

# 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)	Peace World Pty Ltd
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)	AU006371

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

## PART 2 – LOCATION DETAILS

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

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

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

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		11-15	Dickson Street	Craiglie
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	11	SP323472	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 this development application and the details of these premises have been attached in a schedule to this development application  
☒ Not required

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

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

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

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

Name of airport:

- ☐ Listed on the Environmental Management Register (EMR) under the *Environmental Protection Act 1994*

EMR site identification:

- ☐ Listed on the Contaminated Land Register (CLR) under the *Environmental Protection Act 1994*

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):*

Multiple Dwellings

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):*

Subdivision (1 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

#### 6.3) 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    ☒ 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)
Multiple Dwellings (3 dwellings)	Multiple Dwellings	3	N/A
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input checked="" type="checkbox"/> Yes			
<input type="checkbox"/> No			

### Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?	
1	
9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)	
<input checked="" type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input type="checkbox"/> Boundary realignment (complete 12))	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road (complete 13))

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created	2			
10.2) Will the subdivision be staged?				
<input type="checkbox"/> Yes – provide additional details below				
<input checked="" type="checkbox"/> No				
How many stages will the works include?				
What stage(s) will this development application apply to?				

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?				
Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )
12.2) What is the reason for the boundary realignment?			

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)				
Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement

### Division 3 – Operational work

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

14.1) What is the nature of the operational work?	
<input type="checkbox"/> Road work <input type="checkbox"/> Drainage work <input type="checkbox"/> Landscaping <input type="checkbox"/> Other – please specify:	<input type="checkbox"/> Stormwater <input type="checkbox"/> Earthworks <input type="checkbox"/> Signage <input type="checkbox"/> Water infrastructure <input type="checkbox"/> Sewage infrastructure <input type="checkbox"/> Clearing vegetation
14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)	
<input type="checkbox"/> Yes – specify number of new lots:	
<input type="checkbox"/> No	
14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)	
\$	

## PART 4 – ASSESSMENT MANAGER DETAILS

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

## PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements?
<b>Note:</b> A development application will require referral if prescribed by the Planning Regulation 2017.
<input type="checkbox"/> 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 <b>Chief Executive of the Planning Act 2016:</b>

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

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

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

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

- ☐ Infrastructure-related referrals – Electricity infrastructure

**Matters requiring referral to:**

- The **Chief Executive of the holder of the licence**, if not an individual
- The **holder of the licence**, if the holder of the licence is an individual
- ☐ Infrastructure-related referrals – Oil and gas infrastructure

<b>Matters requiring referral to the <b>Brisbane City Council</b>:</b> <input type="checkbox"/> Ports – Brisbane core port land
<b>Matters requiring referral to the <b>Minister responsible for administering the <i>Transport Infrastructure Act 1994</i></b>:</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
<b>Matters requiring referral to the <b>relevant port operator</b>, if applicant is not port operator:</b> <input type="checkbox"/> Ports – Land within Port of Brisbane's port limits <i>(below high-water mark)</i>
<b>Matters requiring referral to the <b>Chief Executive of the relevant port authority</b>:</b> <input type="checkbox"/> Ports – Land within limits of another port <i>(below high-water mark)</i>
<b>Matters requiring referral to the <b>Gold Coast Waterways Authority</b>:</b> <input type="checkbox"/> Tidal works or work in a coastal management district <i>(in Gold Coast waters)</i>
<b>Matters requiring referral to the <b>Queensland Fire and Emergency Service</b>:</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

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

<input type="checkbox"/> Development application			
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21) Has the portable long service leave levy been paid? *(only applicable to development applications involving building work or operational work)*

- ☐ Yes – a copy of the receipted QLeave form is attached to this development application  
☐ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid  
☒ Not applicable *(e.g. building and construction work is less than \$150,000 excluding GST)*

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

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

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

23) Further legislative requirements

**Environmentally relevant activities**

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

- ☐ Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below  
☒ No

**Note:** Application for an environmental authority can be found by searching "ESR/2015/1791" as a search term at [www.qld.gov.au](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

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

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

**Hazardous chemical facilities**

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

- ☐ Yes – *Form 69: Notification of a facility exceeding 10% of schedule 15 threshold* is attached to this development application  
☒ No

**Note:** See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information about hazardous chemical notifications.

### **Clearing native vegetation**

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

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

☒ No

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

### **Environmental offsets**

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

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

☒ No

**Note:** The environmental offset section of the Queensland Government's website can be accessed at [www.qld.gov.au](http://www.qld.gov.au) for further information on environmental offsets.

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

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

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

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

☒ No

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

### **Water resources**

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

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

☒ No

**Note:** Contact the Department of Natural Resources, Mines and Energy at [www.dnrme.qld.gov.au](http://www.dnrme.qld.gov.au) for further information.

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

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

### **Waterway barrier works**

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

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

☒ No

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

### **Marine activities**

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

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

☒ No

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

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

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

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

**Note:** Contact the Department of Natural Resources, Mines and Energy at [www.dnrme.qld.gov.au](http://www.dnrme.qld.gov.au) and [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

### **Quarry materials from land under tidal waters**

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

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

**Note:** Contact the Department of Environment and Science at [www.des.qld.gov.au](http://www.des.qld.gov.au) for further information.

### **Referable dams**

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

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

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

### **Tidal work or development within a coastal management district**

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

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

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

### **Queensland and local heritage places**

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

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

**Note:** See guidance materials at [www.des.qld.gov.au](http://www.des.qld.gov.au) for information requirements regarding development of Queensland heritage places.

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

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

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

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

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

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

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

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

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

☒ No

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

## PART 8 – CHECKLIST AND APPLICANT DECLARATION

### 24) Development application checklist

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17

☒ Yes

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

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

☐ Yes

☒ Not applicable

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

**Note:** This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see [DA Forms Guide: Planning Report Template](#).

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☐ Yes

☒ Not applicable

### 25) Applicant declaration

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

☒ Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001*

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

**Privacy** – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.

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

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

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

## PART 9 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

---

Date received:  Reference number(s):

### Notification of engagement of alternative assessment manager

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

### QLeave notification and payment

*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	

# 11-15 DICKSON STREET, CRAIGLIE - APPLICATION FOR MATERIAL CHANGE OF USE (MULTIPLE DWELLINGS) AND RECONFIGURING A LOT (1 INTO 2)

## Town Planning Report



AU006371  
B  
19 October 2022

## REPORT

### Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
A	Client review	P Clifton	P Clifton	P Clifton	17/10/2022
B	Submission	P Clifton	P Clifton	P Clifton	19/10/2022

### Approval for issue

P Clifton



19 October 2022

This report was prepared by RPS within the terms of RPS' engagement with its client and in direct response to a scope of services. This report is supplied for the sole and specific purpose for use by RPS' client. The report does not account for any changes relating the subject matter of the report, or any legislative or regulatory changes that have occurred since the report was produced and that may affect the report. RPS does not accept any responsibility or liability for loss whatsoever to any third party caused by, related to or arising out of any use or reliance on the report.

Prepared by:

Prepared for:

**RPS**

**Peace World Pty Ltd**

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## SUMMARY

**Table 1: Summary**

Details			
Site Address:	11-15 Dickson Street, Craiglie		
Real Property Description:	Lot 11 on SP323472		
Site Area:	1,698m <sup>2</sup>		
Regional Plan Land Use Designation:	Urban Footprint		
Zone:	Medium Density Residential Zone		
Local Plan/Precinct:	Port Douglas/ Craiglie Local Plan		
Owner(s):	Peace World Pty Ltd		
Proposal			
Brief Description/ Purpose of Proposal	Material Change of Use (Multiple Dwellings) & Reconfiguring a Lot (1 into 2)		
Application Details			
Aspect of Development	Preliminary approval	Development permit	
Material change of use	<input type="checkbox"/>	<input checked="" 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
State Assessment and Referral Agency – Impact on State Controlled Road.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Pre-lodgement / Consultation			
Entity		Date	Contact Name
Council DA Team	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	14/10/2022	Jenny Elphinstone
Other			
Applicant contact person	Patrick Clifton Senior Principal Planner D: +61 7 4276 1017 E: <a href="mailto:Patrick.clifton@rpsgroup.com.au">Patrick.clifton@rpsgroup.com.au</a>		

# 1 INTRODUCTION

RPS has been engaged by insert Peace World Pty Ltd to seek development approval for the establishment of Multiple Dwellings and the subsequent subdivision of the land located at 11-15 Dickson Street, Craiglie, and described as Lot 11 on SP323472.

This development application seeks:

- A Development Permit for a Material Change of Use for Multiple Dwellings; and,
- A Development Permit for Reconfiguring a Lot (1 lot into 2 Lots).

The site is a single irregular shaped parcel of land with an area of 1,698m<sup>2</sup> and with frontage to Old Port Road and Dickson Street of 37.71 metres and 49.257 metres, respectively. The site is currently developed with a Dwelling House, including a Secondary Dwelling, which is located towards the Old Port Road frontage. The site is also provided with connections to all urban services with a sewer line to the rear of the site and water supply connection available in Dickson Street.

Under the Douglas Shire council Planning Scheme 2018, the site has the following designations/classifications:

- Zone – Medium Density Residential;
- Local Plan – Port Douglas/Craiglie Local Plan;
- Overlays:
  - Acid Sulfate Soils (<5m AHD)
  - Transport Network ( Noise Corridor Buffer Area, Access Road, Collector Road)

In accordance with the Tables of Assessment, the development of Multiple Dwellings is identified as a Code Assessable Material Change of Use and Reconfiguring a Lot is similarly identified as a Code Assessable Reconfiguring a Lot.

As the application site is located within 25 metres a state controlled road and 100 metres of a state-controlled intersection, the application is required to be referred to the State Assessment And Referral Agency for consideration of the impact on the state-controlled road and state-controlled intersection.

This report provides greater detail on the nature of the proposal and provides an assessment of the proposal against the intents and code requirements of relevant statutory planning documents. Based on this assessment the proposal is recommended for approval subject to reasonable and relevant conditions.

## 2 SITE DETAILS

### 2.1 Site Particulars

The subject site is a single irregularly shaped allotment located in the corner of Dickson Street and Old Port Road, Craiglie and is describe as Lot 11 on SP323 472. It contains an area of 1,698m<sup>2</sup> and with frontage to Old Port Road and Dickson Street of 37.71 metres and 49.257 metres, respectively.

The site is currently developed with a dwelling house, including secondary dwelling, which is located at the Old Port Road frontage of the site and is accessed from Dickson Street. The balance of the site is currently vacant. Mature vegetation is located within the Dickson Street Road reserve and in the south eastern corner of the site.

All urban services are provided to the site in accordance with a recent Development Permit for Operational Works with the sewer connection located to the rear of the site and the water supply within the Dickson Street frontage.

The locality containing the site is generally characterised by a mix of development. On the opposite side of Davidson Street to the west is a child care centre and to the north east are established dwelling houses on larger allotments. To the north east and east is the Sea Temple Golf Course and Country Club with a limited number of residential allotments located within the golf course. To the south is the Craiglie trades and services area which contains a mix of older residences, and trade and services uses

Key details of the subject site are as follows:

**Table 2: Site Particulars**

Site Particulars	
Site Address	11-15 Dickson Street, Craiglie
Real Property Description	Lot 11 on SP323472
Site Area	1,698m <sup>2</sup>
Landowner(s)	Peace World Pty Ltd

The site location and its extent are shown in **Figure 1** and **Figure 2** below respectively.

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



**Figure 1 Site Location**

Source: Queensland Globe



**Figure 2 Old Port Road Frontage**

Source: Google Maps

## 2.2 Planning Context

The planning context of the site is summarised in **Table 3** below:

**Table 3: Planning Context**

Instrument	Designation
<b>State Planning Policy Mapping</b>	
Economic Growth	Agricultural land classification - class A and B
Safety and Resilience to Hazards	Flood hazard area - Level 1 - Queensland floodplain
Infrastructure	Adjacent State-controlled road
<b>SARA DA Mapping</b>	
Native Vegetation Clearing	Category X on the regulated vegetation management map
State Transport	Adjacent a state-controlled road & within 100m of a State-controlled road intersection.
<b>Far North Queensland Regional Plan 2009-2031</b>	
Regional Plan designation	Urban Footprint
<b>Douglas Shire Council Planning Scheme 2018</b>	
Strategic framework designation	Urban Area
Zoning	Medium Density Residential Zone
Local Plan	Port Douglas/Craigie Local Plan – No precinct.
Overlays	<ul style="list-style-type: none"> <li>• Acid Sulfate Soils Overlay - , 5m AHD; and,</li> <li>• Transport Network Overlay.</li> </ul>

Zoning of the subject site and surrounding lands is shown on **Figure 3**

A Douglas Shire Council Planning Scheme Property Report and Storm Tide Inundation Report is provided at **Appendix B**



**Figure 3 Zoning**

Source: Douglas Shire Planning Scheme 2018

## 2.3 Previous Approvals

The following existing approvals over the site are relevant to this development application.

Copies of the relevant Decision Notices are attached at **Appendix C**.

**Table 4: Relevant Approvals**

Reference	Approval detail	Date
CA 3131/2019	MCUC (Multiple Dwelling) & ROL (1 Lot into 5 Lots)	<b>1 October 2019</b>
ROL 2020_3458	Reconfiguring a Lot (Subdivision)	<b>26 March 2020</b>
OP 2020_3458	Operational Works (Civil Works)	<b>28 July 2020</b>

In addition to the existing Dwelling House, including Secondary Dwelling, it is proposed to erect separate dwelling on the site. The additional dwelling would be located in the eastern, undeveloped, section of the site and would be accessed from Dickson Street. The proposed new dwelling would be setback 3.372 metres to the Dickson Street frontage, 4.228 metres to the eastern side boundary, 1.5 metres to the rear boundary and 200mm to the western side boundary. Access would be provided from Dickson Street to the east of the existing Dwelling House and would provide access to a double garage. The new Dwelling would contain three bedrooms, media room, double garage, combined family and dining room and utility rooms.

As part of the development it is proposed to reconfigure the site from one lot to two lots. Proposed Lot 1 would contain the new Dwelling and would have an area of 510.11m<sup>2</sup> and frontage to Dickson Street of 19.675 metres. Proposed lot 2 would contain the existing Dwelling House, including Secondary Dwelling, and would have an area of 1,187.79m<sup>2</sup> and frontage to Dickson Street and Old Port Road of 29.581 metres and 26.031 metres, respectively.

Architectural proposal plans and the proposed plan of subdivision are included at **Appendix D**.



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## 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 Categories of Assessment

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
Development Permit for Material Change of Use	Table 5.6.h Medium Density Residential Zone, Douglas Shire Planning Scheme 2018	Code Assessment
Development Permit for Reconfiguring a Lot	Table 5.6.h Medium Density Residential Zone, Douglas Shire Planning Scheme 2018	Code Assessment

### 4.3 Referrals

In accordance with Schedule 10 the *Planning Regulation 2017*, the follow referrals apply.

**Table 6: Schedule 10 Referral Matters**

Schedule 10	Referral topic and reason	Referral Agency
10.9.4.2.1	Reconfiguring a lot near a State transport corridor	SARA, DSDMIP
10.9.4.2.3	Reconfiguring a lot near a State-controlled road intersection	SARA, DSDMIP

### 4.4 Public Notification

This application does not require public notification as it is subject to Code Assessment only.

## 5 STATUTORY PLANNING ASSESSMENT

### 5.1 Overview

This section assesses the application against relevant assessment benchmarks.

As the application is subject to code assessment, the assessment benchmarks, and the matters the assessment manager must have regard to, are those identified in section 45(3) of the *Planning Act 2016* and sections 26 and 27 of the *Planning Regulation 2017*.

### 5.2 State and Regional Assessment Benchmarks

#### 5.2.1 State Planning Policy

The *Planning Regulation 2017* at Section 26(2)(a)(ii) 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 in the planning scheme as being appropriately integrated into the planning scheme.

As detailed in Part 2 of the Douglas Shire Planning Scheme 2018, it is understood that all aspects of the State Planning Policy have been adequately reflected in the Planning Scheme. Accordingly, no further assessment against the State Planning Policy 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 in the planning scheme as being appropriately integrated into the planning scheme.

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

#### 5.2.3 Development Assessment under Schedules 9 and 10 (SDAP)

Schedule 10 of the *Planning Regulation 2017* identifies the matters that the assessment manager and/or referral agency assessment must have regard to.

The State Development Assessment Provisions (SDAP) nominate applicable State Codes based on the referral triggers. The State Codes applicable to the proposal are identified in the table below.

**Table 7 Relevant SDAP State Codes**

Schedule 10	Referral Topic	State Code
10.9.4.2.1	Infrastructure-related referrals Reconfiguring a lot near a State-controlled road.	State code 1 – Development in a state-controlled road environment
10.9.4.2.3	Infrastructure-related referrals Reconfiguring a lot near a State-controlled road intersection.	State code 1 – Development in a state-controlled road environment

A response to the State Code is included in **Appendix E**.

### 5.3 Local Authority Assessment Benchmarks

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

**Table 8: Planning Scheme Code Responses**

Planning Scheme Codes	Applicability	Comment
<b>Zone code</b>		
Medium Density Residential Zone Code	Applies	Consideration is required in respect of Performance Outcomes PO2, relating to setbacks, and PO9, PO10 & PO11 relating to lot size and dimensions. Refer Below.
<b>Local Plan code</b>		
Port Douglas/Craigie Local Plan Code	Applies	Complies with relevant Acceptable Outcomes.
<b>Overlay Codes</b>		
Acid Sulfate Soils Overlay Code	Applies	Complies with relevant Acceptable Outcomes.
Transport Network Overlay Code	Applies	Complies with relevant Acceptable Outcomes.
<b>Use code</b>		
Multiple Dwelling, Short-Term Accommodation and Retirement Facility Code	Applies	Consideration is required in respect of Performance Outcome PO11, relating to landscaping. Refer below.
<b>Development Codes</b>		
Access, Parking and Service Code	Applies	Complies with relevant Acceptable Outcomes.
Environmental Performance Code	Applies	Complies with relevant Acceptable Outcomes.
Filling & Excavation Code	Not applicable	No filling or excavation is proposed.
Infrastructure Works Code	Applies	Complies or is able to comply with all applicable Acceptable Outcomes.
Landscaping Code	Applies	Complies or is able to comply with all applicable Acceptable Outcomes.
Reconfiguration of a Lot Code	Applies	Consideration is required in respect of Performance Outcome PO1. Refer below.
Vegetation Management Code	Applies	Complies or is able to comply with all applicable Acceptable Outcomes.

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

## 5.4 Statement of Compliance – Planning Scheme Benchmark Assessment

### 5.4.1 Medium Density Residential Zone Code

Performance Outcome PO2 of the Medium Density residential Zone Code states:

#### **PO2**

*Buildings are setback to:*

- (a) *maintain the character of residential neighbourhoods;*
- (b) *achieve separation from neighbouring buildings and from road frontages;*
- (c) *maintain a cohesive streetscape;*

- (d) *provide daylight access, privacy and appropriate landscaping.*

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 have the following setbacks:

- Setback of 3.372 metres to 6.0 metres to Dickson Street;
- 1.5 metres to the northern boundary;
- Minimum setback of 4.238 metres to the eastern boundary;
- Maintenance of the existing setback to Old Port Road.

It is proposed to reconfigure the land into 2 lots following the substantial commencement of the development of the site for the purpose of multiple dwellings.

The greatest encroachment would occur to the frontage of Dickson Street, which would present as a primary street frontage at the completion of the development. The configuration of the allotments and the alignment of the road results in a minor encroachment into the 6 metre setback for part of the proposed dwellings with the majority of the dwellings setback 6 metres.

The proposed development would represent a medium density housing development and would result in a form of development consistent with the character of a medium density housing development. It would achieve a suitable level of separation from adjoining allotments and from allotments within the development, it would also provide a suitable separation of the development from the trafficable roadway within the adjoining roads.

Notwithstanding that the development does not satisfy the identified Acceptable Outcome, the proposed development is considered to satisfy the requirements of the Performance Outcome.

Performance Outcome PO9 of the Medium Density Residential Zone code states:

**PO9**

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

The proposed development would result in a lot with an area of 510.11m<sup>2</sup>. Notwithstanding, the proposed development would satisfy the purpose of the zone code. The purpose of the Medium Density Residential Zone Code is to, inter alia, provide for a range and mix of dwelling types including dwelling houses and multiple dwellings supported by community uses and small-scale services and facilities that cater for local residents. The proposed ultimate development provides dwelling houses on allotments consistent with this purpose.

Performance Outcome PO10 of the Medium Density Residential Zone code states:

**PO10**

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

The development would provide a new lot with a frontage of 19.675 metres. This is 325mm less than that identified in the Performance Outcome. The deviation from the Performance Outcome is considered to be minor and would not affect the ability of the overall development to satisfy the Purpose of the Medium Density Residential Zone to provide for a range and mix of dwelling types including dwelling houses.

Performance Outcome PO11 of the Medium Density Residential Zone code states:

**PO11**

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

The purpose of the Medium Density Residential Zone Code is to provide for a range and mix of dwelling types including dwelling houses and multiple dwellings supported by community uses and small-scale services and facilities that cater for local residents.

The development in its ultimate form meets the purpose of the code as it would provide a range of housing options on separate allotments consistent with the purpose of the zone.

### 5.4.2 Multiple Dwelling and Short Term Accommodation And Retirement Facility Code

Performance Outcome PO11 of the Multiple Dwelling and Short Term Accommodation And Retirement Facility Code states:

**PO11**

*Landscaping must contribute positively to the amenity of the area, streetscape and public spaces.*

The associated Acceptable Outcome states

**AO11**

*Development provides landscaping as follows:*

- (a) *A dense landscape planting strip of at least 2 metres width suitable for deep planting is provided and maintained along all street frontages;*
- (b) *A dense landscape planting strip of at least 1.5 metres width suitable for deep planting is provided along all side and rear boundaries.*

The ultimate development will present as two dwelling houses on two lots and would be consistent with the predominant form of development that has emerged in the area containing the site. The proposed development would result in an improved built form on the Dickson Streetscape and any landscaping would improve the appearance of the overall site. The development would satisfy the intent of the Performance Outcome.

### 5.4.3 Reconfiguring a Lot Code

Performance Outcome PO1 of the Reconfiguring a Lot Code states:

**PO1**

*Lots comply with the lot reconfiguration outcomes of the applicable Zone code in Part 5.*

The purpose of the Medium Density Residential zone is to, inter alia, provide for a range and mix of dwelling types including dwelling houses and multiple dwellings supported by community uses and small scale services and facilities that cater for local residents. The purpose of the zone is to be achieved by establishing a medium density residential character consisting predominantly of low to medium rise dwelling houses, dual occupancies and multiple dwellings (up to 3 storeys in height).

The proposed ultimate development would provide dwelling houses on separate allotments consistent with the purpose of the zone and the lay out of the proposed development demonstrates that the proposed development meets the purpose of the zone, notwithstanding that the frontage of one of the proposed lots would be less than 20 metres and the dimensions would be less than that identified as acceptable outcomes.

On the basis that the proposed development would satisfy the purpose of the Medium Density Residential Zone, it is considered that the development satisfies this assessment benchmark.

## 5.5 Infrastructure Charges

Infrastructure charges will apply to the development pursuant to the Planning Regulation and Council's Adopted Infrastructure Charges Resolution. In accordance with the current infrastructure charges the rate would be \$24,143.38 per new Dwelling House or lot.

## 6 CONCLUSION

RPS has been engaged by insert Peace World Pty Ltd to seek development approval for the establishment of Multiple Dwellings and the subsequent subdivision of the land located at 11-15 Dickson Street, Craiglie, and described as Lot 11 on SP323472.

This development application seeks:

- A Development Permit for a Material Change of Use for Multiple Dwellings; and,
- A Development Permit for Reconfiguring a Lot (1 lot into 2 Lots).

The site is a single irregular shaped parcel of land with an area of 1,698m<sup>2</sup> and with frontage to Old Port Road and Dickson Street of 37.71 metres and 49.257 metres, respectively. The site is currently developed with a Dwelling House, including a Secondary Dwelling, which is located towards the Old Port Road frontage. The site is also provided with connections to all urban services with a sewer line to the rear of the site and water supply connection available in Dickson Street.

In accordance with the Tables of Assessment, the development of Multiple Dwellings is identified as a Code Assessable Material Change of Use and Reconfiguring a Lot is similarly identified as a Code Assessable Reconfiguring a Lot.

As the application site is located within 25 metres a state controlled road and 100 metres of a state-controlled intersection, the application is required to be referred to the State Assessment And Referral Agency for consideration of the impact on the state-controlled road and state-controlled intersection.

This report provides an assessment of the proposal against the intents and code requirements of relevant statutory planning documents. The assessment demonstrates that the proposed development is able to satisfy the relevant Planning Assessment Benchmarks and based on this assessment the proposal is recommended for approval subject to reasonable and relevant conditions.

## Appendix A

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

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>51253831</b>	<b>Search Date:</b>	17/10/2022 11:23
<b>Date Title Created:</b>	04/06/2021	<b>Request No:</b>	42548723
<b>Previous Title:</b>	20342142		

#### ESTATE AND LAND

Estate in Fee Simple

LOT 11 SURVEY PLAN 323472  
Local Government: DOUGLAS

#### REGISTERED OWNER

Dealing No: 720818051 26/05/2021  
PEACE WORLD PTY LTD A.C.N. 064 606 346

#### EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 10410231 (ALLOT 4 SEC 4)
2. MORTGAGE No 717778434 16/01/2017 at 11:15  
BENDIGO AND ADELAIDE BANK LIMITED A.B.N. 11 068 049 178
3. EASEMENT No 720818058 26/05/2021 at 14:27  
benefiting the land over  
EASEMENT A ON SP323472

#### ADMINISTRATIVE ADVICES

NIL

#### UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

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

## Appendix B

# Planning Scheme Property Report and Storm Tide Inundation 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 [11-15 Dickson Street CRAIGLIE](#)

Lot Plan [11SP323472](#) (Freehold - 1698m<sup>2</sup>)



☒ Selected Property

☐ Easements

☐ Land Parcels

### Douglas Shire Planning Scheme 2018 version 1.0

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

#### Zoning






**Applicable Zone**  
Medium Density Residential

#### More Information

- [View Section 6.2.8 Medium Density Residential Zone Code](#)
- [View Section 6.2.8 Medium Density Residential Zone Compliance table](#)
- [View Section 6.2.8 Medium Density Residential Zone Assessment table](#)

## Douglas Shire Planning Scheme 2018 version 1.0

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

 <a href="#">Local Plans</a>	<b>Applicable Precinct or Area</b> Port Douglas - Craiglie Precinct 3	<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) Acid Sulfate Soils (5-20m AHD)	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.1 Acid Sulfate Soils Overlay Code</a></li> <li><a href="#">View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table</a></li> </ul>
 <a href="#">Transport Noise Corridors</a>	<b>Applicable Precinct or Area</b> Category 0: Noise Level < 58 dB(A) 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> Principal 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 Collector 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>

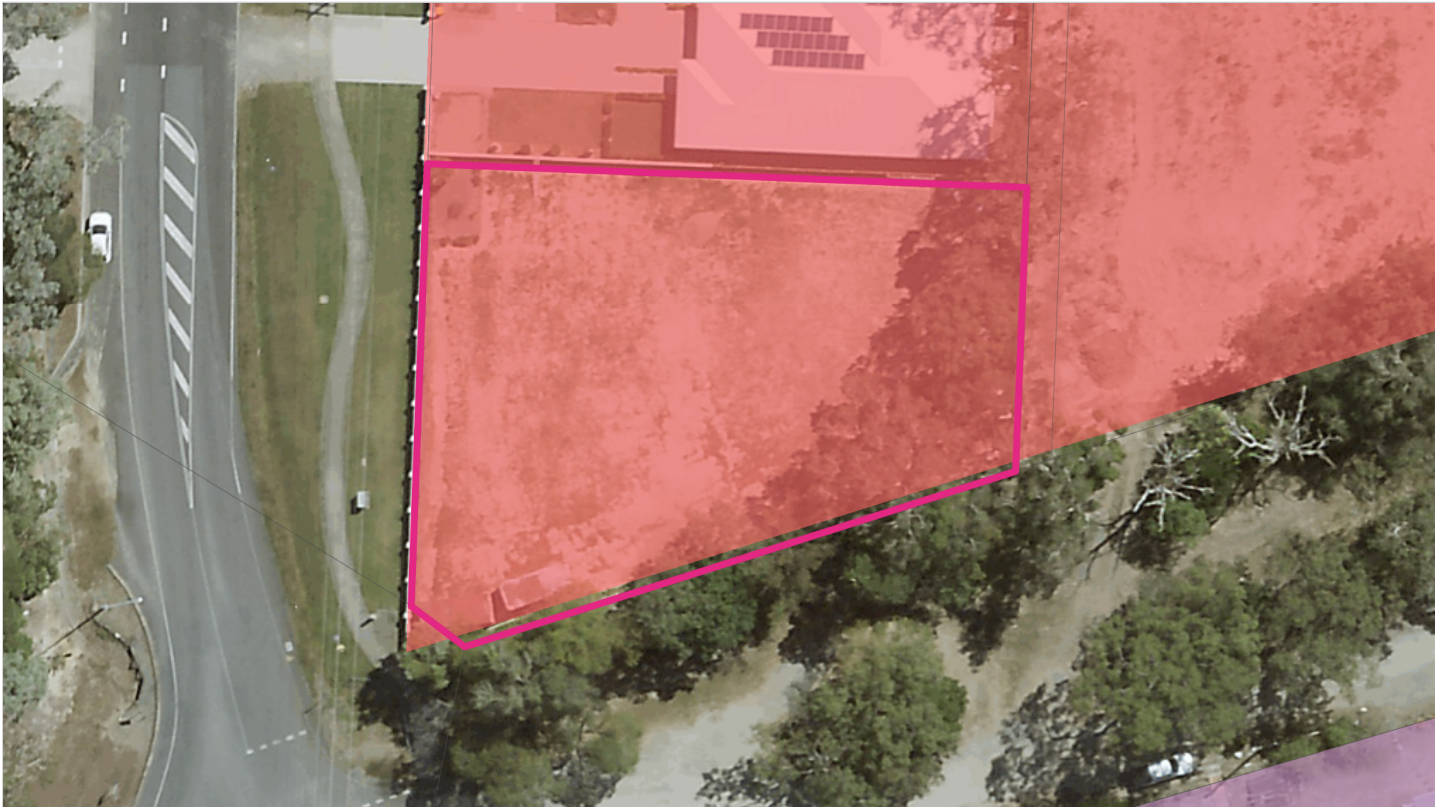
Zoning

Applicable Zone

Medium Density Residential

More Information

- [View Section 6.2.8 Medium Density Residential Zone Code](#)
- [View Section 6.2.8 Medium Density Residential Zone Compliance table](#)
- [View Section 6.2.8 Medium Density Residential 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

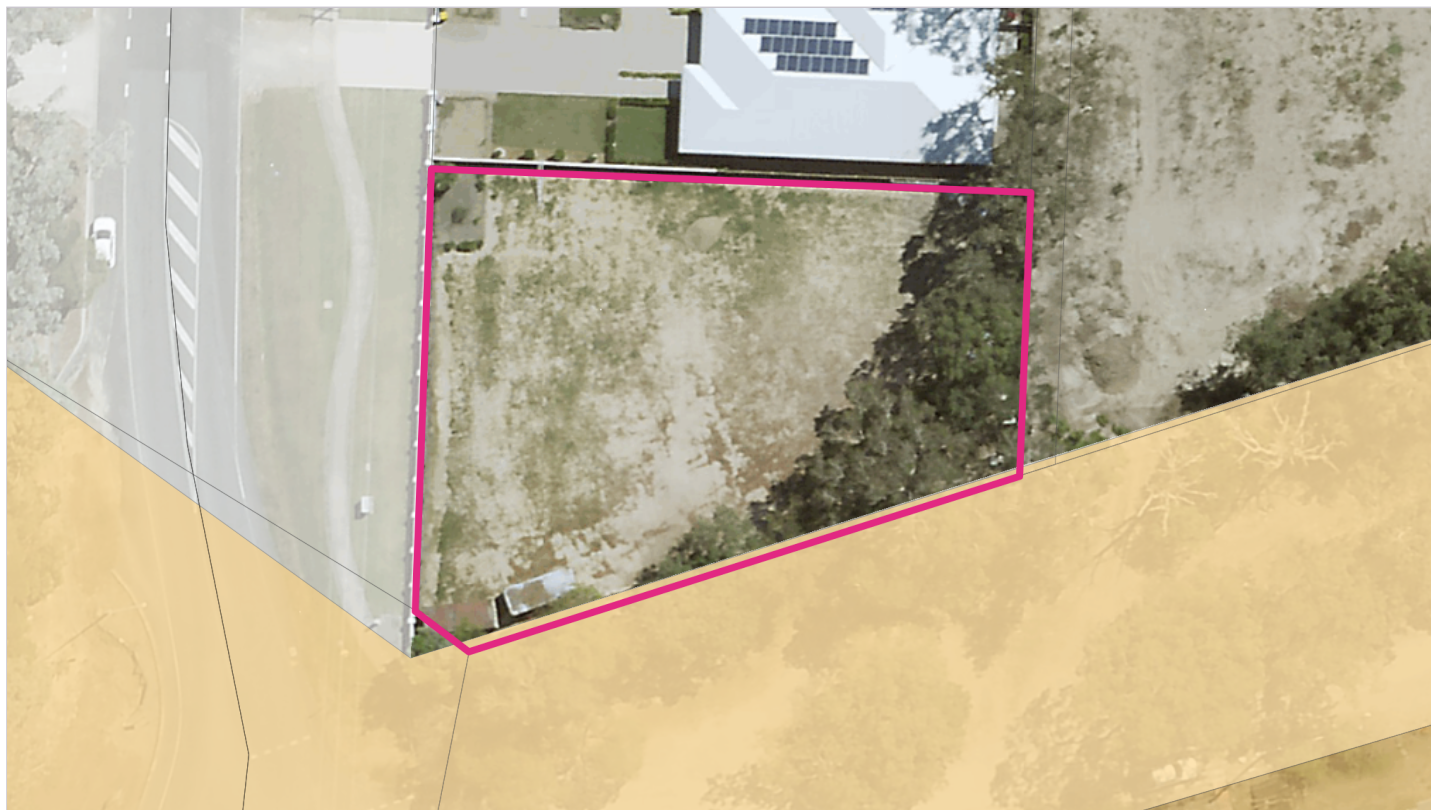
### Applicable Precinct or Area

Port Douglas - Craiglie


Precinct 3

### 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 4
  Precinct 1
  Precinct 2
  Precinct 3  
 Precinct 8
  Precinct 5
  Precinct 6
  Precinct 7  
 Precinct 9

### Live Entertainment Precinct

 Live Entertainment Precinct

### Indicative Future Open Space

 Indicative Future Open Space

 Road Reserve Esplanade

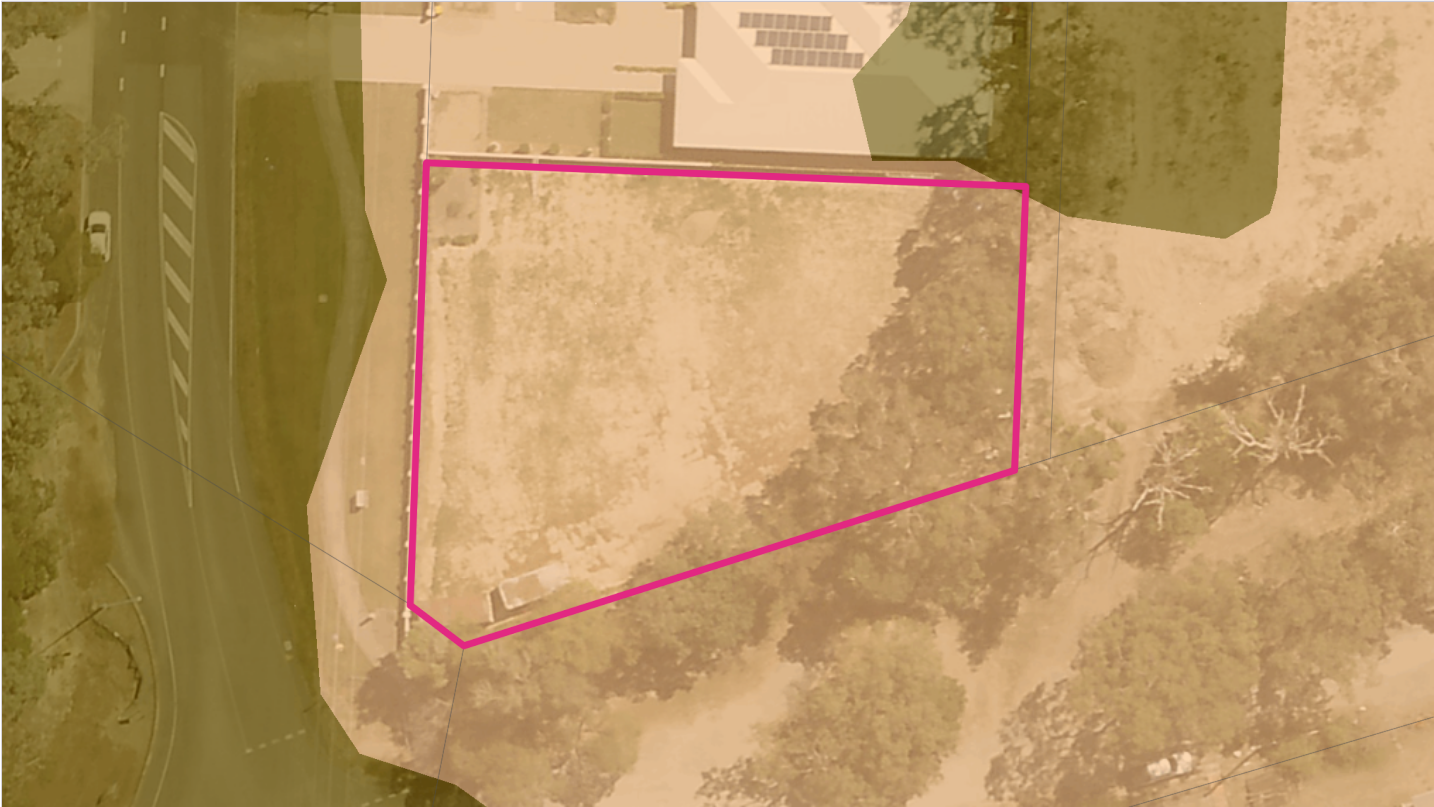
Acid Sulfate Soils

Applicable Precinct or Area

- Acid Sulfate Soils (< 5m AHD)
- Acid Sulfate Soils (5-20m AHD)

More Information

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



☒ Selected Property

☐ Land Parcels

**Acid Sulfate Soils**

☒ Acid Sulfate Soils (< 5m AHD)

☒ Acid Sulfate Soils (5-20m AHD)

☐ all others

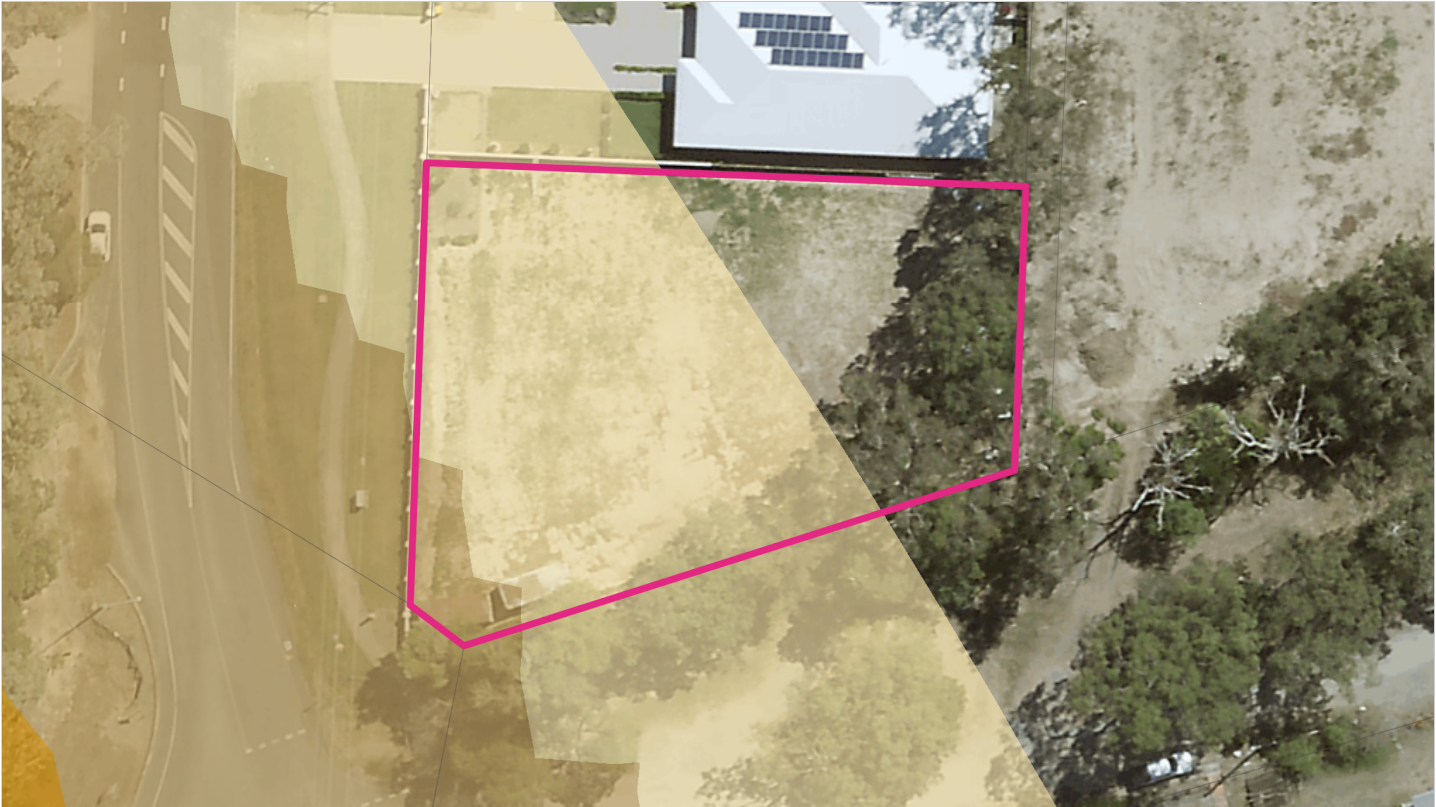
Transport Noise Corridors

Applicable Precinct or Area

- Category 0: Noise Level < 58 dB(A)
- 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**  
Principal 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**

- |  |  |  |   |
|--|--|--|---|
| <span style="color: orange;">—</span> District Route | <span style="color: blue;">- -</span> Future Principal Route         | <span style="color: green;">—</span> Iconic Recreation Route | <span style="color: yellow;">—</span> Neighbourhood Route |
| <span style="color: blue;">—</span> Principal Route  | <span style="color: black;">- -</span> Strategic Investigation Route | <span style="color: black;">—</span> all others              |   |

## Transport Road Hierarchy

### Applicable Precinct or Area

Access Road

Collector 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

— Access Road

— Arterial Road

— Collector Road

— Industrial Road

— Major Rural Road

— Minor Rural Road

— Sub Arterial Road

— Unformed Road

— all others

☐ Major Transport Corridor Buffer Area

## Disclaimer

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

## Storm Tide Inundation Property Report

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

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

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

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

### JB Pacific Storm Tide Inundation Methodology Study

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

Excerpt from the JB Pacific Storm Tide Inundation Methodology Report -

#### Storm Tide Inundation

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

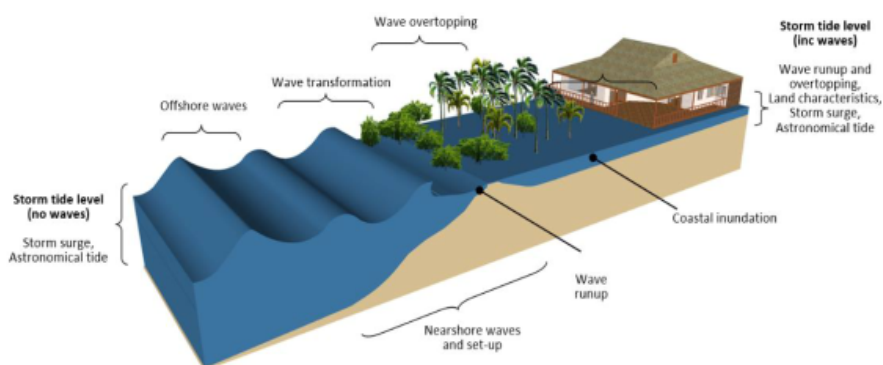


Figure 2-1: Drivers of coastal risk

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

#### Future Year 2100 Projected Levels

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

#### Freeboard

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

#### AHD Levels

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

Property Information

Property Address [11-15 Dickson Street CRAIGLIE](#)  
Lot Plan [11SP323472](#) (Freehold - 1698m<sup>2</sup>)



☒ Selected Property

☐ Easements

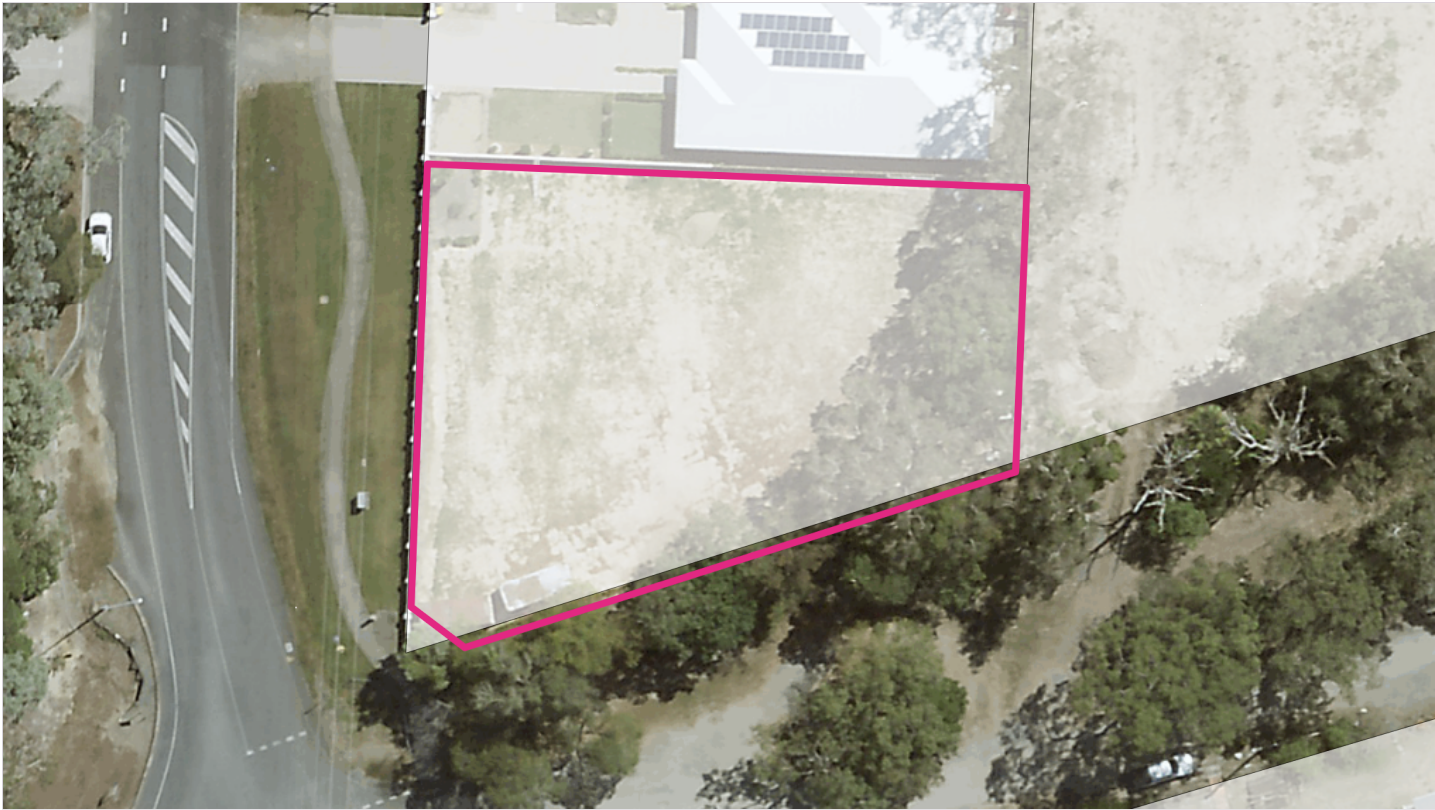
☐ Land Parcels

Storm Tide Inundation Property Information

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

This property is not affected by the 1 % AEP Event for the year 2100

JB Pacific summary Information




 Selected Property

StormTide Levels Overview

 3 to 4

 2 to 3

 1 to 2

 0.1 to 1

 0 to 0

The Level for Construction – for Storm Tide Inundation Considerations

The Storm Tide inundation Study determined the lot is not affected by the 1% AEP for the year 2100. Consideration should be given to the height of nearby properties, the 1% AEP mapping of such properties, and due regard to freeboard.

Disclaimer

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

## Appendix C

### Historic Approvals

1 October 2019

Enquiries: Jenny Elphinstone Tel 07 4099 9482  
Our Ref: CA 2019\_3131/1 (Doc ID 922027)  
Your Ref: 20190541

Administration Office  
64 - 66 Front St Mossman  
P 07 4099 9444  
F 07 4098 2902

Austart Homes Cairns Pty Ltd  
C/- Patrick Clifton, GMA Certification  
PO Box 831  
PORT DOUGLAS QLD 4877

Email: [Patrick.C@gmacert.com.au](mailto:Patrick.C@gmacert.com.au)

Dear Sir

**Development Application for MCUC (Multiple Dwelling) & ROL (1 Lot into 4 Lots)  
At 11-15 Dickson Street Craiglie  
On Land Described as Lot 404 on C2251**

Please find attached the Decision Notice for the above-mentioned development application.

Please quote Council's application number: CA 2019\_3131/1 in all subsequent correspondence relating to this development application.

Should you require any clarification regarding this, please contact Jenny Elphinstone on telephone 07 4099 9482.

Yours faithfully

  
**Paul Hoyer**  
**Manager Environment & Planning**

cc. State Assessment and Referral Agency (SARA) E: [CairnsSARA@dilgp.qld.gov.au](mailto:CairnsSARA@dilgp.qld.gov.au)

encl.

- Decision Notice
  - Concurrence Agency Response
  - Reasons for Decision.
- Advice For Making Representations and Appeals (Decision Notice)



## **Decision Notice**

### **Preliminary Approval Only (with conditions)**

*Given under section 63 of the Planning Act 2016*

---

#### **Applicant Details**

**Name:** Austart Homes Cairns Pty Ltd  
**Postal Address:** C/- Patrick Clifton, GMA Certification  
PO Box 831  
Port Douglas Qld 4877  
**Email:** [Patrick.C@gmacert.com.au](mailto:Patrick.C@gmacert.com.au)

---

#### **Property Details**

**Street Address:** 11-15 Dickson Street Craiglie  
**Real Property Description:** Lot 404 on C2251  
**Local Government Area:** Douglas Shire Council

---

#### **Details of Proposed Development**

Development Permit for Combined Application (Material Change of Use Code (Multiple Dwellings) & Reconfiguring of a Lot (1 Lot into 4 Lots))

---

#### **Decision**

**Date of Decision:** 1 October 2019  
**Decision Details:** Preliminary Approval (subject to conditions)

---

#### **Proposed Drawing(s) and/or Document(s)**

Copies of the proposed plans, specifications and/or drawings are enclosed.

**Note** – The plans referenced above will require amending in order to comply with conditions of this Decision Notice.

## Assessment Manager Conditions & Advices

---

### Preliminary approval limit

1. This preliminary approval is for a period of two (2) years from the date the approval takes effect.

### Lot Yield

2. The allotment yield as detailed on Austart Homes Lot Plan amended 16 August 2019 may reduce due to constraints. The lot yield will ultimately be determined following compliance with the conditions of this Development Permit with particular reference to Road layout and sewer design conditions.

### Road Layout

3. Further investigations must be undertaken by an appropriately qualified professional with respect to the proposed road layout and compliance with Queensland Streets and the FNQROC Development Manual. The investigation is to include but not be limited to the following:
  - a. Dickson Street must be designed to show how the road can be upgraded to an Access Street standard at the alignment proposed on the plans, having regard to the existing horizontal and vertical geometry of the intersection and the current access arrangements to existing lots on Dickson Street. The design must include underground drainage, kerb and channel, property accesses on both sides of the road and street lighting;
  - b. Dickson Street must be constructed in accordance with the approved plans for the frontage of the site inclusive of underground drainage and street lighting. The road formation must include the kerb and channel on the development side. A minimum of 5.5m wide sealed section of the ultimate profile is to be constructed;
  - c. Plans are to be submitted demonstrating that each allotment can accommodate an individual driveway with sufficient frontage at the kerb and sufficient separation from the intersection; and
  - d. Design the road interface to the existing intersection in accordance with FNQROC and Austroads guidelines for intersections. The plans must show how the new road interfaces with the existing intersection, including curve radii, pavement extent, surface grade and crossfall, and linemarking. Supporting calculations are to include assessment of the sight lines and turn templates for the design vehicles and check vehicles; and
  - e. The design must have regard to the differing land zones on either side of the Street.

Additional plans and supporting information incorporating the above requirements must be submitted prior to the issue of a Development Permit for Reconfiguration of a lot.

#### Drainage Study of Site

4. Undertake a local drainage study of the site to determine the drainage required to facilitate access to the property from Dickson Street and to demonstrate that the works have no impacts on upstream and downstream properties. In particular, the study must address the following:
  - a. The contributing catchment boundaries;
  - b. Calculation of the volume of stormwater flow for the minor (5-year ARI) and major (100-year ARI) flood events;
  - c. Primary and secondary flow paths for the 5, 10 and 100 year ARI flood events (pre and post development);
  - d. Identify the underground drainage infrastructure required on Old Port Road and Dickson Street to convey runoff and allow conventional road and verge profile per the FNQROC Development Manual;
  - e. The extent of the 100-year ARI flood event in relation to the site and the frontage roads both pre- and post-development;
  - f. Identify any requirement for drainage easements;
  - g. Information on the proposed works and any impacts proposed at the drainage outlet from the proposed development or frontage road upgrades, including implications for access to the neighbouring lot on Dickson Street; and
  - h. Lawful point of discharge.

The study must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Reconfiguration of a lot.

#### Sewerage Works Internal

5. Undertake the following sewerage works internal to the subject land:
  - a. Provide a single internal sewer connection to each lot in accordance with the FNQROC Development Manual;
  - b. The sewer design plans are required to demonstrate that the sewer alignments achieve the separation and setback distances from buildings, structures and boundaries in accordance with FNQROC and WASA guidelines. The plans must also show the existing trees and clearances achieved to these; and
  - c. Where the sewer is not within the subject land, the drawings must detail the offsets, levels, vegetation and any site features that will impact the constructability of the sewer. Land owners consent for the sewer on the land is required.

The above works must be designed and constructed in accordance with the FNQROC Development Manual.

Additional plans and supporting information incorporating the above requirements must be submitted prior to the issue of a Development Permit for Reconfiguration of a lot.

#### ADVICES

1. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.
2. For information relating to the *Planning Act 2016* log on to [www.dsdmip.qld.gov.au](http://www.dsdmip.qld.gov.au). To access the *FNQROC Development Manual*, Local Laws and other applicable Policies, log on to [www.douglas.qld.gov.au](http://www.douglas.qld.gov.au).
3. Council can support a request for a Negotiated Decision Notice to elevate this preliminary approval to a development permit in the event that the conditions of the preliminary approval are complied with.

#### Further Development Permits

---

Development Permit for a Material Change of Use and Reconfiguring of a Lot

#### Concurrence Agency Response

---

Concurrence Agency	Concurrence Agency Reference	Date	Council Electronic Reference
State Department Manufacturing, Infrastructure and Planning	1906-11654 SRA	23 July 2019	911727

Refer to Attachment 2: Concurrence Agency Requirements. (Please note that these conditions / requirements may be superseded by subsequent negotiations with the relevant referral agencies).

**Note** –This Concurrence Agency Response maybe amended by agreement with the respective agency.

#### Currency Period for the Approval

---

This approval, granted under the provisions of the *Planning Act 2016*, shall lapse two (2) years from the day the approval takes effect in accordance with the provisions of Section 85 of the *Planning Act 2016*.

## **Rights to make Representations & Rights of Appeal**

---

The rights of applicants to make representations and rights to appeal to a Tribunal or the Planning and Environment Court against decisions about a development application are set out in Chapter 6, Part 1 of the *Planning Act 2016*.

A copy of the relevant appeal provisions are attached.

[illegible]



# Concurrence Agency Conditions

RA9-N



Department of  
State Development,  
Manufacturing,  
Infrastructure and Planning

SARA reference: 1906-11654 SRA  
Council reference: CA 3131/2019  
Applicant reference: 20190541

23 July 2019

Chief Executive Officer  
Douglas Shire Council  
PO Box 723  
Mossman Qld 4873  
enquiries@douglas.qld.gov.au

Attention: Jenny Elphinstone

Dear Sir/Madam

## SARA response—11-15 Dickson Street, Craiglie

(Referral agency response given under section 56 of the Planning Act 2016)

The development application described below was confirmed as properly referred by the Department of State Development, Manufacturing, Infrastructure and Planning on 21 June 2019.

### Response

Outcome:	Referral agency response - <b>No requirements</b> Under section 56(1)(a) of the Planning Act 2016, the department advises it has no requirements relating to the application.
Date of response:	23 July 2019
Reasons:	The reasons for the referral agency response are in <b>Attachment 1</b> .

### Development details

Description:	Development permit	Material change of use for Multiple dwellings (construction of four additional dwellings to the existing dwelling) Reconfiguring a lot (1 lot into 5 lots)
SARA role:	Referral Agency.	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 1—Reconfiguring a lot near a State transport corridor Schedule 10, Part 9, Division 4, Subdivision 2, Table 3—Reconfiguring a lot near a State-controlled road intersection	

Far North Queensland regional office  
Ground Floor, Cnr Grafton and Hartley  
Street, Cairns  
PO Box 2358, Cairns QLD 4870

Page 1 of 3

Schedule 10, Part 9, Division 4, Subdivision 2, Table 4—Material  
change of use of premises near a State transport corridor or that is a  
future State transport corridor  
(Planning Regulation 2017)

SARA reference: 1906-11654 SRA  
Assessment Manager: Douglas Shire Council  
Street address: 11-15 Dickson Street, Craiglie  
Real property description: Lot 404 on C2251  
Applicant name: Austart Homes Pty Ltd  
Applicant contact details: C/- GMA Certification Group Pty Ltd  
5 Owen St  
Port Douglas QLD 4877  
patrick.C@gmacert.com.au

The department has no requirements in relation to this development application.

A copy of this response has been sent to the applicant for their information.

For further information please contact Tony Croke, Principal Planning Officer, on 40373205 or via email  
CairnsSARA@dcdmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Kylie Drysdale  
Planning Manager

cc Austart Homes Pty Ltd C/- GMA Certification Group Pty Ltd, email: patrick.C@gmacert.com.au  
enc Attachment 1 - Reasons for referral agency response

## Attachment 1—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

### The reasons for the department's decision are:

- The department carried out an assessment of the development application against the State Development Provisions, version 2.4, State code 1: Development in a state-controlled road environment and has found that the proposed development complies with the relevant performance outcomes.
- The premises is approximately 47m from the state-controlled road and is unlikely to create a safety hazard or distraction.
- Any filling or excavation works required for the construction of the additional dwellings are unlikely to impact on the state-controlled road.
- Any increased stormwater and drainage flows as a result of the development will be discharged via the lawful points of discharge, Davidson Street and Dickson Street, and are unlikely to impact on the state-controlled road.
- Vehicular access is via Davidson Street and Dickson Street, both local government roads.
- The nearest proposed access (associated with proposed Lot 13) will be located approximately 51m from the state-controlled road intersection. It is unlikely that unnecessary queuing will occur at the intersection.

### Material used in the assessment of the application:

- The development application material and submitted plans
- *Planning Act 2016*
- *Planning Regulation 2017*
- The *State Development Assessment Provisions* (version 2.4), as published by the department
- The Development Assessment Rules
- SARA DA Mapping system

## Reasons for Decision

The reasons for this decision are:

1. Sections 60, 62 and 63 of the *Planning Act 2016*:
  - a. the proposed plan(s) and document(s) as detailed above;
  - b. the Conditions and Advices as listed above;
  - c. to ensure the development satisfies the benchmarks of the 2018 Douglas Shire Planning Scheme Version 1.0; and
  - d. to ensure compliance with the *Planning Act 2016*.
2. Findings on material questions of fact:
  - a. the development application was properly lodged to the Douglas Shire Council on 26 March 2019 under section 51 of the *Planning Act 2016* and Part 1 of the Development Assessment Rules;
  - b. the development application contained information from the applicant which Council reviewed together with Council's own investigation of assessment against the State Planning Policy and the 2018 Douglas Shire Planning Scheme in making its assessment manager decision.
3. Evidence or other material on which findings were based:
  - a. The development triggered assessable development under the Assessment Table associated with the Zone Code;
  - b. Council undertook an assessment in accordance with the provisions of sections 60, 62 and 63 of the *Planning Act 2016*; and
  - c. The applicant's reasons have been considered and the following findings are made:
    - i. A request for further information was sought seeking detail of the proposed infrastructure and development of the adjacent road area. The extent of information received is insufficient to condition a Development Permit. The extent of information available is sufficient to condition a Preliminary Approval.

26 March 2020

Enquiries: Jenny Elphinstone  
Our Ref: ROL 2020\_3458/1 (Doc ID: 941223)  
Your Ref: 20190541

Administration Office  
64 - 66 Front St Mossman  
P 07 4099 9444  
F 07 4098 2902

Austart Homes Pty Ltd  
C/- Patrick Clifton, GMA Certification  
PO Box 831  
PORT DOUGLAS QLD 4877

Email: [Patrick.c@gmacer.com.au](mailto:Patrick.c@gmacer.com.au)

Dear Sir

**Development Application for Reconfiguring a Lot (Subdivision)  
At 11-15 Dickson Street Craiglie  
On land described as Lot 404 on C2251**

Please find attached the Decision Notice for the above-mentioned development application.

Please quote Council's application number: ROL 2020\_3458/1 in all subsequent correspondence relating to this development application.

Should you require any clarification regarding this, please contact Jenny Elphinstone on telephone 07 4099 9444.

Yours faithfully

  
**Paul Hoyer**  
Manager Environment & Planning

cc. State Assessment and Referral Agency (SARA) E: [CairnsSARA@dilgp.qld.gov.au](mailto:CairnsSARA@dilgp.qld.gov.au)

encl.

- Decision Notice
  - Approved Drawing(s) and/or Document(s)
  - Concurrence Agency Response
  - Reasons for Decision - non-compliance with assessment benchmark.
- Advice For Making Representations and Appeals (Decision Notice)
- Adopted Infrastructure Charges Notice
- Advice For Making Representations and Appeals (Infrastructure Charges)



## **Decision Notice**

### **Approval (with conditions)**

*Given under section 63 of the Planning Act 2016*

---

#### **Applicant Details**

**Name:** Austart Homes Pty Ltd  
**Postal Address:** C/- Patrick Clifton, GMA Certification  
PO Box 831  
Port Douglas QLD 4877  
**Email:** [Patrick.c@gmacer.com.au](mailto:Patrick.c@gmacer.com.au)

---

#### **Property Details**

**Street Address:** 11-15 Dickson Street Craiglie  
**Real Property Description:** Lot 404 on CP2251  
**Local Government Area:** Douglas Shire Council

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#### **Details of Proposed Development**

Development Permit for ROL - Reconfiguring a Lot (1 into 3 lots)

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#### **Decision**

**Date of Decision:** 25 March 2020  
**Decision Details:** Approved (subject to conditions)

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#### **Approved Drawing(s) and/or Document(s)**

Copies of the following plans, specifications and/or drawings are enclosed.

**Note** – The plans referenced below will require amending in order to comply with conditions of this Decision Notice.

The term 'approved drawing(s) and/or document(s) or other similar expressions means:

Drawing or Document	Reference	Date
Lot Plan	Austart homes Job 000, sheet 0 of 00	24 April 2019
<b>FNQROC Regional Development Manual Standard Drawing/s for Vehicle Access</b>		
Access Crossovers	Standard Drawing S1015 Issue D	23 October 2017

### Assessment Manager Conditions & Advices

#### Conditions

1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:-
  - a. The specifications, facts and circumstances as set out in the application submitted to Council; and
  - b. The following conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual.

Except where modified by these conditions of approval.

#### Timing of Effect

2. The conditions of the Development Permit must be effected prior to the approval and dating of the Plan of Survey, except where specified otherwise in these conditions of approval.

#### Amended Lot Layout

3. The lot layout must be amended as follows:
  - a. The southwest street corner to Old Port Road and Dickson Street is to be truncated (and the fence there removed or relocated) for a distance of 5 metre in each direction (5m x 5m) or as otherwise determined by an RPEQ.

#### Water Supply and Sewerage Works

4. Undertake the following water supply and sewerage works internal to the subject land:
  - a. Provide a single internal sewer connection to each lot in accordance with the Regional FNQROC Development Manual;
  - b. Provide a single water connection to each lot in accordance with the regional FNQROC Development Manual;
  - c. The sewer design plans are required to demonstrate that the sewer alignments achieve the separation and setback distances from buildings, structures and boundaries in accordance with FNQROC Regional Development Manual and Water and Sewerage Authority (WASA) guidelines. The plans must also show the existing trees and clearances achieved to these trees;
  - d. Where the sewer is not proposed to be constructed in the subject site, owners' consent will be required for the works. Details of existing vegetation and offsets are to be provided on the sewerage plans provided for approval;

- e. The existing house sewerage drains for the dwelling on proposed Lot 12 must be contained within the boundary of the lot; and
- f. Existing sewer connections and infrastructure not retained must be decommissioned.

All the above works must be designed and constructed in accordance with the *FNQROC Regional Development Manual*.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to the signing and dating of the Plan of Survey.

#### Drainage Study of Site

- 5. Undertake a local drainage study on the subject land to determine drainage impacts on the land and the downstream properties and the mitigation measures required to minimise such impacts. In particular, the study must address the following:
  - a. The contributing catchment boundaries, including the drainage along the Old Port Road frontage to confirm flows at driveways;
  - b. Identify any requirement for drainage easements;
  - c. Identify low paths and general lot drainage direction to ensure all proposed lots (including the existing house lot) are provided a lawful point of discharge;
  - d. Information on proposed works and any impacts proposed at the drainage outlet from the proposed development; and
  - e. Confirmation of flows and treatments required for driveway crossovers.

A plan of the proposed drainage works and any required easements is to be provided to Council to show the following:

- i. Where practical all new lots must be drained to the road frontages or via drainage easements to the existing drainage systems. Lot 11 must not be constrained by a drainage easement to the extent future development on the site is significantly limited; and
- ii. Where alterations are proposed to the existing drainage infrastructure, this will require a Development Permit for Operational Work. The design and construction requirements will need to be in accordance with the *FNQROC Regional Development Manual*.

All stormwater drainage works must be designed and constructed in accordance with the *FNQROC Development Manual*.

The drainage study must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Work. All identified work must be satisfactorily completed prior to the signing and dating of the Plan of Survey.

#### Easements

- 6. For any proposed easements a copy of the easement documents must be submitted to Council for the approval of Council's solicitors at no cost to Council. The approved easement documents must be submitted at the same time as seeking approval and dating of the Plan of Survey and must be lodged and registered with the Department of Natural Resources, Mines and Energy in conjunction with the Plan of Survey.

## General External Works

### 7. Undertake the following external works:-

- a. Upgrade the vehicle crossing to proposed Lot 12 in accordance with the FNQROC Regional Development Manual. The stormwater capacity at the driveway crossing is to be based determined as detailed in Condition 5a. Unless an alternative solution is proposed, a causeway or pipe crossing is required generally in accordance with FNQROC Regional Development Manual Standard Drawing S1105.

Note: the above works are not considered to be creditable or trunk related works in accordance with section 145 of the *Planning Act 2016*.

## Vegetation Clearing

8. Existing vegetation on the subject land must be retained in all areas except those affected by construction of roadworks / access driveways and/or installation of services as detailed on the approved plans as stated in this approval. Any further clearing requires an Operational Works Approval.

Vegetation to be retained is to be identified and adequately fenced off for protection purposes prior to construction work commencing on the site.

## Buffer around Vegetation

9. A minimum two (2) metre wide buffer shall be provided around the vegetation to be retained. This buffer must consist of suitable fencing to ensure that machinery, equipment or construction materials are not stored or used within this area. This buffer is to be established prior to the commencement of any works on the site and must be maintained at all times for the duration of the construction to the satisfaction of the Chief Executive Officer.

Council is to inspect the buffer prior to machinery, equipment or construction materials being delivered to the site.

## Wildlife

10. Prior to removal of any tree, an inspection must be carried out for any signs of protected wildlife including nests and animal habitat. Should any recent wildlife activity be identified, removal of the tree must not occur until the animal has vacated the area of immediate danger. If the animal does not move from the area of danger, the Queensland Parks and Wildlife Services must be contacted for advice. Important habitat trees should be retained wherever possible.

## Existing Services

11. Written confirmation of the location of existing services for the land must be provided. In any instance where existing services are contained within another lot, the following applies, either:
  - a. Relocate the services to comply with this requirement; or
  - b. Arrange registration of necessary easements over services located within another lot prior to, or in conjunction with, the lodgement of the Plan of Survey creating the lot.

## Electricity and Telecommunications

12. Written evidence of negotiations with Ergon Energy and the telecommunication authority must be submitted to Council stating that both an underground electricity supply and telecommunications service will be provided to the development prior to the signing and dating of the Plan of Survey.

## ADVICE

1. This approval, granted under the provisions of the Planning Act 2016, shall lapse four (4) years from the day the approval takes effect in accordance with the provisions of Section 85 of the *Planning Act 2016*.
2. All building site managers must take all action necessary to ensure building materials and/or machinery on construction sites are secured immediately following the first potential cyclone warning and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.
3. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.
4. For information relating to the *Planning Act 2016* log on to [www.dsdmip.qld.gov.au](http://www.dsdmip.qld.gov.au). To access the *FNQROC Development Manual*, Local Laws and other applicable Policies, log on to [www.douglas.qld.gov.au](http://www.douglas.qld.gov.au).
5. The existing house sewer connection is sited midway on proposed Lot 12 and extends northwards across the proposed Lot 13. Any re-siting of the sewer house connection needs to have regard to the zone of influence requirements respective to the in-ground swimming pool on that land. Re-siting of the sewer house connection and the sewer main extension should not severely constrain the development on the new lots and needs to be aligned with property boundaries.
6. The existing house stormwater connection is sited from pits midway on proposed Lot 12 and traverses southwards over proposed Lot 11 to the open drain in Dickson Street.
7. Vehicle access to any lot must be in accordance with the *FNQROC Regional Development Manual* or alternatively gain an appropriate approval.

### Infrastructure Charges

8. A charge levied for the supply of trunk infrastructure is payable to Council towards the provision of trunk infrastructure in accordance with the Infrastructure Charges Notice, a copy of which is attached for reference purposes only. The original Infrastructure Charges Notice will be provided under cover of a separate letter.

The amount in the Infrastructure Charges Notice has been calculated according to Council's Infrastructure Charges Resolution.

Please note that this Decision Notice and the Infrastructure Charges Notice are stand-alone documents. The *Planning Act 2016* confers rights to make representations and appeal in relation to a Decision Notice and an Infrastructure Charges Notice separately.

The amount in the Infrastructure Charges Notice is subject to index adjustments and may be different at the time of payment. Please contact Planning at Council for review of the charge amount prior to payment.

The time when payment is due is contained in the Infrastructure Charges Notice.

### Further Development Permits

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Please be advised that the following development permits are required to be obtained before the development can be carried out:

- All Operational Work

All Plumbing and Drainage Work must only be carried in compliance with the Queensland *Plumbing and Drainage Act 2018*.

## Concurrence Agency Response

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Concurrence Agency	Concurrence Agency Reference	Date	Doc ID
Department of State Development, Manufacturing, Infrastructure and Planning, CAIRNS SARA	2002-15505 SRA	3 March 2020	943370

No conditions required.

**Note** –The Concurrence Agency Response maybe amended by agreement with the respective agency.

## Currency Period for the Approval

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This approval, granted under the provisions of the *Planning Act 2016*, shall lapse four (4) years from the day the approval takes effect in accordance with the provisions of Section 85 of the *Planning Act 2016*.

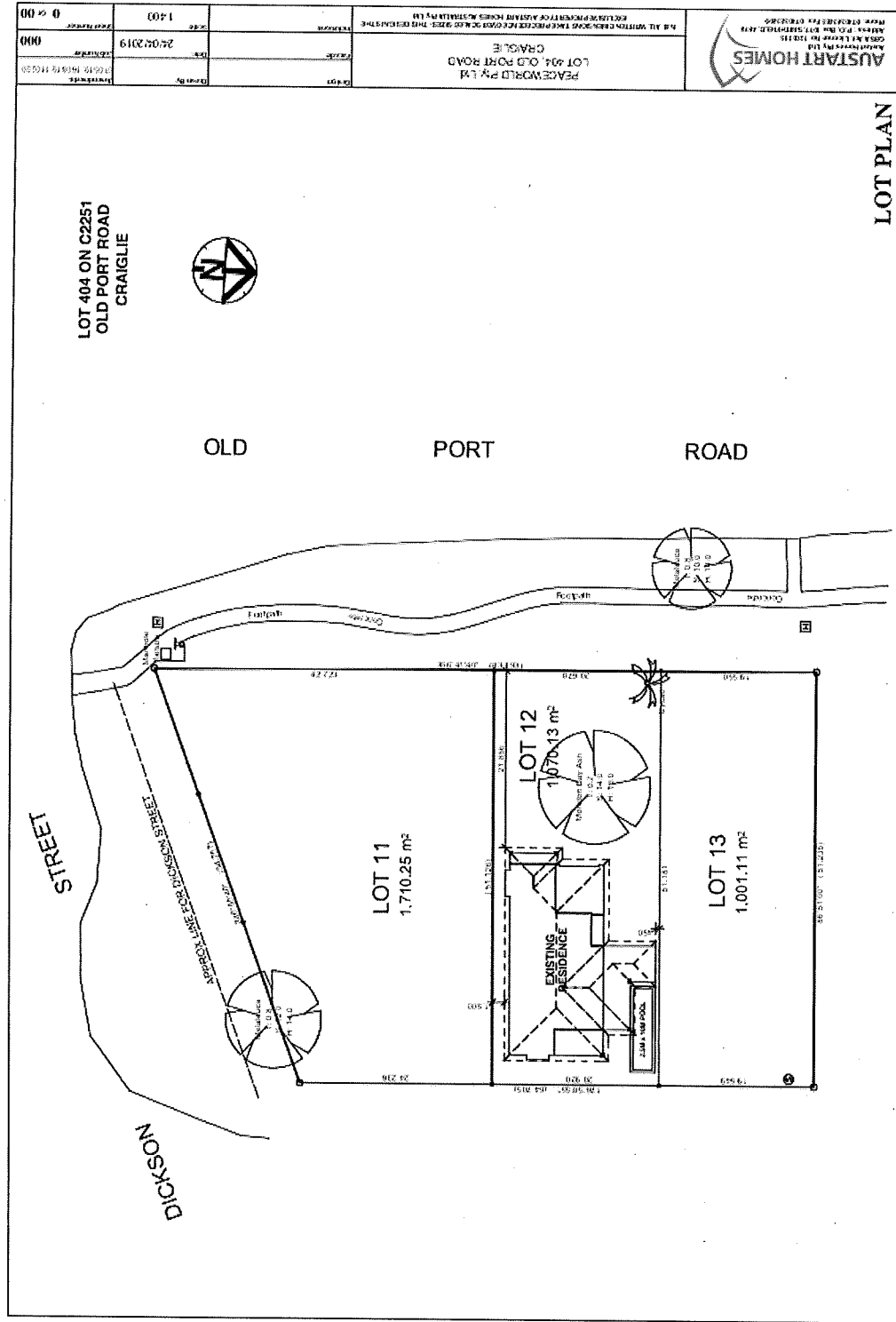
## Rights to make Representations & Rights of Appeal

---

The rights of applicants to make representations and rights to appeal to a Tribunal or the Planning and Environment Court against decisions about a development application are set out in Chapter 6, Part 1 of the *Planning Act 2016*.

A copy of the relevant appeal provisions are attached.

Approved Drawing(s) and/or Document(s) Note – The plans referenced above will require amending in order to comply with conditions of this Decision Notice.



FNQROC Regional

Development Manual Standard Drawing/s for Vehicle Access



## Reasons for Decision

The reasons for this decision are:

1. Sections 60, 62 and 63 of the *Planning Act 2016*:
  - a. to ensure the development satisfies the benchmarks of the 2018 Douglas Shire Planning Scheme Version 1.0; and
  - b. to ensure compliance with the *Planning Act 2016*.
2. Findings on material questions of fact:
  - a. the development application was properly lodged to the Douglas Shire Council 10 July 2019 under section 51 of the *Planning Act 2016* and Part 1 of the *Development Assessment Rules*;
  - b. the development application contained information from the applicant which Council reviewed together with Council's own assessment against the 2017 State Planning Policy and the 2018 Douglas Shire Planning Scheme Version 1.0 in making its assessment manager decision.
3. Evidence or other material on which findings were based:
  - a. the development triggered assessable development under the Assessment Table associated with the Medium Density Residential Zone Code;
  - b. Council undertook an assessment in accordance with the provisions of sections 60, 62 and 63 of the *Planning Act 2016*; and
  - c. the applicant's reasons have been considered and the following findings are made:
    - i. Subject to conditions, the development satisfactorily meets the Planning Scheme benchmarks.

## Non-Compliance with Assessment Benchmarks

Benchmark Reference	Alternative Measure/Comment
Access, Parking and Servicing Code Non compliance with AO3.1 and AO3.4	Addressed through conditions requiring compliance with a rural access crossover and suitable drainage infrastructure.
Infrastructure Works Code Non compliance with adequate connection and planning of sewerage and stormwater infrastructure. AO4.1 and AO5.1-5.5.	Addressed through conditions requiring a local drainage study and suitable design and planning for infrastructure.
Reconfiguring of a Lot Code No clear demonstration of compliance with AO6, in particular setback of buildings from infrastructure and boundaries.	Addressed through conditions requiring suitable relocation of existing servicing and overall design of infrastructure.
Vegetation Management Code No approval as yet has been issued and there is no achievement of a suitable acceptable outcome.	Addressed through conditions requiring suitable nomination of the vegetation to be cleared and proposed infrastructure design plan.

# Associated Adopted Infrastructure Charges



2016 Douglas Shire Planning Scheme version 1.0 Applications

## ADOPTED INFRASTRUCTURE CHARGES NOTICE

<b>Austart Homes</b>		<b>0</b>	<b>0</b>
DEVELOPERS NAME		ESTATE NAME	STAGE
11-15 Dickson Street	Craigville	Lot 404 on C2251	133
STREET No. & NAME	SUBURB	LOT & RP No.	PARCEL No.
ROL 3 lots		ROL 2020_3458	4
DEVELOPMENT TYPE		COUNCIL FILE NO.	VALIDITY PERIOD (year)
Doc ID: 941062	1	Payment prior to lodgment of survey plan for endorsement	
DSC Reference Doc. No.	VERSION No.		

Adopted Charges as resolved by Council at the Ordinary Meeting held on 5 June 2018, Local Government Infrastructure Plan, Planning Scheme Amendment (effective and from 2 July 2018)

Locality	Charge per Use	rate	Floor area No.	Amount	Amount Paid	Receipt Code & GL Code
Fort Douglas						
<b>Proposed Demand</b>						
Residential Lot Separate house	Per House lot	19,491.00	3	58,473.00		
<b>Total Demand</b>				58,473.00		
<b>Existing Credit</b>						
Residential Lot Vacant Lot	Per House lot	19,491.00	1	19,491.00		
<b>Total Credit</b>				19,491.00		
						Code 885 GL 07500.0135.0825

Required Payment or Credit **TOTAL** 538,982.00

Prepared by	J Eppinhstone	15-Feb-20	Amount Paid
Checked by	D Lamond	15-Feb-20	Date Paid
Date Payable	Before endorsement of survey plan		Receipt No.
Amendments		Date	Cashier

### Note:

The Infrastructure Charges in this Notice are payable in accordance with Sections 118 and 120 of the Planning Act 2016 as from Council's resolution from the Ordinary Meeting held on 5 June 2018.

Charge rates under the current Policy are not currently subject to indexing.

Any Infrastructure Agreement for trunk works must be determined and agreed to prior to issue of Development Permit for Operational Work.

Charges are payable to: Douglas Shire Council. You can make payment at any of Council's Business Offices or by mail with your cheque or money order to Douglas Shire Council, PO Box 723, Mossman QLD 4873. Cheques must be made payable to Douglas Shire Council and marked 'Not Negotiable.' Acceptance of a cheque is subject to collection of the proceeds. Post dated cheques will not be accepted.

Any enquiries regarding Infrastructure Charges can be directed to the Development & Environment, Douglas Shire Council on 07 4089 9444 or by email on enquiries@douglas.qld.gov.au

26 March 2020

Enquiries: Jenny Elphinstone  
Our Ref: ROL 2020\_3458 (Doc ID941223)  
Your Ref: 20190541

Administration Office  
64 - 66 Front St Mossman  
P 07 4099 9444  
F 07 4098 2902

Austart Homes Pty Ltd  
C/- Patrick Clifton, GMA Certification  
PO Box 831  
**PORT DOUGLAS QLD 4877**

Dear Sir/Madam

**Adopted Infrastructure Charge Notice  
For Development Application Reconfiguring a Lot (Subdivision)  
At 11-15 Dickson Street Craiglie  
On land described as Lot 404 on C2251**

Please find attached the Adopted Infrastructure Charges Notice issued in accordance with section 119 of the *Planning Act 2016*.

The amount in the Adopted Infrastructure Charges Notice has been calculated according to Council's Adopted Infrastructure Charges Resolution.

Please also find attached extracts from the Act regarding the following:

- your right to make representations to Council about the Adopted Infrastructure Charges Notice; and
- your Appeal rights with respect to the Adopted Infrastructure Charges Notice.

Please quote Council's application number: ROL 2020\_3458 in all subsequent correspondence relating to this matter.

Should you require any clarification regarding this, please contact Jenny Elphinstone on telephone 07 4099 9444.

Yours faithfully

  
**Paul Hoyer**  
**Manager Environment & Planning**

encl.

- Adopted Infrastructure Charges Notice
- Rights to Make Representations and Appeals Regarding Infrastructure Charges

# Adopted Infrastructure Charges Notice



2018 Douglas Shire Planning Scheme version 1.0 Applications

## ADOPTED INFRASTRUCTURE CHARGES NOTICE

Austart Homes DEVELOPERS NAME		0 ESTATE NAME	0 STAGE
11-15 Dickson Street STREET No. & NAME	Orangie SUBURB	Lot 404 on C2251 LOT & RP No.s	133 PARCEL No.
ROL 3 lots DEVELOPMENT TYPE		ROL 2020_3458 COUNCIL FILE NO.	4 VALIDITY PERIOD (year)
Doc ID: 941062 DSC Reference Doc. No.	1 VERSION No.	Payment prior to lodgment of survey plan for endorsement	

Adopted Charges as resolved by Council at the Ordinary Meeting held on 5 June 2018, Local Government Infrastructure Plan, Planning Scheme Amendment (effective from 2 July 2018)

Locality	Charge per Use	rate	Floor area/lot	Amount	Amount Paid	Receipt Code & GL Code
Port Douglas						
Proposed Demand						
Residential Lot Separate house	Per House lot	19,491.00	3	58,473.00		
Total Demand				58,473.00		
Existing Credit						
Residential Lot Vacant Lot	Per House lot	19,491.00	1	19,491.00		
Total Credit				19,491.00		
						Code 885 GL 07500.0135.0825

Required Payment or Credit TOTAL 38,982.00

Prepared by	J. Bingham	18-Feb-20	Amount Paid
Checked by	D. Lamond	18-Feb-20	Date Paid
Date Payable	Prior to endorsement of survey plan		Receipt No.
Amendments		Date	Cashed

### Note:

The Infrastructure Charges in this Notice are payable in accordance with Sections 119 and 120 of the Planning Act 2016 as from Council's resolution from the Ordinary Meeting held on 5 June 2018.

Charge rates under the current Policy are not currently subject to indexing.

Any Infrastructure Agreement for trunk works must be determined and agreed to prior to issue of Development Permit for Operational Work.

Charges are payable to Douglas Shire Council. You can make payment at any of Council's Business Offices or by mail with your cheque or money order to Douglas Shire Council, PO Box 723, Mossman QLD 4873. Cheques must be made payable to Douglas Shire Council and marked 'Not Negotiable'.

Acceptance of a cheque is subject to collection of the proceeds. Post dated cheques will not be accepted.

Any enquiries regarding Infrastructure Charges can be directed to the Development & Environment, Douglas Shire Council on 07 4089 9444 or by email on enquiries@douglas.qld.gov.au

28 July 2020

**Enquiries:** Neil Beck  
**Our Ref:** OP 2020\_3458/1 (963875)  
**Your Ref:** 20190541

Austart Homes Pty Ltd  
C/- CivilWalker Consulting Engineers  
PO Box 542  
CLIFTON BEACH QLD 4879

**Email:** daryl@civilwalker.com.au

Dear Sir

**Development Application for Operational Works (Driveway & Sewer)  
At 11-15 Dickson Street CRAIGLIE  
On Land Described as LOT: 404 TYP: C PLN: 2251**

Please find attached the Decision Notice for the above-mentioned development application.

Please quote Council's application number: OP 2020\_3458/1 in all subsequent correspondence relating to this development application.

Also find attached a 'Pre-Start' meeting template, which identifies the information that must be provided for Council approval, prior to the commencement of works.

The template also provides the Consulting Engineer with a format for conducting the meeting. An invitation to attend the meeting must be sent to Council's representative Neil Beck on telephone number 07 4099 9451, giving at least five (5) working days notification if possible.

In addition to the Decision Notice, Council provides the following 'Advice Statement' which relates to issues that are relevant to the proposed works:

1. The Consulting Engineer is to present all contractors with a copy of this Decision Notice and the Council approved plans, prior to the commencement of works;
2. Further detail is required as to how the development will achieve a lawful point of discharge in order to satisfy conditions of the ROL approval.

Should you require any clarification regarding this, please contact Neil Beck on telephone 07 4099 9451.

Yours faithfully



**For**  
**Paul Hoyer**  
**Manager Environment & Planning**

encl.

- Decision Notice
  - Approved Drawing(s) and/or Document(s)
- Advice For Making Representations and Appeals (Decision Notice)



## Decision Notice

### Approval (with conditions)

*Given under section 63 of the Planning Act 2016*

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#### Applicant Details

**Name:** Austart Homes Pty Ltd  
**Postal Address:** C/- CivilWalker Consulting Engineers  
PO Box 542  
CLIFTON BEACH QLD 4879  
**Email:** daryl@civilwalker.com.au

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#### Property Details

**Street Address:** 11-15 Dickson Street CRAIGLIE  
**Real Property Description:** LOT: 404 TYP: C PLN: 2251  
**Local Government Area:** Douglas Shire Council

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#### Details of Proposed Development

Development Permit for Operational Works (Operational Works – Driveway and Sewer Works)

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#### Decision

**Date of Decision:** 28 July 2020  
**Decision Details:** Approved (subject to conditions)

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#### Approved Drawing(s) and/or Document(s)

Copies of the following plans, specifications and/or drawings are enclosed.

<u>Drawing No.</u>	<u>Description</u>
194-001-C01	COVER SHEET, DRAWING INDES & LOCALITY
194-001-C02	GENERAL ARRANGMENT
194-001-C03	MISCELLANEOUS DETAILS

**Note** – The plans referenced above will require amending in order to comply with conditions of this Decision Notice.

## **Assessment Manager Conditions & Advices**

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### **1. General**

- a. Drawings must be submitted “for construction” and must be certified as approved by a registered professional engineer of Queensland (RPEQ).

### **2. Earthworks**

- a. The applicant is to ensure that any earthworks undertaken as part of the works maintains a free draining surface with no ponding of standing water resulting. Any amendments proposed to the existing finished surface profiles are to be identified and reported to Council prior to being undertaken on site. Resultant amendments shall be recorded on as constructed drawings to be submitted at the completion of the project. Earthworks required to achieve free draining lots are to be undertaken prior to approval and dating of the Survey Plan.

### **3. Stormwater**

- a. The proposed driveway culvert design is not accepted as it does not comply with the requirements of Condition 7a of the ROL approval and the referenced FNQROC Standard Drawing S1105.

In accordance with Note 2 on FNQROC Standard Drawing S1105, the driveway culvert is to be a minimum of 300mm high box culvert. This is to avoid blockages and associated localised flooding adjacent an identified Council trunk road link.

If required, the developer is to regrade the downstream table drain invert through to Dickson Street drain to accommodate the 300mm box culvert depth for the driveway. The reprofiled drain must be topsoiled and grass seeded at a minimum.

- b. The proposed development must not create ponding nuisances and/or a concentration of stormwater flows to adjoining properties.
- c. All stormwater from the property must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream, in accordance with the Queensland Urban Drainage Manual, Fourth Edition (2016).

*Advice note: Further application may be required to address the elements of Condition 5 of the Decision Notice. In particular, Condition 5c and 5e (i) and (ii).*

### **4. Sewer**

- a. The applicant is to confirm that the sewer clearances are in accordance with FNQROC and the plumbing code.
- b. The applicant is to confirm that the requirements of Conditions 4c, d, e and f. are addressed and provide further information to satisfy the requirements of these conditions prior to requesting a pre-start meeting.

## 5. Erosion and Sediment Control

- a. A copy of the Contractor's Erosion and Sediment Control (ESC) Plan is to be submitted to Council and endorsed by the Consulting Engineer, prior to commencement of any works. In particular, the ESC Plan must address the Institution of Engineers Australia Guidelines for Soil Erosion and Sediment Control and the Environment Protection (Water) Policy and Clauses CP1.05, CP1.13 and D5.10 of Council's FNQROC Development Manual.

## 6. Miscellaneous

- a. CCTV inspections are to be reviewed by the supervising engineer and the Engineering Report and Certification by an RPEQ provided to Council prior to Works Acceptance as required under FNQROC Development Manual CP1.25 Project Documentation.

### Advice

1. The future truncation of the corner of Old port Road and Dickson Street will be conditioned on the future development of Lot 11. **Further Development Permits**

Not applicable

### Concurrence Agency Response

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None Applicable

### Currency Period for the Approval

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This approval, granted under the provisions of the *Planning Act 2016*, shall lapse two (2) years from the day the approval takes effect in accordance with the provisions of Section 85 of the *Planning Act 2016*.

### Rights to make Representations & Rights of Appeal

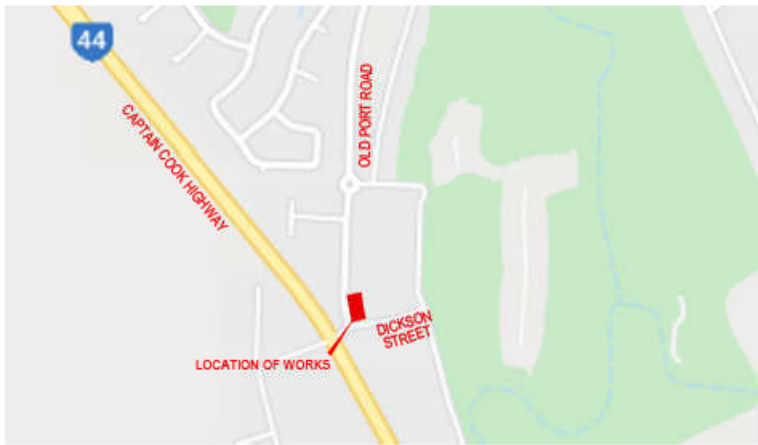
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The rights of applicants to make representations and rights to appeal to a Tribunal or the Planning and Environment Court against decisions about a development application are set out in Chapter 6, Part 1 of the *Planning Act 2016*.

A copy of the relevant appeal provisions are attached.

AUSTART HOMES PTY LTD  
SUBDIVISION AT 11-15 DICKSON ROAD  
CRAIGLIE

PROJECT No: 194-001



LOCALITY PLAN  
N.T.S.

PROJECT SPECIFIC DRAWINGS

DRAWING No.	DRAWING TITLE	REVISION
194-001-C01	COVER SHEET, DRAWING INDEX & LOCALITY	B
194-001-C02	GENERAL ARRANGEMENT	B
194-001-C03	MISCELLANEOUS DETAILS	B

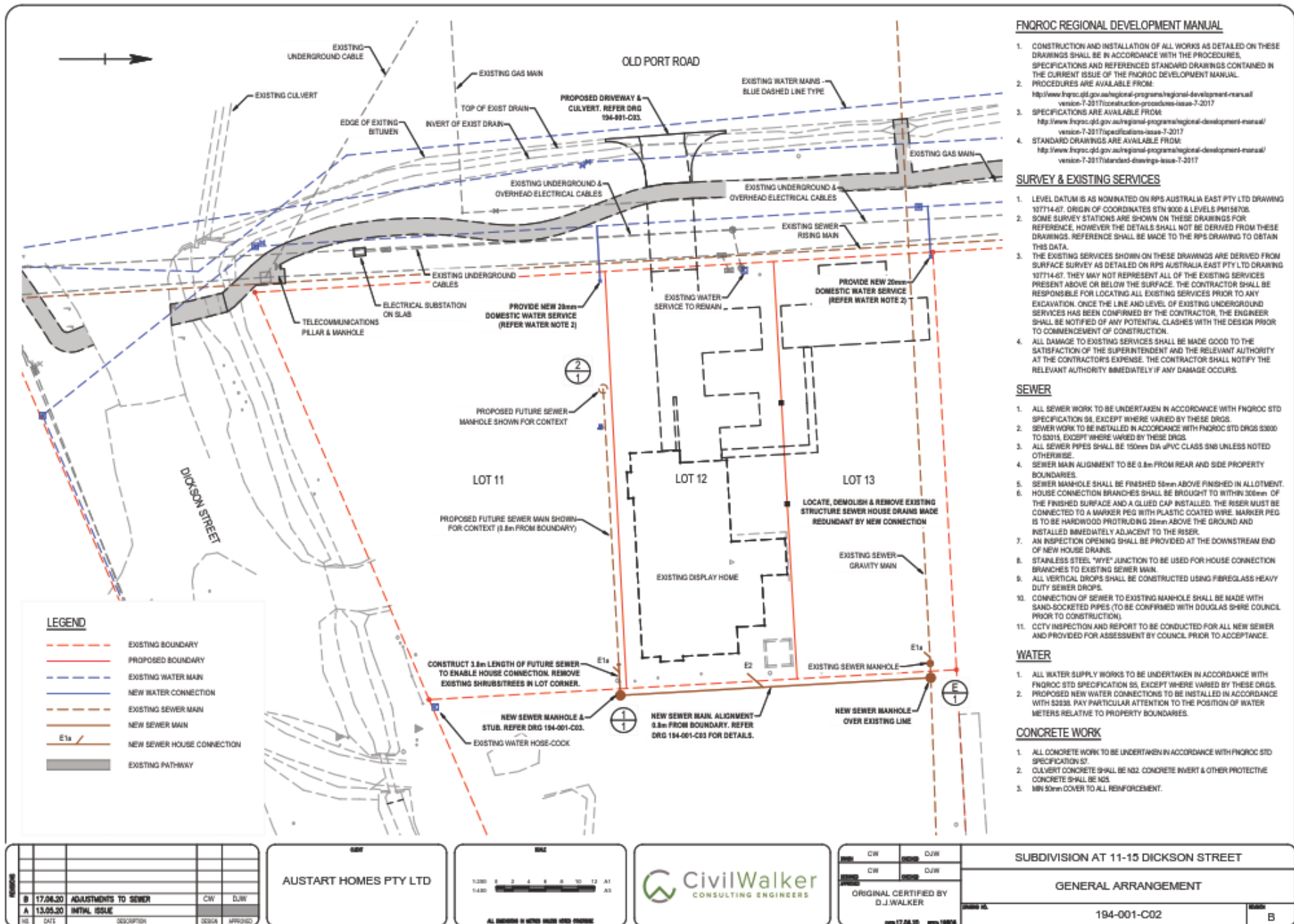
B	17.06.20	ADJUSTMENTS TO SEWER	CW	DJW	
	13.05.20	INITIAL ISSUE			
NO.	DATE	DESCRIPTION	DESIGN	APPROVED	

CW
AUSTART HOMES PTY LTD

SCALE
1:200 0 2 4 6 8 10 12 A1
1:400 0 2 4 6 8 10 12 A2
ALL DIMENSIONS IN METRES UNLESS NOTED OTHERWISE



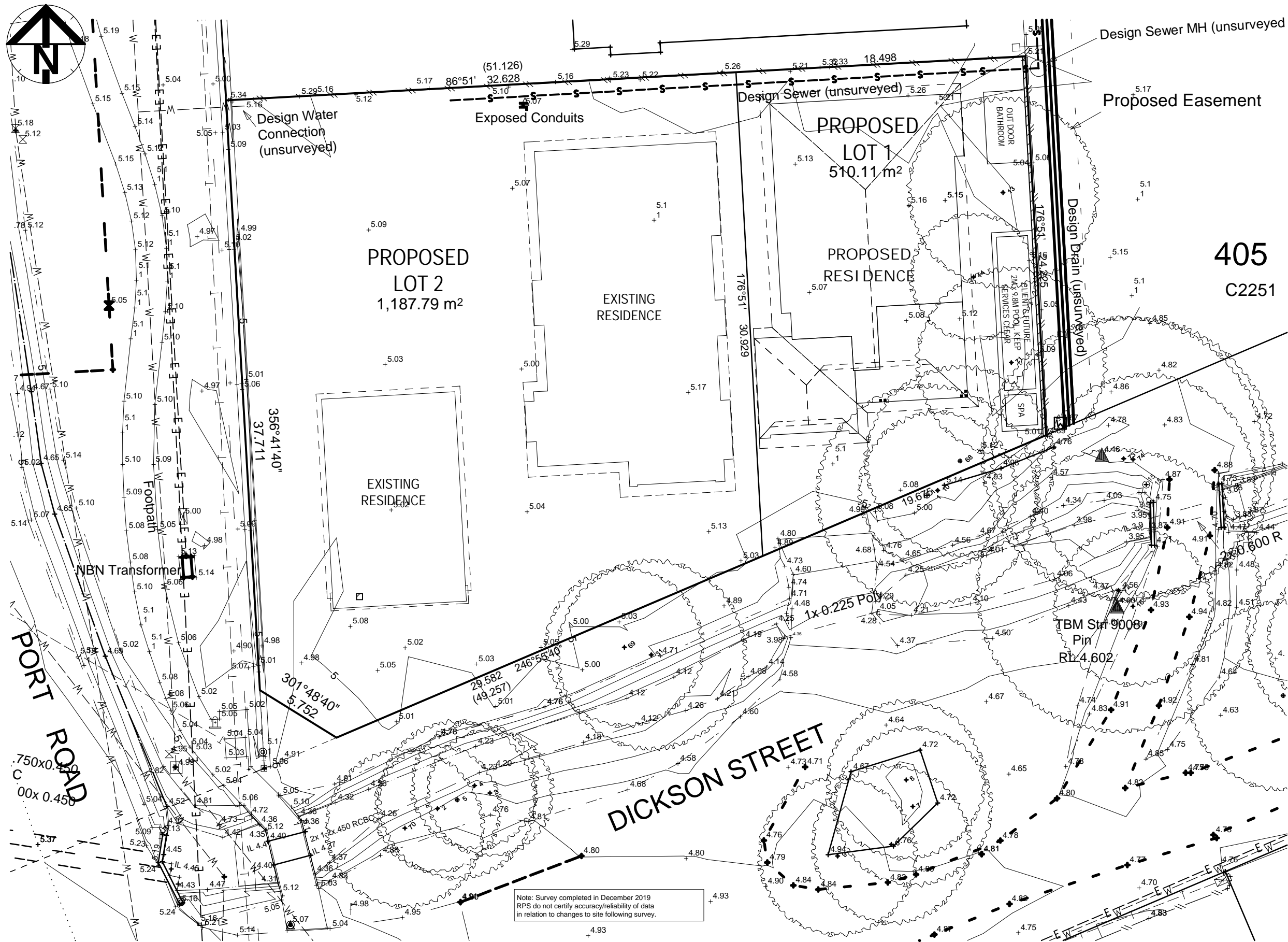
CW	DJW	SUBDIVISION AT 11-15 DICKSON STREET			
CW	DJW	COVER SHEET, DRAWING INDEX & LOCALITY PLAN			
ORIGINAL CERTIFIED BY D.J.WALKER		DRAWING NO.		REVISION	
		194-001-C01		B	
DATE		ISSUED BY			





## Appendix D

### Proposal Plans



# WIND-'C2' CONTOUR PLAN

**AUSTART HOMES**  
 Austart Homes Pty. Ltd.  
 QBSA Act. Licence No. 1200115  
 Address : P.O. Box 1077, SMITHFIELD, 4878  
 Phone: 0740383855 Fax: 0740383899

PEACEWORLD Pty. Ltd. LOT 404-OLD  
 PORT ROAD (PROPOSED LOT 11-  
 DICKSON STREET), CRAIGLIE

N.B. ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER  
 SCALED SIZES - THIS DESIGN IS THE EXCLUSIVE PROPERTY  
 OF AUSTART HOMES AUSTRALIA Pty. Ltd.

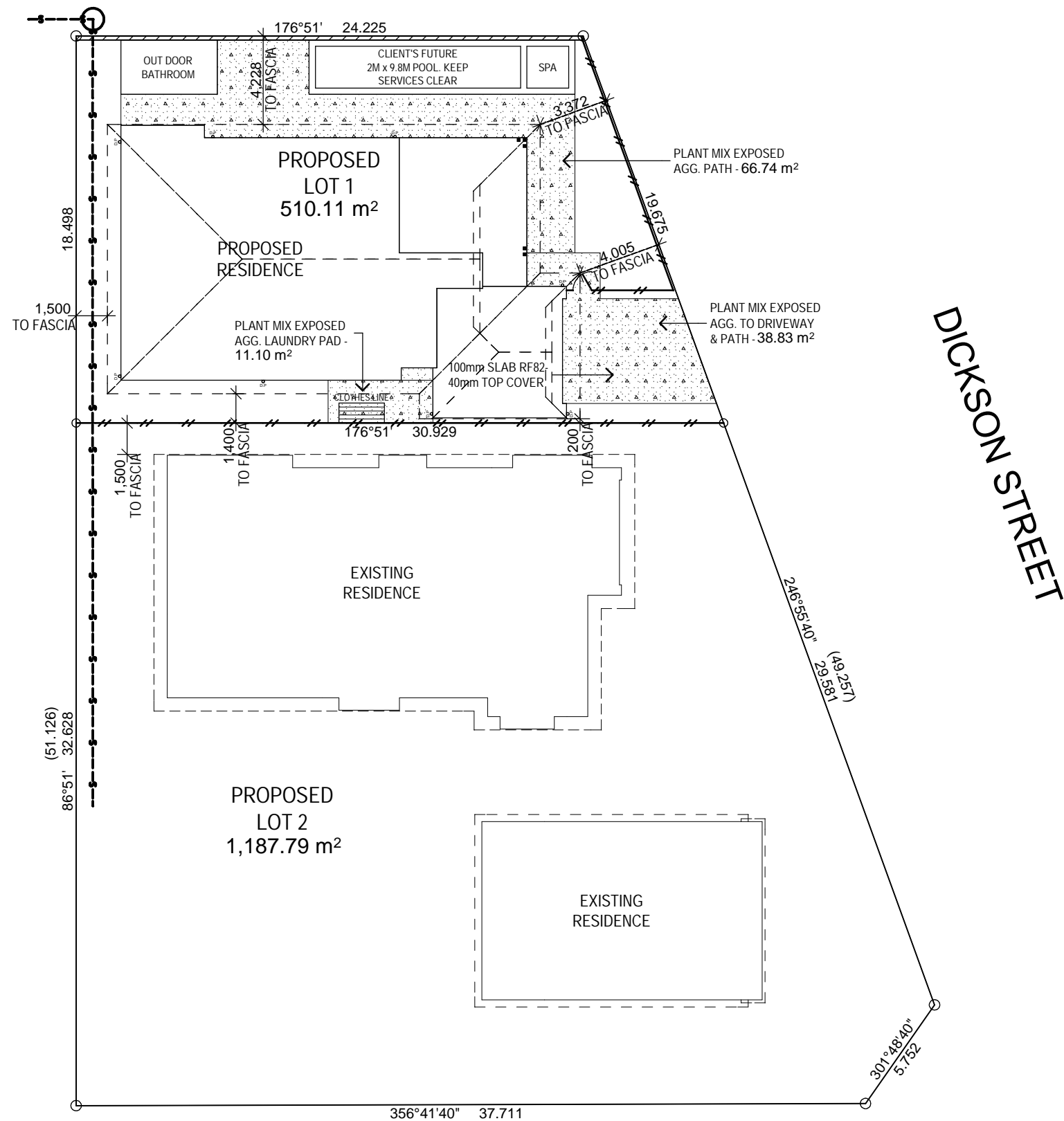
Design:	TURN KEY 246 BLC2600	Drawn By:	
Facade:	TRADITIONAL	Date:	17/08/2022
Inclusions:	TURN KEY RANGE	Scale:	1:250
Amendments:			
Job Number:	348OLD	Sheet Number:	1 of 11

0 6 12  
 metres  
 SCALE 1:250 IS APPLICABLE ONLY  
 TO THE ORIGINAL SHEET SIZE (A3).

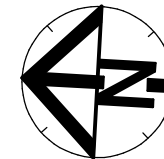
**NOTES**  
 Level Datum: AHD  
 Origin of Levels: PM156708  
 RL: 7.358  
 Contour Interval: 0.2m  
 Index: 1.0m

Origin of Coordinates: STN 9000  
 East 2007.088  
 North 4747.551  
 Meridian: SP192591  
 Field/Level Book:

Note: Survey completed in December 2019  
 RPS do not certify accuracy/reliability of data  
 in relation to changes to site following survey.



LOT 11 (Proposed)  
Eixsting LOT 404 ON C2251  
DICKSON STREET,  
PORT DOUGLAS



DICKSON STREET

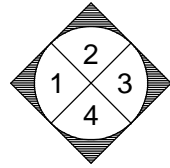
## WIND-'C2' SETOUT PLAN

**AUSTART HOMES**  
Austart Homes Pty. Ltd.  
QBSA Act. Licence No. 1200115  
Address : P.O. Box 1077, SMITHFIELD, 4878  
Phone: 0740383855 Fax: 0740383899

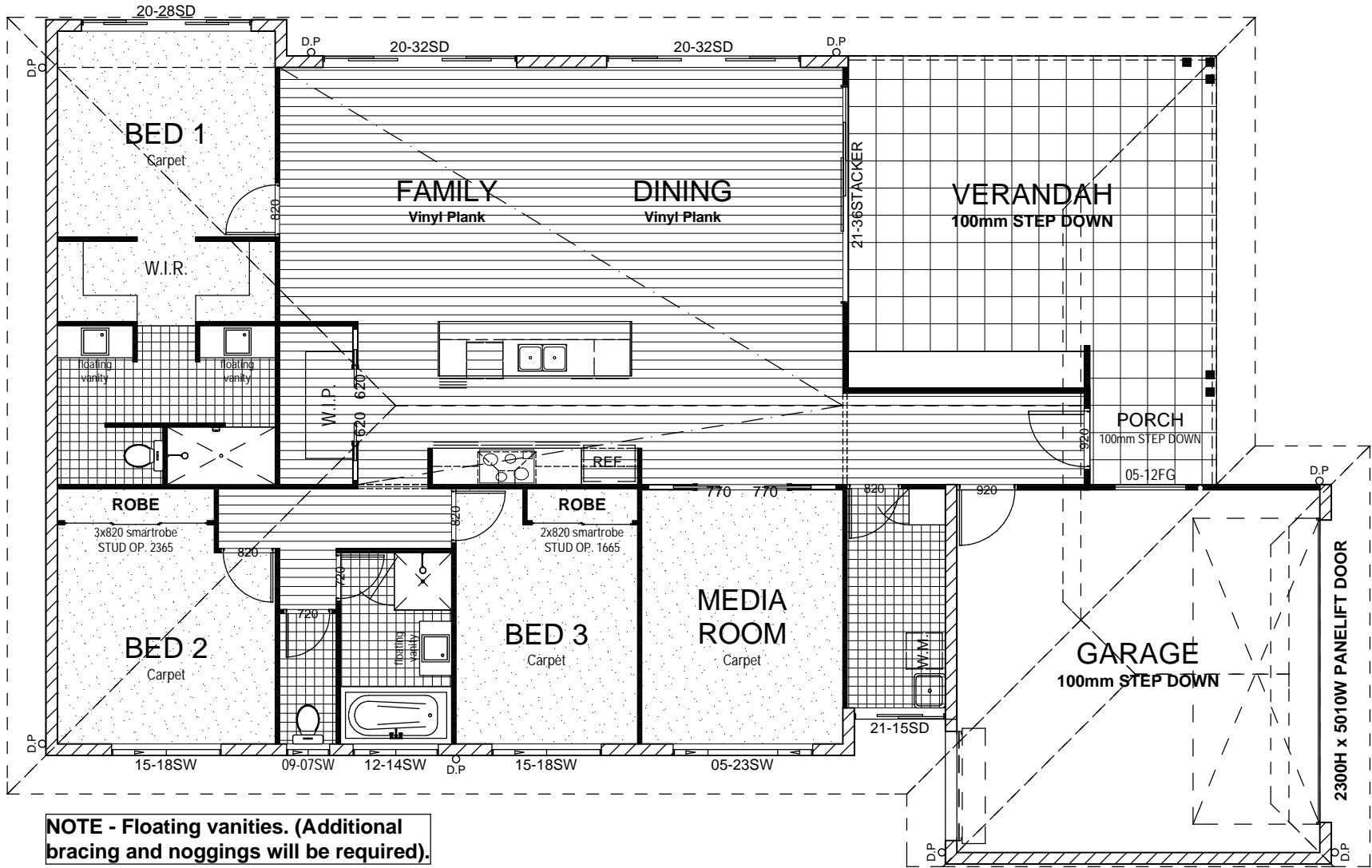
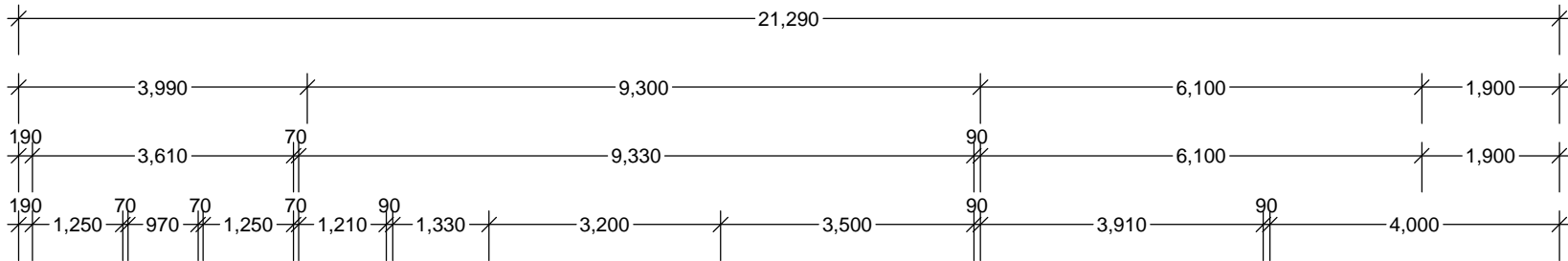
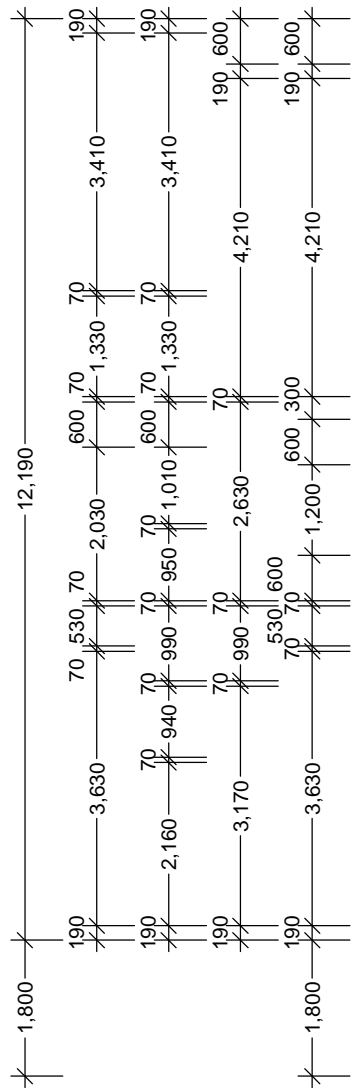
PEACEWORLD Pty. Ltd. LOT 404-OLD  
PORT ROAD (PROPOSED LOT 11-  
DICKSON STREET), CRAIGLIE

N.B. ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER  
SCALED SIZES - THIS DESIGN IS THE EXCLUSIVE PROPERTY  
OF AUSTART HOMES AUSTRALIA Pty. Ltd.

Design:	TURN KEY 246 BLC2600	Drawn By:	
Facade:	TRADITIONAL	Date:	17/08/2022
Inclusions:	TURN KEY RANGE	Scale:	1:250
Amendments:			
Job Number:	348OLD	Sheet Number:	10 of 11



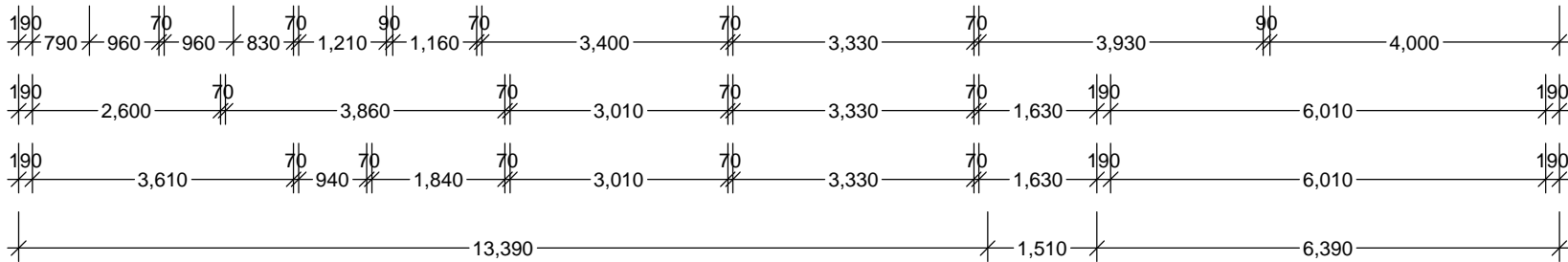
ELEVATION KEY



NOTE - Floating vanities. (Additional bracing and noggings will be required).

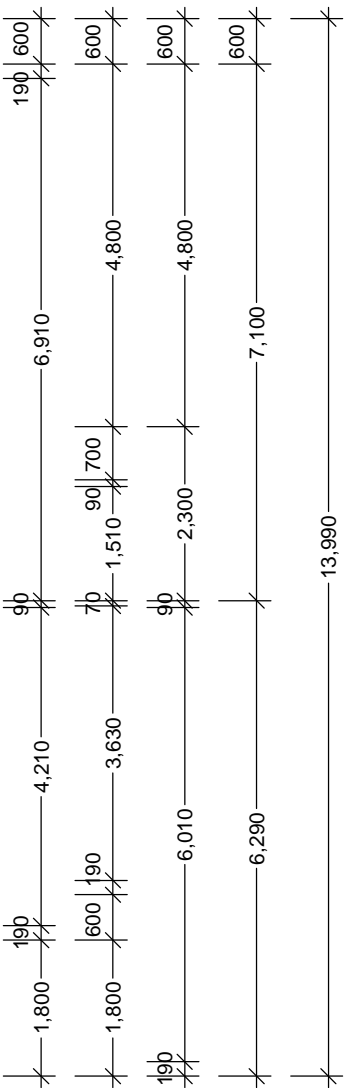
FLOOR AREAS  
LIVING - 170.09  
GARAGE - 39.25  
VERANDAH /  
PORCH - 36.91  
TOTAL - 246.26m<sup>2</sup>  
26.49 SQUARES

NOTE - ALL HOT and COLD WATER PIPING TO GO THROUGH CEILING DOWN TO STUD WALLS, OTHER THAN PIPING FOR ISLAND BENCH. ALSO GAS PIPING (IF APPLICABLE) TO RUN THROUGH CEILING and STUD WALLS.



ALL DIMENSIONS SHOWN ARE TO FRAME AND BLOCKWORK, EXCLUDES GYPROCK

ENERGY EFFICIENCY NOTES:  
: ALL TAPWARE & SHOWERS  
TO BE 3 STAR min.  
: ALL TOILETS TO BE 4 STAR  
min.  
: HEAT BANK HOT WATER  
SYSTEM TO BE INSTALLED.




GENERAL NOTES :  
: Tinted glass to all alum. framed glass doors and windows.  
: Dishwasher prov. with SPP and cold water plumbing.  
: Lift off hinges to wc.  
: Mechanical exhaust to wc with no external opening.  
: Niches - 900H base with a 2100H head U.N.O.  
: Hampers and Openings - 2100H head U.N.O.  
: Bulkheads - 2200H U.N.O.

PRELIMINARY

FLOOR PLAN

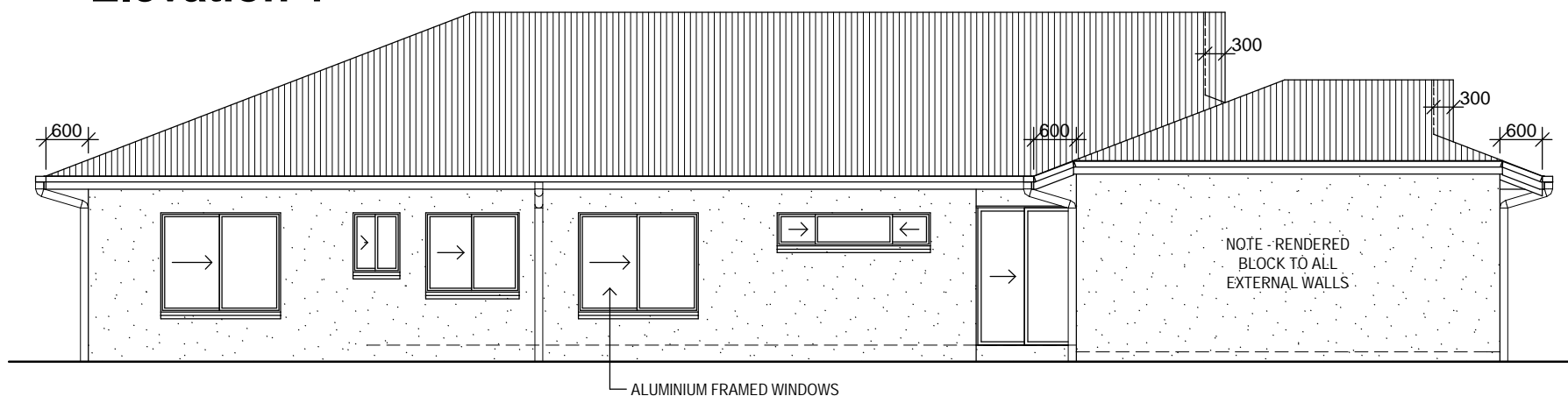
WIND-'C2'

 Austart Homes Pty. Ltd. QBSA Act Licence No. 1200115 Address : P.O. Box 1077, SMITHFIELD, 4878 Phone: 0740383855 Fax: 0740383899	Design: TURN KEY 246 BLC2600	Drawn By:	Amendments:
	Facade: TRADITIONAL	Date: 17/08/2022	Job Number: 3480LD
	Inclusions: TURN KEY RANGE	Scale: 1:100	Sheet Number: 2 of 11

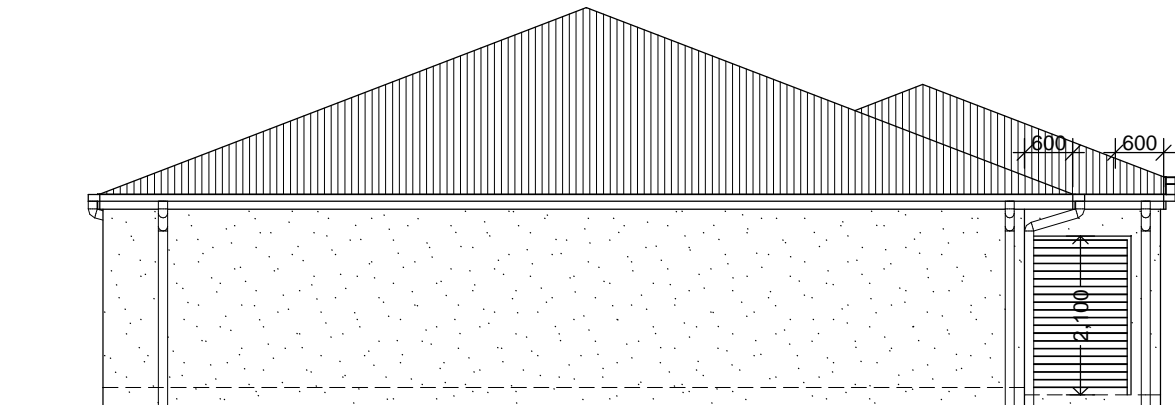
PEACEWORLD Pty. Ltd. LOT 404-OLD  
PORT ROAD (PROPOSED LOT 11-  
DICKSON STREET), CRAIGLIE  
N.B. ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED SIZES - THIS DESIGN IS THE  
EXCLUSIVE PROPERTY OF AUSTART HOMES AUSTRALIA Pty. Ltd.



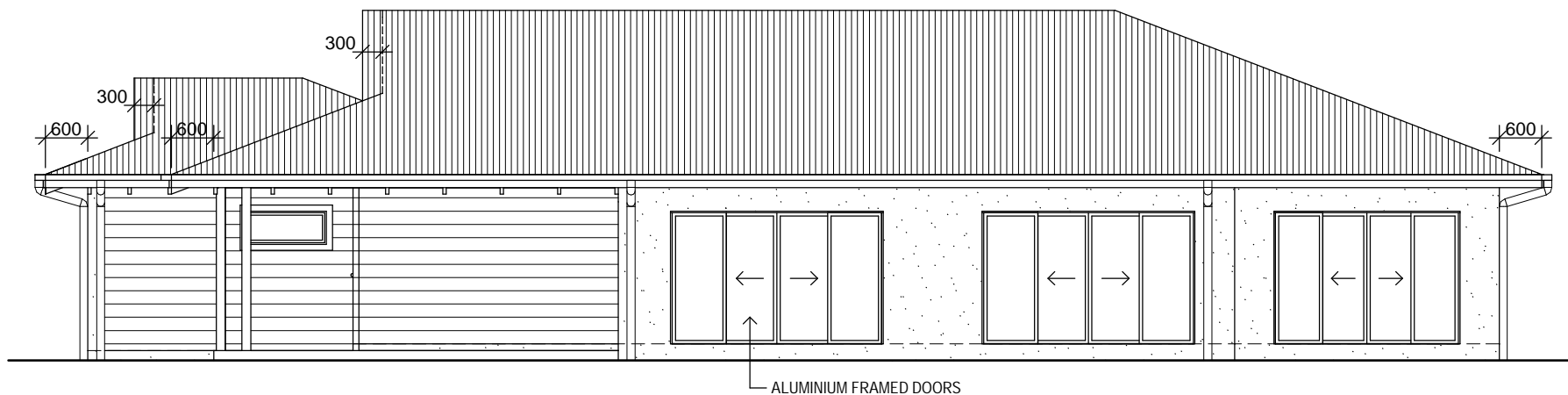
Elevation 1



Elevation 2



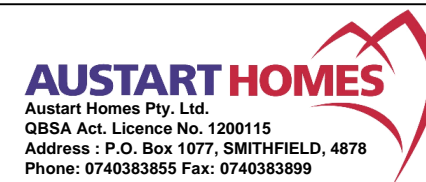
Elevation 3



Elevation 4

PRELIMINARY

## WIND-'C2' ELEVATIONS



PEACEWORLD Pty. Ltd. LOT 404-OLD  
PORT ROAD (PROPOSED LOT 11-  
DICKSON STREET), CRAIGLIE

N.B. ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER  
SCALED SIZES - THIS DESIGN IS THE EXCLUSIVE PROPERTY  
OF AUSTART HOMES AUSTRALIA Pty. Ltd.

Design:	TURN KEY 246 BLC2600	Drawn By:	
Facade:	TRADITIONAL	Date:	17/08/2022
Inclusions:	TURN KEY RANGE	Scale:	1:100
Amendments:			
Job Number:	348OLD	Sheet Number:	3 of 11

## Appendix E

### State Code Response

# State code 1: Development in a state-controlled road environment

**Table 1.1 Development in general**

Performance outcomes	Acceptable outcomes	Response
<b>Buildings, structures, infrastructure, services and utilities</b>		
<b>PO1</b> The location of the development does not create a safety hazard for users of the <b>state-controlled road</b> .	<b>AO1.1</b> Development is not located in a <b>state-controlled road</b> . AND <b>AO1.2</b> Development can be maintained without requiring access to a <b>state-controlled road</b> .	<b>Complies with AO1.1 AND AO1.2</b>  No buildings or structures associated with the proposal would be located in the state controlled road reserve.
<b>PO2</b> The design and construction of the development does not adversely impact the <b>structural integrity</b> or physical condition of the <b>state-controlled road</b> or <b>road transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Not Applicable</b>  The proposed development would not involve works within proximity of the state-controlled road and road transport infrastructure.
<b>PO3</b> The location of the development does not obstruct <b>road transport infrastructure</b> or adversely impact the operating performance of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Complies with PO3</b>  Location of the proposal would not affect road transport infrastructure or adversely impact the operating performance of the state controlled road.
<b>PO4</b> The location, placement, design and operation of advertising devices, visible from the <b>state-controlled road</b> , do not create a safety hazard for users of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>No Applicable.</b>  No advertising devices are proposed.

Performance outcomes	Acceptable outcomes	Response
<b>PO5</b> The design and construction of buildings and <b>structures</b> does not create a safety hazard by distracting users of the <b>state-controlled road</b> .	<p><b>AO5.1</b> Facades of buildings and <b>structures</b> fronting the <b>state-controlled road</b> are made of non-reflective materials.</p> <p>AND</p> <p><b>AO5.2</b> Facades of buildings and <b>structures</b> do not direct or reflect point light sources into the face of oncoming traffic on the <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO5.3</b> External lighting of buildings and <b>structures</b> is not directed into the face of oncoming traffic on the <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO5.4</b> External lighting of buildings and <b>structures</b> does not involve flashing or laser lights.</p>	<p><b>Complies with AO5.1</b></p> <p>Proposal would not result in reflective buildings and structures fronting the state-controlled road.</p> <p><b>Complies with AO5.2</b></p> <p>Proposal would not direct or reflect light sources into the state controlled road.</p> <p><b>Complies with AO5.3</b></p> <p>No external lighting is proposed as a part of this development.</p> <p><b>Complies with AO5.4</b></p> <p>No external lighting is proposed as a part of this development.</p>
<b>PO6</b> Road, pedestrian and bikeway bridges over a <b>state-controlled road</b> are designed and constructed to prevent projectiles from being thrown onto the <b>state-controlled road</b> .	<b>AO6.1</b> Road, pedestrian and bikeway bridges over the <b>state-controlled road</b> include throw protection screens in accordance with section 4.11 of the Design Criteria for Bridges and Other Structures Manual, Department of Transport and Main Roads, 2020.	<p><b>Not Applicable.</b></p> <p>No bridges are proposed as a part of this development.</p>
<b>Landscaping</b>		
<b>PO7</b> The location of landscaping does not create a safety hazard for users of the <b>state-controlled road</b> .	<p><b>AO7.1</b> Landscaping is not located in a <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO7.2</b> Landscaping can be maintained without requiring access to a <b>state-controlled road</b>.</p>	<p><b>Complies with AO7.1</b></p> <p>No landscaping is proposed within the state-controlled road.</p> <p><b>Complies with AO7.2</b></p>

Performance outcomes	Acceptable outcomes	Response
	<p>AND</p> <p><b>AO7.3</b> Landscaping does not block or obscure the sight lines for vehicular access to a <b>state-controlled road</b>.</p>	<p>No landscaping is proposed within the state-controlled road.</p> <p><b>Complies with AO7.3</b></p> <p>No landscaping is proposed within the state-controlled road.</p>
<b>Stormwater and overland flow</b>		
<b>PO8</b> Stormwater run-off or overland flow from the development site does not create or exacerbate a safety hazard for users of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<p><b>Able to comply with PO8.</b></p> <p>Stormwater from the proposed development would be directed to a lawful point of discharge within the local road.</p>
<b>PO9</b> Stormwater run-off or overland flow from the development site does not result in a material worsening of the operating performance of the <b>state-controlled road</b> or <b>road transport infrastructure</b> .	No acceptable outcome is prescribed.	<p><b>Able to comply with PO9.</b></p> <p>Stormwater from the proposed development would be directed to a lawful point of discharge within a local road.</p>
<b>PO10</b> Stormwater run-off or overland flow from the development site does not adversely impact the <b>structural integrity</b> or physical condition of the <b>state-controlled road</b> or <b>road transport infrastructure</b> .	No acceptable outcome is prescribed.	<p><b>Able to comply with PO10</b></p> <p>Stormwater from the proposed development would be directed to a lawful point of discharge within a local road.</p>
<b>PO11</b> Development ensures that stormwater is lawfully discharged.	<p><b>AO11.1</b> Development does not create any new points of discharge to a <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO11.2</b> Development does not concentrate flows to a <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO11.3</b> Stormwater run-off is discharged to a <b>lawful point of discharge</b>.</p>	<p><b>Complies with AO11.1</b></p> <p>No stormwater is to be discharged to a state-controlled road.</p> <p><b>Complies with AO11.2</b></p> <p>No stormwater is to be discharged to a state-controlled road.</p> <p><b>Complies with AO11.3</b></p>

Performance outcomes	Acceptable outcomes	Response
	<p>AND</p> <p><b>AO11.4</b> Development does not worsen the condition of an existing <b>lawful point of discharge</b> to the <b>state-controlled road</b>.</p>	<p>Stormwater is to be discharged to a lawful point of discharge</p> <p><b>Not Applicable.</b></p> <p>No stormwater is to be discharged to a state-controlled road.</p>
<b>Flooding</b>		
<p><b>PO12</b> Development does not result in a material worsening of flooding impacts within a <b>state-controlled road</b>.</p>	<p><b>AO12.1</b> For all flood events up to 1% <b>annual exceedance probability</b>, development results in negligible impacts (within +/- 10mm) to existing flood levels within a <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO12.2</b> For all flood events up to 1% <b>annual exceedance probability</b>, development results in negligible impacts (up to a 10% increase) to existing peak velocities within a <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO12.3</b> For all flood events up to 1% <b>annual exceedance probability</b>, development results in negligible impacts (up to a 10% increase) to existing time of submergence of a <b>state-controlled road</b>.</p>	<p><b>Not applicable</b></p> <p>The site is not identified as being subject to flooding.</p>
<b>Drainage Infrastructure</b>		
<p><b>PO13</b> Drainage infrastructure does not create a safety hazard for users in the <b>state-controlled road</b>.</p>	<p><b>AO13.1</b> Drainage infrastructure is wholly contained within the development site, except at the <b>lawful point of discharge</b>.</p> <p>AND</p>	<p><b>Complies with AO13.1</b></p> <p>All required drainage infrastructure would be wholly contained within the development site.</p> <p><b>Complies with AO13.2</b></p>

Performance outcomes	Acceptable outcomes	Response
	<b>AO13.2</b> Drainage infrastructure can be maintained without requiring access to a <b>state-controlled road</b> .	All required drainage infrastructure would be wholly contained within the development site.
<b>PO14</b> Drainage infrastructure associated with, or within, a <b>state-controlled road</b> is constructed, and designed to ensure the <b>structural integrity</b> and physical condition of existing drainage infrastructure and the surrounding drainage network.	No acceptable outcome is prescribed.	<b>Not Applicable</b>  All required drainage infrastructure would be wholly contained within the development site.

**Table 1.2 Vehicular access, road layout and local roads**

Performance outcomes	Acceptable outcomes	Response
<b>Vehicular access to a state-controlled road or within 100 metres of a state-controlled road intersection</b>		
<b>PO15</b> The location, design and operation of a <b>new or changed access</b> to a <b>state-controlled road</b> does not compromise the safety of users of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not Applicable.</b>  No new or changed access to a state-controlled road is proposed.
<b>PO16</b> The location, design and operation of a <b>new or changed access</b> does not adversely impact the <b>functional requirements</b> of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not Applicable.</b>  No new or changed access to a state-controlled road is proposed.
<b>PO17</b> The location, design and operation of a <b>new or changed access</b> is consistent with the <b>future intent</b> of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not Applicable.</b>  No new or changed access to a state-controlled road is proposed.
<b>PO18</b> <b>New or changed access</b> is consistent with the access for the relevant <b>limited access road policy</b> :	No acceptable outcome is prescribed.	<b>Not Applicable.</b>  No new or changed access to a state-controlled road is proposed.

Performance outcomes	Acceptable outcomes	Response
1. <b>LAR 1</b> where direct access is prohibited; or 2. <b>LAR 2</b> where access may be permitted, subject to assessment.		
<b>PO19 New or changed access to a local road</b> within 100 metres of an intersection with a <b>state-controlled road</b> does not compromise the safety of users of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Complies with PO19</b>  Due to the small scale of this residential development the new access to a local road within 100 metres of an intersection with a state-controlled road would not compromise the safety of users of the state controlled road.
<b>PO20 New or changed access to a local road</b> within 100 metres of an intersection with a <b>state-controlled road</b> does not adversely impact on the operating performance of the intersection.	No acceptable outcome is prescribed.	<b>Complies with PO20</b>  Due to the small scale of this residential development the new access to a local road within 100 metres of an intersection with a state-controlled road would not adversely impact the operating performance of the intersection.
<b>Public passenger transport and active transport</b>		
<b>PO21</b> Development does not compromise the safety of users of <b>public passenger transport infrastructure, public passenger services</b> and <b>active transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Not Applicable</b>  No public transport infrastructure or services located within the immediate vicinity of the proposal.
<b>PO22</b> Development maintains the ability for people to access <b>public passenger transport infrastructure, public passenger services</b> and <b>active transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Not Applicable</b>  No public transport infrastructure or services located within the immediate vicinity of the proposal.
<b>PO23</b> Development does not adversely impact the operating performance of <b>public passenger</b>	No acceptable outcome is prescribed.	<b>Not Applicable</b>

Performance outcomes	Acceptable outcomes	Response
<b>transport infrastructure, public passenger services and active transport infrastructure.</b>		No public transport infrastructure or services located within the immediate vicinity of the proposal.
<b>PO24</b> Development does not adversely impact the <b>structural integrity</b> or physical condition of <b>public passenger transport infrastructure</b> and <b>active transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Not Applicable</b>  No public transport infrastructure or services located within the immediate vicinity of the proposal.

**Table 1.3 Network impacts**

Performance outcomes	Acceptable outcomes	Response
<b>PO25</b> Development does not compromise the safety of users of the <b>state-controlled road</b> network.	No acceptable outcome is prescribed.	<b>Complies with PO25</b>  Due to the small scale of this residential development the proposal would not compromise the safety of users of the state controlled road.
<b>PO26</b> Development ensures <b>no net worsening</b> of the operating performance of the <b>state-controlled road</b> network.	No acceptable outcome is prescribed.	<b>Complies with PO26</b>  The scale of the proposal and the associated traffic movements created by the development would not create a net worsening of the operating performance of the state-controlled road network.
<b>PO27</b> Traffic movements are not directed onto a <b>state-controlled road</b> where they can be accommodated on the <b>local road</b> network.	No acceptable outcome is prescribed.	<b>Complies with PO27</b>  Traffic movements into and out of the subject site are accommodated on the local road network.
<b>PO28</b> Development involving haulage exceeding 10,000 tonnes per year does not adversely impact the pavement of a <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not Applicable.</b>  Development would not involve hauling exceeding 10 000 tonnes under normal occupation.

Performance outcomes	Acceptable outcomes	Response
<b>PO29</b> Development does not impede delivery of <b>planned upgrades of state-controlled roads</b> .	No acceptable outcome is prescribed.	<b>Complies with PO29</b>  Development is located wholly within the subject site. Therefore, it would not impede the delivery of planned upgrades of state-controlled roads.
<b>PO30</b> Development does not impede delivery of <b>corridor improvements</b> located entirely within the <b>state-controlled road corridor</b> .	No acceptable outcome is prescribed.	<b>Complies with PO30</b>  Development is located wholly within the subject site. Therefore, it would not impede the delivery of corridor improvements.

**Table 1.4 Filling, excavation, building foundations and retaining structures**

Performance outcomes	Acceptable outcomes	Response
<b>PO31</b> Development does not create a safety hazard for users of the <b>state-controlled road</b> or <b>road transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b>  No filling or excavation is proposed.
<b>PO32</b> Development does not adversely impact the operating performance of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b>  No filling or excavation is proposed.
<b>PO33</b> Development does not undermine, damage or cause subsidence of a <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b>  No filling or excavation is proposed.
<b>PO34</b> Development does not cause ground water disturbance in a <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b>  No filling or excavation is proposed.
<b>PO35</b> Excavation, boring, piling, blasting and fill compaction do not adversely impact the physical condition or <b>structural integrity</b> of a <b>state-</b>	No acceptable outcome is prescribed.	<b>Not applicable</b>  No filling or excavation is proposed.

Performance outcomes	Acceptable outcomes	Response
<b>controlled road or road transport infrastructure.</b>		
<b>PO36</b> Filling and excavation associated with the construction of <b>new or changed access</b> do not compromise the operation or capacity of existing drainage infrastructure for a <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b> No filling or excavation is proposed.

## Table 1.5 Environmental emissions

Statutory note: Where a **state-controlled road** is co-located in the same transport corridor as a railway, the development should instead comply with Environmental emissions in State code 2: Development in a railway environment.

Performance outcomes	Acceptable outcomes	Response
<b>Reconfiguring a lot</b>		
<b>Involving the creation of 5 or fewer new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor</b>		
<b>PO37</b> Development minimises free field noise intrusion from a <b>state-controlled road</b> .	<b>AO37.1</b> Development provides a noise barrier or earth mound which is designed, sited and constructed: <ol style="list-style-type: none"> <li>to achieve the maximum free field acoustic levels in reference table 2 (item 2.1);</li> <li>in accordance with: <ol style="list-style-type: none"> <li>Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;</li> </ol> </li> </ol>	<b>Not applicable</b> The proposed new dwelling would be located outside of the transport noise corridor.

Performance outcomes	Acceptable outcomes	Response
	<p>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</p> <p>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020.</p> <p>OR</p> <p><b>AO37.2</b> Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.</p> <p>OR</p> <p><b>AO37.3</b> Development provides a <b>solid gap-free fence</b> or other <b>solid gap-free structure</b> along the full extent of the boundary closest to the <b>state-controlled road</b>.</p>	
<b>Involving the creation of 6 or more new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor</b>		
<b>PO38</b> Reconfiguring a lot minimises free field noise intrusion from a <b>state-controlled road</b> .	<p><b>AO38.1</b> Development provides noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> <li>to achieve the maximum free field acoustic levels in reference table 2 (item 2.1);</li> <li>in accordance with: <ol style="list-style-type: none"> <li>Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;</li> </ol> </li> </ol>	<p><b>Not applicable</b></p> <p>Only one lot would be created.</p>

Performance outcomes	Acceptable outcomes	Response
	<ul style="list-style-type: none"> <li>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</li> <li>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020.</li> </ul> <p>OR</p> <p><b>AO38.2</b> Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.</p>	
<b>Material change of use (accommodation activity)</b>		
<b>Ground floor level requirements adjacent to a state-controlled road or type 1 multi-modal corridor</b>		
<b>PO39</b> Development minimises noise intrusion from a <b>state-controlled road</b> in <b>private open space</b> .	<p><b>AO39.1</b> Development provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ul style="list-style-type: none"> <li>1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.2) for <b>private open space</b> at the ground floor level;</li> <li>2. in accordance with: <ul style="list-style-type: none"> <li>a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;</li> <li>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</li> </ul> </li> </ul>	<p><b>Not applicable</b></p> <p>The proposed new dwelling would be located outside of the transport noise corridor.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020.</p> <p>OR</p> <p><b>AO39.2</b> Development achieves the maximum free field acoustic level in reference table 2 (item 2.2) for <b>private open space</b> by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.</p>	
<p><b>PO40</b> Development (excluding a <b>relevant residential building</b> or <b>relocated building</b>) minimises noise intrusion from a <b>state-controlled road</b> in <b>habitable rooms</b> at the facade.</p>	<p><b>AO40.1</b> Development (excluding a <b>relevant residential building</b> or <b>relocated building</b>) provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> <li>1. to achieve the maximum building façade acoustic level in reference table 1 (item 1.1) for <b>habitable rooms</b>;</li> <li>2. in accordance with: <ol style="list-style-type: none"> <li>a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;</li> <li>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</li> <li>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020.</li> </ol> </li> </ol> <p>OR</p>	<p><b>Not applicable</b></p> <p>The proposed new dwelling would be located outside of the transport noise corridor.</p>

Performance outcomes	Acceptable outcomes	Response
	<b>AO40.2 Development (excluding a relevant residential building or relocated building)</b> achieves the maximum building façade acoustic level in reference table 1 (item 1.1) for <b>habitable rooms</b> by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.	
<b>PO41 Habitable rooms</b> (excluding a <b>relevant residential building</b> or <b>relocated building</b> ) are designed and constructed using materials to achieve the maximum internal acoustic level in reference table 3 (item 3.1).	No acceptable outcome is provided.	<b>Not applicable</b>  The proposed new dwelling would be located outside of the transport noise corridor.
<b>Above ground floor level requirements (accommodation activity) adjacent to a state-controlled road or type 1 multi-modal corridor</b>		
<b>PO42</b> Balconies, podiums, and roof decks include: 1. a continuous <b>solid gap-free structure</b> or balustrade (excluding gaps required for drainage purposes to comply with the Building Code of Australia); 2. highly acoustically absorbent material treatment for the total area of the soffit above balconies, podiums, and roof decks.	No acceptable outcome is provided.	<b>Not Applicable</b>  All development is proposed on the ground floor.
<b>PO43 Habitable rooms</b> (excluding a <b>relevant residential building</b> or <b>relocated building</b> ) are designed and constructed using materials to achieve the maximum internal acoustic level in reference table 3 (item 3.1).	No acceptable outcome is provided.	<b>Not Applicable</b>  All development is proposed on the ground floor.
<b>Material change of use (other uses)</b>		
<b>Ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor</b>		

Performance outcomes	Acceptable outcomes	Response
<p><b>PO44</b> Development:</p> <ol style="list-style-type: none"> <li>1. provides a noise barrier or earth mound that is designed, sited and constructed: <ol style="list-style-type: none"> <li>a. to achieve the maximum free field acoustic level in reference table 2 (item 2.3) for all <b>outdoor education areas</b> and <b>outdoor play areas</b>;</li> <li>b. in accordance with: <ol style="list-style-type: none"> <li>i. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;</li> <li>ii. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</li> <li>iii. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or</li> </ol> </li> </ol> </li> <li>2. achieves the maximum free field acoustic level in reference table 2 (item 2.3) for all <b>outdoor education areas</b> and <b>outdoor play areas</b> by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.</li> </ol>	No acceptable outcome is provided.	<p><b>Not Applicable</b></p> <p>No childcare centre, educational establishment, or hospital is proposed.</p>
<p><b>PO45</b> Development involving a <b>childcare centre</b> or <b>educational establishment</b>:</p> <ol style="list-style-type: none"> <li>1. provides a noise barrier or earth mound that is designed, sited and constructed:</li> </ol>	No acceptable outcome is provided.	<p><b>Not Applicable</b></p> <p>No childcare centre, educational establishment, or hospital is proposed.</p>

Performance outcomes	Acceptable outcomes	Response
<ul style="list-style-type: none"> <li>2. to achieve the maximum building facade acoustic level in reference table 1 (item 1.2);</li> <li>3. in accordance with: <ul style="list-style-type: none"> <li>a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;</li> <li>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</li> <li>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or</li> </ul> </li> <li>4. achieves the maximum building facade acoustic level in reference table 1 (item 1.2) by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.</li> </ul>		
<p><b>PO46</b> Development involving:</p> <ul style="list-style-type: none"> <li>1. <b>indoor education areas</b> and <b>indoor play areas</b>; or</li> <li>2. sleeping rooms in a <b>childcare centre</b>; or</li> <li>3. <b>patient care areas</b> in a <b>hospital</b> achieves the maximum internal acoustic level in reference table 3 (items 3.2-3.4).</li> </ul>	No acceptable outcome is provided.	<p><b>Not Applicable</b></p> <p>No childcare centre, educational establishment, or hospital is proposed.</p>
<p><b>Above ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor</b></p>		

Performance outcomes	Acceptable outcomes	Response
<p><b>PO47</b> Development involving a <b>childcare centre</b> or <b>educational establishment</b> which have balconies, podiums or elevated <b>outdoor play areas</b> predicted to exceed the maximum free field acoustic level in reference table 2 (item 2.3) due to noise from a <b>state-controlled road</b> are provided with:</p> <ol style="list-style-type: none"> <li>1. a continuous <b>solid gap-free structure</b> or balustrade (excluding gaps required for drainage purposes to comply with the Building Code of Australia);</li> <li>2. highly acoustically absorbent material treatment for the total area of the soffit above balconies or elevated <b>outdoor play areas</b>.</li> </ol>	No acceptable outcome is provided.	<p><b>Not Applicable</b></p> <p>No childcare centre, educational establishment, or hospital is proposed.</p>
<p><b>PO48</b> Development including:</p> <ol style="list-style-type: none"> <li>1. <b>indoor education areas</b> and <b>indoor play areas</b> in a <b>childcare centre</b> or <b>educational establishment</b>; or</li> <li>2. sleeping rooms in a <b>childcare centre</b>; or</li> <li>3. <b>patient care areas</b> in a <b>hospital</b> located above ground level, is designed and constructed to achieve the maximum internal acoustic level in reference table 3 (items 3.2-3.4).</li> </ol>	No acceptable outcome is provided.	<p><b>Not Applicable</b></p> <p>No childcare centre, educational establishment, or hospital is proposed.</p>
<b>Air, light and vibration</b>		

Performance outcomes	Acceptable outcomes	Response
<p><b>PO49 Private open space, outdoor education areas and outdoor play areas</b> are protected from air quality impacts from a <b>state-controlled road</b>.</p>	<p><b>AO49.1</b> Each dwelling or unit has access to a <b>private open space</b> which is shielded from a <b>state-controlled road</b> by a building, <b>solid gap-free fence</b>, or other <b>solid gap-free structure</b>.</p> <p>OR</p> <p><b>AO49.2</b> Each <b>outdoor education area</b> and <b>outdoor play area</b> is shielded from a <b>state-controlled road</b> by a building, <b>solid gap-free fence</b>, or other <b>solid gap-free structure</b>.</p>	<p><b>Not Applicable</b></p> <p>No childcare centre, educational establishment, or hospital is proposed.</p>
<p><b>PO50 Patient care areas</b> within <b>hospitals</b> are protected from vibration impacts from a <b>state-controlled road</b> or <b>type 1 multi-modal corridor</b>.</p>	<p><b>AO50.1 Hospitals</b> are designed and constructed to ensure vibration in the patient treatment area does not exceed a vibration dose value of <math>0.1\text{m/s}^{1.75}</math>.</p> <p>AND</p> <p><b>AO50.2 Hospitals</b> are designed and constructed to ensure vibration in the ward of a <b>patient care area</b> does not exceed a vibration dose value of <math>0.4\text{m/s}^{1.75}</math>.</p>	<p><b>Not Applicable</b></p> <p>No childcare centre, educational establishment, or hospital is proposed.</p>
<p><b>PO51</b> Development is designed and sited to ensure light from infrastructure within, and from users of, a <b>state-controlled road</b> or <b>type 1 multi-modal corridor</b>, does not:</p> <ol style="list-style-type: none"> <li>1. intrude into buildings during night hours (10pm to 6am);</li> <li>2. create unreasonable disturbance during evening hours (6pm to 10pm).</li> </ol>	<p>No acceptable outcomes are prescribed.</p>	<p><b>Not Applicable</b></p> <p>No childcare centre, educational establishment, or hospital is proposed.</p>

**Table 1.6: Development in a future state-controlled road environment**

Performance outcomes	Acceptable outcomes	Response
<b>PO52</b> Development does not impede delivery of a <b>future state-controlled road</b> .	<p><b>AO52.1</b> Development is not located in a <b>future state-controlled road</b>.</p> <p>OR ALL OF THE FOLLOWING APPLY:</p> <p><b>AO52.2</b> Development does not involve filling and excavation of, or material changes to, a <b>future state-controlled road</b>.</p> <p>AND</p> <p><b>AO52.3</b> The intensification of lots does not occur within a <b>future state-controlled road</b>.</p> <p>AND</p> <p><b>AO52.4</b> Development does not result in the landlocking of parcels once a <b>future state-controlled road</b> is delivered.</p>	<p><b>Complies with AO52.1</b></p> <p>The development is not located in a future state controlled road.</p>
<b>PO53</b> The location and design of <b>new or changed access</b> does not create a safety hazard for users of a <b>future state-controlled road</b> .	<b>AO53.1</b> Development does not include <b>new or changed access</b> to a <b>future state-controlled road</b> .	<p><b>Complies with AO53.1</b></p> <p>No new or changed access to a future state-controlled road are proposed.</p>
<b>PO54</b> Filling, excavation, building foundations and <b>retaining structures</b> do not undermine, damage or cause subsidence of a <b>future state-controlled road</b> .	No acceptable outcome is prescribed.	<p><b>Not applicable</b></p> <p>No filling or excavation is proposed.</p>
<b>PO55</b> Development does not result in a material worsening of stormwater, flooding, overland flow or drainage impacts in a <b>future state-controlled road</b> or <b>road transport infrastructure</b> .	No acceptable outcome is prescribed.	<p><b>Not applicable</b></p> <p>The development is not located in or adjacent a future state controlled road</p>
<b>PO56</b> Development ensures that stormwater is lawfully discharged.	<p><b>AO56.1</b> Development does not create any new points of discharge to a <b>future state-controlled road</b>.</p> <p>AND</p>	<p><b>Complies AO56.1</b></p> <p>Stormwater from the proposed development would be directed to a lawful point of discharge</p>

Performance outcomes	Acceptable outcomes	Response
	<p><b>AO56.2</b> Development does not concentrate flows to a <b>future state-controlled road</b>.</p> <p>AND</p> <p><b>AO56.3</b> Stormwater run-off is discharged to a <b>lawful point of discharge</b>.</p> <p>AND</p> <p><b>AO56.4</b> Development does not worsen the condition of an existing <b>lawful point of discharge</b> to the <b>future state-controlled road</b>.</p>	<p>which is not located in a future state-controlled road.</p> <p><b>Complies with AO56.2</b></p> <p>No stormwater is to be discharged to a future state-controlled road.</p> <p><b>Complies AO56.3</b></p> <p>Stormwater from the proposed development would be directed to a lawful point of discharge.</p> <p><b>Not Applicable</b></p> <p>No stormwater is to be discharged to a future state-controlled road.</p>

## Appendix F

### Planning Scheme Code Responses

## 6.2.8 Medium density residential zone code

### 6.2.8.1 Application

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

### 6.2.8.2 Purpose

- (1) The purpose of the Industry zone code is to provide for a range of service, low or medium impact industrial uses. It may include non-industrial and The purpose of the Medium density residential zone code is to provide for a range and mix of dwelling types including dwelling houses and multiple dwellings supported by community uses and small-scale services and facilities that cater for local residents.
- (2) The local government purpose of the code is to:
  - (b) implement the policy direction set in the Strategic Framework, in particular:
    - (i) Theme 1 : Settlement pattern, Element 3.4.2 – Urban settlement, Element 3.4.3 Element – Activity centres, Element 3.4.5 – Residential areas and activities.
    - (ii) Theme 4 : Strong communities and identity, Element 3.7.5 Housing choice and affordability.
  - (c) establish a medium density residential character consisting predominantly of low to medium-rise dwelling houses, dual occupancies and multiple dwellings (up to 3 storeys in height).
- (3) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Development provides a wider choice of predominantly permanent-living housing in terms of form, size and affordability to meet the needs of residents.
  - (b) 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 is designed to take into account the tropical climate by incorporating appropriate architectural elements and design features.
  - (d) Landscaping enhances the visual appearance of development and the streetscape, provides attractive outdoor spaces and privacy between adjoining development.
  - (e) Community facilities, open space and recreational areas and appropriate infrastructure to support the needs of the local community are provided.

### 6.2.8.3 Criteria for assessment

Table 6.2.8.3.a – Medium density residential zone code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<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> Proposed development would be single storey with a maximum height of 5.3 metres.
<b>Setbacks (other than for a dwelling house)</b>		
<b>PO2</b> Buildings are setback to: <ul style="list-style-type: none"> <li>(a) maintain the character of residential neighbourhoods;</li> <li>(b) achieve separation from neighbouring buildings and from road frontages;</li> <li>(c) maintain a cohesive streetscape;</li> <li>(d) provide daylight access, privacy and appropriate landscaping.</li> </ul>	<b>AO2</b> Buildings are setback: <ul style="list-style-type: none"> <li>(a) a minimum of 6 metres from the main street frontage;</li> <li>(b) a minimum of 4 metres from any secondary street frontage;</li> <li>(c) 4.5 metres from a rear boundary;</li> <li>(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.</li> </ul>	<b>Complies with PO2</b> The proposed development would have the following setbacks: <ul style="list-style-type: none"> <li>• Setback of 3.372 metres to 6.0 metres to Dickson Street;</li> <li>• 1.5 metres to the northern boundary;</li> <li>• Minimum setback of 4.238 metres to the eastern boundary;</li> <li>• Maintenance of the existing setback to Old Port Road.</li> </ul> It is proposed to reconfigure the land into 2 lots following the substantial commencement of the development of the site for the purpose of multiple dwellings. The greatest encroachment would occur to the frontage of Dickson Street, which would present as a primary street frontage at the

Performance outcomes	Acceptable outcomes	Applicant response
		<p>completion of the development. The configuration of the allotments and the alignment of the road results in a minor encroachment into the 6 metre setback for part of the proposed dwellings with the majority of the dwellings setback 6 metres.</p> <p>The proposed development would represent a medium density housing development and would result in a form of development consistent with the character of a medium density housing development. It would achieve a suitable level of separation from adjoining allotments and from allotments within the development, it would also provide a suitable separation of the development from the trafficable roadway within the adjoining roads.</p> <p>The proposed development is considered to satisfy the requirements of the Performance Outcome.</p>
<b>Site coverage</b>		
<b>PO3</b> The site coverage of all buildings does not result in a built form that is bulky or visually obtrusive.	<b>A03</b> The site coverage of any building is limited to 50%	<b>Complies with A03</b> Proposal would have a site coverage of less than 50%.
<b>Building proportions and scale (other than for a dwelling house)</b>		

Performance outcomes	Acceptable outcomes	Applicant response
<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>  No new building would exceed 30 metres in overall length or have a continuous wall of 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>  Proposed balconies, patios or similar are not proposed to be enclosed or capable to be used as a habitable room.
	<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 to AO4.3</b>  Patios would be open with a maximum of 20% of their façade being fully enclosed.
	<b>AO4.4</b>  Roof forms, materials and colours of buildings enhance the amenity of the street and locality, including: (a) the roof of buildings are light coloured and non-reflecting; (b) white and shining metallic finishes are avoided on external surfaces in prominent view.  Note – The building incorporates building design features and architectural elements detailed in Planning scheme policy SC6.2 – Building design and architectural elements.	<b>Complies with AO4.4</b>  The proposed development would be consistent with existing buildings in the immediate area in terms of bulk form height and appearance.
<b>Landscaping (other than for a dwelling house)</b>		

Performance outcomes	Acceptable outcomes	Applicant response
<b>PO5</b>  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.	<b>AO5.1</b>  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.	<b>Complies with AO5.1</b>  Landscaping area would exceed 35% and there would be sufficient areas provided for deep planting.  It is also important to note that this Performance Outcome would not be applicable to the ultimate form of development.
	<b>AO5.2</b>  Within the frontage setback area, a minimum width of 2 metres of landscape area includes a minimum 75% dense planting.	<b>Not applicable.</b>  The ultimate form of development would be for dwelling houses on separate allotments.
	<b>AO5.3</b>  Within the side and rear setback areas, a minimum width of 1.5 metres of landscape area includes 75% dense planting.	<b>Not applicable.</b>  The ultimate form of development would be for dwelling houses on separate allotments.
<b>For assessable development</b>		
<b>PO6</b>  The establishment of uses is consistent with the outcomes sought for the Medium density residential zone and protects the zone from the intrusion of inconsistent uses.	<b>AO6</b>  Uses identified in Table 6.2.8.3.b are not established in the Medium density residential zone.	<b>Complies with AO6</b>  Multiple Dwellings/Dwelling Houses are not listed as incompatible developments.
<b>PO7</b>	<b>AO7</b>	<b>Complies with PO7</b>

Performance outcomes	Acceptable outcomes	Applicant response
<p>Development is located, designed, operated and managed to respond to the natural characteristics, features and constraints of the site and surrounds.</p> <p>Note – Planning scheme policy – Site assessments provides guidance on identifying the characteristics and features and constraints of a site and its surrounds.</p>	No acceptable outcomes are prescribed.	The subject site is flat and generally clear of vegetation.
<p><b>PO8</b></p> <p>Development does not adversely affect the residential character and amenity of the area in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.</p>	<p><b>AO8</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Complies with PO8</b></p> <p>The proposed development would have a built form bulk, height and appearance consistent with other forms of development in the locality.</p>
<p><b>PO9</b></p> <p>New lots contain a minimum area of 1000m<sup>2</sup>.</p>	<p><b>AO9</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Complies to purpose of the Zone</b></p> <p>The purpose of the Medium Density Residential Zone Code is to, inter alia, provide for a range and mix of dwelling types including dwelling houses and multiple dwellings supported by community uses and small-scale services and facilities that cater for local residents.</p> <p>The proposed ultimate development provides dwelling houses on allotments consistent with the purpose of the zone.</p>
<p><b>PO10</b></p> <p>New lots have a minimum road frontage of 20 metres.</p>	<p><b>AO10</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Complies to the purpose of the Zone</b></p> <p>The development would provide a new lot with a frontage of 19.675 metres. This is 325mm less than that identified in the Performance Outcome. The deviation from the Performance Outcome is considered to</p>

Performance outcomes	Acceptable outcomes	Applicant response
		be minor and would not affect the ability of the overall development to satisfy the Purpose of the Medium Density Residential Zone to provide for a range and mix of dwelling types including dwelling houses.
<b>PO11</b> New lots contain a 20 metre x 25 metre rectangle.	<b>AO11</b> No acceptable outcomes are prescribed.	<b>Complies with the purpose of the Zone</b> The purpose of the Medium Density Residential Zone Code is to provide for a range and mix of dwelling types including dwelling houses and multiple dwellings supported by community uses and small-scale services and facilities that cater for local residents. The development in its ultimate form meets the purpose of the code as it would provide a range of housing options on separate allotments consistent with the purpose of the zone.

**Table 6.2.8.3.b - Inconsistent uses within the Medium density residential zone**

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>• Aquaculture</li> <li>• Bar</li> <li>• Brothel</li> <li>• Bulk landscape supplies</li> <li>• Car wash</li> <li>• Club</li> <li>• Crematorium</li> <li>• Cropping</li> <li>• Detention facility</li> <li>• Emergency services</li> <li>• Extractive industry</li> <li>• Food and drink outlet</li> <li>• Function facility</li> <li>• Funeral parlour</li> <li>• Garden centre</li> <li>• Hardware and trade supplies</li> <li>• High impact industry</li> </ul>	<ul style="list-style-type: none"> <li>• Hospital</li> <li>• Hotel</li> <li>• Indoor sport and recreation</li> <li>• Intensive animal industry</li> <li>• Intensive horticulture</li> <li>• Landing</li> <li>• Low impact industry</li> <li>• Major electricity infrastructure</li> <li>• Major sport, recreation and entertainment facility</li> <li>• Marine industry</li> <li>• Medium impact industry</li> <li>• Motor sport facility</li> <li>• Nature based tourism</li> <li>• Nightclub entertainment facility</li> <li>• Non-resident workforce accommodation</li> <li>• Office</li> <li>• Outdoor sales</li> <li>• Outstation</li> </ul>	<ul style="list-style-type: none"> <li>• Parking station</li> <li>• Permanent plantation</li> <li>• Port services</li> <li>• Renewable energy facility</li> <li>• Research and technology industry</li> <li>• Resort complex</li> <li>• Roadside stall</li> <li>• Rural industry</li> <li>• Rural workers accommodation</li> <li>• Service industry</li> <li>• Shopping Centre</li> <li>• Showroom</li> <li>• Special industry</li> <li>• Theatre</li> <li>• Tourist attraction</li> <li>• Transport depot</li> <li>• Veterinary services</li> <li>• Warehouse</li> <li>• Wholesale nursery</li> <li>• Winery</li> </ul>

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

AU006371 : 11-15 Dickson Street, Craiglie (MCU/RAL)

## 7.2.4 Port Douglas/Craiglie local plan code

### 7.2.4.1 Application

- (1) This code applies to assessing development within the Port Douglas/Craiglie local plan area as identified on the Port Douglas/Craiglie 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/Craiglie local plan code.

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

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 Craiglie (Four Mile). Craiglie 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/Craiglie local plan code is to facilitate development outcomes consistent with community values, the local tropical built-form and protection of the natural environment within the Port Douglas/Craiglie local plan area, while providing a platform for investment and prosperity.
  - (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) Craiglie will develop as an integrated residential community with some low scale tourism development opportunities in appropriate locations. Craiglie will also function as small scale commercial and light industry node, providing employment opportunities for the Shire's permanent resident population.
  - (d) All forms of development will complement the tropical image of the town through distinctive tropical vernacular, urban design and landscaping.
  - (e) Character will be enhanced through the identification of gateway sites, landmarks, main approach routes and pedestrian thoroughfares and view corridors;
  - (f) The Flagstaff Hill, Dickson Inlet, Four Mile Beach and other areas of scenic and environmental significance will be protected from development. Vegetation cover will dominate over built form.
  - (g) Vegetation, iconic to the character of Port Douglas, including the avenues of Oil Palms, is retained and where appropriate supplemented.
  - (h) Development will be indistinguishable from view from Four Mile Beach. In addition, any development on Flagstaff Hill will be indistinguishable when viewed from vantage points in Port Douglas.
  - (i) Residential areas are designed as pleasant, functional and distinctive, in visually well-defined areas.
- (4) The purpose of the code will be further achieved through the following overall outcomes:
  - (a) Precinct 1 – Port Douglas precinct
    - (i) Sub-precinct 1a – Town Centre sub-precinct
    - (ii) Sub-precinct 1b – Waterfront North sub-precinct
    - (iii) Sub-precinct 1c – Waterfront South sub-precinct
    - (iv) Sub-precinct 1d – Limited Development sub-precinct

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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 proposed development is not identified as requiring pedestrian, cyclist or vehicular thoroughfare.
<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>Complies with AO2.1</b> To the extent possible, the proposed development provides for the retention of the mature trees in the area, including by positioning the access driveway away for the trees within the Dickson Street Road Reserve.

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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>Complies with AO2.2</b> The proposal would not adversely affect any important views and vistas.
	<b>AO2.3</b> Important landmarks, memorials and monuments are retained.	<b>Complies with AO2.3</b> The proposal would not adversely affect any memorials, monuments or landmarks.
<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>Complies with AO3</b> The proposal is located near a node identified in the corner of the Captain Cook Highway and Old Port Road. However, it not considered to be immediately adjacent the intersection and the proposed development would not adversely affect the ability to deliver the desired outcome.
<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>Able to comply with A04</b> The proposed development provides open space which is sufficient to achieve the desired landscape objectives

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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.	and screening.
<b>PO5</b> Development does not compromise the safety and efficiency of the State-controlled road network.	<b>AO5</b> Direct access is not provided to a State-controlled road where legal and practical access from another road is available.	<b>Complies with AO5</b> All access would be provided from a local 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 site is not located in the Port Douglas 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> The site is not located in the Port Douglas precinct.

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Performance outcomes	Acceptable outcomes	Compliance
<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 conflict; (c) are clearly identified and maintain ease of access at all times.	<b>A07.1</b> For all buildings, parking is: (a) to the side of buildings and recessed behind the main building line; or (b) behind buildings; or (c) wrapped by the building façade, and not visible from the street.	<b>Not Applicable</b> The site is not located in the Port Douglas precinct.
	<b>A07.2</b> Ground level parking incorporates clearly defined pedestrian routes.	<b>Not Applicable</b> The site is not located in the Port Douglas precinct.
	<b>A07.3</b> Any porte-cocheres, disabled and pedestrian accesses are accommodated within the boundary of new or refurbished development.	<b>Not Applicable</b> The site is not located in the Port Douglas precinct.
	<b>A07.4</b> 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.	<b>Not Applicable</b> The site is not located in the Port Douglas precinct.
	<b>A07.5</b>	<b>Not Applicable</b>

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Performance outcomes	Acceptable outcomes	Compliance
	On-site car parking available for public use is clearly signed at the site frontage.	The site is not located in the Port Douglas precinct.
	<b>AO7.6</b> Boom gates, pay machines or other regulatory devices to control access to a publicly available car parking area are not constructed or installed.	<b>Not Applicable</b> The site is not located in the Port Douglas precinct.
<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 site is not located in the Port Douglas 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 site is not located in the Town Centre sub-precinct.
<b>PO10</b> Building design, the streetscape, pedestrian paths and	<b>AO10</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b> The site is not located in the Town Centre sub-precinct.

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Performance outcomes	Acceptable outcomes	Compliance
street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port Douglas Precinct.		
<b>PO11</b> Buildings: (a) address street frontages; (b) ensure main entrances front the street or public spaces; (c) do not focus principally on internal spaces or parking areas.	<b>AO11</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b> The site is not located in the Town Centre sub-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 site is not located in the Town Centre sub-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;	<b>AO13</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b> The site is not located in the Town Centre sub-precinct.

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Performance outcomes	Acceptable outcomes	Compliance
(c) public open space; (d) places of significance.		
<b>PO14</b> Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at street level including shade protection across the footpath for the length of the building.	<b>AO14</b> Development is built up to the street frontage/s at the street level and incorporates a light frame awning, a minimum of 3 metres in width for the length of the street frontage/s; or If a development includes an outdoor dining area at ground/footpath level, the dining area has a maximum setback of 3 metres and the required awning is still maintained along the length of the street frontage/s. Note – PO24 provides more detail on awning design.	<b>Not Applicable</b> The site is not located in the Town Centre sub-precinct.
<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 site is not located in the Town Centre sub-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 site is not located in the Town Centre sub-precinct.
<b>PO16</b> Detailed building design: (a) enhances the visual amenity of the streetscape;	<b>AO16</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b> The site is not located in the Town Centre sub-precinct.

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Performance outcomes	Acceptable outcomes	Compliance
(b) has a legible and attractive built form that is visually enhanced by architectural elements; (c) contributes to a distinctive tropical north Queensland, seaside tourist town character; (d) integrates major landscaping elements to maximise their aesthetic value to ensure that the lush, vegetated character of the Town Centre sub-precinct is maintained.		
<b>PO17</b> Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through: (a) surface decoration; (b) wall recesses and projections; (c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements. (d) differentiating between the lower, middle and upper parts of the building by varying the façade and/or the shape of the built form, where comprised of more than two storeys.	<b>AO17</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b> The site is not located in the Town Centre sub-precinct.
<b>PO18</b> Roofs are not characterised by a cluttered display of plant and equipment, in particular: (a) building caps and rooftops contribute to the architectural distinction of the building and create a coherent roofscape for the Town Centre sub-	<b>AO18</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b> The site is not located in the Town Centre sub-precinct.

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Performance outcomes	Acceptable outcomes	Compliance
<p>precinct;</p> <p>(b) service structures, lift motor rooms and mechanical plant and equipment are designed as an architectural feature of the building or are screened from public view;</p> <p>(c) rooftops are not used for advertising.</p>		
<p><b>P019</b></p> <p>Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to:</p> <p>(a) shade windows;</p> <p>(b) reduce glare;</p> <p>(c) assist in maintaining comfortable indoor temperatures;</p> <p>(d) minimising heat loads;</p> <p>(e) enrich the North Queensland tropical character of the Town Centre sub-precinct;</p> <p>(f) provide architectural interest to building façades.</p>	<p><b>AO19</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not Applicable</b></p> <p>The site is not located in the Town Centre sub-precinct.</p>
<p><b>PO20</b></p> <p>Buildings are finished with high quality materials, selected for:</p> <p>(a) their ability to contribute the character of Town Centre sub-precinct;</p> <p>(b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate.</p>	<p><b>AO20</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not Applicable</b></p> <p>The site is not located in the Town Centre sub-precinct.</p>

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Performance outcomes	Acceptable outcomes	Compliance
<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 site is not located in the Town Centre sub-precinct.
<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 site is not located in the Town Centre sub-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 site is not located in the Town Centre sub-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 site is not located in the Town Centre sub-precinct.

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Performance outcomes	Acceptable outcomes	Compliance
<b>PO23</b> Building facades that face public spaces at ground level: <ul style="list-style-type: none"> <li>(a) complement the appearance of the development and surrounding streetscape;</li> <li>(b) enhance the visual amenity of the public place;</li> <li>(c) include a variety of human scale architectural elements and details;</li> <li>(d) provide an opportunity for the casual and convenient surveillance of public space from within the development.</li> </ul>	<b>AO23</b> Building facades at the ground floor of development that face public space are designed to ensure: <ul style="list-style-type: none"> <li>(a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit the casual surveillance of the public space from the development;</li> <li>(b) a visually prominent main entrance that faces the principal public place;</li> <li>(c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade.</li> </ul>	<b>Not Applicable</b> The site is not located in the Town Centre sub-precinct.
<b>PO24</b> Awnings for pedestrian shelter are consistent with the character setting of the Town Centre sub-precinct and: <ul style="list-style-type: none"> <li>(a) extend and cover the footpath to provide protection from the sun and rain;</li> <li>(b) include lighting under the awning;</li> <li>(c) are continuous across the frontage of the site;</li> <li>(d) align to provide continuity with existing or future awnings on adjoining sites;</li> <li>(e) are a minimum of 3.0 metres in width and generally not more than 3.5 metres above pavement height;</li> <li>(f) do not extend past a vertical plane, 1.2 metres inside the kerb-line to enable street trees to be planted and grow;</li> <li>(g) are cantilevered from the main building with any</li> </ul>	<b>AO24</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b> The site is not located in the Town Centre sub-precinct.

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Performance outcomes	Acceptable outcomes	Compliance
posts within the footpath being non load-bearing.		
<b>PO25</b> Development integrates with the streetscape and landscaping improvements for Port Douglas.	<b>AO25</b> Development fronting Davidson Street, Macrossan Street, Wharf Street, Mowbray Street and Warner Street is designed to integrate with the on-street landscaping and design improvements as outlined within the Port Douglas landscape master plan contained within Planning scheme policy SC6.7 – Landscaping.  Note - Planning scheme policy SC6.7 - Landscaping provides guidance on meeting the Performance Outcome.	<b>Not Applicable</b> The site is not located in the Town Centre sub-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 site is not located within the Waterfront North sub-precinct.
<b>PO27</b> The bulk and scale of buildings is consistent with surrounding development and steps down to complement the open space areas in the adjoining limited development sub-precinct.	<b>AO27</b> Buildings and structures are not more than: (a) 3 storeys and 13.5 metres in height , with a roof height of not less than 3 metres, in those parts of the precinct south of Inlet Street; (b) 2 storeys and 8.5 metres in height, with a roof height of not less than 3 metres, in those parts of the precinct north of Inlet Street.  Note – Height is inclusive of roof height.	<b>Not Applicable</b> The site is not located within the Waterfront North sub-precinct.

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Performance outcomes	Acceptable outcomes	Compliance
<b>PO28</b> Building design, streetscape, pedestrian paths and street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port Douglas Precinct.	<b>AO28</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b> The site is not located within the Waterfront North sub-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 site is not located within the Waterfront North sub-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 site is not located within the Waterfront North sub-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 site is not located within the Waterfront North sub-precinct.
<b>PO30</b> Buildings: (a) address street frontages; (b) ensure main entrances front the street or public	<b>AO30</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b> The site is not located within the Waterfront North sub-precinct.

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Performance outcomes	Acceptable outcomes	Compliance
spaces.		
<b>PO31</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.	<b>AO31</b> Setbacks at ground level: (a) are clear of columns and other obstructions; (b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites; (c) connect without any lip or step to adjoining footpaths.	<b>Not Applicable</b> The site is not located within the Waterfront North sub-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 site is not located within the Waterfront North sub-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 site is not located within the Waterfront North sub-precinct.
<b>PO34</b> Development is predominantly commercial in nature with any tourist accommodation having a secondary	<b>AO34.1</b> Centre activities establish:	<b>Not Applicable</b> The site is not located within the Waterfront North sub-precinct.

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Performance outcomes	Acceptable outcomes	Compliance
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.	(a) at street level on active street frontages; (b) a maximum of one level above street level.	
	<b>AO34.2</b> Residential development activities or short term accommodation is located above street /ground floor level of the active frontage, but not on or up to the street / public frontage in any development, including mixed use development.	<b>Not Applicable</b> The site is not located within the Waterfront North sub-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 site is not located within the Waterfront North sub-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>AO36</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b> The site is not located within the Waterfront North sub-precinct.

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Performance outcomes	Acceptable outcomes	Compliance
(b) wall recesses and projections; (c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements. (d) differentiating between the lower, middle and upper parts of the building by varying the façade and/or the shape of the built form, where comprised of more than two storeys.		
<b>PO37</b> Roofs are not characterised by a cluttered display of plant and equipment, in particular: (a) building caps and rooftops contribute to the architectural distinction of the building and create a coherent roofscape for the Waterfront North sub-precinct; (b) service structures, lift motor rooms and mechanical plant and equipment are designed as an architectural feature of the building or are screened from public view; (c) rooftops are not used for advertising.	<b>AO37</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b> The site is not located within the Waterfront North sub-precinct.
<b>PO38</b> Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to: (a) shade windows; (b) reduce glare; (c) assist in maintaining comfortable indoor	<b>AO38</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b> The site is not located within the Waterfront North sub-precinct.

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Performance outcomes	Acceptable outcomes	Compliance
temperatures; (d) minimising heat loads; (e) enriching the North Queensland tropical character of the Waterfront North sub-precinct; (f) architectural interest to building façades.		
<b>PO39</b> Buildings are finished with high quality materials, selected for: (a) their ability to contribute the character of Waterfront North sub-precinct; (b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate.	<b>AO39</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b> The site is not located within the Waterfront North sub-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 site is not located within the Waterfront North sub-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 site is not located within the Waterfront North sub-precinct.
	<b>AO41.2</b> Any break in the building façade varies the alignment by	<b>Not Applicable</b> The site is not located within the Waterfront North sub-precinct.

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Performance outcomes	Acceptable outcomes	Compliance
	a 1 metre minimum deviation.	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 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 site is not located within the Waterfront North sub-precinct.
<b>PO42</b> Building facades that face public spaces at ground level: (a) complement the appearance of the development and surrounding streetscape; (b) enhance the visual amenity of the public place; (c) include a variety of human scale architectural elements and details; (d) provide an opportunity for the casual and convenient surveillance of public space from within the development.	<b>AO42</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 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>Not Applicable</b> The site is not located within the Waterfront North sub-precinct.

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Performance outcomes	Acceptable outcomes	Compliance
<b>PO43</b> Awnings for pedestrian shelter are consistent with the character setting of the Waterfront North sub-precinct and: <ul style="list-style-type: none"> <li>(a) extend and cover the footpath to provide protection from the sun and rain;</li> <li>(b) include lighting under the awning;</li> <li>(c) are continuous across pedestrian circulation areas;</li> <li>(d) align to provide continuity with existing or future awnings on adjoining sites;</li> <li>(e) are a minimum of 3 metres in width and generally not more than 3.5 metres above pavement height;</li> <li>(f) do not extend past a vertical plane, 1.2 metres inside the street kerb-line to enable street trees to be planted and grow;</li> <li>(g) are cantilevered from the main building with any posts within the footpath being non load-bearing.</li> </ul>	<b>AO43</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b> The site is not located within the Waterfront North sub-precinct.
<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 site is not located within the Waterfront North sub-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	<b>Not Applicable</b> The site is not located within the Waterfront North sub-precinct.

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Performance outcomes	Acceptable outcomes	Compliance
	additional vehicle parking.	
<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 of: (a) noise; (b) odour; (c) hazardous materials; (d) waste and recyclable material storage.	<b>AO45</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b> The site is not located within the Waterfront North sub-precinct.
<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 site is not located within the Waterfront North sub-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	<b>AO47</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b> The site is not located within the Waterfront North sub-precinct.

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Performance outcomes	Acceptable outcomes	Compliance
Waterfront.		
<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 site is not located within the Waterfront North sub-precinct.
<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 site is not located within the Waterfront North sub-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 site is not located within the Waterfront North sub-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 site is not located within the Waterfront North sub-precinct.

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Performance outcomes	Acceptable outcomes	Compliance
<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 site is not located within the Waterfront North sub-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 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>Not Applicable</b> The site is not located within the Waterfront North sub-precinct.
	<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 site is not located within the Waterfront North sub-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	<b>Not Applicable</b> The site is not located within the Waterfront North sub-precinct.

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Performance outcomes	Acceptable outcomes	Compliance
	marine and tourism industry of Port Douglas.	
<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 site is not located within the Waterfront North sub-precinct..
	<b>AO55.2</b> Development is setback from all property boundaries not less than 3 metres.	<b>Not Applicable</b> The site is not located within the Waterfront North sub-precinct.
<b>PO56</b> The site coverage of all buildings and structures ensures development: (a) is sited in an existing cleared area or in an area approved for clearing; (b) has sufficient area for the provision of services; (c) development does not have an adverse effect on the environmental, habitat, conservation or landscape values of the on-site and surrounding sensitive areas.	<b>AO56</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b> The site is not located within the Waterfront North sub-precinct.
<b>PO57</b> Premises include adequate provision for service vehicles, to cater for generated demand. Loading areas for service vehicles are designed to: (a) be accommodated on-site; (b) maximise safety and efficiency of loading;	<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 site is not located within the Waterfront North sub-precinct.
	<b>AO57.2</b> Development is designed to ensure all service vehicles	<b>Not Applicable</b> The site is not located within the Waterfront North sub-

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Performance outcomes	Acceptable outcomes	Compliance
(c) protect the visual and acoustic amenity of sensitive land use activities;	are contained within the site when being loaded/unloaded.	precinct.
(d) minimise adverse impacts on natural characteristics of adjacent areas.	<b>AO57.3</b> Driveways, parking and manoeuvring areas are constructed and maintained to: (a) minimise erosion from storm water runoff; (b) retain all existing vegetation.	<b>Not Applicable</b> The site is not located within the Waterfront North sub-precinct.
<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 site is not located within the Waterfront North sub-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 site is not located within the Waterfront North sub-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 site is not located within the Waterfront North sub-precinct.

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

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Performance outcomes	Acceptable outcomes	Compliance
filling; (b) buildings being designed to step down the site and incorporate foundations and footings on piers or poles; (c) buildings being visually unobtrusive and incorporating exterior finishes and muted colours which are non-reflective and complement the colours of the surrounding vegetation and view-shed; (d) protection of the views from public viewing points in the Port Douglas precinct.		
<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 site is not located within the Craiglie Commercial and Light Industry sub-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 site is not located within the Craiglie Commercial and Light Industry sub-precinct.
	<b>AO66.2</b>	<b>Not Applicable</b>

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Performance outcomes	Acceptable outcomes	Compliance
	The setback area to the Captain Cook Highway frontage is landscaped with advanced dense planting including tree species (100 litre bag stock), which will, at maturity, exceed the height of the building(s) on the site.	The site is not located within the Craiglie Commercial and Light Industry sub-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 site is not located within the Craiglie Commercial and Light Industry sub-precinct.
	<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 site is not located within the Craiglie Commercial and Light Industry sub-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 site is not located within Precinct 6.
<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 site is not located within Precinct 6.

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

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

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

Inconsistent uses		
<ul style="list-style-type: none"> <li>• Adult store</li> <li>• Agricultural supplies store</li> <li>• Air services</li> </ul>	<ul style="list-style-type: none"> <li>• Hardware and trade supplies</li> <li>• Health care services</li> <li>• Home based business</li> </ul>	<ul style="list-style-type: none"> <li>• Permanent plantation</li> <li>• Place of worship</li> <li>• Relocatable home park</li> </ul>

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<ul style="list-style-type: none"> <li>• Animal husbandry</li> <li>• Animal keeping</li> <li>• Brothel</li> <li>• Bulk landscape supplies</li> <li>• Car wash</li> <li>• Cemetery</li> <li>• Child care centre</li> <li>• Community care centre</li> <li>• Community residence</li> <li>• Community use</li> <li>• Crematorium</li> <li>• Cropping</li> <li>• Detention facility</li> <li>• Dual occupancy</li> <li>• Dwelling house</li> <li>• Dwelling unit</li> <li>• Extractive industry</li> <li>• Function facility</li> <li>• Funeral parlour</li> <li>• Garden centre</li> </ul>	<ul style="list-style-type: none"> <li>• Hospital</li> <li>• Hotel</li> <li>• Indoor sport and recreation</li> <li>• Intensive animal industry</li> <li>• Intensive horticulture</li> <li>• Major electricity infrastructure</li> <li>• Major sport, recreation and entertainment facility</li> <li>• Market</li> <li>• Motor sport facility</li> <li>• Multiple dwelling</li> <li>• Nature-based tourism</li> <li>• Nightclub entertainment facility</li> <li>• Outdoor sales</li> <li>• Outdoor sport and recreation</li> <li>• Outstation</li> </ul>	<ul style="list-style-type: none"> <li>• Residential care facility</li> <li>• Resort complex</li> <li>• Retirement facility</li> <li>• Roadside stall</li> <li>• Rooming accommodation</li> <li>• Rural industry</li> <li>• Rural workers accommodation</li> <li>• Sales office</li> <li>• Shopping centre</li> <li>• Short-term accommodation</li> <li>• Showroom</li> <li>• Special industry</li> <li>• Theatre</li> <li>• Tourist attraction</li> <li>• Tourist park</li> <li>• Transport depot</li> <li>• Veterinary services</li> <li>• Warehouse</li> <li>• Wholesale nursery</li> <li>• Winery</li> </ul>
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## 8.2.1 Acid sulfate soils overlay code

### 8.2.1.1 Application

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

### 8.2.1.2 Purpose

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

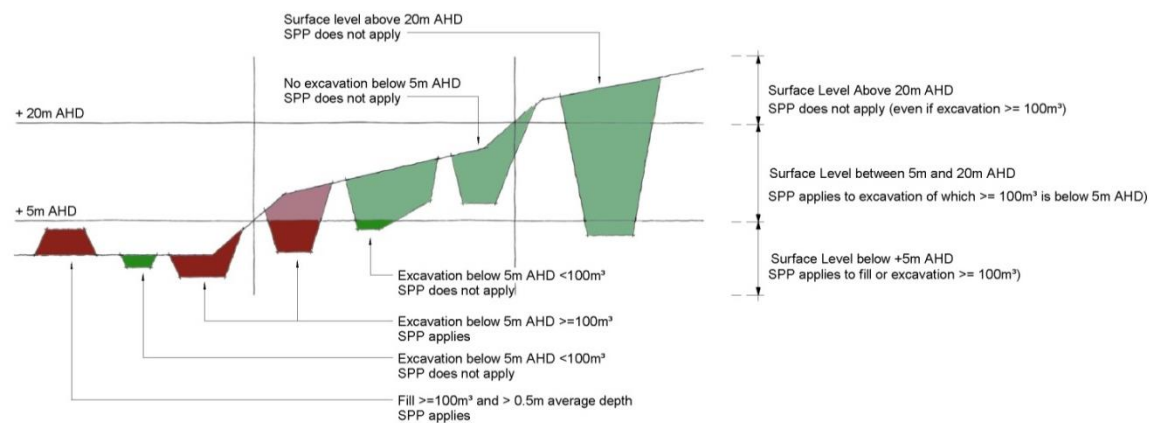
## Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable development</b>		
<b>PO1</b> The extent and location of potential or actual acid sulfate soils is accurately identified.	<b>AO1.1</b> No excavation or filling occurs on the site. or <b>AO1.2</b> An acid sulfate soils investigation is undertaken. Note - Planning scheme policy SC 6.12– Potential and actual acid sulfate soils provides guidance on preparing an acid sulfate soils investigation.	<b>Complies with AO1.1</b> No excavation or filling is to occur on the site with the exception of swimming pool.
<b>PO2</b> Development avoids disturbing potential acid sulfate soils or actual acid sulfate soils, or is managed to avoid or minimise the release of acid and metal contaminants.	<b>AO2.1</b> The disturbance of potential acid sulfate soils or actual acid sulfate soils is avoided by: (a) not excavating, or otherwise removing, soil or sediment identified as containing potential or actual acid sulfate soils; (b) not permanently or temporarily extracting groundwater that results in the aeration of previously saturated acid sulfate soils; (c) not undertaking filling that results in: (i) actual acid sulfate soils being moved below the water table; (ii) previously saturated acid sulfate soils	<b>Complies with AO2.1</b> No excavation or disturbance of acid sulfate soils would occur as a result of this development.

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

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



## 8.2.10 Transport network overlay code

### 8.2.10.1 Application

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

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- (iii) District route;
- (iv) Neighbourhood route;
- (v) Strategic investigation route.

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

#### **8.2.10.2 Purpose**

- (1) The purpose of the Transport network overlay code is to:
  - (a) implement the policy direction of the Strategic Framework, in particular:
    - (i) Theme 1: Settlement pattern Element 3.4.2 Urban settlement, Element 3.4.3 Activity centres;
    - (ii) Theme 6: Infrastructure and transport Element 3.9.4 Transport;
  - (b) enable an assessment of whether development is suitable on land within the Transport network overlay.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) development provides for transport infrastructure (including active transport infrastructure);
  - (b) development contributes to a safe and efficient transport network;
  - (c) development supports the existing and future role and function of the transport network;
  - (d) development does not compromise the safety and efficiency of major transport infrastructure and facilities.

### 8.2.10.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
<b>For assessable development</b>		
<b>PO1</b>  Development supports the road hierarchy for the region.  Note -A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.	<b>AO1.1</b>  Development is compatible with the intended role and function of the transport network as identified on the Transport network overlay maps contained in Schedule 2.	<b>Compliant with AO1.1</b>  The proposed development of the site for medium density residential development would generate traffic movements compatible with the intended role and function of Old Port Road and Dickson Street.
	<b>AO1.2</b>  Development does not compromise the safety and efficiency of the transport network.	<b>Compliant with AO1.2</b>  The proposed development would result in an additional 10 traffic movements per day above the existing development on the site. This is able to be accommodated within the existing road network without compromising road safety and efficiency.
	<b>AO1.3</b>  Development is designed to provide access via the lowest order road, where legal and practicable access can be provided to that road	<b>Complies with AO1.3</b>  The proposed development would provide access to both Lot 1 and Lot 2 from Dickson Street, which is the lowest order road.
<b>PO2</b>  Transport infrastructure is provided in an integrated and timely manner.  Note - A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.	<b>AO2</b>  Development provides infrastructure (including improvements to existing infrastructure) in accordance with:  (a) the Transport network overlay maps contained in Schedule 2;	<b>Not applicable</b>  No infrastructure improvements are required to facilitate the development.

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Performance outcomes	Acceptable outcomes	Compliance
	(b) any relevant Local Plan.  Note – The Translink Public Transport Infrastructure Manual provides guidance on the design of public transport facilities.	
<b>PO3</b>  Development involving sensitive land uses within a major transport corridor buffer area is located, designed and maintained to avoid or mitigate adverse impacts on amenity for the sensitive land use.	<b>AO3</b>  No acceptable outcomes are prescribed.  Note – Part 4.4 of the Queensland Development Code provides requirements for residential building design in a designated transport noise corridor.	<b>Not applicable</b>  The proposed new dwelling would not be located within a transport corridor buffer area for noise purposes.
<b>PO4</b>  Development does not compromise the intended role and function or safety and efficiency of major transport corridors.  Note - A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.	<b>AO4.1</b>  Development is compatible with the role and function (including the future role and function) of major transport corridors.	<b>Complies with AO4.1</b>  The development would not produce traffic movements that would affect the role and function of major transport corridors.
	<b>AO4.2</b>  Direct access is not provided to a major transport corridor where legal and practical access from another road is available.	<b>Complies with AO4.2</b>  No access would be provided to a major transport corridor.
	<b>AO4.3</b>  Intersection and access points associated with major transport corridors are located in accordance with:  (a) the Transport network overlay maps contained in Schedule 2; and  (b) any relevant Local Plan.	<b>Not Applicable</b>  No changes to an existing intersection or new intersections associated with a major transport corridor are proposed.
	<b>AO4.4</b>	<b>Complies with AO4.4</b>

Performance outcomes	Acceptable outcomes	Compliance
	The layout of development and the design of the associated access is compatible with existing and future boundaries of the major transport corridor or major transport facility.	The proposed development would not adversely affect the existing or future boundaries of a major transport corridor.
<b>PO5</b>  Development retains and enhances existing vegetation between a development and a major transport corridor, so as to provide screening to potential noise, dust, odour and visual impacts emanating from the corridor.	<b>AO5</b>  No acceptable outcomes are prescribed.	<b>Not Applicable</b>  No vegetation exists between the major transport corridor and the site.
<b>Pedestrian and cycle network</b>		
<b>PO6</b>  Lot reconfiguration assists in the implementation of the pedestrian and cycle movement network to achieve safe, attractive and efficient pedestrian and cycle networks.	<b>AO6.1</b>  Where a lot is subject to, or adjacent to an element of the pedestrian and cycle Movement network (identified on the Transport network overlay maps contained in Schedule 2) the specific location of this element of the pedestrian and cycle network is incorporated in the design of the lot layout.	<b>Complies with AO6.1</b>  The proposed development would not adversely affect the function of any pedestrian or cycle network.
	<b>AO6.2</b>  The element of the pedestrian and cycle network is constructed in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC6.5 – FNQROC Regional Development Manual.	<b>Not Applicable</b>  No pedestrian or cycle network is required to be constructed as a part of this development.

### 9.3.13 Multiple dwelling, short term accommodation and retirement facility code

#### 9.3.13.1 Application

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

#### 9.3.13.2 Purpose

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

#### 9.3.13.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable development</b>		
<b>PO1</b> The site has sufficient area and frontage to: <ol style="list-style-type: none"> <li>(a) accommodate the scale and form of buildings considering site features;</li> <li>(b) achieve communal open space areas and</li> </ol>	<b>AO1.1</b> The site has a minimum area of 1000m <sup>2</sup> .	<b>Complies with AO1.1</b> The site area is 1,698m <sup>2</sup> .
	<b>AO1.2</b> The site has a minimum frontage of 25 metres.	<b>Complies with AO1.2</b> The site has frontage to Dickson Street and Old Port Road of 55 metres and 37.7 metres,

Performance outcomes	Acceptable outcomes	Applicant response
private outdoor spaces; (c) deliver viable areas of deep planting and landscaping to retain vegetation and protect or establish tropical planting; (d) achieve safe and convenient vehicle and pedestrian access; (e) accommodate on-site car parking and manoeuvring for residents, visitors and service providers.		respectively.
<b>PO2</b> Development for large-scale multiple dwellings, short term accommodation and retirement villages contributes to the neighbourhood structure and integrates with the existing neighbourhood through: (a) the establishment and extension of public streets and pathways; (b) the provision of parks and other public spaces as appropriate to the scale of the development; (c) inclusion of a mix of dwelling types and tenures and forms; (d) buildings that address the street; (e) building height and setback transitions to adjoining development of a lower density or scale.	<b>AO2</b> Development on a site 5,000m <sup>2</sup> or greater is in accordance with a structure plan. Note – Guidance on preparing a structure plan is provided within Planning scheme policy SC6.14 – Structure planning.	<b>Not applicable</b> The site area is less than 5,000m <sup>2</sup> .
<b>PO3</b> Development ensures that the proportion of buildings to open space is:	<b>AO3.1</b> The site cover is not more than 40%.	<b>Not applicable</b> The development satisfies the site cover requirements of the zone code, which in accordance with Section 1.5 of the Planning

Performance outcomes	Acceptable outcomes	Applicant response										
(a) in keeping with the intended form and character of the local area and immediate streetscape;  (b) contributes to the modulation of built form;  (c) supports residential amenity including access to breezes, natural light and sunlight;  (d) supports outdoor tropical living;  (e) provides areas for deep tropical planting and / or for the retention of mature vegetation.		Scheme prevail over the requirements of a use code.										
	<b>AO3.2</b>  The development has a gross floor area of not more than:	<b>Complies with AO3.2</b>  The proposed development would have a gross floor area of less than 2,037.6m <sup>2</sup> .										
	<table><tr><th>Zone</th><th>Maximum GFA</th></tr><tr><td>Low-medium density residential</td><td>0.8 x site area</td></tr><tr><td>Medium density residential</td><td>1.2 x site area</td></tr><tr><td>Tourist accommodation</td><td>1.2 x site area</td></tr><tr><td>All other zones</td><td>No acceptable outcome specified</td></tr></table>		Zone	Maximum GFA	Low-medium density residential	0.8 x site area	Medium density residential	1.2 x site area	Tourist accommodation	1.2 x site area	All other zones	No acceptable outcome specified
	Zone		Maximum GFA									
	Low-medium density residential		0.8 x site area									
	Medium density residential		1.2 x site area									
	Tourist accommodation	1.2 x site area										
All other zones	No acceptable outcome specified											
<b>PO4</b>  Development is sited so that the setback from boundaries:  (a) provides for natural light, sunlight and breezes;  (b) minimises the impact of the development on the amenity and privacy of neighbouring residents;  (c) provides for adequate landscaping.	<b>AO4.1</b>  Buildings and structures are set back not less than 6 metres from a road frontage.	<b>Not applicable</b>  Refer to the assessment against the Medium Density Residential Zone Code.										
	<b>AO4.2</b>  Buildings and structures are setback not less than 4 metres to the rear boundary.	<b>Not applicable</b>  Refer to the assessment against the Medium Density Residential Zone Code.										
	<b>AO4.3</b>  The side boundary setback for buildings and structures is:  (a) for buildings up to 2 storeys not less than 2.5 metres for the entire building;	<b>Not applicable</b>  Refer to the assessment against the Medium Density Residential Zone Code.										

Performance outcomes	Acceptable outcomes	Applicant response
	(b) for buildings up to 3 storeys not less than 3.5 metres for the entire building.	
<b>PO5</b> Building depth and form must be articulated to (a) ensure that the bulk of the development is in keeping with the form and character intent of the area; (b) provide adequate amenity for residents in terms of natural light and ventilation. Note – Planning scheme policy SC6.1 – Building design and architectural elements provides guidance on reducing building bulk.	<b>AO5.1</b> (a) The maximum length of a wall in any direction is 30 metres with substantial articulation provided every 15 metres. (b) The minimum distance between buildings on a site is not less than 6 metres;	<b>Not applicable</b> Refer to the assessment against the Medium Density Residential Zone Code.
	<b>AO5.2</b> The length of any continuous eave line does not exceed 18 metres.	<b>Complies with AO5.2</b> No eave line would exceed 18 metres in continuous length.
<b>PO6</b> Development reduces the appearance of building bulk, ensures a human-scale, demonstrates variations in horizontal and vertical profile and supports streetscape character.	<b>AO6.1</b> Development incorporates a number of the following design elements: (a) balconies; (b) verandahs; (c) terraces; (d) recesses.	<b>Complies with AO6.1</b> The proposed development incorporates a ground floor terrace and building recesses.
	<b>AO6.2</b> Development reduces building bulk by: (a) variation in building colours, materials and textures; (b) the use of curves, recesses, projections or variations in plan and elevation; (c) recession and projection of rooflines and the inclusion of interesting roof forms, such as cascading roof levels, gables, skillions or	<b>Complies with AO6.2</b> The façade of the new building provides variations in depth and the roof is a gable roof with eaves.

Performance outcomes	Acceptable outcomes	Applicant response
	variations in pitch; (d) use of sun-shading devices and other façade features; (e) use of elements at a finer scale than the main structural framing of the building.	
<b>PO7</b> Development provides a building that must define the street to facilitate casual surveillance and enhance the amenity of the street through: (a) orientation to the street; (b) front boundary setback; (c) balconies and windows to provide overlooking and casual surveillance; (d) building entrances.	<b>AO7.1</b> Development provides a building that is not set back further than 2m beyond the minimum required street front setback.	<b>Complies with AO7.1</b> The building is not setback 2m beyond the minimum setback.
	<b>AO7.2</b> Development provides balconies and windows from the primary living area that face and overlook the street or public space.	<b>Complies with AO7.2</b> The main living area and terrace would overlook the street.
<b>PO8</b> Buildings exhibit tropical design elements to support Douglas Shire's tropical climate, character and lifestyle.	<b>AO8.1</b> Development has floor to ceiling heights of 2.7 metres;	<b>Complies with AO8.1</b> The floor to ceiling height would be 2.7 metres.
	<b>AO8.2</b> Buildings include weather protection and sun shading to all windows to all external doors and windows of habitable rooms.	<b>Complies with AO8.2</b> The new build incorporates 600mm eaves to all windows and doors.
	<b>AO8.3</b> Development incorporates deep recesses, eaves and sun-shading devices	<b>Complies with AO8.3</b> The new build incorporates 600mm eaves and deep recesses and variation in built form to the street facing façade.
	<b>AO8.4</b> Western orientated facades are shaded using	<b>Complies with AO8.4</b> The proposed new build is design to limit sun

Performance outcomes	Acceptable outcomes	Applicant response
	building and landscape elements, such as adjustable screens, awnings or pergolas or dense tropical planting.	penetration to the western façade by providing 600 mm eaves and locating the recreation areas adjacent the eastern boundary of the site.
	<b>AO8.5</b> Individual dwelling units are not located on both sides of an enclosed central corridor (i.e. not double banked).	<b>Not applicable</b> No central corridors are proposed.
<b>PO9</b> Development minimises direct overlooking between buildings through appropriate building layout, location and the design of windows and balconies or screening devices. Note—Siting and building separation is used to minimize privacy screening requirements.	<b>AO9.1</b> Development where the dwelling is located within 2 metres at ground level or 9 metres above ground level of a habitable room window or private open space of an existing dwelling house, ensures habitable rooms and any private outdoor spaces have: <ul style="list-style-type: none"> <li>(a) an offset from the habitable room or private open space of the existing dwelling to limit direct outlook; or</li> <li>(b) sill heights a minimum of 1.5m above floor level; or</li> <li>(c) fixed obscure glazing in any part of the window below 1.5m above floor level; or</li> <li>(d) fixed external screens; or</li> <li>(e) in the case of screening for a ground floor level unit, fencing to a minimum 1.8m above the ground storey floor level.</li> </ul>	<b>Not applicable</b> No dwelling is located within 2 metres at ground floor of another dwelling.
	<b>AO9.2</b> Development where a direct view is available from balconies, terraces, decks or roof decks into windows of habitable rooms, balconies, terraces or decks in an adjacent existing dwelling house,	<b>Not applicable</b> No dwelling has a direct view to another dwelling.

Performance outcomes	Acceptable outcomes	Applicant response
	is screened from floor level to a height above 1.5m above floor level.	
	<b>AO9.3</b> Development provides screening devices that are solid translucent screens, perforated or slatted panels or fixed louvres that have a maximum of 25% openings, with a maximum opening dimension of 50mm, and that are permanent and durable.  Note—The screening device is offset a minimum of 0.3m from the wall around any window.  Note—Screening devices are hinged or otherwise attached to facilitate emergency egress	<b>Not applicable</b>  There would be no direct overlooking between units as a result of the proposed development.
<b>PO10</b>  Development provides accessible and functional landscaping and recreation area for the benefit of residents/guests.	<b>AO10</b>  A minimum of 35% of the site is allocated as landscaping and recreation area.	<b>Complies with AO10</b>  More than 35% of the site would be provided as landscaping and recreation area.
<b>PO11</b>  Landscaping must contribute positively to the amenity of the area, streetscape and public spaces.	<b>AO11</b>  Development provides landscaping as follows: (a) A dense landscape planting strip of at least 2 metres width suitable for deep planting is provided and maintained along all street frontages; (b) A dense landscape planting strip of at least 1.5 metres width suitable for deep planting is provided along all side and rear boundaries.	<b>Complies with PO11</b>  The ultimate development will present as two dwelling houses on two lots and would be consistent with the predominant form of development that has emerged in the area containing the site. The proposed development would result in an improved built form on the Dickson Streetscape and any landscaping would improve the appearance of the overall site.
<b>PO12</b>  The landscaping and recreation area provides for functional communal open space for all	<b>AO12.1</b>  Communal open space is provided at: (a) a minimum of 5% of site area or	<b>Not applicable</b>  Complies with AO12.5. Refer below.

Performance outcomes	Acceptable outcomes	Applicant response
developments exceeding five dwellings on one site.	50m <sup>2</sup> whichever is the greater; and (b) a minimum dimension of 5 metres. <b>AO12.2</b> Development provides communal open space that: (a) is consolidated into one useable space; (b) where communal open space exceeds 100m <sup>2</sup> , the communal open space may be split into two, and so forth incrementally.	
	<b>AO12.3</b> Communal open space: (a) is a minimum of 50% open to the sky; (b) achieves 25% shading by trees in 5 years; (c) does not include vehicle driveways and manoeuvring; (d) does not contain surface structures such as rainwater tanks, fire hydrants, transformers or water boosters.	<b>Not applicable</b> Complies with AO12.5. Refer below.
	<b>AO12.4</b> Communal open space is designed to provide for a range of facilities, typically including some, or all, of the following elements: (a) seating; (b) barbecue; (c) play equipment; (d) swimming pool; (e) communal clothes drying;	<b>Not applicable</b> Complies with AO12.5. Refer below.

Performance outcomes	Acceptable outcomes	Applicant response
<b>PO13</b> Development must provide attractive and functional private open space for residents and guests.	(f) vegetable garden.	
	<b>AO12.5</b> Development involving 5 or fewer dwellings on one lot can allocate additional private open space to a ground floor dwelling instead of providing communal open space.	<b>Complies with AO12.5</b> The development would provide an increased private open space for each unit.
	<b>AO13.1</b> Development provides private open space which: (a) for ground storey dwellings, comprises of a minimum area of 35m <sup>2</sup> with a minimum dimension of 3 metres; (b) for dwellings above ground storey, comprises of a balcony with minimum area of 12m <sup>2</sup> and a minimum dimension of 3 metres.	<b>Complies with AO13.1</b> The proposed development would provide in excess of 35m <sup>2</sup> of open space per unit.
	<b>AO13.2</b> Development provides private open space areas that are: (a) directly accessible from internal primary living area of the dwelling (not bedrooms); (b) provided with a screened area of 2m <sup>2</sup> minimum dimension capable of screening air conditioning plant, private clothes drying etc. (c) provided with adjustable, moveable or operable privacy screening where appropriate.	<b>Complies with AO13.2</b> All private open space areas would be accessible from internal primary living areas.
	<b>AO13.3</b> Development provides balconies that are located to the front or rear of the building except where adequate building separation can be achieved to	<b>Complies with AO13.3</b> Patios would be located to the front and rear of the proposed dwellings.

Performance outcomes	Acceptable outcomes	Applicant response
	maintain privacy.	
	<b>AO13.4</b> Where secondary balconies are provided to a side of a building for additional amenity or services, such as clothes drying or to articulate facades, the setback may be reduced to the minimum setback, but these areas are not included in the calculation of private open space requirements.	<b>Not applicable</b> No secondary balconies are proposed.
	<b>AO13.5</b> Private open space: (a) does not include vehicle driveways and manoeuvring; (b) does not contain surface structures such as rainwater tanks, fire hydrants, transformers or water boosters.	<b>Complies with AO13.5</b> No private open space would include service or vehicle areas.
<b>PO14</b> Development provides front fencing and retaining walls that must: (a) facilitate casual surveillance of the street and public space; (b) enable use of private open space; (c) assist in highlighting entrances to the property; (d) provide a positive interface to the streetscape.	<b>AO14.1</b> Development ensures that, where fencing is provided, the height of any new fence located on any common boundary to a street or public space is a maximum of: (a) 1.2m, where fence construction is solid or less than 50% transparent; (b) 1.5m, where fence construction is at least 50% transparent; (c) 1.8m and solid only where the site is on an arterial road or higher order road.	<b>Complies with AO14.1</b> No front fencing is proposed. that would exceed 1.2 metres in height.
	<b>AO14.2</b> Development incorporating solid front fences or walls that front the street or other public spaces	<b>Not applicable</b> No solid front fences are proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	and are longer than 10m, indentations, material variation or landscaping is provided to add visual interest and soften the visual impact.	
	<b>AO14.3</b> Development for a retaining wall is: (a) stepped to minimise impact on the streetscape and pedestrian environment; (b) a maximum of 0.6m in height if directly abutting the edge of the adjoining road reserve verge	<b>Not applicable</b> No retaining walls are proposed.
<b>PO15</b> Development minimises light nuisances.	<b>AO15</b> Outdoor lighting is in accordance with AS 4282-1997 Control of the obtrusive effects of outdoor lighting.	<b>Not applicable</b> No outdoor lighting is proposed as part of this application.
<b>PO16</b> Waste and recyclable material storage areas are: (a) convenient and accessible to residents and waste and recyclable material collection services; (b) located and designed to mitigate adverse impacts: (i) within the site; (ii) on adjoining properties; (iii) to the street.	<b>AO16</b> Waste and recyclable material storage areas: (a) are located on site; (b) are sited and designed to be unobtrusive and screened from view from the street frontage; (c) are imperviously sealed roofed and bunded, and contain a hose down area draining to Council's sewer network; (d) are of a sufficient size to accommodate bulk (skip) bins; (e) have appropriate access and sufficient on site manoeuvrability area for waste and recyclable material collection services. Note - The Environmental performance code contains	<b>Able to comply with AO16</b> The waste are recyclable storage areas are able to be located beneath the eaves and screened from view.

Performance outcomes	Acceptable outcomes	Applicant response
	requirements for waste and recyclable material storage.	
<b>PO17</b> Development provides a secure storage area for each dwelling.	<b>AO17</b> A secure storage area for each dwelling: (a) is located to enable access by a motor vehicle or be near to vehicle parking; (b) has a minimum space of 3.5m <sup>2</sup> per dwelling; (c) has a minimum height of 2 metres; (d) is weather proof; (e) is lockable; (f) has immunity to the 1% AEP inundation event.  Note – A cupboard within a unit will not satisfy this requirement.	<b>Complies with AO17</b> Secure storage is available within the double garage of each unit.
<b>Additional requirements for a Retirement facility</b>		
<b>PO18</b> Retirement facilities are located in areas which offer convenience to residents, and are designed to be compatible with the locality and surrounding area in which they are located.	<b>AO18</b> Retirement facilities are conveniently located in established areas close to public transport, shopping facilities and health care services.	<b>Not applicable</b> No retirement facility is proposed.
<b>PO19</b> Retirement facilities are designed to provide for the amenity and security of residents.	<b>AO19.1</b> The Retirement facility incorporates covered walkways wide enough to accommodate wheel chairs and ramps, and where necessary, provide on-site weather protection between all parts of the complex.	<b>Not applicable</b> No retirement facility is proposed.
	<b>AO19.2</b> Internal pathways have firm, well drained and	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
	non-slip surfaces.	No retirement facility is proposed.
	<b>AO19.2</b> Security screens are provided to all dwelling units or residential rooms to ensure the safety and security of residents.	<b>Not applicable</b> No retirement facility is proposed.
	<b>AO19.3</b> An illuminated sign and site map of the layout of the development is located near the main entrance to the facility	<b>Not applicable</b> No retirement facility is proposed.
<b>PO20</b> The internal layout of a Retirement facility and the location of the retirement facility allows for safe evacuation of residents in an emergency and provides emergency services to efficiently access the site.	<b>AO20.1</b> The design of the Retirement facility ensures that external circulation and access and egress points on the site facilitate the evacuation of the site in an efficient manner.	<b>Not applicable</b> No retirement facility is proposed.
	<b>AO20.2</b> The site of a Retirement facility is not prone to inundation.	<b>Not applicable</b> No retirement facility is proposed.
	<b>AO20.3</b> The location of the Retirement facility is readily accessible to emergency vehicles.	<b>Not applicable</b> No retirement facility is proposed.
<b>PO21</b> The development is designed for the needs of the age group, and to allow 'aging in place' to occur.	<b>AO21.1</b> Development applies adaptable housing principles.	<b>Not applicable</b> No retirement facility is proposed.
	<b>AO21.2</b> A range of housing designs and sizes are provided in the development to cater for different individual	<b>Not applicable</b> No retirement facility is proposed.



Performance outcomes	Acceptable outcomes	Applicant response
	and household needs.	

## 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 AO1.1</b>  The proposed development is required to provide a minimum of 1.5 spaces per dwelling unit as a multiple dwelling or 2 spaces per dwelling house, plus one for the Secondary Dwelling in its ultimate form.  The proposed development provides three spaces for the existing development and an additional two for the new dwelling.
	<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>  The car parking spaces would be retained for the parking of motor vehicles.
	<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>  Proposal does not include motorcycle parking.
	<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>  Proposal does not provide more than 50 car parking spaces.

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 AO2.</b> The proposed spaces provided are designed to comply with the Australian Standards.
<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> In its ultimate form, each site would have a single access only.
	<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 proposed driveways would not be placed over infrastructure pits, kerb inlets or similar.

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 subject site is considered to be relatively flat and the driveways would satisfy the gradient requirements.
	<b>AO3.4</b> Surface construction materials are consistent with the	<b>Complies with AO3.4</b> Driveways are to be constructed of concrete

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.	or exposed aggregate, consistent with driveways in the locality.
<b>PO4</b> Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.	<b>AO4</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 wheelchair accessible spaces are required for the proposed development.
<b>PO5</b> Access for people with disabilities is provided to the building from the parking area and from the street.	<b>AO5</b> Access for people with disabilities is provided in accordance with the relevant Australian Standard.	<b>Not Applicable.</b> Access for people with disabilities is not applicable to this development.
<b>PO6</b> Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development	<b>AO6</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> Bicycle parking requirements are not applicable to this development.
<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>AO7.1</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> Bicycle parking requirements are not applicable to this development
	<b>AO7.2</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> Bicycle parking requirements are not applicable to this development

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> Bicycle parking requirements are not applicable to this development
<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>Complies to A08</b> An existing pedestrian and cycle path runs North to South on Old Port Road.
<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>Complies to A09.1</b> The proposed access driveways and manoeuvring areas would comply with the relevant Australian Standards.
	<b>A09.2</b> Service and loading areas are contained fully within the site.	<b>Not Applicable.</b> No service and loading areas are required for this proposal.
	<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>	Service vehicles are not required to access the site.
<b>PO10</b> Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.	<b>AO10.1</b> 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: <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>	<b>Not Applicable</b> The proposed development does not require on site vehicle queuing.
	<b>AO10.2</b> Queuing and set-down areas are designed and constructed in accordance with AS2890.1.	<b>Not Applicable</b> The proposed development does not require on site vehicle queuing.

### 9.4.3 Environmental performance code

#### 9.4.3.1 Application

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

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

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

#### 9.4.3.2 Purpose

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

#### 9.4.3.3 Criteria for assessment

**Table 9.4.3.3.a – Environmental performance code – assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
Lighting		

Performance outcomes	Acceptable outcomes	Applicant response
<b>PO1</b> Lighting incorporated within development does not cause an adverse impact on the amenity of adjacent uses and nearby sensitive land uses.	<b>AO1.1</b> Technical parameters, design, installation, operation and maintenance of outdoor lighting comply with the requirements of Australian standard AS4282-1997 Control of the obtrusive effects of outdoor lighting.	<b>Not Applicable</b> No external lighting is proposed to be incorporated into the development.
	<b>AO1.2</b> Development that involves flood lighting is restricted to a type that gives no upward component of light where mounted horizontally.	<b>Not Applicable</b> No external lighting is proposed to be incorporated into the development.
	<b>AO1.3</b> Access, car parking and manoeuvring areas are designed to shield nearby residential premises from impacts of vehicle headlights.	<b>Complies with AO1.3</b> The location of parking spaces and vehicle access would not result in light spill from vehicles to adjoining properties.
<b>Noise</b>		
<b>PO2</b> Potential noise generated from the development is avoided through design, location and operation of the activity.  Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.	<b>AO2.1</b> Development does not involve activities that would cause noise related environmental harm or nuisance;	<b>Complies with AO2.1</b> The proposed residential use would not result in environmental harm or nuisance through normal occupation.
	or <b>AO2.2</b> Development ensures noise does not emanate from the site through the use of materials, structures and architectural features to not cause an adverse noise impact on adjacent uses.	
	<b>AO2.3</b> The design and layout of development ensures car parking areas avoid noise impacting directly on adjacent sensitive land uses through one or	<b>Complies with AO2.3</b> Proposed car parking and access locations are located away from common boundaries with recreation areas. Additionally, they are located

Performance outcomes	Acceptable outcomes	Applicant response
	<p>more of the following:</p> <ul style="list-style-type: none"> <li>(a) car parking is located away from adjacent sensitive land uses;</li> <li>(b) car parking is enclosed within a building;</li> <li>(c) a noise ameliorating fence or structure is established adjacent to car parking areas where the fence or structure will not have a visual amenity impact on the adjoining premises;</li> <li>(d) buffered with dense landscaping.</li> </ul> <p>Editor's note - The <i>Environmental Protection (Noise) Policy 2008</i>, Schedule 1 provides guidance on acoustic quality objectives to ensure environmental harm (including nuisance) is avoided.</p>	<p>away from living areas and private open space of each of the dwellings on the subject site.</p>
<b>Airborne particles and other emissions</b>		
<p><b>PO3</b></p> <p>Potential airborne particles and emissions generated from the development are avoided through design, location and operation of the activity.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p><b>AO3.1</b></p> <p>Development does not involve activities that will result in airborne particles or emissions being generated;</p> <p>or</p> <p><b>AO3.2</b></p> <p>The design, layout and operation of the development activity ensures that no airborne particles or emissions cause environmental harm or nuisance.</p> <p>Note - examples of activities which generally cause airborne particles include spray painting, abrasive blasting, manufacturing activities and car wash facilities.</p> <p>Examples of emissions include exhaust ventilation from basement or enclosed parking structures, air conditioning/refrigeration ventilation and exhaustion.</p> <p>The <i>Environmental Protection (Air) Policy 2008</i>, Schedule 1 provides guidance on air quality objectives to ensure</p>	<p><b>Complies with AO3.1</b></p> <p>The residential nature of the development means it would not result in airborne particles or emissions being generated through normal occupation.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	environmental harm (including nuisance) is avoided.	
<b>Odours</b>		
<b>PO4</b> Potential odour causing activities associated with the development are avoided through design, location and operation of the activity.  Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.	<b>AO4.1</b> The development does not involve activities that create odorous emissions; or <b>AO4.2</b> The use does not result in odour that causes environmental harm or nuisance with respect to surrounding land uses.	<b>AO4.1</b> The residential use proposed would not through normal occupation involve activities that create odorous emissions.
<b>Waste and recyclable material storage</b>		
<b>PO5</b> Waste and recyclable material storage facilities are located and maintained to not cause adverse impacts on adjacent uses.  Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.	<b>AO5.1</b> The use ensures that all putrescent waste is stored in a manner that prevents odour nuisance and is disposed of at regular intervals.	<b>Complies with AO5.1</b> All dwellings associated with the proposal would be provided with adequate storage space for waste and recyclables bins. Which would be collected on a regular basis.
	<b>AO5.2</b> Waste and recyclable material storage facilities are located, designed and maintained to not cause an adverse impact on users of the premises and adjacent uses through consideration of: <ul style="list-style-type: none"> <li>(a) the location of the waste and recyclable material storage areas in relation to the noise and odour generated;</li> <li>(b) the number of receptacles provided in relation to the collection, maintenance and use of the</li> </ul>	<b>Complies with AO5.2</b> The storage and emptying of domestic wheelie bins would not cause an adverse impact on users of the premises or adjacent users.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>receptacles;</p> <p>(c) the durability of the receptacles, sheltering and potential impacts of local climatic conditions;</p> <p>(d) the ability to mitigate spillage, seepage or leakage from receptacles into adjacent areas and sensitive receiving waters and environments.</p> <p>Editor's note - the <i>Environmental Protection (Waste Management) Policy 2008</i> provides guidance on the design of waste containers (receptacles) to ensure environmental harm (including nuisance) is avoided.</p>	
<b>Sensitive land use activities</b>		
<p><b>PO6</b></p> <p>Sensitive land use activities are not established in areas which will receive potentially incompatible impacts on amenity from surrounding, existing development activities and land uses.</p>	<p><b>AO6.1</b></p> <p>Sensitive land use activities are not established in areas that will be adversely impacted upon by existing land uses, activities and potential development possible in an area;</p> <p>or</p> <p><b>AO6.2</b></p> <p>Sensitive land activities are located in areas where potential adverse amenity impacts mitigate all potential impacts through layout, design, operation and maintenance.</p>	<p><b>Complies with AO6.1</b></p> <p>The subject site is located adjacent to an industrial zone proposal is for the development of residential uses on land identified for such purpose.</p>
<b>Stormwater quality</b>		
<p><b>PO7</b></p> <p>The quality of stormwater flowing over, through or being discharged from development activities into watercourses and drainage lines is of adequate quality for downstream environments, with respect to:</p>	<p><b>AO7.1</b></p> <p>Development activities are designed to ensure stormwater over roofed and hard stand areas is directed to a lawful point of discharge.</p>	<p><b>Complies with AO7.1</b></p> <p>Storm water would be directed to the street front, as the lawful point of discharge.</p>
	<p><b>AO7.2</b></p>	<p><b>Not Applicable</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
(a) the amount and type of pollutants borne from the activity; (b) maintaining natural stream flows; (c) the amount and type of site disturbance; (d) site management and control measures.	Development ensures movement of stormwater over the site is not impeded or directed through potentially polluting activities.	No polluting activities are proposed to be undertaken on the site.
	<b>AO7.3</b> Soil and water control measures are incorporated into the activity's design and operation to control sediment and erosion potentially entering watercourses, drainage lines and downstream receiving waters.  Note - Planning scheme policy - FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i> .  During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.	<b>Complies with AO7.3</b> All stormwater drainage would be directed to a lawful point of discharge.
<b>Pest plants (for material change of use on vacant land over 1,000m<sup>2</sup>)</b>		
<b>PO8</b> Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not reinfest the site or nearby sites.  Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the <i>Land Protection (Pest and Stock Route Management) Act 2002</i> .	<b>AO8.1</b> The land is free of declared pest plants before development establishes new buildings, structures and practices;  or <b>AO8.2</b> Pest plants detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person prior to construction of buildings and structures or earthworks.  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>Complies with AO8.1</b> The site is not known to contain pest plants.

## 9.4.4 Filling and excavation code

### 9.4.4.1 Application

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

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

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

### 9.4.4.2 Purpose

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

### 9.4.4.3 Criteria for assessment

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

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

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

Performance outcomes	Acceptable outcomes	Applicant response
	No crest of any cut or toe of any fill, or any part of any retaining wall or structure is closer than 600mm to any boundary of the property, unless the prior written approval of the adjoining landowner has been obtained.	No excavation or fill would be undertaken as part of the development.
	<b>AO1.6</b> Non-retained cut and/or fill on slopes are stabilised and protected against scour and erosion by suitable measures, such as grassing, landscaping or other protective/aesthetic measures	<b>Not Applicable</b> No excavation or fill would be undertaken as part of the development.
<b>Visual Impact and Site Stability</b>		
<b>PO2</b> Filling and excavation are carried out in such a manner that the visual/scenic amenity of the area and the privacy and stability of adjoining properties is not compromised.	<b>AO2</b> The extent of filling and excavation does not exceed 40% of the site area, or 500m <sup>2</sup> whichever is the lesser, except that AO2.1 does not apply to reconfiguration of 5 lots or more.	<b>Not Applicable</b> No excavation or fill would be undertaken as part of the development.
	<b>AO2.2</b> Filling and excavation does not occur within 2 metres of the site boundary.	<b>Not Applicable</b> No excavation or fill would be undertaken as part of the development.
<b>Flood and Drainage</b>		

Performance outcomes	Acceptable outcomes	Applicant response
<b>PO3</b> Filling and excavation does not result in a change to the run off characteristics of a site which then have a detrimental impact on the site or nearby land or adjacent road reserves.	<b>A03.1</b> Filling and excavation does not result in the ponding of water on a site or adjacent land or road reserves..	<b>Not Applicable</b> No excavation or fill would be undertaken as part of the development.
	<b>A03.2</b> Filling and excavation does not result in an increase in the flow of water across a site or any other land or road reserves.	<b>Not Applicable</b> No excavation or fill would be undertaken as part of the development.
	<b>A03.3</b> Filling and excavation does not result in an increase in the volume of water or concentration of water in a watercourse and overland flow paths.	<b>Not Applicable</b> No excavation or fill would be undertaken as part of the development.
	<b>A03.4</b> Filling and excavation complies with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	<b>Not Applicable</b> No excavation or fill would be undertaken as part of the development.
<b>Water Quality</b>		
<b>PO4</b> Filling and excavation does not result in a reduction of the water quality of receiving waters.	<b>A04</b> Water quality is maintained to comply with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	<b>Not Applicable</b> No excavation or fill would be undertaken as part of the development.

Performance outcomes	Acceptable outcomes	Applicant response
<b>Infrastructure</b>		
<b>PO5</b> Excavation and filling does not impact on Public Utilities.	<b>AO5</b> Excavation and filling is clear of the zone of influence of public utilities.	<b>Not Applicable</b> No excavation or fill would be undertaken as part of the development.

## 9.4.5 Infrastructure works code

### 9.4.5.1 Application

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

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

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

### 9.4.5.2 Purpose

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

### 9.4.5.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant Response
<b>For self-assessable and assessable development</b>		
<b>Works on a local government road</b>		
<b>PO1</b> Works on a local government road do not adversely impact on footpaths or existing infrastructure within the road verge and maintain the flow, safety and efficiency of pedestrians, cyclists and vehicles.	<b>AO1.1</b> Footpaths/pathways are located in the road verge and are provided for the hierarchy of the road and located and designed and constructed in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	<b>Not Applicable</b> It is not proposed to construct any footpaths as a part of the proposal.
	<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> It is not proposed to construct any kerb ramp crossovers as part of the development.
	<b>AO1.3</b> New pipes, cables, conduits or other similar infrastructure required to cross existing footpaths: (a) are installed via trenchless methods; or (b) where footpath infrastructure is removed to install infrastructure, the new section of footpath is installed to the standard detailed in the Planning scheme policy SC5 – FNQROC Regional Development Manual, and is not less than a 1.2 metre section.	<b>Not Applicable</b> No new infrastructure is required across existing footpaths.

Performance outcomes	Acceptable outcomes	Applicant Response
	<b>AO1.4</b> Where existing footpaths are damaged as a result of development, footpaths are reinstated ensuring: (a) similar surface finishes are used; (b) there is no change in level at joins of new and existing sections; (c) new sections are matched to existing in terms of dimension and reinforcement. Note – Figure 9.4.5.3.a provides guidance on meeting the outcomes.	<b>Not Applicable</b> It is not proposed to damage any footpaths as a part of the proposal.
	<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> It is not proposed to install any structures in the road reserve.
<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	<b>AO2.1</b> Accessibility structures are not located within the road reserve.	<b>Not Applicable</b> It is not proposed to install any accessibility structures for the development.
	<b>AO2.2</b> Accessibility structures are designed in accordance with AS1428.3.	<b>Not Applicable</b> It is not proposed to install any accessibility structures for the development.

Performance outcomes	Acceptable outcomes	Applicant Response
and include ramps and lifts.	<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> It is not proposed to install any accessibility structures for the 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; or <b>AO3.2</b> Where a reticulated water supply system is not available to the premises, on site water storage tank/s with a minimum capacity of 10,000 litres of stored water, with a minimum 7,500 litre tank, with the balance from other sources (e.g. accessible swimming pool, dam etc.) and access to the tank/s for fire trucks is provided for each new house or other development. Tank/s are to be fitted with a 50mm ball valve with a camlock fitting and installed and connected prior to occupation of the house and sited to be visually unobtrusive.	<b>Complies with AO3.1</b> The subject site is connected to the Council's reticulated water supply.
<b>Treatment and disposal of effluent</b>		

Performance outcomes	Acceptable outcomes	Applicant Response
<b>PO4</b> Provision is made for the treatment and disposal of effluent to ensure that there are no adverse impacts on water quality and no adverse ecological impacts as a result of the system or as a result of increasing the cumulative effect of systems in the locality.	<b>AO4.1</b> The site is connected to Council's sewerage system and the extension of or connection to the sewerage system is designed and constructed in accordance with the Design Guidelines set out in Section D7 of the Planning scheme policy SC5 – FNQROC Regional Development Manual; or <b>AO4.2</b> Where not in a sewerage scheme area, the proposed disposal system meets the requirements of Section 33 of the <i>Environmental Protection Policy (Water) 1997</i> and the proposed on site effluent disposal system is designed in accordance with the <i>Plumbing and Drainage Act (2002)</i> .	<b>Complies with AO4.1</b> The site is connected to Council's sewerage system.
<b>Stormwater quality</b>		
<b>PO5</b> Development is planned, designed, constructed and operated to avoid or minimise adverse impacts on stormwater quality in natural and developed catchments by: (a) achieving stormwater quality objectives; (b) protecting water environmental values; (c) maintaining waterway hydrology.	<b>AO5.1</b> A connection is provided from the premises to Council's drainage system; or <b>AO5.2</b> An underground drainage system is constructed to convey stormwater from the premises to Council's drainage system in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC5 – FNQROC Regional	<b>Complies with AO5.1</b> A connection to the site is provided from the Council's drainage system, which would be improved in association with the proposed development.

Performance outcomes	Acceptable outcomes	Applicant Response
	Development Manual.	
	<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 , reflecting land use constraints, such as: (a) erosive, dispersive and/or saline soil types; (b) landscape features (including landform); (c) acid sulfate soil and management of nutrients of concern; (d) rainfall erosivity.	<b>Not applicable</b> A stormwater quality management plan is not considered applicable to a development of this minor scale.
	<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>Able to comply with AO5.4</b> Erosion and sediment control practices are able to be design and installed during the construction phase.
	<b>AO5.5</b> Development incorporates stormwater flow control measures to achieve the design objectives set out in <b>Error! Reference source not found.</b> and <b>Error! Reference source not found.</b> , including management of frequent flows, peak flows, and construction phase hydrological impacts. Note – Planning scheme policy SC5 – FNQROC Regional Development Manual provides guidance on soil and water control	<b>Able to comply with AO5.5</b> Stormwater control measures are able to be designed and installed during the construction phase.

Performance outcomes	Acceptable outcomes	Applicant Response
	<p>measures to meet the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p>Note – During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.</p>	
<b>Non-tidal artificial waterways</b>		
<b>PO6</b> Development involving non-tidal artificial waterways is planned, designed, constructed and operated to: <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>	<b>AO6.1</b> Development involving non-tidal artificial waterways ensures: <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>	<b>Not Applicable</b> No artificial waterways are proposed.
	<b>AO6.2</b> Non-tidal artificial waterways are located: <ul style="list-style-type: none"> <li>(a) outside natural wetlands and any associated buffer areas;</li> <li>(b) to minimise disturbing soils or sediments;</li> <li>(c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas.</li> </ul>	<b>Not Applicable</b> No artificial waterways are proposed.

Performance outcomes	Acceptable outcomes	Applicant Response
	<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: <ul style="list-style-type: none"> <li>(a) there is sufficient flushing or a tidal range of &gt;0.3 m; or</li> <li>(b) any tidal flow alteration does not adversely impact on the tidal waterway; or</li> <li>(c) there is no introduction of salt water into freshwater environments.</li> </ul>	<b>Not Applicable</b> No artificial waterways are proposed.
	<b>AO6.4</b> Non-tidal artificial waterways are designed and managed for any of the following end-use purposes: <ul style="list-style-type: none"> <li>(a) amenity (including aesthetics), landscaping or recreation; or</li> <li>(b) flood management, in accordance with a drainage catchment management plan; or</li> <li>(c) stormwater harvesting plan as part of an integrated water cycle management plan; or</li> <li>(d) aquatic habitat.</li> </ul>	<b>Not Applicable</b> No artificial waterways are proposed.
	<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> No artificial waterways are proposed.

Performance outcomes	Acceptable outcomes	Applicant Response
	<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> No artificial waterways are proposed.
	<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> No artificial waterways are proposed.
<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 waste water is proposed to be discharged from the site except through the sewerage system.
	<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	<b>Not Applicable</b> No waste water is proposed to be discharged from the site except through the sewerage system.

Performance outcomes	Acceptable outcomes	Applicant Response
	waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and 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 waste water is proposed to be discharged from the site except through the sewerage system.
	<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</li> </ul> </li> </ul>	<b>Not Applicable</b> No waste water is proposed to be discharged from the site except through the sewerage system.

Performance outcomes	Acceptable outcomes	Applicant Response
	contained and treated for discharge on site are removed and disposed of through trade waste or another lawful method.	
<b>Electricity supply</b>		
<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> A connection would be provided to the electricity distribution network.
	<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 a part of this development.
<b>PO9</b>	<b>AO9.2</b>	<b>Not Applicable</b>

Performance outcomes	Acceptable outcomes	Applicant Response
Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.	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.	No pad-mount electricity infrastructure is proposed as a part of this development.
<b>Telecommunications</b>		
<b>PO10</b> Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.	<b>AO10</b> The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.	<b>Able to comply with AO10</b> Telecommunications connections are available to the site.
<b>PO11</b> Provision is made for future telecommunications services (e.g. fibre optic cable).	<b>AO11</b> Conduits are provided in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	<b>Able to comply with AO11</b> Conduits are able to be provided to the site in accordance with the FNQROC Regional Development Manual.
<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;	<b>AO12.1</b> The road to the frontage of the site is constructed in accordance with the Design Guidelines set out in Sections D1 and D3 of the Planning scheme policy SC5 – FNQROC Regional Development Manual, for the particular class of road, as identified in the road hierarchy.	<b>Complies with AO12.1</b> Dickson Street to the site frontage is considered suitable for the proposed development.
	<b>AO12.2</b>	<b>Complies with AO12.2</b>

Performance outcomes	Acceptable outcomes	Applicant Response
(d) vehicles to and from the site; (e) emergency vehicles.	There is existing road, kerb and channel for the full road frontage of the site.	Dickson Street is considered to be suitable for the proposed development.
	<b>AO12.3</b> Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for the safe passage of emergency vehicles.	<b>Complies with AO12.3</b> Dickson Street is considered to be suitable for the proposed development.
<b>Alterations and repairs to public utility services</b>		
<b>PO13</b> Infrastructure is integrated with, and efficiently extends, existing networks.	<b>AO13</b> Development is designed to allow for efficient connection to existing infrastructure networks.	<b>Complies with AO13</b> No alterations are required to accommodate the development and the site is a fully serviced site.
<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>Complies with AO14.2</b> No alterations to the utility mains are required to facilitate the development.
<b>Construction management</b>		

Performance outcomes	Acceptable outcomes	Applicant Response
<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> Construction management measures are able to be implemented at the building works stage.
<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>Able to comply with AO16</b> Any infrastructure damaged as a result of the proposed development would be repaired in accordance with FNQROC requirements.
<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	<b>AO17</b> No acceptable outcomes are prescribed.	<b>Able to comply with AO17</b> High speed telecommunications connections are able to be provided as a part of the development

Performance outcomes	Acceptable outcomes	Applicant Response
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> As the development is residential in nature no trade waste would be produced.
<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 development would be accessed via common private title.
	<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	<b>Not applicable</b> No development would be accessed via common private title.

Performance outcomes	Acceptable outcomes	Applicant Response
	and at each intersection. Above ground fire hydrants have dual-valved outlets.	
<p><b>PO20</b></p> <p>Hydrants are suitable identified so that fire services can locate them at all hours.</p> <p>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'.</p>	<p><b>AO20</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>No development would be accessed via common private title.</p>

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

### 9.4.4.2 Purpose

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

### 9.4.6.3 Criteria for assessment

**Table 9.4.4.3.a – Landscaping code –assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>Landscape design</b>		
<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,</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>Complies AO1</b> Please refer to assessment against the relevant benchmarks of other codes.

Performance outcomes	Acceptable outcomes	Applicant response
by providing shade to reduce glare and heat absorption and re-radiation from buildings, parking areas and other hard surfaces; (g) ensuring private outdoor recreation space is useable; (h) providing long term soil erosion protection; (i) providing a safe environment; (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>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>Able to Comply with AO2.1</b> The site is able to be landscaped in accordance with the Planning Scheme policy.
<b>PO3</b> Development provides landscaping that is , as far as practical, consistent with the existing desirable landscape character of the area and protects	<b>AO3.1</b> Existing vegetation on site is retained and incorporated into the site design, wherever possible, utilising the methodologies and	<b>Complies with AO3.1</b> Existing mature on-site vegetation is proposed to be retained where practical.

Performance outcomes	Acceptable outcomes	Applicant response
trees, vegetation and other features of ecological, recreational, aesthetic and cultural value.	principles outline in AS4970-2009 Protection of Trees on Development Sites.	
	<b>AO3.2</b> Mature vegetation on the site that is removed or damaged during development is replaced with advanced species.	<b>Not Applicable</b> Mature vegetation on site would be retained as part of the development.
	<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> There is no established landscape character.
	<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>Able to Comply with AO3.4</b> Street trees are able to be planted in accordance with Council Policy.
<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>Able to comply with AO4</b> Landscaping and species selection is able to be completed with recommendations from the Planning Scheme policy.
<b>PO5</b> Shade planting is provided in car parking areas where uncovered or open, and adjacent to	<b>AO5</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	<b>Not Applicable</b> No uncovered or open parking areas are proposed.

Performance outcomes	Acceptable outcomes	Applicant response
driveways and internal roadways.		
<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>AO6.2</b> Tree maintenance is to have regard to the 'Safe Useful Life Expectancy of Trees (SULE). Note – It may be more appropriate to replace trees with a SULE of less than 20 years (as an example), and replant with younger healthy species.	<b>Able to comply with AO6.1 &amp; AO6.2</b> Landowners would be responsible for landscape maintenance.
<b>PO7</b> Podium planting is provided with appropriate species for long term survival and ease of maintenance, with beds capable of proper drainage.	<b>AO7.1</b> Podium planting beds are provided with irrigation and are connected to stormwater infrastructure to permit flush out. <b>AO7.2</b> Species of plants are selected for long term performance designed to suit the degree of access to podiums and roof tops for maintenance.	<b>Not Applicable.</b> No podiums are proposed.
<b>PO8</b> Development provides for the removal of all weed and invasive species and implement on-going measures to ensure that weeds and invasive species do not reinfest the site and nearby premises.	<b>AO8</b> Weed and invasive species detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person.	<b>Not Applicable</b> No weed species have been detected on the subject site.
<b>PO9</b>	<b>AO9</b>	<b>Able to comply with PO9</b>

Performance outcomes	Acceptable outcomes	Applicant response
The landscape design enhances personal safety and reduces the potential for crime and vandalism.	No acceptable outcomes are specified.  Note - Planning scheme policy SC6.3 – Crime prevention through environmental design (CPTED) provides guidance on meeting this outcome.	The development in its ultimate form would facilitate landscape design that would enhance and maintain personal safety.
<b>PO10</b>  The location and type of plant species does not adversely affect the function and accessibility of services and facilities and service areas.	<b>AO10</b>  Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	<b>Able to comply with AO10</b>  Landscaping and species selection is able to be completed with recommendations from the Planning Scheme policy.

## 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>Complies with the purpose of the Medium</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.	<b>Density Residential Zone.</b>  The purpose of the zone is to provide for a range and mix of dwelling types including dwelling houses and multiple dwellings supported by community uses and small-scale services and facilities that cater for local residents.  The proposed development meets this as it is providing a mix of dwelling houses on a range of allotments consistent with the purpose of the zone.
<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>  No boundary angles are less than 45 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>  Each proposed lot provides direct access to a gazette road reserve. Either Dickson Street or Old Port 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 AO4</b>  Where possible the existing mature trees on the site would be retained as part of the development.
<b>PO5</b>  New lots which have the capability of being	<b>AO5</b>  The ability to further reconfigure land at a later	<b>Not Applicable</b>  The proposed lots would not be capable of further


Performance outcomes	Acceptable outcomes	Applicant response
further reconfigured into smaller lots at a later date are designed to not compromise ultimate development outcomes permitted in the relevant zone.	date is demonstrated by submitting a concept plan that meets the planning scheme requirements for the applicable Zone.	reconfiguration.
<b>PO6</b> Where existing buildings or structures are to be retained, development results in: (a) boundaries that offer regular lot shapes and usable spaces; (b) existing improvements complying with current building and amenity standards in relation to boundary setbacks. Note - This may require buildings or structures to be modified, relocated or demolished to meet setback standards, resolve encroachments and the like.	<b>AO6</b> Development ensures setbacks between existing buildings or structures and proposed boundaries satisfy relevant building standards or zone code requirements, whichever is the greater.	<b>Complies with AO6</b> Refer to the assessment against the Medium Density Residential Zone Code.
<b>PO7</b> Where rear lots are proposed, development: (a) provides a high standard of amenity for residents and other users of the site and adjoining properties; (b) positively contributes to the character of adjoining properties and the area; (c) does not adversely affect the safety and efficiency of the road from which access is gained.	<b>AO7.1</b> Where rear lots are to be established: (a) the rear lot is generally rectangular in shape, avoiding contrived sharp boundary angles; (b) no more than 6 lots directly adjoin the rear lot; (c) no more than one rear lot occurs behind the road frontage lot; (d) no more than two access strips to rear lots directly adjoin each other; (e) access strips are located only on one side of the road frontage lot.	<b>Not Applicable</b> No rear lots would be established by this proposal.
	<b>AO7.2</b> Access strips to the rear lot have a minimum width dimension of:	<b>Not Applicable</b> No rear lots would be established by this proposal.

Performance outcomes	Acceptable outcomes	Applicant response
	(a) 4.0 metres in Residential Zones. (b) 8.0 metres in Industrial Zones category. (c) 5.0 metres in all other Zones.  Note - Rear lots are generally not appropriate in non-Residential or non-Rural zones.	
	<b>AO7.3</b> Access strips are provided with a sealed pavement of sufficient width to cater for the intended traffic, but no less than: (a) 3.0 metres in Residential Zone. (b) 6.0 metres in an Industrial Zone. (c) 3.5 metres in any other Zone.	<b>Not Applicable</b> No rear lots would be established by this proposal.
<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	<b>AO8.1</b> Neighbourhood design, lot and street layout, and open space provides for, and integrates with, any:	<b>Not Applicable</b> The site is less than 5,000m <sup>2</sup> in area.

Performance outcomes	Acceptable outcomes	Applicant response
any open space recognises previous planning for the area and its surroundings, and integrates appropriately into its surroundings.	(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>AO8.2</b> Neighbourhood design, lot and street layout sensible future connection and integration with adjoining undeveloped land.	<b>Not Applicable</b> 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> <i>Development does not establish cul-de-sac streets unless:</i> (a) <i>cul-de-sacs are a feature of the existing pattern of development in the area;</i> (b) <i>there is a physical feature or incompatible zone change that dictates the need to use a cul-de-sac streets.</i>	<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: (a) is designed to be no longer than 150 metres in length; (b) is designed so that the end of the cul-de-sac is visible from its entrance; (c) provides connections from the top of the cul-de-sac to other streets for pedestrians and cyclists, where appropriate.	<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	<b>Not Applicable</b> The site is less than 5,000m <sup>2</sup> in area.

Performance outcomes	Acceptable outcomes	Applicant response
	or turning-tee at the end of a cul-de-sac street.	
<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.
<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.

Performance outcomes	Acceptable outcomes	Applicant response
<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.
	<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 will front 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> The site is less than 5,000m <sup>2</sup> in area.
<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> The site is less than 5,000m <sup>2</sup> in area.

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> The site is less than 5,000m <sup>2</sup> in area.
<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 site is less than 5,000m <sup>2</sup> in area.

## 9.4.9 Vegetation management code

### 9.4.9.1 Application

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

### 9.4.9.2 Purpose

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

### 9.4.9.3 Criteria for assessment

#### Table 9.4.9.3.a – Vegetation management – assessable development

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> Vegetation is protected to ensure that: <ol style="list-style-type: none"> <li>(a) the character and amenity of the local area is maintained;</li> <li>(b) vegetation damage does not result in</li> </ol>	<b>AO1.1</b> Vegetation damage is undertaken by a statutory authority on land other than freehold land that the statutory authority has control over; or	<b>Not applicable</b> The site is freehold land.

Performance outcomes	Acceptable outcomes	Applicant response
fragmentation of habitats; (c) vegetation damage is undertaken in a sustainable manner; (d) the Shire's biodiversity and ecological values are maintained and protected; (e) vegetation of historical, cultural and / or visual significance is retained; (f) vegetation is retained for erosion prevention and slope stabilisation.	<b>AO1.2</b> Vegetation damage is undertaken by or on behalf of the local government on land controlled, owned or operated by the local government; or	<b>Not applicable</b> The site is freehold land.
	<b>AO1.3</b> Vegetation damage, other than referenced in AO1.1 or AO1.2 is the damage of: (a) vegetation declared as a pest pursuant to the <i>Land Protection (Pest and Stock Route Management) Act 2002</i> ; or (b) vegetation identified within the local government's register of declared plants pursuant to the local government's local laws; or (c) vegetation is located within a Rural zone and the trunk is located within ten metres of an existing building; or (d) vegetation is located within the Conservation zone or Environmental management zone and the trunk is located within three metres of an existing or approved structure, not including a boundary fence; or	<b>Not Applicable</b> Refer AO1.4 and AO1.5.
	<b>AO1.4</b> Vegetation damage that is reasonably necessary for carrying out work that is: (a) authorised or required under legislation or a local law; (b) specified in a notice served by the local	<b>Complies with AO1.4</b> Any vegetation damage undertaken as a result or in association with the development would be authorised by the appropriate development approval.

Performance outcomes	Acceptable outcomes	Applicant response
	government or another regulatory authority; or	
	<b>AO1.5</b> Vegetation damage for development where the damage is on land the subject of a valid development approval and is necessary to give effect to the development approval; or	<b>Complies with AO1.5</b> Any vegetation damage undertaken as a result or in association with the development would be authorised by the appropriate development approval.
	or <b>AO1.6</b> Vegetation damage is in accordance with an approved Property Map of Assessable Vegetation issued under the <i>Vegetation Management Act 1999</i> ; or	<b>Not Applicable</b> Refer AO1.4 and AO1.5.
	<b>AO1.7</b> Vegetation damage is essential to the maintenance of an existing fire break; or	<b>Not Applicable</b> Refer AO1.4 and AO1.5.
	<b>AO1.8</b> Vegetation damage is essential to prevent interference to overhead service cabling; or	<b>Not Applicable</b> Refer AO1.4 and AO1.5.
	<b>AO1.9</b> Vegetation damage is for an approved Forest practice, where the lot is subject to a scheme approved under the <i>Vegetation Management Act</i>	<b>Not Applicable</b> Refer AO1.4 and AO1.5.

Performance outcomes	Acceptable outcomes	Applicant response
	1999; or	
	<b>AO1.10</b> Vegetation damage is undertaken in accordance with section 584 of the <i>Sustainable Planning Act 2009</i> .	<b>Not Applicable</b> Refer AO1.4 and AO1.5.
	<b>AO1.11</b> Vegetation damage where it is necessary to remove one tree in order to protect an adjacent more significant tree (where they are growing close to one another).	<b>Not Applicable</b> Refer AO1.4 and AO1.5.
	<b>AO1.12</b> Private property owners may only remove dead, dying, structurally unsound vegetation following receipt of written advice from, at minimum, a fully qualified Certificate V Arborist. A copy of the written advice is to be submitted to Council for its records, a minimum of seven business days prior to the vegetation damage work commencing.	<b>Not Applicable</b> Refer AO1.4 and AO1.5.
<b>PO2</b> Vegetation damaged on a lot does not result in a nuisance	<b>AO2.1</b> Damaged vegetation is removed and disposed of at an approved site; or <b>AO2.2</b> Damaged vegetation is mulched or chipped if used onsite.	<b>Able to comply with AO2.1</b> Any damaged vegetation is able to be removed and disposed of at an approved site.
<b>For assessable development</b>		

Performance outcomes	Acceptable outcomes	Applicant response
<b>PO3</b> Vegetation damage identified on the Places of Significance Overlay lot does not result in a negative impact on the site's heritage values.	<b>AO3</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b> Site is not located in a Places of Significance Overlay.