

## DA Form 1 – Development application details

Approved form (version 1.0 effective 3 July 2017) made under section 282 of the Planning Act 2016.

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

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

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

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

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

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

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

### PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) <i>(individual or company full name)</i>	Robyn Jarram trading as Mossman Yoga Studio
Contact name <i>(only applicable for companies)</i>	Robyn Jarram
Postal address <i>(P.O. Box or street address)</i>	PO Box 1327
Suburb	Mossman
State	Queensland
Postcode	4873
Country	Australia
Contact number	0401631161
Email address <i>(non-mandatory)</i>	robyn.jarram@bigpond.com
Mobile number <i>(non-mandatory)</i>	0401631161
Fax number <i>(non-mandatory)</i>	NA
Applicant's reference number(s) <i>(if applicable)</i>	NA

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 – refer to Attachment 1. <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
	Shop 2	63-71	Front Street	Mossman
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	1	SP258887	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. Only one set of coordinates is required for this part.

Coordinates of premises by longitude and latitude

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

Coordinates of premises by easting and northing

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

## 3.3) Additional premises

Additional premises are relevant to this development application and their details have been attached in a schedule to this application

Not required

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

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

Name of water body, watercourse or aquifer:

NA

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

Lot on plan description of strategic port land:

NA

Name of port authority for the lot:

In a tidal area

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

NA

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

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

Name of airport:

NA

Listed on the Environmental Management Register (EMR) under the *Environmental Protection Act 1994*

EMR site identification:

NA

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

**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):*

Renovating the existing property (indoors only) to make into a yoga studio which will hold approximately 18 people maximum.

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.

**A plan of the proposed Mossman Yoga Studio is included in the body of the Planning Report**

**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)
The Mossman Yoga Studio will be a dedicated space for people of all ages and abilities within the Mossman and surrounding communities to be taught and to practice yoga, relaxation and meditation under the guidance of fully trained instructors.  The Studio will have the capacity to hold approximately 15 students at any one time with an expected average of 5-6 students per class.	Community Facilities (Educational Establishment)	NA	60m <sup>2</sup>

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

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

### Division 2 – Reconfiguring a lot

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

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

NA

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

<input type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input type="checkbox"/> Boundary realignment (complete 12))	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a construction road (complete 13))

#### 10) Subdivision

##### 10.1) For this development, how many lots are being created and what is the intended use of those lots:

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

##### 10.2) Will the subdivision be staged?

<input type="checkbox"/> Yes – provide additional details below <input type="checkbox"/> No	
How many stages will the works include?	
What stage(s) will this development application apply to?	

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

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m <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
<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?**

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

**PART 5 – REFERRAL DETAILS****17) Do any aspects of the proposed development require referral for any referral requirements?**

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

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

**Matters requiring referral to the chief executive of the Planning Regulation 2017:**

- Clearing native vegetation
- Contaminated land (*unexploded ordnance*)
- Environmentally relevant activities (ERA) (*only if the ERA have not been devolved to a local government*)
- Fisheries – aquaculture
- Fisheries – declared fish habitat area
- Fisheries – marine plants
- Fisheries – waterway barrier works
- Hazardous chemical facilities
- Queensland heritage place (*on or near a Queensland heritage place*)
- Infrastructure – designated premises
- Infrastructure – state transport infrastructure
- Infrastructure – state transport corridors and future state transport corridors
- Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels
- Infrastructure – state-controlled roads
- Land within Port of Brisbane's port limits
- SEQ development area
- 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 – residential development
- SEQ regional landscape and rural production area or SEQ Rural living area – urban activity
- Tidal works or works in a coastal management district
- Urban design
- Water-related development – taking or interfering with water
- Water-related development – removing quarry material (*from a watercourse or lake*)
- Water-related development – referable dams
- Water-related development – construction of new levees or modification of existing levees (*category 2 or 3 levees only*)
- Wetland protection area

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

- Airport land
- Environmentally relevant activities (ERA) (*only if the ERA have been devolved to local government*)
- Local heritage places

**Matters requiring referral to the chief executive of the distribution entity or transmission entity:**

- Electricity infrastructure

<p>Matters requiring referral to:</p> <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"/> Oil and gas infrastructure
<p>Matters requiring referral to <b>the Brisbane City Council</b>:</p> <input type="checkbox"/> Brisbane core port land
<p>Matters requiring referral to the <b>Minister under the Transport Infrastructure Act 1994</b>:</p> <input type="checkbox"/> Brisbane core port land <input type="checkbox"/> Strategic port land
<p>Matters requiring referral to the <b>relevant port operator</b>:</p> <input type="checkbox"/> Brisbane core port land (below high-water mark and within port limits)
<p>Matters requiring referral to the <b>chief executive of the relevant port authority</b>:</p> <input type="checkbox"/> Land within limits of another port
<p>Matters requiring referral to the <b>Gold Coast Waterways Authority</b>:</p> <input type="checkbox"/> Tidal works, or development in a coastal management district in Gold Coast waters
<p>Matters requiring referral to the <b>Queensland Fire and Emergency Service</b>:</p> <input type="checkbox"/> Tidal works, or development in a coastal management district

<p><b>18) Has any referral agency provided a referral response for this development application?</b></p>		
<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
<p>Identify and describe any changes made to the proposed development application that was the subject of the referral response and the development application the subject of this form, or include details in a schedule to this development application <i>(if applicable)</i>.</p>		

## PART 6 – INFORMATION REQUEST

<p><b>19) Information request under Part 3 of the DA Rules</b></p> <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> <i>By not agreeing to accept an information request I, the applicant, acknowledge:</i></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>
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## 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 – the yellow local government/private certifier's 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

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 EM941) 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 "EM941" 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.justice.qld.gov.au](http://www.justice.qld.gov.au) for further information.



**Clearing native vegetation**

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation 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 is accompanied by written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)  
 No

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

**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 conservation**

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

- Yes  
 No

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

**Water resources**

23.6) Does this development application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, taking overland flow water or waterway barrier works**?

- Yes – the relevant template is completed and attached to this development application  
 No

**Note:** DA templates are available from [www.dilgp.qld.gov.au](http://www.dilgp.qld.gov.au).

23.7) Does this application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water** under the *Water Act 2000*?

- Yes – I acknowledge that a relevant water authorisation under the *Water Act 2000* may be required prior to commencing development  
 No

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

**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 and Mines at [www.dnrm.qld.gov.au](http://www.dnrm.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 Heritage Protection at [www.ehp.qld.gov.au](http://www.ehp.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.dews.qld.gov.au](http://www.dews.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.ehp.qld.gov.au](http://www.ehp.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.ehp.qld.gov.au](http://www.ehp.qld.gov.au) for information requirements regarding development of Queensland heritage places.

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

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

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

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

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

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

**PART 8 – CHECKLIST AND APPLICANT DECLARATION**

**24) Development application checklist**

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17 <b>Note:</b> See the <i>Planning Regulation 2017</i> for referral requirements	<input checked="" type="checkbox"/> Yes
If building work is associated with the proposed development, Parts 4 to 6 of <i>Form 2 – Building work details</i> have been completed and attached to this development application	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
Supporting information addressing any applicable assessment benchmarks is with development application <b>Note:</b> 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 <i>DA Forms Guide: Planning Report Template</i> .	<input checked="" type="checkbox"/> Yes. Refer to the Planning Report at Attachment 2.

Relevant plans of the development are attached to this development application <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>	<input checked="" type="checkbox"/> Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21))	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable

**25) Applicant declaration**

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 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	
<i>Note: For completion by assessment manager if applicable</i>	
Description of the work	
QLeave project number	
Amount paid (\$)	
Date paid	

Date receipted form sighted by assessment manager	
Name of officer who sighted the form	

The *Planning Act 2016*, the Planning Regulation 2017 and the DA Rules are administered by the Department of Infrastructure, Local Government and Planning. This form and all other required development application materials should be sent to the assessment manager.

# Attachment 1



**Address:** Shop 6 – 63 Front Street  
PO Box 100  
Mossman QLD 4873

**Ph:** 0447 515 332

**E-mail:** [ceo@townandcountry.net.au](mailto:ceo@townandcountry.net.au)

**ABN:** 73 070 715 070

**ACN:** 070 715 070

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Town Planning  
Douglas Shire Council  
Front St  
Mossman QLD 4873

13 August 2018

Dear Sir/Madam

Town & Country Ltd are aware that Robyn Jarram plans to convert Shop 2 at Town & Country Shopping Centre, located at 63 Front St, Mossman into a yoga studio and fully support her endeavour.

The Board of Directors consent to her application to Town Planning at the Douglas Shire Council for a Change in Material Use for this site located within the complex.

A lease is currently being prepared and will be conditional upon approval of that application.

Do not hesitate to contact this office should you require any further assistance.

Yours sincerely,

Joanne Cowe  
Chief Executive Officer

## **Planning Report for Material Change of Use**

### **Development of Shop 2, 63 Front Street into Mossman Yoga Studio**

**Applicant: Robyn Jarram**

**August 2018**

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# 1.0 Summary

## 1.1 Development application details

<b>Proposed development:</b>	<p>The existing Shop 2, 63-71 Front Street in the Town and Country Complex is currently zoned as a retail space.</p> <p>A Development Application is submitted with this Planning Report to change this zoning to enable a dedicated Yoga space to be developed in this shop.</p> <p>The Mossman Yoga Studio will be dedicated to teaching yoga to the Mossman community and its surrounds.</p>
<b>Type of approval sought:</b>	Development Permit for Material Change of Use
<b>Site address:</b>	Shop 2, 63-71 Front Street Town and Country Complex Queensland, Mossman 4873
<b>Real property description:</b>	Shop 2 on Lot 1 on SP258887
<b>Site area:</b>	The entire indoor space is 60m <sup>2</sup> The proposed Yoga Studio will be approximately 60m <sup>2</sup>
<b>Assessment manager:</b>	Douglas Shire Council
<b>Owner details:</b>	Town and Country Ltd 63 Front Street Mossman QLD 4873 CEO contact details: Joanne Cowe Mobile: 0447 515 332
<b>Applicant details:</b>	Robyn Jarram, trading as Mossman Yoga Studio PO Box 1327 27 Jack Street Mossman 4873



## 1.2 Planning instrument details

<b>Regional plan:</b>	Urban
<b>Designation:</b>	
<b>Planning scheme:</b>	2018 Douglas Shire Council Planning Scheme
<b>Zone:</b>	Centre Zone
<b>Local plan:</b>	Mossman Local Plan
<b>Level of assessment:</b>	Code
<b>Applicable codes:</b>	<p>The relevant codes from the planning scheme to this proposal are listed below:</p> <ul style="list-style-type: none"> <li>• 7.2.3 Mossman Local Plan Code</li> <li>• 6.2.1 Centre Zone Code</li> <li>• 8.2.10 Transport Network Code</li> <li>• 9.3.6 Community Facilities Code</li> <li>• 9.4.1 Access Parking and Servicing Code</li> <li>• 9.4.2 Advertising Devices Code</li> <li>• 9.4.6 Landscaping Code</li> <li>• 9.4.5 Infrastructure Works Code</li> </ul> <p>These Codes are addressed in Appendices A to H.</p>

## 2.0 Site details

### 2.1 Site description

Site characteristic	Description
Existing land use	At the time of this application the property (Shop 2) is empty.
Existing structures	<p>The complex is a commercial freehold neighbouring Woolworths supermarket with a mix of existing tenants including national retailer Prices Plus, a medical centre, pharmacy, Real Estate office and homeware retailer.</p> <p>There are approximately 125 parking spaces onsite.</p> <p>Floor area of the entire complex is 2,160m<sup>2</sup></p> <p>Land area of the complex is 9,828m<sup>2</sup></p> <p>Shop 2 comprises four block walls which are plastered, a double glass entry door and two internal walls which are easily removeable. There is also a small kitchenette with a sink, cupboard and drawers.</p>
Frontage and access	<p>The property adjoins a footpath and carpark. The front of the property (Shop 2) itself is approximately 69 metres from Front Street (actual road). The carpark which is between the property and Front Street is 51 metres deep.</p> <p>The property is accessible via a 3.6m wide footpath which is adjacent to the carpark. Vehicular transport can enter the carpark via a service lane off Front Street, Mossman.</p>
Topography and views	Refer to Figure 1, Figure 2 and Figure 3



**Figure 1: Entire Town and Country Complex at 63 Front Street, Mossman, Qld (Source: Town and Country)**

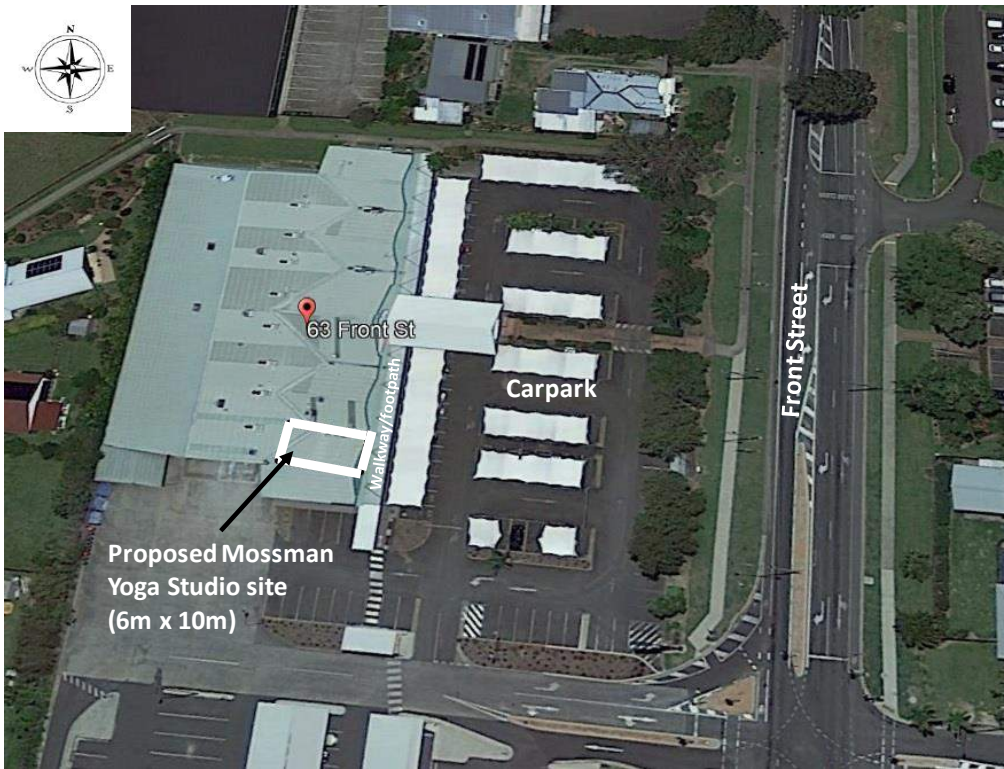


Figure 2: Proposed Mossman Yoga Studio within the Town and Country Complex (Source: Google Earth)

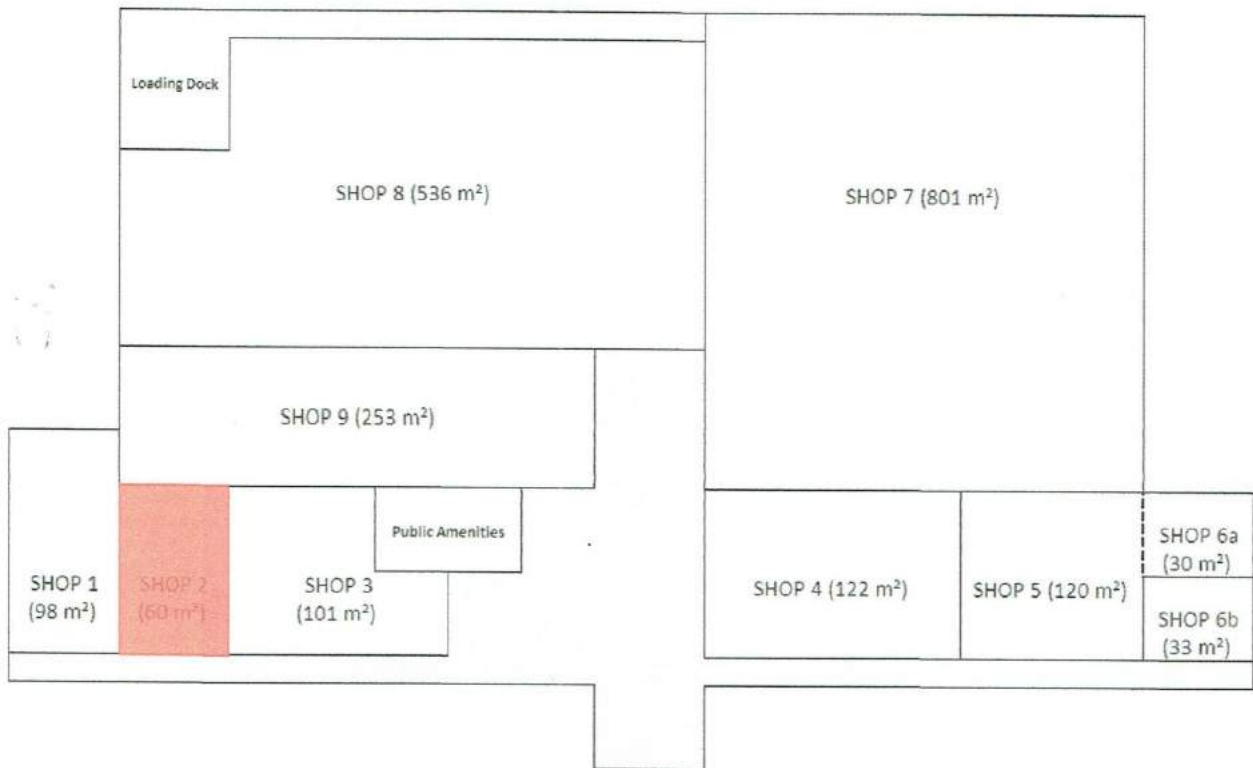


Figure 3: Plan of Town and Country Shopping Centre (Ref: Town and Country Ltd)

## 2.2 Surrounding land uses

**Table 2: Surrounding land uses**

Surrounding land uses		
North	Residential and commercial	House, Mossman Bowling Club, Bodies in Motion Dance Studio
South	Commercial and agriculture	Woolworths and cane farms
East	Residential and business	Housing estate, Douglas Shire Council offices and Mossman High School
West	Residential	Housing estate



**Figure 4: Aerial photo of the complex and the surrounding land (Source: Google Earth)**

## 3.0 Proposed development details

### **Mossman Yoga Studio**

The entire land area of the Complex is 9,828m<sup>2</sup> including carparking. The floor area of the entire Complex is 2,160m<sup>2</sup>.

The useable area of Shop 2 for the Mossman Yoga Studio is 10m x 6m (60m<sup>2</sup>). This is 0.61% of the entire land area of the Complex and 2.78% of the entire floor area of the Complex.

The Mossman Yoga Studio will be a dedicated space for people of all ages and abilities within the Mossman and surrounding communities to be taught and to practice yoga, relaxation and meditation under the guidance of fully trained instructors.

The Studio will have the capacity to hold approximately 15 students at any one time with an expected average of 5-6 students per class.

It is expected within the first year that there will be between 2 and 4 classes per week with most classes being held either between 9:30am to 11:00am and 6:00pm to 7:30pm.

The external aspects of the property will not be changed, except for signage on the property windows. The existing internal walls will be removed to open up the space. Floorboards will be laid over the existing flooring and the entire space will be painted.

Simple and soft lighting will be used to create a feeling of calm and quiet.

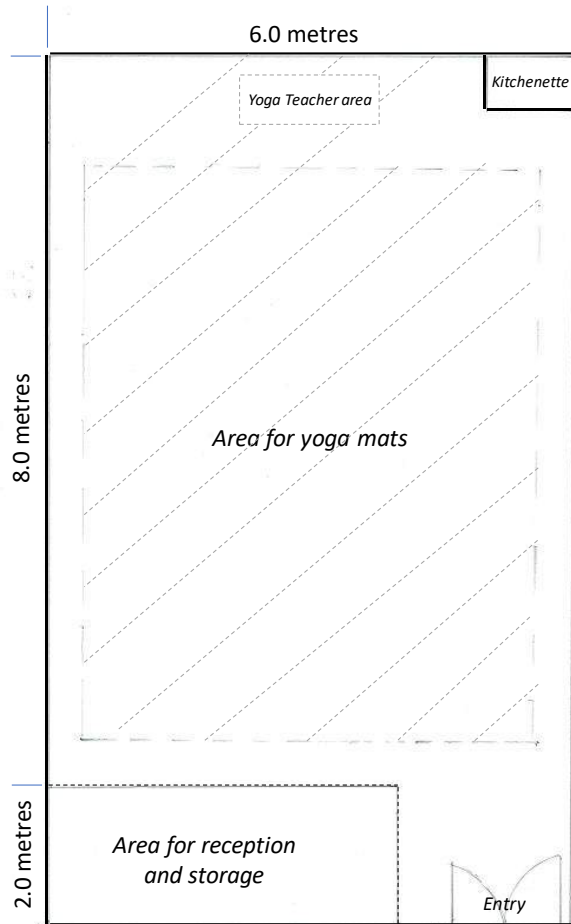
There will be a simple reception area at which students will be greeted.

The kitchenette will not be changed, other than perhaps one row of tiling above the sink.

A small storage area for yoga props and equipment will be erected. Students will access this storage area to store their personal belongings and to gather necessary props for their yoga class.

The property has an air-conditioning unit on the roof.

A proposed plan is provided in Figure 5 and concept photographs are provided in Figure 6.



Pathway in front of studio (3.6m deep)

**Figure 5: Proposed plan for Mossman Yoga Studio**



**Figure 6: Concept photos (Source: Pinterest)**

## **What is Yoga?**

There are many different ideas related to Yoga, where it comes from, what it is all about, and how to practice a range of techniques.

Generally, it is recognised as a 2500 year old system that recognises the multi-dimensional nature of the human person, and primarily relates to the nature and workings of the mind, based on experiential practice and self-enquiry.

The system and various techniques of Yoga cultivate internal peacefulness, clarity of the mind and physical well-being, health and happiness, and a greater sense of self-awareness.

Yoga supports an individuals health and wellbeing (physical, emotional, mental and social) through the regular practice of a range of many different techniques, including postures and movement, breath awareness and breathing exercises, relaxation and concentration, self-inquiry and meditation.

## **Benefits to the community**

In recent years there have been a growing number of well designed studies into the health benefits of yoga. These show that the practice of yoga is safe, useful and very cost effective for a wide range of conditions and life-stages

Researchers discovered that the regular practice of yoga can produce the following benefits when practiced safely and under the supervision of a fully trained teacher:

- Improved flexibility
- Increased muscle strength and tone, particularly of the abdominal muscles, lower back, hips and buttocks (the 'core muscles' of the body)
- Balanced muscular strength on both sides of the body
- Enhanced muscular control of the back and limbs
- Improved stabilisation of the spine
- Improved posture
- Rehabilitation or prevention of injuries related to muscle imbalances
- Improved physical coordination and balance
- Relaxation of the shoulders, neck and upper back
- Safe rehabilitation of joint and spinal injuries
- Prevention of musculoskeletal injuries
- Increased lung capacity and circulation through deep breathing
- Improved concentration
- Increased body awareness
- Stress management
- Relaxation (balance of the sympathetic nervous system and the parasympathetic nervous system).

**Table 3: Summary of development aspects**

<b>Material change of use</b> (If your development application does not include a material change of use, please delete this section)	
<b>Gross floor area (GFA)</b>	60m <sup>2</sup>
<b>Site coverage</b>	<p>The entire land area of the Complex is 9,828m<sup>2</sup> including carparking. The floor area of the entire Complex is 2,160m<sup>2</sup>.</p> <p>The useable area of Shop 2 for the Mossman Yoga Studio is 10m x 6m (60m<sup>2</sup>). This is 0.61% of the entire land area of the Complex and 2.78% of the entire floor area of the Complex.</p>
<b>Car parking</b>	There are approximately 125 parking spaces onsite.
<b>Site access</b>	The property is accessible via a footpath which is adjacent to the carpark. Vehicular transport can enter the carpark via a service lane off Front Street, Mossman.



## **4.0 Planning assessment**

### **4.1 Pre-lodgement**

A pre-lodgement meeting was undertaken with Douglas Shire Council on Friday 8 June 2018 with Daniel Lamond, Town Planner to discuss planning requirements and key issues applicable to this development application.

There were no key issues identified.

## 5.0 Conclusion

This application and proposal to develop a dedicated space in which the Mossman community (and surrounds) can be taught yoga is fully supported by Town and Country Ltd. A lease has been entered into conditional upon approval from the Douglas Shire Council.

There will be no changes to the infrastructure itself and the business will not negatively impact the surrounding businesses or residents.

At the moment there is no dedicated space in which the community is able to learn yoga. Currently it is taught in local halls and other similar locations. The existence of this Studio at the Town and Country Complex will complement the already existing health and wellbeing businesses including the Mossman and Port Douglas Medical Centre and the Pharmacy. It is expected that students using the Yoga Studio will also use the existing Serendipity and Prices Plus businesses. There is also confidential conversations underway between Town and Country which may soon see a new café positioned immediately next to the Yoga Studio. This café will also benefit from the addition of the Studio.

Not only with the Studio promote and support the health and wellbeing of our community, it will support the growth and sustainability of the businesses in the immediate vicinity.

## 6.0 Appendices

The following appendices provide compliance statements against the relevant Codes:

- a) Appendix A – Code compliance – 7.2.3 Mossman Local Plan Code
- b) Appendix B – Code compliance – 6.2.1 Centre Zone Code
- c) Appendix C – Code compliance – 8.2.10 Transport Network Code
- d) Appendix D – Code compliance – 9.3.6 Community Facilities Code
- e) Appendix E – Code compliance – 9.4.1 Access Parking and Servicing Code
- f) Appendix F – Code compliance – 9.4.2 Advertising Devices Code
- g) Appendix G – Code compliance – 9.4.6 Landscaping Code
- h) Appendix H – Code compliance – 9.4.5 Infrastructure Works Code

### 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 – Foxtan Avenue precinct;
  - (c) Precinct 3 – Junction Road residential precinct;
  - (d) Precinct 4 – Junction Road industry precinct;
  - (e) Precinct 5 – Town Centre precinct;
  - (f) Precinct 6 – Front Street precinct;
  - (g) Precinct 7 – Emerging community precinct;
  - (h) Precinct 8 – Mossman South industry precinct;
  - (i) Precinct 9 – Mossman Gorge community precinct

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

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

#### **Precinct 2 – Foxtan Avenue precinct**

- (5) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
- (a) development occurs that is compatible with the establishment of a botanical garden, including a range of ancillary tourist facilities (not tourist accommodation), educational facilities and research facilities.
  - (b) Development takes into account physical constraints with particular attention paid to flooding and vegetation.
  - (c) development is adequately separated from, and protects, the existing cane railway track along the south boundary of the land;
  - (d) development does not impact on the environmental values of 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 Foxtan Avenue, Mill Street and Junction Road is reinforced with new development or redevelopment contributing to the existing continuity of built form by being built up to the street frontage;
  - (c) the cane tram line which runs along Mill Street, the vista down Mill Street to Mount Beaufort and the sugar mill chimney are retained as unique features of the town and its sugar town heritage;
  - (d) views from Front Street of the mountains (from various vantage points) are maintained;
  - (e) avenue planting within the town centre along the centre median in Front Street is maintained and extended to reinforce the character of the town centre.

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

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

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

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

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

- (11) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
- (a) low impact industry uses are the predominant form of industry within the Mossman South industry precinct;



- (b) no uses that compete with the commercial and retail primacy of the town centre are established;
- (c) development protects the amenity of adjacent and nearby residential land uses.

**Precinct 9 – Mossman Gorge community precinct**

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

**7.2.3.4 Criteria for assessment**

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

Performance outcomes	Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>		
<p><b>PO1</b> Building and structures complement the height of surrounding development.</p>	<p><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.</p>	<p>Not applicable to this Planning Report. The development that is the subject of this Planning Report does not impact the height of the buildings.</p> <p>It is assumed that the building height met the requirements at the time of construction and continues to meet those requirements.</p>
<b>For assessable development</b>		
<b>Development in the Mossman local plan area generally</b>		
<p><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).</p>	<p><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:</p> <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 Marris Creek;</li> <li>(c) the avenue of planting in the town centre in Front Street;</li> <li>(d) the Raintrees in Foxton Avenue;</li> <li>(e) the trees on the eastern side of the Mossman-Daintree Road, just north of the North Mossman River;</li> <li>(f) the avenue planting of Melaleucas on the southern approach to the town along Alchera Drive;</li> <li>(g) Mossman sugar mill site.</li> </ul>	<p>Not applicable to this Planning Report. The development that is the subject of this Planning Report does not impact the landscape, views, vistas or any landmarks, memorials and monuments.</p>

	<p><b>AO1.2</b> Development protects and does not intrude into important views and vistas as identified on the Mossman Townscape Plan map contained in Schedule 2, in particular: (a) Mount Demi (Manjal Dimbi); (b) Mossman Bluff; (c) Mount Beaufort; (d) Shannonvale Valley.</p> <p><b>AO1.3</b> Important landmarks, memorials and monuments are retained, including, but not limited to: (a) the cane tram line running east west through the town at Mill Street; (b) the general configuration of the ‘Triangle’ at the intersection of Front Street, Mill Street, Foxton Avenue and Junction Road</p>	
<p><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.</p>	<p><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.</p>	<p>Not applicable to this Planning Report. The development that is the subject of this Planning Report does not impact any gateways or key intersections as identified on the Mossman local plan maps contained in Schedule 2.</p>
<p><b>PO3</b> Landscaping of development sites complements the existing tropical character of Mossman.</p>	<p><b>AO3</b> Landscaping incorporates the requirements of Planning scheme policy SC 6.2- Landscaping.</p>	<p>Not applicable to this Planning Report. The development that is the subject of this Planning Report does not impact the landscape.</p>
<p><b>P04</b> Development does not compromise the safety and efficiency of the State-controlled road network.</p>	<p><b>AO4</b> Direct access is not provided to a State-controlled road where legal and practical access from another road is available.</p>	<p>Complies. The Yoga Studio will not compromise the safety and efficiency of any State-controlled roads. There will be no changes to road accesses.</p>
<b>For assessable development</b>		
<b>Additional requirements for Precinct 2 – Foxton Avenue precinct</b>		
<p><b>PO5</b> Development takes into account the opportunities and constraints with particular attention paid to flooding and vegetation.</p>	<p><b>AO5</b> Buildings and structures are located outside areas subject to flooding. Development is undertaken in accordance with the recommendations of a</p>	<p>Not applicable to this Planning Report. This Planning Report relates to Precinct 6 – Front Street in accordance with Local Plan Map Sheet - LPM-004.</p>

	Drainage/Flood Study which outlines the necessary improvements to be undertaken on the site to make it suitable for development and avoid impacts on adjoining land.	
<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>PO6.2</b> Pedestrian access to the cane railway is restricted.	Not applicable to this Planning Report. This Planning Report relates to Precinct 6 – Front Street in accordance with Local Plan Map Sheet - LPM-004.
<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.	Not applicable to this Planning Report. This Planning Report relates to Precinct 6 – Front Street in accordance with Local Plan Map Sheet - LPM-004.
<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>AO8.2</b> Lots have a minimum frontage of 20m.	Not applicable to this Planning Report. This Planning Report relates to Precinct 6 – Front Street in accordance with Local Plan Map Sheet - LPM-004.
<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.	Not applicable to this Planning Report. This Planning Report relates to Precinct 6 – Front Street in accordance with Local Plan Map Sheet - LPM-004.
	<b>AO9.2</b> Practical road access is available to the minimum riparian width of 30 metres along the frontage to the Mossman River.	Not applicable to this Planning Report. This Planning Report relates to Precinct 6 – Front Street in accordance with Local Plan Map Sheet - LPM-004.
<b>Additional requirements for Precinct 4 – Junction Road industry precinct</b>		

<p><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.</p>	<p><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.</p> <p><b>AO10.2</b> No individual lots will have direct access to Junction Road across the 10 metre dense screen of vegetation.</p>	<p>Not applicable to this Planning Report. This Planning Report relates to Precinct 6 – Front Street in accordance with Local Plan Map Sheet - LPM-004.</p>
<p><b>Additional requirements for Precinct 5 – Town Centre precinct</b></p>		
<p><b>PO11</b> Buildings in the precinct are designed and sited to complement the existing distinctive and cohesive character of the retail and business area, including:</p> <ul style="list-style-type: none"> <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><b>AO11</b> With respect to Front Street, Foxton Avenue, Mill Street and Johnston Road, development incorporates buildings that front the street designed with non-transparent awnings that:</p> <ul style="list-style-type: none"> <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>Not applicable to this Planning Report. This Planning Report relates to Precinct 6 – Front Street in accordance with Local Plan Map Sheet - LPM-004.</p>
<p><b>PO12</b> 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> 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> </ul>	<p>Not applicable to this Planning Report. This Planning Report relates to Precinct 6 – Front Street in accordance with Local Plan Map Sheet - LPM-004.</p>

	<ul style="list-style-type: none"> <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> <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>	
<p><b>PO13</b> Site coverage of all buildings:</p> <ul style="list-style-type: none"> <li>(a) does not result in a built form that is bulky or visually intrusive to the streetscape;</li> <li>(b) respects the individual character of the town centre.</li> </ul>	<p><b>AO13</b> Site cover does not exceed 60%.</p>	<p>Not applicable to this Planning Report. This Planning Report relates to Precinct 6 – Front Street in accordance with Local Plan Map Sheet - LPM-004.</p>

<p><b>PO14</b> Side and rear setbacks: (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.</p>	<p><b>AO14.1</b> For side boundary setbacks, no acceptable measures are specified.</p> <p><b>AO14.2</b> Buildings are setback a minimum of 6 metres from rear boundaries.</p> <p>Note: Building code requirements must be satisfied.</p>	<p>Not applicable to this Planning Report. This Planning Report relates to Precinct 6 – Front Street in accordance with Local Plan Map Sheet - LPM-004.</p>
<p><b>PO15</b> Development in the precinct is predominantly retail or office based in nature or has a service delivery function.</p>	<p><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.</p>	<p>Not applicable to this Planning Report. This Planning Report relates to Precinct 6 – Front Street in accordance with Local Plan Map Sheet - LPM-004.</p>
<p><b>Additional requirements for Precinct 6 – Front Street precinct</b></p>		
<p><b>PO16</b> Vehicular access is limited to: (a) the existing access from Front Street opposite the Harper Street intersection; (b) the existing access at the southern boundary of the precinct limited to commercial vehicles and staff only.</p>	<p><b>AO16</b> No acceptable outcomes are prescribed.</p>	<p>Complies. The development that is the subject of this Planning Report does not include changes to the vehicular access of the site or any other vehicular accesses.</p>
<p><b>PO17</b> Any expansion complements the existing development in scale, height, roof alignment and colour.</p>	<p><b>AO17</b> No acceptable outcomes are prescribed.</p>	<p>Complies. The development that is the subject of this Planning Report does not include any expansions to the existing property/site.</p>
<p><b>PO18</b> Any expansion is integrated with existing development such that the final development functions as one shopping/commercial development.</p>	<p><b>AO18</b> No acceptable outcomes are prescribed.</p>	<p>Complies. The development that is the subject of this Planning Report does not include any expansions to the existing property/site.</p>
<p><b>PO19</b> Any expansion takes into account adjacent residential development and incorporates service areas, car parking and other utilities which are</p>	<p><b>AO19</b> No acceptable outcomes are prescribed.</p>	<p>Complies. The development that is the subject of this Planning Report does not include any expansions to the existing property/site.</p>

visually and acoustically screened to protect the residential amenity of the area.		
<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.	Not applicable to this Planning Report. This Planning Report relates to Precinct 6 – Front Street in accordance with Local Plan Map Sheet - LPM-004.
<b>Additional requirements for Precinct 8 – Mossman South industry</b>		
<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.	Not applicable to this Planning Report. This Planning Report relates to Precinct 6 – Front Street in accordance with Local Plan Map Sheet - LPM-004.
<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.	Not applicable to this Planning Report. This Planning Report relates to Precinct 6 – Front Street in accordance with Local Plan Map Sheet - LPM-004.
<b>PO23</b> Development protects the amenity of adjacent and nearby residential land uses.	<b>AO23</b> No acceptable outcomes are prescribed.	Not applicable to this Planning Report. This Planning Report relates to Precinct 6 – Front Street in accordance with Local Plan Map Sheet - LPM-004.
<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.	Not applicable to this Planning Report. This Planning Report relates to Precinct 6 – Front Street in accordance with Local Plan Map Sheet - LPM-004.



## 6.2 Zone codes

### 6.2.1 Centre zone code

#### 6.2.1.1 Application

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

#### 6.2.1.2 Purpose

- (1) The purpose of the Centre zone code is to provide for a mix of land uses and activities.
  - (a) These uses include, but are not limited to, business, retail, professional, administrative, community, entertainment, cultural and residential activities.
  - (b) Centres are found at a variety of scales based on their location and surrounding activities.
- (2) The local government purpose of the code is to:
  - (a) implement the policy direction set in the Strategic Framework, in particular:
    - (i) Theme 1 : Settlement pattern, Element 3.4.3 Activity Centres.
    - (ii) Theme 4 : Strong communities and identity, Element 3.7.4 Sense of place, community and identity, Element 3.7.6 Arts and Culture
    - (iii) Theme 5 : Economy, Element 3.8.2 – Economic growth and diversification, Element 3.8.3 Tourism.
  - (b) provide for a mix of uses and level of economic and social activity to serve community needs.
- (3) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Development creates a range of retail, commercial, community and residential uses.
  - (b) Development is consistent with any location specific provisions contained within a Local Plan.
  - (c) Development provides activation and surveillance at ground level where adjoining roads or other public spaces.
  - (d) Development is integrated and coordinated both within the site and in relation to surrounding land uses and activities.
  - (e) Development provides a built form that establishes a cohesive streetscape and continuous pedestrian connections and shelters.
  - (f) Development is sensitively designed and managed to mitigate impacts on surrounding sensitive land uses.
  - (g) Development has access to infrastructure and services.

**6.2.1.3 Criteria for assessment**

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

Performance outcomes	Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>		
<p><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.</p>	<p><b>AO1</b> The maximum height of buildings and structures is: (a) in accordance with the provisions of any applicable local plan; (b) if no local plan applies, not more than 8.5 metres and two storeys in height.</p> <p>Note - Height is inclusive of the roof height.</p>	<p>Not applicable to this Planning Report. The development that is the subject of this Planning Report does not impact the height of the buildings.</p> <p>It is assumed that the building height met the requirements at the time of construction and continues to meet those requirements.</p>
<p><b>PO2</b> The siting of buildings contributes to the use of the land, desired amenity and character of the area and protects the amenity of other land uses.</p>	<p><b>AO2.1</b> Buildings and structures are setback to road frontages: (a) in accordance with the provisions of any applicable local plan; (b) a minimum of 6 metres where no local plan applies or there are no particular provisions specified in the local plan for the site.</p> <p><b>AO2.2</b> Where adjoining land in the Industry zone, buildings are setback: (a) 0 metres from the side and rear boundaries; or (b) 2.5 metres or ¼ of the height of the building, whichever is the greater; and (c) not any distance between 0 metres and 2.5 metres.</p> <p><b>AO2.3</b> Where adjoining land in any other zone, buildings are setback 3 metres or ¼ of the height of the building, whichever is the greater and are provided with an acoustic barrier in accordance with the recommendations of a qualified acoustic expert.</p>	<p>Not applicable to this Planning Report. The development that is the subject of this Planning Report does not impact the setback of the building.</p> <p>It is assumed that the setbacks met the requirements at the time of construction and continue to meet those requirements.</p>

	<p><b>AO2.4</b> Setback areas are provided with a 2 metre landscaped strip capable of deep planting, which is kept clear of service equipment and storage areas: (a) adjacent to the road frontage in all areas not required for pedestrian or vehicular access for the setback area nominated in AO2.1(b) above; (b) adjacent to the boundary with the other zone for the setback area nominated in AO2.3 above.</p>	
<p><b>PO3</b> The site coverage of buildings ensures that there is sufficient space available to cater for services, landscaping and on-site parking.</p>	<p><b>AO3</b> Site coverage does not exceed 80%, unless otherwise specified in a Local plan.</p>	<p>Complies. There is sufficient space for on-site carparking. Services and landscaping will not be impacted by the development.</p>
<p><b>For assessable development</b></p>		
<p><b>PO4</b> The establishment of uses is consistent with the outcomes sought for the Centre zone and protects the zone from the intrusion of inconsistent uses.</p>	<p><b>AO4</b> Inconsistent uses as identified in Table 6.2.1.3.b are not established in the Centre zone.</p>	<p>Complies. The development under this Planning Report is consistent with the outcomes sought for the Centre Zone and is not listed in Table 6.2.1.3.b</p>
<p><b>PO5</b> Development provides a range of convenient goods and services for the daily needs of discrete residential communities.</p>	<p><b>AO5</b> Development complies with the requirements specified in a local plan.</p>	<p>Complies. The Yoga Studio will provide exercise, relaxation and meditation services to the Douglas Shire Community. This will contribute to the health and well-being of the community.</p>
<p><b>PO6</b> Development does not lower the standard of amenity in terms of air, noise, odour, electrical interference and vibrations at any land use associated with the: (a) the Accommodation activity group, located outside the Centre zone; (b) the Sensitive land use activity group, located outside the Centre zone.</p>	<p><b>AO6</b> No acceptable outcomes are prescribed.</p>	<p>Complies. The Yoga Studio will not lower the standard of amenities described in PO6.</p>

<p><b>PO7</b> Reconfiguration of land results in (a) a practical layout for centre land use activities, generally consisting of regular rectangular-shaped lots. (b) lots no less than 600m<sup>2</sup> in area.</p>	<p><b>AO7</b> No acceptable outcomes are prescribed.</p>	<p>Complies. There will be no reconfiguration of land.</p>
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**Table 6.2.1.3.b - Inconsistent uses within the Centre zone**

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

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

## 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>		
<p><b>PO1</b> Development supports the road hierarchy for the region.</p> <p>Note -A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.</p>	<p><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.</p> <p><b>AO1.2</b> Development does not compromise the safety and efficiency of the transport network.</p> <p><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.</p>	<p>Not applicable to this Planning Report. The development that is the subject of this Planning Report does not impact the role, function, safety or efficiency of the transport network. No works will be undertaken on or near the Transport network.</p>
<p><b>PO2</b> Transport infrastructure is provided in an integrated and timely manner.</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>AO2</b> Development provides infrastructure (including improvements to existing infrastructure) in accordance with: (e) the Transport network overlay maps contained in Schedule 2; (a) any relevant Local Plan.</p> <p>Note – The Translink Public Transport Infrastructure Manual provides guidance on the design of public transport facilities.</p>	<p>Not applicable to this Planning Report. The development that is the subject of this Planning Report does not impact the Transport network or infrastructure. No works will be undertaken on or near the Transport network.</p>
<p><b>PO3</b> 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> 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>Not applicable to this Planning Report. The development that is the subject of this Planning Report does not involve any sensitive land uses within a major transport corridor buffer area. No works will be undertaken on or near the Transport network.</p>

<p><b>PO4</b> 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> Development is compatible with the role and function (including the future role and function) of major transport corridors.</p> <p><b>AO4.2</b> Direct access is not provided to a major transport corridor where legal and practical access from another road is available.</p> <p><b>AO4.3</b> Intersection and access points associated with major transport corridors are located in accordance with: (a) the Transport network overlay maps contained in Schedule 2; and (b) any relevant Local Plan.</p> <p><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.</p>	<p>Not applicable to this Planning Report. The development that is the subject of this Planning Report does not impact the Transport network or infrastructure. No works will be undertaken on or near the Transport network.</p>
<p><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.</p>	<p><b>AO5</b> No acceptable outcomes are prescribed.</p>	<p>Not applicable to this Planning Report. The development that is the subject of this Planning Report does not impact the Transport network or infrastructure. No works will be undertaken on or near the Transport network.</p>
<b>Pedestrian and cycle network</b>		
<p><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.</p>	<p><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</p>	<p>Not applicable to this Planning Report. The development that is the subject of this Planning Report does not impact the pedestrian and cycle network. No works will be undertaken on or near the pedestrian or cycle network.</p>



	<p>and cycle network is incorporated in the design of the lot layout.</p> <p><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.</p>	
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## 9.3.6 Community facilities code

### 9.3.6.1 Application

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

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

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

### 9.3.6.2 Purpose

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

**9.3.6.3 Criteria for assessment****Table 9.3.6.3.a – Community facilities code – assessable development**

Performance outcomes		Acceptable outcomes
For self-assessable and assessable development		
<p><b>PO1</b> Development ensures that the hours of operation are consistent with reasonable community expectations for the use and do not impact on the amenity of nearby sensitive land uses.</p>	<p><b>AO1</b> Development for non-residential use has hours of operation, including indoor activity areas and delivery vehicles, which are limited to 7am to 6pm.</p>	<p>Partially complies.</p> <p>Yoga class times are not yet finalised and will change over the course of normal business as the business expands. It is expected there will be a maximum of two classes per day between approximately 9.15am to 10.45am, and 5.30pm to 7.00pm. It is likely that Studio staff will be in the studio until 7.30pm./8.00pm to finalise class administration and to clean and tidy the Studio.</p> <p>The maximum number of people who will attend is between 15 to 18. The average number of people expected at any one class is between 5 to 7.</p> <p>Soft and low volume music will be used in the Yoga Studio during class times.</p> <p>These proposed hours of operation, the quantity of people attending the class, the use of soft quiet music and the nature of the yoga activities themselves will not have a negative impact on the surrounding businesses or residents.</p> <p>In addition, there are no nearby businesses or resident activities that constitute a sensitive land use as defined in the Douglas Shire Planning Scheme 2018 Version 1.0 - Schedule 1: Definitions.</p>
<p><b>PO2</b> Development is designed to protect nearby sensitive land uses from adverse impacts on the existing levels of amenity, including by way of light, noise, odour or other nuisance.</p>	<p><b>AO2.1</b> Where on a site adjoining a sensitive land use and located within 20 metres from the common boundary, a minimum 1.8 metre high acoustic fence is provided for the full length of the common boundary.</p>	<p><b>AO2.1</b> Not applicable to this development. The site does not adjoin a sensitive land use.</p>

	<p><b>AO2.2</b> Development does not involve amplification devices and does not generate noise that is clearly audible from nearby sensitive land uses.</p> <p><b>AO2.3</b> Development provides outdoor lighting which is installed and operated in compliance with the requirements of AS4282-1997 Control of the obtrusive effects of outdoor lighting.</p> <p><b>AO2.4</b> Mechanical plant and equipment is acoustically and visually screened from adjoining sensitive land uses.</p> <p>Note – Mechanical plant includes generators, motors, compressors and pumps such as air conditioning, refrigeration or cold rooms.</p> <p><b>AO2.5</b> Development: (a) does not involve activities that generate air emissions, including odour dust, fumes or smoke beyond the site; (b) where cooking or food odour is released, exhaust is discharged vertically and directed away from a sensitive land use, and vents are separated by the following distances: (i) a minimum of 6 metres horizontally from a sensitive land use; (ii) a minimum of 2 metres above any thoroughfare with regular traffic.</p>	<p>AO2.2 Partially complies with AO2.2 and fully complies with PO2.</p> <p>Soft and low volume music will be used in the Yoga Studio during class times. Class times are not finalised and will change over the course of normal business as it grows and matures. It is expected there will be a maximum of two classes per day between approximately 9.15 to 10.45, and 5.30pm to 7.00pm.</p> <p>AO2.3 Not applicable to this development. The development that is the subject of this Planning Report does not include any installation of outdoor lighting.</p> <p>AO2.4 Not applicable to this development. The development that is the subject of this Planning Report does not include the generation of air emissions or cooking.</p>
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<b>For assessable development</b>		
<p><b>PO3</b> Development on a site within a Community facilities zone must be protected for public use, and where a community facility ceases, its replacement must be for another community facility.</p>	<p><b>AO3</b> Development of an existing community facility within a Community facilities zone may be transitioned to another type of use within the community facilities activity group where a demonstrable need of the community will be fulfilled.</p>	<p>Not applicable to this development. The development that is the subject of this Planning Report is not in an existing community facility and is not currently within a Community facilities zone.</p>
<p><b>PO4</b> Development for a community facility which is purpose built on public land delivers buildings and structures that are designed as multi-purpose community hubs where possible, rather than stand-alone or single use facilities to:</p> <ul style="list-style-type: none"> <li>(a) create a sense of place, belonging and community and to provide a focal point for community activity;</li> <li>(b) increase efficiencies in built form;</li> <li>(c) provide efficiencies in infrastructure costs;</li> <li>(d) facilitate adaption of building and infrastructure to respond to changing community needs.</li> </ul>	<p><b>AO4</b> No acceptable outcomes are prescribed.</p>	<p>Not applicable to this development. The development that is the subject of this Planning Report does not include constructing any purpose built buildings, and the site is not located on public land.</p>
<p><b>PO5</b> Development must be consistent with the reasonable expectations for built form, site layout and landscape design of development on surrounding land.</p>	<p><b>AO5</b> Development is of a scale, height and bulk that is not greater than that of surrounding development.</p>	<p>Not applicable to this development. The development that is the subject of this Planning Report does not include constructing any buildings or changing the scale, height or bulk of any existing infrastructure.</p>
<p><b>PO6</b> Development does not impose adverse visual amenity impacts on any land associated with Accommodation activity group.</p>	<p><b>AO6.1</b> Development has a building setback from a site boundary with any land use associated with the Accommodation activity group of 6 metres, or half the height of the building at that point, whichever is the greater.</p>	<p><b>AO6.1</b> Not applicable to this development. The development that is the subject of this Planning Report does not include constructing any buildings or changing the height of any existing infrastructure, nor will it impact on any land associated with Accommodation activities</p>

	<p><b>AO6.2</b> Development provides a 3 metre wide landscape buffer capable of deep planting provided between vehicle movement and car parking areas and common boundaries any land use associated with the Accommodation activity group</p>	<p>group (as defined in the Douglas Shire Planning Scheme 2018 Version 1.0 - Schedule 1: Definitions)</p> <p><b>AO6.2</b> Not applicable to this development. The development that is the subject of this Planning Report does not include constructing any infrastructure and therefore will not require a landscape buffer. Nor will it impact on any vehicle movement, car parking areas or any land associated with Accommodation activities group (as defined in the Douglas Shire Planning Scheme 2018 Version 1.0 - Schedule 1: Definitions)</p>
<p><b>PO7</b> Development ensures that on-site car parking is located so as to ensure that employee, patron and visitor car parking associated with the use does not dominate the frontage of the premises and maintains the amenity of the street and adjacent properties.</p>	<p><b>AO7</b> Car parking is: (a) provided below or at the rear of the primary building for the use and is not within the front setback of the site; or (b) where forward of the building line, car parking is integrated with high quality landscaping.</p>	<p>Not applicable to this development. The development that is the subject of this Planning Report does not include constructing any car parking. Car parking is currently provided in the existing on-site privately owned car park and is not within the front setback of the site. As such, patron car parking will not dominate the frontage of the premises and will maintain the amenity of the street and adjacent properties as required.</p>
<p><b>PO8</b> Safety of users of the development and surrounding community is considered and incorporated into the design of the facility.</p> <p>Note - Planning scheme policy SC6.3 – Crime prevention through environmental design (CPTED) provides guidance on appropriate design responses.</p>	<p><b>AO8</b> No acceptable outcomes are prescribed.</p>	<p>Complies.</p> <p>No new buildings will be erected and no changes to the external building or infrastructure will be undertaken as part of this development. The external aspects of the building are the responsibility of building owners and the safety of users and the surrounding community is therefore their responsibility also.</p> <p>The design and operation of the Yoga Studio itself (inside the building) does consider the safety of users with respect to the following key safety considerations:</p> <ul style="list-style-type: none"> <li>• The doors will be maintained and operable at all times to prevent injuries to users when opening and closing. and easily,</li> </ul>

		<ul style="list-style-type: none"> <li>Floors will be level with no hidden steps, ramps or slopes,</li> <li>The entry and exit doors will remain unlocked while the Yoga Studio is being used to ensure ease of exit in case of an emergency.</li> </ul> <p>A-frame advertising on the <u>privately owned</u> footpath will be positioned in safe and acceptable locations in accordance with the conditions of the property lease.</p>
<p><b>PO9</b> Landscaping contributes to establishing an attractive and safe streetscape and a high standard of amenity.</p>	<p><b>AO9</b> No acceptable outcomes are prescribed.</p>	<p>Not applicable to this development. The development that is the subject of this Planning Report does not include landscaping.</p>

## 9.4 Other development codes

### 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	Compliance
<b>For self-assessable and assessable development</b>		
<p><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:</p> <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>	<p><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.</p> <p>Note - Where the number of spaces calculated from the table is not a whole number, the number of spaces provided is the next highest whole number.</p> <p><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.</p> <p><b>AO1.3</b> Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.</p> <p><b>AO1.4</b> For parking areas exceeding 50 spaces parking, is provided for recreational vehicles as a substitute for ordinary vehicle parking to a maximum of 5% of total ordinary vehicle parking rate.</p>	<p>AO1.1 Complies. The Yoga Studio will be located within the Town and Country Complex which has 125 carparks. The useable yoga class space in the Studio will be 60m<sup>2</sup> GFA (10m x 6m) which, in accordance with Table 9.4.1.3.b requires a minimum of 4 car spaces. (ie. 1 space per 15m<sup>2</sup> GFA for Community use facilities.)</p> <p>AO1.2 Complies. The carparking spaces at the Town and Country complex are freely available for parking of vehicles at all times and are not used for external storage purposes, the display of products or rented/sub-leased.</p> <p>AO1.3 and AO1.4 Complies. The Town and Country complex allows adequate parking spaces for both motorcycles and recreational vehicles.</p>
<p><b>PO2</b> Vehicle parking areas are designed and constructed in accordance with relevant standards.</p>	<p><b>AO2</b> Vehicle parking areas are designed and constructed in accordance with Australian Standard:</p> <ul style="list-style-type: none"> <li>(a) AS2890.1;</li> <li>(b) AS2890.3;</li> <li>(c) AS2890.6.</li> </ul>	<p>AO2 Not applicable to this Planning Report. The development that is the subject of this Planning Report does not include the design or construction of vehicle parking spaces.</p>

		It is assumed that the existing vehicle parking spaces comply with the relevant Australian Standards.
<p><b>PO3</b> Access points are designed and constructed:</p> <ul style="list-style-type: none"> <li>(a) to operate safely and efficiently;</li> <li>(b) to accommodate the anticipated type and volume of vehicles</li> <li>(c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate;</li> <li>(d) so that they do not impede traffic or pedestrian movement on the adjacent road area;</li> <li>(e) so that they do not adversely impact upon existing intersections or future road or intersection improvements;</li> <li>(f) so that they do not adversely impact current and future on-street parking arrangements;</li> <li>(g) so that they do not adversely impact on existing services within the road reserve adjacent to the site;</li> <li>(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).</li> </ul>	<p><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:</p> <ul style="list-style-type: none"> <li>(a) Australian Standard AS2890.1;</li> <li>(b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers.</li> </ul> <p><b>AO3.2</b> Access, including driveways or access crossovers:</p> <ul style="list-style-type: none"> <li>(a) are not placed over an existing: <ul style="list-style-type: none"> <li>(i) telecommunications pit;</li> <li>(ii) stormwater kerb inlet;</li> <li>(iii) sewer utility hole;</li> <li>(iv) water valve or hydrant.</li> </ul> </li> <li>(b) are designed to accommodate any adjacent footpath;</li> <li>(c) adhere to minimum sight distance requirements in accordance with AS2980.1.</li> </ul> <p><b>AO3.3</b> Driveways are:</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(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;</li> </ul>	<p><b>AO3.1, AO3.2 and AO3.3</b> Not applicable to this Planning Report. The development that is the subject of this Planning Report does not include the design or construction of any Access points. Patrons of the Yoga Studio will use the existing Town and Country complex access points which, it is assumed, are compliant with the relevant standards and planning scheme policy.</p> <p><b>AO3.4</b> Not applicable to this Planning Report. The development that is the subject of this Planning Report does not include infrastructure design or construction.</p>

	<p>(c) on gradients greater than 1 in 6 (16.6%) driveways are constructed to ensure the cross-fall of the driveway is one way and directed into the hill, for vehicle safety and drainage purposes;</p> <p>(d) constructed such that the transitional change in grade from the road to the lot is fully contained within the lot and not within the road reserve;</p> <p>(e) designed to include all necessary associated drainage that intercepts and directs storm water runoff to the storm water drainage system.</p> <p><b>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</p>	
<p><b>PO4</b> Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.</p>	<p><b>AO4</b> The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.</p>	<p>Not applicable to this Planning Report. The development that is the subject of this Planning Report does not include infrastructure design or construction including carpark design or construction.</p> <p>In addition, it is highly unlikely that people requiring a wheelchair will attend the Yoga Studio.</p> <p>Design and construction of the carpark is the responsibility of Town and Country and it is assumed that the number of on-site wheel chair accessible parking spaces complies with the relevant standards.</p>
<p><b>PO5</b></p>	<p><b>AO5</b> Access for people with disabilities is provided in accordance with the relevant Australian Standard.</p>	<p>Not applicable to this Planning Report. The development that is the subject of this Planning</p>

<p>Access for people with disabilities is provided to the building from the parking area and from the street.</p>		<p>Report does not include infrastructure design or construction.</p> <p>This development only concerns the space <b>inside</b> Shop 2 of the Town and Country complex.</p>
<p><b>PO6</b> Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development.</p>	<p><b>AO6</b> The number of on-site bicycle parking spaces complies with the rates specified in Table 9.4.1.3.b.</p>	<p>Complies.</p> <p>There is adequate parking space available for bicycles in the carpark.</p> <p>The useable yoga class space in the Studio will be 60m<sup>2</sup> GFA (10m x 6m) which, in accordance with Table 9.4.1.3.b requires a minimum of 1 on-site bicycle parking space (ie. 1 space per 100m<sup>2</sup> GFA for Community use facilities.).</p>
<p><b>PO7</b> 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><b>AO7.1</b> Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers);</p> <p><b>AO7.2</b> Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street.</p> <p><b>AO7.3</b> Development provides visitor bicycle parking which does not impede pedestrian movement.</p>	<p><b>AO7.1</b> Not applicable to this application. The development that is the subject of this Planning Report does not include infrastructure design or construction of bicycle parking spaces as these already exist within the Town and Country complex. Employees will be able to use these spaces. Note: There will be no shower cubicles or lockers provided as part of this development as they will not be needed as part of the Yoga Studio business.</p> <p><b>AO7.2 and AO7.3 Complies.</b></p> <p>The location of the bicycle parking is discernible by direct view. It is located at the end of the bicycle path which leads directly into the Town and Country complex.</p>
<p><b>PO8</b> 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</li> </ul>	<p><b>AO8</b> 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> </ul>	<p><b>Complies</b></p> <p>Walking and cycle routes currently exist directly outside the site of the Yoga Studio as part of the Town and Country complex. Public transport is limited in Mossman and is available within 500m of the proposed Yoga Studio.</p>

<p>transport stations, shops and local activity centres along the safest, most direct and convenient routes;</p> <p>(b) encourage walking and cycling;</p> <p>(c) ensure pedestrian and cyclist safety.</p>	<p>(b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site.</p>	
<p><b>PO9</b> Access, internal circulation and on-site parking for service vehicles are designed and constructed:</p> <p>(a) in accordance with relevant standards;</p> <p>(b) so that they do not interfere with the amenity of the surrounding area;</p> <p>(c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles.</p>	<p><b>AO9.1</b> Access driveways, vehicle manoeuvring and on-site parking for service vehicles are designed and constructed in accordance with AS2890.1 and AS2890.2.</p> <p><b>AO9.2</b> Service and loading areas are contained fully within the site.</p> <p><b>AO9.3</b> The movement of service vehicles and service operations are designed so they:</p> <p>(a) do not impede access to parking spaces;</p> <p>(b) do not impede vehicle or pedestrian traffic movement.</p>	<p><b>AO9.1</b> Not applicable to this application. The development that is the subject of this Planning Report does not include design or construction of driveways, vehicle maneuvering areas or site parking for service vehicles.</p> <p><b>AO9.2</b> Complies. Service and loading areas are contained fully within the Town and Country complex. Note that the proposed Yoga Studio will not attract many service vehicles as it will not require deliveries of anything on a regular basis. Tradesperson vehicles will also be limited as it is expected that any maintenance required at the Yoga Studio will be minimum.</p> <p><b>AO9.3</b> Not applicable to this application. The development that is the subject of this Planning Report does not include design or construction of driveways, vehicle maneuvering areas or site parking for service vehicles. The existing design meets these requirements.</p>
<p><b>PO10</b> Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.</p>	<p><b>AO10.1</b> Development provides adequate area on-site for vehicle queuing to accommodate the demand generated by the development where drive through facilities or drop-off/pick-up services are</p>	<p><b>AO10.1</b> Not applicable to this application. There will be no drive through facilities or drop off/pick up services proposed or required as part of the Yoga Studio.</p>

	<p>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> <li>(d) food and drink outlet, where including a drive-through facility;</li> <li>(e) hardware and trade supplies, where including a drive-through facility;</li> <li>(f) hotel, where including a drive-through facility;</li> <li>(g) service station.</li> </ul> <p><b>AO10.2</b> Queuing and set-down areas are designed and constructed in accordance with AS2890.1.</p>	<p><b>AO10.2</b> Not applicable to this application. There will be no queuing or set-down areas as none will be required. It is not expected that the Yoga Studio will demand a significant increase in pedestrian or vehicle traffic.</p>
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**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 parking spaces.	n/a	n/a	LRV
Bulk landscape supplies	1 space per 50m <sup>2</sup> GFA and outdoor display area.	1 space per 200m <sup>2</sup> of GFA.	n/a	MRV
Caretaker's accommodation	A minimum of 1 space	n/a	n/a	n/a
Child care centre	1 space per 10 children to be used for setting down and picking up of children, with a minimum of 3 car spaces to be provided for set down and collection; plus 1 space per employee. Any drive-through facility can provide tandem short term parking for 3 car spaces for setting down/picking up of children, on the basis that a passing lane is provided and line- marked to be kept clear of standing vehicles at all times.	n/a	n/a	VAN
Club	Unlicensed clubrooms: 1 space per 45m <sup>2</sup> of GFA. Licensed clubrooms: 1 space per 15m <sup>2</sup> of GFA.	1 space per 4 employees.	n/a	Licensed and equal or greater than 1500m <sup>2</sup> : RCV Other: VAN

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
Educational establishment	Primary school or secondary schools: 1 car space per 2 staff members, plus provision of space to be used	Primary school or secondary schools: 1 space per 5	Required for all educational establishments with a GFA	RCV
	for setting down and picking up of students. Tertiary and further education: 1 car space per 2 staff members, plus 1 car space per 10 students, plus provision of space to be used for setting down and picking up of students.	students over year 4. Tertiary and further education: 2 spaces per 50 full time students.	greater than 2000m <sup>2</sup> .	



Food and drink outlet	1 space per 25m <sup>2</sup> GFA and outdoor dining area. or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m <sup>2</sup> of GFA, and outdoor dining area.	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
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
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

Multiple dwelling	If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie Local plan: 1 car space per dwelling unit. If outside Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie Local plan: 1.5 car spaces per dwelling unit In all cases 60% of the car parking area is to be covered.	1 bicycle space per 3 units and 1 visitor bicycle space per 12 units.	n/a	RCV (over 10 units)
Office	1 space per 25m <sup>2</sup> of GFA or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m <sup>2</sup> of GFA	1 space per 200m <sup>2</sup> GFA	Required for all office development with a GFA greater than 2000m <sup>2</sup> .	See Table 9.4.1.3.e
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	Coursing, horse racing, pacing, trotting: 1 space per 5 seated spectators,	Football: 5 space per field.	n/a	RCV

	<p>plus 1 space per 5m<sup>2</sup> of other spectator areas.</p> <p>Football: 50 spaces per field.</p> <p>Lawn bowls: 30 spaces per green.</p> <p>Swimming pool: 15 spaces; plus 1 space per 100m<sup>2</sup> of useable site area.</p> <p>Tennis court or other court game: 4 spaces per court. Golf course: 4 spaces per tee on the course.</p> <p>Note - Use standard for Club for clubhouse component.</p>	<p>Lawn bowls: 5 spaces per green.</p> <p>Swimming pool: 1 space per swimming lane.</p> <p>Tennis court or other court game: 4 space per court.</p> <p>Golf course: 1 space per 15m<sup>2</sup> of GFA for clubhouse component.</p>		
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
Research and technology industry	1 space per 90m <sup>2</sup> 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	n/a	RCV
		Drink Outlet for restaurant component.		
Retirement facility	1 space per dwelling unit; plus 1 visitor space per 5 dwelling units; plus 1 visitor car space per 10 hostel units, nursing home or similar beds, plus 1 car space per 2 staff members; plus 1 car parking space for ambulance parking.	n/a	n/a	LRV
Sales office	A minimum of 1 space.	n/a	n/a	n/a
Service industry	1 space per 90m <sup>2</sup> of GFA.	n/a	n/a	SRV
Service station	1 space per 25m <sup>2</sup> of GFA	n/a	n/a	AV

Shop	1 space per 25m <sup>2</sup> of GFA. or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m <sup>2</sup> of GFA.	1 space per 100m <sup>2</sup> of GFA.	Required for all shops with a GFA greater than 2000m <sup>2</sup> .	See Table 9.4.1.3.d
Shopping centre	1 space per 25m <sup>2</sup> of GFA. or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m <sup>2</sup> of GFA.	1 space per 200m <sup>2</sup> GFA.	Required for all shopping centres with a GFA greater than 2000m <sup>2</sup> .	See Table 9.4.1.3.d
Short term accommodation	If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan: 0.5 car spaces per dwelling unit.  If outside Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan: For up to 5 units: 1 car space per dwelling unit, plus 1 space for visitors and 1 service/staff spaces. For 5 – 10 units: 1 car space per dwelling unit, plus 2 spaces for visitors and 1 service/staff spaces.	1 space per 10 rooms	n/a	SRV

	<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 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 interchangeable with a Multiple dwelling land use, multiple dwelling parking rates apply.</p>			
Showroom	1 space per 50m <sup>2</sup> GFA.	1 space per 200m <sup>2</sup> GFA.	n/a	AV
Special industry	1 space per 90m <sup>2</sup> of GFA.	n/a	n/a	AV
Tourist park	1 car space per caravan site, tent site or cabin; plus 1 visitor car space per 10 caravan sites, tent sites or cabins; plus 1 car space for an on-site manager.	n/a	n/a	LRV
Theatre	<p>Indoor: 1 space per 15m<sup>2</sup> of GFA.</p> <p>Outdoor cinema: 1 space per 5m<sup>2</sup> of designated viewing area, plus 1 car space per 2 employees.</p>	1 space per 200m <sup>2</sup> GFA.	n/a	VAN
Veterinary services	1 space per 50m <sup>2</sup> of GFA.	n/a	n/a	VAN

Warehouse	1 space per 90m <sup>2</sup> of GFA.	n/a	n/a	Where self- storage: RCV Other: AV
Any use not otherwise specified in this table.	Sufficient spaces to accommodate number of vehicles likely to be parked at any one time.	Sufficient spaces to accommodate number of vehicles likely to be parked at any one time.		To be determined

Table 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 AUSTRROADS

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			
	VAN	SRV	MRV	LRV
0-199	-	1	-	-
200 – 599	1	-	1	-
600 – 999	1	1	1	-



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

Table 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.			

## 9.4.2 Advertising devices code

### 9.4.2.1 Application

- (1) This code applies to assessing:
- (a) applications for advertising devices, whether they are associated with material change of use application or are a separate application for operational works;
  - (b) impact assessable development, to the extent relevant.

Note – Home based business signs complying with the Acceptable Outcomes of the Home based business code do not require further planning scheme / local law assessment.

Note – Roadside stall signs complying with the Acceptable Outcomes of the Rural activities code do not require further planning scheme / local law assessment.

Note – The following signs are not regulated by the planning scheme:

- Temporary shop front signs, being any freestanding advertising device that is temporary and easily moved from one position to another and usually utilised during operating hours;
- Temporary community event signs;
- Garage sales signs where displayed on day of sale and face not exceeding 1.2m<sup>2</sup> and not affixed to vegetation or other signage;
- Non-illuminated real estate signs, where sited on and advertising the premises for sale/rent, on an easily removable support structure with a face not exceed 2.4m<sup>2</sup>;
- Signs inside shop windows;
- Election signage;
- Entry statement signs or place name signs;
- Safety signage and other signs of a statutory nature;
- Sporting field fence sign, being any advertising device painted or otherwise affixed to a fence marking the boundaries of a sporting field.

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

### 9.4.2.2 Purpose

- (1) The purpose of the Advertising devices code is to ensure that advertising devices are established in a manner which is consistent with the desired character and amenity of Douglas Shire.
- (2) The purpose of the code will be achieved through the following overall outcomes: (a) an advertising device complements, and does not detract from the desirable characteristics of the natural and built environment in which the advertising device is exhibited;
- (b) Third party advertising devices are not encouraged to establish in the Shire, being contrary to the unique character, lifestyle and environmental attributes of the Shire;
  - (c) an advertising device is designed and integrated into the built form so as to minimise visual clutter;
  - (d) an advertising device does not adversely impact on visual amenity of a scenic route, heritage building or public open space;

- (e) an advertising device does not adversely impact on rural, rural residential, residential, environmental management or conservation areas;
- (f) an advertising device does not pose a hazard for pedestrians, cyclists or drivers of motor vehicles.

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

### 9.4.2.3 Criteria for assessment

Part A - Criteria for self-assessable and assessable development

**Table 9.4.2.3.a – Advertising devices code – self assessable and assessable development**

Performance outcomes	Acceptable outcomes	Compliance
<b>Requirements for all Advertising devices regulated by this planning scheme</b>		
<b>General</b>		
<p><b>PO1</b> An advertising device:</p> <ul style="list-style-type: none"> <li>(a) is compatible with the existing and future planned character of the locality in which it is erected;</li> <li>(b) is compatible with the scale, proportion, bulk and other characteristics of buildings, structures, landscapes and other advertising devices on the site;</li> <li>(c) is of a scale, proportion and form that is appropriate to the streetscape or other setting in which it is located;</li> <li>(d) is sited designed to be compatible with the nature and extent of development and advertising devices on adjoining sites and does not interfere with the reasonable enjoyment of those sites;</li> <li>(e) is sited and designed to:               <ul style="list-style-type: none"> <li>(i) not unduly dominate the visual landscape;</li> <li>(ii) maintain views and vistas of public value; and</li> </ul> </li> </ul>	<p><b>AO1</b> Self-assessable development</p> <p>For self-assessable development, the advertising device complies with the requirements specified in Column 2 of Table 9.4.2.3.b.</p> <p>Assessable development</p> <p>For assessable development, in partial fulfilment of Performance Outcome P1 – the advertising device substantially complies with the requirements specified in Column 2 of Table 9.4.2.3.b – Specific requirements for types of advertising devices.</p> <p>Note – Third party advertising devices, fly-posters, inflatable signs, blimps, bunting/streamers and standing- vehicle signs are not encouraged to establish in Douglas Shire. In most circumstances, these forms of advertising device would:</p> <ul style="list-style-type: none"> <li>(a) be contrary to Performance Outcome PO1 and the applicable specific requirements for advertising devices in this code; and</li> <li>(b) risk compromising the character, lifestyle and</li> </ul>	<p><b>Complies</b></p> <p>All advertising devices comply with the requirements specified in Column 2 of Table 9.4.2.3.b.</p>

<p>(iii) protect the visual amenity of scenic routes;</p> <p>(f) is designed to achieve a high standard of architectural, urban and landscape design, or at least does not detract from the architectural, urban or landscape design standards of a locality; and</p> <p>(g) is designed and sited so as to not contribute to the proliferation of visual clutter.</p>	<p>environmental attributes of the Shire as defined in the Part 3 (Strategic Framework).</p> <p>Note – A planning report and streetscape or landscape analysis prepared by a competent person may be required in support of a development application for a Third party advertising device.</p>	
<b>Illumination, lighting and movement</b>		
<p><b>PO2</b> An advertising device only incorporates illumination and lighting where it:</p> <p>(a) is appropriate to its setting and is compatible with the amenity of the local area;</p> <p>(b) does not cause nuisance or distraction;</p> <p>(c) does not create glare, reflecting or flaring of colours; and</p> <p>(d) will not create a potential safety hazard, including a potential traffic safety hazard.</p>	<p><b>AO2.1</b> The advertising device is only illuminated where it is:</p> <p>(a) located in a Centre zone or an Industry zone, or a Recreation and Open Space zone; and</p> <p>(b) associated with a business that operates at night.</p> <p><b>AO2.2</b> Where an advertising device is illuminated, it:</p> <p>(a) it has a maximum luminance of 350 candelas per m<sup>2</sup>;</p> <p>(b) does not incorporate flashing lights or digital displays; and</p> <p>(c) is switched off between 11.00pm and 5.00am the following day or at any time the business is not operating between these hours.</p>	<p><b>AO2.1 and AO2.2</b> <b>Complies.</b> It is understood, based on advice provided by Town and Country Ltd, that there will be no illuminated signs.</p>
<p><b>PO3</b> An advertising device does not move or incorporate elements that give the impression of movement.</p>	<p><b>AO3</b> The advertising device does not revolve, contain moving parts or have a moving boarder.</p>	<p><b>AO3</b> Complies. No advertising implemented by the Yoga Studio will revolve, contain moving parts or have a moving boarder.</p>
<b>Safety of pedestrians and vehicles</b>		

<p><b>PO4</b> An advertising device is designed so as not to create a traffic or pedestrian safety hazard.</p>	<p><b>AO4.1</b> The advertising device does not physically obstruct the passage of pedestrians or vehicles.</p> <p><b>AO4.2</b> The advertising device does not mimic, and is not able to be confused with, a traffic control device.</p> <p><b>AO4.3</b> The advertising device does not restrict sight lines at intersections or site access points.</p> <p>Note - Refer to Figure 9.4.2.3.a for details.</p> <p><b>AO4.4</b> The advertising device is: (a) appropriately secured and supported so as to cause no injury or damage to persons or property; (b) not on or attached to a tree, telegraph and/or electricity poles, traffic or safety signs.</p>	<p><b>AO4.1</b> Complies. No advertising implemented by the Yoga Studio will physically obstruct the passage of pedestrians or vehicles. In addition, the placement of advertising will be approved by the Town and Country CEO who stipulates that it must be placed only on their property and in a manner so as not to obstruct movement, sight or safety.</p> <p><b>AO4.2</b> Complies. The advertising used by the Yoga Studio will not use any symbols, shapes, words, colours or any other features which could cause the sign to be mistaken for a traffic control device.</p> <p><b>AO4.3</b> Complies. No advertising implemented by the Yoga Studio will obstruct or restrict sight lines at the intersection at the entry of the site, within the onsite carpark or the adjacent carpark. In addition, the placement of advertising will be approved by the Town and Country CEO who stipulates that it must be placed only on their property and in a manner so as not to obstruct movement, sight or safety.</p>
<p><b>Maintenance</b></p>		

<p><b>PO5</b> A high quality appearance of advertising devices is established, and is maintained.</p>	<p><b>AO5</b> Advertising devices (a) are constructed of high quality materials selected for easy maintenance, durability and an ability not to readily stain, discolour or deteriorate; (b) that have stained, discoloured or deteriorated are either: (i) remedied; or (ii) removed.</p>	<p><b>AO5</b> <b>Complies</b> All signage and advertising devices will be designed, constructed and erected by a professional signage organisation located in Port Douglas. The quality and maintenance if the Yoga Studio signs will be a direct reflection of the quality of the Yoga Studio. As such, signage will be cleaned or replaced as required to ensure signs are free from stains, discolouration or obvious deterioration.</p>
<p><b>Additional requirements for Advertising devices in the Conservation zone, the Environmental management zone and the Rural zone north of the Daintree River</b></p>		
<p><b>PO6</b> Advertising devices are high quality, low key in scale, and are reflective of the character of the area and directly promote small-scale lawfully-established businesses.</p>	<p><b>AO6</b> In addition to the requirements contained within the Advertising devices code, where the advertising device is free standing or attached to a fence, the advertising device: (a) has a maximum height of 1.5 metres above ground level; (b) has a maximum width of 1.5 metres; (c) requires no significant vegetation removal to make the advertising device visible;* (d) is directly associated with a lawfully established business conducted on or near the premises;* (e) is non-illuminated; (f) is of colours that are subdued, reflecting the</p>	<p>Not applicable to this application. The Yoga Studio will not be located in the Conservation zone, the Environmental management zone and the Rural zone north of the Daintree River.</p>

	<p>natural character and amenity of the area (colours include the content of the advertising device)^</p> <p>*Note – These requirements may involve a site selection for the advertising device that is not within the premises and this would require further direction from Council.</p> <p>^Note – Signage consisting of representative symbols, as an alternative to text may be considered to be an example of advertising devices that are in keeping with the character of the area.</p>	
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Table 9.4.2.3.b – Specific requirements for types of advertising devices

Advertising device type	Specific requirements
<p><b>Façade sign:</b> An advertising device painted or otherwise affixed to the façade of a building.</p>	<p>(a) does not obscure any window or architectural feature;            (b) does not exceed 25% of the surface area of the wall to which it is attached;            (c) does not project above or beyond the wall to which it is attached;            (d) is not more than 300mm thick.</p>
<p><b>Flush wall sign:</b> An advertising device painted on or otherwise affixed flat to the wall of a building or structure, not being a façade sign.</p>	<p>(a) is erected only in a Centre zone or an Industry zone            (b) does not exceed 25% of the surface area of the wall to which it is attached;            (c) does not project beyond the edges of the wall to which it is attached; (d) does not exceed a maximum sign face of 18m<sup>2</sup>;            (e) does not cover more than 30% of the visible area of the total surface of the wall face; and            (f) is not more than 300mm thick.</p>
<p><b>Projecting sign:</b> An advertising device attached or mounted at an angle to the façade of a building.</p>	<p>(a) is erected only in a Centre zone or an Industry zone;            (b) does not project further than 0.75m from the building line;            (c) has a minimum vertical clearance of 2.4m from the lowest part of the sign to the footpath pavement;            (d) does not exceed a maximum surface area of 1m<sup>2</sup>;            (e) does not project beyond any awning or verandah of the building to which it is attached;            (f) does not protrude above the roofline of the building to which it is attached; and            (g) is limited to a maximum of one sign per premises.</p>

<p><b>Above awning sign:</b> An advertising device located on top of an awning or verandah.</p>	<p>(a) is erected only in a Centre zone or an Industry zone;</p> <p>(b) is only erected where it can be demonstrated that there is no other opportunity to make use of an alternative sign type;</p> <p>(c) has a maximum height above the awning not exceeding 1.2m</p> <p>(d) is of a size and form that is appropriate to the scale and character of the building on which it is exhibited and the development in the locality;</p> <p>(e) is positioned and designed in a manner that is compatible with the architecture of the building to which it is attached.</p> <p>Note – A streetscape or landscape analysis prepared by a competent person may be required in support of a development application for an above awning sign.</p>
<p><b>Created awning sign:</b> An advertising device attached to and extending beyond the fascia of an awning or the like.</p>	<p>(a) is integrated with the design of the building so as to complement its architectural form or style;</p> <p>(b) does not extend more than 500mm above the fascia to which it is attached;</p> <p>(c) does not exceed a sign-face area equivalent to 25% of the area of the awning face; and</p> <p>(d) has a minimum clearance of 2.4 metres between the lowest part of the sign and the footway pavement.</p>
<p><b>Under awning sign:</b> An advertising device attached underneath or suspended from an awning, verandah or the like.</p>	<p>(a) is oriented at right angles to the building frontage;</p> <p>(b) is not more than 2.5 metres long or 600mm high;</p> <p>(c) does not exceed a maximum sign-face area of 1.50m<sup>2</sup>;</p> <p>(d) has a minimum clearance of 2.4 metres between the lowest part of the sign and the footway pavement;</p> <p>(e) one per shop or tenancy and is generally centrally located along the frontage of each shop or tenancy; and</p> <p>(f) is not closer than 3 metres to any other under awning sign or within 1.5 metres of any side property.</p>
<p><b>Created roof sign:</b> An advertising device positioned on a roof, façade or wall of a building which changes the horizontal or angular lines of the roof.</p>	<p>(a) is integrated with the design of the building so as to complement its architectural form and style; and</p> <p>(b) has a maximum height above the surrounding roof line of not more than 1.2 metres.</p>



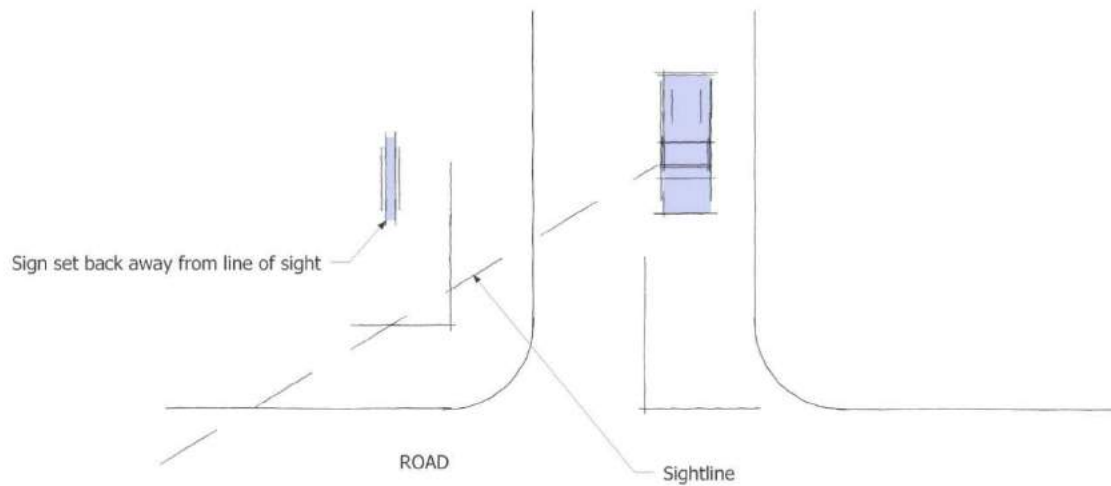
<p><b>Roof top sign:</b> An advertising device fitted to the roof of a building with no relation to the architectural design or appearance of the building.</p>	<ul style="list-style-type: none"> <li>(a) is erected only in a Centre zone or an Industry zone;</li> <li>(b) is only erected where it can be demonstrated that there is no other opportunity to make use of an alternative sign type;</li> <li>(c) is of a size and form that is appropriate to the scale and character of the building on which it is exhibited and the development in the locality;</li> <li>(d) is positioned and designed in a manner that is compatible with the architecture of the building to which it is attached; and</li> <li>(e) does not extend more than 1.2 metres above the roofline to which it is attached.</li> </ul> <p>Note – A streetscape or landscape analysis prepared by a competent person may be required in support of a development application for a roof top sign.</p>
<p><b>Freestanding signs:</b> An advertising device normally elevated from the ground and supported by one or more vertical supports used to display advertising matter, including billboards, pylon, three-dimensional and other freestanding signs.</p>	<ul style="list-style-type: none"> <li>(a) do not exceed the maximum height and sign-face area requirements set out in Table 9.4.2.3.c – Maximum height and sign-face area of billboard and pylon signage</li> <li>(b) ensure than not more than one freestanding sign is erected on any site (including a site with multiple occupancy buildings), except for a free standing sign, which:-                         <ul style="list-style-type: none"> <li>(i) identifies access to a site;</li> <li>(ii) is not more than 1.5 metres in height; and</li> <li>(iii) has a maximum surface area of 2m<sup>2</sup>/side; and</li> </ul> </li> <li>(c) notwithstanding any other provisions of this code:                         <ul style="list-style-type: none"> <li>(i) are consistent with the streetscape character of the area; (ii) are of a scale and proportion consistent with the existing development and predominant land use in the area;</li> <li>(iii) are presented and designed to a proportional and uniform detail; and</li> <li>(iv) do not detract from or obscure any important view or vista.</li> </ul> </li> </ul> <p>Note – A streetscape or landscape analysis prepared by a competent person may be required in support of a development application for a three-dimensional sign.</p>

Table 9.4.2.3.c – Maximum height and sign-face area of billboard and pylon signage

Zone	Maximum height	Maximum sign-face area/side
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Centre zone and Industry zone	(a) Where total street frontage is less than 40 metres: 5m. or (b) Where total street frontage is 40 metres or greater: 7.5m.	(a) Where total street frontage is less than 40 metres: 10m <sup>2</sup> or (b) Where total street frontage is 40 metres or greater: 15m <sup>2</sup> .
Any other zone	5m.	10m <sup>2</sup> .

Figure 9.4.2.3.a – Sightlines for Advertising devices



## 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	Compliance
<b>For self-assessable and assessable development</b>		
<b>Works on a local government road</b>		
<p><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.</p>	<p><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.</p> <p><b>AO1.2</b> Kerb ramp crossovers are constructed in accordance with Planning scheme policy SC 5 – FNQROC Regional Development Manual.</p> <p><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.</p> <p><b>AO1.4</b> Where existing footpaths are damaged as a result of development, footpaths are reinstated ensuring: (a) similar surface finishes are used; (b) there is no change in level at joins of new and existing sections;</p>	<p>Not relevant to this application. The development that is the subject of this Planning Report does not include any works on any government roads or property.</p>

	<p>(c) new sections are matched to existing in terms of dimension and reinforcement.</p> <p>Note – Figure 9.4.5.3.a provides guidance on meeting the outcomes.</p> <p><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.</p>	
<b>Accessibility structures</b>		
<p><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.</p> <p>Note – Accessibility features are those features required to ensure access to premises is provided for people of all abilities and include ramps and lifts.</p>	<p><b>AO2.1</b> Accessibility structures are not located within the road reserve.</p> <p><b>AO2.2</b> Accessibility structures are designed in accordance with AS1428.3.</p> <p><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 within the road reserve.</p>	<p><b>AO2.1</b> Complies. The proposed Yoga Studio will be accessible to people of all abilities. The Studio has double opening front doors to enable wheelchair access if required. In addition, the entry way is flat and can be easily navigated by the elderly or other people with mobility issues.</p> <p>Note, it is highly unlikely that people requiring a wheelchair will attend the Yoga Studio.</p> <p><b>AO2.2</b> Not applicable to this Planning Report. The development that is the subject of this Planning Report does not include infrastructure design or construction of any accessibility structures.</p> <p><b>AO2.3</b> Not applicable to this Planning Report. The development that is the subject of this Planning Report does not include retrofitting any accessibility structures.</p>
<b>Water supply</b>		

<p><b>PO3</b> An adequate, safe and reliable supply of potable, fire fighting and general use water is provided.</p>	<p><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;</p> <p>or</p> <p><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.</p>	<p><b>AO3.1</b> Complies. The proposed Yoga Studio will be 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. Note that the water supply infrastructure is the responsibility of the Town and Country complex and will not be changed in anyway during the Yoga Studio renovation activities.</p>
<b>Treatment and disposal of effluent</b>		
<p><b>PO4</b> Provision is made for the treatment and disposal of effluent to ensure that there are no adverse impacts on water quality and no adverse ecological impacts as a result of the system or as a result of increasing the cumulative effect of systems in the locality.</p>	<p><b>AO4.1</b> The site is connected to Council's sewerage system and the extension of or connection to the sewerage system is designed and constructed in accordance with the Design Guidelines set out in Section D7 of the Planning scheme policy SC5 – FNQROC Regional Development Manual;</p> <p>or</p> <p><b>AO4.2</b> Where not in a sewerage scheme area, the proposed disposal system meets the requirements of Section 33 of the <i>Environmental Protection Policy (Water) 1997</i> and the proposed</p>	<p><b>AO4.1</b> Complies. The site at which the proposed Yoga Studio is connected to Council's sewerage system and the extension of or connection to the sewerage system is designed and constructed in accordance with the Design Guidelines set out in Section D7 of the Planning scheme policy SC5 – FNQROC Regional Development Manual. Note that the sewage system and associated infrastructure is the responsibility of the Town and Country complex and will not be changed in anyway during the Yoga Studio renovation activities.</p>

	on site effluent disposal system is designed in accordance with the <i>Plumbing and Drainage Act (2002)</i> .	
<b>Stormwater quality</b>		
<p><b>PO5</b> Development is planned, designed, constructed and operated to avoid or minimise adverse impacts on stormwater quality in natural and developed catchments by:</p> <ul style="list-style-type: none"> <li>(a) achieving stormwater quality objectives;</li> <li>(b) protecting water environmental values;</li> <li>(c) maintaining waterway hydrology.</li> </ul>	<p><b>AO5.1</b> A connection is provided from the premises to Council’s drainage system;</p> <p>or</p> <p><b>AO5.2</b> An underground drainage system is constructed to convey stormwater from the premises to Council’s drainage system in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p><b>AO5.3</b> A stormwater quality management plan is prepared, and provides for achievable stormwater quality treatment measures meeting design objectives listed in Table 9.4.5.3.b and Table 9.4.5.3.c, reflecting land use constraints, such as: (a) erosive, dispersive and/or saline soil types; (b) landscape features (including landform); (c) acid sulfate soil and management of nutrients of concern; (d) rainfall erosivity.</p> <p><b>AO5.4</b> Erosion and sediment control practices are designed, installed, constructed, monitored, maintained, and carried out in accordance with an erosion and sediment control plan.</p> <p><b>AO5.5</b></p>	<p><b>AO5.1 to AO5.5</b> <b>Not applicable to this application.</b> The underground drainage system and associated infrastructure is the responsibility of the Town and Country complex and will not be changed in anyway during the Yoga Studio renovation activities.</p> <p>PO5 Complies. The renovation of Shop 2 will have no adverse impacts on storm water quality.</p>

	<p>Development incorporates stormwater flow control measures to achieve the design objectives set out in Table 9.4.5.3.b and Table 9.4.5.3.c, including management of frequent flows, peak flows, and construction phase hydrological impacts.</p> <p>Note – Planning scheme policy SC5 – FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p>Note – During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.</p>	
<b>Non-tidal artificial waterways</b>		
<p><b>PO6</b> Development involving non-tidal artificial waterways is planned, designed, constructed and operated to:</p> <ul style="list-style-type: none"> <li>(a) protect water environmental values;</li> <li>(b) be compatible with the land use constraints for the site for protecting water environmental values;</li> <li>(c) be compatible with existing tidal and non-tidal waterways;</li> <li>(d) perform a function in addition to stormwater management;</li> <li>(e) achieve water quality objectives.</li> </ul>	<p><b>AO6.1</b> Development involving non-tidal artificial waterways ensures:</p> <ul style="list-style-type: none"> <li>(a) environmental values in downstream waterways are protected;</li> <li>(b) any ground water recharge areas are not affected;</li> <li>(c) the location of the waterway incorporates low lying areas of the catchment connected to an existing waterway;</li> <li>(d) existing areas of ponded water are included.</li> </ul> <p><b>AO6.2</b> Non-tidal artificial waterways are located:</p> <ul style="list-style-type: none"> <li>(a) outside natural wetlands and any associated buffer areas;</li> <li>(b) to minimise disturbing soils or sediments;</li> <li>(c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas.</li> </ul> <p><b>AO6.3</b></p>	<p>Not applicable. There will be no non-tidal artificial waterways planned, designed, constructed or operated during or resulting from the renovation of the Yoga Studio.</p>



	<p>Non-tidal artificial waterways located adjacent to, or connected to a tidal waterway by means of a weir, lock, pumping system or similar ensures:</p> <ul style="list-style-type: none"> <li>(a) there is sufficient flushing or a tidal range of &gt;0.3 m; or</li> <li>(b) any tidal flow alteration does not adversely impact on the tidal waterway; or</li> <li>(c) there is no introduction of salt water into freshwater environments.</li> </ul> <p><b>AO6.4</b> Non-tidal artificial waterways are designed and managed for any of the following end-use purposes:</p> <ul style="list-style-type: none"> <li>(a) amenity (including aesthetics), landscaping or recreation; or</li> <li>(b) flood management, in accordance with a drainage catchment management plan; or</li> <li>(c) stormwater harvesting plan as part of an integrated water cycle management plan; or</li> <li>(d) aquatic habitat.</li> </ul> <p><b>AO6.5</b> The end-use purpose of the non-tidal artificial waterway is designed and operated in a way that protects water environmental values.</p> <p><b>AO6.6</b> Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway.</p> <p><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.</p>	
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Wastewater discharge		
<p><b>PO7</b> Discharge of wastewater to waterways, or off site:</p> <ul style="list-style-type: none"> <li>(a) meets best practice environmental management;</li> <li>(b) is treated to: <ul style="list-style-type: none"> <li>(i) meet water quality objectives for its receiving waters;</li> <li>(ii) avoid adverse impact on ecosystem health or waterway health;</li> <li>(iii) maintain ecological processes, riparian vegetation and waterway integrity;</li> <li>(iv) offset impacts on high ecological value waters.</li> </ul> </li> </ul>	<p><b>AO7.1</b> A wastewater management plan is prepared and addresses:</p> <ul style="list-style-type: none"> <li>(a) wastewater type;</li> <li>(b) climatic conditions;</li> <li>(c) water quality objectives;</li> <li>(d) best practice environmental management.</li> </ul> <p><b>AO7.2</b> The waste water management plan is managed in accordance with a waste management hierarchy that:</p> <ul style="list-style-type: none"> <li>(a) avoids wastewater discharge to waterways; or</li> <li>(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.</li> </ul> <p><b>AO7.3</b> Wastewater discharge is managed to avoid or minimise the release of nutrients of concern so as to minimise the occurrence, frequency and intensity of algal blooms.</p> <p><b>AO7.4</b> Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and:</p> <ul style="list-style-type: none"> <li>(a) avoids lowering ground water levels where potential or actual acid sulfate soils are present;</li> <li>(b) manages wastewater so that: <ul style="list-style-type: none"> <li>(i) the pH of any wastewater discharges is maintained between 6.5 and 8.5 to avoid mobilisation of acid, iron, aluminium and other metals;</li> </ul> </li> </ul>	<p>Not applicable.</p> <p>There will be no wastewater discharges resulting from the Yoga Studio activities.</p>

	<ul style="list-style-type: none"> <li>(ii) holding times of neutralised wastewater ensures the flocculation and removal of any dissolved iron prior to release;</li> <li>(iii) visible iron floc is not present in any discharge;</li> <li>(iv) precipitated iron floc is contained and disposed of;</li> <li>(v) wastewater and precipitates that cannot be contained and treated for discharge on site are removed and disposed of through trade waste or another lawful method.</li> </ul>	
<b>Electricity supply</b>		
<p><b>PO8</b> Development is provided with a source of power that will meet its energy needs.</p>	<p><b>AO8.1</b> A connection is provided from the premises to the electricity distribution network;</p> <p>or</p> <p><b>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.</p> <p>Note - Areas north of the Daintree River have a different standard.</p>	<p><b>AO8.1</b> Complies. Town and Country provides a connection for the Yoga Studio site to the electricity distribution network.</p>
<p><b>PO9</b> Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.</p>	<p><b>AO9.1</b> Pad-mount electricity infrastructure is:</p> <ul style="list-style-type: none"> <li>(a) not located in land for open space or sport and recreation purposes;</li> <li>(b) screened from view by landscaping or fencing;</li> <li>(c) accessible for maintenance.</li> </ul> <p><b>AO9.2</b></p>	<p><b>Not applicable.</b> <b>The development that is the subject of this application does not incorporate pad-mount electricity infrastructure.</b></p>

	<p>Pad-mount electricity infrastructure within a building, in a Town Centre is designed and located to enable an active street frontage.</p> <p>Note – Pad-mounts in buildings in activity centres should not be located on the street frontage.</p>	
<b>Telecommunications</b>		
<p><b>PO10</b> Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.</p>	<p><b>AO10</b> The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.</p>	<p><b>AO10</b> Not applicable. There will be no telecommunication services installed at the site.</p>
<p><b>PO11</b> Provision is made for future telecommunications services (e.g. fibre optic cable).</p>	<p><b>AO11</b> Conduits are provided in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.</p>	<p>Not applicable. There will be no telecommunication services installed at the site.</p>
<b>Road construction</b>		
<p><b>PO12</b> The road to the frontage of the premises is constructed to provide for the safe and efficient movement of:</p> <ul style="list-style-type: none"> <li>(a) pedestrians and cyclists to and from the site;</li> <li>(b) pedestrians and cyclists adjacent to the site;</li> <li>(c) vehicles on the road adjacent to the site;</li> <li>(d) vehicles to and from the site;</li> <li>(e) emergency vehicles.</li> </ul>	<p><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.</p> <p><b>AO12.2</b> There is existing road, kerb and channel for the full road frontage of the site.</p> <p><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.</p>	<p>Not applicable. There will be no road construction as part of this development. There will be no changes to the existing road, kerb or channel.</p> <p>It is assumed that the existing road adjacent to the site, which is not part of this application or development, meets the relevant Acceptable Outcomes and Performance Outcomes.</p>
<b>Alterations and repairs to public utility services</b>		
<p><b>PO13</b> Infrastructure is integrated with, and efficiently extends, existing networks.</p>	<p><b>AO13</b> Development is designed to allow for efficient connection to existing infrastructure networks.</p>	<p>Not applicable.</p>

		There will be no alternations or repairs to public utility services or infrastructure networks as part of this development.
<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>AO14.1</b> Complies.  There will be no need to alter or repair any Public utility mains, services and installations as part of this development.
<b>Construction management</b>		
<b>PO15</b> Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be retained.	<b>AO15</b> Works include, at a minimum: (a) installation of protective fencing around retained vegetation during construction; (b) erection of advisory signage; (c) no disturbance, due to earthworks or storage of plant, materials and equipment, of ground level and soils below the canopy of any retained vegetation; (d) removal from the site of all declared noxious weeds.	<b>AO15</b> Not applicable.  The renovations being undertaken in Shop 2 will not have any impact on vegetation. There is no vegetation surrounding the site of the proposed Yoga Studio.
<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.	Not applicable.  There will be no construction activities as part of this renovation. Therefore existing infrastructure will not be damaged by construction activities

	Note - Construction, alterations and any repairs to State-controlled roads and rail corridors are undertaken in accordance with the Transport Infrastructure Act 1994.	
<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.	Not applicable. There will be no infrastructure development as part of this project.
<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.	Not applicable. There will be no trade waste generated through the activities at the Yoga Studio. The majority of waste will be small amounts of paper which will be recycled. It is expected that yoga mats will need to be replaced every 5 years. These will also be recyclable and disposed of at the local Transfer Station.
<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>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.	Not applicable. The development that is the subject of this application does not include the placement of fire hydrants in common private or public areas. This is the responsibility of Town and Country.

	Above ground fire hydrants have dual-valved outlets.	
<p><b>PO20</b> 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> No acceptable outcomes are prescribed.</p>	<p>Not applicable. The development that is the subject of this application does not include the maintenance of fire hydrants in common private or public areas. This is the responsibility of Town and Country.</p>

Table 9.4.5.3.b – Stormwater management design objectives (Construction phase).

Issue	Design objectives
<p><b>Drainage control</b> (Temporary drainage works)</p>	<p>(a) Design life and design storm for temporary drainage works:                      (i) Disturbed open area for &lt;12 months – 1 in 2 year ARI event;                      (ii) Disturbed open area for 12-24 months – 1 in 5 year ARI event;                      (iii) Disturbed open area for &gt;24 months – 1 in 10 year ARI event.                      (b) Design capacity excludes minimum 150mm freeboard.                      (c) Temporary culvert crossing – minimum of 1 in 1-year ARI hydraulic capacity.</p>
<p><b>Erosion control</b> (Erosion control measures)</p>	<p>(a) Minimise exposure of disturbed soils at any time.                      (b) Divert water run-off from undisturbed areas around disturbed areas.                      (c) Determine erosion risk rating using local rainfall erosivity, rainfall depth, soil loss rate or other acceptable methods.                      (d) Implement erosion control methods corresponding to identified erosion risk rating.</p>

<p><b>Sediment control measures</b> (sediment control measures, design storm for sediment control basins, Sediment basin dewatering)</p>	<p>(a) Determine appropriate sediment control measures using:</p> <ul style="list-style-type: none"> <li>(i) potential soil loss rate; or</li> <li>(ii) monthly erosivity; or</li> <li>(iii) average monthly rainfall.</li> </ul> <p>(b) Collect and drain stormwater from disturbed soils to sediment basin for design storm event:</p> <ul style="list-style-type: none"> <li>(i) design storm for sediment basin sizing is 80th% five-day event or similar.</li> </ul> <p>(c) Site discharge during sediment basin dewatering:</p> <ul style="list-style-type: none"> <li>(i) TSS &lt; 50mg/L TSS;</li> <li>(ii) Turbidity not &gt; 10% receiving water's turbidity;</li> <li>(iii) pH 6.5-8.5.</li> </ul>
<p><b>Water quality</b> (Litter and other waste, hydrocarbons and other contaminants)</p>	<p>(a) Avoid wind-blown litter; remove grass pollutants. (b) Ensure there is no visible oil or grease sheen on released waters. (c) Dispose of waste containing contaminants at authorised facilities.</p>
<p><b>Waterway stability and flood flow management</b> (Changes to the natural hydraulics and hydrology)</p>	<p>(a) For peak flow for the 100% AEP event and 1% AEP event, use constructed sediment basins to attenuate the discharge rate of stormwater from the site.</p>

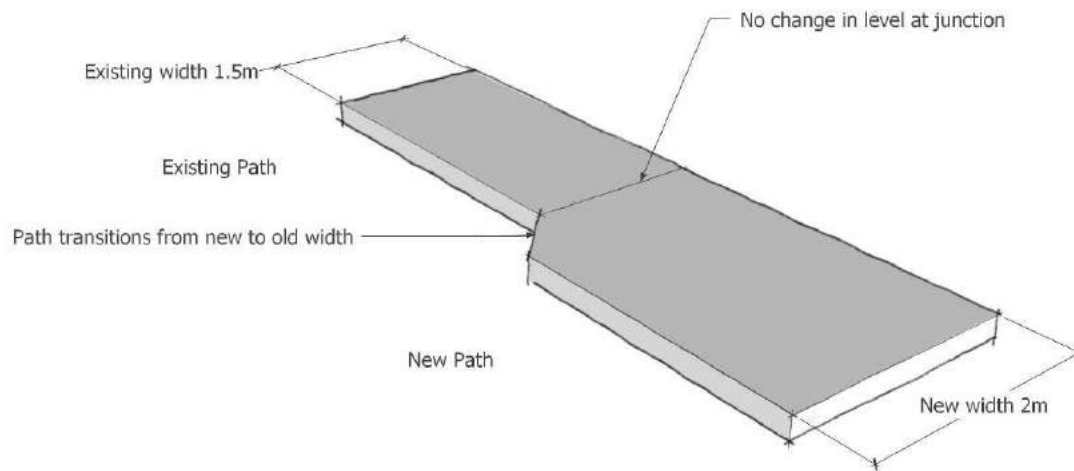
Table 9.4.5.3.c – Stormwater management design objectives (post-construction phase)

Design objectives				Application
Minimum reductions in mean annual load from unmitigated development (%)				
Total suspended solids (TSS)	Total phosphorus (TP)	Total nitrogen (TN)	Gross pollutants >5mm	
80	60	40	90	<p>Development for urban purposes</p> <p>Excludes development that is less than 25% pervious.</p>



				<p>In lieu of modelling, the default bio-retention treatment area to comply with load reduction targets of 1.5% of contributing catchment area.</p>
<p>Water stability management                  (a) Limit peak 100% AEP event discharge within the receiving waterway to the pre-development peak 100% AEP event discharge.</p>				<p>Catchments contributing to un-lined receiving waterway. Degraded waterways may seek alternative discharge management objectives to achieve waterway stability.</p> <p>For peak flow for the 100% AEP event, use co-located storages to attenuate site discharge rate of stormwater.</p>

Figure 9.4.5.3.a – New footpath sections



## 9.4.6 Landscaping code

### 9.4.6.1 Application

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

### 9.4.6.2 Purpose

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

**9.4.6.3 Criteria for assessment**

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

Performance outcomes	Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>		
<b>Landscape design</b>		
<p><b>PO1</b>                      Development provides landscaping that contributes to and creates a high quality landscape character for the site, street and local areas of the Shire by:</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 useable;</li> <li>(h) providing long term soil erosion protection;</li> <li>(i) providing a safe environment;</li> </ul>	<p><b>AO1</b>                      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>Not applicable.                      The development that is the subject of this application does not include any landscaping.</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> 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> 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>AO2.2</b> 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>Not applicable. The development that is the subject of this application does not include any landscaping.</p>
<p><b>PO3</b> Development provides landscaping that is , as far as practical, consistent with the existing desirable landscape character of the area and protects trees, vegetation and other features of ecological, recreational, aesthetic and cultural value.</p> <p><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.</p>	<p><b>AO3.1</b> Existing vegetation on site is retained and incorporated into the site design, wherever possible, utilising the methodologies and principles outline in AS4970-2009 Protection of Trees on Development Sites.</p> <p><b>AO3.2</b> Mature vegetation on the site that is removed or damaged during development is replaced with advanced species.</p> <p><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.</p>	<p>Not applicable. The development that is the subject of this application does not include any landscaping.</p>

	<p><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.</p> <p><b>AO4</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.</p>	
<p><b>PO5</b> Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal roadways.</p>	<p><b>AO5</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.</p>	<p>Not applicable. The development that is the subject of this application does not include any landscaping.</p>
<p><b>PO6</b> Landscaped areas are designed in order to allow for efficient maintenance.</p>	<p><b>AO6.1</b> A maintenance program is undertaken in accordance with Planning scheme policy SC6.7 – Landscaping.</p> <p><b>AO6.2</b> Tree maintenance is to have regard to the ‘Safe Useful Life Expectancy of Trees (SULE).’</p> <p>Note – It may be more appropriate to replace trees with a SULE of less than 20 years (as an example), and replant with younger healthy species.</p>	<p>Not applicable. The development that is the subject of this application does not include any landscaping.</p>
<p><b>PO7</b> Podium planting is provided with appropriate species for long term survival and ease of maintenance, with beds capable of proper drainage.</p>	<p><b>AO7.1</b> Podium planting beds are provided with irrigation and are connected to stormwater infrastructure to permit flush out.</p> <p><b>AO7.2</b> Species of plants are selected for long term performance designed to suit the degree of</p>	<p>Not applicable. The development that is the subject of this application does not include any landscaping.</p>

	access to podiums and roof tops for maintenance.	
<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.	Not applicable. The development that is the subject of this application does not include any landscaping.
<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.	Not applicable. The development that is the subject of this application does not include any landscaping.
<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.	Not applicable. The development that is the subject of this application does not include any landscaping.