenity of the streetscape; (b) has a legible and attractive built form that is visually enhanced by architectural elements;	<b>AO35</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> This site is located in precinct 1a.



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Performance outcomes	Acceptable outcomes	Compliance
<p>(c) contributes to a distinctive tropical north Queensland, seaside tourist town character;</p> <p>(d) integrates major landscaping elements to maximise their aesthetic value to ensure that the lush, vegetated character of the Waterfront North sub-precinct is maintained.</p>		
<p><b>PO36</b></p> <p>Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through:</p> <p>(a) surface decoration;</p> <p>(b) wall recesses and projections;</p> <p>(c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements.</p> <p>(d) differentiating between the lower, middle and upper parts of the building by varying the façade and/or the shape of the built form, where comprised of more than two storeys.</p>	<p><b>AO36</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>This site is located in precinct 1a.</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p><b>PO37</b></p> <p>Roofs are not characterised by a cluttered display of plant and equipment, in particular:</p> <ul style="list-style-type: none"><li>(a) building caps and rooftops contribute to the architectural distinction of the building and create a coherent roofscape for the Waterfront North sub-precinct;</li><li>(b) service structures, lift motor rooms and mechanical plant and equipment are designed as an architectural feature of the building or are screened from public view;</li><li>(c) rooftops are not used for advertising.</li></ul>	<p><b>AO37</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>This site is located in precinct 1a.</p>
<p><b>PO38</b></p> <p>Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to:</p> <ul style="list-style-type: none"><li>(a) shade windows;</li><li>(b) reduce glare;</li></ul>	<p><b>AO38</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>This site is located in precinct 1a.</p>



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Performance outcomes	Acceptable outcomes	Compliance
(c) assist in maintaining comfortable indoor temperatures; (d) minimising heat loads; (e) enriching the North Queensland tropical character of the Waterfront North sub-precinct; (f) architectural interest to building façades.		
<b>PO39</b> Buildings are finished with high quality materials, selected for: (a) their ability to contribute the character of Waterfront North sub-precinct; (b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate.	<b>AO39</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> This site is located in precinct 1a.
<b>PO40</b> Buildings do not incorporate any type of glass or other materials that are likely to reflect the sun's rays in a manner that may create a nuisance, discomfort or a hazard.	<b>AO40</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> This site is located in precinct 1a.





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Performance outcomes	Acceptable outcomes	Compliance
<b>PO41</b> Façades and elevations do not include large blank walls and openings and setbacks are used to articulate vertical building surfaces.	<b>AO41.1</b> Development has a maximum length of unbroken building facade of 20 metres and a maximum extent of overall development in the same style/design along the street frontage/s of 40 metres.	<b>Not applicable</b> This site is located in precinct 1a.
	<b>AO41.2</b> Any break in the building façade varies the alignment by a 1 metre minimum deviation.	<b>Not applicable</b> This site is located in precinct 1a.
	<b>AO41.3</b> A minimum of three of the following building design features and architectural elements detailed below are incorporated to break the extended facade of a development: (a) a change in roof profile; (b) a change in parapet coping; (c) a change in awning design; (d) a horizontal or vertical change in the wall	<b>Not applicable</b> This site is located in precinct 1a.



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Performance outcomes	Acceptable outcomes	Compliance
	plane; or (e) a change in the exterior finishes and exterior colours of the development.	
<b>PO42</b> Building facades that face public spaces at ground level: (a) complement the appearance of the development and surrounding streetscape; (b) enhance the visual amenity of the public place; (c) include a variety of human scale architectural elements and details; (d) provide an opportunity for the casual and convenient surveillance of public space from within the development.	<b>AO42</b> Building facades at the ground floor of development that face public space are designed to ensure: (a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit the casual surveillance of the public space from the development; (b) a visually prominent main entrance that faces the principal public place; (c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade.	<b>Not applicable</b> This site is located in precinct 1a.
<b>PO43</b> Awnings for pedestrian shelter are consistent with	<b>AO43</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> This site is located in precinct 1a.



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Performance outcomes	Acceptable outcomes	Compliance
<p>the character setting of the Waterfront North sub-precinct and:</p> <ul style="list-style-type: none"> <li>(a) extend and cover the footpath to provide protection from the sun and rain;</li> <li>(b) include lighting under the awning;</li> <li>(c) are continuous across pedestrian circulation areas;</li> <li>(d) align to provide continuity with existing or future awnings on adjoining sites;</li> <li>(e) are a minimum of 3 metres in width and generally not more than 3.5 metres above pavement height;</li> <li>(f) do not extend past a vertical plane, 1.2 metres inside the street kerb-line to enable street trees to be planted and grow;</li> <li>(g) are cantilevered from the main building with any posts within the footpath being non load-bearing.</li> </ul>		
<b>PO44</b>	<b>AO44.1</b>	<b>Not applicable</b>



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Performance outcomes	Acceptable outcomes	Compliance
The Balley Hooley rail line and turn-table is retained and incorporated into development and maintains its functionality.	Bally Hooley rail line and turn-table is retained and incorporated into development to maintain its functionality.	This site is located in precinct 1a.
	<b>AO44.2</b> Where development provides floor area for the Bally Hooley rail station, the gross floor area of the rail line and station does not generate a requirement for additional vehicle parking.	<b>Not applicable</b> This site is located in precinct 1a.
<b>PO45</b> Development recognises the importance of and relationship between the marina, commercial and residential development in the Waterfront North sub-precinct, and includes measures to mitigate the impact of: (a) noise; (b) odour; (c) hazardous materials; (d) waste and recyclable material storage.	<b>AO45</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> This site is located in precinct 1a.



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Performance outcomes	Acceptable outcomes	Compliance
<b>PO46</b> Formalised public spaces and pedestrian paths/areas on freehold land are made accessible to the public.	<b>AO46</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> This site is located in precinct 1a.
<b>PO47</b> Buildings, civic spaces, roads and pedestrian links are enhanced by: (a) appropriate landscape design and planting; (b) themed planting that defines entry points, and creates strong 'entry corridors' into the waterfront; (c) lighting and well-considered discrete signage that complements building and landscape design; (d) public artwork and other similar features that reflect the heritage and character of the Port Douglas Waterfront.	<b>AO47</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> This site is located in precinct 1a.
<b>PO48</b>	<b>AO48</b>	<b>Not applicable</b>



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Performance outcomes	Acceptable outcomes	Compliance
Buildings are designed and sited to provide vistas along shared pedestrian/open space and movement areas in suitable locations.	No acceptable outcomes are prescribed.	This site is located in precinct 1a.
<b>PO49</b> Development does not diminish the viability of marine-based industrial uses that directly serve the Port Douglas tourist and fishing operators and private boat owners, particularly with respect to the slipway operation.	<b>AO49</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> This site is located in precinct 1a..
<b>PO50</b> Marine infrastructure to service the tourism, fishing and private boating community is provided.	<b>AO50</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> This site is located in precinct 1a.
<b>PO51</b> Changes to the Port Douglas Waterfront quay-line do not cause adverse impacts to the environmentally sensitive Dickson Inlet.	<b>AO51</b> Development that results in changes to the Port Douglas Waterfront quay-line is only established where an Ecological assessment report provides support to the changes.  Note - Planning scheme policy SC6.8 – Natural	<b>Not applicable</b> This site is located in precinct 1a.



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Performance outcomes	Acceptable outcomes	Compliance
	environment provides guidance on preparing an ecological assessment report.	
<b>Additional requirements for Sub-precinct 1c – Waterfront South sub-precinct</b>		
<b>PO52</b> The establishment of uses is consistent with the outcomes sought for Precinct 1c – Waterfront South.	<b>AO52</b> Uses identified as inconsistent uses Table 7.2.4.4.c – are not established in Precinct 1c – Waterfront South.	<b>Not applicable</b> This site is located in precinct 1a.
<b>PO53</b> Development does not adversely impact on the natural environment, natural vegetation or watercourses.	<b>AO53.1</b> An Ecological assessment report is prepared identifying the environmental qualities of the surrounding natural and built features which are to be managed.  Note - Planning scheme policy SC6.8 – Natural environment provides guidance on preparing an ecological assessment report.	<b>Not applicable</b> This site is located in precinct 1a.
	<b>AO53.2</b> An Environmental Management Plan is prepared	<b>Not applicable</b> This site is located in precinct 1a.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>to manage potential impacts of the operation of the development on surrounding natural areas.</p> <p>Note - Planning scheme policy SC6.4 – Environmental management plans contains information to demonstrate compliance and guidance on preparing an Environmental Management Plan.</p>	
<p><b>PO54</b></p> <p>Development of land at the end of Port Street adjacent to Dickson Inlet incorporates a slipway, or an alternative functioning facility, with capacity to service the Port Douglas marine and tourism industry.</p>	<p><b>AO54</b></p> <p>A master plan for the development is provided and implemented to demonstrate the integration of the slipway, or an alternative functioning facility, with other supporting service industry activities that service the marine and tourism industry of Port Douglas.</p>	<p><b>Not applicable</b></p> <p>This site is located in precinct 1a.</p>
<p><b>PO55</b></p> <p>Buildings and structures are of a height and are set back from side boundaries and other sensitive areas to ensure the scenic amenity and environmental qualities of the adjacent area are not adversely affected.</p>	<p><b>AO55.1</b></p> <p>Development has a height of not more than 10 metres.</p>	<p><b>Not applicable</b></p> <p>This site is located in precinct 1a.</p>
	<p><b>AO55.2</b></p> <p>Development is setback from all property</p>	<p><b>Not applicable</b></p> <p>This site is located in precinct 1a.</p>





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Performance outcomes	Acceptable outcomes	Compliance
	boundaries not less than 3 metres.	
<b>PO56</b> The site coverage of all buildings and structures ensures development: <ul style="list-style-type: none"> <li>(a) is sited in an existing cleared area or in an area approved for clearing;</li> <li>(b) has sufficient area for the provision of services;</li> <li>(c) development does not have an adverse effect on the environmental, habitat, conservation or landscape values of the on-site and surrounding sensitive areas.</li> </ul>	<b>AO56</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> This site is located in precinct 1a.
<b>PO57</b> Premises include adequate provision for service vehicles, to cater for generated demand. Loading areas for service vehicles are designed to: <ul style="list-style-type: none"> <li>(a) be accommodated on-site;</li> <li>(b) maximise safety and efficiency of loading;</li> </ul>	<b>AO57.1</b> Sufficient manoeuvring area is provided on-site to allow a Medium Rigid Vehicle to enter and leave the site in a forward gear.	<b>Not applicable</b> This site is located in precinct 1a.
	<b>AO57.2</b> Development is designed to ensure all service	<b>Not applicable</b> This site is located in precinct 1a.



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Performance outcomes	Acceptable outcomes	Compliance
(c) protect the visual and acoustic amenity of sensitive land use activities;	vehicles are contained within the site when being loaded/unloaded.	
(d) minimise adverse impacts on natural characteristics of adjacent areas.	<b>AO57.3</b> Driveways, parking and manoeuvring areas are constructed and maintained to: (a) minimise erosion from storm water runoff; (b) retain all existing vegetation.	<b>Not applicable</b> This site is located in precinct 1a.
<b>PO58</b> Development ensures adverse impacts from service vehicles on the road network, external to the site, are minimised.	<b>AO58</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> This site is located in precinct 1a.
<b>PO59</b> Entry to the site is landscaped to enhance the amenity of the area and provide a pleasant working environment.	<b>AO59</b> Areas used for loading and unloading, storage, utilities and car parking are screened from public view: (a) by a combination of landscaping and screen fencing;	<b>Not applicable</b> This site is located in precinct 1a.



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Performance outcomes	Acceptable outcomes	Compliance
	(b) dense planting along any road frontage is a minimum width of 3 metres.	
<b>PO60</b> Landscaping is informal in character and complementary to the existing natural environment, provides screening and enhances the visual appearance of the development.	<b>AO60</b> For any development landscaping is in accordance with the Plant species schedule in Planning scheme policy SC6.7– Landscaping.	<b>Not applicable</b> This site is located in precinct 1a.
<b>Additional requirements for Sub-precinct 1d – Limited Development sub-precinct</b>		
<b>PO61</b> The height of buildings and structures contributes to the desired form and outcomes for the sub-precinct and are limited to a single storey.	<b>AO61</b> Buildings and structures are not more than one storey and 4 metres in height. Note - Height is inclusive of the roof height.	<b>Not applicable</b> This site is located in precinct 1a.
<b>Additional requirements for Sub-precinct 1e – Community and recreation sub-precinct</b>		
<b>PO62</b> The precinct is developed for organised sporting activities and other community uses.	<b>AO62</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> This site is located in precinct 1a.



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Performance outcomes	Acceptable outcomes	Compliance
<b>Additional requirements for Sub-precinct 1f – Flagstaff Hill sub-precinct</b>		
<b>PO63</b> Flagstaff Hill is protected from inappropriate development to protect the hill as an important natural landmark feature of Port Douglas and as a vegetated backdrop to the Town centre.	<b>AO63</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> This site is located in precinct 1a.
<b>PO64</b> All development on Flagstaff Hill is designed to minimise the visibility of the development and to ensure development is subservient to the natural landscape and topography of the site, including through: (a) building design which minimises excavation and filling; (b) buildings being designed to step down the site and incorporate foundations and footings on piers or poles; (c) buildings being visually unobtrusive and	<b>AO64</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> This site is located in precinct 1a.



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Performance outcomes	Acceptable outcomes	Compliance
<p>incorporating exterior finishes and muted colours which are non-reflective and complement the colours of the surrounding vegetation and view-shed;</p> <p>(d) protection of the views from public viewing points in the Port Douglas precinct.</p>		
<b>Additional requirements for Precinct 3 – Craiglie Commercial and Light Industry precinct</b>		
<p><b>PO65</b></p> <p>Development supports the tourism and marine industries in Port Douglas, along with the small-scale commercial and light industry land uses that support the local economy that would otherwise be better suited to a location outside the Port Douglas Town Centre Precinct.</p>	<p><b>AO65</b></p> <p>Development consists of service and light industries and associated small scale commercial activities.</p>	<p><b>Not applicable</b></p> <p>This site is located in precinct 1a.</p>
<p><b>PO66</b></p> <p>Development on lots adjacent to the Captain Cook Highway is sited, designed and landscaped to provide an attractive visual approach to Port</p>	<p><b>AO66.1</b></p> <p>Buildings and structures are setback 8 metres from the Captain Cook Highway frontage, or no closer to the Captain Cook Highway frontage than</p>	<p><b>Not applicable</b></p> <p>This site is located in precinct 1a.</p>



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Performance outcomes	Acceptable outcomes	Compliance
Douglas with all buildings, structures and car parking areas setback a sufficient distance from the frontage to enable landscaping to soften or screen the appearance of the development.	buildings and structures on adjoining sites (averaged), whichever is the greater.	
	<b>AO66.2</b> The setback area to the Captain Cook Highway frontage is landscaped with advanced dense planting including tree species (100 litre bag stock), which will, at maturity, exceed the height of the building(s) on the site.	<b>Not applicable</b> This site is located in precinct 1a.
	<b>AO66.3</b> Advertising signs are discreet in appearance with no large advertising signs, including tenancy signs, located on or near the Captain Cook Highway frontage, or within any landscaped setback area	<b>Not applicable</b> This site is located in precinct 1a.
	<b>AO66.4</b> Car parking areas, loading and other service areas are designed to be screened from the Captain Cook Highway and are located so as to not be visually prominent from the Captain Cook	<b>Not applicable</b> This site is located in precinct 1a.



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Performance outcomes	Acceptable outcomes	Compliance
	Highway.	
<b>Additional requirements for Precinct 6 – Very Low Residential Density / Low Scale Recreation / Low Scale Educational / Low Scale Entertainment Uses precinct</b>		
<b>PO67</b> No additional lots are created within the precinct.	<b>AO67</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> This site is located in precinct 1a.
<b>PO68</b> Reconfigured lots have a minimum lot size of 2 hectares, unless the lot reconfiguration transfers lots to the higher parts of the land, to avoid the need to fill existing lots to accommodate dwelling houses.	<b>AO68</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> This site is located in precinct 1a.



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

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





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

Inconsistent uses		
<ul style="list-style-type: none"> <li>• Adult store</li> <li>• Agricultural supplies store</li> <li>• Air services</li> <li>• Animal husbandry</li> <li>• Animal keeping</li> <li>• Brothel</li> <li>• Bulk landscape supplies</li> <li>• Car wash</li> <li>• Cemetery</li> <li>• Child care centre</li> <li>• Community care centre</li> <li>• Community residence</li> <li>• Community use</li> <li>• Crematorium</li> <li>• Cropping</li> </ul>	<ul style="list-style-type: none"> <li>• Hardware and trade supplies</li> <li>• Health care services</li> <li>• Home based business</li> <li>• Hospital</li> <li>• Hotel</li> <li>• Indoor sport and recreation</li> <li>• Intensive animal industry</li> <li>• Intensive horticulture</li> <li>• Major electricity infrastructure</li> <li>• Major sport, recreation and entertainment facility</li> <li>• Market</li> <li>• Motor sport facility</li> <li>• Multiple dwelling</li> <li>• Nature-based tourism</li> <li>• Nightclub entertainment facility</li> </ul>	<ul style="list-style-type: none"> <li>• Permanent plantation</li> <li>• Place of worship</li> <li>• Relocatable home park</li> <li>• Residential care facility</li> <li>• Resort complex</li> <li>• Retirement facility</li> <li>• Roadside stall</li> <li>• Rooming accommodation</li> <li>• Rural industry</li> <li>• Rural workers accommodation</li> <li>• Sales office</li> <li>• Shopping centre</li> <li>• Short-term accommodation</li> <li>• Showroom</li> <li>• Special industry</li> </ul>



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<ul style="list-style-type: none"><li>• Detention facility</li><li>• Dual occupancy</li><li>• Dwelling house</li><li>• Dwelling unit</li><li>• Extractive industry</li><li>• Function facility</li><li>• Funeral parlour</li><li>• Garden centre</li></ul>	<ul style="list-style-type: none"><li>• Outdoor sales</li><li>• Outdoor sport and recreation</li><li>• Outstation</li></ul>	<ul style="list-style-type: none"><li>• Theatre</li><li>• Tourist attraction</li><li>• Tourist park</li><li>• Transport depot</li><li>• Veterinary services</li><li>• Warehouse</li><li>• Wholesale nursery</li><li>• Winery</li></ul>
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## **8.2.1 Acid sulfate soils overlay code**

### **8.2.1.1 Application**

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

### **8.2.1.2 Purpose**

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



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

### 8.2.1.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
<b>For assessable development</b>		
<b>PO1</b> The extent and location of potential or actual acid sulfate soils is accurately identified.	<b>AO1.1</b> No excavation or filling occurs on the site. or <b>AO1.2</b> An acid sulfate soils investigation is undertaken. Note - Planning scheme policy SC 6.12– Potential and actual acid sulfate soils provides guidance on preparing an acid sulfate soils investigation.	<b>Complies with PO1</b> Filling and excavation would be limited to that required to lower the site level to the footpath level. The development would not result in impacts on acid sulfate soils.
<b>PO2</b>	<b>AO2.1</b>	<b>Complies with AO2.1</b>



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Performance outcomes	Acceptable outcomes	Compliance
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>The disturbance of potential acid sulfate soils or actual acid sulfate soils is avoided by:</p> <ul style="list-style-type: none"> <li>(a) not excavating, or otherwise removing, soil or sediment identified as containing potential or actual acid sulfate soils;</li> <li>(b) not permanently or temporarily extracting groundwater that results in the aeration of previously saturated acid sulfate soils;</li> <li>(c) not undertaking filling that results in:</li> <li>(d) actual acid sulfate soils being moved below the water table;</li> <li>(e) previously saturated acid sulfate soils being aerated.</li> </ul> <p>or</p> <p><b>AO2.2</b></p> <p>The disturbance of potential acid sulfate soils or actual acid sulfate soils is undertaken in accordance with an acid sulfate soils management plan and avoids the release of metal contaminants</p>	Excavation would be limited to that required to lower the site level to the footpath level. The development would not result in the disturbance of acid sulfate soils.



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



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Performance outcomes	Acceptable outcomes	Compliance
exposure to potential acid sulfate soils or actual acid sulfate soils.		disturbed as a result of this development.



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## **8.2.2 Bushfire hazard overlay code**

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

### **8.2.2.1 Application**

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

### **8.2.2.2 Purpose**

- (1) The purpose of the Bushfire overlay code is to:
  - (a) implement the policy direction in the Strategic Framework, in particular:
    - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;





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- (ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.
- (b) enable an assessment of whether development is suitable on land within the Bushfire risk overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) development avoids the establishment or intensification of vulnerable activities within or near areas that are subject to bushfire hazard;
  - (b) development is designed and located to minimise risks to people and property from bushfires;
  - (c) bushfire risk mitigation treatments are accommodated in a manner that avoids or minimises impacts on the natural environment and ecological processes;
  - (d) development involving the manufacture or storage of hazardous materials does not increase the risk to public safety or the environment in a bushfire event;
  - (e) development contributes to effective and efficient disaster management response and recovery capabilities.

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



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### 8.2.2.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>		
<b>Compatible development</b>		
<p><b>PO1</b></p> <p>A vulnerable use is not established or materially intensified within a bushfire hazard area (bushfire prone area) unless there is an overriding need or other exceptional circumstances.</p> <p>Note - See the end of this code for examples of vulnerable uses.</p>	<p><b>AO1</b></p> <p>Vulnerable uses are not established or expanded.</p> <p>Note – Where, following site inspection and consultation with Council, it is clear that the mapping is in error in identifying a premises as being subject to a medium, high, very high bushfire hazard or potential impact buffer sub-category, Council may supply a letter exempting the need for a Bushfire Management Plan.</p> <p>Note – Where the assessment manager has not previously approved a Bushfire Management Plan (either by condition of a previous development approval), the development proponent will be expected to prepare such a plan.</p> <p>Note – Planning scheme policy SC6.9 - Natural hazards, provides a guide to the preparation of a</p>	<p><b>Complies with AO1</b></p> <p>The proposed development is not a vulnerable use.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	Bushfire Management Plan.	
<b>P02</b> Emergency services and uses providing community support services are able to function effectively during and immediately after a bushfire hazard event.	<b>AO2</b> Emergency Services and uses providing community support services are not located in a bushfire hazard sub-category and have direct access to low hazard evacuation routes.	<b>Not applicable</b> This development application does not involve emergency services or uses providing community support services.
<b>P03</b> Development involving hazardous materials manufactured or stored in bulk is not located in bushfire hazard sub-category.	<b>AO3</b> The manufacture or storage of hazardous material in bulk does not occur within bushfire hazard sub-category.	<b>Not applicable</b> This development would not include the manufacture or storage of hazardous materials.
<b>Development design and separation from bushfire hazard – reconfiguration of lots</b>		
<b>P04.1</b> Where reconfiguration is undertaken in an urban area or is for urban purposes or smaller scale rural residential purposes, a separation distance from hazardous vegetation is provided to achieve a radiant heat flux level of 29kW/m <sup>2</sup> at the edge of	<b>AO4.1</b> No new lots are created within a bushfire hazard sub-category. or	<b>Not applicable</b> No new lots are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
<p>the proposed lot(s).</p> <p>Note - "Urban purposes" and "urban area" are defined in the <i>Sustainable Planning Regulations 2009</i>.</p> <p>Reconfiguration will be taken to be for rural residential purposes where proposed lots are between 2000m<sup>2</sup> and 2ha in area. "Smaller scale" rural residential purposes will be taken to be where the average proposed lot size is 6000m<sup>2</sup> or less.</p> <p>Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.</p>		
<p><b>PO4.2</b></p> <p>Where reconfiguration is undertaken for other purposes, a building envelope of reasonable dimensions is provided on each lot which achieves radiant heat flux level of 29kW/m<sup>2</sup> at any point.</p>	<p><b>AO4.2</b></p> <p>Lots are separated from hazardous vegetation by a distance that:</p> <ul style="list-style-type: none"> <li>(a) achieves radiant heat flux level of 29kW/m<sup>2</sup> at all boundaries; and</li> <li>(b) is contained wholly within the development site.</li> </ul> <p>Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas</p>	<p><b>Not applicable</b></p> <p>No lot reconfiguration is proposed.</p>



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	<p>external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation.</p> <p>For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages.</p> <p>Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.</p>	
<p><b>P05</b></p> <p>Where reconfiguration is undertaken in an urban area or is for urban purposes, a constructed perimeter road with reticulated water supply is established between the lots and the hazardous vegetation and is readily accessible at all times for urban fire fighting vehicles.</p> <p>The access is available for both fire fighting and maintenance/defensive works.</p>	<p><b>AO5.1</b></p> <p>Lot boundaries are separated from hazardous vegetation by a public road which:</p> <ul style="list-style-type: none"> <li>(a) has a two lane sealed carriageway;</li> <li>(b) contains a reticulated water supply;</li> <li>(c) is connected to other public roads at both ends and at intervals of no more than 500m;</li> <li>(d) accommodates geometry and turning radii in accordance with Queensland Fire and</li> </ul>	<p><b>Not applicable</b></p> <p>No lot reconfiguration is proposed.</p>



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	<p>Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</p> <p>(e) has a minimum of 4.8m vertical clearance above the road;</p> <p>(f) is designed to ensure hydrants and water access points are not located within parking bay allocations; and</p> <p>(g) incorporates roll-over kerbing.</p>	
	<p><b>AO5.2</b></p> <p>Fire hydrants are designed and installed in accordance with AS2419.1 2005, unless otherwise specified by the relevant water entity.</p> <p>Note - Applicants should have regard to the relevant standards set out in the reconfiguration of a lot code and works codes in this planning scheme.</p>	<p><b>Not applicable</b></p> <p>No lot reconfiguration is proposed.</p>
<p><b>PO6</b></p> <p>Where reconfiguration is undertaken for smaller scale rural residential purposes, either a constructed perimeter road or a formed, all</p>	<p><b>AO6</b></p> <p>Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has:</p>	<p><b>Not applicable</b></p> <p>No lot reconfiguration is proposed.</p>



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<p>weather fire trail is established between the lots and the hazardous vegetation and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>The access is available for both fire fighting and maintenance/hazard reduction works.</p>	<ul style="list-style-type: none"> <li>(a) a reserve or easement width of at least 20m;</li> <li>(b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation;</li> <li>(c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path;</li> <li>(d) a minimum of 4.8m vertical clearance;</li> <li>(e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</li> <li>(f) a maximum gradient of 12.5%;</li> <li>(g) a cross fall of no greater than 10 degrees;</li> <li>(h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;</li> <li>(i) vehicular access at each end which is connected to the public road network at</li> </ul>	



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	<p>intervals of no more than 500m;</p> <p>(j) designated fire trail signage;</p> <p>(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and</p> <p>(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.</p>	
<p><b>P07</b></p> <p>Where reconfiguration is undertaken for other purposes, a formed, all weather fire trail is provided between the hazardous vegetation and either the lot boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>However, a fire trail will not be required where it would not serve a practical fire management purpose.</p>	<p><b>A07</b></p> <p>Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has:</p> <p>(a) a reserve or easement width of at least 20m;</p> <p>(b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation;</p> <p>(c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path;</p>	<p><b>Not applicable</b></p> <p>No lot reconfiguration is proposed.</p>





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	<ul style="list-style-type: none"> <li>(d) a minimum of 4.8m vertical clearance;</li> <li>(e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</li> <li>(f) a maximum gradient of 12.5%;</li> <li>(g) a cross fall of no greater than 10 degrees;</li> <li>(h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;</li> <li>(i) vehicular access at each end which is connected to the public road network;</li> <li>(j) designated fire trail signage;</li> <li>(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and</li> <li>(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.</li> </ul>	



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Performance outcomes	Acceptable outcomes	Compliance
<p><b>PO8</b></p> <p>The development design responds to the potential threat of bushfire and establishes clear evacuation routes which demonstrate an acceptable or tolerable risk to people.</p>	<p><b>AO8</b></p> <p>The lot layout:</p> <ul style="list-style-type: none"> <li>(a) minimises the length of the development perimeter exposed to, or adjoining hazardous vegetation;</li> <li>(b) avoids the creation of potential bottle-neck points in the movement network;</li> <li>(c) establishes direct access to a safe assembly /evacuation area in the event of an approaching bushfire; and</li> <li>(d) ensures roads likely to be used in the event of a fire are designed to minimise traffic congestion.</li> </ul> <p>Note - For example, developments should avoid finger-like or hour-glass subdivision patterns or substantive vegetated corridors between lots.</p> <p>In order to demonstrate compliance with the performance outcome, a bushfire management plan prepared by a suitably qualified person may be required. The bushfire management plan should be</p>	<p><b>Not applicable</b></p> <p>No lot reconfiguration is proposed.</p>



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	<p>developed in accordance with the Public Safety Business Agency (PSBA) guideline entitled “Undertaking a Bushfire Protection Plan.</p> <p>Advice from the Queensland Fire and Emergency Services (QFES) should be sought as appropriate</p>	
<p><b>PO9</b></p> <p>Critical infrastructure does not increase the potential bushfire hazard.</p>	<p><b>AO9</b></p> <p>Critical or potentially hazardous infrastructure such as water supply, electricity, gas and telecommunications are placed underground.</p>	<p><b>Not applicable</b></p> <p>No lot reconfiguration is proposed.</p>
<b>Development design and separation from bushfire hazard – material change of use</b>		
<p><b>PO10</b></p> <p>Development is located and designed to ensure proposed buildings or building envelopes achieve a radiant heat flux level at any point on the building or envelope respectively, of:</p> <p>(e) 10kW/m<sup>2</sup> where involving a vulnerable use; or</p> <p>(f) 29kW/m<sup>2</sup> otherwise.</p> <p>The radiant heat flux level is achieved by</p>	<p><b>AO10</b></p> <p>Buildings or building envelopes are separated from hazardous vegetation by a distance that:</p> <p>(a) achieves a radiant heat flux level of at any point on the building or envelope respectively, of 10kW/m<sup>2</sup> for a vulnerable use or 29kW/m<sup>2</sup> otherwise; and</p> <p>(b) is contained wholly within the development site.</p>	<p><b>Complies with AO10</b></p> <p>The subject site is within the town centre, surrounded by development and separated from hazardous vegetation.</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>separation unless this is not practically achievable.</p> <p>Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.</p>	<p>Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation.</p> <p>For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages.</p> <p>Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.</p>	
<p><b>PO11</b></p> <p>A formed, all weather fire trail is provided between the hazardous vegetation and the site boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>However, a fire trail will not be required where it</p>	<p><b>AO11</b></p> <p>Development sites are separated from hazardous vegetation by a public road or fire trail which has:</p> <p>(a) a reserve or easement width of at least 20m;</p> <p>(b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of</p>	<p><b>Not applicable</b></p> <p>A fire trail would not serve any practical purpose.</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>would not serve a practical fire management purpose.</p> <p>Note - Fire trails are unlikely to be required where a development site involves less than 2.5ha</p>	<p>vegetation;</p> <p>(c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path;</p> <p>(d) a minimum of 4.8m vertical clearance;</p> <p>(e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</p> <p>(f) a maximum gradient of 12.5%;</p> <p>(g) a cross fall of no greater than 10 degrees;</p> <p>(h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;</p> <p>(i) vehicular access at each end which is connected to the public road network which is connected to the public road network at intervals of no more than 500m;</p> <p>(j) designated fire trail signage;</p> <p>(k) if used, has gates locked with a system</p>	





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Performance outcomes	Acceptable outcomes	Compliance
	<p>authorised by Queensland Fire and Emergency Services; and</p> <p>(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.</p>	
<b>All development</b>		
<p><b>PO12</b></p> <p>All premises are provided with vehicular access that enables safe evacuation for occupants and easy access by fire fighting appliances.</p>	<p><b>AO12</b></p> <p>Private driveways:</p> <p>(a) do not exceed a length of 60m from the street to the building;</p> <p>(b) do not exceed a gradient of 12.5%;</p> <p>(c) have a minimum width of 3.5m;</p> <p>(d) have a minimum of 4.8m vertical clearance;</p> <p>(e) accommodate turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and</p> <p>(f) serve no more than 3 dwellings or buildings.</p>	<p><b>Complies with AO12</b></p> <p>The driveway would not exceed 60 metres in length and would not have a gradient exceeding 12.5% or a width of less than 3.5 metres.</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p><b>PO13</b></p> <p>Development outside reticulated water supply areas includes a dedicated static supply that is available solely for fire fighting purposes and can be accessed by fire fighting appliances.</p>	<p><b>AO13</b></p> <p>A water tank is provided within 10m of each building (other than a class 10 building) which:</p> <ul style="list-style-type: none"> <li>(a) is either below ground level or of non-flammable construction;</li> <li>(b) has a take off connection at a level that allows the following dedicated, static water supply to be left available for access by fire fighters: <ul style="list-style-type: none"> <li>(i) 10,000l for residential buildings</li> </ul> </li> </ul> <p>Note – A minimum of 7,500l is required in a tank and the extra 2,500l may be in the form of accessible swimming pools or dams.</p> <ul style="list-style-type: none"> <li>(ii) 45,000l for industrial buildings; and</li> <li>(iii) 20,000l for other buildings;</li> <li>(c) includes shielding of tanks and pumps in accordance with the relevant standards;</li> <li>(d) includes a hardstand area allowing medium rigid vehicle (15 tonne fire appliance) access within 6m of the tank;</li> </ul>	<p><b>Not applicable</b></p> <p>This site is within a reticulated water supply area.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>(e) is provided with fire brigade tank fittings – 50mm ball valve and male camlock coupling and, if underground, an access hole of 200mm (minimum) to accommodate suction lines; and</p> <p>(f) is clearly identified by directional signage provided at the street frontage.</p>	
<p><b>PO14</b></p> <p>Landscaping does not increase the potential bushfire risk.</p>	<p><b>AO14</b></p> <p>Landscaping uses species that are less likely to exacerbate a bushfire event and does not increase fuel loads within separation areas.</p>	<p><b>Complies with AO14</b></p> <p>No landscaping is proposed that would increase bushfire risk.</p>
<p><b>PO15</b></p> <p>The risk of bushfire and the need to mitigate that risk is balanced against other factors (such as but not limited to, biodiversity or scenic amenity).</p>	<p><b>AO15</b></p> <p>Bushfire risk mitigation treatments do not have a significant impact on the natural environment or landscape character of the locality where this has value.</p>	<p><b>Not applicable</b></p> <p>No bushfire risk mitigation measures are proposed.</p>



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

#### **8.2.3.1 Application**

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Coastal environment overlay, if:
  - (a) self assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
  - (b) impact assessable development.
- (2) Land in the Coastal hazard overlay is identified on the Coastal environment overlay map in Schedule 2 and includes the following sub-categories:
  - (a) Coastal management district sub-category;
  - (b) Erosion prone area sub-category.
- (3) When using this code, reference should be made to Part 5

#### **8.2.3.2 Purpose**

- (1) The purpose of the Coastal environment overlay code is to:
  - (a) implement the policy direction in the Strategic Framework, in particular:
    - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;



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- (ii) Theme 2 Environment and landscape values: Element 3.5.4 Coastal zones;
- (iii) Theme 3 Natural resource management: Element 3.6.2 Land and catchment management.

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

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

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





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### 8.2.3.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>		
<b>PO1</b> No works other than coastal protection works extend seaward of the coastal building line	<b>AO1</b> Development (including all buildings and other permanent structures such as swimming pools and retaining walls) does not extend seaward of a coastal building line.  Note – Coastal building lines are declared under the Coastal Protection and Management Act 1995 and are administered by the State Department of Environment and Heritage Protection.	<b>Complies with AO1</b> Development would not extend seaward of a coastal building line.
	<b>AO1.2</b> Coastal protection works are only undertaken as a last resort where coastal erosion presents an immediate threat to public safety or existing	<b>Not applicable</b> No coastal protection works are proposed as part of this development application.



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Performance outcomes	Acceptable outcomes	Compliance
	buildings or structures and the property cannot be relocated or abandoned.	
	<b>AO1.3</b> Coastal protection works are as far landward as practicable on the lot containing the property to the maximum extent reasonable.	<b>Not applicable</b> No coastal protection works are proposed as part of this development application.
	<b>AO1.4</b> Coastal protection work mitigates any increase in the coastal hazard.	<b>Not applicable</b> No coastal protection works are proposed as part of this development application.
<b>PO2</b> Where a coastal building line does not exist on a lot fronting the coast or a reserve adjoining the coast, development is setback to maintain the amenity and use of the coastal resource.	<b>AO2</b> Where a coastal building line does not exist on a lot fronting the coast or a reserve adjoining the coast, development (including all buildings and structures such as swimming pools) and retaining walls are set back not less than 6 metres from the seaward boundary of the lot.	<b>Not applicable</b> The Lot subject to this development application does not front the coast.
<b>For Assessable development</b>		



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Performance outcomes	Acceptable outcomes	Compliance
<b>Erosion Prone Areas</b>		
<b>PO3</b> Development identifies erosion prone areas (coastal hazards).	<b>AO3</b> No acceptable outcomes are prescribed.	<b>Complies with PO3</b> The development site in entirety is identified within the erosion prone area.
<b>PO4</b> Erosion prone areas are free from development to allow for natural coastal processes.	<b>AO4.1</b> Development is not located within the Erosion prone area, unless it can be demonstrated that the development is for: <ul style="list-style-type: none"> <li>(a) community infrastructure where no suitable alternative location or site exists for this infrastructure; or</li> <li>(b) development that reflects the preferred development outcomes in accordance with the zoning of the site (i.e. in the Low density residential zone, a dwelling house is a preferred development outcome in accordance with the zoning of the site).</li> </ul>	<b>Complies with AO4.1 (b)</b> Development is located within the erosion prone area however the development is for a centre activity which reflects the preferred development outcome for the Centre Zone.
	<b>AO4.2</b>	<b>Complies with AO4.2</b>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>Development involving existing permanent buildings and structures within an erosion prone area does not increase in intensity of its use by:</p> <ul style="list-style-type: none"> <li>(a) adding additional buildings or structures; or</li> <li>(b) incorporating a land use that will result in an increase in the number of people or employees occupying the site.</li> </ul>	<p>The proposal would not result in a built form with an intensity greater than the existing built form or an increase in the number of people planned to occupy the site.</p>
<b>Coastal Management Districts</b>		
<p><b>PO5</b></p> <p>Natural processes and protective functions of landforms and vegetation are maintained.</p>	<p><b>AO5.1</b></p> <p>Development within the coastal management district:</p> <ul style="list-style-type: none"> <li>(a) maintains vegetation on coastal land forms where its removal or damage may: <ul style="list-style-type: none"> <li>(i) destabilise the area and increase the potential for coastal erosion, or</li> </ul> </li> </ul>	<p><b>Not applicable</b></p> <p>The site is not within the coastal management district.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"><li>(ii) interrupt the natural sediment trapping processes or dune or land building processes;</li><li>(b) maintains sediment volumes of dunes and near-shore coastal landforms, or where a reduction in sediment volumes cannot be avoided, increased risks to development from coastal erosion are mitigated by location, design and construction and operating standards;</li><li>(c) minimises the need for erosion control structures or riverine hardening through location, design and construction standards;</li><li>(d) maintains physical coastal processes outside the development footprint for the development, including longshore transport of sediment along the coast;</li><li>(e) reduces the risk of shoreline erosion for areas adjacent to the development</li></ul>	





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Performance outcomes	Acceptable outcomes	Compliance
	footprint to the maximum extent feasible in the case of erosion control structures.	
	<p><b>PO5.2</b></p> <p>Where development proposes the construction of an erosion control structure:</p> <ul style="list-style-type: none"> <li>(a) it is demonstrated that it is the only feasible option for protecting permanent structures from coastal erosion; and</li> <li>(b) those permanent structures cannot be abandoned or relocated in the event of coastal erosion occurring.</li> </ul>	<p><b>Not applicable</b></p> <p>The site is not within the coastal management district.</p>
	<p><b>PO5.3</b></p> <p>Development involving reclamation:</p> <ul style="list-style-type: none"> <li>(a) does not alter, or otherwise minimises impacts on, the physical characteristics of a waterway or the seabed near the reclamation, including flow regimes,</li> </ul>	<p><b>Not applicable</b></p> <p>The site is not within the coastal management district.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>hydrodynamic forces, tidal water and riverbank stability;</p> <p>(b) is located outside active sediment transport area, or otherwise maintains sediment transport processes as close as possible to their natural state;</p> <p>(c) ensures activities associated with the operation of the development maintain the structure and condition of vegetation communities and avoid wind and water runoff erosion.</p>	
<p><b>PO6</b></p> <p>Development avoids or minimises adverse impacts on coastal resources and their values to the maximum extent reasonable.</p>	<p><b>AO6.1</b></p> <p>Coastal protection work that is in the form of beach nourishment uses methods of placement suitable for the location that do not interfere with the long-term use of the locality, or natural values within or neighbouring the proposed placement site.</p> <p>and</p>	<p><b>Not applicable</b></p> <p>The site is not within the coastal management district.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<b>AO6.2</b> Marine development is located and designed to expand on or redevelop existing marine infrastructure unless it is demonstrated that it is not practicable to co-locate the development with existing marine infrastructure; and	<b>Not applicable</b> The site is not within the coastal management district.
	<b>AO6.3</b> Measures are incorporated as part of siting and design of the development to maintain or enhance water quality to achieve the environmental values and water quality objectives outlined in the Environmental Protection (Water) Policy 2009. and	<b>Not applicable</b> The site is not within the coastal management district.
	<b>AO6.4</b> Design and siting of development protects and retains identified ecological values and underlying	<b>Not applicable</b> The site is not within the coastal management district.



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Performance outcomes	Acceptable outcomes	Compliance
	ecosystem processes within the development site to the greatest extent practicable.	
<b>P07</b> Development is to maintain access to and along the foreshore for general public access.	<b>A07.1</b> Development provides for regular access points for pedestrians including approved walking tracks, boardwalks and viewing platforms. and	<b>Not applicable</b> The site is not within the coastal management district.
	<b>A07.2</b> Development provides for regular access points for vehicles including approved roads and tracks. or	<b>Not applicable</b> The site is not within the coastal management district..
	<b>A07.3</b> Development demonstrates an alternative solution to achieve an equivalent standard of performance.	<b>Not applicable</b> The site is not within the coastal management district.
<b>P08</b> Public access to the coast is appropriately located, designed and operated.	<b>A08.1</b> Development maintains or enhances public access to the coast.	<b>Not applicable</b> The site is not within the coastal management district.



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Performance outcomes	Acceptable outcomes	Compliance
	or	
	<b>AO8.2</b> Development is located adjacent to state coastal land or tidal water and minimises and offsets any loss of access to and along the foreshore within 500 metres. or	<b>Not applicable</b> The site is not within the coastal management district.
	<b>AO8.3</b> Development adjacent to state coastal land or tidal water demonstrates an alternative solution to achieve an equivalent standard and quality of access.	<b>Not applicable</b> The site is not within the coastal management district.
<b>PO9</b> Development adjacent to state coastal land or tidal water is located, designed and operated to: (a) maintain existing access to and along the foreshore;	<b>AO9.1</b> Development adjacent to state coastal land or tidal water: (a) demonstrates that restrictions to public access are necessary for:	<b>Not applicable</b> The site is not within the coastal management district.





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Performance outcomes	Acceptable outcomes	Compliance
(b) minimise any loss of access to and along the foreshore, or (c) offset any loss of access to and along the foreshore by providing for enhanced alternative access in the general location.	(i) the safe and secure operation of development; (ii) the maintenance of coastal landforms and coastal habitat; or (b) maintains public access (including public access infrastructure that has been approved by the local government or relevant authority) through the site to the foreshore for: <ul style="list-style-type: none"> <li>(i) pedestrians via access points including approved walking tracks, boardwalks and viewing platforms;</li> <li>(ii) vehicles via access points including approved roads or tracks.</li> </ul>	
	<b>AO9.2</b> Development adjacent to state coastal land or tidal water: <ul style="list-style-type: none"> <li>(a) is located and designed to:</li> </ul>	<b>Not applicable</b> The site is not within the coastal management district.



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"><li>(i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, for example through the provision of esplanades or easement corridors to preserve future access;</li><li>(ii) ensure emergency vehicles can access the area near the development. or</li></ul> <p>(b) minimises and offsets any loss of access to and along the foreshore within 500m of existing access points and development is located and designed to:</p> <ul style="list-style-type: none"><li>(i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, and</li></ul>	



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



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



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Performance outcomes	Acceptable outcomes	Compliance
natural state of the coastal area outside existing urban areas.		
<b>Private marine development</b>		
<b>PO15</b> Private marine development is to avoid attaching to, or extending across, non-tidal State coastal land.	<b>AO15</b> Private marine development and other structures such as decks or boardwalks for private use do not attach to, or extend across, State coastal land that is situated above high water mark. Note – For occupation permits or allocations of State land, refer to the Land Act 1994.	<b>Not applicable</b> No private marine development is proposed.
<b>PO16</b> The location and design of private marine development does not adversely affect the safety of members of the public access to the foreshore.	<b>AO16</b> Private marine development does not involve the erection or placement of any physical barrier preventing existing access, along a public access way to the foreshores.	<b>Not applicable</b> No private marine development is proposed
<b>PO17</b>	<b>AO17</b> Private marine development has regard to:	<b>Not applicable</b> No private marine development is proposed





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Performance outcomes	Acceptable outcomes	Compliance
Private marine development is of a height and scale and size compatible with the character and amenity of the location.	<p>(a) the height, scale and size of the natural features of the immediate surroundings and locality;</p> <p>(b) the height, scale and size of existing buildings or other structures in the immediate surroundings and the locality;</p> <p>(c) if the relevant planning scheme states that desired height, scale or size of buildings or other structures in the immediate surroundings or locality – the stated desired height, scale or size.</p> <p>Note – The prescribed tidal works code in the Coastal Protection and Management Regulation 2003 outlines design and construction requirements that must be complied with.</p>	
<p><b>PO18</b></p> <p>Private marine development avoids adverse impacts on coastal landforms and coastal processes.</p>	<p><b>AO18</b></p> <p>Private marine development does not require the construction of coastal protection works, shoreline</p>	<p><b>Not applicable</b></p> <p>No private marine development is proposed</p>



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



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Performance outcomes	Acceptable outcomes	Compliance
<p>(ii) community infrastructure, where there is no feasible alternative; or</p> <p>(iii) strategic ports, boat harbours or strategic airports and aviation facilities in accordance with a statutory land use plan; or</p> <p>(iv) coastal protection works or works necessary to protect coastal resources and processes.</p>		



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## **8.2.7 Natural Areas overlay code**

### **8.2.7.1 Application**

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

Note – MSES = Matters of State Environmental Significance.



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

#### **8.2.7.2 Purpose**

(1) The purpose of the Natural areas overlay code is to:

(a) implement the policy direction in the Strategic Framework, in particular:

- (i) Theme 2: Environment and landscape values, Element 3.5.3 Biodiversity, Element 3.5.4 Coastal zones;
- (ii) Theme 3: Natural resource management Element 3.6.2 Land and catchment management, Element 3.6.3 Primary production, forestry and fisheries.

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

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

(a) development is avoided within:

- (i) areas containing matters of state environmental significance (MSES);
- (ii) other natural areas;
- (iii) wetlands and wetland buffers;
- (iv) waterways and waterway corridors.





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(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; Douglas Shire Planning Scheme 2018 Version 1.0 Part 8: Overlays Part 8: Page 35
- (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.



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### 8.2.7.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>		
<b>Protection of matters of environmental significance</b>		
<b>PO1</b> Development protects matters of environmental significance.	<b>AO1.1</b> Development avoids significant impact on the relevant environmental values.	<b>Complies with AO1.1</b> This development would not cause any impacts on any environmental values and would be constructed in an existing cleared and disturbed area.
	or <b>AO1.2</b> A report is prepared by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, that the development site	<b>Not applicable</b> Complies with AO1.1.



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Performance outcomes	Acceptable outcomes	Compliance
	does not contain any matters of state and local environmental significance.	
	<p>Or</p> <p><b>AO1.3</b></p> <p>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>	<p><b>Not applicable</b></p> <p>Complies with AO1.1.</p>
<b>Management of impacts on matters of environmental significance</b>		
<b>PO2</b>	<p><b>AO2</b></p> <p>The design and layout of development minimises adverse impacts on ecologically important areas by:</p>	<b>Complies with AO2</b>



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Performance outcomes	Acceptable outcomes	Compliance
Development is located, designed and constructed to avoid significant impacts on matters of environmental significance.	<ul style="list-style-type: none"> <li>(a) focusing development in cleared areas to protect existing habitat;</li> <li>(b) utilising design to consolidate density and preserve existing habitat and native vegetation;</li> <li>(c) aligning new property boundaries to maintain ecologically important areas;</li> <li>(d) ensuring that alterations to natural landforms, hydrology and drainage patterns on the development site do not negatively affect ecologically important areas;</li> <li>(e) ensuring that significant fauna habitats are protected in their environmental context; and</li> <li>(f) incorporating measures that allow for the safe movement of fauna through the site.</li> </ul>	The development would be on a previously developed site that has been cleared of vegetation.
<b>PO3</b>	<b>AO3.1</b>	<b>Not applicable</b> This site does not contain or is adjacent a wetland.



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Performance outcomes	Acceptable outcomes	Compliance
An adequate buffer to areas of state environmental significance is provided and maintained.	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  (b) 50 metres where the area is located within an Urban areas.	
	Or <b>AO3.2</b> 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.	<b>Not applicable</b> This site does not contain or is adjacent a wetland.
<b>PO4</b> Wetland and wetland buffer areas are maintained, protected and restored.	<b>AO4.1</b> Native vegetation within wetlands and wetland buffer areas is retained.	<b>Not applicable</b> This site does not contain or is adjacent a wetland.





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Performance outcomes	Acceptable outcomes	Compliance
Note – Wetland buffer areas are identified in AO3.1.	<b>AO4.2</b> Degraded sections of wetlands and wetland buffer areas are revegetated with endemic native plants in patterns and densities which emulate the relevant regional ecosystem.	<b>Not applicable</b> This site does not contain or is adjacent a wetland.
<b>PO5</b> Development avoids the introduction of non-native pest species (plant or animal), that pose a risk to ecological integrity.	<b>AO5.1</b> Development avoids the introduction of non-native pest species.	<b>Complies with AO5.1</b> The development does not propose to introduce non-native pest species.
	<b>AO5.2</b> The threat of existing pest species is controlled by adopting pest management practices for long-term ecological integrity.	<b>Not applicable</b> The site is not known to contain pest species.
<b>Ecological connectivity</b>		
<b>PO6</b>	<b>AO6.1</b>	<b>Complies with AO6.1</b>



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Performance outcomes	Acceptable outcomes	Compliance
Development protects and enhances ecological connectivity and/or habitat extent.	Development retains native vegetation in areas large enough to maintain ecological values, functions and processes.	No vegetation is proposed to be removed as part of this development.
	And <b>AO6.2</b> Development within an ecological corridor rehabilitates native vegetation.	<b>Not applicable</b> The site is not within an ecological corridor.
	And <b>AO6.3</b> Development within a conservation corridor mitigates adverse impacts on native fauna, feeding, nesting, breeding and roosting sites and native fauna movements.	<b>Not applicable</b> The site is not within a conservation corridor.
<b>PO7</b>	<b>AO7.1</b>	<b>Not applicable</b> No native vegetation exists on the site or adjacent sites.



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Performance outcomes	Acceptable outcomes	Compliance
Development minimises disturbance to matters of state environmental significance (including existing ecological corridors).	Development avoids shading of vegetation by setting back buildings by a distance equivalent to the height of the native vegetation.	
	and <b>AO7.2</b> Development does not encroach within 10 metres of existing riparian vegetation and watercourses.	<b>Not applicable</b> The site does not contain any riparian vegetation..
<b>Waterways in an urban area</b>		
<b>PO8</b> Development is set back from waterways to protect and maintain: (a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values;	<b>AO8.1</b> Where a waterway is contained within an easement or a reserve required for that purpose, development does not occur within the easement or reserve;	<b>Not applicable</b> The site does not physically contain a waterway.
	or <b>AO8.2</b>	<b>Not applicable</b> The site does not physically contain a waterway.



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Performance outcomes	Acceptable outcomes	Compliance
(e) riparian and in-stream habitat values and connectivity; (f) in-stream migration	Development does not occur on the part of the site affected by the waterway corridor.  Note – Waterway corridors are identified within Table 8.2.7.3.b	
<b>Waterways in a non-urban area</b>		
<b>PO9</b> Development is set back from waterways to protect and maintain: <ul style="list-style-type: none"> <li>(a) water quality;</li> <li>(b) hydrological functions;</li> <li>(c) ecological processes;</li> <li>(d) biodiversity values;</li> <li>(e) riparian and in-stream habitat values and connectivity;</li> <li>(f) in-stream migration.</li> </ul>	<b>AO9</b> Development does not occur on that part of the site affected by a waterway corridor.  Note – Waterway corridors are identified within Table 8.2.7.3.b.	<b>Not applicable</b> Development would not be within a non-urban area.



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## **8.2.10 Transport network overlay code**

### **8.2.10.1 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;





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- (iii) District route;
  - (iv) Neighbourhood route;
  - (v) Strategic investigation route.
- (3) When using this code, reference should be made to Part 5.

#### **8.2.10.2 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.

#### **8.2.10.3 Criteria for assessment**

##### **Table 8.2.10.3.a – Transport network overlay code –assessable development**



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Performance outcomes	Acceptable outcomes	Compliance
<b>For assessable development</b>		
<b>PO1</b> Development supports the road hierarchy for the region. 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.	<b>AO1.1</b> 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.	<b>Complies with AO1.1</b> The development is for a Centre Activity on the main street in the centre zone.
	<b>AO1.2</b> Development does not compromise the safety and efficiency of the transport network.	<b>Complies with AO1.2</b> The development would not result in traffic generation that would affect the safety and free flow of traffic in the road network.
	<b>AO1.3</b> Development is designed to provide access via the lowest order road, where legal and practicable access can be provided to that road.	<b>Not applicable</b> The site has a single road frontage.
<b>PO2</b> Transport infrastructure is provided in an integrated and timely manner.	<b>AO2</b>	<b>Not applicable</b> No transport infrastructure is required.



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Performance outcomes	Acceptable outcomes	Compliance
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>Development provides infrastructure (including improvements to existing infrastructure) in accordance with:</p> <p>(a) the Transport network overlay maps contained in Schedule 2;</p> <p>(a) any relevant Local Plan.</p> <p>Note – The Translink Public Transport Infrastructure Manual provides guidance on the design of public transport facilities.</p>	
<p><b>PO3</b></p> <p>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><b>AO3</b></p> <p>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><b>Not applicable</b></p> <p>This development application does not involve a sensitive land use.</p>
<b>PO4</b>	<b>AO4.1</b>	<p><b>Complies with AO4.1</b></p> <p>The development is for a Centre Activity on the main street in the centre zone.</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>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>Development is compatible with the role and function (including the future role and function) of major transport corridors.</p>	
	<p><b>AO4.2</b></p> <p>Direct access is not provided to a major transport corridor where legal and practical access from another road is available.</p>	<p><b>Not applicable</b></p> <p>The site has only one road frontage.</p>
	<p><b>AO4.3</b></p> <p>Intersection and access points associated with major transport corridors are located in accordance with:</p> <p>(a) the Transport network overlay maps contained in Schedule 2; and</p> <p>(b) any relevant Local Plan.</p>	<p><b>Not applicable</b></p> <p>Access point for this site is already existing and no changes are proposed.</p>
	<p><b>AO4.4</b></p> <p>The layout of development and the design of the associated access is compatible with existing and</p>	<p><b>Not applicable</b></p>



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Performance outcomes	Acceptable outcomes	Compliance
	future boundaries of the major transport corridor or major transport facility.	The site is provided with an existing and lawfully approved access and no changed access or new access is proposed.
<b>PO5</b> 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.	<b>AO5</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The site does not contain any vegetation.
<b>Pedestrian and cycle network</b>		
<b>PO6</b> Lot reconfiguration assists in the implementation of the pedestrian and cycle movement network to achieve safe, attractive and efficient pedestrian and cycle networks.	<b>AO6.1</b> 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.	<b>Not applicable</b> No lot reconfiguration is proposed.





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Performance outcomes	Acceptable outcomes	Compliance
	<p><b>AO6.2</b></p> <p>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><b>Not applicable</b></p> <p>No lot reconfiguration is proposed.</p>



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### **9.3.3 Centre activities code**

#### **9.3.3.1 Application**

(1) This code applies to assessing development for:

- (a) for Centre activities; and
- (b) all development in a Centre zone, if:
  - (i) if assessable development where the code is an applicable code identified in the assessment criteria column of a table of assessment; or
  - (ii) impact assessable.

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

#### **9.3.3.2 Purpose**

(1) The purpose of the Centre activities code is to facilitate the timely establishment of centre activities within the Centre zone.

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

- (a) within the Centre zone, to ensure that centre activities:
  - (i) facilitates the timely establishment of specified uses that require only minor building work to an existing premises;
  - (ii) has a scale, intensity and operation of the use of premises that is consistent with existing floor space and infrastructure.



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### 9.3.3.3 Criteria for assessment

**Table 9.3.3.3.a – Centre activities code – assessable development**

Performance outcomes		Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>			
<b>Change of use within existing buildings or facilities</b>			
<b>PO1</b> Development that involves a change of use within an existing building ensures: <ul style="list-style-type: none"> <li>(a) changes to floor space of the centre activity is minor;</li> <li>(b) the appropriate design and amenity standards for the centre activity is maintained.</li> </ul>	<b>AO1</b> The centre activity: <ul style="list-style-type: none"> <li>(a) is a use listed in Schedule 1, Table SC1.1.1.2 – Centre Activities;</li> <li>(b) is not a use listed in Schedule 1, Table SC1.1.1.2 – Large format retail activities;</li> <li>(c) is located within the Centre zone;</li> <li>(d) is for a tenancy change only;</li> <li>(e) involves only minor building work to an existing building;</li> <li>(f) complies with the car parking requirements specified in Table 9.4.1.3.b in the Access,</li> </ul>	<b>Not applicable</b> The proposal is for the demolition of the existing building and the erection of a new building.	



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Performance outcomes	Acceptable outcomes	Compliance
	<p>parking and servicing code.</p> <p>Note - The whole development means the entire building or activity on a site (or sites) where shared parking areas are utilised</p>	
<p><b>PO2</b></p> <p>Building plant or equipment cannot be viewed from public places.</p>	<p><b>AO2.1</b></p> <p>Plant or equipment is not located on roofs; or</p>	<p><b>Complies with AO2.1</b></p> <p>The development does not propose any rooftop plant or equipment.</p>
	<p><b>AO2.2</b></p> <p>Where plant or equipment is placed on roofs, it is appropriately screened from the streetscape behind a parapet or similar design feature.</p>	<p><b>Not applicable</b></p> <p>The development does not propose any rooftop plant or equipment.</p>
<p><b>PO3</b></p> <p>Development is located:</p> <ul style="list-style-type: none"> <li>(a) within an existing Centre zone;</li> <li>(b) a building containing an existing centre activity;</li> <li>(c) on a site identified as being suitable for Centre activities in a Local plan.</li> </ul>	<p><b>AO3</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Complies with PO3</b></p> <p>The site is located within the centre zone and is identified in the local plan as being suitable for centre activities.</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p><b>PO4</b></p> <p>A centre activity is only established outside an appropriately identified area where:</p> <ul style="list-style-type: none"><li>(a) community need is demonstrated for the centre;</li><li>(b) the centre activity does not compromise the establishment of consolidated activity centres with distinct roles and functions across the Far North Queensland Region;</li><li>(c) the centre activity does not compromise the established hierarchy of activity centres in the Far North Queensland Region;</li><li>(d) the centre activity does not compromise the character and amenity of surrounding areas.</li></ul> <p>Note – An appropriately identified area is defined in PO3 of this code. Note – Refer to the Far North Queensland Regional Plan to determine the distinct roles and functions, and the established hierarchy of activity centres in Far North Queensland.</p>	<p><b>AO4</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>The site is within the centre zone.</p>





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Performance outcomes	Acceptable outcomes	Compliance
<b>PO5</b> The siting of buildings contributes to the desired amenity and character of the area and protect the amenity of other land uses.	<b>AO5.1</b> Buildings setbacks to road frontages are: (a) in accordance with the provisions of any applicable Local plan; (b) a minimum of 6 metres where no Local plan applies or there are no particular provisions specified in the Local pan for the site	<b>Complies with AO5.1</b> Refer to the assessment against the Port Douglas / Craiglie Local Plan Zone code.
	<b>AO5.2</b> Where adjoining land in the Industry Zone, buildings are setback: (a) 0 metres from the side and rear boundaries; or (b) 2.5 metres or ¼ of the height of the building, which ever if the greater; and (c) not any distance between 0 metres and 2.5 metres.	<b>Not applicable</b> The site does not adjoin land within the Industry Zone.
	<b>AO5.3</b>	<b>Complies with AO5.3</b>



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Performance outcomes	Acceptable outcomes	Compliance
	Where adjoining land in any other zone, buildings are setback 3.0 metres or $\frac{1}{4}$ of the height of the building, whichever is the greater and are provided with an acoustic barrier in accordance with the recommendations of a qualified acoustic expert.	The site adjoins land in the Low-medium Density Residential zone to the rear and would be set back more than 3 metres from the rear boundary. The rear boundary is provided with approved boundary treatment consistent with the existing shop use of the site.
	<p><b>AO5.4</b></p> <p>Setback areas are provided with a 2 metre landscaped strip capable of deep planting, which is kept clear of service equipment and storage areas:</p> <ul style="list-style-type: none"> <li>(a) adjacent to the road frontage in all areas not required for pedestrian or vehicular access for the setback area nominated in AO5.1(b) above;</li> <li>(b) adjacent to the boundary with the other zone for the setback area nominated in AO5.3 above.</li> </ul>	<p><b>Complies with PO5</b></p> <p>The proposed development would result in a built form that is consistent with the desired amenity and character of the area set out in the local plan and consistent with the existing arrangement with adjoining land uses.</p>
<b>PO6</b>	<b>AO6</b>	<b>Complies with AO6</b>



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Performance outcomes	Acceptable outcomes	Compliance
The site coverage of buildings ensures that there is sufficient space available to cater for services, landscaping and on-site parking.	Site coverage does not exceed 50%, unless otherwise specified in a Local plan.	Site coverage would not exceed 50%.
<b>P07</b> Building façades are articulated and finished in ways that respond to the attractive elements of surrounding buildings, and enhances existing streetscape character.	<b>A07</b> Building facades are articulated and finished with design elements such as: <ul style="list-style-type: none"> <li>(a) variations in plane shape, such as curves, steps, recesses or projections;</li> <li>(b) variations in treatment and patterning of windows, sun protection devices, or other elements of the façade;</li> <li>(c) elements of finer scale, than the main structural framing.</li> </ul>	<b>Complies with A07</b> The building façade would be provided with a full width cantilevered awning, vertical emphasis and variations in building material to delineate shopfronts.
<b>P08</b> Development results in an attractive streetscape that: <ul style="list-style-type: none"> <li>(a) contributes to a high level of amenity for</li> </ul>	<b>A08.1</b> Ground floor levels of buildings incorporate activities that are likely to foster casual, social or business interaction for extended periods (such as Shops, Food and drink outlets and the like).	<b>Complies with A08.1</b> The development would provide active shop fronts that relate directly to the footpath.



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Performance outcomes	Acceptable outcomes	Compliance
<p>patrons and pedestrians;</p> <p>(b) facilitates interactions between the public and private realm.</p>	<p><b>AO8.2</b></p> <p>Where a building has frontage to a public street or other public or semi public space, an active frontage is provided which includes a minimum of 75% of the façade consisting of transparent or semi-transparent windows or glazed doors.</p>	<p><b>Complies with AO8.2</b></p> <p>Approximately 95% of the building façade would comprise transparent glass.</p>
	<p><b>AO8.3</b></p> <p>Frontages to public streets or other public or semi public spaces are articulated with vertical elements that emphasise a finer-grain and human scale to the building frontage.</p>	<p><b>Complies with AO8.3</b></p> <p>The proposed shopfronts would be provided with vertical elements separating the tenancies and would be provided with an awning that enclosed the footpath at a human scale.</p>
	<p><b>AO8.4</b></p> <p>Where buildings are constructed up to a road frontage, a cantilever awning is to be provided over the footpath of the site, to the full frontage of the site, with a setback of 1 metre from the face of the kerb, and;</p> <p>(a) with a maximum height of 3 metres to the</p>	<p><b>Complies with AO8.4</b></p> <p>The development would be constructed to the street front with a full length cantilevered awning over the footpath.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	underside of the awning; or (b) at a height consistent with, or stepping up or down to, the awning structures on buildings on adjoining sites.	
<b>PO9</b> Development provides for the site to be landscaped in a manner that is consistent with the function, location and setting of the development.	<b>AO9.1</b> A minimum of 10% of the site is set aside for landscape planting	<b>Complies with PO9</b> The site is located in Macrossan Street which is the primary shopping frontage of Port Douglas and where on-site landscaping is limited.
	<b>AO9.2</b> Landscaping is provided in accordance with the following: (a) a mixture of shade trees and low planting is provided along street frontages where buildings are setback from the frontage; (b) shade trees are provided in car parks; (c) a landscaped area is provided between the centre activity, associated car parking and any adjacent residential use or zone which:	<b>Complies with PO9</b> The site is located in Macrossan Street which is the primary shopping frontage of Port Douglas and where on-site landscaping is limited. The proposed development would result in an improved relationship with the street and a would maintain the existing relationship with the adjoining uses. The level of landscaping proposed is considered to be consistent with the function and setting of Macrossan Street.



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> <li>(i) has a minimum width of 3 metres and is not used for storage or mechanical plant;</li> <li>(ii) is planted with a variety of hardy screening shrubs and trees;</li> <li>(iii) incorporates a minimum 1.8 metre high solid screen fence.</li> </ul> <p>Note – Additional fencing requirements beyond the minimum standard may be required for acoustic and lighting attenuation purposes in accordance with AO5.3.</p>	
<b>Additional requirements for adult stores</b>		
<b>PO10</b> An adult store is located to satisfy reasonable community expectations in relation to location and accessibility.	<b>AO10</b> The distance between the boundary of the land occupied by a sensitive land use and the entrance of a proposed adult store is: <ul style="list-style-type: none"> <li>(a) more than 200 metres according to the shortest route a person may lawfully take on foot;</li> <li>(b) more than 100 metres measured in a</li> </ul>	<b>Not applicable</b> This development application is not for an adult store.





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Performance outcomes	Acceptable outcomes	Compliance
	straight line.	
<b>PO11</b> The presentation of adult stores satisfies reasonable community expectations.	<b>AO11.1</b> The display window of the adult store is completely screened to prevent viewing into the interior of the development where goods are displayed.	<b>Not applicable</b> This development application is not for an adult store.
	<b>AO11.2</b> Signage associated with the adult store that is visible external to the development is not sexually suggestive or potentially offensive in either graphical or written form.	<b>Not applicable</b> This development application is not for an adult store.
	<b>AO11.3</b> External signage associated with an adult store has a cumulative total of 5m <sup>2</sup> .	<b>Not applicable</b> This development application is not for an adult store.
	<b>AO11.4</b> Signage (other than required by A11.3) is limited to the following types: (a) below awning sign;	<b>Not applicable</b> This development application is not for an adult store.



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Performance outcomes	Acceptable outcomes	Compliance
	(b) fascia sign; (c) window sign.	



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

##### **9.4.1.1 Application**

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

##### **9.4.1.2 Purpose**

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



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### 9.4.1.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>		
<b>PO1</b> Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be generated by the use or uses of the site, having particular regard to: (a) the desired character of the area; (b) the nature of the particular use and its specific characteristics and scale; (c) the number of employees and the likely number of visitors to the site; (d) the level of local accessibility; (e) the nature and frequency of any public transport serving the area;	<b>AO1.1</b> The minimum number of on-site vehicle parking spaces is not less than the number prescribed in Table 9.4.1.3.b for that particular use or uses. Note - Where the number of spaces calculated from the table is not a whole number, the number of spaces provided is the next highest whole number.	<b>Complies with AO1.1</b> The proposed development would have a GFA of 349.85m <sup>2</sup> . At 1 space per 50m <sup>2</sup> , the acceptable outcome is 7 spaces. The proposed development would provide 13 on-site car parking spaces.
	<b>AO1.2</b> Car parking spaces are freely available for the parking of vehicles at all times and are not used for external storage purposes, the display of products or rented/sub-leased.	<b>Complies with AO1.2</b> Car parking spaces would be made available for parking at all times.
	<b>AO1.3</b>	<b>Not applicable</b>



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Performance outcomes	Acceptable outcomes	Compliance
(f) whether or not the use involves the retention of an existing building and the previous requirements for car parking for the building	Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.	No motorcycle parking is proposed.
(g) whether or not the use involves a heritage building or place of local significance; (h) whether or not the proposed use involves the retention of significant vegetation.	<b>AO1.4</b> For parking areas exceeding 50 spaces parking, is provided for recreational vehicles as a substitute for ordinary vehicle parking to a maximum of 5% of total ordinary vehicle parking rate.	<b>Not applicable</b> The parking area would not exceed 50 parking spaces.
<b>P02</b> Vehicle parking areas are designed and constructed in accordance with relevant standards.	<b>AO2</b> Vehicle parking areas are designed and constructed in accordance with Australian Standard: (a) AS2890.1; (b) AS2890.3; (c) AS2890.6.	<b>Complies with AO2</b> The parking areas would comply with the Australian Standard.
<b>P03</b>	<b>AO3.1</b>	<b>Complies with AO3.1</b>



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Performance outcomes	Acceptable outcomes	Compliance
<p>Access points are designed and constructed:</p> <ul style="list-style-type: none"> <li>(a) to operate safely and efficiently;</li> <li>(b) to accommodate the anticipated type and volume of vehicles</li> <li>(c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate;</li> <li>(d) so that they do not impede traffic or pedestrian movement on the adjacent road area;</li> <li>(e) so that they do not adversely impact upon existing intersections or future road or intersection improvements;</li> <li>(f) so that they do not adversely impact current and future on-street parking arrangements;</li> <li>(g) so that they do not adversely impact on existing services within the road reserve adjacent to the site;</li> </ul>	<p>Access is limited to one access cross over per site and is an access point located, designed and constructed in accordance with:</p> <ul style="list-style-type: none"> <li>(a) Australian Standard AS2890.1;</li> <li>(b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers.</li> </ul>	<p>The site is serviced by an existing single access, which would be retained as part of the development.</p>
	<p><b>AO3.2</b></p> <p>Access, including driveways or access crossovers:</p> <ul style="list-style-type: none"> <li>(a) are not placed over an existing: <ul style="list-style-type: none"> <li>(i) telecommunications pit;</li> <li>(ii) stormwater kerb inlet;</li> <li>(iii) sewer utility hole;</li> <li>(iv) water valve or hydrant.</li> </ul> </li> <li>(b) are designed to accommodate any adjacent footpath;</li> </ul>	<p><b>Not applicable</b></p> <p>The site is serviced by an existing single access, which would be retained as part of the development and no new access crossovers are proposed.</p>





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



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Performance outcomes	Acceptable outcomes	Compliance
	<p>(d) constructed such that the transitional change in grade from the road to the lot is fully contained within the lot and not within the road reserve;</p> <p>(e) designed to include all necessary associated drainage that intercepts and directs storm water runoff to the storm water drainage system.</p>	
	<p><b>AO3.4</b></p> <p>Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.</p>	<p><b>Not applicable</b></p> <p>This site is serviced by an existing constructed driveway. With the exception of resurfacing, there would be no works to the existing driveway and no new driveways are proposed.</p>
<p><b>PO4</b></p> <p>Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.</p>	<p><b>AO4</b></p> <p>The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.</p>	<p><b>Complies with AO4</b></p> <p>The development would provide wheel chair accessible car parking, which would be confirmed during the assessment of the building works application.</p>



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Performance outcomes	Acceptable outcomes	Compliance
<b>P05</b> Access for people with disabilities is provided to the building from the parking area and from the street.	<b>A05</b> Access for people with disabilities is provided in accordance with the relevant Australian Standard.	<b>Complies with A05</b> The proposed development would be compliant with the relevant accessibility standards, which would be confirmed during the assessment of the building works application.
<b>P06</b> Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development.	<b>A06</b> The number of on-site bicycle parking spaces complies with the rates specified in <b>Error!</b> <b>Reference source not found..</b>	<b>Complies with A06</b> The proposed development would provide three secure bicycle parking spaces.
<b>P07</b> Development provides secure and convenient bicycle parking which: (a) for visitors is obvious and located close to the building's main entrance; (b) for employees is conveniently located to provide secure and convenient access	<b>A07.1</b> Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers);	<b>Complies with A07.1</b> The development would provide bicycle parking spaces and end-of-trip facilities in the form of one bathroom per shop.
	<b>A07.2</b> Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street.	<b>Complies with A07.2</b> The development would provide a bicycle parking area to the rear of the development.



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Performance outcomes	Acceptable outcomes	Compliance
<p>between the bicycle storage area, end-of-trip facilities and the main area of the building;</p> <p>(c) is easily and safely accessible from outside the site.</p>	<p><b>A07.3</b></p> <p>Development provides visitor bicycle parking which does not impede pedestrian movement.</p>	<p><b>Complies with A07.3</b></p> <p>The development would provide a bicycle parking area to the rear of the site clear of pedestrian thoroughfares.</p>
<p><b>PO8</b></p> <p>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;</p> <p>(b) encourage walking and cycling;</p> <p>(c) ensure pedestrian and cyclist safety.</p>	<p><b>A08</b></p> <p>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;</p> <p>(b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site.</p>	<p><b>Complies with A08</b></p> <p>The development would provide a cantilevered awning for the full frontage of the site.</p>
<p><b>PO9</b></p>	<p><b>A09.1</b></p> <p>Access driveways, vehicle manoeuvring and on-site parking for service vehicles are designed and</p>	<p><b>Complies with PO9</b></p> <p>The proposal represents the redevelopment of an existing commercial premises for an improved</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>Access, internal circulation and on-site parking for service vehicles are designed and constructed:</p> <p>(a) in accordance with relevant standards;</p> <p>(b) so that they do not interfere with the amenity of the surrounding area;</p> <p>(c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles.</p>	<p>constructed in accordance with AS2890.1 and AS2890.2.</p>	<p>retail development. The redevelopment relies on the existing parking, access and servicing arrangements which has operated without adverse impact on the amenity of the area or the safety of other road users.</p>
	<p><b>AO9.2</b></p> <p>Service and loading areas are contained fully within the site.</p>	<p><b>Complies with PO9</b></p> <p>The proposal represents the redevelopment of an existing commercial premises for an improved retail development. The redevelopment relies on the existing parking, access and servicing arrangements which has operated without adverse impact on the amenity of the area or the safety of other road users</p>
	<p><b>AO9.3</b></p> <p>The movement of service vehicles and service operations are designed so they:</p> <p>(a) do not impede access to parking spaces;</p>	<p><b>Complies with PO9</b></p> <p>The proposal represents the redevelopment of an existing commercial premises for an improved retail development. The redevelopment relies on the existing parking, access and servicing arrangements which has operated without</p>



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Performance outcomes	Acceptable outcomes	Compliance
	(b) do not impede vehicle or pedestrian traffic movement.	adverse impact on the amenity of the area or the safety of other road users
<b>PO10</b> Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.	<b>AO10.1</b> Development provides adequate area on-site for vehicle queuing to accommodate the demand generated by the development where drive through facilities or drop-off/pick-up services are proposed as part of the use, including, but not limited to, the following land uses: (a) car wash; (b) child care centre; (c) educational establishment where for a school; (d) food and drink outlet, where including a drive-through facility; (e) hardware and trade supplies, where including a drive-through facility; (f) hotel, where including a drive-through facility; (g) service station.	<b>Not applicable</b> Vehicle queuing and drop/off pick up services are not required for the proposed development.





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Performance outcomes	Acceptable outcomes	Compliance
	<b>AO10.2</b> Queuing and set-down areas are designed and constructed in accordance with AS2890.1.	<b>Not applicable</b> Vehicle queuing and drop/off pick up services are not required for the proposed development.



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### **9.4.3 Environmental performance code**

#### **9.4.3.1 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.

#### **9.4.3.2 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



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- 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.

#### 9.4.3.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
<b>Lighting</b>		
<b>PO1</b>  Lighting incorporated within development does not cause an adverse impact on the amenity of adjacent uses and nearby sensitive land uses.	<b>AO1.1</b>  Technical parameters, design, installation, operation and maintenance of outdoor lighting comply with the requirements of Australian standard AS4282-1997 Control of the obtrusive effects of outdoor lighting.	<b>Not applicable</b>  No outdoor lighting is proposed as part of this application.
	<b>AO1.2</b>	<b>Not applicable</b>



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Performance outcomes	Acceptable outcomes	Compliance
	Development that involves flood lighting is restricted to a type that gives no upward component of light where mounted horizontally.	No outdoor lighting is proposed as part of this application.
	<b>AO1.3</b>  Access, car parking and manoeuvring areas are designed to shield nearby residential premises from impacts of vehicle headlights.	<b>Not applicable</b>  No outdoor lighting is proposed as part of this application.
<b>Noise</b>		
<b>PO2</b>  Potential noise generated from the development is avoided through design, location and operation of the activity.  Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.	<b>AO2.1</b>  Development does not involve activities that would cause noise related environmental harm or nuisance;  or	<b>Complies with AO2.1</b>  The proposal is for the development of shop(s). Activities associated with the use are not expected to cause environmental harm.
	<b>AO2.2</b>  Development ensures noise does not emanate from the site through the use of materials,	<b>Complies with AO2.2</b>



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Performance outcomes	Acceptable outcomes	Compliance
	structures and architectural features to not cause an adverse noise impact on adjacent uses.	The development has been designed such that noise would be directed towards the street front and away from sensitive land uses.
	<p><b>AO2.3</b></p> <p>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:</p> <p>(a) car parking is located away from adjacent sensitive land uses;</p> <p>(b) car parking is enclosed within a building;</p> <p>(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;</p> <p>(d) buffered with dense landscaping.</p>	<p><b>Complies with AO2.3</b></p> <p>The car parking areas are located below the nearest sensitive land uses and buffered from the land uses by solid concrete walls or similar.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	Editor's note - The Environmental Protection (Noise) Policy 2008, Schedule 1 provides guidance on acoustic quality objectives to ensure environmental harm (including nuisance) is avoided.	
<b>Airborne particles and other emissions</b>		
<b>PO3</b>  Potential airborne particles and emissions generated from the development are avoided through design, location and operation of the activity.  Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.	<b>AO3.1</b>  Development does not involve activities that will result in airborne particles or emissions being generated; or	<b>Complies with AO3.1</b>  The development would not involve activities that result in airborne particles; or,
	<b>AO3.2</b>  The design, layout and operation of the development activity ensures that no airborne particles or emissions cause environmental harm or nuisance.  Note - examples of activities which generally cause airborne particles include spray painting, abrasive blasting, manufacturing activities and car wash facilities. Examples of emissions include exhaust	<b>Complies with AO3.2</b>  Where the development and use of the site may result in airborne particles (e.g, food and drink use) appropriate extraction and filtration systems would be installed.





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Performance outcomes	Acceptable outcomes	Compliance
	ventilation from basement or enclosed parking structures, air conditioning/refrigeration ventilation and exhaustion. The Environmental Protection (Air) Policy 2008, Schedule 1 provides guidance on air quality objectives to ensure environmental harm (including nuisance) is avoided.	
<b>Odours</b>		
<b>PO4</b>  Potential odour causing activities associated with the development are avoided through design, location and operation of the activity.  Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.	<b>AO4.1</b>  The development does not involve activities that create odorous emissions; or	<b>Complies with AO4.1</b>  The development would not involve activities that result in odorous emissions; or,
	<b>AO4.2</b>  The use does not result in odour that causes environmental harm or nuisance with respect to surrounding land uses.	<b>Complies with AO3.2</b>  Where the development and use of the site may result in odorous emissions (e.g, food and drink use) appropriate extraction and filtration systems would be installed.
<b>Waste and recycleable material storage</b>		
<b>PO5</b>	<b>AO5.1</b>	<b>Complies with AO5.1</b>



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Performance outcomes	Acceptable outcomes	Compliance
<p>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>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>All waste would be stored in appropriate refuse receptacles within a refuse enclosure at the rear of the proposed premises and disposed of at regular intervals.</p>
	<p><b>AO5.2</b></p> <p>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> <p>(a) the location of the waste and recyclable material storage areas in relation to the noise and odour generated;</p> <p>(b) the number of receptacles provided in relation to the collection, maintenance and use of the receptacles;</p>	<p><b>Complies with AO5.2</b></p> <p>The proposed development would provide a roofed refuse enclosure at the rear of the premises and separated from any nearby sensitive land use.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>(c) the durability of the receptacles, sheltering and potential impacts of local climatic conditions;</p> <p>(d) the ability to mitigate spillage, seepage or leakage from receptacles into adjacent areas and sensitive receiving waters and environments.</p> <p>Editor's note - the Environmental Protection (Waste Management) Policy 2008 provides guidance on the design of waste containers (receptacles) to ensure environmental harm (including nuisance) is avoided.</p>	
<b>Sensitive land uses</b>		
<b>PO6</b>  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.	<b>AO6.1</b>  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; or	<b>Not applicable</b>  The development does not involve a sensitive land use.
	<b>AO6.2</b>	<b>Not applicable</b>



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Performance outcomes	Acceptable outcomes	Compliance
	Sensitive land activities are located in areas where potential adverse amenity impacts mitigate all potential impacts through layout, design, operation and maintenance.	The development does not involve a sensitive land use.
<b>Stormwater quality</b>		
<b>PO7</b>  The quality of stormwater flowing over, through or being discharged from development activities into watercourses and drainage lines is of adequate quality for downstream environments, with respect to:  (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.	<b>A07.1</b>  Development activities are designed to ensure stormwater over roofed and hard stand areas is directed to a lawful point of discharge.	<b>Complies with A07.1</b>  The development would not result in an increase of impervious surface across the site and all stormwater would be collected and discharged to Macrossan Street, being the lawful point of discharge.
	<b>A07.2</b>  Development ensures movement of stormwater over the site is not impeded or directed through potentially polluting activities.	<b>Complies with A07.2</b>  The proposed development would not include a polluting activity.
	<b>A07.3</b>	<b>Complies with A07.3</b>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>Soil and water control measures are incorporated into the activity's design and operation to control sediment and erosion potentially entering watercourses, drainage lines and downstream receiving waters.</p> <p>Note - Planning scheme policy - FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the Environmental Protection Act 1994. 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>	The site is predominantly covered with impervious surfaces, which limits the possibility of erosion.
<b>Pest plants (for material change of use on vacant land over 1,000m<sup>2</sup>)</b>		
<p><b>PO8</b></p> <p>Development activities and sites provide for the removal of all pest plants and implement ongoing</p>	<p><b>AO8.1</b></p> <p>The land is free of declared pest plants before development establishes new buildings, structures and practices; or</p>	<p><b>Complies with AO8.1</b></p> <p>The site is not known to contain pest plant species.</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>measures to ensure that pest plants do not reinfest the site or nearby sites.</p> <p>Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the Land Protection (Pest and Stock Route Management) Act 2002.</p>	<p><b>AO8.2</b></p> <p>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. Note - A declaration from an appropriately qualified person validates the land being free from pest plants. Declared pest plants include locally declared and State declared pest plants.</p>	<p><b>Complies with AO8.2</b></p> <p>The site is not known to contain pest plant species.</p>





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

##### **9.4.5.1 Application**

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

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

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

##### **9.4.5.2 Purpose**

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



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- (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.

### 9.4.5.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>		
<b>Works on a local government road</b>		
<b>PO1</b> Works on a local government road do not adversely impact on footpaths or existing infrastructure within the road verge and maintain the flow, safety and efficiency of pedestrians, cyclists and vehicles.	<b>AO1.1</b> Footpaths/pathways are located in the road verge and are provided for the hierarchy of the road and located and designed and constructed in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	<b>Complies with AO1.1</b> The proposed development involves the resurfacing of the footpath at the site frontage. The finish would be consistent with the existing footpath areas of Macrossan Street.
	<b>AO1.2</b>	<b>Not applicable</b> No kerb ramp crossovers are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
	Kerb ramp crossovers are constructed in accordance with Planning scheme policy SC 5 – FNQROC Regional Development Manual.	
	<b>AO1.3</b> New pipes, cables, conduits or other similar infrastructure required to cross existing footpaths: (a) are installed via trenchless methods; or (b) where footpath infrastructure is removed to install infrastructure, the new section of footpath is installed to the standard detailed in the Planning scheme policy SC5 – FNQROC Regional Development Manual, and is not less than a 1.2 metre section.	<b>Not applicable</b> No services are required to cross the footpath.
	<b>AO1.4</b> Where existing footpaths are damaged as a result of development, footpaths are reinstated ensuring: (a) similar surface finishes are used;	<b>Complies with AO1.4</b> The footpath at the site frontage would be upgraded as part of the development with a finish that complements the existing footpaths in Macrossan Street.



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Performance outcomes	Acceptable outcomes	Compliance
	(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. Note – <b>Error! Reference source not found.</b> provides guidance on meeting the outcomes.	
	<b>A01.5</b> Decks, verandahs, stairs, posts and other structures located in the road reserve do not restrict or impede pedestrian movement on footpaths or change the level of the road verges.	<b>Not applicable</b> No structures are proposed in the road reserve.
<b>Accessibility structures</b>		
<b>P02</b> Development is designed to ensure it is accessible for people of all abilities and	<b>A02.1</b> Accessibility structures are not located within the road reserve.	<b>Complies with A02.1</b> No new accessibility structures would be located within the road reserve.
	<b>A02.2</b>	<b>Not applicable</b>



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Performance outcomes	Acceptable outcomes	Compliance
<p>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>Accessibility structures are designed in accordance with AS1428.3.</p>	<p>No accessibility structures are proposed. Access to the shops would be level with the footpath.</p>
	<p><b>AO2.3</b></p> <p>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><b>Not applicable</b></p> <p>No accessibility structures are proposed.</p>
<b>Water supply</b>		
<p><b>PO3</b></p> <p>An adequate, safe and reliable supply of potable, fire fighting and general use water is provided.</p>	<p><b>AO3.1</b></p> <p>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><b>AO3.2</b></p> <p>Where a reticulated water supply system is not available to the premises, on site water storage</p>	<p><b>Complies with AO3.1</b></p> <p>The premises is connected to Council’s reticulated water supply system.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	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.	
<b>Treatment and disposal of effluent</b>		
<b>PO4</b> Provision is made for the treatment and disposal of effluent to ensure that there are no adverse impacts on water quality and no adverse ecological impacts as a result of the system or as a result of increasing the cumulative effect of systems in the locality.	<b>AO4.1</b> The site is connected to Council's sewerage system and the extension of or connection to the sewerage system is designed and constructed in accordance with the Design Guidelines set out in Section D7 of the Planning scheme policy SC5 – FNQROC Regional Development Manual; or <b>AO4.2</b>	<b>Complies with AO4.1</b> The site is connected to Council's sewerage system.





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Performance outcomes	Acceptable outcomes	Compliance
	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> .	
<b>Stormwater quality</b>		
<b>PO5</b> Development is planned, designed, constructed and operated to avoid or minimise adverse impacts on stormwater quality in natural and developed catchments by: <ul style="list-style-type: none"> <li>(a) achieving stormwater quality objectives;</li> <li>(b) protecting water environmental values;</li> <li>(c) maintaining waterway hydrology.</li> </ul>	<b>AO5.1</b> A connection is provided from the premises to Council's drainage system; or <b>AO5.2</b> An underground drainage system is constructed to convey stormwater from the premises to Council's drainage system in accordance with the Design Guidelines set out in Sections D4 and D5	<b>Complies with AO5.1</b> Stormwater would be collected and discharged to the kerb and channel in Macrossan Street.



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Performance outcomes	Acceptable outcomes	Compliance
	of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	
	<p><b>AO5.3</b></p> <p>A stormwater quality management plan is prepared, and provides for achievable stormwater quality treatment measures meeting design objectives listed in <b>Error! Reference source not found.</b> and <b>Error! Reference source not found.</b>, reflecting land use constraints, such as:</p> <ul style="list-style-type: none"> <li>(a) erosive, dispersive and/or saline soil types;</li> <li>(b) landscape features (including landform);</li> <li>(c) acid sulfate soil and management of nutrients of concern;</li> <li>(d) rainfall erosivity.</li> </ul>	<p><b>Not applicable</b></p> <p>All stormwater would be directed to the lawful point of discharge.</p>
	<p><b>AO5.4</b></p> <p>Erosion and sediment control practices are designed, installed, constructed, monitored,</p>	<p><b>Able to comply with AO5.4</b></p> <p>Erosion and sediment control practices are able to be implemented, where required, during the construction phase.</p>



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	<p>maintained, and carried out in accordance with an erosion and sediment control plan.</p> <p><b>AO5.5</b>            Development incorporates stormwater flow control measures to achieve the design objectives set out in Table 9.4.5.3.b and Table 9.4.5.3.c, including management of frequent flows, peak flows, and construction phase hydrological impacts.            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>.            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>	<p><b>Complies with AO5.5</b>            Stormwater would be collected and discharged to a lawful point of discharge in accordance with the requirements of the Building Code of Australia.</p>
<b>Non-tidal artificial waterways</b>		
<b>PO6</b>	<b>AO6.1</b>	<b>Not applicable</b>



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



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Performance outcomes	Acceptable outcomes	Compliance
	<b>AO6.3</b> Non-tidal artificial waterways located adjacent to, or connected to a tidal waterway by means of a weir, lock, pumping system or similar ensures: (a) there is sufficient flushing or a tidal range of >0.3 m; or (b) any tidal flow alteration does not adversely impact on the tidal waterway; or (c) there is no introduction of salt water into freshwater environments.	<b>Not applicable</b> The development would not involve non-tidal artificial waterways.
	<b>AO6.4</b> Non-tidal artificial waterways are designed and managed for any of the following end-use purposes: (a) amenity (including aesthetics), landscaping or recreation; or (b) flood management, in accordance with a drainage catchment management plan; or	<b>Not applicable</b> The development would not involve non-tidal artificial waterways.



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Performance outcomes	Acceptable outcomes	Compliance
	(c) stormwater harvesting plan as part of an integrated water cycle management plan; or (d) aquatic habitat.	
	<b>AO6.5</b> The end-use purpose of the non-tidal artificial waterway is designed and operated in a way that protects water environmental values.	<b>Not applicable</b> The development would not involve non-tidal artificial waterways.
	<b>AO6.6</b> Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway.	<b>Not applicable</b> The development would not involve non-tidal artificial waterways.
	<b>AO6.7</b> Aquatic weeds are managed to achieve a low percentage of coverage of the water surface area, and pests and vectors are managed through design and maintenance.	<b>Not applicable</b> The development would not involve non-tidal artificial waterways.
<b>Wastewater discharge</b>		





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Performance outcomes	Acceptable outcomes	Compliance
<b>P07</b> Discharge of wastewater to waterways, or off site: (a) meets best practice environmental management; (b) is treated to: (i) meet water quality objectives for its receiving waters; (ii) avoid adverse impact on ecosystem health or waterway health; (iii) maintain ecological processes, riparian vegetation and waterway integrity; (iv) offset impacts on high ecological value waters.	<b>A07.1</b> A wastewater management plan is prepared and addresses: (a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best practice environmental management.	<b>Not applicable</b> No wastewater would be discharged off-site.
	<b>A07.2</b> The waste water management plan is managed in accordance with a waste management hierarchy that: (a) avoids wastewater discharge to waterways; or (b) if wastewater discharge cannot practicably be avoided, minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and ground water.	<b>Not applicable</b> No waste water would be discharged off-site.



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Performance outcomes	Acceptable outcomes	Compliance
	<b>AO7.3</b> Wastewater discharge is managed to avoid or minimise the release of nutrients of concern so as to minimise the occurrence, frequency and intensity of algal blooms.	<b>Not applicable</b> No waste water would be discharged off-site.
	<b>AO7.4</b> Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and: (a) avoids lowering ground water levels where potential or actual acid sulfate soils are present; (b) manages wastewater so that: (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;	<b>Not applicable</b> No waste water would be discharged off-site.



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> <li>(ii) holding times of neutralised wastewater ensures the flocculation and removal of any dissolved iron prior to release;</li> <li>(iii) visible iron floc is not present in any discharge;</li> <li>(iv) precipitated iron floc is contained and disposed of;</li> <li>(v) wastewater and precipitates that cannot be contained and treated for discharge on site are removed and disposed of through trade waste or another lawful method.</li> </ul>	
<b>Electricity supply</b>		
<b>PO8</b> Development is provided with a source of power that will meet its energy needs.	<b>AO8.1</b> A connection is provided from the premises to the electricity distribution network; or <b>AO8.2</b>	<b>Complies with AO8.1</b> The premises would be connected to electricity distribution network.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>The premises is connected to the electricity distribution network in accordance with the Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p>Note - Areas north of the Daintree River have a different standard.</p>	
<p><b>PO9</b></p> <p>Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.</p>	<p><b>AO9.1</b></p> <p>Pad-mount electricity infrastructure is:</p> <ul style="list-style-type: none"> <li>(a) not located in land for open space or sport and recreation purposes;</li> <li>(b) screened from view by landscaping or fencing;</li> <li>(c) accessible for maintenance.</li> </ul>	<p><b>Not applicable</b></p> <p>The development does not propose pad-mount electricity infrastructure.</p>
	<p><b>AO9.2</b></p> <p>Pad-mount electricity infrastructure within a building, in a Town Centre is designed and located to enable an active street frontage.</p>	<p><b>Not applicable</b></p> <p>The development does not propose pad-mount electricity infrastructure.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	Note – Pad-mounts in buildings in activity centres should not be located on the street frontage.	
<b>Telecommunications</b>		
<b>PO10</b> Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.	<b>AO10</b> The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.	<b>Complies with AO10</b> This development would be connected to telecommunications infrastructure.
<b>PO11</b> Provision is made for future telecommunications services (e.g. fibre optic cable).	<b>AO11</b> Conduits are provided in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	<b>Not applicable</b> Appropriate conduits are understood to already be provided.
<b>Road construction</b>		
<b>PO12</b>	<b>AO12.1</b> The road to the frontage of the site is constructed in accordance with the Design Guidelines set out in Sections D1 and D3 of the Planning scheme	<b>Complies with AO12.1</b> Macrossan Street is an existing constructed and maintained road and the footpath at the site



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Performance outcomes	Acceptable outcomes	Compliance
<p>The road to the frontage of the premises is constructed to provide for the safe and efficient movement of:</p> <p>(a) pedestrians and cyclists to and from the site;</p> <p>(b) pedestrians and cyclists adjacent to the site;</p> <p>(c) vehicles on the road adjacent to the site;</p> <p>(d) vehicles to and from the site;</p> <p>(e) emergency vehicles.</p>	<p>policy SC5 – FNQROC Regional Development Manual, for the particular class of road, as identified in the road hierarchy.</p>	<p>frontage would be upgraded in accordance with the FNQROC Manual standards.</p>
	<p><b>AO12.2</b></p> <p>There is existing road, kerb and channel for the full road frontage of the site.</p>	<p><b>Complies with AO12.2</b></p> <p>There is an existing road, kerb and channel for the full site frontage.</p>
	<p><b>AO12.3</b></p> <p>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><b>Complies with AO12.3</b></p> <p>Macrossan Street is a constructed and maintained road.</p>
<b>Alterations and repairs to public utility services</b>		
<p><b>PO13</b></p> <p>Infrastructure is integrated with, and efficiently extends, existing networks.</p>	<p><b>AO13</b></p> <p>Development is designed to allow for efficient connection to existing infrastructure networks.</p>	<p><b>Complies with AO13</b></p> <p>The site has existing connectivity to all urban services.</p>
<p><b>PO14</b></p>	<p><b>AO14.1</b></p>	<p><b>Complies with AO14.1</b></p>





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Performance outcomes	Acceptable outcomes	Compliance
Development and works do not affect the efficient functioning of public utility mains, services or installations.	Public utility mains, services and installations are not required to be altered or repaired as a result of the development; or <b>AO14.2</b> Public utility mains, services and installations are altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	The site has existing connectivity to all urban services.
<b>Construction management</b>		
<b>PO15</b> Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be retained.	<b>AO15</b> Works include, at a minimum: (a) installation of protective fencing around retained vegetation during construction; (b) erection of advisory signage;	<b>Able to comply with AO15</b> Construction management is able to be implemented during the construction phase.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>(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;</p> <p>(d) removal from the site of all declared noxious weeds.</p>	
<p><b>PO16</b></p> <p>Existing infrastructure is not damaged by construction activities.</p>	<p><b>AO16</b></p> <p>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>	<p><b>Able to comply with AO16</b></p> <p>All works are able to be undertaken, if required, in accordance with the FNQROC manual requirements.</p>
<b>For assessable development</b>		
<b>High speed telecommunication infrastructure</b>		



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Performance outcomes	Acceptable outcomes	Compliance
<b>PO17</b> Development provides infrastructure to facilitate the roll out of high speed telecommunications infrastructure.	<b>AO17</b> No acceptable outcomes are prescribed.	<b>Complies with PO17</b> The site has connectivity to all urban services.
<b>Trade waste</b>		
<b>PO18</b> Where relevant, the development is capable of providing for the storage, collection treatment and disposal of trade waste such that: (a) off-site releases of contaminants do not occur; (b) the health and safety of people and the environment are protected; (c) the performance of the wastewater system is not put at risk.	<b>AO18</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> No trade waste is expected to be generated by the proposed development.
<b>Fire services in developments accessed by common private title</b>		
<b>PO19</b>	<b>AO19.1</b>	<b>Not applicable</b>



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Performance outcomes	Acceptable outcomes	Compliance
Hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	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.	No common private title is proposed.
	<b>AO19.2</b> Commercial and industrial streets and access ways within a common private title serving commercial properties such as factories and warehouses and offices are provided with above or below ground fire hydrants located at not more than 90 metre intervals and at each intersection. Above ground fire hydrants have dual-valved outlets.	<b>Not applicable</b> No common private title is proposed.
<b>PO20</b> Hydrants are suitable identified so that fire services can locate them at all hours. Note – Hydrants are identified as specified in the Department of Transport and Main Roads Technical	<b>AO20</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> No common private title is proposed.



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Performance outcomes	Acceptable outcomes	Compliance
Note: 'Identification of street hydrants for fire fighting purposes' available under 'Publications'.		



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#### **9.4.6 Landscaping code**

##### **9.4.6.1 Application**

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

##### **9.4.6.2 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





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- 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.

#### 9.4.6.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>		
<b>Landscaping design</b>		
<b>PO1</b> Development provides landscaping that contributes to and creates a high quality landscape character for the site, street and local areas of the Shire by: ( <ul style="list-style-type: none"> <li>(a) promoting the Shire’s character as a tropical environment;</li> <li>(b) softening the built form of development;</li> </ul>	<b>AO1</b> Development provides landscaping: <ul style="list-style-type: none"> <li>(a) in accordance with the minimum area, dimensions and other requirements of applicable development codes;</li> <li>(b) that is designed and planned in a way that meets the guidelines for landscaping</li> </ul>	<b>Complies with AO1</b> Refer to the assessment against the relevant codes.



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Performance outcomes	Acceptable outcomes	Compliance
<p>(c) enhancing the appearance of the development from within and outside the development and makes a positive contribution to the streetscape;</p> <p>(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;</p> <p>(e) where necessary, ensuring the privacy of habitable rooms and private outdoor recreation areas;</p> <p>(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;</p> <p>(g) ensuring private outdoor recreation space is useable;</p>	<p>outlined in Planning Scheme Policy SC6.7 – Landscaping;</p> <p>(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> <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>	



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Performance outcomes	Acceptable outcomes	Compliance
<ul style="list-style-type: none"> <li>(h) providing long term soil erosion protection;</li> <li>(i) providing a safe environment;</li> <li>(j) integrating existing vegetation and other natural features of the premises into the development;</li> <li>(k) not adversely affecting vehicular and pedestrian sightlines and road safety</li> </ul>		
<b>For assessable development</b>		
<b>PO2</b> Landscaping contributes to a sense of place, is functional to the surroundings and enhances the streetscape and visual appearance of the development.	<b>AO2.1</b> No acceptable outcomes are specified. Note - Landscaping is in accordance with the requirements specified in Planning scheme policy SC6.7 – Landscaping.	<b>Complies with PO2</b> The development would provide a landscaped street front that complements the street scene of Macrossan Street.
	<b>AO2.2</b> Tropical urbanism is incorporated into building design.	<b>Complies with AO2.2</b> The proposed development would provide vegetation incorporated into the cantilevered awning over the street front.



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Performance outcomes	Acceptable outcomes	Compliance
	Note – ‘Tropical urbanism’ includes many things such as green walls, green roofs, podium planting and vegetation incorporated into the design of a building	
<b>PO3</b> Development provides landscaping that is , as far as practical, consistent with the existing desirable landscape character of the area and protects trees, vegetation and other features of ecological, recreational, aesthetic and cultural value.	<b>AO3.1</b> Existing vegetation on site is retained and incorporated into the site design, wherever possible, utilising the methodologies and principles outline in AS4970-2009 Protection of Trees on Development Sites.	<b>Not applicable</b> The site does not contain any vegetation.
	<b>AO3.2</b> Mature vegetation on the site that is removed or damaged during development is replaced with advanced species	<b>Not applicable</b> The site does not contain any vegetation.
	<b>AO3.3</b> Where there is an existing landscape character in a street or locality which results from existing vegetation, similar species are incorporated into new development	<b>Complies with AO3.3</b> The development would provide a landscape street front consistent with the landscaping of Macrossan Street.



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Performance outcomes	Acceptable outcomes	Compliance
	<b>AO3.4</b> Street trees are species which enhance the landscape character of the streetscape, with species chosen from the Planning scheme policy SC6.7 – Landscaping.	<b>Not applicable</b> No street trees are proposed.
<b>PO4</b> Plant species are selected with consideration to the scale and form of development, screening, buffering, streetscape, shading and the locality of the area.	<b>AO4</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	<b>Complies with AO4</b> Landscaping to the street front would reflect the planning scheme policy.
<b>PO5</b> Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal roadways.	<b>AO5</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	<b>Not applicable</b> The proposed development relies on the existing and lawfully constructed car parking area.
<b>PO6</b> Landscaped areas are designed in order to allow for efficient maintenance.	<b>AO6.1</b> A maintenance program is undertaken in accordance with Planning scheme policy SC6.7 – Landscaping.	<b>Able to comply with AO6.1</b> Landscaping would be maintained throughout the life of the development.



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Performance outcomes	Acceptable outcomes	Compliance
	<b>AO6.2</b> Tree maintenance is to have regard to the 'Safe Useful Life Expectancy of Trees (SULE). Note – It may be more appropriate to replace trees with a SULE of less than 20 years (as an example), and replant with younger healthy species	<b>Not applicable</b> Landscaping does not include any trees.
<b>P07</b> Podium planting is provided with appropriate species for long term survival and ease of maintenance, with beds capable of proper drainage.	<b>AO7.1</b> Podium planting beds are provided with irrigation and are connected to stormwater infrastructure to permit flush out.	<b>Not applicable</b> No podium landscaping is proposed.
	<b>AO7.2</b> Species of plants are selected for long term performance designed to suit the degree of access to podiums and roof tops for maintenance.	<b>Not applicable</b> No podium landscaping is proposed.
<b>P08</b> Development provides for the removal of all weed and invasive species and implement on-going measures to ensure that weeds and invasive	<b>A08</b> Weed and invasive species detected on a development site are removed in accordance with	<b>Complies with A08</b> The site is not known to contain pest species.





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Performance outcomes	Acceptable outcomes	Compliance
species do not reinfest the site and nearby premises	a management plan prepared by an appropriately qualified person.	
<b>PO9</b> The landscape design enhances personal safety and reduces the potential for crime and vandalism	<b>AO9</b> No acceptable outcomes are specified. Note - Planning scheme policy SC6.3 – Crime prevention through environmental design (CPTED) provides guidance on meeting this outcome.	<b>Complies with PO9</b> Landscaping would not result in opportunities for crime or vandalism.
<b>PO10</b> The location and type of plant species does not adversely affect the function and accessibility of services and facilities and service areas.	<b>AO10</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	<b>Complies with AO10</b> Landscaping would not affect the operation of any utilities.



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