

# 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)	Cooloola Waters Holdings Pty Ltd
Contact name (only applicable for companies)	c/- RPS AAP Consulting Pty Ltd, Patrick Clifton
Postal address (P.O. Box or street address)	PO Box 1949
Suburb	Cairns
State	Queensland
Postcode	4870
Country	Australia
Contact number	+61 7 4031 1336
Email address (non-mandatory)	<a href="mailto:Patrick.clifton@rpsgroup.com.au">Patrick.clifton@rpsgroup.com.au</a>
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	AU010594

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

## PART 2 – LOCATION DETAILS

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

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

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

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		47	Johnston Road	Mossman
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	2	SP295098	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):*

Retirement Facility

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)
Retirement Facility	Retirement Facility	59	
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input type="checkbox"/> Yes			
<input checked="" type="checkbox"/> No			

### Division 2 – Reconfiguring a lot

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

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

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



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

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )
12.2) What is the reason for the boundary realignment?			

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

### Division 3 – Operational work

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

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

## PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application
Douglas Shire Council
16) Has the local government agreed to apply a superseded planning scheme for this development application?
<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application <input type="checkbox"/> The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached <input checked="" type="checkbox"/> No

## PART 5 – REFERRAL DETAILS

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

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

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

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

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

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

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

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

<b>18) Has any referral agency provided a referral response for this development application?</b>		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application		
<input 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
<p><b>Note:</b> By not agreeing to accept an information request I, the applicant, acknowledge:</p> <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> <p>Further advice about information requests is contained in the <a href="#">DA Forms Guide</a>.</p>

## 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:	Mossman District Hospital	Place ID:	602713
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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	



# 47 JOHNSTON ROAD, MOSSMAN – MATERIAL CHANGE OF USE (RETIREMENT FACILITY)

## Town Planning Report



AU010594

B

25 September 2023

## REPORT

### Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
A	Client Review	P Clifton	P Clifton	P Clifton	21/09/2023
B	Application Submission	P Clifton	S Devaney	P Clifton	25/09/2023

### Approval for issue

Patrick Clifton



25 September 2023

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Prepared by:

Prepared for:

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**Appendices**

Appendix A Certificate(S) of Title and Search Results

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Appendix D Architectural Proposal Plans

Appendix E Landscape Concept Plans

Appendix F Preliminary Engineering Plans

Appendix G State Code Responses

Appendix H Planning Scheme Code Responses

## SUMMARY

**Table 1: Summary**

Details			
Site Address:	47 Johnston Road, Mossman		
Real Property Description:	Lot 2 on SP295098		
Site Area:	2.849ha		
Regional Plan Land Use Designation:	Urban Footprint Regional Landscape and Rural Production Area		
Zone:	Community Facilities Zone		
Neighbourhood Plan/Precinct:	Mossman Local Plan		
Owner(s):	Douglas Shire Council Lessee – Mossman Property Holdings Pty Ltd		
Proposal			
Brief Description/ Purpose of Proposal	Material Change of Use for a Retirement Facility		
Application Details			
Aspect of Development	Preliminary approval	Development permit	
Material change of use	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Building Work	<input type="checkbox"/>	<input type="checkbox"/>	
Operational Work	<input type="checkbox"/>	<input type="checkbox"/>	
Reconfiguration of a Lot	<input type="checkbox"/>	<input type="checkbox"/>	
Assessment Category	<input checked="" type="checkbox"/> Code	<input type="checkbox"/> Impact	
Public Notification	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	
Superseded Planning Scheme Application	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Referral Agencies			
Agency	Concurrence	Advice	Pre-lodgement response
State Assessment and Referral Agency – development on or adjoining a Queensland heritage place.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Contact			
Applicant contact person	Patrick Clifton Senior Principal Planner D: +61 7 4031 1336 E: <a href="mailto:patrick.clifton@rpsgroup.com.au">patrick.clifton@rpsgroup.com.au</a>		

# 1 INTRODUCTION

RPS has been engaged by Cooloola Water Holdings Pty Ltd to seek development approval for the development of a Retirement Facility on land located at 47 Johnston Road, Mossman, and described as Lot 2 on SP295098. The site is an irregular shaped lot with an area of 2.849 hectares and frontage to an unnamed road to the south. The site was recently created as a result of a combined application for the following:

- Development Permit for Material Change of Use for a Retirement Facility (stage 1);
- Development Permit for Reconfiguring a Lot (1 into 2); and,
- A Preliminary Approval for Material Change of Use for a Retirement Facility (stage 2).

The subject site benefits from the preliminary approval for a Material Change of Use for a retirement Facility (Stage 2).

This development application seeks a Development Permit for Material Change of Use to provide for the development of the site as a Retirement Facility.

The proposal involves:

- 57 single storey self-contained dwelling units (28 Dual occupancy buildings and one detached dwelling);
- A two storey Central Facilities building containing gymnasium, multi-function hall, communal kitchen and offices on the ground floor with 2 x 4 bedroom units above;
- An enclosed swimming pool, including ancillary change room and toilets; and,
- Ancillary maintenance and hobby shed.

The development would be accessed from a single point of access from Johnston Road and an internal road network would provide access to each of the dwellings and facilities. In addition to the parking spaces provided with the dwellings, 22 communal spaces would be provided. Each of the internal roadways would have a minimum pavement of 5.5 metres in width with kerb and channel.

As part of the development of the site, and to provide flood security from the adjacent Marrs Creek to the north, an earthen bund would be provided for the full length of the site and would connect to the bund provided on the adjacent site to the south.

Under the Douglas Shire Council Planning Scheme 2018, the site has the following designations and classifications:

- Zone – Community Facilities Zone;
- Local Plan - Mossman Local Plan;
- Overlays:
  - Acid Sulfate Soils Overlay – Land above 5m and less than 20 m AHD;
  - Natural Areas Overlay – MSES (Regulated Vegetation and habitat); and,
  - Transport Overlay – Johnston Road Principal pedestrian and cycleway and Collector Road.

The tables of assessment identify the development of the site for the purpose of a Retirement Facility as a Code Assessable Material Change of Use requiring the approval of Council. As a Code Assessable application, the council can only have regard to the relevant Assessment Benchmarks contained in the Planning Scheme and no other matter. The application is not required to be the subject of public notification and there are no third party appeal rights in respect of any decision of the Council.

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

## 2 SITE DETAILS

### 2.1 Site Particulars

The subject site is a single irregularly shaped lot located at 47 Johnston Road, Mossman, and is described as Lot 2 on SP295098. The site has an area of 2.849 hectares and frontage to an unnamed road to the south.

The site was recently created as a result of a combined application for the following:

- Development Permit for Material Change of Use for a Retirement Facility (stage 1);
- Development Permit for Reconfiguring a Lot (1 into 2); and,
- A Preliminary Approval for Material Change of Use for a Retirement Facility (stage 2).

The site the subject of this application benefits from the preliminary approval for Material Change of Use for a Retirement Facility (stage 2). The Preliminary Approval provided for the development of the site for the following:

- 7 x 2-3 bedroom homes;
- 14 x 1-2 bed studio apartments; and,
- A central facilities building containing 68 self-contained and supported living units.

A copy of the preliminary approval is provided as **Appendix B**.

The site is vacant and predominantly cleared of vegetation, with the exception of riparian vegetation to the west on the banks of Marris Creek. To the north the site adjoins the Mossman Show Grounds and playing fields, to the east the site adjoins the Mossman Hospital and to the south is Johnston Road. To the south west is the retirement facility operated by the Salvation Army and which was developed as part of stage one of the approval identified above and to the west, on the opposite side of Marris Creek is agricultural land under cultivation for sugar cane.

Marris Creek is known to be subject to flooding and as part of the development of the Retirement Facility operated by the Salvation Army, an earthen bund was provided along the southern bank of the waterway to provide flood defences.

Key details of the subject site are as follows:

**Table 2: Site Particulars**

Site Particulars	
Site Address	47 Johnston Road, Mossman
Real Property Description	Lot 2 on SP295098
Site Area	2.849ha
Landowner(s)	Douglas Shire Council Lessee – Mossman Property Holdings Pty Ltd

The site location and its extent are shown in **Figure 1** and **Figure 2** below respectively.

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





Figure 1 Site Location

Source: Queensland Globe 2023



Figure 2 Unnamed Road from Johnston Road

Source: Google Maps 2023



## 2.2 Planning Context

The planning context of the site includes the following:

**Table 3: Planning Context**

Instrument	Designation
<b>State Planning Policy Mapping</b>	
Economic Growth	<ul style="list-style-type: none"> <li>• Agriculture <ul style="list-style-type: none"> <li>◦ Agricultural land classification – class A and B</li> </ul> </li> </ul>
Environment and Heritage	<ul style="list-style-type: none"> <li>• Biodiversity <ul style="list-style-type: none"> <li>◦ MSES – Wildlife habitat (endangered or vulnerable)</li> <li>◦ MSES - Regulated vegetation (category B)</li> <li>◦ MSES - Regulated vegetation (category R)</li> <li>◦ MSES - Regulated vegetation (essential habitat)</li> </ul> </li> </ul>
Safety and Resilience to Hazards	<ul style="list-style-type: none"> <li>• Natural Hazards Risk and Resilience <ul style="list-style-type: none"> <li>◦ Flood hazard area - Level 1 - Queensland floodplain assessment overlay</li> <li>◦ Flood hazard area - Local Government flood mapping area</li> </ul> </li> </ul>
Infrastructure	<ul style="list-style-type: none"> <li>• Transport Infrastructure <ul style="list-style-type: none"> <li>◦ Active transport corridor (Johnston Road)</li> </ul> </li> </ul>
<b>Development Assessment Mapping</b>	
SARA DA Mapping	<ul style="list-style-type: none"> <li>• Fish Habitat Areas <ul style="list-style-type: none"> <li>◦ Queensland waterways for waterway barrier works 4 – Major</li> </ul> </li> <li>• Native Vegetation Clearing <ul style="list-style-type: none"> <li>◦ Category B on the regulated vegetation management map containing of concern regional ecosystems</li> <li>◦ Category R on the regulated vegetation management map</li> <li>◦ Category X on the regulated vegetation management map</li> <li>◦ Essential habitat</li> </ul> </li> </ul>
<b>Far North Queensland Regional Plan 2009-2031</b>	
Regional Plan designation	<ul style="list-style-type: none"> <li>• Urban Footprint</li> <li>• Regional Landscape and Rural Production Area</li> </ul>
<b>Douglas Shire Planning Scheme 2018 Version 1.0</b>	
Strategic framework designation	<ul style="list-style-type: none"> <li>• Urban Area</li> </ul>
Zoning	<ul style="list-style-type: none"> <li>• Community Facilities Zone</li> </ul>
Local Plan	<ul style="list-style-type: none"> <li>• Mossman Local Plan (no precinct)</li> </ul>
Overlays	<ul style="list-style-type: none"> <li>• Acid Sulfate Soils Overlay <ul style="list-style-type: none"> <li>◦ Acid Sulfate Soils (5-20m AHD)</li> </ul> </li> <li>• Natural Areas Overlay <ul style="list-style-type: none"> <li>◦ MSES – Regulated Vegetation (Intersecting a Watercourse)</li> <li>◦ MSES – Wildlife Habitat</li> <li>◦ MSES – Regulation Vegetation</li> </ul> </li> <li>• Places of Significance Overlay <ul style="list-style-type: none"> <li>◦ Premises adjoining State heritage place (Adjoining only)</li> </ul> </li> <li>• Potential Landslide Hazard Overlay <ul style="list-style-type: none"> <li>◦ Landslide Hazard (High &amp; Medium Hazard Risk)</li> </ul> </li> <li>• Transport Network Overlay Code <ul style="list-style-type: none"> <li>◦ Principal Route</li> <li>◦ Collector Road</li> </ul> </li> </ul>

Zoning of the subject site and surrounding lands is shown on **Figure 3** below.

Other relevant mapping, including overlays is provided at **Appendix C**



**Figure 3 Zoning**

Source: Douglas Shire Planning Scheme 2018

## 2.3 Previous Approvals

The following existing approvals over the site are relevant to this development application.

**Table 4: Relevant Approvals**

Reference	Approval detail	Date
CA1235/2015	Development Approval – Combined Application for a Retirement Facility (Stage 1), Reconfiguring a Lot & Preliminary Approval for the balance portion for a future Retirement Facility (Stage 2)	18 May 2016

A copy of the approval is provided at **Appendix B**.

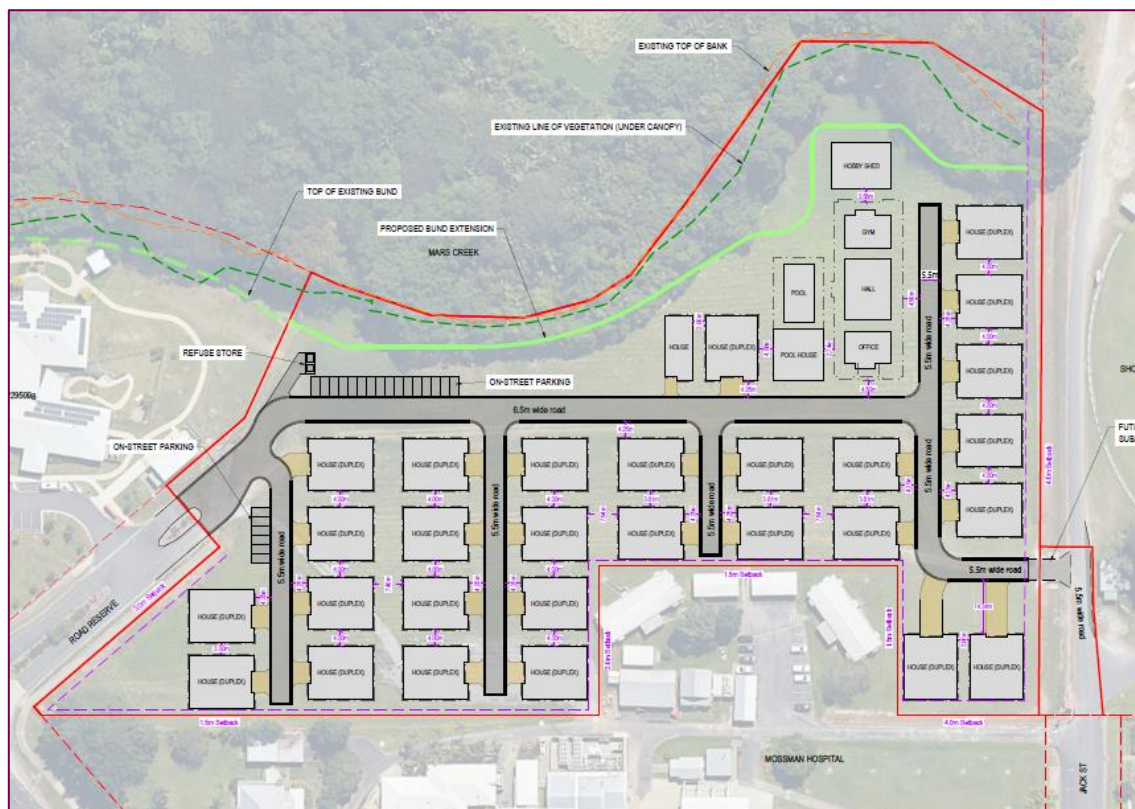
### 3 PROPOSAL

#### 3.1 Overview

It is proposed to develop the site for the purpose of a Retirement Facility as defined in the Douglas Shire Planning Scheme, being a *'residential use of premises for an integrated community and specifically built and designed for older people. The use includes independent living units and may include serviced units where residents require some support with health care and daily living needs. The use may also include a manager's residence and office, food and drink outlet, amenity buildings, communal facilities and accommodation for staff.'*

The development would comprise 57 independent living units, generally in attached dwellings (dual occupancy design), a central facilities building with two (2) x four (4) bedroom units above, an enclosed swimming pool and maintenance/hobby shed.

The entrance would be from an unnamed road off Johnston Road, which also provides access to the Retirement Facility to the south. An internal road layout would provide a shared surface (vehicle and pedestrian) to each of the elements of the built form. The internal road would comprise a main road that traverses the site from the south to the north with a pavement width of 6.5 metres. East-west roads, with widths of 5.5 metres would then provide access to the buildings. Whilst not part of this development application, the plans indicate the future opportunity to connect the site to the land to the north and provide a secondary access to the site. Ancillary to and in addition to the car parking provided with the dwelling units 22 communal car parking spaces would be provided. The general layout of the development is illustrated in **Figure 4** below.



**Figure 4 General Layout**

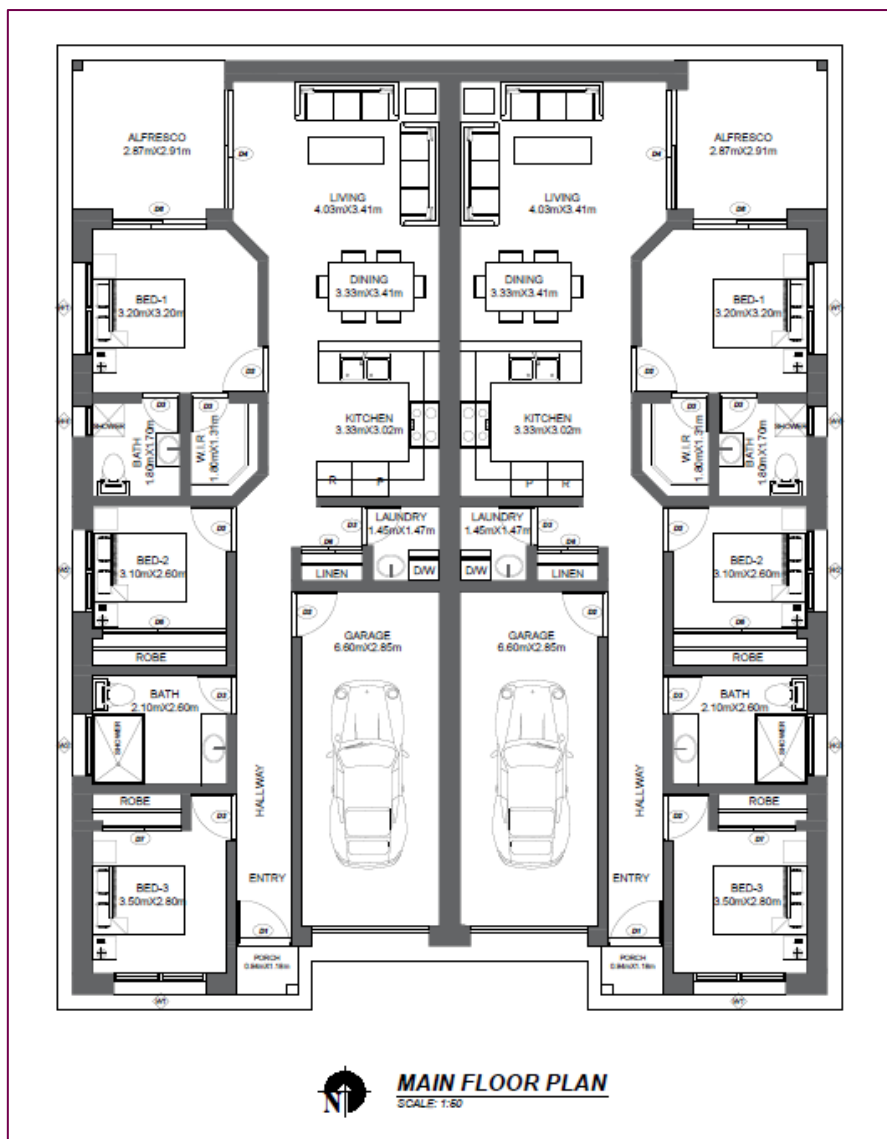
Source: NEON Consulting

The built form would be setback a minimum of 3.0 metres from the road reserve, a minimum of 1.5 metres from the eastern boundary and 4.0 metres from the northern boundary. To the west the site is bound by Mairs Creek and the built form would be setback a minimum of 10 metres from the top of bank of Mairs Creek and outside the line of any vegetation.

In order to provide defence to the potential flood waters from Marrs, as part of the development it is proposed to extend the existing bund on the property to the south for the full length of the site boundary to Marrs Creek. The earthworks to create the bund would be part of an application or operational works and would be undertaken in accordance with the relevant requirements and to meet the objectives of recent flood studies.

### 3.2 Independent Living Units

Each independent living unit would comprise three bedrooms, living, kitchen and dining area and ancillary utility and amenity areas and a single garage parking space. 62 of the units would be provided as attached dwellings in a dual occupancy format with a single unit provided as a detached dwelling. The general layout plan of the independent living units is provided as **Figure 5** below.



**Figure 5 Floor Plan – Independent Living Unit**

Source: Cooloola Waters Holdings

The units would be setback 4.25 metres from the internal roads and separated from the adjacent units by a minimum of 3.0 metres. They would be single storey and 4.3 metres in height with a pitched roof and gable ends.

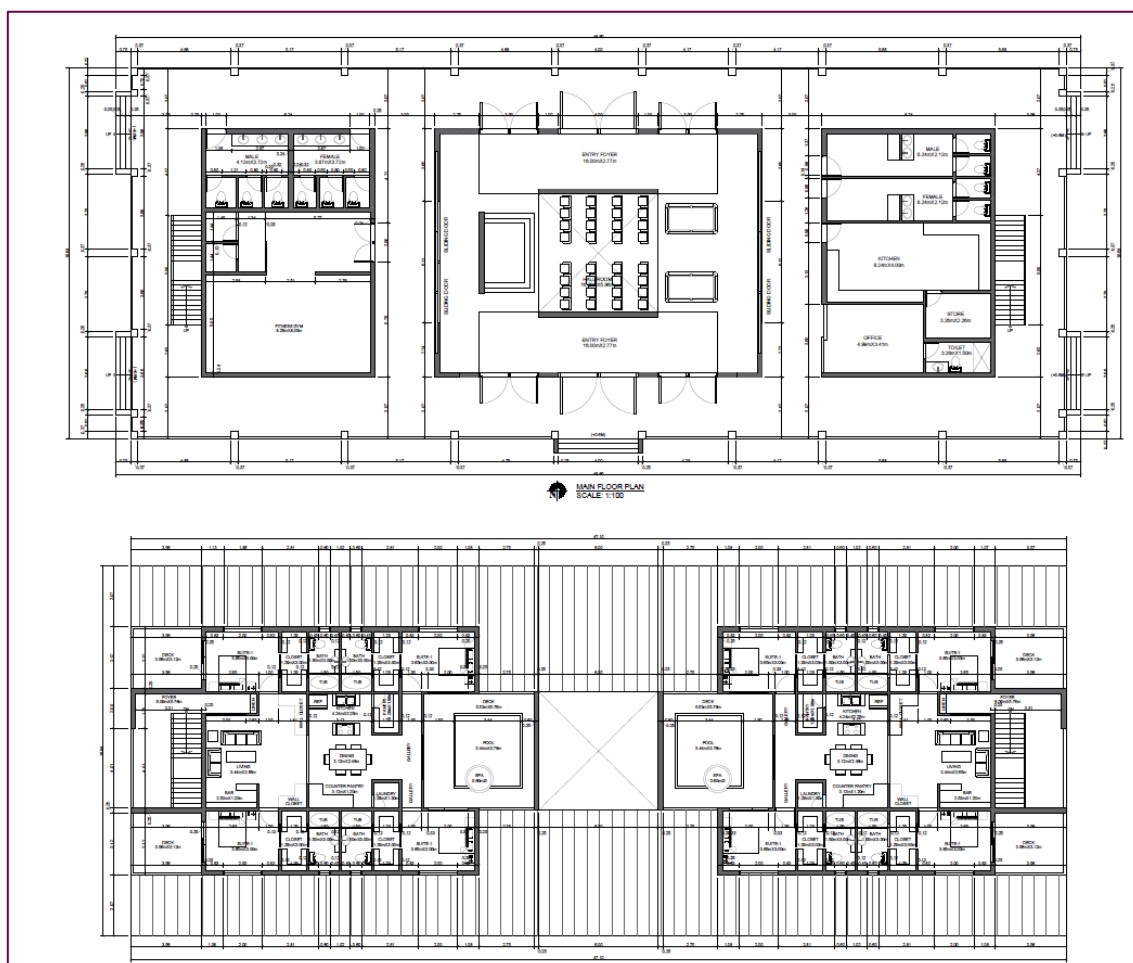


### 3.3 Central Facilities Building

The central facilities building would be located in the north west of the site and would be adjacent the main spine road and would be setback 4.5 metres from the internal road pavement. The building would be two storeys with dimensions of 18.64 metres by 48.6 metres and an overall height of 8.3 metres.

At ground floor, Internally the building would be broken into three separate components with open walkways separating the components. Centrally would be a multi-use hall with a theatre and pool tables. To the east of the hall would be a gymnasium and toilets and to the west of the central hall would be a communal kitchen and office. The first floor would contain two (2) x Four (4) bedroom units, each with private pool and external deck. The first floor apartment would be occupied as a Managers Residence and accommodation for visitors and guests of the residents of the development.

Floor plans of the central facilities building is illustrated in **Figure 6** below.



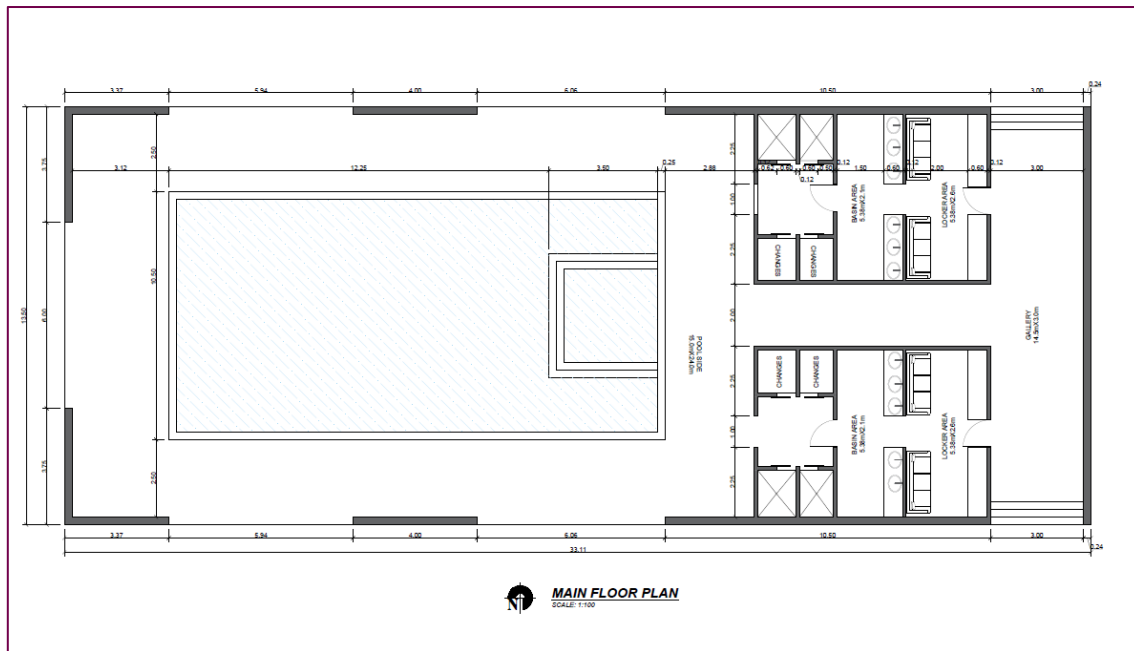
**Figure 6 Floor Plan – Central Facilities Building**

Source: Cooloolool Waters Holdings

### 3.4 Swimming Pool

To the south of the Central Facilities building would be an enclosed swimming pool and change room facilities. It would be housed in a single storey building with dimensions of 13.5 metres by 33.11 metres and a height of 6.04 metres.

Floor plans of the swimming pool building is illustrated in **Figure 7** below.



**Figure 7 Floor Plan – Swimming Pool Building**

Source: Cooloolo Waters Holdings

A full set of Architectural plans is provided at **Appendix D**.

### 3.5 Landscaping and Site Works

A preliminary landscape concept plan for the site has been prepared by ggi landscape architects. The landscaping would involve:

- 1.8 metre high boundary fencing with enhanced entry fencing and landscaping at the site entry;
- Verge gardens adjoining the internal road which would operate as a shared surface for pedestrians and vehicles with a low speed environment;
- Between the dwellings would be grassed areas for ease of site movement, open sight lines and site maintenance;
- The existing riparian vegetation would be retained;
- The earthen bund would be planted with low height native species; and,
- Shade trees would be planted in appropriate places to provide shade to the exposed western walls of the dwellings.

Landscape concept plan and the Landscape Plant Palette are provided at **Appendix E**.

## 4 LEGISLATIVE REQUIREMENTS

### 4.1 Assessment Manager

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

### 4.2 Categories of Assessment

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

**Table 5: Categories of Assessment**

Aspect of development	Categorising instrument	Category of assessment
Development Permit for Material Change of Use for an Aged Care Facility	Douglas Shire Planning Scheme 2018 Version 1.0 – Table 5.6.b – Community facilities zone	Code

### 4.3 Referrals

In accordance with Schedule 10 of the *Planning Regulation 2017*, the follow referrals apply.

**Table 6: Schedule 10 Referral Matters**

Schedule 10	Referral topic and reason	Referral Agency
10.8.15.2	Assessable development – development on or adjoining a Queensland heritage place	SARA, DSDMIP

### 4.4 Public Notification

This application does not require public notification as it is subject to code assessment only.

## 5 STATUTORY PLANNING ASSESSMENT

### 5.1 Overview

This section assesses the application against relevant assessment benchmarks.

As the application is subject to code assessment. The assessment benchmarks, and the matters the assessment manager must have regard to, are those identified in Section 45(3) of the *Planning Act 2016* and Sections 26 and 27 of the *Planning Regulation 2017*.

### 5.2 State and Regional Assessment Benchmarks

#### 5.2.1 State Planning Policy

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

As detailed in Part 2.1 of the Douglas Shire Planning Scheme 2018 version 1.0, the minister has identified that all aspects of the State Planning Policy have been adequately reflected the Planning Scheme. Accordingly, no further assessment against the State Planning Policy is required.

#### 5.2.2 Regional Plan

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

As detailed in Part 2.1 of the Douglas Shire Planning Scheme 2018 version 1.0, the minister has identified that the planning scheme appropriately advances the Far North Queensland Regional Plan 2009-2031 and, on that basis, no further assessment is required.

#### 5.2.3 Development Assessment under Schedules 10

Schedule 10 of the *Planning Regulation 2017* identifies the matters that the assessment manager and/or referral agency assessment must have regard to.

The State Development Assessment Provisions (SDAP) nominate applicable State Codes based on the referral triggers. The State Codes applicable to the proposal are identified in the table below.

**Table 7 Relevant SDAP State Codes**

Schedule 10	Referral Topic	State Code
10.8.15.2	Assessable development – development on or adjoining a Queensland heritage place	State code 14 – Queensland heritage

The proposed development is able to satisfy the relevant Assessment Benchmark and it would not detract from the heritage place or adversely affect the reason for which it is included on the register. A response to the State Codes is included in **Appendix G**.

### 5.3 Local Authority Assessment Benchmarks

This application is to be assessed against the Douglas Shire Planning Scheme 2018 version 1.0. The assessment benchmarks applicable under the planning scheme are addressed below.



### 5.3.1 Codes

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

**Table 8: Planning Scheme Code Responses**

Planning Scheme Code	Applicability	Comment
<b>Zone code</b>		
Community Facilities Zone Code	Applies	Consideration is required in respect of Performance Outcome PO2 relating to setbacks. Refer below.
<b>Local Plan Code</b>		
Mossman Local Plan Code	Applies	Complies or is able to comply with relevant Assessment Benchmarks.
<b>Overlay Codes</b>		
Acid Sulfate Soils Overlay Code	Applies	Complies with relevant Acceptable Outcomes.
Natural Areas Overlay Code	Applies	Complies with relevant Acceptable Outcomes.
Places of Significance Overlay Code	Applies	Complies with the relevant Assessment Benchmarks.
Potential Landslide Hazard Overlay Code	Applies	Complies with relevant Acceptable Outcomes.
Transport Network Overlay Code	Applies	Complies with relevant Acceptable Outcomes.
<b>Development Codes</b>		
Multiple Dwelling, Short Term Accommodation and retirement Facility Code	Applies	Consideration is required in respect of Performance Outcome PO4, relating to setbacks, PO5, relating to building depth and form and PO8, in respect of ceiling height. Refer below.
Access, Parking and Servicing Code	Applies	Complies or is able to comply with relevant Acceptable Outcomes.
Filling and Excavation Code	Applies	Complies or is able to comply with relevant Acceptable Outcomes.
Infrastructure Works Code	Applies	Complies or is able to comply with relevant Acceptable Outcomes.
Landscaping Code	Applies	Complies or is able to comply with relevant Acceptable Outcomes.
Vegetation Management Code	Not applicable	No vegetation would be removed to facilitate the development.

A full assessment of the development against the applicable codes is provided for reference at **Appendix F**.

## 5.3.2 Statement of Compliance

### 5.3.2.1 Community Facilities Zone

Performance Outcome PO2 of the Community Facilities Zone Code states:

**PO2**

*Buildings and structures are setback to ensure that they are compatible with the character of the area and do not adversely affect other uses, particularly residential uses.*

The associated Acceptable Outcome states:

**AO2**

*Buildings and structures are setback not less than:*

- (a) 8 metres from the frontage of a State controlled road, existing or proposed arterial road, existing or proposed sub-arterial road, as identified on the Transport network overlay maps contained in Schedule 2;*
- (b) 6 metres from any other road frontage(s);*
- (c) 6 metres from a boundary with land in a Residential zone;*
- (d) 3 metres from a boundary in any other zone.*

The proposed development would be setback 3.0 metres from the frontage to the unnamed road reserve and a minimum of 1.5 metres from the eastern side boundary. The minimum road setback would only occur at a single point to the frontage of the unnamed road with the balance of the development setback further than the accepted 6.0 metres.

The built form adjacent the road frontage and the common boundary would be domestic in scale with an overall height of 4.3 metres. It would not result in a built form that is incompatible with the character of the area and would not detract from the amenity of adjoining development.

The proposed development is considered to comply with Performance Outcome PO2.

### 5.3.2.2 Multiple Dwelling, Short Term Accommodation and Retirement Facility Code

Performance Outcome PO4 of the Multiple Dwelling, Short Term Accommodation and Retirement Facility Code states:

**PO4**

*Development is sited so that the setback from boundaries:*

- (a) provides for natural light, sunlight and breezes;*
- (b) minimises the impact of the development on the amenity and privacy of neighbouring residents;*
- (c) provides for adequate landscaping.*

The associated Acceptable Outcomes states:

**AO4.1**

*Buildings and structures are set back not less than 6 metres from a road frontage.*

**AO4.3**

*The side boundary setback for buildings and structures is:*

- (a) for buildings up to 2 storeys not less than 2.5 metres for the entire building;*
- (b) for buildings up to 3 storeys not less than 3.5 metres for the entire building.*

The proposed development would have a setback of 3.0 metres to the unnamed road reserve that serves as an entrance to the site. This reduced setback occurs at a single point with the balance of the development being in excess of 6 metres from the frontage. The proposed juxtaposition of buildings on the site, which compared to the existing retirement facility to the south and acknowledging the role of the road reserve as a shared access, results in an open urban space providing space for sufficient landscaping and creating a sense of arrival.

In terms of the side boundary setback, the proposed development would be setback a minimum of 1.5 metres to single storey buildings from the adjoining Mossman District Hospital site boundary to the east. The reduced setback would be to buildings of a domestic scale where a 1.5 metre setback is an accepted standard. The reduced setback would not adversely affect solar or breeze access and would not impact on the privacy or amenity of the Mossman District Hospital.

The proposed development is considered to satisfy the intent of Performance Outcome PO4.

Performance Outcome PO5 relates to building depth and form and states:

**PO5**

*Building depth and form must be articulated to*

- (a) *ensure that the bulk of the development is in keeping with the form and character intent of the area;*
- (b) *provide adequate amenity for residents in terms of natural light and ventilation.*

The associated Acceptable Outcome states:

**AO5.1**

- (a) *The maximum length of a wall in any direction is 30 metres with substantial articulation provided every 15 metres.*
- (b) *The minimum distance between buildings on a site is not less than 6 metres;*

The proposed central facilities building would have dimensions that exceed the 30 metre maximum and building would be a minimum of 3.0 metres between buildings.

The central facilities building would be provided with sweeping verandahs and entrances on three sides to break up the bulk of the building and to enhance the ground level design appeal to complement the balance of the residential form of development on the site.

The balance of the buildings would be separated by a minimum of 3.0 metres to the outermost projection. The buildings are single storey and domestic in scale and the separation distance is consistent with the Queensland Residential Code guidelines for residential building separation. The proposed central facilities building is considered to be of a design in keeping with the balance of the development and the separation distance between the residential buildings would not adversely affect the amenity or natural light.

The proposed development is considered to satisfy the intent of Performance Outcome PO5.

**PO8**

*Buildings exhibit tropical design elements to support Douglas Shire's tropical climate, character and lifestyle.*

The associated Acceptable Outcome states:

**AO8.1**

*Development has floor to ceiling heights of 2.7 metres.*

The proposed development would provide 2.57 metre high roofs with eaves surrounding the buildings, regular window openings to facilitate breeze and ceiling heights of 2.55 metres. Whilst the 2.55 metres is less than the accepted 2.7 metres, it is not anticipated to adversely affect the environmental performance of the buildings or adversely restrict the ventilation of the dwellings.

## 5.4 Infrastructure Charges

Infrastructure charges will apply to the development pursuant to the *Planning Regulation 2017* and Council's Adopted Infrastructure Charges Resolution (No. 2) 2021.

## REPORT

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The existing use of the site benefits from an infrastructure credit of \$24,143.38. As part of the development of the land it is understood that an agreement has been reached with Council in terms of the applicable infrastructure charges. The agreement has resulted in a reduced infrastructure charge in recognition of the community benefit that the proposed development would bring to the Mossman and the wider Douglas Shire Community.

It is anticipated that the development would be undertaken in stages and units made available for occupation as the development progresses. On this basis, it is requested that, in determining the application and the infrastructure charges, Councils previous commitment to a reduced infrastructure charge be recognised and any approval provide flexibility to facilitate the delivery of the development on this staged basis.

## 6 CONCLUSION

RPS has been engaged by Cooloola Water Holdings Pty Ltd to seek development approval for the development of a Retirement Facility on land located at 47 Johnston Road, Mossman, and described as Lot 2 on SP295098. The site is an irregular shaped lot with an area of 2.849 hectares and frontage to an unnamed road to the south. The site was recently created as a result of a combined application for the following:

- Development Permit for Material Change of Use for a Retirement Facility (stage 1);
- Development Permit for Reconfiguring a Lot (1 into 2); and,
- A Preliminary Approval for Material Change of Use for a Retirement Facility (stage 2).

The subject site benefits from the preliminary approval for a Material Change of Use for a retirement Facility (Stage 2).

This development application seeks a Development Permit for Material Change of Use to provide for the development of the site as a Retirement Facility.

The proposal involves:

- 57 single storey self-contained dwelling units (28 Dual occupancy buildings and one detached dwelling);
- A two storey Central Facilities building containing gymnasium, multi-function hall, communal kitchen and offices on the ground floor with 2 x 4 bedroom units above;
- An enclosed swimming pool, including ancillary change room and toilets; and,
- Ancillary maintenance and hobby shed.

The development would be accessed from a single point of access from Johnston Road and an internal road network would provide access to each of the dwellings and facilities. In addition to the parking spaces provided with the dwellings, 22 communal spaces would be provided. Each of the internal roadways would have a minimum pavement of 5.5 metres in width with kerb and channel.

As part of the development of the site, and to provide flood security from the adjacent Marrs Creek to the north, an earthen bund would be provided for the full length of the site and would connect to the bund provided on the adjacent site to the south.

The tables of assessment identify the development of the site for the purpose of a Retirement Facility as a Code Assessable Material Change of Use requiring the approval of Council. As a Code Assessable application, the council can only have regard to the relevant Assessment Benchmarks contained in the Planning Scheme and no other matter. An assessment of the proposed development against the relevant Assessment Benchmarks, contained in this report, has demonstrated that the proposed development is able to satisfy the benchmarks and that the site can contain the use.

Based on this assessments, the application is submitted for approval subject to reasonable and relevant conditions.

## Appendix A

### Certificate(S) of Title and Search Results

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>51213007</b>	<b>Search Date:</b>	04/09/2023 12:51
<b>Date Title Created:</b>	09/03/2020	<b>Request No:</b>	45561455
<b>Previous Title:</b>	50445633		

**ESTATE AND LAND**

Estate in Fee Simple

LOT 2 SURVEY PLAN 295098

Local Government: DOUGLAS

**REGISTERED OWNER**

Dealing No: 719929667 02/03/2020

DOUGLAS SHIRE COUNCIL

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20284031 (POR 1)
2. LEASE No 722519231 05/06/2023 at 12:51  
MOSSMAN PROPERTY HOLDINGS PTY LTD A.C.N. 663 645 074  
OF THE WHOLE OF THE LAND  
TERM: 03/05/2023 TO 02/02/2027 OPTION NIL

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

NIL

Caution - Charges do not necessarily appear in order of priority

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

**Appendix B**

**Relevant Approvals**



**YOUR REF:** HRP15394  
**OUR REF:** CA 1235/2015 (774357)

18 May 2016

The Salvation Army & Douglas Shire Council  
C/- Cardno HRP  
PO Box 1619  
**Cairns QLD 4870**

Attention: Mr Dominic Hammersly

Dear Sir

**NEGOTIATED DECISION NOTICE UNDER S 335 AND S 241 SUSTAINABLE  
PLANNING ACT 2009: DEVELOPMENT APPLICATION FOR JOHNSTON  
ROAD, MOSSMAN GORGE**

With reference to the abovementioned Development Application, which was determined by Council at the Ordinary Meeting held on 23 February 2016, please find attached a Negotiated Decision Notice which was determined by Council at its Ordinary Meeting held 17 May 2016.

The Notice includes extracts from the Act with respect to making representations about conditions, negotiated decisions, suspension of the appeal period, and lodging an Appeal.

This notice also includes an Infrastructure Charges Notice issued in accordance with section 648F of the *Sustainable Planning Act 2009*.

Should you have any enquiries in relation to this Decision Notice, please contact Simon Clarke of Development assessment and coordination on telephone number 07 4099 9480.

Yours faithfully

Paul Hoyer  
General Manager Operations

Att

**APPLICANT DETAILS**

The Salvation Army & Douglas Shire Council  
C/- Cardno HRP  
PO Box 1619  
CAIRNS QLD 4870

**ADDRESS**

Johnston Road, Mossman Gorge

**REAL PROPERTY DESCRIPTION**

Lot 1 on SP150474

**PROPOSAL**

Combined Application for a Retirement Facility (Stage 1), Reconfiguring a Lot & Preliminary Approval for the balance portion for a future Retirement Facility (Stage 2)

**DECISION**

Approved subject to conditions (refer to approval package below).

**DECISION DATE**

17 May 2016 (This Decision Notice replaces Amended Decision Notice dated 7 March 2016)

**TYPE**

Material Change of Use (Development Permit Stage 1), Reconfiguration of a lot (Development Permit), Material Change of Use (Preliminary Approval Stage 2).

**REFERRAL AGENCIES**

None Applicable

**SUBMISSIONS**

There were no submissions for this application.

**FURTHER DEVELOPMENT PERMITS REQUIRED**

Development Permit for Building Works  
Development Permit for Operational Works  
Development Permit for Material Change of Use for Stage 2

**CODES TO COMPLY WITH FOR SELF-ASSESSABLE DEVELOPMENT**

None

**DOES THE ASSESSMENT MANAGER CONSIDER THE APPLICATION TO BE IN CONFLICT WITH APPLICABLE CODES, PLANNING SCHEME, STATE PLANNING POLICIES OR PRIORITY INFRASTRUCTURE PLAN (IF YES, INCLUDE STATEMENT OF REASONS)**

Not in conflict

**A] CONDITIONS APPLICABLE TO RETIREMENT FACILITY (STAGE 1) –  
DEVELOPMENT PERMIT**

**APPROVED DRAWING(S) AND/OR DOCUMENT(S)**

The term 'approved drawing(s) and/or document(s)' or other similar expression means:

Drawing or Document	Reference	Date
Site Plan	15.0285.11 SK02 prepared by Thomson Adsett	17 December 2015
Floor Plan	15.0285.11 SK03 prepared by Thompson Adsett	17 December 2015
Section	15.0285.11 SK09 prepared by Thomson Adsett	17 December 2015
Elevations	15.0285.11 SK15 prepared by Thomson Adsett	17 December 2015

**ASSESSMENT MANAGER CONDITIONS:**

1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:
  - a. The specifications, facts and circumstances as set out in the application submitted to Council; and
  - b. The following conditions of approval and the requirements of Council's Planning Scheme and the *FNQROC Development Manual*.

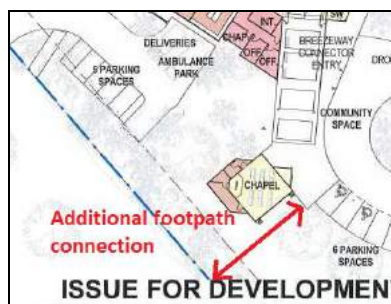
Except where modified by these conditions of approval

**Timing of Effect**

2. The conditions of the Development Permit must be effected prior to Commencement of Use, except where specified otherwise in these conditions of approval.

**Amendment to Design**

3. The proposed building / development must be amended to accommodate the following changes:
  - a. Provide a direct footpath to Johnston Road in the vicinity of the Chapel connecting to the Breezeway Connector Entry (see below).



## **Street Layout and Design**

4. The street layout and design must be revised to comply with Queensland Streets and the FNQROC Development Manual, to the satisfaction of the Chief Executive Officer. In particular:

a. Provide a design for the new access road that is to service Stage 1 ~~and future Stage 2~~ which shall have the following minimum dimensions unless otherwise approved by Council:

- Verge width of 4.5m;
- Carriageway width of 4.5m;
- Median width of 4m;
- Reserve width of 22m (Note: the additional 3 metres is to be added to proposed Lot 2 on the north-eastern side of the proposed road reserve);
- 2 metre wide footpath along the north-eastern side verge;

The design of the road is to be for the full extent shown on Thompson Adsett drawing number SK02-30 dated 11 February 2016 including sufficient interface with Stage 2 to verify the future connection. The extent of the design is to be a minimum of 80m from the Johnston Road reserve boundary.

The actual extent to be constructed with the Stage 1 works is to be agreed between Council and the applicant subject to the construction tenders received and the available Enabling Infrastructure budget. The minimum amount to be constructed beyond the entry driveway to Stage 1 is 5 metres. The extent of works is to be determined in association with an Operational Works application.

- b. Provision of appropriate access arrangements for Stage 1 of the development and access to Stage 2 from the proposed new road in the south east corner of the site. The design must seek to locate infrastructure such that access from the new road is readily facilitated for the future development.
- c. In particular, the operation of the two accesses from the proposed new road must be considered in determining the road form, median breaks and infrastructure locations (including stormwater and street lighting). The road layout and carriageway alignments must be updated to reflect this requirement.

An amended plan incorporating the above requirements must be submitted prior to the issue of a Development Permit for Operational Works.

All works must be carried out in accordance with the approved plans, for the agreed extent of works, to the requirements and satisfaction of the Chief Executive Officer, prior to Commencement of Use.

## **Water Supply and Sewerage Master Plan**

5. A Water Supply and Sewerage Master Plan accompanied by supporting calculations must be provided which demonstrates how the current and future development can be serviced.

Three (3) copies of a plan of the works must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer, prior to the issue of a Development Permit for Operational Works.

#### **Water Supply and Sewerage Infrastructure Plan**

6. An updated water supply and sewerage infrastructure plan and supporting information including hydraulic network analysis must be submitted demonstrating how the development will be serviced by Council's Infrastructure. In particular the plan must:

- a. Identify external catchments that will be connected to the internal sewer or water networks; and
- b. Identify any trunk infrastructure external to the site that may require upgrading to accommodate the development.

The water supply and sewerage infrastructure plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

#### **Water Supply and Sewerage Works External**

7. Undertake the following water supply and sewerage works external to the site to connect the site to existing water supply and sewerage infrastructure:
- a. Extend the water main to provide a loop main within the section of proposed new road. The minimum size is to be 100mm on one side and 50mm internal diameter on the other side subject to pressure and flow conditions. Road crossings are to be minimum of 100 mm. The water connection for the development is to be provided from the extended water main;
  - b. Extend the sewer main within the road reserve of Johnston Road to connect to Council's existing system at a point where sufficient capacity exists.

Three (3) copies of a plan of the works must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer, prior to the Commencement of Use.

#### **Water Supply and Sewerage Works Internal**

8. Undertake the following water supply and sewerage works internal to the subject

land:

- a. Provide a single internal sewer connection to proposed lot 1 in accordance with the FNQROC Development Manual;
- b. Provide appropriate valves and fittings to enable the Stage 1 connection to the new main;
- c. Provide appropriate valves and fittings to enable the future connection of a minimum 100mm service at the northern end of the new road.

All the above works must be designed and constructed in accordance with the *FNQROC Development Manual*.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to the issue of commencement of use.

#### **Damage to Infrastructure**

9. In the event that any part of Council's existing sewer / water infrastructure is damaged as a result of construction activities occurring on the site, the applicant / owner must notify Douglas Shire Council immediately of the affected infrastructure and have it repaired or replaced by Douglas Shire Council, at the developer's cost, prior to the Commencement of Use.

#### **General External Works**

10. Undertake the following external works:-

- a. Provide design drawings for the Upgrade of the northern side of Johnston Road (eastbound carriageway) for the full frontage of the site to provide a minimum 3.5m wide lane and a 1m sealed shoulder.

A tender schedule for these works is to be provided with the civil works tendering as a stand-alone item and allocated as a provisional quantity item. The applicant and Council are to agree the extent of works to be completed with Stage 1 based on the final tender amounts and with consideration of the minimum requirements for safety at the intersection conflict point(s).

- b. Provide a detail design for the intersection and access with Johnston Road including design for drainage between the existing road and the site boundary.
- c. The design must include suitable treatment for the intersection of the new access road with Johnston Road generally in accordance with Drawing Ref: Concept Site Access 645-001 Rev.1 prepared by Projex Partners dated 17 December 2015;
- d. ~~The treatment required for the secondary access to the site (utility and staff access) may be a BAR/BAL treatment in accordance with Austroads Guide to Road design subject to reconfirming the traffic volumes based on the fully developed traffic conditions for the development approved within the~~

**catchment.**

- de. Construct a 2.0-metre-wide footpath for the full frontage of the Johnston Road frontage of the site;**

**Three (3) copies of a plan of the works must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works. All works must be carried out in accordance with the approved plan prior to the Commencement of Use.**

#### **Drainage Study of Site**

- 11. Update the local drainage study of the site to determine the works necessary to provide flood immunity to the site to the 1 in 100 year ARI (1% AEP event) including determining the drainage impacts on upstream and downstream properties and the mitigation measures required to minimise such impacts. In particular, the study must address the following:**
- a. The contributing catchment boundaries;**
  - b. The extent of the 100 year ARI flood event in relation to the site both pre- and post-development;**
  - c. Primary and secondary flow paths for the 5, 10 and 100 year ARI flood events;**
  - d. The extent of filling and/or levee required to prevent the 100 year ARI (1%AEP) event from entering the site;**
  - e. The extent of flow and depth of inundation through the site for events above 1 in 100 year ARI and up to 1 in 200 year ARI;**
  - f. Identify any requirement for drainage easements including along the northern boundary of the site to facilitate drainage from the road back to Marrs Creek;**
  - g. Information on the proposed works and any impacts proposed at the drainage outlet from the proposed development.**
  - h. Lawful point of discharge.**

**The study must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works. All works must be undertaken in accordance with the study prior to commencement of use.**

#### **Access Construction**

- 12. Construct a concrete driveway or other approved surface to the nominated utility and Staff parking area as detailed on the architectural drawings for the site.**

**All works must be carried out in accordance with the approved plans and must be to the requirements and satisfaction of the Chief Executive Officer prior to the issue of a Compliance Certificate for the Plan of Survey.**

### **Service Conduits**

13. Provide appropriate service conduits to Stage 2 to the satisfaction of services authorities and Council to ensure that the road reserve constructed and formalised with stage 1 does not need further works to service the later stage. This includes conduits for underground power supply.

All works must be carried out to the requirements and satisfaction of the Chief Executive Officer prior to commencement of use.

### **Stockpiling and Transportation of Fill Material**

14. Soil used for filling or spoil from the excavation is not to be stockpiled in locations that can be viewed from adjoining premises or a road frontage for any longer than one (1) month from the commencement of works.

Transportation of fill or spoil to and from the site must not occur within:

- a. peak traffic times; or
  - b. before 7:00 am or after 6:00 pm Monday to Friday; or
  - c. before 7:00 am or after 1:00 pm Saturdays; or
  - d. on Sundays or Public Holidays.
15. Dust emissions or other air pollutants must not extend beyond the boundary of the site and cause a nuisance to surrounding properties.

### **Storage of Machinery and Plant**

16. The storage of any machinery, material and vehicles must not cause a nuisance to surrounding properties, to the satisfaction of the Chief Executive Officer.

### **Construction Access**

17. Vehicular access to the site for construction and demolition purposes must be provided from Johnstone Road only, unless authorised by the Chief Executive Officer.

### **Access Adjacent Creeks and Streams**

18. An Access Easement in favour of Council containing all land below the top of the high bank and nominally a minimum 5 metre minimum wide strip adjacent to the top of the bank, relative to the vegetation line that permits practical access along the top of the bank. The drainage easement is to be pegged on-site for Council's approval. A copy of the easement documents must be submitted to Council for the approval of Council's solicitors at no cost to Council. The approved easement documents must be submitted prior to commencement of use.

### **Existing Creek and Drainage Systems**

19. All existing creek systems and drainage areas must be left in their current state, including no channel alterations and no removal of vegetation unless consented



to in writing by the Chief Executive Officer.

The applicant / owner must obtain any necessary approvals from the Department of Environment & Resource Management for carrying out works in a watercourse.

**Lawful Point of Discharge**

20. All stormwater from each lot must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development to the requirements and satisfaction of the Chief Executive Officer.
21. The lawful point of discharge for the new road opened with Stage 1 must be drained to Marrs Creek via an easement within the Stage 1 site or to Johnston Road.

**Sediment and Erosion Control**

22. A sediment and erosion control plan must be prepared as part of the construction phase of the development. Sediment and erosion control measures must be installed / implemented prior to discharge of water from the site, such that no external stormwater flow from the site adversely affects surrounding or downstream properties (in accordance with the requirements of the Environmental Protection Act 1994, and the FNQROC Development Manual).

**Existing Services**

23. Written confirmation of the location of existing services for the land must be provided. In any instance where existing services are contained within another lot, the following applies, either:
  - a. Relocate the services to comply with this requirement; or
  - b. Arrange registration of necessary easements over services located within another lot prior to, or in conjunction with, the lodgement of a Compliance Certificate for the Plan of Survey creating the lot.

**Electricity Supply**

24. Written evidence from Ergon Energy advising that the substation required for this development has the ability to be upgraded to accommodate the demand of Stage 2 over the balance of the land. If required, details regarding the location of these facilities must be submitted to the Chief Executive Officer accompanied by written confirmation from Ergon Energy. Details regarding electricity supply must be provided prior to the issue of a Development Permit for Operational Works.

**Electricity and Telecommunications**

25. Written evidence of negotiations with Ergon Energy and the telecommunication authority must be submitted to Council stating that both an underground electricity supply and telecommunications service will be provided prior to the issue of a Development Permit for Operational Works.

## **Street Lighting**

**26. The following arrangements for the installation of street lighting must be provided prior to the Commencement of Use:-**

- a. Prior to the issue of a Development Permit for Operational Works a Rate 2 lighting scheme is to be prepared by an Ergon Energy approved consultant and submitted to the Chief Executive Officer for approval. The Rate 2 lighting scheme is to be designed in accordance with the relevant Road Lighting Standard AS/NZS 1158 and the FNQROC Development Manual, applicable to only the new intersection with Johnston Road. The applicable lighting category is to be determined from the Road Hierarchy Table D1.1 and the corresponding applicable Lighting Categories Table D8.1 as identified in the FNQROC Development Manual.

The lighting scheme must show light pole locations that represent the permitted design spacing and must not conflict with stormwater, kerb inlet pits and other services. ~~For lighting associated with the new road, the~~ lighting is to be located within the landscaped median, where practicable.

The design must provide the applicable illumination level specified in the Road Lighting Standard AS/NZS 1158 and must be submitted in accordance with Ergon Energy's latest Distribution Design Drafting Standard for the intersections.

- b. Prior to the issue of a Compliance Certificate for the Plan of Survey written confirmation that the relevant capital contribution required by Ergon Energy has been paid must be submitted, to ensure that the street lighting will be constructed.
- c. ~~Where a new intersection is formed on an existing roadway for the purpose of accessing a new development, the~~ The intersection and existing road approaches must be provided with street lighting for a distance equivalent to at least two (2) spans either side of the intersection to the relevant Lighting Category. This applies for the new access road and Johnston Road intersection.

## **Vehicle Parking**

**27. The amount of vehicle parking must be as specified on the approved plan which is a minimum of fifteen (15) spaces of which 10 must be provided as visitor spaces. The car parking layout must comply with the Australian Standard AS2890.1 2004 Parking Facilities – off-street car parking and be constructed in accordance with Austroads and good engineering design. In addition, all parking, driveway and vehicular manoeuvring areas must be imperviously sealed, drained and line marked.**

## **Bicycle Parking**

**28. Provide secured, on-site bicycle parking in accordance with Table 10-1 of *AUSTROADS Guide to Traffic Engineering Practice Part 14 – Bicycles*. The bicycle parking area must be constructed prior to Commencement of Use.**

### **Lighting**

29. All lighting installed upon the premises including car parking areas must be certified by Ergon Energy (or such other suitably qualified person). The vertical illumination at a distance of 1.5 metres outside the boundary of the subject land must not exceed eight (8) lux measured at any level upwards from ground level.

### **Air-Conditioning Screens**

30. Air-conditioning units located above ground level and visible from external properties and the street must be screened with appropriate materials to improve the appearance of the building. Such screening must be completed prior to the Commencement of Use.

### **Landscaping Plan**

31. The site must be landscaped in accordance with details included on a Landscaping Plan. The Landscaping Plan must show:

#### **Planting Design**

- a. Species to have regard to Council's Planning Scheme Policy No.7 Landscaping.
- b. A planting design that does not include any species that are identified as Declared or Environmental Weeds or constitute an Invasive Species;
- c. Provide a hierarchy of planting, which includes shade trees, shrubs and groundcovers.

#### **Hard Landscaping Works**

- a. Details of location and design of proposed artworks;
- b. Natural and finished ground levels including details of all retaining works;
- c. Details of any perimeter, private yard or street fencing (Note: A 1.8 metre high screen fence will be required to screen the extent of the working farm along the south-western boundary);
- d. Protection of landscaped areas adjoining parking areas from vehicular encroachment by a 150 mm high vertical concrete kerb or similar obstruction;

Two (2) A1 copies and one (1) A3 copy of the landscape plan must be endorsed by the Chief Executive Officer. The approval and completion of all landscaping works must be undertaken in accordance with the endorsed plan prior to the Commencement of Use whichever occurs first. Landscaped areas must be maintained at all times to the satisfaction of the Chief Executive Officer.

### **Street Fencing**

32. Any proposed fences and/or walls to any road frontage are to be limited to the

following:

- a. 1.2 metres in height if solid; or
- b. 1.5 metres in height if at least 25% visually transparent; or
- c. 1.8 metres in height if at least 50% visually transparent.

Details of the street fencing must be detailed in the Landscape Plan and be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Work. In principle, the 'horizontal timber effect aluminium fence with random patterns to the street' as shown on the approved section drawings and perspective drawing 15.0285.11 SK11 prepared by Thomson Adsett and dated 17 December 2016 appear to satisfy this requirement.

### **Construction Signage**

33. Prior to the commencement of any construction works associated with the development, a sign detailing the project team must be placed on the road frontage of the site and must be located in a prominent position. The sign must detail the relevant project coordinator for the works being undertaken on the site, and must list the following parties (where relevant) including telephone contacts:
- a. Developer;
  - b. Project Coordinator;
  - c. Architect / Building Designer;
  - d. Builder;
  - e. Civil Engineer;
  - f. Civil Contractor;
  - g. Landscape Architect.

### **Colours/Materials of Construction**

34. The colours, textures and materials of construction are to be generally in accordance with perspective drawings 15.0285.11 SK10 – 12 & 14 prepared by Thomson Adsett and dated 17 December 2016.

### **Siam Weed Control**

35. In order to prevent the spread of Siam Weed {a class 1 declared pest plant under the *Land Protection (Pest and Stock Route Management) Act 2002*}, all machinery working on site must be cleaned down on site prior to leaving. No material / soil is to leave the site wherever possible. Should material need to be carted away it should be taken to council's Drum Sarah quarry and placed under quarantine where it can be monitored for recruitment and treated as required.

### **Kitchen Facilities**

36. An application for the construction or alteration of any food premises must be accompanied by two (2) copies of plans drawn to a scale not smaller than 1:100. Such plans are to include details of ventilation (including mechanical exhaust ventilation systems), finishes to walls, floors and ceilings, details of the proposed layout and materials to be used in the construction of all fixtures, fittings and equipment. The plans should include detailed cross sections of all areas to be

**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

included in the construction or alteration. All works must be carried out in accordance with approved and the requirements of the Food Act 2006, Food Safety Standards and AS 4674 – 2004 – Design, construction and fit-out of food premises. Plans must be approved prior to the issue of a Development Permit for Building Work and all works must be completed in accordance with the approved plan prior to the Commencement of Use.

**ADVICE**

1. This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse 4 years from the day the approval takes effect in accordance with the provisions of the *Sustainable Planning Act 2009*.
2. All building site managers must take all action necessary to ensure building materials and / or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.
3. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.

**Infrastructure Charges Notice**

4. A charge levied for the supply of trunk infrastructure is payable to Council towards the provision of trunk infrastructure in accordance with the Adopted Infrastructure Charges Notice, a copy of which is attached for reference purposes only. The original Adopted Infrastructure Charges Notice will be provided under cover of a separate letter.

The amount in the Adopted Infrastructure Charges Notice has been calculated according to Council's Adopted Infrastructure Charges Resolution.

Please note that this Decision Notice and the Adopted Infrastructure Charges Notice are stand-alone documents. *The Sustainable Planning Act 2009* confers rights to make representations and appeals in relation to a Decision Notice and an Adopted Infrastructure Charges Notice separately.

The amount in the Adopted Infrastructure Charges Notice is subject to index adjustments and may be different at the time of payment. Please contact Development and Environment at Council for review of the charge amount prior to payment.

The time when payment is due is contained in the Adopted Infrastructure Charges Notice.

5. For information relating to the *Sustainable Planning Act 2009* log on to [www.dilgp.qld.gov.au](http://www.dilgp.qld.gov.au) . To access the *FNQROC Development Manual*, Local Laws and other applicable Policies log on to [www.douglas.qld.gov.au](http://www.douglas.qld.gov.au) .

**B] CONDITIONS APPLICABLE TO RECONFIGURATION OF A LOT (1 LOT INTO 2 LOTS)**

**APPROVED DRAWING(S) AND / OR DOCUMENT(S)**

The term 'approved drawing(s) and / or document(s)' or other similar expressions means:

Drawing or Document	Reference	Date
Proposed Subdivision Plan	15.0285.11 SK30 prepared by Thomson Adsett	11 February 2016

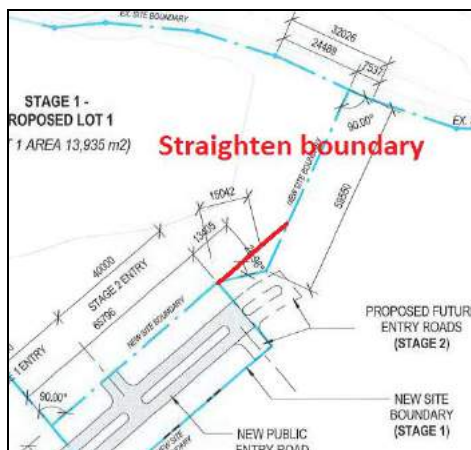
**ASSESSMENT MANAGER CONDITIONS**

1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:
  - a. The specifications, facts and circumstances as set out in the application submitted to Council; and
  - b. The following conditions of approval and the requirements of Council's Planning Scheme and the *FNQROC Development Manual*.

Except where modified by these conditions of approval

**Amendment to Design**

2. Straighten the boundary between proposed lots 1 and 2 to remove the kink in the common boundary at the end of the proposed road reserve (see below)



**Street Layout and Design**

3. The street layout and design must be revised to comply with Queensland Streets and the FNQROC Development Manual, to the satisfaction of the Chief Executive Officer. In particular:
  - a. Provide a design for the new access road that is to service Stage 1 and ~~future Stage 2~~ which shall have the following minimum dimensions unless otherwise approved by Council:

- Verge width of 4.5m;
- Carriageway width of 4.5m;
- Median width of 4m;
- Reserve width of 22m (Note: the additional 3 metres is to be added to proposed Lot 2 on the north-eastern side of the proposed road reserve);
- 2-metre-wide footpath along the north-eastern side verge;

**The design of the road is to be for the full extent shown on Thompson Adsett drawing number SK02-30 dated 11 February 2016 including sufficient interface with Stage 2 to verify the future connection. The extent of the design is to be a minimum of 80m from the Johnston Road reserve boundary.**

**The actual extent to be constructed with the Stage 1 works is to be agreed between Council and the applicant subject to the construction tenders received and the available Enabling Infrastructure budget. The minimum amount to be constructed beyond the entry driveway to Stage 1 is 5 metres. The extent of works is to be determined in association with an Operational Works application.**

- b. Provision of appropriate access arrangements for Stage 1 of the development and access to Stage 2 from the proposed new road in the south east corner of the site. The design must seek to locate infrastructure such that access from the new road is readily facilitated for the future development.
- c. In particular, the operation of the two accesses from the proposed new road must be considered in determining the road form, median breaks and infrastructure locations (including stormwater and street lighting). The road layout and carriageway alignments must be updated to reflect this requirement.

An amended plan incorporating the above requirements must be submitted prior to the issue of a Development Permit for Operational Works.

All works must be carried out in accordance with the approved plans, for the agreed extent of works, to the requirements and satisfaction of the Chief Executive Officer prior to Commencement of Use.

#### **General External Works**

#### **4. Undertake the following external works: -**

- a. **Provide design drawings for the Upgrade of the northern side of Johnston Road (eastbound carriageway) for the full frontage of the site to provide a minimum 3.5m wide lane and a 1m sealed shoulder.**

**A tender schedule for these works is to be provided with the civil works tendering as a stand-alone item and allocated as a provisional quantity item. The applicant and Council are to agree the extent of works to be completed**



**with Stage 1 based on the final tender amounts and with consideration of the minimum requirements for safety at the intersection conflict point(s).**

- b. Provide a detail design for the intersection and access with Johnston Road including design for drainage between the existing road and the site boundary.**
- c. The design must include suitable treatment for the intersection of the new access road with Johnston Road generally in accordance with Drawing Ref: Concept Site Access 645-001 Rev.1 prepared by Projex partners dated 17 December 2015;**
- ~~d. The treatment required for the secondary access to the site (utility and staff access) may be a BAR/BAL treatment in accordance with Austroads Guide to Road design subject to reconfirming the traffic volumes based on the fully developed traffic conditions for the development approved within the catchment.~~**
- de. Construct a 2.0-metre-wide footpath for the full frontage of the Johnston Road frontage of the site;**

Three (3) copies of a plan of the works must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works. All works must be carried out in accordance with the approved plans prior to the issue of a Compliance Certificate for the Plan of Survey, unless otherwise approved by Council.

**Drainage Study of Site**

- ~~5. Update the local drainage study of the site to determine the works necessary to provide flood immunity to the site to the 1 in 100 year ARI (1% AEP event) including determining the drainage impacts on upstream and downstream properties and the mitigation measures required to minimise such impacts. In particular, the study must address the following:~~**
  - ~~a. The contributing catchment boundaries;~~**
  - ~~b. The extent of the 100 year ARI flood event in relation to the site both pre- and post-development;~~**
  - ~~c. Primary and secondary flow paths for the 5, 10 and 100 year ARI flood events;~~**
  - ~~d. The extent of filling and/or levee required to prevent the 100 year ARI (1%AEP) event from entering the site;~~**
  - ~~e. The extent of flow and depth of inundation through the site for events above 1 in 100 year ARI and up to 1 in 200 year ARI;~~**
  - ~~f. Identify any requirement for drainage easements including along the northern boundary of the site to facilitate drainage from the road back to Marrs Creek;~~**

~~g. Information on the proposed works and any impacts proposed at the drainage outlet from the proposed development.~~

~~h. Lawful point of discharge.~~

~~The study must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.~~

#### **Access Adjacent Creeks and Streams**

- 5.6.** An Access Easement in favour of Council containing all land below the top of the high bank and nominally a minimum 5 metre minimum wide strip adjacent to the top of the bank, relative to the vegetation line that permits practical access along the top of the bank. The drainage easement is to be pegged on-site for Council's approval. A copy of the easement documents must be submitted to Council for the approval of Council's solicitors at no cost to Council. The approved easement documents must be submitted prior to commencement of use.

#### **Drainage Easement**

- 6.7.** A Drainage Easement must be granted in favour of Council within proposed Lot 1 providing for any required drainage of stormwater from the end of the new road to Marrs Creek. A copy of the easement documents must be submitted to Council for the approval of Council's solicitors at no cost to Council. The approved easement documents must be submitted prior to the issue of a Compliance Certificate for the Plan of Survey.

#### **Service Conduits**

- 7.8.** Provide appropriate service conduits to Stage 2 to the satisfaction of services authorities and Council to ensure that the road reserve constructed and formalised with stage 1 does not need further works to service the later stage.

All works must be carried out to the requirements of the Chief Executive Officer prior to the issue of a Compliance Certificate for the Plan of Survey.

#### **Siam Weed Control**

- 8.9.** In order to prevent the spread of Siam Weed {a class 1 declared pest plant under the *Land Protection (Pest and Stock Route Management) Act 2002*}, all machinery working on site must be cleaned down on site prior to leaving. No material / soil is to leave the site wherever possible. Should material need to be carted away it should be taken to council's Drum Sarah quarry and placed under quarantine where it can be monitored for recruitment and treated as required.

#### **ADVICE**

- 1.** This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse four (4) years from the day the approval takes effect in accordance with the provisions of the *Sustainable Planning Act 2009*.
- 2.** This approval does not negate the requirement for compliance with all relevant Local Laws and statutory requirements.

**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

3. For information relating to the *Sustainable Planning Act 2009*, log on to [www.dip.qld.gov.au](http://www.dip.qld.gov.au). To access the FNQROC Development Manual, Local Laws and other applicable Policies log on to [www.dsc.qld.gov.au](http://www.dsc.qld.gov.au).

**C] CONDITIONS APPLICABLE TO STAGE 2 RETIREMENT FACILITY (PRELIMINARY APPROVAL)**

**APPROVED DRAWING(S) AND / OR DOCUMENT(S)**

The term 'approved drawing(s) and / or document(s)' or other similar expressions means:

Drawing or Document	Reference	Date
Master Plan	Mossman and District Aged Care Precinct prepared by Hunt Design	10 February 2016

**ASSESSMENT MANAGER CONDITIONS**

1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:
  - a. The specifications, facts and circumstances as set out in the application submitted to Council; and
  - b. The following conditions of approval and the requirements of Council's Planning Scheme and the *FNQROC Development Manual*.

Except where modified by these conditions of approval

**Timing of Effect**

2. The conditions of the Preliminary Approval must be demonstrated in any future application for a development permit for a Retirement Facility over the land to the extent relevant, unless specified otherwise in these conditions of approval.

**Design Parameters (Applicable over proposed Lot 2)**

3. The site coverage of the development does not exceed 40%.
4. The gross floor area of the development does not exceed 0.5 x site area.
5. Buildings and structures are setback no less than:
  - a. 6 metres to Johnston Road;
  - b. 4.5 metres to the new road;
  - c. 4 metres to the common boundary with the showgrounds and hospital; and
  - d. 10 metres from the top of the high bank to Marrs Creek; and
  - e. Outside that part of the land included within the Conservation planning area.
6. Buildings and structures are limited to 2 storeys (8.5 metres) in height (Note: height is inclusive of roof height).
7. Future development reduces the appearance of building bulk, ensures a human scale and demonstrates variations in horizontal and vertical profile by incorporating a range of design elements including balconies, verandahs, terraces, recesses and the like.

8. Buildings must exhibit tropical design elements that are appropriate to Douglas Shire's tropical climate, character and lifestyle such as:

- a. pitched roofs;
- b. wide eaves to shade and protect external walls;
- c. light colours;
- d. variations in building colours, materials and texture;
- e. permeable external building facades;
- f. well-considered cross-ventilation;
- g. weather protected external extensions to living spaces;
- h. verandahs;
- i. well-insulated roofs;
- j. low thermal mass construction;
- k. seamless integration of external and internal spaces.

9. Communal open space is designed to provide for a range of facilities, typically including some, or all, of the following elements:

- a. seating;
- b. barbecue;
- c. swimming pool;
- d. communal gardens.

The proposed development must include an 'activities building' as part of stage 1 of any proposed retirement facility.

10. No development is to occur in that part of the land included within the Conservation Planning Area.

#### **Access**

11. Access to Jack Street via the Showgrounds is not part of this approval.

#### **ADVICE**

- 1. This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse 4 years from the day the approval takes effect in accordance with the provisions of the *Sustainable Planning Act 2009*.
- 2.. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.
- 3. For information relating to the *Sustainable Planning Act 2009* log on to [www.dilgp.qld.gov.au](http://www.dilgp.qld.gov.au) . To access the *FNQROC Development Manual*, Local Laws and other applicable Policies log on to [www.douglas.qld.gov.au](http://www.douglas.qld.gov.au) .

#### **LAND USE DEFINITIONS\***

In accordance with the Douglas Shire Planning Scheme 2006, the approved land use of Retirement Facility is defined as:

The use of premises as an integrated community for permanent residential accommodation for older or retired persons, generally 55 or more years in age.

The use can include:

- dwelling units
- serviced rooms/Private rooms
- nursing home accommodation as well as facilities for the use of residents and staff, such as:
  - indoor and outdoor recreational facilities;
  - meeting rooms;
  - medical consulting rooms;
  - therapy rooms;
  - chapels;
  - meal preparation facilities; and
  - staff accommodation
- a display unit which displays to the general public the type of construction or design offered by builder/developer, for a maximum period of twelve months and which is then demolished, (if freestanding replica), or converts to its intended use within the complex.

\*This definition is provided for convenience only. This Development Permit is limited to the specifications, facts and circumstances as set out in the application submitted to Council and is subject to the abovementioned conditions of approval and the requirements of Council's Planning Scheme and the *FNQROC Development Manual*.

#### **RIGHTS OF APPEAL**

Attached

---

**End of Decision Notice**

# **DECISION NOTICE DETAILS** **SUSTAINABLE PLANNING ACT 2009**

## **APPENDIX 1: APPROVED DRAWING(S) & DOCUMENT(S)**



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 A.S.N. T2 102 314 026  
 Trading as ThomsonAdsett

## **ISSUE FOR DEVELOPMENT APPLICATION**

PROPOSED LOT 1	13,935 m <sup>2</sup>
PROPOSED LOT 2	29,845 m <sup>2</sup>
GFA	3,066 m <sup>2</sup>
COVERED AREA	1,122 m <sup>2</sup>
PRIVATE OPEN SPACE	5,976 m <sup>2</sup>
PUBLIC COMMUNITY SPACE	3,771 m <sup>2</sup>
RESIDENTIAL UNITS	42 BEDROOMS
CAR PARKING	14 SPACES

**thomson  
adsett**

Project | **MOSSMAN AGED CARE PLUS CENTRE**  
 Client | **THE SALVATION ARMY**

Drawing Title | **SITE PLAN**  
 Date | **17.12.2015**

Drawing Number | **15.0295.11 SK02**  
 Scale | **1 : 1000**



# **DECISION NOTICE DETAILS** **SUSTAINABLE PLANNING ACT 2009**

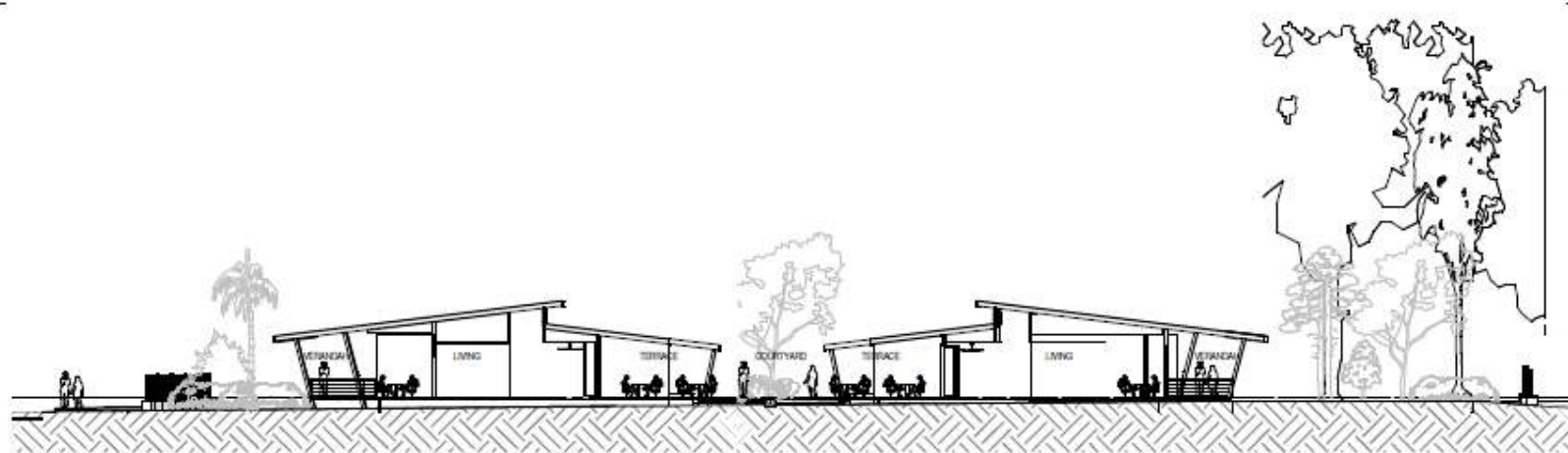


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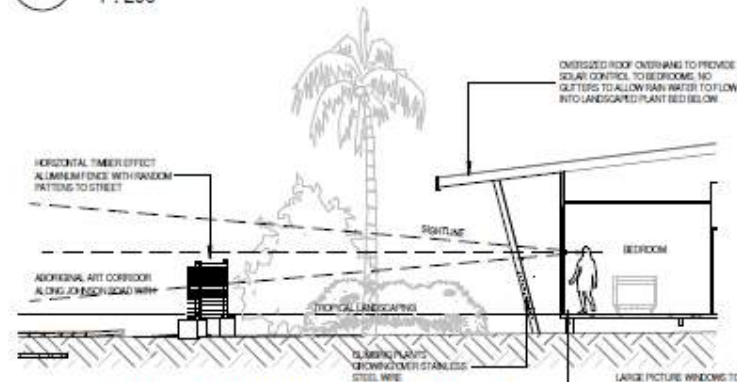
## **ISSUE FOR DEVELOPMENT APPLICATION**

thomson adsett	Project	MOSSMAN AGED CARE PLUS CENTRE	Drawing Title	FLOOR PLAN	Drawing Number	15.0285.11 SK09
	Client	THE SALVATION ARMY	Date	17/12/2015	Scale	1 : 500 8
© COPYRIGHT 2015 17/12/2015 11:45:06 AM C:\REV\LOCAL\FILE8\2015\15.0285.11 MAC-Option J_Roy-Higman@thomsonadsett.com.vnt						
					Original Sheet Size A3 - 297 x 420mm	

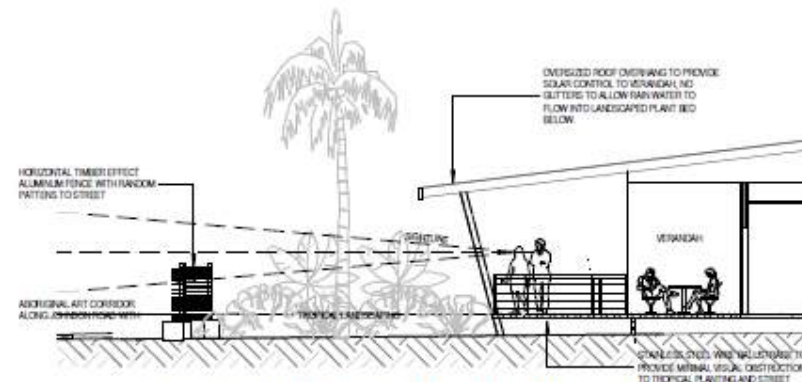
# **DECISION NOTICE DETAILS** **SUSTAINABLE PLANNING ACT 2009**



2 SECTION AA  
1:200



3 STREET VIEW FROM BEDROOM  
1:100



4 STREET VIEW FROM COMMUNAL VERANDAH  
1:100

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 A3/A4 TO 100/1/4/000  
 Tracing as Thomson Adsett

## **ISSUE FOR DEVELOPMENT APPLICATION**

**thomson  
adsett**

Project | MOSSMAN AGED CARE PLUS CENTRE  
 Client | THE SALVATION ARMY

Drawing Title | SECTION  
 Date | 17/12/2015

Drawing Number | 15.0285.11 SK09  
 As Indicated | 2

© COPYRIGHT 2015 17/12/2015 11:23:36 AM

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Original Sheet Size A3 - 297 x 420mm

**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**



1 SE ELEVATION  
1 : 350



2 NW ELEVATION  
1 : 350



3 SW ELEVATION  
1 : 350



4 NE ELEVATION  
1 : 350

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**ISSUE FOR DEVELOPMENT APPLICATION**

47.2015.12  
25/31

**thomson  
adsett**

Project | MOSSMAN AGED CARE PLUS CENTRE  
Client | THE SALVATION ARMY

Drawing Title | ELEVATIONS  
Date | 17/12/2015

Drawing Number | 15.0285.11 SK15  
Scale | 1 : 350 1

© COPYRIGHT 2015 17/12/2015 11:27:35 AM

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Original Sheet Size A3 - 36" x 42mm



**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**





# **DECISION NOTICE DETAILS** **SUSTAINABLE PLANNING ACT 2009**



PROPOSED LOT 1	13,935 m <sup>2</sup>
PROPOSED LOT 2	29,845 m <sup>2</sup>
GFA	3,066 m <sup>2</sup>
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PRIVATE OPEN SPACE	5,976 m <sup>2</sup>
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RESIDENTIAL UNITS	42 BEDROOMS
CAR PARKING	14 SPACES

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47.2015  
 27/31

**thomson  
 adsett**

Project | **MOSSMAN AGED CARE PLUS CENTRE**  
 Client | **THE SALVATION ARMY**

Drawing Title | **SITE PLAN**  
 Date | **11.02.2016**

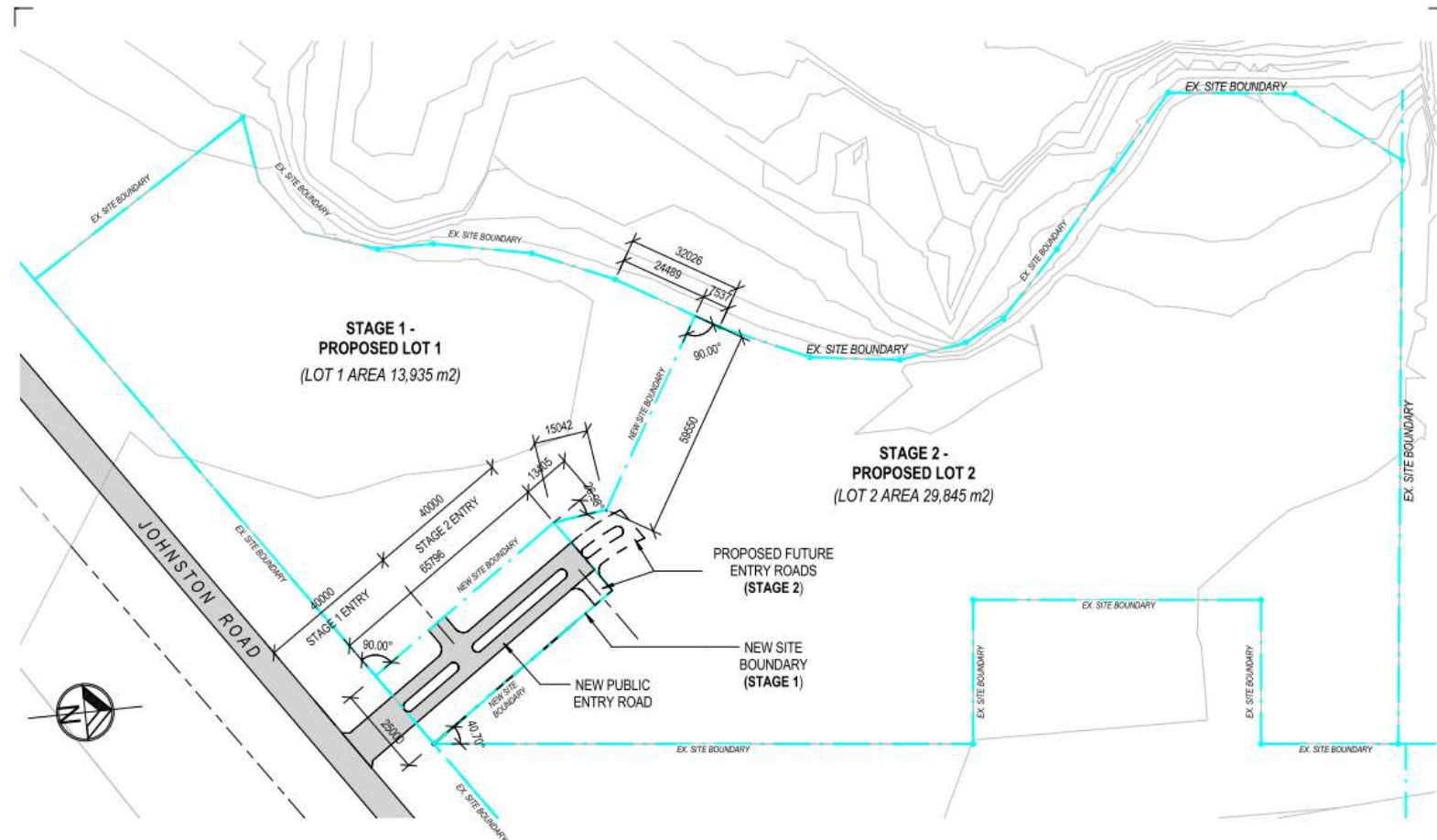
Drawing Number | **15.0285.11 SK02**  
 Scale | **1 : 1000**

© COPYRIGHT 2015 11/02/2016 2:56:20 PM

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Original Sheet Size A3 - 297 x 420mm

# **DECISION NOTICE DETAILS** **SUSTAINABLE PLANNING ACT 2009**



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**thomson  
adsett**

Project | MOSSMAN AGED CARE PLUS CENTRE  
 Client | THE SALVATION ARMY

Drawing Title | PROPOSED SUBDIVISION PLAN  
 Date | 11.02.2016

Drawing Number | 15.0285.11 SK30  
 Scale | 1 : 1000 9

© COPYRIGHT 2015 11/02/2016 3:06:03 PM

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Original Sheet Size A3 - 297 x 420mm

**YOUR REF:** HRP15394  
**OUR REF:** CA 1235/2015 (774357)

18 May 2016

The Salvation Army & Douglas Shire Council  
C/- Cardno HRP  
PO Box 1619  
**CAIRNS QLD 4870**

Dear Sir

**ADOPTED INFRASTRUCTURE CHARGES NOTICE FOR  
JOHNSTON ROAD MOSSMAN GORGE**

In response to your request under Section 641 of the *Sustainable Planning Act* 2009 (the Act), please be advised that Council did not support the request and the Infrastructure Charges remain.

Please find attached an Adopted Infrastructure Charges Notice issued in accordance with section 648F of the *Sustainable Planning Act* 2009 (the Act).

The amount in the Adopted Infrastructure Charges Notice has been calculated according to Council's Adopted Infrastructure Charges Resolution.

The amount in the Adopted Infrastructure Charges Notice is subject to index adjustments and may be different at the time of payment. Please contact Development and Environment at Council for review of the charge amount prior to payment.

These charges are payable prior to the change of use occurring in accordance with section 648H of the Act.

Please also find attached extracts from the Act regarding the following:

- your right to make representations to Council about the Adopted Infrastructure Charges Notice; and
- your Appeal rights with respect to the Adopted Infrastructure Charges Notice.



Should you have any enquiries in relation to this Adopted Infrastructure Charges Notice, please contact Simon Clarke of Planning and Environment on telephone number 4099 9480.

Yours faithfully

Paul Hoyer  
General Manager Operations

## INFRASTRUCTURE CHARGES NOTICE

The Salvation Army	N/A	0
DEVELOPERS NAME	ESTATE NAME	STAGE
Johnston Road	Mossman	Lot 1 SP150474
STREET No. & NAME	SUBURB	LOT & RP No.s
Combined Application	CA123520 15	31-Mar-15
DEVELOPMENT TYPE	COUNCIL FILE	VALIDITY PERIOD (years)
767729	1	
DSC Reference Doc. No.	VERSION No.	

	Use	Charge per Use	Amount Due	Amount Paid	Receipt Code & GL Code
<b>Rural Areas - Water Only</b>					
proposed	0	0.00	0.00		
	0	0.00	0.00		
existing	0	0.00	0.00		
Total			0.00		
<b>Urban Areas - Water only</b>					
proposed	0	0.00	0.00		
	0	0.00	0.00		
existing	0	0.00	0.00		
Total			0.00		
<b>Urban Areas - Water &amp; Sewer</b>					
proposed	42	5,908.15	248,184.30		
	0	0.00	0.00		
existing	0	0.00	0.00		
Total			248,184.30		
<b>TOTAL</b>			<b>\$248,184.30</b>		

Prepared by	D Lamsard	19-Feb-16	Amount Paid	
Checked by	S Clarke	19-Feb-16	Date Paid	
Date Payable			Receipt No.	
Amendments	Date		Cashier	
Payment required prior to the Commencement of Use				

**Note:**

The Infrastructure Charges in this Notice are payable in accordance with Part 2 Division 1 of the Sustainable Planning Act 2009 (SPA).

Charges are payable to: Douglas Shire Council. You can make payment at any of Council's Business Offices or by mail with your cheque or money order to Douglas Shire Council, PO Box 723, Mossman QLD 4873. Cheques must be made payable to Douglas Shire Council and marked "Not Negotiable". Acceptance of a cheque is subject to collection of the proceeds. Post dated cheques will not be accepted.

Any enquiries regarding Infrastructure Charges can be directed to the Development & Environment, Douglas Shire Council on 07 4099 9444 or by email on enquiries@douglas.qld.gov.au

## Appendix C

# Douglas Shire Planning Scheme 2018 Property Report

## 2018 Douglas Shire Council Planning Scheme Property Report

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

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

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

### Property Information

Property Address [47 Johnston Road MOSSMAN GORGE](#)

Lot Plan [2SP295098](#) (Freehold - 28490m<sup>2</sup>)



☒ Selected Property ☒ Easements ☐ Property

### Douglas Shire Planning Scheme 2018 version 1.0

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

#### Zoning








**Applicable Zone**  
Community Facilities

#### More Information

- [View Section 6.2.2 Community Facilities Zone Code](#)
- [View Section 6.2.2 Community Facilities Zone Compliance table](#)
- [View Section 6.2.2 Community Facilities Zone Assessment table](#)

## Douglas Shire Planning Scheme 2018 version 1.0

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

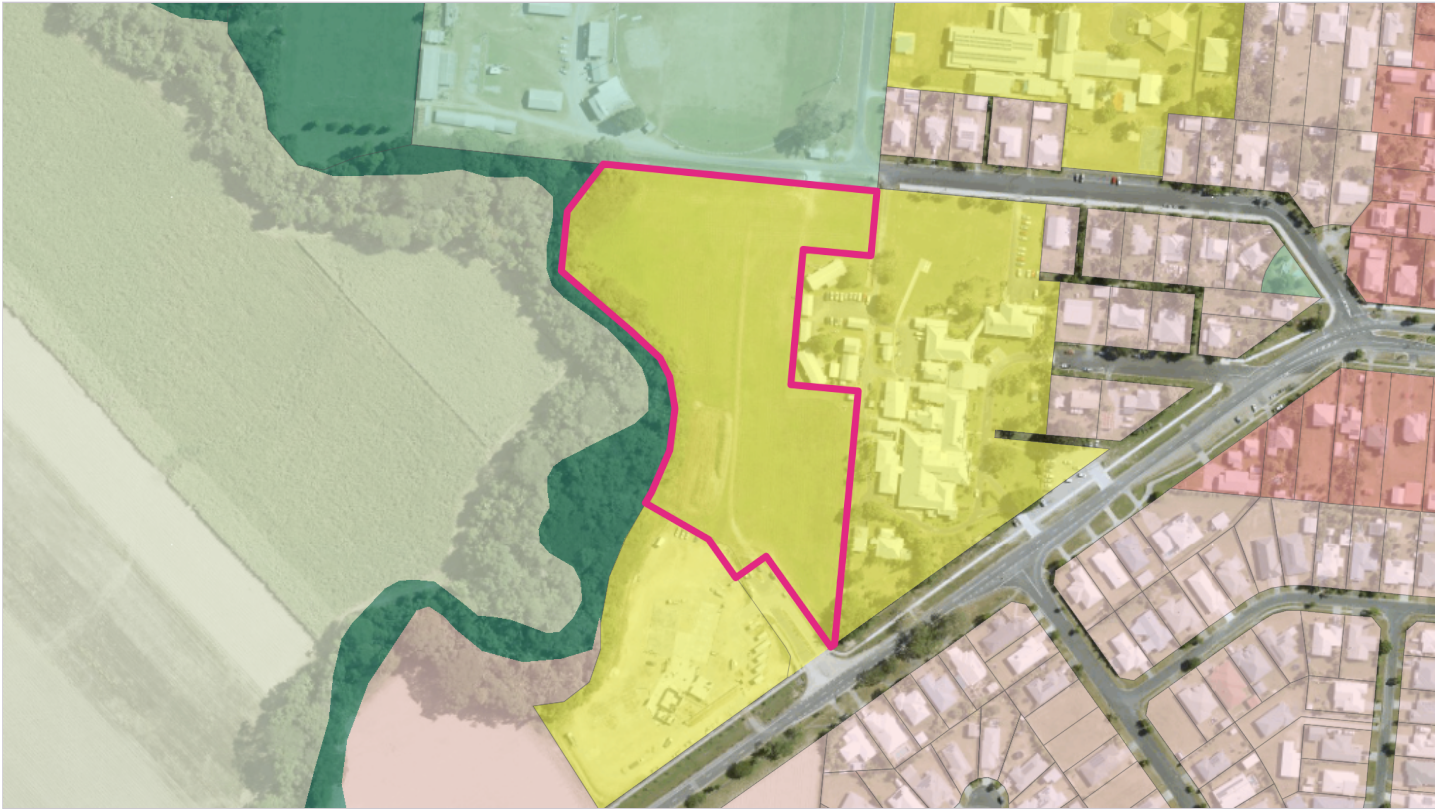
 <a href="#">Local Plans</a>	<b>Applicable Precinct or Area</b> Mossman Not Part of a Precinct	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 7.2.3 Mossman Local Plan Code</a></li> <li><a href="#">View Section 7.2.3 Mossman Local Plan Compliance table</a></li> </ul>
 <a href="#">Acid Sulfate Soils</a>	<b>Applicable Precinct or Area</b> Acid Sulfate Soils (5-20m AHD)	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.1 Acid Sulfate Soils Overlay Code</a></li> <li><a href="#">View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table</a></li> </ul>
 <a href="#">Landslide</a>	<b>Applicable Precinct or Area</b> Landslide Hazard (High & Medium Hazard Risk)	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.9 Potential Landslide Hazard Overlay Code</a></li> <li><a href="#">View Section 8.2.9 Potential Landslide Hazard Overlay Compliance table</a></li> </ul>
 <a href="#">Natural Areas</a>	<b>Applicable Precinct or Area</b> MSES - Regulated Vegetation (Intersecting a Watercourse) MSES - Wildlife Habitat MSES - Regulated Vegetation	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.7 Natural Areas Overlay Code</a></li> <li><a href="#">View Section 8.2.7 Natural Areas Overlay Compliance table</a></li> </ul>
 <a href="#">Places Of Significance</a>	<b>Applicable Precinct or Area</b> Premises adjoining State heritage place (Adjoining only)	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.8 Places of Significance Overlay Code</a></li> <li><a href="#">View Section 8.2.8 Places of Significance Overlay Compliance table</a></li> </ul>
 <a href="#">Transport Pedestrian Cycle</a>	<b>Applicable Precinct or Area</b> Principal Route	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.10 Transport Network Overlay Code</a></li> <li><a href="#">View Section 8.2.10 Transport Network Overlay Compliance table</a></li> </ul>
 <a href="#">Transport Road Hierarchy</a>	<b>Applicable Precinct or Area</b> Collector Road	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.10 Transport Network Overlay Code</a></li> <li><a href="#">View Section 8.2.10 Transport Network Overlay Compliance table</a></li> </ul>



Zoning

**Applicable Zone**  
Community Facilities

- More Information**
- [View Section 6.2.2 Community Facilities Zone Code](#)
  - [View Section 6.2.2 Community Facilities Zone Compliance table](#)
  - [View Section 6.2.2 Community Facilities Zone Assessment table](#)



☒ Selected Property

☐ Property

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

Local Plans

Applicable Precinct or Area

Mossman

Not Part of a Precinct

More Information

- [View Section 7.2.3 Mossman Local Plan Code](#)
- [View Section 7.2.3 Mossman Local Plan Compliance table](#)



Selected Property

Property

Transport Investigation Corridor

Transport Investigation Corridors

Major Road Connections

Major Road Connections

Major Road Connections (No Arrow)

Major Road Connections

Daintree River to Bloomfield

Daintree River to Bloomfield

Creb Track and Quaid Road

Creb Track

60 metre contour

60 metre contour

Local Plan Boundary

Local Plan Boundary

Local Plan Sub Precincts

1a Town Centre 1b Waterfront North 1c Waterfront South  
 1d Limited Development 1e Community and Recreation 1f Flagstaff Hill

Local Plan Precincts

Not Part of a Precinct Precinct 1 Precinct 2 Precinct 3  
 Precinct 4 Precinct 5 Precinct 6 Precinct 7  
 Precinct 8 Precinct 9

Live Entertainment Precinct

Live Entertainment Precinct

Indicative Future Open Space

Indicative Future Open Space

Road Reserve Esplanade



Acid Sulfate Soils

Applicable Precinct or Area  
Acid Sulfate Soils (5-20m AHD)

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



☒ Selected Property

☐ Property

Acid Sulfate Soils

☒ Acid Sulfate Soils (< 5m AHD)

☒ Acid Sulfate Soils (5-20m AHD)

☐ all others




Landslide

**Applicable Precinct or Area**  
Landslide Hazard (High & Medium Hazard Risk)

- More Information**
- [View Section 8.2.9 Potential Landslide Hazard Overlay Code](#)
  - [View Section 8.2.9 Potential Landslide Hazard Overlay Compliance table](#)



 Selected Property

 Property

 Potential Landslide Hazard

Natural Areas

Applicable Precinct or Area

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

More Information

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



Selected Property	Property	MSES - Regulated Vegetation (Intersecting a Watercourse)
MSES - High Ecological Value Waters (Watercourse)	MSES - Wildlife Habitat	MSES - Regulated Vegetation
MSES - Protected Area	MSES - Marine Park	MSES - Legally Secured Offset Area
MSES - High Ecological Value Waters (Wetland)	MSES - High Ecological Significance Wetlands	



Places Of Significance

Applicable Precinct or Area

Premises adjoining State heritage place (Adjoining only)

More Information

- [View Section 8.2.8 Places of Significance Overlay Code](#)
- [View Section 8.2.8 Places of Significance Overlay Compliance table](#)



☒ Selected Property

☐ Property

Places\_of\_State\_Significance\_p

☒ State Heritage Place

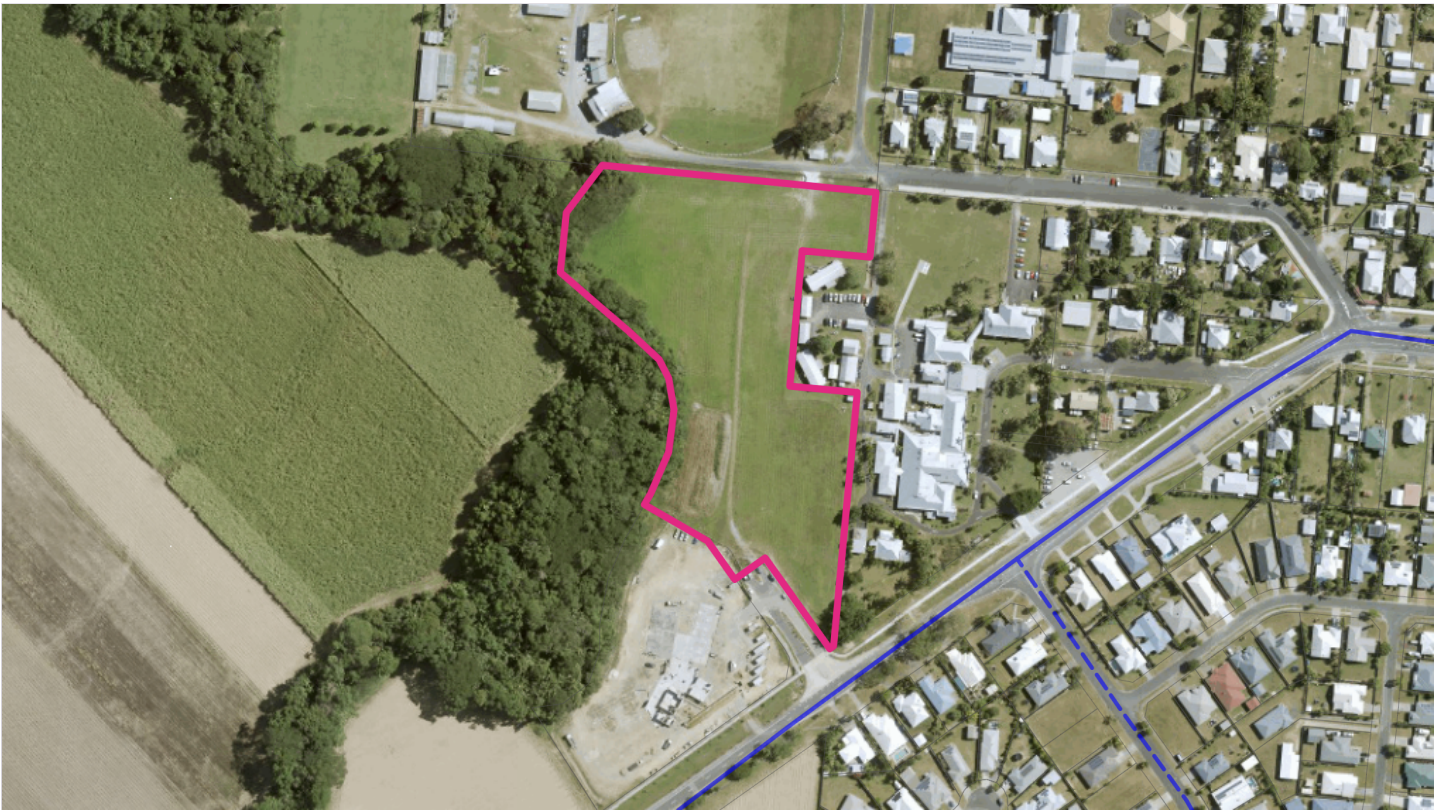
☒ Premises adjoining State heritage place



Transport Pedestrian Cycle

Applicable Precinct or Area  
Principal Route

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



☒ Selected Property

☐ Property

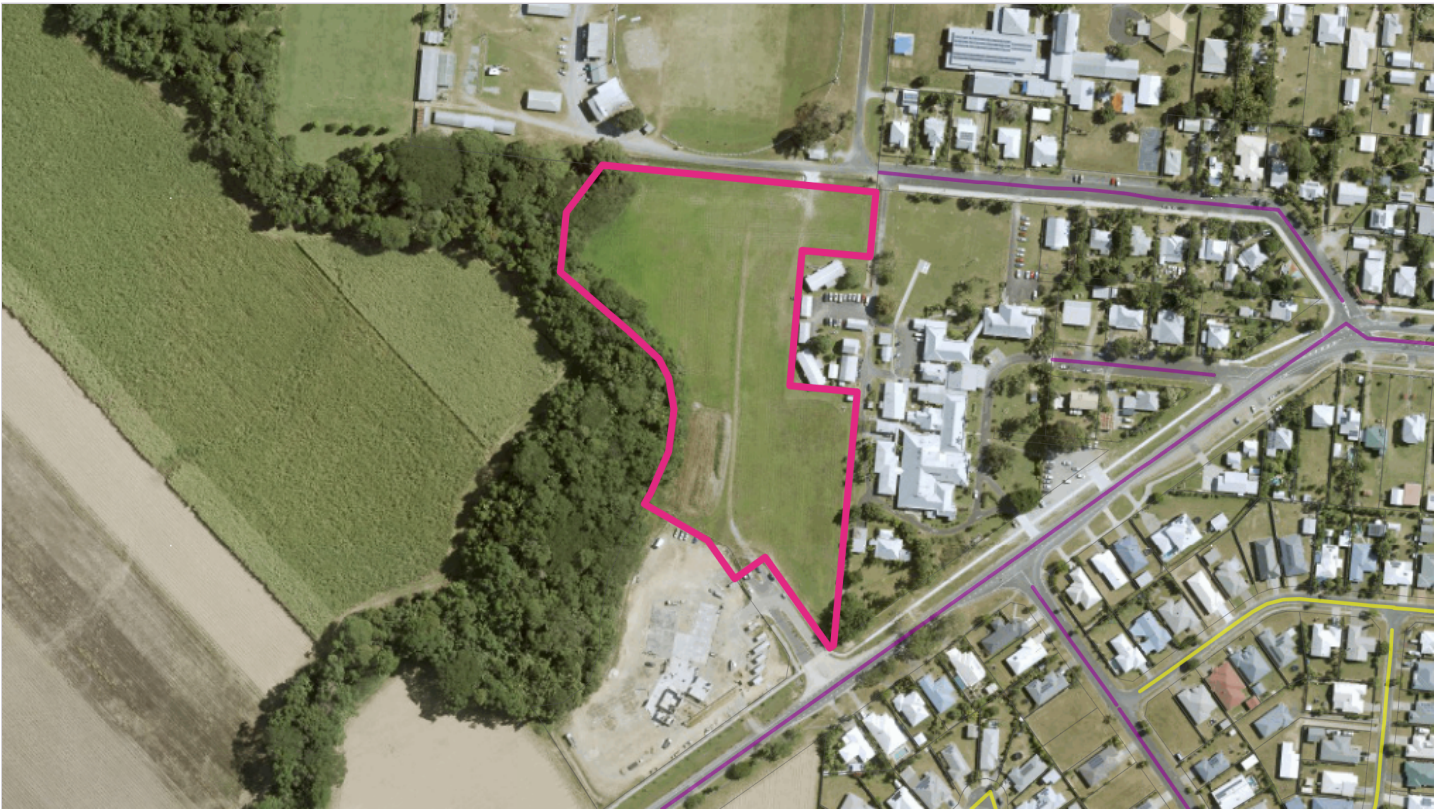
Pedestrian and Cycle Network

- |                 |                               |                         |                     |
|-----------------|-------------------------------|-------------------------|---------------------|
| District Route  | Future Principal Route        | Iconic Recreation Route | Neighbourhood Route |
| Principal Route | Strategic Investigation Route | all others              |                     |

Transport Road Hierarchy

**Applicable Precinct or Area**  
Collector Road

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



☒ Selected Property

☐ Property

**Road Hierarchy**

- |   |   |   |  |
|---|---|---|--|
| <span style="color: yellow;">—</span> Access Road   | <span style="color: black;">—</span> Arterial Road    | <span style="color: purple;">—</span> Collector Road  | <span style="color: red;">—</span> Industrial Road |
| <span style="color: red;">—</span> Major Rural Road | <span style="color: green;">—</span> Minor Rural Road | <span style="color: blue;">—</span> Sub Arterial Road | <span style="color: grey;">—</span> Unformed Road  |
| <span style="color: black;">—</span> all others     |   |   |  |

☐ Major Transport Corridor Buffer Area

Disclaimer

This report is not a substitute for a Planning and Development Certificate and should not be relied upon where the reliance may result in loss, damage or injury. While every effort is taken to ensure the information in this report is accurate and up to date, Douglas Shire Council makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs that may occur as a result of the report being inaccurate or incomplete in any way or for any reason.

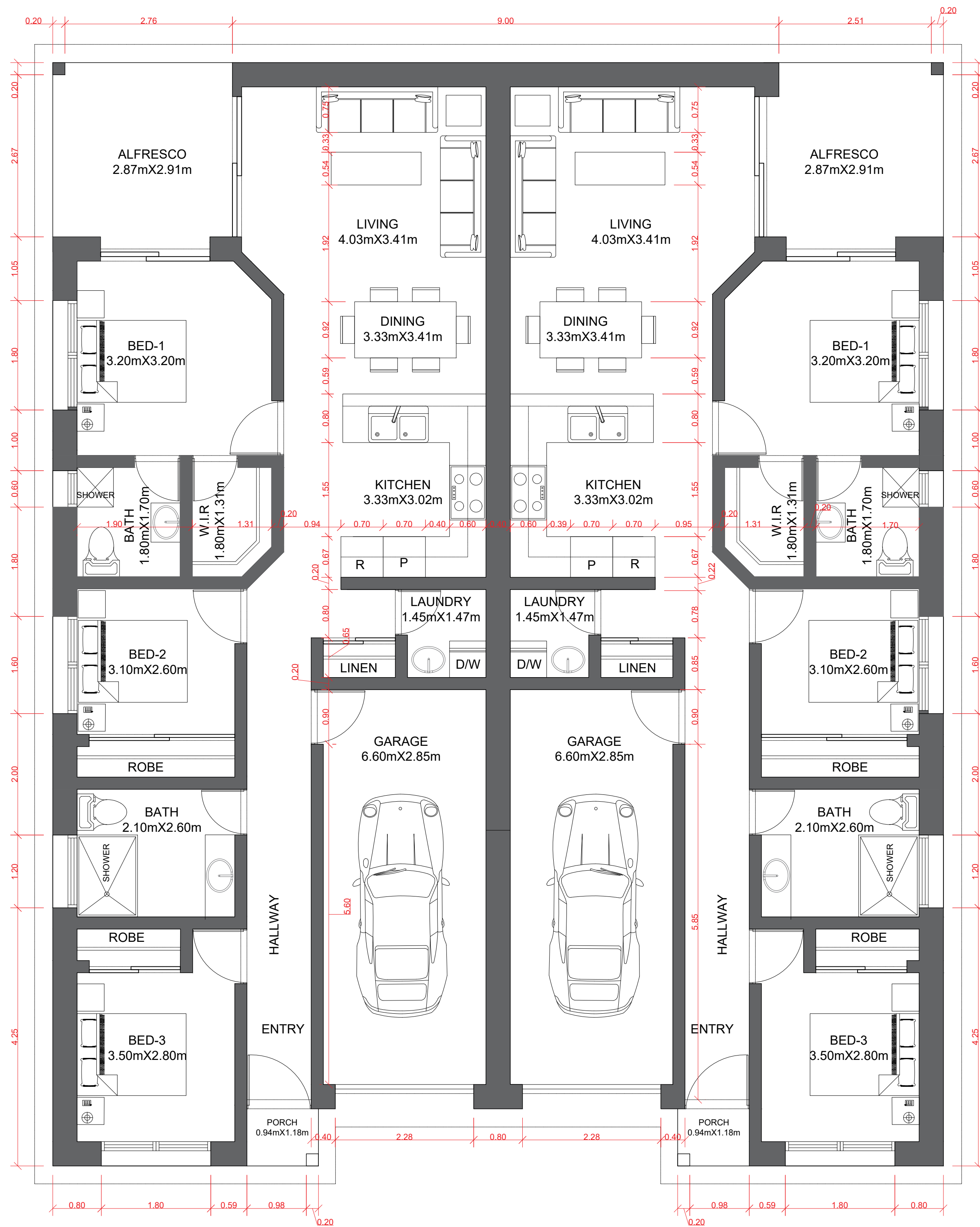
## Appendix D

### Architectural Proposal Plans

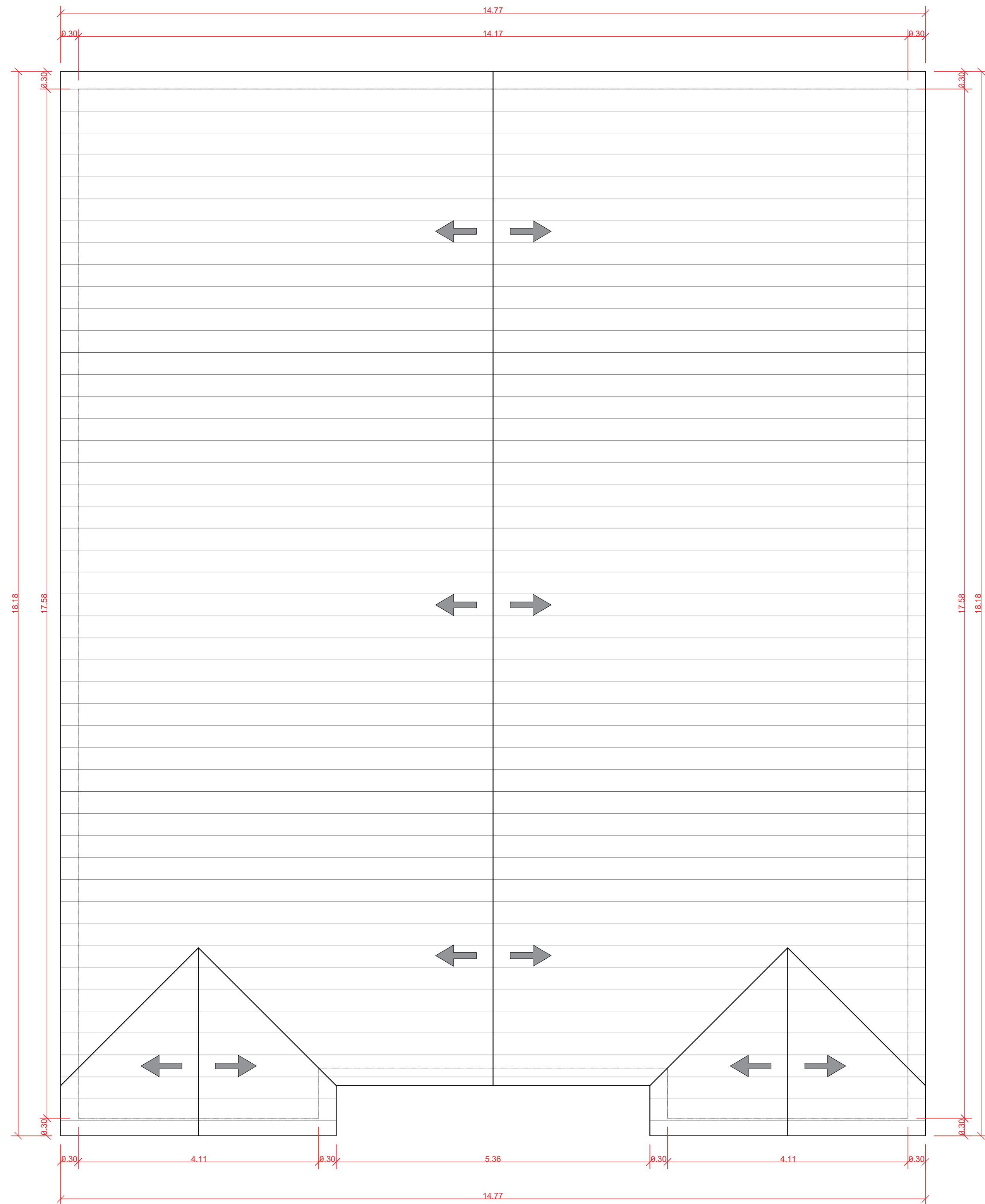








**MAIN FLOOR PLAN**  
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**ROOF PLAN**  
SCALE: 1:50

Rev.	Date	Submittal
0	16/06/22	Draft Set Prepared

**PROJECT**

**NAME:**  
MOSSMAN RETIREMENT  
VILLAGE  
**LOCATION :**  
MOSSMAN QLD  
**CLIENT :**  
COOLOOLA WATERS  
HOLDINGS PTY LTD

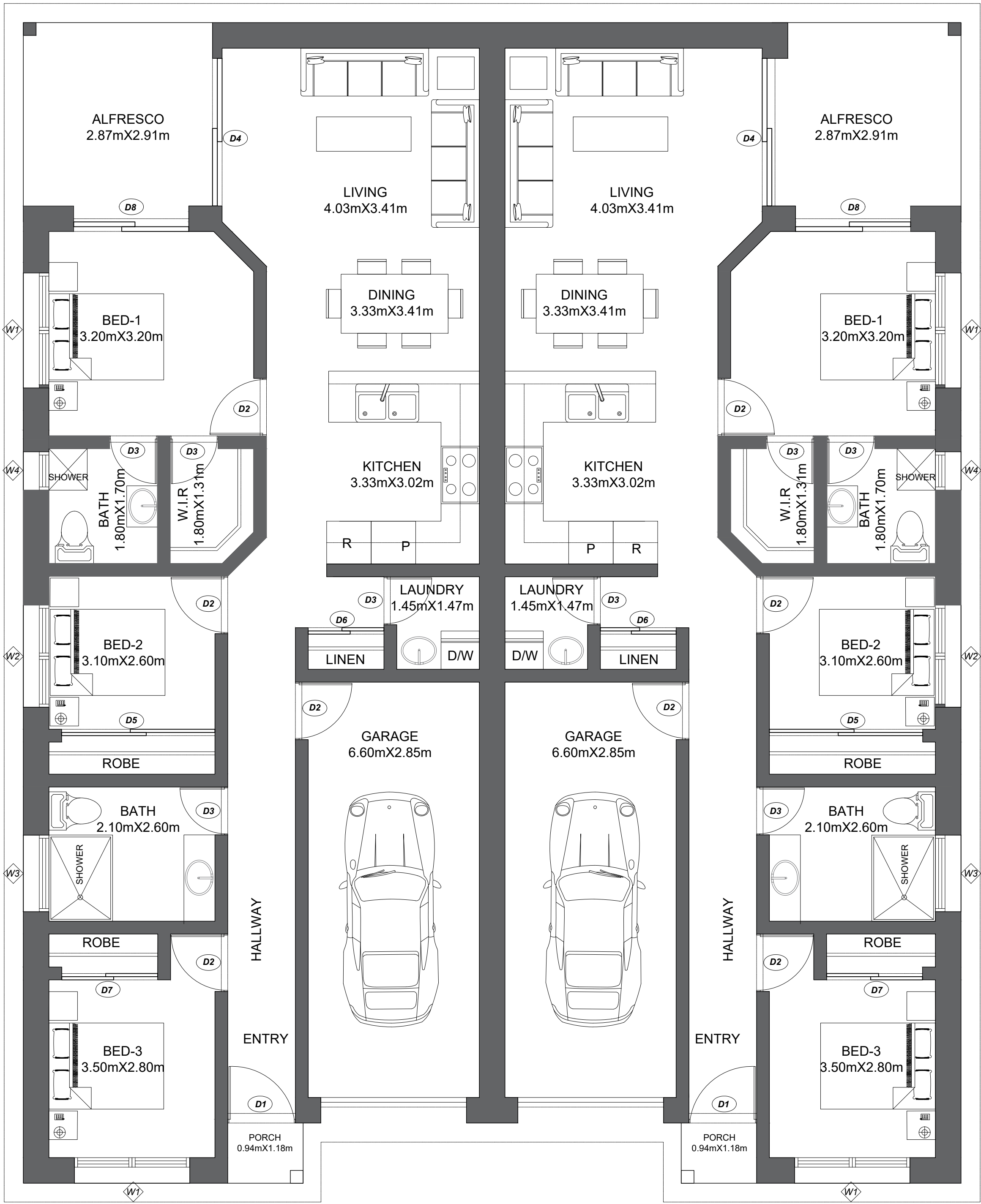
**PREPARED BY-**

**DUPLEX FLOOR PLAN**

Date:	04/27/23
Project No:	
Drawn By:	
Checked By:	
Approved By:	

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Sheet No:	





**MAIN FLOOR PLAN**  
SCALE: 1:50

Rev.	Date	Submittal
0	16/06/22	Draft Set Prepared

PROJECT

**NAME:**  
MOSSMAN RETIREMENT VILLAGE

**LOCATION :**  
MOSSMAN QLD

**CLIENT :**  
COOLOOLA WATERS HOLDINGS PTY LTD

PREPARED BY-

DOOR AND WINDOW SCHEDULE  
FLOOR PLAN

Date:	04/27/23
Project No:	
Drawn By:	
Checked By:	
Approved By:	

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Sheet No:	A02

Rev.	Date	Submittal
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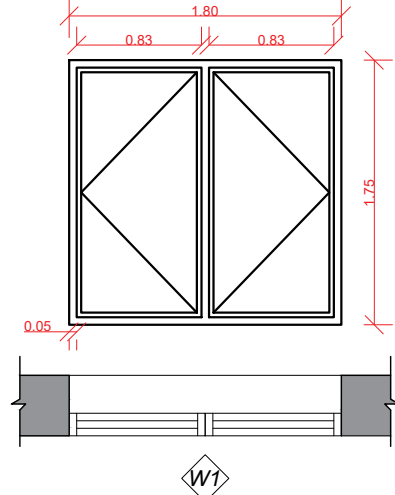
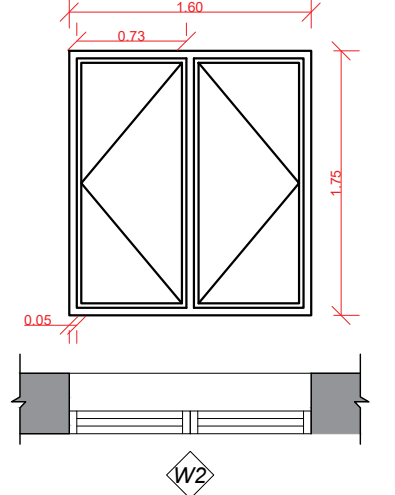
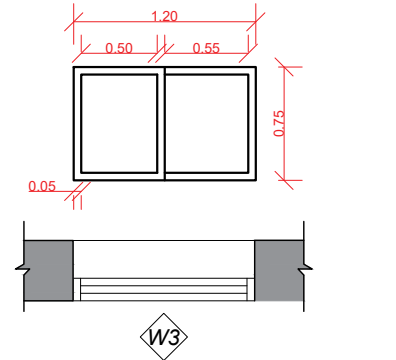
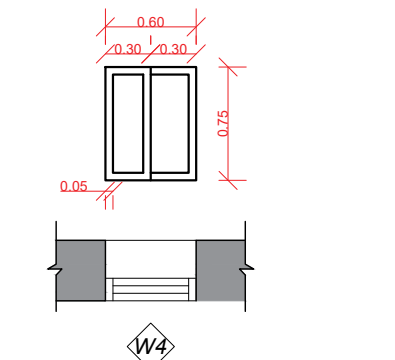
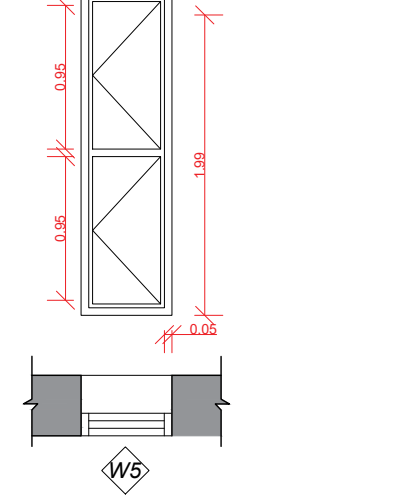
PROJECT
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<b>LOCATION :</b> MOSSMAN QLD
<b>CLIENT :</b> COOLOOLA WATERS HOLDINGS PTY LTD

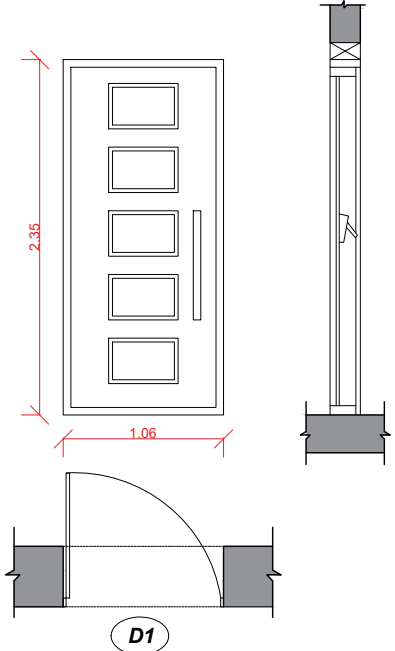
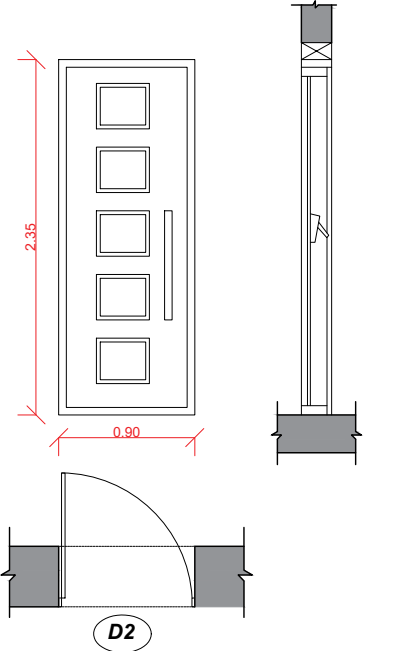
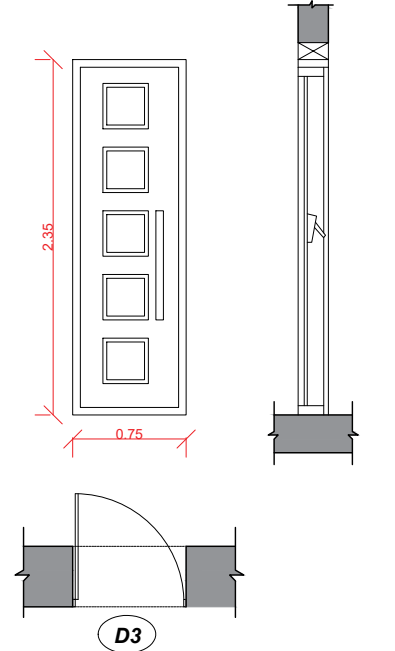
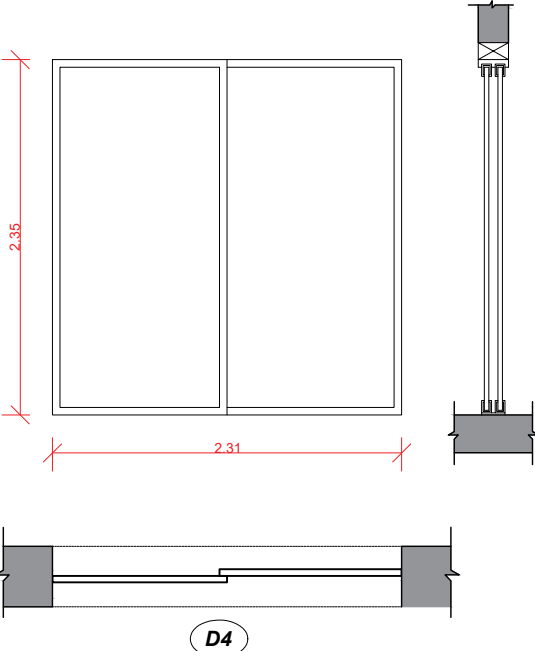
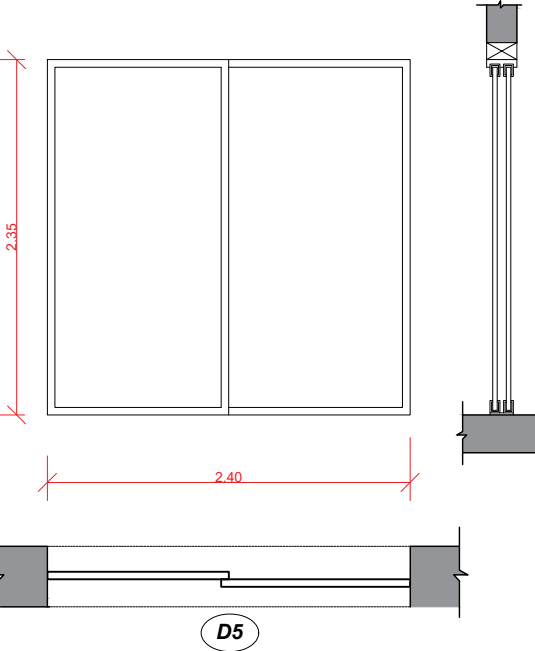
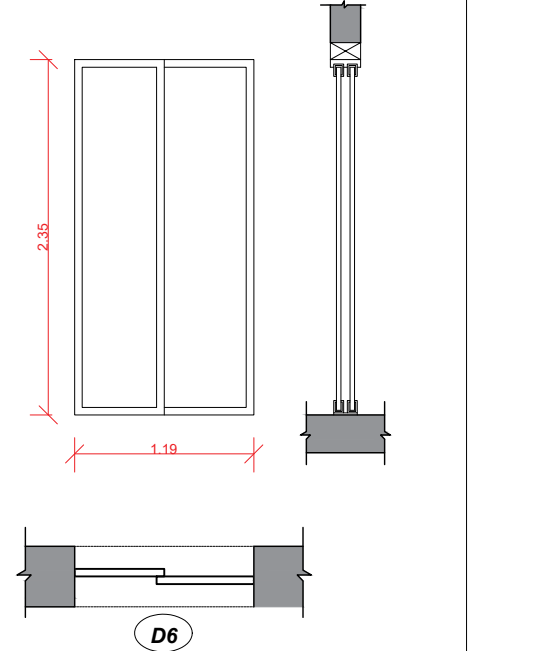
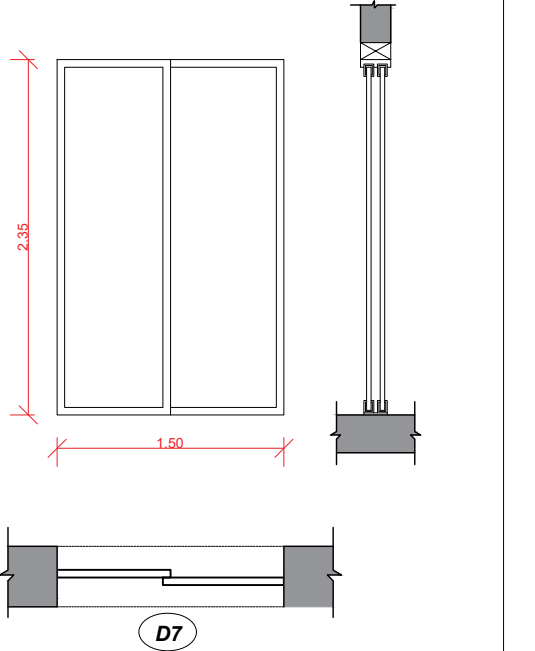
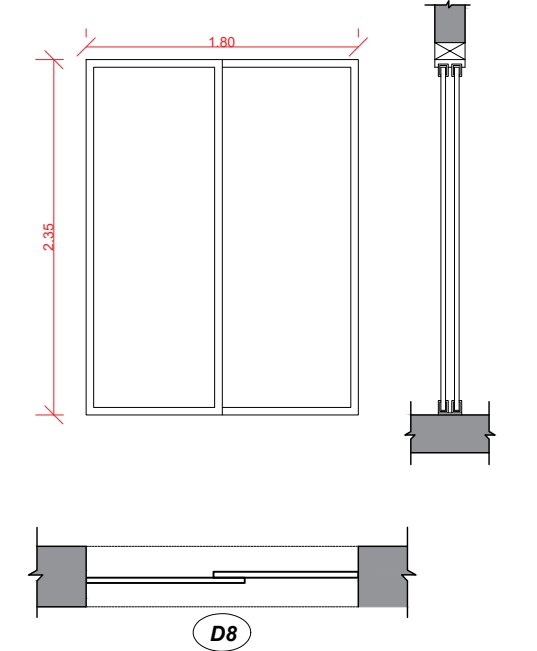
PREPARED BY-

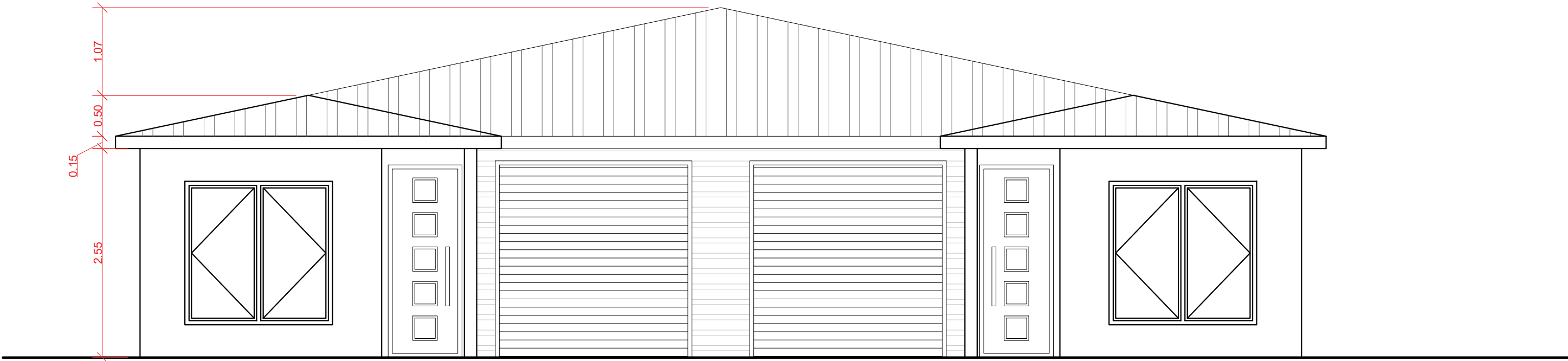
DOOR AND WINDOW SCHEDULE
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Project No:	
Drawn By:	
Checked By:	
Approved By:	

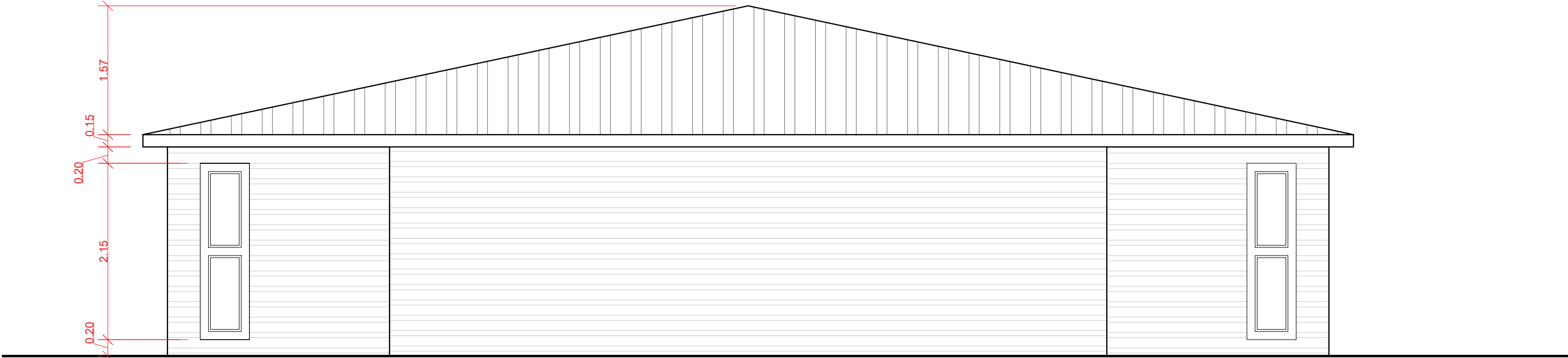
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HEIGHT	1.75 M	HEIGHT	1.75 M	HEIGHT	0.75 M	HEIGHT	0.75 M	HEIGHT	2.15 M
WIDTH	1.80 M	WIDTH	1.60 M	WIDTH	1.20 M	WIDTH	0.60 M	WIDTH	0.60 M
SILL HEIGHT	0.40 M	SILL HEIGHT	0.40 M	SILL HEIGHT	1.40 M	SILL HEIGHT	1.40 M	SILL HEIGHT	0.20 M
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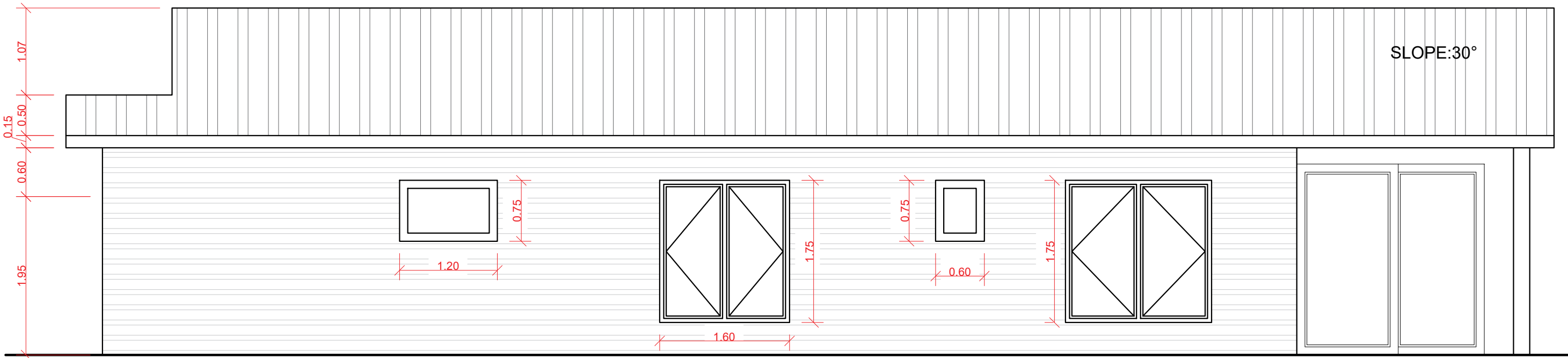
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HEIGHT	2.35 M	HEIGHT	2.35M	HEIGHT	2.35 M	HEIGHT	2.35M	HEIGHT	2.35 M	HEIGHT	2.35 M	HEIGHT	2.35 M	HEIGHT	2.35 M
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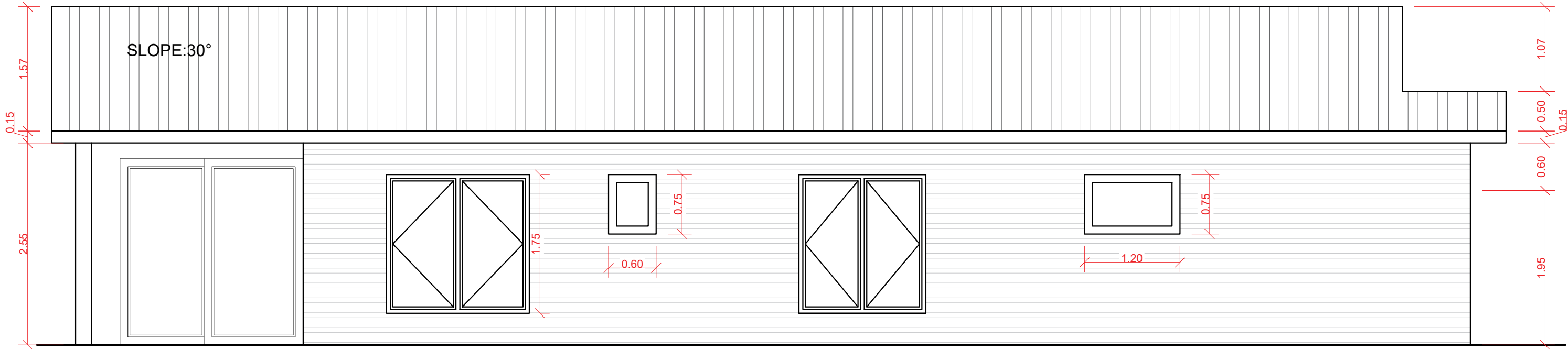
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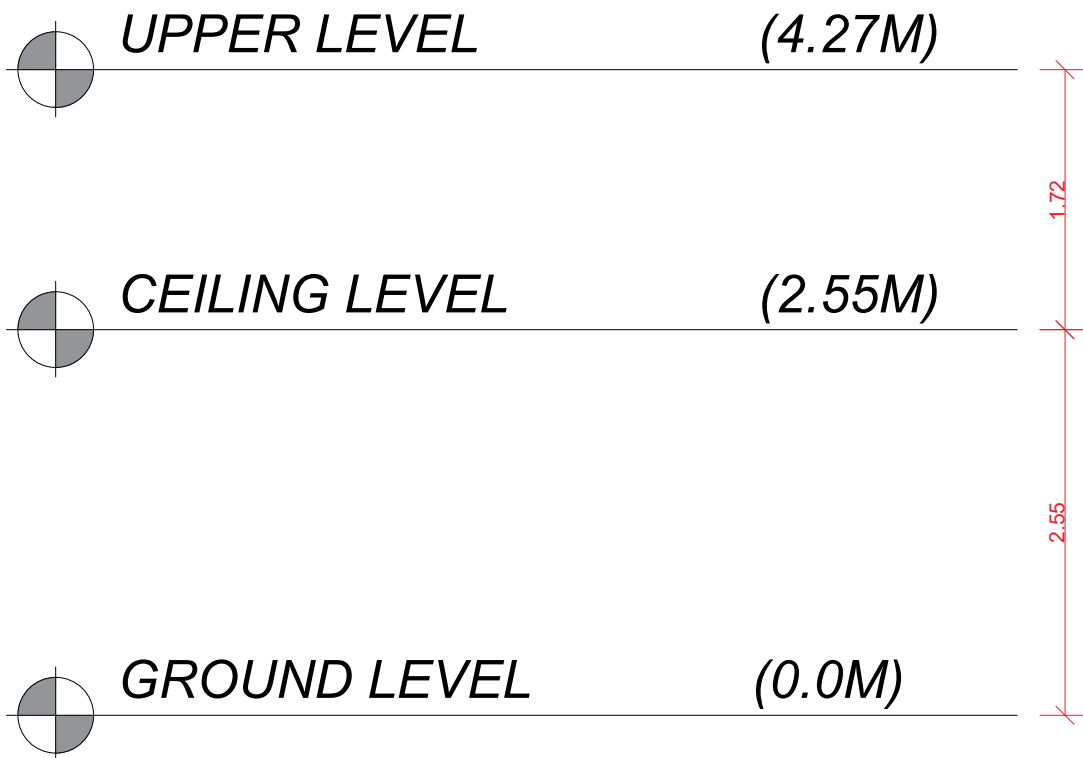
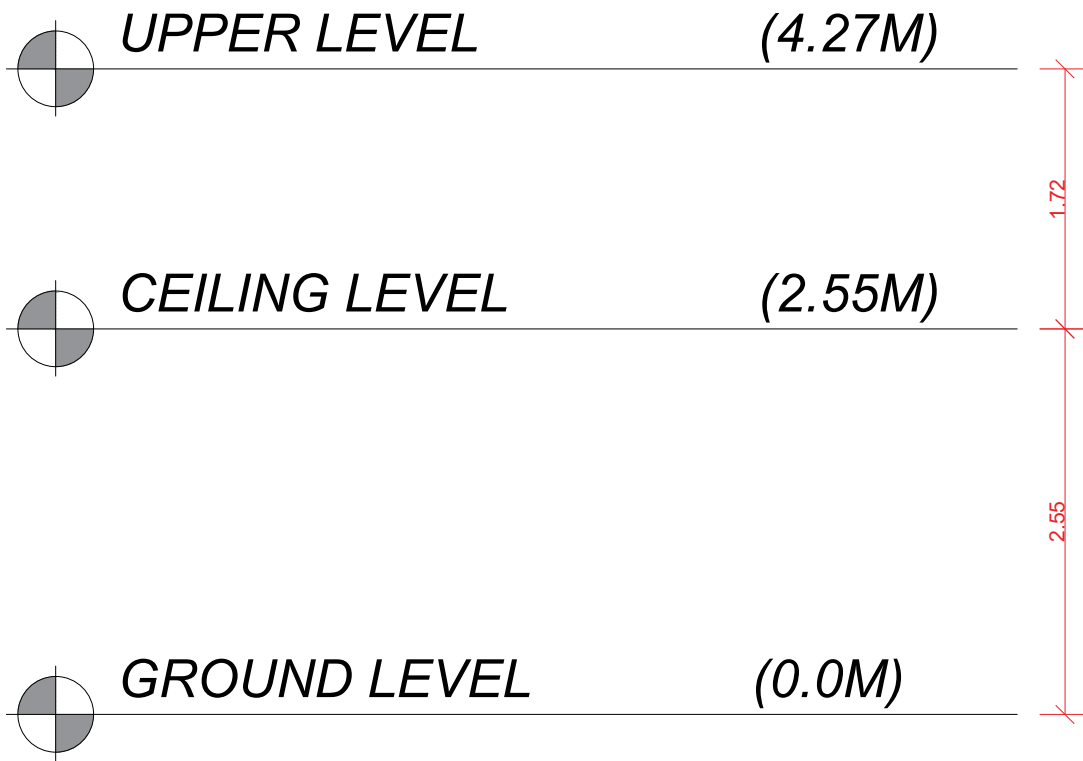
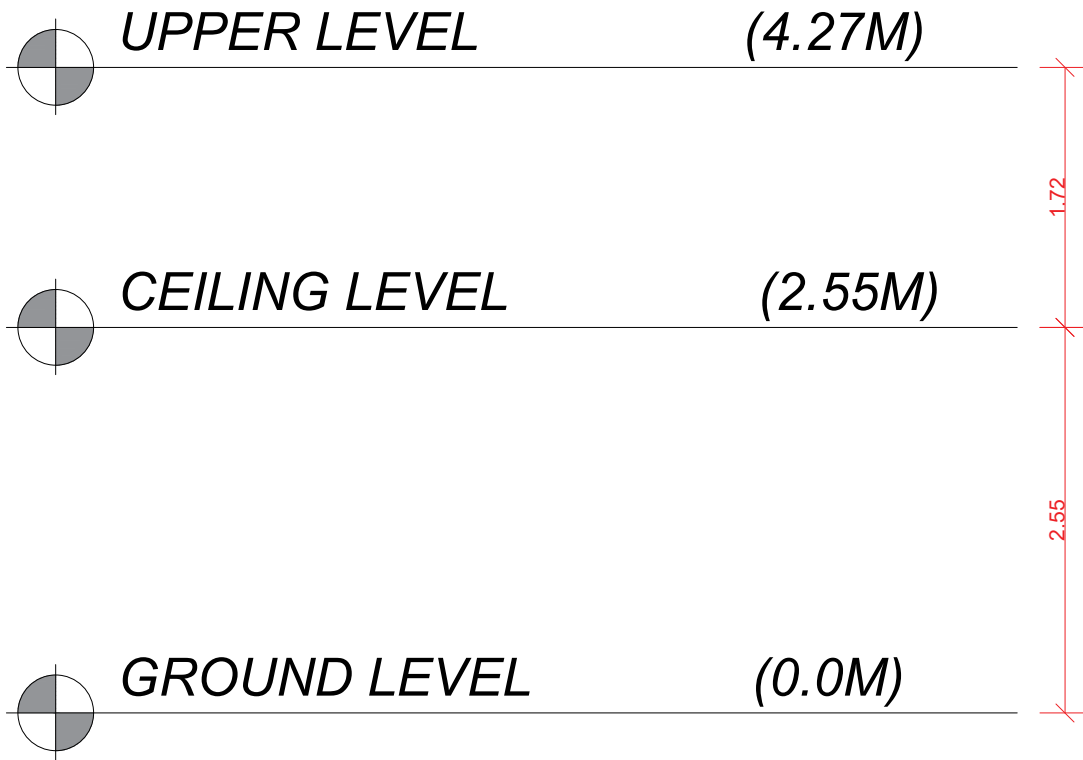
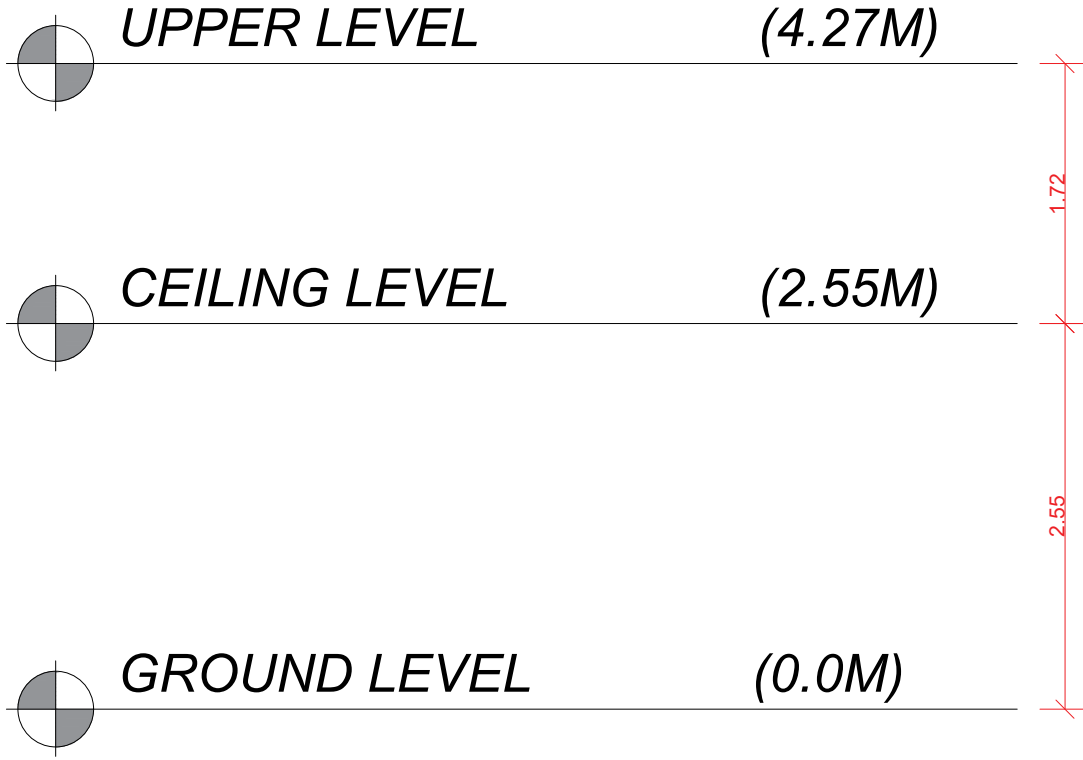
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**RIGHT ELEVATION**  
SCALE: 1:50



**LEFT ELEVATION**  
SCALE: 1:50



Rev.	Date	Submittal
0	16/06/22	Draft Set Prepared

PROJECT

**NAME:**  
MOSSMAN RETIREMENT VILLAGE

**LOCATION :**  
MOSSMAN QLD

**CLIENT :**  
COOLOOLA WATERS HOLDINGS PTY LTD

PREPARED BY-

ELEVATIONS

Date:04/27/23

Project No:

Drawn By:

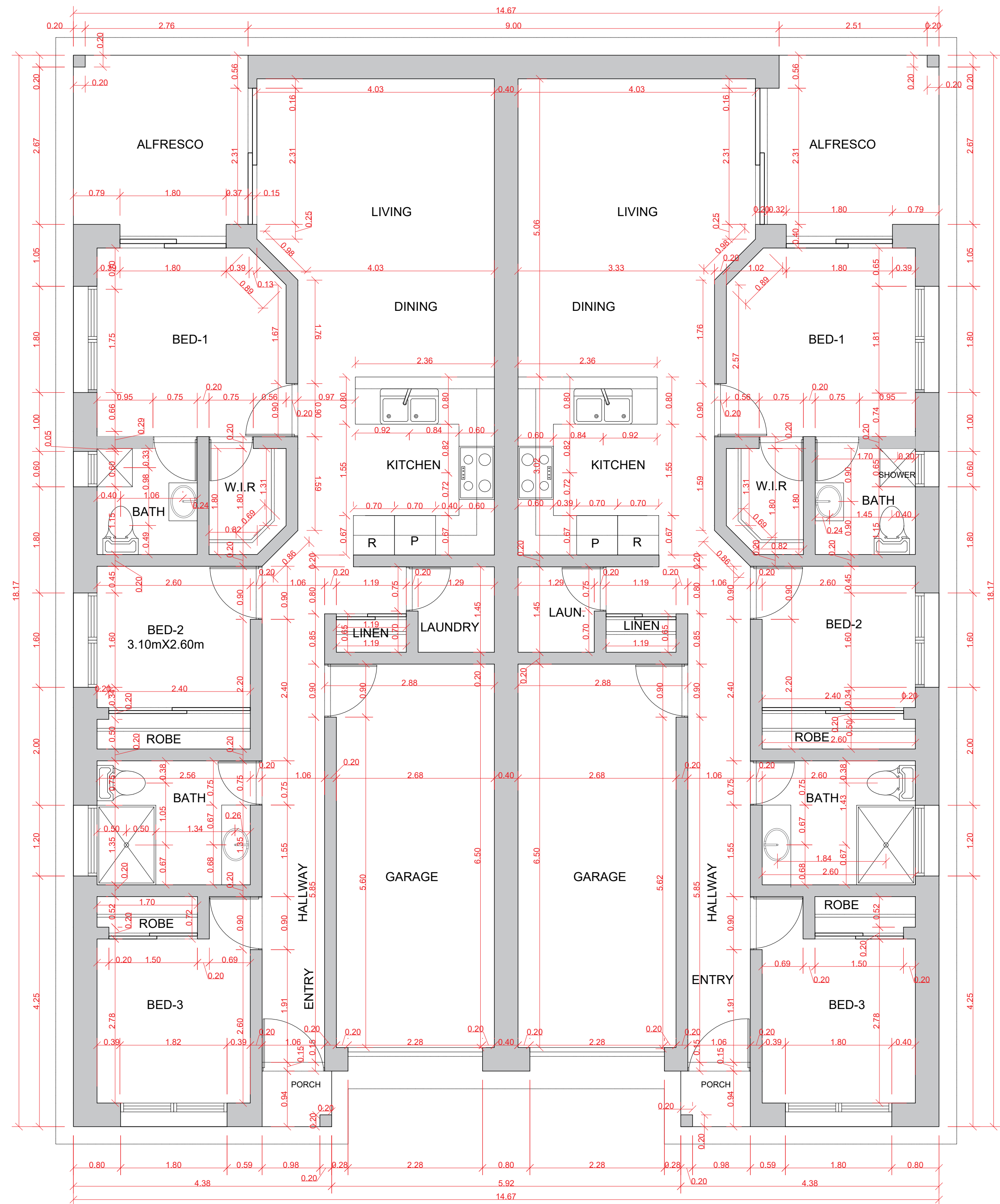
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Approved By:

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Sheet No:

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 **MAIN FLOOR WORKING PLAN**  
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Rev.	Date	Submittal
0	16/06/22	Draft Set Prepared

PROJECT

**NAME:**  
MOSSMAN RETIREMENT VILLAGE

**LOCATION :**  
MOSSMAN QLD

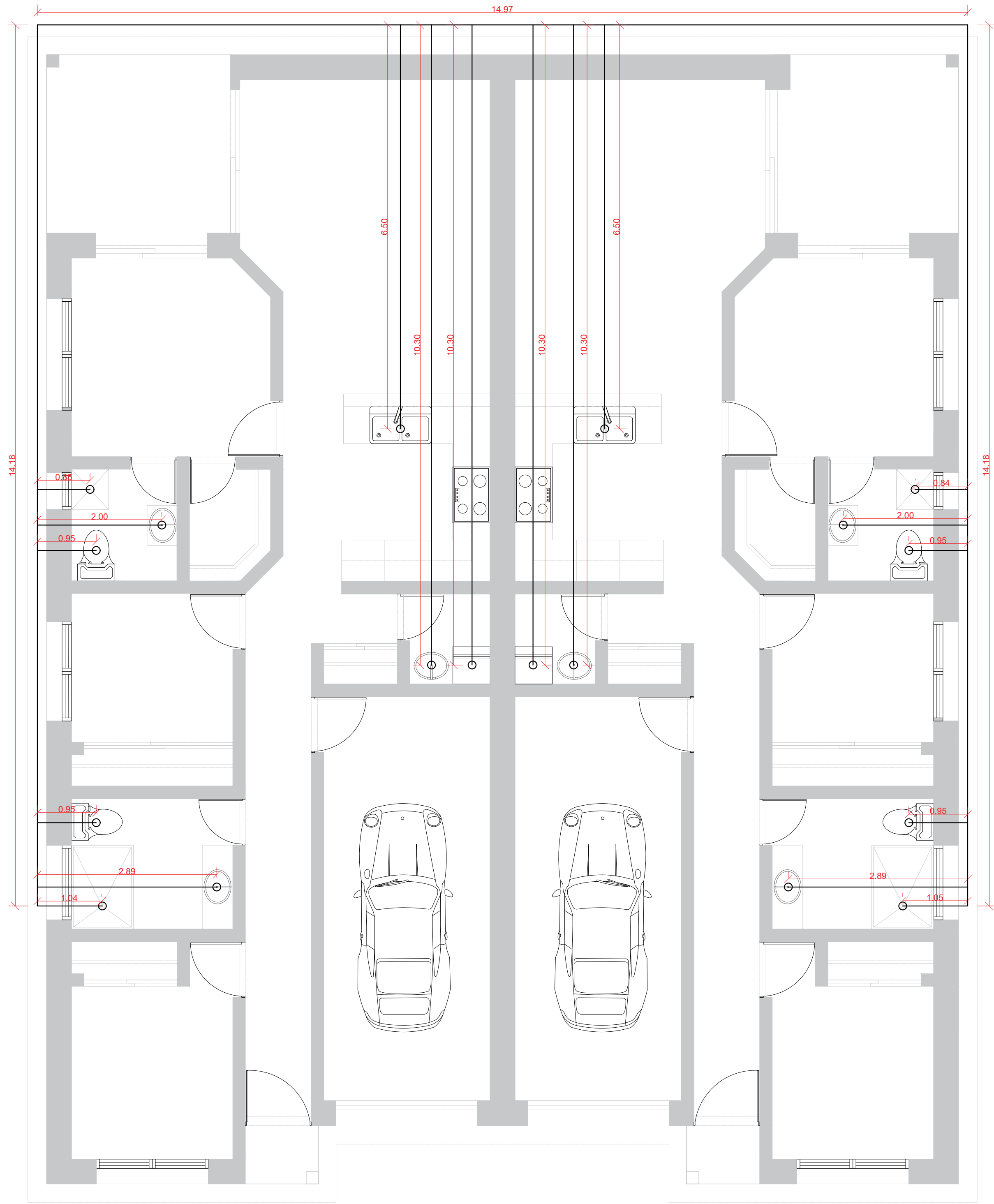
**CLIENT :**  
COOLOOLA WATERS HOLDINGS PTY LTD

PREPARED BY-

WORKING PLAN

Date:	04/27/23
Project No:	
Drawn By:	
Checked By:	
Approved By:	





 **MAIN FLOOR PLAN**  
SCALE: 1:50

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**PROJECT**

**NAME:**  
MOSSMAN RETIREMENT VILLAGE

**LOCATION :**  
MOSSMAN QLD

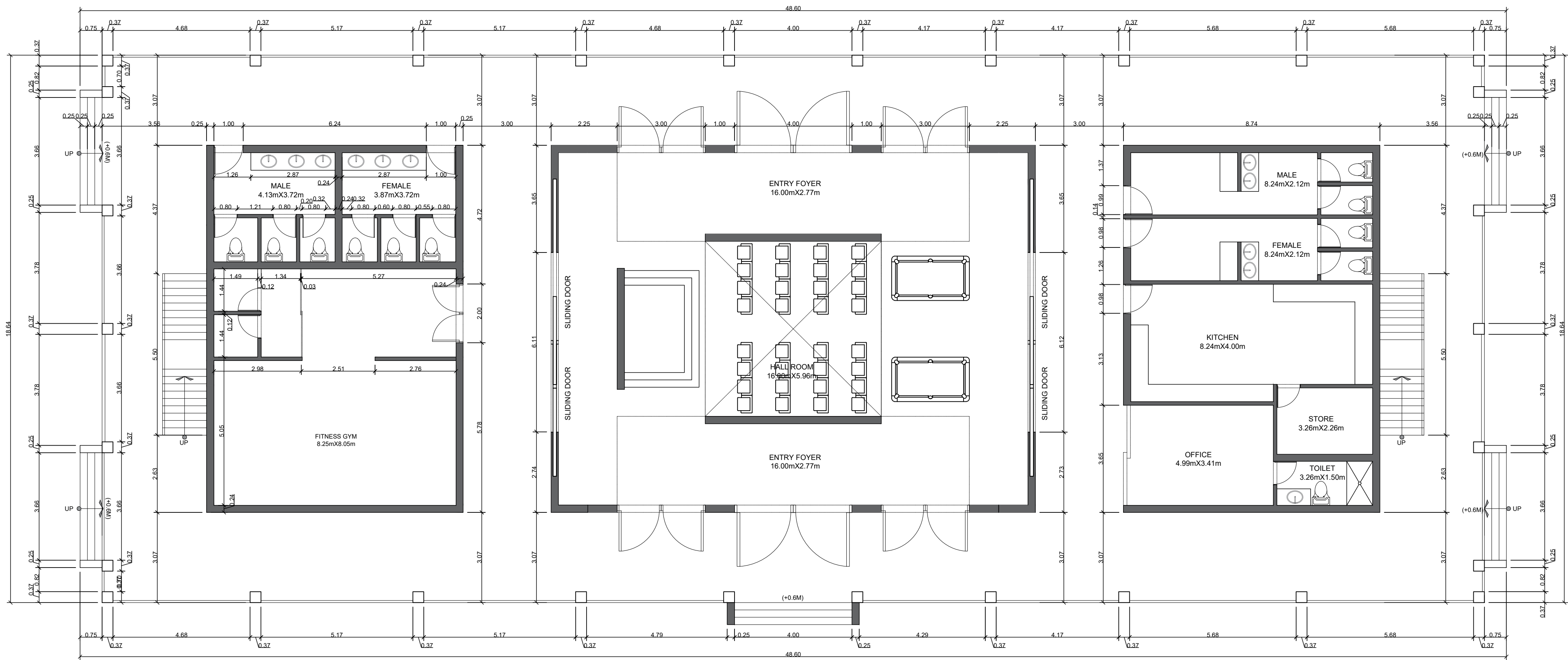
**CLIENT :**  
COOLOOLA WATERS HOLDINGS PTY LTD

**PREPARED BY-**

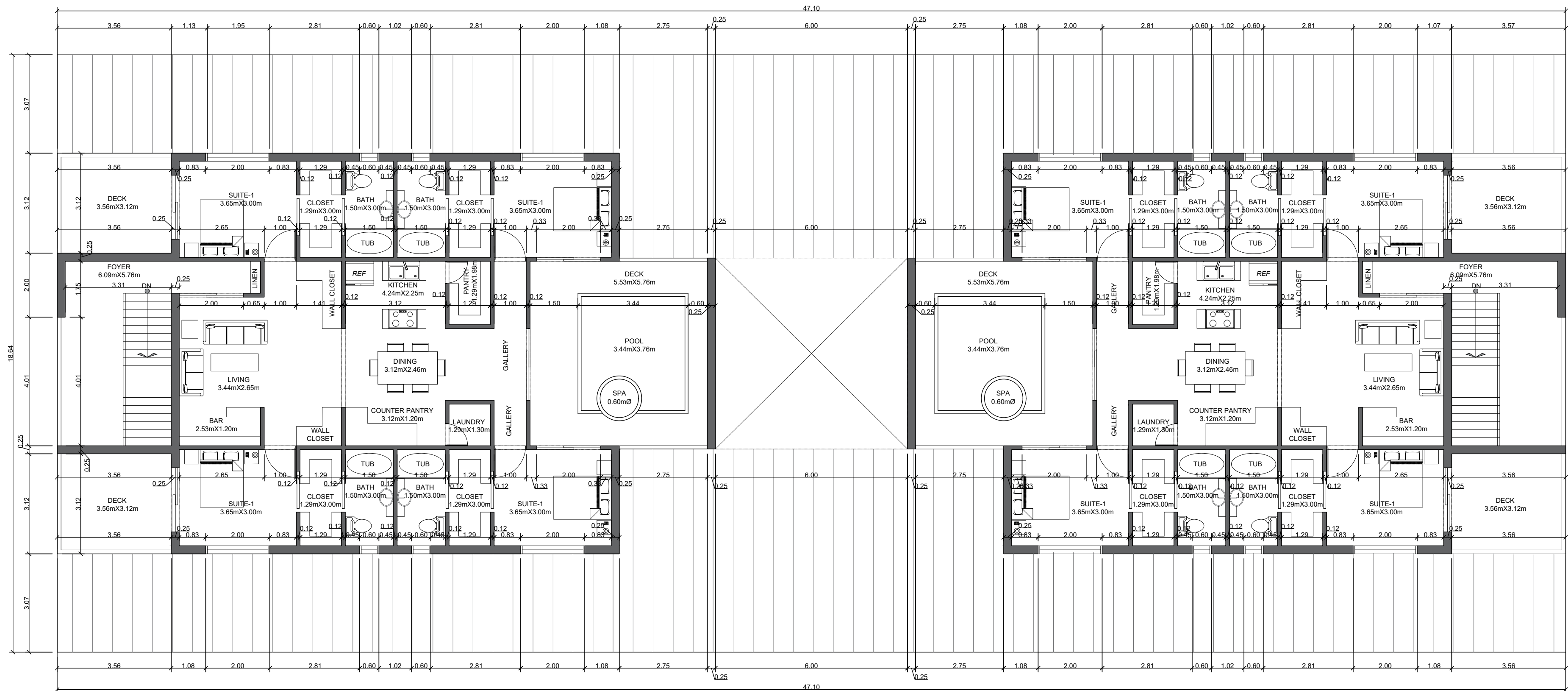
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Project No:	
Drawn By:	
Checked By:	
Approved By:	

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Sheet No:	<b>A06</b>



MAIN FLOOR PLAN  
SCALE: 1:100



UPPER FLOOR PLAN  
SCALE: 1:100

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PROJECT

**NAME:**  
MOSSMAN RETIREMENT VILLAGE

**LOCATION :**  
MOSSMAN QLD

**CLIENT :**  
COOLOOLA WATERS HOLDINGS PTY LTD

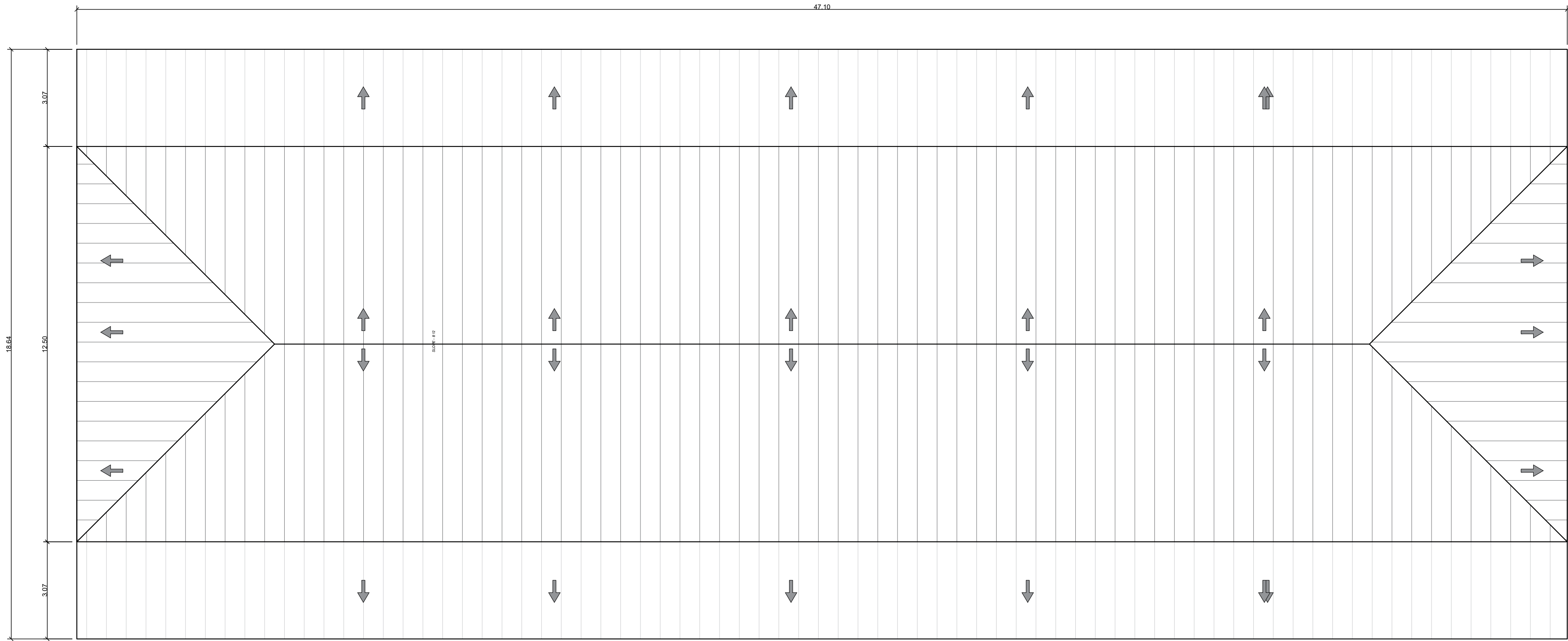
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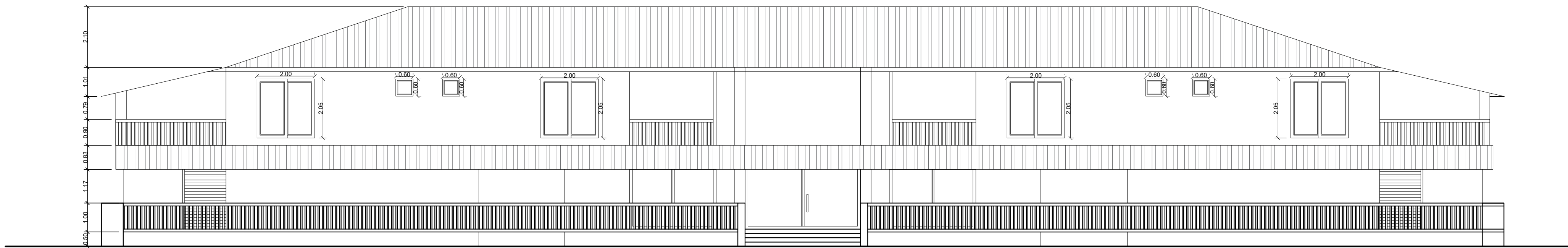
CLUB HOUSE PLAN

Date:	16/06/22
Project No:	
Drawn By:	
Checked By:	
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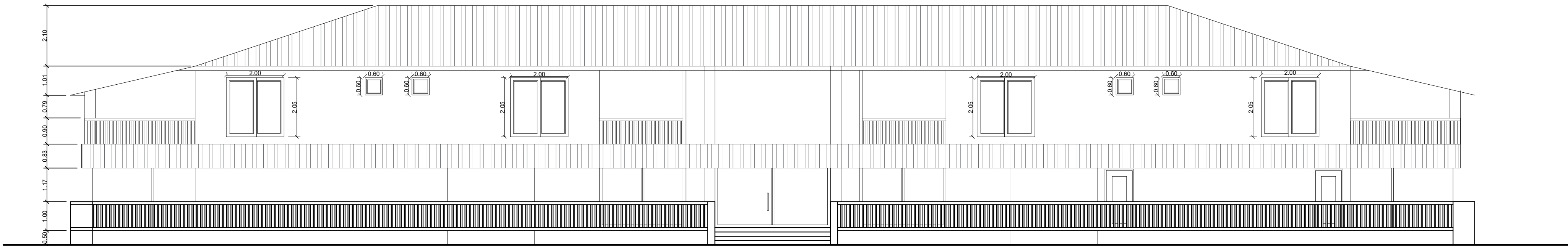
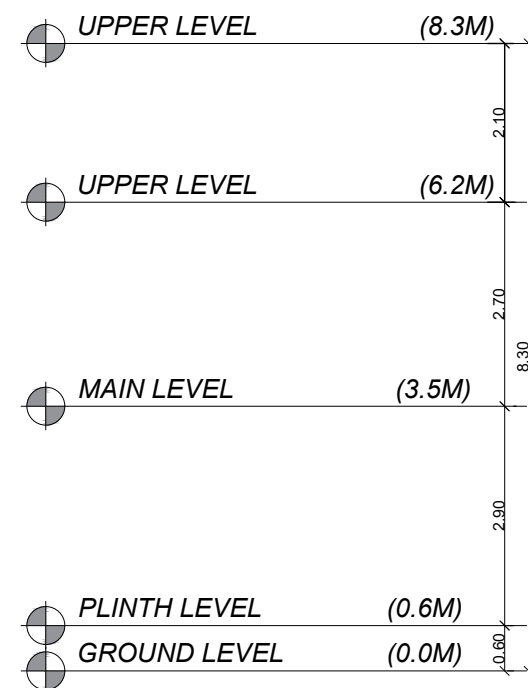
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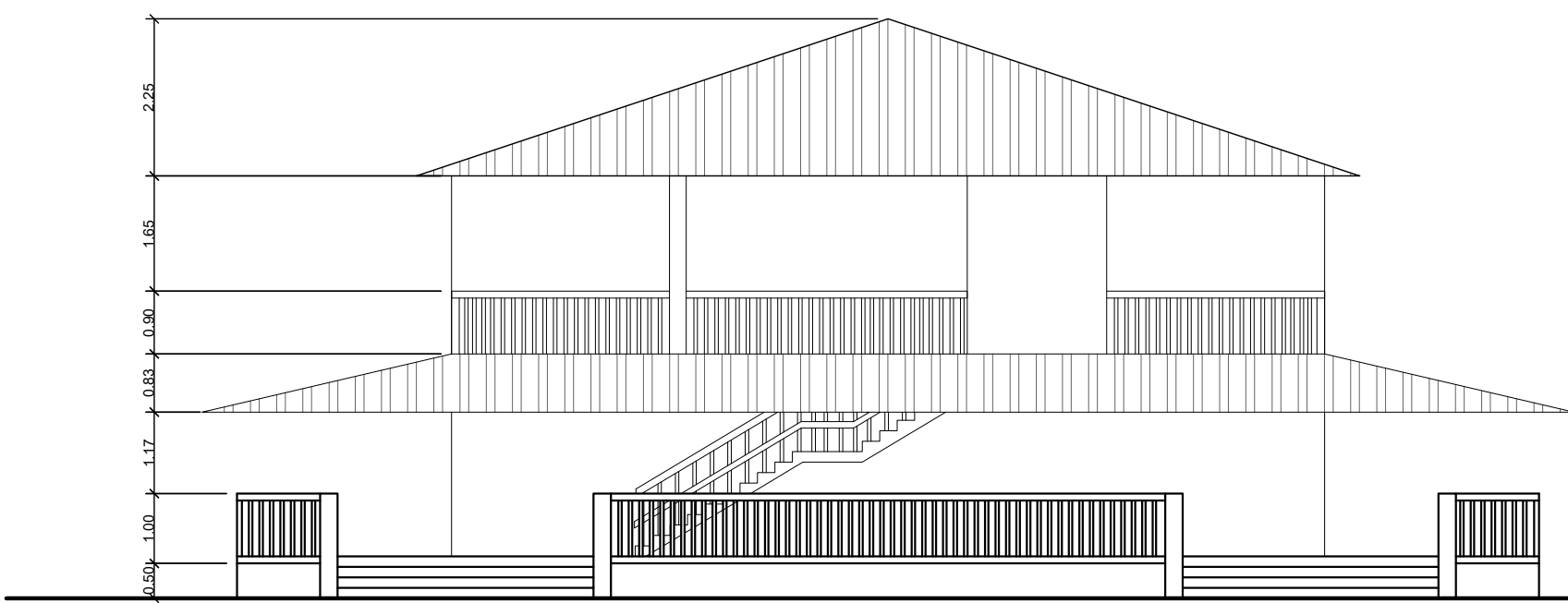
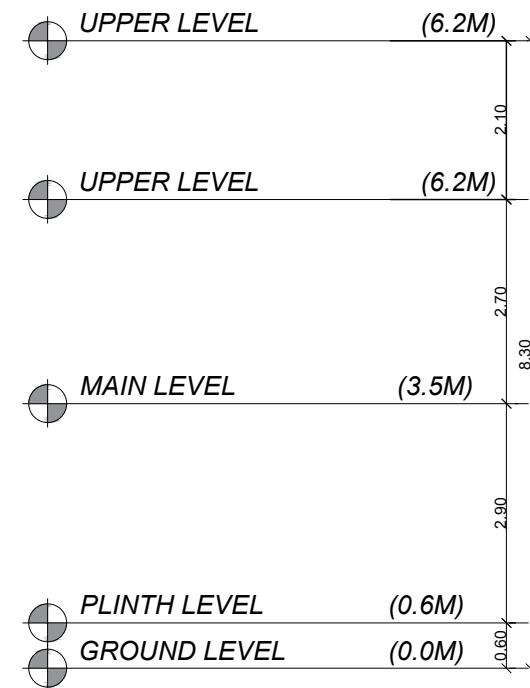
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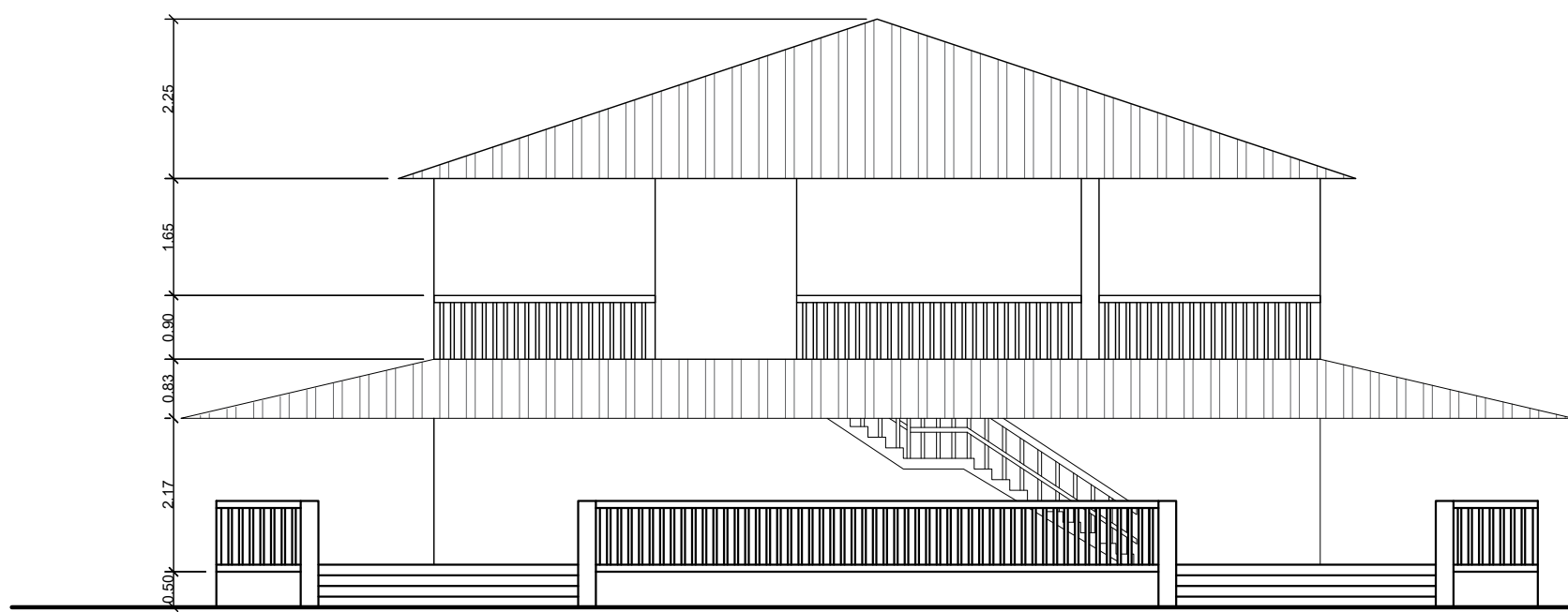
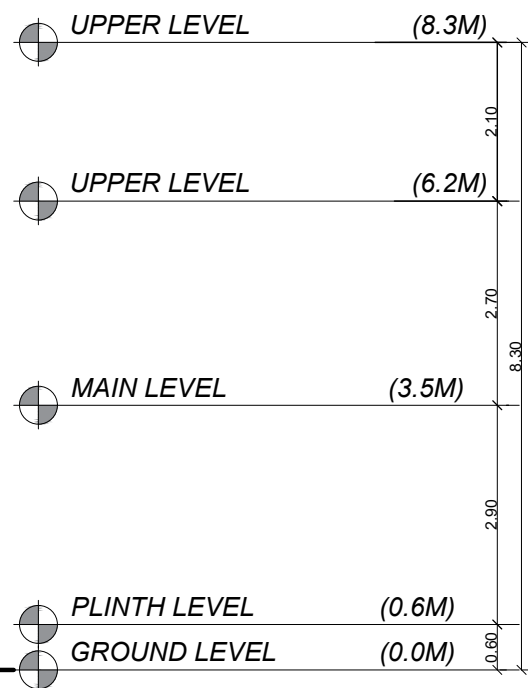
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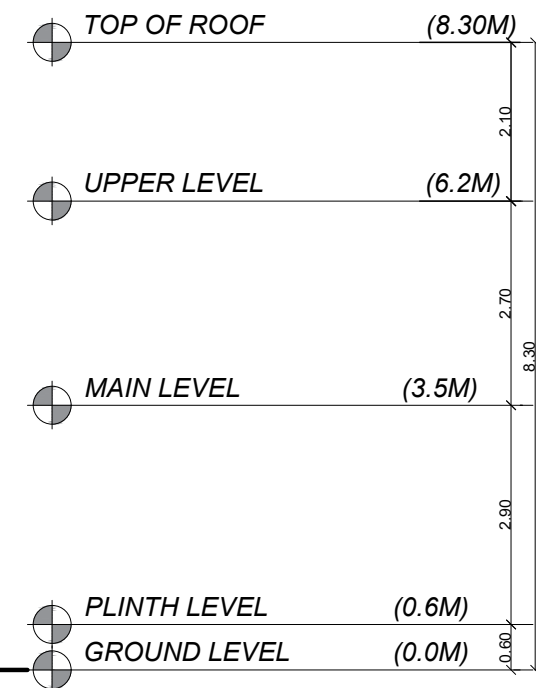
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LEFT ELEVATION  
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RIGHT ELEVATION  
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Rev.	Date	Submittal
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**PROJECT**

**NAME:**  
MOSSMAN RETIREMENT  
VILLAGE

**LOCATION :**  
MOSSMAN QLD

**CLIENT :**  
COOLOOLA WATERS  
HOLDINGS PTY LTD

**PREPARED BY-**

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# CLUB HOUSE ELEVATION

Date: 16/06/22

Project No:

Drawn By:

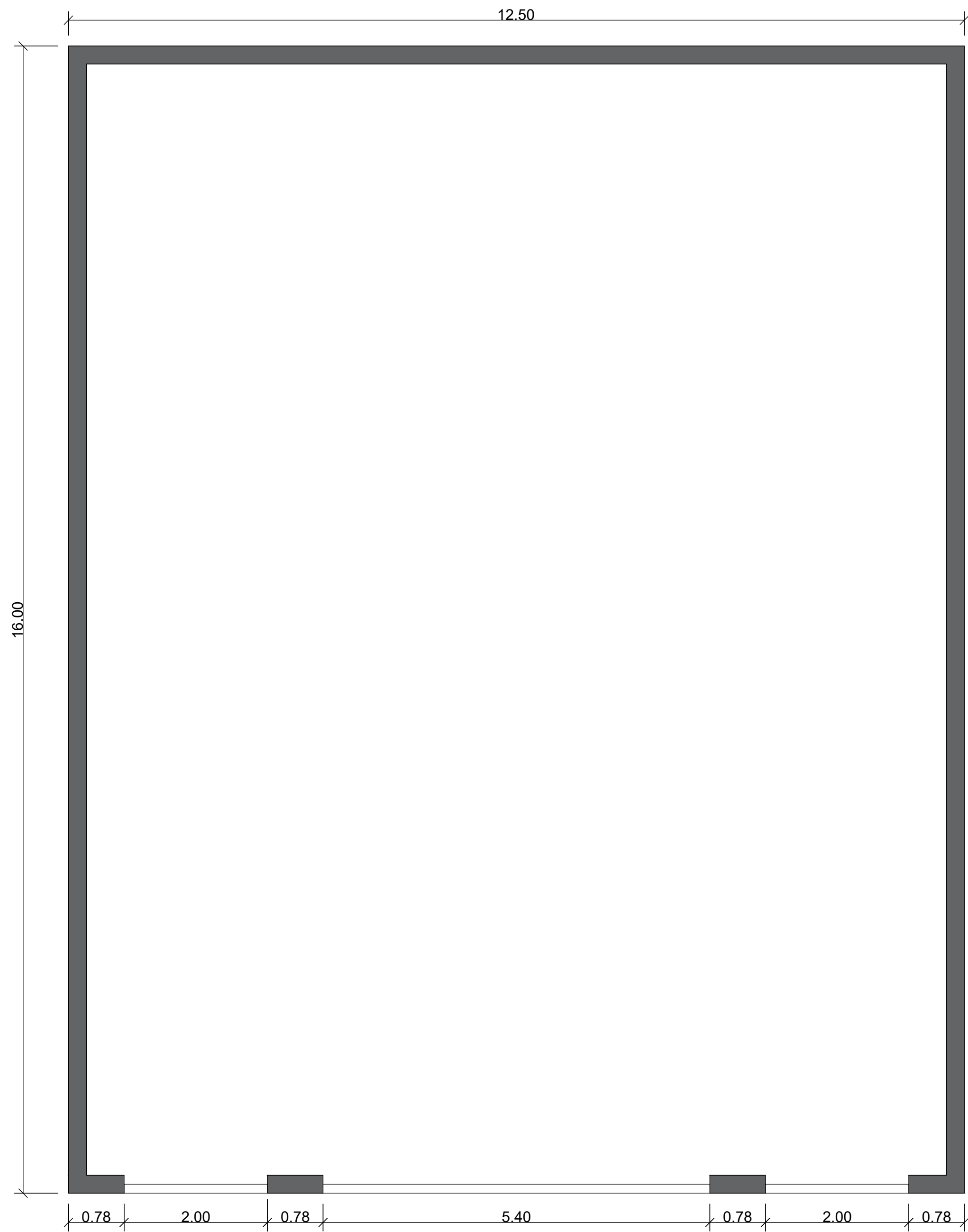
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HOBBY SHED FLOOR PLAN  
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HOBBY SHED ROOF PLAN  
SCALE: 1:50

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PROJECT

**NAME:**  
MOSSMAN RETIREMENT VILLAGE

**LOCATION :**  
MOSSMAN QLD

**CLIENT :**  
COOLOOLA WATERS HOLDINGS PTY LTD

PREPARED BY-

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HOBBY SHED PLAN

Date: 16/06/22

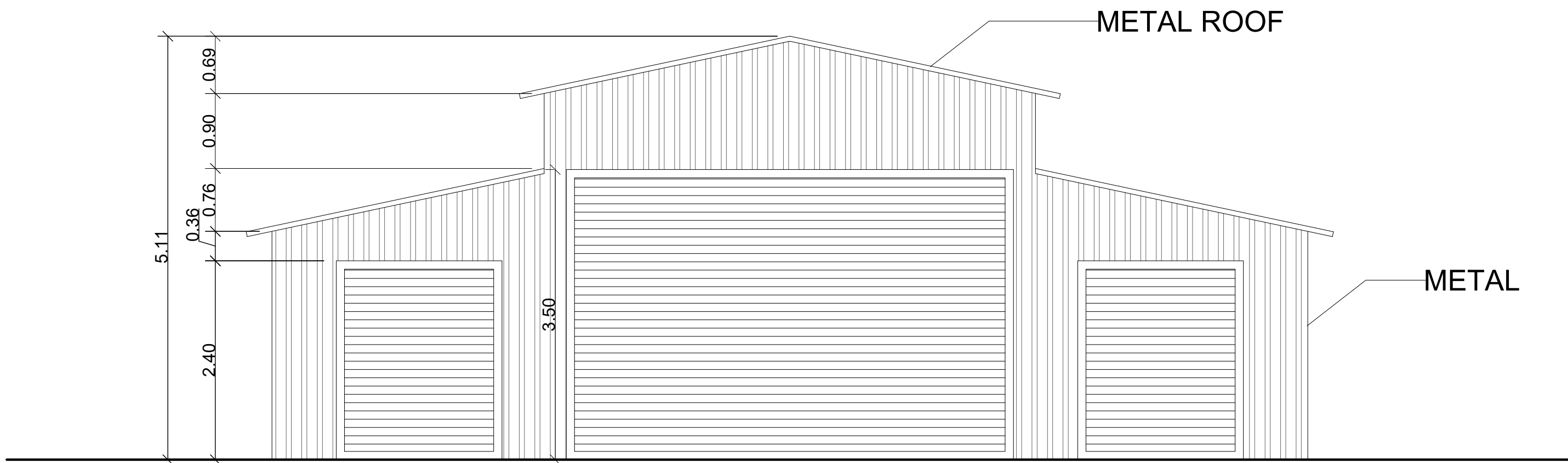
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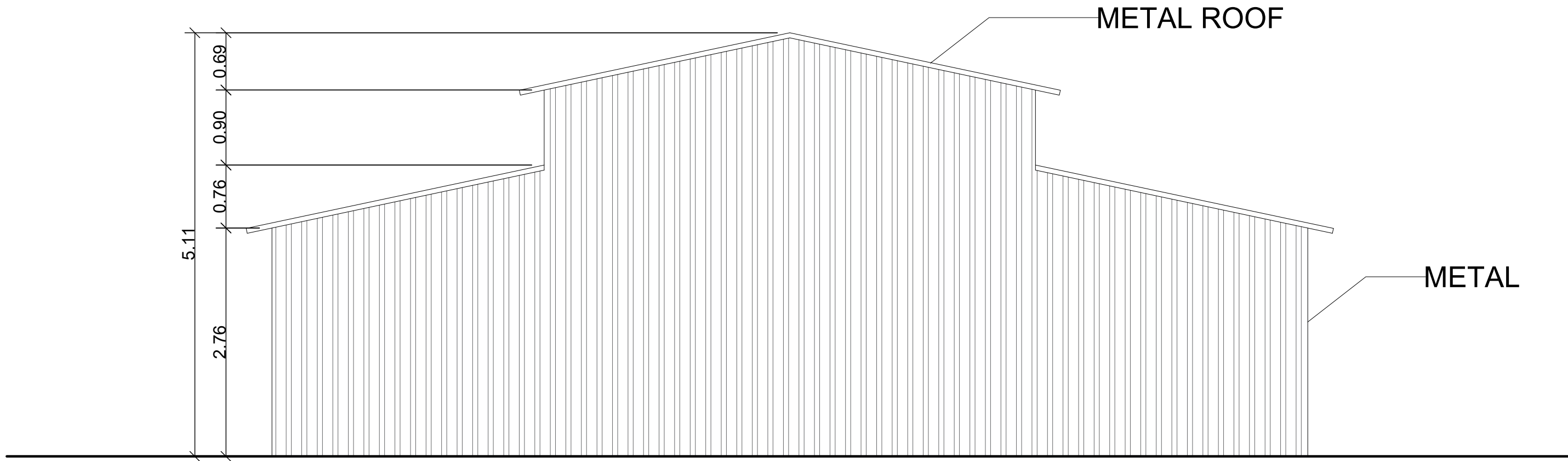
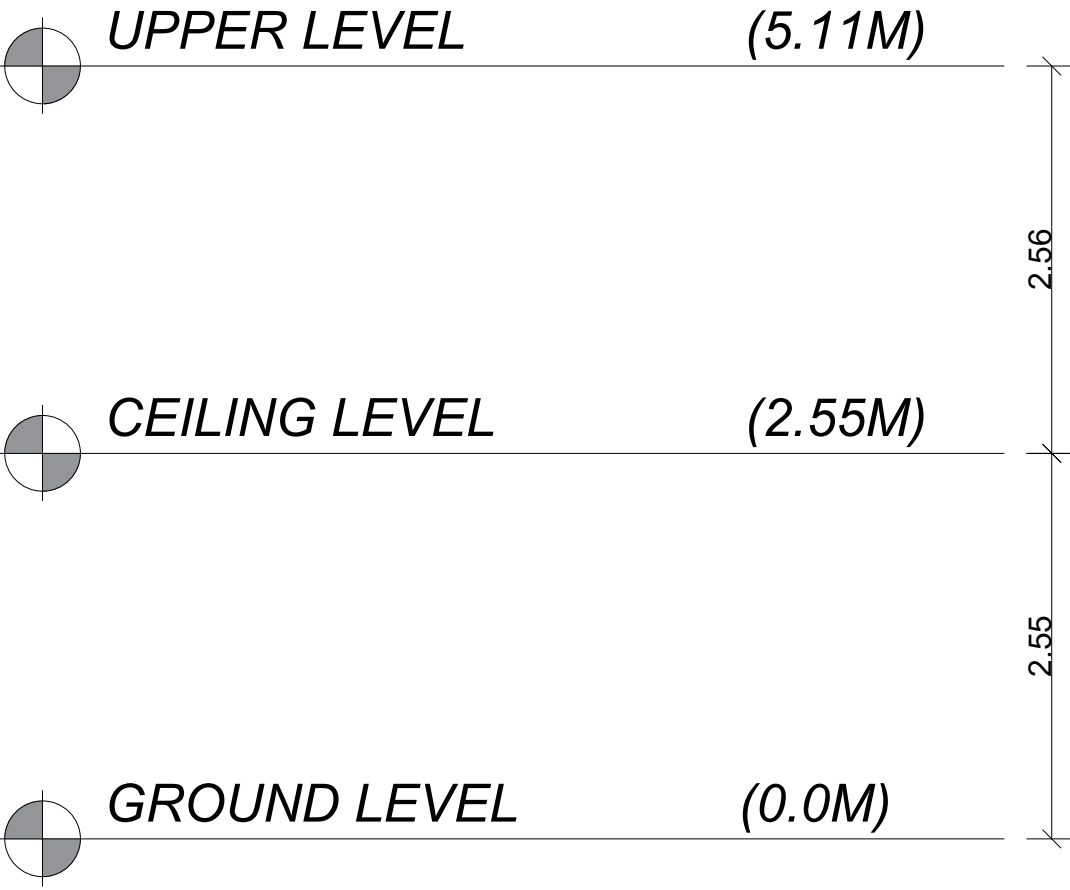
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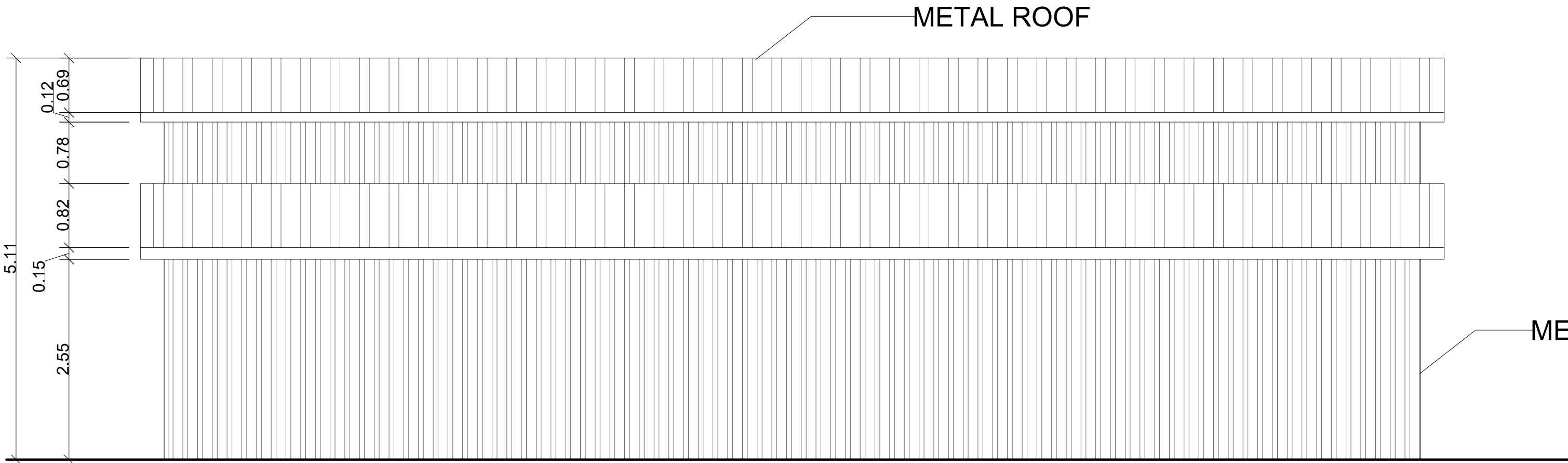
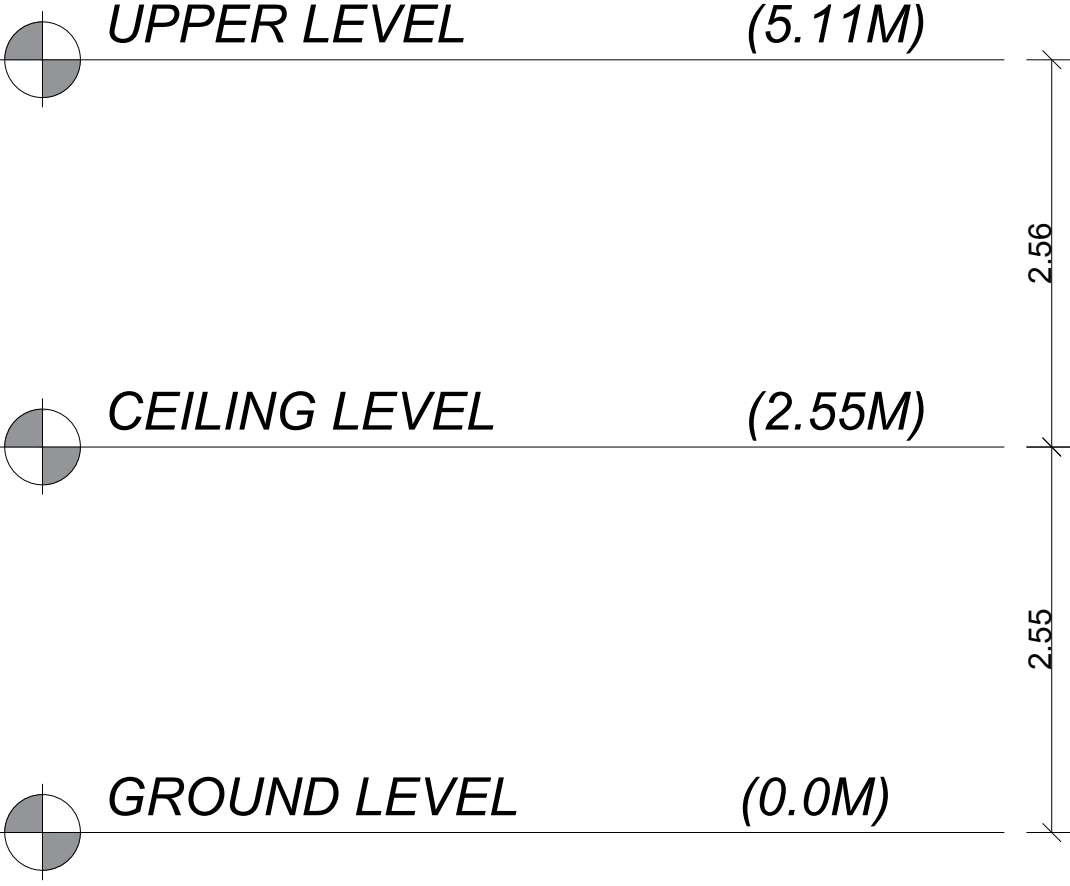




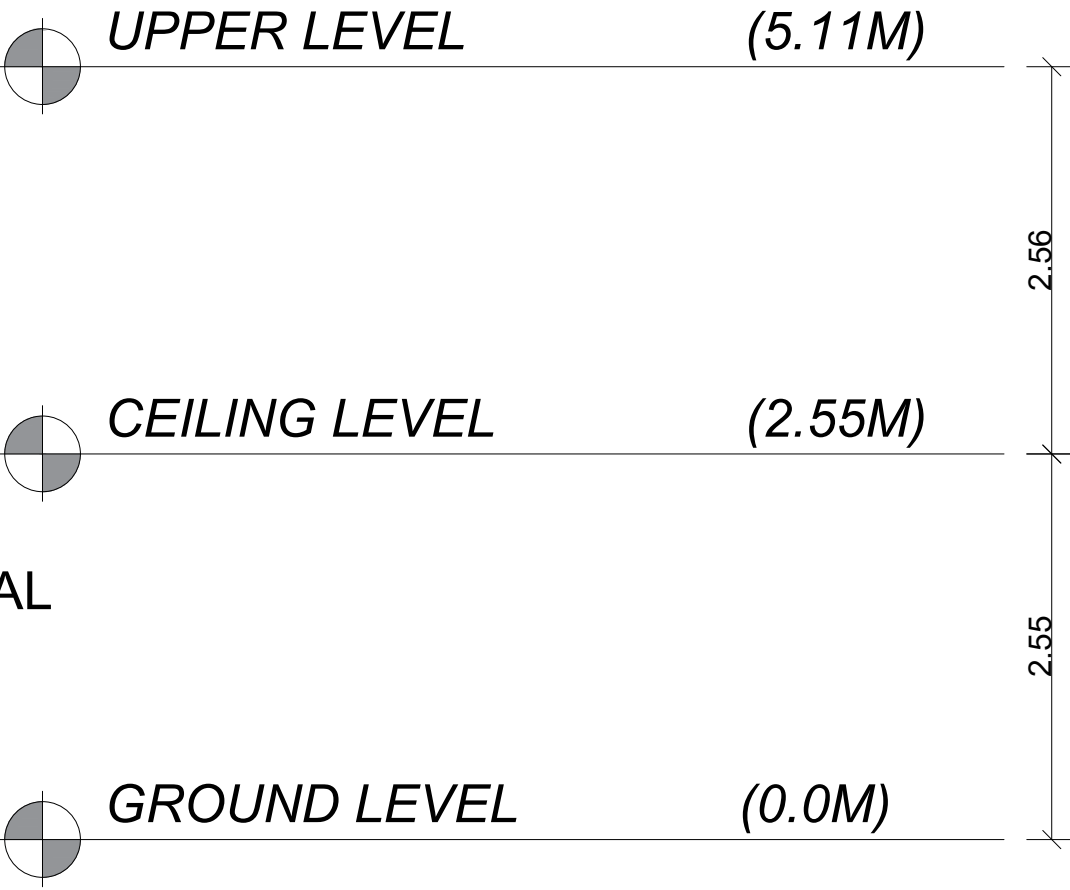
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**REAR ELEVATION**  
SCALE: 1:50



**LEFT & RIGHT ELEVATION**  
SCALE: 1:50



Rev.	Date	Submittal
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PROJECT

**NAME:**  
MOSSMAN RETIREMENT VILLAGE

**LOCATION :**  
MOSSMAN QLD

**CLIENT :**  
COOLOOLA WATERS HOLDINGS PTY LTD

PREPARED BY-

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HOBBY SHED ELEVATION

Date:16/06/22

Project No:

Drawn By:

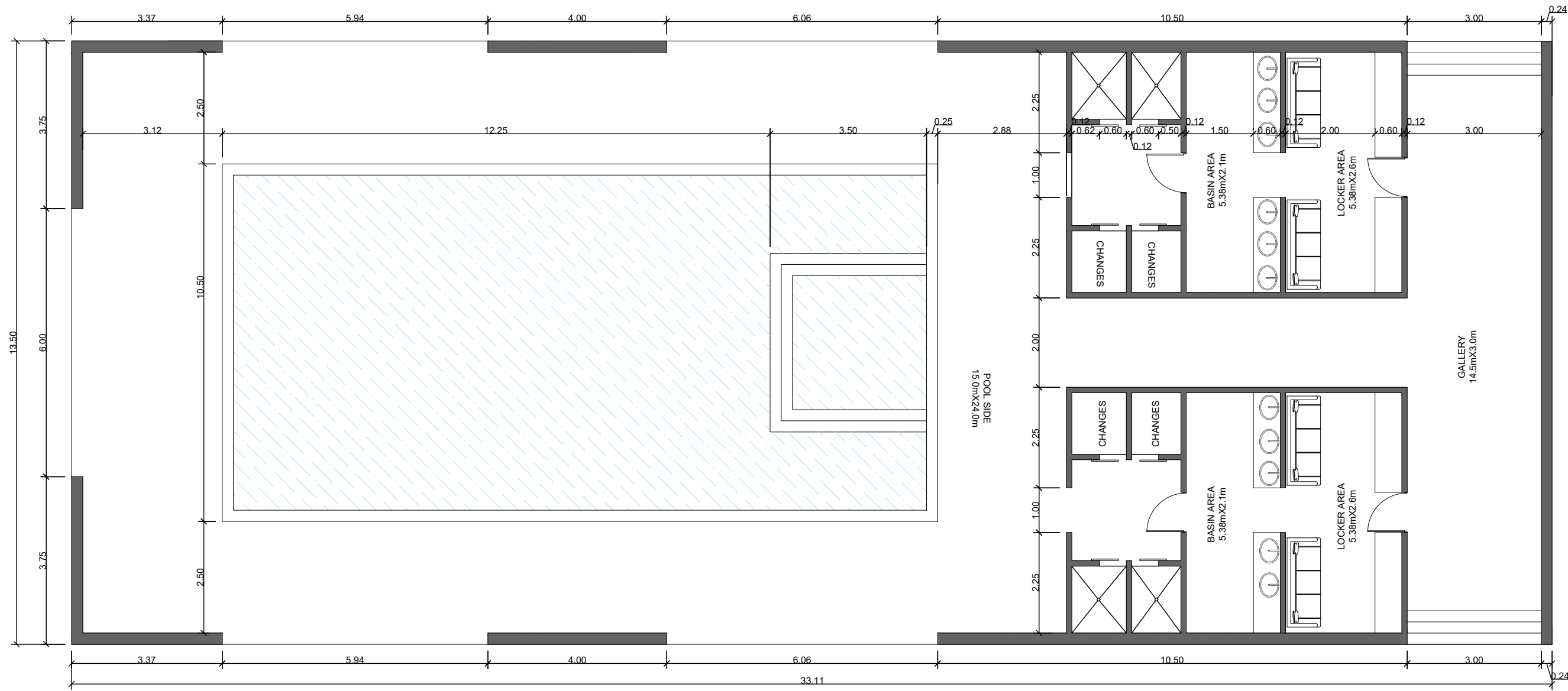
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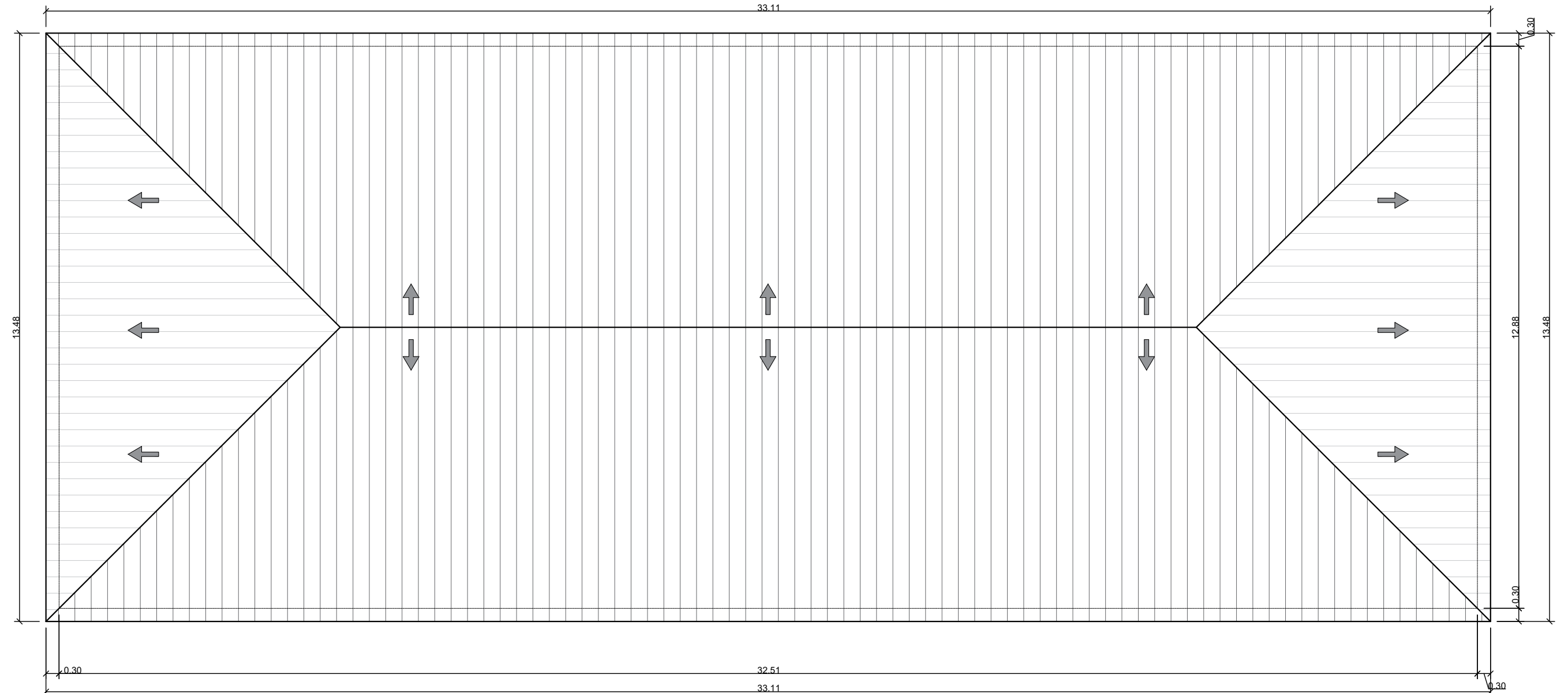
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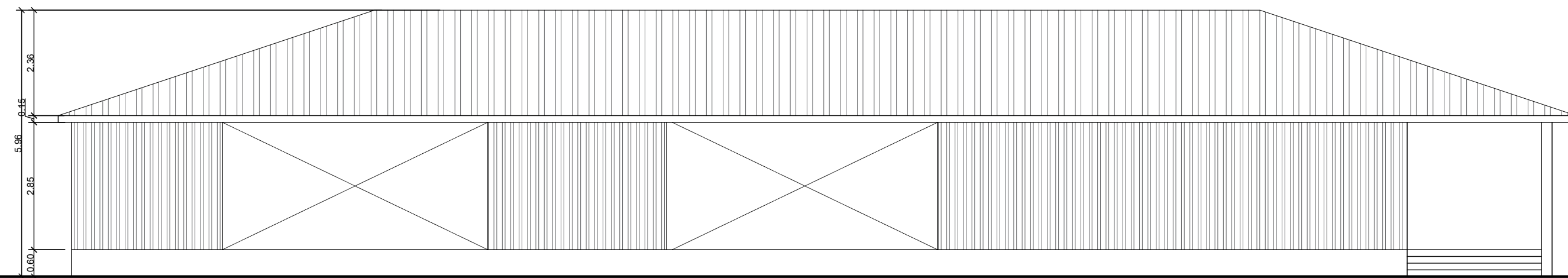
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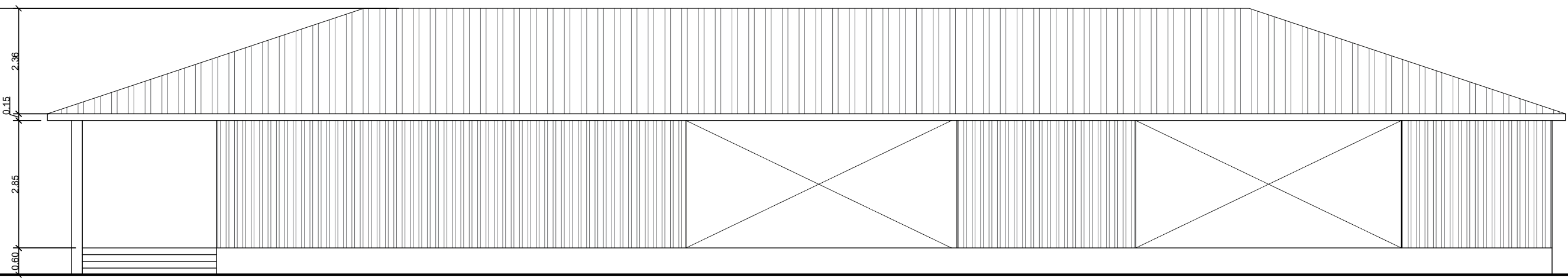
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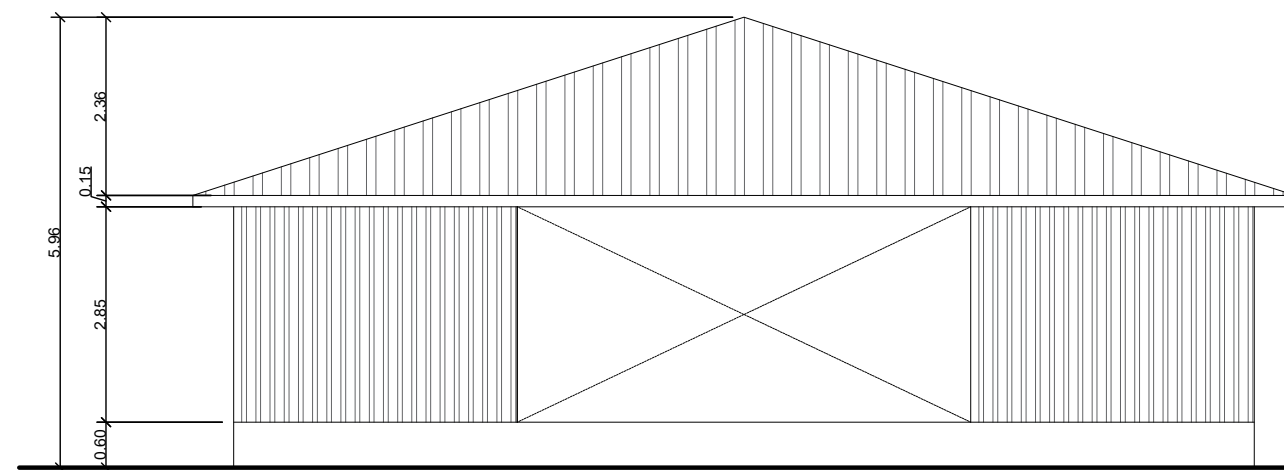
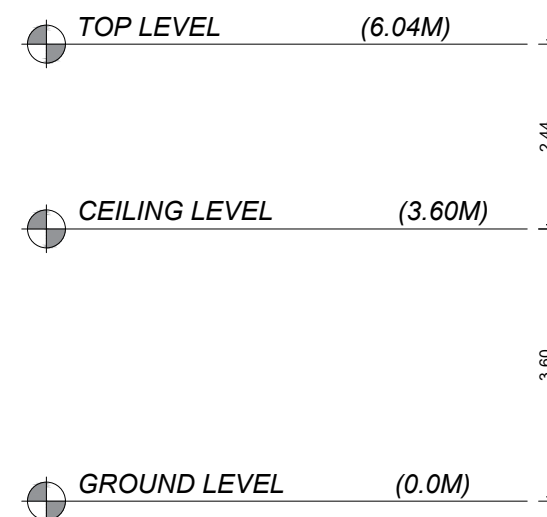
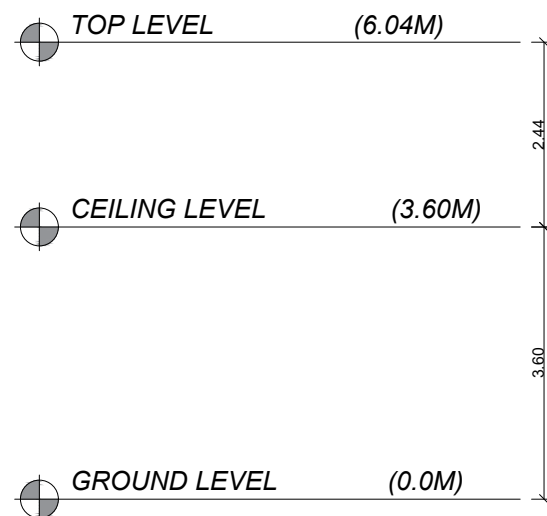
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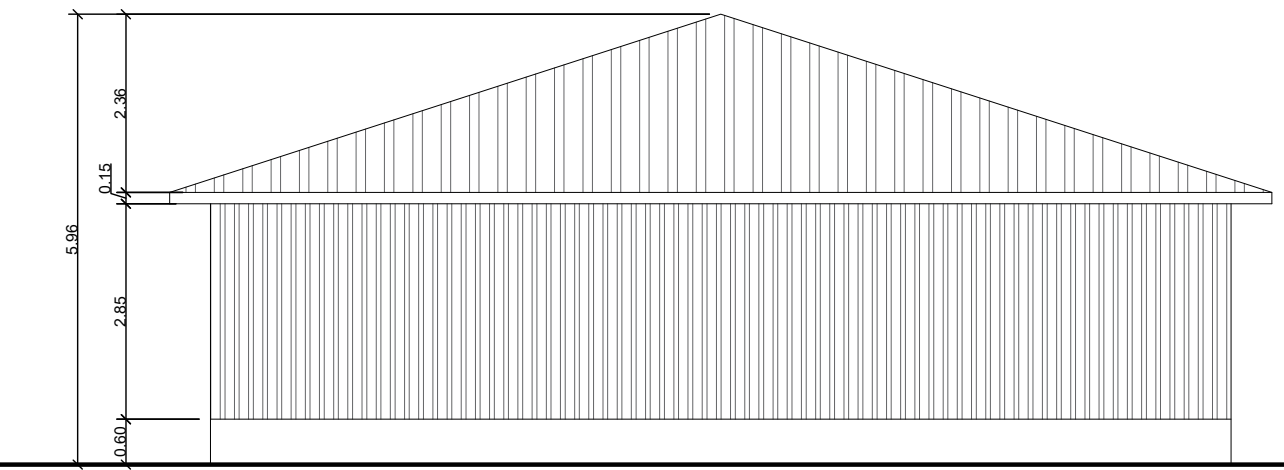
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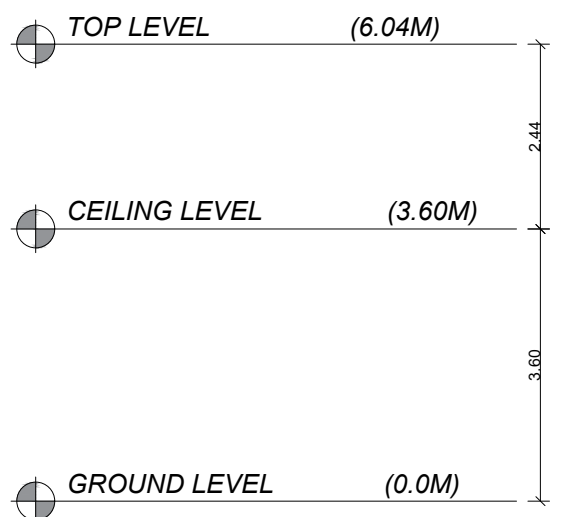
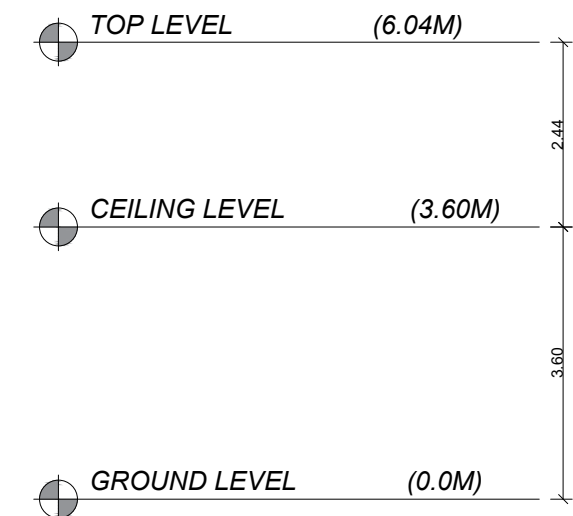
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SCALE: 1:100



**LEFT ELEVATION**  
SCALE: 1:100



**RIGHT ELEVATION**  
SCALE: 1:100



Rev.	Date	Submittal
0	16/06/22	Draft Set Prepared

**PROJECT**

**NAME:**  
MOSSMAN RETIREMENT VILLAGE

**LOCATION :**  
MOSSMAN QLD

**CLIENT :**  
COOLOOLA WATERS HOLDINGS PTY LTD

**PREPARED BY-**

F:\Dropbox\Archimpe\Archimpe Logo.png

**POOL HOUSE PLAN  
ELEVATION**

Date:	16/06/22
Project No:	
Drawn By:	
Checked By:	
Approved By:	

Scale: 1:500 @ A1 Paper

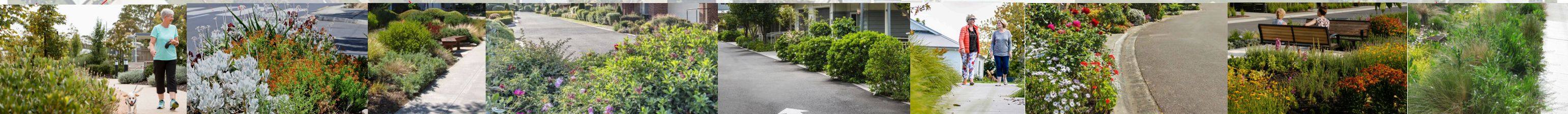
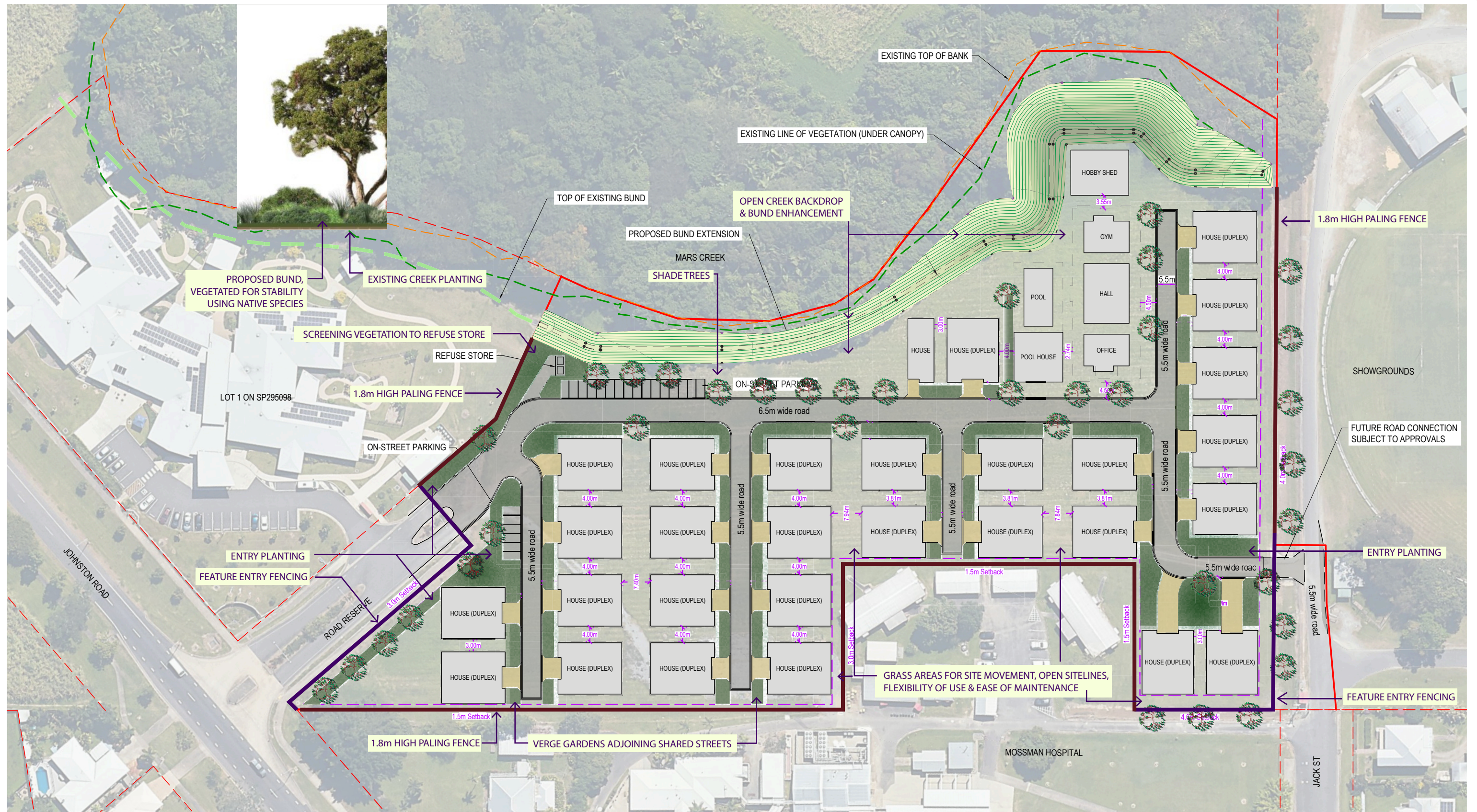
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## Appendix E

### Landscape Concept Plans





VERGE GARDENS ADJOINING SHARED STREETS

THE LANDSCAPE DESIGN INTENDS TO PROVIDE A COMFORTABLE, CALM & SAFE ENVIRONMENT FOR RESIDENTS.

A PROPOSED PLANT PALETTE HAS BEEN PREPARED OFFERING A SELECTION OF SPECIES SUITABLE TO THE ENVIRONMENTAL CONDITIONS OF MOSSMAN AND THE PROPOSAL & SCALE.

NATIVE SPECIES FEATURE STRONGLY TO BENEFIT AND ENHANCE THE NATURAL ENVIRONMENT.



## GROUNDCOVERS



*Acalypha herzogiana*  
Dwarf Cat's Tail



*Acmena smithii*  
'Allyn Magic'



*Alpinia nutans*  
Dwarf Cardamom



*Callistemon Little Silver*  
600 - 1000mm



*Dietes bicolor*  
Spanish Iris



*Gardenia Glennie River*  
up to 200mm



*Ixora chinensis* Pygmy Pink



*Lomandra hystrix*  
'Katie's Belles'



*Lomandra hystrix* '  
'Lucky Stripe'



*Melaleuca Mini Quinni*  
up to 1000mm



*Molineria recurvata*  
Weevil Plant



*Murraya paniculata*  
Min-a-min



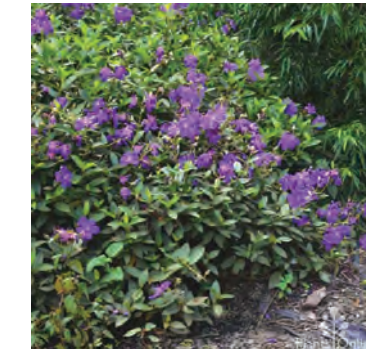
*Pandanus amaryllifolius*  
Edible Pandan



*Pittosporum tobira*  
'Miss Muffet'



*Russelia equisetiformis*  
Lemon Falls



*Tibouchina heteromalla*  
'Jules'

## SHRUB PLANTING



*Alpinia caerulea*  
Red Back Native Ginger



*Breyenia cernua* 'Ironstone Range'



*Calathea lutea*  
Havana Cigar



*Callistemon Cameo Pink*  
up to 2000mm



*Callistemon Slim*  
3000mm x 1200w



*Callistemon Tangerine Dream*  
up to 1500mm



*Croton insularis*  
up to 3000mm



*Cyclanthus bipartitus*  
Split Leaf Cyclanthus



*Cordyline fruticosa rubra*



*Ficus macrocarpa* Green Island



*Ixora* cv 'White Malay'



*Gardenia scabrella*  
up to 2000mm



## SHRUB PLANTING



*Licuala ramsayi*  
North Queensland Fan Palm



*Melaleuca linarifolia*  
Claret Tops  
up to 1000mm



*Phyllanthus cuscutiflorus*  
Pink Phyllanthus



*Prumnopitys ladei*  
Mt Spurgeon Pine



*Rademachera* 'Summerscent'



*Syzygium aqueum*  
Water Apple



*Syzygium australe* Resilience



*Syzygium wilsonii* ssp *wilsonii*  
Powder Puff Lilly Pilly



*Wrightia antidysenterica*  
Arctic Snow



*Xanthostemon verticillatus*  
Bloomfield Penda



*Zamia furfuracea*  
Cardboard Cycad

## TREES FOR STREET & PARKLAND



*Acmena hemilampra*  
Blush Satinash



*Archontopheonix alexandrae*  
Alexander Palm



*Attractocarpus fitzalanii*  
Yellow Mangosteen



*Barringtonia actangula*  
Indian Oak



*Brachychiton acerifolius*  
Illawarra  
Flame Tree



*Coccoloba uvifera*  
Sea Grape



*Cyrtostachys renda*  
Lipstick Palm



*Cupaniopsis anacardioides*  
Tuckeroo



*Hibiscus tiliaceus rubra*



*Maniltoa lenticelata*  
Silk Hankerchief Tree



*Melicope rubra*  
Little Evodia



*Plumeria pudica*  
Everlasting Love



*Podocarpus grayae*  
Brown Pine



*Polyalthia longifolia pendula*  
Indian Mast Tree



*Ptychosperma macarthurii*  
Macarthur Palm



*Syzygium australe* Pbr 'Pinnacle'



*Xanthostemon chrysanthus*  
Golden Penda



## Appendix F

# Preliminary Engineering Plans

# BULK EARTHWORKS

## 47 JOHNSTON ROAD, MOSSMAN

### LOT 2 ON SP295098



LOCALITY PLAN  
N.T.S.

DRAWING INDEX

DRAWING No.	DRAWING TITLE
021-2302-BE-DRG-0001	LOCALITY PLAN
021-2302-BE-DRG-0002	PROJECT NOTES
021-2302-BE-DRG-0003	GENERAL ARRANGEMENT
021-2302-BE-DRG-0004	EARTHWORKS PLAN
021-2302-BE-DRG-0005	TYPICAL SECTIONS AND DETAILS
021-2302-BE-DRG-0006	SITE BASED STORMWATER MANAGEMENT PLAN - PHASE 1: TOPSOIL STRIPPING
021-2302-BE-DRG-0007	SITE BASED STORMWATER MANAGEMENT PLAN - PHASE 2: EARTHWORKS

FNQROC STANDARD DRAWINGS

DRAWING No.	DRAWING TITLE
S1000 - S1110	ROADWORKS AND DRAINAGE
S2000 - S2025	WATER
S3000 - S3015	SEWERAGE

INSTITUTE OF PUBLIC WORKS ENGINEERING  
AUSTRALIA STANDARD DRAWINGS

DRAWING No.	DRAWING TITLE
D-0040	SEDIMENT CONTROL DEVICES - SEDIMENT FENCE, ENTRY/EXIT SEDIMENT TRAP
D-0041	SEDIMENT CONTROL DEVICES - KERB AND FIELD INLETS, CHECK DAMS & STRAW BALE BANKS

GENERAL ARRANGEMENT

GENERAL

- G1. CONTRACTOR TO PROVIDE PUBLIC NOTIFICATION/SIGNS (REFER FNQROC DEVELOPMENT MANUAL CP1.11).
- G2. CLEARED VEGETATION SHALL BE MULCHED ON SITE BY THE CONTRACTOR.

EXISTING SERVICES

- ES1. EXISTING SERVICES ARE PLOTTED FROM THE BEST INFORMATION AVAILABLE. NO RESPONSIBILITY IS TAKEN BY THE PRINCIPAL OR SUPERINTENDENT FOR THE ACCURACY AND COMPLETENESS OF THE INFORMATION SHOWN.
- ES2. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION THE CONTRACTOR IS TO ESTABLISH ON SITE THE EXACT POSITION OF ALL UNDERGROUND SERVICES IN THE PROPOSED WORKS AREA. METHODS FOR ACHIEVING THIS WILL INCLUDE BUT NOT BE LIMITED TO:-
- CAREFUL EXAMINATION OF THE CONTRACT DRAWINGS.
  - CONSULTATION WITH THE RELEVANT SERVICE AUTHORITIES.
  - COMPREHENSIVELY SCANNING THE AFFECTED AREAS WITH A CABLE DETECTOR AND MARKING ON THE GROUND THE POSITION OF ALL SERVICES.
  - HAND EXCAVATING TO EXPOSE ALL SUCH SERVICES WHICH MAY BE AFFECTED BY THE PROPOSED WORKS UNDER THE DIRECTION OF THE RELEVANT SERVICE AUTHORITY.
- ES3. THE CONTRACTOR IS TO BRING TO THE SUPERINTENDENT'S ATTENTION ANY DISCREPANCIES BETWEEN THE EXISTING SERVICES THUS IDENTIFIED AND DOCUMENTED SERVICES WHICH MIGHT AFFECT THE PROPOSED WORKS. APPROPRIATE MEASURES TO RESOLVE ANY CONFLICTS WILL BE DOCUMENTED BY THE SUPERINTENDENT.

VEGETATION & CLEARING

- VC1. PRIOR TO THE REMOVAL OF ANY TREE. AN INSPECTION MUST BE CARRIED OUT OF ANY SIGNS OF PROTECTED WILDLIFE INCLUDING NESTS AND ANIMAL HABITATS. SHOULD ANY RECENT WILDLIFE ACTIVITY BE IDENTIFIED, REMOVAL OF THE TREE MUST NOT OCCUR UNTIL THE ANIMAL HAS VACATED THE AREA OF IMMEDIATE DANGER. IF THE ANIMAL DOES NOT MOVE FROM THE AREA OF DANGER, THE QUEENSLAND PARKS AND WILDLIFE MUST BE CONTACTED FOR ADVICE.
- VC1. AN ASSESSMENT IS TO BE UNDERTAKEN BY A SUITABLY QUALIFIED AND EXPERIENCED SPOTTER/CATCHER TO DETERMINE THE POSSIBLE PRESENCE OF NATIVE WILDLIFE. THE ASSESSMENT MUST INCLUDE THE IDENTIFICATION OF ANY BREEDING PLACES FOR ANY ENDANGERED/VULNERABLE OR NEAR THREATENED ANIMAL SPECIES, SPECIAL LEAST CONCERN OR COLONIAL BREEDING SPECIES PRIOR TO THE REMOVAL OF ANY TREE AND/OR VEGETATION AS PER THE REQUIREMENTS OF SECT. 332 OF THE NATURE CONSERVATION (WILDLIFE MANAGEMENT) REGULATION 2006 (CONDITION 59).
- VC2. COUNCIL MUST BE NOTIFIED TWO DAYS PRIOR TO THE PROPOSED DATE OF COMMENCEMENT OF ANY APPROVED VEGETATION CLEARING TO FACILITATE COMMUNITY AWARENESS OF SUCH WORKS.
- VC3. VEGETATION TO BE RETAINED MUST BE ADEQUATELY DEFINED BY FENCING, FLAGGING OR BARRIER MESH FOR PROTECTION PURPOSES PRIOR TO CONSTRUCTION COMMENCING ON SITE.
- VC4. A MINIMUM 2m WIDE BUFFER SHALL BE PROVIDED AROUND THE VEGETATION TO BE RETAINED. THIS BUFFER MUST CONSIST OF SUITABLE FENCING, FLAGGING OR BARRIER MESH TO ENSURE THAT MACHINERY, EQUIPMENT OR CONSTRUCTION MATERIALS ARE NOT STORED OR USED WITHIN THIS AREA. THIS BUFFER IS TO BE ESTABLISHED PRIOR TO THE COMMENCEMENT OF ANY WORKS ON SITE AND MUST BE MAINTAINED AT ALL TIMES FOR THE DURATION OF CONSTRUCTION.
- VC5. CLEARED VEGETATION TO BE MULCHED AND SPREAD OVER THE CLEARED AREA FOR EROSION AND SEDIMENT CONTROL OR LANDSCAPING PURPOSES.

EARTHWORKS

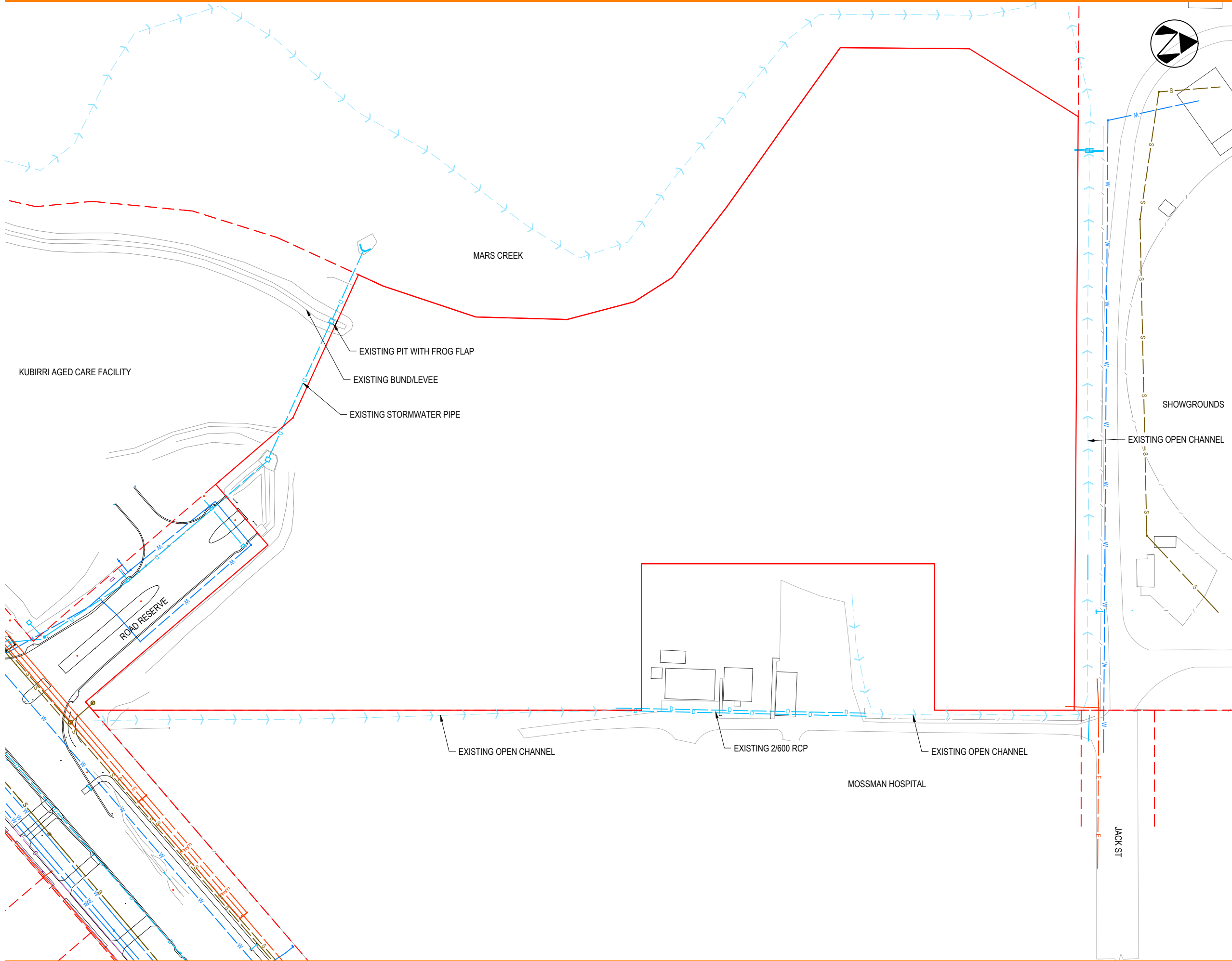
- E1. UNLESS NOTED OTHERWISE ALL BATTERS ARE TO BE 1 ON 2 OR FLATTER.
- E2. UPON COMPLETION, ANY BATTERS STEEPER THAN 1 IN 2 AND HIGHER THAN 1.5m SHALL REQUIRE CERTIFICATION BY A GEOTECHNICAL ENGINEER.

EROSION AND SEDIMENT CONTROL STRATEGY

- SC1. SEQUENCING OF CONTROL MEASURES
- a) INSTALL STABLE POINT OF ENTRY
  - b) INSTALL SILT FENCES
  - c) PROTECT TOPSOIL STOCKPILES
  - d) CONSTRUCT TEMPORARY SEDIMENT BASINS
  - e) INSTALL STORMWATER PIPES
  - f) IMPLEMENT PROTECTION MEASURES TO STORMWATER PITS
  - g) REVEGETATE BARE AREAS UPON COMPLETION OF EARTHWORKS
  - h) THE SEDIMENT CONTROL STRUCTURES ARE TO BE CLEANED & MAINTAINED AFTER EVERY SIGNIFICANT RAIN EVENT. ERODED SOILS SHALL BE STOCKPILED AS DIRECTED.
- SC2. THE AMOUNT OF DISTURBANCE TO EXISTING VEGETATION BE KEPT TO A MINIMUM.
- SC3. EXACT LOCATION OF SEDIMENT CONTROL STRUCTURES TO BE DETERMINED ON SITE BY COUNCIL & SUPERINTENDENT.
- SC4. STOCKPILE LOCATIONS TO BE AGREED WITH COUNCIL & THE SUPERINTENDENT. STOCKPILES TO BE PROTECTED VIA DIVERSION DRAIN ON THE UPSLOPE & SILT FENCE ON THE DOWNSLOPE.
- SC5. RETURNS IN SILT FENCE TO BE AT 20m INTERVALS WHEN INSTALLED ALONG THE CONTOUR. SPACING IS TO DECREASE TO 5-10m DEPENDING ON SLOPE IF THE SILT FENCE IS INSTALLED AT AN ANGLE TO THE CONTOUR. THE RETURN SHALL CONSIST OF EITHER:
- V-SHAPED SECTION EXTENDING AT LEAST 1.5m UP THE SLOPE; OR
  - SANDBAG OR ROCK/AGGREGATE CHECK DAM A MINIMUM OF 1/3 AND MAXIMUM OF 1/2 FENCE HEIGHT, AND EXTENDING AT LEAST 1.5m UP THE SLOPE.
- SC6. STORMWATER PIPES TO HAVE PIT PROTECTION MEASURES AS DETAILED IN FNQROC DEVELOPMENT MANUAL.
- SC7. ALL SEDIMENT CONTROL MEASURES TO BE IN ACCORDANCE WITH THE CONTRACTORS ESC PLAN.
- SC8. THE FOLLOWING REVEGETATION MEASURES ARE TO BE UNDERTAKEN IMMEDIATELY UPON COMPLETION OF EARTHWORKS.
- a) CUT & FILL BATTERS STEEPER THAN 1 IN 4 TO BE HYDROMULCHED.
  - b) VERGES & ALLOTMENTS TO BE GRASS SEEDED.
  - c) PLACE TURF STRIPS BEHIND ALL KERB LINES.
- SC9. REVEGETATION IS TO BE WATERED & MAINTAINED UNTIL GROWTH IS ESTABLISHED.
- SC10. CONTRACTOR MUST IMPLEMENT A SUITABLE DUST MANAGEMENT STRATEGY TO MINIMISE DUST NUISANCE ON ADJACENT PROPERTIES. DETAILS OF THE DUST MANAGEMENT STRATEGY TO BE INCORPORATED INTO EROSION AND SEDIMENT CONTROL STRATEGY.
- SC11. SEDIMENT BASIN
- a) INLET PROTECTION TO MINIMISE SCOUR & EVENLY DISTRIBUTE FLOW THROUGH BASIN.
  - b) A MARKER PEG SHOULD BE INSTALLED TO SHOW THE STORAGE DEPTH. SEDIMENT SHALL BE REMOVED FROM BASIN WHEN 30% STORAGE DEPTH IS ENCROACHED & APPROPRIATELY DISPOSED ON SITE BY RESPREADING IN AREAS OF NON-EROSIVE FLOWS.
- SC12. WATER QUALITY MONITORING SHOULD BE UNDERTAKEN DURING SIGNIFICANT RAINFALL EVENTS (I.E. > 10mm).
- SC13. DESIGN CRITERIA FOR CONTRACTOR'S EROSION & SEDIMENT CONTROL PLAN TO BE IN ACCORDANCE WITH SECTION CP1.05 OF THE FNQROC DEVELOPMENT MANUAL.

SURVEY AND SETOUT

- SS1. SURVEY, DATUM, LEVELS & SERVICES HAVE BEEN DERIVED FROM RPS CAD FILE "132667-106-Original Marrs Creek Data merged with new data.dwg".
- SS2. DIGITAL CAD FILES OF THE CIVIL WORKS WILL BE PROVIDED FOR SETOUT PURPOSES.



**LEGEND**

- D EXISTING STORMWATER
- S EXISTING SEWER
- W EXISTING WATER
- C EXISTING COMMS
- E EXISTING ELECTRICAL

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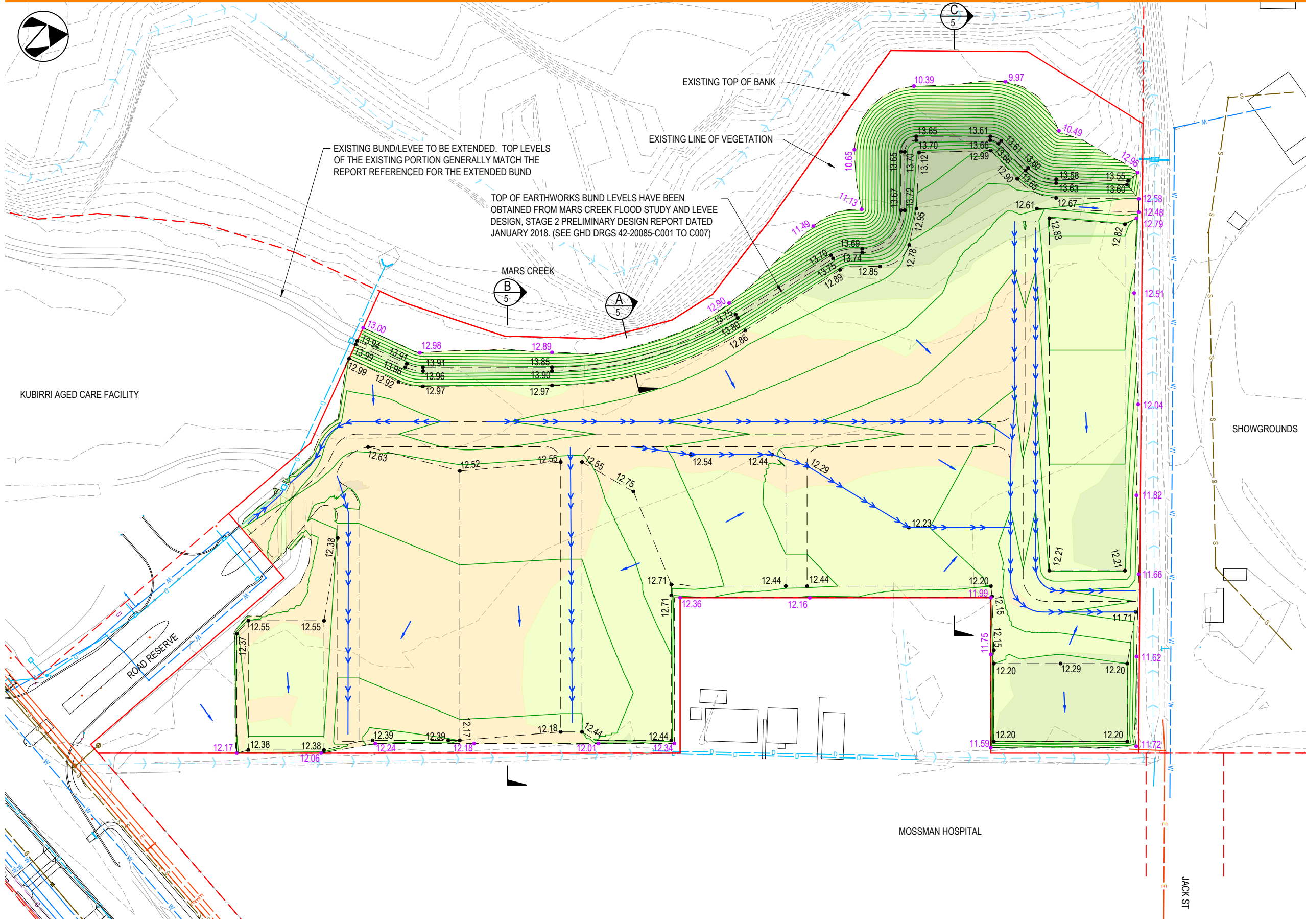
**NEON**  
CONSULTING

COOLOOLA WATERS HOLDINGS PTY LTD

MOSSMAN RETIREMENT VILLAGE

GENERAL ARRANGEMENT





LEGEND - DEPTH OF EARTHWORKS



DEPTH OF CUT  
NOTE: DEPTHS ARE MEASURED BETWEEN  
EXISTING AND FINISHED SURFACES  
DEPTH OF FILL

LEGEND

- 18.70 FINISHED SURFACE LEVEL
- 18.68 NATURAL SURFACE LEVEL
- 57.0 — DESIGN SURFACE CONTOURS (0.2m INTERVAL)
- 57.0 — EXISTING SURFACE CONTOURS (0.5m INTERVAL)
- D — EXISTING STORMWATER PIPE
- > EXISTING DRAINAGE PATH
- > PROPOSED DRAINAGE PATH
- > PROPOSED FALL OF SURFACE

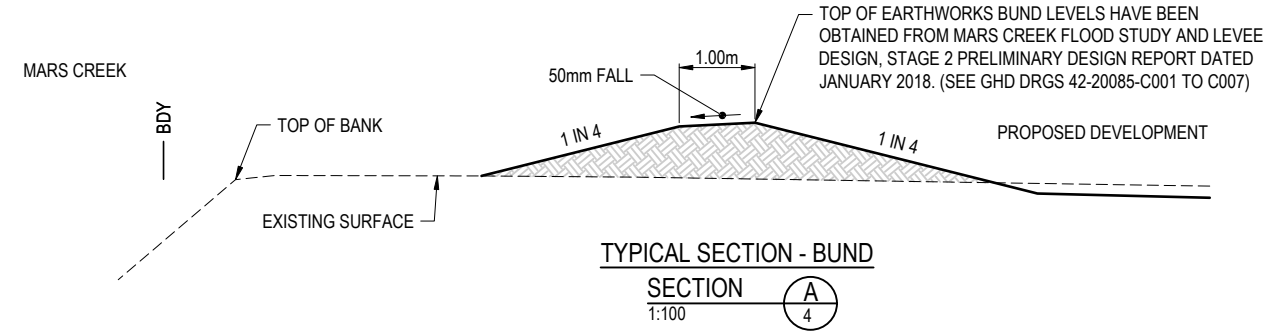
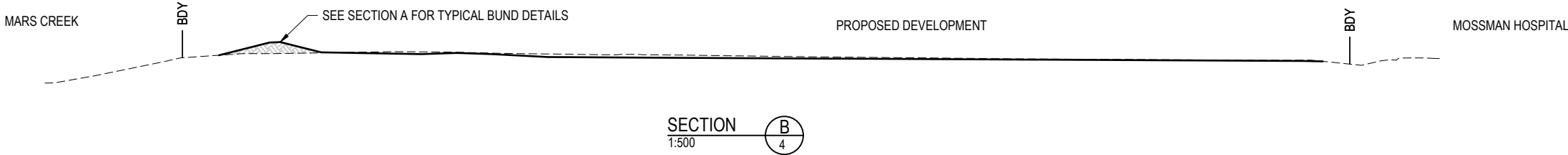
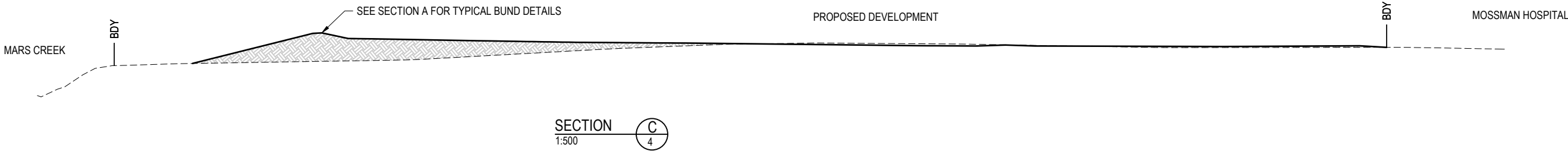


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CONSULTING

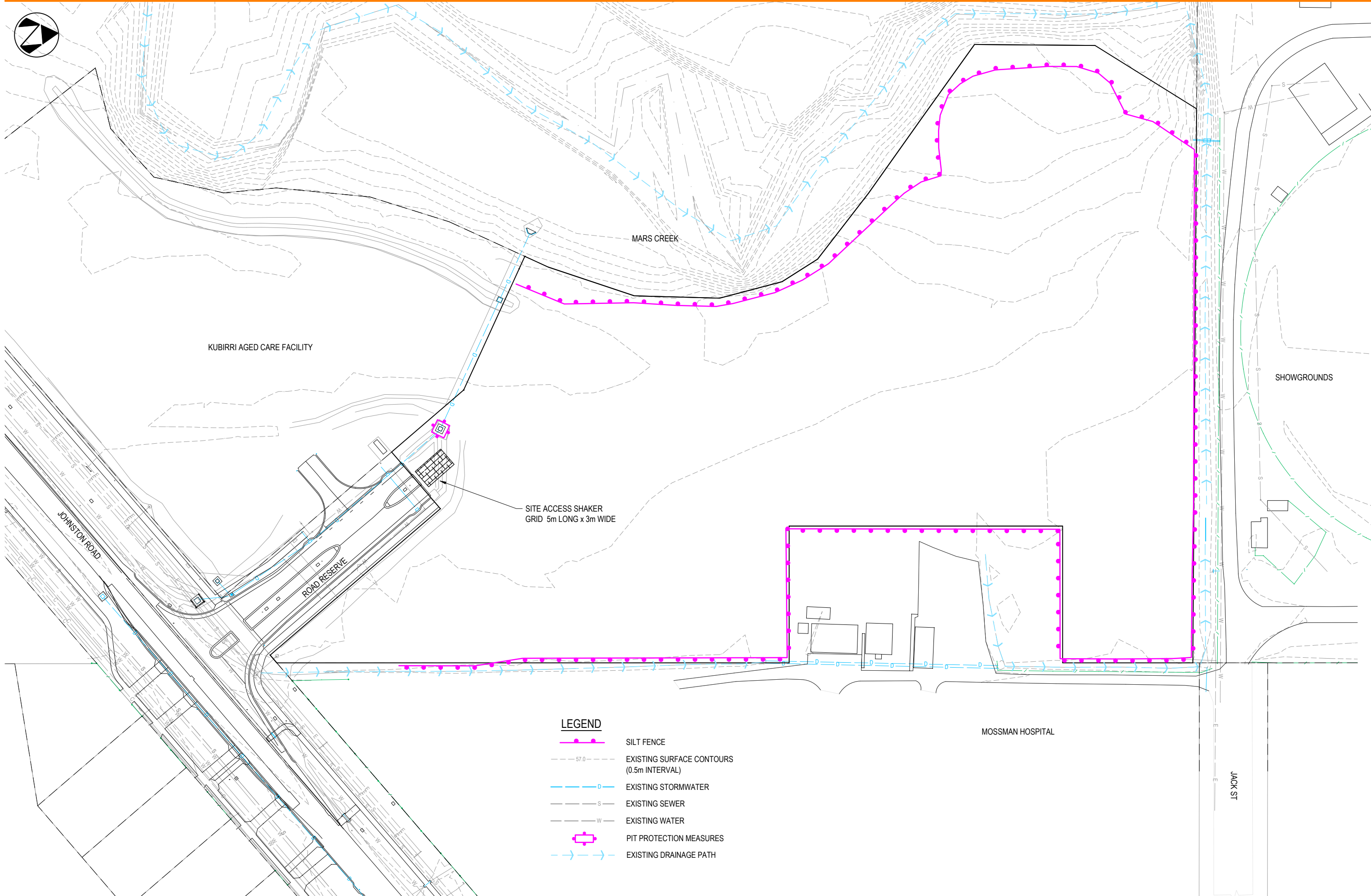
COOLOOLA WATERS HOLDINGS PTY LTD

MOSSMAN RETIREMENT VILLAGE

EARTHWORKS PLAN







LEGEND

- SILT FENCE
- EXISTING SURFACE CONTOURS (0.5m INTERVAL)
- EXISTING STORMWATER
- EXISTING SEWER
- EXISTING WATER
- PIT PROTECTION MEASURES
- EXISTING DRAINAGE PATH

1:2000 0 20 40 60 80

NEON  
CONSULTING

COOLOOLA WATERS HOLDINGS PTY LTD

MOSSMAN RETIREMENT VILLAGE

SITE BASED STORMWATER MANAGEMENT PLAN  
PHASE 1: TOPSOIL STRIPPING

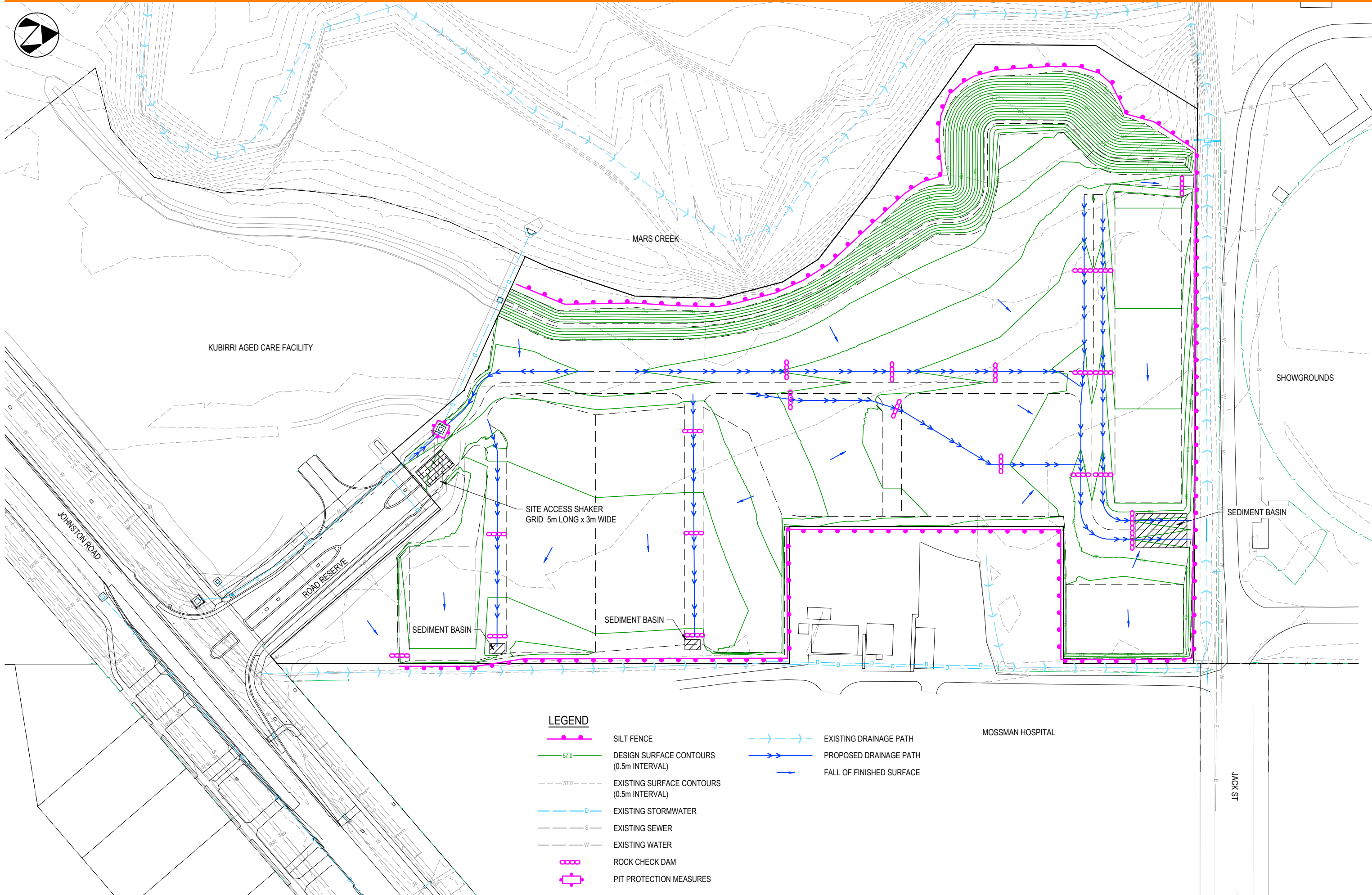
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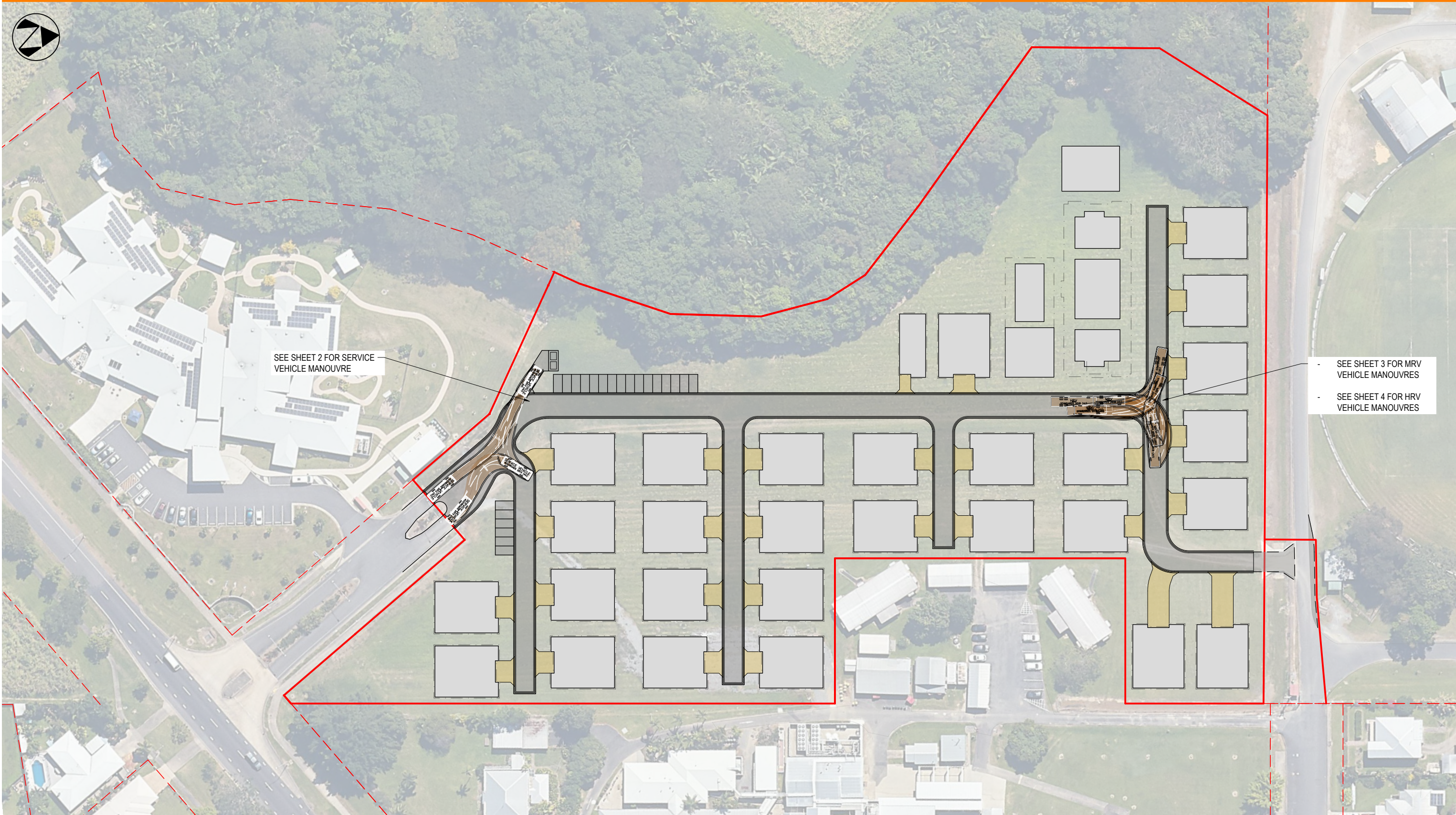
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PAM	PAM	CJC	CJC	C.J.CAPLICK

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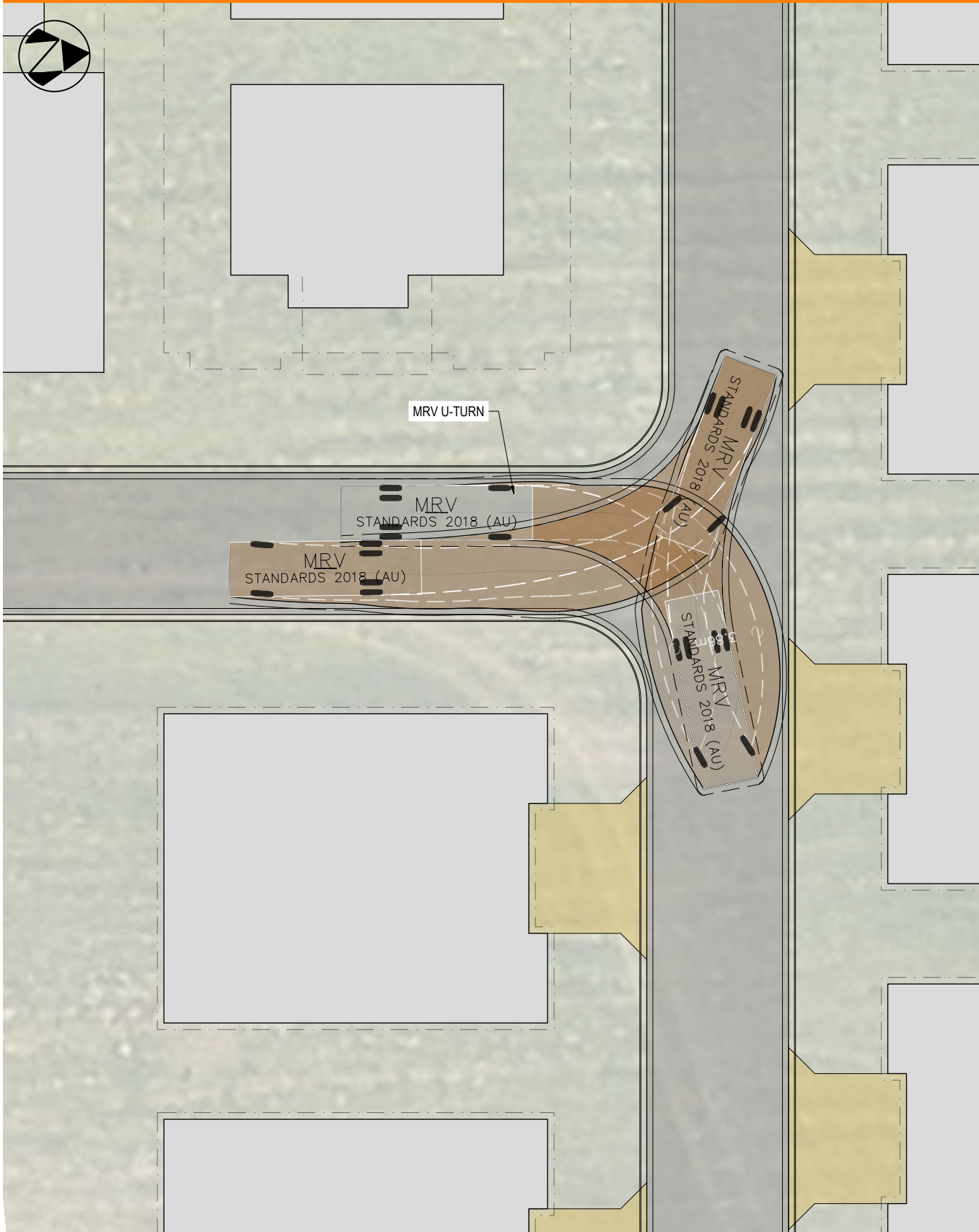




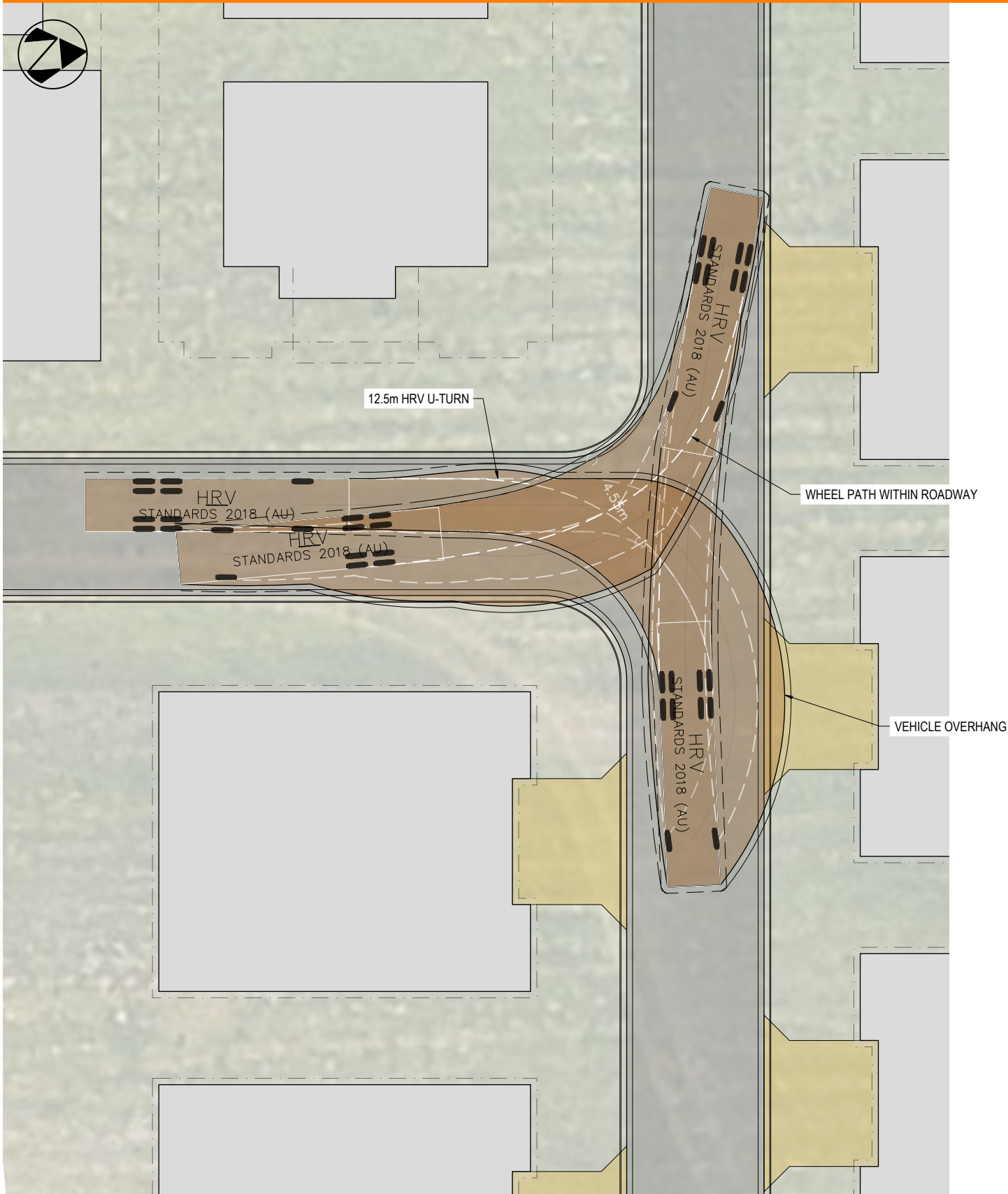












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Rev	Date	Revision Notes
1	6 Sep 2023	Initial design

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**NEON**  
CONSULTING

COOLOOLA WATERS HOLDINGS PTY LTD

MOSSMAN RETIREMENT VILLAGE

TURN PATH ASSESSMENT  
HRV MANOUVRES

Drawn	Design	Check'd	Appr'd
PAM	PAM	CJC	CJC

A3 Full Size (Scale as shown)  
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021-2302-00-SK-0054

**Appendix G**

**State Code Responses**

# State code 14: Queensland heritage

Guideline – SDAP State code 14: Queensland heritage which provides direction on how to address this code.

**Table 14.1: Applicable criteria for development associated with a Queensland heritage place**

Type of development on a Queensland heritage place	Relevant provisions of code
All development on a Queensland heritage place	Table 14.2 — PO1 – PO4
Reconfiguring a lot on land containing a Queensland heritage place	Table 14.3 — PO5 – PO7
Material change of use on land adjoining a Queensland heritage place or on a lot containing a Queensland heritage place, but not carried out on the Queensland heritage place	Table 14.4 — PO8

**Table 14.4: Material change of use on land adjoining a Queensland heritage place or on a lot containing a Queensland heritage place, but not carried out on the Queensland heritage place**

Performance outcomes	Response
<b>PO8 Development</b> is located, designed and scaled so that its form, bulk and proximity minimises adverse impacts on the <b>cultural heritage significance</b> of the <b>Queensland heritage place</b> .	<b>Complies with PO8</b>  The Mossman District Hospital to the east of the site is identified on the Heritage Register because of its importance in demonstrating the evolution or pattern of Queensland's history. being surviving evidence of the impact of the Hospitals Act 1923 in expanding the provision of hospital facilities in rural Queensland. It is also included because of its aesthetic significance, retaining much of the original exterior detailing in the Spanish Mission style.



Performance outcomes	Response
	<p>The subject site adjoins the rear of the Mossman District Hospital site and development adjacent the common boundary would be subservient in scale and built form to the hospital.</p> <p>The development would not obscure views of the hospital or detract from the architectural aesthetics of the heritage place when viewed from public vantage points.</p>

## Appendix H

### Planning Scheme Code Responses

## **6.2.2 Community facilities zone code**

### **6.2.2.1 Application**

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

### **6.2.2.2 Purpose**

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

### **6.2.2.3 Criteria for assessment**



**Table 6.2.2.3.a – Community facilities zone – assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
<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 neighbourhoods and must not adversely affect the amenity of the neighbourhood.	<b>AO1</b> Buildings and structures are not more than 8.5 metres and two storeys in height. Note - Height is inclusive of the roof height.	<b>Complies with AO1</b> The maximum height of the proposed buildings would be 8.3 metres.
<b>PO2</b> Buildings and structures are setback to ensure that they are compatible with the character of the area and do not adversely affect other uses, particularly residential uses	<b>AO2</b> Buildings and structures are setback not less than: (a) 8 metres from the frontage of a State controlled road, existing or proposed arterial road, existing or proposed sub-arterial road, as identified on the Transport network overlay maps contained in Schedule 2; (b) 6 metres from any other road frontage(s); (c) 6 metres from a boundary with land in a Residential zone; (d) 3 metres from a boundary in any other zone.	<b>Complies with PO2</b> The proposed development would be setback 3.0 metres from the frontage to the unnamed road reserve and a minimum of 1.5 metres from the eastern side boundary. The minimum road setback would only occur at a single point to the frontage of the unnamed road with the balance of the development setback further than the accepted 6.0 metres. The built form adjacent the road frontage and the common boundary would be domestic in scale with an overall height of 4.3 metres. It would not result in a built form that is incompatible with the character of the area and would not detract from the amenity of adjoining development.
<b>PO3</b> Areas used for vehicle parking are setback to ensure a high standard of amenity and to ensure	<b>AO3</b> Areas used for vehicle parking are setback not less than:	<b>Complies with AO3</b> All vehicle parking areas would be setback a minimum of 8 metres from any property boundary.

Performance outcomes	Acceptable outcomes	Applicant response
the protection of the amenity of the: (a) the streetscape; (b) any land use associated with the Accommodation activity group and/or the Sensitive land use activity group.	(a) 6 metres from any road frontage(s); (b) 3 metres from any side or rear boundaries common with any land use associated with the Accommodation activity group and / or the Sensitive land use activity group. (c) 2 metres from any other side or rear boundary.	
<b>PO4</b> The setbacks for areas used for vehicle parking are provided with landscape planting and other visual screening to enhance the appearance of the site and to provide a buffer to any land associated with the Accommodation activity group and/or the Sensitive land use activity group.	<b>AO4.1</b> The setback areas nominated in AO3 of this code are provided with landscape planting that: (a) provides an effective visual screen; (b) is maintained at all times.	<b>Complies with AO4.1</b> The combination of the boundary treatment and the landscaping would achieve an effective visual screen that would be able to be maintained at all times.
	<b>AO4.2</b> Common boundaries with any land use associated with the Accommodation activity group and / or the Sensitive land use activity group are provided with a minimum 1.8 metre high screen fence and/or wall that is constructed of durable materials.	<b>Complies with AO4.2</b> The boundaries of the site would be provided with a 1.8 metre high screen fence.
<b>For assessable development</b>		
<b>PO5</b> The establishment of uses is consistent with the outcomes sought for the Community facilities zone and protects the zone from the intrusion of	<b>AO5</b> Uses identified in Table 6.2.2.3.b. are not established in the Community facilities zone.	<b>Complies with AO5</b> Retirement facility is not a use identified in Table 6.2.2.3.b.

Performance outcomes	Acceptable outcomes	Applicant response
inconsistent uses.		
<b>PO6</b> Buildings and structures adjacent to any land use associated with the Accommodation activity group and/or the Sensitive activity group are designed and operated to maintain the character and amenity of the surrounding area taking into account: (a) noise; (b) dust; (c) light; (d) odours; (e) electrical interference; (f) appearance; (g) streetscape.	<b>AO6</b> No acceptable outcomes are prescribed	<b>Complies with PO6</b> Development adjoining the site comprise another Retirement Facility, the Mossman District Hospital and the Showgrounds. The proposed development is considered to be consistent with the established institutional uses and would not adversely affect the amenity of the area.
<b>PO7</b> All lots must be of suitable dimensions to accommodate the intended land use.	<b>AO7</b> No acceptable outcomes are prescribed	<b>Complies with PO7</b> The site has the benefit of a preliminary approval for a Retirement Facility and has therefor been determined to be suitable for the development.



**Table 6.2.2.3.b - Inconsistent uses within the Community facilities zone**

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

## 7.2.3 Mossman local plan code

### 7.2.3.1 Application

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

### 7.2.3.2 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 Mossman local plan code.

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

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

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

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

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

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

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

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

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

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

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

### 7.2.3.3 Purpose

- (1) The purpose of the Mossman local plan code is to facilitate development which creates a vibrant and independent community which supports the needs of the local community and surrounding rural areas, while protecting and enhancing the unique local and historic character of the town.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Mossman will continue to develop as the major administrative, commercial and industrial centre in Douglas Shire.
  - (b) The key built form and main street character of the town centre is to be retained and reinforced.
  - (c) Mossman's identity as Queensland's northern-most sugar mill town is strengthened through the development of a distinct, ordered and attractive streetscape which responds to the tropical climate and the special features of the town's setting and layout.
  - (d) Mossman's distinct character is enhanced through appropriate building design and landscaping.
  - (e) The significant avenues of rain-trees and fig trees and other such vegetation that contribute significantly to township identity are protected.
  - (f) Residential development is encouraged within designated areas to consolidate Mossman's character as a permanent residential settlement.

- (g) Residential areas are pleasant, functional, distinctive and well-defined and residential amenity is maintained and enhanced with all residential areas having good access to services and facilities, while minimising any land use conflicts associated with different urban activities or nearby rural activities.
  - (h) Development in the Low-medium density residential zone provides a range of housing options and contributes to a high standard of residential amenity, scale and design consistent with the character of Mossman.
  - (i) Opportunities for a limited range of tourist accommodation and services are facilitated to cater for the requirements of tourists passing through Mossman or visiting the Mossman Gorge.
  - (j) To provide the opportunity for an alternative truck route to by-pass the town centre for safer and less disruptive access between the sugar mill and Cairns (subject to further investigation as a local initiative).
  - (k) Improved local land use planning, housing and infrastructure arrangements enable private home ownership, economic development and municipal service delivery for the Mossman Gorge community.
  - (l) Mossman North will remain as a residential land use community only, with no further outward expansion intended.
  - (m) Conflicts between alternative land uses are minimised.
  - (n) Mossman's role as an industrial service centre is enhanced by facilitating the expansion of industrial development adjacent to existing industrial areas and protecting industrial areas from encroachment of incompatible land use activities.
  - (o) Remnant vegetation areas, riverine corridors and natural features are protected by ensuring any adjacent development is low key and sensitive to its surroundings.
- (3) The purpose of the code will be further achieved through the following overall outcomes:
- (a) Precinct 1 – Mossman North precinct;
  - (b) Precinct 2 – Foxton Avenue precinct;
  - (c) Precinct 3 – Junction Road residential precinct;
  - (d) Precinct 4 – Junction Road industry precinct;
  - (e) Precinct 5 – Town Centre precinct;



- (f) Precinct 6 – Front Street precinct;
- (g) Precinct 7 – Emerging community precinct;
- (h) Precinct 8 – Mossman South industry precinct;
- (i) Precinct 9 – Mossman Gorge community precinct

#### **Precinct 1 – Mossman North precinct**

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

#### **Precinct 2 – Foxton Avenue precinct**

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

#### **Precinct 3 - Junction Road residential precinct**

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

lots;

- (c) development on the site does not impact on the environmental values of the North Mossman River.

#### **Precinct 4 - Junction Road industry precinct**

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

#### **Precinct 5 - Town Centre precinct**

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

#### **Precinct 6 - Front Street precinct**

- (9) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that any expansion of the development is integrated with the existing shopping facilities incorporating the following design parameters:

- (a) vehicular access is limited to:
  - (i) the existing access from Front Street opposite the Harper Street intersection;
  - (ii) the existing access at the southern boundary of the precinct limited to commercial vehicles and staff only.
- (b) any expansion complements the existing development in scale, height, roof alignment and colour;
- (c) any expansion is integrated with existing development such that the final development functions as one shopping/commercial development;
- (d) any expansion takes into account adjacent (existing and future) residential development and incorporates service areas, car parking and other utilities which are visually and acoustically screened to protect the residential amenity of the area.

#### **Precinct 7 – Emerging community precinct**

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

#### **Precinct 8 – Mossman south industry precinct**

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

#### **Precinct 9 – Mossman Gorge community precinct**

- (12) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
  - (a) existing commercial, community and residential uses are recognised within the discrete area contained by the Mossman Gorge community;

- (b) a flexible approach to land use planning is advanced through the adoption of a structure plan for the community;
- (c) a flexible approach to lot reconfiguration is permitted to advance home ownership aspirations for the community;
- (d) infrastructure upgrading is undertaken and transitioned to Council for future maintenance.

#### 7.2.3.4 Criteria for assessment

**Table 7.2.3.4.a – Mossman local plan – assessable development**

Performance outcome	Acceptable outcome	Compliance
<b>For self-assessable and assessable development</b>		
<b>PO1</b>  Building and structures complement the height of surrounding development.	<b>AO1</b>  Buildings and structures are not more than 8.5 metres in height, except where included in the Industry zone where buildings and structures are not more than 10 metres in height.	<b>Complies with AO1</b>  The proposed buildings would be a maximum height of 8.3 metres.
<b>For assessable development</b>		
<b>Development in the Mossman local plan area generally</b>		
<b>PO1</b>  Development retains and enhances key landscape elements including character trees and areas of significant vegetation contributing to the character and quality of the local plan area and significant views and vistas and other landmarks important to the context of Mossman (as identified on the Mossman Townscape Plan map contained in Schedule 2).	<b>AO1.1</b>  Development provides for the retention and enhancement of existing mature trees and character vegetation that contribute to the lush tropical character of the town, including: <ul style="list-style-type: none"> <li>(a) the tree covered backdrop of the low density subdivision at Coral Sea Drive and Gorge View Crescent;</li> <li>(b) natural vegetation along watercourses, in particular the Mossman River, the South Mossman River, Parker Creek and Marrs</li> </ul>	<b>Complies with AO1.1</b>  No mature trees would be removed to facilitate the development.



Performance outcome	Acceptable outcome	Compliance
	<p>Creek;</p> <p>(c) the avenue of planting in the town centre in Front Street;</p> <p>(d) the Raintrees in Foxton Avenue;</p> <p>(e) the trees on the eastern side of the Mossman-Daintree Road, just north of the North Mossman River;</p> <p>(f) the avenue planting of Melaleucas on the southern approach to the town along Alchera Drive;</p> <p>(g) Mossman sugar mill site.</p>	
	<p><b>AO1.2</b></p> <p>Development protects and does not intrude into important views and vistas as identified on the Mossman Townscape Plan map contained in Schedule 2, in particular:</p> <p>(a) Mount Demi (Manjal Dimbi);</p> <p>(b) Mossman Bluff;</p> <p>(c) Mount Beaufort;</p> <p>(d) Shannonvale Valley.</p>	<p><b>Complies with AO1.2</b></p> <p>The proposed development would not intrude into any important views or vistas.</p>
	<p><b>AO1.3</b></p> <p>Important landmarks, memorials and monuments are retained, including, but not limited to:</p> <p>(a) the cane tram line running east west through the town at Mill Street;</p> <p>(b) the general configuration of the 'Triangle' at the intersection of Front Street, Mill Street,</p>	<p><b>Complies with AO1.3</b></p> <p>The proposed development would not affect any important landmarks, memorials and monuments.</p>

Performance outcome	Acceptable outcome	Compliance
	Foxton Avenue and Junction Road	
<b>PO2</b>  Development contributes to the protection, reinforcement and where necessary enhancement of gateways and key intersections identified on the Mossman local plan maps contained in Schedule 2.	<b>AO2</b>  Development adjacent to the gateways and key intersections as identified on the Mossman local plan maps contained in Schedule 2 incorporates architectural features and landscaping treatments and design elements that enhance the sense of arrival and way finding within the town.	<b>Not applicable</b>  The development site is not located adjacent to a gateway or key intersection identified in the local plan maps.
<b>PO3</b>  Landscaping of development sites complements the existing tropical character of Mossman.	<b>AO3</b>  Landscaping incorporates the requirements of Planning scheme policy SC 6.2- Landscaping.	<b>Able to comply with AO3</b>  The landscaping of the site is able to incorporate planting in accordance with the planning scheme policy. Refer to <b>Appendix E Landscape Concept Plans</b> .
<b>P04</b>  Development does not compromise the safety and efficiency of the State-controlled road network.	<b>AO4</b>  Direct access is not provided to a State-controlled road where legal and practical access from another road is available.	<b>Complies with AO4</b>  No access would be provided from a state controlled road.
<b>For assessable development</b>		
<b>Additional requirements for Precinct 2 – Foxton Avenue precinct</b>		
<b>PO5</b>  Development takes into account the opportunities and constraints with particular attention paid to flooding and vegetation.	<b>AO5</b>  Buildings and structures are located outside areas subject to flooding. Development is undertaken in accordance with the recommendations of a Drainage/Flood Study which outlines the necessary improvements to be	<b>Not applicable</b>  The development site is not within Precinct 2 – Foxton Avenue precinct.

Performance outcome	Acceptable outcome	Compliance
	undertaken on the site to make it suitable for development and avoid impacts on adjoining land.	
<b>PO6</b>  Development is adequately separated from and protects the existing cane railway track along the southern boundary of the land.	<b>PO6.1</b>  Buildings and structures are setback a minimum of 10 metres from the cane railway.	<b>Not applicable</b>  The development site is not within Precinct 2 – Foxtan Avenue precinct.
	<b>PO6.2</b>  Pedestrian access to the cane railway is restricted.	<b>Not applicable</b>  The development site is not within Precinct 2 – Foxtan Avenue precinct.
<b>Additional requirements for Precinct 3 – Junction Road residential precinct</b>		
<b>PO7</b>  Land within the Junction Road residential precinct is developed taking into account of the opportunities and constraints with particular attention paid to flooding and vegetation. Any form of urban development is to be free from flood inundation and will not impact on current drainage regimes.	<b>AO7</b>  Development is undertaken in accordance with the recommendations of a Drainage/Flood Study which outlines the necessary improvements to be undertaken on the site to make it suitable for residential development and avoid impacts on adjoining land.	<b>Not applicable</b>  The development site is not within Precinct 3 – Junction Road residential precinct.
<b>PO8</b>  Development in the form of lot reconfiguration consists of lot sizes and shapes that match the character and configuration of surrounding lots.	<b>AO8.1</b>  Lots have a minimum area of 800m <sup>2</sup> .	<b>Not applicable</b>  The development site is not within Precinct 3 – Junction Road residential precinct.
	<b>AO8.2</b>  Lots have a minimum frontage of 20m.	<b>Not applicable</b>  The development site is not within Precinct 3 – Junction Road residential precinct.

Performance outcome	Acceptable outcome	Compliance
<b>PO9</b>  Development on the site does not impact on the environmental values of the North Mossman River, with any land dedication along the creek provided with access to, at minimum, a partial esplanade road frontage.	<b>AO9.1</b>  Subject to any greater width requirement as a consequence of the studies required to satisfy AO8, a minimum riparian width of 30 metres is dedicated as open space along the frontage to the Mossman River.	<b>Not applicable</b>  The development site is not within Precinct 3 – Junction Road residential precinct.
	<b>AO9.2</b>  Practical road access is available to the minimum riparian width of 30 metres along the frontage to the Mossman River.	<b>Not applicable</b>  The development site is not within Precinct 3 – Junction Road residential precinct.
<b>Additional requirements for Precinct 4 – Junction Road industry precinct</b>		
<b>PO10</b>  Residential areas on the western side of Junction Road are protected from any industrial use, including industrial lot reconfiguration, by a dense screen of vegetation.	<b>AO10.1</b>  A dense screen of vegetation of at least 10 metres depth separates any industrial use, including any lot reconfiguration, along the full frontage of Junction Road except where road access is required.	<b>Not applicable</b>  The development site is not within Precinct 4 – Junction Road industry precinct.
	<b>AO10.2</b>  No individual lots will have direct access to Junction Road across the 10 metre dense screen of vegetation.	<b>Not applicable</b>  The development site is not within Precinct 4 – Junction Road industry precinct.
<b>Additional requirements for Precinct 5 – Town Centre precinct</b>		
<b>PO11</b>  Buildings in the precinct are designed and sited to	<b>AO11</b>  With respect to Front Street, Foxton Avenue, Mill	<b>Not applicable</b>  The development site is not within Precinct 5 –



Performance outcome	Acceptable outcome	Compliance
<p>complement the existing distinctive and cohesive character of the retail and business area, including:</p> <ul style="list-style-type: none"> <li>(a) buildings built to the frontage to reinforce the existing built-form character;</li> <li>(b) buildings that address the street;</li> <li>(c) development that incorporates awnings and verandahs providing weather protection for pedestrians.</li> </ul>	<p>Street and Johnston Road, development incorporates buildings that front the street designed with non-transparent awnings that:</p> <ul style="list-style-type: none"> <li>(a) provide for pedestrian shelter that are consistent with the character and setting of the town centre;</li> <li>(b) are a minimum of 3.2 metres and a maximum of 3.5 metres above the finished footpath level;</li> <li>(c) extend and cover the adjoining footpath with a 1.5 metre setback to the kerb;</li> <li>(d) are continuous across the frontage of the site;</li> <li>(e) are cantilevered from the main building and where posts are used, posts are non-load bearing;</li> <li>(f) include under awning lighting.</li> </ul>	<p>Town Centre precinct.</p>
<p><b>PO12</b></p> <p>Development in the precinct contributes positively to the character of the town and is complementary in scale to surrounding development.</p>	<p><b>AO12</b></p> <p>Development incorporates the following design features:</p> <ul style="list-style-type: none"> <li>(a) 'built up to the front' alignment addressing the street frontage and continuing the scale of the existing built form and where necessary providing car parking spaces at the rear of the site;*</li> <li>(b) appropriate built form and roofing material;</li> <li>(c) appropriate fenestration in combination with roof form;</li> <li>(d) appropriate window openings, screens or eaves shading 80% of window openings;</li> </ul>	<p><b>Not applicable</b></p> <p>The development site is not within Precinct 5 – Town Centre precinct.</p>

Performance outcome	Acceptable outcome	Compliance
	<ul style="list-style-type: none"> <li>(e) minimum of 700mm eaves;</li> <li>(f) orientation of the building to address the street/s;</li> <li>(g) sheltered pedestrian access by enclosed covered common area walkway of 1.5 metres in width from the car park area/s to the development;</li> <li>(h) ground level façades facing streets consist of windows, wall openings or shop fronts;</li> <li>(i) vertical architectural elements a minimum of 3 metres along the length of the ground level façade;</li> <li>(j) inclusion of windows and balconies on the upper levels facing the street façade;</li> <li>(k) provision of lattice, battens or privacy screens;</li> <li>(l) the overall length of a building does not exceed 30 metres and the overall length of any continuous wall does not exceed 15 metres;</li> <li>(m) Any air conditioning plant is screened from the street frontage and public view by use of architectural features.</li> </ul> <p>*Note - access to car parking must not adversely impact on 'built up to the front' alignment continuity.</p>	
<b>PO13</b>  Site coverage of all buildings:  (a) does not result in a built form that is bulky or	<b>AO13</b>  Site cover does not exceed 60%.	<b>Not applicable</b>  The development site is not within Precinct 5 – Town Centre precinct.

Performance outcome	Acceptable outcome	Compliance
visually intrusive to the streetscape;  (b) respects the individual character of the town centre.		
<b>PO14</b>  Side and rear setbacks:	<b>AO14.1</b>  For side boundary setbacks, no acceptable measures are specified.	<b>Not applicable</b>  The development site is not within Precinct 5 – Town Centre precinct.
(a) are appropriate for the scale of the development and the character of the town centre;  (b) provide adequate daylight for habitable rooms on adjoining sites;  (c) adequate separation between residential and non-residential uses.	<b>AO14.2</b>  Buildings are setback a minimum of 6 metres from rear boundaries.  Note: Building code requirements must be satisfied.	<b>Not applicable</b>  The development site is not within Precinct 5 – Town Centre precinct.
<b>PO15</b>  Development in the precinct is predominantly retail or office based in nature or has a service delivery function.	<b>AO15</b>  Development at street level is limited to retail, office or restaurant/cafe based activities or personal services, with residential development limited to minor ancillary residential uses or to tourist accommodation located above ground level, or to the rear of the site at ground level.	<b>Not applicable</b>  The development site is not within Precinct 5 – Town Centre precinct.
<b>Additional requirements for Precinct 6 – Front Street precinct</b>		
<b>PO16</b>  Vehicular access is limited to:  (a) the existing access from Front Street opposite the Harper Street intersection;	<b>AO16</b>  No acceptable outcomes are prescribed.	<b>Not applicable</b>  The development site is not within Precinct 6 – Front Street precinct.

Performance outcome	Acceptable outcome	Compliance
(b) the existing access at the southern boundary of the precinct limited to commercial vehicles and staff only.		
<b>PO17</b>  Any expansion complements the existing development in scale, height, roof alignment and colour.	<b>AO17</b>  No acceptable outcomes are prescribed.	<b>Not applicable</b>  The development site is not within Precinct 6 – Front Street precinct.
<b>PO18</b>  Any expansion is integrated with existing development such that the final development functions as one shopping/commercial development.	<b>AO18</b>  No acceptable outcomes are prescribed.	<b>Not applicable</b>  The development site is not within Precinct 6 – Front Street precinct.
<b>PO19</b>  Any expansion takes into account adjacent residential development and incorporates service areas, car parking and other utilities which are visually and acoustically screened to protect the residential amenity of the area.	<b>AO19</b>  No acceptable outcomes are prescribed.	<b>Not applicable</b>  The development site is not within Precinct 6 – Front Street precinct.
<b>Additional requirements for Precinct 7 – Emerging Community precinct</b>		
<b>PO20</b>  Development provides road connections, pedestrian and cycling links and open space to establish integrated, connected communities with adjoining land.	<b>AO20</b>  No acceptable outcomes are prescribed.	<b>Not applicable</b>  The development site is not within Precinct 7 – Emerging Community precinct.
<b>Additional requirements for Precinct 8 – Mossman South industry</b>		



Performance outcome	Acceptable outcome	Compliance
<b>PO21</b>  Low impact industry uses are the predominant form of industry.	<b>AO21</b>  Development for industrial purposes consists of service industry or low impact industry uses.	<b>Not applicable</b>  The development site is not within Precinct 8 – Mossman South industry.
<b>PO22</b>  No uses that compete with the commercial and retail primacy of the Mossman town centre are established.	<b>AO22</b>  Office or retail uses:  (a) are ancillary to an industrial use; or  (b) directly service the needs of the surrounding industrial precinct;  (c) do not rely on passing trade from Alchera Drive.	<b>Not applicable</b>  The development site is not within Precinct 8 – Mossman South industry.
<b>PO23</b>  Development protects the amenity of adjacent and nearby residential land uses.	<b>AO23</b>  No acceptable outcomes are prescribed.	<b>Not applicable</b>  The development site is not within Precinct 8 – Mossman South industry.
<b>Additional requirements for Precinct 9 – Mossman Gorge Community</b>		
<b>PO24</b>  No uses that compete with commercial and retail activities in Mossman town centre are established.	<b>AO24</b>  No acceptable outcomes are prescribed.	<b>Not applicable</b>  The development site is not within Precinct 9 – Mossman Gorge Community.

## **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.
- (3) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Development ensures that the release of any acid and associated metal contaminant is avoided by not disturbing acid sulfate soils when excavating, removing soil or extracting ground water or filling land;
  - (b) Development ensures that disturbed acid sulfate soils, or drainage waters, are treated and, if required, on-going management practices are adopted that minimise the potential for environmental harm from acid sulfate soil and protect corrodible assets from acid sulfate soil.

## Criteria for assessment

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

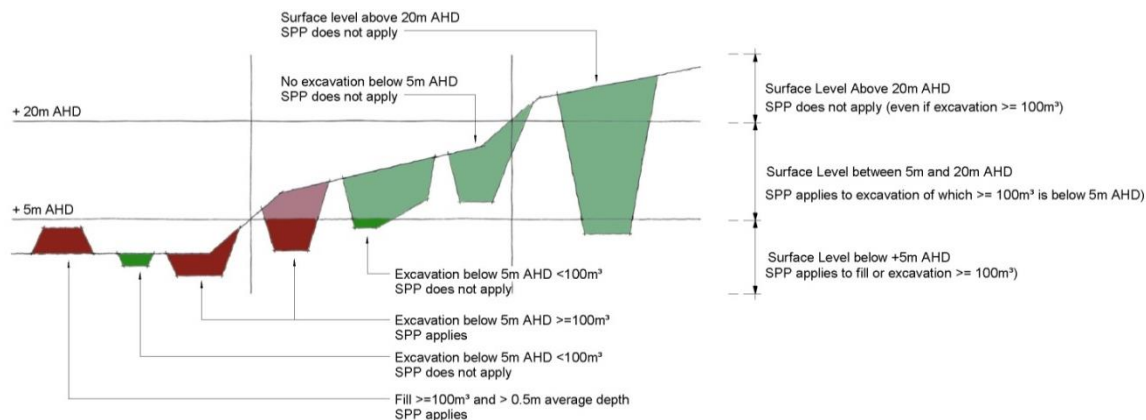
Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable development</b>		
<b>PO1</b> The extent and location of potential or actual acid sulfate soils is accurately identified.	<b>AO1.1</b> No excavation or filling occurs on the site. or <b>AO1.2</b> An acid sulfate soils investigation is undertaken. Note - Planning scheme policy SC 6.12– Potential and actual acid sulfate soils provides guidance on preparing an acid sulfate soils investigation.	<b>Complies with AO1.1</b> No excavation or filling is proposed that would affect Acid Sulfate Soils.
<b>PO2</b> Development avoids disturbing potential acid sulfate soils or actual acid sulfate soils, or is managed to avoid or minimise the release of acid and metal contaminants.	<b>AO2.1</b> The disturbance of potential acid sulfate soils or actual acid sulfate soils is avoided by: <ul style="list-style-type: none"> <li>(a) not excavating, or otherwise removing, soil or sediment identified as containing potential or actual acid sulfate soils;</li> <li>(b) not permanently or temporarily extracting groundwater that results in the aeration of previously saturated acid sulfate soils;</li> <li>(c) not undertaking filling that results in:                             <ul style="list-style-type: none"> <li>(i) actual acid sulfate soils being moved below the water table;</li> <li>(ii) previously saturated acid sulfate soils</li> </ul> </li> </ul>	<b>Not applicable</b> No excavation or filling is proposed that would affect actual or potential acid sulfate soils.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>being aerated.</p> <p>Or</p> <p><b>AO2.2</b></p> <p>The disturbance of potential acid sulfate soils or actual acid sulfate soils is undertaken in accordance with an acid sulfate soils management plan and avoids the release of metal contaminants by:</p> <ul style="list-style-type: none"> <li>(a) neutralising existing acidity and preventing the generation of acid and metal contaminants;</li> <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>Not applicable</b></p> <p>No excavation or filling is proposed that would</p>



Performance outcomes	Acceptable outcomes	Applicant response
exposure to potential acid sulfate soils or actual acid sulfate soils.		affect Acid Sulfate Soils.

**Figure 8.2.1.3.a – Acid sulfate soils (SPP triggers)**



## 8.2.7 Natural areas overlay code

### 8.2.7.1 Application

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

Note – MSES = Matters of State Environmental Significance.

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

### 8.2.7.2 Purpose

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

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

## Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>Protection of matters of environmental significance</b>		
<b>PO1</b> Development protects matters of environmental significance.	<b>AO1.1</b> Development avoids significant impact on the relevant environmental values. or <b>AO1.2</b> A report is prepared by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, that the development site does not contain any matters of state and local environmental significance. or <b>AO1.3</b> Development is located, designed and operated to mitigate significant impacts on environmental values. For example, a report certified by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, how the proposed development mitigates impacts, including on water quality, hydrology and biological processes.	<b>Complies with AO1.1</b> Development would be within existing cleared areas and would not involve the removal of any vegetation. The proposed development would not result in significant impact on any relevant environmental values.



Performance outcomes	Acceptable outcomes	Applicant response
<b>Management of impacts on matters of environmental significance</b>		
<b>PO2</b> Development is located, designed and constructed to avoid significant impacts on matters of environmental significance.	<b>AO2</b> The design and layout of development minimises adverse impacts on ecologically important areas by: <ul style="list-style-type: none"> <li>(a) focusing development in cleared areas to protect existing habitat;</li> <li>(b) utilising design to consolidate density and preserve existing habitat and native vegetation;</li> <li>(c) aligning new property boundaries to maintain ecologically important areas;</li> <li>(d) ensuring that alterations to natural landforms, hydrology and drainage patterns on the development site do not negatively affect ecologically important areas;</li> <li>(e) ensuring that significant fauna habitats are protected in their environmental context; and</li> <li>(f) incorporating measures that allow for the safe movement of fauna through the site.</li> </ul>	<b>Complies with AO2</b> The proposed development would occur in existing cleared areas and would be setback from the top of bank of the adjacent watercourse.
<b>PO3</b> An adequate buffer to areas of state environmental significance is provided and maintained.	<b>AO3.1</b> A buffer for an area of state environmental significance (Wetland protection area) has a minimum width of: <ul style="list-style-type: none"> <li>(a) 100 metres where the area is located</li> </ul>	<b>Not applicable</b> The site does not contain or adjoin a wetland.

Performance outcomes	Acceptable outcomes	Applicant response
	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> The site does not contain or adjoin a wetland.
<b>PO4</b> Wetland and wetland buffer areas are maintained, protected and restored. Note – Wetland buffer areas are identified in AO3.1.	<b>AO4.1</b> Native vegetation within wetlands and wetland buffer areas is retained.	<b>Not applicable</b> The site does not contain or adjoin a wetland.
	<b>AO4.2</b> Degraded sections of wetlands and wetland buffer areas are revegetated with endemic native plants in patterns and densities which emulate the relevant regional ecosystem.	<b>Not applicable</b> The site does not contain or adjoin 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> No non-native pest species would be introduced as a report of the development.
	<b>AO5.2</b> The threat of existing pest species is controlled by	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
	adopting pest management practices for long-term ecological integrity.	No pest species have been identified on the site.
<b>Ecological connectivity</b>		
<b>PO6</b> Development protects and enhances ecological connectivity and/or habitat extent.	<b>AO6.1</b> Development retains native vegetation in areas large enough to maintain ecological values, functions and processes. and	<b>Complies with AO6.1</b> No vegetation is proposed to be removed to facilitate the development.
	<b>AO6.2</b> Development within an ecological corridor rehabilitates native vegetation. and	<b>Not applicable</b> No development would occur within an ecological corridor.
	<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> No development would occur within a conservation corridor.
<b>PO7</b> Development minimises disturbance to matters of state environmental significance (including existing ecological corridors).	<b>AO7.1</b> Development avoids shading of vegetation by setting back buildings by a distance equivalent to the height of the native vegetation. and	<b>Complies with AO7.1</b> The development would be low rise and would not result in the significant shading of vegetation.

Performance outcomes	Acceptable outcomes	Applicant response
	<b>AO7.2</b> Development does not encroach within 10 metres of existing riparian vegetation and watercourses.	<b>Complies with AO7.2</b> The development would be setback 10 metres from the top of bank of the adjacent Marr Creek.
<b>Waterways in an urban area</b>		
<b>PO8</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>AO8.1</b> Where a waterway is contained within an easement or a reserve required for that purpose, development does not occur within the easement or reserve; or <b>AO8.2</b> Development does not occur on the part of the site affected by the waterway corridor. Note – Waterway corridors are identified within Table 8.2.7.3.b.	<b>Complies with AO8.2</b> Development would not occur on the part of the site affected by the waterway corridor.
<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> </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> The site is within an urban area.



Performance outcomes	Acceptable outcomes	Applicant response
(d) biodiversity values; (e) riparian and in-stream habitat values and connectivity; (f) in-stream migration.		

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

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

## 8.2.8 Places of significance overlay code

### 8.2.8.1 Application

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

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

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

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

### 8.2.8.2 Purpose

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

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

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

### Criteria for assessment

Table 8.2.2.3.a – Places of significance overlay code–assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>Demolition or removal of a place of local significance</b>		
<b>PO1</b> Development does not result in the demolition or removal of a place of local significance.  Note - Guidance on meeting the performance outcome is provided within Planning scheme policy SC6.11 – Places of significance.	<b>AO1</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The site does not contain a place of local significance.
<b>PO2</b> Development is compatible with the conservation and management of the cultural significance of the place.	<b>AO2</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The site does not contain a place of local significance.

Performance outcomes	Acceptable outcomes	Applicant response
Note - Guidance on meeting the performance outcome is provided within Planning scheme policy SC6.11 – Places of significance.		
<b>PO3</b> Development conserves the features and values of a place of local significance that contribute to its cultural significance.	<b>AO3</b> Development does not alter, remove or conceal significant features of a place of local significance.	<b>Not applicable</b> The site does not contain a place of local significance.
<b>PO4</b> Changes to a place of local significance are appropriately managed, documented and interpreted. Note - Guidance on meeting the performance outcome is provided within Planning scheme policy SC6.11 – Places of significance.	<b>AO4.1</b> Development is compatible with a conservation management plan prepared in accordance with the Australia ICOMOS Charter for Places of Cultural Heritage Significance.	<b>Not applicable</b> The site does not contain a place of local significance.
	<b>AO4.2</b> An archival record is prepared to document the changes.	<b>Not applicable</b> The site does not contain a place of local significance.
	<b>AO4.3</b> Development includes interpretation that explains the cultural significance of the place and the changes.	<b>Not applicable</b> The site does not contain a place of local significance.
<b>PO5</b> Development does not adversely affect the character, setting or appearance of the place of local significance, including removal of vegetation	<b>AO5.1</b> The scale, location and design of the development are compatible with the character, setting and appearance of the place of local significance.	<b>Not applicable</b> The site does not contain or adjoin a place of local significance.



Performance outcomes	Acceptable outcomes	Applicant response
that contributes to the cultural heritage significance of the place.	<b>AO5.2</b> The development is unobtrusive and cannot readily be seen from surrounding streets or other public places.	<b>Not applicable</b> The site does not contain or adjoin a place of local significance.
	<b>AO5.3</b> Existing vegetation that forms part of the place is retained and incorporated into the design and layout of development.	<b>Not applicable</b> The site does not contain or adjoin a place of local significance.
<b>PO6</b> Excavation or other earthworks do not have a detrimental impact on archaeological values.  Note - Guidance on meeting the performance criteria is provided within Planning scheme policy SC6.11 – Places of significance.	<b>AO6.1</b> The impact of excavation is minor and limited to parts of the place of local significance that have been disturbed by previous excavation.	<b>Not applicable</b> The site does not contain or adjoin a place of local significance.
	<b>AO6.2</b> An archaeological management plan is prepared for development involving subsurface disturbance.	<b>Not applicable</b> The site does not contain or adjoin a place of local significance.
<b>Advertising devices</b>		
<b>PO7</b> Advertising devices located on, or on premises adjoining a state heritage place are sited and designed so as to:  (a) be compatible with the cultural significance of the state heritage place or place of local	<b>AO7</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> No advertising devices are proposed.

Performance outcomes	Acceptable outcomes	Applicant response
<p>significance;</p> <p>(b) not obscure the appearance or prominence of the state heritage place or place of local significance when viewed from the street or other public places;</p> <p>(c) not alter or conceal significant features of the state heritage place, or place of local significance.</p>		
<b>Development on premises adjoining a state heritage place</b>		
<p><b>PO8</b></p> <p>Where on a premises adjoining a state heritage place or place of local significance, development is designed and constructed so as to:</p> <p>(a) not to obscure the appearance or prominence of the state heritage place from surrounding streets or public places;</p> <p>(b) not to intrude into important vistas of the state heritage place;</p> <p>(c) not to place buildings and structures between a state heritage place and its primary or secondary street frontage;</p> <p>(d) to ensure new buildings or structures are setback from the street frontage and are of a height, bulk and scale which retains the visual prominence and values of the state heritage place;</p> <p>(e) to minimise disturbance to the original fabric</p>	<p><b>AO8</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Complies with PO8</b></p> <p>The subject site adjoins the Mossman District Hospital to the rear and would not obscure the state heritage place when viewed from any public vantage point and would be of a low rise construction such that they are subservient to the built form and scale of the state heritage place.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>of the state heritage place;</p> <p>(f) to retain, where intact, the significant or original siting and context of the state heritage place.</p> <p>Note - Guidance on meeting the performance criteria is provided within Planning scheme policy SC6.11 – Places of significance.</p>		

## 8.2.9 Potential landslide hazard overlay code

### 8.2.9.1 Application

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

Note – The Potential landslide hazard overlay shows modelled areas where the factors contributing to landslide potential accumulate to provide a moderate or higher risk if certain factors are exacerbated (e.g. factors include significant vegetation clearing, filling and excavation, changes to soil characteristics, changes to overland water flow, or changes to sub-surface water flow). It shows areas that the Council has identified where landslides may occur and where land may be impacted by a landslide, but does not mean that landslides will occur or that the land will be impacted by a landslide. Other areas not contained within the potential landslide hazard overlay may sustain landslides or be impacted by landslides and consideration should be given to this issue, where appropriate.

### 8.2.9.2 Purpose

- (1) The purpose of the Potential landslide hazard overlay code is:
  - (a) implement the policy direction of the Strategic Framework, in particular:
    - (i). Theme 1: Settlement pattern Element 3.4.7 Mitigation of hazards.
  - (b) enable an assessment of whether development is suitable on land within the Potential landslide hazard overlay.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) development is located, designed and constructed to not put at risk the safety of people, property and the environment;
  - (b) development is not at risk from and does not pose a risk to adjacent and nearby sites from landslides;
  - (c) ensures that community infrastructure is protected from the effects of potential landslides;
  - (d) ensures that vegetation clearing, stormwater management and filling and/or excavation does not create a landslide hazard and/or rectifies potential pre-existing landslide risks;



- (e) development does not occur where works to provide a solution for safety of people, property or the environment involves complex engineering solutions to overcome the risk, or would result in a built form or outcome that causes an adverse visual impact on the Hillslopes or Landscape values of Douglas Shire.

### Criteria for assessment

Table 8.2.9.3.a – Potential landslide hazard overlay code – assessable development

Performance Outcomes	Acceptable Outcomes	Applicant Response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> The siting and design of development does not involve complex engineering solutions and does not create or increase the potential landslide hazard risk to the site or adjoining premises through: (a) building design; (b) increased slope; (c) removal of vegetation; (d) stability of soil; (e) earthworks; (f) alteration of existing ground water or surface water paths; (g) waste disposal areas.	<b>AO1.1</b> Development is located on that part of the site not affected by the Potential landslide hazard overlay. Or <b>AO1.2</b> Development is on an existing stable, benched site and requires no further earthworks or <b>AO1.3</b> A competent person certifies that: (a) the stability of the site, including associated buildings and infrastructure, will be maintained during the course of the development and will remain stable for the life of the development; (b) development of the site will not increase the risk of landslide hazard activity on other land, including land above the site;	<b>Complies with AO1.1</b> Development would be located parts of the site not affected by the Potential landslide hazard overlay.

Performance Outcomes	Acceptable Outcomes	Applicant Response
	<p>(c) the site is not subject to the risk of landslide activity on other land;</p> <p>(d) any measures identified in a site-specific geotechnical report for stabilising the site or development have been fully implemented;</p> <p>(e) development does not concentrate existing ground water and surface water paths;</p> <p>(f) development does not incorporate on-site waste water disposal.</p> <p>Note – Planning scheme policy SC6.9 – Natural hazards provides guidance on preparing a site specific geo-technical assessment.</p> <p>Note – Development may alter the conditions of ground water and surface water paths in accordance with a site-specific geotechnical report but should ensure that its final disbursement is as-per pre-developed conditions. Consideration for location, velocity, volume and quality should be given</p>	
<p><b>PO2</b></p> <p>The siting and design of necessary retaining structures does not cause an adverse visual impact on landscape character or scenic amenity quality of the area.</p>	<p><b>AO2</b></p> <p>Excavation or fill:</p> <p>(a) is not more than 1.2 metres in height for each batter or retaining wall;</p> <p>(b) is setback a minimum of 2 metres from property boundaries;</p> <p>(c) is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with Planning scheme policy SC6.7 – Landscaping;</p>	<p><b>Complies with AO2</b></p> <p>No excavation or filling undertaken as part of this development would exceed 1.2 metres in height.</p>

Performance Outcomes	Acceptable Outcomes	Applicant Response
	(d) does not exceed a maximum of 3 batters and 3 berms (i.e. Not greater than 3.6 metres in height) on any one lot.	
<b>Additional requirements for Community infrastructure</b>		
<b>PO3</b> Development for community infrastructure: (a) is not at risk from the potential landslide hazard areas; (b) will function without impediment from a landslide; (c) provides access to the infrastructure without impediment from the effects of a landslide; (d) does not contribute to an elevated risk of a landslide to adjoining properties.	<b>AO3</b> Development is designed in accordance with the recommendations of a site-specific geotechnical assessment which makes reference to the community infrastructure and its needs and function.  Note - A site specific geotechnical assessment will detail requirements that will address the Acceptable Outcomes of this Performance Outcome. Planning scheme policy SC6.9 – Natural hazards provides guidance on preparing a site specific geotechnical assessment.	<b>Not applicable</b> No community infrastructure is proposed.

## 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;
- (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**

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 preliminary approval provides for the development of the site for up to 99 dwellings units. The proposed development would provide less than that approved under the preliminary approval. On this basis the proposed development would not adversely affect the role and function of the transport network.
	<b>AO1.2</b>  Development does not compromise the safety and efficiency of the transport network.	<b>Complies with AO1.2</b>  The proposed level of development on the site is less than that accepted under the preliminary approval. The proposed development would not compromise the safety and efficiency of the transport 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 frontage to the unnamed street off Johnston Road only.
<b>PO2</b>  Transport infrastructure is provided in an integrated and timely manner.  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>AO2</b>  Development provides infrastructure (including improvements to existing infrastructure) in accordance with:  (a) the Transport network overlay maps contained in Schedule 2;	<b>Not applicable</b>  No upgrades to the transport network are required to facilitate the development.

Performance outcomes	Acceptable outcomes	Compliance
	<p>(b) any relevant Local Plan.</p> <p>Note – The Translink Public Transport Infrastructure Manual provides guidance on the design of public transport facilities.</p>	
<p><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>The site is not within a major transport corridor buffer.</p>
<p><b>PO4</b></p> <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><b>AO4.1</b></p> <p>Development is compatible with the role and function (including the future role and function) of major transport corridors.</p>	<p><b>Not applicable</b></p> <p>The site does not adjoin a major transport corridor.</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 does not adjoin a major transport corridor.</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>No new intersections are proposed.</p>

Performance outcomes	Acceptable outcomes	Compliance
	<b>AO4.4</b>  The layout of development and the design of the associated access is compatible with existing and future boundaries of the major transport corridor or major transport facility.	<b>Not applicable</b>  The site does not adjoin a major transport corridor.
<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 adjoin a major transport corridor.
<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.
	<b>AO6.2</b>  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.	<b>Not applicable</b>  No lot reconfiguration is proposed.



### 9.3.13 Multiple dwelling, short term accommodation and retirement facility code

#### 9.3.13.1 Application

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

#### 9.3.13.2 Purpose

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

#### 9.3.13.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable development</b>		
<b>PO1</b> The site has sufficient area and frontage to:	<b>AO1.1</b> The site has a minimum area of 1,000m <sup>2</sup> .	<b>Complies with AO1.1</b> The development site has an area of 28,490m <sup>2</sup> .
(a) accommodate the scale and form of buildings considering site features;	<b>AO1.2</b> The site has a minimum frontage of 25 metres.	<b>Complies with AO1.2</b> The site has a road frontage of approximately 80
(b) achieve communal open space areas and		

Performance outcomes	Acceptable outcomes	Applicant response
<p>private outdoor spaces;</p> <p>(c) deliver viable areas of deep planting and landscaping to retain vegetation and protect or establish tropical planting;</p> <p>(d) achieve safe and convenient vehicle and pedestrian access;</p> <p>(e) accommodate on-site car parking and manoeuvring for residents, visitors and service providers.</p>		metres in length.
<p><b>PO2</b></p> <p>Development for large-scale multiple dwellings, short term accommodation and retirement villages contributes to the neighbourhood structure and integrates with the existing neighbourhood through:</p> <p>(a) the establishment and extension of public streets and pathways;</p> <p>(b) the provision of parks and other public spaces as appropriate to the scale of the development;</p> <p>(c) inclusion of a mix of dwelling types and tenures and forms;</p> <p>(d) buildings that address the street;</p> <p>(e) building height and setback transitions to adjoining development of a lower density or scale.</p>	<p><b>AO2</b></p> <p>Development on a site 5,000m<sup>2</sup> or greater is in accordance with a structure plan.</p> <p>Note – Guidance on preparing a structure plan is provided within Planning scheme policy SC6.14 – Structure planning.</p>	<p><b>Complies with AO2</b></p> <p>The Overall Site plan submitted with the application is considered to satisfy the requirements of a structure plan.</p>
<p><b>PO3</b></p> <p>Development ensures that the proportion of buildings to open space is:</p>	<p><b>AO3.1</b></p> <p>The site cover is not more than 40%.</p>	<p><b>Complies with AO3.1</b></p> <p>The proposed development would have a site coverage in the order of 31.8%.</p>

Performance outcomes	Acceptable outcomes		Applicant response
(a) in keeping with the intended form and character of the local area and immediate streetscape; (b) contributes to the modulation of built form; (c) supports residential amenity including access to breezes, natural light and sunlight; (d) supports outdoor tropical living; (e) provides areas for deep tropical planting and / or for the retention of mature vegetation.	<b>AO3.2</b> The development has a gross floor area of not more than:		<b>Not applicable</b> The site is not located in a residential or tourist accommodation zone.
	Zone	Maximum GFA	
	Low-medium density residential	0.8 x site area	
	Medium density residential	1.2 x site area	
	Tourist accommodation	1.2 x site area	
	All other zones	No acceptable outcome specified	
<b>PO4</b> Development is sited so that the setback from boundaries: (a) provides for natural light, sunlight and breezes; (b) minimises the impact of the development on the amenity and privacy of neighbouring residents; (c) provides for adequate landscaping.	<b>AO4.1</b> Buildings and structures are set back not less than 6 metres from a road frontage.		<b>Complies with PO4</b> The proposed development would have a setback of 3.0 metres to the unnamed road reserve that serves as an entrance to the site. This reduced setback occurs at a single point with the balance of the development being in excess of 6 metres from the frontage. The proposed juxtaposition of buildings on the site, which compared to the existing retirement facility to the south and acknowledging the role of the road reserve as a shared access, results in an open urban space providing space for sufficient landscaping and creating a sense of arrival.
	<b>AO4.2</b> Buildings and structures are setback not less than		<b>Complies with AO4.2</b> The proposed buildings would be setback 4.6

Performance outcomes	Acceptable outcomes	Applicant response
	4 metres to the rear boundary.	metres from the boundary to the showgrounds to the north.
	<b>AO4.3</b> The side boundary setback for buildings and structures is: (a) for buildings up to 2 storeys not less than 2.5 metres for the entire building; (b) for buildings up to 3 storeys not less than 3.5 metres for the entire building.	<b>Complies with PO4</b> The proposed development would be setback a minimum of 1.5 metres to single storey buildings from the adjoining Mossman District Hospital site boundary to the east. The reduced setback would be to buildings of a domestic scale where a 1.5 metre setback is an accepted standard. The reduced setback would not adversely affect solar or breeze access and would not impact on the privacy or amenity of the Mossman District Hospital.
<b>PO5</b> Building depth and form must be articulated to (a) ensure that the bulk of the development is in keeping with the form and character intent of the area; (b) provide adequate amenity for residents in terms of natural light and ventilation. Note – Planning scheme policy SC6.1 – Building design and architectural elements provides guidance on reducing building bulk.	<b>AO5.1</b> (a) The maximum length of a wall in any direction is 30 metres with substantial articulation provided every 15 metres. (b) The minimum distance between buildings on a site is not less than 6 metres;	<b>Complies with PO5</b> The proposed central facilities building would have dimensions that exceed the 30 metre maximum and building would be a minimum of 3.0 metres between buildings. The central facilities building would be provided with sweeping verandahs and entrances on three sides to break up the bulk of the building and to enhance the ground level design appeal to complement the balance of the residential form of development on the site. The balance of the buildings would be separated by a minimum of 3.0 metres to the outermost projection. The buildings are single storey and domestic in scale and the separation distance is consistent with the Queensland Residential Code guidelines for residential building separation. The proposed central facilities building is considered to



Performance outcomes	Acceptable outcomes	Applicant response
		be of a design in keeping with the balance of the development and the and the separation distance between the residential buildings would not adversely affect the amenity or natural light.
	<b>AO5.2</b> The length of any continuous eave line does not exceed 18 metres.	<b>Complies with PO5</b> The proposed central facilities building would have dimensions that exceed the 18 metre maximum accepted eave length. The central facilities building would be provided with sweeping verandahs and entrances on three sides to break up the bulk of the building and to enhance the ground level design appeal to complement the balance of the residential form of development on the site. It is considered to be in keeping with the balance of the development on the land.
<b>PO6</b> Development reduces the appearance of building bulk, ensures a human-scale, demonstrates variations in horizontal and vertical profile and supports streetscape character.	<b>AO6.1</b> Development incorporates a number of the following design elements: (a) balconies; (b) verandahs; (c) terraces; (d) recesses.	<b>Complies with AO6.1</b> The self-contained dwelling units would each be provided with an alfresco area recessed garage and identifiable entrance. The central facilities building would be provided with verandahs on the ground floor and open balconies for the first floor units.
	<b>AO6.2</b> Development reduces building bulk by: (a) variation in building colours, materials and textures; (b) the use of curves, recesses, projections or	<b>Complies with AO6.2</b> The proposed development would incorporate a mix of hipped and gable ended roofs with regular window openings, and eaves in their design.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>variations in plan and elevation;</p> <p>(c) recession and projection of rooflines and the inclusion of interesting roof forms, such as cascading roof levels, gables, skillions or variations in pitch;</p> <p>(d) use of sun-shading devices and other façade features;</p> <p>(e) use of elements at a finer scale than the mainstructural framing of the building.</p>	
<p><b>PO7</b></p> <p>Development provides a building that must define the street to facilitate casual surveillance and enhance the amenity of the street through:</p> <p>(a) orientation to the street;</p> <p>(b) front boundary setback;</p> <p>(c) balconies and windows to provide overlooking and casual surveillance;</p> <p>(d) building entrances.</p>	<p><b>AO7.1</b></p> <p>Development provides a building that is not set back further than 2m beyond the minimum required street front setback.</p>	<p><b>Complies with AO7.1</b></p> <p>The building is setback less than the accepted setback form the street front.</p>
	<p><b>AO7.2</b></p> <p>Development provides balconies and windows from the primary living area that face and overlook the street or public space.</p>	<p><b>Complies with AO7.2</b></p> <p>The proposed development would provide all buildings with windows and openings that overlook the communal space.</p>
<p><b>PO8</b></p> <p>Buildings exhibit tropical design elements to support Douglas Shire’s tropical climate, character and lifestyle.</p>	<p><b>AO8.1</b></p> <p>Development has floor to ceiling heights of 2.7 metres.</p>	<p><b>Complies with PO8</b></p> <p>The proposed development would provide 2.57 metre high roofs with eaves surrounding the buildings, regular window openings to facilitate breeze and and ceiling heights of 2.55 metres.</p> <p>Whilst the 2.55 metres is less than the accepted 2.7 metres, it is not anticipated to adversely affect the environmental performance of the buildings.</p>
	<p><b>AO8.2</b></p>	<p><b>Complies with AO8.2</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
	Buildings include weather protection and sun shading to all windows to all external doors and windows of habitable rooms.	The external doors and windows to habitable rooms would be provided with eaves.
	<b>AO8.3</b> Development incorporates deep recesses, eaves and sun-shading devices	<b>Complies with AO8.3</b> The design of the development incorporate eaves to the dwellings, alfresco areas and verandahs to the communal living and central facilities building.
	<b>AO8.4</b> Western orientated facades are shaded using building and landscape elements, such as adjustable screens, awnings or pergolas or dense tropical planting.	<b>Complies with AO8.4</b> Western facades that are subject to any significant sunlight are provided with dense landscaping.
	<b>AO8.5</b> Individual dwelling units are not located on both sides of an enclosed central corridor (i.e. not double banked).	<b>Not applicable</b> No internal shared corridors are proposed.
<b>PO9</b> Development minimises direct overlooking between buildings through appropriate building layout, location and the design of windows and balconies or screening devices.  Note—Siting and building separation is used to minimize privacy screening requirements.	<b>AO9.1</b> Development where the dwelling is located within 2 metres at ground level or 9 metres above ground level of a habitable room window or private open space of an existing dwelling house, ensures habitable rooms and any private outdoor spaces have:  (a) an offset from the habitable room or private open space of the existing dwelling to limit direct outlook; or  (b) sill heights a minimum of 1.5m above floor level; or	<b>Not applicable</b> No windows would be located less than 3.0 metres apart.

Performance outcomes	Acceptable outcomes	Applicant response
	(c) fixed obscure glazing in any part of the window below 1.5m above floor level; or (d) fixed external screens; or (e) in the case of screening for a ground floor level unit, fencing to a minimum 1.8m above the ground storey floor level.	
	<b>AO9.2</b> Development where a direct view is available from balconies, terraces, decks or roof decks into windows of habitable rooms, balconies, terraces or decks in an adjacent existing dwelling house, is screened from floor level to a height above 1.5m above floor level.	<b>Not applicable</b> No direct views would be provided from decks, terraces or similar.
	<b>AO9.3</b> Development provides screening devices that are solid translucent screens, perforated or slatted panels or fixed louvres that have a maximum of 25% openings, with a maximum opening dimension of 50mm, and that are permanent and durable. Note—The screening device is offset a minimum of 0.3m from the wall around any window. Note—Screening devices are hinged or otherwise attached to facilitate emergency egress	<b>Complies with AO9.3</b> The dwelling units would be separated by a 1.8 metre screen fence.
<b>PO10</b> Development provides accessible and functional landscaping and recreation area for the benefit of residents/guests.	<b>AO10</b> A minimum of 35% of the site is allocated as landscaping and recreation area.	<b>Complies with AO10</b> Greater than 35% of the site is provided as open space and recreation area.



Performance outcomes	Acceptable outcomes	Applicant response
<b>PO11</b> Landscaping must contribute positively to the amenity of the area, streetscape and public spaces.	<b>AO11</b> Development provides landscaping as follows: (a) A dense landscape planting strip of at least 2 metres width suitable for deep planting is provided and maintained along all street frontages; (b) A dense landscape planting strip of at least 1.5 metres width suitable for deep plantings is provided along all side and rear boundaries.	<b>Complies with AO11</b> Landscaping has been provided to all boundaries and a landscape strips capable of deep plantings are provided to the accepted width.
<b>PO12</b> The landscaping and recreation area provides for functional communal open space for all developments exceeding five dwellings on one site.	<b>AO12.1</b> Communal open space is provided at: (a) a minimum of 5% of site area of 50m <sup>2</sup> whichever is the greater; and (b) a minimum dimension of 5 metres.	<b>Complies with AO12.1</b> Communal open space provision on the site, including the swimming pool and central facilities building exceeds 5% of the site area. With pockets of open space provided adjacent Marrs Creek for outdoor passive recreation.
	<b>AO12.2</b> Development provides communal open space that: (a) is consolidated into one useable space; (b) where communal open space exceeds 100m <sup>2</sup> , the communal open space may be split into two, and so forth incrementally.	<b>Complies with AO12.2</b> Communal open space is provided within the central facilities building and the swimming pool and within pockets along the banks of Marr Creek. The total open space would exceed 100sqm.
	<b>AO12.3</b> Communal open space: (a) is a minimum of 50% open to the sky; (b) achieves 25% shading by trees in 5 years;	<b>Complies with AO12.3</b> A minimum of 50% of the communal open space is open to the sky and shading is provided by the existing vegetation along Marr Creek.

Performance outcomes	Acceptable outcomes	Applicant response
	(c) does not include vehicle driveways and manoeuvring; (d) does not contain surface structures such as rainwater tanks, fire hydrants, transformers or water boosters.	
	<b>AO12.4</b> Communal open space is designed to provide for a range of facilities, typically including some, or all, of the following elements: (a) seating; (b) barbecue; (c) play equipment; (d) swimming pool; (e) communal clothes drying; (f) vegetable garden.	<b>Complies with AO12.4</b> The communal open space and recreation facilities would include a swimming pool, theatre, pool tables, outdoor seating and passive recreation spaces.
	<b>AO12.5</b> Development involving 5 or fewer dwellings on one lot can allocate additional private open space to a ground store dwelling instead of providing communal open space.	<b>Not applicable</b> The proposed development involves more than 5 dwellings.
<b>PO13</b> Development must provide attractive and functional private open space for residents and guests.	<b>AO13.1</b> Development provides private open space which: (a) for ground storey dwellings, comprises of a minimum area of 35m <sup>2</sup> with a minimum dimension of 3 metres; (b) for dwellings above ground storey, comprises	<b>Complies with AO13.1</b> Each ground floor unit would be provided with approximately 38m <sup>2</sup> of private open space, including a small alfresco area located to the rear of the units. The first floor units would have terraces that

Performance outcomes	Acceptable outcomes	Applicant response
	of a balcony with minimum area of 12m <sup>2</sup> and a minimum dimension of 3 metres.	exceed the 12m <sup>2</sup> accepted minimum.
	<b>AO13.2</b> Development provides private open space areas that are: <ul style="list-style-type: none"> <li>(a) directly accessible from internal primary living area of the dwelling (not bedrooms);</li> <li>(b) provided with a screened area of 2m<sup>2</sup> minimum dimension capable of screening air conditioning plant, private clothes drying etc.</li> <li>(c) provided with adjustable, moveable or operable privacy screening where appropriate.</li> </ul>	<b>Complies with AO13.2</b> Open space areas would be accessible from the living areas of the dwellings.
	<b>AO13.3</b> Development provides balconies that are located to the front or rear of the building except where adequate building separation can be achieved to maintain privacy.	<b>Not applicable</b> No balconies are proposed.
	<b>AO13.4</b> Where secondary balconies are provided to a side of a building for additional amenity or services, such as clothes drying or to articulate facades, the setback may be reduced to the minimum setback, but these areas are not included in the calculation of private open spacerequirements.	<b>Not applicable</b> No secondary balconies are proposed.
	<b>AO13.5</b> Private open space:	<b>Complies with AO13.5</b> The proposed private open space areas would not

Performance outcomes	Acceptable outcomes	Applicant response
	(a) does not include vehicle driveways and manoeuvring; (b) does not contain surface structures such as rainwater tanks, fire hydrants, transformers or water boosters.	include driveways or services.
<b>PO14</b> Development provides front fencing and retaining walls that must: (a) facilitate casual surveillance of the street and public space; (b) enable use of private open space; (c) assist in highlighting entrances to the property; (d) provide a positive interface to the streetscape.	<b>AO14.1</b> Development ensures that, where fencing is provided, the height of any new fence located on any common boundary to a street or public space is a maximum of: (a) 1.2m, where fence construction is solid or less than 50% transparent; (b) 1.5m, where fence construction is at least 50% transparent; (c) 1.8m and solid only where the site is on an arterial road or higher order road.	<b>Able to comply with AO14.1</b> The boundary fencing would be 1.8 metres high to all site boundaries. The exact fencing detail adjacent the site boundary would be determined at the time of detailed landscape planning.
	<b>AO14.2</b> Development incorporating solid front fences or walls that front the street or other public spaces and are longer than 10m, indentations, material variation or landscaping is provided to add visual interest and soften the visual impact.	<b>Able to comply with AO14.2</b> The boundary fencing would be 1.8 metres high to all site boundaries. The exact fencing detail adjacent the site boundary would be determined at the time of detailed landscape planning.
	<b>AO14.3</b> Development for a retaining wall is: (a) stepped to minimise impact on the streetscape and pedestrian environment; (b) a maximum of 0.6m in height if directly abutting the edge of the adjoining road	<b>Not applicable</b> No retaining walls are proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	reserve verge	
<b>PO15</b> Development minimises light nuisances.	<b>AO15</b> Outdoor lighting is in accordance with AS 4282-1997 Control of the obtrusive effects of outdoor lighting.	<b>Complies with AO15</b> All outdoor lighting would satisfy the Australian standards.
<b>PO16</b> Waste and recyclable material storage areas are: (a) convenient and accessible to residents and waste and recyclable material collection services; (b) located and designed to mitigate adverse impacts: (i) within the site; (ii) on adjoining properties; (iii) to the street.	<b>AO16</b> Waste and recyclable material storage areas: (a) are located on site; (b) are sited and designed to be unobtrusive and screened from view from the street frontage; (c) are imperviously sealed roofed and bunded, and contain a hose down area draining to Council's sewer network; (d) are of a sufficient size to accommodate bulk (skip) bins; (e) have appropriate access and sufficient on site manoeuvrability area for waste and recyclable material collection services.  Note - The Environmental performance code contains requirements for waste and recyclable material storage.	<b>Complies with AO16</b> The refuse storage area would be located within the site and screened from view by landscaping. It would be contained within an enclosure and would be able to be accessed by refuse collection vehicles who would be able to enter and exit the site in a forward gear.
<b>PO17</b> Development provides a secure storage area for each dwelling.	<b>AO17</b> A secure storage area for each dwelling: (a) is located to enable access by a motor vehicle or be near to vehicle parking; (b) has a minimum space of 3.5m <sup>2</sup> per dwelling; (c) has a minimum height of 2 metres;	<b>Complies with AO17</b> Storage for each dwelling would be incorporated into their respective garages, which have dimensions that exceed the minimum required for a car parking space.



Performance outcomes	Acceptable outcomes	Applicant response
	(d) is weather proof; (e) is lockable; (f) has immunity to the 1% AEP inundation event.  Note – A cupboard within a unit will not satisfy this requirement.	
<b>Additional requirements for a Retirement facility</b>		
<b>PO18</b> Retirement facilities are located in areas which offer convenience to residents, and are designed to be compatible with the locality and surrounding area in which they are located.	<b>AO18</b> Retirement facilities are conveniently located in established areas close to public transport, shopping facilities and health care services.	<b>Complies with AO18</b> The proposed retirement facility would be located directly adjacent the Mossman Hospital and within close proximity to central Mossman which would provide shopping facilities.
<b>PO19</b> Retirement facilities are designed to provide for the amenity and security of residents.	<b>AO19.1</b> The Retirement facility incorporates covered walkways wide enough to accommodate wheel chairs and ramps, and where necessary, provide on-site weather protection between all parts of the complex.	<b>Complies with AO19.1</b> The central facilities building would incorporate wheel chair access and the dwellings would be constructed to lifetime home standards.
	<b>AO19.2</b> Internal pathways have firm, well drained and non-slip surfaces.	<b>Complies with AO19.2</b> Pathways would be constructed of concrete and drain to the proposed roads.
	<b>AO19.2</b> Security screens are provided to all dwelling units or residential rooms to ensure the safety and security of residents.	<b>Complies with AO19.2</b> Security screens and other security would be provided through the development to ensure the safety of the residents.
	<b>AO19.3</b>	<b>Able to comply with AO19.3</b>

Performance outcomes	Acceptable outcomes	Applicant response
	An illuminated sign and site map of the layout of the development is located near the main entrance to the facility	An illuminated sign and site map is able to be provided at the entrances to the facility.
<b>PO20</b> The internal layout of a Retirement facility and the location of the retirement facility allows for safe evacuation of residents in an emergency and provides emergency services to efficiently access the site.	<b>AO20.1</b> The design of the Retirement facility ensures that external circulation and access and egress points on the site facilitate the evacuation of the site in an efficient manner.	<b>Complies with AO20.1</b> The internal road network would facilitate safe evacuation, if required.
	<b>AO20.2</b> The site of a Retirement facility is not prone to inundation.	<b>Complies with AO20.2</b> The subject site has not been identified as prone to inundation within the Douglas Shire Planning Scheme 2018 Mapping. In addition, a bund is proposed for the full length of the bank of Marr Creek to address any potential riverine flooding issues.
	<b>AO20.3</b> The location of the Retirement facility is readily accessible to emergency vehicles.	<b>Complies with AO20.3</b> The internal road network has been designed to accommodate emergency vehicle access.
<b>PO21</b> The development is designed for the needs of the age group, and to allow 'aging in place' to occur.	<b>AO21.1</b> Development applies adaptable housing principles.	<b>Complies with AO21.1</b> All dwellings on the site would be required to comply to lifetime home standards.
	<b>AO21.2</b> A range of housing designs and sizes are provided in the development to cater for different individual and household needs.	<b>Complies with AO21.2</b> The new dwellings would be required to comply with the latest NCC requirements, including those related to aging in place.

## **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.

### 9.4.1.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be generated by the use or uses of the site, having particular regard to: <ul style="list-style-type: none"> <li>(a) the desired character of the area;</li> <li>(b) the nature of the particular use and its specific characteristics and scale;</li> <li>(c) the number of employees and the likely number of visitors to the site;</li> <li>(d) the level of local accessibility;</li> <li>(e) the nature and frequency of any public transport serving the area;</li> <li>(f) whether or not the use involves the retention of an existing building and the previous requirements for car parking for the building</li> <li>(g) whether or not the use involves a heritage building or place of local significance;</li> <li>(h) whether or not the proposed use involves the retention of significant vegetation.</li> </ul>	<b>AO1.1</b> The minimum number of on-site vehicle parking spaces is not less than the number prescribed in Table 9.4.1.3.b for that particular use or uses. Note - Where the number of spaces calculated from the table is not a whole number, the number of spaces provided is the next highest whole number.	<b>Complies with AO1.1</b> The proposed development would 1 space per dwelling unit, provided within each dwelling unit, 22 visitor spaces and communal spaces and sufficient area of emergency vehicle access.
	<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 areas would be maintained for the use of vehicle parking.
	<b>AO1.3</b> Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.	<b>Not applicable</b> No specific motorcycle parking is proposed.
	<b>AO1.4</b> For parking areas exceeding 50 spaces, parking is provided for recreational vehicles as a substitute for ordinary vehicle parking to a maximum of 5% of total ordinary vehicle parking	<b>Not applicable</b> No parking area would exceed 50 spaces.

Performance outcomes	Acceptable outcomes	Applicant response
	rate.	
<b>PO2</b> Vehicle parking areas are designed and constructed in accordance with relevant standards.	<b>AO2</b> Vehicle parking areas are designed and constructed in accordance with Australian Standard: (a) AS2890.1; (b) AS2890.3; (c) AS2890.6.	<b>Complies with AO2</b> The proposed car parking spaces would be constructed in accordance with the relevant Australian Standards.
<b>PO3</b> Access points are designed and constructed: (a) to operate safely and efficiently; (b) to accommodate the anticipated type and volume of vehicles (c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate; (d) so that they do not impede traffic or pedestrian movement on the adjacent road area; (e) so that they do not adversely impact upon existing intersections or future road or intersection improvements; (f) so that they do not adversely impact current and future on-street parking arrangements;	<b>AO3.1</b> Access is limited to one access cross over per site and is an access point located, designed and constructed in accordance with: (a) Australian Standard AS2890.1; (b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers.	<b>Complies with AO3.1</b> Only a single access to the site is proposed as part of this application.
	<b>AO3.2</b> Access, including driveways or access crossovers: (a) are not placed over an existing: (i) telecommunications pit; (ii) stormwater kerb inlet; (iii) sewer utility hole;	<b>Complies with AO3.2</b> The proposed access would not interfere with on-street infrastructure.



Performance outcomes	Acceptable outcomes	Applicant response
(g) so that they do not adversely impact on existing services within the road reserve adjacent to the site;  (h) so that they do not involve ramping, cutting of the adjoining road reserve or any built structures (other than what may be necessary to cross over a stormwater channel).	(iv) water valve or hydrant.  (b) are designed to accommodate any adjacent footpath;  (c) adhere to minimum sight distance requirements in accordance with AS2980.1.	
	<b>AO3.3</b> Driveways are: (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;  (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;  (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;  (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;  (e) designed to include all necessary associated drainage that intercepts and	<b>Complies with AO3.3</b>  The internal roadways would be on an even grade.

Performance outcomes	Acceptable outcomes	Applicant response
	directs storm water runoff to the storm water drainage system.	
	<b>AO3.4</b> Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.	<b>Complies with AO3.4</b> The proposed internal roadways would be of a material consistent with the locality and either exposed aggregate concrete or bitumen.
<b>PO4</b> Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.	<b>AO4</b> The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.	<b>Able to comply with AO4</b> The wheel chair accessible parking requirements would be determined at the time of building application and would be required to comply with the Australian Standard.
<b>PO5</b> Access for people with disabilities is provided to the building from the parking area and from the street.	<b>AO5</b> Access for people with disabilities is provided in accordance with the relevant Australian Standard.	<b>Able to comply with AO5</b> Accessibility standards and requirements would be determined at the time of building application and would be required to comply with the relevant Australian Standard prior to the granting of an approval.
<b>PO6</b> Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development	<b>AO6</b> The number of on-site bicycle parking spaces complies with the rates specified in Table 9.4.1.3.b	<b>Not applicable</b> Table 9.4.1.3.b does not specify a rate for on-site bicycle parking for a retirement facility.
<b>PO7</b>	<b>AO7.1</b>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
<p>Development provides secure and convenient bicycle parking which:</p> <ul style="list-style-type: none"> <li>(a) for visitors is obvious and located close to the building's main entrance;</li> <li>(b) for employees is conveniently located to provide secure and convenient access between the bicycle storage area, end-of-trip facilities and the main area of the building;</li> <li>(c) is easily and safely accessible from outside the site.</li> </ul>	<p>Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers);</p>	<p>No bicycle parking is proposed.</p>
	<p><b>AO7.2</b></p> <p>Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street.</p>	<p><b>Not applicable</b></p> <p>No bicycle parking is proposed.</p>
	<p><b>AO7.3</b></p> <p>Development provides visitor bicycle parking which does not impede pedestrian movement.</p>	<p><b>Not applicable</b></p> <p>No bicycle parking is proposed.</p>
<p><b>PO8</b></p> <p>Development provides walking and cycle routes through the site which:</p> <ul style="list-style-type: none"> <li>(a) link to the external network and pedestrian and cyclist destinations such as schools, shopping centres, open space, public transport stations, shops and local activity centres along the safest, most direct and convenient routes;</li> <li>(b) encourage walking and cycling;</li> <li>(c) ensure pedestrian and cyclist safety.</li> </ul>	<p><b>AO8</b></p> <p>Development provides walking and cycle routes which are constructed on the carriageway or through the site to:</p> <ul style="list-style-type: none"> <li>(a) create a walking or cycle route along the full frontage of the site;</li> <li>(b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site.</li> </ul>	<p><b>Complies with AO8</b></p> <p>The proposed roadways would operate as a shared surface with a designated foot path connection provided to the footpath at the site entrance.</p>
<p><b>PO9</b></p> <p>Access, internal circulation and on-site parking for service vehicles are designed and constructed:</p>	<p><b>AO9.1</b></p> <p>Access driveways, vehicle manoeuvring and onsite parking for service vehicles are designed</p>	<p><b>Complies with AO9.1</b></p> <p>The internal roadways and accesses have been designed to satisfy the Australian Standard.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<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>and constructed in accordance with AS2890.1 and AS2890.2.</p>	
	<p><b>AO9.2</b></p> <p>Service and loading areas are contained fully within the site.</p>	<p><b>Complies with AO9.2</b></p> <p>Service and loading and unloading would be contained fully within the site with all vehicles able to enter and leave in a forward gear. Refer to the swept path details provided in the engineering drawings at <b>Appendix F</b>.</p>
	<p><b>AO9.3</b></p> <p>The movement of service vehicles and service operations are designed so they:</p> <ul style="list-style-type: none"> <li>(a) do not impede access to parking spaces;</li> <li>(b) do not impede vehicle or pedestrian traffic movement.</li> </ul>	<p><b>Complies with AO9.3</b></p> <p>Refuse servicing would be appropriately managed to such that access to parking spaces is not impeded and vehicular movement is not compromised.</p>
<p><b>PO10</b></p> <p>Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.</p>	<p><b>AO10.1</b></p> <p>Development provides adequate area on-site for vehicle queuing to accommodate the demand generated by the development where drive through facilities or drop-off/pick-up services are proposed as part of the use, including, but not limited to, the following land uses:</p> <ul style="list-style-type: none"> <li>(a) car wash;</li> <li>(b) child care centre;</li> <li>(c) educational establishment where for a school;</li> </ul>	<p><b>Not applicable</b></p> <p>The proposed development does not require queuing and set down areas.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	(d) food and drink outlet, where including a drive through facility; (e) hardware and trade supplies, where including a drive-through facility; (f) hotel, where including a drive-through facility; (g) service station.	
	<b>AO10.2</b> Queuing and set-down areas are designed and constructed in accordance with AS2890.1.	<b>Not applicable</b> The proposed development does not require queuing and set down areas.

**Table 9.4.1.3.b – Access, parking and servicing requirements**

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

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

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Agricultural supplies store	1 space per 50m <sup>2</sup> of GFA and outdoor display area.	1 space per 200m <sup>2</sup> of GFA.	n/a	LRV
Air services	1 car space per 20m <sup>2</sup> of covered reception area, plus 1 car space per 2 staff, plus a covered bus set down area adjacent to the entry of the reception area and 2 bus	n/a	n/a	LRV



Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
	parking spaces.			
Bulk landscape supplies	1 space per 50m2 GFA and outdoor display area.	1 space per 200m2 of GFA.	n/a	MRV
Caretaker's accommodation	A minimum of 1 space	n/a	n/a	n/a
Child care centre	1 space per 10 children to be used for setting down and picking up of children, with a minimum of 3 car spaces to be provided for set down and collection; plus 1 space per employee.  Any drive-through facility can provide tandem short term parking for 3 car spaces for setting down/picking up of children, on the basis that a passing lane is provided and line- marked to be kept clear of standing vehicles at all times.	n/a	n/a	VAN
Club	Unlicensed clubrooms: 1 space per 45m2 of GFA.  Licensed clubrooms: 1 space per 15m2 of GFA.	1 space per 4 employees.	n/a	Licensed and equal or greater than 1500m2: RCV  Other: VAN

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Community care centre	1 space per 20m <sup>2</sup> of GFA.	A minimum of 1 space.	n/a	RCV
Community residence	A minimum of 2 spaces.	A minimum of 1 space.	n/a	VAN
Community use	1 space per 15m <sup>2</sup> GFA.	1 space per 100m <sup>2</sup> of GFA.	n/a	RCV
Dual occupancy	A minimum of 2 spaces per dwelling unit which may be in tandem with a minimum of 1 covered space per dwelling unit.	n/a	n/a	n/a
Dwelling house	A minimum of 2 spaces which may be in tandem plus 1 space for a secondary dwelling	n/a	n/a	n/a
Dwelling unit	1.5 spaces per one or two bedroom unit; or 2 spaces per three bedroom unit.	n/a	n/a	n/a

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Educational establishment	<p>Primary school or secondary schools:</p> <p>1 car space per 2 staff members, plus provision of space to be used for setting down and picking up of students.</p> <p>Tertiary and further education:</p> <p>1 car space per 2 staff members, plus 1 car space per 10 students, plus provision of space to be used for setting down and picking up of students.</p>	<p>Primary school or secondary schools:</p> <p>1 space per 5 students over year 4.</p> <p>Tertiary and further education:</p> <p>2 spaces per 50 full time students.</p>	Required for all educational establishments with a GFA greater than 2000m <sup>2</sup> .	RCV
Food and drink outlet	<p>1 space per 25m<sup>2</sup> GFA and outdoor dining area.</p> <p>or</p> <p>If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan:</p> <p>1 space per 50m<sup>2</sup> of GFA, and outdoor dining area.</p>	1 space per 100m <sup>2</sup> of GFA, and outdoor dining area.	n/a	See Table 9.4.1.3.d
Function facility	1 space per 15m <sup>2</sup> GFA.	1 space per 100m <sup>2</sup> of GFA.	n/a	RCV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Funeral parlour	1 space per 15m <sup>2</sup> GFA.	n/a	n/a	RCV
Garden centre	1 space per 50m <sup>2</sup> GFA and outdoor display area	1 space per 200m <sup>2</sup> of GFA.	n/a	AV
Hardware and trade supplies	1 space per 50m <sup>2</sup> GFA and outdoor display area	1 space per 200m <sup>2</sup> of GFA.	n/a	AV
Health care services	1 space per 20m <sup>2</sup> of GFA.	1 space per 100m <sup>2</sup> of GFA.	Required for all health care services with a GFA greater than 2000m <sup>2</sup> .	VAN
High impact industry	1 space per 90m <sup>2</sup> of GFA.	n/a	n/a	AV
Home based business	The parking required for the dwelling house, plus  1 space per bedroom where the Home based business involves the provision of accommodation; or  1 space per 25m <sup>2</sup> GFA for any other Home Based Business.	n/a	n/a	n/a
Hospital	The greater of 1 space per 2 bedrooms or 1 space per 4 beds; plus 1 car space for ambulance parking, designated accordingly.	1 space per 100m <sup>2</sup> of GFA.	Required for all hospitals with a GFA greater than 2000m <sup>2</sup> .	RCV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Hotel	1 space per 10m <sup>2</sup> GFA and licensed outdoor area; plus For 1 space per 50m <sup>2</sup> GFA of floor area of liquor barn or bulk liquor sales area; plus, if a drive in bottle shop is provided, queuing lane/s on site for 12 vehicles.  Note - Use standard for any Short Term Accommodation for hotel accommodation use.	1 space per 100m <sup>2</sup> of GFA.	n/a	LRV
Indoor sport and recreation	Squash court or another court game:  4 spaces per court. Basketball, netball, soccer, cricket:  25 spaces per court / pitch. Ten pin bowling:  3 spaces per bowling lane. Gymnasium:  1 space per 15m <sup>2</sup> of GFA.	1 space per 4 employees.	n/a	RCV
Low impact industry	1 space per 90m <sup>2</sup> of GFA.	n/a	n/a	AV
Marine industry	1 space per 90m <sup>2</sup> of GFA.	n/a	n/a	AV
Medium impact industry	1 space per 90m <sup>2</sup> of GFA.	n/a	n/a	AV



Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Multiple dwelling	<p>If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie Local plan:</p> <p>1 car space per dwelling unit. If outside Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie Local plan:</p> <p>1.5 car spaces per dwelling unit</p> <p>In all cases 60% of the car parking area is to be covered.</p>	<p>1 bicycle space per 3 units and 1 visitor bicycle space per 12 units.</p>	n/a	RCV (over 10 units)
Office	<p>1 space per 25m<sup>2</sup> of GFA or</p> <p>If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan:</p> <p>1 space per 50m<sup>2</sup> of GFA</p>	1 space per 200m <sup>2</sup> GFA	Required for all office development with a GFA greater than 2000m <sup>2</sup> .	See <a href="#">Table 9.4.1.3.e</a>
Outdoor sales	1 space per 50m <sup>2</sup> GFA and outdoor display area	1 space per 200m <sup>2</sup> of GFA.	n/a	AV
Outdoor sport and recreation	<p>Coursing, horse racing, pacing, trotting:</p> <p>1 space per 5 seated spectators, plus 1 space per 5m<sup>2</sup> of other</p>	<p>Football:</p> <p>5 space per field.</p> <p>Lawn bowls: 5 spaces per</p>	n/a	RCV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
	spectator areas. Football: 50 spaces per field. Lawn bowls: 30 spaces per green. Swimming pool: 15 spaces; plus 1 space per 100m <sup>2</sup> of useable site area. Tennis court or other court game: 4 spaces per court. Golf course: 4 spaces per tee on the course. Note - Use standard for Club for clubhouse component.	green. Swimming pool: 1 space per swimming lane. Tennis court or other court game: 4 space per court Golf course: 1 space per 15m <sup>2</sup> of GFA for clubhouse component.		
Place of worship	1 space per 15m <sup>2</sup> of GFA.	1 space per 100m <sup>2</sup> of GFA.	n/a	LRV
Relocatable home park	1 space per relocatable home site; plus 0.1 space per relocatable home site for visitor parking; plus 1 space for an on-site manager	n/a	n/a	LRV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Research and technology industry	1 space per 90m2 of GFA.	n/a	n/a	MRV
Residential care facility	1 visitor car space per 5 bedroom units; plus 1 car space per 2 staff members	n/a	n/a	LRV
Resort complex	Use standard for relevant standard for each component. For example: Use Short Term Accommodation standard for accommodation component and Food and Drink Outlet for restaurant component.	Use standard for relevant standard for each component. For example: Use Short Term Accommodation standard for accommodation component and Food and Drink Outlet for restaurant component.	n/a	RCV
Retirement facility	1 space per dwelling unit; plus 1 visitor space per 5 dwelling units; plus 1 visitor car space per 10 hostel units, nursing home or	n/a	n/a	LRV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
	similar beds, plus 1 car space per 2 staff members; plus 1 car parking space for ambulance parking.			
Sales office	A minimum of 1 space.	n/a	n/a	n/a
Service industry	1 space per 90m2 of GFA.	n/a	n/a	SRV
Service station	1 space per 25m2 of GFA	n/a	n/a	AV
Shop	1 space per 25m2 of GFA. or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m2 of GFA.	1 space per 100m2 of GFA.	Required for all shops with a GFA greater than 2000m2.	See Table 9.4.1.3.d
Shopping centre	1 space per 25m2 of GFA. or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m2 of GFA.	1 space per 200m2 GFA.	Required for all shopping centres with a GFA greater than 2000m2.	See Table 9.4.1.3.d

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Short term accommodation	<p>If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan:</p> <p>0.5 car spaces per dwelling unit.</p> <p>If outside Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan:</p> <p>For up to 5 units: 1 car space per dwelling unit, plus 1 space for visitors and 1 service/staff spaces.</p> <p>For 5 – 10 units: 1 car space per dwelling unit, plus 2 spaces for visitors and 1 service/staff spaces.</p> <p>For over 10 units: 0.75 car spaces per dwelling unit, plus 3 spaces for visitors and 2 service/staff parking for the first 10 units and</p> <p>0.5 additional service/staff space per 10 units, there-above.</p> <p>In all cases 60% of the car parking area is to be covered.</p> <p>Note: Where Short term accommodation is to be inter-changeable with a Multiple dwelling land use, multiple dwelling parking rates apply.</p>	1 space per 10 rooms	n/a	SRV



Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Showroom	1 space per 50m2 GFA.	1 space per 200m2 GFA.	n/a	AV
Special industry	1 space per 90m2 of GFA.	n/a	n/a	AV
Tourist park	1 car space per caravan site, tent site or cabin;  plus 1 visitor car space per 10 caravan sites, tent sites or cabins; plus 1 car space for an on-site manager.	n/a	n/a	LRV
Theatre	Indoor: 1 space per 15m2 of GFA.  Outdoor cinema: 1 space per 5m2 of designated viewing area, plus 1 car space per 2 employees.	1 space per 200m2 GFA.	n/a	VAN
Veterinary services	1 space per 50m2 of GFA.	n/a	n/a	VAN
Warehouse	1 space per 90m2 of GFA.	n/a	n/a	Where self-storage: RCV Other: AV
Any use not otherwise specified	Sufficient spaces to accommodate number of vehicles likely to be parked at	Sufficient spaces to accommodate number of		To be determined

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
in this table.	any one time.	vehicles likely to be parked at any one time.		

**Table 9.4.1.3.c – Design vehicles**

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

**Table 9.4.1.3.d – Standard number of service bays required for Food and drink outlet, Shop or Shopping centre**

Gross floor area (m <sup>2</sup> )	Service bays required			
	<b>VAN</b>	<b>SRV</b>	<b>MRV</b>	<b>LRV</b>
0-199	-	1	-	-
200 – 599	1	-	1	-

600 – 999	1	1	1	-
1000 – 1499	2	1	1	-
1500 – 1999	2	2	1	-
2000 – 2799	2	2	2	-
2800 – 3599	2	2	2	1
3600 and over	To be determined via a parking study.			

**Table 9.4.1.3.e – Standard number of service bays required for Office**

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

## 9.4.4 Filling and excavation code

### 9.4.4.1 Application

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

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

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

### 9.4.4.2 Purpose

- (1) The purpose of the Filling and excavation code is to assess the suitability of development for filling or excavation.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) filling or excavation does not impact on the character or amenity of the site and surrounding areas;
  - (b) filling and excavation does not adversely impact on the environment;
  - (c) filling and excavation does not impact on water quality or drainage of upstream, downstream or adjoining properties;
  - (d) filling and excavation is designed to be fit for purpose and does not create land stability issues;
  - (e) filling and excavation works do not involve complex engineering solutions.

### 9.4.4.3 Criteria for assessment

**Table 9.4.4.3.a – Filling and excavation code – for self-assessable and assessable development**

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>Filling and excavation - General</b>		
<b>PO1</b> All filling and excavation work does not create a detrimental impact on the slope stability, erosion potential or visual amenity of the site or the surrounding area.	<b>AO1.1</b> The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height. and Cuts in excess of those stated in A1.1 above are separated by benches/ terraces with a minimum width of 1.2 metres that incorporate drainage provisions and screen planting.	<b>Complies with AO1.1</b> No cut or fill would exceed 2.0 metres in height.
	<b>AO1.2</b> Cuts are supported by batters, retaining or rock walls and associated benches/terraces are capable of supporting mature vegetation.	<b>Not applicable</b> No cuts are proposed.
	<b>AO1.3</b> Cuts are screened from view by the siting of the building/structure, wherever possible.	<b>Not applicable</b> No cuts are proposed
	<b>AO1.4</b> Topsoil from the site is retained from cuttings and reused on benches/terraces.	<b>Not applicable</b> No cuts are proposed
	<b>AO1.5</b> No crest of any cut or toe of any fill, or any part of any retaining wall or structure is closer than	<b>Complies with AO1.5</b> No fill is proposed within 600mm of a site boundary.



Performance outcomes	Acceptable outcomes	Applicant response
	600mm to any boundary of the property, unless the prior written approval of the adjoining landowner has been obtained.	
	<b>AO1.6</b> Non-retained cut and/or fill on slopes are stabilised and protected against scour and erosion by suitable measures, such as grassing, landscaping or other protective/aesthetic measures	<b>Complies with AO1.6</b> All areas would be landscaped.
<b>Visual Impact and Site Stability</b>		
<b>PO2</b> Filling and excavation are carried out in such a manner that the visual/scenic amenity of the area and the privacy and stability of adjoining properties is not compromised.	<b>AO2.1</b> The extent of filling and excavation does not exceed 40% of the site area, or 500m <sup>2</sup> whichever is the lesser, except that AO2.1 does not apply to reconfiguration of 5 lots or more.	<b>Complies with AO2.1</b> Earthworks would not exceed 40% of the site area.
	<b>AO2.2</b> Filling and excavation does not occur within 2 metres of the site boundary.	<b>Complies with AO2.2</b> No earthworks would occur within 2 metres of the site boundary.
<b>Flood and Drainage</b>		
<b>PO3</b> Filling and excavation does not result in a change to the run off characteristics of a site which then have a detrimental impact on the site or nearby	<b>AO3.1</b> Filling and excavation does not result in the ponding of water on a site or adjacent land or	<b>Complies with AO3.1</b> As part of an operational works application, all stormwater would be drained to the lawful point of discharge. Refer to the preliminary engineering

Performance outcomes	Acceptable outcomes	Applicant response
land or adjacent road reserves.	road reserves.	drawings provided at <b>Appendix F</b> .
	<b>AO3.2</b> Filling and excavation does not result in an increase in the flow of water across a site or any other land or road reserves.	<b>Complies with AO3.2</b> As part of an operational works application, all stormwater would be drained to the lawful point of discharge. Refer to the preliminary engineering drawings provided at <b>Appendix F</b> .
	<b>AO3.3</b> Filling and excavation does not result in an increase in the volume of water or concentration of water in a watercourse and overland flow paths.	<b>Complies with AO3.3</b> As part of an operational works application, all stormwater would be drained to the lawful point of discharge.
	<b>AO3.4</b> Filling and excavation complies with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	<b>Complies with AO3.1</b> All earthworks be designed and undertaken to address the requirements of the FNQROC Development Manual.
<b>Water Quality</b>		
<b>PO4</b> Filling and excavation does not result in a reduction of the water quality of receiving waters.	<b>AO4</b> Water quality is maintained to comply with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	<b>Able to comply with AO4</b> Erosion and sedimentation and stormwater management measures would be undertaken as part of a future operational works application. Refer to the preliminary engineering drawings provided at <b>Appendix F</b> .

Performance outcomes	Acceptable outcomes	Applicant response
<b>Infrastructure</b>		
<b>PO5</b> Excavation and filling does not impact on Public Utilities.	<b>AO5</b> Excavation and filling is clear of the zone of influence of public utilities.	<b>Complies with AO5</b> All earthworks would be undertaken clear of any public utilities.

## 9.4.5 Infrastructure works code

### 9.4.5.1 Application

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

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

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

### 9.4.5.2 Purpose

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

Performance outcomes	Acceptable outcomes	Applicant Response
<b>Works on a local government road</b>		
<b>PO1</b> Works on a local government road do not adversely impact on footpaths or existing infrastructure within the road verge and maintain the flow, safety and efficiency of pedestrians, cyclists and vehicles.	<b>AO1.1</b> Footpaths/pathways are located in the road verge and are provided for the hierarchy of the road and located and designed and constructed in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	<b>Not applicable</b> No footways/pathways are proposed within the road reserve as part of this application.
	<b>AO1.2</b> Kerb ramp crossovers are constructed in accordance with Planning scheme policy SC 5 – FNQROC Regional Development Manual.	<b>Not applicable</b> No kerb ramp crossovers are proposed within the road reserve as part of this application.
	<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>Able to comply with AO1.3</b> Where it is identified as part of the development when detailed servicing is designed, any infrastructure that is required to cross existing footpaths is able to comply with the Acceptable Outcome.
	<b>AO1.4</b> Where existing footpaths are damaged as a result of development, footpaths are reinstated ensuring:	<b>Able to comply with AO1.4</b> Where it is identified as part of the development when detailed servicing is designed, any infrastructure that is required to cross existing footpaths is able to comply with the Acceptable



Performance outcomes	Acceptable outcomes	Applicant Response
	(a) similar surface finishes are used; (b) there is no change in level at joins of new and existing sections; (c) new sections are matched to existing in terms of dimension and reinforcement.  Note – Figure 9.4.5.3.a provides guidance on meeting the outcomes.	Outcome.
	<b>AO1.5</b>  Decks, verandahs, stairs, posts and other structures located in the road reserve do not restrict or impede pedestrian movement on footpaths or change the level of the road verges.	<b>Not applicable</b>  No structures would be constructed within the road reserve
<b>Accessibility structures</b>		
<b>PO2</b>  Development is designed to ensure it is accessible for people of all abilities and accessibility features do not impact on the efficient and safe use of footpaths.  Note – Accessibility features are those features required to ensure access to premises is provided for people of all abilities and include ramps and lifts.	<b>AO2.1</b>  Accessibility structures are not located within the road reserve.	<b>Complies with AO2.1</b>  Accessibility structures would be wholly contained in the development site.
	<b>AO2.2</b>  Accessibility structures are designed in accordance with AS1428.3.	<b>Complies with AO2.2</b>  Accessibility structures would be designed and constructed in accordance with the relevant Australian standards.
	<b>AO2.3</b>  When retrofitting accessibility features in existing buildings, all structures and changes in grade are contained within the boundaries of the lot and not	<b>Not applicable</b>  There are no existing buildings on the site.

Performance outcomes	Acceptable outcomes	Applicant Response
	within the road reserve.	
<b>Water supply</b>		
<b>PO3</b> An adequate, safe and reliable supply of potable, fire fighting and general use water is provided.	<b>AO3.1</b> The premises is connected to Council's reticulated water supply system in accordance with the Design Guidelines set out in Section D6 of the Planning scheme policy SC5 – FNQROC Regional Development Manual;  or <b>AO3.2</b> Where a reticulated water supply system is not available to the premises, on site water storage tank/s with a minimum capacity of 10,000 litres of stored water, with a minimum 7,500 litre tank, with the balance from other sources (e.g. accessible swimming pool, dam etc.) and access to the tank/s for fire trucks is provided for each new house or other development. Tank/s are to be 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>Complies with AO3.1</b> The site would be connected to Council's reticulated water supply with a water supply connection located within the site and provided as part of the previous reconfiguration approval on the land.
<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	<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	<b>Able to comply with AO4.1</b> The site would be connected to Council's sewerage system and an extension of the sewer from Johnston Road will be required as part of the

Performance outcomes	Acceptable outcomes	Applicant Response
a result of increasing the cumulative effect of systems in the locality.	<p>Section D7 of the Planning scheme policy SC5 – FNQROC Regional Development Manual;</p> <p>or</p> <p><b>AO4.2</b></p> <p>Where not in a sewerage scheme area, the proposed disposal system meets the requirements of Section 33 of the <i>Environmental Protection Policy (Water) 1997</i> and the proposed on site effluent disposal system is designed in accordance with the <i>Plumbing and Drainage Act (2002)</i>.</p>	development.
<b>Stormwater quality</b>		
<p><b>PO5</b></p> <p>Development is planned, designed, constructed and operated to avoid or minimise adverse impacts on stormwater quality in natural and developed catchments by:</p> <p>(a) achieving stormwater quality objectives;</p> <p>(b) protecting water environmental values;</p> <p>(c) maintaining waterway hydrology.</p>	<p><b>AO5.1</b></p> <p>A connection is provided from the premises to Council's drainage system;</p> <p>or</p> <p><b>AO5.2</b></p> <p>An underground drainage system is constructed to convey stormwater from the premises to Council's drainage system in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p>	<p><b>Complies with AO5.1</b></p> <p>A connection from the site to Council's drainage system is provided via a pipe in the unnamed road reserve off Johnston Road.</p>
	<p><b>AO5.3</b></p> <p>A stormwater quality management plan is prepared, and provides for achievable stormwater quality treatment measures meeting design</p>	<p><b>Able to comply with AO5.3</b></p> <p>A detailed stormwater management plan is able to be prepared at the time of operational works. Preliminary plans are provided within the</p>

Performance outcomes	Acceptable outcomes	Applicant Response
	<p>objectives listed in Table 9.4.5.3.b and Table 9.4.5.3.c, 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>Preliminary engineering Plans provided at <b>Appendix F</b>.</p>
	<p><b>AO5.4</b></p> <p>Erosion and sediment control practices are designed, installed, constructed, monitored, maintained, and carried out in accordance with an erosion and sediment control plan.</p>	<p><b>Able to comply with AO5.4</b></p> <p>A detailed erosion and sediment control plan is able to be prepared at the time of operational works. Preliminary plans are provided within the Preliminary engineering Plans provided at <b>Appendix F</b>.</p>
	<p><b>AO5.5</b></p> <p>Development incorporates stormwater flow control measures to achieve the design objectives set out in <b>Error! Reference source not found.</b> and <b>Error! Reference source not found.</b>, including management of frequent flows, peak flows, and construction phase hydrological impacts.</p> <p>Note – Planning scheme policy SC5 – FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p>Note – During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.</p>	<p><b>Able to comply with AO5.5</b></p> <p>Detailed stormwater management plans and erosion and sediment control plans are able to be prepared at the time of operational works. Preliminary plans are provided within the Preliminary engineering Plans provided at <b>Appendix F</b>.</p>

Performance outcomes	Acceptable outcomes	Applicant Response
<b>Non-tidal artificial waterways</b>		
<b>PO6</b> Development involving non-tidal artificial waterways is planned, designed, constructed and operated to: <ul style="list-style-type: none"> <li>(a) protect water environmental values;</li> <li>(b) be compatible with the land use constraints for the site for protecting water environmental values;</li> <li>(c) be compatible with existing tidal and non-tidal waterways;</li> <li>(d) perform a function in addition to stormwater management;</li> <li>(e) achieve water quality objectives.</li> </ul>	<b>AO6.1</b> Development involving non-tidal artificial waterways ensures: <ul style="list-style-type: none"> <li>(a) environmental values in downstream waterways are protected;</li> <li>(b) any ground water recharge areas are not affected;</li> <li>(c) the location of the waterway incorporates low lying areas of the catchment connected to an existing waterway;</li> <li>(d) existing areas of ponded water are included.</li> </ul>	<b>Not applicable</b> No artificial waterways are proposed.
	<b>AO6.2</b> Non-tidal artificial waterways are located: <ul style="list-style-type: none"> <li>(a) outside natural wetlands and any associated buffer areas;</li> <li>(b) to minimise disturbing soils or sediments;</li> <li>(c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas.</li> </ul>	<b>Not applicable</b> No artificial waterways are proposed.
	<b>AO6.3</b> Non-tidal artificial waterways located adjacent to, or connected to a tidal waterway by means of a weir, lock, pumping system or similar ensures: <ul style="list-style-type: none"> <li>(a) there is sufficient flushing or a tidal range of</li> </ul>	<b>Not applicable</b> No artificial waterways are proposed.



Performance outcomes	Acceptable outcomes	Applicant Response
	<p>&gt;0.3 m; or</p> <p>(b) any tidal flow alteration does not adversely impact on the tidal waterway; or</p> <p>(c) there is no introduction of salt water into freshwater environments.</p>	
	<p><b>AO6.4</b></p> <p>Non-tidal artificial waterways are designed and managed for any of the following end-use purposes:</p> <p>(a) amenity (including aesthetics), landscaping or recreation; or</p> <p>(b) flood management, in accordance with a drainage catchment management plan; or</p> <p>(c) stormwater harvesting plan as part of an integrated water cycle management plan; or</p> <p>(d) aquatic habitat.</p>	<p><b>Not applicable</b></p> <p>No artificial waterways are proposed.</p>
	<p><b>AO6.5</b></p> <p>The end-use purpose of the non-tidal artificial waterway is designed and operated in a way that protects water environmental values.</p>	<p><b>Not applicable</b></p> <p>No artificial waterways are proposed.</p>
	<p><b>AO6.6</b></p> <p>Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway.</p>	<p><b>Not applicable</b></p> <p>No artificial waterways are proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant Response
	<b>AO6.7</b> Aquatic weeds are managed to achieve a low percentage of coverage of the water surface area, and pests and vectors are managed through design and maintenance.	<b>Not applicable</b> No artificial waterways are proposed.
<b>Wastewater discharge</b>		
<b>PO7</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>AO7.1</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> All wastewater would be discharged from the site through Council's reticulated sewerage system.
	<b>AO7.2</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> All wastewater would be discharged from the site through Council's reticulated sewerage system.

Performance outcomes	Acceptable outcomes	Applicant Response
	<p><b>A07.3</b></p> <p>Wastewater discharge is managed to avoid or minimise the release of nutrients of concern so as to minimise the occurrence, frequency and intensity of algal blooms.</p>	<p><b>Not applicable</b></p> <p>All wastewater would be discharged from the site through Council's reticulated sewerage system.</p>
	<p><b>A07.4</b></p> <p>Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and:</p> <p>(a) avoids lowering ground water levels where potential or actual acid sulfate soils are present;</p> <p>(b) manages wastewater so that:</p> <p>(i) the pH of any wastewater discharges is maintained between 6.5 and 8.5 to avoid mobilisation of acid, iron, aluminium and other metals;</p> <p>(ii) holding times of neutralised wastewater ensures the flocculation and removal of any dissolved iron prior to release;</p> <p>(iii) visible iron floc is not present in any discharge;</p> <p>(iv) precipitated iron floc is contained and disposed of;</p> <p>(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.</p>	<p><b>Not applicable</b></p> <p>All wastewater would be discharged from the site through Council's reticulated sewerage system.</p>

Performance outcomes	Acceptable outcomes	Applicant Response
<b>Electricity supply</b>		
<b>PO8</b> Development is provided with a source of power that will meet its energy needs.	<b>AO8.1</b> A connection is provided from the premises to the electricity distribution network; or <b>AO8.2</b> The premises is connected to the electricity distribution network in accordance with the Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual. Note - Areas north of the Daintree River have a different standard.	<b>Able to comply with AO8.1</b> A connection would be provided to the electricity distribution network.
	<b>AO9.1</b> Pad-mount electricity infrastructure is: (a) not located in land for open space or sport and recreation purposes; (b) screened from view by landscaping or fencing; (c) accessible for maintenance.	<b>Able to comply with AO9.1</b> At this stage, pad-mount electricity infrastructure is not expected to be required. However, if it is determined to be required it is able to be located within the site such that it is screened from view and accessible for maintenance.
<b>PO9</b> Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.	<b>AO9.2</b> Pad-mount electricity infrastructure within a building, in a Town Centre is designed and located to enable an active street frontage. Note – Pad-mounts in buildings in activity centres should not	<b>Not applicable</b> The site is not within the town centre.

Performance outcomes	Acceptable outcomes	Applicant Response
	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>Able to comply with AO10</b> The development is able to 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>Able to comply with AO11</b> Conduits are able to be provided in accordance with the FNQROC Regional Development Manual.
<b>Road construction</b>		
<b>PO12</b> The road to the frontage of the premises is constructed to provide for the safe and efficient movement of: (a) pedestrians and cyclists to and from the site; (b) pedestrians and cyclists adjacent to the site; (c) vehicles on the road adjacent to the site; (d) vehicles to and from the site; (e) emergency vehicles.	<b>AO12.1</b> The road to the frontage of the site is constructed in accordance with the Design Guidelines set out in Sections D1 and D3 of the Planning scheme policy SC5 – FNQROC Regional Development Manual, for the particular class of road, as identified in the road hierarchy.	<b>Complies with AO12.1</b> The unnamed road to the site frontage is a fully constructed and council maintained road.
	<b>AO12.2</b> There is existing road, kerb and channel for the full road frontage of the site.	<b>Complies with AO12.2</b> The unnamed road reserve the fronts the development site is a fully constructed and council maintained road.



Performance outcomes	Acceptable outcomes	Applicant Response
	<b>AO12.3</b> Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for the safe passage of emergency vehicles.	<b>Complies with AO12.3</b> Road access into the site would be a minimum of 7 metres in width and would provide the 4.8 metre high clearance.
<b>Alterations and repairs to public utility services</b>		
<b>PO13</b> Infrastructure is integrated with, and efficiently extends, existing networks.	<b>AO13</b> Development is designed to allow for efficient connection to existing infrastructure networks.	<b>Complies with AO13</b> The site is an existing serviced lot created as a part of the previous development approval for Stage 1 of the Retirement facility.
<b>PO14</b> Development and works do not affect the efficient functioning of public utility mains, services or installations.	<b>AO14.1</b> Public utility mains, services and installations are not required to be altered or repaired as a result of the development; or <b>AO14.2</b> Public utility mains, services and installations are altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	<b>Able to comply with AO14.2</b> Any necessary alterations and repairs to utility mains, services and installations as are able to be completed in accordance with the FNQROC Regional Development Manual. The requirements for alterations to the utility mains would be determined at the time of operational works.
<b>Construction management</b>		
<b>PO15</b>	<b>AO15</b>	<b>Able to comply with AO15</b>

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

Performance outcomes	Acceptable outcomes	Applicant Response
<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 would be produced by the development.
<b>Fire services in developments accessed by common private title</b>		
<b>PO19</b> Hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	<b>AO19.1</b> Residential streets and common access ways within a common private title places hydrants at intervals of no more than 120 metres and at each intersection. Hydrants may have a single outlet and be situated above or below ground.	<b>Not applicable</b> No 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	<b>Not applicable</b> No common private title is proposed.

Performance outcomes	Acceptable outcomes	Applicant Response
	outlets.	
<p><b>PO20</b></p> <p>Hydrants are suitable identified so that fire services can locate them at all hours.</p> <p>Note – Hydrants are identified as specified in the Department of Transport and Main Roads Technical Note: 'Identification of street hydrants for fire fighting purposes' available under 'Publications'.</p>	<p><b>AO20</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>No common private title is proposed.</p>

## **9.4.6 Landscaping code**

### **9.4.4.1 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 (2).

### **9.4.4.2 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 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 9.4.4.3.a – Landscaping code –assessable development**



Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>Landscape design</b>		
<p><b>PO1</b></p> <p>Development provides landscaping that contributes to and creates a high quality landscape character for the site, street and local areas of the Shire by:</p> <ul style="list-style-type: none"> <li>(a) promoting the Shire's character as a tropical environment;</li> <li>(b) softening the built form of development;</li> <li>(c) enhancing the appearance of the development from within and outside the development and makes a positive contribution to the streetscape;</li> <li>(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;</li> <li>(e) where necessary, ensuring the privacy of habitable rooms and private outdoor recreation areas;</li> <li>(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;</li> <li>(g) ensuring private outdoor recreation space is</li> </ul>	<p><b>AO1</b></p> <p>Development provides landscaping:</p> <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 outlined in Planning Scheme Policy SC6.7 – Landscaping;</li> <li>(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.</li> </ul> <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>	<p><b>Able to comply with AO1</b></p> <p>Refer to the Landscape concept plan provided at <b>Appendix E</b>.</p> <p>Council is invited to attach a condition to any approval granted to require the provision of a detailed landscape plan and the site to be landscaped in accordance with the landscape plan prior to the commencement of the use.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>useable;</p> <p>(h) providing long term soil erosion protection;</p> <p>(i) providing a safe environment;</p> <p>(j) integrating existing vegetation and other natural features of the premises into the development;</p> <p>(k) not adversely affecting vehicular and pedestrian sightlines and road safety.</p>		
<b>For assessable development</b>		
<p><b>PO2</b></p> <p>Landscaping contributes to a sense of place, is functional to the surroundings and enhances the streetscape and visual appearance of the development.</p>	<p><b>AO2.1</b></p> <p>No acceptable outcomes are specified.</p> <p>Note - Landscaping is in accordance with the requirements specified in Planning scheme policy SC6.7 – Landscaping.</p>	<p><b>Able to comply with AO2.1</b></p> <p>Refer to the Landscape concept plan provided at <b>Appendix E</b>.</p> <p>Council is invited to attach a condition to any approval granted to require the provision of a detailed landscape plan and the site to be landscaped in accordance with the landscape plan prior to the commencement of the use</p>
	<p><b>AO2.2</b></p> <p>Tropical urbanism is incorporated into building design.</p> <p>Note – 'Tropical urbanism' includes many things such as green walls, green roofs, podium planting and vegetation incorporated into the design of a building.</p>	<p><b>Able to comply with AO2.2</b></p> <p>Refer to the Landscape concept plan provided at <b>Appendix E</b>.</p> <p>Council is invited to attach a condition to any approval granted to require the provision of a detailed landscape plan and the site to be landscaped in accordance with the landscape plan prior to the commencement of the use</p>
<b>PO3</b>	<b>AO3.1</b>	<b>Complies with AO3.1</b>

Performance outcomes	Acceptable outcomes	Applicant response
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.	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.	Existing vegetation along the property boundary with Marrs Creek would be retained and incorporated into the proposed landscaping.
	<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> It is not proposed to remove any mature vegetation from the site.
	<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>Not applicable</b> No existing landscape character has been identified in the area.
	<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 required or 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>Able to comply with AO4</b> Refer to the Landscape concept plan provided at <b>Appendix E</b> .  Council is invited to attach a condition to any approval granted to require the provision of a detailed landscape plan and the site to be landscaped in accordance with the landscape plan prior to the commencement of the use

Performance outcomes	Acceptable outcomes	Applicant response
<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>Able to comply with AO5</b> Refer to the Landscape concept plan provided at <b>Appendix E</b> . Council is invited to attach a condition to any approval granted to require the provision of a detailed landscape plan and the site to be landscaped in accordance with the landscape plan prior to the commencement of the use
<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 by on-site gardeners throughout the operation of the development.
	<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> No tree maintenance is proposed as part of this development application.
<b>PO7</b> Podium planting is provided with appropriate species for long term survival and ease of maintenance, with beds capable of proper drainage.	<b>AO7.1</b> Podium planting beds are provided with irrigation and are connected to stormwater infrastructure to permit flush out.	<b>Not applicable</b> No podiums are 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 podiums are proposed.

Performance outcomes	Acceptable outcomes	Applicant response
<b>PO8</b> Development provides for the removal of all weed and invasive species and implement on-going measures to ensure that weeds and invasive species do not reinfest the site and nearby premises.	<b>AO8</b> Weed and invasive species detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person.	<b>Not applicable</b> No weed or invasive species have been detected on the development site.
<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>Able to comply with AO9</b> Refer to the Landscape concept plan provided at <b>Appendix E</b> . Council is invited to attach a condition to any approval granted to require the provision of a detailed landscape plan and the site to be landscaped in accordance with the landscape plan prior to the commencement of the use
<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>Able to comply with AO10</b> Refer to the Landscape concept plan provided at <b>Appendix E</b> . Council is invited to attach a condition to any approval granted to require the provision of a detailed landscape plan and the site to be landscaped in accordance with the landscape plan prior to the commencement of the use