

DA Form 2 – Building work details

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

This form **must** be used to make a development application **involving building work**.

For a development application involving **building work only**, use this form (DA Form 2) only. The DA Forms Guide provides advice about how to complete this form.

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

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Scott Howard & Ella Bennett
Contact name (only applicable for companies)	C/- Patrick Clifton, GMA Certification
Postal address (PO Box or street address)	PO Box 831
Suburb	Port Douglas
State	QLD
Postcode	4877
Country	Australia
Contact number	0438755374
Email address (non-mandatory)	Patrick.c@gmacert.com.au
Mobile number (non-mandatory)	0438 755 374
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	20185023

PART 2 – LOCATION DETAILS

2) Location of the premises (complete 2.1 and/or 2.2 if applicable)

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

2.1) Street address and lot on plan

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



Queensland
Government

Unit No.	Street No.	Street Name and Type	Suburb
	11	Pecten Avenue	Port Douglas
Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
4877	0-2	SP212668	Douglas Shire Council

2.2) Additional premises

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

3) Are there any existing easements over the premises?

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

- Yes – All easement locations, types and dimensions are included in plans submitted with this development application
- No

PART 3 – FURTHER DETAILS

4) Is the application only for building work assessable against the building assessment provisions?

- Yes – proceed to 8)
- No

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

Brisbane City Council/ GMA Certification

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

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

7) Information request under Part 3 of the DA Rules

- I agree to receive an information request if determined necessary for this development application
- I do not agree to accept an information request for this development application

Note: By not agreeing to accept an information request I, the applicant, acknowledge:

- that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties.
- Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.

Further advice about information requests is contained in the [DA Forms Guide](#).

8) Are there any associated development applications or current approvals?

- Yes – provide details below or include details in a schedule to this development application
- No

List of approval/development application	Reference	Date	Assessment manager
<input type="checkbox"/> Approval			
<input type="checkbox"/> Development application			
<input type="checkbox"/> Approval			
<input type="checkbox"/> Development application			

9) Has the portable long service leave levy been paid?

- Yes – the yellow local government/private certifier’s copy of the receipted QLeave form is attached to this development application
- No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid
- Not applicable

Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
\$		

10) Is this development application in response to a show cause notice or required as a result of an enforcement notice?

- Yes – show cause or enforcement notice is attached
- No

11) Identify any of the following further legislative requirements that apply to any aspect of this development application

- The proposed development is on a place entered in the **Queensland Heritage Register** or in a local government’s **Local Heritage Register**. See the guidance provided at www.des.qld.gov.au about the requirements in relation to the development of a Queensland heritage place

Name of the heritage place:	Place ID:

PART 4 – REFERRAL DETAILS

12) Does this development application include any building work aspects that have any referral requirements?

- Yes – the *Referral checklist for building work* is attached to this development application
- No – proceed to Part 5

13) Has any referral agency provided a referral response for this development application?

- Yes – referral response(s) received and listed below are attached to this development application
- No

Referral requirement	Referral agency	Date referral response

Identify and describe any changes made to the proposed development application that was the subject of the referral response and the development application the subject of this form, or include details in a schedule to this development application *(if applicable)*

PART 5 – BUILDING WORK DETAILS

14) Owner’s details

- Tick if the applicant is also the owner and proceed to 15). Otherwise, provide the following information.

Name(s) <i>(individual or company full name)</i>	
Contact name <i>(applicable for companies)</i>	

Postal address (<i>P.O. Box or street address</i>)	
Suburb	
State	
Postcode	
Contact number	
Email address (<i>non-mandatory</i>)	
Mobile number (<i>non-mandatory</i>)	
Fax number (<i>non-mandatory</i>)	

15) Builder's details

Tick if a builder has not yet been engaged to undertake the work and proceed to 16). Otherwise provide the following information.

Name(s) (<i>individual or company full name</i>)	TBC
Contact name (<i>applicable for companies</i>)	
QBCC licence or owner – builder number	
Postal address (<i>P.O. Box or street address</i>)	
Suburb	
State	
Postcode	
Contact number	
Email address (<i>non-mandatory</i>)	
Mobile number (<i>non-mandatory</i>)	
Fax number (<i>non-mandatory</i>)	

16) Provide details about the proposed building work

a) What type of approval is being sought?

- Development permit
 Preliminary approval

b) What is the level of assessment?

- Code assessment
 Impact assessment (*requires public notification*)

c) Nature of the proposed building work (tick all applicable boxes)

- | | |
|---|--|
| <input checked="" type="checkbox"/> New building or structure | <input type="checkbox"/> Repairs, alterations or additions |
| <input type="checkbox"/> Change of building classification (<i>involving building work</i>) | <input type="checkbox"/> Swimming pool and/or pool fence |
| <input type="checkbox"/> Demolition | <input type="checkbox"/> Relocation or removal |

d) Provide a description of the work below or in an attached schedule.

Car Port

e) Proposed construction materials

External walls	<input type="checkbox"/> Double brick	<input type="checkbox"/> Steel	<input type="checkbox"/> Curtain glass
	<input type="checkbox"/> Brick veneer	<input type="checkbox"/> Timber	<input type="checkbox"/> Aluminium
	<input type="checkbox"/> Stone/concrete	<input type="checkbox"/> Fibre cement	<input type="checkbox"/> Other
Frame	<input type="checkbox"/> Timber	<input checked="" type="checkbox"/> Steel	<input type="checkbox"/> Aluminium
	<input type="checkbox"/> Other		

Floor	<input type="checkbox"/> Concrete	<input type="checkbox"/> Timber	<input type="checkbox"/> Other
Roof covering	<input type="checkbox"/> Slate/concrete	<input type="checkbox"/> Tiles	<input type="checkbox"/> Fibre cement
	<input type="checkbox"/> Aluminium	<input checked="" type="checkbox"/> Steel	<input type="checkbox"/> Other
f) Existing building use/classification? (if applicable)			
g) New building use/classification? (if applicable)			
h) Relevant plans			
<i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>			
<input type="checkbox"/> Relevant plans of the proposed works are attached to the development application			

17) What is the monetary value of the proposed building work? \$
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18) Has Queensland Home Warranty Scheme Insurance been paid?		
<input type="checkbox"/> Yes – provide details below		
<input type="checkbox"/> No		
Amount paid	Date paid (dd/mm/yy)	Reference number
\$		

PART 6 – CHECKLIST AND APPLICANT DECLARATION

19) Development application checklist	
The relevant parts of <i>Form 2 – Building work details</i> have been completed	<input checked="" type="checkbox"/> Yes
This development application includes a material change of use, reconfiguring a lot or operational work and is accompanied by a completed <i>Form 1 – Development application details</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
Relevant plans of the development are attached to this development application <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>	<input checked="" type="checkbox"/> Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable

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

- required by other legislation (including the *Right to Information Act 2009*); or
- otherwise required by law.

This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

PART 7 –FOR COMPLETION BY THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

Date received: Reference numbers:

For completion by the building certifier

Classification(s) of approved building work

Name	QBCC Certification Licence number	QBCC Insurance receipt number

Notification of engagement of alternate chosen assessment manager

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

Additional information required by the local government

Confirm proposed construction materials:

External walls	<input type="checkbox"/> Double brick	<input type="checkbox"/> Steel	<input type="checkbox"/> Curtain glass
	<input type="checkbox"/> Brick veneer	<input type="checkbox"/> Timber	<input type="checkbox"/> Aluminium
	<input type="checkbox"/> Stone/concrete	<input type="checkbox"/> Fibre cement	<input type="checkbox"/> Other
Frame	<input type="checkbox"/> Timber	<input type="checkbox"/> Steel	<input type="checkbox"/> Aluminium
	<input type="checkbox"/> Other		
Floor	<input type="checkbox"/> Concrete	<input type="checkbox"/> Timber	<input type="checkbox"/> Other
Roof covering	<input type="checkbox"/> Slate/concrete	<input type="checkbox"/> Tiles	<input type="checkbox"/> Fibre cement
	<input type="checkbox"/> Aluminium	<input type="checkbox"/> Steel	<input type="checkbox"/> Other

Additional building details required for the Australian Bureau of Statistics

Existing building use/classification? <i>(if applicable)</i>			
New building use/classification?			
Site area (m ²)		Floor area (m ²)	

DA Form 1 – Development application details

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

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

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

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

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) <i>(individual or company full name)</i>	Scott Leigh Howard & Ella Bennett
Contact name <i>(only applicable for companies)</i>	Patrick Clifton, GMA Certification
Postal address <i>(P.O. Box or street address)</i>	PO Box 831
Suburb	Port Douglas
State	QLD
Postcode	4877
Country	Australia
Contact number	07 4098 5150
Email address <i>(non-mandatory)</i>	Patrick.C@gmacert.com.au
Mobile number <i>(non-mandatory)</i>	0438 755 374
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	20185023

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

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		11	Pecten Avenue	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	0-2	SP212668	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

Coordinates of premises by longitude and latitude

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

Coordinates of premises by easting and northing

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

3.3) Additional premises

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

Not required

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

In a tidal area

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

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

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

Name of airport:

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

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

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

No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect	
a) What is the type of development? <i>(tick only one box)</i>	
<input type="checkbox"/> Material change of use	<input type="checkbox"/> Reconfiguring a lot
<input type="checkbox"/> Operational work	<input checked="" type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>	
<input checked="" type="checkbox"/> Development permit	<input type="checkbox"/> Preliminary approval
	<input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?	
<input checked="" type="checkbox"/> Code assessment	<input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>	
Car Ports	
e) Relevant plans	
Note: <i>Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms guide: Relevant plans.</i>	
<input checked="" type="checkbox"/> Relevant plans of the proposed development are attached to the development application	
6.2) Provide details about the second development aspect	
a) What is the type of development? <i>(tick only one box)</i>	
<input type="checkbox"/> Material change of use	<input type="checkbox"/> Reconfiguring a lot
<input type="checkbox"/> Operational work	<input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>	
<input type="checkbox"/> Development permit	<input type="checkbox"/> Preliminary approval
	<input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?	
<input type="checkbox"/> Code assessment	<input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>	
e) Relevant plans	
Note: <i>Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>	
<input type="checkbox"/> Relevant plans of the proposed development are attached to the development application	

6.3) Additional aspects of development

- Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application
- Not required

Section 2 – Further development details**7) Does the proposed development application involve any of the following?**

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

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
		1	Approx. 85m ²

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

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

Division 2 – Reconfiguring a lot

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

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

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

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

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

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

10.2) Will the subdivision be staged?

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

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

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

12) Boundary realignment

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

Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)

12.2) What is the reason for the boundary realignment?

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

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

Division 3 – Operational work

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

14.1) What is the nature of the operational work?

- | | | |
|---|-------------------------------------|--|
| <input type="checkbox"/> Road work | <input type="checkbox"/> Stormwater | <input type="checkbox"/> Water infrastructure |
| <input type="checkbox"/> Drainage work | <input type="checkbox"/> Earthworks | <input type="checkbox"/> Sewage infrastructure |
| <input type="checkbox"/> Landscaping | <input type="checkbox"/> Signage | <input type="checkbox"/> Clearing vegetation |
| <input type="checkbox"/> Other – please specify: <input style="width: 300px;" type="text"/> | | |

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

<input type="checkbox"/> Yes – specify number of new lots: <input style="width: 150px;" type="text"/>
<input type="checkbox"/> No

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

\$ <input style="width: 150px;" type="text"/>

PART 4 – ASSESSMENT MANAGER DETAILS

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

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

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

PART 5 – REFERRAL DETAILS

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

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

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

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

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

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

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

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

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

PART 6 – INFORMATION REQUEST

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

PART 7 – FURTHER DETAILS

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

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)		
<input type="checkbox"/> Yes – a copy of the receipted QLeave form is attached to this development application <input type="checkbox"/> No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid <input checked="" type="checkbox"/> Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)		
Amount paid	Date paid (dd/mm/yy)	QLeave levy number
\$		

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

23) Further legislative requirements			
<u>Environmentally relevant activities</u>			
23.1) Is this development application also taken to be an application for an environmental authority for an Environmentally Relevant Activity (ERA) under section 115 of the <i>Environmental Protection Act 1994</i> ?			
<input type="checkbox"/> Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below <input checked="" type="checkbox"/> No <i>Note: Application for an environmental authority can be found by searching “ESR/2015/1791” as a search term at www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.</i>			
Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			
<input type="checkbox"/> Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.			
<u>Hazardous chemical facilities</u>			
23.2) Is this development application for a hazardous chemical facility ?			
<input type="checkbox"/> Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application <input checked="" type="checkbox"/> No <i>Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.</i>			
<u>Clearing native vegetation</u>			

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

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

No

Note: 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.
2. See <https://www.qld.gov.au/environment/land/vegetation/applying> for further information on how to obtain a s22A determination.

Environmental offsets

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

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

No

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

Koala conservation

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

Yes

No

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

Water resources

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

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

No

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

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

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

Waterway barrier works

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

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

No

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

Marine activities

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

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

No

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

Quarry materials from a watercourse or lake

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

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

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

Quarry materials from land under tidal waters

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

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

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

Referable dams

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

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

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

Tidal work or development within a coastal management district

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

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

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

Queensland and local heritage places

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

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

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

Name of the heritage place:		Place ID:	
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Brothels

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

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

Decision under section 62 of the Transport Infrastructure Act 1994

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

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

PART 8 – CHECKLIST AND APPLICANT DECLARATION

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

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

PART 9 – FOR OFFICE USE ONLY

Date received: Reference number(s):

Notification of engagement of alternative assessment manager	
Prescribed assessment manager	
Name of chosen assessment manager	
Date chosen assessment manager engaged	
Contact number of chosen assessment manager	

Relevant licence number(s) of chosen assessment manager	
---	--

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



GMA Certification
Group

*Leader's in
Building Certification Services*



PLANNING STATEMENT

For: Scott Howard and Ella Bennett
Development: Building Works – Car ports associated with
an existing Dual Occupancy
At: 11 Pecten Avenue, Port Douglas Lot 0 -2 SP212668
Prepared by: GMA Certification Group
File Ref: 20185023
Revision: A

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1.0 Introduction

This report has been prepared in behalf of Scott Howard and Ella Bennett in support of a Development Application to Douglas Shire Council for a Development Permit for Building Works assessable against the Planning Scheme to provide for the construction of car ports associated with an existing dual occupancy on land located at 11 Pecten Avenue and described as Lots 0-2 on SP 212668.

The application site comprises three allotments, Lot 0-2 on SP212668, located at 11 Pecten Avenue, Port Douglas. The site contains an area of 809m² and has frontage to Pecten Avenue of approximately 20 metres. It is currently improved by a dual occupancy development contained in a single building located adjacent the western boundary with the access driveway located adjacent the eastern boundary

It is proposed to construct a carport for each of the dwelling units. The car port for the rear unit would be located at the end of the access driveway and setback from the eastern side boundary by approximately 900mm. The car port for the front unit would be located in the setback area between the front façade and the street front and setback from the boundary by approximately 2.5 metres. The car ports would be open structures and would be 3.6 metres x 5.9 metres and would be 3.0 metres high.

The application is identified as being Code Assessable on the basis that it does not comply with the Acceptable Outcomes for Accepted Development and consideration is required to be given to the relevant assessment benchmarks contained in the Douglas Shire Planning Scheme.

The proposed development is considered to be consistent with the Assessment Benchmarks and is considered to be consistent in terms of scale and intensity to other forms of development in the locality.

The application is submitted for approval, subject to reasonable and relevant conditions.

2.0 Development Summary

Address:	11 Pecten Avenue, Port Douglas
Real Property Description:	Lot 0 – 2 SP212668
Easements & Encumbrances:	Nil
Site Area/Frontage:	Area: 809m ² Frontage: 20 metres
Registered Owner:	Scott Howard & Ella Bennett
Proposal:	Building works – two car ports.
Approval Sought:	Development Permit
Level of Assessment:	Code Assessment
State Interests – State Planning Policy	<ul style="list-style-type: none"> • Safety and Resilience to Hazards – <ul style="list-style-type: none"> - Flood hazard area level 1 - Medium storm tide inundation area.
State Interests – SARA Mapping:	<ul style="list-style-type: none"> • Coastal Protection – Medium storm tide inundation area • Native Vegetation Clearing – Category X
Referral Agencies:	Nil
State Development Assessment Provisions:	Nil
Regional Plan Designation:	Urban Footprint
Zone:	Low-medium Density Residential Zone
Local Plan Designation:	Port Douglas/ Craiglie Local Plan
Overlays:	<ul style="list-style-type: none"> • Acid sulfate soils overlay • Flood and storm tide hazard overlay

3.0 Site and Locality

The application site comprises three allotments, Lot 0-2 on SP212668, located at 11 Pecten Avenue, Port Douglas. The site contains an area of 809m² and has frontage to Pecten Avenue of approximately 20 metres. It is currently improved by a dual occupancy development contained in a single building located adjacent the western boundary with the access driveway located adjacent the eastern boundary.

The locality containing the site is characterised by residential uses in the form of single detached dwellings, dual occupancies and small scale multiple dwelling developments.



Photo 1 – Site Location (Source Queensland Globe)

The locality contains a number of developments with open and enclosed structures within the front setback area. These include pergolas and shade structures adjacent swimming pools, garages and car ports.



Photo 2 – Sailz Apartments (Cnr Pecten Avenue and Reef Street)



Photo 3 – 7 Pecten Avenue



Photo 4 – 22 Pecten Avenue

4.0 Proposal

It is proposed to construct a carport for each of the dwelling units. The car port for the rear unit would be located at the end of the access driveway and setback from the eastern side boundary by approximately 900mm. The car port for the front unit would be located in the setback area between the front façade and the street front and setback from the boundary by approximately 2.5 metres. The car ports would be open structures and would be 3.6 metres x 5.9 metres and would be 3.0 metres high.

Proposal Plans are attached at [Appendix 2](#).

The key development features of the proposed development are summarised in the table below:

Development Feature	Proposal
Site Area:	809m ²
Frontage:	20 metres
Height:	3.0 metres
Gross Floor Area:	N/A
Site Cover:	5.2%
Setbacks:	Front – 2.5 metres Side – 0.9 metres
Access:	Pecten Avenue (existing)
Car Parking Spaces:	2

5.0 Statutory Planning Considerations

This section provides a summary of the legislative framework affecting the application pursuant to the Planning Act 2016.

5.1 Planning Act 2016

5.1.1 Categorisation of Development

The proposed development is not identified as prohibited development having regard to the relevant instruments that can prohibit development under the *Planning Act 2016*, including

- Schedule 10 of the Planning Regulations 2017
- Relevant Categorising Instruments.

The development is made assessable under the Douglas Shire Planning Scheme, which is a categorising instrument for the purpose of s43 of the *Planning Act 2016*.

5.1.2 Assessment Manager

Pursuant to Schedule 8 of the *Planning Regulations 2017*, the Assessment Manager for the application is the Douglas Shire Council.

5.1.3 Level of Assessment

The application involves Building Works, construction of car ports. The table below identifies the level of assessment and the categorising section of the Cairns Regional Council Planning Scheme.

Development	Categorising Section	Level of Assessment
Building Works (Car Port)	Section 5.4 (1) (c) (ii)	Code Assessable

5.1.4 Statutory Considerations for Assessable Development

As the application is subject to Code Assessment, in deciding the application pursuant to s60 of the *Planning Act 2016*, the Council, as Assessment Manager, can only have regard to the matters established in the relevant planning benchmarks.

This assessment is further discussed in Section 6.0 of this report and a detailed assessment of the proposed development against the assessment benchmarks is provided at [Appendix 3](#).

5.1.5 State Planning Policy

The application site has the following State Planning Policy designations/classifications:

- Safety and Resilience to Hazards

- Flood hazard area level 1; and,
- Medium storm tide inundation area.

It is understood that the Minister has identified that the State Planning Policy has been appropriately integrated into in the Douglas Shire Planning Scheme and consequently no further assessment is required in this instance.

5.1.6 Regional Plan

The application site is identified in the Urban Footprint designation of the FNQ Regional Plan. Consistent with the State Planning Policies, it is understood that the Planning Scheme has been determined to appropriately advance the Regional Plan and, on that basis, no further assessment is required in this instance.

5.1.7 Referral Agencies

There are no referral agencies identified in respect of this application.

5.1.8 State Development Assessment Provisions

As there are no referral agencies for the application, no State Development Assessment Provisions Apply to the assessment.

6.0 Local Planning Considerations

6.1 Douglas Council Planning Scheme

Within the Douglas Shire Planning Scheme, the site is identified within the Low-Medium - Density Residential Zone and is affected by the Flood and Storm Tide Hazard Overlay.

The Table below identifies the applicable Assessment Benchmarks contained within the Planning Scheme.

Assessment Benchmark	Applicability	Compliance
Low – Medium Density Residential Zone Code	Applies	Complies with relevant Performance Outcome with respect to setbacks.
Port Douglas/Craiglie Local Plan Code	Applies	Complies with applicable Acceptable Outcomes.
Flood and Storm Tide Hazard Overlay Code	Applies	Complies with relevant Performance Outcome with respect to flood inundation.

6.1.1 Statement of Compliance – Benchmark Assessment

6.1.1.1 Low-Medium Density Residential Zone Code

The locality containing the application site is characterised by an inconsistent front setback to buildings and structures with a number of properties having structures and buildings within the front setback area. The proposed development of an open car port with a setback of 2.5 metres to the property frontage would not be inconsistent with the existing streetscape.

The car port to the rear unit would be setback 900mm from the side boundary; however, the car port would be open and would not contain a habitable room or restrict daylight access to the adjoining premises.

The proposed development is considered to comply with PO2

6.1.1.2 Flood and Storm Tide Hazard Overlay Code

The proposed development complies with the relevant Performance Outcome. The site is located within a medium storm tide hazard area; however, the proposal is for open car ports only and would not increase the number of persons in a flood area, affect the existing safety level for residents or increase disruption or recovery time.

7.0 Summary and Conclusion

This report has been prepared in behalf of Scott Howard and Ella Bennett in support of a Development Application to Douglas Shire Council for a Development Permit for Building Works assessable against the Planning Scheme to provide for the construction of car ports associated with an existing dual occupancy on land located at 11 Pecten Avenue and described as Lots 0-2 on SP 212668.

The application site comprises three allotments, Lot 0-2 on SP212668, located at 11 Pecten Avenue, Port Douglas. The site contains an area of 809m² and has frontage to Pecten Avenue of approximately 20 metres. It is currently improved by a dual occupancy development contained in a single building located adjacent the western boundary with the access driveway located adjacent the eastern boundary

It is proposed to construct a carport for each of the dwelling units. The car port for the rear unit would be located at the end of the access driveway and setback from the eastern side boundary by approximately 900mm. The car port for the front unit would be located in the setback area between the front façade and the street front and setback from the boundary by approximately 2.5 metres. The car ports would be open structures and would be 3.6 metres x 5.9 metres and would be 3.0 metres high.

The application is identified as being Code Assessable on the basis that it does not comply with the Acceptable Outcomes for Accepted Development and consideration is required to be given to the relevant assessment benchmarks contained in the Douglas Shire Planning Scheme.

The proposed development is considered to be consistent with the Performance Outcomes of the Assessment Benchmarks and is considered to be consistent in terms of scale and intensity to other forms of development in the locality.

The application is submitted for approval, subject to reasonable and relevant conditions.

Appendix 1.

CERTIFICATE OF TITLE

CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 30099981

Search Date: 27/11/2018 15:02

Title Reference: 50775731

Date Created: 13/07/2009

Previous Title: 20939232

REGISTERED OWNER

Dealing No: 716141886 17/11/2014

SCOTT LEIGH HOWARD

ELLA BENNETT

JOINT TENANTS

ESTATE AND LAND

Estate in Fee Simple

LOT 1 SURVEY PLAN 212668
Local Government: DOUGLAS
COMMUNITY MANAGEMENT STATEMENT 40255

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20278034 (POR 6)
2. MORTGAGE No 716141887 17/11/2014 at 10:31
NATIONAL AUSTRALIA BANK LIMITED A.B.N. 12 004 044 937

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

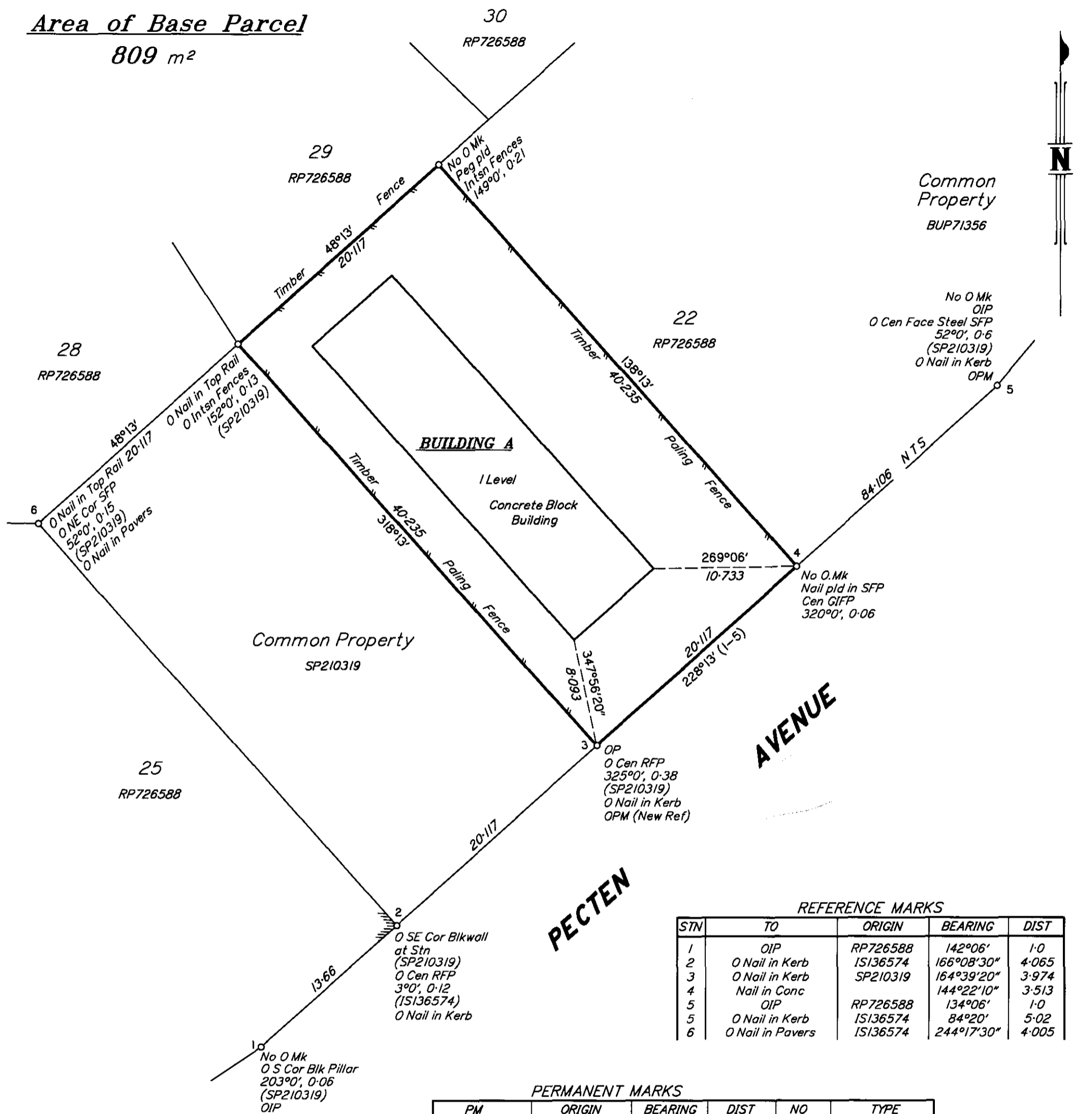
Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

COPYRIGHT THE STATE OF QUEENSLAND (NATURAL RESOURCES, MINES AND ENERGY) [2018]

Requested By: D-ENQ URBIS PRO

Area of Base Parcel
809 m²



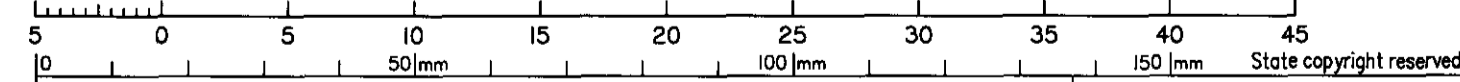
REFERENCE MARKS

STN	TO	ORIGIN	BEARING	DIST
1	OIP	RP726588	142°06'	1.0
2	O Nail in Kerb	IS136574	166°08'30"	4.065
3	O Nail in Kerb	SP210319	164°39'20"	3.974
4	Nail in Conc		144°22'10"	3.513
5	OIP	RP726588	134°06'	1.0
6	O Nail in Kerb	IS136574	84°20'	5.02
6	O Nail in Pavers	IS136574	244°17'30"	4.005

PERMANENT MARKS

PM	ORIGIN	BEARING	DIST	NO	TYPE
3-OPM	SP210319	68°37'15"	10.238	170741	Mini Mark
5-OPM	SP210319	106°23'50"	160.707	19880	Brass Plaque

Scale 1:300 - Lengths are in Metres.



Conics (Cairns) Pty Ltd (ABN 055 931 096) hereby certify that the land comprised in this plan was surveyed by the corporation, by Daniel Geoffrey PINKHAM, surveying graduate, for whose work the corporation accepts responsibility, under the supervision of Andrew Collin GARRETT, cadastral surveyor, 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 30/04/2008.

[Signature]
Director
16/7/08
Date

[Signature]
Director

<p>Plan of Lots 1, 2 & Common Property</p> <p>Cancelling Lot 23 on RP726588</p>		Scale: 1:300
		Format: BUILDING
<p>PARISH: SALISBURY COUNTY: Solander</p> <p>Meridian: SP210319 F/N's: No</p>		 SP212668
		Plan Status:

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

712569427

\$393.20
03/07/2009 12:47

CS 400 NT

Registered

5. Lodged by

Bolt Burchill Tranter Lawyers
PO Box 616
Port Douglas Q 4877
Ph: 0740304800 CS-132

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

1. Certificate of Registered Owners or Lessees.

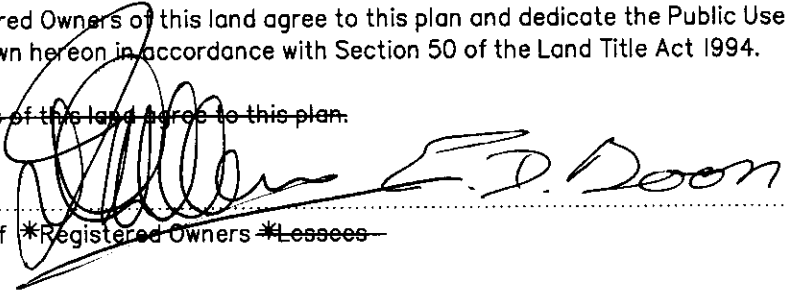
1/We JOHN MAXIM BOON
EVELYN DOREEN BOON
AS TENANTS IN COMMON

(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.

Signature of ~~*Registered Owners~~ ~~*Lessees~~



6. Existing

Created

Title Reference	Lot	Plan	Lots	Emts	Road
20939232	23	RP726588	1, 2 & Common Property		

MORTGAGE ALLOCATIONS

Mortgage	Lots Fully Encumbered	Lots Partially Encumbered
709646388	1 & 2	

* Rule out whichever is inapplicable

2. Local Government Approval.

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

Dated this TWENTY-FIRST day of MAY 2009



#SIMON CLARKE
MANAGER DEVELOPMENT ASSESSMENT
#

* 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 : 40255
Name : 11 Pecten Avenue

4. References :

Dept File :
Local Govt :
Surveyor : 62831_01

1, 2 & Common Property	Por 6
Lots	Orig

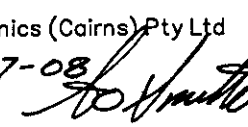
7. Portion Allocation :

8. Map Reference :
7964-1113

9. Locality :
Port Douglas

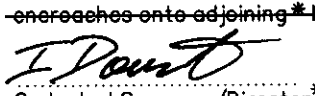
10. Local Government :
CAIRNS REGIONAL

11. Passed & Endorsed :

By : Conics (Cairns) Pty Ltd
Date : 16-7-08
Signed : 
Designation : Cadastral Surveyor

"No Development Approval Necessary"

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 road;
~~* Part of the building shown on this plan encroaches onto adjoining lots and road~~
 24.7.08
Cadastral Surveyor/Director * Date
*delete words not required

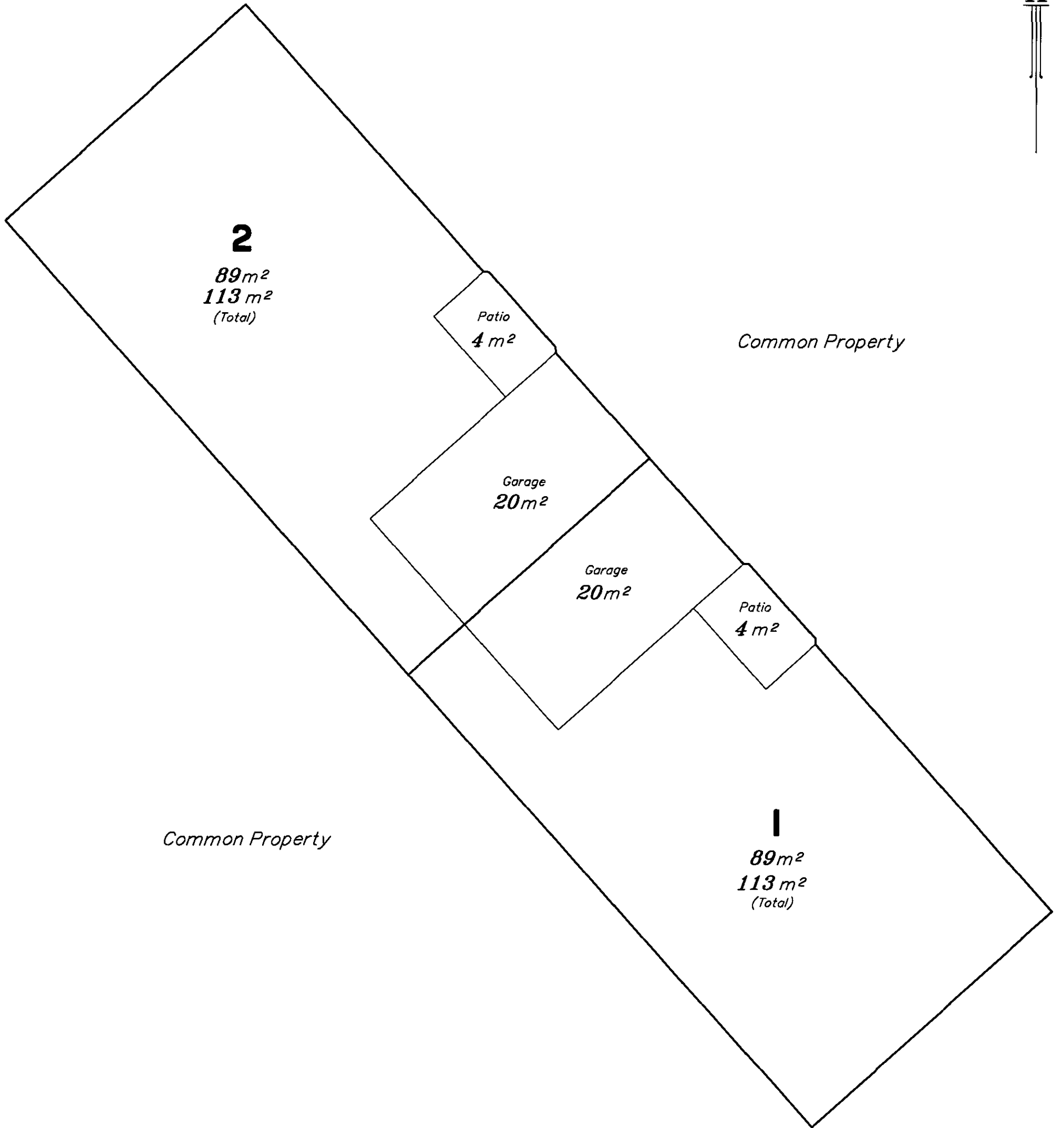
13. Lodgement Fees :

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

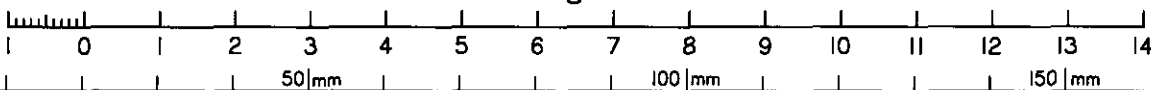
14. Insert Plan Number

SP212668

LEVEL A
GROUND FLOOR



Scale 1:100 - Lengths are in Metres.



State copyright reserved.

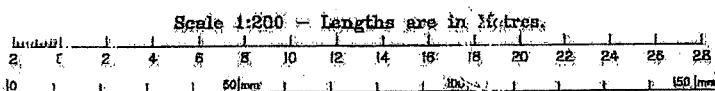
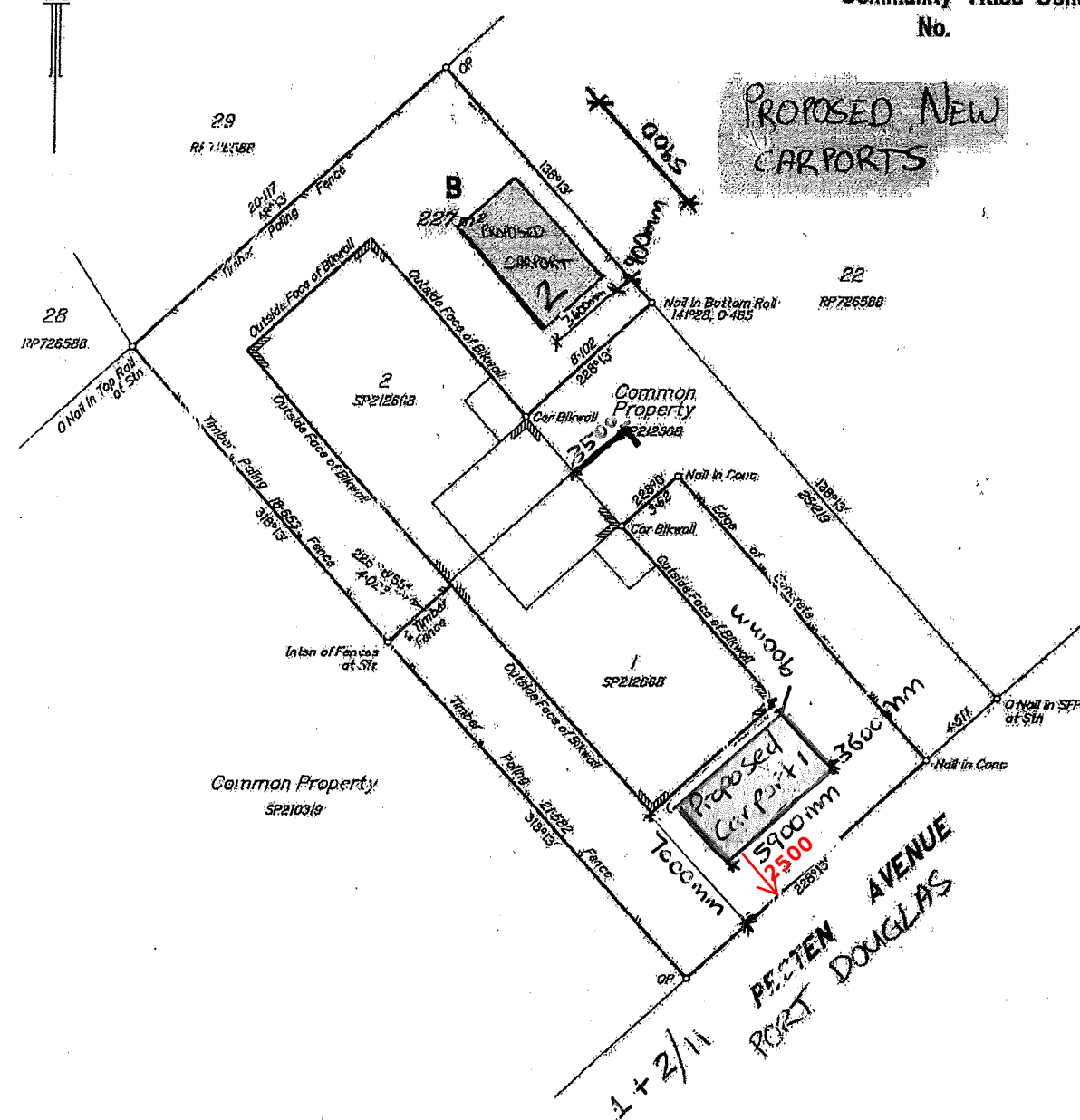
Insert Plan Number **SP212668**

Appendix 2.

PROPOSAL PLANS

LEVEL A
GROUND FLOOR

Sheet of
11 Pecten Avenue
Community Titles Scheme
No.



PROPOSED NEW
CARPORT
1+2/11 PECTEN AVENUE
PORT DOUGLAS

Sketch Plan of Exclusive Use Areas A & B
being part of Level A of Common Property on plan SP212668 for inclusion in 11 Pecten Avenue Community Title Scheme No.

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

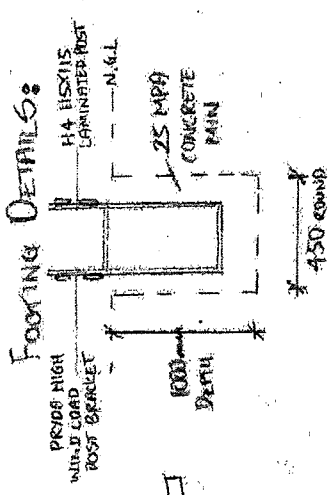
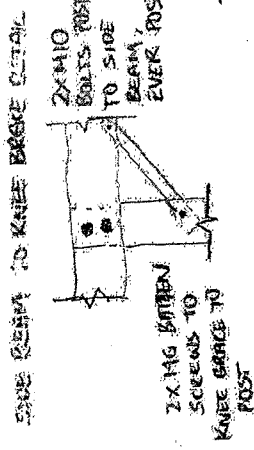
Metre No: **SP212668** F/Nr. No.

Scale: **1:200 A3**
Format: **SKETCH**
Drawing No: **1**
Scott Howard

PROPOSED CARPORTS UNITS 1+2/11 PECTEN AVENUE PORT DOUGLAS

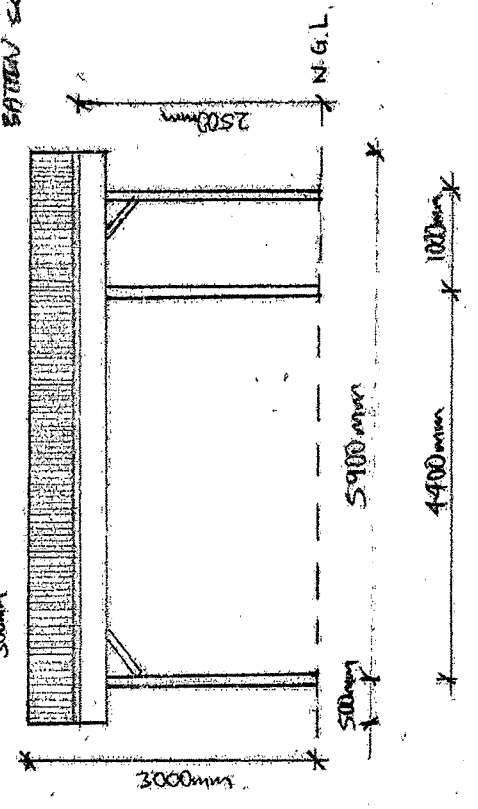
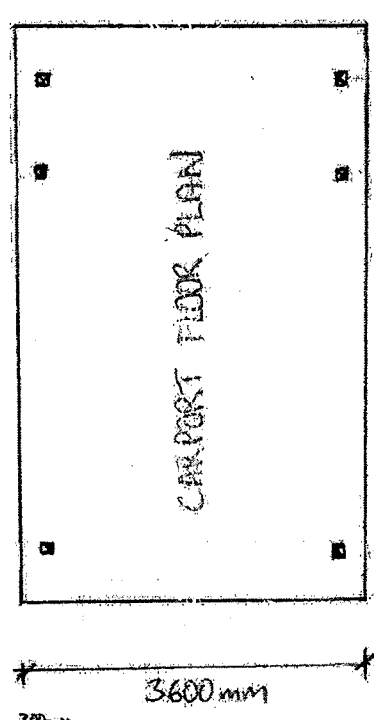
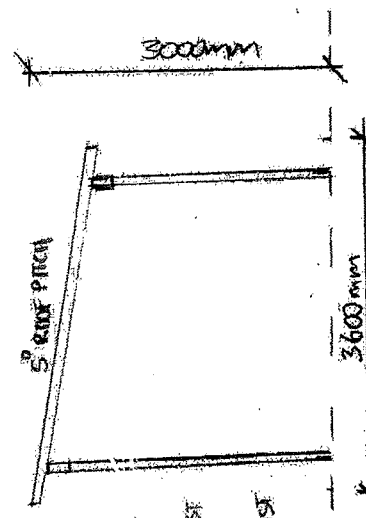
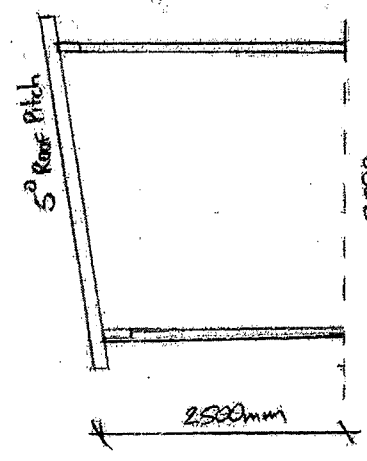
FRAMING DETAILS:

- POST: 115x115 H4 LAMINATED POSTS
- CARPORT SIDE BEAM: 240x45 F17
- RAPERS: 140x45 F17 @ 800 c/c
- BATTENS: 45x90 F17 @ 900 c/c
- KNEE BRACING: 90x45 F17



NOTE:

- ALL RAFTERS TO BE FIXED TO SIDE BEAM WITH PYDIA MULTI GRIP CONNECTOR
- ALL BATTENS TO BE FIXED TO RAFTERS WITH H4 BATTEN SCREWS



Appendix 3.

PLANNING BENCHMARK ASSESSMENT



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6.2.7 Low-medium density residential zone code

6.2.7.1 Application

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

6.2.7.2 Purpose

- (1) The purpose of the Low-medium density residential zone code is to provide for a range and mix of dwelling types including dwelling houses and multiple dwellings supported by community uses and small-scale services and facilities that cater for local residents.
- (2) The local government purpose of the code is to:
 - (a) implement the policy direction set in the Strategic Framework, in particular:
 - (i) Theme 1 : Settlement pattern, Element 3.4.2 – Urban settlement, Element 3.4.5 Residential areas and activities, Element 3.4.7 – Mitigation of hazards.
 - (ii) Theme 4 : Strong community and identity, Element 3.7.3 – Active communities, Element 3.7.4 – Sense of place, community and identity, Element 3.7.5 – Housing choice and affordability.
 - (iii) Theme 6 : Infrastructure and transport, Element 3.9.2 - Energy, Element 3.9.3 – Water and waste management, Element 3.9.4 Transport, Element 3.9.5 – Information technology.
 - (b) establish a low-medium density residential character consisting predominantly of low-rise 1 and 2 storey dwelling houses, dual occupancies and multiple dwellings.
 - (c) provide for a diversity in housing choice through other housing types to cater for different housing needs and family structures.
 - (d) provide support for compatible small scale non-residential use activities.
 - (e) ensure development occurs on appropriately sized and shaped lots.



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- (3) The purpose of the code will be achieved through the following overall outcomes:
- (a) Development provides a range of residential dwelling choices including multiple dwellings and other forms of permanent-living residential development, including Residential care facilities.
 - (b) Development encourages and facilitates urban consolidation and the efficient use of physical and social infrastructure.
 - (c) Development is designed to provide safe and walkable neighbourhoods.
 - (d) Development maintains a high level of residential amenity having regard to traffic, noise, dust, odour, lighting and other locally specific impacts.
 - (e) Development is reflective and responsive to the environmental constraints of the land.
 - (f) Development provides a high level of amenity and is reflective of the surrounding character of the area.
 - (g) Development is supported by necessary community facilities, open space and recreational areas and appropriate infrastructure to support the needs of the local community.

6.2.7.3 Criteria for assessment

Table 6.2.7.3.a – Low-medium density residential zone code – assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
PO1 The height of all buildings and structures must be in keeping with the residential character of the area.	AO1 Buildings and structures are not more than 8.5 metres and two storeys in height. Note – Height is inclusive of the roof height.	Complies with AO1 The proposed car ports would have a maximum height of 3.0 metres.



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Performance outcomes	Acceptable outcomes	Compliance
Setbacks (other than for a dwelling house)		
<p>PO2</p> <p>Buildings are setback to:</p> <ul style="list-style-type: none"> (a) maintain the character of residential neighbourhoods; (b) achieve separation from neighbouring buildings and from road frontages; (c) maintain a cohesive streetscape; (d) provide daylight access, privacy and appropriate landscaping. 	<p>AO2</p> <p>Buildings are setback:</p> <ul style="list-style-type: none"> (a) a minimum of 6 metres from the main street frontage; (b) a minimum of 4 metres from any secondary street frontage; (c) 4.5 metres from a rear boundary; (d) 2 metres from a side or an average of half of the height of the building at the side setback, whichever is the greater 	<p>Complies with PO2</p> <p>The locality containing the application site is characterised by an inconsistent front setback to buildings and structures with a number of properties having structures and buildings within the front setback area. The proposed development of an open car port with a setback of 2.5 metres to the property frontage would not be inconsistent with the existing streetscape.</p> <p>The car port to the rear unit would be setback 900mm from the side boundary; however, the car port would be open and would not contain a habitable room or restrict daylight access to the adjoining premises.</p> <p>The proposed development is considered to comply with PO2.</p>
Site Coverage		



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Performance outcomes	Acceptable outcomes	Compliance
<p>PO3</p> <p>The site coverage of all buildings does not result in a built form that is bulky or visually obtrusive.</p>	<p>AO3</p> <p>The site coverage of any building is limited to 50%.</p>	<p>Complies with AO3</p> <p>The total development on the site would have a site cover of in the order of 30.5%.</p>
<p>For assessable development</p>		
<p>PO4</p> <p>The establishment of uses is consistent with the outcomes sought for the Low-medium density residential zone and protects the zone from the intrusion of inconsistent uses</p>	<p>AO4</p> <p>Uses identified in Table 6.2.7.3.b are not established in the Low-medium density residential zone.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO5</p> <p>Development is located, designed, operated and managed to respond to the natural characteristics, features and constraints of the site and surrounds.</p> <p>Note – Planning scheme policy – Site assessments provides guidance on identifying the characteristics and features and constraints of a site and its surrounds.</p>	<p>AO5</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>PO6 Development does not adversely affect the residential character and amenity of the area in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.</p>	<p>A06 No acceptable outcomes are prescribed.</p>	<p>Not Applicable See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO7 New lots contain a minimum area of 450m²</p>	<p>A07 No acceptable outcomes are prescribed.</p>	<p>Not Applicable See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO8 New lots have a minimum road frontage of 15 metres</p>	<p>A08 No acceptable outcomes are prescribed.</p>	<p>Not Applicable See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO9 New lots contain a 20 metre x 15 metre rectangle</p>	<p>A09 No acceptable outcomes are prescribed.</p>	<p>Not Applicable See s 5.4(1) (c) (ii) of the Planning Scheme</p>

Table 6.2.7.3.b — Inconsistent uses within the Low-medium density residential zone

Inconsistent uses		
<ul style="list-style-type: none"> Adult store 	<ul style="list-style-type: none"> Hospital 	<ul style="list-style-type: none"> Permanent plantation



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<ul style="list-style-type: none"> • Agricultural supplies store • Air services • Animal husbandry • Aquaculture • Bar • Brothel • Bulk landscape supplies • Car wash • Club • Crematorium • Cropping • Detention facility • Emergency services • Extractive industry • Food and drink outlet • Function facility • Funeral parlour • Garden centre • Hardware and trade supplies • High impact industry 	<ul style="list-style-type: none"> • Hotel • Indoor sport and recreation • Intensive animal industry • Intensive horticulture • Landing • Low impact industry • Major electricity infrastructure • Major sport, recreation and entertainment facility • Marine industry • Medium impact industry • Motor sport facility • Nature based tourism • Nightclub entertainment facility • Non-resident workforce accommodation • Office • Outdoor sales • Outstation • Parking station 	<ul style="list-style-type: none"> • Port services • Renewable energy facility • Research and technology industry • Resort complex • Roadside stall • Rooming accommodation • Rural industry • Rural workers accommodation • Service industry • Shop • Shopping Centre • Showroom • Special industry • Theatre • Transport depot • Veterinary services • Warehouse • Wholesale nursery • Winery
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Note – This table does not imply that all other uses not listed in the table are automatically consistent uses within the zone. Assessable development must still demonstrate consistency through the assessment process.



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7.2.4 Port Douglas/Craigie local plan code

7.2.4.1 Application

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

7.2.4.2 Context and setting

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

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

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

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



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

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

The street pattern in the town centre is based on the original grid pattern survey of 1878. While the town has lost many of its original buildings to cyclones and redevelopment, a number of important built features remain including the Central Hotel, the Court House Hotel, a number of relocated buildings such as St Mary's Church, the former Clink Theatre and the Court House Museum and scattered memorials such as the Carstens memorial in Macrossan Street and the Port Douglas War memorial in Wharf Street. The Sugar Wharf on Dickson Inlet was the original terminus of the tramline to Mossman. The tramline now terminates adjacent to the Port Douglas marina and operates as the Balley Hooley passenger service on four kilometres of track between the Port Douglas Marina and St Crispins Station.

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

7.2.4.3 Purpose

- (1) The purpose of the Port Douglas/Craigie local plan code is to facilitate development outcomes consistent with community values, the local tropical built-form and protection of the natural environment within the Port Douglas/Craigie local plan area, while providing a platform for investment and prosperity.
 - (a) In addition, the purpose of the code is supported by the Port Douglas Waterfront Master Plan which provides a clear strategic direction for the incremental transformation of the Port Douglas Waterfront, including the following objectives:
 - (b) To set out a vision for revitalisation of the waterfront;
 - (c) To protect and enhance the environmental attributes; and
- (2) To provide a flexible framework, expressed through several key strategies that will assist the Council and community in managing change.



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- (3) The purpose of the code will be achieved through the following overall outcomes:
- (a) Port Douglas will continue to develop as the premium destination for international and domestic tourists in the Far North Queensland Region, while also acting for permanent residents attracted to the associated lifestyle.
 - (b) Major tourist, retail, dining and entertainment facilities will consolidate in the Town Centre and the Waterfront North sub-precincts, with improved pedestrian connections between the town centre and the waterfront.
 - (c) Craiglie will develop as an integrated residential community with some low scale tourism development opportunities in appropriate locations. Craiglie will also function as small scale commercial and light industry node, providing employment opportunities for the Shire's permanent resident population.
 - (d) All forms of development will complement the tropical image of the town through distinctive tropical vernacular, urban design and landscaping.
 - (e) Character will be enhanced through the identification of gateway sites, landmarks, main approach routes and pedestrian thoroughfares and view corridors;
 - (f) The Flagstaff Hill, Dickson Inlet, Four Mile Beach and other areas of scenic and environmental significance will be protected from development. Vegetation cover will dominate over built form.
 - (g) Vegetation, iconic to the character of Port Douglas, including the avenues of Oil Palms, is retained and where appropriate supplemented.
 - (h) Development will be indistinguishable from view from Four Mile Beach. In addition, any development on Flagstaff Hill will be indistinguishable when viewed from vantage points in Port Douglas.
 - (i) Residential areas are designed as pleasant, functional and distinctive, in visually well-defined areas.
- (4) The purpose of the code will be further achieved through the following overall outcomes:
- (a) Precinct 1 – Port Douglas precinct
 - (i) Sub-precinct 1a – Town Centre sub-precinct
 - (ii) Sub-precinct 1b – Waterfront North sub-precinct
 - (iii) Sub-precinct 1c – Waterfront South sub-precinct
 - (iv) Sub-precinct 1d – Limited Development sub-precinct
 - (v) Sub-precinct 1e – Community and recreation sub-precinct
 - (vi) Sub-precinct 1f – Flagstaff Hill sub-precinct
 - (b) Precinct 2 – Integrated Resort precinct



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- (c) Precinct 3 – Craiglie Commercial and Light Industry precinct
- (d) Precinct 4 – Old Port Road / Mitre Street precinct
- (e) Precinct 5 – Very Low Density Residential/ Low Scale Recreation/Low Scale Educational/Low Scale Entertainment Uses precinct

Precinct 1 – Port Douglas precinct

- (5) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
- (a) development will contribute to the incremental transformation of the township, preserving and enhancing maritime activities and environmental areas, delivering tropical open spaces and a high quality public realm, and allowing for tourism opportunities and investment.
 - (b) development contributes to the enhancement of the Port Douglas precinct through the following development outcomes:
 - (i) access and connectivity throughout the township is enhanced through a series of improvements to circulation and mobility, including:
 - (A) access to, and connectivity along, the waterfront and foreshore areas is maintained and, where appropriate, enhanced;
 - (B) reducing reliance on the waterfront as a car parking resource.
 - (ii) the use of land in the Port Douglas precinct improves the cohesive layout of the township through:
 - (A) the establishment of distinct sub-precincts that reinforce the character and built form of the Port Douglas local plan area including:
 - Port Douglas centre sub-precinct 1a – Town Centre sub-precinct;
 - Port Douglas centre sub-precinct 1b – Waterfront North sub-precinct;
 - Port Douglas centre sub-precinct 1c – Waterfront South sub-precinct;
 - Port Douglas centre sub-precinct 1d – Limited development sub-precinct;
 - Port Douglas centre sub-precinct 1e – Community and recreation precinct;
 - Port Douglas centre sub-precinct 1f – Flagstaff Hill sub-precinct;
 - (B) facilitating marina facilities and supporting marine industry uses as a key part of the local economy;
 - (C) reducing conflict between industry, community and commercial activities in the waterfront, without diminishing the marine industry capacity in the Port Douglas precinct;
 - (i) environment and sustainability is integrated into the township through:
 - (A) preservation and enhancement of the qualities and characteristics of environmental areas of the township;
 - (B) water sensitive urban design is considered as a means of water quality improvement and management of overland flow to ensure hard infrastructure solutions in Warner Street can be mitigated;
 - (C) design of buildings and access way improvements prioritises walking and cycling modes of transport.



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- (ii) the tropical character of the Port Douglas precinct is enhanced by ensuring development:
 - (A) maintains and enhances the built form, local character, streetscapes and natural elements of the township;
 - (B) is compatible with the desired character and amenity of local places and neighbourhoods;
 - (C) does not exceed the height of buildings designations which contribute to the desired form of the township which contains three storey development heights in sub-precinct 1a – Town Centre sub-precinct and part of sub-precinct 1b – Waterfront North sub-precinct;
 - (D) implements high quality landscaped environments around buildings and on streets;
 - (E) protects the recognisable character and locally significance sites throughout the precinct.
- (iii) public spaces and the streetscape are enhanced through:
 - (A) an increase in the quantity and quality of public land and places throughout the precinct;
 - (B) consolidating community recreation and sporting uses to create a precinct of community focussed activity between Mudlo Street and Wharf Street;
 - (C) improved connections between the town centre and the waterfront marina, including an investigation of a plaza on the waterfront;
 - (D) improved streetscapes with high quality landscaping, surface treatments and shaded pedestrian environments;
 - (E) the creation of a sense of place through aesthetic streetscapes and built-form character;
 - (F) managing vegetation to ensure succession of planting and the ongoing presence of significant trees.
- (iv) advertising signage is small scale, low-key and complements the tropical character of the town.

Sub-precinct 1a – Town Centre sub-precinct

- (6) In addition to other overall development outcomes, development in the Town Centre sub-precinct facilitates the following development outcomes:
 - (a) tourist, retail, dining and entertainment activities are facilitated at an appropriate pedestrian scale;
 - (b) drive-through developments, bulky goods showrooms, outdoor sales, saleyards and other big-box retailing or entertainment facilities are not established;
 - (c) development contributes to a high quality public realm;
 - (d) parking (and associated infrastructure) does not undermine the relationship between buildings and street or pedestrian circulation patterns;
 - (e) consolidation of community and cultural land use activities along Mowbray Street between Wharf Street and Mudlo Street;
 - (f) active street frontages are established along Macrossan and Wharf Streets and other nearby streets as shown on the Port Douglas Centre Active Frontages and Pedestrian and Cycle Network Plan;
 - (g) Live entertainment activities are concentrated within the Live Entertainment Precinct and are subject to the recommendations of a suitably qualified acoustic engineer.



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Sub-precinct 1b - Waterfront North sub-precinct

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

Sub-precinct 1c – Waterfront South sub-precinct

- (8) In addition to all other overall development outcomes, development in the Waterfront South sub-precinct facilitates the following development outcomes:
- (a) any use of land in the precinct does not affect the environmental, habitat, conservation or scenic values of Dickson Inlet and surrounding land;
 - (b) marine-based industries are established on appropriate land having regard to site suitability, accessibility, surrounding land uses, and location of utilities and services;



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- (c) marine-based industry achieves appropriate environmental standards;
- (d) industrial buildings have a high standard of layout and building design;
- (e) landscaping provides an attractive streetscape and screens utility, storage and car parking from the street and other public areas;
- (f) the precinct is protected from encroachment of incompatible land use activities.

Sub-precinct 1d – Limited Development sub-precinct

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

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

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

Sub-precinct 1f – Flagstaff Hill sub-precinct

- (11) In addition to all other overall development outcomes, development in the Flagstaff Hill sub-precinct facilitates the following development outcomes:
- (a) development is not established where it results in detriment to the vegetated and scenic qualities of Flagstaff Hill;
 - (b) development minimises excavation and filling;



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- (c) buildings and other works are unobtrusive when viewed from vantage points in Port Douglas and are designed and constructed of colours and materials which complement the hill's vegetated state;
- (d) views from public viewing points within the precinct are protected.

Precinct 2 – Integrated Resort precinct

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

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

Precinct 3 – Craiglie Commercial and Light Industry precinct

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

Precinct 4 – Old Port Road / Mitre Street precinct

- (14) In addition to the overall outcomes, development in the Old Port Road / Mitre Street precinct facilitates the following overall outcomes:



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- (a) the precinct is intended to be used for outdoor recreational land use activity, primarily as a golf course;
- (b) areas of significant vegetation are protected from development and retained;
- (c) other forms of development will only be considered if substantial areas of open space are retained adjacent to existing residential areas to maintain the existing residential amenity of open views across open space.

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

(15) In addition to the overall outcomes, development in the Very Low Residential Density/Low Scale Recreation/Low Scale Educational/Low Scale Entertainment Uses precinct facilitates the following overall outcomes:

- (a) residential accommodation does not exceed a maximum of 8.5 metres in building height;
- (b) minimum lot sizes exceed 2 hectares;
- (c) very low scale and intensity recreation/ very low scale and intensity educational/ and very low scale entertainment uses may be appropriate in areas of the precinct subject to erosion and other flooding constraints.

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

7.2.4.4 Criteria for assessment

Table 7.2.4.4.a — Port Douglas / Craiglie local plan - assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self assessable and assessable development		



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Performance outcomes	Acceptable outcomes	Compliance
Development in the Port Douglas / Craiglie local plan area generally		
<p>PO1</p> <p>Pedestrians, cyclists, motorists and public transport users can easily move into and through the precinct along planned connectivity routes, identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.</p>	<p>AO1</p> <p>A pedestrian and cycle movement network is integrated and delivered through development.</p>	<p>Not Applicable</p> <p>The proposed car ports would not affect the pedestrian and cycle network.</p>
<p>PO2</p> <p>Development retains and enhances key landscape elements including character trees and areas of significant vegetation contributing to the character and quality of the local plan area and significant views and vistas and other landmarks important to the context of Port Douglas / Craiglie (as identified on the Port Douglas/ Craiglie Townscape Plan map contained in Schedule 2).</p>	<p>AO2.1</p> <p>Development provides for the retention and enhancement of existing mature trees and character vegetation that contribute to the lush tropical character of the town, including:</p> <ul style="list-style-type: none"> (a) the tree covered backdrop of Flagstaff Hill; (b) natural vegetation along watercourses, in particular the Mowbray River, Beor Creek and Dickson Inlet; 	<p>Not Applicable</p> <p>The site is not identified as containing character vegetation.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> (c) the tidal vegetation along the foreshore; (d) beachfront vegetation along Four Mile Beach, including the fringe of Coconut Palms; (e) the oil palm avenues along the major roads; (f) the lush landscaping within major roundabouts at key nodes; (g) Macrossan Street and Warner Street; (h) Port Douglas waterfront. 	
	<p>AO2.2</p> <p>Development protects and does not intrude into important views and vistas as identified on the Port Douglas Townscape Plan map contained in Schedule 2, in particular:</p> <ul style="list-style-type: none"> (a) Flagstaff Hill; (b) Four Mile Beach; 	<p>Complies with AO2.2</p> <p>The proposed car ports would not affect the views of Flagstaff Hill, Four Mile Beach, Dicksons Inlet or Mowbray Valley.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	(c) Across to the ranges over Dickson Inlet; (d) Mowbray Valley.	
	AO2.3 Important landmarks, memorials and monuments are retained.	Not Applicable The site does not contain any landmarks, monuments or memorials.
PO3 Development contributes to the protection, reinforcement and where necessary enhancement of gateways and key intersections identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.	AO3 Development adjacent to the gateways and nodes as identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 incorporates architectural features and landscaping treatments and design elements that enhance the sense of arrival and way finding within the town.	Not Applicable The site is not a gateway site.
PO4	AO4 Landscaping incorporates the requirements of Planning scheme policy SC6.7 – Landscaping, in particular landscaping should be capable of	Not Applicable No landscaping is proposed as part of this development.



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Performance outcomes	Acceptable outcomes	Compliance
Landscaping of development sites complements the existing tropical character of Port Douglas and Craiglie.	achieving a 60% screening of development within 5 years and predominantly consists of endemic vegetation.	
<p>PO5</p> <p>Development does not compromise the safety and efficiency of the State-controlled road network.</p>	<p>AO5</p> <p>Direct access is not provided to a State-controlled road where legal and practical access from another road is available.</p>	<p>Complies with AO5</p> <p>Direct Access would not be provided to or from a state controlled road.</p>
For assessable development		
Additional requirements in Precinct 1 – Port Douglas precinct		
<p>PO6</p> <p>The views and vistas identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 are maintained.</p>	<p>AO6.1</p> <p>Development does not impede continued views to scenic vistas and key streetscapes within the local plan area.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>A06.2</p> <p>Unless otherwise specified within this Local Plan, buildings are set back not less than 6 metres from the primary street frontage.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO7</p> <p>Vehicle access, parking and service areas:</p> <p>(a) do not undermine the relationship between buildings and street or dominate the streetscape;</p> <p>(b) are designed to minimise pedestrian vehicle conflict;</p> <p>(c) are clearly identified and maintain ease of access at all times.</p>	<p>A07.1</p> <p>For all buildings, parking is:</p> <p>(a) to the side of buildings and recessed behind the main building line; or</p> <p>(b) behind buildings; or</p> <p>(c) wrapped by the building façade, and not visible from the street.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
	<p>A07.2</p> <p>Ground level parking incorporates clearly defined pedestrian routes.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>A07.3</p> <p>Any porte-cocheres, disabled and pedestrian accesses are accommodated within the boundary of new or refurbished development.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
	<p>A07.4</p> <p>Where the development is an integrated mixed-use development incorporating short term accommodation or multiple dwellings and either food and drink outlet or hotel or shop or shopping centre or office, on-site parking spaces are provided as per the number prescribed in the Parking and access code with a relaxation of 30% of spaces required for the non-residential uses.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
	<p>A07.5</p> <p>On-site car parking available for public use is clearly signed at the site frontage.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>A07.6</p> <p>Boom gates, pay machines or other regulatory devices to control access to a publicly available car parking area are not constructed or installed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO8</p> <p>Precinct 1 – Port Douglas precinct is not characterised by a proliferation of advertising signs.</p>	<p>A08</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>Additional requirements for Sub-precinct 1a – Town Centre sub-precinct</p>		
<p>PO9</p> <p>Building heights:</p> <p>(a) do not overwhelm or dominate the town centre;</p> <p>(b) respect the desired streetscape;</p>	<p>A09</p> <p>Buildings and structures are not more than 3 storeys and 13.5 metres in height, with a roof height of not less than 3 metres.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>(c) ensure a high quality appearance when viewed from both within the town centre sub-precinct and external to the town centre sub-precinct;</p> <p>(d) remain subservient to the natural environment and the backdrop of Flagstaff Hill.</p> <p>(e) do not exceed 3 storeys.</p>	<p>Note – Height is inclusive of the roof height.</p>	
<p>PO10</p> <p>Building design, the streetscape, pedestrian paths and street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port Douglas Precinct.</p>	<p>AO10</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO11</p> <p>Buildings:</p> <p>(a) address street frontages;</p>	<p>AO11</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>(b) ensure main entrances front the street or public spaces;</p> <p>(c) do not focus principally on internal spaces or parking areas.</p>		
<p>PO12</p> <p>Setbacks at ground level provide for:</p> <p>(a) connection between pedestrian paths and public places;</p> <p>(b) areas for convenient movement of pedestrians;</p> <p>(c) changes in gradient of the street.</p>	<p>AO12</p> <p>Setbacks at ground level:</p> <p>(a) are clear of columns and other obstructions;</p> <p>(b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites;</p> <p>(c) connect without any lip or step to adjoining footpaths.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>AO13</p> <p>Buildings do not result in a reduction of views and vistas from public places to:</p>	<p>AO13</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
(a) Flagstaff Hill; (b) Dickson Inlet; (c) public open space; (d) places of significance.		
<p>PO14</p> <p>Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at street level including shade protection across the footpath for the length of the building.</p>	<p>AO14</p> <p>Development is built up to the street frontage/s at the street level and incorporates a light frame awning, a minimum of 3 metres in width for the length of the street frontage/s;</p> <p>or</p> <p>If a development includes an outdoor dining area at ground/footpath level, the dining area has a maximum setback of 3 metres and the required awning is still maintained along the length of the street frontage/s.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
	Note – PO24 provides more detail on awning design.\	
<p>PO15</p> <p>Development is predominantly commercial in nature with any tourist accommodation having a secondary focus and not located on the street-level frontage where active frontages are encouraged as identified the Port Douglas local plan maps contained in Schedule 2.</p>	<p>AO15.1</p> <p>Centre activities establish: at street level on active street frontages; a maximum of one level above street level.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
	<p>AO15.2</p> <p>Any residential development activities or short term accommodation is located above street level of the active frontage, but not on or up to the street frontage in any development, including mixed use development.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO16</p> <p>Detailed building design:</p> <p>(a) enhances the visual amenity of the streetscape;</p>	<p>AO16</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>(b) has a legible and attractive built form that is visually enhanced by architectural elements;</p> <p>(c) contributes to a distinctive tropical north Queensland, seaside tourist town character;</p> <p>(d) integrates major landscaping elements to maximise their aesthetic value to ensure that the lush, vegetated character of the Town Centre sub-precinct is maintained.</p>		
<p>PO17</p> <p>Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through:</p> <p>(a) surface decoration;</p> <p>(b) wall recesses and projections;</p> <p>(c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements.</p>	<p>AO17</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>(d) differentiating between the lower, middle and upper parts of the building by varying the façade and/or the shape of the built form, where comprised of more than two storeys.</p>		
<p>PO18</p> <p>Roofs are not characterised by a cluttered display of plant and equipment, in particular:</p> <p>(a) building caps and rooftops contribute to the architectural distinction of the building and create a coherent roofscape for the Town Centre sub-precinct;</p> <p>(b) service structures, lift motor rooms and mechanical plant and equipment are designed as an architectural feature of the building or are screened from public view;</p> <p>(c) rooftops are not used for advertising.</p>	<p>AO18</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>P019</p> <p>Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to:</p> <ul style="list-style-type: none"> (a) shade windows; (b) reduce glare; (c) assist in maintaining comfortable indoor temperatures; (d) minimising heat loads; (e) enrich the North Queensland tropical character of the Town Centre sub-precinct; (f) provide architectural interest to building façades. 	<p>AO19</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO20</p>	<p>AO20</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>Buildings are finished with high quality materials, selected for:</p> <p>(a) their ability to contribute the character of Town Centre sub-precinct;</p> <p>(b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate.</p>		
<p>PO21</p> <p>Buildings do not incorporate any type of glass or other materials that are likely to reflect the sun's rays in a manner that may create a nuisance, discomfort or a hazard.</p>	<p>AO21</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO22</p>	<p>AO22.1</p> <p>Development has a maximum length of unbroken building facade of 20 metres and a maximum extent of overall development in the same</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>Façades and elevations do not include large blank walls. Openings and setbacks are used to articulate vertical building surfaces.</p>	<p>style/design along the street frontage/s of 40 metres.</p>	
	<p>AO22.2 Any break in the building façade varies the alignment by a 1 metre minimum deviation.</p>	<p>Not Applicable See s 5.4(1) (c) (ii) of the Planning Scheme</p>
	<p>AO22.3 A minimum of three of the following building design features and architectural elements detailed below are incorporated to break the extended facade of a development:</p> <ul style="list-style-type: none"> (a) a change in roof profile; (b) a change in parapet coping; (c) a change in awning design; (d) a horizontal or vertical change in the wall plane; or 	<p>Not Applicable See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
	(e) a change in the exterior finishes and exterior colours of the development.	
<p>PO23</p> <p>Building facades that face public spaces at ground level:</p> <p>(a) complement the appearance of the development and surrounding streetscape;</p> <p>(b) enhance the visual amenity of the public place;</p> <p>(c) include a variety of human scale architectural elements and details;</p> <p>(d) provide an opportunity for the casual and convenient surveillance of public space from within the development.</p>	<p>AO23</p> <p>Building facades at the ground floor of development that face public space are designed to ensure:</p> <p>(a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit the casual surveillance of the public space from the development;</p> <p>(b) a visually prominent main entrance that faces the principal public place;</p> <p>(c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO24</p>	<p>AO24</p>	<p>Not Applicable</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>Awnings for pedestrian shelter are consistent with the character setting of the Town Centre sub-precinct and:</p> <ul style="list-style-type: none">(a) extend and cover the footpath to provide protection from the sun and rain;(b) include lighting under the awning;(c) are continuous across the frontage of the site;(d) align to provide continuity with existing or future awnings on adjoining sites;(e) are a minimum of 3.0 metres in width and generally not more than 3.5 metres above pavement height;(f) do not extend past a vertical plane, 1.2 metres inside the kerb-line to enable street trees to be planted and grow;(g) are cantilevered from the main building with any posts within the footpath being non load-bearing.	<p>No acceptable outcomes are prescribed.</p>	<p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>PO25</p> <p>Development integrates with the streetscape and landscaping improvements for Port Douglas.</p>	<p>AO25</p> <p>Development fronting Davidson Street, Macrossan Street, Wharf Street, Mowbray Street and Warner Street is designed to integrate with the on-street landscaping and design improvements as outlined within the Port Douglas landscape master plan contained within Planning scheme policy SC6.7 – Landscaping.</p> <p>Note - Planning scheme policy SC6.7 - Landscaping provides guidance on meeting the Performance Outcome.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>Additional requirements for Sub-precinct 1b – Waterfront North sub-precinct</p>		
<p>PO26</p>	<p>AO26</p> <p>Uses identified as inconsistent uses in Table 7.2.4.4.b – inconsistent uses in sub-precinct 1b –</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>The establishment of uses is consistent with the outcomes sought for sub-precinct 1b – Waterfront North.</p>	<p>Waterfront North sub-precinct are not established in sub-precinct 1b - Waterfront North.</p>	
<p>PO27</p> <p>The bulk and scale of buildings is consistent with surrounding development and steps down to complement the open space areas in the adjoining limited development sub-precinct.</p>	<p>AO27</p> <p>Buildings and structures are not more than:</p> <p>(a) 3 storeys and 13.5 metres in height , with a roof height of not less than 3 metres, in those parts of the precinct south of Inlet Street;</p> <p>(b) 2 storeys and 8.5 metres in height, with a roof height of not less than 3 metres, in those parts of the precinct north of Inlet Street.</p> <p>Note – Height is inclusive of roof height.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO28</p> <p>Building design, streetscape, pedestrian paths and street front spaces promote integration with</p>	<p>AO28</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
the surrounding area and the rest of Precinct 1 – Port Douglas Precinct.		
<p>PO29</p> <p>Public pedestrian access along the water’s edge is maximised.</p>	<p>AO29.1</p> <p>Public pedestrian access is provided along the frontage of the water’s edge consisting of a boardwalk of a minimum width of 4 metres that is available of 24-hour use.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
	<p>AO29.2</p> <p>A public plaza is incorporated into the design generally reflecting the requirements of the Port Douglas Waterfront Master Plan, focussing in the vicinity of the ‘Duck Pond’.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
	<p>AO29.3</p> <p>Built envelopes are setback a minimum of 3.0 metres from the board walk, with a shelter/shade zone between the building envelopes and the</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
	boardwalk consisting of shade structure, canopies, verandahs and the like.	
<p>PO30</p> <p>Buildings:</p> <p>(a) address street frontages;</p> <p>(b) ensure main entrances front the street or public spaces.</p>	<p>AO30</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO31</p> <p>Setbacks at ground level provide for:</p> <p>(a) connection between pedestrian paths and public places;</p> <p>(b) areas for convenient movement of pedestrians;</p> <p>(c) changes in gradient.</p>	<p>AO31</p> <p>Setbacks at ground level:</p> <p>(a) are clear of columns and other obstructions;</p> <p>(b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites;</p> <p>(c) connect without any lip or step to adjoining footpaths.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>PO32</p> <p>Buildings do not result in a reduction of views and vistas from public places to:</p> <p>(a) Dickson Inlet;</p> <p>(b) public open space;</p> <p>(c) places of significance.</p>	<p>AO32</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO33</p> <p>Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at ground level including shade protection across the footpath and open space areas.</p>	<p>AO33</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO34</p> <p>Development is predominantly commercial in nature with any tourist accommodation having a</p>	<p>AO34.1</p> <p>Centre activities establish:</p> <p>(a) at street level on active street frontages;</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>secondary focus and not located on the street-level frontage where active frontages are encouraged as identified the Port Douglas local plan maps contained in Schedule 2.</p>	<p>(b) a maximum of one level above street level.</p> <p>AO34.2</p> <p>Residential development activities or short term accommodation is located above street /ground floor level of the active frontage, but not on or up to the street / public frontage in any development, including mixed use development.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO35</p> <p>Detailed building design:</p> <p>(a) enhances the visual amenity of the streetscape;</p> <p>(b) has a legible and attractive built form that is visually enhanced by architectural elements;</p> <p>(c) contributes to a distinctive tropical north Queensland, seaside tourist town character;</p>	<p>AO35</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>(d) integrates major landscaping elements to maximise their aesthetic value to ensure that the lush, vegetated character of the Waterfront North sub-precinct is maintained.</p>		
<p>PO36</p> <p>Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through:</p> <p>(a) surface decoration;</p> <p>(b) wall recesses and projections;</p> <p>(c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements.</p> <p>(d) differentiating between the lower, middle and upper parts of the building by varying the façade and/or the shape of the built form, where comprised of more than two storeys.</p>	<p>AO36</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>PO37</p> <p>Roofs are not characterised by a cluttered display of plant and equipment, in particular:</p> <p>(a) building caps and rooftops contribute to the architectural distinction of the building and create a coherent roofscape for the Waterfront North sub-precinct;</p> <p>(b) service structures, lift motor rooms and mechanical plant and equipment are designed as an architectural feature of the building or are screened from public view;</p> <p>(c) rooftops are not used for advertising.</p>	<p>AO37</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO38</p> <p>Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to:</p>	<p>AO38</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<ul style="list-style-type: none"> (a) shade windows; (b) reduce glare; (c) assist in maintaining comfortable indoor temperatures; (d) minimising heat loads; (e) enriching the North Queensland tropical character of the Waterfront North sub-precinct; (f) architectural interest to building façades. 		
<p>PO39</p> <p>Buildings are finished with high quality materials, selected for:</p> <ul style="list-style-type: none"> (a) their ability to contribute the character of Waterfront North sub-precinct; (b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate. 	<p>AO39</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>PO40</p> <p>Buildings do not incorporate any type of glass or other materials that are likely to reflect the sun's rays in a manner that may create a nuisance, discomfort or a hazard.</p>	<p>AO40</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO41</p> <p>Façades and elevations do not include large blank walls and openings and setbacks are used to articulate vertical building surfaces.</p>	<p>AO41.1</p> <p>Development has a maximum length of unbroken building facade of 20 metres and a maximum extent of overall development in the same style/design along the street frontage/s of 40 metres.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
	<p>AO41.2</p> <p>Any break in the building façade varies the alignment by a 1 metre minimum deviation.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
	<p>AO41.3</p>	<p>Not Applicable</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>A minimum of three of the following building design features and architectural elements detailed below are incorporated to break the extended facade of a development:</p> <ul style="list-style-type: none"> (a) a change in roof profile; (b) a change in parapet coping; (c) a change in awning design; (d) a horizontal or vertical change in the wall plane; or (e) a change in the exterior finishes and exterior colours of the development. 	<p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO42</p> <p>Building facades that face public spaces at ground level:</p> <ul style="list-style-type: none"> (a) complement the appearance of the development and surrounding streetscape; 	<p>AO42</p> <p>Building facades at the ground floor of development that face public space are designed to ensure:</p> <ul style="list-style-type: none"> (a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop 	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>(b) enhance the visual amenity of the public place;</p> <p>(c) include a variety of human scale architectural elements and details;</p> <p>(d) provide an opportunity for the casual and convenient surveillance of public space from within the development.</p>	<p>fronts that permit the casual surveillance of the public space from the development;</p> <p>(b) a visually prominent main entrance that faces the principal public place;</p> <p>(c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade.</p>	
<p>PO43</p> <p>Awnings for pedestrian shelter are consistent with the character setting of the Waterfront North sub-precinct and:</p> <p>(a) extend and cover the footpath to provide protection from the sun and rain;</p> <p>(b) include lighting under the awning;</p> <p>(c) are continuous across pedestrian circulation areas;</p>	<p>AO43</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>(d) align to provide continuity with existing or future awnings on adjoining sites;</p> <p>(e) are a minimum of 3 metres in width and generally not more than 3.5 metres above pavement height;</p> <p>(f) do not extend past a vertical plane, 1.2 metres inside the street kerb-line to enable street trees to be planted and grow;</p> <p>(g) are cantilevered from the main building with any posts within the footpath being non load-bearing.</p>		
<p>PO44</p> <p>The Balley Hooley rail line and turn-table is retained and incorporated into development and maintains its functionality.</p>	<p>AO44.1</p> <p>Bally Hooley rail line and turn-table is retained and incorporated into development to maintain its functionality.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
	<p>AO44.2</p>	<p>Not Applicable</p>



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Performance outcomes	Acceptable outcomes	Compliance
	Where development provides floor area for the Bally Hooley rail station, the gross floor area of the rail line and station does not generate a requirement for additional vehicle parking.	See s 5.4(1) (c) (ii) of the Planning Scheme
<p>PO45</p> <p>Development recognises the importance of and relationship between the marina, commercial and residential development in the Waterfront North sub-precinct, and includes measures to mitigate the impact of:</p> <p>(a) noise;</p> <p>(b) odour;</p> <p>(c) hazardous materials;</p> <p>(d) waste and recyclable material storage.</p>	<p>AO45</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO46</p>	<p>AO46</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>Formalised public spaces and pedestrian paths/areas on freehold land are made accessible to the public.</p>	<p>No acceptable outcomes are prescribed.</p>	
<p>PO47</p> <p>Buildings, civic spaces, roads and pedestrian links are enhanced by:</p> <ul style="list-style-type: none"> (a) appropriate landscape design and planting; (b) themed planting that defines entry points, and creates strong ‘entry corridors’ into the waterfront; (c) lighting and well-considered discrete signage that complements building and landscape design; (d) public artwork and other similar features that reflect the heritage and character of the Port Douglas Waterfront. 	<p>AO47</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>PO48</p> <p>Buildings are designed and sited to provide vistas along shared pedestrian/open space and movement areas in suitable locations.</p>	<p>AO48</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO49</p> <p>Development does not diminish the viability of marine-based industrial uses that directly serve the Port Douglas tourist and fishing operators and private boat owners, particularly with respect to the slipway operation.</p>	<p>AO49</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO50</p> <p>Marine infrastructure to service the tourism, fishing and private boating community is provided.</p>	<p>AO50</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO51</p>	<p>AO51</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>Changes to the Port Douglas Waterfront quay-line do not cause adverse impacts to the environmentally sensitive Dickson Inlet.</p>	<p>Development that results in changes to the Port Douglas Waterfront quay-line is only established where an Ecological assessment report provides support to the changes.</p> <p>Note - Planning scheme policy SC6.8 – Natural environment provides guidance on preparing an ecological assessment report.</p>	
<p>Additional requirements for Sub-precinct 1c – Waterfront South sub-precinct</p>		
<p>PO52</p> <p>The establishment of uses is consistent with the outcomes sought for Precinct 1c – Waterfront South.</p>	<p>AO52</p> <p>Uses identified as inconsistent uses Table 7.2.4.4.c – are not established in Precinct 1c – Waterfront South.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO53</p>	<p>AO53.1</p> <p>An Ecological assessment report is prepared identifying the environmental qualities of the</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>Development does not adversely impact on the natural environment, natural vegetation or watercourses.</p>	<p>surrounding natural and built features which are to be managed.</p> <p>Note - Planning scheme policy SC6.8 – Natural environment provides guidance on preparing an ecological assessment report.</p>	
	<p>AO53.2</p> <p>An Environmental Management Plan is prepared to manage potential impacts of the operation of the development on surrounding natural areas.</p> <p>Note - Planning scheme policy SC6.4 – Environmental management plans contains information to demonstrate compliance and guidance on preparing an Environmental Management Plan.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO54</p> <p>Development of land at the end of Port Street adjacent to Dickson Inlet incorporates a slipway, or an alternative functioning facility, with capacity</p>	<p>AO54</p> <p>A master plan for the development is provided and implemented to demonstrate the integration of the slipway, or an alternative functioning facility,</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
to service the Port Douglas marine and tourism industry.	with other supporting service industry activities that service the marine and tourism industry of Port Douglas.	
<p>PO55</p> <p>Buildings and structures are of a height and are set back from side boundaries and other sensitive areas to ensure the scenic amenity and environmental qualities of the adjacent area are not adversely affected.</p>	<p>AO55.1</p> <p>Development has a height of not more than 10 metres.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
	<p>AO55.2</p> <p>Development is setback from all property boundaries not less than 3 metres.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO56</p> <p>The site coverage of all buildings and structures ensures development:</p> <p>(a) is sited in an existing cleared area or in an area approved for clearing;</p>	<p>AO56</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>(b) has sufficient area for the provision of services;</p> <p>(c) development does not have an adverse effect on the environmental, habitat, conservation or landscape values of the on-site and surrounding sensitive areas.</p>		
<p>PO57</p> <p>Premises include adequate provision for service vehicles, to cater for generated demand. Loading areas for service vehicles are designed to:</p> <p>(a) be accommodated on-site;</p> <p>(b) maximise safety and efficiency of loading;</p> <p>(c) protect the visual and acoustic amenity of sensitive land use activities;</p> <p>(d) minimise adverse impacts on natural characteristics of adjacent areas.</p>	<p>AO57.1</p> <p>Sufficient manoeuvring area is provided on-site to allow a Medium Rigid Vehicle to enter and leave the site in a forward gear.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
	<p>AO57.2</p> <p>Development is designed to ensure all service vehicles are contained within the site when being loaded/unloaded.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
	<p>AO57.3</p>	<p>Not Applicable</p>



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Performance outcomes	Acceptable outcomes	Compliance
	Driveways, parking and manoeuvring areas are constructed and maintained to: (a) minimise erosion from storm water runoff; (b) retain all existing vegetation.	See s 5.4(1) (c) (ii) of the Planning Scheme
PO58 Development ensures adverse impacts from service vehicles on the road network, external to the site, are minimised.	AO58 No acceptable outcomes are prescribed.	Not Applicable See s 5.4(1) (c) (ii) of the Planning Scheme
PO59 Entry to the site is landscaped to enhance the amenity of the area and provide a pleasant working environment.	AO59 Areas used for loading and unloading, storage, utilities and car parking are screened from public view: (a) by a combination of landscaping and screen fencing;	Not Applicable See s 5.4(1) (c) (ii) of the Planning Scheme



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Performance outcomes	Acceptable outcomes	Compliance
	(b) dense planting along any road frontage is a minimum width of 3 metres.	
<p>PO60</p> <p>Landscaping is informal in character and complementary to the existing natural environment, provides screening and enhances the visual appearance of the development.</p>	<p>AO60</p> <p>For any development landscaping is in accordance with the Plant species schedule in Planning scheme policy SC6.7– Landscaping.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>Additional requirements for Sub-precinct 1d – Limited Development sub-precinct</p>		
<p>PO61</p> <p>The height of buildings and structures contributes to the desired form and outcomes for the sub-precinct and are limited to a single storey.</p>	<p>AO61</p> <p>Buildings and structures are not more than one storey and 4 metres in height.</p> <p>Note - Height is inclusive of the roof height.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>Additional requirements for Sub-precinct 1e – Community and recreation sub-precinct</p>		



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Performance outcomes	Acceptable outcomes	Compliance
<p>PO62</p> <p>The precinct is developed for organised sporting activities and other community uses.</p>	<p>AO62</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>Additional requirements for Sub-precinct 1f – Flagstaff Hill sub-precinct</p>		
<p>PO63</p> <p>Flagstaff Hill is protected from inappropriate development to protect the hill as an important natural landmark feature of Port Douglas and as a vegetated backdrop to the Town centre.</p>	<p>AO63</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO64</p> <p>All development on Flagstaff Hill is designed to minimise the visibility of the development and to ensure development is subservient to the natural landscape and topography of the site, including through:</p>	<p>AO64</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>(a) building design which minimises excavation and filling;</p> <p>(b) buildings being designed to step down the site and incorporate foundations and footings on piers or poles;</p> <p>(c) buildings being visually unobtrusive and incorporating exterior finishes and muted colours which are non-reflective and complement the colours of the surrounding vegetation and view-shed;</p> <p>(d) protection of the views from public viewing points in the Port Douglas precinct.</p>		
<p>Additional requirements for Precinct 3 – Craiglie Commercial and Light Industry precinct</p>		
<p>PO65</p> <p>Development supports the tourism and marine industries in Port Douglas, along with the small-scale commercial and light industry land uses that</p>	<p>AO65</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
support the local economy that would otherwise be better suited to a location outside the Port Douglas Town Centre Precinct.	Development consists of service and light industries and associated small scale commercial activities.	
<p>PO66</p> <p>Development on lots adjacent to the Captain Cook Highway is sited, designed and landscaped to provide an attractive visual approach to Port Douglas with all buildings, structures and car parking areas setback a sufficient distance from the frontage to enable landscaping to soften or screen the appearance of the development.</p>	<p>AO66.1</p> <p>Buildings and structures are setback 8 metres from the Captain Cook Highway frontage, or no closer to the Captain Cook Highway frontage than buildings and structures on adjoining sites (averaged), whichever is the greater.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
	<p>AO66.2</p> <p>The setback area to the Captain Cook Highway frontage is landscaped with advanced dense planting including tree species (100 litre bag stock), which will, at maturity, exceed the height of the building(s) on the site.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
	<p>AO66.3</p>	<p>Not Applicable</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>Advertising signs are discreet in appearance with no large advertising signs, including tenancy signs, located on or near the Captain Cook Highway frontage, or within any landscaped setback area</p>	<p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
	<p>AO66.4</p> <p>Car parking areas, loading and other service areas are designed to be screened from the Captain Cook Highway and are located so as to not be visually prominent from the Captain Cook Highway.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>Additional requirements for Precinct 6 – Very Low Residential Density / Low Scale Recreation / Low Scale Educational / Low Scale Entertainment Uses precinct</p>		
<p>PO67</p> <p>No additional lots are created within the precinct.</p>	<p>AO67</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>PO68</p> <p>Reconfigured lots have a minimum lot size of 2 hectares, unless the lot reconfiguration transfers lots to the higher parts of the land, to avoid the need to fill existing lots to accommodate dwelling houses.</p>	<p>AO68</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>

Table 7.2.4.4.b — Inconsistent uses in sub-precinct 1b - Waterfront North sub-precinct

Inconsistent uses		
<ul style="list-style-type: none"> • Agricultural supplies store • Air services • Animal husbandry • Animal keeping • Aquaculture • Brothel • Bulk landscape supplies • Car wash • Cemetery • Crematorium 	<ul style="list-style-type: none"> • Extractive industry • Funeral parlour • High impact industry • Intensive animal industry • Intensive horticulture • Major electricity infrastructure • Major sport, recreation and entertainment facility • Medium impact industry • Motor sport facility, 	<ul style="list-style-type: none"> • Relocatable home park • Roadside stall • Rural industry • Rural workers accommodation • Service station • Showroom • Special industry • Tourist park • Transport depot • Veterinary services



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<ul style="list-style-type: none"> • Cropping • Detention facility • Dual occupancy • Dwelling house 	<ul style="list-style-type: none"> • Outstation • Permanent plantation 	<ul style="list-style-type: none"> • Warehouse • Wholesale nursery • Winery
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Table 7.2.4.4.c — Inconsistent uses in sub-precinct 1c - Waterfront South sub-precinct

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



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<ul style="list-style-type: none">• Dwelling unit• Extractive industry• Function facility• Funeral parlour• Garden centre	<ul style="list-style-type: none">• Outstation	<ul style="list-style-type: none">• Transport depot• Veterinary services• Warehouse• Wholesale nursery• Winery
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8.2.4 Flood and storm tide hazard overlay code

8.2.4.1 Application

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

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

8.2.4.2 Purpose

- (1) The purpose of the Flood and storm tide hazard overlay code is to:



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- (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
 - (ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.
 - (b) enable an assessment of whether development is suitable on land within the Flood and storm tide hazard sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
- (a) development siting, layout and access responds to the risk of the natural hazard and minimises risk to personal safety;
 - (b) development achieves an acceptable or tolerable risk level, based on a fit for purpose risk assessment;
 - (c) the development is resilient to natural hazard events by ensuring siting and design accounts for the potential risks of natural hazards to property;
 - (d) the development supports, and does not unduly burden disaster management response or recovery capacity and capabilities;
 - (e) the development directly, indirectly and cumulatively avoids an unacceptable increase in severity of the natural hazards and does not significantly increase the potential for damage on site or to other properties;
 - (f) the development avoids the release of hazardous materials as a result of a natural hazard event;
 - (g) natural processes and the protective function of landforms and/or vegetation are maintained in natural hazard areas;
 - (h) community infrastructure is located and designed to maintain the required level of functionality during and immediately after a hazard event.

8.2.4.3 Criteria for assessment

Table 8.2.4.3.a – Flood and storm tide hazards overlay code –assessable development

Performance outcomes	Acceptable outcomes	Compliance
For assessable and self-assessable development		
PO1	AO1.1	Complies with PO1



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Performance outcomes	Acceptable outcomes	Compliance
<p>Development is located and designed to:</p> <ul style="list-style-type: none"> (a) ensure the safety of all persons; minimise damage to the development and contents of buildings; (b) provide suitable amenity; minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events. <p>Note – For assessable development within the flood plain assessment sub-category, a flood study by a suitably qualified professional is required to identify compliance with the intent of the acceptable outcome.</p>	<p>Development is sited on parts of the land that is not within the Flood and Storm tide hazards overlay maps contained in Schedule 2;</p> <p>or</p> <p>For dwelling houses,</p> <p>AO1.2</p> <p>Development within the Flood and Storm Tide hazards overlay maps (excluding the Flood plain assessment sub-category) is designed to provide immunity to the Defined Inundation Event as outlined within Table 8.2.4.3.b plus a freeboard of 300mm.</p>	<p>The site is located within a medium storm tide hazard area; however, the proposal is for open car ports only and would not increase the number of persons in a flood area, affect the existing safety level for residents or increase disruption or recovery time.</p> <p>The proposed development is considered to comply with PO1.</p>
	<p>AO1.3</p> <p>New buildings are:</p> <ul style="list-style-type: none"> (a) not located within the overlay area; (b) located on the highest part of the site to minimise entrance of flood waters; (c) provided with clear and direct pedestrian and vehicle evacuation routes off the site. 	<p>Complies with PO1</p> <p>The site is located within a medium storm tide hazard area; however, the proposal is for open car ports only and would not increase the number of persons in a flood area, affect the existing safety level for residents or increase disruption or recovery time.</p>



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Performance outcomes	Acceptable outcomes	Compliance
		The proposed development is considered to comply with PO1.
	<p>AO1.4</p> <p>In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.</p>	<p>Not Applicable</p> <p>The site is located in an urban area.</p>
For assessable development		
<p>PO2</p> <p>The development is compatible with the level of risk associated with the natural hazard.</p>	<p>AO2</p> <p>The following uses are not located in land inundated by the Defined Flood Event (DFE) / Storm tide:</p> <ul style="list-style-type: none"> (a) Retirement facility; (b) Community care facility; (c) Child care centre. 	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO3</p>	<p>For Material change of use</p> <p>AO3.1</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>Development siting and layout responds to flooding potential and maintains personal safety</p>	<p>New buildings are:</p> <ul style="list-style-type: none"> (a) not located within the overlay area; (b) located on the highest part of the site to minimise entrance of flood waters; (c) provided with clear and direct pedestrian and vehicle evacuation routes off the site. <p>or</p> <p>AO3.2</p> <p>The development incorporates an area on site that is at least 300mm above the highest known flood inundation level with sufficient space to accommodate the likely population of the development safely for a relatively short time until flash flooding subsides or people can be evacuated.</p> <p>or</p> <p>AO3.3</p> <p>Where involving an extension to an existing dwelling house that is situated below DFE /Storm</p>	



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Performance outcomes	Acceptable outcomes	Compliance
	<p>tide, the maximum size of the extension does not exceed 70m² gross floor area.</p> <p>Note – If part of the site is outside the Hazard Overlay area, this is the preferred location of all buildings.</p>	
	<p>For Reconfiguring a lot</p> <p>AO3.4</p> <p>Additional lots:</p> <p>(a) are not located in the hazard overlay area;</p> <p>or</p> <p>(b) are demonstrated to be above the flood level identified for the site.</p> <p>Note - If part of the site is outside the Hazard Overlay area, this is the preferred location for all lots (excluding park or other open space and recreation lots).</p> <p>Note – Buildings subsequently developed on the lots will need to comply with the relevant building assessment provisions under the <i>Building Act 1975</i>.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
	<p>AO3.5</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>Road and/or pathway layout ensures residents are not physically isolated from adjacent flood free urban areas and provides a safe and clear evacuation route path:</p> <p>(a) by locating entry points into the reconfiguration above the flood level and avoiding culs-de-sac or other non-permeable layouts; and</p> <p>(b) by direct and simple routes to main carriageways.</p>	
	<p>AO3.6</p> <p>Signage is provided on site (regardless of whether the land is in public or private ownership) indicating the position and path of all safe evacuation routes off the site and if the site contains, or is within 100m of a floodable waterway, hazard warning signage and depth indicators are also provided at key hazard points, such as at floodway crossings or entrances to low-lying reserves.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
	or	
	<p>AO3.7</p> <p>There is no intensification of residential uses within the flood affected areas on land situated below the DFE/Storm tide.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
	<p>For Material change of use (Residential uses)</p> <p>AO3.1</p> <p>The design and layout of buildings used for residential purposes minimise risk from flooding by providing:</p> <p>(a) parking and other low intensive, non-habitable uses at ground level;</p> <p>Note - The high-set 'Queenslander' style house is a resilient low-density housing solution in floodplain areas. Higher density residential development should ensure only non-habitable rooms (e.g. garages, laundries) are located on the ground floor.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
PO4	<p>For Material change of use (Non-residential uses)</p> <p>AO4.2</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>Development is resilient to flood events by ensuring design and built form account for the potential risks of flooding.</p>	<p>Non residential buildings and structures allow for the flow through of flood waters on the ground floor.</p> <p>Note - Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p> <p>Note - The relevant building assessment provisions under the <i>Building Act 1975</i> apply to all building work within the Hazard Area and need to take into account the flood potential within the area.</p>	
	<p>AO4.3</p> <p>Materials are stored on-site:</p> <p>(a) are those that are readily able to be moved in a flood event;</p> <p>(b) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood.</p> <p>Notes -</p> <p>(a) Businesses should ensure that they have the necessary contingency plans in place to account for the potential</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p> <p>(b) Queensland Government Fact Sheet 'Repairing your House after a Flood' provides information about water resilient products and building techniques.</p>	
<p>PO5</p> <p>Development directly, indirectly and cumulatively avoids any increase in water flow velocity or flood level and does not increase the potential flood damage either on site or on other properties.</p> <p>Note – Berms and mounds are considered to be an undesirable built form outcome and are not supported.</p>	<p>For Operational works</p> <p>AO5.1</p> <p>Works in urban areas associated with the proposed development do not involve:</p> <p>(a) any physical alteration to a watercourse or floodway including vegetation clearing; or</p> <p>(b) a net increase in filling (including berms and mounds).</p> <p>AO5.2</p> <p>Works (including buildings and earthworks) in non urban areas either:</p> <p>(a) do not involve a net increase in filling greater than 50m³; or</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>(b) do not result in any reductions of on-site flood storage capacity and contain within the subject site any changes to depth/duration/velocity of flood waters;</p> <p>or</p> <p>(c) do not change flood characteristics outside the subject site in ways that result in:</p> <ul style="list-style-type: none"> (i) loss of flood storage; (ii) loss of/changes to flow paths; (iii) acceleration or retardation of flows or any reduction in flood warning times elsewhere on the flood plain. 	
	<p>For Material change of use</p> <p>AO5.3</p> <p>Where development is located in an area affected by DFE/Storm tide, a hydraulic and hydrology report, prepared by a suitably qualified professional, demonstrates that the development</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>maintains the flood storage capacity on the subject site; and</p> <p>(a) does not increase the volume, velocity, concentration of flow path alignment of stormwater flow across sites upstream, downstream or in the general vicinity of the subject site; and</p> <p>(b) does not increase ponding on sites upstream, downstream or in the general vicinity of the subject site.</p>	
	<p>For Material change of use and Reconfiguring a lot</p> <p>AO5.4</p> <p>In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.</p> <p>Note – Fences and irrigation infrastructure (e.g. irrigation tape) in rural areas should be managed</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
	to minimise adverse the impacts that they may have on downstream properties in the event of a flood.	
<p>PO6 Development avoids the release of hazardous materials into floodwaters.</p>	<p>For Material change of use</p> <p>AO6.1 Materials manufactured or stored on site are not hazardous or noxious, or comprise materials that may cause a detrimental effect on the environment if discharged in a flood event;</p> <p>or</p> <p>AO6.2 If a DFE level is adopted, structures used for the manufacture or storage of hazardous materials are:</p> <p>(a) located above the DFE level;</p> <p>or</p> <p>(b) designed to prevent the intrusion of floodwaters.</p>	<p>Not Applicable See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>AO6.3 Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE</p>	<p>Not Applicable See s 5.4(1) (c) (ii) of the Planning Scheme</p>
	<p>AO6.4 If a flood level is not adopted, hazardous materials and their manufacturing equipment are located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of floodwaters. Note – Refer to <i>Work Health and Safety Act 2011</i> and associated Regulation and Guidelines, the <i>Environmental Protection Act 1994</i> and the relevant building assessment provisions under the <i>Building Act 1975</i> for requirements related to the manufacture and storage of hazardous materials.</p>	<p>Not Applicable See s 5.4(1) (c) (ii) of the Planning Scheme</p>
<p>PO7 The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.</p>	<p>AO7 Development does not: (a) increase the number of people calculated to be at risk of flooding;</p>	<p>Not Applicable See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
	(b) increase the number of people likely to need evacuation; (c) shorten flood warning times; and (d) impact on the ability of traffic to use evacuation routes, or unreasonably increase traffic volumes on evacuation routes.	
<p>PO8 Development involving community infrastructure: (a) remains functional to serve community need during and immediately after a flood event; (b) is designed, sited and operated to avoid adverse impacts on the community or environment due to impacts of flooding on infrastructure, facilities or access and egress routes; (c) retains essential site access during a flood event;</p>	<p>AO8.1 The following uses are not located on land inundated during a DFE/Storm tide: (a) community residence; and (b) emergency services; and (c) residential care facility; and (d) utility installations involving water and sewerage treatment plants; and (e) storage of valuable records or items of historic or cultural significance (e.g. archives, museums, galleries, libraries).</p> <p>or</p> <p>AO8.2</p>	<p>Not Applicable See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>(d) is able to remain functional even when other infrastructure or services may be compromised in a flood event.</p>	<p>The following uses are not located on land inundated during a 1% AEP flood event:</p> <ul style="list-style-type: none"> (a) community and cultural facilities, including facilities where an education and care service under the Education and care Services National law (Queensland) is operated or child care service under the <i>Child Care Act 2002</i> is conducted, (b) community centres; (c) meeting halls; (d) galleries; (e) libraries. <p>The following uses are not located on land inundated during a 0.5% AEP flood event.</p> <ul style="list-style-type: none"> (a) emergency shelters; (b) police facilities; (c) sub stations; (d) water treatment plant 	



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Performance outcomes	Acceptable outcomes	Compliance
	<p>The following uses are not located on land inundated during a 0.2% AEP flood event:</p> <ul style="list-style-type: none"> (a) correctional facilities; (b) emergency services; (c) power stations; (d) major switch yards. 	
	<p>AO8.3</p> <p>The following uses have direct access to low hazard evacuation routes as defined in Table 8.2.4.3.c:</p> <ul style="list-style-type: none"> (a) community residence; and (b) emergency services; and (c) hospitals; and (d) residential care facility; and (e) sub stations; and (f) utility installations involving water and sewerage treatment plants. 	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>and/or</p> <p>AO8.4</p> <p>Any components of infrastructure that are likely to fail to function or may result in contamination when inundated by flood, such as electrical switch gear and motors, telecommunications connections, or water supply pipeline air valves are:</p> <p>(a) located above DFE/Storm tide or the highest known flood level for the site;</p> <p>(b) designed and constructed to exclude floodwater intrusion / infiltration.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>
	<p>AO8.5</p> <p>Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by a flood.</p>	<p>Not Applicable</p> <p>See s 5.4(1) (c) (ii) of the Planning Scheme</p>



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Table 8.2.4.3.b- Minimum immunity (floor levels) for development

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



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Table 8.2.4.3.c - Degree of flood

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



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