

# PLANNING PLUS

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**Our Ref:** 21-07/001084  
**Date:** 29 March 2021

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

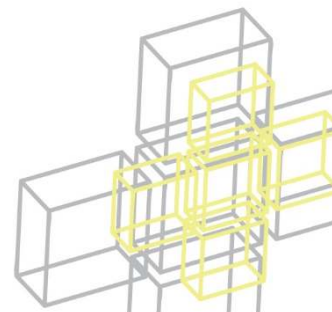
Dear Sir

**RE: APPLICATION FOR A DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (1 LOT INTO 2 LOTS)  
OVER LAND AT 349 MOWBRAY RIVER ROAD, MOWBRAY, DESCRIBED AS LOT 23 ON SP227933**

Planning Plus (QLD) Pty Ltd has been engaged by ML & KM Samson (the 'applicant') to prepare and lodge the abovementioned development application with Douglas Shire Council.

In support of the application, please find attached completed DA Forms (**Annexure 1**). Payment of the relevant application fee of **\$1,419.00** in accordance with Council's 2020/21 Schedule of Fees & Charges will be made following lodgement.

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



## 1 Site Information

### 1.1 Site Details

Key details of the subject site include:

<b>Address:</b>	349 Mowbray River Road, Mowbray, QLD 4873
<b>Real Property Description:</b>	Lot 23 on SP227933 <i>Refer to <b>Annexures 2 &amp; 3</b> – QLD Globe Overlay and SmartMap</i>
<b>Site Area:</b>	3.6ha
<b>Easements:</b>	Nil
<b>Land Owner:</b>	Michael Lucas Samson & Kylie Michelle Samson <i>Refer to <b>Annexure 4</b> –Title Search</i>

### 1.2 Planning Context

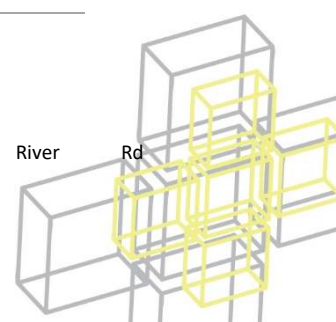
The planning context of the site includes:

<b>Planning Scheme Local Plan:</b>	N/A
<b>Planning Scheme Zoning:</b>	Rural
<b>Planning Scheme Overlays:</b>	<ul style="list-style-type: none"><li>• Acid Sulfate Soils Overlay;</li><li>• Bushfire Hazard Overlay;</li><li>• Coastal Processes Overlay;</li><li>• Flood Storm Overlay;</li><li>• Landscape Values Overlay;</li><li>• Landslide Overlay;</li><li>• Natural Areas Overlay; and</li><li>• Transport Network Overlay.</li></ul> <i>Refer to <b>Annexure 5</b> – Planning Scheme Property Report</i>
<b>SARA DA Mapping:</b>	N/A

### 1.3 Site Characteristics

Key site characteristics include:

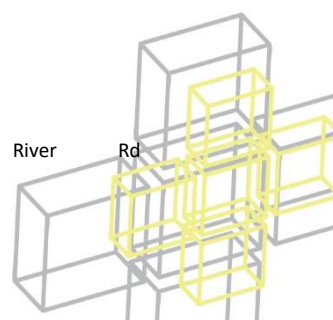
<b>Topography:</b>	Generally flat.
<b>Vegetation:</b>	Riparian vegetation along Spring Creek and some vegetation in drainage gully leading into Spring Creek.
<b>Wetlands:</b>	None.
<b>Conservation Areas:</b>	None.



<b>Services:</b>	The site is understood to be connected to, or has access to, all of the following urban infrastructures: <ul style="list-style-type: none"> <li>• Reticulated water supply;</li> <li>• Telecommunications;</li> <li>• Electricity; and</li> <li>• Roads.</li> </ul>
<b>Waterways:</b>	Spring Creek adjacent to eastern boundary.
<b>Road frontages:</b>	Mowbray River Road.
<b>Existing use of site:</b>	Dwelling house and sheds.

#### **1.4    *Surrounding Land Uses***

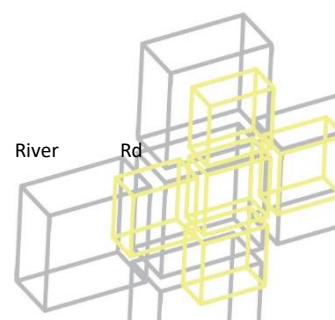
The subject site is located a short distance south of Port Douglas in an area comprising a mix of rural and rural residential land uses.



## 2 Application Details

### 2.1 General Description

<b>Aspects of Development Sought:</b>	Development Permit for Reconfiguring a Lot (1 lot into 2 lots).
<b>Applicant:</b>	ML & KM Samson C/- Planning Plus PO Box 399 REDLYNCH Q 4870
<b>Contact:</b>	Mr Evan Yelavich Planning Plus PO Box 399 REDLYNCH QLD 4870 Ph: (07) 40393409 E: <a href="mailto:evan@planningplusqld.com.au">evan@planningplusqld.com.au</a>



### 3 Proposal

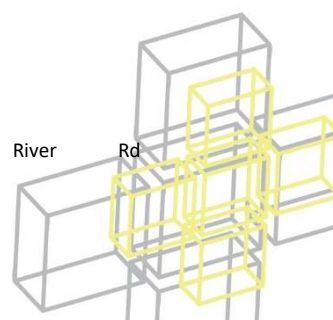
This application seeks a Development Permit for Reconfiguring a Lot (1 lot into 2 lots) as illustrated by proposed Reconfiguration Plan 21-07.01 included for reference as **Annexure 6**.

The proposal seeks to retain the existing dwelling and associated outbuildings on proposed Lot 1 comprising approximately 2.26ha, and create a new vacant lot at the Mowbray River Road frontage of the site comprising approximately 1.34ha (proposed Lot 2).

Access to proposed Lot 1 would be via the existing driveway off Mowbray River Road, while proposed Lot 2 would include a new access off Mowbray River Road. It is noted that proposed Lot 2 is not identified as being below the 100 Year ARI level but is mapped as being within the Floodplain Assessment Overlay, therefore some filling of a building pad may be required to achieve appropriate flood immunity for a future dwelling. A flood study will be undertaken to inform this issue if required.

While the proposal does not meet the minimum lot size for the Rural Zone, and Council generally does not support new areas of Rural Residential development, we note the following:

- The subject site is already of a size which does not lend itself to rural production and is therefore an inefficient use of land at its current size. The proposed subdivision will double the efficiency of the land.
- The site is located directly opposite an area of Rural Residential-zoned land and is therefore consistent with the existing pattern of development and is able to make efficient use of existing infrastructure, such as reticulated water supply.
- The site is located close to Port Douglas which is generally in short supply of residential land.



## 4 Legislative Considerations

### 4.1 *Planning Act 2016*

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

#### 4.1.1 Assessable Development

The proposed development is identified as 'assessable' under the *Planning Act 2016*.

#### 4.1.2 Assessment Manager

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

#### 4.1.3 Level of Assessment

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

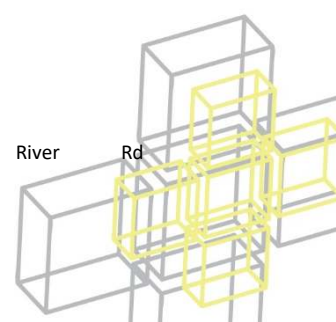
Planning Scheme Zone	Aspect of Development	Level of Assessment
Rural	Reconfiguring a Lot	Code

#### 4.1.4 Referral Agencies

A review of Schedule 10 of the *Planning Regulation 2017* indicates that the application will not any State agency referrals.

#### 4.1.5 Public Notification

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



## 5 Assessment Benchmarks

This section assesses the application against all relevant assessment benchmarks.

### 5.1 *State Planning Regulatory Provisions*

No State Planning Regulatory Provisions are relevant to this application.

### 5.2 *State Planning Policy*

It is understood that the State Planning Policy is appropriately integrated into the 2018 Douglas Shire Planning Scheme.

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

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

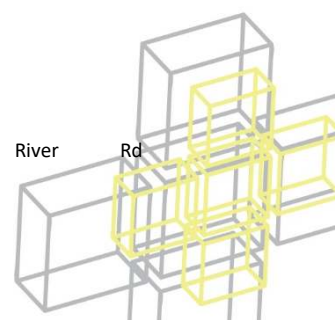
### 5.6 *Planning Scheme*

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

#### 5.6.1 *Applicable Codes*

The following codes are identified as being applicable to this development application:

- Rural Zone Code;
- Reconfiguring a Lot Code;
- Acid Sulfate Soils Overlay Code;
- Bushfire Hazard Overlay Code;
- Coastal Processes Overlay Code;
- Flood Storm Overlay Code;
- Landscape Values Overlay Code;
- Landslide Overlay Code;
- Natural Areas Overlay Code;
- Transport Network Overlay Code;
- Access, Parking and Services Code;
- Environmental Performance Code;
- Filling and Excavation Code;
- Infrastructure Works Code;
- Landscaping Code;
- Vegetation Management Code.



A detailed assessment against the Douglas Shire Planning Scheme codes is included as **Annexure 7** to this report.

## 6 Conclusions and Recommendations

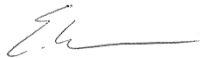
This submission supports an application by ML & KM Samson (the 'applicant') for a Development Permit for Reconfiguring a Lot (1 lot into 2 lots) over land at 349 Mowbray River Road, Mowbray, described as Lot 23 on SP227933.

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

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

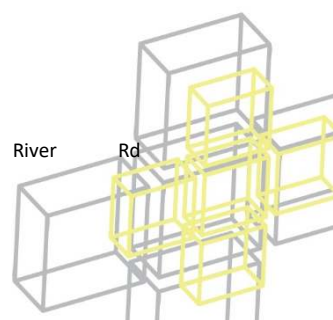
We trust this information is sufficient for your purposes; however should you require any further details or clarification, please do not hesitate to contact the undersigned.

**Yours Faithfully**



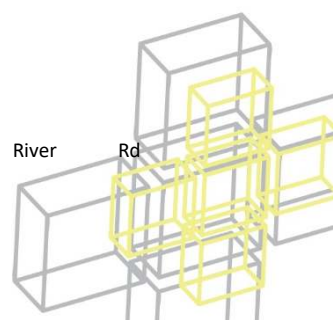
**Evan Yelavich**  
**Director / Planner**  
**Planning Plus QLD Pty Ltd**

enc: **Annexure 1:** DA Forms  
**Annexure 2:** QLD Globe Overlay  
**Annexure 3:** SmartMap  
**Annexure 4:** Title Search  
**Annexure 5:** Planning Scheme Property Report  
**Annexure 6:** Proposed Reconfiguration Plan  
**Annexure 7:** Code Assessment – Douglas Shire Planning Scheme 2018





# Annexure 1: DA Forms



# DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 2020) 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)	ML & KM Samson C/- Planning Plus
Contact name (only applicable for companies)	Evan Yelavich
Postal address (P.O. Box or street address)	PO Box 399
Suburb	Redlynch
State	QLD
Postcode	4870
Country	
Contact number	(07) 40393409
Email address (non-mandatory)	<a href="mailto:Evan@planningplusqld.com.au">Evan@planningplusqld.com.au</a>
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	

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
		359	Mowbray River Road	Mowbray
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	23	SP227933	Douglas Shire
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

**Note:** Place each set of coordinates in a separate row.

- ☐ 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

<input checked="" type="checkbox"/> In or adjacent to a water body or watercourse or in or above an aquifer	
Name of water body, watercourse or aquifer:	Adjacent to Spring Creek
<input type="checkbox"/> On strategic port land under the <i>Transport Infrastructure Act 1994</i>	
Lot on plan description of strategic port land:	
Name of port authority for the lot:	
<input type="checkbox"/> In a tidal area	
Name of local government for the tidal area (if applicable):	
Name of port authority for tidal area (if applicable):	
<input type="checkbox"/> On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>	
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

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

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

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

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

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

c) What is the level of assessment?

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

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

Subdivision – 1 lot into 2 lots.

e) Relevant plans

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

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

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

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

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

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

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

c) What is the level of assessment?

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

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

e) Relevant plans

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

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

#### 6.3) Additional aspects of development

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

## Section 2 – Further development details

7) Does the proposed development application involve any of the following?	
Material change of use	<input type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input checked="" type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

### Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m <sup>2</sup> ) (if applicable)
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input type="checkbox"/> Yes			
<input type="checkbox"/> No			

### Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?	
1	
9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)	
<input checked="" type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input type="checkbox"/> Boundary realignment (complete 12))	<input 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	2			
10.2) Will the subdivision be staged?				
<input type="checkbox"/> Yes – provide additional details below				
<input checked="" 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?

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

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

## Division 3 – Operational work

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

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

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

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

☐ Yes – specify number of new lots: \_\_\_\_\_

☐ No

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

\$ \_\_\_\_\_

## PART 4 – ASSESSMENT MANAGER DETAILS

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

Douglas Shire Council

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

- ☐ Yes – a copy of the decision notice is attached to this development application
- ☐ The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- ☒ 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
- ☐ 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:	
-----------------------------	--	-----------	--

### **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

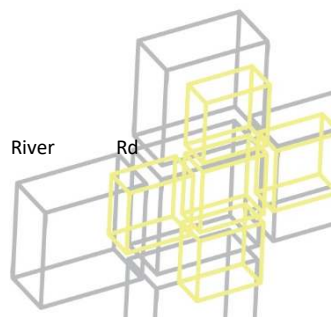
Prescribed assessment manager	
Name of chosen assessment manager	
Date chosen assessment manager engaged	
Contact number of chosen assessment manager	
Relevant licence number(s) of chosen assessment manager	

### QLeave notification and payment

*Note: For completion by assessment manager if applicable*

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	

## Annexure 2: QLD Globe Overlay





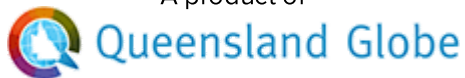
16°33'52"S 145°28'23"E

16°33'52"S 145°28'40"E



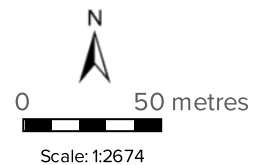
16°34'9"S 145°28'23"E

16°34'9"S 145°28'40"E



A product of

Legend located on next page



Printed at: A4

Print date: 29/3/2021

Datum: Geocentric Datum of Australia 1994  
Projection: Web Mercator EPSG 102100

For more information, visit  
<https://qldglobe.information.qld.gov.au/help-info/Contact-us.html>



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Natural parcel boundary



Road parcel



Land parcel



Easement parcel



Strata parcel



Volumetric parcel



Land parcel label

Road Crossing



Railway



Road



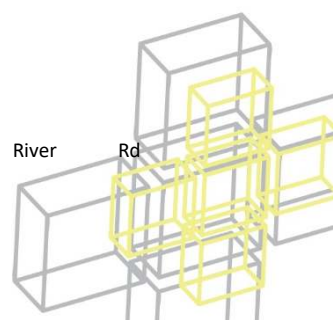
Includes material © State of Queensland (Department of Resources); © Commonwealth of Australia (Geoscience Australia); © 21AT, © Earth-i, all rights reserved, 2021.

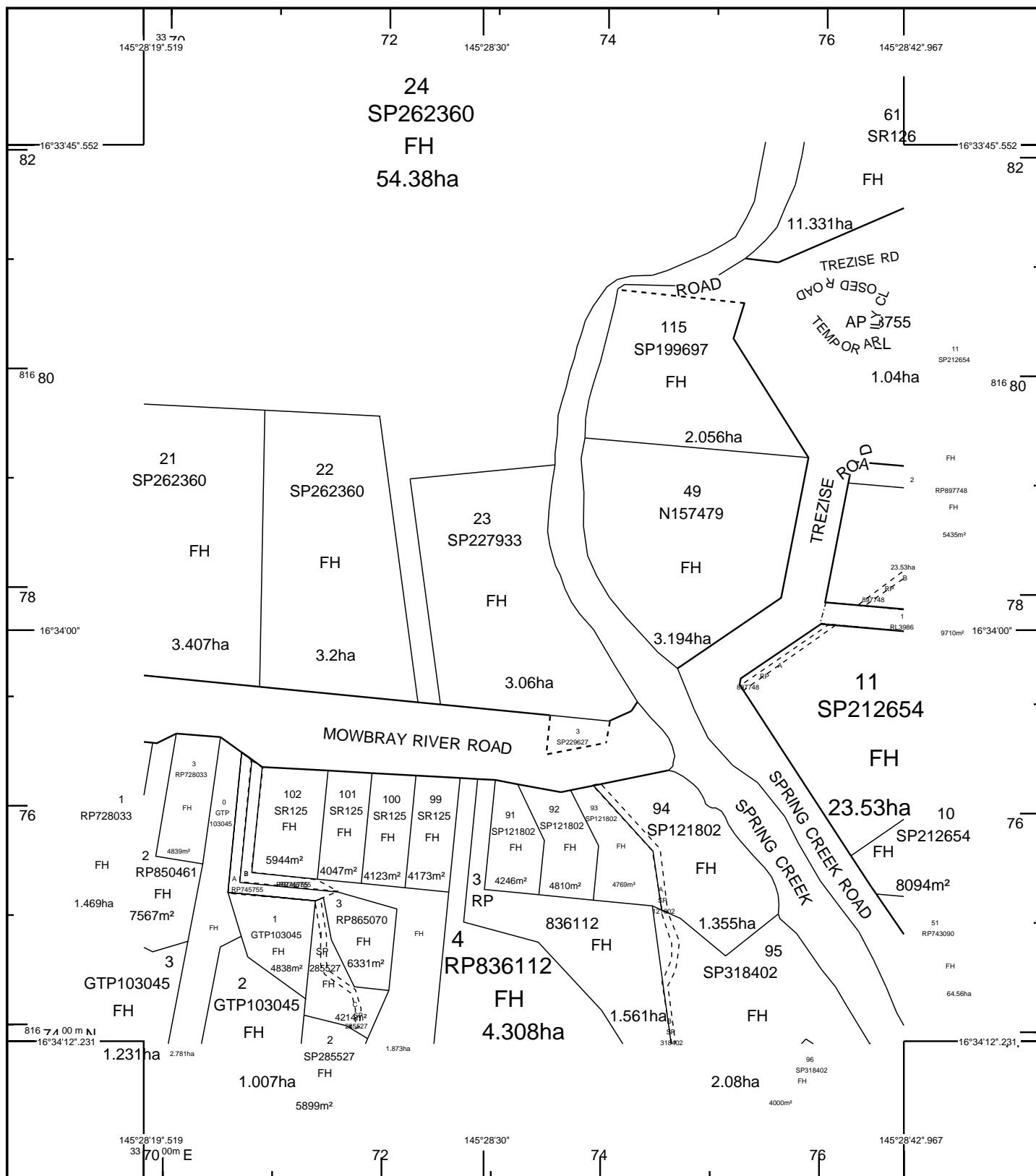
© State of Queensland (Department of Natural Resources, Mines and Energy) 2020

© State of Queensland (Department of Resources) 2021



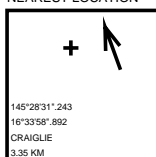
## Annexure 3: SmartMap





STANDARD MAP NUMBER  
7964-11214

MAP WINDOW POSITION &  
NEAREST LOCATION



#### SUBJECT PARCEL DESCRIPTION

DCDB  
Lot/Plan 23/SP227933  
Area/Volume 3.06ha  
Tenure FREEHOLD  
Local Government DOUGLAS SHIRE  
Locality MOWBRAY  
Segment/Parcel 8616/33

#### CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 29/03/2021

DCDB 27/03/2021

Users of the information recorded in this document (the Information) accept all responsibility and risk associated with the use of the Information and should seek independent professional advice in relation to dealings with property.

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For further information on SmartMap products visit  
<https://www.qld.gov.au/housing/buying-owning-home/property-land-valuations/smartmaps>

**SmartMap**

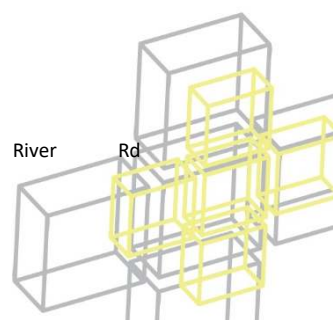
An External Product of  
SmartMap Information Services

Based upon an extraction from the  
Digital Cadastral Data Base



**Queensland  
Government**  
(c) The State of Queensland,  
(Department of  
Natural Resources,  
Mines and Energy) 2021.

## Annexure 4: Title Search





Department of Resources  
ABN 59 020 847 551

<b>Title Reference:</b>	<b>50834662</b>	<b>Search Date:</b>	24/03/2021 14:40
<b>Date Title Created:</b>	21/12/2010	<b>Request No:</b>	36714674
<b>Previous Title:</b>	21474119		

#### ESTATE AND LAND

Estate in Fee Simple

LOT 23 SURVEY PLAN 227933  
Local Government: DOUGLAS

#### REGISTERED OWNER

Dealing No: 715678408 27/03/2014

MICHAEL LUCAS SAMSON  
KYLIE MICHELLE SAMSON

JOINT TENANTS

#### EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 10453160 (POR 23)
2. MORTGAGE No 715678409 27/03/2014 at 08:50  
COMMONWEALTH BANK OF AUSTRALIA A.B.N. 48 123 123 124

#### ADMINISTRATIVE ADVICES

NIL

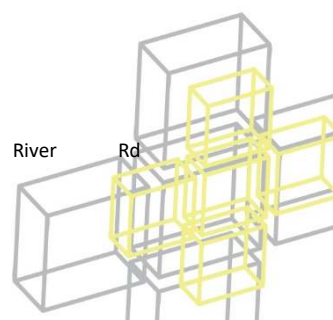
#### UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

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

# Annexure 5: Planning Scheme Property Report



## 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 [349 Mowbray River Road MOWBRAY](#)

Lot Plan [23SP227933](#) (Freehold - 30600m<sup>2</sup>)



☒ Selected Property

☐ Easements

☐ Land Parcels

### 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.

#### Zoning

#### Applicable Zone








Rural

#### More Information

- [View Section 6.2.10 Rural Zone Code](#)
- [View Section 6.2.10 Rural Zone Compliance table](#)
- [View Section 6.2.10 Rural Zone Assessment table](#)

## 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="#">Acid Sulfate Soils</a>	<b>Applicable Precinct or Area</b> Acid Sulfate Soils (< 5m AHD) Acid Sulfate Soils (5-20m 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	<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> Coastal Management District	<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> 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 Medium Landscape Value	<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="#">Landslide</a>	<b>Applicable Precinct or Area</b> Landslide Hazard (High & Medium Hazard Risk)	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.9 Potential Landslide Hazard Overlay Code</a></li> <li><a href="#">View Section 8.2.9 Potential Landslide Hazard Overlay Compliance table</a></li> </ul>
 <a href="#">Natural Areas</a>	<b>Applicable Precinct or Area</b> MSES - Regulated Vegetation	<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> Iconic Recreation 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>
 <a href="#">Transport Road Hierarchy</a>	<b>Applicable Precinct or Area</b> Major Rural Road	<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>



Zoning

**Applicable Zone**  
Rural

- More Information**
- [View Section 6.2.10 Rural Zone Code](#)
  - [View Section 6.2.10 Rural Zone Compliance table](#)
  - [View Section 6.2.10 Rural Zone Assessment table](#)



☒ Selected Property

☐ Land Parcels

<input 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		



Acid Sulfate Soils

**Applicable Precinct or Area**  
Acid Sulfate Soils (< 5m AHD)  
Acid Sulfate Soils (5-20m 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

☐ Land Parcels

**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

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



☒ Selected Property

☐ Land Parcels

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  
Coastal Management District

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



 Selected Property

 Land Parcels

 Coastal Management District







 Erosion Prone Area

Flood Storm

**Applicable Precinct or Area**  
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	 Land Parcels	 Medium Storm Tide Hazard	 High Storm Tide Hazard
 100 Year ARI - Mossman Port Douglas and Daintree Flood Studies		 Floodplain Assessment Overlay	



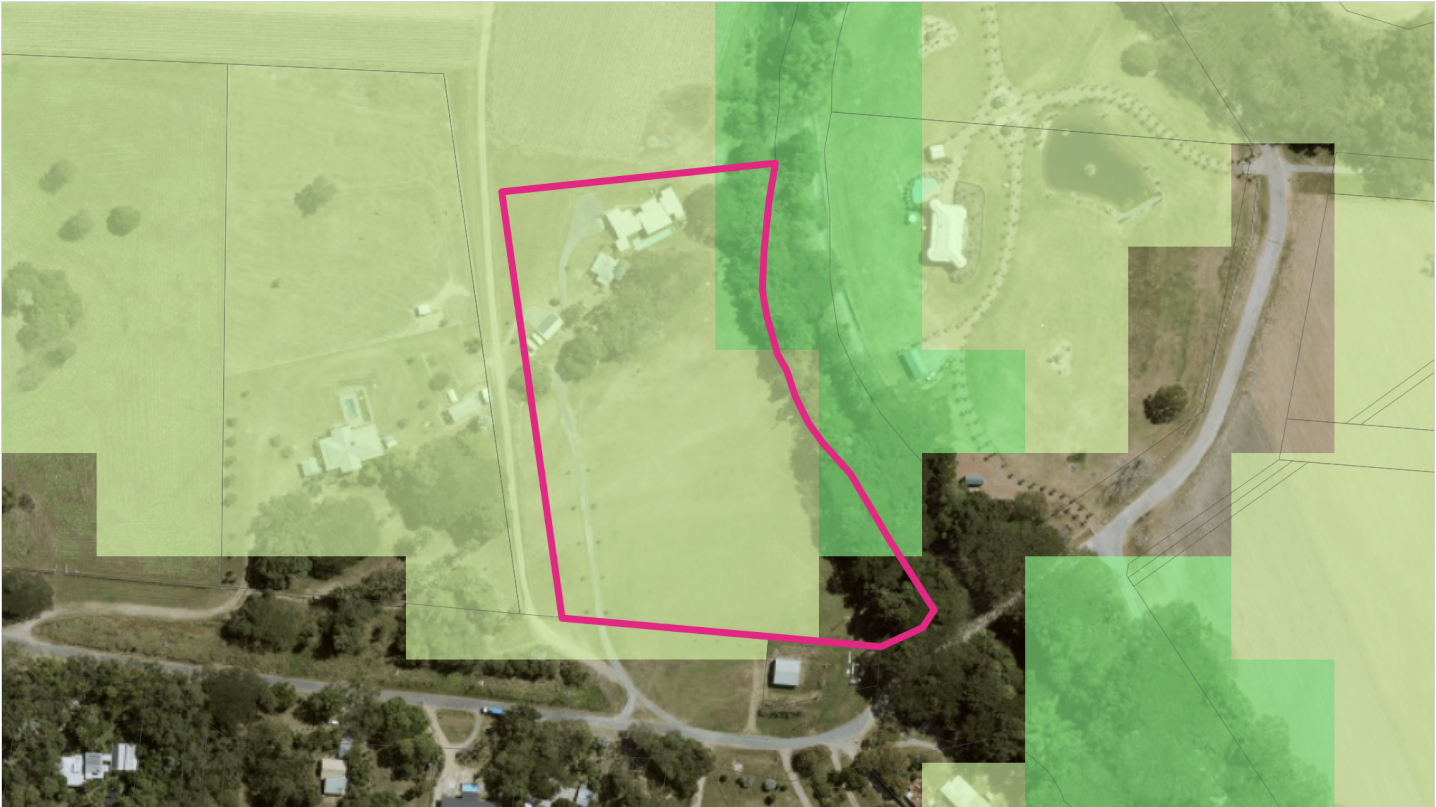
Landscape Values

Landscape Values

High landscape values  
Medium Landscape Value

More Information

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



<p><b>Selected Property</b></p> <p> Selected Property</p>	<p><b>Land Parcels</b></p> <p> Land Parcels</p>	<p><b>Scenic Buffer Area</b></p> <p> Gateway</p> <p> View corridor</p> <p> Lookout</p> <p> all others</p>	<p> Scenic route</p> <p> Scenic route buffer</p>
<p><b>Landscape Values</b></p> <p> Coastal scenery</p> <p> High landscape values</p> <p> Medium Landscape Value</p> <p> all others</p>			

Landslide

**Applicable Precinct or Area**  
Landslide Hazard (High & Medium Hazard Risk)

- More Information**
- [View Section 8.2.9 Potential Landslide Hazard Overlay Code](#)
  - [View Section 8.2.9 Potential Landslide Hazard Overlay Compliance table](#)



<input checked="" type="checkbox"/> Selected Property	<input type="checkbox"/> Land Parcels	<input checked="" type="checkbox"/> Potential Landslide Hazard
---	---------------------------------------	--



## Natural Areas

### Applicable Precinct or Area

MSES - Regulated Vegetation

### More Information

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



Selected Property



Land Parcels



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**  
Iconic Recreation Route

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



☒ Selected Property

☐ Land Parcels

**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**  
Major Rural Road

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



☒ Selected Property

☐ Land Parcels

**Road Hierarchy**

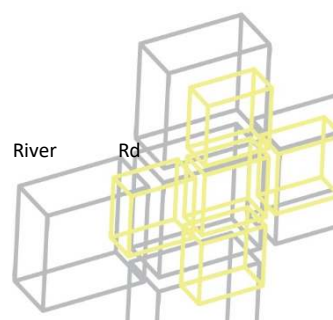
- |   |   |   |  |
|---|---|---|--|
| <span style="color: yellow;">—</span> Access Road   | <span style="color: black;">—</span> Arterial Road    | <span style="color: purple;">—</span> Collector Road  | <span style="color: brown;">—</span> Industrial Road |
| <span style="color: red;">—</span> Major Rural Road | <span style="color: green;">—</span> Minor Rural Road | <span style="color: blue;">—</span> Sub Arterial Road | <span style="color: grey;">—</span> Unformed Road    |
| <span style="color: black;">—</span> 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.

# Annexure 6: Proposed Reconfiguration Plan





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

349 Mowbray River Road, Mowbray, described as Lot 23 on SP227933 / Plan No. 21-07.01 / Date: 24/03/21

16°33'52"S 145°28'23"E16°33'52"S 145°28'38"E

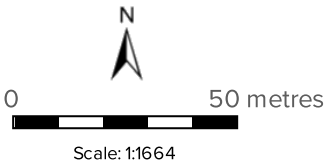


16°34'7"S 145°28'23"E16°34'7"S 145°28'38"E

A product of



Legend located on next page



Printed at: A3  
Print date: 24/3/2021

Datum: Geocentric Datum of Australia 1994  
Projection: Web Mercator EPSG 102100

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

349 Mowbray River Road, Mowbray, described as Lot 23 on SP227933 / Plan No. 21-07.01 / Date: 24/03/21



Legend



Attribution

## Natural parcel boundary



## Road



Highway



Main



Local



Private

## Road parcel



## Land parcel



Parcel

## Easement parcel



## Strata parcel



## Volumetric parcel



## Land parcel label

## Road Crossing



Bridge

Tunnel

## Railway

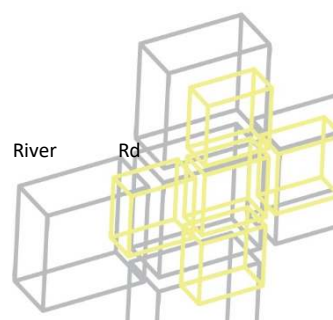


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# **Annexure 7: Code Assessment – Douglas Shire Planning Scheme 2018**



## Rural zone code

### Application

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

### Purpose

- (1) The purpose of the Rural zone code is to provide for:
  - (a) provide for rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities;
  - (b) provide opportunities for non-rural uses, such as ancillary tourism activities that are compatible with agriculture, the environmental features, and landscape character of the rural area where the uses do not compromise the long-term use of the land for rural purposes;
  - (c) protect or manage significant natural resources and processes to maintain the capacity for primary production.
- (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 3.5.5 – Scenic amenity.
    - (ii) Theme 3 : Natural resource management, Element 3.6.2 – Land and catchment management, Element 3.6.3 Primary production, forestry and fisheries, Element 3.6.4 – Resource extraction.
    - (iii) Theme 5 Economy, Element 3.8.2 – Economic growth and diversification, Element 3.8.4 – Primary production.
    - (iv) Theme 6 : Infrastructure and transport, Element 3.9.4 – Transport.
  - (b) recognise the primacy of rural production, in particular sugar cultivation, and other farming practices in rural areas;
  - (c) provide protection to areas of ecological significance and scenic amenity significance where present.
- (3) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Areas for use for primary production are conserved and fragmentation is avoided.
  - (b) Development embraces sustainable land management practices and contributes to the amenity and landscape of the area.
  - (c) Adverse impacts of land use, both on-site and on adjoining areas, are avoided and any unavoidable impacts are minimised through location, design, operation and management.
  - (d) Areas of remnant and riparian vegetation are retained or rehabilitated.

## Criteria for assessment

**Table Error! No text of specified style in document..a – Rural zone code assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> The height of buildings is compatible with the rural character of the area and must not detrimentally impact on visual landscape amenity.	<b>AO1.1</b> Dwelling houses are not more than 8.5 metres in height.  Note – Height is inclusive of roof height.  <b>AO1.2</b> Rural farm sheds and other rural structures are not more than 10 metres in height.	N/A          N/A
<b>Setbacks</b>		
<b>PO2</b> Buildings and structures are setback to maintain the rural character of the area and achieve separation from buildings on adjoining properties.	<b>AO2</b> Buildings are setback not less than: (a) 40 metres from the property boundary and a State-controlled road; (b) 25 metres from the property boundary adjoining Cape Tribulation Road; (c) 20 metres from the boundary with any other road; (d) 6 metres from side and rear property boundaries.	Proposed lot configuration ensures that future dwelling is capable of complying.
<b>PO3</b> Buildings/structures are designed to maintain the rural character of the area.	<b>AO3</b> White and shining metallic finishes are avoided on external surfaces of buildings.	N/A
<b>For assessable development</b>		
<b>PO4</b> The establishment of uses is consistent with the outcomes sought for the Rural zone and protects the zone from the intrusion of inconsistent uses.	<b>AO4</b> Uses identified in <b>Table Error! No text of specified style in document..b</b> are not established in the Rural zone.	N/A

Performance outcomes	Acceptable outcomes	Applicant response
<b>P05</b> Uses and other development include those that: (a) promote rural activities such as agriculture, rural enterprises and small scale industries that serve rural activities; or (b) promote low impact tourist activities based on the appreciation of the rural character, landscape and rural activities; or (c) are compatible with rural activities.	<b>A05</b> No acceptable outcomes are prescribed.	N/A
<b>P06</b> Existing native vegetation along watercourses and in, or adjacent to areas of environmental value, or areas of remnant vegetation of value is protected.	<b>A06</b> No acceptable outcomes are prescribed.	Proposal complies.
<b>P07</b> The minimum lot size is 40 hectares, unless (a) the lot reconfiguration results in no additional lots (e.g. amalgamation, boundary realignments to resolve encroachments); or (b) the reconfiguration is limited to one additional lot to accommodate: (i) Telecommunications facility; (ii) Utility installation.	<b>A07</b> No acceptable outcomes are prescribed.	Refer to Section 3 of the Planning Report for grounds which are considered to warrant a departure from the minimum lot size in this case.



**Table Error! No text of specified style in document..b — Inconsistent uses within the Rural zone.**

Inconsistent uses		
<ul style="list-style-type: none"> <li>• Adult store</li> <li>• Bar</li> <li>• Brothel</li> <li>• Car wash</li> <li>• Child care centre</li> <li>• Club</li> <li>• Community care centre</li> <li>• Community residence</li> <li>• Detention facility,</li> <li>• Dual occupancy</li> <li>• Dwelling unit</li> <li>• Food and drink outlet</li> <li>• Hardware and trade supplies</li> <li>• Health care services</li> <li>• High impact industry</li> </ul>	<ul style="list-style-type: none"> <li>• Hotel</li> <li>• Indoor sport and recreation</li> <li>• Low impact industry</li> <li>• Medium impact industry</li> <li>• Multiple dwelling</li> <li>• Nightclub entertainment facility</li> <li>• Non-resident workforce accommodation</li> <li>• Office</li> <li>• Outdoor sales</li> <li>• Parking station</li> <li>• Permanent plantation</li> <li>• Port services</li> <li>• Relocatable home park</li> <li>• Renewable energy facility, being a wind farm</li> </ul>	<ul style="list-style-type: none"> <li>• Residential care facility</li> <li>• Resort complex</li> <li>• Retirement facility</li> <li>• Rooming 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>• Theatre</li> <li>• Warehouse</li> </ul>

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



## Reconfiguring a lot code

### Application

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

### Purpose

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

### Criteria for assessment

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


Performance outcomes	Acceptable outcomes	Applicant response
<b>General lot design standards</b>		
<b>PO1</b>	<b>AO1</b> No acceptable outcomes are prescribed.	Refer to Section 3 of the Planning Report.

Performance outcomes	Acceptable outcomes	Applicant response
Lots comply with the lot reconfiguration outcomes of the applicable Zone code in Part 5.		
<b>P02</b> New lots are generally rectangular in shape with functional areas for land uses intended by the zone.	<b>A02</b> Boundary angles are not less than 45 degrees.	Proposal complies.
<b>P03</b> Lots have legal and practical access to a public road.	<b>A03</b> Each lot is provided with: (a) direct access to a gazetted road reserve; or (b) access to a gazetted road via a formal access arrangement registered on the title.	Proposal complies.
<b>P04</b> Development responds appropriately to its local context, natural systems and site features.	<b>A04</b> Existing site features such as: (a) significant vegetation and trees; (b) waterways and drainage paths; (c) vistas and vantage points are retained and/or are incorporated into open space, road reserves, near to lot boundaries or as common property.	Proposal complies.
<b>P05</b> New lots which have the capability of being further reconfigured into smaller lots at a later date are designed to not compromise ultimate development outcomes permitted in the relevant zone.	<b>A05</b> The ability to further reconfigure land at a later date is demonstrated by submitting a concept plan that meets the planning scheme requirements for the applicable Zone.	N/A
<b>P06</b> Where existing buildings or structures are to be retained, development results in: (a) boundaries that offer regular lot shapes and usable spaces; (b) existing improvements complying with current building and amenity standards in relation to boundary setbacks.  Note - This may require buildings or structures to be modified, relocated or demolished to meet setback standards, resolve encroachments and the like.	<b>A06</b> Development ensures setbacks between existing buildings or structures and proposed boundaries satisfy relevant building standards or zone code requirements, whichever is the greater.	Proposal complies.






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

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



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

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

## Acid sulfate soils overlay code

### Application

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

### Purpose

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

### Criteria for assessment

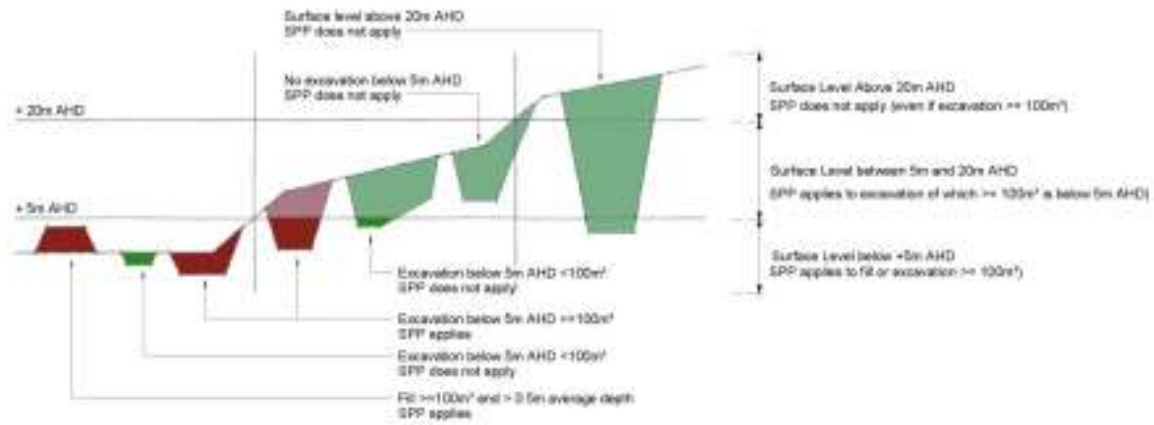
**Table Error! No text of specified style in document..a – Acid sulfate soils overlay code – assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
For assessable development		

Performance outcomes	Acceptable outcomes	Applicant response
<b>PO1</b> The extent and location of potential or actual acid sulfate soils is accurately identified.	<b>A01.1</b> No excavation or filling occurs on the site.  or  <b>A01.2</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.	The proposal is unlikely to result in significant disturbance of acid sulphate soils.
<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>A02.1</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: (d) actual acid sulfate soils being moved below the water table; (e) previously saturated acid sulfate soils being aerated.  or  <b>A02.2</b> The disturbance of potential acid sulfate soils or actual acid sulfate soils is undertaken in accordance with an acid sulfate soils management plan and avoids the release of metal contaminants by: (a) neutralising existing acidity and preventing the generation of acid and metal contaminants;	The proposal is unlikely to result in significant disturbance of acid sulphate soils.

Performance outcomes	Acceptable outcomes	Applicant response
	<ul style="list-style-type: none"> <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>	
<b>PO3</b> No environmental harm is caused as a result of exposure to potential acid sulfate soils or actual acid sulfate soils.	<b>AO3</b> No acceptable outcomes are prescribed.	The proposal is unlikely to result in significant disturbance of acid sulphate soils.

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



## 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.

### 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.

### 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.



## Criteria for assessment

**Table Error! No text of specified style in document..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> 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> 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>Part of the site is impacted by a Potential Impact Buffer only. The proposal is not considered to be at risk of bushfire.</p>
<p><b>PO2</b> Emergency services and uses providing community support services are able to function effectively during and immediately after a bushfire hazard event.</p>	<p><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.</p>	<p>N/A</p>
<p><b>PO3</b> Development involving hazardous materials manufactured or stored in bulk is not located in bushfire hazard sub-category.</p>	<p><b>AO3</b> The manufacture or storage of hazardous material in bulk does not occur within bushfire hazard sub-category.</p>	<p>N/A</p>
<b>Development design and separation from bushfire hazard – reconfiguration of lots</b>		

Performance outcomes	Acceptable outcomes	Applicant response
<p><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).</p> <p>Note - "Urban purposes" and "urban area" are defined in the <i>Sustainable Planning Regulations 2009</i>. Reconfiguration will be taken to be for rural residential purposes where proposed lots are between 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.</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><b>PO4.2</b> 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><b>AO4.1</b> No new lots are created within a bushfire hazard sub-category.</p> <p>or</p> <p><b>AO4.2</b> Lots are separated from hazardous vegetation by a distance that:</p> <ul style="list-style-type: none"> <li>(a) achieves radiant heat flux level of 29kW/m<sup>2</sup> at all boundaries; and</li> <li>(b) is contained wholly within the development site.</li> </ul> <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>Part of the site is impacted by a Potential Impact Buffer only. The proposal is not considered to be at risk of bushfire.</p>
<p><b>PO5</b> 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> 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> </ul>	<p>Part of the site is impacted by a Potential Impact Buffer only. The proposal is not considered to be at risk of bushfire.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(e) has a minimum of 4.8m vertical clearance above the road;</p> <p>(f) is designed to ensure hydrants and water access points are not located within parking bay allocations; and</p> <p>(g) incorporates roll-over kerbing.</p> <p><b>AO5.2</b> 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> 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> Lot boundaries 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 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>Part of the site is impacted by a Potential Impact Buffer only. The proposal is not considered to be at risk of bushfire.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<ul style="list-style-type: none"> <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> 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> 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> <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>if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and</li> </ul>	<p>Part of the site is impacted by a Potential Impact Buffer only. The proposal is not considered to be at risk of bushfire.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.	
<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: (a) minimises the length of the development perimeter exposed to, or adjoining hazardous vegetation; (b) avoids the creation of potential bottle-neck points in the movement network; (c) establishes direct access to a safe assembly /evacuation area in the event of an approaching bushfire; and (d) ensures roads likely to be used in the event of a fire are designed to minimise traffic congestion.  Note - For example, developments should avoid finger-like or hour-glass subdivision patterns or substantive vegetated corridors between lots. In order to demonstrate compliance with the performance outcome, a bushfire management plan prepared by a suitably qualified person may be required. The bushfire management plan should be developed in accordance with the Public Safety Business Agency (PSBA) guideline entitled "Undertaking a Bushfire Protection Plan. Advice from the Queensland Fire and Emergency Services (QFES) should be sought as appropriate	Part of the site is impacted by a Potential Impact Buffer only. The proposal is not considered to be at risk of bushfire.
<b>PO9</b> Critical infrastructure does not increase the potential bushfire hazard.	<b>AO9</b> Critical or potentially hazardous infrastructure such as water supply, electricity, gas and telecommunications are placed underground.	Part of the site is impacted by a Potential Impact Buffer only. The proposal is not considered to be at risk of bushfire.
<b>Development design and separation from bushfire hazard – material change of use</b>		
<b>PO10</b>	<b>AO10</b>	N/A

Performance outcomes	Acceptable outcomes	Applicant response
<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>(a) 10kW/m<sup>2</sup> where involving a vulnerable use; or 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>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 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 Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</p>	N/A



Performance outcomes	Acceptable outcomes	Applicant response
	<ul style="list-style-type: none"> <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 which is connected to the public road network at intervals of no more than 500m;</li> <li>(j) designated fire trail signage; if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.</li> </ul>	
<b>All development</b>		
<b>PO12</b> All premises are provided with vehicular access that enables safe evacuation for occupants and easy access by fire fighting appliances.	<b>AO12</b> Private driveways: <ul style="list-style-type: none"> <li>(a) do not exceed a length of 60m from the street to the building;</li> <li>(b) do not exceed a gradient of 12.5%;</li> <li>(c) have a minimum width of 3.5m;</li> <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>	Part of the site is impacted by a Potential Impact Buffer only. The proposal is not considered to be at risk of bushfire.
<b>PO13</b> 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.	<b>AO13</b> A water tank is provided within 10m of each building (other than a class 10 building) which: <ul style="list-style-type: none"> <li>(a) is either below ground level or of non-flammable construction;</li> </ul>	Part of the site is impacted by a Potential Impact Buffer only. The proposal is not considered to be at risk of bushfire.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(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:</p> <p>(i) 10,000l for residential buildings</p> <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> <p>(ii) 45,000l for industrial buildings; and</p> <p>(iii) 20,000l for other buildings;</p> <p>(c) includes shielding of tanks and pumps in accordance with the relevant standards;</p> <p>(d) includes a hardstand area allowing medium rigid vehicle (15 tonne fire appliance) access within 6m of the tank;</p> <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>Part of the site is impacted by a Potential Impact Buffer only. The proposal is not considered to be at risk of bushfire.</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>Part of the site is impacted by a Potential Impact Buffer only. The proposal is not considered to be at risk of bushfire.</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.

## Landscape values overlay code

### Application

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

### Purpose

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

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

### Criteria for assessment

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

[illegible]

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



Performance outcomes	Acceptable outcomes	Applicant response
<b>Development within the Medium landscape value area</b>		
<p><b>PO2</b> Development within Medium landscape value areas identified on the Landscape values overlay maps contained in Schedule 2:</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(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;</li> <li>(c) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements;</li> <li>(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;</li> <li>(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;</li> <li>(f) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and lines and other tall infrastructure;</li> <li>(g) extractive industry operations are avoided, or where they cannot be avoided, are screened from view.</li> </ul>	<p><b>AO2.1</b> Buildings and structures are not more than 8.5 metres and two storeys in height.</p> <p>Note - Height is inclusive of the roof height.</p> <p><b>AO2.2</b> Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.</p> <p><b>AO2.3</b> Where development on land steeper than 1 in 6 (16.6%) cannot be avoided:</p> <ul style="list-style-type: none"> <li>(a) development follows the natural; contours of the site;</li> <li>(b) buildings are split level or suspended floor construction, or a combination of the two;</li> <li>(c) lightweight materials are used to areas with suspended floors.</li> </ul> <p>Note - Examples of suitable lightweight materials include timber or fibre cement boards or sheeting for walls and factory treated metal sheeting for walls and roofs.</p> <p><b>AO2.4</b> The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette.</p> <p>Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow.</p> <p><b>AO2.5</b></p>	<p>N/A</p> <p>Proposed development is consistent with existing surrounding development and complies with PO2.</p> <p>N/A</p> <p>N/A</p>

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

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

Performance outcomes	Acceptable outcomes	Applicant response
	accordance with the requirements of the Landscaping code.	
<p><b>P05</b> Development is to maximise opportunities to maintain and/or enhance natural landscape values through the maintenance and restoration of vegetated buffers between development and coastal waters, where practical.</p> <p>Note – A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in satisfaction of a performance outcome.</p>	<p><b>A05</b> No clearing of native vegetation is undertaken within a Coastal scenery area zone, except for exempt vegetation damage undertaken in accordance with the Vegetation management code.</p>	N/A

## Natural areas overlay code

### 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.

### 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 Error! No text of specified style in document..a – Natural areas overlay code – assessable development**

Performance outcomes		Acceptable outcomes
<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	The proposal will retain the adjacent waterway and riparian zone in a natural state and will therefore not impact the site's environmental values.



Performance outcomes	Acceptable outcomes	
	<p>does not contain any matters of state and local environmental significance.</p> <p>or</p> <p><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.</p>	
Management of impacts on matters of environmental significance		
<p><b>PO2</b> Development is located, designed and constructed to avoid significant impacts on matters of environmental significance.</p>	<p><b>AO2</b> The design and layout of development minimises adverse impacts on ecologically important areas by:</p> <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>	<p>The proposal will retain the adjacent waterway and riparian zone in a natural state and will therefore not impact the site's environmental values.</p>

Performance outcomes	Acceptable outcomes	
<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: (a) 100 metres where the area is located outside Urban areas; or (b) 50 metres where the area is located within a Urban areas.  or  <b>AO3.2</b> 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.	N/A
<b>PO4</b> Wetland and wetland buffer areas are maintained, protected and restored.  Note – Wetland buffer areas are identified in AO3.1.	<b>AO4.1</b> Native vegetation within wetlands and wetland buffer areas is retained.  <b>AO4.2</b> Degraded sections of wetlands and wetland buffer areas are revegetated with endemic native plants in patterns and densities which emulate the relevant regional ecosystem.	N/A
<b>PO5</b> Development avoids the introduction of non-native pest species (plant or animal), that pose a risk to ecological integrity.	<b>AO5.1</b> Development avoids the introduction of non-native pest species.	Proposal is capable of complying.



Performance outcomes		Acceptable outcomes
		Development does not encroach within 10 metres of existing riparian vegetation and watercourses.
<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 Error! No text of specified style in document..b.	N/A
<b>Waterways in a non-urban area</b>		
<b>PO9</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>AO9</b> Development does not occur on that part of the site affected by a waterway corridor.  Note – Waterway corridors are identified within Table Error! No text of specified style in document..b.	Proposal complies.

**Table** Error! No text of specified style in document..**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.

## Potential landslide hazard overlay code

### Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Potential landslide 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 Potential landslip hazard overlay is identified on the Potential landslide hazard overlay maps in Schedule 2 and includes the following sub-categories:
  - (a) Places of potential landslide hazard sub-category.
- (3) When using this code, reference should be made to Part 5.

Note – The Potential landslide hazard overlay shows modelled areas where the factors contributing to landslip potential accumulate to provide a moderate or higher risk if certain factors are exacerbated (e.g. factors include significant vegetation clearing, filling and excavation, changes to soil characteristics, changes to overland water flow, or changes to sub-surface water flow). It shows areas that the Council has identified where landslides may occur and where land may be impacted by a landslide, but does not mean that landslides will occur or that the land will be impacted by a landslide. Other areas not contained within the potential landslide hazard overlay may sustain landslides or be impacted by landslides and consideration should be given to this issue, where appropriate.

### Purpose

- (1) The purpose of the Potential landslide hazard overlay code is:
  - (a) implement the policy direction of the Strategic Framework, in particular:
    - (i) Theme 1: Settlement pattern Element 3.4.7 Mitigation of hazards.
  - (b) enable an assessment of whether development is suitable on land within the Potential landslip hazard overlay.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) development is located, designed and constructed to not put at risk the safety of people, property and the environment;
  - (b) development is not at risk from and does not pose a risk to adjacent and nearby sites from landslides;
  - (c) ensures that community infrastructure is protected from the effects of potential landslides;
  - (d) ensures that vegetation clearing, stormwater management and filling and/or excavation does not create a landslide hazard and/or rectifies potential pre-existing landslide risks;



- (e) development does not occur where works to provide a solution for safety of people, property or the environment involves complex engineering solutions to overcome the risk, or would result in a built form or outcome that causes an adverse visual impact on the Hillslopes or Landscape values of Douglas Shire.

### Criteria for assessment

**Table Error! No text of specified style in document..a – Potential landslide hazard overlay code – assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> The siting and design of development does not involve complex engineering solutions and does not create or increase the potential landslide hazard risk to the site or adjoining premises through: <ul style="list-style-type: none"> <li>(a) building design;</li> <li>(b) increased slope;</li> <li>(c) removal of vegetation;</li> <li>(d) stability of soil;</li> <li>(e) earthworks;</li> <li>(f) alteration of existing ground water or surface water paths;</li> <li>(g) waste disposal areas.</li> </ul>	<b>AO1.1</b> Development is located on that part of the site not affected by the Potential landslide hazard overlay.  or  <b>AO1.2</b> Development is on an existing stable, benched site and requires no further earthworks  or  <b>AO1.3</b> A competent person certifies that: <ul style="list-style-type: none"> <li>(a) the stability of the site, including associated buildings and infrastructure, will be maintained during the course of the development and will remain stable for the life of the development;</li> <li>(b) development of the site will not increase the risk of landslide hazard activity on other land, including land above the site;</li> <li>(c) the site is not subject to the risk of landslide activity on other land;</li> <li>(d) any measures identified in a site-specific geotechnical report for stabilising the site or development have been fully implemented;</li> </ul>	The application does not propose any physical development on the area mapped as being subject to potential landslip hazard.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(e) development does not concentrate existing ground water and surface water paths;</p> <p>(f) development does not incorporate on-site waste water disposal.</p> <p>Note – Planning scheme policy SC6.9 – Natural hazards provides guidance on preparing a site specific geo-technical assessment.</p> <p>Note – Development may alter the conditions of ground water and surface water paths in accordance with a site-specific geotechnical report, but should ensure that its final disbursement is as-per pre-developed conditions.</p> <p>Consideration for location, velocity, volume and quality should be given.</p>	
<p><b>PO2</b></p> <p>The siting and design of necessary retaining structures does not cause an adverse visual impact on landscape character or scenic amenity quality of the area.</p>	<p><b>A02</b></p> <p>Excavation or fill:</p> <p>(a) is not more than 1.2 metres in height for each batter or retaining wall;</p> <p>(b) is setback a minimum of 2 metres from property boundaries;</p> <p>(c) is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with Planning scheme policy SC6.7 – Landscaping;</p> <p>(d) does not exceed a maximum of 3 batters and 3 berms (i.e. Not greater than 3.6 metres in height) on any one lot.</p>	<p>The application does not propose any physical development on the area mapped as being subject to potential landslip hazard.</p>
<b>Additional requirements for Community infrastructure</b>		
<p><b>PO3</b></p> <p>Development for community infrastructure:</p> <p>(a) is not at risk from the potential landslide hazard areas;</p> <p>(b) will function without impediment from a landslide;</p> <p>(c) provides access to the infrastructure without impediment from the effects of a landslide;</p> <p>(d) does not contribute to an elevated risk of a landslide to adjoining properties.</p>	<p><b>A03</b></p> <p>Development is designed in accordance with the recommendations of a site-specific geotechnical assessment which makes reference to the community infrastructure and its needs and function.</p> <p>Note - A site specific geotechnical assessment will detail requirements that will address the Acceptable Outcomes of this Performance Outcome. Planning scheme policy SC6.9</p>	<p>The application does not propose any physical development on the area mapped as being subject to potential landslip hazard.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<ul style="list-style-type: none"> <li>– Natural hazards provides guidance on preparing a site specific geotechnical assessment.</li> </ul>	



## Transport network overlay code

### Application

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

### Purpose

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

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

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

### Criteria for assessment

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

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



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

[illegible]

## Access, parking and servicing code

### Application

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

### Purpose

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

### Criteria for assessment

Table Error! No text of specified style in document..a – Access, parking and servicing code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be	<b>AO1.1</b> The minimum number of on-site vehicle parking spaces is not less than the number prescribed in	N/A

Performance outcomes	Acceptable outcomes	Applicant response
<p>generated by the use or uses of the site, having particular regard to:</p> <ul style="list-style-type: none"> <li>(a) the desired character of the area;</li> <li>(b) the nature of the particular use and its specific characteristics and scale;</li> <li>(c) the number of employees and the likely number of visitors to the site;</li> <li>(d) the level of local accessibility;</li> <li>(e) the nature and frequency of any public transport serving the area;</li> <li>(f) whether or not the use involves the retention of an existing building and the previous requirements for car parking for the building</li> <li>(g) whether or not the use involves a heritage building or place of local significance;</li> <li>(h) whether or not the proposed use involves the retention of significant vegetation.</li> </ul>	<p>Table Error! No text of specified style in document..b for that particular use or uses.</p> <p>Note - Where the number of spaces calculated from the table is not a whole number, the number of spaces provided is the next highest whole number.</p> <p><b>AO1.2</b> Car parking spaces are freely available for the parking of vehicles at all times and are not used for external storage purposes, the display of products or rented/sub-leased.</p> <p><b>AO1.3</b> Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.</p> <p><b>AO1.4</b> For parking areas exceeding 50 spaces parking, is provided for recreational vehicles as a substitute for ordinary vehicle parking to a maximum of 5% of total ordinary vehicle parking rate.</p>	
<p><b>PO2</b> Vehicle parking areas are designed and constructed in accordance with relevant standards.</p>	<p><b>AO2</b> Vehicle parking areas are designed and constructed in accordance with Australian Standard: (a) AS2890.1; AS2890.3; AS2890.6.</p>	N/A
<p><b>PO3</b> Access points are designed and constructed: (a) to operate safely and efficiently;</p>	<p><b>AO3.1</b> Access is limited to one access cross over per site and is an access point located, designed and constructed in accordance with:</p>	Proposal complies or is capable of complying.



Performance outcomes	Acceptable outcomes	Applicant response
	<p>fully contained within the lot and not within the road reserve;</p> <p>(e) designed to include all necessary associated drainage that intercepts and directs storm water runoff to the storm water drainage system.</p> <p><b>AO3.4</b> Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.</p>	Proposal complies or is capable of complying.
<p><b>P04</b> Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.</p>	<p><b>AO4</b> The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.</p>	N/A
<p><b>P05</b> Access for people with disabilities is provided to the building from the parking area and from the street.</p>	<p><b>AO5</b> Access for people with disabilities is provided in accordance with the relevant Australian Standard.</p>	N/A
<p><b>P06</b> Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development.</p>	<p><b>AO6</b> The number of on-site bicycle parking spaces complies with the rates specified in Table Error! No text of specified style in document..b.</p>	N/A
<p><b>P07</b> Development provides secure and convenient bicycle parking which: (a) for visitors is obvious and located close to the building's main entrance;</p>	<p><b>AO7.1</b> Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers);</p> <p><b>AO7.2</b></p>	N/A



Performance outcomes	Acceptable outcomes	Applicant response
(b) for employees is conveniently located to provide secure and convenient access between the bicycle storage area, end-of-trip facilities and the main area of the building; (c) is easily and safely accessible from outside the site.	Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street.  <b>AO7.3</b> Development provides visitor bicycle parking which does not impede pedestrian movement.	
<b>PO8</b> Development provides walking and cycle routes through the site which: (a) link to the external network and pedestrian and cyclist destinations such as schools, shopping centres, open space, public transport stations, shops and local activity centres along the safest, most direct and convenient routes; (b) encourage walking and cycling; (c) ensure pedestrian and cyclist safety.	<b>AO8</b> Development provides walking and cycle routes which are constructed on the carriageway or through the site to: (a) create a walking or cycle route along the full frontage of the site; (b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site.	N/A
<b>PO9</b> Access, internal circulation and on-site parking for service vehicles are designed and constructed: (a) in accordance with relevant standards; (b) so that they do not interfere with the amenity of the surrounding area; (c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles.	<b>AO9.1</b> Access driveways, vehicle manoeuvring and on-site parking for service vehicles are designed and constructed in accordance with AS2890.1 and AS2890.2.  <b>AO9.2</b> Service and loading areas are contained fully within the site.  <b>AO9.3</b> The movement of service vehicles and service operations are designed so they: (a) do not impede access to parking spaces; (b) do not impede vehicle or pedestrian traffic movement.	N/A
<b>PO10</b>	<b>AO10.1</b>	N/A

Performance outcomes	Acceptable outcomes	Applicant response
Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.	<p>Development provides adequate area on-site for vehicle queuing to accommodate the demand generated by the development where drive through facilities or drop-off/pick-up services are proposed as part of the use, including, but not limited to, the following land uses:</p> <ul style="list-style-type: none"> <li>(a) car wash;</li> <li>(b) child care centre;</li> <li>(c) educational establishment where for a school;</li> <li>(d) food and drink outlet, where including a drive-through facility;</li> <li>(e) hardware and trade supplies, where including a drive-through facility;</li> <li>(f) hotel, where including a drive-through facility;</li> <li>(g) service station.</li> </ul> <p><b>AO10.2</b> Queuing and set-down areas are designed and constructed in accordance with AS2890.1.</p>	

**Table Error! No text of specified style in document..b – Access, parking and servicing requirements**

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

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

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

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

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Dual occupancy	A minimum of 2 spaces per dwelling unit which may be in tandem with a minimum of 1 covered space per dwelling unit.	n/a	n/a	n/a
Dwelling house	A minimum of 2 spaces which may be in tandem plus 1 space for a secondary dwelling	n/a	n/a	n/a
Dwelling unit	1.5 spaces per one or two bedroom unit; or 2 spaces per three bedroom unit.	n/a	n/a	n/a
Educational establishment	Primary school or secondary schools: 1 car space per 2 staff members, plus provision of space to be used for setting down and picking up of students. Tertiary and further education: 1 car space per 2 staff members, plus 1 car space per 10 students, plus provision of space to be used for setting down and picking up of students.	Primary school or secondary schools: 1 space per 5 students over year 4. Tertiary and further education: 2 spaces per 50 full time students.	Required for all educational establishments with a GFA greater than 2000m <sup>2</sup> .	RCV
Food and drink outlet	1 space per 25m <sup>2</sup> GFA and outdoor dining area. or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m <sup>2</sup> of GFA, and outdoor dining area.	1 space per 100m <sup>2</sup> of GFA, and outdoor dining area.	n/a	See Table Error! No text of specified style in document..d
Function facility	1 space per 15m <sup>2</sup> GFA.	1 space per 100m <sup>2</sup> of GFA.	n/a	RCV
Funeral parlour	1 space per 15m <sup>2</sup> GFA.	n/a	n/a	RCV
Garden centre	1 space per 50m <sup>2</sup> GFA and outdoor display area	1 space per 200m <sup>2</sup> of GFA.	n/a	AV
Hardware and trade supplies	1 space per 50m <sup>2</sup> GFA and outdoor display area	1 space per 200m <sup>2</sup> of GFA.	n/a	AV

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

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Marine industry	1 space per 90m <sup>2</sup> of GFA.	n/a	n/a	AV
Medium impact industry	1 space per 90m <sup>2</sup> of GFA.	n/a	n/a	AV
Multiple dwelling	If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie Local plan: 1 car space per dwelling unit. If outside Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie Local plan: 1.5 car spaces per dwelling unit In all cases 60% of the car parking area is to be covered.	1 bicycle space per 3 units and 1 visitor bicycle space per 12 units.	n/a	RCV (over 10 units)
Office	1 space per 25m <sup>2</sup> of GFA or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m <sup>2</sup> of GFA	1 space per 200m <sup>2</sup> GFA	Required for all office development with a GFA greater than 2000m <sup>2</sup> .	See Table Error! No text of specified style in document..e
Outdoor sales	1 space per 50m <sup>2</sup> GFA and outdoor display area	1 space per 200m <sup>2</sup> of GFA.	n/a	AV
Outdoor sport and recreation	Coursing, horse racing, pacing, trotting: 1 space per 5 seated spectators, plus 1 space per 5m <sup>2</sup> of other spectator areas.  Football: 50 spaces per field.  Lawn bowls: 30 spaces per green.  Swimming pool: 15 spaces; plus	Football: 5 space per field.  Lawn bowls: 5 spaces per green.  Swimming pool: 1 space per swimming lane.  Tennis court or other court game:	n/a	RCV

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



Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
	plus 1 visitor space per 5 dwelling units; plus 1 visitor car space per 10 hostel units, nursing home or similar beds, plus 1 car space per 2 staff members; plus 1 car parking space for ambulance parking.			
Sales office	A minimum of 1 space.	n/a	n/a	n/a
Service industry	1 space per 90m <sup>2</sup> of GFA.	n/a	n/a	SRV
Service station	1 space per 25m <sup>2</sup> of GFA	n/a	n/a	AV
Shop	1 space per 25m <sup>2</sup> of GFA. or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m <sup>2</sup> of GFA.	1 space per 100m <sup>2</sup> of GFA.	Required for all shops with a GFA greater than 2000m <sup>2</sup> .	See Table Error! No text of specified style in document..d
Shopping centre	1 space per 25m <sup>2</sup> of GFA. or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m <sup>2</sup> of GFA.	1 space per 200m <sup>2</sup> GFA.	Required for all shopping centres with a GFA greater than 2000m <sup>2</sup> .	See Table Error! No text of specified style in document..d
Short term accommodation	If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan: 0.5 car spaces per dwelling unit.  If outside Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan: For up to 5 units: 1 car space per dwelling unit, plus 1 space for visitors and 1 service/staff spaces. For 5 – 10 units: 1 car space per dwelling unit, plus 2 spaces for visitors and 1 service/staff spaces.	1 space per 10 rooms	n/a	SRV

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

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

**Table Error! No text of specified style in document..c – Design vehicles**

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

**Table Error! No text of specified style in document..d – Standard number of service bays required for Food and drink outlet, Shop or Shopping centre**

Gross floor area (m <sup>2</sup> )	Service bays required			
	<b>VAN</b>	<b>SRV</b>	<b>MRV</b>	<b>LRV</b>
0-199	-	1	-	-
200 – 599	1	-	1	-
600 – 999	1	1	1	-
1000 – 1499	2	1	1	-
1500 – 1999	2	2	1	-
2000 – 2799	2	2	2	-
2800 – 3599	2	2	2	1
3600 and over	To be determined via a parking study.			

**Table Error! No text of specified style in document..e – Standard number of service bays required for Office**

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

## Environmental performance code

### Application

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

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

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

### Purpose

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

### Criteria for assessment

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

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

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

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



Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO4</b> Potential odour causing activities associated with the development are avoided through design, location and operation of the activity.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p><b>A04.1</b> The development does not involve activities that create odorous emissions;</p> <p>or</p> <p><b>A04.2</b> The use does not result in odour that causes environmental harm or nuisance with respect to surrounding land uses.</p>	<p>Proposal complies.</p>
<b>Waste and recyclable material storage</b>		
<p><b>PO5</b> Waste and recyclable material storage facilities are located and maintained to not cause adverse impacts on adjacent uses.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p><b>A05.1</b> The use ensures that all putrescent waste is stored in a manner that prevents odour nuisance and is disposed of at regular intervals.</p> <p><b>A05.2</b> Waste and recyclable material storage facilities are located, designed and maintained to not cause an adverse impact on users of the premises and adjacent uses through consideration of:</p> <ul style="list-style-type: none"> <li>(a) the location of the waste and recyclable material storage areas in relation to the noise and odour generated;</li> <li>(b) the number of receptacles provided in relation to the collection, maintenance and use of the receptacles;</li> <li>(c) the durability of the receptacles, sheltering and potential impacts of local climatic conditions;</li> <li>(d) the ability to mitigate spillage, seepage or leakage from receptacles into adjacent areas and sensitive receiving waters and environments.</li> </ul> <p>Editor's note - the <i>Environmental Protection (Waste Management) Policy 2008</i> provides guidance on the design of</p>	<p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
	waste containers (receptacles) to ensure environmental harm (including nuisance) is avoided.	
<b>Sensitive land use activities</b>		
<b>PO6</b> Sensitive land use activities are not established in areas which will receive potentially incompatible impacts on amenity from surrounding, existing development activities and land uses.	<b>A06.1</b> Sensitive land use activities are not established in areas that will be adversely impacted upon by existing land uses, activities and potential development possible in an area;  or  <b>A06.2</b> Sensitive land activities are located in areas where potential adverse amenity impacts mitigate all potential impacts through layout, design, operation and maintenance.	N/A
<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>A07.1</b> Development activities are designed to ensure stormwater over roofed and hard stand areas is directed to a lawful point of discharge.  <b>A07.2</b> Development ensures movement of stormwater over the site is not impeded or directed through potentially polluting activities.  <b>A07.3</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.	Proposal complies or is capable of complying.   Proposal complies.   N/A

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

## Flood and storm tide hazard overlay code

### Application

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

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

### Purpose

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

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

## Criteria for assessment

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

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

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

Performance outcomes	Acceptable outcomes	Applicant response
	<p>time until flash flooding subsides or people can be evacuated.</p> <p>or</p> <p><b>AO3.3</b> Where involving an extension to an existing dwelling house that is situated below DFE /Storm tide, the maximum size of the extension does not exceed 70m<sup>2</sup> gross floor area.</p> <p>Note – If part of the site is outside the Hazard Overlay area, this is the preferred location of all buildings.</p> <p>For Reconfiguring a lot</p> <p><b>AO3.4</b> Additional lots: (a) are not located in the hazard overlay area; or (b) are demonstrated to be above the flood level identified for the site.</p> <p>Note - If part of the site is outside the Hazard Overlay area, this is the preferred location for all lots (excluding park or other open space and recreation lots).</p> <p>Note – Buildings subsequently developed on the lots will need to comply with the relevant building assessment provisions under the <i>Building Act 1975</i>.</p> <p><b>AO3.5</b> Road and/or pathway layout ensures residents are not physically isolated from adjacent flood free urban areas and provides a safe and clear evacuation route path:</p>	<p>Subject site is impacted by the Flood plain assessment sub-category only. If required, the applicant will engage a flood study to determine appropriate immunity requirements for future dwelling.</p> <p>Proposal complies.</p>

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



Performance outcomes	Acceptable outcomes	Applicant response
	only non-habitable rooms (e.g. garages, laundries) are located on the ground floor.	
<b>PO4</b> Development is resilient to flood events by ensuring design and built form account for the potential risks of flooding.	<p>For Material change of use (Non-residential uses)</p> <p><b>AO4.2</b>  Non residential buildings and structures allow for the flow through of flood waters on the ground floor.</p> <p>Note - Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p> <p>Note - The relevant building assessment provisions under the <i>Building Act 1975</i> apply to all building work within the Hazard Area and need to take into account the flood potential within the area.</p> <p><b>AO4.3</b>  Materials are stored on-site:</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>	N/A

Performance outcomes	Acceptable outcomes	Applicant response
<p><b>P05</b> Development directly, indirectly and cumulatively avoids any increase in water flow velocity or flood level and does not increase the potential flood damage either on site or on other properties.</p> <p>Note – Berms and mounds are considered to be an undesirable built form outcome and are not supported.</p>	<p>For Operational works</p> <p><b>A05.1</b> 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> <li>(b) a net increase in filling (including berms and mounds).</li> </ul> <p><b>A05.2</b> Works (including buildings and earthworks) in non urban areas either:</p> <ul style="list-style-type: none"> <li>(a) do not involve a net increase in filling greater than 50m<sup>3</sup>; or</li> <li>(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;</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>(c) do not change flood characteristics outside the subject site in ways that result in: <ul style="list-style-type: none"> <li>(i) loss of flood storage;</li> <li>(ii) loss of/changes to flow paths;</li> <li>(iii) acceleration or retardation of flows or any reduction in flood warning times elsewhere on the flood plain.</li> </ul> </li> </ul> <p>For Material change of use</p> <p><b>A05.3</b> Where development is located in an area affected by DFE/Storm tide, a hydraulic and hydrology report, prepared by a suitably</p>	<p>N/A</p> <p>If required, the applicant will engage a flood study to determine compliance.</p> <p>N/A</p>

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

Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>AO6.2</b> If a DFE level is adopted, structures used for the manufacture or storage of hazardous materials are: (a) located above the DFE level;  or  (b) designed to prevent the intrusion of floodwaters.</p> <p><b>AO6.3</b> Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE.</p> <p><b>AO6.4</b> If a flood level is not adopted, hazardous materials and their manufacturing equipment are located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of floodwaters.</p> <p>Note – Refer to <i>Work Health and Safety Act 2011</i> and associated Regulation and Guidelines, the <i>Environmental Protection Act 1994</i> and the relevant building assessment provisions under the <i>Building Act 1975</i> for requirements related to the manufacture and storage of hazardous materials.</p>	
<p><b>P07</b> The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.</p>	<p><b>AO7</b> Development does not: (a) increase the number of people calculated to be at risk of flooding;</p>	Proposal complies or is capable of complying.

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

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

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

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

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

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

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

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

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



## Infrastructure works code

### Application

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

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

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

### Purpose

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

### Criteria for assessment

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

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

Performance outcomes	Acceptable outcomes	Applicant response
<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.	N/A
	<b>AO1.2</b> Kerb ramp crossovers are constructed in accordance with Planning scheme policy SC 5 – FNQROC Regional Development Manual.	N/A
	<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.	N/A
	<b>AO1.4</b> Where existing footpaths are damaged as a result of development, footpaths are reinstated ensuring: (a) similar surface finishes are used; (b) there is no change in level at joins of new and existing sections; (c) new sections are matched to existing in terms of dimension and reinforcement.  Note – Figure Error! No text of specified style in document..a provides guidance on meeting the outcomes.	N/A
	<b>AO1.5</b>	N/A





Performance outcomes	Acceptable outcomes	Applicant response
(c) maintaining waterway hydrology.	<p>An underground drainage system is constructed to convey stormwater from the premises to Council's drainage system in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p><b>AO5.3</b> A stormwater quality management plan is prepared, and provides for achievable stormwater quality treatment measures meeting design objectives listed in Table Error! No text of specified style in document..b and Table Error! No text of specified style in document..c, reflecting land use constraints, such as:</p> <ul style="list-style-type: none"> <li>(a) erosive, dispersive and/or saline soil types;</li> <li>(b) landscape features (including landform);</li> <li>(c) acid sulfate soil and management of nutrients of concern;</li> <li>(d) rainfall erosivity.</li> </ul> <p><b>AO5.4</b> Erosion and sediment control practices are designed, installed, constructed, monitored, maintained, and carried out in accordance with an erosion and sediment control plan.</p> <p><b>AO5.5</b> Development incorporates stormwater flow control measures to achieve the design objectives set out in Table Error! No text of specified style in document..b and Table Error! No text of specified style in document..c, including management of frequent flows, peak flows, and construction phase hydrological impacts.</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<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>	
<b>Non-tidal artificial waterways</b>		
<p><b>PO6</b> Development involving non-tidal artificial waterways is planned, designed, constructed and operated to:</p> <ul style="list-style-type: none"> <li>(a) protect water environmental values;</li> <li>(b) be compatible with the land use constraints for the site for protecting water environmental values;</li> <li>(c) be compatible with existing tidal and non-tidal waterways;</li> <li>(d) perform a function in addition to stormwater management;</li> <li>(e) achieve water quality objectives.</li> </ul>	<p><b>AO6.1</b> Development involving non-tidal artificial waterways ensures:</p> <ul style="list-style-type: none"> <li>(a) environmental values in downstream waterways are protected;</li> <li>(b) any ground water recharge areas are not affected;</li> <li>(c) the location of the waterway incorporates low lying areas of the catchment connected to an existing waterway;</li> <li>(d) existing areas of ponded water are included.</li> </ul> <p><b>AO6.2</b> Non-tidal artificial waterways are located:</p> <ul style="list-style-type: none"> <li>(a) outside natural wetlands and any associated buffer areas;</li> <li>(b) to minimise disturbing soils or sediments;</li> <li>(c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas.</li> </ul> <p><b>AO6.3</b> Non-tidal artificial waterways located adjacent to, or connected to a tidal waterway by means of a weir, lock, pumping system or similar ensures:</p> <ul style="list-style-type: none"> <li>(a) there is sufficient flushing or a tidal range of &gt;0.3 m; or</li> </ul>	<p>N/A</p> <p>N/A</p> <p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(b) any tidal flow alteration does not adversely impact on the tidal waterway; or</p> <p>(c) there is no introduction of salt water into freshwater environments.</p> <p><b>AO6.4</b> Non-tidal artificial waterways are designed and managed for any of the following end-use purposes:</p> <p>(a) amenity (including aesthetics), landscaping or recreation; or</p> <p>(b) flood management, in accordance with a drainage catchment management plan; or</p> <p>(c) stormwater harvesting plan as part of an integrated water cycle management plan; or</p> <p>(d) aquatic habitat.</p> <p><b>AO6.5</b> The end-use purpose of the non-tidal artificial waterway is designed and operated in a way that protects water environmental values.</p> <p><b>AO6.6</b> Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway.</p> <p><b>AO6.7</b> Aquatic weeds are managed to achieve a low percentage of coverage of the water surface area, and pests and vectors are managed through design and maintenance.</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>
<b>Wastewater discharge</b>		
<p><b>P07</b> Discharge of wastewater to waterways, or off site:</p>	<p><b>AO7.1</b> A wastewater management plan is prepared and addresses:</p>	<p>N/A</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>(a) meets best practice environmental management;</p> <p>(b) is treated to:</p> <ul style="list-style-type: none"> <li>(i) meet water quality objectives for its receiving waters;</li> <li>(ii) avoid adverse impact on ecosystem health or waterway health;</li> <li>(iii) maintain ecological processes, riparian vegetation and waterway integrity;</li> <li>(iv) offset impacts on high ecological value waters.</li> </ul>	<p>(a) wastewater type;</p> <p>(b) climatic conditions;</p> <p>(c) water quality objectives;</p> <p>(d) best practice environmental management.</p> <p><b>A07.2</b> The waste water management plan is managed in accordance with a waste management hierarchy that:</p> <ul style="list-style-type: none"> <li>(a) avoids wastewater discharge to waterways; or</li> <li>(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.</li> </ul>	N/A
	<p><b>A07.3</b> Wastewater discharge is managed to avoid or minimise the release of nutrients of concern so as to minimise the occurrence, frequency and intensity of algal blooms.</p>	N/A
	<p><b>A07.4</b> Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and:</p> <ul style="list-style-type: none"> <li>(a) avoids lowering ground water levels where potential or actual acid sulfate soils are present;</li> <li>(b) manages wastewater so that: <ul style="list-style-type: none"> <li>(i) the pH of any wastewater discharges is maintained between 6.5 and 8.5 to avoid mobilisation of acid, iron, aluminium and other metals;</li> <li>(ii) holding times of neutralised wastewater ensures the flocculation and removal of any dissolved iron prior to release;</li> </ul> </li> </ul>	N/A





Performance outcomes	Acceptable outcomes	Applicant response
	<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>	
<b>Telecommunications</b>		
<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.	Proposal is capable of complying.
<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.	Proposal is capable of complying.
<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: <ul style="list-style-type: none"> <li>(a) pedestrians and cyclists to and from the site;</li> <li>(b) pedestrians and cyclists adjacent to the site;</li> <li>(c) vehicles on the road adjacent to the site;</li> <li>(d) vehicles to and from the site;</li> <li>(e) emergency vehicles.</li> </ul>	<b>AO12.1</b> The road to the frontage of the site is constructed in accordance with the Design Guidelines set out in Sections D1 and D3 of the Planning scheme policy SC5 – FNQROC Regional Development Manual, for the particular class of road, as identified in the road hierarchy. <p><b>AO12.2</b>  There is existing road, kerb and channel for the full road frontage of the site.</p> <p><b>AO12.3</b>  Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for the safe passage of emergency vehicles.</p>	Proposal is capable of complying.

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.	Proposal is capable of complying.
<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.	Proposal is capable of complying.
<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 level and soils below the canopy of any retained vegetation; (d) removal from the site of all declared noxious weeds.	Proposal is capable of complying.
<b>PO16</b>	<b>AO16</b>	Proposal is capable of complying.

Performance outcomes	Acceptable outcomes	Applicant response
Existing infrastructure is not damaged by construction activities.	<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>	
<b>For assessable development</b>		
<b>High speed telecommunication infrastructure</b>		
<b>PO17</b> Development provides infrastructure to facilitate the roll out of high speed telecommunications infrastructure.	<b>AO17</b> No acceptable outcomes are prescribed.	N/A
<b>Trade waste</b>		
<b>PO18</b> Where relevant, the development is capable of providing for the storage, collection treatment and disposal of trade waste such that: (a) off-site releases of contaminants do not occur; (b) the health and safety of people and the environment are protected; (c) the performance of the wastewater system is not put at risk.	<b>AO18</b> No acceptable outcomes are prescribed.	N/A
<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>	N/A

Performance outcomes	Acceptable outcomes	Applicant response
	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.	
<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 'Publications'.	<b>AO20</b> No acceptable outcomes are prescribed.	N/A

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

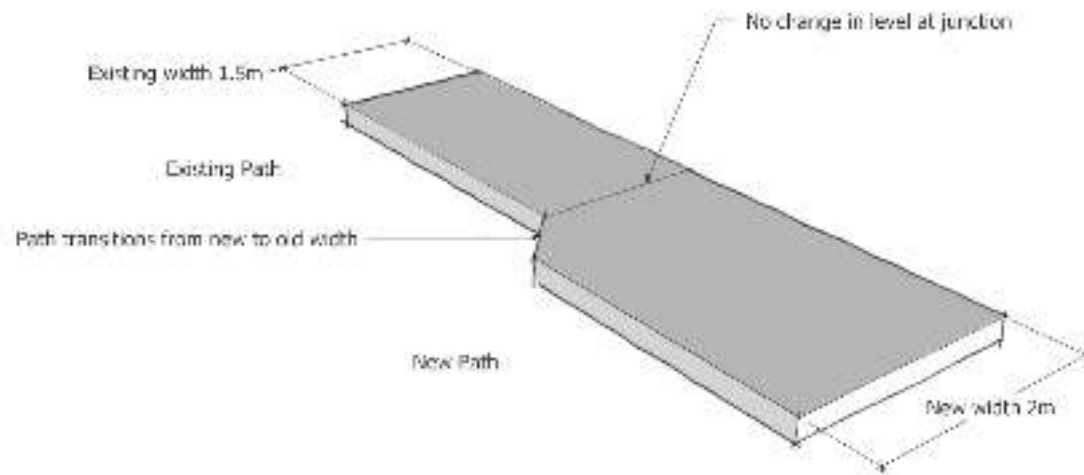
Issue	Design objectives
<b>Drainage control</b> (Temporary drainage works)	(a) Design life and design storm for temporary drainage works: (vi) Disturbed open area for <12 months – 1 in 2 year ARI event; (vii) Disturbed open area for 12-24 months – 1 in 5 year ARI event; (viii) Disturbed open area for >24 months – 1 in 10 year ARI event. (b) Design capacity excludes minimum 150mm freeboard. (c) Temporary culvert crossing – minimum of 1 in 1-year ARI hydraulic capacity.
<b>Erosion control</b> (Erosion control measures)	(a) Minimise exposure of disturbed soils at any time. (b) Divert water run-off from undisturbed areas around disturbed areas. (c) Determine erosion risk rating using local rainfall erosivity, rainfall depth, soil loss rate or other acceptable methods. (d) Implement erosion control methods corresponding to identified erosion risk rating.
<b>Sediment control measures</b>	(a) Determine appropriate sediment control measures using: (i) potential soil loss rate; or

Issue	Design objectives
(sediment control measures, design storm for sediment control basins, Sediment basin dewatering)	<ul style="list-style-type: none"> <li>(ii) monthly erosivity; or</li> <li>(iii) average monthly rainfall.</li> <li>(b) Collect and drain stormwater from disturbed soils to sediment basin for design storm event:               <ul style="list-style-type: none"> <li>(i) design storm for sediment basin sizing is 80th% five-day event or similar.</li> </ul> </li> <li>(c) Site discharge during sediment basin dewatering:               <ul style="list-style-type: none"> <li>(i) TSS &lt; 50mg/L TSS;</li> <li>(ii) Turbidity not &gt; 10% receiving water's turbidity;</li> <li>(iii) pH 6.5-8.5.</li> </ul> </li> </ul>
<b>Water quality</b> (Litter and other waste, hydrocarbons and other contaminants)	<ul style="list-style-type: none"> <li>(a) Avoid wind-blown litter; remove grass pollutants.</li> <li>(b) Ensure there is no visible oil or grease sheen on released waters.</li> <li>(c) Dispose of waste containing contaminants at authorised facilities.</li> </ul>
<b>Waterway stability and flood flow management</b> (Changes to the natural hydraulics and hydrology)	<ul style="list-style-type: none"> <li>(a) For peak flow for the 100% AEP event and 1% AEP event, use constructed sediment basins to attenuate the discharge rate of stormwater from the site.</li> </ul>

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

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

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





## Landscaping code

### 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.

### 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.

### Criteria for assessment

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

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

Performance outcomes	Acceptable outcomes	Applicant response
<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 useable;</li> <li>(h) providing long term soil erosion protection;</li> <li>(i) providing a safe environment;</li> <li>(j) integrating existing vegetation and other natural features of the premises into the development;</li> <li>(k) not adversely affecting vehicular and pedestrian sightlines and road safety.</li> </ul>	<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>	
<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

Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>A02.2</b> 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> 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>A03.1</b> 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> <p><b>A03.2</b> Mature vegetation on the site that is removed or damaged during development is replaced with advanced species.</p> <p><b>A03.3</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.</p> <p><b>A03.4</b> Street trees are species which enhance the landscape character of the streetscape, with species chosen from the Planning scheme policy SC6.7 – Landscaping.</p>	<p>Proposal does not seek to clear any existing vegetation.</p> <p>Proposal does not seek to clear any existing vegetation.</p> <p>Proposal is capable of complying.</p> <p>Proposal is capable of complying.</p>
<p><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.</p>	<p><b>A04</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.</p>	N/A
<b>PO5</b>	<b>A05</b>	N/A

Performance outcomes	Acceptable outcomes	Applicant response
Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal roadways.	Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	
<b>P06</b> Landscaped areas are designed in order to allow for efficient maintenance.	<b>A06.1</b> A maintenance program is undertaken in accordance with Planning scheme policy SC6.7 – Landscaping.  <b>A06.2</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   N/A
<b>P07</b> Podium planting is provided with appropriate species for long term survival and ease of maintenance, with beds capable of proper drainage.	<b>A07.1</b> Podium planting beds are provided with irrigation and are connected to stormwater infrastructure to permit flush out.  <b>A07.2</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   N/A
<b>P08</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>A08</b> Weed and invasive species detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person.	Proposal is capable of complying.
<b>P09</b> The landscape design enhances personal safety and reduces the potential for crime and vandalism.	<b>A09</b> No acceptable outcomes are specified.	N/A

Performance outcomes	Acceptable outcomes	Applicant response
	Note - Planning scheme policy SC6.3 – Crime prevention through environmental design (CPTED) provides guidance on meeting this outcome.	
<b>PO10</b> The location and type of plant species does not adversely affect the function and accessibility of services and facilities and service areas.	<b>AO10</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	Proposal is capable of complying.