

# MINOR CHANGE APPLICATION (EXTENSION AND REFURBISHMENT OF DUAL OCCUPANCY) AND RECONFIGURING A LOT (1 LOT INTO 2 LOTS)

Planning Report - 131 Davidson Street, Port Douglas



PR152776/PC/SD/L81538  
Version C  
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## REPORT

### Document status

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### Approval for issue

Patrick Clifton



11 October 2022

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## REPORT

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## SUMMARY

**Table 1: Summary**

Details			
Site Address:	131 Davidson Street, Port Douglas		
Real Property Description:	Lots 0, 1 and 2 on BUP70713		
Site Area:	Lot 0 on BUP70713 – 634m <sup>2</sup> Lot 1 on BUP70713 – 83m <sup>2</sup> Lot 2 on BUP70713 – 83m <sup>2</sup>		
Regional Plan Land Use Designation:	Urban Footprint		
Zone:	Tourist Accommodation		
Local Plan:	Port Douglas - Craiglie		
Owner(s):	Lot 0 on BUP70713 – Body Corporate for Porthaven Community Titles Scheme 915 Lot 1 on BUP70713 – Martin Lawrence & Lorraine Michelle Kay Lot 2 on BUP70713 – Martin Lawrence & Lorraine Michelle Kay		
Proposal			
Brief Description/ Purpose of Proposal	Change Application (Minor Change) and Development Permit for Reconfiguring a Lot (1 Lot into 2 Lots)		
Application Details			
Aspect of Development	Preliminary approval		Development permit
Material change of use	<input type="checkbox"/>		<input type="checkbox"/>
Building Work	<input type="checkbox"/>		<input type="checkbox"/>
Operational Work	<input type="checkbox"/>		<input type="checkbox"/>
Reconfiguration of a Lot	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Assessment Category	<input checked="" type="checkbox"/> Code		<input type="checkbox"/> Impact
Public Notification	<input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes:
Superseded Planning Scheme Application	<input type="checkbox"/> Yes		<input checked="" type="checkbox"/> No
Referral Agencies			
Agency	Concurrence	Advice	Pre-lodgement response
Nil	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Pre-lodgement / Consultation			
Entity	Date		Contact Name
Douglas Shire Council	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		7/9/22
Jenny Elphinstone			
Applicant contact person	Patrick Clifton Principal Planner D: +61 7 4031 1336 E: <a href="mailto:patrick.clifton@rpsgroup.com.au">patrick.clifton@rpsgroup.com.au</a>		

# 1 INTRODUCTION

RPS has been engaged by Martin and Lorraine Kay to seek a minor change to an existing Dual Occupancy approval and a Development Permit for Reconfiguring a Lot (1 Lot into 2 Lots) on land located 131 Davidson Street, Port Douglas and more formally described as Lots 0, 1 & 2 on BUP70713.

This development application seeks:

- Minor Change to existing Development Approval for Dual Occupancy; and
- Development Permit for a Reconfiguring a Lot (1 Lot into 2 Lots).

The subject site comprises three community title allotments and contains a total area of 800m<sup>2</sup> with frontage to Davidson Street of approximately 23 metres. It has been developed for the purpose of dual occupancy with each unit containing three bedrooms and a single carport. No other carparking is provided on the site. Access is provided via a shared driveway from Davidson Street. Prior to the implementation of any reconfiguration the community titles scheme would be terminated and the site returned to a single lot.

The Dual Occupancy was granted an historic development approval from Douglas Shire Council. The date of the approval is understood to be in the 1980's.

The area containing the site is characterised by a mix of single detached dwellings, dual occupancies and multiple dwellings.

The Minor Change proposal involves the retention, refurbishment and extension of the existing dwellings, detailed as follows:

- Conversion of the existing carports to master bedrooms, ensuite for each unit;
- Undertake a rear extension to both units to increase the sizes of bedroom 2;
- Provide an outdoor dining/patio area to each unit;
- Private each unit with a separate swimming pool and private recreation area;
- Provide two new car parking spaces on the front boundary; and
- Undertake other landscaping and improvement works including a new front fence.

In addition to the minor change application, the applicant seeks to reconfigure the site to create 2 lots with freehold title and terminate the existing Community Titles Scheme. The termination of the Community Title Scheme is not assessable development for the purpose of the *Planning Act 2016* and would occur prior to the reconfiguring of the site into two lots.

Under the Douglas Shire Council Planning Scheme 2018 (v1.0), the site has the following designations/classifications:

- Zone - Tourist Accommodation Zone
- Local Plan – Port Douglas-Craigie Local Plan;
- Overlays:
  - Acid Sulfate Soils;
  - Landscape Values; and
  - Transport Network.

Pursuant to section 81 of the *Planning Act 2016*, the application is required to be assessed having regard to the matters that applied at the time the development application was made and may consider the matters that apply when the change application is made. In this instance it is considered appropriate to consider the requirements of the current Douglas Shire Planning Scheme in determining the application.

The proposed change is considered to be consistent with relevant Assessment Benchmarks contained within the Douglas Shire Planning Scheme. The changed development is considered to be consistent in terms of scale and intensity to other forms of development in the locality and the site can contain the change without adverse impact on the amenity of the area. Based on the assessment, the proposed change and reconfiguration is recommended for approval subject to reasonable and relevant conditions.

## 2 SITE DETAILS

### 2.1 Site Particulars

Key details of the subject site are as follows:

**Table 2: Site Particulars**

Site Particulars	
Site Address	131 Davidson Street, Port Douglas
Real Property Description	Lots 0 – 2 on BUP70713
Site Area and Frontage	800m <sup>2</sup> Frontage: Approx 23 metres
Landowner(s)	Lot 0 on BUP70713 – Body Corporate for Porthaven Community Titles Scheme 915 Lot 1 on BUP70713 – Martin Lawrence & Lorraine Michelle Kay Lot 2 on BUP70713 – Martin Lawrence & Lorraine Michelle Kay
Proposal	Minor Change to existing Development Approval and Reconfiguring a Lot (1 Lot into 2 Lots)

The site location and its extent are shown in **Figure 1** below.

Certificate/s of title confirming site ownership details are included at **Appendix C**.



**Figure 1 Site Location**

Source: Queensland Globe 2022

The subject site comprises three community title allotments and contains a total area of 800m<sup>2</sup> with frontage to Davidson Street of approximately 23 metres. It has been developed for the purpose of a dual occupancy

with each unit containing three bedrooms and a single carport. No other car parking is provided on the site and the nature of the existing development means that all vehicles reverse from the site when exiting.

The dual occupancy has the benefit of a Council approval, which was granted in the 1980's and an existing Community Management Statement.

The site is relatively flat with a gentle slope to the rear away from the road frontage and does not contain any significant vegetation.

The area containing the site is characterised by single detached dwellings, dual occupancies and multiple dwelling developments. Davidson Street is characterised by residential development with recreation areas, including swimming pools in the front setback and with tall fences and structures on the front boundary.

## 2.2 Planning Context

The planning context of the site includes the following:

**Table 3: Planning Context**

Instrument	Designation
<b>State Planning Policy Mapping</b>	
<b>Safety and Resilience to Hazards</b>	<ul style="list-style-type: none"> <li>Flood hazard area – Level 1 – Queensland floodplain assessment</li> </ul>
<b>Development Assessment Mapping</b>	
<b>SARA DA Mapping</b>	<ul style="list-style-type: none"> <li>Category X on the Regulated Vegetation Mapping.</li> </ul>
<b>Far North Queensland Regional Plan 2009-2031</b>	
<b>Regional Plan Map:</b>	<ul style="list-style-type: none"> <li>Urban Footprint.</li> </ul>
<b>Douglas Shire Planning Scheme 2018 (v1.0)</b>	
<b>Zoning:</b>	Tourist Accommodation Zone
<b>Local Plan:</b>	Port Douglas Craigie Local Plan
<b>Overlays:</b>	<ul style="list-style-type: none"> <li>Acid Sulfate Soils Overlay               <ul style="list-style-type: none"> <li>Land below 5m AHD</li> </ul> </li> <li>Landscape Values Overlay               <ul style="list-style-type: none"> <li>Scenic route buffer</li> <li>View corridor</li> </ul> </li> <li>Transport Noise Corridors Overlay               <ul style="list-style-type: none"> <li>Category 1: 58 dB(A) =&lt; Noise Level &lt; 63 dB(A)</li> </ul> </li> <li>Transport Pedestrian Cycle Overlay               <ul style="list-style-type: none"> <li>Neighbourhood route</li> </ul> </li> <li>Transport Road Hierarchy Overlay               <ul style="list-style-type: none"> <li>Access road</li> <li>Major Transport Corridor Buffer Area (State-controlled road)</li> </ul> </li> </ul>

The zoning of the subject site and surrounding lands is shown on **Figure 3** and a Douglas Shire Planning Scheme property report is attached at **Appendix D**.





Figure 2 Zoning

Source: Douglas Shire Planning Scheme 2018 (v1.0)

## 3 PROPOSAL

### 3.1 Overview

The existing Dual Occupancy development has been retained in its original format since being constructed in the 1980's. Whilst it is acknowledged that the existing dwellings are structurally sound, the format, design and facilities have become outdated, and the applicant is seeking to facilitate a more contemporary design that addresses modern living standards. The current dwellings provide for a communal open space, including a pool. The applicant is seeking to provide private open space for each of the dwellings and improved private amenity facilities. In addition, following significant advances in tropical urban design principles since the building's inception, the applicant seeks to increase the width of the eaves to provide sun and rain protection and larger outdoor living areas, which promote greater outdoor living.

As part of the proposed development, it is proposed to retain, refurbish and extend the existing development as follows:

- Conversion of the existing carports to master bedrooms, ensuite for each unit;
- Undertake a rear extension to both units to increase the sizes of bedroom 2;
- Provide an outdoor dining/patio area to each unit;
- Private each unit with a separate swimming pool and private recreation area;
- Provide two new car parking spaces on the front boundary; and
- Undertake other landscaping and improvement works including a new front fence. The front fence comprising concrete block pillars with batten in fill panels, in keeping with residential development within the locality.

Architectural proposal plans are included at **Appendix E**.

Subsequent to the change application, it is proposed to reconfigure the subject site to create two (2) residential lots containing each of the two dwellings. The proposed Reconfiguration of a Lot would include provision of an easement over the party wall / fire wall between each of the refurbished dwellings and integrated garages.

The detail of the proposal is discussed further below.

### 3.2 Yield / Gross Floor Area

The proposed reconfiguration would provide the following:

**Table 4: Development Summary**

Lot	Area (m <sup>2</sup> )	Frontage (metres)
Lot 1	400m <sup>2</sup>	11.5 metres
Lot 2	400m <sup>2</sup>	11.5 metres

### 3.3 Access and Parking

The proposed development would be accessed from Davidson Street via the existing double width driveway and associated crossover.

Whilst it is noted that the current Planning Scheme requires provision of 2 car parking spaces per dwelling unit, the proposed development relates to an existing dual occupancy with an historic development approval where the provision of a single car parking space per dwelling was accepted.

### 3.4 Civil Services

The proposal would result in each new lot containing a separate dwelling and with separate connections to the required urban services.



### **3.5 Stormwater Management**

The proposed development would retain its existing connections to Council's stormwater drainage system to enable lawful discharge of stormwater.

## 4 LEGISLATIVE REQUIREMENTS

### 4.1 Assessment Manager

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

### 4.2 Change Application

Section 78 of the *Planning Act 2016* provides for a person to make an application to change a development approval.

Section 79 requires the application to be in the approved form and be accompanied by the required fee. Where the applicant is not the owner, the application is required to be accompanied by the owners' consent. In this instance the owner's consent is required from the body corporate and is attached at **Appendix A**.

In assessing the application, section 81 of the Act, assessing and deciding application for minor changes, states that the assessment manager is to have regard to the following:

- Any properly made submissions about the original application;
- All the matters that applied when the development application was made and may consider the matters that apply at the time of the change application; and,
- Any other matter that is considered relevant.

### 4.3 Categories of Assessment

The application involves the change of approval to an existing dual occupancy, in addition to reconfiguring a lot (1 Lot into 2 Lots). As the original development was constructed in the 1980's, it is considered appropriate, that in determining this application, greater weight be placed on the development requirements of the current Douglas Shire Planning Scheme. The table below identifies the level of assessment and the categorising section of the Douglas Shire Council Planning Scheme

The table below summarises the categorising instruments and categories of assessment applicable to this application.

**Table 5: Categories of Assessment**

Aspect of development	Categorising instrument	Category of assessment
Dual Occupancy	Douglas Shire Council Planning Scheme 2018 – Table 5.6.n (Dual Occupancy)	Code Assessment
Reconfiguring a Lot	Douglas Shire Council Planning Scheme 2018 – Table 5.6.n (Reconfiguring a Lot)	Code Assessment

### 4.4 Referrals

Schedule 10 of the *Planning Regulation 2017* identifies the matters that the assessment manager and/or referral agency assessment must have regard to. In accordance with Schedule 10 of the *Planning Regulation 2017*, the proposed development does not trigger referral.

### 4.5 Public Notification

This application will not require public notification as it is subject to code assessment.

## 5 STATUTORY PLANNING ASSESSMENT

### 5.1 Overview

As the application is subject to Code Assessment, pursuant to section 45(5) of the *Planning Act 2016*, the assessment must only be carried out against the Assessment Benchmarks identified in the Douglas Shire Council Planning Scheme and the matters prescribed by Regulation in Schedule 10.

### 5.2 State and Regional Assessment Benchmarks

#### 5.2.1 State Planning Policy

Section 26(2)(a)(ii) of the *Planning Regulation 2017* requires the assessment manager to assess the application against the assessment benchmarks stated in the State Planning Policy, Part E, to the extent Part E of the State Planning Policy is not identified as being appropriately integrated into planning scheme.

It is understood that the minister has identified that the State Planning Policy has been appropriately integrated into the Douglas Shire Council Planning Scheme 2018 and consequently no further assessment is required in this instance.

#### 5.2.2 Regional Plan

The *Planning Regulation 2017* at section 26(2)(a)(i) requires the assessment manager to assess the application against the assessment benchmarks stated in the regional plan, to the extent the Regional Plan is not identified as being appropriately integrated into the planning scheme.

The Minister has identified that the Douglas Shire Council Planning Scheme 2018, specifically the strategic framework, appropriately advances the Far North Queensland Regional Plan 2009-2031, as it applies in the planning scheme area, on that basis, no further assessment is required in this instance.

#### 5.2.3 Development Assessment under Schedule 10 (SDAP)

As there are no referral triggers for the proposed development, no State Development Assessment Provisions (SDAP) apply to the proposal.

### 5.3 Local Authority Assessment Benchmarks

This application is to be assessed against the Douglas Shire Council Planning Scheme 2018. The assessment benchmarks applicable under the Planning Scheme are identified below.

**Table 6: Planning Scheme Code Responses**

Planning Scheme Codes	Applicability	Comment
<b>Zone code</b>		
Tourist Accommodation Zone Code	Applies	Generally complies with applicable Assessment Benchmarks, with the exception of Performance Outcomes PO2, PO11, PO12 and PO13, which are discussed in further detail in section 5.4 below.
<b>Local Plan code</b>		
Port Douglas - Craiglie Local Plan Code	Applies	Complies with applicable Assessment Benchmarks.
<b>Overlay Codes</b>		
Acid Sulfate Soils Overlay Code	Not applicable	The proposed development would not involve any excavation.

Planning Scheme Codes	Applicability	Comment
Landscape Values Overlay Code	Not applicable	It is not identified as an Assessment Benchmark for a Dual Occupancy or Reconfiguring a Lot.
Transport Network Overlay Code	Not applicable	No applicable Assessment Benchmarks
<b>Development Codes</b>		
Access, Parking and Servicing Code	Applies	Complies with applicable Assessment Benchmarks and existing approval requirements.
Environmental Performance Code	Not applicable	No applicable Assessment Benchmarks.
Filling and Excavation Code	Not applicable	The proposed development will not require any excavation or filling.
Infrastructure Works Code	Applies	Complies with applicable Assessment Benchmarks
Landscaping Code	Applies	Complies with applicable Assessment Benchmarks
Reconfiguring a Lot Code	Applies	Complies with applicable Assessment Benchmarks

A detailed assessment against the relevant Planning Scheme Codes is provide at **Appendix F**.

## 5.4 Statement of Compliance

### 5.4.1 Tourist Accommodation Zone Code

Performance Outcome PO2 of the Tourist Accommodation Zone Code states:

#### **PO2**

*Buildings are setback to:*

- (a) maintain the character and amenity of the area;*
- (b) achieve separation from neighbouring buildings and from road frontages.*

The associated Acceptable Outcome states:

#### **AO2**

*Buildings are setback:*

- (a) a minimum of 6 metres from the main street frontage;*
- (b) a minimum of 4 metres from any secondary street frontage;*
- (c) 4.5 metres from a rear boundary;*
- (d) 2 metres from a side or an average of half of the height of the building at the side setback, whichever is the greater.*

The proposed development would retain existing buildings and provide a verandah extension to the front and new car ports that would be constructed within the 6 metre setback.

The verandah and car port would be open structures and would not result in the imposition of significant building bulk to the street front.

This form of development is consistent with the character and amenity of the locality and consistent with nearby built form. Including development at 125 Davidson Street, which is built in proximity of the front boundary and 123 Davidson Street which has a significant gatehouse at the site frontage. Similar setbacks and garages are also constructed at properties on Ti Tree Street to the west of the site and within the area containing the site.

The proposed development is considered to be consistent with the Performance Outcome in that it maintains the character and amenity of area and achieves separation from neighbouring buildings and road frontages.

Performance Outcome PO11 of the Tourist Accommodation Zone Code states:

**PO11**

*New lots contain a minimum area of 1000m<sup>2</sup>.*

There is no identified Acceptable Outcome to support the Performance Outcome.

The subject site has an area of 800m<sup>2</sup> and the proposed development would result in lots of 400m<sup>2</sup>, with each lot containing a dwelling unit. Whilst the proposed lots are below the minimum 1,000m<sup>2</sup> lot size, the proposal relates to an existing dual occupancy that is of an appropriate scale and, with the improvements, achieves an attractive built form consistent with the character of the area.

The proposed reconfiguration would not adversely affect the built form of the area or the purpose of the zone code and would provide a development of an appropriate scale and achieves an attractive built form consistent with the purpose of the zone code.

Performance Outcome PO11 of the Tourist Accommodation Zone Code states:

**PO12**

*New lots contain a minimum road frontage of 20 metres.*

There is no identified Acceptable Outcome to support the Performance Outcome.

The proposed street frontages would be below the minimum 20 metres; however, the proposed development relates to an existing dual occupancy and is in keeping with similar development within the surrounding locality. The proposed reconfiguration would not affect the built form or the character of the area or compromise the purpose of the zone code.

Performance Outcome PO11 of the Tourist Accommodation Zone Code states:

**PO13**

*New lots contain a 25 metre x 20 metre rectangle.*

There is no identified Acceptable Outcome to support the Performance Outcome.

The proposed development would not achieve the dimensional requirements of the Performance Outcome; however, the proposed development seeks to reconfigure the existing lot, containing a Dual Occupancy, to create two freehold lots each containing a dwelling unit. The proposed reconfiguration would not adversely affect the built form or the outcome envisaged by the purpose of the zone of achieving development of an appropriate scale that achieves an attractive built form.

## 6 CONCLUSION

RPS has been engaged by Martin and Lorraine Kay to seek a minor change to an existing Dual Occupancy approval and a Development Permit for Reconfiguring a Lot (1 Lot into 2 Lots) on land located 131 Davidson Street, Port Douglas and more formally described as Lots 0, 1 & 2 on BUP70713.

The subject site comprises three community title allotments and contains a total area of 800m<sup>2</sup> with frontage to Davidson Street of approximately 23 metres. It has been developed for the purpose of dual occupancy with each unit containing three bedrooms and a single carport. No other carparking is provided on the site. Access is provided via a shared driveway from Davidson Street. Prior to the implementation of any reconfiguration the community titles scheme would be terminated and the site returned to a single lot.

The Dual Occupancy was granted an historic development approval from Douglas Shire Council. The date of the approval is understood to be in the 1980's.

The Minor Change proposal involves the retention, refurbishment and extension of the existing dwellings, detailed as follows:

- Conversion of the existing carports to master bedrooms, ensuite for each unit;
- Undertake a rear extension to both units to increase the sizes of bedroom 2;
- Provide an outdoor dining/patio area to each unit;
- Private each unit with a separate swimming pool and private recreation area;
- Provide two new car parking spaces on the front boundary; and
- Undertake other landscaping and improvement works including a new front fence.

In addition to the minor change application, the applicant seeks to reconfigure the site to create 2 lots with freehold title and terminate the existing Community Titles Scheme. The termination of the Community Title Scheme is not assessable development for the purpose of the *Planning Act 2016* and would occur prior to the reconfiguring of the site into two lots.

Pursuant to section 81 of the *Planning Act 2016*, the application is required to be assessed having regard to the matters that applied at the time the original development application was made and may consider the matters that apply when the change application is made. In this instance it is considered appropriate to consider the requirements of the current Douglas Shire Planning Scheme in determining the application.

The application for Reconfiguring a Lot is Code Assessable and in assessing this application the Council can only have regard to the relevant Assessment Benchmarks.

The proposed change and reconfiguration are considered to be consistent with relevant Assessment Benchmarks contained within the Douglas Shire Planning Scheme. The changed development is considered to be consistent in terms of scale and intensity to other forms of development in the locality and the site can contain the change without adverse impact on the amenity of the area. The reconfiguration would maintain the built form of the area and would not compromise the desired outcome for the zone. Based on this assessment, the proposed change and reconfiguration is recommended for approval subject to reasonable and relevant conditions.



## Appendix A

### DA Form 5 – Minor Change and Landowners Consent

# Change application form

**Planning Act Form 5 (version 1.2 effective 7 February 2020) made under Section 282 of the Planning Act 2016.**

This form is to be used for a change application made under section 78 of the *Planning Act 2016*. It is important when making a change application to be aware of whether the application is for a minor change that will be assessed under section 81 of the *Planning Act 2016* or for an other change that will be assessed under section 82 of the *Planning Act 2016*.

An applicant must complete all parts of this form, and provide any supporting information that the form identifies as being required to accompany the change application, unless stated otherwise. Additional pages may be attached if there is insufficient space on the form to complete any part.

**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)	Martin and Lorraine Kay
Contact name (only applicable for companies)	c/- RPS AAP Consulting Pty Ltd Patrick Clifton
Postal address (P.O. Box or street address)	PO Box 1949
Suburb	Cairns
State	QLD
Postcode	4870
Country	Australia
Email address (non-mandatory)	Patrick.clifton@rpsgroup.com.au
Mobile number (non-mandatory)	
Applicant's reference number(s) (if applicable)	PR152776

## 2) Owner's consent - Is written consent of the owner required for this change application?

**Note:** Section 79(1A) of the *Planning Act 2016* states the requirements in relation to owner's consent.

- ☒ Yes – the written consent of the owner(s) is attached to this change application  
☐ No

## PART 2 – LOCATION DETAILS

3) Location of the premises (complete 3.1) or 3.2), and 3.3) as applicable)				
3.1) Street address and lot on plan				
<input type="checkbox"/> Street address <b>AND</b> lot on plan (all lots must be listed), <b>or</b>				
<input type="checkbox"/> Street address <b>AND</b> 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
		131	Davidson Street	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	0	BUP70713	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	1	131	Davidson Street	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	1	BUP70713	Douglas Shire Council



**Queensland  
Government**

c)	Unit No.	Street No.	Street Name and Type	Suburb
	2	131	Davidson Street	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	2	BUP70713	Douglas Shire Council

**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 the original development approval and the details of these premises have been attached in a schedule to this application
- ☒ Not required

## PART 3 – RESPONSIBLE ENTITY DETAILS

**4) Identify the responsible entity that will be assessing this change application**

**Note:** see section 78(3) of the Planning Act 2016

## PART 4 – CHANGE DETAILS

**5) Provide details of the existing development approval subject to this change application**

Approval type	Reference number	Date issued	Assessment manager/approval entity
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval	Unknown	Unknown	Douglas Shire Council
<input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval			

**6) Type of change proposed**

**6.1) Provide a brief description of the changes proposed to the development approval (e.g. changing a development approval for a five unit apartment building to provide for a six unit apartment building):**

Extension and minor refurbishment of the existing dual occupancy development.

**6.2) What type of change does this application propose?**

- ☒ Minor change application – proceed to Part 5
- ☐ Other change application – proceed to Part 6

## PART 5 – MINOR CHANGE APPLICATION REQUIREMENTS

### 7) Are there any affected entities for this change application

☒ No – proceed to Part 7

☐ Yes – list all affected entities below and proceed to Part 7

**Note:** section 80(1) of the Planning Act 2016 states that the person making the change application must give notice of the proposal and the details of the change to each affected entity as identified in section 80(2) of the Planning Act 2016.

Affected entity	Pre-request response provided? (where a pre-request response notice for the application has been given, a copy of the notice must accompany this change application)	Date notice given (where no pre-request response provided)
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	

## PART 6 – OTHER CHANGE APPLICATION REQUIREMENTS

**Note:** To complete this part it will be necessary for you to complete parts of DA Form 1 – Development application details and in some instances parts of DA Form 2 – Building work details, as mentioned below. These forms are available at <https://planning.dsdmip.qld.gov.au>.

### 8) Location details - Are there any additional premises included in this change application that were not part of the original development approval?

☐ No

☐ Yes

### 9) Development details

#### 9.1) Is there any change to the type of development, approval type, or level of assessment in this change application?

☐ No

☐ Yes – the completed Sections 1 and 2 of Part 3 (Development details) of DA Form 1 – Development application details as these sections relate to the new or changed aspects of development are provided with this application.

#### 9.2) Does the change application involve building work?

☐ No

☐ Yes – the completed Part 5 (Building work details) of DA Form 2 – Building work details as it relates to the change application is provided with this application.

### 10) Referral details – Does the change application require referral for any referral requirements?

**Note:** The application must be referred to each referral agency triggered by the change application as if the change application was the original development application including the proposed change.

☐ No

☐ Yes – the completed Part 5 (Referral details) of DA Form 1 – Development application details as it relates to the change application is provided with this application. Where referral is required for matters relating to building work the [Referral checklist for building work](#) is also completed.

### 11) Information request under Part 3 of the DA Rules

☐ I agree to receive an information request if determined necessary for this change application

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

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

- that this change application will be assessed and decided based on the information provided when making this change application and the assessment manager and any referral agencies relevant to the change application are not obligated under the DA Rules to accept any additional information provided by the applicant for the change 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: Forms 1 and 2](#).

## 12) Further details

- ☐ Part 7 of *DA Form 1 – Development application details* is completed as if the change application was a development application and is provided with this application.

# PART 7 – CHECKLIST AND APPLICANT DECLARATION

## 13) Change application checklist

I have identified the:

- responsible entity in 4); and
- for a minor change, any affected entities; and ☒ Yes
- for an other change all relevant referral requirement(s) in 10)

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

- For an other change application, the relevant sections of [DA Form 1 – Development application details](#) have been completed and is attached to this application ☐ Yes ☒ Not applicable

- For an other change application, where building work is associated with the change application, the relevant sections of [DA Form 2 – Building work details](#) have been completed and is attached to this application ☐ Yes ☒ Not applicable

- Supporting information addressing any applicable assessment benchmarks is attached to this application ☒ Yes
- Note:** This includes any templates provided under 23.6 and 23.7 of *DA Form 1 – Development application details* that are relevant as a result of the change application, a planning report and any technical reports required by the relevant categorising instrument(s) (e.g. the local government planning scheme, State Planning Policy, State Development Assessment Provisions). For further information, see [DA Forms Guide: Planning report template](#).

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

## 14) Applicant declaration

- ☒ By making this change application, I declare that all information in this change 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 responsible entity and any relevant affected entity or referral agency for the change 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 responsible entity and/or chosen assessment manager, any relevant affected entity or referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the change application.

All information relating to this change 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 8 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

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Date received:  Reference number(s):

### 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			



**Appendix B**

**DA Form 1**

# 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)	Martin and Lorraine Kay
Contact name (only applicable for companies)	c/- RPS AAP Consulting Pty Ltd, Patrick Clifton
Postal address (P.O. Box or street address)	PO Box 1949
Suburb	Cairns
State	QLD
Postcode	4870
Country	Australia
Contact number	(07) 40311336
Email address (non-mandatory)	Patrick.clifton@rpsgroup.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	PR152776-1

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

## PART 2 – LOCATION DETAILS

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

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

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

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		131	Davidson Street	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	0	BUP70713	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
		131	Davidson Street	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	1	BUP70713	Douglas Shire Council
c)	Unit No.	Street No.	Street Name and Type	Suburb
		131	Davidson Street	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	2	BUP70713	Douglas Shire Council

#### 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: <input type="text"/>	

- ☐ 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: <input type="text"/>	

#### 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 type="checkbox"/> In or adjacent to a water body or watercourse or in or above an aquifer	
Name of water body, watercourse or aquifer:	<input type="text"/>
<input type="checkbox"/> On strategic port land under the <i>Transport Infrastructure Act 1994</i>	
Lot on plan description of strategic port land:	<input type="text"/>
Name of port authority for the lot:	<input type="text"/>
<input type="checkbox"/> In a tidal area	

Name of local government for the tidal area <i>(if applicable)</i> :	
Name of port authority for tidal area <i>(if applicable)</i> :	
<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="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>	
CLR site identification:	

**5) Are there any existing easements over the premises?**

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

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

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

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

a) What is the type of development? *(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)*:

Reconfiguring a Lot (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?**

☐ Yes

☐ 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?**

☐ Yes – provide additional details below

☒ No

How many stages will the works include?	
What stage(s) will this development application apply to?	

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

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

## 12) Boundary realignment

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

Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )

12.2) What is the reason for the boundary realignment?

--

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

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

## Division 3 – Operational work

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

14.1) What is the nature of the operational work?

- |  |                                     |  |
|--|-------------------------------------|--|
| <input type="checkbox"/> Road work   | <input type="checkbox"/> 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: <table border="1" style="display: inline-table; width: 400px; height: 20px;"></table> |                                     |  |

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*)

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

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

## PART 6 – INFORMATION REQUEST

<b>19) Information request under Part 3 of the DA Rules</b>
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application
<input type="checkbox"/> I do not agree to accept an information request for this development application
<b>Note:</b> By not agreeing to accept an information request I, the applicant, acknowledge: <ul style="list-style-type: none"> <li>• 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</li> <li>• Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</li> </ul> Further advice about information requests is contained in the <a href="#">DA Forms Guide</a> .

## 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.dsdmp.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.dsdmp.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	

## Appendix C

### Certificate(s) of Title and Search Results



Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

**Title Reference:** 19070713

**Search Date:** 19/08/2022 15:08

**Request No:** 42029055

**Previous Title:** 20967140

#### LAND DESCRIPTION

COMMON PROPERTY OF PORTHAVEN COMMUNITY TITLES SCHEME 915

COMMUNITY MANAGEMENT STATEMENT 915

Local Government: DOUGLAS

#### REGISTERED OWNER

BODY CORPORATE FOR PORTHAVEN COMMUNITY TITLES SCHEME  
915

129 DAVIDSON STREET  
PORT DOUGLAS QLD 4871

#### EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 10495138 (POR 39)
2. REQUEST FOR NEW CMS No 704176825 15/07/2000 at 10:32  
New COMMUNITY MANAGEMENT STATEMENT 915  
STANDARD MODULE

#### ADMINISTRATIVE ADVICES

NIL

#### UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

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

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>21365032</b>	<b>Search Date:</b>	19/08/2022 15:11
<b>Date Title Created:</b>	12/05/1988	<b>Request No:</b>	42029142
<b>Previous Title:</b>	20967140		

**ESTATE AND LAND**

Estate in Fee Simple

LOT 1 BUILDING UNIT PLAN 70713

Local Government: DOUGLAS

COMMUNITY MANAGEMENT STATEMENT 915

**REGISTERED OWNER**

Dealing No: 720706909 08/04/2021

MARTIN LAWRENCE KAY

LORRAINE MICHELLE KAY

JOINT TENANTS

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 10495138 (POR 39)

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

NIL

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

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>21365033</b>	<b>Search Date:</b>	19/08/2022 15:12
<b>Date Title Created:</b>	12/05/1988	<b>Request No:</b>	42029168
<b>Previous Title:</b>	20967140		

**ESTATE AND LAND**

Estate in Fee Simple

LOT 2 BUILDING UNIT PLAN 70713

Local Government: DOUGLAS

COMMUNITY MANAGEMENT STATEMENT 915

**REGISTERED OWNER**

Dealing No: 720706909 08/04/2021

MARTIN LAWRENCE KAY

LORRAINE MICHELLE KAY

JOINT TENANTS

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 10495138 (POR 39)

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

NIL

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

**Body Corporate owner's consent to the making of a development application under the *Planning Act 2016***

I, *Martin Kay*

Chairperson of the Body Corporate mentioned below.

I, *Lorraine Kay*

Secretary of the Body Corporate mentioned below.

Of the Body Corporate for Porthaven Community Titles Scheme 915

the Body Corporate being the owner of the premises identified as follows:

Lot 0 on BUP70713

consent to the making of a development application under the *Planning Act 2016* by:

Martin and Lorraine Kay

on the premises described above for:

Minor Change and Reconfiguring a Lot (3 Lots into 2 Lots)

Body Corporate Name: Body Corporate for Porthaven Community Titles Scheme 915

*[Signature]*

Signature of Chairperson

*22-9-22*

Date

*L. Kay*

Signature of Secretary

*22/9/22*

Date

## Appendix D

# Douglas Shire Planning Scheme 2018 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

Porthaven

[Porthaven](#)

[131 Davidson Street PORT DOUGLAS](#)



Lot Plan

[0BUP70713](#) (Freehold - 0m<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.

## Douglas Shire Planning Scheme 2018 version 1.0

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

 <a href="#">Zoning</a>	<b>Applicable Zone</b> Tourist Accommodation	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 6.2.14 Tourist Accommodation Zone Code</a></li> <li><a href="#">View Section 6.2.14 Tourist Accommodation Zone Compliance table</a></li> <li><a href="#">View Section 6.2.14 Tourist Accommodation Zone Assessment table</a></li> </ul>
 <a href="#">Local Plans</a>	<b>Applicable Precinct or Area</b> Port Douglas - Craiglie	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 7.2.4 Port Douglas/Craiglie Local Plan Code</a></li> <li><a href="#">View Section 7.2.4 Port Douglas/Craiglie Local Plan Compliance table</a></li> </ul>
 <a href="#">Acid Sulfate Soils</a>	<b>Applicable Precinct or Area</b> Acid Sulfate Soils (< 5m AHD)	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.1 Acid Sulfate Soils Overlay Code</a></li> <li><a href="#">View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table</a></li> </ul>
 <a href="#">Landscape Values</a>	<b>Scenic Buffer Area</b> Scenic route buffer View corridor	<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="#">Transport Noise Corridors</a>	<b>Applicable Precinct or Area</b> Category 1: 58 dB(A) =< Noise Level < 63 dB(A)	<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 Pedestrian Cycle</a>	<b>Applicable Precinct or Area</b> Neighbourhood Route	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.10 Transport Network Overlay Code</a></li> <li><a href="#">View Section 8.2.10 Transport Network Overlay Compliance table</a></li> </ul>
 <a href="#">Transport Road Hierarchy</a>	<b>Applicable Precinct or Area</b> Access Road Major Transport Corridor Buffer Area (State Controlled 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

Tourist Accommodation

More Information

- [View Section 6.2.14 Tourist Accommodation Zone Code](#)
- [View Section 6.2.14 Tourist Accommodation Zone Compliance table](#)
- [View Section 6.2.14 Tourist Accommodation Zone Assessment table](#)



☒ Selected Property

☐ Land Parcels

Zoning

- |  |  |   |   |
|--|--|---|---|
| <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   |   |   |



## Local Plans

### Applicable Precinct or Area


Port Douglas - Craiglie

### More Information

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



 Selected Property

 Land Parcels

### Transport Investigation Corridor

 Transport Investigation Corridors

### Major Road Connections

 Major Road Connections

### Major Road Connections (No Arrow)

 Major Road Connections

### Daintree River to Bloomfield

 Daintree River to Bloomfield

### Creb Track and Quaid Road

 Creb Track




### 60 metre contour




 60 metre contour

### Local Plan Boundary

 Local Plan Boundary

### Local Plan Sub Precincts

 1a Town Centre
  1b Waterfront North
  1c Waterfront South

 1d Limited Development
  1e Community and Recreation
  1f Flagstaff Hill

### Local Plan Precincts

Not Part of a Precinct
  Precinct 1
  Precinct 2
  Precinct 3

 Precinct 4
  Precinct 5
  Precinct 6
  Precinct 7

 Precinct 8
  Precinct 9

### Live Entertainment Precinct

 Live Entertainment Precinct

### Indicative Future Open Space

 Indicative Future Open Space

 Road Reserve Esplanade

Acid Sulfate Soils

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

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



☒ Selected Property

☐ Land Parcels

**Acid Sulfate Soils**

☒ Acid Sulfate Soils (< 5m AHD)

☐ Acid Sulfate Soils (5-20m AHD)

☐ all others



Landscape Values


Scenic Buffer Area


Scenic route buffer  
View corridor

More Information


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





 Selected Property


 Land Parcels


**Scenic Buffer Area**


 Gateway

 Lookout


 Scenic route


 Scenic route buffer


 View corridor


 all others

**Landscape Values**

 Coastal scenery

 High landscape values

 Medium Landscape Value

 all others



Transport Noise Corridors

Applicable Precinct or Area

Category 1: 58 dB(A) =< Noise Level < 63 dB(A)

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

Transport Noise Corridors Mandatory Area

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Category 0: Noise Level < 58 dB(A)             | <input type="checkbox"/> Category 1: 58 dB(A) =< Noise Level < 63 dB(A) | <input type="checkbox"/> Category 2: 63 dB(A) < Noise Level < 68 dB(A) |
| <input type="checkbox"/> Category 3: 68 dB(A) =< Noise Level < 73 dB(A) | <input type="checkbox"/> Category 4: Noise Level >= 73 dB(A)            | <input type="checkbox"/> all others                                    |

Transport Noise Corridors Voluntary Area

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Category 0: Noise Level < 58 dB(A)             | <input type="checkbox"/> Category 1: 58 dB(A) =< Noise Level < 63 dB(A) | <input type="checkbox"/> Category 2: 63 dB(A) < Noise Level < 68 dB(A) |
| <input type="checkbox"/> Category 3: 68 dB(A) =< Noise Level < 73 dB(A) | <input type="checkbox"/> Category 4: Noise Level >= 73 dB(A)            | <input type="checkbox"/> all others                                    |

Transport Pedestrian Cycle

Applicable Precinct or Area  
Neighbourhood Route








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



☒ Selected Property

☐ 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

Access Road  
Major Transport Corridor Buffer Area (State Controlled 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.

# Appendix E

## Proposal Plans



[illegible]

ULTIMATE & SERVICEABILITY LIMIT STATE DESIGN WIND PRESSURES						
WIND CLASS	DESIGN GUST WIND SPEED (m/s)		DESIGN PRESSURES (kPa)			
	V <sub>10s</sub>	V <sub>15s</sub>	GREATER THAN 1.2m FROM CORNERS		UP TO 1.2m FROM CORNERS	
			WLS	SLS	WLS	SLS
C2	61	39	±2.68	±0.89	-4.92	-1.23

DRAWING TERMS AND NOTATION -	
•	DRAWING DIMENSIONS ARE TO BE CHECKED AND CONFIRMED ONSITE BY THE BUILDER.
•	FURNITURE AND DISPLAY ITEMS WITHIN PLANS AND RENDERS ARE FOR DRAWING PURPOSES AND NOT TO BE INCLUDED IN TENDERING DOCUMENTATION UNLESS NOTED ON PLAN.
•	ARTISTIC DRAWING AND RENDERS ARE FOR VISUAL REPRESENTATION ONLY AND MAY NOT BE THE EXACT FINISH, COLOUR, ITEM OR MATERIAL, TO BE USED, ALWAYS CONSULT BUILDING SPECIFICATIONS FOR EXACT FINISH, COLOUR, ITEM OR MATERIAL.

PLAN ISSUE:

CONCEPT DESIGN  
NOT FOR CONSTRUCTION

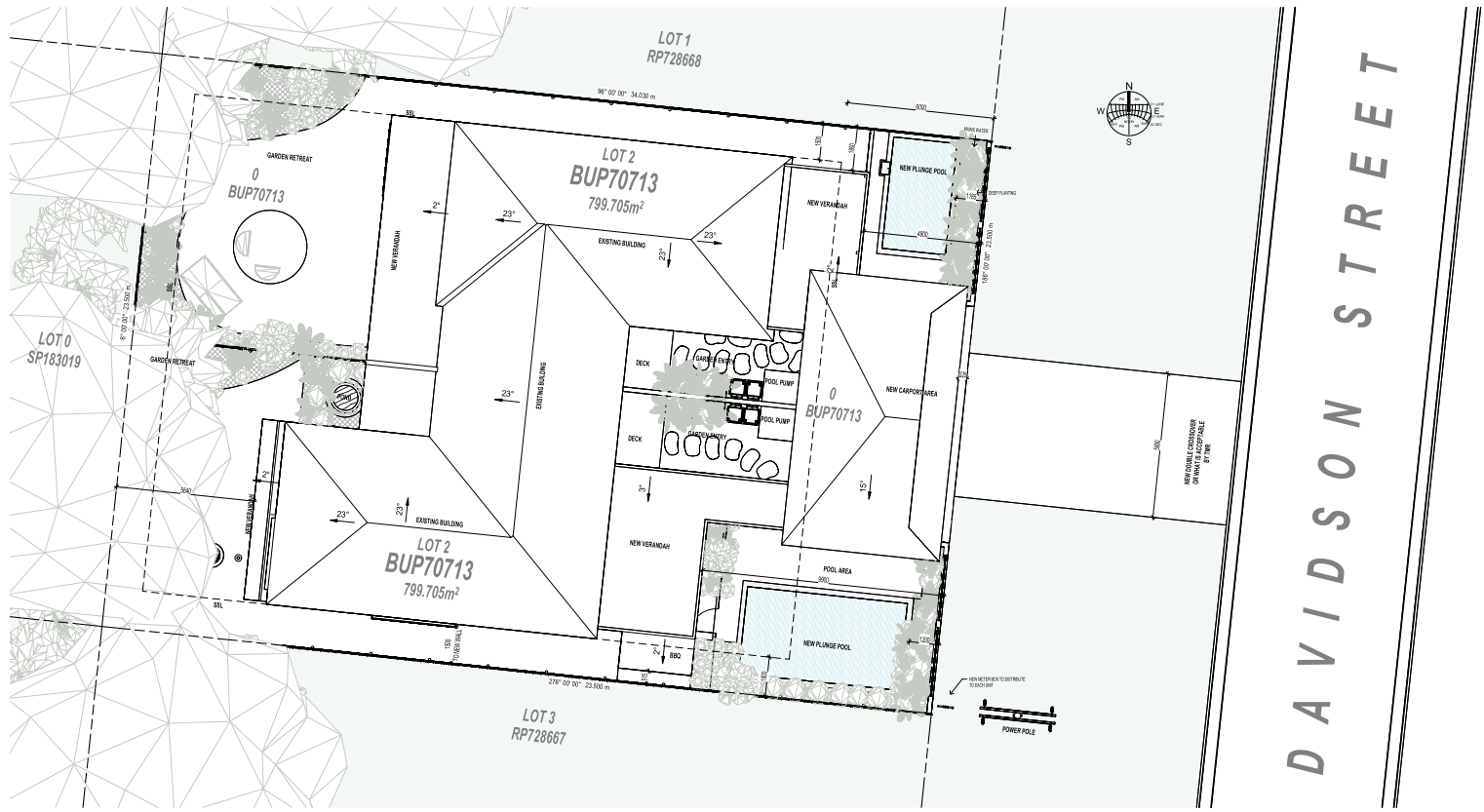
PROJECT: RENOVATION DAVIDSON STREET DUPLEX  
PROJECT ADDRESS:  
131 Davidson Street, Port Douglas

SHEET TITLE PAGE, GENERAL NOTES & LEGEND PROJECT NUMBER LT131DVDST

DESIGNER RYAN FUDALA      DRAWN JAYDEN CHADWICK      SCALE AS SHOWN @ A1      SHEET C01      REV







RENOVATED AREA KEY - FLOOR AREAS	
LEVEL 1 - RENOVATION	
EXTERNAL	
VERANDAH 1	24m²
VERANDAH 2	27m²
CARPORT 1	25m²
CARPORT 2	27m²
PATIO 1	15m²
PATIO 2	15m²
ENTRY 1	6m²
ENTRY 2	6m²
BBQ	10m²
TOTAL EXTERNAL	155m²
INTERNAL	
LIVING 1	121m²
LIVING 2	115m²
TOTAL INTERNAL	236m²
OTHER	
POOL 1	12m²
POOL PUMP 1	2m²
POOL 2	48m²
POOL PUMP 2	2m²
TOTAL OTHER	64m²
SITE COVER	
LEVEL 1 INTERNAL	236m²
LEVEL 1 EXTERNAL	155m²
TOTAL SITE COVER	391m²
SITE AREA	799.705m²
COVERAGE %	48.81%

**SITE PLAN**  
1:100



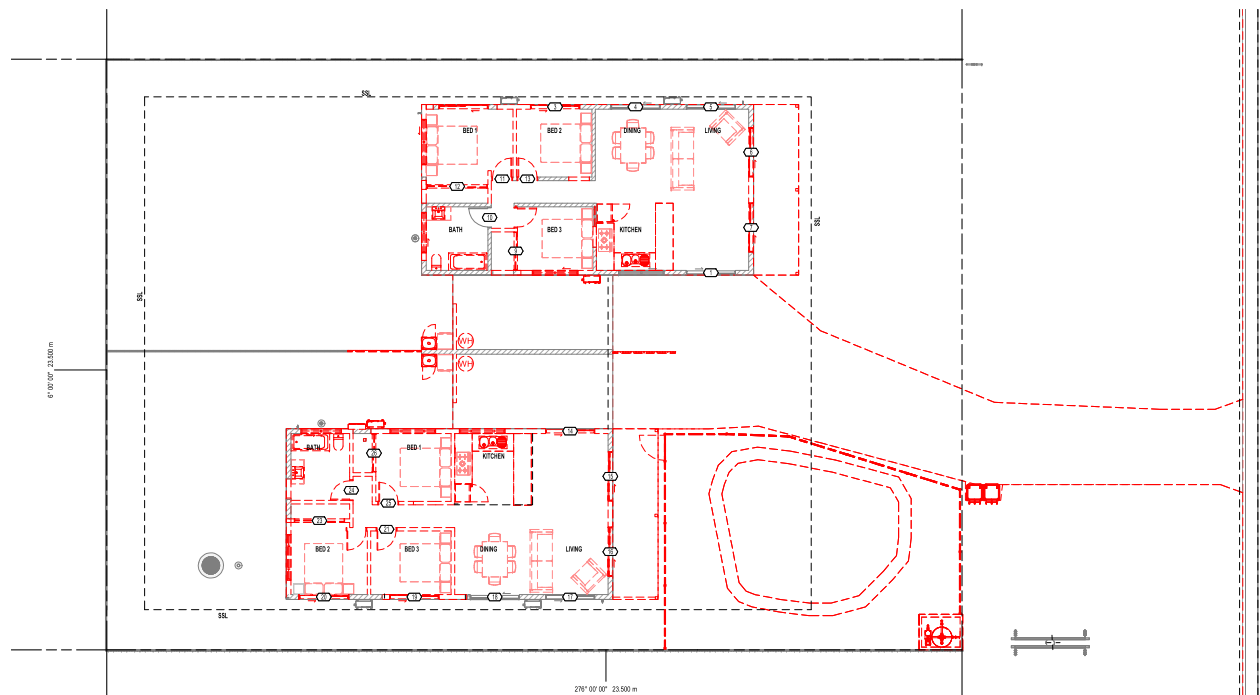


EXISTING SITE IMAGES

**FLOOR**  
1 : 100

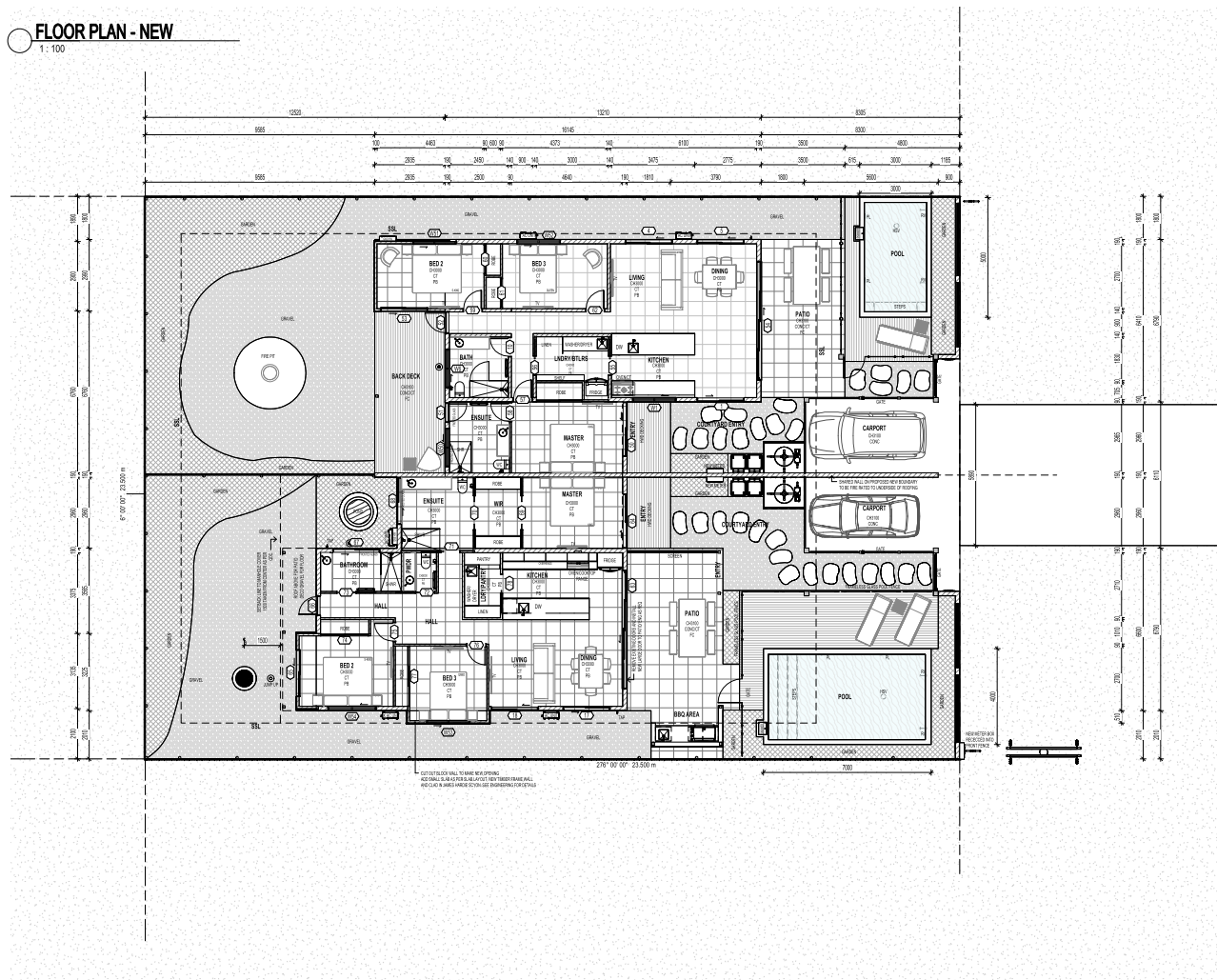


FLOOR PLAN - DEMOLITION  
1:100





FLOOR PLAN - NEW  
1:100



DAVIDSON STREET

LEGEND - MATERIAL PALETTE

JAMES HARDIE SCYON LINEA CLADDING 110

POWDER COAT BULLX BLACK FOR ALUMINIUM WINDOWS & DOORS

BULLX THRESHOLD GREY FOR ALL CEMENT RENDER, POST, FENCE PANELS

ECO STEPPERS

Success By Design Architectural Building Designers  
PO Box 90 Port Douglas 4171 Qld Australia  
Ph: 07 4599 1900  
www.successbydesign.com.au  
info@successbydesign.com.au  
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NFB Engineers  
Civil & Structural  
110-45 Pineside Drive, PO Box 872, Cairns 4870  
P: 07 4032482 | F: 07 4032892 | E: info@nfbeng.com.au

Date: \_\_\_\_\_ Signed: \_\_\_\_\_  
Job No: \_\_\_\_\_ RPEIG No: \_\_\_\_\_

PROJECT: RENOVATION DAVIDSON STREET DUPLEX  
PROJECT ADDRESS:  
131 Davidson Street, Port Douglas

SHEET FLOOR PLAN - NEW

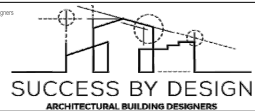
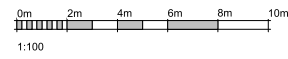
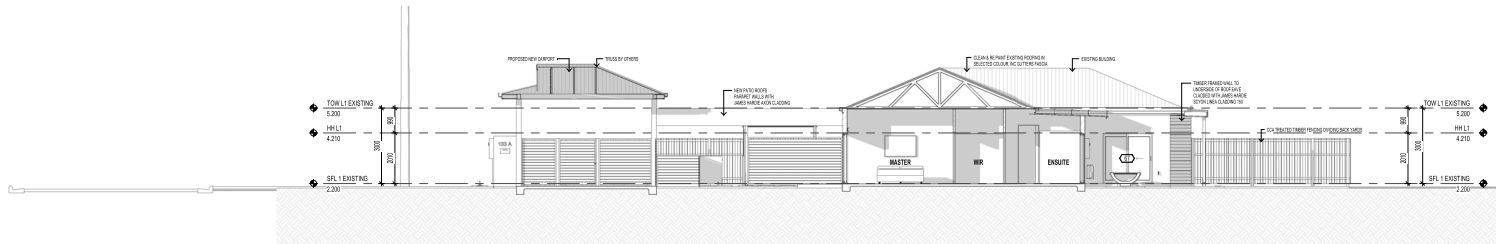
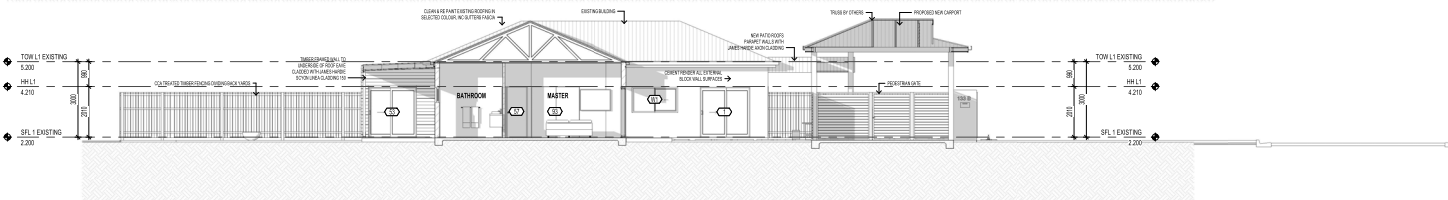
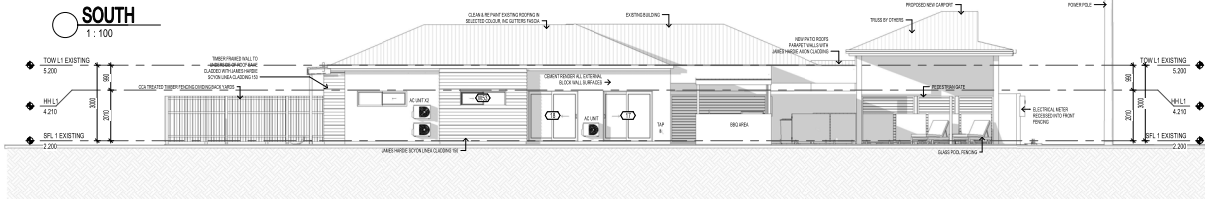
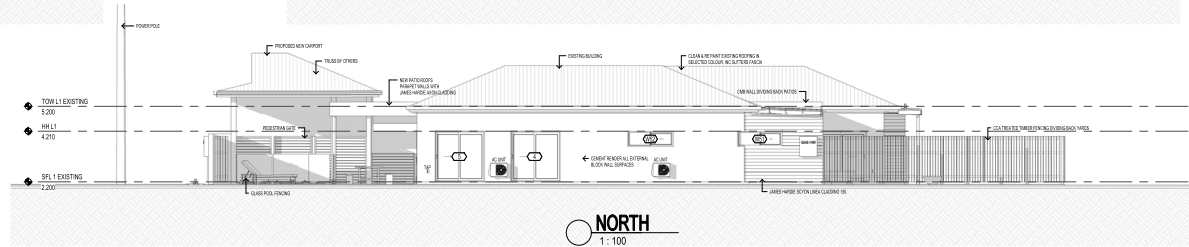
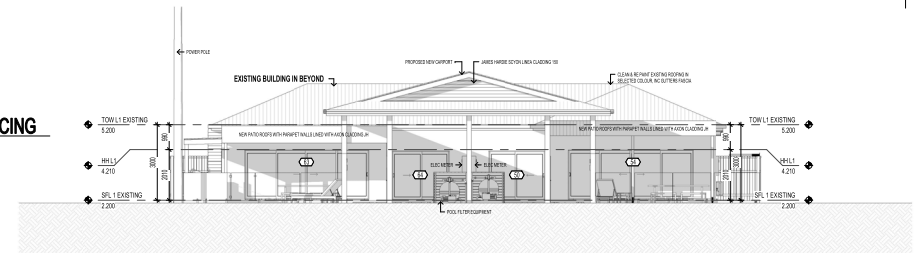
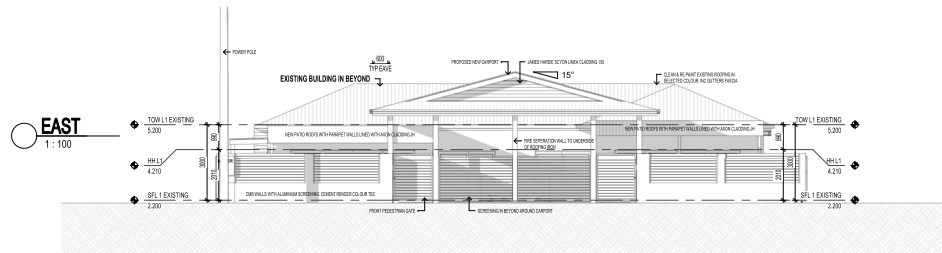
PROJECT NUMBER LT1310DVST

DESIGNER RYAN FIDALA

DRAWN JAYDEN CHADWICK

SCALE AS SHOWN @ A1

SHEET C07 REV



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Date: \_\_\_\_\_ Signed: \_\_\_\_\_  
Job No: \_\_\_\_\_ RPEQ No: \_\_\_\_\_

PROJECT: RENOVATION DAVIDSON STREET DUPLEX  
PROJECT ADDRESS:  
131 Davidson Street, Port Douglas

SHEET      ELEVATIONS

DESIGNER RYAN FUDALA

DRAHN JAYDEN CHADWICK

PROJECT NUMBER LT131DVDST

SCALE AS SHOWN @ A1

SHEET C03 REV

LEGEND - MATERIAL PALETTE



JAMES HARDIE SCYON LINEA CLADDING 150



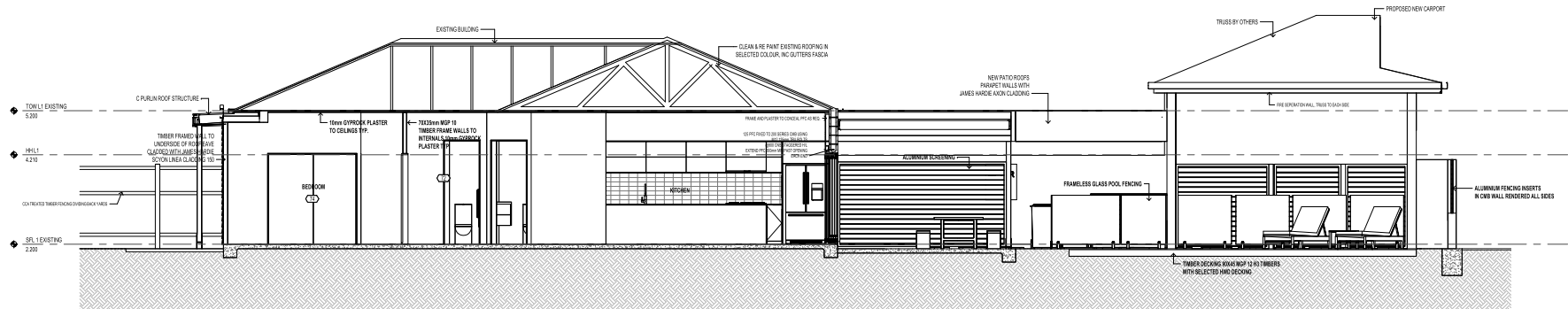
POWDER COAT CULUX BLACK FOR ALUMINUM WINDOWS & DOORS



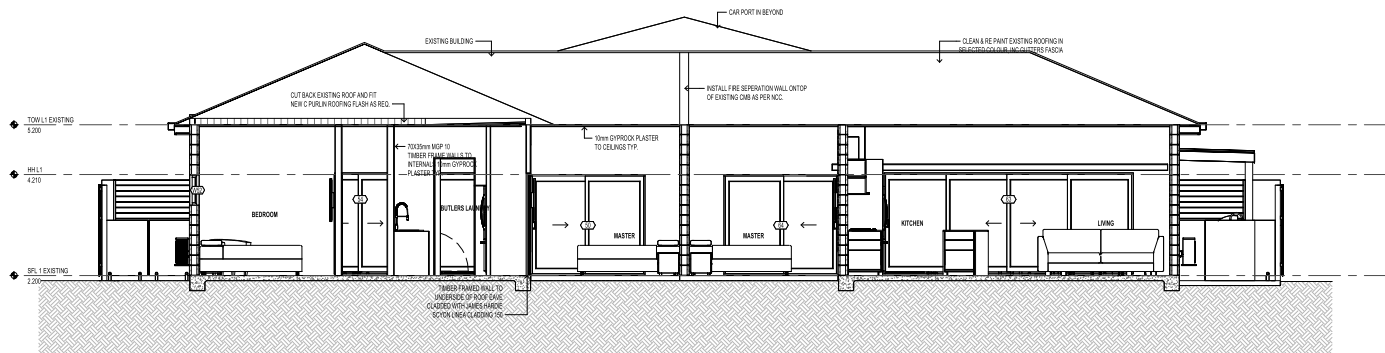
CULLIX- TIMELESS GREY FOR ALL CEMENT RENDER, POST, FENCE PANELS



## ECO-STEPPERS



SECTION AA  
1:50



SECTION BB  
1:50





NEIGHBOURING PROPERTIES SHOWING LARGER CROSSOVERS



EXISTING BUILDING: SHOWING CROSSOVER AND FRONT GARDENS. FRONT GARDENS TO BE MOVED TO PROPOSED NEW LOCATIONS



NEIGHBOURING PROPERTIES SHOWING LARGER CROSSOVERS



EXISTING CROSSOVER:PROPOSAL IS TO REPLACE EXISTING DRIVEWAY WITH A NEW DOUBLE DRIVE TO SERVICE BOTH DUPLEXES



NEIGHBOURING PROPERTIES SHOWING LARGER CROSSOVERS



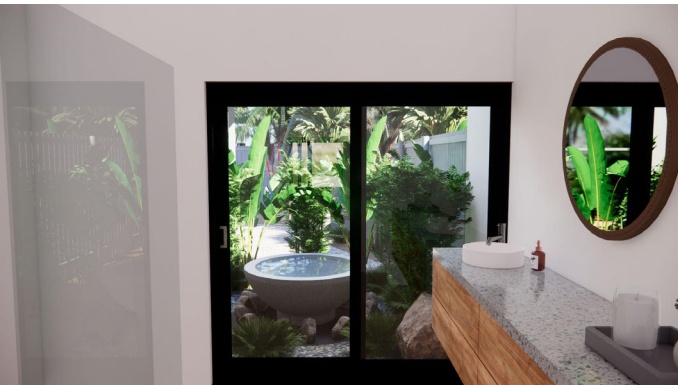
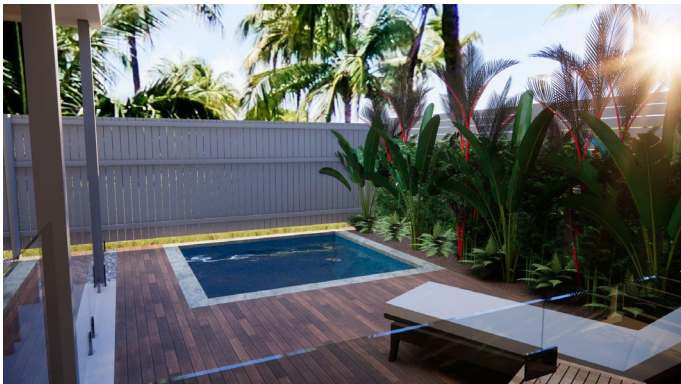
STREET VIEW

PROPOSED NEW FRONT CARPORT- FRONT GARDENS TO BE MOVED TO ACCOMMODATE HEAVY TROPICAL PLANTING TO HIDE FENCING AND SOFTEN FRONT FACADE













# LEGEND: PLUMBING NOTES

- ALUM HOT AND COLD WATER TO ALL VANITIES, SINKS, SHOWERS, BATHE, LAUNDRY TUBS, WASHERS, DSHWASHERS & SICES WHERE NOTED ON PLAN.
- ALUM COLD WATER CONNECTION TO ALL FRIGDES, W/C, WATER COOLERS & HOT WATER SYSTEMS
- PROVIDE W/SEER CONNECTION TO ALL EXTERNAL TAPS AS MARKED ON FLOOR PLANS AND ELEVATIONS
- ALUM COLD WATER CONNECTION TO AUTO TOP UP FOR POOLS WHERE NOTED
- ALUM COLD WATER CONNECTION TO ALL OUTDOOR SHOWER TUBS

# LEGEND - PLUMBING & DRAINAGE

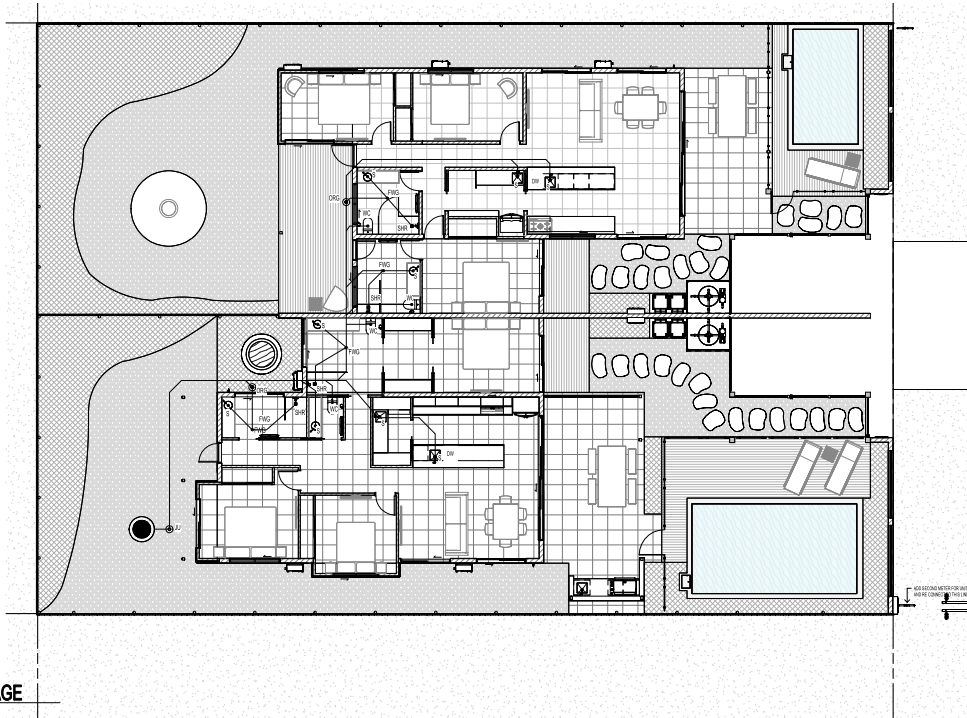
## PLUMBING & DRAINAGE

BU	BACK VENT	☒	STORM WATER PIT
DP	DOWNPIPE	---	STORM WATER PIPE TYP 30mm PVC UNO
GT	GULLY TRAP	---	SEWER LINE
FW	FLOOR WASTE	---	STORM WATER PIPE TYP 30mm PVC UNO FOR FUTURE BRIGATION UNDER SLABS, CAPPED AT BOTH ENDS TO STOP W/ATER INGRESS.
C	INSPECTION CHAMBER	---	SEWER JUNCTION POINT AS NOTED
D	INSPECTION OPENING	---	DOWN PIPE OR SEWER STACK AS NOTED
AL	LAMP UP	---	EXTERNAL WALL TAP
ORG	OVERFLOW RELIEF GULLEY	---	PROSE CONNECTION COLD WATER ONLY
P/C	PLAIN FUNCTION CAP	---	BATH BRIGATION FEED
SC	STOPCOCK	---	
SD	SEWER SHAFT	---	
SV	STOP VALVE	---	
DRD	STORM WATER DRAIN	---	
V	VENT PIPE	---	
WC	WATER CLOSET	---	
SHW	SHOWER WASTE	---	
TUB	BATH TUB WASTE	---	
B	BATH	---	
STACK	PLUMBING STACK TO LOWER LEVEL	---	
ST	PROSE FLAP	---	
SHR	SHOWER	---	
SK	SINK	---	

NOTE: FLOATING VANITIES THROUGH SLAB, RUN WATER AND WASTE INTO WALLS AS NOTED ON PLUMBING PLAN

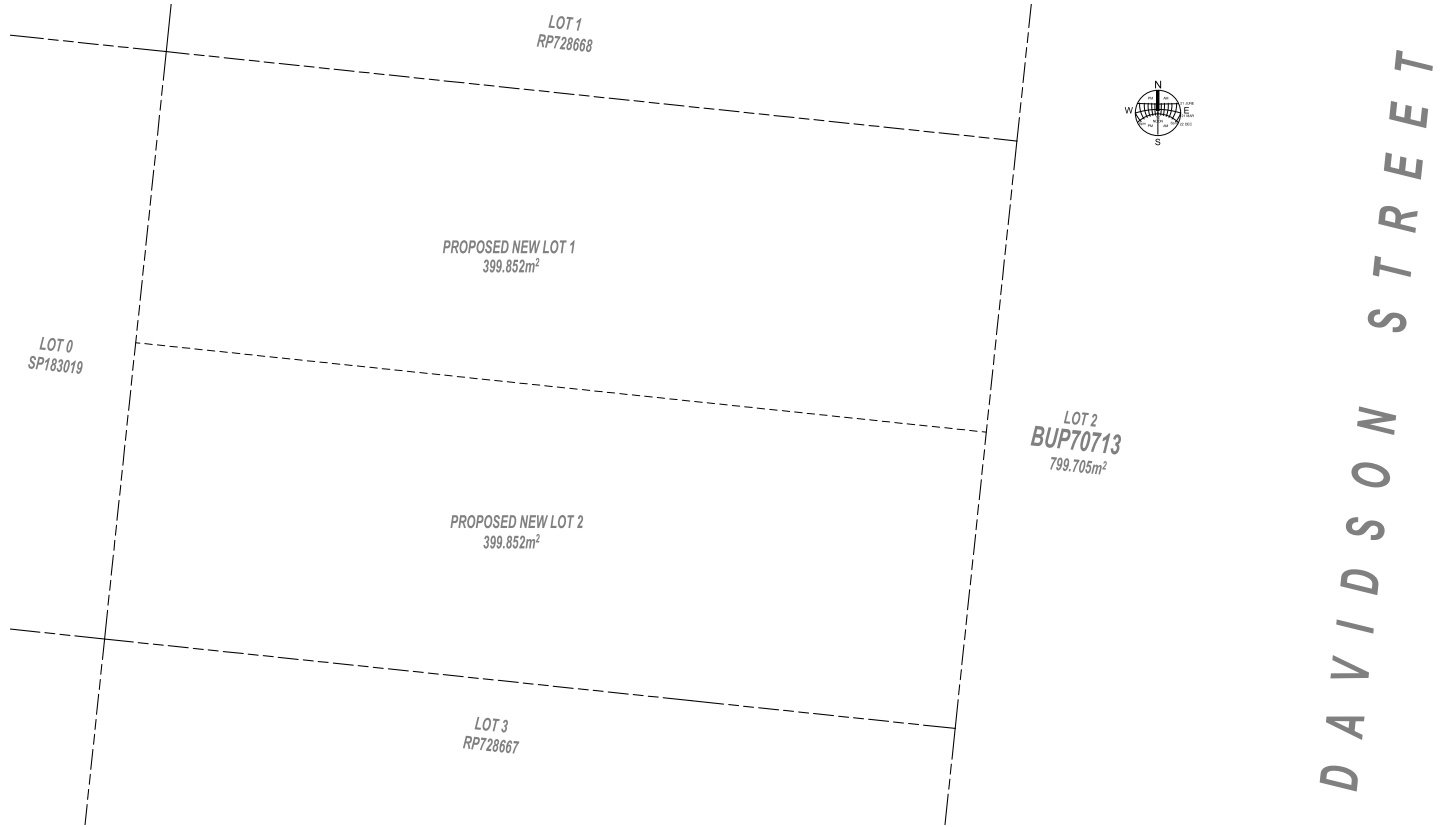
## PLUMBING:

ALL SHOWER ROSES TO BE 3 STAR (HIS) RATED IN ACCORDANCE WITH AS/NZS 4820:2004 4 STAR WATER EFFICIENCY LABELING AND STANDARDS (HIS). SCHEME RATED CISTERNS WILL BE INSTALLED TO ALL WATER CLOSETS PREVIOUSLY 3 STAR (HIS) RATED. MINIMUM 4 STAR (HIS) RATED TAP WARE WILL BE RETIRED TO ALL KITCHEN SINKS, BATHROOM SINKS AND LAUNDRY TUBS (NEW DWELLING ONLY). PLUMBER TO PROVIDE FORM 16 CERTIFICATE FOR ALL ABOVE ITEMS HAVE BEEN COMPLIED WITH



PLUMBING & DRAINAGE  
1:100

**SITE PLAN**  
1:100



PLAN ISSUE:  
TENDER ISSUE  
NOT FOR CONSTRUCTION

11/10/2022 12:39:00 PM

PROJECT: RENOVATION DAVIDSON STREET DUPLEX  
PROJECT ADDRESS:  
131 Davidson Street, Port Douglas

SHEET SITE SURVEY PROPOSAL

PROJECT NUMBER LT1310VDST

DESIGNER RYAN FIDALA

DRAWN JAYDEN CHADWICK

SCALE AS SHOWN @ A1

SHEET C23 REV



## Appendix F

### Planning Scheme Code Responses

PR152776 : 131 Douglas Street, Port Douglas

## **6.2.14 Tourist Accommodation Zone code**

### **6.2.14.1 Application**

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

### **6.2.14.2 Purpose**

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



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#### 7.2.4.4 Criteria for assessment

**Table 6.2.14.3 — Tourist accommodation zone code - assessable development**

Performance outcomes	Acceptable outcomes	Compliance
<b>For self assessable and assessable development</b>		
<b>PO1</b> The height of all buildings and structures must be in keeping with the residential character of the area.	<b>AO1</b> Buildings and structures are not more than 13.5 metres and 3 storeys in height. Note – Height is inclusive of roof height.	<b>Complies with AO1</b> The existing buildings would be retained as single storey, with the maximum building height below the prescribed 13.5 metres.
<b>Setbacks (other than for a dwelling house)</b>		
<b>PO2</b> Buildings are setback to: (a) maintain the character and amenity of the area; (b) achieve separation from neighbouring buildings and from road frontages.	<b>AO2</b> Buildings are setback: (a) a minimum of 6 metres from the main street frontage; (b) a minimum of 4 metres from any secondary street frontage; (c) 4.5 metres from a rear boundary; (d) 2 metres from a side or an average of half of the height of the building at the side setback, whichever is the greater.	<b>Complies with PO2</b> The proposed development would retain existing buildings and provide a verandah extension to the front and new car ports that would be constructed within the 6 metre setback. The verandah and car port would be open structures and would not result in the imposition of significant building bulk to the street front. This form of development is consistent with the character and amenity of the locality and consistent with nearby built form. Including development at 125 Davidson Street, which is built in proximity of the front boundary and 123 Davidson Street which has a significant gatehouse at the site frontage. Similar setbacks and garages are also constructed at properties on Ti Tree Street to the west of the site and within the area containing the site.

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Performance outcomes	Acceptable outcomes	Compliance
<b>Site coverage (other than for a dwelling house)</b>		
<b>PO3</b> The site coverage of all buildings does not result in a built form that is bulky or visually obtrusive.	<b>AO3</b> The site coverage of any building is limited to 50%.	<b>Complies with AO3</b> The site coverage of the existing dual occupancy, is in keeping with similar development would be 48.51%.
<b>Building proportions and scale (other than for a dwelling house)</b>		
<b>PO4</b> The proportions and scale of any development are in character with the area and local streetscape.	<b>AO4.1</b> The overall length of a building does not exceed 30 metres and the overall length of any continuous wall does not exceed 15 metres.	<b>Complies with AO4.1</b> The maximum length of any continuous wall would not exceed 15 metres.
	<b>AO4.2</b> Balconies, patios and similar spaces are not enclosed or capable of being enclosed and used as a habitable room.	<b>Complies with AO4.2</b> The proposed patio areas are not enclosed or to be used as habitable rooms.
	<b>AO4.3</b> Balconies, patios and similar spaces are designed to be open and light weight in appearance with a maximum of 20% of the façade being fully enclosed.	<b>Complies with AO4.3</b> The patios and verandas would be open light weight structures.

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Performance outcomes	Acceptable outcomes	Compliance
	<p><b>AO4.4</b></p> <p>Roof forms, materials and colours of buildings enhance the amenity of the street and locality, including: the roofs of buildings are light coloured and non-reflecting; white and shining metallic finishes are avoided on external surfaces in prominent view.</p> <p>Note – The building incorporates building design features and architectural elements detailed in Planning scheme policy SC6.2 – Building design and architectural elements.</p>	<p><b>Complies with AO4.4</b></p> <p>The roof form would be consistent with the existing development that has previously been accepted.</p>
<b>Landscaping (other than for a dwelling house)</b>		
<p><b>PO5</b></p> <p>Landscape planting is provided for the recreational amenity of residents/guests and incorporates dominant tropical vegetation which enhances the streetscape and the amenity of the area.</p>	<p><b>AO5.1</b></p> <p>A minimum of 35% of the site is provided as open space and recreation area with a minimum of 30% of this total area provided for landscape planting.</p>	<p><b>Complies with AO5.1</b></p> <p>A minimum of 35% of the site is provided as landscaped open space with significant areas for deep planting.</p>
	<p><b>AO5.2</b></p> <p>Within the frontage setback area, a minimum width of 2 metres of landscape area includes a minimum 75% dense planting of landscape area includes 75% dense planting.</p>	<p><b>Complies with AO5.2</b></p> <p>Excluding the proposed carports and the pool the front setback area would be provided with landscaping.</p>
	<p><b>AO5.3</b></p> <p>Within the side and rear setback areas, a minimum width of 1.5 metres</p>	<p><b>Complies with AO5.3</b></p> <p>The side setback areas are a minimum width of 1.5 metres and are provided with soft landscaping.</p>

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Performance outcomes	Acceptable outcomes	Compliance
<b>For assessable development</b>		
<b>PO6</b> The establishment of uses is consistent with the outcomes sought for the Tourist accommodation zone and protects the zone from the intrusion of inconsistent uses.	<b>AO6.1</b> Inconsistent uses as identified in Table 6.2.14.3.b are not established in the Tourist accommodation zone.	<b>Not applicable</b> The proposed development is for minor change and reconfiguring a lot associated within an existing lawful dual occupancy.
<b>PO7</b> Development is located, designed, operated and managed to respond to the characteristics, features and constraints of the site and surrounds.  Note – Planning scheme policy – Site assessments provides guidance on identifying the characteristics, features and constraints of a site and its surrounds.	<b>AO6</b> No acceptable outcomes are prescribed	<b>Complies with PO7</b> The existing dual occupancy and proposed development is in keeping with the locality and adjoining land uses.
<b>PO8</b> Development does not adversely affect the tropical, tourist and residential character and amenity of the area in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.	<b>AO8</b> No acceptable outcomes are prescribed.	<b>Complies with PO8</b> Proposed development relates to minor change and reconfiguring a lot associated with an existing dual occupancy and would not adversely impact the amenity of the surrounding area.
<b>PO9</b> Any loading/unloading areas, servicing areas and outdoor storage areas are screened from public view or adjacent sensitive uses.	<b>AO9</b> Outdoor loading/unloading, servicing and storage areas are sited or screened so they are: (a) not visible from any off-site public place; (b) not located adjacent to premises used for sensitive uses.	<b>Not applicable \</b> No leading or unloading areas are required or proposed.

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Performance outcomes	Acceptable outcomes	Compliance
<b>PO10</b> Tourist developments include recreational and ancillary services and facilities for the enjoyment of guests.	<b>AO10.1</b> Development which includes accommodation for tourists incorporates a mix of the following recreational and ancillary services and facilities: (a) swimming pools; (b) tennis courts; (c) barbecue areas; (d) outdoor lounging / recreation areas; (e) restaurants / bars; (f) tourist-focussed shopping; (g) tour booking office; (h) spa / health clubs.	<b>Not applicable</b> The development is not for tourist accommodation and is an existing Dual Occupancy.
	<b>AO10.2</b> Any commercial services or facilities incorporated into a tourist development are small scale and predominantly service in-house guests only.	<b>Not applicable</b> The development is not for tourist accommodation and is an existing Dual Occupancy.

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Performance outcomes	Acceptable outcomes	Compliance
	<b>AO10.3</b> Where a commercial service or facility offers services to persons over and above in-house guests, the commercial component provides on- site car parking for 50% of the floor area available for use in accordance with the relevant requirements of the Parking and access code.	<b>Not applicable</b> The development is not for tourist accommodation and is an existing Dual Occupancy.
<b>PO11</b> New lots contain a minimum area of 1000m <sup>2</sup> .	<b>AO11</b> No acceptable outcomes are prescribed.	<b>Complies with the Purpose of the Code</b> The proposed development seeks to create lots of 400m <sup>2</sup> , below the accepted minimum lot size of 1,000m <sup>2</sup> , However, the proposal relates to an existing dual occupancy that is of an appropriate scale and, with the improvements, achieves an attractive built form consistent with the character of the area. The proposed reconfiguration would not adversely affect the built form of the area or the purpose of the zone code.
<b>PO12</b> New lots have a minimum road frontage of 20 metres.	<b>AO12</b> No acceptable outcomes are prescribed.	<b>Complies with the Purpose of the Code</b> The street frontage is below the minimum 20 metres; however, the proposed development relates to an existing dual occupancy and is in keeping with similar development within the surrounding locality. The proposed reconfiguration would not affect the built form or the character of the area or compromise the purpose of the zone code.
<b>PO13</b>	<b>AO13</b>	

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Performance outcomes	Acceptable outcomes	Compliance
New lots contain a 25 metre x 20 metre rectangle	No acceptable outcomes are prescribed.	<p><b>Complies with the purpose of the Code</b></p> <p>The proposed development seeks to reconfigure the existing lot to create two freehold lots for the existing dual occupancy.</p> <p>The proposed reconfiguration would not adversely affect the built form or the outcome envisaged by the purpose of the zone.</p>

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## 7.2.4 Port Douglas/Craigie local plan code

### 7.2.4.1 Application

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

### 7.2.4.2 Context and setting

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

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

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

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

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

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

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

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

### 7.2.4.3 Purpose



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- (1) The purpose of the Port Douglas/Craigie local plan code is to facilitate development outcomes consistent with community values, the local tropical built-form and protection of the natural environment within the Port Douglas/Craigie local plan area, while providing a platform for investment and prosperity.
  - (a) In addition, the purpose of the code is supported by the Port Douglas Waterfront Master Plan which provides a clear strategic direction for the incremental transformation of the Port Douglas Waterfront, including the following objectives:
    - (b) To set out a vision for revitalisation of the waterfront;
    - (c) To protect and enhance the environmental attributes; and
- (2) To provide a flexible framework, expressed through several key strategies that will assist the Council and community in managing change.
- (3) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Port Douglas will continue to develop as the premium destination for international and domestic tourists in the Far North Queensland Region, while also acting for permanent residents attracted to the associated lifestyle.
  - (b) Major tourist, retail, dining and entertainment facilities will consolidate in the Town Centre and the Waterfront North sub-precincts, with improved pedestrian connections between the town centre and the waterfront.
  - (c) Craigie will develop as an integrated residential community with some low scale tourism development opportunities in appropriate locations. Craigie will also function as small scale commercial and light industry node, providing employment opportunities for the Shire's permanent resident population.
  - (d) All forms of development will complement the tropical image of the town through distinctive tropical vernacular, urban design and landscaping.
  - (e) Character will be enhanced through the identification of gateway sites, landmarks, main approach routes and pedestrian thoroughfares and view corridors;
  - (f) The Flagstaff Hill, Dickson Inlet, Four Mile Beach and other areas of scenic and environmental significance will be protected from development. Vegetation cover will dominate over built form.
  - (g) Vegetation, iconic to the character of Port Douglas, including the avenues of Oil Palms, is retained and where appropriate supplemented.
  - (h) Development will be indistinguishable from view from Four Mile Beach. In addition, any development on Flagstaff Hill will be indistinguishable when viewed from vantage points in Port Douglas.
  - (i) Residential areas are designed as pleasant, functional and distinctive, in visually well-defined areas.
- (4) The purpose of the code will be further achieved through the following overall outcomes:
  - (a) Precinct 1 – Port Douglas precinct
    - (i) Sub-precinct 1a – Town Centre sub-precinct
    - (ii) Sub-precinct 1b – Waterfront North sub-precinct
    - (iii) Sub-precinct 1c – Waterfront South sub-precinct
    - (iv) Sub-precinct 1d – Limited Development sub-precinct

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- (v) Sub-precinct 1e – Community and recreation sub-precinct
- (vi) Sub-precinct 1f – Flagstaff Hill sub-precinct
- (b) Precinct 2 – Integrated Resort precinct
- (c) Precinct 3 – Craiglie Commercial and Light Industry precinct
- (d) Precinct 4 – Old Port Road / Mitre Street precinct
- (e) Precinct 5 – Very Low Density Residential/ Low Scale Recreation/Low Scale Educational/Low Scale Entertainment Uses precinct

#### **Precinct 1 – Port Douglas precinct**

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

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- (i) environment and sustainability is integrated into the township through:
  - (A) preservation and enhancement of the qualities and characteristics of environmental areas of the township;
  - (B) water sensitive urban design is considered as a means of water quality improvement and management of overland flow to ensure hard infrastructure solutions in Warner Street can be mitigated;
  - (C) design of buildings and access way improvements prioritises walking and cycling modes of transport.
- (ii) the tropical character of the Port Douglas precinct is enhanced by ensuring development:
  - (A) maintains and enhances the built form, local character, streetscapes and natural elements of the township;
  - (B) is compatible with the desired character and amenity of local places and neighbourhoods;
  - (C) does not exceed the height of buildings designations which contribute to the desired form of the township which contains three storey development heights in sub-precinct 1a – Town Centre sub-precinct and part of sub-precinct 1b – Waterfront North sub-precinct;
  - (D) implements high quality landscaped environments around buildings and on streets;
  - (E) protects the recognisable character and locally significance sites throughout the precinct.
- (iii) public spaces and the streetscape are enhanced through:
  - (A) an increase in the quantity and quality of public land and places throughout the precinct;
  - (B) consolidating community recreation and sporting uses to create a precinct of community focussed activity between Mudlo Street and Wharf Street;
  - (C) improved connections between the town centre and the waterfront marina, including an investigation of a plaza on the waterfront;
  - (D) improved streetscapes with high quality landscaping, surface treatments and shaded pedestrian environments;
  - (E) the creation of a sense of place through aesthetic streetscapes and built-form character;
  - (F) managing vegetation to ensure succession of planting and the ongoing presence of significant trees.
- (iv) advertising signage is small scale, low-key and complements the tropical character of the town.

#### **Sub-precinct 1a – Town Centre sub-precinct**

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

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

#### **Sub-precinct 1b - Waterfront North sub-precinct**

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

#### **Sub-precinct 1c – Waterfront South sub-precinct**

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

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

#### **Sub-precinct 1d – Limited Development sub-precinct**

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

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

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

#### **Sub-precinct 1f – Flagstaff Hill sub-precinct**

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

#### **Precinct 2 – Integrated Resort precinct**

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

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

### **Precinct 3 – Craiglie Commercial and Light Industry precinct**

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

### **Precinct 4 – Old Port Road / Mitre Street precinct**

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

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

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

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



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#### 7.2.4.4 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
<b>For self assessable and assessable development</b>		
<b>Development in the Port Douglas / Craiglie local plan area generally</b>		
<b>PO1</b> Pedestrians, cyclists, motorists and public transport users can easily move into and through the precinct along planned connectivity routes, identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.	<b>AO1</b> A pedestrian and cycle movement network is integrated and delivered through development.	<b>Not applicable</b> The existing pedestrian and cycle movement network will not be impact by the proposed development.
<b>PO2</b> Development retains and enhances key landscape elements including character trees and areas of significant vegetation contributing to the character and quality of the local plan area and significant views and vistas and other landmarks important to the context of Port Douglas / Craiglie (as identified on the Port Douglas/ Craiglie Townscape Plan map contained in Schedule 2).	<b>AO2.1</b> Development provides for the retention and enhancement of existing mature trees and character vegetation that contribute to the lush tropical character of the town, including: <ul style="list-style-type: none"> <li>(a) the tree covered backdrop of Flagstaff Hill;</li> <li>(b) natural vegetation along watercourses, in particular the Mowbray River, Beor Creek and Dickson Inlet;</li> <li>(c) the tidal vegetation along the foreshore;</li> <li>(d) beachfront vegetation along Four Mile Beach, including the fringe of Coconut Palms;</li> <li>(e) the oil palm avenues along the major roads;</li> <li>(f) the lush landscaping within major roundabouts at key nodes;</li> </ul>	<b>Not applicable</b> Subject site does not contain any significant vegetation.

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Performance outcomes	Acceptable outcomes	Compliance
	(g) Macrossan Street and Warner Street; (h) Port Douglas waterfront.	
	<b>AO2.2</b> Development protects and does not intrude into important views and vistas as identified on the Port Douglas Townscape Plan map contained in Schedule 2, in particular: (a) Flagstaff Hill; (b) Four Mile Beach; (c) Across to the ranges over Dickson Inlet; (d) Mowbray Valley.	<b>Not applicable</b> The subject site is not located within an area of visual significance and the proposed development would not intrude into important views or vistas.
	<b>AO2.3</b> Important landmarks, memorials and monuments are retained.	<b>Not applicable</b> There are no important landmarks on the subject site.
<b>PO3</b> Development contributes to the protection, reinforcement and where necessary enhancement of gateways and key intersections identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.	<b>AO3</b> Development adjacent to the gateways and nodes as identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 incorporates architectural features and landscaping treatments and design elements that enhance the sense of arrival and way finding within the town.	<b>Not applicable</b> The subject site is not adjacent a gateway.
<b>PO4</b> Landscaping of development sites complements the	<b>AO4</b> Landscaping incorporates the requirements of Planning scheme policy SC6.7 – Landscaping, in particular	<b>Complies with PO4</b> The proposed development would retain existing landscaping which would be enhanced as part of the

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Performance outcomes	Acceptable outcomes	Compliance
existing tropical character of Port Douglas and Craiglie.	landscaping should be capable of achieving a 60% screening of development within 5 years and predominantly consists of endemic vegetation.	overall development.
<b>PO5</b> Development does not compromise the safety and efficiency of the State-controlled road network.	<b>AO5</b> Direct access is not provided to a State-controlled road where legal and practical access from another road is available.	<b>Not applicable</b> The proposed development is not located adjacent to or within close proximity to a State-controlled road.
<b>For assessable development</b>		
<b>Additional requirements in Precinct 1 – Port Douglas precinct</b>		
<b>PO6</b> The views and vistas identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 are maintained.	<b>AO6.1</b> Development does not impede continued views to scenic vistas and key streetscapes within the local plan area.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
	<b>AO6.2</b> Unless otherwise specified within this Local Plan, buildings are set back not less than 6 metres from the primary street frontage.	<b>Not applicable</b>
<b>PO7</b> Vehicle access, parking and service areas: (a) do not undermine the relationship between buildings and street or dominate the streetscape; (b) are designed to minimise pedestrian vehicle	<b>AO7.1</b> For all buildings, parking is: (a) to the side of buildings and recessed behind the main building line; or (b) behind buildings; or	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.

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Performance outcomes	Acceptable outcomes	Compliance
<p>conflict;</p> <p>(c) are clearly identified and maintain ease of access at all times.</p>	<p>(c) wrapped by the building façade, and not visible from the street.</p>	
	<p><b>A07.2</b></p> <p>Ground level parking incorporates clearly defined pedestrian routes.</p>	<p><b>Not applicable</b></p> <p>The subject site is not located within a Local Plan Precinct.</p>
	<p><b>A07.3</b></p> <p>Any porte-cocheres, disabled and pedestrian accesses are accommodated within the boundary of new or refurbished development.</p>	<p><b>Not applicable</b></p> <p>The subject site is not located within a Local Plan Precinct.</p>
	<p><b>A07.4</b></p> <p>Where the development is an integrated mixed-use development incorporating short term accommodation or multiple dwellings and either food and drink outlet or hotel or shop or shopping centre or office, on-site parking spaces are provided as per the number prescribed in the Parking and access code with a relaxation of 30% of spaces required for the non-residential uses.</p>	<p><b>Not applicable</b></p> <p>The subject site is not located within a Local Plan Precinct.</p>
	<p><b>A07.5</b></p> <p>On-site car parking available for public use is clearly signed at the site frontage.</p>	<p><b>Not applicable</b></p> <p>The subject site is not located within a Local Plan Precinct.</p>
	<p><b>A07.6</b></p> <p>Boom gates, pay machines or other regulatory devices to control access to a publicly available car parking area</p>	<p><b>Not applicable</b></p> <p>The subject site is not located within a Local Plan Precinct.</p>

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Performance outcomes	Acceptable outcomes	Compliance
	are not constructed or installed.	
<b>PO8</b> Precinct 1 – Port Douglas precinct is not characterised by a proliferation of advertising signs.	<b>AO8</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>Additional requirements for Sub-precinct 1a – Town Centre sub-precinct</b>		
<b>PO9</b> Building heights: (a) do not overwhelm or dominate the town centre; (b) respect the desired streetscape; (c) ensure a high quality appearance when viewed from both within the town centre sub-precinct and external to the town centre sub-precinct; (d) remain subservient to the natural environment and the backdrop of Flagstaff Hill. (e) do not exceed 3 storeys.	<b>AO9</b> Buildings and structures are not more than 3 storeys and 13.5 metres in height, with a roof height of not less than 3 metres.  Note – Height is inclusive of the roof height.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO10</b> Building design, the streetscape, pedestrian paths and street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port Douglas Precinct.	<b>AO10</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO11</b> Buildings:	<b>AO11</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan

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Performance outcomes	Acceptable outcomes	Compliance
(a) address street frontages; (b) ensure main entrances front the street or public spaces; (c) do not focus principally on internal spaces or parking areas.		Precinct.
<b>PO12</b> Setbacks at ground level provide for: (a) connection between pedestrian paths and public places; (b) areas for convenient movement of pedestrians; (c) changes in gradient of the street.	<b>AO12</b> Setbacks at ground level: (a) are clear of columns and other obstructions; (b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites; (c) connect without any lip or step to adjoining footpaths.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>AO13</b> Buildings do not result in a reduction of views and vistas from public places to: (a) Flagstaff Hill; (b) Dickson Inlet; (c) public open space; (d) places of significance.	<b>AO13</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO14</b> Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at street level including shade	<b>AO14</b> Development is built up to the street frontage/s at the street level and incorporates a light frame awning, a minimum of 3 metres in width for the length of the street	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.



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Performance outcomes	Acceptable outcomes	Compliance
protection across the footpath for the length of the building.	frontage/s; or If a development includes an outdoor dining area at ground/footpath level, the dining area has a maximum setback of 3 metres and the required awning is still maintained along the length of the street frontage/s. Note – PO24 provides more detail on awning design.	
<b>PO15</b> Development is predominantly commercial in nature with any tourist accommodation having a secondary focus and not located on the street-level frontage where active frontages are encouraged as identified the Port Douglas local plan maps contained in Schedule 2.	<b>AO15.1</b> Centre activities establish: at street level on active street frontages; a maximum of one level above street level.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
	<b>AO15.2</b> Any residential development activities or short term accommodation is located above street level of the active frontage, but not on or up to the street frontage in any development, including mixed use development.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO16</b> Detailed building design: (a) enhances the visual amenity of the streetscape; (b) has a legible and attractive built form that is visually enhanced by architectural elements; (c) contributes to a distinctive tropical north Queensland, seaside tourist town character; (d) integrates major landscaping elements to maximise their aesthetic value to ensure that the lush, vegetated character of the Town Centre sub-	<b>AO16</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.

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Performance outcomes	Acceptable outcomes	Compliance
precinct is maintained.		
<b>PO17</b> Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through: <ul style="list-style-type: none"> <li>(a) surface decoration;</li> <li>(b) wall recesses and projections;</li> <li>(c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements.</li> <li>(d) differentiating between the lower, middle and upper parts of the building by varying the façade and/or the shape of the built form, where comprised of more than two storeys.</li> </ul>	<b>AO17</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO18</b> Roofs are not characterised by a cluttered display of plant and equipment, in particular: <ul style="list-style-type: none"> <li>(a) building caps and rooftops contribute to the architectural distinction of the building and create a coherent roofscape for the Town Centre sub-precinct;</li> <li>(b) service structures, lift motor rooms and mechanical plant and equipment are designed as an architectural feature of the building or are screened from public view;</li> <li>(c) rooftops are not used for advertising.</li> </ul>	<b>AO18</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.

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Performance outcomes	Acceptable outcomes	Compliance
<b>P019</b> Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to: <ul style="list-style-type: none"> <li>(a) shade windows;</li> <li>(b) reduce glare;</li> <li>(c) assist in maintaining comfortable indoor temperatures;</li> <li>(d) minimising heat loads;</li> <li>(e) enrich the North Queensland tropical character of the Town Centre sub-precinct;</li> <li>(f) provide architectural interest to building façades.</li> </ul>	<b>AO19</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO20</b> Buildings are finished with high quality materials, selected for: <ul style="list-style-type: none"> <li>(a) their ability to contribute the character of Town Centre sub-precinct;</li> <li>(b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate.</li> </ul>	<b>AO20</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO21</b> Buildings do not incorporate any type of glass or other materials that are likely to reflect the sun's rays in a manner that may create a nuisance, discomfort or a hazard.	<b>AO21</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.

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Performance outcomes	Acceptable outcomes	Compliance
<b>PO22</b> Façades and elevations do not include large blank walls. Openings and setbacks are used to articulate vertical building surfaces.	<b>AO22.1</b> Development has a maximum length of unbroken building facade of 20 metres and a maximum extent of overall development in the same style/design along the street frontage/s of 40 metres.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
	<b>AO22.2</b> Any break in the building façade varies the alignment by a 1 metre minimum deviation.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
	<b>AO22.3</b> A minimum of three of the following building design features and architectural elements detailed below are incorporated to break the extended facade of a development: (a) a change in roof profile; (b) a change in parapet coping; (c) a change in awning design; (d) a horizontal or vertical change in the wall plane; or (e) a change in the exterior finishes and exterior colours of the development.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO23</b> Building facades that face public spaces at ground level: (a) complement the appearance of the development and surrounding streetscape;	<b>AO23</b> Building facades at the ground floor of development that face public space are designed to ensure: (a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.

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Performance outcomes	Acceptable outcomes	Compliance
(b) enhance the visual amenity of the public place; (c) include a variety of human scale architectural elements and details; (d) provide an opportunity for the casual and convenient surveillance of public space from within the development.	the casual surveillance of the public space from the development; (b) a visually prominent main entrance that faces the principal public place; (c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade.	
<b>PO24</b> Awnings for pedestrian shelter are consistent with the character setting of the Town Centre sub-precinct and: (a) extend and cover the footpath to provide protection from the sun and rain; (b) include lighting under the awning; (c) are continuous across the frontage of the site; (d) align to provide continuity with existing or future awnings on adjoining sites; (e) are a minimum of 3.0 metres in width and generally not more than 3.5 metres above pavement height; (f) do not extend past a vertical plane, 1.2 metres inside the kerb-line to enable street trees to be planted and grow; (g) are cantilevered from the main building with any posts within the footpath being non load-bearing.	<b>AO24</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO25</b> Development integrates with the streetscape and	<b>AO25</b> Development fronting Davidson Street, Macrossan Street, Wharf Street, Mowbray Street and Warner Street	<b>Not applicable</b> The subject site is not located within a Local Plan

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Performance outcomes	Acceptable outcomes	Compliance
landscaping improvements for Port Douglas.	<p>is designed to integrate with the on-street landscaping and design improvements as outlined within the Port Douglas landscape master plan contained within Planning scheme policy SC6.7 – Landscaping.</p> <p>Note - Planning scheme policy SC6.7 - Landscaping provides guidance on meeting the Performance Outcome.</p>	Precinct.
<b>Additional requirements for Sub-precinct 1b – Waterfront North sub-precinct</b>		
<b>PO26</b> The establishment of uses is consistent with the outcomes sought for sub-precinct 1b – Waterfront North.	<b>AO26</b> Uses identified as inconsistent uses in Table 7.2.4.4.b – inconsistent uses in sub-precinct 1b – Waterfront North sub-precinct are not established in sub-precinct 1b - Waterfront North.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO27</b> The bulk and scale of buildings is consistent with surrounding development and steps down to complement the open space areas in the adjoining limited development sub-precinct.	<b>AO27</b> Buildings and structures are not more than: (a) 3 storeys and 13.5 metres in height , with a roof height of not less than 3 metres, in those parts of the precinct south of Inlet Street; (b) 2 storeys and 8.5 metres in height, with a roof height of not less than 3 metres, in those parts of the precinct north of Inlet Street. Note – Height is inclusive of roof height.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO28</b> Building design, streetscape, pedestrian paths and street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port	<b>AO28</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.



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Performance outcomes	Acceptable outcomes	Compliance
Douglas Precinct.		
<b>PO29</b> Public pedestrian access along the water's edge is maximised.	<b>AO29.1</b> Public pedestrian access is provided along the frontage of the water's edge consisting of a boardwalk of a minimum width of 4 metres that is available of 24-hour use.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
	<b>AO29.2</b> A public plaza is incorporated into the design generally reflecting the requirements of the Port Douglas Waterfront Master Plan, focussing in the vicinity of the 'Duck Pond'.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
	<b>AO29.3</b> Built envelopes are setback a minimum of 3.0 metres from the board walk, with a shelter/shade zone between the building envelopes and the boardwalk consisting of shade structure, canopies, verandahs and the like.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO30</b> Buildings: (a) address street frontages; (b) ensure main entrances front the street or public spaces.	<b>AO30</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO31</b> Setbacks at ground level provide for:	<b>AO31</b> Setbacks at ground level:	<b>Not applicable</b> The subject site is not located within a Local Plan

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Performance outcomes	Acceptable outcomes	Compliance
(a) connection between pedestrian paths and public places; (b) areas for convenient movement of pedestrians; (c) changes in gradient.	(a) are clear of columns and other obstructions; (b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites; (c) connect without any lip or step to adjoining footpaths.	Precinct.
<b>PO32</b> Buildings do not result in a reduction of views and vistas from public places to: (a) Dickson Inlet; (b) public open space; (c) places of significance.	<b>AO32</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO33</b> Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at ground level including shade protection across the footpath and open space areas.	<b>AO33</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO34</b> Development is predominantly commercial in nature with any tourist accommodation having a secondary focus and not located on the street-level frontage where active frontages are encouraged as identified the Port Douglas local plan maps contained in Schedule 2.	<b>AO34.1</b> Centre activities establish: (a) at street level on active street frontages; (b) a maximum of one level above street level.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
	<b>AO34.2</b> Residential development activities or short term	<b>Not applicable</b> The subject site is not located within a Local Plan

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Performance outcomes	Acceptable outcomes	Compliance
	accommodation is located above street /ground floor level of the active frontage, but not on or up to the street / public frontage in any development, including mixed use development.	Precinct.
<b>PO35</b> Detailed building design: (a) enhances the visual amenity of the streetscape; (b) has a legible and attractive built form that is visually enhanced by architectural elements; (c) contributes to a distinctive tropical north Queensland, seaside tourist town character; (d) integrates major landscaping elements to maximise their aesthetic value to ensure that the lush, vegetated character of the Waterfront North sub-precinct is maintained.	<b>AO35</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO36</b> Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through: (a) surface decoration; (b) wall recesses and projections; (c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements. (d) differentiating between the lower, middle and upper parts of the building by varying the façade and/or the shape of the built form, where comprised of	<b>AO36</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.

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Performance outcomes	Acceptable outcomes	Compliance
more than two storeys.		
<b>PO37</b> Roofs are not characterised by a cluttered display of plant and equipment, in particular: <ul style="list-style-type: none"> <li>(a) building caps and rooftops contribute to the architectural distinction of the building and create a coherent roofscape for the Waterfront North sub-precinct;</li> <li>(b) service structures, lift motor rooms and mechanical plant and equipment are designed as an architectural feature of the building or are screened from public view;</li> <li>(c) rooftops are not used for advertising.</li> </ul>	<b>AO37</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO38</b> Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to: <ul style="list-style-type: none"> <li>(a) shade windows;</li> <li>(b) reduce glare;</li> <li>(c) assist in maintaining comfortable indoor temperatures;</li> <li>(d) minimising heat loads;</li> <li>(e) enriching the North Queensland tropical character of the Waterfront North sub-precinct;</li> <li>(f) architectural interest to building façades.</li> </ul>	<b>AO38</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.

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Performance outcomes	Acceptable outcomes	Compliance
<b>PO39</b> Buildings are finished with high quality materials, selected for: <ul style="list-style-type: none"> <li>(a) their ability to contribute the character of Waterfront North sub-precinct;</li> <li>(b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate.</li> </ul>	<b>AO39</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO40</b> Buildings do not incorporate any type of glass or other materials that are likely to reflect the sun's rays in a manner that may create a nuisance, discomfort or a hazard.	<b>AO40</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO41</b> Façades and elevations do not include large blank walls and openings and setbacks are used to articulate vertical building surfaces.	<b>AO41.1</b> Development has a maximum length of unbroken building facade of 20 metres and a maximum extent of overall development in the same style/design along the street frontage/s of 40 metres.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
	<b>AO41.2</b> Any break in the building façade varies the alignment by a 1 metre minimum deviation.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
	<b>AO41.3</b> A minimum of three of the following building design features and architectural elements detailed below are incorporated to break the extended facade of a	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>development:</p> <ul style="list-style-type: none"> <li>(a) a change in roof profile;</li> <li>(b) a change in parapet coping;</li> <li>(c) a change in awning design;</li> <li>(d) a horizontal or vertical change in the wall plane; or</li> <li>(e) a change in the exterior finishes and exterior colours of the development.</li> </ul>	
<p><b>PO42</b></p> <p>Building facades that face public spaces at ground level:</p> <ul style="list-style-type: none"> <li>(a) complement the appearance of the development and surrounding streetscape;</li> <li>(b) enhance the visual amenity of the public place;</li> <li>(c) include a variety of human scale architectural elements and details;</li> <li>(d) provide an opportunity for the casual and convenient surveillance of public space from within the development.</li> </ul>	<p><b>AO42</b></p> <p>Building facades at the ground floor of development that face public space are designed to ensure:</p> <ul style="list-style-type: none"> <li>(a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit the casual surveillance of the public space from the development;</li> <li>(b) a visually prominent main entrance that faces the principal public place;</li> <li>(c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade.</li> </ul>	<p><b>Not applicable</b></p> <p>The subject site is not located within a Local Plan Precinct.</p>
<p><b>PO43</b></p> <p>Awnings for pedestrian shelter are consistent with the character setting of the Waterfront North sub-precinct and:</p> <ul style="list-style-type: none"> <li>(a) extend and cover the footpath to provide protection from the sun and rain;</li> </ul>	<p><b>AO43</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>The subject site is not located within a Local Plan Precinct.</p>

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Performance outcomes	Acceptable outcomes	Compliance
(b) include lighting under the awning; (c) are continuous across pedestrian circulation areas; (d) align to provide continuity with existing or future awnings on adjoining sites; (e) are a minimum of 3 metres in width and generally not more than 3.5 metres above pavement height; (f) do not extend past a vertical plane, 1.2 metres inside the street kerb-line to enable street trees to be planted and grow; (g) are cantilevered from the main building with any posts within the footpath being non load-bearing.		
<b>PO44</b> The Balley Hooley rail line and turn-table is retained and incorporated into development and maintains its functionality.	<b>AO44.1</b> Bally Hooley rail line and turn-table is retained and incorporated into development to maintain its functionality.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
	<b>AO44.2</b> Where development provides floor area for the Bally Hooley rail station, the gross floor area of the rail line and station does not generate a requirement for additional vehicle parking.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO45</b> Development recognises the importance of and relationship between the marina, commercial and residential development in the Waterfront North sub-precinct, and includes measures to mitigate the impact	<b>AO45</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.

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Performance outcomes	Acceptable outcomes	Compliance
of: (a) noise; (b) odour; (c) hazardous materials; (d) waste and recyclable material storage.		
<b>PO46</b> Formalised public spaces and pedestrian paths/areas on freehold land are made accessible to the public.	<b>AO46</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO47</b> Buildings, civic spaces, roads and pedestrian links are enhanced by: (a) appropriate landscape design and planting; (b) themed planting that defines entry points, and creates strong 'entry corridors' into the waterfront; (c) lighting and well-considered discrete signage that complements building and landscape design; (d) public artwork and other similar features that reflect the heritage and character of the Port Douglas Waterfront.	<b>AO47</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO48</b> Buildings are designed and sited to provide vistas along shared pedestrian/open space and movement areas in suitable locations.	<b>AO48</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.

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Performance outcomes	Acceptable outcomes	Compliance
<b>PO49</b> Development does not diminish the viability of marine-based industrial uses that directly serve the Port Douglas tourist and fishing operators and private boat owners, particularly with respect to the slipway operation.	<b>AO49</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO50</b> Marine infrastructure to service the tourism, fishing and private boating community is provided.	<b>AO50</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO51</b> Changes to the Port Douglas Waterfront quay-line do not cause adverse impacts to the environmentally sensitive Dickson Inlet.	<b>AO51</b> Development that results in changes to the Port Douglas Waterfront quay-line is only established where an Ecological assessment report provides support to the changes.  Note - Planning scheme policy SC6.8 – Natural environment provides guidance on preparing an ecological assessment report.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>Additional requirements for Sub-precinct 1c – Waterfront South sub-precinct</b>		
<b>PO52</b> The establishment of uses is consistent with the outcomes sought for Precinct 1c – Waterfront South.	<b>AO52</b> Uses identified as inconsistent uses Table 7.2.4.4.c – are not established in Precinct 1c – Waterfront South.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO53</b> Development does not adversely impact on the natural environment, natural vegetation or watercourses.	<b>AO53.1</b> An Ecological assessment report is prepared identifying the environmental qualities of the surrounding natural	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.

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Performance outcomes	Acceptable outcomes	Compliance
	and built features which are to be managed.  Note - Planning scheme policy SC6.8 – Natural environment provides guidance on preparing an ecological assessment report.	
	<b>AO53.2</b>  An Environmental Management Plan is prepared to manage potential impacts of the operation of the development on surrounding natural areas.  Note - Planning scheme policy SC6.4 – Environmental management plans contains information to demonstrate compliance and guidance on preparing an Environmental Management Plan.	<b>Not applicable</b>  The subject site is not located within a Local Plan Precinct.
<b>PO54</b>  Development of land at the end of Port Street adjacent to Dickson Inlet incorporates a slipway, or an alternative functioning facility, with capacity to service the Port Douglas marine and tourism industry.	<b>AO54</b>  A master plan for the development is provided and implemented to demonstrate the integration of the slipway, or an alternative functioning facility, with other supporting service industry activities that service the marine and tourism industry of Port Douglas.	<b>Not applicable</b>  The subject site is not located within a Local Plan Precinct.
<b>PO55</b>  Buildings and structures are of a height and are set back from side boundaries and other sensitive areas to ensure the scenic amenity and environmental qualities of the adjacent area are not adversely affected.	<b>AO55.1</b>  Development has a height of not more than 10 metres.	<b>Not applicable</b>  The subject site is not located within a Local Plan Precinct.
	<b>AO55.2</b>  Development is setback from all property boundaries not less than 3 metres.	<b>Not applicable</b>  The subject site is not located within a Local Plan Precinct.



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Performance outcomes	Acceptable outcomes	Compliance
<b>PO56</b> The site coverage of all buildings and structures ensures development: <ul style="list-style-type: none"> <li>(a) is sited in an existing cleared area or in an area approved for clearing;</li> <li>(b) has sufficient area for the provision of services;</li> <li>(c) development does not have an adverse effect on the environmental, habitat, conservation or landscape values of the on-site and surrounding sensitive areas.</li> </ul>	<b>AO56</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO57</b> Premises include adequate provision for service vehicles, to cater for generated demand. Loading areas for service vehicles are designed to: <ul style="list-style-type: none"> <li>(a) be accommodated on-site;</li> <li>(b) maximise safety and efficiency of loading;</li> <li>(c) protect the visual and acoustic amenity of sensitive land use activities;</li> <li>(d) minimise adverse impacts on natural characteristics of adjacent areas.</li> </ul>	<b>AO57.1</b> Sufficient manoeuvring area is provided on-site to allow a Medium Rigid Vehicle to enter and leave the site in a forward gear.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
	<b>AO57.2</b> Development is designed to ensure all service vehicles are contained within the site when being loaded/unloaded.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
	<b>AO57.3</b> Driveways, parking and manoeuvring areas are constructed and maintained to: <ul style="list-style-type: none"> <li>(a) minimise erosion from storm water runoff;</li> <li>(b) retain all existing vegetation.</li> </ul>	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.

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Performance outcomes	Acceptable outcomes	Compliance
<b>PO58</b> Development ensures adverse impacts from service vehicles on the road network, external to the site, are minimised.	<b>AO58</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO59</b> Entry to the site is landscaped to enhance the amenity of the area and provide a pleasant working environment.	<b>AO59</b> Areas used for loading and unloading, storage, utilities and car parking are screened from public view: (a) by a combination of landscaping and screen fencing; (b) dense planting along any road frontage is a minimum width of 3 metres.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO60</b> Landscaping is informal in character and complementary to the existing natural environment, provides screening and enhances the visual appearance of the development.	<b>AO60</b> For any development landscaping is in accordance with the Plant species schedule in Planning scheme policy SC6.7– Landscaping.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>Additional requirements for Sub-precinct 1d – Limited Development sub-precinct</b>		
<b>PO61</b> The height of buildings and structures contributes to the desired form and outcomes for the sub-precinct and are limited to a single storey.	<b>AO61</b> Buildings and structures are not more than one storey and 4 metres in height. Note - Height is inclusive of the roof height.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>Additional requirements for Sub-precinct 1e – Community and recreation sub-precinct</b>		

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Performance outcomes	Acceptable outcomes	Compliance
<b>PO62</b> The precinct is developed for organised sporting activities and other community uses.	<b>AO62</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>Additional requirements for Sub-precinct 1f – Flagstaff Hill sub-precinct</b>		
<b>PO63</b> Flagstaff Hill is protected from inappropriate development to protect the hill as an important natural landmark feature of Port Douglas and as a vegetated backdrop to the Town centre.	<b>AO63</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO64</b> All development on Flagstaff Hill is designed to minimise the visibility of the development and to ensure development is subservient to the natural landscape and topography of the site, including through: <ul style="list-style-type: none"> <li>(a) building design which minimises excavation and filling;</li> <li>(b) buildings being designed to step down the site and incorporate foundations and footings on piers or poles;</li> <li>(c) buildings being visually unobtrusive and incorporating exterior finishes and muted colours which are non-reflective and complement the colours of the surrounding vegetation and view-shed;</li> <li>(d) protection of the views from public viewing points in</li> </ul>	<b>AO64</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.

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Performance outcomes	Acceptable outcomes	Compliance
the Port Douglas precinct.		
<b>Additional requirements for Precinct 3 – Craiglie Commercial and Light Industry precinct</b>		
<b>PO65</b> Development supports the tourism and marine industries in Port Douglas, along with the small-scale commercial and light industry land uses that support the local economy that would otherwise be better suited to a location outside the Port Douglas Town Centre Precinct.	<b>AO65</b> Development consists of service and light industries and associated small scale commercial activities.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO66</b> Development on lots adjacent to the Captain Cook Highway is sited, designed and landscaped to provide an attractive visual approach to Port Douglas with all buildings, structures and car parking areas setback a sufficient distance from the frontage to enable landscaping to soften or screen the appearance of the development.	<b>AO66.1</b> Buildings and structures are setback 8 metres from the Captain Cook Highway frontage, or no closer to the Captain Cook Highway frontage than buildings and structures on adjoining sites (averaged), whichever is the greater.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
	<b>AO66.2</b> The setback area to the Captain Cook Highway frontage is landscaped with advanced dense planting including tree species (100 litre bag stock), which will, at maturity, exceed the height of the building(s) on the site.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
	<b>AO66.3</b> Advertising signs are discreet in appearance with no large advertising signs, including tenancy signs, located on or near the Captain Cook Highway frontage, or within any landscaped setback area	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.

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Performance outcomes	Acceptable outcomes	Compliance
	<b>AO66.4</b> Car parking areas, loading and other service areas are designed to be screened from the Captain Cook Highway and are located so as to not be visually prominent from the Captain Cook Highway.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>Additional requirements for Precinct 6 – Very Low Residential Density / Low Scale Recreation / Low Scale Educational / Low Scale Entertainment Uses precinct</b>		
<b>PO67</b> No additional lots are created within the precinct.	<b>AO67</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.
<b>PO68</b> Reconfigured lots have a minimum lot size of 2 hectares, unless the lot reconfiguration transfers lots to the higher parts of the land, to avoid the need to fill existing lots to accommodate dwelling houses.	<b>AO68</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The subject site is not located within a Local Plan Precinct.

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

Inconsistent uses		
<ul style="list-style-type: none"> <li>• Agricultural supplies store</li> <li>• Air services</li> <li>• Animal husbandry</li> <li>• Animal keeping</li> <li>• Aquaculture</li> </ul>	<ul style="list-style-type: none"> <li>• Extractive industry</li> <li>• Funeral parlour</li> <li>• High impact industry</li> <li>• Intensive animal industry</li> <li>• Intensive horticulture</li> </ul>	<ul style="list-style-type: none"> <li>• Relocatable home park</li> <li>• Roadside stall</li> <li>• Rural industry</li> <li>• Rural workers accommodation</li> <li>• Service station</li> </ul>

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<ul style="list-style-type: none"> <li>• Brothel</li> <li>• Bulk landscape supplies</li> <li>• Car wash</li> <li>• Cemetery</li> <li>• Crematorium</li> <li>• Cropping</li> <li>• Detention facility</li> <li>• Dual occupancy</li> <li>• Dwelling house</li> </ul>	<ul style="list-style-type: none"> <li>• Major electricity infrastructure</li> <li>• Major sport, recreation and entertainment facility</li> <li>• Medium impact industry</li> <li>• Motor sport facility,</li> <li>• Outstation</li> <li>• Permanent plantation</li> </ul>	<ul style="list-style-type: none"> <li>• Showroom</li> <li>• Special industry</li> <li>• Tourist park</li> <li>• Transport depot</li> <li>• Veterinary services</li> <li>• Warehouse</li> <li>• Wholesale nursery</li> <li>• Winery</li> </ul>
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**Table 7.2.4.4.c — Inconsistent uses in sub-precinct 1c - Waterfront South sub-precinct**

Inconsistent uses		
<ul style="list-style-type: none"> <li>• Adult store</li> <li>• Agricultural supplies store</li> <li>• Air services</li> <li>• Animal husbandry</li> <li>• Animal keeping</li> <li>• Brothel</li> <li>• Bulk landscape supplies</li> <li>• Car wash</li> <li>• Cemetery</li> <li>• Child care centre</li> <li>• Community care centre</li> </ul>	<ul style="list-style-type: none"> <li>• Hardware and trade supplies</li> <li>• Health care services</li> <li>• Home based business</li> <li>• Hospital</li> <li>• Hotel</li> <li>• Indoor sport and recreation</li> <li>• Intensive animal industry</li> <li>• Intensive horticulture</li> <li>• Major electricity infrastructure</li> <li>• Major sport, recreation and entertainment facility</li> <li>• Market</li> </ul>	<ul style="list-style-type: none"> <li>• Permanent plantation</li> <li>• Place of worship</li> <li>• Relocatable home park</li> <li>• Residential care facility</li> <li>• Resort complex</li> <li>• Retirement facility</li> <li>• Roadside stall</li> <li>• Rooming accommodation</li> <li>• Rural industry</li> <li>• Rural workers accommodation</li> <li>• Sales office</li> </ul>



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<ul style="list-style-type: none"> <li>• Community residence</li> <li>• Community use</li> <li>• Crematorium</li> <li>• Cropping</li> <li>• Detention facility</li> <li>• Dual occupancy</li> <li>• Dwelling house</li> <li>• Dwelling unit</li> <li>• Extractive industry</li> <li>• Function facility</li> <li>• Funeral parlour</li> <li>• Garden centre</li> </ul>	<ul style="list-style-type: none"> <li>• Motor sport facility</li> <li>• Multiple dwelling</li> <li>• Nature-based tourism</li> <li>• Nightclub entertainment facility</li> <li>• Outdoor sales</li> <li>• Outdoor sport and recreation</li> <li>• Outstation</li> </ul>	<ul style="list-style-type: none"> <li>• Shopping centre</li> <li>• Short-term accommodation</li> <li>• Showroom</li> <li>• Special industry</li> <li>• Theatre</li> <li>• Tourist attraction</li> <li>• Tourist park</li> <li>• Transport depot</li> <li>• Veterinary services</li> <li>• Warehouse</li> <li>• Wholesale nursery</li> <li>• Winery</li> </ul>
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## 9.4.1 Access, parking and servicing code

### 9.4.1.1 Application

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

### 9.4.1.2 Purpose

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

### 9.4.1.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	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 generated by the use or uses of the site, having particular regard to: <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>	<b>AO1.1</b> The minimum number of on-site vehicle parking spaces is not less than the number prescribed in Table 9.4.1.3.b for that particular use or uses.  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.	<b>Complies with PO1</b> The historic approval required provision of one (1) car space per Dual Occupancy Dwelling Unit and the proposed development would not affect this on-site car parking provision.
	<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.	<b>Complies with AO1.2</b> Designated car parking spaces would be available for vehicle parking.
	<b>AO1.3</b> Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.	<b>Not applicable</b> No motorcycle parking is required or proposed.
	<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.	<b>Not applicable</b> Only two spaces would be provided.

Performance outcomes	Acceptable outcomes	Applicant response
<b>PO2</b> Vehicle parking areas are designed and constructed in accordance with relevant standards.	<b>AO2</b> Vehicle parking areas are designed and constructed in accordance with Australian Standard: <ul style="list-style-type: none"> <li>(a) AS2890.1;</li> <li>(b) AS2890.3;</li> <li>(c) AS2890.6.</li> </ul>	<b>Complies with PO2</b> Car parking spaces are designed and constructed in accordance with relevant standard.
<b>PO3</b> Access points are designed and constructed: <ul style="list-style-type: none"> <li>(a) to operate safely and efficiently;</li> <li>(b) to accommodate the anticipated type and volume of vehicles</li> <li>(c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate;</li> <li>(d) so that they do not impede traffic or pedestrian movement on the adjacent road area;</li> <li>(e) so that they do not adversely impact upon existing intersections or future road or intersection improvements;</li> <li>(f) so that they do not adversely impact current and future on-street parking arrangements;</li> <li>(g) so that they do not adversely impact on existing services within the road reserve adjacent to the site;</li> </ul>	<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: <ul style="list-style-type: none"> <li>(a) Australian Standard AS2890.1;</li> <li>(b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers.</li> </ul>	<b>Complies with AO3.1</b> The existing access crossover would be retained as part of the development.
	<b>AO3.2</b> Access, including driveways or access crossovers: <ul style="list-style-type: none"> <li>(a) are not placed over an existing:               <ul style="list-style-type: none"> <li>(i) telecommunications pit;</li> <li>(ii) stormwater kerb inlet;</li> <li>(iii) sewer utility hole;</li> <li>(iv) water valve or hydrant.</li> </ul> </li> <li>(b) are designed to accommodate any adjacent footpath;</li> </ul>	<b>Complies with AO3.2</b> The existing access crossover would be retained as part of the development

Performance outcomes	Acceptable outcomes	Applicant response
(h) so that they do not involve ramping, cutting of the adjoining road reserve or any built structures (other than what may be necessary to cross over a stormwater channel).	(c) adhere to minimum sight distance requirements in accordance with AS2980.1.	
	<b>AO3.3</b> Driveways are: <ul style="list-style-type: none"> <li>(a) designed to follow as closely as possible to the existing contours, but are no steeper than the gradients outlined in Planning scheme policy SC6.5 – FNQROC Regional Development Manual;</li> <li>(b) constructed such that where there is a grade shift to 1 in 4 (25%), there is an area with a grade of no more than 1 in 6 (16.6%) prior to this area, for a distance of at least 5 metres;</li> <li>(c) on gradients greater than 1 in 6 (16.6%) driveways are constructed to ensure the cross-fall of the driveway is one way and directed into the hill, for vehicle safety and drainage purposes;</li> <li>(d) constructed such that the transitional change in grade from the road to the lot is fully contained within the lot and not within the road reserve;</li> <li>(e) designed to include all necessary associated drainage that intercepts and directs storm water runoff to the storm water drainage system.</li> </ul>	<b>Complies with AO3.3</b> The existing access crossover would be retained as part of the development
	<b>AO3.4</b> Surface construction materials are consistent with the	<b>Complies with AO3.4</b> The existing access crossover would be

Performance outcomes	Acceptable outcomes	Applicant response
	current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.	retained as part of the development.
<b>PO4</b> Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.	<b>A04</b> The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.	<b>Not applicable</b> No accessible parking is required.
<b>PO5</b> Access for people with disabilities is provided to the building from the parking area and from the street.	<b>A05</b> Access for people with disabilities is provided in accordance with the relevant Australian Standard.	<b>Not applicable</b> No accessible parking is required.
<b>PO6</b> Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development	<b>A06</b> The number of on-site bicycle parking spaces complies with the rates specified in Table 9.4.1.3.b	<b>Not applicable</b> No bicycle parking is required.
<b>PO7</b> Development provides secure and convenient bicycle parking which: (a) for visitors is obvious and located close to the building's main entrance; (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.	<b>A07.1</b> Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers);	<b>Not applicable</b> No bicycle parking is required.
	<b>A07.2</b> Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street.	<b>Not applicable</b> No bicycle parking is required.



Performance outcomes	Acceptable outcomes	Applicant response
	<b>A07.3</b> Development provides visitor bicycle parking which does not impede pedestrian movement.	<b>Not applicable</b> No bicycle parking is required.
<b>PO8</b> Development provides walking and cycle routes through the site which: <ul style="list-style-type: none"> <li>(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;</li> <li>(b) encourage walking and cycling;</li> <li>(c) ensure pedestrian and cyclist safety.</li> </ul>	<b>A08</b> Development provides walking and cycle routes which are constructed on the carriageway or through the site to: <ul style="list-style-type: none"> <li>(a) create a walking or cycle route along the full frontage of the site;</li> <li>(b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site.</li> </ul>	<b>Not applicable</b> No walking or cycling routes are required through the site.
<b>PO9</b> Access, internal circulation and on-site parking for service vehicles are designed and constructed: <ul style="list-style-type: none"> <li>(a) in accordance with relevant standards;</li> <li>(b) so that they do not interfere with the amenity of the surrounding area;</li> <li>(c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles.</li> </ul>	<b>A09.1</b> Access driveways, vehicle manoeuvring and onsite parking for service vehicles are designed and constructed in accordance with AS2890.1 and AS2890.2.	<b>Not applicable</b> No service vehicle access is required.
	<b>A09.2</b> Service and loading areas are contained fully within the site.	<b>Not applicable</b> No service vehicle access is required.
	<b>A09.3</b>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>The movement of service vehicles and service operations are designed so they:</p> <ul style="list-style-type: none"> <li>(a) do not impede access to parking spaces;</li> <li>(b) do not impede vehicle or pedestrian traffic movement.</li> </ul>	No service vehicle access is required.
<p><b>PO10</b></p> <p>Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.</p>	<p><b>AO10.1</b></p> <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>Not applicable</b></p> <p>No queuing is required.</p>
	<p><b>AO10.2</b> Queuing and set-down areas are designed and constructed in accordance with AS2890.1.</p>	<p><b>Not applicable</b></p> <p>No queuing is required.</p>

## 9.4.5 Infrastructure works code

### 9.4.5.1 Application

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

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

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

### 9.4.5.2 Purpose

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

### 9.4.5.3 Criteria for assessment

**Table 9.4.5.3.a – Infrastructure works code –assessable development**

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

Performance outcomes	Acceptable outcomes	Compliance
<b>PO1</b> Works on a local government road do not adversely impact on footpaths or existing infrastructure within the road verge and maintain the flow, safety and efficiency of pedestrians, cyclists and vehicles.	<b>AO1.1</b> Footpaths/pathways are located in the road verge and are provided for the hierarchy of the road and located and designed and constructed in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	<b>Not applicable</b> No works are proposed on a local government road.
	<b>AO1.2</b> Kerb ramp crossovers are constructed in accordance with Planning scheme policy SC 5 – FNQROC Regional Development Manual.	<b>Not applicable</b> No works are proposed on a local government road.
	<b>AO1.3</b> New pipes, cables, conduits or other similar infrastructure required to cross existing footpaths: <ul style="list-style-type: none"> <li>(a) are installed via trenchless methods; or</li> <li>(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.</li> </ul>	<b>Not applicable</b> No works are proposed on a local government road.
	<b>AO1.4</b> Where existing footpaths are damaged as a result of development, footpaths are reinstated ensuring: <ul style="list-style-type: none"> <li>(a) similar surface finishes are used;</li> <li>(b) there is no change in level at joins of new and existing sections;</li> <li>(c) new sections are matched to existing in terms of dimension and reinforcement.</li> </ul>	<b>Not applicable</b> No works are proposed on a local government road.

Performance outcomes	Acceptable outcomes	Compliance
	<b>AO1.5</b> Decks, verandahs, stairs, posts and other structures located in the road reserve do not restrict or impede pedestrian movement on footpaths or change the level of the road verges.	<b>Not applicable</b> No works are proposed on a local government road.
<b>Accessibility structures</b>		
<b>PO2</b> Development is designed to ensure it is accessible for people of all abilities and accessibility features do not impact on the efficient and safe use of footpaths.  Note – Accessibility features are those features required to ensure access to premises is provided for people of all abilities and include ramps and lifts.	<b>AO2.1</b> Accessibility structures are not located within the road reserve.	<b>Not applicable</b> No works are proposed on a local government road.
	<b>AO2.2</b> Accessibility structures are designed in accordance with AS1428.3.	<b>Not applicable</b> Private dwelling developments do not require accessibility structures.
	<b>AO2.3</b> When retrofitting accessibility features in existing buildings, all structures and changes in grade are contained within the boundaries of the lot and not within the road reserve.	<b>Not applicable</b> No accessibility features are proposed as part of this development.
<b>Water supply</b>		
<b>PO3</b> An adequate, safe and reliable supply of potable, fire fighting and general use water is provided.	<b>AO3.1</b> The premises is connected to Council's reticulated water supply system in accordance with the Design Guidelines set out in Section D6 of the Planning scheme policy SC5 – FNQROC Regional Development Manual;	<b>Able to comply with AO3.1</b> The development would be able to provide separate connections to each lot and dwelling.

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



Performance outcomes	Acceptable outcomes	Compliance
<b>PO5</b> Development is planned, designed, constructed and operated to avoid or minimise adverse impacts on stormwater quality in natural and developed catchments by: <ul style="list-style-type: none"> <li>(a) achieving stormwater quality objectives;</li> <li>(b) protecting water environmental values;</li> <li>(c) maintaining waterway hydrology.</li> </ul>	<b>AO5.1</b> A connection is provided from the premises to Council's drainage system; or <b>AO5.2</b> An underground drainage system is constructed to convey stormwater from the premises to Council's drainage system in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	<b>Complies with AO5.1</b> The development would retain its existing connection to Council's stormwater drainage system.
	<b>AO5.3</b> A stormwater quality management plan is prepared, and provides for achievable stormwater quality treatment measures meeting design objectives listed in Table 9.4.5.3.b and Table 9.4.5.3.c and reflecting land use constraints, such as: <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>	<b>Complies with AO5.3</b> The development would retain its existing connection to Council's stormwater drainage system.
	<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.	<b>Not applicable</b> No earthworks are proposed.

Performance outcomes	Acceptable outcomes	Compliance
	<p><b>AO5.5</b></p> <p>Development incorporates stormwater flow control measures to achieve the design objectives set out in Table 9.4.5.3.b and Table 9.4.5.3.c, including management of frequent flows, peak flows, and construction phase hydrological impacts.</p> <p>Note – Planning scheme policy SC5 – FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p>Note – During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.</p>	<p><b>Complies with AO5.35</b></p> <p>The development would retain its existing connection to Council's stormwater drainage system.</p>
<b>Non-tidal artificial waterways</b>		
<p><b>PO6</b></p> <p>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></p> <p>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>Not applicable</b></p> <p>This development application does not involve a non-tidal artificial waterway.</p>
	<p><b>AO6.2</b></p> <p>Non-tidal artificial waterways are located:</p> <ul style="list-style-type: none"> <li>(a) outside natural wetlands and any associated buffer areas;</li> </ul>	<p><b>Not applicable</b></p> <p>This development application does not involve a non-tidal artificial waterway.</p>

Performance outcomes	Acceptable outcomes	Compliance
	(b) to minimise disturbing soils or sediments; (c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas.	
	<b>AO6.3</b> Non-tidal artificial waterways located adjacent to, or connected to a tidal waterway by means of a weir, lock, pumping system or similar ensures: (a) there is sufficient flushing or a tidal range of >0.3 m; or (b) any tidal flow alteration does not adversely impact on the tidal waterway; or (c) there is no introduction of salt water into freshwater environments.	<b>Not applicable</b> This development application does not involve a non-tidal artificial waterway.
	<b>AO6.4</b> Non-tidal artificial waterways are designed and managed for any of the following end-use purposes: (a) amenity (including aesthetics), landscaping or recreation; or (b) flood management, in accordance with a drainage catchment management plan; or (c) stormwater harvesting plan as part of an integrated water cycle management plan; or (d) aquatic habitat.	<b>Not applicable</b> This development application does not involve a non-tidal artificial waterway.
	<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.	<b>Not applicable</b> This development application does not involve a non-tidal artificial waterway.

Performance outcomes	Acceptable outcomes	Compliance
	<b>AO6.6</b> Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway.	<b>Not applicable</b> This development application does not involve a non-tidal artificial waterway.
	<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.	<b>Not applicable</b> This development application does not involve a non-tidal artificial waterway.
<b>Wastewater discharge</b>		
<b>PO7</b> Discharge of wastewater to waterways, or off site: (a) meets best practice environmental management; (b) is treated to: (i) meet water quality objectives for its receiving waters; (ii) avoid adverse impact on ecosystem health or waterway health; (iii) maintain ecological processes, riparian vegetation and waterway integrity; (iv) offset impacts on high ecological value waters.	<b>AO7.1</b> A wastewater management plan is prepared and addresses: (a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best practice environmental management.	<b>Not applicable</b> No wastewater would be discharged off-site or to waterways.
	<b>AO7.2</b> The waste water management plan is managed in accordance with a waste management hierarchy that: (a) avoids wastewater discharge to waterways; or (b) if wastewater discharge cannot practicably be avoided, minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and	<b>Not applicable</b> No wastewater would be discharged off-site or to waterways.

Performance outcomes	Acceptable outcomes	Compliance
	ground water.	
	<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.	<b>Not applicable</b> No wastewater would be discharged off-site or to waterways.
	<b>A07.4</b> Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and: <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> <li>(iii) visible iron floc is not present in any discharge;</li> <li>(iv) precipitated iron floc is contained and disposed of;</li> <li>(v) wastewater and precipitates that cannot be contained and treated for discharge on site are removed and disposed of through trade waste or another lawful method.</li> </ul> </li> </ul>	<b>Not applicable</b> No wastewater would be discharged off-site or to waterways.
<b>Electricity supply</b>		

Performance outcomes	Acceptable outcomes	Compliance
<b>PO8</b> Development is provided with a source of power that will meet its energy needs.	<b>AO8.1</b> A connection is provided from the premises to the electricity distribution network; or <b>AO8.2</b> The premises is connected to the electricity distribution network in accordance with the Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual. Note - Areas north of the Daintree River have a different standard.	<b>Able to comply with AO8.1</b> The development would be able to provide separate connections to each dwelling and lot.
<b>PO9</b> Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.	<b>AO9.1</b> Pad-mount electricity infrastructure is: (a) not located in land for open space or sport and recreation purposes; (b) screened from view by landscaping or fencing; (c) accessible for maintenance.	<b>Not applicable</b> No pad-mount electricity infrastructure is proposed as part of this development.
	<b>AO9.2</b> Pad-mount electricity infrastructure within a building, in a Town Centre is designed and located to enable an active street frontage. Note – Pad-mounts in buildings in activity centres should not be located on the street frontage.	<b>Not applicable</b> No pad-mount electricity infrastructure is proposed as part of this development
<b>Telecommunications</b>		
<b>PO10</b>	<b>AO10</b>	<b>Able to comply with AO10</b>



Performance outcomes	Acceptable outcomes	Compliance
Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.	The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.	The proposed development would be able to provide separate connections to each dwelling and lot.
<b>PO11</b> Provision is made for future telecommunications services (e.g. fibre optic cable).	<b>AO11</b> Conduits are provided in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	<b>Not applicable</b> No conduits are required for this development proposal.
<b>Road construction</b>		
<b>PO12</b> The road to the frontage of the premises is constructed to provide for the safe and efficient movement of: (a) pedestrians and cyclists to and from the site; (b) pedestrians and cyclists adjacent to the site; (c) vehicles on the road adjacent to the site; (d) vehicles to and from the site; (e) emergency vehicles.	<b>AO12.1</b> The road to the frontage of the site is constructed in accordance with the Design Guidelines set out in Sections D1 and D3 of the Planning scheme policy SC5 – FNQROC Regional Development Manual, for the particular class of road, as identified in the road hierarchy.	<b>Not applicable</b> No new roads are proposed.
	<b>AO12.2</b> There is existing road, kerb and channel for the full road frontage of the site.	<b>Not applicable</b> No new roads are proposed.
	<b>AO12.3</b> Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for the safe passage of emergency vehicles.	<b>Not applicable</b> No new roads are proposed.
<b>Alterations and repairs to public utility services</b>		
<b>PO13</b>	<b>AO13</b>	<b>Complies with AO13</b>

Performance outcomes	Acceptable outcomes	Compliance
Infrastructure is integrated with, and efficiently extends, existing networks.	Development is designed to allow for efficient connection to existing infrastructure networks.	The development would allow for the efficient connection to existing infrastructure networks being existing developed land with access to all services.
<b>PO14</b> Development and works do not affect the efficient functioning of public utility mains, services or installations.	<b>AO14.1</b> Public utility mains, services and installations are not required to be altered or repaired as a result of the development; or <b>AO14.2</b> Public utility mains, services and installations are altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	<b>Not applicable</b> No alterations or repairs would be needed for public utility services as the development would maintain its existing connections to necessary services.
<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.	<b>Able to comply with AO15</b> The applicant and/or contractor will ensure the installation of protective measures for construction works required for the renovations approved as part of the minor change. The applicant is agreeable to inclusion of an appropriate condition.

Performance outcomes	Acceptable outcomes	Compliance
<b>PO16</b> Existing infrastructure is not damaged by construction activities.	<b>AO16</b> Construction, alterations and any repairs to infrastructure is undertaken in accordance with the Planning scheme policy SC5 – FNQROC Regional Development Manual.  Note - Construction, alterations and any repairs to State-controlled roads and rail corridors are undertaken in accordance with the Transport Infrastructure Act 1994.	<b>Complies with AO16</b> Any construction, alteration or repairs would be undertaken in accordance with the FNQROC Regional Development Manual.
<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.	<b>Not applicable</b> The development would retain its existing high speed telecommunications infrastructure.
<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.	<b>Not applicable</b> The development would be for residential purposes only therefore it would not involve trade waste.

Performance outcomes	Acceptable outcomes	Compliance
<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.	<b>Not applicable</b> No common private title is proposed.
	<b>AO19.2</b> Commercial and industrial streets and access ways within a common private title serving commercial properties such as factories and warehouses and offices are provided with above or below ground fire hydrants located at not more than 90 metre intervals and at each intersection. Above ground fire hydrants have dual-valved outlets.	<b>Not applicable</b> No common private title is proposed.
<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.	<b>Not applicable</b> No common private title is proposed.

## **9.4.6 Landscaping code**

### **9.4.6.1 Application**

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

### **9.4.6.2 Purpose**

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

### 9.4.6.3 Criteria for assessment

**Table 9.4.6.3.a – Landscaping code – assessable development**

Performance outcomes	Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>		
<b>Landscaping design</b>		
<b>PO1</b> Development provides landscaping that contributes to and creates a high quality landscape character for the site, street and local areas of the Shire by: ( <ul style="list-style-type: none"> <li>(a) promoting the Shire's character as a tropical environment;</li> <li>(b) softening the built form of development;</li> <li>(c) enhancing the appearance of the development from within and outside the development and makes a positive contribution to the streetscape;</li> <li>(d) screening the view of buildings, structures, open storage areas, service equipment, machinery plant and the like from public places, residences and other sensitive development;</li> <li>(e) where necessary, ensuring the privacy of habitable rooms and private outdoor recreation areas;</li> <li>(f) contributing to a comfortable living environment and improved energy efficiency, by providing shade to reduce glare and heat absorption and re-radiation from buildings, parking areas and other hard surfaces;</li> <li>(g) ensuring private outdoor recreation space is</li> </ul>	<b>AO1</b> Development provides landscaping: <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>Not applicable</b> Existing landscaping would be maintained and enhanced with this development proposal.



Performance outcomes	Acceptable outcomes	Compliance
useable; (h) providing long term soil erosion protection; (i) providing a safe environment; (j) integrating existing vegetation and other natural features of the premises into the development; (k) not adversely affecting vehicular and pedestrian sightlines and road safety		
<b>For assessable development</b>		
<b>PO2</b> Landscaping contributes to a sense of place, is functional to the surroundings and enhances the streetscape and visual appearance of the development.	<b>AO2.1</b> No acceptable outcomes are specified. Note - Landscaping is in accordance with the requirements specified in Planning scheme policy SC6.7 – Landscaping.	<b>Not applicable</b> Existing landscaping would be maintained and enhanced with this development proposal.
	<b>AO2.2</b> Tropical urbanism is incorporated into building design. Note – ‘Tropical urbanism’ includes many things such as green walls, green roofs, podium planting and vegetation incorporated into the design of a building	<b>Not applicable</b> Existing landscaping would be maintained and enhanced with this development proposal.
<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.	<b>AO3.1</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.	<b>Complies with AO3.1</b> Existing vegetation on site would be retained and incorporated into the site design.
	<b>AO3.2</b> Mature vegetation on the site that is removed or damaged during development is replaced with	<b>Not applicable</b> No vegetation removal is proposed as part of this

Performance outcomes	Acceptable outcomes	Compliance
	advanced species	development application.
	<b>AO3.3</b> Where there is an existing landscape character in a street or locality which results from existing vegetation, similar species are incorporated into new development	<b>Not applicable</b> Existing landscaping would be maintained and enhanced with this development proposal. There is no existing landscape character within Davidson Street.
	<b>AO3.4</b> Street trees are species which enhance the landscape character of the streetscape, with species chosen from the Planning scheme policy SC6.7 – Landscaping.	<b>Not applicable</b> Davidson Street does not have street trees.
<b>PO4</b> Plant species are selected with consideration to the scale and form of development, screening, buffering, streetscape, shading and the locality of the area.	<b>AO4</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	<b>Complies with AO4</b> New plantings proposed to enhance existing vegetation would be selected in accordance with Planning Scheme policy SC6.7.
<b>PO5</b> Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal roadways.	<b>AO5</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	<b>Not applicable</b> On-site car parking would be covered.
<b>PO6</b> Landscaped areas are designed in order to allow for efficient maintenance.	<b>AO6.1</b> A maintenance program is undertaken in accordance with Planning scheme policy SC6.7 – Landscaping.	<b>Able to comply with AO6.1</b> Existing and enhanced vegetation would be maintained alongside existing maintenance measures. Council may wish to condition as appropriate.
	<b>AO6.2</b> Tree maintenance is to have regard to the 'Safe Useful Life Expectancy of Trees (SULE). Note – It may be more appropriate to replace trees with a SULE of	<b>Able to comply with AO6.2</b> Existing maintenance measures would be maintained. Council may wish to condition as appropriate.

Performance outcomes	Acceptable outcomes	Compliance
	less than 20 years (as an example), and replant with younger healthy species	
<b>PO7</b> Podium planting is provided with appropriate species for long term survival and ease of maintenance, with beds capable of proper drainage.	<b>A07.1</b> Podium planting beds are provided with irrigation and are connected to stormwater infrastructure to permit flush out.	<b>Not applicable</b> No podium planting beds are proposed as part of this development.
	<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.	<b>Not applicable</b> No podium planting beds are proposed as part of this development.
<b>PO8</b> Development provides for the removal of all weed and invasive species and implement on-going measures to ensure that weeds and invasive species do not reinfest the site and nearby premises	<b>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.	<b>Able to comply with A08</b> Weeds and invasive species are able to be removed. Council may wish to condition as appropriate.
<b>PO9</b> The landscape design enhances personal safety and reduces the potential for crime and vandalism	<b>A09</b> No acceptable outcomes are specified.  Note - Planning scheme policy SC6.3 – Crime prevention through environmental design (CPTED) provides guidance on meeting this outcome.	<b>Complies with PO9</b> The existing landscape design will be maintained and enhanced and located behind the proposed front boundary fence, which reduces the potential for crime and vandalism by being setback from the street frontage.
<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>A010</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping..	<b>Not applicable</b> Existing vegetation would be maintained and enhanced. New plantings proposed as part of this development would be in accordance the Planning Scheme policy SC6.7.

## 9.4.7 Reconfiguring a lot code

### 9.4.7.1 Application

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

### 9.4.7.2 Purpose

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

### 9.4.7.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>General lot design standards</b>		
<b>PO1</b>	<b>AO1</b>	<b>Able to comply with PO1</b>

Performance outcomes	Acceptable outcomes	Applicant response
Lots comply with the lot reconfiguration outcomes of the applicable Zone code in Part 5.	No acceptable outcomes are prescribed.	Refer to the assessment against the relevant Zone Code.
<b>PO2</b> New lots are generally rectangular in shape with functional areas for land uses intended by the zone.	<b>AO2</b> Boundary angles are not less than 45 degrees.	<b>Complies with AO2</b> All boundary angles would be 90 degrees.
<b>PO3</b> Lots have legal and practical access to a public road.	<b>AO3</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.	<b>Complies with AO3</b> The proposed development would provide direct access to Davidson Street, a gazette road.
<b>PO4</b> Development responds appropriately to its local context, natural systems and site features.	<b>AO4</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.	<b>Complies with PO4</b> The proposed development to create freehold lots for an existing dual occupancy responds appropriately to the local context, site features and existing built form.
<b>PO5</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>AO5</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.	<b>Not applicable</b> The proposed lots would not be capable of further reconfiguration.
<b>PO6</b> Where existing buildings or structures are to be retained, development results in:	<b>AO6</b> Development ensures setbacks between existing buildings or structures and proposed	<b>Complies with AO6</b> Please refer to the assessment against the Zone Code.


Performance outcomes	Acceptable outcomes	Applicant response
(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.	boundaries satisfy relevant building standards or zone code requirements, whichever is the greater.	
<b>PO7</b> Where rear lots are proposed, development: <ul style="list-style-type: none"> <li>(a) provides a high standard of amenity for residents and other users of the site and adjoining properties;</li> <li>(b) positively contributes to the character of adjoining properties and the area;</li> <li>(c) does not adversely affect the safety and efficiency of the road from which access is gained.</li> </ul>	<b>AO7.1</b> Where rear lots are to be established: <ul style="list-style-type: none"> <li>(a) the rear lot is generally rectangular in shape, avoiding contrived sharp boundary angles;</li> <li>(b) no more than 6 lots directly adjoin the rear lot;</li> <li>(c) no more than one rear lot occurs behind the road frontage lot;</li> <li>(d) no more than two access strips to rear lots directly adjoin each other;</li> <li>(e) access strips are located only on one side of the road frontage lot.</li> </ul>	<b>Not applicable</b> No rear lots would be established.
	<b>AO7.2</b> Access strips to the rear lot have a minimum width dimension of: <ul style="list-style-type: none"> <li>(a) 4.0 metres in Residential Zones.</li> <li>(b) 8.0 metres in Industrial Zones category.</li> <li>(c) 5.0 metres in all other Zones.</li> </ul> Note - Rear lots are generally not appropriate in non-Residential or non-Rural zones.	<b>Not applicable</b> No rear lots would be established.
	<b>AO7.3</b>	<b>Not applicable</b>




Performance outcomes	Acceptable outcomes	Applicant response
	<p>Access strips are provided with a sealed pavement of sufficient width to cater for the intended traffic, but no less than:</p> <p>(a) 3.0 metres in Residential Zone.</p> <p>(b) 6.0 metres in an Industrial Zone.</p> <p>(c) 3.5 metres in any other Zone.</p>	No rear lots would be established.
<b>Structure plans</b> Additional requirements for: (a) a site which is more than 5,000m <sup>2</sup> in any of the Residential zones; or within these zones, and (b) creates 10 or more lots; or (c) involves the creation of new roads and/or public use land. or (d) For a material change of use involving: (i) preliminary approval to vary the effect of the planning scheme; (ii) establishing alternative Zones to the planning scheme. Note - This part is to be read in conjunction with the other parts of the code		
<b>PO8</b> A structure plan is prepared to ensure that neighbourhood design, block and lot layout, street network and the location and provision on any open space recognises previous planning for the area and its surroundings, and integrates appropriately into its surroundings.	<b>AO8.1</b> Neighbourhood design, lot and street layout, and open space provides for, and integrates with, any: (a) approved structure plan; (b) the surrounding pattern of existing or approved subdivision. Note - Planning scheme policy SC14– Structure planning provides guidance on meeting the performance outcomes.	<b>Not applicable</b> The site is less than 5,000m <sup>2</sup> in area.
	<b>AO8.2</b> Neighbourhood design, lot and street layoutenable	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
	future connection and integration with adjoining undeveloped land.	The site is less than 5,000m <sup>2</sup> in area.
<b>PO9</b> Neighbourhood design results in a connected network of walkable streets providing an easy choice of routes within and surrounding the neighbourhood.	<b>AO9.1</b> Development does not establish cul-de-sac streets unless: <ul style="list-style-type: none"> <li>(a) cul-de-sacs are a feature of the existing pattern of development in the area;</li> <li>(b) there is a physical feature or incompatible zone change that dictates the need to use a cul-de-sac streets.</li> </ul>	<b>Not applicable</b> The site is less than 5,000m <sup>2</sup> in area.
	<b>AO9.2</b> Where a cul-de-sac street is used, it: <ul style="list-style-type: none"> <li>(a) is designed to be no longer than 150 metres in length;</li> <li>(b) is designed so that the end of the cul-de-sac is visible from its entrance;</li> <li>(c) provides connections from the top of the cul-de-sac to other streets for pedestrians and cyclists, where appropriate.</li> </ul>	<b>Not applicable</b> The site is less than 5,000m <sup>2</sup> in area.
	<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.	<b>Not applicable</b> The site is less than 5,000m <sup>2</sup> in area.
<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.	<b>PO10</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The site is less than 5,000m <sup>2</sup> in area.

Performance outcomes	Acceptable outcomes	Applicant response
<b>PO11</b> Provision of physical and social infrastructure in developing residential neighbourhoods is facilitated through the orderly and sequential development of land.  Note - Part 4 – Local government infrastructure plan may identify specific levels of infrastructure to be provided within development sites.	<b>AO11.1</b> New development adjoins adjacent existing or approved urban development.	<b>Not applicable</b> The site is less than 5,000m <sup>2</sup> in area.
	<b>AO11.2</b> New development is not established beyond the identified Local government infrastructure plan area.	<b>Not applicable</b> The site is less than 5,000m <sup>2</sup> in area.
<b>Urban parkland and environmental open space</b>		
<b>PO12</b> Where appropriate development maintains and enhances public access and use of natural areas, rivers, dams, creeks and the foreshore.	<b>AO12</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The site is less than 5,000m <sup>2</sup> in area.
<b>PO13</b> Development provides land to: <ul style="list-style-type: none"> <li>(a) meet the recreation needs of the community;</li> <li>(b) provide an amenity commensurate with the structure of neighbourhoods and land uses in the vicinity; and adjacent to open space areas;</li> <li>(c) provide for green corridors and linkages.</li> </ul>	<b>AO13</b> No acceptable outcomes are prescribed.  Note - Part 4 – Priority infrastructure plan and Planning scheme policy SC14 – Structure Plans provides guidance in providing open space and recreation land.	<b>Not applicable</b> The site is less than 5,000m <sup>2</sup> in area.
<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.	<b>AO14.1</b> Urban parkland is regular in shape.	<b>Not applicable</b> The site is less than 5,000m <sup>2</sup> in area.
	<b>AO14.2</b> At least 75% of the urban parkland's frontage is provided as road.	<b>Not applicable</b> The site is less than 5,000m <sup>2</sup> in area.

Performance outcomes	Acceptable outcomes	Applicant response
	<b>AO14.3</b> Urban parkland and environmental open space areas are positioned to be capable of being overlooked by surrounding development.	<b>Not applicable</b> The site is less than 5,000m <sup>2</sup> in area.
	<b>AO14.4</b> Surrounding lots are orientated so that facades willfront and overlook the urban parkland and environmental open space.	<b>Not applicable</b> The site is less than 5,000m <sup>2</sup> in area.
	<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. 	<b>Not applicable</b> The site is less than 5,000m <sup>2</sup> in area.

Inconsistent design solution - low total number of lots complying with the acceptable outcomes.

Performance outcomes	Acceptable outcomes	Applicant response
	 <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>		
<b>PO15</b> Private subdivisions (gated communities) do not compromise the establishment of connected and integrated infrastructure and open space networks.	<b>PO15</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The site is less than 5,000m <sup>2</sup> in area.
<b>Additional requirements for reconfiguration involving the creation of public streets or roads</b>		
<b>PO16</b> The function of new roads is clearly identified and legible and provides integration, safety and convenience for all users.	<b>AO16</b> No acceptable outcomes are prescribed. Note - The design and construction standards are set out in Planning scheme policy SC5 – FNQROC Regional Development Manual, with reference to the specifications set out in Sections D1 and D3.	<b>Not applicable</b> No new roads are proposed
<b>PO17</b> Street design supports an urban form that creates walkable neighbourhoods. Street design:	<b>AO17</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> No new roads are proposed

Performance outcomes	Acceptable outcomes	Applicant response
(a) is appropriate to the function(s) of the street; (b) meets the needs of users and gives priority to the needs of vulnerable users.		
<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.	<b>Not applicable</b> No new roads are proposed.
<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.	<b>Not applicable</b> The subject site contains and existing dual occupancy, no pest plants are present.