

## 82-90 MITRE STREET, CRAIGLIE

### PLANNING REPORT FOR MATERIAL CHANGE OF USE (DWELLING HOUSE)



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9 May 2024

## REPORT – DWELLING HOUSE

### Document status

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### Approval for issue

Ian Doust



14 May 2024

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Prepared by:

Prepared for:

**RPS AAP Consulting Pty Ltd**

**Impromptus Investments Pty Ltd**

Ian Doust  
Senior Principal Surveyor

Steve Kepper

135 Abbott Street  
Cairns QLD 4870

Unit 401 11-13 Jackson Street  
St Kilda VIC 3182

T +61 7 4031 1336  
E [ian.doust@rpsgroup.com.au](mailto:ian.doust@rpsgroup.com.au)

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# SUMMARY

Site Details	
Site Address:	82-90 Mitre Street, Craiglie
Real Property Description:	Lot 901 on SP274759
Site Area:	2.33 ha
Owner(s):	Impromptus Investments Pty Ltd
Application Details	
Permit Type Sought:	Development Permit
Application Type/Description:	Material Change of Use (Dwelling House)
Assessment Manager:	Douglas Shire Council
Level of Assessment:	Code
Referrals:	N/A
Consultation	
Entity name and representative (including role):	N/A
Applicant Contact Details	
Applicant Contact Person:	<b>Ian Doust</b> Senior Principal Surveyor +61 7 4031 1336 ian.doust@rpsgroup.com.au

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# 1 INTRODUCTION

RPS AAP Consulting Pty Ltd (RPS) has been engaged by Impromptus Investments Pty Ltd to seek development approval to establish a dwelling house on land located at 82-90 Mitre Street, Craiglie, described as Lot 901 on SP274759.

Lot 901 on SP274759 has an area of 2.33 hectares and a road frontage to Mitre Street of approximately 100 metres. The lot has been partially cleared of vegetation, creating two main cleared areas, one towards the road frontage to the west of the site and another in the centre of the site. Lot 901 is currently improved with a single dwelling house and a shed located in the westernmost cleared area.

This development application seeks:

- A Development Permit for Material Change of Use (Dwelling House).

The development application is to allow for the construction of a dwelling house in the cleared area towards the road frontage of the site. As a part of the dwelling house development, a shed is also proposed in the central cleared area.

Preliminary investigations reveal that:

- The site is within the Environmental Management and Conservation Zone under the Planning Scheme. The area that would contain the development is within the Environmental Management Zone;
- The site is affected by a number of Planning Scheme Overlays; and
- Under the Table of Assessment applicable for the Environmental Management Zone, the development of a dwelling house is identified as being Code Assessable.

This report provides greater detail on the nature of the proposal and provides an assessment of the proposal against the intents and code requirements of relevant statutory planning documents. Technical issues associated with the proposal are addressed in appended technical reports.

Based on these assessments, the proposal is recommended for approval subject to reasonable and relevant conditions.



Figure 1 Concept Site Plan

Source: RPS AAP Consulting Pty Ltd

## 2 SITE DETAILS

### 2.1 Site Particulars

Table 1: Site Particulars

Address	82-90 Mitre Street, Craiglie
Real Property Description	Lot 901 on SP274759
Site Area	2.33 ha
Encumbrances	Nil
Existing use of site	Dwelling House
Contaminated land Register	N/A
Topography	Relatively flat with minor undulations.
Vegetation	The majority of site has been historically cleared for and is predominately Category X Vegetation. However, the site has mapped areas of Category B Remnant Vegetation towards the road and within vegetated gulleys on the site. The site also contains mapped Category R Reef Regrowth in the eastern corner.
Waterways	There are no mapped waterways on the land.
Road frontages	Mitre Street – Approximately 100 metres
Services	The site has existing water and electricity services. The existing buildings on the site utilise a septic system.
Surrounding land uses	<b>North:</b> Unmade road reserve, from Mitre Street to Four Mile Beach <b>South:</b> Vacant vegetated land, associated with the foreshore. <b>East:</b> Four Mile Beach <b>West:</b> Mitre Street Road Reserve.

Site location and extent is shown in **Figure 2** below.



**Figure 2: Site Location**

Source: Queensland Globe 2024

The Certificate of title confirming site ownership details is included for reference in **Appendix B**.



## 2.2 Planning context

The planning context of the site can be summarised as follows:

**Table 2: Planning Context**

Instrument		Designation
<b>Far North Queensland Regional Plan 2009 - 2031</b>		
Regional Plan designation:		<ul style="list-style-type: none"> <li>Urban Footprint</li> </ul>
<b>Douglas Shire Council Planning Scheme 2018 (v1.0)</b>		
Strategic framework designation:		<ul style="list-style-type: none"> <li>Urban Area</li> </ul>
Zoning:		<ul style="list-style-type: none"> <li>Environmental Management Zone (western part)</li> <li>Conservation Zone (eastern part)</li> </ul>
Local Plans		<ul style="list-style-type: none"> <li>Port Douglas/Craigie Local Plan</li> </ul>
Overlays:		<ul style="list-style-type: none"> <li>Acid Sulfate Soils Overlay               <ul style="list-style-type: none"> <li>&lt;5m AHD</li> </ul> </li> <li>Bushfire Hazard Overlay               <ul style="list-style-type: none"> <li>Potential Impact Buffer</li> <li>High Potential Bushfire Intensity</li> </ul> </li> <li>Coastal Environment Overlay               <ul style="list-style-type: none"> <li>Erosion Prone Area</li> </ul> </li> <li>Flood and Storm Tide Inundation Overlay               <ul style="list-style-type: none"> <li>Medium Storm Tide Hazard</li> <li>High Storm Tide Hazard</li> <li>Floodplain Assessment Overlay (Mossman River)</li> </ul> </li> <li>Landscape Values Overlay               <ul style="list-style-type: none"> <li>High Landscape Values</li> </ul> </li> <li>Natural Areas Overlay               <ul style="list-style-type: none"> <li>MSES - Regulated Vegetation</li> <li>MSES – High Ecological Significance Wetlands</li> </ul> </li> <li>Transport Network Overlay               <ul style="list-style-type: none"> <li>Access Road</li> <li>Neighbourhood Route</li> </ul> </li> </ul>
<b>State Referral Mapping (Development Assessment Maps)</b>		
Coastal Protection		<ul style="list-style-type: none"> <li>Coastal Management District</li> <li>Coastal area - erosion prone area</li> <li>Coastal area - medium storm tide inundation area</li> <li>Coastal area - high storm tide inundation area</li> </ul>
Fish Habitat Areas		<ul style="list-style-type: none"> <li>Major Tidal (in part)</li> </ul>
Wetland Protection Areas		<ul style="list-style-type: none"> <li>Wetland protection area trigger area</li> <li>Wetland protection area wetland</li> </ul>
Native Vegetation Clearing		<ul style="list-style-type: none"> <li>Category X on the regulated vegetation management map</li> <li>Category R on the regulated vegetation management map</li> <li>Category B area containing of concern regional ecosystems</li> <li>Essential habitat</li> </ul>

The Douglas Shire Council property report and other applicable maps are provided within **Appendix C** and **D**.

## 2.3 Planning Scheme Zoning and Overlays

### 2.3.1 Zoning

The site is identified in both the Environmental Management and Conservation Zone. The area of the site that would contain the works is within the Environmental Management Zone. Zoning of the subject site and surrounding lands is shown on **Figure 3** below.



**Figure 3: Zoning**

Source: Douglas Shire Planning Scheme 2018 via Property Report



### 2.3.2 Acid Sulfate Soils

The Overlay Code shows the entirety of the site within a potential Acid Sulfate Soils area. The Planning Scheme's stated intent in respect to areas where ASS may be present is to either avoid or mitigate adverse impacts from disturbance of these soils.

The proposed development would involve minor excavation, approximately 0.2 to 0.5 metres in depth. This would be related to trenches and holes to establish the dwelling on stumps and to create a level pad for the shed. If Acid Sulfate Soils are disturbed through this process, they are able to be managed at the time of building construction.



**Figure 4: Acid Sulfate Soils Overlay Map**

Source: Douglas Shire Planning Scheme 2018 via Property Report

### 2.3.3 Bushfire Hazard Overlay

The majority of the site is mapped as High Potential Bushfire Intensity. This reflects the sites proximity to Melaleuca Open Forest on the neighbouring lots to the north. The proposed dwelling house and shed would be partially located within the High Intensity Area.

In order to comply with the relevant acceptable outcomes of the Bushfire Hazard Overlay Code, a building must be setback from hazardous vegetation sufficient distance to achieve a radiant heat flux level of  $29\text{kW/m}^2$ . The proposed dwelling is setback 20 metres from the northern property boundary to achieve the accepted radiant heat flux level and bushfire attack level.

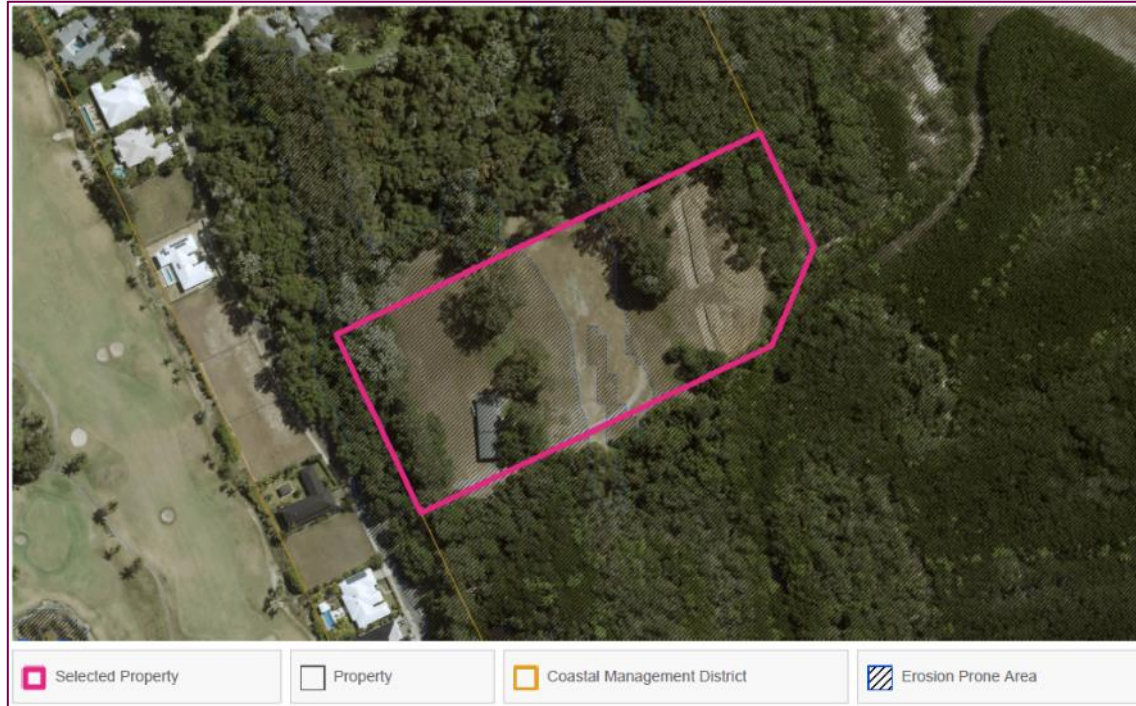


**Figure 5: Bushfire Overlay**

Source: Douglas Shire Planning Scheme 2018 via Property Report

### 2.3.4 Coastal Environment Overlay

The Coastal Environment Overlay Code shows the site is located within the Coastal Management District and partly within the Erosion Prone Area. The proposed dwelling house would be constructed in the Erosion Prone Area. To mitigate any risks created by the siting of the dwelling, it has been placed on a crest in the site to minimise the need for any excavation and filling.



**Figure 6: Coastal Processes Overlay**

Source: Douglas Shire Planning Scheme 2018 via Property Report



### 2.3.5 Flood and Storm Tide Hazard Overlay

The Flood and Storm Tide Hazard Overlay Code shows the site mapped as being within the medium and high hazard storm tide area; and mapped as being within the Floodplain Assessment Overlay (Mossman River).

The Storm tide level is considered most relevant and in accordance with Council's Storm Tide Inundation Property Report, the required Finished Floor Level for habitable rooms is 3.548 m AHD, the plans of the proposed dwellings indicate floor levels above this.

This report is provided for reference within **Appendix H**.

The earthworks for the development are minor and would not have significant effect on flood waters or flow paths on the site.



**Figure 7: Flood Storm Overlay Map**

Source: Douglas Shire Planning Scheme 2018 via property report

### 2.3.6 Landscape Values Overlay

The Landscape Values Overlay shows the High Landscape Values area on the eastern side of the site closest to the foreshore. This area of the site affected is identified as containing some remnant vegetation.

The proposed development on the site is located in the western cleared area closest to Mitre Street outside of overlay area. Furthermore, the proposed development would not be visible from Mitre Street or Four Mile Beach as these property boundaries would remain vegetated and the site is flat.



**Figure 8 Landscape Values Overlay**

Source: Douglas Shire Planning Scheme 2018 via property report



### 2.3.7 Natural Areas Overlay

The Natural Areas Overlay Code approximately reflects the State Government Mapping. The Natural Areas Overlay Code Map shows the site as containing MSES Regulated Vegetation and High Ecological Significance Wetlands. The proposed dwelling is located in the western cleared area outside of the overlay. The shed would be located within the middle cleared area within the MSES- High Ecological Significance Wetland Area. The proposed sewer connection would run through MSES vegetation and wetlands identified in the overlay, however, the vegetation clearing required has been minimised through the proposed position of the sewer line.

The mapping reflect the existing cleared areas on the site where the proposed development would be located and the below image from the Douglas Shire Council Property report has been edited so the areas of the site affected by the MSES – High Ecological Significance Wetlands are clearly visible in black diagonal hatching.

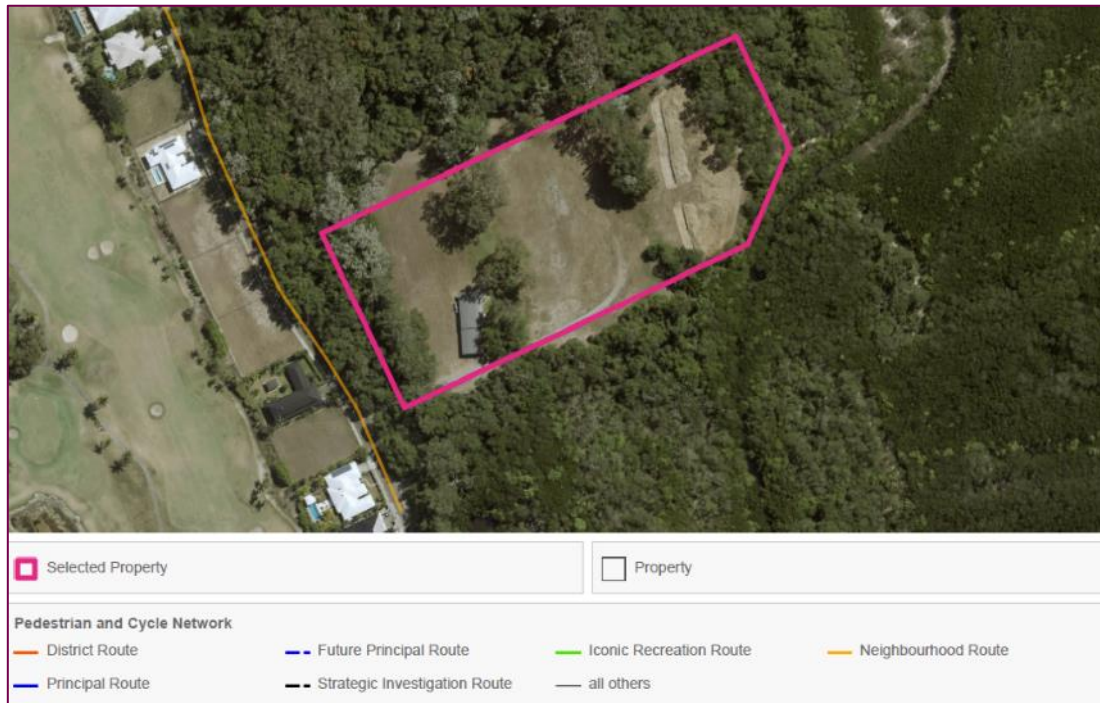


**Figure 9: Natural Areas Overlay Mapping**

Source: Douglas Shire Planning Scheme 2018 via property report

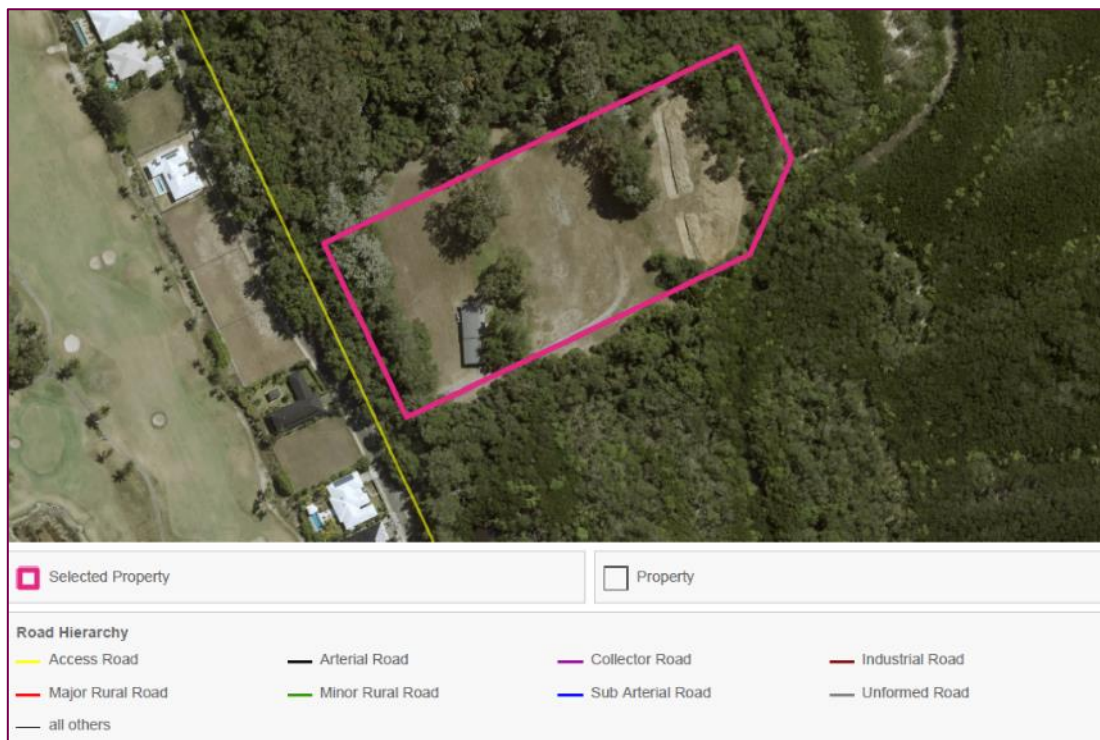
## 2.3.8 Transport Network Overlay

The Transport Network Overlay shows Mitre Street, which the development site fronts is identified as a Neighbourhood Route on the Pedestrian Cycle map and an Access road. The footpath on Mitre Street is located on the opposite side of the road and there is no pedestrian infrastructure in front of the development site.



**Figure 10: Transport Network (Pedestrian Cycle) Overlay Map**

Source: Douglas Shire Planning Scheme 2018 via property report



**Figure 11: Transport Network (Road Hierarchy) Overlay Map**

Source: Douglas Shire Planning Scheme 2018 via Property report



## 2.4 Background

### 2.4.1 Site History

The subject site is currently developed with a dwelling house and shed located in the western most cleared area of the site. The site is currently accessed via a crossover from Mitre Street, located in the south west corner. This access would be retained and utilised as a part of the current development.



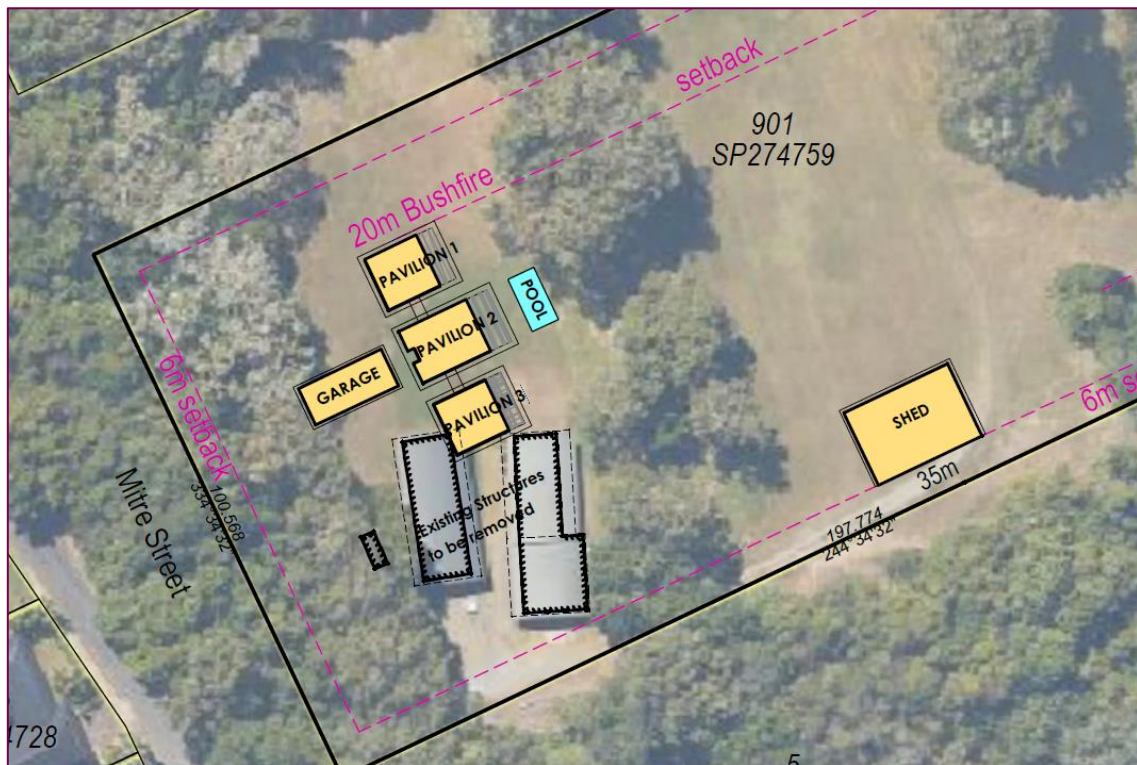
**Figure 12: Existing Site Access**

Source: Google Maps, 2024

## 3 PROPOSAL

### 3.1 Overview

The applicant seeks to establish a Dwelling House on land located at 82-90 Mitre Street, Craiglie. The application seeks permission to the construct a dwelling house in the existing cleared area on the site closest to Mitre Street. Additionally, a shed is also proposed in the cleared area at the centre of the site. As a part of the dwelling house development, the two existing buildings on site would be removed. The layout of the proposed development is shown in **Figure 13** below and a set of conceptual proposal plans is included in this report under **Appendix E**.



**Figure 13 Concept Site Plan**

Source: RPS AAP Consulting Pty Ltd

#### 3.1.1 Dwelling House

The proposed dwelling house would be a single storey dwelling constructed across three pavilions connected by covered walkways. The dwelling would contain, four bedrooms, four bathrooms, a combined living/dining/kitchen area and service related rooms, including a laundry. External to the dwelling would be a three car garage and a pool.

The dwelling to be setback a minimum 20 metres from the northern boundary, to avoid bushfire hazards and approximately 20 metres from the road boundary. The proposed site coverage of the dwelling, including the garage is approximately 505m<sup>2</sup> or 2.3%.

As a part of the proposed dwelling, the existing buildings on the site would be removed. As a result, the development does not seek to introduce any additional people to the site. A set of architectural proposal plans of the Dwelling House is provided for reference under **Appendix F**.

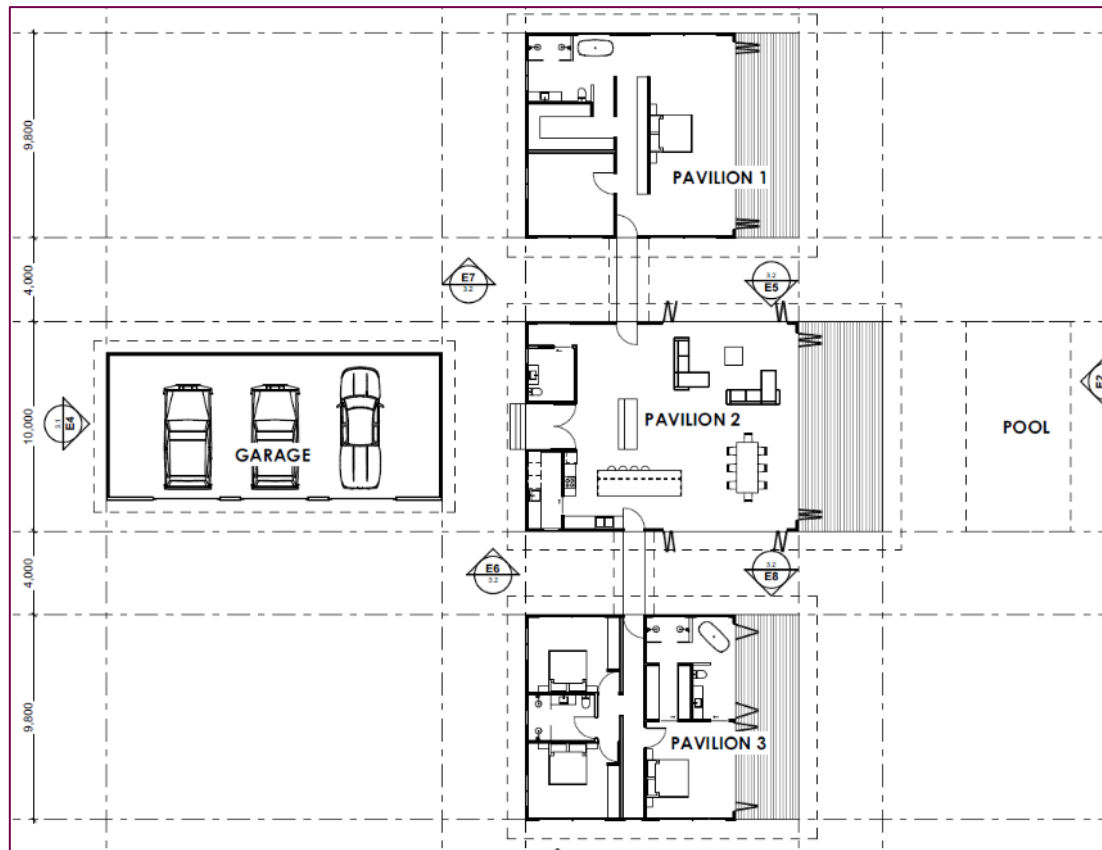


Figure 14 Dwelling House Floor Plan

Source: Danny Vos Architect

### 3.1.2 Shed

The proposed shed would be 20 metres long, 14 metres wide, 4.2 metres tall and would contain an area of 280m<sup>2</sup>. The shed would be located in the centre cleared area of the site and setback approximately 100 metres from the road frontage and 6 metres southern boundary of the site. It is proposed that the applicant would use the shed for the storage of personal items.

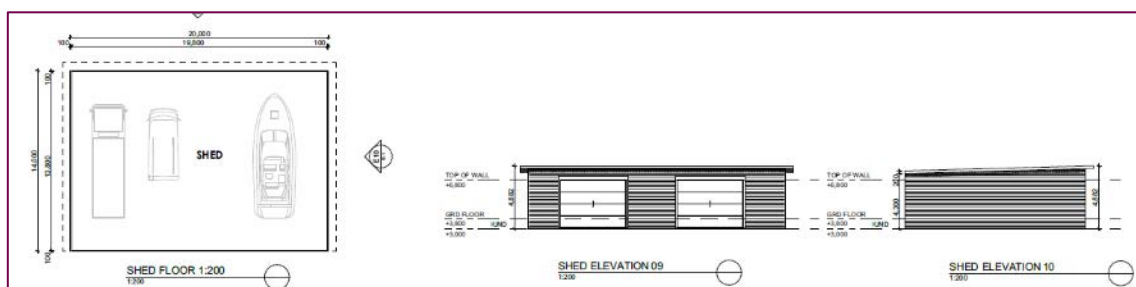


Figure 15 Shed Floor Plan and Elevations

Source: Danny Vos Architect

### 3.1.3 Access

Vehicular access to the proposed development would be via the existing crossover from Mitre Street.

### 3.1.4 Carparking

The total number of spaces the proposed Dwelling House required by Access Parking and Servicing Code are as follows:



**Table 3: Car Parking Requirements**

Land Use	Minimum number of parking spaces
Dwelling House	A minimum of 2 spaces which may be in tandem plus 1 space for a secondary dwelling.

The development complies with the car parking requirements of the Planning Scheme. The proposed dwelling house would provide a three car garage located in close proximity to the dwelling house.

### 3.1.5 Water Supply

The site has an existing connection to Council's Reticulated Water Supply. This connection would be extended to provide water to the new development on site.

### 3.1.6 Power

The proposed development would be connected to electricity via the existing infrastructure on the site.

### 3.1.7 Stormwater Management

There will be minimal change to stormwater storage and flow characteristics on the site. Earthworks are minimal cut/fill style and will not decrease the floodwater storage area available.

### 3.1.8 On-Site Effluent Treatment and Disposal/Sewer

The existing dwelling on site has a septic system, located within the westernmost cleared area. As a part of the proposed development, the existing septic system would be removed and a connection from the site to Council's reticulated sewer system would be created.

The proposed connection would be a pressure main from the dwelling house to the existing Council Pump Station located approximately 80 metres to the north of the site on Mitre Street. The proposed sewer main would run in close proximity to an existing drain to avoid the need for significant vegetation clearing. The proposed pressure main is to be located within the road pavement approximately 2m from kerb (subject to design) to achieve the minimum clearance of 1m from watermains. The final locations would be determined in further design and confirmed on site.

This part of the development would require works within the road reserve and would be the subject of a future Development Application for Operational Works. A copy of the proposed sewer concept is provided within the proposal plans at **Appendix G**.

### 3.1.9 Managing Flood Risk

The proposed dwelling house would be located in a cleared area, on a small crest on the site. In order to meet the Flood requirements for the site, the flood levels of habitable rooms are greater than 3.548m AHD, the proposal plans indicate a floor level above this. The proposed shed would be constructed to approximately 3.0m AHD, which is greater than the current Highest Astronomical Tide of approximately 1.8m AHD.

Given the minor nature of the earthworks there has been no flood modelling undertaken for the site.

### 3.1.10 Earthworks

The proposed dwelling house would be located in the cleared area closest to the road frontage, on a small crest on the site. In order to meet the Flood requirements for the site, the Floor levels of habitable rooms would have to be a minimum 3.548m AHD. To achieve this the dwelling house is proposed to be built on stumps. Minor earthworks will be required to accommodate this. Additionally, some minor earthworks will be required create a level platform for the shed. As it is proposed to locate the majority of the works within a flat area on the site earthworks would be minimal.

### 3.1.11 Vegetation

The bulk of the proposed development including the proposed dwelling and shed would be entirely contained within an Area mapped as Category X on the regulated vegetation map and within an existing cleared area.

As discussed above, it is proposed to establish a pressure main from the dwelling house to the existing Council Pump Station to the north of the site on Mitre Street. To complete this works, a pipe would be run through the vegetation at the front of the site, resulting in the removal of a small amount of the vegetation of Category B of Concern Vegetation. The proposed sewer main has been located along the edge of an existing drain located in the road reserve on the NW corner of Lot 901 to minimise vegetation clearing.

Considering the amount of vegetation present of the site, and the minimal removal works required it is considered that the vegetation removal proposed would be acceptable. Additionally, areas where vegetation has been removed are able to be revegetated.

### 3.1.12 Wetland

All of the site is within a Wetland Protection Trigger Area, and a majority of the site, with the exception of the cleared area located closest to Mitre Street is identified within a Wetland Protection Area. As shown in **Figure 16** below, the proposed garage for the dwelling would be located partially within the Wetland Protection Area and the proposed shed would be located wholly within the Wetland Protection Area.

In order to limit any potential impacts on the wetland area. The development has been positioned in a historically cleared area of the site and would not require any significant vegetation removal. Additionally, the scale of earthworks required to construct the proposed development is minimal, and would result be less than 100m<sup>3</sup> of cut and fill. Additionally, there would be no changes to flow paths across the site.



**Figure 16 Dwelling and Wetland Mapping**

Source: RPS AAP Consulting Pty Ltd

## **4 STATE, REGIONAL & LOCAL ASSESSMENT BENCHMARKS**

### **4.1 Applicable Act/s**

The *Planning Act 2016* and its subordinate legislation is the applicable act for the assessment of this development application.

### **4.2 State Planning Policy**

Section 30(2)(a)(ii) of the *Planning Regulation 2017* requires that the code assessment must be carried out against the State Planning Policy, part E, to the extent part E is not identified in the planning scheme as having been appropriately integrated.

As identified in Part 2 of the Douglas Shire Planning Scheme 2018 (v1.0), it is understood that all aspects of the State Planning Policy have been adequately reflected in the Planning Scheme to the extent relevant to this application. Accordingly, no further assessment against the State Planning Policy is required in this instance.

### **4.3 Regional Plan**

Section 30(2)(a)(i) of the *Planning Regulation 2017* requires that the code assessment of this application must be carried out against the assessment benchmarks stated in the regional plan, to the extent the regional plan is not identified in the planning scheme as having been appropriately integrated.

Consistent with the State Planning Policy, it is understood that the Minister has identified that the planning scheme appropriately advance the Far North Queensland Regional Plan 2009-2031, as it applies to the planning scheme area. On this basis, no further assessment of the Regional Plan is required in this instance.

### **4.4 Development Assessment under Schedule 10**

In accordance with Schedule 10 of the *Planning Regulation 2017*, the proposed development is not identified as requiring referral to any referral agencies. See below for further information relating to this.

#### **4.4.1 Vegetation Clearing**

Despite containing mapped vegetation, the site is below 5.0ha in size and there is no significant clearing of proposed. Therefore, there is no referral to the State Government required for Vegetation Clearing.

#### **4.4.2 Coastal Protection**

The development site is within the Coastal Management District and the Erosion Prone Area. Despite this, no referral is required for Material Change of Use as the proposal would result in a gross floor area of less than 1,000m<sup>2</sup>. Additionally, no vegetation removal is required and minimal excavation and filling is proposed.

#### **4.4.3 Wetland Protection Areas**

The site is identified in both the Wetland Protection Area and Wetland Protection Trigger Area. However, no referral is required as the proposed development is for a domestic housing activity and the earthworks proposed would not result in High Impact Earthworks of more than 100m<sup>3</sup>.

## 4.5 Local Planning Assessment Provisions

### 4.5.1 Applicable Assessment Instrument

In accordance with Schedule 8 of the *Planning Regulation 2017*, the assessment manager for this application is Douglas Shire Council.

The Douglas Shire Council Planning Scheme 2018 (v1.0) is the applicable Local Categorising Instrument for this development application.

### 4.5.2 Defined Use

This application seeks a material change of use for the a dwelling house as defined in the Douglas Shire Council Planning Scheme 2018 (v1.0).

Dwelling House:

*A residential use of premises for one household that contains a single dwelling.*

*The use includes domestic outbuildings and works normally associated with a dwelling and may include a secondary dwelling.*

### 4.5.3 Zone

The subject site is located within the Environmental Management and Conservation Zone of the Douglas Shire Council Planning Scheme 2018 (v1.0). The area of the site that would contain the proposed development is located within the Environmental Management Zone and as such there is no assessment of the proposal against the Conservation Zone Code.

### 4.5.4 Level of Assessment

Pursuant to the Tables of Assessment for the Environmental Management Zone with the Planning Scheme, a Material Change of Use for a Dwelling House is Code Assessable.

### 4.5.5 Overlays

Overlays affecting the site are listed in section 2.3. Detailed responses to relevant Overlay Codes are provided in **Appendix I** and **Table 4** below.

### 4.5.6 Codes

The Planning Scheme Codes considered applicable to the proposal, and the location of the relevant code response, are identified in **Table 4**.

**Table 4: Planning Scheme Code Responses**

Planning Scheme Codes	Response
<b>Zone and Neighbourhood Plan codes</b>	
Environmental Management Zone Code	<b>Appendix I</b> – prepared by RPS
Port Douglas/Craiglie Local Plan Code	<b>Appendix I</b> – prepared by RPS
<b>Use Codes</b>	
Dwelling House Code	<b>Appendix I</b> – prepared by RPS
<b>Overlay Codes</b>	

## REPORT – DWELLING HOUSE

Planning Scheme Codes	Response
Acid Sulfate Soils Overlay Code	<b>Appendix I</b> – prepared by RPS
Bushfire Overlay	<b>Appendix I</b> – prepared by RPS
Coastal Hazard Overlay Code	<b>Appendix I</b> – prepared by RPS
Flood and Storm Tide Hazard Overlay Code	<b>Appendix I</b> – prepared by RPS
Landscape Values Overlay Code	<b>Appendix I</b> – prepared by RPS
Natural Areas Overlay Code	<b>Appendix I</b> – prepared by RPS
Transport Network Overlay Code	<b>Appendix I</b> – prepared by RPS
<b>Development Codes</b>	
Environmental Performance Code	<b>Appendix I</b> – prepared by RPS
Filling and Excavation Code	<b>Appendix I</b> – prepared by RPS
Infrastructure Works Code	<b>Appendix I</b> – prepared by RPS
Landscaping Code	<b>Appendix I</b> – prepared by RPS
Vegetation Management Code	<b>Appendix I</b> – prepared by RPS



## 5 CONCLUSION

RPS AAP Consulting Pty Ltd (RPS) has been engaged by Impromptus Investments Pty Ltd to seek development approval to establish a dwelling house on land located at 82-90 Mitre Street, Craiglie, described as Lot 901 on SP274759.

Lot 901 on SP274759 has an area of 2.33 hectares and a road frontage to Mitre Street of approximately 100 metres. The lot has been partially cleared of vegetation, creating two main grassed areas, one towards the road frontage and another in the centre of the site. Lot 901 is currently improved with a single dwelling house and a shed.

This development application seeks:

- A Development Permit for Material Change of Use (Dwelling House).

The development application is to allow for the construction of a dwelling house in the cleared area towards the road frontage of the site. As a part of the dwelling house development, a shed is also proposed in the central cleared area.

The application is subject to code assessment.

This report has demonstrated the proposal's consistency with the intents and code requirements of Douglas Shire Planning Scheme and has sought to provide appropriate justification for aspects that do not fully adhere to the acceptable outcomes.

Consideration should involve the following:

- The proposed dwelling would be located in an existing cleared area on the side, on a small crest on the site, this minimises the need for vegetation removal and earthworks.
- The proposed dwelling would be built to have habitable room floor levels above 3.548m AHD, to avoid flood risks.
- It is not proposed to intensify the residential land use on the site, the proposed dwelling would house a similar number of people as the existing dwelling, and the existing dwelling is proposed to be removed.
- The proposed development would not be visible from outside of the site.

As a result of the above, approval is sought subject to reasonable and relevant conditions.

**Appendix A**

**DA Form**

# DA Form 1 – Development application details

Approved form (version 1.4 effective 15 December 2023) 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 only 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)	Impromptus Investments Pty Ltd
Contact name (only applicable for companies)	c/- RPS AAP Consulting Pty Ltd, Ian Doust
Postal address (P.O. Box or street address)	PO Box 1949
Suburb	Cairns
State	Queensland
Postcode	4870
Country	Australia
Contact number	07 4031 1336
Email address (non-mandatory)	<a href="mailto:ian.doust@rpsgroup.com.au">ian.doust@rpsgroup.com.au</a>
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	AU015419

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

## PART 2 – LOCATION DETAILS

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

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

#### 3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		82-90	Mitre Street	Craiglie
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	901	SP274759	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.

- ☐ 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 the details of these premises have been attached in a schedule to this development application  
☒ Not required

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

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

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

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

Name of airport:



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

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

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

☒ No

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

<b>6.1) Provide details about the first development aspect</b>
a) What is the type of development? <i>(tick only one box)</i>
<input checked="" type="checkbox"/> Material change of use <input type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input checked="" type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
Material change of Use for a Dwelling House
e) Relevant plans <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see <a href="#">DA Forms guide: Relevant plans</a>.</i>
<input checked="" type="checkbox"/> Relevant plans of the proposed development are attached to the development application
<b>6.2) Provide details about the second development aspect</b>
a) What is the type of development? <i>(tick only one box)</i>
<input type="checkbox"/> Material change of use <input type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
e) Relevant plans <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see <a href="#">DA Forms Guide: Relevant plans</a>.</i>
<input type="checkbox"/> Relevant plans of the proposed development are attached to the development application
<b>6.3) Additional aspects of development</b>
<input type="checkbox"/> 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
<input checked="" type="checkbox"/> 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 <sup>2</sup> ) (if applicable)
Dwelling House	Dwelling House	One	
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 constructed 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 <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )
12.2) What is the reason for the boundary realignment?			

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)				
Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (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"/> Drainage work <input type="checkbox"/> Landscaping <input type="checkbox"/> Other – please specify:	<input type="checkbox"/> Stormwater <input type="checkbox"/> Earthworks <input type="checkbox"/> Signage <input type="checkbox"/> Water infrastructure <input type="checkbox"/> Sewage infrastructure <input type="checkbox"/> Clearing vegetation
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"/> The 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) Does this development application include any aspects that have 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 Act 2016:**

- ☐ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure-related referrals – designated premises
- ☐ Infrastructure-related referrals – state transport infrastructure
- ☐ Infrastructure-related referrals – State transport corridor and future State transport corridor
- ☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure-related referrals – near a state-controlled road intersection
- ☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- ☐ Koala habitat in SEQ region – key resource areas
- ☐ Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- ☐ Ports – Brisbane core port land – environmentally relevant activity (ERA)
- ☐ Ports – Brisbane core port land – tidal works or work in a coastal management district
- ☐ Ports – Brisbane core port land – hazardous chemical facility
- ☐ Ports – Brisbane core port land – taking or interfering with water
- ☐ Ports – Brisbane core port land – referable dams
- ☐ Ports – Brisbane core port land – fisheries
- ☐ Ports – Land within Port of Brisbane's port limits (*below high-water mark*)
- ☐ 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
- ☐ SEQ northern inter-urban break – tourist activity or sport and recreation activity
- ☐ SEQ northern inter-urban break – community activity
- ☐ SEQ northern inter-urban break – indoor recreation
- ☐ SEQ northern inter-urban break – urban activity
- ☐ SEQ northern inter-urban break – 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 – 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 has been devolved to local government)*

☐ Heritage places – Local heritage places

Matters requiring referral to the **Chief Executive of the distribution entity or transmission entity**:

☐ Infrastructure-related referrals – Electricity infrastructure

Matters requiring referral to:

- 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

☐ Infrastructure-related referrals – Oil and gas infrastructure

Matters requiring referral to the **Brisbane City Council**:

☐ Ports – Brisbane core port land

Matters requiring referral to the **Minister responsible for administering the *Transport Infrastructure Act 1994***:

☐ Ports – Brisbane core port land *(where inconsistent with the Brisbane port LUP for transport reasons)*

☐ Ports – Strategic port land

Matters requiring referral to the **relevant port operator**, if applicant is not port operator:

☐ Ports – Land within Port of Brisbane's port limits *(below high-water mark)*

Matters requiring referral to the **Chief Executive of the relevant port authority**:

☐ Ports – Land within limits of another port *(below high-water mark)*

Matters requiring referral to the **Gold Coast Waterways Authority**:

☐ Tidal works or work in a coastal management district *(in Gold Coast waters)*

Matters requiring referral to the **Queensland Fire and Emergency Service**:

☐ Tidal works or work in a coastal management district *(involving a marina (more than six vessel berths))*

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

☐ Yes – referral response(s) received and listed below are attached to this development application

☐ No

Referral requirement	Referral agency	Date of referral response

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

## PART 6 – INFORMATION REQUEST

**19) Information request under Part 3 of the DA Rules**

☒ I agree to receive an information request if determined necessary for this development application

☐ I do not agree to accept an information request for this development application

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

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

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

## 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 type="checkbox"/> Approval <input type="checkbox"/> Development application			
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)

- ☐ 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 (A, B or E)
\$		

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

- ☐ 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](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

Proposed ERA number:		Proposed ERA threshold:	
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](http://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](http://www.qld.gov.au) for further information on environmental offsets.

### **Koala habitat in SEQ Region**

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

☐ Yes – the development application involves premises in the koala habitat area in the koala priority area

☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area

☒ No

**Note:** If a koala habitat area determination has been obtained for this premises and is current over the land, it should be provided as part of this development application. See koala habitat area guidance materials at [www.des.qld.gov.au](http://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](http://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](http://www.daf.qld.gov.au) for further information.

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

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

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

**Note:** Contact the Department of Natural Resources, Mines and Energy at [www.dnrme.qld.gov.au](http://www.dnrme.qld.gov.au) and [www.business.qld.gov.au](http://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](http://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](http://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](http://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](http://www.des.qld.gov.au) for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
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### **Brothels**

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

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

### **Decision under section 62 of the Transport Infrastructure Act 1994**

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

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



### Walkable neighbourhoods assessment benchmarks under Schedule 12A of the Planning Regulation

23.16) Does this development application involve reconfiguring a lot into 2 or more lots in certain residential zones (except rural residential zones), where at least one road is created or extended?

☐ Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered

☒ No

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

## 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

☒ Yes

**Note:** See the Planning Regulation 2017 for referral requirements

If building work is associated with the proposed development, Parts 4 to 6 of [DA Form 2 – Building work details](#) have been completed and attached to this development application

☐ Yes

☒ Not applicable

Supporting information addressing any applicable assessment benchmarks is with the development application

**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](#).

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)

☐ Yes

☒ Not applicable

### 25) Applicant declaration

☒ By making this development application, I declare that all information in this development application is true and correct

☒ 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 *Electronic Transactions Act 2001*

**Note:** It is unlawful to intentionally provide false or misleading information.

**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.

Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, Planning Regulation 2017 and the DA Rules except where:

- such disclosure is in accordance with the provisions about public access to documents contained in the *Planning Act 2016* and the Planning Regulation 2017, and the access rules made under the *Planning Act 2016* and Planning Regulation 2017; or
- required by other legislation (including the *Right to Information Act 2009*); or
- otherwise required by law.

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

PART 9 – FOR COMPLETION OF THE ASSESSMENT MANAGER – 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 (dd/mm/yy)	
Date receipted form sighted by assessment manager			
Name of officer who sighted the form			

## Appendix B

### Certificate of Title and Current Survey Plan

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>50979325</b>	<b>Search Date:</b>	10/04/2024 08:40
<b>Date Title Created:</b>	11/02/2015	<b>Request No:</b>	47653359
<b>Previous Title:</b>	20662124, 20662125		

**ESTATE AND LAND**

Estate in Fee Simple

LOT 901 SURVEY PLAN 274759

Local Government: DOUGLAS

**REGISTERED OWNER**

Dealing No: 723015399 18/01/2024

IMPROMPTUS INVESTMENTS PTY LTD A.C.N. 080 650 504  
UNDER INSTRUMENT 723015399

TRUSTEE

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 10725125 (ALLOT 1 SEC 9)  
Deed of Grant No. 20134230 (ALLOT 4 SEC 9)

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

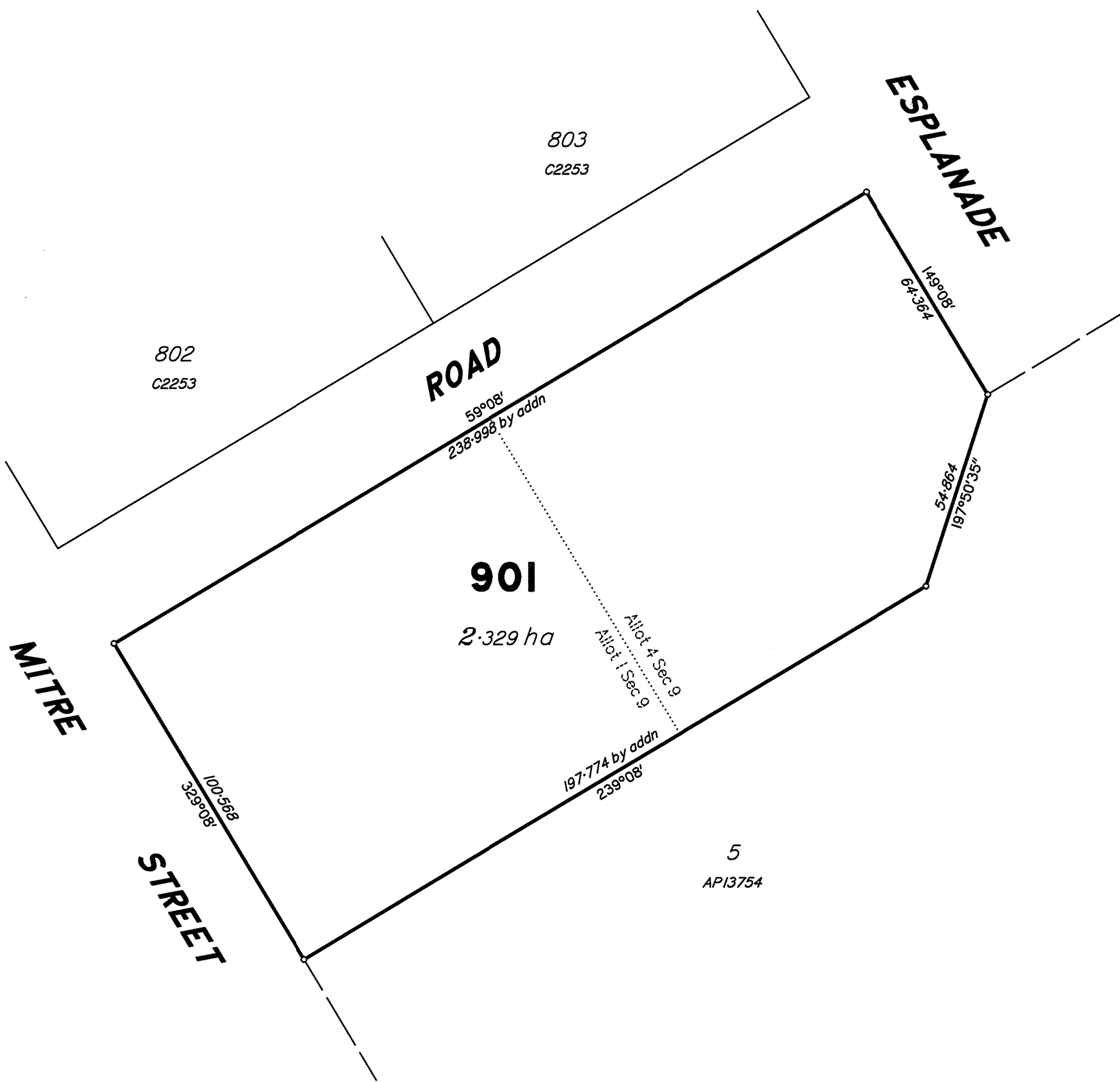
NIL

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

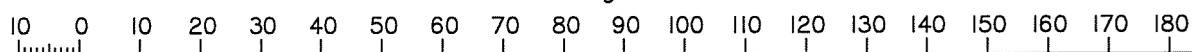


SURVEY PLAN

Sheet  
**1** of  
**1**



Scale 1:1250 – Lengths are in Metres.



State copyright reserved.

RPS Australia East Pty Ltd (ACN 140 292 762) hereby certify that the corporation, by Daniel Geoffrey PINKHAM, surveying graduate, for whose work the corporation accepts responsibility, under the supervision of Adrian Edward SOLOMON, cadastral surveyor, for whose work the corporation accepts responsibility has made this plan under Section 16 of the Survey and Mapping Infrastructure Regulation 2014 and pursuant to the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the plan is accurate, and compiled from IS239316 in the Department of Natural Resources and Mines.

*S. Redgrave*  
Authorised Delegate

Date **28.10.2014**

**Plan of Lot 901**

*Cancelling Lot 901 & 904 on C2253*

LOCAL GOVERNMENT: **DOUGLAS SHIRE** LOCALITY: **CRAIGLIE**

Meridian: **IS239316**

Survey Records: **No**

Scale: **1:1250**

Format: **STANDARD**



**SP274759**

<div>(Dealing No.)</div>		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				
		(Include address, phone number, reference, and Lodger Code)				
1. Certificate of Registered Owners or Lessees. <div>I/We PHILLIP MELVILLE WALKER DIANNE PERRY JOINT TENANTS</div> <div>(Names in full)</div> <div>* 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.</div> <div><del>* as Lessees of this land agree to this plan.</del></div> <div>Signature of *Registered Owners *Lessees</div> <div>* Rule out whichever is inapplicable</div>		6. Existing		Created		
		Title Reference	Description	New Lots	Road	Secondary Interests
		20662124	901 on C2253	901		
		20662125	904 on C2253	901		
		MORTGAGE ALLOCATIONS				
		Mortgage	Lots Fully Encumbered	Lots Partially Encumbered		
		715218305	901			
		901	Allots 1 & 4 of Sec 9			
		Lots	Orig			
		7. Orig Grant Allocation :				
		8. Map Reference : 7964-11124				
		9. Parish : SALISBURY				
		10. County : Solander				
		11. Passed & Endorsed : By : RPS Australia East Pty Ltd ACN 140 292 762 Date : 28.10.2014 Signed : S. Ridgeway Designation : Cadastral Surveyor				
2. Planning Body Approval. * hereby approves this plan in accordance with the : %  Dated this ..... day of .....  #  #  * Insert the name of the Planning Body. # Insert designation of signatory or delegation		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 \$ .....				
3.Plans with Community Management Statement : CMS Number : Name :		4.References : Dept File : Local Govt : Surveyor : PRI24872_01				
		14. Insert Plan Number SP274759				

## Appendix C

### Douglas Shire Council, Planning Context Mapping

# 2018 Douglas Shire Council Planning Scheme Property Report

The following report has been automatically generated to provide a general indication of development related information applying to the premise.

For more information and to determine if the mapping layers are applicable, refer to the [2018 Douglas Shire Council Planning Scheme](#). This report is not intended to replace the need for carrying out a detailed assessment of Council and State controls or the need to seek your own professional advice on any town planning instrument, local law or other controls that may impact on the existing or intended use of the premise mentioned in this report. For further information please contact Council by phone: [07 4099 9444](tel:0740999444) or [1800 026 318](tel:1800026318) or email [enquiries@douglas.qld.gov.au](mailto:enquiries@douglas.qld.gov.au).

Visit Council's website to apply for an [official property search or certificate](#), or contact the [Department of Natural Resources, Mines and Energy](#) to undertake a title search to ascertain how easements may affect a premise.


Property Information

Property Address

82-90 Mitre Street CRAIGLIE

Lot Plan

901SP274759 (Freehold - 23290m<sup>2</sup>)



☒ Selected Property

☐ Easements

☐ Property










Douglas Shire Planning Scheme 2018 version 1.0

The table below provides a summary of the Zones and Overlays that apply to the selected property.



## Douglas Shire Planning Scheme 2018 version 1.0

The table below provides a summary of the Zones and Overlays that apply to the selected property.

 <a href="#">Zoning</a>	<b>Applicable Zones</b> Conservation Environmental Management	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 6.2.3 Conservation Zone Code</a></li> <li><a href="#">View Section 6.2.3 Conservation Zone Compliance table</a></li> <li><a href="#">View Section 6.2.3 Conservation Zone Assessment table</a></li> <li><a href="#">View Section 6.2.4 Environmental Management Zone Code</a></li> <li><a href="#">View Section 6.2.4 Environmental Management Zone Compliance table</a></li> <li><a href="#">View Section 6.2.4 Environmental Management Zone Assessment table</a></li> </ul>
 <a href="#">Local Plans</a>	<b>Applicable Precinct or Area</b> Port Douglas - Craiglie	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 7.2.4 Port Douglas/Craiglie Local Plan Code</a></li> <li><a href="#">View Section 7.2.4 Port Douglas/Craiglie Local Plan Compliance table</a></li> </ul>
 <a href="#">Acid Sulfate Soils</a>	<b>Applicable Precinct or Area</b> Acid Sulfate Soils (< 5m AHD)	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.1 Acid Sulfate Soils Overlay Code</a></li> <li><a href="#">View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table</a></li> </ul>
 <a href="#">Bushfire Hazard</a>	<b>Applicable Precinct or Area</b> Potential Impact Buffer High Potential Bushfire Intensity	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.2 Bushfire Hazard Overlay Code</a></li> <li><a href="#">View Section 8.2.2 Bushfire Hazard Overlay Compliance table</a></li> </ul>
 <a href="#">Coastal Processes</a>	<b>Applicable Precinct or Area</b> Erosion Prone Area	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.3 Coastal Environment Overlay Code</a></li> <li><a href="#">View Section 8.2.3 Coastal Environment Overlay Compliance table</a></li> </ul>
 <a href="#">Flood Storm</a>	<b>Applicable Precinct or Area</b> Medium Storm Tide Hazard High Storm Tide Hazard Floodplain Assessment Overlay (Mossman River)	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.4 Flood and Storm Tide Hazard Overlay Code</a></li> <li><a href="#">View Section 8.2.4 Flood and Storm Tide Hazard Overlay Compliance table</a></li> </ul>
 <a href="#">Landscape Values</a>	<b>Landscape Values</b> High landscape values	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.6 Landscape Values Overlay Code</a></li> <li><a href="#">View Section 8.2.6 Landscape Values Overlay Compliance table</a></li> </ul>
 <a href="#">Natural Areas</a>	<b>Applicable Precinct or Area</b> MSES - Regulated Vegetation MSES - High Ecological Significance Wetlands	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.7 Natural Areas Overlay Code</a></li> <li><a href="#">View Section 8.2.7 Natural Areas Overlay Compliance table</a></li> </ul>
 <a href="#">Transport Pedestrian Cycle</a>	<b>Applicable Precinct or Area</b> Neighbourhood Route	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.10 Transport Network Overlay Code</a></li> <li><a href="#">View Section 8.2.10 Transport Network Overlay Compliance table</a></li> </ul>

Douglas Shire Planning Scheme 2018 version 1.0  
The table below provides a summary of the Zones and Overlays that apply to the selected property.

[Transport Road Hierarchy](#)

**Applicable Precinct or Area**  
Access Road

- More Information**
- [View Section 8.2.10 Transport Network Overlay Code](#)
  - [View Section 8.2.10 Transport Network Overlay Compliance table](#)

## Zoning

**Applicable Zones**  
Conservation  
Environmental Management

- More Information**
- [View Section 6.2.3 Conservation Zone Code](#)
  - [View Section 6.2.3 Conservation Zone Compliance table](#)
  - [View Section 6.2.3 Conservation Zone Assessment table](#)
  - [View Section 6.2.4 Environmental Management Zone Code](#)
  - [View Section 6.2.4 Environmental Management Zone Compliance table](#)
  - [View Section 6.2.4 Environmental Management Zone Assessment table](#)



☒ Selected Property

☐ Property

### Zoning

- |  |  |   |   |
|--|--|---|---|
| <input checked="" type="checkbox"/> Centre         | <input type="checkbox"/> Community Facilities    | <input type="checkbox"/> Conservation                   | <input type="checkbox"/> Environmental Management   |
| <input type="checkbox"/> Industry                  | <input type="checkbox"/> Low Density Residential | <input type="checkbox"/> Low-medium Density Residential | <input type="checkbox"/> Medium Density Residential |
| <input type="checkbox"/> Recreation and Open Space | <input type="checkbox"/> Rural                   | <input type="checkbox"/> Rural Residential              | <input type="checkbox"/> Special Purpose            |
| <input type="checkbox"/> Tourism                   | <input type="checkbox"/> Tourist Accommodation   |   |   |

Local Plans

Applicable Precinct or Area

Port Douglas - Craiglie

More Information

- [View Section 7.2.4 Port Douglas/Craiglie Local Plan Code](#)
- [View Section 7.2.4 Port Douglas/Craiglie Local Plan Compliance table](#)



<p><b>Selected Property</b></p> <p><input checked="" type="checkbox"/> Selected Property</p>	<p><b>Property</b></p> <p><input type="checkbox"/> Property</p>	<p><b>Transport Investigation Corridor</b></p> <p><input checked="" type="checkbox"/> Transport Investigation Corridors</p>	<p><b>Major Road Connections</b></p> <p><input checked="" type="checkbox"/> Major Road Connections</p>												
<p><b>Major Road Connections (No Arrow)</b></p> <p><input checked="" type="checkbox"/> Major Road Connections</p>	<p><b>Daintree River to Bloomfield</b></p> <p><input checked="" type="checkbox"/> Daintree River to Bloomfield</p>	<p><b>Creb Track and Quaid Road</b></p> <p><input checked="" type="checkbox"/> Creb Track</p>	<p><b>60 metre contour</b></p> <p><input checked="" type="checkbox"/> 60 metre contour</p>												
<p><b>Local Plan Boundary</b></p> <p><input checked="" type="checkbox"/> Local Plan Boundary</p>															
<p><b>Local Plan Sub Precincts</b></p> <table border="0"> <tr> <td><input checked="" type="checkbox"/> 1d Limited Development</td> <td><input checked="" type="checkbox"/> 1a Town Centre</td> <td><input checked="" type="checkbox"/> 1b Waterfront North</td> <td><input checked="" type="checkbox"/> 1c Waterfront South</td> </tr> <tr> <td></td> <td><input checked="" type="checkbox"/> 1e Community and Recreation</td> <td><input checked="" type="checkbox"/> 1f Flagstaff Hill</td> <td></td> </tr> </table>				<input checked="" type="checkbox"/> 1d Limited Development	<input checked="" type="checkbox"/> 1a Town Centre	<input checked="" type="checkbox"/> 1b Waterfront North	<input checked="" type="checkbox"/> 1c Waterfront South		<input checked="" type="checkbox"/> 1e Community and Recreation	<input checked="" type="checkbox"/> 1f Flagstaff Hill					
<input checked="" type="checkbox"/> 1d Limited Development	<input checked="" type="checkbox"/> 1a Town Centre	<input checked="" type="checkbox"/> 1b Waterfront North	<input checked="" type="checkbox"/> 1c Waterfront South												
	<input checked="" type="checkbox"/> 1e Community and Recreation	<input checked="" type="checkbox"/> 1f Flagstaff Hill													
<p><b>Local Plan Precincts</b></p> <table border="0"> <tr> <td><input checked="" type="checkbox"/> Not Part of a Precinct</td> <td><input checked="" type="checkbox"/> Precinct 1</td> <td><input checked="" type="checkbox"/> Precinct 2</td> <td><input checked="" type="checkbox"/> Precinct 3</td> </tr> <tr> <td><input checked="" type="checkbox"/> Precinct 4</td> <td><input checked="" type="checkbox"/> Precinct 5</td> <td><input checked="" type="checkbox"/> Precinct 6</td> <td><input checked="" type="checkbox"/> Precinct 7</td> </tr> <tr> <td><input checked="" type="checkbox"/> Precinct 8</td> <td><input checked="" type="checkbox"/> Precinct 9</td> <td></td> <td></td> </tr> </table>				<input checked="" type="checkbox"/> Not Part of a Precinct	<input checked="" type="checkbox"/> Precinct 1	<input checked="" type="checkbox"/> Precinct 2	<input checked="" type="checkbox"/> Precinct 3	<input checked="" type="checkbox"/> Precinct 4	<input checked="" type="checkbox"/> Precinct 5	<input checked="" type="checkbox"/> Precinct 6	<input checked="" type="checkbox"/> Precinct 7	<input checked="" type="checkbox"/> Precinct 8	<input checked="" type="checkbox"/> Precinct 9		
<input checked="" type="checkbox"/> Not Part of a Precinct	<input checked="" type="checkbox"/> Precinct 1	<input checked="" type="checkbox"/> Precinct 2	<input checked="" type="checkbox"/> Precinct 3												
<input checked="" type="checkbox"/> Precinct 4	<input checked="" type="checkbox"/> Precinct 5	<input checked="" type="checkbox"/> Precinct 6	<input checked="" type="checkbox"/> Precinct 7												
<input checked="" type="checkbox"/> Precinct 8	<input checked="" type="checkbox"/> Precinct 9														
<p><b>Live Entertainment Precinct</b></p> <p><input checked="" type="checkbox"/> Live Entertainment Precinct</p>	<p><b>Indicative Future Open Space</b></p> <p><input checked="" type="checkbox"/> Indicative Future Open Space</p>		<p><b>Road Reserve Esplanade</b></p> <p><input checked="" type="checkbox"/> Road Reserve Esplanade</p>												



Acid Sulfate Soils

Applicable Precinct or Area  
Acid Sulfate Soils (< 5m AHD)

- More Information
- [View Section 8.2.1 Acid Sulfate Soils Overlay Code](#)
  - [View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table](#)



☒ Selected Property

☐ Property

Acid Sulfate Soils

☒ Acid Sulfate Soils (< 5m AHD)

☐ Acid Sulfate Soils (5-20m AHD)

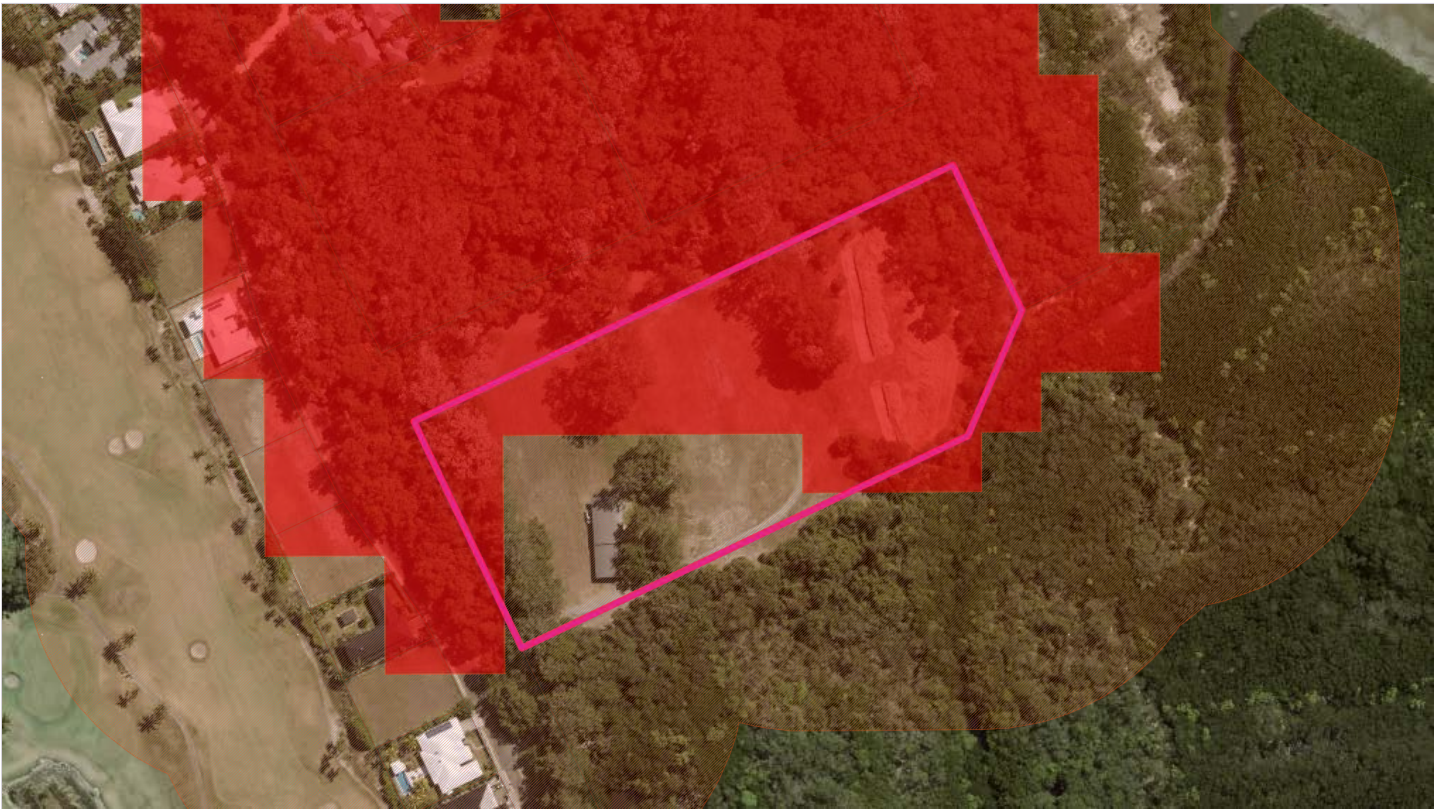
☐ all others



Bushfire Hazard

Applicable Precinct or Area  
Potential Impact Buffer  
High Potential Bushfire Intensity

- More Information
- [View Section 8.2.2 Bushfire Hazard Overlay Code](#)
  - [View Section 8.2.2 Bushfire Hazard Overlay Compliance table](#)



☒ Selected Property

☐ Property

Bushfire\_Hazard

☒ High Potential Bushfire Intensity

☐ Medium Potential Bushfire Intensity

☐ Potential Impact Buffer

☐ Very High Potential Bushfire Intensity

☐ all others




Coastal Processes


Applicable Precinct or Area  
Erosion Prone Area


- More Information
- [View Section 8.2.3 Coastal Environment Overlay Code](#)
  - [View Section 8.2.3 Coastal Environment Overlay Compliance table](#)



 Selected Property

 Property

 Coastal Management District

 Erosion Prone Area

Flood Storm

Applicable Precinct or Area


Medium Storm Tide Hazard  
High Storm Tide Hazard  
Floodplain Assessment Overlay (Mossman River)


More Information


- [View Section 8.2.4 Flood and Storm Tide Hazard Overlay Code](#)
- [View Section 8.2.4 Flood and Storm Tide Hazard Overlay Compliance table](#)



 Selected Property

 Property

 Medium Storm Tide Hazard

 High Storm Tide Hazard

 100 Year ARI - Mossman Port Douglas and Daintree Flood Studies

 Floodplain Assessment Overlay



Landscape Values

Landscape Values

High landscape values

- More Information

  - [View Section 8.2.6 Landscape Values Overlay Code](#)
  - [View Section 8.2.6 Landscape Values Overlay Compliance table](#)



Selected Property

Property

Scenic Buffer Area

Gateway
 Lookout
 Scenic route
 Scenic route buffer

View corridor
 all others

Landscape Values

Coastal scenery
 High landscape values
 Medium Landscape Value
 all others

Natural Areas

Applicable Precinct or Area

- MSES - Regulated Vegetation
- MSES - High Ecological Significance Wetlands

More Information

- [View Section 8.2.7 Natural Areas Overlay Code](#)
- [View Section 8.2.7 Natural Areas Overlay Compliance table](#)



Selected Property	Property	MSES - Regulated Vegetation (Intersecting a Watercourse)
MSES - High Ecological Value Waters (Watercourse)	MSES - Wildlife Habitat	MSES - Regulated Vegetation
MSES - Protected Area	MSES - Marine Park	MSES - Legally Secured Offset Area
MSES - High Ecological Value Waters (Wetland)	MSES - High Ecological Significance Wetlands	



Transport Pedestrian Cycle

Applicable Precinct or Area  
Neighbourhood Route

- More Information
- [View Section 8.2.10 Transport Network Overlay Code](#)
  - [View Section 8.2.10 Transport Network Overlay Compliance table](#)



☒ Selected Property

☐ Property

Pedestrian and Cycle Network

- |                 |                               |                         |                     |
|-----------------|-------------------------------|-------------------------|---------------------|
| District Route  | Future Principal Route        | Iconic Recreation Route | Neighbourhood Route |
| Principal Route | Strategic Investigation Route | all others              |                     |

Transport Road Hierarchy

**Applicable Precinct or Area**  
Access Road

- More Information**
- [View Section 8.2.10 Transport Network Overlay Code](#)
  - [View Section 8.2.10 Transport Network Overlay Compliance table](#)



☒ Selected Property

☐ Property

**Road Hierarchy**

— Access Road

— Arterial Road

— Collector Road

— Industrial Road

— Major Rural Road

— Minor Rural Road

— Sub Arterial Road

— Unformed Road

— all others

☐ Major Transport Corridor Buffer Area

**Disclaimer**

This report is not a substitute for a Planning and Development Certificate and should not be relied upon where the reliance may result in loss, damage or injury. While every effort is taken to ensure the information in this report is accurate and up to date, Douglas Shire Council makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs that may occur as a result of the report being inaccurate or incomplete in any way or for any reason.

## Appendix D

# Development Assessment and State Planning Policy Maps

# State Assessment and Referral Agency

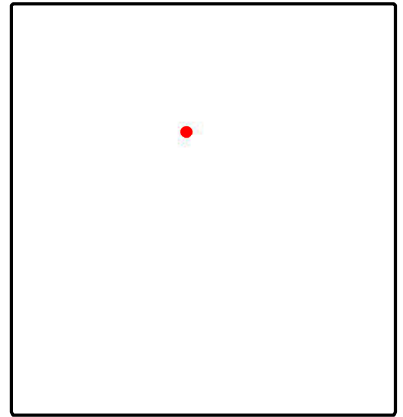
Date: 03/04/2024



Queensland Government

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Disclaimer:  
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## Matters of Interest for all selected Lot Plans

*Coastal management district*  
*Coastal area - erosion prone area*  
*Coastal area - medium storm tide inundation area*  
*Coastal area - high storm tide inundation area*  
*Major (tidal)*  
*Wetland protection area trigger area*  
*Wetland protection area wetland*  
*Regulated vegetation management map (Category A and B extract)*

## Matters of Interest by Lot Plan

**Lot Plan: 901SP274759 (Area: 23290 m<sup>2</sup>)**  
*Coastal management district*  
*Coastal area - erosion prone area*  
*Coastal area - medium storm tide inundation area*  
*Coastal area - high storm tide inundation area*  
*Major (tidal)*  
*Wetland protection area trigger area*  
*Wetland protection area wetland*  
*Regulated vegetation management map (Category A and B extract)*





## State Assessment and Referral Agency

Date: 03/04/2024





Queensland Government

© The State of Queensland 2024.

### Legend

Regulated vegetation management map  
(Category A and B extract)

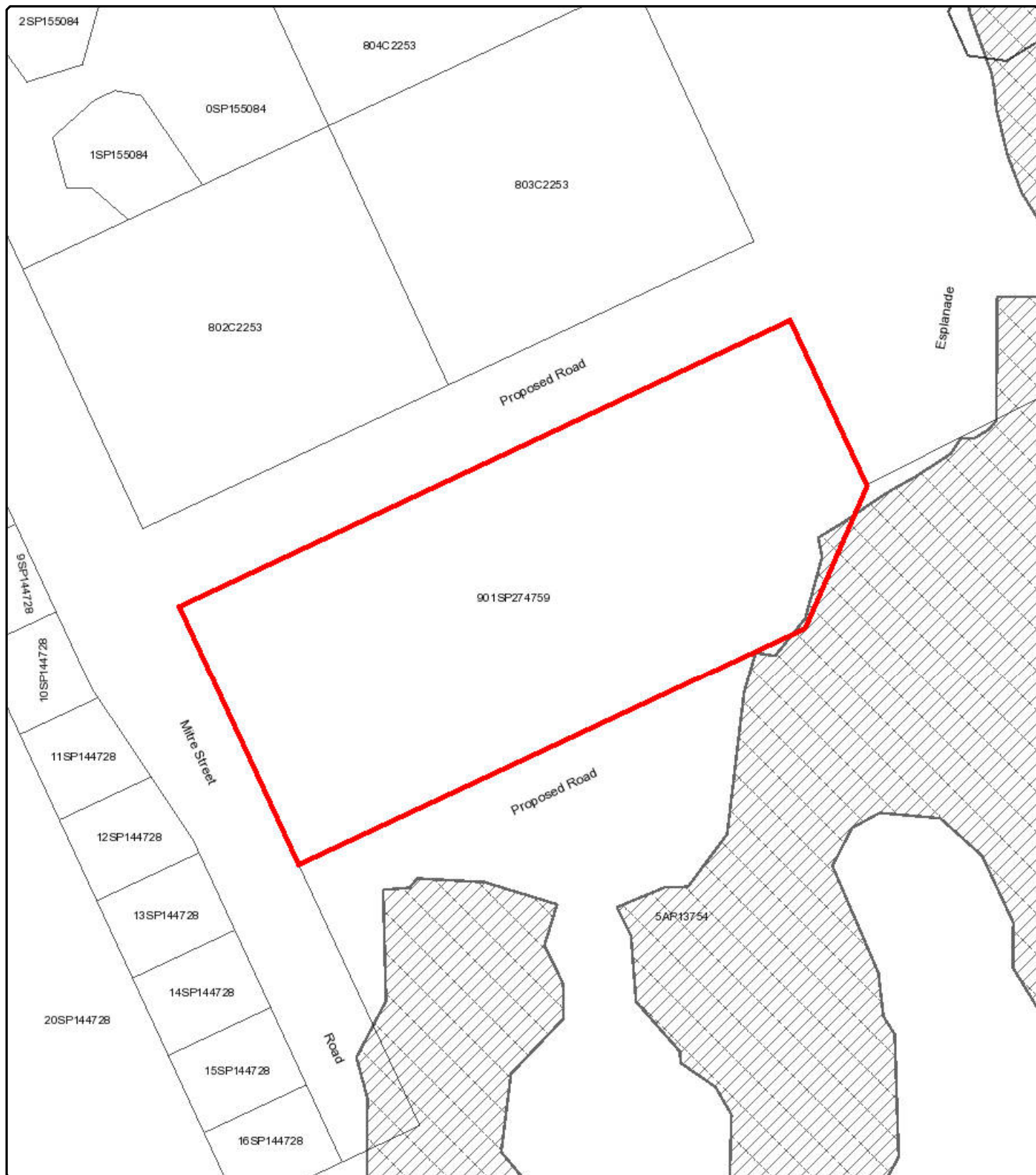
-  Category A on the regulated vegetation management map
-  Category B on the regulated vegetation management map

0 30 60 90 120  
Metres

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## State Assessment and Referral Agency

Date: 03/04/2024



Queensland Government

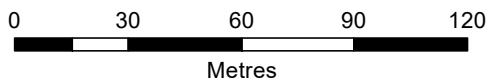
© The State of Queensland 2024.

### Legend

Major (tidal)



Major (tidal)



#### Disclaimer:

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## State Assessment and Referral Agency

Date: 03/04/2024



Queensland Government

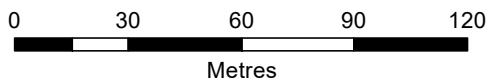
© The State of Queensland 2024.

### Legend

Coastal management district



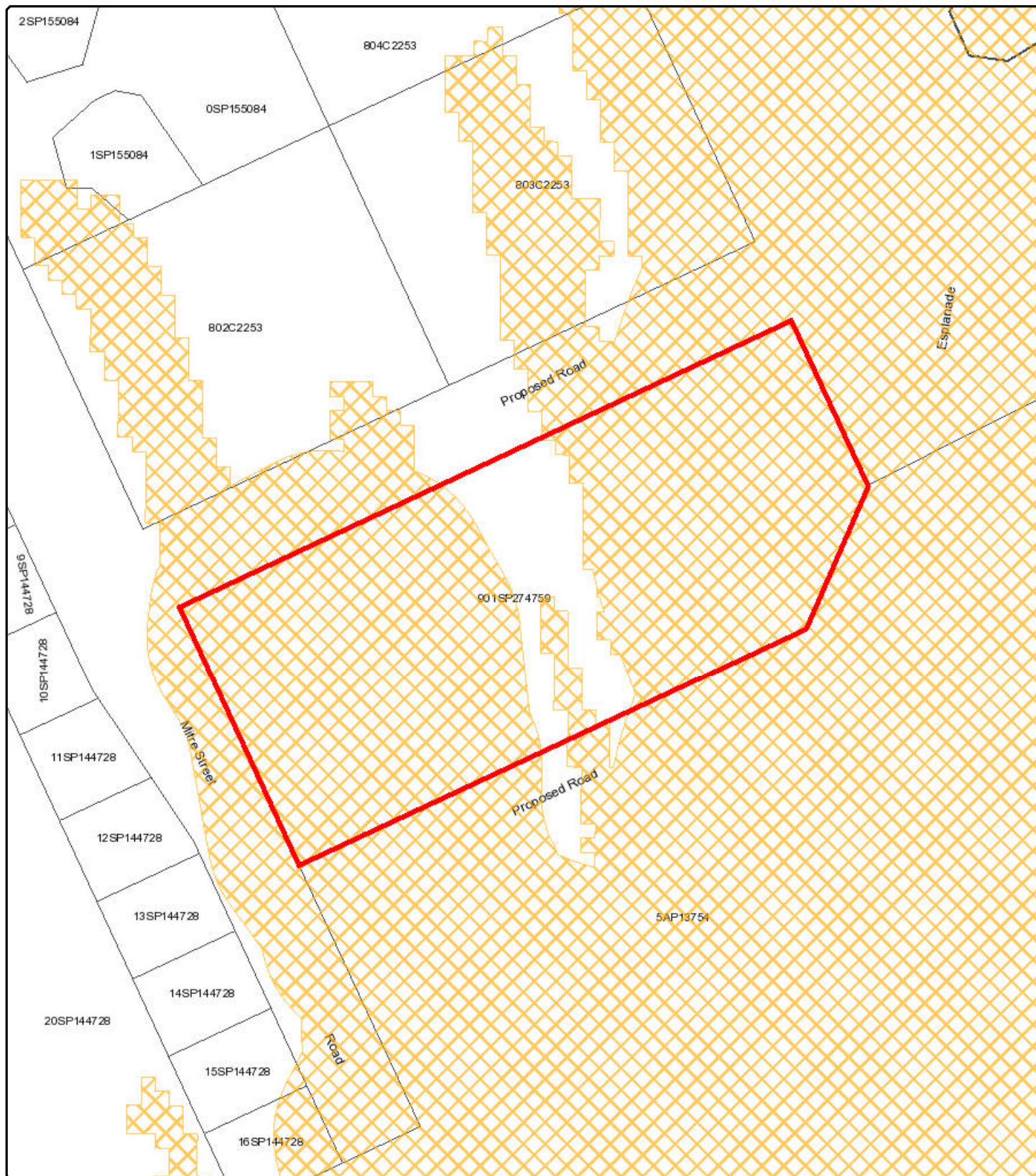
Coastal management district



#### Disclaimer:

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## State Assessment and Referral Agency

Date: 03/04/2024



Queensland Government

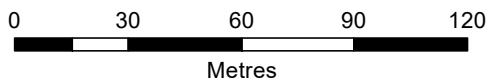
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### Legend

Coastal area - erosion prone area



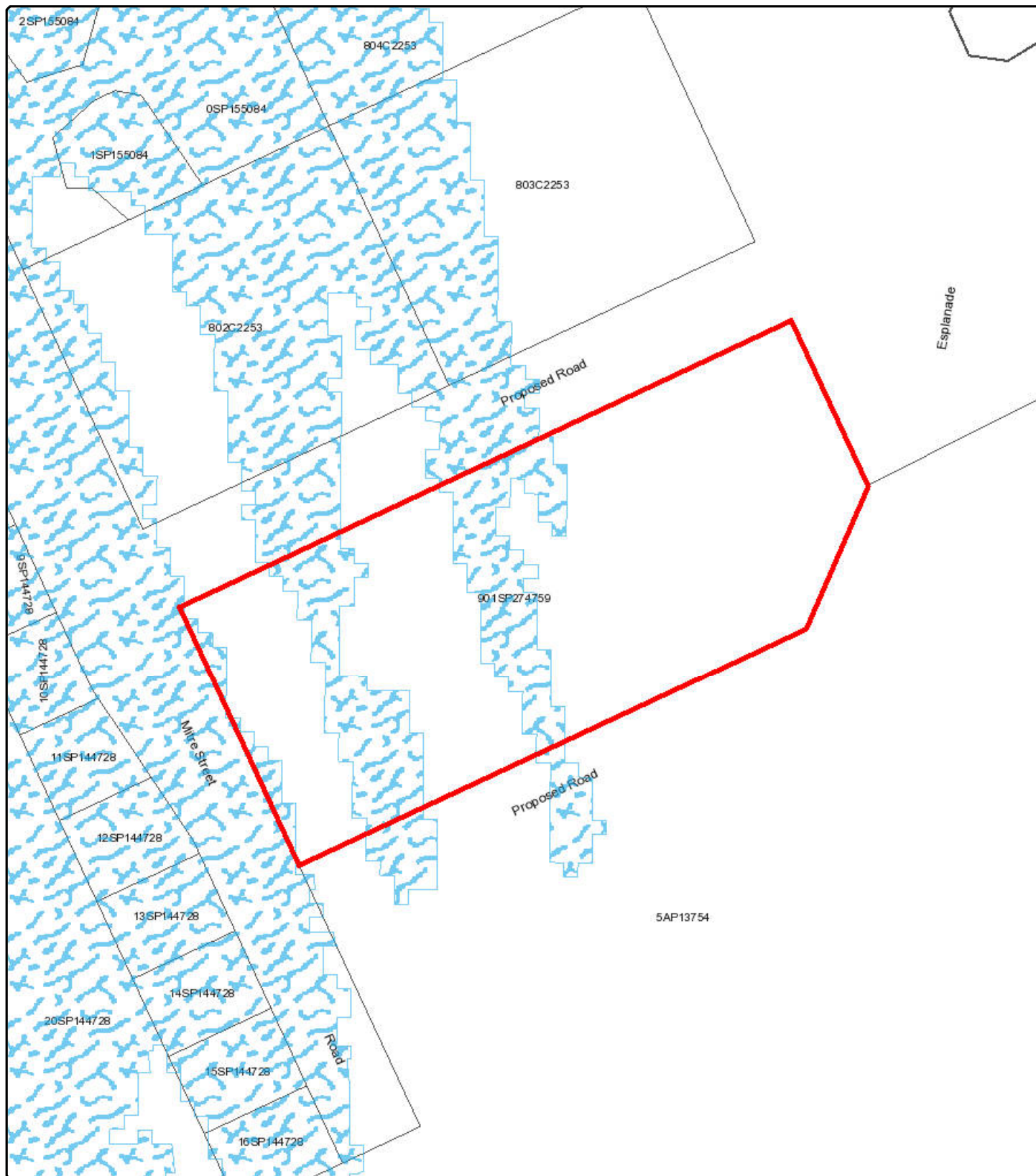
Coastal area - erosion prone area



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## State Assessment and Referral Agency

Date: 03/04/2024



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### Legend

Coastal area - medium storm tide inundation area



Coastal area - medium storm tide inundation area

0 30 60 90 120  
Metres

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## State Assessment and Referral Agency


Date: 03/04/2024



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### Legend

- Coastal area - high storm tide inundation area
-  Coastal area - high storm tide inundation area

0 30 60 90 120  
Metres

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## State Assessment and Referral Agency

Date: 03/04/2024



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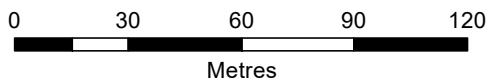
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### Legend

Wetland protection area trigger area



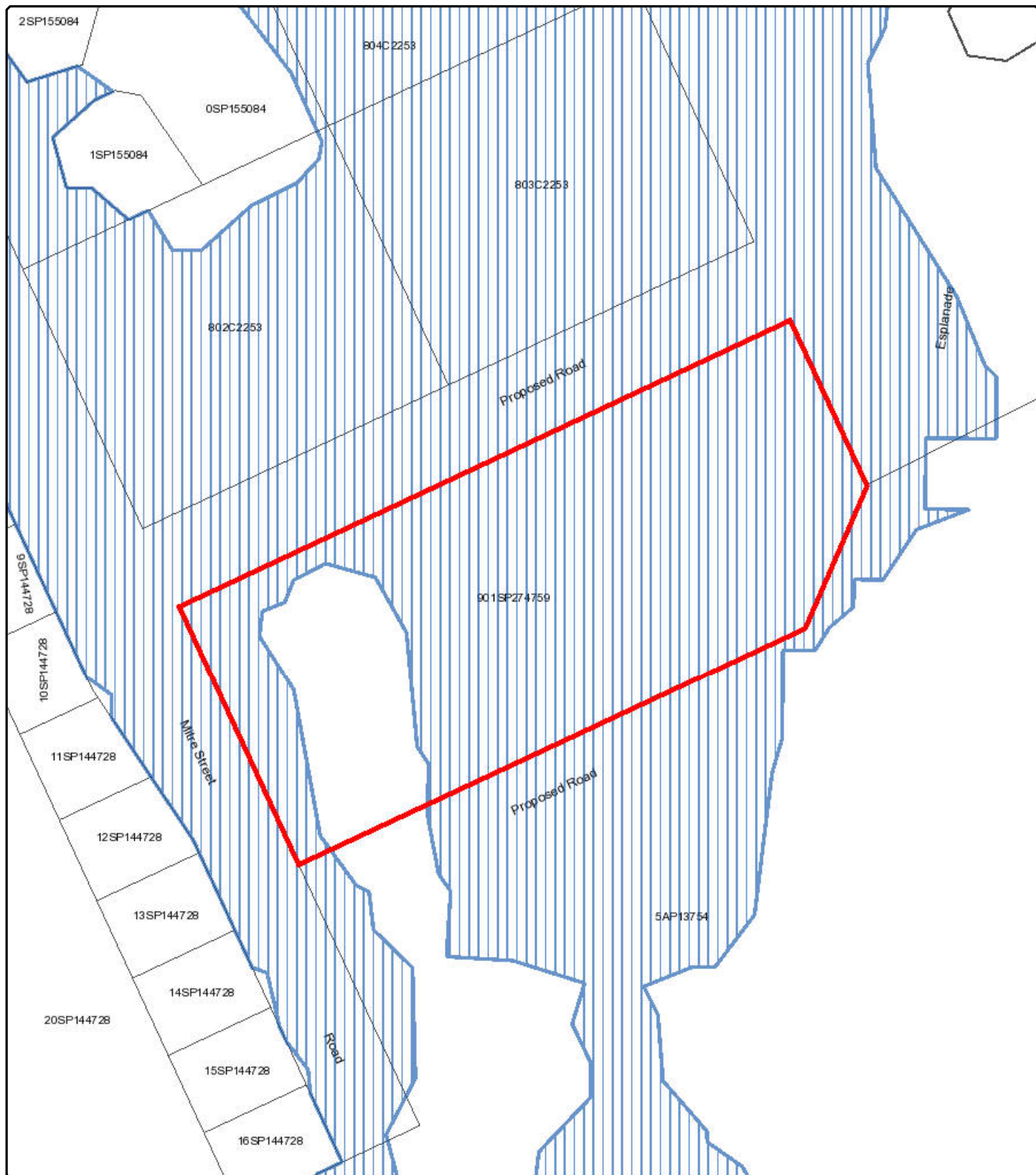
Wetland protection area trigger area



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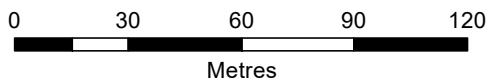
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### Legend

Wetland protection area wetland



Wetland protection area wetland



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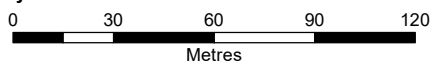


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# Legend

**Drawn Polygon Layer**

Override 1

**Cadastre**



Cadastre

**Agricultural land classification - class A and B**



Agricultural land classification - class A and B



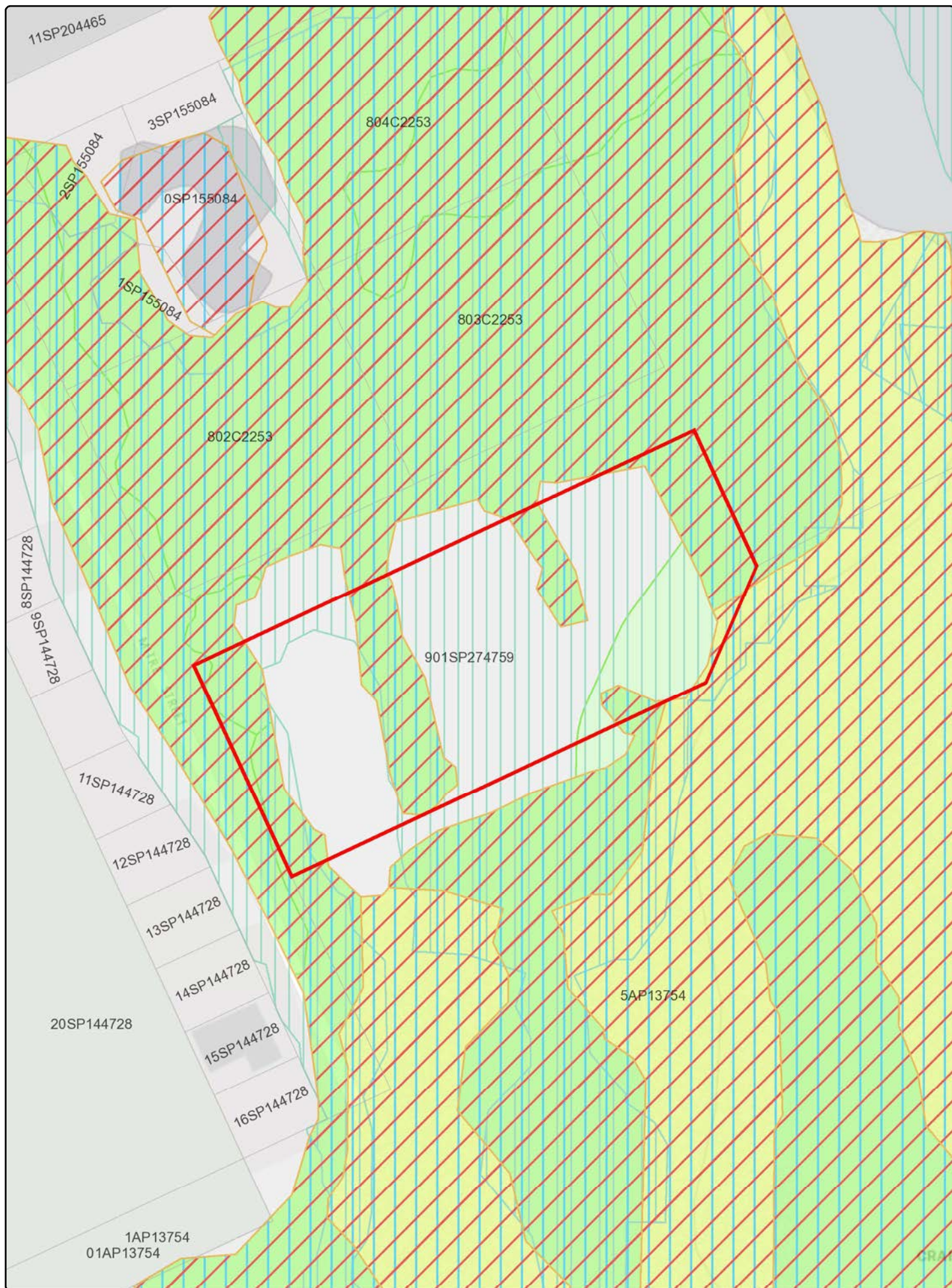
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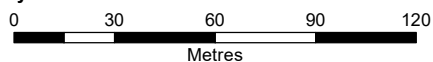
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# Legend


Drawn Polygon Layer

Override 1


Cadastre

 Cadastre


MSES - Wildlife habitat (endangered or vulnerable)

 MSES - Wildlife habitat (endangered or vulnerable)

MSES - Wildlife habitat (special least concern animal)

 MSES - Wildlife habitat (special least concern animal)


MSES - High ecological significance wetlands

 MSES - High ecological significance wetlands


MSES - Regulated vegetation (category B)

 MSES - Regulated vegetation (category B)

MSES - Regulated vegetation (category R)

 MSES - Regulated vegetation (category R)

MSES - Regulated vegetation (essential habitat)

 MSES - Regulated vegetation (essential habitat)



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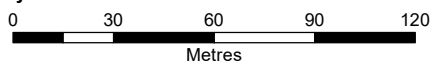
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# Legend

**Drawn Polygon Layer**

Override 1

**Cadastre**



Cadastre

**Flood hazard area - Level 1 - Queensland floodplain assessment overlay**



Flood hazard area - Level 1 - Queensland floodplain assessment overlay



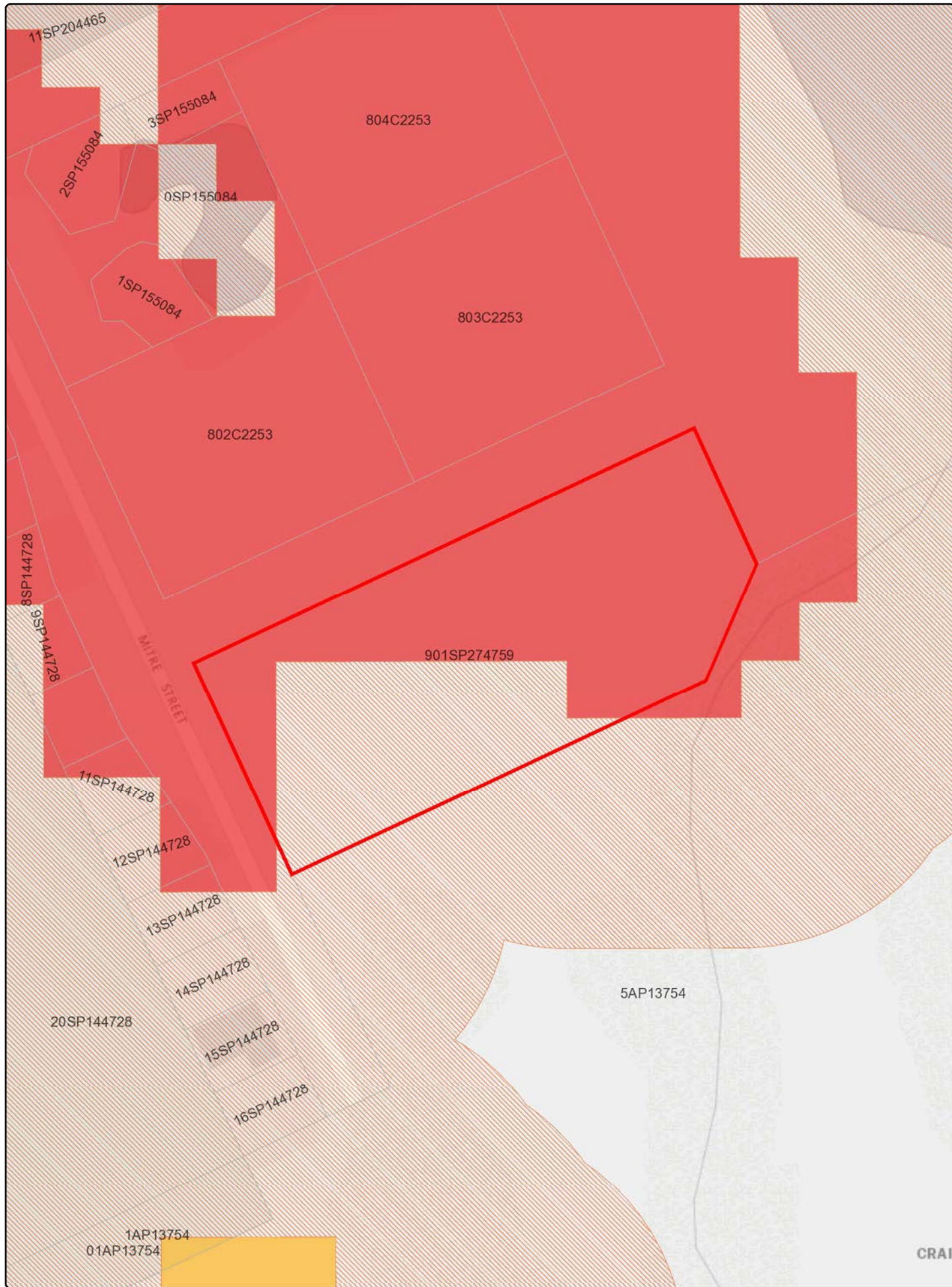
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0 30 60 90 120  
Metres

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# Legend

Drawn Polygon Layer

Override 1

Cadastre



Cadastre

Bushfire prone area



Very High Potential Bushfire Intensity



High Potential Bushfire Intensity



Medium Potential Bushfire Intensity



Potential Impact Buffer



Date: 17/04/2024

Queensland Government

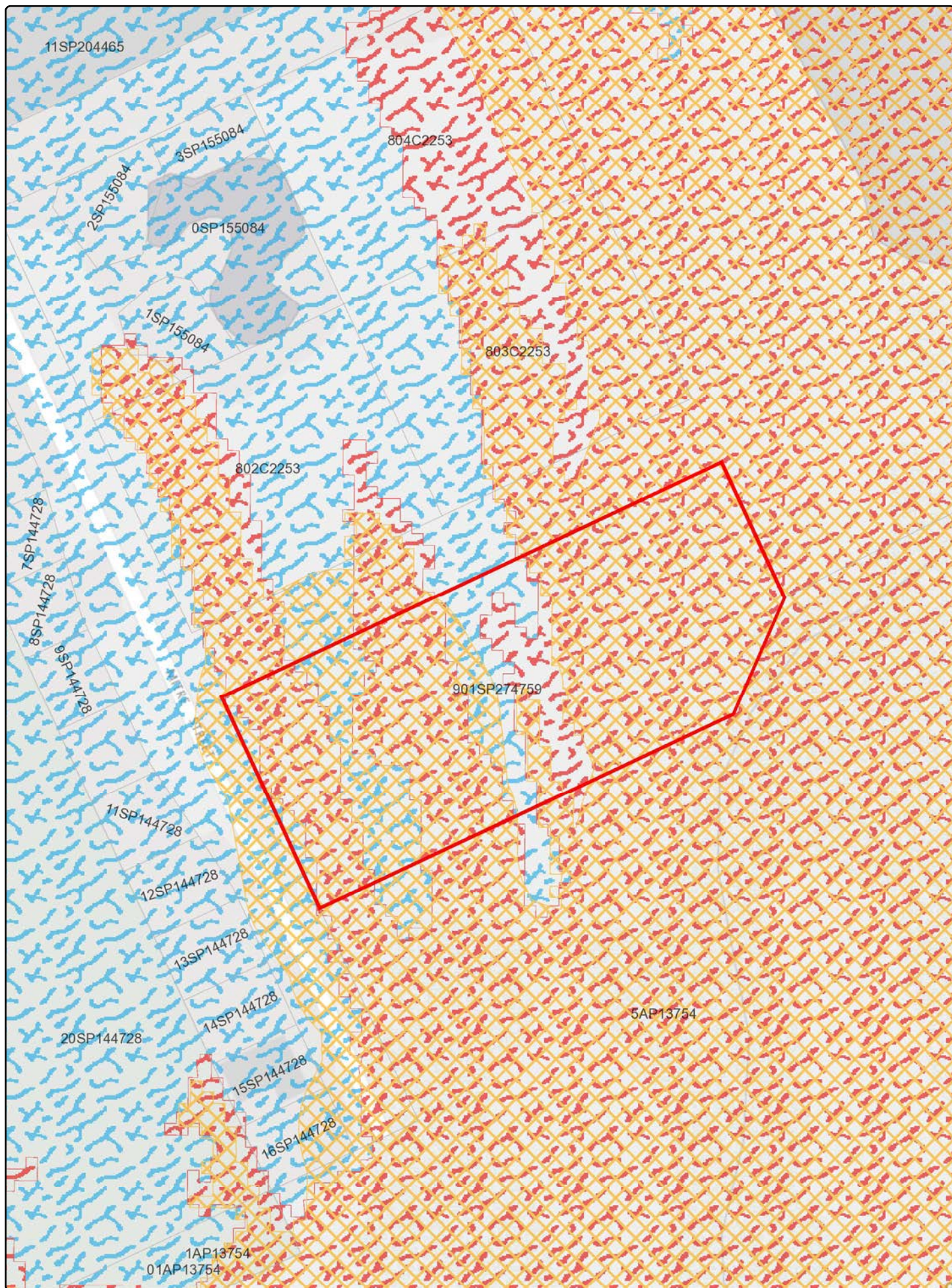
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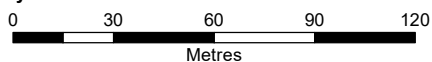
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# Legend

## Drawn Polygon Layer

Override 1

## Cadastre



Cadastre

## Erosion prone area



Erosion prone area

## High storm tide inundation area



High storm tide inundation area

## Medium storm tide inundation area



Medium storm tide inundation area



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## Appendix E

### Concept Proposal Plans





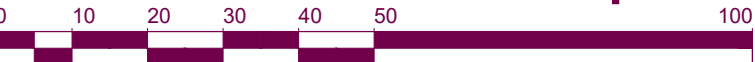
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**AERIAL IMAGERY.**  
The aerial photography used in this plan has not been rectified. The image has been overlaid as a best fit on the boundaries shown and position is approximate only. Date of Capture: Aug 2023 © State of Queensland 2023



**82-90 MITRE ST CRAIGLIE**  
**Lot 901 SP274759**  
**CONCEPT - Proposed Dwelling and Shed**



RPS AAP Consulting Pty Ltd  
ACN 117 883 173  
135 Abbott St  
PO Box 1949  
CAIRNS QLD 4870  
T +61 7 4031 1336  
F +61 7 4031 2942  
W rpsgroup.com







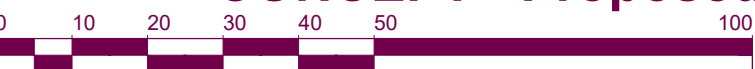
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**nearmap**  
Nearmap aerial imagery.  
Date of capture: 20 May 2023



**82-90 MITRE ST CRAIGLIE**  
**Lot 901 SP274759**  
**CONCEPT - Proposed Dwelling and Shed - With Constraints**



RPS AAP Consulting Pty Ltd  
ACN 117 883 173  
135 Abbott St  
PO Box 1949  
CAIRNS QLD 4870  
T +61 7 4031 1336  
F +61 7 4031 2942  
W rpsgroup.com

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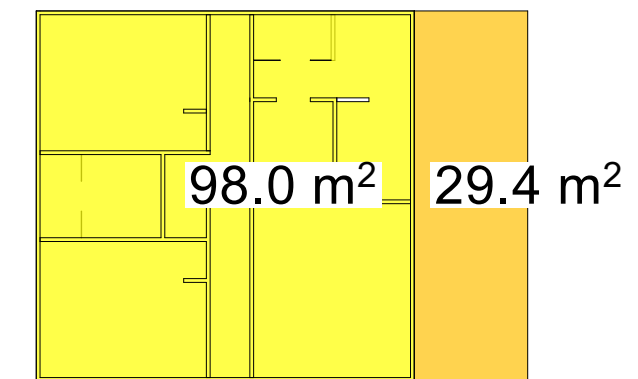
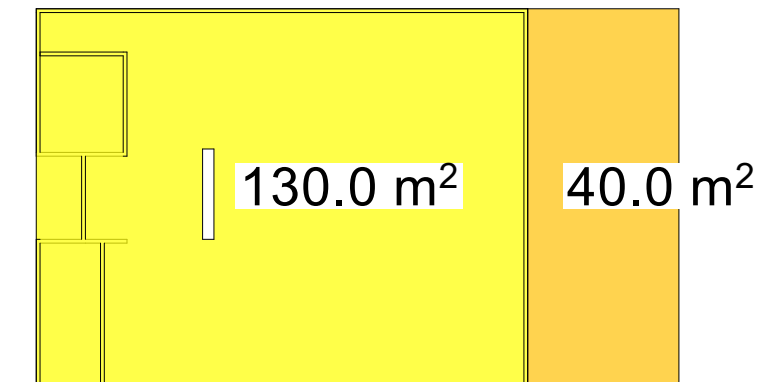
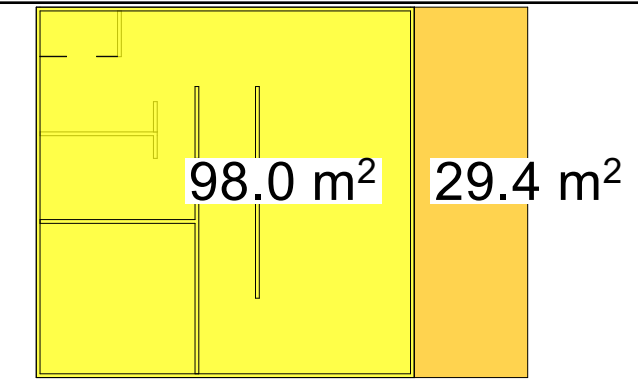
## Appendix F

### Architectural Proposal Plans

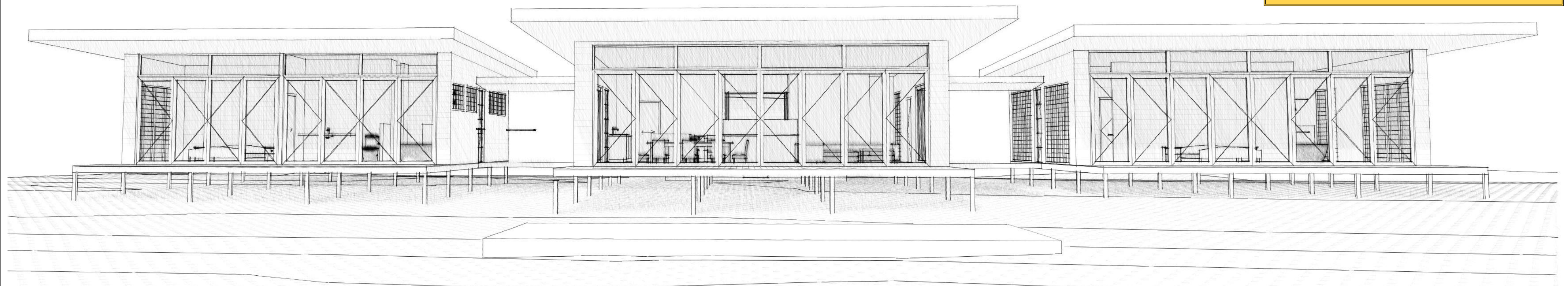
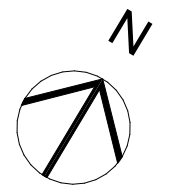




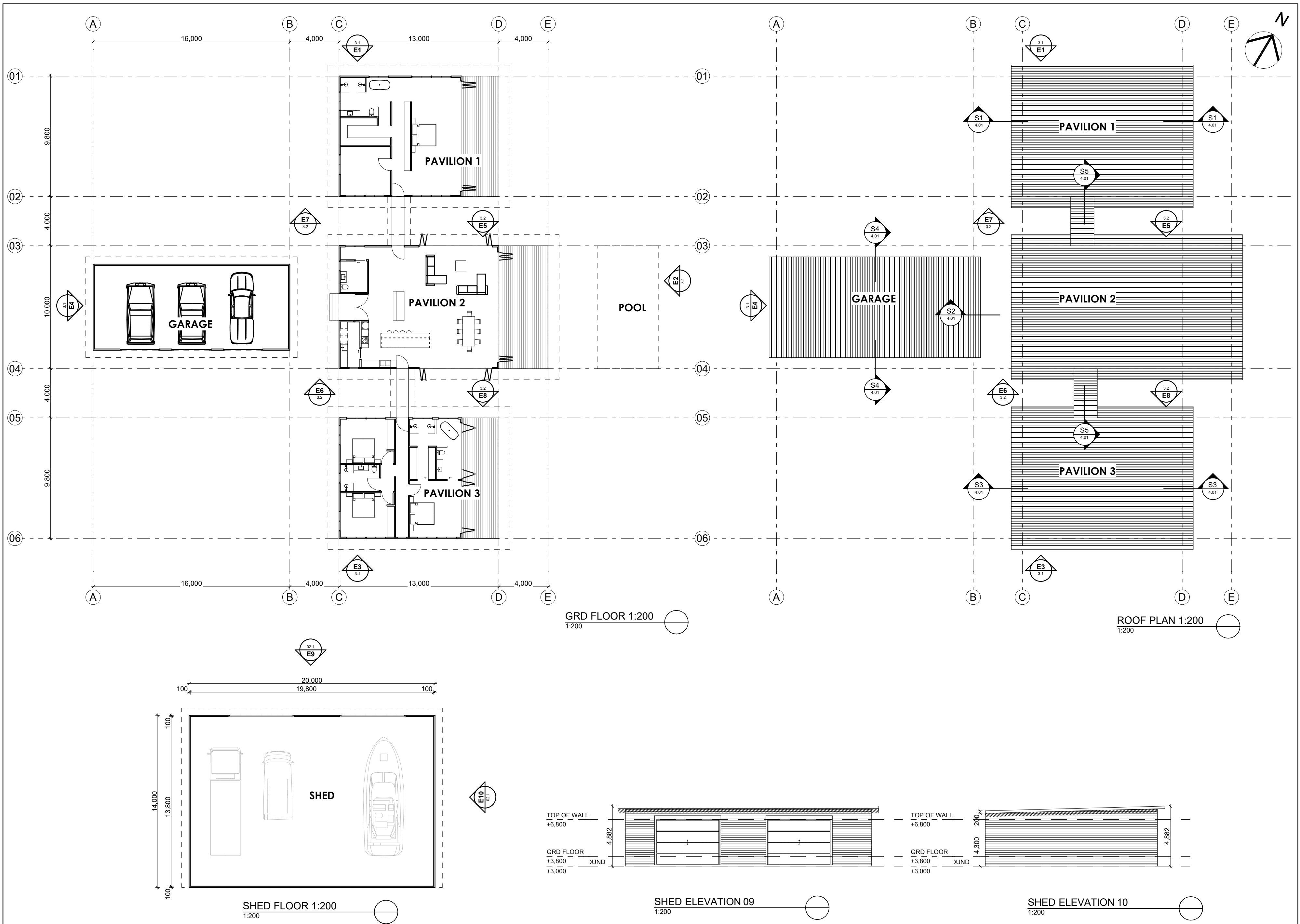
SITE PLAN  
1:1000



AREA PLANS  
1:200



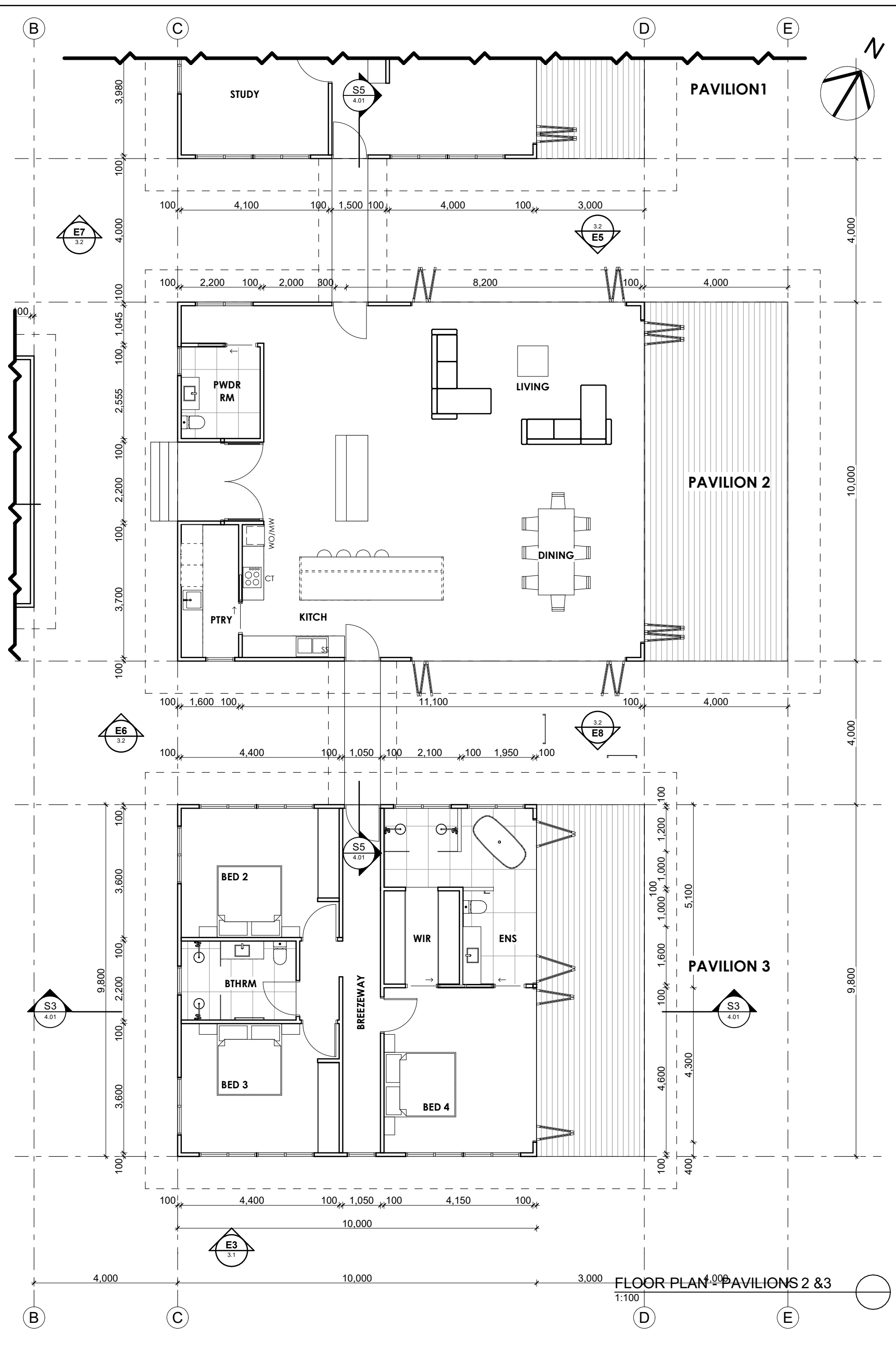
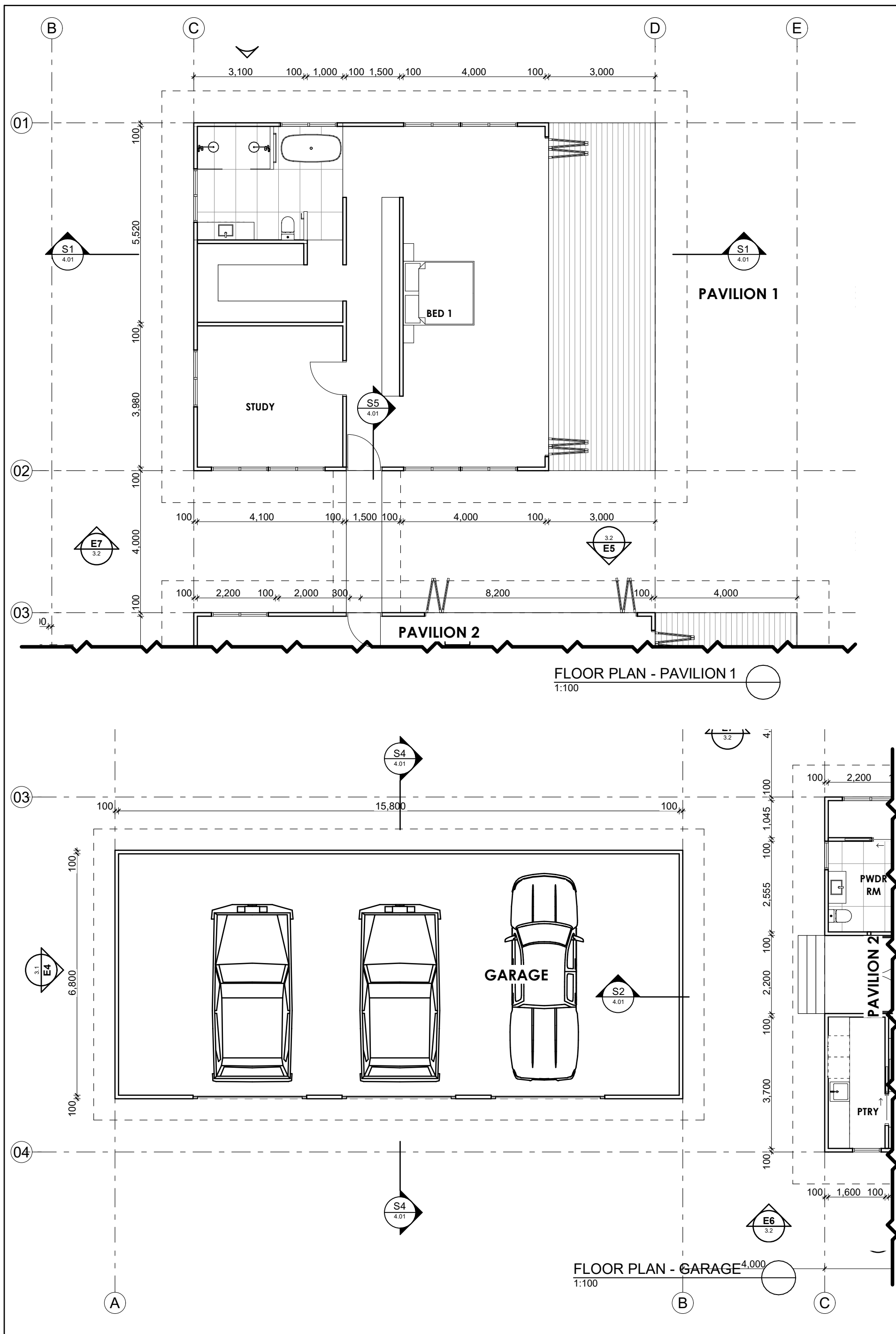




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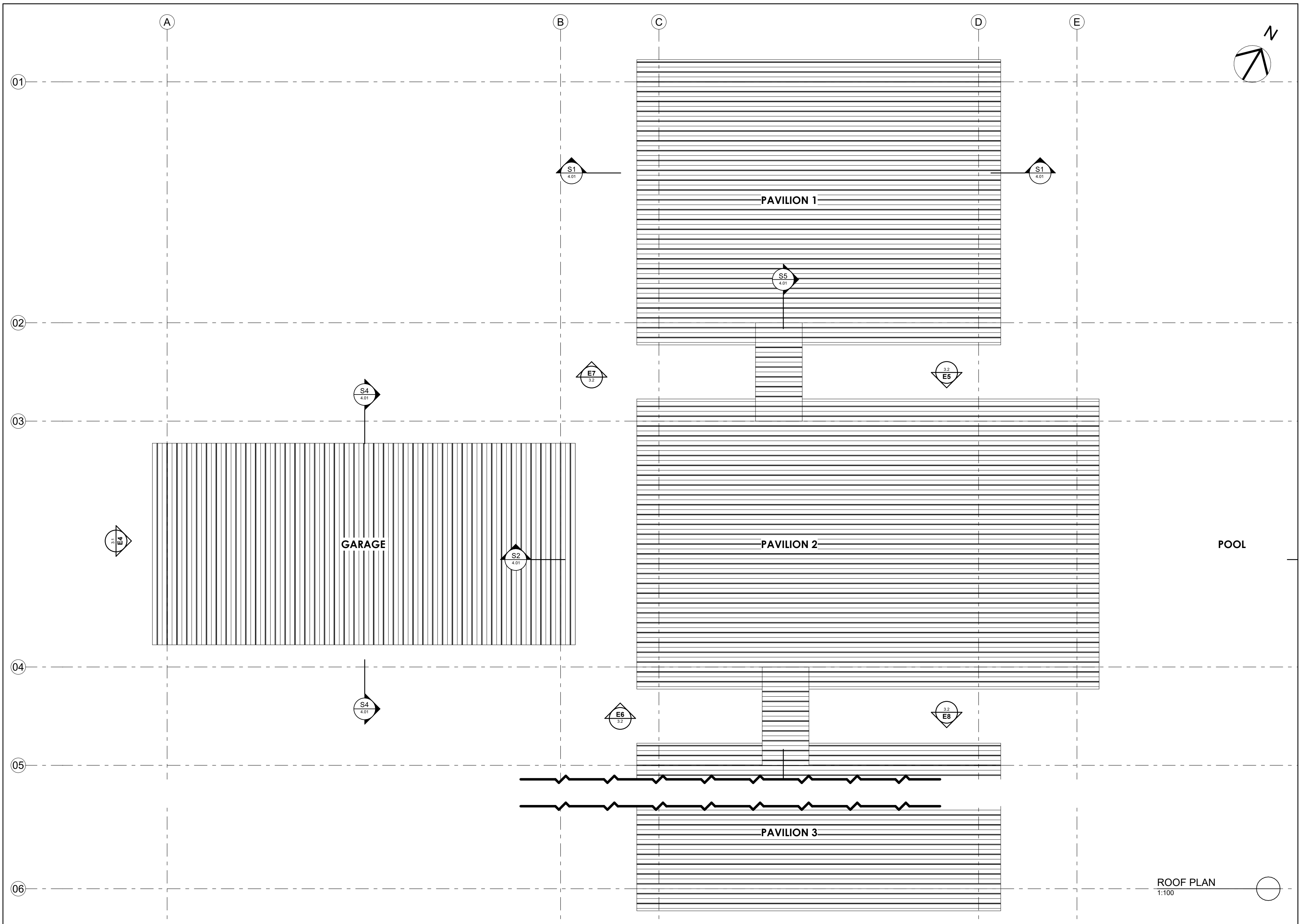
**VOS**  
danny  
Architect  
m 0415 300 748

P R O P O S E D R E S I D E N C E  
STEVE KEPPEL  
82 - 90 MITRE STREET, CRAIGLIE QLD



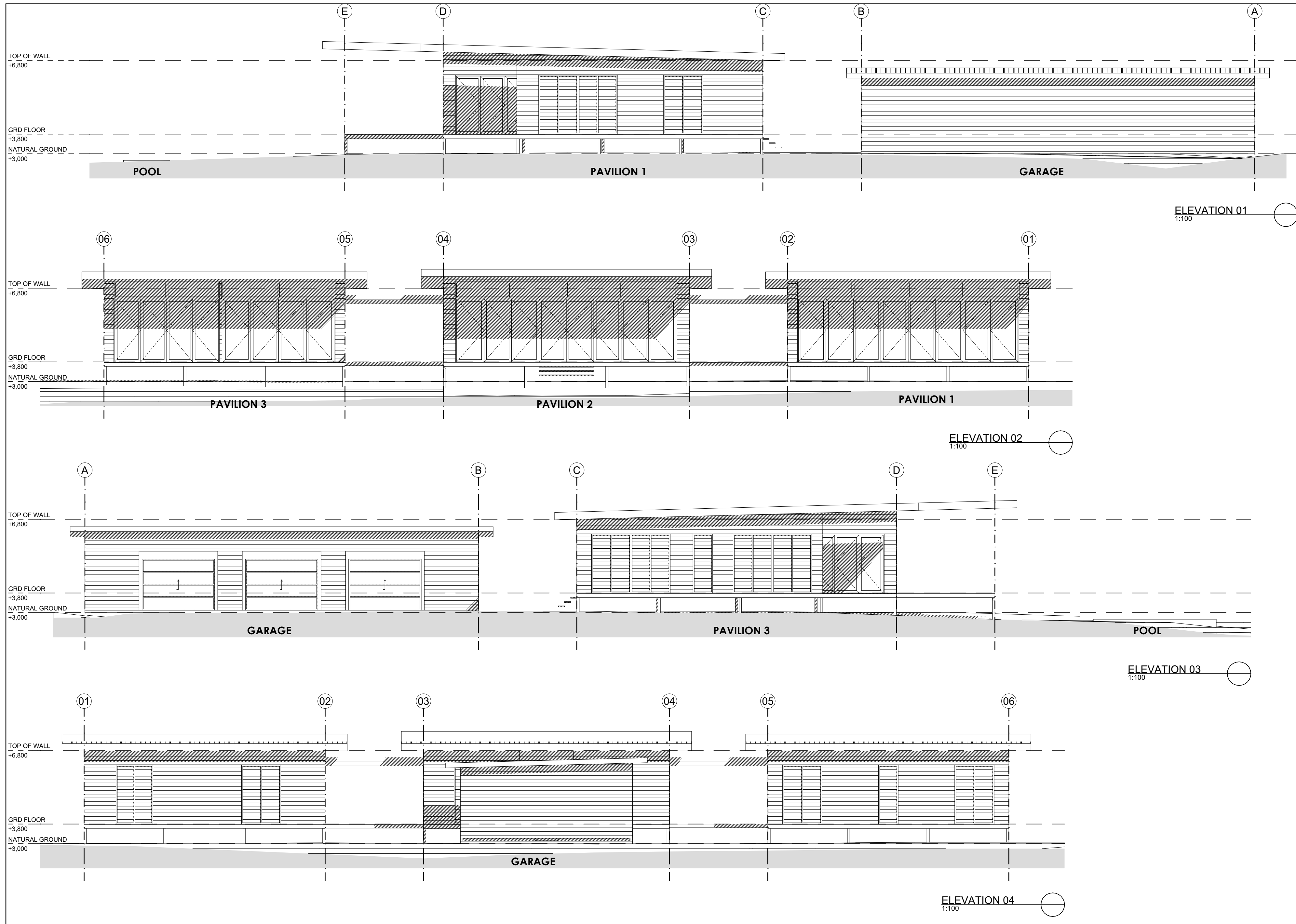
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ROOF PLAN  
1:100

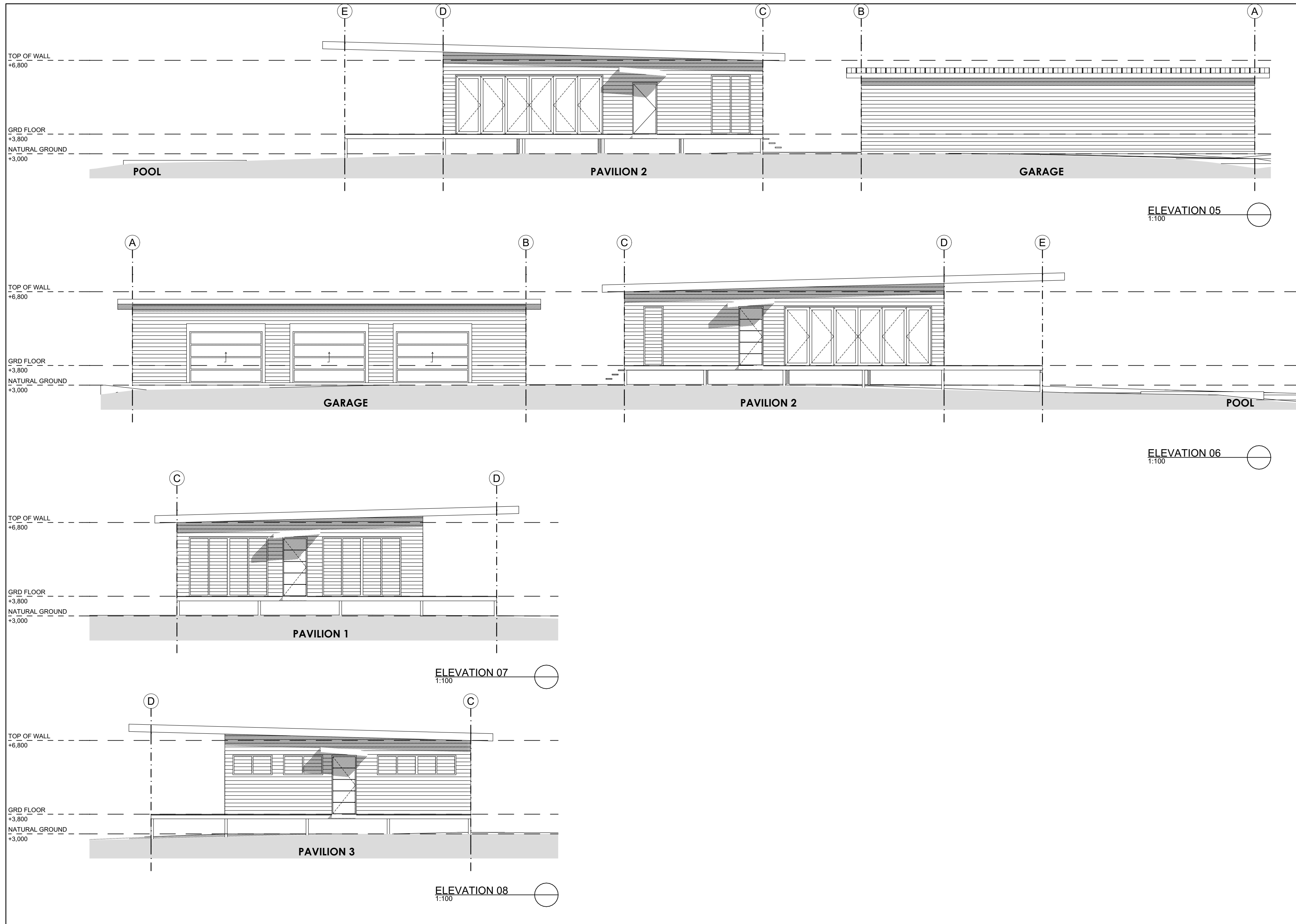
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**VOS**  
danny  
Architect  
m 0415 300 748

P R O P O S E D R E S I D E N C E  
STEVE KEPPEL  
82 - 90 MITRE STREET, CRAIGLIE QLD



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**VOS**  
danny  
Architect  
m 0415 300 748

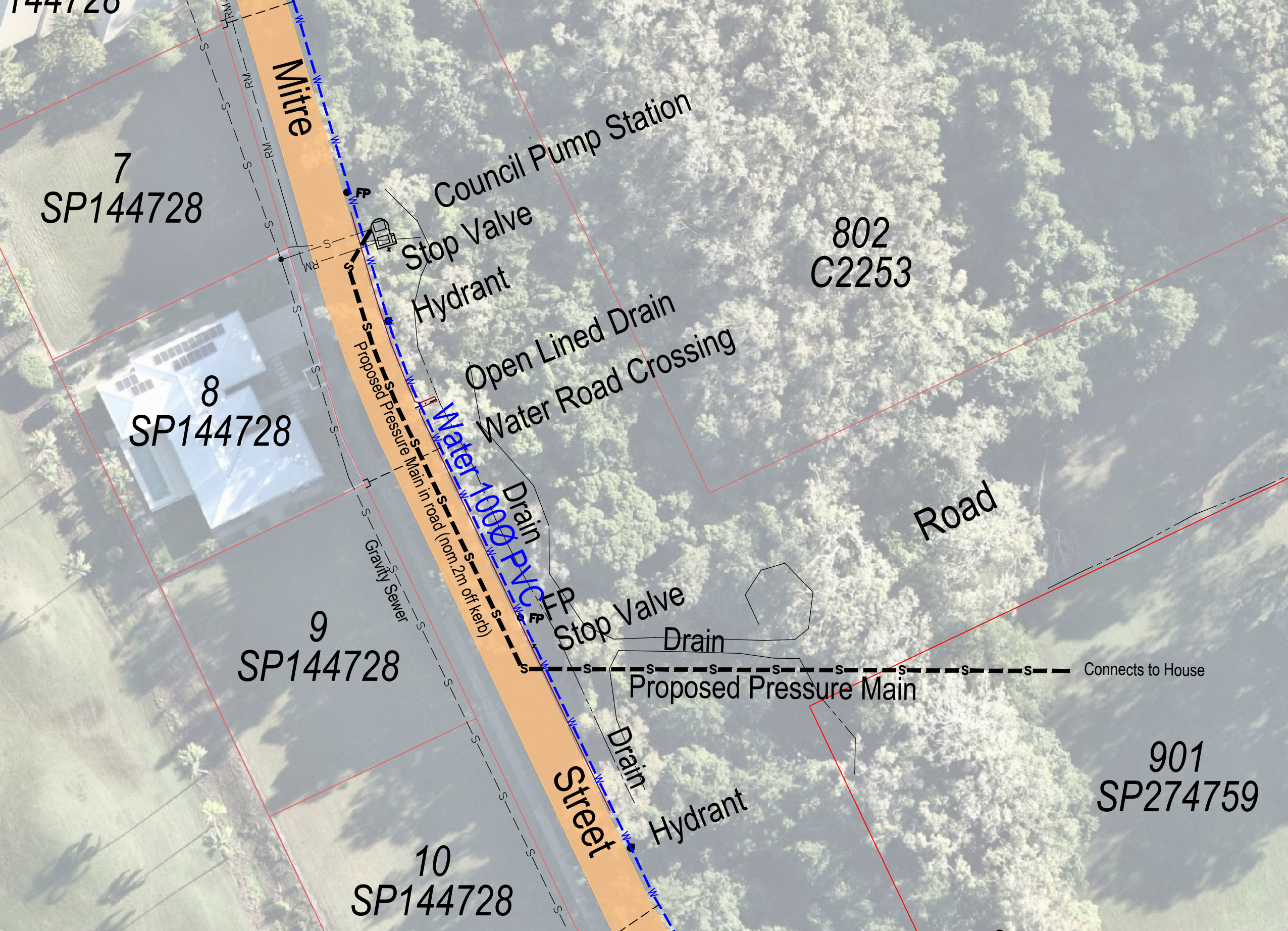
P R O P O S E D R E S I D E N C E  
STEVE KEPPEL  
82 - 90 MITRE STREET, CRAIGLIE QLD



## Appendix G

### Proposed Sewer Plan





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**nearmap**  
Nearmap aerial imagery.  
Date of capture: 20 May 2023

**IMPORTANT NOTE**

1. This sewer design is conceptual and subject to further detailed design.

2. A sewer pressure main is proposed to run from the proposed new house on lot 901 SP274759. to Council's sewer Pump Station opposite Lot 8 SP144728.

3. The sewer main is located along the edge of an existing drain located in the road on the NW corner of Lot 901 to minimise vegetation clearing.

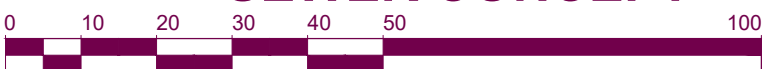
4. An existing watermain is located on the eastern verge of Mitre Street along with, hydrants, stop valves and flushing points.

5. The proposed pressure main is to be located within the road pavement approximately 2m from kerb (subject to design) to acheive the minimum clearance of 1m from watermain.

6. Final Locations to be determined in further design and confirmed on site.



**82-90 MITRE ST CRAIGLIE**  
**Lot 901 SP274759**  
**SEWER CONCEPT**



**PRELIMINARY - FOR DISCUSSION PURPOSES ONLY**

RPS AAP Consulting Pty Ltd  
ACN 117 883 173  
135 Abbott St  
PO Box 1949  
CAIRNS QLD 4870  
T +61 7 4031 1336  
F +61 7 4031 2942  
W rpsgroup.com

**rps**  
A TETRA TECH COMPANY

Datum: MGA2020 Z55 | Scale: 1:10000 @ A3 | Date: 01-05-2024 | Drawing: AU015419-4



## Appendix H

# Douglas Shire Storm tide Inundation Property Report



## Storm Tide Inundation Property Report

The following report has been automatically generated to provide a general indication of development related information applying to the nominated land parcel.

For more information refer to the [JB Pacific Storm Tide Inundation Methodology Study](#). This report is not intended to replace the need for carrying out a detailed assessment of Council and State controls or the need to seek your own professional advice on any town planning instrument, local law or other controls that may impact on the existing or intended use of the premise mentioned in this report. For further information please contact Council by phone: [07 4099 9444](tel:0740999444) or [1800 026 318](tel:1800026318) or email [enquiries@douglas.qld.gov.au](mailto:enquiries@douglas.qld.gov.au).

A separate [Council Planning Scheme Property Report](#) tool is available for information relating to Council's 2018 Planning Scheme.

Visit Council's website to apply for an [official property search or certificate](#), or contact the [Department of Natural Resources, Mines and Energy](#) to undertake a title search to ascertain how easements may affect land.

### JB Pacific Storm Tide Inundation Methodology Study

The purpose of the Douglas Shire Storm Tide Inundation Methodologies Study was to review and analyse different methodologies, identify a best practise model for the Shire's coastal urban areas, run this preferred best practise model and calculate the minimum heights for the 1% AEP (Annual Exceedance Probability) storm tide inundation for the year 2100 having regard to a 0.8m sea level rise for urban coastal properties.

Excerpt from the JB Pacific Storm Tide Inundation Methodology Report -

#### Storm Tide Inundation

*The Douglas Shire coastline experiences a range of hydrodynamic, waves, and morphologic processes that are linked through dependant and independent variables. This includes the underlying astronomical tide, the passage of local storms and cyclones, the interaction of storm surges along the open coastline, the local wave climate, any sheltering provided by nearshore reefs, and the role of nearshore and dune vegetation. A range of these coastal processes are shown in Figure 2-1.*

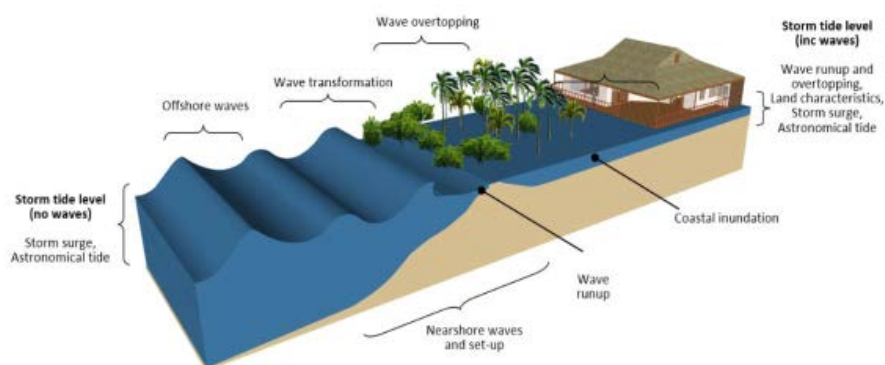


Figure 2-1: Drivers of coastal risk

Importantly storm tide inundation can be from the overtopping at the foreshore as well as wave runup through estuaries and inundate from "behind" a locality. Check out the animation of this activity through the local estuaries in the animation on Council's website.

#### Future Year 2100 Projected Levels

On 2 July 2017 the Planning Act 2016 came into effect as part of the Queensland Government's commitment to delivering planning reform across the State and the State Planning Policies reinstating the need to consider the 1% AEP (Average Exceedance Probability) Storm Tide Inundation level for the year 2100 with a 0.8m sea level rise. The 1% AEP is referred to as the one in one hundred year event. The 1%AEP is the minimum we need to consider and plan for.

#### Freeboard

There are numerous variants that can affect the modelled levels. To account for the differences in these variants a "freeboard" is applied. For the JB Pacific Storm Tide Inundation Methodology Study these differences have been considered within a nominal 0.5m freeboard level. Minimum levels for habitable rooms need to consider the Finished Floor Level (FFL) being the 1%AEP level plus the 0.5m freeboard. This value is a measurement at AHD (Australian Height Datum).

#### AHD Levels

A Licensed Surveyor should be engaged to determine the accurate AHD for a property. Contours and levels identified through Queensland Globe are estimated from LIDAR calculations and may not be 100% accurate.

Property Information

Property Address [82-90 Mitre Street CRAIGLIE](#)



Lot Plan (- m<sup>2</sup>)



☒ Selected Property

☐ Easements


☐ Property

Storm Tide Inundation Property Information

The information below provides details of the projected Future Year 2100 Storm Tide Inundation Level that considers a Sea Level Rise of 0.8m AHD



 Selected Property

 Affected by the 1 % AEP Event for the year 2100



JPacific summary Information



 Selected Property

StormTide Levels Overview

 3 to 4

 2 to 3

 1 to 2

 0.1 to 1

 0 to 0

Storm Tide Range Detailed



 Selected Property

StormTide Levels Detailed

 Below 0.33000    2.16968    2.32640    2.47331    2.76642    2.91969    3.18777 and above

The Level for Construction – for Storm Tide Inundation Considerations

The lot is affected by storm tide inundation for the Year 2100, 1 in 100 (1% AEP) event. The 1% AEP for the year 2100 (including a Sea Level Rise of 0.8m) is at **3.048** (without freeboard).The Freeboard for the Study is 0.5m and is applied to determine Finished Floor Level for habitable rooms.

Finished Floor Level

**The total required Finished Floor Level for habitable rooms is 3.548 m AHD**

Note - Finished floor level is usually 225mm above the pad level.

Disclaimer

The maps show the estimated areas of inundation for the 1% AEP projected for the year 2100 having regard to a sea level rise of 0.8m. The report nominates required minimum habitable room minimum finished floor level. This minimum level is determined from the best data to date held by Council. This storm tide inundation flood level, for a particular property, may change if more detailed information becomes available or changes are made in the method of calculating flood levels. Storm tide Inundation analysis is based on comprehensive computer modelling calibrated against actual storm tides. The website provides locations, street names, aerial photography and available storm tide inundation data for the Shire areas that were included in the JB Pacific Storm Tide Inundation Methodologies Study. This property reporting tool is not a substitute for a detailed Coastal Engineering analysis of a property and should not be relied upon where the reliance may result in loss, damage or injury. While every effort is taken to ensure the information in this report is accurate and up to date, Douglas Shire Council makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs that may occur as a result of the report being inaccurate or incomplete in any way or for any reason.



## Appendix I

### Council Code Responses

## 6.2.4 Environmental management zone code

### 6.2.4.1 Application

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

### 6.2.4.2 Purpose

- (1) The purpose of the Environmental management zone code is to recognise environmentally sensitive areas and provide for houses on lots and other low impact activities where suitable.

These areas are protected from intrusion of any urban, suburban, centre or industrial land use.

- (2) The local government purpose of the code is to:
  - (a) implement the policy direction set in the Strategic Framework, in particular:
    - (i) Theme 2 : Environment and landscape values, Element 3.5.3 – Biodiversity, Element 3.5.5 – Scenic amenity.
  - (b) protect and buffer areas of environmental significance from inappropriate development.
- (3) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Development is generally restricted to a dwelling house;
  - (b) Adverse impacts on natural systems, both on-site and on adjoining land are minimised through the location, design and management of development;
  - (c) Development reflects and responds to the natural features and environmental values of the area;
  - (d) Visual impacts are minimised through the location and design of development;
  - (e) Development does not adversely affect water quality;
  - (f) Development responds to land constraints, including but not limited to topography, vegetation, bushfire, landslide and flooding.

### Criteria for assessment

Table 6.2.4.3.a – Environmental management zone – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		





Performance outcomes	Acceptable outcomes	Applicant response
<b>PO1</b> The height of all buildings and structures is in keeping with the natural characteristics of the site. Buildings and structures are low-rise and not unduly visible from external sites.	<b>AO1.1</b> Buildings and structures are not more than 8.5 metres and two storeys in height. Note – Height is inclusive of the roof height.	<b>Complies</b> – all buildings on site would be single storey and less than 8.5 metres in height.
	<b>AO1.2</b> Buildings have a roof height not less than 2 metres.	<b>Complies</b> – the roof form would be less than 2 metres in height.
<b>PO2</b> Buildings and structures are set back to: (a) maintain the natural character of the area; (b) achieve separation from neighbouring buildings and from road frontages.	<b>AO2</b> Buildings and structures are set back not less than: (a) 40 metres from the frontage of a state controlled road; (b) 25 metres from the frontage to Cape Tribulation Road; (c) 6 metres from any other road; (d) 6 metres from the side and rear boundaries of the site.	<b>Complies</b> – all buildings on site meet the acceptable setbacks.
<b>For assessable development</b>		
<b>PO3</b> Development is consistent with the purpose of the Environmental management zone and protects the zone from the intrusion of inconsistent uses.	<b>AO3</b> Inconsistent uses as identified in Table 6.2.4.3.b are not established in the Environmental management zone.	<b>Complies</b> – the primary use of the site would be for a dwelling house, which is a use that is consistent with the purpose of the zone.

Performance outcomes	Acceptable outcomes	Applicant response
<b>PO4</b> The site coverage of all buildings and structures and associated services do not have an adverse effect on the environmental or scenic values of the site.	<b>PO4</b> No acceptable outcomes are prescribed.	<b>Complies</b> – the buildings and structures proposed would not impact the environmental or scenic values of the site. No vegetation removal is required for the proposed dwelling and shed and they would be located in an area of the site that is not visible from either Mitre Street or Four Mile Beach.
<b>PO5</b> Development is located, designed, operated and managed to respond to the characteristics, features and constraints of the site and its surrounds.  Note - Planning scheme policy – Site assessments provides guidance on identifying the characteristics, features and constraints of a site and its surrounds.	<b>AO5.1</b> Buildings, structures and associated access, infrastructure and private open space are sited: <ul style="list-style-type: none"> <li>(a) within areas of the site which are already cleared; or</li> <li>(b) within areas of the site which are environmentally degraded;</li> <li>(c) to minimise additional vegetation clearing.</li> </ul>	<b>Complies</b> – the proposed dwellings and shed are located in existing cleared areas.
	<b>AO5.2</b> Buildings and structures and associated infrastructure are not located on slopes greater than 1 in 6 (16.6%) or on a ridgeline.	<b>Complies</b> – the area of the site to be developed is relatively flat (approx. 1%).
<b>PO6</b> Buildings and structures are responsive to steep slope through innovative construction techniques so as to:	<b>AO6.1</b> Where development on land steeper than 1 in 6 (16.6%) cannot be avoided, development follows the natural contours of the land and single plane concrete slab on-ground methods of construction are not utilised.	<b>N/A</b> – development is located on relatively flat areas of the site (approx. 1%).



Performance outcomes	Acceptable outcomes	Applicant response
<p>(a) maintain the geotechnical stability of slopes;</p> <p>(b) minimise cut and/or fill;</p> <p>(c) minimise the overall height of development.</p>	<p><b>AO6.2</b></p> <p>Access and vehicle manoeuvring and parking areas are constructed and maintained to:</p> <p>(a) minimise erosion;</p> <p>(b) minimise cut and fill;</p> <p>(c) follow the natural contours of the site.</p>	<p><b>Complies</b> – the development would use part of the existing driveway that follows the contours of the site. The new part of the driveway would be constructed on relatively flat land.</p>
<p><b>PO7</b></p> <p>The exterior finishes of buildings and structures are consistent with the surrounding natural environment.</p>	<p><b>PO7</b></p> <p>The exterior finishes and colours of buildings and structures are non-reflective and are moderately dark to darker shades of grey, green, blue and brown or the development is not visible external to the site.</p>	<p><b>Complies</b> – the development would use muted natural tones on building materials.</p>
<p><b>PO8</b></p> <p>Development does not adversely affect the amenity of the zone and adjoining land uses in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.</p>	<p><b>AO8</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Complies</b> – the proposed development has been designed to minimise impacts on adjoining land, refer to reports contained within the report.</p>
<p><b>PO9</b></p> <p>The density of development ensures that the environmental and scenic amenity values of the site and surrounding area are not adversely affected.</p>	<p><b>AO9</b></p> <p>The maximum residential density is one dwelling house per lot.</p>	<p><b>Complies</b> – one dwelling house is proposed.</p>
<p><b>PO10</b></p> <p>Lot reconfiguration results in no additional lots.</p>	<p><b>AO10</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>N/A</b> – No lot reconfiguration is proposed.</p>



Performance outcomes	Acceptable outcomes	Applicant response
Note - Boundary realignments to resolve encroachments and lot amalgamation are considered appropriate.		

Table 6.2.4.3.b – Inconsistent uses within the Environmental management zone

Inconsistent uses		
<ul style="list-style-type: none"> <li>• Adult store</li> <li>• Agricultural supplies store</li> <li>• Air services</li> <li>• Aquaculture</li> <li>• Bar</li> <li>• Brothel</li> <li>• Bulk landscape supplies</li> <li>• Car wash</li> <li>• Caretaker's accommodation</li> <li>• Cemetery</li> <li>• Child care centre</li> <li>• Club</li> <li>• Community care centre</li> <li>• Community residence</li> <li>• Community use</li> <li>• Crematorium</li> <li>• Cropping</li> </ul>	<ul style="list-style-type: none"> <li>• Hardware and trade supplies</li> <li>• Health care services</li> <li>• High impact industry</li> <li>• Hospital</li> <li>• Hotel</li> <li>• Indoor sport and entertainment</li> <li>• Intensive animal industry</li> <li>• Intensive horticulture</li> <li>• Landing</li> <li>• Low impact industry</li> <li>• Major electricity infrastructure</li> <li>• Major sport, recreation and entertainment facility</li> <li>• Marine industry</li> <li>• Market</li> <li>• Motor sport facility</li> <li>• Multiple dwelling</li> <li>• Nightclub entertainment facility</li> </ul>	<ul style="list-style-type: none"> <li>• Renewable energy facility</li> <li>• Relocatable home park</li> <li>• Research and technology industry</li> <li>• Residential care facility</li> <li>• Resort complex</li> <li>• Retirement facility</li> <li>• Rooming accommodation</li> <li>• Rural industry</li> <li>• Rural workers accommodation</li> <li>• Sales office</li> <li>• Service Station</li> <li>• Shop</li> <li>• Shopping centre</li> <li>• Short-term accommodation</li> <li>• Showroom</li> <li>• Special industry</li> <li>• Substation</li> </ul>

<ul style="list-style-type: none"><li>• Detention facility</li><li>• Dual occupancy</li><li>• Dwelling unit</li><li>• Educational establishment</li><li>• Food and drink outlet</li><li>• Function facility</li><li>• Garden centre</li></ul>	<ul style="list-style-type: none"><li>• Office</li><li>• Outdoor sales</li><li>• Outstation</li><li>• Parking station</li><li>• Place of worship</li><li>• Port services</li></ul>	<ul style="list-style-type: none"><li>• Theatre</li><li>• Transport depot</li><li>• Utility installation</li><li>• Veterinary services</li><li>• Warehouse</li><li>• Wholesale nursery</li><li>• Winery</li></ul>
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Note – This table does not imply that all other uses not listed in the table are automatically consistent uses within the zone. Assessable development must still demonstrate consistency through the assessment process.

## 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	Compliance
<b>For self assessable and assessable development</b>		
<b>Development in the Port Douglas / Craiglie local plan area generally</b>		
<b>PO1</b> Pedestrians, cyclists, motorists and public transport users can easily move into and through the precinct along planned connectivity routes, identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.	<b>AO1</b> A pedestrian and cycle movement network is integrated and delivered through development.	<b>N/A</b> – there is minimal pedestrian and cycle infrastructure in the area of the site.
<b>PO2</b> Development retains and enhances key landscape elements including character trees and areas of significant vegetation contributing to the character and quality of the local plan area and significant views and vistas and other landmarks	<b>AO2.1</b> Development provides for the retention and enhancement of existing mature trees and character vegetation that contribute to the lush tropical character of the town, including:	<b>Complies</b> – a majority of the existing vegetation on site would be retained. A small amount of vegetation is proposed to be removed in the front setback to facilitate a sewerage connection. However, given the extent of vegetation on the site this would not have a significant impact.

Performance outcomes	Acceptable outcomes	Compliance
important to the context of Port Douglas / Craiglie (as identified on the Port Douglas/ Craiglie Townscape Plan map contained in Schedule 2).	<ul style="list-style-type: none"> <li>(a) the tree covered backdrop of Flagstaff Hill;</li> <li>(b) natural vegetation along watercourses, in particular the Mowbray River, Beor Creek and Dickson Inlet;</li> <li>(c) the tidal vegetation along the foreshore;</li> <li>(d) beachfront vegetation along Four Mile Beach, including the fringe of Coconut Palms;</li> <li>(e) the oil palm avenues along the major roads;</li> <li>(f) the lush landscaping within major roundabouts at key nodes;</li> <li>(g) Macrossan Street and Warner Street;</li> <li>(h) Port Douglas waterfront.</li> </ul>	
	<p><b>AO2.2</b></p> <p>Development protects and does not intrude into important views and vistas as identified on the Port Douglas Townscape Plan map contained in Schedule 2, in particular:</p> <ul style="list-style-type: none"> <li>(a) Flagstaff Hill;</li> <li>(b) Four Mile Beach;</li> <li>(c) Across to the ranges over Dickson Inlet;</li> <li>(d) Mowbray Valley.</li> </ul>	<b>Complies</b> – the development would not be visible from outside the site.
	<p><b>AO2.3</b></p> <p>Important landmarks, memorials and monuments are retained.</p>	<b>Complies</b> – the development would not affect any important landmarks etc.



Performance outcomes	Acceptable outcomes	Compliance
<b>PO3</b> Development contributes to the protection, reinforcement and where necessary enhancement of gateways and key intersections identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.	<b>AO3</b> Development adjacent to the gateways and nodes as identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 incorporates architectural features and landscaping treatments and design elements that enhance the sense of arrival and way finding within the town.	<b>N/A</b> – development is not adjacent to any gateways or nodes.
<b>PO4</b> Landscaping of development sites complements the existing tropical character of Port Douglas and Craiglie.	<b>AO4</b> 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.	<b>N/A</b> – no additional landscaping is proposed or required
<b>PO5</b> Development does not compromise the safety and efficiency of the State-controlled road network.	<b>AO5</b> Direct access is not provided to a State-controlled road where legal and practical access from another road is available.	<b>Complies</b> – access to the site is from Mitre Street.
<b>For assessable development</b>		
<b>Additional requirements in Precinct 1 – Port Douglas precinct</b>		
<b>PO6</b> The views and vistas identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 are maintained.	<b>AO6.1</b> Development does not impede continued views to scenic vistas and key streetscapes within the local plan area.	<b>N/A</b> – the site is not within the Port Douglas precinct.



Performance outcomes	Acceptable outcomes	Compliance
	<b>A06.2</b> Unless otherwise specified within this Local Plan, buildings are set back not less than 6 metres from the primary street frontage.	N/A
<b>P07</b> Vehicle access, parking and service areas: (a) do not undermine the relationship between buildings and street or dominate the streetscape; (b) are designed to minimise pedestrian vehicle conflict; (c) are clearly identified and maintain ease of access at all times.	<b>A07.1</b> For all buildings, parking is: (a) to the side of buildings and recessed behind the main building line; or (b) behind buildings; or (c) wrapped by the building façade, and not visible from the street.	N/A
	<b>A07.2</b> Ground level parking incorporates clearly defined pedestrian routes.	N/A
	<b>A07.3</b> Any porte-cocheres, disabled and pedestrian accesses are accommodated within the boundary of new or refurbished development.	N/A
	<b>A07.4</b> Where the development is an integrated mixed-use development incorporating short term accommodation or multiple dwellings and either	N/A



Performance outcomes	Acceptable outcomes	Compliance
	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.	
	<b>A07.5</b> On-site car parking available for public use is clearly signed at the site frontage.	<b>N/A</b>
	<b>A07.6</b> Boom gates, pay machines or other regulatory devices to control access to a publicly available car parking area are not constructed or installed.	<b>N/A</b>
<b>PO8</b> Precinct 1 – Port Douglas precinct is not characterised by a proliferation of advertising signs.	<b>A08</b> No acceptable outcomes are prescribed.	<b>N/A</b>
<b>Additional requirements for Sub-precinct 1a – Town Centre sub-precinct</b>		
<b>PO9</b> Building heights: (a) do not overwhelm or dominate the town centre; (b) respect the desired streetscape; (c) ensure a high quality appearance when	<b>A09</b> Buildings and structures are not more than 3 storeys and 13.5 metres in height, with a roof height of not less than 3 metres.  Note – Height is inclusive of the roof height.	<b>N/A</b> – the site is not within the Town Centre sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
<p>viewed from both within the town centre sub-precinct and external to the town centre sub-precinct;</p> <p>(d) remain subservient to the natural environment and the backdrop of Flagstaff Hill.</p> <p>(e) do not exceed 3 storeys.</p>		
<p><b>PO10</b></p> <p>Building design, the streetscape, pedestrian paths and street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port Douglas Precinct.</p>	<p><b>AO10</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>N/A</b></p>
<p><b>PO11</b></p> <p>Buildings:</p> <p>(a) address street frontages;</p> <p>(b) ensure main entrances front the street or public spaces;</p> <p>(c) do not focus principally on internal spaces or parking areas.</p>	<p><b>AO11</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>N/A</b></p>
<p><b>PO12</b></p> <p>Setbacks at ground level provide for:</p> <p>(a) connection between pedestrian paths and public places;</p> <p>(b) areas for convenient movement of pedestrians;</p>	<p><b>AO12</b></p> <p>Setbacks at ground level:</p> <p>(a) are clear of columns and other obstructions;</p> <p>(b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites;</p> <p>(c) connect without any lip or step to adjoining</p>	<p><b>N/A</b></p>



Performance outcomes	Acceptable outcomes	Compliance
(c) changes in gradient of the street.	footpaths.	
<b>AO13</b> 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.	<b>AO13</b> No acceptable outcomes are prescribed.	<b>N/A</b>
<b>PO14</b> Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at street level including shade protection across the footpath for the length of the building.	<b>AO14</b> Development is built up to the street frontage/s at the street level and incorporates a light frame awning, a minimum of 3 metres in width for the length of the street frontage/s; or 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. Note – PO24 provides more detail on awning design.	<b>N/A</b>
<b>PO15</b> Development is predominantly commercial in nature with any tourist accommodation having a secondary focus and not located on the street-	<b>AO15.1</b> Centre activities establish: at street level on active street frontages; a maximum of one level above street level.	<b>N/A</b>



Performance outcomes	Acceptable outcomes	Compliance
level frontage where active frontages are encouraged as identified the Port Douglas local plan maps contained in Schedule 2.	<b>AO15.2</b> Any residential development activities or short term accommodation is located above street level of the active frontage, but not on or up to the street frontage in any development, including mixed use development.	N/A
<b>PO16</b> Detailed building design: (a) enhances the visual amenity of the streetscape; (b) has a legible and attractive built form that is visually enhanced by architectural elements; (c) contributes to a distinctive tropical north Queensland, seaside tourist town character; (d) integrates major landscaping elements to maximise their aesthetic value to ensure that the lush, vegetated character of the Town Centre sub-precinct is maintained.	<b>AO16</b> No acceptable outcomes are prescribed.	N/A
<b>PO17</b> Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through: (a) surface decoration; (b) wall recesses and projections; (c) a variation in wall finishes; windows, balconies, awnings and other visible structural	<b>AO17</b> No acceptable outcomes are prescribed.	N/A

Performance outcomes	Acceptable outcomes	Compliance
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.		
<b>P018</b> Roofs are not characterised by a cluttered display of plant and equipment, in particular: (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.	<b>AO18</b> No acceptable outcomes are prescribed.	<b>N/A</b>
<b>P019</b> Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to: (a) shade windows; (b) reduce glare; (c) assist in maintaining comfortable indoor temperatures; (d) minimising heat loads;	<b>AO19</b> No acceptable outcomes are prescribed.	<b>N/A</b>



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

Performance outcomes	Acceptable outcomes	Compliance
	<p><b>AO22.3</b></p> <p>A minimum of three of the following building design features and architectural elements detailed below are incorporated to break the extended facade of a development:</p> <ul style="list-style-type: none"> <li>(a) a change in roof profile;</li> <li>(b) a change in parapet coping;</li> <li>(c) a change in awning design;</li> <li>(d) a horizontal or vertical change in the wall plane; or</li> <li>(e) a change in the exterior finishes and exterior colours of the development.</li> </ul>	N/A
<p><b>PO23</b></p> <p>Building facades that face public spaces at ground level:</p> <ul style="list-style-type: none"> <li>(a) complement the appearance of the development and surrounding streetscape;</li> <li>(b) enhance the visual amenity of the public place;</li> <li>(c) include a variety of human scale architectural elements and details;</li> <li>(d) provide an opportunity for the casual and convenient surveillance of public space from within the development.</li> </ul>	<p><b>AO23</b></p> <p>Building facades at the ground floor of development that face public space are designed to ensure:</p> <ul style="list-style-type: none"> <li>(a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit the casual surveillance of the public space from the development;</li> <li>(b) a visually prominent main entrance that faces the principal public place;</li> <li>(c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade.</li> </ul>	N/A
<b>PO24</b>	<b>AO24</b>	N/A

Performance outcomes	Acceptable outcomes	Compliance
<p>Awnings for pedestrian shelter are consistent with the character setting of the Town Centre sub-precinct and:</p> <ul style="list-style-type: none"><li>(a) extend and cover the footpath to provide protection from the sun and rain;</li><li>(b) include lighting under the awning;</li><li>(c) are continuous across the frontage of the site;</li><li>(d) align to provide continuity with existing or future awnings on adjoining sites;</li><li>(e) are a minimum of 3.0 metres in width and generally not more than 3.5 metres above pavement height;</li><li>(f) do not extend past a vertical plane, 1.2 metres inside the kerb-line to enable street trees to be planted and grow;</li><li>(g) are cantilevered from the main building with any posts within the footpath being non load-bearing.</li></ul>	<p>No acceptable outcomes are prescribed.</p>	
<p><b>PO25</b></p> <p>Development integrates with the streetscape and landscaping improvements for Port Douglas.</p>	<p><b>AO25</b></p> <p>Development fronting Davidson Street, Macrossan Street, Wharf Street, Mowbray Street and Warner Street is designed to integrate with the on-street landscaping and design improvements as outlined within the Port Douglas landscape master plan contained within Planning scheme policy SC6.7 – Landscaping.</p> <p>Note - Planning scheme policy SC6.7 - Landscaping provides guidance on meeting the Performance Outcome.</p>	<p><b>N/A</b></p>





Performance outcomes	Acceptable outcomes	Compliance
<b>Additional requirements for Sub-precinct 1b – Waterfront North sub-precinct</b>		
<b>PO26</b> The establishment of uses is consistent with the outcomes sought for sub-precinct 1b – Waterfront North.	<b>AO26</b> 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.	<b>N/A</b> – the site is not within the Waterfront North sub-precinct.
<b>PO27</b> The bulk and scale of buildings is consistent with surrounding development and steps down to complement the open space areas in the adjoining limited development sub-precinct.	<b>AO27</b> 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.	<b>N/A</b>
<b>PO28</b> Building design, streetscape, pedestrian paths and street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port Douglas Precinct.	<b>AO28</b> No acceptable outcomes are prescribed.	<b>N/A</b>
<b>PO29</b> Public pedestrian access along the water's edge is maximised.	<b>AO29.1</b> Public pedestrian access is provided along the frontage of the water's edge consisting of a boardwalk of a minimum width of 4 metres that is	<b>N/A</b>

Performance outcomes	Acceptable outcomes	Compliance
	available of 24-hour use.	
	<b>AO29.2</b> A public plaza is incorporated into the design generally reflecting the requirements of the Port Douglas Waterfront Master Plan, focussing in the vicinity of the 'Duck Pond'.	N/A
	<b>AO29.3</b> Built envelopes are setback a minimum of 3.0 metres from the board walk, with a shelter/shade zone between the building envelopes and the boardwalk consisting of shade structure, canopies, verandahs and the like.	N/A
<b>PO30</b> Buildings: (a) address street frontages; (b) ensure main entrances front the street or public spaces.	<b>AO30</b> No acceptable outcomes are prescribed.	N/A
<b>PO31</b> Setbacks at ground level provide for: (a) connection between pedestrian paths and public places; (b) areas for convenient movement of pedestrians;	<b>AO31</b> 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	N/A

Performance outcomes	Acceptable outcomes	Compliance
(c) changes in gradient.	footpaths.	
<b>PO32</b> Buildings do not result in a reduction of views and vistas from public places to: (a) Dickson Inlet; (b) public open space; (c) places of significance.	<b>AO32</b> No acceptable outcomes are prescribed.	N/A
<b>PO33</b> Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at ground level including shade protection across the footpath and open space areas.	<b>AO33</b> No acceptable outcomes are prescribed.	N/A
<b>PO34</b> Development is predominantly commercial in nature with any tourist accommodation having a secondary focus and not located on the street-level frontage where active frontages are encouraged as identified the Port Douglas local plan maps contained in Schedule 2.	<b>AO34.1</b> Centre activities establish: (a) at street level on active street frontages; (b) a maximum of one level above street level.	N/A
	<b>AO34.2</b> Residential development activities or short term accommodation is located above street /ground floor level of the active frontage, but not on or up to the street / public frontage in any development, including mixed use development.	N/A



Performance outcomes	Acceptable outcomes	Compliance
<b>PO35</b> Detailed building design: (a) enhances the visual amenity of the streetscape; (b) has a legible and attractive built form that is visually enhanced by architectural elements; (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.	<b>AO35</b> No acceptable outcomes are prescribed.	<b>N/A</b>
<b>PO36</b> Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through: (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.	<b>AO36</b> No acceptable outcomes are prescribed.	<b>N/A</b>
<b>PO37</b>	<b>AO37</b>	<b>N/A</b>

Performance outcomes	Acceptable outcomes	Compliance
<p>Roofs are not characterised by a cluttered display of plant and equipment, in particular:</p> <ul style="list-style-type: none"><li>(a) building caps and rooftops contribute to the architectural distinction of the building and create a coherent roofscape for the Waterfront North sub-precinct;</li><li>(b) service structures, lift motor rooms and mechanical plant and equipment are designed as an architectural feature of the building or are screened from public view;</li><li>(c) rooftops are not used for advertising.</li></ul>	No acceptable outcomes are prescribed.	
<p><b>PO38</b></p> <p>Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to:</p> <ul style="list-style-type: none"><li>(a) shade windows;</li><li>(b) reduce glare;</li><li>(c) assist in maintaining comfortable indoor temperatures;</li><li>(d) minimising heat loads;</li><li>(e) enriching the North Queensland tropical character of the Waterfront North sub-precinct;</li><li>(f) architectural interest to building façades.</li></ul>	<p><b>AO38</b></p> <p>No acceptable outcomes are prescribed.</p>	<b>N/A</b>
<p><b>PO39</b></p> <p>Buildings are finished with high quality materials,</p>	<p><b>AO39</b></p> <p>No acceptable outcomes are prescribed.</p>	<b>N/A</b>

Performance outcomes	Acceptable outcomes	Compliance
<p>selected for:</p> <p>(a) their ability to contribute the character of Waterfront North sub-precinct;</p> <p>(b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate.</p>		
<p><b>PO40</b></p> <p>Buildings do not incorporate any type of glass or other materials that are likely to reflect the sun's rays in a manner that may create a nuisance, discomfort or a hazard.</p>	<p><b>AO40</b></p> <p>No acceptable outcomes are prescribed.</p>	<b>N/A</b>
<p><b>PO41</b></p> <p>Façades and elevations do not include large blank walls and openings and setbacks are used to articulate vertical building surfaces.</p>	<p><b>AO41.1</b></p> <p>Development has a maximum length of unbroken building facade of 20 metres and a maximum extent of overall development in the same style/design along the street frontage/s of 40 metres.</p>	<b>N/A</b>
	<p><b>AO41.2</b></p> <p>Any break in the building façade varies the alignment by a 1 metre minimum deviation.</p>	<b>N/A</b>
	<p><b>AO41.3</b></p> <p>A minimum of three of the following building design features and architectural elements detailed below are incorporated to break the extended facade of a development:</p> <p>(a) a change in roof profile;</p>	<b>N/A</b>



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



Performance outcomes	Acceptable outcomes	Compliance
<ul style="list-style-type: none"> <li>(c) are continuous across pedestrian circulation areas;</li> <li>(d) align to provide continuity with existing or future awnings on adjoining sites;</li> <li>(e) are a minimum of 3 metres in width and generally not more than 3.5 metres above pavement height;</li> <li>(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;</li> <li>(g) are cantilevered from the main building with any posts within the footpath being non load-bearing.</li> </ul>		
<b>PO44</b> The Balley Hooley rail line and turn-table is retained and incorporated into development and maintains its functionality.	<b>AO44.1</b> Bally Hooley rail line and turn-table is retained and incorporated into development to maintain its functionality.	N/A
	<b>AO44.2</b> Where development provides floor area for the Bally Hooley rail station, the gross floor area of the rail line and station does not generate a requirement for additional vehicle parking.	N/A
<b>PO45</b> Development recognises the importance of and relationship between the marina, commercial and residential development in the Waterfront North sub-precinct, and includes measures to mitigate	<b>AO45</b> No acceptable outcomes are prescribed.	N/A

Performance outcomes	Acceptable outcomes	Compliance
the impact of: (a) noise; (b) odour; (c) hazardous materials; (d) waste and recyclable material storage.		
<b>PO46</b> Formalised public spaces and pedestrian paths/areas on freehold land are made accessible to the public.	<b>AO46</b> No acceptable outcomes are prescribed.	<b>N/A</b>
<b>PO47</b> Buildings, civic spaces, roads and pedestrian links are enhanced by: (a) appropriate landscape design and planting; (b) themed planting that defines entry points, and creates strong 'entry corridors' into the waterfront; (c) lighting and well-considered discrete signage that complements building and landscape design; (d) public artwork and other similar features that reflect the heritage and character of the Port Douglas Waterfront.	<b>AO47</b> No acceptable outcomes are prescribed.	<b>N/A</b>
<b>PO48</b> Buildings are designed and sited to provide vistas along shared pedestrian/open space and	<b>AO48</b> No acceptable outcomes are prescribed.	<b>N/A</b>



Performance outcomes	Acceptable outcomes	Compliance
movement areas in suitable locations.		
<b>PO49</b> Development does not diminish the viability of marine-based industrial uses that directly serve the Port Douglas tourist and fishing operators and private boat owners, particularly with respect to the slipway operation.	<b>AO49</b> No acceptable outcomes are prescribed.	N/A
<b>PO50</b> Marine infrastructure to service the tourism, fishing and private boating community is provided.	<b>AO50</b> No acceptable outcomes are prescribed.	N/A
<b>PO51</b> Changes to the Port Douglas Waterfront quay-line do not cause adverse impacts to the environmentally sensitive Dickson Inlet.	<b>AO51</b> Development that results in changes to the Port Douglas Waterfront quay-line is only established where an Ecological assessment report provides support to the changes.  Note - Planning scheme policy SC6.8 – Natural environment provides guidance on preparing an ecological assessment report.	N/A
<b>Additional requirements for Sub-precinct 1c – Waterfront South sub-precinct</b>		
<b>PO52</b> The establishment of uses is consistent with the outcomes sought for Precinct 1c – Waterfront	<b>AO52</b> Uses identified as inconsistent uses Table 7.2.4.4.c – are not established in Precinct 1c –	N/A – the site is not within the Waterfront South sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
South.	Waterfront South.	
<b>PO53</b> Development does not adversely impact on the natural environment, natural vegetation or watercourses.	<b>AO53.1</b> An Ecological assessment report is prepared identifying the environmental qualities of the surrounding natural and built features which are to be managed.  Note - Planning scheme policy SC6.8 – Natural environment provides guidance on preparing an ecological assessment report.	<b>N/A</b>
	<b>AO53.2</b> An Environmental Management Plan is prepared to manage potential impacts of the operation of the development on surrounding natural areas.  Note - Planning scheme policy SC6.4 – Environmental management plans contains information to demonstrate compliance and guidance on preparing an Environmental Management Plan.	<b>N/A</b>
<b>PO54</b> Development of land at the end of Port Street adjacent to Dickson Inlet incorporates a slipway, or an alternative functioning facility, with capacity to service the Port Douglas marine and tourism industry.	<b>AO54</b> A master plan for the development is provided and implemented to demonstrate the integration of the slipway, or an alternative functioning facility, with other supporting service industry activities that service the marine and tourism industry of Port Douglas.	<b>N/A</b>
<b>PO55</b>	<b>AO55.1</b>	<b>N/A</b>

Performance outcomes	Acceptable outcomes	Compliance
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.	Development has a height of not more than 10 metres.	
	<b>AO55.2</b> Development is setback from all property boundaries not less than 3 metres.	<b>N/A</b>
<b>PO56</b> The site coverage of all buildings and structures ensures development: <ul style="list-style-type: none"> <li>(a) is sited in an existing cleared area or in an area approved for clearing;</li> <li>(b) has sufficient area for the provision of services;</li> <li>(c) development does not have an adverse effect on the environmental, habitat, conservation or landscape values of the on-site and surrounding sensitive areas.</li> </ul>	<b>AO56</b> No acceptable outcomes are prescribed.	<b>N/A</b>
<b>PO57</b> Premises include adequate provision for service vehicles, to cater for generated demand. Loading areas for service vehicles are designed to: <ul style="list-style-type: none"> <li>(a) be accommodated on-site;</li> <li>(b) maximise safety and efficiency of loading;</li> <li>(c) protect the visual and acoustic amenity of sensitive land use activities;</li> </ul>	<b>AO57.1</b> Sufficient manoeuvring area is provided on-site to allow a Medium Rigid Vehicle to enter and leave the site in a forward gear.	<b>N/A</b>
	<b>AO57.2</b> Development is designed to ensure all service vehicles are contained within the site when being	<b>N/A</b>



Performance outcomes	Acceptable outcomes	Compliance
(d) minimise adverse impacts on natural characteristics of adjacent areas.	loaded/unloaded.	
	<b>AO57.3</b> Driveways, parking and manoeuvring areas are constructed and maintained to: (a) minimise erosion from storm water runoff; (b) retain all existing vegetation.	N/A
<b>PO58</b> Development ensures adverse impacts from service vehicles on the road network, external to the site, are minimised.	<b>AO58</b> No acceptable outcomes are prescribed.	N/A
<b>PO59</b> Entry to the site is landscaped to enhance the amenity of the area and provide a pleasant working environment.	<b>AO59</b> Areas used for loading and unloading, storage, utilities and car parking are screened from public view: (a) by a combination of landscaping and screen fencing; (b) dense planting along any road frontage is a minimum width of 3 metres.	N/A
<b>PO60</b> Landscaping is informal in character and complementary to the existing natural environment, provides screening and enhances the visual appearance of the development.	<b>AO60</b> For any development landscaping is in accordance with the Plant species schedule in Planning scheme policy SC6.7– Landscaping.	N/A



Performance outcomes	Acceptable outcomes	Compliance
<b>Additional requirements for Sub-precinct 1d – Limited Development sub-precinct</b>		
<b>PO61</b> The height of buildings and structures contributes to the desired form and outcomes for the sub-precinct and are limited to a single storey.	<b>AO61</b> Buildings and structures are not more than one storey and 4 metres in height. Note - Height is inclusive of the roof height.	<b>N/A</b> – the site is not within the Limited Development sub-precinct.
<b>Additional requirements for Sub-precinct 1e – Community and recreation sub-precinct</b>		
<b>PO62</b> The precinct is developed for organised sporting activities and other community uses.	<b>AO62</b> No acceptable outcomes are prescribed.	<b>N/A</b> – the site is not within the community and recreation sub-precinct.
<b>Additional requirements for Sub-precinct 1f – Flagstaff Hill sub-precinct</b>		
<b>PO63</b> Flagstaff Hill is protected from inappropriate development to protect the hill as an important natural landmark feature of Port Douglas and as a vegetated backdrop to the Town centre.	<b>AO63</b> No acceptable outcomes are prescribed.	<b>N/A</b> – the site is not within the Flagstaff Hill sub-precinct.
<b>PO64</b> All development on Flagstaff Hill is designed to minimise the visibility of the development and to ensure development is subservient to the natural landscape and topography of the site, including through: (a) building design which minimises excavation	<b>AO64</b> No acceptable outcomes are prescribed.	<b>N/A</b>

Performance outcomes	Acceptable outcomes	Compliance
<p>and filling;</p> <p>(b) buildings being designed to step down the site and incorporate foundations and footings on piers or poles;</p> <p>(c) buildings being visually unobtrusive and incorporating exterior finishes and muted colours which are non-reflective and complement the colours of the surrounding vegetation and view-shed;</p> <p>(d) protection of the views from public viewing points in the Port Douglas precinct.</p>		
<b>Additional requirements for Precinct 3 – Craiglie Commercial and Light Industry precinct</b>		
<p><b>PO65</b></p> <p>Development supports the tourism and marine industries in Port Douglas, along with the small-scale commercial and light industry land uses that support the local economy that would otherwise be better suited to a location outside the Port Douglas Town Centre Precinct.</p>	<p><b>AO65</b></p> <p>Development consists of service and light industries and associated small scale commercial activities.</p>	<p><b>N/A</b> – the site is not within the Craiglie Commercial and Light Industry precinct.</p>
<p><b>PO66</b></p> <p>Development on lots adjacent to the Captain Cook Highway is sited, designed and landscaped to provide an attractive visual approach to Port Douglas with all buildings, structures and car parking areas setback a sufficient distance from the frontage to enable landscaping to soften or screen the appearance of the development.</p>	<p><b>AO66.1</b></p> <p>Buildings and structures are setback 8 metres from the Captain Cook Highway frontage, or no closer to the Captain Cook Highway frontage than buildings and structures on adjoining sites (averaged), whichever is the greater.</p>	<p><b>N/A</b></p>
	<p><b>AO66.2</b></p>	<p><b>N/A</b></p>



Performance outcomes	Acceptable outcomes	Compliance
	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.	
	<b>AO66.3</b> Advertising signs are discreet in appearance with no large advertising signs, including tenancy signs, located on or near the Captain Cook Highway frontage, or within any landscaped setback area	<b>N/A</b>
	<b>AO66.4</b> Car parking areas, loading and other service areas are designed to be screened from the Captain Cook Highway and are located so as to not be visually prominent from the Captain Cook Highway.	<b>N/A</b>
<b>Additional requirements for Precinct 6 – Very Low Residential Density / Low Scale Recreation / Low Scale Educational / Low Scale Entertainment Uses precinct</b>		
<b>PO67</b> No additional lots are created within the precinct.	<b>AO67</b> No acceptable outcomes are prescribed.	<b>N/A</b> – the site is not within the Very Low Residential Density / Low Scale Recreation / Low Scale Educational / Low Scale Entertainment Uses precinct.
<b>PO68</b> Reconfigured lots have a minimum lot size of 2 hectares, unless the lot reconfiguration transfers	<b>AO68</b> No acceptable outcomes are prescribed.	<b>N/A</b>

Performance outcomes	Acceptable outcomes	Compliance
lots to the higher parts of the land, to avoid the need to fill existing lots to accommodate dwelling houses.		

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

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

**Table 7.2.4.4.c — Inconsistent uses in sub-precinct 1c - Waterfront South sub-precinct**



### Inconsistent uses

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



<ul style="list-style-type: none"><li>Garden centre</li></ul>		<ul style="list-style-type: none"><li>Winery</li></ul>
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## 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.
- (3) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Development ensures that the release of any acid and associated metal contaminant is avoided by not disturbing acid sulfate soils when excavating, removing soil or extracting ground water or filling land;
  - (b) Development ensures that disturbed acid sulfate soils, or drainage waters, are treated and, if required, on-going management practices are adopted that minimise the potential for environmental harm from acid sulfate soil and protect corrodible assets from acid sulfate soil.

**Criteria for assessment****Table 8.2.1.3.a – Acid sulfate soils overlay code – assessable development**

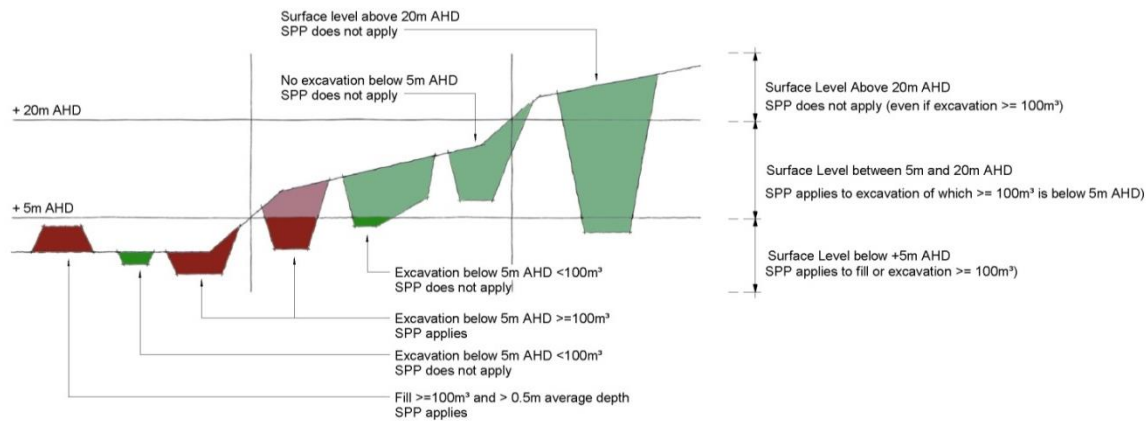
Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable development</b>		
<b>PO1</b> The extent and location of potential or actual acid sulfate soils is accurately identified.	<b>AO1.1</b> No excavation or filling occurs on the site.  or  <b>AO1.2</b> An acid sulfate soils investigation is undertaken.  Note - Planning scheme policy SC 6.12– Potential and actual acid sulfate soils provides guidance on preparing an acid sulfate soils investigation.	<b>Complies</b> – minimal excavation on the site will be required to establish footings for the dwelling. In the event that acid sulfate soils are disturbed they will be managed.  This would be completed at the building works stage.
<b>PO2</b> Development avoids disturbing potential acid sulfate soils or actual acid sulfate soils, or is managed to avoid or minimise the release of acid and metal contaminants.	<b>AO2.1</b> 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: (i) actual acid sulfate soils being moved below the water table; (ii) previously saturated acid sulfate soils being aerated.  or  <b>AO2.2</b>	<b>Complies</b> – minimal excavation on the site will be required to establish footings for the dwelling. In the event that acid sulfate soils are disturbed they will be managed.  This would be completed at the building works stage.





Performance outcomes	Acceptable outcomes	Applicant response
	<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"> <li>(a) neutralising existing acidity and preventing the generation of acid and metal contaminants;</li> <li>(b) preventing the release of surface or groundwater flows containing acid and metal contaminants into the environment;</li> <li>(c) preventing the in situ oxidisation of potential acid sulfate soils and actual acid sulfate soils through ground water level management;</li> <li>(d) appropriately treating acid sulfate soils before disposal occurs on or off site;</li> <li>(e) documenting strategies and reporting requirements in an acid sulfate soils environmental management plan.</li> </ul> <p>Note - Planning scheme policy SC 6.12 – Acid sulfate soils provides guidance on preparing an acid sulfate soils management plan.</p>	
<p><b>P03</b> No environmental harm is caused as a result of exposure to potential acid sulfate soils or actual acid sulfate soils.</p>	<p><b>A03</b> No acceptable outcomes are prescribed.</p>	<p><b>Complies</b> – if disturbed any environmental harm caused by acid sulfate soils would be managed.</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.

### Refer to Appendix K for Bushfire Mapping Overlay and calculations

#### Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>Compatible development</b>		
<p><b>PO1</b></p> <p>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><b>AO1</b></p> <p>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><b>Complies</b> – No vulnerable activities are proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<b>PO2</b> Emergency services and uses providing community support services are able to function effectively during and immediately after a bushfire hazard event.	<b>AO2</b> 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.	<b>Complies</b> – No emergency or community support services are proposed.
<b>PO3</b> Development involving hazardous materials manufactured or stored in bulk is not located in bushfire hazard sub-category.	<b>AO3</b> The manufacture or storage of hazardous material in bulk does not occur within bushfire hazard sub-category.	<b>Complies</b> – the proposed development would not store hazardous materials in bulk.
<b>Development design and separation from bushfire hazard – reconfiguration of lots</b>		
<b>PO4.1</b> 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/m <sup>2</sup> at the edge of the proposed lot(s).  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 2000m <sup>2</sup> and 2ha in area. "Smaller scale" rural residential purposes will be taken to be where the average proposed lot size is 6000m <sup>2</sup> or less.	<b>AO4.1</b> No new lots are created within a bushfire hazard sub-category.  or <b>AO4.2</b> Lots are separated from hazardous vegetation by a distance that: (a) achieves radiant heat flux level of 29kW/m <sup>2</sup> at all boundaries; 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	<b>N/A</b> – no reconfiguring a lot is proposed.



Performance outcomes	Acceptable outcomes	Applicant response
<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><b>PO4.2</b></p> <p>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/m<sup>2</sup> at any point.</p>	<p>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><b>PO5</b></p> <p>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><b>AO5.1</b></p> <p>Lot boundaries are separated from hazardous vegetation by a public road which:</p> <ul style="list-style-type: none"> <li>(a) has a two lane sealed carriageway;</li> <li>(b) contains a reticulated water supply;</li> <li>(c) is connected to other public roads at both ends and at intervals of no more than 500m;</li> <li>(d) accommodates geometry and turning radii in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</li> <li>(e) has a minimum of 4.8m vertical clearance above the road;</li> <li>(f) is designed to ensure hydrants and water access points are not located within parking bay allocations; and</li> <li>(g) incorporates roll-over kerbing.</li> </ul>	N/A



Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>AO5.2</b></p> <p>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><b>PO6</b></p> <p>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>The access is available for both fire fighting and maintenance/hazard reduction works.</p>	<p><b>AO6</b></p> <p>Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> <li>(a) a reserve or easement width of at least 20m;</li> <li>(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;</li> <li>(c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path;</li> <li>(d) a minimum of 4.8m vertical clearance;</li> <li>(e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</li> <li>(f) a maximum gradient of 12.5%;</li> <li>(g) a cross fall of no greater than 10 degrees;</li> </ul>	N/A





Performance outcomes	Acceptable outcomes	Applicant response
	<ul style="list-style-type: none"> <li>(h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;</li> <li>(i) vehicular access at each end which is connected to the public road network at intervals of no more than 500m;</li> <li>(j) designated fire trail signage;</li> <li>(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and</li> <li>(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.</li> </ul>	
<p><b>PO7</b></p> <p>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><b>AO7</b></p> <p>Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> <li>(a) a reserve or easement width of at least 20m;</li> <li>(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;</li> <li>(c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path;</li> <li>(d) a minimum of 4.8m vertical clearance;</li> </ul>	N/A



Performance outcomes	Acceptable outcomes	Applicant response
	<ul style="list-style-type: none"> <li>(e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</li> <li>(f) a maximum gradient of 12.5%;</li> <li>(g) a cross fall of no greater than 10 degrees;</li> <li>(h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;</li> <li>(i) vehicular access at each end which is connected to the public road network;</li> <li>(j) designated fire trail signage;</li> <li>(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and</li> <li>(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.</li> </ul>	
<b>PO8</b> The development design responds to the potential threat of bushfire and establishes clear evacuation routes which demonstrate an acceptable or tolerable risk to people.	<b>AO8</b> The lot layout: <ul style="list-style-type: none"> <li>(a) minimises the length of the development perimeter exposed to, or adjoining hazardous vegetation;</li> <li>(b) avoids the creation of potential bottle-neck points in the movement network;</li> </ul>	<b>N/A</b>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>(c) establishes direct access to a safe assembly /evacuation area in the event of an approaching bushfire; and</p> <p>(d) ensures roads likely to be used in the event of a fire are designed to minimise traffic congestion.</p> <p>Note - For example, developments should avoid finger-like or hour-glass subdivision patterns or substantive vegetated corridors between lots.</p> <p>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.</p> <p>Advice from the Queensland Fire and Emergency Services (QFES) should be sought as appropriate</p>	
<p><b>PO9</b></p> <p>Critical infrastructure does not increase the potential bushfire hazard.</p>	<p><b>AO9</b></p> <p>Critical or potentially hazardous infrastructure such as water supply, electricity, gas and telecommunications are placed underground.</p>	N/A
<b>Development design and separation from bushfire hazard – material change of use</b>		
<p><b>PO10</b></p> <p>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:</p>	<p><b>AO10</b></p> <p>Buildings or building envelopes are separated from hazardous vegetation by a distance that:</p> <p>(a) achieves a radiant heat flux level of at any point on the building or envelope</p>	<p><b>Complies</b> - The development would be setback a minimum of 20 metres from the hazardous vegetation to the north of the site.</p> <p>Based on calculations completed by RPS the Required setback distances to achieve 29KW/m<sup>2</sup> or BAL29 from the hazardous vegetation is 20m.</p>



Performance outcomes	Acceptable outcomes	Applicant response
<p>(a) 10kW/m<sup>2</sup> where involving a vulnerable use; or</p> <p>(b) 29kW/m<sup>2</sup> otherwise.</p> <p>The radiant heat flux level is achieved by separation unless this is not practically achievable.</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>respectively, of 10kW/m<sup>2</sup> for a vulnerable use or 29kW/m<sup>2</sup> otherwise; and</p> <p>(b) is contained wholly within the development site.</p> <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><b>PO11</b></p> <p>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><b>AO11</b></p> <p>Development sites are separated from hazardous vegetation by a public road or fire trail which has:</p> <p>(a) a reserve or easement width of at least 20m;</p> <p>(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> <p>(c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path;</p> <p>(d) a minimum of 4.8m vertical clearance;</p> <p>(e) turning areas for fire-fighting appliances in accordance with Queensland Fire and</p>	<p><b>N/A</b> – as the site is in a predominantly residential area and less than 2.5ha, a fire trail would not serve a practical purpose.</p>





Performance outcomes	Acceptable outcomes	Applicant response
	<p>Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</p> <p>(f) a maximum gradient of 12.5%;</p> <p>(g) a cross fall of no greater than 10 degrees;</p> <p>(h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;</p> <p>(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;</p> <p>(j) designated fire trail signage;</p> <p>(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and</p> <p>(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.</p>	
<b>All development</b>		
<p><b>PO12</b></p> <p>All premises are provided with vehicular access that enables safe evacuation for occupants and easy access by fire fighting appliances.</p>	<p><b>AO12</b></p> <p>Private driveways:</p> <p>(a) do not exceed a length of 60m from the street to the building;</p> <p>(b) do not exceed a gradient of 12.5%;</p> <p>(c) have a minimum width of 3.5m;</p>	<p><b>Complies</b> – although the driveway would exceed 60m in length, this is necessary to allow access into the centre of the site. All other acceptable outcomes are met by the proposal and the driveway would allow for safe evacuation and easy access.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<ul style="list-style-type: none"> <li>(d) have a minimum of 4.8m vertical clearance;</li> <li>(e) accommodate turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and</li> <li>(f) serve no more than 3 dwellings or buildings.</li> </ul>	
<p><b>PO13</b></p> <p>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.</p>	<p><b>AO13</b></p> <p>A water tank is provided within 10m of each building (other than a class 10 building) which:</p> <ul style="list-style-type: none"> <li>(a) is either below ground level or of non-flammable construction;</li> <li>(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: <ul style="list-style-type: none"> <li>(i) 10,000l for residential buildings</li> </ul> </li> </ul> <p>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.</p> <ul style="list-style-type: none"> <li>(ii) 45,000l for industrial buildings; and</li> <li>(iii) 20,000l for other buildings;</li> <li>(c) includes shielding of tanks and pumps in accordance with the relevant standards;</li> <li>(d) includes a hardstand area allowing medium rigid vehicle (15 tonne fire appliance) access within 6m of the tank;</li> </ul>	<p><b>N/A</b> – the site is within a reticulated water supply area.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>(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</p> <p>(f) is clearly identified by directional signage provided at the street frontage.</p>	
<p><b>PO14</b></p> <p>Landscaping does not increase the potential bushfire risk.</p>	<p><b>AO14</b></p> <p>Landscaping uses species that are less likely to exacerbate a bushfire event, and does not increase fuel loads within separation areas.</p>	<p><b>N/A</b> – no additional landscaping is proposed or required.</p>
<p><b>PO15</b></p> <p>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).</p>	<p><b>AO15</b></p> <p>Bushfire risk mitigation treatments do not have a significant impact on the natural environment or landscape character of the locality where this has value.</p>	<p><b>N/A</b> – no bushfire risk mitigation treatments are proposed.</p>

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.

### Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> No works other than coastal protection works extend seaward of the coastal building line.	<b>AO1.1</b> 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. <b>AO1.2</b> 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. <b>AO1.3</b> Coastal protection works are as far landward as practicable on the lot containing the property to the maximum extent reasonable. <b>AO1.4</b>	<b>Complies</b> - There is no coastal building line



Performance outcomes	Acceptable outcomes	Applicant response
	Coastal protection work mitigates any increase in the coastal hazard.	
<b>For self-assessable and assessable development</b>		
<b>PO2</b> 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.	<b>AO2</b> 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 walls are set back not less than 6 metres from the seaward boundary of the lot.	<b>Complies</b> - Development is set back approximately 90 metres from the seaward boundary of the lot.
<b>For assessable development</b>		
<b>Erosion prone areas</b>		
<b>PO3</b> Development identifies erosion prone areas (coastal hazards).	<b>AO3</b> No acceptable outcomes are prescribed.	<b>Complies</b> – erosion prone areas have been identified.
<b>PO4</b> Erosion prone areas are free from development to allow for natural coastal processes.	<b>AO4.1</b> 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>Complies</b> – the development of a dwelling house reflects the preferred outcomes for the Environmental Management Zone.



Performance outcomes	Acceptable outcomes	Applicant response
	<p>(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)</p>	
	<p><b>AO4.2</b></p> <p>Development involving existing permanent buildings and structures within an erosion prone area does not increase in intensity of its use by:</p> <p>(a) adding additional buildings or structures; or</p> <p>(b) incorporating a land use that will result in an increase in the number of people or employees occupying the site.</p>	<p><b>Complies</b> – As the proposed dwelling would replace the existing on site the development would not intensify the existing use.</p>
<b>Coastal management districts</b>		
<p><b>PO5</b></p> <p>Natural processes and protective functions of landforms and vegetation are maintained.</p>	<p><b>PO5.1</b></p> <p>Development within the coastal management district:</p> <p>(a) maintains vegetation on coastal land forms where its removal or damage may:</p> <p>(i) destabilise the area and increase the potential for coastal erosion, or</p> <p>(ii) interrupt the natural sediment trapping processes or dune or land building processes;</p>	<p><b>Complies</b> – the proposed development would not impact the coastal processes of the adjoining land, and would maintain coastal landforms and vegetation.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>(b) maintains sediment volumes of dunes and near-shore coastal landforms, or where a reduction in sediment volumes cannot be avoided, increased risks to development from coastal erosion are mitigated by location, design and construction and operating standards;</p> <p>(c) minimises the need for erosion control structures or riverine hardening through location, design and construction standards;</p> <p>(d) maintains physical coastal processes outside the development footprint for the development, including longshore transport of sediment along the coast;</p> <p>(e) reduces the risk of shoreline erosion for areas adjacent to the development footprint to the maximum extent feasible in the case of erosion control structures.</p>	
	<p><b>PO5.2</b></p> <p>Where development proposes the construction of an erosion control structure:</p> <p>(a) it is demonstrated that it is the only feasible option for protecting permanent structures from coastal erosion; and</p> <p>(b) those permanent structures cannot be abandoned or relocated in the event of coastal erosion occurring</p>	<b>N/A</b> – There are no erosion control structures proposed.
	<b>PO5.3</b>	<b>N/A</b> – There is no reclamation proposed.





Performance outcomes	Acceptable outcomes	Applicant response
	<p>Development involving reclamation:</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(b) is located outside active sediment transport area, or otherwise maintains sediment transport processes as close as possible to their natural state;</li> <li>(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.</li> </ul>	
<p><b>PO6</b></p> <p>Development avoids or minimises adverse impacts on coastal resources and their values to the maximum extent reasonable.</p>	<p><b>AO6.1</b></p> <p>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>	<b>N/A</b> – no coastal protection work is proposed.
	<p><b>AO6.2</b></p> <p>Marine development is located and designed to expand on or redevelop existing marine infrastructure unless it is demonstrated that it is</p>	<b>N/A</b> – no marine development is proposed.



Performance outcomes	Acceptable outcomes	Applicant response
	not practicable to co-locate the development with existing marine infrastructure; and	
	<b>AO6.3</b> 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. and	<b>N/A</b>
	<b>AO6.4</b> 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. and	<b>Complies</b> – minimal earthworks are proposed as a part of the application. If acid sulfate soils are disturbed they will be managed to avoid any environmental impacts.
	<b>A6.4</b> Design and siting of development protects and retains identified ecological values and underlying ecosystem processes within the development site to the greatest extent practicable.	<b>Complies -</b>
<b>PO7</b>	<b>AO7.1</b>	<b>N/A</b> – there is no public access to foreshore.



Performance outcomes	Acceptable outcomes	Applicant response
Development is to maintain access to and along the foreshore for general public access.	Development provides for regular access points for pedestrians including approved walking tracks, boardwalks and viewing platforms. and	
	<b>AO7.2</b> Development provides for regular access points for vehicles including approved roads and tracks. or <b>AO7.3</b> Development demonstrates an alternative solution to achieve an equivalent standard of performance.	<b>N/A</b> – there is no public access to foreshore.
<b>PO8</b> Public access to the coast is appropriately located, designed and operated.	<b>AO8.1</b> Development maintains or enhances public access to the coast. or <b>AO8.2</b> 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. or <b>AO8.3</b> Development adjacent to state coastal land or tidal water demonstrates an alternative solution to	<b>N/A</b> – there is no public access to coastal land through the site



Performance outcomes	Acceptable outcomes	Applicant response
	achieve an equivalent standard and quality of access	
<b>PO9</b> Development adjacent to state coastal land or tidal water is located, designed and operated to: <ul style="list-style-type: none"> <li>(a) maintain existing access to and along the foreshore;</li> <li>(b) minimise any loss of access to and along the foreshore, or</li> <li>(c) offset any loss of access to and along the foreshore by providing for enhanced alternative access in the general location.</li> </ul>	<b>AO9.1</b> Development adjacent to state coastal land or tidal water: <ul style="list-style-type: none"> <li>(a) demonstrates that restrictions to public access are necessary for:               <ul style="list-style-type: none"> <li>(i) the safe and secure operation of development;</li> <li>(ii) the maintenance of coastal landforms and coastal habitat; or</li> </ul> </li> <li>(b) 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:               <ul style="list-style-type: none"> <li>(i) pedestrians via access points including approved walking tracks, boardwalks and viewing platforms;</li> <li>(ii) vehicles via access points including approved roads or tracks.</li> </ul> </li> </ul>	<b>Complies</b> – there is no public access to state coastal land through the site
	<b>AO9.2</b> Development adjacent to state coastal land or tidal water: <ul style="list-style-type: none"> <li>(a) is located and designed to:</li> </ul>	<b>Complies</b> – there would be no affect on access to State Coastal Land caused by this development.





Performance outcomes	Acceptable outcomes	Applicant response
	<ul style="list-style-type: none"> <li>(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;</li> <li>(ii) ensure emergency vehicles can access the area near the development.</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>(b) 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:               <ul style="list-style-type: none"> <li>(i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, and</li> <li>(ii) ensure emergency vehicles can access the area near the development.</li> </ul> </li> </ul>	
<b>AO10</b> 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.	<b>AO10.1</b> 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	<b>N/A</b> – no reconfiguring a lot is proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	<b>AO10.2</b> Development demonstrates an alternative solution to achieve an equivalent standard and quality of access.	
<b>PO11</b> Development maintains public access to State coastal land by avoiding private marine development attaching to, or extending across, non-tidal State coastal land.	<b>AO11</b> 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	<b>Complies</b> - there are no private marine structure proposed.
<b>PO12</b> Development in connection with an artificial waterway enhances public access to coastal waters.	<b>AO12</b> 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.	<b>N/A</b>
<b>Coastal landscapes, views and vistas</b>		
<b>PO13</b> Development maintains and / or enhances natural coastal landscapes, views and vistas.	<b>AO13</b> No acceptable outcomes are prescribed.	<b>Complies</b> – the development would not affect any views or vistas.
<b>PO14</b>	<b>AO14</b>	<b>N/A</b>



Performance outcomes	Acceptable outcomes	Applicant response
Coastal settlements are consolidated through the concentration of development within the existing urban areas through infill and conserving the natural state of the coastal area outside existing urban areas.	No acceptable outcomes are prescribed.	
<b>Private marine development</b>		
<b>PO15</b> Private marine development is to avoid attaching to, or extending across, non-tidal State coastal land.	<b>AO15</b> 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> .	<b>N/A</b> – there is no private marine development proposed.
<b>PO16</b> The location and design of private marine development does not adversely affect the safety of members of the public access to the foreshore.	<b>AO16</b> 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.	<b>N/A</b>
<b>PO17</b> Private marine development is of a height and scale and size compatible with the character and amenity of the location.	<b>AO17</b> Private marine development has regard to: (a) the height, scale and size of the natural features of the immediate surroundings and locality;	<b>N/A</b>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>(b) the height, scale and size of existing buildings or other structures in the immediate surroundings and the locality;</p> <p>(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.</p> <p>Note – The prescribed tidal works code in the <i>Coastal Protection and Management Regulation 2003</i> outlines design and construction requirements that must be complied with.</p>	
<p><b>PO18</b></p> <p>Private marine development avoids adverse impacts on coastal landforms and coastal processes.</p>	<p><b>AO18</b></p> <p>Private marine development does not require the construction of coastal protection works, shoreline or riverbank hardening or dredging for marine access.</p>	N/A
<b>For dry land marinas and artificial waterways</b>		
<p><b>PO19</b></p> <p>Dry land marinas and artificial waterways:</p> <p>(a) avoid impacts on coastal resources;</p> <p>(b) do not contribute to the degradation of water quality;</p> <p>(c) do not increase the risk of flooding;</p> <p>(d) do not result in the degradation or loss of MSES;</p>	<p><b>AO19</b></p> <p>No acceptable solutions are prescribed.</p>	N/A – no dry land marinas and artificial waterways are proposed.



Performance outcomes	Acceptable outcomes	Applicant response
<p>(e) do not result in an adverse change to the tidal prism of the natural waterway to which development is connected.</p> <p>(f) does not involve reclamation of tidal land other than for the purpose of:</p> <ul style="list-style-type: none"> <li>(i) coastal dependent development, public marine development; or</li> <li>(i) community infrastructure, where there is no feasible alternative; or</li> <li>(iii) strategic ports, boat harbours or strategic airports and aviation facilities in accordance with a statutory land use plan; or</li> <li>(iv) coastal protection works or works necessary to protect coastal resources and processes.</li> </ul>		

## 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.

### Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> 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.  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.	<b>AO1.1</b> Development is sited on parts of the land that is not within the Flood and Storm tide hazards overlay maps contained in Schedule 2;  or For dwelling houses,	<b>Complies</b> – the Defined Inundation Event plus a freeboard of 300mm for the site is identified at 3.548m AHD. The plans of the proposed dwelling indicate a habitable room floor level above this.
	<b>AO1.2</b> Development within the Flood and Storm Tide hazards overlay maps (excluding the Flood plain assessment sub-category) is designed to provide immunity to the Defined Inundation Event as outlined within Table 8.2.4.3.b plus a freeboard of 300mm.	
	<b>AO1.3</b>	<b>Complies</b> – new buildings are located in the Floodplain Assessment Overlay, but above the

Performance outcomes	Acceptable outcomes	Applicant response
	<p>New buildings are:</p> <ul style="list-style-type: none"> <li>(a) not located within the overlay area;</li> <li>(b) located on the highest part of the site to minimise entrance of flood waters;</li> <li>(c) provided with clear and direct pedestrian and vehicle evacuation routes off the site.</li> </ul>	100 year ARI - Mossman Port Douglas and Daintree Flood predicted Storm tide levels (including freeboard) of 3.548m AHD adopted by Council.
	<p><b>AO1.4</b></p> <p>In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.</p>	<b>Complies</b> – The dwelling house would be well setback from the riparian corridor located to the east of the site.
<b>For assessable development</b>		
<p><b>PO2</b></p> <p>The development is compatible with the level of risk associated with the natural hazard.</p>	<p><b>AO2</b></p> <p>The following uses are not located in land inundated by the Defined Flood Event (DFE) / Storm tide:</p> <ul style="list-style-type: none"> <li>(a) Retirement facility;</li> <li>(b) Community care facility;</li> <li>(c) Child care centre.</li> </ul>	<b>Complies</b> – none of the listed uses are proposed.
<p><b>PO3</b></p> <p>Development siting and layout responds to flooding potential and maintains personal safety</p>	<p>For Material change of use</p> <p><b>AO3.1</b></p> <p>New buildings are:</p>	<b>Complies</b> – the proposed dwelling house would be constructed to have habitable room finish floor levels above the Defined Inundation Event. This has been identified at 3.548m AHD.



Performance outcomes	Acceptable outcomes	Applicant response
	<p>(a) not located within the overlay area;</p> <p>(b) located on the highest part of the site to minimise entrance of flood waters;</p> <p>(c) provided with clear and direct pedestrian and vehicle evacuation routes off the site.</p> <p>or</p> <p><b>AO3.2</b></p> <p>The development incorporates an area on site that is at least 300mm above the highest known flood inundation level with sufficient space to accommodate the likely population of the development safely for a relatively short time until flash flooding subsides or people can be evacuated.</p> <p>or</p> <p><b>AO3.3</b></p> <p>Where involving an extension to an existing dwelling house that is situated below DFE /Storm tide, the maximum size of the extension does not exceed 70m<sup>2</sup> gross floor area.</p> <p>Note – If part of the site is outside the Hazard Overlay area, this is the preferred location of all buildings.</p>	
	<p>For Reconfiguring a lot</p> <p><b>AO3.4</b></p> <p>Additional lots:</p> <p>(a) are not located in the hazard overlay area;</p>	N/A

Performance outcomes	Acceptable outcomes	Applicant response
	<p>or</p> <p>(b) are demonstrated to be above the flood level identified for the site.</p> <p>Note - If part of the site is outside the Hazard Overlay area, this is the preferred location for all lots (excluding park or other open space and recreation lots).</p> <p>Note – Buildings subsequently developed on the lots will need to comply with the relevant building assessment provisions under the <i>Building Act 1975</i>.</p>	
	<p><b>AO3.5</b></p> <p>Road and/or pathway layout ensures residents are not physically isolated from adjacent flood free urban areas and provides a safe and clear evacuation route path:</p> <p>(a) by locating entry points into the reconfiguration above the flood level and avoiding culs-de-sac or other non-permeable layouts; and</p> <p>(b) by direct and simple routes to main carriageways.</p>	<p><b>N/A</b> – the area surrounding the site is all identified as subject to flooding.</p>
	<p><b>AO3.6</b></p> <p>Signage is provided on site (regardless of whether the land is in public or private ownership) indicating the position and path of all safe evacuation routes off the site and if the site contains, or is within 100m of a floodable waterway, hazard warning signage and depth</p>	<p><b>Complies</b> – there is no intensification of the residential use as the proposed development does not seek to introduce any additional people to the site that already allowed.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>indicators are also provided at key hazard points, such as at floodway crossings or entrances to low-lying reserves.</p> <p>or</p> <p><b>AO3.7</b></p> <p>There is no intensification of residential uses within the flood affected areas on land situated below the DFE/Storm tide.</p>	
	<p>For Material change of use (Residential uses)</p> <p><b>AO3.8</b></p> <p>The design and layout of buildings used for residential purposes minimise risk from flooding by providing:</p> <p>(a) parking and other low intensive, non-habitable uses at ground level;</p> <p>Note - The high-set 'Queenslander' style house is a resilient low-density housing solution in floodplain areas. Higher density residential development should ensure only non-habitable rooms (e.g. garages, laundries) are located on the ground floor.</p>	<p><b>Complies</b> – habitable rooms would be constructed above the defined flood event level of 3.548m AHD.</p>
<p><b>PO4</b></p> <p>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><b>AO4.2</b></p> <p>Non residential buildings and structures allow for the flow through of flood waters on the ground floor.</p> <p>Note - Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to</p>	<p><b>N/A</b> – the development is for a residential use.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p> <p>Note - The relevant building assessment provisions under the <i>Building Act 1975</i> apply to all building work within the Hazard Area and need to take into account the flood potential within the area.</p> <p><b>AO4.3</b></p> <p>Materials are stored on-site:</p> <ul style="list-style-type: none"> <li>(a) are those that are readily able to be moved in a flood event;</li> <li>(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.</li> </ul> <p>Notes -</p> <ul style="list-style-type: none"> <li>(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).</li> <li>(b) Queensland Government Fact Sheet 'Repairing your House after a Flood' provides information about water resilient products and building techniques.</li> </ul>	
<p><b>PO5</b></p> <p>Development directly, indirectly and cumulatively avoids any increase in water flow velocity or flood level and does not increase the potential flood damage either on site or on other properties.</p>	<p>For Operational works</p> <p><b>AO5.1</b></p> <p>Works in urban areas associated with the proposed development do not involve:</p> <ul style="list-style-type: none"> <li>(a) any physical alteration to a watercourse or floodway including vegetation clearing; or</li> </ul>	<p><b>N/A</b> – no operational works are proposed at this stage.</p>



Performance outcomes	Acceptable outcomes	Applicant response
<p>Note – Berms and mounds are considered to be an undesirable built form outcome and are not supported.</p>	<p>(b) a net increase in filling (including berms and mounds).</p>	
	<p><b>AO5.2</b></p> <p>Works (including buildings and earthworks) in non urban areas either:</p> <p>(a) do not involve a net increase in filling greater than 50m<sup>3</sup>; or</p> <p>(b) do not result in any reductions of on-site flood storage capacity and contain within the subject site any changes to depth/duration/velocity of flood waters;</p> <p>or</p> <p>(c) do not change flood characteristics outside the subject site in ways that result in:</p> <p>(i) loss of flood storage;</p> <p>(ii) loss of/changes to flow paths;</p> <p>(iii) acceleration or retardation of flows or any reduction in flood warning times elsewhere on the flood plain.</p>	<p><b>Complies</b> – excavation works are minimal and would not result in a change in water flow velocity or flood storage on the site.</p>
	<p>For Material change of use</p> <p><b>AO5.3</b></p> <p>Where development is located in an area affected by DFE/Storm tide, a hydraulic and hydrology report, prepared by a suitably qualified professional, demonstrates that the development</p>	<p><b>N/A</b> – excavation works are minimal and would not result in a change in water flow velocity or flood storage on the site.</p>

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

Performance outcomes	Acceptable outcomes	Applicant response
	<p>or</p> <p><b>AO6.2</b></p> <p>If a DFE level is adopted, structures used for the manufacture or storage of hazardous materials are:</p> <p>(a) located above the DFE level;</p> <p>or</p> <p>(b) designed to prevent the intrusion of floodwaters.</p>	
	<p><b>AO6.3</b></p> <p>Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE.</p>	<b>Able to comply</b>
	<p><b>AO6.4</b></p> <p>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>	<b>Complies</b> – any hazardous materials would be stored in sealed containers.

Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO7</b></p> <p>The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.</p>	<p><b>A07</b></p> <p>Development does not:</p> <ul style="list-style-type: none"> <li>(a) increase the number of people calculated to be at risk of flooding;</li> <li>(b) increase the number of people likely to need evacuation;</li> <li>(c) shorten flood warning times; and</li> <li>(d) impact on the ability of traffic to use evacuation routes, or unreasonably increase traffic volumes on evacuation routes.</li> </ul>	<p><b>Complies</b> – the development would not increase the number of people living on the site.</p>
<p><b>PO8</b></p> <p>Development involving community infrastructure:</p> <ul style="list-style-type: none"> <li>(a) remains functional to serve community need during and immediately after a flood event;</li> <li>(b) is designed, sited and operated to avoid adverse impacts on the community or environment due to impacts of flooding on infrastructure, facilities or access and egress routes;</li> <li>(c) retains essential site access during a flood event;</li> <li>(d) is able to remain functional even when other infrastructure or services may be compromised in a flood event.</li> </ul>	<p><b>AO8.1</b></p> <p>The following uses are not located on land inundated during a DFE/Storm tide:</p> <ul style="list-style-type: none"> <li>(a) community residence; and</li> <li>(b) emergency services; and</li> <li>(c) residential care facility; and</li> <li>(d) utility installations involving water and sewerage treatment plants; and</li> <li>(e) storage of valuable records or items of historic or cultural significance (e.g. archives, museums, galleries, libraries).</li> </ul> <p>or</p> <p><b>AO8.2</b></p>	<p><b>N/A</b> – The development do not involve these uses.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>The following uses are not located on land inundated during a 1% AEP flood event:</p> <ul style="list-style-type: none"><li>(a) community and cultural facilities, including facilities where an education and care service under the Education and care Services National law (Queensland) is operated or child care service under the <i>Child Care Act 2002</i> is conducted,</li><li>(b) community centres;</li><li>(c) meeting halls;</li><li>(d) galleries;</li><li>(e) libraries.</li></ul> <p>The following uses are not located on land inundated during a 0.5% AEP flood event.</p> <ul style="list-style-type: none"><li>(a) emergency shelters;</li><li>(b) police facilities;</li><li>(c) sub stations;</li><li>(d) water treatment plant</li></ul> <p>The following uses are not located on land inundated during a 0.2% AEP flood event:</p> <ul style="list-style-type: none"><li>(a) correctional facilities;</li><li>(b) emergency services;</li><li>(c) power stations;</li><li>(d) major switch yards.</li></ul> <p>and/or</p>	

Performance outcomes	Acceptable outcomes	Applicant response
	<b>AO8.3</b> The following uses have direct access to low hazard evacuation routes as defined in Table 8.2.4.3.c : (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.	<b>N/A</b> – The development do not involve these uses.
	<b>AO8.4</b> 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: (a) located above DFE/Storm tide or the highest known flood level for the site; (b) designed and constructed to exclude floodwater intrusion / infiltration.	<b>N/A</b> – no community infrastructure is proposed.
	<b>AO8.5</b>	<b>N/A</b> – no community infrastructure is proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by a flood.	

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"><li>• Parks and open space.</li></ul>
5% AEP level	<ul style="list-style-type: none"><li>• Car parking facilities (including car parking associated with use of land).</li></ul>
1% AEP level	<ul style="list-style-type: none"><li>• All development (where not otherwise requiring an alternative level of minimum immunity).</li></ul>
0.5% AEP level	<ul style="list-style-type: none"><li>• Emergency services (if for a police station);</li><li>• Industry activities (if including components which store, treat or use hazardous materials);</li><li>• Substation;</li><li>• Utility installation.</li></ul>
0.2% AEP level	<ul style="list-style-type: none"><li>• Emergency services;</li><li>• Hospital;</li></ul>

	<ul style="list-style-type: none"> <li>Major electricity infrastructure;</li> <li>Special industry.</li> </ul>
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**Table 8.2.4.3.c - Degree of flood**

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

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.

### Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable development</b>		
<b>Development in a High landscape value area</b>		
<b>PO1</b> Development within High landscape value areas identified on the Landscape values overlay maps contained in Schedule 2:	<b>AO1.1</b> Buildings and structures are not more than 8.5 metres and two storeys in height. Note - Height is inclusive of roof height.	<b>Complies</b> – the development is sited on the portion of the lot that is not in a high landscape value area



Performance outcomes	Acceptable outcomes	Applicant response
(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>AO1.2</b> Buildings and structures are setback not less than 50 metres from ridgelines or peaks.	<b>Complies</b> – there are no ridgelines or peaks on the site.
(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;	<b>AO1.3</b> Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.	<b>Complies</b> – the existing trees in the front setback would screen the development from view.
(c) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements;	<b>AO1.4</b> Where development on land steeper than 1 in 6 (16.6%) cannot be avoided: (a) development follows the natural; contours of the site; (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.  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.	<b>Complies</b> – the land is flatter than 1 in 6.
(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, extent and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure;	<b>AO1.5</b> The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette.	<b>Complies</b> – the buildings would use non-reflective building materials.
(f) avoids detrimental impacts on landscape values and views as a result of the location,		



Performance outcomes	Acceptable outcomes	Applicant response
<p>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>Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow.</p>	
	<p><b>AO1.6</b></p> <p>No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.5%).</p>	<p><b>Complies</b> – where vegetation would be cleared the site is flat.</p>
	<p><b>AO1.7</b></p> <p>Where for accommodation activities or reconfiguration of a lot in a High landscape value area, development demonstrates that the height, design, scale, positioning on-site, proposed construction materials and external finishes are compatible with the landscape values.</p> <p>Note - A visual impact assessment undertaken in accordance with Planning scheme policy SC6.6 – Landscape values may be required.</p>	<p><b>N/A</b> – the development is sited on the portion of the lot that is not in a high landscape value area</p>
	<p><b>AO1.8</b></p> <p>Advertising devices do not occur.</p>	<p><b>Complies</b> – no advertising devices are proposed.</p>
<b>Development within the Medium landscape value area</b>		
<p><b>PO2</b></p> <p>Development within Medium landscape value areas identified on the Landscape values overlay maps contained in Schedule 2:</p>	<p><b>AO2.1</b></p> <p>Buildings and structures are not more than 8.5 metres and two storeys in height.</p> <p>Note - Height is inclusive of the roof height.</p>	<p><b>N/A</b> – the site is not within the medium landscape value area.</p>



Performance outcomes	Acceptable outcomes	Applicant response
(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>AO2.2</b> Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer	<b>N/A</b>
(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;	<b>AO2.3</b> Where development on land steeper than 1 in 6 (16.6%) cannot be avoided: (a) development follows the natural; contours of the site; (b) buildings are split level or suspended floor construction, or a combination of the two; (c) lightweight materials are used to areas with suspended floors.  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.	<b>N/A</b>
(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;	<b>AO2.4</b> The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette.  Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow.	<b>N/A</b>
(f) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and	<b>AO2.5</b>	<b>N/A</b>



Performance outcomes	Acceptable outcomes	Applicant response
<p>alignment of telecommunications facilities, electricity towers, poles and lines and other tall infrastructure;</p> <p>(g) extractive industry operations are avoided, or where they cannot be avoided, are screened from view.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.6%).</p> <p><b>AO2.6</b></p> <p>Advertising devices do not occur.</p>	
<b>Development within a Scenic route buffer / view corridor area</b>		
<p><b>PO3</b></p> <p>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><b>AO3.1</b></p> <p>Where within a Scenic route buffer / view corridor area, the height of buildings and structures is not more than identified within the acceptable outcomes of the applicable zone code.</p> <p><b>AO3.2</b></p> <p>No clearing of native vegetation is undertaken within a Scenic route buffer area.</p> <p><b>AO3.3</b></p> <p>Where within a Scenic route buffer / view corridor area development is set back and screened from view from a scenic route by existing native vegetation with a width of at least 10 metres and landscaped in accordance with the requirements of the landscaping code.</p> <p><b>AO3.4</b></p>	<p><b>N/A</b> – The land is not within the Scenic route buffer / view corridor area.</p>



Performance outcomes	Acceptable outcomes	Applicant response
<p>(e) the scale, height and setback of buildings;</p> <p>(f) the extent of earthworks and impacts on the landform including the location and configuration of access roads and driveways;</p> <p>(g) the scale, extent and visual prominence of advertising devices.</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>Development does not result in the replacement of, or creation of new, additional, or enlarged advertising devices.</p>	
<b>Development within the Coastal scenery area</b>		
<p><b>PO4</b></p> <p>The landscape values of the Coastal scenery zone as identified on the Landscape values overlay maps contained in Schedule 2 are managed to integrated and limit the visual impact of development.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p><b>AO4.1</b></p> <p>The dominance of the natural character of the coast is maintained or enhanced when viewed from the foreshore.</p> <p><b>AO4.2</b></p> <p>Where located adjacent to the foreshore buildings and structures are setback:</p> <p>(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</p> <p>(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</p>	<p><b>N/A</b> – The land is not within the Coastal Scenery Zone.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>water mark. The setback area is landscaped in accordance with the requirements of the Landscaping code.</p> <p><b>AO4.3</b></p> <p>Where separated from the foreshore by land contained within public ownership (e.g. unallocated State land, esplanade or other public open space), buildings and structures area setback:</p> <p>(a) where no adjoining development, a minimum of 6 metres from the coastward property boundary. The setback area is landscaped in accordance with the requirements of the Landscaping code; or</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><b>PO5</b></p> <p>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><b>AO5</b></p> <p>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><b>N/A</b> – The land is not within the Coastal Scenery Zone</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.

**Criteria for assessment**

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>Protection of matters of environmental significance</b>		
<b>PO1</b> Development protects matters of environmental significance.	<b>AO1.1</b> Development avoids significant impact on the relevant environmental values.  or <b>AO1.2</b> A report is prepared by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, that the development site does not contain any matters of state and local environmental significance.  or <b>AO1.3</b> 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.	<b>Complies</b> – the development would be concentrated in an area of the site that has been historically cleared. This would avoid impacts on the environmental values of the site. A small amount of clearing is required to facilitate the sewer connection, however the proposed connection has been designed to minimise vegetation removal.





Performance outcomes	Acceptable outcomes	Applicant response
<b>Management of impacts on matters of environmental significance</b>		
<b>PO2</b> Development is located, designed and constructed to avoid significant impacts on matters of environmental significance.	<b>AO2</b> The design and layout of development minimises adverse impacts on ecologically important areas by: <ul style="list-style-type: none"> <li>(a) focusing development in cleared areas to protect existing habitat;</li> <li>(b) utilising design to consolidate density and preserve existing habitat and native vegetation;</li> <li>(c) aligning new property boundaries to maintain ecologically important areas;</li> <li>(d) ensuring that alterations to natural landforms, hydrology and drainage patterns on the development site do not negatively affect ecologically important areas;</li> <li>(e) ensuring that significant fauna habitats are protected in their environmental context; and</li> <li>(f) incorporating measures that allow for the safe movement of fauna through the site.</li> </ul>	<b>Complies</b> – the development would be concentrated in an area of the site that has been historically cleared.
<b>PO3</b> An adequate buffer to areas of state environmental significance is provided and maintained.	<b>AO3.1</b> A buffer for an area of state environmental significance (Wetland protection area) has a minimum width of:	<b>Complies</b> – the area of the site containing the proposed dwelling is located outside of the MSES – High Ecological Significance Area. The proposed shed would be in an existing cleared area.



Performance outcomes	Acceptable outcomes	Applicant response
	<p>(a) 100 metres where the area is located outside Urban areas; or</p> <p>(b) 50 metres where the area is located within a Urban areas.</p> <p>or</p> <p><b>AO3.2</b></p> <p>A buffer for an area of state environmental significance is applied and maintained, the width of which is supported by an evaluation of environmental values, including the function and threats to matters of environmental significance.</p>	
<p><b>PO4</b></p> <p>Wetland and wetland buffer areas are maintained, protected and restored.</p> <p>Note – Wetland buffer areas are identified in AO3.1.</p>	<p><b>AO4.1</b></p> <p>Native vegetation within wetlands and wetland buffer areas is retained.</p>	<p><b>Complies</b> – a small amount of vegetation is required to be removed to facilitate the sewer connection. The proposed route of the sewer connection has been design to minimise the need for vegetation removal.</p>
	<p><b>AO4.2</b></p> <p>Degraded sections of wetlands and wetland buffer areas are revegetated with endemic native plants in patterns and densities which emulate the relevant regional ecosystem.</p>	<p><b>Complies</b> – the area of the site containing the development has been historically cleared. The sections cleared for the sewer line are able to be revegetated.</p>
<p><b>PO5</b></p>	<p><b>AO5.1</b></p> <p>Development avoids the introduction of non-native pest species.</p>	<p><b>Complies</b> – No additional landscaping is proposed.</p>



Performance outcomes	Acceptable outcomes	Applicant response
Development avoids the introduction of non-native pest species (plant or animal), that pose a risk to ecological integrity.	<b>AO5.2</b> The threat of existing pest species is controlled by adopting pest management practices for long-term ecological integrity.	<b>Able to comply</b>
<b>Ecological connectivity</b>		
<b>PO6</b> Development protects and enhances ecological connectivity and/or habitat extent.	<b>AO6.1</b> Development retains native vegetation in areas large enough to maintain ecological values, functions and processes. and	<b>Complies</b> – all significant vegetation on the site will be retrained, including the vegetation located towards the coastal reserve.
	<b>AO6.2</b> Development within an ecological corridor rehabilitates native vegetation. and	<b>N/A</b> – The development would not remove or alter any ecological corridors.
	<b>AO6.3</b> Development within a conservation corridor mitigates adverse impacts on native fauna, feeding, nesting, breeding and roosting sites and native fauna movements.	<b>Complies</b> – all significant vegetation on the site will be retrained, including the vegetation located towards the coastal reserve.
<b>PO7</b>	<b>AO7.1</b>	<b>Complies</b>



Performance outcomes	Acceptable outcomes	Applicant response
Development minimises disturbance to matters of state environmental significance (including existing ecological corridors).	Development avoids shading of vegetation by setting back buildings by a distance equivalent to the height of the native vegetation. and	
	<b>AO7.2</b> Development does not encroach within 10 metres of existing riparian vegetation and watercourses.	<b>Complies</b> – the proposed development would be setback well over 10 metres from a riparian corridor.
<b>Waterways in an urban area</b>		
<b>PO8</b> Development is set back from waterways to protect and maintain: <ul style="list-style-type: none"> <li>(a) water quality;</li> <li>(b) hydrological functions;</li> <li>(c) ecological processes;</li> <li>(d) biodiversity values;</li> <li>(e) riparian and in-stream habitat values and connectivity;</li> <li>(f) in-stream migration</li> </ul>	<b>AO8.1</b> 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 <b>AO8.2</b> Development does not occur on the part of the site affected by the waterway corridor. Note – Waterway corridors are identified within Table 8.2.7.3.b.	<b>N/A</b> - there are no waterways on the site
<b>Waterways in a non-urban area</b>		
<b>PO9</b>	<b>AO9</b>	<b>N/A</b> - there are no waterways on the site





Performance outcomes	Acceptable outcomes	Applicant response
<p>Development is set back from waterways to protect and maintain:</p> <ul style="list-style-type: none"> <li>(a) water quality;</li> <li>(b) hydrological functions;</li> <li>(c) ecological processes;</li> <li>(d) biodiversity values;</li> <li>(e) riparian and in-stream habitat values and connectivity;</li> <li>(f) in-stream migration.</li> </ul>	<p>Development does not occur on that part of the site affected by a waterway corridor.</p> <p>Note – Waterway corridors are identified within Table 8.2.7.3.b.</p>	

**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.

**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.

**Criteria for assessment****Table 8.2.10.3 a – Transport network overlay code – assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable development</b>		
<b>PO1</b> Development supports the road hierarchy for the region.  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.	<b>AO1.1</b> Development is compatible with the intended role and function of the transport network as identified on the Transport network overlay maps contained in Schedule 2.	<b>Complies –</b> The development does not change the road access nor road hierarchy. The development of a dwelling house is considered to be compatible with the existing Access road designation of Mitre Street.
	<b>AO1.2</b> Development does not compromise the safety and efficiency of the transport network.	<b>Complies –</b> The development of a dwelling house would not impact the safety and efficiency of Mitre Street.

Performance outcomes	Acceptable outcomes	Applicant response
	<b>AO1.3</b> Development is designed to provide access via the lowest order road, where legal and practicable access can be provided to that road.	<b>N/A</b> – the site has only one boundary to a made usable road.
<b>PO2</b> Transport infrastructure is provided in an integrated and timely manner. 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.	<b>AO2</b> Development provides infrastructure (including improvements to existing infrastructure) in accordance with: (a) the Transport network overlay maps contained in Schedule 2; (b) any relevant Local Plan. Note – The Translink Public Transport Infrastructure Manual provides guidance on the design of public transport facilities.	<b>N/A</b>
<b>PO3</b> Development involving sensitive land uses within a major transport corridor buffer area is located, designed and maintained to avoid or mitigate adverse impacts on amenity for the sensitive land use.	<b>AO3</b> No acceptable outcomes are prescribed. Note – Part 4.4 of the Queensland Development Code provides requirements for residential building design in a designated transport noise corridor.	<b>N/A</b>
<b>PO4</b> Development does not compromise the intended role and function or safety and efficiency of major transport corridors.	<b>AO4.1</b> Development is compatible with the role and function (including the future role and function) of major transport corridors.	<b>N/A</b> – the site does not adjoin any major transport corridors.



Performance outcomes	Acceptable outcomes	Applicant response
<p>Note - A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.</p>	<p><b>AO4.2</b></p> <p>Direct access is not provided to a major transport corridor where legal and practical access from another road is available.</p>	N/A
	<p><b>AO4.3</b></p> <p>Intersection and access points associated with major transport corridors are located in accordance with:</p> <p>(a) the Transport network overlay maps contained in Schedule 2; and</p> <p>(b) any relevant Local Plan.</p>	N/A
	<p><b>AO4.4</b></p> <p>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>	N/A
<p><b>PO5</b></p> <p>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><b>AO5</b></p> <p>No acceptable outcomes are prescribed.</p>	Complies

Performance outcomes	Acceptable outcomes	Applicant response
<b>Pedestrian and cycle network</b>		
<b>PO6</b> Lot reconfiguration assists in the implementation of the pedestrian and cycle movement network to achieve safe, attractive and efficient pedestrian and cycle networks	<b>AO6.1</b> Where a lot is subject to, or adjacent to an element of the pedestrian and cycle Movement network (identified on the Transport network overlay maps contained in Schedule 2) the specific location of this element of the pedestrian and cycle network is incorporated in the design of the lot layout.	<b>N/A</b> – no lot reconfiguration is proposed.
	<b>AO6.2</b> The element of the pedestrian and cycle network is constructed in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC6.5 – FNQROC Regional Development Manual.	<b>N/A</b>

### 9.3.8 Dwelling house code

#### 9.3.8.1 Application

- (1) This code applies to assessing development for a dwelling house if:
  - (a) self-assessable development or assessable development where this code identified in the assessment criteria column of a table of assessment; or
  - (b) impact assessable development.
- (2) When using this code, reference should be made to Part 5.

Note—Where the land is identified in an overlay map, additional provisions relating to that overlay also apply. For example, minimum floor levels for a dwelling house on a site subject to certain types of flooding are identified in the Flood and storm tide inundation overlay code.

Note – For a proposal to be self-assessable, it must meet all of the self-assessable outcomes of this code and any other applicable code. Where it does not meet all the self-assessable outcomes, the proposal becomes assessable development and a development application is required. Where a development application is triggered, only the specific acceptable outcomes that the proposal fails to meet need to be assessed against the corresponding performance outcomes. Other self-assessable outcomes that are met are not assessed as part of the development application.

#### 9.3.8.2 Purpose

- (1) The purpose of the Dwelling house 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) The dwelling house, including all habitable buildings on site, is occupied by a single household;
  - (b) A dwelling house, including a secondary dwelling or domestic out-buildings; ensures that the secondary dwelling is sub-ordinate to the primary dwelling house;
  - (c) Development of a dwelling house provides sufficient and safe vehicle access and parking for residents;
  - (d) The built form, siting, design and use of each dwelling is consistent with the desired neighbourhood character and streetscape elements of the area.

#### 9.3.8.3 Criteria for assessment

Table 9.3.8.3.a – Dwelling House code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		



Performance outcomes	Acceptable outcomes	Applicant response
<b>PO1</b> Secondary dwellings: (a) are subordinate, small-scaled dwellings; (b) contribute to a safe and pleasant living environment; (c) are established on appropriate sized lots; (d) do not cause adverse impacts on adjoining properties.	<b>AO1</b> The secondary dwelling: (a) has a total gross floor area of not more than 80m <sup>2</sup> , excluding a single carport or garage; (b) is occupied by 1 or more members of the same household as the dwelling house.	<b>N/A</b> – No secondary dwelling is proposed.
<b>PO2</b> Resident's vehicles are accommodated on-site.	<b>AO2</b> Development provides a minimum number of onsite car parking spaces comprising: (a) 2 car parking spaces which may be in tandem for the dwelling house; (b) 1 car parking space for any secondary dwelling on the same site.	<b>Complies</b> – the required carparking spaces are available in the proposed garage.
<b>PO3</b> Development is of a bulk and scale that: (a) is consistent with and complements the built form and front boundary setbacks prevailing in the street and local area; (b) does not create an overbearing development for adjoining dwelling houses and their private open space; (c) does not impact on the amenity and privacy	<b>AO3</b> Development meets the acceptable outcome for building height in the applicable Zone code associated with the site.	<b>Complies</b> – refer to Environmental Management Zone Code.



Performance outcomes	Acceptable outcomes	Applicant response
of residents in adjoining dwelling houses; (d) ensures that garages do not dominate the appearance of the street.		

### 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	Applicant response
Lighting		



Performance outcomes	Acceptable outcomes	Applicant response
<b>PO1</b> Lighting incorporated within development does not cause an adverse impact on the amenity of adjacent uses and nearby sensitive land uses.	<b>AO1.1</b> 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.	<b>N/A</b> – no outdoor lighting is proposed as a part of this application.
	<b>AO1.2</b> Development that involves flood lighting is restricted to a type that gives no upward component of light where mounted horizontally.	<b>N/A</b> – no outdoor lighting is proposed as a part of this application.
	<b>AO1.3</b> Access, car parking and manoeuvring areas are designed to shield nearby residential premises from impacts of vehicle headlights.	<b>N/A</b> – no outdoor lighting is proposed as a part of this application.
<b>Noise</b>		
<b>PO2</b> Potential noise generated from the development is avoided through design, location and operation of the activity.  Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.	<b>AO2.1</b> Development does not involve activities that would cause noise related environmental harm or nuisance;  or <b>AO2.2</b> Development ensures noise does not emanate from the site through the use of materials, structures and architectural features to not cause an adverse noise impact on adjacent uses.	<b>Complies</b> – the proposed dwelling house would not cause noise related environmental harm.
	<b>AO2.3</b>	<b>Complies</b> – car parking areas on the site would



Performance outcomes	Acceptable outcomes	Applicant response
	<p>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"> <li>(a) car parking is located away from adjacent sensitive land uses;</li> <li>(b) car parking is enclosed within a building;</li> <li>(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;</li> <li>(d) buffered with dense landscaping.</li> </ul> <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>	be sufficiently setback from adjoining properties and sensitive land uses.
<b>Airborne particles and other emissions</b>		
<p><b>PO3</b></p> <p>Potential airborne particles and emissions generated from the development are avoided through design, location and operation of the activity.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p><b>AO3.1</b></p> <p>Development does not involve activities that will result in airborne particles or emissions being generated;</p> <p>or</p> <p><b>AO3.2</b></p> <p>The design, layout and operation of the development activity ensures that no airborne particles or emissions cause environmental harm or nuisance.</p> <p>Note - examples of activities which generally cause airborne particles include spray painting, abrasive blasting,</p>	<b>Complies</b> – the development would not generate airborne particles or emissions.



Performance outcomes	Acceptable outcomes	Applicant response
	<p>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>	
<b>Odours</b>		
<p><b>PO4</b></p> <p>Potential odour causing activities associated with the development are avoided through design, location and operation of the activity.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p><b>AO4.1</b></p> <p>The development does not involve activities that create odorous emissions;</p> <p>or</p> <p><b>AO4.2</b></p> <p>The use does not result in odour that causes environmental harm or nuisance with respect to surrounding land uses.</p>	<p><b>Complies</b> – the proposed development would not generate odorous emissions.</p>
<b>Waste and recyclable material storage</b>		
<p><b>PO5</b></p> <p>Waste and recyclable material storage facilities are located and maintained to not cause adverse impacts on adjacent uses.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p><b>AO5.1</b></p> <p>The use ensures that all putrescent waste is stored in a manner that prevents odour nuisance and is disposed of at regular intervals.</p>	<p><b>Complies</b> – waste on the site would be stored in covered containers and disposed of regularly.</p>
	<p><b>AO5.2</b></p> <p>Waste and recyclable material storage facilities are located, designed and maintained to not cause an adverse impact on users of the premises and adjacent uses through consideration of:</p>	<p><b>Complies</b> – waste on the site would be stored in covered containers and disposed of regularly.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>(a) the location of the waste and recyclable material storage areas in relation to the noise and odour generated;</p> <p>(b) the number of receptacles provided in relation to the collection, maintenance and use of the receptacles;</p> <p>(c) the durability of the receptacles, sheltering and potential impacts of local climatic conditions;</p> <p>(d) the ability to mitigate spillage, seepage or leakage from receptacles into adjacent areas and sensitive receiving waters and environments.</p> <p>Editor's note - the <i>Environmental Protection (Waste Management) Policy 2008</i> provides guidance on the design of waste containers (receptacles) to ensure environmental harm (including nuisance) is avoided.</p>	
<b>Sensitive land use activities</b>		
<p><b>PO6</b></p> <p>Sensitive land use activities are not established in areas which will receive potentially incompatible impacts on amenity from surrounding, existing development activities and land uses.</p>	<p><b>AO6.1</b></p> <p>Sensitive land use activities are not established in areas that will be adversely impacted upon by existing land uses, activities and potential development possible in an area;</p> <p>or</p> <p><b>AO6.2</b></p> <p>Sensitive land activities are located in areas where potential adverse amenity impacts mitigate all potential impacts through layout, design, operation and maintenance.</p>	<p><b>Complies</b> – the proposed use would not be impacted by surrounding land uses.</p>



Performance outcomes	Acceptable outcomes	Applicant response
<b>Stormwater quality</b>		
<b>PO7</b> The quality of stormwater flowing over, through or being discharged from development activities into watercourses and drainage lines is of adequate quality for downstream environments, with respect to: (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.	<b>AO7.1</b> Development activities are designed to ensure stormwater over roofed and hard stand areas is directed to a lawful point of discharge.	<b>Complies</b> – the development would continue to direct stormwater to the lawful point of discharge.
	<b>AO7.2</b> Development ensures movement of stormwater over the site is not impeded or directed through potentially polluting activities.	<b>N/A</b> – No polluting activities would be undertaken.
	<b>AO7.3</b> Soil and water control measures are incorporated into the activity's design and operation to control sediment and erosion potentially entering watercourses, drainage lines and downstream receiving waters.  Note - Planning scheme policy - FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i> .  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.	<b>N/A</b> – No sediment or erosion causing activities are proposed.
<b>Pest plants (for material change of use on vacant land over 1,000m<sup>2</sup>)</b>		
<b>PO8</b> Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not	<b>AO8.1</b> The land is free of declared pest plants before development establishes new buildings, structures and practices;	<b>N/A</b> – the site is not vacant land.

Performance outcomes	Acceptable outcomes	Applicant response
<p>reinfest the site or nearby sites.</p> <p>Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the <i>Land Protection (Pest and Stock Route Management) Act 2002</i>.</p>	<p>or</p> <p><b>AO8.2</b></p> <p>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>	



## 9.4.4 Filling and excavation code

### 9.4.4.1 Application

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

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

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

### 9.4.4.2 Purpose

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

### 9.4.4.3 Criteria for assessment

**Table 9.4.4.3.a – Filling and excavation code – for self-assessable and assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		

Performance outcomes	Acceptable outcomes	Applicant response
<b>Filling and excavation - General</b>		
<b>PO1</b> All filling and excavation work does not create a detrimental impact on the slope stability, erosion potential or visual amenity of the site or the surrounding area.	<b>AO1.1</b> The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height. and Cuts in excess of those stated in A1.1 above are separated by benches/ terraces with a minimum width of 1.2 metres that incorporate drainage provisions and screen planting.	<b>Complies</b> – the height of cut and fill would be minimal and less than 1 metre.
	<b>AO1.2</b> Cuts are supported by batters, retaining or rock walls and associated benches/terraces are capable of supporting mature vegetation.	<b>N/A</b> – No significant cuts are proposed.
	<b>AO1.3</b> Cuts are screened from view by the siting of the building/structure, wherever possible.	<b>N/A</b> – No significant cuts are proposed.
	<b>AO1.4</b> Topsoil from the site is retained from cuttings and reused on benches/terraces.	<b>N/A</b> – No significant cuts are proposed.
	<b>AO1.5</b> No crest of any cut or toe of any fill, or any part of any retaining wall or structure is closer than	<b>Complies</b> – excavation and filling would be located away from property boundaries.

Performance outcomes	Acceptable outcomes	Applicant response
	600mm to any boundary of the property, unless the prior written approval of the adjoining landowner has been obtained.	
	<b>AO1.6</b> Non-retained cut and/or fill on slopes are stabilised and protected against scour and erosion by suitable measures, such as grassing, landscaping or other protective/aesthetic measures	<b>Able to comply</b>
<b>Visual Impact and Site Stability</b>		
<b>PO2</b> Filling and excavation are carried out in such a manner that the visual/scenic amenity of the area and the privacy and stability of adjoining properties is not compromised.	<b>AO2</b> The extent of filling and excavation does not exceed 40% of the site area, or 500m <sup>2</sup> whichever is the lesser, except that AO2.1 does not apply to reconfiguration of 5 lots or more.	<b>Complies</b> – the extent of exaction and filling proposed would be minimal.
	<b>AO2.2</b> Filling and excavation does not occur within 2 metres of the site boundary.	<b>Complies</b> – excavation and filling would be located away from property boundaries.
<b>Flood and Drainage</b>		
<b>PO3</b> Filling and excavation does not result in a change to the run off characteristics of a site	<b>AO3.1</b> Filling and excavation does not result in the ponding of water on a site or adjacent land or	<b>Complies</b> – the proposed earthworks are minimal and would not result in changed drainage characteristics.

Performance outcomes	Acceptable outcomes	Applicant response
which then have a detrimental impact on the site or nearby land or adjacent road reserves.	road reserves.	
	<b>AO3.2</b> Filling and excavation does not result in an increase in the flow of water across a site or any other land or road reserves.	<b>Complies</b> – the proposed earthworks are minimal and would not result in changed flow characteristics across the site.
	<b>AO3.3</b> Filling and excavation does not result in an increase in the volume of water or concentration of water in a watercourse and overland flow paths.	<b>Complies</b> – the proposed earthworks are minimal and would not result in changed flow characteristics across the site.
	<b>AO3.4</b> Filling and excavation complies with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	<b>Complies</b> – filling and excavation would be completed in accordance with the relevant standards.
<b>Water Quality</b>		
<b>PO4</b> Filling and excavation does not result in a reduction of the water quality of receiving waters.	<b>AO4</b> Water quality is maintained to comply with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	<b>Complies</b> – the minimal earthworks proposed would not impact the quality of water discharged from the site.
<b>Infrastructure</b>		
<b>PO5</b>	<b>AO5</b>	<b>Complies</b> – the proposed development would not

Performance outcomes	Acceptable outcomes	Applicant response
Excavation and filling does not impact on Public Utilities.	Excavation and filling is clear of the zone of influence of public utilities.	impact Public Utilities.



## 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	Applicant Response
<b>For self-assessable and assessable development</b>		

Performance outcomes	Acceptable outcomes	Applicant Response
<b>Works on a local government road</b>		
<b>PO1</b> Works on a local government road do not adversely impact on footpaths or existing infrastructure within the road verge and maintain the flow, safety and efficiency of pedestrians, cyclists and vehicles.	<b>AO1.1</b> Footpaths/pathways are located in the road verge and are provided for the hierarchy of the road and located and designed and constructed in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	<b>N/A</b> – No footpaths or pathways are proposed.
	<b>AO1.2</b> Kerb ramp crossovers are constructed in accordance with Planning scheme policy SC 5 – FNQROC Regional Development Manual.	<b>N/A</b> – The existing crossover would be retained.
	<b>AO1.3</b> New pipes, cables, conduits or other similar infrastructure required to cross existing footpaths: (a) are installed via trenchless methods; or (b) where footpath infrastructure is removed to install infrastructure, the new section of footpath is installed to the standard detailed in the Planning scheme policy SC5 – FNQROC Regional Development Manual, and is not less than a 1.2 metre section.	<b>N/A</b> – There are no footpaths in front of the site.
	<b>AO1.4</b> Where existing footpaths are damaged as a result of development, footpaths are reinstated ensuring:	<b>N/A</b> – There are no footpaths in front of the site.

Performance outcomes	Acceptable outcomes	Applicant Response
	(a) similar surface finishes are used; (b) there is no change in level at joins of new and existing sections; (c) new sections are matched to existing in terms of dimension and reinforcement.  Note – Figure 9.4.5.3.a provides guidance on meeting the outcomes.	
	<b>AO1.5</b>  Decks, verandahs, stairs, posts and other structures located in the road reserve do not restrict or impede pedestrian movement on footpaths or change the level of the road verges.	<b>N/A</b>
<b>Accessibility structures</b>		
<b>PO2</b>  Development is designed to ensure it is accessible for people of all abilities and accessibility features do not impact on the efficient and safe use of footpaths.  Note – Accessibility features are those features required to ensure access to premises is provided for people of all abilities and include ramps and lifts.	<b>AO2.1</b>  Accessibility structures are not located within the road reserve.	<b>N/A – No accessibility structure are proposed.</b>
	<b>AO2.2</b>  Accessibility structures are designed in accordance with AS1428.3.	<b>N/A – No accessibility structure are proposed.</b>
	<b>AO2.3</b>  When retrofitting accessibility features in existing buildings, all structures and changes in grade are contained within the boundaries of the lot and not within the road reserve.	<b>N/A – No accessibility structure are proposed.</b>

Performance outcomes	Acceptable outcomes	Applicant Response
<b>Water supply</b>		
<b>PO3</b> An adequate, safe and reliable supply of potable, fire fighting and general use water is provided.	<b>AO3.1</b> The premises is connected to Council's reticulated water supply system in accordance with the Design Guidelines set out in Section D6 of the Planning scheme policy SC5 – FNQROC Regional Development Manual;  or <b>AO3.2</b> 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.	<b>Complies</b> – The site is connected to council's reticulated water supply system.
<b>Treatment and disposal of effluent</b>		
<b>PO4</b> 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	<b>AO4.1</b> 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 –	<b>Complies</b> – The site is proposed to be connected via a domestic sewer pressure main to Council's existing sewer pump station. The new main would be constructed within the formed carriageway of Mitre Street at a nominal 2m offset from the kerb.

Performance outcomes	Acceptable outcomes	Applicant Response
systems in the locality.	FNQROC Regional Development Manual; or <b>AO4.2</b> 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> .	
<b>Stormwater quality</b>		
<b>PO5</b> Development is planned, designed, constructed and operated to avoid or minimise adverse impacts on stormwater quality in natural and developed catchments by: (d) achieving stormwater quality objectives; (e) protecting water environmental values; (f) maintaining waterway hydrology.	<b>AO5.1</b> A connection is provided from the premises to Council's drainage system; or <b>AO5.2</b> An underground drainage system is constructed to convey stormwater from the premises to Council's drainage system in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	<b>N/A</b> – Council has no formal drainage infrastructure in the area.
	<b>AO5.3</b> A stormwater quality management plan is prepared, and provides for achievable stormwater quality treatment measures meeting design objectives listed in Table 9.4.5.3.b and Table	<b>N/A</b> – A stormwater quality management plan is not considered necessary for a development of this scope and scale.



Performance outcomes	Acceptable outcomes	Applicant Response
	<p>9.4.5.3.c , reflecting land use constraints, such as:</p> <ul style="list-style-type: none"> <li>(a) erosive, dispersive and/or saline soil types;</li> <li>(b) landscape features (including landform);</li> <li>(c) acid sulfate soil and management of nutrients of concern;</li> <li>(d) rainfall erosivity.</li> </ul>	
	<p><b>AO5.4</b></p> <p>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><b>N/A</b> –Erosion and Sediment control practices are not considered necessary for a development of this scope and scale.</p>
	<p><b>AO5.5</b></p> <p>Development incorporates stormwater flow control measures to achieve the design objectives set out in <b>Error! Reference source not found.</b> and <b>Error! Reference source not found.</b>, including management of frequent flows, peak flows, and construction phase hydrological impacts.</p> <p>Note – Planning scheme policy SC5 – FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p>Note – During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.</p>	<p><b>N/A</b> – As no significant changes to stormwater flow are proposed, control measures are not considered necessary for the proposal.</p>
<b>Non-tidal artificial waterways</b>		

Performance outcomes	Acceptable outcomes	Applicant Response
<b>PO6</b> Development involving non-tidal artificial waterways is planned, designed, constructed and operated to: (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.	<b>AO6.1</b> Development involving non-tidal artificial waterways ensures: (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.	N/A
	<b>AO6.2</b> Non-tidal artificial waterways are located: (a) outside natural wetlands and any associated buffer areas; (b) to minimise disturbing soils or sediments; (c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas.	N/A
	<b>AO6.3</b> Non-tidal artificial waterways located adjacent to, or connected to a tidal waterway by means of a weir, lock, pumping system or similar ensures: (a) there is sufficient flushing or a tidal range of >0.3 m; or (b) any tidal flow alteration does not adversely	N/A

Performance outcomes	Acceptable outcomes	Applicant Response
	<p>impact on the tidal waterway; or</p> <p>(c) there is no introduction of salt water into freshwater environments.</p>	
	<p><b>AO6.4</b></p> <p>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>	N/A
	<p><b>AO6.5</b></p> <p>The end-use purpose of the non-tidal artificial waterway is designed and operated in a way that protects water environmental values.</p>	N/A
	<p><b>AO6.6</b></p> <p>Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway.</p>	N/A
	<p><b>AO6.7</b></p> <p>Aquatic weeds are managed to achieve a low percentage of coverage of the water surface area,</p>	N/A

Performance outcomes	Acceptable outcomes	Applicant Response
	and pests and vectors are managed through design and maintenance.	
<b>Wastewater discharge</b>		
<b>PO7</b> Discharge of wastewater to waterways, or off site: (a) meets best practice environmental management; (b) is treated to: (i) meet water quality objectives for its receiving waters; (ii) avoid adverse impact on ecosystem health or waterway health; (iii) maintain ecological processes, riparian vegetation and waterway integrity; (iv) offset impacts on high ecological value waters.	<b>AO7.1</b> A wastewater management plan is prepared and addresses: (a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best practice environmental management.	<b>N/A</b> – no wastewater would be discharged from the site except through a sewer connection.
	<b>AO7.2</b> The waste water management plan is managed in accordance with a waste management hierarchy that: (a) avoids wastewater discharge to waterways; or (b) if wastewater discharge cannot practicably be avoided, minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and ground water.	<b>N/A</b> – no wastewater would be discharged from the site.
	<b>AO7.3</b> Wastewater discharge is managed to avoid or minimise the release of nutrients of concern so as to minimise the occurrence, frequency and	<b>N/A</b> – no wastewater would be discharged from the site.

Performance outcomes	Acceptable outcomes	Applicant Response
	intensity of algal blooms.	
	<p><b>AO7.4</b></p> <p>Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and:</p> <p>(a) avoids lowering ground water levels where potential or actual acid sulfate soils are present;</p> <p>(b) manages wastewater so that:</p> <p>(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;</p> <p>(ii) holding times of neutralised wastewater ensures the flocculation and removal of any dissolved iron prior to release;</p> <p>(iii) visible iron floc is not present in any discharge;</p> <p>(iv) precipitated iron floc is contained and disposed of;</p> <p>(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.</p>	<b>Complies</b>
<b>Electricity supply</b>		
<b>PO8</b>	<b>AO8.1</b>	<b>Complies – the site has an existing electricity</b>



Performance outcomes	Acceptable outcomes	Applicant Response
Development is provided with a source of power that will meet its energy needs.	<p>A connection is provided from the premises to the electricity distribution network;</p> <p>or</p> <p><b>AO8.2</b></p> <p>The premises is connected to the electricity distribution network in accordance with the Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p>Note - Areas north of the Daintree River have a different standard.</p>	connection.
	<p><b>AO9.1</b></p> <p>Pad-mount electricity infrastructure is:</p> <ul style="list-style-type: none"> <li>(a) not located in land for open space or sport and recreation purposes;</li> <li>(b) screened from view by landscaping or fencing;</li> <li>(c) accessible for maintenance.</li> </ul>	N/A
<p><b>PO9</b></p> <p>Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.</p>	<p><b>AO9.2</b></p> <p>Pad-mount electricity infrastructure within a building, in a Town Centre is designed and located to enable an active street frontage.</p> <p>Note – Pad-mounts in buildings in activity centres should not be located on the street frontage.</p>	N/A
<b>Telecommunications</b>		

Performance outcomes	Acceptable outcomes	Applicant Response
<b>PO10</b> Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.	<b>AO10</b> The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.	<b>Complies</b> – the site has an existing connection to telecommunications infrastructure.
<b>PO11</b> Provision is made for future telecommunications services (e.g. fibre optic cable).	<b>AO11</b> Conduits are provided in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	<b>Able to comply</b>
<b>Road construction</b>		
<b>PO12</b> 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; (e) emergency vehicles.	<b>AO12.1</b> The road to the frontage of the site is constructed in accordance with the Design Guidelines set out in Sections D1 and D3 of the Planning scheme policy SC5 – FNQROC Regional Development Manual, for the particular class of road, as identified in the road hierarchy.	<b>Complies</b> – Mitre street is a constructed Council maintained road.
	<b>AO12.2</b> There is existing road, kerb and channel for the full road frontage of the site.	<b>Complies</b> – Mitre street is a constructed Council maintained road.
	<b>AO12.3</b> Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for the safe passage of emergency vehicles.	<b>Complies</b> – The existing road access meets these requirements.

Performance outcomes	Acceptable outcomes	Applicant Response
<b>Alterations and repairs to public utility services</b>		
<b>PO13</b> Infrastructure is integrated with, and efficiently extends, existing networks.	<b>AO13</b> Development is designed to allow for efficient connection to existing infrastructure networks.	<b>N/A</b> – no alteration to existing infrastructure networks is anticipated or proposed.
<b>PO14</b> Development and works do not affect the efficient functioning of public utility mains, services or installations.	<b>AO14.1</b> Public utility mains, services and installations are not required to be altered or repaired as a result of the development;  or <b>AO14.2</b> Public utility mains, services and installations are altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	<b>N/A</b> – no alteration to existing infrastructure networks is anticipated or proposed.
<b>Construction management</b>		
<b>PO15</b> Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be retained.	<b>AO15</b> Works include, at a minimum: (a) installation of protective fencing around retained vegetation during construction; (b) erection of advisory signage; (c) no disturbance, due to earthworks or storage of plant, materials and equipment, of ground	<b>Able to comply</b>

Performance outcomes	Acceptable outcomes	Applicant Response
	<p>level and soils below the canopy of any retained vegetation;</p> <p>(d) removal from the site of all declared noxious weeds.</p>	
<p><b>PO16</b></p> <p>Existing infrastructure is not damaged by construction activities.</p>	<p><b>AO16</b></p> <p>Construction, alterations and any repairs to infrastructure is undertaken in accordance with the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p>Note - Construction, alterations and any repairs to State-controlled roads and rail corridors are undertaken in accordance with the Transport Infrastructure Act 1994.</p>	<p><b>Able to comply</b></p>
<b>For assessable development</b>		
<b>High speed telecommunication infrastructure</b>		
<p><b>PO17</b></p> <p>Development provides infrastructure to facilitate the roll out of high speed telecommunications infrastructure.</p>	<p><b>AO17</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Complies</b> – the site already has access to telecommunications infrastructure in Mitre Street.</p>
<b>Trade waste</b>		
<p><b>PO18</b></p> <p>Where relevant, the development is capable of providing for the storage, collection treatment and disposal of trade waste such that:</p>	<p><b>AO18</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>N/A</b></p>

Performance outcomes	Acceptable outcomes	Applicant Response
(a) off-site releases of contaminants do not occur; (b) the health and safety of people and the environment are protected; (c) the performance of the wastewater system is not put at risk.		
<b>Fire services in developments accessed by common private title</b>		
<b>PO19</b> Hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	<b>AO19.1</b> Residential streets and common access ways within a common private title places hydrants at intervals of no more than 120 metres and at each intersection. Hydrants may have a single outlet and be situated above or below ground.	N/A
	<b>AO19.2</b> Commercial and industrial streets and access ways within a common private title serving commercial properties such as factories and warehouses and offices are provided with above or below ground fire hydrants located at not more than 90 metre intervals and at each intersection. Above ground fire hydrants have dual-valved outlets.	N/A
<b>PO20</b> 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	<b>AO20</b> No acceptable outcomes are prescribed.	N/A



Performance outcomes	Acceptable outcomes	Applicant Response
'Publications'.		

## 9.4.6 Landscaping code

### 9.4.6.2 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 (2).

### 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 9.4.4.3.a – Landscaping code –assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>Landscape design</b>		
<p><b>PO1</b></p> <p>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"> <li>(a) promoting the Shire's character as a tropical environment;</li> <li>(b) softening the built form of development;</li> <li>(c) enhancing the appearance of the development from within and outside the development and makes a positive contribution to the streetscape;</li> <li>(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;</li> <li>(e) where necessary, ensuring the privacy of habitable rooms and private outdoor recreation areas;</li> <li>(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;</li> <li>(g) ensuring private outdoor recreation space is</li> </ul>	<p><b>AO1</b></p> <p>Development provides landscaping:</p> <ul style="list-style-type: none"> <li>(a) in accordance with the minimum area, dimensions and other requirements of applicable development codes;</li> <li>(b) that is designed and planned in a way that meets the guidelines for landscaping outlined in Planning Scheme Policy SC6.7 – Landscaping;</li> <li>(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.</li> </ul> <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><b>N/A</b> – no additional landscaping is proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>useable;</p> <p>(h) providing long term soil erosion protection;</p> <p>(i) providing a safe environment;</p> <p>(j) integrating existing vegetation and other natural features of the premises into the development;</p> <p>(k) not adversely affecting vehicular and pedestrian sightlines and road safety.</p>		
<b>For assessable development</b>		
<p><b>PO2</b></p> <p>Landscaping contributes to a sense of place, is functional to the surroundings and enhances the streetscape and visual appearance of the development.</p>	<p><b>AO2.1</b></p> <p>No acceptable outcomes are specified.</p> <p>Note - Landscaping is in accordance with the requirements specified in Planning scheme policy SC6.7 – Landscaping.</p>	N/A
	<p><b>AO2.2</b></p> <p>Tropical urbanism is incorporated into building design.</p> <p>Note – 'Tropical urbanism' includes many things such as green walls, green roofs, podium planting and vegetation incorporated into the design of a building.</p>	N/A
<p><b>PO3</b></p> <p>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.</p>	<p><b>AO3.1</b></p> <p>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.</p>	<b>Complies</b> – a majority of the existing significant vegetation is to be retained on site.
	<p><b>AO3.2</b></p>	<b>Complies</b> – vegetation removed to facilitate the

Performance outcomes	Acceptable outcomes	Applicant response
	Mature vegetation on the site that is removed or damaged during development is replaced with advanced species.	sewer connection is able to be reinstated where required.
	<b>AO3.3</b> Where there is an existing landscape character in a street or locality which results from existing vegetation, similar species are incorporated into new development.	N/A
	<b>AO3.4</b> Street trees are species which enhance the landscape character of the streetscape, with species chosen from the Planning scheme policy SC6.7 – Landscaping.	N/A
<b>PO4</b> Plant species are selected with consideration to the scale and form of development, screening, buffering, streetscape, shading and the locality of the area.	<b>AO4</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	N/A
<b>PO5</b> Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal roadways.	<b>AO5</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	N/A
<b>PO6</b> Landscaped areas are designed in order to allow for efficient maintenance.	<b>AO6.1</b> A maintenance program is undertaken in accordance with Planning scheme policy SC6.7 – Landscaping.	N/A



Performance outcomes	Acceptable outcomes	Applicant response
	<b>AO6.2</b> Tree maintenance is to have regard to the 'Safe Useful Life Expectancy of Trees (SULE). 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.	N/A
<b>PO7</b> Podium planting is provided with appropriate species for long term survival and ease of maintenance, with beds capable of proper drainage.	<b>AO7.1</b> Podium planting beds are provided with irrigation and are connected to stormwater infrastructure to permit flush out.	N/A
	<b>AO7.2</b> Species of plants are selected for long term performance designed to suit the degree of access to podiums and roof tops for maintenance.	N/A
<b>PO8</b> 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.	<b>AO8</b> Weed and invasive species detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person.	Able to comply
<b>PO9</b> The landscape design enhances personal safety and reduces the potential for crime and vandalism.	<b>AO9</b> No acceptable outcomes are specified. Note - Planning scheme policy SC6.3 – Crime prevention through environmental design (CPTED) provides guidance on meeting this outcome.	N/A
<b>PO10</b>	<b>AO10</b>	N/A

Performance outcomes	Acceptable outcomes	Applicant response
The location and type of plant species does not adversely affect the function and accessibility of services and facilities and service areas.	Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	

## 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	Applicant response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> Vegetation is protected to ensure that:	<b>AO1.1</b> Vegetation damage is undertaken by a statutory authority on land other than freehold land that the	<b>Complies</b> – it is proposed to remove a small amount of vegetation from the front setback to facilitate a connection to Council's reticulated

Performance outcomes	Acceptable outcomes	Applicant response
<ul style="list-style-type: none"><li>(a) the character and amenity of the local area is maintained;</li><li>(b) vegetation damage does not result in fragmentation of habitats;</li><li>(c) vegetation damage is undertaken in a sustainable manner;</li><li>(d) the Shire's biodiversity and ecological values are maintained and protected;</li><li>(e) vegetation of historical, cultural and / or visual significance is retained;</li><li>(f) vegetation is retained for erosion prevention and slope stabilisation.</li></ul>	<p>statutory authority has control over;</p> <p>or</p> <p><b>AO1.2</b></p> <p>Vegetation damage is undertaken by or on behalf of the local government on land controlled, owned or operated by the local government;</p> <p>or</p> <p><b>AO1.3</b></p> <p>Vegetation damage, other than referenced in AO1.1 or AO1.2 is the damage of:</p> <ul style="list-style-type: none"><li>(a) vegetation declared as a pest pursuant to the <i>Land Protection (Pest and Stock Route Management) Act 2002</i>; or</li><li>(b) vegetation identified within the local government's register of declared plants pursuant to the local government's local laws; or</li><li>(c) vegetation is located within a Rural zone and the trunk is located within ten metres of an existing building; or</li><li>(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;.</li></ul> <p>or</p> <p><b>AO1.4</b></p> <p>Vegetation damage that is reasonably necessary for carrying out work that is:</p>	<p>sewerage network.</p> <p>To minimise any impacts caused, the proposed sewer main would run in close proximity to an existing drain to avoid the need for significant vegetation clearing.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(a) authorised or required under legislation or a local law;</p> <p>(b) specified in a notice served by the local government or another regulatory authority;</p> <p>or</p> <p><b>AO1.5</b></p> <p>Vegetation damage for development where the damage is on land the subject of a valid development approval and is necessary to give effect to the development approval;</p> <p>or</p> <p><b>AO1.6</b></p> <p>Vegetation damage is in accordance with an approved Property Map of Assessable Vegetation issued under the <i>Vegetation Management Act 1999</i>;</p> <p>or</p> <p><b>AO1.7</b></p> <p>Vegetation damage is essential to the maintenance of an existing fire break;</p> <p>or</p> <p><b>AO1.8</b></p> <p>Vegetation damage is essential to prevent interference to overhead service cabling;</p> <p>or</p> <p><b>AO1.9</b></p> <p>Vegetation damage is for an approved Forest practice, where the lot is subject to a scheme</p>	



Performance outcomes	Acceptable outcomes	Applicant response
	<p>approved under the <i>Vegetation Management Act 1999</i>;</p> <p>or</p> <p><b>AO1.10</b></p> <p>Vegetation damage is undertaken in accordance with section 584 of the <i>Sustainable Planning Act 2009</i>.</p>	
	<p><b>AO1.11</b></p> <p>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>	<b>N/A</b> – the vegetation removal is to facilitate a sewer connection.
	<p><b>AO1.12</b></p> <p>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>	<b>N/A</b> – the vegetation removal is to facilitate a sewer connection.
<p><b>PO2</b></p> <p>Vegetation damaged on a lot does not result in a nuisance</p>	<p><b>AO2.1</b></p> <p>Damaged vegetation is removed and disposed of at an approved site;</p> <p>or</p> <p><b>AO2.2</b></p> <p>Damaged vegetation is mulched or chipped if used onsite.</p>	<b>Complies</b> – vegetation would be disposed of in accordance with the acceptable outcomes.

Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable development</b>		
<b>PO3</b> Vegetation damage identified on the Places of significance overlay lot does not result in a negative impact on the site's heritage values.	<b>AO3</b> No acceptable outcomes are prescribed.	<b>N/A</b> – the site is not in the Places of Significance Overlay.