

TOWN PLANNING REPORT

APPLICATION TO THE DOUGLAS SHIRE COUNCIL FOR DEVELOPMENT PERMIT FOR

- A) MATERIAL CHANGE OF USE – IMPACT ASSESSMENT
FOR UNDEFINED USE (WORKERS' ACCOMMODATION),
TOURIST PARK, CARETAKER'S ACCOMMODATION,
AND ASSOCIATED AND ANCILLARY FACILITIES IN
TWO (2) STAGES; AND**
- B) OPERATIONAL WORK – IMPACT ASSESSMENT FOR
ADVERTISING DEVICE (FREESTANDING SIGN)**

on land located at

LOT 2 CAPTAIN COOK HIGHWAY, PORT DOUGLAS

and described as

PART OF LOT 2 ON RP745166

for and on behalf of

Krystal Marie DeMenna

**PROJECT: C1302
FEBRUARY 2025**

TOWN PLANNING REPORT

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Amended 28/02/2025 (5pm)

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A) MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR UNDEFINED USE (WORKERS' ACCOMMODATION), TOURIST PARK, CARETAKER'S ACCOMMODATION AND ASSOCIATED AND ANCILLARY FACILITIES IN TWO (2) STAGES; AND B) OPERATIONAL WORK – IMPACT ASSESSMENT FOR ADVERTISING DEVICE (FREESTANDING SIGN) LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

1.00 INTRODUCTION

We act on behalf of Krystal Marie DeMenna, the Applicant, in relation to the development of the Subject Site located at Lot 2, Captain Cook Highway, Port Douglas and described as Lot 2 on RP745166

A Development Permit is sought for:-

- a) Material Change of Use – Impact Assessment for Undefined Use (Workers' Accommodation), Tourist Park, Caretaker's Accommodation and Associated and Ancillary Facilities in Two (2) Stages; and
- b) Operational Work – Impact Assessment for Advertising Device (Freestanding Sign).

Development Application Form 1 is attached **Appendix A** and Land Owner Consent Form is attached as **Appendix B**.

This Report addresses the Application and the merits upon which the Douglas Shire Council's (Council) support is requested in terms of the Douglas Shire Planning Scheme (Version 1.0) and is based on the combined investigations and research undertaken by the following:-

- | | |
|---------------------------------------|---|
| a) OSE Group | Engineering, site planning and external works investigations; |
| b) Natural Resources Assessments | Investigations for Marine Plants |
| c) Hardy Town Planning and Consulting | Statutory and Land Use Planning |

For the purpose of this application:-

- a) the "Subject Site" is described as Lot 2 on RP745166; and
- b) the "Area subject to the Application" which includes the Development Area and the associated Buffer Areas is described as Part of Lot 2 on RP745166.



The location and locality of the Subject Site and the Area subject to the Application is shown in **Figure 1 – Location** and **Figure 2 – Locality**.

2.00 APPLICATION SUMMARY

Applicant:	Krystal Marie DeMenna
Land Owner:	Stiffrod Charters Pty Ltd A.C.N. 634 507 252 Eden Park Roofing Supplies Pty Ltd A.C.N. 635 957 180
Location:	Lot 2, Captain Cook Highway, Port Douglas
Real Property Description:	Lot 2 on RP745166 containing an area of 7.784ha
Area Subject to the Application	Part of Lot 2 containing an area of 4.206ha (approx.)
Existing Use:	Vacant Land
Proposed Use:	Workers' Accommodation and Tourist Park
Type of Application:	Development Permit for:- a) Material Change of Use – Impact Assessment for Undefined Use (Workers' Accommodation), Tourist Park, Caretaker's Accommodation and Associated and Ancillary Facilities in Two (2) Stages; and b) Operational Work – Impact Assessment for Advertising Device (Freestanding Sign).

3.00 PRE-LODGE MENT ADVICE

As part of the investigations for the preparation of this Application, a two (2) phase pre-lodgement process was undertaken between May 2023 and September 2023 and between July 2024 and August 2024 with Council and the Department of State Development, Infrastructure and Planning (former Department of Housing, Local Government, Planning and Public Works) and in particular, the State Assessment and Referral Agency (SARA).

It is noted that the two (2) phase Pre-lodgement process was used to refine the extent of the area subject to the Application and the Development Area, clarify matters of State Interest, obtain specific advice on design and site requirements and determine the scope of likely external works.

The combined advice provided by Council and SARA was used to inform the preparation of the Application.



4.00 THE SITE

4.01 Site Description

The subject site containing the Area subject to the Application is located on the western edge of the Port Douglas and Environs urban area.

The subject site containing the Area subject to the Application located 0.9km north west of the Captain Cook Highway and Port Douglas Road intersection and is located 4.5km (radial) south from the Port Douglas commercial area.

Lot 2 is divided into two (2) parcels by an unnamed road reserve connecting with the Captain Cook Highway and is not encumbered by any easements.

The western parcel of Lot 2 contains an area of 3.578ha (approx.) is not subject to this application. The eastern parcel of Lot 2 contains an area of 4.206ha (approx.).

The Area subject to the Application is described as Part of Lot 2 on RP745166 and contains an area of 4.206ha (approx.) has a frontage of 434.84m to the unnamed road connecting with the Captain Cook Highway.

The northern part of the unnamed road reserve is subject to a Road Licence. The southern part of the unnamed road reserve is unencumbered by a Road Licence and provides direct access from the Captain Cook Highway to the Area subject to the Application.

A copy of the current Plan of Survey for Lot 2 on RP745166 is attached as **Appendix C**.

Crees Creek and associated riparian corridor defines the eastern boundary of the site and an unnamed watercourse and wetland area associated with the Dickson Inlet defines the western and north western boundaries of the site.

The southern boundary of Lot 2 and the Area subject to the Application is defined by a "life style" lot with an area of 3.79ha and containing a single storey dwelling.

Lot 2 generally and the Area subject to the Application specifically is substantially cleared and based on review of historical photographs, this clearing is consistent with the previous use of the site for sugar cane production. Fringing trees along the western, north western and eastern boundaries remain.



The general location and extent of the features described above are shown in **Figure 3 - Existing Site Uses and Features**.

4.02 Adjoining and Surrounding Land Uses

Lot 2 is surrounded by a mix of urban, rural and vegetation areas.

Major adjoining and surrounding features include:-

- a) "lifestyle lot" adjoining the southern boundary. A single storey dwelling is setback 75m from the common boundary with the subject site;
- b) residential lots centred on Endeavour Street located to the north east and east;
- c) Council water reservoir to the south east;
- d) primary school, church and shopping centre to the south east;
- e) vegetated areas associated with watercourses and Dickson Inlet to the north west;
- f) "lifestyle lots" located on the western side of the Captain Cook Highway and to the south of the site; and
- g) residence and bed and breakfast accommodation located to the west.

These features are shown in **Figure 4 – Surrounding Land Uses**.

4.03 Road License

The unnamed road and dividing Lot 2 into two (2) parcels, extends from the connection with Captain Cook Highway to the northern boundary of the site. The northern part of the unnamed road is subject to a temporary road closure (encompassed by Lot A on Crown Plan AP22874). The part of the unnamed road that will provide access to the Area subject to the Application does not contain a Road Licence. These arrangements are shown by **Figure 5 - Temporary Road Closure**.

The registered licensees for the temporary road closure are Stiffrod Charters Pty Ltd A.C.N. 634 507 252 and Eden Park Roofing Supplies Pty Ltd A.C.N. 635 657 180.



Based on the Registration Confirmation Statement (dated 21 January 2025) attached as **Appendix D – Registration Confirmation Statement** the condition imposed on the temporary road closure is:-

“M76 the Licensee shall not erect any structural improvements, other than fencing, on the land during the currency of the Licensee”

Further investigations have been undertaken with the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development (DNRMMRRD) (previously the Department of Resources) in relation to the road licence (temporary road closure) and the following aspects are noted:-

- a) the road licence (established in 1968) is likely to have been created to enable the owners of adjoining Lot 2 on RP745166 to use the road reserve area for sugar cane production;
- b) the benefit of this road licence is limited to the owners of Lot 2 and no other landowners benefit from or have an interest in the road licence;
- c) to provide unimpeded access to the subject site, a Request to surrender the southern part of the existing Road Licence was lodged with DNRMMRRD on 30 August 2024.

An Offer of a Road Licence Amendment was received from DNRMMRRD by letter dated 27 October 2024 and 30 October 2024.

The signed Offer of a Road Licence Amendment was submitted with DNRMMRRD on 21 November 2024 and the signed covenant document was submitted with the DNRMMRRD by email dated 10 December 2024.

The amended Road Licence to exclude part of the unnamed road reserve was confirmed by the Registration Confirmation Statement dated 21 January 2025.

Therefore, direct unencumbered access to the Area subject to the Application has been provided.



5.00 RELEVANT APPROVALS

5.01 Previous Approval – Subject Site

Significantly for the consideration of the current proposal, a previous Amended Decision Notice for the subject site was determined by Council on 4 July 2006.

This approval has lapsed, however it is useful in providing guidance on uses and level of development intensity previously considered acceptable for the site. This approval also incorporates Concurrence Agency (State) requirements including external intersection works specified for the approved development.

The following observations are made in relation to the previous approval and having reference to the current proposal:-

- a) the proposal was described as “Material Change of Use to establish a Camping and Caravan Park, incorporating cabins and ancillary facilities”.

For context, the following definition for Camping Ground from the Douglas Shire Council Planning Scheme (1996) and operational at the time Council made the decision on the previous application is noted:-

***"Camping ground"** - Any premises used or intended for use for the provision of sites for rent for the parking of caravans and/or the pitching of tents; the term includes the use) of such premises for the provision of toilets, ablutions, laundries, recreational facilities, reception, office, kiosk and staff residences where such facilities exclusively service the occupants of the camping ground;*

- b) Within the statement of grounds for approval, the following matters have relevance:-

- *“the proposed development ... is located immediately adjacent to Port Douglas”*
- *“the proposal would service a segment of the tourism market of the Shire with the cabins used only for holiday accommodation”; and*
- *“the proposal will provide accommodation for large recreation vans, which are increasing in the tourist market sector”.*



- c) the approval enabled development to be undertaken in three (3) stages as follows:-

Stage	Cabins	Caravan Park Sites	Camping Ground
1	52 maximum	72 minimum	5,100m2 minimum
2	54 maximum	58 minimum	
3	44 maximum		
TOTAL	150 maximum	130 minimum*	5,100m2 minimum*

* Assume should read "maximum"

- d) the Development Permit included conditions of approval provided by the Department of Transport and Main Roads (DTMR) in relation to external works required for the upgrading of the intersection providing access to the subject site and to accommodate the additional traffic generated by the proposal. A copy of the previously approved intersection works plan is attached as **Appendix E**; and
- e) the Development Permit, included a condition requiring the construction of a pedestrian / cycle path from the access of the site to the intersection of the Captain Cook Highway and Port Douglas Road.

5.02 Current Approval – Adjacent Land

A Development Application for Request for Extension to the Currency Period for the Material Change of Use for a Caravan Park was determined by Council on 22 October 2020 for land described as Lot 45 on SR835 and located 250 metres north west from the subject site. This approval remains current until 22 October 2025 and includes the following uses:-

- i) Reception Building and other facilities;
- ii) 10 Powered caravan park sites;
- iii) 70 Powered ensuite sites;
- iv) 30 Bush camping sites.

The location of the previous and current approvals is shown in **Figure 6 - Previous and Current Approvals**.



6.00 PROPOSED DEVELOPMENT

6.01 General Need and Site Suitability Considerations

The Port Douglas business community together with Douglas Shire Council and other State Agencies have identified that there is a critical need to provide affordable and locally based workers' accommodation.

The land owners and proponents, as part of the business community, have also identified this need based on their own research.

These initial investigations have confirmed the suitability of the subject site and the Area subject to the Application for the provision of workers' accommodation to assist with meeting this need.

Key suitability considerations for this site include:-

- a) close and convenient proximity to the Port Douglas Township, including a range of tourist, accommodation, commercial and service industry uses;
- b) ready access to the main transport corridor provided by the Captain Cook Highway to access the rural uses requiring a supporting workforce;
- c) the Development Area within the Area subject to the Application has sufficient size and general configuration to enable the workers' accommodation and support facilities to be established and achieve a high level of residential amenity;
- d) there is limited land available within Port Douglas to provide for the development of affordable workers' accommodation. The site is a suitable location to assist with meeting the demand for this form of housing; and
- e) the subject site has been previously identified by the Douglas Shire Council and other approval agencies as a suitable location for tourist accommodation purposes including cabins, caravan sites and camping grounds. The previously approved uses are similar in intensity, impacts and general character to the proposed development.



Having regard to other relevant accommodation facilities in Port Douglas, reference is made to the following:-

- a) the accommodation sites containing the former Dougies Backpackers Resort and the adjoining Pandanus Caravan Park located at the corner of Davidson Street and Crimmins Street.

It is noted that these lots are subject to a current Development Approval for Material Change of Use for Resort Complex, Short-term Accommodation, Food and Drink Outlet, Multiple Dwellings and Reconfiguring a Lot (4 Lots into 45 Community Title Lots and Common Property).

The approved development provides luxury accommodation and therefore the capacity of this land to provide backpacker and other affordable accommodation is to be removed from the existing supply in Port Douglas;

- b) a Development Application was lodged with Douglas Shire Council on 17 May 2024 over land located at 9-13 Port Street, Port Douglas and described as Lot 4 on RP738564.

The site contains an existing “119-bed” accommodation use. The current application proposes to refurbish existing facilities, to demolish an existing accommodation building and to construct a new accommodation building on the subject site.

The application sought approval for a “Short-term Worker Accommodation” use (defined by the proponent as *Short-term Accommodation*) to also provide accommodation to “transient workers” for the tourism and hospitality sector within Port Douglas. It is noted that this application did not seek approval to increase the number of on-site guests to exceed the capacity of the existing approval use for 119 guests.

Council issued the Decision Notice dated 25 September 2024 approving the proposal to establish Short-term Accommodation on the land.

It is further noted that this site is also subject to a separate current Development Permit for Short-term Accommodation issued by Council on 30 August 2022 and that this approval remains current and “*has not been acted upon*”.



Council's forward Town Planning documents and in particular, the Strategic Framework forming part of the current Planning Scheme make reference to:-

- i) the need to provide the community with access to a greater variety of housing choice throughout the urban areas; and
- ii) that for long-term sustainability of the Shire, it is important that adequate opportunities are provided to accommodate the changing lifestyles and housing needs of the existing and future population.

It can be observed that the current Planning Scheme was prepared prior to 2018 and accordingly, general reference is made to the need for additional housing within the Shire.

However, more recent forward planning documents and Council initiatives focus on the critical need for workers' accommodation.

In this regard, the following statement as part of the introduction to the Douglas Shire Economic Development Strategy 2021 to 2024 is instructive:-

"As a community, we will address vital issues that continue to block economic growth such as the low availability of affordable housing, a shortage of local workers and the limited opportunity for higher paying jobs."

The following comment is also noted from the Douglas Shire Council Pre-lodgement Advice:-

"As discussed at the pre-lodgement meeting, there is a recognised need anticipated to occur if existing major tourist park uses cease in Port Douglas. The development of this land should respond to this opportunity providing an element of the Tourist Park for use as workers' accommodation supporting hospitality and tourism sectors in Port Douglas. Council understands there is a need for longer stays in order to foster employment opportunities".

The SARA Pre-lodgement Advice dated 25 May 2023 also notes that the Douglas Shire Council *"supports the position that there is a need for accommodation in the Port Douglas area"*.

Having regard to Council's comments in relation to the proposal, and the specific need and demand considerations approval is also sought for Tourist Park.

Matters in relation to the scope of the approval sought, are discussed further in Section 7.05 of this Report.



6.02 General Design and Siting Principles

Based on detailed site inspections to identify constraints and opportunities and guidance provided by Council and SARA as part of the Pre-lodgement process, the following design and siting principles have been adopted for the proposal:-

- a) a Development Area within the Area subject to the Application has been identified and is unconstrained by Matters of State Interest.

In this regard, the following design considerations are noted:-

- i) with the exception of proposed works associated with access and intersection works, the proposed Development Area is excluded from the Erosion Prone Area;
 - ii) clearing of native vegetation within the Development Area will not be required;
 - iii) the Development Area is not included within a fish habitat area or within an area below the Highest Astronomical Tide (HAT);
- b) accordingly, the Development Area containing an area of approximately 3 hectares has been identified within the Area subject to the Application. The remaining areas within the Area subject to the Application are buffer areas and no development is proposed within these areas. No new development is proposed within the western parcel of the site.
- c) the Development Area is setback 20 metres from the south eastern boundary to allow for the setback from the high bank of Crees Creek and to allow for setback from the Medium Potential Bushfire Intensity allocation of the Council Bushfire Hazards Overlay;
- d) the north eastern boundary of the Development Area is defined by the extent of the mapped Erosion Prone Area. This ensures that the Development Area does not include any land within the mapped Erosion Prone Area allocation;
- e) a six (6) metre setback from the southern boundary has been provided to allow for the establishment of a landscape buffer to the existing house on the lifestyle block;
- f) vehicle access to the development area is to be provided from the intersection with the Captain Cook Highway to the southern point with the eastern section of Lot 2 on RP745166. This will minimize the requirement to undertake works within the road reserve; and
- g) the development will be designed to be undertaken in two (2) stages if required.



The general design and siting principles adopted for the proposal are shown by **Figure 7 - General Design and Siting Principles**.

6.03 Design Features

Based on the defined development area the proposal is to include the following features:-

Proposed Stage 1

- i) fifty-two (52) cabin sites each containing an area of approximately 150m² with general dimensions of 9 metres by 16.5 metres.

The cabin sites will allow for the establishment of either 1 or 2 bedroom cabins, landscaping and an allowance for one (1) car parking space;

It is estimated that the total floor area if all cabin sites were utilised for 2 bedroom cabins will be up to approximately 2,300m². The final floor area will be determined at the detailed design stage.

- ii) twenty-one (21) sites allowing for use by Recreational Vehicles (RV) or camping.

The sites contain approximately 130m² and general dimensions of 9 metres by 14.5 metres and include landscaping and an allowance for one (1) car parking space;

- iii) eleven (11) drive through caravan park sites each containing an area of approximately 144m² with general dimensions of 6 metres by 24 metres and include an allocation for landscaping;

- iv) reception and Caretaker's Accommodation (Manager's Residence) with an approximate floor area of 190m² at the entry to the development and adjacent vehicle setdown area. Sufficient on-site car parking for the reception and caretakers' residence will be provided for these features;

- v) maintenance shed and laundry – 260m² (approx.);

- vi) camp kitchen - 150m² (approx.);

- vii) amenities / laundry – 85m² (approx.)



- viii) sports and recreation area;
- ix) additional landscaping areas;
- x) 6 metre wide landscape buffer along the southern boundary;
- xi) vehicle access to all uses and provision for visitor car parking;
- xii) all buildings will be single storey and not exceed 4 to 5 m in height; and
- xiii) establishment of an Advertising Device at the entrance to the proposed Development Area and within the area subject to the application.

Proposed Stage 2

- i) forty-two (42) cabin sites each containing an area of 150m² with general dimensions of 9 metres by 16.5 metres.

The sites will allow for the establishment of either 1 or 2 bedroom cabin, landscaping and allowance for one (1) car parking space. It is estimated that the total floor area if all cabin sites were utilised for 2 bedroom cabins will be up to approximately 1,900m². The final floor area will be determined at the detailed design stage.

- ii) additional landscaping areas;
- iii) vehicle access to all uses as an extension to the Stage 1 access arrangements and provision for visitor car parking; and
- iv) all buildings will be single storey and not exceed 4 to 5 m in height.

Representative examples of the layout plans for the cabins to be established within the Development Area are attached as **Appendix F - Representative Cabin Designs**.

While two (2) stages are nominated for the proposal and in order to meet demand, the proposal may proceed on the basis of:-

- i) Stage 1, followed by Stage 2; or
- ii) The combined development of Stage 1 and Stage 2.

The proposed uses to be established within the Development Area are shown by the plans attached as **Appendix G - Development Plans**.



6.04 Vehicle Access – External Works

A new intersection will be constructed to the Captain Cook Highway to provide access to the Area Subject to the Application via the unnamed road.

The intersection works will be undertaken in accordance with conditions of approval and DTMR requirements.

The works to construct the intersection within the road reserve will be subject to a separate approval process as a consequence of the Development Permit issued by Council and incorporating DTMR requirements.

The main design features for the proposed intersection are shown by the plans attached as **Appendix G - Development Plans**.

Vehicle access extending from the new intersection works to the south western corner of the development area and via the unnamed road will be established in accordance with relevant Council conditions of approval.

The external roadworks will also incorporate directional signage to assist motorists to safely identify the location and access arrangements for the proposal. The signage will be undertaken in accordance with subsequent approvals as part of the intersection and associated roadworks.

6.06 Engineering Investigations

As assessment of engineering matters relevant to the subject site and the proposed development is provided by the engineering report prepared by the OSE Group and attached as **Appendix H**.

This report addresses the following matters:-

- i) Layout and design
- ii) Connection of and to external services
- iii) Internal water, sewer and stormwater services
- iv) Site preparation and earthworks
- v) Access, intersection and traffic
- vi) Flood modelling
- vii) Erosion Prone area
- viii) Acid sulfate soils
- ix) Bushfire hazard comments



7.00 TOWN PLANNING CONSIDERATIONS

7.01 Douglas Shire Planning Scheme

The following statutory Town Planning allocations within the Douglas Shire Planning Scheme (Version 1.0) and relevant to the subject site and the development area are identified by the following Table and where applicable, selected Figures:-

Planning Scheme Element	Allocation
Structure Plan	<p>The Subject Site and the Area subject to the Application are included within the Rural Areas Allocation.</p> <p>Captain Cook Highway is identified as a State Controlled Road.</p> <p>The Subject Site is located immediately to the west of land included in the Urban Area Designation.</p> <p>(Refer to Figure 8 – Strategic Framework)</p>
Local Plan	<p>The Subject Site and the Area subject to the Application are located within the Port Douglas – Craiglie Local Plan boundary. It is not located in a Precinct or Sub-Precinct.</p> <p>(Refer to Figure 9 – Port Douglas/Craiglie Local Plan)</p>
Zoning	<p>The Subject Site and the Area subject to the Application are included in the Rural Zone.</p> <p>(Refer to Figure 10 - Zoning)</p>
Overlays	<p>Acid Sulfate Soils Overlay</p> <p>The Subject Site and the Area subject to the Application are included within Acid Sulfate Soils (<5m AHD).</p> <p>(Refer to Figure 11 - Acid Sulfate Soils Overlay)</p>



	<p>Bushfire Hazard Overlay</p> <p>The Area subject to the Application contains Potential Impact Buffer Allocation</p> <p>(Refer to Figure 12 – Bushfire Hazard Overlay)</p>
	<p>Coastal Processes Overlay</p> <p>The Subject Site and the Area subject to the Application is located within the Coastal Management District allocation.</p> <p>The western portion of the Subject Site and the north eastern section of the eastern portion of the site including the buffer area of the Area subject to the Application are located within the Erosion Prone Area.</p> <p>The Development Area is excluded from the Erosion Prone Area.</p> <p>Part of the road reserve to be used to provide access is included within the Erosion Prone Area.</p> <p>(Refer to Figure 13 – Coastal Processes Overlay)</p>
	<p>Flood and Storm Tide Inundation Overlay</p> <p>The majority of the Subject Site is included within the 100 Year ARI (Mossman, Port Douglas and Daintree Flood Studies). The western parcel of the Subject Site is located within the Storm Tide – High Hazard allocation and a central band of the land running west to east is located in the Storm Tide – Medium Hazard.</p> <p>The Area subject to the Application contains Storm Tide – Medium Hazard Allocation and 100 Year ARI (Mossman, Port Douglas and Daintree Flood Studies) Allocations.</p> <p>(Refer to Figure 14 – Flood and Storm Tide Inundation Overlay)</p>



	<p>Landscape Values Overlay</p> <p>The majority of the Subject Site contains either High Landscape Values or Medium Landscape Values allocations.</p> <p>The Area subject to the Application contains both High Landscape Values and Medium Landscape Values allocations.</p> <p>(Refer to Figure 15 – Landscape Values Overlay)</p>
	<p>Natural Areas Overlay</p> <p>Parts of the north western and eastern boundaries of the Subject Site are located within the MSES – Regulated Vegetation (intersecting a Watercourse) and MSES – Regulated Vegetation allocations.</p> <p>The Area subject to the Application does not contain any Natural Areas Overlay Allocations.</p> <p>(Refer to Figure 16 – Natural Areas Overlay)</p>
	<p>Transport Noise Corridor Overlay</p> <p>The Subject Site contains Category 1 and Category 2 Transport Noise Corridor Mandatory Area allocations due to the proximity to the Captain Cook Highway.</p> <p>The Area subject to the Application does not contain any Transport Noise Corridor Allocations.</p> <p>(Refer to Figure 17 - Transport Network Overlay)</p>



	<p>Transport Network – Pedestrian and Cycle Overlay</p> <p>The Captain Cook Highway located to the west of the site is identified as a Principal Route.</p> <p>The Area subject to the Application does not contain any Transport Network – Pedestrian and Cycle Allocations.</p> <p>(Refer to Figure 17 - Transport Network Overlay)</p>
	<p>Transport Network – Road Hierarchy Overlay</p> <p>The Captain Cook Highway is identified as an Arterial Road and the Subject Site is located within the Major Transport Corridor Buffer Area along the southern boundary.</p> <p>(Refer to Figure 17 - Transport Network Overlay)</p>
<p>Local Government Infrastructure Plan (Commenced 1 July 2018)</p>	<p>The Subject Site is located within the Rural allocation. The site is located immediately to the west of the Port Douglas Priority Infrastructure Area.</p> <p>(Refer to Figure 18 - Priority Infrastructure Area)</p>



7.02 State Referral Mapping

A review of the Development Assessment Mapping system on 4 February 2025 has identified the following relevant matters:-

a) Coastal Protection

- i) the Subject Site and therefore the Area subject to the Application are entirely located within the Coastal Management District;
- ii) the western parcel of the Subject Site and the north eastern section of the eastern parcel of the Subject Site and parts of the unnamed road reserve are located within the Coastal Area – Erosion Prone Area allocation. The Development Area is excluded from the Erosion Prone Area; and
- iii) the Medium Storm Tide Inundation Area and the High Storm Tide Inundation Area allocations are located within the Subject Site and part of the Area Subject to the Application.

The Coastal Protection allocations are shown by **Appendix I**.

The following matters are noted in relation to the consideration of referral of the application to the State Assessment and Referral Agency:-

- i) the Subject Site and the unnamed road reserve are entirely located within the Coastal Management District;
- ii) Part of the Subject Site and part of the unnamed road reserve contain Erosion Prone Area allocations;
- iii) the proposed Development Area has been designed to be entirely excluded from the Erosion Prone Area allocation;
- iv) the north eastern buffer area is included within the Erosion Prone Area, however no development is proposed within this area;
- v) the trigger for referral of the application to SARA, according to *Table 6 – Material Change of Use involving Work in a Coastal Management District of Schedule 10, Part 17, Division 3* is:-

“Development application for a material change of use that is assessable development under a local categorising instrument, if carrying out the change of use will involve—



(a) *operational work that—*

(i) *is carried out completely or partly in an erosion prone area in a coastal management district; and*

(ii) *is extracting, excavating or filling 1,000m³ or more, or clearing native vegetation from an area of 1,000m² or more; or*

(b) *building work, carried out completely or partly in an erosion prone area in a coastal management district, if the building work involves increasing the gross floor area on the premises by 1,000m² or more”*

vi) it is noted that the Development Area is excluded from the Erosion Prone Area allocation.

It is further noted that the north eastern buffer area is included within the Erosion Prone Area, however no development is proposed within this area;

vii) it is noted that part of the new access road within the unnamed road reserve connecting the Development Area with the Captain Cook Highway is included within the Erosion Prone Area as shown by **Appendix G – Development Plans and Appendix I – Coastal Protection Mapping;**

As noted by (a)(i) and (ii) in the extract from the Table 6 above, the referral trigger is determined by the action being undertaken “*completely or partly in an erosion prone area in a coastal management district*” and “*extracting, excavating or filling 1,000m³ or more*”.

Based on the engineering advice provided in **Appendix H – Engineering Report**, it is submitted that the filling of this specific area for the construction of the access road would be limited to an estimate of 500-700m³ which is less than 1,000m³.

Therefore, referral of this Development Application to SARA in relation to Coastal Protection matters is not required.



b) Native Vegetation

The Subject Site contains land in the Category B (Remnant Vegetation), Category R (Reef Regrowth Watercourse Vegetation) and Category C (High-Value Regrowth Vegetation) generally located along the western, northern and eastern boundaries of the subject site.

The buffer area of the Area subject to the Application contains above identified Native Vegetation allocations. The Development Area does not contain Native Vegetation Allocations.

The Native Vegetation allocations are shown by **Appendix J**.

c) Fish Habitat Area

It is noted that the Subject Site and the Buffer Area of the Area subject to the Application contains land within the Major Tidal Waterways Allocation.-This allocation should also be read in conjunction with the Highest Astronomical Tide (HAT) identified for the subject site.

The Development Area does not contain Fish Habitat Area Allocations and is not included within the mapped HAT.

The Fish Habitat Area and HAT Map allocations are shown by **Appendix K**.

d) Marine Plants

The pre-lodgement advices provided by SARA have indicated marine plants are a Matter of State Interest for the proposal and the subject site.

In this regard, the following observations are made:-

- i) the Area Subject to the Application has been cleared and cultivated for sugar cane production; and
- ii) the previous and current land owners have maintained these areas by continuous cultivation and regular mowing.



Having regard to the pre-lodgement advices provided by SARA, NRA Environmental Consultants were commissioned to undertake an investigation of the subject site in relation to the identification of Marine Plants. As detailed by the Report dated 21 February 2024 attached as **Appendix L**, the Report states the following results and conclusions:-

“The proposed project footprint, including project setbacks, is located above HAT (Figure 1). No marine plants were observed within the proposed project footprint (Figure 1). The vegetation in the proposed project footprint was dominated by non-native grasses and forbs (Plate 1).”

“The proposed project footprint is above HAT. Marine Plants were not observed, and are not likely to occur, within the project footprint area. Therefore, impacts to marine plants as a result of the project are not likely.”

On this basis, it is submitted that the Marine Plants are not relevant to the assessment of the proposed development and referral of the application to SARA is not required in relation to Marine Plants.

e) State Controlled Road

The subject site adjoins a State-controlled Road, the Captain Cook Highway, and contains land within 25m of a State Transport Corridor.

The Area subject to the Application does not contain State-controlled Road allocations. However, the access to the subject is located within 25m of a State Transport Corridor.

The State Controlled Road allocations are shown by **Appendix M**.

Based on the assessment of the Matters of State Interest, the following SARA referrals are identified:-

- a) Development impacting on State Infrastructure is applicable based on the proposal involving a minimum of 50 dwellings or is designed to accommodate at least 75 people; and
- b) Material Change of Use of premises near a State Transport Corridor.

A response to State Code 1: Development in a State-controlled Road Environment and State Code 6: Protection of State Transport Networks is attached as **Appendix N – State Code Responses**.



7.03 FNQ Regional Plan

The Far North Queensland Regional Plan 2009-2031 was released in 2008 and has the purpose *“to guide and manage the regions development over the next 20 years ... and to address key regional environmental, social, economic and urban objectives”*.

The current Douglas Shire Planning Scheme (2018) addressed the purpose of the Regional Plan.

All of the subject site is included within the Rural Landscape and Regional Production Area as shown in **Appendix O – FNQ Regional Plan**.

7.04 EPBC Act

An assessment of the Protected Matters Tool Search via the Australian Government Department of Climate Change, Energy, the Environment and Water was undertaken on 4 February 2025.

Based on this assessment, a small portion of the northern edge of the subject site is located within the Great Barrier Reef Coast Marine Park as shown by extract attached as **Appendix P – EPBC Act Mapping**.

7.05 Use Definition

The review of use definitions within the Douglas Shire Planning Scheme (Version 1.0) was undertaken as part of the pre-lodgement process.

The uses investigated included the Caretaker's Accommodation, Multiple Dwelling, Non-resident Workforce Accommodation, Relocatable Home Park, Rooming Accommodation, Rural Workers' Accommodation, Short-term Accommodation and Tourist Park.

Further investigation was undertaken for the definition for Workforce Accommodation within the Planning Regulation.



These investigations concluded that with the exception of the definition for Tourist Park and Caretaker's Accommodation that the remaining definitions were not applicable due to matters such as:-

- a) limitations on the type of employment that can be undertaken by residents;
- b) limitations on occupancy periods; or
- c) ancillary activities.

It was also concluded that the major component of the proposal namely Workers' Accommodation was not specifically defined by the current Town Planning Scheme and this use is therefore an impact assessable use within the Rural Zone.

It is further noted that the pre-lodgement response provided by Council advised that the "*proposal most appropriately reflects the need to apply for a Tourist Park and an Undefined Use for Workers' Accommodation Material Change of Use Development Application*". Further advice provided by Council on 28 June 2024 also recommended the inclusion of "Caretaker's Accommodation" within the proposed use description.

The definitions for Tourist Park and Caretaker's Accommodation is noted as follows:-

Use	Definition	Examples Include	Does not include the following examples
Tourist park	Premises used to provide for accommodation in caravans, self- contained cabins, tents and similar structures for the public for short term holiday purposes. The use may include, where ancillary, a manager's residence and office, kiosk, amenity buildings, food and drink outlet, or the provision of recreation facilities for the use of occupants of the tourist park and their visitors, and accommodation for staff.	Camping ground, caravan park, holiday cabins.	Relocatable home park, tourist attraction, short-term accommodation, non-resident workforce accommodation.
Caretaker's Accommodation	A dwelling provided for a caretaker of a non-residential use on the same premises.		Dwelling House

Approval is also sought for an Advertising Device (Freestanding Sign) at the entrance to the proposed development area and within the area subject to the application.



The Advertising Device (Freestanding Sign) will identify the entry to the development. It is noted that the Advertising Device is subject to subject to Impact Assessment Operational Works within the Rural Zone.

The proponent concurs with Council's Pre-lodgement Advice and further advice (with the inclusion of Operational Work for Advertising Device) that approval should be sought for:-

- "a) Material Change of Use for Undefined Use (Workers' Accommodation), Tourist Park, Caretaker's Accommodation and Associated and Ancillary Facilities in Two (2) Stages; and*
- b) Operational Work for Advertising Device (Freestanding Sign)"*

It is noted that the Tourist Park use is not identified as an inconsistent use within the Rural Zone and it is submitted that it is appropriate that "Workers' Accommodation" is also not an inconsistent use within the Rural Zone.

It is further noted that Caretaker's Accommodation is a Self Assessable Use within the Rural Zone, however this use has been included to provide flexibility for the operation of both the Workers' Accommodation and the Tourist Park components.

The subsequent approval for the combined uses will enable:-

- a) an interchange between both uses to meet market demand for both long stay and short stay holiday accommodation;
- b) provide flexibility for the proposed RV sites to provide for long stay accommodation (if required) to allow occupants / residents to secure long term employment; and
- c) the range of accommodation, support facilities, amenities and recreation uses are equivalent for both uses.



7.06 Applicable Codes

Having regard to the proposed development and the site features it is submitted that the following codes are applicable:-

a) Zone Code;

Rural Zone Code

b) Local Plan Code

Port Douglas Craiglie Local Plan Code

c) Overlay Codes

Acid Sulfate Soils Overlay

Bushfire Hazard Overlay Code

Coastal Environment Overlay Code

Flood and Storm Tide Hazard Overlay Code

Landscape Values Overlay Code

Natural Areas Overlay Code

Transport Network Overlay Code

d) Development Codes

Relocatable Home Park and Tourist Park Code

Caretaker's Accommodation Code

e) Other Codes

Access, Parking and Servicing Code

Environmental Performance Code

Filling and Excavation Code

Infrastructure Works Code

Landscaping Code

Vegetation Management Code

Advertising Devices Code

A response to the relevant codes is attached as **Appendix Q – Planning Scheme Code Responses**. It is submitted that the proposal complies or is capable of showing compliance with the intent of the relevant codes.



8.00 RESPONSES TO STRATEGIC FRAMEWORK

8.01 Context

The Strategic Framework “*sets the policy direction for the planning scheme and forms the basis for ensuring appropriate development occurs within the planning scheme area for the life of the planning scheme*” (Part 3, Page 1).

The following matters are noted in relation to responding to the Strategic Framework:-

- a) there is a critical need to provide affordable and locally based workers' accommodation to service Port Douglas and the surrounding region;
- b) the proposal is to enable an interchange between workers' accommodation and Tourist Park to meet market demand;
- c) Tourist Park is not identified as an inconsistent use within the Rural Zone and it is submitted that workers' accommodation in this instance is an equivalent use;
- d) the Subject Site has been previously identified as a suitable location for a caravan park use;
- e) the Subject Site is adjacent to the western edge of the Urban Area Designation; and
- f) the Subject Site is included within the Port Douglas – Craiglie Local Plan Boundary.

It is submitted that there is a demonstrated need and demand for the proposal to provide worker's accommodation and the proposal to provide this use outside the urban area nominated by the Strategic Framework can be supported in Town Planning terms.



8.02 Response to Theme 1 – Settlement Pattern

The following responses are provided for the Strategic Outcomes:-

- i) The proposal represents a logical expansion of the existing urban area and it is noted that the site is located within the Local Plan Boundary;
- ii) The Area subject to the Application has well defined boundaries within a discrete location with suitable setbacks and buffering from surrounding land uses and environmental features.

The following responses are provided in relation to the relevant elements of Theme 1:-

- i) Urban Settlement

- 1) Port Douglas *“has a distinctive tourism focus”* with *“newer industrial land subdivisions – established on the western side of the Captain Cook Highway in Craiglie. Marine-orientated industry and associated tourism activities, occurs adjacent to Dickson Inlet”*.

It is submitted that the proposal will assist in providing accommodation for both the workforce and tourist focus promoted within Port Douglas;

- 2) while the Strategic Framework Map nominates the extent of the Urban Area, it is noted that the subject land and other development to the north can be supported by the extension of existing water and sewer services to “support the efficient and orderly delivery of urban infrastructure”.

This has been demonstrated by Council’s previous decisions to support development on the subject site and land to the north west.

- 3) the proposed setbacks and other defining boundaries enable the protection from *“encroachment of competing and conflicting land use conflicts”*;
 - 4) a new vehicle intersection with the Captain Cook Highway constructed in accordance with DTMR requirements will be provided;
 - 5) the discrete setting of the Subject Site and the limited site constraints will enable unobtrusive design and engineering solutions to be undertaken;



- 6) significantly, the Subject Site is located within the Port Douglas Local Plan Boundary and the proposal accords with the general intent of this Local Plan;
- 7) the development will enable the extension of water and sewer infrastructure without compromising the “operational integrity” of this infrastructure.

ii) Activity Centres

- 1) Port Douglas is identified as a District Regional Activity Centre within FNQ Regional Plan with Port Douglas having a strong “tourism focus” and there is a “need to retain a high level of services within the Shire to meet the needs of the community”;
- 2) it is noted that *“activity centres are the focus of retail, employment and community services catering for the needs of the Shire’s residential and tourist-orientated communities alike”*; and
- 3) the proposal including accommodation for both employees and visitors to the region will assist in supporting the viability and level of service provided by Port Douglas as an “activity centre”.

iii) Industry Areas and Activities

- 1) *“Growth in manufacturing, property and business service and transport and storage will continue to contribute to Douglas Shire’s economy”* with Craiglie to accommodate new and expanding enterprises with *“marine orientated activities”* established adjacent to Dickson’s Inlet;
- 2) the proposal will provide accommodation for potential employees involved in the local industrial areas and activities;

iv) Residential Areas and Activities

- 1) the proposal will complement the existing residential development and provide a housing “option” within the Port Douglas area to meet a specific demand for employees;



v) Mitigation of Hazards

- 1) Hazards identified as both a local and state level have been identified and considered as part of the planning and design for the proposal;
- 2) The design and identified Development Area either “*avoids natural hazard areas or mitigates risks to an acceptable or tolerable level*”; and
- 3) the proposal has considered contemporary requirements in relation to climate change and sea-level rise considerations.

8.03 Response to Theme 2 – Environment and Landscape Values

The following responses are provided for the Strategic Outcomes:-

- a) as part of the two (2) stage pre-lodgement process, the proposal has considered and where required, modified the development area for matters of environmental significance.

Such considerations include vegetation retention, setbacks from waterways and exclusion of development from the nominated Erosion Prone Area.

The following responses are provided in relation to the relevant elements of Theme 2:-

i) Coastal Zones

- 1) as shown by the Development Plans attached as **Appendix G**, the proposed development area (to include the accommodation and associated uses) has been excluded from the Erosion Prone Area;
- 2) while that the Subject Site and surrounding land is included within an area identified as containing acid sulfate soils, the development of the site will be undertaken in accordance with accepted standards and relevant conditions of approval to mitigate disturbance or release of acid sulfate.

ii) Scenic Amenity

- 1) the Subject Site has substantial setbacks from Captain Cook Highway identified as a tourist route;



- 2) the proposal will include substantial buffering and will be visually screened from both the Captain Cook Highway and surrounding uses by either the retention existing vegetation or the provision of new landscape buffers;
- 3) the proposal will have minimal (if any) impact on the visual amenity of the surrounding area.

8.04 Response to Theme 3 – Natural Resource Management

The following responses are provided for the Strategic Outcomes:-

The Strategic Framework Mapping (refer to **Figure 8**) has included the subject site and areas to the north and west within the Rural Areas Designation.

It is further noted that the subject land was previously used for sugar cane production.

Review of historical photographs over the site has indicated that sugar cane production has been previously undertaken on the site.

It is submitted that the suitability of the land for agricultural purposes should be considered within the context of the following:-

- 1) the previous decision to approve a caravan park site on the site;
- 2) Lot 1 on SP166336 containing an area of 3.79 hectares was subdivided from the parent lot in order to create a lifestyle lot;
- 3) the land has been included within the Port Douglas Local Plan boundary as part of the current Town Planning Scheme;
- 4) the site located on the eastern edge of the identified urban area and other urban uses have been approved or developed to the west of the subject site; and
- 5) it is submitted that viability of the long term use of the land for rural purposes and in particular sugar cane production has been diminished.

This viability should also be considered within the context of the recent closure of the Mossman Mill.



The following responses are provided in relation to the relevant elements of Theme 3 -

i) Land and Catchment Management:-

- 1) the proposal will be connected to Council's reticulated sewage scheme and accordingly, on-site waste water treatment will not be required.

In addition, other on-site stormwater run-off management measures will be incorporated into the design and siting of the development.

- 2) the design and siting features combined with the substantial setbacks from surrounding waterways will ensure that water quality in the surrounding locality will be protected and maintained;

ii) Primary Production

- 1) the importance of the primary production including sugar cane to the Douglas Shire is noted and acknowledged.

The previous considerations identified in this section provide context for the subject site and the proposed development;

- 2) the proposal will provide accommodation uses to maintain and expand employment opportunities in all sectors within the Shire and including the primary production sector; and
- 3) it is submitted that the proposal represents a suitable and appropriate alternative use for the site and will assist in supporting employment within Port Douglas and the surrounding region.



8.05 Response to Theme 4 – Strong Communities and Identify

The following responses are provided in relation to the Strategic Outcomes:-

- i) the *“major tourism areas of Port Douglas ... maintain a prosperous economy”*
- ii) it is submitted that a prosperous economy can be supported or sustained by the provision of equitable access to employment and *“adequate housing, including a greater variety of housing choice”*;

The following responses are provided in relation to the relevant elements of Theme 4:-

- i) Social Planning and Infrastructure
 - 1) an outcome of this element is for future planning of Douglas Shire is to take into *“account changing community characteristics, issues and needs”*
 - 2) the proposal is in direct response to an undersupply of affordable and suitable accommodation for the Port Douglas workforce required to support the tourism and service industries within the Township.
- ii) Housing Choice and Affordability
 - 1) the following statements within this element are noted:-
 - *“for the long-term sustainability of the Shire, it is important that adequate opportunities are provided to accommodate the changing lifestyles and housing needs of the existing and future population”*;
 - in particular, there is a need to provide *“affordable housing opportunities for the Shire’s workforce”*;
 - specific outcomes for this element include:-

“access to a greater variety of housing choice” and “an increase in housing diversity is encouraged in appropriate locations while maintaining the existing character and identity of individual communities”.
 - 2) the proposal will provide a purpose built facility for workforce accommodation and will meet the current and future demand for an alternative for the current housing stock that is affordable for employees.



8.06 Response to Theme 5 – Economy

The following responses are provided in relation to the Strategic Outcomes:-

- i) a strategic outcome is to establish and maintain *“a prosperous community with a strong rural sector, a dynamic tourism industry and commercial and industrial activities offering a diverse range of employment opportunities”*;
- ii) additionally *“the Shire’s economic base will be broadened to improve employment opportunities and to provide resilience to any future adverse economic, social and environmental conditions”*;
- iii) the proposal, including the options to provide either workforce accommodation and tourist accommodation, will complement current accommodation available within Port Douglas;
- iv) the proposal will meet a current demand and accordingly, will assist in providing resilience for the current local economy;

The following responses are provided in relation to elements of Theme 5:-

i) Economic Growth and Diversification

- 1) a specific outcome in relation to Port Douglas includes economic initiatives relating to:-

- *“further development of Port Douglas as a premium tourist destination”*;
- *“establishing Douglas Shire as a player in the global tropical tourist market”*;
- *“targeting infrastructure that strengthens Douglas Shire Council as a tourist destination and a gateway to the region”*

- 2) it is submitted that the proposal will assist in achieving these economic initiatives by the provision of workforce accommodation for the tourism sector and associated support services.

ii) Tourism

- 1) it is acknowledged that *“Tourism is a significant employer and generator of economic activity within the Shire”* and in particular, within Port Douglas;



The Shire “*promotes an efficient and sustainable tourism industry, and the wellbeing of the resident population*”;

- 2) the establishment of workforce accommodation as proposed will support the tourism industry within the Township and allow for the efficient and sustainable operation of businesses comprising the Tourism Industry.

8.07 Response to Theme 6 – Infrastructure and Transport

The following responses are provided in relation to Strategic Outcomes:-

- i) within the Shire, infrastructure and services are to be provided to communities “*in a planned, timely, economical and efficient manner*”.

It is proposed to connect the proposal to the existing water and sewer infrastructure by the extension of existing services along the Captain Cook Highway. It is noted that in conjunction with Council and subject to suitable agreement(s), these services could be extended (by others) further to the west and to the wider community benefit;

- ii) the proposal will include “in-house” mini bus services for residents and connecting with the main employer locations within the Township and surrounding rural areas and businesses.

The following responses are provided in relation to the Strategic Outcomes:-

i. Water and Waste Water Management

- 1) A specific outcome is for “*development in urban areas is connected to the reticulated water supply and sewerage infrastructure according to demand and service standards*”.

The subject site adjoins an existing urban use and the development can be connected to the existing reticulated water supply and sewerage infrastructure.

ii. Transport

A specific outcome identified that “development is designed, located, maintained and where necessary improved to facility pedestrian, cycle and transport functions.



It is proposed that a mini bus service will be provided as part of the operation of the use.

It is submitted that the proposal complies with the planning intent of the strategic framework.

9.00 SITE SUITABILITY

It is submitted that the Subject Site and in particular, the Area subject to the Application is a suitable location for the proposed development.

In this regard the following aspects are noted:-

- a) the Subject Site is well located to provide both the workforce and tourist accommodation to service Port Douglas and the surrounding area;
- b) the Area subject to the Application has sufficient size and dimensions to enable the proposal to be established in a rational and efficient manner and provide for suitable setbacks and buffering from surrounding uses and areas of environmental significance;
- c) the Subject Site is in a discrete location and accordingly, will be screened from surrounding land uses and vantage points along the Captain Cook Highway; and
- d) the Subject Site has been previously identified as a suitable location for a caravan park within a larger development area than proposed by the current proposal.

10.00 AMENITY CONSIDERATIONS

It is submitted that the proposal will have minimal impact on the amenity of the surrounding area given that:-

- a) the Area subject to the Application has sufficient area and dimensions to enable the potential impact of the proposal to be contained within the site boundaries;
- b) the proposal will incorporate substantial setbacks and boundaries from surrounding uses and areas of environmental significance;
- c) the Development Area and road access will be located on currently cleared areas;



- d) the Development Area is excluded from the major matters of State Interest and in particular, Coastal Protection; and
- e) the design and siting of the proposed development complies or is capable of demonstrating compliance with the relevant Planning Scheme Codes and other State Codes and requirements.

11.00 CONCLUSIONS

The following conclusions are drawn in relation to the proposal:-

- a) the Subject Site is located at Lot 2 Captain Cook Highway, Port Douglas, and is located 0.9 km north-west of the Captain Cook Highway and Port Douglas Road intersection;
- b) the subject site is described as Lot 2 on RP 745 166 and contains an area of 7.784 hectares with a frontage of 53 m to the Captain Cook Highway;
- c) the Area subject to the Application including the Development Area and associated buffers is described as Part of Lot 2 and contains an area of 4.206ha (approx.);
- d) the site is divided into two (2) parcels by an unnamed road reserve;
- e) parts of the land were previously used for sugar cane production and the entire site was subject to a previous development approval for a caravan park;
- f) it is proposed to establish Workers' Accommodation, Tourist Park, Caretaker's Accommodation and Associated and Ancillary Facilities and an Advertising Device (Freestanding Sign) within the Area subject to the Application and including a Development Area of approximately 3 hectares. Vehicle access to the development area will be provided via the unnamed road reserve with a connection to the Captain Cook Highway;
- g) the proposal will include self-contained cabins, recreation vehicle/camping, drive-through caravan sites, reception and Caretakers' Accommodation (Manager's Residence) and associated amenities and recreation facilities;
- h) the proposal will be developed in two stages;
- i) the proposal will be connected to Council's existing water supply and sewerage networks;
- j) the Subject Site is located in the Rural Zone;
- k) the proposed development is defined as Workers' Accommodation, Tourist Park and Caretaker's Accommodation. Workers' Accommodation and Tourist Park are Impact Assessable Uses and Caretaker's Accommodation is Self Assessable within the Rural Zone. Advertising Device (Freestanding Sign) is Impact Assessable within the Rural Zone;
- l) the proposal requires approval for "*Development permit for:-*
 - a) *Material Change of Use - Impact Assessment for Undefined Use (Workers' Accommodation), Tourist Park, Caretaker's Accommodation and Associated and Ancillary Facilities in two (2) stages; and*
 - b) *Operational Works – Impact Assessment for Advertising Device (Freestanding Sign)";*



- c) there is a demonstrated need and demand for Workers' Accommodation and tourist accommodation within Port Douglas and the surrounding area;
- d) the proposal demonstrated compliance or is capable of demonstrating compliance with the relative State Development Assessment Provisions and the Douglas Shire Planning Scheme. the subject site is a suitable location for the proposal; and
- e) the proposal will have minimal impact on the amenity of the surrounding area on the basis of compliance with suitable and relevant conditions of approval.

12.00 RECOMMENDATION

Having regard to the facts, considerations and circumstances addressed in this Report for the Subject Site described as Part of Lot 2 on RP745166 and located at Lot 2 Captain Cook Highway, Port Douglas for a Development permit for:-

- a) Material Change of Use - Impact Assessment for Undefined Use (Workers' Accommodation), Tourist Park, Caretaker's Accommodation and Associated and Ancillary Facilities in two (2) stages; and
- b) Operational Work – Impact Assessment for Advertising Device (Freestanding Sign)

is suitable in Town Planning related terms and is fully supported.

Council's favourable consideration of this Application is accordingly commended.

Hardy Town Planning and Consulting
February 2025

FIGURES



Aerial Photograph dated 23 September 2024

DEVELOPMENT PERMIT FOR:-

- A) MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR UNDEFINED USE (WORKERS' ACCOMMODATION), TOURIST PARK, CARETAKER'S ACCOMMODATION, AND ASSOCIATED AND ANCILLARY FACILITIES IN TWO (2) STAGES; AND**
- B) OPERATIONAL WORK – IMPACT ASSESSMENT FOR ADVERTISING DEVICE (FREESTANDING SIGN)**

KRYSTAL MARIE DEMENNA

LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

LOCATION



DEVELOPMENT PERMIT FOR:-

- A) MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR UNDEFINED USE (WORKERS’ ACCOMMODATION), TOURIST PARK, CARETAKER’S ACCOMMODATION, AND ASSOCIATED AND ANCILLARY FACILITIES IN TWO (2) STAGES; AND**
- B) OPERATIONAL WORK – IMPACT ASSESSMENT FOR ADVERTISING DEVICE (FREESTANDING SIGN)**

KRYSTAL MARIE DEMENNA

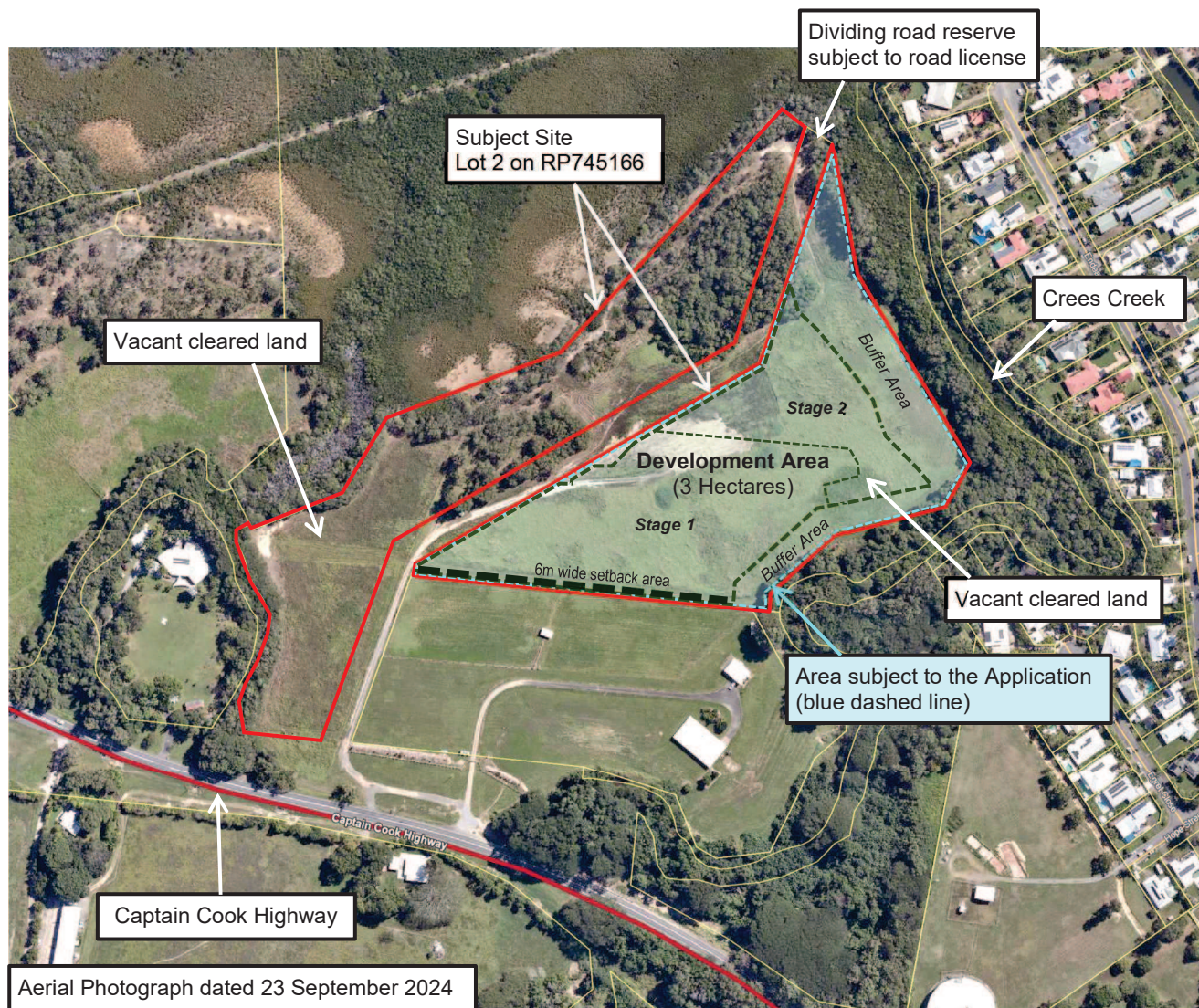
LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

LOCALITY



FIGURE 2 FEBRUARY 2025





**MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR
UNDEFINED USE (WORKERS' ACCOMMODATION), TOURIST
PARK, CARETAKER'S ACCOMMODATION AND ASSOCIATED
AND ANCILLARY FACILITIES IN TWO (2) STAGES**

KRYSTAL MARIE DEMENNA

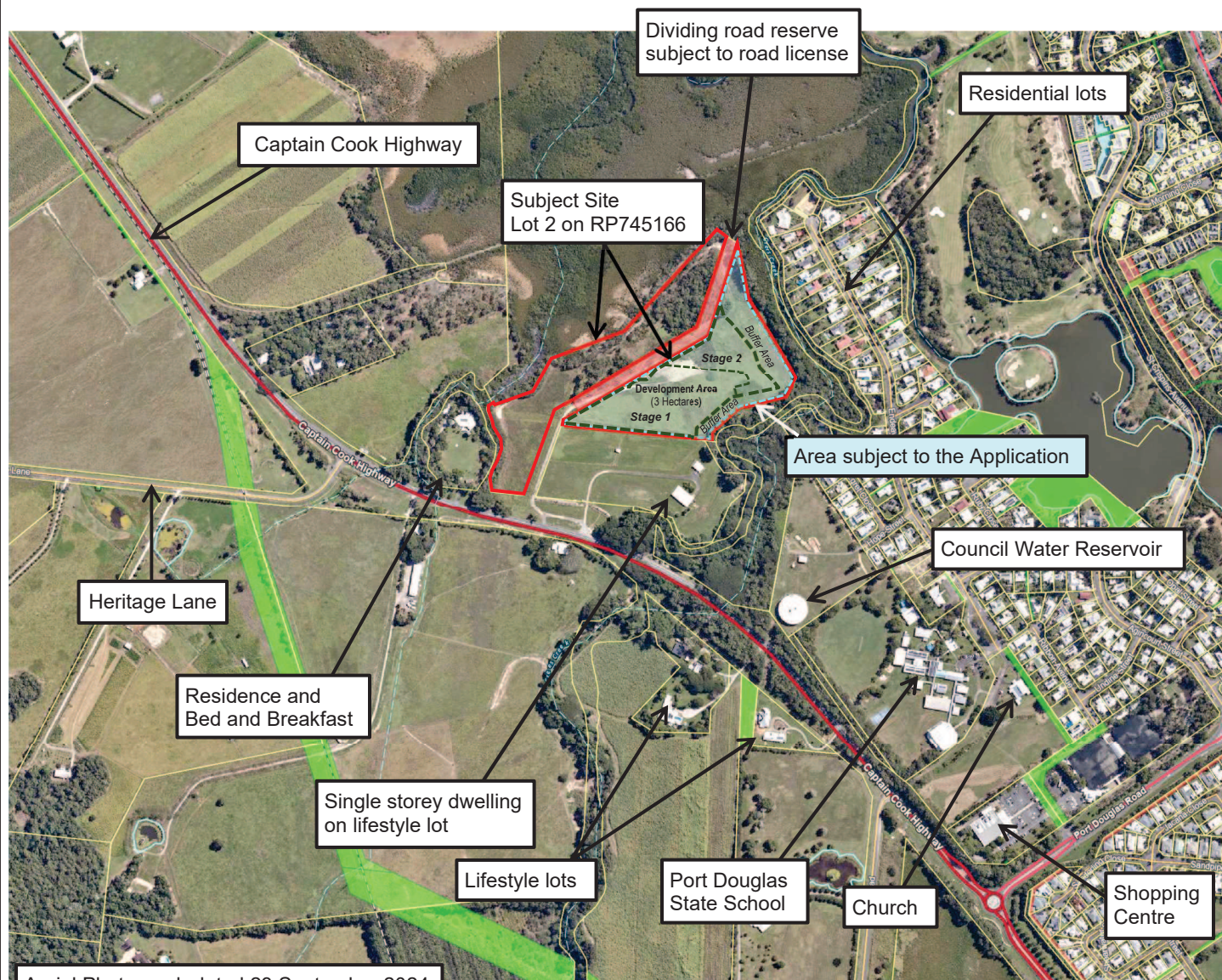
LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

EXISTING SITE USES AND FEATURES



FIGURE 3 FEBRUARY 2025





DEVELOPMENT PERMIT FOR:-

- A) MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR UNDEFINED USE (WORKERS’ ACCOMMODATION), TOURIST PARK, CARETAKER’S ACCOMMODATION, AND ASSOCIATED AND ANCILLARY FACILITIES IN TWO (2) STAGES; AND**
- B) OPERATIONAL WORK – IMPACT ASSESSMENT FOR ADVERTISING DEVICE (FREESTANDING SIGN)**

KRYSTAL MARIE DEMENNA

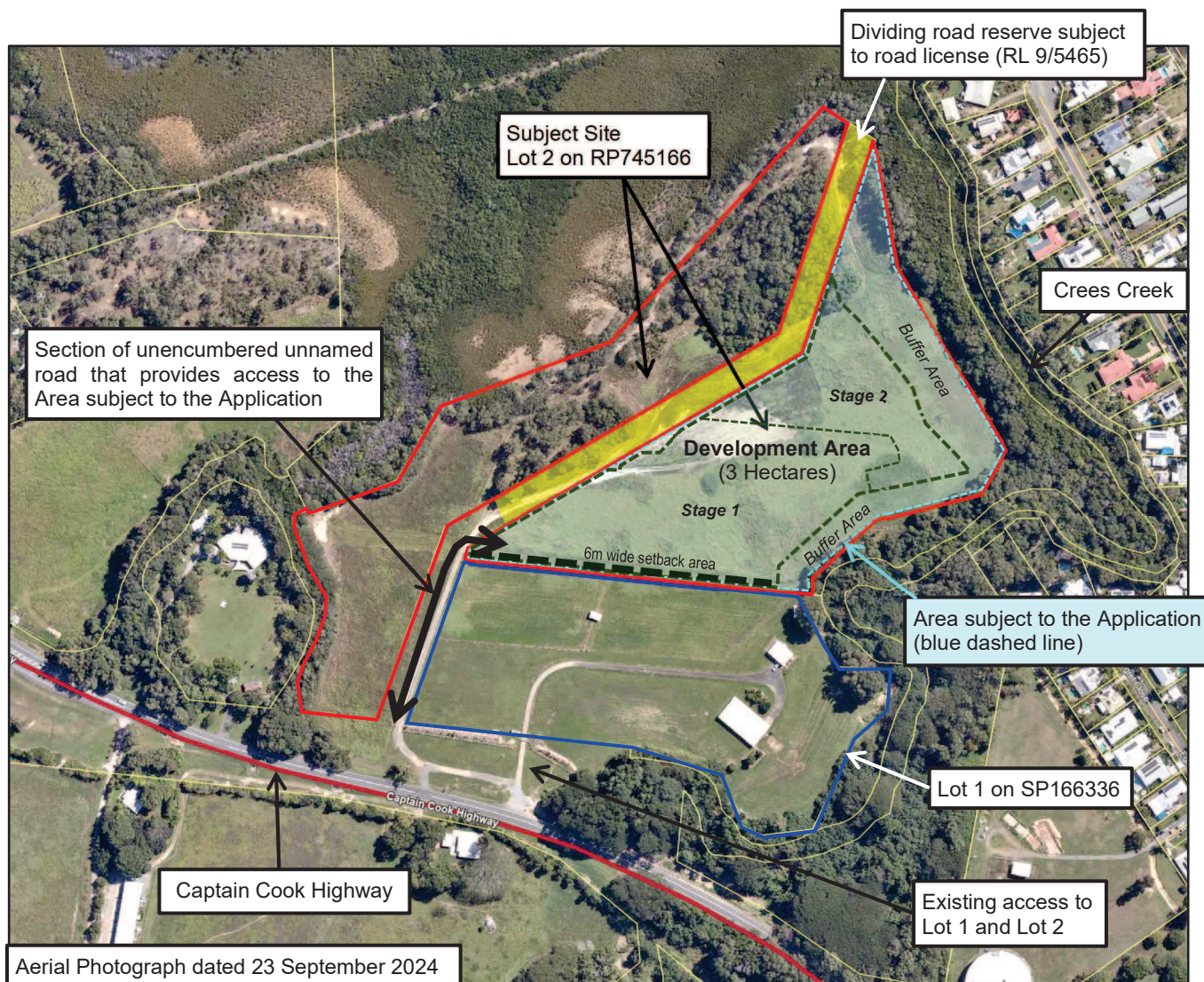
LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

SURROUNDING LAND USES



FIGURE 4 FEBRUARY 2025





DEVELOPMENT PERMIT FOR:-

- A) MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR UNDEFINED USE (WORKERS' ACCOMMODATION), TOURIST PARK, CARETAKER'S ACCOMMODATION, AND ASSOCIATED AND ANCILLARY FACILITIES IN TWO (2) STAGES; AND**
- B) OPERATIONAL WORK – IMPACT ASSESSMENT FOR ADVERTISING DEVICE (FREESTANDING SIGN)**

KRYSTAL MARIE DEMENNA

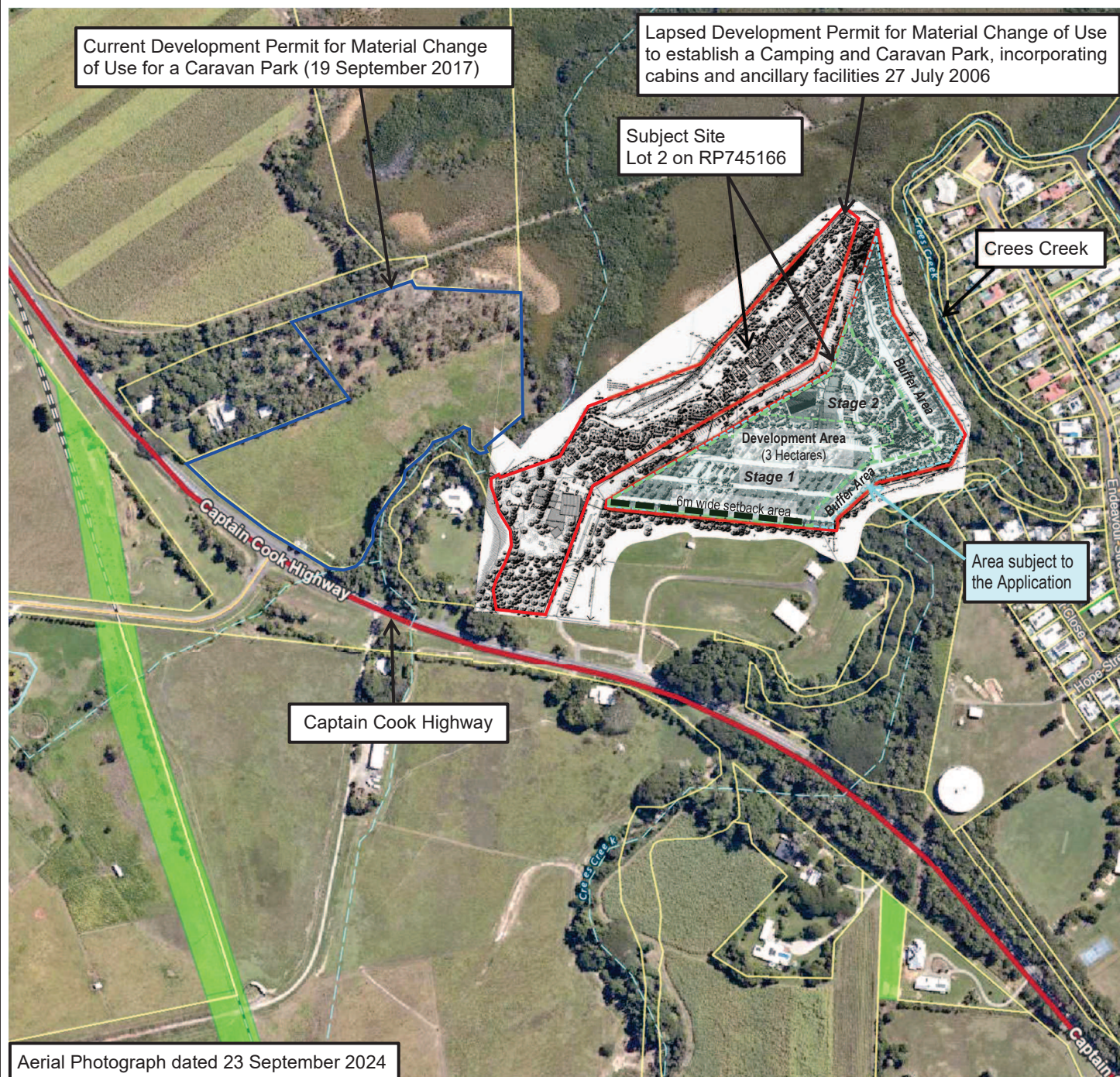
LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

TEMPORARY ROAD CLOSURE



FIGURE 5 FEBRUARY 2025





DEVELOPMENT PERMIT FOR:-

- A) MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR UNDEFINED USE (WORKERS' ACCOMMODATION), TOURIST PARK, CARETAKER'S ACCOMMODATION, AND ASSOCIATED AND ANCILLARY FACILITIES IN TWO (2) STAGES; AND**
- B) OPERATIONAL WORK – IMPACT ASSESSMENT FOR ADVERTISING DEVICE (FREESTANDING SIGN)**

KRYSTAL MARIE DEMENNA

LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

PREVIOUS AND CURRENT APPROVALS



FIGURE 6 FEBRUARY 2025





Aerial Photograph dated 23 September 2024



GENERAL DESIGN AND SITING PRINCIPLES

LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

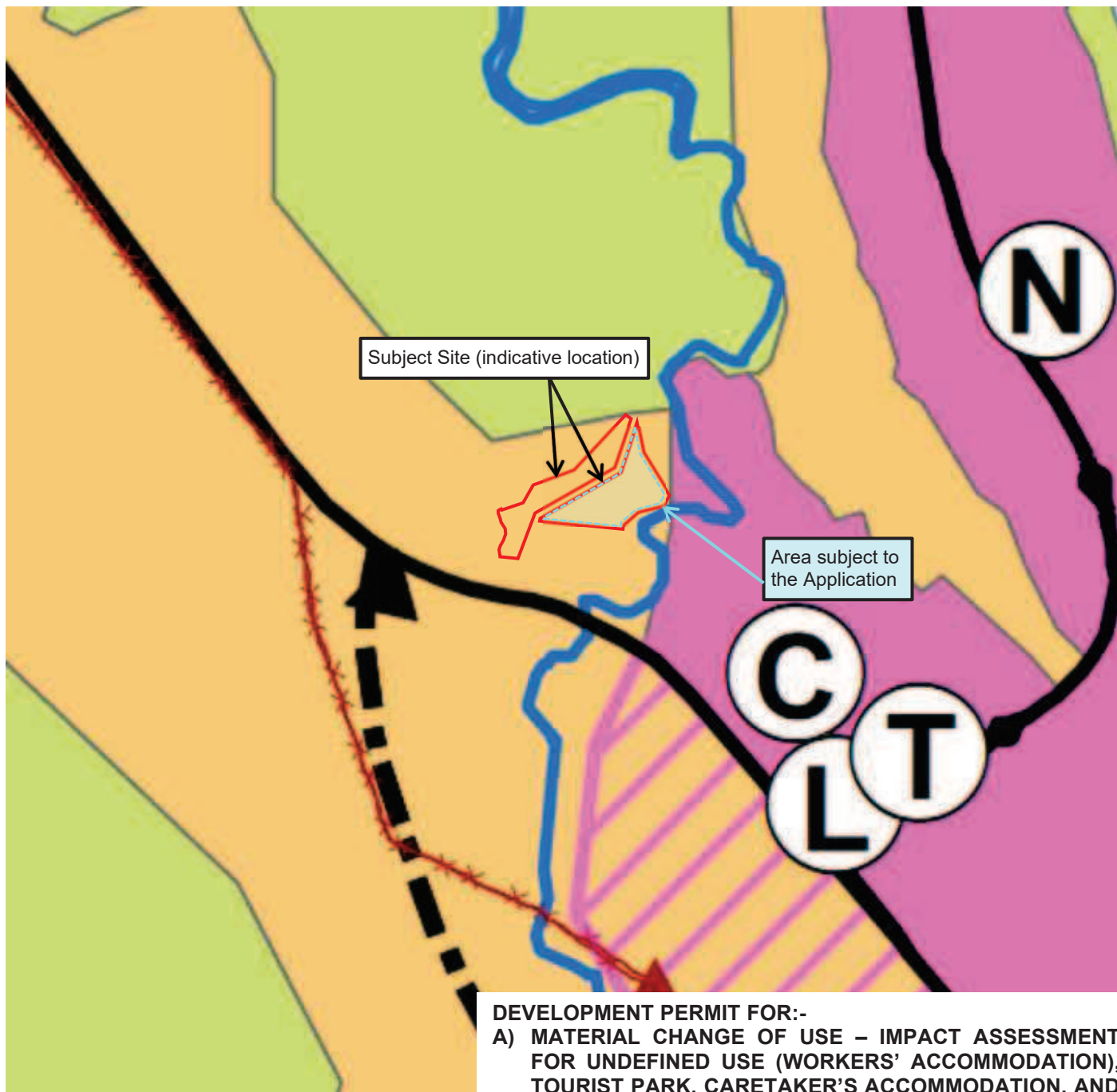
KRYSTAL MARIE DEMENNA

FIGURE 7 FEBRUARY 2025



DEVELOPMENT PERMIT FOR:-

- A) MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR UNDEFINED USE (WORKERS' ACCOMMODATION), TOURIST PARK, CARETAKER'S ACCOMMODATION, AND ASSOCIATED AND ANCILLARY FACILITIES IN TWO (2) STAGES; AND
- B) OPERATIONAL WORK – IMPACT ASSESSMENT FOR ADVERTISING DEVICE (FREESTANDING SIGN)



DEVELOPMENT PERMIT FOR:-

- MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR UNDEFINED USE (WORKERS' ACCOMMODATION), TOURIST PARK, CARETAKER'S ACCOMMODATION, AND ASSOCIATED AND ANCILLARY FACILITIES IN TWO (2) STAGES; AND**
- OPERATIONAL WORK – IMPACT ASSESSMENT FOR ADVERTISING DEVICE (FREESTANDING SIGN)**

KRYSTAL MARIE DEMENNA

LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

STRATEGIC FRAMEWORK

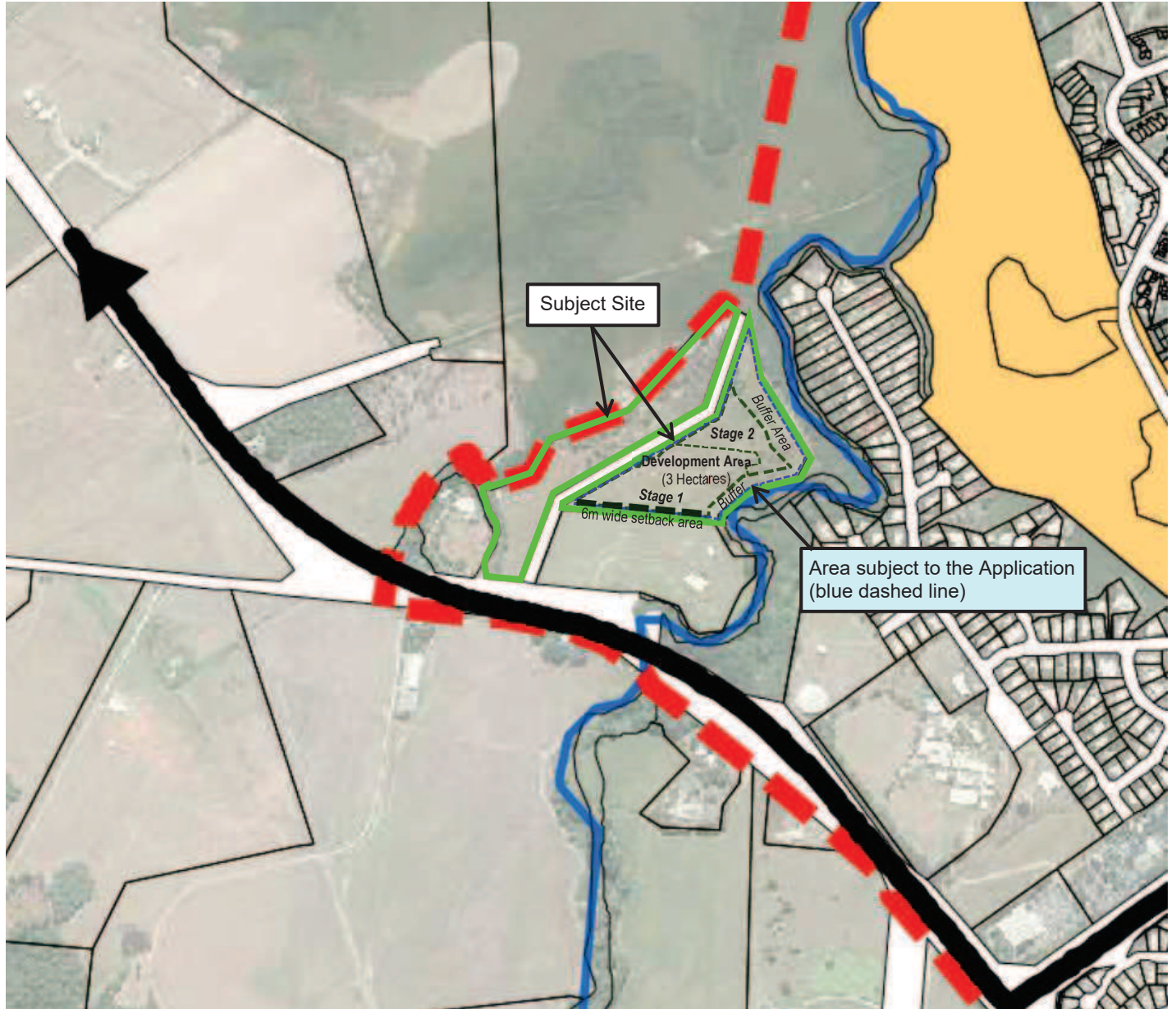
FIGURE 8 FEBRUARY 2025



Strategic Framework Layers:

- | | |
|--------------------------------------|-------------------------------------|
| Ⓣ Tourism Nodes | — State Controlled Roads |
| Ⓛ Local Activity Centres | — Major Local Roads |
| Ⓝ Neighbourhood Activity Centres | ◄► Transport Investigation Corridor |
| Ⓜ Mossman Gorge Aboriginal Community | Waterbodies |
| Ⓢ Industry Areas | Major Rivers / Creeks |
| Ⓒ Community Hubs | Natural Areas / Scenic Values |
| Ⓦ Marine Orientated Activities | → Rural Area |
| ▲ Mountain Peaks and Capes | Urban Area |
| ▲ Substations | Centre |
| — Major Electricity Infrastructure | Open Space / Recreation |
| | Industry Area |
| | Residential Investigation Area |
| | Industry Investigation Area |





Local Plan Precincts:

- Major Road Connections
- Local Plan Boundary
- 1 Precinct 1 - Port Douglas
- 2 Precinct 2 - Integrated Resort
- 3 Precinct 3 - Craiglie Commercial and Light Industry
- 4 Precinct 4 - Old Port Road / Mitre Street
- 5 Precinct 5 - Very Low Density Residential / Low Scale Recreation, Low Scale Educational/Low Scale Entertainment Uses Precinct

DEVELOPMENT PERMIT FOR:-

- A) MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR UNDEFINED USE (WORKERS' ACCOMMODATION), TOURIST PARK, CARETAKER'S ACCOMMODATION, AND ASSOCIATED AND ANCILLARY FACILITIES IN TWO (2) STAGES; AND
- B) OPERATIONAL WORK – IMPACT ASSESSMENT FOR ADVERTISING DEVICE (FREESTANDING SIGN)

KRYSTAL MARIE DEMENNA

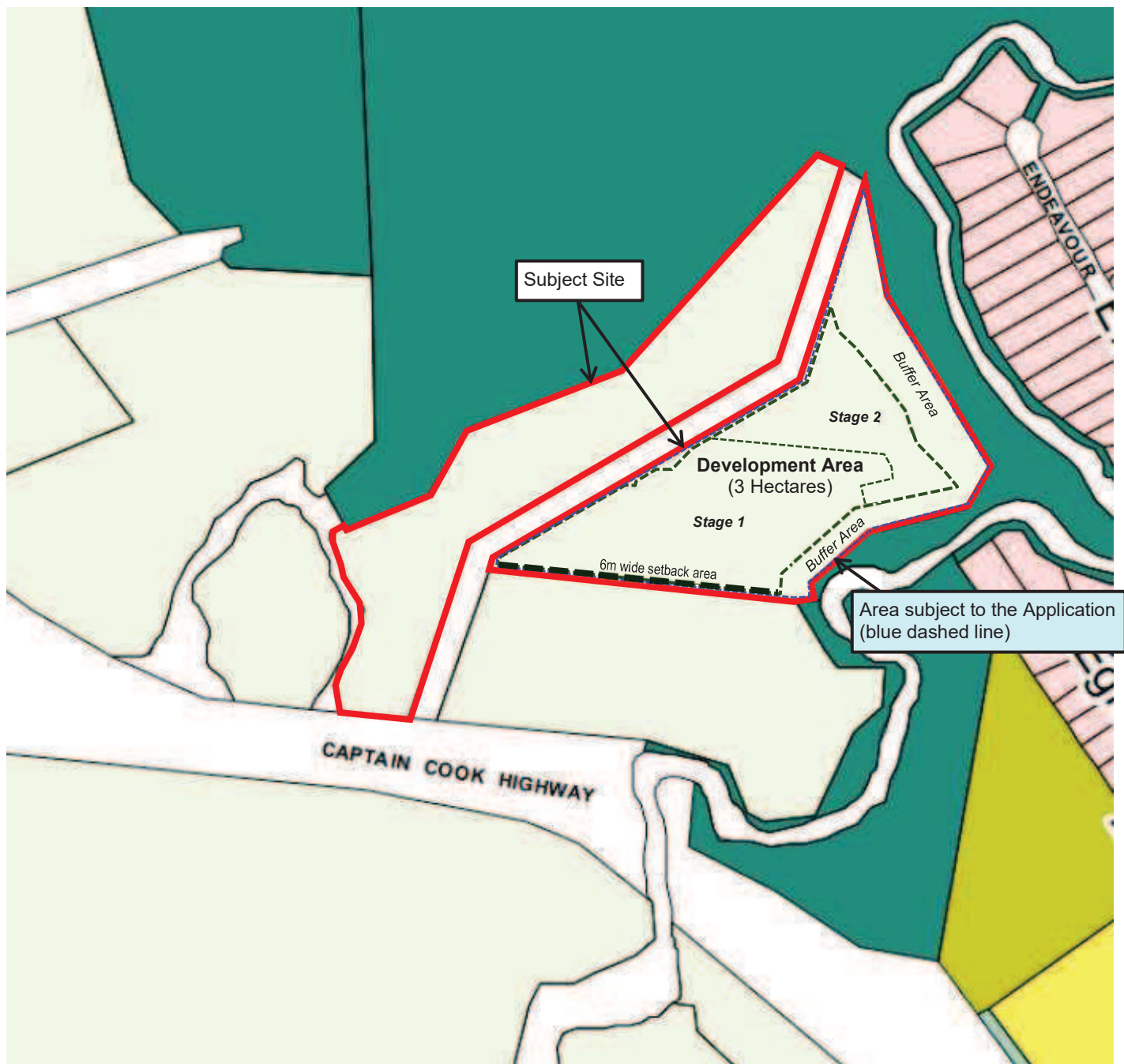
LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

PORT DOUGLAS / CRAIGLIE LOCAL PLAN



FIGURE 9 FEBRUARY 2025





DEVELOPMENT PERMIT FOR:-

- A) MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR UNDEFINED USE (WORKERS’ ACCOMMODATION), TOURIST PARK, CARETAKER’S ACCOMMODATION, AND ASSOCIATED AND ANCILLARY FACILITIES IN TWO (2) STAGES; AND**
- B) OPERATIONAL WORK – IMPACT ASSESSMENT FOR ADVERTISING DEVICE (FREESTANDING SIGN)**

KRYSTAL MARIE DEMENNA

LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

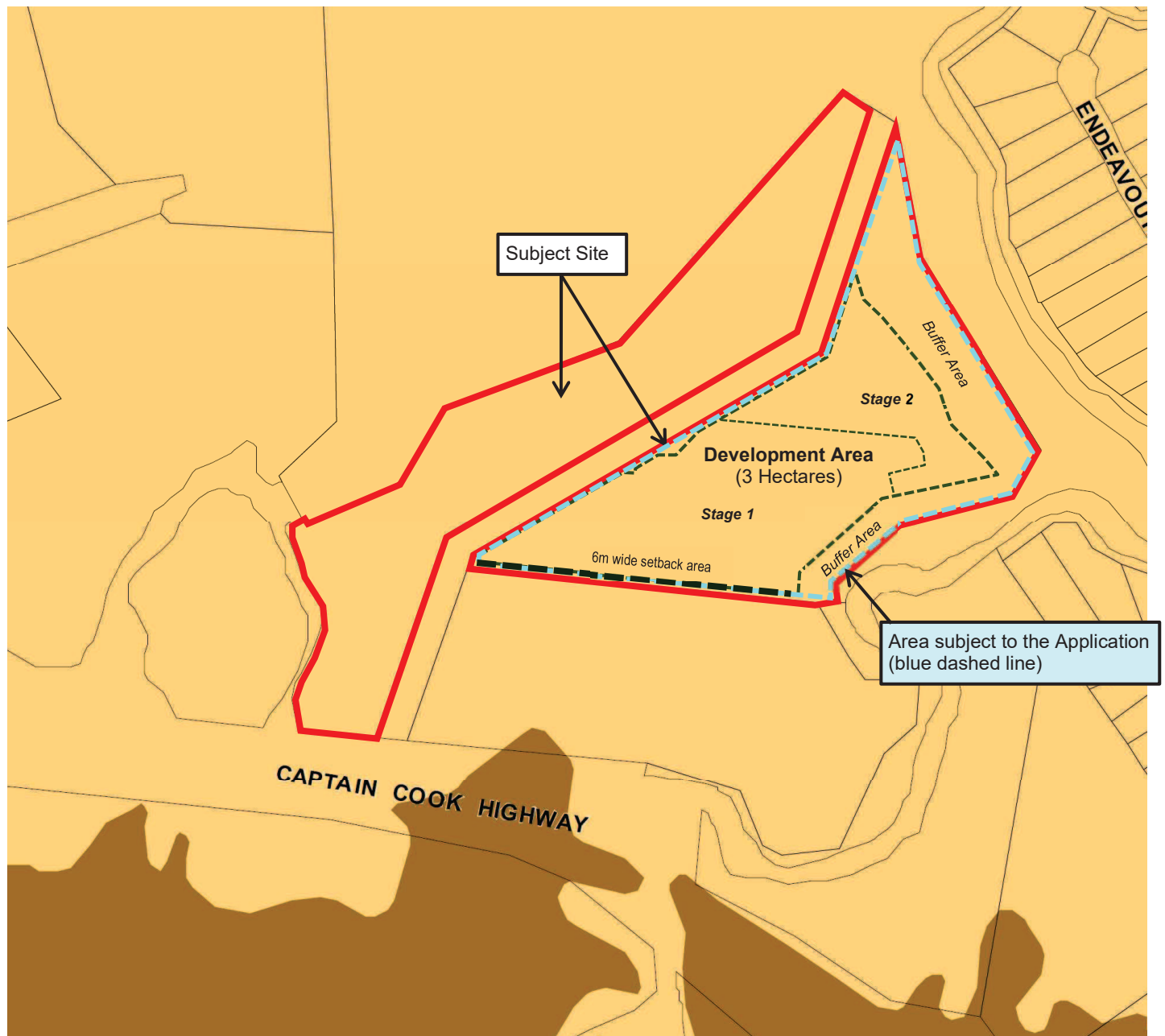
ZONING



FIGURE 10 FEBRUARY 2025

Zones:

Low Density Residential	Environmental Management
Low-medium Density Residential	Conservation
Medium Density Residential	Industry
Tourist Accommodation	Tourism
Centre	Community Facilities
Recreation and Open Space	Rural
	Rural Residential
	Special Purpose



DEVELOPMENT PERMIT FOR:-

- A) MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR UNDEFINED USE (WORKERS' ACCOMMODATION), TOURIST PARK, CARETAKER'S ACCOMMODATION, AND ASSOCIATED AND ANCILLARY FACILITIES IN TWO (2) STAGES; AND
- B) OPERATIONAL WORK – IMPACT ASSESSMENT FOR ADVERTISING DEVICE (FREESTANDING SIGN)

KRYSTAL MARIE DEMENNA

LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

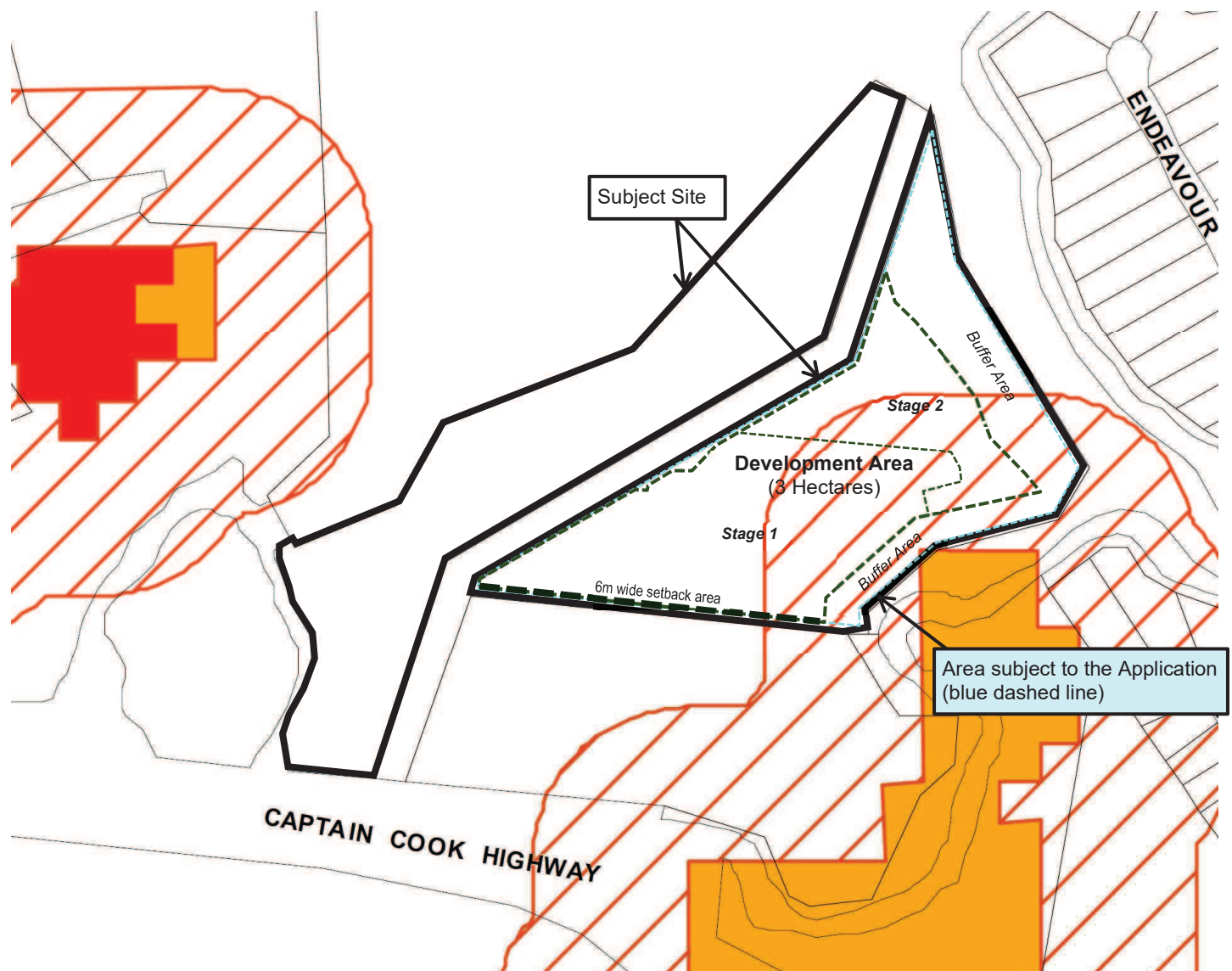
ACID SULFATE SOILS OVERLAY

FIGURE 11 FEBRUARY 2025



Acid Sulfate Soils:

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



DEVELOPMENT PERMIT FOR:-

- A) MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR UNDEFINED USE (WORKERS' ACCOMMODATION), TOURIST PARK, CARETAKER'S ACCOMMODATION, AND ASSOCIATED AND ANCILLARY FACILITIES IN TWO (2) STAGES; AND
- B) OPERATIONAL WORK – IMPACT ASSESSMENT FOR ADVERTISING DEVICE (FREESTANDING SIGN)

KRYSTAL MARIE DEMENNA

LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

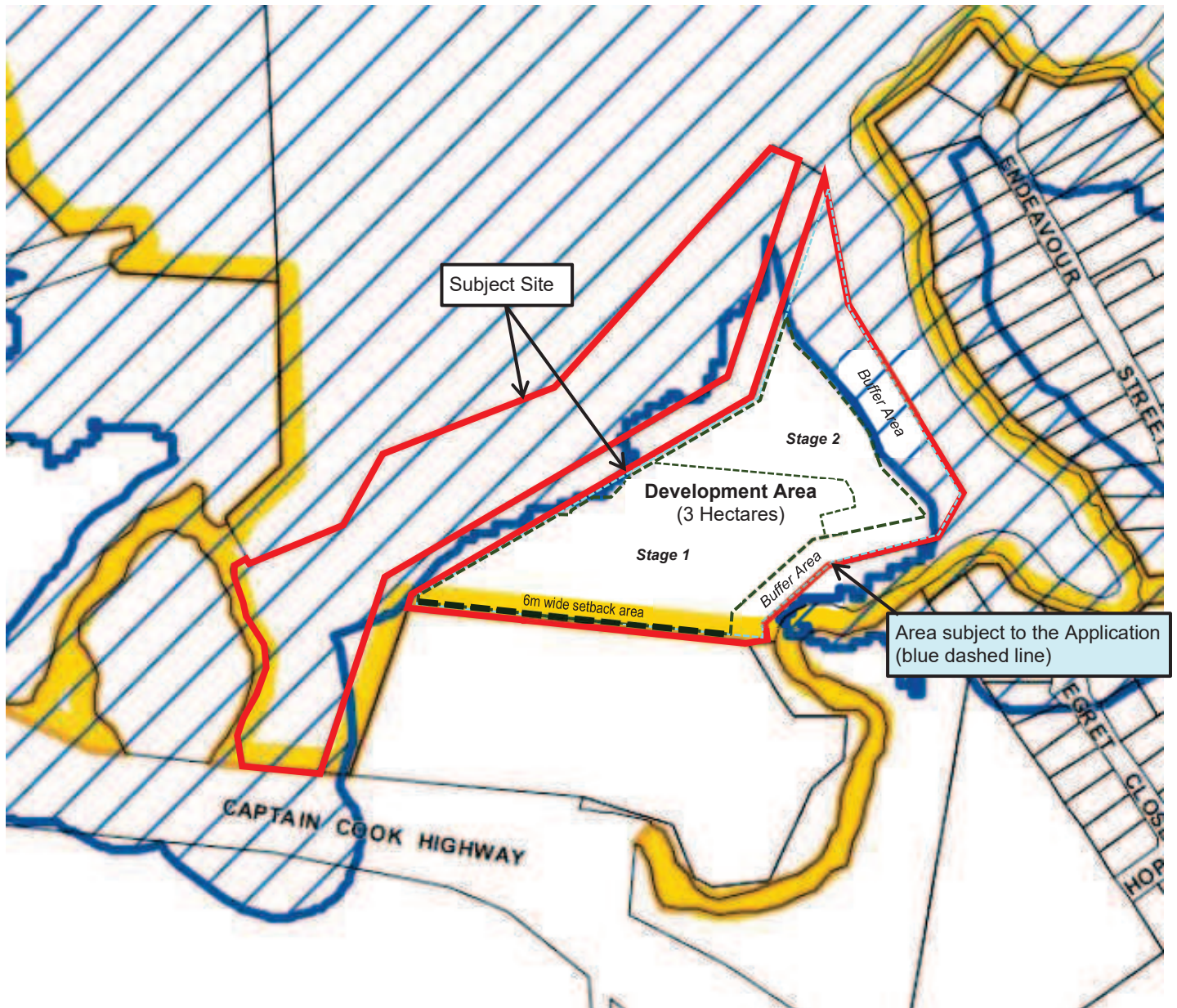
BUSHFIRE HAZARD OVERLAY

FIGURE 12 FEBRUARY 2025

Bushfire Hazard:

- Very High Potential Bushfire Intensity
- High Potential Bushfire Intensity
- Medium Potential Bushfire Intensity
- Potential Impact Buffer





DEVELOPMENT PERMIT FOR:-

- A) MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR UNDEFINED USE (WORKERS' ACCOMMODATION), TOURIST PARK, CARETAKER'S ACCOMMODATION, AND ASSOCIATED AND ANCILLARY FACILITIES IN TWO (2) STAGES; AND
- B) OPERATIONAL WORK – IMPACT ASSESSMENT FOR ADVERTISING DEVICE (FREESTANDING SIGN)

KRYSTAL MARIE DEMENNA

LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

COASTAL PROCESSES OVERLAY

Coastal Processes:



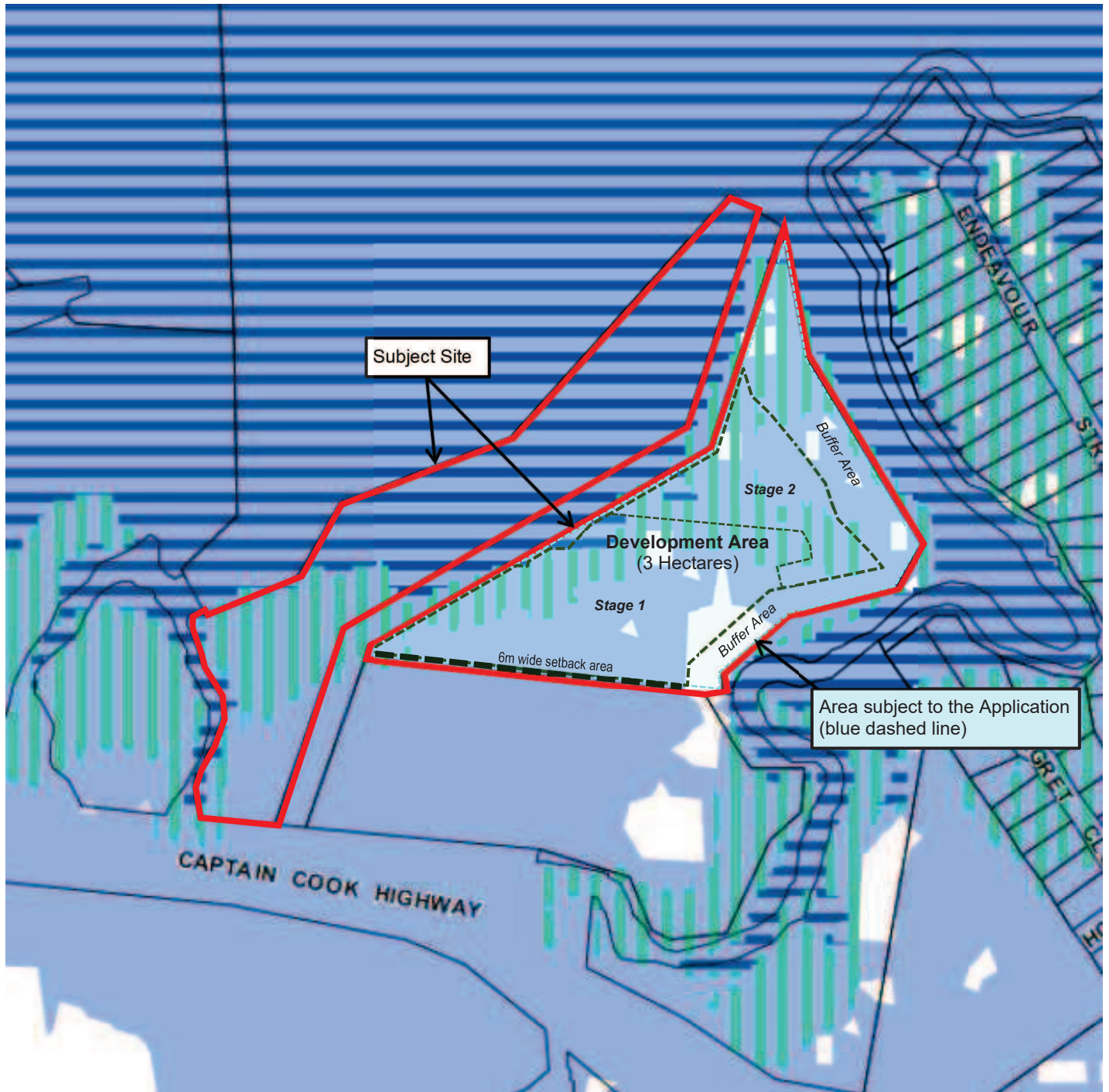
-  Erosion Prone Area
-  Coastal Management District



FIGURE 13 FEBRUARY 2025 



DEVELOPMENT PERMIT FOR:-

- A) MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR UNDEFINED USE (WORKERS' ACCOMMODATION), TOURIST PARK, CARETAKER'S ACCOMMODATION, AND ASSOCIATED AND ANCILLARY FACILITIES IN TWO (2) STAGES; AND
- B) OPERATIONAL WORK – IMPACT ASSESSMENT FOR ADVERTISING DEVICE (FREESTANDING SIGN)

Flood and Storm Tide Inundation:

- Storm Tide - High Hazard
- Storm Tide - Medium Hazard
- 100 Year ARI (Mossman, Port Douglas and Daintree Flood Studies)
- Floodplain Assessment Overlay

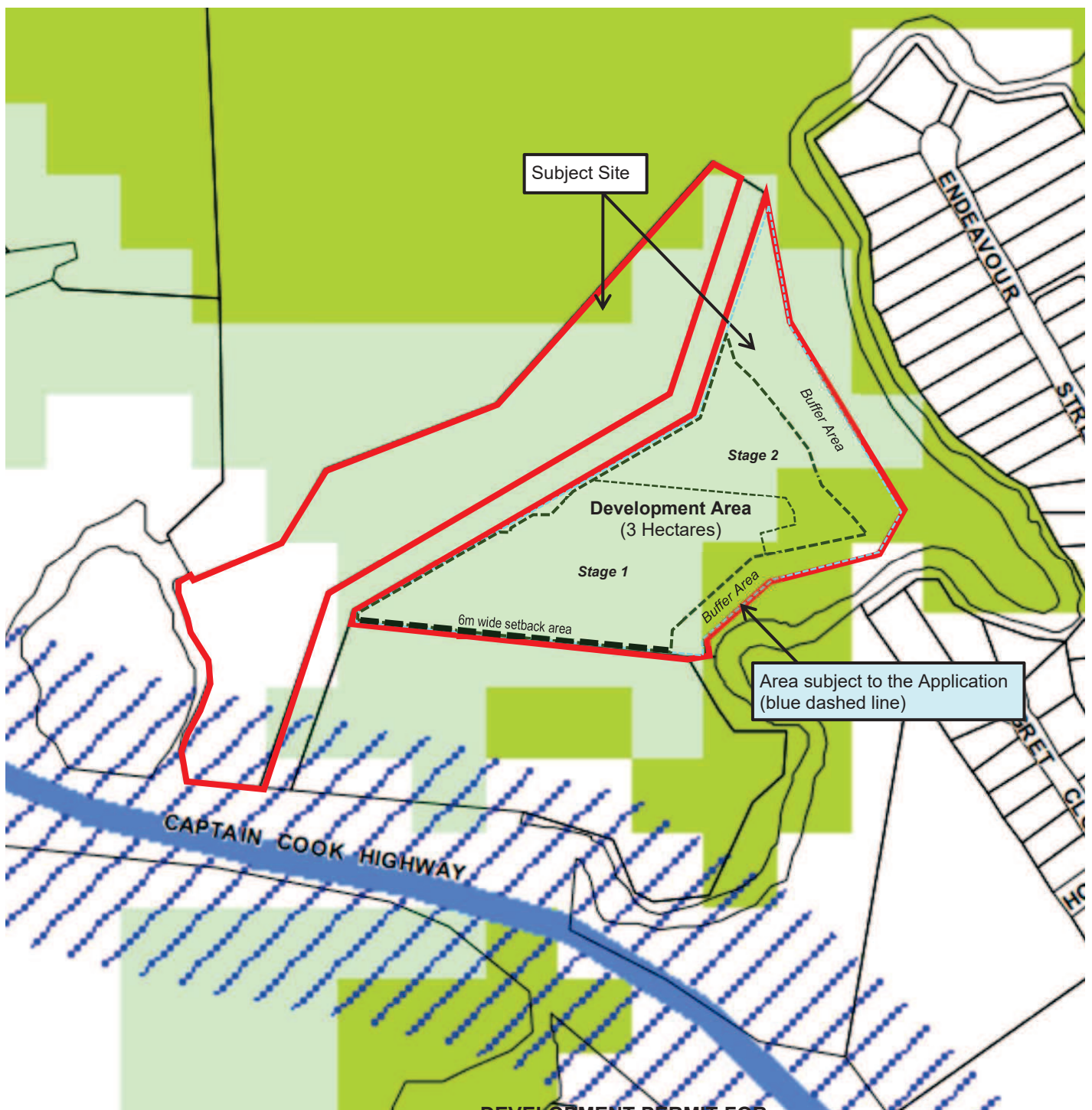
KRYSTAL MARIE DEMENNA

LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

FLOOD AND STORM TIDE INUNDATION OVERLAY



FIGURE 14 FEBRUARY 2025 



DEVELOPMENT PERMIT FOR:-

- A) MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR UNDEFINED USE (WORKERS’ ACCOMMODATION), TOURIST PARK, CARETAKER’S ACCOMMODATION, AND ASSOCIATED AND ANCILLARY FACILITIES IN TWO (2) STAGES; AND
- B) OPERATIONAL WORK – IMPACT ASSESSMENT FOR ADVERTISING DEVICE (FREESTANDING SIGN)

KRYSTAL MARIE DEMENNA

LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

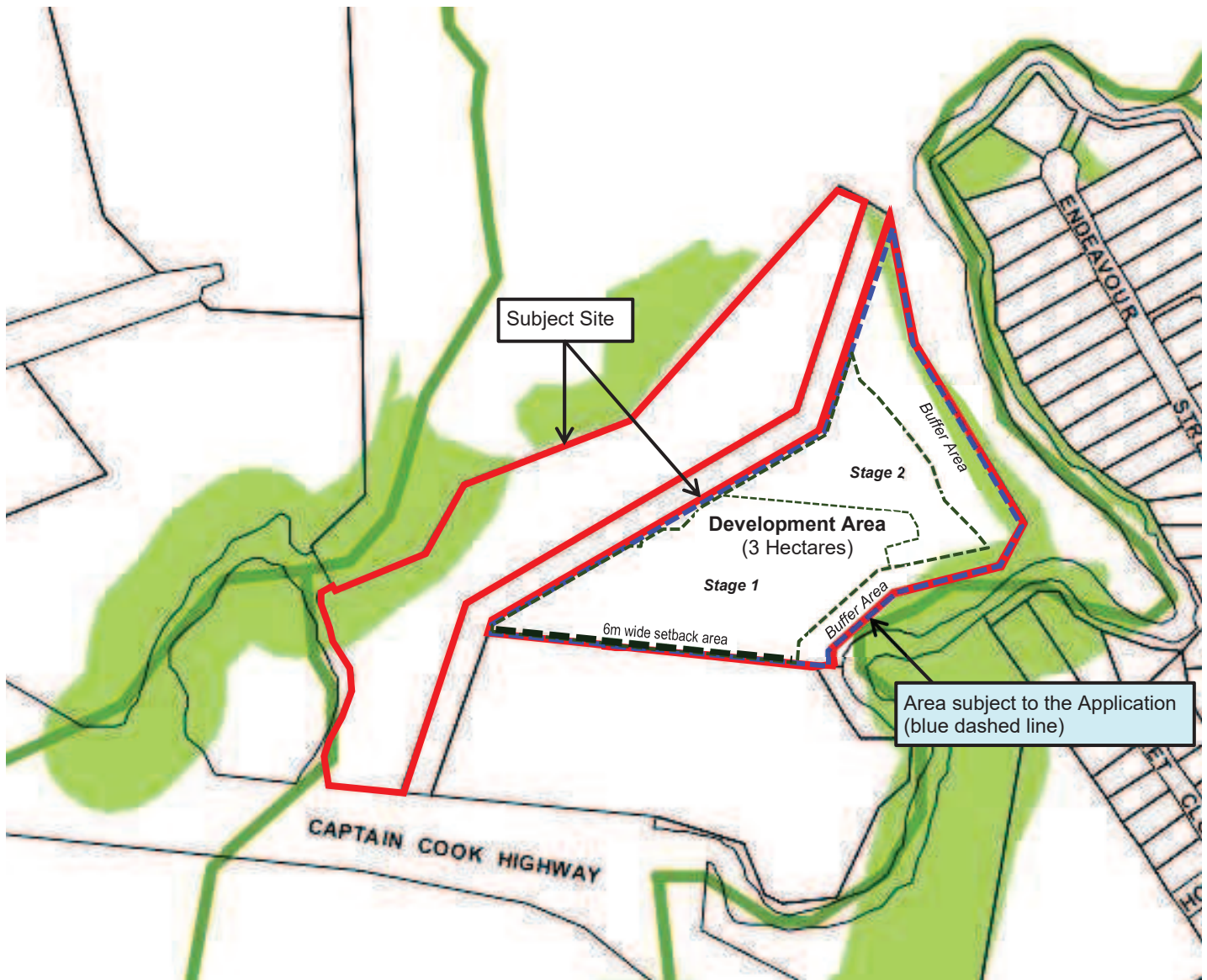
LANDSCAPE VALUES OVERLAY

FIGURE 15 FEBRUARY 2025



Landscape Values:

- Gateway
- Lookout
- Scenic route
- Scenic route buffer / View corridor
- Coastal scenery
- High landscape values
- Medium Landscape Value



DEVELOPMENT PERMIT FOR:-

- A) MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR UNDEFINED USE (WORKERS' ACCOMMODATION), TOURIST PARK, CARETAKER'S ACCOMMODATION, AND ASSOCIATED AND ANCILLARY FACILITIES IN TWO (2) STAGES; AND
- B) OPERATIONAL WORK – IMPACT ASSESSMENT FOR ADVERTISING DEVICE (FREESTANDING SIGN)

KRYSTAL MARIE DEMENNA

LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

NATURAL AREAS OVERLAY

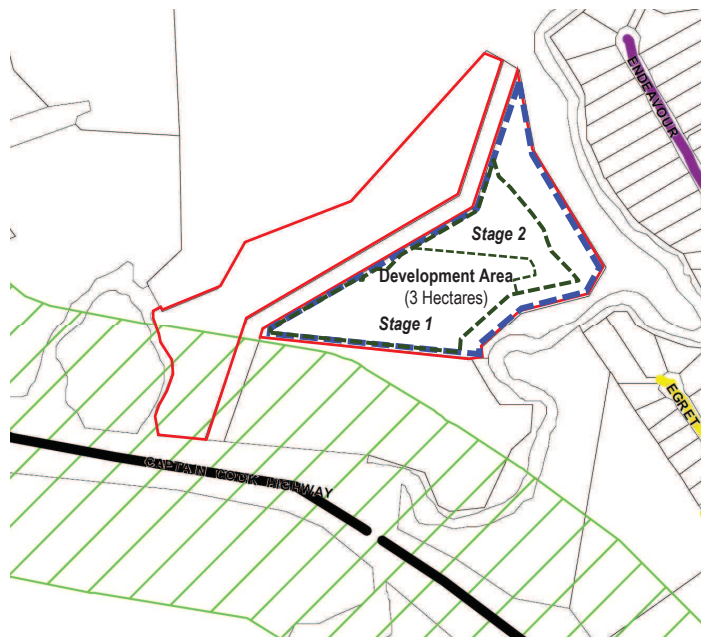
FIGURE 16 FEBRUARY 2025



Natural Areas:

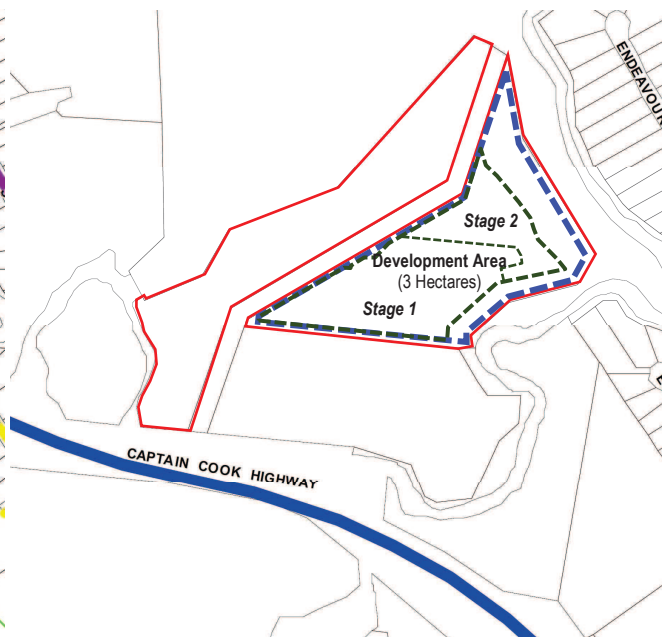
- MSES - Protected Area
- MSES - Marine Park
- MSES - Wildlife Habitat
- ➔ MSES - Regulated Vegetation (Of Concern Regional Ecosystem)
- ➔ MSES - Regulated Vegetation (Intersecting a Watercourse)
- MSES - High Ecological Significance Wetlands
- MSES - High Ecological Value Waters (Wetland)
- MSES - High Ecological Value Waters (Watercourse)
- MSES - Legally Secured Offset Area





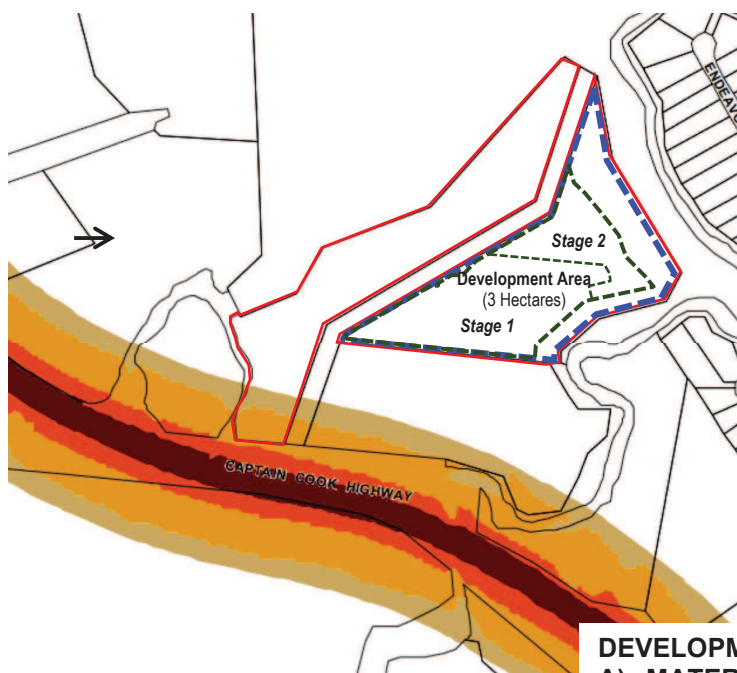
Road Hierarchy:

- Arterial Road
- Sub Arterial Road
- Collector Road
- Access Road
- Industrial Road
- Major Rural Road
- Minor Rural Road
- Unformed Road
- Major Transport Corridor Buffer Area



Pedestrian and Cycle Network:

- Principal Route
- Future Principal Route
- Iconic Recreation Route
- District Route
- Neighbourhood Route
- Strategic Investigation Route



Transport Noise Corridors:

Transport Noise Corridors (Mandatory 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)
- Category 3: 68 dB(A) ≤ Noise Level < 73 dB(A)
- Category 4: Noise Level ≥ 73 dB(A)

Transport Noise Corridors (Voluntary 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)
- Category 3: 68 dB(A) ≤ Noise Level < 73 dB(A)
- Category 4: Noise Level ≥ 73 dB(A)

DEVELOPMENT PERMIT FOR:-

- A) MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR UNDEFINED USE (WORKERS' ACCOMMODATION), TOURIST PARK, CARETAKER'S ACCOMMODATION, AND ASSOCIATED AND ANCILLARY FACILITIES IN TWO (2) STAGES; AND
- B) OPERATIONAL WORK – IMPACT ASSESSMENT FOR ADVERTISING DEVICE (FREESTANDING SIGN)

KRYSTAL MARIE DEMENNA

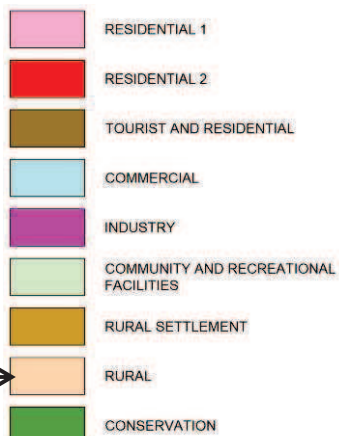
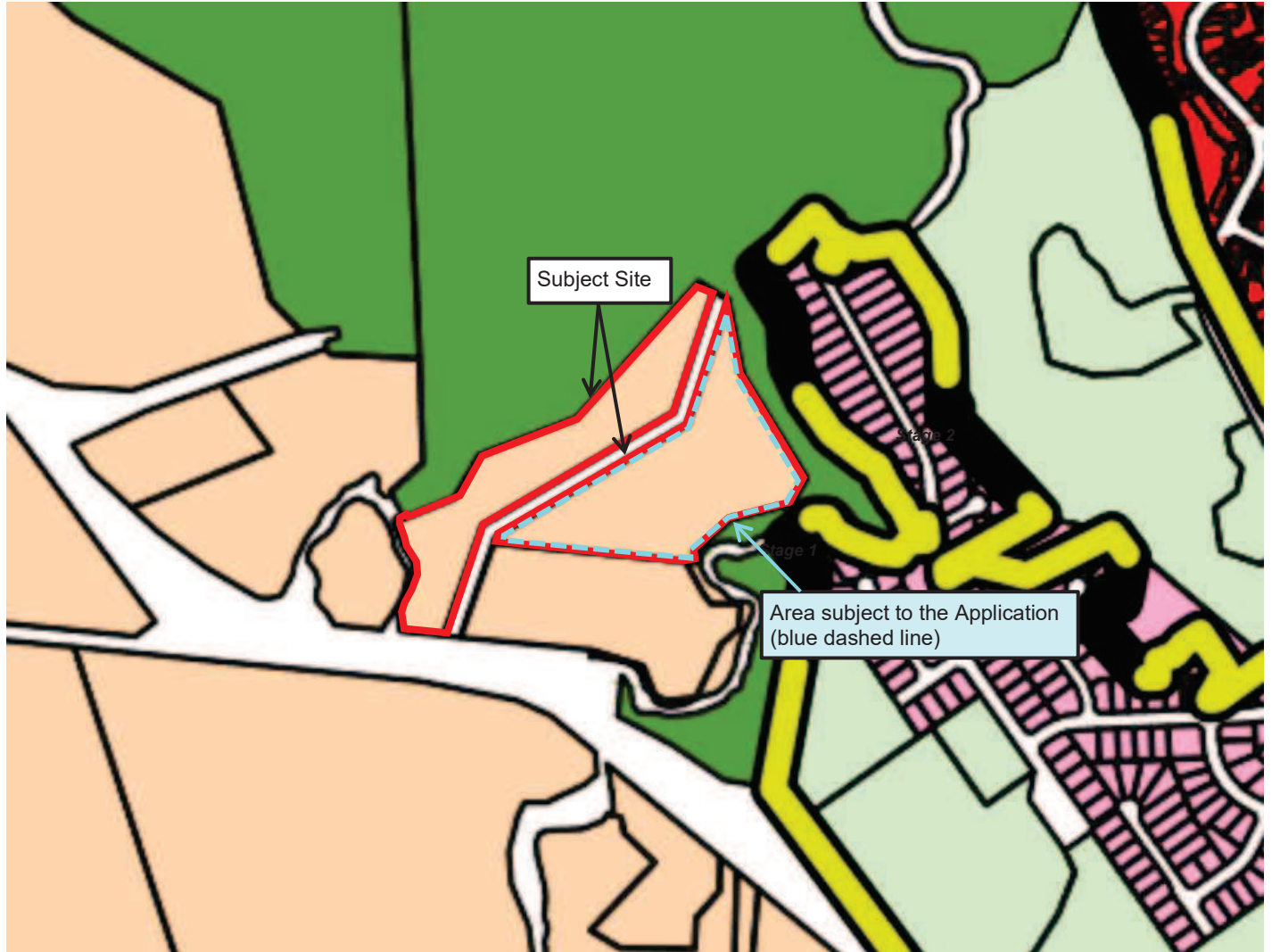
LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

TRANSPORT NETWORK OVERLAY

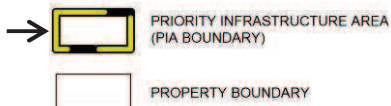


FIGURE 17 FEBRUARY 2025





GENERAL



DEVELOPMENT PERMIT FOR:-

- MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR UNDEFINED USE (WORKERS' ACCOMMODATION), TOURIST PARK, CARETAKER'S ACCOMMODATION, AND ASSOCIATED AND ANCILLARY FACILITIES IN TWO (2) STAGES; AND
- OPERATIONAL WORK – IMPACT ASSESSMENT FOR ADVERTISING DEVICE (FREESTANDING SIGN)

KRYSTAL MARIE DEMENNA

LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

PRIORITY INFRASTRUCTURE AREA



FIGURE 18 FEBRUARY 2025

APPENDIX A

DA Form 1 – Development application details

Approved form (version 1.6 effective 2 August 2024) made under section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving only building work.

For a development application involving **building work only**, use *DA Form 2 – Building work details*.

For a development application involving **building work associated with any other type of assessable development (i.e. material change of use, operational work or reconfiguring a lot)**, use this form (*DA Form 1*) and parts 4 to 6 of *DA Form 2 – Building work details*.

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994*, and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

Note: All terms used in this form have the meaning given under the Planning Act 2016, the Planning Regulation 2017, or the Development Assessment Rules (DA Rules).

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Krystal Marie DeMenna
Contact name (only applicable for companies)	Nick Hardy
Postal address (P.O. Box or street address)	c/- Hardy Town Planning and Consulting PO Box 1256
Suburb	CAIRNS
State	QLD
Postcode	4870
Country	AUSTRALIA
Contact number	(07) 4031 3663
Email address (non-mandatory)	nick@hardyplanning.com.au
Mobile number (non-mandatory)	0412 756 622
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	C1302
1.1) Home-based business	
<input type="checkbox"/> Personal details to remain private in accordance with section 264(6) of Planning Act 2016	
2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input checked="" type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application	
<input type="checkbox"/> No – proceed to 3)	

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		Lot 2	Captain Cook Highway	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	Part of Lot 2	RP745166	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- ☐ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other: <input type="text"/>	

- ☐ Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> 54 <input type="checkbox"/> 55 <input type="checkbox"/> 56	<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other: <input type="text"/>	

3.3) Additional premises

- ☐ Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development application
☐ Not required

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

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

Name of water body, watercourse or aquifer: **Crees Creek**

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

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

Name of port authority for tidal area (if applicable)

<input type="checkbox"/> On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>
Name of airport: <input type="text"/>
<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification: <input type="text"/>
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>
CLR site identification: <input type="text"/>

5) Are there any existing easements over the premises?

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

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

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

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

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

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

c) What is the level of assessment?

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

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

Undefined Use (Workers' Accommodation), Tourist Park, Caretaker's Accommodation and Associated and Ancillary Facilities in Two (2) Stages

e) Relevant plans

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

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

6.2) Provide details about the second development aspect

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

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

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

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

c) What is the level of assessment?

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

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

Advertising Device (Freestanding Sign)

e) Relevant plans

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

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

6.3) Additional aspects of development

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

6.4) Is the application for State facilitated development?

- ☐ Yes - Has a notice of declaration been given by the Minister?
- ☒ **No**

Section 2 – Further development details**7) Does the proposed development application involve any of the following?**

Material change of use	<input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input checked="" type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
Refer to Town Planning Report dated February 2025			

8.2) Does the proposed use involve the use of existing buildings on the premises?

- ☐ Yes
- ☒ **No**

8.3) Does the proposed development relate to temporary accepted development under the Planning Regulation?

- ☐ Yes – provide details below or include details in a schedule to this development application
- ☒ **No**

Provide a general description of the temporary accepted development	Specify the stated period dates under the Planning Regulation

Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?

--

9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)

<input type="checkbox"/> Subdivision (complete 10)	<input type="checkbox"/> Dividing land into parts by agreement (complete 11)
<input type="checkbox"/> Boundary realignment (complete 12)	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road (complete 13)

10) Subdivision

10.1) For this development, how many lots are being created and what is the intended use of those lots:

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

10.2) Will the subdivision be staged?

- ☐ Yes – provide additional details below
☐ No

How many stages will the works include?

What stage(s) will this development application apply to?

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

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

12) Boundary realignment

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

Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)

12.2) What is the reason for the boundary realignment?

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

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

Division 3 – Operational work

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

14.1) What is the nature of the operational work?

- ☐ Road work
 ☐ Stormwater
 ☐ Water infrastructure
☐ Drainage work
 ☐ Earthworks
 ☐ Sewage infrastructure
☐ Landscaping
 ☐ Signage
 ☐ Clearing vegetation
☒ **Other – please specify:** **Advertising Device (Freestanding Sign)**

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

☐ Yes – specify number of new lots:

☒ **No**

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

To be determined during detailed design stage.

PART 4 – ASSESSMENT MANAGER DETAILS

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

Douglas Shire Council

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

- ☐ Yes – a copy of the decision notice is attached to this development application
- ☐ The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- ☒ No

PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements?

Note: A development application will require referral if prescribed by the Planning Regulation 2017.

- ☐ No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6

Matters requiring referral to the **Chief Executive of the Planning Act 2016:**

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



Queensland
Government

<input type="checkbox"/> SEQ northern inter-urban break – community activity <input type="checkbox"/> SEQ northern inter-urban break – indoor recreation <input type="checkbox"/> SEQ northern inter-urban break – urban activity <input type="checkbox"/> SEQ northern inter-urban break – combined use <input type="checkbox"/> Tidal works or works in a coastal management district <input type="checkbox"/> Reconfiguring a lot in a coastal management district or for a canal <input type="checkbox"/> Erosion prone area in a coastal management district <input type="checkbox"/> Urban design <input type="checkbox"/> Water-related development – taking or interfering with water <input type="checkbox"/> Water-related development – removing quarry material <i>(from a watercourse or lake)</i> <input type="checkbox"/> Water-related development – referable dams <input type="checkbox"/> Water-related development – levees <i>(category 3 levees only)</i> <input type="checkbox"/> Wetland protection area
Matters requiring referral to the local government : <input type="checkbox"/> Airport land <input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA has been devolved to local government)</i> <input type="checkbox"/> Heritage places – Local heritage places
Matters requiring referral to the Chief Executive of the distribution entity or transmission entity : <input type="checkbox"/> Infrastructure-related referrals – Electricity infrastructure
Matters requiring referral to: <ul style="list-style-type: none"> • The Chief Executive of the holder of the licence, if not an individual • The holder of the licence, if the holder of the licence is an individual <input type="checkbox"/> Infrastructure-related referrals – Oil and gas infrastructure
Matters requiring referral to the Brisbane City Council : <input type="checkbox"/> Ports – Brisbane core port land
Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994 : <input type="checkbox"/> Ports – Brisbane core port land <i>(where inconsistent with the Brisbane port LUP for transport reasons)</i> <input type="checkbox"/> Ports – Strategic port land
Matters requiring referral to the relevant port operator , if applicant is not port operator: <input type="checkbox"/> Ports – Land within Port of Brisbane's port limits <i>(below high-water mark)</i>
Matters requiring referral to the Chief Executive of the relevant port authority : <input type="checkbox"/> Ports – Land within limits of another port <i>(below high-water mark)</i>
Matters requiring referral to the Gold Coast Waterways Authority : <input type="checkbox"/> Tidal works or work in a coastal management district <i>(in Gold Coast waters)</i>
Matters requiring referral to the Queensland Fire and Emergency Service : <input type="checkbox"/> Tidal works or work in a coastal management district <i>(involving a marina (more than six vessel berths))</i>

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

PART 6 – INFORMATION REQUEST

19) Information request under the DA Rules

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

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

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

- that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties
- Part 3 under Chapter 1 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules or
- Part 2 under Chapter 2 of the DA Rules will still apply if the application is for state facilitated development

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

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)

☐ Yes – provide details below or include details in a schedule to this development application

☒ No

List of approval/development application references	Reference number	Date	Assessment manager
<input type="checkbox"/> Approval			
<input type="checkbox"/> Development application			
<input type="checkbox"/> Approval			
<input type="checkbox"/> Development application			

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

☐ Yes – a copy of the receipted QLeave form is attached to this development application

☐ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid

☒ Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)

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

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

☐ Yes – show cause or enforcement notice is attached

☒ No

23) Further legislative requirements

Environmentally relevant activities

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

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

Note: Application for an environmental authority can be found by searching “ESR/2015/1791” as a search term at www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.

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

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

Hazardous chemical facilities

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

- ☐ Yes – *Form 536: Notification of a facility exceeding 10% of schedule 15 threshold* is attached to this development application
- ☒ **No**

Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.

Clearing native vegetation

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

- ☐ Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)
- ☒ **No**

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

Environmental offsets

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

- ☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter
- ☒ **No**

Note: The environmental offset section of the Queensland Government's website can be accessed at www.qld.gov.au for further information on environmental offsets.

Koala habitat in SEQ Region

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

- ☐ Yes – the development application involves premises in the koala habitat area in the koala priority area
- ☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area
- ☒ **No**

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

Water resources

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

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

☒ **No**

Note: Contact the Department of Resources at www.resources.qld.gov.au for further information.

DA templates are available from planning.statedevelopment.qld.gov.au. If the development application involves:

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

Waterway barrier works

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

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

☒ **No**

DA templates are available from planning.statedevelopment.qld.gov.au. For a development application involving waterway barrier works, complete DA Form 1 Template 4.

Marine activities

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

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

☒ **No**

Note: See guidance materials at www.daf.qld.gov.au for further information.

Quarry materials from a watercourse or lake

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

☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

☒ **No**

Note: Contact the Department of Resources at www.resources.qld.gov.au and www.business.qld.gov.au for further information.

Quarry materials from land under tidal waters

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

☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

☒ **No**

Note: Contact the Department of Environment, Science and Innovation at www.desi.qld.gov.au for further information.

Referable dams

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

☐ Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the *Water Supply Act* is attached to this development application

☒ **No**

Note: See guidance materials at www.resources.qld.gov.au for further information.

Tidal work or development within a coastal management district

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

- ☐ Yes – the following is included with this development application:
- ☐ Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)
 - ☐ A certificate of title

☒ **No**

Note: See guidance materials at www.desi.qld.gov.au for further information.

Queensland and local heritage places

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

☐ Yes – details of the heritage place are provided in the table below

☒ **No**

Note: See guidance materials at www.desi.qld.gov.au for information requirements regarding development of Queensland heritage places. For a heritage place that has cultural heritage significance as a local heritage place and a Queensland heritage place, provisions are in place under the Planning Act 2016 that limit a local categorising instrument from including an assessment benchmark about the effect or impact of, development on the stated cultural heritage significance of that place. See guidance materials at www.planning.statedevelopment.qld.gov.au for information regarding assessment of Queensland heritage places.

Name of the heritage place:		Place ID:	
-----------------------------	--	-----------	--

Decision under section 62 of the Transport Infrastructure Act 1994

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

☒ **Yes – this application will be taken to be an application for a decision under section 62 of the Transport Infrastructure Act 1994 (subject to the conditions in section 75 of the Transport Infrastructure Act 1994 being satisfied)**

☐ **No**

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

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

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

☒ **No**

Note: See guidance materials at www.planning.statedevelopment.qld.gov.au for further information.

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17	<input checked="" type="checkbox"/> Yes
Note: See the Planning Regulation 2017 for referral requirements	
If building work is associated with the proposed development, Parts 4 to 6 of DA Form 2 – Building work details have been completed and attached to this development application	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
Supporting information addressing any applicable assessment benchmarks is with the development application	<input checked="" type="checkbox"/> Yes
Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see DA Forms Guide: Planning Report Template .	
Relevant plans of the development are attached to this development application	<input checked="" type="checkbox"/> Yes
Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans .	
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable

25) Applicant declaration

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

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

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

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

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

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

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

Date received:

Reference number(s):

Notification of engagement of alternative assessment manager

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

QLeave notification and payment

Note: For completion by assessment manager if applicable

Description of the work			
QLeave project number			
Amount paid (\$)		Date paid (dd/mm/yy)	
Date receipted form sighted by assessment manager			
Name of officer who sighted the form			

APPENDIX B

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

We, Krystal Marie DeMenna and Adam Madin, Directors of Stiffrod Charters Pty Ltd A.C.N. 634 507 252

and I, Krystal Marie DeMenna, Sole Director of Eden Park Roofing Supplies Pty Ltd A.C.N. 635 957 180

the companies being the joint owners of the premises identified as follows:

Lot 2 on RP745166 and located at Captain Cook Highway, Port Douglas

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

Krystal Marie DeMenna

on the premises described above for:

Development Permit for:-

- A) Material Change of Use – Impact Assessment for Undefined Use (Workers' Accommodation), Tourist Park and Caretaker's Accommodation and Associated and Ancillary Facilities in Two (2) Stages; and
- B) Operational Work for Advertising Device (Freestanding Sign)

Company seal *[if used]*

Company Name and ACN: Stiffrod Charters Pty Ltd A.C.N. 634 507 252

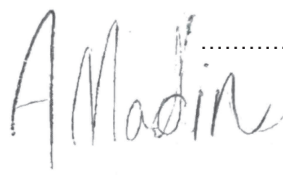


.....
Signature of Director

Krystal Marie DeMenna

27/2/2025

.....
Date



.....
Signature of Director

Adam Madin

27/2/2025

.....
Date

Company seal *[if used]*

Company Name and ACN: Eden Park Roofing Supplies Pty Ltd A.C.N. 635 957 180



.....
Signature of Sole Director

Krystal Marie DeMenna

27/2/2025

.....
Date

APPENDIX C

WARNING - FOLDING OR MUTILATING WILL LEAD TO REJECTION - PLAN MAY BE ROLLED

TRAVERSES ETC.

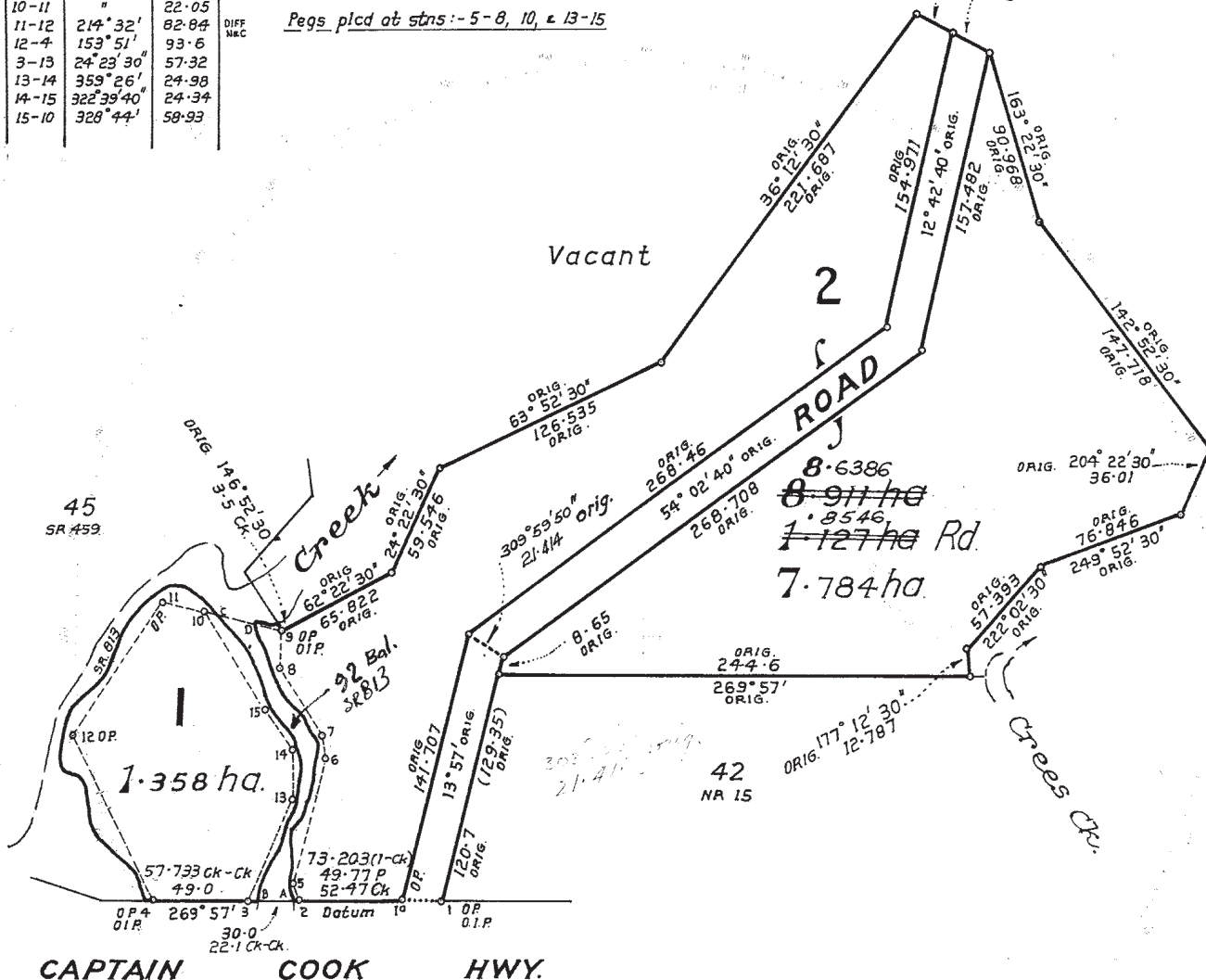
LINE	BEARING	DIST.
1-10	269° 57'	20.733
2-5	336° 19'	9.49
5-6	14° 12'	67.69
6-7	350° 9' 40"	11.97
7-8	327° 3' 20"	40.53
8-9	0° 26'	16.58
9-10	284° 01'	42.0
10-11	"	22.05
11-12	214° 32'	82.84
12-4	153° 51'	93.6
3-13	24° 23' 30"	57.32
13-14	359° 26'	24.98
14-15	322° 39' 40"	24.34
15-10	328° 44'	58.93

DIFF
NEC

REFERENCE TO CORNERS

STN.	FROM	BEARING	DIST.	BRAND
1	O.P.	193° 57'	1.0	
4	"	89° 57'	1.0	
9	"	62° 22' 30"	2.0	
3	Pin	275° 45'	2.373	
2	"	93° 49'	7.3	

Pegs placed at stns:- 5-8, 10, & 13-15

Original information compiled from SR 813
in the Division of Geographic InformationArea of Creek :- 1814 m² (Lot 92 Bal)
(A-B-C-D) SR 813Amendment made
by SR 813 (12, 1A)

Date 21-8-90

FIELD NOTES LODGED RP 745166 (Ck trov) ORIGINAL GRANT Vol N1440 Fol 47		PLAN OF Lots 1 & 2 Part of Cancelling Lot 92 on plan SR 813		ORIG. PORTION ... 92..... TOWN PARISH ... SALISBURY..... COUNTY ... Solander.....	
MAP REF.	PROCLAIMED SURVEY AREA	SURVEYED BY Charles O'Neill Pty Ltd. ... 1987	MERIDIAN SR 813	SCALE 1:2500	REGISTERED PLAN 745166

CROWN COPYRIGHT RESERVED, REGISTRAR OF TITLES, QUEENSLAND

2007 CISP

FOR TITLES OFFICE USE ONLY

Previous Title
D. of G. Vol/N 1440 ~ 47 Lot. 92 Plan. SR 813

was performed in accordance with Regulation 1978 and that the

7-10-78

Signature of Licensed Surveyor
Director, Licensed Surveyor

Dated this Ninth day of March 19 90.

I / We MAURICE FERRERO and MAURICE MAUD FERRERO

as Proprietor / s of this land, agree to this Plan and dedicate the new roads shown hereon to public use. *X M Ferrero* *X*

X M Ferrero X
A. B. FERRERO
X Am Ferrero to neg. X
A. B. FERRERO

A circular seal of the Sons of the American Revolution, Chapter 100. The text around the border reads "SONS OF THE AMERICAN REVOLUTION" at the top and "CHAPTER 100" at the bottom. In the center, it says "THE COMMONWEALTH OF MASSACHUSETTS". A signature, possibly "John F. Lewis", is written across the seal. There is also a small star at the bottom center.

\$ SHORT FEE
 \$ 20. REQUISITION FEE
 4 SEP 1990
 Paid Vido No. 169

[illegible]

Lodged by **MURDOCH and MATTHEWS**
on behalf of
Farrelly. 13

Particulars entered in
Register Book
Vol. N 144 Folio 47

at 3:57 pm

6 SEP 1990

DEP. REGISTRAR OF TITLES

Fees Payable	
	Postal fee and Postage
122.00	Lodgt. Exam. &
	Entd. on Doc
62.00	New Title
14.50	Entd. on Decd
12.00	Photo Fee
210.00	Total
	Short Fees Paid

Fees Payable

Postal fee and Po

Lodgt. Exam. &

Entd. on Doc

New Title

Entd. on Deer

Photo Fee

Total

Short Fees Pa

Received
Registrar of Titles

il No.

No.

31 JUL 1990
2:35 PM

SEE YOU

~~T486560M \$210.00~~
w/1 YR. E v4056

T492152x

4044 PLAN

APPENDIX D

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Lodger Code: EC 264

DEPARTMENT OF RESOURCES
LAA - CAIRNS
PO BOX 937
CAIRNS QLD 4870

Title Reference: 17704040

Lodgement No: 6527473

Office: E LODGE (CHQ)

This is the current status of the title as at 14:23 on 21/01/2025

DESCRIPTION OF LAND

Tenure Reference: RL 9/5465

Lease Type: NO TERM

LOT A CROWN PLAN AP22874

Area: 0.787000 Ha. (ABOUT)

Area Description:

The road intersecting portion 92 and its continuation generally southerly along part of the eastern boundary thereof.

No Forestry Entitlement Area

Purpose for which granted:

NO PURPOSE DEFINED

REGISTERED LICENSEE

INTEREST

Dealing No: 723332731 18/06/2024

STIFFROD CHARTERS PTY LTD A.C.N. 634 507 252

1/2

EDEN PARK ROOFING SUPPLIES PTY LTD A.C.N. 635 657 180

1/2

AS TENANTS IN COMMON

COMMENCEMENT DATE

Commencement Date: 30/10/1969

CONDITIONS

M76 The Licensee shall not erect any structural improvements, other than fencing, on the land during the currency of the License.

ENDORSEMENTS

- COVENANT No 723764563 19/12/2024 at 12:24 restricts dealings over LOT A ON CP AP22874 AND LOT 2 ON RP745166

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

DEALINGS REGISTERED

723764563 COVENANT

2024/003415 REQ/2024/003415 REQ

TITLES QUEENSLAND - CONTACT CENTRE:

Email: titlesinfo@titlesqld.com.au / Phone: (07) 3497 3479

www.titlesqld.com.au

Page 1/2

Corrections have occurred - Refer to Historical Search

Caution - Charges do not necessarily appear in order of priority

** End of Registration Confirmation Statement **

Registrar of Titles and Registrar of Water Allocations

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Lodger Code: EC 264

DEPARTMENT OF RESOURCES
LAA - CAIRNS
PO BOX 937
CAIRNS QLD 4870

Title Reference: 21447245

Lodgement No: 6527473

Office: E LODGE (CHQ)

This is the current status of the title as at 14:23 on 21/01/2025

ESTATE AND LAND

Estate in Fee Simple

LOT 2 REGISTERED PLAN 745166

Local Government: DOUGLAS

For exclusions / reservations for public purposes refer to Plan RP 745166

REGISTERED OWNER

INTEREST

Dealing No: 723332731 18/06/2024

STIFFROD CHARTERS PTY LTD A.C.N. 634 507 252

1/2

EDEN PARK ROOFING SUPPLIES PTY LTD A.C.N. 635 657 180

1/2

AS TENANTS IN COMMON

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 21440047 (Lot 92 on CP SR813)
2. COVENANT No 723764563 19/12/2024 at 12:24
restricts dealings over
LOT 2 ON RP745166 AND
LOT A ON CP AP22874

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

DEALINGS REGISTERED

723764563 COVENANT

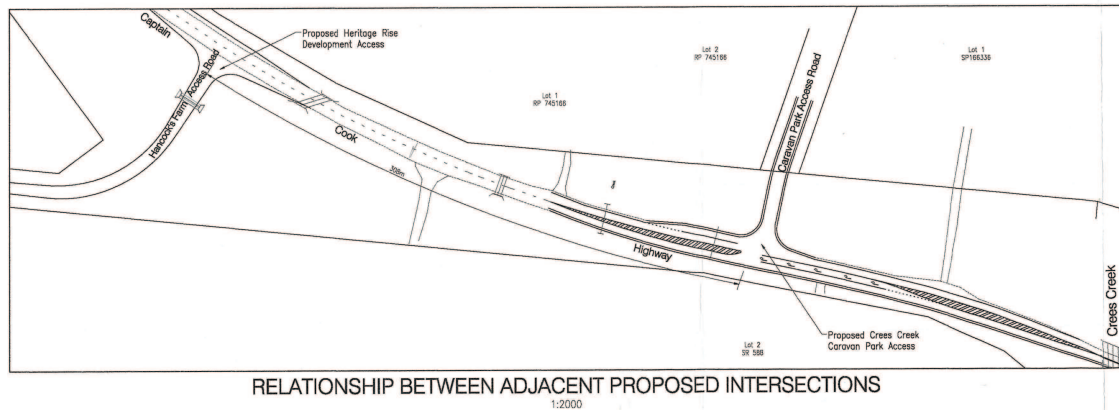
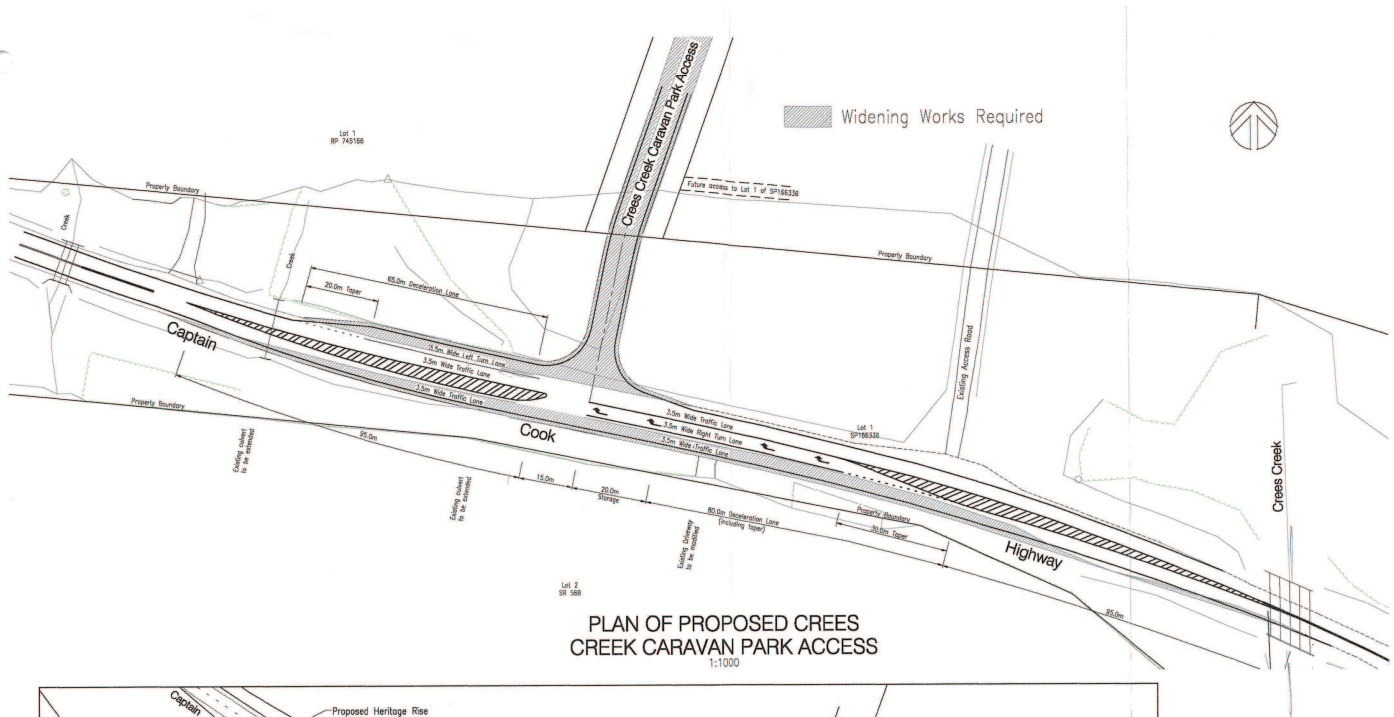
2024/003415 REQ/2024/003415 REQ

Caution - Charges do not necessarily appear in order of priority

** End of Registration Confirmation Statement **

Registrar of Titles and Registrar of Water Allocations

APPENDIX E



FLANAGAN
CONSULTING GROUP

ACCESS TO LOT 2
ON RP745166

Captain Cook Highway
Intersection Layout

1534-SK05A

1:1000
A3 Full Size

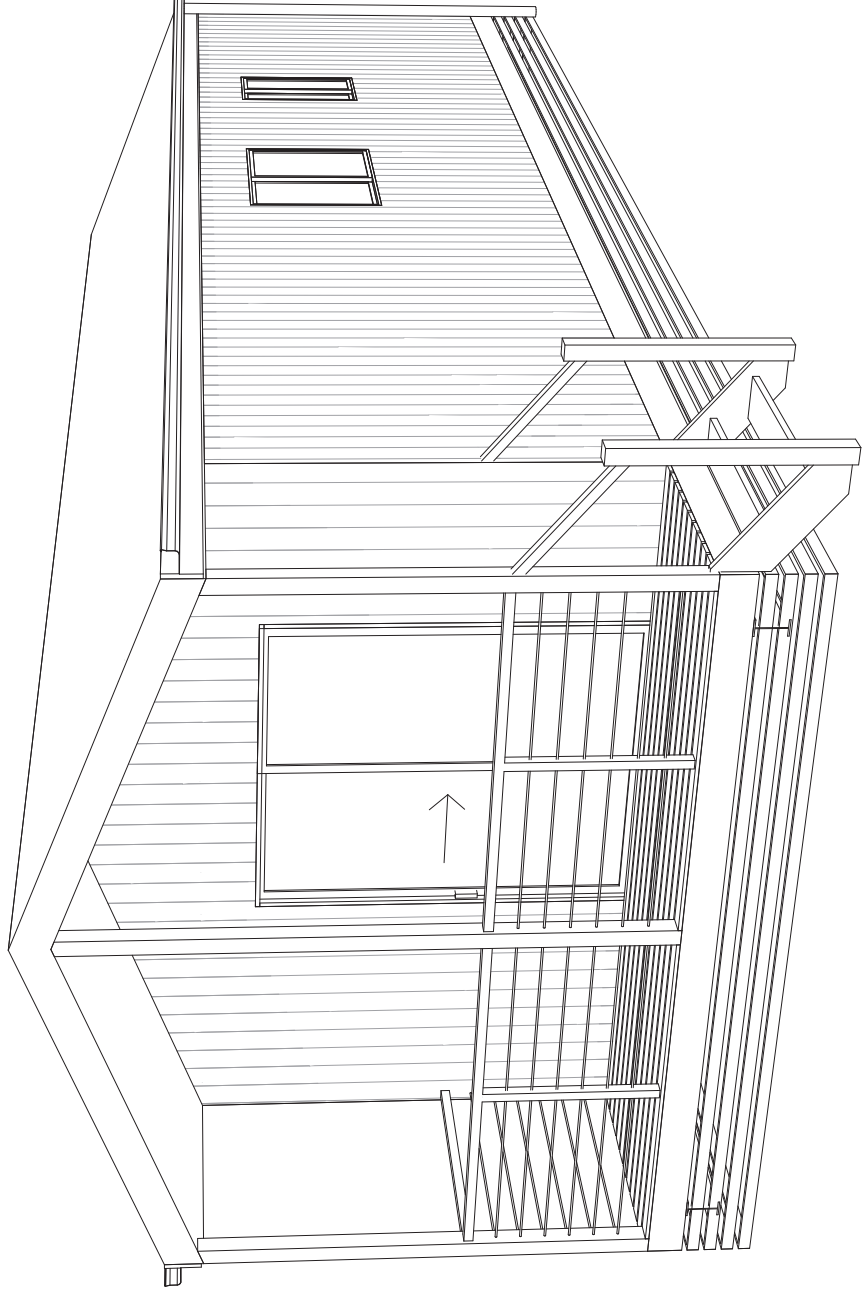
Acad No. 1534SK05A.dwg

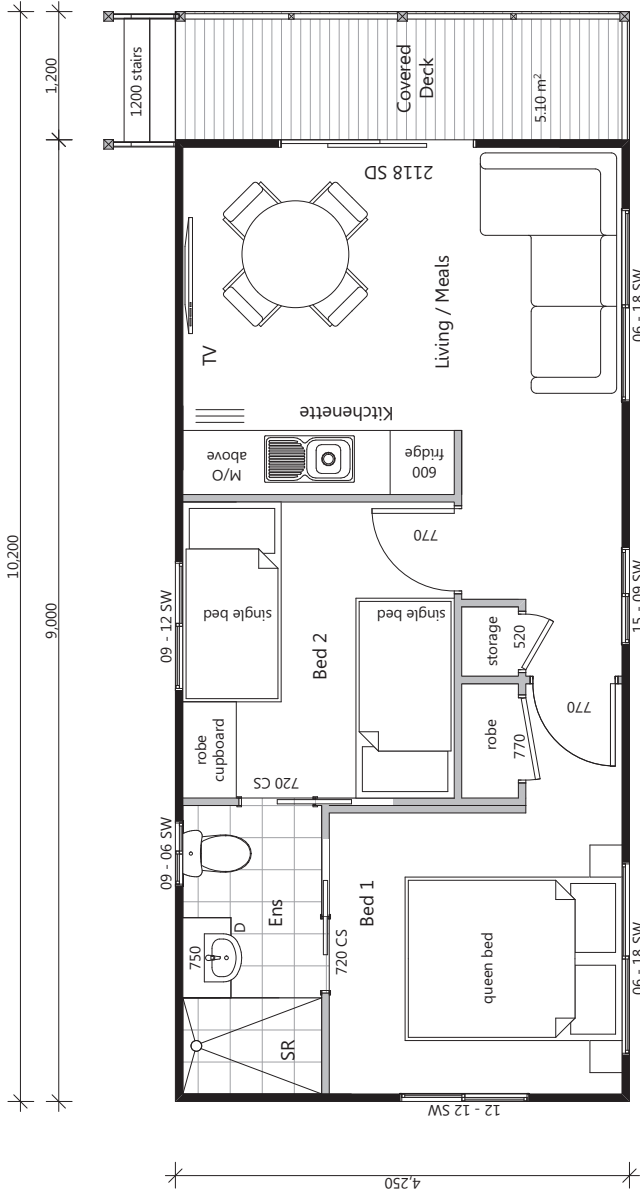
31/05/05

APPENDIX F



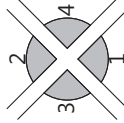
Bargara



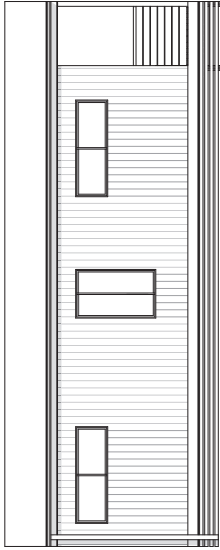


Areas
Living : 38.25m²
Deck : 5.10m²
Total : 43.35m²

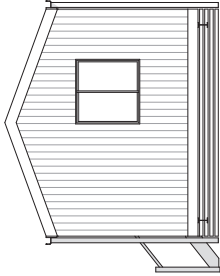
Elevations



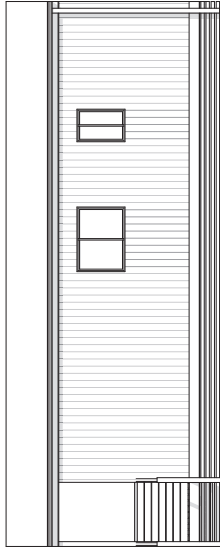
EASTCOAST HOMES & PARK CABINS 32 Wheeler Crescent Currumbin Waters QLD 4223 P: 07 5598 1558 F: 07 5525 6475 E: info@eastcoasthomes.com.au		Client: #Client Full Name		Title: Floor Plan		Plot Date: 29/09/2016		Issue: 1.50 @ A3	
		Description		Design Name: Bargara (Web)		Job No: 0000		Drawing No: 2 of 3	
								Project Status: Proposed	
								Drawing No: 0000	
								Designed By: MO	
								Drawn By: MO	
								Checked By:	



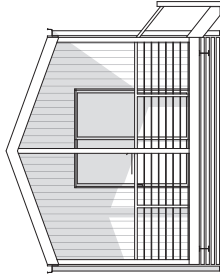
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Elevation 1
1:100



3
Elevation 3
1:100



2
Elevation 2
1:100



4
Elevation 4
1:100

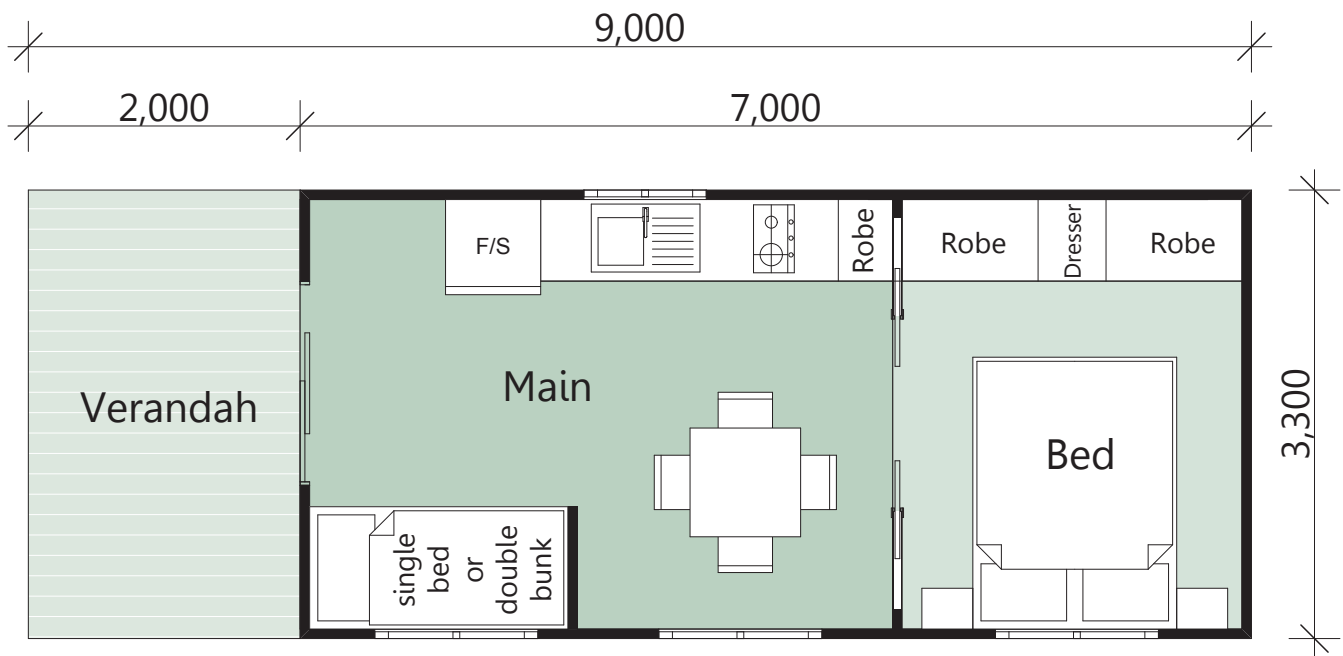


EASTCOAST HOMES & PARK CABINS 32 Wheeler Crescent Currumbin Waters QLD 4223 P: 07 5598 1558 F: 07 5525 6475 E: info@eastcoasthomes.com.au		Client: #Client Full Name		Title: Elevations		Plot Date: 29/09/2016	Drawing No: 3 of 3	Issue: 1:100 @ A3
				Design Name: Bargara (Web)		Job No: 0000	Drawing No: 0000	Designed By: MO
				Project Status: Proposed				Drawn By: MO
								Checked By:

Macleay

Area

House:	23.10 sqm
Verandah:	6.60 sqm
Total:	29.70 sqm



EASTCOAST HOMES & PARK CABINS

32 Wheeler Crescent Currumbin Waters
QLD 4223

P: 07 5598 1558

F: 07 5525 6475

E: info@eastcoasthomes.com.au

Disclaimer

Photographs & illustrations are intended to be a visual aid only. Eastcoast Homes & Park Cabins gives no warranty and makes no representation to the accuracy or sufficiency of any description, illustrations, photographs or statements contained in this brochure and accepts no liability for any loss suffered by any person who relies wholly or partly upon the information presented. All information is subject to change without notice © Copyright 2012

Plot Date: 14/11/2012 Drawn By: MB

APPENDIX G

WORKERS ACCOMMODATION COMPLEX FOR SUPERIOUR STAYS

LOT 2 RP745166

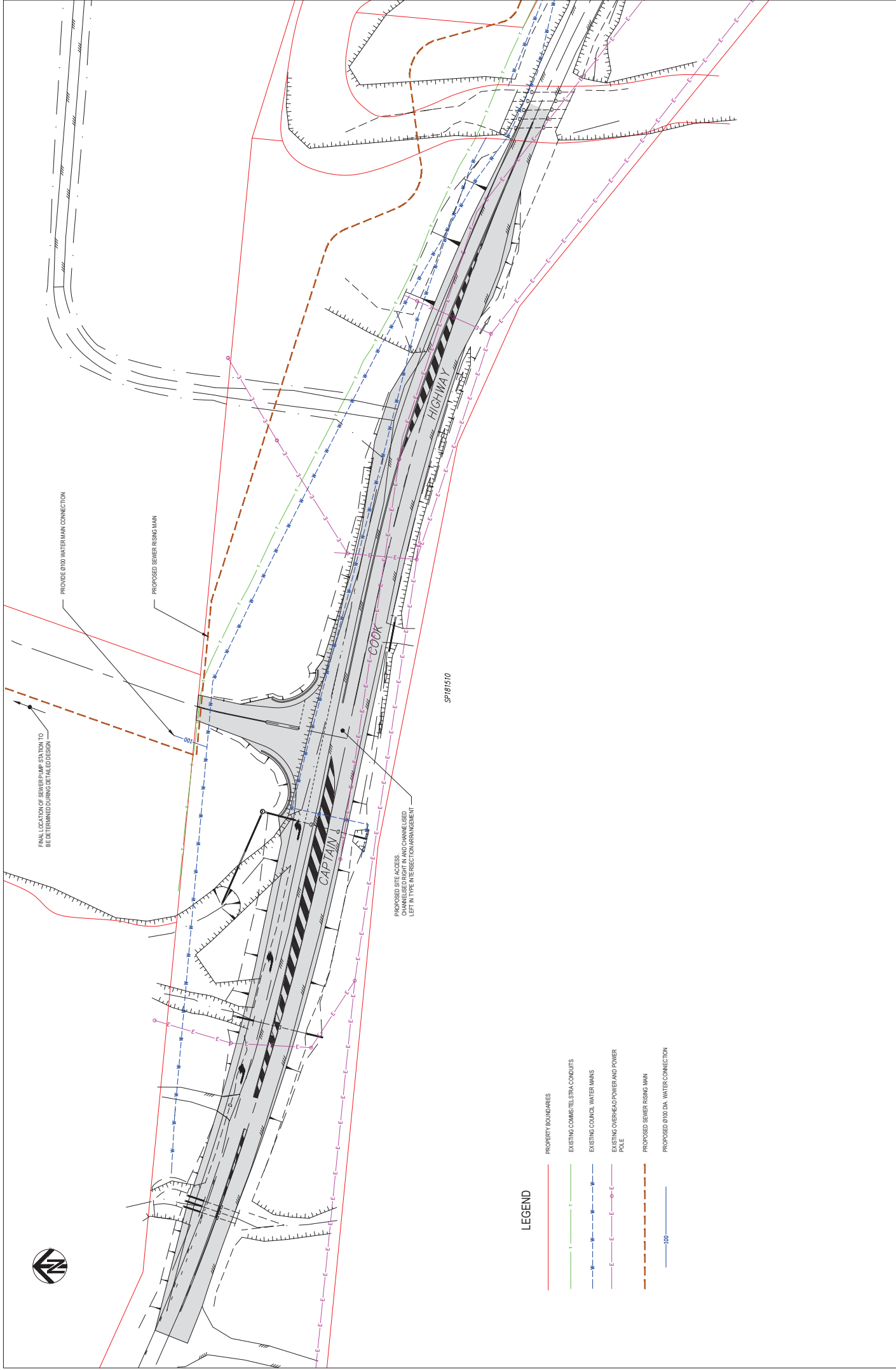
CAPTAIN COOK HIGHWAY

PORT DOUGLAS



DRAWING INDEX	TITLE
DWG No.	
C00	COVER SHEET, LOCALITY PLAN AND DRAWING INDEX
C01	SITE ACCESS PLAN, SERVICES CONNECTIONS
C02	WORKERS ACCOMMODATION LAYOUT
	INTERNAL SITE LAYOUT
C03	WORKERS ACCOMMODATION LAYOUT
	VEHICLE TURN MOVEMENTS

REV	DATE	REVISION NOTES	DESIGNER	<div><p>OSE GROUP Address: 35 ABBOTT ST CAIRNS QLD Email: admin@superiorstays.com.au</p></div>	CLIENT	PROJECT	TITLE									
							WORKERS ACCOMMODATION COMPLEX - LOT 2 RP745166 CAPTAIN COOK HIGHWAY, PORT DOUGLAS									
							DRAWN D.M.	DRAWING CHECK A.M.P.		APPROVED		SCALE (Scale as shown)	DRAWING	REV		
							DESIGNED D.M.	DESIGN REVIEW A.M.P.		DATE		23070-C00				
B 21.02.25 DRAWING INDEX UPDATED A 04.12.23 FOR APPROVAL																



PROJECT		WORKERS ACCOMODATION COMPLEX - LOT 2 RP745166		TITLE		SITE ACCESS PLAN, SERVICES CONNECTIONS	
DESIGNER		SUPERIOR STAYS		DRAWING		23070-C01	
SCALE		SCALE (Scale as shown)		DATE		REF	
DO NOT SCALE DRAWINGS		DO NOT SCALE DRAWINGS		DATE		REF	
Scale Before Production		Scale Before Production		DATE		REF	
0 5 10 15 20 m		0 5 10 15 20 m		DATE		REF	
Rev. Date Revision Notes		Rev. Date Revision Notes		DATE		REF	
0 21/02/24 DRAFTING AMENDMENTS		0 21/02/24 DRAFTING AMENDMENTS		DATE		REF	
1 04/12/24 FOR APPROVAL		1 04/12/24 FOR APPROVAL		DATE		REF	
2 21/02/2024 12:16 PM File: C:\Users\clawell\OneDrive\Projects\2023\07\Workers Accommodation Complex Port Douglas\Drawing\23070_01_SPA.dwg		2 21/02/2024 12:16 PM File: C:\Users\clawell\OneDrive\Projects\2023\07\Workers Accommodation Complex Port Douglas\Drawing\23070_01_SPA.dwg		DATE		REF	



LEGEND

- SITE BUILDINGS/STRUCTURES
- GRASED/LANDSCAPED AREAS
- AREA 1 STAGE 1: 238m²
- AREA 2 STAGE 2: 161m²
- 1&2 BEDROOM TRANSPORTABLE CABIN SITES
- 9.0m Wx 16.5m L
- CAMP SITES
- 21' OF
- 9.0m Wx 14.5m L
- DRIVE THROUGH SITES
- 11' OF
- 6.0m Wx 24m L (SKEW)
- FUTURE STAGE 2 WORKS
- 1&2 BEDROOM TRANSPORTABLE CABIN SITES
- AND ASSOCIATED ROADWAYS



PLAN SCALE EXTENTS ADJUSTED TO 1:1000	
AMENITIES/LAUNDRY BUILDING ADDED	
FOR APPROVAL	
REV	DATE
D	21/02/2023
C	19/12/23
B	06/12/23
A	04/12/23

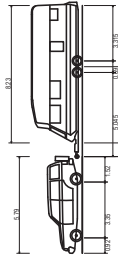
SCALE	1:1000
DO NOT SCALE DRAWINGS	
Scale Before Reduction	
0 10 20 30 40 50 m	

DESIGNER	OSE GROUP
ADDRESS	Address: 35 Abbott St, Cairns QLD
EMAIL	Email: admin@osegroup.com.au

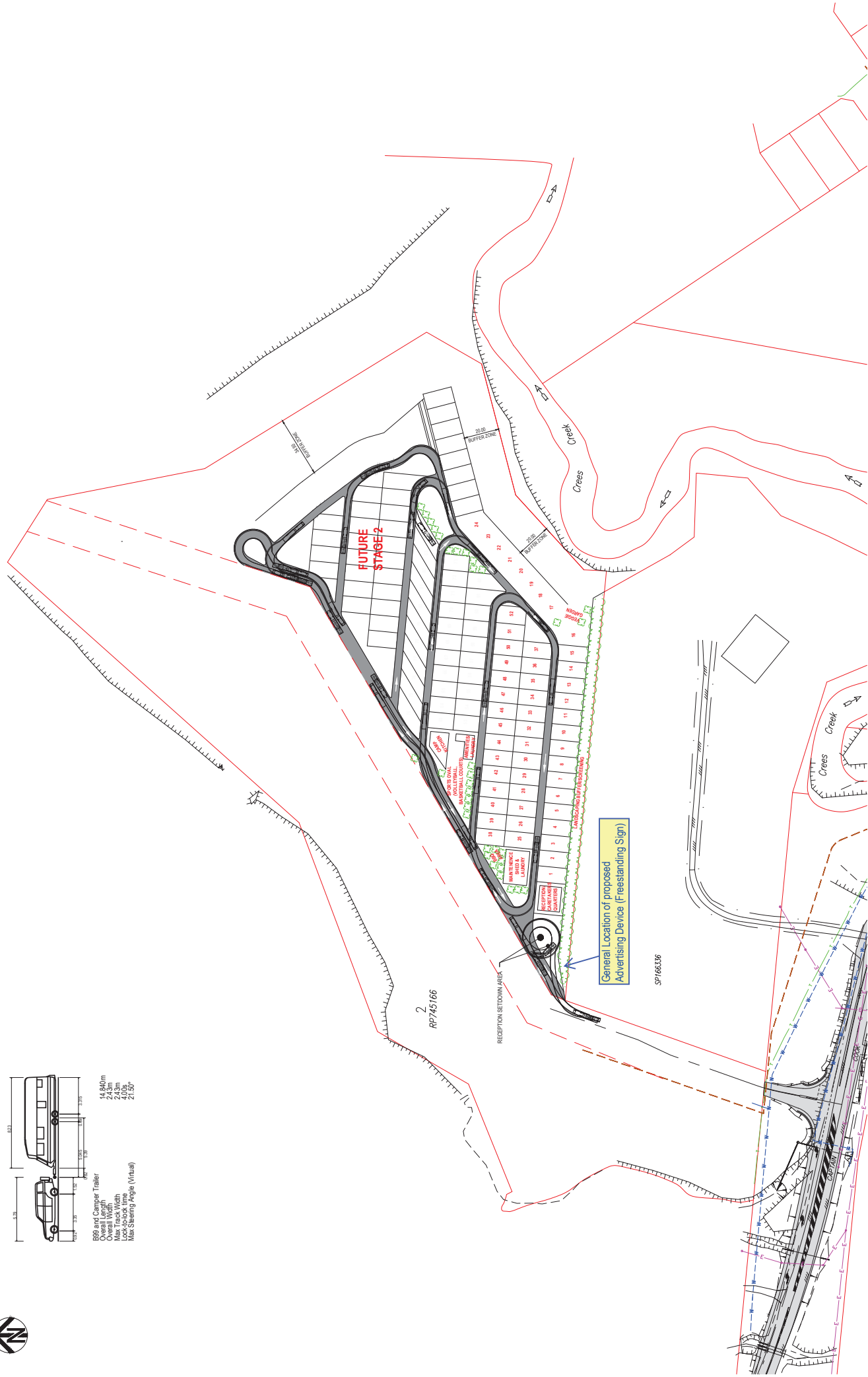
CLIENT	SUPERIOR STAYS
--------	----------------

PROJECT	
WORKERS ACCOMMODATION COMPLEX - LOT 2 RP745166	
CAPTAIN COOK HIGHWAY, PORT DOUGLAS	
TOWN	
DESIGNED	D.M.
DESIGNED	AMGP
DESIGNED	AMGP
APPROVED	
DATE	

TITLE	
WORKERS ACCOMMODATION COMPLEX	
INTERNAL SITE LAYOUT	
SCALE	(Scale as shown)
DRAWING	23070-C02
REV	D



B99 and Camper Trailer	
Overall Length	14,840mm
Overall Width	2,43mm
Max Track Width	2,43mm
Lock-to-lock time	4,00s
Max Steering Angle (Virtual)	21,50°



C 21.02.25 B 01.02.25 A 01.12.23 FOR APPROVAL	PLAN SCALE EXTENTS ADJUSTED TO: 1:1000 SCALE OF TURN MOVEMENTS 1:1000 FOR APPROVAL		 Address: 35 ABBOTT ST CARINGBARI Email: info@osegroup.co.uk	CLIENT SUPERIOR STAYS	PROJECT WORKERS ACCOMMODATION COMPLEX - LOT 2 RP745/166 CAPTAIN COOK HIGHWAY, PORT DOUGLAS	TITLE WORKERS ACCOMMODATION COMPLEX VEHICLE TURN MOVEMENTS	DRAWING NO 23070-C03	REV C
							SCALE (Scale as shown)	DATE
							DESIGNED DMM	APPROVED DMM

APPENDIX H



19th February 2025

OSE Reference: 23070

Hardy Town Planning Consultants
PO Box 1256
Cairns Qld 4870

Attention: Nick Hardy

Dear Nick,

Re: Workers Accommodation Complex and Tourist Park on Lot 2 Captain Cook Highway Port Douglas – MCU application – Engineering issues

Following pre-lodgement enquiries, discussions with Council officers and a review of the matters and issues raised during this process, we advise that we have completed our investigations into engineering issues to be considered for the above MCU application.

As a result of this process and, considering matters that have been raised, the size of the development has been reduced from the original proposal. It now includes 95 cabins and 33 caravan/RV sites, provision for reception/manager's residence, parking for visitors and provision for turning vehicles in the adjacent unnamed road reserve.

We attach a series of plans we have prepared to support our advice and provide comments on various matters as follows:

Layout and design:

We have prepared a proposed layout plan shown on drawing C02. It illustrates the location of cabins, caravan/RV sites and internal facilities. It is proposed to develop the project in two stages as detailed.

Drawing C03 provides details of the swept paths for a vehicle/caravan for all internal movements. All movements are satisfactory for this layout and access is available for all proposed sites. All buildings and sites are provided with clear and direct pedestrian evacuation routes off the site. Emergency vehicles have clear access to all areas and room to manoeuvre vehicles.

Connection of and to external services:

Drawing C01 shows the proposed connection point to the water reticulation system. The site will be serviced by a private sewer pump station and the proposed location of the sewer rising main is also shown on this plan. The exact connection point will be determined at final design stage following consultation with Council.

Enquiries indicate that electric power and telecommunications are available in this area. Connection to the site will be subject to normal commercial agreements with the relevant providers.

Internal water, sewer and stormwater services:

We have not detailed these services on the attached plan as it is premature at this stage. Reticulated water will be provided, from the Council's reticulation system, and will include a full ring main of minimum 100mm diameter to service all areas and sites. The main will include hydrants for firefighting services. Exact layout and main sizes will be determined at final design stage.

Sewerage and waste water disposal will be provided by an internal gravity sewer system connected to an internal private sewer pump station. This pump station will be connected to Council's sewer reticulation system via a pressure main described in the previous section.

Stormwater from the development will be handled by both surface and underground systems. Stormwater will be discharged to a legal point of discharge and will take into account any need for sediment and erosion control, water quality and/or treatment and may include the incorporation of small detention basins. All of this will be determined at final design stage. There will be no detrimental impact on stormwater flow or discharge to the DTMR road corridor.

Site preparation and earthworks:

In preparation for construction the site will require filling to some areas below the 1% AEP level of 2.814 AHD. This process will involve:

- Stripping of top soil to be stockpiled and reused.
- Placement of suitable and approved imported to selected areas.
- Installation of ESC measures to prevent/control runoff and erosion from construction areas and stockpiles.
- Filling will be engineered fill and will generally have a depth of 200 to 300mm with the maximum depth estimated to be 450mm. Fill quantity will exceed 50 cubm.
- There will be no excessive cuts and batters and retaining walls are not envisaged as being required.
- Areas of bare earth not covered by buildings, will be revegetated and stabilised.
- Filling of the site will not affect or divert existing surface water flows.

Access, intersection and traffic:

In determining traffic generation, we have considered the nature of this complex (being primarily for hospitality, construction and farm workers), and that the Port Douglas area has a high dependence on tourism and hospitality. Our investigation has taken the following into consideration:

1. The area has a large transient and backpacker population, most of whom do not own vehicles or share a common vehicle.
2. Local observations and discussions with owners of similar accommodation complexes reveal very low vehicle numbers parked at these premises indicating a low use of vehicles. Refer to table below for the responses to enquiries/observations.
3. A shuttle bus service to Port Douglas is available.
4. Farms and resorts relying on labour will provide 14-seater minibuses to provide transport to and from accommodation.
5. Many occupants will use bicycles, or similar transport, to travel to work in Port Douglas as it is only a 5 km ride to the town centre.

COMPLEX	CAPACITY (PERSONS)	NUMBER VEHICLES GENERALLY PARKED AT PREMISES
Dougie's Backpackers	160	25
Global Backpackers	50	5
Port Douglas Backpackers	160	20

The preceding table indicates that the ratio of cars to occupants is 10 to 20%.

Taking these matters into account we have determined generation numbers on the following basis and assumptions:

- 96 cabins at 4 trips/day with 50% having a vehicle.....192 trips/day
- 32 caravan/recreational vehicle sites at 4 trips per day.....128 trips/day
- Managers Residence at 6 trips/day.....6 trips/day
- Visitors.....20 trips/day

Based on these calculations the total number of generated trips is determined to be 346.

These traffic numbers will require construction of an intersection at the intersection of the unnamed access road and the Captain Cook Highway. We have prepared a concept plan (based on an earlier application), and the proposed plan is shown on attached drawing C01.

The plan is a concept only to demonstrate to TMR that this layout is adequate for generated traffic numbers and that it generally satisfies requirements in relation to safety, sight distance, capacity for turning movements, etc. We note that the generated traffic numbers are below those requiring full intersection lighting treatment. The concept plan is subject to refinement at final design stage and discussions with TMR.

Flood modelling:

Council's latest Storm Tide Inundation Report establishes, for this site, a 1% AEP level of 2.814 metres AHD. As a result the minimum habitable building floor level was determined to be 3.314 metres AHD. These levels have been adopted for this project and the final design will comply in this regard.

During the pre-lodgement process Council expressed concern that, despite the inundation report establishing these levels, there may be localised flooding near Crees Creek that may affect the property. Council requested that a local flood study be carried out to determine if flood issues exist and whether they have any local impact.

We recommend that the requirement for completion of this localised flood study should be conditioned in the MCU approval as some outcomes and/or conditions from this application, may affect the study.

Erosion Prone area:

During the pre-lodgement process the issue of placing fill within the erosion prone zone was highlighted. Referral would be required if excavating or filling, within the zone, exceeded 1000 cubm. Filling is required, in a section of this zone, for the purpose of constructing the access road within the unnamed road reserve. We have carried out preliminary calculations, based on existing levels, and conservatively estimate the volume of fill required to be 500-700 cubm.

On this basis referral should not be required.

Acid sulfate soils:

There is a possibility of acid sulfate soils existing below the surface. No acid sulfate testing has been carried out as it is not considered necessary for the project as no disturbance of PAS will be undertaken. Existing ground, below the 1% AEP level will be filled to the required level without disturbance. The only possibility of disturbance to PAS may occur during construction of the internal gravity sewer system and pump station. Prior to construction an acid sulfate management plan will be put in place to avoid or minimise the release of acid and will include handling and disposal methods.

Bushfire hazard comments:

The adjacent vegetation is separated from the building lines by a minimum of 20 metres providing an effective buffer. Bushfire risk to the development has been minimised as follows:

- An effective buffer has been provided between existing vegetation and building lines. This buffer could be used for access in the event of a fire.



- The project will be serviced by a fully reticulated water supply including a ring main and hydrants. Water can be supplied at adequate pressure and volume for firefighting purposes.
- The project will be provided with adequate internal roads and connection to the Captain Cook Highway. These components will facilitate easy evacuation paths for occupants and ready access for emergency vehicles.

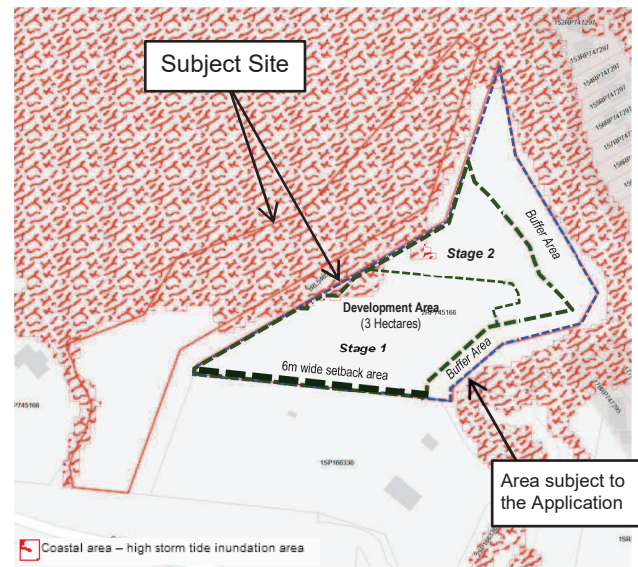
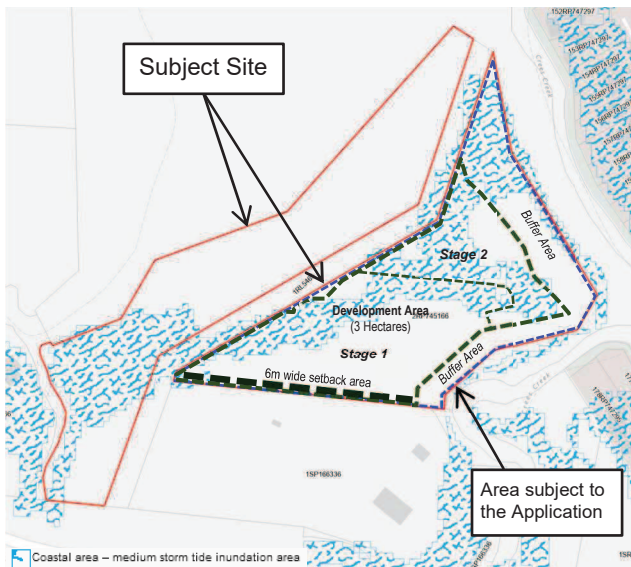
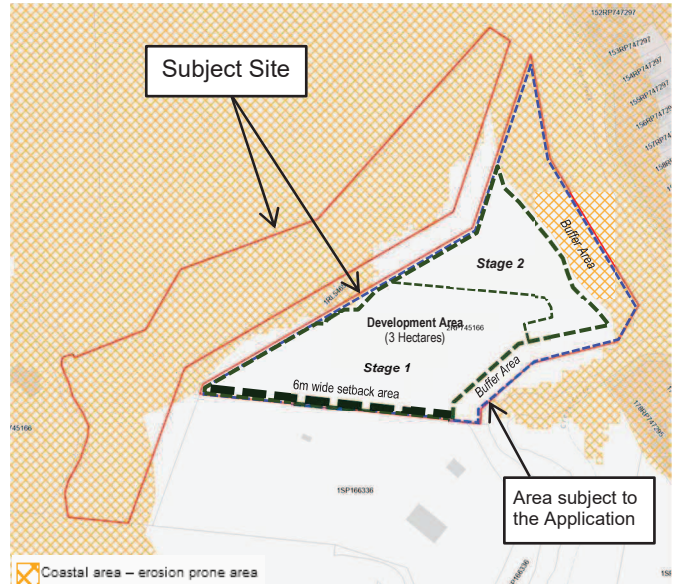
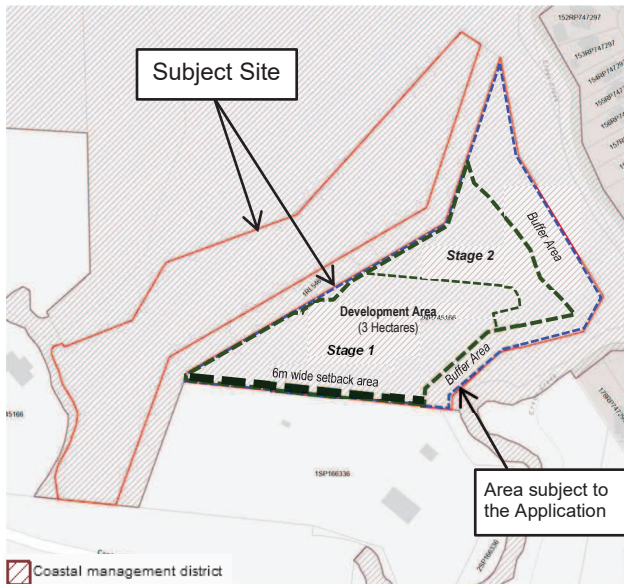
We trust that this report assists the application and should you require further assistance please do not hesitate to contact our office.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Alan McPherson', with a long horizontal line extending to the right.

Alan McPherson
Senior Civil Engineer, RPEQ 809
OSE Group Pty Ltd

APPENDIX I



Information obtained on 14 February 2025

DEVELOPMENT PERMIT FOR:-

- A) MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR UNDEFINED USE (WORKERS' ACCOMMODATION), TOURIST PARK, CARETAKER'S ACCOMMODATION, AND ASSOCIATED AND ANCILLARY FACILITIES IN TWO (2) STAGES; AND
- B) OPERATIONAL WORK – IMPACT ASSESSMENT FOR ADVERTISING DEVICE (FREESTANDING SIGN)

KRYSTAL MARIE DEMENNA

LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

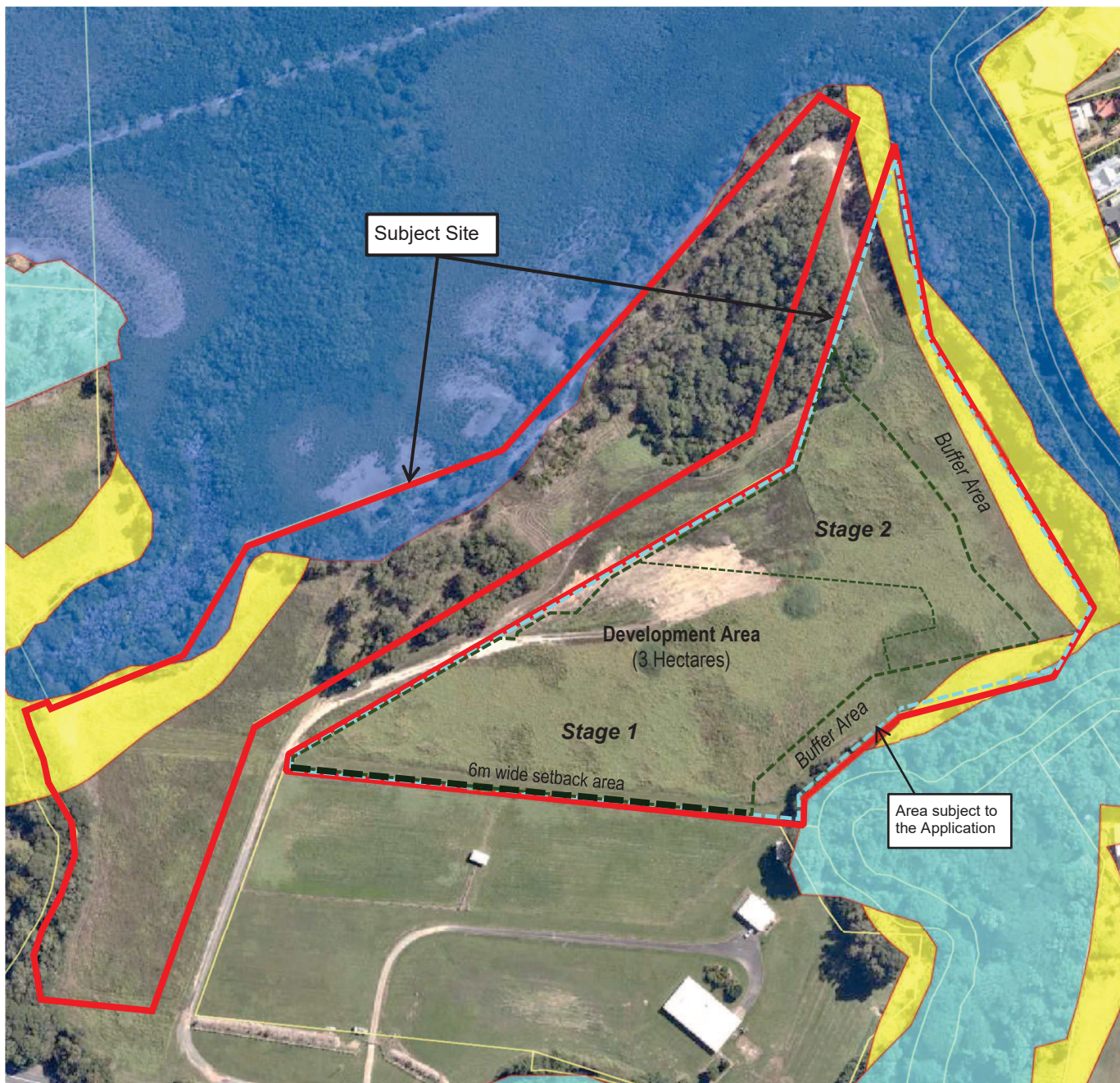
STATE REFERRAL – COASTAL PROTECTION MAPPING



APPENDIX I FEBRUARY 2025



APPENDIX J



Information obtained on 14 February 2025

DEVELOPMENT PERMIT FOR:-

- A) MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR UNDEFINED USE (WORKERS' ACCOMMODATION), TOURIST PARK, CARETAKER'S ACCOMMODATION, AND ASSOCIATED AND ANCILLARY FACILITIES IN TWO (2) STAGES; AND
- B) OPERATIONAL WORK – IMPACT ASSESSMENT FOR ADVERTISING DEVICE (FREESTANDING SIGN)

KRYSTAL MARIE DEMENNA

LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

STATE REFERRAL – NATIVE VEGETATION MAPPING

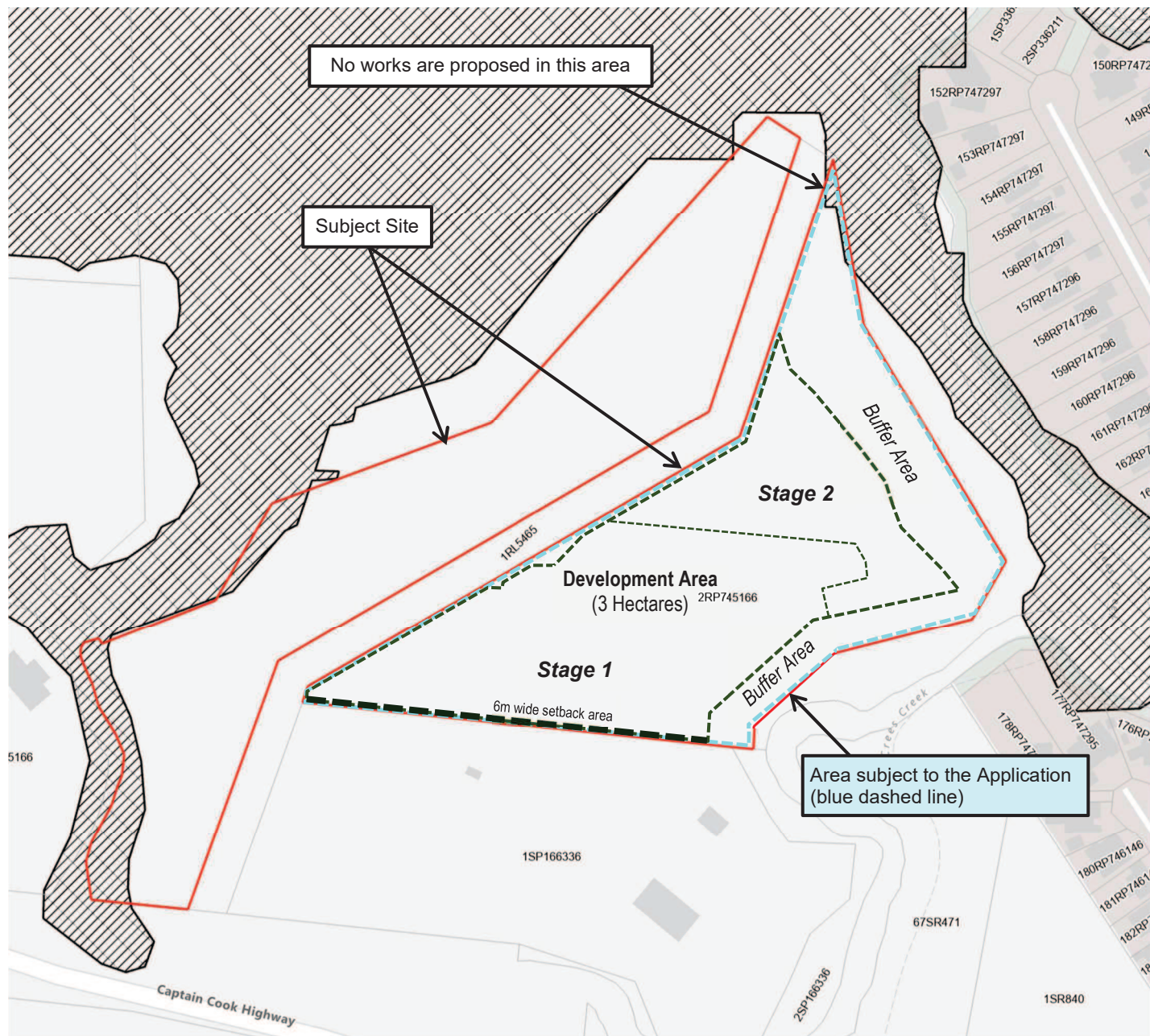
Legend

- Selected Lot and Plan
- Category A area (Vegetation offsets/compliance notices/VDecs)
- Category B area (Remnant vegetation)
- Category C area (High-value regrowth vegetation)
- Category R area (Reef regrowth watercourse vegetation)
- Category X area (Exempt clearing work on Freehold, Indigenous and Leasehold land)
- Water
- Other land parcel boundaries



APPENDIX J FEBRUARY 2025

APPENDIX K



Information obtained on 14 February 2025

DEVELOPMENT PERMIT FOR:-

- A) MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR UNDEFINED USE (WORKERS' ACCOMMODATION), TOURIST PARK, CARETAKER'S ACCOMMODATION, AND ASSOCIATED AND ANCILLARY FACILITIES IN TWO (2) STAGES; AND
- B) OPERATIONAL WORK – IMPACT ASSESSMENT FOR ADVERTISING DEVICE (FREESTANDING SIGN)

KRYSTAL MARIE DEMENNA

LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

STATE REFERRAL – FISH HABITAT AREAS

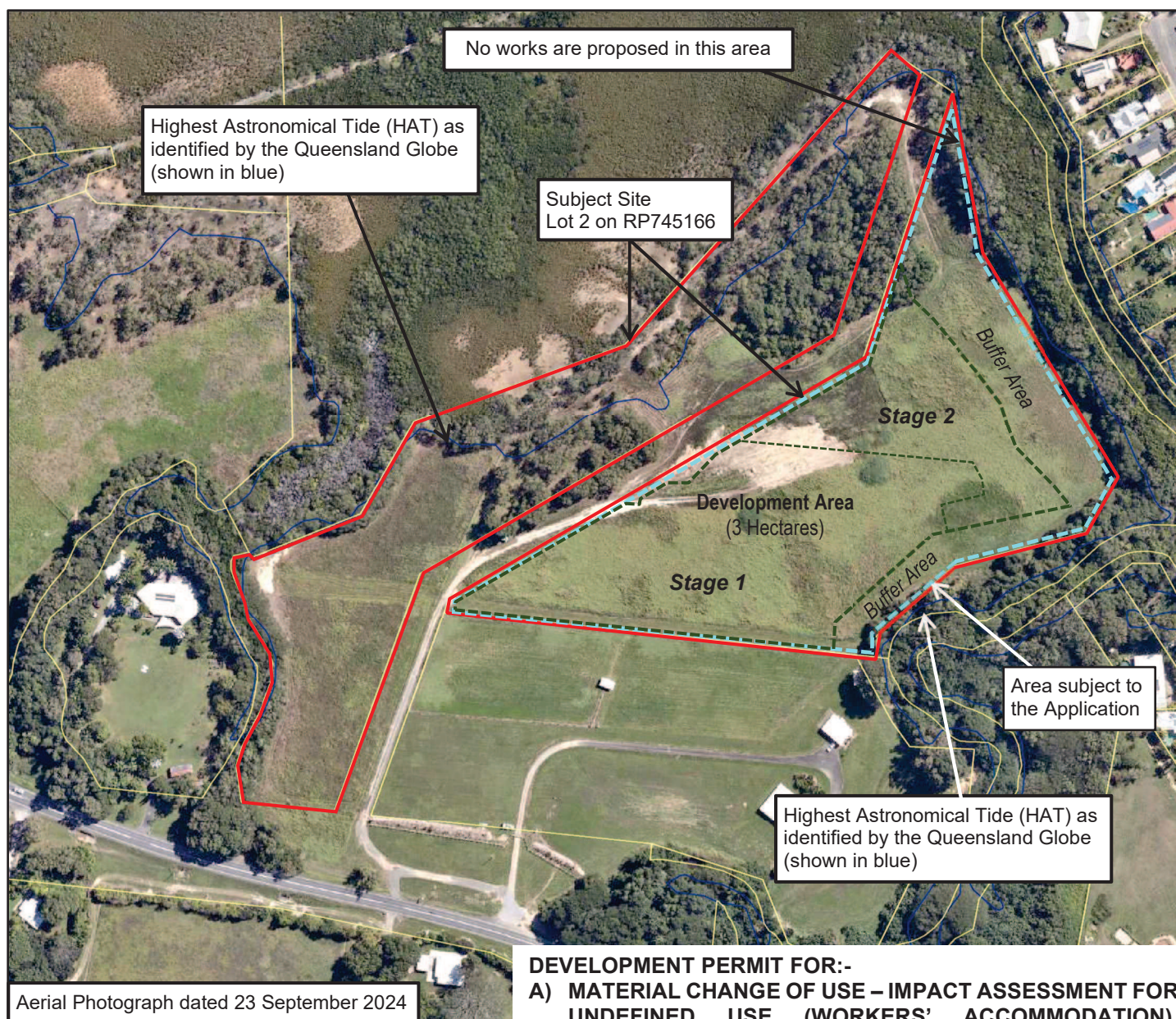


APPENDIX K-1 FEBRUARY 2025



FISH HABITAT AREAS

- ☒ All
- ☒ Fish habitat management area A
- ☒ Fish habitat management area B
- ☒ Queensland waterways for waterway barrier works
- 1 - Low
- 2 - Moderate
- 3 - High
- 4 - Major
- ☒ Tidal waterways



Aerial Photograph dated 23 September 2024

Information obtained on 14 February 2025

DEVELOPMENT PERMIT FOR:-

- A) MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR UNDEFINED USE (WORKERS' ACCOMMODATION), TOURIST PARK, CARETAKER'S ACCOMMODATION, AND ASSOCIATED AND ANCILLARY FACILITIES IN TWO (2) STAGES; AND
- B) OPERATIONAL WORK – IMPACT ASSESSMENT FOR ADVERTISING DEVICE (FREESTANDING SIGN)

KRYSTAL MARIE DEMENNA

LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

HIGHEST ASTRONOMICAL TIDE MAP



APPENDIX K-2 FEBRUARY 2025



APPENDIX L

NRA Reference: MPS_LetterReport_L01

21 February 2024

Hardy Town Planning and Consulting
Level 1, 127 Abbott Street Cairns QLD
PO Box 1256 Cairns QLD

Attention: Nick Hardy, Director

Dear Nick

RE: Lot 2, Captain Cook Highway, Port Douglas: Marine Plant Survey

NRA Environmental Consultants (NRA) was commissioned by Hardy Town Planning and Consulting (HTP) to address item 6, and provide supporting information to address item 7, of the pre-lodgement advice received from the State Assessment and Referral Agency (SARA)¹, for a proposed development (the project) at Lot 2, Captain Cook Highway, Port Douglas (Lot 2 on RP745166). Items 6 and 7 relate to potential impacts to marine plants² as a result of the proposed project.

The location of the project, including the proposed project footprint relative to highest astronomical tide (HAT), is shown on **Figure 1**. Crees Creek (second-order stream)³ is located to the east of the project and an unnamed creek (also a second-order stream) is located to the west of the project; both creeks flow north and discharge to Dickson Inlet.

Lot 2 on RP745166 was formerly used for sugarcane production and cattle grazing⁴. Non-native species (grasses and forbs) dominate the proposed project footprint, and vegetation is maintained by regular slashing and occasional livestock agistment.

¹ SARA Pre-lodgement advice – Proposed accommodation at Captain Cook Highway, Port Douglas (SARA reference 2304-34271 SPL), 4 September 2023.

² Marine plants, as defined under the Queensland *Fisheries Act* 1994, are plants that usually grow on, or adjacent to, tidal land, whether living, dead, standing or fallen, but excluding Prohibited and Restricted Matter as defined under the Queensland *Biosecurity Act* 2014. This marine plant assessment considered plants below HAT (excluding Prohibited and Restricted Matter) and, in areas above HAT, plant species which typically occur in or adjacent to the marine environment.

³ As shown in the watercourse mapping (DoR2023), which is based on the Strahler classification system. DoR 2023, *Watercourse lines – North East Coast Drainage Division*, 24 August 2023, Queensland Department of Resources, Brisbane.

⁴ *Pers comm*. Nick Hardy, Director, HTP, to Megan Gixti, Senior Botanist, NRA, document excerpt provided via email 1 February 2024.

Marine plant assessment

Methods

The marine plant assessment was undertaken by NRA's Senior Botanist Megan Grixti on 7 February 2024. The following tasks determined marine plant presence and extent within and adjacent to the proposed development footprint.

- A targeted search for marine plants was undertaken over:
 - proposed development area Stage 1 and Stage 2
 - project setback area
 - proposed development access
 - proposed works area within the State Controlled Road corridor (Captain Cook Highway)
 - gazetted road corridor north to Crees Creek.
- The perimeters of marine plant extents within the assessment area were recorded using a handheld GPS.
- Where marine plants were identified, the community composition and density (foliage cover %) was recorded for 20 sampling sites along a 20 m transect using 1 m² quadrats. Raw quadrat data is provided in **Appendix A**.



Figure 1: Marine plant survey observations
Project: Lot 2 Captain Cook Highway, Port Douglas: Marine Plant Survey

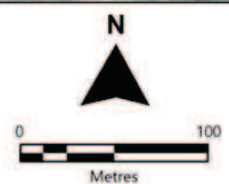
- Cadastral boundary
- Lot 2 on RP745166
- Gazetted road corridor (Lot 1 on RL5465)

Proposed project footprint

- Proposed development area
- Project setback area
- Proposed development access
- Proposed works within State Controlled Road corridor

Values relevant to marine plants

- Watercourse
- Highest Astronomical Tide (HAT)
- Tidal land below HAT
- Sporobolus virginicus* extent adjacent to tidal land



Source: DoR 2013, 2023, HTP 2024.

NRA Ref: 484001
Date: February 2024

NRA

F:_AAA\4841\WOR\484004_MarinePlantSurvey_240221.WOR

Recommended print size: A4

Results

The proposed project footprint, including project setbacks, is located above HAT (**Figure 1**). No marine plants were observed within the proposed project footprint (**Figure 1**). The vegetation in the proposed project footprint was dominated by non-native grasses and forbs (**Plate 1**).



Plate 1: Sugar cane at the northern extent of project setback area, facing south across the proposed development area

One marine plant species, *Sporobolus virginicus*, (Sand Couch) was observed growing over an area excluded from the proposed development footprint (**Figure 1, Plate 2**). The observed Sand Couch community covers approximately 0.04 ha of land situated above HAT at the northern extent of the gazetted road corridor. The density⁵ of Sand Couch (foliage cover %) ranged from 5% (very sparse) to 40% (mid-dense), with an average density of 23% (sparse). A breakdown of foliage cover (%) is provided in **Appendix A**.

⁵ Density according to foliage cover (%) is classified according to the following categories by Neldner et al. (2022): 0% absent, <10% very sparse, 10–30% sparse, >30–70% mid-dense, >70% dense/closed.

Neldner, VJ, Wilson, BA, Dillewaard, HA, Ryan, TS, Butler, DW, McDonald, WJF, Richter, D, Addicott, EP & Appleman, CN 2022, *Methodology for Survey and Mapping of Regional Ecosystems and Vegetation Communities in Queensland, version 6.0, April 2022*, Queensland Department of Environment and Science, Brisbane.



Plate 2: Sand Couch north of the proposed project footprint

Conclusions

The proposed project footprint is above HAT. Marine plants were not observed, and are not likely to occur, within the project footprint area. Therefore, impacts to marine plants as a result of the project are not likely.

Please do not hesitate to contact me on (07) 4034 5300 if you have any questions.

Yours sincerely

NRA Environmental Consultants

Megan Grixti
Senior Botanist

Encl: Appendix A: Raw data for Salt Couch community

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Figure references

DoR 2013, *Highest Astronomical Tide – Queensland*, 28 May 2013, Queensland Department of Resources, Brisbane.

DoR 2023, *Watercourse lines – North East Coast Drainage Division*, 24 August 2023, Queensland Department of Resources, Brisbane.

DoR 2023, *Cadastral data – Queensland – by area of interest*, 29 December 2023, Queensland Department of Resources, Brisbane.

HTP 2024, *Request for Fee and Scope, Figure 1*, 1 February 2024, Hardy Town Planning and Consulting, Cairns.

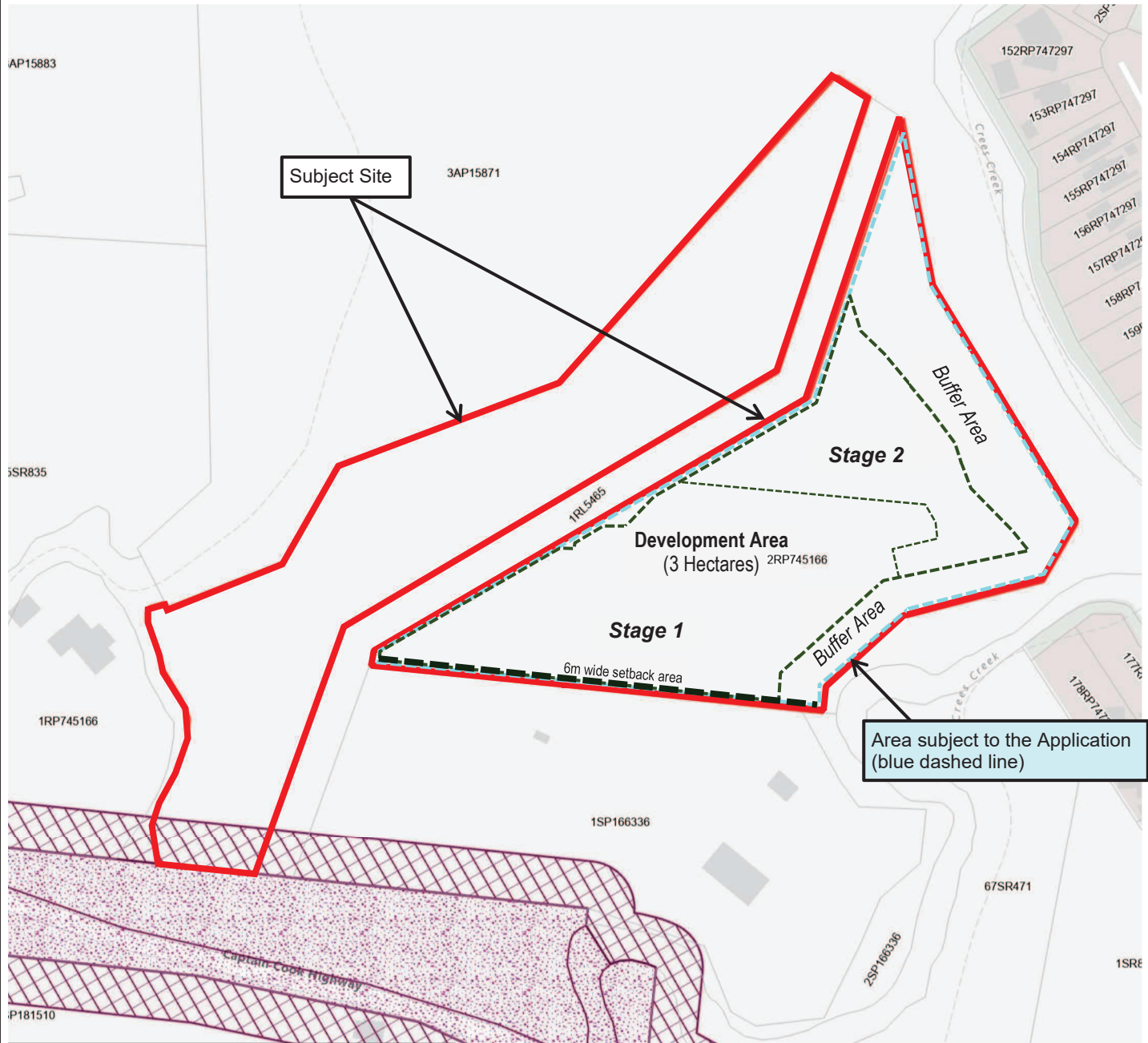
Raw data for marine plant (*Sporobolus virginicus* (Salt Couch)) community composition and foliage cover

Quadrat no.	Foliage cover (%)			
	Marine plant ¹ (Salt Couch)	Non-marine plant	Bare earth/ cryptogam ²	Leaf litter
1	20	10	70	0
2	30	15	45	10
3	40	25	10	25
4	20	5	40	35
5	35	35	5	25
6	15	5	70	10
7	15	15	50	20
8	10	10	50	30
9	25	10	15	50
10	25	15	30	30
11	40	15	10	35
12	20	5	55	20
13	25	5	50	20
14	30	15	40	15
15	20	25	45	10
16	20	35	40	5
17	20	5	60	15
18	5	20	35	40
19	20	25	10	45
20	15	15	15	55
Average foliage cover (%)	22.50	15.50	37.25	24.75

¹ Marine plants, as defined under the Queensland *Fisheries Act* 1994, are plants that usually grow on, or adjacent to, tidal land, whether living, dead, standing or fallen, but excluding Prohibited and Restricted Matter as defined under the Queensland *Biosecurity Act* 2014.

² Organisms that reproduce by spores, eg lichens, fungi, algae.

APPENDIX M



Information obtained on 14 February 2025

DEVELOPMENT PERMIT FOR:-

- MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR UNDEFINED USE (WORKERS' ACCOMMODATION), TOURIST PARK, CARETAKER'S ACCOMMODATION, AND ASSOCIATED AND ANCILLARY FACILITIES IN TWO (2) STAGES; AND**
- OPERATIONAL WORK – IMPACT ASSESSMENT FOR ADVERTISING DEVICE (FREESTANDING SIGN)**

KRYSTAL MARIE DEMENNA

LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

STATE REFERRAL
– STATE-CONTROLLED ROAD MAPPING



APPENDIX M FEBRUARY 2025



APPENDIX N

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

State Development Assessment Provisions guideline – State Code 1: Development in a state-controlled road environment. This guideline provides direction on how to address State Code 1.

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 . No acceptable outcome is prescribed.	Response to AO1.1 Complies – the proposed development is located within a Development Area within the subject site – refer to Appendix G – Development Plans .
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.	Response to PO2 Complies – the development does not adversely impact on the State-controlled Road – refer to Appendix G – Development Plans .
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.	Response to PO3 Complies – the location of the development does not obstruct road transport infrastructure or adversely impact on the State-controlled Road – refer to Appendix G – Development Plans .
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.	Response to PO4 Complies – the proposed advertising device will not adversely impact on the safety of users of the State-controlled Road – refer to Appendix G – Development Plans .

Performance outcomes		Acceptable outcomes	Response
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.	Response to AO5.1 to AO5.4 Complies – the proposed development is substantially setback from the state-controlled road will generally not be visible or cause reflect light or external lighting to impact users of the State-controlled road – refer to Appendix G – Development Plans .
	PO6 Road, pedestrian and bikeway bridges over a state-controlled road are designed and constructed to prevent projectiles from being thrown onto the state-controlled road .	AO6.1 Road, pedestrian and bikeway bridges over the state-controlled road include throw protection screens in accordance with section 4.11 of the Design Criteria for Bridges and Other Structures Manual, Department of Transport and Main Roads, 2020.	Response to AO6.1 Not Applicable – the proposal does not include bridges over the State-controlled Road.
	Landscaping		
	PO7 The location of landscaping does not create a safety hazard for users of the state-controlled road .	AO7.1 Landscaping is not located in a state-controlled road . AND AO7.2 Landscaping can be maintained without requiring access to a state-controlled road . AND AO7.3 Landscaping does not block or obscure the sight lines for vehicular access to a state-controlled road .	Response to AO7.1 Complies – the proposed development does not include landscaping in a State-controlled road. Response to AO7.2 Complies – access is not required to the State-controlled Road to maintain on-site landscaping. Response to AO7.3 Complies – on-site landscaping will not block or obscure sights for vehicular access to the State-controlled Road.

State Development Assessment Provisions v3.2

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

Performance outcomes		Acceptable outcomes		Response
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.	Response to PO8 Complies – it is submitted that the development will not cause stormwater run-off or overland flow to create or exacerbate a safety hazard for users of the State-controlled road - Refer to Appendix G - Development Plans and Appendix H - Engineering Report .		
PO9 Stormwater run-off or overland flow from the development site does not result in a material worsening of the operating performance of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Response to PO9 Complies – it is submitted that stormwater run-off or overland flow from the development will not result in a material worsening of the operating performance of the State-controlled Road - Refer to Appendix H - Engineering Report .		
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.	Response to PO10 Complies – it is submitted that stormwater run-off or overland flow from the development site will not adversely impact the State-controlled Road – refer to Appendix H - Engineering Report .		
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 .	Response to AO11.1 to AO11.4 Complies - the proposed development can comply with these requirements – refer to Appendix H - Engineering Report .		

State Development Assessment Provisions v3.2

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

Performance outcomes		Acceptable outcomes	Response
Flooding			
PO12 Development does not result in a material worsening of flooding impacts within a state-controlled road .	AO12.1 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 . AND AO12.2 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 . AND AO12.3 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 .		Response to AO12.1 to AO12.3 Complies - the proposed development can comply with these requirements – refer to Appendix H - Engineering Report .
Drainage Infrastructure			
PO13 Drainage infrastructure does not create a safety hazard for users in the state-controlled road .	AO13.1 Drainage infrastructure is wholly contained within the development site, except at the lawful point of discharge . AND AO13.2 Drainage infrastructure can be maintained without requiring access to a state-controlled road . No acceptable outcome is prescribed.		Response to AO13.1 to AO13.2 Complies - the proposed development can comply with these requirements – refer to Appendix H - Engineering Report
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.			Response to PO14 Complies - the proposed development can comply with these requirements – refer to Appendix H - Engineering Report

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.	Response to PO15 Complies – refer to Appendix G – Development Plans showing the proposed location of the new access to the State-controlled road.
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.	Response to PO16 Complies – refer to Appendix G – Development Plans showing the proposed location of the new access to the State-controlled road.
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.	Response to AO17 Complies – based on review of the SARA mapping the section of the State-controlled road in proximity to the site is not subject to any “future State-controlled road” or “planning upgrade for State-controlled Road” allocations. Therefore the design and operation of the new access to the State-controlled Road is sufficient – refer to Appendix G – Development Plans .
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.	Response to PO18 Complies – based on review of the SARA mapping, the State-controlled road in proximity to the subject site is not subject to any LAR 1 or 2 allocations.
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.	Response to PO19 Not Applicable – access to the Subject Site is via a direct connection to State-controlled Road only.
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.	Response to PO20 Not Applicable – access to the Subject Site is via a direct connection to State-controlled Road only.

Performance outcomes		Acceptable outcomes		Response
Public passenger transport and active transport				
PO21	Development does not compromise the safety of users of public passenger transport infrastructure, public passenger services and active transport infrastructure.	No acceptable outcome is prescribed.		Response to PO21 Complies
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.		Response to PO22 Complies
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.		Response to PO23 Complies
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.		Response to PO24 Complies

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.		Response to AO25 Complies – it is submitted that the development does not compromise the safety of the users of the State-controlled Road - refer to Appendix G - Development Plans and Appendix I - Engineering Report .
PO26	Development ensures no net worsening of the operating performance of the state-controlled road network.	No acceptable outcome is prescribed.		Response to AO26 Complies – it is submitted that the development ensures “no net worsening” of the operational performance of the State-controlled road network – refer to Appendix G - Development Plans and Appendix H - Engineering Report .
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.		Response to AO27 Not Applicable – the only available access to the development is via the State-controlled Road – refer to Appendix G – Development Plans
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.		Response to PO28 Not Applicable

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

Performance outcomes	Acceptable outcomes	Response
PO29 Development does not impede delivery of planned upgrades of state-controlled roads .	No acceptable outcome is prescribed.	Response to PO29 Complies
PO30 Development does not impede delivery of corridor improvements located entirely within the state-controlled road corridor .	No acceptable outcome is prescribed.	Response to PO30 Complies

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.	Response to PO31 Complies
PO32 Development does not adversely impact the operating performance of the state-controlled road .	No acceptable outcome is prescribed.	Response to PO32 Complies
PO33 Development does not undermine, damage or cause subsidence of a state-controlled road .	No acceptable outcome is prescribed.	Response to PO33 Complies
PO34 Development does not cause ground water disturbance in a state-controlled road .	No acceptable outcome is prescribed.	Response to PO34 Complies
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.	Response to PO35 Complies
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.	Response to PO36 Complies

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: 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1); 2. in accordance with: 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.	Response to AO37.1, AO37.2 and AO37.3 Not Applicable – the development does not include reconfiguring a lot.
		OR	
		AO37.2 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.	
		OR	
Involving the creation of 6 or more new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor	PO38 Reconfiguring a lot minimises free field noise intrusion from a state-controlled road .	AO37.3 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 .	Response to AO38.1 and AO38.2 Not Applicable – the development does not include reconfiguring a lot.
		AO38.1 Development provides noise barrier or earth mound which is designed, sited and constructed: 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1); 2. in accordance with:	

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

Performance outcomes	Acceptable outcomes	Response
	<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.</p> <p>OR</p> <p>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.</p>	
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 .	<p>AO39.1 Development provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> to achieve the maximum free field acoustic levels in reference table 2 (item 2.2) for private open space at the ground floor level; in accordance with: <ol style="list-style-type: none"> 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; Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. <p>OR</p> <p>AO39.2 Development achieves the maximum free field acoustic level in reference table 2 (item 2.2) for private open space by alternative noise attenuation</p>	<p>Response to AO39.1 and AO39.2</p> <p>The proposed development area is set back 118 metres from the Captain Cook Highway road reserve and a total of 170 metres from the carriageway. On this basis, it is submitted that the establishment of a noise barrier is not necessary. It is noted however, that a landscape buffer is proposed along the southern boundary with Lot 1 on SP166336 – refer to Appendix G – Development Plans.</p>

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

Performance outcomes	Acceptable outcomes	Response
<p>PO40 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>measures where it is not practical to provide a noise barrier or earth mound.</p> <p>AO40.1 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"> to achieve the maximum building façade acoustic level in reference table 1 (item 1.1) for habitable rooms; in accordance with: <ol style="list-style-type: none"> 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; Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. <p>OR</p> <p>AO40.2 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.</p> <p>No acceptable outcome is provided.</p>	<p>Response to AO40.1 and AO40.2 The proposed development area is set back 118 metres from the Captain Cook Highway road reserve and a total of 170 metres from the carriageway. On this basis, it is submitted that the establishment of a noise barrier is not necessary. It is noted however, that a landscape buffer is proposed along the southern boundary with Lot 1 on SP166336 – refer to Appendix G – Development Plans.</p> <p>Response to PO41 The proposed development area is set back 118 metres from the Captain Cook Highway road reserve and a total of 170 metres from the carriageway. On this basis, it is submitted that the establishment of a noise barrier is not necessary. It is noted however, that a landscape buffer is proposed along the southern boundary with Lot 1 on SP166336 – refer to Appendix G – Development Plans.</p>
<p>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).</p>		

Performance outcomes		Acceptable outcomes	Response
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: 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.	Response to AO42 Not Applicable – the proposed development is limited to one storey only.
PO43 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.	Response to AO43 Not Applicable – the proposed development is limited to one storey only.
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: 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: 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; iii. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or 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		No acceptable outcome is provided.	Response to AO44 Not Applicable

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

Performance outcomes	Acceptable outcomes	Response
it is not practical to provide a noise barrier or earth mound.		
PO45 Development involving a childcare centre or educational establishment : <ol style="list-style-type: none"> provides a noise barrier or earth mound that is designed, sited and constructed; to achieve the maximum building facade acoustic level in reference table 1 (item 1.2); in accordance with: <ol style="list-style-type: none"> 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; Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or 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. 	No acceptable outcome is provided.	Response to AO45 Not Applicable
PO46 Development involving: <ol style="list-style-type: none"> indoor education areas and indoor play areas; or sleeping rooms in a childcare centre; or 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.	Response to AO46 Not Applicable
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"> a continuous solid gap-free structure or balustrade (excluding gaps required for drainage 	No acceptable outcome is provided.	Response to AO47 Not Applicable

Performance outcomes	Acceptable outcomes	Response
<p>purposes to comply with the Building Code of Australia);</p> <p>2. highly acoustically absorbent material treatment for the total area of the soffit above balconies or elevated outdoor play areas.</p>		
<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.	Response to AO48 Not Applicable
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>Response to PO49</p> <p>The proposed development area is set back 118 metres from the Captain Cook Highway road reserve and a total of 170 metres from the carriageway. On this basis, it is submitted that this setback is sufficient and that the provision of solid gap-free fencing for each of the cabin sites is not practical or required - refer to Appendix G – Development Plans.</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 .	AO50.1 Hospitals are designed and constructed to ensure vibration in the patient treatment area does not exceed a vibration dose value of 0.1m/s ^{1.75} . AND 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 0.4m/s ^{1.75} .	Response to AO50 Not Applicable
PO51 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: 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.	Response to AO51 Complies – the substantial setback and landscape buffer to the state-controlled road ensures that light cannot intrude into buildings during night hours or cause unreasonable disturbance during evening hours – refer to Appendix G – Development Plans .

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

Performance outcomes	Acceptable outcomes	Response
PO52 Development does not impede delivery of a future state-controlled road .	AO52.1 Development is not located in a future state-controlled road . OR ALL OF THE FOLLOWING APPLY: AO52.2 Development does not involve filling and excavation of, or material changes to, a future state-controlled road . AND AO52.3 The intensification of lots does not occur within a future state-controlled road . AND	Response to AO52.1 Complies – the development is not located in a future state-controlled road.

Performance outcomes		Acceptable outcomes	Response
		AO52.4 Development does not result in the landlocking of parcels once a future state-controlled road is delivered.	
PO53 The location and design of new or changed access does not create a safety hazard for users of a future state-controlled road .		AO53.1 Development does not include new or changed access to a future state-controlled road .	Response to AO53.1 Not Applicable – the development is not located in or adjacent to a future state-controlled road.
PO54 Filling, excavation, building foundations and retaining structures do not undermine, damage or cause subsidence of a future state-controlled road .		No acceptable outcome is prescribed.	Response to PO54 Not Applicable – the development is not located in or adjacent to a future state-controlled road.
PO55 Development does not result in a material worsening of stormwater, flooding, overland flow or drainage impacts in a future state-controlled road or road transport infrastructure .		No acceptable outcome is prescribed.	Response to PO55 Not Applicable – the development is not located in or adjacent to a future state-controlled road.
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 .	Response to AO561. To AO56.4 Not Applicable – the development is not located in or adjacent to a future state-controlled road.

State code 6: Protection of state transport networks

Table 6.2 Development in general

Performance outcomes		Acceptable outcomes	Response
Network impacts			
PO1 Development does not compromise the safety of users of the state-controlled road network.	No acceptable outcome is prescribed.	Response to PO1 Complies – the proposed development does not compromise the safety of users of the State-controlled Road network – refer to Appendix G – Development Plans and Appendix H - Engineering Report .	
PO2 Development does not adversely impact the structural integrity or physical condition of a state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Response to PO2 Complies – the development does not adversely impact the State-controlled Road – refer to Appendix G – Development Plans .	
PO3 Development ensures no net worsening of the operating performance the state-controlled road network.	No acceptable outcome is prescribed.	Response to PO3 Complies – it is submitted that the development ensures “no net worsening” of the operational performance of the State-controlled road network – refer to Appendix G – Development Plans and Appendix H - Engineering Report .	
PO4 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.	Response to PO4 Not Applicable – the only available access to the development is via the State-controlled Road – refer to Appendix G – Development Plans .	
PO5 Development involving haulage exceeding 10,000 tonnes per year does not damage the pavement of a state-controlled road .	No acceptable outcome is prescribed.	Response to PO5 Not Applicable	
PO6 Development does not require a new railway level crossing.	No acceptable outcome is prescribed.	Response to PO6 Not Applicable	
PO7 Development does not adversely impact the operating performance of an existing railway crossing .	No acceptable outcome is prescribed.	Response to PO7 Not Applicable	
PO8 Development does not adversely impact on the safety of an existing railway crossing .	No acceptable outcome is prescribed.	Response to PO8 Not Applicable	
PO9 Development is designed and constructed to allow for on-site circulation to ensure vehicles do not queue in a railway crossing .	No acceptable outcome is prescribed.	Response to PO9 Not Applicable	

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State code 3: Development in a busway environment

Performance outcomes	Acceptable outcomes	Response
PO10 Development does not create a safety hazard within the railway corridor .	No acceptable outcome is prescribed.	Response to PO10 Not Applicable
PO11 Development does not adversely impact the operating performance of the railway corridor .	No acceptable outcome is prescribed.	Response to PO11 Not Applicable
PO12 Development does not interfere with or obstruct the railway transport infrastructure or other rail infrastructure .	No acceptable outcome is prescribed.	Response to PO12 Not Applicable
PO13 Development does not adversely impact the structural integrity or physical condition of a railway corridor or rail transport infrastructure .	No acceptable outcome is prescribed.	Response to PO13 Not Applicable
Stormwater and overland flow		
PO14 Stormwater run-off or overland flow from the development site does not create or exacerbate a safety hazard for users of a state transport corridor or state transport infrastructure .	No acceptable outcome is prescribed.	Response to PO14 Complies – it is submitted that the development will not cause stormwater run-off or overland flow to create or exacerbate a safety hazard for users of the State-controlled road - Refer to Appendix G – Development Plans and Appendix H - Engineering Report .
PO15 Stormwater run-off or overland flow from the development site does not result in a material worsening of operating performance of a state transport corridor or state transport infrastructure .	No acceptable outcome is prescribed.	Response to PO15 Complies – it is submitted that stormwater run-off or overland flow from the development will not result in a material worsening of the operating performance of the State-controlled Road - Refer to Appendix H - Engineering Report .
PO16 Stormwater run-off or overland flow from the development site does not interfere with the structural integrity or physical condition of the state transport corridor or state transport infrastructure .	No acceptable outcome is prescribed.	Response to PO16 Complies – it is submitted that stormwater run-off or overland flow from the development site will not adversely impact the State-controlled Road – refer to Appendix G – Development Plans and Appendix H - Engineering Report .
PO17 Development associated with a state-controlled road or road transport infrastructure ensures that stormwater is lawfully discharged.	AO17.1 Development does not create any new points of discharge to a state transport corridor or state transport infrastructure . AND	Response to AO17.1 to AO17.4 Complies - the proposed development can comply with these requirements – refer to Appendix H - Engineering Report .

Performance outcomes	Acceptable outcomes	Response
	<p>AO17.2 Development does not concentrate flows to a state transport corridor.</p> <p>AND</p> <p>AO17.3 Stormwater run-off is discharged to a lawful point of discharge.</p> <p>AND</p> <p>AO17.4 Development does not worsen the condition of an existing lawful point of discharge to a state transport corridor or state transport infrastructure.</p>	
<p>Flooding</p> <p>PO18 Development does not result in a material worsening of flooding impacts within a state transport corridor or state transport infrastructure</p>	<p><i>For a state-controlled road or road transport infrastructure, all of the following apply:</i></p> <p>AO18.1 For all flood events up to 1% annual exceedance probability, development ensures there are negligible impacts (within +/- 10mm) to existing flood levels within a state transport corridor.</p> <p>AND</p> <p>AO18.2 For all flood events up to 1% annual exceedance probability, development ensures there are negligible impacts (up to a 10% increase) to existing peak velocities within a state transport corridor.</p> <p>AND</p> <p>AO18.3 For all flood events up to 1% annual exceedance probability, development ensures there are negligible impacts (up to a 10% increase) to existing time of submergence of a state transport corridor.</p> <p><i>No acceptable outcome is prescribed for a railway corridor or rail transport infrastructure.</i></p>	<p>Response to AO18.1 to AO18.3</p> <p>Complies - the proposed development can comply with these requirements – refer to Appendix G – Development Plans and Appendix H - Engineering Report.</p>
<p>Drainage infrastructure</p> <p>PO19 Drainage infrastructure does not create a safety hazard in a state transport corridor.</p>	<p><i>For a state-controlled road environment, both of the following apply:</i></p>	<p>Response to AO19.1 and AO19.2</p> <p>Complies - the proposed development can comply with these requirements – refer to Appendix G –</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AO19.1 Drainage infrastructure associated with, or in a state-controlled road is wholly contained within the development site, except at the lawful point of discharge.</p> <p>AND</p> <p>AO19.2 Drainage infrastructure can be maintained without requiring access to a state transport corridor.</p> <p><i>For a railway environment both of the following apply:</i></p> <p>AO19.3 Drainage infrastructure associated with a railway corridor or rail transport infrastructure is wholly contained within the development site.</p> <p>AND</p> <p>AO19.4 Drainage infrastructure can be maintained without requiring access to a state transport corridor.</p>	<p>Development Plans and Appendix H - Engineering Report.</p> <p>Response to AO19.3 Not Applicable</p> <p>Response to AO19.4 Complies - the proposed development can comply with these requirements – refer to Appendix G – Development Plans and Appendix H - Engineering Report.</p>
PO20 Drainage infrastructure associated with, or in a state-controlled road or road transport infrastructure is constructed and designed to ensure the structural integrity and physical condition of existing drainage infrastructure and the surrounding drainage network is maintained.	No acceptable outcome is prescribed.	Response to PO20 Complies - the proposed development can comply with these requirements – refer to Appendix G – Development Plans and Appendix H - Engineering Report.
Planned upgrades		
PO21 Development does not impede delivery of planned upgrades of state transport infrastructure .	No acceptable outcome is prescribed.	Response to PO21 Not Applicable

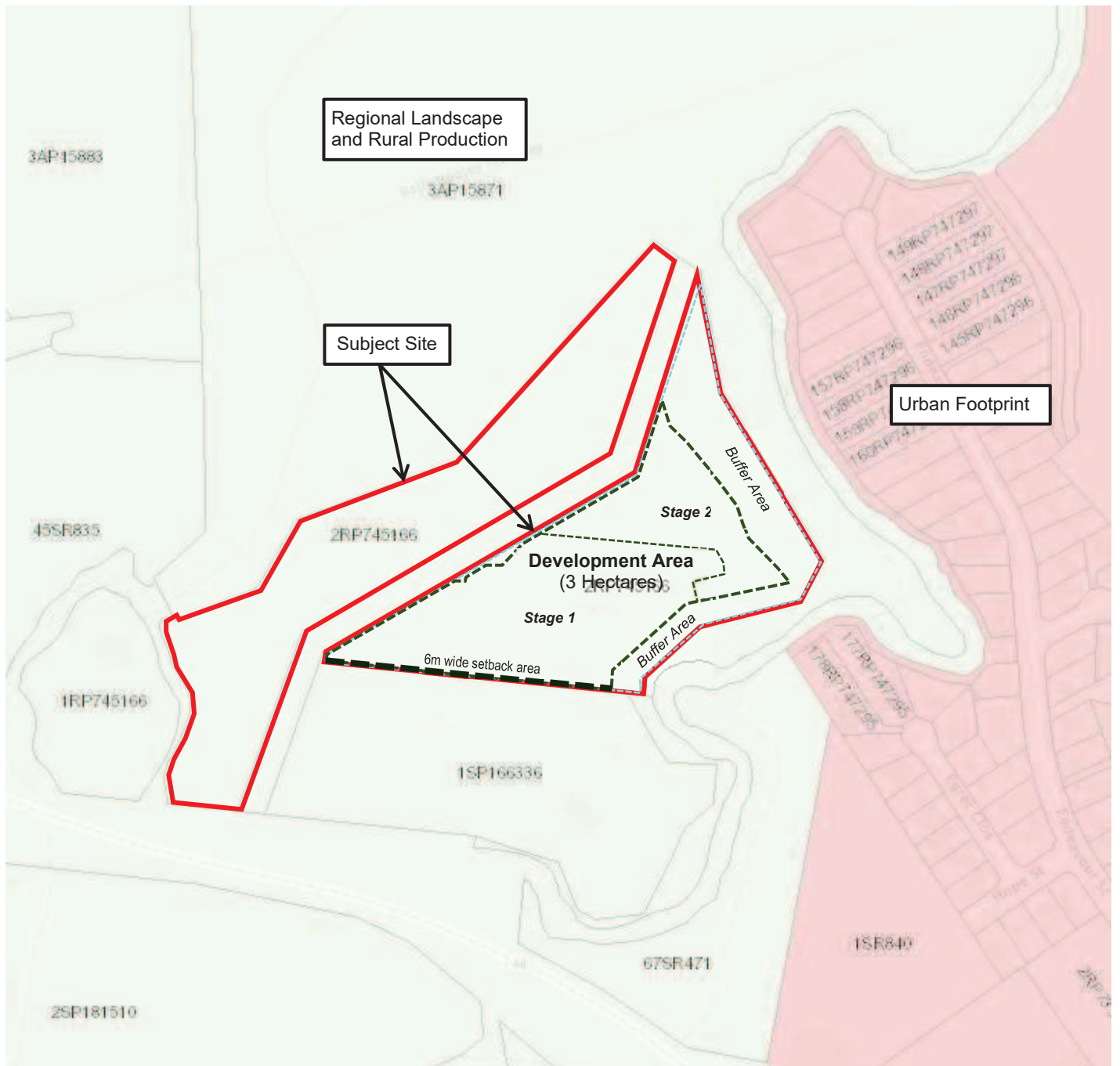
Table 6.3 Public passenger transport infrastructure and active transport

Performance outcomes	Acceptable outcomes	Response
PO22 Development does not damage or interfere with public passenger transport infrastructure, active transport infrastructure or public passenger services.	No acceptable outcome is prescribed.	Response to PO22 Complies
PO23 Development does not compromise the safety of public passenger transport infrastructure, public passenger services and active transport infrastructure.	No acceptable outcome is prescribed.	Response to PO23 Complies
PO24 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.	Response to PO24 Complies
PO25 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.	Response to PO25 Complies
PO26 Upgraded or new public passenger transport infrastructure and active transport infrastructure is provided to accommodate the demand for public passenger transport and active transport generated by the development.	No acceptable outcome is prescribed.	Response to PO26 Complies
PO27 Development is designed to ensure the location of public passenger transport infrastructure prioritises and enables efficient public passenger services.	No acceptable outcome is prescribed.	Response to PO27 Complies
PO28 Development enables the provision or extension of public passenger services, public passenger transport infrastructure and active transport infrastructure to the development and avoids creating indirect or inefficient routes for public passenger services.	No acceptable outcome is prescribed.	Response to PO28 Complies
PO29 New or modified road networks are designed to enable development to be serviced by public passenger services.	<p>AO29.1 Roads catering for buses are arterial or sub-arterial roads, collector or their equivalent.</p> <p>AND</p> <p>AO29.2 Roads intended to accommodate buses are designed and constructed in accordance with:</p> <ol style="list-style-type: none"> 1. Road Planning and Design Manual, 2nd Edition, Volume 3 – Guide to Road Design; Department of Transport and Main Roads; 	<p>Response to AO29.1 and AO29.2</p> <p>Complies – the proposed intersection and roads located in the local government road reserve can comply with these requirements – refer to Appendix G – Development Plans and Appendix H - Engineering Report.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>2. Supplement to Austroads Guide to Road Design (Parts 3, 4-4C and 6), Department of Transport and Main Roads;</p> <p>3. Austroads Guide to Road Design (Parts 3, 4-4C and 6);</p> <p>4. Austroads Design Vehicles and Turning Path Templates;</p> <p>5. Queensland Manual of Uniform Traffic Control Devices, Part 13: Local Area Traffic Management and AS 1742.13-2009 Manual of Uniform Traffic Control Devices – Local Area Traffic Management;</p> <p>AND</p> <p>AO29.3 Traffic calming devices are not installed on roads used for buses in accordance with section 2.3.2 Bus Route Infrastructure, Public Transport Infrastructure Manual, Department of Transport and Main Roads, 2015.</p>	Response to AO29.3 Complies
PO30 Development provides safe, direct and convenient access to existing and future public passenger transport infrastructure and active transport infrastructure .	No acceptable outcome is prescribed.	Response to PO30 Complies
PO31 On-site vehicular circulation ensures the safety of both public passenger transport services and pedestrians.	No acceptable outcome is prescribed.	Response to PO31 Complies
PO32 Taxi facilities are provided to accommodate the demand generated by the development.	No acceptable outcome is prescribed.	Response to PO32 Not Applicable
PO33 Facilities are provided to accommodate the demand generated by the development for community transport services, courtesy transport services, and booked hire services other than taxis.	No acceptable outcome is prescribed.	Response to PO33 Complies

Performance outcomes	Acceptable outcomes	Response
<p>PO34 Taxi facilities are located and designed to provide convenient, safe and equitable access for passengers.</p>	<p>AO34.1 A taxi facility is provided parallel to the kerb and adjacent to the main entrance.</p> <p>AND</p> <p>AO34.2 Taxi facilities are designed in accordance with:</p> <ol style="list-style-type: none"> 1. AS2890.5–1993 Parking facilities – on-street parking and AS1428.1–2009 Design for access and mobility – general requirements for access – new building work; 2. AS1742.11–1999 Parking controls – manual of uniform traffic control devices 3. AS/NZS 2890.6–2009 Parking facilities –off street parking for people with disabilities; 4. Disability standards for accessible public transport 2002 made under section 31(1) of the Disability Discrimination Act 1992; 5. AS/NZS 1158.3.1 – Lighting for roads and public spaces, Part 3.1: Pedestrian area (category P) lighting – Performance and design requirements; 7. Chapter 7 Taxi Facilities, Public Transport Infrastructure Manual, Department of Transport and Main Roads, 2015. 	<p>Response to AO34.1 and AO34.2 Not Applicable – it is not proposed to provide an on-street taxi facility as part of the development.</p>
<p>PO35 Educational establishments are designed to ensure the safe and efficient operation of public passenger services, pedestrian and cyclist access and active transport infrastructure.</p>	<p>AO35.1 Educational establishments are designed in accordance with the provisions of the Planning for Safe Transport Infrastructure at Schools, Department of Transport and Main Roads, 2011.</p>	<p>Response to AO35.1 Not Applicable</p>

APPENDIX O



DEVELOPMENT PERMIT FOR:-

- A) MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR UNDEFINED USE (WORKERS’ ACCOMMODATION), TOURIST PARK, CARETAKER’S ACCOMMODATION, AND ASSOCIATED AND ANCILLARY FACILITIES IN TWO (2) STAGES; AND**
- B) OPERATIONAL WORK – IMPACT ASSESSMENT FOR ADVERTISING DEVICE (FREESTANDING SIGN)**

KRYSTAL MARIE DEMENNA

LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

FNQ REGIONAL PLAN



APPENDIX P



Information obtained on 14 February 2025

DEVELOPMENT PERMIT FOR:-

- A) MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR UNDEFINED USE (WORKERS' ACCOMMODATION), TOURIST PARK, CARETAKER'S ACCOMMODATION, AND ASSOCIATED AND ANCILLARY FACILITIES IN TWO (2) STAGES; AND
- B) OPERATIONAL WORK – IMPACT ASSESSMENT FOR ADVERTISING DEVICE (FREESTANDING SIGN)

KRYSTAL MARIE DEMENNA

LOT 2, CAPTAIN COOK HIGHWAY, PORT DOUGLAS

EPBC ACT MAPPING



APPENDIX P FEBRUARY 2025



APPENDIX Q

6.2.10 Rural zone code

6.2.10.1 Application

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

6.2.10.2 Purpose

- (1) The purpose of the Rural zone code is to provide for:
 - (a) provide for rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities;
 - (b) provide opportunities for non-rural uses, such as ancillary tourism activities that are compatible with agriculture, the environmental features, and landscape character of the rural area where the uses do not compromise the long-term use of the land for rural purposes;
 - (c) protect or manage significant natural resources and processes to maintain the capacity for primary production.
- (2) The local government purpose of the code is to:
 - (a) implement the policy direction set in the Strategic Framework, in particular:
 - (i) Theme 2 : Environment and landscape values, Element 3.5.5 – Scenic amenity.
 - (ii) Theme 3 : Natural resource management, Element 3.6.2 – Land and catchment management, Element 3.6.3 Primary production, forestry and fisheries, Element 3.6.4 – Resource extraction.
 - (iii) Theme 5 Economy, Element 3.8.2 – Economic growth and diversification, Element 3.8.4 – Primary production.
 - (iv) Theme 6 : Infrastructure and transport, Element 3.9.4 – Transport.
 - (b) recognise the primacy of rural production, in particular sugar cultivation, and other farming practices in rural areas;
 - (c) provide protection to areas of ecological significance and scenic amenity significance where present.
- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Areas for use for primary production are conserved and fragmentation is avoided.
 - (b) Development embraces sustainable land management practices and contributes to the amenity and landscape of the area.
 - (c) Adverse impacts of land use, both on-site and on adjoining areas, are avoided and any unavoidable impacts are minimised through location, design, operation and management.
 - (d) Areas of remnant and riparian vegetation are retained or rehabilitated.

6.2.10.3 Criteria for assessment

Table 6.210.3.a – Rural zone code assessable development

Performance outcomes	Acceptable outcomes
For self-assessable and assessable development	
PO1 The height of buildings is compatible with the rural character of the area and must not detrimentally impact on visual landscape amenity.	AO1.1 Dwelling houses are not more than 8.5 metres in height. Note – Height is inclusive of roof height. AO1.2 Rural farm sheds and other rural structures are not more than 10 metres in height.
Response to AO1.1 Complies – the proposed development will not exceed 8.5 metres in height.	
Response to AO1.2 Complies – No structures including the maintenance shed will be greater than 10 metres in height.	

Performance outcomes		Acceptable outcomes
Setbacks		
PO2 Buildings and structures are setback to maintain the rural character of the area and achieve separation from buildings on adjoining properties.		AO2 Buildings are setback not less than: <ul style="list-style-type: none"> (a) 40 metres from the property boundary and a State-controlled road; (b) 25 metres from the property boundary adjoining Cape Tribulation Road; (c) 20 metres from the boundary with any other road; (d) 6 metres from side and rear property boundaries.
Response to AO2 Complies – the proposed development has the following setbacks:- <ul style="list-style-type: none"> a) 118m setback to the State-controlled Road (Captain Cook Highway); b) 6m setback to the rear of the adjoining lot containing the lifestyle block; c) given that the unnamed road is proposed to provide access to the proposed development only, it is submitted that the provision of a 20 metres setback is unnecessary in this instance. 		
PO3 Buildings/structures are designed to maintain the rural character of the area.		AO3 White and shining metallic finishes are avoided on external surfaces of buildings.
Response to AO3 Complies – the external surfaces of the proposed development will maintain the rural character of the area.		
For assessable development		
PO4 The establishment of uses is consistent with the outcomes sought for the Rural zone and protects the zone from the intrusion of inconsistent uses.		AO4 Uses identified in Table 6.2.10.3.b are not established in the Rural zone.
Response to AO4 Complies - Refer to Section 7.05 of the Town Planning Report .		
PO5 Uses and other development include those that: <ul style="list-style-type: none"> (a) promote rural activities such as agriculture, rural enterprises and small scale industries that serve rural activities; or (b) promote low impact tourist activities based on the appreciation of the rural character, landscape and rural activities; or (c) are compatible with rural activities. 		AO5 No acceptable outcomes are prescribed.
Response to AO5 Complies - Refer to Section 8.00 of the Town Planning Report .		
PO6 Existing native vegetation along watercourses and in, or adjacent to areas of environmental value, or areas of remnant vegetation of value is protected.		AO6 No acceptable outcomes are prescribed.
Response to AO6 Complies – sufficient setbacks are provided to existing native vegetation along the Crees Creek and adjacent areas. Refer to Figure 7 – General Design and Citing Principles and Appendix G - Development Plans .		
PO7 The minimum lot size is 40 hectares, unless <ul style="list-style-type: none"> (a) the lot reconfiguration results in no additional lots (e.g. amalgamation, boundary realignments to resolve encroachments); or 		AO7 No acceptable outcomes are prescribed.

Performance outcomes	Acceptable outcomes
(b) the reconfiguration is limited to one additional lot to accommodate: <ul style="list-style-type: none"> (i) Telecommunications facility; (ii) Utility installation. 	
Response to PO7 Not Applicable – the application is limited to Material Change of Use and Operational Work for Advertising Device (Freestanding Sign) and no lot reconfiguration is proposed as part of the application.	

Table 6.2.10.3.b — Inconsistent uses within the Rural zone.

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

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

7.2.4 Port Douglas/Craigie local plan code

7.2.4.1 Application

(1) This code applies to assessing development within the Port Douglas/Craigie local plan area as identified on the Port Douglas/Craigie local plan maps contained in Schedule 2.

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

7.2.4.2 Context and setting

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

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

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

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

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

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

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

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

7.2.4.3 Purpose

(1) The purpose of the Port Douglas/Craigie local plan code is to facilitate development outcomes consistent with community values, the local tropical built-form and protection of the natural environment within the Port Douglas/Craigie local plan area, while providing a platform for investment and prosperity.

- (a) In addition, the purpose of the code is supported by the Port Douglas Waterfront Master Plan which provides a clear strategic direction for the incremental transformation of the Port Douglas Waterfront, including the following objectives:
- (b) To set out a vision for revitalisation of the waterfront;
- (c) To protect and enhance the environmental attributes; and

(2) To provide a flexible framework, expressed through several key strategies that will assist the Council and community in managing change.

- (3) The purpose of the code will be achieved through the following overall outcomes:
- (a) Port Douglas will continue to develop as the premium destination for international and domestic tourists in the Far North Queensland Region, while also acting for permanent residents attracted to the associated lifestyle.
 - (b) Major tourist, retail, dining and entertainment facilities will consolidate in the Town Centre and the Waterfront North sub-precincts, with improved pedestrian connections between the town centre and the waterfront.
 - (c) 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
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.

Performance outcomes	Acceptable outcomes
Response to AO1 Complies – Refer to Appendix G - Development Plans and Appendix H - Engineering Report	
<p>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 / Craigie (as identified on the Port Douglas/ Craigie Townscape Plan map contained in Schedule 2).</p>	<p>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:</p> <ul style="list-style-type: none"> (a) the tree covered backdrop of Flagstaff Hill; (b) natural vegetation along watercourses, in particular the Mowbray River, Beor Creek and Dickson Inlet; (c) the tidal vegetation along the foreshore; (d) beachfront vegetation along Four Mile Beach, including the fringe of Coconut Palms; (e) the oil palm avenues along the major roads; (f) the lush landscaping within major roundabouts at key nodes; (g) Macrossan Street and Warner Street; (h) Port Douglas waterfront. <p>AO2.2 Development protects and does not intrude into important views and vistas as identified on the Port Douglas Townscape Plan map contained in Schedule 2, in particular:</p> <ul style="list-style-type: none"> (a) Flagstaff Hill; (b) Four Mile Beach; (c) Across to the ranges over Dickson Inlet; (d) Mowbray Valley. <p>AO2.3 Important landmarks, memorials and monuments are retained.</p>
<p>Response to AO2.1 Not Applicable – the proposed development is located in or impacts on item (a) to (h) above.</p> <p>Response to AO2.2 Not Applicable – the proposed development does not intrude into important views and vistas.</p> <p>Response to AO2.3 Complies</p>	
<p>PO3 Development contributes to the protection, reinforcement and where necessary enhancement of gateways and key intersections identified on the Port Douglas / Craigie local plan maps contained in Schedule 2.</p>	<p>AO3 Development adjacent to the gateways and nodes as identified on the Port Douglas / Craigie 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.</p>
<p>Response to AO3 Not Applicable the subject site is not located adjacent to gateways or nodes as identified on the relevant Local Plan Maps.</p>	

Performance outcomes	Acceptable outcomes
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.
Response to AO4 Complies – the proposed development will contain suitable landscaping that complements the existing tropical character of Port Douglas and Craiglie.	
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.
Response to AO5 Not Applicable – vehicular access to the subject site is via the 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. AO6.2 Unless otherwise specified within this Local Plan, buildings are set back not less than 6 metres from the primary street frontage.
Response to AO6.1 Not Applicable – The subject site is not located within Precinct 1.	
Response to AO6.2 Not Applicable – The subject site is not located within Precinct 1.	
PO7 Vehicle access, parking and service areas: <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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. AO7.2 Ground level parking incorporates clearly defined pedestrian routes. AO7.3 Any porte-cocheres, disabled and pedestrian accesses are accommodated within the boundary of new or refurbished development. 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

Performance outcomes	Acceptable outcomes
	<p>code with a relaxation of 30% of spaces required for the non-residential uses.</p> <p>A07.5 On-site car parking available for public use is clearly signed at the site frontage.</p> <p>A07.6 Boom gates, pay machines or other regulatory devices to control access to a publicly available car parking area are not constructed or installed.</p>
<p>Response to A07.1 Not Applicable – The subject site is not located within Precinct 1.</p> <p>Response to A07.2 Not Applicable – The subject site is not located within Precinct 1.</p> <p>Response to A07.3 Not Applicable – The subject site is not located within Precinct 1.</p> <p>Response to A07.4 Not Applicable – The subject site is not located within Precinct 1.</p> <p>Response to A07.5 Not Applicable – The subject site is not located within Precinct 1.</p> <p>Response to A07.6 Not Applicable – The subject site is not located within Precinct 1.</p>	
<p>PO8 Precinct 1 – Port Douglas precinct is not characterised by a proliferation of advertising signs.</p>	<p>A08 No acceptable outcomes are prescribed.</p>
<p>Response to A08 Not Applicable – The subject site is not located within Precinct 1.</p>	
Additional requirements for Sub-precinct 1a – Town Centre sub-precinct	
<p>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. (e) do not exceed 3 storeys.</p>	<p>A09 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.</p> <p>Note – Height is inclusive of the roof height.</p>
<p>Response to A09 Not Applicable – The subject site is not located within Precinct 1a.</p>	
<p>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.</p>	<p>A010 No acceptable outcomes are prescribed.</p>
<p>Response to A010 Not Applicable – The subject site is not located within Precinct 1a.</p>	

Performance outcomes	Acceptable outcomes
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.
Response to AO11 Not Applicable – The subject site is not located within Precinct 1a.	
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.
Response to AO12 Not Applicable – The subject site is not located within Precinct 1a.	
AO13 Buildings do not result in a reduction of views and vistas from public places to: (a) Flagstaff Hill; (b) Dickson Inlet; (c) public open space; (d) places of significance.	AO13 No acceptable outcomes are prescribed.
Response to AO13 Not Applicable – The subject site is not located within Precinct 1a.	
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.
Response to AO14 Not Applicable – The subject site is not located within Precinct 1a.	
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. 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 mixed use development.

Performance outcomes	Acceptable outcomes
Response to AO15.1 Not Applicable – The subject site is not located within Precinct 1a.	
Response to AO15.2 Not Applicable – The subject site is not located within Precinct 1a.	
P016 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.
Response to AO16 Not Applicable – The subject site is not located within Precinct 1a.	
P017 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.
Response to AO17 Not Applicable – The subject site is not located within Precinct 1a.	
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.
Response to AO18 Not Applicable – The subject site is not located within Precinct 1a.	
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; 	AO19 No acceptable outcomes are prescribed.

Performance outcomes	Acceptable outcomes
(e) enrich the North Queensland tropical character of the Town Centre sub-precinct; (f) provide architectural interest to building façades.	
Response to AO19 Not Applicable – The subject site is not located within Precinct 1a.	
PO20 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.	AO20 No acceptable outcomes are prescribed.
Response to AO20 Not Applicable – The subject site is not located within Precinct 1a.	
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.
Response to AO21 Not Applicable – The subject site is not located within Precinct 1a.	
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. AO22.2 Any break in the building façade varies the alignment by a 1 metre minimum deviation. 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: (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.
Response to AO22 Not Applicable – The subject site is not located within Precinct 1a.	
PO23 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.	AO23 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;

Performance outcomes	Acceptable outcomes
	(c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade.
Response to AO23 Not Applicable – The subject site is not located within Precinct 1a.	
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; (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. 	AO24 No acceptable outcomes are prescribed.
Response to AO24 Not Applicable – The subject site is not located within Precinct 1a.	
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.
Response to AO25 Not Applicable – The subject site is not located within Precinct 1a.	
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 North.	AO26 Uses identified as inconsistent uses in Table 7.2.4.4.b – Inconsistent uses in sub-precinct 1b – Waterfront North sub-precinct are not established in sub-precinct 1b - Waterfront North.
Response to AO26 Not Applicable - The subject site is not located within Precinct 1b.	
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: <ul style="list-style-type: none"> (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.

Performance outcomes	Acceptable outcomes
	Note – Height is inclusive of roof height.
Response to AO27 Not Applicable - The subject site is not located within Precinct 1b.	
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.
Response to AO28 Not Applicable - The subject site is not located within Precinct 1b.	
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. AO29.2 A public plaza is incorporated into the design generally reflecting the requirements of the Port Douglas Waterfront Master Plan, focussing in the vicinity of the 'Duck Pond'. 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.
Response to AO29.1 to AO29.3 Not Applicable - The subject site is not located within Precinct 1b.	
PO30 Buildings: (a) address street frontages; (b) ensure main entrances front the street or public spaces.	AO30 No acceptable outcomes are prescribed.
Response to AO30 Not Applicable - The subject site is not located within Precinct 1b.	
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.
Response to AO31 Not Applicable - The subject site is not located within Precinct 1b.	
PO32 Buildings do not result in a reduction of views and vistas from public places to: (a) Dickson Inlet; (b) public open space; (c) places of significance.	AO32 No acceptable outcomes are prescribed.

Performance outcomes	Acceptable outcomes
Response to AO32 Not Applicable - The subject site is not located within Precinct 1b.	
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.
Response to AO33 Not Applicable - The subject site is not located within Precinct 1b.	
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. 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.
Response to AO34.1 to AO34.2 Not Applicable - The subject site is not located within Precinct 1b.	
PO35 Detailed building design: (a) enhances the visual amenity of the streetscape; (b) has a legible and attractive built form that is visually enhanced by architectural elements; (c) contributes to a distinctive tropical north Queensland, seaside tourist town character; (d) integrates major landscaping elements to maximise their aesthetic value to ensure that the lush, vegetated character of the Waterfront North sub-precinct is maintained.	AO35 No acceptable outcomes are prescribed.
Response to AO35 Not Applicable - The subject site is not located within Precinct 1b.	
PO36 Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through: (a) surface decoration; (b) wall recesses and projections; (c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements. (d) differentiating between the lower, middle and upper parts of the building by varying the façade and/or the shape of the built form, where comprised of more than two storeys.	AO36 No acceptable outcomes are prescribed.
Response to AO36 Not Applicable - The subject site is not located within Precinct 1b.	
PO37 Roofs are not characterised by a cluttered display of plant and equipment, in particular: (a) building caps and rooftops contribute to the architectural distinction of the building and create	AO37 No acceptable outcomes are prescribed.

Performance outcomes	Acceptable outcomes
<p>a coherent roofscape for the Waterfront North sub-precinct;</p> <p>(b) service structures, lift motor rooms and mechanical plant and equipment are designed as an architectural feature of the building or are screened from public view;</p> <p>(c) rooftops are not used for advertising.</p>	
Response to AO37 Not Applicable - The subject site is not located within Precinct 1b.	
PO38 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) enriching the North Queensland tropical character of the Waterfront North sub-precinct; (f) architectural interest to building façades. 	AO38 No acceptable outcomes are prescribed.
Response to AO38 Not Applicable - The subject site is not located within Precinct 1b.	
PO39 Buildings are finished with high quality materials, selected for: <ul style="list-style-type: none"> (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.
Response to AO39 Not Applicable - The subject site is not located within Precinct 1b.	
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.
Response to AO40 Not Applicable - The subject site is not located within Precinct 1b.	
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. AO41.2 Any break in the building façade varies the alignment by a 1 metre minimum deviation. AO41.3 A minimum of three of the following building design features and architectural elements detailed below

Performance outcomes	Acceptable outcomes
	<p>are incorporated to break the extended facade of a development:</p> <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.
Response to AO41.1 to AO41.3 Not Applicable - The subject site is not located within Precinct 1b.	
PO42 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. 	AO42 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.
Response to AO42 Not Applicable - The subject site is not located within Precinct 1b.	
PO43 Awnings for pedestrian shelter are consistent with the character setting of the Waterfront North sub-precinct and: <ul style="list-style-type: none"> (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 pavement height; (f) do not extend past a vertical plane, 1.2 metres inside the street kerb-line to enable street trees to be planted and grow; (g) are cantilevered from the main building with any posts within the footpath being non load-bearing. 	AO43 No acceptable outcomes are prescribed.
Response to AO43 Not Applicable - The subject site is not located within Precinct 1b.	
PO44 The Balley Hooley rail line and turn-table is retained and incorporated into development and maintains its functionality.	AO44.1 Bally Hooley rail line and turn-table is retained and incorporated into development to maintain its functionality. AO44.2 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.

Performance outcomes	Acceptable outcomes
Response to AO44.1 to AO44.2 Not Applicable - The subject site is not located within Precinct 1b.	
PO45 Development recognises the importance of and relationship between the marina, commercial and residential development in the Waterfront North sub-precinct, and includes measures to mitigate the impact of: (a) noise; (b) odour; (c) hazardous materials; (d) waste and recyclable material storage.	AO45 No acceptable outcomes are prescribed.
Response to AO45 Not Applicable - The subject site is not located within Precinct 1b.	
PO46 Formalised public spaces and pedestrian paths/areas on freehold land are made accessible to the public.	AO46 No acceptable outcomes are prescribed.
Response to AO46 Not Applicable - The subject site is not located within Precinct 1b.	
PO47 Buildings, civic spaces, roads and pedestrian links are enhanced by: (a) appropriate landscape design and planting; (b) themed planting that defines entry points, and creates strong 'entry corridors' into the waterfront; (c) lighting and well-considered discrete signage that complements building and landscape design; (d) public artwork and other similar features that reflect the heritage and character of the Port Douglas Waterfront.	AO47 No acceptable outcomes are prescribed.
Response to AO47 Not Applicable - The subject site is not located within Precinct 1b.	
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.
Response to AO48 Not Applicable - The subject site is not located within Precinct 1b.	
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 the slipway operation.	AO49 No acceptable outcomes are prescribed.
Response to AO49 Not Applicable - The subject site is not located within Precinct 1b.	
PO50 Marine infrastructure to service the tourism, fishing and private boating community is provided.	AO50 No acceptable outcomes are prescribed.

Performance outcomes	Acceptable outcomes
Response to AO50 Not Applicable - The subject site is not located within Precinct 1b.	
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.
Response to AO21 Not Applicable - The subject site is not located within Precinct 1b.	
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.
Response to AO52 Not Applicable - The subject site is not located within Precinct 1c.	
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 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.
Response to AO53.1 – AO53.2 Not Applicable - The subject site is not located within Precinct 1c.	
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.
Response to AO54 Not Applicable - The subject site is not located within Precinct 1c.	
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	AO55.1 Development has a height of not more than 10 metres. AO55.2

Performance outcomes	Acceptable outcomes
qualities of the adjacent area are not adversely affected.	Development is setback from all property boundaries not less than 3 metres.
Response to AO55.1 to AO55.2 Not Applicable - The subject site is not located within Precinct 1c.	
PO56 The site coverage of all buildings and structures ensures development: (a) is sited in an existing cleared area or in an area approved for clearing; (b) has sufficient area for the provision of services; (c) development does not have an adverse effect on the environmental, habitat, conservation or landscape values of the on-site and surrounding sensitive areas.	AO56 No acceptable outcomes are prescribed.
Response to AO56 Not Applicable - The subject site is not located within Precinct 1c.	
PO57 Premises include adequate provision for service vehicles, to cater for generated demand. Loading areas for service vehicles are designed to: (a) be accommodated on-site; (b) maximise safety and efficiency of loading; (c) protect the visual and acoustic amenity of sensitive land use activities; (d) minimise adverse impacts on natural characteristics of adjacent areas.	AO57.1 Sufficient manoeuvring area is provided on-site to allow a Medium Rigid Vehicle to enter and leave the site in a forward gear. AO57.2 Development is designed to ensure all service vehicles are contained within the site when being loaded/unloaded. AO57.3 Driveways, parking and manoeuvring areas are constructed and maintained to: (a) minimise erosion from storm water runoff; (b) retain all existing vegetation.
Response to AO57.1 to AO57.3 Not Applicable - The subject site is not located within Precinct 1c.	
PO58 Development ensures adverse impacts from service vehicles on the road network, external to the site, are minimised.	AO58 No acceptable outcomes are prescribed.
Response to AO58 Not Applicable - The subject site is not located within Precinct 1c.	
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.
Response to AO59 Not Applicable - The subject site is not located within Precinct 1c.	
PO60 Landscaping is informal in character and complementary to the existing natural environment,	AO60 For any development landscaping is in accordance with the Plant species schedule in Planning scheme policy SC6.7– Landscaping.

Performance outcomes	Acceptable outcomes
provides screening and enhances the visual appearance of the development.	
Response to AO60 Not Applicable - The subject site is not located within Precinct 1c.	
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.
Response to AO61 Not Applicable - The subject site is not located within Precinct 1d.	
Additional requirements for Sub-precinct 1e – Community and recreation sub-precinct	
PO62 The precinct is developed for organised sporting activities and other community uses.	AO62 No acceptable outcomes are prescribed.
Response to AO62 Not Applicable - The subject site is not located within Precinct 1e.	
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.
Response to AO63 Not Applicable - The subject site is not located within Precinct 1f.	
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 viewshed; (d) protection of the views from public viewing points in the Port Douglas precinct. 	AO64 No acceptable outcomes are prescribed.
Response to AO64 Not Applicable - The subject site is not located within Precinct 1f.	
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	AO65 Development consists of service and light industries and associated small scale commercial activities.

Performance outcomes	Acceptable outcomes
the local economy that would otherwise be better suited to a location outside the Port Douglas Town Centre Precinct.	
Response to AO65 Not Applicable - The subject site is not located within Precinct 3.	
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. 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. 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 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.
Response to AO66.1 to AO66.4 Not Applicable - The subject site is not located within Precinct 3.	
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.
Response to AO67 Not Applicable - The subject site is not located within Precinct 6.	
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.
Response to AO68 Not Applicable - The subject site is not located within Precinct 6.	

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 	<ul style="list-style-type: none"> • Extractive industry • Funeral parlour • High impact industry • Intensive animal industry • Intensive horticulture • Major electricity infrastructure 	<ul style="list-style-type: none"> • Relocatable home park • Roadside stall • Rural industry • Rural workers accommodation • Service station • Showroom

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

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

Note – Table 7.2.4.4.b or Table 7.2.4.4.c do 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.

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.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Development ensures that the release of any acid and associated metal contaminant is avoided by not disturbing acid sulfate soils when excavating, removing soil or extracting ground water or filling land;
 - (b) Development ensures that disturbed acid sulfate soils, or drainage waters, are treated and, if required, on-going management practices are adopted that minimise the potential for environmental harm from acid sulfate soil and protect corrodible assets from acid sulfate soil.

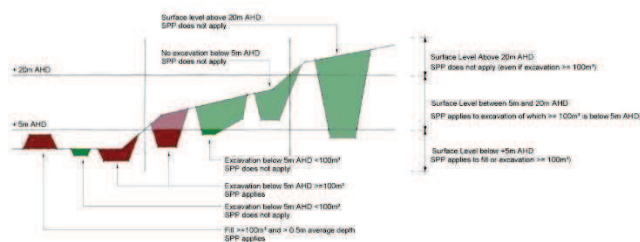
8.2.1.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes
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.
Response to AO1.2 Complies – Refer to Appendix H – Engineering Report	

Performance outcomes	Acceptable outcomes
<p>PO2</p> <p>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.</p>	<p>AO2.1</p> <p>The disturbance of potential acid sulfate soils or actual acid sulfate soils is avoided by:</p> <ul style="list-style-type: none"> (a) not excavating, or otherwise removing, soil or sediment identified as containing potential or actual acid sulfate soils; (b) not permanently or temporarily extracting groundwater that results in the aeration of previously saturated acid sulfate soils; (c) not undertaking filling that results in: (d) actual acid sulfate soils being moved below the water table; (e) previously saturated acid sulfate soils being aerated. <p>or</p> <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 oxidation 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>Response to AO2.1 – AO2.2</p> <p>Complies – Refer to Appendix H – Engineering Report</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>Response to AO3</p> <p>Complies – Refer to Appendix H – Engineering Report</p>	

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



8.2.2 Bushfire hazard overlay code

Note - Land shown on the bushfire hazard overlay map is designated as the bushfire prone area for the purposes of section 12 of the Building Regulations 2006. The bushfire hazard area (bushfire prone area) includes land covered by the high and medium hazard areas as well as the buffer area category on the overlay map.

8.2.2.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational works or building work in the Bushfire hazard overlay, if:
 - (a) self-assessable or assessable where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
 - (b) impact assessable development.
- (2) Land in the Bushfire hazard overlay is identified on the Bushfire hazard overlay map in Schedule 2 and includes the following sub-categories:
 - (a) Medium bushfire risk sub-category;
 - (b) High bushfire risk sub-category;
 - (c) Very high bushfire risk sub-category;
 - (d) Potential impact buffer sub-category.
- (3) When using this code, reference should be made to Part 5.

8.2.2.2 Purpose

- (1) The purpose of the Bushfire overlay code is to:
 - (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
 - (ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.
 - (b) enable an assessment of whether development is suitable on land within the Bushfire risk overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development avoids the establishment or intensification of vulnerable activities within or near areas that are subject to bushfire hazard;
 - (b) development is designed and located to minimise risks to people and property from bushfires;
 - (c) bushfire risk mitigation treatments are accommodated in a manner that avoids or minimises impacts on the natural environment and ecological processes;
 - (d) development involving the manufacture or storage of hazardous materials does not increase the risk to public safety or the environment in a bushfire event;
 - (e) development contributes to effective and efficient disaster management response and recovery capabilities.

Note - A site based assessment may ground-truth the extent of hazardous vegetation and extent and nature of the bushfire hazard area (bushfire prone area). Such assessments should be undertaken using the methodology set out in Planning scheme policy SC6.9 - Natural Hazards.

8.2.2.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes
For self-assessable and assessable development	
Compatible development	
<p>PO1 A vulnerable use is not established or materially intensified within a bushfire hazard area (bushfire prone area) unless there is an overriding need or other exceptional circumstances.</p> <p>Note - See the end of this code for examples of vulnerable uses.</p>	<p>AO1 Vulnerable uses are not established or expanded.</p> <p>Note – Where, following site inspection and consultation with Council, it is clear that the mapping is in error in identifying a premises as being subject to a medium, high, very high bushfire hazard or potential impact buffer sub-category, Council may supply a letter exempting the need for a Bushfire Management Plan.</p> <p>Note – Where the assessment manager has not previously approved a Bushfire Management Plan (either by condition of a previous development approval), the development proponent will be expected to prepare such a plan.</p> <p>Note – Planning scheme policy SC6.9 - Natural hazards, provides a guide to the preparation of a Bushfire Management Plan.</p>
<p>Response to AO1 Not Applicable – the proposed development does not include “Vulnerable Uses”</p>	
<p>PO2 Emergency services and uses providing community support services are able to function effectively during and immediately after a bushfire hazard event.</p>	<p>AO2 Emergency Services and uses providing community support services are not located in a bushfire hazard sub-category and have direct access to low hazard evacuation routes.</p>
<p>Response to AO2 Not Applicable – the proposed development does not include these activities.</p>	
<p>PO3 Development involving hazardous materials manufactured or stored in bulk is not located in bushfire hazard sub-category.</p>	<p>AO3 The manufacture or storage of hazardous material in bulk does not occur within bushfire hazard sub-category.</p>
<p>Response to AO3 Not Applicable – the proposed development does not include these activities.</p>	
Development design and separation from bushfire hazard – reconfiguration of lots	
<p>PO4.1 Where reconfiguration is undertaken in an urban area or is for urban purposes or smaller scale rural residential purposes, a separation distance from hazardous vegetation is provided to achieve a radiant heat flux level of 29kW/m² at the edge of the proposed lot(s).</p> <p>Note - “Urban purposes” and “urban area” are defined in the <i>Sustainable Planning Regulations 2009</i>. Reconfiguration will be taken to be for rural residential purposes where proposed lots are between 2000m² and 2ha in area. “Smaller scale” rural residential purposes will be taken to be where the average proposed lot size is 6000m² or less.</p> <p>Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.</p> <p>PO4.2</p>	<p>AO4.1 No new lots are created within a bushfire hazard sub-category.</p> <p>or</p> <p>AO4.2 Lots are separated from hazardous vegetation by a distance that:</p> <ul style="list-style-type: none"> (a) achieves radiant heat flux level of 29kW/m² at all boundaries; and (b) is contained wholly within the development site. <p>Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation.</p>

Performance outcomes	Acceptable outcomes
Where reconfiguration is undertaken for other purposes, a building envelope of reasonable dimensions is provided on each lot which achieves radiant heat flux level of 29kW/m ² at any point.	For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages. Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.
Response to AO4.1 to AO4.2 Not Applicable – no Reconfiguring a Lot is proposed as part of this application.	
PO5 Where reconfiguration is undertaken in an urban area or is for urban purposes, a constructed perimeter road with reticulated water supply is established between the lots and the hazardous vegetation and is readily accessible at all times for urban fire fighting vehicles. The access is available for both fire fighting and maintenance/defensive works.	AO5.1 Lot boundaries are separated from hazardous vegetation by a public road which: <ul style="list-style-type: none"> (a) has a two lane sealed carriageway; (b) contains a reticulated water supply; (c) is connected to other public roads at both ends and at intervals of no more than 500m; (d) accommodates geometry and turning radii in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (e) has a minimum of 4.8m vertical clearance above the road; (f) is designed to ensure hydrants and water access points are not located within parking bay allocations; and (g) incorporates roll-over kerbing. AO5.2 Fire hydrants are designed and installed in accordance with AS2419.1 2005, unless otherwise specified by the relevant water entity. Note - Applicants should have regard to the relevant standards set out in the reconfiguration of a lot code and works codes in this planning scheme.
Response to AO5.1 to AO5.2 Not Applicable – no Reconfiguring a Lot is proposed as part of this application.	
PO6 Where reconfiguration is undertaken for smaller scale rural residential purposes, either a constructed perimeter road or a formed, all weather fire trail is established between the lots and the hazardous vegetation and is readily accessible at all times for the type of fire fighting vehicles servicing the area. The access is available for both fire fighting and maintenance/hazard reduction works.	AO6 Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has: <ul style="list-style-type: none"> (a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (f) a maximum gradient of 12.5%; (g) a cross fall of no greater than 10 degrees;

Performance outcomes	Acceptable outcomes
	<ul style="list-style-type: none"> (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy; (i) vehicular access at each end which is connected to the public road network at intervals of no more than 500m; (j) designated fire trail signage; (k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and (l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.
Response to AO6 Not Applicable – no Reconfiguring a Lot is proposed as part of this application.	
PO7 Where reconfiguration is undertaken for other purposes, a formed, all weather fire trail is provided between the hazardous vegetation and either the lot boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area. However, a fire trail will not be required where it would not serve a practical fire management purpose.	AO7 Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has: <ul style="list-style-type: none"> (a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (f) a maximum gradient of 12.5%; (g) a cross fall of no greater than 10 degrees; (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy; (i) vehicular access at each end which is connected to the public road network; (j) designated fire trail signage; (k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and (l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.
Response to AO7 Not Applicable – no Reconfiguring a Lot is proposed as part of this application.	
PO8 The development design responds to the potential threat of bushfire and establishes clear evacuation routes which demonstrate an acceptable or tolerable risk to people.	AO8 The lot layout: <ul style="list-style-type: none"> (a) minimises the length of the development perimeter exposed to, or adjoining hazardous vegetation; (b) avoids the creation of potential bottle-neck points in the movement network; (c) establishes direct access to a safe assembly /evacuation area in the event of an approaching bushfire; and (d) ensures roads likely to be used in the event of a fire are designed to minimise traffic congestion.

Performance outcomes	Acceptable outcomes
	<p>Note - For example, developments should avoid finger-like or hour-glass subdivision patterns or substantive vegetated corridors between lots. In order to demonstrate compliance with the performance outcome, a bushfire management plan prepared by a suitably qualified person may be required. The bushfire management plan should be developed in accordance with the Public Safety Business Agency (PSBA) guideline entitled "Undertaking a Bushfire Protection Plan. Advice from the Queensland Fire and Emergency Services (QFES) should be sought as appropriate</p>
Response to AO8 Not Applicable – no Reconfiguring a Lot is proposed as part of this application.	
PO9 Critical infrastructure does not increase the potential bushfire hazard.	AO9 Critical or potentially hazardous infrastructure such as water supply, electricity, gas and telecommunications are placed underground.
Response to AO9 Not Applicable – no Reconfiguring a Lot is proposed as part of this application.	
Development design and separation from bushfire hazard – material change of use	
PO10 Development is located and designed to ensure proposed buildings or building envelopes achieve a radiant heat flux level at any point on the building or envelope respectively, of: (a) 10kW/m ² where involving a vulnerable use; or (b) 29kW/m ² otherwise. The radiant heat flux level is achieved by separation unless this is not practically achievable. Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.	AO10 Buildings or building envelopes are separated from hazardous vegetation by a distance that: (a) achieves a radiant heat flux level of at any point on the building or envelope respectively, of 10kW/m ² for a vulnerable use or 29kW/m ² otherwise; and (b) is contained wholly within the development site. Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation. For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages. Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.
Response to AO10 Complies - The proposal is capable of compliance with relevant standards and refer to Appendix H – Engineering Report .	
PO11 A formed, all weather fire trail is provided between the hazardous vegetation and the site boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area.	AO11 Development sites are separated from hazardous vegetation by a public road or fire trail which has: (a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation;

Performance outcomes	Acceptable outcomes
<p>However, a fire trail will not be required where it would not serve a practical fire management purpose.</p> <p>Note - Fire trails are unlikely to be required where a development site involves less than 2.5ha</p>	<ul style="list-style-type: none"> (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (f) a maximum gradient of 12.5%; (g) a cross fall of no greater than 10 degrees; (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy; (i) vehicular access at each end which is connected to the public road network which is connected to the public road network at intervals of no more than 500m; (j) designated fire trail signage; (k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and (l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.
Response to AO11 Complies – Refer to Appendix H – Engineering Report	
All development	
PO12 All premises are provided with vehicular access that enables safe evacuation for occupants and easy access by fire fighting appliances.	AO12 Private driveways: <ul style="list-style-type: none"> (a) do not exceed a length of 60m from the street to the building; (b) do not exceed a gradient of 12.5%; (c) have a minimum width of 3.5m; (d) have a minimum of 4.8m vertical clearance; (e) accommodate turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and (f) serve no more than 3 dwellings or buildings.
Response to AO12 Complies – the proposed driveway will comply with Council's requirements in terms of safe evacuation and appropriate access by fire fighting appliance and refer to Appendix H – Engineering Report.	
PO13 Development outside reticulated water supply areas includes a dedicated static supply that is available solely for fire fighting purposes and can be accessed by fire fighting appliances.	AO13 A water tank is provided within 10m of each building (other than a class 10 building) which: <ul style="list-style-type: none"> (a) is either below ground level or of non-flammable construction; (b) has a take off connection at a level that allows the following dedicated, static water supply to be left available for access by fire fighters: <ul style="list-style-type: none"> (i) 10,000l for residential buildings <p>Note – A minimum of 7,500l is required in a tank and the extra 2,500l may be in the form of accessible swimming pools or dams.</p> <ul style="list-style-type: none"> (ii) 45,000l for industrial buildings; and (iii) 20,000l for other buildings; (c) includes shielding of tanks and pumps in accordance with the relevant standards;

Performance outcomes	Acceptable outcomes
	(d) includes a hardstand area allowing medium rigid vehicle (15 tonne fire appliance) access within 6m of the tank; (e) is provided with fire brigade tank fittings – 50mm ball valve and male camlock coupling and, if underground, an access hole of 200mm (minimum) to accommodate suction lines; and (f) is clearly identified by directional signage provided at the street frontage.
Response to AO13 Complies – Refer to Appendix H – Engineering Report	
PO14 Landscaping does not increase the potential bushfire risk.	AO14 Landscaping uses species that are less likely to exacerbate a bushfire event, and does not increase fuel loads within separation areas.
Response to AO14 Complies – the landscaping forming part of the proposed development will utilise plant species in accordance with Council's requirements.	
PO15 The risk of bushfire and the need to mitigate that risk is balanced against other factors (such as but not limited to, biodiversity or scenic amenity).	AO15 Bushfire risk mitigation treatments do not have a significant impact on the natural environment or landscape character of the locality where this has value.
Response to AO15 Complies – Refer to Appendix H – Engineering Report	

Note – 'Vulnerable activities' are those involving:

- (1) the accommodation or congregation of vulnerable sectors of the community such as child care centres, community care centre, educational establishments, detention facilities, hospitals, rooming accommodation, retirement facilities or residential care facilities; or
- (2) the provision of essential services including community uses, emergency services, utility installation, telecommunications facility, substations and major electricity infrastructure.

8.2.3 Coastal environment overlay code

8.2.3.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Coastal environment overlay, if:
 - (a) self assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
 - (b) impact assessable development.
- (2) Land in the Coastal hazard overlay is identified on the Coastal environment overlay map in Schedule 2 and includes the following sub-categories:
 - (a) Coastal management district sub-category;
 - (b) Erosion prone area sub-category.
- (3) When using this code, reference should be made to Part 5.

8.2.3.2 Purpose

- (1) The purpose of the Coastal environment overlay code is to:
 - (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
 - (ii) Theme 2 Environment and landscape values: Element 3.5.4 Coastal zones;
 - (iii) Theme 3 Natural resource management: Element 3.6.2 Land and catchment management.
 - (b) enable an assessment of whether development is suitable on land within the Coastal processes sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) facilitate the protection of both coastal processes and coastal resources;
 - (b) facilitating coastal dependent development on the foreshore over other development;
 - (c) public access to the foreshore protects public safety;
 - (d) maintain the erosion prone area as a development free buffer zone (other than for coastal dependent, temporary or relocatable development);
 - (e) require redevelopment of existing permanent buildings or structures in an erosion prone area to avoid coastal erosion risks, manage coastal erosion risks through a strategy of planned retreat or mitigate coastal erosion risks;
 - (f) require development to maintain or enhance natural processes and the protective function of landforms and vegetation that can mitigate risks associated with coastal erosion;
 - (g) locate and design community infrastructure to maintain the required level of functionality during and immediately after a coastal hazard event.

8.2.3.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes
For self-assessable and assessable development	
PO1 No works other than coastal protection works extend seaward of the coastal building line.	AO1.1 Development (including all buildings and other permanent structures such as swimming pools and retaining walls) does not extend seaward of a coastal building line. Note – Coastal building lines are declared under the Coastal Protection and Management Act 1995 and are administered by the State Department of Environment and Heritage Protection. AO1.2 Coastal protection works are only undertaken as a last resort where coastal erosion presents an immediate threat to public safety or existing buildings

Performance outcomes	Acceptable outcomes
	<p>or structures and the property cannot be relocated or abandoned.</p> <p>AO1.3 Coastal protection works are as far landward as practicable on the lot containing the property to the maximum extent reasonable.</p> <p>AO1.4 Coastal protection work mitigates any increase in the coastal hazard.</p>
<p>Response to AO1.1 Not Applicable – the subject site is not subject to a coastal building line.</p> <p>Response to AO1.2 Not Applicable – no coastal protection works are proposed as part of the application.</p> <p>Response to AO1.3 Not Applicable – no coastal protection works are proposed as part of the application.</p> <p>Response to AO1.4 Not Applicable – no coastal protection works are proposed as part of the application.</p>	
<p>PO2 Where a coastal building line does not exist on a lot fronting the coast or a reserve adjoining the coast, development is setback to maintain the amenity and use of the coastal resource.</p>	<p>AO2 Where a coastal building line does not exist on a lot fronting the coast or a reserve adjoining the coast, development (including all buildings and structures such as swimming pools) and retaining walls are set back not less than 6 metres from the seaward boundary of the lot.</p>
<p>Response to AO2 Not Applicable – the subject site does not front a coast or reserve adjoining the coast.</p>	
For assessable development	
Erosion prone areas	
<p>PO3 Development identifies erosion prone areas (coastal hazards).</p>	<p>AO3 No acceptable outcomes are prescribed.</p>
<p>Response to AO3 Complies – Refer to Section 7.01 of the Town Planning Report, Figure 13 – Coastal Processes Overlay and Appendix H – Engineering Report.</p>	
<p>PO4 Erosion prone areas are free from development to allow for natural coastal processes.</p>	<p>AO4.1 Development is not located within the Erosion prone area, unless it can be demonstrated that the development is for: (a) community infrastructure where no suitable alternative location or site exists for this infrastructure; or (b) development that reflects the preferred development outcomes in accordance with the zoning of the site (i.e. in the Low density residential zone, a dwelling house is a preferred development outcome in accordance with the zoning of the site)</p> <p>AO4.2 Development involving existing permanent buildings and structures within an erosion prone area does not increase in intensity of its use by:</p>

Performance outcomes	Acceptable outcomes
	<ul style="list-style-type: none"> (a) adding additional buildings or structures; or (b) incorporating a land use that will result in an increase in the number of people or employees occupying the site.
<p>Response to AO4.1 Complies – Refer to Section 7.01 of the Town Planning Report, Figure 13 – Coastal Processes Overlay and Appendix H – Engineering Report.</p> <p>Response to AO4.2 Complies – Refer to Section 7.01 of the Town Planning Report, Figure 13 – Coastal Processes Overlay and Appendix H – Engineering Report.</p>	
Coastal management districts	
<p>PO5 Natural processes and protective functions of landforms and vegetation are maintained.</p>	<p>PO5.1 Development within the coastal management district:</p> <ul style="list-style-type: none"> (a) maintains vegetation on coastal land forms where its removal or damage may: <ul style="list-style-type: none"> (i) destabilise the area and increase the potential for coastal erosion, or (ii) interrupt the natural sediment trapping processes or dune or land building processes; (b) maintains sediment volumes of dunes and near-shore coastal landforms, or where a reduction in sediment volumes cannot be avoided, increased risks to development from coastal erosion are mitigated by location, design and construction and operating standards; (c) minimises the need for erosion control structures or riverine hardening through location, design and construction standards; (d) maintains physical coastal processes outside the development footprint for the development, including longshore transport of sediment along the coast; (e) reduces the risk of shoreline erosion for areas adjacent to the development footprint to the maximum extent feasible in the case of erosion control structures. <p>PO5.2 Where development proposes the construction of an erosion control structure:</p> <ul style="list-style-type: none"> (a) it is demonstrated that it is the only feasible option for protecting permanent structures from coastal erosion; and (b) those permanent structures cannot be abandoned or relocated in the event of coastal erosion occurring. <p>PO5.3 Development involving reclamation:</p> <ul style="list-style-type: none"> (a) does not alter, or otherwise minimises impacts on, the physical characteristics of a waterway or the seabed near the reclamation, including flow regimes, hydrodynamic forces, tidal water and riverbank stability; (b) is located outside active sediment transport area, or otherwise maintains sediment transport processes as close as possible to their natural state; (c) ensures activities associated with the operation of the development maintain the structure and

Performance outcomes	Acceptable outcomes
	condition of vegetation communities and avoid wind and water run-off erosion.
<p>Response to AO5.1 <i>Complies</i></p> <p>Response to AO5.2 Not Applicable - It is not proposed to construct an erosion control structure.</p> <p>Response to AO5.3 Not Applicable – reclamation is not proposed</p>	
<p>PO6 Development avoids or minimises adverse impacts on coastal resources and their values to the maximum extent reasonable.</p>	<p>AO6.1 Coastal protection work that is in the form of beach nourishment uses methods of placement suitable for the location that do not interfere with the long-term use of the locality, or natural values within or neighbouring the proposed placement site.</p> <p>and</p> <p>AO6.2 Marine development is located and designed to expand on or redevelop existing marine infrastructure unless it is demonstrated that it is not practicable to co-locate the development with existing marine infrastructure;</p> <p>and</p> <p>AO6.3 Measures are incorporated as part of siting and design of the development to maintain or enhance water quality to achieve the environmental values and water quality objectives outlined in the Environmental Protection (Water) Policy 2009.</p> <p>and</p> <p>AO6.4 Development avoids the disturbance of acid sulfate soils, or where it is demonstrated that this is not possible, the disturbance of acid sulfate soils is carefully managed to minimise and mitigate the adverse effects of disturbance on coastal resources.</p> <p>and</p> <p>AO6.4- (AO6.5) Design and siting of development protects and retains identified ecological values and underlying ecosystem processes within the development site to the greatest extent practicable.</p>
<p>Response to AO6.1 The proposed development does not include coastal protection work.</p> <p>Response to AO6.2 The proposed development does not include marine development.</p> <p>Response to AO6.3 Complies – Refer to Appendix H – Engineering Report.</p> <p>Response to AO6.4 Complies – Refer to Appendix H – Engineering Report.</p>	

Performance outcomes	Acceptable outcomes
Response to AO6.5 Complies – The design and siting within the development area will protect and retain environmental values.	
PO7 Development is to maintain access to and along the foreshore for general public access.	AO7.1 Development provides for regular access points for pedestrians including approved walking tracks, boardwalks and viewing platforms. and AO7.2 Development provides for regular access points for vehicles including approved roads and tracks. or AO7.3 Development demonstrates an alternative solution to achieve an equivalent standard of performance.
Response to AO7.1 Not Applicable Response to AO7.2 Not Applicable Response to AO7.3 Not Applicable	
PO8 Public access to the coast is appropriately located, designed and operated.	AO8.1 Development maintains or enhances public access to the coast. or AO8.2 Development is located adjacent to state coastal land or tidal water and minimises and offsets any loss of access to and along the foreshore within 500 metres. or AO8.3 Development adjacent to state coastal land or tidal water demonstrates an alternative solution to achieve an equivalent standard and quality of access.
Response to AO8.1 to AO8.3 Not Applicable	
PO9 Development adjacent to state coastal land or tidal water is located, designed and operated to: <ul style="list-style-type: none"> (a) maintain existing access to and along the foreshore; (b) minimise any loss of access to and along the foreshore, or (c) offset any loss of access to and along the foreshore by providing for enhanced alternative access in the general location. 	AO9.1 Development adjacent to state coastal land or tidal water: <ul style="list-style-type: none"> (a) demonstrates that restrictions to public access are necessary for: <ul style="list-style-type: none"> (i) the safe and secure operation of development; (ii) the maintenance of coastal landforms and coastal habitat; or (a) maintains public access (including public access infrastructure that has been approved by the local government or relevant authority) through the site to the foreshore for:

Performance outcomes	Acceptable outcomes
	<ul style="list-style-type: none"> (i) pedestrians via access points including approved walking tracks, boardwalks and viewing platforms; (ii) vehicles via access points including approved roads or tracks. <p>AO9.2 Development adjacent to state coastal land or tidal water:</p> <ul style="list-style-type: none"> (a) is located and designed to: <ul style="list-style-type: none"> (i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, for example through the provision of esplanades or easement corridors to preserve future access; (ii) ensure emergency vehicles can access the area near the development. <p>or</p> <ul style="list-style-type: none"> (a) minimises and offsets any loss of access to and along the foreshore within 500m of existing access points and development is located and designed to: <ul style="list-style-type: none"> (i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, and (ii) ensure emergency vehicles can access the area near the development.
<p>Response to AO9.1 Not Applicable to the subject site.</p> <p>Response to AO9.2 Not Applicable to the subject site.</p>	
<p>AO10 Development that involves reconfiguring a lot for urban purposes adjacent to the coast is designed to ensure public access to the coast in consideration of public access demand from a whole-of-community basis and the maintenance of coastal landforms and coastal habitat.</p>	<p>AO10.1 Development complies if consideration of public access demand from a whole-of-community basis and the maintenance of coastal landforms and coastal habitat is undertaken.</p> <p>or</p> <p>AO10.2 Development demonstrates an alternative solution to achieve an equivalent standard and quality of access.</p>
<p>Response to AO10.1 and AO10.2 Not Applicable – the development does not include reconfiguring a lot.</p>	
<p>PO11 Development maintains public access to State coastal land by avoiding private marine development attaching to, or extending across, non-tidal State coastal land.</p>	<p>AO11 Private marine access structures and other structures such as decks or boardwalks for private use do not attach to or extend across State coastal land that is situated above high water mark</p>
<p>Response to AO11 Not Applicable</p>	
<p>PO12 Development in connection with an artificial waterway enhances public access to coastal waters.</p>	<p>AO12 The artificial waterway avoids intersecting with or connection to inundated land or leased land where the passage, use or movement of vessels in water on</p>

Performance outcomes	Acceptable outcomes
	the land could be restricted or prohibited by the registered proprietor of the inundated land or leased land.
Response to AO12 Not Applicable – the development does not include an artificial waterway.	
Coastal landscapes, views and vistas	
PO13 Development maintains and / or enhances natural coastal landscapes, views and vistas.	AO13 No acceptable outcomes are prescribed.
Response to AO13 Complies – the development will maintain views to the north west.	
PO14 Coastal settlements are consolidated through the concentration of development within the existing urban areas through infill and conserving the natural state of the coastal area outside existing urban areas.	AO14 No acceptable outcomes are prescribed.
Response to AO14 Complies - refer to Section 8 in the Town Planning Report .	
Private marine development	
PO15 Private marine development is to avoid attaching to, or extending across, non-tidal State coastal land.	AO15 Private marine development and other structures such as decks or boardwalks for private use do not attach to, or extend across, State coastal land that is situated above high water mark. Note – For occupation permits or allocations of State land, refer to the <i>Land Act 1994</i> .
Response to AO15 Not Applicable – the development does not include private marine development.	
PO16 The location and design of private marine development does not adversely affect the safety of members of the public access to the foreshore.	AO16 Private marine development does not involve the erection or placement of any physical barrier preventing existing access, along a public access way to the foreshores.
Response to AO16 Not Applicable – the development does not include private marine development.	
PO17 Private marine development is of a height and scale and size compatible with the character and amenity of the location.	AO17 Private marine development has regard to: <ul style="list-style-type: none"> (a) the height, scale and size of the natural features of the immediate surroundings and locality; (b) the height, scale and size of existing buildings or other structures in the immediate surroundings and the locality; (c) if the relevant planning scheme states that desired height, scale or size of buildings or other structures in the immediate surroundings or locality – the stated desired height, scale or size. Note – The prescribed tidal works code in the <i>Coastal Protection and Management Regulation 2003</i> outlines design and construction requirements that must be complied with.
Response to AO17 Not Applicable – the development does not include private marine development.	

Performance outcomes	Acceptable outcomes
PO18 Private marine development avoids adverse impacts on coastal landforms and coastal processes.	AO18 Private marine development does not require the construction of coastal protection works, shoreline or riverbank hardening or dredging for marine access.
Response to AO18 Not Applicable – the development does not include private marine development.	
For dry land marinas and artificial waterways	
PO19 Dry land marinas and artificial waterways: <ul style="list-style-type: none"> (a) avoid impacts on coastal resources; (b) do not contribute to the degradation of water quality; (c) do not increase the risk of flooding; (d) do not result in the degradation or loss of MSES; (e) do not result in an adverse change to the tidal prism of the natural waterway to which development is connected. (f) does not involve reclamation of tidal land other than for the purpose of: <ul style="list-style-type: none"> (i) coastal dependent development, public marine development; or (ii) community infrastructure, where there is no feasible alternative; or (iii) strategic ports, boat harbours or strategic airports and aviation facilities in accordance with a statutory land use plan; or (iv) coastal protection works or works necessary to protect coastal resources and processes. 	AO19 No acceptable solutions are prescribed.
Response to AO19 Not Applicable – the development does not include dry land marinas or artificial waterways.	

8.2.4 Flood and storm tide hazard overlay code

8.2.4.1 Application

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

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

8.2.4.2 Purpose

- (1) The purpose of the Flood and storm tide hazard overlay code is to:
 - (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
 - (ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.
 - (b) enable an assessment of whether development is suitable on land within the Flood and storm tide hazard sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development siting, layout and access responds to the risk of the natural hazard and minimises risk to personal safety;
 - (b) development achieves an acceptable or tolerable risk level, based on a fit for purpose risk assessment;
 - (c) the development is resilient to natural hazard events by ensuring siting and design accounts for the potential risks of natural hazards to property;
 - (d) the development supports, and does not unduly burden disaster management response or recovery capacity and capabilities;
 - (e) the development directly, indirectly and cumulatively avoids an unacceptable increase in severity of the natural hazards and does not significantly increase the potential for damage on site or to other properties;
 - (f) the development avoids the release of hazardous materials as a result of a natural hazard event;
 - (g) natural processes and the protective function of landforms and/or vegetation are maintained in natural hazard areas;
 - (h) community infrastructure is located and designed to maintain the required level of functionality during and immediately after a hazard event.

8.2.4.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes
For assessable and self assessable development	
<p>PO1 Development is located and designed to: ensure the safety of all persons; minimise damage to the development and contents of buildings; provide suitable amenity; minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events.</p> <p>Note – For assessable development within the flood plain assessment sub-category, a flood study by a suitably qualified professional is required to identify compliance with the intent of the acceptable outcome.</p>	<p>AO1.1 Development is sited on parts of the land that is not within the Flood and Storm tide hazards overlay maps contained in Schedule 2;</p> <p>or</p> <p>For dwelling houses,</p> <p>AO1.2 Development within the Flood and Storm Tide hazards overlay maps (excluding the Flood plain assessment sub-category) is designed to provide immunity to the Defined Inundation Event as outlined within Table 8.2.4.3.b plus a freeboard of 300mm.</p> <p>AO1.3 New buildings are: (a) not located within the overlay area; (b) located on the highest part of the site to minimise entrance of flood waters; (c) provided with clear and direct pedestrian and vehicle evacuation routes off the site.</p> <p>AO1.4 In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.</p>
<p>Response to AO1.1 to AO1.4 Complies – the buildings and structures proposed as part of the development will be established to provide the required immunity in accordance with Council's requirements. Refer to Appendix G - Development Plans and Appendix H - Engineering Report.</p>	
For assessable development	
<p>PO2 The development is compatible with the level of risk associated with the natural hazard.</p>	<p>AO2 The following uses are not located in land inundated by the Defined Flood Event (DFE) / Storm tide: (a) Retirement facility; (b) Community care facility; (c) Child care centre.</p>
<p>Response to AO2 Complies – the proposed development does not include these uses.</p>	
<p>PO3 Development siting and layout responds to flooding potential and maintains personal safety</p>	<p>For Material change of use</p> <p>AO3.1 New buildings are: (d) not located within the overlay area; (e) located on the highest part of the site to minimise entrance of flood waters; (f) provided with clear and direct pedestrian and vehicle evacuation routes off the site.</p> <p>or</p>

Performance outcomes	Acceptable outcomes
	<p>AO3.2 The development incorporates an area on site that is at least 300mm above the highest known flood inundation level with sufficient space to accommodate the likely population of the development safely for a relatively short time until flash flooding subsides or people can be evacuated.</p> <p>or</p> <p>AO3.3 Where involving an extension to an existing dwelling house that is situated below DFE /Storm tide, the maximum size of the extension does not exceed 70m² gross floor area.</p> <p>Note – If part of the site is outside the Hazard Overlay area, this is the preferred location of all buildings.</p> <p>For Reconfiguring a lot</p> <p>AO3.4 Additional lots: (a) are not located in the hazard overlay area; or (b) are demonstrated to be above the flood level identified for the site.</p> <p>Note - If part of the site is outside the Hazard Overlay area, this is the preferred location for all lots (excluding park or other open space and recreation lots).</p> <p>Note – Buildings subsequently developed on the lots will need to comply with the relevant building assessment provisions under the <i>Building Act 1975</i>.</p> <p>AO3.5 Road and/or pathway layout ensures residents are not physically isolated from adjacent flood free urban areas and provides a safe and clear evacuation route path: (a) by locating entry points into the reconfiguration above the flood level and avoiding culs-de-sac or other non-permeable layouts; and (b) by direct and simple routes to main carriageways.</p> <p>AO3.6 Signage is provided on site (regardless of whether the land is in public or private ownership) indicating the position and path of all safe evacuation routes off the site and if the site contains, or is within 100m of a floodable waterway, hazard warning signage and depth indicators are also provided at key hazard points, such as at floodway crossings or entrances to low-lying reserves.</p> <p>or</p> <p>AO3.7 There is no intensification of residential uses within the flood affected areas on land situated below the DFE/Storm tide.</p>

Performance outcomes	Acceptable outcomes
Response to AO3.1 Complies – the proposed buildings and site layout has been designed to respond to potential flooding impacts. – refer to Appendix G - Development Plans and Appendix H - Engineering Report .	
	<p>For Material change of use (Residential uses)</p> <p>AO3.1 The design and layout of buildings used for residential purposes minimise risk from flooding by providing:</p> <p>(a) parking and other low intensive, non-habitable uses at ground level;</p> <p>Note - The high-set 'Queenslander' style house is a resilient low-density housing solution in floodplain areas. Higher density residential development should ensure only non-habitable rooms (e.g. garages, laundries) are located on the ground floor.</p>
Response to AO3.1 Complies – the proposed development does not propose habitable areas below the Defined Inundation Event level with freeboard. Refer to Appendix G - Development Plans and Appendix H - Engineering Report .	
<p>PO4 Development is resilient to flood events by ensuring design and built form account for the potential risks of flooding.</p>	<p>For Material change of use (Non-residential uses)</p> <p>AO4.2 Non residential buildings and structures allow for the flow through of flood waters on the ground floor.</p> <p>Note - Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p> <p>Note - The relevant building assessment provisions under the <i>Building Act 1975</i> apply to all building work within the Hazard Area and need to take into account the flood potential within the area.</p> <p>AO4.3 Materials are stored on-site:</p> <p>(a) are those that are readily able to be moved in a flood event;</p> <p>(b) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood.</p> <p>Notes -</p> <p>(a) Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p> <p>(b) Queensland Government Fact Sheet 'Repairing your House after a Flood' provides information about water resilient products and building techniques.</p>
Response to AO4.2 and AO4.3 Not Applicable – no non-residential uses are proposed as part of the application.	

Performance outcomes	Acceptable outcomes
<p>P05 Development directly, indirectly and cumulatively avoids any increase in water flow velocity or flood level and does not increase the potential flood damage either on site or on other properties.</p> <p>Note – Berms and mounds are considered to be an undesirable built form outcome and are not supported.</p>	<p>For Operational works</p> <p>AO5.1 Works in urban areas associated with the proposed development do not involve:</p> <ul style="list-style-type: none"> (a) any physical alteration to a watercourse or floodway including vegetation clearing; or (b) a net increase in filling (including berms and mounds). <p>AO5.2 Works (including buildings and earthworks) in non urban areas either:</p> <ul style="list-style-type: none"> (a) do not involve a net increase in filling greater than 50m³; or (b) do not result in any reductions of on-site flood storage capacity and contain within the subject site any changes to depth/duration/velocity of flood waters; <p>or</p> <ul style="list-style-type: none"> (c) do not change flood characteristics outside the subject site in ways that result in: <ul style="list-style-type: none"> (i) loss of flood storage; (ii) loss of/changes to flow paths; (iii) acceleration or retardation of flows or any reduction in flood warning times elsewhere on the flood plain. <p>For Material change of use</p> <p>AO5.3 Where development is located in an area affected by DFE/Storm tide, a hydraulic and hydrology report, prepared by a suitably qualified professional, demonstrates that the development maintains the flood storage capacity on the subject site; and</p> <ul style="list-style-type: none"> (a) does not increase the volume, velocity, concentration of flow path alignment of stormwater flow across sites upstream, downstream or in the general vicinity of the subject site; and (b) does not increase ponding on sites upstream, downstream or in the general vicinity of the subject site. <p>For Material change of use and Reconfiguring a lot</p> <p>AO5.4 In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.</p> <p>Note – Fences and irrigation infrastructure (e.g. irrigation tape) in rural areas should be managed to minimise adverse the impacts that they may have on downstream properties in the event of a flood.</p>
<p>Response to AO5.1 to AO5.4 Complies – refer to Appendix H - Engineering Report</p>	

Performance outcomes	Acceptable outcomes
<p>PO6 Development avoids the release of hazardous materials into floodwaters.</p>	<p>For Material change of use</p> <p>AO6.1 Materials manufactured or stored on site are not hazardous or noxious, or comprise materials that may cause a detrimental effect on the environment if discharged in a flood event;</p> <p>or</p> <p>AO6.2 If a DFE level is adopted, structures used for the manufacture or storage of hazardous materials are: (a) located above the DFE level;</p> <p>or</p> <p>(b) designed to prevent the intrusion of floodwaters.</p> <p>AO6.3 Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE.</p> <p>AO6.4 If a flood level is not adopted, hazardous materials and their manufacturing equipment are located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of floodwaters.</p> <p>Note – Refer to <i>Work Health and Safety Act 2011</i> and associated Regulation and Guidelines, the <i>Environmental Protection Act 1994</i> and the relevant building assessment provisions under the <i>Building Act 1975</i> for requirements related to the manufacture and storage of hazardous materials.</p>
<p>Response to AO6.1 Not Applicable – hazardous materials are not manufactured or stored on the land.</p> <p>Response to AO6.2 Not Applicable – hazardous materials are not manufactured on the land.</p> <p>Response to AO6.3 Complies – refer to Appendix H - Engineering Report</p> <p>Response to AO6.4 Not Applicable – hazardous materials are not manufactured on the land.</p>	
<p>PO7 The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.</p>	<p>AO7 Development does not: (a) increase the number of people calculated to be at risk of flooding; (b) increase the number of people likely to need evacuation; (c) shorten flood warning times; and (d) impact on the ability of traffic to use evacuation routes, or unreasonably increase traffic volumes on evacuation routes.</p>
<p>Response to AO7 Complies – the proposed development can adequately respond to disaster management requirements – refer to Appendix G - Development Plan and Appendix H - Engineering Report..</p>	

Performance outcomes	Acceptable outcomes
<p>PO8 Development involving community infrastructure:</p> <ul style="list-style-type: none"> (a) remains functional to serve community need during and immediately after a flood event; (b) is designed, sited and operated to avoid adverse impacts on the community or environment due to impacts of flooding on infrastructure, facilities or access and egress routes; (c) retains essential site access during a flood event; (d) is able to remain functional even when other infrastructure or services may be compromised in a flood event. 	<p>AO8.1 The following uses are not located on land inundated during a DFE/Storm tide:</p> <ul style="list-style-type: none"> (a) community residence; and (b) emergency services; and (c) residential care facility; and (d) utility installations involving water and sewerage treatment plants; and (e) storage of valuable records or items of historic or cultural significance (e.g. archives, museums, galleries, libraries). <p>or</p> <p>AO8.2 The following uses are not located on land inundated during a 1% AEP flood event:</p> <ul style="list-style-type: none"> (a) community and cultural facilities, including facilities where an education and care service under the Education and care Services National law (Queensland) is operated or child care service under the <i>Child Care Act 2002</i> is conducted, (b) community centres; (c) meeting halls; (d) galleries; (e) libraries. <p>The following uses are not located on land inundated during a 0.5% AEP flood event.</p> <ul style="list-style-type: none"> (a) emergency shelters; (b) police facilities; (c) sub stations; (d) water treatment plant <p>The following uses are not located on land inundated during a 0.2% AEP flood event:</p> <ul style="list-style-type: none"> (a) correctional facilities; (b) emergency services; (c) power stations; (d) major switch yards. <p>and/or</p> <p>AO8.3 The following uses have direct access to low hazard evacuation routes as defined in Table 8.2.4.3.c:</p> <ul style="list-style-type: none"> (a) community residence; and (b) emergency services; and (c) hospitals; and (d) residential care facility; and (e) sub stations; and (f) utility installations involving water and sewerage treatment plants. <p>AO8.4 Any components of infrastructure that are likely to fail to function or may result in contamination when inundated by flood, such as electrical switch gear and motors, telecommunications connections, or water supply pipeline air valves are:</p> <ul style="list-style-type: none"> (a) located above DFE/Storm tide or the highest known flood level for the site; (b) designed and constructed to exclude floodwater intrusion / infiltration.

Performance outcomes	Acceptable outcomes
	AO8.5 Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by a flood.
Response to AO8.1 to AO8.5 Not Applicable – the proposed development does not include community infrastructure.	

Table 8.2.4.3.b - Minimum immunity (floor levels) for development

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

Table 8.2.4.3.c - Degree of flood

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

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

8.2.6 Landscape values overlay code

8.2.6.1 Application

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

8.2.6.2 Purpose

- (1) The purpose of the Landscape values overlay code is to:
 - (a) implement the policy direction of the Strategic Framework, in particular:
 - (i) Theme 2: Environment and landscape values Element 3.5.5 Scenic amenity;
 - (ii) Theme 3: Natural resource management Element 3.6.4 – Resource extraction.
 - (b) enable an assessment of whether development is suitable on land within the Landscape values overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) areas of High landscape value are protected, retained and enhanced;
 - (b) areas of Medium landscape value are managed to integrate and limit the visual impact of development;
 - (c) the landscape values of the Coastal scenery area are managed to integrate and limit the visual impact of development;
 - (d) development maintains and enhances the significant landscape elements and features which contribute to the distinctive character and identity of Douglas Shire;
 - (e) ridges and vegetated hillslopes are not developed in a way that adversely impacts on landscape values;
 - (f) watercourses, forested mountains and coastal landscape character types remain predominantly natural in appearance in order to maintain the region's diverse character and distinctive tropical image, in particular:
 - (i) areas in the coastal landscape character type which are predominantly natural and undeveloped in appearance retain this natural landscape character;
 - (ii) watercourses which are predominantly natural and undeveloped in appearance retain this natural landscape character;
 - (iii) the rural character of cane fields and lowlands landscape character types which are predominantly rural or natural in appearance are maintained;
 - (iv) landscape values are maintained when viewed from lookouts, scenic routes, gateways and public places.
 - (g) views towards High landscape value areas and the Coral Sea are not diminished;
 - (h) development is consistent with the prevailing landscape character of its setting, and is neither visually dominant nor visually intrusive;
 - (i) advertising devices do not detract from the landscape values, character types or amenity of an area.

8.2.6.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes
For assessable development	
Development in a High landscape value area	
<p>PO1 Development within High landscape value areas identified on the Landscape values overlay maps contained in Schedule 2:</p> <ul style="list-style-type: none"> (a) avoids detrimental impacts on the landscape values of forested skylines, visible hillslopes, ridgelines, the coastal foreshore or the shoreline of other water bodies through the loss of vegetation; (b) is effectively screened from view from a road, lookout or other public place by an existing natural landform or native vegetation, or will be effectively screened by native vegetation within 3 years of construction; (c) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements; (d) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality; (e) avoids detrimental impacts on landscape values and excessive changes to the natural landform as a result of the location, position on site, scale, design, extent and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure; (f) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and lines and other tall infrastructure; (g) extractive industry operations are avoided. <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>AO1.1 Buildings and structures are not more than 8.5 metres and two storeys in height.</p> <p>Note - Height is inclusive of roof height.</p> <p>AO1.2 Buildings and structures are setback not less than 50 metres from ridgelines or peaks.</p> <p>AO1.3 Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.</p> <p>AO1.4 Where development on land steeper than 1 in 6 (16.6%) cannot be avoided:</p> <ul style="list-style-type: none"> (a) development follows the natural; contours of the site; (b) buildings are split level or suspended floor construction, or a combination of the two; (c) lightweight materials are used to areas with suspended floors. <p>Note - Examples of suitable lightweight materials include timber or fibre cement boards or sheeting for walls and factory treated metal sheeting for walls and roofs.</p> <p>AO1.5 The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette.</p> <p>Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow.</p> <p>AO1.6 No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.5%).</p> <p>AO1.7 Where for accommodation activities or reconfiguration of a lot in a High landscape value area, development demonstrates that the height, design, scale, positioning on-site, proposed construction materials and external finishes are compatible with the landscape values.</p> <p>Note - A visual impact assessment undertaken in accordance with Planning scheme policy SC6.6 – Landscape values may be required.</p> <p>AO1.8 Advertising devices do not occur.</p>

Performance outcomes	Acceptable outcomes
<p>Response to AO1.1 Complies – the part of the proposed development located within the High Landscape Value area has a height of 4 to 5 m and 1 - storey – refer Appendix G - Development Plans.</p> <p>Response to AO1.2 The subject site does not contain or is adjacent to any ridgelines or peaks so setbacks are not required.</p> <p>Response to AO1.3 The proposed development area is substantially setback from the State Controlled Road and will be screened by a landscape buffer along the southern boundary of the eastern parcel of the subject site – refer to Appendix G - Proposal Plans.</p> <p>Response to AO1.4 The subject site is generally flat so this criterion does not apply.</p> <p>Response to AO1.5 The proposed development will incorporate suitable colours for external features.</p> <p>Response to AO1.6 No native vegetation clearing is proposed as part of this application.</p> <p>Response to AO1.7 Complies – the proposed development will be compatible with the surrounding environment.</p> <p>Response to AO1.8 Complies - No advertising devices will be located in this allocation.</p>	
Development within the Medium landscape value area	
<p>P02 Development within Medium landscape value areas identified on the Landscape values overlay maps contained in Schedule 2:</p> <ul style="list-style-type: none"> (a) avoids detrimental impacts on the landscape values of forested skylines, visible hillslopes, ridgelines, the coastal foreshore or the shoreline of other water bodies through the loss of vegetation; (b) is effectively screened from view from a road, lookout or other public place by an existing natural landform or native vegetation, or will be effectively screened by native vegetation within 5 years of construction; (c) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements; (d) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality; (e) avoids detrimental impacts on landscape values and excessive changes to the natural landform as a result of the location, position on site, scale, design and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure; (f) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and lines and other tall infrastructure; (g) extractive industry operations are avoided, or where they cannot be avoided, are screened from view. 	<p>AO2.1 Buildings and structures are not more than 8.5 metres and two storeys in height.</p> <p>Note - Height is inclusive of the roof height.</p> <p>AO2.2 Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.</p> <p>AO2.3 Where development on land steeper than 1 in 6 (16.6%) cannot be avoided:</p> <ul style="list-style-type: none"> (a) development follows the natural; contours of the site; (b) buildings are split level or suspended floor construction, or a combination of the two; (c) lightweight materials are used to areas with suspended floors. <p>Note - Examples of suitable lightweight materials include timber or fibre cement boards or sheeting for walls and factory treated metal sheeting for walls and roofs.</p> <p>AO2.4 The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette.</p> <p>Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow.</p>

Performance outcomes	Acceptable outcomes
Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.	<p>AO2.5 No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.6%).</p> <p>AO2.6 Advertising devices do not occur.</p>
<p>Response to AO2.1 Complies – the part of the proposed development located within the Medium Landscape Value area has a height of 4 to 5 m and 1 storey – refer Appendix G - Development Plans.</p> <p>Response to AO2.2 The proposed development area is substantially setback from the State Controlled Road and will be screened by a landscape buffer along the southern boundary of the eastern parcel of the subject site – refer to Appendix G - Development Plans</p> <p>Response to AO2.3 The subject site is generally flat so this criterion does not apply.</p> <p>Response to AO2.4 The proposed development will contain suitable colours for external features.</p> <p>Response to AO2.5 No native vegetation clearing is proposed as part of this application.</p> <p>Response to AO2.6 A directional sign as part of infrastructure works will be established for the proposal</p>	
Development within a Scenic route buffer / view corridor area	
<p>PO3 Development within a Scenic route buffer / view corridor area as identified on the Landscape values overlay maps contained in Schedule 2:</p> <ul style="list-style-type: none"> (a) retains visual access to views of the surrounding landscape, the sea and other water bodies; (b) retains existing vegetation and incorporates landscaping to visually screen and soften built form elements whilst not impeding distant views or view corridors; (c) incorporates building materials and external finishes that are compatible with the visual amenity and the landscape character; (d) minimises visual impacts on the setting and views in terms of: <ul style="list-style-type: none"> (i) the scale, height and setback of buildings; (ii) the extent of earthworks and impacts on the landform including the location and configuration of access roads and driveways; (iii) the scale, extent and visual prominence of advertising devices. <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>AO3.1 Where within a Scenic route buffer / view corridor area, the height of buildings and structures is not more than identified within the acceptable outcomes of the applicable zone code.</p> <p>AO3.2 No clearing of native vegetation is undertaken within a Scenic route buffer area.</p> <p>AO3.3 Where within a Scenic route buffer / view corridor area development is set back and screened from view from a scenic route by existing native vegetation with a width of at least 10 metres and landscaped in accordance with the requirements of the landscaping code.</p> <p>AO3.4 Development does not result in the replacement of, or creation of new, additional, or enlarged advertising devices.</p>
<p>Response to AO3.1 Complies - No buildings are proposed within the Scenic route buffer / view corridor.</p> <p>Response to AO3.2 Complies - No clearing of native vegetation is proposed within the Scenic route buffer / view corridor.</p> <p>Response to AO3.3 Complies - No buildings are proposed within the Scenic route buffer / view corridor.</p>	

Performance outcomes	Acceptable outcomes
Response to AO3.4 A directional sign as part of infrastructure works will be established for the proposal	
Development within the Coastal scenery area	
<p>PO4 The landscape values of the Coastal scenery zone as identified on the Landscape values overlay maps contained in Schedule 2 are managed to integrated and limit the visual impact of development.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>AO4.1 The dominance of the natural character of the coast is maintained or enhanced when viewed from the foreshore.</p> <p>AO4.2 Where located adjacent to the foreshore buildings and structures are setback:</p> <ul style="list-style-type: none"> (a) Where no adjoining development, a minimum of 50 metres from the coastal high water mark and the setback area is landscaped with a native vegetation buffer that has a minimum width of 25 metres; or (b) Where there is adjoining development, setbacks will be consistent with that of adjoining buildings and structures, but not less than 10 metres from the coastal high water mark. The setback area is landscaped in accordance with the requirements of the Landscaping code. <p>AO4.3 Where separated from the foreshore by land contained within public ownership (e.g. unallocated State land, esplanade or other public open space), buildings and structures area setback:</p> <ul style="list-style-type: none"> (a) where no adjoining development, a minimum of 6 metres from the coastward property boundary. The setback area is landscaped in accordance with the requirements of the Landscaping code; or (b) where there is adjoining development, setbacks will be consistent with that of adjoining buildings and structures. The setback area is landscaped in accordance with the requirements of the Landscaping code. (c)
Response to AO4.1 – AO4.3 Not Applicable – the subject site is not located in the coastal scenery area.	
<p>PO5 Development is to maximise opportunities to maintain and/or enhance natural landscape values through the maintenance and restoration of vegetated buffers between development and coastal waters, where practical.</p> <p>Note – A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in satisfaction of a performance outcome.</p>	<p>AO5 No clearing of native vegetation is undertaken within a Coastal scenery area zone, except for exempt vegetation damage undertaken in accordance with the Vegetation management code</p>
Response to AO5 Not Applicable – the subject site is not located in the coastal scenery area.	

8.2.7 Natural areas overlay code

8.2.7.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Natural areas overlay, if:
 - (a) self-assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
 - (b) impact assessable development.
- (2) Land in the Natural areas overlay is identified on the Natural areas overlay map in Schedule 2 and includes the following sub-categories:
 - (a) MSES – Protected area;
 - (b) MSES – Marine park;
 - (c) MSES – Wildlife habitat;
 - (d) MSES – Regulated vegetation;
 - (e) MSES – Regulated vegetation (intersecting a Watercourse);
 - (f) MSES – High ecological significance wetlands;
 - (g) MSES – High ecological value waters (wetlands);
 - (h) MSES – High ecological value waters (watercourse);
 - (i) MSES – Legally secured off set area.

Note – MSES = Matters of State Environmental Significance.

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

8.2.7.2 Purpose

- (1) The purpose of the Natural areas overlay code is to:
 - (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 2: Environment and landscape values, Element 3.5.3 Biodiversity, Element 3.5.4 Coastal zones;
 - (ii) Theme 3: Natural resource management Element 3.6.2 Land and catchment management, Element 3.6.3 Primary production, forestry and fisheries.
 - (b) enable an assessment of whether development is suitable on land within the Biodiversity area overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development is avoided within:
 - (i) areas containing matters of state environmental significance (MSES);
 - (ii) other natural areas;
 - (iii) wetlands and wetland buffers;
 - (iv) waterways and waterway corridors.
 - (b) where development cannot be avoided, development:
 - (i) protects and enhances areas containing matters of state environmental significance;
 - (ii) provides appropriate buffers;
 - (iii) protects the known populations and supporting habitat of rare and threatened flora and fauna species, as listed in the relevant State and Commonwealth legislation;
 - (iv) ensures that adverse direct or indirect impacts on areas of environmental significance are minimised through design, siting, operation, management and mitigation measures;
 - (v) does not cause adverse impacts on the integrity and quality of water in upstream or downstream catchments, including the Great Barrier Reef World Heritage Area;
 - (vi) protects and maintains ecological and hydrological functions of wetlands, waterways and waterway corridors;
 - (vii) enhances connectivity across barriers for aquatic species and habitats;
 - (viii) rehabilitates degraded areas to provide improved habitat condition, connectivity, function and extent;
 - (ix) protects areas of environmental significance from weeds, pests and invasive species.
 - (c) strategic rehabilitation is directed to areas on or off site, where it is possible to achieve expanded habitats and increased connectivity.

8.2.7.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes
For self-assessable and assessable development	
Protection of matters of environmental significance	
PO1 Development protects matters of environmental significance.	AO1.1 Development avoids significant impact on the relevant environmental values. or AO1.2 A report is prepared by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, that the development site does not contain any matters of state and local environmental significance. or AO1.3 Development is located, designed and operated to mitigate significant impacts on environmental values. For example, a report certified by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, how the proposed development mitigates impacts, including on water quality, hydrology and biological processes.
Response to AO1.1 Complies – the proposed development avoids impacts on environmental values – refer to Figure 16 . Response to AO1.2 Refer to Response to AO1.1 Response to AO1.3 Refer to Response to AO1.1	
Management of impacts on matters of environmental significance	
PO2 Development is located, designed and constructed to avoid significant impacts on matters of environmental significance.	AO2 The design and layout of development minimises adverse impacts on ecologically important areas by: <ul style="list-style-type: none"> (a) focusing development in cleared areas to protect existing habitat; (b) utilising design to consolidate density and preserve existing habitat and native vegetation; (c) aligning new property boundaries to maintain ecologically important areas; (d) ensuring that alterations to natural landforms, hydrology and drainage patterns on the development site do not negatively affect ecologically important areas; (e) ensuring that significant fauna habitats are protected in their environmental context; and (f) incorporating measures that allow for the safe movement of fauna through the site.
Response to AO2 It is submitted that the proposed development area is located to avoid impacts on matters of environmental significance – refer to Figure 16 and Appendix G - Development Plans .	

Performance outcomes	Acceptable outcomes
PO3 An adequate buffer to areas of state environmental significance is provided and maintained.	AO3.1 A buffer for an area of state environmental significance (Wetland protection area) has a minimum width of: (a) 100 metres where the area is located outside Urban areas; or (b) 50 metres where the area is located within a Urban areas. or AO3.2 A buffer for an area of state environmental significance is applied and maintained, the width of which is supported by an evaluation of environmental values, including the function and threats to matters of environmental significance.
Response to AO3.1 – AO3.2 Not Applicable – the subject site does not contain or is in proximity to a wetland protection area.	
PO4 Wetland and wetland buffer areas are maintained, protected and restored. Note – Wetland buffer areas are identified in AO3.1.	AO4.1 Native vegetation within wetlands and wetland buffer areas is retained. AO4.2 Degraded sections of wetlands and wetland buffer areas are revegetated with endemic native plants in patterns and densities which emulate the relevant regional ecosystem.
Response to AO4.1 Not Applicable – the subject site does not contain wetlands or wetland buffer areas. Response to AO4.2 Not Applicable – the subject site does not contain wetlands or wetland buffer areas.	
PO5 Development avoids the introduction of non-native pest species (plant or animal), that pose a risk to ecological integrity.	AO5.1 Development avoids the introduction of non-native pest species. AO5.2 The threat of existing pest species is controlled by adopting pest management practices for long-term ecological integrity.
Response to AO5.1 Complies – the proposed development can comply with this requirement. Response to AO5.2 Complies – the proposed development can comply with this requirement.	
Ecological connectivity	
PO6 Development protects and enhances ecological connectivity and/or habitat extent.	AO6.1 Development retains native vegetation in areas large enough to maintain ecological values, functions and processes. and AO6.2

Performance outcomes	Acceptable outcomes
	<p>Development within an ecological corridor rehabilitates native vegetation.</p> <p>and</p> <p>AO6.3 Development within a conservation corridor mitigates adverse impacts on native fauna, feeding, nesting, breeding and roosting sites and native fauna movements.</p>
<p>Response to AO6.1 Complies - no vegetation clearing is proposed as part of the application.</p> <p>Response to AO6.2 Not Applicable – it is not proposed to establish uses within an ecological corridor or native vegetation.</p> <p>Response to AO6.3 Not Applicable – it is not proposed to establish uses within a conservation corridor.</p>	
<p>PO7 Development minimises disturbance to matters of state environmental significance (including existing ecological corridors).</p>	<p>AO7.1 Development avoids shading of vegetation by setting back buildings by a distance equivalent to the height of the native vegetation.</p> <p>and</p> <p>AO7.2 Development does not encroach within 10 metres of existing riparian vegetation and watercourses.</p>
<p>Response to AO7.1 Complies – the proposed development area does not contain native vegetation.</p> <p>Response to AO7.2 Complies – the proposed development area does not encroach within 10 metres of existing riparian vegetation and watercourses – refer to Figure 7 - General Siting and Design Principles.</p>	
Waterways in an urban area	
<p>PO8 Development is set back from waterways to protect and maintain:</p> <ul style="list-style-type: none"> (a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values; (e) riparian and in-stream habitat values and connectivity; (f) in-stream migration. 	<p>AO8.1 Where a waterway is contained within an easement or a reserve required for that purpose, development does not occur within the easement or reserve;</p> <p>or</p> <p>AO8.2 Development does not occur on the part of the site affected by the waterway corridor.</p> <p>Note – Waterway corridors are identified within Table 8.2.7.3.b.</p>
<p>Response to AO8.1 Not Applicable – the subject site does not contain a waterway.</p> <p>Response to AO8.2 Not Applicable – the subject site does not contain a waterway.</p>	

Performance outcomes	Acceptable outcomes
Waterways in a non-urban area	
PO9 Development is set back from waterways to protect and maintain: <ul style="list-style-type: none"> (a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values; (e) riparian and in-stream habitat values and connectivity; (f) in-stream migration. 	AO9 Development does not occur on that part of the site affected by a waterway corridor. Note – Waterway corridors are identified within Table 8.2.7.3.b
Response to AO9 Not Applicable – the subject site does not contain a waterway. It is submitted that a setback (20 metres) for the Development area was provided along the eastern boundary adjoining the land containing Crees Creek waterway – refer to Figure 7 - General Design and Siting Principles , Figure 16 – Natural Areas Overlay and Appendix G - Development Plans .	

Table 8.2.7.3.b — Widths of waterway corridors for waterways

Waterways classification	Waterway corridor width
Waterways in Urban areas	10 metres measured perpendicular from the top of the high bank.
Waterways in Other areas	For a dwelling house, 10 metres measured perpendicular from the top of the high bank. For all other development, 20 metres measured perpendicular from the top of the high bank.

8.2.10 Transport network overlay code

8.2.10.1 Application

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

8.2.10.2 Purpose

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

8.2.10.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes
For assessable development	
<p>PO1 Development supports the road hierarchy for the region.</p> <p>Note -A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.</p>	<p>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.</p> <p>AO1.2 Development does not compromise the safety and efficiency of the transport network.</p> <p>AO1.3 Development is designed to provide access via the lowest order road, where legal and practicable access can be provided to that road.</p>
<p>Response to AO1.1 Complies – the development is compatible with the surrounding road hierarchy. It is submitted that the proposed intersection works will be in accordance with the Council and DTMR requirements – refer to Appendix G – Development Plans and Appendix H – Engineering Report.</p> <p>Response to AO1.2 Complies – it is submitted that the proposed development will not compromise the safety and efficiency of the transport network. It is submitted that the proposed intersection works will address the Council and DTMR requirements – refer to Appendix G – Development Plans and Appendix H – Engineering Report.</p> <p>Response to AO1.3 Complies – it is proposed to provide access to the land via the proposed intersection works – refer to Appendix G – Development Plans and Appendix H – Engineering Report.</p>	
<p>PO2 Transport infrastructure is provided in an integrated and timely manner.</p> <p>Note - A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.</p>	<p>AO2 Development provides infrastructure (including improvements to existing infrastructure) in accordance with:</p> <ul style="list-style-type: none"> (a) the Transport network overlay maps contained in Schedule 2; (a) any relevant Local Plan. <p>Note – The Translink Public Transport Infrastructure Manual provides guidance on the design of public transport facilities.</p>
<p>Response to AO2 Complies – the proposed transport infrastructure, in particular, the proposed intersection works will be provided in an integrated and timely manner – refer to Appendix G – Development Plans and Appendix H – Engineering Report.</p>	
<p>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.</p>	<p>AO3 No acceptable outcomes are prescribed.</p> <p>Note – Part 4.4 of the Queensland Development Code provides requirements for residential building design in a designated transport noise corridor.</p>
<p>Response to AO3 Complies – the proposed development area, containing sensitive land uses, are not located within the major transport corridor buffer area.</p>	

Performance outcomes	Acceptable outcomes
<p>PO4 Development does not compromise the intended role and function or safety and efficiency of major transport corridors.</p> <p>Note - A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.</p>	<p>AO4.1 Development is compatible with the role and function (including the future role and function) of major transport corridors.</p> <p>AO4.2 Direct access is not provided to a major transport corridor where legal and practical access from another road is available.</p> <p>AO4.3 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.</p> <p>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.</p>
<p>Response to AO4.1 Complies – it is submitted that the development is compatible with the role and function of the Captain Cook Highway - refer to Appendix G – Development Plans and Appendix H – Engineering Report.</p> <p>Response to AO4.2 The development has only one method of access to the Captain Cook Highway which will be via the proposed intersection works – refer to Appendix G – Development Plans and Appendix H – Engineering Report.</p> <p>Response to AO4.3 Complies – the location of the proposed intersection and access to the subject site from the Captain Cook Highway has been determined as the best outcome for the function and safety of the transport corridor – refer to Appendix G – Development Plans and Appendix H – Engineering Report.</p> <p>Response to AO4.4 Complies – the proposed development and access is compatible with the existing transport corridor and the proposed intersection works – refer to Appendix G – Development Plans and Appendix H – Engineering Report.</p>	
<p>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.</p>	<p>AO5 No acceptable outcomes are prescribed.</p>
<p>Response to AO5 Complies – the proposed development area is substantially setback from the Captain Cook Highway and is screening along the southern boundary of the site to minimise any adverse impacts of the corridor – refer to Appendix G – Development Plans and Appendix H – Engineering Report.</p>	
Pedestrian and cycle network	
<p>PO6 Lot reconfiguration assists in the implementation of the pedestrian and cycle movement network to achieve safe, attractive and efficient pedestrian and cycle networks.</p>	<p>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.</p> <p>AO6.2</p>

Performance outcomes	Acceptable outcomes
	The element of the pedestrian and cycle network is constructed in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC6.5 – FNQROC Regional Development Manual.
Response to AO6.1 – AO6.2 It is not proposed to provide a pedestrian / cycleway due to construction constraints of the Crees Creek bridge, the adjacent land and the Captain Cook Highway (a State controlled Road).	

9.3.15 Relocatable home park and tourist park code

9.3.15.1 Application

- (1) This code applies to assessing development for a Relocatable Home Park or a Tourist park if:
 - (a) assessable development where the code is an applicable code identified in the assessment criteria column of a table of assessment; or
 - (b) impact assessable development.
- (2) When using this code, reference should be made to Part 5.

9.3.15.2 Purpose

- (1) The purpose of the Relocatable home park and tourist park code is to assess the suitability of development to which this code applies.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) relocatable home park and tourist parks provide recreational and communal facilities;
 - (b) a high standard of amenity is provided for residents and occupants and adjoining properties;
 - (c) safe movement of pedestrians and vehicles is provided;
 - (d) a relocatable home park and tourist park does not adversely impact on the amenity of rural and residential areas or the viable operation of rural activities;
 - (e) a relocatable home park and tourist park is provided with appropriate utilities and services;
 - (f) a relocatable home park is located near centres, transport facilities and community facilities.

9.3.15.3 Criteria for assessment

Table 9.3.15.3.a –Relocatable home park and tourist park code – assessable development

Performance outcomes	Acceptable outcomes
For assessable development	
PO1 The site has sufficient area to accommodate the proposed use and associated facilities and to enable a high standard of amenity for users.	AO1 The site has a minimum area of 1 hectare.
Response to AO1 Complies – the Area Subject to the Application is 4.2 hectares (approx.) – refer to Appendix G - Development Plans .	
PO2 Individual sites provide a range of sizes to accommodate variations in relocatable homes, caravans, annexes and tents with a high level of convenience and privacy for occupants, while also taking into account physical site constraints that may in certain circumstances warrant either more intense or less intense development standards.	AO2.1 Tourist parks (short term caravan, campervan/ motor home sites) meet the following minimum requirements: <ol style="list-style-type: none">(a) 120m² individual site area;(b) minimum frontage of 10 metres;(c) 10 metres from site frontage;(d) 6 metre setback to all other site boundaries;(e) 3 metre setback to an internal road;(f) 1.5 metre setback from any other tourist park site or relocatable home site boundary;(g) 3 metre setback from any adjoining building (other than toilet/ablution facilities);(h) 6 metre setback to toilets/ablution facilities;(i) 30m² private open space;(j) 14m² car parking space. AO2.2 Tourist parks (camping sites) meet the following minimum requirements: <ol style="list-style-type: none">(a) 50m² individual site area;(b) 10 metres from site frontage;(c) 5 metre setback to all other site boundaries;

Performance outcomes	Acceptable outcomes
	<ul style="list-style-type: none"> (d) 3 metre setback to an internal road; (e) 1.5 metre setback from any other tourist park site or relocatable home site boundary; (f) 3 metre setback from any adjoining building (other than toilet/ablution facilities); (g) 6 metre setback to toilets/ablution facilities; (h) 14m² car parking space. <p>AO2.3 Relocatable home parks meet the following minimum requirements:</p> <ul style="list-style-type: none"> (a) 200m² individual site area; (b) minimum frontage of 13 metres; (c) 10 metres from site frontage; (d) 5 metre setback to all other site boundaries; (e) 3 metre setback to an internal road; (f) 1.5 metre setback from side and rear boundaries; (g) 3 metre setback from any adjoining building (other than toilet/ablution facilities); (h) 6 metre setback to toilets/ablution facilities; (i) 30m² private open space; (j) 14m² car parking space.
<p>Response to AO2.1 – AO2.3</p> <p>As shown by Appendix G – Development Plans the proposed development to incorporate Workers' Accommodation and Tourist Park has been designed to meet the specific requirements of the occupants and regard to the characteristics of the site. It is submitted that the design and siting features incorporated in the proposal are suitable and appropriate in this instance.</p>	
<p>PO3 All sites are designed so that relocatable homes and caravans and motorhomes can be safely and conveniently manoeuvred onto or removed from the site.</p>	<p>AO3.1 The entrance/exit road provides all-weather access and has a width of 7 metres to allow two vehicles towing caravans or two campervans/motorhomes to pass each other.</p> <p>AO3.2 A caravan holding bay with dimensions of 4 metres x 20 metres is provided adjacent to the entrance/exit road.</p> <p>AO3.3 Internal roads meet the following criteria: <ul style="list-style-type: none"> (a) one way – minimum 4 metres wide; (b) two way – minimum 6 metres wide. </p> <p>AO3.4 Speed control devices such as speed humps are provided at regular intervals on all internal roads.</p> <p>AO3.5 Internal street lighting is provided to all internal roads until 10.00pm.</p>
<p>Response to AO3.1 - AO3.5</p> <p>Complies – refer to Appendix G – Development Plans and Appendix I – Engineering Report.</p>	
<p>PO4 Emergency vehicles are provided with direct access to every site and building without a height impediment to fire fighting facilities.</p>	<p>AO4.1 Unrestricted road access is provided for fire-fighting appliances within 60 metres of all sites and buildings.</p> <p>AO4.2</p>

Performance outcomes	Acceptable outcomes
	Development ensures that landscaping and fencing do not create barriers that prevent necessary emergency access.
Response to AO4.1 - AO4.2 Complies – refer to Appendix G – Development Plans and Appendix I – Engineering Report .	
PO5 Communal open space is provided for the recreation needs of the residents and occupants.	AO5.1 A minimum of 10% of the site is provided as open space suitable for recreation. This excludes landscape buffer areas and any other obstacles not intended for recreational use. AO5.2 The site layout incorporates passive and active recreation areas such as sheltered seating, children's playgrounds, areas for ball games and cycling and walking paths. AO5.3 Development provides a community room for passive and active recreation for park residents.
Response to AO5.1 – AO5.3 Complies – refer to Appendix G – Development Plans . It is noted that substantial on-site areas for passive and active recreation will be provided for occupants.	
PO6 Landscaping contributes to establishing an attractive and safe streetscape and a high standard of amenity and privacy for residents.	AO6.1 A landscaped buffer area not less than 6 metre depth is provided and maintained within the site along the front boundary. AO6.2 A landscaped buffer area is provided and maintained of a minimum depth of: (a) 5 metres to any boundary within the Residential zones category; (b) 2 metres to any boundaries in any other zone.
Response to AO6.1 – AO6.2 Complies – Refer to Appendix G - Development Plans . A 6 m landscape buffer will be provided to the southern boundary and substantial setbacks and buffers will be provided to other boundaries.	
PO7 The number, type and location of individual sites and facilities are readily identifiable.	AO7.1 A permanent sign clearly indicating the number and location of each type of individual site and the location of facilities is provided at the main entrance. AO7.2 Each individual site is identified on the ground with the number and type of site clearly displayed on a permanent marker/sign located at the front of the site.
Response to AO7.1 - AO7.2 Complies – the proposal can comply with the relevant standards	
PO8 Refuse and recycling collection and storage location and design does not have an adverse impact (including odour, noise or visual impacts) on the amenity of residents within or adjoining the site.	AO8.1 Refuse and recycling bins are located a minimum of at least 10 metres from children's playing areas, cooking facilities and individual sites.

Performance outcomes	Acceptable outcomes
	<p>AO8.2 For tourist parks, a designated dump point is provided on-site for holding tanks to be emptied.</p> <p>AO8.3 For relocatable home sites, each relocatable home is connected to the reticulated sewerage network.</p>
<p>Response to AO8.1 - AO8.3</p> <p>Complies – the proposal can comply with the relevant standards</p>	
<p>PO9 Sufficient services and ablution facilities are provided to satisfy the requirements of travellers and longer term residents including disabled access and facilities.</p> <p>Editor's note – Disabled access and facilities are provided in accordance with the Building Code of Australia and the Australian Standards.</p>	<p>AO9.1 For tourist parks (40 sites or less), a minimum of 1 pedestal for every 7 sites is provided for female occupants and 1 pedestal for every 10 sites is provided for male occupants and a 0.6 metre urinal for every 20 sites or part thereof for male occupants.</p> <p>AO9.2 For tourist parks, for every 15 sites or part thereof exceeding 40 sites and additional pedestal is provided for both male and female occupants and an additional 0.6 metres of urinal is provided for every additional 20 sites, or part thereof, for male occupants.</p> <p>AO9.3 For tourist parks, toilet and ablution facilities are located at least 6 metres, but not more than 100 metres, from any individual camping, caravan, campervan/motor home site.</p> <p>AO9.4 A source of artificial light is provided to the ablution facilities to provide illumination, as required, during the night.</p> <p>AO9.5 For tourist parks, separate bathing facilities are provided at the rate of 1 shower or bath and 1 hand basin for every 15 sites.</p>
<p>Response to AO9.1 - AO9.5</p> <p>Complies – the proposal can comply with the relevant standards</p>	
<p>PO10 Sufficient laundry and clothes drying facilities are provided to satisfy the requirements of travellers and longer term residents.</p>	<p>AO10 For tourist parks:</p> <ul style="list-style-type: none"> (a) 1 laundry tub, 1 washing machine and 1 clothes line are provided for every 20 sites, or part thereof; (b) 1 mechanical drying facility is provided for every 40 sites; (c) 1 ironing board and 1 power outlet is provided for every 20 sites.
<p>Response to AO10</p> <p>Complies – the proposal can comply with the relevant standards</p>	

Performance outcomes	Acceptable outcomes
Additional requirements for tourist parks	
PO11 Tourist parks are predominately for the short term accommodation for the travelling public.	AO11.1 Cabins (whether for permanent or short term occupation) occupy a maximum of 30% of the total number of sites contained in a short term caravan, campervan/ motor home park. AO11.2 A maximum of 20% of the total number of sites contained within a short term caravan, campervan/ motor home park are available in the form of stationary/permanent caravans and cabins.
Response to AO11 Complies – Refer to Section 7.05 of the Town Planning Report	
Additional requirements for relocatable home parks	
PO12 Relocatable home parks are located in urban areas to ensure that residents have convenient access to urban services and facilities.	AO12 Relocatable home parks are located in: (a) a Tourist accommodation zone; (b) a Medium density residential zone; (c) a Community facilities zone.
Response to AO12 Not applicable	

9.3.2 Caretaker's accommodation code

9.3.2.1 Application

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

9.3.2.2 Purpose

- 1) The purpose of the Caretaker's accommodation code is to assess the suitability of development to which this code applies.
- 2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) caretaker's accommodation is used for genuine caretaking or property management purposes;
 - (b) an acceptable level of amenity is provided to the caretaker.

9.3.2.3 Criteria for assessment

Table 9.3.2.3.a – Caretaker's accommodation code – assessable development

Performance outcomes	Acceptable outcomes
For self-assessable and assessable development	
PO1 The caretaker's accommodation is of a small scale.	AO1 The gross floor area of the caretaker's accommodation is not greater than: <ol style="list-style-type: none"> (a) 120m² in a Rural zone; (b) 80m² in any other zone.
Response to AO1 Complies – The proposed Caretaker's Accommodation can comply with Council's requirements - refer to Appendix G – Development Plans .	
PO2 The caretaker's accommodation provides sufficient outdoor private open space for the reasonable recreation and domestic needs of the resident(s).	AO2.1 Development: <ol style="list-style-type: none"> (a) at ground-level provides private open space of at least 30m² with a minimum dimension of 3 metres that is screened from other activities on site; <p>or</p> <ol style="list-style-type: none"> (b) located entirely above ground floor level provides a private open space comprising a balcony or deck or open roof space, with a minimum horizontal dimension of at least 8m² and minimum dimension of 2 metres, which is directly accessible to a living area. AO2.2 The caretaker's accommodation is provided with: <ol style="list-style-type: none"> (a) an outdoor service court with a minimum area of 5m² to facilitate clothes drying; (b) an area for general storage; (c) an area for the storage of a garbage receptacle; (d) a designated covered car parking space; (e) separate occupant access, independent from access to any non-residential building on the site.
Response to AO2.1 – AO2.2 Complies – The proposed Caretaker's Accommodation can comply with Council's requirements – refer to Appendix G – Development Plans .	
PO3 The caretaker's accommodation is necessary for the operation of the primary use of the site.	AO3.1 Only one caretaker's accommodation is established per site.

Performance outcomes	Acceptable outcomes
	<p>AO3.2 The caretaker's accommodation is occupied only by the proprietor, manager or caretaker of the use where located in an Industry or Centre zone or</p> <p>AO3.3 The caretaker's accommodation is occupied only by the proprietor, manager or caretaker of the use where located in any other zone together with any immediate family of that person.</p> <p>AO3.4 The caretaker's accommodation is located on the same lot as the primary use.</p>
<p>Response to AO3.1 Complies – only one Caretaker's Accommodation is proposed for the site.</p> <p>Response to AO3.2 – AO3.3 Complies – the Caretaker's Accommodation will be occupied by the proprietor, manager or caretaker for the proposed uses.</p> <p>Response to AO3.4 Complies – the Caretaker's Accommodation is located on the same lot – refer to Appendix G – Development Plans.</p>	
Additional requirements in a Rural zone	
<p>PO4 The site for a caretaker's accommodation is of a sufficient area to be consistent with the nature of its intended function.</p>	<p>AO4 The site has a minimum area of 4.0ha and the caretaker's accommodation is located within 500 metres of the primary dwelling.</p>
<p>Response to AO4 Complies – the proposed Caretaker's Accommodation is located on a lot exceeding 4.0 ha in size and is incorporated into the proposed development - refer to Appendix G – Development Plans.</p>	

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
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: <ol 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. 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. AO1.3 Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking. AO1.4 For parking areas exceeding 50 spaces parking, is provided for recreational vehicles as a substitute for

Performance outcomes	Acceptable outcomes
	ordinary vehicle parking to a maximum of 5% of total ordinary vehicle parking rate.
Response to AO1.1 - Response to AO1.5 Complies – Refer to Section 6.03 of the Town Planning Report and Appendix H - Engineering Report . Parking will be provided in accordance with relevant standards and to meet expected demand.	
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.
Response to AO2 Complies – all on-site carparking areas will be designed in accordance with relevant 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 existing services within the road reserve adjacent to the site; (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).	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. 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. (b) are designed to accommodate any adjacent footpath; (c) adhere to minimum sight distance requirements in accordance with AS2980.1. AO3.3 Driveways are: (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; (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; (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; (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; (e) designed to include all necessary associated drainage that intercepts and directs storm water runoff to the storm water drainage system. AO3.4 Surface construction materials are consistent with the current or intended future streetscape or character of

Performance outcomes	Acceptable outcomes
	the area and contrast with the surface construction materials of any adjacent footpath.
Response to AO3.1 - Response to AO3.4 Complies – Refer to Appendix G - Development Plans , and Appendix H - Engineering Report .	
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.
Response to AO4 Complies – wheelchair accessible parking will be provided in accordance with the relevant standards	
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.
Response to AO5 Complies – disability access will comply with relevant standards.	
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.
Response to AO6 Complies – bicycle parking will comply with relevant standards	
PO7 Development provides secure and convenient bicycle parking which: <ul style="list-style-type: none"> (a) for visitors is obvious and located close to the building's main entrance; (b) for employees is conveniently located to provide secure and convenient access between the bicycle storage area, end-of-trip facilities and the main area of the building; (c) is easily and safely accessible from outside the site. 	AO7.1 Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers); AO7.2 Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street. AO7.3 Development provides visitor bicycle parking which does not impede pedestrian movement.
Response to AO7.1 - Response to AO7.3 Complies – bicycle parking and end-of-trip facilities will be provided in accordance with the relevant standards	
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.
Response to AO8 Complies - refer to Appendix G – Development Plans and Appendix H – Engineering Report .	

Performance outcomes	Acceptable outcomes
<p>PO9 Access, internal circulation and on-site parking for service vehicles are designed and constructed:</p> <ul style="list-style-type: none"> (a) in accordance with relevant standards; (b) so that they do not interfere with the amenity of the surrounding area; (c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles. 	<p>AO9.1 Access driveways, vehicle manoeuvring and on-site parking for service vehicles are designed and constructed in accordance with AS2890.1 and AS2890.2.</p> <p>AO9.2 Service and loading areas are contained fully within the site.</p> <p>AO9.3 The movement of service vehicles and service operations are designed so they:</p> <ul style="list-style-type: none"> (a) do not impede access to parking spaces; (b) do not impede vehicle or pedestrian traffic movement.
<p>Response to AO9.1 - AO9.3 Complies – Refer to Appendix G – Development Plans and Appendix H - Engineering Report.</p>	
<p>PO10 Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.</p>	<p>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:</p> <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; (f) hotel, where including a drive-through facility; (g) service station. <p>AO10.2 Queuing and set-down areas are designed and constructed in accordance with AS2890.1.</p>
<p>Response to AO10.1 - AO10.2 Complies – Refer to Appendix G – Development Plans and Appendix H - Engineering Report.</p>	

Table 9.4.1.3.b – Access, parking and servicing requirements

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

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

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Agricultural supplies store	1 space per 50m ² of GFA and outdoor display area.	1 space per 200m ² of GFA.	n/a	LRV
Air services	1 car space per 20m ² of covered reception area, plus 1 car space per 2 staff, plus a covered bus set down area adjacent to the entry of the reception area and 2 bus parking spaces.	n/a	n/a	LRV
Bulk landscape supplies	1 space per 50m ² GFA and outdoor display area.	1 space per 200m ² of GFA.	n/a	MRV
Caretaker's accommodation	A minimum of 1 space	n/a	n/a	n/a
Child care centre	1 space per 10 children to be used for setting down and picking up of children, with a minimum of 3 car spaces to be provided for set down and collection; plus 1 space per employee. Any drive-through facility can provide tandem short term parking for 3 car spaces for setting down/picking up of children, on the basis that a passing lane is provided and line-marked to be kept clear of standing vehicles at all times.	n/a	n/a	VAN
Club	Unlicensed clubrooms: 1 space per 45m ² of GFA. Licensed clubrooms: 1 space per 15m ² of GFA.	1 space per 4 employees.	n/a	Licensed and equal or greater than 1500m ² : RCV Other: VAN
Community care centre	1 space per 20m ² of GFA.	A minimum of 1 space.	n/a	RCV
Community residence	A minimum of 2 spaces.	A minimum of 1 space.	n/a	VAN
Community use	1 space per 15m ² GFA.	1 space per 100m ² of GFA.	n/a	RCV
Dual occupancy	A minimum of 2 spaces per dwelling unit which may be in tandem with a minimum of 1 covered space per dwelling unit.	n/a	n/a	n/a
Dwelling house	A minimum of 2 spaces which may be in tandem plus 1 space for a secondary dwelling	n/a	n/a	n/a
Dwelling unit	1.5 spaces per one or two bedroom unit; or 2 spaces per three bedroom unit.	n/a	n/a	n/a

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Educational establishment	Primary school or secondary schools: 1 car space per 2 staff members, plus provision of space to be used for setting down and picking up of students. Tertiary and further education: 1 car space per 2 staff members, plus 1 car space per 10 students, plus provision of space to be used for setting down and picking up of students.	Primary school or secondary schools: 1 space per 5 students over year 4. Tertiary and further education: 2 spaces per 50 full time students.	Required for all educational establishments with a GFA greater than 2000m ² .	RCV
Food and drink outlet	1 space per 25m ² GFA and outdoor dining area. or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m ² of GFA, and outdoor dining area.	1 space per 100m ² of GFA, and outdoor dining area.	n/a	See Table 9.4.1.3.d
Function facility	1 space per 15m ² GFA.	1 space per 100m ² of GFA.	n/a	RCV
Funeral parlour	1 space per 15m ² GFA.	n/a	n/a	RCV
Garden centre	1 space per 50m ² GFA and outdoor display area	1 space per 200m ² of GFA.	n/a	AV
Hardware and trade supplies	1 space per 50m ² GFA and outdoor display area	1 space per 200m ² of GFA.	n/a	AV
Health care services	1 space per 20m ² of GFA.	1 space per 100m ² of GFA.	Required for all health care services with a GFA greater than 2000m ² .	VAN
High impact industry	1 space per 90m ² of GFA.	n/a	n/a	AV
Home based business	The parking required for the dwelling house, plus 1 space per bedroom where the Home based business involves the provision of accommodation; or 1 space per 25m ² GFA for any other Home Based Business.	n/a	n/a	n/a
Hospital	The greater of 1 space per 2 bedrooms or 1 space per 4 beds; plus 1 car space for ambulance parking, designated accordingly.	1 space per 100m ² of GFA.	Required for all hospitals with a GFA greater than 2000m ² .	RCV
Hotel	1 space per 10m ² GFA and licensed outdoor area; plus For 1 space per 50m ² GFA of floor area of liquor barn or bulk liquor sales area; plus, if a drive in bottle	1 space per 100m ² of GFA.	n/a	LRV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
	shop is provided, queuing lane/s on site for 12 vehicles. Note - Use standard for any Short Term Accommodation for hotel accommodation use.			
Indoor sport and recreation	Squash court or another court game: 4 spaces per court. Basketball, netball, soccer, cricket: 25 spaces per court / pitch. Ten pin bowling: 3 spaces per bowling lane. Gymnasium: 1 space per 15m ² of GFA.	1 space per 4 employees.	n/a	RCV
Low impact industry	1 space per 90m ² of GFA.	n/a	n/a	AV
Marine industry	1 space per 90m ² of GFA.	n/a	n/a	AV
Medium impact industry	1 space per 90m ² of GFA.	n/a	n/a	AV
Multiple dwelling	If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie Local plan: 1 car space per dwelling unit. If outside Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie Local plan: 1.5 car spaces per dwelling unit In all cases 60% of the car parking area is to be covered.	1 bicycle space per 3 units and 1 visitor bicycle space per 12 units.	n/a	RCV (over 10 units)
Office	1 space per 25m ² of GFA or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m ² of GFA	1 space per 200m ² GFA	Required for all office development with a GFA greater than 2000m ² .	See Table 9.4.1.3.e
Outdoor sales	1 space per 50m ² GFA and outdoor display area	1 space per 200m ² of GFA.	n/a	AV
Outdoor sport and recreation	Coursing, horse racing, pacing, trotting: 1 space per 5 seated spectators, plus 1 space per 5m ² of other spectator areas. Football: 50 spaces per field. Lawn bowls: 30 spaces per green. Swimming pool: 15 spaces; plus	Football: 5 space per field. Lawn bowls: 5 spaces per green. Swimming pool: 1 space per swimming lane. Tennis court or other court game:	n/a	RCV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
	<p>1 space per 100m² of useable site area.</p> <p>Tennis court or other court game: 4 spaces per court. Golf course: 4 spaces per tee on the course.</p> <p>Note - Use standard for Club for clubhouse component.</p>	<p>4 space per court.</p> <p>Golf course: 1 space per 15m² of GFA for clubhouse component.</p>		
Place of worship	1 space per 15m ² of GFA.	1 space per 100m ² of GFA.	n/a	LRV
Relocatable home park	1 space per relocatable home site; plus 0.1 space per relocatable home site for visitor parking; plus 1 space for an on-site manager	n/a	n/a	LRV
Research and technology industry	1 space per 90m ² of GFA.	n/a	n/a	MRV
Residential care facility	1 visitor car space per 5 bedroom units; plus 1 car space per 2 staff members	n/a	n/a	LRV
Resort complex	<p>Use standard for relevant standard for each component.</p> <p>For example: Use Short Term Accommodation standard for accommodation component and Food and Drink Outlet for restaurant component.</p>	<p>Use standard for relevant standard for each component.</p> <p>For example: Use Short Term Accommodation standard for accommodation component and Food and Drink Outlet for restaurant component.</p>	n/a	RCV
Retirement facility	1 space per dwelling unit; plus 1 visitor space per 5 dwelling units; plus 1 visitor car space per 10 hostel units, nursing home or similar beds, plus 1 car space per 2 staff members; plus 1 car parking space for ambulance parking.	n/a	n/a	LRV
Sales office	A minimum of 1 space.	n/a	n/a	n/a
Service industry	1 space per 90m ² of GFA.	n/a	n/a	SRV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Service station	1 space per 25m ² of GFA	n/a	n/a	AV
Shop	1 space per 25m ² of GFA. or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m ² of GFA.	1 space per 100m ² of GFA.	Required for all shops with a GFA greater than 2000m ² .	See Table 9.4.1.3.d
Shopping centre	1 space per 25m ² of GFA. or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m ² of GFA.	1 space per 200m ² GFA.	Required for all shopping centres with a GFA greater than 2000m ² .	See Table 9.4.1.3.d
Short term accommodation	If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan: 0.5 car spaces per dwelling unit. If outside Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan: For up to 5 units: 1 car space per dwelling unit, plus 1 space for visitors and 1 service/staff spaces. For 5 – 10 units: 1 car space per dwelling unit, plus 2 spaces for visitors and 1 service/staff spaces. For over 10 units: 0.75 car spaces per dwelling unit, plus 3 spaces for visitors and 2 service/staff parking for the first 10 units and 0.5 additional service/staff space per 10 units, there-above. In all cases 60% of the car parking area is to be covered. Note: Where Short term accommodation is to be interchangeable with a Multiple dwelling land use, multiple dwelling parking rates apply.	1 space per 10 rooms	n/a	SRV
Showroom	1 space per 50m ² GFA.	1 space per 200m ² GFA.	n/a	AV
Special industry	1 space per 90m ² of GFA.	n/a	n/a	AV
Tourist park	1 car space per caravan site, tent site or cabin; plus 1 visitor car space per 10 caravan sites, tent sites or cabins;	n/a	n/a	LRV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
	plus 1 car space for an on-site manager.			
Theatre	Indoor: 1 space per 15m ² of GFA. Outdoor cinema: 1 space per 5m ² of designated viewing area, plus 1 car space per 2 employees.	1 space per 200m ² GFA.	n/a	VAN
Veterinary services	1 space per 50m ² of GFA.	n/a	n/a	VAN
Warehouse	1 space per 90m ² of GFA.	n/a	n/a	Where self-storage: RCV Other: AV
Any use not otherwise specified in this table.	Sufficient spaces to accommodate number of vehicles likely to be parked at any one time.	Sufficient spaces to accommodate number of vehicles likely to be parked at any one time.		To be determined

Table 9.4.1.3.c. – Design vehicles

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

Table 9.4.1.3.d – Standard number of service bays required for Food and drink outlet, Shop or Shopping centre

Gross floor area (m ²)	Service bays required			
	VAN	SRV	MRV	LRV
0-199	-	1	-	-
200 – 599	1	-	1	-
600 – 999	1	1	1	-
1000 – 1499	2	1	1	-
1500 – 1999	2	2	1	-
2000 – 2799	2	2	2	-

2800 – 3599	2	2	2	1
3600 and over	To be determined via a parking study.			

Table 9.4.1.3.e – Standard number of service bays required for Office

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

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
Lighting	
PO1 Lighting incorporated within development does not cause an adverse impact on the amenity of adjacent uses and nearby sensitive land uses.	AO1.1 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. AO1.2 Development that involves flood lighting is restricted to a type that gives no upward component of light where mounted horizontally. AO1.3 Access, car parking and manoeuvring areas are designed to shield nearby residential premises from impacts of vehicle headlights.
Response to AO1.1 - AO1.3 Complies – the proposal can show compliance with the relevant standards.	
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. AO2.3

Performance outcomes	Acceptable outcomes
	<p>The design and layout of development ensures car parking areas avoid noise impacting directly on adjacent sensitive land uses through one or more of the following:</p> <ul style="list-style-type: none"> (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>
Response to AO2.1 – AO2.3 Complies – the proposal can show compliance with the relevant standards.	
Airborne particles and other emissions	
PO3 Potential airborne particles and emissions generated from the development are avoided through design, location and operation of the activity. Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.	AO3.1 Development does not involve activities that will result in airborne particles or emissions being generated; or AO3.2 The design, layout and operation of the development activity ensures that no airborne particles or emissions cause environmental harm or nuisance. Note - examples of activities which generally cause airborne particles include spray painting, abrasive blasting, manufacturing activities and car wash facilities. Examples of emissions include exhaust ventilation from basement or enclosed parking structures, air conditioning/refrigeration ventilation and exhaustion. The <i>Environmental Protection (Air) Policy 2008</i> , Schedule 1 provides guidance on air quality objectives to ensure environmental harm (including nuisance) is avoided.
Response to AO3.1 Complies – it is submitted that the development does not propose any activities that will result in airborne particles or emissions being generated. Response to AO3.2 Refer to AO3.1.	
Odours	
PO4 Potential odour causing activities associated with the development are avoided through design, location and operation of the activity.	AO4.1 The development does not involve activities that create odorous emissions; or

Performance outcomes	Acceptable outcomes
<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>AO4.2 The use does not result in odour that causes environmental harm or nuisance with respect to surrounding land uses.</p>
<p>Response to AO4.1 Complies – it is submitted that the development does not propose any activities that will create odorous emissions.</p> <p>Response to AO4.2 Refer to AO4.1.</p>	
Waste and recyclable material storage	
<p>PO5 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 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>AO5.2 Waste and recyclable material storage facilities are located, designed and maintained to not cause an adverse impact on users of the premises and adjacent uses through consideration of:</p> <ul style="list-style-type: none"> (a) the location of the waste and recyclable material storage areas in relation to the noise and odour generated; (b) the number of receptacles provided in relation to the collection, maintenance and use of the receptacles; (c) the durability of the receptacles, sheltering and potential impacts of local climatic conditions; (d) the ability to mitigate spillage, seepage or leakage from receptacles into adjacent areas and sensitive receiving waters and environments. <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>
<p>Response to AO5.1 Complies – it is submitted that the development will be serviced by a waste management company in accordance with the relevant standards.</p> <p>Response to AO5.2 Complies – it is submitted that the development will be serviced by a waste management company in accordance with the relevant standards.</p>	
Sensitive land use activities	
<p>PO6 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 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 Sensitive land activities are located in areas where potential adverse amenity impacts mitigate all potential impacts through layout, design, operation and maintenance.</p>

Performance outcomes	Acceptable outcomes
<p>Response to AO6.1 Complies - It is submitted that the establishment of the Workers' Accommodation use on the site is not anticipated to receive incompatible impacts. The land is generally surrounded by a watercourse and mapped vegetation, with the exception of a lifestyle block adjoining to the site to the south.</p> <p>It is further submitted that the proposed development area has a substantial setback from the State-controlled, therefore minimising any adverse noise impacts on the users of the facility.</p> <p>Response to AO6.2 Refer to response to AO6.1</p>	
Stormwater quality	
<p>P07 The quality of stormwater flowing over, through or being discharged from development activities into watercourses and drainage lines is of adequate quality for downstream environments, with respect to:</p> <ul style="list-style-type: none"> (a) the amount and type of pollutants borne from the activity; (b) maintaining natural stream flows; (c) the amount and type of site disturbance; (d) site management and control measures. 	<p>AO7.1 Development activities are designed to ensure stormwater over roofed and hard stand areas is directed to a lawful point of discharge.</p> <p>AO7.2 Development ensures movement of stormwater over the site is not impeded or directed through potentially polluting activities.</p> <p>AO7.3 Soil and water control measures are incorporated into the activity's design and operation to control sediment and erosion potentially entering watercourses, drainage lines and downstream receiving waters.</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>Response to AO7.1 - AO7.3 Complies - Refer to Appendix H - Engineering Report</p>	
Pest plants (for material change of use on vacant land over 1,000m²)	
<p>P08 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 The land is free of declared pest plants before development establishes new buildings, structures and practices;</p> <p>or</p> <p>AO8.2 Pest plants detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person prior to construction of buildings and structures or earthworks.</p> <p>Note - A declaration from an appropriately qualified person validates the land being free from pest plants.</p> <p>Declared pest plants include locally declared and State declared pest plants.</p>

Performance outcomes	Acceptable outcomes
Response to AO8.1 - to AO8.2 Complies – the proposed development will comply with the relevant standards	

9.4.4 Filling and excavation code

9.4.4.1 Application

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

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

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

9.4.4.2 Purpose

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

9.4.4.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes
For self-assessable and assessable development	
Filling and excavation - General	
PO1 All filling and excavation work does not create a detrimental impact on the slope stability, erosion potential or visual amenity of the site or the surrounding area.	AO1.1 The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height. and Cuts in excess of those stated in A1.1 above are separated by benches/ terraces with a minimum width of 1.2 metres that incorporate drainage provisions and screen planting. AO1.2 Cuts are supported by batters, retaining or rock walls and associated benches/terraces are capable of supporting mature vegetation. AO1.3 Cuts are screened from view by the siting of the building/structure, wherever possible. AO1.4

Performance outcomes	Acceptable outcomes
	<p>Topsoil from the site is retained from cuttings and reused on benches/terraces.</p> <p>AO1.5 No crest of any cut or toe of any fill, or any part of any retaining wall or structure is closer than 600mm to any boundary of the property, unless the prior written approval of the adjoining landowner has been obtained.</p> <p>AO1.6 Non-retained cut and/or fill on slopes are stabilised and protected against scour and erosion by suitable measures, such as grassing, landscaping or other protective/aesthetic measures.</p>
Response to AO1.1 - AO1.6 Complies – refer to Appendix H - Engineering Report	
Visual Impact and Site Stability	
<p>PO2 Filling and excavation are carried out in such a manner that the visual/scenic amenity of the area and the privacy and stability of adjoining properties is not compromised.</p>	<p>AO2.1 The extent of filling and excavation does not exceed 40% of the site area, or 500m² whichever is the lesser, except that AO2.1 does not apply to reconfiguration of 5 lots or more.</p> <p>AO2.2 Filling and excavation does not occur within 2 metres of the site boundary.</p>
Response to AO2.1 - AO1.2 Complies – refer to Appendix H - Engineering Report	
Flooding and drainage	
<p>PO3 Filling and excavation does not result in a change to the run off characteristics of a site which then have a detrimental impact on the site or nearby land or adjacent road reserves.</p>	<p>AO3.1 Filling and excavation does not result in the ponding of water on a site or adjacent land or road reserves.</p> <p>AO3.2 Filling and excavation does not result in an increase in the flow of water across a site or any other land or road reserves.</p> <p>AO3.3 Filling and excavation does not result in an increase in the volume of water or concentration of water in a watercourse and overland flow paths.</p> <p>AO3.4 Filling and excavation complies with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.</p>
Response to AO3.1 - AO3.4 Complies – refer to Appendix H - Engineering Report	

Performance outcomes	Acceptable outcomes
Water quality	
PO4 Filling and excavation does not result in a reduction of the water quality of receiving waters.	AO4 Water quality is maintained to comply with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.
Response to AO4 Complies – refer to Appendix H - Engineering Report	
Infrastructure	
PO5 Excavation and filling does not impact on Public Utilities.	AO5 Excavation and filling is clear of the zone of influence of public utilities.
Response to AO5 Complies – refer to Appendix H - Engineering Report	

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
For self-assessable and assessable development	
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. AO1.2 Kerb ramp crossovers are constructed in accordance with Planning scheme policy SC 5 – FNQROC Regional Development Manual. AO1.3 New pipes, cables, conduits or other similar infrastructure required to cross existing footpaths: <ol style="list-style-type: none">(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

Performance outcomes	Acceptable outcomes
	<p>Regional Development Manual, and is not less than a 1.2 metre section.</p> <p>AO1.4 Where existing footpaths are damaged as a result of development, footpaths are reinstated ensuring: (a) similar surface finishes are used; (b) there is no change in level at joins of new and existing sections; (c) new sections are matched to existing in terms of dimension and reinforcement.</p> <p>Note – Figure 0.a provides guidance on meeting the outcomes.</p> <p>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.</p>
<p>Response to AO1.1 Complies – refer to Appendix H - Engineering Report</p> <p>Response to AO1.2 Not Applicable – it is not proposed to construct kerb ramp crossovers.</p> <p>Response to AO1.3 Complies – refer to Appendix H - Engineering Report</p> <p>Response to AO1.4 Not Applicable – there no existing footpaths in the vicinity of the subject site.</p> <p>Response to AO1.5 Not Applicable</p>	
Accessibility structures	
<p>P02 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.</p> <p>Note – Accessibility features are those features required to ensure access to premises is provided for people of all abilities and include ramps and lifts.</p>	<p>AO2.1 Accessibility structures are not located within the road reserve.</p> <p>AO2.2 Accessibility structures are designed in accordance with AS1428.3.</p> <p>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.</p>
<p>Response to AO2.1 Complies – no accessibility structures are located within the road reserve.</p> <p>Response to AO2.2 Complies – the proposed development can comply with relevant standards</p> <p>Response to Not Applicable</p>	

Performance outcomes	Acceptable outcomes
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.
Response to AO3.1 Complies – Refer to Appendix H - Engineering Report Response to AO3.2 Complies – Refer to Appendix H - Engineering Report	
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 systems in the locality.	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 – 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> .
Response to AO4.1 Complies – Refer to Appendix H - Engineering Report Response to AO4.2 Complies – Refer to Appendix H - Engineering Report	
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;	AO5.1 A connection is provided from the premises to Council's drainage system; or

Performance outcomes	Acceptable outcomes
(b) protecting water environmental values; (c) maintaining waterway hydrology.	<p>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.</p> <p>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 Table 9.4.5.3.c, reflecting land use constraints, such as: (a) erosive, dispersive and/or saline soil types; (b) landscape features (including landform); (c) acid sulfate soil and management of nutrients of concern; (d) rainfall erosivity.</p> <p>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.</p> <p>AO5.5 Development incorporates stormwater flow control measures to achieve the design objectives set out in Table 9.4.5.3.b and Table 9.4.5.3.c, including management of frequent flows, peak flows, and construction phase hydrological impacts.</p> <p>Note – Planning scheme policy SC5 – FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p>Note – During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.</p>
Response to AO5.1 - AO5.5 Complies – Refer to Appendix H - Engineering Report	
Non-tidal artificial waterways	
<p>PO6 Development involving non-tidal artificial waterways is planned, designed, constructed and operated to:</p> <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. 	<p>AO6.1 Development involving non-tidal artificial waterways ensures:</p> <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. <p>AO6.2 Non-tidal artificial waterways are located:</p> <ul style="list-style-type: none"> (a) outside natural wetlands and any associated buffer areas;

Performance outcomes	Acceptable outcomes
	<p>(b) to minimise disturbing soils or sediments; (c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas.</p> <p>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: (a) there is sufficient flushing or a tidal range of >0.3 m; or (b) any tidal flow alteration does not adversely impact on the tidal waterway; or (c) there is no introduction of salt water into freshwater environments.</p> <p>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.</p> <p>AO6.5 The end-use purpose of the non-tidal artificial waterway is designed and operated in a way that protects water environmental values.</p> <p>AO6.6 Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway.</p> <p>AO6.7 Aquatic weeds are managed to achieve a low percentage of coverage of the water surface area, and pests and vectors are managed through design and maintenance.</p>
Response to AO6.1 to AO6.7 Not Applicable	
Wastewater discharge	
<p>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.</p>	<p>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.</p> <p>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.</p>

Performance outcomes	Acceptable outcomes
	<p>A07.3 Wastewater discharge is managed to avoid or minimise the release of nutrients of concern so as to minimise the occurrence, frequency and intensity of algal blooms.</p> <p>A07.4 Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and:</p> <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.
<p>Response to A07.1 - A07.4 Complies – Refer to Appendix H - Engineering Report</p>	
Electricity supply	
<p>PO8 Development is provided with a source of power that will meet its energy needs.</p>	<p>A08.1 A connection is provided from the premises to the electricity distribution network;</p> <p>or</p> <p>A08.2 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>
<p>Response to A08.1 Complies – Refer to Appendix H - Engineering Report</p> <p>Response to A08.2 Complies – Refer to Appendix H - Engineering Report</p>	
<p>PO9 Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.</p>	<p>A09.1 Pad-mount electricity infrastructure is:</p> <ul style="list-style-type: none"> (a) not located in land for open space or sport and recreation purposes; (b) screened from view by landscaping or fencing; (c) accessible for maintenance. <p>A09.2</p>

Performance outcomes	Acceptable outcomes
	<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>Response to AO9.1 Complies – pad-mount electricity infrastructure can be suitably located and screened if required.</p> <p>Response to AO9.2 Not Applicable</p>	
Telecommunications	
<p>PO10 Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.</p>	<p>AO10 The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.</p>
<p>Response to AO10 Complies – the development will be connected to telecommunication services.</p>	
<p>PO11 Provision is made for future telecommunications services (e.g. fibre optic cable).</p>	<p>AO11 Conduits are provided in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.</p>
<p>Response to AO11 Complies – the development can provide for future telecommunications services as required.</p>	
Road construction	
<p>PO12 The road to the frontage of the premises is constructed to provide for the safe and efficient movement of:</p> <ul style="list-style-type: none"> (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. 	<p>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.</p> <p>AO12.2 There is existing road, kerb and channel for the full road frontage of the site.</p> <p>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.</p>
<p>Response to AO12.1 Complies – Refer to Appendix H - Engineering Report</p> <p>Response to AO12.2 Not Applicable</p> <p>Response to AO12.3 Complies – Refer to Appendix H - Engineering Report and Appendix G - Development Plans</p>	
Alterations and repairs to public utility services	
<p>PO13 Infrastructure is integrated with, and efficiently extends, existing networks.</p>	<p>AO13 Development is designed to allow for efficient connection to existing infrastructure networks.</p>

Performance outcomes		Acceptable outcomes
Response to AO13 Complies – Refer to Appendix H - Engineering Report		
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.	
Response to AO14.1 to AO14.2 Complies – Refer to Appendix H - Engineering Report		
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: <ul style="list-style-type: none"> (a) installation of protective fencing around retained vegetation during construction; (b) erection of advisory signage; (c) no disturbance, due to earthworks or storage of plant, materials and equipment, of ground level and soils below the canopy of any retained vegetation; (d) removal from the site of all declared noxious weeds. 	
Response to AO15 Complies – the proposal can comply with relevant standards		
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.	
Response to AO16 Complies – the proposal can comply with relevant standards.		
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.	

Performance outcomes	Acceptable outcomes
Response to AO17 Complies – the proposal can provide infrastructure for high speed telecommunications infrastructure.	
Trade waste	
PO18 Where relevant, the development is capable of providing for the storage, collection treatment and disposal of trade waste such that: (a) off-site releases of contaminants do not occur; (b) the health and safety of people and the environment are protected; (c) the performance of the wastewater system is not put at risk.	AO18 No acceptable outcomes are prescribed.
Response to AO18 Complies – the proposal can comply with relevant standards.	
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. 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.
Response to AO19.1 Hydrants can be provided in accordance with relevant standards.	
Response to AO19.2 Hydrants can be provided in accordance with relevant standards.	
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.
Response to AO20 Hydrants can be provided in accordance with relevant standards.	

Table 9.4.5.3.b – Stormwater management design objectives (Construction phase).

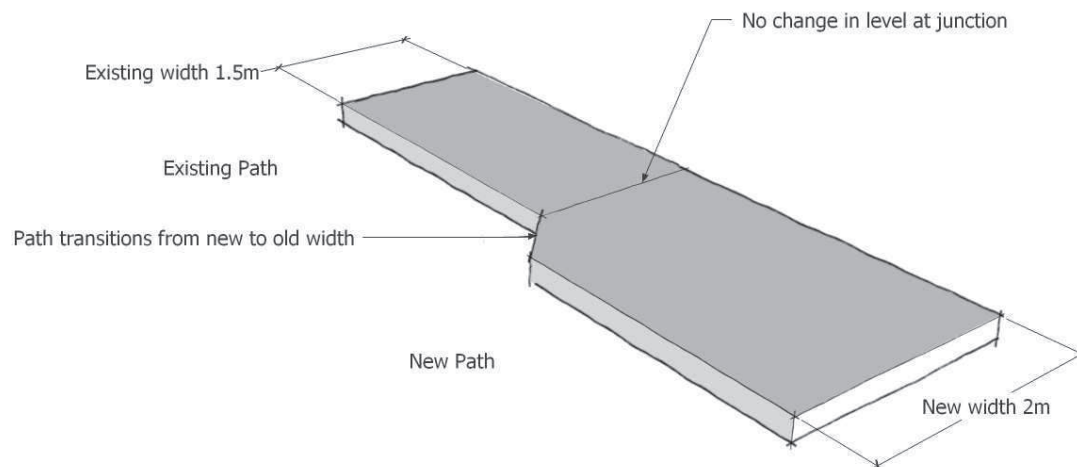
Issue	Design objectives
Drainage control (Temporary drainage works)	(a) Design life and design storm for temporary drainage works: (i) Disturbed open area for <12 months – 1 in 2 year ARI event; (ii) Disturbed open area for 12-24 months – 1 in 5 year ARI event; (iii) Disturbed open area for >24 months – 1 in 10 year ARI event. (b) Design capacity excludes minimum 150mm freeboard. (c) Temporary culvert crossing – minimum of 1 in 1-year ARI hydraulic capacity.

Issue	Design objectives
Erosion control (Erosion control measures)	(a) Minimise exposure of disturbed soils at any time. (b) Divert water run-off from undisturbed areas around disturbed areas. (c) Determine erosion risk rating using local rainfall erosivity, rainfall depth, soil loss rate or other acceptable methods. (d) Implement erosion control methods corresponding to identified erosion risk rating.
Sediment control measures (sediment control measures, design storm for sediment control basins, Sediment basin dewatering)	(a) Determine appropriate sediment control measures using: (i) potential soil loss rate; or (ii) monthly erosivity; or (iii) average monthly rainfall. (b) Collect and drain stormwater from disturbed soils to sediment basin for design storm event: (i) design storm for sediment basin sizing is 80th% five-day event or similar. (c) Site discharge during sediment basin dewatering: (i) TSS < 50mg/L TSS; (ii) Turbidity not > 10% receiving water's turbidity; (iii) pH 6.5-8.5.
Water quality (Litter and other waste, hydrocarbons and other contaminants)	(a) Avoid wind-blown litter; remove grass pollutants. (b) Ensure there is no visible oil or grease sheen on released waters. (c) Dispose of waste containing contaminants at authorised facilities.
Waterway stability and flood flow management (Changes to the natural hydraulics and hydrology)	(a) For peak flow for the 100% AEP event and 1% AEP event, use constructed sediment basins to attenuate the discharge rate of stormwater from the site.

Table 9.4.5.3.c – Stormwater management design objectives (post-construction phase)

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

Figure 0.a – New footpath sections



9.4.6 Landscaping code

9.4.6.1 Application

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

9.4.6.2 Purpose

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

9.4.6.3 Criteria for assessment

Table 9.4.6.3.a – Landscaping code –assessable development

Performance outcomes	Acceptable outcomes
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: <ol 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, parking areas and other hard surfaces;	AO1 Development provides landscaping: <ol 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. 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.

Performance outcomes	Acceptable outcomes
(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.	
Response to AO1 Complies – the proposal can provide landscaping in accordance with the requirements of relevant standards– refer to Appendix G - Development Plans .	
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. 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.
Response to AO2.1 Complies – the proposed development incorporates suitable landscaping and can with the relevant standards.– refer to Appendix G - Development Plans . Response to AO2.2 Complies – the development will include climate responsive construction and design. – refer to Appendix G - Development Plans .	
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, recreational, aesthetic and cultural value.	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 Trees on Development Sites. AO3.2 Mature vegetation on the site that is removed or damaged during development is replaced with advanced species. 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. 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.

Performance outcomes	Acceptable outcomes
<p>Response to AO3.1 Complies – the subject site is generally cleared, however any existing vegetation located outside the development area will be retained where possible – refer Appendix G - Development Plans.</p> <p>Response to AO3.2 Complies - the proposal can comply with relevant standards.</p> <p>Response to AO3.3 Complies – the proposal can comply with relevant standards.</p> <p>Response to AO3.4 Not Applicable – street trees are not proposed as part of this application.</p>	
<p>PO4 Plant species are selected with consideration to the scale and form of development, screening, buffering, streetscape, shading and the locality of the area.</p>	<p>AO4 Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.</p>
<p>Response to AO4 Complies – the development will provide plant species in accordance with Council's requirements.</p>	
<p>PO5 Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal roadways.</p>	<p>AO5 Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.</p>
<p>Response to AO5 Complies – the development will provide shade planting, where required, in accordance with Council's requirements.</p>	
<p>PO6 Landscaped areas are designed in order to allow for efficient maintenance.</p>	<p>AO6.1 A maintenance program is undertaken in accordance with Planning scheme policy SC6.7 – Landscaping.</p> <p>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.</p>
<p>Response to AO6.1 Complies – the development will provide a landscaping maintenance program in accordance with Council's requirements.</p> <p>Response to AO6.2 Complies – the development will maintain on-site landscaping in accordance with Council's requirements.</p>	
<p>PO7 Podium planting is provided with appropriate species for long term survival and ease of maintenance, with beds capable of proper drainage.</p>	<p>AO7.1 Podium planting beds are provided with irrigation and are connected to stormwater infrastructure to permit flush out.</p> <p>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.</p>

Performance outcomes	Acceptable outcomes
Response to AO7.1 Not Applicable	
Response to AO7.2 Not Applicable	
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.
Response to AO8 Complies – the development will be operated in accordance with a suitable weed and invasive species management plan.	
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.
Response to AO9 Complies – the development will provide landscaping in accordance with Council's requirements having regard to the design and location of the subject site.	
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.
Response to AO10 Complies – the location and type of plant species will not adversely affect the function and accessibility of services and facilities and service areas in accordance with Council's requirements.	

9.4.9 Vegetation management code

9.4.9.1 Application

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

9.4.9.2 Purpose

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

9.4.9.3 Criteria for assessment

Table 9.4.9.3.a – Vegetation management –assessable development

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

Performance outcomes	Acceptable outcomes
For self-assessable and assessable development	
PO1 Vegetation is protected to ensure that: <ol style="list-style-type: none">(a) the character and amenity of the local area is maintained;(b) vegetation damage does not result in fragmentation of habitats;(c) vegetation damage is undertaken in a sustainable manner;(d) the Shire's biodiversity and ecological values are maintained and protected;(e) vegetation of historical, cultural and / or visual significance is retained;(f) vegetation is retained for erosion prevention and slope stabilisation.	AO1.1 Vegetation damage is undertaken by a statutory authority on land other than freehold land that the statutory authority has control over; or AO1.2 Vegetation damage is undertaken by or on behalf of the local government on land controlled, owned or operated by the local government; or AO1.3 Vegetation damage, other than referenced in AO1.1 or AO1.2 is the damage of: <ol style="list-style-type: none">(a) vegetation declared as a pest pursuant to the <i>Land Protection (Pest and Stock Route Management) Act 2002</i>; or(b) vegetation identified within the local government's register of declared plants pursuant to the local government's local laws; or(c) vegetation is located within a Rural zone and the trunk is located within ten metres of an existing building; or(d) vegetation is located within the Conservation zone or Environmental management zone and the trunk is located within three metres of an existing or approved structure, not including a boundary fence;. or

Performance outcomes	Acceptable outcomes
	<p>AO1.4 Vegetation damage that is reasonably necessary for carrying out work that is:</p> <ul style="list-style-type: none"> (a) authorised or required under legislation or a local law; (b) specified in a notice served by the local government or another regulatory authority; <p>or</p> <p>AO1.5 Vegetation damage for development where the damage is on land the subject of a valid development approval and is necessary to give effect to the development approval;</p> <p>or</p> <p>AO1.6 Vegetation damage is in accordance with an approved Property Map of Assessable Vegetation issued under the <i>Vegetation Management Act 1999</i>;</p> <p>or</p> <p>AO1.7 Vegetation damage is essential to the maintenance of an existing fire break;</p> <p>or</p> <p>AO1.8 Vegetation damage is essential to prevent interference to overhead service cabling;</p> <p>or</p> <p>AO1.9 Vegetation damage is for an approved Forest practice, where the lot is subject to a scheme approved under the <i>Vegetation Management Act 1999</i>;</p> <p>or</p> <p>AO1.10 Vegetation damage is undertaken in accordance with section 584 of the <i>Sustainable Planning Act 2009</i>.</p> <p>AO1.11 Vegetation damage where it is necessary to remove one tree in order to protect an adjacent more significant tree (where they are growing close to one another).</p> <p>AO1.12 Private property owners may only remove dead, dying, structurally unsound vegetation following receipt of written advice from, at minimum, a fully qualified Certificate V Arborist. A copy of the written advice is to be submitted to Council for its records, a minimum of seven business days prior to the vegetation damage work commencing.</p>

Performance outcomes	Acceptable outcomes
Response to AO1.1 to AO1.12 Specific response to AO1.5 Complies – Any potential vegetation damage will be undertaken in accordance the Development Permit sought for the proposed uses.	
PO2 Vegetation damaged on a lot does not result in a nuisance	AO2.1 Damaged vegetation is removed and disposed of at an approved site; or AO2.2 Damaged vegetation is mulched or chipped if used onsite.
Response to AO2.1 Complies – the removal and disposal of damaged vegetation will be undertaken at an approved site. Response to AO2.2 Complies – if retained on-site, damaged vegetation will be mulched or chipped as required.	
For assessable development	
PO3 Vegetation damage identified on the Places of significance overlay lot does not result in a negative impact on the site's heritage values.	AO3 No acceptable outcomes are prescribed.
Response to AO3 Not Applicable	

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.

(3) 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
Requirements for all Advertising devices regulated by this planning scheme	
General	
<p>PO1 An advertising device:</p> <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 enjoyment of those sites; (e) is sited and designed to: <ul style="list-style-type: none"> (i) not unduly dominate the visual landscape; (ii) maintain views and vistas of public value; and (iii) protect the visual amenity of scenic routes; (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 (g) is designed and sited so as to not contribute to the proliferation of visual clutter. 	<p>AO1 Self-assessable development</p> <p>For self-assessable development, the advertising device complies with the requirements specified in Column 2 of Table 9.4.2.3.b.</p> <p>Assessable development</p> <p>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.</p> <p>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 circumstances, these forms of advertising device would:</p> <ul style="list-style-type: none"> (a) be contrary to Performance Outcome PO1 and the applicable specific requirements for advertising devices in this code; and (b) risk compromising the character, lifestyle and environmental attributes of the Shire as defined in the Part 3 (Strategic Framework). <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>
<p>Response to AO1 Complies - Refer to responses to requirements specified in Column 2 of Table 9.4.2.3.b on pages 4-5 of this Code Response.</p>	
Illumination, lighting and movement	
<p>PO2 An advertising device only incorporates illumination and lighting where it:</p> <ul style="list-style-type: none"> (a) is appropriate to its setting and is compatible with the amenity of the local area; (b) does not cause nuisance or distraction; (c) does not create glare, reflecting or flaring of colours; and (d) (d) will not create a potential safety hazard, including a potential traffic safety hazard. 	<p>AO2.1 The advertising device is only illuminated where it is:</p> <ul style="list-style-type: none"> (a) located in a Centre zone or an Industry zone, or a Recreation and Open Space zone; and (b) associated with a business that operates at night. <p>AO2.2 Where an advertising device is illuminated, it:</p> <ul style="list-style-type: none"> (a) it has a maximum luminance of 350 candelas per m2; (b) does not incorporate flashing lights or digital displays; and (c) (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.
Response to AO2.1 – AO2.2	

Performance outcomes	Acceptable outcomes
Complies – the proposed Advertising Device (Freestanding Sign) is proposed to be illuminated and will comply with the relevant Council requirements.	
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.
Response to AO3 Complies – the proposed Advertising Device (Freestanding Sign) does not include any moving elements.	
Safety of pedestrians and vehicles	
P04 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. AO4.2 The advertising device does not mimic, and is not able to be confused with, a traffic control device. 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. AO4.4 The advertising device is: (a) appropriately secured and supported so as to cause no injury or damage to persons or property; (b) (b) not on or attached to a tree, telegraph and/or electricity poles, traffic or safety signs.
Response to AO4.1 Complies – the proposed location of the advertising device will not physically obstruct the passage of pedestrians or vehicles – refer to Appendix G – Development Plans . Response to AO4.2 Complies – the proposed sign can comply with this requirement. Response to AO4.3 Complies – it is submitted that the proposed advertising device will not restrict sight lines. Response to AO4.4 Complies – the advertising device, a free standing sign, can comply with this requirement.	
Maintenance	
P05 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) (ii) removed.
Response to AO5 Complies - The proposed advertising device will be constructed and maintained to the required standard.	

Performance outcomes	Acceptable outcomes
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-established businesses.	AO6 In addition to the requirements contained within the Advertising devices code, where the advertising device is free standing or attached to a fence, the advertising device: <ul style="list-style-type: none"> (a) has a maximum height of 1.5 metres above ground level; (b) has a maximum width of 1.5 metres; (c) requires no significant vegetation removal to make the advertising device visible;* (d) is directly associated with a lawfully established business conducted on or near the premises;* (e) is non-illuminated; (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>*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>
Response to AO6 Not Applicable – the subject site is not located in these zones.	

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

Advertising device type	Specific requirements
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.	<ul style="list-style-type: none"> (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 (b) ensure that 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:- <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 (c) notwithstanding any other provisions of this code: <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>
Response to Table 9.4.2.3.b Response to (a) Complies – the proposed sign will not exceed the maximum height and sign-face area as per Table 9.4.2.3.c. Response to (b) Complies – the proposal can comply with these requirements.	

Response to (c)

The following responses are provided:-

(i) are consistent with the streetscape character of the area

Complies – the proposed Advertising Device will be consistent with the scale of the unnamed road and the substantial setback from the State-controlled Road.

(ii) are of a scale and proportion consistent with the existing development and predominant land use in the area

Complies – the proposed Advertising Device is appropriately scaled for the rural locality and the substantial setback from the State-controlled road.

(iii) are presented and designed to a proportional and uniform detail

Complies – the proposed Advertising Device can comply with these design requirements.

(iv) do not detract from or obscure any important view or vista

Complies – that given the locality of the subject site and the surrounding landscaping, it is submitted that the proposed Advertising Device will not “*detract from or obscure any important view or vista*”.

Table 9.4.2.3.c – Maximum height and sign-face area of billboard and pylon signage

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

Response to Table 9.4.2.3.c

The subject site is located within the Rural Zone, therefore the “any other zone” allocation applies.

It is submitted that the Advertising Device (Freestanding Sign) will not exceed these requirements.