

# IDAS form 1—Application details

(Sustainable Planning Act 2009 version 4.2 effective 3 August 2015)

This form must be used for **ALL** development applications.

You **MUST** complete **ALL** questions that are stated to be a mandatory requirement unless otherwise identified on this form.

For all development applications, you must:

- complete this form (*IDAS form 1—Application details*)
- complete any other forms relevant to your application
- provide any mandatory supporting information identified on the forms as being required to accompany your application.

Attach extra pages if there is insufficient space on this form.

All terms used on this form have the meaning given in the *Sustainable Planning Act 2009* (SPA) or the Sustainable Planning Regulation 2009.

This form and any other IDAS form relevant to your application must be used for development applications 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*. Whenever a planning scheme is mentioned, take it to mean land use plan for the strategic port land, Brisbane core port land or airport land.

PLEASE NOTE: This form is not required to accompany requests for compliance assessment.

## Mandatory requirements

**Applicant details** (Note: the applicant is the person responsible for making the application and need not be the owner of the land. The applicant is responsible for ensuring the information provided on all IDAS application forms is correct. Any development permit or preliminary approval that may be issued as a consequence of this application will be issued to the applicant.)

Name/s (individual or company name in full)

Danielle Pigot

For companies, contact name

Postal address

PO Box 4

Suburb

Port Douglas

State

QLD

Postcode

4877

Country

Australia

Contact phone number

40 993933

Mobile number (non-mandatory requirement)

0417 713 600

Fax number (non-mandatory requirement)

Department of Infrastructure, Local Government and Planning

File: MCUC

Date: 15 NO / 2013

Att: Jenny Elphinstone

Inter:



Email address (non-mandatory requirement)

daniellepiat  
@bigpond.com

Applicant's reference number (non-mandatory requirement)

**1. What is the nature of the development proposed and what type of approval is being sought?****Table A**—Aspect 1 of the application (If there are additional aspects to the application please list in Table B—Aspect 2.)

a) What is the nature of the development? (Please only tick one box.)

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

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

☐ Preliminary approval under s241 of SPA    ☐ Preliminary approval under s241 and s242 of SPA    ☒ Development permit
c) Provide a brief description of the proposal, including use definition and number of buildings or structures where applicable (e.g. six unit apartment building defined as a *multi-unit dwelling*, 30 lot residential subdivision etc.)

opening TAVERN in an existing space

d) What is the level of assessment? (Please only tick one box.)

☐ Impact assessment    ☒ Code assessment
**Table B**—Aspect 2 of the application (If there are additional aspects to the application please list in Table C—Additional aspects of the application.)

a) What is the nature of development? (Please only tick one box.)

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

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

☐ Preliminary approval under s241 of SPA    ☐ Preliminary approval under s241 and s242 of SPA    ☐ Development permit
c) Provide a brief description of the proposal, including use definition and number of buildings or structures where applicable (e.g. six unit apartment building defined as a *multi-unit dwelling*, 30 lot residential subdivision etc.)

d) What is the level of assessment?

☐ Impact assessment    ☐ Code assessment
**Table C**—Additional aspects of the application (If there are additional aspects to the application please list in a separate table on an extra page and attach to this form.)
☐ Refer attached schedule    ☐ Not required



**2. Location of the premises** (Complete Table D and/or Table E as applicable. Identify each lot in a separate row.)

**Table D**—Street address and lot on plan for the premises or street address and lot on plan for the land adjoining or adjacent to the premises (Note: this table is to be used for applications involving taking or interfering with water.) (Attach a separate schedule if there is insufficient space in this table.)

- ☐ Street address **and** lot on plan (All lots must be listed.)
- ☐ Street address **and** lot on plan for the land adjoining or adjacent to the premises (Appropriate for development in water but adjoining or adjacent to land, e.g. jetty, pontoon. All lots must be listed.)

Street address					Lot on plan description		Local government area (e.g. Logan, Cairns)
Lot	Unit no.	Street no.	Street name and official suburb/ locality name	Post-code	Lot no.	Plan type and plan no.	
i)	13	53-61	Macrossan St.	4877	1	SP150461	Douglas Shire Council
ii)			Port Douglas				
iii)							

**Planning scheme details** (If the premises involves multiple zones, clearly identify the relevant zone/s for each lot in a separate row in the below table. Non-mandatory)

Lot	Applicable zone / precinct	Applicable local plan / precinct	Applicable overlay/s
i)	Commercial Planning Area	Port Douglas & Enniskillen Locality	Tourist Centre
ii)			
iii)			

**Table E**—Premises coordinates (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.) (Attach a separate schedule if there is insufficient space in this table.)

Coordinates (Note: place each set of coordinates in a separate row)				Zone reference	Datum	Local government area (if applicable)
Easting	Northing	Latitude	Longitude			
					<input type="checkbox"/> GDA94 <input type="checkbox"/> WGS84 <input type="checkbox"/> other	

**3. Total area of the premises on which the development is proposed** (indicate square metres)

60 Sqm Approx

**4. Current use/s of the premises** (e.g. vacant land, house, apartment building, cane farm etc.)

Retail Shop

**5. Are there any current approvals (e.g. a preliminary approval) associated with this application? (Non-mandatory requirement)**

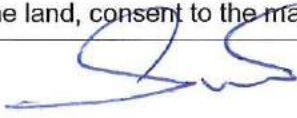
☒ No ☐ Yes—provide details below

List of approval reference/s	Date approved (dd/mm/yy)	Date approval lapses (dd/mm/yy)

**6. Is owner's consent required for this application? (Refer to notes at the end of this form for more information.)**

☒ No  
☐ Yes—complete either Table F, Table G or Table H as applicable

**Table F**

Name of owner/s of the land	PORT PLAZA PTU JD
I/We, the above-mentioned owner/s of the land, consent to the making of this application.	
Signature of owner/s of the land	
Date	14.11.16

**Table G**

Name of owner/s of the land	
<input type="checkbox"/> The owner's written consent is attached or will be provided separately to the assessment manager.	

**Table H**

Name of owner/s of the land	
<input type="checkbox"/> By making this application, I, the applicant, declare that the owner has given written consent to the making of the application.	

**7. Identify if any of the following apply to the premises (Tick applicable box/es.)**

- ☐ Adjacent to a water body, watercourse or aquifer (e.g. creek, river, lake, canal)—complete Table I
- ☐ On strategic port land under the *Transport Infrastructure Act 1994*—complete Table J
- ☐ In a tidal water area—complete Table K
- ☐ On Brisbane core port land under the *Transport Infrastructure Act 1994* (No table requires completion.)
- ☐ On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008* (no table requires completion)
- ☐ Listed on either the Contaminated Land Register (CLR) or the Environmental Management Register (EMR) under the *Environmental Protection Act 1994* (no table requires completion)

**Table I**

Name of water body, watercourse or aquifer



**Table J**

Lot on plan description for strategic port land	Port authority for the lot

**Table K**

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

- 8. Are there any existing easements on the premises?** (e.g. for vehicular access, electricity, overland flow, water etc)

☒ No ☐ Yes—ensure the type, location and dimension of each easement is included in the plans submitted

- 9. Does the proposal include new building work or operational work on the premises?** (Including any services)

☒ No ☐ Yes—ensure the nature, location and dimension of proposed works are included in plans submitted

- 10. Is the payment of a portable long service leave levy applicable to this application?** (Refer to notes at the end of this form for more information.)

☒ No—go to question 12 ☐ Yes

- 11. Has the portable long service leave levy been paid?** (Refer to notes at the end of this form for more information.)

☒ No

☐ Yes—complete Table L and submit with this application the yellow local government/private certifier's copy of the receipted QLeave form

**Table L**

Amount paid	Date paid (dd/mm/yy)	QLeave project number (6 digit number starting with A, B, E, L or P)

- 12. Has the local government agreed to apply a superseded planning scheme to this application under section 96 of the Sustainable Planning Act 2009?**

☐ No

☐ Yes—please provide details below

Name of local government	Date of written notice given by local government (dd/mm/yy)	Reference number of written notice given by local government (if applicable)

- 13. List below all of the forms and supporting information that accompany this application** (Include all IDAS forms, checklists, mandatory supporting information etc. that will be submitted as part of this application)

Description of attachment or title of attachment	Method of lodgement to assessment manager
Sketch Site Plan	
Internal Layout Plan	
Planning Report	
IDAS Form 5	
ALL Applicable Codes	

**14. Applicant's declaration**

☒ By making this application, I declare that all information in this application is true and correct (Note: it is unlawful to provide false or misleading information)

**Notes for completing this form**

- Section 261 of the *Sustainable Planning Act 2009* prescribes when an application is a properly-made application. Note, the assessment manager has discretion to accept an application as properly made despite any non-compliance with the requirement to provide mandatory supporting information under section 260(1)(c) of the *Sustainable Planning Act 2009*

**Applicant details**

- Where the applicant is not a natural person, ensure the applicant entity is a real legal entity.

**Question 1**

- Schedule 3 of the *Sustainable Planning Regulation 2009* identifies assessable development and the type of assessment. Where schedule 3 identifies assessable development as "various aspects of development" the applicant must identify each aspect of the development on Tables A, B and C respectively and as required.

**Question 6**

- Section 263 of the *Sustainable Planning Act 2009* sets out when the consent of the owner of the land is required for an application. Section 260(1)(e) of the *Sustainable Planning Act 2009* provides that if the owner's consent is required under section 263, then an application must contain, or be accompanied by, the written consent of the owner, or include a declaration by the applicant that the owner has given written consent to the making of the application. If a development application relates to a state resource, the application is not required to be supported by evidence of an allocation or entitlement to a state resource. However, where the state is the owner of the subject land, the written consent of the state, as landowner, may be required. Allocation or entitlement to the state resource is a separate process and will need to be obtained before development commences.

**Question 7**

- If the premises is listed on either the Contaminated Land Register (CLR) or the Environmental Management Register (EMR) under the *Environmental Protection Act 1994* it may be necessary to seek compliance assessment. Schedule 18 of the *Sustainable Planning Regulation 2009* identifies where compliance assessment is required.

**Question 11**

- The *Building and Construction Industry (Portable Long Service Leave) Act 1991* prescribes when the portable long service leave levy is payable.
- The portable long service leave levy amount and other prescribed percentages and rates for calculating the levy are prescribed in the *Building and Construction Industry (Portable Long Service Leave) Regulation 2002*.



**Question 12**

- The portable long service leave levy need not be paid when the application is made, but the *Building and Construction Industry (Portable Long Service Leave) Act 1991* requires the levy to be paid before a development permit is issued.
- Building and construction industry notification and payment forms are available from any Queensland post office or agency, on request from QLeave, or can be completed on the QLeave website at [www.qleave.qld.gov.au](http://www.qleave.qld.gov.au). For further information contact QLeave on 1800 803 481 or visit [www.qleave.qld.gov.au](http://www.qleave.qld.gov.au).

**Privacy**—The information collected in this form will be used by the Department of Infrastructure, Local Government and Planning (DILGP), assessment manager, referral agency and/or building certifier in accordance with the processing and assessment of your application. Your personal details should not be disclosed for a purpose outside of the IDAS process or the provisions about public access to planning and development information in the *Sustainable Planning Act 2009*, except where required by legislation (including the *Right to Information Act 2009*) or as required by Parliament. This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

**OFFICE USE ONLY**

Date received

Reference numbers

**NOTIFICATION OF ENGAGEMENT OF A PRIVATE CERTIFIER**

To

Council. I have been engaged as the private certifier for the building work referred to in this application

Date of engagement	Name	BSA Certification license number	Building classification/s
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**QLEAVE NOTIFICATION AND PAYMENT (For completion by assessment manager or private certifier if applicable.)**

Description of the work	QLeave project number	Amount paid (\$)	Date paid	Date receipted form sighted by assessment manager	Name of officer who sighted the form
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

The *Sustainable Planning Act 2009* is administered by the Department of Infrastructure, Local Government and Planning. This form and all other required application materials should be sent to your assessment manager and any referral agency.

# IDAS form 5—Material change of use assessable against a planning scheme

(Sustainable Planning Act 2009 version 3.1 effective 3 August 2015)

This form must be used for development applications for a material change of use assessable against a planning scheme.

You **MUST** complete **ALL** questions that are stated to be a mandatory requirement unless otherwise identified on this form.

For all development applications, you must:

- complete *IDAS form 1—Application details*
- complete any other forms relevant to your application
- provide any mandatory supporting information identified on the forms as being required to accompany your application.

Attach extra pages if there is insufficient space on this form.

All terms used on this form have the meaning given in the *Sustainable Planning Act 2009* (SPA) or the Sustainable Planning Regulation 2009.

This form must also be used for material change of use on 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* that requires assessment against the land use plan for that land. Whenever a planning scheme is mentioned, take it to mean land use plan for the strategic port land, Brisbane core port land or airport land.

## Mandatory requirements

1. **Describe the proposed use.** (Note: this is to provide additional detail to the information provided in question 1 of *IDAS form 1—Application details*. Attach a separate schedule if there is insufficient space in this table.)

General explanation of the proposed use	Planning scheme definition (include each definition in a new row) (non-mandatory)	No. of dwelling units (if applicable) or gross floor area (if applicable)	Days and hours of operation (if applicable)	No. of employees (if applicable)
Tavern (Bar)	Tavern	60 sqm	7 days 11-12	1-5

2. **Are there any current approvals associated with the proposed material change of use?** (e.g. a preliminary approval.)

☒ No ☐ Yes—provide details below

List of approval reference/s	Date approved (dd/mm/yy)	Date approval lapses (dd/mm/yy)





**3. Does the proposed use involve the following? (Tick all applicable boxes.)**

- |  |  |   |
|--|--|---|
| The reuse of existing buildings on the premises        | <input type="checkbox"/> No            | <input checked="" type="checkbox"/> Yes                   |
| New building work on the premises                      | <input type="checkbox"/> No            | <input checked="" type="checkbox"/> Yes (Minor Spopfront) |
| The reuse of existing operational work on the premises | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes                              |
| New operational work on the premises                   | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes                              |

**Mandatory supporting information****4. Confirm that the following mandatory supporting information accompanies this application**

Mandatory supporting information	Confirmation of lodgement	Method of lodgement
<b>All applications</b>		
<p>A site plan drawn to an appropriate scale (1:100, 1:200 or 1:500 are <b>recommended</b> scales) which shows the following:</p> <ul style="list-style-type: none"> <li>the location and site area of the land to which the application relates (<i>relevant land</i>)</li> <li>the north point</li> <li>the boundaries of the relevant land</li> <li>any road frontages of the relevant land, including the name of the road</li> <li>the location and use of any existing or proposed buildings or structures on the relevant land (note: where extensive demolition or new buildings are proposed, two separate plans [an existing site plan and proposed site plan] may be appropriate)</li> <li>any existing or proposed easements on the relevant land and their function</li> <li>the location and use of buildings on land adjoining the relevant land</li> <li>all vehicle access points and any existing or proposed car parking areas on the relevant land. Car parking spaces for persons with disabilities and any service vehicle access and parking should be clearly marked</li> <li>for any new building on the relevant land, the location of refuse storage</li> <li>the location of any proposed retaining walls on the relevant land and their height</li> <li>the location of any proposed landscaping on the relevant land</li> <li>the location of any stormwater detention on the relevant land.</li> </ul>	<input type="checkbox"/> Confirmed	
A statement about how the proposed development addresses the local government's planning scheme and any other planning instruments or documents relevant to the application.	<input type="checkbox"/> Confirmed	
A statement about the intensity and scale of the proposed use (e.g. number of visitors, number of seats, capacity of storage area etc.). <i>50-750 visitors/day</i>	<input type="checkbox"/> Confirmed	
<p>Information that states:</p> <ul style="list-style-type: none"> <li>the existing or proposed floor area, site cover, maximum number of storeys and maximum height above natural ground level for existing or new buildings (e.g. information regarding existing buildings but not being reused)</li> <li>the existing or proposed number of on-site car parking bays, type of vehicle cross-over (for non-residential uses) and vehicular servicing arrangement (for non-residential uses).</li> </ul>	<input type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	

A statement addressing the relevant part(s) of the State Development Assessment Provisions (SDAP).	<input type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	
<b>When the application involves the reuse of existing buildings</b>		
Plans showing the size, location, existing floor area, existing site cover, existing maximum number of storeys and existing maximum height above natural ground level of the buildings to be reused.	<input type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	
<b>When the application involves new building work (including extensions)</b>		
Floor plans drawn to an appropriate scale (1:50, 1:100 or 1:200 are <b>recommended</b> scales) which show the following: <ul style="list-style-type: none"> <li>• the north point</li> <li>• the intended use of each area on the floor plan (for commercial, industrial or mixed use developments only)</li> <li>• the room layout (for residential development only) with all rooms clearly labelled</li> <li>• the existing and the proposed built form (for extensions only)</li> <li>• the gross floor area of each proposed floor area.</li> </ul>	<input type="checkbox"/> Confirmed	
Elevations drawn to an appropriate scale (1:100, 1:200 or 1:500 are <b>recommended</b> scales) which show plans of all building elevations and facades, clearly labelled to identify orientation (e.g. north elevation)	<input type="checkbox"/> Confirmed	
Plans showing the size, location, proposed site cover, proposed maximum number of storeys, and proposed maximum height above natural ground level of the proposed new building work.	<input type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	
<b>When the application involves reuse of other existing work</b>		
Plans showing the nature, location, number of on-site car parking bays, existing area of landscaping, existing type of vehicular cross-over (non-residential uses), and existing type of vehicular servicing arrangement (non-residential uses) of the work to be reused.	<input type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	
<b>When the application involves new operational work</b>		
Plans showing the nature, location, number of new on-site car parking bays, proposed area of new landscaping, proposed type of new vehicle cross-over (non-residential uses), proposed maximum new vehicular servicing arrangement (non-residential uses) of the proposed new operational work.	<input type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	

**Privacy**—Please refer to your assessment manager, referral agency and/or building certifier for further details on the use of information recorded in this form.

#### OFFICE USE ONLY

Date received

Reference numbers

The *Sustainable Planning Act 2009* is administered by the Department of Infrastructure, Local Government and Planning. This form and all other required application materials should be sent to your assessment manager and any referral agency.



**RE:**

Shop 13 53-61 Macrossan St, Port Douglas Proposed Tavern, L1 SP150461  
P10888 and for Rezone Entire Building

**The lot and plan details are:**

Lot 1 SP150461

**Owner:**

Port Plaza Pty Ltd

**Our proposed bar:**

Will have maximum seating and capacity for 60 people

Will operate between 11 AM - 12 Midnight 7 days a week

The interior space is 60 sqm inclusive of 5 sqm of storage

The exterior verandah we probably won't use but would like to get approval if we can to use just in case we want to. This verandah area is 8sqm (approx)

Will be located at Shop 13 / 53-61 Macrossan St Port Douglas

**Bathrooms:**

Bathrooms are communal bathrooms (separate male and female bathrooms) for the building shared with restaurant (formerly Finz) located on corner of Macrossan st and Owen St in the Portico complex. Access to bathroom from Shop 13 are out the back door along covered walkway on same level.

**Parking:**

The existing building was developed under Town Planning Consent TPC 1258 for 2 Multi-Unit Dwellings (tourist), Shops and Restaurant issued by the former Douglas Shire Council in 2007.

The application was lodged under the 1996 Planning Scheme.

A copy of the approval (a Negotiated Decision Notice) is attached for your reference.

The development required the provision of 35 onsite car spaces:

- 2 for the relocation of car parking associated with the adjacent land;
- 3 car spaces for the two Multi-Unit dwellings, meeting the then Scheme requirement for 3 spaces;

- 9 spaces for the Restaurant (Shop 16 on the approved plan), being  $135\text{m}^2$  gross floor area (gfa) and meeting the then scheme requirement of 1 car space per  $15\text{m}^2$  gfa; and
- 21 spaces for the Shops (Shops 9-15 inclusive), being a total of  $420\text{m}^2$  gfa and meeting the then scheme requirement of 1 car space per  $20\text{m}^2$  gfa.

A copy of the plan for the ground floor area is attached for your reference. The conditions of the approval maintain the requirement for the 35 onsite car parking spaces, three of which must be dedicated to the tourist residential use.

The current Planning Scheme nominates the acceptable solutions of:  
 1 car space per  $30\text{m}^2$  per net lettable floor (nla) area for shop and/or restaurant; and  
 1 car space per  $10\text{m}^2$  per nla for a Tavern use.

Shop 13 has a gfa/nla (excluding any verandah use) of  $70\text{m}^2$ . Considering Shop 13, exclusive to the remainder of the other shop/restaurant uses, there would be a credit of 3.5 spaces and a new demand of 7 spaces. In this instance, there is a doubling of the demand requirement as opposed to the onsite provision.

However, as the shops remain in a single ownership and the car parking other than the 3 spaces for the units are not allocated by the conditions of the existing approval consideration could be given to a general credit of 30 spaces and a demand under the current scheme of 7 spaces for the Tavern use ( $70\text{m}^2$ ) and 17 spaces for the restaurant and remaining shops ( $420 + 70 + 135 = 485\text{m}^2$  gfa). On this basis the total provision of 30 spaces for the Shops/Restaurant and proposed Tavern exceed the demand requirement of 24 spaces.

In respect to the car parking considerations this would be supported on the above basis, however this is conditional to any further parking being necessary for under verandah net lettable floor area use.

As a new use is proposed for the land a new application would be required and the application would be referred to the State, due to Macrossan Street being a state-controlled declared main road.

As the application is code assessable public notification would not be required.

### **Entertainment:**

At this stage there are no plans to have live entertainment.



We will play music.

Regardless of live or prerecorded (cds etc.) entertainment we will play at reasonable levels so as to never go beyond the legal decibel range.

We will respect our community and the law at all times regarding sound levels emitted from the tavern.

**Tavern:**

No land use code.

**Regarding my contact with Sara, they have recommended:**

"If the council will be the assessment manager, this means that SARA will be the referral agency and you will need to send your development application documentation to us after you have paid the applicable fees to council and have been sent an acknowledgement notice."

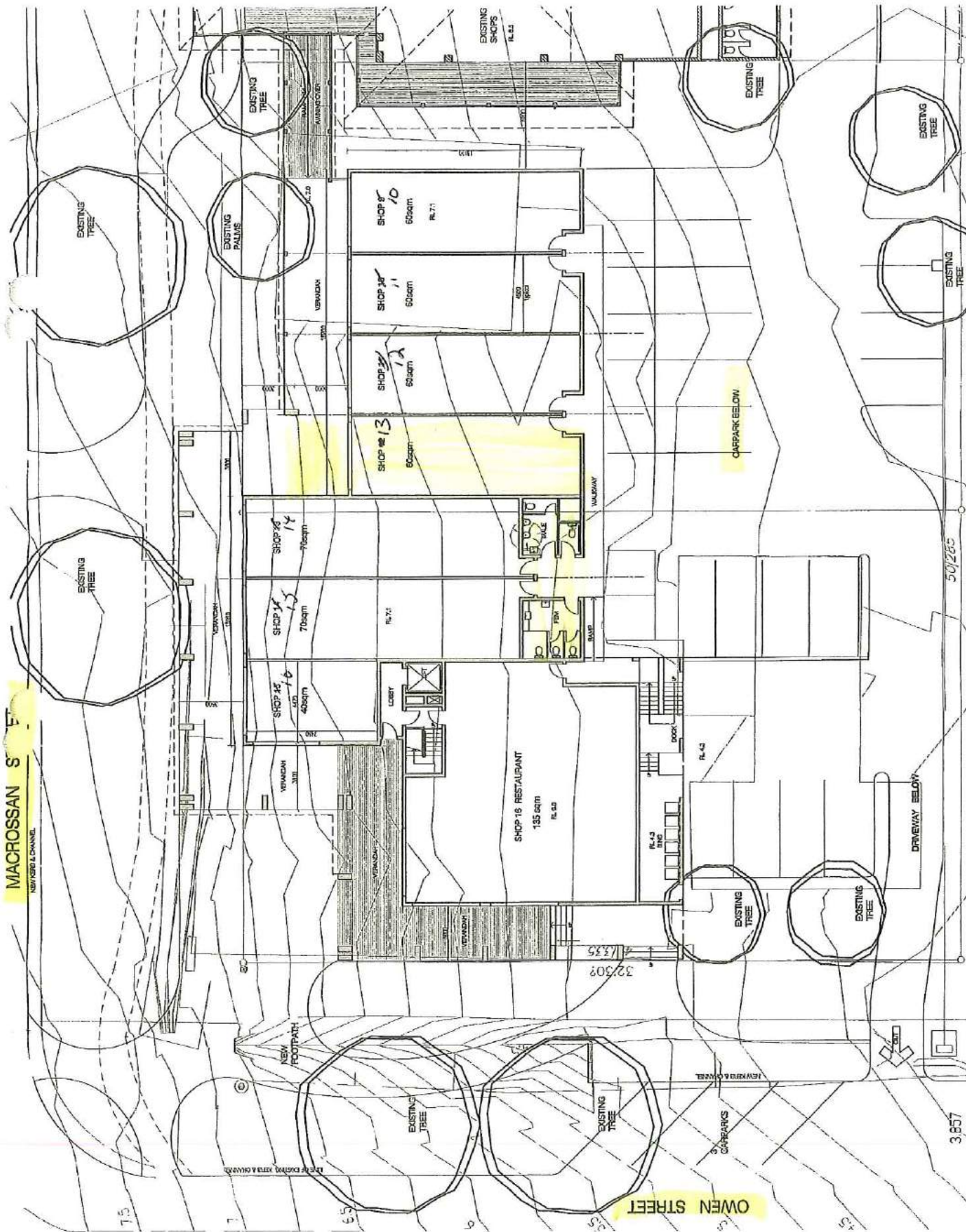






MACROSSAN STREET

NEW KERB & CHANNEL



1	7/1/02	DA 002
2	7/1/02	DA 003

ARCHITECTURE

INTERIOR DESIGN

MASTER PLANNING

PROJECT MANAGER

PROJECT MANAGER

TOTAL

1000

1000

1000

1000

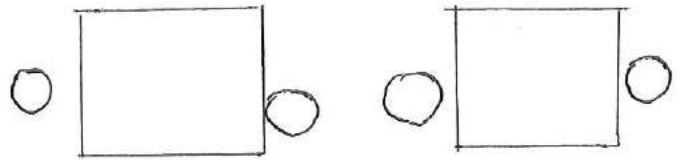
PORTICO STAGE

FLOOR PLAN - SHOP LEVEL

UNITS	1000	1000	1000	1000
PHASE	1	2	3	4

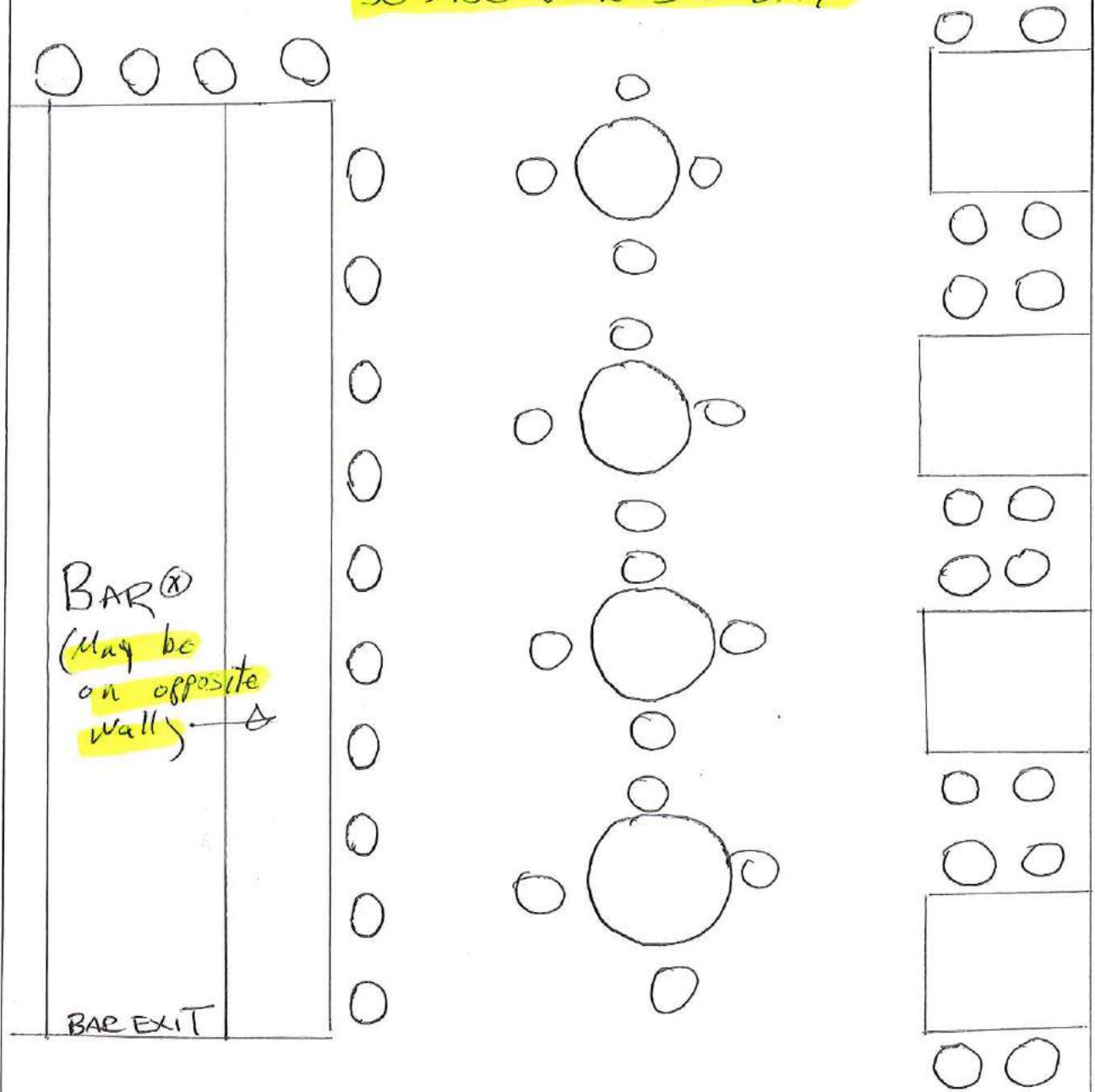
DATE: 07/01/02  
DRAWN: 07/01/02  
CHECKED: 07/01/02  
APPROVED: 07/01/02

SHOP 13  
53-61 MACROHAN ST.



ENTRANCE

MAXIMUM CAPACITY 60 Pax  
50-150 VISITORS / DAY



60 sq m

Door

STORAGE 5sq m

TOILETS





## Elements of the Code

**General Requirements :** *No change to existing continuing compliance w/ Previous*

*Approvals  
OVER  
the  
Land.*

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 Buildings and structures complement the Height of surrounding development,</p> <p style="text-align: center;">AND</p> <p>The height of buildings in the Port Douglas Waterfront transitions from single storey in the Community and Recreation Facilities Planning Area through to three storeys in the Port Douglas Waterfront North Planning Area.</p> <p style="text-align: center;">AND</p> <p>Buildings are limited to two Storeys outside the Port Douglas Waterfront, except; in the High Scale locations depicted on the Locality Plan, where development of three Storeys is appropriate.</p>	<p>A1.1 In the Planning Areas (and parts thereof) contained in the Port Douglas Waterfront listed below, the maximum Height of Buildings/structures is 3.0 metres. In addition, the roof (including any ancillary roof features) does not exceed a maximum Height of 3.5 metres above the intersection of the pitching part of the roof and the wall of the Building:</p> <ul style="list-style-type: none"> <li>• Community and Recreation Facilities</li> </ul> <p style="text-align: center;">AND</p> <p>In the Planning Areas (and parts thereof) listed below the maximum Height of Buildings/structures is 6.5 metres. In addition, the roof (including any ancillary roof features) does not exceed a maximum Height of 3.5 metres above the intersection of the pitching part of the roof and the wall of the Building:</p> <ul style="list-style-type: none"> <li>• Residential 1;</li> <li>• Industry;</li> <li>• Conservation;</li> <li>• Community and Recreational Facilities (except in the Port Douglas Waterfront);</li> <li>• Residential 2;</li> <li>• Tourist and Residential (Medium Scale);</li> <li>• Commercial – (Medium Scale, outside the Tourist Centre);</li> <li>• Commercial – (High Scale, outside the Tourist Centre);</li> </ul>



	<ul style="list-style-type: none"> <li>• Commercial – (High Scale, within the Tourist Centre and on the high side of Macrossan Street) – in this instance there is no specified number of Storeys, however the maximum Height prevails.</li> <li>• Port Douglas Waterfront North (where depicted within Figure 1 of the Port Douglas Waterfront North Planning Area Code); and</li> <li>• Port Douglas Waterfront South.</li> </ul> <p style="text-align: center;">AND</p> <p>In the Planning Areas (parts thereof) listed below the maximum Height of Buildings/structures is 10 metres and 3 Storeys. In addition, the roof (including any ancillary roof features) does not exceed a maximum Height of 3.5 metres above the intersection of the pitching part of the roof and the wall of the Building:</p> <ul style="list-style-type: none"> <li>• Tourist and Residential – (High Scale); and</li> <li>• Commercial – (High Scale, within the Tourist Centre and on the low side of Macrossan Street, through to Warner Street); and</li> <li>• Port Douglas Waterfront North (where depicted within Figure 1 of the Port Douglas Waterfront North Planning Area Code).</li> </ul>
<p>P2 Development is connected to available urban services.</p>	<p>A2.1 Development is connected to available urban services by underground connections, wherever possible.</p> <p style="text-align: center;">AND/OR</p> <p>Contributions are paid when applicable in accordance with the requirements of Planning Scheme Policy No 11 – Water Supply and Sewerage Headworks and Works External Contributions.</p>





P3	Landscaping of development Sites complements the existing tropical seaside resort town character of Port Douglas and creates a dominant tropical vegetated streetscape.	A3.1	Landscaping of a development Site complies with Planning Scheme Policy No 7 – Landscaping, with particular emphasis on appropriate species for Port Douglas.
P4	Development Sites are provided with efficient and safe vehicle Access and manoeuvring areas on Site and to the Site, to an acceptable standard for the Locality.	A4.1	All Roads, driveways and manoeuvring areas on Site and adjacent to the Site are designed and maintained to comply with the specifications set out in the Planning Scheme Policy No 6 – FNQROC Development Manual.

### Tourist Centre

*No change to existing continuing compliance w/*

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P5	Development in the Tourist Centre enhances the distinct tropical resort town character and identity of Port Douglas and encourages pedestrian activity at street level including shade protection across the entire footpath for the length of the building	A5.1	Development is built up to the street Frontage/s at Ground Level and incorporates a light frame awning a minimum of 3 metres wide for the length of the street Frontage/s.  OR  If a development includes an outdoor dining area at ground/footpath level, the dining area has a maximum Setback of 6 metres and the required awning is still maintained along the length of the street Frontage/s.
P6	Development in the Tourist Centre is predominantly commercial in nature with any tourist accommodation having a secondary focus and not located on the street-level Frontage.	A6.1	Commercial development establishes at Ground Level and a maximum of one level above ground with any residential tourist development establishing on levels above ground or on Ground Level but not on the street Frontage, in any mixed use development.

*Previous Approvals over the land.*





<p>P7 Development in the Tourist Centre is of a height and scale which complements the village character of the town and remains subservient to the natural environment and the backdrop of Flagstaff Hill, in particular.</p>	<p>A7.1 The achievement of the maximum Building/structure Height specified above in A1.1, relies on compliance with Acceptable Solutions A7.2, A7.3, A7.4 and A8.1 below.</p> <p>A7.2 Development has a maximum length of unbroken building facade of 20 metres and a maximum extent of overall development in the same style/design along the street Frontage/s of 40 metres.</p> <p>A7.3 Any break in the building facade varies the alignment by a 1 metre minimum deviation.</p>
	<p>A7.4 A minimum of three of the following building design features and architectural elements detailed below are incorporated to break the extended facade of a development:</p> <ul style="list-style-type: none"> <li>• a change in roof profile;</li> <li>• a change in parapet coping;</li> <li>• a change in awning design;</li> <li>• a horizontal or vertical change in the wall plane; or</li> <li>• a change in the exterior finishes and exterior colours of the development.</li> </ul> <p>Planning Scheme Policy No 2 – Building Design and Architectural Elements should be referred to for demonstrating compliance with elements listed above.</p> <p>A7.5 Any Building which does not comply with A7.2, A7.3 and A7.4 above, is limited to 1 storey and/or 4.5 metres in height.</p>



<p>P8 Development in the Tourist Centre is climate-responsive, contributes positively to the character of the Locality, is complementary in scale to surrounding development and does not exceed a base Plot Ratio of 0.5:1 and a maximum Plot Ratio of 1:1.</p> <p style="text-align: center;">AND</p> <p>Will not achieve the maximum Plot Ratio specified above unless the development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements (and referred to in the Acceptable Solution).</p>	<p>A8.1 Development incorporates the following design features and corresponding plot ratio bonuses [in brackets]:</p> <ul style="list-style-type: none"> <li>a) appropriate roof form and roofing material [10% Plot Ratio Bonus]; and</li> <li>b) appropriate fenestration in combination with roof form [5% Plot Ratio Bonus]; and</li> <li>c) appropriate window openings with window awnings, screens or eaves shading 80% of the window opening – refer Planning Scheme Policy No. 2 – Building Design and Architectural Elements [15% Plot Ratio Bonus]; and</li> <li>d) minimum of 700mm eaves [15% Plot Ratio Bonus]; and</li> <li>e) orientation of the Building to address the street/s [5% Plot Ratio Bonus];</li> <li>f) sheltered pedestrian Access by unenclosed covered common area walkway of 1.5 metres in width from the car parking area/s to the development [5% Plot Ratio Bonus]; and</li> <li>g) inclusion of windows and balconies to the street façade of the Building [10% Plot Ratio Bonus]; and</li> <li>h) provision of lattice, battens or privacy screens [5% Plot Ratio Bonus]; and</li> <li>i) the overall length of a Building does not exceed 30 metres and the overall length of any continuous wall does not exceed 15 metres [10% Plot Ratio Bonus].</li> </ul>
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<p>P9 Car parking generated by:</p> <ul style="list-style-type: none"> <li>a) the commercial component of development is fully or partly accommodated on the Site of the development, depending on the availability of alternative public car parking nearby with any balance to be paid in lieu of providing on-site car parking for commercial development in accordance with Planning Scheme Policy No 3 – Car Parking Contributions; and</li> <li>b) the residential component of any mixed use development is provided on the Site for the full allocation for units and visitor parking and is held in a common pool for common use.</li> </ul>	<p>A9.1 In respect to P9 (a), a minimum of 30% of the car parking requirements for the commercial component of development is provided on the Site of a development fronting Grant, Macrossan, Owen or Wharf Street, with 100% on-site provision applying for a commercial component along other streets in the Tourist Centre.</p> <p style="text-align: center;">AND</p> <p>Any balance is paid in lieu of providing on-site car parking for commercial development in accordance with Planning Scheme Policy No. 3 – Car Parking Contributions.</p>
<p>P10 The use of on Site public car parking in the Tourist Centre is maximised.</p>	<p>A10.1 On Site car parking available for public use in the Tourist Centre is clearly sign-posted at the Site Frontage.</p> <p>A10.2 Signage for car parking for public use is to be of a standard blue and white sign with a directional arrow unless otherwise specified.</p> <p>A10.3 Boom gates, pay machines or other regulatory devices to control Access to public car parking areas are not constructed/erected.</p>
<p>P11 Car parking and access in the Tourist Centre:</p> <ul style="list-style-type: none"> <li>a) does not dominate street Frontages, especially along streets with high pedestrian traffic and pedestrian-oriented development; and</li> <li>b) facilitates pedestrian connectivity; and</li> <li>c) is safe and convenient.</li> </ul>	<p>A11.1 In respect to P11 (a), along Grant, Macrossan, Owen and Wharf Streets, on-site car parking and Access is minimised, and where possible, shared access driveways and Access easements are to be provided to limit the number of vehicles crossings.</p>





P12 Residents in residential accommodation located within the Tourist Centre are protected from noise intrusion associated with night time activities, such as outdoor dining, bars and nightclubs.	No Acceptable Solution.  (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).
P13 Safe and convenient pedestrian linkages are promoted in the Tourist Centre.	A13.1 One centrally located pedestrian Access is provided via a sheltered walkway/arcade from Macrossan Street to Warner Street between Grant Street and Owen Street.

#### Local Centres

N/A

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P14 Local Centres outside the Tourist Centre service the surrounding residential area and do not adversely impact on the viability of the Tourist Centre.	<p>A14.1 The Net Lettable Area of each of the existing Local Centres does not exceed 300 m<sup>2</sup> and is apportioned equally between the total number of lots which comprise the Local Centre.</p> <p>A14.2 Any proposed new Local Centre with a maximum Net Lettable Area of 500 m<sup>2</sup>, only establishes when an identifiable population of 1000 persons is located more than 2 km from any existing Local Centre or the Tourist Centre.</p> <p>A14.3 Any new Local Centre is located at a “gateway” location to a residential area, which best serves the surrounding residential area.</p>



## Residential Development Outside Tourist Centre

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P15 Existing residential housing estates are protected from incursion by higher density residential uses.</p>	<p>A15.1 Multi-Unit Housing does not establish in the residential estate of Solander and the areas in Reef Park estate included in the Residential 1 Planning Area.</p>
<p>P16 Residential development, other than a House, is climate-responsive, contributes positively to the character of the Locality, is complementary in scale to surrounding development and does not exceed the identified Plot Ratio designation on the Locality Map/s (that is):</p> <ul style="list-style-type: none"> <li>land designated High Scale has a base Plot Ratio of 0.5:1 and a maximum Plot Ratio of 0.8:1;</li> <li>land designated Medium Scale has a base Plot Ratio of 0.3:1 and a maximum Plot Ratio of 0.45:1;</li> </ul> <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> <li>land designated Low Scale has a base Plot Ratio of 0.25:1 and a maximum Plot Ratio of 0.35:1.</li> </ul> <p style="text-align: center;">AND</p> <p>Will not achieve the maximum Plot Ratio specified above unless the development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements (and referred to in the Acceptable Solution).</p>	<p>A16.1 Development incorporates the following design features and corresponding plot ratio bonuses [in brackets]:</p> <ol style="list-style-type: none"> <li>appropriate roof form and roofing material [10% Plot Ratio Bonus]; and</li> <li>appropriate fenestration in combination with roof form [5% Plot Ratio Bonus]; and</li> <li>appropriate window openings with window awnings, screens or eaves shading 80% of the window opening – refer Planning Scheme Policy No. 2 – Building Design and Architectural Elements [15% Plot Ratio Bonus]; and</li> <li>minimum of 700mm eaves [15% Plot Ratio Bonus]; and</li> <li>orientation of the Building to address the street/s [5% Plot Ratio Bonus];</li> <li>sheltered pedestrian Access by unenclosed covered common area walkway of 1.2 metres in width from the car parking area/s to the development [5% Plot Ratio Bonus]; and</li> <li>inclusion of windows and balconies to the street façade of the Building [10% Plot Ratio Bonus]; and</li> <li>provision of lattice, battens or privacy screens [5% Plot Ratio Bonus]; and</li> <li>the overall length of a Building does not exceed 30 metres and the overall length of any continuous wall does not exceed 15 metres [10% Plot Ratio Bonus].</li> </ol>





P17 The Site Coverage of any residential or tourist development does not result in a built form that is bulky or visually obtrusive.	A17.1 The Site Coverage of any residential or tourist development, other than a House, is limited to: <ul style="list-style-type: none"> <li>• 45% at Ground Level;</li> <li>• 40% at first floor level; and</li> <li>• 35% at second floor level, if applicable.</li> </ul>
P18 Tourist development provides a range of services and facilities for the recreational convenience of in-house guests.	A18.1 Tourist development provides a range of recreational facilities and small scale commercial services such as Restaurant/bars, shop/boutique, and tour booking office, for the enjoyment and convenience of in-house guests.

#### Other Development

N/A

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P19 Industrial development is limited to Service Industry and is located in existing or identified Industrial areas and is of a scale and intensity of development which is acceptable in the Locality.	A19.1 Service Industry development is located in the identified Industrial areas of: <ul style="list-style-type: none"> <li>• Special Management Area 3 - Service Industry Precincts (Craiglie); and</li> <li>• Special Management Area 4 - Service Industry Precincts (Mahogany Street)</li> </ul>

#### Community Facilities

N/A

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P20 Community facilities are provided to service the local community and visitors in convenient and accessible locations.	A20.1 Community facilities are conveniently located within or near the Tourist Centre and in close proximity to existing community facilities to service the needs of local residents and visitors.  A20.2 Public car parking areas are provided within or in close proximity to the Tourist Centre, existing community facilities, sporting/recreation grounds and Four Mile Beach.





### ***Protection of Scenic Amenity and Natural Values***

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P21 The views and vistas of Four Mile Beach from the intersection of Davidson Street and Macrossan Street to the beach front are maintained.	A21.1 Any development in Macrossan Street between Davidson Street and the beach front, outside the Tourist Centre, is designed with Macrossan Street as the Main Street Frontage and the Buildings are Setback 6 metres from the Main Street Frontage.
P22 Development does not adversely impact on areas of sensitive natural vegetation, foreshore areas, Watercourses and areas of tidal inundation which contribute the Scenic Amenity and natural values of the locality <sup>17,18</sup> .	No Acceptable Solution.  (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).

### ***Port Douglas Waterfront***

*N/A*

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P23 The Port Douglas Waterfront is protected from any new incompatible land uses and activities or intensification of existing incompatible uses, to allow for the future planned spatial arrangements of the waterfront.	<p>A23.1 Development in the Port Douglas Waterfront North Planning Area and the Port Douglas Waterfront South Planning Area complies with the respective Codes for each Planning Area; and</p> <p>A23.2 Development in the Commercial Planning Area on premises that has road frontages on both Warner Street and the unnamed laneway at the rear, use Warner Street as the Primary Road frontage for pedestrian access and business frontage ensuring centralised parking on Lot 12 on SR787 for the Port Douglas Waterfront and Tourist Centre is unimpeded.</p>

<sup>17</sup> The Environmental Protection Agency is a Concurrence Agency for assessable development within a Coastal Management District.

<sup>18</sup> Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



### Special Management Areas

#### *Special Management Area 1 – Flagstaff Hill*

*N/A*

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P24 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 Tourist Centre.	A24.1 Only Houses on large allotments are developed in Special Management Area 1 - Flagstaff Hill.
<p>P25 All development on Flagstaff Hill is designed to minimise the visibility of the development and to ensure development is subservient to the natural landscape and topography of the Site, including through:</p> <ul style="list-style-type: none"> <li>a) building design which minimises excavation and filling; and</li> <li>b) buildings being designed to step down the Site and incorporate foundations and footings on piers or poles; and</li> <li>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 viewshed; and</li> <li>d) protection of the views from public viewing points.</li> </ul>	No Acceptable Solution



**Special Management Area 2 – Residential Growth Area**

*N/A*

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P26 The Residential Growth Area is developed taking account of the opportunities and constraints and existing topographic and man made features of the whole of the Site, and in particular, that part of the Site identified as Investigation Zone (vegetation and flooding).</p>	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
<p>P27 Any reconfiguration layout ensures that Access to the State-Controlled Road is minimised.</p>	<p>A27.1 Vehicular Access to the Captain Cook Highway is limited to one Access point via Andreasson Road with internal vehicular connectivity provided throughout the Residential Growth Area, if development occurs in stages.</p>
<p>P28 Residential development near Mowbray River does not detrimentally impact on the natural values of the river system, or of coastal waters.</p>	<p>A28.1 Any residential development on land adjacent to Mowbray River:</p> <ul style="list-style-type: none"> <li>a) does not involve the construction of a canal estate or similar form of development; and</li> <li>b) is separated from the river by a road and substantial public open space.</li> </ul>





**Special Management Area 3 – Service Industry Precincts (Craiglie)**

*N/A*

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P29 Development within the Craiglie Service Industry Precinct supports the tourism and marine industries within Port Douglas.</p>	<p>A29.1 Only Service Industry uses are located in the Service Industry Precincts (Craiglie).</p> <p>AND</p> <p>The proponent of the proposed Service Industry use provides written evidence to Council that it supports/services the tourism or marine industry in Port Douglas.</p>
<p>P30 Development on lots adjacent to the Captain Cook Highway is sited, designed and landscaped to provide an attractive visual approach to Port Douglas with all buildings, structures and carparking areas setback a sufficient distance from the Frontage to enable landscaping to screen or soften the appearance of the development.</p>	<p>A30.1 Buildings and structures are setback 8 metres from the Captain Cook Highway Frontage, or no closer to the Captain Cook Highway Frontage than buildings and structures on adjoining Sites (averaged), which ever is the greater.</p> <p>A30.2 The Setback area to the Captain Cook Highway Frontage is landscaped with advanced Dense Planting including trees species (100 litre bag stock), which will, at maturity, exceed the Height of the Building on Site.</p> <p>A30.3 Advertising signs are discreet in appearance with no large advertising signs including tenancy signs located on or near the Captain Cook Highway Frontage, or within any landscaped setback area adjacent to the highway.</p> <p>A30.4 Car parking areas, loading and other service areas are designed to be screened from the Captain Cook Highway and are located so as not to be visually prominent from the Captain Cook Highway.</p>



<p>P31 The reconfiguration of Lot 83 on SR 724 for Industrial development proceeds in line with a demonstrated demand for industrial land at Craiglie</p>	<p>A31.1 Council will only support the staged reconfiguration of that part of Lot 83 on SR 724 designated in the Industry Planning Area, in association with a Needs Analysis, prepared in accordance with Planning Scheme Policy No 10 – Reports and Information the Council May Request, which demonstrates a clear demand for additional industrial land at Craiglie.</p> <p>A31.2 The Needs Analysis incorporates a methodology to be approved by Council for the staged development of any reconfiguration of the land for industrial purposes, in line with a specified future demand scenario.</p> <p>A31.3 The reconfiguration and/or redesignation for industrial development of that part of Lot 83 on SR 724 included in the Rural Planning Area does not occur in the life of this Planning Scheme, unless supported by another Needs Analysis prepared in accordance with A29.1 and A29.2 above.</p>
<p>P32 The parkland contribution associated with the reconfiguration of Lot 83 on SR 724 provides for the expansion of Teamster Park.</p>	<p>A32.1 Provision shall be made for a park contribution associated with the reconfiguration of Lot 83 on SR 724. Should the park contribution be provided in stages, the total contribution of land must be identified in one area in association with Stage 1 of any reconfiguration application.</p>
<p>P33 Development on the western side of Owen Street provides for a range of Service Industry uses, which may incorporate a minor, ancillary and necessarily associated retail component.</p>	<p>A33.1 Service Industry development on the western side of Owen Street can be designed to designate up to a maximum of 30% of the total Gross Floor Area of any Building/s on the Site for a retail component to be located at the front of the development, provided the retail component is allied to the primary Service Industry activity carried out on the Site.</p>



<p>P34 The potential for conflict between Industrial development and any residential development is minimised.</p>	<p>A34.1 Any residential development occurring immediately adjacent to Special Management Area 3 does not occur until Road closures and Road openings have been undertaken to provide physical separation between residential land and industrial land.</p> <p style="text-align: center;">AND</p> <p>New Road alignments are generally sited in accordance with the Access points identified on the relevant Locality Plan.</p>
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**Special Management Area 4 – Service Industry Precincts (Mahogany Street)**

*N/A*

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P35 Development on Lot 147 on SR 866 supports the marine industries within Port Douglas.</p>	<p>A35.1 Only Service Industry uses are located on that part of Lot 147 on SR 866 included in the Industry Planning Area.</p> <p style="text-align: center;">AND</p> <p>Only once lease arrangements on the land facilitate Service Industry uses.</p> <p style="text-align: center;">AND</p> <p>The proponent of the proposed Service Industry use provides written evidence to Council that it supports/services the marine industries in Port Douglas.</p>





<p>P36 Development on Lot 147 on SR 866 provides for the protection of vegetation on the Site.</p>	<p>A36.1 Development is limited to that part of the Site that is currently cleared in accordance with a vegetation assessment to determine the exact vegetation line along the boundaries of the Conservation and Industry Planning Areas.</p> <p>A36.2 Buildings and structures are Setback 4 metres from the vegetation line and 6 metres from the front boundary of the Site.</p>
<p>P37 Development on Lot 147 on SR 866 is provided with appropriate Access.</p>	<p>A37.1 Access to the Site will be limited to existing Access points (maximum of 2) outside the Conservation Planning Area and constructed to a standard suitable for Service Industry uses.</p>



## Elements of the Code

### Signage Type

Will comply to code

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	Advertising Devices are subservient in scale to the primary use of the Site and relate to the use/s carried out on the Site.	A1.1	Where a Balloon, Blimp, Kite, Bunting, Flag, Banner or similar: <ul style="list-style-type: none"><li>• safely tethered to the ground, Building or structure;</li><li>• maximum one per business;</li><li>• displayed for one calendar month;</li><li>• not located over or attached to the ground of a Council controlled Road or a State-Controlled Road (SCR).</li></ul>
		A1.2	Where a Below Awning Sign: <ul style="list-style-type: none"><li>• maximum one per business, or one per Frontage;</li><li>• maximum Height of 0.6 metres</li><li>• ground clearance not less than 2.6 metres</li><li>• maximum width of 0.3 metres;</li><li>• maximum length of 2.5 metres and does not project beyond the awning.</li></ul>



	<p>A1.3 Where a Chalk Board or A Frame Sign:</p> <ul style="list-style-type: none"><li>• maximum of one Chalk Board or A Frame Sign per business, or Frontage;</li><li>• maximum Height of 1 metre;</li><li>• maximum width of 0.6 metre;</li><li>• able to be readily relocatable on a daily basis, if located within a Road reserve;</li><li>• do not rotate or spin in the wind;</li><li>• only allowable within a State-controlled Road reserve where the speed limit is 60 km/hr or less;</li><li>• if located within the Road reserve, located a minimum of 1 metre from the kerb;</li></ul> <p style="text-align: center;">OR</p> <ul style="list-style-type: none"><li>• where no kerb, a minimum of 10 metres from the edge of the Road carriageway.</li></ul> <p>A1.4 Where a Directional Sign:</p> <ul style="list-style-type: none"><li>• if attached to a street sign, has the same dimensions as the street sign, unilluminated and advertising the name and distance/direction to the business;</li><li>• maximum of one directional sign per business attached to any street sign;</li><li>• if attached to a property boundary fence or gate, maximum area of 0.3 m<sup>2</sup>, unilluminated and advertising only the name and distance/direction to the business which is carried out on the property;</li><li>• maximum of one directional sign to any property boundary fence or gate for each Road Frontage.</li></ul>
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	<p>A1.5 Where a Fascia Sign located on the fascia of an awning:</p> <ul style="list-style-type: none"><li>• maximum of one fascia sign per business or one per Frontage;</li><li>• maximum Height above Ground Level of 2.5 metres;</li><li>• does not project above or below the fascia of the Building;</li><li>• does not project within 0.45 metre Setback from the face of the kerb or where no kerb exists, 0.30 metre from the fascia.</li></ul> <p>A1.6 Where a Home Activity or Home Based Business Sign:</p> <ul style="list-style-type: none"><li>• maximum of one sign per business;</li><li>• maximum area of 0.3 m<sup>2</sup>;</li><li>• located on the same premises as the Home Activity/ Home Based Business;</li><li>• not illuminated;</li><li>• advertises only the name and occupation of the operator of the business.</li></ul> <p>A1.7 Where a Projecting Wall Sign:</p> <ul style="list-style-type: none"><li>• maximum of one projecting wall sign on any building facade or boundary wall;</li><li>• does not project further than 0.75 metres from the building line;</li><li>• minimum vertical clearance of 2.6 metres from the ground;</li><li>• not located above any awning and located at ground floor level;</li><li>• maximum surface area of 1 m<sup>2</sup>;</li><li>• maximum depth of 0.3 metres;</li><li>• does not project above the roof, parapet, or Building or wall line.</li></ul>
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	<p>A1.8 Where a Symbol, being any ornamental design or device not otherwise described, whether or not a message is included in the design or device:</p> <ul style="list-style-type: none"><li>• maximum area of 1 m<sup>2</sup>.</li></ul> <p>A1.9 Where a Tenancy Sign:</p> <ul style="list-style-type: none"><li>• maximum of one tenancy sign per Site or development;</li><li>• maximum Height of 5 metres;</li><li>• maximum width of 1.5 metres;</li><li>• maximum depth of 0.3 metres;</li><li>• limited to one double sided sign with one advertising panel on each side of the sign, each advertising panel with a maximum area of 4 m<sup>2</sup>;</li><li>• located on the boundary of a Site or fixed to a wall on the boundary of a Site to a Road Frontage.</li></ul> <p>A1.10 Where a Wall Sign:</p> <ul style="list-style-type: none"><li>• maximum of one wall sign on any building facade or boundary wall;</li><li>• maximum area of 4 m<sup>2</sup>;</li><li>• maximum length of 3 metres;</li><li>• maximum Height of 2 metres and sited at ground floor level of a Building or boundary wall;</li><li>• does not project further than 0.10 metres from the face of the wall.</li></ul> <p>A1.11 Where a Window Sign:</p> <ul style="list-style-type: none"><li>• limited to windows on ground floor level only of any Building, or ground floor level and one level above if the Building is of a commercial nature;</li><li>• maximum area of 1.2 m<sup>2</sup>;</li><li>• maximum Height of 1 metre;</li><li>• maximum length of 2.4 metres.</li></ul>
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	<p>A1.12 Where an Indirectly Illuminated Sign:</p> <ul style="list-style-type: none"><li>• artificial light limited to illuminating the face of the sign;</li><li>• does not cause light spillage from the source of external illumination;</li><li>• complies with other relevant requirements for the particular type of Advertising Device, which are specified in this Code;</li><li>• not located within a State-Controlled Road or on a Council Road.</li></ul>
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## Signage Location

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P2 Advertising Devices are located in appropriate areas, relative to the land uses in the area and the amenity and character of the area<sup>46</sup>.</p>	<p>A2.1 Particular types of Advertising Devices are considered appropriate in the following locations:</p> <ul style="list-style-type: none"> <li>• Residential, Rural and Rural Settlement Areas: <ul style="list-style-type: none"> <li>- Home Activity/Home Based Business Sign; and</li> <li>- Directional Sign</li> </ul> </li> <li>• Tourist and Residential Areas: <ul style="list-style-type: none"> <li>- Directional Sign;</li> <li>- Projecting Wall Sign;</li> <li>- Symbol;</li> <li>- Wall Sign; and</li> <li>- Indirectly Illuminated Sign.</li> </ul> </li> <li>• Commercial and Tourist Commercial Areas: <ul style="list-style-type: none"> <li>- Balloon, Blimp, Kite, Bunting, Flag, Banner or similar (temporary);</li> <li>- Below Awning Sign;</li> <li>- Chalk Board or A Frame Sign;</li> <li>- Directional Sign;</li> <li>- Fascia Sign;</li> <li>- Projecting Wall Sign;</li> <li>- Symbol;</li> <li>- Tenancy Sign;</li> <li>- Wall Sign;</li> <li>- Window Sign; and</li> <li>- Indirectly Illuminated Sign.</li> </ul> </li> <li>• Industrial Areas: <ul style="list-style-type: none"> <li>- Balloon, Blimp, Kite, Bunting, Flag, Banner or similar (temporary);</li> <li>- Tenancy Sign;</li> <li>- Wall Sign;</li> <li>- Window Sign; and</li> <li>- Indirectly Illuminated Sign.</li> </ul> </li> </ul>

<sup>46</sup> Any Advertising Device located on a State-Controlled Road, must comply with the requirements of the *Transport Infrastructure Act 1994* and in particular the Ancillary Works and Encroachment Notice (No 1) 2001.



## Elements of the Code

### Landscape Design

*N/A will do no landscaping*

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 Landscape design satisfies the purpose and the detailed requirements of this Code.</p>	<p>A1.1 Landscaping is undertaken in accordance with a Landscape Plan drawn to scale which complies with and illustrates all the relevant requirements of this Code and Planning Scheme Policy No 7 – Landscaping.</p> <p style="text-align: center;">AND</p> <p>Landscaping is maintained in accordance with the requirements specified in this Code and Planning Scheme Policy No 7 – Landscaping.</p>

### Landscape-Character and Planting

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P2 Landscaping contributes to a sense of place, is functional to the surroundings and provides dominant visual interest and form.</p>	<p>A2.1 A minimum of 80% of the proposed landscape area is open to the sky for sunlight and ventilation.</p> <p>A2.2 The percentage of native or endemic species utilised in the Landscaping is as specified in the Locality Code.</p> <p style="text-align: center;">OR</p> <p>Where not specified in the Locality Code, in accordance with Planning Scheme Policy No. 7 – Landscaping.</p> <p>A2.3 Landscaping includes planting layers comprised of canopy, middle storey, screening and groundcovers, with palm trees used as accent plants only.</p>



P3	Landscaping is consistent with the existing landscape character of the area and native vegetation existing on the Site is to be retained wherever possible and integrated with new Landscaping <sup>47</sup> .	A3.1	Existing native vegetation on Site is retained and incorporated into the Site design, wherever possible.
		A3.2	Any mature vegetation on the Site which is removed or damaged during development of the Site is replaced with advanced native species.
		A3.3	Where there is an existing landscape character in a street or locality which results from existing vegetation, similar species are planted on Site or on the street.
		A3.4	Street trees are 100% native species which enhance the landscape character of the streetscape, with species chosen from the Plant Species Schedule in Planning Scheme Policy No 7 – Landscaping.
P4	Plant species are selected with consideration to the scale and form of development, screening, buffering, streetscape, shading and the locality of the area.	A4.1	Species are selected in accordance with the Plant Species Schedule in Planning Scheme Policy No 7 – Landscaping.
P5	Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal Roadways.	A5.1	Where car parking areas are uncovered or open, shade trees are planted at regular intervals (a minimum of 1 shade tree is provided for every 5 car parks) throughout the car parking areas, and adjacent to driveways and internal Roadways.
		A5.2	A minimum of 1 shade tree is provided for every 10 metres along a driveway or internal Roadway.
		A5.3	Landscape beds and trees are protected by garden edging, bollards or wheel stops.
		A5.4	Trees within car parking areas have a minimum planting area the equivalent of 1 car parking bay, with a minimum topsoil depth of 0.8 metre.

<sup>47</sup> Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.





## Screening

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P6	Fences along street Frontages are articulated with appropriate Landscaping.	A6.1	Perimeter fencing to any street Frontage complies with the relevant Planning Area Code.
		A6.2	Trees, shrubs and groundcovers are planted within any recessed areas along the fence line.
P7	Landscaping within Recreation Areas of residential development are functional, well designed and enhance the residential amenity.	A7.1	One shade tree is provided for each private open space or private Recreation Area.
		A7.2	Tree species provide 30% shade over the area within 5 years.
		A7.3	A minimum of 50% of the Landscaping and Recreational Area is landscaped, with trees, shrubs, groundcovers, minimising large expanses of hardstand areas and structures.
		A7.4	Plants are located to provide shelter and shade to Habitable Rooms and outdoor Recreation Areas from the hot summer sun.
P8	Undesirable features are screened with Landscaping.	A8.1	Landscaping of Dense Planting is planted along and near retaining walls, long blank walls of Buildings, mechanical and air-conditioning units, clothes drying areas, bin enclosures and other utility structures with appropriate trees, shrubs and groundcovers.
P9	The environmental values of the Site and adjacent land are enhanced.	A9.1	Landscaping using similar endemic or native species, is planted on-Site on land adjoining an area of natural environmental value.



## Streetscape and Site Amenity

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P10 Landscaping for residential development enhances the streetscape and the visual appearance of the development.</p>	<p>A10.1 Dense Planting along the front of the Site incorporates:</p> <ul style="list-style-type: none"> <li>• shade canopy trees to provide shade to the Frontage of the Site within 5 years of planting;</li> <li>• landscape screening of blank walls;</li> <li>• low shrubs, groundcovers and mulch to completely cover unsealed ground.</li> </ul> <p>A10.2 Dense Planting to the rear of the Site incorporates:</p> <ul style="list-style-type: none"> <li>• 1 shade tree for an average of every 75 m<sup>2</sup>, growing to the Building eave Height within 5 years of planting;</li> <li>• screening shrubs to grow to 3 metres in Height within 2 years of planting;</li> <li>• low shrubs, groundcovers and mulch to completely cover unsealed ground.</li> </ul> <p>A10.3 Dense Planting to the side boundaries incorporates:</p> <ul style="list-style-type: none"> <li>• trees planted for an average of every 10 metres where adjacent to a Building;</li> <li>• low shrubs, groundcovers and mulch to completely cover unsealed ground.</li> </ul>
<p>P11 Landscaping for non-residential development enhances the streetscape and the visual appearance of the development.</p>	<p>A11.1 Dense Planting along the front boundary of the Site where a Building is Setback from the front alignment, incorporates:</p> <ul style="list-style-type: none"> <li>• shade canopy trees to provide shade to the Frontage of the Site within 5 years of planting where appropriate;</li> <li>• landscape screening of blank</li> </ul>

	<p>walls;</p> <ul style="list-style-type: none"> <li>• low shrubs, groundcovers and mulch to completely cover unsealed ground.</li> </ul>
	<p>A11.2 Dense Planting to the rear of the Site where a Building is Setback from the rear alignment, incorporates:</p> <ul style="list-style-type: none"> <li>• 1 shade tree for an average of every 75 m<sup>2</sup> growing to the Building eave Height within 5 years of planting;</li> <li>• screening shrubs to grow to 3 metres in Height within 2 years of planting;</li> <li>• low shrubs, groundcovers and mulch to completely cover unsealed ground.</li> </ul>
	<p>A11.3 Dense Planting to the side boundaries where visible from the street or adjoining a boundary to a different Planning Area, and where a Building is Setback from the side boundary, incorporates:</p> <ul style="list-style-type: none"> <li>• trees planted for an average of every 10 metres where adjacent to a Building;</li> <li>• screening shrubs, low shrubs and groundcover appropriate for the amount of space, light and ventilation of the area;</li> <li>• low shrubs, groundcovers and mulch to completely cover unsealed ground.</li> </ul>
	<p>A11.4 A minimum of 20% of shade trees and shrubs is incorporated in all areas of Landscaping growing to the Building eave Height within 5 years.</p>





## ***Maintenance and Drainage***

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P12 Landscaped areas are designed in order to be maintained in an efficient manner.</p>	<p>A12.1 A maintenance program is undertaken in accordance with the Maintenance Schedule in Planning Scheme Policy No 7 – Landscaping.</p> <p>A12.2 A reticulated irrigation system is provided to common Landscaping and Recreation Areas and planter boxes in accordance with Australian Standards, with 1 hose cock within each area.</p> <p>A12.3 Turf areas are accessible by standard lawn maintenance equipment.</p> <p>A12.4 Plant species are selected with long life expectancy and minimal maintenance requirements where on-Site management will be limited.</p> <p>A12.5 Mulching is provided to all garden beds to reduce weed growth and to retain water, and is to be replenished every year in the ongoing maintenance program.</p>
<p>P13 Stormwater runoff is minimised and re-used in Landscaping through water infiltration, where appropriate.</p>	<p>A13.1 Adequate drainage is provided to all paving, turf and garden beds, including the use of swales, spoon drains, subsurface drainage, field gullies, rock or pebble lined Watercourses and stormwater connections.</p> <p>A13.2 Overland flow paths are not to be restricted by Landscaping works.</p> <p>A13.3 Water runoff is re-used through draining of hard surface areas towards permeable surfaces, turf, garden beds and by minimising impervious surfaces on the Site.</p>



## *Safety*

<b>PERFORMANCE CRITERIA</b>		<b>ACCEPTABLE SOLUTIONS</b>	
P14	Tree species and their location accommodate vehicle and pedestrian sight lines.	A14.1	Trees located near pathways, driveways, Access points, parking areas and street corners have a minimum 3.0 metres of clear trunk.
P15	The landscape design enhances personal safety and reduces the potential for crime and vandalism.	A15.1	Security and foot lighting is provided to all common areas, including car parks, entries, driveways and pathways.
		A15.2	Hard surfaces are stable, non-slippery and useable in all weathers.
		A15.3	Bushfire hazard is minimised with planting of bushfire resistant species near bushfire prone areas, (refer to the Bushfire Risk Overlay on the relevant Locality Map).
		A15.4	Lighting for bicycle paths is provided in accordance with the relevant Australian Standards

## *Utilities and Services*

<b>PERFORMANCE CRITERIA</b>		<b>ACCEPTABLE SOLUTIONS</b>	
P16	The location and type of plant species does not adversely affect the function and accessibility of services and facilities and service areas.	A16.1	Plant species are selected and sited with consideration to the location of overhead and underground services.
		A16.2	All underground services are to be located under pathways and below the eaves of the Building.
		A16.3	Irrigation control devices are located in the common Landscaping and Recreation Area.
		A16.4	Landscaping is located to enable trade persons to Access and view meters and other mechanical equipment within the Site.
		A16.5	Landscaping does not limit Access for service vehicles or rubbish trucks to utility areas, bin enclosures or docking areas.



	<p>A16.6 Landscaping near electric lines or substations is designed and developed so that any vegetation at maturity or Landscaping structures or works do not exceed 40 metres in Height on land:</p> <ul style="list-style-type: none"><li>• in an electric line shadow; or</li><li>• within 5.0 metres of an electric line shadow; or within 5.0 metres of a substation boundary.</li></ul> <p>A16.7 Elsewhere, vegetation is planted at a distance that is further from the nearest edge of an electric line shadow or substation boundary than the expected maximum Height at maturity of the vegetation.</p> <p>A16.8 On a Site adjoining an electricity substation boundary, the vegetation foliage at maturity is not within 3.0 metres of the substation boundary. However, where a substation has a solid wall along any part of its boundary, foliage may extend to, but not above or beyond, that solid wall.</p>
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## Elements of the Code

### Vehicle Parking Numbers

*As already determined, we are in compliance*

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 Sufficient parking spaces are provided on the Site to accommodate the amount and type of vehicle traffic expected to be generated by the use or uses of the Site, having particular regard to:</p> <ul style="list-style-type: none"><li>• the desired character of the area in which the Site is located;</li><li>• the nature of the particular use and its specific characteristics and scale;</li><li>• the number of employees and the likely number of visitors to the Site;</li><li>• the level of local accessibility;</li><li>• the nature and frequency of any public transport serving the area;</li><li>• whether or not the use involves the retention of an existing Building and the previous requirements for car parking for the Building;</li><li>• whether or not the use involves an identified Valuable Conservation Feature and Valuable Site; and</li><li>• whether or not the use involves the retention of significant vegetation.</li></ul>	<p>A1.1 The minimum number of vehicle parking spaces provided on the Site is not less than the number prescribed in Schedule 1 of this Code for the particular use or uses. Where the number of spaces calculated from the Schedule is not a whole number, the number of spaces provided is the next highest whole number.</p>

*w/  
Parking  
Space(s)  
code*

### *Parking for People with Disabilities*

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P2 Parking spaces are provided to meet the needs of vehicle occupants with disabilities<sup>49</sup>.</p>	<p>A2.1 For parking areas with a total number of ordinary vehicle spaces less than 50, wheelchair accessible spaces are provided as follows:</p> <ul style="list-style-type: none"> <li>• Medical, higher education, entertainment facilities and shopping centres – 2 spaces;</li> <li>• All other uses – 1 space.</li> </ul> <p>A2.2 For parking areas with 50 or more ordinary vehicle spaces, wheelchair accessible spaces are provided as follows:</p> <ul style="list-style-type: none"> <li>• Medical, higher education, entertainment facilities and shopping centres – 3% (to the closest whole number) of the total number of spaces required;</li> <li>• All other uses – 2% (to the closest whole number) of the total number of spaces required.</li> </ul>

### *Motor Cycles*

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P3 In recognition that motorcycles are low Road-space transport, a proportion of the parking spaces provided may be for motorcycles. The proportion provided for motor cycles is selected so that:</p> <ul style="list-style-type: none"> <li>• ordinary vehicles do not demand parking in the spaces reserved for motor cycles due to capacity constraints; and,</li> <li>• it is a reflection of the make-up of the likely vehicle fleet that uses the parking; and,</li> <li>• it is not a reflection of the lower cost of providing motorcycle</li> </ul>	<p>A3.1 Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% per cent of total ordinary parking.</p> <p style="text-align: center;">AND</p> <p>The motorcycle parking complies with other elements of this Code.</p>

<sup>49</sup> Disabled access and facilities are provided in accordance with the Building Code of Australia and the Australian Standards.



parking.	
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### ***Compact Vehicles***

<b>PERFORMANCE CRITERIA</b>		<b>ACCEPTABLE SOLUTIONS</b>	
P4	<p>A proportion of the parking spaces provided may be for compact vehicles. The proportion of total parking provided for compact vehicles is selected considering:</p> <ul style="list-style-type: none"> <li>• compact vehicles spaces are not available to non-compact vehicles; and,</li> <li>• it is a reflection of the proportion of the likely vehicle fleet that uses the parking; and,</li> <li>• compact vehicle spaces are located so as to be proximate to pedestrian destinations such that they present significant inclination for use by users of compact vehicles; and,</li> <li>• the scale of parking spaces, likely users and the likely degree of familiarity with the availability of such spaces.</li> </ul>	A4.1	<p>For parking areas exceeding 100 spaces for short term users or 50 spaces for long-term users, parking is provided for compact vehicles as a substitute for ordinary vehicle parking so that:</p> <ul style="list-style-type: none"> <li>• compact vehicle parking does not exceed 10% of total vehicle parking required; and,</li> <li>• the parking location is proximate to the entry locations for parking users; and,</li> <li>• the parking provided complies with other elements of this Code.</li> </ul>

### ***Bicycles Parking***

<b>PERFORMANCE CRITERIA</b>		<b>ACCEPTABLE SOLUTIONS</b>	
P5	<p>Sufficient bicycle parking spaces with appropriate security and end of trip facilities are provided on-Site to accommodate the amount of bicycles expected to be generated by the use or uses.</p>	A5.1	<p>The minimum number of bicycle parking spaces provided on Site is not less than the number prescribed in Schedule 1 of this Code, for the particular use or uses.</p>



### *Vehicular Access to the Site*

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P6 The location of Access points minimises conflicts and is designed to operate efficiently and safely taking into account:</p> <ul style="list-style-type: none"> <li>• the amount and type of vehicular traffic;</li> <li>• the type of use (eg long-stay, short-stay, regular, casual);</li> <li>• Frontage Road traffic conditions;</li> <li>• the nature and extent of future street or intersection improvements;</li> <li>• current and future on-street parking arrangements;</li> <li>• the capacity of the adjacent street system; and</li> <li>• the available sight distance.</li> </ul>	<p>A6.1 The location of the Access points is in accordance with the provisions of the relevant Australian Standards.</p> <p style="text-align: center;">AND</p> <p>Where the Site has Frontage to more than one street, the Access is from the lowest order street.</p> <p>A6.2 All redundant Accesses must be removed and a suitable barrier Erected to prevent further use of the Access.</p> <p>A6.3 Only one Access point is to be provided to each Site unless stated otherwise in another Code.</p>

### *Accessibility and Amenity for Users*

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P7 On-Site vehicle parking is provided where it is convenient, attractive and safe to use, and does not detract from an attractive or existing streetscape character.</p>	<p>A7.1 Short term visitor parking is provided at the front or on the main approach side of the Site, with easy Access to the Building entry, where such provision is in keeping with the desired character of the area in which the Site is located.</p> <p style="text-align: center;">AND</p> <p>In mixed use premises that include residential or accommodation uses (excluding, Port Douglas – Tourist Centre), at least 50% of the required number of parking spaces for the non-residential use/s on the Site is provided in an easily accessible location on the premises, so as to be convenient to use for customers and other visitors.</p>



<p>P8 The layout of parking areas provides a high degree of amenity and accessibility for different users.</p>	<p>A8.1 The layout of the parking area provides for the accessibility and amenity of the following:</p> <ul style="list-style-type: none"> <li>• People with Disabilities</li> <li>• Cyclists</li> <li>• Motorcyclists</li> <li>• Compact Vehicles</li> <li>• Ordinary Vehicles</li> <li>• Service Delivery Vehicles.</li> </ul> <p>A8.2 Where covered parking areas are required in accordance with Schedule 1 of this Code, sails or other secure structural forms of covering provide shade and weather protection for vehicles and passengers.</p>
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### *Access Driveways*

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P9 The dimensions of Access driveways cater for all vehicles likely to enter the Site and minimises the disruption of vehicular, cyclist and pedestrian traffic.</p>	<p>A9.1 Access driveways are designed in accordance with the provisions of the relevant Australian Standards.</p>
<p>P10 The surface construction materials of Access driveways within the Road reserve contribute to the streetscape and alerts pedestrians to the location of the driveway.</p>	<p>A10.1 Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.</p>

### *Access for People with Disabilities<sup>50</sup>*

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P11 Access for people with disabilities is provided to the Building from the parking area and from the street.</p>	<p>A11.1 Access for people with disabilities is provided in accordance with the relevant provisions of the Australian Standards.</p>

<sup>50</sup> Disabled access and facilities are provided in accordance with the Building Code of Australia and the Australian Standards.



### *Access for Pedestrians*

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
P12 Access for pedestrians is provided to the Building from the parking area and from the street.	A12.1 Defined, safe pedestrian pathways are provided to the Building entry from the parking area and from the street.

### *Access for Cyclists*

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
P13 Access for cyclists is provided to the Building or to bicycle parking area from the street.	<p>A13.1 Access pathways for cyclists are provided in accordance with the relevant provisions of the Australian Standards.</p> <p style="text-align: center;">AND</p> <p>Where Access for cyclists is shared with Access for pedestrians and vehicles, the shared use is identified by signage and linemarking.</p>

### *Dimensions of Parking Spaces*

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
P14 Parking spaces have adequate areas and dimensions to meet user requirements.	<p>A14.1 Car parking for the disabled, ordinary car parking spaces and motorcycle parking spaces meet the requirements of the relevant Australian Standards.</p> <p style="text-align: center;">AND</p> <p>Parking spaces for special vehicles that are classified in accordance with the relevant Australian Standards meet the requirements of that Standard.</p> <p style="text-align: center;">AND</p> <p>Parking spaces for standard sized buses have the following minimum dimensions:</p> <ul style="list-style-type: none"> <li>• width: 4 metres</li> <li>• length: 20 metres</li> <li>• clear Height: 4 metres.</li> </ul> <p style="text-align: center;">AND</p>



	<p>Parking spaces for compact vehicles have the following minimum dimensions:</p> <ul style="list-style-type: none"> <li>• 15 per cent less in width measurements than required by Australian Standards for any ordinary vehicle; and,</li> <li>• 20 per cent less in length measurements than required by Australian Standards for any ordinary vehicle.</li> </ul> <p>AND</p> <p>Parking spaces for special vehicles meet the requirements dictated by the vehicle dimensions and manoeuvring characteristics and provide sufficient clearance to obstructions and adjacent vehicles to achieve a level of service to users equivalent to that specified by the relevant Australian Standards.</p> <p>A14.2 Parking spaces for bicycles meet the requirement of the relevant Australian Standard.</p>
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### *On-Site Driveways, Manoeuvring Areas and Parking/ Standing Areas*

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P15 On-Site driveways, manoeuvring areas and vehicle parking/standing areas are designed, constructed and maintained such that they:</p> <ul style="list-style-type: none"> <li>• are at gradients suitable for intended vehicle use;</li> <li>• consider the shared movements of pedestrians and cyclists;</li> <li>• are effectively drained and surfaced; and</li> <li>• are available at all times they are required.</li> </ul>	<p>A15.1 On-Site driveways, vehicle manoeuvring and loading/unloading areas:</p> <ul style="list-style-type: none"> <li>• are sealed in urban areas:</li> </ul> <p style="text-align: center;">AND</p> <p>upgraded to minimise noise, dust and runoff in other areas of the Shire in accordance with the relevant Locality Code;</p> <ul style="list-style-type: none"> <li>• have gradients and other design features in accordance with the provisions of the relevant Australian Standards; and</li> <li>• drain adequately and in such a way that adjoining and downstream land is not adversely affected.</li> </ul> <p>A15.2 Parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking.</p>

### *Vehicle Circulation, Queuing and Set Down Areas*

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P16 Sufficient area or appropriate circulation arrangements are provided to enable all vehicles expected to use the Site to drive on and off the Site in forward gear.</p>	<p>A16.1 Circulation and turning areas comply with the provisions of the relevant Australian Standards.</p>
<p>P17 An on-Site circulation system provides safe and practical Access to all parking, loading/unloading and manoeuvring areas.</p>	<p>A17.1 Circulation driveways comply with the provisions of the relevant Australian Standards.</p>
<p>P18 Where vehicle queuing, set down or special vehicle parking is expected, sufficient queuing or parking area is provided to enable vehicles to stand without obstructing the free flow of moving traffic or pedestrian movement.</p>	<p>A18.1 Queuing and set down areas comply with the relevant Australian Standard and any relevant AUSTROAD Guidelines.</p>



### ***Schedule 1 – Car Parking Requirements***

<b>LAND USE</b>	<b>MINIMUM NUMBER OF SPACES</b>
<b>Residential Uses</b>	
Caretaker's Residence	1 car space.
Home Activity	The parking required for a House plus 1 car space.
Home Based Business	<p>The parking required for a House plus 1 car space per 25 m<sup>2</sup> of Net Lettable Area used for the Home Based Business.</p> <p><u>Bed &amp; Breakfast Accommodation.</u></p> <p>The parking required for a House plus 1 car space per bedroom/2 Bed Spaces.</p> <p><u>Forest Stay Accommodation.</u></p> <p>The parking required for a House plus 1 car space per bedroom/2 Bed Spaces and/or 1 car space per 2 Bed Spaces in a communal bunkhouse and 2 car spaces for 6 staff or 1 car space for 4 staff.</p> <p><u>Host Farm Accommodation.</u></p> <p>The parking required for a House plus 1 car space per bedroom/2 Bed Spaces and/or 1 car space per 2 Bed Spaces in a communal bunkhouse.</p>
House	2 spaces which may be in tandem.
Multi-Unit Housing	<p>Within the Port Douglas Tourist Centre – 1 car space per Dwelling Unit</p> <p>Outside the Port Douglas Tourist Centre and elsewhere in the Shire – 1.5 car spaces per Dwelling Unit</p> <p>In all cases, 60% of the car parking area is to be covered.</p> <p>Plus 1 bicycle space per 3 units and 1 visitor bicycle space per 12 units.</p>
Outstation/Seasonal Camp	1 car space per 2 bedrooms.
Retirement Facility	<p>1 car space per Dwelling Unit;</p> <p>plus 1 visitor car space per 5 Dwelling Units;</p> <p>plus 1 visitor car space per 10 hostel, nursing home or similar beds;</p> <p>plus 1 car space per 2 staff members;</p> <p>plus 1 car space for ambulance parking, designated accordingly.</p>
Special Residential Use	1 visitor car space per 5 bedrooms plus 1 car space per 2 staff members.





<b>Tourist and Short Term Accommodation Uses</b>	
Caravan Park/Camping Ground	1 car space per caravan Site, tent Site or cabin plus- 1 visitor car space per 10 caravan Sites, tent Sites or cabins; plus- 1 vehicle washing space per 20 caravan Sites, tent Sites or cabins; plus- 1 car space for an on-Site manager.
Holiday Accommodation	<p><u>Non-Self Contained Rooms (motel or hotel):</u></p> <p>1 car space per room for the first ten rooms plus 1 car space for every 3 rooms for the remainder of rooms.</p> <p><u>Self Contained:</u></p> <p>Within the Port Douglas Tourist Centre – 1 car space per Dwelling Unit</p> <p>Outside the Port Douglas Tourist Centre and elsewhere in the Shire – 1.5 car spaces per Dwelling Unit</p> <p><u>Dual Key:</u></p> <p>1 car space for the self-contained element of the Dual Key Units; and</p> <p>30% of a car space for the non-Self Contained element of the Dual Key apartment.</p> <p>A parking bay for the loading and unloading of buses where thirty rooms/Dwelling Units or more.</p> <p>In all cases, 60% of car spaces are to be covered</p> <p>Plus 1 bicycle space per 10 rooms.</p>
Short Term Accommodation	<p>1 car space per Private Room for the first ten rooms, plus 1 car space for every 3 rooms for the remainder of rooms.</p> <p>1 car space per 10 beds where dormitory accommodation.</p> <p>A parking bay for the loading and unloading of buses where thirty rooms or more, or where 30 beds in the dormitory accommodation.</p> <p>In all cases, 60% of car parking spaces are to be covered.</p> <p>Plus 1 bicycle space per 4 rooms/4 beds and 1 visitor bicycle space per 16 rooms/16 beds.</p>
Staff Quarters	1 car space per 2 Bed Spaces



<b>Retail Uses</b>	
Shopping Facility	<p>1 car space per 25 m<sup>2</sup> of Net Lettable Area.</p> <p>Plus 1 bicycle space per 200 m<sup>2</sup> of Net Lettable Area and 1 visitor bicycle space per 500 m<sup>2</sup> over 1000 m<sup>2</sup></p> <p><u>In a Local Centre:</u></p> <p>1 car space per 50 m<sup>2</sup> of Net Lettable Area.</p> <p><u>In the Tourist Centre of Port Douglas:</u></p> <p>1 car space per 30 m<sup>2</sup> of Net Lettable Area.</p>
<b>Business and Commercial Uses</b>	
Aircraft Landing Facility – Commercial	1 car space per 20 m <sup>2</sup> of covered reception area, plus 1 car space per 2 staff, plus a covered bus setdown area adjacent to the entry to the reception area and 2 bus parking spaces.
Business Facilities	<p>1 car space per 25 m<sup>2</sup> of Net Lettable Area.</p> <p>Plus 1 bicycle space per 200 m<sup>2</sup> Net Lettable Area and 1 visitor bicycle space per 750 m<sup>2</sup> over 1000 m<sup>2</sup></p> <p><u>In a Local Centre:</u></p> <p>1 car space per 50 m<sup>2</sup> of Net Lettable Area.</p> <p><u>In the Tourist Centre of Port Douglas:</u></p> <p>1 car space per 30 m<sup>2</sup> of Net Lettable Area.</p>
Child Care Centre	1 car space per full time staff member, plus 1 car space per 10 children to be used for setting down and picking up of children, with a minimum of 3 car spaces to be provided for set down/collection. Any drive-through facility can provide tandem short term parking for 3 car spaces for the setting down and picking up of children, on the basis that a passing lane is provided and linemarked to be kept clear of standing vehicles at all times.



Display Facilities	<p>For garden supplies, hardware &amp; the like: 1 car space per 50 m<sup>2</sup> Net Lettable Area.</p> <p>For boats, caravans, machinery, motor vehicles and the like: 1 car space per 100 m<sup>2</sup> Net Lettable Area.</p> <p style="text-align: center;">EXCEPT THAT</p> <p><u>When located in the Town Centre and in the Mossman and Environs Locality</u></p> <p>All Display Facilities provide 1 car space per 25 m<sup>2</sup> of Net Lettable Area.</p>
Restaurant	<p>1 car space per 25 m<sup>2</sup> of Net Lettable Area.</p> <p>Plus 1 bicycle space per 100 m<sup>2</sup> Net Lettable Area.</p> <p><u>In a Local Centre:</u></p> <p>1 car space per 50 m<sup>2</sup> of Net Lettable Area.</p> <p><u>In the Tourist Centre of Port Douglas:</u></p> <p>1 car space per 30 m<sup>2</sup> of Net Lettable Area.</p>
Service Station	1 car space per 15 m <sup>2</sup> of the floor area of any Shopping Facility, Restaurant or take-away food facilities. Staff parking at the rate of 1 car space per full time or part time staff member.
Tavern	<p>Licensed Facilities</p> <p>1 space per 10 m<sup>2</sup> of bar, lounge, beer garden, and other public area; plus</p> <p>1 space per 50 m<sup>2</sup> of floor area of liquor barn or bulk liquor sales area; plus if drive in bottle shop is provided queuing lane/s on site for 12 vehicles; plus parking for other uses incorporated in the Tavern, as listed in this Table.</p>
Tourist Attraction	<p>Sufficient car spaces to accommodate the amount of vehicular traffic likely to be generated by the particular use.</p> <p>Plus 1 bicycle space per 200 m<sup>2</sup> Net Lettable Area.</p>
Veterinary Facilities	1 car space per 50 m <sup>2</sup> of Net Lettable Area.





<b>Industry and Associated Uses</b>	
Aquaculture	1 car space per 2 staff members.
Extractive Industry	1 car space per 2 staff members.
Industry Class A and Class B	1 car space per 90 m <sup>2</sup> of Net Lettable Area.
Intensive Animal Husbandry	1 car space per 2 staff members.
Primary Industry	1 car space per 2 staff members.
Private Forestry	1 car space per 2 staff members.
Service Industry	1 car space per 90 m <sup>2</sup> of Net Lettable Area
<b>Community Facilities</b>	
Cemetery and Crematorium	Sufficient car spaces to accommodate the amount of vehicular traffic likely to be generated by the particular use.
Educational Establishment	<ul style="list-style-type: none"> <li>• primary and secondary school: 1 car space per 2 staff members</li> <li>• tertiary and further education: 1 car space per 2 staff members plus 1 car space per 10 students</li> <li>• for all other establishments :</li> <li>• Designated area on Site for the short term setdown of students, in addition to the requirements above.</li> </ul> <p>School – 1 bicycle space per 5 pupils over year 4</p> <p>University/TAFE – 2 bicycle spaces per 10 full time students</p>
Health Facility	1 car space per 4 beds, plus 1 car space per 2 staff members, plus 1 car space for ambulance parking, designated accordingly, 1 bicycle space per 200 m <sup>2</sup> Net Lettable Area.
Interpretive Facility	Sufficient car spaces to accommodate the amount of vehicular traffic likely to be generated by the particular use.
Park and Open Space	Sufficient car spaces to accommodate the amount of vehicular traffic likely to be generated by the particular use.
Place of Assembly	1 car space per 15 m <sup>2</sup> of Net Lettable Area.
	Plus 1 bicycle space per 200 m <sup>2</sup> Net Lettable Area
Public Utilities and Facilities	1 car space per 2 staff members.
Telecommunication Facilities	1 car space per 2 staff members.



<b>Recreation Uses</b>	
Indoor Sports and Entertainment	<ul style="list-style-type: none"> <li>• Squash Court or another court game: 4 car spaces per court.</li> <li>• Indoor Cricket 25 car spaces per cricket pitch.</li> <li>• Ten Pin bowling 3 car spaces per bowling lane.</li> <li>• Gymnasium 1 car space per 15 m<sup>2</sup> of Net Lettable Area.</li> <li>• Places where people congregate including Cinemas, Theatres, Convention Centre or Function Centre or the like. 1 car space per 15 m<sup>2</sup> of Net Lettable Area.</li> <li>• Unlicensed Clubrooms 1 car space per 45 m<sup>2</sup> of Net Lettable Area.</li> <li>• Licensed Clubrooms 1 car space per 15 m<sup>2</sup> of Net Lettable Area.</li> </ul> <p>Plus 1 bicycle space per 4 employees</p>
Outdoor Sport and Recreation	<ul style="list-style-type: none"> <li>• Coursing, horse racing, pacing or trotting 1 car space per 5 seated spectators plus, 1 car space per 5 m<sup>2</sup> of other spectator areas.</li> <li>• Football 50 car spaces per field.</li> <li>• Lawn Bowls 30 car spaces per green.</li> <li>• Swimming Pool 15 car spaces plus 1 car space per 100 m<sup>2</sup> of useable Site area.</li> <li>• Tennis or other Court game 4 car spaces per court.</li> <li>• Golf Course 4 car spaces per tee on the course, plus parking for club as per Indoor Entertainment.</li> <li>• Outdoor Cinema 1 car space per 5 m<sup>2</sup> of designated viewing area, plus 1 car space per 2 staff members.</li> </ul> <p>Plus 1 bicycle space per 20 spectator places</p>

**Note:** A contribution may be required by Council if the car parking rate is different, where a new use is proposed in an existing Building.



#### **4.6.6 Vehicle Parking and Access Code**

##### **Purpose**

The purpose of this Code is to ensure that:

- sufficient vehicle parking is provided on-Site to cater for all types of vehicular traffic accessing and parking on the Site, including staff, guests, patrons, residents and short term delivery vehicles;
- sufficient bicycle parking and end of trip facilities are provided on-Site to cater for customer and staff.
- on-Site parking is provided so as to be accessible and convenient, particularly for any short term use;
- the provision of on-Site parking, loading/unloading facilities and the provision of Access to the Site, do not impact on the efficient function of the street network or on the area in which the development is located; and
- new vehicle Access points are safely located and are not in conflict with the preferred ultimate streetscape character and local character and do not unduly disrupt any current or future on-street parking arrangements.

##### **Applicability**

This Code applies to self assessable or assessable development for:

- Material Change of Use.

Except for the following Uses in all Localities:

- Home Industry
- Off Premises Advertising Device

For self assessable development assessed against this Code, the applicable Acceptable Solutions is A1.1.

Self assessable development which does not comply with Acceptable Solution A1.1, will require Code Assessment.



## Vegetation Management Code

### Purpose

The purpose of this Code is to provide for the protection and management of vegetation within the planning scheme area to facilitate sustainable development and to ensure the Region's biodiversity and ecological values, landscape character and amenity are maintained.

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

- Vegetation will be protected from inappropriate damage, and
- Vegetation damage will be undertaken in a sustainable manner, and
- Significant trees are maintained and protected, and
- The biodiversity and ecological values are protected and maintained, and
- Habitats for rare, threatened and endemic species of flora and fauna are protected and maintained, and
- The landscape character and amenity is protected and maintained, and
- Cultural heritage values are protected and maintained.

### Applicability

This code applies to development that is operational work for vegetation damage which is identified as self-assessable or assessable in the table of assessment other than works undertaken by or on-behalf of Council.

For self assessable development assessed against this Code, the applicable Acceptable Solutions are A1.1 – A3.2 (Inclusive).

Self assessable development which does not comply with Acceptable Solutions A1.1 – A3.2 (Inclusive), will require Code Assessment.

### Elements of the Code

NA

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 Vegetation must be protected to ensure that:-</p> <ol style="list-style-type: none"> <li>The character and amenity of the local area is maintained, and</li> <li>Vegetation damage does not result in fragmentation of habitats, and</li> <li>Vegetation damage is undertaken in a sustainable manner, and</li> <li>The region's biodiversity and ecological values are maintained and protected, and</li> <li>Vegetation of historical, cultural and/or visual significance is retained,</li> <li>Vegetation is retained for erosion prevention and slope stabilisation.</li> </ol>	<p>A1.1 The vegetation damage occurs on a lot, other than a lot in the Flagstaff Hill Special Management Area, and has a lot size equal to or less than 800m<sup>2</sup>. OR</p> <p>A1.2 The lot is within an Urban Area or Rural Settlement Planning Area, other than the Flagstaff Hill Special Management Area, and the vegetation damage is within six (6) metres (measured from the centre of the tree's trunk, at ground level, to the nearest edge of the structure, of an existing or approved building or structure, or within three (3) metres of a boundary fence). OR</p> <p>A1.3 The lot is within a Conservation Planning Area or the Flagstaff Hill Special Management Area, and the vegetation damage is within three (3) metres (measured from the centre of the tree's trunk, at ground level, to the nearest edge of the structure, of an existing or approved building or structure). OR</p>

	<p>A1.4 The vegetation damage occurs within the path of, or within three (3) metres measured from the centre of the tree's trunk, at ground level, to the nearest edge of the structure/infrastructure, of the path of an approved road, water supply, sewerage or drainage works. OR</p> <p>A1.5 The vegetation damage is essential for carrying out work authorised or required under another Act. OR</p> <p>A1.5 The lot is within a Rural Planning Area and the vegetation damage is within ten (10) metres measured from the centre of the tree's trunk, at ground level, to the nearest edge of the structure, of an existing or approved building or structure or within three (3) metres of a boundary fence. OR</p> <p>A1.7 The lot is within the Rural or Rural Settlement Planning Area and the vegetation damage is for Routine Management, Essential Management or in accordance with a regular maintenance program in conjunction with an existing lawful rural pursuit. OR</p> <p>A1.8 The vegetation damage is considered to be one or more of the following:</p> <ul style="list-style-type: none"> <li>a) actually or potentially dangerous as a result of being dead, dying or diseased, structurally unsound, or having a growth form or habit which is hazardous and is presenting a threat to the safety of persons or property;</li> <li>b) is the removal of vegetation which was planted for landscaping purposes. OR</li> </ul> <p>A1.9 The vegetation damage is essential for the survey of a property boundary by a licensed cadastral surveyor. OR</p> <p>A1.10 The vegetation damage is to maintain an existing fire break. OR</p> <p>A1.11 The vegetation is damaged as the result of pruning essential to prevent interference to overhead service cabling. OR</p> <p>A1.12 The vegetation is damaged as the result of a regular maintenance program to remove part of the vegetation (e.g. fronds or seeds or deadwooding). OR</p> <p>A1.13 The vegetation damage is the removal and disposal at an approved site of a declared pest. OR</p> <p>A1.14 The vegetation is damaged as the result of an approved Forest Practice where the lot is subject to a scheme approved under another law. OR</p> <p>A1.15 The vegetation is damaged in association with a traditional Aboriginal or Torres Strait Islander cultural activity other than a commercial activity.</p> <p>(For assistance in clarification please contact Council's Development Assessment team on 4044 3044.)</p>
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PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P2: Vegetation damaged on a lot does not result in a nuisance.	<p>A2.1 Damaged vegetation is removed and disposed of at an approved site. OR</p> <p>A2.2 Damaged vegetation is mulched or chipped and used on-site. OR</p> <p>A2.3 On a lot in the Rural Planning Area vegetation is disposed of by burning, approved by an appropriate authority.</p>

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P3 Vegetation damage does not result in the removal of a healthy, significant tree from the streetscape	A3.1 Vegetation damage does not result in the removal of a significant tree from between the forward building line and the sites frontage or within six (6) metres of the sites frontage if no building exists on-site

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P4 Vegetation damage on a lot identified on a Local Heritage Overlay or on a lot identified on the Queensland Heritage Register does not result in a negative impact on the sites heritage values	A4.1 The vegetation damage results in the removal of vegetation that is one or more of the following: <ul style="list-style-type: none"> <li>a) actually or potentially dangerous as a result of being dead, dying or diseased, structurally unsound or having a growth form or habit which is hazardous</li> <li>b) a threat to the safety of persons or property</li> <li>c) restricting the habitability of the dwelling on the lot or a neighbouring lot</li> </ul>





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## Elements of the Code

### Energy Efficiency

N/A

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 Buildings are designed and sited to:</p> <ul style="list-style-type: none"> <li>▪ maximise the thermal comfort achieved within the building using passive design measures; and</li> <li>▪ minimise the need for energy reliant cooling appliances to achieve accepted levels of thermal comfort.</li> </ul>	<p>A1.1 For residential buildings, each dwelling unit achieves a minimum 5 star BERS™ or NatHERS™ (or equivalent) energy rating.</p> <p>OR</p> <p>A1.2 For residential buildings:</p> <ul style="list-style-type: none"> <li>(a) all door openings and windows in habitable rooms that face between north and south east and south west and north are fully shaded by adjustable external shutters or blinds, and</li> <li>(b) glazed windows or door assemblies have a minimum WERS<sup>51</sup> Rating of 3 stars for cooling, and</li> <li>(c) all external walls (excluding windows and other glazing) achieve an overall R-value not less than R1.5, and</li> <li>(d) all ceilings (excluding garages, open verandas and carports) achieve an overall R-value of R3.0, and</li> <li>(e) all habitable rooms have: <ul style="list-style-type: none"> <li>• have a window or door in opposite walls that are open-able to the outside;</li> <li>or</li> <li>• have a direct flow path from an open-able window through the doorways or other openings within the dwelling unit to another window or opening to the outside;</li> <li>Or</li> <li>• open directly onto an unobstructed breezeway that is a minimum of 900 mm wide and open-able at both ends with a minimum 1.5m<sup>2</sup> opening;</li> </ul> </li> </ul>

<sup>51</sup> "WERS" means the Window Energy Rating Scheme®. For details about WERS, see



	<p>Or</p> <ul style="list-style-type: none"> <li>• have a minimum ceiling height of 2.7m and at least one ceiling fan.</li> </ul> <p>A1.3 For non-residential buildings:</p> <ul style="list-style-type: none"> <li>(a) glazed windows or door assemblies have a minimum WERS<sup>52</sup> Rating of 3 stars for cooling, and</li> <li>(b) all external walls (excluding windows and other glazing) achieve an overall R-value not less than R1.5, and</li> <li>(c) all ceilings (excluding garages, open verandas and carports) achieve an overall R-value of R3.0.</li> </ul>
P2 Hot water systems support the efficient use of natural resources and minimise consequent pollution such as greenhouse gas emissions.	<p>A2.1 For all buildings with individual hot water systems installed in each dwelling unit or tenancy, all hot water systems installed comprise:</p> <ul style="list-style-type: none"> <li>(a) a system with a minimum of 24 Renewable Energy Certificates, or</li> <li>(b) a natural gas system, or</li> <li>(c) a liquid petroleum gas (LPG) system with a 5 star AGA Energy Rating Label.</li> </ul> <p>A2.2 For all buildings with centrally installed hot water systems:</p> <ul style="list-style-type: none"> <li>(a) a low NO<sub>x</sub> gas water heating system/s supply hot water to all dwelling units or tenancies, or</li> <li>(b) solar water heaters supply hot water to all dwelling units or tenancies where less than 25% of water heating is provided by booster units,</li> </ul>

<sup>52</sup> "WERS" means the Window Energy Rating Scheme®. For details about WERS, see



		<p>or</p> <p>(c) electric heat pump water heaters supply hot water to all dwelling units or tenancies,</p> <p>or</p> <p>(d) a gas-fired cogeneration or fuel cell unit is installed which supplies electricity and uses waste heat for cooling/heating and hot water.</p>
P3	<p>Where practicable, and consistent with density and design provisions, residents should have access to a non-mechanical clothes drying area:</p> <p>(a) taking advantage of natural ventilation; and</p> <p>(b) receiving ample sunlight,</p> <p>in a manner that does not impair visual amenity.</p>	No Acceptable Solution
P4	Cooking appliances are energy efficient.	<p>A4.1 For residential buildings, each dwelling unit has:</p> <p>(a) a gas cook-top installed with a range hood; and</p> <p>(b) a gas oven with appropriate ventilation; or</p> <p>(c) a fan-forced electric oven</p>
P5	All electrical appliances intended to be installed as standard into any residential building shall meet a minimum standard of 4 stars in accordance with the Australian Energy Rating Label.	<p>A5.1 All:</p> <ul style="list-style-type: none"> <li>• Dishwashers;</li> <li>• Clothes dryers;</li> <li>• Clothes washers;</li> <li>• Airconditioners; and</li> <li>• Refrigerators/freezers</li> </ul> <p>where installed with the development, shall meet a minimum 4 star rating in accordance with the Australian Energy Rating Label.</p>



<p>P6      Lighting is energy efficient.</p>	<p>A6.1    For residential buildings:</p> <ul style="list-style-type: none"> <li>(a)    The minimum circuit efficacy for all common area lighting is 75 lumens per watt.</li> <li>(b)    All common area lighting is fitted with automatic controllers.</li> <li>(c)    Kitchens and living areas are fitted with energy efficient light fixtures such as fluorescent lighting.</li> </ul> <p>A6.2    For Business Facilities, the average lighting power density does not exceed 10 watts per square metre.</p> <p>A6.3    For Shops and Shopping Facilities, the average lighting power density does not exceed 23 watts per square metre.</p> <p>A6.4    Individual tenancies within non-residential buildings are fitted with energy efficient light fixtures such as fluorescent lighting.</p>
<p>P7      Air conditioning, where not covered by an Australian Energy Rating Label, is energy efficient.</p>	<p>A7.1    Air conditioning units or systems comply with the minimum energy performance requirements specified in the Australian/New Zealand Standard AS/NZS 3823.2.2003.</p>



## Water Conservation and Reuse

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P8 Rainwater harvesting systems are incorporated into residential and non-residential buildings to ensure collection, treatment and reuse of rainwater on-site to reduce run-off and demand on the potable water supply. Internal fixtures supplied from a rainwater tank must have a continuous supply of water.</p>	<p>A8.1 All residential buildings provide rainwater storage tank/s on-site fitted with a first flush device and vermin-proof mesh strainer on the inlet and that has a capacity of:</p> <ul style="list-style-type: none"> <li>(a) 30,000 litres per dwelling unit where located in the Rural Planning Area or the Rural Settlement Planning Area, or</li> <li>(b) 5,000 litres per dwelling unit where located in any other Planning Area.</li> </ul> <p>All non-residential buildings provide rainwater storage tank/s on-site fitted with a first flush device and vermin-proof mesh strainer on the inlet and that has a capacity of 5,000 litres per toilet/urinal unit.</p> <p>A8.2 The rainwater tank is plumbed for external use for irrigation and pool top up and internal use for toilet cisterns and washing machine cold water taps.</p> <p>A8.3 A rainwater tank has –</p> <ul style="list-style-type: none"> <li>(a) An automatic switching device providing supplementary water from the reticulated town water supply; or</li> <li>(b) A trickle top up system, providing supplementary water from the reticulated town water supply with – <ul style="list-style-type: none"> <li>(i) A minimum flow rate of 2 litres per minute and a maximum flow rate of 4 litres per minute; and</li> <li>(ii) Top up valves installed in an accessible location; and</li> </ul> </li> </ul>





	<p>(iii) A storage volume of the reticulated town water supply top up shall be no more than and no less than 1000 litres</p> <p>A8.4 A backflow prevention device is installed to protect the potable water within the reticulated town water supply system in accordance with AS/NZS 3500:2003 Plumbing and Drainage.</p>
P9 Plumbing fittings must support the efficient use of water.	<p>A9.1 All sink, tub or basin taps or mixers have a certified AAA Water Conservation Rating.</p> <p>A9.2 All toilets have:</p> <ul style="list-style-type: none"> <li>(a) 4 litre or less average flush cisterns (when calculated in accordance with Australian/New Zealand Standard AS/NZS 6400:2003), and</li> <li>(b) matched pans.</li> </ul> <p>A9.3 All showers have thermostatic mixers.</p>

### ***Waste Minimisation***

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
P10 Site and building design must facilitate efficient sorting and disposal to maximise recycling opportunities.	A10.1 For residential buildings, each dwelling unit has separated, built-in temporary storage for recyclable materials and general waste.



	<p>A10.2 All buildings include a refuse bin storage area:</p> <ul style="list-style-type: none"> <li>(a) with sufficient capacity for the collection of recyclable materials and general refuse, and</li> <li>(b) located for convenient use by all residents/tenants and readily accessible to waste management contractors, and</li> <li>(c) screened from view from public roads, is roofed and drained to sewer and includes a hose cock to provide for cleaning of refuse bins.</li> </ul>
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### ***Landscaping and Irrigation***

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P11 Landscaping must facilitate sustainable tropical design by:</p> <ul style="list-style-type: none"> <li>• providing sufficient space for the retention and/or establishment of significant substantial vegetation,</li> <li>• using locally appropriate plant species,</li> <li>• using paving design and materials that minimise heat reflection and site run-off,</li> <li>• providing appropriate seasonal shade and passive cooling/heating of outdoor spaces throughout the year,</li> <li>• providing private open space located to maximise indoor/outdoor connections, and</li> <li>• design and plant selection to minimise water use and contribute to stormwater management.</li> </ul>	<p>A11.1 Impervious paving is limited to:</p> <ul style="list-style-type: none"> <li>(a) vehicle manoeuvring areas,</li> <li>(b) vehicle hard-stand areas, and</li> <li>(c) pedestrian movement paths.</li> </ul> <p>A11.2 Landscape and recreation areas are planted to:</p> <ul style="list-style-type: none"> <li>(a) ensure the penetration of prevailing north-east and south summer breezes and north-east winter morning sun, and</li> <li>(b) minimise exposure to the prevailing west and south-west winter winds, and</li> <li>(c) shade the western walls of buildings.</li> </ul>



	<p>A11.3 Opportunities for water infiltration on-site are maximised through:</p> <ul style="list-style-type: none"> <li>(a) minimising the extent of impervious surfaces,</li> <li>(b) use of porous paving in low traffic areas,</li> <li>(c) draining hard surfaces towards permeable surfaces, and</li> <li>(d) inclusion of turf and garden beds.</li> </ul>
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### *Solar Panels*

<b>PERFORMANCE CRITERIA</b>		<b>ACCEPTABLE SOLUTIONS</b>	
P12	Solar hot water systems are located for optimum performance.	A12.1	Solar hot water systems are located on the roof of a building and the panels face solar north.

### *Private Swimming Pools*

<b>PERFORMANCE CRITERIA</b>		<b>ACCEPTABLE SOLUTIONS</b>	
P13	<p>A swimming pool for recreational use by residents of a residential building is designed and constructed to minimise its resource needs by consideration of:</p> <ul style="list-style-type: none"> <li>• potential usage in terms of number of swimmers;</li> <li>• purpose (e.g, lap swimming, plunging, etc);</li> <li>• siting issues; and</li> <li>• filtration systems.</li> </ul>	A13.1	No Acceptable Solution.





## Elements of the Code

### Filling and Excavation – General

N/A

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 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>A1.1 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>A1.2 Cuts are supported by batters, retaining or rock walls and associated benches/terraces are capable of supporting mature vegetation.</p>
	<p>A1.3 Cuts are screened from view by the siting of the Building/structure, wherever possible.</p>
	<p>A1.4 Topsoil from the Site is retained from cuttings and reused on benches/terraces.</p>
	<p>A1.5 No crest of any cut or toe of any fill, or any part of any retaining wall or structure, is located closer than 600 mm to any boundary of the property, unless the prior written approval of the adjoining landowner and the Council, has been obtained.</p>
	<p>A1.6 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***

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P2 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>A2.1 The extent of filling or excavation does not exceed 40% of the Site area or 500 m<sup>2</sup> whichever is the lesser.</p> <p style="text-align: center;">EXCEPT THAT</p> <p>A2.1 does not apply to reconfiguration of 5 lots or more.</p> <p>A2.2 Filling and excavation does not occur within 2 metres of the Site boundary.</p>

### ***Flooding and Drainage***

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P3 Filling and excavation does not result in a change to the run off characteristics of a Site which then have a detrimental impact upon the Site or nearby land or adjacent Road reserves.</p>	<p>A3.1 Filling and excavation does not result in the ponding of water on a Site or adjacent land or Road reserves.</p> <p>A3.2 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>A3.3 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>A3.4 Filling and excavation complies with the specifications set out in the Planning Scheme Policy No 6 – FNQROC Development Manual.</p>

### ***Water Quality***

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P4 Filling and excavation does not result in a reduction of the water quality of receiving waters.</p>	<p>A4.1 Water quality is maintained to comply with the specifications set out in the Planning Scheme Policy No 6 – FNQROC Development Manual.</p>

#### 4.6.5 Reconfiguring a Lot Code

N/A

##### Purpose

The purpose of this Code is to ensure that:

- lots are suitable for their intended purpose;
- the environmental and scenic values of the Shire are protected;
- lot reconfiguration in the Rural Planning Area and Rural Settlement Planning Area does not result in the fragmentation or alienation of GQAL;
- lot reconfiguration of land achieves good urban design outcomes; and
- lot reconfiguration in the urban areas of the Shire facilitates:
  - the efficient use of land;
  - safe, convenient and attractive neighbourhoods and functional industrial or commercial areas;
  - the efficient provision of infrastructure;
  - the efficient provision of transport services;
  - the provision of public open space, Landscaping and Recreational Areas for outdoor recreation and community activities; and
  - opportunities for walking and cycling for recreation and as alternative methods of travel.

##### Applicability

This Code applies to assessable development for:

- Reconfiguring a Lot; and
- Operational Work Associated with Reconfiguring a Lot.

Rearranging a boundary or boundaries that does not create any additional lots requires assessment against Performance Criteria P21 and Acceptable Solution A21.1 relating to Boundary Realignment in this Code.

#### Elements of the Code

##### *Area and Dimensions of Lots*

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P1 Lots are of sufficient area and dimensions to meet the requirements of the users and accommodate the form of development likely to be constructed in the respective Planning Areas, together with the open space, Landscaping, Access and car parking associated with the particular form of development.	A1.1 Lots comply with the area and dimensions identified for lots in the respective Planning Areas in Table 1.



**Table 1 – Minimum Area and Dimensions of Lots for each Planning Area**

<b>Planning Area</b>	<b>Minimum Area</b>	<b>Minimum Dimensions</b>
<b>Rural</b>  EXCEPT FOR <ul style="list-style-type: none"> <li>World Heritage Areas and Environs Locality; and</li> <li>Settlement Areas North of the Daintree River Locality.</li> </ul>	<ul style="list-style-type: none"> <li>40 hectares</li> <li>As existing with no further reconfiguration</li> </ul>	To accommodate square with minimum side of 500 metres
<b>Rural Settlement</b> <ul style="list-style-type: none"> <li>Within Settlement Areas North of the Daintree River Locality and at Rocky Point.</li> <li>In other Localities and areas</li> </ul>	<ul style="list-style-type: none"> <li>As existing with no further reconfiguration</li> <li>0.4 hectares</li> </ul>	<ul style="list-style-type: none"> <li>To accommodate square with minimum side of 50 metres</li> </ul>
<b>Residential 1</b> <ul style="list-style-type: none"> <li>Within sewered areas</li> <li>Within unsewered areas</li> <li>Within Special Management Area 1 – Flagstaff Hill</li> <li>Located at Rocky Point</li> </ul>	<ul style="list-style-type: none"> <li>800 m<sup>2</sup></li> <li>1000 m<sup>2</sup></li> <li>1500 m<sup>2</sup></li> <li>3500 m<sup>2</sup></li> </ul>	<ul style="list-style-type: none"> <li>To accommodate square with minimum side of 20 metres</li> <li>To accommodate square with minimum side of 25 metres</li> <li>To accommodate square with minimum side of 30 metres</li> <li>To accommodate square with a minimum side of 50 metres</li> </ul>
<b>Residential 2</b>	1000 m <sup>2</sup>	To accommodate square with minimum side of 25 metres
<b>Tourist and Residential</b>	1000 m <sup>2</sup>	To accommodate square with minimum side of 25 metres
<b>Commercial</b>	800 m <sup>2</sup>	To accommodate square with minimum side of 20 metres
<b>Industrial</b>	1000 m <sup>2</sup>	To accommodate square with minimum side of 25 metres
<b>Community and Recreational Facilities</b>	Not specified	Not specified
<b>Conservation</b>  EXCEPT FOR <ul style="list-style-type: none"> <li>Settlement Areas North of the Daintree River Locality; and</li> <li>World Heritage Areas and Environs Locality</li> </ul>	<ul style="list-style-type: none"> <li>As existing with no further reconfiguration</li> </ul>	Not specified



<b>Planning Area</b>	<b>Minimum Area</b>	<b>Minimum Dimensions</b>
Port Douglas Waterfront North	Not specified – Must be able to accommodate development in accordance with Figure 1 of the Port Douglas Waterfront North Planning Area Code.	Not specified – Must be able to accommodate development in accordance with Figure 1 of the Port Douglas Waterfront North Planning Area Code.
Port Douglas Waterfront South	Not specified – Must be able to accommodate development in accordance with the Port Douglas Waterfront South Planning Area Code.	Not specified – Must be able to accommodate development in accordance with the Port Douglas Waterfront South Planning Area Code.

### ***Rural Planning Area***

<b>PERFORMANCE CRITERIA</b>		<b>ACCEPTABLE SOLUTIONS</b>
P2	Lots are of an appropriate size and configuration to sustain the utility and productive capacity of the land for rural purposes, and to reduce potential for impacts on the natural environment by facilitating opportunities for the implementation of improved land management practices and through provision of safe and adequate water supply and sewage disposal.	A2.1 Lot boundaries relate to natural features such as ridges or other catchment boundaries, drainage lines or flood flows, or remnant stands of vegetation.
		A2.2 Lots comply with the area and dimensions identified for Lots in the Rural Planning Area in Table 1, above.
		A2.3 Designated Development Areas are identified on any lots exceeding a maximum slope of 15% and are registered on title.



### ***Rural Settlement Planning Area***

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P3 Rural Settlement lots are located and designed such that they:</p> <ul style="list-style-type: none"> <li>• have a sustainable level of impact on the natural environment, having regard to water supply and water quality, effluent disposal, potential erosion and natural habitat;</li> <li>• retain significant landscape features, views and vegetation cover;</li> <li>• provide for a high level of residential and scenic amenity, Access to services and facilities, and safety from risk of natural hazards such as bushfire; and</li> <li>• do not impact on the safety and efficiency of the Shire's Road network.</li> </ul>	<p>A3.1 The location and layout of new lots does not fragment GQAL or areas of ecological or scenic value and provides for buffers that adequately protect such areas from fringe deterioration and other impacts and maximises connectivity between such areas.</p> <p>A3.2 Designated Development Areas are identified on any lots exceeding a maximum slope of 15% and are registered on title.</p> <p>A3.3 The location and layout of lots minimises the extent of cut and fill for Building area or Road construction.</p> <p>A3.4 The location and layout of lots allows for the buffering of riparian vegetation and waterways.</p> <p>A3.5 Lots are buffered from any potentially incompatible land use.</p> <p>A3.6 The location and layout of new lots minimises risk from bushfire through the following measures:</p> <ul style="list-style-type: none"> <li>• the Road layout provides for through Roads and avoids cul-de-sacs and "dead end" Roads;</li> <li>• Designated Development Areas are sited in cleared areas, away from the tops of ridges, and not on north to west facing vegetated slopes; and</li> <li>• the use of firebreaks.</li> </ul> <p>A3.7 Lots are not located in an area affected by noise from a State-Controlled Road.</p>



### **Residential 1 Planning Area**

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P4 The layout for a residential reconfiguration greater than 10 lots, gives the neighbourhood a positive identity by:</p> <ul style="list-style-type: none"> <li>• protecting natural features, areas of environmental value and Watercourses;</li> <li>• incorporating Site characteristics, views and landmarks;</li> <li>• providing a legible, connected and safe street, bicycle and pedestrian network that links to existing external networks;</li> <li>• providing community or necessary facilities at convenient focal points;</li> <li>• orientating the street and lots to ensure the siting and design of residential development maximises energy efficiency;</li> </ul>	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
<p>P5 Multi-Unit Housing is limited to a small proportion of the total number of lots in a new residential area and is dispersed to ensure conventional residential detached Houses dominate the streetscape.</p>	<p>A5.1 In new residential areas, not more than 15% of the total number of new lots are nominated on an approved Plan of Reconfiguration for Multi-Unit Housing, with corner lots being preferred.</p>

### **Commercial/Industrial Planning Areas**

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P6 The reconfiguration layout of an industrial/commercial area:</p> <ul style="list-style-type: none"> <li>• facilitates the efficient use of industrial or commercial land;</li> <li>• ensures minimum impact on the natural environment and on the amenity of adjacent uses;</li> <li>• provides for a variety of lot sizes and complementary uses.</li> </ul>	<p>P6.1 A Concept Plan for the proposed reconfiguration is prepared by a suitably qualified professional and identifies the location of:</p> <ul style="list-style-type: none"> <li>• natural features, areas of environmental value and Watercourses;</li> <li>• street, bicycle and pedestrian networks and linkages to adjoining areas;</li> <li>• a variety of lot sizes and dimensions, with the minimum areas of dimensions satisfying the requirements of Table 1 above.</li> </ul>



### *Infrastructure for Local Communities*

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P7 Provision is made for open space that:</p> <ul style="list-style-type: none"> <li>• meets the recreational needs of residents and visitors to the Shire;</li> <li>• provides a diverse range of settings;</li> <li>• creates effective linkages with other areas of open space and natural areas; and</li> <li>• contributes to the visual and Scenic Amenity of the Shire.</li> </ul>	<p>A7.1 An area of 10% of the land to be reconfigured is provided as open space in accordance with Planning Scheme Policy No 9 – Open Space Contributions.</p> <p>OR</p> <p>A contribution is paid in lieu of an area being designated for open space in accordance with Planning Scheme Policy No 9 – Open Space Contributions</p> <p>OR</p> <p>A combination of the above, as agreed to by Council.</p>
<p>P8 Informal Parks and Sporting Parks are provided and sited to meet the needs of local residents in the Shire.</p>	<p>A8.1 Informal Parks are provided at the ratio of 2 hectares per 1000 persons with a minimum size of Informal Parks being 0.5 – 1 hectare (Local Parks) and 3 – 5 hectares (District Parks).</p> <p>AND</p> <p>Sporting Parks are provided at the ratio of 2 hectares per 1000 persons with a minimum size of Sporting Parks being 1.2 – 2 hectares (Local Parks) and 5 hectares (District Parks).</p>

## Road Network

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P9 The Road network:</p> <ul style="list-style-type: none"> <li>• is integrated and consistent with the existing and proposed local Road network;</li> <li>• is legible and retains existing features, views, topography and vegetation;</li> <li>• is convenient and safe for local residents;</li> <li>• facilitates walking and cycling within the neighbourhood; and</li> <li>• is compatible with the intended role of the State-Controlled Road and does not prejudice traffic safety or efficiency.</li> </ul>	<p>A9.1 Roads are designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.</p> <p>A9.2 The Road network takes into consideration the natural and cultural features of the Site, existing vegetation, Watercourses and contours.</p> <p>A9.3 The Road network is designed to reduce traffic speeds and volumes on local streets in residential areas to facilitate parking and manoeuvring and to integrate with the existing and proposed pedestrian and bicycle paths network.</p> <p>A9.4 Direct Access is not provided to a State-Controlled Road where legal and practical Access from another Road is possible.</p> <p>A9.5 Where the created allotments have Frontage to more than one Road, Access to the individual allotments is from the lower order Road.</p>
<p>P10 The Road network for industrial/commercial reconfigurations ensures convenient movement and Access for vehicles, particularly heavy vehicles, without affecting the amenity of residential neighbourhoods.</p>	<p>A10.1 Roads are designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.</p> <p>A10.2 Industrial/commercial traffic is able to Access a major Road without intruding into a residential neighbourhood.</p>





### ***Pedestrian and Bicycle Network***

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P11 Networks of pedestrian and bicycle paths are provided in safe and convenient locations.</p>	<p>A11.1 Safe and convenient walking and cycling networks are provided to link residential areas to schools, community facilities, parks and public transport, Tourist Attractions, commercial and industrial areas.</p> <p>A11.2 The pedestrian and bicycle path network is constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.</p> <p>A11.3 Lighting for bicycle paths is provided in accordance with the relevant Australian Standards.</p>

### ***Stormwater Drainage***

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P12 Stormwater runoff is contained and managed so that it does not adversely affect:</p> <ul style="list-style-type: none"> <li>• natural Watercourses;</li> <li>• surface or underground water quality; or</li> <li>• the built environment either upstream or downstream of the Site.</li> </ul>	<p>A12.1 Stormwater drainage is designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.</p>



## ***Water Supply***

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P13 An adequate, safe and reliable supply of potable water is provided.</p>	<p>A13.1 Where in a water supply area, each new lot is connected to Council's reticulated water supply system.</p> <p>AND</p> <p>The extension of and connection to the reticulated water supply system is designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual</p> <p>A13.2 A contribution is paid in accordance with Planning Scheme Policy No 11 – Water Supply and Sewerage Headworks and Works External Contributions.</p>



### *Treatment and Supply of Effluent*

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P14 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>A14.1 Each new lot is connected to Council's sewerage system.</p> <p>AND</p> <p>The extension of and connection to the sewerage system is designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.</p> <p>OR</p> <p>Where the Site is not in a sewerage scheme area, the proposed disposal system meets the requirements of relevant Sections of the Environmental Protection Policy (Water) 1997.</p> <p>AND</p> <p>The proposed on Site effluent disposal system is located on and contained within the lot in accordance with the Standard Sewage Law.</p> <p>A14.2 A contribution is paid in accordance with Planning Scheme Policy No 11 – Water Supply and Sewerage Headworks and Works External Contributions</p>





### ***Residential Development – Standard Format Plan with Common Property***

<b>PERFORMANCE CRITERIA</b>		<b>ACCEPTABLE SOLUTIONS</b>	
P15	Lots have an appropriate area and dimension to protect residential amenity.	A15.1	The lot configuration under a Standard Format Plan with Common Property satisfies the minimum area and Frontage provisions of the Residential 1 Planning Area Code, as set out in Table 1, above.
P16	The Setback of Residential Uses from the Access driveways makes efficient use of the Site and provides for the amenity and privacy of residents.	A16.1	A minimum separation distance of 15 metres is provided between Residential Uses with Frontage to the Access driveway.
P17	Internal Access driveways are designed to provide acceptable levels of safety, amenity and convenience for users, in addition to providing for visitor car parking.	A17.1	Access driveways serving more than 3 lots and a maximum of 20 lots are a minimum of 4 metres in width and provide designated areas for visitor parking at the rate of 1 car space for every 3 Houses/or other Residential Uses.
P18	Communal/public open space is provided to service the residents of the development and to contribute to the available public open space in the local community.	A18.1	The proportion of public open space and communal open space provided by the development is dependant upon the characteristics of the individual development and its proximity to nearby public open space, existing or planned. A split of 6% public open space and 4% communal open space is preferred, but will be determined on a Site/development specific basis.
P19	Boundary fencing does not have a significant impact on the visual amenity of the local area.	A18.1	The side and rear boundary fence is a maximum of 1.8 metres in Height and incorporates decorative panels which incorporate railings, pickets and/or vegetation screening to reduce the bulk and scale of the fence or wall.
P20	The installation of Fire Hydrants ensures that they are easy to locate and use in times of emergency and are of a standard consistent with service needs.	A19.1	Fire Hydrant installation for the development is provided in accordance with the requirements of the relevant Australian Standard.



### **Boundary Realignment**

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P21 The realignment of a boundary or boundaries does not create additional allotments and achieves an improvement on the existing situation.</p>	<p>A20.1 No additional lots are created.</p> <p>AND</p> <p>The area and configuration of the proposed lots are consistent with the historical pattern of reconfiguration in the local area.</p> <p>AND</p> <p>An improvement on the existing situation is achieved by:</p> <ul style="list-style-type: none"> <li>• the provision of Access to a lot which previously had no Access;</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>• the proposed lots being better suited to the existing or proposed use of the lots, whether or not the provisions relating to minimum area and dimensions are met;</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>• the Frontage to depth ratio of the proposed lots being greater than the Frontage to depth ratio of the existing lots.</li> </ul>



### ***Energy Efficiency***

<b>PERFORMANCE CRITERIA</b>		<b>ACCEPTABLE SOLUTIONS</b>
P22	The road and lot layout facilitates the siting and design of buildings to conserve non-renewable energy sources and assists in orientation and design appropriate for the local tropical conditions.	No Acceptable Solution
P23	The road and lot layout minimises fossil fuel use by: <ul style="list-style-type: none"><li>• reducing the need for and length of local vehicle trips,</li><li>• maximising public transport effectiveness,</li><li>• encouraging walking and cycling, and</li><li>• provision of appropriate street landscaping</li></ul>	No Acceptable Solution





## Elements of the Code

N/A

### Consistent and Inconsistent Uses – General

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P1 The establishment of uses is consistent with the outcomes sought for the Commercial Planning Area.	A1.1 Uses identified as inconsistent uses in the Assessment Table are not established in the Commercial Planning Area.

## Building Setbacks

N/A

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P2 The siting of Buildings/structures is in keeping with the existing and desired amenity and character of the area and protects the amenity of adjoining land uses.	<p>A2.1 Buildings/structures are built up to the front boundary for the full Frontage of the Site.</p> <p>UNLESS</p> <p>Buildings/structures are required to be Setback as stated in the relevant Locality Code.</p> <p>A2.2 Buildings/structures are constructed to the side and rear boundaries.</p> <p>OR</p> <p>Where the Site adjoins land in a residential planning area or where the Site adjoins land developed partially or wholly, for a residential or tourist accommodation purpose:</p> <ul style="list-style-type: none"> <li>the Building/structure is Setback from the common boundary 1.5 metres or an average of half the Height of the wall of the Building, whichever is the greater; and</li> <li>a 1.8 metre high solid screen fence is established along the length of the common boundary.</li> </ul>



## Awnings

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P3 The design of Buildings provides for the integration of the development with the existing streetscape and provides for the protection of the public from the inclement weather.</p>	<p>A3.1 An awning, a minimum of 3 metres in width, is provided to the full Frontage/s of the Site where the Building is built to the front property alignment/s.</p> <p>A3.2 Buildings include design features that support the character of the commercial area including parapets.</p> <p style="text-align: center;">HOWEVER</p> <p>Any parapet wall does not exceed 900mm when measured from the intersection of the underside of the ceiling and the wall of the Building.</p>

## Landscaping

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P4 Landscaping provides a suitable buffer between incompatible uses<sup>31</sup>.</p>	<p>A4.1 Where a Building is not built up to the Main Street Frontage the setback area is landscaped with Deep Planting.</p> <p>A4.2 Where a Building is not built to the side or rear boundary the setback from the side and rear boundary is landscaped with Deep Planting.</p> <p>A4.3 Where the Building is setback and the Site adjoins land in a residential planning area or where the Site adjoins land developed partially or wholly, for residential or tourist accommodation uses a 1.5 metre wide Setback of Dense Planting is provided to the common boundary with that land in accordance with all the relevant requirements of the Landscaping Code.</p>

<sup>31</sup> Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



### ***Site Access and Car Parking***

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p><b>P5</b> Site Access and Car Parking are appropriately located and provided to service the development and to provide off street parking which is safe and conveniently located for users.</p>	<p><b>A5.1</b> Site Access/es is/are conveniently located to encourage usage and enable customers to enter and exit the commercial development safely.</p> <p><b>A5.2</b> Off street car parking is provided at the rear or the side of the Building or underneath a Building in accordance with all the relevant provisions of the Vehicle Parking and Access Code.</p> <p><b>A5.3</b> Vehicle unloading areas, goods storage areas, waste storage areas and outdoor equipment areas are designed and located to be screened from the street and to be accessible by service delivery vehicles without conflicting with the traffic flow of the car parking areas and on Site pedestrian areas.</p>

### ***Local Centres***

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p><b>P6</b> A Local Centre services only the convenience needs of the surrounding local community.</p>	<p><b>A6.1</b> All Local Centres have a maximum Net Lettable Area which is specified in the relevant Locality Code. The Net Lettable Area of any one individual use does not exceed 50% of the Net Lettable Area for the Local Centre and with all non retail uses not exceeding 50% of the total Net Lettable Area.</p> <p><b>A6.2</b> The maximum Net Lettable Area specified, for an existing Local Centre, comprised of a number of lots, is allocated on a pro-rata basis between all the lots.</p> <p><b>A6.3</b> Non retail service uses are limited to food outlets such as a cafe or Restaurant, personal services such as hairdresser, beautician, small offices such as a dentist, doctor, bakery or laundromat.</p>





	<p>A6.4 On Site car parking is provided in accordance with that specified in Schedule 1 – Car Parking Requirements of the Vehicle Parking and Access Code for the proposed use within a Local Centre. Where no differential rate is specified the standard rate applies.</p> <p>A6.5 Additional short term car parking is designated on the Road reserve adjacent to the Local Centre, (other than a State-Controlled Road unless it is a service road).</p> <p>A6.6 Any residential use proposed within a Local Centre, such as a Caretaker's Residence or Multi-Unit Housing, is located above Ground Level and complies with the specified plot ratio designation.</p> <p>A6.7 A new Local Centre is co-located with parkland and other community services and facilities.</p>
<p>P7 A Local Centre is designed to be compatible with the scale and character of surrounding residential development and functions safely and efficiently.</p>	<p>A7.1 A Local Centre is designed in accordance with the general provisions of the Commercial Planning Area Code outlined above in A1.1 to A6.3.</p> <p style="text-align: center;">AND</p> <p>A Local Centre is designed to integrate with the streetscape providing paving and planting to all street Frontages</p>
<p>P8 In a Local Centre the Site Coverage of Buildings ensures that there is sufficient area for the provision of services.</p>	<p>A8.1 The Site Coverage of all Buildings does not exceed 80% of the Site area.</p>



## Elements of the Code

### Development in Areas of Natural and Scenic Amenity Value

NA

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 Where a development within a DDA triggers this Code, the natural and environmental values of the areas of Remnant Vegetation and/or Watercourse/s are protected from inappropriate development.</p>	<p>A1.1 Buildings/structures Access Roads/car parking, infrastructure and landscape/recreation facilities are constructed within the DDA identified on a Site Plan drawn to scale.</p> <p>A1.2 Where internal Roads are required to service the development, the Roads are located within a DDA identified on a Site Plan drawn to scale.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 8 – Natural Areas and Scenic Amenity and Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
<p>P2 Development does not adversely impact on the natural and environmental values and Scenic Amenity of areas identified as Remnant Vegetation and/or Watercourse/s.</p>	<p>A2.1 Where development occurs, it is located on that part of the Site which poses the least threat to the natural and environmental values and Scenic Amenity, for example:</p> <ul style="list-style-type: none"> <li>• adjacent to existing development;</li> <li>• within an existing cleared area;</li> <li>• within a disturbed area with little potential for rehabilitation;</li> <li>• within an area close to an Access Road;</li> <li>• removed from an identified area of important habitat.</li> </ul> <p>A2.2 Development within the DDA is sited to minimise visual intrusion on the Site and the surrounding landscape.</p> <p>A2.3 No continuous boundary fence lines or barriers are Erected on an approved development Site within a DDA identified on a Site Plan drawn to scale.</p>



	<p>A2.4 Infrastructure, such as water mains, sewers, electricity and telecommunication services, is sited underground, wherever reasonable, to protect Scenic Amenity, and is located within a DDA on a Site Plan drawn to scale.</p> <p>A2.5 Internal Roads associated with the development are designed and constructed to achieve a low speed environment.</p> <p>A2.6 Roads and infrastructure services do not cross the Setback area/riparian corridor; or if this is not possible, the number of crossings is minimised.</p> <p>A2.7 Setback areas/riparian corridors are provided in accordance with A4.1, A4.2, A4.3 and A4.4 below;</p> <p style="text-align: center;">AND</p> <p>The lowest intensity of development occurs adjacent to any Setback area/riparian corridor, and in the case of reconfiguration, larger lots are located adjacent to any Setback area/riparian corridor.</p> <p>A2.8 There is no fragmentation or alienation of any Remnant Vegetation.</p> <p>A2.9 Any natural, environmental or Scenic Amenity value of any balance area outside the DDA is protected.</p>
<p>P3 Any development involving filling and excavation minimises detrimental impacts on any aquatic environment.</p>	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 8 – Natural Areas and Scenic Amenity and Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>





### ***Setback Areas/Riparian Corridors***

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P4 Setback areas/riparian corridors adjacent to Watercourses are provided/maintained or re-established and revegetated with species endemic to the local area.</p>	<p>A4.1 For residential reconfiguration (Residential 1, Residential 2 or Rural Settlement Planning Area), Aquaculture, Tourist Activities, Industrial Activities and other large scale developments or development likely to have an impact on water quality of adjacent Watercourse/s any degraded sections of the Setback area/riparian corridor are revegetated with endemic species typical of the riparian corridor in the area.</p> <p>A4.2 Revegetation occurs in accordance with a Landscape Plan prepared by a suitably qualified professional in compliance with the requirements of Planning Scheme Policy No 8 – Natural Areas and Scenic Amenity, Landscaping Code and Planning Scheme Policy No 7 – Landscaping.</p> <p>A4.3 The minimum width of the Setback area/riparian corridor, measured out from the shoulder of each high bank, for the respective categories of Watercourses, where a riparian corridor of vegetation already exists is:</p> <ul style="list-style-type: none"> <li>• Category 1 – Major Perennial Watercourse – 30 metres</li> <li>• Category 2 – Perennial Watercourse – 20 metres</li> <li>• Category 3 – Minor Perennial – 10 metres,</li> </ul> <p style="text-align: center;">AND</p> <p>buildings are sited clear of the Setback area/riparian corridor, in accordance with the relevant Setbacks outlined above.</p>



	<p style="text-align: center;"><b>OR</b></p> <p>The minimum width of the Setback area/riparian corridor, measured out from the shoulder of each high bank, for the respective categories of Watercourses, where no riparian corridor of vegetation already exists is:</p> <ul style="list-style-type: none"> <li>• Category 1 – Major Perennial Watercourse – 10 metres</li> <li>• Category 2 – Perennial Watercourse – 5 metres</li> <li>• Category 3 – Minor Perennial – 2.5 metres,</li> </ul> <p style="text-align: center;"><b>AND</b></p> <p>buildings are sited clear of the Setback area/riparian corridor, in accordance with the relevant Setbacks above.</p> <p>A4.4 Native vegetation within the Setback area/riparian corridor, other than identified noxious and environmental weeds, is retained.</p>
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#### *Use of Setback Areas/Riparian Corridors*

<b>PERFORMANCE CRITERIA</b>		<b>ACCEPTABLE SOLUTIONS</b>
<p>P5 Any use of a Setback area/riparian corridor does not adversely affect the integrity of the Setback area/riparian corridor.</p>	A5.1	Only low key, passive, low impact recreational facilities, including pedestrian and cycle paths or boardwalks, are located within the Setback area/riparian corridor.
	A5.2	The location of low key, passive, low impact recreational facilities, including pedestrian and cycle paths or boardwalks within the Setback area/riparian corridor, does not affect the connectivity function and landscape/environmental or Scenic Amenity values of the Setback area/riparian corridor.



### ***Retaining and Protecting Highly Visible Areas***

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P6 Any development sited wholly or partially on land with a slope greater than 15% protects the Scenic Amenity values of the land from inappropriate and visually prominent development.</p>	<p>A6.1 Land with a slope greater than 15% and including Remnant Vegetation remains undeveloped and in its natural state.</p> <p>A6.2 Any development remains unobtrusive and sited below the tree line and ridge line.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 8 – Natural Areas and Scenic Amenity and Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>