

Our ref: AU008658

135 Abbott Street
Cairns QLD 4870
T +61 7 4031 1336

Date: 10 July 2023

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

Attn: *Jenny Elphinstone, Senior Planner*

Dear Jenny,

5967 Captain Cook Highway, Craiglie - MCU (Food and Drink Outlet)
Information request response (pursuant to Section 13 of the Development Assessment Rules)
Your Ref: MCUI 2023_5398/1

We refer to Councils information request, dated 29 June 2023, for the development application over the above site.

Pursuant to sections 13.2 of the *Development Assessment Rules* we provide our response to this information request below.

In accordance with Section 13.3 of the *Development Assessment Rules*, we confirm that this letter and attachments constitute our response to Council's information request. Accordingly, we advise that you must proceed with assessment of this development application.

Information request response

1 Amended Planning Report

1. Please provide an amended planning report providing comments in respect to:
 - a. The impact assessable component of the application having regard to the Planning Scheme; and
 - b. The code assessable development of the operational work (advertising device).

Response

Please find attached an amended planning report that addresses the impact assessable nature of the development application and includes an assessment against the Advertising Devised code, as requested.

Refer to **Attachment**– Planning Report Version C

2 Traffic Queueing

- Concern is raised with the extent of queuing available on the land and the possible obstruction to sight lines.
2. Please provide a traffic engineering report by a suitably qualified RPEQ Traffic Engineer regarding this issue. Consideration should include the traffic flows, congestion in particular at peak morning times and any obstruction caused by the Advertising device.

Our ref: AU008658

Response

As Council Officers are aware, the Captain Cook Highway is a state-controlled road and access from the site to the state controlled road is within the jurisdiction of the Department of Transport and Main Roads.

In accordance with the *Planning Regulation 2017*, the application is required to be referred to the State Assessment and Referral Agency (SARA). The issue of access to and from the site will be considered as part of that referral response, which will rely upon the advice provided by the Department of Transport and Main Roads (DTMR). It is considered more appropriate for the issue of access and vehicle queueing to be considered by SARA and DTMR, which are the responsible agencies for approving the access to and from the state-controlled road and for considering the impacts of the development on the free flow of traffic within the highway.

It is not proposed to provide Council with a Traffic Engineering Report as part of the response to the Information Request.

We trust that this adequately addresses the Council Officers requests and we look forward to continuing working with you on this development. In the meantime, if you have any queries please contact the writer (contact details below).

Yours sincerely,
for RPS AAP Consulting Pty Ltd



Patrick Clifton

Senior Principal | Practice Leader - Planning, Cairns

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REPORT

Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
A	Client Review	S Leggerini	P Clifton	P Clifton	16 May 2023
B	Application Submission	P Clifton	P Clifton	P Clifton	17 May 2023
C	Information Request Response	P Clifton	P Clifton	P Clifton	10 July 2023

Approval for issue

Patrick Clifton



10 July 2023

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Prepared by:

Prepared for:

RPS

Peace World Pty Ltd

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Contents

SUMMARY	1
1 INTRODUCTION	2
2 SITE DETAILS	3
2.1 Site Particulars	3
2.2 Planning Context	4
3 PROPOSAL	6
3.1 Overview	6
4 LEGISLATIVE REQUIREMENTS	7
4.1 Assessment Manager	7
4.2 Categories of Assessment	7
4.3 Referrals	7
4.4 Public Notification	7
5 STATUTORY PLANNING ASSESSMENT	8
5.1 Overview	8
5.2 State and Regional Assessment Benchmarks	8
5.2.1 State Planning Policy	8
5.2.2 Regional Plan	8
5.2.3 Development Assessment under Schedule 10 (SDAP)	8
5.3 Local Authority Assessment Benchmarks	8
5.3.1 Douglas Shire Planning Scheme Codes	9
5.4 Infrastructure Charges	9
6 CONCLUSION	10

Tables

Table 1: Summary	1
Table 2: Site Particulars	3
Table 3: Planning Context	4
Table 4: Categories of Assessment	7
Table 5: Schedule 10 Referral Matters	7
Table 6 Relevant SDAP State Codes	8
Table 7: Planning Scheme Code Responses	9

Figures

Figure 1 Site Location	3
Figure 2 Captain Cook Highway Road Frontage	4
Figure 3 Zone	5

Appendices

Appendix A Certificate of Title
Appendix B Douglas Shire Planning Scheme 2018 Version 1.0 Property Report
Appendix C Proposal Plans
Appendix D State Code Responses
Appendix E Planning Scheme Code Responses

SUMMARY

Table 1: Summary

Details			
Site Address:	5967 Captain Cook Highway, Craiglie		
Real Property Description:	Lot 11 on C22510		
Site Area:	2,175m ²		
Regional Plan Land Use Designation:	Urban Footprint		
Zone	Industry Zone		
Neighbourhood Plan/Precinct:	Port Douglas – Craiglie, Precinct 3		
Owner(s):	Peace World Pty Ltd		
Proposal			
Brief Description/ Purpose of Proposal	Material Change of Use (Food and Drink Outlet)		
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 type="checkbox"/>	
Assessment Category	<input type="checkbox"/> Code	<input checked="" type="checkbox"/> Impact	
Public Notification	<input type="checkbox"/> No	<input checked="" 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 & Referral Agency	<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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	21 March 2023	Jenny Elphinstone
Other			
Applicant contact person	Patrick Clifton Senior Principal Planner D: +61 7 4031 1336 E: patrick.clifton@rpsgroup.com.au		

1 INTRODUCTION

RPS AAP Consulting Pty Ltd has been engaged by Peace World Pty Ltd to seek a Development Permit for a Material Change of Use (Food and Drink Outlet) on land located at 5967 Captain Cook Highway, Craiglie, and described as Lot 11 on C22510.

The site has an area of 2,175m², a frontage to Captain Cook Highway of approximately 36.5 metres and contains a two storey dwelling house. The site is located on the west side of Captain Cook Highway in an area that largely contains industrial and services related development.

It is proposed to develop the site for the purpose of a Food and Drink Outlet. The proposed development would involve the construction of a building in the front setback of the site that would house the food and drink outlet. Additionally, the proposal would utilise part of the ground level of the existing dwelling for toilets. The Gross Floor Area of the Food and Drink Outlet would be approximately 28m². Associated with the development would be a covered and uncovered seating area of approximately 80m² in area and six on-site car parking spaces. Access to the development would be via the existing vehicle crossover and would provide for all vehicles, including an SRV, to enter and exit the site if a forward gear.

The site is located within Douglas Shire Council area and under the Douglas Shire Planning Scheme 2018, the site is identified within the Industry Zone. In accordance with the Council's Action Notice, the development of the site for a Food and Drink Outlet requires the submission of an Impact Assessable application for Material Change of Use to Douglas Shire Council. As the Assessment Manager, the Council in determining the application, is required to have regard to the applicable Assessment Benchmarks contained within the Planning Scheme and submissions received during the public notification period.

This report provides greater detail on the nature of the proposal and provides an assessment of the proposal against the relevant planning Assessment Benchmarks. 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 located at 5967 Captain Cook Highway, Craiglie, and described as part of Lot 11 on C22510. The site has an area of 2,175m² and frontage to the Captain Cook Highway of approximately 36.5 metres. The site is currently improved with a double storey dwelling and contains mature vegetation towards the rear of the site. The site is accessed via a single crossover to Captain Cook Highway and is understood to be connected to all available urban services.

The locality containing the site is characterised by a mix of commercial and industrial uses. To the south, the site adjoins a service station, gym and bottle shop. To the north, the site adjoins a self-storage complex and to the east on the opposite side to the Highway are a number of commercial premises, including a sailmaker. To the rear is the industrial and service area of Craiglie.

Key details of the subject site are as follows:

Table 2: Site Particulars

Site Particulars	
Site Address	5967 Captain Cook Highway, Craiglie
Real Property Description	Lot 11 on C22510
Site Area	2,175m ²
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 2023



Figure 2 Captain Cook Highway Road Frontage

Source: Google Maps (2023)

2.2 Planning Context

The planning context of the site includes the following:

Table 3: Planning Context

Instrument	Designation
State Planning Policy Mapping	
Safety and Resilience to Hazards	<ul style="list-style-type: none"> Natural Hazards Risk and Resilience <ul style="list-style-type: none"> Flood hazard area - Level 1 - Queensland floodplain assessment overlay Flood hazard area - Local Government flood mapping area
Development Assessment Mapping	
SARA DA Mapping	<ul style="list-style-type: none"> Areas within 25m of a state transport corridor
Far North Queensland Regional Plan 2009-2031	
Regional Plan designation	Urban Footprint
Douglas Shire Planning Scheme 2018 Version 1.0	
Strategic framework designation	Port Douglas – Craigie, Precinct 3
Zoning	Industry Zone
Overlays	<ul style="list-style-type: none"> Acid Sulfate Soils Overlay <ul style="list-style-type: none"> Acid Sulfate Soils (5-20m AHD) Transport Network Overlay <ul style="list-style-type: none"> Principal Route (Pedestrian/Cycle) Arterial Road (Vehicle) Major Transport Corridor Buffer Area (State Controlled Road)

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

Other relevant mapping, including overlays is provided in the Douglas Shire Planning Scheme Property Report at **Appendix B**



Figure 3 Zone

Source: Douglas Shire Planning Scheme 2018 Version 1.0

3 PROPOSAL

3.1 Overview

It is proposed to develop the site for the purpose of a Food and Drink Outlet. The proposed development would involve the construction of a building in the front setback of the site that would house the food and drink outlet. Additionally, the proposal would utilise part of the ground level of the existing dwelling for toilets. The Gross Floor Area of the Food and Drink Outlet would be approximately 28m², excluding the toilets and associated storage area. Associated with the development would be a covered and uncovered seating area of approximately 80m² in area and six on-site car parking spaces. Access to the development would be via the existing vehicle crossover and would provide for all vehicles, including an SRV, to enter and exit the site if a forward gear. An 8 metre wide landscaping area would be provided in the front setback with the exception of the vehicle access location.

Vehicles would enter the site and circulate in a one-way direction around the food and drink building with the serving window facing internally within the site.

As part of the development it is proposed to provide an advertising device within the setback area and at the front of the proposed building. The device would only advertise the food and drink use. In accordance with the Council's Action Notice and Information Request, this advertising device is required to be subject to code assessment.

The existing dwelling house would be retained as part of the development and would be separated from the food and drink use by fencing and gates at the building line. No changes are proposed to the dwelling house as part of this development application.

Proposal plans are included at **Appendix C**.

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 4: Categories of Assessment

Aspect of development	Categorising instrument	Category of assessment
Material Change of Use (Food and Drink Outlet, If less than 75m ² of GFA)	Douglas Shire Planning Scheme 2018 Version 1.0, Table 5.6.e	Impact Assessment
Operational Works – Advertising Device	Douglas Shire Planning Scheme 2018 Version 1.0, Table 5.6.e	Code Assessment

4.3 Referrals

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

Table 5: Schedule 10 Referral Matters

Schedule 10	Referral topic and reason	Referral Agency
10.9.4.2.4	Material change of use near a State transport corridor or a future State transport corridor	SARA, DSDMIP

4.4 Public Notification

In accordance with the Council's Action Notice, the application is required to be subject to Public Notification for a period of 15 business days. During this period, interested members of the public are able to make representations to the council regarding the application and proposed development and, where properly made, the Council is required to consider these submissions in the determination of the application.

5 STATUTORY PLANNING ASSESSMENT

5.1 Overview

As the application is subject to impact assessment, the assessment benchmarks, and the matters the assessment manager must have regard to, are those identified in section 45(5) of the *Planning Act 2016* and sections 30 and 31 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.

It is understood that the State Planning Policy, to the extent they it is relevant to this application, has been appropriately integrated into the Douglas Shire Planning Scheme 2018 Version 1.0. On that basis, no further assessment is required in this instance.

5.2.2 Regional Plan

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

5.2.3 Development Assessment under Schedule 10 (SDAP)

Schedule 10 of the *Planning Regulation 2017* identify 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 6 Relevant SDAP State Codes

Schedule 10	Referral Topic	State Code
10.9.4.2.4	Infrastructure-related referrals Material change of use of premises near a State transport corridor or that is a future State transport corridor	State code 1 – Development in a state-controlled road environment

A response to the State Codes is included in **Appendix D**.

5.3 Local Authority Assessment Benchmarks

This application is to be assessed against Douglas Shire Planning Scheme 2018 Version 1.0. The assessment benchmarks applicable under the planning scheme are addressed below.

5.3.1 Douglas Shire Planning Scheme Codes

The planning scheme codes applicable to the proposal, and the location of the relevant appended code response are identified below:

Table 7: Planning Scheme Code Responses

Planning Scheme Codes	Applicability	Comment
Zone Code		
Industry Zone Code	Applies	Complies or is able to comply with all relevant assessment benchmarks.
Local Plan Code		
Port Douglas/Craigie Local Plan Code	Applies	Complies with or is able to comply with all relevant acceptable outcomes.
Overlay Codes		
Acid Sulfate Soils Overlay Code	Applies	Complies with all assessment benchmarks.
Transport Network Overlay Code	Applies	Complies with all relevant acceptable outcomes.
Development Codes		
Access, Parking and Servicing Code	Applies	Complies with all relevant acceptable outcomes.
Advertising Devices Code	Applies	Complies with all relevant acceptable outcomes.
Environmental Performance Code	Applies	Complies with all relevant acceptable outcomes.
Infrastructure Works Code	Applies	Complies with or is able to comply with all relevant acceptable outcomes.
Landscaping Code	Applies	Complies with or is able to comply with all relevant acceptable outcomes.

A detailed assessment against each of the Planning Scheme Codes is attached at **Appendix E**.

5.4 Infrastructure Charges

In accordance with the Douglas Shire Council Infrastructure Charges Resolution (No.2) 2021, an Infrastructure Charge would be applicable to the proposed development and is payable prior to the commencement of the use. In accordance with the resolution the infrastructure charge is based on \$165.54 per m² of Gross Floor Area, which, for the purpose of the infrastructure charges only, includes outdoor seating areas.

The proposed development would have a floor area, including outdoor sitting area of 108m², which attracts a charge of \$17,878.32.

6 CONCLUSION

RPS AAP Consulting Pty Ltd has been engaged by Peace World Pty Ltd to seek a Development Permit for a Material Change of Use (Food and Drink Outlet) on land located at 5967 Captain Cook Highway, Craiglie, and described as Lot 11 on C22510.

The site has an area of 2,175m², a frontage to Captain Cook Highway of approximately 36.5 metres and contains a two storey dwelling house. The site is located on the west side of Captain Cook Highway in an area that largely contains industrial and services related development.

It is proposed to develop the site for the purpose of a Food and Drink Outlet. The proposed development would involve the construction of a building on the front setback of the site that would house the food and drink outlet. Additionally, the proposal would utilise part of the ground level of the existing dwelling for toilets. The Gross Floor Area of the Food and Drink Outlet would be approximately 28m², excluding the toilets and storage area. Associated with the development would be a covered and uncovered seating area of approximately 80m² in area and six on-site car parking spaces. Access to the development would be via the existing vehicle crossover and would provide for all vehicles, including an SRV, to enter and exit the site if a forward gear.

In accordance with the Council's Action Notice, the development of the site for a Food and Drink Outlet requires the submission of an Impact Assessable application for Material Change of Use to Douglas Shire Council. As the Assessment Manager, the Council in determining the application, is required to have regard to the applicable Assessment Benchmarks contained within the Planning Scheme and submissions received during the public notification period.

Based on the assessment against the relevant planning Assessment Benchmarks contained in this report the proposal is recommended for approval subject to reasonable and relevant conditions.

Appendix A

Certificate of Title

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	20716133	Search Date:	12/04/2023 13:11
Date Title Created:	27/01/1967	Request No:	44106684
Previous Title:	20662122		

ESTATE AND LAND

Estate in Fee Simple

LOT 11 CROWN PLAN C22510

Local Government: DOUGLAS

REGISTERED OWNER

Dealing No: 722070264 28/10/2022

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. 10414081 (ALLOT 11 SEC 2)
2. MORTGAGE No 722070265 28/10/2022 at 14:38
BENDIGO AND ADELAIDE BANK LIMITED A.C.N. 068 049 178

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

Appendix B

Douglas Shire Planning Scheme 2018 Version 1.0 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.

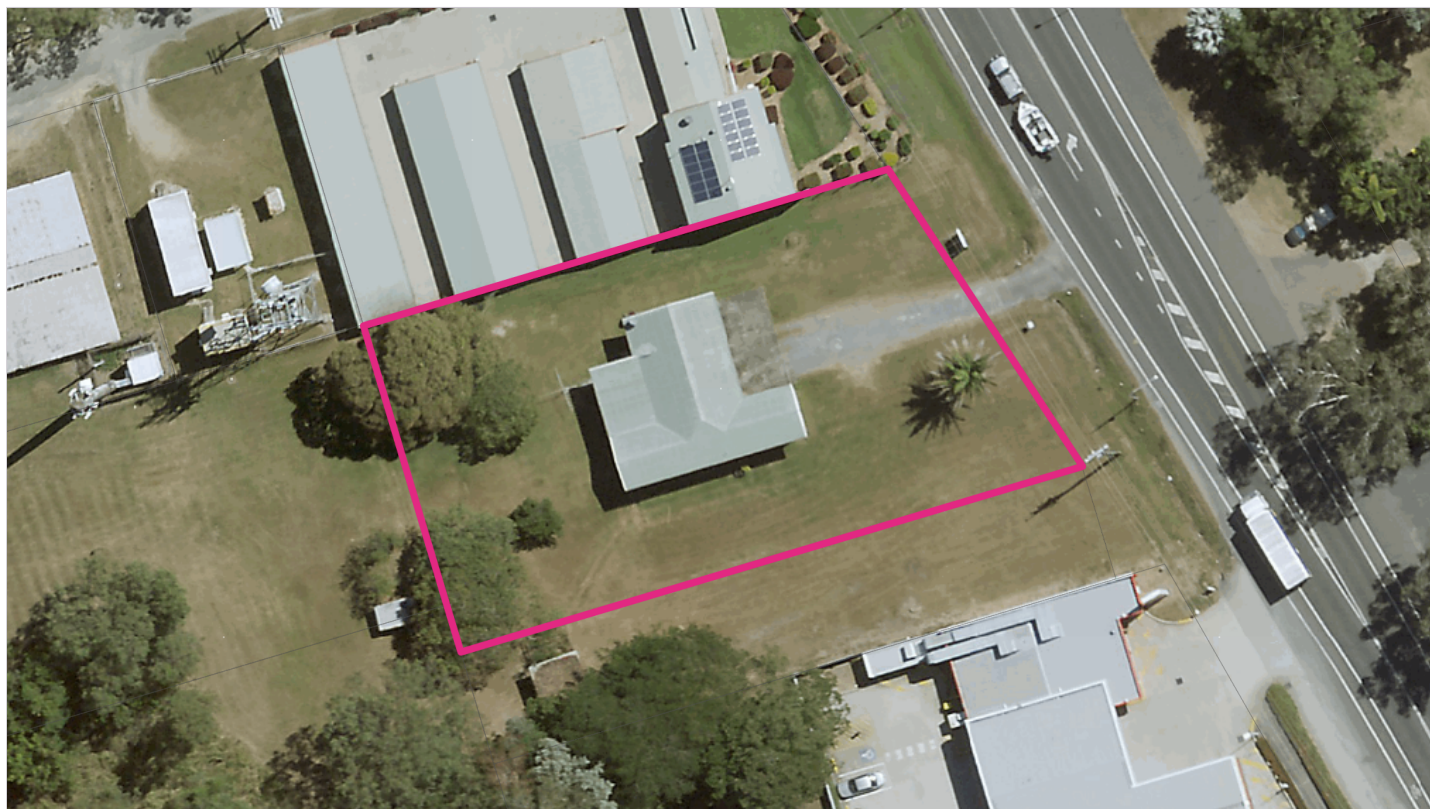
For more information and to determine if the mapping layers are applicable, refer to the [2018 Douglas Shire Council Planning Scheme](#). This report is not intended to replace the need for carrying out a detailed assessment of Council and State controls or the need to seek your own professional advice 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.

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 [5967 Captain Cook Highway CRAIGLIE](#)

Lot Plan [11C22510](#) (Freehold - 2175m²)



☒ Selected Property ☐ Easements ☐ Property

Douglas Shire Planning Scheme 2018 version 1.0

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

Zoning






Applicable Zone
Industry

More Information

- [View Section 6.2.5 Industry Zone Code](#)
- [View Section 6.2.5 Industry Zone Compliance table](#)
- [View Section 6.2.5 Industry 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.

 Local Plans	Applicable Precinct or Area Port Douglas - Craiglie Precinct 3	More Information <ul style="list-style-type: none"> View Section 7.2.4 Port Douglas/Craiglie Local Plan Code View Section 7.2.4 Port Douglas/Craiglie Local Plan Compliance table
 Acid Sulfate Soils	Applicable Precinct or Area Acid Sulfate Soils (5-20m AHD)	More Information <ul style="list-style-type: none"> View Section 8.2.1 Acid Sulfate Soils Overlay Code View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table
 Transport Noise Corridors	Applicable Precinct or Area Category 0: Noise Level < 58 dB(A) Category 1: 58 dB(A) =< Noise Level < 63 dB(A) Category 2: 63 dB(A) < Noise Level < 68 dB(A)	More Information <ul style="list-style-type: none"> View Section 8.2.10 Transport Network Overlay Code View Section 8.2.10 Transport Network Overlay Compliance table
 Transport Pedestrian Cycle	Applicable Precinct or Area Principal Route	More Information <ul style="list-style-type: none"> View Section 8.2.10 Transport Network Overlay Code View Section 8.2.10 Transport Network Overlay Compliance table
 Transport Road Hierarchy	Applicable Precinct or Area Arterial Road Major Transport Corridor Buffer Area (State Controlled Road)	More Information <ul style="list-style-type: none"> View Section 8.2.10 Transport Network Overlay Code View Section 8.2.10 Transport Network Overlay Compliance table

Zoning

Applicable Zone

Industry

More Information

- [View Section 6.2.5 Industry Zone Code](#)
- [View Section 6.2.5 Industry Zone Compliance table](#)
- [View Section 6.2.5 Industry Zone Assessment table](#)



☒ Selected Property

☐ Property

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 - Craigie

Precinct 3

More Information


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



 Selected Property

 Property

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 (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

☐ Property

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)
- Category 2: 63 dB(A) < Noise Level < 68 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

☐ Property

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

☐ Property

Pedestrian and Cycle Network

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

Transport Road Hierarchy

Applicable Precinct or Area

Arterial 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

☐ Property

Road Hierarchy

- | | | | |
|---|---|---|--|
| — Access Road | — Arterial Road | — Collector Road | — Industrial Road |
| — Major Rural Road | — Minor Rural Road | — Sub Arterial Road | — Unformed Road |
| — all others | | | |

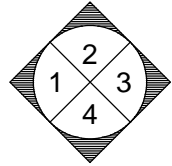
☐ Major Transport Corridor Buffer Area

Disclaimer

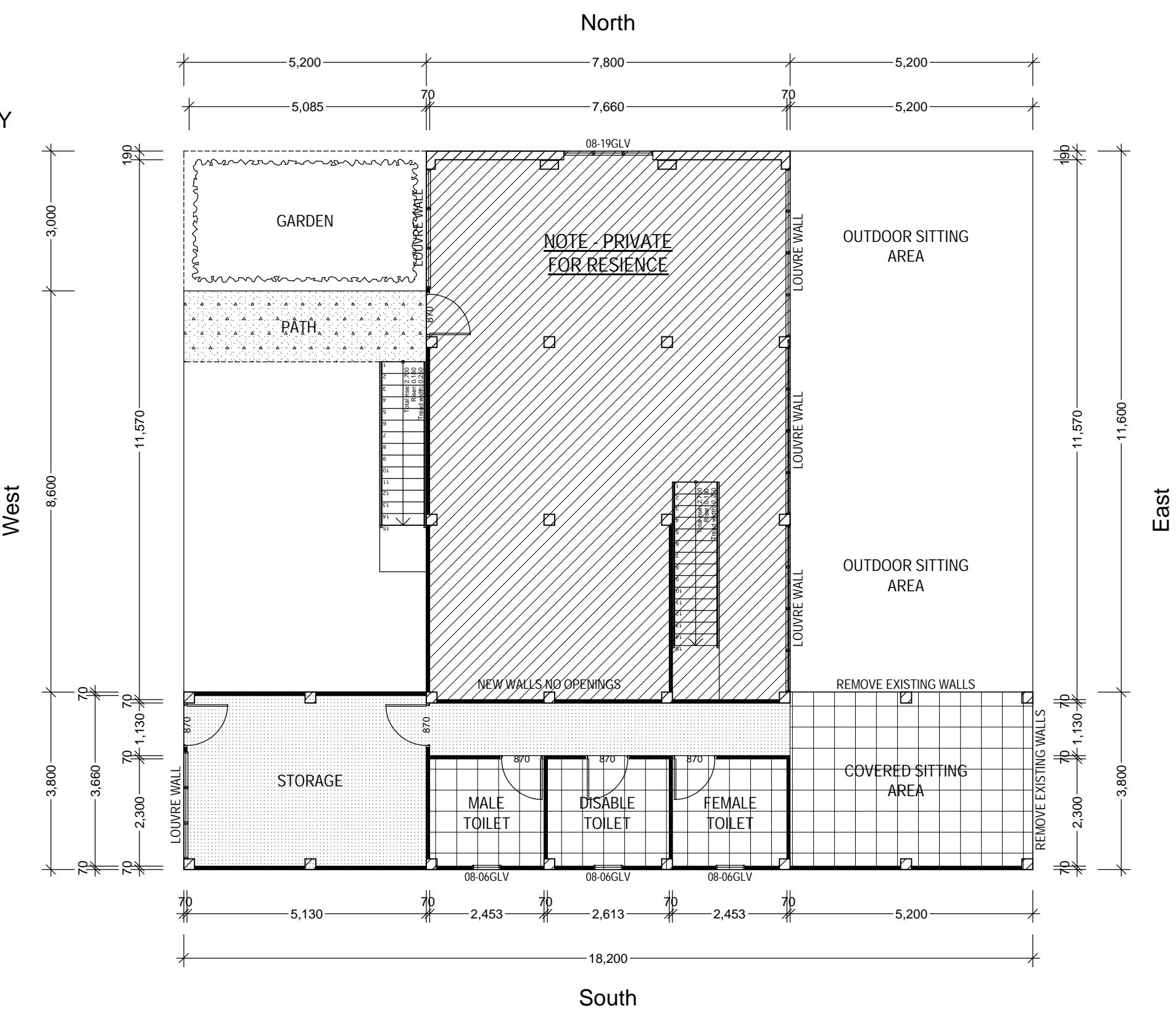
This report is not a substitute for a Planning and Development Certificate and should not be relied upon where the reliance may result in loss, damage or injury. While every effort is taken to ensure the information in this report is accurate and up to date, Douglas Shire Council makes no representations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

Appendix C

Proposal Plans



ELEVATION KEY



*NOTE - ALL GROUND FLOOR DOORS TO BE WHEELCHAIR SAFE

- PRIVATE RENOVATED SPACE
92.27 m²
- NOT GFA
38.79 m²
- FOOD & DRINK OUTLET
28.57 m²

Ground Floor Plan

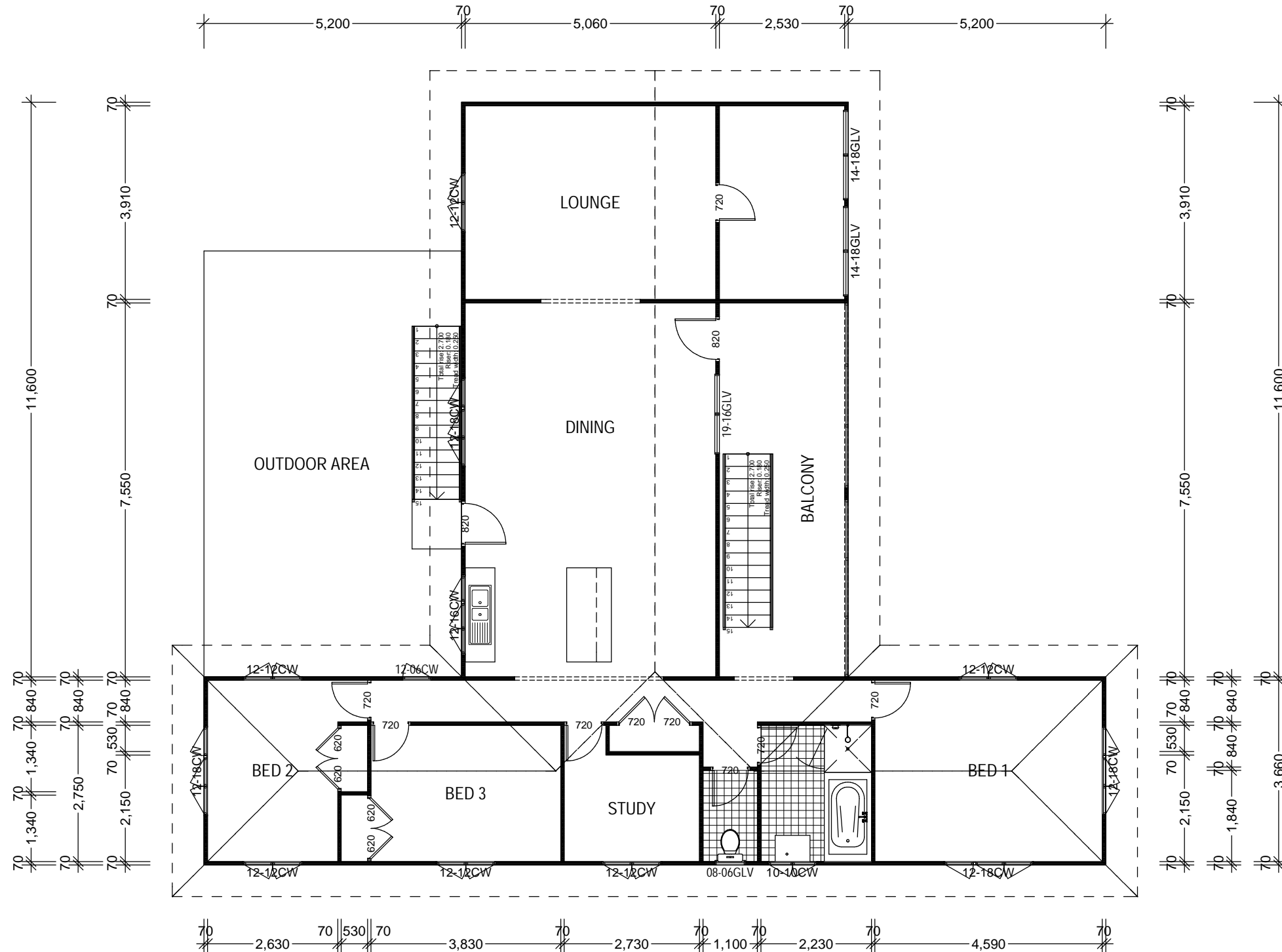


GFL PLAN

PHILL MATTHEWS - SKETCH - I
CAPTAIN COOK HIGHWAY

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Facade:	Date:	Job Number: 000
Inclusions:	Scale: 1 : 100	Sheet Number: 0 of 00



Existing Dwelling (No changes proposed)

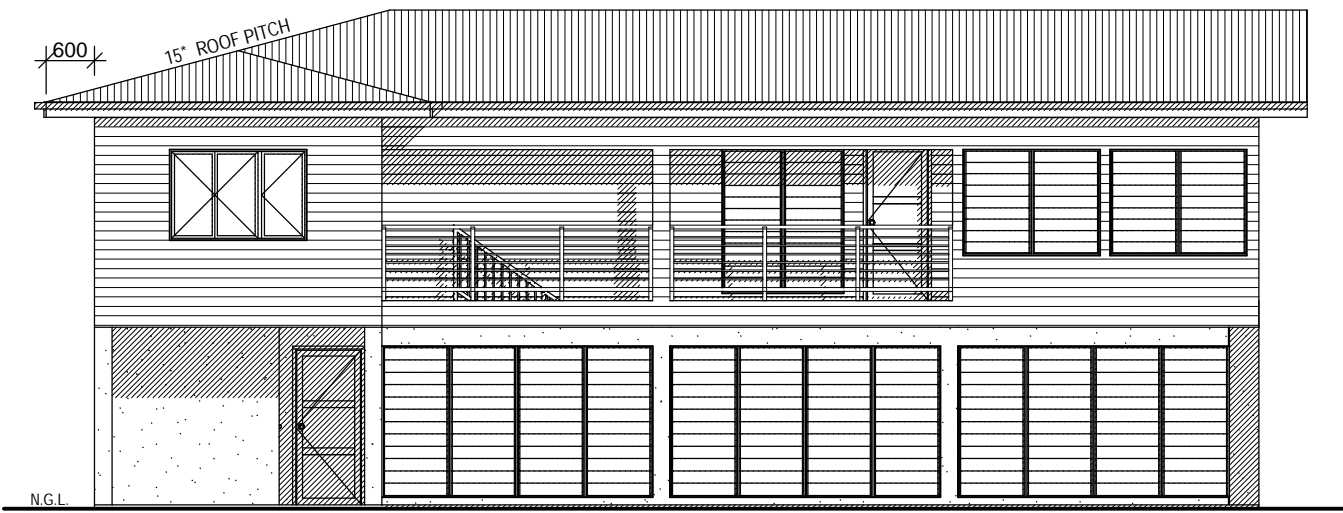


FFL PLAN

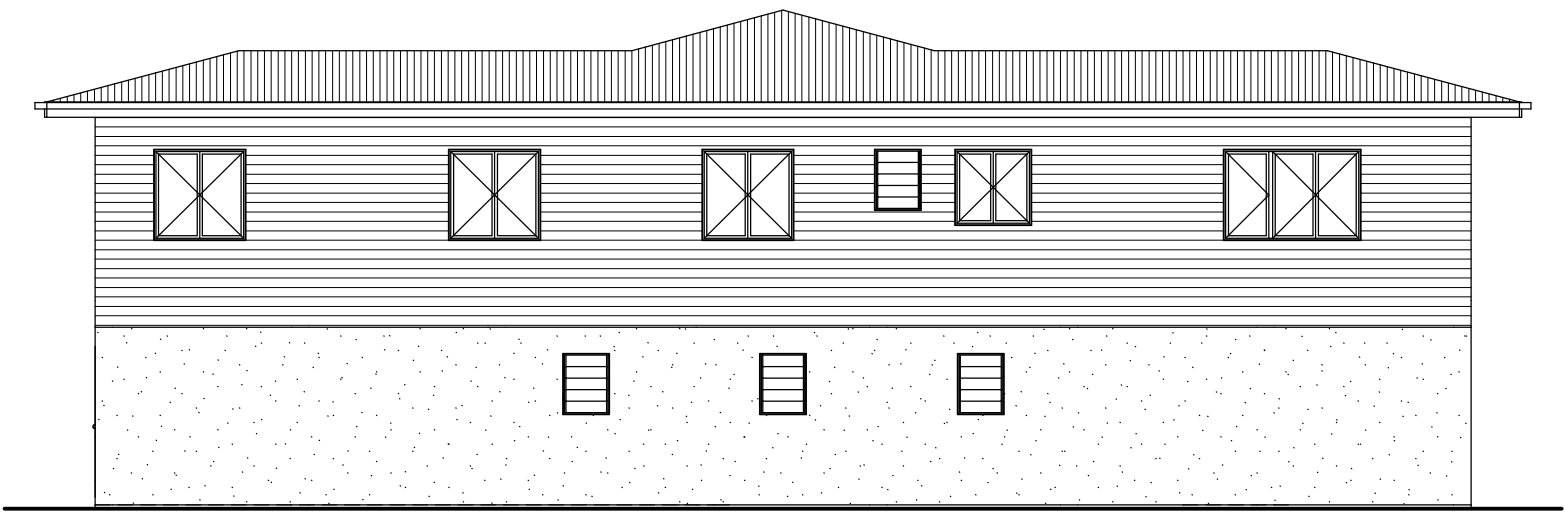
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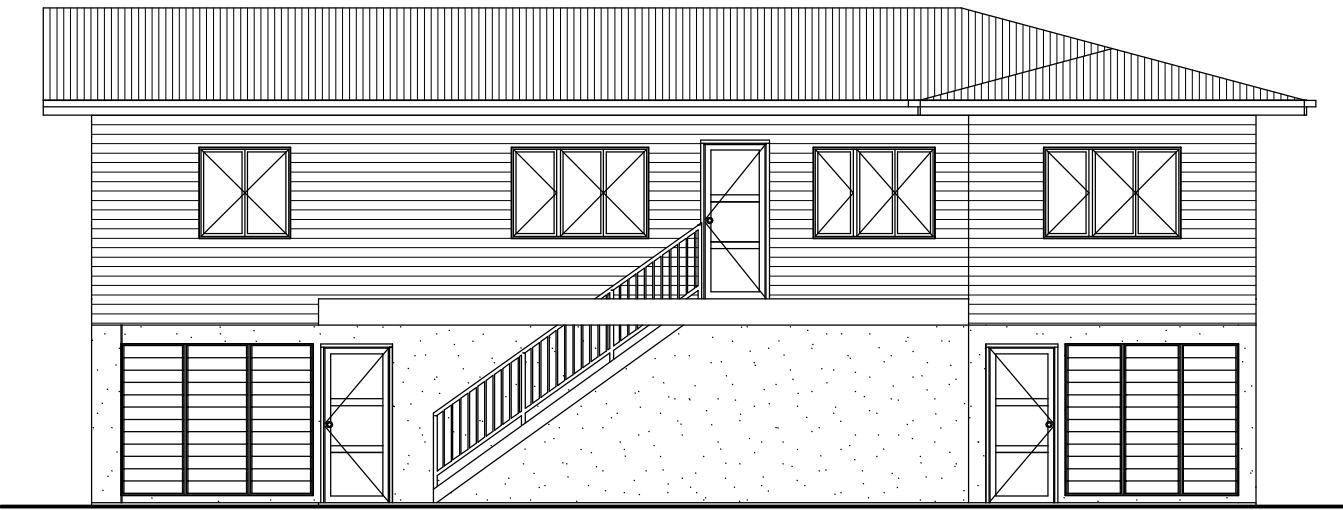
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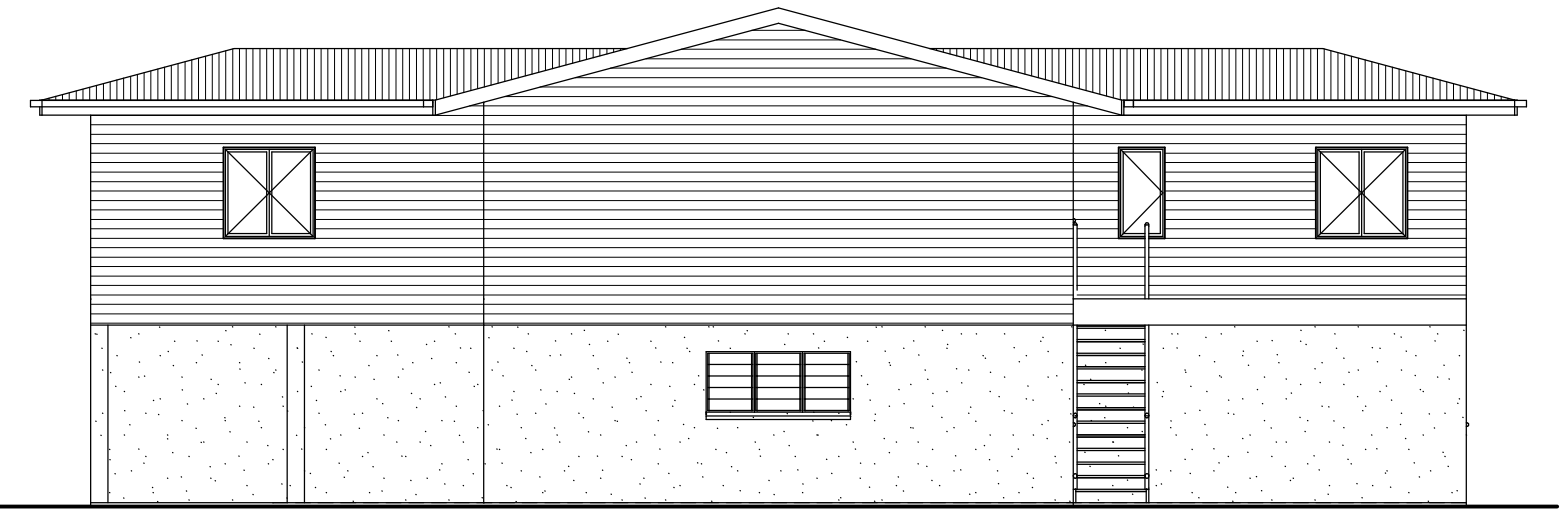
Elevation 1 - East



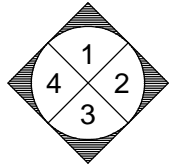
Elevation 2 - South



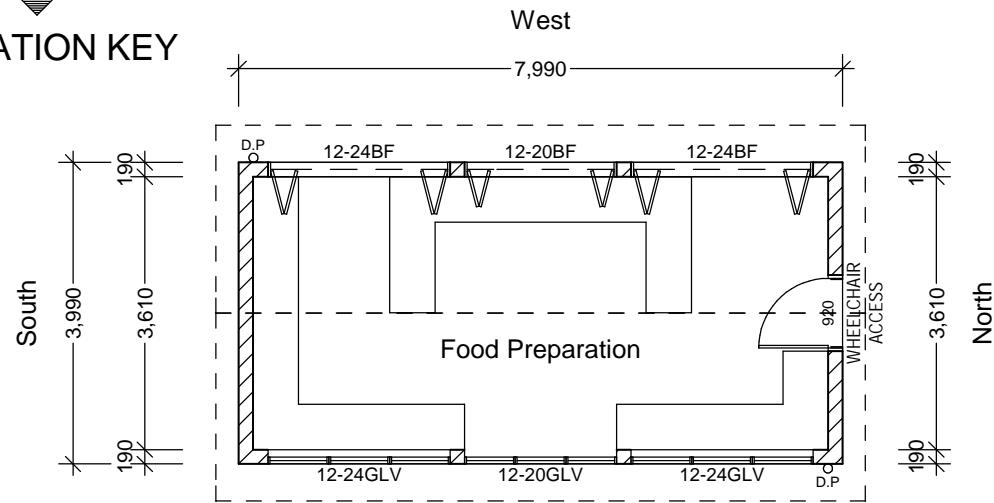
Elevation 3 - West



Elevation 4 - North

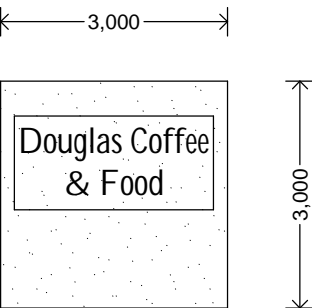


ELEVATION KEY

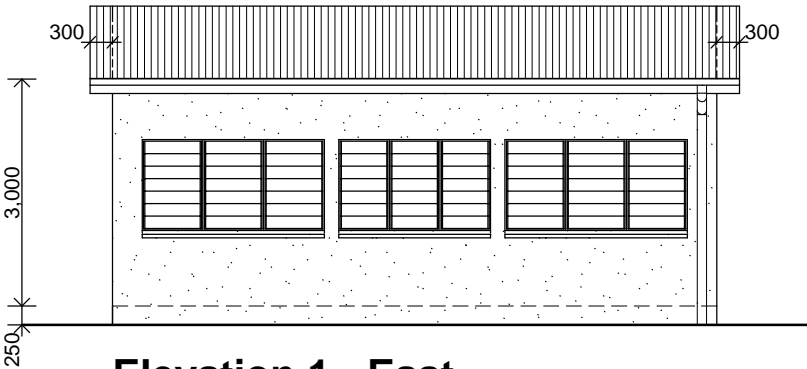


FLOOR AREAS
FOOD AREA - 31.88
TOTAL - 31.88m²
3.43 SQUARES

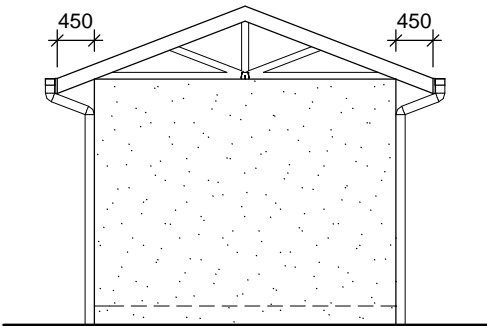
FLOOR PLAN



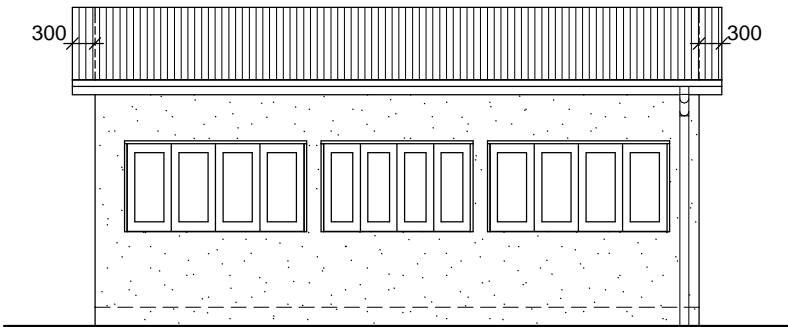
SIGN ELEVATION



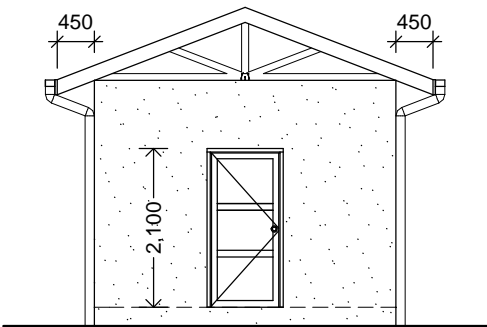
Elevation 1 - East



Elevation 2 - South



Elevation 3 - West



Elevation 4 - North

Proposed Food Preparation

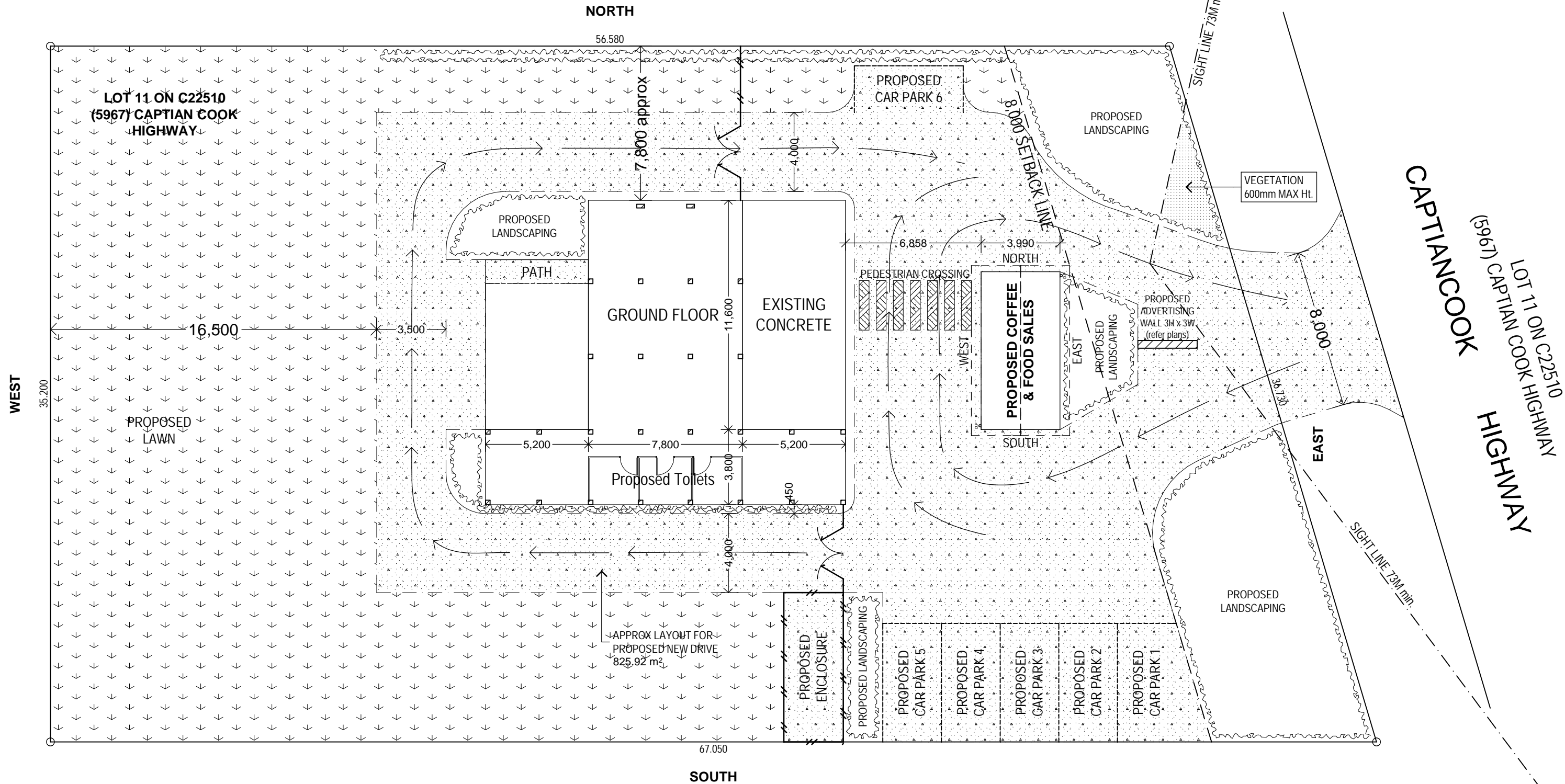


PLANS

PHILL MATTHEWS - SKETCH - I
CAPTAIN COOK HIGHWAY

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SITE PLAN

PHILL MATTHEWS - SKETCH - I
CAPTIAN COOK HIGHWAY

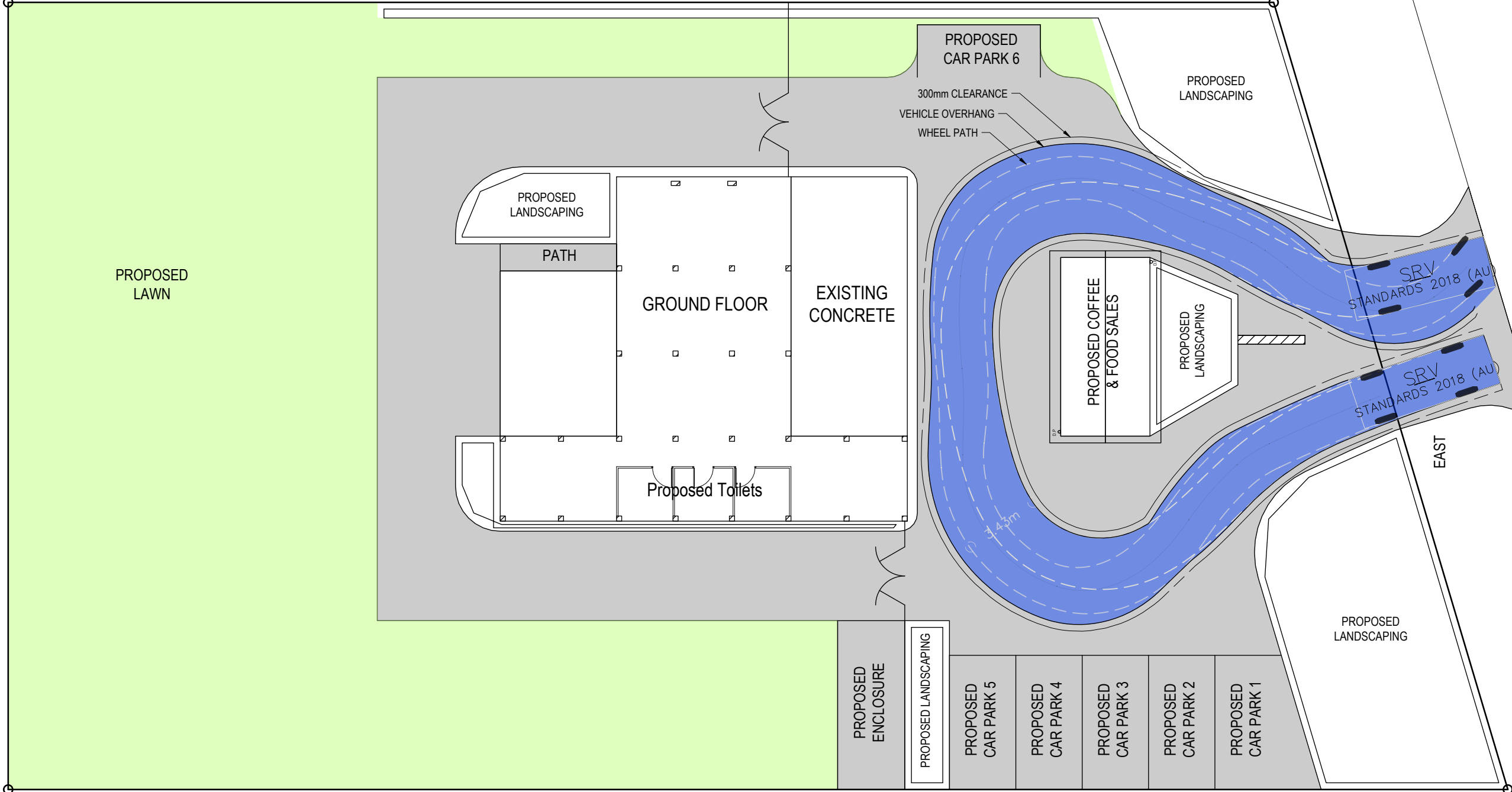
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NORTH

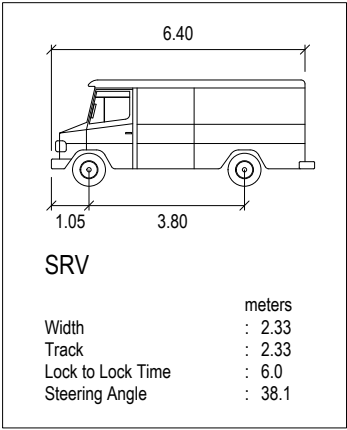
WEST



CAPTAIN COOK
(5968) CAPTAIN COOK HIGHWAY
LOT 11 ON C22510
HIGHWAY

EAST

SOUTH



Appendix D

State Code Responses

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

Table 1.1 Development in general

Performance outcomes	Acceptable outcomes	Response
Buildings, structures, infrastructure, services and utilities		
PO1 The location of the development does not create a safety hazard for users of the state-controlled road .	AO1.1 Development is not located in a state-controlled road . AND AO1.2 Development can be maintained without requiring access to a state-controlled road .	Complies with AO1.1 and AO1.2 No buildings or structure associated with the proposed development would be located in the state controlled road reserve.
PO2 The design and construction of the development does not adversely impact the structural integrity or physical condition of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Complies with PO2 The works for the development would be wholly contained within the subject site and would not affect the structural integrity of the state-controlled road.
PO3 The location of the development does not obstruct road transport infrastructure or adversely impact the operating performance of the state-controlled road .	No acceptable outcome is prescribed.	Complies with PO3 The development would not be located within the road reserve and would not affect the free flow of traffic in the state-controlled road.

Performance outcomes	Acceptable outcomes	Response
PO4 The location, placement, design and operation of advertising devices, visible from the state-controlled road , do not create a safety hazard for users of the state-controlled road .	No acceptable outcome is prescribed.	Complies with PO4 The proposed advertising sign would be small scale and would not contain flashing lights or any animation.
PO5 The design and construction of buildings and structures does not create a safety hazard by distracting users of the state-controlled road .	AO5.1 Facades of buildings and structures fronting the state-controlled road are made of non-reflective materials. AND AO5.2 Facades of buildings and structures do not direct or reflect point light sources into the face of oncoming traffic on the state-controlled road . AND AO5.3 External lighting of buildings and structures is not directed into the face of oncoming traffic on the state-controlled road . AND AO5.4 External lighting of buildings and structures does not involve flashing or laser lights.	Complies with AO5.1 Proposal would not result in reflective buildings and structures fronting the state-controlled road. Complies with AO5.2 Proposal would not direct or reflect light sources into the state controlled road. Complies with AO5.3 No external lighting is proposed as a part of this development. Complies with AO5.4 No external lighting is proposed as a part of this development.
PO6 Road, pedestrian and bikeway bridges over a state-controlled road are designed and	AO6.1 Road, pedestrian and bikeway bridges over the state-controlled road include throw protection screens in accordance with section 4.11 of the	Not applicable No bridges are proposed.

State Development Assessment Provisions v3.0

Performance outcomes	Acceptable outcomes	Response
constructed to prevent projectiles from being thrown onto the state-controlled road .	Design Criteria for Bridges and Other Structures Manual, Department of Transport and Main Roads, 2020.	
Landscaping		
PO7 The location of landscaping does not create a safety hazard for users of the state-controlled road .	A07.1 Landscaping is not located in a state-controlled road . AND A07.2 Landscaping can be maintained without requiring access to a state-controlled road . AND A07.3 Landscaping does not block or obscure the sight lines for vehicular access to a state-controlled road .	Complies with A07.1 Landscaping would be wholly contained with the site. Complies with A07.2 The proposed landscaping would be able to be maintained from within the site. Complies with A07.3 The proposed landscaping would be adequately setback to ensure that site lines for vehicular access are not affected.
Stormwater and overland flow		
PO8 Stormwater run-off or overland flow from the development site does not create or exacerbate a safety hazard for users of the state-controlled road .	No acceptable outcome is prescribed.	Complies with PO8 All stormwater drainage would be directed to a lawful point of discharge.
PO9 Stormwater run-off or overland flow from the development site does not result in a material	No acceptable outcome is prescribed.	Complies with PO9 All stormwater drainage would be directed to a lawful point of discharge.

State Development Assessment Provisions v3.0

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

Page 3 of 22

Performance outcomes	Acceptable outcomes	Response
worsening of the operating performance of the state-controlled road or road transport infrastructure .		
PO10 Stormwater run-off or overland flow from the development site does not adversely impact the structural integrity or physical condition of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Complies with PO10 All stormwater drainage would be directed to a lawful point of discharge.
PO11 Development ensures that stormwater is lawfully discharged.	AO11.1 Development does not create any new points of discharge to a state-controlled road . AND AO11.2 Development does not concentrate flows to a state-controlled road . AND AO11.3 Stormwater run-off is discharged to a lawful point of discharge . AND AO11.4 Development does not worsen the condition of an existing lawful point of discharge to the state-controlled road .	Complies with AO11.1 No new points of discharge to the state controlled road are proposed as part of this application and no existing flows would be concentrated as a result of this development.
Flooding		

Performance outcomes	Acceptable outcomes	Response
<p>PO12</p> <p>Development does not result in a material worsening of flooding impacts within a state-controlled road.</p>	<p>AO12.1</p> <p>For all flood events up to 1% annual exceedance probability, development results in negligible impacts (within +/- 10mm) to existing flood levels within a state-controlled road.</p> <p>AND</p> <p>AO12.2</p> <p>For all flood events up to 1% annual exceedance probability, development results in negligible impacts (up to a 10% increase) to existing peak velocities within a state-controlled road.</p> <p>AND</p> <p>AO12.3</p> <p>For all flood events up to 1% annual exceedance probability, development results in negligible impacts (up to a 10% increase) to existing time of submergence of a state-controlled road.</p>	<p>Not applicable</p> <p>The site and surrounds are not identified as being subject to flooding.</p>
Drainage Infrastructure		
<p>PO13</p> <p>Drainage infrastructure does not create a safety hazard for users in the state-controlled road.</p>	<p>AO13.1</p> <p>Drainage infrastructure is wholly contained within the development site, except at the lawful point of discharge.</p> <p>AND</p> <p>AO13.2</p> <p>Drainage infrastructure can be maintained without requiring access to a state-controlled road.</p>	<p>Complies with AO13.1</p> <p>The drainage infrastructure would be contained within the site and would be able to be maintained without accessing the state controlled road.</p> <p>Complies with AO13.2</p> <p>The drainage infrastructure would be contained within the site and would be able to be maintained without accessing the state controlled road.</p>

Performance outcomes	Acceptable outcomes	Response
PO14 Drainage infrastructure associated with, or within, a state-controlled road is constructed, and designed to ensure the structural integrity and physical condition of existing drainage infrastructure and the surrounding drainage network.	No acceptable outcome is prescribed.	Not applicable 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
Vehicular access to a state-controlled road or within 100 metres of a state-controlled road intersection		
PO15 The location, design and operation of a new or changed access to a state-controlled road does not compromise the safety of users of the state-controlled road .	No acceptable outcome is prescribed.	Complies with PO15 Access would be provided by the existing access, which would be widened to facilitate safer vehicle movements to and from the site. The 8 metre wide access would allow for a vehicle to exit the site whilst keeping clear of another vehicle entering the site. Ensuring that the traffic flow of Captain Cook Highway would not be compromised.
PO16 The location, design and operation of a new or changed access does not adversely impact the functional requirements of the state-controlled road .	No acceptable outcome is prescribed.	Complies with PO16 Access would be provided by the existing access, which would be widened to facilitate safer vehicle movements to and from the site. The 8 metre wide access would allow for a vehicle to exit the site whilst keeping clear of another vehicle entering the site. Ensuring that the traffic flow of Captain Cook Highway would not be compromised.

Performance outcomes	Acceptable outcomes	Response
PO17 The location, design and operation of a new or changed access is consistent with the future intent of the state-controlled road .	No acceptable outcome is prescribed.	Complies with PO17 Access to the development would be via the existing access off Captain Cook Highway. The access would not affect any future plans for the Captain Cook Highway.
PO18 New or changed access is consistent with the access for the relevant limited access road policy : 1. LAR 1 where direct access is prohibited; or 2. LAR 2 where access may be permitted, subject to assessment.	No acceptable outcome is prescribed.	Not applicable The site does not front a limited access road.
PO19 New or changed access to a local road within 100 metres of an intersection with a state-controlled road does not compromise the safety of users of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable No new or changed access to a local road is proposed.
PO20 New or changed access to a local road within 100 metres of an intersection with a state-controlled road does not adversely impact on the operating performance of the intersection.	No acceptable outcome is prescribed.	Not applicable No new or changed access to a local road is proposed.
Public passenger transport and active transport		
PO21 Development does not compromise the safety of users of public passenger transport	No acceptable outcome is prescribed.	Not applicable

State Development Assessment Provisions v3.0

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

Page 7 of 22

Performance outcomes	Acceptable outcomes	Response
infrastructure, public passenger services and active transport infrastructure.		No public transport infrastructure or services are located within the immediate vicinity of the proposal.
PO22 Development maintains the ability for people to access public passenger transport infrastructure, public passenger services and active transport infrastructure.	No acceptable outcome is prescribed.	Not applicable No public transport infrastructure or services are located within the immediate vicinity of the proposal.
PO23 Development does not adversely impact the operating performance of public passenger transport infrastructure, public passenger services and active transport infrastructure.	No acceptable outcome is prescribed.	Not applicable No public transport infrastructure or services are located within the immediate vicinity of the proposal.
PO24 Development does not adversely impact the structural integrity or physical condition of public passenger transport infrastructure and active transport infrastructure.	No acceptable outcome is prescribed.	Not applicable No public transport infrastructure or services are located within the immediate vicinity of the proposal.

Table 1.3 Network impacts

Performance outcomes	Acceptable outcomes	Response
PO25 Development does not compromise the safety of users of the state-controlled road network.	No acceptable outcome is prescribed.	Complies with PO25 The proposed development would be a small scale food and drink outlet generating limited traffic movements. It would not affect the safety of the Captain Cook Highway.

Performance outcomes	Acceptable outcomes	Response
PO26 Development ensures no net worsening of the operating performance of the state-controlled road network.	No acceptable outcome is prescribed.	Complies with PO26 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.
PO27 Traffic movements are not directed onto a state-controlled road where they can be accommodated on the local road network.	No acceptable outcome is prescribed.	Not applicable The site only has one frontage.
PO28 Development involving haulage exceeding 10,000 tonnes per year does not adversely impact the pavement of a state-controlled road .	No acceptable outcome is prescribed.	Not applicable. Development would not involve hauling exceeding 10,000 tonnes.
PO29 Development does not impede delivery of planned upgrades of state-controlled roads .	No acceptable outcome is prescribed.	Not applicable There are no identified planned upgrades of the highway in the vicinity of the site..
PO30 Development does not impede delivery of corridor improvements located entirely within the state-controlled road corridor .	No acceptable outcome is prescribed.	Not applicable There are no identified corridor improvements within the vicinity of the site.

Table 1.4 Filling, excavation, building foundations and retaining structures

Performance outcomes	Acceptable outcomes	Response
PO31 Development does not create a safety hazard for users of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Not applicable No filling or excavation is proposed.
PO32 Development does not adversely impact the operating performance of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable No filling or excavation is proposed.
PO33 Development does not undermine, damage or cause subsidence of a state-controlled road .	No acceptable outcome is prescribed.	Not applicable No filling or excavation is proposed.
PO34 Development does not cause ground water disturbance in a state-controlled road .	No acceptable outcome is prescribed.	Not applicable No filling or excavation is proposed.
PO35 Excavation, boring, piling, blasting and fill compaction do not adversely impact the physical condition or structural integrity of a state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Not applicable No filling or excavation is proposed.
PO36 Filling and excavation associated with the construction of new or changed access do not compromise the operation or capacity of existing drainage infrastructure for a state-controlled road .	No acceptable outcome is prescribed.	Not applicable No filling or excavation is proposed.

State Development Assessment Provisions v3.0

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

Page 10 of 22

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
Reconfiguring a lot		
Involving the creation of 5 or fewer new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor		
PO37 Development minimises free field noise intrusion from a state-controlled road .	AO37.1 Development provides a noise barrier or earth mound which is designed, sited and constructed: <ol style="list-style-type: none"> 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1); 2. in accordance with: <ol style="list-style-type: none"> 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; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. OR AO37.2 Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by alternative noise attenuation measures	Not applicable No new lots would be created by the development.

State Development Assessment Provisions v3.0

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

Page 11 of 22

Performance outcomes	Acceptable outcomes	Response
	<p>where it is not practical to provide a noise barrier or earth mound.</p> <p>OR</p> <p>AO37.3</p> <p>Development provides a solid gap-free fence or other solid gap-free structure along the full extent of the boundary closest to the state-controlled road.</p>	
Involving the creation of 6 or more new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor		
<p>PO38</p> <p>Reconfiguring a lot minimises free field noise intrusion from a state-controlled road.</p>	<p>AO38.1</p> <p>Development provides noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1); 2. in accordance with: <ol style="list-style-type: none"> 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; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. <p>OR</p>	<p>Not applicable</p> <p>No new lots would be created by the development.</p>

Performance outcomes	Acceptable outcomes	Response
	AO38.2 Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.	
Material change of use (accommodation activity)		
Ground floor level requirements adjacent to a state-controlled road or type 1 multi-modal corridor		
PO39 Development minimises noise intrusion from a state-controlled road in private open space .	AO39.1 Development provides a noise barrier or earth mound which is designed, sited and constructed: <ol style="list-style-type: none"> 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.2) for private open space at the ground floor level; 2. in accordance with: <ol style="list-style-type: none"> 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; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. 	Not applicable No accommodation activity is proposed.

Performance outcomes	Acceptable outcomes	Response
	<p>OR</p> <p>AO39.2</p> <p>Development achieves the maximum free field acoustic level in reference table 2 (item 2.2) for private open space by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p>	
<p>PO40</p> <p>Development (excluding a relevant residential building or relocated building) minimises noise intrusion from a state-controlled road in habitable rooms at the facade.</p>	<p>AO40.1</p> <p>Development (excluding a relevant residential building or relocated building) provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to achieve the maximum building façade acoustic level in reference table 1 (item 1.1) for habitable rooms; 2. in accordance with: <ol style="list-style-type: none"> 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; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. <p>OR</p> <p>AO40.2</p>	<p>Not applicable</p> <p>No accommodation activity is proposed.</p>

Performance outcomes	Acceptable outcomes	Response
	Development (excluding a relevant residential building or relocated building) achieves the maximum building façade acoustic level in reference table 1 (item 1.1) for habitable rooms by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.	
PO41 Habitable rooms (excluding a relevant residential building or relocated building) 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.	Not applicable No accommodation activity is proposed.
Above ground floor level requirements (accommodation activity) adjacent to a state-controlled road or type 1 multi-modal corridor		
PO42 Balconies, podiums, and roof decks include: <ol style="list-style-type: none"> 1. a continuous solid gap-free structure 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.	Not applicable No accommodation activity is proposed.
PO43 Habitable rooms (excluding a relevant residential building or relocated building) are designed and constructed using materials	No acceptable outcome is provided.	Not applicable No accommodation activity is proposed.

Performance outcomes	Acceptable outcomes	Response
to achieve the maximum internal acoustic level in reference table 3 (item 3.1).		
Material change of use (other uses)		
Ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor		
PO44 Development: 1. provides a noise barrier or earth mound that is designed, sited and constructed: <ul style="list-style-type: none"> a. to achieve the maximum free field acoustic level in reference table 2 (item 2.3) for all outdoor education areas and outdoor play areas; b. in accordance with: <ul style="list-style-type: none"> 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; ii. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; 	No acceptable outcome is provided.	Not applicable No childcare centre, educational establishment, hospital use is proposed.

Performance outcomes	Acceptable outcomes	Response
<p>iii. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or</p> <p>2. achieves the maximum free field acoustic level in reference table 2 (item 2.3) for all outdoor education areas and outdoor play areas by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p>		
<p>PO45</p> <p>Development involving a childcare centre or educational establishment:</p> <p>1. provides a noise barrier or earth mound that is designed, sited and constructed:</p> <p>2. to achieve the maximum building facade acoustic level in reference table 1 (item 1.2);</p> <p>3. in accordance with:</p> <p>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;</p> <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; or</p>	No acceptable outcome is provided.	<p>Not applicable</p> <p>No childcare centre, educational establishment, hospital use is proposed.</p>

Performance outcomes	Acceptable outcomes	Response
4. achieves the maximum building facade acoustic level in reference table 1 (item 1.2) by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.		
PO46 Development involving: <ol style="list-style-type: none"> 1. indoor education areas and indoor play areas; or 2. sleeping rooms in a childcare centre; or 3. patient care areas in a hospital achieves the maximum internal acoustic level in reference table 3 (items 3.2-3.4). 	No acceptable outcome is provided.	Not applicable No childcare centre, educational establishment, hospital use is proposed.
Above ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor		
PO47 Development involving a childcare centre or educational establishment which have balconies, podiums or elevated outdoor play areas predicted to exceed the maximum free field acoustic level in reference table 2 (item 2.3) due to noise from a state-controlled road are provided with: <ol style="list-style-type: none"> 1. a continuous solid gap-free structure 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 or elevated outdoor play areas. 	No acceptable outcome is provided.	Not applicable No childcare centre, educational establishment, hospital use is proposed.

State Development Assessment Provisions v3.0

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

Page 18 of 22

Performance outcomes	Acceptable outcomes	Response
<p>PO48 Development including:</p> <ol style="list-style-type: none"> indoor education areas and indoor play areas in a childcare centre or educational establishment; or sleeping rooms in a childcare centre; or patient care areas in a hospital located above ground level, is designed and constructed to achieve the maximum internal acoustic level in reference table 3 (items 3.2-3.4). 	No acceptable outcome is provided.	<p>Not applicable</p> <p>No childcare centre, educational establishment, hospital use is proposed.</p>
Air, light and vibration		
<p>PO49 Private open space, outdoor education areas and outdoor play areas are protected from air quality impacts from a state-controlled road.</p>	<p>AO49.1 Each dwelling or unit has access to a private open space which is shielded from a state-controlled road by a building, solid gap-free fence, or other solid gap-free structure.</p> <p>OR</p> <p>AO49.2 Each outdoor education area and outdoor play area is shielded from a state-controlled road by a building, solid gap-free fence, or other solid gap-free structure.</p>	<p>Not applicable</p> <p>No childcare centre, educational establishment, hospital use is proposed.</p>

Performance outcomes	Acceptable outcomes	Response
PO50 Patient care areas within hospitals are protected from vibration impacts from a state-controlled road or type 1 multi-modal corridor .	<p>AO50.1 Hospitals are designed and constructed to ensure vibration in the patient treatment area does not exceed a vibration dose value of $0.1\text{m/s}^{1.75}$.</p> <p>AND</p> <p>AO50.2 Hospitals are designed and constructed to ensure vibration in the ward of a patient care area does not exceed a vibration dose value of $0.4\text{m/s}^{1.75}$.</p>	<p>Not applicable</p> <p>No childcare centre, educational establishment, hospital use is proposed.</p>
<p>PO51</p> <p>Development is designed and sited to ensure light from infrastructure within, and from users of, a state-controlled road or type 1 multi-modal corridor, does not:</p> <ol style="list-style-type: none"> 1. intrude into buildings during night hours (10pm to 6am); 2. create unreasonable disturbance during evening hours (6pm to 10pm). 	No acceptable outcomes are prescribed.	<p>Not applicable</p> <p>No childcare centre, educational establishment, hospital use is proposed.</p>

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

Performance outcomes	Acceptable outcomes	Response
<p>PO52</p> <p>Development does not impede delivery of a future state-controlled road.</p>	<p>AO52.1</p> <p>Development is not located in a future state-controlled road.</p> <p>OR ALL OF THE FOLLOWING APPLY:</p>	<p>Not applicable</p> <p>The development is not located in a future state controlled road environment.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AO52.2</p> <p>Development does not involve filling and excavation of, or material changes to, a future state-controlled road.</p> <p>AND</p> <p>AO52.3</p> <p>The intensification of lots does not occur within a future state-controlled road.</p> <p>AND</p> <p>AO52.4</p> <p>Development does not result in the landlocking of parcels once a future state-controlled road is delivered.</p>	
<p>PO53</p> <p>The location and design of new or changed access does not create a safety hazard for users of a future state-controlled road.</p>	<p>AO53.1</p> <p>Development does not include new or changed access to a future state-controlled road.</p>	<p>Not applicable</p> <p>The development is not located in a future state controlled road environment.</p>
<p>PO54</p> <p>Filling, excavation, building foundations and retaining structures do not undermine, damage or cause subsidence of a future state-controlled road.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Not applicable</p> <p>The development is not located in a future state controlled road environment.</p>
<p>PO55</p> <p>Development does not result in a material worsening of stormwater, flooding, overland flow</p>	<p>No acceptable outcome is prescribed.</p>	<p>Not applicable</p> <p>The development is not located in a future state controlled road environment.</p>

Performance outcomes	Acceptable outcomes	Response
or drainage impacts in a future state-controlled road or road transport infrastructure .		
PO56 Development ensures that stormwater is lawfully discharged.	AO56.1 Development does not create any new points of discharge to a future state-controlled road . AND AO56.2 Development does not concentrate flows to a future state-controlled road . AND AO56.3 Stormwater run-off is discharged to a lawful point of discharge . AND AO56.4 Development does not worsen the condition of an existing lawful point of discharge to the future state-controlled road .	Not applicable The development is not located in a future state controlled road environment.

Appendix E

Planning Scheme Code Responses

6.2.5 Industry zone code

6.2.5.1 Application

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

6.2.5.2 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 business uses that support the industrial activities where they do not compromise the long-term use of the land for industrial purposes
- (2) The local government purpose of the code is to:
 - (a) implement the policy direction set in the Strategic Framework, in particular:
 - (i) Theme 1 : Settlement pattern, Element 3.4.4 – Industry areas and activities.
 - (ii) Theme 2 : Environment and landscape values, Element 3.5.6 – Air and acoustic protection and hazardous materials.
 - (iii) Theme 5 : Economy, Element 5.8.2 – Economic growth and diversification, Element 5.8.5 – Innovation and technology.
 - (b) provide and protect land that is accessible and serviced for the location of industry;
 - (c) manage development to maintain an industrial amenity and provide adequate separation to sensitive land use activities.
 - (d) ensure the long term dominance of the Mossman Mill as an industrial activity on Industry zoned land in Mossman will continue to contribute to the development and prosperity of the town.
 - (e) recognise the opportunity to consolidate further industrial development around the Mossman Mill site to create a low /medium impact industry precinct in Mossman.
- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Uses and works for industrial purposes are located, designed and managed to maintain safety to people, avoid significant adverse effects on the natural environment and minimise impacts on adjacent non-industrial land.
 - (b) The scale, character and built form of development contributes to a high standard of amenity.
 - (c) Development has access to development infrastructure and essential services.
 - (d) The viability of both existing and future industrial activities is protected from the intrusion of incompatible uses.
 - (e) Industrial uses are adequately separated from sensitive land uses to minimise the likelihood of environmental harm or environmental nuisance occurring.

6.2.5.3 Criteria for assessment

Table 6.2.5.3.a – Industry zone – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
PO1 The height of buildings and structures is consistent with those of nearby buildings.	AO1 Buildings and structures are not more than 10 metres in height.	Complies with AO1 The maximum height of the proposed new building on the site would be less than 10 metres.
PO2 Buildings and structures are setback to contribute to an attractive and consistent streetscape appearance and to protect the amenity of other land uses.	AO2.1 Buildings, structures, display and storage areas are set back a minimum of: (a) 8 metres to a State-controlled road (b) 6 metres from any other road frontage(s).	Complies with AO2.1 The proposed building would be setback a minimum of 18 metres from the site frontage to the Captain Cook Highway.
	AO2.2 Where a site has a common boundary with land in an Industry zone, the buildings are setback either: (a) 0 metres from the side and rear boundaries; or (b) 2.5 metres or ¼ of the height of the building, whichever is the greater; and (c) not any distance between 0 metres and 2.5 metres. Note – Building Code requirements must be satisfied.	Complies with AO2.2 The proposed new building on the site would be setback greater than 2.5 metres from the side and rear boundaries.
	AO2.3	Not applicable

Performance outcomes	Acceptable outcomes	Applicant response
	<p>Where a site has a common boundary with land not in an Industry zone, the buildings, structures, display areas and storage are setback 2.5 metres or ¼ of the height of the building, whichever is the greater from the common boundary.</p> <p>Note – Building Code requirements must be satisfied.</p>	The site is surrounded on all sides by land within an Industry zone.
PO3 The site coverage of buildings ensures that there is sufficient space available to cater for services, landscaping and the on-site parking and manoeuvring of vehicles.	AO3 The site coverage of buildings does not exceed 60%.	Complies with AO3 The proposed site coverage would be approximately 15%.
PO4 Development provides a quality workplace.	AO4.1 Pedestrian entrances to buildings are: <ul style="list-style-type: none"> (a) easy to identify from the street and on-site car parking areas; (b) provided with sun and rain protection consisting of a minimum width of 900mm and positioned immediately above the entry way. 	Complies with AO4.1 The pedestrian entrances to the new building are easily identified from the street and from car parking areas.
	AO4.2 Any office or sales spaces are orientated toward the street and are provided with human scale elements (including, but not limited to, windows, doors, shading devices and variations in construction materials, colours etc.).	Not applicable No office or sales spaces are proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	AO4.3 Customer parking is located at the front of the building between the building and the street or to the side of the building with clear visibility to the street.	Complies with AO4.3 The proposed parking areas would be located to either side of the development and would be visible from the Captain Cook Highway.
	AO4.4 Any gates are sliding, or alternatively, open inward to the site so that the adjoining footpath reserve is not blocked when gates are open.	Not applicable No gates to the road access are proposed.
	AO4.5 Car parking surfaces are constructed or coated with glare-reducing materials.	Complies with AO4.5 The proposed carparking area would be constructed of concrete or asphalt.
PO5 The appearance and amenity of development is enhanced through landscaping works. Note – Planning scheme policy – Landscaping provides further guidance on meeting the performance outcome.	AO5.1 A minimum of 20% of the site is provided with space available for landscape planting.	Complies with AO5.1 A landscaping strip would be provided to the property frontage as part of the development and the existing setbacks provide in excess of 20% of the site as landscape planting.
	AO5.2 A 2 metre landscape planting strip for dense planting is provided along the road frontage(s), except that a 3 metre strip is provided along any frontage to the Captain Cook Highway.	Complies with AO5.2 The proposed development would provide an 8 metre wide landscaping strip to the Captain Cook Highway road frontage.
	AO5.3	Able to comply with AO5.3

Performance outcomes	Acceptable outcomes	Applicant response
	Landscape planting beds adjacent to parking and manoeuvring areas are protected from vehicle encroachment by a 150mm high vertical kerb edge or similar durable obstruction.	Council are invited to attach a condition to any approval granted to secure compliance, if necessary.
	AO5.4 Landscape planting consists of hardy tropical species suited to Douglas Shire's climatic conditions.	Able to comply with AO5.4 Council are invited to attach a condition to any approval granted to secure compliance, if necessary.
PO6 The movement of traffic on roads is not compromised by the loading and unloading of goods.	AO6 All delivery/pick up vehicles are situated entirely within the site when being loaded and/or unloaded with goods.	Complies with AO6 All delivery/pick up vehicles would be accommodated within the site, as demonstrated by the swept path drawings.
PO7 Industrial areas are not characterised by a proliferation of advertising signs and/or the use of large advertising signs.	AO7 No wall signs or painted advertising are located on the walls of industrial buildings facing, or visible to, the Captain Cook Highway.	Not applicable No industrial buildings are proposed.
PO7 The movement of traffic on roads is not compromised by access and egress to the site.	AO7.1 Site access for vehicles is limited to one point per road frontage. or AO7.2 If needed, two access points separated by a minimum of 10 metres to facilitate on-site vehicular manoeuvring for large vehicles.	Complies with AO7.1 The proposed development would be provided with a single crossover from the Captain Cook Highway.

Performance outcomes	Acceptable outcomes	Applicant response
	AO7.3 Sufficient space is available for vehicles to manoeuvre within the site so as to enter and leave the site in forward gear.	Complies with AO7.3 The proposed development would provide adequate space around both the proposed and existing structure to allow for all vehicles to exit the site in the forward gear.
PO8 Development collects and disposes of waste materials and caters for spillages in a manner that prevents contamination of land or water.	AO8.1 Sources of potential contaminants are roofed and sealed with impervious surfaces and provided with 110% storage capacity bund for spillage containment.	Not applicable The proposed development would not involve potential contaminants.
	AO8.2 Roof and storm water are directed away from areas of potential contamination.	Complies with AO8.2 All stormwater would be discharged to the lawful point of discharge.
	AO8.3 Contaminating materials are stored at levels above the defined flood / storm tide event, whichever is the highest.	Not applicable The site is not identified as being subject to flooding.
For assessable development		
PO9 The establishment of uses is consistent with the outcomes sought for the Industry zone and protects the zone from the intrusion of inconsistent uses.	AO9 Uses identified in Table 6.2.5.3.b are not established in the Industry zone.	Complies with AO9 Food and Drink Outlet is not a use identified in Table 6.2.5.3.b.

Performance outcomes	Acceptable outcomes	Applicant response
PO10 Development does not lower the standards of amenity in terms of air, noise, odour, electrical interference and vibrations at any land use associated with the: (a) the Accommodation activity group, located outside the Industry zone; (b) the Sensitive land use activity group, located outside the Industry zone.	AO10 No acceptable outcomes are prescribed.	Complies with PO10 The proposed development would not produce emissions that would lower the standard of amenity of surrounding properties.
PO11 New lots contain a minimum area of 1000m ² .	AO11 No acceptable outcomes are prescribed.	Not applicable No new lots are proposed.
PO12 New lots have a minimum road frontage of 20 metres.	AO12 No acceptable outcomes are prescribed.	Not applicable No new lots are proposed.
PO13 New lots contain a 20 metre x 40 metre rectangle.	AO13 No acceptable outcomes are prescribed.	Not applicable No new lots are proposed.

Table 6.2.5.3.b – Inconsistent uses within the Industry Zone

Inconsistent uses		
<ul style="list-style-type: none"> Air services Animal husbandry 	<ul style="list-style-type: none"> Hotel Intensive animal industry 	<ul style="list-style-type: none"> Relocatable home park Renewable energy facility, being a wind farm

<ul style="list-style-type: none"> • Bar • Cemetery • Child care centre • Club • Community care centre • Community residence • Cropping • Detention facility • Dual occupancy • Dwelling house • Environment facility • Extractive industry • Function facility • Health care services • Home based business • Hospital 	<ul style="list-style-type: none"> • Intensive horticulture • Major sport and entertainment facility • Motor sport facility • Multiple dwelling • Nature based tourism • Nightclub entertainment facility • Non-resident workforce accommodation • Outdoor sport and recreation • Outstation • Permanent plantation 	<ul style="list-style-type: none"> • Residential care facility • Resort complex • Retirement facility • Roadside stall • Rooming accommodation • Rural workers accommodation • Shopping centre • Short-term accommodation • Theatre • Tourist attraction • Tourist park • Wholesale nursery
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Note – This table does not imply that all other uses not listed in the table are automatically consistent uses within the zone. Assessable development must still demonstrate consistency through the assessment process.

7.2.4 Port Douglas/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

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

Precinct 1 – Port Douglas precinct

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

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

Sub-precinct 1a – Town Centre sub-precinct

- (6) In addition to other overall development outcomes, development in the Town Centre sub-precinct facilitates the following development outcomes:
 - (a) tourist, retail, dining and entertainment activities are facilitated at an appropriate pedestrian scale;

- (b) drive-through developments, bulky goods showrooms, outdoor sales, saleyards and other big-box retailing or entertainment facilities are not established;
- (c) development contributes to a high quality public realm;
- (d) parking (and associated infrastructure) does not undermine the relationship between buildings and street or pedestrian circulation patterns;
- (e) consolidation of community and cultural land use activities along Mowbray Street between Wharf Street and Mudlo Street;
- (f) active street frontages are established along Macrossan and Wharf Streets and other nearby streets as shown on the Port Douglas Centre Active Frontages and Pedestrian and Cycle Network Plan;
- (g) Live entertainment activities are concentrated within the Live Entertainment Precinct and are subject to the recommendations of a suitably qualified acoustic engineer.

Sub- precinct 1b - Waterfront North sub-precinct

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

Sub-precinct 1c – Waterfront South sub-precinct

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

Sub-precinct 1d – Limited Development sub-precinct

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

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

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

Sub-precinct 1f – Flagstaff Hill sub-precinct

- (11) In addition to all other overall development outcomes, development in the Flagstaff Hill sub-precinct facilitates the following development outcomes:
- (a) development is not established where it results in detriment to the vegetated and scenic qualities of Flagstaff Hill;
 - (b) development minimises excavation and filling;

- (c) buildings and other works are unobtrusive when viewed from vantage points in Port Douglas and are designed and constructed of colours and materials which complement the hill's vegetated state;
- (d) views from public viewing points within the precinct are protected.

Precinct 2 – Integrated Resort precinct

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

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

Precinct 3 – Craiglie Commercial and Light Industry precinct

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

Precinct 4 – Old Port Road / Mitre Street precinct

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

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

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

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

7.2.4.4 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
For self assessable and assessable development		
Development in the Port Douglas / Craiglie local plan area generally		
PO1 Pedestrians, cyclists, motorists and public transport users can easily move into and through the precinct along planned connectivity routes, identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.	AO1 A pedestrian and cycle movement network is integrated and delivered through development.	Not applicable The proposed development is not identified as requiring a pedestrian, cyclist or vehicular thoroughfare.
PO2 Development retains and enhances key landscape elements including character trees and areas of significant vegetation contributing to the character and quality of the local plan area and significant views and vistas and other landmarks important to the context of Port Douglas / Craiglie (as identified on the Port Douglas/ Craiglie	AO2.1 Development provides for the retention and enhancement of existing mature trees and character vegetation that contribute to the lush tropical character of the town, including: <ul style="list-style-type: none"> (a) the tree covered backdrop of Flagstaff Hill; (b) natural vegetation along watercourses, in 	Complies with AO2.1 The proposed development would retain the existing vegetation at the rear of the site.

Performance outcomes	Acceptable outcomes	Compliance
Townscape Plan map contained in Schedule 2).	<p>particular the Mowbray River, Beor Creek and Dickson Inlet;</p> <p>(c) the tidal vegetation along the foreshore;</p> <p>(d) beachfront vegetation along Four Mile Beach, including the fringe of Coconut Palms;</p> <p>(e) the oil palm avenues along the major roads;</p> <p>(f) the lush landscaping within major roundabouts at key nodes;</p> <p>(g) Macrossan Street and Warner Street;</p> <p>(h) Port Douglas waterfront.</p>	
	<p>AO2.2</p> <p>Development protects and does not intrude into important views and vistas as identified on the Port Douglas Townscape Plan map contained in Schedule 2, in particular:</p> <p>(a) Flagstaff Hill;</p> <p>(b) Four Mile Beach;</p> <p>(c) Across to the ranges over Dickson Inlet;</p> <p>(d) Mowbray Valley.</p>	<p>Complies with AO2.2</p> <p>The proposal would not adversely affect any important views and vistas.</p>
	<p>AO2.3</p> <p>Important landmarks, memorials and monuments are retained.</p>	<p>Complies with AO2.3</p> <p>The proposal would not adversely affect any memorials, monuments or landmarks.</p>
<p>PO3</p> <p>Development contributes to the protection,</p>	<p>AO3</p> <p>Development adjacent to the gateways and nodes</p>	<p>Not applicable</p> <p>The site is not considered to be adjacent a</p>

Performance outcomes	Acceptable outcomes	Compliance
reinforcement and where necessary enhancement of gateways and key intersections identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.	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.	gateway or node.
PO4 Landscaping of development sites complements the existing tropical character of Port Douglas and Craiglie.	AO4 Landscaping incorporates the requirements of Planning scheme policy SC6.7 – Landscaping, in particular landscaping should be capable of achieving a 60% screening of development within 5 years and predominantly consists of endemic vegetation.	Able to comply with AO4 Council are invited to attach a condition to any approval granted to secure compliance, if considered necessary.
PO5 Development does not compromise the safety and efficiency of the State-controlled road network.	AO5 Direct access is not provided to a State-controlled road where legal and practical access from another road is available.	Not applicable The site has frontage to a state-controlled road only.
For assessable development		
Additional requirements in Precinct 1 – Port Douglas precinct		
PO6 The views and vistas identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 are maintained.	AO6.1 Development does not impede continued views to scenic vistas and key streetscapes within the local plan area.	Not applicable The site is not located in Precinct 1 – Port Douglas precinct.
	AO6.2 Unless otherwise specified within this Local Plan,	Not applicable The site is not located in Precinct 1 – Port

Performance outcomes	Acceptable outcomes	Compliance
	buildings are set back not less than 6 metres from the primary street frontage.	Douglas precinct.
PO7 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.	AO7.1 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.	Not applicable The site is not located in Precinct 1 – Port Douglas precinct.
	AO7.2 Ground level parking incorporates clearly defined pedestrian routes.	Not applicable The site is not located in Precinct 1 – Port Douglas precinct.
	AO7.3 Any porte-cocheres, disabled and pedestrian accesses are accommodated within the boundary of new or refurbished development.	Not applicable The site is not located in Precinct 1 – Port Douglas precinct.
	AO7.4 Where the development is an integrated mixed-use development incorporating short term accommodation or multiple dwellings and either food and drink outlet or hotel or shop or shopping centre or office, on-site parking spaces are provided as per the number prescribed in the Parking and access code with a relaxation of 30% of spaces required for the non-residential uses.	Not applicable The site is not located in Precinct 1 – Port Douglas precinct.

Performance outcomes	Acceptable outcomes	Compliance
	AO7.5 On-site car parking available for public use is clearly signed at the site frontage.	Not applicable The site is not located in Precinct 1 – Port Douglas precinct.
	AO7.6 Boom gates, pay machines or other regulatory devices to control access to a publicly available car parking area are not constructed or installed.	Not applicable The site is not located in Precinct 1 – Port Douglas precinct.
PO8 Precinct 1 – Port Douglas precinct is not characterised by a proliferation of advertising signs.	AO8 No acceptable outcomes are prescribed.	Not applicable The site is not located in Precinct 1 – Port Douglas precinct.
Additional requirements for Sub-precinct 1a – Town Centre sub-precinct		
PO9 Building heights: (a) do not overwhelm or dominate the town centre; (b) respect the desired streetscape; (c) ensure a high quality appearance when viewed from both within the town centre sub-precinct and external to the town centre sub-precinct; (d) remain subservient to the natural environment and the backdrop of Flagstaff Hill.	AO9 Buildings and structures are not more than 3 storeys and 13.5 metres in height, with a roof height of not less than 3 metres. Note – Height is inclusive of the roof height.	Not applicable The site is not located in Sub-precinct 1a – Town Centre sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
(e) do not exceed 3 storeys.		
PO10 Building design, the streetscape, pedestrian paths and street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port Douglas Precinct.	AO10 No acceptable outcomes are prescribed.	Not applicable The site is not located in Sub-precinct 1a – Town Centre sub-precinct.
PO11 Buildings: (a) address street frontages; (b) ensure main entrances front the street or public spaces; (c) do not focus principally on internal spaces or parking areas.	AO11 No acceptable outcomes are prescribed.	Not applicable The site is not located in Sub-precinct 1a – Town Centre sub-precinct.
PO12 Setbacks at ground level provide for: (a) connection between pedestrian paths and public places; (b) areas for convenient movement of pedestrians; (c) changes in gradient of the street.	AO12 Setbacks at ground level: (a) are clear of columns and other obstructions; (b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites; (c) connect without any lip or step to adjoining footpaths.	Not applicable The site is not located in Sub-precinct 1a – Town Centre sub-precinct.
AO13 Buildings do not result in a reduction of views and	AO13 No acceptable outcomes are prescribed.	Not applicable The site is not located in Sub-precinct 1a – Town

Performance outcomes	Acceptable outcomes	Compliance
vistas from public places to: (a) Flagstaff Hill; (b) Dickson Inlet; (c) public open space; (d) places of significance.		Centre sub-precinct.
PO14 Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at street level including shade protection across the footpath for the length of the building.	AO14 Development is built up to the street frontage/s at the street level and incorporates a light frame awning, a minimum of 3 metres in width for the length of the street frontage/s; or 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.	Not applicable The site is not located in Sub-precinct 1a – Town Centre sub-precinct.
PO15 Development is predominantly commercial in nature with any tourist accommodation having a secondary focus and not located on the street-level frontage where active frontages are encouraged as identified the Port Douglas local plan maps contained in Schedule 2.	AO15.1 Centre activities establish: at street level on active street frontages; a maximum of one level above street level.	Not applicable The site is not located in Sub-precinct 1a – Town Centre sub-precinct.
	AO15.2 Any residential development activities or short term accommodation is located above street level of the active frontage, but not on or up to the street frontage in any development, including	Not applicable The site is not located in Sub-precinct 1a – Town Centre sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
	mixed use development.	
PO16 Detailed building design: <ul style="list-style-type: none"> (a) enhances the visual amenity of the streetscape; (b) has a legible and attractive built form that is visually enhanced by architectural elements; (c) contributes to a distinctive tropical north Queensland, seaside tourist town character; (d) integrates major landscaping elements to maximise their aesthetic value to ensure that the lush, vegetated character of the Town Centre sub-precinct is maintained. 	AO16 No acceptable outcomes are prescribed.	Not applicable The site is not located in Sub-precinct 1a – Town Centre sub-precinct.
PO17 Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through: <ul style="list-style-type: none"> (a) surface decoration; (b) wall recesses and projections; (c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements. (d) differentiating between the lower, middle and upper parts of the building by varying the façade and/or the shape of the built form, where comprised of more than two storeys. 	AO17 No acceptable outcomes are prescribed.	Not applicable The site is not located in Sub-precinct 1a – Town Centre sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
P018 Roofs are not characterised by a cluttered display of plant and equipment, in particular: <ul style="list-style-type: none"> (a) building caps and rooftops contribute to the architectural distinction of the building and create a coherent roofscape for the Town Centre sub-precinct; (b) service structures, lift motor rooms and mechanical plant and equipment are designed as an architectural feature of the building or are screened from public view; (c) rooftops are not used for advertising. 	AO18 No acceptable outcomes are prescribed.	Not applicable The site is not located in Sub-precinct 1a – Town Centre sub-precinct.
P019 Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to: <ul style="list-style-type: none"> (a) shade windows; (b) reduce glare; (c) assist in maintaining comfortable indoor temperatures; (d) minimising heat loads; (e) enrich the North Queensland tropical character of the Town Centre sub-precinct; (f) provide architectural interest to building façades. 	AO19 No acceptable outcomes are prescribed.	Not applicable The site is not located in Sub-precinct 1a – Town Centre sub-precinct.
P020	AO20	Not applicable

Performance outcomes	Acceptable outcomes	Compliance
Buildings are finished with high quality materials, selected for: (a) their ability to contribute the character of Town Centre sub-precinct; (b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate.	No acceptable outcomes are prescribed.	The site is not located in Sub-precinct 1a – Town Centre sub-precinct.
PO21 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.	AO21 No acceptable outcomes are prescribed.	Not applicable The site is not located in Sub-precinct 1a – Town Centre sub-precinct.
PO22 Façades and elevations do not include large blank walls. Openings and setbacks are used to articulate vertical building surfaces.	AO22.1 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.	Not applicable The site is not located in Sub-precinct 1a – Town Centre sub-precinct.
	AO22.2 Any break in the building façade varies the alignment by a 1 metre minimum deviation.	Not applicable The site is not located in Sub-precinct 1a – Town Centre sub-precinct.
	AO22.3 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:	Not applicable The site is not located in Sub-precinct 1a – Town Centre sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> (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. 	
PO23 Building facades that face public spaces at ground level: <ul style="list-style-type: none"> (a) complement the appearance of the development and surrounding streetscape; (b) enhance the visual amenity of the public place; (c) include a variety of human scale architectural elements and details; (d) provide an opportunity for the casual and convenient surveillance of public space from within the development. 	AO23 Building facades at the ground floor of development that face public space are designed to ensure: <ul style="list-style-type: none"> (a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit the casual surveillance of the public space from the development; (b) a visually prominent main entrance that faces the principal public place; (c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade. 	Not applicable The site is not located in Sub-precinct 1a – Town Centre sub-precinct.
PO24 Awnings for pedestrian shelter are consistent with the character setting of the Town Centre sub-precinct and: <ul style="list-style-type: none"> (a) extend and cover the footpath to provide protection from the sun and rain; 	AO24 No acceptable outcomes are prescribed.	Not applicable The site is not located in Sub-precinct 1a – Town Centre sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
(b) include lighting under the awning; (c) are continuous across the frontage of the site; (d) align to provide continuity with existing or future awnings on adjoining sites; (e) are a minimum of 3.0 metres in width and generally not more than 3.5 metres above pavement height; (f) do not extend past a vertical plane, 1.2 metres inside the kerb-line to enable street trees to be planted and grow; (g) are cantilevered from the main building with any posts within the footpath being non load-bearing.		
PO25 Development integrates with the streetscape and landscaping improvements for Port Douglas.	AO25 Development fronting Davidson Street, Macrossan Street, Wharf Street, Mowbray Street and Warner Street is designed to integrate with the on-street landscaping and design improvements as outlined within the Port Douglas landscape master plan contained within Planning scheme policy SC6.7 – Landscaping. Note - Planning scheme policy SC6.7 - Landscaping provides guidance on meeting the Performance Outcome.	Not applicable The site is not located in Sub-precinct 1a – Town Centre sub-precinct.
Additional requirements for Sub-precinct 1b – Waterfront North sub-precinct		
PO26 The establishment of uses is consistent with the outcomes sought for sub-precinct 1b – Waterfront	AO26 Uses identified as inconsistent uses in Table 7.2.4.4.b – inconsistent uses in sub-precinct 1b –	Not applicable The site is not located in Sub-precinct 1b –

Performance outcomes	Acceptable outcomes	Compliance
North.	Waterfront North sub-precinct are not established in sub-precinct 1b - Waterfront North.	Waterfront North sub-precinct.
PO27 The bulk and scale of buildings is consistent with surrounding development and steps down to complement the open space areas in the adjoining limited development sub-precinct.	AO27 Buildings and structures are not more than: (a) 3 storeys and 13.5 metres in height , with a roof height of not less than 3 metres, in those parts of the precinct south of Inlet Street; (b) 2 storeys and 8.5 metres in height, with a roof height of not less than 3 metres, in those parts of the precinct north of Inlet Street. Note – Height is inclusive of roof height.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.
PO28 Building design, streetscape, pedestrian paths and street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port Douglas Precinct.	AO28 No acceptable outcomes are prescribed.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.
PO29 Public pedestrian access along the water's edge is maximised.	AO29.1 Public pedestrian access is provided along the frontage of the water's edge consisting of a boardwalk of a minimum width of 4 metres that is available of 24-hour use.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.
	AO29.2 A public plaza is incorporated into the design generally reflecting the requirements of the Port Douglas Waterfront Master Plan, focussing in the	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
	vicinity of the 'Duck Pond'.	
	AO29.3 Built envelopes are setback a minimum of 3.0 metres from the board walk, with a shelter/shade zone between the building envelopes and the boardwalk consisting of shade structure, canopies, verandahs and the like.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.
PO30 Buildings: (a) address street frontages; (b) ensure main entrances front the street or public spaces.	AO30 No acceptable outcomes are prescribed.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.
PO31 Setbacks at ground level provide for: (a) connection between pedestrian paths and public places; (b) areas for convenient movement of pedestrians; (c) changes in gradient.	AO31 Setbacks at ground level: (a) are clear of columns and other obstructions; (b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites; (c) connect without any lip or step to adjoining footpaths.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.
PO32 Buildings do not result in a reduction of views and vistas from public places to:	AO32 No acceptable outcomes are prescribed.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
(a) Dickson Inlet; (b) public open space; (c) places of significance.		
PO33 Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at ground level including shade protection across the footpath and open space areas.	AO33 No acceptable outcomes are prescribed.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.
PO34 Development is predominantly commercial in nature with any tourist accommodation having a secondary focus and not located on the street-level frontage where active frontages are encouraged as identified the Port Douglas local plan maps contained in Schedule 2.	AO34.1 Centre activities establish: (a) at street level on active street frontages; (b) a maximum of one level above street level.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.
	AO34.2 Residential development activities or short term accommodation is located above street /ground floor level of the active frontage, but not on or up to the street / public frontage in any development, including mixed use development.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.
PO35 Detailed building design: (a) enhances the visual amenity of the streetscape; (b) has a legible and attractive built form that is	AO35 No acceptable outcomes are prescribed.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
<p>visually enhanced by architectural elements;</p> <p>(c) contributes to a distinctive tropical north Queensland, seaside tourist town character;</p> <p>(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.</p>		
<p>PO36</p> <p>Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through:</p> <p>(a) surface decoration;</p> <p>(b) wall recesses and projections;</p> <p>(c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements.</p> <p>(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.</p>	<p>AO36</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.</p>
<p>PO37</p> <p>Roofs are not characterised by a cluttered display of plant and equipment, in particular:</p> <p>(a) building caps and rooftops contribute to the architectural distinction of the building and create a coherent roofscape for the Waterfront North sub-precinct;</p>	<p>AO37</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.</p>

Performance outcomes	Acceptable outcomes	Compliance
(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.		
PO38 Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to: (a) shade windows; (b) reduce glare; (c) assist in maintaining comfortable indoor temperatures; (d) minimising heat loads; (e) enriching the North Queensland tropical character of the Waterfront North sub-precinct; (f) architectural interest to building façades.	AO38 No acceptable outcomes are prescribed.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.
PO39 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.	AO39 No acceptable outcomes are prescribed.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
PO40 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.	AO40 No acceptable outcomes are prescribed.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.
PO41 Façades and elevations do not include large blank walls and openings and setbacks are used to articulate vertical building surfaces.	AO41.1 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.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.
	AO41.2 Any break in the building façade varies the alignment by a 1 metre minimum deviation.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.
	AO41.3 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	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
	colours of the development.	
PO42 Building facades that face public spaces at ground level: (a) complement the appearance of the development and surrounding streetscape; (b) enhance the visual amenity of the public place; (c) include a variety of human scale architectural elements and details; (d) provide an opportunity for the casual and convenient surveillance of public space from within the development.	AO42 Building facades at the ground floor of development that face public space are designed to ensure: (a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit the casual surveillance of the public space from the development; (b) a visually prominent main entrance that faces the principal public place; (c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.
PO43 Awnings for pedestrian shelter are consistent with the character setting of the Waterfront North sub-precinct and: (a) extend and cover the footpath to provide protection from the sun and rain; (b) include lighting under the awning; (c) are continuous across pedestrian circulation areas; (d) align to provide continuity with existing or future awnings on adjoining sites; (e) are a minimum of 3 metres in width and generally not more than 3.5 metres above	AO43 No acceptable outcomes are prescribed.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
<p>pavement height;</p> <p>(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;</p> <p>(g) are cantilevered from the main building with any posts within the footpath being non load-bearing.</p>		
<p>PO44</p> <p>The Balley Hooley rail line and turn-table is retained and incorporated into development and maintains its functionality.</p>	<p>AO44.1</p> <p>Bally Hooley rail line and turn-table is retained and incorporated into development to maintain its functionality.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.</p>
	<p>AO44.2</p> <p>Where development provides floor area for the Bally Hooley rail station, the gross floor area of the rail line and station does not generate a requirement for additional vehicle parking.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.</p>
<p>PO45</p> <p>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:</p> <p>(a) noise;</p> <p>(b) odour;</p> <p>(c) hazardous materials;</p> <p>(d) waste and recyclable material storage.</p>	<p>AO45</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.</p>

Performance outcomes	Acceptable outcomes	Compliance
PO46 Formalised public spaces and pedestrian paths/areas on freehold land are made accessible to the public.	AO46 No acceptable outcomes are prescribed.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.
PO47 Buildings, civic spaces, roads and pedestrian links are enhanced by: <ul style="list-style-type: none"> (a) appropriate landscape design and planting; (b) themed planting that defines entry points, and creates strong 'entry corridors' into the waterfront; (c) lighting and well-considered discrete signage that complements building and landscape design; (d) public artwork and other similar features that reflect the heritage and character of the Port Douglas Waterfront. 	AO47 No acceptable outcomes are prescribed.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.
PO48 Buildings are designed and sited to provide vistas along shared pedestrian/open space and movement areas in suitable locations.	AO48 No acceptable outcomes are prescribed.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.
PO49 Development does not diminish the viability of marine-based industrial uses that directly serve the Port Douglas tourist and fishing operators and private boat owners, particularly with respect to	AO49 No acceptable outcomes are prescribed.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
the slipway operation.		
PO50 Marine infrastructure to service the tourism, fishing and private boating community is provided.	AO50 No acceptable outcomes are prescribed.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.
PO51 Changes to the Port Douglas Waterfront quay-line do not cause adverse impacts to the environmentally sensitive Dickson Inlet.	AO51 Development that results in changes to the Port Douglas Waterfront quay-line is only established where an Ecological assessment report provides support to the changes. Note - Planning scheme policy SC6.8 – Natural environment provides guidance on preparing an ecological assessment report.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.
Additional requirements for Sub-precinct 1c – Waterfront South sub-precinct		
PO52 The establishment of uses is consistent with the outcomes sought for Precinct 1c – Waterfront South.	AO52 Uses identified as inconsistent uses Table 7.2.4.4.c – are not established in Precinct 1c – Waterfront South.	Not applicable The site is not located in Sub-precinct 1c – Waterfront South sub-precinct.
PO53 Development does not adversely impact on the natural environment, natural vegetation or watercourses.	AO53.1 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	Not applicable The site is not located in Sub-precinct 1c – Waterfront South sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
	ecological assessment report.	
	AO53.2 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.	Not applicable The site is not located in Sub-precinct 1c – Waterfront South sub-precinct.
PO54 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.	AO54 A master plan for the development is provided and implemented to demonstrate the integration of the slipway, or an alternative functioning facility, with other supporting service industry activities that service the marine and tourism industry of Port Douglas.	Not applicable The site is not located in Sub-precinct 1c – Waterfront South sub-precinct.
PO55 Buildings and structures are of a height and are set back from side boundaries and other sensitive areas to ensure the scenic amenity and environmental qualities of the adjacent area are not adversely affected.	AO55.1 Development has a height of not more than 10 metres.	Not applicable The site is not located in Sub-precinct 1c – Waterfront South sub-precinct.
	AO55.2 Development is setback from all property boundaries not less than 3 metres.	Not applicable The site is not located in Sub-precinct 1c – Waterfront South sub-precinct.
PO56 The site coverage of all buildings and structures	AO56 No acceptable outcomes are prescribed.	Not applicable The site is not located in Sub-precinct 1c –

Performance outcomes	Acceptable outcomes	Compliance
<p>ensures development:</p> <p>(a) is sited in an existing cleared area or in an area approved for clearing;</p> <p>(b) has sufficient area for the provision of services;</p> <p>(c) development does not have an adverse effect on the environmental, habitat, conservation or landscape values of the on-site and surrounding sensitive areas.</p>		Waterfront South sub-precinct.
<p>PO57</p> <p>Premises include adequate provision for service vehicles, to cater for generated demand. Loading areas for service vehicles are designed to:</p> <p>(a) be accommodated on-site;</p> <p>(b) maximise safety and efficiency of loading;</p> <p>(c) protect the visual and acoustic amenity of sensitive land use activities;</p> <p>(d) minimise adverse impacts on natural characteristics of adjacent areas.</p>	<p>AO57.1</p> <p>Sufficient manoeuvring area is provided on-site to allow a Medium Rigid Vehicle to enter and leave the site in a forward gear.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1c – Waterfront South sub-precinct.</p>
	<p>AO57.2</p> <p>Development is designed to ensure all service vehicles are contained within the site when being loaded/unloaded.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1c – Waterfront South sub-precinct.</p>
	<p>AO57.3</p> <p>Driveways, parking and manoeuvring areas are constructed and maintained to:</p> <p>(a) minimise erosion from storm water runoff;</p> <p>(b) retain all existing vegetation.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1c – Waterfront South sub-precinct.</p>
PO58	AO58	Not applicable

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

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

Performance outcomes	Acceptable outcomes	Compliance
points in the Port Douglas precinct.		
Additional requirements for Precinct 3 – Craiglie Commercial and Light Industry precinct		
PO65 Development supports the tourism and marine industries in Port Douglas, along with the small-scale commercial and light industry land uses that support the local economy that would otherwise be better suited to a location outside the Port Douglas Town Centre Precinct.	AO65 Development consists of service and light industries and associated small scale commercial activities.	Complies with AO65 The proposed development is for a small scale commercial activity.
PO66 Development on lots adjacent to the Captain Cook Highway is sited, designed and landscaped to provide an attractive visual approach to Port Douglas with all buildings, structures and car parking areas setback a sufficient distance from the frontage to enable landscaping to soften or screen the appearance of the development.	AO66.1 Buildings and structures are setback 8 metres from the Captain Cook Highway frontage, or no closer to the Captain Cook Highway frontage than buildings and structures on adjoining sites (averaged), whichever is the greater.	Complies with AO66.1 The proposed structure would be setback approximately 10 metres from the road frontage.
	AO66.2 The setback area to the Captain Cook Highway frontage is landscaped with advanced dense planting including tree species (100 litre bag stock), which will, at maturity, exceed the height of the building(s) on the site.	Able to comply with AO66.2 Council are invited to attach a condition to any approval granted to secure compliance,. If necessary.
	AO66.3 Advertising signs are discreet in appearance with no large advertising signs, including tenancy signs, located on or near the Captain Cook Highway frontage, or within any landscaped	Need to confirm

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

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

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

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

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

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

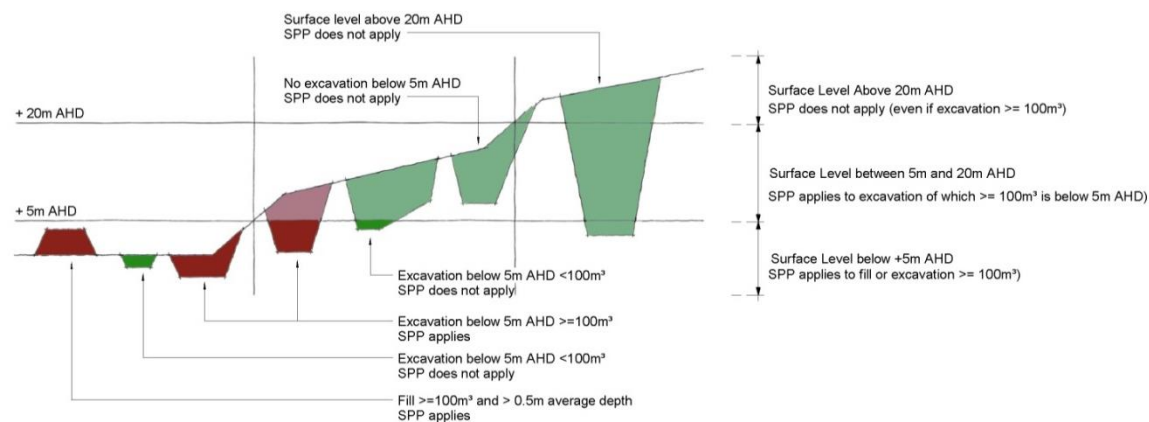
Criteria for assessment

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

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

Performance outcomes	Acceptable outcomes	Applicant response
	<p>AO2.2</p> <p>The disturbance of potential acid sulfate soils or actual acid sulfate soils is undertaken in accordance with an acid sulfate soils management plan and avoids the release of metal contaminants by:</p> <ul style="list-style-type: none"> (a) neutralising existing acidity and preventing the generation of acid and metal contaminants; (b) preventing the release of surface or groundwater flows containing acid and metal contaminants into the environment; (c) preventing the in situ oxidisation of potential acid sulfate soils and actual acid sulfate soils through ground water level management; (d) appropriately treating acid sulfate soils before disposal occurs on or off site; (e) documenting strategies and reporting requirements in an acid sulfate soils environmental management plan. <p>Note - Planning scheme policy SC 6.12 – Acid sulfate soils provides guidance on preparing an acid sulfate soils management plan.</p>	
<p>PO3</p> <p>No environmental harm is caused as a result of exposure to potential acid sulfate soils or actual acid sulfate soils.</p>	<p>AO3</p> <p>No acceptable outcomes are prescribed.</p>	<p>Complies with PO3</p> <p>No acid sulfate soils would be disturbed by the proposed 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;
 - (iii) District route;
 - (iv) Neighbourhood route;
 - (v) Strategic investigation route.
- (3) When using this code, reference should be made to Part 5.

AU008658: 5967 Captain Cook Highway, Craiglie, Material Change of Use (Food and Drink Outlet)

8.2.10.2 Purpose

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

Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
For assessable development		
PO1 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.	AO1.1 Development is compatible with the intended role and function of the transport network as identified on the Transport network overlay maps contained in Schedule 2.	Complies with AO1.1 The subject site fronts a state-controlled road which has sufficient capacity to accommodate the traffic movements generated by the development.
	AO1.2 Development does not compromise the safety and efficiency of the transport network.	Complies with AO1.2 Additional traffic movement created by the development would not compromise the safe and efficient use of the Captain Cook Highway.
	AO1.3	Not applicable

Performance outcomes	Acceptable outcomes	Compliance
	Development is designed to provide access via the lowest order road, where legal and practicable access can be provided to that road	The site has frontage to the Captain Cook Highway only.
PO2 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.	AO2 Development provides infrastructure (including improvements to existing infrastructure) in accordance with: (a) the Transport network overlay maps contained in Schedule 2; (b) any relevant Local Plan. Note – The Translink Public Transport Infrastructure Manual provides guidance on the design of public transport facilities.	Not applicable No infrastructure improvements are required to facilitate the development.
PO3 Development involving sensitive land uses within a major transport corridor buffer area is located, designed and maintained to avoid or mitigate adverse impacts on amenity for the sensitive land use.	AO3 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.	Not applicable The proposed food and drink outlet is not a sensitive land use.
PO4 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.	AO4.1 Development is compatible with the role and function (including the future role and function) of major transport corridors.	Complies with AO4.1 The development would not produce traffic movements that would affect the role and function of major transport corridors.
	AO4.2 Direct access is not provided to a major transport corridor where legal and practical access from another road is available.	Not applicable The Captain Cook Highway is the only legal and practical access to the site.
	AO4.3	Not applicable

Performance outcomes	Acceptable outcomes	Compliance
	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.	No new intersections are proposed.
	AO4.4 The layout of development and the design of the associated access is compatible with existing and future boundaries of the major transport corridor or major transport facility.	Complies with AO4.4 The proposed development, with the exception of the accessway would be wholly contained within the site.
PO5 Development retains and enhances existing vegetation between a development and a major transport corridor, so as to provide screening to potential noise, dust, odour and visual impacts emanating from the corridor.	AO5 No acceptable outcomes are prescribed.	Not applicable There is no landscaping between the transport corridor and the development.
Pedestrian and cycle network		
PO6 Lot reconfiguration assists in the implementation of the pedestrian and cycle movement network to achieve safe, attractive and efficient pedestrian and cycle networks.	AO6.1 Where a lot is subject to, or adjacent to an element of the pedestrian and cycle Movement network (identified on the Transport network overlay maps contained in Schedule 2) the specific location of this element of the pedestrian and cycle network is incorporated in the design of the lot layout.	Not applicable No lot reconfiguration is proposed.
	AO6.2 The element of the pedestrian and cycle network is	Not applicable No pedestrian or cycle network is required to be

AU008658: 5967 Captain Cook Highway, Craiglie, Material Change of Use (Food and Drink Outlet)

Performance outcomes	Acceptable outcomes	Compliance
	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.	constructed as a part of this development.

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
For self-assessable and assessable development		
PO1 Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be generated by the use or uses of the site, having particular regard to: <ul style="list-style-type: none"> (a) the desired character of the area; (b) the nature of the particular use and its specific characteristics and scale; (c) the number of employees and the likely number of visitors to the site; (d) the level of local accessibility; (e) the nature and frequency of any public transport serving the area; (f) whether or not the use involves the retention of an existing building and the previous requirements for car parking for the building (g) whether or not the use involves a heritage building or place of local significance; (h) whether or not the proposed use involves the retention of significant vegetation. 	AO1.1 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.	Complies with AO1.1 A food and drink outlet is required to provide 1 space per 25m ² of GFA or outdoor dining area. The development has a total GFA and outdoor dining area of 108m ² and would provide 6 car parking spaces.
	AO1.2 Car parking spaces are freely available for the parking of vehicles at all times and are not used for external storage purposes, the display of products or rented/sub-leased.	Complies with AO1.2 The car parking spaces would be maintained for the parking of motor vehicles.
	AO1.3 Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.	Not applicable The proposed does not include designated motorcycle parking.
	AO1.4 For parking areas exceeding 50 spaces parking, is provided for recreational vehicles as a substitute for ordinary vehicle parking to a maximum of 5% of total ordinary vehicle parking rate.	Not applicable The proposal does not provide more than 50 car parking spaces.

Performance outcomes	Acceptable outcomes	Applicant response
PO2 Vehicle parking areas are designed and constructed in accordance with relevant standards.	AO2 Vehicle parking areas are designed and constructed in accordance with Australian Standard: (a) AS2890.1; (b) AS2890.3; (c) AS2890.6.	Complies with AO2 The proposed spaces provided are designed to comply with the Australian Standards.
PO3 Access points are designed and constructed: (a) to operate safely and efficiently; (b) to accommodate the anticipated type and volume of vehicles (c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate; (d) so that they do not impede traffic or pedestrian movement on the adjacent road area; (e) so that they do not adversely impact upon existing intersections or future road or intersection improvements; (f) so that they do not adversely impact current and future on-street parking arrangements; (g) so that they do not adversely impact on	AO3.1 Access is limited to one access cross over per site and is an access point located, designed and constructed in accordance with: (a) Australian Standard AS2890.1; (b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers.	Complies with AO3.1 The proposed development would be provided with a single crossover from Captain Cook Highway.
	AO3.2 Access, including driveways or access crossovers: (a) are not placed over an existing: (i) telecommunications pit; (ii) stormwater kerb inlet; (iii) sewer utility hole; (iv) water valve or hydrant.	Complies with AO3.2 The proposed driveway would not be placed over infrastructure pits, kerb inlets or similar and would provide suitable site lines.

Performance outcomes	Acceptable outcomes	Applicant response
<p>existing services within the road reserve adjacent to the site;</p> <p>(h) so that they do not involve ramping, cutting of the adjoining road reserve or any built structures (other than what may be necessary to cross over a stormwater channel).</p>	<p>(b) are designed to accommodate any adjacent footpath;</p> <p>(c) adhere to minimum sight distance requirements in accordance with AS2980.1.</p>	
	<p>AO3.3</p> <p>Driveways are:</p> <p>(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;</p> <p>(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;</p> <p>(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;</p> <p>(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;</p> <p>(e) designed to include all necessary associated drainage that intercepts and directs storm water runoff to the storm</p>	<p>Complies with AO3.3</p> <p>The proposed driveway would be constructed to comply with the requirements of the FNQROC Manual and would have a grade of less than 1 in 6.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	water drainage system.	
	AO3.4 Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.	Complies with AO3.4 The proposed accessways and car parking areas would be constructed of concrete. This is consistent with the surface materials used in surrounding development.
PO4 Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.	AO4 The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.	Complies with AO4 A single accessible space is provided to service the development.
PO5 Access for people with disabilities is provided to the building from the parking area and from the street.	AO5 Access for people with disabilities is provided in accordance with the relevant Australian Standard.	Complies with AO5 The development would comply with the relevant standards, which would be enforced at the time of building approval.
PO6 Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development	AO6 The number of on-site bicycle parking spaces complies with the rates specified in Table 9.4.1.3.b	Complies with AO6 Sufficient area is available for the parking of a single bicycle.
PO7 Development provides secure and convenient bicycle parking which: (a) for visitors is obvious and located close to the building's main entrance;	AO7.1 Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers);	Not applicable No end of trip facilities are required.

Performance outcomes	Acceptable outcomes	Applicant response
(b) for employees is conveniently located to provide secure and convenient access between the bicycle storage area, end-of-trip facilities and the main area of the building; (c) is easily and safely accessible from outside the site.	AO7.2 Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street.	Complies with AO7.2 Sufficient area is available for the visible parking of a single bicycle.
	AO7.3 Development provides visitor bicycle parking which does not impede pedestrian movement.	Complies with AO7.3 Sufficient area is available for the parking of a single bicycle that does not impede pedestrian movement.
PO8 Development provides walking and cycle routes through the site which: <ul style="list-style-type: none"> (a) link to the external network and pedestrian and cyclist destinations such as schools, shopping centres, open space, public transport stations, shops and local activity centres along the safest, most direct and convenient routes; (b) encourage walking and cycling; (c) ensure pedestrian and cyclist safety. 	AO8 Development provides walking and cycle routes which are constructed on the carriageway or through the site to: <ul style="list-style-type: none"> (a) create a walking or cycle route along the full frontage of the site; (b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site. 	Not applicable Walking or cycle routes are not required as a part of this development.
PO9 Access, internal circulation and on-site parking for service vehicles are designed and constructed: <ul style="list-style-type: none"> (a) in accordance with relevant standards; 	AO9.1 Access driveways, vehicle manoeuvring and onsite parking for service vehicles are designed and constructed in accordance with AS2890.1 and AS2890.2.	Complies with AO9.1 The proposed access driveway, including manoeuvring areas, would comply with the relevant Australian Standards.

Performance outcomes	Acceptable outcomes	Applicant response
(b) so that they do not interfere with the amenity of the surrounding area; (c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles.	AO9.2 Service and loading areas are contained fully within the site.	Complies with AO9.2 All servicing would occur within the site with swept path drawings illustrating the ability of service vehicles to enter and exit the site.
	AO9.3 The movement of service vehicles and service operations are designed so they: <ul style="list-style-type: none"> (a) do not impede access to parking spaces; (b) do not impede vehicle or pedestrian traffic movement. 	Complies with AO9.3 The proposed development would be able to accommodate service vehicles on site without impacting the car parking spaces, particularly given the limited servicing required.
PO10 Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.	AO10.1 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"> (a) car wash; (b) child care centre; (c) educational establishment where for a school; (d) food and drink outlet, where including a drive through facility; (e) hardware and trade supplies, where including a drive-through facility; 	Complies with AO10.1 The proposed development would accommodate vehicle queuing within the access path and would be able to accommodate the queueing of 5 vehicles, which is considered sufficient given the scale of the development proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	(f) hotel, where including a drive-through facility; (g) service station.	
	AO10.2 Queuing and set-down areas are designed and constructed in accordance with AS2890.1.	Complies with AO10.2 The queueing areas and manoeuvring areas are designed in accordance with the relevant standards, as demonstrated by the swept path drawings.

9.4.2 Advertising devices code

9.4.2.1 Application

(1) This code applies to assessing:

- (a) applications for advertising devices, whether they are associated with material change of use application or are a separate application for operational works;
- (b) impact assessable development, to the extent relevant.

Note – Home based business signs complying with the Acceptable Outcomes of the Home based business code do not require further planning scheme / local law assessment.

Note – Roadside stall signs complying with the Acceptable Outcomes of the Rural activities code do not require further planning scheme / local law assessment.

Note – The following signs are not regulated by the planning scheme:

- Temporary shop front signs, being any freestanding advertising device that is temporary and easily moved from one position to another and usually utilised during operating hours;
- Temporary community event signs;
- Garage sales signs where displayed on day of sale and face not exceeding 1.2m² and not affixed to vegetation or other signage;
- Non-illuminated real estate signs, where sited on and advertising the premises for sale/rent, on an easily removable support structure with a face not exceed 2.4m²;
- Signs inside shop windows;
- Election signage;
- Entry statement signs or place name signs;
- Safety signage and other signs of a statutory nature;
- Sporting field fence sign, being any advertising device painted or otherwise affixed to a fence marking the boundaries of a sporting field.

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

9.4.2.2 Purpose

(1) The purpose of the Advertising devices code is to ensure that advertising devices are established in a manner which is consistent with the desired character and amenity of Douglas Shire.

(2) The purpose of the code will be achieved through the following overall outcomes:

- (a) an advertising device complements, and does not detract from the desirable characteristics of the natural and built environment in which the advertising device is exhibited;
- (b) Third party advertising devices are not encouraged to establish in the Shire, being contrary to the unique character, lifestyle and environmental attributes of the Shire;
- (c) an advertising device is designed and integrated into the built form so as to minimise visual clutter;

- (d) an advertising device does not adversely impact on visual amenity of a scenic route, heritage building or public open space;
- (e) an advertising device does not adversely impact on rural, rural residential, residential, environmental management or conservation areas;
- (f) an advertising device does not pose a hazard for pedestrians, cyclists or drivers of motor vehicles.

Note - For billboards and/or other devices on a State-controlled road, contact the Department of Transport and Main Roads for further information about obtaining an 'Ancillary Works and Encroachment (AWE) Permit' under the Transport Infrastructure Act 1994.

9.4.2.3 Criteria for assessment

Part A - Criteria for self-assessable and assessable development

Table 9.4.2.3.a – Advertising devices code – self-assessable and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
Requirements for all Advertising devices regulated by this planning scheme		
General		
PO1 An advertising device: <ul style="list-style-type: none"> (a) is compatible with the existing and future planned character of the locality in which it is erected; (b) is compatible with the scale, proportion, bulk and other characteristics of buildings, structures, landscapes and other advertising devices on the site; (c) is of a scale, proportion and form that is appropriate to the streetscape or other setting in which it is located; (d) is sited designed to be compatible with the nature and extent of development and advertising devices on adjoining sites and does not interfere with the reasonable 	AO1 Self-assessable development For self-assessable development, the advertising device complies with the requirements specified in Column 2 of Table 9.4.2.3.b. Assessable development For assessable development, in partial fulfilment of Performance Outcome P1 – the advertising device substantially complies with the requirements specified in Column 2 of Table 9.4.2.3.b – Specific requirements for types of advertising devices. Note – Third party advertising devices, fly-posters, inflatable signs, blimps, bunting/streamers and standing vehicle signs are not encouraged to establish in Douglas Shire. In most	Complies with AO1 The sign would not exceed the maximum height and sign-face area requirements set out in Table 9.4.2.3.c. Only one freestanding sign would be erected on any site. It would be consistent with the streetscape character of the area with the adjacent service station having consistent signage and it would not detract form any views or vistas.

Performance outcomes	Acceptable outcomes	Applicant response
<p>enjoyment of those sites;</p> <p>(e) is sited and designed to:</p> <p>(i) not unduly dominate the visual landscape;</p> <p>(ii) maintain views and vistas of public value; and</p> <p>(iii) protect the visual amenity of scenic routes;</p> <p>(f) is designed to achieve a high standard of architectural, urban and landscape design, or at least does not detract from the architectural, urban or landscape design standards of a locality; and</p> <p>(g) is designed and sited so as to not contribute to the proliferation of visual clutter.</p>	<p>circumstances, these forms of advertising device would:</p> <p>(a) be contrary to Performance Outcome PO1 and the applicable specific requirements for advertising devices in this code; and</p> <p>(b) risk compromising the character, lifestyle and environmental attributes of the Shire as defined in the Part 3 (Strategic Framework).</p> <p>Note – A planning report and streetscape or landscape analysis prepared by a competent person may be required in support of a development application for a Third party advertising device.</p>	
Illumination, lighting and movement		
<p>PO2</p> <p>An advertising device only incorporates illumination and lighting where it:</p> <p>(a) is appropriate to its setting and is compatible with the amenity of the local area;</p> <p>(b) does not cause nuisance or distraction;</p> <p>(c) does not create glare, reflecting or flaring of colours; and</p> <p>(d) will not create a potential safety hazard, including a potential traffic safety hazard.</p>	<p>AO2.1</p> <p>The advertising device is only illuminated where it is:</p> <p>(a) located in a Centre zone or an Industry zone, or a Recreation and Open Space zone; and</p> <p>(b) associated with a business that operates at night.</p>	<p>Complies with AO2.1</p> <p>The sign is located within the industry zone and would only advertise the business on site.</p>
	<p>AO2.2</p> <p>Where an advertising device is illuminated, it:</p> <p>(a) it has a maximum luminance of 350 candelas</p>	<p>Able to comply with AO2.2</p> <p>The illumination is able to be limited as required and Council are invited to attach a condition to</p>

Performance outcomes	Acceptable outcomes	Applicant response
	per m ² ; (b) does not incorporate flashing lights or digital displays; and (c) is switched off between 11.00pm and 5.00am the following day or at any time the business is not operating between these hours.	any approval granted if required.
PO3 An advertising device does not move or incorporate elements that give the impression of movement.	AO3 The advertising device does not revolve, contain moving parts or have a moving boarder.	Complies with AO3 The advertising devices would not move or contain moving parts.
Safety of Pedestrians and Vehicles		
PO4 An advertising device is designed so as not to create a traffic or pedestrian safety hazard.	AO4.1 The advertising device does not physically obstruct the passage of pedestrians or vehicles.	Complies with AO4.1 The sign would not be located on the footpath.
	AO4.2 The advertising device does not mimic, and is not able to be confused with, a traffic control device.	Complies with AO4.2 The sign does not resemble a road sign.
	AO4.3 The advertising device does not restrict sight lines at intersections or site access points. Note - Refer to Figure 9.4.2.3.a for details.	Complies with AO4.3 The sign would not affect sightlines of entering or egressing traffic.

Performance outcomes	Acceptable outcomes	Applicant response
	AO4.4 The advertising device is: (a) appropriately secured and supported so as to cause no injury or damage to persons or property; (b) not on or attached to a tree, telegraph and/or electricity poles, traffic or safety signs.	Complies with AO4.4 The sign would be provided with the appropriate footings and secured to the ground.
Maintenance		
PO5 A high quality appearance of advertising devices is established, and is maintained.	AO5 Advertising devices (a) are constructed of high quality materials selected for easy maintenance, durability and an ability not to readily stain, discolour or deteriorate; (b) that have stained, discoloured or deteriorated are either: (i) remedied; or (ii) removed.	Complies with AO5 The advertising devices would be constructed of rendered concrete, or similar.
Additional requirements for Advertising devices in the Conservation zone, the Environmental management zone and the Rural zone north of the Daintree River		
PO6 Advertising devices are high quality, low key in scale, and are reflective of the character of the area and directly promote small-scale lawfully	AO6 In addition to the requirements contained within the Advertising devices code, where the advertising device is free standing or attached to	Not applicable The site is within the Industry zone.

Performance outcomes	Acceptable outcomes	Applicant response
established businesses.	<p>a fence, the advertising device:</p> <p>(a) has a maximum height of 1.5 metres above ground level;</p> <p>(b) has a maximum width of 1.5 metres;</p> <p>(c) requires no significant vegetation removal to make the advertising device visible;*</p> <p>(d) is directly associated with a lawfully established business conducted on or near the premises;*</p> <p>(e) is non-illuminated;</p> <p>(f) is of colours that are subdued, reflecting the natural character and amenity of the area (colours include the content of the advertising device)^</p> <p>*Note – These requirements may involve a site selection for the advertising device that is not within the premises and this would require further direction from Council.</p> <p>^Note – Signage consisting of representative symbols, as an alternative to text may be considered to be an example of advertising devices that are in keeping with the character of the area.</p>	

Table 9.4.2.3.b – Specific requirements for types of advertising devices

Advertising device type	Specific requirements
Façade sign: An advertising device painted or otherwise affixed to the façade of a building.	<p>(a) does not obscure any window or architectural feature;</p> <p>(b) does not exceed 25% of the surface area of the wall to which it is attached;</p>

	<p>(c) does not project above or beyond the wall to which it is attached;</p> <p>(d) is not more than 300mm thick.</p>
<p>Flush wall sign: An advertising device painted on or otherwise affixed flat to the wall of a building or structure, not being a façade sign.</p>	<p>(a) is erected only in a Centre zone or an Industry zone</p> <p>(b) does not exceed 25% of the surface area of the wall to which it is attached;</p> <p>(c) does not project beyond the edges of the wall to which it is attached;</p> <p>(d) does not exceed a maximum sign face of 18m²;</p> <p>(e) does not cover more than 30% of the visible area of the total surface of the wall face; and</p> <p>(f) is not more than 300mm thick.</p>
<p>Projecting sign: An advertising device attached or mounted at an angle to the façade of a building.</p>	<p>(a) is erected only in a Centre zone or an Industry zone;</p> <p>(b) does not project further than 0.75m from the building line;</p> <p>(c) has a minimum vertical clearance of 2.4m from the lowest part of the sign to the footpath pavement;</p> <p>(d) does not exceed a maximum surface area of 1m²;</p> <p>(e) does not project beyond any awning or verandah of the building to which it is attached;</p> <p>(f) does not protrude above the roofline of the building to which it is attached; and</p> <p>(g) is limited to a maximum of one sign per premises.</p>
<p>Above awning sign: An advertising device located on top of an awning or verandah.</p>	<p>(a) is erected only in a Centre zone or an Industry zone;</p> <p>(b) is only erected where it can be demonstrated that there is no other opportunity to make use of an alternative sign type;</p> <p>(c) has a maximum height above the awning not exceeding 1.2m</p> <p>(d) is of a size and form that is appropriate to the scale and character of the building on which it is exhibited and the development in the locality;</p>

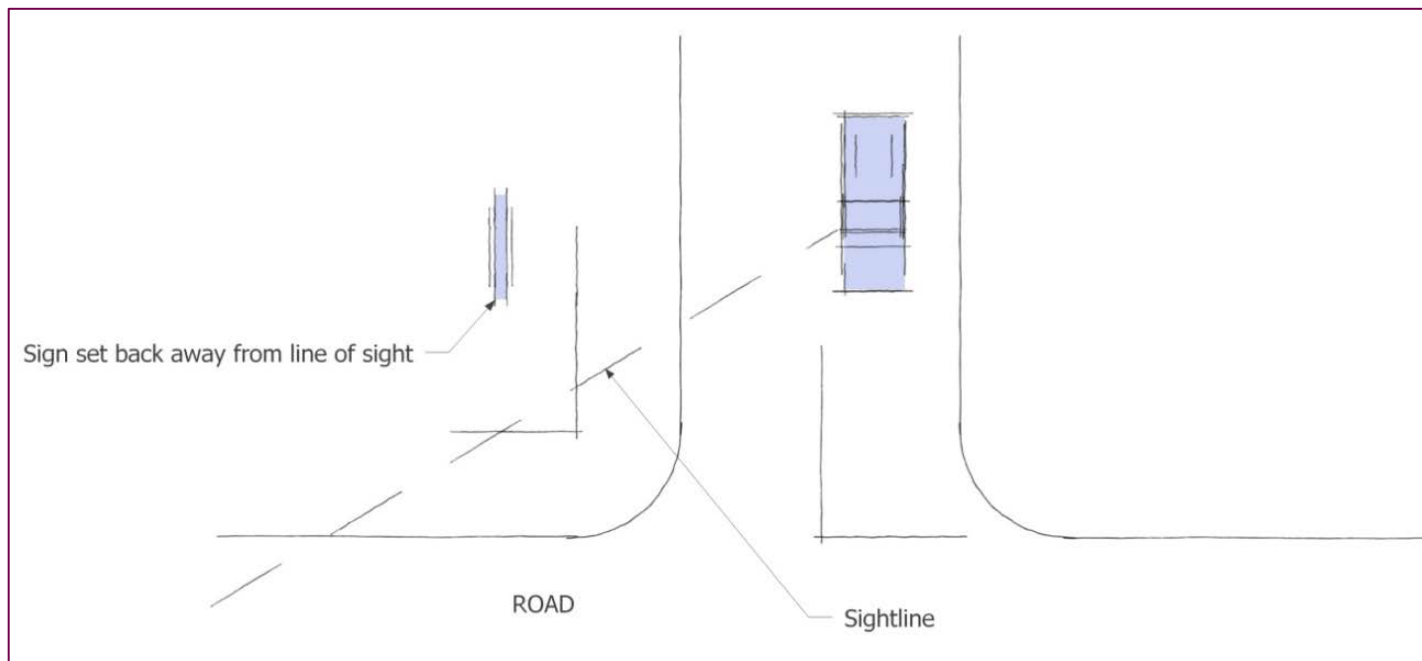
	<p>(e) is positioned and designed in a manner that is compatible with the architecture of the building to which it is attached.</p> <p>Note – A streetscape or landscape analysis prepared by a competent person may be required in support of a development application for an above awning sign</p>
<p>Created awning sign: An advertising device attached to and extending beyond the fascia of an awning or the like.</p>	<p>(a) is integrated with the design of the building so as to complement its architectural form or style;</p> <p>(b) does not extend more than 500mm above the fascia to which it is attached;</p> <p>(c) does not exceed a sign-face area equivalent to 25% of the area of the awning face; and</p> <p>(d) has a minimum clearance of 2.4 metres between the lowest part of the sign and the footway pavement.</p>
<p>Under awning sign: An advertising device attached underneath or suspended from an awning, verandah or the like.</p>	<p>(a) is oriented at right angles to the building frontage;</p> <p>(b) is not more than 2.5 metres long or 600mm high;</p> <p>(c) does not exceed a maximum sign-face area of 1.50m²;</p> <p>(d) has a minimum clearance of 2.4 metres between the lowest part of the sign and the footway pavement;</p> <p>(e) one per shop or tenancy and is generally centrally located along the frontage of each shop or tenancy; and</p> <p>(f) is not closer than 3 metres to any other under awning sign or within 1.5 metres of any side property.</p>
<p>Created roof sign: An advertising device positioned on a roof, façade or wall of a building which changes the horizontal or angular lines of the roof.</p>	<p>(a) is integrated with the design of the building so as to complement its architectural form and style; and</p> <p>(b) has a maximum height above the surrounding roof line of not more than 1.2 metres.</p>
<p>Roof top sign: An advertising device fitted to the roof of a building with no relation to the architectural design or appearance of the building</p>	<p>(a) is erected only in a Centre zone or an Industry zone;</p>

	<p>(b) is only erected where it can be demonstrated that there is no other opportunity to make use of an alternative sign type;</p> <p>(c) is of a size and form that is appropriate to the scale and character of the building on which it is exhibited and the development in the locality;</p> <p>(d) is positioned and designed in a manner that is compatible with the architecture of the building to which it is attached; and</p> <p>(e) does not extend more than 1.2 metres above the roofline to which it is attached.</p> <p>Note – A streetscape or landscape analysis prepared by a competent person may be required in support of a development application for a roof top sign.</p>
<p>Freestanding signs: An advertising device normally elevated from the ground and supported by one or more vertical supports used to display advertising matter, including billboards, pylon, three-dimensional and other freestanding signs.</p>	<p>(a) do not exceed the maximum height and sign-face area requirements set out in Table 9.4.2.3.c – Maximum height and sign-face area of billboard and pylon signage</p> <p>(b) ensure than not more than one freestanding sign is erected on any site (including a site with multiple occupancy buildings), except for a free standing sign, which:-</p> <ul style="list-style-type: none"> (i) identifies access to a site; (ii) is not more than 1.5 metres in height; and (iii) has a maximum surface area of 2m²/side; and <p>(c) notwithstanding any other provisions of this code:</p> <ul style="list-style-type: none"> (i) are consistent with the streetscape character of the area; (ii) are of a scale and proportion consistent with the existing development and predominant land use in the area; (iii) are presented and designed to a proportional and uniform detail; and (iv) do not detract from or obscure any important view or vista. <p>Note – A streetscape or landscape analysis prepared by a competent person may be required in support of a development application for a three-dimensional sign.</p>

Table 9.4.2.3.c – Maximum Height and sign face are of billboard

Zone	Maximum Height	Maximum Sign face area/side
Centre zone and Industry zone	(a) Where total street frontage is less than 40 metres: 5m. or (b) Where total street frontage is 40 metres or greater: 7.5m.	(a) Where total street frontage is less than 40 metres: 10m ² or (b) Where total street frontage is 40 metres or greater: 15m ² .
Any other zone	5m.	10m ² .

Figure 9.4.2.3.a – Sightlines for advertising devices



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		
PO1	AO1.1	Not applicable

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

Performance outcomes	Acceptable outcomes	Applicant response
	<p>more of the following:</p> <ul style="list-style-type: none"> (a) car parking is located away from adjacent sensitive land uses; (b) car parking is enclosed within a building; (c) a noise ameliorating fence or structure is established adjacent to car parking areas where the fence or structure will not have a visual amenity impact on the adjoining premises; (d) buffered with dense landscaping. <p>Editor's note - The <i>Environmental Protection (Noise) Policy 2008</i>, Schedule 1 provides guidance on acoustic quality objectives to ensure environmental harm (including nuisance) is avoided.</p>	
Airborne particles and other emissions		
<p>PO3</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>AO3.1</p> <p>Development does not involve activities that will result in airborne particles or emissions being generated;</p> <p>or</p> <p>AO3.2</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</p>	<p>Complies with AO3.1</p> <p>The development would not generate airborne particles or emissions.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>conditioning/refrigeration ventilation and exhaustion.</p> <p>The <i>Environmental Protection (Air) Policy 2008</i>, Schedule 1 provides guidance on air quality objectives to ensure environmental harm (including nuisance) is avoided.</p>	
Odours		
<p>PO4</p> <p>Potential odour causing activities associated with the development are avoided through design, location and operation of the activity.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p>AO4.1</p> <p>The development does not involve activities that create odorous emissions;</p> <p>or</p> <p>AO4.2</p> <p>The use does not result in odour that causes environmental harm or nuisance with respect to surrounding land uses.</p>	<p>Complies with AO5.1</p> <p>The proposed development would not generate odorous emissions.</p>
Waste and recyclable material storage		
<p>PO5</p> <p>Waste and recyclable material storage facilities are located and maintained to not cause adverse impacts on adjacent uses.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p>AO5.1</p> <p>The use ensures that all putrescent waste is stored in a manner that prevents odour nuisance and is disposed of at regular intervals.</p>	<p>Complies with AO5.1</p> <p>All putrescible waste would be stored in a covered area and disposed of regularly by a licensed waste contractor.</p>
	<p>AO5.2</p> <p>Waste and recyclable material storage facilities are located, designed and maintained to not cause an adverse impact on users of the premises and adjacent uses through consideration of:</p> <p>(a) the location of the waste and recyclable material storage areas in relation to the noise and odour generated;</p>	<p>Complies with AO5.2</p> <p>Waste and recyclable storage facilities would be screened from view, accessible and emptied at regular intervals.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(b) the number of receptacles provided in relation to the collection, maintenance and use of the receptacles;</p> <p>(c) the durability of the receptacles, sheltering and potential impacts of local climatic conditions;</p> <p>(d) the ability to mitigate spillage, seepage or leakage from receptacles into adjacent areas and sensitive receiving waters and environments.</p> <p>Editor's note - the <i>Environmental Protection (Waste Management) Policy 2008</i> provides guidance on the design of waste containers (receptacles) to ensure environmental harm (including nuisance) is avoided.</p>	
Sensitive land use activities		
<p>PO6</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>AO6.1</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>AO6.2</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>Not applicable</p> <p>The proposed food and drink outlet is not a sensitive land use.</p>
Stormwater quality		
<p>PO7</p> <p>The quality of stormwater flowing over, through or</p>	<p>AO7.1</p> <p>Development activities are designed to ensure</p>	<p>Complies with AO7.1</p> <p>All stormwaters from the site would be directed</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>being discharged from development activities into watercourses and drainage lines is of adequate quality for downstream environments, with respect to:</p> <p>(a) the amount and type of pollutants borne from the activity;</p> <p>(b) maintaining natural stream flows;</p> <p>(c) the amount and type of site disturbance;</p> <p>(d) site management and control measures.</p>	<p>stormwater over roofed and hard stand areas is directed to a lawful point of discharge.</p>	<p>to the street front, as the lawful point of discharge.</p>
	<p>AO7.2</p> <p>Development ensures movement of stormwater over the site is not impeded or directed through potentially polluting activities.</p>	<p>Not applicable</p> <p>No polluting activities would be undertaken on the site.</p>
	<p>AO7.3</p> <p>Soil and water erosion control measures are incorporated into the activity's design and operation to control sediment and erosion potentially entering watercourses, drainage lines and downstream receiving waters.</p> <p>Note - Planning scheme policy - FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p>During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.</p>	<p>Not applicable</p> <p>No sediment or erosion would occur as part of the development.</p>
Pest plants (for material change of use on vacant land over 1,000m²)		
<p>PO8</p> <p>Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not reinfest the site or nearby sites.</p> <p>Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the <i>Land Protection (Pest and Stock Route Management) Act 2002</i>.</p>	<p>AO8.1</p> <p>The land is free of declared pest plants before development establishes new buildings, structures and practices;</p> <p>or</p> <p>AO8.2</p> <p>Pest plants detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person</p>	<p>Not applicable</p> <p>The site is not vacant land.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>prior to construction of buildings and structures or earthworks.</p> <p>Note - A declaration from an appropriately qualified person validates the land being free from pest plants.</p> <p>Declared pest plants include locally declared and Statedeclared pest plants.</p>	

9.4.5 Infrastructure works code

9.4.5.1 Application

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

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

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

9.4.5.2 Purpose

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

9.4.5.3 Criteria for assessment

Table 9.4.5.3.a – Infrastructure works code –assessable development

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

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

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

Performance outcomes	Acceptable outcomes	Applicant Response
Water supply		
PO3 An adequate, safe and reliable supply of potable, fire fighting and general use water is provided.	AO3.1 The premises is connected to Council's reticulated water supply system in accordance with the Design Guidelines set out in Section D6 of the Planning scheme policy SC5 – FNQROC Regional Development Manual; or AO3.2 Where a reticulated water supply system is not available to the premises, on site water storage tank/s with a minimum capacity of 10,000 litres of stored water, with a minimum 7,500 litre tank, with the balance from other sources (e.g. accessible swimming pool, dam etc.) and access to the tank/s for fire trucks is provided for each new house or other development. Tank/s are to be fitted with a 50mm ball valve with a camlock fitting and installed and connected prior to occupation of the house and sited to be visually unobtrusive.	Complies with AO3.1 The site has an existing connection to Council's reticulated water supply system.
Treatment and disposal of effluent		
PO4 Provision is made for the treatment and disposal of effluent to ensure that there are no adverse impacts on water quality and no adverse ecological impacts as a result of the system or as a result of increasing the cumulative effect of	AO4.1 The site is connected to Council's sewerage system and the extension of or connection to the sewerage system is designed and constructed in accordance with the Design Guidelines set out in Section D7 of the Planning scheme policy SC5 –	Complies with AO4.1 The site has an existing connection to Council's sewerage system.

Performance outcomes	Acceptable outcomes	Applicant Response
systems in the locality.	FNQROC Regional Development Manual; or AO4.2 Where not in a sewerage scheme area, the proposed disposal system meets the requirements of Section 33 of the <i>Environmental Protection Policy (Water) 1997</i> and the proposed on site effluent disposal system is designed in accordance with the <i>Plumbing and Drainage Act (2002)</i> .	
Stormwater quality		
PO5 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.	AO5.1 A connection is provided from the premises to Council's drainage system; or AO5.2 An underground drainage system is constructed to convey stormwater from the premises to Council's drainage system in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	Complies with AO5.1 The site is connected to Council's drainage system.
	AO5.3 A stormwater quality management plan is prepared, and provides for achievable stormwater quality treatment measures meeting design objectives listed in Table 9.4.5.3.b and Table	Not applicable This is not considered applicable to a development of this scale.

Performance outcomes	Acceptable outcomes	Applicant Response
	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.	
	AO5.4 Erosion and sediment control practices are designed, installed, constructed, monitored, maintained, and carried out in accordance with an erosion and sediment control plan.	Not applicable This is not considered applicable to a development of this scale.
	AO5.5 Development incorporates stormwater flow control measures to achieve the design objectives set out below, 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 measures to meet the requirements of the <i>Environmental Protection Act 1994</i> . 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.	Not applicable This is not considered applicable to a development of this scale.
Non-tidal artificial waterways		

Performance outcomes	Acceptable outcomes	Applicant Response
PO6 Development involving non-tidal artificial waterways is planned, designed, constructed and operated to: <ul style="list-style-type: none"> (a) protect water environmental values; (b) be compatible with the land use constraints for the site for protecting water environmental values; (c) be compatible with existing tidal and non-tidal waterways; (d) perform a function in addition to stormwater management; (e) achieve water quality objectives. 	AO6.1 Development involving non-tidal artificial waterways ensures: <ul style="list-style-type: none"> (a) environmental values in downstream waterways are protected; (b) any ground water recharge areas are not affected; (c) the location of the waterway incorporates low lying areas of the catchment connected to an existing waterway; (d) existing areas of ponded water are included. 	Not applicable No artificial waterways are proposed.
	AO6.2 Non-tidal artificial waterways are located: <ul style="list-style-type: none"> (a) outside natural wetlands and any associated buffer areas; (b) to minimise disturbing soils or sediments; (c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas. 	Not applicable No artificial waterways are proposed.
	AO6.3 Non-tidal artificial waterways located adjacent to, or connected to a tidal waterway by means of a weir, lock, pumping system or similar ensures: <ul style="list-style-type: none"> (a) there is sufficient flushing or a tidal range of >0.3 m; or (b) any tidal flow alteration does not adversely 	Not applicable No artificial waterways are proposed.

Performance outcomes	Acceptable outcomes	Applicant Response
	impact on the tidal waterway; or (c) there is no introduction of salt water into freshwater environments.	
	AO6.4 Non-tidal artificial waterways are designed and managed for any of the following end-use purposes: (a) amenity (including aesthetics), landscaping or recreation; or (b) flood management, in accordance with a drainage catchment management plan; or (c) stormwater harvesting plan as part of an integrated water cycle management plan; or (d) aquatic habitat.	Not applicable No artificial waterways are proposed.
	AO6.5 The end-use purpose of the non-tidal artificial waterway is designed and operated in a way that protects water environmental values.	Not applicable No artificial waterways are proposed.
	AO6.6 Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway.	Not applicable No artificial waterways are proposed.
	AO6.7 Aquatic weeds are managed to achieve a low percentage of coverage of the water surface area,	Not applicable No artificial waterways are proposed.

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

Performance outcomes	Acceptable outcomes	Applicant Response
	intensity of algal blooms.	
	AO7.4 Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and: <ul style="list-style-type: none"> (a) avoids lowering ground water levels where potential or actual acid sulfate soils are present; (b) manages wastewater so that: <ul style="list-style-type: none"> (i) the pH of any wastewater discharges is maintained between 6.5 and 8.5 to avoid mobilisation of acid, iron, aluminium and other metals; (ii) holding times of neutralised wastewater ensures the flocculation and removal of any dissolved iron prior to release; (iii) visible iron floc is not present in any discharge; (iv) precipitated iron floc is contained and disposed of; (v) wastewater and precipitates that cannot be contained and treated for discharge on site are removed and disposed of through trade waste or another lawful method. 	Not applicable No waste water is proposed to be discharged from the site except through the sewerage system.
Electricity supply		
PO8	AO8.1	Complies with AO8.1

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

Performance outcomes	Acceptable outcomes	Applicant Response
PO10 Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.	AO10 The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.	Complies with AO10 The proposed development would be connected to the telecommunications infrastructure via the existing connection.
PO11 Provision is made for future telecommunications services (e.g. fibre optic cable).	AO11 Conduits are provided in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	Able to comply with AO11 Conduits are able to be provided to the site to facilitate future telecommunications services.
Road construction		
PO12 The road to the frontage of the premises is constructed to provide for the safe and efficient movement of: (a) pedestrians and cyclists to and from the site; (b) pedestrians and cyclists adjacent to the site; (c) vehicles on the road adjacent to the site; (d) vehicles to and from the site; (e) emergency vehicles.	AO12.1 The road to the frontage of the site is constructed in accordance with the Design Guidelines set out in Sections D1 and D3 of the Planning scheme policy SC5 – FNQROC Regional Development Manual, for the particular class of road, as identified in the road hierarchy.	Complies with AO12.1 Captain Cook Highway is a fully constructed state-controlled road.
	AO12.2 There is existing road, kerb and channel for the full road frontage of the site.	Complies with AO12.2 Captain Cook Highway is a fully constructed and maintained road.
	AO12.3 Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for the safe passage of emergency vehicles.	Complies with AO12.3 The proposed road access would have adequate height clearance and a minimum width of 8 metres.

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

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

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

9.4.6 Landscaping code

9.4.6.1.1 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) assessable development where this code is identified in the assessment criteria column of the table of assessment;
 - (ii) impact assessable development, to the extent relevant.
- (2) When using this code, reference should be made to Part 5 (2).

9.4.4.2 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
For self-assessable and assessable development		
Landscape design		
PO1 Development provides landscaping that contributes to and creates a high quality landscape character for the site, street and local areas of the Shire by: <ul style="list-style-type: none"> (a) promoting the Shire’s character as a tropical environment; (b) softening the built form of development; (c) enhancing the appearance of the development from within and outside the development and makes a positive contribution to the streetscape; (d) screening the view of buildings, structures, open storage areas, service equipment, machinery plant and the like from public places, residences and other sensitive development; (e) where necessary, ensuring the privacy of habitable rooms and private outdoor recreation areas; (f) contributing to a comfortable living environment and improved energy efficiency, by providing shade to reduce glare and heat absorption and re-radiation from buildings, 	AO1 Development provides landscaping: <ul style="list-style-type: none"> (a) in accordance with the minimum area, dimensions and other requirements of applicable development codes; (b) that is designed and planned in a way that meets the guidelines for landscaping outlined in Planning Scheme Policy SC6.7 – Landscaping; (c) that is carried out and maintained in accordance with a landscaping plan that meets the guidelines for landscaping outlined in Planning Scheme Policy SC6.7 – Landscaping. <p>Note - Planning scheme policy SC6.7 – Landscaping provides guidance on meeting the outcomes of this code. A landscape plan submitted for approval in accordance with the Planning policy is one way to achieve this outcome.</p>	Complies with AO1 Please refer to assessment against the relevant benchmarks of other codes.

Performance outcomes	Acceptable outcomes	Applicant response
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.		
For assessable development		
PO2 Landscaping contributes to a sense of place, is functional to the surroundings and enhances the streetscape and visual appearance of the development.	AO2.1 No acceptable outcomes are specified. Note - Landscaping is in accordance with the requirements specified in Planning scheme policy SC6.7 – Landscaping.	Able to comply with AO2.1 The site is able to be landscaped in accordance with the Planning Scheme policy.
	AO2.2 Tropical urbanism is incorporated into building design. Note – ‘Tropical urbanism’ includes many things such as green walls, green roofs, podium planting and vegetation incorporated into the design of a building.	Complies with AO2.2 The proposed landscaping area at the front of the site would be landscaped to incorporate elements of Tropical Urbanism.
PO3 Development provides landscaping that is, as far as practical, consistent with the existing desirable landscape character of the area and protects trees, vegetation and other features of ecological,	AO3.1 Existing vegetation on site is retained and incorporated into the site design, wherever possible, utilising the methodologies and principles outline in AS4970-2009 Protection of	Complies with AO3.1 The existing vegetation to the rear of the site would be retained as part of the development.

Performance outcomes	Acceptable outcomes	Applicant response
recreational, aesthetic and cultural value.	Trees on Development Sites.	
	AO3.2 Mature vegetation on the site that is removed or damaged during development is replaced with advanced species.	Not applicable No mature vegetation is proposed to be removed as part of the development.
	AO3.3 Where there is an existing landscape character in a street or locality which results from existing vegetation, similar species are incorporated into new development.	Not applicable There is no existing landscape character.
	AO3.4 Street trees are species which enhance the landscape character of the streetscape, with species chosen from the Planning scheme policy SC6.7 – Landscaping.	Not applicable The site fronts a state-controlled road.
PO4 Plant species are selected with consideration to the scale and form of development, screening, buffering, streetscape, shading and the locality of the area.	AO4 Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	Able to comply with AO4 Council are invited to attach a condition to any approval granted to secure compliance, if necessary.
PO5 Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal roadways.	AO5 Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	Able to comply with AO5 Council are invited to attach a condition to any approval granted to secure compliance, if necessary.
PO6 Landscaped areas are designed in order to allow	AO6.1 A maintenance program is undertaken in	Able to comply with AO6.1 The operators would be responsible for landscape

Performance outcomes	Acceptable outcomes	Applicant response
for efficient maintenance.	accordance with Planning scheme policy SC6.7 – Landscaping.	maintenance.
	AO6.2 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.	Able to comply with AO6.2 Council are invited to attach a condition to any approval granted to secure compliance, if necessary.
PO7 Podium planting is provided with appropriate species for long term survival and ease of maintenance, with beds capable of proper drainage.	AO7.1 Podium planting beds are provided with irrigation and are connected to stormwater infrastructure to permit flush out.	Not applicable No podium is proposed.
	AO7.2 Species of plants are selected for long term performance designed to suit the degree of access to podiums and roof tops for maintenance.	Not applicable No podium is proposed.
PO8 Development provides for the removal of all weed and invasive species and implement on-going measures to ensure that weeds and invasive species do not reinfest the site and nearby premises.	AO8 Weed and invasive species detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person.	Not applicable No weed species have been detected on the subject site.
PO9 The landscape design enhances personal safety and reduces the potential for crime and vandalism.	AO9 No acceptable outcomes are specified. Note - Planning scheme policy SC6.3 – Crime prevention through environmental design (CPTED) provides guidance on meeting this outcome.	Able to comply with AO9 Council are invited to attach a condition to any approval granted to secure compliance, if necessary.

Performance outcomes	Acceptable outcomes	Applicant response
PO10 The location and type of plant species does not adversely affect the function and accessibility of services and facilities and service areas.	AO10 Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	Able to comply with AO10 Council are invited to attach a condition to any approval granted to secure compliance, if necessary.