

## DA Form 1 – Development application details

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

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

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

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

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

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

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

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

### PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) <i>(individual or company full name)</i>	WH & CM Ridderhof c/- Planning Plus
Contact name <i>(only applicable for companies)</i>	Evan Yelavich
Postal address <i>(P.O. Box or street address)</i>	PO Box 8046
Suburb	Cairns
State	QLD
Postcode	4870
Country	
Contact number	40283653
Email address <i>(non-mandatory)</i>	info@planningplusqld.com.au
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	

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

## PART 2 – LOCATION DETAILS

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

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

## 3.1) Street address and lot on plan

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

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		141	Davidson Street	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	7	RP749721	Douglas Shire
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

**Note:** Place each set of coordinates in a separate row. Only one set of coordinates is required for this part.

Coordinates of premises by longitude and latitude

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

Coordinates of premises by easting and northing

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

## 3.3) Additional premises

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

Not required

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

In a tidal area

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

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

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

Name of airport:

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

EMR site identification:

Listed on the Contaminated Land Register (CLR) under the *Environmental Protection Act 1994*

CLR site identification:

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

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

No

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

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

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

Material change of use       Reconfiguring a lot       Operational work       Building work

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

Development permit       Preliminary approval       Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment       Impact assessment *(requires public notification)*

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

Subdivision (1 lot into 2 lots).

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

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

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

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

Material change of use       Reconfiguring a lot       Operational work       Building work

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

Development permit       Preliminary approval       Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment       Impact assessment *(requires public notification)*

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

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

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

**6.3) Additional aspects of development**

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

Not required

## Section 2 – Further development details

### 7) Does the proposed development application involve any of the following?

Material change of use	<input type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input checked="" type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

### Division 1 – Material change of use

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

#### 8.1) Describe the proposed material change of use

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

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

- Yes  
 No

### Division 2 – Reconfiguring a lot

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

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

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

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

### 10) Subdivision

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

Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created	2			

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

- Yes – provide additional details below  
 No

How many stages will the works include?	
What stage(s) will this development application apply to?	

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

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

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

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

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

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

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

**Division 3 – Operational work**

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

**14.1) What is the nature of the operational work?**

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

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

Yes – specify number of new lots:

No

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

\$

**PART 4 – ASSESSMENT MANAGER DETAILS**

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

Cairns Regional Council

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

Yes – a copy of the decision notice is attached to this development application

Local government is taken to have agreed to the superseded planning scheme request – relevant documents attached

No

**PART 5 – REFERRAL DETAILS**

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

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

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

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

Clearing native vegetation

Contaminated land *(unexploded ordnance)*

<input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA have not been devolved to a local government)</i> <input type="checkbox"/> Fisheries – aquaculture <input type="checkbox"/> Fisheries – declared fish habitat area <input type="checkbox"/> Fisheries – marine plants <input type="checkbox"/> Fisheries – waterway barrier works <input type="checkbox"/> Hazardous chemical facilities <input type="checkbox"/> Queensland heritage place <i>(on or near a Queensland heritage place)</i> <input type="checkbox"/> Infrastructure – designated premises <input type="checkbox"/> Infrastructure – state transport infrastructure <input type="checkbox"/> Infrastructure – state transport corridors and future state transport corridors <input type="checkbox"/> Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels <input type="checkbox"/> Infrastructure – state-controlled roads <input type="checkbox"/> Land within Port of Brisbane’s port limits <input type="checkbox"/> SEQ development area <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – community activity <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – indoor recreation <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – residential development <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – urban activity <input type="checkbox"/> Tidal works or works in a coastal management district <input type="checkbox"/> Urban design <input type="checkbox"/> Water-related development – taking or interfering with water <input type="checkbox"/> Water-related development – removing quarry material <i>(from a watercourse or lake)</i> <input type="checkbox"/> Water-related development – referable dams <input type="checkbox"/> Water-related development – construction of new levees or modification of existing levees <i>(category 2 or 3 levees only)</i> <input type="checkbox"/> Wetland protection area
<b>Matters requiring referral to the local government:</b> <input type="checkbox"/> Airport land <input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA have been devolved to local government)</i> <input type="checkbox"/> Local heritage places
<b>Matters requiring referral to the chief executive of the distribution entity or transmission entity:</b> <input type="checkbox"/> Electricity infrastructure
<b>Matters requiring referral to:</b> <ul style="list-style-type: none"> <li>• The <b>chief executive of the holder of the licence</b>, if not an individual</li> <li>• The <b>holder of the licence</b>, if the holder of the licence is an individual</li> </ul> <input type="checkbox"/> Oil and gas infrastructure
<b>Matters requiring referral to the Brisbane City Council:</b> <input type="checkbox"/> Brisbane core port land
<b>Matters requiring referral to the Minister under the Transport Infrastructure Act 1994:</b> <input type="checkbox"/> Brisbane core port land <input type="checkbox"/> Strategic port land
<b>Matters requiring referral to the relevant port operator:</b> <input type="checkbox"/> Brisbane core port land <i>(below high-water mark and within port limits)</i>
<b>Matters requiring referral to the chief executive of the relevant port authority:</b> <input type="checkbox"/> Land within limits of another port
<b>Matters requiring referral to the Gold Coast Waterways Authority:</b> <input type="checkbox"/> Tidal works, or development in a coastal management district in Gold Coast waters
<b>Matters requiring referral to the Queensland Fire and Emergency Service:</b> <input type="checkbox"/> Tidal works, or development in a coastal management district

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

## PART 6 – INFORMATION REQUEST

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

## PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)			
<input type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input checked="" type="checkbox"/> No			
List of approval/development application references	Reference number	Date	Assessment manager
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)		
<input type="checkbox"/> Yes – the yellow local government/private certifier's copy of the receipted QLeave form is attached to this development application <input type="checkbox"/> No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid <input checked="" type="checkbox"/> Not applicable		
Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
\$		

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

23) Further legislative requirements

**Environmentally relevant activities**

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

- Yes – the required attachment (form EM941) for an application for an environmental authority accompanies this development application, and details are provided in the table below  
 No

**Note:** Application for an environmental authority can be found by searching “EM941” at [www.qld.gov.au](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

Proposed ERA number:		Proposed ERA threshold:	
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Proposed ERA name:	
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- Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.

**Hazardous chemical facilities**

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

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

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

**Clearing native vegetation**

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

- Yes – this development application is accompanied by written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)  
 No

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

**Environmental offsets**

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

- Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter  
 No

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

**Koala conservation**

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

- Yes  
 No

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

**Water resources**

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

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

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

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



Yes – I acknowledge that a relevant water authorisation under the *Water Act 2000* may be required prior to commencing development

No

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

### **Marine activities**

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

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

No

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

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

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

Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

No

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

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

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

Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

No

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

### **Referable dams**

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

Yes – the ‘Notice Accepting a Failure Impact Assessment’ from the chief executive administering the *Water Supply Act* is attached to this development application

No

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

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

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

Yes – the following is included with this development application:

Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)

A certificate of title

No

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

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

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

Yes – details of the heritage place are provided in the table below

No

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

Name of the heritage place:

Place ID:

### **Brothels**

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

Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*

<input checked="" type="checkbox"/> No
<b>Decision under section 62 of the Transport Infrastructure Act 1994</b>
23.15) Does this development application involve new or changed access to a state-controlled road?
<input type="checkbox"/> Yes - this application will be taken to be an application for a decision under section 62 of the <i>Transport Infrastructure Act 1994</i> (subject to the conditions in section 75 of the <i>Transport Infrastructure Act 1994</i> being satisfied)
<input checked="" type="checkbox"/> No

## PART 8 – CHECKLIST AND APPLICANT DECLARATION

<b>24) Development application checklist</b>	
I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17 <b>Note:</b> See the <i>Planning Regulation 2017</i> for referral requirements	<input checked="" type="checkbox"/> Yes
If building work is associated with the proposed development, Parts 4 to 6 of <i>Form 2 – Building work details</i> have been completed and attached to this development application	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
Supporting information addressing any applicable assessment benchmarks is with development application <b>Note:</b> This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see <a href="#">DA Forms Guide: Planning Report Template</a> .	<input checked="" type="checkbox"/> Yes
Relevant plans of the development are attached to this development application <b>Note:</b> Relevant plans are required to be submitted for all aspects of this development application. For further information, see <a href="#">DA Forms Guide: Relevant plans</a> .	<input checked="" type="checkbox"/> Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21))	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable

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

**PART 9 – FOR OFFICE USE ONLY**

Date received:  Reference number(s):

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

QLeave notification and payment	
<i>Note: For completion by assessment manager if applicable</i>	
Description of the work	
QLeave project number	
Amount paid (\$)	
Date paid	
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	

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



Our Ref: 18-01/L000818  
Date: 15 February 2018

Chief Executive Officer  
Douglas Shire Council  
PO Box 723  
MOSSMAN QLD 4873

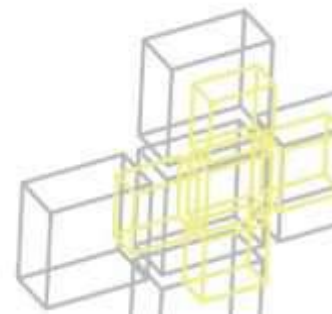
Dear Madam

**RE: APPLICATION FOR A DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT (1 LOT INTO 2 LOTS) OVER LAND LOCATED AT 141 DAVIDSON STREET, PORT DOUGLAS, DESCRIBED AS LOT 7 ON RP749721**

Planning Plus Pty Ltd has been engaged by WH & CM Ridderhof ('The Applicant') to prepare and lodge the abovementioned development application.

In support of the application, please find attached completed DA Forms (**Annexure 1**). It is requested that an invoice be issued for the relevant application fee (being **\$1,365.00** in accordance with Council's 2017 - 2018 Schedule of Fees & Charges) so that we may make payment electronically.

In addition to the above, the following submission has been prepared to assist Council and other relevant authorities with their assessment of the application.



# 1 Site Information

## 1.1 Site Details

Key details of the subject site include:

<b>Address:</b>	141 Davidson Street, Port Douglas QLD 4877
<b>Real Property Description:</b>	Lot 7 on RP749721 <i>Refer to <b>Figure 1</b> – Google Earth Image and <b>Figure 2</b> - SmartMap</i>
<b>Site Area:</b>	1,599m <sup>2</sup>
<b>Easements:</b>	N/A
<b>Land Owner:</b>	WH & CM Ridderhof <i>Refer to <b>Annexure 2</b> –Title Search</i>

## 1.2 Planning Context

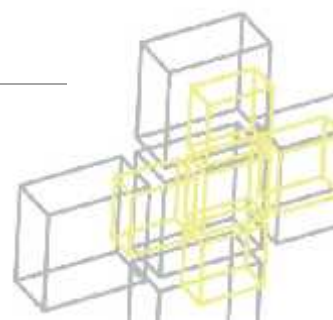
The planning context of the site includes:

<b>Regional Plan designation:</b>	Urban Footprint.
<b>Planning Scheme Local Plan:</b>	Port Douglas – Craiglie.
<b>Planning Area:</b>	Tourist Accommodation.
<b>Planning Scheme Overlays:</b>	Acid Sulfate Soils (<5m AHD) Flood and Storm Tide Inundation (Medium Hazard) Landscape Values (Scenic Route Buffer/View Corridor) Transport Network Road Hierarchy (Major Transport Corridor Buffer Area)

## 1.3 Site Characteristics

Key site characteristics include:

<b>Topography:</b>	Generally flat.
<b>Vegetation:</b>	No remnant vegetation, generally garden variety. Some large trees.
<b>Wetlands:</b>	None.
<b>Conservation:</b>	None.
<b>Services:</b>	The site is connected to, or has access to, all of the following urban infrastructures: <ul style="list-style-type: none"><li>▪ Reticulated water supply;</li></ul>



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	<ul style="list-style-type: none"> <li>▪ Sewerage;</li> <li>▪ Telecommunications;</li> <li>▪ Electricity; and</li> <li>▪ Roads.</li> </ul>
<b>Waterways:</b>	None.
<b>Road frontages and length:</b>	Approximately 23.5 metres to Davidson Street and Ti Tree Street.
<b>Existing use of site:</b>	House.

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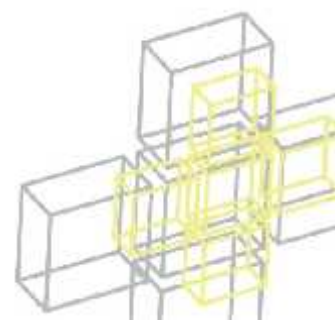
### 1.4 Surrounding Land Uses

The subject site is located in an established residential area and is surrounded by single detached dwellings, multi-unit and holiday accommodation complexes.

## 2 Application Details

<b>Aspects of Development Sought:</b>	Development Permit for Reconfiguration of a Lot (1 Lot into 2 Lots).
<b>Applicant:</b>	Bill and Cecily Ridderhof C/- Planning Plus PO Box 8046 CAIRNS Q 4870
<b>Contact:</b>	Mr Evan Yelavich Planning Plus PO Box 8046 CAIRNS QLD 4870 Ph: 0402 073 082 E: <a href="mailto:evan@planningplusqld.com.au">evan@planningplusqld.com.au</a>

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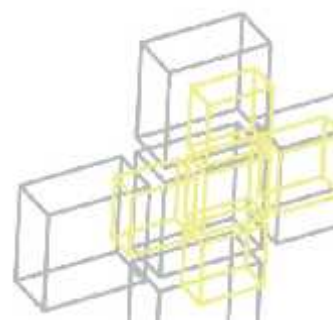


### 3 Proposal

This application seeks a Development Permit for Reconfiguration of a Lot (1 lot into 2 lots) as per Proposed Reconfiguration Plan SK18-01/01, included for reference as **Figure 3**.

The proposed subdivision will result in two (2) lots of 800m<sup>2</sup> and 799m<sup>2</sup> in area, both of which are regular in shape and have their own road frontage. Proposed Lot 1 will be vacant while proposed Lot 2 will capture the existing house and pool.

It is noted that the site was previously two (2) lots as per the current proposal but was amalgamated at some stage.



## 4 Legislative Requirements

### 4.1 *Planning Act 2016*

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

#### 4.1.1 *Assessable Development*

The proposed development is identified as 'assessable' under the *Planning Act 2016* due to the effect of the Douglas Shire Planning Scheme.

#### 4.1.2 *Assessment Manager*

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

#### 4.1.3 *Level of Assessment*

The Level of Assessment of the proposal is outlined in the below table.

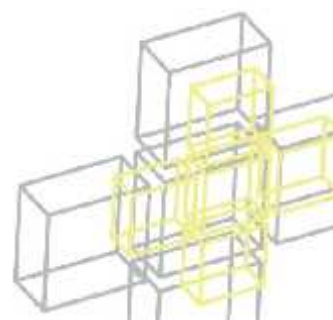
Planning Scheme Zone	Aspect of Development	Level of Assessment
Tourist Accommodation	Reconfiguration of a Lot	Code Assessable

#### 4.1.4 *Referral Agencies*

A review of Schedule 10 of the *Planning Regulation 2009* indicates that the application will not require referral to state agencies.

#### 4.1.5 *Public Notification*

This application is subject to 'code-assessment' and therefore does not require Public Notification.





## **4.2 Statutory Planning Assessment**

This section assesses the application against all relevant statutory planning provisions.

### **4.2.1 State Planning Regulatory Provisions**

No State Planning Regulatory Provisions are relevant to this application.

### **4.2.2 State Planning Policy**

It is understood that all State Planning Policy provisions relevant to the proposal are adequately addressed in the Planning Scheme.

### **4.2.3 Regional Plan**

The Far North Queensland Regional Plan 2009-2031 identifies the subject site as being within the 'Urban Footprint'. The proposal is consistent with the intent of land within this designation.

### **4.2.4 State Development Assessment Provisions (SDAP)**

No State Development Assessment Provisions are identified as being applicable to the proposal.

## **4.3 Planning Scheme**

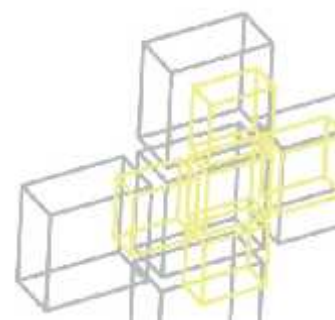
Under the Douglas Shire Planning Scheme 2018, the subject site is included within the Tourist Accommodation Zone. Within this designation, the proposed Reconfiguration of a Lot is identified as being 'code-assessable' development.

### **4.3.1 Applicable Codes**

The following codes are considered to be relevant to this development:

- Port Douglas – Craiglie Local Area Plan Code
- Tourist Accommodation Zone Code;
- Multi-Unit Housing/Holiday Accommodation/Retirement Facility Code;
- Filling and Excavation Code;
- Landscape Code;
- Vehicle Parking Access Code; and
- Sustainable Development Code.

A detailed assessment against the Douglas Shire Planning Scheme codes is included as **Annexure 3** to this report. The proposal is considered generally compliant with the relevant 'Acceptable Outcomes' and/or 'Performance Outcomes' of the relevant codes. Where strict compliance with the 'Acceptable Outcomes' is not achieved, comments addressing the relevant 'Performance Outcomes' are provided.



## 5 Conclusions and Recommendations

This submission supports an application by WH & CM Ridderhof ('The Applicant') for a Development Permit for Reconfiguration of a Lot (1 Lot into 2 Lots) over land at 141 Davidson Street, Port Douglas, described as Lot 7 on RP749721.

The submission has included an assessment of the proposal against the relevant statutory planning controls at both the local and state level and included supporting information intended to address the likely concerns of Council and assessing authorities.

In summary, we submit that the proposed development is unlikely to have any significant impacts on the infrastructure, environment or community of the surrounding area that cannot be adequately controlled through the use of reasonable and relevant conditions.

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

Yours Faithfully



Evan Yelavich  
Senior Planner  
Planning Plus Pty Ltd

- enc: Figure 1:** Google Earth Image
- Figure 2:** SmartMap
- Figure 3:** Proposed Reconfiguration Plan SK18-01/01
- Annexure 1:** DA Forms
- Annexure 2:** Title Certificate
- Annexure 3:** Code Assessment – Douglas Shire Planning Scheme 2018

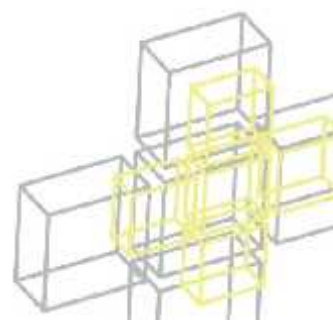
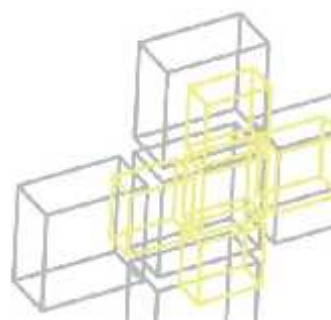


Figure 1

Google Earth Image



ROAD

MAHOGANY STREET

TI TREE STREET

Ti Tree St

141 Davidson St

DAVIDSON STREET

PORT DOUGLAS ROAD

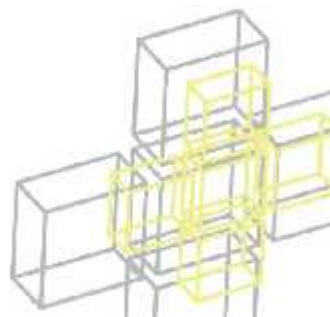


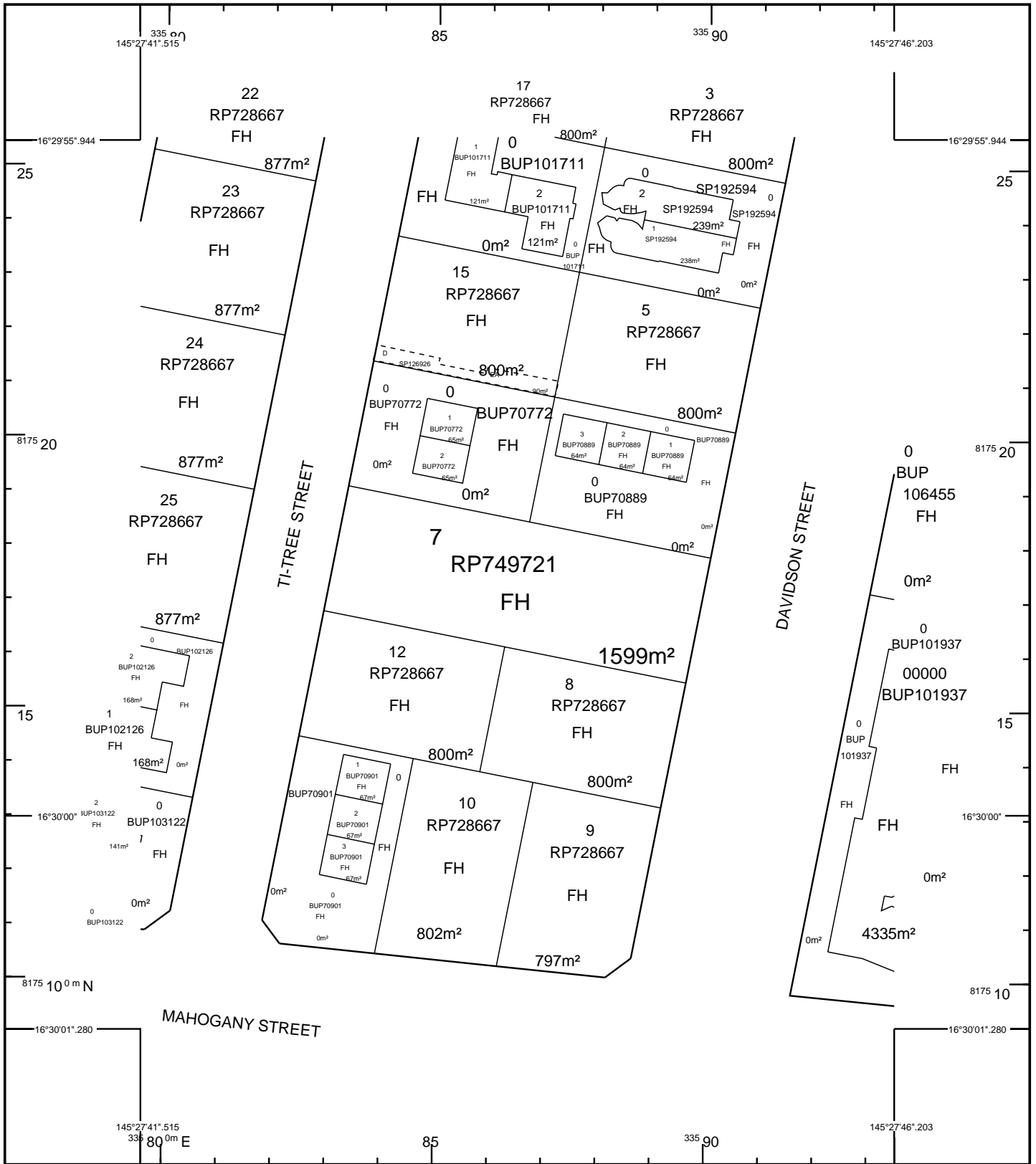
60 m



Figure 2

SmartMap





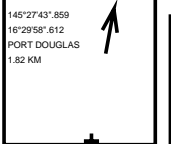
STANDARD MAP NUMBER  
7965-22232



**SmartMap**

An External Product of  
SmartMap Information Services  
Based upon an extraction from the  
Digital Cadastral Data Base

MAP WINDOW POSITION & NEAREST LOCATION



**SUBJECT PARCEL DESCRIPTION**

DCDB Lot/Plan	7/RP749721
Area/Volume	1599m <sup>2</sup>
Tenure	FREEHOLD
Local Government	DOUGLAS SHIRE
Locality	PORT DOUGLAS
Segment/Parcel	8984/24

**CLIENT SERVICE STANDARDS**

PRINTED (dd/mm/yyyy) 15/02/2018

DCDB 14/02/2018

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For further information on SmartMap products visit <http://nrw.qld.gov.au/property/mapping/blinmap>

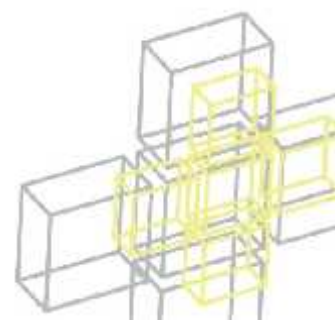


(c) The State of Queensland,  
(Department of Natural Resources and Mines) 2018.



# Figure 3

## Proposed Reconfiguration Plan



# Proposed Reconfiguration of a Lot (1 Lot into 2 Lots)

141 Davidson Street, Port Douglas, described as Lot 7 on RP749721  
Plan No. 18-01/01

Lot 1  
800m<sup>2</sup>

Lot 2  
799m<sup>2</sup>

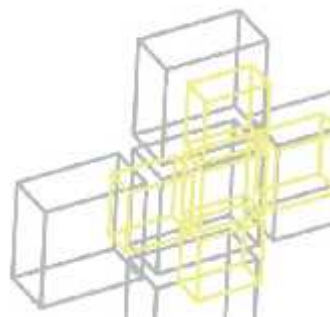
DAVIDSON STREET





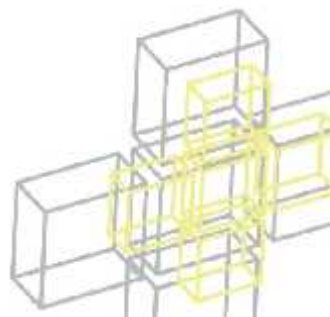
# Annexure 1

## DA Forms



# Annexure 2

## Title Certificate



CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 27871062

Search Date: 01/02/2018 09:20

Title Reference: 21445043

Date Created: 24/07/1990

Previous Title: 20967145  
20967151

REGISTERED OWNER

WILLIAM HUBERT RIDDERHOF  
CECILY MARGARET RIDDERHOF        JOINT TENANTS

ESTATE AND LAND

Estate in Fee Simple

LOT 7        REGISTERED PLAN 749721  
              Local Government: DOUGLAS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 10495138 (POR 39)
2. MORTGAGE No 700553035 15/03/1995 at 08:42  
to  
NATIONAL AUSTRALIA BANK LIMITED

ADMINISTRATIVE ADVICES - NIL  
UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

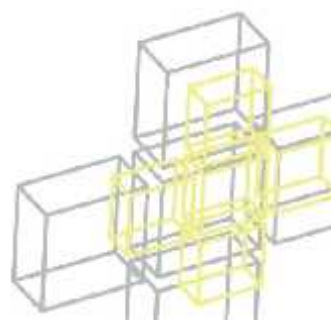
Caution - Charges do not necessarily appear in order of priority

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

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Requested By: D-ENQ INFOTRACK PTY LIMITED

## Annexure 3

# Code Assessment – Douglas Shire Planning Scheme 2018



## Acid sulfate soils overlay code

### Application

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

### Purpose

- (1) The purpose of the acid sulfate soils overlay code is to:
  - (a) implement the policy direction in the Strategic Framework, in particular:
    - (i) Theme 2: Environment and landscape values, Element 3.5.4 Coastal zones.
    - (ii) Theme 3: Natural resource management, Element 3.6.2 land and catchment management, Element 3.6.3 Primary production, forestry and fisheries.
- (2) enable an assessment of whether development is suitable on land within the Acid sulfate soils overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Development ensures that the release of any acid and associated metal contaminant is avoided by not disturbing acid sulfate soils when excavating, removing soil or extracting ground water or filling land;
  - (b) Development ensures that disturbed acid sulfate soils, or drainage waters, are treated and, if required, on-going management practices are adopted that minimise the potential for environmental harm from acid sulfate soil and protect corrodible assets from acid sulfate soil.

### Criteria for assessment

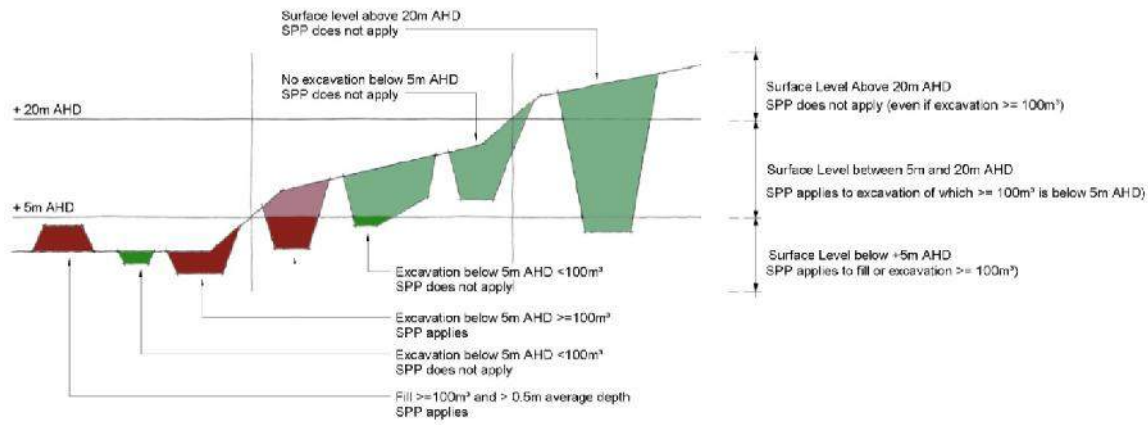
Table Error! No text of specified style in document..a – Acid sulfate soils overlay code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For assessable development		

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

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

Figure 0.a – Acid sulfate soils (SPP triggers)





## Environmental performance code

### Application

- (1) This code applies to assessing:
  - (a) building work for outdoor lighting;
  - (b) a material change of use or reconfiguring a lot if:
    - (i) assessable development where the code is identified in the assessment criteria column of a table of assessment; or
    - (ii) impact assessable development, to the extent relevant.

Note – Where for the purpose of lighting a tennis court in a Residential zone, a compliance statement prepared by a suitably qualified person must be submitted to Council with the development application for building work.

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

### Purpose

- (1) The purpose of the Environmental performance code is to ensure development is designed and operated to avoid or mitigate impacts on sensitive receiving environments.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) activities that have potential to cause an adverse impact on amenity of adjacent and surrounding land, or environmental harm is avoided through location, design and operation of the development;
  - (b) sensitive land uses are protected from amenity related impacts of lighting, odour, airborne particles and noise, through design and operation of the development;
  - (c) stormwater flowing over, captured or discharged from development sites is of a quality adequate to enter receiving waters and downstream environments;
  - (d) development contributes to the removal and ongoing management of weed species.

### Criteria for assessment

Table Error! No text of specified style in document..a – Environmental performance code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<b>Lighting</b>		
<b>PO1</b>	<b>AO1.1</b>	N/A

Performance outcomes	Acceptable outcomes	Applicant response
<p>Lighting incorporated within development does not cause an adverse impact on the amenity of adjacent uses and nearby sensitive land uses.</p>	<p>Technical parameters, design, installation, operation and maintenance of outdoor lighting comply with the requirements of Australian standard AS4282-1997 Control of the obtrusive effects of outdoor lighting.</p> <p><b>AO1.2</b> Development that involves flood lighting is restricted to a type that gives no upward component of light where mounted horizontally.</p> <p><b>AO1.3</b> Access, car parking and manoeuvring areas are designed to shield nearby residential premises from impacts of vehicle headlights.</p>	<p>N/A</p> <p>N/A</p>
<b>Noise</b>		
<p><b>PO2</b> Potential noise generated from the development is avoided through design, location and operation of the activity. Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p><b>AO2.1</b> Development does not involve activities that would cause noise related environmental harm or nuisance; or <b>AO2.2</b> Development ensures noise does not emanate from the site through the use of materials, structures and architectural features to not cause an adverse noise impact on adjacent uses.</p> <p><b>AO2.3</b> The design and layout of development ensures car parking areas avoid noise impacting directly on adjacent sensitive land uses through one or more of the following: (a) car parking is located away from adjacent sensitive land uses;</p>	<p>Proposal complies.</p> <p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(b) car parking is enclosed within a building;  (c) a noise ameliorating fence or structure is established adjacent to car parking areas where the fence or structure will not have a visual amenity impact on the adjoining premises;  (d) buffered with dense landscaping.</p> <p>Editor's note - The <i>Environmental Protection (Noise) Policy 2008</i>, Schedule 1 provides guidance on acoustic quality objectives to ensure environmental harm (including nuisance) is avoided.</p>	
<b>Airborne particles and other emissions</b>		
<p><b>PO3</b>  Potential airborne particles and emissions generated from the development are avoided through design, location and operation of the activity.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p><b>AO3.1</b>  Development does not involve activities that will result in airborne particles or emissions being generated;</p> <p>or</p> <p><b>AO3.2</b>  The design, layout and operation of the development activity ensures that no airborne particles or emissions cause environmental harm or nuisance.</p> <p>Note - examples of activities which generally cause airborne particles include spray painting, abrasive blasting, manufacturing activities and car wash facilities.</p> <p>Examples of emissions include exhaust ventilation from basement or enclosed parking structures, air conditioning/refrigeration ventilation and exhaustion.</p> <p>The <i>Environmental Protection (Air) Policy 2008</i>, Schedule 1 provides guidance on air quality objectives to ensure environmental harm (including nuisance) is avoided.</p>	<p>Proposal complies.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<b>Odours</b>		
<p><b>PO4</b> Potential odour causing activities associated with the development are avoided through design, location and operation of the activity.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p><b>AO4.1</b> The development does not involve activities that create odorous emissions;</p> <p>or</p> <p><b>AO4.2</b> The use does not result in odour that causes environmental harm or nuisance with respect to surrounding land uses.</p>	<p>Proposal complies.</p>
<b>Waste and recyclable material storage</b>		
<p><b>PO5</b> Waste and recyclable material storage facilities are located and maintained to not cause adverse impacts on adjacent uses.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p><b>AO5.1</b> The use ensures that all putrescent waste is stored in a manner that prevents odour nuisance and is disposed of at regular intervals.</p> <p><b>AO5.2</b> Waste and recyclable material storage facilities are located, designed and maintained to not cause an adverse impact on users of the premises and adjacent uses through consideration of:</p> <ul style="list-style-type: none"> <li>(a) the location of the waste and recyclable material storage areas in relation to the noise and odour generated;</li> <li>(b) the number of receptacles provided in relation to the collection, maintenance and use of the receptacles;</li> <li>(c) the durability of the receptacles, sheltering and potential impacts of local climatic conditions;</li> <li>(d) the ability to mitigate spillage, seepage or leakage from receptacles into adjacent</li> </ul>	<p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>areas and sensitive receiving waters and environments.</p> <p>Editor's note - the <i>Environmental Protection (Waste Management) Policy 2008</i> provides guidance on the design of waste containers (receptacles) to ensure environmental harm (including nuisance) is avoided.</p>	
<b>Sensitive land use activities</b>		
<p><b>PO6</b> Sensitive land use activities are not established in areas which will receive potentially incompatible impacts on amenity from surrounding, existing development activities and land uses.</p>	<p><b>AO6.1</b> Sensitive land use activities are not established in areas that will be adversely impacted upon by existing land uses, activities and potential development possible in an area;</p> <p>or</p> <p><b>AO6.2</b> Sensitive land activities are located in areas where potential adverse amenity impacts mitigate all potential impacts through layout, design, operation and maintenance.</p>	N/A
<b>Stormwater quality</b>		
<p><b>PO7</b> The quality of stormwater flowing over, through or being discharged from development activities into watercourses and drainage lines is of adequate quality for downstream environments, with respect to:</p> <ul style="list-style-type: none"> <li>(a) the amount and type of pollutants borne from the activity;</li> <li>(b) maintaining natural stream flows;</li> <li>(c) the amount and type of site disturbance;</li> <li>(d) site management and control measures.</li> </ul>	<p><b>AO7.1</b> Development activities are designed to ensure stormwater over roofed and hard stand areas is directed to a lawful point of discharge.</p> <p><b>AO7.2</b> Development ensures movement of stormwater over the site is not impeded or directed through potentially polluting activities.</p>	<p>N/A</p> <p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>AO7.3</b> Soil and water control measures are incorporated into the activity's design and operation to control sediment and erosion potentially entering watercourses, drainage lines and downstream receiving waters. Note - Planning scheme policy - FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p>During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.</p>	N/A
<b>Pest plants (for material change of use on vacant land over 1,000m<sup>2</sup>)</b>		
<p><b>PO8</b> Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not reinfest the site or nearby sites.</p> <p>Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the <i>Land Protection (Pest and Stock Route Management) Act 2002</i>.</p>	<p><b>AO8.1</b> The land is free of declared pest plants before development establishes new buildings, structures and practices;</p> <p>or</p> <p><b>AO8.2</b> Pest plants detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person prior to construction of buildings and structures or earthworks.</p> <p>Note - A declaration from an appropriately qualified person validates the land being free from pest plants.</p> <p>Declared pest plants include locally declared and State declared pest plants.</p>	N/A

## Filling and excavation code

### Application

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

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

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

### Purpose

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

### Criteria for assessment

Table Error! No text of specified style in document..a – Filling and excavation code – for self-assessable and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>Filling and excavation - General</b>		
<b>PO1</b> All filling and excavation work does not create a detrimental impact on the slope stability, erosion	<b>AO1.1</b> The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height.	Proposal complies or is capable of complying.

Performance outcomes	Acceptable outcomes	Applicant response
<p>potential or visual amenity of the site or the surrounding area.</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><b>AO1.2</b> Cuts are supported by batters, retaining or rock walls and associated benches/terraces are capable of supporting mature vegetation.</p> <p><b>AO1.3</b> Cuts are screened from view by the siting of the building/structure, wherever possible.</p> <p><b>AO1.4</b> Topsoil from the site is retained from cuttings and reused on benches/terraces.</p> <p><b>AO1.5</b> No crest of any cut or toe of any fill, or any part of any retaining wall or structure is closer than 600mm to any boundary of the property, unless the prior written approval of the adjoining landowner has been obtained.</p> <p><b>AO1.6</b> Non-retained cut and/or fill on slopes are stabilised and protected against scour and erosion by suitable measures, such as grassing, landscaping or other protective/aesthetic measures.</p>	<p>Proposal complies or is capable of complying.</p> <p>Proposal complies or is capable of complying.</p> <p>Proposal complies or is capable of complying.</p> <p>Proposal complies or is capable of complying.</p> <p>Proposal complies or is capable of complying.</p> <p>Proposal complies or is capable of complying.</p>
<b>Visual Impact and Site Stability</b>		
<b>PO2</b>	<b>AO2.1</b>	Proposal complies or is capable of complying.



Performance outcomes	Acceptable outcomes	Applicant response
<p>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>The extent of filling and excavation does not exceed 40% of the site area, or 500m<sup>2</sup> whichever is the lesser,</p> <p>except that AO2.1 does not apply to reconfiguration of 5 lots or more.</p> <p><b>AO2.2</b> Filling and excavation does not occur within 2 metres of the site boundary.</p>	
<b>Flooding and drainage</b>		
<p><b>PO3</b> Filling and excavation does not result in a change to the run off characteristics of a site which then have a detrimental impact on the site or nearby land or adjacent road reserves.</p>	<p><b>AO3.1</b> Filling and excavation does not result in the ponding of water on a site or adjacent land or road reserves.</p> <p><b>AO3.2</b> Filling and excavation does not result in an increase in the flow of water across a site or any other land or road reserves.</p> <p><b>AO3.3</b> Filling and excavation does not result in an increase in the volume of water or concentration of water in a watercourse and overland flow paths.</p> <p><b>AO3.4</b> Filling and excavation complies with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.</p>	<p>Proposal complies or is capable of complying.</p> <p>Proposal complies or is capable of complying.</p> <p>Proposal complies or is capable of complying.</p> <p>Proposal complies or is capable of complying.</p>
<b>Water quality</b>		
<b>PO4</b>	<b>AO4</b>	Proposal complies or is capable of complying.

Performance outcomes	Acceptable outcomes	Applicant response
Filling and excavation does not result in a reduction of the water quality of receiving waters.	Water quality is maintained to comply with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	
<b>Infrastructure</b>		
<b>PO5</b> Excavation and filling does not impact on Public Utilities.	<b>A05</b> Excavation and filling is clear of the zone of influence of public utilities.	Proposal complies or is capable of complying.

## Flood and storm tide hazard overlay code

### Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Flood and storm tide hazard overlay, if:
  - (a) self assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
  - (b) impact assessable development.
- (2) Land in the Flood and storm tide hazard overlay is identified on the Flood and storm tide hazard overlay map in Schedule 2 and includes the:
  - (a) Storm tide – high hazard sub-category;
  - (b) Storm tide – medium hazard sub-category;
  - (c) Flood plain assessment sub-category;
  - (d) 100 ARI Mossman, Port Douglas and Daintree Township Flood Studies sub-category.
- (3) When using this code, reference should be made to Part 5.

Note - The Flood and storm tide hazards overlay maps contained in Schedule 2 identify areas (Flood and storm tide inundation areas) where flood and storm tide inundation modelling has been undertaken by the Council. Other areas not identified by the Flood and inundation hazards overlay maps contained in Schedule 2 may also be subject to the defined flood event or defined storm tide event.

### Purpose

- (1) The purpose of the Flood and storm tide hazard overlay code is to:
  - (a) implement the policy direction in the Strategic Framework, in particular:
    - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
    - (ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.
  - (b) enable an assessment of whether development is suitable on land within the Flood and storm tide hazard sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) development siting, layout and access responds to the risk of the natural hazard and minimises risk to personal safety;
  - (b) development achieves an acceptable or tolerable risk level, based on a fit for purpose risk assessment;
  - (c) the development is resilient to natural hazard events by ensuring siting and design accounts for the potential risks of natural hazards to property;
  - (d) the development supports, and does not unduly burden disaster management response or recovery capacity and capabilities;

- (e) the development directly, indirectly and cumulatively avoids an unacceptable increase in severity of the natural hazards and does not significantly increase the potential for damage on site or to other properties;
- (f) the development avoids the release of hazardous materials as a result of a natural hazard event;
- (g) natural processes and the protective function of landforms and/or vegetation are maintained in natural hazard areas;
- (h) community infrastructure is located and designed to maintain the required level of functionality during and immediately after a hazard event.

### Criteria for assessment

Table Error! No text of specified style in document..a – Flood and storm tide hazards overlay code –assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable and self assessable development</b>		
<p><b>PO1</b> Development is located and designed to:</p> <ul style="list-style-type: none"> <li>(a) ensure the safety of all persons;</li> <li>(b) minimise damage to the development and contents of buildings;</li> <li>(c) provide suitable amenity;</li> <li>(d) minimise disruption to residents, recovery time, and</li> <li>(e) rebuilding or restoration costs after inundation events.</li> </ul> <p>Note – For assessable development within the flood plain assessment sub-category, a flood study by a suitably qualified professional is required to identify compliance with the intent of the acceptable outcome.</p>	<p><b>AO1.1</b> Development is sited on parts of the land that is not within the Flood and Storm tide hazards overlay maps contained in Schedule 2;</p> <p>or</p> <p>For dwelling houses,</p> <p><b>AO1.2</b> Development within the Flood and Storm Tide hazards overlay maps (excluding the Flood plain assessment sub-category) is designed to provide immunity to the Defined Inundation Event as outlined within Table Error! No text of specified style in document..b plus a freeboard of 300mm.</p> <p><b>AO1.3</b> New buildings are:</p> <ul style="list-style-type: none"> <li>(a) not located within the overlay area;</li> <li>(b) located on the highest part of the site to minimise entrance of flood waters;</li> <li>(c) provided with clear and direct pedestrian and vehicle evacuation routes off the site.</li> </ul>	<p>Proposal complies with PO1. Site is located in Medium Storm Tide Hazard area surrounded by existing developed lots. Future development will need to achieve prescribed habitable floor levels.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>AO1.4</b> In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.</p>	
<b>For assessable development</b>		
<p><b>PO2</b> The development is compatible with the level of risk associated with the natural hazard.</p>	<p><b>AO2</b> The following uses are not located in land inundated by the Defined Flood Event (DFE) / Storm tide: (a) Retirement facility; (b) Community care facility; (c) Child care centre.</p>	N/A
<p><b>PO3</b> Development siting and layout responds to flooding potential and maintains personal safety</p>	<p>For Material change of use</p> <p><b>AO3.1</b> New buildings are: (a) not located within the overlay area; (b) located on the highest part of the site to minimise entrance of flood waters; (c) provided with clear and direct pedestrian and vehicle evacuation routes off the site.</p> <p>or</p> <p><b>AO3.2</b> The development incorporates an area on site that is at least 300mm above the highest known flood inundation level with sufficient space to accommodate the likely population</p>	N/A

Performance outcomes	Acceptable outcomes	Applicant response
	<p>of the development safely for a relatively short time until flash flooding subsides or people can be evacuated.</p> <p>or</p> <p><b>AO3.3</b> Where involving an extension to an existing dwelling house that is situated below DFE /Storm tide, the maximum size of the extension does not exceed 70m<sup>2</sup> gross floor area.</p> <p>Note – If part of the site is outside the Hazard Overlay area, this is the preferred location of all buildings.</p> <p>For Reconfiguring a lot</p> <p><b>AO3.4</b> Additional lots: (a) are not located in the hazard overlay area; or (b) are demonstrated to be above the flood level identified for the site.</p> <p>Note - If part of the site is outside the Hazard Overlay area, this is the preferred location for all lots (excluding park or other open space and recreation lots).</p> <p>Note – Buildings subsequently developed on the lots will need to comply with the relevant building assessment provisions under the <i>Building Act 1975</i>.</p> <p><b>AO3.5</b> Road and/or pathway layout ensures residents are not physically isolated from adjacent flood free urban areas and provides a safe and clear evacuation route path:</p>	<p>Proposal complies with PO3. Site is located in Medium Storm Tide Hazard area surrounded by existing developed lots. Future development will need to achieve prescribed habitable floor levels.</p> <p>Proposed lots will gain access from existing urban roads.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(a) by locating entry points into the reconfiguration above the flood level and avoiding culs-de-sac or other non-permeable layouts; and</p> <p>(b) by direct and simple routes to main carriageways.</p> <p><b>AO3.6</b> Signage is provided on site (regardless of whether the land is in public or private ownership) indicating the position and path of all safe evacuation routes off the site and if the site contains, or is within 100m of a floodable waterway, hazard warning signage and depth indicators are also provided at key hazard points, such as at floodway crossings or entrances to low-lying reserves.</p> <p>or</p> <p><b>AO3.7</b> There is no intensification of residential uses within the flood affected areas on land situated below the DFE/Storm tide.</p>	<p>N/A</p> <p>Proposal complies with PO3. Site is located in Medium Storm Tide Hazard area surrounded by existing developed lots. Future development will need to achieve prescribed habitable floor levels.</p>
	<p>For Material change of use (Residential uses)</p> <p><b>AO3.1</b> The design and layout of buildings used for residential purposes minimise risk from flooding by providing:</p> <p>(a) parking and other low intensive, non-habitable uses at ground level;</p> <p>Note - The high-set 'Queenslander' style house is a resilient low-density housing solution in floodplain areas. Higher density residential development should ensure</p>	<p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
	only non-habitable rooms (e.g. garages, laundries) are located on the ground floor.	
<p><b>PO4</b> Development is resilient to flood events by ensuring design and built form account for the potential risks of flooding.</p>	<p>For Material change of use (Non-residential uses) <b>AO4.2</b> Non residential buildings and structures allow for the flow through of flood waters on the ground floor.</p> <p>Note - Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p> <p>Note - The relevant building assessment provisions under the <i>Building Act 1975</i> apply to all building work within the Hazard Area and need to take into account the flood potential within the area.</p> <p><b>AO4.3</b> Materials are stored on-site: (a) are those that are readily able to be moved in a flood event; (b) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood.</p> <p>Notes - (a) Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site). (b) Queensland Government Fact Sheet 'Repairing your House after a Flood' provides information about water resilient products and building techniques.</p>	<p>N/A</p> <p>N/A</p>



Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO5</b> Development directly, indirectly and cumulatively avoids any increase in water flow velocity or flood level and does not increase the potential flood damage either on site or on other properties.</p> <p>Note – Berms and mounds are considered to be an undesirable built form outcome and are not supported.</p>	<p>For Operational works</p> <p><b>AO5.1</b> Works in urban areas associated with the proposed development do not involve: (a) any physical alteration to a watercourse or floodway including vegetation clearing; or (b) a net increase in filling (including berms and mounds).</p> <p><b>AO5.2</b> Works (including buildings and earthworks) in non urban areas either: (a) do not involve a net increase in filling greater than 50m<sup>3</sup>; or (b) do not result in any reductions of on-site flood storage capacity and contain within the subject site any changes to depth/duration/velocity of flood waters;</p> <p>or</p> <p>(c) do not change flood characteristics outside the subject site in ways that result in: (i) loss of flood storage; (ii) loss of/changes to flow paths; (iii) acceleration or retardation of flows or any reduction in flood warning times elsewhere on the flood plain.</p> <p>For Material change of use</p> <p><b>AO5.3</b> Where development is located in an area affected by DFE/Storm tide, a hydraulic and hydrology report, prepared by a suitably</p>	<p>Proposal complies or is capable of complying.</p> <p>N/A</p> <p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>qualified professional, demonstrates that the development maintains the flood storage capacity on the subject site; and</p> <p>(a) does not increase the volume, velocity, concentration of flow path alignment of stormwater flow across sites upstream, downstream or in the general vicinity of the subject site; and</p> <p>(b) does not increase ponding on sites upstream, downstream or in the general vicinity of the subject site.</p> <p>For Material change of use and Reconfiguring a lot</p> <p><b>AO5.4</b> In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.</p> <p>Note – Fences and irrigation infrastructure (e.g. irrigation tape) in rural areas should be managed to minimise adverse the impacts that they may have on downstream properties in the event of a flood.</p>	N/A
<p><b>PO6</b> Development avoids the release of hazardous materials into floodwaters.</p>	<p>For Material change of use</p> <p><b>AO6.1</b> Materials manufactured or stored on site are not hazardous or noxious, or comprise materials that may cause a detrimental effect on the environment if discharged in a flood event;</p> <p>or</p>	N/A

Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>AO6.2</b> If a DFE level is adopted, structures used for the manufacture or storage of hazardous materials are: (a) located above the DFE level;  or  (b) designed to prevent the intrusion of floodwaters.</p> <p><b>AO6.3</b> Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE.</p> <p><b>AO6.4</b> If a flood level is not adopted, hazardous materials and their manufacturing equipment are located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of floodwaters.</p> <p>Note – Refer to <i>Work Health and Safety Act 2011</i> and associated Regulation and Guidelines, the <i>Environmental Protection Act 1994</i> and the relevant building assessment provisions under the <i>Building Act 1975</i> for requirements related to the manufacture and storage of hazardous materials.</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>
<p><b>PO7</b> The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.</p>	<p><b>AO7</b> Development does not: (a) increase the number of people calculated to be at risk of flooding;</p>	<p>Proposal complies.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<ul style="list-style-type: none"> <li>(a) increase the number of people likely to need evacuation;</li> <li>(b) shorten flood warning times; and</li> <li>(c) impact on the ability of traffic to use evacuation routes, or unreasonably increase traffic volumes on evacuation routes.</li> </ul>	
<p><b>PO8</b> Development involving community infrastructure:</p> <ul style="list-style-type: none"> <li>(a) remains functional to serve community need during and immediately after a flood event;</li> <li>(b) is designed, sited and operated to avoid adverse impacts on the community or environment due to impacts of flooding on infrastructure, facilities or access and egress routes;</li> <li>(c) retains essential site access during a flood event;</li> <li>(d) is able to remain functional even when other infrastructure or services may be compromised in a flood event.</li> </ul>	<p><b>AO8.1</b> The following uses are not located on land inundated during a DFE/Storm tide:</p> <ul style="list-style-type: none"> <li>(a) community residence; and</li> <li>(b) emergency services; and</li> <li>(c) residential care facility; and</li> <li>(d) utility installations involving water and sewerage treatment plants; and</li> <li>(e) storage of valuable records or items of historic or cultural significance (e.g. archives, museums, galleries, libraries).</li> </ul> <p>or</p> <p><b>AO8.2</b> The following uses are not located on land inundated during a 1% AEP flood event:</p> <ul style="list-style-type: none"> <li>(a) community and cultural facilities, including facilities where an education and care service under the Education and care Services National law (Queensland) is operated or child care service under the <i>Child Care Act 2002</i> is conducted,</li> <li>(b) community centres;</li> <li>(c) meeting halls;</li> <li>(d) galleries;</li> <li>(e) libraries.</li> </ul>	<p>N/A</p> <p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>The following uses are not located on land inundated during a 0.5% AEP flood event.</p> <ul style="list-style-type: none"> <li>(a) emergency shelters;</li> <li>(b) police facilities;</li> <li>(c) sub stations;</li> <li>(d) water treatment plant</li> </ul> <p>The following uses are not located on land inundated during a 0.2% AEP flood event:</p> <ul style="list-style-type: none"> <li>(a) correctional facilities;</li> <li>(b) emergency services;</li> <li>(c) power stations;</li> <li>(d) major switch yards.</li> </ul> <p>and/or</p> <p><b>AO8.3</b></p> <p>The following uses have direct access to low hazard evacuation routes as defined in Table Error! No text of specified style in document..c:</p> <ul style="list-style-type: none"> <li>(a) community residence; and</li> <li>(b) emergency services; and</li> <li>(c) hospitals; and</li> <li>(d) residential care facility; and</li> <li>(e) sub stations; and</li> <li>(f) utility installations involving water and sewerage treatment plants.</li> </ul> <p><b>AO8.4</b></p> <p>Any components of infrastructure that are likely to fail to function or may result in contamination when inundated by flood, such as electrical switch gear and motors, telecommunications connections, or water supply pipeline air valves are:</p> <ul style="list-style-type: none"> <li>(a) located above DFE/Storm tide or the highest known flood level for the site;</li> </ul>	<p>N/A</p> <p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(b) designed and constructed to exclude floodwater intrusion / infiltration.</p> <p><b>AO8.5</b> Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by a flood.</p>	N/A

**Table Error! No text of specified style in document..b - Minimum immunity (floor levels) for development**

Minimum immunity to be achieved (floor levels)	Uses and elements of activities acceptable in the event
20% AEP level	<ul style="list-style-type: none"> <li>• Parks and open space.</li> </ul>
5% AEP level	<ul style="list-style-type: none"> <li>• Car parking facilities (including car parking associated with use of land).</li> </ul>
1% AEP level	<ul style="list-style-type: none"> <li>• All development (where not otherwise requiring an alternative level of minimum immunity).</li> </ul>
0.5% AEP level	<ul style="list-style-type: none"> <li>• Emergency services (if for a police station);</li> <li>• Industry activities (if including components which store, treat or use hazardous materials);</li> <li>• Substation;</li> <li>• Utility installation.</li> </ul>
0.2% AEP level	<ul style="list-style-type: none"> <li>• Emergency services;</li> <li>• Hospital;</li> <li>• Major electricity infrastructure;</li> <li>• Special industry.</li> </ul>

**Table Error! No text of specified style in document..c - Degree of flood**

Criteria	Low	Medium	High	Extreme
Wading ability	If necessary children and the elderly could wade. (Generally, safe wading	Fit adults can wade. (Generally, safe wading	Fit adults would have difficulty wading. (Generally,	Wading is not an option.

	velocity depth product is less than 0.25)	velocity depth product is less than 0.4)	safe wading velocity depth product is less than 0.6)	
Evacuation distances	< 200 metres	200-400 metres	400-600 metres	600 metres
Maximum flood depths	< 0.3 metre	< 0.6 metre	< 1.2 metres	1.2 metres
Maximum flood velocity	< 0.4 metres per second	< 0.8 metres per second	< 1.5 metres per second	1.5 metres per second
Typical means of egress	Sedan	Sedan early, but 4WD or trucks later	4WD or trucks only in early stages, boats or helicopters	Large trucks, boats or helicopters
Timing Note: This category cannot be implemented until evacuation times have been established in the Counter Disaster Plan (Flooding)	Ample flood forecasting. Warning and evacuation routes remain passable for twice as long as evacuation time.	Evacuation routes remain trafficable for 1.5 times as long as the evacuation.	Evacuation routes remain trafficable for only up to minimum evacuation time.	There is insufficient evacuation time.

Note: The evacuation times for various facilities or areas would (but not necessarily) be included in the Counter Disaster Plan. Generally safe wading conditions assume even walking surfaces and no obstructions, steps, soft underfoot etc.

## Infrastructure works code

### Application

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

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

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

### Purpose

- (1) The purpose of the Infrastructure works code is to ensure that development is safely and efficiently serviced by, and connected to, infrastructure.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) the standards of water supply, waste water treatment and disposal, stormwater drainage, local electricity supply, telecommunications, footpaths and road construction meet the needs of development and are safe and efficient;
  - (b) development maintains high environmental standards;
  - (c) development is located, designed, constructed and managed to avoid or minimise impacts arising from altered stormwater quality or flow, wastewater discharge, and the creation of non-tidal artificial waterways;
  - (d) the integrity of existing infrastructure is maintained;
  - (e) development does not detract from environmental values or the desired character and amenity of an area.

### Criteria for assessment

Table Error! No text of specified style in document..a – Infrastructure works code –assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>Works on a local government road</b>		



Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO1</b> Works on a local government road do not adversely impact on footpaths or existing infrastructure within the road verge and maintain the flow, safety and efficiency of pedestrians, cyclists and vehicles.</p>	<p><b>AO1.1</b> Footpaths/pathways are located in the road verge and are provided for the hierarchy of the road and located and designed and constructed in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p><b>AO1.2</b> Kerb ramp crossovers are constructed in accordance with Planning scheme policy SC 5 – FNQROC Regional Development Manual.</p> <p><b>AO1.3</b> New pipes, cables, conduits or other similar infrastructure required to cross existing footpaths: (a) are installed via trenchless methods; or (b) where footpath infrastructure is removed to install infrastructure, the new section of footpath is installed to the standard detailed in the Planning scheme policy SC5 – FNQROC Regional Development Manual, and is not less than a 1.2 metre section.</p> <p><b>AO1.4</b> Where existing footpaths are damaged as a result of development, footpaths are reinstated ensuring: (a) similar surface finishes are used; (b) there is no change in level at joins of new and existing sections; (c) new sections are matched to existing in terms of dimension and reinforcement.</p>	<p>Proposal is capable of complying if required.</p> <p>Proposal is capable of complying if required.</p> <p>N/A</p> <p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>Note – Figure Error! No text of specified style in document..a provides guidance on meeting the outcomes.</p> <p><b>AO1.5</b> Decks, verandahs, stairs, posts and other structures located in the road reserve do not restrict or impede pedestrian movement on footpaths or change the level of the road verges.</p>	N/A
<b>Accessibility structures</b>		
<p><b>PO2</b> Development is designed to ensure it is accessible for people of all abilities and accessibility features do not impact on the efficient and safe use of footpaths.</p> <p>Note – Accessibility features are those features required to ensure access to premises is provided for people of all abilities and include ramps and lifts.</p>	<p><b>AO2.1</b> Accessibility structures are not located within the road reserve.</p> <p><b>AO2.2</b> Accessibility structures are designed in accordance with AS1428.3.</p> <p><b>AO2.3</b> When retrofitting accessibility features in existing buildings, all structures and changes in grade are contained within the boundaries of the lot and not within the road reserve.</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>
<b>Water supply</b>		
<p><b>PO3</b> An adequate, safe and reliable supply of potable, fire fighting and general use water is provided.</p>	<p><b>AO3.1</b> The premises is connected to Council’s reticulated water supply system in accordance with the Design Guidelines set out in Section D6 of the Planning scheme policy SC5 – FNQROC Regional Development Manual;</p> <p>or</p>	Proposal complies or is capable of complying.



Performance outcomes	Acceptable outcomes	Applicant response
<b>Stormwater quality</b>		
<p><b>PO5</b> Development is planned, designed, constructed and operated to avoid or minimise adverse impacts on stormwater quality in natural and developed catchments by:</p> <ul style="list-style-type: none"> <li>(a) achieving stormwater quality objectives;</li> <li>(b) protecting water environmental values;</li> <li>(c) maintaining waterway hydrology.</li> </ul>	<p><b>AO5.1</b> A connection is provided from the premises to Council's drainage system;</p> <p>or</p> <p><b>AO5.2</b> An underground drainage system is constructed to convey stormwater from the premises to Council's drainage system in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p><b>AO5.3</b> A stormwater quality management plan is prepared, and provides for achievable stormwater quality treatment measures meeting design objectives listed in Table Error! No text of specified style in document..b and Table Error! No text of specified style in document..c, reflecting land use constraints, such as:</p> <ul style="list-style-type: none"> <li>(a) erosive, dispersive and/or saline soil types;</li> <li>(b) landscape features (including landform);</li> <li>(c) acid sulfate soil and management of nutrients of concern;</li> <li>(d) rainfall erosivity.</li> </ul> <p><b>AO5.4</b> Erosion and sediment control practices are designed, installed, constructed, monitored, maintained, and carried out in accordance with an erosion and sediment control plan.</p>	<p>Proposal complies or is capable of complying.</p> <p>Proposal is capable of complying.</p> <p>Proposal is capable of complying.</p> <p>Proposal is capable of complying.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>AO5.5</b> Development incorporates stormwater flow control measures to achieve the design objectives set out in Table Error! No text of specified style in document..b and Table Error! No text of specified style in document..c, including management of frequent flows, peak flows, and construction phase hydrological impacts.</p> <p>Note – Planning scheme policy SC5 – FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p>Note – During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.</p>	<p>Proposal is capable of complying.</p>
<b>Non-tidal artificial waterways</b>		
<p><b>PO6</b> Development involving non-tidal artificial waterways is planned, designed, constructed and operated to:</p> <ul style="list-style-type: none"> <li>(a) protect water environmental values;</li> <li>(b) be compatible with the land use constraints for the site for protecting water environmental values;</li> <li>(c) be compatible with existing tidal and non-tidal waterways;</li> <li>(d) perform a function in addition to stormwater management;</li> <li>(e) achieve water quality objectives.</li> </ul>	<p><b>AO6.1</b> Development involving non-tidal artificial waterways ensures:</p> <ul style="list-style-type: none"> <li>(a) environmental values in downstream waterways are protected;</li> <li>(b) any ground water recharge areas are not affected;</li> <li>(c) the location of the waterway incorporates low lying areas of the catchment connected to an existing waterway;</li> <li>(d) existing areas of ponded water are included.</li> </ul> <p><b>AO6.2</b> Non-tidal artificial waterways are located:</p> <ul style="list-style-type: none"> <li>(a) outside natural wetlands and any associated buffer areas;</li> </ul>	<p>N/A</p> <p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(b) to minimise disturbing soils or sediments;  (c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas.</p> <p><b>AO6.3</b>  Non-tidal artificial waterways located adjacent to, or connected to a tidal waterway by means of a weir, lock, pumping system or similar ensures:  (a) there is sufficient flushing or a tidal range of &gt;0.3 m; or  (b) any tidal flow alteration does not adversely impact on the tidal waterway; or  (c) there is no introduction of salt water into freshwater environments.</p> <p><b>AO6.4</b>  Non-tidal artificial waterways are designed and managed for any of the following end-use purposes:  (a) amenity (including aesthetics), landscaping or recreation; or  (b) flood management, in accordance with a drainage catchment management plan; or  (c) stormwater harvesting plan as part of an integrated water cycle management plan; or  (d) aquatic habitat.</p> <p><b>AO6.5</b>  The end-use purpose of the non-tidal artificial waterway is designed and operated in a way that protects water environmental values.</p> <p><b>AO6.6</b></p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway.</p> <p><b>AO6.7</b> Aquatic weeds are managed to achieve a low percentage of coverage of the water surface area, and pests and vectors are managed through design and maintenance.</p>	N/A
<b>Wastewater discharge</b>		
<p><b>PO7</b> Discharge of wastewater to waterways, or off site: (a) meets best practice environmental management; (b) is treated to: (i) meet water quality objectives for its receiving waters; (ii) avoid adverse impact on ecosystem health or waterway health; (iii) maintain ecological processes, riparian vegetation and waterway integrity; (iv) offset impacts on high ecological value waters.</p>	<p><b>AO7.1</b> A wastewater management plan is prepared and addresses: (a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best practice environmental management.</p> <p><b>AO7.2</b> The waste water management plan is managed in accordance with a waste management hierarchy that: (a) avoids wastewater discharge to waterways; or (b) if wastewater discharge cannot practicably be avoided, minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and ground water.</p> <p><b>AO7.3</b> Wastewater discharge is managed to avoid or minimise the release of nutrients of concern</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>so as to minimise the occurrence, frequency and intensity of algal blooms.</p> <p><b>A07.4</b> Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and:</p> <ul style="list-style-type: none"> <li>(a) avoids lowering ground water levels where potential or actual acid sulfate soils are present;</li> <li>(b) manages wastewater so that: <ul style="list-style-type: none"> <li>(i) the pH of any wastewater discharges is maintained between 6.5 and 8.5 to avoid mobilisation of acid, iron, aluminium and other metals;</li> <li>(ii) holding times of neutralised wastewater ensures the flocculation and removal of any dissolved iron prior to release;</li> <li>(iii) visible iron floc is not present in any discharge;</li> <li>(iv) precipitated iron floc is contained and disposed of;</li> <li>(v) wastewater and precipitates that cannot be contained and treated for discharge on site are removed and disposed of through trade waste or another lawful method.</li> </ul> </li> </ul>	N/A
<b>Electricity supply</b>		
<p><b>PO8</b> Development is provided with a source of power that will meet its energy needs.</p>	<p><b>A08.1</b> A connection is provided from the premises to the electricity distribution network;</p> <p>or</p> <p><b>A08.2</b></p>	<p>Proposal complies or is capable of complying.</p> <p>Proposal is capable of complying.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>The premises is connected to the electricity distribution network in accordance with the Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p>Note - Areas north of the Daintree River have a different standard.</p>	
<p><b>PO9</b> Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.</p>	<p><b>AO9.1</b> Pad-mount electricity infrastructure is: (a) not located in land for open space or sport and recreation purposes; (b) screened from view by landscaping or fencing; (c) accessible for maintenance.</p> <p><b>AO9.2</b> Pad-mount electricity infrastructure within a building, in a Town Centre is designed and located to enable an active street frontage.</p> <p>Note – Pad-mounts in buildings in activity centres should not be located on the street frontage.</p>	<p>N/A</p> <p>N/A</p>
<b>Telecommunications</b>		
<p><b>PO10</b> Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.</p>	<p><b>AO10</b> The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.</p>	<p>Proposal complies or is capable of complying.</p>
<p><b>PO11</b></p>	<p><b>AO11</b></p>	<p>Proposal is capable of complying.</p>

Performance outcomes	Acceptable outcomes	Applicant response
Provision is made for future telecommunications services (e.g. fibre optic cable).	Conduits are provided in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	
<b>Road construction</b>		
<p><b>PO12</b> The road to the frontage of the premises is constructed to provide for the safe and efficient movement of:</p> <ul style="list-style-type: none"> <li>(a) pedestrians and cyclists to and from the site;</li> <li>(b) pedestrians and cyclists adjacent to the site;</li> <li>(c) vehicles on the road adjacent to the site;</li> <li>(d) vehicles to and from the site;</li> <li>(e) emergency vehicles.</li> </ul>	<p><b>AO12.1</b> The road to the frontage of the site is constructed in accordance with the Design Guidelines set out in Sections D1 and D3 of the Planning scheme policy SC5 – FNQROC Regional Development Manual, for the particular class of road, as identified in the road hierarchy.</p> <p><b>AO12.2</b> There is existing road, kerb and channel for the full road frontage of the site.</p> <p><b>AO12.3</b> Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for the safe passage of emergency vehicles.</p>	<p>Proposal complies or is capable of complying.</p> <p>Proposal complies.</p> <p>Proposal complies.</p>
<b>Alterations and repairs to public utility services</b>		
<p><b>PO13</b> Infrastructure is integrated with, and efficiently extends, existing networks.</p>	<p><b>AO13</b> Development is designed to allow for efficient connection to existing infrastructure networks.</p>	<p>Proposal complies or is capable of complying.</p>
<p><b>PO14</b> Development and works do not affect the efficient functioning of public utility mains, services or installations.</p>	<p><b>AO14.1</b> Public utility mains, services and installations are not required to be altered or repaired as a result of the development;</p> <p>or</p>	<p>Proposal complies or is capable of complying.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>AO14.2</b> Public utility mains, services and installations are altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p>	<p>Proposal complies or is capable of complying.</p>
<b>Construction management</b>		
<p><b>PO15</b> Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be retained.</p>	<p><b>AO15</b> Works include, at a minimum: (a) installation of protective fencing around retained vegetation during construction; (b) erection of advisory signage; (c) no disturbance, due to earthworks or storage of plant, materials and equipment, of ground level and soils below the canopy of any retained vegetation; (d) removal from the site of all declared noxious weeds.</p>	<p>Proposal is capable of complying.</p>
<p><b>PO16</b> Existing infrastructure is not damaged by construction activities.</p>	<p><b>AO16</b> Construction, alterations and any repairs to infrastructure is undertaken in accordance with the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p>Note - Construction, alterations and any repairs to State-controlled roads and rail corridors are undertaken in accordance with the Transport Infrastructure Act 1994.</p>	<p>Proposal is capable of complying.</p>
<b>For assessable development</b>		
<b>High speed telecommunication infrastructure</b>		

Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO17</b> Development provides infrastructure to facilitate the roll out of high speed telecommunications infrastructure.</p>	<p><b>AO17</b> No acceptable outcomes are prescribed.</p>	<p>Proposal is capable of complying.</p>
<p><b>Trade waste</b></p>		
<p><b>PO18</b> Where relevant, the development is capable of providing for the storage, collection treatment and disposal of trade waste such that: (a) off-site releases of contaminants do not occur; (b) the health and safety of people and the environment are protected; (c) the performance of the wastewater system is not put at risk.</p>	<p><b>AO18</b> No acceptable outcomes are prescribed.</p>	<p>N/A</p>
<p><b>Fire services in developments accessed by common private title</b></p>		
<p><b>PO19</b> Hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.</p>	<p><b>AO19.1</b> Residential streets and common access ways within a common private title places hydrants at intervals of no more than 120 metres and at each intersection. Hydrants may have a single outlet and be situated above or below ground.</p> <p><b>AO19.2</b> Commercial and industrial streets and access ways within a common private title serving commercial properties such as factories and warehouses and offices are provided with above or below ground fire hydrants located at not more than 90 metre intervals and at each intersection. Above ground fire hydrants have dual-valved outlets.</p>	<p>N/A</p> <p>N/A</p>
<p><b>PO20</b> Hydrants are suitable identified so that fire services can locate them at all hours.</p>	<p><b>AO20</b> No acceptable outcomes are prescribed.</p>	<p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
Note – Hydrants are identified as specified in the Department of Transport and Main Roads Technical Note: 'Identification of street hydrants for fire fighting purposes' available under 'Publications'.		

Table Error! No text of specified style in document..b – Stormwater management design objectives (Construction phase).

Issue	Design objectives
<b>Drainage control</b> (Temporary drainage works)	<ul style="list-style-type: none"> <li>(a) Design life and design storm for temporary drainage works:               <ul style="list-style-type: none"> <li>(vi) Disturbed open area for &lt;12 months – 1 in 2 year ARI event;</li> <li>(vii) Disturbed open area for 12-24 months – 1 in 5 year ARI event;</li> <li>(viii) Disturbed open area for &gt;24 months – 1 in 10 year ARI event.</li> </ul> </li> <li>(b) Design capacity excludes minimum 150mm freeboard.</li> <li>(c) Temporary culvert crossing – minimum of 1 in 1-year ARI hydraulic capacity.</li> </ul>
<b>Erosion control</b> (Erosion control measures)	<ul style="list-style-type: none"> <li>(a) Minimise exposure of disturbed soils at any time.</li> <li>(b) Divert water run-off from undisturbed areas around disturbed areas.</li> <li>(c) Determine erosion risk rating using local rainfall erosivity, rainfall depth, soil loss rate or other acceptable methods.</li> <li>(d) Implement erosion control methods corresponding to identified erosion risk rating.</li> </ul>
<b>Sediment control measures</b> (sediment control measures, design storm for sediment control basins, Sediment basin dewatering)	<ul style="list-style-type: none"> <li>(a) Determine appropriate sediment control measures using:               <ul style="list-style-type: none"> <li>(i) potential soil loss rate; or</li> <li>(ii) monthly erosivity; or</li> <li>(iii) average monthly rainfall.</li> </ul> </li> <li>(b) Collect and drain stormwater from disturbed soils to sediment basin for design storm event:               <ul style="list-style-type: none"> <li>(i) design storm for sediment basin sizing is 80th% five-day event or similar.</li> </ul> </li> <li>(c) Site discharge during sediment basin dewatering:               <ul style="list-style-type: none"> <li>(i) TSS &lt; 50mg/L TSS;</li> <li>(ii) Turbidity not &gt; 10% receiving water's turbidity;</li> <li>(iii) pH 6.5-8.5.</li> </ul> </li> </ul>
<b>Water quality</b> (Litter and other waste, hydrocarbons and other contaminants)	<ul style="list-style-type: none"> <li>(a) Avoid wind-blown litter; remove grass pollutants.</li> <li>(b) Ensure there is no visible oil or grease sheen on released waters.</li> <li>(c) Dispose of waste containing contaminants at authorised facilities.</li> </ul>

Issue	Design objectives
<b>Waterway stability and flood flow management</b> (Changes to the natural hydraulics and hydrology)	(a) For peak flow for the 100% AEP event and 1% AEP event, use constructed sediment basins to attenuate the discharge rate of stormwater from the site.

**Table Error! No text of specified style in document..c – Stormwater management design objectives (post-construction phase)**

Design objectives				Application
Minimum reductions in mean annual load from unmitigated development (%)				
Total suspended solids (TSS)	Total phosphorus (TP)	Total nitrogen (TN)	Gross pollutants >5mm	
80	60	40	90	<p>Development for urban purposes</p> <p>Excludes development that is less than 25% pervious.</p> <p>In lieu of modelling, the default bio-retention treatment area to comply with load reduction targets of 1.5% of contributing catchment area.</p>
<p>Water stability management</p> <p>(2) Limit peak 100% AEP event discharge within the receiving waterway to the pre-development peak 100% AEP event discharge.</p>				<p>Catchments contributing to un-lined receiving waterway. Degraded waterways may seek alternative discharge management objectives to achieve waterway stability.</p> <p>For peak flow for the 100% AEP event, use co-located storages to attenuate site discharge rate of stormwater.</p>

## Landscape values overlay code

### Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Landscape values overlay, if:
  - (a) self-assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
  - (b) impact assessable development.
- (2) Land in the Landscape values overlay is identified on the Landscape values overlay map in Schedule 2 and includes in following sub-categories:
  - (a) High landscape value sub-category;
  - (b) Medium landscape value sub-category;
  - (c) Scenic route buffer / view corridor area sub-category;
  - (d) Coastal scenery area sub-category.
- (3) When using this code, reference should be made to Part 5.

### Purpose

- (1) The purpose of the Landscape values overlay code is to:
  - (a) implement the policy direction of the Strategic Framework, in particular:
    - (i) Theme 2: Environment and landscape values Element 3.5.5 Scenic amenity;
    - (ii) Theme 3: Natural resource management Element 3.6.4 – Resource extraction.
  - (b) enable an assessment of whether development is suitable on land within the Landscape values overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) areas of High landscape value are protected, retained and enhanced;
  - (b) areas of Medium landscape value are managed to integrate and limit the visual impact of development;
  - (c) the landscape values of the Coastal scenery area are managed to integrate and limit the visual impact of development;
  - (d) development maintains and enhances the significant landscape elements and features which contribute to the distinctive character and identity of Douglas Shire;
  - (e) ridges and vegetated hillslopes are not developed in a way that adversely impacts on landscape values;
  - (f) watercourses, forested mountains and coastal landscape character types remain predominantly natural in appearance in order to maintain the region's diverse character and distinctive tropical image, in particular:
    - (i) areas in the coastal landscape character type which are predominantly natural and undeveloped in appearance retain this natural



- landscape character;
- (ii) watercourses which are predominantly natural and undeveloped in appearance retain this natural landscape character;
- (iii) the rural character of cane fields and lowlands landscape character types which are predominantly rural or natural in appearance are maintained;
- (iv) landscape values are maintained when viewed from lookouts, scenic routes, gateways and public places.
- (g) views towards High landscape value areas and the Coral Sea are not diminished;
- (h) development is consistent with the prevailing landscape character of its setting, and is neither visually dominant nor visually intrusive;
- (i) advertising devices do not detract from the landscape values, character types or amenity of an area.

### Criteria for assessment

Table Error! No text of specified style in document..a – Landscape values overlay code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable development</b>		
<b>Development in a High landscape value area</b>		
<p><b>PO1</b> Development within High landscape value areas identified on the Landscape values overlay maps contained in Schedule 2:</p> <p>(a) avoids detrimental impacts on the landscape values of forested skylines, visible hillslopes, ridgelines, the coastal foreshore or the shoreline of other water bodies through the loss of vegetation;</p> <p>(b) is effectively screened from view from a road, lookout or other public place by an existing natural landform or native vegetation, or will be effectively screened by native vegetation within 3 years of construction;</p> <p>(c) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements;</p> <p>(d) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality;</p> <p>(e) avoids detrimental impacts on landscape values and excessive changes to the natural landform as</p>	<p><b>AO1.1</b> Buildings and structures are not more than 8.5 metres and two storeys in height.</p> <p>Note - Height is inclusive of roof height.</p> <p><b>AO1.2</b> Buildings and structures are setback not less than 50 metres from ridgelines or peaks.</p> <p><b>AO1.3</b> Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.</p> <p><b>AO1.4</b> Where development on land steeper than 1 in 6 (16.6%) cannot be avoided: (a) development follows the natural; contours of the site;</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>a result of the location, position on site, scale, design, extent and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure;</p> <p>(f) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and lines and other tall infrastructure;</p> <p>(g) extractive industry operations are avoided.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>(b) buildings are split level or suspended floor construction, or a combination of the two;</p> <p>(c) lightweight materials are used to areas with suspended floors.</p> <p>Note - Examples of suitable lightweight materials include timber or fibre cement boards or sheeting for walls and factory treated metal sheeting for walls and roofs.</p> <p><b>AO1.5</b> The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette.</p> <p>Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow.</p> <p><b>AO1.6</b> No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.5%).</p> <p><b>AO1.7</b> Where for accommodation activities or reconfiguration of a lot in a High landscape value area, development demonstrates that the height, design, scale, positioning on-site, proposed construction materials and external finishes are compatible with the landscape values.</p> <p>Note - A visual impact assessment undertaken in accordance with Planning scheme policy SC6.6 – Landscape values may be required.</p> <p><b>AO1.8</b> Advertising devices do not occur.</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
<b>Development within the Medium landscape value area</b>		
<p><b>PO2</b> Development within Medium landscape value areas identified on the Landscape values overlay maps contained in Schedule 2:</p> <p>(a) avoids detrimental impacts on the landscape values of forested skylines, visible hillslopes, ridgelines, the coastal foreshore or the shoreline of other water bodies through the loss of vegetation;</p> <p>(b) is effectively screened from view from a road, lookout or other public place by an existing natural landform or native vegetation, or will be effectively screened by native vegetation within 5 years of construction;</p> <p>(c) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements;</p> <p>(d) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality;</p> <p>(e) avoids detrimental impacts on landscape values and excessive changes to the natural landform as a result of the location, position on site, scale, design and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure;</p> <p>(f) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and lines and other tall infrastructure;</p> <p>(g) extractive industry operations are avoided, or where they cannot be avoided, are screened from view.</p>	<p><b>AO2.1</b> Buildings and structures are not more than 8.5 metres and two storeys in height.</p> <p>Note - Height is inclusive of the roof height.</p> <p><b>AO2.2</b> Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.</p> <p><b>AO2.3</b> Where development on land steeper than 1 in 6 (16.6%) cannot be avoided: (a) development follows the natural; contours of the site; (b) buildings are split level or suspended floor construction, or a combination of the two; (c) lightweight materials are used to areas with suspended floors.</p> <p>Note - Examples of suitable lightweight materials include timber or fibre cement boards or sheeting for walls and factory treated metal sheeting for walls and roofs.</p> <p><b>AO2.4</b> The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette.</p> <p>Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow.</p> <p><b>AO2.5</b></p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.6%).</p> <p><b>AO2.6</b> Advertising devices do not occur.</p>	<p>N/A</p>
<b>Development within a Scenic route buffer / view corridor area</b>		
<p><b>PO3</b> Development within a Scenic route buffer / view corridor area as identified on the Landscape values overlay maps contained in Schedule 2:</p> <ul style="list-style-type: none"> <li>(a) retains visual access to views of the surrounding landscape, the sea and other water bodies;</li> <li>(b) retains existing vegetation and incorporates landscaping to visually screen and soften built form elements whilst not impeding distant views or view corridors;</li> <li>(c) incorporates building materials and external finishes that are compatible with the visual amenity and the landscape character;</li> <li>(d) minimises visual impacts on the setting and views in terms of: <ul style="list-style-type: none"> <li>(i) the scale, height and setback of buildings;</li> <li>(ii) the extent of earthworks and impacts on the landform including the location and configuration of access roads and driveways;</li> <li>(iii) the scale, extent and visual prominence of advertising devices.</li> </ul> </li> </ul> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p><b>AO3.1</b> Where within a Scenic route buffer / view corridor area, the height of buildings and structures is not more than identified within the acceptable outcomes of the applicable zone code.</p> <p><b>AO3.2</b> No clearing of native vegetation is undertaken within a Scenic route buffer area.</p> <p><b>AO3.3</b> Where within a Scenic route buffer / view corridor area development is set back and screened from view from a scenic route by existing native vegetation with a width of at least 10 metres and landscaped in accordance with the requirements of the landscaping code.</p> <p><b>AO3.4</b> Development does not result in the replacement of, or creation of new, additional, or enlarged advertising devices.</p>	<p>N/A</p> <p>Proposal complies.</p> <p>N/A</p> <p>Proposal complies.</p>
<b>Development within the Coastal scenery area</b>		
<b>PO4</b>	<b>AO4.1</b>	N/A

Performance outcomes	Acceptable outcomes	Applicant response
<p>The landscape values of the Coastal scenery zone as identified on the Landscape values overlay maps contained in Schedule 2 are managed to integrated and limit the visual impact of development.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>The dominance of the natural character of the coast is maintained or enhanced when viewed from the foreshore.</p> <p><b>AO4.2</b> Where located adjacent to the foreshore buildings and structures are setback:</p> <ul style="list-style-type: none"> <li>(a) Where no adjoining development, a minimum of 50 metres from the coastal high water mark and the setback area is landscaped with a native vegetation buffer that has a minimum width of 25 metres; or</li> <li>(b) Where there is adjoining development, setbacks will be consistent with that of adjoining buildings and structures, but not less than 10 metres from the coastal high water mark. The setback area is landscaped in accordance with the requirements of the Landscaping code.</li> </ul> <p><b>AO4.3</b> Where separated from the foreshore by land contained within public ownership (e.g. unallocated State land, esplanade or other public open space), buildings and structures area setback:</p> <ul style="list-style-type: none"> <li>(a) where no adjoining development, a minimum of 6 metres from the coastward property boundary. The setback area is landscaped in accordance with the requirements of the Landscaping code; or</li> <li>(b) where there is adjoining development, setbacks will be consistent with that of adjoining buildings and structures. The setback area is landscaped in</li> </ul>	<p>N/A</p> <p>N/A</p>

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

## Port Douglas/Craigie local plan code

### Application

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

### Context and setting

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

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

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

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

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

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

The street pattern in the town centre is based on the original grid pattern survey of 1878. While the town has lost many of its original buildings to cyclones and redevelopment, a number of important built features remain including the Central Hotel, the Court House Hotel, a number of relocated buildings such as St Mary's Church, the former Clink Theatre and the Court House Museum and scattered memorials such as the Carstens memorial in Macrossan Street

and the Port Douglas War memorial in Wharf Street. The Sugar Wharf on Dickson Inlet was the original terminus of the tramline to Mossman. The tramline now terminates adjacent to the Port Douglas marina and operates as the Balley Hooley passenger service on four kilometres of track between the Port Douglas Marina and St Crispins Station.

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

## Purpose

- (1) The purpose of the Port Douglas/Craiglie local plan code is to facilitate development outcomes consistent with community values, the local tropical built-form and protection of the natural environment within the Port Douglas/Craiglie local plan area, while providing a platform for investment and prosperity.
  - (a) In addition, the purpose of the code is supported by the Port Douglas Waterfront Master Plan which provides a clear strategic direction for the incremental transformation of the Port Douglas Waterfront, including the following objectives:
    - (b) To set out a vision for revitalisation of the waterfront;
    - (c) To protect and enhance the environmental attributes; and
- (2) To provide a flexible framework, expressed through several key strategies that will assist the Council and community in managing change.
- (3) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Port Douglas will continue to develop as the premium destination for international and domestic tourists in the Far North Queensland Region, while also acting for permanent residents attracted to the associated lifestyle.
  - (b) Major tourist, retail, dining and entertainment facilities will consolidate in the Town Centre and the Waterfront North sub-precincts, with improved pedestrian connections between the town centre and the waterfront.
  - (c) Craiglie will develop as an integrated residential community with some low scale tourism development opportunities in appropriate locations. Craiglie will also function as small scale commercial and light industry node, providing employment opportunities for the Shire's permanent resident population.
  - (d) All forms of development will complement the tropical image of the town through distinctive tropical vernacular, urban design and landscaping.
  - (e) Character will be enhanced through the identification of gateway sites, landmarks, main approach routes and pedestrian thoroughfares and view corridors;
  - (f) The Flagstaff Hill, Dickson Inlet, Four Mile Beach and other areas of scenic and environmental significance will be protected from development. Vegetation cover will dominate over built form.
  - (g) Vegetation, iconic to the character of Port Douglas, including the avenues of Oil Palms, is retained and where appropriate supplemented.



- (h) Development will be indistinguishable from view from Four Mile Beach. In addition, any development on Flagstaff Hill will be indistinguishable when viewed from vantage points in Port Douglas.
  - (i) Residential areas are designed as pleasant, functional and distinctive, in visually well-defined areas.
- (4) The purpose of the code will be further achieved through the following overall outcomes:
- (a) Precinct 1 – Port Douglas precinct
    - (i) Sub-precinct 1a – Town Centre sub-precinct
    - (ii) Sub-precinct 1b – Waterfront North sub-precinct
    - (iii) Sub-precinct 1c – Waterfront South sub-precinct
    - (iv) Sub-precinct 1d – Limited Development sub-precinct
    - (v) Sub-precinct 1e – Community and recreation sub-precinct
    - (vi) Sub-precinct 1f – Flagstaff Hill sub-precinct
  - (b) Precinct 2 – Integrated Resort precinct
  - (c) Precinct 3 – Craiglie Commercial and Light Industry precinct
  - (d) Precinct 4 – Old Port Road / Mitre Street precinct
  - (e) Precinct 5 – Very Low Density Residential/ Low Scale Recreation/Low Scale Educational/Low Scale Entertainment Uses precinct

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

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

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

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

- (6) In addition to other overall development outcomes, development in the Town Centre sub-precinct facilitates the following development outcomes:
  - (a) tourist, retail, dining and entertainment activities are facilitated at an appropriate pedestrian scale;
  - (b) drive-through developments, bulky goods showrooms, outdoor sales, saleyards and other big-box retailing or entertainment facilities are not established;
  - (c) development contributes to a high quality public realm;
  - (d) parking (and associated infrastructure) does not undermine the relationship between buildings and street or pedestrian circulation patterns;

- (e) consolidation of community and cultural land use activities along Mowbray Street between Wharf Street and Mudlo Street;
- (f) active street frontages are established along Macrossan and Wharf Streets and other nearby streets as shown on the Port Douglas Centre Active Frontages and Pedestrian and Cycle Network Plan;
- (g) Live entertainment activities are concentrated within the Live Entertainment Precinct and are subject to the recommendations of a suitably qualified acoustic engineer.

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

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

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

- (8) In addition to all other overall development outcomes, development in the Waterfront South sub-precinct facilitates the following development outcomes:
  - (a) any use of land in the precinct does not affect the environmental, habitat, conservation or scenic values of Dickson Inlet and surrounding land;
  - (b) marine-based industries are established on appropriate land having regard to site suitability, accessibility, surrounding land uses, and location of utilities and services;
  - (c) marine-based industry achieves appropriate environmental standards;
  - (d) industrial buildings have a high standard of layout and building design;
  - (e) landscaping provides an attractive streetscape and screens utility, storage and car parking from the street and other public areas;

- (f) the precinct is protected from encroachment of incompatible land use activities.

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

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

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

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

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

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

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

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

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

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

- (13) In addition to the overall outcomes, development in the Craiglie Commercial and Light Industry precinct facilitates the following overall outcomes:
- (a) development supports the tourism and marine industries in Port Douglas, along with the small-scale commercial and light industry land uses that support the local economy that would otherwise be better suited to a location outside the Port Douglas Centre Precinct unless they pose a safety issue;
  - (b) development adjacent to the Captain Cook Highway presents an attractive appearance to the highway. The rain-trees, melaleucas and eucalypt trees along the Captain Cook Highway are retained where possible, taking into account the Department of Transport and main Road's requirements;
  - (c) retailing activities are generally restricted to those which are ancillary and necessarily associated with the primary service and light industry nature of the area;
  - (d) adjacent residential areas are protected from industry nuisances;
  - (e) lots fronting Downing Street, between Dickson Street and Beor Street, are provided with an appropriate standard of road access and infrastructure, prior to development occurring.

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

- (14) In addition to the overall outcomes, development in the Old Port Road / Mitre Street precinct facilitates the following overall outcomes:
- (a) the precinct is intended to be used for outdoor recreational land use activity, primarily as a golf course;
  - (b) areas of significant vegetation are protected from development and retained;
  - (c) other forms of development will only be considered if substantial areas of open space are retained adjacent to existing residential areas to maintain the existing residential amenity of open views across open space.

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

- (15) In addition to the overall outcomes, development in the Very Low Residential Density/Low Scale Recreation/Low Scale Educational/Low Scale Entertainment Uses precinct facilitates the following overall outcomes:
- (a) residential accommodation does not exceed a maximum of 8.5 metres in building height;
  - (b) minimum lot sizes exceed 2 hectares;
  - (c) very low scale and intensity recreation/ very low scale and intensity educational/ and very low scale entertainment uses may be appropriate in areas of the precinct subject to erosion and other flooding constraints.

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

### Criteria for assessment

Table Error! No text of specified style in document..a –Port Douglas / Craiglie local plan – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self assessable and assessable development</b>		
<b>Development in the Port Douglas / Craiglie local plan area generally</b>		
<p><b>PO1</b> Pedestrians, cyclists, motorists and public transport users can easily move into and through the precinct along planned connectivity routes, identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.</p>	<p><b>AO1</b> A pedestrian and cycle movement network is integrated and delivered through development.</p>	N/A
<p><b>PO2</b> Development retains and enhances key landscape elements including character trees and areas of significant vegetation contributing to the character and quality of the local plan area and significant views and vistas and other landmarks important to the context of Port Douglas / Craiglie (as identified on the Port Douglas/ Craiglie Townscape Plan map contained in Schedule 2).</p>	<p><b>AO2.1</b> Development provides for the retention and enhancement of existing mature trees and character vegetation that contribute to the lush tropical character of the town, including:</p> <ul style="list-style-type: none"> <li>(a) the tree covered backdrop of Flagstaff Hill;</li> <li>(b) natural vegetation along watercourses, in particular the Mowbray River, Beor Creek and Dickson Inlet;</li> <li>(c) the tidal vegetation along the foreshore;</li> </ul>	Proposal is capable of complying.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(d) beachfront vegetation along Four Mile Beach, including the fringe of Coconut Palms;</p> <p>(e) the oil palm avenues along the major roads;</p> <p>(f) the lush landscaping within major roundabouts at key nodes;</p> <p>(g) Macrossan Street and Warner Street;</p> <p>(h) Port Douglas waterfront.</p> <p><b>AO2.2</b> Development protects and does not intrude into important views and vistas as identified on the Port Douglas Townscape Plan map contained in Schedule 2, in particular:</p> <p>(a) Flagstaff Hill;</p> <p>(a) Four Mile Beach;</p> <p>(b) Across to the ranges over Dickson Inlet;</p> <p>(c) Mowbray Valley.</p> <p><b>AO2.3</b> Important landmarks, memorials and monuments are retained.</p>	<p>Proposal complies.</p> <p>Proposal complies.</p>
<p><b>PO3</b> Development contributes to the protection, reinforcement and where necessary enhancement of gateways and key intersections identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.</p>	<p><b>AO3</b> Development adjacent to the gateways and nodes as identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 incorporates architectural features and landscaping treatments and design elements that enhance the sense of arrival and way finding within the town.</p>	<p>N/A</p>
<p><b>PO4</b> Landscaping of development sites complements the existing tropical character of Port Douglas and Craiglie.</p>	<p><b>AO4</b> Landscaping incorporates the requirements of Planning scheme policy SC6.7 – Landscaping, in particular landscaping should</p>	<p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
	be capable of achieving a 60% screening of development within 5 years and predominantly consists of endemic vegetation.	
<b>PO5</b> Development does not compromise the safety and efficiency of the State-controlled road network.	<b>AO5</b> Direct access is not provided to a State-controlled road where legal and practical access from another road is available.	Proposal complies.
<b>For assessable development</b>		
<b>Additional requirements in Precinct 1 – Port Douglas precinct</b>		
<b>PO6</b> The views and vistas identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 are maintained.	<b>AO6.1</b> Development does not impede continued views to scenic vistas and key streetscapes within the local plan area.  <b>AO6.2</b> Unless otherwise specified within this Local Plan, buildings are set back not less than 6 metres from the primary street frontage.	N/A   N/A
<b>PO7</b> Vehicle access, parking and service areas: (a) do not undermine the relationship between buildings and street or dominate the streetscape; (b) are designed to minimise pedestrian vehicle conflict; (c) are clearly identified and maintain ease of access at all times.	<b>AO7.1</b> For all buildings, parking is: (a) to the side of buildings and recessed behind the main building line; or (b) behind buildings; or (c) wrapped by the building façade, and not visible from the street.  <b>AO7.2</b> Ground level parking incorporates clearly defined pedestrian routes.  <b>AO7.3</b>	N/A   N/A  N/A



Performance outcomes	Acceptable outcomes	Applicant response
	<p>Any porte-cocheres, disabled and pedestrian accesses are accommodated within the boundary of new or refurbished development.</p> <p><b>AO7.4</b> Where the development is an integrated mixed-use development incorporating short term accommodation or multiple dwellings and either food and drink outlet or hotel or shop or shopping centre or office, on-site parking spaces are provided as per the number prescribed in the Parking and access code with a relaxation of 30% of spaces required for the non-residential uses.</p> <p><b>AO7.5</b> On-site car parking available for public use is clearly signed at the site frontage.</p> <p><b>AO7.6</b> Boom gates, pay machines or other regulatory devices to control access to a publicly available car parking area are not constructed or installed.</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>
<p><b>PO8</b> Precinct 1 – Port Douglas precinct is not characterised by a proliferation of advertising signs.</p>	<p><b>AO8</b> No acceptable outcomes are prescribed.</p>	<p>N/A</p>
<b>Additional requirements for Sub-precinct 1a – Town Centre sub-precinct</b>		
<p><b>PO9</b> Building heights: (a) do not overwhelm or dominate the town centre; (b) respect the desired streetscape;</p>	<p><b>AO9</b> Buildings and structures are not more than 3 storeys and 13.5 metres in height, with a roof height of not less than 3 metres.</p> <p>Note – Height is inclusive of the roof height.</p>	<p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
<ul style="list-style-type: none"> <li>(c) ensure a high quality appearance when viewed from both within the town centre sub-precinct and external to the town centre sub-precinct;</li> <li>(d) remain subservient to the natural environment and the backdrop of Flagstaff Hill.</li> <li>(e) do not exceed 3 storeys.</li> </ul>		
<p><b>PO10</b> Building design, the streetscape, pedestrian paths and street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port Douglas Precinct.</p>	<p><b>AO10</b> No acceptable outcomes are prescribed.</p>	N/A
<p><b>PO11</b> Buildings:</p> <ul style="list-style-type: none"> <li>(a) address street frontages;</li> <li>(b) ensure main entrances front the street or public spaces;</li> <li>(c) do not focus principally on internal spaces or parking areas.</li> </ul>	<p><b>AO11</b> No acceptable outcomes are prescribed.</p>	N/A
<p><b>PO12</b> Setbacks at ground level provide for:</p> <ul style="list-style-type: none"> <li>(a) connection between pedestrian paths and public places;</li> <li>(b) areas for convenient movement of pedestrians;</li> <li>(c) changes in gradient of the street.</li> </ul>	<p><b>AO12</b> Setbacks at ground level:</p> <ul style="list-style-type: none"> <li>(a) are clear of columns and other obstructions;</li> <li>(b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites;</li> <li>(c) connect without any lip or step to adjoining footpaths.</li> </ul>	N/A
<p><b>AO13</b> Buildings do not result in a reduction of views and vistas from public places to:</p> <ul style="list-style-type: none"> <li>(a) Flagstaff Hill;</li> <li>(b) Dickson Inlet;</li> <li>(c) public open space;</li> <li>(d) places of significance.</li> </ul>	<p><b>AO13</b> No acceptable outcomes are prescribed.</p>	N/A

Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO14</b> Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at street level including shade protection across the footpath for the length of the building.</p>	<p><b>AO14</b> Development is built up to the street frontage/s at the street level and incorporates a light frame awning, a minimum of 3 metres in width for the length of the street frontage/s;</p> <p>Or</p> <p>If a development includes an outdoor dining area at ground/footpath level, the dining area has a maximum setback of 3 metres and the required awning is still maintained along the length of the street frontage/s.</p> <p>Note – PO24 provides more detail on awning design.</p>	<p>N/A</p>
<p><b>PO15</b> Development is predominantly commercial in nature with any tourist accommodation having a secondary focus and not located on the street-level frontage where active frontages are encouraged as identified the Port Douglas local plan maps contained in Schedule 2.</p>	<p><b>AO15.1</b> Centre activities establish: at street level on active street frontages; a maximum of one level above street level.</p> <p><b>AO15.2</b> Any residential development activities or short term accommodation is located above street level of the active frontage, but not on or up to the street frontage in any development, including mixed use development.</p>	<p>N/A</p> <p>N/A</p>
<p><b>PO16</b> Detailed building design: (a) enhances the visual amenity of the streetscape; (b) has a legible and attractive built form that is visually enhanced by architectural elements; (c) contributes to a distinctive tropical north Queensland, seaside tourist town character; (d) integrates major landscaping elements to maximise their aesthetic value to ensure that the</p>	<p><b>AO16</b> No acceptable outcomes are prescribed.</p>	<p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>lush, vegetated character of the Town Centre sub-precinct is maintained.</p>		
<p><b>PO17</b> Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through:</p> <ul style="list-style-type: none"> <li>(a) surface decoration;</li> <li>(b) wall recesses and projections;</li> <li>(c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements.</li> <li>(d) differentiating between the lower, middle and upper parts of the building by varying the façade and/or the shape of the built form, where comprised of more than two storeys.</li> </ul>	<p><b>AO17</b> No acceptable outcomes are prescribed.</p>	<p>N/A</p>
<p><b>PO18</b> Roofs are not characterised by a cluttered display of plant and equipment, in particular:</p> <ul style="list-style-type: none"> <li>(a) building caps and rooftops contribute to the architectural distinction of the building and create a coherent roofscape for the Town Centre sub-precinct;</li> <li>(b) service structures, lift motor rooms and mechanical plant and equipment are designed as an architectural feature of the building or are screened from public view;</li> <li>(c) rooftops are not used for advertising.</li> </ul>	<p><b>AO18</b> No acceptable outcomes are prescribed.</p>	<p>N/A</p>
<p><b>PO19</b> Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to:</p> <ul style="list-style-type: none"> <li>(a) shade windows;</li> <li>(b) reduce glare;</li> <li>(c) assist in maintaining comfortable indoor temperatures;</li> <li>(d) minimising heat loads;</li> </ul>	<p><b>AO19</b> No acceptable outcomes are prescribed.</p>	<p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
(e) enrich the North Queensland tropical character of the Town Centre sub-precinct; (f) provide architectural interest to building façades.		
<b>PO20</b> Buildings are finished with high quality materials, selected for: (a) their ability to contribute the character of Town Centre sub-precinct; (b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate.	<b>AO20</b> No acceptable outcomes are prescribed.	N/A
<b>PO21</b> Buildings do not incorporate any type of glass or other materials that are likely to reflect the sun's rays in a manner that may create a nuisance, discomfort or a hazard.	<b>AO21</b> No acceptable outcomes are prescribed.	N/A
<b>PO22</b> Façades and elevations do not include large blank walls. Openings and setbacks are used to articulate vertical building surfaces.	<b>AO22.1</b> Development has a maximum length of unbroken building facade of 20 metres and a maximum extent of overall development in the same style/design along the street frontage/s of 40 metres.  <b>AO22.2</b> Any break in the building façade varies the alignment by a 1 metre minimum deviation.  <b>AO22.3</b> A minimum of three of the following building design features and architectural elements detailed below are incorporated to break the extended facade of a development: (a) a change in roof profile; (b) a change in parapet coping; (c) a change in awning design;	N/A   N/A   N/A

Performance outcomes	Acceptable outcomes	Applicant response
	(d) a horizontal or vertical change in the wall plane; or (e) a change in the exterior finishes and exterior colours of the development.	
<b>PO23</b> Building facades that face public spaces at ground level: (a) complement the appearance of the development and surrounding streetscape; (b) enhance the visual amenity of the public place; (c) include a variety of human scale architectural elements and details; (d) provide an opportunity for the casual and convenient surveillance of public space from within the development.	<b>AO23</b> Building facades at the ground floor of development that face public space are designed to ensure: (a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit the casual surveillance of the public space from the development; (b) a visually prominent main entrance that faces the principal public place; (c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade.	N/A
<b>PO24</b> Awnings for pedestrian shelter are consistent with the character setting of the Town Centre sub-precinct and: (a) extend and cover the footpath to provide protection from the sun and rain; (b) include lighting under the awning; (c) are continuous across the frontage of the site; (d) align to provide continuity with existing or future awnings on adjoining sites; (e) are a minimum of 3.0 metres in width and generally not more than 3.5 metres above pavement height; (f) do not extend past a vertical plane, 1.2 metres inside the kerb-line to enable street trees to be planted and grow;	<b>AO24</b> No acceptable outcomes are prescribed.	N/A

Performance outcomes	Acceptable outcomes	Applicant response
(g) are cantilevered from the main building with any posts within the footpath being non load-bearing.		
<p><b>PO25</b> Development integrates with the streetscape and landscaping improvements for Port Douglas.</p>	<p><b>AO25</b> Development fronting Davidson Street, Macrossan Street, Wharf Street, Mowbray Street and Warner Street is designed to integrate with the on-street landscaping and design improvements as outlined within the Port Douglas landscape master plan contained within Planning scheme policy SC6.7 – Landscaping.</p> <p>Note - Planning scheme policy SC6.7 - Landscaping provides guidance on meeting the Performance Outcome.</p>	N/A
<b>Additional requirements for Sub-precinct 1b – Waterfront North sub-precinct</b>		
<p><b>PO26</b> The establishment of uses is consistent with the outcomes sought for sub-precinct 1b – Waterfront North.</p>	<p><b>AO26</b> Uses identified as inconsistent uses in <a href="#">Table Error! No text of specified style in document..b — Inconsistent uses in sub-precinct 1b - Waterfront North sub-precinct</a> are not established in sub-precinct 1b - Waterfront North</p>	N/A
<p><b>PO27</b> The bulk and scale of buildings is consistent with surrounding development and steps down to complement the open space areas in the adjoining limited development sub-precinct.</p>	<p><b>AO27</b> Buildings and structures are not more than:</p> <ul style="list-style-type: none"> <li>(a) 3 storeys and 13.5 metres in height , with a roof height of not less than 3 metres, in those parts of the precinct south of Inlet Street;</li> <li>(b) 2 storeys and 8.5 metres in height, with a roof height of not less than 3 metres, in those parts of the precinct north of Inlet Street.</li> </ul> <p>Note – Height is inclusive of roof height.</p>	N/A
<b>PO28</b>	<b>AO28</b>	N/A

Performance outcomes	Acceptable outcomes	Applicant response
Building design, streetscape, pedestrian paths and street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port Douglas Precinct.	No acceptable outcomes are prescribed.	
<p><b>PO29</b> Public pedestrian access along the water's edge is maximised.</p>	<p><b>AO29.1</b> Public pedestrian access is provided along the frontage of the water's edge consisting of a boardwalk of a minimum width of 4 metres that is available of 24-hour use.</p> <p><b>AO29.2</b> A public plaza is incorporated into the design generally reflecting the requirements of the Port Douglas Waterfront Master Plan, focussing in the vicinity of the 'Duck Pond'.</p> <p><b>AO29.3</b> Built envelopes are setback a minimum of 3.0 metres from the board walk, with a shelter/shade zone between the building envelopes and the boardwalk consisting of shade structure, canopies, verandahs and the like.</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>
<p><b>PO30</b> Buildings: (a) address street frontages; (b) ensure main entrances front the street or public spaces.</p>	<p><b>AO30</b> No acceptable outcomes are prescribed.</p>	<p>N/A</p>
<p><b>PO31</b> Setbacks at ground level provide for: (a) connection between pedestrian paths and public places; (b) areas for convenient movement of pedestrians; (c) changes in gradient.</p>	<p><b>AO31</b> Setbacks at ground level: (a) are clear of columns and other obstructions;</p>	<p>N/A</p>



Performance outcomes	Acceptable outcomes	Applicant response
	(b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites; (c) connect without any lip or step to adjoining footpaths.	
<b>PO32</b> Buildings do not result in a reduction of views and vistas from public places to: (a) Dickson Inlet; (b) public open space; (c) places of significance.	<b>AO32</b> No acceptable outcomes are prescribed.	N/A
<b>PO33</b> Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at ground level including shade protection across the footpath and open space areas.	<b>AO33</b> No acceptable outcomes are prescribed.	N/A
<b>PO34</b> Development is predominantly commercial in nature with any tourist accommodation having a secondary focus and not located on the street-level frontage where active frontages are encouraged as identified the Port Douglas local plan maps contained in Schedule 2.	<b>AO34.1</b> Centre activities establish: (a) at street level on active street frontages; (b) a maximum of one level above street level.  <b>AO34.2</b> Residential development activities or short term accommodation is located above street /ground floor level of the active frontage, but not on or up to the street / public frontage in any development, including mixed use development.	N/A
<b>PO35</b> Detailed building design: (a) enhances the visual amenity of the streetscape; (b) has a legible and attractive built form that is visually enhanced by architectural elements;	<b>AO35</b> No acceptable outcomes are prescribed.	N/A

Performance outcomes	Acceptable outcomes	Applicant response
<p>(c) contributes to a distinctive tropical north Queensland, seaside tourist town character;</p> <p>(d) integrates major landscaping elements to maximise their aesthetic value to ensure that the lush, vegetated character of the Waterfront North sub-precinct is maintained.</p>		
<p><b>PO36</b> Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through:</p> <p>(a) surface decoration;</p> <p>(b) wall recesses and projections;</p> <p>(c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements.</p> <p>(d) differentiating between the lower, middle and upper parts of the building by varying the façade and/or the shape of the built form, where comprised of more than two storeys.</p>	<p><b>AO36</b> No acceptable outcomes are prescribed.</p>	N/A
<p><b>PO37</b> Roofs are not characterised by a cluttered display of plant and equipment, in particular:</p> <p>(a) building caps and rooftops contribute to the architectural distinction of the building and create a coherent roofscape for the Waterfront North sub-precinct;</p> <p>(b) service structures, lift motor rooms and mechanical plant and equipment are designed as an architectural feature of the building or are screened from public view;</p> <p>(c) rooftops are not used for advertising.</p>	<p><b>AO37</b> No acceptable outcomes are prescribed.</p>	N/A
<p><b>PO38</b> Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to:</p> <p>(a) shade windows;</p>	<p><b>AO38</b> No acceptable outcomes are prescribed.</p>	N/A

Performance outcomes	Acceptable outcomes	Applicant response
(b) reduce glare; (c) assist in maintaining comfortable indoor temperatures; (d) minimising heat loads; (e) enriching the North Queensland tropical character of the Waterfront North sub-precinct; (f) architectural interest to building façades.		
<b>PO39</b> Buildings are finished with high quality materials, selected for: (a) their ability to contribute the character of Waterfront North sub-precinct; (b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate.	<b>AO39</b> No acceptable outcomes are prescribed.	N/A
<b>PO40</b> Buildings do not incorporate any type of glass or other materials that are likely to reflect the sun's rays in a manner that may create a nuisance, discomfort or a hazard.	<b>AO40</b> No acceptable outcomes are prescribed.	N/A
<b>PO41</b> Façades and elevations do not include large blank walls and openings and setbacks are used to articulate vertical building surfaces.	<b>AO41.1</b> Development has a maximum length of unbroken building facade of 20 metres and a maximum extent of overall development in the same style/design along the street frontage/s of 40 metres.  <b>AO41.2</b> Any break in the building façade varies the alignment by a 1 metre minimum deviation.  <b>AO41.3</b> A minimum of three of the following building design features and architectural elements	N/A

Performance outcomes	Acceptable outcomes	Applicant response
	<p>detailed below are incorporated to break the extended facade of a development:</p> <ul style="list-style-type: none"> <li>(a) a change in roof profile;</li> <li>(b) a change in parapet coping;</li> <li>(c) a change in awning design;</li> <li>(d) a horizontal or vertical change in the wall plane; or</li> <li>(e) a change in the exterior finishes and exterior colours of the development.</li> </ul>	
<p><b>PO42</b> Building facades that face public spaces at ground level:</p> <ul style="list-style-type: none"> <li>(a) complement the appearance of the development and surrounding streetscape;</li> <li>(b) enhance the visual amenity of the public place;</li> <li>(c) include a variety of human scale architectural elements and details;</li> <li>(d) provide an opportunity for the casual and convenient surveillance of public space from within the development.</li> </ul>	<p><b>AO42</b> Building facades at the ground floor of development that face public space are designed to ensure:</p> <ul style="list-style-type: none"> <li>(a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit the casual surveillance of the public space from the development;</li> <li>(b) a visually prominent main entrance that faces the principal public place;</li> <li>(c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade.</li> </ul>	N/A
<p><b>PO43</b> Awnings for pedestrian shelter are consistent with the character setting of the Waterfront North sub-precinct and:</p> <ul style="list-style-type: none"> <li>(a) extend and cover the footpath to provide protection from the sun and rain;</li> <li>(b) include lighting under the awning;</li> <li>(c) are continuous across pedestrian circulation areas;</li> <li>(d) align to provide continuity with existing or future awnings on adjoining sites;</li> </ul>	<p><b>AO43</b> No acceptable outcomes are prescribed.</p>	N/A

Performance outcomes	Acceptable outcomes	Applicant response
<p>(e) are a minimum of 3 metres in width and generally not more than 3.5 metres above pavement height;</p> <p>(f) do not extend past a vertical plane, 1.2 metres inside the street kerb-line to enable street trees to be planted and grow;</p> <p>(g) are cantilevered from the main building with any posts within the footpath being non load-bearing.</p>		
<p><b>PO44</b> The Balley Hooley rail line and turn-table is retained and incorporated into development and maintains its functionality.</p>	<p><b>AO44.1</b> Bally Hooley rail line and turn-table is retained and incorporated into development to maintain its functionality.</p> <p><b>AO44.2</b> Where development provides floor area for the Bally Hooley rail station, the gross floor area of the rail line and station does not generate a requirement for additional vehicle parking.</p>	<p>N/A</p> <p>N/A</p>
<p><b>PO45</b> Development recognises the importance of and relationship between the marina, commercial and residential development in the Waterfront North sub-precinct, and includes measures to mitigate the impact of:</p> <p>(a) noise;</p> <p>(b) odour;</p> <p>(c) hazardous materials;</p> <p>(d) waste and recyclable material storage.</p>	<p><b>AO45</b> No acceptable outcomes are prescribed.</p>	<p>N/A</p>
<p><b>PO46</b> Formalised public spaces and pedestrian paths/areas on freehold land are made accessible to the public.</p>	<p><b>AO46</b> No acceptable outcomes are prescribed.</p>	<p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO47</b> Buildings, civic spaces, roads and pedestrian links are enhanced by:</p> <ul style="list-style-type: none"> <li>(a) appropriate landscape design and planting;</li> <li>(b) themed planting that defines entry points, and creates strong 'entry corridors' into the waterfront;</li> <li>(c) lighting and well-considered discrete signage that complements building and landscape design;</li> <li>(d) public artwork and other similar features that reflect the heritage and character of the Port Douglas Waterfront.</li> </ul>	<p><b>AO47</b> No acceptable outcomes are prescribed.</p>	N/A
<p><b>PO48</b> Buildings are designed and sited to provide vistas along shared pedestrian/open space and movement areas in suitable locations.</p>	<p><b>AO48</b> No acceptable outcomes are prescribed.</p>	N/A
<p><b>PO49</b> Development does not diminish the viability of marine-based industrial uses that directly serve the Port Douglas tourist and fishing operators and private boat owners, particularly with respect to the slipway operation.</p>	<p><b>AO49</b> No acceptable outcomes are prescribed.</p>	N/A
<p><b>PO50</b> Marine infrastructure to service the tourism, fishing and private boating community is provided.</p>	<p><b>AO50</b> No acceptable outcomes are prescribed.</p>	N/A
<p><b>PO51</b> Changes to the Port Douglas Waterfront quay-line do not cause adverse impacts to the environmentally sensitive Dickson Inlet.</p>	<p><b>AO51</b> Development that results in changes to the Port Douglas Waterfront quay-line is only established where an Ecological assessment report provides support to the changes.</p> <p>Note - Planning scheme policy SC6.8 – Natural environment provides guidance on preparing an ecological assessment report.</p>	N/A
<p><b>Additional requirements for Sub-precinct 1c – Waterfront South sub-precinct</b></p>		

Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO52</b> The establishment of uses is consistent with the outcomes sought for Precinct 1c – Waterfront South.</p>	<p><b>AO52</b> Uses identified as inconsistent uses <b>Table Error!</b> No text of specified style in document.c are not established in Precinct 1c – Waterfront South.</p>	N/A
<p><b>PO53</b> Development does not adversely impact on the natural environment, natural vegetation or watercourses.</p>	<p><b>AO53.1</b> An Ecological assessment report is prepared identifying the environmental qualities of the surrounding natural and built features which are to be managed.</p> <p>Note - Planning scheme policy SC6.8 – Natural environment provides guidance on preparing an ecological assessment report.</p> <p><b>AO53.2</b> An Environmental Management Plan is prepared to manage potential impacts of the operation of the development on surrounding natural areas.</p> <p>Note - Planning scheme policy SC6.4 – Environmental management plans contains information to demonstrate compliance and guidance on preparing an Environmental Management Plan.</p>	N/A
<p><b>PO54</b> Development of land at the end of Port Street adjacent to Dickson Inlet incorporates a slipway, or an alternative functioning facility, with capacity to service the Port Douglas marine and tourism industry.</p>	<p><b>AO54</b> A master plan for the development is provided and implemented to demonstrate the integration of the slipway, or an alternative functioning facility, with other supporting service industry activities that service the marine and tourism industry of Port Douglas.</p>	N/A
<p><b>PO55</b></p>	<p><b>AO55.1</b></p>	N/A

Performance outcomes	Acceptable outcomes	Applicant response
<p>Buildings and structures are of a height, and are set back from side boundaries and other sensitive areas to ensure the scenic amenity and environmental qualities of the adjacent area are not adversely affected.</p>	<p>Development has a height of not more than 10 metres.</p> <p><b>AO55.2</b> Development is setback from all property boundaries not less than 3 metres.</p>	
<p><b>PO56</b> The site coverage of all buildings and structures ensures development:</p> <ul style="list-style-type: none"> <li>(a) is sited in an existing cleared area or in an area approved for clearing;</li> <li>(b) has sufficient area for the provision of services;</li> <li>(c) development does not have an adverse effect on the environmental, habitat, conservation or landscape values of the on-site and surrounding sensitive areas.</li> </ul>	<p><b>AO56</b> No acceptable outcomes are prescribed.</p>	N/A
<p><b>PO57</b> Premises include adequate provision for service vehicles, to cater for generated demand. Loading areas for service vehicles are designed to:</p> <ul style="list-style-type: none"> <li>(a) be accommodated on-site;</li> <li>(b) maximise safety and efficiency of loading;</li> <li>(c) protect the visual and acoustic amenity of sensitive land use activities;</li> <li>(d) minimise adverse impacts on natural characteristics of adjacent areas.</li> </ul>	<p><b>AO57.1</b> Sufficient manoeuvring area is provided on-site to allow a Medium Rigid Vehicle to enter and leave the site in a forward gear.</p> <p><b>AO57.2</b> Development is designed to ensure all service vehicles are contained within the site when being loaded/unloaded.</p> <p><b>AO57.3</b> Driveways, parking and manoeuvring areas are constructed and maintained to:</p> <ul style="list-style-type: none"> <li>(a) minimise erosion from storm water runoff;</li> <li>(a) retain all existing vegetation.</li> </ul>	<p>N/A</p> <p>N/A</p> <p>N/A</p>
<p><b>PO58</b></p>	<p><b>AO58</b></p>	N/A



Performance outcomes	Acceptable outcomes	Applicant response
Development ensures adverse impacts from service vehicles on the road network, external to the site, are minimised.	No acceptable outcomes are prescribed.	
<b>PO59</b> Entry to the site is landscaped to enhance the amenity of the area and provide a pleasant working environment.	<b>AO59</b> Areas used for loading and unloading, storage, utilities and car parking are screened from public view: (a) by a combination of landscaping and screen fencing; (b) dense planting along any road frontage is a minimum width of 3 metres.	N/A
<b>PO60</b> Landscaping is informal in character and complementary to the existing natural environment, provides screening and enhances the visual appearance of the development.	<b>AO60</b> For any development landscaping is in accordance with the Plant species schedule in Planning scheme policy SC6.7– Landscaping.	N/A
<b>Additional requirements for Sub-precinct 1d – Limited Development sub-precinct</b>		
<b>PO61</b> The height of buildings and structures contributes to the desired form and outcomes for the sub-precinct and are limited to a single storey.	<b>AO61</b> Buildings and structures are not more than one storey and 4 metres in height.  Note - Height is inclusive of the roof height.	N/A
<b>Additional requirements for Sub-precinct 1e – Community and recreation sub-precinct</b>		
<b>PO62</b> The precinct is developed for organised sporting activities and other community uses.	<b>AO62</b> No acceptable outcomes are prescribed.	N/A
<b>Additional requirements for Sub-precinct 1f – Flagstaff Hill sub-precinct</b>		
<b>PO63</b> Flagstaff Hill is protected from inappropriate development to protect the hill as an important natural landmark feature of Port Douglas and as a vegetated backdrop to the Town centre.	<b>AO63</b> No acceptable outcomes are prescribed.	N/A

Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO64</b> All development on Flagstaff Hill is designed to minimise the visibility of the development and to ensure development is subservient to the natural landscape and topography of the site, including through:</p> <ul style="list-style-type: none"> <li>(a) building design which minimises excavation and filling;</li> <li>(b) buildings being designed to step down the site and incorporate foundations and footings on piers or poles;</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;</li> <li>(d) protection of the views from public viewing points in the Port Douglas precinct.</li> </ul>	<p><b>AO64</b> No acceptable outcomes are prescribed.</p>	<p>N/A</p>
<b>Additional requirements for Precinct 3 – Craiglie Commercial and Light Industry precinct</b>		
<p><b>PO65</b> Development supports the tourism and marine industries in Port Douglas, along with the small-scale commercial and light industry land uses that support the local economy that would otherwise be better suited to a location outside the Port Douglas Town Centre Precinct.</p>	<p><b>AO65</b> Development consists of service and light industries and associated small scale commercial activities.</p>	<p>N/A</p>
<p><b>PO66</b> 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 car parking areas setback a sufficient distance from the frontage to enable landscaping to soften or screen the appearance of the development.</p>	<p><b>AO66.1</b> 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), whichever is the greater.</p> <p><b>AO66.2</b></p>	<p>N/A</p> <p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>The setback area to the Captain Cook Highway frontage is landscaped with advanced dense planting including tree species (100 litre bag stock), which will, at maturity, exceed the height of the building(s) on the site.</p> <p><b>AO66.3</b> Advertising signs are discreet in appearance with no large advertising signs, including tenancy signs, located on or near the Captain Cook Highway frontage, or within any landscaped setback area.</p> <p><b>AO66.4</b> Car parking areas, loading and other service areas are designed to be screened from the Captain Cook Highway and are located so as to not be visually prominent from the Captain Cook Highway.</p>	<p>N/A</p> <p>N/A</p>
<b>Additional requirements for Precinct 6 – Very Low Residential Density / Low Scale Recreation / Low Scale Educational / Low Scale Entertainment Uses precinct</b>		
<p><b>PO67</b> No additional lots are created within the precinct.</p>	<p><b>AO67</b> No acceptable outcomes are prescribed.</p>	<p>N/A</p>
<p><b>PO68</b> Reconfigured lots have a minimum lot size of 2 hectares, unless the lot reconfiguration transfers lots to the higher parts of the land, to avoid the need to fill existing lots to accommodate dwelling houses.</p>	<p><b>AO68</b> No acceptable outcomes are prescribed.</p>	<p>N/A</p>

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### Inconsistent uses

<ul style="list-style-type: none"> <li>• Agricultural supplies store</li> <li>• Air services</li> <li>• Animal husbandry</li> <li>• Animal keeping</li> <li>• Aquaculture</li> <li>• Brothel</li> <li>• Bulk landscape supplies</li> <li>• Car wash</li> <li>• Cemetery</li> <li>• Crematorium</li> <li>• Cropping</li> <li>• Detention facility</li> <li>• Dual occupancy</li> <li>• Dwelling house</li> </ul>	<ul style="list-style-type: none"> <li>• Extractive industry</li> <li>• Funeral parlour</li> <li>• High impact industry</li> <li>• Intensive animal industry</li> <li>• Intensive horticulture</li> <li>• Major electricity infrastructure</li> <li>• Major sport, recreation and entertainment facility</li> <li>• Medium impact industry</li> <li>• Motor sport facility,</li> <li>• Outstation</li> <li>• Permanent plantation</li> </ul>	<ul style="list-style-type: none"> <li>• Relocatable home park</li> <li>• Roadside stall</li> <li>• Rural industry</li> <li>• Rural workers accommodation</li> <li>• Service station</li> <li>• Showroom</li> <li>• Special industry</li> <li>• Tourist park</li> <li>• Transport depot</li> <li>• Veterinary services</li> <li>• Warehouse</li> <li>• Wholesale nursery</li> <li>• Winery</li> </ul>
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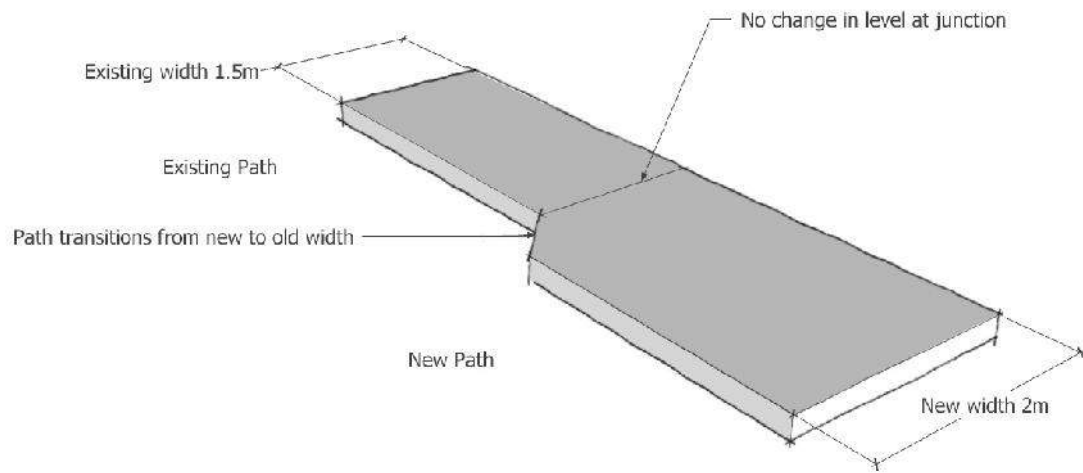
**Table Error! No text of specified style in document..c — Inconsistent uses in sub-precinct 1c - Waterfront South sub-precinct**

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

<ul style="list-style-type: none"> <li>• Dwelling house</li> <li>• Dwelling unit</li> <li>• Extractive industry</li> <li>• Function facility</li> <li>• Funeral parlour</li> <li>• Garden centre</li> </ul>	<ul style="list-style-type: none"> <li>• Outdoor sport and recreation</li> <li>• Outstation</li> </ul>	<ul style="list-style-type: none"> <li>• Tourist park</li> <li>• Transport depot</li> <li>• Veterinary services</li> <li>• Warehouse</li> <li>• Wholesale nursery</li> <li>• Winery</li> </ul>
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Note - **Table Error! No text of specified style in document..b** or **Table Error! No text of specified style in document..c** do not imply that all other uses not listed in the table are automatically consistent uses within the zone. Assessable development must still demonstrate consistency through the assessment process.

**Figure Error! No text of specified style in document..a – New footpath sections**



## Reconfiguring a lot code

### Application

- (1) This code applies to assessing reconfiguring a lot if:
  - (a) assessable development where the code is an applicable code identified in the assessment criteria column of a table of assessment;
  - (b) impact assessable development, to the extent relevant.
- (2) When using this code, reference should be made to Part 5.

### Purpose

- (1) The purpose of the Reconfiguring a lot code is to regulate development for reconfiguring a lot.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) development results in a well-designed pattern of streets supporting walkable communities;
  - (b) lots have sufficient areas, dimensions and shapes to be suitable for their intend use taking into account environmental features and site constraints;
  - (c) road networks provide connectivity that is integrated with adjoining existing or planned development while also catering for the safe and efficient access for pedestrians, cyclists and for public transport;
  - (d) lots are arranged to front all streets and parkland such that development enhances personal safety, traffic safety, property safety and security; and contributes to streetscape and open space quality;
  - (e) development does not diminish environmental and scenic values, and where relevant, maintains and enhances public access and use of natural areas, rivers, dams, creeks and the foreshore, in a way that protects natural resources;
  - (f) people and property are not placed at risk from natural hazards;
  - (g) a range of functional parkland, including local and district parks, major areas of parkland with a region-wide focus and open space links are available for the use and enjoyment of residents and visitors to the region;
  - (h) the appropriate standard of infrastructure is provided.

### Criteria for assessment

Table Error! No text of specified style in document..a – Reconfiguring a lot code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<b>General lot design standards</b>		
<b>PO1</b>	<b>AO1</b> No acceptable outcomes are prescribed.	Proposal complies – refer to Zone code assessment.


Performance outcomes	Acceptable outcomes	Applicant response
Lots comply with the lot reconfiguration outcomes of the applicable Zone code in Part 5.		
<p><b>PO2</b> New lots are generally rectangular in shape with functional areas for land uses intended by the zone.</p>	<p><b>AO2</b> Boundary angles are not less than 45 degrees.</p>	Proposal complies.
<p><b>PO3</b> Lots have legal and practical access to a public road.</p>	<p><b>AO3</b> Each lot is provided with: (a) direct access to a gazetted road reserve; or (b) access to a gazetted road via a formal access arrangement registered on the title.</p>	Proposal complies.
<p><b>PO4</b> Development responds appropriately to its local context, natural systems and site features.</p>	<p><b>AO4</b> Existing site features such as: (a) significant vegetation and trees; (b) waterways and drainage paths; (c) vistas and vantage points are retained and/or are incorporated into open space, road reserves, near to lot boundaries or as common property.</p>	Proposal complies.
<p><b>PO5</b> New lots which have the capability of being further reconfigured into smaller lots at a later date are designed to not compromise ultimate development outcomes permitted in the relevant zone.</p>	<p><b>AO5</b> The ability to further reconfigure land at a later date is demonstrated by submitting a concept plan that meets the planning scheme requirements for the applicable Zone.</p>	N/A
<p><b>PO6</b> Where existing buildings or structures are to be retained, development results in: (a) boundaries that offer regular lot shapes and usable spaces; (b) existing improvements complying with current building and amenity standards in relation to boundary setbacks.</p> <p>Note - This may require buildings or structures to be modified, relocated or demolished to meet setback standards, resolve encroachments and the like.</p>	<p><b>AO6</b> Development ensures setbacks between existing buildings or structures and proposed boundaries satisfy relevant building standards or zone code requirements, whichever is the greater.</p>	Proposal complies with the Queensland Development Code MP1.2, subject to construction of a solid wall/fence along the proposed new boundary adjacent to the pool given that the pool will be located approximately 300mm inside the boundary on proposed Lot 2. The applicant will accept a condition to this effect.




Performance outcomes	Acceptable outcomes	Applicant response
<p><b>P07</b> Where rear lots are proposed, development:</p> <ul style="list-style-type: none"> <li>(a) provides a high standard of amenity for residents and other users of the site and adjoining properties;</li> <li>(b) positively contributes to the character of adjoining properties and the area;</li> <li>(c) does not adversely affect the safety and efficiency of the road from which access is gained.</li> </ul>	<p><b>A07.1</b> Where rear lots are to be established:</p> <ul style="list-style-type: none"> <li>(a) the rear lot is generally rectangular in shape, avoiding contrived sharp boundary angles;</li> <li>(b) no more than 6 lots directly adjoin the rear lot;</li> <li>(c) no more than one rear lot occurs behind the road frontage lot;</li> <li>(d) no more than two access strips to rear lots directly adjoin each other;</li> <li>(e) access strips are located only on one side of the road frontage lot.</li> </ul> <p><b>A07.2</b> Access strips to the rear lot have a minimum width dimension of:</p> <ul style="list-style-type: none"> <li>(a) 4.0 metres in Residential Zones.</li> <li>(b) 8.0 metres in Industrial Zones category.</li> <li>(c) 5.0 metres in all other Zones.</li> </ul> <p>Note - Rear lots a generally not appropriate in non-Residential or non-Rural zones.</p> <p><b>A07.3</b> Access strips are provided with a sealed pavement of sufficient width to cater for the intended traffic, but no less than:</p> <ul style="list-style-type: none"> <li>(a) 3.0 metres in Residential Zone.</li> <li>(b) 6.0 metres in an Industrial Zone.</li> <li>(c) 3.5 metres in any other Zone.</li> </ul>	<p>N/A</p> <p>N/A</p> <p>N/A</p>
<b>Structure plans</b>		
<p>Additional requirements for:</p> <ul style="list-style-type: none"> <li>(a) a site which is more than 5,000m<sup>2</sup> in any of the Residential zones; or</li> </ul> <p>within these zones, and</p>		

Performance outcomes	Acceptable outcomes	Applicant response
<p>(b) creates 10 or more lots; or  (c) involves the creation of new roads and/or public use land.</p> <p>or</p> <p>(d) For a material change of use involving:  (i) preliminary approval to vary the effect of the planning scheme;  (ii) establishing alternative Zones to the planning scheme.</p> <p>Note - This part is to be read in conjunction with the other parts of the code</p>		
<p><b>PO8</b>  A structure plan is prepared to ensure that neighbourhood design, block and lot layout, street network and the location and provision on any open space recognises previous planning for the area and its surroundings, and integrates appropriately into its surroundings.</p>	<p><b>AO8.1</b>  Neighbourhood design, lot and street layout, and open space provides for, and integrates with, any:  (a) approved structure plan;  (b) the surrounding pattern of existing or approved subdivision.  Note - Planning scheme policy SC14– Structure planning provides guidance on meeting the performance outcomes.</p> <p><b>AO8.2</b>  Neighbourhood design, lot and street layouts enable future connection and integration with adjoining undeveloped land.</p>	<p>N/A</p>
<p><b>PO9</b>  Neighbourhood design results in a connected network of walkable streets providing an easy choice of routes within and surrounding the neighbourhood.</p>	<p><b>AO9.1</b>  Development does not establish cul-de-sac streets unless:  (a) cul-de-sacs are a feature of the existing pattern of development in the area;  (b) there is a physical feature or incompatible zone change that dictates the need to use a cul-de-sac streets.</p> <p><b>AO9.2</b>  Where a cul-de-sac street is used, it:</p>	<p>N/A</p> <p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(a) is designed to be no longer than 150 metres in length;</p> <p>(b) is designed so that the end of the cul-de-sac is visible from its entrance;</p> <p>(c) provides connections from the top of the cul-de-sac to other streets for pedestrians and cyclists, where appropriate.</p> <p><b>AO9.3</b> No more than 6 lots have access to the turning circle or turning-tee at the end of a cul-de-sac street.</p>	N/A
<p><b>PO10</b> Neighbourhood design supports diverse housing choices through block sizes and lot design. In developing areas, significant changes in lot size and frontage occur at the rear of lots rather than on opposite sides of a street.</p>	<p><b>PO10</b> No acceptable outcomes are prescribed.</p>	N/A
<p><b>PO11</b> Provision of physical and social infrastructure in developing residential neighbourhoods is facilitated through the orderly and sequential development of land.</p> <p>Note - Part 4 – Local government infrastructure plan may identify specific levels of infrastructure to be provided within development sites.</p>	<p><b>AO11.1</b> New development adjoins adjacent existing or approved urban development.</p> <p><b>AO11.2</b> New development is not established beyond the identified Local government infrastructure plan area.</p>	N/A  N/A
<b>Urban parkland and environmental open space</b>		
<p><b>PO12</b> Where appropriate development maintains and enhances public access and use of natural areas, rivers, dams, creeks and the foreshore.</p>	<p><b>AO12</b> No acceptable outcomes are prescribed.</p>	N/A
<p><b>PO13</b> Development provides land to: (a) meet the recreation needs of the community;</p>	<p><b>AO13</b> No acceptable outcomes are prescribed.</p>	N/A

Performance outcomes	Acceptable outcomes	Applicant response
<p>(b) provide an amenity commensurate with the structure of neighbourhoods and land uses in the vicinity; and adjacent to open space areas;</p> <p>(c) provide for green corridors and linkages.</p>	<p>Note - Part 4 – Priority infrastructure plan and Planning scheme policy SC14 – Structure Plans provides guidance in providing open space and recreation land.</p>	
<p><b>AO14</b> Lot size, dimensions, frontage and orientation permits buildings to be established that will facilitate casual surveillance to urban parkland and environmental open space.</p>	<p><b>AO14.1</b> Urban parkland is regular in shape.</p> <p><b>AO14.2</b> At least 75% of the urban parkland's frontage is provided as road.</p> <p><b>AO14.3</b> Urban parkland and environmental open space areas are positioned to be capable of being overlooked by surrounding development.</p> <p><b>AO14.4</b> Surrounding lots are orientated so that facades will front and overlook the urban parkland and environmental open space.</p> <p><b>AO14.5</b> The number of lots that back onto, or are side-orientated to the urban parkland and environmental open space is minimised.</p> 	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>Inconsistent design solution - low total number of lots complying with the acceptable outcomes.</p>  <p>Consistent design solution - high total number of lots complying with the acceptable outcomes.</p>	
<b>Private subdivisions (gated communities)</b>		
<p><b>PO15</b> Private subdivisions (gated communities) do not compromise the establishment of connected and integrated infrastructure and open space networks.</p>	<p><b>PO15</b> No acceptable outcomes are prescribed.</p>	<p>N/A</p>
<b>Additional requirements for reconfiguration involving the creation of public streets or roads</b>		
<p><b>PO16</b> The function of new roads is clearly identified and legible and provides integration, safety and convenience for all users.</p>	<p><b>AO16</b> No acceptable outcomes are prescribed.</p> <p>Note - The design and construction standards are set out in Planning scheme policy SC5 – FNQROC Regional Development Manual, with reference to the specifications set out in Sections D1 and D3.</p>	<p>N/A</p>
<p><b>PO17</b> Street design supports an urban form that creates walkable neighbourhoods. Street design: (a) is appropriate to the function(s) of the street;</p>	<p><b>AO17</b> No acceptable outcomes are prescribed.</p>	<p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
(b) meets the needs of users and gives priority to the needs of vulnerable users.		
<b>Public transport network</b>		
<p><b>PO18</b> Development provides a street pattern that caters for the extension of public transport routes and infrastructure including safe pedestrian pick-up and set-down up facilities.</p>	<p><b>AO18</b> No acceptable outcomes are prescribed.</p>	N/A
<b>Pest plants</b>		
<p><b>PO19</b> Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not reinfest the site or nearby sites.</p> <p>Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the Land Protection (Pest and Stock Route Management) Act 2002.</p>	<p><b>AO19</b> Pest plants detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person prior to earthworks commencing.</p> <p>Note - A declaration from an appropriately qualified person validates the land being free from pest plants. Declared pest plants include locally declared and State declared pest plants.</p>	N/A

## Tourist accommodation zone code

### Application

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

### Purpose

- (1) The purpose of the Tourist accommodation zone code is to provide for short-term accommodation supported by community uses and small-scale services and facilities in locations where there are tourist attractions.
- (2) The local government purpose of the code is to:
  - (a) implement the policy direction set in the Strategic Framework, in particular:
    - (i) Theme 4 : Strong communities and identity, Element 3.7.4 – Sense of place, community and identity.
    - (ii) Theme 5 – Economy. Element 3.8.2 – Economic growth and diversification, Element 3.8.2 – Tourism.
  - (b) provide for tourist accommodation development to establish in areas close to commercial and recreational services and facilities.
- (3) The purpose of the code will be achieved through the following overall outcomes:
  - (a) A range of accommodation activities, with an emphasis on short-term accommodation is established at a scale and density to service tourist needs.
  - (b) Tourist development is of an appropriate scale and achieves an attractive built form which incorporates the character and natural attributes of the site and the surrounding area as integral features of the theme and design of the development.
  - (c) Development facilitates opportunities for establishing tourist facilities and services within, or adjacent to, tourist accommodation to complement the tourist accommodation and enhance the attractiveness of tourist areas.
  - (d) Development is designed to take into account the tropical climate by incorporating appropriate architectural elements and design features.
  - (e) Landscaping of tourist development is of a high quality and contributes to the visual dominance of tropical vegetation and the local streetscape.
  - (f) Community facilities, open space and recreational areas and appropriate infrastructure to support the needs of the local community are provided.

### Criteria for assessment

Table 0.a – Tourist accommodation zone code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
PO1	AO1	N/A

Performance outcomes	Acceptable outcomes	Applicant response
The height of all buildings and structures must be in keeping with the residential character of the area.	Buildings and structures are not more than 13.5 metres and 3 storeys in height.  Note – Height is inclusive of roof height.	
<b>Setbacks (other than for a dwelling house)</b>		
<b>PO1</b> Buildings are setback to: (a) maintain the character and amenity of the area; (b) achieve separation from neighbouring buildings and from road frontages.	<b>AO1</b> Buildings are setback: (a) a minimum of 6 metres from the main street frontage; (b) a minimum of 4 metres from any secondary street frontage; (c) 4.5 metres from a rear boundary; (d) 2 metres from a side or an average of half of the height of the building at the side setback, whichever is the greater.	Rear setback (to new boundary) of Lot 2 exceeds QDC requirements for a house.
<b>Site coverage (other than for a dwelling house)</b>		
<b>PO2</b> The site coverage of all buildings does not result in a built form that is bulky or visually obtrusive.	<b>AO2</b> The site coverage of any building is limited to 50%	Site coverage of Lot 2 exceeds QDC requirements for a house.
<b>Building proportions and scale (other than for a dwelling house)</b>		
<b>PO3</b> The proportions and scale of any development are in character with the area and local streetscape.	<b>AO3.1</b> The overall length of a building does not exceed 30 metres and the overall length of any continuous wall does not exceed 15 metres.  <b>AO3.2</b> Balconies, patios and similar spaces are not enclosed or capable of being enclosed and used as a habitable room.  <b>AO3.3</b>	N/A   N/A  N/A



Performance outcomes	Acceptable outcomes	Applicant response
	<p>Balconies, patios and similar spaces are designed to be open and light weight in appearance with a maximum of 20% of the façade being fully enclosed.</p> <p><b>AO3.4</b> Roof forms, materials and colours of buildings enhance the amenity of the street and locality, including: (a) the roofs of buildings are light coloured and non-reflecting; (b) white and shining metallic finishes are avoided on external surfaces in prominent view.</p> <p>Note – The building incorporates building design features and architectural elements detailed in Planning scheme policy SC 6.2 – Building design and architectural elements.</p>	N/A
<b>Landscaping (other than for a dwelling house)</b>		
<p><b>PO4</b> Landscape planting is provided for the recreational amenity of residents/guests and incorporates dominant tropical vegetation which enhances the streetscape and the amenity of the area.</p>	<p><b>AO4.1</b> A minimum of 35% of the site is provided as open space and recreation area with a minimum of 30% of this total; area provided for landscape planting.</p> <p><b>AO4.2</b> Within the frontage setback area, a minimum width of 2 metres of landscape area includes a minimum 75% dense planting.</p> <p><b>AO4.3</b> Within the side and rear setback areas, a minimum width of 1.5 metres of landscape area includes 75% dense planting.</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable development</b>		
<p><b>PO5</b> The establishment of uses is consistent with the outcomes sought for the Tourist accommodation zone and protects the zone from the intrusion of inconsistent uses.</p>	<p><b>AO5</b> Inconsistent uses as identified in Table 0.b are not established in the Tourist accommodation zone.</p>	N/A
<p><b>PO6</b> Development is located, designed, operated and managed to respond to the characteristics, features and constraints of the site and surrounds.</p> <p>Note – Planning scheme policy – Site assessments provides guidance on identifying the characteristics, features and constraints of a site and its surrounds.</p>	<p><b>AO6</b> No acceptable outcomes are prescribed.</p>	Proposal complies.
<p><b>PO7</b> Development does not adversely affect the tropical, tourist and residential character and amenity of the area in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.</p>	<p><b>AO7</b> No acceptable outcomes are prescribed.</p>	Proposal complies.
<p><b>PO8</b> Any loading/unloading areas, servicing areas and outdoor storage areas are screened from public view or adjacent sensitive uses.</p>	<p><b>AO8</b> Outdoor loading/unloading, servicing and storage areas are sited or screened so they are: (a) not visible from any off-site public place; (b) not located adjacent to premises used for sensitive uses.</p>	N/A
<p><b>PO9</b> Tourist developments include recreational and ancillary services and facilities for the enjoyment of guests.</p>	<p><b>AO9.1</b> Development which includes accommodation for tourists incorporates a mix of the following recreational and ancillary services and facilities:</p>	N/A

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(a) swimming pools;  (b) tennis courts;  (c) barbecue areas;  (d) outdoor lounging / recreation areas;  (e) restaurants / bars;  (f) tourist-focussed shopping;  (g) tour booking office;  (h) spa / health clubs.</p> <p><b>AO9.2</b>  Any commercial services or facilities incorporated into a tourist development are small scale and predominantly service in-house guests only.</p> <p><b>AO9.3</b>  Where a commercial service or facility offers services to persons over and above in-house guests, the commercial component provides on-site car parking for 50% of the floor area available for use in accordance with the relevant requirements of the Parking and access code.</p>	<p>N/A</p> <p>N/A</p>
<p><b>PO10</b>  New lots contain a minimum area of 1000m<sup>2</sup>.</p>	<p><b>AO10</b>  No acceptable outcomes are prescribed.</p>	<p>Proposal includes 2 flat and regular shaped lots of approximately 800m<sup>2</sup> each. These lots are consistent with the existing surrounding pattern of development and are capable of accommodating future development which is consistent with the Purpose of the code.</p>
<p><b>PO11</b>  New lots have a minimum road frontage of 20 metres.</p>	<p><b>AO11</b>  No acceptable outcomes are prescribed.</p>	<p>Proposal complies.</p>
<p><b>PO12</b>  New lots contain a 25 metre x 20 metre rectangle.</p>	<p><b>AO12</b>  No acceptable outcomes are prescribed.</p>	<p>Proposal complies.</p>

**Table 0.b — Inconsistent uses within the Tourist accommodation zone**

Inconsistent uses		
<ul style="list-style-type: none"> <li>• Adult store</li> <li>• Agricultural supplies store</li> <li>• Air services</li> <li>• Animal husbandry</li> <li>• Animal keeping</li> <li>• Aquaculture</li> <li>• Brothel</li> <li>• Bulk landscape supplies</li> <li>• Cropping</li> <li>• Detention facility</li> <li>• Extractive industry</li> <li>• Funeral parlour</li> <li>• Garden centre</li> <li>• Hardware and trade supplies</li> <li>• Health care services</li> <li>• High impact industry</li> <li>• Indoor sport and recreation</li> <li>• Intensive animal industry</li> </ul>	<ul style="list-style-type: none"> <li>• Intensive horticulture</li> <li>• Landing</li> <li>• Low impact industry</li> <li>• Major electricity infrastructure</li> <li>• Major sport, recreation and entertainment facility</li> <li>• Marine industry</li> <li>• Market</li> <li>• Medium impact industry</li> <li>• Motor sport facility</li> <li>• Nightclub entertainment facility</li> <li>• Office</li> <li>• Outdoor sales</li> <li>• Outdoor sport and recreation</li> <li>• Outstation</li> <li>• Park</li> <li>• Parking station</li> </ul>	<ul style="list-style-type: none"> <li>• Permanent plantation</li> <li>• Port services</li> <li>• Renewable energy facility</li> <li>• Roadside stall</li> <li>• Rural industry</li> <li>• Rural workers accommodation</li> <li>• Service station</li> <li>• Shopping centre</li> <li>• Showroom</li> <li>• Special industry</li> <li>• Substation</li> <li>• Theatre</li> <li>• Transport depot</li> <li>• Veterinary services</li> <li>• Warehouse</li> <li>• Wholesale nursery</li> <li>• Winery</li> </ul>

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

## Transport network overlay code

### Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Transport network overlay; if:
  - (a) self-assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
  - (b) impact assessable development.
  
- (2) Land within the Transport network overlay is identified on the Transport network (Road Hierarchy) overlay map and the Transport network (Pedestrian and Cycle) overlay map in Schedule 2 and includes the following sub-categories:
  - (a) Transport network (Road Hierarchy) overlay sub-categories:
    - (i) State controlled road sub-category;
    - (ii) Sub-arterial road sub-category;
    - (iii) Collector road sub-category;
    - (iv) Access road sub-category;
    - (v) Industrial road sub-category;
    - (vi) Major rural road sub-category;
    - (vii) Minor rural road sub-category;
    - (viii) Unformed road sub-category;
    - (ix) Major transport corridor buffer area sub-category.
  - (b) Transport network (Pedestrian and Cycle) overlay sub-categories:
    - (i) Principal route;
    - (ii) Future principal route;
    - (iii) District route;
    - (iv) Neighbourhood route;
    - (v) Strategic investigation route.
  
- (3) When using this code, reference should be made to Part 5.

### Purpose

- (1) The purpose of the Transport network overlay code is to:
  - (a) implement the policy direction of the Strategic Framework, in particular:

- (i) Theme 1: Settlement pattern Element 3.4.2 Urban settlement, Element 3.4.3 Activity centres;
- (ii) Theme 6: Infrastructure and transport Element 3.9.4 Transport;
- (b) enable an assessment of whether development is suitable on land within the Transport network overlay.

- (2) The purpose of the code will be achieved through the following overall outcomes:
- (a) development provides for transport infrastructure (including active transport infrastructure);
  - (b) development contributes to a safe and efficient transport network;
  - (c) development supports the existing and future role and function of the transport network;
  - (d) development does not compromise the safety and efficiency of major transport infrastructure and facilities.

### Criteria for assessment

Table Error! No text of specified style in document..a – Transport network overlay code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable development</b>		
<p><b>PO1</b> Development supports the road hierarchy for the region.</p> <p>Note -A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.</p>	<p><b>AO1.1</b> Development is compatible with the intended role and function of the transport network as identified on the Transport network overlay maps contained in Schedule 2.</p> <p><b>AO1.2</b> Development does not compromise the safety and efficiency of the transport network.</p> <p><b>AO1.3</b> Development is designed to provide access via the lowest order road, where legal and practicable access can be provided to that road.</p>	<p>Proposal complies.</p> <p>Proposal complies.</p> <p>Proposal complies.</p>
<p><b>PO2</b> Transport infrastructure is provided in an integrated and timely manner.</p>	<p><b>AO2</b> Development provides infrastructure (including improvements to existing infrastructure) in accordance with:</p>	<p>Proposal is capable of complying.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>Note - A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.</p>	<p>(a) the Transport network overlay maps contained in Schedule 2; (b) any relevant Local Plan.</p> <p>Note – The Translink Public Transport Infrastructure Manual provides guidance on the design of public transport facilities.</p>	
<p><b>PO3</b> Development involving sensitive land uses within a major transport corridor buffer area is located, designed and maintained to avoid or mitigate adverse impacts on amenity for the sensitive land use.</p>	<p><b>AO3</b> No acceptable outcomes are prescribed.</p> <p>Note – Part 4.4 of the Queensland Development Code provides requirements for residential building design in a designated transport noise corridor.</p>	N/A
<p><b>PO4</b> Development does not compromise the intended role and function or safety and efficiency of major transport corridors.</p> <p>Note - A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.</p>	<p><b>AO4.1</b> Development is compatible with the role and function (including the future role and function) of major transport corridors.</p> <p><b>AO4.2</b> Direct access is not provided to a major transport corridor where legal and practical access from another road is available.</p> <p><b>AO4.3</b> Intersection and access points associated with major transport corridors are located in accordance with: (a) the Transport network overlay maps contained in Schedule 2; and (b) any relevant Local Plan.</p> <p><b>AO4.4</b> The layout of development and the design of the associated access is compatible with</p>	<p>Proposal complies.</p> <p>Proposal complies.</p> <p>Proposal complies.</p> <p>Proposal complies.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO5</b> Development retains and enhances existing vegetation between a development and a major transport corridor, so as to provide screening to potential noise, dust, odour and visual impacts emanating from the corridor.</p>	<p>existing and future boundaries of the major transport corridor or major transport facility.</p> <p><b>AO5</b> No acceptable outcomes are prescribed.</p>	<p>Proposal complies or is capable of complying.</p>
<p><b>Pedestrian and cycle network</b></p>		
<p><b>PO6</b> Lot reconfiguration assists in the implementation of the pedestrian and cycle movement network to achieve safe, attractive and efficient pedestrian and cycle networks.</p>	<p><b>AO6.1</b> Where a lot is subject to, or adjacent to an element of the pedestrian and cycle Movement network (identified on the Transport network overlay maps contained in Schedule 2) the specific location of this element of the pedestrian and cycle network is incorporated in the design of the lot layout.</p> <p><b>AO6.2</b> The element of the pedestrian and cycle network is constructed in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC6.5 – FNQROC Regional Development Manual.</p>	<p>Proposal complies or is capable of complying.</p> <p>Proposal complies or is capable of complying.</p>