

Rachael Apperley

From: Owen Caddick-King <owen.caddick-king@rpsgroup.com.au>
Sent: Thursday, 30 August 2018 9:22 PM
To: Enquiries
Cc: Neil Beck; Daniel Lamond
Subject: Proposed Boundary Re-alignment, Murphy St, Port Douglas
Attachments: L77870.pdf

Hello Daniel and Neil

Please find attached a copy of the Development Application for the Boundary Re-alignment in respect of the land at Murphy Street that we have discussed.

Please forward a copy of Council's invoice for the Application Fee and we will arrange payment.

Should you seek to discuss any aspect of the proposal, do not hesitate to contact me in the Cairns office.

Regards



Owen Caddick-King
Principal - Planning
Australia Asia Pacific

135 Abbott Street, Cairns, QLD, Australia, 4870
PO Box 1949, Cairns, QLD 4870.

T: +61 7 4031 1336

F: +61 7 4031 2942

E: owen.caddick-king@rpsgroup.com.au

W: rpsgroup.com.au

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Cairns Office
135 Abbott Street, Cairns QLD 4870
PO Box 1949, Cairns QLD 4870
T +61 7 4031 1336

RPS Australia East Pty Ltd ABN 44 140 292 762
A member of the RPS Group Plc

Date: 28 August 2018
Our Ref: PR141528/OCK/IL/L77870
Via: E-mail Neil.Beck@douglas.qld.gov.au

Attn: Mr Neil Beck
Chief Executive Officer
Douglas Shire Council
PO Box 723
MOSSMAN QLD 4873

Dear Neil,

RE: APPLICATION FOR DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT (BOUNDARY REALIGNMENT) OVER LAND LOCATED AT MURPHY STREET, PORT DOUGLAS, FORMALLY DESCRIBED AS LOT 22 ON SP161481 AND LOT 132 ON PTD2094

RPS Australia East Pty Ltd confirms that we act on behalf of VHPD Investments Pty Ltd (the 'applicant' and 'owner' of the land) to prepare and lodge the abovementioned Development Application with Douglas Shire Council.

This application seeks development approval for a Reconfiguration of a Lot to realign the boundary between Lot 22 on SP161481 and Lot 132 on PTD2094 to increase the size of Lot 22 and improve the utility of the land for the future development of a Dwelling House while also improving the opportunity for the future development of a Dwelling House on the land to be more consistent with the Planning Scheme's provisions.

In support of this application, please find attached the following:

- The completed Development Application Form, included as **Attachment A**;
- Certificates of Title, included as **Attachment B**;
- RPS Drawing PR141528-1, included as **Attachment C**;
- The Planning Scheme Code Compliance Assessment provided for reference in **Attachment D**; and
- The following details to facilitate Council's assessment of the proposal.

Please forward Council's invoice for the development application fee of \$950.00 to the undersigned and address the invoice to VHPD Investments Pty Ltd as the payee and payment of the fee will be arranged.

1.0 Site Information

1.1 Site Details

Key details of the subject site include:

Address:	40 Murphy Street, Port Douglas
Real Property Description:	Lot 22 on SP161481 and Lot 132 on PTD2094
Land Area:	3,023m ²
Land Owners:	VHPD Investments Pty Ltd



Easements / Encumbrances: Yes – refer to Certificate of Title in **Attachment B** and RPS Drawing PR141528-1 in **Attachment C**

1.2 Planning Context

The planning context relating to the site includes:

Planning Scheme Zone and Local Plan: Environmental Management Zone
Port Douglas / Craiglie Local Plan

Relevant Overlays: Bushfire Hazard Overlay
Hillslope Overlay
Landscape Values Overlay
Natural Areas Overlay
Potential Landslip Hazard Overlay

1.3 Site Characteristics

Topography: The land comprises part of the Flagstaff Hill hillslopes.

Vegetation: Vegetation on the site comprises of a number of well-established trees and undergrowth.

Waterways: Nil

Road Frontage: The existing Dwelling House on Lot 132 PTD2094 gains road access via Island Point Road and the lower portion of Lot 132 PTD has a frontage of 30.175m to Murphy Street. Lot 22 SP161481 has a frontage of 30.175 to Murphy Street

Existing Use: A Dwelling House exists on Lot 132 PTD2094 which gains road access via Island Point Road. The lower portion of Lot 132 PTD that fronts Murphy Street and Lot 22 SP161481 are currently not developed.

1.4 Surrounding Land Uses

Land in the immediate surrounds appears to be either large scale Dwelling Houses on a lot or Multiple Dwelling development potentially for residential or tourist accommodation purposes. The adjoining Lot 131 on PTD2094 is currently not developed and future development on the land is expected to be for the purposes of a Dwelling House.

2.0 Application Details

Key application details for the subject development are:

Aspects of the Development Sought: Development Permit for Reconfiguration of a Lot (Boundary Realignment).

Applicant: VHPD Investments Pty Ltd
C/- RPS Australia East Pty Ltd

Contact: Owen Caddick-King
C/- RPS Australia East Pty Ltd

3.0 Proposed Development

The development application seeks a development permit to re-align the boundary between Lot 22 on SP161481 and Lot 132 on PTD2094, to allow an undeveloped portion of Lot 132 to be added to Lot 22 to increase the size of Lot 22 and improve the utility of the land for the future development of a Dwelling House while also improving the opportunity for the future development of a Dwelling House on the land to be more consistent with the Planning Scheme's provisions. The Reconfiguration (Boundary Re-alignment) Proposal Plan provided for reference in **Attachment C** details the proposed development.

4.0 Legislative Requirements

4.1 Planning Act 2016

This section provides an overview of the legislative context of the development application under the provisions of the *Planning Act 2016*.

4.1.1 Confirmation that development is not prohibited

The proposed development is not prohibited. This has been established by considering all relevant instruments which can provide prohibitions under the *Planning Act 2016*.

4.1.2 Assessable Development

The development proposed by this application is "assessable development" pursuant to section 43 of the *Planning Act 2016*.

4.1.3 Assessment Manager

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

4.1.4 Level of Assessment

The table below summarises the level of assessment under the provisions of Douglas Shire Council Planning Scheme 2018:

Aspect of Development	Local Categorising Instrument that determines Level of Assessment	Level of Assessment
Reconfiguration of a Lot (Boundary Realignment)	Douglas Shire Planning Scheme 2018	Code Assessable

4.1.5 Referral Agencies

No referrals are triggered by the proposed development.

4.1.6 Public Notification

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

5.0 Statutory Planning Assessment

5.1 Regional Plan

Section 2.2 of the Planning Scheme states that, “*The minister has identified that the planning scheme appropriately advances the Far North Queensland Regional Plan 2009-2031, as it applies in the planning scheme area*”. Therefore, assessment against the applicable Planning Scheme provisions will address any relevant Regional Plan matters.

5.2 State Planning Policies

As outlined in Part 2 of the Douglas Shire Planning Scheme, all relevant aspects of the State Planning Policy have been adequately reflected in Council’s current Planning Scheme. Accordingly, assessment against the applicable Planning Scheme provisions will address any relevant State Issues.

5.3 State Development Assessment Provisions

Given that no referrals are triggered by the proposed development, no State Development Assessment Provisions are applicable to the proposed boundary realignment.

5.4 Planning Scheme

Under Douglas Shire Planning Scheme 2018, the subject site is included within the Environmental Management Zone where reconfiguration development is code assessable and the boundary re-alignment proposal is consistent with Environmental Management Zone Code provision given that no additional lots are created.

The boundary re-alignment proposal has been assessed against the applicable Planning Scheme Codes and the Code Compliance Assessment is provided for reference in **Attachment D**. The Code Assessment has identified that the proposed boundary re-alignment is consistent with either the applicable Code’s Performance Outcomes or Acceptable Outcomes and given the nature of the boundary re-alignment proposal, which;

- 1) Includes Lot 22 on SP161481 that has been created reasonably recently with service infrastructure adequate for future development on the land;
- 2) Previous development approved on Lot 22 on SP161481 confirms that development can be undertaken on the land while retaining existing established trees and not causing a visual impact or land stability issues;
- 3) Should improve the opportunity for development on Proposed Lot 22 to be consistent with the current Planning Scheme provisions; and
- 4) Provides a larger site for the development of a Dwelling House which is code assessable and will allow Council’s assessment of the more detailed building design and siting considerations;

It is expected that the boundary re-alignment can be approved with limited requirements.

6.0 Conclusions and Recommendations

This submission has been prepared on behalf of VHPD Investments Pty Ltd (the 'applicant' and 'owner' of the land) to seek approval for Reconfiguration of a Lot (Boundary Realignment) over land located at Murphy Street, Port Douglas, formally described as Lot 22 on SP161481 and Lot 132 on PTD2094.

The boundary re-alignment application seeks approval to realign the boundary between Lot 22 on SP161481 and Lot 132 on PTD2094 to increase the size of Lot 22 and improve the utility of the land for the future development of a Dwelling House while also improving the opportunity for the future development of a Dwelling House on the land to be more consistent with the Planning Scheme's provisions.

The proposal is consistent with the Planning Scheme's provisions and is recommended for approval.

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

Yours sincerely
RPS



Owen Caddick-King
Principal Planner

enc: **Attachment A:** Completed Development Application Form 1
Attachment B: Certificate of Titles
Attachment C: RPS Drawing PR141528-1
Attachment D: Planning Scheme Code Compliance Assessments



Attachment A

Completed Development Application Form I

DA Form 1 – Development application details

Approved form (version 1.1 effective 22 JUNE 2018) made under section 282 of the Planning Act 2016.

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

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

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

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) <i>(individual or company full name)</i>	VHPD Investments Pty Ltd C/- RPS Australia East Pty Ltd
Contact name <i>(only applicable for companies)</i>	Owen Caddick-King
Postal address <i>(P.O. Box or street address)</i>	PO Box 1949
Suburb	Cairns
State	Queensland
Postcode	4870
Country	Australia
Contact number	(07) 4031 1336
Email address <i>(non-mandatory)</i>	Owen.caddick-king@rpsgroup.com.au
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	PR141528

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

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

Street address **AND** lot on plan (all lots must be listed), **or**

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		40	Murphy Street	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	22	SP161481	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
			Murphy Street	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	132	PTD2094	Douglas Shire Council

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

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

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

In a tidal area

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

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

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

Name of airport:

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

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

Yes – All easement locations, types and dimensions are included in plans submitted with this development application

No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect	
a) What is the type of development? <i>(tick only one box)</i>	
<input type="checkbox"/> Material change of use	<input checked="" type="checkbox"/> Reconfiguring a lot
<input type="checkbox"/> Operational work	<input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>	
<input checked="" type="checkbox"/> Development permit	<input type="checkbox"/> Preliminary approval
	<input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?	
<input checked="" type="checkbox"/> Code assessment	<input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots)</i> :	
Reconfiguration of a Lot (Boundary Realignment – 2 Lots into 2 Lots).	
e) Relevant plans	
<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 type="checkbox"/> Relevant plans of the proposed development are attached to the development application	
6.2) Provide details about the second development aspect	
a) What is the type of development? <i>(tick only one box)</i>	
<input type="checkbox"/> Material change of use	<input type="checkbox"/> Reconfiguring a lot
<input type="checkbox"/> Operational work	<input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>	
<input type="checkbox"/> Development permit	<input type="checkbox"/> Preliminary approval
	<input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?	
<input type="checkbox"/> Code assessment	<input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots)</i> :	
e) Relevant plans	
<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 type="checkbox"/> 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 Yes – complete division 1 if assessable against a local planning instrument

Reconfiguring a lot Yes – complete division 2

Operational work Yes – complete division 3

Building work Yes – complete *DA Form 2 – Building work details*

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use

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

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

Yes

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?

2 lots

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

Subdivision (complete 10))

Dividing land into parts by agreement (complete 11))

Boundary realignment (complete 12))

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?

Yes – provide additional details below

No

How many stages will the works include?

What stage(s) will this development application apply to?

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

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

12) Boundary realignment

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

Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)
Lot 22 on SP161481	1,000m ²	Proposed Lot 22	1,500m ²
Lot 132 on PTD2094	2,023m ²	Proposed Lot 132	1,524m ²

12.2) What is the reason for the boundary realignment?

To increase the size of Lot 22 to improve the utility of the land for the future development of a Dwelling House on the land.

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)

Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement

Division 3 – Operational work

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

14.1) What is the nature of the operational work?

- | | | |
|---|-------------------------------------|--|
| <input type="checkbox"/> Road work | <input type="checkbox"/> Stormwater | <input type="checkbox"/> Water infrastructure |
| <input type="checkbox"/> Drainage work | <input type="checkbox"/> Earthworks | <input type="checkbox"/> Sewage infrastructure |
| <input type="checkbox"/> Landscaping | <input type="checkbox"/> Signage | <input type="checkbox"/> Clearing vegetation |
| <input type="checkbox"/> Other – please specify: <input type="text"/> | | |

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

- Yes – specify number of new lots:
- No

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

\$

PART 4 – ASSESSMENT MANAGER DETAILS

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

Douglas Shire Council

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

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

PART 5 – REFERRAL DETAILS

17) Do any aspects of the proposed development require referral for any referral requirements?

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

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

Matters requiring referral to the **Chief Executive of the Planning Regulation 2017:**

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

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

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

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

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

PART 6 – INFORMATION REQUEST

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

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)			
<input type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input checked="" type="checkbox"/> 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)		
<input type="checkbox"/> Yes – a copy of the receipted QLeave form is attached to this development application <input type="checkbox"/> 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 <input type="checkbox"/> Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)		
Amount paid	Date paid (dd/mm/yy)	QLeave levy number
\$		

22) Is this development application in response to a show cause notice or required as a result of an enforcement notice?
<input type="checkbox"/> Yes – show cause or enforcement notice is attached <input checked="" type="checkbox"/> No

23) Further legislative requirements			
<u>Environmentally relevant activities</u>			
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?			
<input type="checkbox"/> Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below <input checked="" type="checkbox"/> No <i>Note: Application for an environmental authority can be found by searching “ESR/2015/1791” as a search term at www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.</i>			
Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			
<input type="checkbox"/> Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.			
<u>Hazardous chemical facilities</u>			
23.2) Is this development application for a hazardous chemical facility?			
<input type="checkbox"/> Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application <input checked="" type="checkbox"/> No <i>Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.</i>			
<u>Clearing native vegetation</u>			

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

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

No

Note: 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.

2. See <https://www.qld.gov.au/environment/land/vegetation/applying> for further information on how to obtain a s22A determination.

Environmental offsets

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

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

No

Note: The environmental offset section of the Queensland Government's website can be accessed at www.qld.gov.au for further information on environmental offsets.

Koala conservation

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

Yes

No

Note: See guidance materials at www.des.qld.gov.au for further information.

Water resources

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

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

No

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au for further information.

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

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

Waterway barrier works

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

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

No

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

Marine activities

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

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

No

Note: See guidance materials at www.daf.qld.gov.au for further information.

Quarry materials from a watercourse or lake

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

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

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au and www.business.qld.gov.au for further information.

Quarry materials from land under tidal waters

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

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

Note: Contact the Department of Environment and Science at www.des.qld.gov.au for further information.

Referable dams

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

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

Note: See guidance materials at www.dnrme.qld.gov.au for further information.

Tidal work or development within a coastal management district

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

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

Note: See guidance materials at www.des.qld.gov.au for further information.

Queensland and local heritage places

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

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

Note: See guidance materials at www.des.qld.gov.au for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
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Brothels

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

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

Decision under section 62 of the Transport Infrastructure Act 1994

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

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

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist	
I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17 <i>Note: See the Planning Regulation 2017 for referral requirements</i>	<input checked="" type="checkbox"/> Yes
If building work is associated with the proposed development, Parts 4 to 6 of <i>DA 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 <i>Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see DA Forms Guide: Planning Report Template.</i>	<input checked="" type="checkbox"/> Yes
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 (<i>see 21</i>)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable

25) Applicant declaration	
<input checked="" type="checkbox"/> By making this development application, I declare that all information in this development application is true and correct <input checked="" type="checkbox"/> Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the <i>Electronic Transactions Act 2001</i> <i>Note: It is unlawful to intentionally provide false or misleading information.</i>	
<p>Privacy – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website. Personal information will not be disclosed for a purpose unrelated to the <i>Planning Act 2016</i>, <i>Planning Regulation 2017</i> and the <i>DA Rules</i> except where:</p> <ul style="list-style-type: none"> • such disclosure is in accordance with the provisions about public access to documents contained in the <i>Planning Act 2016</i> and the <i>Planning Regulation 2017</i>, and the access rules made under the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i>; or • required by other legislation (including the <i>Right to Information Act 2009</i>); or • otherwise required by law. <p>This information may be stored in relevant databases. The information collected will be retained as required by the <i>Public Records Act 2002</i>.</p>	

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 received form sighted by assessment manager	
Name of officer who sighted the form	



Attachment B

Certificate of Titles

CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 29416628

Search Date: 28/08/2018 09:53

Title Reference: 20590018

Date Created: 09/03/1960

Previous Title: 20043105

REGISTERED OWNER

Dealing No: 718175317 26/07/2017

VHPD INVESTMENTS PTY LTD A.C.N. 615 788 013

ESTATE AND LAND

Estate in Fee Simple

LOT 132 CROWN PLAN PTD2094
Local Government: DOUGLAS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 10366032 (ALLOT 2 SEC 13)
2. EASEMENT No 711856297 13/08/2008 at 14:06
benefiting the land over
EASEMENT D ON SP190079
3. MORTGAGE No 718175318 26/07/2017 at 11:42
NATIONAL AUSTRALIA BANK LIMITED A.B.N. 12 004 044 937

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

COPYRIGHT THE STATE OF QUEENSLAND (NATURAL RESOURCES, MINES AND ENERGY) [2018]
Requested By: D-ENQ URBIS PRO

CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 27806182

Search Date: 23/01/2018 09:59

Title Reference: 50530196

Date Created: 26/11/2004

Previous Title: 20325194

REGISTERED OWNER

Dealing No: 717828976 09/02/2017

VHPD INVESTMENTS PTY LTD A.C.N. 615 788 013

ESTATE AND LAND

Estate in Fee Simple

LOT 22 SURVEY PLAN 161481
Local Government: DOUGLAS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 10366026 (ALLOT 3 SEC 13)
2. EASEMENT No 708026723 03/09/2004 at 10:32
burdening the land to
LOT 23 ON SP161481 OVER EASEMENT A ON SP161481
3. MORTGAGE No 717828977 09/02/2017 at 10:55
NATIONAL AUSTRALIA BANK LIMITED A.B.N. 12 004 044 937

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

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Requested By: D-ENQ URBIS PRO



Attachment C

RPS Drawing PR141528-1

IMPORTANT NOTE

- This plan was prepared for the sole purposes of the client for the specific purpose of accompanying an application to the Douglas Shire Council for a reconfiguration of a lot described on this plan. This plan is strictly limited to the Purpose and does not apply directly or indirectly and will not be used for any other application, purpose, use or matter. The plan is presented without the assumption of a duty of care to any other person (other than the Client) ("Third Party") and may not be relied on by Third Party.
- RPS Australia East Pty Ltd will not be liable (in negligence or otherwise) for any direct or indirect loss, damage, liability or claim arising out of or incidental to:
 - Third Party publishing, using or relying on the plan;
 - RPS Australia East Pty Ltd relying on information provided to it by the Client or a Third Party where the information is incorrect, incomplete, inaccurate, out-of-date or unreasonable;
 - any inaccuracies or other faults with information or data sourced from a Third Party;
 - RPS Australia East Pty Ltd relying on surface indicators that are incorrect or inaccurate;
 - the Client or any Third Party not verifying information in this plan where recommended by RPS Australia East Pty Ltd;
 - lodgement of this plan with any local authority against the recommendation of RPS Australia East Pty Ltd;
 - the accuracy, reliability, suitability or completeness of any approximations or estimates made or referred to by RPS Australia East Pty Ltd in this plan.
- Without limiting paragraph 1 or 2 above, this plan may not be copied, distributed, or reproduced by any process unless this note is clearly displayed on the plan.
- Scale shown is correct for the original plan and any copies of this plan should be verified by checking against the bar scale.
- The dimensions, area, size and location of improvements, flood information (if shown) and number of lots shown on this plan are approximate only and may vary.
- Cadastral boundaries are obtained by title dimensions and/or digitising from existing cadastral maps. These boundaries have not been verified and are approximate only.
- The contours shown on this plan are by 2001 & 2003 field survey and are suitable only for the purposes of this application. The accuracy of the contours has not been verified and no reliance should be placed upon such contours for any purpose other than for the purpose of this application for a reconfiguration of a lot.



AERIAL IMAGERY.

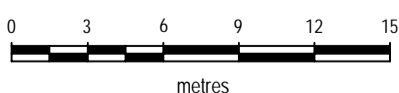
The aerial photography used in this plan has not been rectified. The image has been overlaid as a best fit on the boundaries shown and position is approximate only.

Date of Capture: 2018

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SCALE 1:300 IS APPLICABLE ONLY TO THE ORIGINAL SHEET SIZE. (A3)

AMENDMENTS

PROJECT MANAGER O Caddick-King	
SURVEYED	
COMPILED KJB	
CAD REF PR141528-1.DWG	SHEET 1 OF SHEETS 1
SHEET SIZE A3	

PROJECT MANAGER

PROJECT MANAGER O Caddick-King	
SURVEYED	
COMPILED KJB	
CAD REF PR141528-1.DWG	SHEET 1 OF SHEETS 1
SHEET SIZE A3	

VHPD Investments Pty Ltd

RECONFIGURATION OF A LOT
Plan of Lots 22 & 132
Cancelling Lot 22 on SP161481 &
Lot 132 on PTD2094
Murphy Street, Port Douglas



RPS Australia East Pty Ltd
ACN 140 292 762

135 Abbott St
PO Box 1949
CAIRNS QLD 4870

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T +61 7 4031 1336
F +61 7 4031 2942
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SCALE 1:300	DATE 30/08/18	DRAWING NO. PR141528-1	ISSUE
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Attachment D:

Planning Scheme Code Compliance Assessments

Environmental Management Zone Code Compliance Assessment

Performance outcomes	Acceptable outcomes	Compliance assessment
For self-assessable and assessable development		
<p>PO1 The height of all buildings and structures is in keeping with the natural characteristics of the site. Buildings and structures are low-rise and not unduly visible from external sites.</p>	<p>AO1.1 Buildings and structures are not more than 8.5 metres and two storeys in height.</p> <p>Note – Height is inclusive of the roof height.</p> <p>AO1.2 Buildings have a roof height not less than 2 metres.</p>	<p>Not applicable No buildings are proposed as part of development.</p>
<p>PO2 Buildings and structures are set back to: (a) maintain the natural character of the area; (b) achieve separation from neighbouring buildings and from road frontages.</p>	<p>AO2 Buildings and structures are set back not less than: (a) 40 metres from the frontage of a state controlled road; (b) 25 metres from the frontage to Cape Tribulation Road; (c) 6 metres from any other road; (d) 6 metres from the side and rear boundaries of the site.</p>	<p>Not applicable No buildings are proposed as part of development.</p>

Performance outcomes	Acceptable outcomes	Compliance assessment
For self-assessable and assessable development		
<p>PO3 Development is consistent with the purpose of the Environmental management zone and protects the zone from the intrusion of inconsistent uses.</p>	<p>AO3 Inconsistent uses as identified in Table 6.2.4.3.b are not established in the Environmental management zone.</p>	<p>Not applicable No new use is proposed as part of development.</p>
<p>PO4 The site coverage of all buildings and structures and associated services do not have an adverse effect on the environmental or scenic values of the site.</p>	<p>PO4 No acceptable outcomes are prescribed.</p>	<p>Not applicable No buildings are proposed as part of development.</p>
<p>PO5 Development is located, designed, operated and managed to respond to the characteristics, features and constraints of the site and its surrounds.</p> <p>Note - Planning scheme policy – Site assessments provides guidance on identifying the characteristics, features and constraints of a site and its surrounds.</p>	<p>AO5.1 Buildings, structures and associated access, infrastructure and private open space are sited: (a) within areas of the site which are already cleared; or (b) within areas of the site which are environmentally degraded; (c) to minimise additional vegetation clearing.</p> <p>AO5.2 Buildings and structures and associated infrastructure are not located on slopes greater than 1 in 6 (16.6%) or on a ridgeline.</p>	<p>Not applicable No buildings are proposed as part of development.</p>
<p>PO6 Buildings and structures are responsive to steep slope through innovative construction techniques so as to: (a) maintain the geotechnical stability of slopes; (b) minimise cut and/or fill; (c) minimise the overall height of development.</p>	<p>AO6.1 Where development on land steeper than 1 in 6 (16.6%) cannot be avoided, development follows the natural contours of the land and single plane concrete slab on-ground methods of construction are not utilised.</p> <p>AO6.2 Access and vehicle manoeuvring and parking areas are constructed and maintained to: (a) minimise erosion; (b) minimise cut and fill; (c) follow the natural contours of the site.</p>	<p>Complies Currently, development such as a Dwelling House and access thereto on Lot 22 SP161481 would be confined to the existing 1,000m² allotment. The boundary re-alignment is expected to permit a lesser intense scale of development for a Dwelling House over Proposed Lot 22 and allow the building design and access thereto to relate to the contours of the site better.</p>

<p>PO7 The exterior finishes of buildings and structures are consistent with the surrounding natural environment.</p>	<p>PO7 The exterior finishes and colours of buildings and structures are non-reflective and are moderately dark to darker shades of grey, green, blue and brown or the development is not visible external to the site.</p>	<p>Not applicable No buildings are proposed as part of development</p>
<p>PO8 Development does not adversely affect the amenity of the zone and adjoining land uses in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.</p>	<p>AO8 No acceptable outcomes are prescribed.</p>	<p>Complies Currently, development such as a Dwelling House and access thereto on Lot 22 SP161481 would be confined to the existing 1,000m² allotment. The boundary re-alignment is expected to permit a lesser intense scale of development for a Dwelling House over Proposed Lot 22 and allow the building design and access thereto to relate to the contours of the site better.</p>
<p>PO9 The density of development ensures that the environmental and scenic amenity values of the site and surrounding area are not adversely affected.</p>	<p>AO9 The maximum residential density is one dwelling house per lot.</p>	<p>Complies The boundary re-alignment proposal will not change the potential density of development on Proposed Lot 22.</p>

Performance outcomes	Acceptable outcomes	Compliance assessment
<p>PO10 Lot reconfiguration results in no additional lots.</p> <p>Note - Boundary realignments to resolve encroachments and lot amalgamation are considered appropriate.</p>	<p>AO10 No acceptable outcomes are prescribed.</p>	<p>Complies No additional lots are proposed by the boundary re-alignment development.</p>

Inconsistent uses		
<ul style="list-style-type: none"> • Adult store • Agricultural supplies store • Air services • Aquaculture • Bar • Brothel • Bulk landscape supplies • Car wash • Caretaker's accommodation • Cemetery • Child care centre • Club • Community care centre • Community residence • Community use • Crematorium • Cropping • Detention facility • Dual occupancy • Dwelling unit • Educational establishment • Food and drink outlet • Function facility • Garden centre 	<ul style="list-style-type: none"> • Hardware and trade supplies • Health care services • High impact industry • Hospital • Hotel • Indoor sport and entertainment • Intensive animal industry • Intensive horticulture • Landing • Low impact industry • Major electricity infrastructure • Major sport, recreation and entertainment facility • Marine industry • Market • Motor sport facility • Multiple dwelling • Nightclub entertainment facility • Office • Outdoor sales • Outstation • Parking station • Place of worship • Port services 	<ul style="list-style-type: none"> • Renewable energy facility • Relocatable home park • Research and technology industry • Residential care facility • Resort complex • Retirement facility • Rooming accommodation • Rural industry • Rural workers accommodation • Sales office • Service Station • Shop • Shopping centre • Short-term accommodation • Showroom • Special industry • Substation • Theatre • Transport depot • Utility installation • Veterinary services • Warehouse • Wholesale nursery • Winery

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

Port Douglas/Craiglie Local Plan Code Compliance Assessment

Performance outcomes	Acceptable outcomes	Compliance Assessment
For self-assessable and assessable development		
Development in the Port Douglas / Craiglie local plan area generally		
<p>PO1 Pedestrians, cyclists, motorists and public transport users can easily move into and through the precinct along planned connectivity routes, identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.</p>	<p>AO1 A pedestrian and cycle movement network is integrated and delivered through development.</p>	<p>Not Applicable Murphy Street is not identified as a planned connectivity route.</p>
<p>PO2 Development retains and enhances key landscape elements including character trees and areas of significant vegetation contributing to the character and quality of the local plan area and significant views and vistas and other landmarks important to the context of Port Douglas / Craiglie (as identified on the Port Douglas/ Craiglie Townscape Plan map contained in Schedule 2).</p>	<p>AO2.1 Development provides for the retention and enhancement of existing mature trees and character vegetation that contribute to the lush tropical character of the town, including: (a) the tree covered backdrop of Flagstaff Hill; (b) natural vegetation along watercourses, in particular the Mowbray River, Beor Creek and Dickson Inlet; (c) the tidal vegetation along the foreshore; (d) beachfront vegetation along Four Mile Beach, including the fringe of Coconut Palms; (e) the oil palm avenues along the major roads; (f) the lush landscaping within major roundabouts at key nodes; (g) Macrossan Street and Warner Street; (h) Port Douglas waterfront.</p> <p>AO2.2 Development protects and does not intrude into important views and vistas as identified on the Port Douglas Townscape Plan map contained in Schedule 2, in particular: (a) Flagstaff Hill; (b) Four Mile Beach; (c) Across to the ranges over Dickson Inlet; (d) Mowbray Valley.</p>	<p>Complies The boundary re-alignment proposal is expected to provide positive outcomes in respect of these provisions, given that;</p> <ol style="list-style-type: none"> 1) 2 x Villa Units have previously been approved on Lot 22 on SP161481 and a Landscape Assessment and Visual Assessment provided in support of the development (Former DSC Ref: TPC:1213) confirmed that the development would be able to preserve existing mature trees and proceed without causing any significant visual impact; and 2) Development such as a Dwelling House and access thereto on Lot 22 on SP161481 would be confined to the existing 1,000m2 allotment. The boundary re-alignment is expected to permit a lesser intense scale of development for a Dwelling House over Proposed Lot 22 and allow the building design and access thereto to relate to the contours of the site better, thereby providing greater opportunity to retain existing mature trees and Flagstaff Hill's visual landscape.

	AO2.3 Important landmarks, memorials and monuments are retained.	
PO3 Development contributes to the protection, reinforcement and where necessary enhancement of gateways and key intersections identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.	AO3 Development adjacent to the gateways and nodes as identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 incorporates architectural features and landscaping treatments and design elements that enhance the sense of arrival and way finding within the town.	Not Applicable Murphy Street is not identified as a 'gateway' or 'node'.
PO4 Landscaping of development sites complements the existing tropical character of Port Douglas and Craiglie.	AO4 Landscaping incorporates the requirements of Planning scheme policy SC6.7 – Landscaping, in particular landscaping should be capable of achieving a 60% screening of development within 5 years and predominantly consists of endemic vegetation.	Not Applicable No applicable to the boundary re-alignment proposal.
PO5 Development does not compromise the safety and efficiency of the State-controlled road network.	AO5 Direct access is not provided to a State-controlled road where legal and practical access from another road is available.	Not Applicable
For assessable development		
Additional requirements in Precinct 1 – Port Douglas precinct		
PO6 The views and vistas identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 are maintained.	AO6.1 Development does not impede continued views to scenic vistas and key streetscapes within the local plan area. AO6.2 Unless otherwise specified within this Local Plan, buildings are set back not less than 6 metres from the primary street frontage.	Complies The boundary re-alignment proposal is expected to provide positive outcomes in respect of these provisions, given that; 1) 2 x Villa Units have previously been approved on Lot 22 on SP161481 and a Landscape Assessment and Visual Assessment provided in support of the development (Former DSC Ref: TPC:1213) confirmed that the development would be able to preserve existing mature trees and proceed without causing any significant visual impact; and

		<p>2) Development such as a Dwelling House and access thereto on Lot 22 on SP161481 would be confined to the existing 1,000m² allotment. The boundary re-alignment is expected to permit a lesser intense scale of development for a Dwelling House over Proposed Lot 22 and allow the building design and access thereto to relate to the contours of the site better, thereby providing greater opportunity to retain existing mature trees and Flagstaff Hill's visual landscape.</p>
<p>PO7 Vehicle access, parking and service areas: (a) do not undermine the relationship between buildings and street or dominate the streetscape; (b) are designed to minimise pedestrian vehicle conflict; are clearly identified and maintain ease of access at all times.</p>	<p>A07.1 For all buildings, parking is: (a) to the side of buildings and recessed behind the main building line; or (b) behind buildings; or (c) wrapped by the building façade, and not visible from the street.</p> <p>A07.2 Ground level parking incorporates clearly defined pedestrian routes.</p> <p>A07.3 Any porte-cocheres, disabled and pedestrian accesses are accommodated within the boundary of new or refurbished development.</p> <p>A07.4 Where the development is an integrated mixed-use development incorporating short term accommodation or multiple dwellings and either food and drink outlet or hotel or shop or shopping centre or office, on-site parking spaces are provided as per the number prescribed in the Parking and access code with a relaxation of 30% of spaces required for the non-residential uses.</p> <p>A07.5 On-site car parking available for public use is</p>	<p>Not Applicable Not applicable for the boundary re-alignment proposal.</p>

	clearly signed at the site frontage. AO7.6 Boom gates, pay machines or other regulatory devices to control access to a publicly available car parking area are not constructed or installed.	
PO8 Precinct 1 – Port Douglas precinct is not characterised by a proliferation of advertising signs.	AO8 No acceptable outcomes are prescribed.	Not Applicable Not applicable for the boundary re-alignment proposal.

Performance outcomes	Acceptable outcomes	Compliance assessment
Additional requirements for Sub-precinct 1a – Town Centre sub-precinct – Not Applicable, proposed development is located in Sub-precinct 1f		
Additional requirements for Sub-precinct 1b – Waterfront North sub-precinct - Not Applicable, proposed development is located in Sub-Precinct 1f		
Additional requirements for Sub-precinct 1c – Waterfront South sub-precinct - Not Applicable, proposed development is located in Sub-Precinct 1f		
Additional requirements for Sub-precinct 1d – Limited Development sub-precinct - Not Applicable, proposed development is located in Sub-Precinct 1f		
Additional requirements for Sub-precinct 1e – Community and recreation sub-precinct- Not Applicable, proposed development is located in Sub-Precinct 1f		
Additional requirements for Sub-precinct 1f – Flagstaff Hill sub-precinct		
PO63 Flagstaff Hill is protected from inappropriate development to protect the hill as an important natural landmark feature of Port Douglas and as a vegetated backdrop to the Town centre.	AO63 No acceptable outcomes are prescribed.	Complies Currently, development such as a Dwelling House and access thereto on Lot 22 SP161481 would be confined to the existing 1,000m ² allotment. The boundary re-alignment is expected to permit a lesser intense scale of development for a Dwelling House over Proposed Lot 22 and allow the building design and access thereto to relate to the contours of the site better.
PO64 All development on Flagstaff Hill is designed to minimise the visibility of the development and to ensure development is subservient to the natural landscape and topography of the site, including	AO64 No acceptable outcomes are prescribed.	Complies Currently, development such as a Dwelling House and access thereto on Lot 22 SP161481 would be confined to the existing 1,000m ² allotment. The boundary re-alignment is expected to permit a

<p>through:</p> <ul style="list-style-type: none"> (a) building design which minimises excavation and filling; (b) buildings being designed to step down the site and incorporate foundations and footings on piers or poles; (c) buildings being visually unobtrusive and incorporating exterior finishes and muted colours which are non-reflective and complement the colours of the surrounding vegetation and view-shed; <p>protection of the views from public viewing points in the Port Douglas precinct.</p>		<p>lesser intense scale of development for a Dwelling House over Proposed Lot 22 and allow the building design and access thereto to relate to the contours of the site better.</p>
<p>Additional requirements for Precinct 3 – Craiglie Commercial and Light Industry precinct – Not Applicable</p>		
<p>Additional requirements for Precinct 6 – Very Low Residential Density / Low Scale Recreation / Low Scale Educational / Low Scale Entertainment Uses precinct – Not Applicable</p>		

Bushfire Hazards Overlay Code Compliance Assessment

Performance outcomes	Acceptable outcomes	Compliance assessment
For self-assessable and assessable development		
Compatible development		
<p>PO1 A vulnerable use is not established or materially intensified within a bushfire hazard area (bushfire prone area) unless there is an overriding need or other exceptional circumstances.</p> <p>Note - See the end of this code for examples of vulnerable uses.</p>	<p>AO1 Vulnerable uses are not established or expanded.</p> <p>Note – Where, following site inspection and consultation with Council, it is clear that the mapping is in error in identifying a premises as being subject to a medium, high, very high bushfire hazard or potential impact buffer sub-category, Council may supply a letter exempting the need for a Bushfire Management Plan.</p> <p>Note – Where the assessment manager has not previously approved a Bushfire Management Plan (either by condition of a previous development approval), the development proponent will be expected to prepare such a plan.</p> <p>Note – Planning scheme policy SC6.9 - Natural hazards, provides a guide to the preparation of a Bushfire Management Plan.</p>	<p>Complies The reconfiguration development does not relate to the establishment of a use and it is expected that the land will be used for the development of a Dwelling House which is not identified as a vulnerable use.</p>
<p>PO2 Emergency services and uses providing community support services are able to function effectively during and immediately after a bushfire hazard event.</p>	<p>AO2 Emergency Services and uses providing community support services are not located in a bushfire hazard sub-category and have direct access to low hazard evacuation routes.</p>	<p>Complies The reconfiguration development does not relate to the establishment of a use and it is expected that the land will be used for the development of a Dwelling House not an emergency service use.</p>
<p>PO3 Development involving hazardous materials manufactured or stored in bulk is not located in bushfire hazard sub-category.</p>	<p>AO3 The manufacture or storage of hazardous material in bulk does not occur within bushfire hazard sub-category.</p>	<p>Complies The reconfiguration development does not relate to the establishment of a use.</p>

Development design and separation from bushfire hazard – reconfiguration of lots		
<p>PO4.1 Where reconfiguration is undertaken in an urban area or is for urban purposes or smaller scale rural residential purposes, a separation distance from hazardous vegetation is provided to achieve a radiant heat flux level of 29kW/m² at the edge of the proposed lot(s).</p> <p>Note - “Urban purposes” and “urban area” are defined in the <i>Sustainable Planning Regulations 2009</i>. Reconfiguration will be taken to be for rural residential purposes where proposed lots are between 2000m² and 2ha in area. “Smaller scale” rural residential purposes will be taken to be where the average proposed lot size is 6000m² or less.</p> <p>Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.</p> <p>PO4.2 Where reconfiguration is undertaken for other purposes, a building envelope of reasonable dimensions is provided on each lot which achieves radiant heat flux level of 29kW/m² at any point.</p>	<p>AO4.1 No new lots are created within a bushfire hazard sub-category.</p> <p>or</p> <p>AO4.2 Lots are separated from hazardous vegetation by a distance that:</p> <p>(a) achieves radiant heat flux level of 29kW/m² at all boundaries; and</p> <p>(b) is contained wholly within the development site.</p> <p>Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation.</p> <p>For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages.</p> <p>Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.</p>	<p>Complies No additional new lots are proposed.</p>

Performance outcomes	Acceptable outcomes	Compliance assessment
<p>PO5 Where reconfiguration is undertaken in an urban area or is for urban purposes, a constructed perimeter road with reticulated water supply is established between the lots and the hazardous vegetation and is readily accessible at all times for urban fire fighting vehicles.</p> <p>The access is available for both firefighting and maintenance/defensive works.</p>	<p>AO5.1 Lot boundaries are separated from hazardous vegetation by a public road which:</p> <ul style="list-style-type: none"> (a) has a two-lane sealed carriageway; (b) contains a reticulated water supply; (c) is connected to other public roads at both ends and at intervals of no more than 500m; (d) accommodates geometry and turning radii in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (e) has a minimum of 4.8m vertical clearance above the road; (f) is designed to ensure hydrants and water access points are not located within parking bay allocations; and (g) incorporates roll-over kerbing. <p>AO5.2 Fire hydrants are designed and installed in accordance with AS2419.1 2005, unless otherwise specified by the relevant water entity. Note - Applicants should have regard to the relevant standards set out in the reconfiguration of a lot code and works codes in this planning scheme.</p>	<p>Complies Survey plan SP161481 that facilitated the issue of title for Lot 22 was endorsed during June 2004. In relative terms, Council's endorsement is reasonably recent and at a time when Council was required to consider Bushfire Hazard requirements as part of the assessment of the reconfiguration approval in accordance with the State's Bushfire Hazard State Planning Policy. At the time of endorsement, Council will have required adequate bushfire hazard measures such as adequate access and reticulated water supply and it is noted that sealed access and reticulated water supply is available to the frontage of Lot 22 on SP161481 and a formed access track is provided along the Murphy St frontage of lot 132 on PTD2094.</p>

PO6

Where reconfiguration is undertaken for smaller scale rural residential purposes, either a constructed perimeter road or a formed, all weather fire trail is established between the lots and the hazardous vegetation and is readily accessible at all times for the type of fire fighting vehicles servicing the area.

The access is available for both fire fighting and maintenance/hazard reduction works.

AO6

Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has:

- (a) a reserve or easement width of at least 20m;
- (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation;
- (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path;
- (d) a minimum of 4.8m vertical clearance;
- (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;
- (f) a maximum gradient of 12.5%;
- (g) a cross fall of no greater than 10 degrees;
- (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;
- (i) vehicular access at each end which is connected to the public road network at intervals of no more than 500m;
- (j) designated fire trail signage;
- (k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and
- (l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.

Not Applicable

Not rural residential development

Performance outcomes	Acceptable outcomes	Compliance assessment
<p>PO7 Where reconfiguration is undertaken for other purposes, a formed, all weather fire trail is provided between the hazardous vegetation and either the lot boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>However, a fire trail will not be required where it would not serve a practical fire management purpose.</p>	<p>A07 Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> (a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (f) a maximum gradient of 12.5%; (g) a cross fall of no greater than 10 degrees; (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy; (i) vehicular access at each end which is connected to the public road network; (j) designated fire trail signage; (k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and (l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services. 	<p>Not Applicable Reconfiguration is for an urban purpose in an Urban Area.</p>

<p>PO8 The development design responds to the potential threat of bushfire and establishes clear evacuation routes which demonstrate an acceptable or tolerable risk to people.</p>	<p>A08 The lot layout:</p> <ul style="list-style-type: none"> (a) minimises the length of the development perimeter exposed to, or adjoining hazardous vegetation; (b) avoids the creation of potential bottle-neck points in the movement network; (c) establishes direct access to a safe assembly /evacuation area in the event of an approaching bushfire; and (d) ensures roads likely to be used in the event of a fire are designed to minimise traffic congestion. <p>Note - For example, developments should avoid finger-like or hour-glass subdivision patterns or substantive vegetated corridors between lots. In order to demonstrate compliance with the performance outcome, a bushfire management plan prepared by a suitably qualified person may be required. The bushfire management plan should be developed in accordance with the Public Safety Business Agency (PSBA) guideline entitled "Undertaking a Bushfire Protection Plan. Advice from the Queensland Fire and Emergency Services (QFES) should be sought as appropriate</p>	<p>Complies Survey plan SP161481 that facilitated the issue of title for Lot 22 was endorsed during June 2004. In relative terms, Council's endorsement is reasonably recent and at a time when Council was required to consider Bushfire Hazard requirements as part of the assessment of the reconfiguration approval in accordance with the State's Bushfire Hazard State Planning Policy. At the time of endorsement, Council will have required adequate bushfire hazard measures such as adequate access and reticulated water supply and it is noted that sealed access and reticulated water supply is available to the frontage of Lot 22 on SP161481 and a formed access track is provided along the Murphy St frontage of lot 132 on PTD2094.</p>
<p>PO9 Critical infrastructure does not increase the potential bushfire hazard.</p>	<p>A09 Critical or potentially hazardous infrastructure such as water supply, electricity, gas and telecommunications are placed underground.</p>	<p>Not Applicable No additional potentially hazardous infrastructure such as water supply, electricity, gas and telecommunications are expected to be required to facilitate the boundary re-alignment development.</p>

Performance outcomes	Acceptable outcomes	Compliance assessment
Development design and separation from bushfire hazard – material change of use		
<p>PO10 Development is located and designed to ensure proposed buildings or building envelopes achieve a radiant heat flux level at any point on the building or envelope respectively, of: (a) 10kW/m² where involving a vulnerable use; or (b) 29kW/m² otherwise.</p> <p>The radiant heat flux level is achieved by separation unless this is not practically achievable.</p> <p>Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.</p>	<p>AO10 Buildings or building envelopes are separated from hazardous vegetation by a distance that: (a) achieves a radiant heat flux level of at any point on the building or envelope respectively, of 10kW/m² for a vulnerable use or 29kW/m² otherwise; and (b) is contained wholly within the development site.</p> <p>Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation.</p> <p>For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages.</p> <p>Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.</p>	<p>Not Applicable Proposed development is not a MCU</p>

PO11

A formed, all weather fire trail is provided between the hazardous vegetation and the site boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area.

However, a fire trail will not be required where it would not serve a practical fire management purpose.

Note - Fire trails are unlikely to be required where a development site involves less than 2.5ha

AO11

Development sites are separated from hazardous vegetation by a public road or fire trail which has:

- (a) a reserve or easement width of at least 20m;
- (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation;
- (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path;
- (d) a minimum of 4.8m vertical clearance;
- (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;
- (f) a maximum gradient of 12.5%;
- (g) a cross fall of no greater than 10 degrees;
- (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;
- (i) vehicular access at each end which is connected to the public road network which is connected to the public road network at intervals of no more than 500m;
- (j) designated fire trail signage;
- (k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and
- (l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.

Not Applicable

Proposed development is not a MCU

Performance outcomes	Acceptable outcomes	Compliance assessment
All development		
<p>PO12 All premises are provided with vehicular access that enables safe evacuation for occupants and easy access by fire fighting appliances.</p>	<p>AO12 Private driveways: (a) do not exceed a length of 60m from the street to the building; (b) do not exceed a gradient of 12.5%; (c) have a minimum width of 3.5m; (d) have a minimum of 4.8m vertical clearance; (e) accommodate turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and (f) serve no more than 3 dwellings or buildings.</p>	<p>Complies Survey plan SP161481 that facilitated the issue of title for Lot 22 was endorsed during June 2004. In relative terms, Council's endorsement is reasonably recent and at a time when Council was required to consider Bushfire Hazard requirements as part of the assessment of the reconfiguration approval in accordance with the State's Bushfire Hazard State Planning Policy. At the time of endorsement, Council will have required adequate bushfire hazard measures such as adequate access and reticulated water supply and it is noted that sealed access and reticulated water supply is available to the frontage of Lot 22 on SP161481 and a formed access track is provided along the Murphy St frontage of lot 132 on PTD2094.</p>
<p>PO13 Development outside reticulated water supply areas includes a dedicated static supply that is available solely for fire fighting purposes and can be accessed by fire fighting appliances.</p>	<p>AO13 A water tank is provided within 10m of each building (other than a class 10 building) which: (a) is either below ground level or of non-flammable construction; (b) has a take off connection at a level that allows the following dedicated, static water supply to be left available for access by fire fighters: (i) 10,000l for residential buildings Note – A minimum of 7,500l is required in a tank and the extra 2,500l may be in the form of accessible swimming pools or dams. (ii) 45,000l for industrial buildings; and (iii) 20,000l for other buildings; (c) includes shielding of tanks and pumps in accordance with the relevant standards; (d) includes a hardstand area allowing medium rigid vehicle (15 tonne fire appliance) access within 6m of the tank; (e) is provided with fire brigade tank fittings –</p>	<p>Not Applicable Reticulated water supply is available.</p>

	<p>50mm ball valve and male camlock coupling and, if underground, an access hole of 200mm (minimum) to accommodate suction lines; and</p> <p>is clearly identified by directional signage provided at the street frontage</p>	
<p>PO14 Landscaping does not increase the potential bushfire risk.</p>	<p>AO14 Landscaping uses species that are less likely to exacerbate a bushfire event, and does not increase fuel loads within separation areas.</p>	<p>Not Applicable Landscaping is not required to facilitate the boundary re-alignment development.</p>
<p>PO15 The risk of bushfire and the need to mitigate that risk is balanced against other factors (such as but not limited to, biodiversity or scenic amenity).</p>	<p>AO15 Bushfire risk mitigation treatments do not have a significant impact on the natural environment or landscape character of the locality where this has value.</p>	<p>Not Applicable These code provisions are relevant considerations at the time building works are proposed on the land to facilitate the future use of the land and it is noted that a Dwelling House is code assessable development on the land.</p>

Note – ‘Vulnerable activities’ are those involving:

- (1) the accommodation or congregation of vulnerable sectors of the community such as child care centers, community care center, educational establishments, detention facilities, hospitals, rooming accommodation, retirement facilities or residential care facilities; or
- (2) the provision of essential services including community uses, emergency services, utility installation, telecommunications facility, substations and major electricity infrastructure.

Hillslopes Overlay Code Compliance Assessment

Performance outcomes	Acceptable outcomes	Compliance assessment
For self-assessable development		
<p>PO1 The landscape character and visual amenity quality of hillslopes areas is retained to protect the scenic backdrop to the region.</p>	<p>AO1.1 Development is located on parts of the site that are not within the Hillslopes constraint sub-category as shown on the Hillslopes overlay Maps contained in schedule 2.</p>	<p>Not Applicable</p>
For assessable development		
<p>PO2 The landscape character and visual amenity quality of hillslopes areas is retained to protect the scenic backdrop to the region.</p>	<p>AO2.1 Development does not occur on land with a gradient in excess of 1 in 6 (16.6%)</p> <p>or</p> <p>AO2.2 Where development on land steeper than 1 in 6 (16.6%) cannot be avoided, development follows the natural contours of the site.</p>	<p>Complies The boundary re-alignment proposal is expected to provide positive outcomes in respect of these provisions, given that;</p> <ol style="list-style-type: none"> 1) 2 x Villa Units have previously been approved on Lot 22 on SP161481 and a Landscape Assessment and Visual Assessment provided in support of the development (Former DSC Ref: TPC:1213) confirmed that the development would be able to preserve existing mature trees and proceed without causing any significant visual impact; and 2) Development such as a Dwelling House and access thereto on Lot 22 on SP161481 would be confined to the existing 1,000m² allotment. The boundary re-alignment is expected to permit a lesser intense scale of development for a Dwelling House over Proposed Lot 22 and allow the building design and access thereto to relate to the contours of the site better, thereby providing greater opportunity to retain existing mature trees and Flagstaff Hill's visual landscape.

Performance outcomes	Acceptable outcomes	Compliance assessment
	<p>AO2.3 Access ways and driveways are:</p> <ul style="list-style-type: none"> (a) constructed with surface materials that blend with the surrounding environment; (b) landscaped with dense planting to minimise the visual impact of the construction; (c) provided with erosion control measures immediately after construction. <p>AO2.4 The clearing or disturbance of vegetation is limited to clearing and disturbance that:</p> <ul style="list-style-type: none"> (a) is necessary for the construction of driveways; (b) is necessary to contain the proposed development; (c) minimises canopy clearing or disturbance; (d) minimises riparian clearing or disturbance. <p>AO2.5 On land with slopes greater than 1 in 6 (16.6%) or greater, alternative construction methods to concrete slab on ground are utilised (i.e. split level or post and beam constructed buildings that minimise modification to the natural terrain of the land).</p> <p>AO2.6 Development does not alter the sky line.</p> <p>AO2.7 Buildings and structures:</p> <ul style="list-style-type: none"> (a) are finished predominantly in the following exterior colours or surfaces: <ul style="list-style-type: none"> (i) moderately dark to darker shades of olive green, brown, green, blue, or charcoal; or (ii) moderately dark to darker wood stains that blend with the colour and hues of the surrounding vegetation and landscape; 	<p>Not Applicable</p> <p>The code provisions related to access and building design considerations and are not applicable to the boundary realignment development.</p>

	<p>(b) are not finished in the following exterior colours or surfaces:</p> <ul style="list-style-type: none"> (i) pastel or terracotta colours, reds, yellows, shades of white or beige, or other bright colours that do not blend with the surrounding vegetation and landscape; (ii) reflective surfaces. <p>AO2.8 Exterior colour schemes limit the use of white or other light colours to exterior trim and highlighting of architectural features</p> <p>AO2.9 Areas between the first floor (including outdoor deck areas) and ground level are screened from view.</p> <p>AO2.10 Recreational or ornamental features (including tennis courts, ponds or swimming pools) do not occur on land:</p> <ul style="list-style-type: none"> (a) with a gradient of 1 in 6 (16.6%) or more; <p>are designed to be sited and respond to the natural constraints of the land and require minimal earthworks.</p>	
<p>PO3 Excavation or filling does not have an adverse impact on the amenity, safety, stability or function of the site or adjoining premises through:</p> <ul style="list-style-type: none"> (a) loss of privacy; (b) loss of access to sunlight; (c) intrusion of visual or overbearing impacts; <p>complex engineering solutions.</p>	<p>A03 Excavation or fill:</p> <ul style="list-style-type: none"> (a) is not more than 1.2 metres in height for each batter or retaining wall; (b) is setback a minimum of 2 metres from property boundaries; (c) is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with Planning scheme policy SC6.7 – Landscaping; <p>does not exceed a maximum of 3 batters and 3 berms (i.e. not greater than 3.6 metres in height) on any one lot.</p>	<p>Not Applicable The code provisions related to excavation and filling and are not applicable to the boundary realignment development.</p>

Lot reconfiguration		
<p>PO4 For development that involves reconfiguring a lot, lot layout and design is responsive to the natural constraints of the land and each lot is capable of being used for its intended purpose</p>	<p>A04.1 The frontage and depth of all lots is of sufficient width to: (a) allow driveways to follow the natural contours of the site and not exceed a gradient of 1 in 6 (16.6%); (b) accommodate any changes in gradient between the road and lot within the lot boundary and not within the road reserve.</p> <p>A04.2 Development does not create new lots containing land of greater than 1 in 6 (16.6%), except where a rectangular area of land of lesser grade is contained within the new lots to accommodate the intended land use, with the balance left in its natural state to the greatest extent possible.</p> <p>Note – The size of rectangular areas is outlined within each zone code.</p> <p>A04.3 Development does not alter ridgelines.</p> <p>A04.4 Lots are designed to ensure rooflines of future buildings and structures do not protrude above a ridgeline.</p>	<p>Complies The boundary re-alignment proposal is expected to provide positive outcomes in respect of these provisions, given that;</p> <ol style="list-style-type: none"> 1) 2 x Villa Units have previously been approved on Lot 22 on SP161481 and a Landscape Assessment and Visual Assessment provided in support of the development (Former DSC Ref: TPC:1213) confirmed that the development would be able to preserve existing mature trees and proceed without causing any significant visual impact; and 2) Development such as a Dwelling House and access thereto on Lot 22 on SP161481 would be confined to the existing 1,000m² allotment. The boundary re-alignment is expected to permit a lesser intense scale of development for a Dwelling House over Proposed Lot 22 and allow the building design and access thereto to relate to the contours of the site better, thereby providing greater opportunity to retain existing mature trees and Flagstaff Hill's visual landscape.

Landscape Values Overlay Code Compliance Assessment

Performance outcomes	Acceptable outcomes	Compliance assessment
For assessable development		
Development in a High landscape value area		
<p>PO1 Development within High landscape value areas identified on the Landscape values overlay maps contained in Schedule 2:</p> <ul style="list-style-type: none"> (a) avoids detrimental impacts on the landscape values of forested skylines, visible hillslopes, ridgelines, the coastal foreshore or the shoreline of other water bodies through the loss of vegetation; (b) is effectively screened from view from a road, lookout or other public place by an existing natural landform or native vegetation, or will be effectively screened by native vegetation within 3 years of construction; (c) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements; (d) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality; (e) avoids detrimental impacts on landscape values and excessive changes to the natural landform as a result of the location, position on site, scale, design, extent and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure; (f) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and lines and other tall 	<p>AO1.1 Buildings and structures are not more than 8.5 metres and two storeys in height.</p> <p>Note - Height is inclusive of roof height.</p> <p>AO1.2 Buildings and structures are setback not less than 50 metres from ridgelines or peaks.</p> <p>AO1.3 Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.</p> <p>AO1.4 Where development on land steeper than 1 in 6 (16.6%) cannot be avoided:</p> <ul style="list-style-type: none"> (a) development follows the natural; contours of the site; (b) buildings are split level or suspended floor construction, or a combination of the two; (c) lightweight materials are used to areas with suspended floors. <p>Note - Examples of suitable lightweight materials include timber or fibre cement boards or sheeting for walls and factory treated metal sheeting for walls and roofs.</p> <p>AO1.5 The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette.</p> <p>Note - Examples of suitable colours include shades of green,</p>	<p>Complies The boundary re-alignment proposal is expected to provide positive outcomes in respect of these provisions, given that;</p> <ol style="list-style-type: none"> 1) 2 x Villa Units have previously been approved on Lot 22 on SP161481 and a Landscape Assessment and Visual Assessment provided in support of the development (Former DSC Ref: TPC:1213) confirmed that the development would be able to preserve existing mature trees and proceed without causing any significant visual impact; and 2) Development such as a Dwelling House and access thereto on Lot 22 on SP161481 would be confined to the existing 1,000m² allotment. The boundary re-alignment is expected to permit a lesser intense scale of development for a Dwelling House over Proposed Lot 22 and allow the building design and access thereto to relate to the contours of the site better, thereby providing greater opportunity to retain existing mature trees and Flagstaff Hill's visual landscape.

<p>infrastructure; (g) extractive industry operations are avoided.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow.</p> <p>AO1.6 No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.5%).</p> <p>AO1.7 Where for accommodation activities or reconfiguration of a lot in a High landscape value area, development demonstrates that the height, design, scale, positioning on-site, proposed construction materials and external finishes are compatible with the landscape values.</p> <p>Note - A visual impact assessment undertaken in accordance with Planning scheme policy SC6.6 – Landscape values may be required.</p>	
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Performance outcomes	Acceptable outcomes	Compliance assessment
	<p>AO1.8 Advertising devices do not occur.</p>	<p>Not Applicable</p>
<p>Development within the Medium landscape value area</p>		
<p>PO2 Development within Medium landscape value areas identified on the Landscape values overlay maps contained in Schedule 2:</p> <p>(a) avoids detrimental impacts on the landscape values of forested skylines, visible hillslopes, ridgelines, the coastal foreshore or the shoreline of other water bodies through the loss of vegetation;</p> <p>(b) is effectively screened from view from a road, lookout or other public place by an existing natural landform or native vegetation, or will be effectively screened by native vegetation within 5 years of construction;</p> <p>(c) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements;</p>	<p>AO2.1 Buildings and structures are not more than 8.5 metres and two storeys in height.</p> <p>Note - Height is inclusive of the roof height.</p> <p>AO2.2 Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.</p> <p>AO2.3 Where development on land steeper than 1 in 6 (16.6%) cannot be avoided:</p> <p>(a) development follows the natural; contours of the site;</p> <p>(b) buildings are split level or suspended floor construction, or a combination of the two;</p>	<p>Not Applicable</p>

<p>(d) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality;</p>	<p>(c) lightweight materials are used to areas with suspended floors.</p> <p>Note - Examples of suitable lightweight materials include timber or fibre cement boards or sheeting for walls and factory treated metal sheeting for walls and roofs.</p>	
<p>(e) avoids detrimental impacts on landscape values and excessive changes to the natural landform as a result of the location, position on site, scale, design and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure;</p> <p>(f) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and lines and other tall infrastructure;</p> <p>(g) extractive industry operations are avoided, or where they cannot be avoided, are screened from view.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>AO2.4 The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette.</p> <p>Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow.</p> <p>AO2.5 No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.6%).</p> <p>AO2.6 Advertising devices do not occur.</p>	<p>Not Applicable</p>
<p>Development within a Scenic route buffer / view corridor area</p>		
<p>PO3 Development within a Scenic route buffer / view corridor area as identified on the Landscape values overlay maps contained in Schedule 2:</p> <p>(a) retains visual access to views of the surrounding landscape, the sea and other water bodies;</p> <p>(b) retains existing vegetation and incorporates landscaping to visually screen and soften built form elements whilst not impeding distant views or view corridors;</p> <p>(c) incorporates building materials and external finishes that are compatible with the visual amenity and the landscape character;</p> <p>(d) minimises visual impacts on the setting and</p>	<p>AO3.1 Where within a Scenic route buffer / view corridor area, the height of buildings and structures is not more than identified within the acceptable outcomes of the applicable zone code.</p> <p>AO3.2 No clearing of native vegetation is undertaken within a Scenic route buffer area.</p> <p>AO3.3 Where within a Scenic route buffer / view corridor area development is set back and screened from view from a scenic route by existing native vegetation with a width of at least 10 metres and landscaped in accordance with the requirements of the landscaping code.</p>	<p>Complies</p> <p>The boundary re-alignment proposal is expected to provide positive outcomes in respect of these provisions, given that;</p> <ol style="list-style-type: none"> 1) 2 x Villa Units have previously been approved on Lot 22 on SP161481 and a Landscape Assessment and Visual Assessment provided in support of the development (Former DSC Ref: TPC:1213) confirmed that the development would be able to preserve existing mature trees and proceed without causing any significant visual impact; and 2) Development such as a Dwelling House and access thereto on Lot 22 on SP161481 would be confined to the existing 1,000m² allotment.

<p>views in terms of:</p> <ul style="list-style-type: none">• the scale, height and setback of buildings;• the extent of earthworks and impacts on the landform including the location and configuration of access roads and driveways;• the scale, extent and visual prominence of advertising devices. <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>AO3.4 Development does not result in the replacement of, or creation of new, additional, or enlarged advertising devices.</p>	<p>The boundary re-alignment is expected to permit a lesser intense scale of development for a Dwelling House over Proposed Lot 22 and allow the building design and access thereto to relate to the contours of the site better, thereby providing greater opportunity to retain existing mature trees and Flagstaff Hill's visual landscape.</p>
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Development within the Coastal scenery area		
<p>PO4 The landscape values of the Coastal scenery zone as identified on the Landscape values overlay maps contained in Schedule 2 are managed to integrated and limit the visual impact of development.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>AO4.1 The dominance of the natural character of the coast is maintained or enhanced when viewed from the foreshore.</p> <p>AO4.2 Where located adjacent to the foreshore buildings and structures are setback:</p> <p>(a) Where no adjoining development, a minimum of 50 metres from the coastal high water mark and the setback area is landscaped with a native vegetation buffer that has a minimum width of 25 metres; or</p> <p>(b) Where there is adjoining development, setbacks will be consistent with that of adjoining buildings and structures, but not less than 10 metres from the coastal high water mark. The setback area is landscaped in accordance with the requirements of the Landscaping code.</p> <p>AO4.3 Where separated from the foreshore by land contained within public ownership (e.g. unallocated State land, esplanade or other public open space), buildings and structures area setback:</p> <p>(a) where no adjoining development, a minimum of 6 metres from the coastward property boundary. The setback area is landscaped in accordance with the requirements of the Landscaping code; or</p> <p>(b) where there is adjoining development, setbacks will be consistent with that of adjoining buildings and structures. The setback area is landscaped in accordance with the requirements of the Landscaping code.</p>	<p>Not Applicable</p>

Performance outcomes	Acceptable outcomes	Compliance assessment
<p>PO5 Development is to maximise opportunities to maintain and/or enhance natural landscape values through the maintenance and restoration of vegetated buffers between development and coastal waters, where practical.</p> <p>Note – A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in satisfaction of a performance outcome.</p>	<p>AO5 No clearing of native vegetation is undertaken within a Coastal scenery area zone, except for exempt vegetation damage undertaken in accordance with the Vegetation management code</p>	

Natural Areas Overlay Code Compliance Assessment

Performance outcomes	Acceptable outcomes	Compliance Assessment
For self-assessable and assessable development		
Protection of matters of environmental significance		
<p>PO1 Development protects matters of environmental significance.</p>	<p>AO1.1 Development avoids significant impact on the relevant environmental values.</p> <p>or</p> <p>AO1.2 A report is prepared by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, that the development site does not contain any matters of state and local environmental significance.</p> <p>or</p> <p>AO1.3 Development is located, designed and operated to mitigate significant impacts on environmental values. For example, a report certified by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, how the proposed development mitigates impacts, including on water quality, hydrology and biological processes.</p>	<p>Complies Any future development on Proposed Lot 22 is expected to be focused within the bounds of the existing Lot 22 on SP161481 with development on the additional western portion of the site (currently part of Lot 132 on PTD2094) which is mapped as Of Concern Regional Ecosystem is expected to be able to be designed to limit impact on existing established trees. A Dwelling House on the land is code assessable development and an assessment of potential impacts arising from the Dwelling House development can be appropriately determined at that stage.</p>

Management of impacts on matters of environmental significance		
<p>PO2 Development is located, designed and constructed to avoid significant impacts on matters of environmental significance.</p>	<p>AO2 The design and layout of development minimises adverse impacts on ecologically important areas by:</p> <ul style="list-style-type: none"> (a) focusing development in cleared areas to protect existing habitat; (b) utilising design to consolidate density and preserve existing habitat and native vegetation; (c) aligning new property boundaries to maintain ecologically important areas; (d) ensuring that alterations to natural landforms, hydrology and drainage patterns on the development site do not negatively affect ecologically important areas; (e) ensuring that significant fauna habitats are protected in their environmental context; and (f) incorporating measures that allow for the safe movement of fauna through the site. 	<p>Complies Any future development on Proposed Lot 22 is expected to be focused within the bounds of the existing Lot 22 on SP161481 with development on the additional western portion of the site (currently part of Lot 132 on PTD2094) which is mapped as Of Concern Regional Ecosystem is expected to be able to be designed to limit impact on existing established trees. A Dwelling House on the land is code assessable development and an assessment of potential impacts arising from the Dwelling House development can be appropriately determined at that stage.</p>
<p>PO3 An adequate buffer to areas of state environmental significance is provided and maintained.</p>	<p>AO3.1 A buffer for an area of state environmental significance (Wetland protection area) has a minimum width of:</p> <ul style="list-style-type: none"> (a) 100 metres where the area is located outside Urban areas; or (b) 50 metres where the area is located within a Urban areas. <p>or</p> <p>AO3.2 A buffer for an area of state environmental significance is applied and maintained, the width of which is supported by an evaluation of environmental values, including the function and threats to matters of environmental significance.</p>	<p>Complies The provision of a buffer would be an unreasonable imposition on any development proposed on the existing Lot 22 on SP161481. The boundary re-alignment proposal would allow any future development on Proposed Lot 22 to be focused within the bounds of the existing Lot 22 on SP161481 with development on the additional western portion of the site (currently part of Lot 132 on PTD2094) which is mapped as Of Concern Regional Ecosystem being expected to be able to be designed to limit impact on existing established trees. The boundary re-alignment proposal is expected to allow any future development of the land to be designed to work better with the constraints of the land which is considered to be consistent with the intent of this provision and other applicable Planning Scheme Code provisions.</p>

<p>PO4 Wetland and wetland buffer areas are maintained, protected and restored.</p> <p>Note – Wetland buffer areas are identified in AO3.1.</p>	<p>AO4.1 Native vegetation within wetlands and wetland buffer areas is retained.</p> <p>AO4.2 Degraded sections of wetlands and wetland buffer areas are revegetated with endemic native plants in patterns and densities which emulate the relevant regional ecosystem.</p>	<p>Not Applicable There are no wetlands mapped in the immediate locality.</p>
<p>PO5 Development avoids the introduction of non-native pest species (plant or animal), that pose a risk to ecological integrity.</p>	<p>AO5.1 Development avoids the introduction of non-native pest species.</p> <p>AO5.2 The threat of existing pest species is controlled by adopting pest management practices for long-term ecological integrity.</p>	<p>Not Applicable Only reconfiguration development for a boundary re-alignment.</p>
<p>Ecological connectivity</p>		
<p>PO6 Development protects and enhances ecological connectivity and/or habitat extent.</p>	<p>AO6.1 Development retains native vegetation in areas large enough to maintain ecological values, functions and processes.</p> <p>and</p> <p>AO6.2 Development within an ecological corridor rehabilitates native vegetation.</p> <p>and</p> <p>AO6.3 Development within a conservation corridor mitigates adverse impacts on native fauna, feeding, nesting, breeding and roosting sites and native fauna movements.</p>	<p>Complies Any future development on Proposed Lot 22 is expected to be focused within the bounds of the existing Lot 22 on SP161481 with development on the additional western portion of the site (currently part of Lot 132 on PTD2094) which is mapped as Of Concern Regional Ecosystem is expected to be able to be designed to limit impact on existing established trees. A Dwelling House on the land is code assessable development and an assessment of potential impacts arising from the Dwelling House development can be appropriately determined at that stage.</p>

<p>PO7 Development minimises disturbance to matters of state environmental significance (including existing ecological corridors).</p>	<p>AO7.1 Development avoids shading of vegetation by setting back buildings by a distance equivalent to the height of the native vegetation.</p> <p>and</p> <p>AO7.2 Development does not encroach within 10 metres of existing riparian vegetation and watercourses.</p>	<p>Complies</p> <p>Any future development on Proposed Lot 22 is expected to be focused within the bounds of the existing Lot 22 on SP161481 with development on the additional western portion of the site (currently part of Lot 132 on PTD2094) which is mapped as Of Concern Regional Ecosystem is expected to be able to be designed to limit impact on existing established trees. A Dwelling House on the land is code assessable development and an assessment of potential impacts arising from the Dwelling House development can be appropriately determined at that stage.</p>
<p>Waterways in an urban area</p>		
<p>PO8 Development is set back from waterways to protect and maintain:</p> <ul style="list-style-type: none"> (a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values; (e) riparian and in-stream habitat values and connectivity; (f) in-stream migration. 	<p>AO8.1 Where a waterway is contained within an easement or a reserve required for that purpose, development does not occur within the easement or reserve;</p> <p>or</p> <p>AO8.2 Development does not occur on the part of the site affected by the waterway corridor.</p> <p>Note – Waterway corridors are identified within Table 8.2.7.3.b.</p>	<p>Not Applicable</p> <p>No waterways are mapped on the land</p>

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

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

Potential Landslide Hazard Overlay Code Compliance Assessment

Performance outcomes	Acceptable outcomes	Compliance Assessment
For self-assessable and assessable development		
<p>PO1</p> <p>The siting and design of development does not involve complex engineering solutions and does not create or increase the potential landslide hazard risk to the site or adjoining premises through:</p> <ul style="list-style-type: none"> (a) building design; (b) increased slope; (c) removal of vegetation; (d) stability of soil; (e) earthworks; (f) alteration of existing ground water or surface water paths; <p>waste disposal areas.</p>	<p>AO1.1</p> <p>Development is located on that part of the site not affected by the Potential landslide hazard overlay.</p> <p>Or</p> <p>AO1.2</p> <p>Development is on an existing stable, benched site and requires no further earthworks</p> <p>or</p> <p>AO1.3</p> <p>A competent person certifies that:</p> <ul style="list-style-type: none"> (a) the stability of the site, including associated buildings and infrastructure, will be maintained during the course of the development and will remain stable for the life of the development; (b) development of the site will not increase the risk of landslide hazard activity on other land, including land above the site; (c) the site is not subject to the risk of landslide activity on other land; (d) any measures identified in a site-specific geotechnical report for stabilising the site or development have been fully implemented; (e) development does not concentrate existing ground water and surface water paths; (f) development does not incorporate on-site waste water disposal. <p>Note – Planning scheme policy SC6.9 – Natural hazards provides guidance on preparing a site specific geo-technical assessment.</p> <p>Note – Development may alter the conditions of ground water and surface water paths in accordance with a site-specific geotechnical report, but should ensure that its final disbursement is as-per pre-developed conditions.</p> <p>Consideration for location, velocity, volume and quality should be given.</p>	<p>Complies</p> <p>Survey plan SP161481 that facilitated the issue of title for Lot 22 was endorsed during June 2004. In relative terms, Council’s endorsement is reasonably recent and at a time when Council was required to consider Landslide Hazard requirements as part of the assessment of the reconfiguration approval in accordance with the State’s Landslide Hazard State Planning Policy.</p> <p>In addition, the following is noted;</p> <ol style="list-style-type: none"> 1) 2 x Villa Units have previously been approved on Lot 22 and a Geotechnical Assessment provided in support of the development application (Former DSC Ref: TPC:1213) confirmed that the development would be able to proceed without causing land stability issues; and 2) Currently, development such as a Dwelling House and access thereto on Lot 22 SP161481 would be confined to the existing 1,000m² allotment. The boundary re-alignment is expected to permit a lesser intense scale of development for a Dwelling House over Proposed Lot 22 and allow the building design and access thereto to relate to the contours of the site better.

<p>PO2 The siting and design of necessary retaining structures does not cause an adverse visual impact on landscape character or scenic amenity quality of the area.</p>	<p>A02 Excavation or fill: (a) is not more than 1.2 metres in height for each batter or retaining wall; (b) is setback a minimum of 2 metres from property boundaries; (c) is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with Planning scheme policy SC6.7 – Landscaping; (d) does not exceed a maximum of 3 batters and 3 berms (i.e. Not greater than 3.6 metres in height) on any one lot.</p>	<p>Not Applicable No retaining walls are proposed as part of the development.</p>
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Additional requirements for Community infrastructure		
<p>PO3 Development for community infrastructure: (a) is not at risk from the potential landslide hazard areas; (b) will function without impediment from a landslide; (c) provides access to the infrastructure without impediment from the effects of a landslide; (d) does not contribute to an elevated risk of a landslide to adjoining properties.</p>	<p>A03 Development is designed in accordance with the recommendations of a site-specific geotechnical assessment which makes reference to the community infrastructure and its needs and function.</p> <p>Note - A site specific geotechnical assessment will detail requirements that will address the Acceptable Outcomes of this Performance Outcome. Planning scheme policy SC6.9 – Natural hazards provides guidance on preparing a site specific geotechnical assessment.</p>	<p>Not Applicable Given that Lot 22 on SP161481 is already provided with service infrastructure necessary to facilitate development of the land, no additional community infrastructure is expected to be required to facilitate the proposed development.</p>

Filling and Excavation Code Compliance Assessment

Performance outcomes	Acceptable outcomes	Compliance Assessment
For self-assessable and assessable development		
Filling and excavation - General		
<p>PO1 All filling and excavation work does not create a detrimental impact on the slope stability, erosion potential or visual amenity of the site or the surrounding area.</p>	<p>AO1.1 The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height.</p> <p>and</p> <p>Cuts in excess of those stated in A1.1 above are separated by benches/ terraces with a minimum width of 1.2 metres that incorporate drainage provisions and screen planting.</p> <p>AO1.2 Cuts are supported by batters, retaining or rock walls and associated benches/terraces are capable of supporting mature vegetation.</p> <p>AO1.3 Cuts are screened from view by the siting of the building/structure, wherever possible.</p>	<p>Complies</p> <p>No filling or excavation is proposed as part of the boundary realignment development given that Lot 22 on SP161481 exists and is already provided with the service infrastructure necessary to facilitate future development on the land. However, the boundary re-alignment proposal is expected to provide positive outcomes in respect of these provisions, given that;</p> <ol style="list-style-type: none"> 1) 2 x Villa Units have previously been approved on Lot 22 on SP161481 and Landscape, Visual and Geotechnical Assessments provided in support of the development (Former DSC Ref: TPC:1213) confirmed that the development would be able to preserve existing mature trees and proceed without causing any significant visual impact and/or land stability issues; and 2) Development such as a Dwelling House and access thereto on Lot 22 on SP161481 would be confined to the existing 1,000m2 allotment. The boundary re-alignment is expected to permit a lesser intense scale of development for a Dwelling House over Proposed Lot 22 and allow the building design and access thereto to relate to the contours of the site better, thereby providing greater opportunity to retain existing mature trees and Flagstaff Hill's visual landscape.

Performance outcomes	Acceptable outcomes	Compliance assessment
	<p>AO1.4 Topsoil from the site is retained from cuttings and reused on benches/terraces.</p> <p>AO1.5 No crest of any cut or toe of any fill, or any part of any retaining wall or structure is closer than 600mm to any boundary of the property, unless the prior written approval of the adjoining landowner has been obtained.</p> <p>AO1.6 Non-retained cut and/or fill on slopes are stabilised and protected against scour and erosion by suitable measures, such as grassing, landscaping or other protective/aesthetic measures.</p>	
Visual Impact and Site Stability		
<p>PO2 Filling and excavation are carried out in such a manner that the visual/scenic amenity of the area and the privacy and stability of adjoining properties is not compromised.</p>	<p>AO2.1 The extent of filling and excavation does not exceed 40% of the site area, or 500m² whichever is the lesser, except that AO2.1 does not apply to reconfiguration of 5 lots or more.</p> <p>AO2.2 Filling and excavation does not occur within 2 metres of the site boundary.</p>	<p>Complies No filling or excavation is proposed as part of the boundary realignment development given that Lot 22 on SP161481 exists and is already provided with the service infrastructure necessary to facilitate future development on the land. However, the boundary re-alignment proposal is expected to provide positive outcomes in respect of these provisions, given that;</p> <ol style="list-style-type: none"> 1) 2 x Villa Units have previously been approved on Lot 22 on SP161481 and Landscape, Visual and Geotechnical Assessments provided in support of the development (Former DSC Ref: TPC:1213) confirmed that the development would be able to preserve existing mature trees and proceed without causing any significant visual impact and/or land stability issues; and 2) Development such as a Dwelling House and

		<p>access thereto on Lot 22 on SP161481 would be confined to the existing 1,000m2 allotment. The boundary re-alignment is expected to permit a lesser intense scale of development for a Dwelling House over Proposed Lot 22 and allow the building design and access thereto to relate to the contours of the site better, thereby providing greater opportunity to retain existing mature trees and Flagstaff Hill's visual landscape.</p>
Flooding and drainage		
<p>PO3 Filling and excavation does not result in a change to the run off characteristics of a site which then have a detrimental impact on the site or nearby land or adjacent road reserves.</p>	<p>AO3.1 Filling and excavation does not result in the ponding of water on a site or adjacent land or road reserves.</p> <p>AO3.2 Filling and excavation does not result in an increase in the flow of water across a site or any other land or road reserves.</p> <p>AO3.3 Filling and excavation does not result in an increase in the volume of water or concentration of water in a watercourse and overland flow paths.</p> <p>AO3.4 Filling and excavation complies with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.</p>	<p>Complies No filling or excavation is proposed as part of the boundary realignment development given that Lot 22 on SP161481 exists and is already provided with the service infrastructure necessary to facilitate future development on the land. Once the boundary re-alignment has been completed, any development on the portion of Proposed Lot 22 that currently relates to Lot 22 on SP161481 is expected to use the existing drainage infrastructure that is in place and any development on the portion of Proposed Lot 22 that currently relates to Lot 132 on PTD2094 is expected to direct stormwater drainage to the natural drainage line that passes through this portion of the proposed lot. Further detailed consideration of these matters will be able to be made at the time a code assessable development application is lodged for a Dwelling House on the land.</p>
Water quality		
<p>PO4 Filling and excavation does not result in a reduction of the water quality of receiving waters.</p>	<p>AO4 Water quality is maintained to comply with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.</p>	<p>Complies No filling or excavation is proposed as part of the boundary realignment development given that Lot 22 on SP161481 exists and is already provided with the service infrastructure necessary to</p>

		facilitate future development on the land.
Performance outcomes	Acceptable outcomes	Compliance Assessment
Infrastructure		
PO5 Excavation and filling does not impact on Public Utilities.	A05 Excavation and filling is clear of the zone of influence of public utilities.	Complies No filling or excavation is proposed as part of the boundary realignment development given that Lot 22 on SP161481 exists and is already provided with the service infrastructure necessary to facilitate future development on the land.

Infrastructure Works Code Compliance Assessment

Performance outcomes	Acceptable outcomes	Compliance Assessment
For self-assessable and assessable development		
Works on a local government road		
<p>PO1 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>AO1.1 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>AO1.2 Kerb ramp crossovers are constructed in accordance with Planning scheme policy SC 5 – FNQROC Regional Development Manual.</p> <p>AO1.3 New pipes, cables, conduits or other similar infrastructure required to cross existing footpaths: (a) are installed via trenchless methods; or 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>Complies Survey plan SP161481 that facilitated the issue of title for Lot 22 was endorsed during June 2004. In relative terms, Council's endorsement is reasonably recent and at the time of endorsement, Council will have required adequate service infrastructure provision to facilitate development on Lot 22 on SP161487. Therefore, no additional service infrastructure requirements are anticipated to be required to facilitate the boundary re-alignment development.</p>

	<p>AO1.4 Where existing footpaths are damaged as a result of development, footpaths are reinstated ensuring: (a) similar surface finishes are used; (b) there is no change in level at joins of new and existing sections; (c) new sections are matched to existing in terms of dimension and reinforcement.</p> <p>Note – Figure 9.4.5.3.a provides guidance on meeting the outcomes.</p> <p>AO1.5 Decks, verandahs, stairs, posts and other structures located in the road reserve do not restrict or impede pedestrian movement on footpaths or change the level of the road verges.</p>	
Accessibility structures		
<p>PO2 Development is designed to ensure it is accessible for people of all abilities and accessibility features do not impact on the efficient and safe use of footpaths.</p> <p>Note – Accessibility features are those features required to ensure access to premises is provided for people of all abilities and include ramps and lifts.</p>	<p>AO2.1 Accessibility structures are not located within the road reserve.</p> <p>AO2.2 Accessibility structures are designed in accordance with AS1428.3.</p> <p>AO2.3 When retrofitting accessibility features in existing buildings, all structures and changes in grade are contained within the boundaries of the lot and not within the road reserve.</p>	<p>Not Applicable These code provisions are detailed design considerations that will be applicable to the detailed design of a code assessable Dwelling House.</p>

Water supply		
<p>PO3 An adequate, safe and reliable supply of potable, fire fighting and general use water is provided.</p>	<p>A03.1 The premises is connected to Council's reticulated water supply system in accordance with the Design Guidelines set out in Section D6 of the Planning scheme policy SC5 – FNQROC Regional Development Manual;</p> <p>or</p> <p>A03.2 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>Complies Survey plan SP161481 that facilitated the issue of title for Lot 22 was endorsed during June 2004. In relative terms, Council's endorsement is reasonably recent and at the time of endorsement, Council will have required adequate service infrastructure provision such as water supply to facilitate development on Lot 22 on SP161487. Therefore, no additional service infrastructure requirements are anticipated to be required to facilitate the boundary re-alignment development.</p>
Treatment and disposal of effluent		
<p>PO4 Provision is made for the treatment and disposal of effluent to ensure that there are no adverse impacts on water quality and no adverse ecological impacts as a result of the system or as a result of increasing the cumulative effect of systems in the locality.</p>	<p>A04.1 The site is connected to Council's sewerage system and the extension of or connection to the sewerage system is designed and constructed in accordance with the Design Guidelines set out in Section D7 of the Planning scheme policy SC5 – FNQROC Regional Development Manual;</p> <p>OR</p> <p>A04.2 Where not in a sewerage scheme area, the proposed disposal system meets the requirements of Section 33 of the <i>Environmental Protection Policy (Water) 1997</i> and the proposed on site effluent disposal system is designed in accordance with the <i>Plumbing and Drainage Act (2002)</i>.</p>	<p>Complies Survey plan SP161481 that facilitated the issue of title for Lot 22 was endorsed during June 2004. In relative terms, Council's endorsement is reasonably recent and at the time of endorsement, Council will have required adequate service infrastructure provision such as connection to Council's sewerage system to facilitate development on Lot 22 on SP161487. Therefore, no additional service infrastructure requirements are anticipated to be required to facilitate the boundary re-alignment development.</p>

Stormwater quality		
<p>PO5 Development is planned, designed, constructed and operated to avoid or minimise adverse impacts on stormwater quality in natural and developed catchments by:</p> <ul style="list-style-type: none"> (a) achieving stormwater quality objectives; (b) protecting water environmental values; <p>maintaining waterway hydrology.</p>	<p>AO5.1 A connection is provided from the premises to Council's drainage system;</p> <p>or</p> <p>AO5.2 An underground drainage system is constructed to convey stormwater from the premises to Council's drainage system in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p>AO5.3 A stormwater quality management plan is prepared, and provides for achievable stormwater quality treatment measures meeting design objectives listed in Table 9.4.5.3.b and Table 9.4.5.3.c, reflecting land use constraints, such as:</p> <ul style="list-style-type: none"> (a) erosive, dispersive and/or saline soil types; (b) landscape features (including landform); (c) acid sulfate soil and management of nutrients of concern; (d) rainfall erosivity. <p>AO5.4 Erosion and sediment control practices are designed, installed, constructed, monitored, maintained, and carried out in accordance with an erosion and sediment control plan.</p> <p>AO5.5 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>Complies Lot 22 on SP161481 exists and is already provided with the service infrastructure necessary to facilitate future development on the land.</p> <p>Once the boundary re-alignment has been completed, any development on the portion of Proposed Lot 22 that currently relates to Lot 22 on SP161481 is expected to use the existing drainage infrastructure that is in place and any development on the portion of Proposed Lot 22 that currently relates to Lot 132 on PTD2094 is expected to direct stormwater drainage to the natural drainage line that passes through this portion of the proposed lot.</p> <p>Further detailed consideration of these matters will be able to be made at the time a code assessable development application is lodged for a Dwelling House on the land.</p>

	<p>Note – Planning scheme policy SC5 – FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p>Note – During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.</p>	
Non-tidal artificial waterways		
<p>PO6 Development involving non-tidal artificial waterways is planned, designed, constructed and operated to:</p> <ul style="list-style-type: none"> (a) protect water environmental values; (b) be compatible with the land use constraints for the site for protecting water environmental values; (c) be compatible with existing tidal and non-tidal waterways; (d) perform a function in addition to stormwater management; (e) achieve water quality objectives. 	<p>AO6.1 Development involving non-tidal artificial waterways ensures:</p> <ul style="list-style-type: none"> (a) environmental values in downstream waterways are protected; (b) any ground water recharge areas are not affected; (c) the location of the waterway incorporates low lying areas of the catchment connected to an existing waterway; (d) existing areas of ponded water are included. <p>AO6.2 Non-tidal artificial waterways are located:</p> <ul style="list-style-type: none"> (a) outside natural wetlands and any associated buffer areas; (b) to minimise disturbing soils or sediments; (c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas. <p>AO6.3 Non-tidal artificial waterways located adjacent to, or connected to a tidal waterway by means of a weir, lock, pumping system or similar ensures:</p> <ul style="list-style-type: none"> (a) there is sufficient flushing or a tidal range of >0.3 m; or (b) any tidal flow alteration does not adversely impact on the tidal waterway; or (c) there is no introduction of salt water into freshwater environments. 	<p>Not Applicable The land is not adjacent to a Non-tidal Waterway.</p>

AO6.4

Non-tidal artificial waterways are designed and managed for any of the following end-use purposes:

- (a) amenity (including aesthetics), landscaping or recreation; or
- (b) flood management, in accordance with a drainage catchment management plan; or
- (c) stormwater harvesting plan as part of an integrated water cycle management plan; or
- (d) aquatic habitat.

Performance outcomes	Acceptable outcomes	Compliance Assessment
	<p>AO6.5 The end-use purpose of the non-tidal artificial waterway is designed and operated in a way that protects water environmental values.</p> <p>AO6.6 Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway.</p> <p>AO6.7 Aquatic weeds are managed to achieve a low percentage of coverage of the water surface area, and pests and vectors are managed through design and maintenance.</p>	
Wastewater discharge		
<p>PO7 Discharge of wastewater to waterways, or off site:</p> <ul style="list-style-type: none"> (a) meets best practice environmental management; (b) is treated to: <ul style="list-style-type: none"> (i) meet water quality objectives for its receiving waters; (ii) avoid adverse impact on ecosystem health or waterway health; (iii) maintain ecological processes, riparian vegetation and waterway integrity; (iv) offset impacts on high ecological value waters. 	<p>AO7.1 A wastewater management plan is prepared and addresses:</p> <ul style="list-style-type: none"> (a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best practice environmental management. <p>AO7.2 The waste water management plan is managed in accordance with a waste management hierarchy that:</p> <ul style="list-style-type: none"> (a) avoids wastewater discharge to waterways; or (b) if wastewater discharge cannot practicably be avoided, minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and ground water. <p>AO7.3 Wastewater discharge is managed to avoid or</p>	<p>Not Applicable Consideration of these matters will be able to be made at the time a code assessable development application is lodged for a Dwelling House on the land.</p>

minimise the release of nutrients of concern so as to minimise the occurrence, frequency and intensity of algal blooms.

A07.4

Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and:

- (a) avoids lowering ground water levels where potential or actual acid sulfate soils are present;
- (b) manages wastewater so that:
 - (i) the pH of any wastewater discharges is maintained between 6.5 and 8.5 to avoid mobilisation of acid, iron, aluminium and other metals;
 - (ii) holding times of neutralised wastewater ensures the flocculation and removal of any dissolved iron prior to release;
 - (iii) visible iron floc is not present in any

Performance outcomes	Acceptable outcomes	Compliance Assessment
	discharge; (iv) precipitated iron floc is contained and disposed of; (v) wastewater and precipitates that cannot be contained and treated for discharge on site are removed and disposed of through trade waste or another lawful method.	
Electricity supply		
PO8 Development is provided with a source of power that will meet its energy needs.	A08.1 A connection is provided from the premises to the electricity distribution network; or A08.2 The premises is connected to the electricity distribution network in accordance with the Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual. Note - Areas north of the Daintree River have a different standard.	Complies Survey plan SP161481 that facilitated the issue of title for Lot 22 was endorsed during June 2004. In relative terms, Council's endorsement is reasonably recent and at the time of endorsement, Council will have required adequate service infrastructure provision such as connection to the reticulated electricity network to facilitate development on Lot 22 on SP161487. Therefore, no additional service infrastructure requirements are anticipated to be required to facilitate the boundary re-alignment development.

<p>PO9 Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.</p>	<p>AO9.1 Pad-mount electricity infrastructure is: (a) not located in land for open space or sport and recreation purposes; (b) screened from view by landscaping or fencing; (c) accessible for maintenance.</p> <p>AO9.2 Pad-mount electricity infrastructure within a building, in a Town Centre is designed and located to enable an active street frontage.</p> <p>Note – Pad-mounts in buildings in activity centres should not be located on the street frontage.</p>	<p>Complies Survey plan SP161481 that facilitated the issue of title for Lot 22 was endorsed during June 2004. In relative terms, Council's endorsement is reasonably recent and at the time of endorsement, Council will have required adequate service infrastructure provision such as connection to the reticulated electricity network to facilitate development on Lot 22 on SP161487. Therefore, no additional service infrastructure requirements are anticipated to be required to facilitate the boundary re-alignment development.</p>
Telecommunications		
<p>PO10 Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.</p>	<p>AO10 The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.</p>	<p>Complies Survey plan SP161481 that facilitated the issue of title for Lot 22 was endorsed during June 2004. In relative terms, Council's endorsement is reasonably recent and at the time of endorsement, Council will have required adequate service infrastructure provision such as connection to a telecommunications service to facilitate development on Lot 22 on SP161487. Therefore, no additional service infrastructure requirements are anticipated to be required to facilitate the boundary re-alignment development.</p>
<p>PO11 Provision is made for future telecommunications services (e.g. fibre optic cable).</p>	<p>AO11 Conduits are provided in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.</p>	<p>Complies Survey plan SP161481 that facilitated the issue of title for Lot 22 was endorsed during June 2004. In relative terms, Council's endorsement is reasonably recent and at the time of endorsement, Council will have required adequate service infrastructure provision such as connection to a telecommunications service to facilitate development on Lot 22 on SP161487. Therefore, no additional service infrastructure requirements are anticipated to be required to facilitate the boundary</p>

		re-alignment development.
Road construction		
<p>PO12 The road to the frontage of the premises is constructed to provide for the safe and efficient movement of:</p> <ul style="list-style-type: none"> (a) pedestrians and cyclists to and from the site; (b) pedestrians and cyclists adjacent to the site; (c) vehicles on the road adjacent to the site; (d) vehicles to and from the site; (e) emergency vehicles. 	<p>AO12.1 The road to the frontage of the site is constructed in accordance with the Design Guidelines set out in Sections D1 and D3 of the Planning scheme policy SC5 – FNQROC Regional Development Manual, for the particular class of road, as identified in the road hierarchy.</p> <p>AO12.2 There is existing road, kerb and channel for the full road frontage of the site.</p> <p>AO12.3 Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for the safe passage of emergency vehicles.</p>	<p>Complies Survey plan SP161481 that facilitated the issue of title for Lot 22 was endorsed during June 2004. In relative terms, Council's endorsement is reasonably recent and at the time of endorsement, Council will have required adequate service infrastructure provision such as road access to facilitate development on Lot 22 on SP161487. Therefore, no additional service infrastructure requirements are anticipated to be required to facilitate the boundary re-alignment development.</p> <p>Further consideration of access requirements to facilitate future development on the land will be able to be made at the time a code assessable development application is lodged for a Dwelling House on the land.</p>

Alterations and repairs to public utility services		
<p>PO13 Infrastructure is integrated with, and efficiently extends, existing networks.</p>	<p>AO13 Development is designed to allow for efficient connection to existing infrastructure networks.</p>	<p>Complies Survey plan SP161481 that facilitated the issue of title for Lot 22 was endorsed during June 2004. In relative terms, Council's endorsement is reasonably recent and at the time of endorsement, Council will have required adequate service infrastructure provision to facilitate development on Lot 22 on SP161487. Therefore, no additional service infrastructure requirements are anticipated to be required to facilitate the boundary re-alignment development.</p>
<p>PO14 Development and works do not affect the efficient functioning of public utility mains, services or installations.</p>	<p>AO14.1 Public utility mains, services and installations are not required to be altered or repaired as a result of the development;</p> <p>or</p> <p>AO14.2 Public utility mains, services and installations are altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p>	<p>Complies Survey plan SP161481 that facilitated the issue of title for Lot 22 was endorsed during June 2004. In relative terms, Council's endorsement is reasonably recent and at the time of endorsement, Council will have required adequate service infrastructure provision to facilitate development on Lot 22 on SP161487. Therefore, no additional service infrastructure requirements are anticipated to be required to facilitate the boundary re-alignment development.</p>
<p>Construction management</p>		

<p>PO15 Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be retained.</p>	<p>AO15 Works include, at a minimum: (a) installation of protective fencing around retained vegetation during construction; (b) erection of advisory signage; (c) no disturbance, due to earthworks or storage of plant, materials and equipment, of ground level and soils below the canopy of any retained vegetation; (d) removal from the site of all declared noxious weeds.</p>	<p>Complies Survey plan SP161481 that facilitated the issue of title for Lot 22 was endorsed during June 2004. In relative terms, Council's endorsement is reasonably recent and at the time of endorsement, Council will have required adequate service infrastructure provision to facilitate development on Lot 22 on SP161487. Therefore, no additional service infrastructure requirements are anticipated to be required to facilitate the boundary re-alignment development.</p>
<p>PO16 Existing infrastructure is not damaged by construction activities.</p>	<p>AO16 Construction, alterations and any repairs to infrastructure is undertaken in accordance with the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p>Note - Construction, alterations and any repairs to State-controlled roads and rail corridors are undertaken in accordance with the Transport Infrastructure Act 1994.</p>	<p>Complies Survey plan SP161481 that facilitated the issue of title for Lot 22 was endorsed during June 2004. In relative terms, Council's endorsement is reasonably recent and at the time of endorsement, Council will have required adequate service infrastructure provision to facilitate development on Lot 22 on SP161487. Therefore, no additional service infrastructure requirements are anticipated to be required to facilitate the boundary re-alignment development.</p>

Performance outcomes	Acceptable outcomes	Compliance Assessment
For assessable development		
High speed telecommunication infrastructure		
<p>PO17 Development provides infrastructure to facilitate the roll out of high speed telecommunications infrastructure.</p>	<p>AO17 No acceptable outcomes are prescribed.</p>	<p>Complies Survey plan SP161481 that facilitated the issue of title for Lot 22 was endorsed during June 2004. In relative terms, Council's endorsement is reasonably recent and at the time of endorsement, Council will have required adequate service infrastructure provision to facilitate development on Lot 22 on SP161487. Therefore, no additional service infrastructure requirements are anticipated to be required to facilitate the boundary re-alignment development. Given the existing nature of infrastructure currently provided to the site, the provision of high speed telecommunications is a matter for the future resident to arrange, if available.</p>
Trade waste		
<p>PO18 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.</p>	<p>AO18 No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p>
Fire services in developments accessed by common private title		

<p>PO19 Hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.</p>	<p>AO19.1 Residential streets and common access ways within a common private title places hydrants at intervals of no more than 120 metres and at each intersection. Hydrants may have a single outlet and be situated above or below ground.</p> <p>AO19.2 Commercial and industrial streets and access ways within a common private title serving commercial properties such as factories and warehouses and offices are provided with above or below ground fire hydrants located at not more than 90 metre intervals and at each intersection. Above ground fire hydrants have dual-valved outlets.</p>	<p>Not Applicable</p>
<p>PO20 Hydrants are suitable identified so that fire services can locate them at all hours.</p> <p>Note – Hydrants are identified as specified in the Department of Transport and Main Roads Technical Note: 'Identification of street hydrants for fire fighting purposes' available under 'Publications'.</p>	<p>AO20 No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p>

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

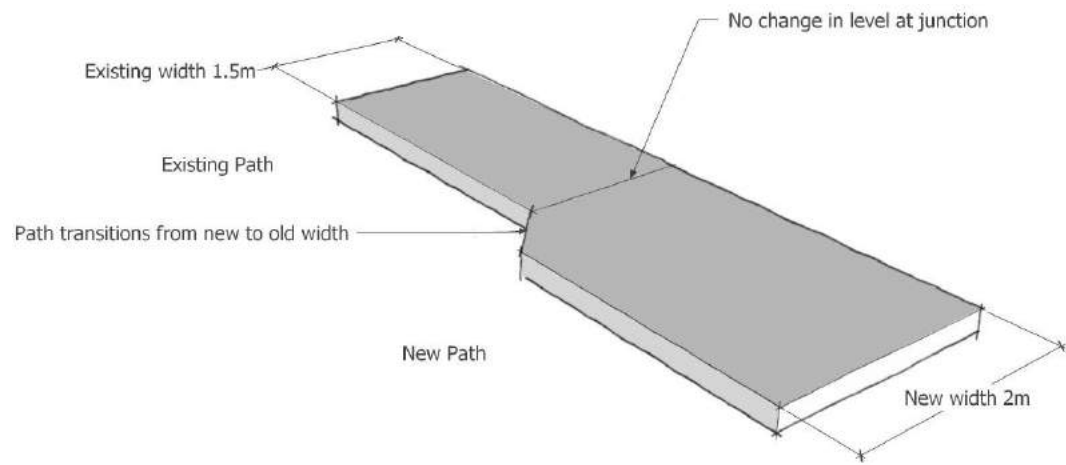
Issue	Design objectives
<p>Drainage control (Temporary drainage works)</p>	<p>(a) Design life and design storm for temporary drainage works: (i) Disturbed open area for <12 months – 1 in 2 year ARI event; (ii) Disturbed open area for 12-24 months – 1 in 5 year ARI event; (iii) Disturbed open area for >24 months – 1 in 10 year ARI event. (b) Design capacity excludes minimum 150mm freeboard. (c) Temporary culvert crossing – minimum of 1 in 1-year ARI hydraulic capacity.</p>

<p>Erosion control (Erosion control measures)</p>	<ul style="list-style-type: none"> (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>Sediment control measures (sediment control measures, design storm for sediment control basins, Sediment basin dewatering)</p>	<ul style="list-style-type: none"> (a) Determine appropriate sediment control measures using: <ul style="list-style-type: none"> (i) potential soil loss rate; or (ii) monthly erosivity; or (iii) average monthly rainfall. (b) Collect and drain stormwater from disturbed soils to sediment basin for design storm event: <ul style="list-style-type: none"> (i) design storm for sediment basin sizing is 80th% five-day event or similar. (c) Site discharge during sediment basin dewatering: <ul style="list-style-type: none"> (i) TSS < 50mg/L TSS; (ii) Turbidity not > 10% receiving water's turbidity; (iii) pH 6.5-8.5.
<p>Water quality (Litter and other waste, hydrocarbons and other contaminants)</p>	<ul style="list-style-type: none"> (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>Waterway stability and flood flow management (Changes to the natural hydraulics and hydrology)</p>	<ul style="list-style-type: none"> (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.

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</p> <p>(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



Reconfiguring a Lot Code Compliance Assessment

Performance outcomes	Acceptable outcomes	Compliance Assessment
General lot design standards		
<p>PO1 Lots comply with the lot reconfiguration outcomes of the applicable Zone code in Part 5.</p>	<p>AO1 No acceptable outcomes are prescribed.</p>	<p>Complies Refer to Environmental Management Zone Code Assessment</p>
<p>PO2 New lots are generally rectangular in shape with functional areas for land uses intended by the zone.</p>	<p>AO2 Boundary angles are not less than 45 degrees.</p>	<p>Complies Refer to RPS Drawing No PR141528-1 Reconfiguration (Boundary Re-alignment) Proposal Plan in Attachment C</p>
<p>PO3 Lots have legal and practical access to a public road.</p>	<p>AO3 Each lot is provided with: (a) direct access to a gazetted road reserve; or (b) access to a gazetted road via a formal access arrangement registered on the title.</p>	<p>Complies Proposed Lot 22 has direct access to Murphy Street as per the access established at the time the title was created for Lot 22 on SP161481 and the existing residence that is located on Proposed Lot 132 has access to Island Point Road via an Access Easement as has been established for other adjoining lots.</p>
<p>PO4 Development responds appropriately to its local context, natural systems and site features.</p>	<p>AO4 Existing site features such as: (a) significant vegetation and trees; (b) waterways and drainage paths; (c) vistas and vantage points are retained and/or are incorporated into open space, road reserves, near to lot boundaries or as common property.</p>	<p>Complies The boundary re-alignment proposal is expected to provide positive outcomes in respect of these provisions, given that;</p> <ol style="list-style-type: none"> 1) 2 x Villa Units have previously been approved on Lot 22 on SP161481 and a Landscape Assessment and Visual Assessment provided in support of the development (Former DSC Ref: TPC:1213) confirmed that the development would be able to preserve existing mature trees and proceed without causing any significant visual impact; and 2) Development such as a Dwelling House and access thereto on Lot 22 on SP161481 would be confined to the existing 1,000m² allotment. The boundary re-alignment is expected to permit a lesser intense scale of development for a Dwelling

		House over Proposed Lot 22 and allow the building design and access thereto to relate to the contours of the site better, thereby providing greater opportunity to retain existing mature trees and Flagstaff Hill's visual landscape.
<p>PO5 New lots which have the capability of being further reconfigured into smaller lots at a later date are designed to not compromise ultimate development outcomes permitted in the relevant zone.</p>	<p>AO5 The ability to further reconfigure land at a later date is demonstrated by submitting a concept plan that meets the planning scheme requirements for the applicable Zone.</p>	Not Applicable
<p>PO6 Where existing buildings or structures are to be retained, development results in: (a) boundaries that offer regular lot shapes and usable spaces; (b) existing improvements complying with current building and amenity standards in relation to boundary setbacks.</p> <p>Note - This may require buildings or structures to be modified, relocated or demolished to meet setback standards, resolve encroachments and the like.</p>	<p>AO6 Development ensures setbacks between existing buildings or structures and proposed boundaries satisfy relevant building standards or zone code requirements, whichever is the greater.</p>	<p>Complies Refer to RPS Drawing No PR141528-1 Reconfiguration (Boundary Re-alignment) Proposal Plan in Attachment C</p>
<p>PO7 Where rear lots are proposed, development: (a) provides a high standard of amenity for residents and other users of the site and adjoining properties; (b) positively contributes to the character of adjoining properties and the area; does not adversely affect the safety and efficiency of the road from which access is gained.</p>	<p>AO7.1 Where rear lots are to be established: (a) the rear lot is generally rectangular in shape, avoiding contrived sharp boundary angles; (b) no more than 6 lots directly adjoin the rear lot; (c) no more than one rear lot occurs behind the road frontage lot; (d) no more than two access strips to rear lots directly adjoin each other; (e) access strips are located only on one side of the road frontage lot.</p> <p>AO7.2 Access strips to the rear lot have a minimum width dimension of:</p>	Not Applicable

	<p>(a) 4.0 metres in Residential Zones. (b) 8.0 metres in Industrial Zones category. (c) 5.0 metres in all other Zones.</p> <p>Note - Rear lots are generally not appropriate in non-Residential or non-Rural zones.</p> <p>AO7.3 Access strips are provided with a sealed pavement of sufficient width to cater for the intended traffic, but no less than: (a) 3.0 metres in Residential Zone. (b) 6.0 metres in an Industrial Zone. 3.5 metres in any other Zone.</p>	
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Performance outcomes	Acceptable outcomes	Compliance Assessment
Structure plans – Not Applicable		
Urban parkland and environmental open space – Not Applicable		

Performance outcomes	Acceptable outcomes	Compliance Assessment
Private subdivisions (gated communities) – Not Applicable		
Additional requirements for reconfiguration involving the creation of public streets or roads – Not Applicable		
Public transport network – Not Applicable		
Pest plants		
<p>PO19 Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not reinfest the site or nearby sites.</p> <p>Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the Land Protection (Pest and Stock Route Management) Act 2002.</p>	<p>AO19 Pest plants detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person prior to earthworks commencing.</p> <p>Note - A declaration from an appropriately qualified person validates the land being free from pest plants. Declared pest plants include locally declared and State declared pest plants.</p>	<p>Complies This requirement is applicable to the future development works on-site for a Dwelling House and if applicable, should be imposed as a requirement of the future Dwelling House development.</p>