

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) (individual or company full name)	Niramaya Developments Pty Ltd
Contact name (only applicable for companies)	Nick Hardy
Postal address (P.O. Box or street address)	c/ Victor G Feros Town Planning Consultants PO Box 1256
Suburb	CAIRNS
State	QLD
Postcode	4870
Country	AUSTRALIA
Contact number	(07) 4031 3663
Email address (non-mandatory)	cairns@ferosplanning.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	C1114

2) Owner's consent
2.1) Is written consent of the owner required for this development application?
<input checked="" type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application
<input 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
			Bale Drive	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
		906	SP277141	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: Existing artificial water body

☐ 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 - (not subject to easements, however subject to covenants)**

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

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

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

- ☒ **Development permit** ☐ Preliminary approval ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

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

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

Development Permit for Material Change of Use – Code Assessment for Multiple Dwelling, Short-term Accommodation, Food and Drink Outlet and Function Facility

e) Relevant plans

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

- ☒ **Relevant plans of the proposed development are attached to the development application**

6.2) Provide details about the second development aspect

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

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

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

- ☐ Development permit ☐ Preliminary approval ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

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

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

e) Relevant plans

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

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

6.3) Additional aspects of development

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

☒ **Not required**

Section 2 – Further development details

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

Material change of use	<input checked="" 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 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)
Refer to supporting Town Planning Report dated August 2019			

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

<input type="checkbox"/> Yes		
<input checked="" 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?

--

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?			

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:		
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 type="checkbox"/> No		
14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)		
\$		

PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application
Douglas Shire Council
16) Has the local government agreed to apply a superseded planning scheme for this development application?
<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application
<input type="checkbox"/> Local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
<input checked="" type="checkbox"/> No

PART 5 – REFERRAL DETAILS

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

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

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

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

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

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

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

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

18) Has any referral agency provided a referral response for this development application?		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application <input checked="" type="checkbox"/> No		
Referral requirement	Referral agency	Date of referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and the development application the subject of this form, or include details in a schedule to this development application (<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 Note: By not agreeing to accept an information request I, the applicant, acknowledge: <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. Further advice about information requests is contained in the <u>DA Forms Guide</u> .

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)

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

List of approval/development application references	Reference number	Date	Assessment manager
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Development application	CA50	17 October 2005	Douglas Shire Council
<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)

- ☐ Yes – a 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** (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?

- ☐ Yes – show cause or enforcement notice is attached
☒ **No**

23) Further legislative requirements

Environmentally relevant activities

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

- ☐ Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below

☒ **No**

Note: Application for an environmental authority can be found by searching “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.

Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			

- ☐ Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.

Hazardous chemical facilities

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

- ☐ Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application

☒ **No**

Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.

Clearing native vegetation

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:	
-----------------------------	--	-----------	--

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

TOWN PLANNING REPORT

APPLICATION TO THE DOUGLAS SHIRE COUNCIL FOR DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE – CODE ASSESSMENT FOR MULTIPLE DWELLING, SHORT TERM ACCOMMODATION, FOOD AND DRINK OUTLET AND FUNCTION FACILITY

on land located at

**PORT DOUGLAS ROAD AND
BALE DRIVE, PORT DOUGLAS**

on land described as

LOT 906 ON SP277141

on behalf of

NIRAMAYA DEVELOPMENTS PTY LTD

**VGF – C1114
AUGUST 2019**



Victor G Feros Town Planning Consultants

195 Dornoch Terrace
corner Gladstone Road
Highgate Hill **Brisbane** 4101
Queensland Australia
Telephone 07 3844 2882
Facsimile 07 3846 1840
brisbane@ferosplanning.com.au

Level 1
127 Abbott Street
PO Box 1256 **Cairns** 4870
Queensland Australia
Telephone 07 4031 3663
Facsimile 07 4031 2238
cairns@ferosplanning.com.au



TOWN PLANNING REPORT

TABLE OF CONTENTS	PAGE
1.00 INTRODUCTION	1
2.00 THE SITE	2
2.01 Location	2
2.02 Site Description and Tenure Considerations	2
2.03 Current Approvals	3
2.04 Current Site Use	3
2.05 Surrounding Land Uses	4
2.06 Statutory Town Planning Allocations	5
3.00 PROPOSED DEVELOPMENT	7
3.01 General Arrangements	7
3.02 Main Design Principles	7
3.03 Development Details	9
4.00 TOWN PLANNING CONSIDERATIONS	11
4.01 Strategic Framework	11
4.02 Port Douglas / Craiglie Local Plan	11
4.03 Tourist Accommodation Zone Code	12
4.04 Use Definitions	13
4.05 Relevant Codes	15
4.06 Main Building Criteria	16
4.07 Specific Responses to Code Matters	18
4.08 Referral Triggers	24
4.09 State Planning Provisions and Regional Plan	25
5.00 PROVISION OF SITE ACCESS	26
6.00 PROVISION OF URBAN INFRASTRUCTURE	27
7.00 VISUAL SCREENING	27
8.00 VEGETATION CLEARING	29
9.00 APPROPRIATE SITE USE	29
10.00 AMENITY CONSIDERATIONS	30
11.00 CONCLUSIONS	30
12.00 RECOMMENDATIONS	32

Amended 10:00AM 13/08/2019



FIGURES

FIGURE 1	LOCATION
FIGURE 2	LOCALITY
FIGURE 3	TENURE FEATURES
FIGURE 4	EXISTING SITE FEATURES
FIGURE 5	SURROUNDING LAND USES
FIGURE 6	STRATEGIC FRAMEWORK
FIGURE 7	LOCAL PLAN
FIGURE 8	ZONING
FIGURE 9	AIRPORT ENVIRONS OVERLAY
FIGURE 10	BUSHFIRE HAZARD OVERLAY
FIGURE 11	COASTAL PROCESSES OVERLAY
FIGURE 12	FLOOD AND STORM TIDE INUNDATION OVERLAY
FIGURE 13	LANDSCAPE VALUES OVERLAY
FIGURE 14	NATURAL AREAS OVERLAY
FIGURE 15	TRANSPORT NETWORK OVERLAY – PEDESTRIAN AND CYCLE ROUTE
FIGURE 16	TRANSPORT NETWORK OVERLAY – ROAD HIERARCHY

APPENDICES

APPENDIX A SURVEY AND TENURE DOCUMENTS

APPENDIX B PROPOSAL PLANS, ELEVATIONS SECTIONS AND ARCHITECTURAL STATEMENT

APPENDIX C RESPONSE TO CODES

Victor G Feros Town Planning Consultants

195 Dornoch Terrace
corner Gladstone Road
Highgate Hill **Brisbane** 4101
Queensland Australia
Telephone 07 3844 2882
Facsimile 07 3846 1840
brisbane@ferosplanning.com.au

Level 1
127 Abbott Street
PO Box 1256 **Cairns** 4870
Queensland Australia
Telephone 07 4031 3663
Facsimile 07 4031 2238
cairns@ferosplanning.com.au

TOWN PLANNING REPORT

DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE – CODE ASSESSMENT FOR MULTIPLE DWELLING, SHORT TERM ACCOMMODATION, FOOD AND DRINK OUTLET AND FUNCTION FACILITY

PORT DOUGLAS ROAD AND BALE DRIVE, PORT DOUGLAS

1.00 INTRODUCTION

This Report has been commissioned by Niramaya Developments Pty Ltd, the landowner and applicant in relation to the subject site located at Port Douglas Road and Bale Drive, Port Douglas and described Lot 906 on SP277141.

This Application seeks approval for a Development Permit for Material Change of Use – Code Assessment for Multiple Dwelling, Short-term Accommodation, Food and Drink Outlet and Function Facility.

This Report address the Application and the merits upon which the Douglas Shire Council's ("Council") support is sought in terms of the Douglas Shire Planning Scheme (2018 Version 1.0) ("the Planning Scheme") and is based on the combined investigations and research of the following practices:-

- a) Victor G Feros Town Planning Consultants – Statutory and Land Use Planning;
- b) Charles Wright Architects – Design

The preparation of this Report has given regard to the pre-lodgement discussions held with Douglas Shire Council.

IN CONTINUOUS PRACTICE SINCE 1976

Principal
Victor G Feros
GCSJ BA MUS FPIA CMILT LGTP(Q) CPP

Adjunct Professor
School of Geography, Planning
and Environmental Management
University of Queensland

US Bicentennial Fellowship Award 1976

Administrative Director
Marion C Feros
B Pharm MBA MPS ASA AFACP
Associate & Office Manager, Cairns
Nick Hardy
BRTP (Hons) MPIA LGTP(Q)
Senior Consultant Planner
Ken Todd
DQIT(T&CP) Dip.Soc.PL LFPIA LGTP(Q)

Victor G Feros
Town Planning
Consultant Pty Ltd
ABN 51 010 417 302
www.ferosplanning.com.au



2.00 THE SITE

2.01 Location

The subject is located at the southern end of the Niramaya development (previously known as Bale).

The site is located on the western alignment of Port Douglas Road and approximately 175m south from the intersection with Bale Drive.

The site is located 1km north east from the intersection of Port Douglas Road and the Captain Cook Highway and approximately 4km south from the Port Douglas commercial area.

The location and located of the subject site are shown by **Figure 1 – Location** and **Figure 2 – Locality**.

The land subject to the Material Change of Use components of the application and containing an area of 22,328m² is identified on **Figure 2 – Locality**.

2.02 Site Description and Tenure Considerations

Lot 906 on SP277141 contains an area of 22,328m². This lot is divided into two (2) parts by Lot 905 on SP165909.

The larger part of Lot 906 contains an area of 19,660m² and has a frontage of 207.52m to Port Douglas Road. This area is to contain the proposed development.

The smaller part of Lot 906 contains an area of 2668m² and has no frontage to Port Douglas Road. No development is proposed in this area.

Lot 906 is encumbered by covenants and G and H on SP165909. Both covenants are in favour of the Douglas Shire Council and are for the "Conservation of Flora Featured on the land".

There is one (1) Community Title Scheme (CTS) with relevance to the subject site. This CTS is described as "Common Property for Niramaya Luxury Villas and Spa Residential Community Titles Scheme 34781".

The extent of the above described tenure features is shown (where possible) in **Figure 3 - Tenure Features**.



A copy of the relevant documents are attached as **Appendix A - Survey and Tenure Documents**.

2.03 Current Approvals

The land has been subject of previous approvals and reconfiguration of a lot approvals.

On the basis of the Planning and Development Certificate dated 7 August 2019 and further to discussions with the Council Planning Officer it is submitted that the current Development Approval is Minor Amendment – Decision Notice dated 17 October 2005 (Application No.: CA50) has reference to the subject site.

2.04 Current Site Use

The site has been substantially cleared as part of the previous use of the land for sugar cane production.

Mature vegetation is located within an area approximately 10m wide (coinciding with Covenants G and H) and adjoins the western boundary of the site.

As part of the previous approval over the land the following works have been undertaken:-

- a) a concrete vehicle access path and lighting as an extension of the Niramaya Development to the north;
- b) filling of the land to a level matching the Niramaya Development; and
- c) Establishment of a central water and drainage feature with a drainage path connection to the water body located to the west;

The location of these features are shown in **Figure 4 - Existing Site Features**.



2.05 Surrounding Land Uses

Land adjoining the site to the north includes the existing Niramaya Development including dwellings, landscaped areas and a central water and drainage feature.

To the south west the site is adjoined by vegetation and a water body forming part of the Mirage Country Club.

To the east and south east, the site is adjoined by an earth mound and acoustic fence and including mature vegetation established in Port Douglas Road reserve. This feature was established as part of the Niramaya Development.

The uses surrounding the site are shown in **Figure 5 - Surrounding Land Uses**.



2.06 Statutory Town Planning Allocations

Within the provisions of the Planning Scheme the subject site is included within the following statutory allocations:-

Criteria	Designation
a) Strategic Framework	Urban Area (Refer to Figure 6- Strategic Framework)
b) Local Plan Port Douglas / Craiglie	Lot 906 is located within the Local Plan however it is not located within a specific Precinct boundary. Lot 906 adjoins a Major Road Connection Lot 906 contains and adjoins Major Areas of Vegetation and adjoins an Oil Palm Avenue along Port Douglas Road (Refer to Figure 7A - Local Plan and Figure 7B – Townscape Plan)
c) Zoning	Tourist Accommodation Zone (Refer to Figure 8 - Zoning)
d) Overlays Acid Sulfate Soils Bushfire Hazard Overlay Coastal Processes Overlay	Acid Sulfate Soils (<5m AHD) (Refer to Figure 9 – Acid Sulfate Soils Overlay) Medium Potential Bushfire Intensity Potential Impact Buffer (Refer to Figure 10 - Bushfire Hazard Overlay) Erosion Prone Area (Refer to Figure 11 - Coastal Processes Overlay)



Flood and Storm Tide Inundation Overlay	Storm Tide – High Hazard Storm Tide – Medium Hazard 100 Year ARI (Mossman, Port Douglas and Daintree Flood Studies) (Refer to Figure 12 – Flood and Storm Tide Inundation Overlay)
Hillslopes Overlay	Not Applicable
Landscape Values Overlay	Scenic Route Buffer / View Corridor (Refer to Figure 13 - Landscape Values Overlay)
Natural Areas Overlay	MSES – Regulated Vegetation (Of Concern Regional Ecosystem) (Refer to Figure 14 - Natural Areas Overlay)
Places of Local Significance Overlay	Not Applicable
Potential Landslip Hazard Overlay	Not Applicable
Transport Network Overlay (Pedestrian and Cycle)	Principal Route (Refer to Figure 15 - Transport Network Overlay – Pedestrian and Cycle)
Transport Network Overlay (Road Hierarchy)	Arterial Road Major Transport Corridor Buffer Area (Refer to Figure 16 - Transport Network Overlay – Road Hierarchy)



3.00 PROPOSED DEVELOPMENT

3.01 General Arrangements

It is proposed to establish a residential accommodation development with basement level parking on the southern part of the Lot 906 containing an area of 19,660m².

A key feature of the development will be that all of the residential units are to be available for both permanent occupation and short-term accommodation.

The development is also to include a function facility and food and drink areas. The features are to be available to both “in house” residents and guests and the general public.

For the purpose of this assessment, it is confirmed that no development is proposed for the northern part of Lot 906 containing an area of 19,660m².

3.02 Main Design Principles

The main design and siting principles of the proposal include:-

- a) establishment of a comprehensively and integrated development linked to an overall master scheme;
- b) in accordance with the Planning Scheme Policy – Building Design and Architectural Elements, the proposal will provide a “modern interpretation” of the tropical Queensland vernacular architectural style in response to the tropical climate of Port Douglas;
- c) the retention of a building height and form below the height of existing vegetation to the east and south east with visibility from Port Douglas Road and to the west and south west with visibility from Saint Crispins Avenue;
- d) the provision of central recreation and landscape feature including two (2) major swimming pools;
- e) extensive building perimeter landscaping and associated pedestrian and vehicle access;
- f) allow for the retention of existing on-site mature vegetation;



- g) the provision of two (2) unit “outlook” options including the views over the central recreation and landscape feature or the perimeter landscape areas;
- h) provide an extensive rooftop recreation area offering extensive views over the surrounding area;
- i) inclusion of extension landscape elements within the building design including integrated planter boxes and “vertical” gardens;
- j) the provision of extensive shaded outdoor living areas for all residential units and shaded areas associated with the recreation areas;
- k) the provision of landscape setbacks to existing residential development within the Niramaya Development located to the north;
- l) the provision of basement level car parking to enable on-site landscaping and recreation areas to be maximised and allow the car parking areas to be conveniently located to all units; and
- m) provision of a single vehicular entry and exit to Port Douglas Road. The vehicular access will be designed and located to minimise the disruption to the visual amenity of the existing screening vegetation within the road reserve.



3.03 Development Details

a) Pre-construction

- i) excavation will be undertaken to create the basement level car parking area;
- ii) part of the excavated area for the existing water feature will be used as swimming pools and basement parking;
- iii) the establishment of a vehicle entry / exit point to Port Douglas.

b) Development Elements

- i) a three (3) level building plus a unit roof space level to include the accommodation, function facility and food and drink elements of the proposal;
- ii) a two (2) level basement car park to provide a total of 303 on-site car parking spaces. The basement levels are to be connected to the upper level by lifts;
- iii) it is proposed to establish a total of 141 units comprising the following configurations:-
 - a) 60 by 2 bedroom plus 2 bathroom units with a floor area including balcony ranging from 130m² to 160.2m²
 - b) 76 by 1 bedroom plus 1 bathroom units with a floor area including balcony of 90.8m²
 - c) 5 by 4 bedroom plus 4 bathrooms with a floor area including balcony of 208m²

It is noted that sixteen (16) of the units will include a roof terrace level.

The units are all self-contained and are suitable for occupation on either a short-term or permanent basis.

- iv) pier construction methods will be used over parts of the water features and associated containment banks;
- v) a porte-cochere to provide for resident and guest arrival and allow for a covered bus setdown area;



- vi) a food and drink outlet is to be provided at the ground floor and level 1 adjacent to the porte-cochere.

This element is to contain an area of 1,325m² (GFA).

- vii) a function facility is to be provided at the ground floor and Level 1 adjacent to the porte-cochere.

This element will also include a reception area and manager's office. This element will contain an area of 573m² (GFA).

- viii) roof top recreation uses including tennis courts and swimming pool. This area is also to include a "snack bar" to provide limited food and drinks to residents and guests using this area;

- ix) swimming pools and associated recreation areas will be provided within the building complex with natural lighting provided by roof top voids;

- x) the development will be undertaken in a single stage.

The development elements described above are shown by the plans, elevations, section and perspectives attached as **Appendix B** and described further as the Architectural Statement attached as **Appendix B**.



4.00 TOWN PLANNING CONSIDERATIONS

4.01 Strategic Framework

The Strategic Framework “sets the policy direction for the planning scheme”.

The inclusion of the subject site within the Urban Area Designation of Port Douglas clearly confirms the intent of the Strategic Framework for the land for urban purposes.

The Specific Outcomes within the Strategic Framework identify the general suitability of the site for both tourist and residential accommodation. This is further emphasised by the inclusion of the land within the Tourist Accommodation Zone.

It is submitted that the uses proposed combined with the specific design and siting features of the development are consistent with the intent of the Strategic Framework.

4.02 Port Douglas / Craiglie Local Plan

The subject site is located within the Local Plan Area boundary, however the site is not located within a specific precinct.

The purpose of the Port Douglas/Craiglie local plan code is “*to facilitate development outcomes consistent with community values, the local tropical built-form and protection of the natural environment within the Port Douglas/Craiglie local plan area, while providing a platform for investment and prosperity*”.

In particular, the proposal is consistent with the following outcome:-

(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.

Comment

The dual use of the units for both tourists and permanent residents is relevant and is consistent with this overall outcome.



(d) All forms of development will complement the tropical image of the town through distinctive tropical vernacular, urban design and landscaping.

Comment

This overall outcome is achieved by the adoption of a modern interpretation of the distinctive tropical vernacular present in Port Douglas.

(g) Vegetation, iconic to the character of Port Douglas, including the avenues of Oil Palms, is retained and where appropriate supplemented.

Comment

This overall outcome is achieved by the retention of the existing on-site and surrounding vegetation and the establishment of additional on-site vegetation.

The removal of vegetation (including Oil Palms) in order to establish the access point to the site can be offset by plantings at alternative locations.

4.03 Tourist Accommodation Zone Code

The stated purpose of the Tourist Accommodation Zone Code is to *“provide for short-term accommodation supported by community uses and small-scale services and facilities in locations where there are tourist attractions”*.

The proposal can achieve the purpose of this code by:-

- a) the provision of a range of accommodation activities including Multiple Dwelling and Short-term Accommodation as proposed;
- b) the inclusion of tourist facilities and services including the Function Facility and Food and Drink Outlet (restaurant);
- c) the adoption of a modern interpretation of the tropical vernacular architectural style; and
- d) provision of extensive and high quality landscaping.

It is submitted that the proposal complies with the intent of the Tourist Accommodation Zone Code.



4.04 Use Definitions

Within the Planning Scheme and having regard to Pre-lodgement discussions with Council on 16 July 2019 it is submitted that the proposed development is encompassed by the following definitions and given that the site is within the Tourist Accommodation Zone.

Table 1 – Use Definitions

Use	Definition	Examples Include	Does not include the following examples	Level of Assessment within the Tourist Accommodation Zone
Multiple Dwelling	Premises containing three or more dwellings for separate households.	Apartments, flats, units, townhouses, row housing, triplex.	Rooming accommodation, dual occupancy, duplex, granny flat, residential care facility, retirement facility.	Code Assessment
Short-term Accommodation	Premises used to provide short-term accommodation for tourists or travellers for a temporary period of time (typically not exceeding three consecutive months) and may be self-contained. The use may include a manager's residence and office and the provision of recreation facilities for the exclusive use of visitors.	Motel, backpackers, cabins, serviced apartments, accommodation hotel, farm stay.	Hostel, rooming accommodation, tourist park.	Code Assessment
Function Facility	Premises used for conducting receptions or functions that may include the preparation and provision of food and liquor for consumption on site.	Conference centre, reception centre.	Community use, hotel.	Code Assessment
Food and Drink Outlet	Premises used for preparation and sale of food and drink to the public for consumption on or off the site. The use may include the ancillary sale of liquor for consumption on site.	Bistro, café, coffee shop, drive-through facility, kiosk, milk bar, restaurant, snack bar, takeaway, tea room.	Bar, club, hotel, shop, theatre, nightclub entertainment facility.	Code Assessment if associated with on-site Tourist Accommodation (Short-term Accommodation)

The following operational arrangements for the scope and intent of definitions in relation to the proposed development are noted:-

- the inclusion of both definitions for Multiple Dwelling and Short-term Accommodation allows for the flexible use of the units for either long term occupation (Multiple Dwelling) and short-term holiday or visitor accommodation (Short-term Accommodation).



It is confirmed that all proposed units will be nominated for the dual use of Multiple Dwelling and Short-term Accommodation;

- b) the inclusion of both Multiple Dwelling and Short-term Accommodation uses will enable clarity to be provided to future purchasers and occupiers of the units that permanent and short-term occupation of the units will be permitted. Such occupancy arrangements can be clearly identified in both the Planning Approval and the Community Management Statement documents;
- c) the specific inclusion of the definition for Function Facility will enable this use to be utilised by both “in house” residents and guests and the general public. This will provide clarity in relation to the use of the Function Facility;
- d) the specific inclusion of the definition for Food and Drink Outlet to be “associated with tourist accommodation” (Short-term Accommodation) allows for this service to be provided to both “in-house” residents and guests and the general public.

This will provide clarity in relation to the use of the Food and Drink Outlet.

It is further noted that this definition will include the uses nominated on the ground and first floor and the roof terrace.

Given the above circumstances, the following description is applicable to the proposal:-

“Development Permit for Material Change of Use – Code Assessment for Multiple Dwelling, Short-term Accommodation, Food and Drink Outlet and Function Facility”



4.05 Relevant Codes

Based on the review of the Planning Scheme, it is submitted that the following codes are applicable to the assessment of the proposal:-

a) Zone Code

- Tourist Accommodation Zone

b) Local Plan Code

- Port Douglas / Craiglie Local Plan

c) Overlay Codes

- Acid Sulfate Soils Overlay Code
- Bushfire Hazard Overlay
- Coastal Processes Overlay
- Flood and Storm Tide Inundation Overlay
- Landscape Values Overlay
- Natural Areas Overlay
- Transport Network Overlay

d) Development Codes

- Centre Activities Code (Function Facility)
- Multiple Dwelling, Short Term Accommodation Code and Retirement Facility Code

e) Other Development Codes

- Access, Parking Servicing Code;
- Environmental Performance Code;
- Infrastructure Works Code
- Landscaping Code
- Vegetation Management Code



A detailed response to the Codes identified as being relevant to the subject site and the proposal is provided by the assessment attached as **Appendix C - Response to Codes** and the further specific Code responses are included within **Section 4.07**.

4.06 Main Building Criteria

The identification of the applicable building design criteria was undertaken based on the review of the relevant Zone, Local Plan, Overlay, Development and Other Development Codes.

Particular regard was given to Section 1.5 – Hierarchy of Assessment Criteria (Benchmarks) identified in the Planning Scheme.

In addition, particular regard has also been given to the Planning Scheme Policy – Building Design and Architectural Elements.

It is noted that the site used for this assessment aligns with the Lot 906 boundary containing an area of approximately 22,328m².

It is noted that for the purpose of this assessment, the total area of Lot 906 (22,328m²) is where appropriate and for comparison purposes, the southern area of Lot 906 (19,660m²) to contain the proposed development is also used.

A summary of the relevant building design criteria is provided by the following **Table**.



Table 2 – Building Design Criteria

Criteria (*)	Requirement	Proposal	Comment
Tourism Accommodation Zone Code			
Building Height (AO1)	13.5m	13.5m	Complies – Refer to Section 4.07 for further response.
Storeys (AO1)	3 storeys	3 storeys plus unit roof space level	Refer to Section 4.07 for further response.
Setbacks (AO1)	- 6m main street frontage - 4.5m rear boundary - 6.75m to side boundary (half height of building)	- 6m to Port Douglas Road - Rear and Side Setbacks range from 4.5m to 13.040m	Refer to Section 4.07 for further response.
Site Coverage (AO2)	50% (11,164m ²) based on the <u>total area of Lot 906 (22,328m²)</u> 50% (9,830m ²) based on the <u>southern area of Lot 906 (19,660m²)</u>	42% (9,391m ²) based on a site area of 22,328m ² 47% (9,391m ²) based on a site area of 19,660m ²	Complies Complies
Building Length (AO3.1)	30m and any continuous wall not more than 15m		Refer to Section 4.07 for further response and Architectural Statement attached as Appendix B .
Open Space and Recreation (AO4.1) <i>Landscaping (AO4.1)</i>	35% (7,815m ²) based on the <u>total area of Lot 906 (22,328m²)</u> 30% (2,344m ²) of Open Space and Recreation Area	55% (12,486m ²) (not including pools) Will exceed 30%	Complies – Refer to Section 4.07 for further response Complies
Open Space and Recreation (AO4.1) <i>Landscaping (AO4.1)</i>	35% (6,881m ²) based on the <u>southern area of Lot 906 (19,660m²)</u> 30% (2,064m ²) of Open Space and Creation Area	63% (12,486m ²) (not including pools) Will exceed 30%	Complies – Refer to Section 4.07 for further response Complies
Landscape Values Overlay			
Scenic Route Buffer (AO3.3)	10m landscape buffer to scenic route	In excess of 10m	The existing landscaped buffer including an earth mound within the Port Douglas Road reserve extends along the full length of the frontage of Lot 906.
Multiple Dwelling, Short-term Accommodation and Retirement Facility Code			
Maximum GFA (AO3.2)	1.2 x site area (26,793.6m ²) based on the <u>total area of Lot 906 (22,328m²)</u> 1.2 x site area (23,592m ²) based on the <u>southern area of Lot 906 (19,9660m²)</u>	0.52 (13,939.8m ²) 0.59 (13,939.8m ²)	Complies Complies
Floor to ceiling height (AO8.1)	2.7m	3.125m	Complies
Communal Open Space (AO12.1)	5% of site area	In excess of 5%	Complies
Storage (AO17)	3.5m ² per dwelling	In excess of 3.5m ² per dwelling to be provided	Complies

Note (*): The identification of the relevant criteria is based on Section 1.5 – Hierarchy of Assessment Criteria (Benchmarks)



4.07 Specific Responses to Code Matters

a) Building Height and Number of Storeys

The following administrative definitions are relevant to the determination of building height:-

i) **"Basement"**

A space that is situated between one floor level and the floor level next below where no part of the space projects more than one metre above ground level."

ii) **"Building Height"**

If specified:

- (a) *in metres, the vertical distance between the ground level or the flood hazard level (where the building is in a flood hazard area) and the highest point of the building roof (apex) or parapet at any point but not including load-bearing antenna, aerial, chimney, flagpole or the like*
- (b) *in storeys, the number of storeys above ground level or the flood hazard level (where the building is in a flood hazard area) or*
- (c) *in both metres and storeys, as specified in (a) and (b) respectively."*

iii) **"Defined Inundation Event"**

The highest level of inundation of either the 1% AEP flood event or 1% AEP storm tide inundation event over land."

iv) **"Defined Flood Level"**

The level to which it is reasonably expected flood waters may rise. The defined flood level for a lot in a flood hazard area is:

- (a) *the level declared by a local government under the Building Regulation 2006, section 13, to be the defined flood level for the part of the area where the lot is located or*
- (b) *if the defined flood level stated in a building development application for the lot is lower than the defined flood level declared by the local government – the level started in the application, subject to a concurrence agency's response.*

Note—If the defined flood level stated in a building development application is lower than the defined flood level declared by the local government, the local government must, as a concurrence agency, decide whether the defined flood level stated in the application is appropriate (see schedule 7, table 1, item 30 of the Sustainable Planning Regulation 2009)."

v) **"Ground Level"**

The level of the natural ground, or, where the level of the natural ground has been changed, the level as lawfully changed."

vi) **"Flood Hazard Level"**

For a flood hazard area, means the defined flood level plus freeboard."

vii) **"Roof Height"**

The vertical distance between the upper most point of the exterior wall of the building and the highest point of the roof (apex) or parapet at any point, but not including non-load bearing antenna, chimney, flagpole or the like.

Roof height is contained within building height."



viii) **"Storey**

A space situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but not a space that contains only:

- (a) a lift shaft, stairway or meter room*
- (b) a bathroom, shower room laundry, water closet, or other sanitary compartment*
- (c) a combination of the above.*

A mezzanine is a storey.

A roofed structure on or part of a rooftop that does not solely accommodate building and equipment is a storey.

A basement is not a storey."

Within the Tourist Accommodation Zone Code AO1 specifies that "Building and Structures are not more than 13.5m and 3 storeys.

Given the intent of the relevant administrative definitions and the criteria nominated by AO1, the following levels are noted:-

a) Lower Basement Level	-0.450m AHD / RL
b) Storm Tide Inundation Level	2.70m AHD / RL
c) Immunity Level	3.00m AHD / RL
d) Ground Level (changed as part of the previous approval)	4.00m AHD / RL
e) Top of Basement Level (allowing for 300mm slab above)	4.70m AHD / RL
f) Finished Floor Level (Ground Level)	5.00m AHD / RL
g) Finished Floor Level (Level 3)	14.375m AHD / RL
h) Maximum Roof Height	17.50m AHD / RL

The levels described above are shown in Typical Sections and Levels Layout attached as **Appendix B - Proposal Plans.**

The following matters are submitted in relation to the proposed building height and the number of storeys:-

- a) the current filled ground level exceeds the required Immunity Level by one (1) metre;
- b) the basement does not exceed the current ground level by more than one (1) metre and therefore is not considered as a storey;
- c) the overall building height measured from the filled ground level (4.00m AHD) to the maximum roof height (17.50m AHD) is 13.50m and is in accordance with AO1;



- d) as shown by the Typical Section and Levels Layout Plan, sixteen (16) of the 141 units will include a “double height living space”. The upper level of this living space is to be included as part of the roof space.

The unit roof space level includes a study / living area, bedroom and ensuite. This level also has direct access to the open landscaped roof terrace.

It is noted that the unit roof space level could be considered as a storey. Accordingly the proposed development can be considered to include four (4) storeys.

The inclusion of the unit roof space level should be considered within the context of the following:-

- i) significantly the development does not exceed 13.5m in height;
- ii) the building has been designed to “present” as three (3) storeys (refer to Architectural Statement attached as **Appendix B**;
- iii) the unit roof space level is to be integrated as part of the roof space;
- iv) the roof terrace level contains approximately 6700m² (48%) at 14.375m AHD or 3.125m below the maximum allowable building height.

The unit roof space level is limited to an area of 927.4m² (12.2%) of the roof terrace level.

Given the above considerations, it is submitted that while the unit roof space level can be considered as a storey, the inclusion of this level will have minimal, if any, impact on the residential character of the area. Accordingly, it is considered appropriate for Council to approve the development incorporating three (3) storeys and the unit roof space level.



b) Building Setbacks

For the purpose of the analysis of setbacks, the following aspects are noted:-

- i) Port Douglas Road is identified as the main (primary) street frontage; and
- ii) a combination of side and rear setbacks are proposed for south western and north western boundaries in relation to the southern part of Lot 906.

The following responses are provided in relation to the proposed building setbacks:-

- i) a building setback ranging in width from 6m to 16.957m is proposed from the Port Douglas Road frontage. This setback will include a combination of landscaping and vehicle / pedestrian access;
- ii) a building setback ranging in width from 13.010m to 13.040m is proposed to the south western boundary.

This setback will include landscaping, vehicle / pedestrian access and mature vegetation located within Covenant G;

- iii) building setbacks for the north eastern section of the site (in the vicinity of Lot 46 on SP165911) range in width from 4.5m to 8.755m.

In particular, it is noted that a setback of 6.750m (half the height of the building) is proposed adjacent to the residence located on Lot 46 and a setback of 4.5m is proposed adjacent to the common area.

- iv) for the north western section of the site (in the vicinity of Lot 905 on SP165909) a building setback of between 4.5m and 6.75m is proposed from the realignment boundary.

It is submitted that the proposed building setbacks show compliance with the intent of AO1.



c) Building Length

While the proposal will include elevations adjacent to all site boundaries, the development will incorporate:-

- i) variations in the building setbacks;
- ii) the integration of landscaping within the building facades including planter boxes and vertical gardens; and
- iii) variation in roof design.

The combination of these design elements will establish highly articulated building elevations. Further comments in relation to this matter is included in the Architectural Statement attached as **Appendix B**.

d) Open Space, Recreation Areas and Landscaping

The provision of open space, recreation areas and landscaping includes the following elements:-

- i) the retention of existing mature vegetation within Covenant G;
- ii) while not forming part of the subject site, the extensive mature landscaping and earth mound located between the eastern boundary of the site and the Port Douglas Road carriageway will be combined with other on-site landscape features;
- iii) ground level landscaping is to be provided to form part of the building elevations and assist with providing screening and privacy;
- iv) central swimming pools and associated landscaping;
- v) roof terrace recreation uses and associated landscaping;
- vi) extensive private balcony areas for each unit; and
- vii) provision of planter boxes and “vertical gardens” within the building elevations.



It is submitted that the combination of the above described features will enable the development to comply with the intent of the Planning Scheme in relation to Open Space, Recreation Areas and Landscaping.

e) On-site Car Parking

An assessment of on-site car parking for the proposal is presented by the following table.

Table 3 - Car Parking Allocations

Use	Number / GFA	Ratio	Requirement / Spaces
a) Multiple Dwelling / Short-term Accommodation ⁽¹⁾	141 units	1.5 spaces / dwelling unit	211.5
b) Function Facility	573 m2 (GFA)	1 space per 15m2 GFA	38.2
c) Food and Drink Outlet	1,325m2 (GFA)	1 space per 25m2 GFA	53
TOTAL REQUIRED			302.7 (say 303)
TOTAL PROVIDED			303

Notes: ⁽¹⁾ Where Short-term Accommodation is to be interchangeable with a Multiple Dwelling land use, Multiple Dwelling parking rates apply.

The on-site car parking requirements are met by the proposed development.

It is further noted that the following service vehicle provisions are also required for the uses:-

- | | |
|---|--|
| i) Multiple Dwelling / Short-term Accommodation | One (1) small rigid vehicle |
| ii) Function Facility | One (1) industrial refuse collection vehicle |
| iii) Food and Drink Outlet | Two (2) vans, one small rigid vehicle and one (1) medium rigid vehicle |

It is noted that the provision of service vehicle access and parking will be provided via the main entrance round about, perimeter vehicle access and basement.

In addition the entrance roundabout will also provide for bus access and setdown requirements.



4.08 Referral Triggers

Investigations were undertaken to determine the relevant State Assessment Referral Triggers.

Relevant triggers identified as part of the investigations for the preparation of the application are noted as follows:-

a) State Transport Infrastructure

- i) Referral is required on the basis that the proposal provide accommodation for in excess of 75 persons. This is above the threshold of 75 persons for the Short-term Accommodation component specified by Schedule 20 of the Planning Regulation 2017;
- ii) Referral is required on the basis that the proposal contains 141 dwellings. This is above the threshold of 50 dwellings for the Multiple Dwelling component specified by Schedule 20 of the Planning Regulation 2017;
- iii) Referral is required on the basis that the proposal is within 25m of a State Controlled Road (Port Douglas Road) and that a new entry to the State Controlled Road is proposed.

b) Vegetation Management

The Regulated Vegetation Management Map has included part of the subject site adjoining the western boundary within the Category B area (Remnant Vegetation) and the Vegetation Management Supporting Map has included the same part of the subject site within the “Essential Habitat on the essential habitat map” designation.

Notwithstanding the inclusion of land within these designations, the mapped areas do not coincide with the existing mature vegetation on the subject site.

This is consistent with the mapping for vegetation shown in **Figure 14 – Natural Areas Overlay**.

The proposal is not subject to State referral for vegetation matters as an exemption exists for the subject site as the proposal is for an urban purpose within an urban zone and that the subject site is less than 5ha in size.



c) Coastal Management

The subject site is not located within a Coastal Management District (CMD). Therefore the proposal does not trigger state referral in relation to coastal matters.

d) Water Feature

The subject site includes an existing artificial water feature. It is proposed to use the existing actual water feature as part of the proposed swimming pools and basement car parking. Advice will be sought from the Department of State Development Manufacturing Infrastructure and Planning to determine if referral of the application in relation to this matter is required. Council will be advised of this response when this is provided by the Department.

4.09 State Planning Provisions and Regional Plan

It is noted that the provisions and intent of the State Planning Policies have been integrated into the current Planning Scheme. In addition, the Planning Scheme appropriately advances the Far North Queensland Regional Plan (2009-2031).



5.00 PROVISION OF SITE ACCESS

Access to the subject site is to be provided via the establishment of a new direct access point to Port Douglas Road.

The proposed access is to include the following design features:-

- a) the selected connection point is located at the northern extent of the frontage of Lot 906 on SP277141 to Port Douglas Road;
- b) the access will allow for a “left in” “left out” connection with Port Douglas Road;
- c) the access point will incorporate an on-site roundabout to allow for safe vehicle movements entering and existing the site from Port Douglas Road;
- d) the on-site roundabout will also allow for heavy vehicle and bus movements associated with the site;
- e) the establishment of the new access point will require the removal of existing vegetation and the earth mound within the alignment of the access;
- f) no access for either resident, guest or service vehicles to the subject site via the existing development to the north and in particular Bale Drive is proposed; and
- g) the existing service access to the north of the proposed access to be retained for use by the development to the north and the use of the service vehicle access within the north eastern corner of the site can be provided subject to a mutual agreement between all relevant parties.

Given that Port Douglas Road is a State Controlled Road, the design of the proposed access arrangements and associated external works will be subject to approval by the Department of State Development Manufacturing Infrastructure and Planning as the Referral Agency for the application.



6.00 PROVISION OF URBAN INFRASTRUCTURE

Urban Infrastructure including water, wastewater disposal, stormwater disposal, power and communications are all currently available to the subject site.

Further investigations will be undertaken in conjunction with Council and other providers to identify the requirements to extent or augment the provision of such urban infrastructure in a rational and efficient manner to accommodate the additional demand generated by the proposal.

7.00 VISUAL SCREENING

The existing on-site and adjoining landscaping features provide substantial screening for the proposed development from surrounding uses and provide a desirable outlook for the proposed units.

In this regard, the following screening features are noted:-

a) Port Douglas Road Frontage (view from the east)

The existing mature vegetation and earth mound within the Port Douglas Road reserve extends for the full frontage of Lot 906.

This landscaping established as part of the Niramaya Development has a height equivalent to the height of the proposed development.

It is noted that the removal of approximately 10m of this landscaping strip will be required in order to establish the access point to the proposal.

The visual impact of this removal, when viewed from Port Douglas Road will be mitigated by the provision of substantial landscaping as part of the roundabout to be located on the site.

b) Saint Crispins Avenue (view from the west)

The existing mature vegetation located within Covenants G and H and the adjoining vegetation fringing the lake as part of the Mirage Country Club has a height equivalent of the proposed development.



c) Port Douglas Road (view from the south)

The existing mature vegetation forming part of the Port Douglas Road landscape buffer and Covenant G and fringing lake vegetation combine to screen the development from areas to the south. This vegetation is equivalent in height to the proposed development.

d) View from the Niramaya Development to the north

Limited on-site vegetation screens the proposed development from the Niramaya Development located to the north.

The inclusion of additional landscaping as part of the site. However with growth, this vegetation will establish visual screening for the existing Niramaya Development to the north.

The existing and proposed landscape screening for the proposed development is shown by elevations attached as **Appendix B**.



8.00 VEGETATION CLEARING

As shown by **Figure 4 - Existing Site Features**, the subject site is substantially cleared except for the retention of the existing vegetation within Covenants G and H.

It is noted that **Figure 14 - Natural Areas Overlay** identifies the land within the Covenants as MSES – Regulated Vegetation (Of Concern Regional Ecosystem).

It is noted that the mapping for this allocation also includes presently cleared land adjoining Covenants G and H.

The proposal will require tree trimming and the possible removal of isolated trees from the site (excluding the Covenant areas).

In order to mitigate such trimming or tree removal the following actions are proposed:-

- a) the integration of this vegetation were possible into the ground level landscaping; and
- b) the establishment of new plantings within the existing cleared section of Covenant G.

9.00 APPROPRIATE SITE USE

It is submitted that the proposed development is an appropriate use for the site.

In this regard, the following aspects are noted:-

- a) the design and siting of the built form and associated access and landscaping allows for the rational and efficient use of the land;
- b) the site has a suitable size to enable the impact of the proposal to be mitigated;
- c) the design and siting of the development will enable the existing vegetation within the western section of the site to be retained;
- d) the range of uses and level of development intensity is consistent with the intent of the current Planning Scheme.



10.00 AMENITY CONSIDERATIONS

It is submitted that the proposed design and siting features to be incorporated within the development will mitigate the impact of the proposal on the amenity of the surrounding area.

In this regard, the following aspects are noted:-

- a) the built form of the development including, building height, site coverage, plot ratio and landscaping achieve the requirements specified in the Town Planning Scheme;
- b) the development is screened from surrounding areas to the east, south and west by existing mature vegetation. To the north, additional planning can be established to screen the development from existing adjacent development;
- c) the proposal will incorporate sufficient on-site parking to meet the expected demand generated by the project;
- d) the proposal shows compliance or is capable of showing compliance with the intent of the Planning Scheme.

11.00 CONCLUSIONS

The following conclusions are drawn in relation to the proposed development:-

- a) the subject site is located on the western alignment of the Port Douglas Road and approximately 175m south from the intersection with Bale Drive;
- b) the subject site is described as Lot 906 on SP277141;
- c) the site contains an area of 22,328m² and has a frontage of 207.52m to Port Douglas Road;
- d) the proposed development will be undertaken on the southern part of Lot 906 containing an area of 19,660m². No development will be undertaken on the northern part of Lot 906 containing an area of 2,668m².
- e) the subject site is presently vacant;



- f) the subject site is included in the Urban Area Designation for the Strategic Framework and is located within the boundary of the Port Douglas / Craiglie Local Plan;
- g) the subject site is zoned Tourist Accommodation;
- h) it is proposed to establish a four (4) storey building with a maximum height of 13.5m on the land to include 141 units. The units are to be self-contained and are suitable for occupation on either short-term or permanent basis.

The development will also include a function facility and food and drink outlet;

- i) basement car parking for 303 spaces will be provided;
- j) the development will include extensive recreation and landscape areas;
- k) vehicle access to the development is to be provided via a new connection point via Port Douglas Road;
- l) approval is sought for Development Permit for Material Change of Use – Code Assessment for Multiple Dwelling, Short-term Accommodation, Food and Drink Outlet and Function Facility;
- m) the proposal complies with or is capable of showing compliance with the intent of the Planning Scheme;
- n) suitable urban infrastructure can be provided to the proponent;
- o) the proposal is an appropriate use for the site; and
- p) appropriate and suitable design and siting features can be incorporated in the development to minimise the impact of the proposal on the amenity of the surrounding area.



12.00 RECOMMENDATIONS

Having regard to the facts, circumstances and considerations relied upon in this Report, the proposed development for Lot 906 on SP277141 and located at Port Douglas Road and Bale Drive, Port Douglas, namely a Material Change of Use – Code Assessment for Multiple Dwelling, Short-term Accommodation, Food and Drink Outlet and Function Facility is supportable from a Town Planning viewpoint and is fully supported.

Council's favourable consideration of this Application is accordingly commended.

Victor G Feros Town Planning Consultants

August 2019

6.2.14 Tourist accommodation zone code

6.2.14.1 Application

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

6.2.14.2 Purpose

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

6.2.14.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Responses
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 13.5 metres and 3 storeys in height. Note – Height is inclusive of roof height.	Refer to Section 4.07 for Response
Setbacks (other than for a dwelling house)		
PO1 Buildings are setback to: (a) maintain the character and amenity of the area; (b) achieve separation from neighbouring buildings and from road frontages.	AO1 Buildings are setback: (a) a minimum of 6 metres from the main street frontage; (b) a minimum of 4 metres from any secondary street frontage; (c) 4.5 metres from a rear boundary; (d) 2 metres from a side or an average of half of the height of the building at the side setback, whichever is the greater.	Refer to Section 4.07 for Response
Site coverage (other than for a dwelling house)		
PO2 The site coverage of all buildings does not result in a built form that is bulky or visually obtrusive.	AO2 The site coverage of any building is limited to 50%	Complies – Refer to Section 4.07 for response
Building proportions and scale (other than for a dwelling house)		
PO3 The proportions and scale of any development are in character with the area and local streetscape.	AO3.1 The overall length of a building does not exceed 30 metres and the overall length of any continuous wall does not exceed 15 metres.	Complies – Refer to Section 4.07 for response

Performance outcomes	Acceptable outcomes	Responses
	<p>AO3.2 Balconies, patios and similar spaces are not enclosed or capable of being enclosed and used as a habitable room.</p> <p>AO3.3 Balconies, patios and similar spaces are designed to be open and light weight in appearance with a maximum of 20% of the façade being fully enclosed.</p> <p>AO3.4 Roof forms, materials and colours of buildings enhance the amenity of the street and locality, including: (a) the roofs of buildings are light coloured and non-reflecting; (b) white and shining metallic finishes are avoided on external surfaces in prominent view. Note – The building incorporates building design features and architectural elements detailed in Planning scheme policy SC 6.2 – Building design and architectural elements.</p>	<p>Complies</p> <p>Complies</p> <p>Complies – Refer to Architectural Statement attached as Appendix B.</p>
Landscaping (other than for a dwelling house)		
<p>PO4 Landscape planting is provided for the recreational amenity of residents/guests and incorporates dominant tropical vegetation which enhances the streetscape and the amenity of the area.</p>	<p>AO4.1 A minimum of 35% of the site is provided as open space and recreation area with a minimum of 30% of this total; area provided for landscape planting.</p> <p>AO4.2 Within the frontage setback area, a minimum width of 2 metres of landscape area includes a minimum 75% dense planting.</p>	<p>Complies – Refer to Section 4.07 for response.</p> <p>Complies</p>

Performance outcomes	Acceptable outcomes	Responses
	AO4.3 Within the side and rear setback areas, a minimum width of 1.5 metres of landscape area includes 75% dense planting.	Complies
For assessable development		
P05 The establishment of uses is consistent with the outcomes sought for the Tourist accommodation zone and protects the zone from the intrusion of inconsistent uses.	AO5 Inconsistent uses as identified in Table 0.b are not established in the Tourist accommodation zone.	Complies
P06 Development is located, designed, operated and managed to respond to the characteristics, features and constraints of the site and surrounds. Note – Planning scheme policy – Site assessments provides guidance on identifying the characteristics, features and constraints of a site and its surrounds.	AO6 No acceptable outcomes are prescribed.	Complies
P07 Development does not adversely affect the tropical, tourist and residential character and amenity of the area in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.	AO7 No acceptable outcomes are prescribed.	Complies
P08 Any loading/unloading areas, servicing areas and outdoor storage areas are screened from public view or adjacent sensitive uses.	AO8 Outdoor loading/unloading, servicing and storage areas are sited or screened so they are: (a) not visible from any off-site public place; (b) not located adjacent to premises used for sensitive uses.	Complies

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

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

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

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.

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.
- (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) Craigie will develop as an integrated residential community with some low scale tourism development opportunities in appropriate locations. Craigie will also function as small scale commercial and light industry node, providing employment opportunities for the Shire's permanent resident population.
 - (d) All forms of development will complement the tropical image of the town through distinctive tropical vernacular, urban design and landscaping.
 - (e) Character will be enhanced through the identification of gateway sites, landmarks, main approach routes and pedestrian thoroughfares and view corridors;
 - (f) The Flagstaff Hill, Dickson Inlet, Four Mile Beach and other areas of scenic and environmental significance will be protected from development. Vegetation cover will dominate over built form.
 - (g) Vegetation, iconic to the character of Port Douglas, including the avenues of Oil Palms, is retained and where appropriate supplemented.

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

Precinct 1 – Port Douglas precinct

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

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

Sub-precinct 1a – Town Centre sub-precinct

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

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

Sub- precinct 1b - Waterfront North sub-precinct

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

Sub-precinct 1c – Waterfront South sub-precinct

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

Sub-precinct 1d – Limited Development sub-precinct

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

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

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

Sub-precinct 1f – Flagstaff Hill sub-precinct

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

Precinct 2 – Integrated Resort precinct

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

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

Precinct 3 – Craiglie Commercial and Light Industry precinct

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

Precinct 4 – Old Port Road / Mitre Street precinct

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

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

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

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

7.2.4.4 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Responses
For self assessable and assessable development		
Development in the Port Douglas / Craiglie local plan area generally		
PO1 Pedestrians, cyclists, motorists and public transport users can easily move into and through the precinct along planned connectivity routes, identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.	AO1 A pedestrian and cycle movement network is integrated and delivered through development.	Complies
PO2 Development retains and enhances key landscape elements including character trees and areas of significant vegetation contributing to the character and quality of the local plan area and significant views and vistas and other landmarks important to the context of Port Douglas / Craiglie (as identified on the Port Douglas/ Craiglie Townscape Plan map contained in Schedule 2).	AO2.1 Development provides for the retention and enhancement of existing mature trees and character vegetation that contribute to the lush tropical character of the town, including: <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; (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; 	Complies – refer to Section 4.02 and Section 7.00 for response

Performance outcomes	Acceptable outcomes	Responses
	<p>(f) the lush landscaping within major roundabouts at key nodes;</p> <p>(g) Macrossan Street and Warner Street;</p> <p>(h) Port Douglas waterfront.</p> <p>AO2.2 Development protects and does not intrude into important views and vistas as identified on the Port Douglas Townscape Plan map contained in Schedule 2, in particular:</p> <p>(a) Flagstaff Hill;</p> <p>(b) Four Mile Beach;</p> <p>(c) Across to the ranges over Dickson Inlet;</p> <p>(d) Mowbray Valley.</p> <p>AO2.3 Important landmarks, memorials and monuments are retained.</p>	<p>Complies</p> <p>Complies</p>
<p>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.</p>	<p>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.</p>	<p>Not Applicable</p>
<p>PO4 Landscaping of development sites complements the existing tropical character of Port Douglas and Craiglie.</p>	<p>AO4 Landscaping incorporates the requirements of Planning scheme policy SC6.7 – Landscaping, in particular landscaping should be capable of achieving a 60% screening of development within 5 years and predominantly consists of endemic vegetation.</p>	<p>Complies</p>

Performance outcomes	Acceptable outcomes	Responses
	<p>AO7.4 Where the development is an integrated mixed-use development incorporating short term accommodation or multiple dwellings and either food and drink outlet or hotel or shop or shopping centre or office, on-site parking spaces are provided as per the number prescribed in the Parking and access code with a relaxation of 30% of spaces required for the non-residential uses.</p> <p>AO7.5 On-site car parking available for public use is clearly signed at the site frontage.</p> <p>AO7.6 Boom gates, pay machines or other regulatory devices to control access to a publicly available car parking area are not constructed or installed.</p>	<p>Not Applicable</p> <p>Not Applicable</p> <p>Not Applicable</p>
<p>PO8 Precinct 1 – Port Douglas precinct is not characterised by a proliferation of advertising signs.</p>	<p>AO8 No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p>
Additional requirements for Sub-precinct 1a – Town Centre sub-precinct		
<p>PO9 Building heights: (a) do not overwhelm or dominate the town centre; (b) respect the desired streetscape; (c) ensure a high quality appearance when viewed from both within the town centre sub-precinct and external to the town centre sub-precinct; (d) remain subservient to the natural environment and the backdrop of Flagstaff Hill.</p>	<p>AO9 Buildings and structures are not more than 3 storeys and 13.5 metres in height, with a roof height of not less than 3 metres.</p> <p>Note – Height is inclusive of the roof height.</p>	<p>Not Applicable</p>

Performance outcomes	Acceptable outcomes	Responses
(e) do not exceed 3 storeys.		
PO10 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.	AO10 No acceptable outcomes are prescribed.	Not Applicable
PO11 Buildings: (a) address street frontages; (b) ensure main entrances front the street or public spaces; (c) do not focus principally on internal spaces or parking areas.	AO11 No acceptable outcomes are prescribed.	Not Applicable
PO12 Setbacks at ground level provide for: (a) connection between pedestrian paths and public places; (b) areas for convenient movement of pedestrians; (c) changes in gradient of the street.	AO12 Setbacks at ground level: (a) are clear of columns and other obstructions; (b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites; (c) connect without any lip or step to adjoining footpaths.	Not Applicable
AO13 Buildings do not result in a reduction of views and vistas from public places to: (a) Flagstaff Hill; (b) Dickson Inlet; (c) public open space; (d) places of significance.	AO13 No acceptable outcomes are prescribed.	Not Applicable
PO14 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.	AO14 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; or	Not Applicable

Performance outcomes	Acceptable outcomes	Responses
	<p>If a development includes an outdoor dining area at ground/footpath level, the dining area has a maximum setback of 3 metres and the required awning is still maintained along the length of the street frontage/s.</p> <p>Note – PO24 provides more detail on awning design.</p>	
<p>PO15 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 Centre activities establish: at street level on active street frontages; a maximum of one level above street level.</p> <p>AO15.2 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>Not Applicable</p>
<p>PO16 Detailed building design: (a) enhances the visual amenity of the streetscape; (b) has a legible and attractive built form that is visually enhanced by architectural elements; (c) contributes to a distinctive tropical north Queensland, seaside tourist town character; (d) integrates major landscaping elements to maximise their aesthetic value to ensure that the lush, vegetated character of the Town Centre sub-precinct is maintained.</p>	<p>AO16 No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p>

Performance outcomes	Acceptable outcomes	Responses
P017 Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through: <ul style="list-style-type: none"> (a) surface decoration; (b) wall recesses and projections; (c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements. (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. 	AO17 No acceptable outcomes are prescribed.	Not Applicable
P018 Roofs are not characterised by a cluttered display of plant and equipment, in particular: <ul style="list-style-type: none"> (a) building caps and rooftops contribute to the architectural distinction of the building and create a coherent roofscape for the Town Centre sub-precinct; (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; (c) rooftops are not used for advertising. 	AO18 No acceptable outcomes are prescribed.	Not Applicable
P019 Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to: <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; 	AO19 No acceptable outcomes are prescribed.	Not Applicable

Performance outcomes	Acceptable outcomes	Responses
	(e) a change in the exterior finishes and exterior colours of the development.	
PO23 Building facades that face public spaces at ground level: <ul style="list-style-type: none"> (a) complement the appearance of the development and surrounding streetscape; (b) enhance the visual amenity of the public place; (c) include a variety of human scale architectural elements and details; (d) provide an opportunity for the casual and convenient surveillance of public space from within the development. 	AO23 Building facades at the ground floor of development that face public space are designed to ensure: <ul style="list-style-type: none"> (a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit the casual surveillance of the public space from the development; (b) a visually prominent main entrance that faces the principal public place; (c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade. 	Not Applicable
PO24 Awnings for pedestrian shelter are consistent with the character setting of the Town Centre sub-precinct and: <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. 	AO24 No acceptable outcomes are prescribed.	Not Applicable

Performance outcomes	Acceptable outcomes	Responses
PO25 Development integrates with the streetscape and landscaping improvements for Port Douglas.	AO25 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. Note - Planning scheme policy SC6.7 - Landscaping provides guidance on meeting the Performance Outcome.	Not Applicable
Additional requirements for Sub-precinct 1b – Waterfront North sub-precinct		
PO26 The establishment of uses is consistent with the outcomes sought for sub-precinct 1b – Waterfront North.	AO26 Uses identified as inconsistent uses in Table 7.2.4.4.b — Inconsistent uses in sub-precinct 1b - Waterfront North sub-precinct are not established in sub-precinct 1b - Waterfront North.	Not Applicable
PO27 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.	AO27 Buildings and structures are not more than: (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; (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. Note – Height is inclusive of roof height.	Not Applicable
PO28 Building design, streetscape, pedestrian paths and street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port Douglas Precinct.	AO28 No acceptable outcomes are prescribed.	Not Applicable

Performance outcomes	Acceptable outcomes	Responses
PO29 Public pedestrian access along the water's edge is maximised.	AO29.1 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. AO29.2 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'. AO29.3 Built envelopes are setback a minimum of 3.0 metres from the board walk, with a shelter/shade zone between the building envelopes and the boardwalk consisting of shade structure, canopies, verandahs and the like.	Not Applicable Not Applicable Not Applicable
PO30 Buildings: (a) address street frontages; (b) ensure main entrances front the street or public spaces.	AO30 No acceptable outcomes are prescribed.	Not Applicable
PO31 Setbacks at ground level provide for: (a) connection between pedestrian paths and public places; (b) areas for convenient movement of pedestrians; (c) changes in gradient.	AO31 Setbacks at ground level: (a) are clear of columns and other obstructions; (b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites; (c) connect without any lip or step to adjoining footpaths.	Not Applicable
PO32 Buildings do not result in a reduction of views and vistas from public places to: (a) Dickson Inlet;	AO32 No acceptable outcomes are prescribed.	Not Applicable

Performance outcomes	Acceptable outcomes	Responses
(b) public open space; (c) places of significance.		
PO33 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.	AO33 No acceptable outcomes are prescribed.	Not Applicable
PO34 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.	AO34.1 Centre activities establish: (a) at street level on active street frontages; (b) a maximum of one level above street level. AO34.2 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.	Not Applicable Not Applicable
PO35 Detailed building design: (a) enhances the visual amenity of the streetscape; (b) has a legible and attractive built form that is visually enhanced by architectural elements; (c) contributes to a distinctive tropical north Queensland, seaside tourist town character; (d) integrates major landscaping elements to maximise their aesthetic value to ensure that the lush, vegetated character of the Waterfront North sub-precinct is maintained.	AO35 No acceptable outcomes are prescribed.	Not Applicable

Performance outcomes	Acceptable outcomes	Responses
PO36 Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through: <ul style="list-style-type: none"> (a) surface decoration; (b) wall recesses and projections; (c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements. (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. 	AO36 No acceptable outcomes are prescribed.	Not Applicable
PO37 Roofs are not characterised by a cluttered display of plant and equipment, in particular: <ul style="list-style-type: none"> (a) building caps and rooftops contribute to the architectural distinction of the building and create a coherent roofscape for the Waterfront North sub-precinct; (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; (c) rooftops are not used for advertising. 	AO37 No acceptable outcomes are prescribed.	Not Applicable
PO38 Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to: <ul style="list-style-type: none"> (a) shade windows; (b) reduce glare; (c) assist in maintaining comfortable indoor temperatures; (d) minimising heat loads; 	AO38 No acceptable outcomes are prescribed.	Not Applicable

Performance outcomes	Acceptable outcomes	Responses
	(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.	
PO42 Building facades that face public spaces at ground level: (a) complement the appearance of the development and surrounding streetscape; (b) enhance the visual amenity of the public place; (c) include a variety of human scale architectural elements and details; (d) provide an opportunity for the casual and convenient surveillance of public space from within the development.	AO42 Building facades at the ground floor of development that face public space are designed to ensure: (a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit the casual surveillance of the public space from the development; (b) a visually prominent main entrance that faces the principal public place; (c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade.	Not Applicable
PO43 Awnings for pedestrian shelter are consistent with the character setting of the Waterfront North sub-precinct and: (a) extend and cover the footpath to provide protection from the sun and rain; (b) include lighting under the awning; (c) are continuous across pedestrian circulation areas; (d) align to provide continuity with existing or future awnings on adjoining sites; (e) are a minimum of 3 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 street kerb-line to enable street trees to be planted and grow;	AO43 No acceptable outcomes are prescribed.	Not Applicable

Performance outcomes	Acceptable outcomes	Responses
(g) are cantilevered from the main building with any posts within the footpath being non load-bearing.		
PO44 The Balley Hooley rail line and turn-table is retained and incorporated into development and maintains its functionality.	AO44.1 Bally Hooley rail line and turn-table is retained and incorporated into development to maintain its functionality. AO44.2 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.	Not Applicable Not Applicable
PO45 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: (a) noise; (b) odour; (c) hazardous materials; (d) waste and recyclable material storage.	AO45 No acceptable outcomes are prescribed.	Not Applicable
PO46 Formalised public spaces and pedestrian paths/areas on freehold land are made accessible to the public.	AO46 No acceptable outcomes are prescribed.	Not Applicable
PO47 Buildings, civic spaces, roads and pedestrian links are enhanced by: (a) appropriate landscape design and planting;	AO47 No acceptable outcomes are prescribed.	Not Applicable

Performance outcomes	Acceptable outcomes	Responses
(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.		
PO48 Buildings are designed and sited to provide vistas along shared pedestrian/open space and movement areas in suitable locations.	AO48 No acceptable outcomes are prescribed.	Not Applicable
PO49 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.	AO49 No acceptable outcomes are prescribed.	Not Applicable
PO50 Marine infrastructure to service the tourism, fishing and private boating community is provided.	AO50 No acceptable outcomes are prescribed.	Not Applicable
PO51 Changes to the Port Douglas Waterfront quay-line do not cause adverse impacts to the environmentally sensitive Dickson Inlet.	AO51 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. Note - Planning scheme policy SC6.8 – Natural environment provides guidance on preparing an ecological assessment report.	Not Applicable

Performance outcomes	Acceptable outcomes	Responses
PO55 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.	AO55.1 Development has a height of not more than 10 metres. AO55.2 Development is setback from all property boundaries not less than 3 metres.	Not Applicable Not Applicable
PO56 The site coverage of all buildings and structures ensures development: (a) is sited in an existing cleared area or in an area approved for clearing; (b) has sufficient area for the provision of services; (c) development does not have an adverse effect on the environmental, habitat, conservation or landscape values of the on-site and surrounding sensitive areas.	AO56 No acceptable outcomes are prescribed.	Not Applicable
PO57 Premises include adequate provision for service vehicles, to cater for generated demand. Loading areas for service vehicles are designed to: (a) be accommodated on-site; (b) maximise safety and efficiency of loading; (c) protect the visual and acoustic amenity of sensitive land use activities; (d) minimise adverse impacts on natural characteristics of adjacent areas.	AO57.1 Sufficient manoeuvring area is provided on-site to allow a Medium Rigid Vehicle to enter and leave the site in a forward gear. AO57.2 Development is designed to ensure all service vehicles are contained within the site when being loaded/unloaded. AO57.3 Driveways, parking and manoeuvring areas are constructed and maintained to: (a) minimise erosion from storm water runoff; (b) retain all existing vegetation.	Not Applicable Not Applicable Not Applicable

Performance outcomes	Acceptable outcomes	Responses
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
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; (b) dense planting along any road frontage is a minimum width of 3 metres.	Not Applicable
PO60 Landscaping is informal in character and complementary to the existing natural environment, provides screening and enhances the visual appearance of the development.	AO60 For any development landscaping is in accordance with the Plant species schedule in Planning scheme policy SC6.7– Landscaping.	Not Applicable
Additional requirements for Sub-precinct 1d – Limited Development sub-precinct		
PO61 The height of buildings and structures contributes to the desired form and outcomes for the sub-precinct and are limited to a single storey.	AO61 Buildings and structures are not more than one storey and 4 metres in height. Note - Height is inclusive of the roof height.	Not Applicable
Additional requirements for Sub-precinct 1e – Community and recreation sub-precinct		
PO62 The precinct is developed for organised sporting activities and other community uses.	AO62 No acceptable outcomes are prescribed.	Not Applicable
Additional requirements for Sub-precinct 1f – Flagstaff Hill sub-precinct		
PO63 Flagstaff Hill is protected from inappropriate development to protect the hill as an important	AO63 No acceptable outcomes are prescribed.	Not Applicable

Performance outcomes	Acceptable outcomes	Responses
natural landmark feature of Port Douglas and as a vegetated backdrop to the Town centre.		
PO64 All development on Flagstaff Hill is designed to minimise the visibility of the development and to ensure development is subservient to the natural landscape and topography of the site, including through: <ul style="list-style-type: none"> (a) building design which minimises excavation and filling; (b) buildings being designed to step down the site and incorporate foundations and footings on piers or poles; (c) buildings being visually unobtrusive and incorporating exterior finishes and muted colours which are non-reflective and complement the colours of the surrounding vegetation and view-shed; (d) protection of the views from public viewing points in the Port Douglas precinct. 	AO64 No acceptable outcomes are prescribed.	Not Applicable
Additional requirements for Precinct 3 – Craiglie Commercial and Light Industry precinct		
PO65 Development supports the tourism and marine industries in Port Douglas, along with the small-scale commercial and light industry land uses that support the local economy that would otherwise be better suited to a location outside the Port Douglas Town Centre Precinct.	AO65 Development consists of service and light industries and associated small scale commercial activities.	Not Applicable
PO66 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	AO66.1 Buildings and structures are setback 8 metres from the Captain Cook Highway frontage, or no closer to the Captain Cook Highway frontage than buildings and structures on adjoining sites (averaged), whichever is the greater.	Not Applicable

Performance outcomes	Acceptable outcomes	Responses
the frontage to enable landscaping to soften or screen the appearance of the development.	<p>AO66.2 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>AO66.3 Advertising signs are discreet in appearance with no large advertising signs, including tenancy signs, located on or near the Captain Cook Highway frontage, or within any landscaped setback area.</p> <p>AO66.4 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>Not Applicable</p> <p>Not Applicable</p>
Additional requirements for Precinct 6 – Very Low Residential Density / Low Scale Recreation / Low Scale Educational / Low Scale Entertainment Uses precinct		
PO67 No additional lots are created within the precinct.	AO67 No acceptable outcomes are prescribed.	Not Applicable
PO68 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.	AO68 No acceptable outcomes are prescribed.	Not Applicable

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 • Cropping • Detention facility • Dual occupancy • Dwelling house 	<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, • Outstation • Permanent plantation 	<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 • Warehouse • Wholesale nursery • Winery

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 	<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 	<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

<ul style="list-style-type: none"> • Cropping • Detention facility • Dual occupancy • Dwelling house • Dwelling unit • Extractive industry • Function facility • Funeral parlour • Garden centre 	<ul style="list-style-type: none"> • Nature-based tourism • Nightclub entertainment facility • Outdoor sales • Outdoor sport and recreation • Outstation 	<ul style="list-style-type: none"> • Special industry • Theatre • Tourist attraction • Tourist park • Transport depot • Veterinary services • Warehouse • Wholesale nursery • Winery
---	---	---

Note - Table 7.2.4.4.b or Table 7.2.4.4.c do not imply that all other uses not listed in the table are automatically consistent uses within the zone. Assessable development must still demonstrate consistency through the assessment process

8.2.1 Acid sulfate soils overlay code

8.2.1.1 Application

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

8.2.1.2 Purpose

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

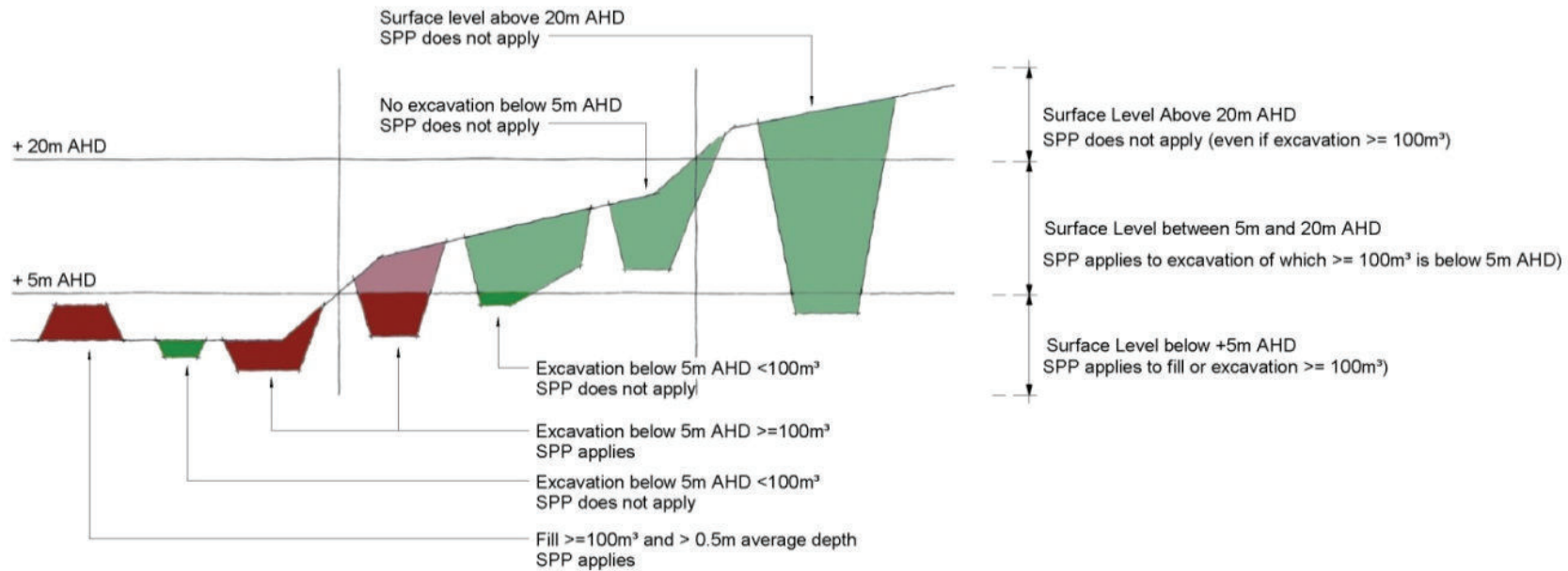
8.2.1.3 Criteria for assessment

Table 8.2.1.3.a – Acid sulfate soils overlay code – assessable development

Performance outcomes	Acceptable outcomes	Responses
For assessable development		
PO1 The extent and location of potential or actual acid sulfate soils is accurately identified.	AO1.1 No excavation or filling occurs on the site. or AO1.2 An acid sulfate soils investigation is undertaken. Note - Planning scheme policy SC 6.12– Potential and actual acid sulfate soils provides guidance on preparing an acid sulfate soils investigation.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.
PO2 Development avoids disturbing potential acid sulfate soils or actual acid sulfate soils, or is managed to avoid or minimise the release of acid and metal contaminants.	AO2.1 The disturbance of potential acid sulfate soils or actual acid sulfate soils is avoided by: (a) not excavating, or otherwise removing, soil or sediment identified as containing potential or actual acid sulfate soils; (b) not permanently or temporarily extracting groundwater that results in the aeration of previously saturated acid sulfate soils; (c) not undertaking filling that results in: (d) actual acid sulfate soils being moved below the water table; (e) previously saturated acid sulfate soils being aerated. or	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.

Performance outcomes	Acceptable outcomes	Responses
	<p>AO2.2</p> <p>The disturbance of potential acid sulfate soils or actual acid sulfate soils is undertaken in accordance with an acid sulfate soils management plan and avoids the release of metal contaminants by:</p> <ul style="list-style-type: none"> (a) neutralising existing acidity and preventing the generation of acid and metal contaminants; (b) preventing the release of surface or groundwater flows containing acid and metal contaminants into the environment; (c) preventing the in situ oxidation of potential acid sulfate soils and actual acid sulfate soils through ground water level management; (d) appropriately treating acid sulfate soils before disposal occurs on or off site; (e) documenting strategies and reporting requirements in an acid sulfate soils environmental management plan. <p>Note - Planning scheme policy SC 6.12 – Acid sulfate soils provides guidance on preparing an acid sulfate soils management plan.</p>	
<p>PO3</p> <p>No environmental harm is caused as a result of exposure to potential acid sulfate soils or actual acid sulfate soils.</p>	<p>AO3</p> <p>No acceptable outcomes are prescribed.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>

Figure 8.2.1.3.a – Acid sulfate soils (SPP triggers)



8.2.2 Bushfire hazard overlay code

Note - Land shown on the bushfire hazard overlay map is designated as the bushfire prone area for the purposes of section 12 of the Building Regulations 2006. The bushfire hazard area (bushfire prone area) includes land covered by the high and medium hazard areas as well as the buffer area category on the overlay map.

8.2.2.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational works or building work in the Bushfire hazard overlay, if:
 - (a) self-assessable or assessable 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 Bushfire hazard overlay is identified on the Bushfire hazard overlay map in Schedule 2 and includes the following sub-categories:
 - (a) Medium bushfire risk sub-category;
 - (b) High bushfire risk sub-category;
 - (c) Very high bushfire risk sub-category;
 - (d) Potential impact buffer sub-category.
- (3) When using this code, reference should be made to Part 5.

8.2.2.2 Purpose

- (1) The purpose of the Bushfire overlay code is to:
 - (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
 - (ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.
 - (b) enable an assessment of whether development is suitable on land within the Bushfire risk overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development avoids the establishment or intensification of vulnerable activities within or near areas that are subject to bushfire hazard;
 - (b) development is designed and located to minimise risks to people and property from bushfires;
 - (c) bushfire risk mitigation treatments are accommodated in a manner that avoids or minimises impacts on the natural environment and ecological processes;
 - (d) development involving the manufacture or storage of hazardous materials does not increase the risk to public safety or the environment in a bushfire event;
 - (e) development contributes to effective and efficient disaster management response and recovery capabilities.

Note - A site based assessment may ground-truth the extent of hazardous vegetation and extent and nature of the bushfire hazard area (bushfire prone area). Such assessments should be undertaken using the methodology set out in Planning scheme policy SC6.9 - Natural Hazards.

8.2.2.3 Criteria for assessment

Table 8.2.2.3.a – Bushfire hazard overlay code –assessable development

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

Performance outcomes	Acceptable outcomes	Responses
Development design and separation from bushfire hazard – reconfiguration of lots		
<p>PO4.1 Where reconfiguration is undertaken in an urban area or is for urban purposes or smaller scale rural residential purposes, a separation distance from hazardous vegetation is provided to achieve a radiant heat flux level of 29kW/m² at the edge of the proposed lot(s).</p> <p>Note - “Urban purposes” and “urban area” are defined in the <i>Sustainable Planning Regulations 2009</i>. Reconfiguration will be taken to be for rural residential purposes where proposed lots are between 2000m² and 2ha in area. “Smaller scale” rural residential purposes will be taken to be where the average proposed lot size is 6000m² or less.</p> <p>Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.</p> <p>PO4.2 Where reconfiguration is undertaken for other purposes, a building envelope of reasonable dimensions is provided on each lot which achieves radiant heat flux level of 29kW/m² at any point.</p>	<p>AO4.1 No new lots are created within a bushfire hazard sub-category.</p> <p>or</p> <p>AO4.2 Lots are separated from hazardous vegetation by a distance that:</p> <ul style="list-style-type: none"> (a) achieves radiant heat flux level of 29kW/m² at all boundaries; and (b) is contained wholly within the development site. <p>Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation.</p> <p>For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages.</p> <p>Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.</p>	<p>Not Applicable – no additional lots will be created.</p> <p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>

Performance outcomes	Acceptable outcomes	Responses
<p>PO5 Where reconfiguration is undertaken in an urban area or is for urban purposes, a constructed perimeter road with reticulated water supply is established between the lots and the hazardous vegetation and is readily accessible at all times for urban fire fighting vehicles.</p> <p>The access is available for both fire fighting and maintenance/defensive works.</p>	<p>AO5.1 Lot boundaries are separated from hazardous vegetation by a public road which:</p> <ul style="list-style-type: none"> (a) has a two lane sealed carriageway; (b) contains a reticulated water supply; (c) is connected to other public roads at both ends and at intervals of no more than 500m; (d) accommodates geometry and turning radii in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (e) has a minimum of 4.8m vertical clearance above the road; (f) is designed to ensure hydrants and water access points are not located within parking bay allocations; and (g) incorporates roll-over kerbing. <p>AO5.2 Fire hydrants are designed and installed in accordance with AS2419.1 2005, unless otherwise specified by the relevant water entity.</p> <p>Note - Applicants should have regard to the relevant standards set out in the reconfiguration of a lot code and works codes in this planning scheme.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p> <p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>
<p>PO6 Where reconfiguration is undertaken for smaller scale rural residential purposes, either a constructed perimeter road or a formed, all weather fire trail is established between the lots and the hazardous vegetation and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p>	<p>AO6 Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> (a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; 	<p>Not Applicable</p>

Performance outcomes	Acceptable outcomes	Responses
The access is available for both fire fighting and maintenance/hazard reduction works.	<ul style="list-style-type: none"> (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (f) a maximum gradient of 12.5%; (g) a cross fall of no greater than 10 degrees; (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy; (i) vehicular access at each end which is connected to the public road network at intervals of no more than 500m; (j) designated fire trail signage; (k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and (l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services. 	
<p>PO7 Where reconfiguration is undertaken for other purposes, a formed, all weather fire trail is provided between the hazardous vegetation and either the lot boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>However, a fire trail will not be required where it would not serve a practical fire management purpose.</p>	<p>AO7 Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> (a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; 	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.

Performance outcomes	Acceptable outcomes	Responses
	<ul style="list-style-type: none"> (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (f) a maximum gradient of 12.5%; (g) a cross fall of no greater than 10 degrees; (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy; (i) vehicular access at each end which is connected to the public road network; (j) designated fire trail signage; (k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and (l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services. 	
<p>PO8 The development design responds to the potential threat of bushfire and establishes clear evacuation routes which demonstrate an acceptable or tolerable risk to people.</p>	<p>AO8 The lot layout:</p> <ul style="list-style-type: none"> (a) minimises the length of the development perimeter exposed to, or adjoining hazardous vegetation; (b) avoids the creation of potential bottle-neck points in the movement network; (c) establishes direct access to a safe assembly /evacuation area in the event of an approaching bushfire; and (d) ensures roads likely to be used in the event of a fire are designed to minimise traffic congestion. <p>Note - For example, developments should avoid finger-like or hour-glass subdivision patterns or substantive vegetated corridors between lots.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>

Performance outcomes	Acceptable outcomes	Responses
	In order to demonstrate compliance with the performance outcome, a bushfire management plan prepared by a suitably qualified person may be required. The bushfire management plan should be developed in accordance with the Public Safety Business Agency (PSBA) guideline entitled "Undertaking a Bushfire Protection Plan. Advice from the Queensland Fire and Emergency Services (QFES) should be sought as appropriate	
PO9 Critical infrastructure does not increase the potential bushfire hazard.	AO9 Critical or potentially hazardous infrastructure such as water supply, electricity, gas and telecommunications are placed underground.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.
Development design and separation from bushfire hazard – material change of use		
PO10 Development is located and designed to ensure proposed buildings or building envelopes achieve a radiant heat flux level at any point on the building or envelope respectively, of: (a) 10kW/m ² where involving a vulnerable use; or (b) 29kW/m ² otherwise. The radiant heat flux level is achieved by separation unless this is not practically achievable. Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.	AO10 Buildings or building envelopes are separated from hazardous vegetation by a distance that: (a) achieves a radiant heat flux level of at any point on the building or envelope respectively, of 10kW/m ² for a vulnerable use or 29kW/m ² otherwise; and (b) is contained wholly within the development site. Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation. For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.

Performance outcomes	Acceptable outcomes	Responses
	Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.	
<p>PO11 A formed, all weather fire trail is provided between the hazardous vegetation and the site boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>However, a fire trail will not be required where it would not serve a practical fire management purpose.</p> <p>Note - Fire trails are unlikely to be required where a development site involves less than 2.5ha</p>	<p>AO11 Development sites are separated from hazardous vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> (a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (f) a maximum gradient of 12.5%; (g) a cross fall of no greater than 10 degrees; (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy; (i) vehicular access at each end which is connected to the public road network which is connected to the public road network at intervals of no more than 500m; (j) designated fire trail signage; (k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and 	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>

Performance outcomes	Acceptable outcomes	Responses
	(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.	
All development		
PO12 All premises are provided with vehicular access that enables safe evacuation for occupants and easy access by fire fighting appliances.	AO12 Private driveways: (a) do not exceed a length of 60m from the street to the building; (b) do not exceed a gradient of 12.5%; (c) have a minimum width of 3.5m; (d) have a minimum of 4.8m vertical clearance; (e) accommodate turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and (f) serve no more than 3 dwellings or buildings.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.
PO13 Development outside reticulated water supply areas includes a dedicated static supply that is available solely for fire fighting purposes and can be accessed by fire fighting appliances.	AO13 A water tank is provided within 10m of each building (other than a class 10 building) which: (a) is either below ground level or of non-flammable construction; (b) has a take off connection at a level that allows the following dedicated, static water supply to be left available for access by fire fighters: (i) 10,000l for residential buildings Note – A minimum of 7,500l is required in a tank and the extra 2,500l may be in the form of accessible swimming pools or dams. (ii) 45,000l for industrial buildings; and (iii) 20,000l for other buildings;	Not Applicable

Performance outcomes	Acceptable outcomes	Responses
	(c) includes shielding of tanks and pumps in accordance with the relevant standards; (d) includes a hardstand area allowing medium rigid vehicle (15 tonne fire appliance) access within 6m of the tank; (e) is provided with fire brigade tank fittings – 50mm ball valve and male camlock coupling and, if underground, an access hole of 200mm (minimum) to accommodate suction lines; and (f) is clearly identified by directional signage provided at the street frontage.	
PO14 Landscaping does not increase the potential bushfire risk.	AO14 Landscaping uses species that are less likely to exacerbate a bushfire event, and does not increase fuel loads within separation areas.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.
PO15 The risk of bushfire and the need to mitigate that risk is balanced against other factors (such as but not limited to, biodiversity or scenic amenity).	AO15 Bushfire risk mitigation treatments do not have a significant impact on the natural environment or landscape character of the locality where this has value.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.

Note – 'Vulnerable activities' are those involving:

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

8.2.3 Coastal environment overlay code

8.2.3.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Coastal environment 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 Coastal hazard overlay is identified on the Coastal environment overlay map in Schedule 2 and includes the following sub-categories:
 - (a) Coastal management district sub-category;
 - (b) Erosion prone area sub-category.
- (3) When using this code, reference should be made to Part 5.

8.2.3.2 Purpose

- (1) The purpose of the Coastal environment overlay code is to:
 - (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
 - (ii) Theme 2 Environment and landscape values: Element 3.5.4 Coastal zones;
 - (iii) Theme 3 Natural resource management: Element 3.6.2 Land and catchment management.
 - (b) enable an assessment of whether development is suitable on land within the Coastal processes sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) facilitate the protection of both coastal processes and coastal resources;
 - (b) facilitating coastal dependent development on the foreshore over other development;
 - (c) public access to the foreshore protects public safety;
 - (d) maintain the erosion prone area as a development free buffer zone (other than for coastal dependent, temporary or relocatable development);
 - (e) require redevelopment of existing permanent buildings or structures in an erosion prone area to avoid coastal erosion risks, manage coastal erosion risks through a strategy of planned retreat or mitigate coastal erosion risks;
 - (f) require development to maintain or enhance natural processes and the protective function of landforms and vegetation that can mitigate risks associated with coastal erosion;
 - (g) locate and design community infrastructure to maintain the required level of functionality during and immediately after a coastal hazard event.

8.2.3.3 Criteria for assessment

Table 8.2.3.3.a – Coastal environment overlay code – self-assessable and assessable development

Performance outcomes	Acceptable outcomes	Responses
For self-assessable and assessable development		
PO1 No works other than coastal protection works extend seaward of the coastal building line.	AO1.1 Development (including all buildings and other permanent structures such as swimming pools and retaining walls) does not extend seaward of a coastal building line. Note – Coastal building lines are declared under the Coastal Protection and Management Act 1995 and are administered by the State Department of Environment and Heritage Protection. AO1.2 Coastal protection works are only undertaken as a last resort where coastal erosion presents an immediate threat to public safety or existing buildings or structures and the property cannot be relocated or abandoned. AO1.3 Coastal protection works are as far landward as practicable on the lot containing the property to the maximum extent reasonable. AO1.4 Coastal protection work mitigates any increase in the coastal hazard.	Not Applicable
PO2 Where a coastal building line does not exist on a lot fronting the coast or a reserve adjoining the coast, development is setback to maintain the amenity and use of the coastal resource.	AO2 Where a coastal building line does not exist on a lot fronting the coast or a reserve adjoining the coast, development (including all buildings and structures such as swimming pools) and retaining	Not Applicable

Performance outcomes	Acceptable outcomes	Responses
	walls are set back not less than 6 metres from the seaward boundary of the lot.	
For assessable development		
Erosion prone areas		
PO3 Development identifies erosion prone areas (coastal hazards).	AO3 No acceptable outcomes are prescribed.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.
PO4 Erosion prone areas are free from development to allow for natural coastal processes.	AO4.1 Development is not located within the Erosion prone area, unless it can be demonstrated that the development is for: (a) community infrastructure where no suitable alternative location or site exists for this infrastructure; or (b) development that reflects the preferred development outcomes in accordance with the zoning of the site (i.e. in the Low density residential zone, a dwelling house is a preferred development outcome in accordance with the zoning of the site) AO4.2 Development involving existing permanent buildings and structures within an erosion prone area does not increase in intensity of its use by: (a) adding additional buildings or structures; or (b) incorporating a land use that will result in an increase in the number of people or employees occupying the site.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.

Performance outcomes	Acceptable outcomes	Responses
	<p>(b) those permanent structures cannot be abandoned or relocated in the event of coastal erosion occurring.</p> <p>PO5.3 Development involving reclamation:</p> <p>(a) does not alter, or otherwise minimises impacts on, the physical characteristics of a waterway or the seabed near the reclamation, including flow regimes, hydrodynamic forces, tidal water and riverbank stability;</p> <p>(b) is located outside active sediment transport area, or otherwise maintains sediment transport processes as close as possible to their natural state;</p> <p>(c) ensures activities associated with the operation of the development maintain the structure and condition of vegetation communities and avoid wind and water run-off erosion.</p>	Not Applicable
<p>PO6 Development avoids or minimises adverse impacts on coastal resources and their values to the maximum extent reasonable.</p>	<p>AO6.1 Coastal protection work that is in the form of beach nourishment uses methods of placement suitable for the location that do not interfere with the long-term use of the locality, or natural values within or neighbouring the proposed placement site.</p> <p>and</p> <p>AO6.2 Marine development is located and designed to expand on or redevelop existing marine infrastructure unless it is demonstrated that it is not practicable to co-locate the development with existing marine infrastructure;</p>	Not Applicable

Performance outcomes	Acceptable outcomes	Responses
	<p>and</p> <p>AO6.3 Measures are incorporated as part of siting and design of the development to maintain or enhance water quality to achieve the environmental values and water quality objectives outlined in the Environmental Protection (Water) Policy 2009.</p> <p>and</p> <p>AO6.4 Development avoids the disturbance of acid sulfate soils, or where it is demonstrated that this is not possible, the disturbance of acid sulfate soils is carefully managed to minimise and mitigate the adverse effects of disturbance on coastal resources.</p> <p>and</p> <p>AO6.4 Design and siting of development protects and retains identified ecological values and underlying ecosystem processes within the development site to the greatest extent practicable.</p>	
<p>PO7 Development is to maintain access to and along the foreshore for general public access.</p>	<p>AO7.1 Development provides for regular access points for pedestrians including approved walking tracks, boardwalks and viewing platforms.</p> <p>and</p> <p>AO7.2</p>	Not Applicable

Performance outcomes	Acceptable outcomes	Responses
	<p>Development provides for regular access points for vehicles including approved roads and tracks.</p> <p>or</p> <p>AO7.3 Development demonstrates an alternative solution to achieve an equivalent standard of performance.</p>	
<p>PO8 Public access to the coast is appropriately located, designed and operated.</p>	<p>AO8.1 Development maintains or enhances public access to the coast.</p> <p>or</p> <p>AO8.2 Development is located adjacent to state coastal land or tidal water and minimises and offsets any loss of access to and along the foreshore within 500 metres.</p> <p>or</p> <p>AO8.3 Development adjacent to state coastal land or tidal water demonstrates an alternative solution to achieve an equivalent standard and quality of access.</p>	Not Applicable+
<p>PO9 Development adjacent to state coastal land or tidal water is located, designed and operated to:</p> <ul style="list-style-type: none"> (a) maintain existing access to and along the foreshore; (b) minimise any loss of access to and along the foreshore, or 	<p>AO9.1 Development adjacent to state coastal land or tidal water:</p> <ul style="list-style-type: none"> (a) demonstrates that restrictions to public access are necessary for: <ul style="list-style-type: none"> (i) the safe and secure operation of development; (ii) the maintenance of coastal landforms and coastal habitat; or 	Not Applicable

Performance outcomes	Acceptable outcomes	Responses
(c) offset any loss of access to and along the foreshore by providing for enhanced alternative access in the general location.	<p>(a) maintains public access (including public access infrastructure that has been approved by the local government or relevant authority) through the site to the foreshore for:</p> <ul style="list-style-type: none"> (i) pedestrians via access points including approved walking tracks, boardwalks and viewing platforms; (ii) vehicles via access points including approved roads or tracks. <p>AO9.2 Development adjacent to state coastal land or tidal water:</p> <p>(a) is located and designed to:</p> <ul style="list-style-type: none"> (i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, for example through the provision of esplanades or easement corridors to preserve future access; (ii) ensure emergency vehicles can access the area near the development. <p>or</p> <p>(a) minimises and offsets any loss of access to and along the foreshore within 500m of existing access points and development is located and designed to:</p> <ul style="list-style-type: none"> (i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, and (ii) ensure emergency vehicles can access the area near the development. 	

Performance outcomes	Acceptable outcomes	Responses
AO10 Development that involves reconfiguring a lot for urban purposes adjacent to the coast is designed to ensure public access to the coast in consideration of public access demand from a whole-of-community basis and the maintenance of coastal landforms and coastal habitat.	AO10.1 Development complies if consideration of public access demand from a whole-of-community basis and the maintenance of coastal landforms and coastal habitat is undertaken. or AO10.2 Development demonstrates an alternative solution to achieve an equivalent standard and quality of access.	Not Applicable
PO11 Development maintains public access to State coastal land by avoiding private marine development attaching to, or extending across, non-tidal State coastal land.	AO11 Private marine access structures and other structures such as decks or boardwalks for private use do not attach to or extend across State coastal land that is situated above high water mark	Not Applicable
PO12 Development in connection with an artificial waterway enhances public access to coastal waters.	AO12 The artificial waterway avoids intersecting with or connection to inundated land or leased land where the passage, use or movement of vessels in water on the land could be restricted or prohibited by the registered proprietor of the inundated land or leased land.	Not Applicable
Coastal landscapes, views and vistas		
PO13 Development maintains and / or enhances natural coastal landscapes, views and vistas.	AO13 No acceptable outcomes are prescribed.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.
PO14 Coastal settlements are consolidated through the concentration of development within the existing	AO14 No acceptable outcomes are prescribed.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.

Performance outcomes	Acceptable outcomes	Responses
urban areas through infill and conserving the natural state of the coastal area outside existing urban areas.		
Private marine development		
PO15 Private marine development is to avoid attaching to, or extending across, non-tidal State coastal land.	AO15 Private marine development and other structures such as decks or boardwalks for private use do not attach to, or extend across, State coastal land that is situated above high water mark. Note – For occupation permits or allocations of State land, refer to the <i>Land Act 1994</i> .	Not Applicable
PO16 The location and design of private marine development does not adversely affect the safety of members of the public access to the foreshore.	AO16 Private marine development does not involve the erection or placement of any physical barrier preventing existing access, along a public access way to the foreshores.	Not Applicable
PO17 Private marine development is of a height and scale and size compatible with the character and amenity of the location.	AO17 Private marine development has regard to: (a) the height, scale and size of the natural features of the immediate surroundings and locality; (b) the height, scale and size of existing buildings or other structures in the immediate surroundings and the locality; (c) if the relevant planning scheme states that desired height, scale or size of buildings or other structures in the immediate surroundings or locality – the stated desired height, scale or size. Note – The prescribed tidal works code in the <i>Coastal Protection and Management Regulation</i>	Not Applicable

Performance outcomes	Acceptable outcomes	Responses
	2003 outlines design and construction requirements that must be complied with.	
PO18 Private marine development avoids adverse impacts on coastal landforms and coastal processes.	AO18 Private marine development does not require the construction of coastal protection works, shoreline or riverbank hardening or dredging for marine access.	Not Applicable
For dry land marinas and artificial waterways		
PO19 Dry land marinas and artificial waterways: <ul style="list-style-type: none"> (a) avoid impacts on coastal resources; (b) do not contribute to the degradation of water quality; (c) do not increase the risk of flooding; (d) do not result in the degradation or loss of MSES; (e) do not result in an adverse change to the tidal prism of the natural waterway to which development is connected. (f) does not involve reclamation of tidal land other than for the purpose of: <ul style="list-style-type: none"> (i) coastal dependent development, public marine development; or (ii) community infrastructure, where there is no feasible alternative; or (iii) strategic ports, boat harbours or strategic airports and aviation facilities in accordance with a statutory land use plan; or (iv) coastal protection works or works necessary to protect coastal resources and processes. 	AO19 No acceptable solutions are prescribed.	Not Applicable

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:
 - (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	Responses
For assessable and self assessable development		
<p>PO1 Development is located and designed to: ensure the safety of all persons; minimise damage to the development and contents of buildings; provide suitable amenity; minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events.</p> <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>AO1.1 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 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</p> <p>Table 8.2.4.3.b plus a freeboard of 300mm.</p> <p>AO1.3 New buildings are: (a) not located within the overlay area; (b) located on the highest part of the site to minimise entrance of flood waters;</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>

Performance outcomes	Acceptable outcomes	Responses
	<p>(c) provided with clear and direct pedestrian and vehicle evacuation routes off the site.</p> <p>AO1.4 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>	
For assessable development		
<p>PO2 The development is compatible with the level of risk associated with the natural hazard.</p>	<p>AO2 The following uses are not located in land inundated by the Defined Flood Event (DFE) / Storm tide: (a) Retirement facility; (b) Community care facility; (c) Child care centre.</p>	Not Applicable
<p>PO3 Development siting and layout responds to flooding potential and maintains personal safety</p>	<p>For Material change of use</p> <p>AO3.1 New buildings are: (d) not located within the overlay area; (e) located on the highest part of the site to minimise entrance of flood waters; (f) provided with clear and direct pedestrian and vehicle evacuation routes off the site.</p> <p>or</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>

Performance outcomes	Acceptable outcomes	Responses
	<p>AO3.2 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 Where involving an extension to an existing dwelling house that is situated below DFE /Storm tide, the maximum size of the extension does not exceed 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 Additional lots: (a) are not located in the hazard overlay area; or (b) are demonstrated to be above the flood level identified for the site.</p> <p>Note - If part of the site is outside the Hazard Overlay area, this is the preferred location for all lots (excluding park or other open space and recreation lots).</p> <p>Note – Buildings subsequently developed on the lots will need to comply with the relevant building assessment provisions under the <i>Building Act 1975</i>.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements. Also refer to plans attached as Appendix B.</p> <p>Not Applicable</p> <p>Not Applicable – no additional lots created.</p>

Performance outcomes	Acceptable outcomes	Responses
	<p>AO3.5 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> <ul style="list-style-type: none"> (a) by locating entry points into the reconfiguration above the flood level and avoiding culs-de-sac or other non-permeable layouts; and (b) by direct and simple routes to main carriageways. 	Not Applicable
	<p>AO3.6 Signage is provided on site (regardless of whether the land is in public or private ownership) indicating the position and path of all safe evacuation routes off the site and if the site contains, or is within 100m of a floodable waterway, hazard warning signage and depth indicators are also provided at key hazard points, such as at floodway crossings or entrances to low-lying reserves.</p> <p>or</p>	Not Applicable
	<p>AO3.7 There is no intensification of residential uses within the flood affected areas on land situated below the DFE/Storm tide.</p>	Not Applicable

Performance outcomes	Acceptable outcomes	Responses
	<p>For Material change of use (Residential uses)</p> <p>AO3.1 The design and layout of buildings used for residential purposes minimise risk from flooding by providing: (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>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>
<p>PO4 Development is resilient to flood events by ensuring design and built form account for the potential risks of flooding.</p>	<p>For Material change of use (Non-residential uses)</p> <p>AO4.2 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>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>

Performance outcomes	Acceptable outcomes	Responses
	<p>AO4.3 Materials are stored on-site:</p> <ul style="list-style-type: none"> (a) are those that are readily able to be moved in a flood event; (b) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood. <p>Notes -</p> <ul style="list-style-type: none"> (a) Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site). (b) Queensland Government Fact Sheet 'Repairing your House after a Flood' provides information about water resilient products and building techniques. 	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>
<p>PO5 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 Works in urban areas associated with the proposed development do not involve:</p> <ul style="list-style-type: none"> (a) any physical alteration to a watercourse or floodway including vegetation clearing; or (b) a net increase in filling (including berms and mounds). <p>AO5.2 Works (including buildings and earthworks) in non urban areas either:</p> <ul style="list-style-type: none"> (a) do not involve a net increase in filling greater than 50m³; or (b) do not result in any reductions of on-site flood storage capacity and contain within the 	<p>Not Applicable</p>

Performance outcomes	Acceptable outcomes	Responses
	<p>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 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 maintains the flood storage capacity on the subject site; and</p> <ul style="list-style-type: none"> (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 (b) does not increase ponding on sites upstream, downstream or in the general vicinity of the subject site. <p>For Material change of use and Reconfiguring a lot</p> <p>AO5.4 In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian</p>	

Performance outcomes	Acceptable outcomes	Responses
	<p>corridors to maintain their natural function of reducing velocity of floodwaters.</p> <p>Note – Fences and irrigation infrastructure (e.g. irrigation tape) in rural areas should be managed to minimise adverse the impacts that they may have on downstream properties in the event of a flood.</p>	
<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: (a) located above the DFE level;</p> <p>or</p> <p>(b) designed to prevent the intrusion of floodwaters.</p> <p>AO6.3 Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>

Performance outcomes	Acceptable outcomes	Responses
	<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.</p> <p>Note – Refer to <i>Work Health and Safety Act 2011</i> and associated Regulation and Guidelines, the <i>Environmental Protection Act 1994</i> and the relevant building assessment provisions under the <i>Building Act 1975</i> for requirements related to the manufacture and storage of hazardous materials.</p>	
<p>PO7</p> <p>The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.</p>	<p>AO7</p> <p>Development does not:</p> <ul style="list-style-type: none"> (a) increase the number of people calculated to be at risk of flooding; (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>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>
<p>PO8</p> <p>Development involving community infrastructure:</p> <ul style="list-style-type: none"> (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 	<p>AO8.1 The following uses are not located on land inundated during a DFE/Storm tide:</p> <ul style="list-style-type: none"> (a) community residence; and (b) emergency services; and (c) residential care facility; and (d) utility installations involving water and sewerage treatment plants; and 	<p>Not Applicable</p>

Performance outcomes	Acceptable outcomes	Responses
<p>environment due to impacts of flooding on infrastructure, facilities or access and egress routes;</p> <p>(c) retains essential site access during a flood event;</p> <p>(d) is able to remain functional even when other infrastructure or services may be compromised in a flood event.</p>	<p>(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 The following uses are not located on land inundated during a 1% AEP flood event:</p> <p>(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,</p> <p>(b) community centres;</p> <p>(c) meeting halls;</p> <p>(d) galleries;</p> <p>(e) libraries.</p> <p>The following uses are not located on land inundated during a 0.5% AEP flood event.</p> <p>(a) emergency shelters;</p> <p>(b) police facilities;</p> <p>(c) sub stations;</p> <p>(d) water treatment plant</p> <p>The following uses are not located on land inundated during a 0.2% AEP flood event:</p> <p>(a) correctional facilities;</p> <p>(b) emergency services;</p> <p>(c) power stations;</p> <p>(d) major switch yards.</p> <p>and/or</p>	<p>Not Applicable</p>

Performance outcomes	Acceptable outcomes	Responses
	<p>AO8.3 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>AO8.4 Any components of infrastructure that are likely to fail to function or may result in contamination when inundated by flood, such as electrical switch gear and motors, telecommunications connections, or water supply pipeline air valves are:</p> <ul style="list-style-type: none"> (a) located above DFE/Storm tide or the highest known flood level for the site; (b) designed and constructed to exclude floodwater intrusion / infiltration. <p>AO8.5 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>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p> <p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>

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.

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.

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

8.2.6 Landscape values overlay code

8.2.6.1 Application

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

8.2.6.2 Purpose

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

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

8.2.6.3 Criteria for assessment

Table 8.2.6.3.a – Landscape values overlay code – assessable development

Performance outcomes	Acceptable outcomes	Responses
For assessable development		
Development in a High landscape value area		
PO1 Development within High landscape value areas identified on the Landscape values overlay maps contained in Schedule 2: <ul style="list-style-type: none"> (a) avoids detrimental impacts on the landscape values of forested skylines, visible hillslopes, ridgelines, the coastal foreshore or the shoreline of other water bodies through the loss of vegetation; (b) is effectively screened from view from a road, lookout or other public place by an existing natural landform or native vegetation, or will be effectively screened by native vegetation within 3 years of construction; (c) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements; (d) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality; 	AO1.1 Buildings and structures are not more than 8.5 metres and two storeys in height. Note - Height is inclusive of roof height. AO1.2 Buildings and structures are setback not less than 50 metres from ridgelines or peaks. AO1.3 Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer. AO1.4 Where development on land steeper than 1 in 6 (16.6%) cannot be avoided: <ul style="list-style-type: none"> (a) development follows the natural; contours of the site; (b) buildings are split level or suspended floor construction, or a combination of the two; 	Not Applicable

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

Performance outcomes	Acceptable outcomes	Responses
Development within the Medium landscape value area		
<p>PO2 Development within Medium landscape value areas identified on the Landscape values overlay maps contained in Schedule 2:</p> <ul style="list-style-type: none"> (a) avoids detrimental impacts on the landscape values of forested skylines, visible hillslopes, ridgelines, the coastal foreshore or the shoreline of other water bodies through the loss of vegetation; (b) is effectively screened from view from a road, lookout or other public place by an existing natural landform or native vegetation, or will be effectively screened by native vegetation within 5 years of construction; (c) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements; (d) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality; (e) avoids detrimental impacts on landscape values and excessive changes to the natural landform as a result of the location, position on site, scale, design and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure; (f) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and lines and other tall infrastructure; 	<p>AO2.1 Buildings and structures are not more than 8.5 metres and two storeys in height.</p> <p>Note - Height is inclusive of the roof height.</p> <p>AO2.2 Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.</p> <p>AO2.3 Where development on land steeper than 1 in 6 (16.6%) cannot be avoided:</p> <ul style="list-style-type: none"> (a) development follows the natural; contours of the site; (b) buildings are split level or suspended floor construction, or a combination of the two; (c) lightweight materials are used to areas with suspended floors. <p>Note - Examples of suitable lightweight materials include timber or fibre cement boards or sheeting for walls and factory treated metal sheeting for walls and roofs.</p> <p>AO2.4 The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette.</p> <p>Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow.</p>	<p>Not Applicable</p>

Performance outcomes	Acceptable outcomes	Responses
<p>(g) extractive industry operations are avoided, or where they cannot be avoided, are screened from view.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>AO2.5 No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.6%).</p> <p>AO2.6 Advertising devices do not occur.</p>	
Development within a Scenic route buffer / view corridor area		
<p>PO3 Development within a Scenic route buffer / view corridor area as identified on the Landscape values overlay maps contained in Schedule 2:</p> <p>(a) retains visual access to views of the surrounding landscape, the sea and other water bodies;</p> <p>(b) retains existing vegetation and incorporates landscaping to visually screen and soften built form elements whilst not impeding distant views or view corridors;</p> <p>(c) incorporates building materials and external finishes that are compatible with the visual amenity and the landscape character;</p> <p>(d) minimises visual impacts on the setting and views in terms of:</p> <p>(i) the scale, height and setback of buildings;</p> <p>(ii) the extent of earthworks and impacts on the landform including the location and configuration of access roads and driveways;</p> <p>(iii) the scale, extent and visual prominence of advertising devices.</p>	<p>AO3.1 Where within a Scenic route buffer / view corridor area, the height of buildings and structures is not more than identified within the acceptable outcomes of the applicable zone code.</p> <p>AO3.2 No clearing of native vegetation is undertaken within a Scenic route buffer area.</p> <p>AO3.3 Where within a Scenic route buffer / view corridor area development is set back and screened from view from a scenic route by existing native vegetation with a width of at least 10 metres and landscaped in accordance with the requirements of the landscaping code.</p> <p>AO3.4 Development does not result in the replacement of, or creation of new, additional, or enlarged advertising devices.</p>	<p>Complies</p> <p>Refer to Section 7.00 and plans and elevations attached as Appendix B for response</p> <p>Refer to Section 7.00 and plans and elevations attached as Appendix B for response</p> <p>Complies</p>

Performance outcomes	Acceptable outcomes	Responses
Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.		
Development within the Coastal scenery area		
<p>PO4 The landscape values of the Coastal scenery zone as identified on the Landscape values overlay maps contained in Schedule 2 are managed to integrated and limit the visual impact of development.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>AO4.1 The dominance of the natural character of the coast is maintained or enhanced when viewed from the foreshore.</p> <p>AO4.2 Where located adjacent to the foreshore buildings and structures are setback: (a) Where no adjoining development, a minimum of 50 metres from the coastal high water mark and the setback area is landscaped with a native vegetation buffer that has a minimum width of 25 metres; or (b) Where there is adjoining development, setbacks will be consistent with that of adjoining buildings and structures, but not less than 10 metres from the coastal high water mark. The setback area is landscaped in accordance with the requirements of the Landscaping code.</p> <p>AO4.3 Where separated from the foreshore by land contained within public ownership (e.g. unallocated State land, esplanade or other public open space), buildings and structures area setback: (a) where no adjoining development, a minimum of 6 metres from the coastward property boundary. The setback area is landscaped in</p>	Not Applicable

Performance outcomes	Acceptable outcomes	Responses
	<p>accordance with the requirements of the Landscaping code; or</p> <p>(b) where there is adjoining development, setbacks will be consistent with that of adjoining buildings and structures. The setback area is landscaped in accordance with the requirements of the Landscaping code.</p> <p>(c)</p>	
<p>PO5 Development is to maximise opportunities to maintain and/or enhance natural landscape values through the maintenance and restoration of vegetated buffers between development and coastal waters, where practical.</p> <p>Note – A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in satisfaction of a performance outcome.</p>	<p>AO5 No clearing of native vegetation is undertaken within a Coastal scenery area zone, except for exempt vegetation damage undertaken in accordance with the Vegetation management code</p>	<p>Not Applicable</p>

8.2.7 Natural areas overlay code

8.2.7.1. Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Natural areas 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 Natural areas overlay is identified on the Natural areas overlay map in Schedule 2 and includes the following sub-categories:
 - (a) MSES – Protected area;
 - (b) MSES – Marine park;
 - (c) MSES – Wildlife habitat;
 - (d) MSES – Regulated vegetation;
 - (e) MSES – Regulated vegetation (intersecting a Watercourse);
 - (f) MSES – High ecological significance wetlands;
 - (g) MSES – High ecological value waters (wetlands);
 - (h) MSES – High ecological value waters (watercourse);
 - (i) MSES – Legally secured off set area.

Note – MSES = Matters of State Environmental Significance.

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

8.2.7.2 Purpose

- (1) The purpose of the Natural areas overlay code is to:
 - (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 2: Environment and landscape values, Element 3.5.3 Biodiversity, Element 3.5.4 Coastal zones;
 - (ii) Theme 3: Natural resource management Element 3.6.2 Land and catchment management, Element 3.6.3 Primary production, forestry and fisheries.
 - (b) enable an assessment of whether development is suitable on land within the Biodiversity area overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development is avoided within:

- (i) areas containing matters of state environmental significance (MSES);
- (ii) other natural areas;
- (iii) wetlands and wetland buffers;
- (iv) waterways and waterway corridors.
- (b) where development cannot be avoided, development:
 - (i) protects and enhances areas containing matters of state environmental significance;
 - (ii) provides appropriate buffers;
 - (iii) protects the known populations and supporting habitat of rare and threatened flora and fauna species, as listed in the relevant State and Commonwealth legislation;
 - (iv) ensures that adverse direct or indirect impacts on areas of environmental significance are minimised through design, siting, operation, management and mitigation measures;
 - (v) does not cause adverse impacts on the integrity and quality of water in upstream or downstream catchments, including the Great Barrier Reef World Heritage Area;
 - (vi) protects and maintains ecological and hydrological functions of wetlands, waterways and waterway corridors;
 - (vii) enhances connectivity across barriers for aquatic species and habitats;
 - (viii) rehabilitates degraded areas to provide improved habitat condition, connectivity, function and extent;
 - (ix) protects areas of environmental significance from weeds, pests and invasive species.
- (c) strategic rehabilitation is directed to areas on or off site, where it is possible to achieve expanded habitats and increased connectivity.

8.2.7.3 Criteria for assessment

Table 8.2.7.3.a – Natural areas overlay code – assessable development

Performance outcomes	Acceptable outcomes	Responses
For self-assessable and assessable development		
Protection of matters of environmental significance		
PO1 Development protects matters of environmental significance.	AO1.1 Development avoids significant impact on the relevant environmental values. or AO1.2 A report is prepared by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, that the development site	Complies

Performance outcomes	Acceptable outcomes	Responses
	<p>does not contain any matters of state and local environmental significance.</p> <p>or</p> <p>AO1.3 Development is located, designed and operated to mitigate significant impacts on environmental values. For example, a report certified by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, how the proposed development mitigates impacts, including on water quality, hydrology and biological processes.</p>	
Management of impacts on matters of environmental significance		
<p>PO2 Development is located, designed and constructed to avoid significant impacts on matters of environmental significance.</p>	<p>AO2 The design and layout of development minimises adverse impacts on ecologically important areas by:</p> <ul style="list-style-type: none"> (a) focusing development in cleared areas to protect existing habitat; (b) utilising design to consolidate density and preserve existing habitat and native vegetation; (c) aligning new property boundaries to maintain ecologically important areas; (d) ensuring that alterations to natural landforms, hydrology and drainage patterns on the development site do not negatively affect ecologically important areas; (e) ensuring that significant fauna habitats are protected in their environmental context; and (f) incorporating measures that allow for the safe movement of fauna through the site. 	Complies

Performance outcomes	Acceptable outcomes	Responses
Waterways in an urban area		
PO8 Development is set back from waterways to protect and maintain: <ul style="list-style-type: none"> (a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values; (e) riparian and in-stream habitat values and connectivity; (f) in-stream migration. 	AO8.1 Where a waterway is contained within an easement or a reserve required for that purpose, development does not occur within the easement or reserve; or AO8.2 Development does not occur on the part of the site affected by the waterway corridor. Note – Waterway corridors are identified within Table 8.2.8.3.b.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.
Waterways in a non-urban area		
PO9 Development is set back from waterways to protect and maintain: <ul style="list-style-type: none"> (a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values; (e) riparian and in-stream habitat values and connectivity; (f) in-stream migration. 	AO9 Development does not occur on that part of the site affected by a waterway corridor. Note – Waterway corridors are identified within Table 8.2.7.3.b.	Not Applicable

Table 8.2.7.3.b — Widths of waterway corridors for waterways

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

8.2.10 Transport network overlay code

8.2.10.1 Application

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

8.2.10.2 Purpose

- (1) The purpose of the Transport network overlay code is to:
 - (a) implement the policy direction of the Strategic Framework, in particular:
 - (i) Theme 1: Settlement pattern Element 3.4.2 Urban settlement, Element 3.4.3 Activity centres;
 - (ii) Theme 6: Infrastructure and transport Element 3.9.4 Transport;
 - (b) enable an assessment of whether development is suitable on land within the Transport network overlay.

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

8.2.10.3 Criteria for assessment

Table 8.2.10.3.a – Transport network overlay code – assessable development

Performance outcomes	Acceptable outcomes	Responses
For assessable development		
<p>PO1 Development supports the road hierarchy for the region.</p> <p>Note -A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.</p>	<p>AO1.1 Development is compatible with the intended role and function of the transport network as identified on the Transport network overlay maps contained in Schedule 2.</p> <p>AO1.2 Development does not compromise the safety and efficiency of the transport network.</p> <p>AO1.3 Development is designed to provide access via the lowest order road, where legal and practicable access can be provided to that road.</p>	Refer to Section 5.00 for a response
<p>PO2 Transport infrastructure is provided in an integrated and timely manner.</p> <p>Note - A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.</p>	<p>AO2 Development provides infrastructure (including improvements to existing infrastructure) in accordance with:</p> <ul style="list-style-type: none"> (a) the Transport network overlay maps contained in Schedule 2; (a) any relevant Local Plan. <p>Note – The Translink Public Transport Infrastructure Manual provides guidance on the design of public transport facilities.</p>	Complies

Performance outcomes	Acceptable outcomes	Responses
<p>PO3 Development involving sensitive land uses within a major transport corridor buffer area is located, designed and maintained to avoid or mitigate adverse impacts on amenity for the sensitive land use.</p>	<p>AO3 No acceptable outcomes are prescribed.</p> <p>Note – Part 4.4 of the Queensland Development Code provides requirements for residential building design in a designated transport noise corridor.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>
<p>PO4 Development does not compromise the intended role and function or safety and efficiency of major transport corridors.</p> <p>Note - A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.</p>	<p>AO4.1 Development is compatible with the role and function (including the future role and function) of major transport corridors.</p> <p>AO4.2 Direct access is not provided to a major transport corridor where legal and practical access from another road is available.</p> <p>AO4.3 Intersection and access points associated with major transport corridors are located in accordance with: (a) the Transport network overlay maps contained in Schedule 2; and (b) any relevant Local Plan.</p> <p>AO4.4 The layout of development and the design of the associated access is compatible with existing and future boundaries of the major transport corridor or major transport facility.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>
<p>PO5 Development retains and enhances existing vegetation between a development and a major transport corridor, so as to provide screening to potential noise, dust, odour and visual impacts emanating from the corridor.</p>	<p>AO5 No acceptable outcomes are prescribed.</p>	<p>Refer to Section 5.00 and Appendix B for response</p>

Performance outcomes	Acceptable outcomes	Responses
Pedestrian and cycle network		
<p>PO6 Lot reconfiguration assists in the implementation of the pedestrian and cycle movement network to achieve safe, attractive and efficient pedestrian and cycle networks.</p>	<p>AO6.1 Where a lot is subject to, or adjacent to an element of the pedestrian and cycle Movement network (identified on the Transport network overlay maps contained in Schedule 2) the specific location of this element of the pedestrian and cycle network is incorporated in the design of the lot layout.</p> <p>AO6.2 The element of the pedestrian and cycle network is constructed in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC6.5 – FNQROC Regional Development Manual.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>

9.3.3 Centre activities code

9.3.3.1 Application

- (1) This code applies to assessing development for:
 - (a) for Centre activities; and
 - (b) all development in a Centre zone, if:
 - (i) if assessable development where the code is an applicable code identified in the assessment criteria column of a table of assessment; or
 - (ii) impact assessable.
- (2) When using this code, reference should be made to Part 5.

9.3.3.2 Purpose

- (1) The purpose of the Centre activities code is to facilitate the timely establishment of centre activities within the Centre zone.
- (2) The purpose of the code will be achieved through the following overall outcomes;
 - (a) within the Centre zone, to ensure that centre activities:
 - (i) facilitates the timely establishment of specified uses that require only minor building work to an existing premises;
 - (ii) has a scale, intensity and operation of the use of premises that is consistent with existing floor space and infrastructure.

9.3.3.3 Criteria for assessment

Table 9.3.3.3.a – Centre activities code – assessable development

Performance outcomes	Acceptable outcomes	Responses
For self-assessable and assessable development		
Change of use within existing building or facilities		
PO1 Development that involves a change of use within an existing building ensures: (a) changes to floor space of the centre activity is minor; (b) the appropriate design and amenity standards for the centre activity is maintained.	AO1 The centre activity: (a) is a use listed in Schedule 1, Table SC1.1.1.2 – Centre Activities; (b) is not a use listed in Schedule 1, Table SC1.1.1.2 – Large format retail activities; (c) is located within the Centre zone; (d) is for a tenancy change only;	Not Applicable

Performance outcomes	Acceptable outcomes	Responses
	<p>(e) involves only minor building work to an existing building;</p> <p>(f) complies with the car parking requirements specified in Table 9.4.1.3.b in the Access, parking and servicing code.</p> <p>Note - The whole development means the entire building or activity on a site (or sites) where shared parking areas are utilised.</p>	
<p>PO2 Building plant or equipment cannot be viewed from public places.</p>	<p>AO2.1 Plant or equipment is not located on roofs; or</p> <p>AO2.2 Where plant or equipment is placed on roofs, it is appropriately screened from the streetscape behind a parapet or similar design feature.</p>	Not Applicable
For assessable development		
<p>PO3 Development is located: (a) within an existing Centre zone; (b) a building containing an existing centre activity; (c) on a site identified as being suitable for Centre activities in a Local plan.</p>	<p>AO3 No acceptable outcomes are prescribed.</p>	Complies – the proposed Function Facility and Food and Drink Outlet are to be developed in conjunction with the proposed Multiple Dwelling and Short-term Accommodation.
<p>PO4 A centre activity is only established outside an appropriately identified area where: (a) community need is demonstrated for the centre; (b) the centre activity does not compromise the establishment of consolidated activity centres</p>	<p>AO4 No acceptable outcomes are prescribed.</p>	Complies – the proposed Function Facility and Food and Drink Outlet will provide services to on-site residents and guests and the general public at this location and meet a community need at this location.

Performance outcomes	Acceptable outcomes	Responses
<p>with distinct roles and functions across the Far North Queensland Region;</p> <p>(c) the centre activity does not compromise the established hierarchy of activity centres in the Far North Queensland Region;the centre activity does not compromise the character and amenity of surrounding areas.</p> <p>Note – An appropriately identified area is defined in PO3 of this code.</p> <p>Note – Refer to the Far North Queensland Regional Plan to determine the distinct roles and functions, and the established hierarchy of activity centres in Far North Queensland.</p>		
<p>PO5</p> <p>The siting of buildings contributes to the desired amenity and character of the area and protect the amenity of other land uses.</p>	<p>AO5.1</p> <p>Buildings setbacks to road frontages are:</p> <p>(a) in accordance with the provisions of any applicable Local plan;</p> <p>(b) a minimum of 6 metres where no Local plan applies or there are no particular provisions specified in the Local pan for the site.</p> <p>AO5.2</p> <p>Where adjoining land in the Industry Zone, buildings are setback:</p> <p>(a) 0 metres from the side and rear boundaries; or</p> <p>(b) 2.5 metres or ¼ of the height of the building, which ever if the greater; and</p> <p>(c) not any distance between 0 metres and 2.5 metres.</p>	<p>Complies</p> <p>Not Applicable</p>

Performance outcomes	Acceptable outcomes	Responses
	<p>AO5.3 Where adjoining land in any other zone, buildings are setback 3.0 metres or ¼ of the height of the building, whichever is the greater and are provided with an acoustic barrier in accordance with the recommendations of a qualified acoustic expert.</p> <p>AO5.4 Setback areas are provided with a 2 metre landscaped strip capable of deep planting, which is kept clear of service equipment and storage areas: (a) adjacent to the road frontage in all areas not required for pedestrian or vehicular access for the setback area nominated in AO5.1(b) above; (b) adjacent to the boundary with the other zone for the setback area nominated in AO5.3 above.</p>	<p>Complies</p> <p>Complies</p>
<p>PO6 The site coverage of buildings ensures that there is sufficient space available to cater for services, landscaping and on-site parking.</p>	<p>AO6 Site coverage does not exceed 50%, unless otherwise specified in a Local plan.</p>	<p>Complies</p>
<p>PO7 Building façades are articulated and finished in ways that respond to the attractive elements of surrounding buildings, and enhances existing streetscape character.</p>	<p>AO7 Building facades are articulated and finished with design elements such as: (a) variations in plane shape, such as curves, steps, recesses or projections; (b) variations in treatment and patterning of windows, sun protection devices, or other elements of the façade; (c) elements of finer scale, than the main structural framing.</p>	<p>Complies</p>

Performance outcomes	Acceptable outcomes	Responses
	<p>AO9.2 Landscaping is provided in accordance with the following:</p> <ul style="list-style-type: none"> (a) a mixture of shade trees and low planting is provided along street frontages where buildings are setback from the frontage; (b) shade trees are provided in car parks; (c) a landscaped area is provided between the centre activity, associated car parking and any adjacent residential use or zone which: <ul style="list-style-type: none"> (i) has a minimum width of 3 metres and is not used for storage or mechanical plant; (ii) is planted with a variety of hardy screening shrubs and trees; (iii) incorporates a minimum 1.8 metre high solid screen fence. <p>Note – Additional fencing requirements beyond the minimum standard may be required for acoustic and lighting attenuation purposes in accordance with AO5.3.</p>	Complies
Additional requirements for Adult Stores		
<p>PO10 An adult store is located to satisfy reasonable community expectations in relation to location and accessibility.</p>	<p>AO10 The distance between the boundary of the land occupied by a sensitive land use and the entrance of a proposed adult store is:</p> <ul style="list-style-type: none"> (a) more than 200 metres according to the shortest route a person may lawfully take on foot; (b) more than 100 metres measured in a straight line. 	Not Applicable
<p>PO11 The presentation of adult stores satisfies reasonable community expectations.</p>	<p>AO11.1 The display window of the adult store is completely screened to prevent viewing into the</p>	Not Applicable

Performance outcomes	Acceptable outcomes	Responses
	<p>interior of the development where goods are displayed.</p> <p>AO11.2 Signage associated with the adult store that is visible external to the development is not sexually suggestive or potentially offensive in either graphical or written form.</p> <p>AO11.3 External signage associated with an adult store has a cumulative total of 5m².</p> <p>AO11.4 Signage (other than required by A11.3) is limited to the following types: (a) below awning sign; (b) fascia sign; (c) window sign.</p>	<p>Not Applicable</p> <p>Not Applicable</p> <p>Not Applicable</p>

9.3.13 Multiple dwelling, short term accommodation and retirement facility code

9.3.13.1 Application

- (1) This code applies to assessing development for a Multiple dwelling, short term accommodation, residential care facility or retirement facility if:
 - (a) assessable development where the code is an applicable code identified in the assessment criteria column of a table of assessment for a material change of use; or
 - (b) impact assessable development.
- (2) When using this code, reference should be made to Part 5.

9.3.13.2 Purpose

- (1) The purpose of the Multiple dwelling, short term accommodation and retirement facility code is to assess the suitability of development to which this code applies.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development is compatible with and complementary to surrounding development, with regard to scale, bulk, and streetscape patterns;
 - (b) master planning is undertaken for larger developments to ensure connectivity and integration with adjoining uses and the wider neighbourhood;
 - (c) development does not adversely impact on the natural features on the site;
 - (d) the design of development creates a pleasant living environment and is appropriate for the tropical climate of the region;
 - (e) the impacts of development on adjoining premises are managed.

9.3.13.3 Criteria for assessment

Table 9.3.13.3.a – Multiple dwelling, short term accommodation and retirement facility code – assessable development

Performance outcomes	Acceptable outcomes	Responses
For assessable development		
PO1 The site has sufficient area and frontage to: (a) accommodate the scale and form of buildings considering site features; (b) achieve communal open space areas and private outdoor spaces;	AO1.1 The site has a minimum area of 1000m ² .	Complies
	AO1.2 The site has a minimum frontage of 25 metres.	Complies

Performance outcomes	Acceptable outcomes	Responses
(c) deliver viable areas of deep planting and landscaping to retain vegetation and protect or establish tropical planting; (d) achieve safe and convenient vehicle and pedestrian access; (e) accommodate on-site car parking and manoeuvring for residents, visitors and service providers.		
PO2 Development for large-scale multiple dwellings, short term accommodation and retirement villages contributes to the neighbourhood structure and integrates with the existing neighbourhood through: (a) the establishment and extension of public streets and pathways; (b) the provision of parks and other public spaces as appropriate to the scale of the development; (c) inclusion of a mix of dwelling types and tenures and forms; (d) buildings that address the street; (e) building height and setback transitions to adjoining development of a lower density or scale.	AO2 Development on a site 5,000m ² or greater is in accordance with a structure plan. Note – Guidance on preparing a structure plan is provided within Planning scheme policy SC6.14 – Structure planning.	Complies – See plans attached as Appendix B .

Performance outcomes	Acceptable outcomes	Responses										
<p>PO3</p> <p>Development ensures that the proportion of buildings to open space is:</p> <ul style="list-style-type: none">(a) in keeping with the intended form and character of the local area and immediate streetscape;(b) contributes to the modulation of built form;(c) supports residential amenity including access to breezes, natural light and sunlight;(d) supports outdoor tropical living;(e) provides areas for deep tropical planting and / or for the retention of mature vegetation.	<p>AO3.1</p> <p>The site cover is not more than 40%.</p> <p>AO3.2</p> <p>The development has a gross floor area of not more than:</p> <table><tr><th>Zone</th><th>Maximum GFA</th></tr><tr><td>Low-medium density residential</td><td>0.8 x site area</td></tr><tr><td>Medium density residential</td><td>1.2 x site area</td></tr><tr><td>Tourist accommodation</td><td>1.2 x site area</td></tr><tr><td>All other zones</td><td>No acceptable outcome specified</td></tr></table>	Zone	Maximum GFA	Low-medium density residential	0.8 x site area	Medium density residential	1.2 x site area	Tourist accommodation	1.2 x site area	All other zones	No acceptable outcome specified	<p>Complies – Tourist Accommodation Zone Code provisions apply.</p> <p>Complies</p>
Zone	Maximum GFA											
Low-medium density residential	0.8 x site area											
Medium density residential	1.2 x site area											
Tourist accommodation	1.2 x site area											
All other zones	No acceptable outcome specified											
<p>PO4</p> <p>Development is sited so that the setback from boundaries:</p> <ul style="list-style-type: none">(a) provides for natural light, sunlight and breezes;(b) minimises the impact of the development on the amenity and privacy of neighbouring residents;(c) provides for adequate landscaping.	<p>AO4.1</p> <p>Buildings and structures are set back not less than 6 metres from a road frontage.</p> <p>AO4.2</p> <p>Buildings and structures are setback not less than 4 metres to the rear boundary.</p> <p>AO4.3</p> <p>The side boundary setback for buildings and structures is:</p> <ul style="list-style-type: none">(a) for buildings up to 2 storeys not less than 2.5 metres for the entire building;(b) for buildings up to 3 storeys not less than 3.5 metres for the entire building.	<p>Complies</p> <p>Complies</p> <p>Complies</p>										

Performance outcomes	Acceptable outcomes	Responses
<p>PO5 Building depth and form must be articulated to</p> <ul style="list-style-type: none"> (a) ensure that the bulk of the development is in keeping with the form and character intent of the area; (b) provide adequate amenity for residents in terms of natural light and ventilation. <p>Note – Planning scheme policy SC6.1 – Building design and architectural elements provides guidance on reducing building bulk.</p>	<p>AO5.1</p> <ul style="list-style-type: none"> (a) The maximum length of a wall in any direction is 30 metres with substantial articulation provided every 15 metres. (b) The minimum distance between buildings on a site is not less than 6 metres; <p>AO5.2 The length of any continuous eave line does not exceed 18 metres.</p>	<p>Complies – refer to Section 4.07 and Architectural Statement attached as Appendix B for a response</p>
<p>PO6 Development reduces the appearance of building bulk, ensures a human-scale, demonstrates variations in horizontal and vertical profile and supports streetscape character.</p>	<p>AO6.1 Development incorporates a number of the following design elements:</p> <ul style="list-style-type: none"> (a) balconies; (b) verandahs; (c) terraces; (d) recesses. <p>AO6.2 Development reduces building bulk by:</p> <ul style="list-style-type: none"> (a) variation in building colours, materials and textures; (b) the use of curves, recesses, projections or variations in plan and elevation; (c) recession and projection of rooflines and the inclusion of interesting roof forms, such as cascading roof levels, gables, skillions or variations in pitch; (d) use of sun-shading devices and other façade features; (e) use of elements at a finer scale than the main structural framing of the building. 	<p>Complies</p> <p>Complies – refer to Architectural Statement attached as Appendix B.</p>

Performance outcomes	Acceptable outcomes	Responses
<p>layout, location and the design of windows and balconies or screening devices.</p> <p>Note—Siting and building separation is used to minimise privacy screening requirements.</p>	<p>open space of an existing dwelling house, ensures habitable rooms and any private outdoor spaces have:</p> <ul style="list-style-type: none"> (a) an offset from the habitable room or private open space of the existing dwelling to limit direct outlook; or (b) sill heights a minimum of 1.5m above floor level; or (c) fixed obscure glazing in any part of the window below 1.5m above floor level; or (d) fixed external screens; or (e) in the case of screening for a ground floor level unit, fencing to a minimum 1.8m above the ground storey floor level. <p>AO9.2 Development where a direct view is available from balconies, terraces, decks or roof decks into windows of habitable rooms, balconies, terraces or decks in an adjacent existing dwelling house, is screened from floor level to a height above 1.5m above floor level.</p> <p>AO9.3 Development provides screening devices that are solid translucent screens, perforated or slatted panels or fixed louvres that have a maximum of 25% openings, with a maximum opening dimension of 50mm, and that are permanent and durable.</p> <p>Note—The screening device is offset a minimum of 0.3m from the wall around any window.</p> <p>Note—Screening devices are hinged or otherwise attached to facilitate emergency egress</p>	<p>Complies</p> <p>Complies</p>

Performance outcomes	Acceptable outcomes	Responses
PO10 Development provides accessible and functional landscaping and recreation area for the benefit of residents/guests.	AO10 A minimum of 35% of the site is allocated as landscaping and recreation area.	Complies
PO11 Landscaping must contribute positively to the amenity of the area, streetscape and public spaces.	AO11 Development provides landscaping as follows: (a) A dense landscape planting strip of at least 2 metres width suitable for deep planting is provided and maintained along all street frontages; (b) A dense landscape planting strip of at least 1.5 metres width suitable for deep planting is provided along all side and rear boundaries.	Complies
PO12 The landscaping and recreation area provides for functional communal open space for all developments exceeding five dwellings on one site.	AO12.1 Communal open space is provided at: (a) a minimum of 5% of site area of 50m ² whichever is the greater; and (b) a minimum dimension of 5 metres.	Complies
	AO12.2 Development provides communal open space that: (a) is consolidated into one useable space; (b) where communal open space exceeds 100m ² , the communal open space may be split into two, and so forth incrementally.	Complies
	AO12.3 Communal open space: (a) is a minimum of 50% open to the sky; (b) achieves 25% shading by trees in 5 years; (c) does not include vehicle driveways and manoeuvring; (d) does not contain surface structures such as rainwater tanks, fire hydrants, transformers or water boosters.	Complies

Performance outcomes	Acceptable outcomes	Responses
	<p>AO12.4 Communal open space is designed to provide for a range of facilities, typically including some, or all, of the following elements:</p> <ul style="list-style-type: none"> (a) seating; (b) barbecue; (c) play equipment; (d) swimming pool; (e) communal clothes drying; (f) vegetable garden. <p>AO12.5 Development involving 5 or fewer dwellings on one lot can allocate additional private open space to a ground storey dwelling instead of providing communal open space.</p>	<p>Complies</p> <p>Not Applicable</p>
<p>PO13 Development must provide attractive and functional private open space for residents and guests.</p>	<p>AO13.1 Development provides private open space which:</p> <ul style="list-style-type: none"> (a) for ground storey dwellings, comprises of a minimum area of 35m² with a minimum dimension of 3 metres; (b) for dwellings above ground storey, comprises of a balcony with minimum area of 12m² and a minimum dimension of 3 metres. <p>AO13.2 Development provides private open space areas that are:</p> <ul style="list-style-type: none"> (a) directly accessible from internal primary living area of the dwelling (not bedrooms); (b) provided with a screened area of 2m² minimum dimension capable of screening air conditioning plant, private clothes drying etc... 	<p>Complies</p> <p>Complies</p>

Performance outcomes	Acceptable outcomes	Responses
	<p>(c) provided with adjustable, moveable or operable privacy screening where appropriate.</p> <p>AO13.3 Development provides balconies that are located to the front or rear of the building except where adequate building separation can be achieved to maintain privacy.</p> <p>AO13.4 Where secondary balconies are provided to a side of a building for additional amenity or services, such as clothes drying or to articulate facades, the setback may be reduced to the minimum setback, but these areas are not included in the calculation of private open space requirements.</p> <p>AO13.5 Private open space: (a) does not include vehicle driveways and manoeuvring; (b) does not contain surface structures such as rainwater tanks, fire hydrants, transformers or water boosters.</p>	<p>Complies</p> <p>Complies</p> <p>Complies</p>
<p>PO14 Development provides front fencing and retaining walls that must:</p> <p>(a) facilitate casual surveillance of the street and public space; (b) enable use of private open space; (c) assist in highlighting entrances to the property; (d) provide a positive interface to the streetscape.</p>	<p>AO14.1 Development ensures that, where fencing is provided, the height of any new fence located on any common boundary to a street or public space is a maximum of:</p> <p>(a) 1.2m, where fence construction is solid or less than 50% transparent; (b) 1.5m, where fence construction is at least 50% transparent; (c) 1.8m and solid only where the site is on an arterial road or higher order road.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>

Performance outcomes	Acceptable outcomes	Responses
	<p>AO14.2 Development incorporating solid front fences or walls that front the street or other public spaces and are longer than 10m, indentations, material variation or landscaping is provided to add visual interest and soften the visual impact</p> <p>AO14.3 Development for a retaining wall is: (a) stepped to minimise impact on the streetscape and pedestrian environment; (b) a maximum of 0.6m in height if directly abutting the edge of the adjoining road reserve verge</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p> <p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>
<p>PO15 Development minimises light nuisances.</p>	<p>AO15 Outdoor lighting is in accordance with AS 4282-1997 Control of the obtrusive effects of outdoor lighting.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>
<p>PO16 Waste and recyclable material storage areas are: (a) convenient and accessible to residents and waste and recyclable material collection services; (b) located and designed to mitigate adverse impacts: (i) within the site; (ii) on adjoining properties; (iii) to the street.</p>	<p>AO16 Waste and recyclable material storage areas: (a) are located on site; (b) are sited and designed to be unobtrusive and screened from view from the street frontage; (c) are imperviously sealed roofed and bunded, and contain a hose down area draining to Council's sewer network; (d) are of a sufficient size to accommodate bulk (skip) bins; (e) have appropriate access and sufficient on site manoeuvrability area for waste and recyclable material collection services.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>

Performance outcomes	Acceptable outcomes	Responses
	Note - The Environmental performance code contains requirements for waste and recyclable material storage.	
PO17 Development provides a secure storage area for each dwelling.	AO17 A secure storage area for each dwelling: (a) is located to enable access by a motor vehicle or be near to vehicle parking; (b) has a minimum space of 3.5m ² per dwelling; (c) has a minimum height of 2 metres; (d) is weather proof; (e) is lockable; (f) has immunity to the 1% AEP inundation event. Note – A cupboard within a unit will not satisfy this requirement.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.
Additional requirements for a Retirement facility		
PO18 Retirement facilities are located in areas which offer convenience to residents, and are designed to be compatible with the locality and surrounding area in which they are located.	AO18 Retirement facilities are conveniently located in established areas close to public transport, shopping facilities and health care services.	Not Applicable
PO19 Retirement facilities are designed to provide for the amenity and security of residents.	AO19.1 The Retirement facility incorporates covered walkways wide enough to accommodate wheel chairs and ramps, and where necessary, provide on-site weather protection between all parts of the complex. AO19.2 Internal pathways have firm, well drained and non-slip surfaces.	Not Applicable Not Applicable

Performance outcomes	Acceptable outcomes	Responses
	<p>AO19.2 Security screens are provided to all dwelling units or residential rooms to ensure the safety and security of residents.</p> <p>AO19.3 An illuminated sign and site map of the layout of the development is located near the main entrance to the facility.</p>	<p>Not Applicable</p> <p>Not Applicable</p>
<p>PO20 The internal layout of a Retirement facility and the location of the retirement facility allows for safe evacuation of residents in an emergency and provides emergency services to efficiently access the site.</p>	<p>AO20.1 The design of the Retirement facility ensures that external circulation and access and egress points on the site facilitate the evacuation of the site in an efficient manner.</p> <p>AO20.2 The site of a Retirement facility is not prone to inundation.</p> <p>AO20.3 The location of the Retirement facility is readily accessible to emergency vehicles.</p>	<p>Not Applicable</p> <p>Not Applicable</p> <p>Not Applicable</p>
<p>PO21 The development is designed for the needs of the age group, and to allow 'aging in place' to occur.</p>	<p>AO21.1 Development applies adaptable housing principles.</p> <p>AO21.2 A range of housing designs and sizes are provided in the development to cater for different individual and household needs.</p>	<p>Not Applicable</p> <p>Not Applicable</p>

9.4.1 Access, parking and servicing code

9.4.1.1 Application

- (1) This code applies to assessing:
 - (a) operational work which requires a compliance assessment as a condition of a development permit; or
 - (b) a material change of use or reconfiguring a lot if:
 - (i) self-assessable or assessable development where this code is identified in the assessment criteria column of the table of assessment;
 - (ii) impact assessable development, to the extent relevant.
- (2) When using this code, reference should be made to Part 5.

9.4.1.2 Purpose

- (1) The purpose of the Access, parking and servicing code is to assess the suitability of access, parking and associated servicing aspects of a development.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) sufficient vehicle parking is provided on-site to cater for all types of vehicular traffic accessing and parking on-site, including staff, guests, patrons, residents and short term delivery vehicles;
 - (b) sufficient bicycle parking and end of trip facilities are provided on-site to cater for customer and service staff;
 - (c) on-site parking is provided so as to be accessible and convenient, particularly for any short term uses;
 - (d) development provides walking and cycle routes through the site which link the development to the external walking and cycling network;
 - (e) the provision of on-site parking, loading / unloading facilities and the provision of access to the site do not impact on the efficient function of street network or on the area in which the development is located;
 - (f) new vehicular access points are safely located and are not in conflict with the preferred ultimate streetscape character and local character and do not unduly disrupt any current or future on-street parking arrangements.

9.4.1.3 Criteria for assessment

Table 9.4.1.3.a – Access, parking and servicing code – assessable development

Performance outcomes	Acceptable outcomes	Responses
For self-assessable and assessable development		
PO1 Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected	AO1.1 The minimum number of on-site vehicle parking spaces is not less than the number prescribed in Table 9.4.1.3b for that particular use or uses.	Complies – Refer to Section 4.07 for Response

Performance outcomes	Acceptable outcomes	Responses
<p>to be generated by the use or uses of the site, having particular regard to:</p> <ul style="list-style-type: none"> (a) the desired character of the area; (b) the nature of the particular use and its specific characteristics and scale; (c) the number of employees and the likely number of visitors to the site; (d) the level of local accessibility; (e) the nature and frequency of any public transport serving the area; (f) whether or not the use involves the retention of an existing building and the previous requirements for car parking for the building (g) whether or not the use involves a heritage building or place of local significance; (h) whether or not the proposed use involves the retention of significant vegetation. 	<p>Note - Where the number of spaces calculated from the table is not a whole number, the number of spaces provided is the next highest whole number.</p> <p>AO1.2 Car parking spaces are freely available for the parking of vehicles at all times and are not used for external storage purposes, the display of products or rented/sub-leased.</p> <p>AO1.3 Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.</p> <p>AO1.4 For parking areas exceeding 50 spaces parking, is provided for recreational vehicles as a substitute for ordinary vehicle parking to a maximum of 5% of total ordinary vehicle parking rate.</p>	<p>Complies</p> <p>Complies</p> <p>Complies</p>
<p>PO2 Vehicle parking areas are designed and constructed in accordance with relevant standards.</p>	<p>AO2 Vehicle parking areas are designed and constructed in accordance with Australian Standard:</p> <ul style="list-style-type: none"> (a) AS2890.1; (b) AS2890.3; (c) AS2890.6. 	<p>Complies</p>
<p>PO3 Access points are designed and constructed:</p> <ul style="list-style-type: none"> (a) to operate safely and efficiently; (b) to accommodate the anticipated type and volume of vehicles 	<p>AO3.1 Access is limited to one access cross over per site and is an access point located, designed and constructed in accordance with:</p> <ul style="list-style-type: none"> (a) Australian Standard AS2890.1; 	<p>Complies</p>

Performance outcomes	Acceptable outcomes	Responses
<ul style="list-style-type: none"> (c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate; (d) so that they do not impede traffic or pedestrian movement on the adjacent road area; (e) so that they do not adversely impact upon existing intersections or future road or intersection improvements; (f) so that they do not adversely impact current and future on-street parking arrangements; (g) so that they do not adversely impact on existing services within the road reserve adjacent to the site; (h) so that they do not involve ramping, cutting of the adjoining road reserve or any built structures (other than what may be necessary to cross over a stormwater channel). 	<p>(b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers.</p> <p>AO3.2 Access, including driveways or access crossovers:</p> <ul style="list-style-type: none"> (a) are not placed over an existing: <ul style="list-style-type: none"> (i) telecommunications pit; (ii) stormwater kerb inlet; (iii) sewer utility hole; (iv) water valve or hydrant. (b) are designed to accommodate any adjacent footpath; (c) adhere to minimum sight distance requirements in accordance with AS2980.1. <p>AO3.3 Driveways are:</p> <ul style="list-style-type: none"> (a) designed to follow as closely as possible to the existing contours, but are no steeper than the gradients outlined in Planning scheme policy SC6.5 – FNQROC Regional Development Manual; (b) constructed such that where there is a grade shift to 1 in 4 (25%), there is an area with a grade of no more than 1 in 6 (16.6%) prior to this area, for a distance of at least 5 metres; (c) on gradients greater than 1 in 6 (16.6%) driveways are constructed to ensure the cross-fall of the driveway is one way and directed into the hill, for vehicle safety and drainage purposes; (d) constructed such that the transitional change in grade from the road to the lot is fully 	<p>Complies</p> <p>Complies</p>

Performance outcomes	Acceptable outcomes	Responses
	<p>contained within the lot and not within the road reserve;</p> <p>(e) designed to include all necessary associated drainage that intercepts and directs storm water runoff to the storm water drainage system.</p> <p>AO3.4 Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.</p>	Complies
<p>PO4 Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.</p>	<p>AO4 The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.</p>	Complies
<p>PO5 Access for people with disabilities is provided to the building from the parking area and from the street.</p>	<p>AO5 Access for people with disabilities is provided in accordance with the relevant Australian Standard.</p>	Complies
<p>PO6 Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development.</p>	<p>AO6 The number of on-site bicycle parking spaces complies with the rates specified in Table 9.4.1.3.b.</p>	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.
<p>PO7 Development provides secure and convenient bicycle parking which:</p> <p>(a) for visitors is obvious and located close to the building's main entrance;</p> <p>(b) for employees is conveniently located to provide secure and convenient access</p>	<p>AO7.1 Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers);</p>	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.

Performance outcomes	Acceptable outcomes	Responses
<p>between the bicycle storage area, end-of-trip facilities and the main area of the building;</p> <p>(c) is easily and safely accessible from outside the site.</p>	<p>AO7.2 Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street.</p> <p>AO7.3 Development provides visitor bicycle parking which does not impede pedestrian movement.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p> <p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>
<p>PO8 Development provides walking and cycle routes through the site which:</p> <p>(a) link to the external network and pedestrian and cyclist destinations such as schools, shopping centres, open space, public transport stations, shops and local activity centres along the safest, most direct and convenient routes;</p> <p>(b) encourage walking and cycling;</p> <p>(c) ensure pedestrian and cyclist safety.</p>	<p>AO8 Development provides walking and cycle routes which are constructed on the carriageway or through the site to:</p> <p>(a) create a walking or cycle route along the full frontage of the site;</p> <p>(b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>
<p>PO9 Access, internal circulation and on-site parking for service vehicles are designed and constructed:</p> <p>(a) in accordance with relevant standards;</p> <p>(b) so that they do not interfere with the amenity of the surrounding area;</p> <p>(c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles.</p>	<p>AO9.1 Access driveways, vehicle manoeuvring and on-site parking for service vehicles are designed and constructed in accordance with AS2890.1 and AS2890.2.</p> <p>AO9.2 Service and loading areas are contained fully within the site.</p> <p>AO9.3 The movement of service vehicles and service operations are designed so they:</p> <p>(a) do not impede access to parking spaces;</p>	<p>Complies</p> <p>Complies</p> <p>Complies</p>

[illegible]

Table 9.4.1.3.b – Access, parking and servicing requirements

Note – Where the number of spaces is not a whole number, the number of spaces to be provided is the next highest whole number.

Note – Where the proposed development involves one or more land use, the minimum number of spaces for the proposed development will be calculated using the minimum number of spaces specified for each land use component.

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Agricultural supplies store	1 space per 50m ² of GFA and outdoor display area.	1 space per 200m ² of GFA.	n/a	LRV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Air services	1 car space per 20m ² of covered reception area, plus 1 car space per 2 staff, plus a covered bus set down area adjacent to the entry of the reception area and 2 bus parking spaces.	n/a	n/a	LRV
Bulk landscape supplies	1 space per 50m ² GFA and outdoor display area.	1 space per 200m ² of GFA.	n/a	MRV
Caretaker's accommodation	A minimum of 1 space	n/a	n/a	n/a
Child care centre	1 space per 10 children to be used for setting down and picking up of children, with a minimum of 3 car spaces to be provided for set down and collection; plus 1 space per employee. Any drive-through facility can provide tandem short term parking for 3 car spaces for setting down/picking up of children, on the basis that a passing lane is provided and line-marked to be kept clear of standing vehicles at all times.	n/a	n/a	VAN
Club	Unlicensed clubrooms: 1 space per 45m ² of GFA. Licensed clubrooms: 1 space per 15m ² of GFA.	1 space per 4 employees.	n/a	Licensed and equal or greater than 1500m ² : RCV Other: VAN
Community care centre	1 space per 20m ² of GFA.	A minimum of 1 space.	n/a	RCV
Community residence	A minimum of 2 spaces.	A minimum of 1 space.	n/a	VAN
Community use	1 space per 15m ² GFA.	1 space per 100m ² of GFA.	n/a	RCV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Dual occupancy	A minimum of 2 spaces per dwelling unit which may be in tandem with a minimum of 1 covered space per dwelling unit.	n/a	n/a	n/a
Dwelling house	A minimum of 2 spaces which may be in tandem plus 1 space for a secondary dwelling	n/a	n/a	n/a
Dwelling unit	1.5 spaces per one or two bedroom unit; or 2 spaces per three bedroom unit.	n/a	n/a	n/a
Educational establishment	Primary school or secondary schools: 1 car space per 2 staff members, plus provision of space to be used for setting down and picking up of students. Tertiary and further education: 1 car space per 2 staff members, plus 1 car space per 10 students, plus provision of space to be used for setting down and picking up of students.	Primary school or secondary schools: 1 space per 5 students over year 4. Tertiary and further education: 2 spaces per 50 full time students.	Required for all educational establishments with a GFA greater than 2000m ² .	RCV
Food and drink outlet	1 space per 25m ² GFA and outdoor dining area. or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m ² of GFA, and outdoor dining area.	1 space per 100m ² of GFA, and outdoor dining area.	n/a	See Table 9.4.1.3.d
Function facility	1 space per 15m ² GFA.	1 space per 100m ² of GFA.	n/a	RCV
Funeral parlour	1 space per 15m ² GFA.	n/a	n/a	RCV
Garden centre	1 space per 50m ² GFA and outdoor display area	1 space per 200m ² of GFA.	n/a	AV
Hardware and trade supplies	1 space per 50m ² GFA and outdoor display area	1 space per 200m ² of GFA.	n/a	AV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Health care services	1 space per 20m ² of GFA.	1 space per 100m ² of GFA.	Required for all health care services with a GFA greater than 2000m ² .	VAN
High impact industry	1 space per 90m ² of GFA.	n/a	n/a	AV
Home based business	The parking required for the dwelling house, plus 1 space per bedroom where the Home based business involves the provision of accommodation; or 1 space per 25m ² GFA for any other Home Based Business.	n/a	n/a	n/a
Hospital	The greater of 1 space per 2 bedrooms or 1 space per 4 beds; plus 1 car space for ambulance parking, designated accordingly.	1 space per 100m ² of GFA.	Required for all hospitals with a GFA greater than 2000m ² .	RCV
Hotel	1 space per 10m ² GFA and licensed outdoor area; plus For 1 space per 50m ² GFA of floor area of liquor barn or bulk liquor sales area; plus, if a drive in bottle shop is provided, queuing lane/s on site for 12 vehicles. Note - Use standard for any Short Term Accommodation for hotel accommodation use.	1 space per 100m ² of GFA.	n/a	LRV
Indoor sport and recreation	Squash court or another court game: 4 spaces per court. Basketball, netball, soccer, cricket: 25 spaces per court / pitch. Ten pin bowling: 3 spaces per bowling lane. Gymnasium: 1 space per 15m ² of GFA.	1 space per 4 employees.	n/a	RCV
Low impact industry	1 space per 90m ² of GFA.	n/a	n/a	AV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Marine industry	1 space per 90m ² of GFA.	n/a	n/a	AV
Medium impact industry	1 space per 90m ² of GFA.	n/a	n/a	AV
Multiple dwelling	If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie Local plan: 1 car space per dwelling unit. If outside Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie Local plan: 1.5 car spaces per dwelling unit In all cases 60% of the car parking area is to be covered.	1 bicycle space per 3 units and 1 visitor bicycle space per 12 units.	n/a	RCV (over 10 units)
Office	1 space per 25m ² of GFA or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m ² of GFA	1 space per 200m ² GFA	Required for all office development with a GFA greater than 2000m ² .	See Table 9.4.1.3.e
Outdoor sales	1 space per 50m ² GFA and outdoor display area	1 space per 200m ² of GFA.	n/a	AV
Outdoor sport and recreation	Coursing, horse racing, pacing, trotting: 1 space per 5 seated spectators, plus 1 space per 5m ² of other spectator areas. Football: 50 spaces per field. Lawn bowls: 30 spaces per green. Swimming pool: 15 spaces; plus	Football: 5 space per field. Lawn bowls: 5 spaces per green. Swimming pool: 1 space per swimming lane. Tennis court or other court game:	n/a	RCV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
	<p>1 space per 100m² of useable site area.</p> <p>Tennis court or other court game: 4 spaces per court. Golf course: 4 spaces per tee on the course.</p> <p>Note - Use standard for Club for clubhouse component.</p>	<p>4 space per court.</p> <p>Golf course: 1 space per 15m² of GFA for clubhouse component.</p>		
Place of worship	1 space per 15m ² of GFA.	1 space per 100m ² of GFA.	n/a	LRV
Relocatable home park	1 space per relocatable home site; plus 0.1 space per relocatable home site for visitor parking; plus 1 space for an on-site manager	n/a	n/a	LRV
Research and technology industry	1 space per 90m ² of GFA.	n/a	n/a	MRV
Residential care facility	1 visitor car space per 5 bedroom units; plus 1 car space per 2 staff members	n/a	n/a	LRV
Resort complex	<p>Use standard for relevant standard for each component.</p> <p>For example: Use Short Term Accommodation standard for accommodation component and Food and Drink Outlet for restaurant component.</p>	<p>Use standard for relevant standard for each component.</p> <p>For example: Use Short Term Accommodation standard for accommodation component and Food and Drink Outlet for restaurant component.</p>	n/a	RCV
Retirement facility	1 space per dwelling unit;	n/a	n/a	LRV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
	plus 1 visitor space per 5 dwelling units; plus 1 visitor car space per 10 hostel units, nursing home or similar beds, plus 1 car space per 2 staff members; plus 1 car parking space for ambulance parking.			
Sales office	A minimum of 1 space.	n/a	n/a	n/a
Service industry	1 space per 90m ² of GFA.	n/a	n/a	SRV
Service station	1 space per 25m ² of GFA	n/a	n/a	AV
Shop	1 space per 25m ² of GFA. or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m ² of GFA.	1 space per 100m ² of GFA.	Required for all shops with a GFA greater than 2000m ² .	See Table 9.4.1.3.d
Shopping centre	1 space per 25m ² of GFA. or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m ² of GFA.	1 space per 200m ² GFA.	Required for all shopping centres with a GFA greater than 2000m ² .	See Table 9.4.1.3.d
Short term accommodation	If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan: 0.5 car spaces per dwelling unit. If outside Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan: For up to 5 units: 1 car space per dwelling unit, plus 1 space for visitors and 1 service/staff spaces. For 5 – 10 units: 1 car space per dwelling unit, plus 2 spaces for visitors and 1 service/staff spaces.	1 space per 10 rooms	n/a	SRV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
	<p>For over 10 units: 0.75 car spaces per dwelling unit, plus 3 spaces for visitors and 2 service/staff parking for the first 10 units and 0.5 additional service/staff space per 10 units, there-above.</p> <p>In all cases 60% of the car parking area is to be covered.</p> <p>Note: Where Short term accommodation is to be inter-changeable with a Multiple dwelling land use, multiple dwelling parking rates apply.</p>			
Showroom	1 space per 50m ² GFA.	1 space per 200m ² GFA.	n/a	AV
Special industry	1 space per 90m ² of GFA.	n/a	n/a	AV
Tourist park	1 car space per caravan site, tent site or cabin; plus 1 visitor car space per 10 caravan sites, tent sites or cabins; plus 1 car space for an on-site manager.	n/a	n/a	LRV
Theatre	<p>Indoor: 1 space per 15m² of GFA.</p> <p>Outdoor cinema: 1 space per 5m² of designated viewing area, plus 1 car space per 2 employees.</p>	1 space per 200m ² GFA.	n/a	VAN
Veterinary services	1 space per 50m ² of GFA.	n/a	n/a	VAN
Warehouse	1 space per 90m ² of GFA.	n/a	n/a	Where self-storage: RCV Other: AV
Any use not otherwise specified in this table.	Sufficient spaces to accommodate number of vehicles likely to be parked at any one time.	Sufficient spaces to accommodate number		To be determined

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
		of vehicles likely to be parked at any one time.		

Table 9.4.1.3.c – Design vehicles

VAN	A 99.8th percentile vehicle equivalent to a large car.
SRV	Small rigid vehicle as in AS2890.2-2002 parking facilities – Off-street commercial vehicle facilities, but incorporating a body width of 2.33m
MRV	Medium rigid vehicle equivalent to an 8-tonne truck.
LRV	Large rigid vehicle described by AS2890.2-2002 parking facilities – Off-street commercial vehicle facilities as heavy rigid vehicle.
RCV	Industrial refuse collection vehicle
AV	19 metre articulated vehicle from AUSTROADS

Table 9.4.1.3.d – Standard number of service bays required for Food and drink outlet, Shop or Shopping centre

Gross floor area (m ²)	Service bays required			
	VAN	SRV	MRV	LRV
0-199	-	1	-	-
200 – 599	1	-	1	-
600 – 999	1	1	1	-
1000 – 1499	2	1	1	-
1500 – 1999	2	2	1	-
2000 – 2799	2	2	2	-
2800 – 3599	2	2	2	1

3600 and over	To be determined via a parking study.
---------------	---------------------------------------

Table 9.4.1.3.e – Standard number of service bays required for Office

Gross floor area (m ²)	Service bays required			
	VAN	SRV	MRV	LRV
0-999	-	1	-	-
1000 – 2499	1	-	1	-
2500 – 3999	2	1	1	-
4000 – 5999	3	1	1	-
6000 – 7999	4	1	1	-
8000 – 9999	4	2	1	-
10000 and over	To be determined via a parking study.			

9.4.3 Environmental performance code

9.4.3.1 Application

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

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

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

9.4.3.2 Purpose

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

9.4.3.3 Criteria for assessment

Table 9.4.3.3.a – Environmental performance code – assessable development

Performance outcomes	Acceptable outcomes	Responses
Lighting		
PO1 Lighting incorporated within development does not cause an adverse impact on the amenity of adjacent uses and nearby sensitive land uses.	AO1.1 Technical parameters, design, installation, operation and maintenance of outdoor lighting comply with the requirements of Australian standard AS4282-1997 Control of the obtrusive effects of outdoor lighting. AO1.2 Development that involves flood lighting is restricted to a type that gives no upward component of light where mounted horizontally. AO1.3 Access, car parking and manoeuvring areas are designed to shield nearby residential premises from impacts of vehicle headlights.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements. Complies – Development will be undertaken in accordance with accepted standards and Council requirements. Complies – Development will be undertaken in accordance with accepted standards and Council requirements.
Noise		
PO2 Potential noise generated from the development is avoided through design, location and operation of the activity. Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.	AO2.1 Development does not involve activities that would cause noise related environmental harm or nuisance; or AO2.2 Development ensures noise does not emanate from the site through the use of materials, structures and architectural features to not cause an adverse noise impact on adjacent uses.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements. Complies – Development will be undertaken in accordance with accepted standards and Council requirements.

Performance outcomes	Acceptable outcomes	Responses
	<p>AO2.3 The design and layout of development ensures car parking areas avoid noise impacting directly on adjacent sensitive land uses through one or more of the following:</p> <ul style="list-style-type: none"> (a) car parking is located away from adjacent sensitive land uses; (b) car parking is enclosed within a building; (c) a noise ameliorating fence or structure is established adjacent to car parking areas where the fence or structure will not have a visual amenity impact on the adjoining premises; (d) buffered with dense landscaping. <p>Editor's note - The <i>Environmental Protection (Noise) Policy 2008</i>, Schedule 1 provides guidance on acoustic quality objectives to ensure environmental harm (including nuisance) is avoided.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>
Airborne particles and other emissions		
<p>PO3 Potential airborne particles and emissions generated from the development are avoided through design, location and operation of the activity.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p>AO3.1 Development does not involve activities that will result in airborne particles or emissions being generated;</p> <p>or</p> <p>AO3.2 The design, layout and operation of the development activity ensures that no airborne particles or emissions cause environmental harm or nuisance.</p> <p>Note - examples of activities which generally cause airborne particles include spray painting,</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p> <p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>

Performance outcomes	Acceptable outcomes	Responses
	<p>abrasive blasting, manufacturing activities and car wash facilities.</p> <p>Examples of emissions include exhaust ventilation from basement or enclosed parking structures, air conditioning/refrigeration ventilation and exhaustion.</p> <p>The <i>Environmental Protection (Air) Policy 2008</i>, Schedule 1 provides guidance on air quality objectives to ensure environmental harm (including nuisance) is avoided.</p>	
Odours		
<p>PO4 Potential odour causing activities associated with the development are avoided through design, location and operation of the activity.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p>AO4.1 The development does not involve activities that create odorous emissions;</p> <p>or</p> <p>AO4.2 The use does not result in odour that causes environmental harm or nuisance with respect to surrounding land uses.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>
Waste and recyclable material storage		
<p>PO5 Waste and recyclable material storage facilities are located and maintained to not cause adverse impacts on adjacent uses.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p>AO5.1 The use ensures that all putrescent waste is stored in a manner that prevents odour nuisance and is disposed of at regular intervals.</p> <p>AO5.2 Waste and recyclable material storage facilities are located, designed and maintained to not cause an adverse impact on users of the</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>

Performance outcomes	Acceptable outcomes	Responses
Stormwater quality		
<p>P07 The quality of stormwater flowing over, through or being discharged from development activities into watercourses and drainage lines is of adequate quality for downstream environments, with respect to:</p> <ul style="list-style-type: none"> (a) the amount and type of pollutants borne from the activity; (b) maintaining natural stream flows; (c) the amount and type of site disturbance; (d) site management and control measures. 	<p>AO7.1 Development activities are designed to ensure stormwater over roofed and hard stand areas is directed to a lawful point of discharge.</p> <p>AO7.2 Development ensures movement of stormwater over the site is not impeded or directed through potentially polluting activities.</p> <p>AO7.3 Soil and water control measures are incorporated into the activity's design and operation to control sediment and erosion potentially entering watercourses, drainage lines and downstream receiving waters.</p> <p>Note - Planning scheme policy - FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p>During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p> <p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p> <p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>
Pest plants (for material change of use on vacant land over 1,000m²)		
<p>P08 Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not reinfest the site or nearby sites.</p>	<p>AO8.1 The land is free of declared pest plants before development establishes new buildings, structures and practices;</p> <p>or</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>

Performance outcomes	Acceptable outcomes	Responses
<p>Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the <i>Land Protection (Pest and Stock Route Management) Act 2002</i>.</p>	<p>AO8.2 Pest plants detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person prior to construction of buildings and structures or earthworks.</p> <p>Note - A declaration from an appropriately qualified person validates the land being free from pest plants.</p> <p>Declared pest plants include locally declared and State declared pest plants.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>

9.4.5 Infrastructure works code

9.4.5.1 Application

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

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

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

9.4.5.2 Purpose

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

9.4.5.3 Criteria for assessment

Table 9.4.5.3.a – Infrastructure works code –assessable development

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

Performance outcomes	Acceptable outcomes	Responses
	<p>(c) new sections are matched to existing in terms of dimension and reinforcement.</p> <p>Note – Figure 9.4.5.3.a provides guidance on meeting the outcomes.</p> <p>AO1.5 Decks, verandahs, stairs, posts and other structures located in the road reserve do not restrict or impede pedestrian movement on footpaths or change the level of the road verges.</p>	
Accessibility structures		
<p>PO2 Development is designed to ensure it is accessible for people of all abilities and accessibility features do not impact on the efficient and safe use of footpaths.</p> <p>Note – Accessibility features are those features required to ensure access to premises is provided for people of all abilities and include ramps and lifts.</p>	<p>AO2.1 Accessibility structures are not located within the road reserve.</p> <p>AO2.2 Accessibility structures are designed in accordance with AS1428.3.</p> <p>AO2.3 When retrofitting accessibility features in existing buildings, all structures and changes in grade are contained within the boundaries of the lot and not within the road reserve.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>
Water supply		
<p>PO3 An adequate, safe and reliable supply of potable, fire fighting and general use water is provided.</p>	<p>AO3.1 The premises is connected to Council's reticulated water supply system in accordance with the Design Guidelines set out in Section D6 of the Planning scheme policy SC5 – FNQROC Regional Development Manual;</p> <p>or</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>

Performance outcomes	Acceptable outcomes	Responses
	<p>AO3.2 Where a reticulated water supply system is not available to the premises, on site water storage tank/s with a minimum capacity of 10,000 litres of stored water, with a minimum 7,500 litre tank, with the balance from other sources (e.g. accessible swimming pool, dam etc.) and access to the tank/s for fire trucks is provided for each new house or other development. Tank/s are to be fitted with a 50mm ball valve with a camlock fitting and installed and connected prior to occupation of the house and sited to be visually unobtrusive.</p>	Not Applicable
Treatment and disposal of effluent		
<p>PO4 Provision is made for the treatment and disposal of effluent to ensure that there are no adverse impacts on water quality and no adverse ecological impacts as a result of the system or as a result of increasing the cumulative effect of systems in the locality.</p>	<p>AO4.1 The site is connected to Council's sewerage system and the extension of or connection to the sewerage system is designed and constructed in accordance with the Design Guidelines set out in Section D7 of the Planning scheme policy SC5 – FNQROC Regional Development Manual;</p> <p>or</p> <p>AO4.2 Where not in a sewerage scheme area, the proposed disposal system meets the requirements of Section 33 of the <i>Environmental Protection Policy (Water) 1997</i> and the proposed on site effluent disposal system is designed in accordance with the <i>Plumbing and Drainage Act (2002)</i>.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p> <p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>

Performance outcomes	Acceptable outcomes	Responses
Stormwater quality		
<p>PO5 Development is planned, designed, constructed and operated to avoid or minimise adverse impacts on stormwater quality in natural and developed catchments by:</p> <ul style="list-style-type: none"> (a) achieving stormwater quality objectives; (b) protecting water environmental values; (c) maintaining waterway hydrology. 	<p>AO5.1 A connection is provided from the premises to Council's drainage system;</p> <p>or</p> <p>AO5.2 An underground drainage system is constructed to convey stormwater from the premises to Council's drainage system in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p>AO5.3 A stormwater quality management plan is prepared, and provides for achievable stormwater quality treatment measures meeting design objectives listed in Table 9.4.5.3.b and Table 9.4.5.3.c, reflecting land use constraints, such as:</p> <ul style="list-style-type: none"> (a) erosive, dispersive and/or saline soil types; (b) landscape features (including landform); (c) acid sulfate soil and management of nutrients of concern; (d) rainfall erosivity. <p>AO5.4 Erosion and sediment control practices are designed, installed, constructed, monitored, maintained, and carried out in accordance with an erosion and sediment control plan.</p> <p>AO5.5 Development incorporates stormwater flow control measures to achieve the design</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p> <p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p> <p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p> <p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p> <p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>

Performance outcomes	Acceptable outcomes	Responses
	<p>objectives set out in Table 9.4.5.3.b and Table 9.4.5.3.c, including management of frequent flows, peak flows, and construction phase hydrological impacts.</p> <p>Note – Planning scheme policy SC5 – FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p>Note – During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.</p>	
Non-tidal artificial waterways		
<p>PO6 Development involving non-tidal artificial waterways is planned, designed, constructed and operated to:</p> <ul style="list-style-type: none"> (a) protect water environmental values; (b) be compatible with the land use constraints for the site for protecting water environmental values; (c) be compatible with existing tidal and non-tidal waterways; (d) perform a function in addition to stormwater management; (e) achieve water quality objectives. 	<p>AO6.1 Development involving non-tidal artificial waterways ensures:</p> <ul style="list-style-type: none"> (a) environmental values in downstream waterways are protected; (b) any ground water recharge areas are not affected; (c) the location of the waterway incorporates low lying areas of the catchment connected to an existing waterway; (d) existing areas of ponded water are included. <p>AO6.2 Non-tidal artificial waterways are located:</p> <ul style="list-style-type: none"> (a) outside natural wetlands and any associated buffer areas; (b) to minimise disturbing soils or sediments; 	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p> <p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>

Performance outcomes	Acceptable outcomes	Responses
	<p>(c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas.</p> <p>AO6.3 Non-tidal artificial waterways located adjacent to, or connected to a tidal waterway by means of a weir, lock, pumping system or similar ensures:</p> <p>(a) there is sufficient flushing or a tidal range of >0.3 m; or</p> <p>(b) any tidal flow alteration does not adversely impact on the tidal waterway; or</p> <p>(c) there is no introduction of salt water into freshwater environments.</p> <p>AO6.4 Non-tidal artificial waterways are designed and managed for any of the following end-use purposes:</p> <p>(a) amenity (including aesthetics), landscaping or recreation; or</p> <p>(b) flood management, in accordance with a drainage catchment management plan; or</p> <p>(c) stormwater harvesting plan as part of an integrated water cycle management plan; or</p> <p>(d) aquatic habitat.</p> <p>AO6.5 The end-use purpose of the non-tidal artificial waterway is designed and operated in a way that protects water environmental values.</p> <p>AO6.6 Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p> <p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p> <p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p> <p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>

Performance outcomes	Acceptable outcomes	Responses
	AO6.7 Aquatic weeds are managed to achieve a low percentage of coverage of the water surface area, and pests and vectors are managed through design and maintenance.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.
Wastewater discharge		
P07 Discharge of wastewater to waterways, or off site: (a) meets best practice environmental management; (b) is treated to: (i) meet water quality objectives for its receiving waters; (ii) avoid adverse impact on ecosystem health or waterway health; (iii) maintain ecological processes, riparian vegetation and waterway integrity; (iv) offset impacts on high ecological value waters.	AO7.1 A wastewater management plan is prepared and addresses: (a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best practice environmental management. AO7.2 The waste water management plan is managed in accordance with a waste management hierarchy that: (a) avoids wastewater discharge to waterways; or (b) if wastewater discharge cannot practicably be avoided, minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and ground water. AO7.3 Wastewater discharge is managed to avoid or minimise the release of nutrients of concern so as to minimise the occurrence, frequency and intensity of algal blooms. AO7.4 Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and:	Complies – Development will be undertaken in accordance with accepted standards and Council requirements. Complies – Development will be undertaken in accordance with accepted standards and Council requirements. Complies – Development will be undertaken in accordance with accepted standards and Council requirements. Complies – Development will be undertaken in accordance with accepted standards and Council requirements.

Performance outcomes	Acceptable outcomes	Responses
	<p>(a) avoids lowering ground water levels where potential or actual acid sulfate soils are present;</p> <p>(b) manages wastewater so that:</p> <ul style="list-style-type: none"> (i) the pH of any wastewater discharges is maintained between 6.5 and 8.5 to avoid mobilisation of acid, iron, aluminium and other metals; (ii) holding times of neutralised wastewater ensures the flocculation and removal of any dissolved iron prior to release; (iii) visible iron floc is not present in any discharge; (iv) precipitated iron floc is contained and disposed of; (v) wastewater and precipitates that cannot be contained and treated for discharge on site are removed and disposed of through trade waste or another lawful method. 	
Electricity supply		
<p>PO8 Development is provided with a source of power that will meet its energy needs.</p>	<p>AO8.1 A connection is provided from the premises to the electricity distribution network;</p> <p>or</p> <p>AO8.2 The premises is connected to the electricity distribution network in accordance with the Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p>Note - Areas north of the Daintree River have a different standard.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p> <p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>

Performance outcomes	Acceptable outcomes	Responses
PO9 Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.	AO9.1 Pad-mount electricity infrastructure is: (a) not located in land for open space or sport and recreation purposes; (b) screened from view by landscaping or fencing; (c) accessible for maintenance. AO9.2 Pad-mount electricity infrastructure within a building, in a Town Centre is designed and located to enable an active street frontage. Note – Pad-mounts in buildings in activity centres should not be located on the street frontage.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements. Complies – Development will be undertaken in accordance with accepted standards and Council requirements.
Telecommunications		
PO10 Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.	AO10 The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.
PO11 Provision is made for future telecommunications services (e.g. fibre optic cable).	AO11 Conduits are provided in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.
Road construction		
PO12 The road to the frontage of the premises is constructed to provide for the safe and efficient movement of: (a) pedestrians and cyclists to and from the site; (b) pedestrians and cyclists adjacent to the site; (c) vehicles on the road adjacent to the site; (d) vehicles to and from the site;	AO12.1 The road to the frontage of the site is constructed in accordance with the Design Guidelines set out in Sections D1 and D3 of the Planning scheme policy SC5 – FNQROC Regional Development Manual, for the particular class of road, as identified in the road hierarchy.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.

Performance outcomes	Acceptable outcomes	Responses
(e) emergency vehicles.	<p>AO12.2 There is existing road, kerb and channel for the full road frontage of the site.</p> <p>AO12.3 Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for the safe passage of emergency vehicles.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p> <p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>
Alterations and repairs to public utility services		
PO13 Infrastructure is integrated with, and efficiently extends, existing networks.	AO13 Development is designed to allow for efficient connection to existing infrastructure networks.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.
PO14 Development and works do not affect the efficient functioning of public utility mains, services or installations.	<p>AO14.1 Public utility mains, services and installations are not required to be altered or repaired as a result of the development;</p> <p>or</p> <p>AO14.2 Public utility mains, services and installations are altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p> <p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>
Construction management		
PO15 Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be retained.	AO15 Works include, at a minimum: (a) installation of protective fencing around retained vegetation during construction; (b) erection of advisory signage;	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.

Performance outcomes	Acceptable outcomes	Responses
	(c) no disturbance, due to earthworks or storage of plant, materials and equipment, of ground level and soils below the canopy of any retained vegetation; (d) removal from the site of all declared noxious weeds.	
PO16 Existing infrastructure is not damaged by construction activities.	AO16 Construction, alterations and any repairs to infrastructure is undertaken in accordance with the Planning scheme policy SC5 – FNQROC Regional Development Manual. Note - Construction, alterations and any repairs to State-controlled roads and rail corridors are undertaken in accordance with the Transport Infrastructure Act 1994.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.
For assessable development		
High speed telecommunication infrastructure		
PO17 Development provides infrastructure to facilitate the roll out of high speed telecommunications infrastructure.	AO17 No acceptable outcomes are prescribed.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.
Trade waste		
PO18 Where relevant, the development is capable of providing for the storage, collection treatment and disposal of trade waste such that: (a) off-site releases of contaminants do not occur;	AO18 No acceptable outcomes are prescribed.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.

Performance outcomes	Acceptable outcomes	Responses
(b) the health and safety of people and the environment are protected; (c) the performance of the wastewater system is not put at risk.		
Fire services in developments accessed by common private title		
PO19 Hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	AO19.1 Residential streets and common access ways within a common private title places hydrants at intervals of no more than 120 metres and at each intersection. Hydrants may have a single outlet and be situated above or below ground. AO19.2 Commercial and industrial streets and access ways within a common private title serving commercial properties such as factories and warehouses and offices are provided with above or below ground fire hydrants located at not more than 90 metre intervals and at each intersection. Above ground fire hydrants have dual-valved outlets.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements. Not Applicable
PO20 Hydrants are suitable identified so that fire services can locate them at all hours. Note – Hydrants are identified as specified in the Department of Transport and Main Roads Technical Note: 'Identification of street hydrants for fire fighting purposes' available under 'Publications'.	AO20 No acceptable outcomes are prescribed.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.

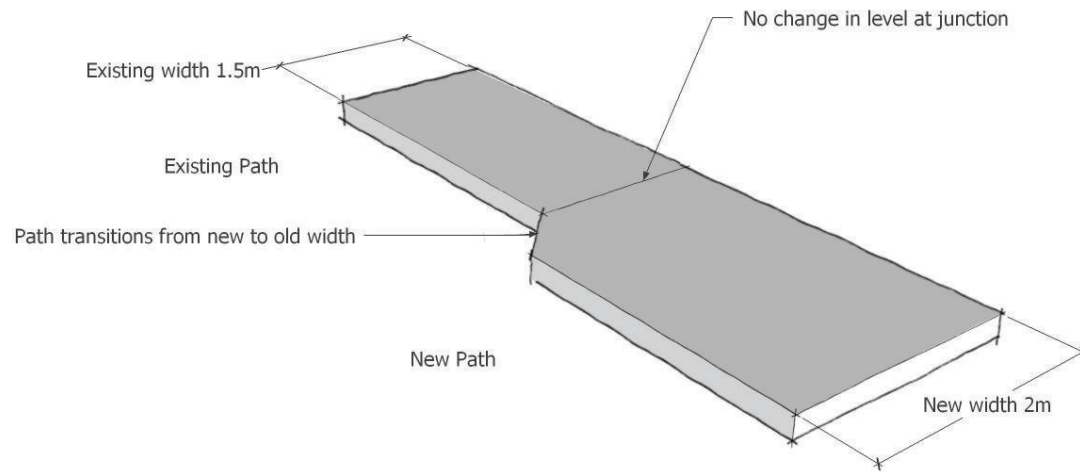
Table 9.4.5.3.b – Stormwater management design objectives (Construction phase).

Issue	Design objectives
Drainage control (Temporary drainage works)	<ul style="list-style-type: none"> (a) Design life and design storm for temporary drainage works: <ul style="list-style-type: none"> (i) Disturbed open area for <12 months – 1 in 2 year ARI event; (ii) Disturbed open area for 12-24 months – 1 in 5 year ARI event; (iii) Disturbed open area for >24 months – 1 in 10 year ARI event. (b) Design capacity excludes minimum 150mm freeboard. (c) Temporary culvert crossing – minimum of 1 in 1-year ARI hydraulic capacity.
Erosion control (Erosion control measures)	<ul style="list-style-type: none"> (a) Minimise exposure of disturbed soils at any time. (b) Divert water run-off from undisturbed areas around disturbed areas. (c) Determine erosion risk rating using local rainfall erosivity, rainfall depth, soil loss rate or other acceptable methods. (d) Implement erosion control methods corresponding to identified erosion risk rating.
Sediment control measures (sediment control measures, design storm for sediment control basins, Sediment basin dewatering)	<ul style="list-style-type: none"> (a) Determine appropriate sediment control measures using: <ul style="list-style-type: none"> (i) potential soil loss rate; or (ii) monthly erosivity; or (iii) average monthly rainfall. (b) Collect and drain stormwater from disturbed soils to sediment basin for design storm event: <ul style="list-style-type: none"> (i) design storm for sediment basin sizing is 80th% five-day event or similar. (c) Site discharge during sediment basin dewatering: <ul style="list-style-type: none"> (i) TSS < 50mg/L TSS; (ii) Turbidity not > 10% receiving water's turbidity; (iii) pH 6.5-8.5.
Water quality (Litter and other waste, hydrocarbons and other contaminants)	<ul style="list-style-type: none"> (a) Avoid wind-blown litter; remove grass pollutants. (b) Ensure there is no visible oil or grease sheen on released waters. (c) Dispose of waste containing contaminants at authorised facilities.
Waterway stability and flood flow management (Changes to the natural hydraulics and hydrology)	<ul style="list-style-type: none"> (a) For peak flow for the 100% AEP event and 1% AEP event, use constructed sediment basins to attenuate the discharge rate of stormwater from the site.

Table 9.4.5.3.c – Stormwater management design objectives (post-construction phase)

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

Figure 9.4.5.3.a – New footpath sections



9.4.6 Landscaping code

9.4.9.1 Application

- (1) This code applies to assessing:
 - (a) operational work which requires a compliance assessment as a condition of a development permit; or
 - (b) a material change of use or reconfiguring a lot if:
 - (i) assessable development where this code is identified in the assessment criteria column of the table of assessment;
 - (ii) impact assessable development, to the extent relevant.
- (2) When using this code, reference should be made to Part 5.

9.4.6.2 Purpose

- (1) The purpose of the Landscaping code is to assess the landscaping aspects of a development.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) The tropical, lush landscape character of the region is retained, promoted and enhanced through high quality landscape works;
 - (b) The natural environment of the region is enhanced;
 - (c) The visual quality, amenity and identity of the region is enhanced;
 - (d) Attractive streetscapes and public places are created through landscape design;
 - (e) As far as practical, existing vegetation on site is retained, and protected during works and integrated with the built environment;
 - (f) Landscaping is provided to enhance the tropical landscape character of development and the region;
 - (g) Landscaping is functional, durable, contributes to passive energy conservation and provides for the efficient use of water and ease of ongoing maintenance;
 - (h) Landscaping takes into account utility service protection;
 - (i) Weed species and invasive species are eliminated from development sites;
 - (j) Landscape design enhances personal safety and incorporates CPTED principles.

9.4.6.3 Criteria for assessment

Table 9.4.6.3.a – Landscaping code –assessable development

Performance outcomes	Acceptable outcomes	
For self-assessable and assessable development		
Landscape design		
<p>PO1 Development provides landscaping that contributes to and creates a high quality landscape character for the site, street and local areas of the Shire by:</p> <ul style="list-style-type: none"> (a) promoting the Shire's character as a tropical environment; (b) softening the built form of development; (c) enhancing the appearance of the development from within and outside the development and makes a positive contribution to the streetscape; (d) screening the view of buildings, structures, open storage areas, service equipment, machinery plant and the like from public places, residences and other sensitive development; (e) where necessary, ensuring the privacy of habitable rooms and private outdoor recreation areas; (f) contributing to a comfortable living environment and improved energy efficiency, by providing shade to reduce glare and heat absorption and re-radiation from buildings, parking areas and other hard surfaces; (g) ensuring private outdoor recreation space is useable; (h) providing long term soil erosion protection; (i) providing a safe environment; 	<p>AO1 Development provides landscaping:</p> <ul style="list-style-type: none"> (a) in accordance with the minimum area, dimensions and other requirements of applicable development codes; (b) that is designed and planned in a way that meets the guidelines for landscaping outlined in Planning Scheme Policy SC6.7 – Landscaping; (c) that is carried out and maintained in accordance with a landscaping plan that meets the guidelines for landscaping outlined in Planning Scheme Policy SC6.7 – Landscaping. <p>Note - Planning scheme policy SC6.7 – Landscaping provides guidance on meeting the outcomes of this code. A landscape plan submitted for approval in accordance with the Planning policy is one way to achieve this outcome.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>

Performance outcomes	Acceptable outcomes	
(j) integrating existing vegetation and other natural features of the premises into the development; (k) not adversely affecting vehicular and pedestrian sightlines and road safety.		
For assessable development		
PO2 Landscaping contributes to a sense of place, is functional to the surroundings and enhances the streetscape and visual appearance of the development.	AO2.1 No acceptable outcomes are specified. Note - Landscaping is in accordance with the requirements specified in Planning scheme policy SC6.7 – Landscaping. AO2.2 Tropical urbanism is incorporated into building design. Note – ‘Tropical urbanism’ includes many things such as green walls, green roofs, podium planting and vegetation incorporated into the design of a building.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.
PO3 Development provides landscaping that is , as far as practical, consistent with the existing desirable landscape character of the area and protects trees, vegetation and other features of ecological, recreational, aesthetic and cultural value.	AO3.1 Existing vegetation on site is retained and incorporated into the site design, wherever possible, utilising the methodologies and principles outline in AS4970-2009 Protection of Trees on Development Sites. AO3.2 Mature vegetation on the site that is removed or damaged during development is replaced with advanced species.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements. Complies – Development will be undertaken in accordance with accepted standards and Council requirements.

Performance outcomes	Acceptable outcomes	
	<p>AO3.3 Where there is an existing landscape character in a street or locality which results from existing vegetation, similar species are incorporated into new development.</p> <p>AO3.4 Street trees are species which enhance the landscape character of the streetscape, with species chosen from the Planning scheme policy SC6.7 – Landscaping.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p> <p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>
<p>PO4 Plant species are selected with consideration to the scale and form of development, screening, buffering, streetscape, shading and the locality of the area.</p>	<p>AO4 Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>
<p>PO5 Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal roadways.</p>	<p>AO5 Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>
<p>PO6 Landscaped areas are designed in order to allow for efficient maintenance.</p>	<p>AO6.1 A maintenance program is undertaken in accordance with Planning scheme policy SC6.7 – Landscaping.</p> <p>AO6.2 Tree maintenance is to have regard to the 'Safe Useful Life Expectancy of Trees (SULE).</p> <p>Note – It may be more appropriate to replace trees with a SULE of less than 20 years (as an example), and replant with younger healthy species.</p>	<p>Complies – Development will be undertaken in accordance with accepted standards and Council requirements.</p>

Performance outcomes	Acceptable outcomes	
P07 Podium planting is provided with appropriate species for long term survival and ease of maintenance, with beds capable of proper drainage.	AO7.1 Podium planting beds are provided with irrigation and are connected to stormwater infrastructure to permit flush out. AO7.2 Species of plants are selected for long term performance designed to suit the degree of access to podiums and roof tops for maintenance.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.
P08 Development provides for the removal of all weed and invasive species and implement on-going measures to ensure that weeds and invasive species do not reinfest the site and nearby premises.	AO8 Weed and invasive species detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.
P09 The landscape design enhances personal safety and reduces the potential for crime and vandalism.	AO9 No acceptable outcomes are specified. Note - Planning scheme policy SC6.3 – Crime prevention through environmental design (CPTED) provides guidance on meeting this outcome.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.
P010 The location and type of plant species does not adversely affect the function and accessibility of services and facilities and service areas.	AO10 Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	Complies – Development will be undertaken in accordance with accepted standards and Council requirements.

9.4.7 Reconfiguring a lot code

9.4.7.1 Application

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

9.4.7.2 Purpose

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




9.4.7.3 Criteria for assessment

Table 9.4.7.3.a – Reconfiguring a lot code – assessable development

Performance outcomes	Acceptable outcomes	
General lot design standards		
PO1 Lots comply with the lot reconfiguration outcomes of the applicable Zone code in Part 5.	AO1 No acceptable outcomes are prescribed.	Complies
PO2 New lots are generally rectangular in shape with functional areas for land uses intended by the zone.	AO2 Boundary angles are not less than 45 degrees.	Not Applicable
PO3 Lots have legal and practical access to a public road.	AO3 Each lot is provided with: (a) direct access to a gazetted road reserve; or (b) access to a gazetted road via a formal access arrangement registered on the title.	Complies
PO4 Development responds appropriately to its local context, natural systems and site features.	AO4 Existing site features such as: (a) significant vegetation and trees; (b) waterways and drainage paths; (c) vistas and vantage points are retained and/or are incorporated into open space, road reserves, near to lot boundaries or as common property.	Complies
PO5 New lots which have the capability of being further reconfigured into smaller lots at a later date are designed to not compromise ultimate development outcomes permitted in the relevant zone.	AO5 The ability to further reconfigure land at a later date is demonstrated by submitting a concept plan that meets the planning scheme requirements for the applicable Zone.	Not Applicable

Performance outcomes	Acceptable outcomes	
<p>P06 Where existing buildings or structures are to be retained, development results in:</p> <ul style="list-style-type: none"> (a) boundaries that offer regular lot shapes and usable spaces; (b) existing improvements complying with current building and amenity standards in relation to boundary setbacks. <p>Note - This may require buildings or structures to be modified, relocated or demolished to meet setback standards, resolve encroachments and the like.</p>	<p>AO6 Development ensures setbacks between existing buildings or structures and proposed boundaries satisfy relevant building standards or zone code requirements, whichever is the greater.</p>	Complies
<p>P07 Where rear lots are proposed, development:</p> <ul style="list-style-type: none"> (a) provides a high standard of amenity for residents and other users of the site and adjoining properties; (b) positively contributes to the character of adjoining properties and the area; (c) does not adversely affect the safety and efficiency of the road from which access is gained. 	<p>AO7.1 Where rear lots are to be established:</p> <ul style="list-style-type: none"> (a) the rear lot is generally rectangular in shape, avoiding contrived sharp boundary angles; (b) no more than 6 lots directly adjoin the rear lot; (c) no more than one rear lot occurs behind the road frontage lot; (d) no more than two access strips to rear lots directly adjoin each other; (e) access strips are located only on one side of the road frontage lot. <p>AO7.2 Access strips to the rear lot have a minimum width dimension of:</p> <ul style="list-style-type: none"> (a) 4.0 metres in Residential Zones. (b) 8.0 metres in Industrial Zones category. (c) 5.0 metres in all other Zones. <p>Note - Rear lots are generally not appropriate in non-Residential or non-Rural zones.</p>	Not Applicable

Performance outcomes	Acceptable outcomes	
Urban parkland and environmental open space		
PO12 Where appropriate development maintains and enhances public access and use of natural areas, rivers, dams, creeks and the foreshore.	AO12 No acceptable outcomes are prescribed.	Not Applicable
PO13 Development provides land to: (a) meet the recreation needs of the community; (b) provide an amenity commensurate with the structure of neighbourhoods and land uses in the vicinity; and adjacent to open space areas; (c) provide for green corridors and linkages.	AO13 No acceptable outcomes are prescribed. Note - Part 4 – Priority infrastructure plan and Planning scheme policy SC14 – Structure Plans provides guidance in providing open space and recreation land.	Not Applicable
AO14 Lot size, dimensions, frontage and orientation permits buildings to be established that will facilitate casual surveillance to urban parkland and environmental open space.	AO14.1 Urban parkland is regular in shape. AO14.2 At least 75% of the urban parkland's frontage is provided as road. AO14.3 Urban parkland and environmental open space areas are positioned to be capable of being overlooked by surrounding development. AO14.4 Surrounding lots are orientated so that facades will front and overlook the urban parkland and environmental open space. AO14.5 The number of lots that back onto, or are side-orientated to the urban parkland and environmental open space is minimised.	Not Applicable

Performance outcomes	Acceptable outcomes	
	 <p data-bbox="712 603 1464 667">Inconsistent design solution - low total number of lots complying with the acceptable outcomes.</p>  <p data-bbox="853 1027 1346 1075">  Lots orientated to front and overlook park to provide casual surveillance. </p> <p data-bbox="712 1078 1464 1137">Consistent design solution - high total number of lots complying with the acceptable outcomes.</p>	
Private subdivisions (gated communities)		
PO15 Private subdivisions (gated communities) do not compromise the establishment of connected and integrated infrastructure and open space networks.	PO15 No acceptable outcomes are prescribed.	Complies

Performance outcomes	Acceptable outcomes	
Additional requirements for reconfiguration involving the creation of public streets or roads		
PO16 The function of new roads is clearly identified and legible and provides integration, safety and convenience for all users.	AO16 No acceptable outcomes are prescribed. Note - The design and construction standards are set out in Planning scheme policy SC5 – FNQROC Regional Development Manual, with reference to the specifications set out in Sections D1 and D3.	Not Applicable
PO17 Street design supports an urban form that creates walkable neighbourhoods. Street design: (a) is appropriate to the function(s) of the street; (b) meets the needs of users and gives priority to the needs of vulnerable users.	AO17 No acceptable outcomes are prescribed.	Not Applicable
Public transport network		
PO18 Development provides a street pattern that caters for the extension of public transport routes and infrastructure including safe pedestrian pick-up and set-down up facilities.	AO18 No acceptable outcomes are prescribed.	Not Applicable
Pest plants		
PO19 Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not reinfest the site or nearby sites. Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the Land Protection (Pest and Stock Route Management) Act 2002.	AO19 Pest plants detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person prior to earthworks commencing. Note - A declaration from an appropriately qualified person validates the land being free from pest plants. Declared pest plants include locally declared and State declared pest plants.	Complies

9.4.9 Vegetation management code

9.4.9.1 Application

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

9.4.9.2 Purpose

- (1) The purpose of the Vegetation management code is achieved through the overall outcomes.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) vegetation is protected from inappropriate damage;
 - (b) where vegetation damage does occur it is undertaken in a sustainable manner;
 - (c) significant trees are maintained and protected;
 - (d) biodiversity and ecological values are protected and maintained;
 - (e) habitats for rare, threatened and endemic species of flora and fauna are protected and maintained;
 - (f) landscape character and scenic amenity is protected and maintained;
 - (g) heritage values are protected and maintained.

9.4.9.3 Criteria for assessment

Table 9.4.9.3.a – Vegetation management –assessable development

Note – All vegetation damage is to have regard to the provisions of AS4373-2009 Pruning of Amenity Trees

Performance outcomes	Acceptable outcomes	Responses
For self-assessable and assessable development		
PO1 Vegetation is protected to ensure that: (a) the character and amenity of the local area is maintained; (b) vegetation damage does not result in fragmentation of habitats;	AO1.1 Vegetation damage is undertaken by a statutory authority on land other than freehold land that the statutory authority has control over; or	Not Applicable

Performance outcomes	Acceptable outcomes	Responses
(c) vegetation damage is undertaken in a sustainable manner; (d) the Shire's biodiversity and ecological values are maintained and protected; (e) vegetation of historical, cultural and / or visual significance is retained; (f) vegetation is retained for erosion prevention and slope stabilisation.	AO1.2 Vegetation damage is undertaken by or on behalf of the local government on land controlled, owned or operated by the local government;	Not Applicable
	or AO1.3 Vegetation damage, other than referenced in AO1.1 or AO1.2 is the damage of: (a) vegetation declared as a pest pursuant to the <i>Land Protection (Pest and Stock Route Management) Act 2002</i> ; or (b) vegetation identified within the local government's register of declared plants pursuant to the local government's local laws; or (c) vegetation is located within a Rural zone and the trunk is located within ten metres of an existing building; or (d) vegetation is located within the Conservation zone or Environmental management zone and the trunk is located within three metres of an existing or approved structure, not including a boundary fence;.	Not Applicable
	or AO1.4 Vegetation damage that is reasonably necessary for carrying out work that is: (a) authorised or required under legislation or a local law; (b) specified in a notice served by the local government or another regulatory authority;	Not Applicable
	or	

Performance outcomes	Acceptable outcomes	Responses
	<p>AO1.10 Vegetation damage is undertaken in accordance with section 584 of the <i>Sustainable Planning Act 2009</i>.</p> <p>AO1.11 Vegetation damage where it is necessary to remove one tree in order to protect an adjacent more significant tree (where they are growing close to one another).</p> <p>AO1.12 Private property owners may only remove dead, dying, structurally unsound vegetation following receipt of written advice from, at minimum, a fully qualified Certificate V Arborist. A copy of the written advice is to be submitted to Council for its records, a minimum of seven business days prior to the vegetation damage work commencing.</p>	<p>Not Applicable</p> <p>Not Applicable</p>
<p>PO2 Vegetation damaged on a lot does not result in a nuisance</p>	<p>AO2.1 Damaged vegetation is removed and disposed of at an approved site; or</p> <p>AO2.2 Damaged vegetation is mulched or chipped if used onsite.</p>	<p>Not Applicable</p> <p>Not Applicable</p>
For assessable development		
<p>PO3 Vegetation damage identified on the Places of significance overlay lot does not result in a negative impact on the site's heritage values.</p>	<p>AO3 No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p>

ARCHITECT'S STATEMENT

Our design for this exciting new development at Lot 906 Bale Drive in Port Douglas seeks to retain and further enhance the natural vegetated appearance of the site from any public vantage point, particularly from Port Douglas Road. We purposely developed the design concept from its inception to be governed by the Douglas Shire Planning Scheme 2018. Accordingly, no part of the proposed development exceeds the maximum allowable height of 13.5 metres above existing ground level. All buildings present from ground level viewing both internally and externally as 3 levels above ground. It is clear that the new proposed design is successful in reducing the overall visual impact from key public vantage points such as Davidson Street / Port Douglas Road and in particular, perimeter mature vegetation and mangroves are completely retained. The overall development is well under the allowable site cover at approx. 42% and also well under the allowable GFA and plot ratio at 0.63 of the total site area.

This is due to the buildings being designed as an ideal low-impact envelope or form that maximises what can be efficiently planned within the envelope. This new design represents a progressive, world class tropical architecture which blends with its environment. We wanted to ensure that we retained the natural vegetated appearance, which is essential to the image of the Town. As such, we have prepared extensive landscape concepts in the plans and renders to demonstrate the dense vegetation incorporated – effectively rendering the entire development extremely low impact from public viewpoints behind trees & vegetation. Key to this approach is our design for the landscaped open roof gardens and recreation areas which further enhances the image of this next level 'green' design for Port Douglas with the majority of roof area as literally as shade tree canopies. The building facades are further 'greened' with hanging gardens at all balconies and the overall building forms are further broken-down with delicate shade & privacy screening in combination with extensive ground level landscaping and significant tree plantings.

The design represents a progressive Tropical Queensland Vernacular Building Style:

- With an appropriate low impact overall roof forms in-line with the site's natural terrain and with appropriate roof materials that are non-reflective
- With appropriate fenestration & façade articulation in combination with low impact roof forms
- With appropriate dark solar treated glass which is always recessed under shade
- With considerable roof overhangs & balconies / terraces ranging from 3000mm – in excess of 6000mm
- The buildings are oriented in accordance as perpendicular to a line within an arc of 20 degrees either side of due north-south and are oriented to the street frontage and rear boundaries.
- Sheltered pedestrian access is provided in the form of covered walkway network between buildings which extends through the entire site and also features an integrated porte-cochere - & entry plaza at the main road frontage
- We have incorporated the inclusion of an entire set-back entry façade under large roof canopy with deep shade cover presenting as a feature covered street frontage
- With complete lattice & batten sun-shade screening to the building facades to dissolve into its natural environment, along with extensive operable windows throughout each building for cross-flow ventilation & shading

We have provided for extensive shade trees in the landscape drawings as well as extensive retention of existing trees & vegetation and have also provided for street landscaping where possible.

We have achieved effective shading to 100% of the area of glazed openings through combination of roof overhangs, verandahs, awnings and screens.

In summary, we consider this new development will enhance the visual character of Port Douglas, achieved through innovative tropical design and sensitive, sustainable design initiatives that result in an iconic, yet low impact development which will raise the standard for design in the FNQ tropical region.

The following pages demonstrate in detail how our design enhances each of the key architectural elements that council is looking for in any good development as per

Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements



Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

SC 6.2.1 Purpose of the Planning Scheme Policy

- (a) specify and illustrate the architectural elements and building design features considered appropriate for residential, commercial and tourist developments in the Shire;
- (b) encourage high quality tropical vernacular architecture throughout the shire;
- (c) provide for the development of a distinctive architectural style in the shire;
- (d) encourage architecture which is relevant to and compatible with the tropical climate of the Shire

SC 6.2.3 Content

- (a) the rationale for incorporating particular architectural elements and building design features into development;
- (b) details and illustrations of architectural elements required to be included in any development;
- (c) details and illustrations of building design features required to be included in any development;

SC 6.2.4 Rationale

Modern interpretations have resulted in a distinctive architectural style developing which is both aesthetically appealing and also responds to the tropical climate. It is these architectural elements and building design features which are representative of the tropical Queensland vernacular architecture which are encouraged to be incorporated in development within the shire.

Key architectural elements which are representative of tropical Queensland vernacular architecture are:

- (a) large open balconies and verandas with balustrading
- (b) awnings, eaves and overhangs
- (c) variety of roof profiles
- (d) gables
- (e) columns and posts
- (f) shutters and screens
- (g) expansive windows and doors

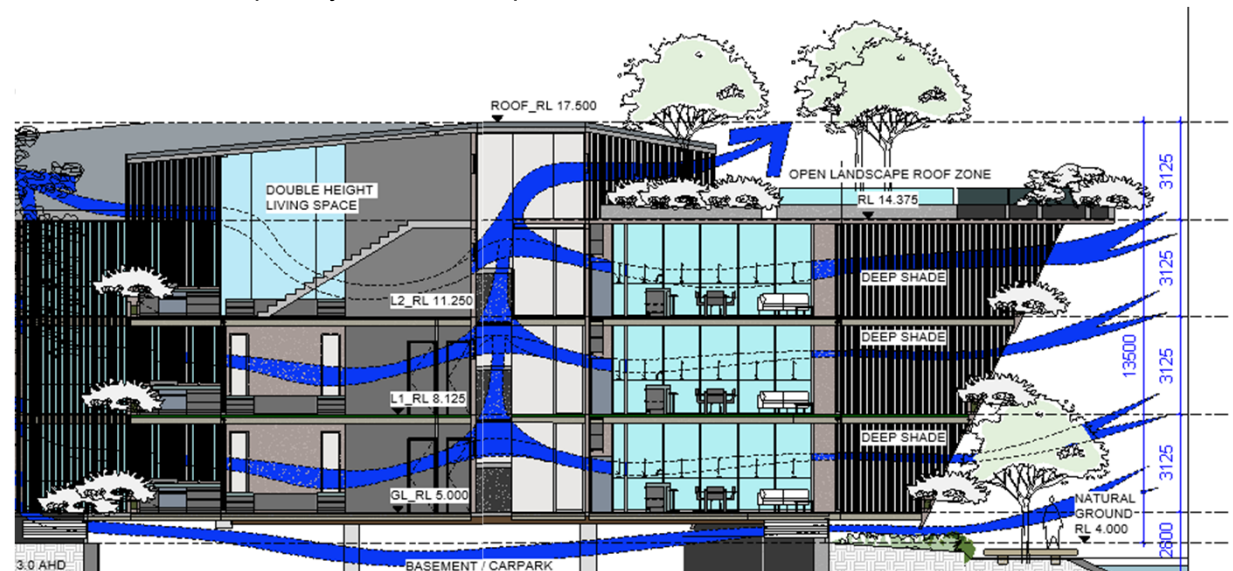


Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

Key architectural elements which are representative of tropical Queensland vernacular architecture in this project are:

SC6.2.4.1 Large open balconies and verandas with balustrading

- (1) Our Balconies as designed have evolved in response to the climate and change in lifestyle patterns, providing large indoor/outdoor living spaces which can be used year round in the tropics.
- (2) Our Balconies are not be capable of being fully enclosed and used for an additional room. Balconies are the interface between indoor/outdoor areas and are of a size and configuration which facilitates their use year round as outdoor living spaces.
- (3) Our Balconies are designed to be open and light weight in appearance with a maximum of 50% of the façade being fully enclosed.
- (4) designed and positioned appropriately, our balconies and verandas will provide residents with privacy, access to cooling breezes and refuge from intense heat, while affording protection from intense rains.
- (5) Key features of our balconies, verandas with balustrading are: (a) dominant spaces/recesses, providing building articulation; (b) large open spaces with good shade cover; (c) use of light weight timber or steel balustrading; (d) strong horizontal, vertical or diagonal lines; (e) strong inter-relationship/connectivity with adjoining indoor spaces; (f) ability to incorporate shutters and louvers or similar for privacy and weather protection.



DHD
Corp

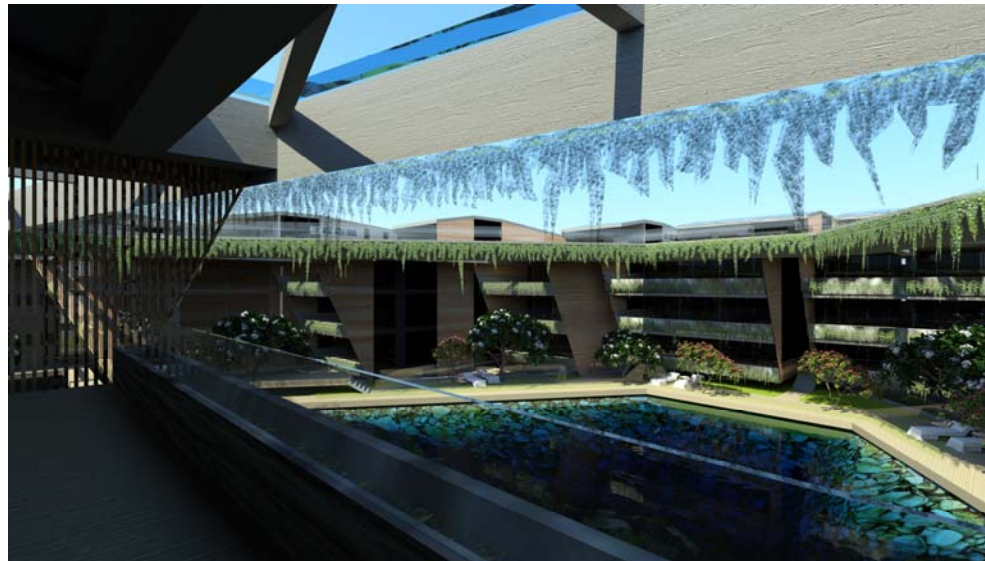
CWA
Charles Wright Architects

Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

Key architectural elements which are representative of tropical Queensland vernacular architecture in this project are:

SC6.2.4.1 Large open balconies and verandas with balustrading

- (1) Our Balconies as designed have evolved in response to the climate and change in lifestyle patterns, providing large indoor/outdoor living spaces which can be used year round in the tropics.
- (2) Our Balconies are not be capable of being fully enclosed and used for an additional room. Balconies are the interface between indoor/outdoor areas and are of a size and configuration which facilitates their use year round as outdoor living spaces.
- (3) Our Balconies are designed to be open and light weight in appearance with a maximum of 50% of the façade being fully enclosed.
- (4) designed and positioned appropriately, our balconies and verandas will provide residents with privacy, access to cooling breezes and refuge from intense heat, while affording protection from intense rains.
- (5) Key features of our balconies, verandas with balustrading are: (a) dominant spaces/recesses, providing building articulation; (b) large open spaces with good shade cover; (c) use of light weight timber or steel balustrading; (d) strong horizontal, vertical or diagonal lines; (e) strong inter-relationship/connectivity with adjoining indoor spaces; (f) ability to incorporate shutters and louvers or similar for privacy and weather protection.



DHD
Corp

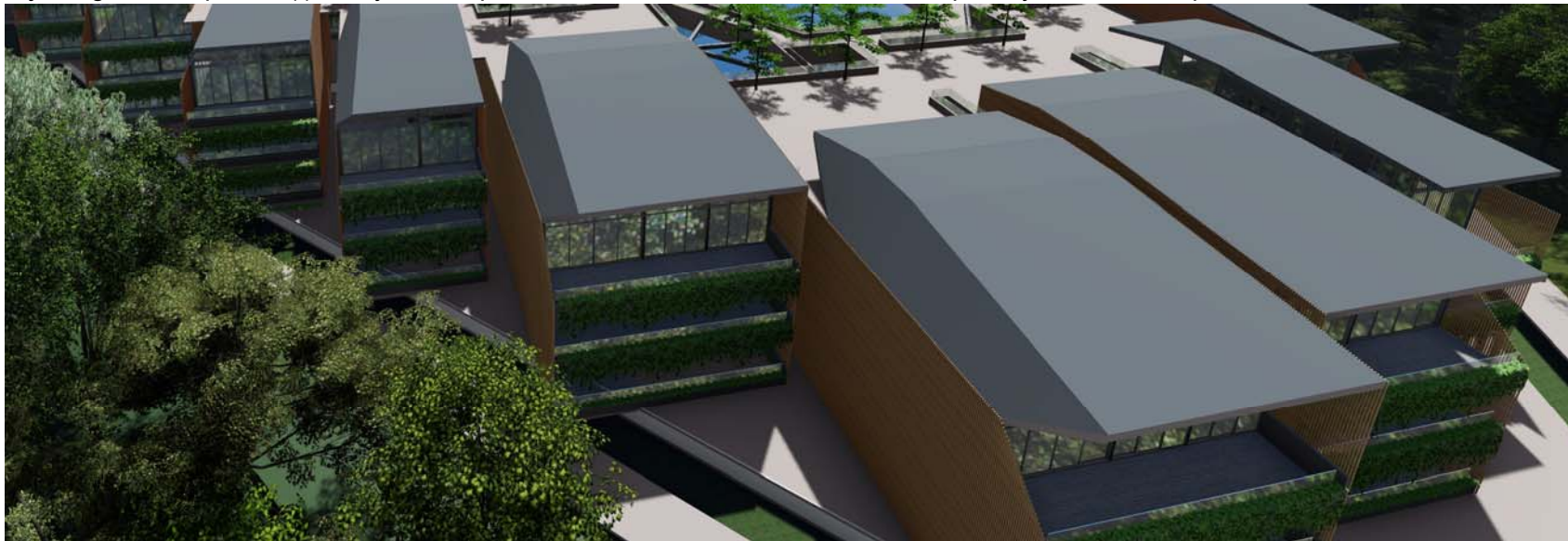
CWA
Charles Wright Architects

Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

Key architectural elements which are representative of tropical Queensland vernacular architecture in this project are:

SC6.2.4.1 Large open balconies and verandas with balustrading

- (1) Our Balconies as designed have evolved in response to the climate and change in lifestyle patterns, providing large indoor/outdoor living spaces which can be used year round in the tropics.
- (2) Our Balconies are not be capable of being fully enclosed and used for an additional room. Balconies are the interface between indoor/outdoor areas and are of a size and configuration which facilitates their use year round as outdoor living spaces.
- (3) Our Balconies are designed to be open and light weight in appearance with a maximum of 50% of the façade being fully enclosed.
- (4) designed and positioned appropriately, our balconies and verandas will provide residents with privacy, access to cooling breezes and refuge from intense heat, while affording protection from intense rains.
- (5) Key features of our balconies, verandas with balustrading are: (a) dominant spaces/recesses, providing building articulation; (b) large open spaces with good shade cover; (c) use of light weight timber or steel balustrading; (d) strong horizontal, vertical or diagonal lines; (e) strong inter-relationship/connectivity with adjoining indoor spaces; (f) ability to incorporate shutters and louvers or similar for privacy and weather protection.



DHD
Corp

CWA
Charles Wright Architects

Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

Key architectural elements which are representative of tropical Queensland vernacular architecture in this project are:

SC6.2.4.2 Awnings, eaves and overhangs

- (1) These shade elements are also a response to the climate and provide for filtered light to enter the building and also serve to articulate a building façade and add visual interest.
- (2) All our Eaves are significantly larger than the minimum requirement of 700 mm.
- (3) Key features of our awnings, eaves and overhangs are: (a) sited to afford weather protection; (b) can be adjustable and/or retractable; (c) add dimension and articulation to the building.



Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

Key architectural elements which are representative of tropical Queensland vernacular architecture in this project are:

SC6.2.4.2 Awnings, eaves and overhangs

- (1) These shade elements are also a response to the climate and provide for filtered light to enter the building and also serve to articulate a building façade and add visual interest.
- (2) All our Eaves are significantly larger than the minimum requirement of 700 mm.
- (3) Key features of our awnings, eaves and overhangs are: (a) sited to afford weather protection; (b) can be adjustable and/or retractable; (c) add dimension and articulation to the building.



DHD
Corp

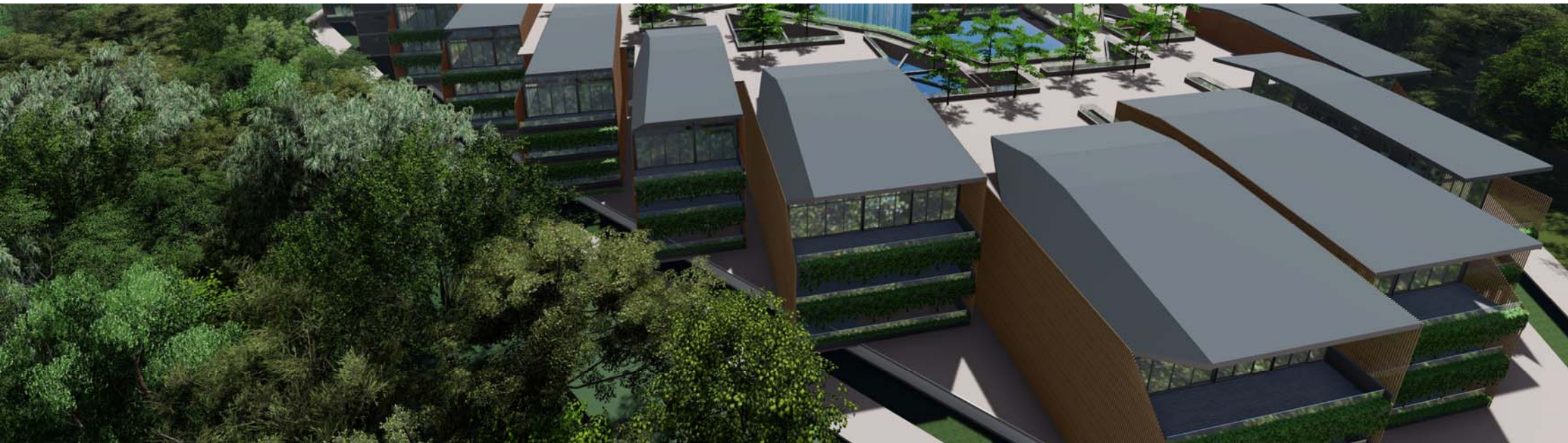
CWA
Charles Wright Architects

Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

Key architectural elements which are representative of tropical Queensland vernacular architecture in this project are:

SC6.2.4.2 Awnings, eaves and overhangs

- (1) These shade elements are also a response to the climate and provide for filtered light to enter the building and also serve to articulate a building façade and add visual interest.
- (2) All our Eaves are significantly larger than the minimum requirement of 700 mm.
- (3) Key features of our awnings, eaves and overhangs are: (a) sited to afford weather protection; (b) can be adjustable and/or retractable; (c) add dimension and articulation to the building.



Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

Key architectural elements which are representative of tropical Queensland vernacular architecture in this project are:

SC6.2.4.2 Awnings, eaves and overhangs

- (1) These shade elements are also a response to the climate and provide for filtered light to enter the building and also serve to articulate a building façade and add visual interest.
- (2) All our Eaves are significantly larger than the minimum requirement of 700 mm.
- (3) Key features of our awnings, eaves and overhangs are: (a) sited to afford weather protection; (b) can be adjustable and/or retractable; (c) add dimension and articulation to the building.



DHD
Corp

CWA
Charles Wright Architects

Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

Key architectural elements which are representative of tropical Queensland vernacular architecture in this project are:

SC6.2.4.2 Awnings, eaves and overhangs

- (1) These shade elements are also a response to the climate and provide for filtered light to enter the building and also serve to articulate a building façade and add visual interest.
- (2) All our Eaves are significantly larger than the minimum requirement of 700 mm.
- (3) Key features of our awnings, eaves and overhangs are: (a) sited to afford weather protection; (b) can be adjustable and/or retractable; (c) add dimension and articulation to the building.



DHD
Corp

CWA
Charles Wright Architects

Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

Key architectural elements which are representative of tropical Queensland vernacular architecture in this project are:

SC6.2.4.3 Variety of roof profiles

- (1) Our Roof profiles will contribute significantly to the character of the shire's housing. A variety of roof profiles are incorporated into our proposed development design
- (2) Our Roof profiles tend to be steeply pitched or angled to provide good air circulation providing a more modern interpretation. Our Roofs are also well articulated with a number of apexes and profiles.
- (3) Permanent roof ventilation systems are included to improve air circulation within the roof cavity.
- (4) Key features of our roof profiles are: (a) a distinctive element of the building (b) assist in climate control (c) generally of light weight metal construction.



DHD
Corp

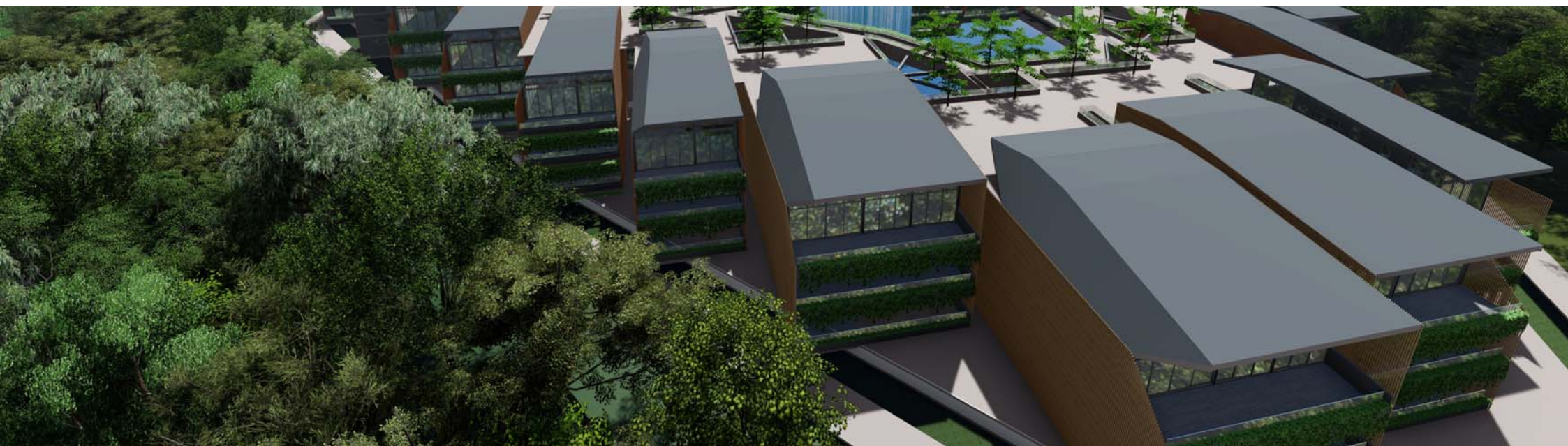
CWA
Charles Wright Architects

Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

Key architectural elements which are representative of tropical Queensland vernacular architecture in this project are:

SC6.2.4.3 Variety of roof profiles

- (1) Our Roof profiles will contribute significantly to the character of the shire's housing. A variety of roof profiles are incorporated into our proposed development design
- (2) Our Roof profiles tend to be steeply pitched or angled to provide good air circulation providing a more modern interpretation. Our Roofs are also well articulated with a number of apexes and profiles.
- (3) Permanent roof ventilation systems are included to improve air circulation within the roof cavity.
- (4) Key features of our roof profiles are: (a) a distinctive element of the building (b) assist in climate control (c) generally of light weight metal construction.

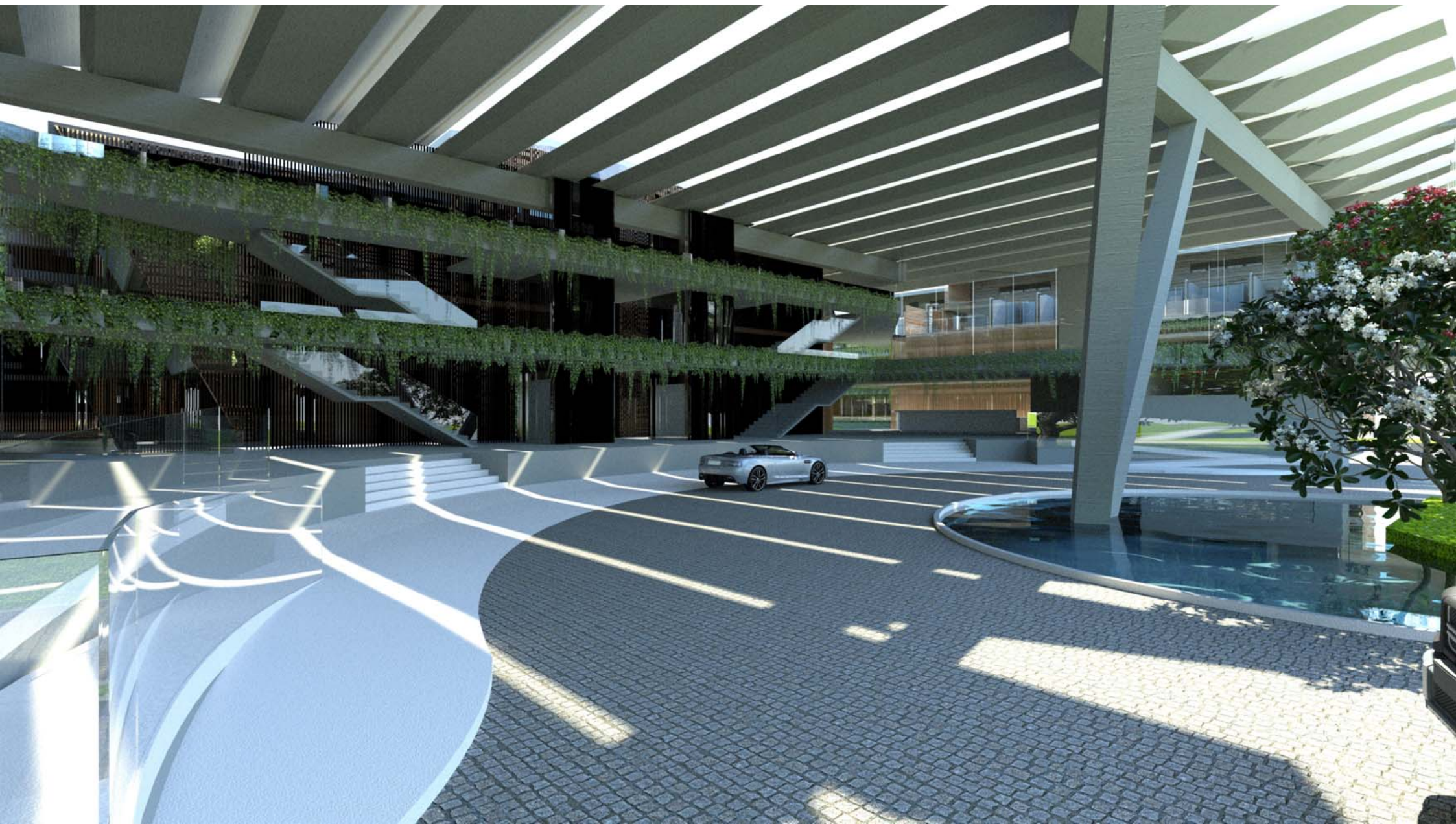


DHD
Corp

CWA
Charles Wright Architects







Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

Key architectural elements which are representative of tropical Queensland vernacular architecture in this project are:

SC6.2.4.4 Gables

(1) Gables are used in our design to articulate the roof and the façade of buildings and to reduce the overall bulk of the building.

(2) Key features of our gables are: (a) articulate the building; (b) to provide visual interest at roof level; (c) reduce the scale and bulk of a building; (d) gables can be extended from the building façade to provide the additional features of an eave and screening.



Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

Key architectural elements which are representative of tropical Queensland vernacular architecture in this project are:

SC6.2.4.5 Columns and posts

(1) Columns and posts in our design are more simple interpretations as is common in modern buildings. Columns and posts also assist in articulating the building facades.

(2) Key features of our columns and posts are: (a) light weight and slim line; (b) structural, but also can be decorative.



Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

Key architectural elements which are representative of tropical Queensland vernacular architecture in this project are:

SC6.2.4.6 Shutters and screens

- (1) Our Shutters and screens protect windows, doors and other openings in a building primarily from the sun, but also from other climatic elements, such as wind and rain. Our Shutters and screens can be both a functional and an aesthetic element of a building, and can provide for privacy.
- (2) Key features of our shutters and screens are: (a) often adjustable or moveable; (b) afford weather protection; (c) facilitate air circulation; (d) provide/improve privacy; (e) can be timber, metal or glass; (f) can be perforated surfaces such as battens, lattice and mesh to provide privacy while facilitating ventilation; (g) screening utility areas and undercrofts.
- (3) Overlapping of planes create shadow and depth and reveal the lightweight nature of surfaces rather than emphasise the bulk and volume of the building.



DHD
Corp

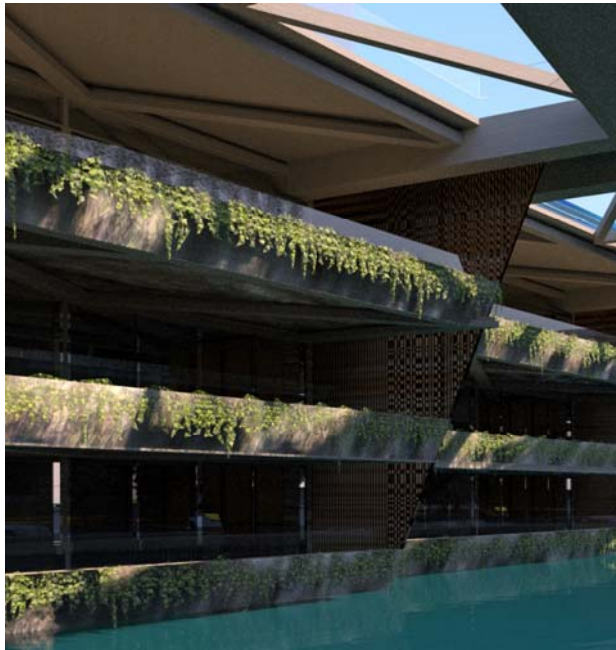
CWA
Charles Wright Architects

Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

Key architectural elements which are representative of tropical Queensland vernacular architecture in this project are:

SC6.2.4.6 Shutters and screens

- (1) Our Shutters and screens protect windows, doors and other openings in a building primarily from the sun, but also from other climatic elements, such as wind and rain. Our Shutters and screens can be both a functional and an aesthetic element of a building, and can provide for privacy.
- (2) Key features of our shutters and screens are: (a) often adjustable or moveable; (b) afford weather protection; (c) facilitate air circulation; (d) provide/improve privacy; (e) can be timber, metal or glass; (f) can be perforated surfaces such as battens, lattice and mesh to provide privacy while facilitating ventilation; (g) screening utility areas and undercrofts.
- (3) Overlapping of planes create shadow and depth and reveal the lightweight nature of surfaces rather than emphasise the bulk and volume of the building.



DHD
Corp

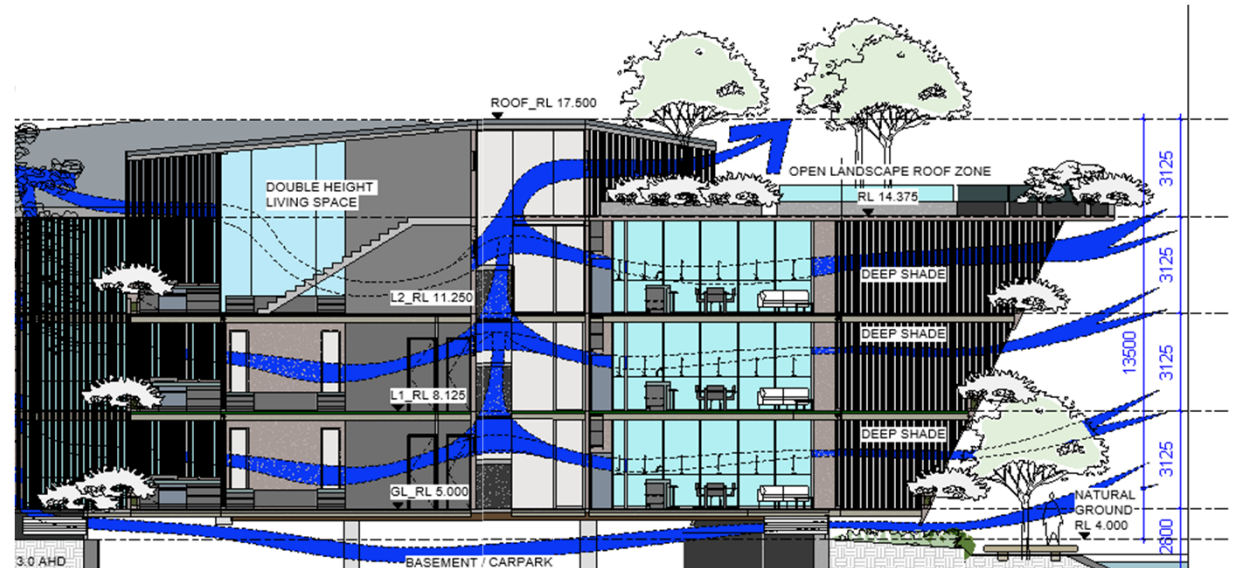
CWA
Charles Wright Architects

Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

Key architectural elements which are representative of tropical Queensland vernacular architecture in this project are:

SC6.2.4.7 Expansive windows and doors

- (1) Our Windows and doors often occupy large spaces and can be opened or adjusted to allow flow through ventilation. They also provide for good circulation for people between indoor and outdoor spaces.
- (2) Key features of our expansive windows and doors are: (a) large and functional for climate control; (b) can function as sliding wall panels; (c) typical styles popular in the tropics include casements, bi-folds and louvers.



DHD
Corp

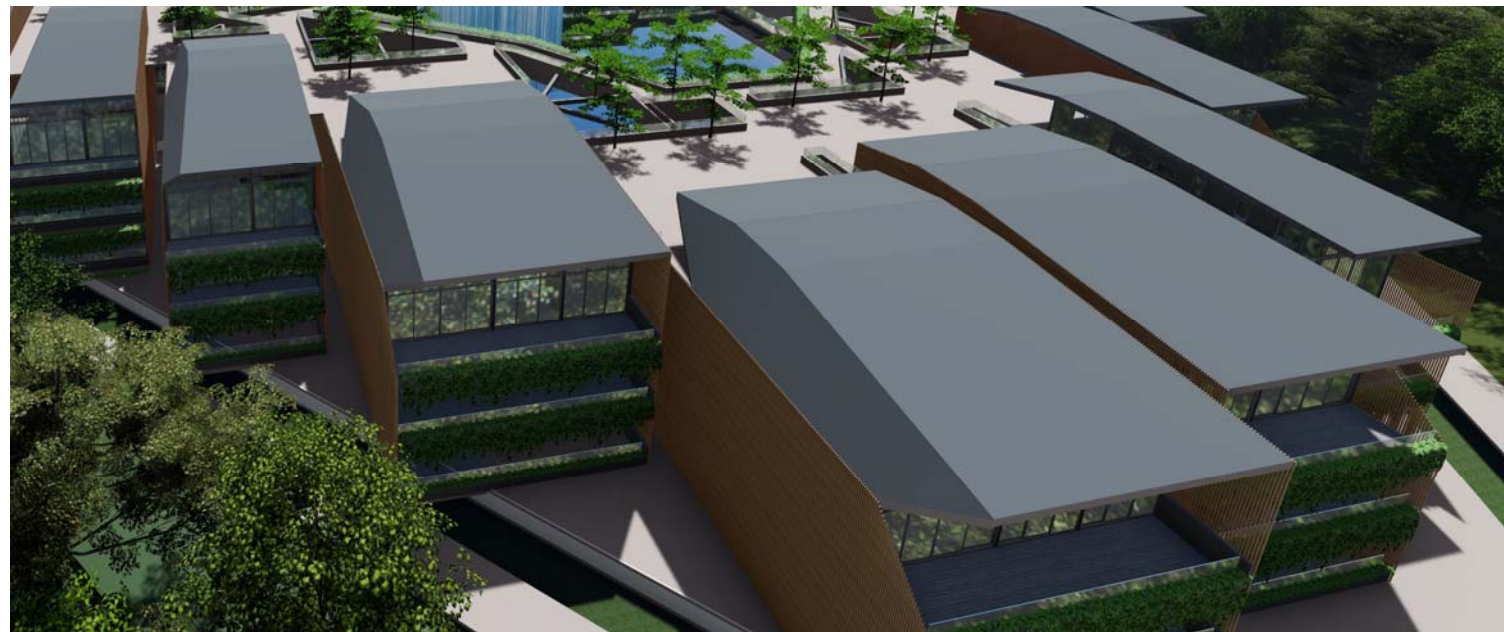
CWA
Charles Wright Architects

Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

Key architectural elements which are representative of tropical Queensland vernacular architecture in this project are:

SC6.2.4.7 Expansive windows and doors

- (1) Our Windows and doors often occupy large spaces and can be opened or adjusted to allow flow through ventilation. They also provide for good circulation for people between indoor and outdoor spaces.
- (2) Key features of our expansive windows and doors are: (a) large and functional for climate control; (b) can function as sliding wall panels; (c) typical styles popular in the tropics include casements, bi-folds and louvers.



Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

Key architectural elements which are representative of tropical Queensland vernacular architecture in this project are:

SC6.2.4.8 Details and illustrations of building design features

Key building design features which are representative of tropical Queensland vernacular architecture in this project are:

(a) Repetitive design features in a building which reduce the bulk of the building



DHD
Corp

CWA
Charles Wright Architects

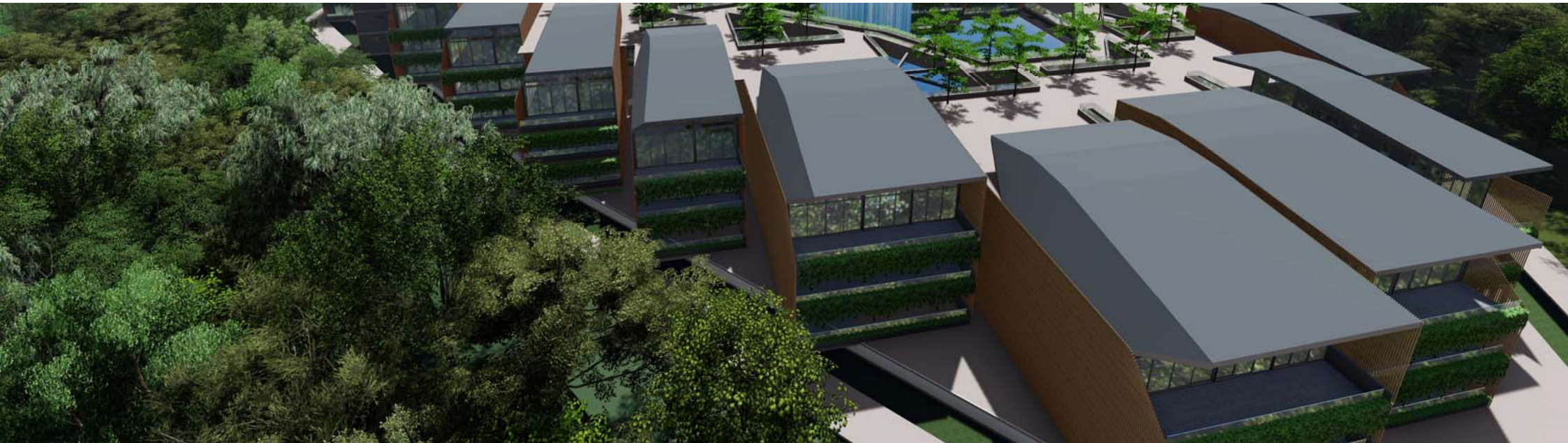
Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

Key architectural elements which are representative of tropical Queensland vernacular architecture in this project are:

SC6.2.4.8 Details and illustrations of building design features

Key building design features which are representative of tropical Queensland vernacular architecture in this project are:

(a) Repetitive design features in a building which reduce the bulk of the building



Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

Key architectural elements which are representative of tropical Queensland vernacular architecture in this project are:

SC6.2.4.8 Details and illustrations of building design features

Key building design features which are representative of tropical Queensland vernacular architecture in this project are:

(a) Repetitive design features in a building which reduce the bulk of the building



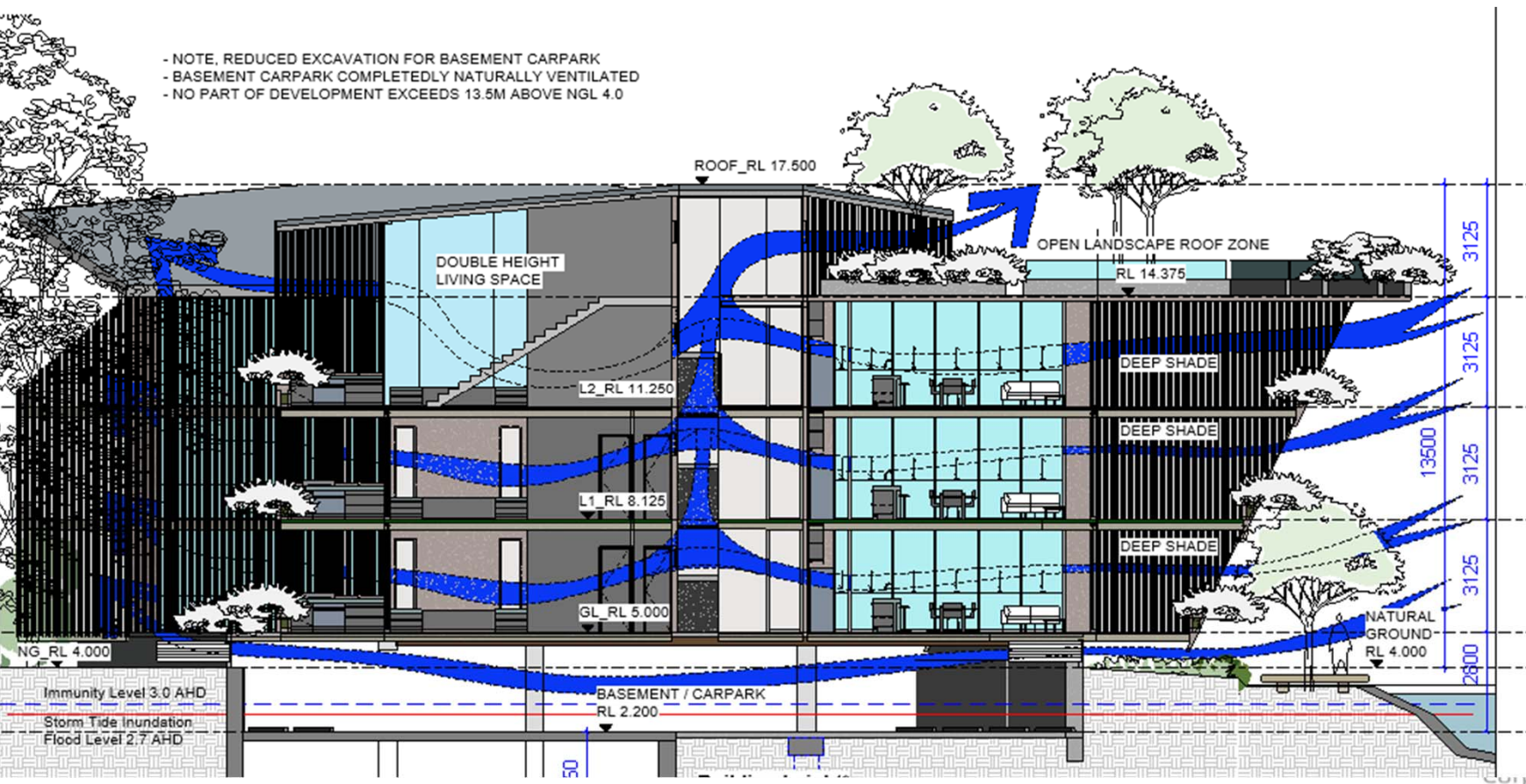
Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

Key architectural elements which are representative of tropical Queensland vernacular architecture in this project are:

SC6.2.4.8 Details and illustrations of building design features

Key building design features which are representative of tropical Queensland vernacular architecture in this project are:

(b) Elevation of a building on lightweight pier foundations and incorporating lightweight exterior building materials



Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

Key architectural elements which are representative of tropical Queensland vernacular architecture in this project are:

SC6.2.4.8 Details and illustrations of building design features

Key building design features which are representative of tropical Queensland vernacular architecture in this project are:

(c) Articulation to a building façade/roof profile to reduce the bulk of the building and provide weather protection



DHD
Corp

CWA
Charles Wright Architects

Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

Key architectural elements which are representative of tropical Queensland vernacular architecture in this project are:

SC6.2.4.8 Details and illustrations of building design features

Key building design features which are representative of tropical Queensland vernacular architecture in this project are:

(c) Articulation to a building façade/roof profile to reduce the bulk of the building and provide weather protection



DHD
Corp

CWA
Charles Wright Architects

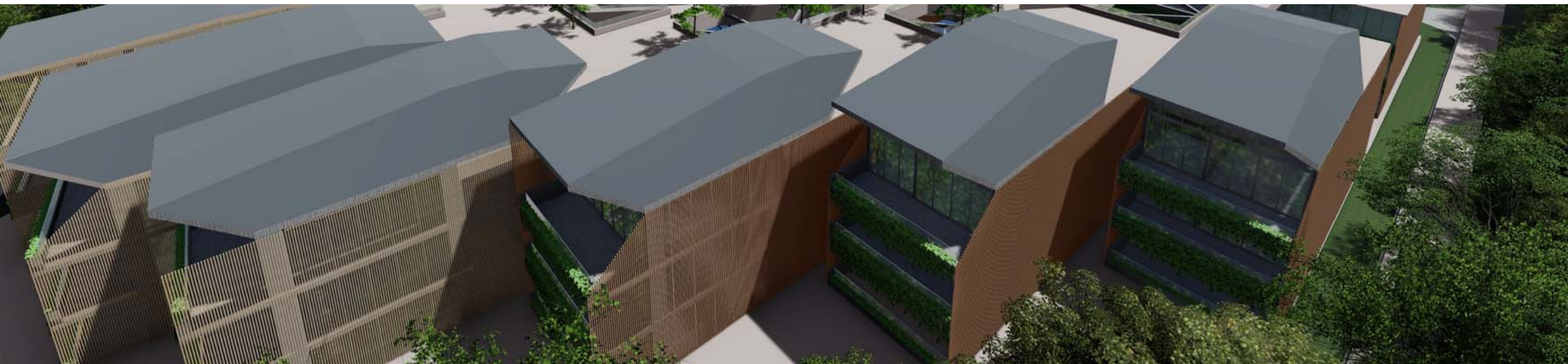
Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

Key architectural elements which are representative of tropical Queensland vernacular architecture in this project are:

SC6.2.4.8 Details and illustrations of building design features

Key building design features which are representative of tropical Queensland vernacular architecture in this project are:

(c) Articulation to a building façade/roof profile to reduce the bulk of the building and provide weather protection



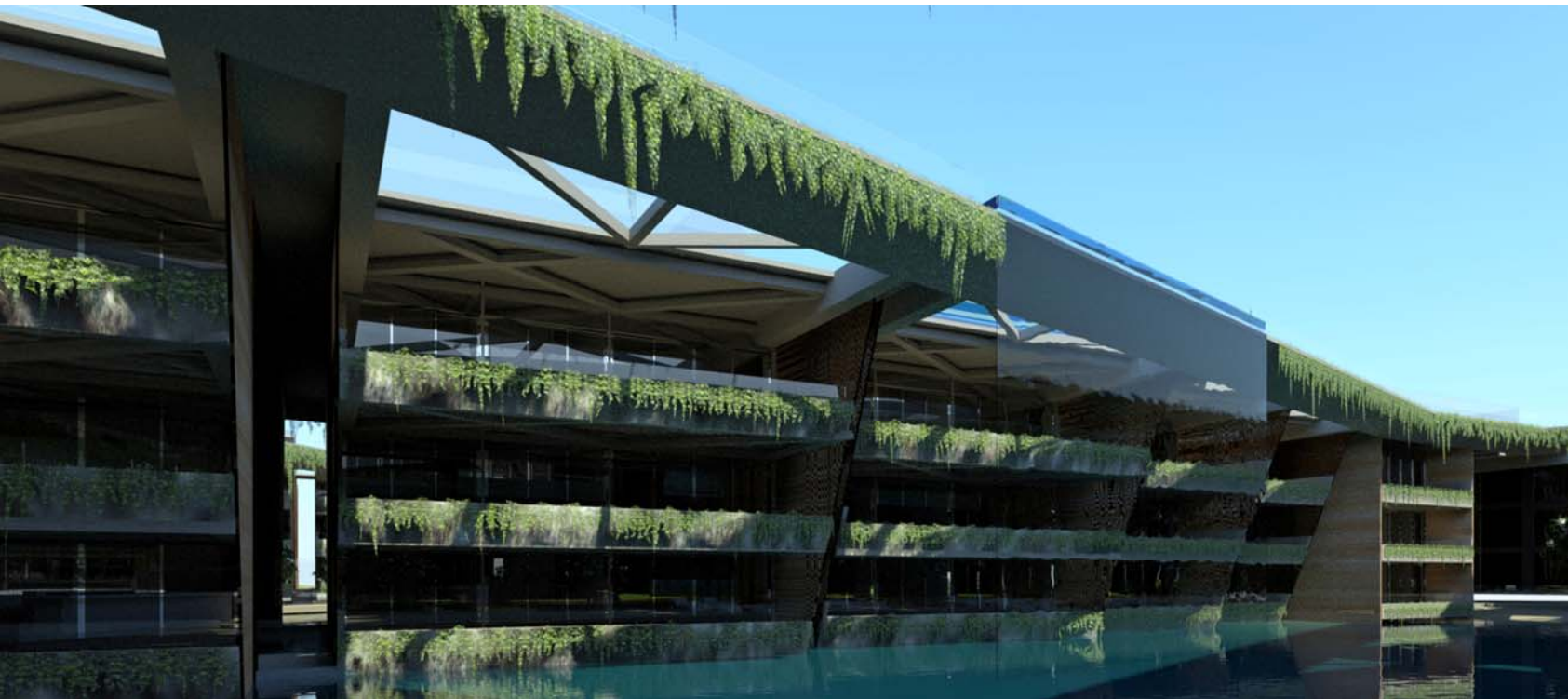
Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

Key architectural elements which are representative of tropical Queensland vernacular architecture in this project are:

SC6.2.4.8 Details and illustrations of building design features

Key building design features which are representative of tropical Queensland vernacular architecture in this project are:

(d) Large recesses under roof creating indoor/outdoor living spaces as a main feature of a building



DHD
Corp

CWA
Charles Wright Architects

Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

Key architectural elements which are representative of tropical Queensland vernacular architecture in this project are:

SC6.2.4.8 Details and illustrations of building design features

Key building design features which are representative of tropical Queensland vernacular architecture in this project are:

(d) Large recesses under roof creating indoor/outdoor living spaces as a main feature of a building



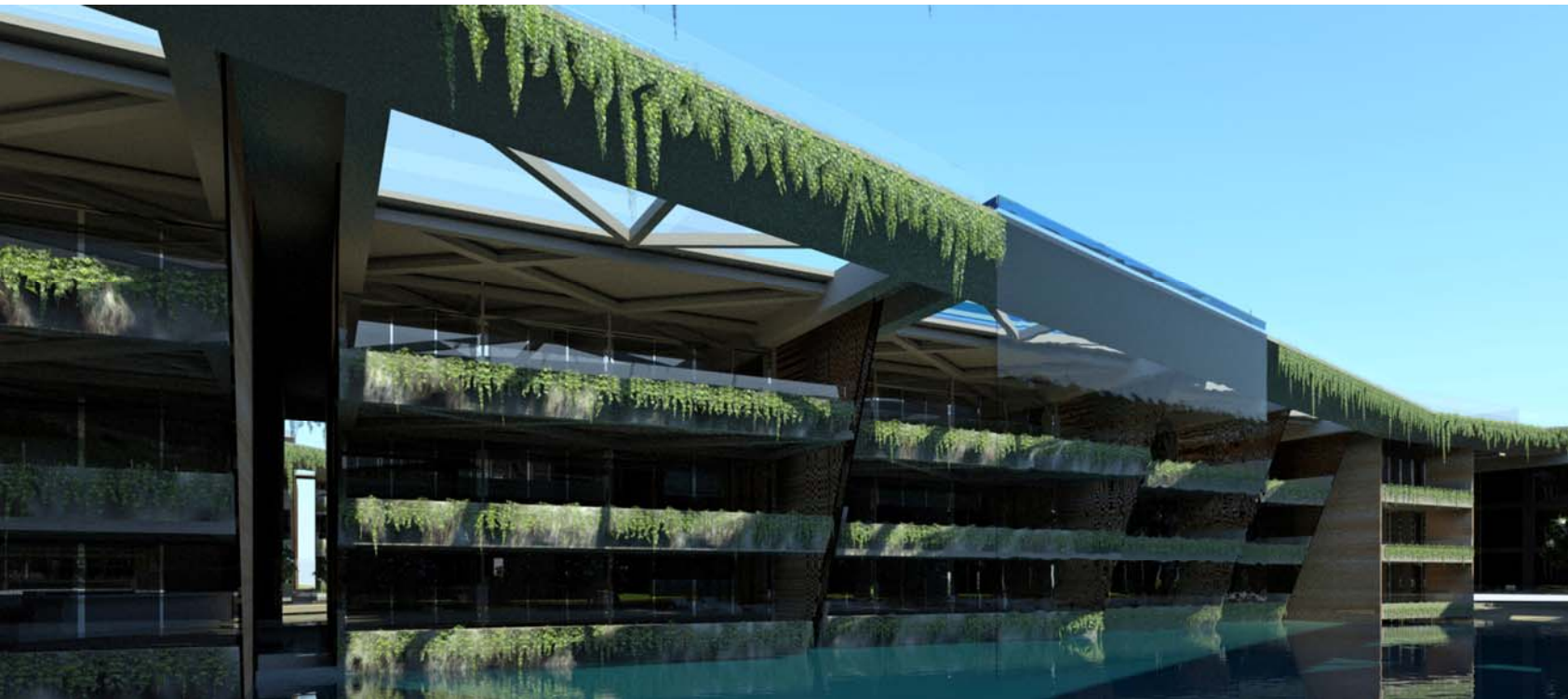
Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

Key architectural elements which are representative of tropical Queensland vernacular architecture in this project are:

SC6.2.4.8 Details and illustrations of building design features

Key building design features which are representative of tropical Queensland vernacular architecture in this project are:

(e) Scale and bulk of a building reduced by a mix of articulation, use of architectural elements and exterior finishes



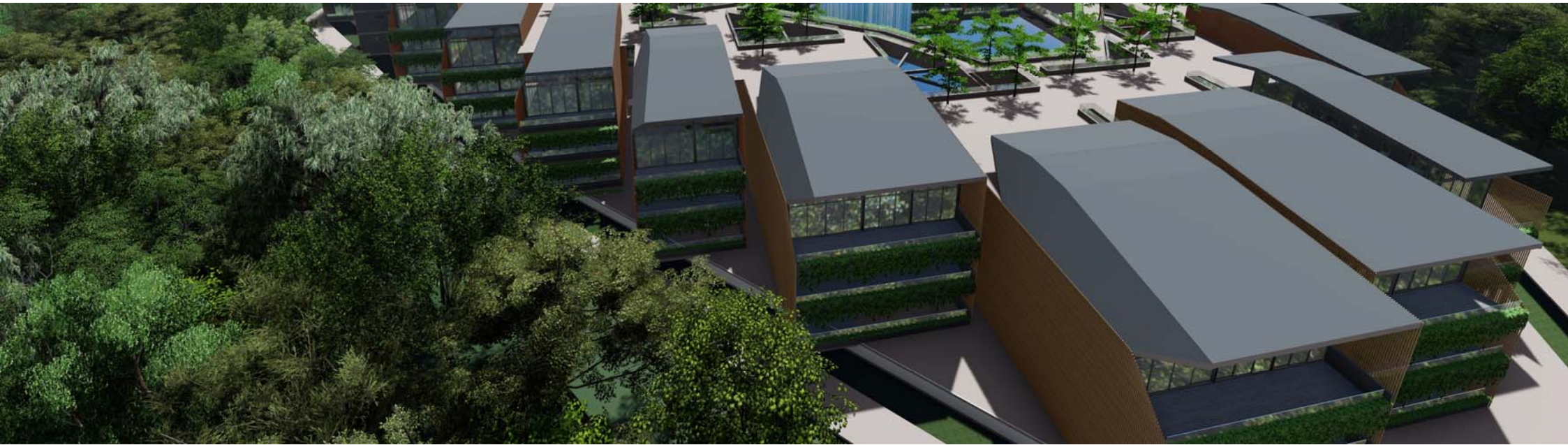
Schedule 6.2 : Planning Scheme Policy – Building Design & Architectural Elements

Key architectural elements which are representative of tropical Queensland vernacular architecture in this project are:

SC6.2.4.8 Details and illustrations of building design features

Key building design features which are representative of tropical Queensland vernacular architecture in this project are:

(e) Scale and bulk of a building reduced by a mix of articulation, use of architectural elements and exterior finishes



DHD
Corp

CWA
Charles Wright Architects

1:500@A1 / 1:1000@a3

22328 M²

Date	Issue Date
------	------------



Melbourne Office:
LEVEL 5, TOTAL HOUSE, 180 RUSSELL STREET, MELBOURNE VIC 3000
T: +61 3 9663 1166
F: +61 3 8888 1630

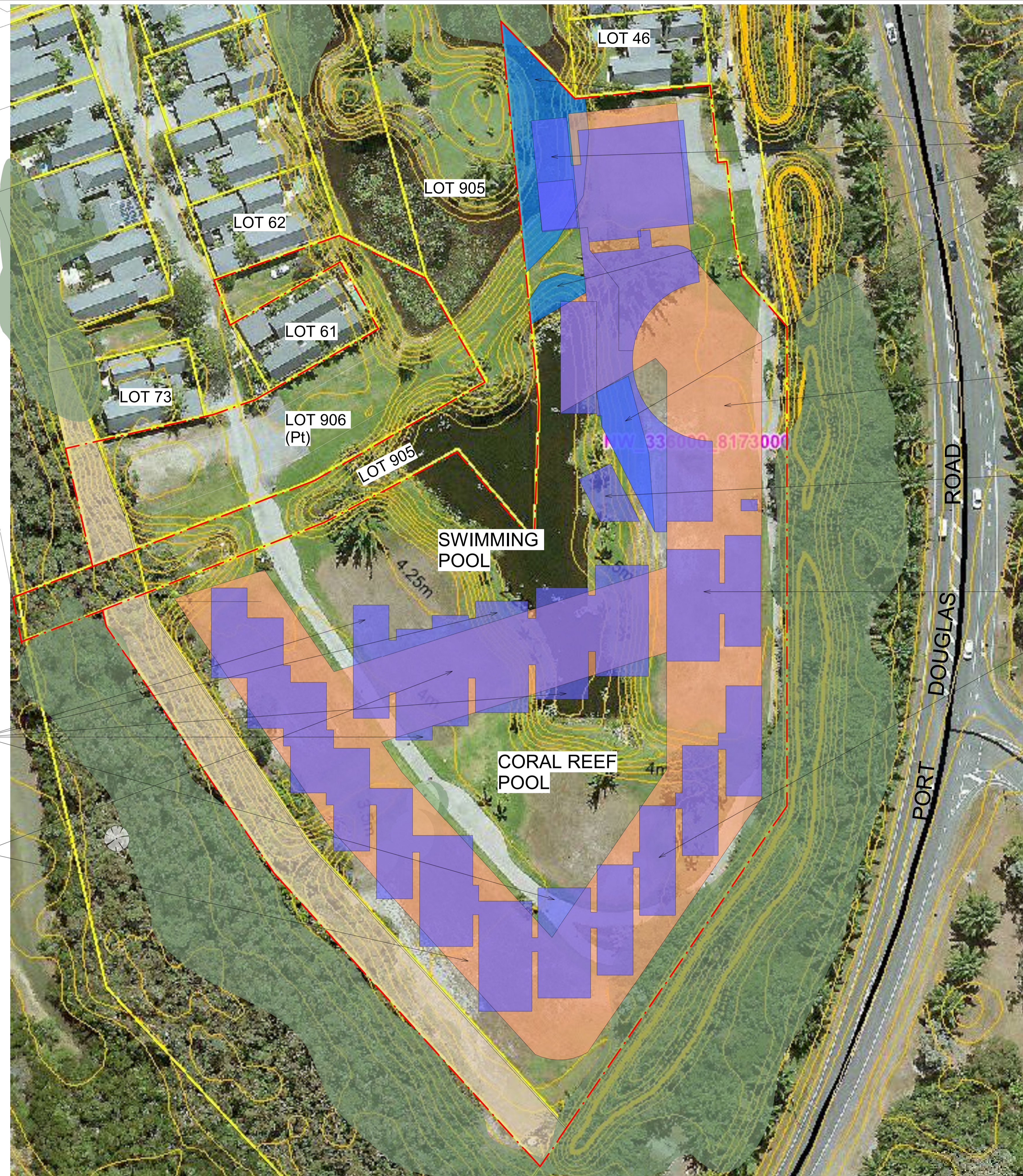
Perth Douglas Office:
SHOP 5 - LAXMI CENTRE, 48 MACROSSAN STREET, PERTH DOUGLAS QLD 4877
T: +61 7 4099 4965
F: +61 7 4099 4963

ABN 89 319 653 995 ACN 110 285 048
EMAIL: charles@wrightarchitects.com.au
WEB: www.wrightarchitects.com.au

JOB NO.
NM01

DRAWING NO. SD001

100



SUSPENDED
STRUCTURE ON PIERS.
NO SOIL FILL REQUIRED
_(BLUE HATCHING)

BASEMENT EXCAVATION
_(YELLOW HATCHING)

OUTDOOR BAR ON
PIERS OVER POOL

BUILDING OVER
BSEMENT
_(PURPLE HATCHING)

BUILDING SUSPENDED
OVER BSEMENT

BASEMENT EXCAVATION
_(YELLOW HATCHING)

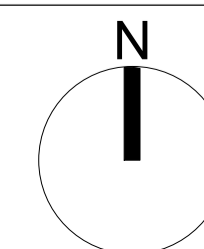
NO SITE FILL AREA
REQUIRED

NEW DEVELOPMENT

LOT 906 BALE DRIVE, PORT DOUGLAS, QLD, 4879

NO SITE FILL REQUIRED

Date Issue Date



CWA
Charles Wright Architects

PROJECT OFFICE
10/10, TOTAL HOUSE, 10/10 RUSSELL STREET, MELBOURNE VIC 3000
PORT DOUGLAS OFFICE
10/10, TOTAL HOUSE, 10/10 RUSSELL STREET, PORT DOUGLAS QLD 4879
ARCHITECTS
10/10, TOTAL HOUSE, 10/10 RUSSELL STREET, MELBOURNE VIC 3000
10/10, TOTAL HOUSE, 10/10 RUSSELL STREET, PORT DOUGLAS QLD 4879
10/10, TOTAL HOUSE, 10/10 RUSSELL STREET, MELBOURNE VIC 3000
10/10, TOTAL HOUSE, 10/10 RUSSELL STREET, PORT DOUGLAS QLD 4879

10/10, TOTAL HOUSE, 10/10 RUSSELL STREET, MELBOURNE VIC 3000
10/10, TOTAL HOUSE, 10/10 RUSSELL STREET, PORT DOUGLAS QLD 4879
10/10, TOTAL HOUSE, 10/10 RUSSELL STREET, MELBOURNE VIC 3000
10/10, TOTAL HOUSE, 10/10 RUSSELL STREET, PORT DOUGLAS QLD 4879

JOB NO.
NM01

DRAWING
NO.
SD001B

REV

08/08/2015 5:48:40 PM



NEW DEVELOPMENT
LOT 906 BALE DRIVE, PORT DOUGLAS, QLD, 4879

DESIGN RESPONSES

Date Issue Date

DESIGN RESPONSE

PROPOSED SITE PLAN
1:500@A1 / 1:1000@a3

Site Statistics

Site Area 22328M²

Building Area total 13940 M²

- Food / Drink Outlet 1325 M²
- Function Facility 573 M²
- Multiple Dwelling / Short Term Accommodation Units 12042 M²

Pools 4165 M²

- Swimming Pool 2283 M²
- Coral Pool 1659 M²
- Roof Deck Pool 223 M²

Landscape / Recraetion 12486 M²

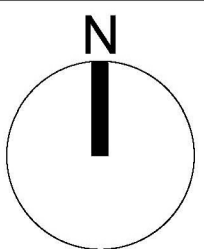
- Ground Floor Internal Landscape 772 M²
- Ground Floor External Landscape 3970 M²
- Level 1 Garden Beds 201 M²
- Level 2 Gardens Beds 201 M²
- Pool Roof Shades / Landscape Gardens and Landscape Recreation Terrace 7342 M²

Units 141 No. Total

- Type MP 49
- Type M2 76
- Type M3 11
- Type M4 5

Carpark 293 No. + 10 Disabled

- Food / Drink Outlet (1No/25 M²) 53
- Function Facility (1No/15 M²) 38
- Short Term Residnetial (1.5No/per Unit) 106
- Multiple Dwelling(1.5No/per Unit) 106



CWA
Charles Wright Architects

PROPOSED SITE PLAN
LEVEL 1, TOTAL HOUSE, 100 RUSSELL STREET, MELBOURNE VIC 3000
PAUL CHARLES ARCHITECTS
100 RUSSELL STREET, LA TRONCHON STREET, PORT DOUGLAS QLD 4877
ARCH 10 100 100 100 ARCH 100 100 100
EMAIL: charles@wrightarchitects.com.au

1:500@A1
1:1000@a3

JOB NO.
NM01

DRAWING NO.
SD003

REV

09/06/2018 12:24:52 PM

1:500@A1 / 1:1000@a3

SITE AREA (A)
22328 M²

11/11/2019

BUILDING AREA (B)
9391 M²

POOL SHADE STRUCTURE
/ OPEN ROOF GARDENS (C)
1230 M²

Page 10

LANDSCAPE AREAS
AT GROUND LEVEL (D)
4578 M²

SITE COVERAGE
= BUILDING AREA / SITE AREA = 42%

Site cover*

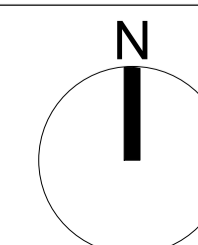
The proportion of the site covered by a building(s), structure(s) attached to the building(s) and carport(s), calculated to the outer most projections of the building(s) and expressed as a percentage. The term does not include: (a) any structure or part thereof included in a landscaped open space area such as a gazebo or shade structure; (b) basement car parking areas located wholly below ground level.

Site coverage criteria (AO2) 50%

LOT 906 BALE DRIVE, PORT DOUGLAS, QLD, 4879

SITE COVERAGE

Date	Issue Date
------	------------



Charles Wright Architects

Mailbag Office:
LEVEL 9, TOTAL HOUSE, 780 RUSSELL STREET, MELBOURNE VIC 3000

Perth Douglas Office:
SHOP 5 - LAXO CENTRE, 48 MACROSSAN STREET, PERTH DOUGLAS QLD 4077

ABN 89 319 653 905 ACN 110 285 608

EMAIL: charles@writb4rchielects.com.au

T: +61 3 9663 1166
F: +61 3 9663 1630

T: +61 7 4099 4965
F: +61 7 4099 4963

M: 8433 226 501

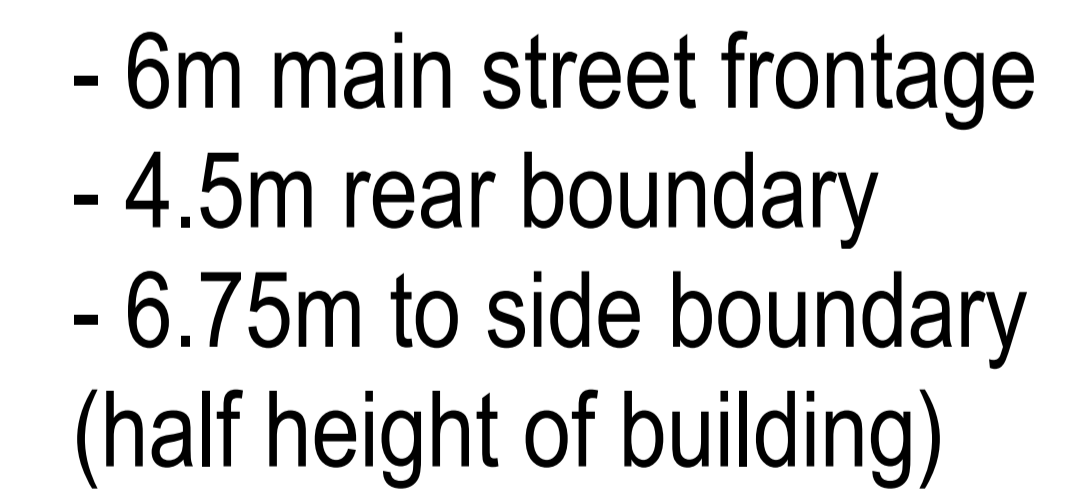
WEB www.wrightarchitects.com.au

JOB NO.
NM01

DRAWING
NO.
SD004

19 12:35:01 PM

1:500@A1 / 1:1000@a3



19 11:28:15 AM



SITE PLOT RATIO =0.63

1:500@A1 / 1:1000@a3

Site Area 22328M²

GFA Area Total 13939.8 M²

- Food / Drink Outlet 1325 M²
- Function Facility 573 M²
- Multiple Dwelling / Short Term Accommodation Units 12041.8 M²
 - Type MP 49No. x 98.2M² =4811.8M²
 - Type M2 76No. x 66.8M² =5076.8M²
 - Type M3 11No. x115.2M² =1267.2M²
 - Type M4 5No. x177.2M² =886M²

Gross floor area*
The total floor area of all storeys of a building (measured from the outside of the external walls or the centre of a common wall), other than areas used for the following: (a) building services, plant and equipment (b) access between levels (c) ground floor public lobby (d) a mall (e) the parking, loading and manoeuvring of motor vehicles (f) unenclosed private balconies whether roofed or not.

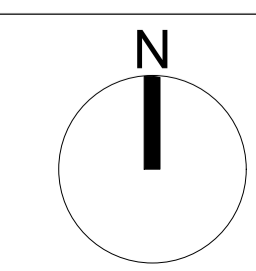
Plot ratio*
The ratio of gross floor area to the area of the site.

Maximum GFA (AO3.2) 1.2 x site area

NEW DEVELOPMENT
LOT 906 BALE DRIVE, PORT DOUGLAS, QLD, 4879

PLOT RATIO

Date Issue Date



PROJECT TOTAL
LOT 906 BALE DRIVE, PORT DOUGLAS, QLD, 4879
ARCHITECT
CHARLES WRIGHT ARCHITECTS
10/100 BALE DRIVE, PORT DOUGLAS, QLD, 4879
TEL: 07 555 1234
FAX: 07 555 1234
WWW.CHARLESWRIGHTARCHITECTS.COM.AU

JOB NO.
NM01

DRAWING NO.
SD006

REV

8/08/2015 12:25:15 PM



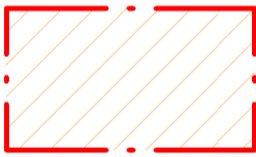



LOWER BASEMENT

1:500@A1 / 1:1000@a3

Basement*

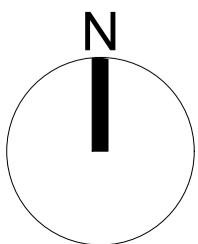
A space that is situated between one floor level and the floor level next below where no part of the space projects more than one metre above ground level.

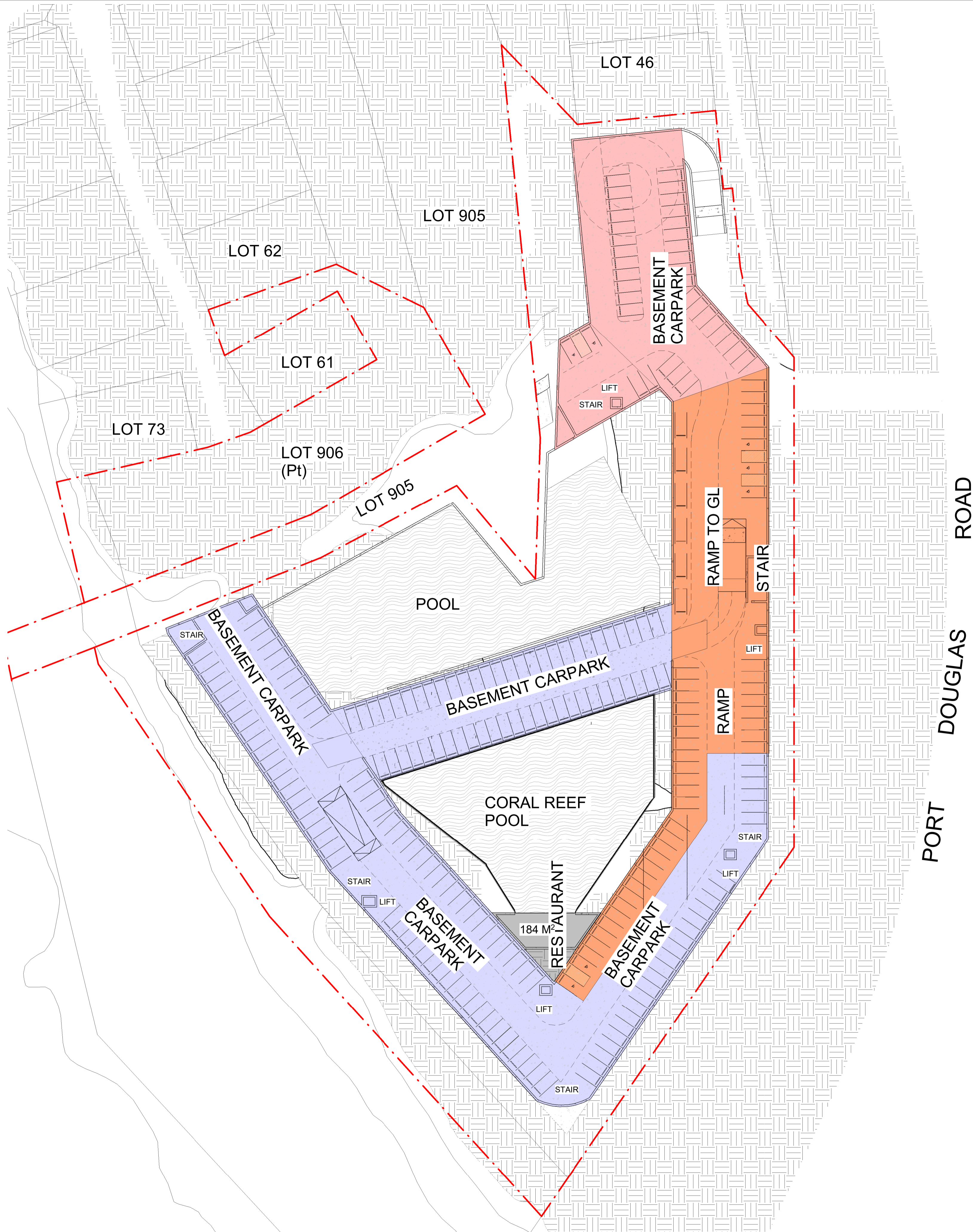
CARPARK LEGEND

-  SITE BOUNDARY
-  MULTIPLE DWELLING / SHORT TERM ACCOMMODATION
212 No. carpark spaces / 141 Units total
-  FUNCTION FACILITY
38 No. carpark spaces / GFA total 573M²
-  FOOD / DRINK OUTLET
53 No. carpark spaces / GFA total 1325M²

TOTAL CARPARK 303 NO.

LOWER BASEMENT 65 No.
BASEMENT 238 No.





BASEMENT

1:500@A1 / 1:1000@a3

Basement*

A space that is situated between one floor level and the floor level next below where no part of the space projects more than one metre above ground level.

CARPARK LEGEND

- SITE BOUNDARY
- MULTIPLE DWELLING / SHORT TERM ACCOMMODATION
212 No. carpark spaces / 141 Units total
- FUNCTION FACILITY
38 No. carpark spaces / GFA total 573M²
- FOOD / DRINK OUTLET
53 No. carpark spaces / GFA total 1325M²

TOTAL CARPARK 303 NO.

LOWER BASEMENT 65 No.
BASEMENT 238 No.

PROVISION OF ON-SITE CAR PARKING

Multiple Dwelling and Short-term Accommodation
1.5 spaces / dwelling unit
Function Facility / 1 space per 15m² GFA






Food and Drink Outlet / 1 space per 25m² GFA
Notes: ⁽¹⁾ where Short-term Accommodation is to be interchangeable with a Multiple Dwelling land use, Multiple Dwelling parking rates apply.



GROUND FLOOR

1:500@A1 / 1:1000@a3

FUNCTION LEGEND

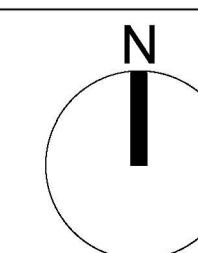
-  SITE BOUNDARY
-  MULTIPLE DWELLING / SHORT TERM ACCOMMODATION
-  FUNCTION FACILITY / MANAGER OFFICE / RECEPTION
-  FOOD / DRINK OUTLET
-  LANDSCAPE GREEN

NEW DEVELOPMENT

LOT 906 BALE DRIVE, PORT DOUGLAS, QLD, 4879

FUNCTION ZONE PLAN_GROUND FLOOR

Date Issue Date




Charles Wright Architects

Project Name:
LOT 906 BALE DRIVE, PORT DOUGLAS, QLD, 4879
Project Address:
LOT 906 BALE DRIVE, PORT DOUGLAS, QLD, 4879
Project Contact:
LOT 906 BALE DRIVE, PORT DOUGLAS, QLD, 4879
Project Phone:
LOT 906 BALE DRIVE, PORT DOUGLAS, QLD, 4879
Project Email:
LOT 906 BALE DRIVE, PORT DOUGLAS, QLD, 4879

Project No:
LOT 906 BALE DRIVE, PORT DOUGLAS, QLD, 4879
Drawing No:
LOT 906 BALE DRIVE, PORT DOUGLAS, QLD, 4879
Revision:
LOT 906 BALE DRIVE, PORT DOUGLAS, QLD, 4879
Date:
LOT 906 BALE DRIVE, PORT DOUGLAS, QLD, 4879

JOB NO.
NM01

DRAWING NO.
SD011

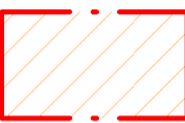




REV

000016 5:43:31 PM

LEVEL 1 FLOOR

1:500@A1 / 1:1000@a3

FUNCTION LEGEND

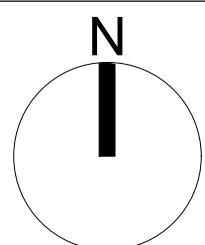
-  SITE BOUNDARY
-  MULTIPLE DWELLING / SHORT TERM ACCOMMODATION
-  FUNCTION FACILITY / MANAGER OFFICE / RECEPTION
-  FOOD / DRINK OUTLET
-  LANDSCAPE GREEN

NEW DEVELOPMENT

LOT 906 BALE DRIVE, PORT DOUGLAS, QLD, 4879

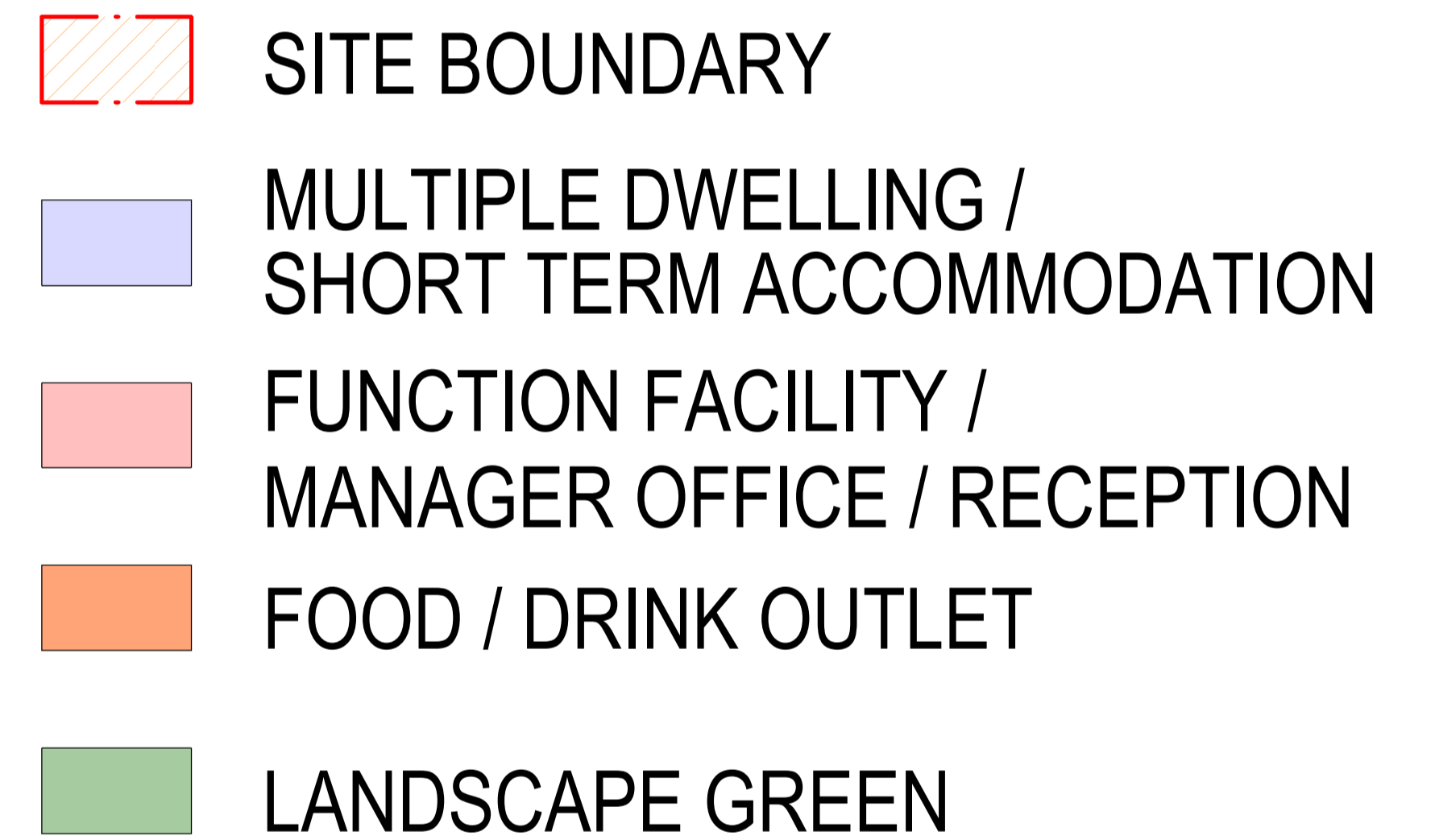
FUNCTION ZONE PLAN_LEVEL 1

Date Issue Date



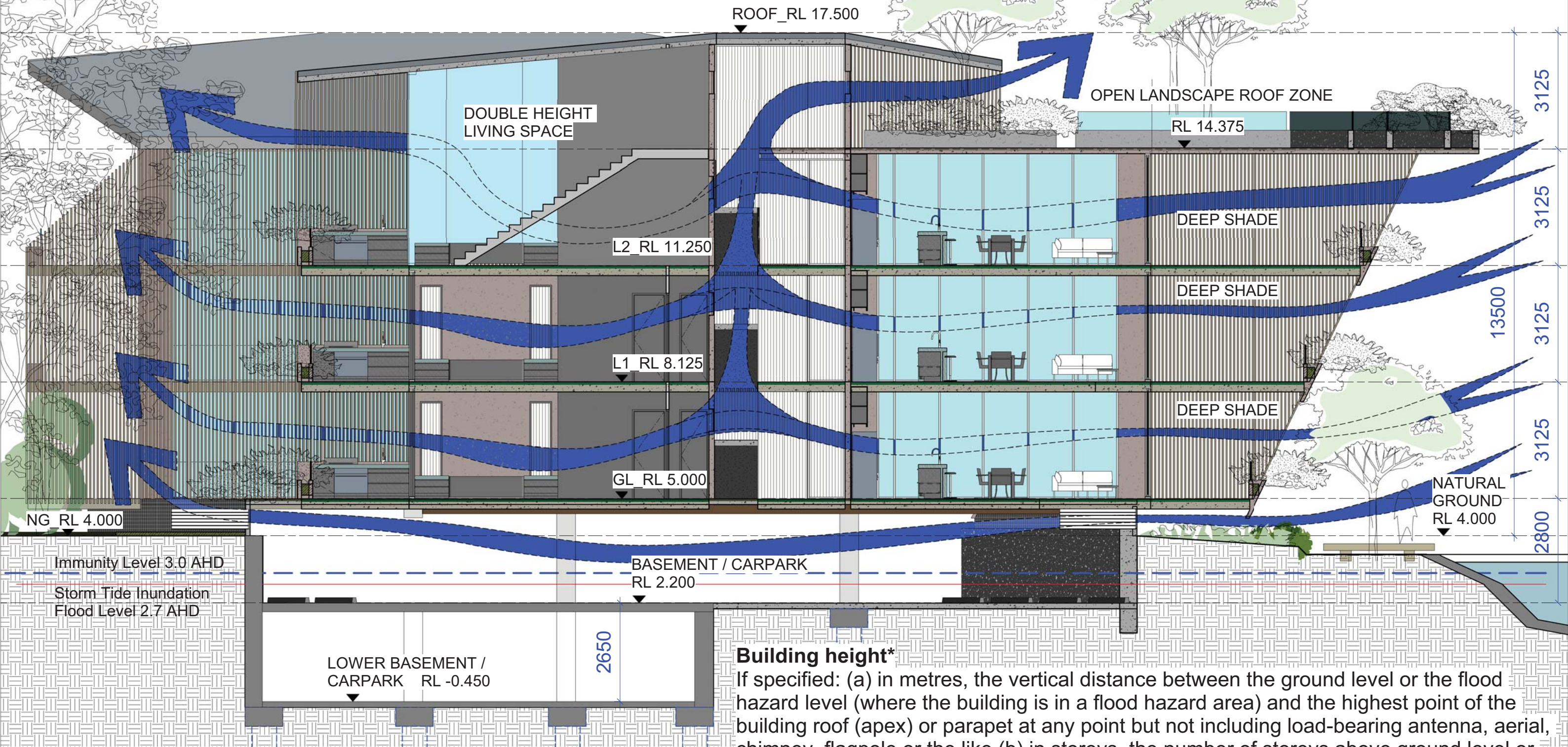
PROJECT DETAILS
LOT 906, TOTAL HOUSE, 906 BALE DRIVE, MELBOURNE VIC 3000
PAUL BAKER ARCHITECTS
10001 - 10002, 10003, 10004, 10005, 10006, 10007, 10008, 10009, 10010, 10011, 10012, 10013, 10014, 10015, 10016, 10017, 10018, 10019, 10020, 10021, 10022, 10023, 10024, 10025, 10026, 10027, 10028, 10029, 10030, 10031, 10032, 10033, 10034, 10035, 10036, 10037, 10038, 10039, 10040, 10041, 10042, 10043, 10044, 10045, 10046, 10047, 10048, 10049, 10050, 10051, 10052, 10053, 10054, 10055, 10056, 10057, 10058, 10059, 10060, 10061, 10062, 10063, 10064, 10065, 10066, 10067, 10068, 10069, 10070, 10071, 10072, 10073, 10074, 10075, 10076, 10077, 10078, 10079, 10080, 10081, 10082, 10083, 10084, 10085, 10086, 10087, 10088, 10089, 10090, 10091, 10092, 10093, 10094, 10095, 10096, 10097, 10098, 10099, 10100, 10101, 10102, 10103, 10104, 10105, 10106, 10107, 10108, 10109, 10110, 10111, 10112, 10113, 10114, 10115, 10116, 10117, 10118, 10119, 10120, 10121, 10122, 10123, 10124, 10125, 10126, 10127, 10128, 10129, 10130, 10131, 10132, 10133, 10134, 10135, 10136, 10137, 10138, 10139, 10140, 10141, 10142, 10143, 10144, 10145, 10146, 10147, 10148, 10149, 10150, 10151, 10152, 10153, 10154, 10155, 10156, 10157, 10158, 10159, 10160, 10161, 10162, 10163, 10164, 10165, 10166, 10167, 10168, 10169, 10170, 10171, 10172, 10173, 10174, 10175, 10176, 10177, 10178, 10179, 10180, 10181, 10182, 10183, 10184, 10185, 10186, 10187, 10188, 10189, 10190, 10191, 10192, 10193, 10194, 10195, 10196, 10197, 10198, 10199, 10200, 10201, 10202, 10203, 10204, 10205, 10206, 10207, 10208, 10209, 10210, 10211, 10212, 10213, 10214, 10215, 10216, 10217, 10218, 10219, 10220, 10221, 10222, 10223, 10224, 10225, 10226, 10227, 10228, 10229, 10230, 10231, 10232, 10233, 10234, 10235, 10236, 10237, 10238, 10239, 10240, 10241, 10242, 10243, 10244, 10245, 10246, 10247, 10248, 10249, 10250, 10251, 10252, 10253, 10254, 10255, 10256, 10257, 10258, 10259, 10260, 10261, 10262, 10263, 10264, 10265, 10266, 10267, 10268, 10269, 10270, 10271, 10272, 10273, 10274, 10275, 10276, 10277, 10278, 10279, 10280, 10281, 10282, 10283, 10284, 10285, 10286, 10287, 10288, 10289, 10290, 10291, 10292, 10293, 10294, 10295, 10296, 10297, 10298, 10299, 10300, 10301, 10302, 10303, 10304, 10305, 10306, 10307, 10308, 10309, 10310, 10311, 10312, 10313, 10314, 10315, 10316, 10317, 10318, 10319, 10320, 10321, 10322, 10323, 10324, 10325, 10326, 10327, 10328, 10329, 10330, 10331, 10332, 10333, 10334, 10335, 10336, 10337, 10338, 10339, 10340, 10341, 10342, 10343, 10344, 10345, 10346, 10347, 10348, 10349, 10350, 10351, 10352, 10353, 10354, 10355, 10356, 10357, 10358, 10359, 10360, 10361, 10362, 10363, 10364, 10365, 10366, 10367, 10368, 10369, 10370, 10371, 10372, 10373, 10374, 10375, 10376, 10377, 10378, 10379, 10380, 10381, 10382, 10383, 10384, 10385, 10386, 10387, 10388, 10389, 10390, 10391, 10392, 10393, 10394, 10395, 10396, 10397, 10398, 10399, 10400, 10401, 10402, 10403, 10404, 10405, 10406, 10407, 10408, 10409, 10410, 10411, 10412, 10413, 10414, 10415, 10416, 10417, 10418, 10419, 10420, 10421, 10422, 10423, 10424, 10425, 10426, 10427, 10428, 10429, 10430, 10431, 10432, 10433, 10434, 10435, 10436, 10437, 10438, 10439, 10440, 10441, 10442, 10443, 10444, 10445, 10446, 10447, 10448, 10449, 10450, 10451, 10452, 10453, 10454, 10455, 10456, 10457, 10458, 10459, 10460, 10461, 10462, 10463, 10464, 10465, 10466, 10467, 10468, 10469, 10470, 10471, 10472, 10473, 10474, 10475, 10476, 10477, 10478, 10479, 10480, 10481, 10482, 10483, 10484, 10485, 10486, 10487, 10488, 10489, 10490, 10491, 10492, 10493, 10494, 10495, 10496, 10497, 10498, 10499, 10500, 10501, 10502, 10503, 10504, 10505, 10506, 10507, 10508, 10509, 10510, 10511, 10512, 10513, 10514, 10515, 10516, 10517, 10518, 10519, 10520, 10521, 10522, 10523, 10524, 10525, 10526, 10527, 10528, 10529, 10530, 10531, 10532, 10533, 10534, 10535, 10536, 10537, 10538, 10539, 10540, 10541, 10542, 10543, 10544, 10545, 10546, 10547, 10548, 10549, 10550, 10551, 10552, 10553, 10554, 10555, 10556, 10557, 10558, 10559, 10560, 10561, 10562, 10563, 10564, 10565, 10566, 10567, 10568, 10569, 10570, 10571, 10572, 10573, 10574, 10575, 10576, 10577, 10578, 10579, 10580, 10581, 10582, 10583, 10584, 10585, 10586, 10587, 10588, 10589, 10590, 10591, 10592, 10593, 10594, 10595, 10596, 10597, 10598, 10599, 10600, 10601, 10602, 10603, 10604, 10605, 10606, 10607, 10608, 10609, 10610, 10611, 10612, 10613, 10614, 10615, 10616, 10617, 10618, 10619, 10620, 10621, 10622, 10623, 10624, 10625, 10626, 10627, 10628, 10629, 10630, 10631, 10632, 10633, 10634, 10635, 10636, 10637, 10638, 10639, 10640, 10641, 10642, 10643, 10644, 10645, 10646, 10647, 10648, 10649, 10650, 10651, 10652, 10653, 10654, 10655, 10656, 10657, 10658, 10659, 10660, 10661, 10662, 10663, 10664, 10665, 10666, 10667, 10668, 10669, 10670, 10671, 10672, 10673, 10674, 10675, 10676, 10677, 10678, 10679, 10680, 10681, 10682, 10683, 10684, 10685, 10686, 10687, 10688, 10689, 10690, 10691, 10692, 10693, 10694, 10695, 10696, 10697, 10698, 10699, 10700, 10701, 10702, 10703, 10704, 10705, 10706, 10707, 10708, 10709, 10710, 10711, 10712, 10713, 10714, 10715, 10716, 10717, 10718, 10719, 10720, 10721, 10722, 10723, 10724, 10725, 10726, 10727, 10728, 10729, 10730, 10731, 10732, 10733, 10734, 10735, 10736, 10737, 10738, 10739, 10740, 10741, 10742, 10743, 10744, 10745, 10746, 10747, 10748, 10749, 10750, 10751, 10752, 10753, 10754, 10755, 10756, 10757, 10758, 10759, 10760, 10761, 10762, 10763, 10764, 10765, 10766, 10767, 10768, 10769, 10770, 10771, 10772, 10773, 10774, 10775, 10776, 10777, 10778, 10779, 10780, 10781, 10782, 10783, 10784, 10785, 10786, 10787, 10788, 10789, 10790, 10791, 10792, 10793, 10794, 10795, 10796, 10797, 10798, 10799, 10800, 10801, 10802, 10803, 10804, 10805, 10806, 10807, 10808, 10809, 10810, 10811, 10812, 10813, 10814, 10815, 10816, 10817, 10818, 10819, 10820, 10821, 10822, 10823, 10824, 10825, 10826, 10827, 10828, 10829, 10830, 10831, 10832, 10833, 10834, 10835, 10836, 10837, 10838, 10839, 10840, 10841, 10842, 10843, 10844, 10845, 10846, 10847, 10848, 10849, 10850, 10851, 10852, 10853, 10854, 10855, 10856, 10857, 10858, 10859, 10860, 10861, 10862, 10863, 10864, 10865, 10866, 10867, 10868, 10869, 10870, 10871, 10872, 10873, 10874, 10875, 10876, 10877, 10878, 10879, 10880, 10881, 10882, 10883, 10884, 10885, 10886, 10887, 10888, 10889, 10890, 10891, 10892, 10893, 10894, 10895, 10896, 10897, 10898, 10899, 10900, 10901, 10902, 10903, 10904, 10905, 10906, 10907, 10908, 10909, 10910, 10911, 10912, 10913, 10914, 10915, 10916, 10917, 10918, 10919, 10920, 10921, 10922, 10923, 10924, 10925, 10926, 10927, 10928, 10929, 10930, 10931, 10932, 10933, 10934, 10935, 10936, 10937, 10938, 10939, 10940, 10941, 10942, 10943, 10944, 10945, 10946, 10947, 10948, 10949, 10950, 10951, 10952, 10953, 10954, 10955, 10956, 10957, 10958, 10959, 10960, 10961, 10962, 10963, 10964, 10965, 10966, 10967, 10968, 10969, 10970, 10971, 10972, 10973, 10974, 10975, 10976, 10977, 10978, 10979, 10980, 10981, 10982, 10983, 10984, 10985, 10986, 10987, 10988, 10989, 10990, 10991, 10992, 10993, 10994, 10995, 10996, 10997, 10998, 10999, 11000, 11001, 11002, 11003, 11004, 11005, 11006, 11007, 11008, 11009, 11010, 11011, 11012, 11013, 11014, 11015, 11016, 11017, 11018, 11019, 11020, 11021, 11022, 11023, 11024, 11025, 11026, 11027, 11028, 11029, 11030, 11031, 11032, 11033, 11034, 11035, 11036, 11037, 11038, 11039, 11040, 11041, 11042, 11043, 11044, 11045, 11046, 11047, 11048, 11049, 11050, 11051, 11052, 11053, 11054, 11055, 11056, 11057, 11058, 11059, 11060, 11061, 11062, 11063, 11064, 11065, 11066, 11067, 11068, 11069, 11070, 11071, 11072, 11073, 11074, 11075, 11076, 11077, 11078, 11079, 11080, 11081, 11082, 11083, 11084, 11085, 11086, 11087, 11088, 11089, 11090, 11091, 11092, 11093, 11094, 11095, 11096, 11097, 11098, 11099, 11100, 11101, 11102, 11103, 11104, 11105, 11106, 11107, 11108, 11109, 11110, 11111, 11112, 11113, 11114, 11115, 11116, 11117, 11118, 11119, 11120, 11121, 11122, 11123, 11124, 11125, 11126, 11127, 11128, 11129, 11130, 11131, 11132, 11133, 11134, 11135, 11136, 11137, 11138, 11139, 11140, 11141, 11142, 11143, 11144, 11145, 11146, 11147, 11148, 11149, 11150, 11151, 11152, 11153, 11154, 11155, 11156, 11157, 11158, 11159, 11160, 11161, 11162, 11163, 11164, 11165, 11166, 11167, 11168, 11169, 11170, 11171, 11172, 11173, 11174, 11175, 11176, 11177, 11178, 11179, 11180, 11181, 11182, 11183, 11184, 11185, 11186, 11187, 11188, 11189, 11190, 11191, 11192, 11193, 11194, 11195, 11196, 11197, 11198, 11199, 11200, 11201, 11202, 11203, 11204, 11205, 11206, 11207, 11208, 11209, 11210, 11211, 11212, 11213, 11214, 11215, 11216, 11217, 11218, 11219, 11220, 11221, 11222, 11223, 11224, 11225, 11226, 11227, 11228, 11229, 11230, 11231, 11232, 11233, 11234, 11235, 11236, 11237, 11238, 11239, 11240, 11241, 11242, 11243, 11244, 11245, 11246, 11247, 11248, 11249, 11250, 11251, 11252, 11253, 11254, 11255, 11256, 11257, 11258, 11259, 11260, 11261, 11262, 11263, 11264, 11265, 11266, 11267, 11268, 11269, 11270, 11271, 11272, 11273, 11274, 11275, 11276, 11277, 11278, 11279, 11280, 11281, 11282, 11283, 11284, 11285, 11286, 11287, 11288, 11289, 11290, 11291, 11292, 11293, 11294, 11295, 11296, 11297, 11298, 11299, 11300, 11301, 11302, 11303, 11304, 11305, 11306, 11307, 11308, 11309, 11310, 11311, 11312, 11313, 11314, 11315, 11316, 11317, 11318, 11319, 11320, 11321, 11322, 11323, 11324, 11325, 11326, 11327, 11328, 11329, 11330, 11331, 11332, 11333, 11334, 11335, 11336, 11337, 11338, 11339, 11340, 11341, 11342, 11343, 11344, 11345, 11346, 11347, 11348, 11349, 11350, 11351, 11352, 11353, 11354, 11355, 11356, 11357, 11358, 11359, 11360, 11361, 11362, 11363, 11364, 11365, 11366, 11367, 11368, 11369, 11370, 11371, 11372, 11373, 11374, 11375, 11376, 11377, 11378, 11379, 11380, 11381, 11382, 11383, 11384, 11385, 11386, 11387, 11388, 11389, 11390, 11391, 11392, 11393, 11394, 11395, 11396, 11397, 11398, 11399, 11400, 11401, 11402, 11403, 11404, 11405, 11406, 11407, 11408, 11409, 11410, 11411, 11412, 11413, 11414, 11415, 11416, 11417, 11418, 11419, 11420, 11421, 11422, 11423, 11424, 11425, 11426, 11427, 11428, 11429, 11430, 11431, 11432, 11433, 11434, 11435, 11436, 11437, 11438, 11439, 11440, 11441, 11442, 11443, 11444, 11445, 11446, 11447, 11448, 11449, 11450, 11451, 11452, 11453, 11454, 11455, 11456, 11457, 11458, 11459, 11460, 11461, 11462, 11463, 11464, 11465, 11466, 11467, 11468, 11469, 11470, 11471, 11472, 11473, 11474, 11475, 11476, 11477, 11478, 11479, 11480, 11481, 11482, 11483, 11484, 11485, 11486, 11487, 11488, 11489, 11490, 11491, 11492, 11493, 11494, 11495, 11496, 11497, 11498, 11499, 11500, 11501, 11502, 11503, 11504, 11505, 11506, 11507, 11508, 11509, 11510, 11511, 11512, 11513, 11514, 11515, 11516, 11517, 11518, 11519, 11520, 11521, 11522, 11523, 11524, 11525, 11526, 11527, 11528, 11529, 11530, 11531, 11532, 11533, 11534, 11535, 11536, 11537, 11538, 11539, 11540, 11541, 11542, 11543, 11544, 11545, 11546, 11547, 11548, 11549, 11550, 11551, 11552, 11553, 11554, 11555, 11556, 11557, 11558, 11559, 11560, 11561, 11562, 11563, 11564, 11565, 11566, 11567, 11568, 11569, 11570, 11571, 11572, 11573, 11574, 11575, 11576, 11577, 11578, 11579, 11580, 11581, 11582, 11583, 11584, 11585, 11586, 11587, 11588, 11589, 11590, 11591, 11592, 11593, 11594, 11595, 11596, 11597, 11598, 11599, 11600, 11601, 11602, 11603, 11604, 11605, 11606, 11607, 11608, 11609, 11610, 11611, 11612, 11613, 11614, 11615, 11616, 11617, 11618, 11619, 11620, 11621, 11622, 11623, 11624, 11625, 11626, 11627, 11628, 11629, 11630, 11631, 11632, 11633, 11634, 11635, 11636, 11637, 11638, 11639, 11640, 11641, 11642, 11643, 11644, 11645, 11646, 11647, 11648, 11649, 11650, 11651, 11652, 11653, 11654, 11655, 11656, 11657, 11658, 11659, 11660, 11661, 11662, 11663, 11664, 11665, 11666, 11667, 11668, 11669, 11670, 11671, 11672, 11673

FUNCTION LEGEND



19:55:52 PM

- NOTE, REDUCED EXCAVATION FOR BASEMENT CARPARK
- BASEMENT CARPARK COMPLETEDLY NATURALLY VENTILATED
- NO PART OF DEVELOPMENT EXCEEDS 13.5M ABOVE NGL 4.0



TYPICAL SECTION AND LEVELS LAYOUT

1:50@A1 / 1:100@a3

NEW DEVELOPMENT

LOT 906 BALE DRIVE, PORT DOUGLAS, QLD, 4879

TYPICAL SECTION LAYOUT

Date Issue Date

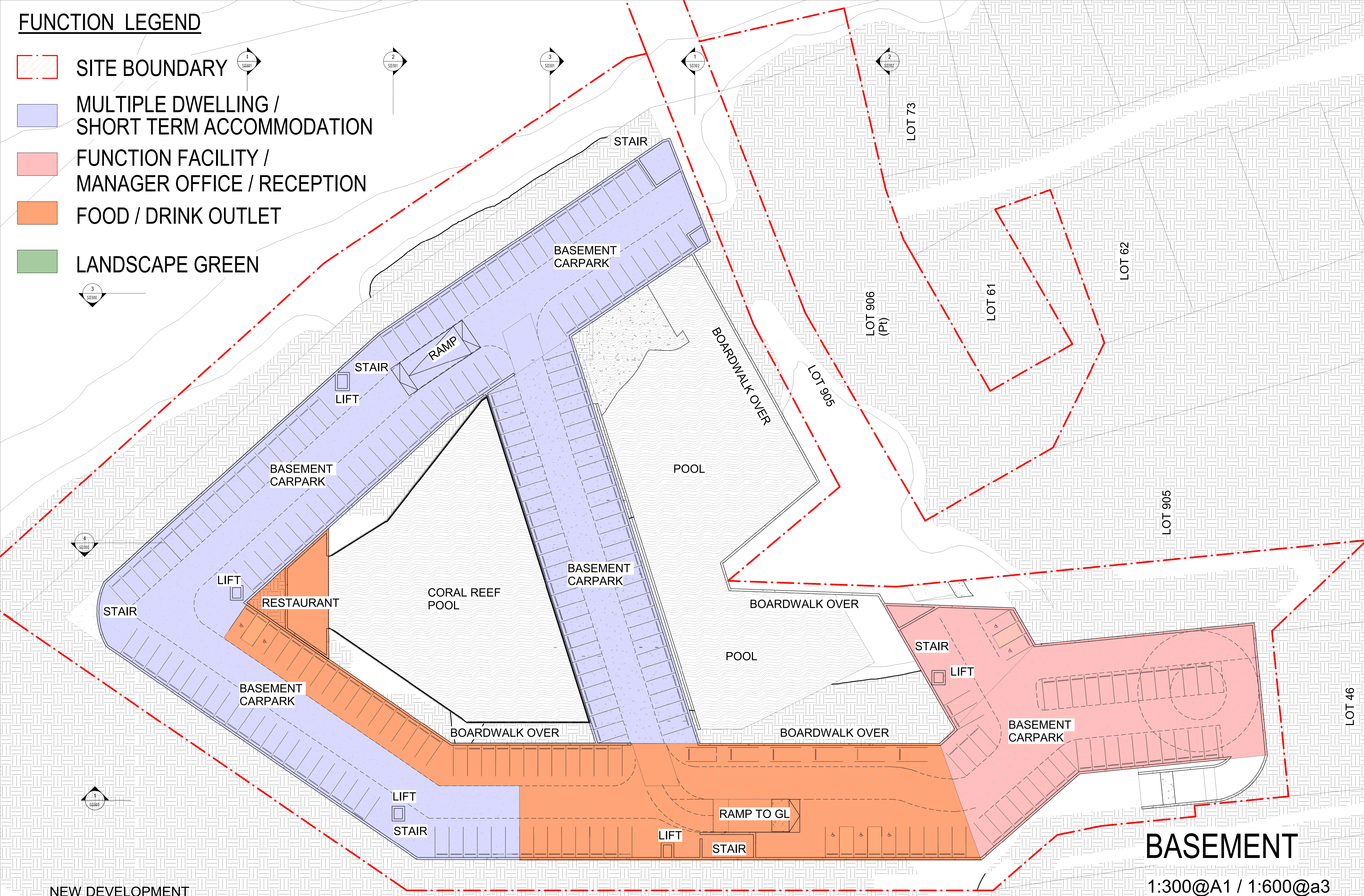
Building height*

If specified: (a) in metres, the vertical distance between the ground level or the flood hazard level (where the building is in a flood hazard area) and the highest point of the building roof (apex) or parapet at any point but not including load-bearing antenna, aerial, chimney, flagpole or the like (b) in storeys, the number of storeys above ground level or the flood hazard level (where the building is in a flood hazard area) or (c) in both metres and storeys, as specified in (a) and (b) respectively.

Building Height (AO1) 13.5m / 3 storeys above natural ground.

FUNCTION LEGEND

- SITE BOUNDARY
- MULTIPLE DWELLING / SHORT TERM ACCOMMODATION
- FUNCTION FACILITY / MANAGER OFFICE / RECEPTION
- FOOD / DRINK OUTLET
- LANDSCAPE GREEN



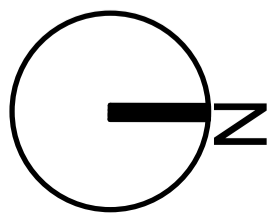
NEW DEVELOPMENT
LOT 906 BALE DRIVE, PORT DOUGLAS, QLD, 4879

PLANS_BASEMENT

Date Issue Date

BASEMENT

1:300@A1 / 1:600@a3



Charles Wright Architects

PROJECT OFFICE
LOT 906 BALE DRIVE, PORT DOUGLAS, QLD, 4879
ARCHITECTS
ARCHITECTS

2 - 1:300@A1
2 - 1:600@a3
1 - 1:300@A1
1 - 1:600@a3

JOB NO.
NM01

DRAWING NO.
SD100

REV

8/06/2019 3:26:41 PM

LANDSCAPE GREEN

LEGEND

- | | | |
|----------------|--------------------------|----------------------|
| 1 POOL DINING | 10 F / WC | 18a ADMIN / STORE |
| 2 POOL BAR | 11 RAMP | 19 M / WC |
| 3 SHARED BAR | 12 PICK-UP /
DROP OFF | 20 F / WC |
| 4 RESTAURANT | 13 RAMP | 21 GOODS LIFT |
| 5 BAR LOUNGE | 14 WATER POND | 22 SERVICE
LOADIN |
| 6 SERVICE LIFT | 15 LANDSCAPE | 23 STAIR |
| 7 M / DISABLED | 16 LOBBY LOUNGE | 24 STAIR |
| 8 M / WC | 17 RECEPTION | 25 LIFT |
| 9 F / DISABLED | 18 MANAGER
OFFICE | 26 LIFT |

GROUND FLOOR

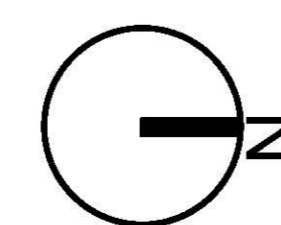
1:300@A1 / 1:600@a3

NEW DEVELOPMENT

LOT 906 BALE DRIVE, PORT DOUGLAS, QLD, 4879

PLANS_GROUND FLOOR

Date	Issue Date
------	------------



Charles Wright Architects

Melbourne Office:
LEVEL 9, TOTAL HOUSE, 180 RUSSELL STREET
Perth Douglas Office:
SHOP 5 - LAKRI CENTRE, 68 MACROSSAN STREET
AGN 89 319 653 945 ACN 116 285 908
EMAIL: charles@wrightarchitects.com.au

T: +81 3 9683 1166
F: +81 3 8888 1630

T: +81 7 4999 4965
F: +81 7 4999 4980

M: 9622 226 581

JOB NO.

NM01

DRAWING NO. **SD101** REV.

2019-12-12 01:50

FUNCTION LEGEND

- 2
SD301

SITE BOUNDARY

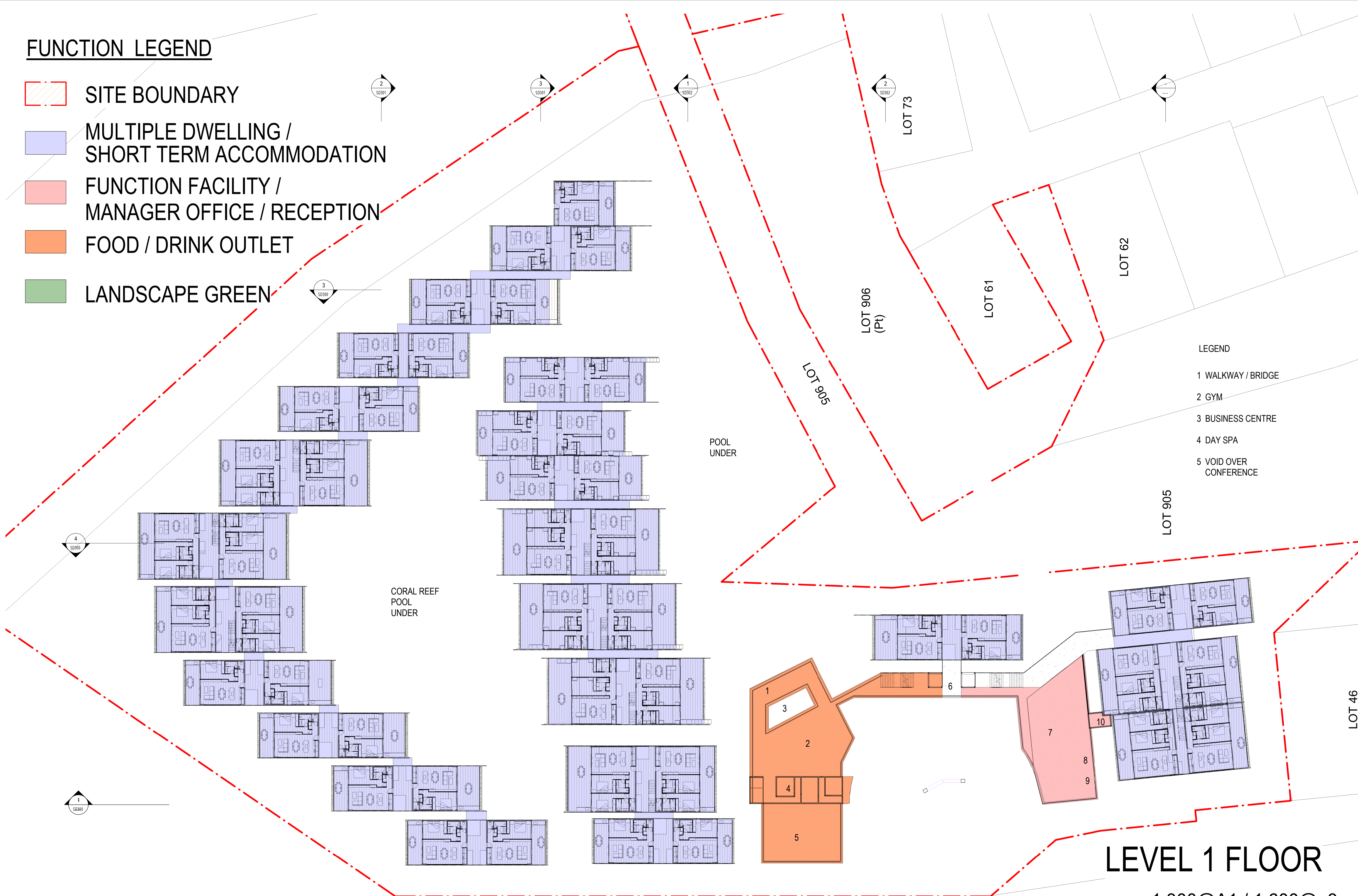
**MULTIPLE DWELLING /
SHORT TERM ACCOMMODATION**

**FUNCTION FACILITY /
MANAGER OFFICE / RECEPTION**

FOOD / DRINK OUTLET

LANDSCAPE GREEN

3
SD300



LEVEL 1 FLOOR

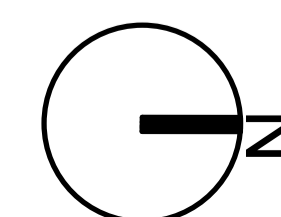
1:300@A1 / 1:600@a3

NEW DEVELOPMENT

LOT 906 BALE DRIVE, PORT DOUGLAS, QLD, 4879

PLANS LEVEL 1

Date	Issue Date
------	------------



Charles Wright Architects

Melbourne Office:
LEVEL 9, TOTAL HOUSE, 280 RUSSELL STREET, MELBOURNE VIC 3000

Port Douglas Office:
SHOP 5 - LAXMI CENTRE, 48 MACROSSAN STREET, PORT DOUGLAS QLD 4877

ABN 85 379 653 395 ACN 110 285 668

EMAIL: charles@wurbharchitects.com.au

T: +61 3 9663 1166
F: +61 3 8888 1630

T: +61 7 4099 4965
F: +61 7 4099 6963

M: 8433 226 561

WEB www.wrightshilleries.com.au

JOB NO.
NM01

DRAWING NO. SD102

REV

19:55:41 PM

FUNCTION LEGEND

- SITE BOUNDARY
- MULTIPLE DWELLING / SHORT TERM ACCOMMODATION
- FUNCTION FACILITY / MANAGER OFFICE / RECEPTION
- FOOD / DRINK OUTLET
- LANDSCAPE GREEN



- LEGEND
- 1 WALKWAY / BRIDGE
 - 2 GYM
 - 3 BUSINESS CENTRE
 - 4 DAY SPA
 - 5 VOID OVER CONFERENCE

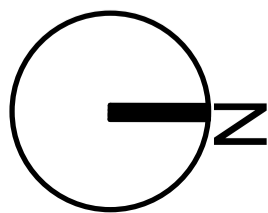
LEVEL 2 FLOOR

1:300@A1 / 1:600@a3

NEW DEVELOPMENT
LOT 906 BALE DRIVE, PORT DOUGLAS, QLD, 4879

PLANS_LEVEL 2

Date Issue Date



Charles Wright Architects

PROJECT OFFICE
LEVEL 2, TOTAL HOUSE, 100 RUSSELL STREET, MELBOURNE VIC 3000
PROJECT OFFICE
LEVEL 2, TOTAL HOUSE, 100 RUSSELL STREET, MELBOURNE VIC 3000
ARCHITECT
LEVEL 2, TOTAL HOUSE, 100 RUSSELL STREET, MELBOURNE VIC 3000
ARCHITECT
LEVEL 2, TOTAL HOUSE, 100 RUSSELL STREET, MELBOURNE VIC 3000

JOB NO.
NM01

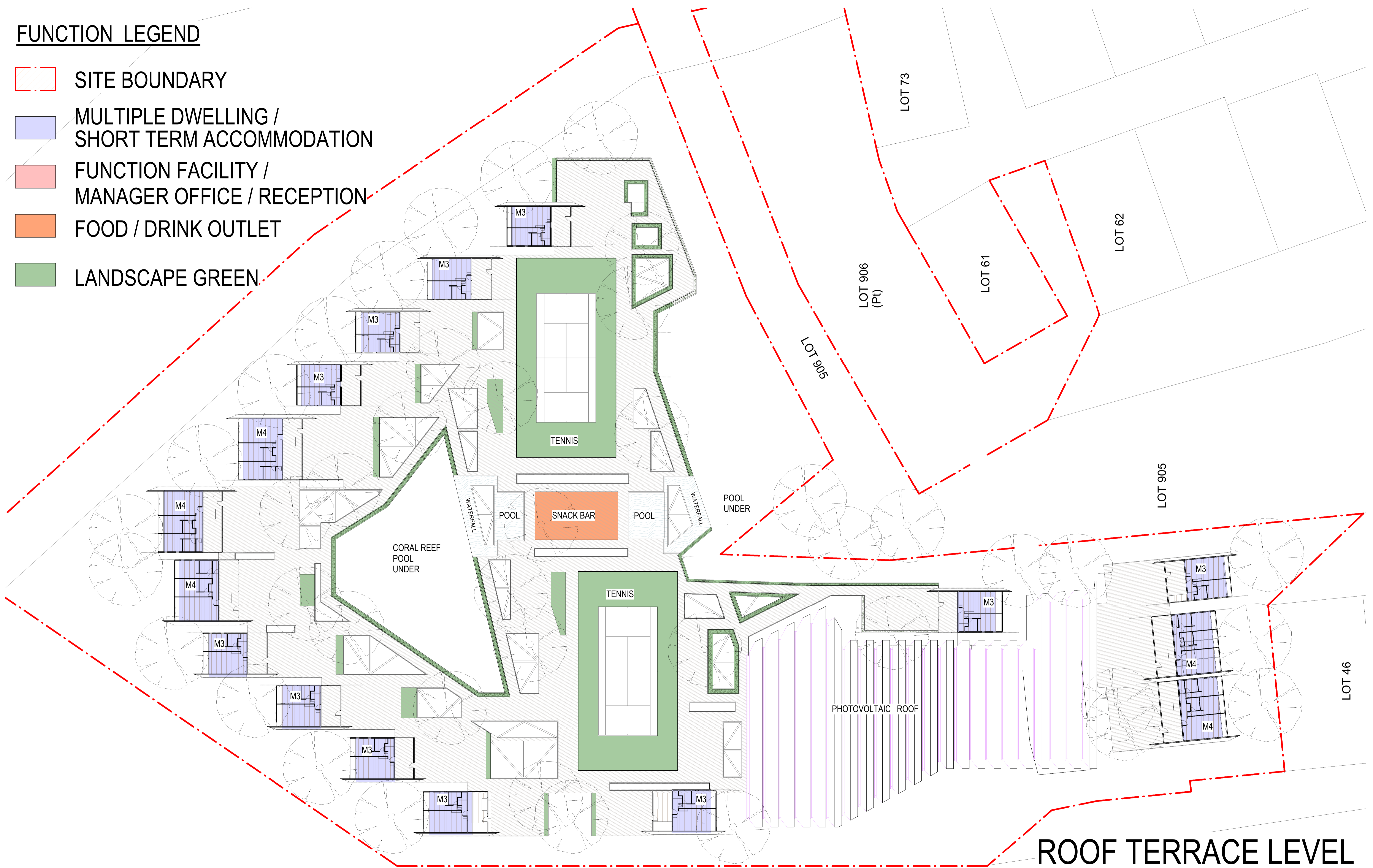
DRAWING NO.
SD103

REV

08/08/2016 5:57:54 PM

FUNCTION LEGEND

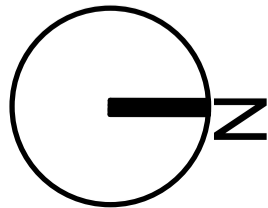
- SITE BOUNDARY
- MULTIPLE DWELLING / SHORT TERM ACCOMMODATION
- FUNCTION FACILITY / MANAGER OFFICE / RECEPTION
- FOOD / DRINK OUTLET
- LANDSCAPE GREEN



ROOF TERRACE LEVEL

1:300@A1 / 1:600@a3

NEW DEVELOPMENT
LOT 906 BALE DRIVE, PORT DOUGLAS, QLD, 4879
PLANS_ROOF LANDSCAPE TERRACE
Date Issue Date



Project Details
Lot 906, Total House, 100 Russell Street, Melbourne VIC 3000
Project Manager: [Name], 100 Russell Street, Port Douglas QLD 4879
Architect: [Name], 100 Russell Street, Port Douglas QLD 4879
Email: [Email]

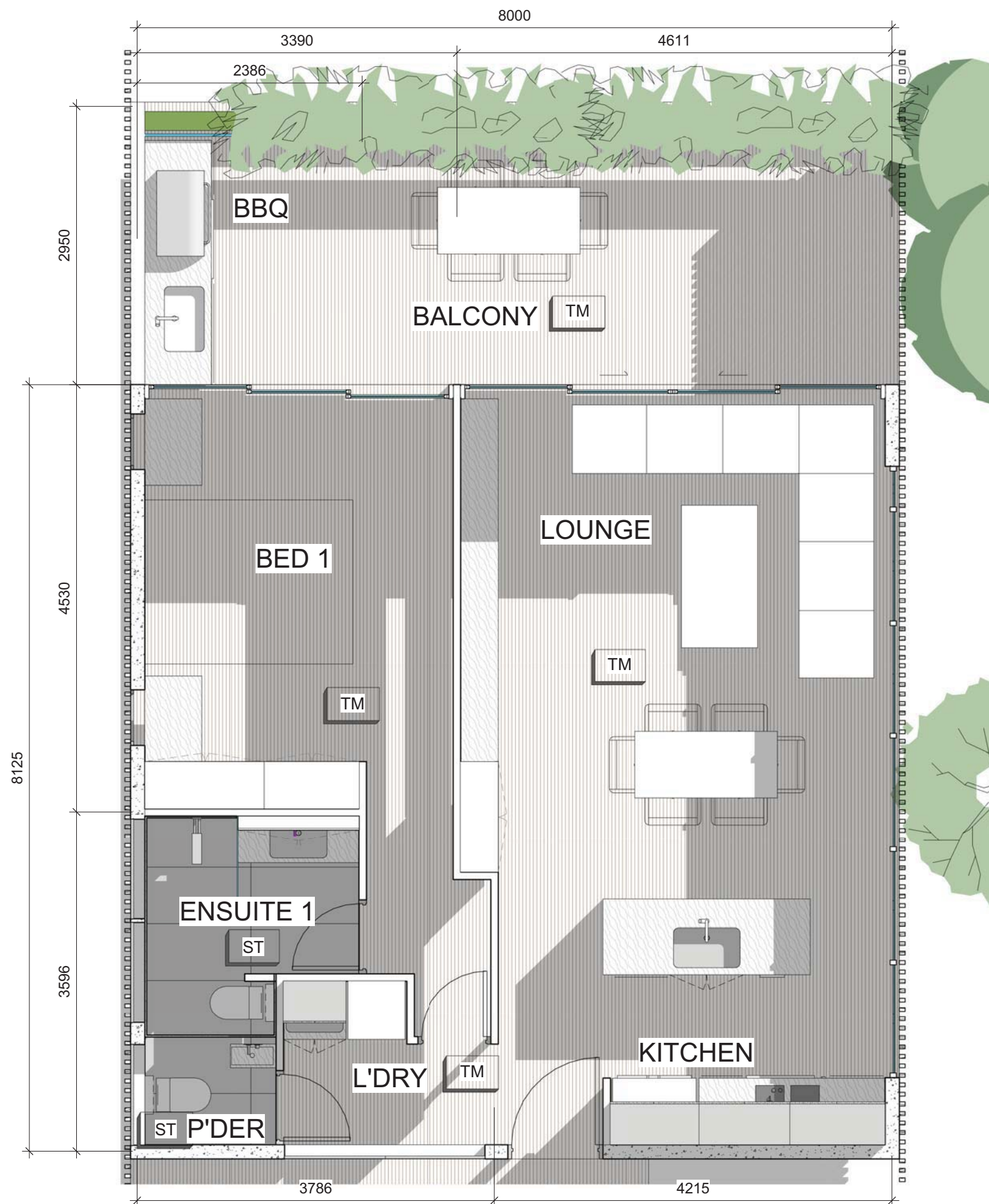
JOB NO.
NM01

DRAWING NO.
SD104

REV

8/06/2019 12:26:30 PM

ASK	ASKIN PANEL AND FINISH
C2	CLASS 2 OFF FORM CONCRETE FINISH
CO	TIMBER FFEATURE OFF FORM CONCRETE FINISH
TM	TIMBER FLOOR
GL1	LOW-E GLASS
GL2	GLASS BALUSTRADE WITH ALUMINUM TOP LINK CHANNEL
TB	TIMBER BATTEN (OPEN PERCENTAGE AS SPECIFICATION)
MS	METAL STAIR BALUSTRADES
ST	SELECTED STONE FINISH



NEW DEVELOPMENT
LOT 906 BALE DRIVE, PORT DOUGLAS, QLD, 4879

TYPICAL UNIT _ TYPE/ M2

Date Issue Date

UNIT TYPE _ M2
FLOOR PLAN 1:50 (1:100@A3)

UNIT TYPE _ M2 1 BEDROOMS + 1 BATHROOMS

1:25 @A1 / 1:50@A3

AREA SUMMARY

INTERNA:	
COMBINED LIVING / KITCHEN	34.7 sqm
BEDRM 1	17.1 sqm
ENSUITE 1	5.0 sqm
POWDER	1.6 sqm
L'DRY	3.5 sqm
TOTAL INTERNAL (GFA)	66.8 sqm
TOTAL EXTERNAL (BALCONY)	24.0 sqm
TOTAL	90.8 sqm

FINISHES SCHEDULE

ASK	ASKIN PANEL AND FINISH
C2	CLASS 2 OFF FORM CONCRETE FINISH
CO	TIMBER FFEATURE OFF FORM CONCRETE FINISH
TM	TIMBER FLOOR
GL1	LOW-E GLASS
GL2	GLASS BALUSTRADE WITH ALUMINUM TOP LINK CHANNEL
TB	TIMBER BATTEN (OPEN PERCENTAGE AS SPECIFICATION)
MS	METAL STAIR BALUSTRADES
ST	SELECTED STONE FINISH



Charles Wright Architects

PROJECION OFFICE
LEVEL 6, TOTAL HOUSE, 90 RUSSELL STREET, MELBOURNE VIC 3000
Paul Wright Architects
100/101, 102/103, 104/105, 106/107, 108/109, 110/111, 112/113, 114/115, 116/117, 118/119, 120/121, 122/123, 124/125, 126/127, 128/129, 130/131, 132/133, 134/135, 136/137, 138/139, 140/141, 142/143, 144/145, 146/147, 148/149, 150/151, 152/153, 154/155, 156/157, 158/159, 160/161, 162/163, 164/165, 166/167, 168/169, 170/171, 172/173, 174/175, 176/177, 178/179, 180/181, 182/183, 184/185, 186/187, 188/189, 190/191, 192/193, 194/195, 196/197, 198/199, 200/201, 202/203, 204/205, 206/207, 208/209, 210/211, 212/213, 214/215, 216/217, 218/219, 220/221, 222/223, 224/225, 226/227, 228/229, 230/231, 232/233, 234/235, 236/237, 238/239, 240/241, 242/243, 244/245, 246/247, 248/249, 250/251, 252/253, 254/255, 256/257, 258/259, 260/261, 262/263, 264/265, 266/267, 268/269, 270/271, 272/273, 274/275, 276/277, 278/279, 280/281, 282/283, 284/285, 286/287, 288/289, 290/291, 292/293, 294/295, 296/297, 298/299, 300/301, 302/303, 304/305, 306/307, 308/309, 310/311, 312/313, 314/315, 316/317, 318/319, 320/321, 322/323, 324/325, 326/327, 328/329, 330/331, 332/333, 334/335, 336/337, 338/339, 340/341, 342/343, 344/345, 346/347, 348/349, 350/351, 352/353, 354/355, 356/357, 358/359, 360/361, 362/363, 364/365, 366/367, 368/369, 370/371, 372/373, 374/375, 376/377, 378/379, 380/381, 382/383, 384/385, 386/387, 388/389, 390/391, 392/393, 394/395, 396/397, 398/399, 400/401, 402/403, 404/405, 406/407, 408/409, 410/411, 412/413, 414/415, 416/417, 418/419, 420/421, 422/423, 424/425, 426/427, 428/429, 430/431, 432/433, 434/435, 436/437, 438/439, 440/441, 442/443, 444/445, 446/447, 448/449, 450/451, 452/453, 454/455, 456/457, 458/459, 460/461, 462/463, 464/465, 466/467, 468/469, 470/471, 472/473, 474/475, 476/477, 478/479, 480/481, 482/483, 484/485, 486/487, 488/489, 490/491, 492/493, 494/495, 496/497, 498/499, 500/501, 502/503, 504/505, 506/507, 508/509, 510/511, 512/513, 514/515, 516/517, 518/519, 520/521, 522/523, 524/525, 526/527, 528/529, 530/531, 532/533, 534/535, 536/537, 538/539, 540/541, 542/543, 544/545, 546/547, 548/549, 550/551, 552/553, 554/555, 556/557, 558/559, 560/561, 562/563, 564/565, 566/567, 568/569, 570/571, 572/573, 574/575, 576/577, 578/579, 580/581, 582/583, 584/585, 586/587, 588/589, 590/591, 592/593, 594/595, 596/597, 598/599, 600/601, 602/603, 604/605, 606/607, 608/609, 610/611, 612/613, 614/615, 616/617, 618/619, 620/621, 622/623, 624/625, 626/627, 628/629, 630/631, 632/633, 634/635, 636/637, 638/639, 640/641, 642/643, 644/645, 646/647, 648/649, 650/651, 652/653, 654/655, 656/657, 658/659, 660/661, 662/663, 664/665, 666/667, 668/669, 670/671, 672/673, 674/675, 676/677, 678/679, 680/681, 682/683, 684/685, 686/687, 688/689, 690/691, 692/693, 694/695, 696/697, 698/699, 700/701, 702/703, 704/705, 706/707, 708/709, 710/711, 712/713, 714/715, 716/717, 718/719, 720/721, 722/723, 724/725, 726/727, 728/729, 730/731, 732/733, 734/735, 736/737, 738/739, 740/741, 742/743, 744/745, 746/747, 748/749, 750/751, 752/753, 754/755, 756/757, 758/759, 760/761, 762/763, 764/765, 766/767, 768/769, 770/771, 772/773, 774/775, 776/777, 778/779, 780/781, 782/783, 784/785, 786/787, 788/789, 790/791, 792/793, 794/795, 796/797, 798/799, 800/801, 802/803, 804/805, 806/807, 808/809, 810/811, 812/813, 814/815, 816/817, 818/819, 820/821, 822/823, 824/825, 826/827, 828/829, 830/831, 832/833, 834/835, 836/837, 838/839, 840/841, 842/843, 844/845, 846/847, 848/849, 850/851, 852/853, 854/855, 856/857, 858/859, 860/861, 862/863, 864/865, 866/867, 868/869, 870/871, 872/873, 874/875, 876/877, 878/879, 880/881, 882/883, 884/885, 886/887, 888/889, 890/891, 892/893, 894/895, 896/897, 898/899, 900/901, 902/903, 904/905, 906/907, 908/909, 910/911, 912/913, 914/915, 916/917, 918/919, 920/921, 922/923, 924/925, 926/927, 928/929, 930/931, 932/933, 934/935, 936/937, 938/939, 940/941, 942/943, 944/945, 946/947, 948/949, 950/951, 952/953, 954/955, 956/957, 958/959, 960/961, 962/963, 964/965, 966/967, 968/969, 970/971, 972/973, 974/975, 976/977, 978/979, 980/981, 982/983, 984/985, 986/987, 988/989, 990/991, 992/993, 994/995, 996/997, 998/999, 1000/1001, 1002/1003, 1004/1005, 1006/1007, 1008/1009, 1010/1011, 1012/1013, 1014/1015, 1016/1017, 1018/1019, 1020/1021, 1022/1023, 1024/1025, 1026/1027, 1028/1029, 1030/1031, 1032/1033, 1034/1035, 1036/1037, 1038/1039, 1040/1041, 1042/1043, 1044/1045, 1046/1047, 1048/1049, 1050/1051, 1052/1053, 1054/1055, 1056/1057, 1058/1059, 1060/1061, 1062/1063, 1064/1065, 1066/1067, 1068/1069, 1070/1071, 1072/1073, 1074/1075, 1076/1077, 1078/1079, 1080/1081, 1082/1083, 1084/1085, 1086/1087, 1088/1089, 1090/1091, 1092/1093, 1094/1095, 1096/1097, 1098/1099, 1100/1101, 1102/1103, 1104/1105, 1106/1107, 1108/1109, 1110/1111, 1112/1113, 1114/1115, 1116/1117, 1118/1119, 1120/1121, 1122/1123, 1124/1125, 1126/1127, 1128/1129, 1130/1131, 1132/1133, 1134/1135, 1136/1137, 1138/1139, 1140/1141, 1142/1143, 1144/1145, 1146/1147, 1148/1149, 1150/1151, 1152/1153, 1154/1155, 1156/1157, 1158/1159, 1160/1161, 1162/1163, 1164/1165, 1166/1167, 1168/1169, 1170/1171, 1172/1173, 1174/1175, 1176/1177, 1178/1179, 1180/1181, 1182/1183, 1184/1185, 1186/1187, 1188/1189, 1190/1191, 1192/1193, 1194/1195, 1196/1197, 1198/1199, 1200/1201, 1202/1203, 1204/1205, 1206/1207, 1208/1209, 1210/1211, 1212/1213, 1214/1215, 1216/1217, 1218/1219, 1220/1221, 1222/1223, 1224/1225, 1226/1227, 1228/1229, 1230/1231, 1232/1233, 1234/1235, 1236/1237, 1238/1239, 1240/1241, 1242/1243, 1244/1245, 1246/1247, 1248/1249, 1250/1251, 1252/1253, 1254/1255, 1256/1257, 1258/1259, 1260/1261, 1262/1263, 1264/1265, 1266/1267, 1268/1269, 1270/1271, 1272/1273, 1274/1275, 1276/1277, 1278/1279, 1280/1281, 1282/1283, 1284/1285, 1286/1287, 1288/1289, 1290/1291, 1292/1293, 1294/1295, 1296/1297, 1298/1299, 1300/1301, 1302/1303, 1304/1305, 1306/1307, 1308/1309, 1310/1311, 1312/1313, 1314/1315, 1316/1317, 1318/1319, 1320/1321, 1322/1323, 1324/1325, 1326/1327, 1328/1329, 1330/1331, 1332/1333, 1334/1335, 1336/1337, 1338/1339, 1340/1341, 1342/1343, 1344/1345, 1346/1347, 1348/1349, 1350/1351, 1352/1353, 1354/1355, 1356/1357, 1358/1359, 1360/1361, 1362/1363, 1364/1365, 1366/1367, 1368/1369, 1370/1371, 1372/1373, 1374/1375, 1376/1377, 1378/1379, 1380/1381, 1382/1383, 1384/1385, 1386/1387, 1388/1389, 1390/1391, 1392/1393, 1394/1395, 1396/1397, 1398/1399, 1400/1401, 1402/1403, 1404/1405, 1406/1407, 1408/1409, 1410/1411, 1412/1413, 1414/1415, 1416/1417, 1418/1419, 1420/1421, 1422/1423, 1424/1425, 1426/1427, 1428/1429, 1430/1431, 1432/1433, 1434/1435, 1436/1437, 1438/1439, 1440/1441, 1442/1443, 1444/1445, 1446/1447, 1448/1449, 1450/1451, 1452/1453, 1454/1455, 1456/1457, 1458/1459, 1460/1461, 1462/1463, 1464/1465, 1466/1467, 1468/1469, 1470/1471, 1472/1473, 1474/1475, 1476/1477, 1478/1479, 1480/1481, 1482/1483, 1484/1485, 1486/1487, 1488/1489, 1490/1491, 1492/1493, 1494/1495, 1496/1497, 1498/1499, 1500/1501, 1502/1503, 1504/1505, 1506/1507, 1508/1509, 1510/1511, 1512/1513, 1514/1515, 1516/1517, 1518/1519, 1520/1521, 1522/1523, 1524/1525, 1526/1527, 1528/1529, 1530/1531, 1532/1533, 1534/1535, 1536/1537, 1538/1539, 1540/1541, 1542/1543, 1544/1545, 1546/1547, 1548/1549, 1550/1551, 1552/1553, 1554/1555, 1556/1557, 1558/1559, 1560/1561, 1562/1563, 1564/1565, 1566/1567, 1568/1569, 1570/1571, 1572/1573, 1574/1575, 1576/1577, 1578/1579, 1580/1581, 1582/1583, 1584/1585, 1586/1587, 1588/1589, 1590/1591, 1592/1593, 1594/1595, 1596/1597, 1598/1599, 1600/1601, 1602/1603, 1604/1605, 1606/1607, 1608/1609, 1610/1611, 1612/1613, 1614/1615, 1616/1617, 1618/1619, 1620/1621, 1622/1623, 1624/1625, 1626/1627, 1628/1629, 1630/1631, 1632/1633, 1634/1635, 1636/1637, 1638/1639, 1640/1641, 1642/1643, 1644/1645, 1646/1647, 1648/1649, 1650/1651, 1652/1653, 1654/1655, 1656/1657, 1658/1659, 1660/1661, 1662/1663, 1664/1665, 1666/1667, 1668/1669, 1670/1671, 1672/1673, 1674/1675, 1676/1677, 1678/1679, 1680/1681, 1682/1683, 1684/1685, 1686/1687, 1688/1689, 1690/1691, 1692/1693, 1694/1695, 1696/1697, 1698/1699, 1700/1701, 1702/1703, 1704/1705, 1706/1707, 1708/1709, 1710/1711, 1712/1713, 1714/1715, 1716/1717, 1718/1719, 1720/1721, 1722/1723, 1724/1725, 1726/1727, 1728/1729, 1730/1731, 1732/1733, 1734/1735, 1736/1737, 1738/1739, 1740/1741, 1742/1743, 1744/1745, 1746/1747, 1748/1749, 1750/1751, 1752/1753, 1754/1755, 1756/1757, 1758/1759, 1760/1761, 1762/1763, 1764/1765, 1766/1767, 1768/1769, 1770/1771, 1772/1773, 1774/1775, 1776/1777, 1778/1779, 1780/1781, 1782/1783, 1784/1785, 1786/1787, 1788/1789, 1790/1791, 1792/1793, 1794/1795, 1796/1797, 1798/1799, 1800/1801, 1802/1803, 1804/1805, 1806/1807, 1808/1809, 1810/1811, 1812/1813, 1814/1815, 1816/1817, 1818/1819, 1820/1821, 1822/1823, 1824/1825, 1826/1827, 1828/1829, 1830/1831, 1832/1833, 1834/1835, 1836/1837, 1838/1839, 1840/1841, 1842/1843, 1844/1845, 1846/1847, 1848/1849, 1850/1851, 1852/1853, 1854/1855, 1856/1857, 1858/1859, 1860/1861, 1862/1863, 1864/1865, 1866/1867, 1868/1869, 1870/1871, 1872/1873, 1874/1875, 1876/1877, 1878/1879, 1880/1881, 1882/1883, 1884/1885, 1886/1887, 1888/1889, 1890/1891, 1892/1893, 1894/1895, 1896/1897, 1898/1899, 1900/1901, 1902/1903, 1904/1905, 1906/1907, 1908/1909, 1910/1911, 1912/1913, 1914/1915, 1916/1917, 1918/1919, 1920/1921, 1922/1923, 1924/1925, 1926/1927, 1928/1929, 1930/1931, 1932/1933, 1934/1935, 1936/1937, 1938/1939, 1940/1941, 1942/1943, 1944/1945, 1946/1947, 1948/1949, 1950/1951, 1952/1953, 1954/1955, 1956/1957, 1958/1959, 1960/1961, 1962/1963, 1964/1965, 1966/1967, 1968/1969, 1970/1971, 1972/1973, 1974/1975, 1976/1977, 1978/1979, 1980/1981, 1982/1983, 1984/1985, 1986/1987, 1988/1989, 1990/1991, 1992/1993, 1994/1995, 1996/1997, 1998/1999, 2000/2001, 2002/2003, 2004/2005, 2006/2007, 2008/2009, 2010/2011, 2012/2013, 2014/2015, 2016/2017, 2018/2019, 2020/2021, 2022/2023, 2024/2025, 2026/2027, 2028/2029, 2030/2031, 2032/2033, 2034/2035, 2036/2037, 2038/2039, 2040/2041, 2042/2043, 2044/2045, 2046/2047, 2048/2049, 2050/2051, 2052/2053, 2054/2055, 2056/2057, 2058/2059, 2060/2061, 2062/2063, 2064/2065, 2066/2067, 2068/2069, 2070/2071, 2072/2073, 2074/2075, 2076/2077, 2078/2079, 2080/2081, 2082/2083, 2084/2085, 2086/2087, 2088/2089, 2090/2091, 2092/2093, 2094/2095, 2096/2097, 2098/2099, 2100/2101, 2102/2103, 2104/2105, 2106/2107, 2108/2109, 2110/2111, 2112/2113, 2114/2115, 2116/2117, 2118/2119, 2120/2121, 2122/2123, 2124/2125, 2126/2127, 2128/2129, 2130/2131, 2132/2133, 2134/2135, 2136/2137, 2138/2139, 2140/2141, 2142/2143, 2144/2145, 2146/2147, 2148/2149, 2150/2151, 2152/2153, 2154/2155, 2156/2157, 2158/2159, 2160/2161, 2162/2163, 2164/2165, 2166/2167, 2168/2169, 2170/2171, 2172/2173, 2174/2175, 2176/2177, 2178/2179, 2180/2181, 2182/2183, 2184/2185, 2186/2187, 2188/2189, 2190/2191, 2192/2193, 2194/2195, 2196/2197, 2198/2199, 2200/2201, 2202/2203, 2204/2205, 2206/2207, 2208/2209, 2210/2211, 2212/2213, 2214/2215, 2216/2217, 2218/2219, 2220/2221, 2222/2223, 2224/2225, 2226/2227, 2228/2229, 2230/2231, 2232/2233, 2234/2235, 2236/2237, 2238/2239, 2240/2241, 2242/2243, 2244/2245, 2246/2247, 2248/2249, 2250/2251, 2252/2253, 2254/2255, 2256/2257, 2258/2259, 2260/2261, 2262/2263, 2264/2265, 2266/2267, 2268/2269, 2270/2271, 2272/2273,

UNIT TYPE _ M3

2 BEDROOMS + 2 BATHROOMS

AREA SUMMARY

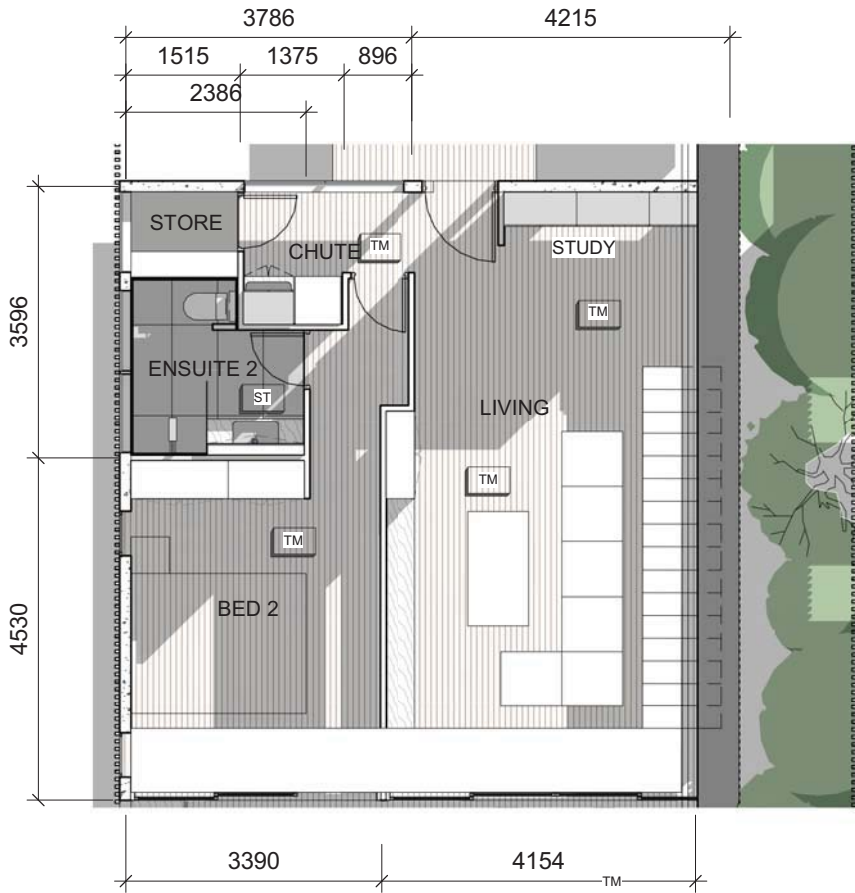
INTERNAL(LOWER)	
LOUNGE / KITCHEN	34.7 sqm
BEDRM 1	17.1sqm
ENSUITE 1	5.0 sqm
POWDER	1.60 sqm
L'DRY	3.50 sqm
SUB TOTAL (GFA)	
	66.8 sqm

ROOF TERRACE LEVEL

LIVING	23.3 sqm
BEDRM 2	14.0 sqm
ENSUITE 2	4.70 sqm
STORE	1.50 sqm
CHUTE / STORE	3.60 sqm
SUB TOTAL (GFA)	
	48.4 sqm
TOTAL INTERNAL (GFA)	
	115.2 sqm
TOTAL EXTERNAL (BALCONY)	
	24.0 sqm
TOTAL	
	139.2 sqm



UNIT TYPE _ M3
FLOOR PLAN 1:50 (1:100@A3)



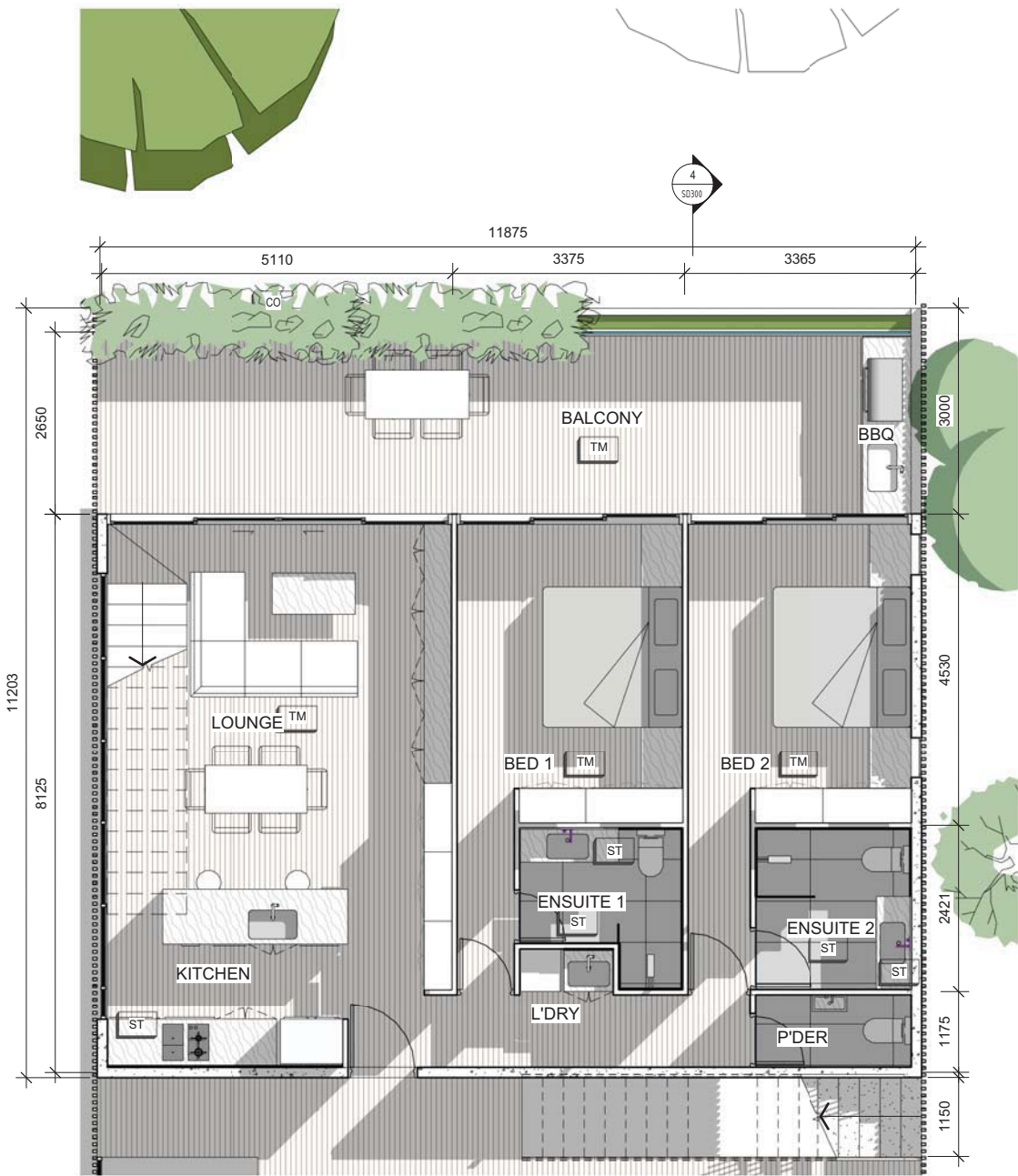
UNIT TYPE _ M3
ROOF TERRACE LEVEL PLAN 1:50 (1:100@A3)

FINISHES SCHEDULE

ASK	ASKIN PANEL AND FINISH
C2	CLASS 2 OFF FORM CONCRETE FINISH
CO	TIMBER FFEATURE OFF FORM CONCRETE FINISH
TM	TIMBER FLOOR
GL1	LOW-E GLASS
GL2	GLASS BALUSTRADE WITH ALUMINUM TOP LINK CHANNEL
TB	TIMBER BATTEN (OPEN PERCENTAGE AS SPECIFICATION)
MS	METAL STAIR BALUSTRADES
ST	SELECTED STONE FINISH

UNIT TYPE _ M4

4 BEDROOMS + 4 BATHROOMS



UNIT TYPE _ M4
FLOOR PLAN 1:50 (1:100@A3)

AREA SUMMARY

INTERNAL(LOWER)	
LOUNGE / KITCHEN	40.0 sqm
BEDRM 1	16.7 sqm
BEDRM 2	17.2 sqm
ENSUITE 1	4.70 sqm
ENSUITE 2	7.90 sqm
L'DRY	5.80 sqm

SUB TOTAL (GFA) 98.2 sqm

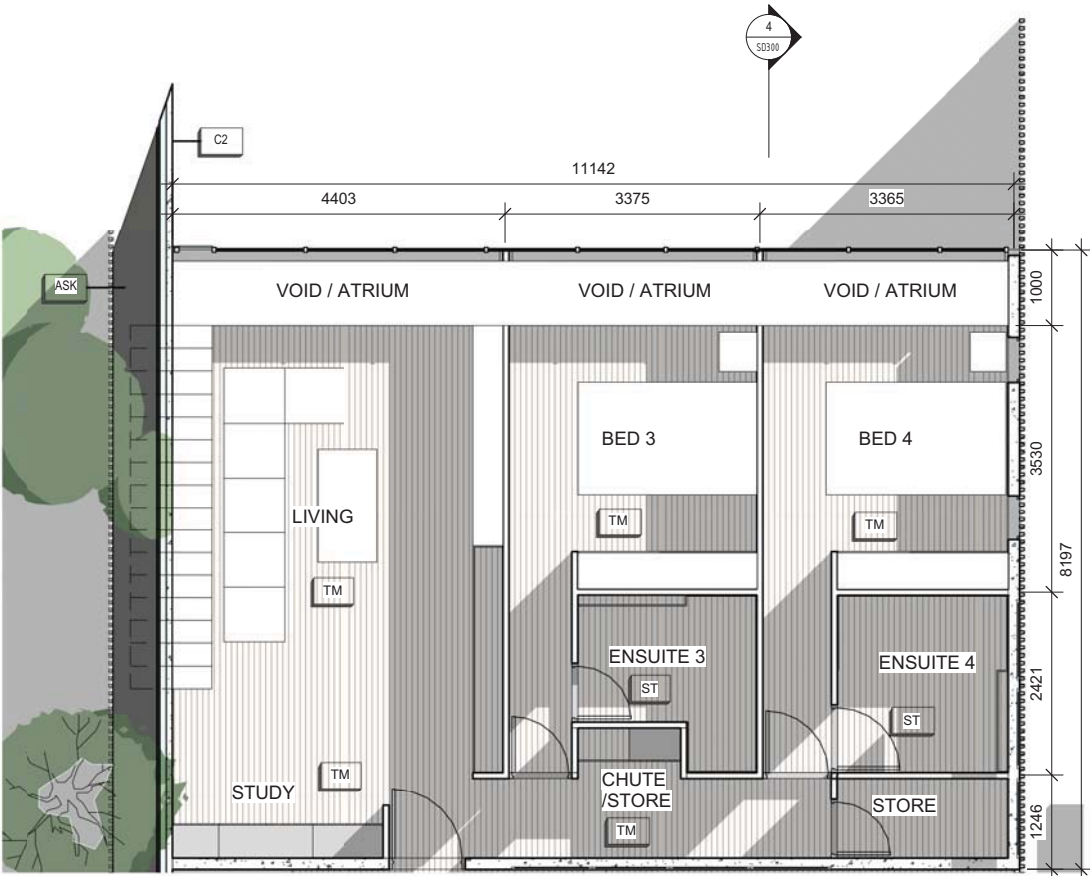
ROOF TERRACE LEVEL

LIVING	31.3 sqm
BEDRM 3	14.0 sqm
BEDRM 4	14.4 sqm
ENSUITE 3	4.70 sqm
ENSUITE 4	7.90 sqm
STORE	5.80 sqm
CHUTE / STORE	5.80 sqm

SUB TOTAL (GFA) 79.0 sqm

TOTAL INTERNAL (GFA) 177.2 sqm
TOTAL EXTERNAL (BALCONY) 30.8 sqm

TOTAL 208 sqm



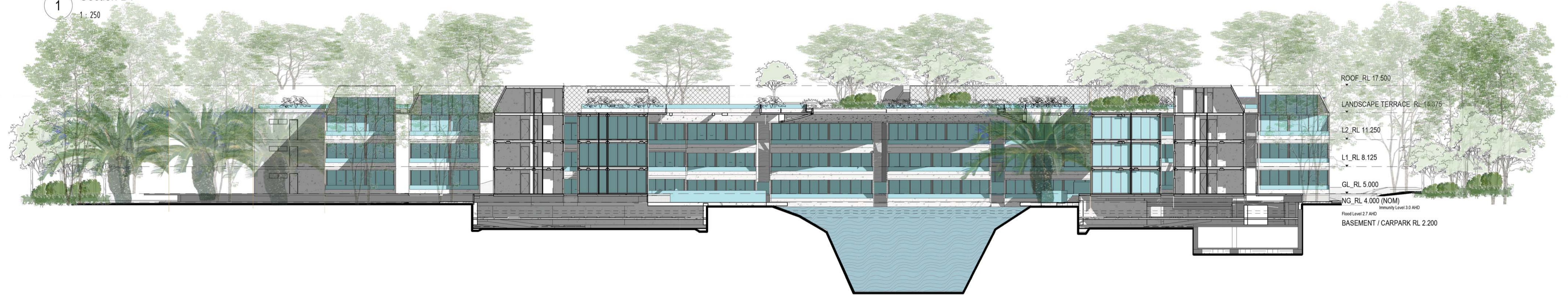
UNIT TYPE _ M4
ROOF TERRACE LEVEL PLAN 1:50 (1:100@A3)

FINISHES SCHEDULE

ASK	ASKIN PANEL AND FINISH
C2	CLASS 2 OFF FORM CONCRETE FINISH
CO	TIMBER FFEATURE OFF FORM CONCRETE FINISH
TM	TIMBER FLOOR
GL1	LOW-E GLASS
GL2	GLASS BALUSTRADE WITH ALUMINUM TOP LINK CHANNEL
TB	TIMBER BATTEN (OPEN PERCENTAGE AS SPECIFICATION)
MS	METAL STAIR BALUSTRADES
ST	SELECTED STONE FINISH



1 Section B1
1 : 250



2 Section B2
1 : 250



3 Section B3
1 : 250

FINISHES SCHEDULE

ASK	METAL DECK ROOFING WITH INSULATION
C2	CLASS 2 OFF FORM CONCRETE FINISH
CO	TIMBER FFEATURE OFF FORM CONCRETE FINISH
TM	TIMBER FLOOR
GL1	LOW-E GLASS
GL2	GLASS BALUSTRADE WITH ALUMINUM TOP LINK CHANNEL
TB	TIMBER BATTEN (OPEN PERCENTAGE AS SPECIFICATION)
MS	METAL STAIR BALUSTRADES
ST	SELECTED STONE FINISH



ASK	METAL DECK ROOFING WITH INSULATION
C2	CLASS 2 OFF FORM CONCRETE FINISH
CO	TIMBER FFEATURE OFF FORM CONCRETE FINISH
TM	TIMBER FLOOR
GL1	LOW-E GLASS
GL2	GLASS BALUSTRADE WITH ALUMINUM TOP LINK CHANNEL
TB	TIMBER BATTEN (OPEN PERCENTAGE SPECIFICATION)
MS	METAL STAIR BALUSTRADES
ST	SELECTED STONE FINISH

ELEVATIONS

Date	Issue Date
------	------------



EAST ELEVATION _ FRONT _ PORT DOUGLAS STREET ELEVATION 1:250 @A1 / 1:500@A3



WEST ELEVATION _ VIEW FROM THE LAKE 1:250 @A1 / 1:500@A3



NORTH ELEVATION _ VIEW FROM NIRAMAYA VILLAS AND SPA CENTER SIDE 1:250 @A1 / 1:500@A3



SOUTH ELEVATION _ VIEW FROM GREEN CONSERVATION 1:250 @A1 / 1:500@A3

FINISHES SCHEDULE

ASK	METAL DECK ROOFING WITH INSULATION
C2	CLASS 2 OFF FORM CONCRETE FINISH
CO	TIMBER FEATURE OFF FORM CONCRETE FINISH
TM	TIMBER FLOOR
GL1	LOW-E GLASS
GL2	GLASS BALUSTRADE WITH ALUMINUM TOP LINK CHANNEL
TB	TIMBER BATTEN (OPEN PERCENTAGE AS SPECIFICATION)
MS	METAL STAIR BALUSTRADES
ST	SELECTED STONE FINISH

NEW DEVELOPMENT
LOT 906 BALE DRIVE, PORT DOUGLAS, QLD, 4879

ELEVATIONS

Date Issue Date



PROJECT NO. 1000000000
JOB NO. 1000000000
DRAWING NO. 1000000000
REV. 1000000000
DATE 10/10/2019
BY 1000000000
CHECKED 1000000000
APPROVED 1000000000
WEB www.charleswrightarchitects.com.au

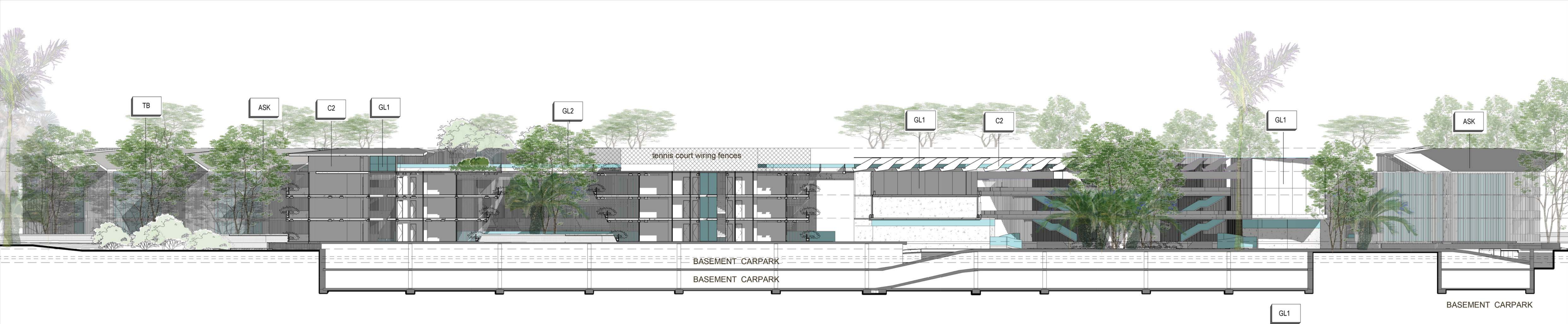
JOB NO.
NM01

DRAWING NO.

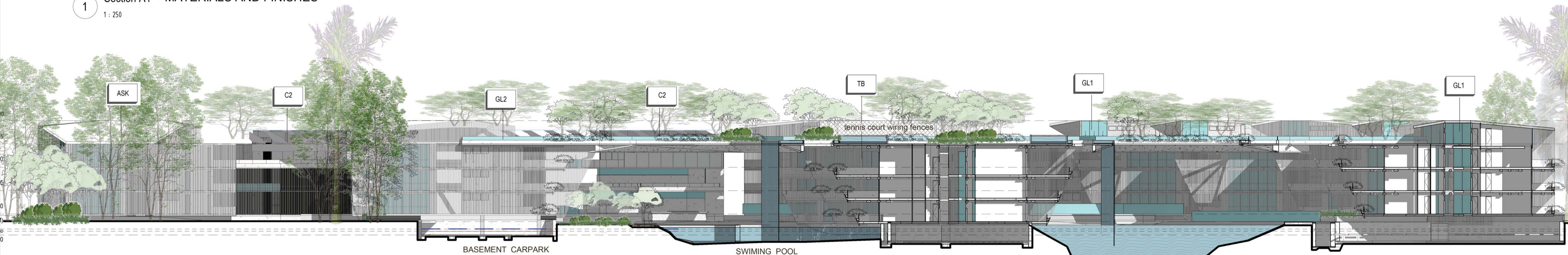
SD400

REV

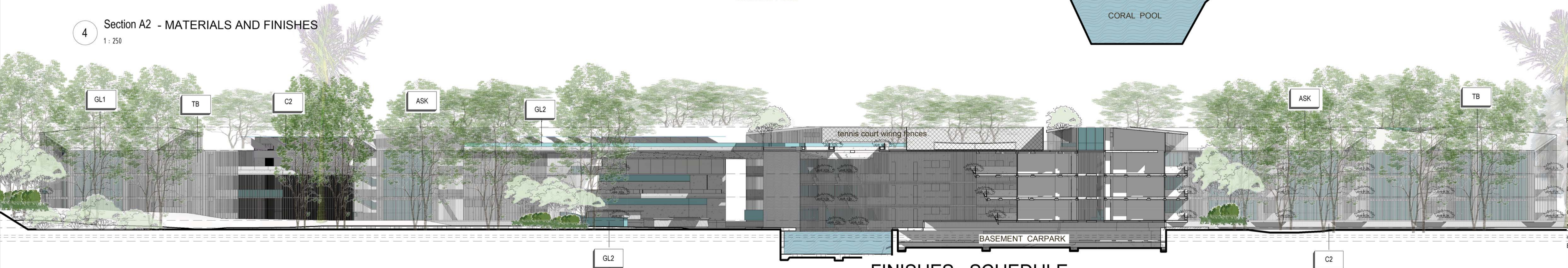
7/20/2019 1:55:46 PM



1 Section A1 - MATERIALS AND FINISHES
1: 250



4 Section A2 - MATERIALS AND FINISHES
1: 250



3 Section A3 - MATERIALS AND FINISHES
1: 250

FINISHES SCHEDULE

ASK	METAL DECK ROOFING WITH INSULATION	TM	TIMBER FLOOR	TB	TIMBER BATTEN (OPEN PERCENTAGE AS SPECIFICATION)
C2	CLASS 2 OFF FORM CONCRETE FINISH	GL1	LOW-E GLASS	MS	METAL STAIR BALUSTRADES
CO	TIMBER FFEATURE OFF FORM CONCRETE FINISH	GL2	GLASS BALUSTRADE WITH ALUMINUM TOP LINK CHANNEL	ST	SELECTED STONE FINISH

NEW DEVELOPMENT
LOT 906 BALE DRIVE, PORT DOUGLAS, QLD, 4879

SECTIONS - MATERIALS AND FINISHES

Date Issue Date

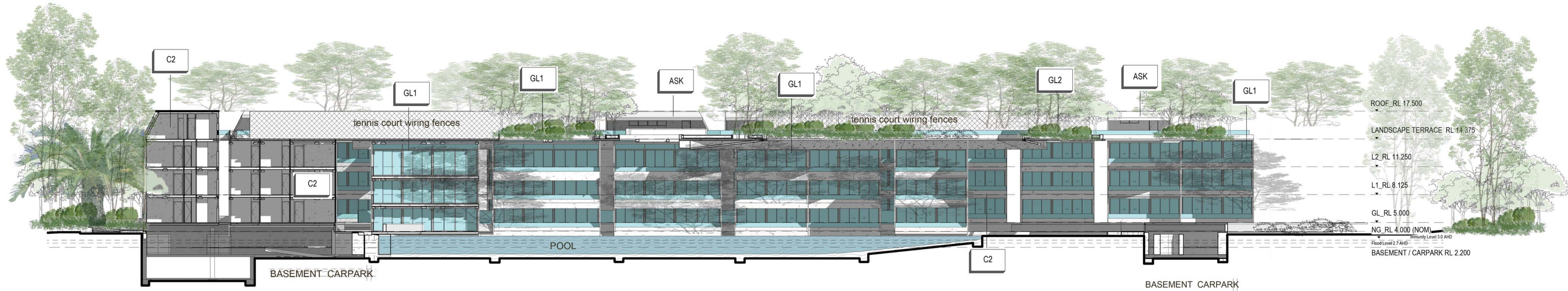
Charles Wright Architects

PROJECT NO. 1000000000
JOB NO. 1000000000
DRAWING NO. 1000000000
REV. 1000000000

NM01

SD300A

7/20/2019 5:27:37 PM



1 Section B4 - MATERIALS AND FINISHES
1 : 250



2 Section B5 - MATERIALS AND FINISHES
1 : 250

FINISHES SCHEDULE

ASK	METAL DECK ROOFING WITH INSULATION
C2	CLASS 2 OFF FORM CONCRETE FINISH
CO	TIMBER FFEATURE OFF FORM CONCRETE FINISH
TM	TIMBER FLOOR
GL1	LOW-E GLASS
GL2	GLASS BALUSTRADE WITH ALUMINUM TOP LINK CHANNEL
TB	TIMBER BATTEN (OPEN PERCENTAGE AS SPECIFICATION)
MS	METAL STAIR BALUSTRADES
ST	SELECTED STONE FINISH

NEW DEVELOPMENT
LOT 906 BALE DRIVE, PORT DOUGLAS, QLD, 4879

SECTIONS - MATERIALS AND FINISHES

Date Issue Date



ASK	METAL DECK ROOFING WITH INSULATION
C2	CLASS 2 OFF FORM CONCRETE FINISH
CO	TIMBER FFEATURE OFF FORM CONCRETE FINISH
TM	TIMBER FLOOR
GL1	LOW-E GLASS
GL2	GLASS BALUSTRADE WITH ALUMINUM TOP LINK CHANNEL
TB	TIMBER BATTEN (OPEN PERCENTAGE SPECIFICATION)
MS	METAL STAIR BALUSTRADES
ST	SELECTED STONE FINISH

ELEVATIONS - MATERIALS AND FINISHES



Charles Wright Architects

JOB NO.
NM01

DRAWING
NO.

REV

SD400A



716488319

\$78.80

12/05/2015 14:52

CS 470

1. Nature of request Request to record new Community Management Statement for Niramaya Luxury Villas and Spa Residential Community Titles Scheme 34781		Lodger (Name, address, E-mail & phone number) Marino Moller Lawyers PO Box 57 Port Douglas Qld 4877 Ph: 07 4081 6700 Ref: AVT:KRN:143335 Email: arthur.timms@marinomoller.com.au		Lodger Code 795
2. Lot on Plan Description Common Property of Niramaya Luxury Villas and Spa Residential Community Title Scheme 34781	County Solander	Parish Salisbury	Title Reference 50586425	
3. Registered Proprietor/State Lessee Body Corporate for Niramaya Luxury Villas and Spa Residential Community Titles Scheme 34781				
4. Interest Not Applicable				
5. Applicant Body Corporate for Niramaya Luxury Villas and Spa Residential Community Titles Scheme 34781				
6. Request I hereby request that: the new Community Management Statement deposited herewith which amends Item 4 (Scheme Land), Schedule A (Schedule of Lot Entitlements) and Schedule B (Explanation of Development of Scheme Land) be recorded as the new Community Management Statement for Niramaya Luxury Villas and Spa Residential Community Titles Scheme 34781				
7. Execution by applicant				

ARTHUR VANDEN TIMMS

07/05/2015

Execution Date

Applicant's or Solicitor's Signature

Note: A Solicitor is required to print full name if signing on behalf of the Applicant

34781

This statement incorporates and must
include the following:

- Schedule A - Schedule of lot entitlements
Schedule B - Explanation of development of scheme land
Schedule C - By-laws
Schedule D - Any other details
Schedule E - Allocation of exclusive use areas

CMS LABEL NUMBER

- | | |
|--|---|
| 1. Name of community titles scheme
Niramaya Luxury Villas and Spa Residential Community
Titles Scheme 34781 | 2. Regulation module
Accommodation |
| 3. Name of body corporate
Body Corporate for Niramaya Luxury Villas and Spa Residential Community Titles Scheme 34781 | |
| 4. Scheme land
Lot on Plan Description County Parish Title Reference
See Enlarged Panel | |
| 5. *Name and address of original owner
Not Applicable | 6. Reference to plan lodged with this statement
SP277141 |

first community management statement only

7. Local Government community management statement notation

Donna L Graham signed
DONNA LEANNE GRAHAM name and designation
Delegated Officer Manager Development and Environment
Douglas Shire Council name of Local Government

8. Execution by original owner/Consent of body corporate



213/2015
Execution Date

[Signature]
Chairman

[Signature] (Secretary)
Committee Member Execution

*Original owner to execute for a first community management statement
*Body corporate to execute for a new community management statement

Privacy Statement

Collection of this information is authorised by the Body Corporate and Community Management Act 1997, and is used to maintain the publicly searchable registers in the land registry. For more information about privacy in NR&W see the department's website.

Title Reference Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34781

Lot on Plan Description	County	Parish	Title Reference
Common Property of Niramaya Luxury Villas and Spa Residential Community Titles Scheme 34781	Solander	Salisbury	50586425
Lot 1 on SP 165910	Solander	Salisbury	50586426
Lot 2 on SP 165910	Solander	Salisbury	50586427
Lot 3 on SP 165910	Solander	Salisbury	50586428
Lot 4 on SP 165910	Solander	Salisbury	50586429
Lot 5 on SP 165910	Solander	Salisbury	50586430
Lot 6 on SP 165910	Solander	Salisbury	50586431
Lot 7 on SP 165910	Solander	Salisbury	50586432
Lot 8 on SP 165910	Solander	Salisbury	50586433
Lot 9 on SP 165910	Solander	Salisbury	50586434
Lot 10 on SP 165910	Solander	Salisbury	50586435
Lot 11 on SP 165910	Solander	Salisbury	50586436
Lot 12 on SP 165910	Solander	Salisbury	50586437
Lot 13 on SP 165910	Solander	Salisbury	50586438
Lot 14 on SP 165910	Solander	Salisbury	50586439
Lot 15 on SP 165910	Solander	Salisbury	50586440
Lot 16 on SP 165910	Solander	Salisbury	50586441
Lot 17 on SP 165910	Solander	Salisbury	50586442
Lot 18 on SP 165910	Solander	Salisbury	50586443
Lot 19 on SP 165910	Solander	Salisbury	50586444
Lot 20 on SP 165910	Solander	Salisbury	50586445
Lot 21 on SP 165910	Solander	Salisbury	50586446
Lot 22 on SP 165910	Solander	Salisbury	50586447
Lot 23 on SP 165910	Solander	Salisbury	50586448
Lot 24 on SP 165910	Solander	Salisbury	50586449
Lot 25 on SP 165910	Solander	Salisbury	50586450
Lot 26 on SP 165910	Solander	Salisbury	50586451
Lot 27 on SP 165910	Solander	Salisbury	50586452
Lot 28 on SP 165910	Solander	Salisbury	50586453
Lot 29 on SP 165910	Solander	Salisbury	50586454
Lot 30 on SP 165910	Solander	Salisbury	50586455
Lot 31 on SP 165910	Solander	Salisbury	50586456
Lot 32 on SP 165910	Solander	Salisbury	50586457
Lot 33 on SP 165910	Solander	Salisbury	50586458
Lot 34 on SP 165910	Solander	Salisbury	50586459
Lot 35 on SP 165910	Solander	Salisbury	50586460
Lot 36 on SP 165910	Solander	Salisbury	50586461
Lot 37 on SP 165910	Solander	Salisbury	50586462
Lot 38 on SP 165910	Solander	Salisbury	50586463

SCHEDULE

Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34781]

Lot 40 on SP 186251	Solander	Salisbury	50600015
Lot 41 on SP 165910	Solander	Salisbury	50586466
Lot 42 on SP 165911	Solander	Salisbury	50640799
Lot 44 on SP 207581	Solander	Salisbury	50727821
Lot 45 on SP 165911	Solander	Salisbury	50640802
Lot 46 on SP 165911	Solander	Salisbury	50640803
Lot 62 on SP 165911	Solander	Salisbury	50640804
Lot 63 on SP 165911	Solander	Salisbury	50640805
Lot 64 on SP 165911	Solander	Salisbury	50640806
Lot 65 on SP 165911	Solander	Salisbury	50640807
Lot 66 on SP 165911	Solander	Salisbury	50640808
Lot 67 on SP 165911	Solander	Salisbury	50640809
Lot 68 on SP 165911	Solander	Salisbury	50640810
Lot 69 on SP 165911	Solander	Salisbury	50640811
Lot 70 on SP 165911	Solander	Salisbury	50640812
Lot 71 on SP 165911	Solander	Salisbury	50640813
Lot 72 on SP 165911	Solander	Salisbury	50640814
Lot 73 on SP 192167	Solander	Salisbury	50867752
Lot 61 on SP 277141	Solander	Salisbury	To Issue from 50867758
Lot 906 on SP 277141	Solander	Salisbury	To Issue from 50867758

SCHEDULE

Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34781]

SCHEDULE A SCHEDULE OF LOT ENTITLEMENTS

Lot on Plan	Contribution	Interest
Lot 1 on SP 165910	10	10
Lot 2 on SP 165910	10	10
Lot 3 on SP 165910	10	10
Lot 4 on SP 165910	10	10
Lot 5 on SP 165910	10	10
Lot 6 on SP 165910	10	10
Lot 7 on SP 165910	10	10
Lot 8 on SP 165910	10	10
Lot 9 on SP 165910	10	10
Lot 10 on SP 165910	10	10
Lot 11 on SP 165910	10	10
Lot 12 on SP 165910	10	10
Lot 13 on SP 165910	10	10
Lot 14 on SP 165910	10	10
Lot 15 on SP 165910	10	10
Lot 16 on SP 165910	10	10
Lot 17 on SP 165910	10	10
Lot 18 on SP 165910	10	10
Lot 19 on SP 165910	10	10
Lot 20 on SP 165910	10	10
Lot 21 on SP 165910	10	10
Lot 22 on SP 165910	10	10
Lot 23 on SP 165910	10	10
Lot 24 on SP 165910	10	10
Lot 25 on SP 165910	10	10
Lot 26 on SP 165910	10	10
Lot 27 on SP 165910	10	10
Lot 28 on SP 165910	10	10
Lot 29 on SP 165910	10	10
Lot 30 on SP 165910	10	10
Lot 31 on SP 165910	10	10
Lot 32 on SP 165910	10	10
Lot 33 on SP 165910	10	10
Lot 34 on SP 165910	10	10
Lot 35 on SP 165910	10	10
Lot 36 on SP 165910	10	10
Lot 37 on SP 165910	10	10
Lot 38 on SP 165910	10	10

SCHEDULE

Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34781]

Lot on Plan	Contribution	Interest
Lot 40 on SP 186251	20	20
Lot 41 on SP 165910	10	10
Lot 42 on SP 165911	10	10
Lot 44 on SP 207581	20	20
Lot 45 on SP 165911	10	10
Lot 46 on SP 165911	10	10
Lot 62 on SP 165911	10	10
Lot 63 on SP 165911	10	10
Lot 64 on SP 165911	10	10
Lot 65 on SP 165911	10	10
Lot 66 on SP 165911	10	10
Lot 67 on SP 165911	10	10
Lot 68 on SP 165911	10	10
Lot 69 on SP 165911	10	10
Lot 70 on SP 165911	10	10
Lot 71 on SP 165911	10	10
Lot 72 on SP 165911	10	10
Lot 73 on SP 192167	10	10
Lot 61 on SP 277141	10	10
Lot 906 on SP 277141	57	229
	647	819
TOTALS		

Explanation of Why Contribution Schedule Lot Entitlements for Each Lot are Not Equal

1. The deciding principle for the Contribution Schedule Lot Entitlement is the Equality Principle.
2. The Contribution Schedule Lot Entitlements for each lot in the scheme are not equal as it is just and equitable in the circumstances for them not to be equal.
3. The Contribution Scheme Lot Entitlement of Lot 906 is different to the Contribution Schedule Lot Entitlement of each other lot in the scheme;
4. The nature, features and characteristics of Lot 906 compared to other lots in the scheme are different justifying differences in the Contribution Schedule Lot Entitlements.
5. Lot 906 is a balance development lot which is intended to be further developed in accordance with Schedule B of this Community Management Statement. Lot 906 has not been fully developed as at the date of recording this Community Management Statement.
6. Until Lot 906 is fully developed it would be inequitable for the lots in the first stage (which does not include the lots proposed to be created out of Lot 906) to bear the majority of the costs of maintaining the common property and the facilities on the common property because certain facilities on the common property for the first stage have been designed to service all stages of the development. Lot 906 therefore has a greater contribution schedule lot entitlement than other lots.
7. For those lots that are created out of an amalgamation of two or more lots the Contribution Schedule Lot Entitlement of the amalgamated lot is greater than other lots because the larger lot can cater for a greater number of occupants

Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34784]

which has the potential to place a greater demand on the common property (and therefore the costs and expenses of the body corporate).

Explanation of Why Interest Schedule Lot Entitlements do not reflect the Market Value of the Lots

1. The principle for deciding interest schedule lot entitlements is the market value principle.
2. The interest schedule lot entitlements for lot 1-73 inclusive and lot 906 do reflect the market value principle.

SCHEDULE B	EXPLANATION OF THE DEVELOPMENT OF SCHEME LAND
-------------------	--

1. Introduction

- 1.1. It is proposed that Lot 906 on SP 277141 ("Lot 906") be subdivided by a standard format plan or building format plan to create separate lots and additional common property.
- 1.2. The scheme is a residential subsidiary scheme in a layered arrangement of community titles schemes. The Principal scheme is the Niramaya Luxury Villas and Spa Principal Community Titles Scheme 34779.
- 1.3. It is intended that the scheme to which this statement applies will be a basic scheme.

2. Development of Lot 906

- 2.1. It is intended that Lot 906 be subdivided by a standard format plan or building format plan to create separate lots and additional common property. The number of lots within each stage is intended to be generally in accordance with the range of lots shown on the concept plan annexed as Annexure "A" attached to this community management statement ("the Concept Plan").
- 2.2. It is intended that Stage 3 will comprise of between approximately 1 and 3 lots and additional common property.
- 2.3. It is intended that Stage 4 will comprise of between approximately 20 and 30 residential lots and common property.
- 2.4. The Original Owner may, however, increase or decrease the number of lots in each stage in its discretion.
- 2.5. The Concept Plan is intended only to represent an indicative development. Accordingly, it has been annexed for illustrative purposes only. It is subject to local government approval. The Original Owner may change the Concept Plan in its discretion. The Concept Plan does not purport to accurately specify the location of any common property or lot boundaries on the scheme land and it is not an indication of the boundaries or the number or order of further stages.

3. Future Allocations

- 3.1. The Original Owner may allocate as exclusive use areas parts of common property of the scheme to any lot in the scheme for any lawful purpose including carparking, storage, yard or garden areas. Allocations may be made in any stage of the scheme. If this is done the Body Corporate will consent to any new community management statement required to perfect the allocation.
- 3.2. The Original Owner may allocate to lots in the scheme special rights over common property for any lawful purpose or occupation authorities over common property in the Original Owner's discretion. Allocations may be made in any stage of the scheme. The Body Corporate will consent to any new community management statement required to perfect the allocation of special rights areas.

4. Common Property

- 4.1. The boundary alignment and any common property shown on the Concept Plan is indicative only and does not purport to definitively specify the location or area of common property of the scheme land.

Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34781]

- 4.2. The Original Owner reserves the right to excise common property from the scheme land and/or to add common property to the scheme land. Where this occurs the Body Corporate will execute all documentation necessary to complete the necessary dealing including:

- (a) the transfer of land to or from the Body Corporate for the scheme;
- (b) a survey plan(s);
- (c) a new community management statement and a request to record a new community management statement; and
- (d) any certificates required under any Act or any regulation.

5. Lot Entitlements

- 5.1. One or more lots in this scheme may be subdivided into one or more further lots. One or more lots in the scheme may be amalgamated.
- 5.2. Generally, the interest schedule lot entitlement of lots that have been similarly developed will be equal and the contribution schedule lot entitlement of lots that have been similarly developed will be equal. Any lots that are to be further developed shall have an interest schedule lot entitlement and contribution schedule lot entitlement that is reasonably required by the Original Owner. Lots that are developed differently from other lots in the scheme (including lots created by an amalgamation of two or more lots) may have different interest schedule lot entitlements and contribution schedule lot entitlements from such different lots as reasonably required by the Original Owner (which if such lots are formed by an amalgamation of two or more lots may be an amalgamation of the contribution schedule lot entitlements or interest schedule lot entitlements of the previous lots). It is intended that the lot to be created in Stage 3 (Lot 82) will have a contribution schedule lot entitlement of 5 and an interest schedule lot entitlement of 5.
- 5.3. The Body Corporate will execute any new community management statement and request to record a new community management statement upon the adjustment of the contribution schedule lot entitlements or interest schedule lot entitlements.

6. Alternative Development

- 6.1. Notwithstanding anything in this Schedule B, any further stage or stages in the scheme may be developed differently from that contemplated in clause 2.
- 6.2. Such form of alternative development may be undertaken as:
- (a) further lots in the scheme; or
 - (b) as a subsidiary scheme or schemes of the scheme; or
 - (c) a development outside of the scheme and land may be excised from the scheme and principal scheme for this purpose.
- 6.3. Such alternative development may comprise of a greater or lesser number of lots or a greater or lesser number of stages than that disclosed in clause 2.
- 6.4. The Body Corporate will execute any new community management statement and request to record a new community management statement consequent upon any change to the form of development of the scheme.

7. Easements and Agreements

- 7.1. The Original Owner may cause the Body Corporate of the scheme to:
- (a) enter into easements with any other party that either burden or benefit the common property or lots in the scheme and burden or benefit the common property, lots in the scheme or land outside the scheme; and/or

Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34781]

- (b) costs in relation to facilities on the scheme land.

7.2. Such easements or agreements shall be on terms determined by the Original Owner in its discretion.

8. Land Adjoining Scheme Land

8.1. Without limiting anything in this Schedule B, if the Land generally shown as lots 904 and 905 in the concept plan attached to this Community Management Statement is not integrated into the scheme for the Mirage Port Douglas integrated resort development, the Original Owner, may, at its sole option, incorporate such land in to the common property of the scheme.

8.2. The Body Corporate will sign a plan, new Community Management Statement and any other documents necessary to incorporate the additional land referred to in clause 8.1 in the scheme.

9. Amalgamation or Subdivision

9.1. Any two or more lots in the Scheme may be amalgamated.

9.2. Any amalgamated lot may be thereafter subdivided.

10. Reservations

10.1. The Original Owner reserves the right for any reason:

- (a) to develop a lesser or greater number of lots in the scheme;
- (b) to create further subsidiary schemes out of any lot in the scheme;
- (c) not to proceed with any stage of the scheme or to add any number of additional stages made up of lots and common property to the scheme;
- (d) to develop further stages in any order;
- (e) to add land to the scheme land (whether as common property or a lot) or to excise land from the scheme land (whether common property or all or part of a lot); or
- (f) to convert any common property in to a lot or to convert all or part of a lot into common property.

10.2. The Body Corporate for the scheme will execute a new community management statement and a request to record a new community management statement and all other necessary documentation to perfect the dealing referred to in this clause 7.

11. New Community Management Statement

11.1. Without limiting anything in this community management statement, a new community management statement for the scheme will be recorded to implement the further development of the scheme or a subsidiary scheme including the following:

- (a) the creation of lots and/or common property within the scheme;
- (b) to adjust the interest and contribution schedule lot entitlements of lots in the scheme;
- (c) to adjust or create exclusive use areas and amend the By-laws for the scheme;
- (d) to adjust the references to scheme land;
- (e) to add or excise land from the scheme land; and
- (f) to allow for the further development of lots in the scheme or alternative development of the scheme.

Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34701]

11.2. Each new community management statement will differ from the existing statement to the extent necessary for the implementation of the development contemplated under this Schedule B.

12. Original Owner

In this Schedule B "Original Owner" means MFS Bale Resorts Pty Ltd ACN 1/4 259 353, its successors or assigns and without limitation, includes any owner of a balance development lot.

SCHEDULE C BY-LAWS

1. Vehicles

Save where a valid By-law made pursuant to the Act authorises him to do so, an owner or occupier of a lot shall not park or stand any motor or other vehicle upon Common Property except with the consent in writing of the Body Corporate Committee.

2. Private Roads and Other Common Property

The private roadways, pathways, drives and other Common Property and any easement giving access to the land shall not be obstructed by any Owner or the tenants, guests, servants, employees, agents, children, invitees, licensees of an owner or any of them or used by them for any purpose other than the reasonable ingress and egress to and from their respective lots or the parking areas provided. An owner or occupier of a lot shall not:

- 2.1. drive or permit to be driven any motor vehicle in excess of two (2) tonnes weight onto or over the Common Property other than such vehicles necessary to complete the construction and/or occupation of any building or other structure erected on the land, and any motor vehicles entitled by any Statute and/or local authority ordinances;
- 2.2. permit any invitees' vehicles to be parked on the roadway forming part of the common area at any time. Any invitees shall park their vehicles in the visitors' parking bays on the Common Property and shall use such area only for its intended purpose of casual parking.
- 2.3. permit any boat, trailer, caravan, campervan or mobile home onto, over or through the Common Property.
- 2.4. drive a buggy on common property unless that person is the holder of a current Australian or international driver's licence and that person complies at all times with all relevant local and State laws in relation to the driving of buggies.
- 2.5. ride a bicycle on common property unless that person complies with all relevant local and State laws in relation to the use of bicycles, including the wearing of safety helmets.

3. Visitors' Car Park

- 3.1. An owner or occupier of a lot shall not park or stand any motor vehicle or other vehicle upon areas set aside for visitor car parking.
- 3.2. An owner or occupier of a lot shall ensure that their invitees use the visitor car parking area only for its intended purpose of casual parking within the rules set from time to time by the Committee of the Body Corporate (which rules shall provide that areas of casual parking shall not be used for more than 3 hours at a time).

4. Obstruction

Owners must not obstruct lawful use of the Common Property by another person, and, without limitation, not obstruct access to:

- 4.1 the Common Property or any Body Corporate Asset; or
- 4.2 any easement giving access to a Lot or the Common Property.

Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34781]

5. Damage to Lawns etc on Common Property

An owner or occupier of a lot shall not damage any lawn, garden, tree, shrub, plant or flower being part of or situated upon Common Property.

6. Damage to Common Property

An owner or occupier of a lot shall not mark, paint, drive nails or screws or the like into, or otherwise damage or deface, any structure that forms part of the Common Property or any Body Corporate Assets except with the consent in writing of the Committee but this By-law does not prevent an owner or person authorised by him from installing any locking or other safety device for protection of his lot against intruders provided that the locking or other safety device is constructed in a workmanlike manner, is maintained in a state of good and serviceable repair by the owner, does not detract from the amenity of the building and is of a design, type and colour agreed to by the Committee from time to time. All doors and windows to the premises shall be securely fastened on all occasions when the premises are left unoccupied and the Committee reserves the right to enter and fasten the same if left insecurely fastened.

7. Use of Central Facilities

In relation to the use of the swimming pool and adjacent areas and other recreation areas located on the Common Property of the Scheme, if any, ("the Central Facilities"), an owner or occupier of a lot shall ensure:

- 7.1. that his invitees and guests do not use the same or any of them unless he or another owner or occupier accompanies them;
- 7.2. that children below the age of thirteen (13) years are not in or around the same unless accompanied by an adult owner or occupier exercising effective control over them;
- 7.3. that glass containers or receptacles of any type are not taken to or allowed to remain in or around the same;
- 7.4. that he and his invitees shall exercise caution at all times and shall not run or splash or behave in any manner that is likely to interfere with the use and enjoyment of the Central Facilities by other persons;
- 7.5. that no use is made of the Central Facilities between the hours of 10.00pm and 6.00am or other hours set from time to time by the Committee of the Body Corporate;
- 7.6. that the owner or occupier and their invitees and guests are suitably attired at all times; and
- 7.7. that the owner or occupier and their invitees and guests obey any lawful direction given to them by the Body Corporate or the Caretaker.

8. Rules re Central Facilities

The Committee may make rules relating to the use of the Central Facilities not inconsistent with these By-laws and the same shall be observed by the owners unless and until they are disallowed or revoked by a majority resolution at a general meeting of the owners

9. Maintenance of Central Facilities

An owner or occupier of a lot shall not without proper authority operate, adjust or interfere with the operation of any equipment associated with the Central Facilities or add any chemical or other substance to the swimming pool, spa or other water feature.

10. Instructions to Contractors etc

The owners of lots shall not directly instruct any contractors or workmen employed by the Committee unless authorised by the Body Corporate, the Committee or the caretaker.

Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34781]

11. Depositing Rubbish etc on Common Property

An owner or occupier of a lot shall not deposit or throw upon the Common Property any rubbish, dirt, dust or other material likely to interfere with the peaceful enjoyment of the owner or occupier of another lot or of any person lawfully using the Common Property.

12. Garbage Disposal

An owner or occupier of a lot shall:

- 12.1. save where the Committee provides some other means of disposal of garbage, maintain within his lot, or on such part of the Common Property as may be authorised by the Committee, in clean and dry condition and adequately covered, a receptacle for garbage;
- 12.2. comply with all local authority By-laws and ordinances relating to the disposal of garbage;
- 12.3. ensure that the health, hygiene and comfort of the owner or occupier of any other lot is not adversely affected by his disposal of garbage; and
- 12.4. use the recycle bins or receptacles (if any) that may be provided by the Body Corporate and/or the relevant local authority and separate, where necessary, any garbage so that full use is made of such bins or receptacles.

13. Appearance of Buildings and Signs

- 13.1. Subject to By-law 30 and By-law 48 an owner or occupier of a lot shall not, except with the consent in writing of the Committee, hang any washing, towel, bedding, clothing or other article or display any sign, advertisement, placard, banner, pamphlet or like matter on any part of the lot or Common Property in such a way as to be visible from inside or outside of the Scheme Land. In connection with the hanging of clothing to dry naturally, this is permitted only in the areas (if any) designated by the Committee where facilities are supplied for such needs;
- 13.2. An owner or occupier of a lot shall not, except with the consent in writing of the Committee, permit any boat, trailer, caravan, campervan or mobile home on a lot which is visible from the Common Property or from an adjoining lot.

14. Inflammable Liquids, Gases or Other Materials

- 14.1. An owner or occupier of a lot shall not bring to, do or keep anything in the lot which shall increase the rate of fire insurance on any property within the Scheme Land or which may conflict with the laws and/or regulations relating to fires or any insurance policy upon any property on the Building Format Plan or the regulations or ordinances of any Public Authority for the time being in force;
- 14.2. An owner of a lot shall not, except with the consent in writing of the Committee, use or store on his lot or upon the Common Property any flammable chemical, liquid, or gas or other flammable material other than chemicals, liquids, gases or other material used or intended to be used for domestic purposes, or such chemical, liquid, gas or other material in a fuel tank of a motor vehicle or internal combustion engine.

15. Keeping of Animals

15.1. An occupier of a lot may keep an animal on the lot on the following conditions:

- (a) the animal must be a domestic dog only;
- (b) the animal must not be, or grow to a mass of greater than 10 kg;
- (c) the animal must be controlled whilst on Common Property;
- (d) a photograph and the name of the animal shall be first supplied to the Body Corporate;

Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34781]

- (e) only one animal per lot is permitted;
- (f) the animal must not cause a nuisance to other occupiers;
- (g) the occupier in control of the animal must clean up after the animal; and
- (h) the animal may only be on or enter common property for the purposes of going to and from a lot.

15.2. Except as allowed under by-law 15.1, the occupier of a lot must not, without the body corporate's written approval:

- (a) bring or keep an animal on the lot or the common property; or
- (b) permit an invitee to bring or keep an animal on the lot or the common property.

15.3. Unless allowed under by-law 15.1, the occupier must obtain the body corporate's written approval before bringing, or permitting an invitee to bring, an animal onto the lot or the common property.

15.4. If this by-law is inconsistent with any law such as the Guide Dogs Act, the law shall prevail to the extent of any inconsistency.

15.5. This By-Law does not apply to pet fish.

15.6. If the Committee is satisfied that there is persistent contravention of this by-law 15 in relation to a particular animal, the Committee may give a notice in writing to the relevant occupier that the animal must be removed from the Scheme Land and is not to return. The relevant occupier shall remove the animal within 14 days of the date the notice is served on the occupier.

15.7. In considering any application for consent to keep an animal on a lot or common property, the Committee must take into account Council Regulations that may limit the number or size or type of animal.

16. Intentionally Deleted

17. Right of Entry

17.1. An owner or occupier, upon receiving reasonable notice from the Committee, shall allow the Body Corporate or any contractors, sub-contractors, workmen or other person authorised by it, the right of access to his lot for the purpose of carrying out works, maintenance, reading meters or effecting repairs on mains, pipes, wires or connections of any water, sewerage, drainage, gas, electricity, telephone or other system or service, whether to his lot or to an adjoining lot or for any other purposes permitted under these By-laws the Act or the Module.

17.2. If in the reasonable opinion of the Committee or the Manager (if any) there is a matter of sufficient emergency no such aforesaid notice will be necessary. Such works or repairs shall be at the expense of the owner or occupier of the lot in the case where the need for such works or repairs is due to any act or default of the owner or occupier or their guests, servants or agents. Any entry pursuant to this By-law shall not constitute trespass. The Committee or Manager (if any) in exercising the powers under this By-law shall ensure that its servants, agents and employees cause as little inconvenience to the owner or occupier of the lot as is reasonable in the circumstances or for any other purpose permitted under these By-laws, the Act or the Module.

18. Noise and Nuisances

18.1. An owner or occupier of a lot, their guests, servants or agents shall not make or permit any noise likely to interfere in any way with the peaceful enjoyment of other owners or occupiers of lots or of any person lawfully using the Common Property. In particular, no owner or occupier of a lot shall hold or permit to be held any social gathering in his lot which would cause any noise which unlawfully interferes with the peace and quietness of any other owner or occupier of a lot, at any time of day or night and in particular shall comply in all respects with the *Noise Abatement Act 1979*, as amended. In relation to this By-law 18.1, in judging whether the level of noise emanating from a lot that lawfully may be used for commercial purposes is unreasonable, the commercial use of the lot shall be taken into consideration.

Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34781]

- 18.2. In the event of any unavoidable noise in a lot at any time, the owner or occupier thereof shall take all practical means to minimise annoyance to other owners or occupiers of lots by closing all doors, windows and curtains of his lot and also such further steps as may be within his power for the same purpose.
- 18.3. In respect of the residential areas of the Scheme Land, guests leaving after 11.00pm shall be requested by their hosts to leave quietly. Quietness also shall be observed when an owner or occupier of a lot returns to the lot late at night or early morning hours.
- 18.4. An owner or occupier of a lot shall not operate or permit to be operated upon the Scheme Land any radio, two way radio, short wave radio, transmitter, telecommunications device or electronic equipment so as to interfere with any domestic appliance or apparatus (including a radio or television receiver) lawfully in use upon the Common Property or in any other lot.
- 18.5. The volume of any radio, television or other sound equipment shall be kept as low as possible at all times and shall not be operated in such a manner as to unreasonably interfere with the use and enjoyment of any other lot by any other owner or occupier of a lot.
- 18.6. An owner or occupier of a lot shall not permit any musical instrument to be practised or played upon or any avoidable noise to be made in such manner as to unreasonably interfere with the use and enjoyment of any other lot by any other owner or occupier of a lot.
- 18.7. Any member of the Committee (or the Caretaker) may cause drunken, idle or disorderly people to be removed from the Common Property.

19. Infectious Diseases

In the event of any infectious disease which may require notification by virtue of any Statute, Regulation or Ordinance happening in any lot, the owner or occupier of such lot shall give written notice thereof and any other information which may be required relative thereto to the Committee and shall pay to the Body Corporate the expenses incurred by the Body Corporate of disinfecting the lot and any part of the Common Property required to be disinfected and replacing any articles or things the destruction of which may be rendered necessary by such disease.

20. Intentionally Deleted

21. Structural Alterations to the Interior of Lots

The manner and style of any structural fit out or structural alteration to the interior of any lot must have the prior written approval of the Committee. The Committee shall be entitled to request copies of such plans and specifications as it might consider necessary to enable it to grant its approval and the owner of a lot shall comply with all such requests. The Committee may engage an architect or other consultant to review any plans and/or specifications or monitor any work undertaken in relation to such alterations. The owner of the lot within which the alterations are being carried out shall pay to the Body Corporate all costs and expenses incurred by the Body Corporate in engaging such architect or other consultant. Where kitchen facilities are to be installed an extraction system approved by the Committee and relevant statutory authorities must be installed. This by-law shall not apply to the Original Owner.

22. Fire Control

- 22.1 An owner or occupier of a lot must not use or interfere with any fire safety equipment except in the case of an emergency, and must not obstruct any fire stairs or fire escape;
- 22.2 The Body Corporate or an owner or occupier of a lot must, in respect of the Community Titles Scheme or the lot, as appropriate:
- (a) consult with any relevant authority as to an appropriate fire alarm and fire sprinkler system for the Community Titles Scheme or the lot;
 - (b) ensure that provision of all adequate equipment to prevent fire or the spread of fire in or from the Community Titles Scheme or the lot is to the satisfaction of all relevant authorities; and

Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34781]

- (c) take all reasonable steps to ensure compliance with fire laws in respect of the Community Titles Scheme or the lot.

23. Maintenance Responsibility of Alterations to Common Property

Any alteration made to Common Property or fixture or fitting attached to Common Property by any owner of a lot shall, unless otherwise provided by resolution of a meeting of the Committee or the Body Corporate (as appropriate), be repaired and maintained by the owner for the time being of such lot.

24. Curtains, Venetian Blinds Shutters and Window Tinting ("Window Coverings")

An owner shall not install Window Coverings visible from outside the lot unless those Window Coverings have a backing with such colour and design as has been approved by the Committee of the Body Corporate. An owner shall not install, renovate and/or replace a Window Covering without having the colour and design of same approved by the Committee. In giving such approvals, the Committee shall ensure so far as practicable that Window Coverings used in all units presents a uniform appearance when viewed from inside or outside of the Scheme Land, provided however that, where a lot may lawfully be used for commercial purposes, the Committee shall not unreasonably refuse or withhold its consent where such window covering is in keeping with the general commercial operation to be conducted from the lot. The Committee may engage an architect and/or other consultant to consider plans or specifications or to monitor any work undertaken. The Body Corporate may recover the costs of any architect or other consultant from the owner of the lot for which the works have been approved. The Committee may also establish guidelines in relation to any window coverings which must be complied with by any lot owner or occupier.

25. Maintenance of Common Property and the Lots

- 25.1. The Body Corporate shall be responsible for the repair, replacement, renewal and maintenance of the Common Property and the Body Corporate Assets.
- 25.2. Each owner shall be responsible for the maintenance of his lot, other than that part of the lot which will be maintained by the Body Corporate pursuant to these By-laws and shall ensure that his lot is so kept and maintained so as not to be offensive in appearance to other lot owners through the accumulation of excess rubbish or otherwise, or through the proliferation of cobwebs on the lot. In particular, and without limitation, an owner or occupier of a lot shall ensure that the eradication of pests is carried out on the lot on a regular basis.
- 25.3. All lots are to be so maintained as to prevent the excessive growth of grass and other vegetation making lots unsightly, increasing fire risks or contributing to the spread of noxious weeds to other lots.
- 25.4. Where an owner or occupier of a lot has not maintained the lot in accordance with these By-laws, the owner or occupier of the lot as the case may be hereby authorises access to the lot for the Committee and its servants, agents and contractors for the purpose of maintaining the lot in accordance with these By-laws. The Committee, in exercising this power, shall ensure that servants, agents and contractors cause as little inconvenience to the owner or occupier of the lot as is reasonable in the circumstances.
- 25.5. Windows shall be kept clean and promptly replaced by the owner or occupier of the lot at his expense with fresh glass of the same kind, colour and weight as at present if broken or cracked. This By-law shall not prohibit an owner from making a claim on any applicable Body Corporate Insurance.
- 25.6. Any maintenance of lots or Common Property shall where reasonably possible in the circumstances only be carried out by the use of natural products that do not contain toxic or poisonous chemicals.

Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34781]

26. Taps

An owner or occupier of a lot shall not waste water and shall see that all water taps in his lot are promptly turned off after use. Should the lot be unoccupied for a period of more than a month, then the stopcock or such other similar device on the hot water system will be turned off.

27. Water Closets

The water closets and conveniences and other water apparatus including waste pipes and drains shall not be used for any purposes other than those for which they were constructed and no sweepings or rubbish or other unsuitable substance shall be deposited therein. Any damage or blockage resulting to such water closets, conveniences, water apparatus, waste pipes and drains from misuse or negligence shall be borne by the owner whether the same is caused by his own actions or those of his servants, agents, licensees or invitees.

28. Behaviour of Invitees

28.1. An owner or occupier of a lot shall take all reasonable steps to ensure that his invitees do not behave in a manner likely to interfere with the peaceful enjoyment of the owner or occupier of another lot or of any person lawfully using Common Property

28.2. The owner or occupier of a lot shall be liable to compensate the Body Corporate in respect of all damage to the Common Property or personal property vested in it caused by such owner or occupier or their invitees.

28.3. An owner of a lot which is the subject of a lease or licence agreement shall take all reasonable steps, including any action available to him under any such lease or licence agreement, to ensure that any lessee or licensee or other occupier of the lot or their invitees comply with the provisions of the By-laws.

28.4. The duties and obligations imposed by these By-laws on an owner or occupier of a lot shall be observed not only by the owner or occupier but also by the guests, servants, employees, agents, children, invitees and licensees of such owner or occupier.

28.5. Where the Body Corporate expends money to make good damage caused by a breach of the Act or of these By-laws by any owner or occupier of a lot or the guests, servants, employees, agents, children, invitees or licensees of the owner or occupier of a lot or any of them, the Body Corporate shall be entitled to recover the amount so expended as a debt in any action in any Court of competent jurisdiction from the owner of the lot at a time when the breach occurred.

28.6. An owner or occupier of a lot shall take all reasonable steps to ensure that their invitees and guests are suitably attired at all times.

29. Notice of Defect

An owner or occupier of a lot shall give the Committee and/or the Manager prompt notice of any accident to or defect in the water pipes, gas pipes, electric installations or fixtures which comes to his knowledge and the Committee shall have authority by its agents or servants in the circumstances having regard to the urgency involved to examine or make such repairs or renovations as it may deem necessary for the safety and preservation of the building as often as may be necessary.

30. Display Lot

30.1 While the Original Owner remains an owner, lessee or licensee of any lot in the Community Titles Scheme they and their officers, servants and/or agents shall be entitled to utilise any lot in the Community Titles Scheme of which they remain an owner, as a display lot, for the purpose of allowing prospective purchasers of any lot in the Community Titles Scheme to inspect the lot or lots and may conduct an auction sale from such lot.

30.2 The Original Owner shall be entitled, for the purposes of exercising their rights under By-law 30.1, to place such signs and other advertising and display material in and about the lot, and on and about other parts of the common property, but the number and size of such signs or materials shall not be more than is reasonably necessary.

Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34781]

30.3 The Original Owner shall be entitled, for the purposes of exercising their rights under By-law 30.1 full and uninterrupted access to the Community Titles Scheme for themselves and its officers, servants and/or agents during the hours of 10.00 am to 5.00 pm on each day. During those times, the Body Corporate shall ensure that all security doors and gates which restrict access to the Community Titles Scheme or other parts of the common property, shall remain unlocked. The Original Owner shall lock any doors and gates after their use.

31. Use of Lots

31.1. The Body Corporate will not allow any other person or entity (other than the owner or occupier of the Managers Unit) to use any part or all of the common property to carry out, or to directly or indirectly engage or to be connected with, the business of management of the Scheme Land and/or the letting of lots within the Scheme Land and/or the providing of any services ancillary to the caretaking and letting services.

31.2. The Body Corporate may not enter into with any other person or entity (other than the owner or occupier of the Manager's Unit) an agreement relating to the supply by a person or entity of any of the management and letting services connected with the Community Titles Scheme.

32. Functions of Body Corporate

32.1. Without derogating from any powers, duties and functions conferred or imposed on it by the Act or these By-laws, the Body Corporate has the function to:

- (a) provide, for the benefit of Owners and Occupiers and the Common Property a permanent on-site caretaker to provide caretaking duties in respect of the Common Property, Body Corporate assets and other areas or features adjacent to or neighbouring the Scheme Land;
- (b) for the benefit of Owners and Occupiers authorise a person or entity to offer services to lot owners, on a voluntary basis including a letting service; and
- (c) maintain certain areas or features adjacent to or neighbouring the Scheme Land that increase the amenity to Owners and Occupiers.

32.2. Without derogating from any powers, authorities, duties and functions conferred or imposed on it by or under the Act or elsewhere under these By-laws, the Body Corporate shall be empowered to enter into with such person or persons or corporation or corporations as the Body Corporate in its absolute discretion shall decide one or more of the following agreements:

- (a) an agreement or agreements for the caretaking, management and/or maintenance of the Common Property and the letting of lots in the Community Titles Scheme on behalf of owners;
- (b) an agreement or agreements for the appointment of a Body Corporate Manager for the performance of (inter alia) certain duties and obligations of the secretary and treasurer of the Body Corporate and such other duties and obligations as the Body Corporate shall deem appropriate;
- (c) an agreement or agreements for the purpose of better seeing to the proper functioning operation and management of the Community Titles Scheme or building or for the purpose of ensuring the proper functioning of the duties and powers of the Body Corporate and of the Committee of the Body Corporate including any agreement between the Body Corporate.
- (d) an agreement with an energy provider and/or an energy resources consultant in relation to the provision of utility services to the Scheme Land and lots in the Community Titles Scheme.
- (e) an agreement with the Original Owner in connection with the progressive development of the Scheme Land and the recording of new community management statements in consequence of the progressive development of the Scheme Land.
- (f) an agreement with any other person in relation to licensing or leasing any part of the Scheme Land or any other land outside of the Scheme Land;
- (g) an agreement with the Douglas Shire Council or any other appropriate authority in relation to maintaining certain areas or features adjacent to or neighbouring the Scheme Land;

Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34781]

- (h) an agreement in relation to allowing members of the Scheme to use facilities located on other land and for the Body Corporate to contribute to the costs of maintenance, repair and replacement of such facilities;
- (i) an agreement(s) with other land owners or bodies corporate in relation to the shared use of facilities (either located on the Scheme Land or on other land) and contributions to the cost of shared facilities; and
- (j) an easement or easements burdening or benefiting the Scheme Land (or any part of it) providing rights of access and/or rights to use facilities (including facilities on common property of the scheme),

Any such agreements shall be upon such terms and conditions as the Body Corporate shall decide in its absolute discretion.

33. PABX Cabling

The Caretaker of the Community Titles Scheme will be entitled to operate a PABX telephone facility or similar facility within the Community Titles Scheme and for that purpose will continue to have a licence to install, lay, use, repair, maintain and replace cabling and other equipment necessary for the operation of such facility throughout the common property of the Community Titles Scheme. The Body Corporate shall not interfere with the operation of this facility.

34. Committee May Employ

The Committee may employ for and on behalf of the Body Corporate such agents and servants as it thinks fit in connection with the exercise and performance of the powers, authorities, duties and functions of the Body Corporate.

35. Correspondence

All complaints or applications to the Body Corporate or its Committee shall be addressed in writing to the Secretary or the Body Corporate Manager of the Body Corporate.

36. Requests to the Secretary

An owner or occupier of a lot shall direct all requests for consideration of any particular matter to be referred to the Committee, to the Secretary, and not to the Chairman or any member of the Committee.

37. Notices

An owner or occupier of a lot, his servants, agents, licensees and invitees shall observe the terms of any notice displayed in the common property by authority of the Committee or of any statutory authority.

38. Copy of By-Laws to be Produced Upon Request

Where any lot or Common Property is leased or rented, otherwise than to an owner of a lot, the lessor or, as the case may be, landlord shall produce or cause to be produced to the lessee or tenant for his inspection a copy of the By-laws for the time being in force in respect of the Community Titles Scheme.

39. Power of Committee

The Committee may make rules relating to the Common Property including, but not limited to, rules imposing speed limits in respect of roadways within the Community Titles Scheme, not inconsistent with these By-laws and the same shall be observed by the owners or occupiers of lots unless and until they are disallowed or revoked by a majority resolution at a general meeting of the Body Corporate.

Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34784]

40. Recovery of Costs

40.1. An owner (which expression shall extend to a mortgagee in possession) shall pay on demand the whole of the Body Corporate's costs and expenses (including Solicitor and own client costs), such amount to be deemed a liquidated debt, incurred in:

- (a) recovering contributions or monies payable to the Body Corporate pursuant to the Body Corporate and Community Management Act 1997 duly levied upon that owner by the Body Corporate or otherwise or pursuant to the By-laws of the Body Corporate;
- (b) all proceedings including legal proceedings concluded in favour of the Body Corporate taken by or against the owner or the lessee or occupier of the owner's lot, including, but not limited to, applications for an Order by the Commissioner, appeals to the Tribunal and appeals to the Court.

40.2. In the event that the owner (or his mortgagee in possession) fails to attend to the payment of such costs and expenses after demand is made for the payment of same the Body Corporate may:

- (a) treat such costs and expenses as a liquidated debt and take action for the recovery of same in any Court of competent jurisdiction; and
- (b) enter such costs and expenses against the levy account of such owner in which case the amount of same shall be paid to the Body Corporate upon a subsequent sale or disposal of the owner's lot falling which the purchaser of such lot shall be liable to the Body Corporate for the payment of same.

41. Recovery by Body Corporate

Where the Body Corporate expends money to make good damage caused by a breach of the Act or of these By-laws by any owner or the tenants, guests, servants, employees, agents, children, invitees or licensees of the owner or any of them, the Committee shall be entitled to recover the amount so expended as a debt in any action in any Court of competent jurisdiction from the owner of the lot at the time when the breach occurred.

42. Cable TV

The Body Corporate recognises that there could be an agreement in place with a cable TV carrier for the installation of all cabling, wiring, ducting, conduiting, amplifiers and other necessary equipment required for the provision of cable television to the Community Titles Scheme and each lot and the Body Corporate must:

- 42.1. allow a person to install cabling, wiring, ducting, conduits, amplifiers and any other necessary equipment to enable owners to connect to Cable Television;
- 42.2. provide a supply of electricity, at the cost of the Body Corporate, if needed for any component to the Cable Television facility that is installed on the Common Property.

43. Joint Liability

If, at the time a person becomes the owner of a lot, another person is liable in respect of the lot to pay interest or penalty on a contribution, the owner is jointly and severally liable with the other person for the payment of the interest or penalty.

44. Security

44.1. All security equipment installed on common property and used in connection with the provision of security for the Community Titles Scheme shall with the exception of that equipment installed upon any lot be and remain the property of the Body Corporate. All security equipment is (with the exception of that equipment installed upon any lot which shall be maintained at the cost and expense of the owner of the lot) the property of the Body Corporate and shall be repaired and maintained at the cost and expense of the Body Corporate.

44.2. In no circumstances shall the Body Corporate be responsible to an owner (and the owner shall not be entitled to make any claim for compensation or damages) in the event of a failure of all or any of the security

Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34781]

systems put in place by the Body Corporate to operate in the manner in which they are intended. Where the failure to operate arises from a malfunction of the security equipment in a lot, then the owner shall allow the Body Corporate by its servants, agents or contractors to enter upon the lot (upon one (1) days notice) except in the case where the circumstances require immediate entry.

44.3. The Committee shall be entitled to make rules and regulations for the benefit of all owners regulating the security and the operation of it upon the Community Titles Scheme. Such rules and regulations shall not be inconsistent with these By-laws. The owners shall ensure compliance with such rules and regulations so made until the same shall have been revoked, amended or altered by a majority resolution of the Body Corporate in general meeting.

45. Aerials

Outside wireless and television aerials may not be erected without permission of the Committee.

46. Repairs

All repairs to lots will be carried out promptly and in a workmanlike manner by the owners or occupiers of the lots.

47. Illegal Use of Lots Prohibited

An owner or occupier of a lot shall not use his lot for any purpose which may be illegal or injurious to the reputation of the Scheme. An owner or occupier of a lot must, at the cost of the owner or occupier, promptly comply with all laws relating to the lot including, without limitation, any requirements, notices and orders of any relevant authority.

48. Signs

48.1. Notwithstanding anything in these By-laws, no sign or notice, including any "For Sale" sign, shall be placed on the Common Property or any lot (including any dwelling or improvement on a Lot).

48.2. The Caretaker or any other person authorised by the Committee is authorised to enter upon any Lot to remove any sign or notice erected upon a Lot in contravention of this By-law.

49. Power to Enter into Licence Agreements

The Body Corporate may enter into licence agreements from time to time, on such terms and conditions as the Body Corporate sees fit, with other lots in the Community Titles Scheme, to grant to other lots in the Community Titles Scheme exclusive use and enjoyment over any areas of Common Property or areas over which it has the exclusive use and enjoyment of.

50. Liquor Licence Deed

The Body Corporate, in addition to the powers and authorities conferred upon it by or under the Body Corporate and Community Management Act 1997 or any other By-law has the power and authority to enter into a deed, agreement or other document with any person holding a liquor licence under the Liquor Act 1992 in respect of the parcel or any part of the parcel, to enable that person to fulfil the obligations under the Liquor Act 1992 by granting to that person the full, free and unfettered control of the Common Property.

51. Bulk Supply of Electricity

51.1. The Body Corporate may obtain the supply of electricity for the Scheme (which may be in bulk) from an electricity provider ("a Supplier"). The Body Corporate may enter into an agreement with a Supplier on terms decided by the Committee, or if the agreement is outside of the scope of the Committee's authority, the Body Corporate.

51.2. The Body Corporate may enter into an agreement with a utilities manager who may facilitate the Body Corporate's purchase and administration of electricity ("Utilities Manager").

51.3. The Body Corporate may install meters to monitor usage of the electricity supplied from the Supplier and supplied to owners and occupiers.

Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34781]

- 51.4. The Body Corporate may purchase, otherwise obtain or contract with an entity to provide an Energy Management System ("EMS") or services so as to allow for the bulk purchase of utility services and the efficient use of the utility services.
- 51.5. Owners and occupiers must obtain their supply of electricity from or through the Body Corporate if the Body Corporate enters into an electricity supply agreement with the Supplier. If requested by the Body Corporate, owners must sign an agreement for the supply of the electricity on the Terms of Supply decided by the Body Corporate.
- 51.6. Owners or occupiers who accept or use the electricity supplied by or through the Body Corporate ("Consumers") shall, in consideration of the supply of electricity, comply with this By-Law and the terms and conditions of supply adopted by the Body Corporate ("the Terms of Supply"). A copy of the Terms of Supply adopted by the Body Corporate shall be made available by the Body Corporate to Consumers.
- 51.7. Upon the acceptance or use of the electricity supplied by or through the Body Corporate, the Terms of Supply shall constitute an agreement between the Consumer and the Body Corporate. The consideration for the agreement shall be the supply and continued supply of electricity through the Body Corporate to the Consumer. The Terms of Supply form an agreement separate to this By-law.
- 51.8. Upon request by a Consumer, the Body Corporate shall provide one copy of the Terms of Supply to a Consumer.
- 51.9. When a Consumer assigns or transfers the Consumer's interest in a Lot, the Assignee or Transferee becomes joined as a party to the agreement constituted by the Terms of Supply. The Assignor or Transferor Consumer is released from the obligations imposed under this By-law and the Terms of Supply only when all obligations of the Consumer are satisfied and up to date.
- 51.10. The Body Corporate may include the costs for the supply of electricity (whether to an owner or occupier of a lot) in Notices of Contributions payable to the Body Corporate by the owner of the lot to which electricity is supplied. By-laws 40 and 43 apply to such payments.
- 51.11. The terms of this By-law and the Terms of Supply are subject to any agreement entered into between the Body Corporate and the Supplier. The Body Corporate will have no obligation to provide electricity to a Consumer if:
- (a) the agreement with the Supplier is terminated;
 - (b) the Supplier does not provide electricity to the Body Corporate for any reason; or
 - (c) the Consumer does not pay for the supply of electricity by the due date.
- 51.12. All enquiries regarding connection, disconnection and charges shall be directed to the Utilities Manager (or other person nominated by the Committee). Consumers shall follow the directions of the Utilities Manager (or other person nominated by the Committee) with respect to the supply and use of electricity provided that the directions must be consistent with this By-law and the Terms of Supply.
- 51.13. The Committee may make rules with respect to the supply of electricity provided they are consistent with this By-law and the Terms of Supply.
- 51.14. The Body Corporate will not, under any circumstances whatsoever, be responsible or liable for any loss, cost or damages that occur to any Consumer or anyone who relies upon the electricity supply because of failure of the supply of electricity due to breakdowns, repairs, maintenance, strikes, accidents or causes of any class or description.
- 51.15. All Consumers shall ensure that any electrical installation (as defined in the Electricity Act 1994) is maintained free of any defect which is likely to cause a fire or electrical shock. Subject to the Body Corporate and Community Management Act, the Body Corporate or the Utilities Manager shall be entitled to enter a Lot to inspect any electrical installations.
- 51.16. For the purposes of ensuring the efficient and constant supply of electricity to the Lots during any limitation in the supply of electricity, the Body Corporate may impose restrictions in such a manner and to such an extent

Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential GTS 34781]

as it considers necessary, upon the use of electrical articles (as defined in the *Electricity Act 1994*), including the prohibition of the use of specified articles.

51.17. The Body Corporate is not responsible for the accuracy or correct operation of any electricity meter for a Lot, other than its obligations under the Body Corporate and Community Management Act. Consumers shall ensure that no person associated with the Consumer or their Lot interferes with any meter or equipment used for the supply or measure of supply of electricity to a Lot.

51.18. An Invoice or notice will have been validly given to a Consumer if the Invoice or notice is sent to the last known address for the Consumer known to the Body Corporate.

52. Fencing

52.1. No Owner or Occupier will erect any fencing on a Lot unless the proposed fencing is first approved by the Architectural Review Committee established for the Community Titles Scheme.

52.2. Each Owner shall repair and maintain any fencing on their Lot or that divides their Lot from any other Lot or common Property in a good condition.

53. Gardens

53.1 Owners must:

- (a) Not cultivate any plant within a Lot or an area attaching to their Lot which is:
 - (i) Likely to grow so as to overload any building in any Lot or the Common Property; and
 - (ii) Not in a healthy, pest free condition.
- (b) Remove weeds within the Lot or any area attaching to their Lot.
- (c) Replace dead plants with another plant within a reasonable timeframe in the Committee's discretion.

54. Development by Original Owner

54.1 In carrying out any of the development referred to in Schedule B herein, the Original Owner must:

- (a) Observe these by-laws in all respects; and
- (b) Ensure that the development is carried out in a manner which minimises the inconvenience caused to the Body Corporate or to the owners and occupiers of lots on Scheme Land.

55. Definitions

Unless otherwise provided in these By-laws, the following words and expressions shall have the meanings set out opposite them as follows:

"Act" means the Body Corporate and Community Management Act 1997;

"Body Corporate" means the body corporate for Niramaya Luxury Villas and Spa Residential Community Titles Scheme;

"Caretaker" means the person or company engaged by the Body Corporate to carry out caretaking duties from the Community Titles Scheme.

"Committee" means the committee of the Body Corporate.

"Common Property" has the same meaning as defined in the Act and as applied to the Community Titles Scheme.

"Community Titles Scheme" means the Niramaya Luxury Villas and Spa Principal Community Titles Scheme.

Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34781]

"Facilities" means recreational facilities located outside of the Scheme Land which the Body Corporate has rights to use.

"Lot" means a lot in the Community Titles Scheme.

"Manager" means the person or company engaged by the Body Corporate to carry out caretaking duties and authorised to carry out a letting business from the Community Titles Scheme.

"Manager's Unit" means the lot in which the Caretaker and Letting Agent resides.

"Module" means the regulation module applying to the community titles scheme as described in the Community Management Statement.

"Occupier" has the same meaning as in the Act.

"Original Owner" means MFS Bale Resorts Pty Ltd ACN 114 259 353, its successors or assigns.

"Owner" has the same meaning as in the Act.

"Scheme Land" means the land referred to in Item 4 of the front page of this Community Management Statement.

SCHEDULE D	OTHER DETAILS REQUIRED/PERMITTED TO BE INCLUDED
------------	---

ANY OTHER REQUIRED OR PERMITTED DETAILS (if applicable)

1. To facilitate the progressive development of the Niramaya Luxury Villas and Spa Residential Community Titles Scheme (as identified in Schedule B), the Original Owner may, at any time, enter on to the Scheme Land (or any part thereof), the common property and any lot in the Niramaya Luxury Villas and Spa Residential Community Titles Scheme to undertake works of any kind necessary or incidental to establishing utility infrastructure and utility services (and connections thereto) including the following works:
 - (a) excavation and general earthworks;
 - (b) the construction of common property areas (including roads);
 - (c) the construction on the common property of such improvements and facilities as may be considered necessary by the original owner to establish utility infrastructure and utility services (and connections thereto);(all of which works are collectively called "the Utility Infrastructure Works").
2. The Original Owner may bring upon the Scheme Land any machinery, tools, equipment, vehicles and workman to facilitate the carrying out of the Utility Infrastructure Works.
3. The Original Owner shall use reasonable endeavours to ensure that the Infrastructure Works will be carried out in a manner which minimises (so far as is practicable) the inconvenience (if any) caused to the Body Corporate or to the owners and occupiers of lots in the Niramaya Luxury Villas and Spa Residential Community Titles Scheme.
4. The Body Corporate and each owner and occupier of the lots in the Niramaya Luxury Villas and Spa Residential Community Titles Scheme agree that the Original Owner shall be entitled to full free and uninterrupted access over and to the Common Property and to any lot to carry out and undertake the Utility Infrastructure Works.
5. The expressions "utility infrastructure" and "utility services" shall have the meaning assigned to them in Schedule 4 of the *Body Corporate and Community Management Act 1997* as amended from time to time. The expression the "Original Owner" means the party identified in Item 5 of this Community Management Statement together with the original owner's successors and assigns.

Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34781]

ARCHITECTURAL REVIEW COMMITTEE

1. Establishment

- (a) Upon creation of the Scheme an Architectural Review Committee ('ARC') shall be established. Initially the ARC shall consist of one member who shall be an architect or other relevant expert nominated by the Original Owner (or its assignees) from time to time.
- (b) Twelve months after all dwellings and landscaping have been completed on all of the lots in all of the Stages in the Scheme, the right of the Original Owner to appoint the members of the ARC shall end. If the members appointed by the Original Owner refuse to act or no members have been appointed to the ARC within 30 days of an application being made to the Committee, then the Committee may appoint the ARC. The members of the ARC can be changed from time to time by resolution of the Committee, however whilst the Original Owner has the power to appoint the members of the ARC, the ARC cannot be changed by the Committee.
- (c) The minimum number of members of the ARC shall be one and the maximum number of members for the ARC shall be three. At least one member of the ARC shall be an architect or person with similar expertise in relation to building or design.
- (d) The ARC may provide recommendations to the Committee to be passed on to the applicant or the ARC may deal directly with the applicant. The committee shall give effect to and impose the recommendations of the ARC.
- (e) The ARC will meet from time to time as necessary to perform the ARC's functions and duties.
- (f) Decisions of the ARC will be made by majority on a show of hands by members at the meeting. The Chairman will have a primary vote and casting Vote. Subject to the casting vote of the Chairman, each member has one vote. Where possible the Chairman shall be an architect or expert in building design.
- (g) The ARC may from time to time designate one or more of its members to investigate or perform any duties for and on behalf of the ARC and report on those findings to the ARC.
- (h) The vote of the majority of members of the ARC will constitute a decision of the ARC.
- (i) A member of the ARC who is absent from a meeting may appoint another ARC member as his or her proxy. An appointment of proxy must be in writing signed by the person making the appointment. The proxy must be tabled at the relevant ARC meeting and may be faxed.
- (j) Members of the ARC will receive reimbursement for expenses incurred by them in performing the ARC's duties.
- (k) The ARC may retain experts and consultants to advise the ARC. The expenses of these experts and all professionals shall be payable by the applicant.

2. Object of ARC

- (a) The object of the ARC is to ensure that the Scheme Land comprises of modern, well designed, attractive and uniform dwellings and improvements and in recognition of this object, owners and occupiers acknowledge that the lots and the Common Property must at all times be used, managed and controlled so as to conform with these principles.
- (b) After creation of the Scheme, the Original Owner may submit plans to the ARC of the types of dwellings that should be approved for construction on lots in the Scheme. An application made in accordance with plans for a lot provided to the ARC by the Original Owner must be approved by the ARC.

Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34781]

3. Duties of ARC

The duties of the ARC will be to:

- (a) Consider applications for approval for works.
- (b) Recommend to the Committee that an application to the ARC be approved (conditionally or unconditionally) or that the application be rejected.
- (c) Give advice to an applicant as to what amendments would need to be made to the application for it to be suitable to the ARC.
- (d) Perform such other duties on behalf of the Committee and the Body Corporate as from time to time are assigned to it by the Committee and the Body Corporate.
- (e) Provide guidelines to the Body Corporate in relation to architecture and design, landscaping standards and building specifications.
- (f) The ARC must make a decision in relation to an application as soon as reasonably practicable and in any event give a decision within 30 days of being given notice of an application and full details of an application. If a decision is not made due to default by the ARC then the Committee may make the decision in relation to the application.

4. Applications to ARC

- (a) An application to the ARC must include all site and layout plans for excavation, all plans for construction and/or alteration of improvements on a lot, exclusive use areas and all landscaping plans.
- (b) An application to the ARC must be made at the expense of the lot owner.
- (c) Subject to a party's rights under the Act, a decision by the ARC is final and binding on the applicant, the owner of the lot and the Body Corporate. The ARC may review and amend a decision. If it does so, the amended decision shall be substituted for the earlier decision.
- (d) The ARC may recommend to the Body Corporate that stop work orders be issued, inspections be made, improvements be removed, machinery be removed or action be taken against an owner or occupier pursuant to the By-laws. To the extent it is lawful, the Body Corporate shall act on and enforce recommendations by the ARC.

5. Further Particulars

The ARC may request that an applicant or lot owner provide further particulars in relation to an application. The ARC does not have to proceed any further with an application until the further particulars have been provided. The ARC may request that particulars be provided in writing.

6. Bond or Pre-Payment

- (a) The ARC may request, and an applicant must pay any reasonable amount of bond or pre-payment of costs requested by the ARC in relation to an application. The ARC does not need to proceed with the application until such pre-payment of costs or bond is paid.
- (b) The bond shall be refunded where works have been done in accordance with the approval given by the ARC. Any pre-payment of costs that is not appropriated shall be refunded immediately upon completion by the ARC of its decision on an application.

7. Works to be Carried Out in Accordance with Approval

Where an approval (conditional or unconditional) has been given by the ARC to an application, that works on the lot must be carried out in accordance with that approval and the owner or occupier of the lot must ensure that its contractors, servants, agents or employees carry out the works in accordance with the approval.

Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34781]

8. No Liability of ARC

- (a) The ARC members shall not be liable to any occupier or owner for any loss, damage or injury arising out of or in any way connected with any recommendation, approval (conditional or unconditional) or disapproval given under this CMS unless due to the wilful misconduct, bad faith or criminal act of a member of the ARC.
- (b) Approvals (conditional or unconditional) of any application will not be construed as compliant with any laws relating to or regulating construction of the works or the structural soundness of the proposed works.

9. Maintenance

- (a) Each owner must ensure that the improvements on their lot are maintained to a high standard.
- (b) The ARC has the power to appoint one of its members, a member of the Committee or a contractor of the Body Corporate to enter a lot for the purposes of ensuring that a lot is being maintained in accordance with the Act and the terms of the CMS as well as to inspect any works being carried out or any suspected works being carried out on the lot that require approval from the ARC.

10. Breach of Terms of Schedule D

A breach of the terms of this Schedule D shall (in addition to any other legal consequence) be deemed to be a breach of a By-law.

11. Final Inspection

The applicant or the owner of the lot must advise the ARC upon completion of the various stages of construction (i. e. slab down, frame up, lockup). A member of the ARC shall be invited to inspect the works at each stage of completion to monitor compliance. A member of the ARC shall be entitled to inspect the works at completion of each stage.

12. Plans and Application

All plans and other materials submitted with an application remain the property of the ARC however the ARC may request that an applicant accept the return of any such plans or application. Such plans held by the Body Corporate, shall be held with the Body Corporate records.

13. Indemnity

Where there has been non-compliance with the terms of this CMS in relation to approval of works or any approvals, orders or conditions issued by the ARC or the Committee in relation to works on a lot, the occupier and owner of a lot will indemnify and keep indemnified and hold the members of the ARC, the members of the Committee and the Body Corporate harmless against all losses, claims, demands and expenses arising which they sustain or incur due to the non-compliance or breach of any approval or the terms of this CMS in relation to construction of works on a lot.

Other Matters Required by Section 88 of the Body Corporate and Community Management Act, 1997
Statutory Easements

Each lot in the Scheme is affected by the following statutory easements:

- (a) easement for lateral or subjacent support under Section 115N of the *Land Title Act 1994*;
- (b) easement for utility services and utility infrastructure in accordance with Section 115O of the *Land Title Act 1994*;
- (c) easement for utility services and utility infrastructure in accordance with Section 115P of the *Land Title Act 1994*;
- (d) easement for shelter in accordance with Section 115Q of the *Land Title Act 1994*;
- (e) easement for projections in accordance with Section 115R of the *Land Title Act 1994*;
- (f) easement for maintenance of building close to boundary in accordance with Section 115S of the *Land Title Act 1994*;

Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34781]

Service Location Diagrams

See Annexure B

Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34781]

SCHEDULE E	DESCRIPTION OF LOTS ALLOCATED EXCLUSIVE USE AREAS OF COMMON PROPERTY
------------	--

Nil

Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34781]

Annexure "A"

Concept Plan

"BALÉ" - Staging Concept Plan
for Residential Scheme



Sheet 28 of 47

The plan shows a residential site divided into four staging areas:

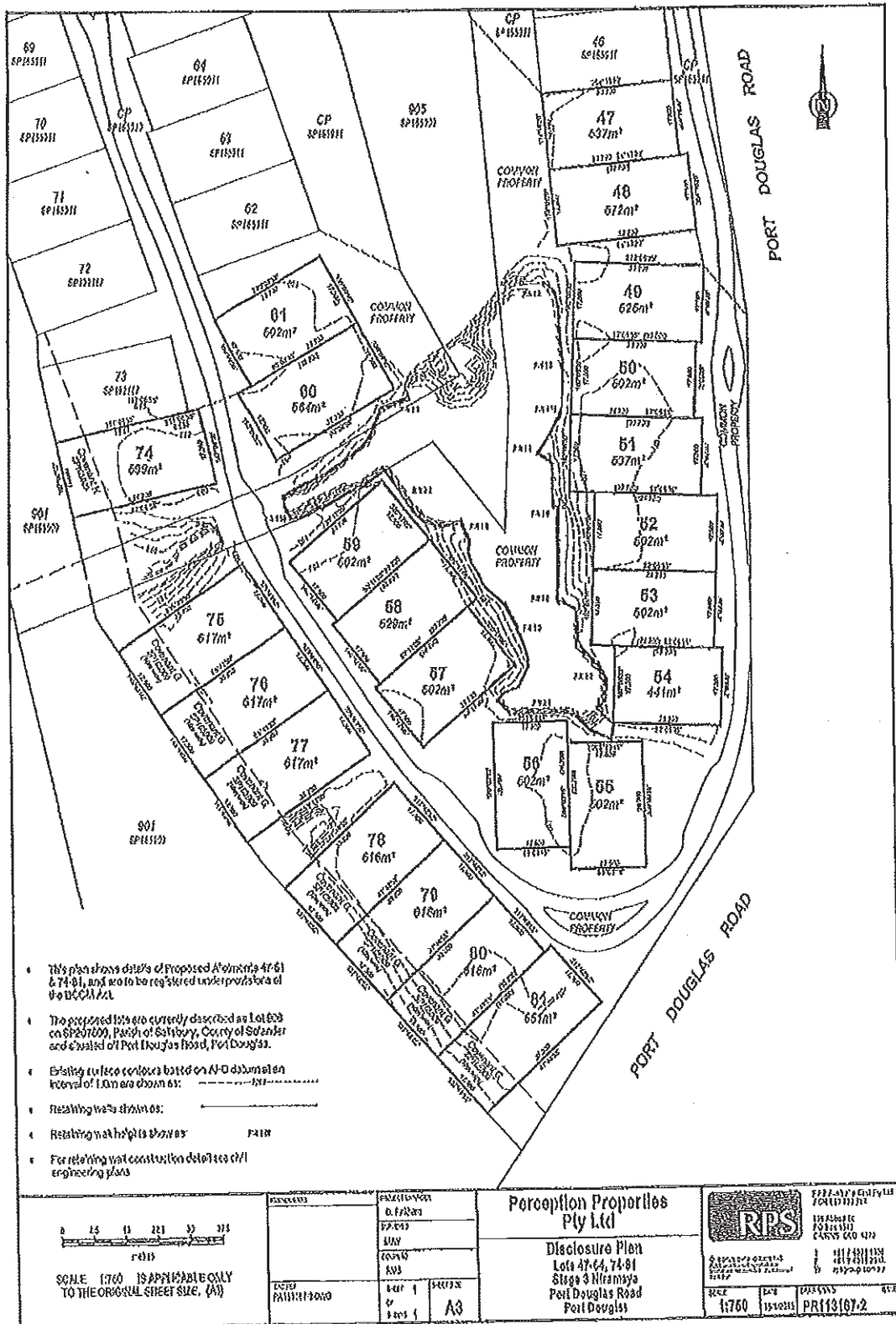
- STAGE 1**: Approx. 30 - 50 Lots. Located in the upper left, featuring a 'PRIVATE OPEN SPACE' and 'Lot 804 (not included in staging)'. It is bordered by a 'PORT' and a 'CUL-DE-SAC'.
- STAGE 2**: Approx. 15-20 Lots. Located in the center, featuring a 'PARK' and a 'CUL-DE-SAC'.
- STAGE 3**: Approx. 1-3 Lots. Located on the left, featuring a 'PARK' and a 'CUL-DE-SAC'.
- STAGE 4**: Approx. 20-30 Lots. Located in the lower right, featuring a 'PARK' and a 'CUL-DE-SAC'.

Other features include a 'PORT' at the top, a 'CUL-DE-SAC' running through the center, and a 'ROAD' on the right. The plan also shows various paths, roads, and vegetation. A north arrow is located in the top right corner, and a scale bar is at the bottom right.

CONTOUR INTERVAL: - 0.25m
LEVEL DATUM: - AHD (dri)

Synopsis:	Comp No: 31012-0010.020	Notations	Map Ref:	Rev. In O.D. by SWCO	Date: 11/12/03
Drawn: SWCO	Drawn By: G. V. CO	Field Book:	Date Drawn: 4th March 2003	Approved:	
 brazier mottif Working / Item / Planning / Project Management / Mapping etc. at Brazier Mottif (Pty) Ltd (Incorporated in South Africa) Contact: - 0823 8191 191, 0823 8191 192, 0823 8191 193 Email: info@braziermottif.co.za, info@braziermottif.co.za Phone: 0823 8191 191, 0823 8191 192, 0823 8191 193 Fax: 0823 8191 194, 0823 8191 195 Web: www.braziermottif.co.za		PORT DOUGLAS DEVELOPMENTS PTY LTD RESIDENTIAL SCHEME STAGING PLAN Bold Resort Lot 109 on SR501 - PORT DOUGLAS Parish: SAUSBOURY Council: Salsander Local Authority: Douglas Shire Council Orig Pos/Ref: 109			
 SWCO For 109 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000					

Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34781]



Title Reference [Body Corporate for Niramaya Luxury Villas and Spa Residential CTS 34781]

Annexure "B"

Service Location Diagrams

SHEET 31 of 47

BALE PORT
DOUGLAS -
PRINCIPLE CTS
& BALE PORT
DOUGLAS -
RESIDENTIAL
CTS

LEGEND

- Proposed New Road
- Existing Road
- Proposed New Road
- Existing Road
- Proposed New Road
- Existing Road
- Proposed New Road
- Existing Road

NOTES

1. All roads are to be constructed to the standards of the Department of Transport.

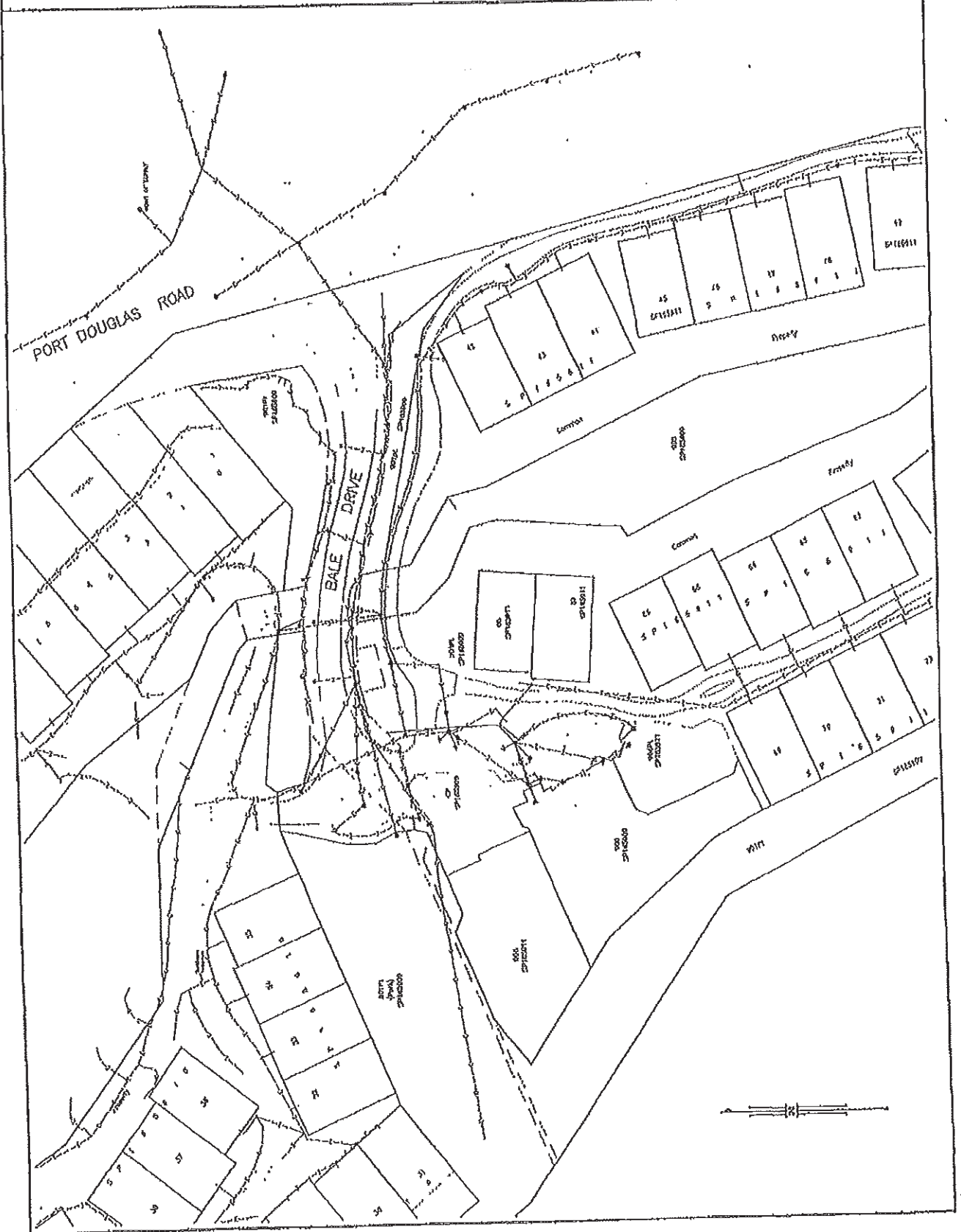
2. All roads are to be constructed to the standards of the Department of Transport.

3. All roads are to be constructed to the standards of the Department of Transport.

4. All roads are to be constructed to the standards of the Department of Transport.

SERVICE LOCATION
DIAGRAM
BALE RESORT
AS CONSTRUCTED
ELECTRICITY

NO.	DATE	BY	REVISION
1	1960	J.M.	Initial
2	1961	J.M.	Revised
3	1962	J.M.	Revised
4	1963	J.M.	Revised



SHEET OF SHEETS
33 47

BALE PORT
DOUGLAS -
PRINCIPLE CTS
&
BALE PORT
DOUGLAS -
RESIDENTIAL
CTS

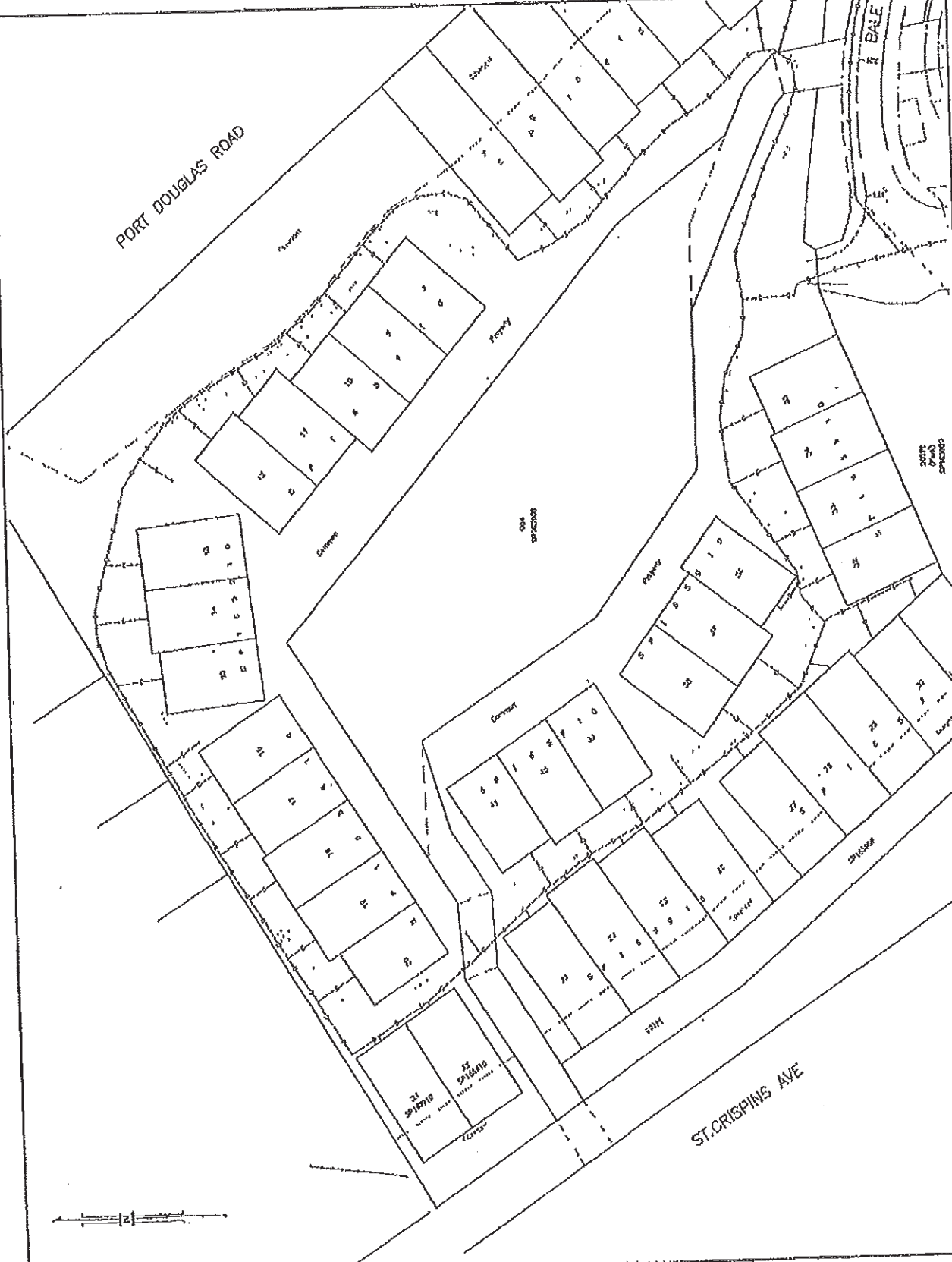
LEGEND

NOTES
LAW OFFICE 140

SCALE 1" = 100' (APPROXIMATE)
IN THE ORIGINAL SHEET

SERVICE LOCATION
MAGNAN
BALE RESORT
AS CONSTRUCTED
GAS

DATE	BY	CHKD	APP'D
10/1/80	J. M. [illegible]	J. M. [illegible]	J. M. [illegible]



五子

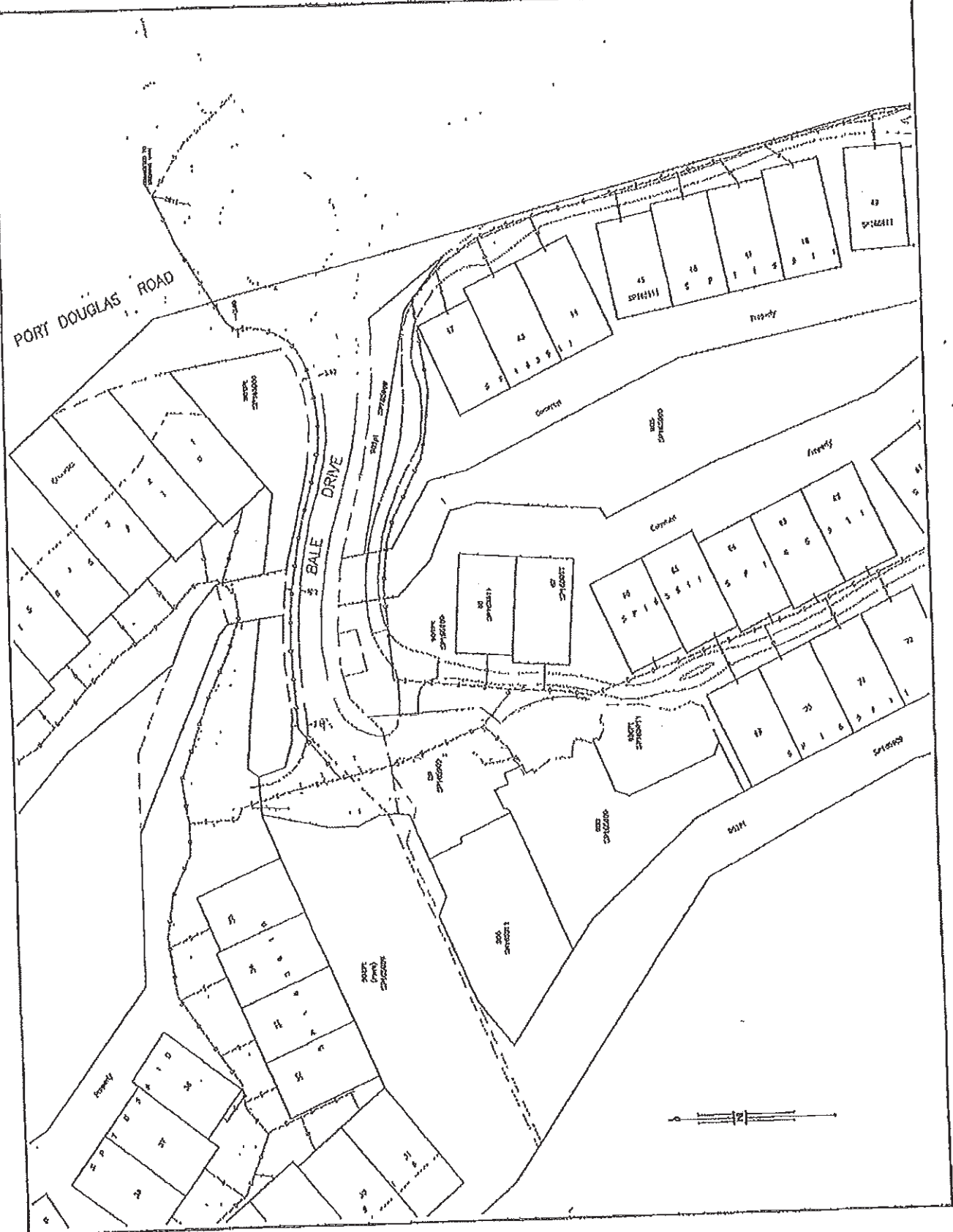
INDEX

ON JUNE 24, 1964
SECTION

WINE LINE TRAVEL CO. at
1100 PROSPERITY RD. SUITE 1000
DALLAS, TEXAS 75241

SERVICE LOCATION
DIAGRAM
BALE RESORT
AS CONSTRUCTED
GAS

DATE	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
------	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----



35 47

BALE PORT
DOUGLAS -
PRINCIPLE CTS
&
BALE PORT
DOUGLAS -
RESIDENTIAL
CTS

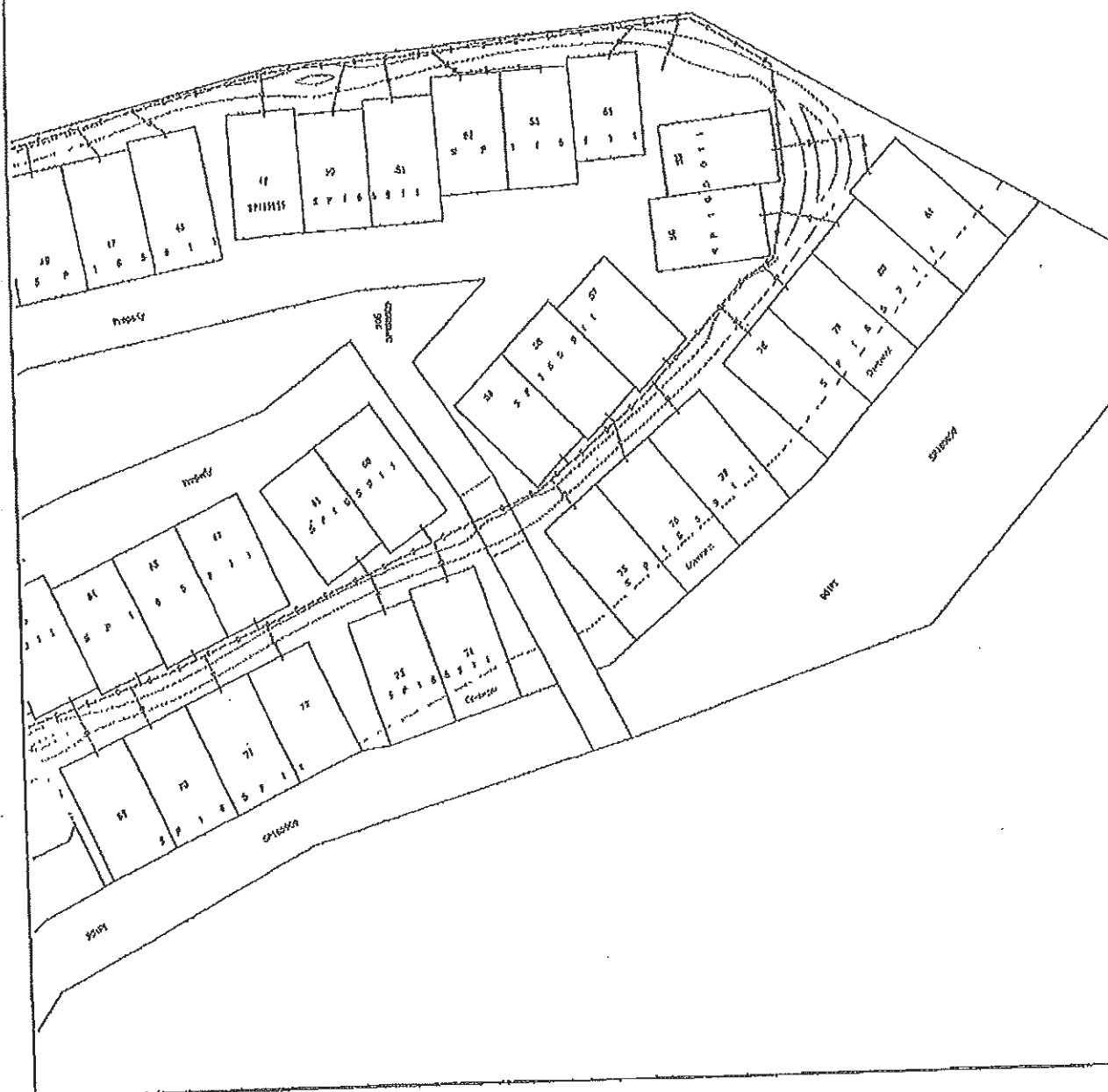
UNREMIT

OUR STAFF OFFICE
2020

[illegible]

SERVICE LOCATION
DIAGRAM
BALE BESONT
AS CONSTRUCTED
EAS

17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

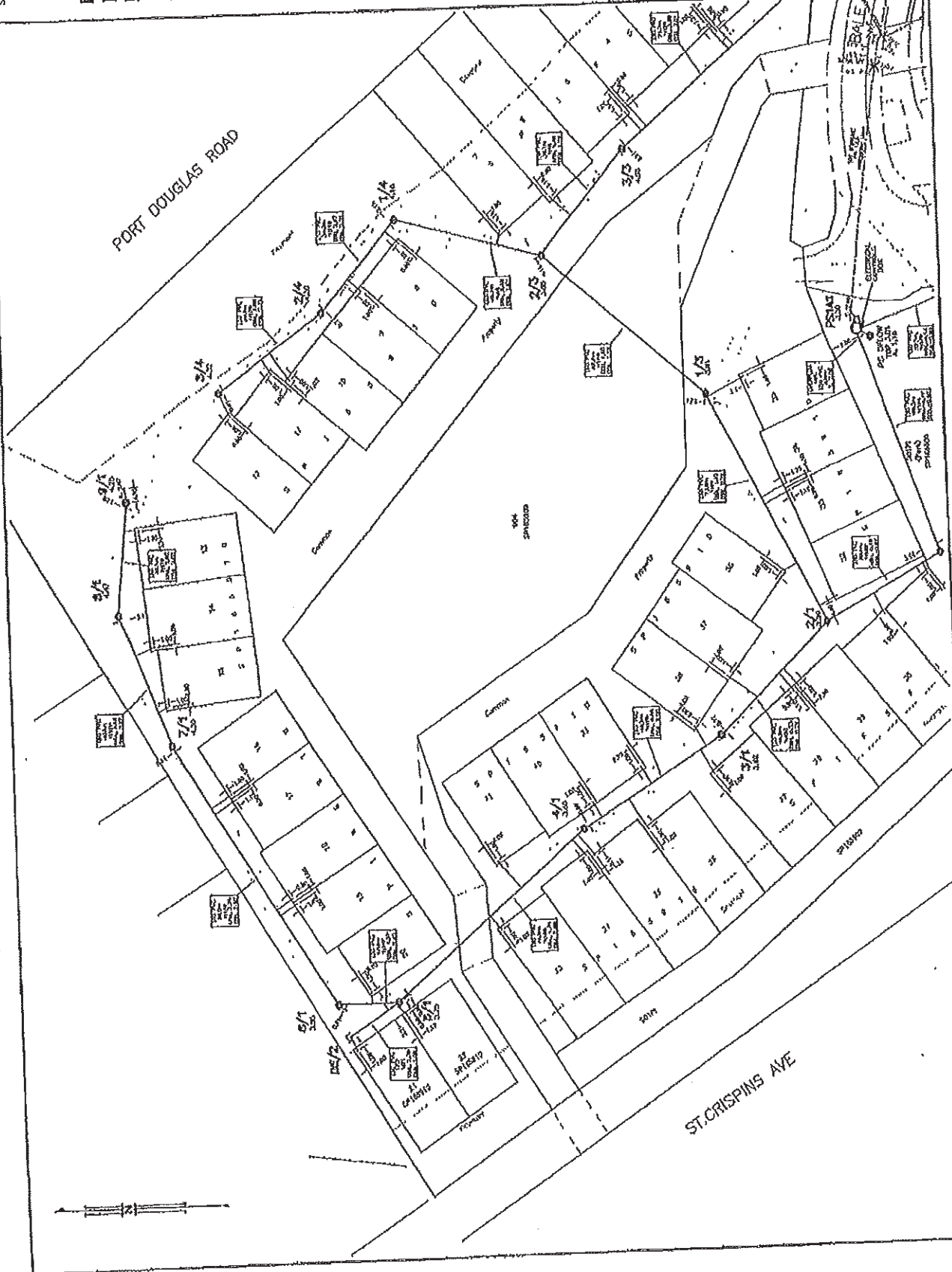


BALE PORT
DOUGLAS -
PRINCIPLE CTS
&
BALE PORT
DOUGLAS -
RESIDENTIAL
CTS

[illegible]

NOTES

SERVICE LOCATION
DIAGRAM
BALÉ RESORT
AS CONSTRUCTED
SEWER

[illegible]

SHEET 37 47

BALE PORT DOUGLAS - PRINCIPLE CTS & BALE PORT DOUGLAS - RESIDENTIAL CTS

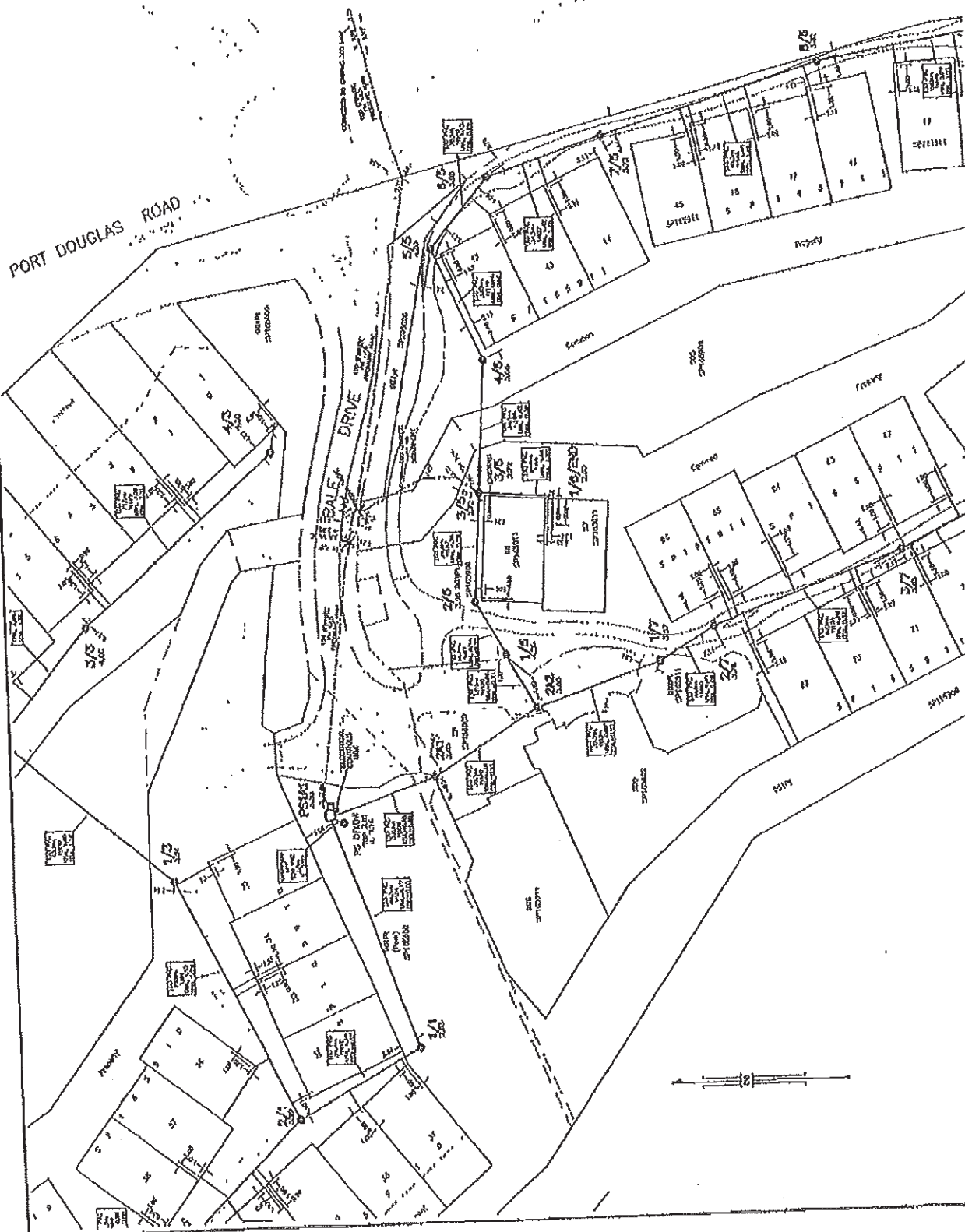
LEGEND
 --- Water to 100 ft
 --- Water to 200 ft
 --- Water to 300 ft
 --- Water to 400 ft
 --- Water to 500 ft
 --- Water to 600 ft
 --- Water to 700 ft
 --- Water to 800 ft
 --- Water to 900 ft
 --- Water to 1000 ft
 --- Water to 1100 ft
 --- Water to 1200 ft
 --- Water to 1300 ft
 --- Water to 1400 ft
 --- Water to 1500 ft
 --- Water to 1600 ft
 --- Water to 1700 ft
 --- Water to 1800 ft
 --- Water to 1900 ft
 --- Water to 2000 ft
 --- Water to 2100 ft
 --- Water to 2200 ft
 --- Water to 2300 ft
 --- Water to 2400 ft
 --- Water to 2500 ft
 --- Water to 2600 ft
 --- Water to 2700 ft
 --- Water to 2800 ft
 --- Water to 2900 ft
 --- Water to 3000 ft
 --- Water to 3100 ft
 --- Water to 3200 ft
 --- Water to 3300 ft
 --- Water to 3400 ft
 --- Water to 3500 ft
 --- Water to 3600 ft
 --- Water to 3700 ft
 --- Water to 3800 ft
 --- Water to 3900 ft
 --- Water to 4000 ft
 --- Water to 4100 ft
 --- Water to 4200 ft
 --- Water to 4300 ft
 --- Water to 4400 ft
 --- Water to 4500 ft
 --- Water to 4600 ft
 --- Water to 4700 ft
 --- Water to 4800 ft
 --- Water to 4900 ft
 --- Water to 5000 ft
 --- Water to 5100 ft
 --- Water to 5200 ft
 --- Water to 5300 ft
 --- Water to 5400 ft
 --- Water to 5500 ft
 --- Water to 5600 ft
 --- Water to 5700 ft
 --- Water to 5800 ft
 --- Water to 5900 ft
 --- Water to 6000 ft
 --- Water to 6100 ft
 --- Water to 6200 ft
 --- Water to 6300 ft
 --- Water to 6400 ft
 --- Water to 6500 ft
 --- Water to 6600 ft
 --- Water to 6700 ft
 --- Water to 6800 ft
 --- Water to 6900 ft
 --- Water to 7000 ft
 --- Water to 7100 ft
 --- Water to 7200 ft
 --- Water to 7300 ft
 --- Water to 7400 ft
 --- Water to 7500 ft
 --- Water to 7600 ft
 --- Water to 7700 ft
 --- Water to 7800 ft
 --- Water to 7900 ft
 --- Water to 8000 ft
 --- Water to 8100 ft
 --- Water to 8200 ft
 --- Water to 8300 ft
 --- Water to 8400 ft
 --- Water to 8500 ft
 --- Water to 8600 ft
 --- Water to 8700 ft
 --- Water to 8800 ft
 --- Water to 8900 ft
 --- Water to 9000 ft
 --- Water to 9100 ft
 --- Water to 9200 ft
 --- Water to 9300 ft
 --- Water to 9400 ft
 --- Water to 9500 ft
 --- Water to 9600 ft
 --- Water to 9700 ft
 --- Water to 9800 ft
 --- Water to 9900 ft
 --- Water to 10000 ft

NOTES
 1. All dimensions are in feet
 2. All dimensions are to center of line
 3. All dimensions are to center of road
 4. All dimensions are to center of building
 5. All dimensions are to center of lot

SCALE
 1" = 100'

SERVICE LOCATION
 DIAGRAM
 BALE RESORT
 AS CONSIDERED
 SEMI

DATE 10/1/50
 DRAWN BY J. H. HARRIS
 CHECKED BY J. H. HARRIS
 APPROVED BY J. H. HARRIS



SHEET 38 47

BALE PORT
DOUGLAS -
PRINCIPLE CTS
&
BALE PORT
DOUGLAS -
RESIDENTIAL
CTS

LEGEND
 1. 1/2" Scale
 2. 1/4" Scale
 3. 1/8" Scale
 4. 1/16" Scale
 5. 1/32" Scale
 6. 1/64" Scale
 7. 1/128" Scale
 8. 1/256" Scale
 9. 1/512" Scale
 10. 1/1024" Scale
 11. 1/2048" Scale
 12. 1/4096" Scale
 13. 1/8192" Scale
 14. 1/16384" Scale
 15. 1/32768" Scale
 16. 1/65536" Scale
 17. 1/131072" Scale
 18. 1/262144" Scale
 19. 1/524288" Scale
 20. 1/1048576" Scale
 21. 1/2097152" Scale
 22. 1/4194304" Scale
 23. 1/8388608" Scale
 24. 1/16777216" Scale
 25. 1/33554432" Scale
 26. 1/67108864" Scale
 27. 1/134217728" Scale
 28. 1/268435456" Scale
 29. 1/536870912" Scale
 30. 1/1073741824" Scale
 31. 1/2147483648" Scale
 32. 1/4294967296" Scale
 33. 1/8589934592" Scale
 34. 1/17179869184" Scale
 35. 1/34359738368" Scale
 36. 1/68719476736" Scale
 37. 1/137438953472" Scale
 38. 1/274877906944" Scale
 39. 1/549755813888" Scale
 40. 1/1099511627776" Scale
 41. 1/2199023255552" Scale
 42. 1/4398046511104" Scale
 43. 1/8796093022208" Scale
 44. 1/17592186044416" Scale
 45. 1/35184372088832" Scale
 46. 1/70368744177664" Scale
 47. 1/140737488355328" Scale
 48. 1/281474976710656" Scale
 49. 1/562949953421312" Scale
 50. 1/1125899906842624" Scale
 51. 1/2251799813685248" Scale
 52. 1/4503599627370496" Scale
 53. 1/9007199254740992" Scale
 54. 1/18014398509481984" Scale
 55. 1/36028797018963968" Scale
 56. 1/72057594037927936" Scale
 57. 1/144115188075855872" Scale
 58. 1/288230376151711744" Scale
 59. 1/576460752303423488" Scale
 60. 1/1152921504606846976" Scale
 61. 1/2305843009213693952" Scale
 62. 1/4611686018427387904" Scale
 63. 1/9223372036854775808" Scale
 64. 1/18446744073709551616" Scale
 65. 1/36893488147419103232" Scale
 66. 1/73786976294838206464" Scale
 67. 1/147573952589676412928" Scale
 68. 1/295147905179352825856" Scale
 69. 1/590295810358705651712" Scale
 70. 1/1180591620717411303424" Scale
 71. 1/2361183241434822606848" Scale
 72. 1/4722366482869645213696" Scale
 73. 1/9444732965739290427392" Scale
 74. 1/18889465931478580854784" Scale
 75. 1/37778931862957161709568" Scale
 76. 1/75557863725914323419136" Scale
 77. 1/151115727451828646838272" Scale
 78. 1/302231454903657293676544" Scale
 79. 1/604462909807314587353088" Scale
 80. 1/1208925819614629174706176" Scale
 81. 1/2417851639229258349412352" Scale
 82. 1/4835703278458516698824704" Scale
 83. 1/9671406556917033397649408" Scale
 84. 1/19342813113834066795298816" Scale
 85. 1/38685626227668133590597632" Scale
 86. 1/77371252455336267181195264" Scale
 87. 1/154742504910672534362390528" Scale
 88. 1/309485009821345068724781056" Scale
 89. 1/618970019642690137449562112" Scale
 90. 1/1237940039285380274899124224" Scale
 91. 1/2475880078570760549798248448" Scale
 92. 1/4951760157141521099596496896" Scale
 93. 1/9903520314283042199192993792" Scale
 94. 1/19807040628566084398385987584" Scale
 95. 1/39614081257132168796771975168" Scale
 96. 1/79228162514264337593543950336" Scale
 97. 1/158456325028528675187087900672" Scale
 98. 1/316912650057057350374175801344" Scale
 99. 1/633825300114114700748351602688" Scale
 100. 1/1267650600228229401496703205376" Scale
 101. 1/2535301200456458802993406410752" Scale
 102. 1/5070602400912917605986812821504" Scale
 103. 1/10141204801825835211973625643008" Scale
 104. 1/20282409603651670423947251286016" Scale
 105. 1/40564819207303340847894502572032" Scale
 106. 1/81129638414606681695789005144064" Scale
 107. 1/162259276829213363391578010288128" Scale
 108. 1/324518553658426726783156020576256" Scale
 109. 1/649037107316853453566312041152512" Scale
 110. 1/1298074214633706907132624082305024" Scale
 111. 1/2596148429267413814265248164610048" Scale
 112. 1/5192296858534827628530496329220096" Scale
 113. 1/10384593717069655257060992658440192" Scale
 114. 1/20769187434139310514121985316880384" Scale
 115. 1/41538374868278621028243970633760768" Scale
 116. 1/83076749736557242056487941267521536" Scale
 117. 1/166153499473114484112975882535043072" Scale
 118. 1/332306998946228968225951765070086144" Scale
 119. 1/664613997892457936451903530140172288" Scale
 120. 1/1329227995784915872903807060280344576" Scale
 121. 1/2658455991569831745807614120560689152" Scale
 122. 1/5316911983139663491615228241121378304" Scale
 123. 1/10633823966279326983230456482242756608" Scale
 124. 1/21267647932558653966460912964485513216" Scale
 125. 1/42535295865117307932921825928971026432" Scale
 126. 1/85070591730234615865843651857942052864" Scale
 127. 1/170141183460469231731687303715884105728" Scale
 128. 1/340282366920938463463374607431768211456" Scale
 129. 1/680564733841876926926749214863536422912" Scale
 130. 1/1361129467683753853853498429727072845824" Scale
 131. 1/2722258935367507707706996859454145691648" Scale
 132. 1/5444517870735015415413993718908291383296" Scale
 133. 1/10889035741470030830827987437816582766592" Scale
 134. 1/21778071482940061661655974875633165533184" Scale
 135. 1/43556142965880123323311949751266331066368" Scale
 136. 1/87112285931760246646623899502532662132736" Scale
 137. 1/174224571863520493293247799005065324265472" Scale
 138. 1/348449143727040986586495598010130648530944" Scale
 139. 1/696898287454081973172991196020261297061888" Scale
 140. 1/1393796574908163946345982392040522594123776" Scale
 141. 1/2787593149816327892691964784081045188247552" Scale
 142. 1/5575186299632655785383929568162090376495104" Scale
 143. 1/11150372599265311570767859136324180752990208" Scale
 144. 1/22300745198530623141535718272648361505980416" Scale
 145. 1/44601490397061246283071436545296723011960832" Scale
 146. 1/89202980794122492566142873090593446023921664" Scale
 147. 1/178405961588244985132285746181186892047843328" Scale
 148. 1/356811923176489970264571492362373784095686656" Scale
 149. 1/713623846352979940529142984724747568191373312" Scale
 150. 1/1427247692705959881058285969449495136382746624" Scale
 151. 1/2854495385411919762116571938898990272765493248" Scale
 152. 1/5708990770823839524233143877797980545530986496" Scale
 153. 1/11417981541647679048466287755595961091061972992" Scale
 154. 1/22835963083295358096932575511191922182123945984" Scale
 155. 1/45671926166590716193865151022383844364247891968" Scale
 156. 1/91343852333181432387730302044767688728495783936" Scale
 157. 1/182687704666362864775460604089535377456991567872" Scale
 158. 1/365375409332725729550921208179070754913983135744" Scale
 159. 1/730750818665451459101842416358141509827966271488" Scale
 160. 1/1461501637330902918203684832716283019655932542976" Scale
 161. 1/2923003274661805836407369665432566039311865085952" Scale
 162. 1/5846006549323611672814739330865132078623730171904" Scale
 163. 1/11692013098647223345629478661730264157247460343808" Scale
 164. 1/23384026197294446691258957323460528314494920687616" Scale
 165. 1/46768052394588893382517914646921056628989841375232" Scale
 166. 1/93536104789177786765035829293842113257979682750464" Scale
 167. 1/187072209578355573530071658587684226515959365500928" Scale
 168. 1/374144419156711147060143317175368453031918731001856" Scale
 169. 1/748288838313422294120286634350736906063837462003712" Scale
 170. 1/1496577676626844588240573268701473812127674924007424" Scale
 171. 1/2993155353253689176481146537402947624255349848014848" Scale
 172. 1/5986310706507378352962293074805895248510699696029696" Scale
 173. 1/11972621413014756705924586149611790497021399392059392" Scale
 174. 1/23945242826029513411849172299223580994042798784118784" Scale
 175. 1/47890485652059026823698344598447161988085597568237568" Scale
 176. 1/95780971304118053647396689196894323976171195136475136" Scale
 177. 1/191561942608236107294793378393788647952342390272950272" Scale
 178. 1/383123885216472214589586756787577295904684780545900544" Scale
 179. 1/766247770432944429179173513575154591809369561091801088" Scale
 180. 1/1532495540865888858358347027150309183618739122183602176" Scale
 181. 1/3064991081731777716716694054300618367237478244367204352" Scale
 182. 1/6129982163463555433433388108601236734474956488734408704" Scale
 183. 1/12259964326927110866866776217202473468949912977468817408" Scale
 184. 1/24519928653854221733733552434404946937899825954937634816" Scale
 185. 1/49039857307708443467467104868809893875799651909875269632" Scale
 186. 1/98079714615416886934934209737619787751599303819750539264" Scale
 187. 1/196159429230833773869868419475239575503198607639501078528" Scale
 188. 1/392318858461667547739736838950479151006397215279002157056" Scale
 189. 1/784637716923335095479473677900958302012794430558004314112" Scale
 190. 1/1569275433846670190958947355801916604025588861116008628224" Scale
 191. 1/3138550867693340381917894711603833208051177722232017256448" Scale
 192. 1/6277101735386680763835789423207666416102355444464034512896" Scale
 193. 1/12554203470773361527671578846415332832204710888928069025792" Scale
 194. 1/25108406941546723055343157692830665664409421777856138051584" Scale
 195. 1/50216813883093446110686315385661331328818843555712276103168" Scale
 196. 1/100433627766186892221372630771322662657637687111424552206336" Scale
 197. 1/200867255532373784442745261542645325315275374222849104412672" Scale
 198. 1/401734511064747568885490523085290650630550748445698208825344" Scale
 199. 1/803469022129495137770981046170581301261101496891396417650688" Scale
 200. 1/1606938044258990275541962092341162602522202993782792835301376" Scale
 201. 1/3213876088517980551083924184682325205044405987565585670602752" Scale
 202. 1/6427752177035961102167848369364650410088811975131171341205504" Scale
 203. 1/12855504354071922204335696738729300820177623950262342682411008" Scale
 204. 1/25711008708143844408671393477458601640355247900524685364822016" Scale
 205. 1/51422017416287688817342786954917203280710495801049370729644032" Scale
 206. 1/102844034832575377634685573909834406561420991602098741459288064" Scale
 207. 1/205688069665150755269371147819668813122841983204197482918576128" Scale
 208. 1/411376139330301510538742295639337626245683966408394965837152256" Scale
 209. 1/822752278660603021077484591278675252491367932816789931674304512" Scale
 210. 1/1645504557321206042154969182557350504982735865633579863348609024" Scale
 211. 1/3291009114642412084309938365114701009965471731267159726697218048" Scale
 212. 1/6582018229284824168619876730229402019930943462534319453394436096" Scale
 213. 1/13164036458569648337239753460458804039861886925068638906788872192" Scale
 214. 1/26328072917139296674479506920917608079723773850137277813577744384" Scale
 215. 1/52656145834278593348959013841835216159447547700274555627155488768" Scale
 216. 1/105312291668557186697918027683670432318895095400549111254310975536" Scale
 217. 1/210624583337114373395836055367340864637790190801098222508621951072" Scale
 218. 1/421249166674228746791672110734681729275580381602196445017243902144" Scale
 219. 1/842498333348457493583344221469363458551160763204392890034487804288" Scale
 220. 1/1684996666896914987166688442938726917102321526408785780068975608576" Scale
 221. 1/3369993333793829974333376885877453834204643052817571560137951217152" Scale
 222. 1/6739986667587659948666753771754907668409286105635143120275902434304" Scale
 223. 1/13479973335175319897333507543509815336818572211270286240551804868608" Scale
 224. 1/26959946670350639794667015087019630673637144422540572481103609737216" Scale
 225. 1/53919893340701279589334030174039261347274288845081144962207219474432" Scale
 226. 1/107839786681402559178668060348078522694548577690162289924414438948864" Scale
 227. 1/215679573362805118357336120696157045389097155380324579848828877897728" Scale
 228. 1/431359146725610236714672241392314090778194310760649159697657755795456" Scale
 229. 1/862718293451220473429344482784628181556388621521298319395315511590912" Scale
 230. 1/1725436586902440946858688965569256363112777243042596638790631023181824" Scale
 231. 1/3450873173804881893717377931138512726225554486085193277581262046363648" Scale
 232. 1/6901746347609763787434755862277025452451108972170386555162524092727296" Scale
 233. 1/13803492695219527574869511724554050904902217944340773110325048185454592" Scale
 234. 1/27606985390439055149739023449108101809804435888681546220650096370909184" Scale
 235. 1/55213970780878110299478046898216203619608871777363092441300192741818368" Scale
 236. 1/110427941561756220598956093796432407239217743554726184882600385483636736" Scale
 237. 1/220855883123512441197912187592864814478435487109452369765200770967273472" Scale
 238. 1/441711766247024882395824375185729628956870974218904739530401541934546944" Scale
 239. 1/883423532494049764791648750371459257913741948437809479060803083869093888" Scale
 240. 1/1766847064988099529583297500742918515827483896875618958121606167738187776" Scale
 241. 1/3533694129976199059166595001485837031654967793751237916243212335476375552" Scale
 242. 1/7067388259952398118333190002971674063309935587502475

SHEET 39 of 41

BALE PORT
DOUGLAS -
PRINCIPLE CTS
&
BALE PORT
DOUGLAS -
RESIDENTIAL
CTS

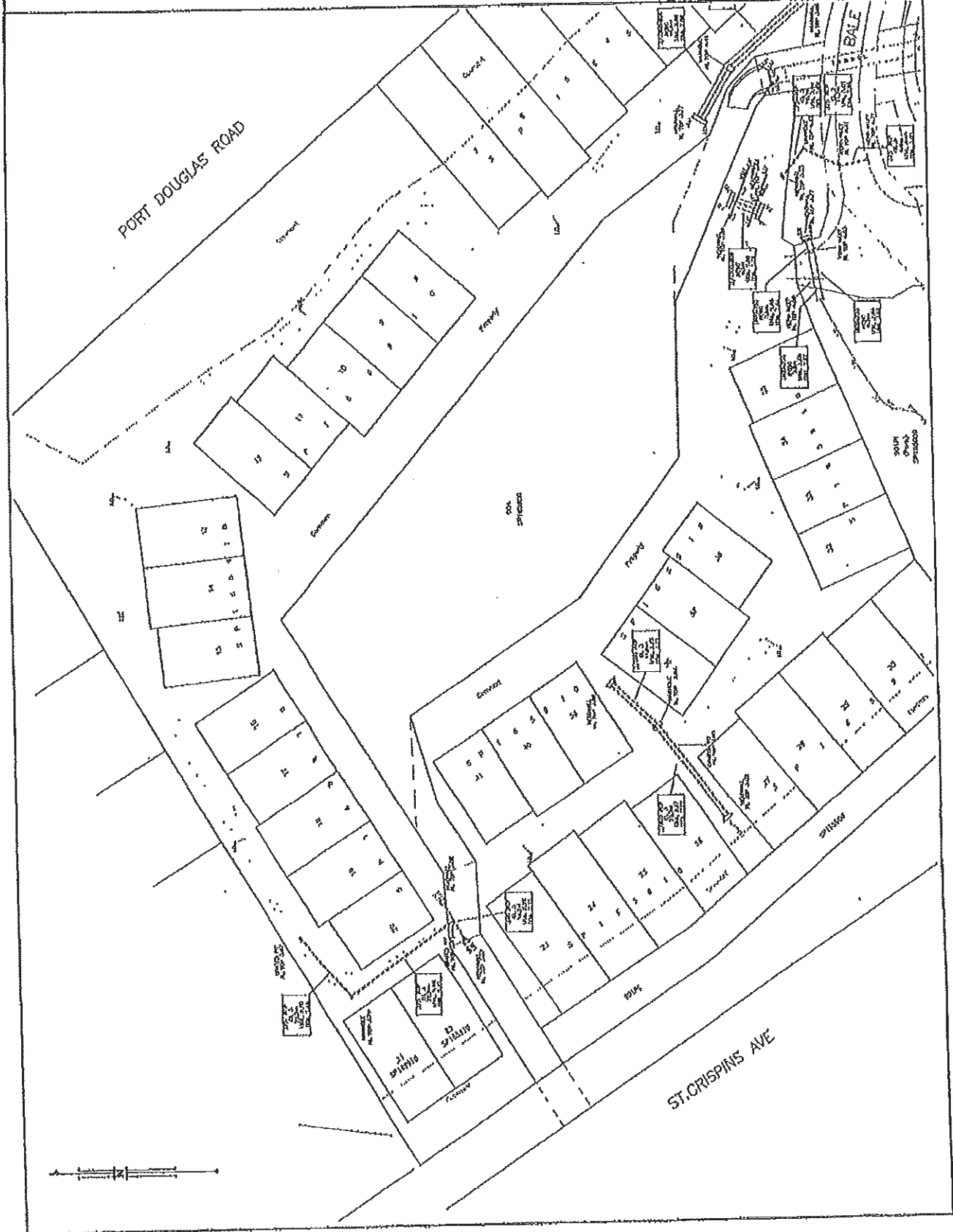
LEGEND
Solid Dashed
Dotted Dashed

NOTES
1. See Sheet 40

SCALE
1" = 100'

SERVICE LOCATION
DIAGRAM
BALE RESORT
AS CONSTRUCTED
STORMWATER

NO.	DATE	BY	CHKD.
1	10/1/80	J. J. J.	J. J. J.
2	10/1/80	J. J. J.	J. J. J.



SHEET 40 OF 47 SHEETS

BALE PORT
DOUGLAS -
PRINCIPLE CTS
&
BALE PORT
DOUGLAS -
RESIDENTIAL
CTS

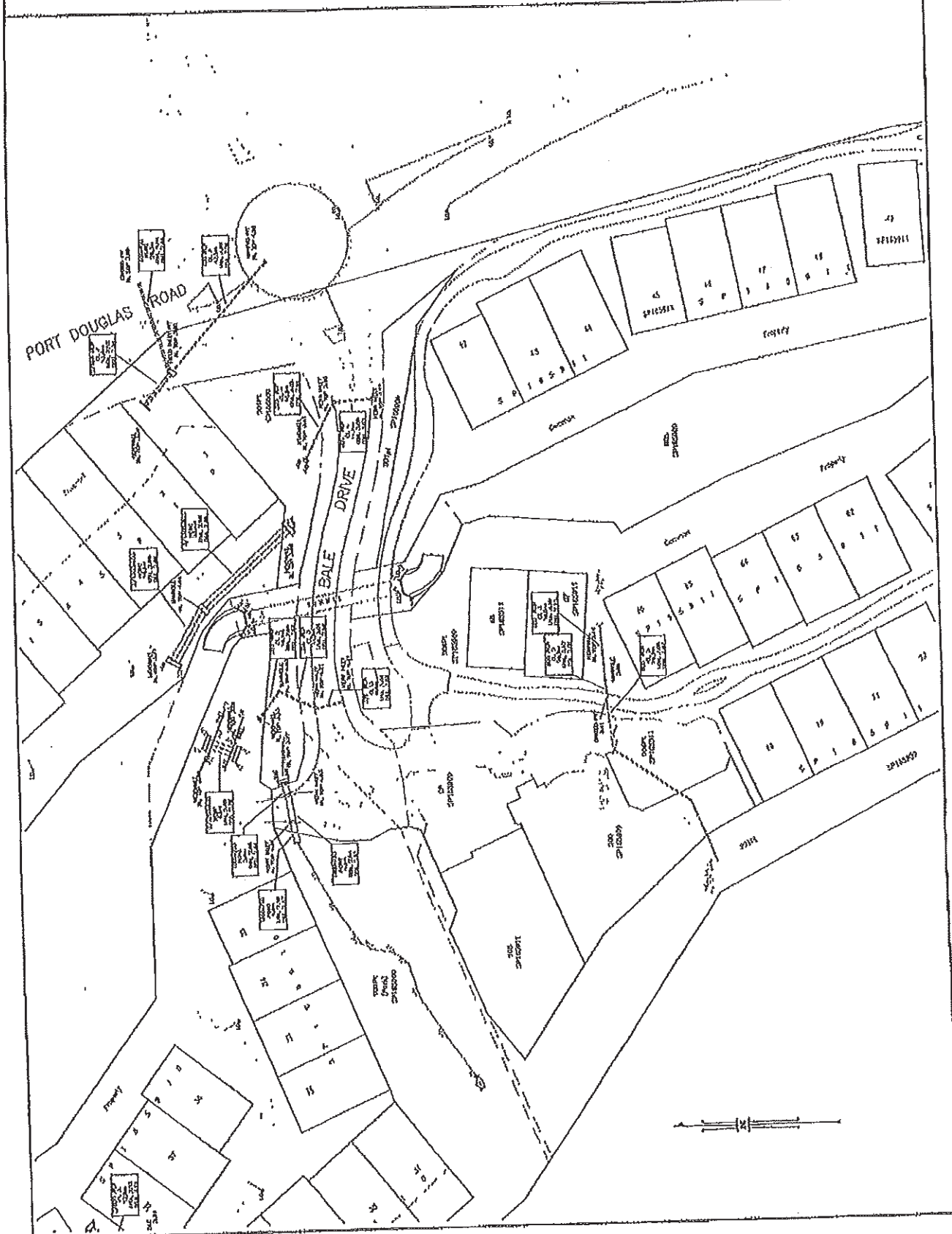
LEGEND
 --- Access Driveway
 --- Open Channel Drain

NOTES
 1. See Station 40
 2. See Station 41

SCALE
 1" = 100'
 1" = 200'

SERVICE LOCATION
 MAGNAN
 BALE RESORT
 AS CONSTRUCTED
 STORMWATER

DATE	10/1/77
BY	J. H. HARRIS
CHECKED BY	J. H. HARRIS
SCALE	1" = 100'



SHEET 44 of 47 SHEETS

BALÉ PORT
DOUGLAS -
PRINCIPLE CTS
&
BALÉ PORT
DOUGLAS -
RESIDENTIAL
CTS

LEGEND
Solid Boundary
Open Boundary

NOTES
Level: Datum: 400

SCALE 1:500 IS APPLICABLE ONLY
TO THE CONSTRUCTION OF THE
STORMWATER

SERVICE LOCATION
DIAGRAM
BALÉ RESORT
AS CONSTRUCTED
STORMWATER

DATE	10/10/00	BY	AS
REV		BY	



BALE PORT
DOUGLAS -
PRINCIPLE CTS
&
BALE PORT
DOUGLAS -
RESIDENTIAL
CTS

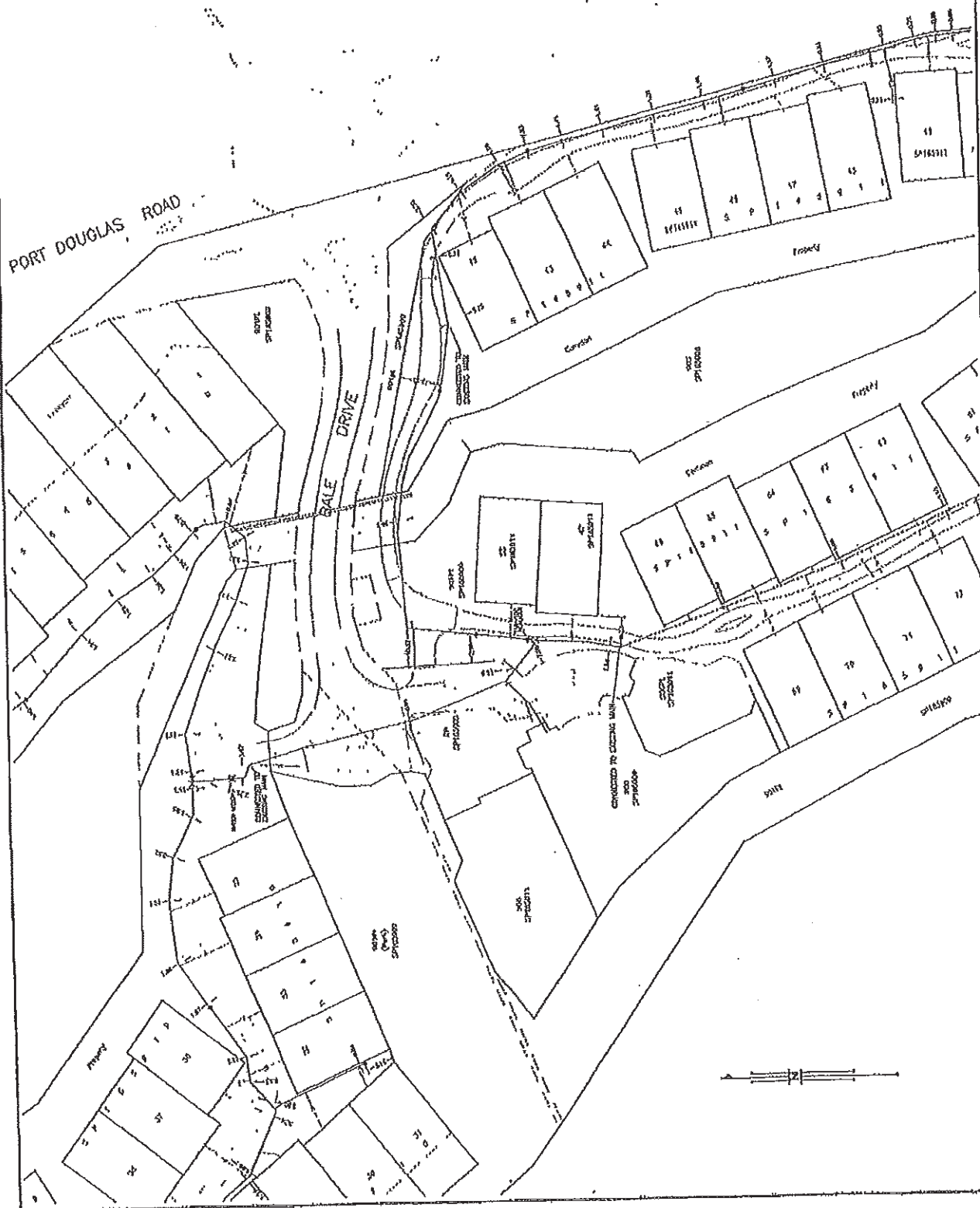
SECRET

NOTES Date: _____

[illegible]

SERVICE LOCATION
DIAGRAM
BALÉ NESORI
AS CONSTRUCTED
WATER & IRRIGATION

17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----



SHEET 44 OF 47

BALE PORT DOUGLAS - PRINCIPLE CTS & BALE PORT DOUGLAS - RESIDENTIAL CTS

LEGEND

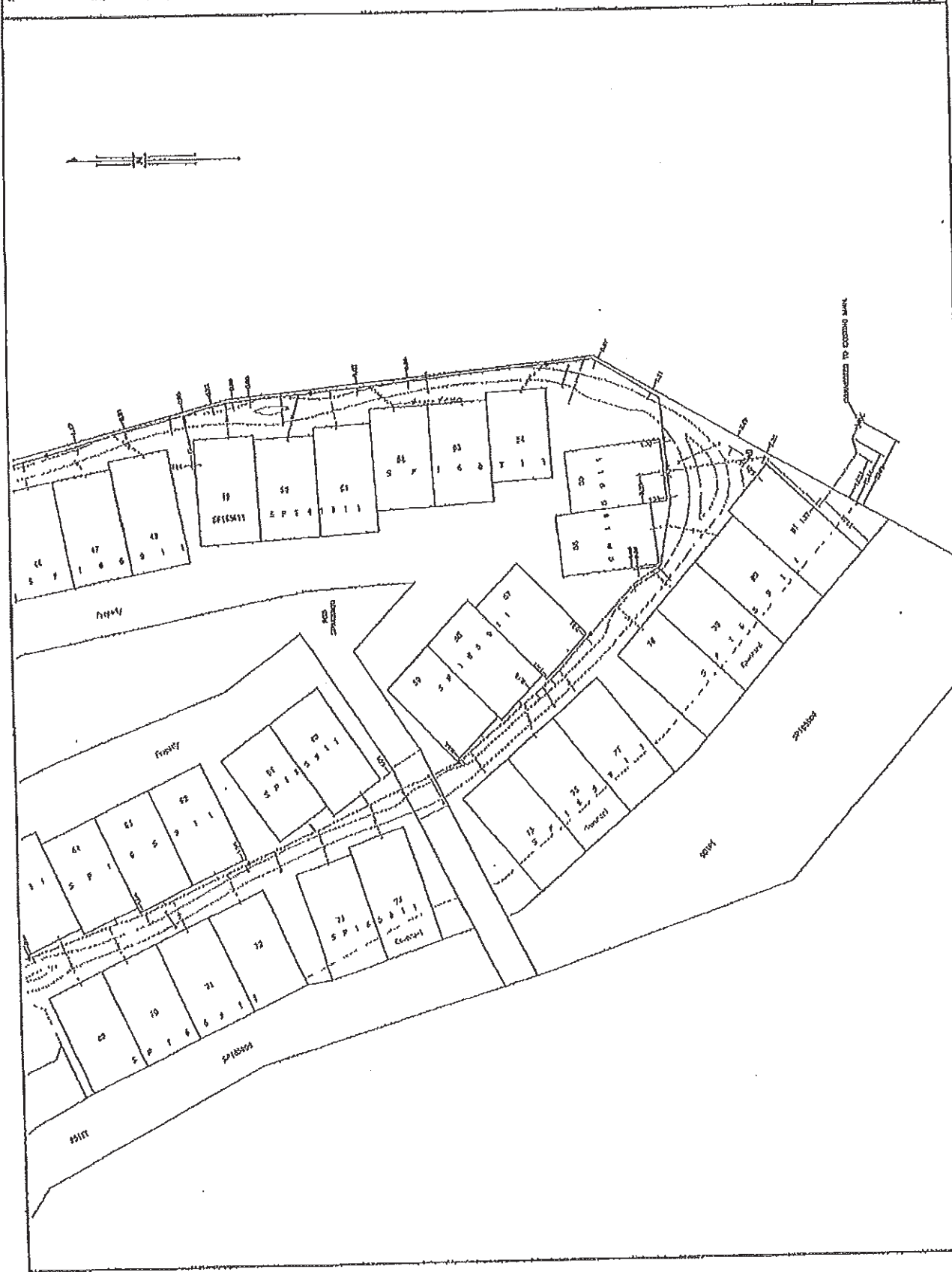
Set back from road	Set back from water	Set back from shore	Set back from shore
Set back from road	Set back from water	Set back from shore	Set back from shore
Set back from road	Set back from water	Set back from shore	Set back from shore
Set back from road	Set back from water	Set back from shore	Set back from shore
Set back from road	Set back from water	Set back from shore	Set back from shore
Set back from road	Set back from water	Set back from shore	Set back from shore
Set back from road	Set back from water	Set back from shore	Set back from shore
Set back from road	Set back from water	Set back from shore	Set back from shore
Set back from road	Set back from water	Set back from shore	Set back from shore
Set back from road	Set back from water	Set back from shore	Set back from shore

NOTES
Lamp poles and

SCALE 1:1000
SEE SHEET 45 FOR APPROX. ONLY
TO THE TERMINAL, WATER SIDE, AS

SERVICE LOCATION
DIAGRAM
BALE RESORT
AS CONSTRUCTED
WATER & IRRIGATION

DATE	BY	APP'D	CHK'D
1964	10/10	10/10	10/10



SHEET 45 OF 47

BALE PORT DOUGLAS - PRINCIPLE CTS & BALE PORT DOUGLAS - RESIDENTIAL CTS

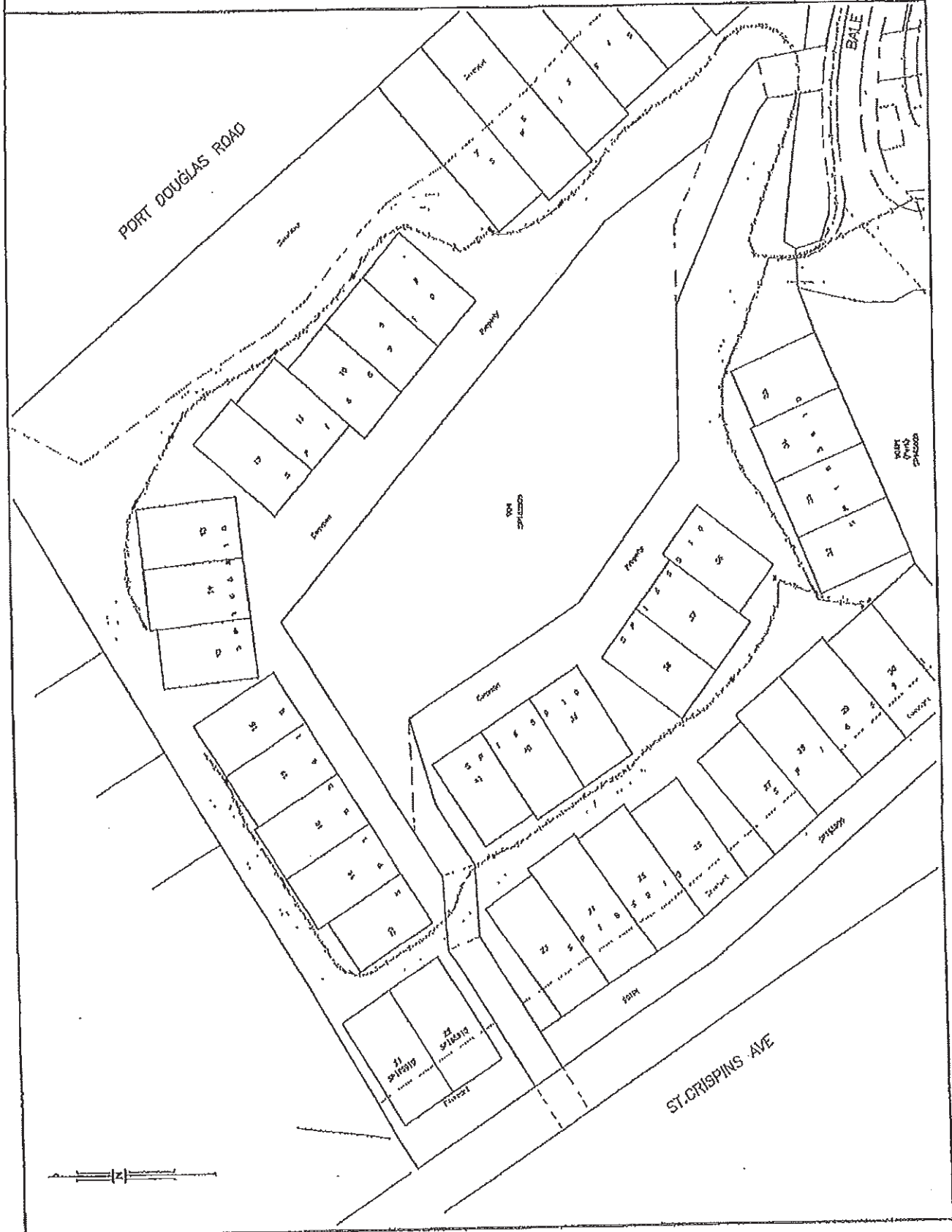
LEGEND
 --- Boundary
 --- Easement
 --- Right of Way
 --- Other

NOTES
 See Drawing A10

SCALE
 1" = 100' (Horizontal)
 1" = 50' (Vertical)

SERVICE LOCATION
 DIAGRAM
 BALE RESORT
 AS CONSTRUCTED
 TELSTRA & COMINS

DATE	10/1/88
BY	AS
CHECKED	AS
APPROVED	AS



SHEET 45 47

BALE PORT
DOUGLAS -
PRINCIPLE CTS
2
BALE PORT
DOUGLAS -
RESIDENTIAL
CTS

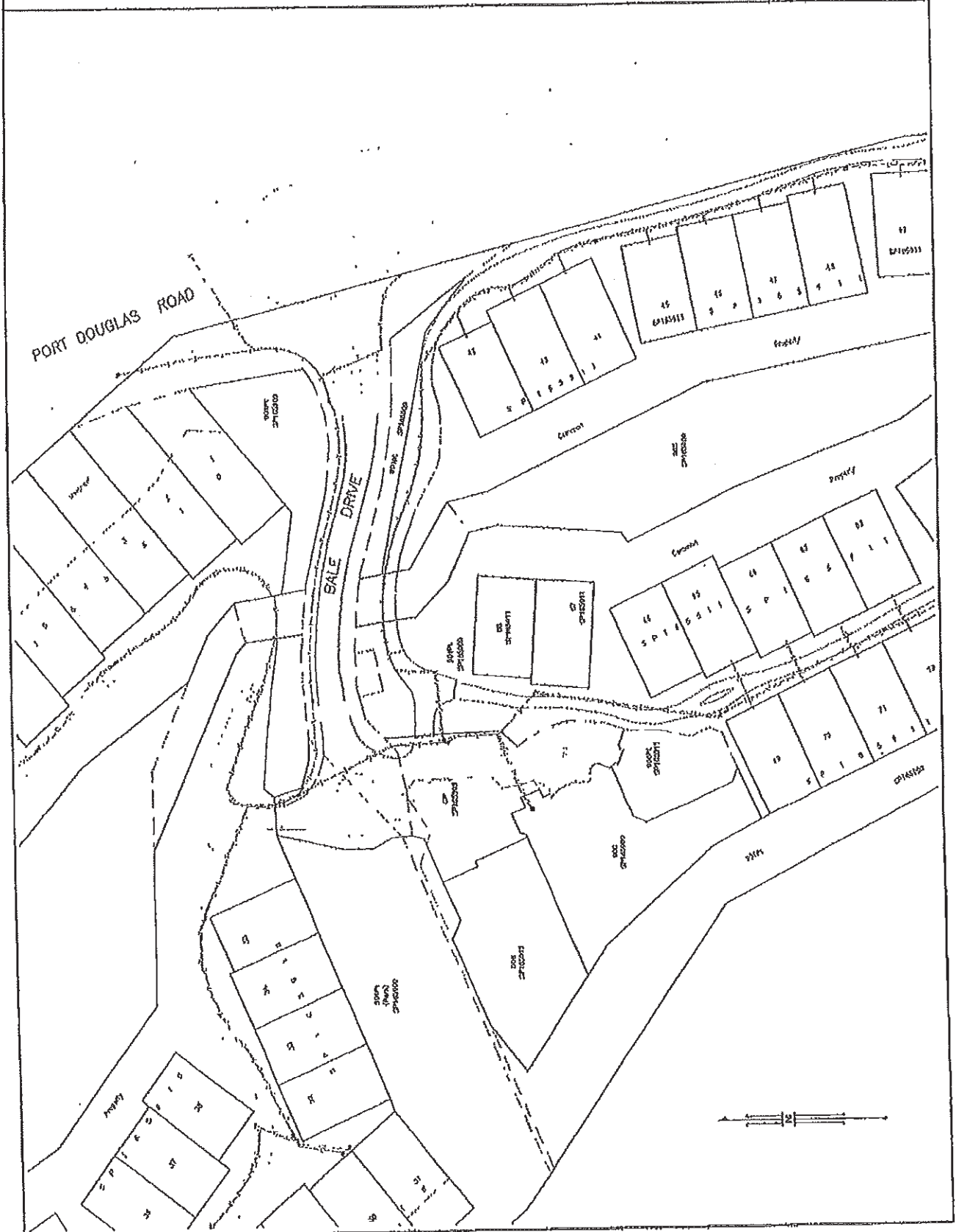
LEGEND
--- 10' Easement
--- 20' Easement
--- 30' Easement
--- 40' Easement
--- 50' Easement
--- 60' Easement
--- 70' Easement
--- 80' Easement
--- 90' Easement
--- 100' Easement

NOTES
Line 20' and 40'

CONS. 20' - 40' EASEMENT ONLY
TO THE SERVICE LOCATION

SERVICE LOCATION
DIAGRAM
BALE RESORT
AS CONSTRUCTED
TELSTRA & COMBAS

DATE	BY	APP'D	REV	NOTES
10/10/00	1			





CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 31631950

Search Date: 10/07/2019 09:55

Title Reference: 50995087

Date Created: 30/06/2015

Previous Title: 50867758

REGISTERED OWNER

Dealing No: 718556743 02/02/2018

NIRAMAYA DEVELOPMENTS PTY LTD A.C.N. 621 516 863

TRUSTEE

UNDER INSTRUMENT 718556743

ESTATE AND LAND

Estate in Fee Simple

LOT 906 SURVEY PLAN 277141

Local Government: DOUGLAS

COMMUNITY MANAGEMENT STATEMENT 34781

COMMUNITY MANAGEMENT STATEMENT 34779

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 21141044 (POR 109)
Deed of Grant No. 21141045 (POR 109)
Deed of Grant No. 21141046 (POR 109)
Deed of Grant No. 21141047 (POR 109)
Deed of Grant No. 21141048 (POR 109)
2. COVENANT No 709168415 25/11/2005 at 16:20
DOUGLAS SHIRE COUNCIL
COVENANTS G AND H ON SP165909
3. MORTGAGE No 718556744 02/02/2018 at 16:13
AQUAMORE CREDIT EQUITY PTY LTD A.C.N. 609 876 940
4. MORTGAGE No 719475604 24/06/2019 at 14:30
STERLING & FREEMAN ADVISORY PTY LTD A.C.N. 606 745 340
5. PRIORITY OF MORTGAGE No 719491491 01/07/2019 at 16:13
MORTGAGE: 719475604
is given priority over
MORTGAGE: 718556744
6. CAVEAT No 719496818 04/07/2019 at 12:59
SBT CAPITAL FINANCIAL SOLUTIONS PTY LTD A.C.N. 614 850 896

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 31631950

Search Date: 10/07/2019 09:55

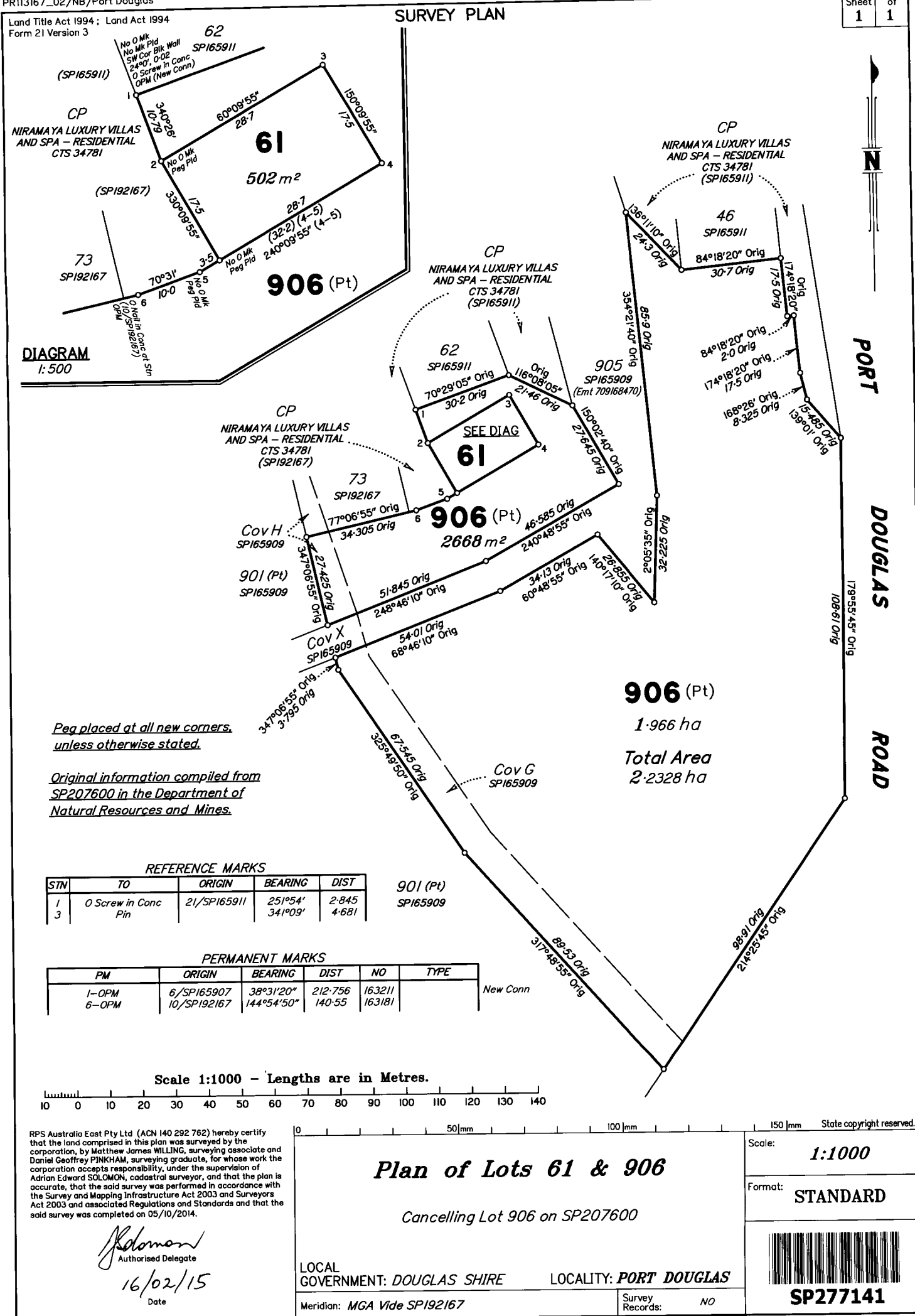
Title Reference: 50995087

Date Created: 30/06/2015

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) [2019]
Requested By: D-ENQ PROPERTY & TITLE SEARCH



716488289

CS 400 NT

\$494.20
12/05/2015 14:47

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

5. Lodged by

Marino Moller Lawyers
 PO Box 57
 Port Douglas Qld 4877
 Ph: 07 4081 6700
 Ref: AVT:143335

795

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

1. Certificate of Registered Owners or Lessees.

by We PERCEPTION PROPERTIES PTY LTD
A.C.N. 085 440 437

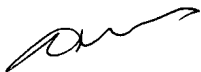
(Names in full)

* 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

Perception Properties Pty Ltd ACN 085 440 437
 by its duly constituted Attorney
 Arthur Vanden Timms under Power of Attorney
 No. 707024559



* Rule out whichever is inapplicable

2. Planning Body Approval.

* DOUGLAS SHIRE COUNCIL

hereby approves this plan in accordance with the:

% SUSTAINABLE PLANNING ACT 2009 AND
SUSTAINABLE PLANNING REGULATION 2009

DECISION NOTICE ISSUED 17 OCTOBER 2005
AND COMPLIANCE CERTIFICATE ISSUED
1 MAY 2015

Dated this first day of May 2015

DELEGATED OFFICER
DONNA GRAHAM
 # MANAGER DEVELOPMENT
 # AND ENVIRONMENT

* Insert the name of the Planning Body.

Insert designation of signatory or delegation

% Insert applicable approving legislation.

3. Plans with Community Management Statement:

CMS Number: 34781

Name: NIRAMAYA LUXURY VILLAS AND SPA
- RESIDENTIAL

4. References:

Dept File:
 Local Govt: CA50
 Surveyor: PR113167

6. Existing

Title Reference	Description	New Lots	Road	Secondary Interests
50867758	Lot 906 on SP207600	61 & 906	-	-

Created

EXISTING COVENANT ALLOCATIONS

Covenant	Lots Encumbered
709168415 (Covenants G & H on SPI65909)	906

61 & 906

Por 109

Lots

Orig

7. Orig Grant Allocation:

8. Map Reference:

7964-11142

9. Parish:

SALISBURY

10. County:

Solander

11. Passed & Endorsed:

By: RPS Australia East Pty Ltd
 Date: 16/02/15
 Signed: [Signature]
 Designation: Cadastral Surveyor

Development Approval Date: 04/10/2005

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

Cadastral Surveyor/Director * Date
 * delete words not required

13. Lodgement Fees:

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

14. Insert Plan Number

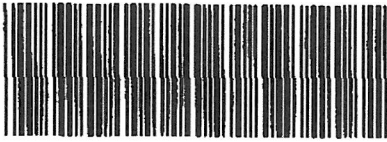
SP277141

QUEENSLAND LAND REGISTRY

COVENANT

Form 31 Version 2

Page 1 of 6



709168415

Lodger (Name, address & phone number)

Lodger
Code

GC49

GC 616

\$108.30
25/11/2005 16:20Key Lawyers
PO Box 5559
OLD COAST MAIL CENTRE Q 9726
(07) 5574 1000

This form is used for the purpose of maintaining the publicly searchable registers in the land registry.

1. Covenantor

MFS Bale Resorts Pty Ltd ACN 114 259 353

2. Description of Covenant / Lot on Plan

Description of Covenant / Lot on Plan	County	Parish	Title Reference
Covenant E, F, G & H on Lot 902 on SP 165909	SOLANDER	SALISBURY	To issue
Covenant W on Lot 904 on SP 165909	SOLANDER	SALISBURY	
Covenant X on Lot 905 on SP 165909	SOLANDER	SALISBURY	

3. Covenantee

Douglas Shire Council

4. Description of Covenant (include reference to relevant section of legislation)

FLORA FEATURED ON
 CONSERVATION OF A PHYSICAL OR NATURAL FEATURE OF THE LAND IDENTIFIED IN ITEM 2 PURSUANT TO SECTION 97A(3)(b) OF THE LAND TITLE ACT 1994

5. Execution

The Covenantor being the registered owner of the lot described in item 2 covenants with the Covenantee in respect of the covenant described in item 4

Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994

Witnessing Officer

Execution Date

Covenantor's Signature

signature

15/11/05

Executed by MFS BALE RESORTS PTY LTD ACN 114 259 353 by its
 duly appointed attorney ANTHONY CANNON under power of attorney
 number 708986962 and who declares that he has received no notice
 of revocation of such Power of Attorney as at this date

Sue Davies

full name

JP (C. du.)

qualification

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

Witnessing Officer

Execution Date

Covenantee's Signature

signature

11/11/05

DOUGLAS SHIRE COUNCIL

JANETTE RHONDA GUTHRIE

full name

JP

qualification

A/MAYOR

A/CHIEF EXECUTIVE OFFICER

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

Title Reference [To issue]

1. COVENANT PROVISIONS

1.1 Covenant

1.1.1 This Covenant is entered into between the Covenantor and the Covenantee for the purposes described in Item 4 of the Form 31. The Covenantor and the Covenantee agree that the intent of the statutory covenant is to ensure that the Covenant Area is enhanced and maintained, and the Covenantor and the Covenantee agree that this Covenant is to be interpreted, performed and applied accordingly. The Covenantor shall conserve, restore and retain the natural attributes of the Covenant Area.

1.2 Covenant binds registered proprietor

1.2.1 The Covenantor's obligations only bind the Covenantor while the Covenantor is recorded as the registered proprietor of the land.

1.2.2 Nothing in this Covenant renders the Covenantor liable for any breach of this Covenant occurring when the Covenantor is no longer registered proprietor of the land.

1.3 Covenantor's obligations

1.3.1 The Covenantor covenants and agrees with the Covenantee that the Covenantor will not do execute or suffer or permit the doing or continuance of any of the acts matters or things set out in the Form 20, if any.

1.3.2 The Covenantor covenants and agrees with the Covenantee that the Covenantor will do and perform the acts required as matters or things as set out in the Form 20, if any.

1.3.3 Notwithstanding clause 3.1, the Covenantor may construct and maintain works on the Covenant Area that are approved in writing by the Covenantee.

No work shall be undertaken without the plans for such work first being approved by the Covenantee and the architectural review committee of the Body Corporate (if any). The Covenantor shall, at its cost, engage Imagine Design Group or another landscape architect approved by the architectural review committee of the Body Corporate (if any) to prepare a plan of proposed works for approval by the Covenantee and the architectural review committee of the Body Corporate (if any). The Original Owner need not obtain the consent of the architectural review committee of the Body Corporate (if any) before undertaking any works.

1.3.4 Any works undertaken by the Covenantor outside of the Covenant Area, including drainage, shall not prejudice the integrity of the existing vegetation in the Covenant Area.

1.3.5 Subject to clause 1.3.3, the Covenantor may not undertake landscaping or clear vegetation from the Covenant Area without the consent of the Covenantee.

1.3.6 If this Covenant incorporates the terms of a Land Management Plan, Vegetation Management Plan, or any other document not registered with this Covenant, the Covenantee agrees to supply to any interested person a copy of such unregistered plan or other document and any amendment to it, upon payment of the Covenantee's reasonable costs of retrieving and copying such plan or other document and any amendment.

1.4 Covenantee's obligations

1.4.1 Unless expressly provided herein, the rights given by the Covenantee by this Covenant are permissive only and nothing in this Covenant imposes any duty of any kind on the Covenantee to anyone or obliges the Covenantee to perform any act or to incur any expense for any of the purposes set out in this Covenant.

Title Reference []

1.5 Covenantee's right of access

1.5.1 The Covenantor hereby expressly authorises the Covenantee and its members, officer, agents, servants, employees, contractors, and sub-contractors and other persons authorised by it at any reasonable time, upon giving reasonable notice set out in clause 2.1 during the operation of this covenant to enter, re-enter, traverse and leave the Covenant Area with all necessary plant and equipment for the following purposes:

- Inspect, test and monitor the Covenant Area and vegetation on the Covenant Area.
- Make good any breach of the obligations of the Covenantor under the covenant at the cost and expense of the Covenantor.

1.5.2 The Covenantee must give reasonable notice of any intention to enter the Covenant Area except in cases of emergency or when the Covenantee on reasonable grounds believes that the delay in giving notice is prejudicial to its responsibilities under the Covenant.

1.6 Qualified right to revoke by Covenantee

1.6.1 The Covenantee may revoke this Covenant at any time after giving the Covenantor Notice (called the "Notice of Revocation") of its intention to do so.

1.6.2 The Notice of Revocation must specify the reasons for revoking the Covenant and allow the Covenantor 28 days to make written or oral submissions as to why the Covenant should not be revoked.

1.6.3 After such submission or the expiration of 28 days, which ever is the first to occur, the Covenantee may, in its sole and absolute discretion, decide to revoke the Covenant, whereupon no compensation or costs are payable to the Covenantor, or any other person.

1.7 Amendment of Land or Vegetation Management Plans

1.7.1 If the Covenantor and the Covenantee have entered into a Land Management Plan or a Vegetation Management Plan, they may amend such Plan at any time by amendment in writing, signed by each of the, provided the following conditions are met:

- such amendment is consistent with the Form 31 entered into between the Covenantor and the Covenantee;
- such amendment and it does not alter the covenant area; and
- such amendment does not add or remove the Covenantor or the Covenantee.

1.8 Rates and charges

1.8.1 Unless expressly agreed in writing, nothing in this covenant affects any obligation of the Covenantor to pay all taxes, rates, charges and levies lawfully imposed in respect of the land, including stamp duty, capital gains tax, and Goods and Services Tax where applicable.

2. ADMINISTRATIVE PROVISIONS

2.1 Service

2.1.1 Any certificate, demand or notice by or from the Parties shall be sufficiently made, given or served if forwarded by certified post in an envelope addressed to the Covenantor at the Covenantor's last known address.

2.1.2 The certificate, demand or notice if sent by post shall be deemed to have been served on the second day after it was certified as posted.

Title Reference []

2.2 Release and indemnity

- 2.2.1 The Covenantor irrevocably releases the Covenantee from, and waives, any claim, right, remedy, action, cause of action, loss, damage, expense or liability which the Covenantor may have against the Covenantee any or all of them in respect of this agreement or its performance or breach.
- 2.2.2 The Covenantor indemnifies and holds the Covenantee harmless from and against any claim, right, remedy, action, cause of action, loss, expense, or liability incurred, suffered or asserted by the Covenantor or anyone else in connection with performance of this Covenant by the Covenantor or the breach by the Covenantor or connected with any negligence or other legal wrong of the Covenantor.

2.3 Waiver

- 2.3.1 Any alleged waiver or any breach of this Covenant is effective only if it is an express waiver in writing of the breach.
- 2.3.2 A waiver of a breach of the Covenant does not operate as a waiver of any other breach of the Covenant.

2.4 Severance

- 2.4.1 If any part of this Covenant is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Covenant and the rest of this Covenant remains in force unaffected by that holding or by the severance of that part.

3. DEFAULT

3.1 Default by Covenantor

- 3.1.1 In the event of default by the Covenantor with any of the Covenantor's obligations under this Covenant, the Covenantee may, in its absolute discretion:
- issue a written direction requiring the Covenantor to remedy the non-compliance; or
 - carry out planting, replanting, rehabilitation or remedial work to restore any vegetation harmed or damage caused by the non-compliance to the state as near as is practical to the state prior to such damage or harm occurring.
- 3.1.2 Where the Covenantee issues a written direction pursuant to clause 3.1, the Covenantor shall comply with the direction within 14 days or such other reasonable time as may be specified in the direction.
- 3.1.3 In the event that the Covenantor fails to comply with the written direction within the time allowed in accordance with Clause 3.1, the Covenantee may enter the Covenant Area, perform the work and recover the costs of performing the work as a debt. The Covenantee shall serve a written demand for payment on the Covenantor.
- 3.1.4 Where the Covenantor fails to pay the costs of performing the work, or any part thereof within seven (7) days from the service of a written demand for payment, the Covenantor shall pay interest at the rate of 2% per annum above the highest overdraft rate charged as at the due date for payment by the covenantee's principal bankers for commercial loans in excess of one hundred thousand dollars (\$100,000).
- 3.1.5 The Covenantor is only liable for breaches of this Covenant caused or contributed to by the Covenantor or its authorised agents for which it permits or allows. The Covenantor is not responsible for any damage to any of the vegetation to the Covenant Area caused by any natural occurrence or otherwise caused by something beyond the control of the Covenantor.

Title Reference []

- 3.1.6 The Covenantor may, at its own cost and expense and upon payment of any reasonable charges incurred by the Covenantee, request the Covenantee to provide it with a Certificate as to the state and condition of the Covenant Area.

3.2 Settlement of disputes

- 3.2.1 If a dispute arises in connection with this Covenant, the Covenantor and the Covenantee undertake in good faith to use their best endeavours to cooperate to resolve the dispute within a period of 28 working days of the dispute first being raised by either the Covenantor and/or Covenantee.
- 3.2.2 If a dispute cannot be cooperatively resolved within 28 working days, the instigating Covenantor or Covenantee must give to the other Covenantor or Covenantee notice ("Notice of Dispute") specifying the dispute and requiring its resolution under this clause.
- 3.2.3 If the dispute is not resolved within 30 days after the Notice of Dispute is given to the Covenantor or Covenantee ("Notice Period") the dispute is by this clause submitted to mediation. The mediation must be conducted in accordance with the Institute of Arbitrators Australia Rules for the Mediation of Commercial Disputes (latest edition) as amended.
- 3.2.4 If the Covenantor and Covenantee have not agreed upon the mediator and the mediator's remuneration within 30 days after the Notice Period, then:
- the mediator is a person appointed by President of the Queensland Law Society or the President's nominee, acting on the request of any part to the dispute;
 - the remuneration of the mediator is the rate, determined by the President of the Queensland Law Society or the President's nominee, acting on the request of any part to the dispute;
 - both the Covenantor and Covenantee agree to meet their own costs of such mediation;
 - if the dispute is not resolved within 28 days after the appointment of the mediator, either the Covenantor or Covenantee may take legal proceedings to resolve the dispute; and
 - this clause does not prevent the Covenantor and/or Covenantee from obtaining any injunctive declaratory or other interlocutory relief from a court, which may be urgently required.

4. DICTIONARY

4.1 Definitions

4.1.1 In this Covenant:

"Body Corporate" means the Body Corporate for Bale Port Douglas Residential Community Titles Scheme.

"Covenant" means the Form 31 entered into between the Covenantor and the Covenantee, the Form 20, and these terms and conditions.

"Council" means the council or local government established under the *Local Government Act* in which the area specified in item 2 of the Form 31 entered into between the Covenantor and the Covenantee is situated.

"Covenant Area" means the covenant area specified in item 2 of the Form 31 entered into between the Covenantor and the Covenantee.

"Covenantee's Agents" includes the covenantee's elected members, official agents, servants, employees, contractors and sub-contractors and agents and servants of the covenantee's contractors and sub-contractors.

"Covenantee's Right of Access" means the rights set out in Clause 1.5 of this Covenant.

Title Reference []

"Covenantor" means the registered proprietor of the land.

"Covenantor's Obligations" means the obligations set out in the Form 20, if any.

Covenantee's Obligations" means the obligations set out in the Form 20, if any.

"Covenantee" means the Covenantee specified in item 3 of the Form 31 entered into between the Covenantor and the Covenantee, its predecessors and successors.

"Erect" includes erect, construct, make or place and also includes commencing or continuing the erection, construction, making or placing.

"Land" means the balance land specified in item 2 of the Form 31 entered into between the Covenantor and the Covenantee after the covenant area is excluded.

"Land Management Plan" means the land management plan, if any, entered into between the Covenantor and the Covenantee, as may be amended from time to time.

"Notice" means any certificate, demand or notice to be made, given or served by a part under this document.

"Original Owner" means MFS Bale Resorts Pty Ltd (ACN 114 259 353), its successors or assigns.

"Parties" means the Covenantor and the Covenantee.

"Structure" includes any building, wall, fence (other than a dividing fence), pillar, post, roadway or path, or other structure, or erection.

"Vegetation" means any tree, bush, vine, grass, fungus, alga, or other terrestrial or aquatic vegetable, including all natural parts or materials naturally produced of, by or from such vegetable, whether living or dead.

"Vegetation Management Plan" means the vegetation management plan, if any, entered into between the Covenantor and the Covenantee, as may be amended from time to time.

**Company owner's consent to the making of a development application
under the *Planning Act 2016***

I, **MARK MOTTRAM**

[Insert name in full.]

Sole Director/Secretary of the company mentioned below.

[Delete the above where company owner's consent must come from both director and director/secretary]

I,

[Insert name in full.]

Director of the company mentioned below.

and I,

[Insert name in full.]

[Insert position in full—i.e. another director, or a company secretary.]

Delete the above two boxes where there is a sole director/secretary for the company giving the owner's consent.

Of **NIRAMAYA DEVELOPMENTS P/L**

[Insert name of company and ACN.]

the company being the owner of the premises identified as follows:

[Insert street address, lot on plan description or coordinates of the premises the subject of the application.]
Lot 906 on SP277141

consent to the making of a development application under the *Planning Act 2016* by:

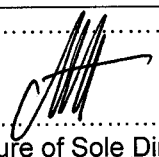
Niramaya Developments Pty Ltd

[Insert name of applicant.]

on the premises described above for:

[Insert details of the proposed development, e.g. material change of use for four-storey apartment building.]
Development Permit for Material Change of Use - Code Assessment for Multiple Dwelling, Short-term Accommodation, Food and
Drink Outlet and Function Facility

Company seal *[if used]*

Company Name and ACN: <u>621 516 863</u>	
<div style="text-align: right;"> Signature of Sole Director/Secretary</div>	
<div style="text-align: right;">14/8/2019 Date</div>	

[Delete the above where company owner's consent must come from both director and director/secretary.]

Company Name and ACN:	
<div style="text-align: center;">..... Signature of Director</div> <div style="text-align: right;">..... Date</div>	<div style="text-align: center;">..... Signature of Director/Secretary</div> <div style="text-align: right;">..... Date</div>

[Delete the above where there is a sole director/secretary for the company giving the owner's consent.]



**DEVELOPMENT PERMIT FOR MATERIAL
CHANGE OF USE – CODE ASSESSMENT
FOR MULTIPLE DWELLING, SHORT-
TERM ACCOMMODATION, FOOD AND
DRINK OUTLET AND FUNCTION FACILITY**

**PORT DOUGLAS ROAD AND
BALE DRIVE, PORT DOUGLAS**

NIRAMAYA DEVELOPMENTS PTY LTD

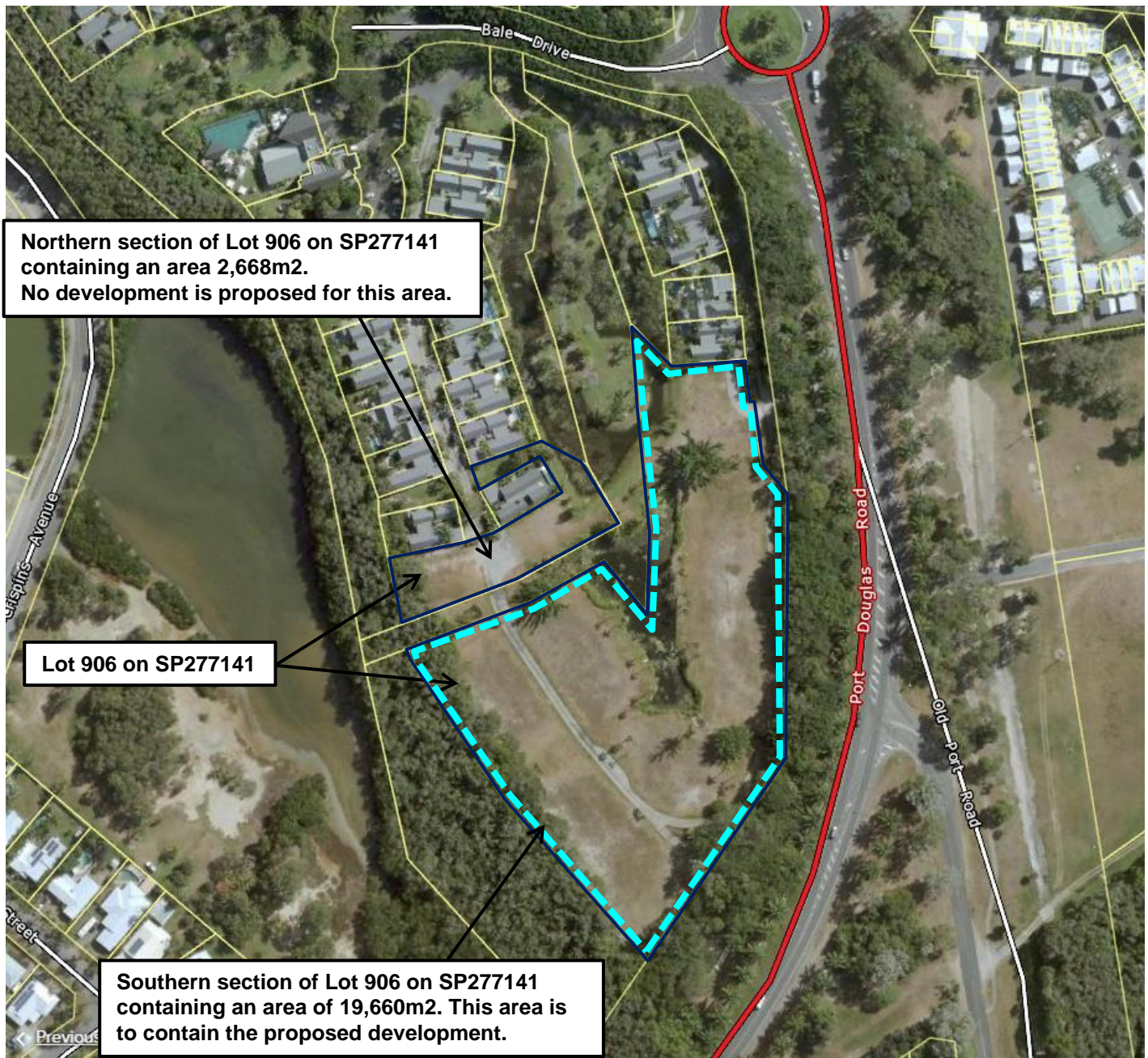
LOCATION



FIGURE 1

AUGUST 2019





DEVELOPMENT PERMIT FOR MATERIAL
CHANGE OF USE – CODE ASSESSMENT
FOR MULTIPLE DWELLING, SHORT-
TERM ACCOMMODATION, FOOD AND
DRINK OUTLET AND FUNCTION FACILITY

PORT DOUGLAS ROAD AND
BALE DRIVE, PORT DOUGLAS

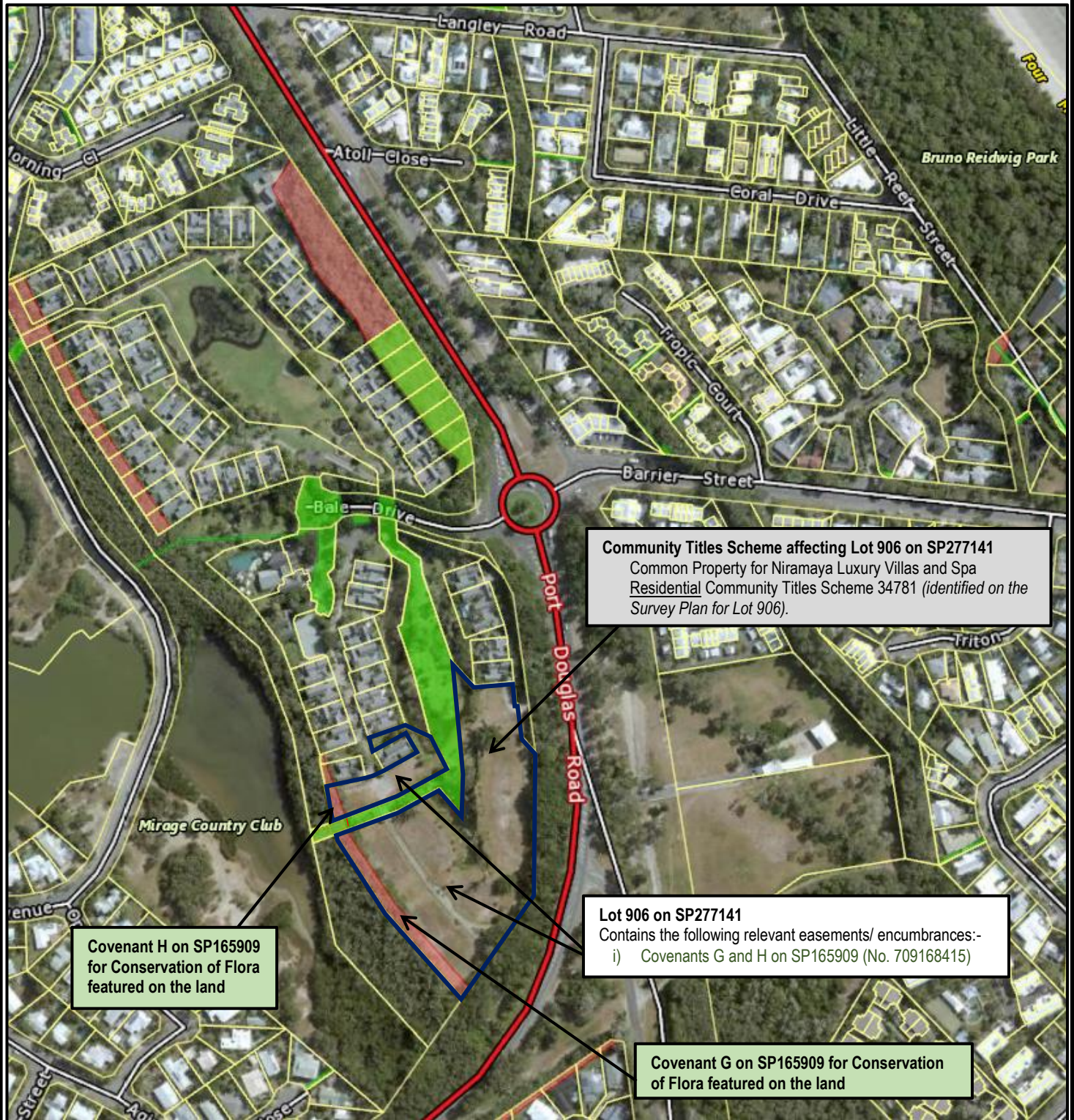
NIRAMAYA DEVELOPMENTS PTY LTD



LOCALITY

FIGURE 2

AUGUST 2019 ✓



**DEVELOPMENT PERMIT FOR MATERIAL
CHANGE OF USE – CODE ASSESSMENT
FOR MULTIPLE DWELLING, SHORT-
TERM ACCOMMODATION, FOOD AND
DRINK OUTLET AND FUNCTION FACILITY**



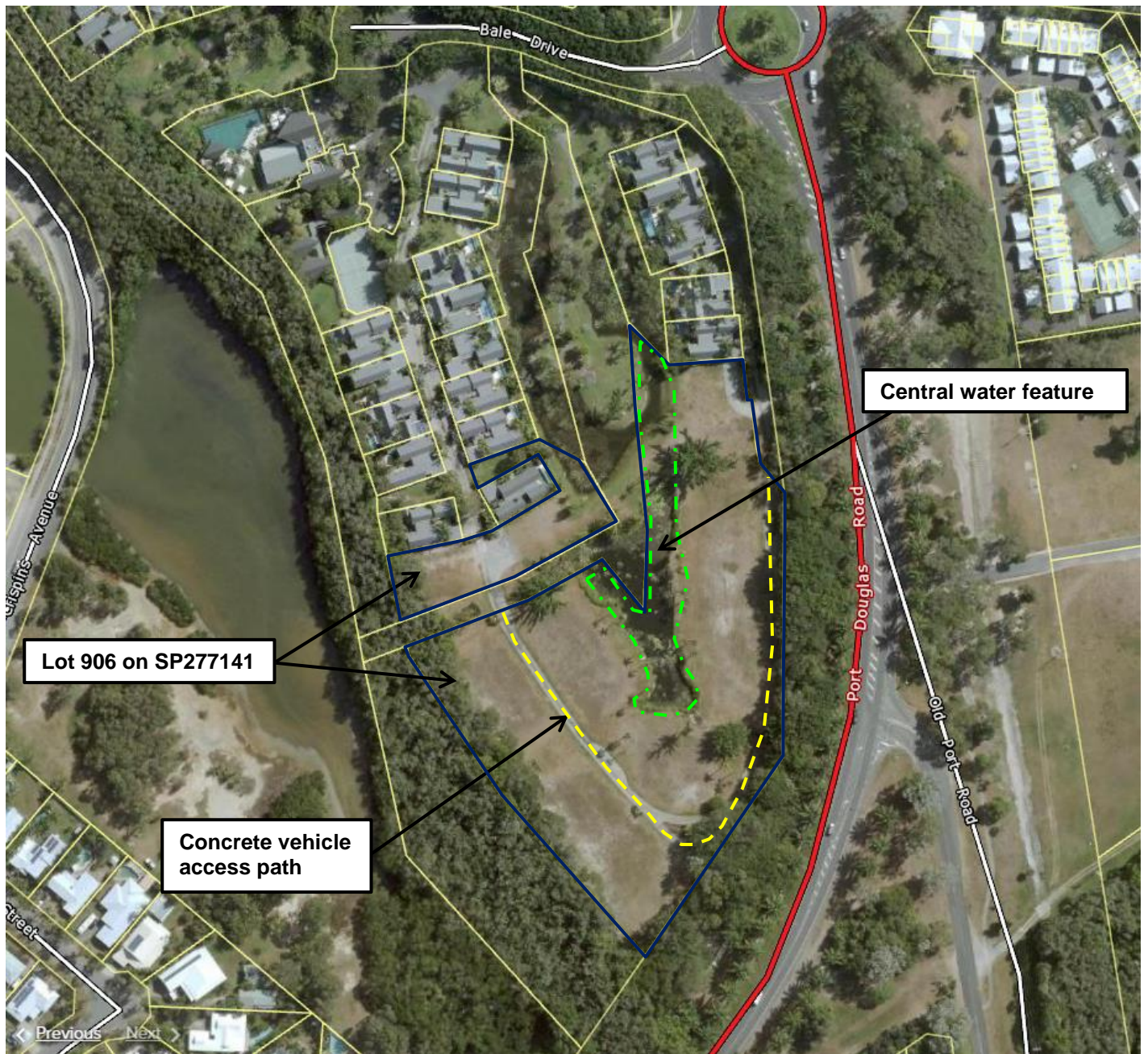
**PORT DOUGLAS ROAD AND
BALE DRIVE, PORT DOUGLAS**

NIRAMAYA DEVELOPMENTS PTY LTD

TENURE FEATURES

FIGURE 3

AUGUST 2019



DEVELOPMENT PERMIT FOR MATERIAL
CHANGE OF USE – CODE ASSESSMENT
FOR MULTIPLE DWELLING, SHORT-
TERM ACCOMMODATION, FOOD AND
DRINK OUTLET AND FUNCTION FACILITY

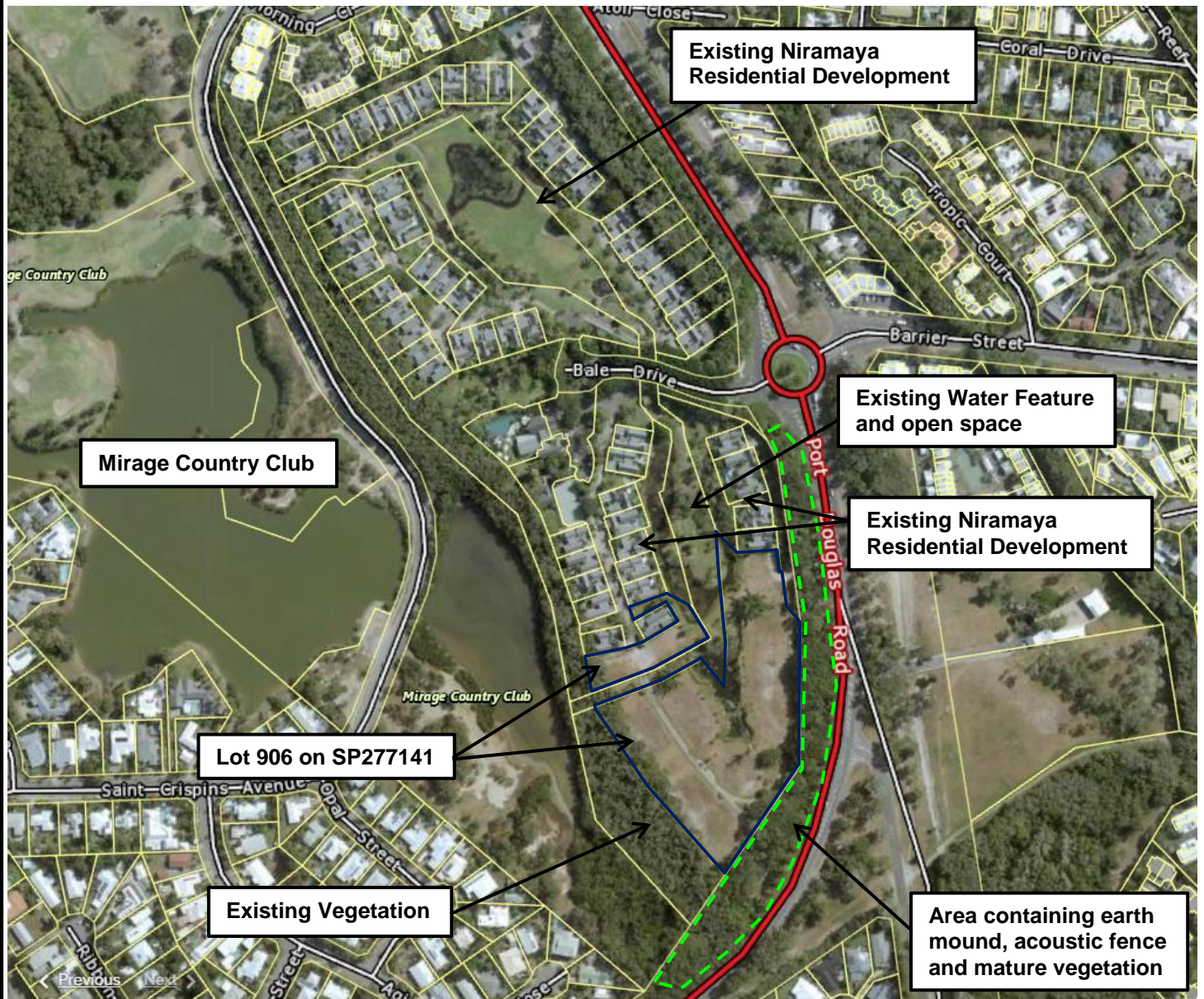
PORT DOUGLAS ROAD AND
BALE DRIVE, PORT DOUGLAS

NIRAMAYA DEVELOPMENTS PTY LTD

EXISTING SITE FEATURES

FIGURE 4 AUGUST 2019 





DEVELOPMENT PERMIT FOR MATERIAL
CHANGE OF USE – CODE ASSESSMENT
FOR MULTIPLE DWELLING, SHORT-
TERM ACCOMMODATION, FOOD AND
DRINK OUTLET AND FUNCTION FACILITY

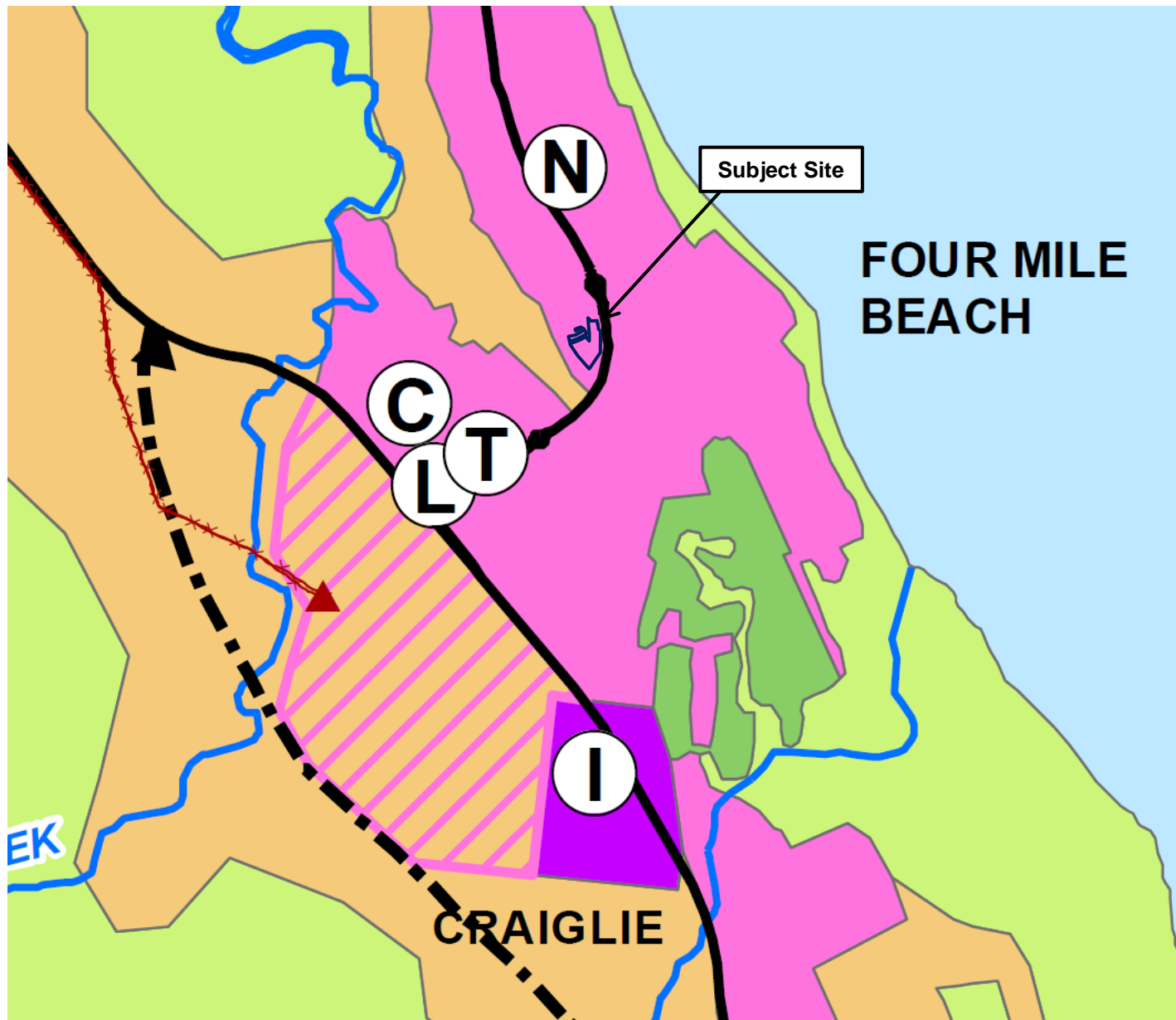
PORT DOUGLAS ROAD AND
BALE DRIVE, PORT DOUGLAS

NIRAMAYA DEVELOPMENTS PTY LTD

SURROUNDING LAND USES



FIGURE 5 AUGUST 2019 ✓



Strategic Framework Layers:

- | | |
|--------------------------------------|------------------------------------|
| Ⓣ Tourism Nodes | → State Controlled Roads |
| Ⓛ Local Activity Centres | → Major Local Roads |
| Ⓝ Neighbourhood Activity Centres | ↔ Transport Investigation Corridor |
| Ⓜ Mossman Gorge Aboriginal Community | Waterbodies |
| Ⓢ Industry Areas | Major Rivers / Creeks |
| Ⓢ Community Hubs | Natural Areas / Scenic Values |
| Ⓢ Marine Orientated Activities | Rural Area |
| ▲ Mountain Peaks and Capes | Urban Area |
| ▲ Substations | Centre |
| — Major Electricity Infrastructure | Open Space / Recreation |
| | Industry Area |
| | Residential Investigation Area |
| | Industry Investigation Area |

**DEVELOPMENT PERMIT FOR MATERIAL
CHANGE OF USE – CODE ASSESSMENT
FOR MULTIPLE DWELLING, SHORT-
TERM ACCOMMODATION, FOOD AND
DRINK OUTLET AND FUNCTION FACILITY**

**PORT DOUGLAS ROAD AND
BALE DRIVE, PORT DOUGLAS**

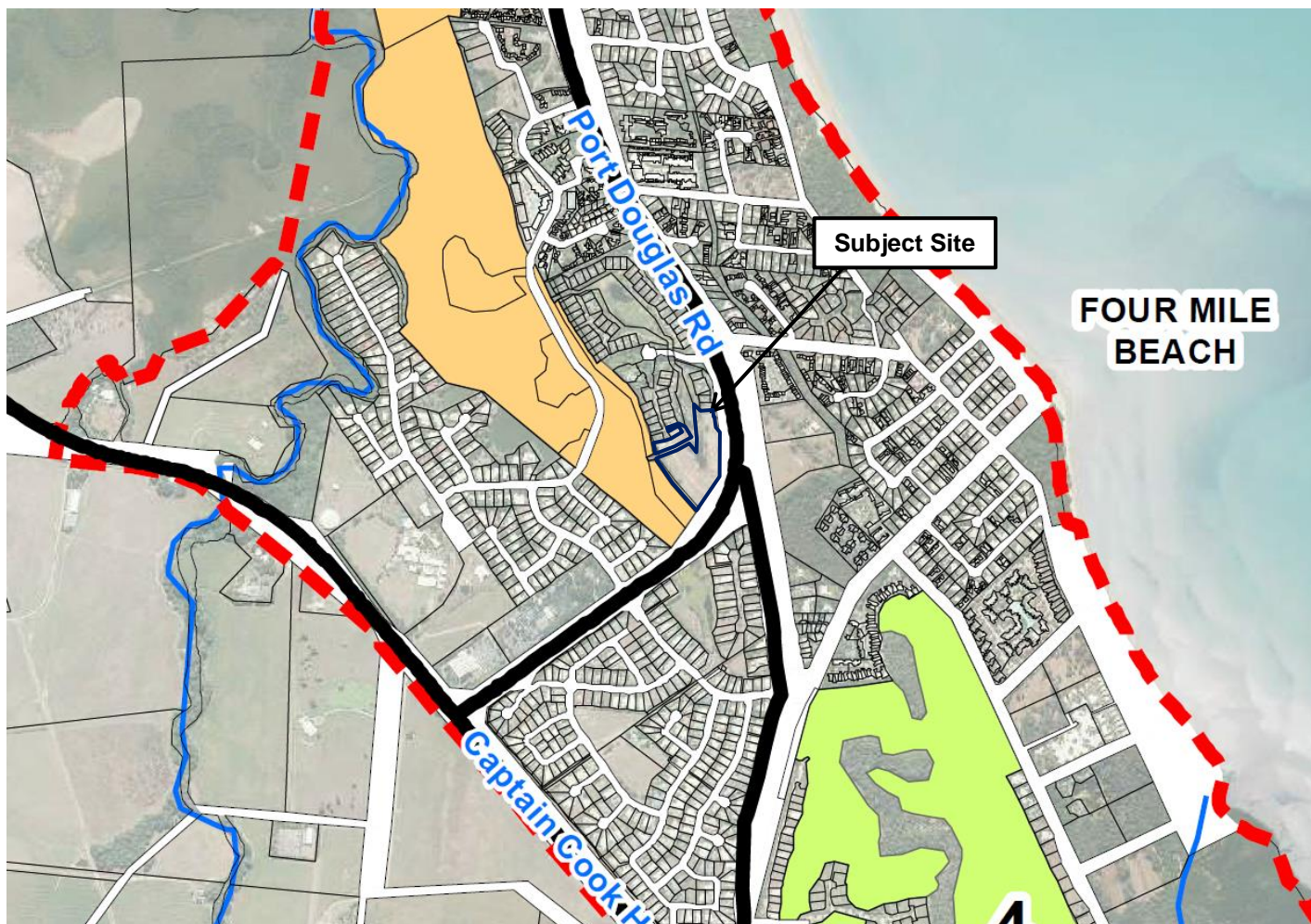
NIRAMAYA DEVELOPMENTS PTY LTD

STRATEGIC FRAMEWORK

FIGURE 6

AUGUST 2019





Local Plan Precincts:

- Major Road Connections
- Local Plan Boundary
- 1 Precinct 1 - Port Douglas
- 2 Precinct 2 - Integrated Resort
- 3 Precinct 3 - Craiglie Commercial and Light Industry
- 4 Precinct 4 - Old Port Road / Mitre Street
- Precinct 5 - Very Low Density Residential / Low Scale Recreation, Low Scale Educational/Low Scale Entertainment Uses Precinct

Other Map Layers:

- Property Boundaries (11/02/2017)
- Waterbodies
- Major Rivers / Creeks

DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE – CODE ASSESSMENT FOR MULTIPLE DWELLING, SHORT-TERM ACCOMMODATION, FOOD AND DRINK OUTLET AND FUNCTION FACILITY

PORT DOUGLAS ROAD AND BALE DRIVE, PORT DOUGLAS

NIRAMAYA DEVELOPMENTS PTY LTD




LOCAL PLAN



FIGURE 7A AUGUST 2019



Townscape Plan Layers:

-  Flagstaff Hill Landmark
- Oil Palm Avenues
- ★ Landmarks
- * Nodes
-  Gateways
- Major View Points
- ... Views to Ocean
- ... Views to Hills
- Tram Lines
- ➔ Main Roads
- ↔ Potential Pedestrian Link
- Active Street Fronts
-  Major Areas of Vegetation

**DEVELOPMENT PERMIT FOR MATERIAL
CHANGE OF USE – CODE ASSESSMENT
FOR MULTIPLE DWELLING, SHORT-
TERM ACCOMMODATION, FOOD AND
DRINK OUTLET AND FUNCTION FACILITY**

**PORT DOUGLAS ROAD AND
BALE DRIVE, PORT DOUGLAS**

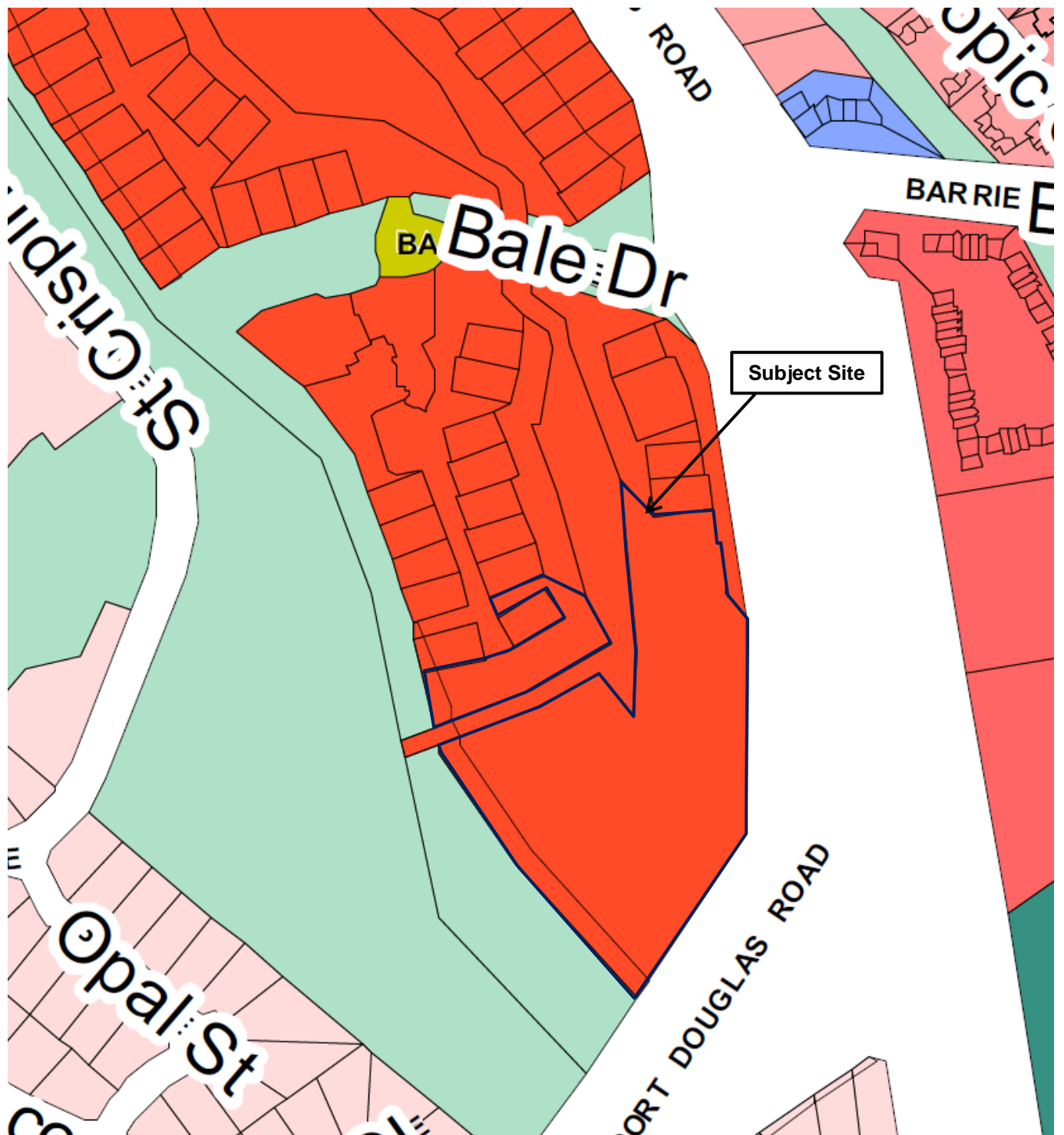
NIRAMAYA DEVELOPMENTS PTY LTD

**PORT DOUGLAS / CRAIGLIE
TOWNSCAPE PLAN**



FIGURE 7B

AUGUST 2019 



Zones:

- | | |
|--------------------------------|--------------------------|
| Low Density Residential | Environmental Management |
| Low-medium Density Residential | Conservation |
| Medium Density Residential | Industry |
| Tourist Accommodation | Tourism |
| Centre | Community Facilities |
| Recreation and Open Space | Rural |
| | Rural Residential |
| | Special Purpose |

DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE – CODE ASSESSMENT FOR MULTIPLE DWELLING, SHORT-TERM ACCOMMODATION, FOOD AND DRINK OUTLET AND FUNCTION FACILITY

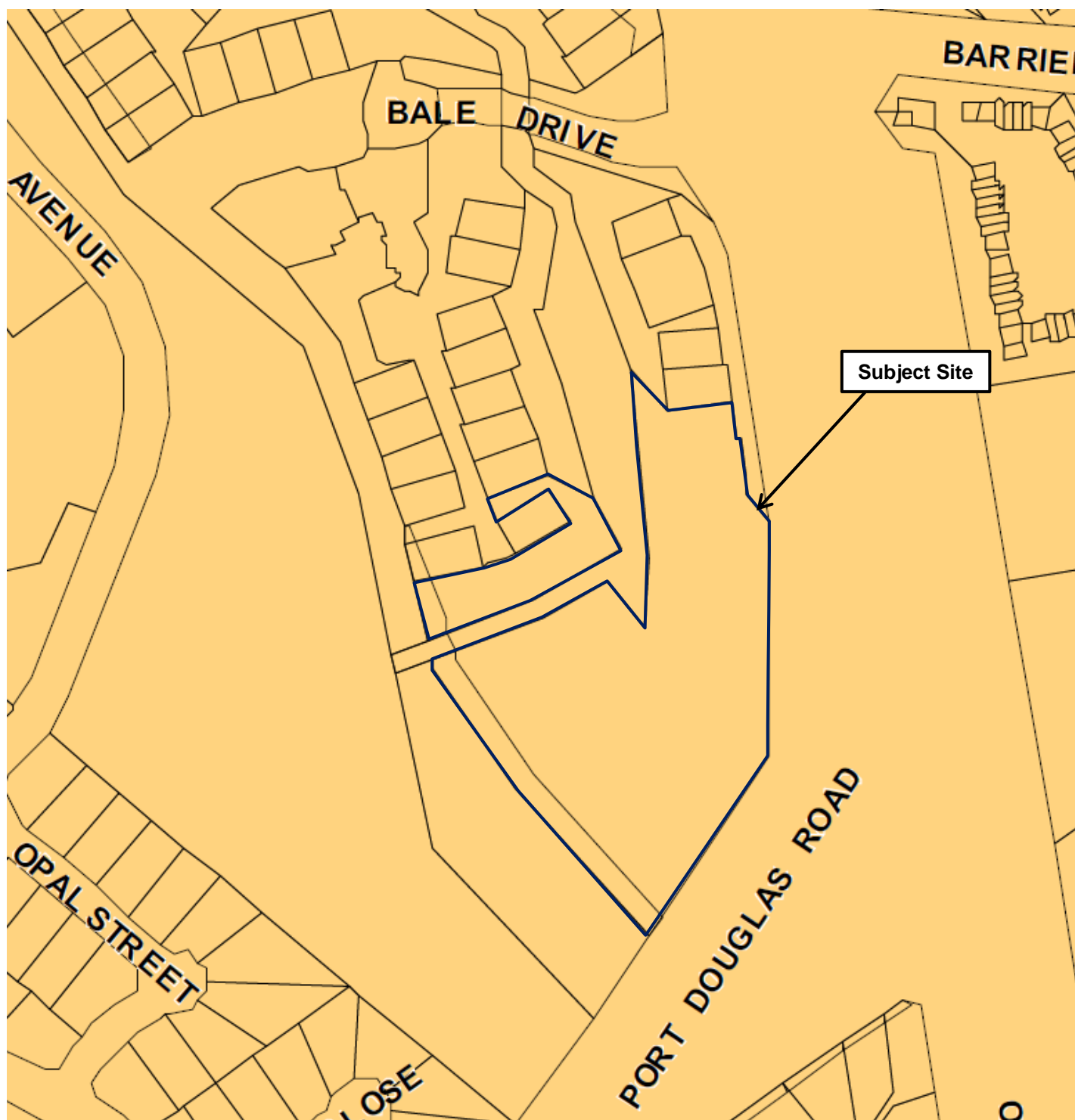
PORT DOUGLAS ROAD AND BALE DRIVE, PORT DOUGLAS

NIRAMAYA DEVELOPMENTS PTY LTD

ZONING



FIGURE 8 AUGUST 2019



DEVELOPMENT PERMIT FOR MATERIAL
CHANGE OF USE – CODE ASSESSMENT
FOR MULTIPLE DWELLING, SHORT-
TERM ACCOMMODATION, FOOD AND
DRINK OUTLET AND FUNCTION FACILITY

PORT DOUGLAS ROAD AND
BALE DRIVE, PORT DOUGLAS

NIRAMAYA DEVELOPMENTS PTY LTD

ACID SULFATE SOILS OVERLAY

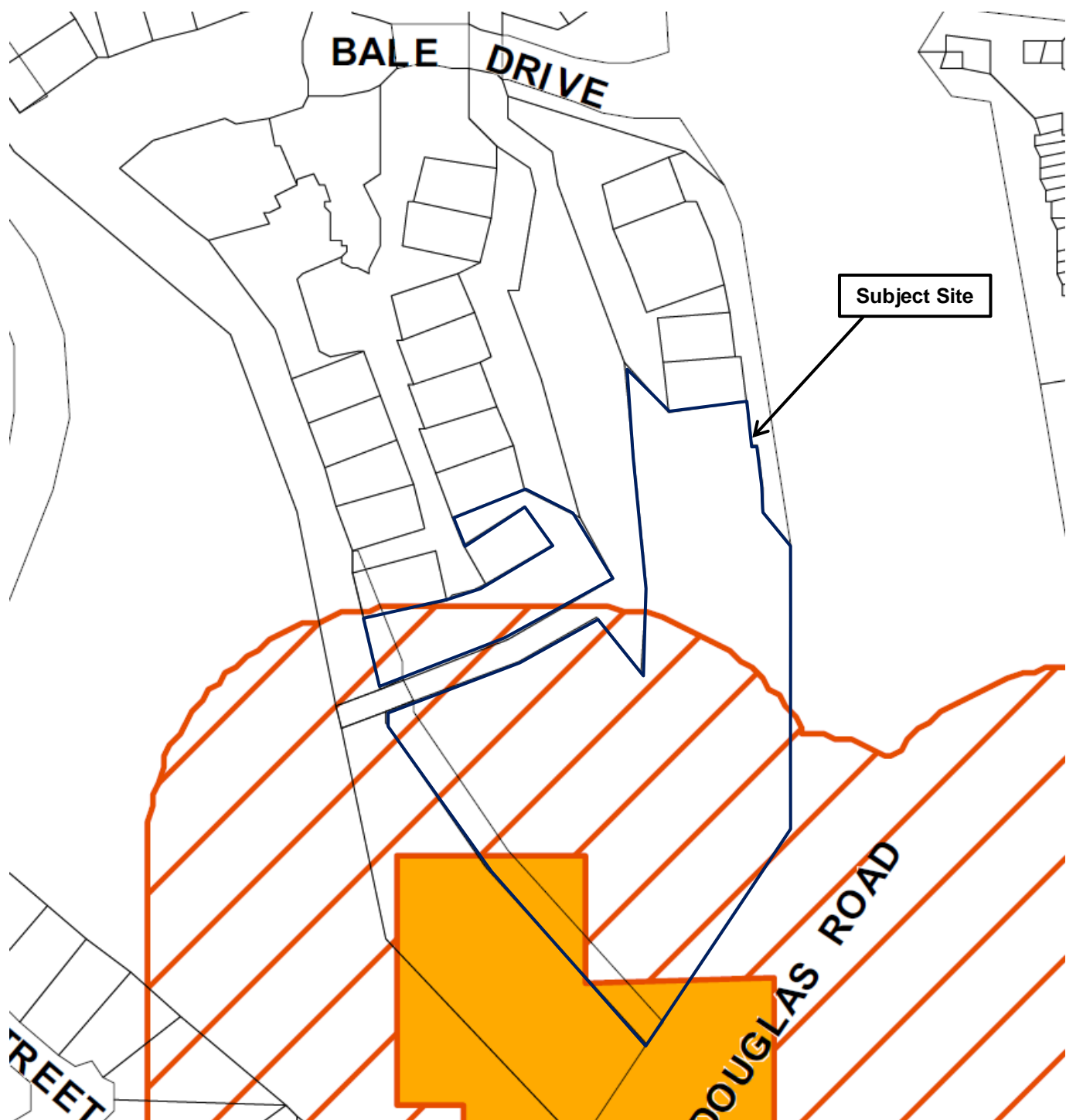
FIGURE 9

AUGUST 2019 ✓





Acid Sulfate Soils:

- Acid Sulfate Soils (5-20m AHD)
- ■ Acid Sulfate Soils (< 5m AHD)





Bushfire Hazard:

-  Very High Potential Bushfire Intensity
-  High Potential Bushfire Intensity
-  Medium Potential Bushfire Intensity
-  Potential Impact Buffer

DEVELOPMENT PERMIT FOR MATERIAL
CHANGE OF USE – CODE ASSESSMENT
FOR MULTIPLE DWELLING, SHORT-
TERM ACCOMMODATION, FOOD AND
DRINK OUTLET AND FUNCTION FACILITY

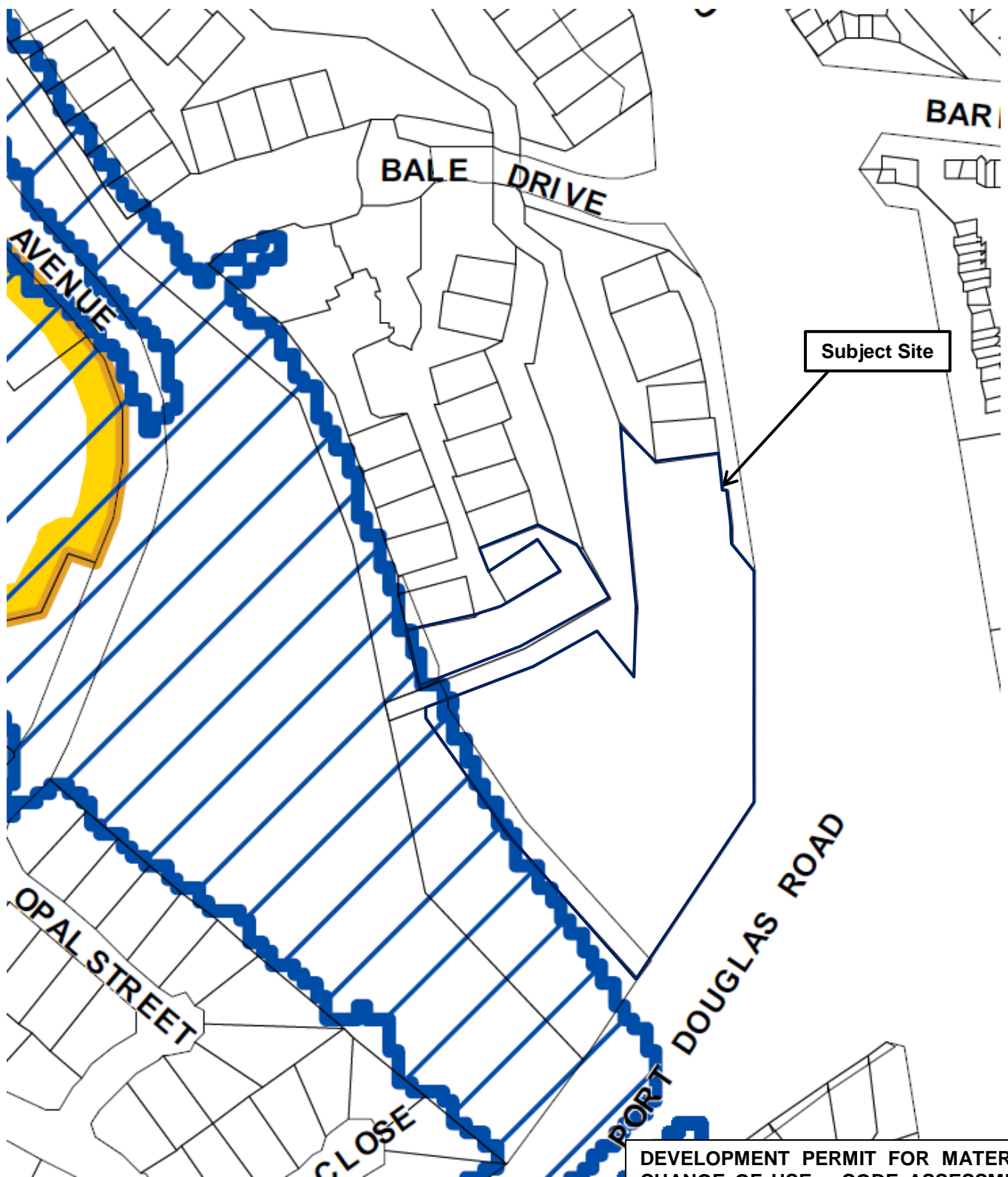
PORT DOUGLAS ROAD AND
BALE DRIVE, PORT DOUGLAS

NIRAMAYA DEVELOPMENTS PTY LTD



BUSHFIRE HAZARD OVERLAY

FIGURE 10 AUGUST 2019 





Coastal Processes:

-  Erosion Prone Area
-  Coastal Management District



DEVELOPMENT PERMIT FOR MATERIAL
CHANGE OF USE – CODE ASSESSMENT
FOR MULTIPLE DWELLING, SHORT-TERM
ACCOMMODATION, FOOD AND DRINK
OUTLET AND FUNCTION FACILITY

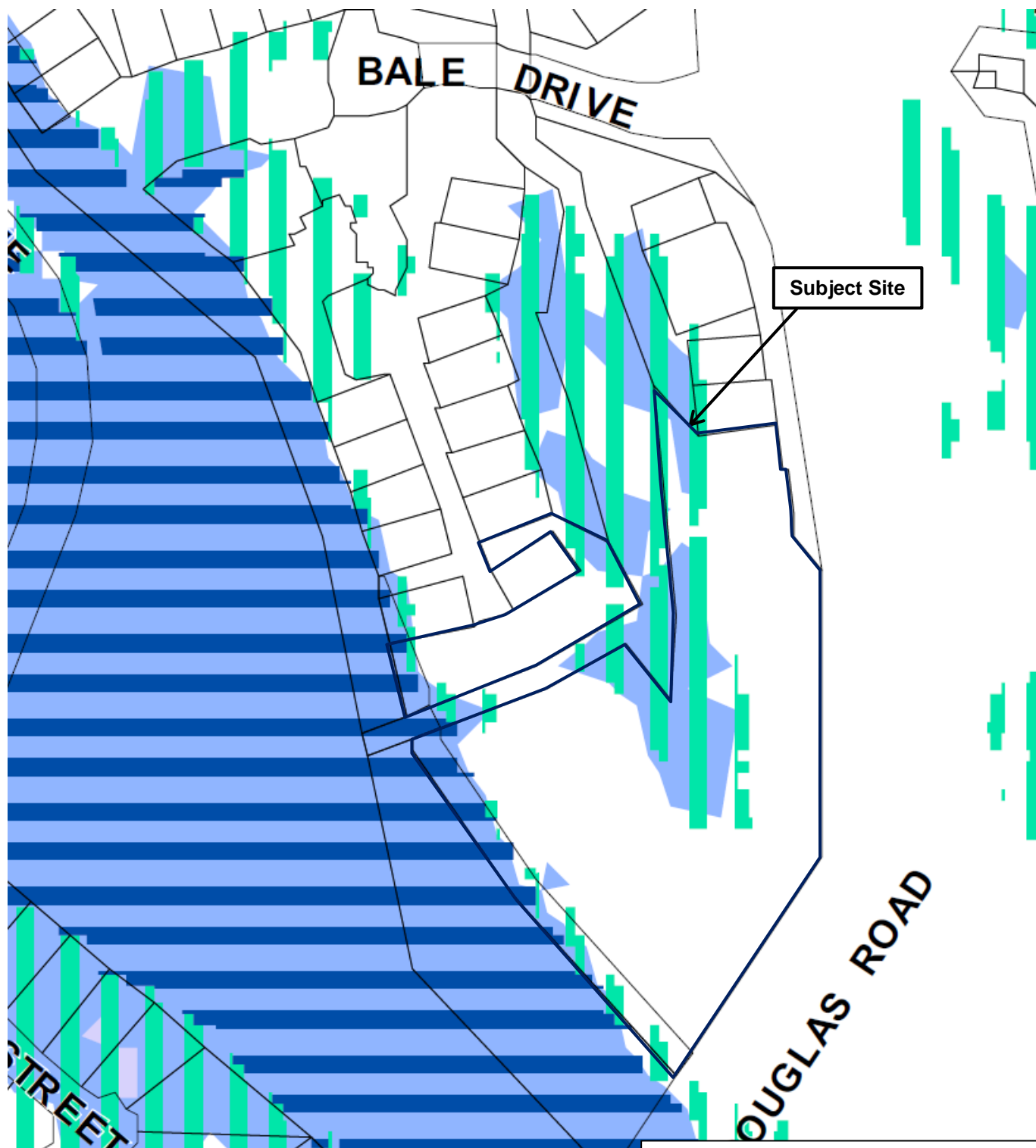
PORT DOUGLAS AND
BALE DRIVE, PORT DOUGLAS

NIRAMAYA DEVELOPMENTS PTY LTD

COASTAL PROCESSES OVERLAY

FIGURE 11

AUGUST 2019 



Flood and Storm Tide Inundation:

- Storm Tide - High Hazard
- Storm Tide - Medium Hazard
- 100 Year ARI (Mossman, Port Douglas and Daintree Flood Studies)
- Floodplain Assessment Overlay



**DEVELOPMENT PERMIT FOR MATERIAL
CHANGE OF USE – CODE ASSESSMENT
FOR MULTIPLE DWELLING, SHORT-
TERM ACCOMMODATION, FOOD AND
DRINK OUTLET AND FUNCTION FACILITY**

**PORT DOUGLAS ROAD AND
BALE DRIVE, PORT DOUGLAS**

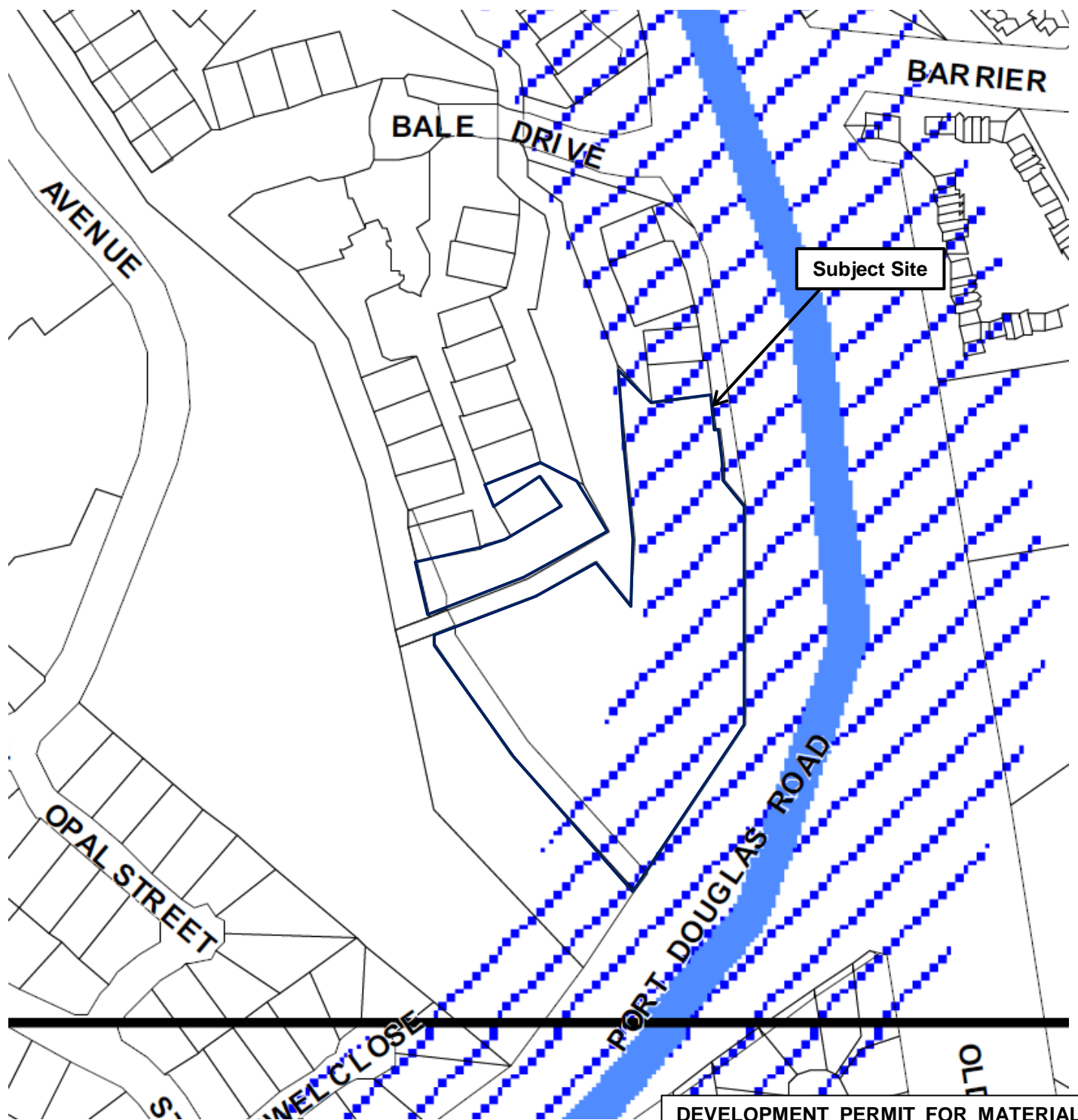
NIRAMAYA DEVELOPMENTS PTY LTD

**FLOOD AND STORM TIDE INUNDATION
OVERLAY**








FIGURE 12

AUGUST 2019





Landscape Values:

-  Gateway
-  Lookout
-  Scenic route
-  Scenic route buffer / View corridor
-  Coastal scenery
-  High landscape values
-  Medium Landscape Value

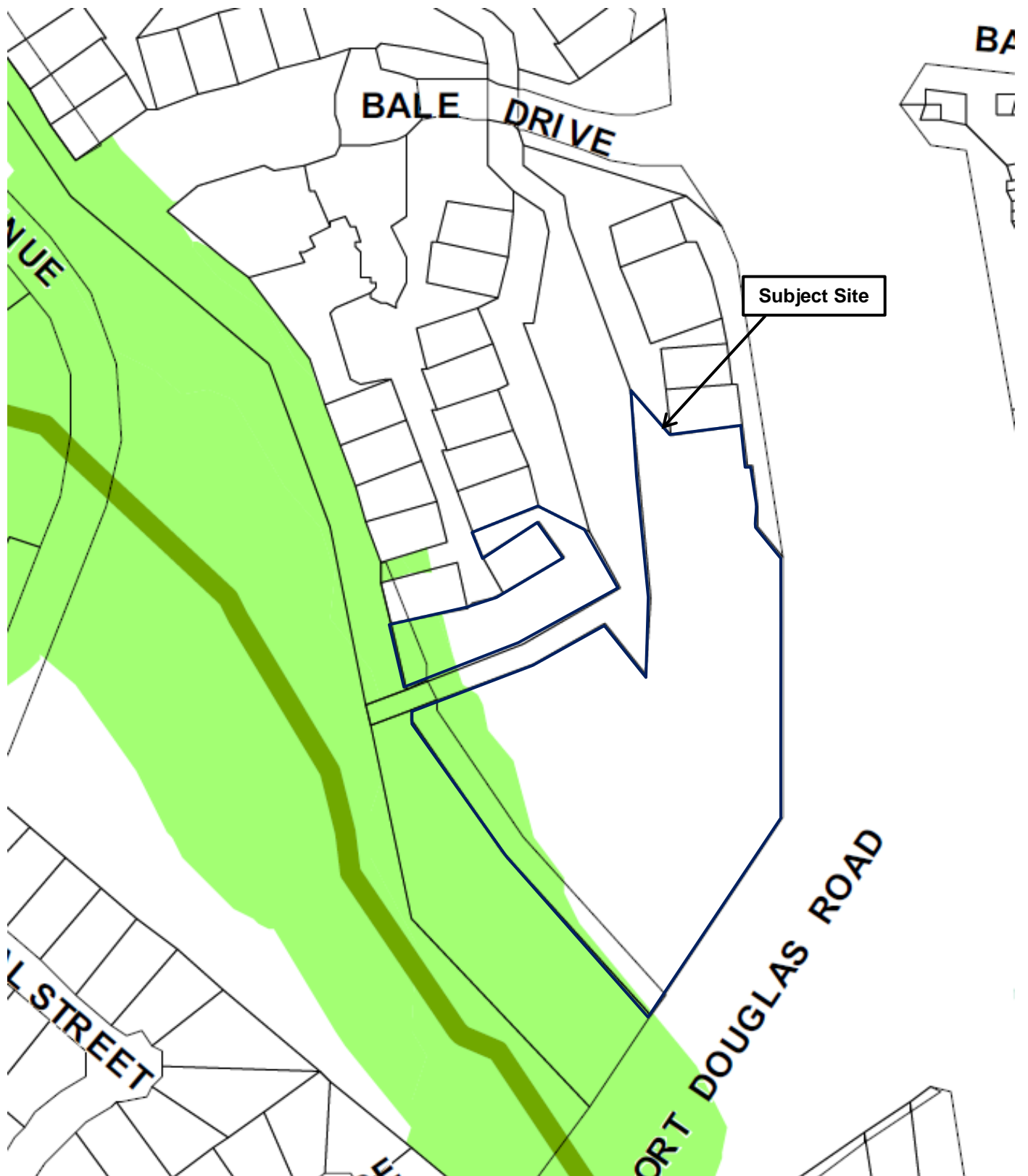
DEVELOPMENT PERMIT FOR MATERIAL
CHANGE OF USE – CODE ASSESSMENT
FOR MULTIPLE DWELLING, SHORT-
TERM ACCOMMODATION, FOOD AND
DRINK OUTLET AND FUNCTION FACILITY

PORT DOUGLAS ROAD AND
BALE DRIVE, PORT DOUGLAS

NIRAMAYA DEVELOPMENTS PTY LTD

LANDSCAPE VALUES OVERLAY

FIGURE 13 AUGUST 2019 



Natural Areas:

- MSES - Protected Area
- MSES - Marine Park
- MSES - Wildlife Habitat
- MSES - Regulated Vegetation (Of Concern Regional Ecosystem)
- MSES - Regulated Vegetation (Intersecting a Watercourse)
- MSES - High Ecological Significance Wetlands
- MSES - High Ecological Value Waters (Wetland)
- MSES - High Ecological Value Waters (Watercourse)
- MSES - Legally Secured Offset Area

**DEVELOPMENT PERMIT FOR MATERIAL
CHANGE OF USE – CODE ASSESSMENT
FOR MULTIPLE DWELLING, SHORT-
TERM ACCOMMODATION, FOOD AND
DRINK OUTLET AND FUNCTION FACILITY**

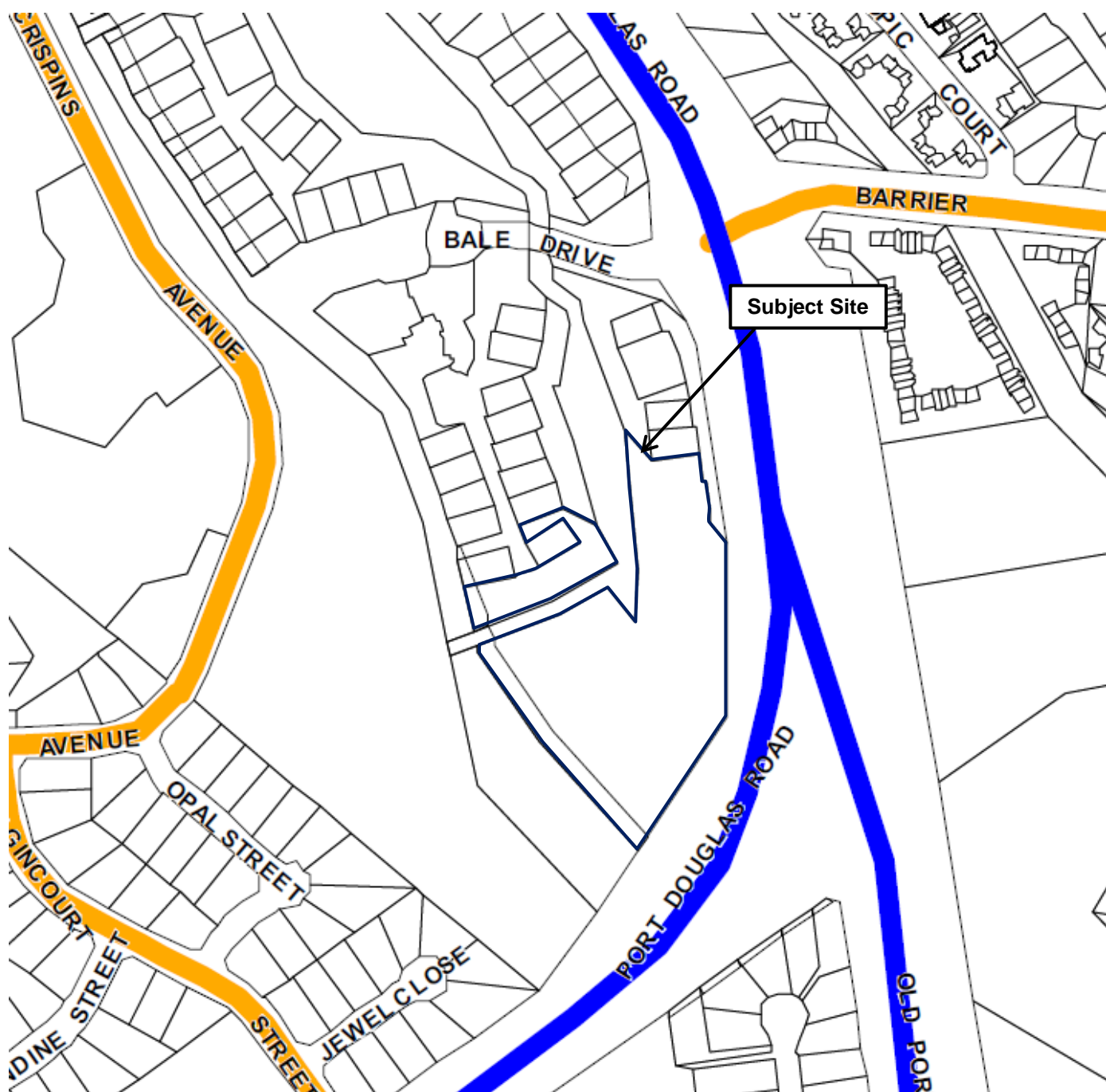
**PORT DOUGLAS ROAD AND
BALE DRIVE, PORT DOUGLAS**

NIRAMAYA DEVELOPMENTS PTY LTD

NATURAL AREAS OVERLAY

FIGURE 14 AUGUST 2019





Pedestrian and Cycle Network:

- — Principal Route
- Future Principal Route
- Iconic Recreation Route
- District Route
- Neighbourhood Route
- Strategic Investigation Route



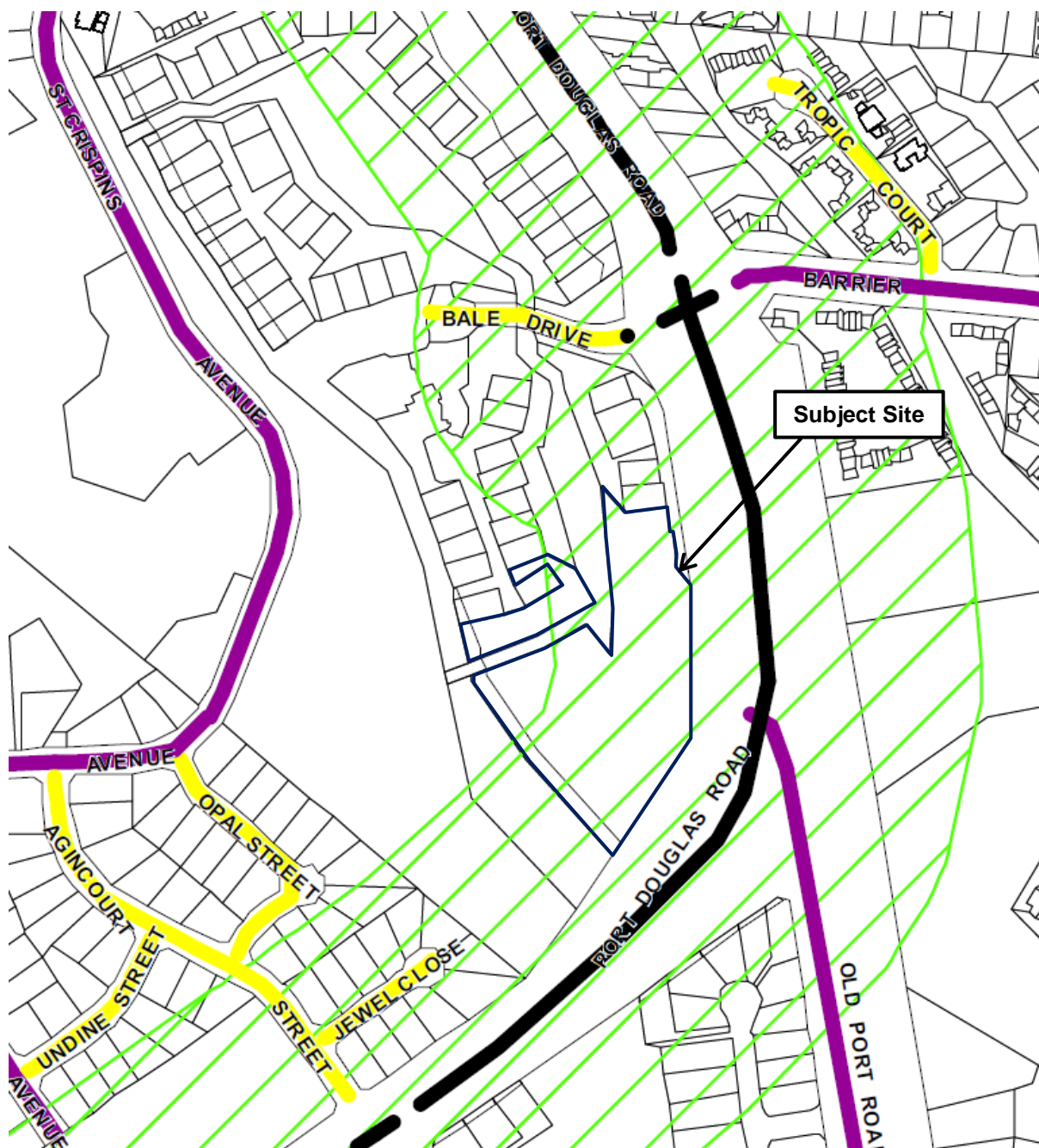
DEVELOPMENT PERMIT FOR MATERIAL
CHANGE OF USE – CODE ASSESSMENT
FOR MULTIPLE DWELLING, SHORT-
TERM ACCOMMODATION, FOOD AND
DRINK OUTLET AND FUNCTION FACILITY

BALE DRIVE, PORT DOUGLAS

NIRAMAYA DEVELOPMENTS PTY LTD

TRANSPORT NETWORK OVERLAY
(PEDESTRIAN AND CYCLE ROUTE)

FIGURE 15 AUGUST 2019 ✓



Road Hierarchy:

- — Arterial Road
- Sub Arterial Road
- Collector Road
- Access Road
- Industrial Road
- Major Rural Road
- Minor Rural Road
- Unformed Road
- ▨ Major Transport Corridor Buffer Area

DEVELOPMENT PERMIT FOR MATERIAL
CHANGE OF USE – CODE ASSESSMENT
FOR MULTIPLE DWELLING, SHORT-
TERM ACCOMMODATION, FOOD AND
DRINK OUTLET AND FUNCTION FACILITY

PORT DOUGLAS ROAD AND
BALE DRIVE, PORT DOUGLAS

NIRAMAYA DEVELOPMENTS PTY LTD

TRANSPORT NETWORK OVERLAY
(ROAD HIERARCHY)

