

Our Ref: J000275:WAKS(L8):KLG

Date: 17 January 2017

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

via: eServices Online

Attn: Mr Paul Hoyer, Manager Sustainable Communities
Mr Neil Beck, Senior Planner

Dear Sir / Madam,

RE: Development Application for Material Change of Use for 'Service Industry' on land at 5 – 7 Pioneer Close, Craiglie more particularly described as Lot 8 on SP201317

I refer to the above-described matter, and confirm that Gilvear Planning Pty Ltd has been engaged by Waks Developments Pty Ltd to lodge the following Development Application seeking a Development Permit for Material Change of Use for 'Service Industry' ('the Application'). The Application relates to land located within the Craiglie Business Park, Craiglie more particularly described as Lot 8 on SP201317 ('the site').

Please find **attached** the following:

- a. Title Search (Annexure 1);
- b. Site Layout, Building Design and Elevation Plans (Annexure 2);
- c. Code Compliance Assessment (Annexure 3);
- d. Completed IDAS Forms (Annexure 4).

Council's Application fee has been calculated in compliance with the 2016/2017 FY Schedule of Fees and Charges, specifically:

$$\$1,616.95 + (17.3 \times \$339.10) = \$7,483.38$$

Payment of this fee will be made as required to enable the Application to be declared "properly made".

The following assessment of the site, its surrounds and planning considerations affecting same confirm that the proposed material change of use for 'Service Industry' is largely consistent with the future intent for this area, and is not likely to detrimentally affect the amenity enjoyed by businesses in and around the site.

Site Description

The site is located at 5 – 7 Pioneer Close, Craiglie, and is described as Lot 8 on SP201317. The lot is part of the broader Craiglie Business Park, located to the west of the Captain Cook Highway in Craiglie, south-west of Port Douglas. Within **Annexure 1**, the following information is provided:

- Copy Title Search;
- Copy SP201317.

The site is unusually configured, and accessed off the southern 'end' of Pioneer Close. With 26.95m frontage to Pioneer Close, the site is burdened by Easement G, which is for drainage purposes and has an area of 1,112sq m. The easement is 9m wide along the southern property boundary, narrowing to 3.237m along the western property boundary. Terms for this Easement are also provided within **Annexure 1** for reference.



Plate 1: Aerial Image courtesy Google Earth and Queensland Globe © 2017

Proposed Service Industry Use

The Applicant seeks approval to enable the construction of three (3) sheds within which 19 individual units will be provided, accessways, car parks and infrastructure on site.

Site plans illustrating the Master Layout and Turning Circles (Sheets SK1 and SK2 Revision D) prepared by RECS Consulting Engineers and Building Designers are provided for reference within **Annexure 2**.

Additionally, Building Concept plans for Stage 1 sheds are within Annexure 2 for reference. Building Concept plans for Stage 2 sheds are not currently available, and the Applicant seeks approval from Council with a condition requiring submission of those plans for approval by Council's delegate prior to issuance of a Building Approval. Stage 2 sheds will be similar in form and function to Stage 1 sheds.

This Application seeks approval to:

- (a) Construct 19 units within three buildings;
- (b) Provide communal car parking, landscaping and access areas;
- (c) Provide an area for refuse bin storage;
- (d) Allow loading / unloading to occur in three locations within the accessway, without impeding traffic flow;
- (e) Stage development, such that Units 1 – 12 and thirteen car parks are constructed in the southern and eastern portions of the site, in addition to all access ways, and the balance Units 13 – 19 and car parks 15 – 21 are constructed in Stage 2;
- (f) Provide title to individual units via body corporate arrangement.

The proposal has been formulated in response to market demand for smaller, individually titled service industry buildings. A low cost product within an attractively finished site is required, capable of accommodating a range of complementary and supportive service industry land uses in proximity to the township of Port Douglas.

Additional information regarding the proposed development is provided below:

Key Elements

Key elements of the proposal are described below:

Site Area:	5,196m²
Site Cover:	35.22%
Floor Area:	1,200m ² – Stage 1 (12 units)

	630m ² – Stage 2 (7 units)
Height:	5m
Landscaping:	1,042m ² (20%)
Parking:	21 total including: 1 x disabled space 13 conventional spaces – Stage 1 7 conventional spaces – Stage 1
Setbacks:	6m (Front) 3m (Northern Boundary) 3m (Western Boundary) 9m (Southern Boundary) 3m (Eastern Boundary)

Land Use - Service Industry

The Douglas Shire Planning Scheme defines 'Service Industry' as:

"Means any premises used, or intended to be used for trades and services that cater to the tourist and marine activities in Port Douglas. This includes the manufacturing of goods on the premises, depots for receiving goods to be serviced and any administration and minor sales functions associated with the use, where these are carried out on the same Site and are ancillary to the Service Industry activity. Service Industry uses are limited to uses, which are allied to tourist and marine activities in Port Douglas.

The term may include but is not limited to the following activities:

- *Limousine/bus depot;*
- *Cleaning or detailing of motor vehicles;*
- *Catering business;*
- *Servicing of small items and appliances such as:*
 - *Bicycles;*

- Cameras;
- Electrical appliances for domestic or office use; and
- Marine equipment;
- Printing;
- Fishing gear manufacturing;
- Marine engineering;
- Bulk storage and ancillary sales of:
 - Indoor / outdoor furniture;
 - Hardware supplies;
 - Raw materials;
 - Plants and landscaping supplies;

Any off-Site effects do not cause any detriment to the amenity of the area. In particular, the noise levels generated, any dust, fumes, odours or other emissions produced from the Site, the appearance of the Site and any traffic generated by the activities on the Site must be managed so as not to cause detriment to the adjoining Sites.

This development seeks to provide smaller units within sheds (typically 100sq m in area) with parking, access and services to enable a range of 'supportive' services to establish and / or re-locate from inappropriate areas. Amongst the likely users of these units are:

- small equipment / electrical servicing;
- catering businesses;
- motor vehicle detailing;
- printing;
- general trades and services.

Car Parking and Access

Council's Planning Scheme requires 1 car parking space for each 90sq m of floor area for Service Industry projects. The site has a total floor area across two stages of 1,830sq m, requiring 21 car parks.

21 car parks are provided within a central “communal” area on site, accessed via a one-way driveway around the site.

A disabled car park is provided within this central area.

Vehicle loading / unloading for deliveries will be provided for within line marked “loading zones” on the driveway, around which vehicles may continue to circulate as required. Three (3) dedicated loading zones are proposed, providing appropriate access to all individual sheds on site.

RECS Consulting Engineers and Building Designers Sheet SK 2 Revision D provides swept path diagrams for car parks, and for vehicle movement around the driveway. 6.3m radii have been provided for movement into and out of car parks on site, whilst a 7.1m radii is provided for movement through the common driveway, capable of loading / unloading in the zones illustrated.

In regards the driveway onto and around the site, one-way movement in a clockwise direction is proposed. Directional signage (both in terms of “one way” flow and unit location) may be provided at the sites entrance, and near Unit 1 within the communal area. The driveway off Pioneer Close will accommodate two-way movements as required.

One-way movement is proposed to enable appropriate ‘landscaping’ and communal open space to be provided, vehicle loading and unloading to be undertaken within the carriageway without impeding vehicular movement, and safe entry and exit to the car parks provided.

The driveway is no less than 6.2m in width between the sheds and car parking / communal area.

Pedestrian Access

Pedestrian movement to the site is likely to be minimal, given capacity to accommodate car parks and loading areas on site.

Pedestrian movement from car parks to units and around the site will be accommodated via a “shared zone” on the driveway, which is sufficient in width to accommodate vehicular movement and pedestrians in a low speed environment.

The nature of the use proposed, Service Industry, is such that browsing or more intensive pedestrian activity on site is likely to be minimal, if any. Directional signage and / or line marking may assist, if required, to delineate pedestrian areas, however, it is submitted that a shared zone arrangement is suitable in this instance.

The speed limit within the site in this shared zone will be limited to 10km / hr. Signs to this effect will be placed as required.

Potential for conflict between vehicular movement (if required) into or out of sheds and pedestrian access will be managed through use of line marking near roller-doors, if required.

Refuse Storage and Disposal

A communal area for refuse bin storage is proposed, to be provided as part of Stage 1 development, adjacent the site entry on its northern side.

It is proposed to provide conventional wheelie bins for each unit on site, capable of storage within this communal area, or within units (dependent upon the users' requirements). Each bin will be required to be placed on Pioneer Close for collection during Council's collection regime. Unit owners / users will be required to place bins pursuant to provisions in the Community Management Statement that will be prepared for the site.

The refuse storage area will be sealed and bunded as required. The area provided on the Master Layout is approximately 16sq m, which is anticipated to be sufficient to provide storage for the 19 bins required.

Whilst this storage area is within the front setback area, it may be appropriately screened from public view by fencing and landscaping, and will enable ready transfer for bins to the street for collection purposes.

It is understood the Pioneer Close cul de sac is capable of accommodating the turning movement of the garbage collection truck.

Landscaping

Landscaping is proposed throughout the site, in setback areas, behind sheds, beside Units 1, 3, 12, 13 and 19, and within the communal area in the centre of the site.

Within Stage 1, approximately 871sq m of the site will be landscaped, whilst in Stage 2 approximately 171sq m will be landscaped.

Whilst a detailed landscape plan has not been prepared for the Application, Council is requested to confirm compliance with reasonable landscaping requirements via imposition of condition. In this regard, it is noted the Applicant has delivered a number of projects within Craiglie Business Park, all with high quality landscaping compliant with Council requirements. A similar finish is proposed for this site.

Building Design

Building Plans for Stage 1 sheds are provided within **Annexure 2** for reference. It is noted that:

- (a) Units are to be provided within three (3) buildings;
- (b) Toilets are provided within each unit, with a communal disabled toilet being provided within Shed 3;
- (c) Units in Stage 1 are approximately 100sq m in size, whilst units in Stage 2 will be an average of 90sq m;
- (d) Roller doors will be provided to each unit, off the communal accessway, with conventional doors also provided;
- (e) Sheds will be no more than 5m in height, constructed in a conventional fashion on a concrete slab;

- (f) Shed finish is likely to be Colourbond or similar, consistent with conventional shed construction in the region.

Planning Considerations

Sustainable Planning Act 2009

This section provides an overview of the legislative context of the application under the provisions of the *Sustainable Planning Act 2009*.

Assessable Development

The development proposed by this application includes development that is made assessable under the Douglas Shire Planning Scheme, in accordance with Section 88(2)(c) of the *Sustainable Planning Act 2009*.

Assessment Manager

The Assessment Manager for this development application is Douglas Shire Council as determined by Schedule 6 of the *Sustainable Planning Regulations 2009*.

Level of Assessment

Based on our review of the provisions of the relevant Planning Scheme and *Sustainable Planning Act 2009* it is considered that the application is subject to Code Assessment.

Statutory Considerations for Assessable Development

As the development is subject to Code Assessment the relevant considerations of the Assessment Manager in making the decision are outlined in Sections 313, 324 and 346 of the *Sustainable Planning Act 2009*. These are discussed further within the Code Compliance contained in **Annexure 3**.

Referral Agencies

No Referral Agencies are triggered by this proposal with reference to Schedule 7 of the *Sustainable Planning Regulations 2009*.

Public Notification

This application does not require public notification.

State Resources

The proposal does not involve any State Resources.

State Planning Regulatory Provisions

There are no State Planning Regulatory Provisions relevant to the proposed development.

Regional Plan

The site is within the urban footprint of Far North Queensland Regional Plan and the proposal includes development of sheds for industrial uses, consistent with the current zoning and planning scheme designations, therefore it does not require detailed assessment against the provisions contained in the policy or regulatory provisions.

State Development Assessment Provisions

As there are no referral agencies triggered for the development, accordingly, the State Development Assessment Provisions do not apply.

State Planning Policy

The site is mapped as being affected by:

- Flood Hazard Overlay – Level 1; and
- Stormwater management design objectives

Due to the consistency with the planning provisions and location within an existing industrial area, it is anticipated that such issues have been previously resolved and hence, achieves the objectives sought by the relevant Policies. Accordingly, no detailed assessment of the proposal against the Interim Development Assessment Provisions is considered necessary.

Douglas Shire Planning Scheme

The relevant Planning Scheme is the Douglas Shire Planning Scheme. Within the Scheme, the site is included within the Port Douglas and Environs Locality, with the following designations:

- Industrial Planning Area;
- Service Industry designation;
- Potential or Actual Acid Sulfate Soil Overlay;
- Low Risk Bushfire Hazard.

Within the Douglas Shire Planning Scheme, the following intent is confirmed in regard to the Port Douglas and Environs Locality:

- *“consolidate Port Douglas as the major tourist accommodation and tourist service centre in the Shire;*
- *Ensure that tourist development and associated landscaping is of high quality which reflects and complements the image of Port Douglas as a tropical seaside resort town of international renown;*
- *Consolidate the area between Macrossan Street and Marina Mirage as the major tourist, retail, dining and entertainment centre of the Shire;*

- *Ensure that all forms of development complement the tropical image of the town by incorporating attractive design and architectural features;*
- *Encourage the expansion of residential areas that are pleasant, functional, distinctive and in visually well-defined areas;*
- *Protect existing and future residential areas from the intrusion of tourist accommodation and activity;*
- *Protect sensitive environments and attractive features which give Port Douglas its distinctive character and identity, in particular Four Mile Beach, Dicksons Inlet and Flagstaff Hill;*
- *Protect the surrounding rural and natural environments from intrusion by urban development;*
- *Maintain the distinctive rural hinterland, dominant natural environment of the western escarpment, and the existing vegetated hillside of Flagstaff Hill; and*
- *Protect primary functions of the port (marine and fishing activities) from incompatible land uses and acknowledge the industrial and commercial land uses associated with the maritime industry, whilst also providing secondary opportunities for recreational use by residents and tourists.”*

The proposed development will not undermine or inhibit the achievement of objectives for the Port Douglas and Environs Locality. Importantly, it will provide an additional alternative for smaller, or independent, service industry land users and uses to establish within an appropriately located industrial area.

The relevant Table of Assessment confirms the following codes are applicable:

- Port Douglas and Environs Locality Code;
- Industry Planning Area Code;
- Acid Sulfate Soil Overlay Code;
- Natural Hazards Overlay Code;
- Design and Siting of Advertising Devices Code;
- Filling and Excavation Code;
- Landscaping Code;
- Vehicle Parking and Access Code.

A detailed assessment of the proposed development as against these Codes is provided within **Annexure 3** to this Report. The assessment demonstrates that the proposal is consistent with the outcomes sought for the general area and proposed use.

Conclusion

Following an assessment of the site, surrounding land uses and planning considerations, it is submitted that the proposed material change of use for 'Service Industry' purposes is unlikely to have significant impact on the amenity of the area, nor to Council's infrastructure networks. It is therefore commended to Council for approval, subject to reasonable and relevant conditions.

Should any additional information be required, please do not hesitate to contact the undersigned.

Kind regards,



Kristy Gilvear
Director
Gilvear Planning Pty Ltd

Far North Queensland Office

t: 0448 897 991

e: kristy@gilvearplanning.com.au

p: PO Box 228, BABINDA, QLD, 4861

Encl: Annexure 1 – Title Search, Copy SP201317 and Copy Easement
Annexure 2 – Site Location and Proposed Development Concept Plans
Annexure 3 – Code Compliance Assessment
Annexure 4 – Completed IDAS Forms

ANNEXURE 1: Title Search, Copy Survey Plan and Easement Terms

CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 25144634

Search Date: 17/01/2017 10:22

Title Reference: 50681575

Date Created: 10/09/2007

Previous Title: 21385076

REGISTERED OWNER

Dealing No: 710964092 04/09/2007

WAKS DEVELOPMENTS PTY LTD A.C.N. 116 396 573

ESTATE AND LAND

Estate in Fee Simple

LOT 8 SURVEY PLAN 201317
Local Government: DOUGLAS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 21385076 (Lot 83 on CP SR724)
2. MORTGAGE No 710202063 20/12/2006 at 12:43
NATIONAL AUSTRALIA BANK LIMITED A.B.N. 12 004 044 937
3. EASEMENT IN GROSS No 710964112 04/09/2007 at 12:38
burdening the land
DOUGLAS SHIRE COUNCIL
over
EASEMENT G ON SP201317

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 CITEC CONFIRM

8294_01/SE

Land Title Act 1994; Land Act 1994
Farm 21 Version 2

SURVEY PLAN

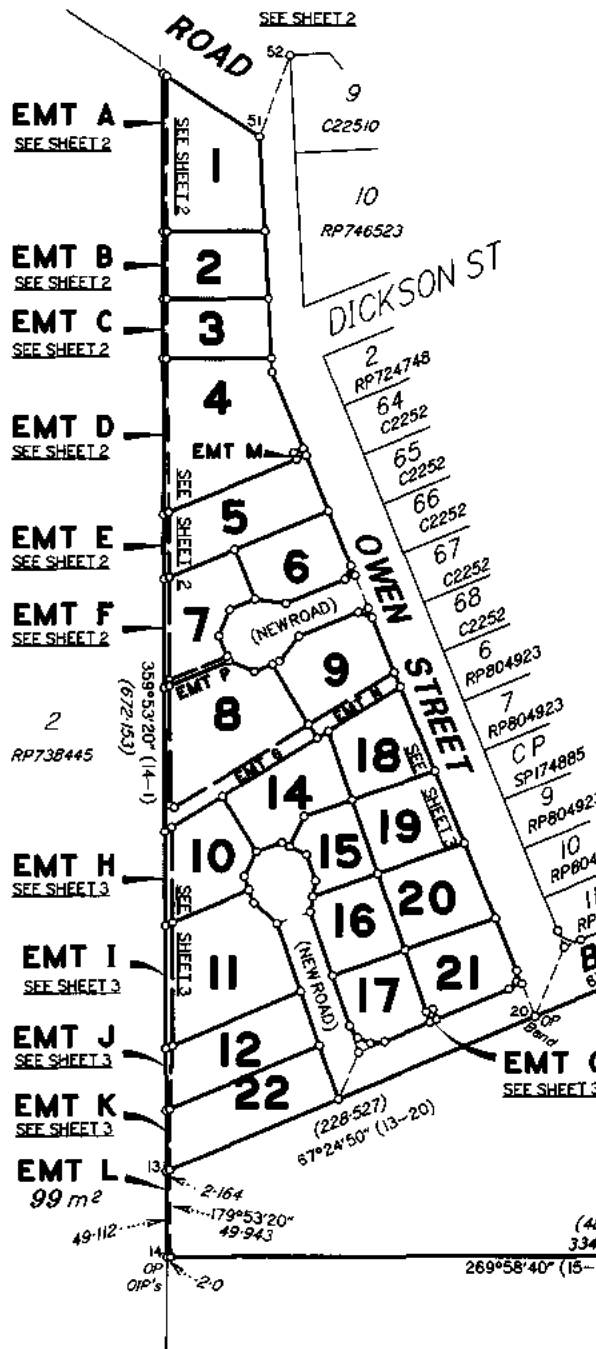
Sheet 1 of 3

PERMANENT MARKS

PM	ORIGIN	BEARING	DIST	NO
57-OPM	IS189655	96°53'10"	12.895	58820

REFERENCE MARKS

STN	TO	ORIGIN	BEARING	DIST
14	OIP	RP738445	88°45'	1.0
14	OIP	IS198640	137°17'30"	8.426
15	OIP	RP720679	89°57'20"	1.006
15	OIP	IS198640	287°45'	2.108
16	OIP	RP720679	314°59'30"	2.293
17	OIP	SR538	315°00'10"	2.012
17	OIP	IS198640	298°47'40"	27.03
18	OIP	SR538	338°08'	1.006
19	OIP Not Searched	SR538	338°08'	1.006
19	OIP (0-5 deep)	SR538	67°52'	1.01
19	O.Nail in Kerb	IS189655	278°36'20"	59.002
57	OIP	SR538	324°38'	0.905
57	OIP Not Searched	IS189655	328°40'40"	30.585

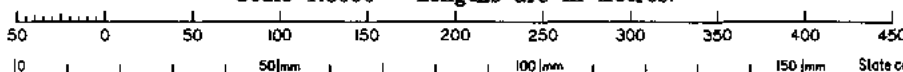


Total Area of New Road

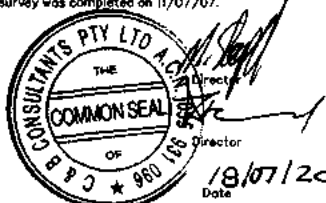
(See Sheet 2)	2238 m ²
(See Sheet 3)	5554 m ²
TOTAL	7792 m²

Peg placed at all new corners, unless otherwise stated.

Scale 1:3000 - Lengths are in Metres.



C&B Consultants Pty Ltd (ACN 055 931 096) hereby certify that the land comprised in this plan was surveyed by the corporation, by Adrian Edward SOLOMON, cadastral surveyor, for whose work the corporation accepts responsibility, and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 11/07/07.



18/07/2007
Date

Plan of Lots 1-12, 14-22, 100 &
 Emt A in Lot 1, Emt B in Lot 2, Emt C in Lot 3, Emt D & M in Lot 4, Emt E in Lot 5, Emt F & P in Lot 7, Emt G in Lot 8, Emt H in Lot 10, Emt I in Lot 11, Emt J in Lot 12, Emt K in Lot 22, Emt L in Lot 100, Emt N in Lot 9 & Emt O in Lot 21

Cancelling Lot 83 on SR724

PARISH: **SALISBURY** COUNTY: **Solander**

Meridian: IS198640

F/N's: No

Scale: **1:3000**

Format: **STANDARD**

SP201317

Plan Status:

**WARNING : Folded or Mutilated Plans will not be accepted.
Plans may be rolled.
Information may not be placed in the outer margins.**

710964092

\$2032.50
04/09/2007 12:32

CS 400 NT

Registered

s. Lodged by

Marino Moller 795
Lawyers
PO Box 57
Port Douglas Qld 4877
Ph: 07 40 995 995
REF: AVT.KN 064948

(Include address, phone number, reference, and Lodger Code)

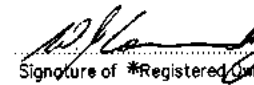
1. Certificate of Registered Owners or Lessees.

t/Wo **WAKS DEVELOPMENTS PTY LTD**
A.C.N. 116 396 573

(Names in full)

* as Registered Owners of this land agree to this plan and dedicate the Public Use Land as shown hereon in accordance with Section 50 of the Land Title Act 1994.

* as Lessees of this land agree to this plan.

 Director
Signature of *Registered Owners *Lessees


WAKS DEVELOPMENTS PTY LTD
A.C.N. 116 396 573

* Rule out whichever is inapplicable

2. Local Government Approval.

* **DOUGLAS SHIRE COUNCIL**
hereby approves this plan in accordance with the :
% **INTEGRATED PLANNING ACT 1997**

Dated this twenty-third day of August 2007
DOUGLAS SHIRE COUNCIL

 #
CHIEF EXECUTIVE OFFICER #

* Insert the name of the Local Government. % Insert Integrated Planning Act 1997 or
Insert designation of signatory or delegation Local Government (Planning & Environment) Act 1990

3. Plans with Community Management Statement :

CMS Number :
Name :

4. References :

Dept File :
Local Govt :
Surveyor : 8294

6. Existing

Title Reference	Lot	Plan	Created	Emts	Road
21385076	83	SR724	1-12, 14-22 & 100	A-P	New Rd

MORTGAGE ALLOCATIONS

Mortgage	Lots Fully Encumbered	Lots Partially Encumbered
710202063	1-12, 14-22 & 100	

1-12, 14-22 & 100	Lot 83 on CP SR724
Lots	Orig

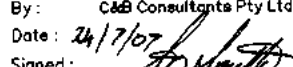
7. Portion Allocation :

8. Map Reference :
7964-11131

9. Locality :
CRAIGLIE

10. Local Government :
DOUGLAS SHIRE

11. Passed & Endorsed :

By : **C&B Consultants Pty Ltd**
Date : 24/7/07
Signed : 
Designation : Cadastral Surveyor

12. Building Format Plans only.

I certify that :
* As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or roads.
* Part of the building shown on this plan encroaches onto adjoining * lots and road

Cadastral Surveyor/Director* Date
* Delete words not required

13. Lodgement Fees :

Survey Deposit \$
Lodgement \$
..... New Titles \$
Photocopy \$
Postage \$
TOTAL \$

14. Insert Plan Number
SP201317



EMTA
177 m²

1
4002 m²

EMTB
76 m²

2
2251 m²

EMTC
68 m²

3
2075 m²

EMTD
220 m²

4
5273 m²

EMTM

EMTE
110 m²

5
3228 m²

6
2200 m²

EMTF
185 m²

7
2506 m²

EMTP
109 m²

EMTG

8

9

52 No O.Mk
OIP
O. Cen GIFF
151°50', 0-07
OIP Not Searched
(Under Conc)
OPM
9
C22510

REFERENCE MARKS

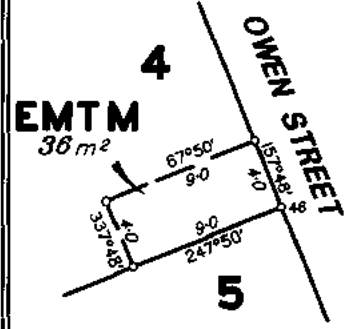
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1	OIP	SR724	48°0'	0-805
47	OIP	15198640	140°31'20"	0-273
51	OIP	SR724	356°43'30"	14-9
51	O. Nail in Conc	15198640	49°51'10"	25-109
52	OIP	C2256	356°43'30"	1-006
52	OIP Not Searched (Under Conc)	C2256	86°39'50"	1-006

Area of New Road

(44-38-40-41-42-44) 2238 m²

DIAGRAM A

Scale 1:300



Peg placed at all new corners, unless otherwise stated.

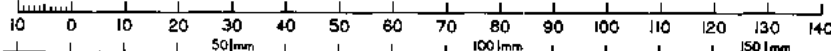
TRAVERSES ETC

LINE	BEARING	DISTANCE
39-38	157°48'	6-0
40-39	67°50'05"	6-0
42-43	67°50'05"	6-0
43-39	157°48'	20-0
44-43	157°48'	6-0
51-52	20°41'10"	49-6

PERMANENT MARKS

PM	ORIGIN	BEARING	DIST	NO
52-OPM	SR724	92°08'	29-32	71612 New Conn

Scale 1:1000 - Lengths are in Metres.



State copyright reserved.

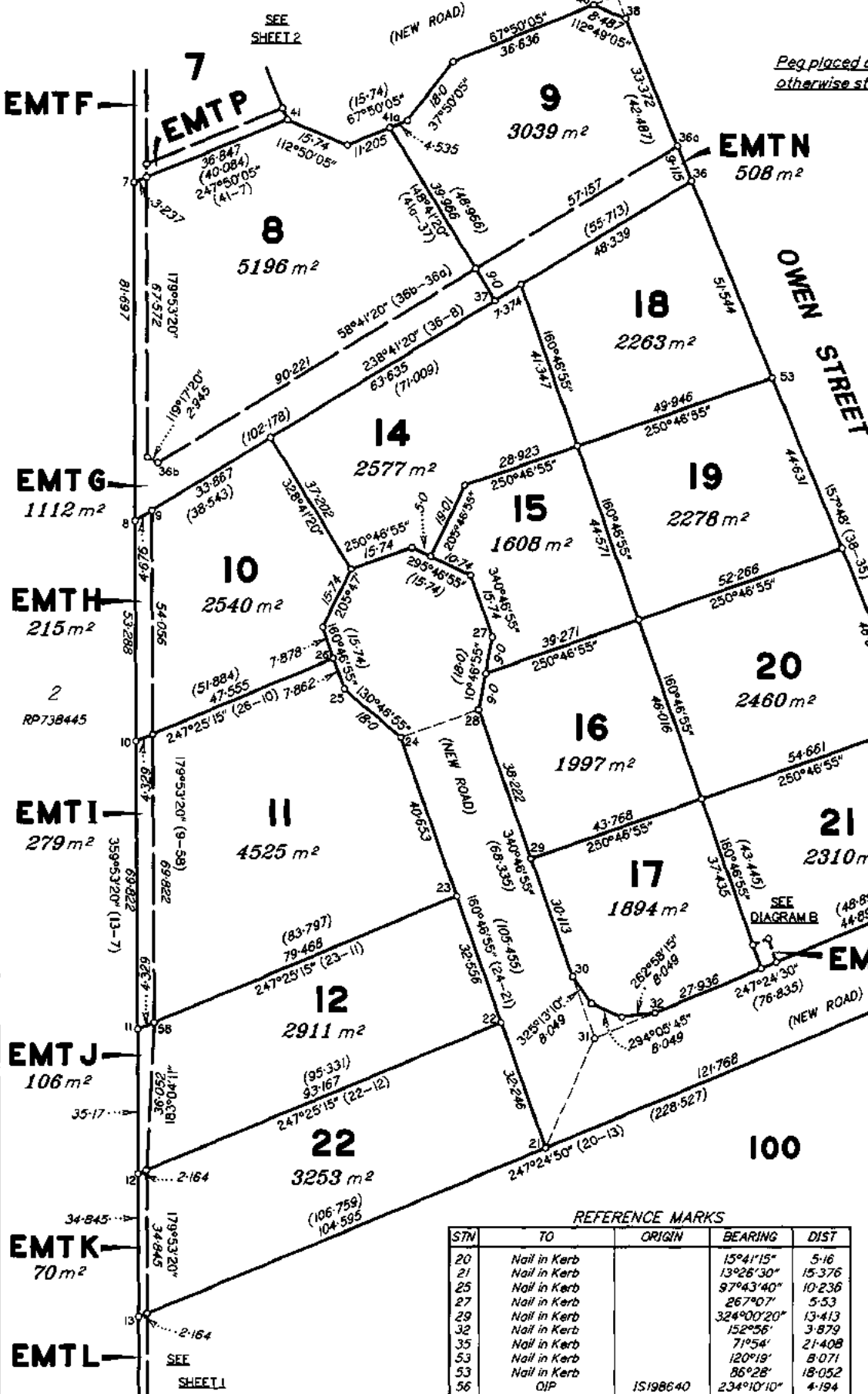
Insert Plan Number **SP201317**

SEE SHEET 3

Area of New Road

(35-20-21-24-26-
27-28-30-32-33-35) 5554 m²

Peg placed at all new corners, unless otherwise stated.



TRAVERSES ETC

LINE	BEARING	DISTANCE
20-34	337°48'	20.007
20-56	22°52'	42.633
21-31	24°06'	29.153
24-28	70°47'	20.0
30-31	160°46'55"	15.911
32-31	247°24'30"	15.911
33-34	67°24'30"	7.945
35-34	157°48'	7.945

EMTF
EMTP
EMTG
EMTH
EMTI
EMTJ
EMTK
EMTL

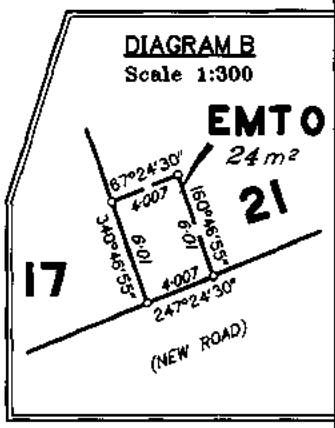
EMTN

OWEN STREET

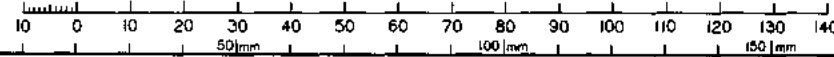
BEOR ST.

REFERENCE MARKS

STN	TO	ORIGIN	BEARING	DIST
20	Nail in Kerb		15°41'15"	5.16
21	Nail in Kerb		13°26'30"	15.376
25	Nail in Kerb		97°43'40"	10.236
27	Nail in Kerb		267°07'	5.53
29	Nail in Kerb		324°00'20"	13.413
32	Nail in Kerb		152°56'	3.879
35	Nail in Kerb		71°54'	21.408
53	Nail in Kerb		120°19'	8.071
53	Nail in Kerb		86°28'	18.052
56	OIP	1S198640	234°10'10"	4.194



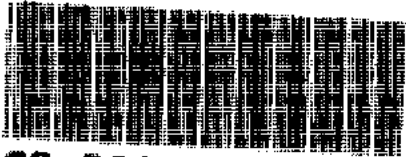
Scale 1:1000 - Lengths are in Metres.



State copyright reserved.

Insert Plan Number **SP201317**

EASEMENT



710964112

\$115.00
04/09/2007 12:38

CS 601

the land registry. For more information visit
<http://www.nrw.qld.gov.au/about/privacy/index.html>.

Duty Imprint
Queensland Duty Paid \$115.00
On the Amount of \$1.00 Duty Code: TRFB
13A : CCR : 01 Transaction No: 106/07
Signed: [Signature] 24/8/07

1. **Grantor**
WAKS DEVELOPMENTS PTY LTD ACN 116 396 573

Lodger (Name, address & phone number)
Marino Moller Lawyers
PO Box 57
PORT DOUGLAS QLD 4877
Email: arthur.timms@marinomoller.com.au
Ph: 07 40995 995
Ref: AVT.KN 064948

Lodger Code
795

2. **Description of Easement/Lot on Plan** County Parish Title Reference
Servient Tenement (burdened land)
See Enlarged Panel
*Dominant Tenement (benefited land)
not applicable if easement in gross

3. **Interest being burdened** Fee Simple
4. **Interest being benefited** Not applicable – Easement in Gross
not applicable if easement in gross

5. **Grantee** Given names Surname/Company name and number (include tenancy if more than one)
DOUGLAS SHIRE COUNCIL

6. **Consideration** \$1.00
7. **Purpose of easement** Drainage

8. **Grant/Execution**
The Grantor for the above consideration grants to the Grantee the easement over the servient tenement for the purpose stated in item 7 and the Grantor and Grantee covenant with each other in terms of the attached schedule.
* delete if not applicable

Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994
Waks Developments Pty Ltd ACN 116 396 573

..... Signature
..... full name
..... qualification

[Signature] Director
[Signature] Director
Executed in accordance with its Constitution & Section 127 of the Corporations Act 2001
Grantor's Signature

Witnessing Officer
(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)

[Signature] signature
[Full Name] full name
JP (QUAL) qualification

Witnessing Officer
(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)

Execution Date 15/08/07
Execution Date 23/08/07
[Signature] Mayor
[Signature] David Egan
[Signature] Chief Executive Officer
Grantee's Signature

Title Reference Part 21385076

2. Description of Easement/Lot on Plan	County	Parish	Title Reference
Servient Tenement (burdened land)			
Easement A in Lot 1 on SP201317	Solander	Salisbury	21385076
Easement B in Lot 2 on SP201317	Solander	Salisbury	21385076
Easement C in Lot 3 on SP201317	Solander	Salisbury	21385076
Easement D in Lot 4 on SP 201317	Solander	Salisbury	21385076
Easement E in Lot 5 on SP201317	Solander	Salisbury	21385076
Easement F in Lot 7 on SP201317	Solander	Salisbury	21385076
Easement G in Lot 8 on SP201317	Solander	Salisbury	21385076
Easement H in Lot 10 on SP201317	Solander	Salisbury	21385076
Easement I in Lot 11 on SP201317	Solander	Salisbury	21385076
Easement J in Lot 12 on SP201317	Solander	Salisbury	21385076
Easement K in Lot 22 on SP201317	Solander	Salisbury	21385076
Easement L in Lot 100 on SP201317	Solander	Salisbury	21385076
Easement N in Lot 9 on SP201317	Solander	Salisbury	21385076

Title Reference 21385076

This is the Schedule referred to in Easement dated 2007 Title Reference - Part 21385076

It is covenanted between the parties to the above Easement as follows:-

1. INTERPRETATION AND DEFINITIONS

- 1.1. This Easement shall be construed as provided in this clause and the words and phrases set out below shall unless the context otherwise requires have the meanings respectively attributed to them -
- 1.2. "this Easement" means this Schedule together with the Form 9 Easement.
- 1.3. "the Grantee" shall mean and include the Grantee named in Item 5 of the Form 9 in this Easement and its successors and permitted assigns.
- 1.4. "the Grantor" shall mean and include the Grantor named in Item 1 of the Form 9 in this Easement and the executors administrators successors and assigns (as the case may be) of the Grantor.
- 1.5. "Servient Tenement" means the land described as such in Item 2 of the Form 9 in this Easement and includes any part of that land subject to the burden of this Easement.
- 1.6. "Works" includes all drains, pipes, conduits, channels and other improvements effected on the Servient Tenement pursuant to this Easement.
- 1.7. Every Covenant Agreement or Obligation expressed or implied in this Easement by which two or more persons covenant agree or are bound, shall bind such persons jointly and each of them severally and every provision expressed or implied in this Easement which applies to two or more persons shall apply to such persons jointly and each of them severally.
- 1.8. Words denoting the singular number only shall include the plural number and vice versa and words importing the masculine or neuter gender shall include all other genders and words denoting individuals only shall include a corporation, partnership, incorporated associations, body corporate, unincorporated body, instrument of the State and/or any public or local authority.
- 1.9. Headings have been included for ease of reference and guidance and this Easement shall be construed without reference to them.

2. GRANT OF EASEMENT**2.1. Grant of Easement**

The Grantor hereby grants to the Grantee the full and free right, liberty and licence from time to time and at all times hereafter to use the Servient Tenement or any part or parts thereof for the Works used in connection therewith above or below or partly above and partly below the surface of the Servient Tenement as shall from time to time be required for the purpose of passage or conveyance of water and rain water in and through or under the Servient Tenement.

Title Reference 21385076

2.2. Grantee's Rights

The Grantee shall have the full and free right and liberty at all times hereafter to enter upon the Servient Tenement for the purposes of constructing and thereafter forever using and maintaining such relevant works as it deems fit from time to time, and, in so doing, the Grantee, by its employees, agents and other person authorised by it shall have the right to:-

- (a) Construct, install, deepen, widen, cleanse, add to, remove, inspect, maintain and repair the relevant works, and, when and where thought fit by the Grantee, to remove and replace the relevant works with new relevant works (whether of a similar nature to those replaced or not);
- (b) Dig into, sink shafts in and erect scaffolding upon the Servient Tenement, and to open and break up the soil of the Servient Tenement or any part thereof including the sub surface thereof;
- (c) Remove and dispose of spoil created as a consequence of the Grantee exercising its rights hereunder;
- (d) Clear and keep clear the Servient Tenement by any means or method, or to cut and remove timber, trees and undergrowth from the Servient Tenement, and to burn off such timber, trees and undergrowth;
- (e) Construct and maintain on the Servient Tenement such access tracks, gates and appurtenant works as the Grantee considers necessary;
- (f) Enter upon and remain, pass and repass on and over the Servient Tenement for all or any of the purposes aforesaid, with or without vehicles, plant and equipment of any description whatsoever;
- (g) Enter and exit to and from the Servient Tenement over such part or parts of the Grantor's land adjoining or adjacent to the Servient Tenement as the Grantee considers most convenient or necessary for the purpose of passing between the Servient Tenement and the most convenient point of entry to or exit from the Grantor's land (whether adjoining a constructed road or not);
- (h) Do such other works and things through, across, in or under the Servient Tenement as are incidental to the proper exercise of the rights granted to the Grantee hereunder.

PROVIDED ALWAYS that the Grantee must at all times have regard to the rights of Ergon Energy Corporation Limited ACN 087 646 062 in respect of the Easement in its favour over Easement P in Lot 7 on SP 201317 and must not remove or interfere with any of Ergon Energy Corporation Limited's conduits, electrical installations and other improvements effected by it on its Easement.

2.3. Grantor's Rights and Obligations

The Grantee shall not be obliged to use the Servient Tenement for the purposes aforesaid nor to exercise or do any of all the powers or things herein mentioned but shall be at liberty to do so from time to time at its pleasure and to such extent as it may think fit.

The Grantor shall at all times keep any drain or drains now or hereafter constructed on the Servient Tenement clear of debris and all other obstructions without the Grantee being liable to contribute towards any cost in respect thereof.

Title Reference 21385076

The Grantor shall at all times have the right to the flow of surface roof and other water from the land of the Grantor into the Servient Tenement and to any drains now or hereafter to be constructed or maintained on the Servient Tenement.

The Grantor will not execute or construct any excavations drains channels or other works of any kind on the Servient Tenement nor remove from or interfere with any existing drainage works or any retaining walls howsoever constructed or any other works within the area of the Servient Tenement without the prior approval in writing of the Grantee.

2.4. Works Property of Grantee

All relevant works are and remain the property of the Grantee notwithstanding any actual or apparent affixation to the Servient Tenement, and the Grantee shall be solely responsible for the operation and maintenance of all relevant works.

2.5. Fences

For the purpose of gaining access to the Servient Tenement the Grantee shall be entitled to pull down or break open any fencing on or adjacent to the Servient Tenement but, where livestock are contained within the fenced area, sufficient notice shall be given to the Grantor to enable the livestock to be secured.

The Grantee must reinstate all fences where the same have been damaged by the grantee in the exercise and performance of any of its rights and liberties granted herein; or in lieu of reinstating any such fence, install a gate the quality of the materials and workmanship of which, except with the Grantor's consent (such consent not to be unreasonably delayed or withheld) shall be not less than the quality of the materials and workmanship in the existing fence. A gate so installed shall become the property of the Grantor of the fence in which the gate is installed and thereafter shall be maintained by the Grantor.

2.6. No Buildings

The Grantor must not at anytime:-

- (a) Erect any buildings or structures (other than fences) upon the Servient Tenement or any part thereof, or otherwise permit the Servient Tenement or any part thereof to be used in such a way as to obstruct or interfere with the relevant works and/or the proper or effective use thereof by the Grantee;
- (b) Install concrete, bitumen or other pavement or driveways on the Servient Tenement or gardens or landscaping involving concrete, brick or other permanent materials;
- (c) Remove or stockpile or permit the removal or stockpiling of any soil, sand, gravel or other substance or material on the Servient Tenement, or construct any roads, dam walls or other earthworks on the Servient Tenement which would in any way obstruct or interfere with the relevant works and/or the proper and effective use thereof by the Grantee.

2.7. Grantee Not Liable to Fence

The Grantee shall not be required to fence or contribute to the fencing of any part or parts of the boundaries of the Servient Tenement.

Title Reference 21385076

2.8. Grantee Not Liable

The Grantee shall in its sole discretion determine how and in what manner the rights granted to the Grantee hereunder are exercised. Subject to clause 2.5, the Grantee must not wilfully damage or destroy any matter to any extent greater than is reasonably necessary in order to exercise the Grantee's rights hereunder but:-

- (a) The Grantee shall not be otherwise responsible for any damage to or destruction of any matter in the course of the exercise by the Grantee of its rights hereunder; and
- (b) The Grantee shall not be under any obligation to reinstate or repair any matter damaged or destroyed in consequence of the exercise by the Grantee of its rights hereunder, and its only obligation, where any such matter has been so damaged or destroyed, shall be to leave the Servient Tenement in as clean and tidy state as is practical having regard to the nature of the matter which has been damaged or destroyed and the work which it has done; and
- (c) The Grantee shall not be responsible in any event for any inconvenience or disturbance to the Grantor or occupier of the Servient Tenement arising out of the course of or by virtue of the exercise by the Grantee of its rights hereunder.

In this Clause, the term "matter" means buildings, structures or other materials or things erected, placed, found or installed upon the Servient Tenement (whether in contravention of Clause 2.6 or otherwise) and trees and plants within the Servient Tenement.

2.9. Grantee's Remedy

If a building, structure or other material or thing is erected, placed, found or installed upon the Servient Tenement in contravention of Clause 2.6, the Grantee may, in addition to any other remedies, and after having first given the Grantor reasonable notice of its intention to invoke this clause, enter upon the Servient Tenement and remove or demolish the relevant matter and, if it does so:-

- (a) It may dispose of the relevant matter or any resultant demolition materials in such manner as it deems fit without being liable to account to the Grantor; and
- (b) It may recover, in any Court of competent jurisdiction, costs actually incurred by it in taking that action (including internal wage and salary costs) less any money actually received by it as a result of disposing of the relevant matter or any resultant demolition materials.

2.10. Maintenance

The Grantee shall be responsible for the maintenance and reparation of all drain or drains, pipe or pipes, conduits and channels constructed by it on, under or through the Servient Tenement and shall keep the same in good repair and condition PROVIDED THAT for so long as such drains, pipes, conduits and channels are below the surface of the Servient Tenement, the Grantor shall be responsible for the maintenance and reparation of the surface of the Servient Tenement and shall keep the Servient Tenement free of noxious weeds.

2.11. Grantor Not to Interfere

The Grantor shall not do any act or make any omission likely to jeopardise or prejudicially affect the safety or reliable working of any relevant works.

Title Reference 21385076

2.12. Costs

The costs and expenses of and incidental to the preparation (including the Council's legal costs), stamping and registration of this Easement shall be borne and paid by the Grantor.

2.13. Grantor to Procure Registration

Each of the parties to this Easement will do all such acts necessary to enable this Easement to be registered.

2.14. Easement to Continue

The benefit and burden of this Easement stipulations contained herein, shall pass with and bind the Grantee and Servient Tenement respectively so as to ensure for the benefit of and bind all persons deriving title from or through the Grantor and the Grantee respectively including but not limited to the Registered Owners for the time being of all lots in any subdivision or Building Format Plan comprising the Dominant Tenement its servants, agents, workmen, visitors and licensees.

2.15. Further Assurance

If requested by the other, the Grantor and Grantee shall from time to time execute all Deeds and other instruments and do all other things for further assuring to the other the rights intended to be conferred by this Easement.

2.16. No Waiver

Nothing in this Easement expressed or implied shall be construed to abrogate, limit, abridge or destroy any right or privilege at any time from time to time of the Grantee to purchase, to take by agreement or to resume or otherwise acquire any part or parts of the Servient Tenement.

ANNEXURE 2: Site Location and Proposed Development Concept Plans



CAR PARKING AS 2890.01

Car Parks Class 1 (Bay C2) +600mm clear overhang with Wheel stops
Isle Width 6.2m

STAGE 1 CMS

STAGE 1 AREA 4357m²
 SITE COVERAGE ALLOWABLE 60% = 2625m² Actual 1200m² = 28%
 LANDSCAPE AREA REQUIRED 20% = 871m² Actual 803m² = 18%
 (ADDITIONAL 0.80M EXTRA LANDSCAPE AREA ADDED) = 67m²
 Total 871m² = 20%

12 UNITS -- 1200sqm
 14 CARPARKS
 (1200m² / 1 Carpark per 90m²
 Lettable area = 13.3 carparks)

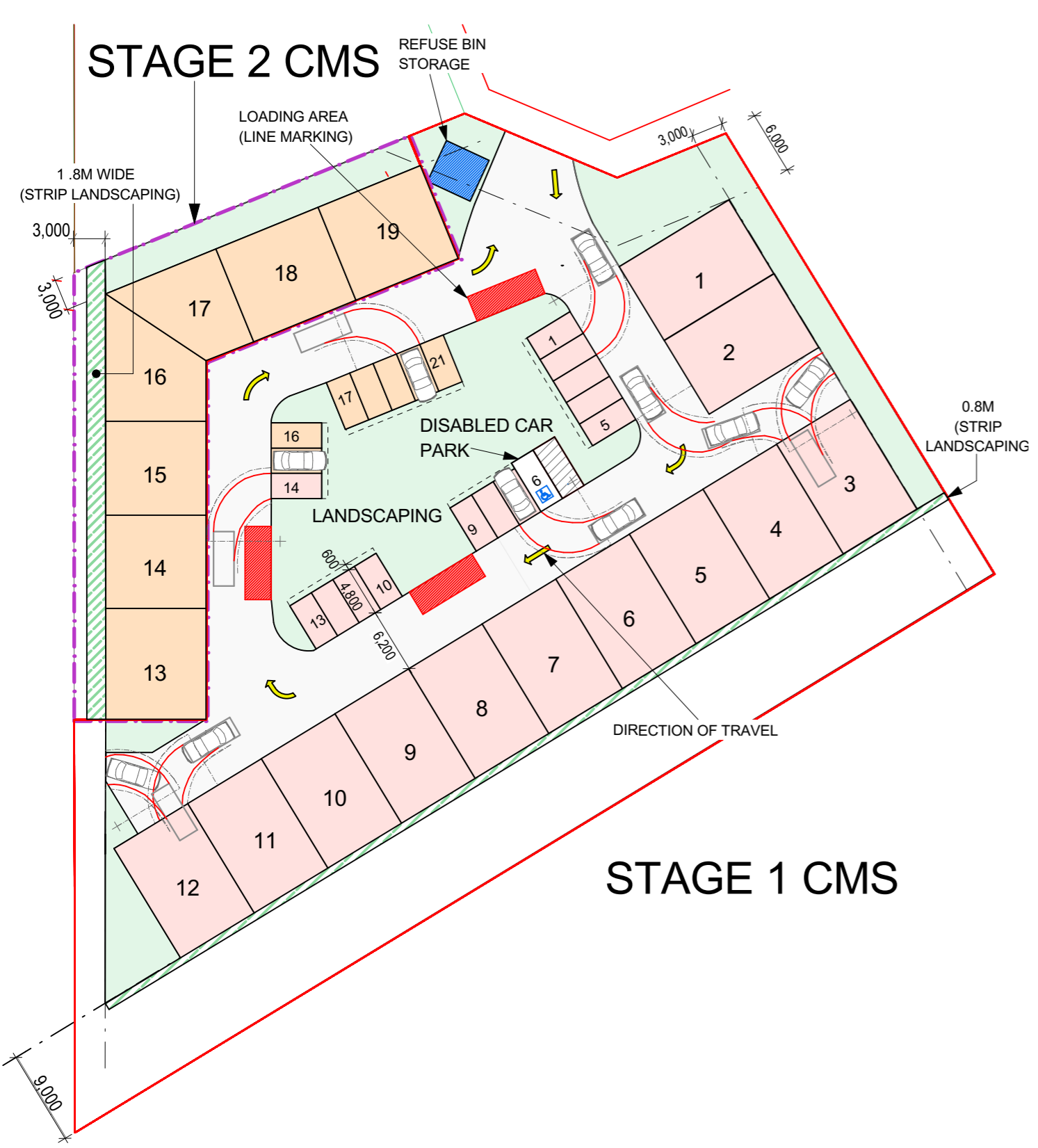
STAGE 2 CMS

STAGE 1 AREA 856m²
 SITE COVERAGE ALLOWABLE 60% = 513m² Actual 630m² = 73%
 LANDSCAPE AREA REQUIRED 20% = 171m² Actual 95m² = 11%
 (ADDITIONAL 1.8M EXTRA LANDSCAPE AREA ADDED) = 76m²
 Total 171m² = 20%

7 UNITS -- 630sqm
 7 CARPARKS
 (630m² / 1 Carpark per 90m² Lettable
 area = 7 carparks)

1 MASTER PLAN
1:500

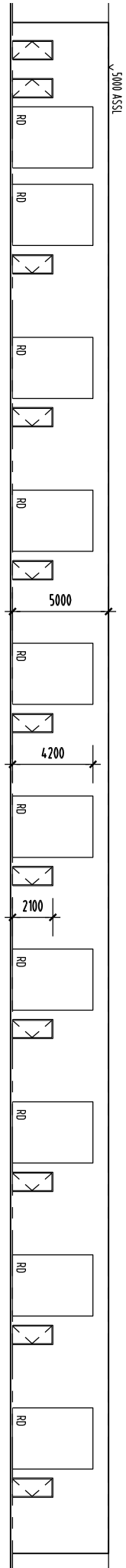
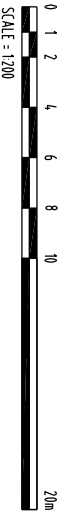




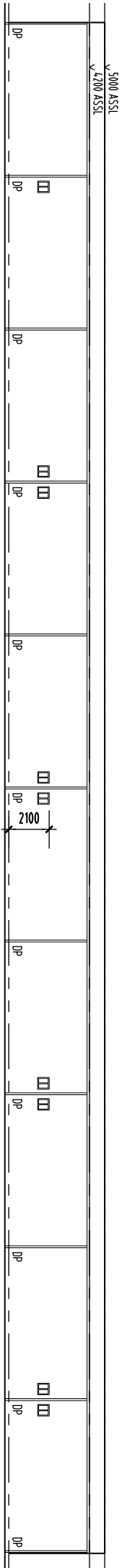
1 6.3m TURNING CIRCLES
1:500



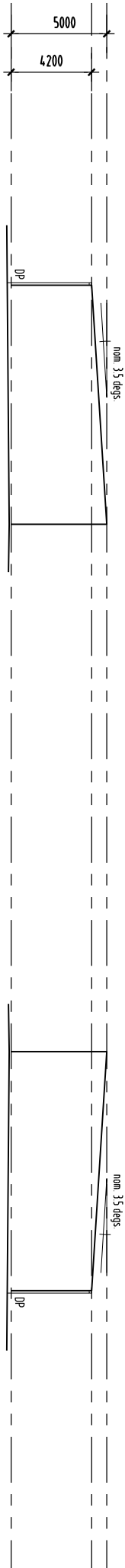
2 7.1m TURNING CIRCLES
1:500



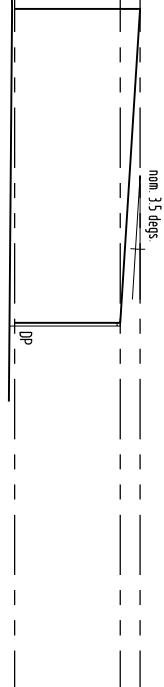
01 SHED 1 - FRONT ELEVATION
1:200



02 SHED 1 - REAR ELEVATION
1:200



03 SHED 1 - LHS ELEVATION
1:200



04 SHED 1 - RHS ELEVATION
1:200

- LEGEND:**
- DP - RAINWATER DOWN PIPE
 - SD - SLIDING DOOR
 - HC - HOSE COCK
 - FW - FLOOR WASTE
 - RD - ROLLER DOOR
 - W - ALUMINIUM FRAMED WINDOW
 - WC - WATER CLOSET
 - WB - WALL MOUNTED WASH BASIN
 - SSL - STRUCTURAL SLAB LEVEL
 - ASSL - ABOVE STRUCTURAL SLAB LEVEL

REFER TO SITE PLAN FOR SHED SETOUT / SITE LOCATION

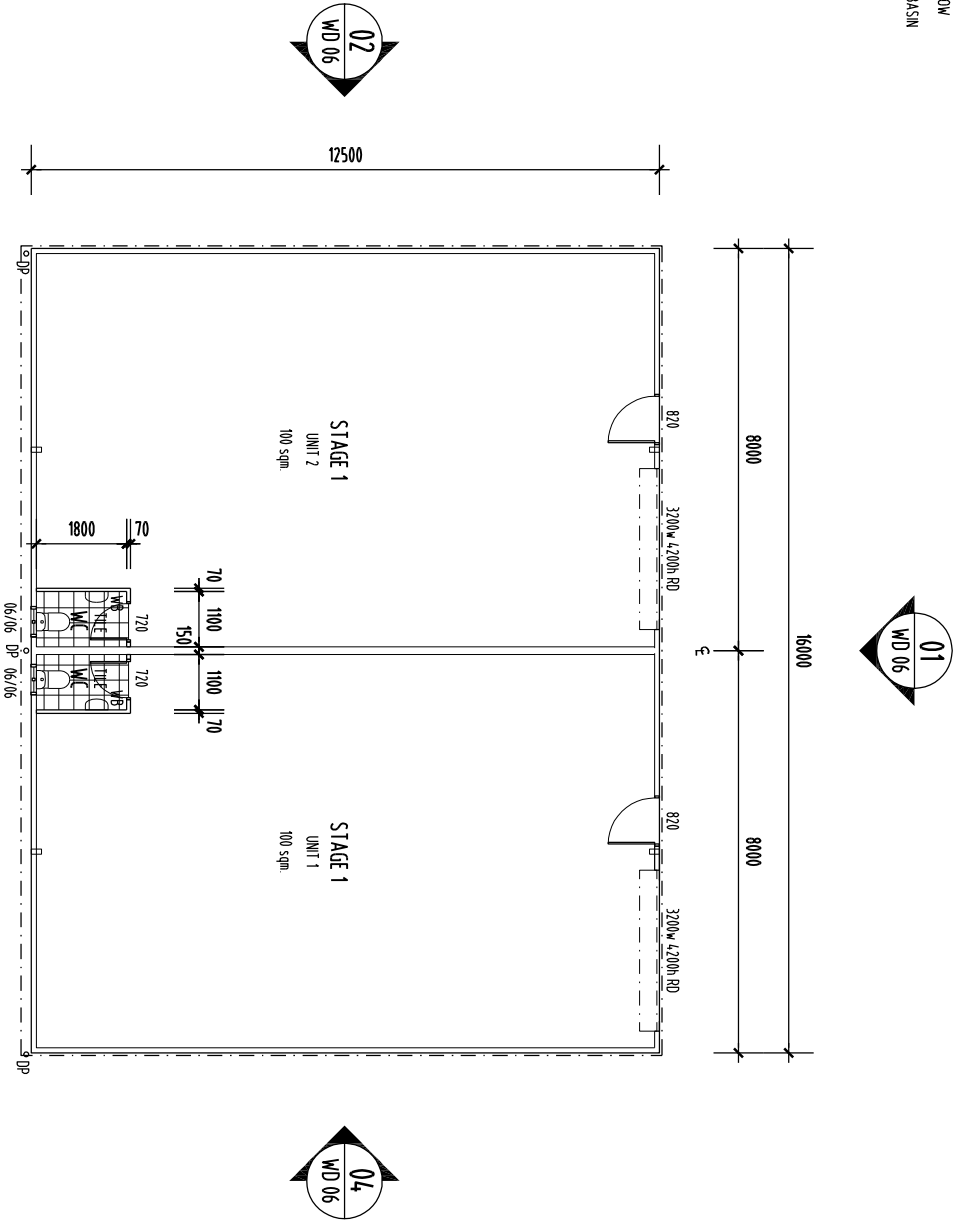
DATE: 14/11/16	AMENDMENT: Issued for review and comment;	PROJECT: 08-2007 NEW SHED	SITE ADDRESS: LOT 8 OWEN STREET, CRAIGLE BUSINESS PARK 4877
a 14/11/16	Issued for review and comment;	OWNER: MAKS PTY	DATE: NOV 16
b 14/11/16	Issued for review and comment;		DWG. NO.: WD-04
c 14/11/17	Issued for review and comment;		SCALE: 1:200

NOTES:
ALL DIMENSIONS ARE SUBJECT TO SITE REASURE AND VARIATION. DO NOT SCALE FROM DRAWINGS

DRAWING TITLE: SHED 1 ELEVATION

- LEGEND:**
- DP - RAINWATER DOWN PIPE
 - SD - SLIDING DOOR
 - HC - HOSE COCK
 - FW - FLOOR WASTE
 - RD - ROLLER DOOR
 - SK - SKIM
 - CS - CAVITY SLIDER
 - M - ALUMINUM FRAMED WINDOW
 - WC - WATER CLOSET
 - WB - WALL MOUNTED WASH BASIN
 - SH - SHELF

REFER TO SITE PLAN FOR SHED SETOUT / SITE LOCATION



01
1:100
SHED 2 - FLOOR PLAN

DATE	AMENDMENT
a 14/11/16	Issued for review and comment;
b 16/11/16	Issued for review and comment;
c 16/11/17	Issued for review and comment;



NOTES:
ALL DIMENSIONS ARE SUBJECT TO SITE
REVISIONS AND VARIATIONS. DO NOT
SCALE FROM DIMENSIONS

PROJECT:
08-2007 NEW SHED
OWNER:
MAKS PTY



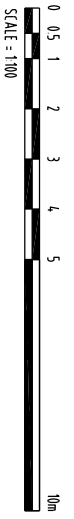
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LOT 8 OWEN STREET, CRAIGLE BUSINESS PARK 4877
SCALE:
1:100

DRAWING TITLE:
GROUND FLOOR PLAN

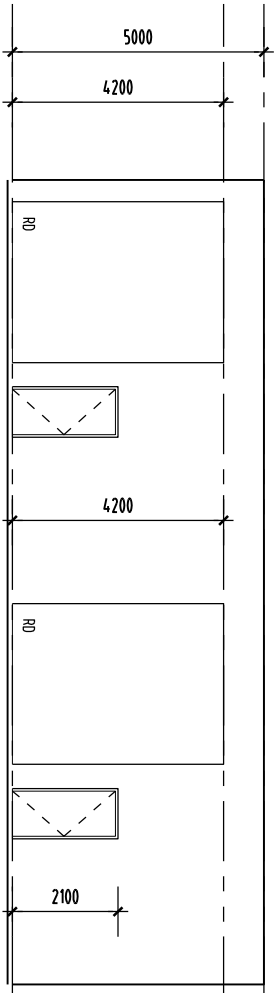
DATE:
NOV 16

DWG NO.:
WD-05

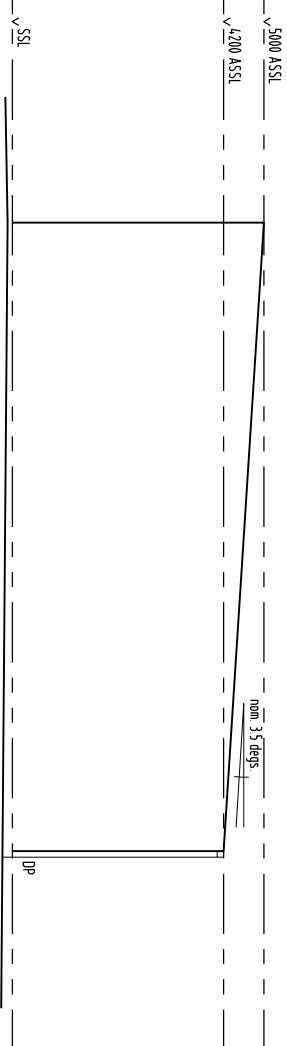
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 HC - HOSE COCK
 FM - FLOOR WASTE
 RD - ROLLER DOOR
 M - ALUMINIUM FRAMED WINDOW
 WC - WATER CLOSET
 MB - MOUNTED WASH BASIN
 SSL - STRUCTURAL SLAB LEVEL
 ASSL - ABOVE STRUCTURAL SLAB LEVEL



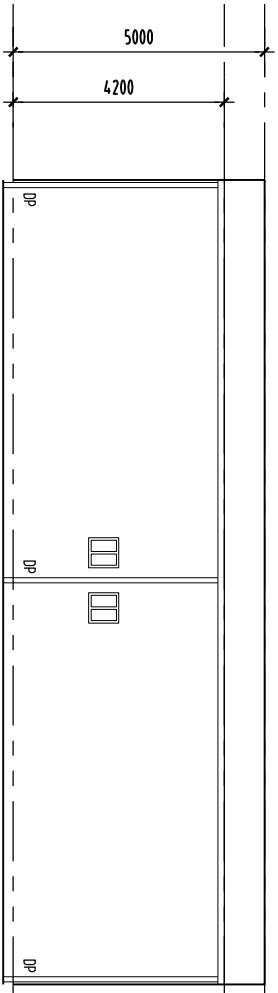
REFER TO SITE PLAN FOR SHED SETOUT / SITE LOCATION



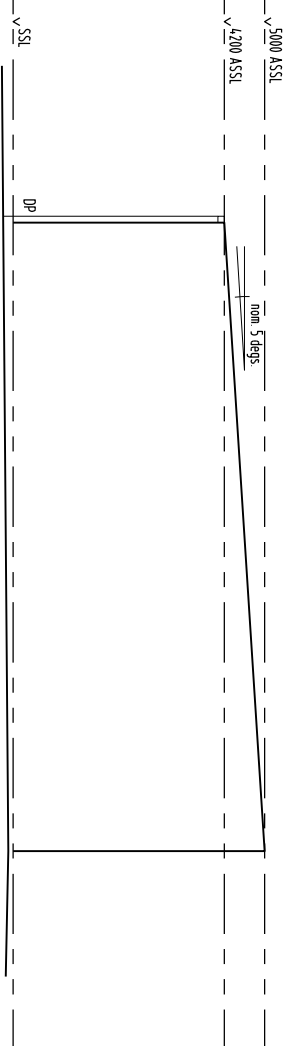
01 SHED 2 - FRONT ELEVATION
1100



02 SHED 2 - RHS ELEVATION
1100



03 SHED 2 - REAR ELEVATION
1100

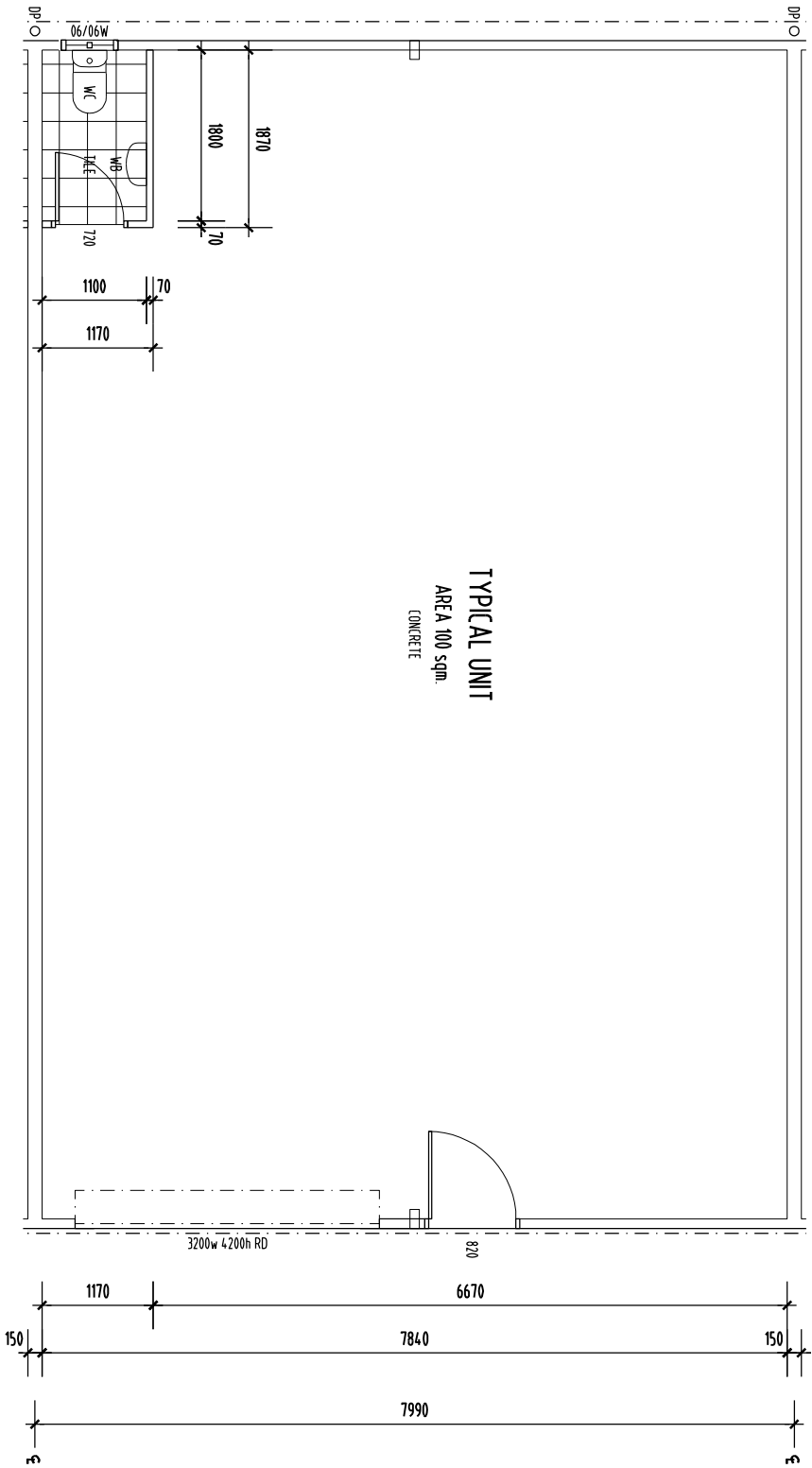
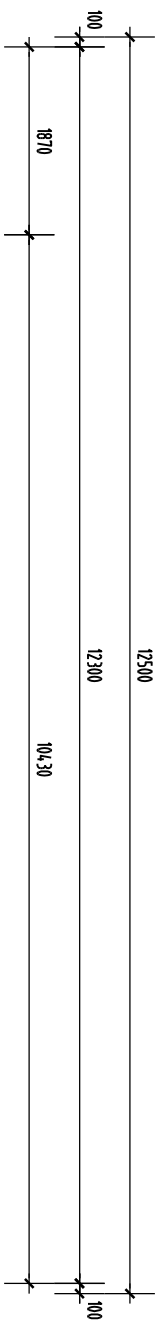
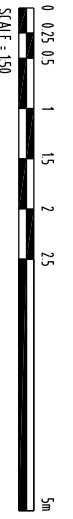


04 SHED 2 - LHS ELEVATION
1100

DATE	AMENDMENT	NOTES:	PROJECT:	SITE ADDRESS:	DATE:
a. 14/11/16	Issued for review and comment;	ALL DIMENSIONS ARE SUBJECT TO SITE	08-2007 NEW SHED	LOT 8 OWEN STREET, CRAIGLE BUSINESS PARK, 4877	NOV 16
b. 16/11/16	Issued for review and comment;	RESURFACING AND VEGETATION, DO NOT	OWNER:	SCALE:	DWG NO.:
c. 16/01/17	Issued for review and comment;	SCALE AND DIMENSIONS	MAKS PTY	1:100	WD-06
				DRAWING TITLE:	
				SHED 2 ELEVATION	

- LEGEND:**
- DP - RAINWATER DOWN PIPE
 - SD - SLIDING DOOR
 - HC - HOSE COCK
 - FW - FLOOR WASTE
 - RD - ROLLER DOOR
 - SK - SKIM
 - CS - CAVITY SLIDER
 - M - ALUMINUM FRAMED WINDOW
 - WC - WATER CLOSET
 - WB - WALL MOUNTED WASH BASIN
 - SH - SHELF

REFER TO SITE PLAN FOR SHED SETOUT / SITE LOCATION



DATE	AMENDMENT
a 16/11/16	Issued for review and comment;
b 16/07/17	Issued for review and comment;



NOTES:
 ALL DIMENSIONS ARE SUBJECT TO SITE REVISIONS AND VARIATION. DO NOT SCALE FROM DRAWINGS

PROJECT: 08-2007 NEW SHED
 OWNER: WAKS PTY

SITE ADDRESS: LOT 8 OWEN STREET, CRAIGIE BUSINESS PARK 4877
 SCALE: 1:150
 DRAWING TITLE: TYPICAL UNIT PLAN

DATE: NOV 16
 DWG NO: WD-07

ANNEXURE 3: Code Compliance Assessment

Industrial Planning Area Code

Purpose Statement	Comment
Provide for the establishment of Industry, Class A and Class B and Service Industry on appropriate land with regard to Site suitability, accessibility, surrounding land uses and location of utilities and services	The proposed development is code assessable, and located within an existing and established service industry precinct.
Ensure that Industry achieves appropriate environmental standards	
Ensure that industrial buildings have a high standard of layout and building design that provides an efficient, safe and attractive working environment	
Ensure that Industry, Class A and Class B and Service Industry do not adversely impact on surrounding land uses and Setback areas provide landscaped buffers to adjacent incompatible land uses	
Ensure that landscaping provides an attractive streetscape and screens utility, storage and car parking from the street	
Ensure that industrial land uses are protected from encroachment of incompatible land use activities	

Performance Criteria	Acceptable Solutions	Comment / Compliance
Consistent and Inconsistent Uses		
P1 The establishment of uses is consistent with the outcomes sought for Industry Planning Area.	A1.1 Uses identified as inconsistent uses in the Assessment Table are not established in the Industry Planning Area.	Complies: The proposed use for 'service industry' purposes is code assessable on the relevant Table of Assessment.
P2 A caretakers Residence is only established in association with an	A2.1 Only one Caretakers Residence is established on the parent site in association with an industrial use or	Not applicable: No caretakers residence is proposed.

Performance Criteria	Acceptable Solutions	Comment / Compliance
industrial use or activity operating as the primary use on the site.	activity located on one industrial allotment on a Standard Format Plan.	
Site Coverage		
P3 The Site Coverage of Buildings ensures that there is sufficient area for the provision of services and Landscaping.	A3.1 The Site Coverage of all Buildings does not exceed 60% of the Site area.	Complies: Site coverage is approximately 35.22%.
Design and Siting		
P4 The siting of industrial Buildings/structures contributes to the desired amenity of the area and protects the amenity of other land uses.	<p>A4.1 Buildings/structures on Sites with Frontage to a State-Controlled Road, are Setback 8 metres from the Road Frontage.</p> <p>In other cases,</p> <p>A4.2 Buildings/structures are Setback:</p> <ul style="list-style-type: none"> • 6 metres from the Main Street Frontage; and • 4 metres from any secondary street Frontage. <p>A4.3 Where the site has a common boundary with land in an Industrial Planning Area, the Buildings/structure may be built to the side and rear boundaries where the Building Code requirements are satisfied.</p> <p>HOWEVER</p>	<p>Not applicable:</p> <p>The site does not have frontage to a State Controlled Road.</p> <p>Complies:</p> <p>The proposed sheds are sited greater than 6m from the main street frontage.</p> <p>Not Applicable:</p> <p>Whilst the site does adjoin property within the Industry Planning Area, development to boundaries is not proposed.</p>

Performance Criteria		Acceptable Solutions	Comment / Compliance
		<p>Where the Building Code requirements are not satisfied, Buildings are setback 2.5 metres or a quarter of the Height of the Building/structure, whichever is the greater, from side and rear boundaries.</p> <p>A4.4 Where the Site adjoins land not in an Industry Planning Area or land developed partially or wholly for a residential use, the Building/structure is Setback 2.5 metres or a quarter of the Height of the Building/structure, whichever is the greater, from the common boundary.</p> <p>A4.5 The Building/structure is sited to maximise energy conservation, natural cooling and shading from summer sun, with the use of high quality materials and non-reflective roof materials.</p>	<p>Not Applicable</p> <p>Complies: Non - Reflective roofing material will be used, in addition to the use of insulation to the roof to provide comfort and energy conservation internally.</p>
Loading and Unloading Facilities			
P5	The transport of goods and materials to and from industrial sites does not adversely affect the movement of traffic on the Roads adjacent to the Site.	<p>A5.1 All delivery/pick up vehicles are contained wholly within the Site when being loaded/unloaded.</p> <p>A5.2 Sufficient manoeuvring area is provided on Site to allow a single unit truck to ingress and egress the Site in a</p>	<p>Complies: There is sufficient maneuvering area on site to accommodate access as required for the intended future use.</p>

Performance Criteria		Acceptable Solutions	Comment / Compliance
		<p>forward gear.</p> <p>Site Access is limited to one Access point for each street Frontage.</p> <p>A5.3</p> <p>OR</p> <p>If the site has Frontage to the Captain Cook Highway and another road, Access is limited to the secondary Road.</p> <p>A5.4</p> <p>Where two Access points to the street Frontage are necessitated, to facilitate manoeuvrability of large industrial vehicles, the accesses are separated by a minimum distance of 10 metres.</p>	
Landscaping and Amenity			
P6	Industrial Sites are landscaped to enhance the amenity of industrial areas and provide a pleasant working environment.	<p>A6.1 A minimum of 20% of the area of the Site is landscaped.</p> <p>Dense Planting along any Road Frontage is a minimum width of 3 metres.</p> <p>A6.2</p> <p>EXCEPT THAT</p> <p>Dense Planting along the Road Frontage is a minimum of 4 metres in width where adjacent to the Captain Cook Highway.</p> <p>Any setback areas from the</p>	<p>Complies:</p> <p>A minimum area of 20% will be landscaped on site.</p> <p>Compliance with this requirement may be confirmed via imposition of conditions on any approval issued.</p> <p>Landscaping will be of an appropriate standard given the nature of the use proposed, and will incorporate species permitted by Council Policy. Species selection will occur in consultation with Council Officers.</p>

Performance Criteria	Acceptable Solutions	Comment / Compliance
	<p>A6.3 side and rear boundaries where the site adjoins land not in an Industry Planning Area or land developed partially or wholly for a residential use, are landscaped with Dense Planting in accordance with all the relevant requirements of the Landscaping Code and Planning Scheme Policy No 7 – Landscaping.</p> <p>A6.4 Areas use for loading and unloading, storage, utilities and car parking are screened from public view by a combination of Landscaping and screen fencing.</p>	
<p>P7 Industrial areas are not characterized by a proliferation of advertising signs and/or the use of large advertising signs.</p>	<p>A7.1 Signage complies with the Design and Siting of Advertising Devices Code.</p> <p>AND</p> <p>No wall signs are located on the walls of industrial Buildings facing the Captain Cook Highway or any other State-Controlled Road.</p>	<p>Complies:</p> <p>While no signage is proposed at this stage, any future signage will comply with the relevant Code.</p>

Port Douglas and Environs Locality Code

Purpose Statement	Comment
Consolidate Port Douglas as the major tourist accommodation and tourist service centre in the Shire.	The proposed development will not undermine or inhibit the achievement of overall objectives for the Port Douglas and Environs Locality.
Ensure that tourist development and associated landscaping is of high quality which reflects and complements the image of Port Douglas as a tropical seaside resort town of international renown.	
Consolidate the area between Macrossan Street and Marina Mirage as the major tourist, retail, dining and entertainment centre of the Shire.	
Ensure that all forms of development complement the tropical image of the town by incorporating attractive design and architectural features.	
Encourage the expansion of residential areas that are pleasant, functional, distinctive and in visually well-defined areas.	
Protect existing and future residential areas from the intrusion of tourist accommodation and activity.	
Protect sensitive environments and natural features which give Port Douglas its distinctive character and identity, in particular Four Mile Beach, Dicksons Inlet and Flagstaff Hill.	
Protect the surrounding rural and natural environments from intrusion by urban development.	
Maintain the distinct rural hinterland, dominant natural environment of the western escarpment, and the existing vegetated hillside of Flagstaff Hill.	
Protect primary functions of the port (marine and fishing activities) from incompatible land uses and acknowledge the industrial and commercial land uses associated with the maritime industry, while also providing secondary opportunities for recreational use by residents and tourists.	

Performance Criteria	Acceptable Solutions	Comment / Compliance
General Requirements		
<p>P1 Buildings and structures complement the Height of surrounding development,</p> <p>AND</p> <p>Buildings are limited to two Storeys;</p> <p>OR</p> <p>In the High Scale locations depicted on the Locality Plan, development of three Storeys is appropriate.</p>	<p>A1.1 In the Planning Areas (and parts thereof) listed below the maximum Height of Buildings/structures is 6.5 metres. In addition, the roof (including any ancillary roof features) does not exceed a maximum Height of 3.5 metres above the intersection of the pitching part of the roof and the wall of the Building:</p> <ul style="list-style-type: none"> • Residential 1; • Industry; • Conservation; • Community and recreational Facilities; • Residential 2; • Tourist and Residential (Medium Scale); • Commercial – (Medium Scale, outside the Tourist Centre); • Commercial – (High Scale, outside the Tourist Centre); and • Commercial – (High Scale, within the Tourist Centre and on the high side of 	<p>Complies:</p> <p>The total building height is 5m, with a 3.5 degree roof, as illustrated on Plans included within Annexure 3 to this Submission.</p>

Performance Criteria	Acceptable Solutions	Comment / Compliance
	<p>Macrossan Street) – in this instance there is no specified number of Storeys, however the maximum Height prevails.</p> <p>OR</p> <p>In the Planning Areas (parts thereof) listed below the maximum Height of Buildings/structures is 10 metres and 3 Storeys. In addition, the roof (including any ancillary roof features) does not exceed a maximum Height of 3.5 metres above the intersection of the pitching part of the roof and the wall of the Building:</p> <ul style="list-style-type: none"> • Tourist and Residential – (High Scale); and • Commercial – (High Scale, within the Tourist Centre and on the low side of Macrossan Street, through to Warner Street). 	
<p>P2 Development is connected to available urban services.</p>	<p>A2.1 Development is connected to available urban services by underground connections, wherever possible.</p> <p>AND/OR</p> <p>Contributions are paid when applicable in accordance with the requirements of Planning Scheme Policy No 11 – Water</p>	<p>Complies:</p> <p>Appropriate access to road networks, water supply and effluent disposal is available.</p>

Performance Criteria		Acceptable Solutions	Comment / Compliance
		Supply and Sewerage Headworks and Works External Contributions.	
P3	Landscaping of development Sites complements the existing tropical seaside resort town character of Port Douglas and creates a dominant tropical vegetated streetscape.	A3.1 Landscaping of a development Site complies with Planning Scheme Policy No 7 – Landscaping, with particular emphasis on appropriate species for Port Douglas.	Complies: Compliance can be achieved through imposition of reasonable and relevant conditions on any approval issued.
P4	Development Sites are provided with efficient and safe vehicle Access and manoeuvring areas on Site and to the Site, to an acceptable standard for the Locality.	A4.1 All Roads, driveways and manoeuvring areas on Site and adjacent to the Site are designed and maintained to comply with the specifications set out in the Planning Scheme Policy No 6 – FNQROC Development Manual.	Complies: Compliance can be achieved through imposition of reasonable and relevant conditions on any approval issued.
Tourist Centre			
Not applicable			
Local Centres			
Not Applicable			
Residential Development Outside the Tourist Centre			
Not applicable			
Other Development			
Not applicable			
Community Facilities			
Not applicable			

Performance Criteria	Acceptable Solutions	Comment / Compliance
Protection of Scenic Amenity and Natural Values		
<p>P21 The views and vistas of Four Mile Beach from the intersection of Davidson Street and Macrossan Street to the beach front are maintained.</p>	<p>A21.1 Any development in Macrossan Street between Davidson Street and the beach front, outside the Tourist Centre, is designed with Macrossan Street as the Main Street Frontage and the Buildings are Setback 6 metres from the Main Street Frontage.</p>	<p>Not applicable: The site is not located adjacent to or nearby Four Mile Beach.</p>
<p>P22 Development does not adversely impact on areas of sensitive natural vegetation, foreshore areas, Watercourses and areas of tidal inundation which contribute the Scenic Amenity and natural values of the locality.</p>	<p>A22.1 No Acceptable Solution. (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>	<p>Not applicable: The site is not located adjacent to or nearby environmentally sensitive areas.</p>
Special Management Areas		
Special Management Area 1: Flagstaff Hill		
Not applicable		
Special Management Area 2: Residential Growth Area		
Not applicable		
Special Management Area 3: Service Industry Precincts (Craiglie)		
<p>P28 Development within the Craiglie Service Industry Precinct supports the tourism and marine industries within Port Douglas.</p>	<p>A28.1 Only Service Industry uses are located in the Service Industry Precincts (Craiglie). AND</p>	<p>Complies: A 'service industry' use is proposed.</p>

Performance Criteria		Acceptable Solutions	Comment / Compliance
		The proponent of the proposed Service Industry use provides written evidence to Council that it supports/services the tourism or marine industry in Port Douglas.	
P29	Development on lots adjacent to the Captain Cook Highway is sited, designed and landscaped to provides an attractive visual approach to Port Douglas with all buildings, structures and carparking areas setback a sufficient distance from the Frontage to enable landscaping to screen or soften the appearance of the development.	A29.1 Buildings and structures are setback 8 metres from the Captain Cook Highway Frontage, or no closer to the Captain Cook Highway Frontage than buildings and structures on adjoining Sites (averaged), which ever is the greater.	Not applicable: The site is not located adjacent to the Captain Cook Highway.
		A29.2 The Setback area to the Captain Cook Highway Frontage is landscaped with advanced Dense Planting including trees species (100 litre bag stock), which will, at maturity, exceed the Height of the Building on Site.	Not applicable: The site is not located adjacent to the Captain Cook Highway.
		A29.3 Advertising signs are discreet in appearance with no large advertising signs including tenancy signs located on or near the Captain Cook Highway Frontage, or within any landscaped setback area adjacent to the highway.	Not applicable: The site is not located adjacent to the Captain Cook Highway.
		A29.4 Car parking areas, loading and other service areas are designed to be screened from the Captain Cook Highway and are located so as not to be visually prominent from the Captain Cook Highway.	Not applicable: The site is not located adjacent to the Captain Cook Highway.
P30	The reconfiguration of Lot 83 on SR 724 for Industrial development proceeds in line with a demonstated	A30.1 Council will only support the staged reconfiguration of that part of Lot 83 on SR 724 designated in the Industry	Not applicable: Development of the parent parcel

Performance Criteria	Acceptable Solutions	Comment / Compliance
demand for industrial land at Craiglie.	Planning Area, in association with a Needs Analysis, prepared in accordance with Planning Scheme Policy No 10 – Reports and Information the Council May Request, which demonstrates a clear demand for additional industrial land at Craiglie.	has already been approved.
	A30.2 The Needs Analysis incorporates a methodology to be approved by Council for the staged development of any reconfiguration of the land for industrial purposes, in line with a specified future demand scenario.	Not applicable: Development of the parent parcel has already been approved.
	A30.3 The reconfiguration and/or redesignation for industrial development of that part of Lot 83 on SR 724 included in the Rural Planning Area does not occur in the life of this Planning Scheme, unless supported by another Needs Analysis prepared in accordance with A29.1 and A29.2 above.	Not applicable: Development of the parent parcel has already been approved.
P31 The parkland contribution associated with the reconfiguration of Lot 83 on SR 724 provides for the expansion of Teamster Park.	A31.1 Provision shall be made for a park contribution associated with the reconfiguration of Lot 83 on SR 724. Should the park contribution be provided in stages, the total contribution of land must be identified in one area in association with Stage 1 of any reconfiguration application.	Not applicable: Development of the parent parcel has already been approved, and parkland contribution arrangements have already been confirmed.
P32 Development on the western side of Owen Street provides for a range of Service Industry uses, which may incorporate a	A32.1 Service Industry development on the western side of Owen Street can be designed to designate up to a maximum of 30% of the total	Complies: Service industry uses on the land will not contain any greater than 30% of the floor area for retail purposes

Performance Criteria	Acceptable Solutions	Comment / Compliance
minor, ancillary and necessarily associated retail component.	Gross Floor Area of any Building/s on the Site for a retail component to be located at the front of the development, provided the retail component is allied to the primary Service Industry activity carried out on the Site.	associated with the primary Service Industry use on site. Compliance with this requirement may be confirmed via condition on any approval granted.
P33 The potential for conflict between Industrial development and any residential development is minimised.	A33.1 Any residential development occurring immediately adjacent to Special Management Area 3 does not occur until Road closures and Road openings have been undertaken to provide physical separation between residential land and industrial land. AND New Road alignments are generally sited in accordance with the Access points identified on the relevant Locality Plan.	Not applicable: Residential development is not proposed.
Special Management Area 4: Service Industry Precincts (Mahogany Street)		
Not applicable		
Special Management Area 5: Waterfront Investigation Precinct		
Not applicable		

Acid Sulfate Soils Overlay Code

Performance Criteria	Acceptable Solutions	Comment / Compliance
Disturbance of Acid Sulfate Soils		
<p>P1 The release of acid and associated metal contaminants into the environment are avoided either by:</p> <ul style="list-style-type: none"> • not disturbing Acid Sulfate Soils; or by • preventing the potential impacts of any disturbance through appropriate Site planning, treatment and ongoing management. 	<p>A1.1 The disturbance of Acid Sulfate Soils is avoided by:</p> <ul style="list-style-type: none"> • not excavating or removing more than 100 m3 of material identified as containing or potentially containing Acid Sulfate Soils; • not permanently or temporarily extracting groundwater that results in the aeration of previously saturated Acid Sulfate Soils; and • demonstrating that any filling in excess of 500 m3 of material to depths greater than an average depth of 0.5 metres will not result in ground water extrusion from Acid Sulfate Soils and the aeration of previously saturated Acid Sulfate Soils from the compaction or movement of those soils. 	<p>Complies:</p> <p>Compliance with reasonable and relevant requirements may be confirmed via the imposition of conditions on any approval issued.</p>
	<p>A1.2 Site planning, treatment and ongoing management are undertaken so that:</p> <ul style="list-style-type: none"> • acid and metal contaminants are not generated and acidity is neutralised; • untreated Acid Sulfate Soils are not taken off-Site unless this is to an alternative location for treatment; and • surface and groundwater 	<p>Complies:</p> <p>Compliance with reasonable and relevant requirements may be confirmed via the imposition of conditions on any approval issued.</p>

Performance Criteria	Acceptable Solutions	Comment / Compliance
	flows from areas containing Acid Sulfate Soils do not release leachate containing acid or metal contaminants into the environment.	
Identification and Management of Acid Sulfate Soils		
<p>P2 The location and extent of Acid Sulfate Soils are identified on the development Site and appropriately management so as to avoid the release of acid and associated metal contaminants into the environment.</p>	<p>A2.1 No Acceptable Solution (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 9 – Reports and Information the Council May Request, for code and impact assessable development).</p>	<p>Complies: Compliance with reasonable and relevant requirements may be confirmed via the imposition of conditions on any approval issued.</p>

Natural Hazards Code

Performance Criteria	Acceptable Solutions	Comment / Compliance
Bushfire		
<p>P1 Development does not compromise the safety of people or property from bushfire.</p>	<p>A1.1 Any development on land identified as High Risk Hazard on any Natural Hazards Overlay on any Locality Map complies with the relevant requirements of State Planning Policy 1/03 – Mitigating the Adverse Impacts of Flood, Bushfire and Landslide.</p> <p style="text-align: center;">AND</p> <p>Development complies with a Bushfire Management Plan prepared for the site.</p>	<p>Not applicable:</p> <p>The site is not located within a High Risk Hazard zone.</p>
<p>P2 Development maintains the safety of people and property by:</p> <ul style="list-style-type: none"> • avoiding areas of High or Medium Risk Hazard; or • mitigating the risk through: <ul style="list-style-type: none"> - lot design and the siting of Buildings; and - including firebreaks that provide adequate: <ul style="list-style-type: none"> Setbacks between Building/structures and hazardous vegetation, and Access for fire fighting/other emergency vehicles; - providing adequate Road Access for fire fighting/other emergency vehicles and safe evacuation; and - providing an adequate 	<p>A2.1 Development is located on a Site that is not subject to High or Medium Risk Hazard.</p> <p style="text-align: center;">OR</p> <p>For all development (if development is proposed to be located on a Site that is subject to High or Medium Risk Hazard), then:</p> <p>Buildings and structures on lots greater than 2500 m²:</p> <ul style="list-style-type: none"> • are sited in locations of lowest hazard within the lot; and • achieve Setbacks from hazardous vegetation of 1.5 times the predominant mature canopy tree Height or 10 metres, whichever is the greater; and 	<p>Not applicable:</p> <p>The site is not located within a High or Medium Risk Hazard zone.</p>

Performance Criteria	Acceptable Solutions	Comment / Compliance
<p>and accessible water supply for fire-fighting purposes</p>	<ul style="list-style-type: none"> • 10 metres from any retained vegetation strips or small areas of vegetation; and • are sited so that elements of the development least susceptible to fire are sited closest to the bushfire hazard. <p>Building and structures on lots less than or equal to 2500 m², maximize Setbacks from hazardous vegetation.</p> <p>AND</p> <p>For uses involving new or existing Buildings with a Gross Floor Area greater than 50 m² each lot has:</p> <ul style="list-style-type: none"> • a reliable reticulated water supply that has sufficient flow and pressure characteristics for fire fighting purposes at all times (minimum pressure and flow is 10 litres a second at 200 kPa); or • an on Site water storage of not less than 5000 litres (eg. accessible dam or tank with fire brigade tank fittings, swimming pool). 	
	<p>A2.2 For development that will result in multiple Buildings or lots (if development is proposed to be located on a Site that is subject to High or Medium Risk Hazard), then:</p> <p>Residential lots are designed so that their size and shape allow for:</p>	<p>Not applicable:</p> <p>Site is not within Medium or High Hazard.</p>

Performance Criteria	Acceptable Solutions	Comment / Compliance
	<ul style="list-style-type: none"> • efficient emergency Access to Buildings for fire fighting appliances (eg. by avoiding long narrow lots with long Access drives to Buildings); and • Setbacks and Building siting in accordance with 2.1 (a) above. <p>AND</p> <p>Firebreaks are provided by:</p> <ul style="list-style-type: none"> • a perimeter Road that separates lots from areas of bushfire hazard and that Road has: <ul style="list-style-type: none"> - a minimum cleared width of 20 metres; and - a constructed Road width and all-weather standard complying with Council standards. <p>OR</p> <ul style="list-style-type: none"> • where it is not practicable to comply with fire break provisions above, maintenance trails are located as close as possible to the boundaries of the lots and the adjoining bushland hazard, and the fire/maintenance trails: <ul style="list-style-type: none"> - have a minimum cleared width of 6 metres; and - have a formed width and gradient, and erosion control devices to Council standards; 	

Performance Criteria	Acceptable Solutions	Comment / Compliance
	<p>and</p> <ul style="list-style-type: none"> - have vehicular Access at each end; and - provide passing bays and turning areas for fire fighting applicants; and - are either located on public land, or within an Access easement that is granted in favour of the Council and Queensland Fire Rescue Service (QFRS). <p>AND</p> <p>sufficient cleared breaks of 6 metres minimum width in retained bushland within the development (eg. creek corridors and other retained vegetation) to allow burning of sections and Access for bushfire response.</p> <p>AND</p> <p>Roads are designed and constructed in accordance with applicable Council and State government standards and:</p> <ul style="list-style-type: none"> • have a maximum gradient of 12.5%; and • exclude culs-de-sac, except where a perimeter Road isolates the development from hazardous vegetation or the culs-de-sac are provided with an alternative Access linking the cul-de-sac to other through Roads. 	
<p>P3 Public safety and the environment are not adversely affected by the</p>	<p>A3.1 Development complies with a Bushfire Management Plan prepared for the site.</p>	<p>Complies:</p>

Performance Criteria	Acceptable Solutions	Comment / Compliance
detrimental impacts of bushfire on hazardous materials manufactured or stored in bulk.		Compliance with reasonable and relevant requirements may be confirmed via the imposition of conditions on any approval issued.

Design and Siting of Advertising Devices Code

An assessment of the Application in regard to compliance with the Purpose of the Code is provided below:

Purpose Statement	Comment
Ensure that Advertising Devices do not adversely impact on the streetscape or detract from the amenity of the locality	<p>Advertising signage is to incorporate business detail, contact information and potentially directional signage; it will be designed and erected in a manner consistent with the amenity of the area.</p> <p>Compliance with reasonable and relevant requirements may also be confirmed via the imposition of conditions on any approval issued.</p>
Ensure that Advertising Devices are appropriate to the scale of surrounding Buildings and the locality	
Ensure that any Advertising Devices which are incorporated in the Site design of a development or the architecture of a Building, complement the Building or development	
Limit the number of Advertising Devices to avoid excessive signage throughout the Shire	
Ensure that Advertising Devices do not dominate the surrounding vegetation, Landscaping or natural features of the environment and scenic amenity of the Shire	

An assessment of the Application in regard to Code Performance Criteria and Acceptable Solutions is provided below:

Performance Criteria	Acceptable Solutions	Comment / Compliance
Signage Type		
P1 Advertising Devices are subservient in scale to the primary use of the Site and relate to the use/s carried out on the Site.	A1.1 Where a Balloon, Blimp, Kite, Bunting, Flag, Banner or similar: <ul style="list-style-type: none"> • safely tethered to the ground, Building or structure; • maximum one per business; • displayed for one calendar month; 	Not applicable – a balloon, blimp, kite, bunting, flag or similar is not proposed.

Performance Criteria	Acceptable Solutions	Comment / Compliance
	<ul style="list-style-type: none"> • not located over or attached to the ground of a Council controlled Road or a State-Controlled Road (SCR). 	
	<p>A1.2 Where a Below Awning Sign:</p> <ul style="list-style-type: none"> • maximum one per business, or one per Frontage; • maximum Height of 0.6 metres • ground clearance not less than 2.6 metres • maximum width of 0.3 metres; • maximum length of 2.5 metres and does not project beyond the awning. 	<p>Not applicable: a below awning sign is not proposed.</p>
	<p>A1.3 Where a Chalk Board or A Frame Sign:</p> <ul style="list-style-type: none"> • maximum of one Chalk Board or A Frame Sign per business, or Frontage; • maximum Height of 1 metre; • maximum width of 0.6 metre; • able to be readily relocatable on a daily basis, if located within a Road reserve; • do not rotate or spin in the wind; 	<p>Not applicable: A chalk board or A frame sign is not proposed.</p>

Performance Criteria	Acceptable Solutions	Comment / Compliance
	<ul style="list-style-type: none"> • only allowable within a Statecontrolled Road reserve where the speed limit is 60 km/hr or less; • if located within the Road reserve, located a minimum of 1 metre from the kerb; <p>OR</p> <ul style="list-style-type: none"> • where no kerb, a minimum of 10 metres from the edge of the Road carriageway. 	
	<p>A1.4 Where a Directional Sign:</p> <ul style="list-style-type: none"> • if attached to a street sign, has the same dimensions as the street sign, unilluminated and advertising the name and distance/direction to the business; • maximum of one directional sign per business attached to any street sign; • if attached to a property boundary fence or gate, maximum area of 0.3 m², unilluminated and advertising only the name and distance/direction to the business which is carried out on the property; • maximum of one directional sign to any property boundary 	<p>Complies:</p> <p>Compliance with reasonable and relevant requirements in this respect may be confirmed via the imposition of a condition on any approval issued.</p>

Performance Criteria	Acceptable Solutions	Comment / Compliance
	<p>fence or gate for each Road Frontage.</p>	
	<p>A1.5 Where a Fascia Sign located on the fascia of an awning:</p> <ul style="list-style-type: none"> • maximum of one fascia sign per business or one per Frontage; • maximum Height above Ground Level of 2.5 metres; • does not project above or below the fascia of the Building; • does not project within 0.45 metre Setback from the face of the kerb or where no kerb exists, 0.30 metre from the fascia. 	<p>Not applicable: a fascia sign is not proposed.</p>
	<p>A1.6 Where a Home Activity or Home Based Business Sign:</p> <ul style="list-style-type: none"> • maximum of one sign per business; • maximum area of 0.3 m²; • located on the same premises as the Home Activity/ Home Based Business; • not illuminated; • advertises only the name and occupation of the operator of the business. 	<p>Not applicable: the use proposed is not for 'home activity'.</p>

Performance Criteria	Acceptable Solutions	Comment / Compliance
	A1.7 Where a Projecting Wall Sign: <ul style="list-style-type: none"> • maximum of one projecting wall sign on any building facade or boundary wall; • does not project further than 0.75 metres from the building line; • minimum vertical clearance of 2.6 metres from the ground; • not located above any awning and located at ground floor level; • maximum surface area of 1 m²; • maximum depth of 0.3 metres; • does not project above the roof, parapet, or Building or wall line. 	Not applicable: a projecting wall sign is not proposed.
	A1.8 Where a Symbol, being any ornamental design or device not otherwise described, whether or not a message is included in the design or device: <ul style="list-style-type: none"> • maximum area of 1 m². 	Not applicable: a symbol is not proposed.
	A1.9 Where a Tenancy Sign: <ul style="list-style-type: none"> • maximum of one tenancy sign per Site or development; • maximum Height of 5 metres; 	Complies: Compliance with reasonable and relevant requirements in regard to signage may be confirmed via the

Performance Criteria	Acceptable Solutions	Comment / Compliance
	<ul style="list-style-type: none"> • maximum width of 1.5 metres; • maximum depth of 0.3 metres; • limited to one double sided sign with one advertising panel on each side of the sign, each advertising panel with a maximum area of 4 m²; • located on the boundary of a Site or fixed to a wall on the boundary of a Site to a Road Frontage. 	imposition of conditions on any approval issued.
	<p>A1.10 Where a Wall Sign:</p> <ul style="list-style-type: none"> • maximum of one wall sign on any building facade or boundary wall; • maximum area of 4 m²; • maximum length of 3 metres; • maximum Height of 2 metres and sited at ground floor level of a Building or boundary wall; • does not project further than 0.10 metres from the face of the wall. 	Not applicable: a Wall Sign is not proposed.
	<p>A1.11 Where a Window Sign:</p> <ul style="list-style-type: none"> • limited to windows on ground floor level only of any Building, or ground floor level and one 	Not applicable: a Window Sign is not proposed.

Performance Criteria	Acceptable Solutions	Comment / Compliance
	<p>level above if the Building is of a commercial nature;</p> <ul style="list-style-type: none"> • maximum area of 1.2 m²; • maximum Height of 1 metre; • maximum length of 2.4 metres. 	
	<p>A1.12 Where an Indirectly Illuminated Sign:</p> <ul style="list-style-type: none"> • artificial light limited to illuminating the face of the sign; • does not cause light spillage from the source of external illumination; • complies with other relevant requirements for the particular type of Advertising Device, which are specified in this Code; • not located within a State-Controlled Road or on a Council Road. 	<p>Not applicable: an indirectly illuminated sign is not proposed.</p>
Signage Location		
<p>P2 Advertising Devices are located in appropriate areas, relative to the land uses in the area and the amenity and character of the area⁴⁶.</p>	<p>A2.1 Particular types of Advertising Devices are considered appropriate in the following locations:</p> <ul style="list-style-type: none"> • Residential, Rural and Rural Settlement Areas: - Home Activity/Home Based Business Sign; and - Directional Sign 	<p>Complies:</p> <p>Compliance with reasonable and relevant requirements in regard to signage may be confirmed via the imposition of conditions on any approval issued.</p>

Performance Criteria	Acceptable Solutions	Comment / Compliance
	<ul style="list-style-type: none"> • Tourist and Residential Areas: <ul style="list-style-type: none"> - Directional Sign; - Projecting Wall Sign; - Symbol; - Wall Sign; and - Indirectly Illuminated Sign. • Commercial and Tourist Commercial Areas: <ul style="list-style-type: none"> - Balloon, Blimp, Kite, Bunting, Flag, Banner or similar (temporary); - Below Awning Sign; - Chalk Board or A Frame Sign; - Directional Sign; - Fascia Sign; - Projecting Wall Sign; - Symbol; - Tenancy Sign; - Wall Sign; - Window Sign; and - Indirectly Illuminated Sign. • Industrial Areas: <ul style="list-style-type: none"> - Balloon, Blimp, Kite, Bunting, Flag, Banner or similar (temporary); - Tenancy Sign; - Wall Sign; - Window Sign; and - Indirectly Illuminated Sign. 	

Filling and Excavation Code

An assessment of the Application in regard to compliance with the Purpose of the Code is provided below:

Purpose Statement: to ensure that filling and excavation do not:	Comment
Affect visual/scenic amenity values of the Shire	Filling and / or excavation on the site is likely to be minimal, if any. Compliance with reasonable and relevant requirements may be confirmed through imposition of conditions on any approval issued.
Cause flooding and drainage problems	
Impact upon the environment of an area	
Cause land instability	
Adversely impact upon utility services	

An assessment of the Application in regard to Code Performance Criteria and Acceptable Solutions is provided below:

Performance Criteria	Acceptable Solutions	Comment / Compliance
Filling and Excavation – General		
P1 All filling and excavation work does not create a detrimental impact on the slope stability, erosion potential or visual amenity of the Site or the surrounding area.	A1.1 The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height. AND Cuts in excess of those stated in A1.1 above are separated by benches/terraces with a minimum width of 1.2 metres that incorporate drainage provisions and screen planting.	Complies: Whilst filling and excavation on site is likely to be minimal, if any, compliance with reasonable and relevant requirements may be confirmed via the imposition of conditions on any approval issued.
	A1.2 Cuts are supported by batters, retaining or rock walls and associated benches/terraces are capable of supporting mature vegetation.	Complies: Whilst filling and excavation on site is likely to be minimal, if any, compliance with reasonable and relevant requirements may be confirmed via the imposition of

Performance Criteria	Acceptable Solutions	Comment / Compliance
		conditions on any approval issued.
	<p>A1.3 Cuts are screened from view by the siting of the Building/structure, wherever possible.</p>	<p>Complies:</p> <p>Whilst filling and excavation on site is likely to be minimal, if any, compliance with reasonable and relevant requirements may be confirmed via the imposition of conditions on any approval issued.</p>
	<p>A1.4 Topsoil from the Site is retained from cuttings and reused on benches/terraces.</p>	<p>Complies:</p> <p>Whilst filling and excavation on site is likely to be minimal, if any, compliance with reasonable and relevant requirements may be confirmed via the imposition of conditions on any approval issued.</p>
	<p>A1.5 No crest of any cut or toe of any fill, or any part of any retaining wall or structure, is located closer than 600 mm to any boundary of the property, unless the prior written approval of the adjoining landowner and the Council, has been obtained.</p>	<p>Complies:</p> <p>Whilst filling and excavation on site is likely to be minimal, if any, compliance with reasonable and relevant requirements may be confirmed via the imposition of conditions on any approval issued.</p>
	<p>A1.6 Non-retained cut and/or fill on slopes are stabilised and protected against scour and erosion by suitable measures, such as grassing, Landscaping or other protective/aesthetic measures.</p>	<p>Complies:</p> <p>Whilst filling and excavation on site is likely to be minimal, if any, compliance with reasonable and relevant requirements may be confirmed via the imposition of conditions on any approval issued.</p>

Performance Criteria		Acceptable Solutions		Comment / Compliance
Visual Impact and Site Stability				
P2	Filling and excavation are carried out in such a manner that the visual/scenic amenity of the area and the privacy and stability of adjoining properties is not compromised.	A2.1	The extent of filling or excavation does not exceed 40% of the Site area or 500 m ² whichever is the lesser. EXCEPT THAT A2.1 does not apply to reconfiguration of 5 lots or more.	Complies: Whilst filling and excavation on site is likely to be minimal, if any, compliance with reasonable and relevant requirements may be confirmed via the imposition of conditions on any approval issued.
		A2.2	Filling and excavation does not occur within 2 metres of the Site boundary.	Complies: Whilst filling and excavation on site is likely to be minimal, if any, compliance with reasonable and relevant requirements may be confirmed via the imposition of conditions on any approval issued.
Flooding and Drainage				
P3	Filling and excavation does not result in a change to the run off characteristics of a Site which then have a detrimental impact upon the Site or nearby land or adjacent Road reserves.	A3.1	Filling and excavation does not result in the ponding of water on a Site or adjacent land or Road reserves.	Complies: Whilst filling and excavation on site is likely to be minimal, if any, compliance with reasonable and relevant requirements may be confirmed via the imposition of conditions on any approval issued.
		A3.2	Filling and excavation does not result in an increase in the flow of water across a Site or any other land or Road reserves.	Complies: Whilst filling and excavation on site is likely to be minimal, if any, compliance with reasonable and relevant requirements may be confirmed via the imposition of conditions on any approval issued.

Performance Criteria	Acceptable Solutions	Comment / Compliance
	<p>A3.3 Filling and excavation does not result in an increase in the volume of water or concentration of water in a Watercourse and overland flow paths.</p>	<p>Complies:</p> <p>Whilst filling and excavation on site is likely to be minimal, if any, compliance with reasonable and relevant requirements may be confirmed via the imposition of conditions on any approval issued.</p>
	<p>A3.4 Filling and excavation complies with the specifications set out in the Planning Scheme Policy No 6 – FNQROC Development Manual.</p>	<p>Complies:</p> <p>Whilst filling and excavation on site is likely to be minimal, if any, compliance with reasonable and relevant requirements may be confirmed via the imposition of conditions on any approval issued.</p>
Water Quality		
<p>P4 Filling and excavation does not result in a reduction of the water quality of receiving waters.</p>	<p>A4.1 Water quality is maintained to comply with the specifications set out in the Planning Scheme Policy No 6 – FNQROC Development Manual.</p>	<p>Complies:</p> <p>Whilst filling and excavation on site is likely to be minimal, if any, compliance with reasonable and relevant requirements may be confirmed via the imposition of conditions on any approval issued.</p>

Landscaping Code

An assessment of the Application in regard to compliance with the Purpose of the Code is provided below:

Purpose Statement:	Comment
Ensure that new Landscaping incorporates plants which encourage Biodiversity	Landscaping for the site will be compliant with requirements within the Landscape Code. Compliance may be confirmed via the imposition of reasonable and relevant conditions on any approval issued.
Maintain and strengthen the tropical and native landscape character of the Shire through high quality landscape works	
Create attractive streetscapes and public spaces through landscape design and the use of street trees and shade trees	
Ensure that native species incorporated into Landscaping, as a means of providing continuity between developed and undeveloped areas	
Ensure that existing vegetation on Site is retained, protected during works and integrated with the built environment	
Ensure preferred plant species are selected in accordance with the Plant Species Schedule in Planning Scheme Policy No 7 – Landscaping	
Ensure that Landscaping screens buildings to reduce their bulk and to enhance the landscape character of the Shire	

An assessment of the Application in regard to Code Performance Criteria and Acceptable Solutions is provided below:

Performance Criteria	Acceptable Solutions	Comment / Compliance
Landscape Design		
P1 Landscape design satisfies the purpose and the detailed requirements of this	A1.1 Landscaping is undertaken in accordance with a Landscape Plan drawn to scale which complies with	Performance Based Assessment: Compliance with this requirement may be confirmed via the

Performance Criteria		Acceptable Solutions		Comment / Compliance
Code.		and illustrates all the relevant requirements of this Code and Planning Scheme Policy No 7 – Landscaping. AND Landscaping is maintained in accordance with the requirements specified in this Code and Planning Scheme Policy No 7 – Landscaping.		imposition of reasonable and relevant conditions on any approval issued.
Landscape – Character and Planting				
P2	Landscaping contributes to a sense of place, is functional to the surroundings and provides dominant visual interest and form.	A2.1	A minimum of 80% of the proposed landscape area is open to the sky for sunlight and ventilation.	Complies: Compliance with this requirement may be confirmed via the imposition of reasonable and relevant conditions on any approval issued.
		A2.2	The percentage of native or endemic species utilised in the Landscaping is as specified in the Locality Code. OR Where not specified in the Locality Code, in accordance with Planning Scheme Policy No. 7 – Landscaping.	Complies: Compliance with this requirement may be confirmed via the imposition of reasonable and relevant conditions on any approval issued.
		A2.3	Landscaping includes planting layers comprised of canopy, middle storey, screening and groundcovers, with palm trees used as accent plants only.	Complies: Compliance with this requirement may be confirmed via the imposition of reasonable and relevant conditions on any approval issued.
P3	Landscaping is consistent with the existing landscape character of the area and native vegetation existing	A3.1	Existing native vegetation on Site is retained and incorporated into the Site design, wherever possible.	Complies: No existing native vegetation

Performance Criteria	Acceptable Solutions	Comment / Compliance
<p>on the Site is to be retained wherever possible and integrated with new Landscaping⁴⁷.</p>		<p>remains on site.</p>
	<p>A3.2 Any mature vegetation on the Site which is removed or damaged during development of the Site is replaced with advanced native species.</p>	<p>Complies: Compliance with this requirement may be confirmed via the imposition of reasonable and relevant conditions on any approval issued.</p>
	<p>A3.3 Where there is an existing landscape character in a street or locality which results from existing vegetation, similar species are planted on Site or on the street.</p>	<p>Complies: Compliance with this requirement may be confirmed via the imposition of reasonable and relevant conditions on any approval issued.</p>
	<p>A3.4 Street trees are 100% native species which enhance the landscape character of the streetscape, with species chosen from the Plant Species Schedule in Planning Scheme Policy No 7 – Landscaping.</p>	<p>Complies: Compliance with this requirement may be confirmed via the imposition of reasonable and relevant conditions on any approval issued.</p>
<p>P4 Plant species are selected with consideration to the scale and form of development, screening, buffering, streetscape, shading and the locality of the area.</p>	<p>A4.1 Species are selected in accordance with the Plant Species Schedule in Planning Scheme Policy No 7 – Landscaping.</p>	<p>Complies: Compliance with this requirement may be confirmed via the imposition of reasonable and relevant conditions on any approval issued.</p>
<p>P5 Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal</p>	<p>A5.1 Where car parking areas are uncovered or open, shade trees are planted at regular intervals (a minimum of 1 shade tree is provided for</p>	<p>Complies: Compliance with this requirement may be confirmed via the</p>

Performance Criteria	Acceptable Solutions	Comment / Compliance
Roadways.	every 5 car parks) throughout the car parking areas, and adjacent to driveways and internal Roadways.	imposition of reasonable and relevant conditions on any approval issued.
	A5.2 A minimum of 1 shade tree is provided for every 10 metres along a driveway or internal Roadway.	Complies: Compliance with this requirement may be confirmed via the imposition of reasonable and relevant conditions on any approval issued.
	A5.3 Landscape beds and trees are protected by garden edging, bollards or wheel stops.	Complies: Compliance with this requirement may be confirmed via the imposition of reasonable and relevant conditions on any approval issued.
	A5.4 Trees within car parking areas have a minimum planting area the equivalent of 1 car parking bay, with a minimum topsoil depth of 0.8 metre.	Complies: Compliance with this requirement may be confirmed via the imposition of reasonable and relevant conditions on any approval issued.
Screening		
P6 Fences along street Frontages are articulated with appropriate Landscaping.	A6.1 Perimeter fencing to any street Frontage complies with the relevant Planning Area Code.	Complies: Compliance with this requirement may be confirmed via the imposition of reasonable and relevant conditions on any approval issued.
	A6.2 Trees, shrubs and groundcovers are planted within any recessed areas along the fence line.	Complies: Compliance with this requirement may be confirmed via the

Performance Criteria		Acceptable Solutions	Comment / Compliance
			imposition of reasonable and relevant conditions on any approval issued.
P7	Landscaping within Recreation Areas of residential development are functional, well designed and enhance the residential amenity.	A7.1 One shade tree is provided for each private open space or private Recreation Area.	Complies: Compliance with this requirement may be confirmed via the imposition of reasonable and relevant conditions on any approval issued.
		A7.2 Tree species provide 30% shade over the area within 5 years.	Complies: Compliance with this requirement may be confirmed via the imposition of reasonable and relevant conditions on any approval issued.
		A7.3 A minimum of 50% of the Landscaping and recreational Area is landscaped, with trees, shrubs, groundcovers, minimising large expanses of hardstand areas and structures.	Complies: Compliance with this requirement may be confirmed via the imposition of reasonable and relevant conditions on any approval issued.
		A7.4 Plants are located to provide shelter and shade to Habitable Rooms and outdoor Recreation Areas from the hot summer sun.	Complies: Compliance with this requirement may be confirmed via the imposition of reasonable and relevant conditions on any approval issued.
P8	Undesirable features are screened with Landscaping.	A8.1 Landscaping of Dense Planting is planted along and near retaining walls, long blank walls of Buildings, mechanical and air-conditioning units, clothes drying areas, bin	Complies: Compliance with this requirement may be confirmed via the imposition of reasonable and relevant conditions on any

Performance Criteria	Acceptable Solutions	Comment / Compliance
	enclosures and other utility structures with appropriate trees, shrubs and groundcovers.	approval issued.
P9 The environmental values of the Site and adjacent land are enhanced.	A9.1 Landscaping using similar endemic or native species, is planted on-Site on land adjoining an area of natural environmental value.	Complies: Compliance with this requirement may be confirmed via the imposition of reasonable and relevant conditions on any approval issued.
Streetscape and Site Amenity		
P10 Landscaping for residential development enhances the streetscape and the visual appearance of the development.	A10.1 Dense Planting along the front of the Site incorporates: <ul style="list-style-type: none"> • shade canopy trees to provide shade to the Frontage of the Site within 5 years of planting; • landscape screening of blank walls; • low shrubs, groundcovers and mulch to completely cover unsealed ground. 	Not applicable: residential development is not proposed.
	A10.2 Dense Planting to the rear of the Site incorporates: <ul style="list-style-type: none"> • 1 shade tree for an average of every 75 m², growing to the Building eave Height within 5 years of planting; • screening shrubs to grow to 3 metres in Height within 2 years of planting; • low shrubs, groundcovers and mulch to completely cover unsealed ground. 	Not applicable: Residential development is not proposed.
	A10.3 Dense Planting to the side boundaries incorporates: <ul style="list-style-type: none"> • trees planted for an average of every 10 metres where adjacent to a Building; • low shrubs, groundcovers 	Not applicable: Residential development is not proposed.

Performance Criteria	Acceptable Solutions	Comment / Compliance
	and mulch to completely cover unsealed ground.	
<p>P11 Landscaping for non-residential development enhances the streetscape and the visual appearance of the development.</p>	<p>A11.1 Dense Planting along the front boundary of the Site where a Building is Setback from the front alignment, incorporates:</p> <ul style="list-style-type: none"> • shade canopy trees to provide shade to the Frontage of the Site within 5 years of planting where appropriate; • landscape screening of blank walls; • low shrubs, groundcovers and mulch to completely cover unsealed ground. 	<p>Complies:</p> <p>Compliance with this requirement may be confirmed via the imposition of reasonable and relevant conditions on any approval issued.</p>
	<p>A11.2 Dense Planting to the rear of the Site where a Building is Setback from the rear alignment, incorporates:</p> <ul style="list-style-type: none"> • 1 shade tree for an average of every 75 m² growing to the Building eave Height within 5 years of planting; • screening shrubs to grow to 3 metres in Height within 2 years of planting; • low shrubs, groundcovers and mulch to completely cover unsealed ground. 	<p>Complies:</p> <p>Compliance with this requirement may be confirmed via the imposition of reasonable and relevant conditions on any approval issued.</p>
	<p>A11.3 Dense Planting to the side boundaries where visible from the street or adjoining a boundary to a different Planning Area, and where a Building is Setback from the side boundary, incorporates:</p> <ul style="list-style-type: none"> • trees planted for an average of every 10 metres where adjacent to a Building; • screening shrubs, low 	<p>Complies:</p> <p>Compliance with this requirement may be confirmed via the imposition of reasonable and relevant conditions on any approval issued.</p>

Performance Criteria	Acceptable Solutions	Comment / Compliance
	shrubs and groundcover appropriate for the amount of space, light and ventilation of the area; <ul style="list-style-type: none"> • low shrubs, groundcovers and mulch to completely cover unsealed ground. 	
	A11.4 A minimum of 20% of shade trees and shrubs is incorporated in all areas of Landscaping growing to the Building eave Height within 5 years.	Performance Based Assessment: Compliance with this requirement may be confirmed via the imposition of reasonable and relevant conditions on any approval issued.
Maintenance and Drainage		
P12 Landscaped areas are designed in order to be maintained in an efficient manner.	A12.1 A maintenance program is undertaken in accordance with the Maintenance Schedule in Planning Scheme Policy No 7 – Landscaping.	Complies: Compliance may be confirmed via the imposition of reasonable and relevant conditions where required.
	A12.2 A reticulated irrigation system is provided to common Landscaping and Recreation Areas and planter boxes in accordance with Australian Standards, with 1 hose cock within each area.	Complies: Compliance may be confirmed via the imposition of reasonable and relevant conditions where required.
	A12.3 Turf areas are accessible by standard lawn maintenance equipment.	Complies: Compliance may be confirmed via the imposition of reasonable and relevant conditions where required.
	A12.4 Plant species are selected with long life expectancy and minimal maintenance requirements where on-Site management will be limited.	Complies: Compliance may be confirmed via the imposition of reasonable and relevant conditions where required.
	A12.5 Mulching is provided to all garden beds to reduce weed	Complies: Compliance may be

Performance Criteria	Acceptable Solutions	Comment / Compliance
	growth and to retain water, and is to be replenished every year in the ongoing maintenance program.	confirmed via the imposition of reasonable and relevant conditions where required.
P13 Stormwater runoff is minimised and reused in Landscaping through water infiltration, where appropriate.	A13.1 Adequate drainage is provided to all paving, turf and garden beds, including the use of swales, spoon drains, subsurface drainage, field gullies, rock or pebble lined Watercourses and stormwater connections.	Complies: Compliance may be confirmed via the imposition of reasonable and relevant conditions where required.
	A13.2 Overland flow paths are not to be restricted by Landscaping works.	Complies: Compliance may be confirmed via the imposition of reasonable and relevant conditions where required.
	A13.3 Water runoff is re-used through draining of hard surface areas towards permeable surfaces, turf, garden beds and by minimising impervious surfaces on the Site.	Complies: Compliance may be confirmed via the imposition of reasonable and relevant conditions where required.
Safety		
P14 Tree species and their location accommodate vehicle and pedestrian sight lines.	A14.1 Trees located near pathways, driveways, Access points, parking areas and street corners have a minimum 3.0 metres of clear trunk.	Complies: Compliance may be confirmed via the imposition of reasonable and relevant conditions where required.
P15 The landscape design enhances personal safety and reduces the potential for crime and vandalism.	A15.1 Security and foot lighting is provided to all common areas, including car parks, entries, driveways and pathways.	Complies: Compliance may be confirmed via the imposition of reasonable and relevant conditions where required.
	A15.2 Hard surfaces are stable, non-slippery and useable in all weathers.	Complies: Compliance may be confirmed via the imposition of reasonable and relevant conditions where required.

Performance Criteria	Acceptable Solutions	Comment / Compliance
	A15.3 Bushfire hazard is minimised with planting of bushfire resistant species near bushfire prone areas, (refer to the Bushfire Risk Overlay on the relevant Locality Map).	Complies: Compliance may be confirmed via the imposition of reasonable and relevant conditions where required.
	A15.4 Lighting for bicycle paths is provided in accordance with the relevant Australian Standards	Not applicable: Bicycle paths are not proposed.
Utilities and Services		
P16 The location and type of plant species does not adversely affect the function and accessibility of services and facilities and service areas.	A16.1 Plant species are selected and sited with consideration to the location of overhead and underground services.	Complies: Compliance may be confirmed via the imposition of reasonable and relevant conditions where required.
	A16.2 All underground services are to be located under pathways and below the eaves of the Building.	Not applicable: no additional services are proposed
	A16.3 Irrigation control devices are located in the common Landscaping and Recreation Area.	Complies: Compliance may be confirmed via the imposition of reasonable and relevant conditions where required.
	A16.4 Landscaping is located to enable trade persons to Access and view meters and other mechanical equipment within the Site.	Complies: Compliance may be confirmed via the imposition of reasonable and relevant conditions where required.
	A16.5 Landscaping does not limit Access for service vehicles or rubbish trucks to utility areas, bin enclosures or docking areas.	Complies: Compliance may be confirmed via the imposition of reasonable and relevant conditions where required.
	A16.6 Landscaping near electric lines or substations is	Complies: Compliance may be

Performance Criteria	Acceptable Solutions	Comment / Compliance
	<p>designed and developed so that any vegetation at maturity or Landscaping structures or works do not exceed 40 metres in Height on land:</p> <ul style="list-style-type: none"> • in an electric line shadow; or • within 5.0 metres of an electric line shadow; or within 5.0 metres of a substation boundary. 	<p>confirmed via the imposition of reasonable and relevant conditions where required.</p>
	<p>A16.7 Elsewhere, vegetation is planted at a distance that is further from the nearest edge of an electric line shadow or substation boundary than the expected maximum Height at maturity of the vegetation.</p>	<p>Complies: Compliance may be confirmed via the imposition of reasonable and relevant conditions where required.</p>
	<p>A16.8 On a Site adjoining an electricity substation boundary, the vegetation foliage at maturity is not within 3.0 metres of the substation boundary. However, where a substation has a solid wall along any part of its boundary, foliage may extend to, but not above or beyond, that solid wall.</p>	<p>Complies: Compliance may be confirmed via the imposition of reasonable and relevant conditions where required.</p>

Vehicle Parking and Access Code

An assessment of the Application in regard to compliance with the Purpose of the Code is provided below:

Purpose Statement:	Comment
Sufficient vehicle parking is provided on-Site to cater for all types of vehicular traffic accessing and parking on the Site, including staff, guests, patrons, residents and short-term delivery vehicles	Sufficient vehicle parking for both trucks and cars will be provided on site, and compliance with these requirements may be confirmed via imposition of reasonable and relevant conditions. Vehicular movements onto and off site may be undertaken in a manner that is safe, efficient, and is unlikely to impact negatively on the surrounding road network.
Sufficient bicycle parking and end of trip facilities are provided on-Site to cater for customer and staff	
On-Site parking is provided so as to be accessible and convenient, particularly for any short term use	
The provision of on-Site parking, loading/unloading facilities and the provision of Access to the Site, do not impact on the efficient function of the street network or on the area in which the development is located	
New vehicle access points are safely located and are not in conflict with the preferred ultimate streetscape character and local character and do not unduly disrupt any current or future on-street parking arrangements	

An assessment of the Application in regard to Code Performance Criteria and Acceptable Solutions is provided below:

Performance Criteria	Acceptable Solutions	Comment / Compliance
Vehicle Parking Numbers		
P1 Sufficient parking spaces are provided on the Site to accommodate the amount and type of vehicle traffic expected to be generated by the use or uses of the Site, having particular regard to: <ul style="list-style-type: none"> the desired character of 	A1.1 The minimum number of vehicle parking spaces provided on the Site is not less than the number prescribed in Schedule 1 of this Code for the particular use or uses. Where the number of spaces calculated from the	Complies: Twenty-one (21) car parks, including one (1) disabled car park, are provided on site.

Performance Criteria		Acceptable Solutions	Comment / Compliance
the area in which the Site is located; <ul style="list-style-type: none"> • the nature of the particular use and its specific characteristics and scale; • the number of employees and the likely number of visitors to the Site; • the level of local accessibility; • the nature and frequency of any public transport serving the area; • whether or not the use involves the retention of an existing Building and the previous requirements for car parking for the Building; • whether or not the use involves an identified Valuable Conservation Feature and Valuable Site; and • whether or not the use involves the retention of significant vegetation. 		Schedule is not a whole number, the number of spaces provided is the next highest whole number.	
Parking for People with Disabilities			
P2	Parking spaces are provided to meet the needs of vehicle occupants with disabilities ⁴⁹ .	A2.1 For parking areas with a total number of ordinary vehicle spaces less than 50, wheelchair accessible spaces are provided as follows: <ul style="list-style-type: none"> • Medical, higher education, entertainment facilities and shopping centres – 2 spaces; • All other uses – 1 space. 	Complies: One (1) disabled car park is provided on site.
		A2.2 For parking areas with 50 or more ordinary vehicle spaces, wheelchair accessible spaces are provided as follows:	Not applicable: Less than 50 parking spaces are to be provided on site.

Performance Criteria	Acceptable Solutions	Comment / Compliance
	<ul style="list-style-type: none"> • Medical, higher education, entertainment facilities and shopping centres – 3% (to the closest whole number) of the total number of spaces required; • All other uses – 2% (to the closest whole number) of the total number of spaces required. 	
Motor Cycles		
<p>P3 In recognition that motorcycles are low Road-space transport, a proportion of the parking spaces provided may be for motorcycles. The proportion provided for motor cycles is selected so that:</p> <ul style="list-style-type: none"> • ordinary vehicles do not demand parking in the spaces reserved for motor cycles due to capacity constraints; and, • it is a reflection of the make-up of the likely vehicle fleet that uses the parking; and, • it is not a reflection of the lower cost of providing motorcycle parking. 	<p>A3.1 Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% per cent of total ordinary parking. AND The motorcycle parking complies with other elements of this Code.</p>	<p>Complies:</p> <p>Motor cycle parking may be provided on site in a manner that is both safe and appropriate given the nature of the use. It is proposed that this parking be provide in an informal manner.</p>
Compact Vehicles		
<p>P4 A proportion of the parking spaces provided may be for compact vehicles. The proportion of total</p>	<p>A4.1 For parking areas exceeding 100 spaces for short term users or 50 spaces for long-term users, parking is provided for compact</p>	<p>Not applicable:</p> <p>Parking areas do not exceed the 100 or 50 parking spaces thresholds.</p>

Performance Criteria	Acceptable Solutions	Comment / Compliance
<p>parking provided for compact vehicles is selected considering:</p> <ul style="list-style-type: none"> • compact vehicles spaces are not available to non-compact vehicles; and, • it is a reflection of the proportion of the likely vehicle fleet that uses the parking; and, • compact vehicle spaces are located so as to be proximate to pedestrian destinations such that they present significant inclination for use by users of compact vehicles; and, • the scale of parking spaces, likely users and the likely degree of familiarity with the availability of such spaces. 	<p>vehicles as a substitute for ordinary vehicle parking so that:</p> <ul style="list-style-type: none"> • compact vehicle parking does not exceed 10% of total vehicle parking required; and, • the parking location is proximate to the entry locations for parking users; and, • the parking provided complies with other elements of this Code. 	
Bicycles Parking		
<p>P5 Sufficient bicycle parking spaces with appropriate security and end of trip facilities are provided on-Site to accommodate the amount of bicycles expected to be generated by the use or uses.</p>	<p>A5.1 The minimum number of bicycle parking spaces provided on Site is not less than the number prescribed in Schedule 1 of this Code, for the particular use or uses.</p>	<p>Complies:</p> <p>Compliance with this requirement may be confirmed via the imposition of reasonable and relevant conditions on any approval issued. Given the nature of the use, it is unlikely that bicycle parking will be required, and it is proposed that it be provided in a safe, but more informal</p>

Performance Criteria		Acceptable Solutions		Comment / Compliance
				manner than traditionally provided.
Vehicular Access to the Site				
P6	The location of Access points minimises conflicts and is designed to operate efficiently and safely taking into account: <ul style="list-style-type: none"> • the amount and type of vehicular traffic; • the type of use (eg long-stay, short-stay, regular, casual); • Frontage Road traffic conditions; • the nature and extent of future street or intersection improvements; • current and future on-street parking arrangements; • the capacity of the adjacent street system; and • the available sight distance. 	A6.1	The location of the Access points is in accordance with the provisions of the relevant Australian Standards. AND Where the Site has Frontage to more than one street, the Access is from the lowest order street.	Complies: Site access will be provided in a manner that is compliant with relevant Australian Standards, and is efficient and safe. Compliance may also be confirmed via the imposition of reasonable and relevant conditions on any approval issued.
		A6.2	All redundant Accesses must be removed and a suitable barrier Erected to prevent further use of the Access.	Complies: Compliance may be confirmed via the imposition of reasonable and relevant conditions on any approval issued.
		A6.3	Only one Access point is to be provided to each Site unless stated otherwise in another Code.	Complies: Only one access to the site is proposed.
Accessibility and Amenity for Users				
P7	On-Site vehicle parking is	A7.1	Short term visitor parking is	Complies:

Performance Criteria		Acceptable Solutions	Comment / Compliance
	provided where it is convenient, attractive and safe to use, and does not detract from an attractive or existing streetscape character.	provided at the front or on the main approach side of the Site, with easy Access to the Building entry, where such provision is in keeping with the desired character of the area in which the Site is located. AND In mixed use premises that include residential or accommodation uses (excluding, Port Douglas – Tourist Centre), at least 50% of the required number of parking spaces for the nonresidential use/s on the Site is provided in an easily accessible location on the premises, so as to be convenient to use for customers and other visitors.	Loading spaces are provided in three areas within the shared zone driveway. These spaces are configured to permit continued through movement around them, and allow a van to load / unload on site.
P8	The layout of parking areas provides a high degree of amenity and accessibility for different users.	A8.1 The layout of the parking area provides for the accessibility and amenity of the following: <ul style="list-style-type: none"> • People with Disabilities • Cyclists • Motorcyclists • Compact Vehicles • Ordinary Vehicles • Service Delivery Vehicles. 	Complies: Parking provides conventional, disabled and loading spaces as required.
		A8.2 Where covered parking areas are required in accordance with Schedule 1 of this Code, sails or other secure structural forms of covering provide shade and weather protection for vehicles and passengers.	Complies: Shaded parking for loading is provided in individual units, if required.
Access Driveways			
P9	The dimensions of Access driveways cater for all vehicles likely to enter the	A9.1 Access driveways are designed in accordance with the provisions of the	Alternative Compliance:

Performance Criteria		Acceptable Solutions	Comment / Compliance
	Site and minimises the disruption of vehicular, cyclist and pedestrian traffic.	relevant Australian Standards.	The driveway at the head of a cul de sac will be constructed in compliance with FNQ ROC Development Manual and / or reasonable standards, to be confirmed by condition. The driveway is sufficient in width to accommodate movements required, and the driveway around the site (internally) is sufficient to accommodate one-way movement in a shared zone, low speed environment.
P10	The surface construction materials of Access driveways within the Road reserve contribute to the streetscape and alerts pedestrians to the location of the driveway.	A10.1 Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.	Complies: Concrete finish within sheds and on the driveway / parking area is proposed.
Access for People with Disabilities			
P11	Access for people with disabilities is provided to the Building from the parking area and from the street.	A11.1 Access for people with disabilities is provided in accordance with the relevant provisions of the Australian Standards.	Complies: Compliance may be confirmed via the imposition of reasonable and relevant conditions on any approval issued.
Access for Pedestrians			
P12	Access for pedestrians is provided to the Building from the parking area and from the street.	A12.1 Defined, safe pedestrian pathways are provided to the Building entry from the parking area and from the street.	Alternative Compliance: A 'Shared zone' arrangement is proposed, accommodating vehicular and pedestrian access in a 10km/hr environment. Given the scale and nature of the use proposed, this arrangement is

Performance Criteria		Acceptable Solutions	Comment / Compliance
			submitted as acceptable, particularly noting the Service Industry use is unlikely to be a significant 'attractor' for pedestrian browsing or similar.
Access for Cyclists			
P13	Access for cyclists is provided to the Building or to bicycle parking area from the street.	A13.1 Access pathways for cyclists are provided in accordance with the relevant provisions of the Australian Standards. AND Where Access for cyclists is shared with Access for pedestrians and vehicles, the shared use is identified by signage and linemarking.	Not applicable: Cyclist pathways and the like are not required for this form of development, given the nature of the use and its location.
Dimensions of Parking Spaces			
P14	Parking spaces must have adequate areas and dimensions to meet user requirements.	A14.1 Car parking for the disabled, ordinary car parking spaces and motorcycle parking spaces meet the requirements of the relevant Australian Standards. AND Parking spaces for special vehicles that are classified in accordance with the relevant Australian Standards meet the requirements of that Standard. AND Parking spaces for standard sized buses have the following minimum dimensions: <ul style="list-style-type: none"> • width: 4 metres • length: 20 metres • clear Height: 4 metres. AND Parking spaces for compact vehicles	Complies: Compliance may be confirmed via the imposition of reasonable and relevant conditions on any approval issued.

Performance Criteria	Acceptable Solutions	Comment / Compliance
	<p>have the following minimum dimensions:</p> <ul style="list-style-type: none"> • 15 per cent less in width measurements than required by Australian Standards for any ordinary vehicle; and, • 20 per cent less in length measurements than required by Australian Standards for any ordinary vehicle. <p>AND</p> <p>Parking spaces for special vehicles meet the requirements dictated by the vehicle dimensions and manoeuvring characteristics and provide sufficient clearance to obstructions and adjacent vehicles to achieve a level of service to users equivalent to that specified by the relevant Australian Standards.</p>	
	<p>A14.2 Parking spaces for bicycles meet the requirement of the relevant Australian Standard.</p>	<p>Complies:</p> <p>Internal bicycle parking (within the units) may be provided.</p>
<p>On-Site Driveways, Maneuvering Areas and Parking / Standing Areas</p>		
<p>P15 On-Site driveways, manoeuvring areas and vehicle parking/standing areas are designed, constructed and maintained such that they:</p> <ul style="list-style-type: none"> • are at gradients suitable for intended vehicle use; 	<p>A15.1 On-Site driveways, vehicle manoeuvring and loading/unloading areas:</p> <ul style="list-style-type: none"> • are sealed in urban areas: <p>AND</p> <p>upgraded to minimise noise, dust and runoff in other areas of the Shire in</p>	<p>Complies:</p> <p>Concrete finish within units and on driveways and parking areas is proposed.</p>

Performance Criteria		Acceptable Solutions	Comment / Compliance
<ul style="list-style-type: none"> • consider the shared movements of pedestrians and cyclists; • are effectively drained and surfaced; and • are available at all times they are required. 		<p>accordance with the relevant Locality Code;</p> <ul style="list-style-type: none"> • have gradients and other design features in accordance with the provisions of the relevant Australian Standards; and • drain adequately and in such a way that adjoining and downstream land is not adversely affected. 	
	A15.2	Parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking.	<p>Complies:</p> <p>Compliance may be confirmed via the imposition of reasonable and relevant conditions on any approval issued.</p>
Vehicle Circulation, Queuing and Set Down Areas			
P16	Sufficient area or appropriate circulation arrangements are provided to enable all vehicles expected to use the Site to drive on and off the Site in forward gear.	A16.1 Circulation and turning areas comply with the provisions of the relevant Australian Standards.	<p>Complies:</p> <p>The driveway proposed is one-way, with a minimum width of 6.2m. Swept path diagrams illustrate that vehicles with a 7.1m turn circle radius can safely move around the site, and vehicles (conventional) with a 6.3m turn circle radius can safely move around and into / out of parking spaces, and importantly, into and out of all units including Unit 3 and Unit 12.</p>
P17	An on-Site circulation system provides safe and practical Access to all parking, loading/unloading and manoeuvring areas.	A17.1 Circulation driveways comply with the provisions of the relevant Australian Standards.	<p>Complies:</p> <p>Compliance may be confirmed via the imposition of reasonable and relevant conditions on any approval issued.</p>
P18	Where vehicle queuing, set down or special vehicle	A18.1 Queuing and set down areas comply with the relevant	<p>Complies:</p>

Performance Criteria	Acceptable Solutions	Comment / Compliance
parking is expected, sufficient queuing or parking area is provided to enable vehicles to stand without obstructing the free flow of moving traffic or pedestrian movement.	Australian Standard and any relevant AUSTROAD Guidelines.	Compliance may be confirmed via the imposition of reasonable and relevant conditions on any approval issued.

ANNEXURE 4: IDAS Forms

IDAS form 1—Application details

(Sustainable Planning Act 2009 version 4.3 effective 5 December 2016)

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

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

For all development applications, you must:

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

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

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

This form and any other IDAS form relevant to your application must be used for development applications relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994* and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. Whenever a planning scheme is mentioned, take it to mean land use plan for the strategic port land, Brisbane core port land or airport land.

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

Mandatory requirements

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

Name/s (individual or company name in full)

Waks Developments Pty Ltd A.C.N. 116 396 573

For companies, contact name

C/- Kristy Gilvear, Gilvear Planning Pty Ltd

Postal address

PO Box 228

Suburb	BABINDA		
State	QLD	Postcode	4861
Country	AUSTRALIA		

Contact phone number

0448 897 991

Mobile number (non-mandatory requirement)

0448 897 991

Fax number (non-mandatory requirement)

N/A



Email address (non-mandatory requirement)	kristy
	@ gilvearplanning.com.au

Applicant's reference number (non-mandatory requirement)	J000275:WAKS(L8):KLG
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1. What is the nature of the development proposed and what type of approval is being sought?

Table A—Aspect 1 of the application (If there are additional aspects to the application please list in Table B—Aspect 2.)

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

Material change of use Reconfiguring a lot Building work Operational work

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

Preliminary approval under s241 of SPA Preliminary approval under s241 and s242 of SPA Development permit

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

Service Industry

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

Impact assessment Code assessment

Table B—Aspect 2 of the application (If there are additional aspects to the application please list in Table C—Additional aspects of the application.)

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

Material change of use Reconfiguring a lot Building work Operational work

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

Preliminary approval under s241 of SPA Preliminary approval under s241 and s242 of SPA Development permit

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

d) What is the level of assessment?

Impact assessment Code assessment

Table C—Additional aspects of the application (If there are additional aspects to the application please list in a separate table on an extra page and attach to this form.)

Refer attached schedule Not required

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

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

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

Street address					Lot on plan description		Local government area (e.g. Logan, Cairns)
Lot	Unit no.	Street no.	Street name and official suburb/ locality name	Post-code	Lot no.	Plan type and plan no.	
i)		5 – 7	Pioneer Close, Craiglie	4877	8	SP201317	Douglas Shire Council
ii)							
iii)							

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

Lot	Applicable zone / precinct	Applicable local plan / precinct	Applicable overlay/s
i)	Industry Planning Area	Service Industry Precinct	Refer Planning Submission
ii)			
iii)			

Table E—Premises coordinates (Appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay.) (Attach a separate schedule if there is insufficient space in this table.)

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

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

5,196sq m

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

Vacant Industrial Land

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

No Yes—provide details below

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

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

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

Table F

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

Table G

Name of owner/s of the land	Waks Developments Pty Ltd A.C.N. 116 396 573
<input checked="" type="checkbox"/> The owner's written consent is attached or will be provided separately to the assessment manager.	

Table H

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

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

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

Table I

Name of water body, watercourse or aquifer

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

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

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

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

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

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

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

- No—go to question 11 Yes

10a. Has the portable long service leave levy been paid? (Refer to notes at the end of this form for more information.)

- No
- Yes—complete Table L and submit, with this application, the local government/private certifier's copy of the accepted QLeave form

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

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

- No
- Yes—please provide details below

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

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

Description of attachment or title of attachment	Method of lodgement to assessment manager
Planning Submission (Gilvear Planning) January 2017	Online

13. Applicant's declaration

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

Notes for completing this form

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

Applicant details

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

Question 1

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

Question 6

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

Question 7

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

Question 10

- The *Building and Construction Industry (Portable Long Service Leave) Act 1991* prescribes when the portable long service leave levy is payable.
- The portable long service leave levy amount and other prescribed percentages and rates for calculating the levy are prescribed in the Building and Construction Industry (Portable Long Service Leave) Regulation 2013.

Question 10a

- The portable long service leave levy need not be paid when the application is made, but the *Building and Construction Industry (Portable Long Service Leave) Act 1991* requires the levy to be paid before a development permit is issued.
- Building and construction industry notification and payment forms can be completed on the QLeave website at www.qleave.qld.gov.au. For further information contact QLeave on 1800 803 481.

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

OFFICE USE ONLY

Date received Reference numbers

NOTIFICATION OF ENGAGEMENT OF A PRIVATE CERTIFIER

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

Date of engagement	Name	BSA Certification license number	Building classification/s

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

Description of the work	QLeave project number	Amount paid (\$)	Date paid	Date receipted form sighted by assessment manager	Name of officer who sighted the form

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

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

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

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

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

For all development applications, you must:

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

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

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

This form must also be used for material change of use on strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994* and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008* that requires assessment against the land use plan for that land. Whenever a planning scheme is mentioned, take it to mean land use plan for the strategic port land, Brisbane core port land or airport land.

Mandatory requirements

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

General explanation of the proposed use	Planning scheme definition (include each definition in a new row) (non-mandatory)	No. of dwelling units (if applicable) or gross floor area (if applicable)	Days and hours of operation (if applicable)	No. of employees (if applicable)
Service Industry	Service Industry	1,830sq m GFA (est)	TBC	TBC

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

No Yes—provide details below

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

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

The reuse of existing buildings on the premises	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes
New building work on the premises	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Yes
The reuse of existing operational work on the premises	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Yes
New operational work on the premises	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Yes

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

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

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

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

OFFICE USE ONLY

Date received

Reference numbers

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

Company owner's consent to the making of a development application
under the *Sustainable Planning Act 2009*

I, Stephen Charles Thomas
Director of the below mentioned company

of **WAKS DEVELOPMENTS PTY LTD A.C.N. 116 396 573**

as owner of premises identified as follows:

LOT 8 on SP201317 located at 5 – 7 Pioneer Close, Craiglie

consent to the making of a development application under the *Sustainable Planning Act 2009* by

WAKS DEVELOPMENTS PTY LTD

on the premises described above for the purposes of

Material Change of Use for Service Industry



[signature of Director]

signed on the 18th day of January 2017

Smart eDA ID: 1484615324820

State assessments

5 PIONEER CL, CRAIGLIE

1 matters requiring further investigation.

State Assessment and Referral Agency

State Assessment and Referral Agency

Environment and Heritage

[Coastal zone](#)

Yes