



Town Planning and Project Services

18 September 2025

Chief Executive Officer
Douglas Shire Council
64-66 Front Street
MOSSMAN QLD 4873

Via email: enquiries@douglas.qld.gov.au

RE: COMBINED DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE (DUAL OCCUPANCY, SHORT-TERM ACCOMMODATION) AND A RECONFIGURING OF A LOT (1 LOT INTO 2 LOTS) OVER LAND AT 36 WARNER STREET, PORT DOUGLAS, MORE FORMALLY DESCRIBED AS LOT 416 ON RP907333

Aspire Town Planning and Project Services has been engaged by Awela Holdings Pty Ltd (the 'Landowner' and 'Applicant') to prepare and lodge the attached Combined Development Application seeking approval for:

- Material Change of Use to establish a Dual Occupancy (two x two-storey villas);
- Material Change of Use to establish Short-term Accommodation within the proposed villas; and
- Reconfiguring a Lot to subdivide the site into two freehold titles (1 lot into 2 lots).

The subject site is located at 36 Warner Street, Port Douglas (Lot 416 on RP907333), with a total site area of approximately 1,016m². The proposal involves demolition of the existing dwelling and construction of two contemporary villas designed to support both long-term residential and short-term visitor accommodation outcomes, consistent with the Centre Zone (Precinct 1a – Town Centre) provisions applying to Warner Street.

This Development Application Package has been prepared with reference to the Planning Act 2016, Planning Regulation 2017, and the Douglas Shire Planning Scheme 2018 (v1.0), and includes the following supporting documentation:

- Attachment 1 – Duly completed DA Form 1;
- Attachment 2 – Town Planning Report, addressing the applicable planning considerations.

Under the Douglas Shire Council Fees and Charges Schedule 2025/26, the applicable Development Application fee has been calculated as \$4,762.00, comprising:

- Material Change of Use (Dual Occupancy): \$1,589.00
- Material Change of Use (Short-Term Accommodation): (\$1,589.00)
- Reconfiguring a Lot (1 into 2 Lots): \$1,584.00

We kindly request that Council issue an invoice for the total amount, to be paid directly by the Applicant.

PO BOX 1040, MOSSMAN QLD 4873
M. 0418826560
E. admin@aspireqld.com
W. www.aspireqld.com
ABN. 79 851 193 691

We appreciate your time in reviewing this application and look forward to Council's assessment. Should you require any further information or wish to arrange a site inspection, please do not hesitate to contact the undersigned at your earliest convenience.

Regards,

A handwritten signature in black ink, consisting of a large loop followed by a series of horizontal strokes.

Daniel Favier
Senior Town Planner
ASPIRE Town Planning and Project Services

Attachment I

Duly completed DA Form I

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)	Awela Holdings Pty Ltd
Contact name (only applicable for companies)	c/- Daniel Favier T/A Aspire Town Planning and Project Services
Postal address (P.O. Box or street address)	PO Box 1040
Suburb	Mossman
State	QLD
Postcode	4873
Country	Australia
Contact number	0418 826 560
Email address (non-mandatory)	admin@aspireqld.com
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	2023-04-51 - Mackay - 36 Warner Street, Port Douglas

1.1) Home-based business

☐ 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?

☐ Yes – the written consent of the owner(s) is attached to this development application

☒ 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
		36	Warner Street	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	416	RP907333	Douglas
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)
		☐ WGS84 ☐ GDA94 ☐ Other:	

- ☐ Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
		☐ 54 ☐ 55 ☐ 56	☐ WGS84 ☐ GDA94 ☐ Other:	

3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

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

Name of port authority for tidal area (if applicable)

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

5) Are there any existing easements over the premises?

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

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

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

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

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

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

c) What is the level of assessment?

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

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

Material Change of Use - Dual Occupancy and Material Change of Use – Short Term Accommodation

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):

Reconfiguring a Lot (1 Lot into 2 Lots)

e) Relevant plans

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

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

6.3) 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	☒ Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	☒ Yes – complete division 2
Operational work	☐ Yes – complete division 3
Building work	☐ 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)
Dual Occupancy – 2 Villas	Dual Occupancy		
Short Term Accommodation - 2 Villas	Short Term Accommodation		

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?

1

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

☒ Subdivision (complete 10)	☐ Dividing land into parts by agreement (complete 11)
☐ Boundary realignment (complete 12)	☐ Creating or changing an easement giving access to a lot from a constructed road (complete 13)

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created	2			

10.2) Will the subdivision be staged?	
☐ Yes – provide additional details below ☒ No	
How many stages will the works include?	
What stage(s) will this development application apply to?	

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

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m 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 ☐ Drainage work ☐ Landscaping ☐ Other – please specify:	☐ Stormwater ☐ Earthworks ☐ Signage ☐ Water infrastructure ☐ Sewage infrastructure ☐ Clearing vegetation
14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)	
☐ Yes – specify number of new lots:	
☐ No	

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

\$

PART 4 – ASSESSMENT MANAGER DETAILS

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

Douglas Shire Council

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

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

PART 5 – REFERRAL DETAILS

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

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

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

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

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

☐ SEQ northern inter-urban break – tourist activity or sport and recreation activity ☐ SEQ northern inter-urban break – community activity ☐ SEQ northern inter-urban break – indoor recreation ☐ SEQ northern inter-urban break – urban activity ☐ SEQ northern inter-urban break – combined use ☐ Tidal works or works in a coastal management district ☐ Reconfiguring a lot in a coastal management district or for a canal ☐ Erosion prone area in a coastal management district ☐ Urban design ☐ Water-related development – taking or interfering with water ☐ Water-related development – removing quarry material <i>(from a watercourse or lake)</i> ☐ Water-related development – referable dams ☐ Water-related development – levees <i>(category 3 levees only)</i> ☐ Wetland protection area
Matters requiring referral to the local government: ☐ Airport land ☐ Environmentally relevant activities (ERA) <i>(only if the ERA has been devolved to local government)</i> ☐ Heritage places – Local heritage places
Matters requiring referral to the Chief Executive of the distribution entity or transmission entity: ☐ Infrastructure-related referrals – Electricity infrastructure
Matters requiring referral to: • The Chief Executive of the holder of the licence, if not an individual • The holder of the licence, if the holder of the licence is an individual ☐ Infrastructure-related referrals – Oil and gas infrastructure
Matters requiring referral to the Brisbane City Council: ☐ Ports – Brisbane core port land
Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994: ☐ Ports – Brisbane core port land <i>(where inconsistent with the Brisbane port LUP for transport reasons)</i> ☐ Ports – Strategic port land
Matters requiring referral to the relevant port operator, if applicant is not port operator: ☐ Ports – Land within Port of Brisbane's port limits <i>(below high-water mark)</i>
Matters requiring referral to the Chief Executive of the relevant port authority: ☐ Ports – Land within limits of another port <i>(below high-water mark)</i>
Matters requiring referral to the Gold Coast Waterways Authority: ☐ 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: ☐ 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?		
☐ Yes – referral response(s) received and listed below are attached to this development application ☒ No		
Referral requirement	Referral agency	Date of referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and this development application, or include details in a schedule to this development application <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
☐ Approval			
☐ Development application			
☐ Approval			
☐ 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:	
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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	☒ Yes
Note: See the Planning Regulation 2017 for referral requirements	
If building work is associated with the proposed development, Parts 4 to 6 of DA Form 2 – Building work details have been completed and attached to this development application	☐ Yes ☒ Not applicable
Supporting information addressing any applicable assessment benchmarks is with the development application	
Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see DA Forms Guide: Planning Report Template .	☒ Yes
Relevant plans of the development are attached to this development application	
Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans .	☒ Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)	☐ Yes ☒ Not applicable

25) Applicant declaration

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

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

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

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

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

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

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

Date received: Reference number(s):

Notification of engagement of alternative assessment manager

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

QLeave notification and payment

Note: For completion by assessment manager if applicable

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

Attachment 2

Town Planning Report



Town Planning Report

36 WARNER STREET, PORT DOUGLAS

18 September 2025

ASPIRE Town Planning and Project Services

Authored by: Daniel Favier

Ref: 2023-04-51 - Mackay - 36 Warner Street, Port Douglas

This Town Planning Report is intended for the exclusive use of our Client “Awela Holdings Pty Ltd” and is provided for informational purposes only. The information contained herein has been prepared based on sources and data believed to be reliable and accurate at the time of preparation. However, Aspire Town Planning and Project Services does not warrant the accuracy, completeness, or currency of the information and disclaims any responsibility for any errors or omissions, or for any loss or damage incurred by any party as a result of reliance on this information.

The conclusions and recommendations contained in this report are based on our professional judgment and interpretation of the current planning policies and regulations. It is important to note that planning regulations and policies are subject to change, and this report should not be construed as a guarantee of any future planning outcomes.

This report is confidential and may not be disclosed, reproduced, or distributed to any third party without the prior written consent of Aspire Town Planning and Project Services. Unauthorised use or distribution of this report is strictly prohibited.

Executive Summary

This report supports a Development Application for a combined Material Change of Use (Dual Occupancy), Material Change of Use (Short-term Accommodation), and Reconfiguring a Lot (1 Lot into 2 Lots) over land at 36 Warner Street, Port Douglas. The site is included within the Centre Zone and is located in Precinct 1a – Town Centre of the Port Douglas/Craigie Local Plan under the Douglas Shire Planning Scheme 2018 (v1.0). The proposal seeks to establish two high-quality, architecturally designed two-storey villas in a Dual Occupancy arrangement, supported by the flexibility for each villa to also operate as Short Term Accommodation, and a reconfiguration to create two freehold titles around each dwelling.

The subject site is approximately 1,016m² in area, formally described as Lot 416 on RP907333, and is currently occupied by an existing Dwelling House, which will be demolished to facilitate the redevelopment. The site enjoys direct frontage to Warner Street, a sealed road providing convenient access to the local transport network and existing infrastructure. Warner Street contains a mix of residential dwellings, short-term accommodation, and small-scale commercial activities consistent with the Centre Zone, reinforcing the suitability of the site for the proposed form of development. The location also benefits from proximity to Macrossan Street, Four Mile Beach, and a range of community facilities and services.

The Material Change of Use seeks approval for a Dual Occupancy comprising two architecturally designed, two-storey villas positioned side by side, each with its own garage, driveway access, and private open space. In addition, approval is sought for the use of each villa as Short Term Accommodation, providing flexibility for the dwellings to operate either as permanent residences or visitor accommodation. The dwellings incorporate three bedrooms plus an upper-level master suite, with layouts designed to maximise natural light, ventilation, and privacy. Building articulation, variation in façade treatment, landscaping and thoughtful placement of garages ensure that the development presents as two distinct homes rather than a single mirrored structure. Landscaped courtyards and outdoor living areas are provided for each villa, enhancing residential amenity and reinforcing the tropical character of Port Douglas. By incorporating approval for both permanent residential and Short Term Accommodation use, the proposal responds to the diverse housing and visitor accommodation needs of the locality.

The dwellings have been designed to minimise site disturbance, with building placement and landscaping carefully arranged to maintain the functionality of the existing stormwater easement along the western boundary. The built form is articulated to reduce bulk and scale, ensuring a visually attractive presentation to Warner Street and a high level of residential amenity for future occupants. When operated as Short Term Accommodation, the villas will function in the same self-contained manner as permanent dwellings, with adequate on-site parking and private open space, ensuring no additional amenity impacts for neighbouring properties. Stormwater, access, and servicing

requirements have been appropriately considered to ensure the development integrates with existing infrastructure while preserving the character of the surrounding area.

The Reconfiguring a Lot component of the application seeks to establish two freehold allotments around the proposed Dual Occupancy, with final lot sizes of 478.7m² and 477.3m². Each new lot has direct frontage and individual driveway access to Warner Street, ensuring safe and efficient vehicle movements. On-site car parking will be provided in the form of secure garages for each dwelling, supplemented by additional space for visitor parking in accordance with Council's requirements. The development will connect to all existing urban services, including reticulated water, sewerage, stormwater, electricity, and telecommunications. The subdivision layout has been designed to maintain the functionality of the existing stormwater easement along the western boundary, with drainage infrastructure to be managed so as to mitigate any potential impacts on adjoining properties.

The development is consistent with the Douglas Shire Planning Scheme 2018 (v1.0) and aligns with the intent of the Centre Zone and the Port Douglas/Craigie Local Plan, which support a mix of residential, short-term accommodation and small-scale complementary uses in accessible town centre locations. The proposal complies with the Acceptable Outcomes and Performance Outcomes of the Dual Occupancy and Reconfiguring a Lot Codes, demonstrating a high standard of urban design, site responsiveness, and integration with the surrounding built environment. Where variations to provisions may occur, justification has been provided to demonstrate compliance with the overall intent of the planning scheme.

The proposed Material Change of Use and Reconfiguring a Lot delivers a well-considered and high-quality residential development that is consistent with the planning framework. The subdivision supports infill development within an established urban area, maximising the efficient use of existing infrastructure and services. By incorporating Short Term Accommodation as part of the application, the proposal also supports the ongoing role of Port Douglas as a key tourism destination, providing visitor accommodation within walking distance of the town centre and beaches. The design ensures a high level of residential amenity while complementing the tropical character of Port Douglas. Overall, the proposal represents a logical and appropriate development outcome, delivering low-impact and high-quality residential housing within the Centre Zone, in a manner that respects the environmental, character, and amenity values of the site and its surrounds. On this basis, it is recommended that the application be approved subject to reasonable and relevant conditions.

1.0 Summary

Development Details	Information
Street Address	36 Warner Street, Port Douglas
Lot and Plan	Lot 416 on RP907333
Land Owner	Awela Holdings Pty Ltd <i>Refer Attachment 1 – Certificate of Title</i>
Site Area	1,016m ²
Road Frontage	20m to Warner Street
Easements	Stormwater drainage easement along the western boundary
Environmental and Contaminated Land Register	To the best of our knowledge at the time of writing, the site is not listed on the EMR or CLR
Current Approved Use	Dwelling House (to be demolished)
Proposal	Material Change of Use: Dual Occupancy Material Change of Use: Short Term Accommodation Reconfiguration of a Lot: 1 Lot into 2 Lots
Proposed Lot Sizes	Lot 1: 478.7m ² Lot 2: 477.3m ²
Approvals Sought	Development Permit for: • Material Change of Use (Dual Occupancy) • Material Change of Use (Short Term Accommodation) • Reconfiguring a Lot (1 Lot into 2 Lots)
Level of Assessment	Code Assessable
Planning Scheme Zone	Centre Zone
Local Plan	Port Douglas Craiglie Local Plan – Precinct 1a: Town Centre
Overlays	Acid Sulfate Soils (<5m AHD) Coastal Environment (Erosion Prone Area) Flood and Storm Tide Hazard (Medium & High Hazard; 100 Year ARI) Transport Network: - Noise Corridor (Category 1) - Collector Road
Regional Plan Designation	Urban Footprint – Far North Queensland Regional Plan 2009–2031
State Planning Policy	Appropriately reflected within the Douglas Shire Planning Scheme 2018 v1
State Development Assessment Provisions	Nil
Referral	Not triggered – no SARA referral required
Planning Regulation 2016 Schedule 12A – Assessment Benchmarks for Particular Reconfiguring a Lot	Not applicable

Infrastructure & Services	The site has access to reticulated water, sewerage, stormwater, electricity, and telecommunications
Car Parking Provision	Each dwelling will provide on-site car parking, including 2 garage spaces per dwelling
Public Notification Requirements	Not required (Code Assessable development)

Table 1: Application Summary

2.0 Site Description

The subject site, located at 36 Warner Street, Port Douglas, is formally described as Lot 416 on RP907333 and is included within the Centre Zone (Port Douglas/Craigie Local Plan – Precinct 1a: Town Centre) under the Douglas Shire Planning Scheme 2018 (v1.0). The site has a total area of approximately 1,016m² and is situated within an established town centre environment that supports a mix of residential dwellings, short-term accommodation, and small-scale commercial uses consistent with the Centre Zone intent for the Port Douglas township.

2.1 Site Context

The site is located on the northern side of Warner Street within the established township of Port Douglas. As illustrated in Figure 1, the site forms part of the central urban grid and benefits from a highly accessible location close to Macrossan Street, the town's primary commercial and entertainment strip, as well as Four Mile Beach, the marina, and a range of community facilities. Warner Street functions as a sealed collector road providing safe vehicle and pedestrian connections through the town centre.

The surrounding land uses are diverse but cohesive, reflecting the intent of the Centre Zone. The locality includes detached dwellings, visitor and short-term accommodation, and small-scale commercial premises, creating a compact and mixed-use character. Buildings are generally one to two storeys in height and positioned close to the street frontage, supported by landscaped setbacks that contribute to the tropical coastal setting. The site sits comfortably within this established pattern, reinforcing its suitability for redevelopment in the form of a Dual Occupancy with subdivision and the option for Short Term Accommodation use.



Figure 1: Site Context (Source: QLD Globe, September 2025)

2.2 Directly Adjoining and Surrounding Uses

As shown in Figure 2, the site is directly adjoining to the east by Lot 415, which is currently vacant and presents as an undeveloped parcel. To the west, Lot 417 contains a smaller-scale residential dwelling, while the adjoining properties further west (Lots 1 and 2 on SP350366) have recently been redeveloped to accommodate a pair of Dual Occupancies, establishing a clear precedent for the proposed form of development.

To the north the locality is characterised by a mix of short-term/visitor accommodation and commercial uses associated with the proximity of Macrossan Street and the Port Douglas town centre. To the south are low-rise visitor accommodation premises that reinforce the transitional character of this part of Warner Street.

The surrounding development pattern reflects a mix of short-term accommodation, permanent residences, boutique resorts and commercial activities consistent with the Centre Zone designation. Building forms are generally one to two storeys in height and are set within established landscaped grounds, providing an appropriate context for the proposed Dual Occupancy and and subdivision with Short Term Accommodation use.



Figure 2: Directly Adjoining and Surrounding Uses (Source: QLD Globe, September 2025)

2.3 Topography, Vegetation, and Site Characteristics

The site is generally flat, with no significant slope or elevation changes apparent across the 1,016m² parcel. It does not contain any watercourses, wetlands, or environmentally sensitive areas and is not affected by hillslope or landslide hazard overlays under the Douglas Shire Planning Scheme. Vegetation on the site consists primarily of established garden plantings and mature trees associated with the existing Dwelling House, with no remnant vegetation or mapped environmental values identified.

A registered stormwater drainage easement is located along the western boundary of the lot, which will be maintained as part of the development. The existing Dwelling will be demolished, providing a

cleared and development-ready parcel that is capable of accommodating the proposed Dual Occupancy with flexibility for Short Term Accommodation and subdivision.

2.4 Access and Infrastructure Services

The site has approximately 20 metres of direct frontage to Warner Street (refer to Figure 3), providing safe and convenient access to the local road network. Warner Street is a sealed, two-lane collector road that facilitates efficient vehicle and pedestrian movement through the Port Douglas town centre and provides direct connections to Macrossan Street, Owen Street and other key local routes.

The proposed development will be serviced by the full range of existing urban infrastructure. Reticulated water, sewerage, stormwater, electricity and telecommunications networks are all readily available within the Warner Street road reserve and can be extended to service the development as required. The subdivision layout has been designed to allow each proposed lot to achieve lawful and practical service connections without reliance on easements or shared arrangements.



Figure 3: Site Frontage to Warner Street (Source: QLD Globe, September 2025)

2.5 Planning Constraints and Overlays

The site is included in the Urban Footprint under the Far North Queensland Regional Plan 2009–2031, confirming its suitability for urban development. A number of overlays under the Douglas Shire Planning Scheme 2018 (v1.0) apply to the site, primarily relating to flood and storm tide hazard, coastal processes, acid sulfate soils, and the transport network.

These matters have been addressed in the design of the proposed Dual Occupancy and Short Term Accommodation use with subdivision. The development will maintain the functionality of the registered stormwater easement along the western boundary, and future building works will establish finished floor levels in accordance with flood hazard requirements. No significant site excavation is proposed, thereby avoiding disturbance of acid sulphate soils, while access and servicing arrangements are consistent with the intent of the Transport Network Overlay. On this basis, the overlays do not impose constraints that prevent the site from being developed as proposed.

3.0 Proposal

This Development Application seeks approval for a Development Permit for a combined Material Change of Use (Dual Occupancy), Material Change of Use (Short Term Accommodation), and Reconfiguring a Lot (1 Lot into 2 Lots) over land at 36 Warner Street, Port Douglas (Lot 416 on RP907333).

The proposal involves the demolition of the existing Dwelling House and the establishment of a high-quality, architecturally designed Dual Occupancy, comprising two contemporary two-storey villas. Each dwelling will incorporate private open space, on-site car parking, and complementary landscaping, contributing to a premium residential outcome that is consistent with the established character of Warner Street and the planning intent for the Centre Zone. Approval is also sought for the use of each villa for Short Term Accommodation, providing flexibility for the dwellings to operate either as permanent residences or visitor accommodation.

To support the Dual Occupancy, the application also seeks approval for the subdivision of the land into two freehold allotments, with each villa to be contained on a separate title. The subdivision layout ensures that each dwelling will achieve direct frontage to Warner Street, lawful access, and efficient servicing connections.

The development has been carefully designed to respond to the site's urban context and physical characteristics, including the stormwater easement along the western boundary. The proposed outcome represents a logical form of infill development that makes efficient use of existing infrastructure, complements the tropical coastal character of Port Douglas, and delivers housing and visitor accommodation choice within a highly accessible town centre location.

3.1 Material Change of Use (Dual Occupancy)

The application seeks approval for a Material Change of Use to establish a Dual Occupancy on the site. The proposal involves the demolition of the existing Dwelling House and construction of two contemporary two-storey villas, each providing three bedrooms, private open space, and on-site car parking.

The development has been conceived to deliver high-quality residential accommodation in a form that is consistent with the planning intent for the Centre Zone, which supports a mix of residential and complementary uses in accessible town centre locations. The proposed Dual Occupancy contributes to housing choice and diversity in Port Douglas and represents an appropriate scale and intensity of development for Warner Street.

3.2 Material Change of Use (Short Term Accommodation)

The Short Term Accommodation use is entirely contained within the proposed building footprints and will accommodate one group of guests per villa at a time, consistent with the behaviour of a typical household. It is not proposed to rent individual rooms or parts of a dwelling separately. Each villa is self-contained and designed to a high standard, with secure parking, private open space, and independent services, ensuring that the Short Term Accommodation use can occur without intensifying the development footprint or creating new amenity conflicts.

The proposed use aligns with the intent of the Centre Zone, which anticipates a mix of residential, tourist, and small-scale commercial uses in accessible town centre locations. The proximity of the site to Macrossan Street, Four Mile Beach and other visitor attractions reinforces its suitability for this dual role. Importantly, the villas will retain their residential appearance and scale, presenting to Warner Street as high-quality dwellings and integrating seamlessly with the mixed-use character of the locality.

By incorporating Short Term Accommodation approval, the proposal formalises the flexibility for the villas to operate as either permanent homes or visitor accommodation, supporting both housing diversity and the ongoing role of Port Douglas as a regional tourism destination.

3.3 Design and Built Form

The Dual Occupancy comprises two architect-designed, two-storey villas arranged side-by-side with individual street addresses to Warner Street. Each dwelling has a clearly defined entry and presents to the street as a distinct home, supported by its own landscaped forecourt and pedestrian entry (refer to Figure 4), ensuring they are read as two distinct homes rather than a mirrored pair. The articulated entry sequence, including feature stone walls, timber screening and clear sightlines, enhances legibility and provides opportunities for casual surveillance of the street.

The dwellings are designed to a high specification (refer to Figure 5), with each villa incorporating:

- Four bedrooms, including a master suite with ensuite and walk-in robe.
- Multiple living areas across both levels, including open-plan ground-floor living and private upper-level retreats.
- Private swimming pool and outdoor entertaining area.
- Secure double garage with additional storage.
- High-quality finishes, including lightweight cladding, stone detailing, and timber screening.



Figure 4: Proposed villa entries from Warner Street (Source: CMG, September 2025)



Figure 5: Proposed Site Plan Perspective (Source: CMG, September 2025)

The design incorporates contemporary coastal character through a combination of lightweight materials, shaded openings, and deep overhangs. The façades are articulated with varied entries, upper-level modulation, and screening elements, which reduce perceived bulk and provide rhythm to the streetscape. Strategic landscaping, both within the forecourts and along side boundaries, reinforces this articulation and provides a soft, vegetated edge to the built form.

The villas have been designed to maximise natural light, ventilation, and privacy. As illustrated in Figure 6, areas are arranged in an open-plan format that extends seamlessly to outdoor entertaining spaces, reinforcing the integration of indoor and outdoor living typical of Port Douglas. Upper-level bedroom windows and balconies are oriented and screened to protect the amenity of adjoining properties. Where upper-storey elements address side or rear boundaries, sill heights, highlight windows, and screening treatments ensure that overlooking is minimised. The design also responds to the tropical climate, incorporating shaded outdoor living areas, cross-ventilation pathways, and materials selected for thermal performance.



Figure 6: Internal perspective (CMG, September 2025)

The scale of the built form is consistent with the one- to two-storey character of Warner Street. Building setbacks, height, and site cover remain appropriate for the Centre Zone, ensuring no adverse impacts on adjoining amenity.

Overall, the proposal delivers a contemporary and high-quality Dual Occupancy development that complements the coastal and tropical character of Port Douglas, while contributing positively to the established town centre environment. The design ensures that whether used for permanent residency or Short Term Accommodation, the villas maintain the appearance and function of high-quality dwellings that complement the streetscape.

3.4 Access and Parking

Vehicle and pedestrian access to the development will be provided directly from Warner Street, with each villa having an individual driveway and clearly defined pedestrian entry. This arrangement ensures that both dwellings operate as distinct residences with their own street address and access point, reinforcing the presentation of two separate homes to the street.

Each villa includes a secure double garage, supplemented by forecourt areas that can accommodate visitor parking. The on-site parking provision adequately caters for both permanent and short-term use, ensuring that the development does not generate demand for on-street parking.

Garages are integrated into the built form and recessed behind landscaped forecourts (refer to Figure 5), ensuring they do not dominate the frontage or detract from the overall architectural composition. The curved driveway entries and layered landscaping further soften the presentation of hardstand areas, maintaining a high-quality and visually attractive streetscape outcome.

Pedestrian access is separated from vehicle driveways through landscaped entry paths (refer to Figure 4), improving legibility and safety while enhancing the residential character of the development.

3.5 Landscaping and Open Space

The proposal includes landscaped forecourts, boundary planting, and private rear courtyards to provide amenity for residents and contribute to the Warner Street streetscape. At the street frontage, each villa incorporates a landscaped forecourt that frames the pedestrian entry and softens the presentation of garages and driveways (refer to Figure 4). Planting in these areas provides a green buffer between the dwellings and the public realm, reinforcing the tropical character of Port Douglas.

Private open space is provided within each villa in the form of landscaped courtyards and pool terraces (refer to Figure 5). These areas are directly accessible from the main living spaces, ensuring a high level of residential amenity and opportunities for outdoor living. Boundary vegetation improve privacy and create cool, useable outdoor rooms suitable for the coastal climate. Each villa also incorporates an internal landscaped atrium, which improves natural light and ventilation within the dwelling and contributes to the overall amenity of the development. Private open space areas will be available for the enjoyment of both residents and visitors, reinforcing the amenity of the development.

Boundary planting along the eastern, western, and southern edges of the site assists in screening the development from adjoining properties while maintaining an attractive outlook for both residents and neighbours. The plant palette will comprise hardy tropical species consistent with the subtropical and coastal setting, ensuring resilience and low maintenance. However, is subject to further detailed design.

Overall, the landscaping strategy supports residential amenity, enhances the Warner Street frontage, and integrates the development with its mixed-use surrounds, providing an attractive setting for both permanent residents and visitors.

3.6 Infrastructure and Services

The site is located within an established urban area of Port Douglas and is fully serviced by reticulated water, sewerage, stormwater, electricity, and telecommunications. The proposed development will connect to these existing networks without the need for major infrastructure upgrades.

Stormwater from the development will be managed in accordance with the requirements of the Infrastructure Works Code. The registered stormwater drainage easement along the western boundary of the site will be maintained in full, with building footprints and fencing arranged to preserve access for maintenance. Roofwater and hardstand runoff will be directed to lawful points of discharge via on-site collection and the existing drainage network.

No significant excavation is proposed, avoiding any disturbance of potential acid sulfate soils. All other servicing connections can be achieved within the Warner Street frontage, ensuring that the Dual Occupancy and future freehold lots are capable of being serviced efficiently and lawfully. All services are capable of supporting both permanent residents and visitors, ensuring that the development can accommodate residential and Short Term Accommodation use without the need for upgrades.

3.7 Reconfiguration of a Lot (1 into 2 Lots)

The application also seeks approval for the Reconfiguring of a Lot to create two new freehold allotments around the proposed Dual Occupancy. The subdivision supports the intended built form outcome by allowing each villa to be held on an individual title while maintaining lot dimensions and layouts appropriate for detached dwellings in the Centre Zone.

Proposed lots sizes are as follows:

- **Lot 1:** Approximately 478.7m², with direct frontage to Warner Street.
- **Lot 2:** Approximately 477.3m², with direct frontage to Warner Street.

Both proposed lots will have independent street frontage and access to services within the Warner Street road reserve, ensuring safe and efficient vehicle and pedestrian entry and exit. The layout is consistent with the established subdivision pattern of Warner Street, where a mix of single dwellings, Dual Occupancies, and townhouse-style developments are accommodated on freehold parcels of comparable size.

No new roads or additional easements are required as part of the reconfiguration, with the existing stormwater drainage easement along the western boundary to remain in place.

It is acknowledged that, in relation to the titling of the new lots, Council may impose conditions requiring that a Building Permit be obtained, the slab poured, and at least three courses of blocks laid before the new titles can be created.

3.8 Compliance with Planning Intent

The proposed Dual Occupancy, Short Term Accommodation use, and Reconfiguration of a Lot are consistent with the intent of the Centre Zone and the Port Douglas–Craiglie Local Plan, which support a mix of residential, tourist, and complementary uses within the town centre in order to create a compact, accessible, and diverse urban environment.

The proposal:

- Supports redevelopment and infill within the established township grid.
- Is compatible with the built form and amenity of Warner Street, which accommodates a mix of residential dwellings, Dual Occupancies, Short Term Accommodation and visitor uses.
- Makes efficient use of existing reticulated infrastructure and the local transport network.
- Provides high-quality residential accommodation in the form of architecturally designed two-storey villas.
- Delivers visitor accommodation within walking distance of the town centre, beaches, and key tourism amenities, supporting the ongoing role of Port Douglas as a regional destination.
- Contributes to housing diversity and choice in Port Douglas, while reinforcing the coastal and tropical character of the town centre.

Given the site's zoning, location, and surrounding land uses, the proposed Dual Occupancy, Short-term Accommodation use, and subdivision represent a logical, well-integrated, and high-quality development outcome for 36 Warner Street, Port Douglas. By providing for both permanent residents and visitors, the proposal supports a diverse and vibrant town centre while remaining consistent with the planning framework. On this basis, approval of the Development Application is sought.

4.0 Statutory Town Planning Framework

4.1 Planning Act 2016

The *Planning Act 2016* (the 'Planning Act') is the statutory instrument for the State of Queensland under which, amongst other matters, Development Applications are assessed by Local Governments. The Planning Act is supported by the *Planning Regulation 2017* (the 'Planning Regulation'). The following sections of this report discuss the parts of the Planning Act and Planning Regulation applicable to the assessment of a development application.

4.1.1 Approval and Development

Pursuant to Sections 49, 50 and 51 of the Planning Act, the Development seeks a Development Permit for Material Change of Use (Dual Occupancy), Material Change of Use (Short Term Accommodation), and Reconfiguring a Lot (1 Lot into 2 Lots).

4.1.2 Application

The proposed development is:

- development that is located completely in a single local government area;
- development made assessable under a local categorising instrument; and
- for a Material Change of Use.

In accordance with Section 48 of the Planning Act and Schedule 8, Table 2, Item 1 of the Planning Regulation, the development application is required to be made to the applicable Local Government, in this instance being Douglas Shire Council (the 'Council').

4.1.3 Referral

Section 54(2) of the Planning Act and Section 22 and Schedules 9 and 10 of the Planning Regulation provide for the identification of the jurisdiction of referral agencies, to which a copy of the development Application must be provided. A review of the Planning Regulation confirms the Development Application does not trigger referral to the State Assessment and Referral Agency (SARA).

4.1.4 Public Notification

Section 53(1) of the Planning Act provides that an Applicant must give notice of a Development Application where any part is subject to Impact Assessment or where it is an application, which includes a variation request.

The Development Application is subject to Code Assessment and therefore Public Notification of the Development Application is not required.

4.1.5 Assessment Framework

As noted within this report, the proposed development triggers a Code Assessable Development Application. Section 45(3) of the *Planning Act* provides that:

- “(3) A code assessment is an assessment that must be carried out only—*
- (a) against the assessment benchmarks in a categorising instrument for the development;*
 - and*
 - (b) having regard to any matters prescribed by regulation for this paragraph.”*

The Douglas Shire Planning Scheme 2018 v1.0, as the applicable local categorising instrument, is discussed in greater detail in the following sections of this report.

Section 26 of the *Planning Regulation* provides the following assessment benchmarks for the purposes of Section 45(3)(a) of the *Planning Act*:

- “(1) For section 45(3)(a) of the Act, the code assessment must be carried out against the assessment benchmarks for the development stated in schedules 9 and 10.*
- (2) Also, if the prescribed assessment manager is the local government, the code assessment must be carried out against the following assessment benchmarks—*
- (a) the assessment benchmarks stated in—*
 - (i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme;*
 - and*
 - (ii) the State Planning Policy, part E, to the extent part E is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (iii) any temporary State planning policy applying to the premises;*
 - (b) if the local government is an infrastructure provider—the local government’s LGIP.*
- (3) However, an assessment manager may, in assessing development requiring code assessment, consider an assessment benchmark only to the extent the assessment benchmark is relevant to the development.”*

Section 27 of the *Planning Regulation* provides matters for the purposes of Section 45(3)(b) of the *Planning Act*:

- “(1) For section 45(3)(b) of the Act, the code assessment must be carried out having regard to—*
- (a) the matters stated in schedules 9 and 10 for the development; and*
 - ...*
 - (d) if the prescribed assessment manager is a person other than the chief executive—*
 - (i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (ii) the State Planning Policy, to the extent the State Planning Policy is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (iii) for designated premises—the designation for the premises; and*
 - (e) any temporary State planning policy applying to the premises; and*
 - (f) any development approval for, and any lawful use of, the premises or adjacent premises; and*
 - (g) the common material.*
- (2) However—*
- (a) an assessment manager may, in assessing development requiring code assessment, consider a matter mentioned in subsection (1) only to the extent the assessment manager considers the matter is relevant to the development; and*
 - (b) if an assessment manager is required to carry out code assessment against assessment benchmarks in an instrument stated in subsection (1), this section does not require the assessment manager to also have regard to the assessment benchmarks.”*

The following sections of this report discuss the applicable assessment benchmarks and applicable matters in further detail.

4.2 Far North Queensland Regional Plan 2009-2031

The Far North Queensland Regional Plan 2009 - 2031 ('the Regional Plan') is intended to guide and manage the region's development and to address key regional environmental, social, economic and urban objectives. The site falls within the area to which the Urban Footprint applies. The Regional Plan is identified in the Planning Scheme as being appropriately integrated in the scheme. Further detailed assessment against the Regional Plan is therefore not applicable.

4.3 State Planning Policy

The State Planning Policy ('the SPP') was released on 2 December 2013 and replaced all previous State Planning Policies. The SPP has since been revised, with new versions released on 2 July 2014, 29 April 2016 and 3 July 2017. The April 2016 version of the SPP is identified in the Planning Scheme as being

appropriately integrated. Whilst the SPP has been amended since April 2016 version, it is considered that the policy content and outcomes contained within the SPP, to the extent they are relevant and applicable to the proposed development, have not been sufficiently amended to require the reconsideration of the SPP separately.

4.4 Temporary State Planning Policies

There are currently no temporary State Planning Policies in effect in Queensland.

4.5 Schedule 12A Planning Regulation

Schedule 12A of the Planning Regulation does not apply as the Development Application does not meet the triggering criteria.

4.6 Douglas Shire Planning Scheme 2018 v1.0

The Planning Scheme came into effect on 2 January 2018 and is the applicable planning scheme to the Douglas Local Government Area. It is noted that the Planning Scheme was drafted under the *Sustainable Planning Act 2009* ('the SPA'). The interpretation of the Planning Scheme with respect to the proposed development is therefore based on the transitional provisions of the Planning Act.

4.6.1 Zone

The subject site is located within the Centre Zone. The purpose of the Centre Zone is to provide for a mix of residential, retail, business, and community activities that support the role of the town centre.

The proposed Dual Occupancy, Short Term Accommodation and Reconfiguring a Lot are consistent with the overall outcomes of the Centre Zone Code by contributing to residential choice and diversity in a highly accessible location. The proposed development is designed to be suitable for permanent residents, while its architectural quality and location also support potential use as short-term visitor accommodation.

The built form and scale of the development are appropriate to the surrounding context, incorporating architectural elements that respond to the tropical climate, such as open-plan layouts, generous outdoor spaces, natural ventilation, and shaded areas to enhance comfort. The design reflects the coastal character of Port Douglas, incorporating natural materials, articulated façades, and landscaping treatments that integrate the dwellings into the existing town centre environment. The development is fully serviced by existing infrastructure and contributes to the ongoing enhancement of the Port Douglas township, ensuring that the proposal meets the intent of the planning scheme while maintaining a balance between residential and tourist accommodation opportunities.

An assessment of the proposed development against the Centre Zone Code is included under ***Attachment 3 – Statement of Code Compliance against the Planning Scheme.***

4.6.2 Local Plan

The subject site is located within the Port Douglas/Craigie Local Plan, Precinct 1a: Town Centre. An assessment of the proposed development against the Local Plan Code is included under ***Attachment 3 – Statement of Code Compliance against the Planning Scheme.***

4.6.3 Overlays

Review of the Planning Scheme Mapping confirms the following applicable Overlays:

- Acid Sulfate Soils (<5m AHD);
- Coastal Environment (Erosion Prone Area);
- Flood and Storm Tide Hazard (Medium and High Hazard, including 100 year ARI); and
- Transport Network Overlay (Noise Corridor Category 1; Collector Road).

4.6.4 Category of Assessment

Pursuant to Part 5 of the Planning Scheme, a Development Application for a Material Change of Use (Dual Occupancy), Material Change of Use (Short Term Accommodation) and Reconfiguring a Lot (1 into 2 Lots) in the Centre Zone is Code Assessable. The category of assessment of the proposed development is not otherwise altered by the Planning Scheme.

4.6.5 Assessment Criteria

The Douglas Shire Planning Scheme 2018 v1.0 identifies a range of assessment benchmarks that are applicable to the proposed development. These benchmarks include zone, local plan, overlay, use and development codes, which collectively guide the form, function, and impacts of development within the local government area.

Table 2 outlines how these benchmarks apply to the current application for Material Change of Use (Dual Occupancy), Material Change of Use (Short Term Accommodation), and Reconfiguring a Lot (1 into 2 Lots). It also indicates where responses have been incorporated within this report and where they are addressed in Attachment 3 – Statement of Code Compliance against the Planning Scheme. In this way, the table demonstrates that all relevant assessment matters have been appropriately considered.

Together, these codes confirm the suitability of the proposed development, with the assessment showing compliance with the intent of the Planning Scheme and supporting a well-integrated outcome consistent with the objectives for the Centre Zone and Port Douglas township.

Assessment Criteria		MCU (DO)	MCU (STA)	Reconfiguring a Lot	Assessment Response
Zone Code	Centre Code	☒	☒	☒	Applicable - Code Assessment supplied. Assessment response provided in Attachment 3.
Local Plan Code	Por Douglas / Craiglie Local Plan Code (Precinct 1 – 1a Town Centre)	☒	☒	☒	Applicable - Code Assessment supplied. Assessment response provided in Attachment 3.
Overlay Codes	Acid Sulphate Soils Overlay Code	☒	☒	☒	Applicable. The site is included in the Acid Sulfate Soils Overlay (land below 5m AHD). The combined application (Dual Occupancy, Short Term Accommodation and Reconfiguring of a Lot) will require only minor excavation and filling to establish building pads and associated site works. These limited works can be managed at the construction stage to avoid disturbance of potential acid sulfate soils. Given the scale of the development, no significant excavation, filling or groundwater extraction is proposed that would trigger acid sulfate soil impacts. The proposal is therefore considered to achieve the intent of the overlay. If Council requires further detail, this can be addressed through a condition of approval or by way of a site-specific management plan at building/construction stage.
	Bushfire Hazard Overlay Code	N/A	N/A	N/A	Not applicable. The site is not identified in the Bushfire Hazard Overlay.

	Coastal Environment Overlay Code	☒	☒	☒	Applicable. The site is mapped within the Coastal Environment Overlay. The combined application (Dual Occupancy, Short Term Accommodation and Reconfiguring a Lot) does not involve any works seaward of the coastal building line, nor does it propose coastal protection works, marine development or foreshore access changes. All development is contained within an established urban block of Warner Street, well landward of the foreshore. The proposal therefore avoids impacts on coastal processes, resources or public access, and is consistent with the intent of the Coastal Environment Overlay Code. Should Council require further detail, this can be addressed through a condition of approval or a site-specific construction management approach.
	Flood and Storm Tide Hazard Overlay Code	☒	☒	☒	Applicable. The site is mapped within the Flood and Storm Tide Hazard Overlay. The combined application (Dual Occupancy, Short Term Accommodation and Reconfiguring of a Lot) is located within an established urban block of Warner Street. The proposal involves no significant filling, excavation, or alteration to natural flow paths and will not obstruct evacuation routes. Finished floor levels for the villas will be set in accordance with the applicable assessment provisions to achieve immunity above the defined flood event plus freeboard, ensuring resilience and safety for residents and visitors. The subdivision layout maintains frontage to Warner Street and lawful service connections, with no intensification of risk beyond the current zoning

					intent. The development therefore achieves the intent of the Flood and Storm Tide Hazard Overlay Code by responding to flood potential, maintaining personal safety, and avoiding adverse off-site impacts. Should Council require further detail, this can be addressed through conditions of approval or certification at building/construction stage.
	Hillslopes Overlay Code	N/A	N/A	☒	Not applicable. The site is not included in the Hillslopes Overlay.
	Landscape Values Overlay Code	N/A	N/A	☒	Not applicable The site is not included in the Landscape Values Overlay.
	Natural Areas Overlay Code	N/A	N/A	N/A	Not applicable. The site does not contain mapped natural areas.
	Places of Significance Overlay Code	N/A	N/A	N/A	Not applicable. The site is not identified within the Places of Significance Overlay.
	Potential Landslide Hazard Overlay Code	N/A	N/A	☒	Not applicable. The site is not mapped within the Potential Landslide Hazard Overlay.
	Transport Network Overlay Code	☒	☒	☒	Applicable. The site is affected by the Transport Network Overlay, being mapped within a Category 1 Transport Noise Corridor and fronting a Collector Road (Warner Street). The combined application (Dual Occupancy, Short Term Accommodation and Reconfiguring of a Lot) is appropriately designed for its urban centre context. Vehicle access is taken from Warner Street, maintaining the established road hierarchy and ensuring safe and efficient connections. Noise levels associated with Warner Street are within the lower range (Category 1), and the proposed building design incorporating setbacks, landscaping and standard

					construction methods, will ensure that residential and Short Term Accommodation uses maintain a suitable level of amenity. The development therefore responds to both the noise corridor and road hierarchy provisions of the Transport Network Overlay Code, and if Council requires further detail, this can be addressed through conditions of approval or at building/construction stage.
Use Code	Dual Occupancy	☒	N/A	N/A	Applicable - Code Assessment supplied. Assessment response provided in Attachment 3.
	Multiple Dwelling, Short Term Accommodation and Retirement Facility Code	N/A	☒	N/A	Applicable – Code Assessment supplied. Assessment response provided in Attachment 3.
Development Codes	Access, Parking and Service Code	☒	N/A	☒	Applicable - Code Assessment supplied. Assessment response provided in Attachment 3.
	Environmental Performance Code	N/A	N/A	☒	Applicable - Code Assessment supplied. Assessment response provided in Attachment 3.
	Filling and Excavation Code	N/A	N/A	☒	Applicable - Code Assessment supplied. Assessment response provided in Attachment 3.
	Infrastructure Works Code	☒	☒	☒	Applicable - Code Assessment supplied. Assessment response provided in Attachment 3.
	Landscaping Code	☒	N/A	☒	Applicable. The site is subject to the Landscaping Code. While a detailed landscaping plan has not been prepared at this stage, the proposal plans illustrate the landscaping concept, including forecourt planting and boundary treatments to soften the built form. It is anticipated that Council will impose a condition

					requiring a formal landscaping plan to be provided prior to building approval. The development is therefore considered capable of complying with the Landscaping Code.
	Reconfiguring a Lot Code	N/A	N/A	☒	Applicable – Code Assessment supplied. Assessment response provided in Attachment 3.
	Vegetation Management Code	☒	☒	☒	Applicable. The site is included in the Vegetation Management Overlay, however it is not mapped as containing remnant vegetation, essential habitat or other regulated vegetation values. The combined application (Dual Occupancy, Short Term Accommodation and Reconfiguring of a Lot) is located within an established urban block that has already been cleared of native vegetation. No removal of regulated vegetation is proposed, and landscaping will enhance the existing streetscape. Should Council identify any regulated vegetation onsite, this matter can be addressed by way of a condition of approval. The proposal is therefore considered to achieve the intent of the Vegetation Management Code.

Table 2: Applicable Codes and Assessment Response Summary

5.0 Conclusion

The proposed Material Change of Use (Dual Occupancy and Short Term Accommodation) and Reconfiguring a Lot (1 into 2 Lots) at 36 Warner Street, Port Douglas represents a well-integrated, high-quality development outcome that aligns with the objectives of the Douglas Shire Planning Scheme 2018 v1.0 and broader planning framework.

The development delivers two architecturally designed villas that contribute to the diversity of housing and visitor accommodation within the Port Douglas township, while maintaining compatibility with the established character of Warner Street. The design responds to its town centre setting through articulated built form, landscaped forecourts, and climate-responsive architectural treatments that reinforce the coastal and tropical identity of the area.

The subdivision layout reflects the established lot pattern of Warner Street and enables each villa to be separately titled without altering the surrounding urban fabric. The proposal represents efficient use of an already serviced site within the Urban Footprint, ensuring that existing infrastructure networks, including water, sewerage, electricity, stormwater, and telecommunications, are optimised without the need for significant upgrades.

The planning scheme anticipates a mix of residential and non-residential activities within the Centre Zone. By providing for both permanent residents and visitors, the proposal directly supports this intent, delivering flexible dwellings that function as high-quality homes or short-term accommodation within walking distance of Port Douglas' retail, hospitality, and recreational amenities. In this way, the development supports the town centre's role as a vibrant, compact, and tourism-oriented community hub.

Assessment of the application confirms general compliance with the Acceptable Outcomes and Performance Outcomes of the relevant zone, local plan, overlay, use and development codes. Where minor variations arise, they have been addressed through design responses that achieve the overall outcomes of the planning scheme. Importantly, the proposal will not result in adverse impacts on adjoining amenity, infrastructure networks, or the environmental values of the site.

Overall, the application demonstrates compliance with the relevant assessment benchmarks and achieves a development outcome that is strategically located, consistent with the planning framework, and responsive to the tropical climate. The proposal is well supported by existing infrastructure and complements the established character and amenity of Warner Street, while also contributing to the ongoing role of Port Douglas as a regional tourism destination. On this basis, it is recommended that the application be approved subject to reasonable and relevant conditions.

Attachment 1

Certificate of Title

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	50152493	Search Date:	31/05/2023 08:18
Date Title Created:	13/12/1996	Request No:	44587343
Previous Title:	20861109		

ESTATE AND LAND

Estate in Fee Simple

LOT 416 REGISTERED PLAN 907333
Local Government: DOUGLAS

REGISTERED OWNER

Dealing No: 722463505 10/05/2023

AWELA HOLDINGS PTY LTD A.C.N. 127 128 778

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 10369055 (ALLOT 16 SEC 4)
Deed of Grant No. 10369056 (ALLOT 16 SEC 4)
2. EASEMENT No 701710605 13/12/1996 at 12:17
burdening the land to
LOT 407 ON RP 907333 OVER
EASEMENT B ON RP 907333
3. EASEMENT No 701710608 13/12/1996 at 12:18
burdening the land to
THE COMMON PROPERTY IN BUP 104505
OVER EASEMENT B ON RP 907333

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

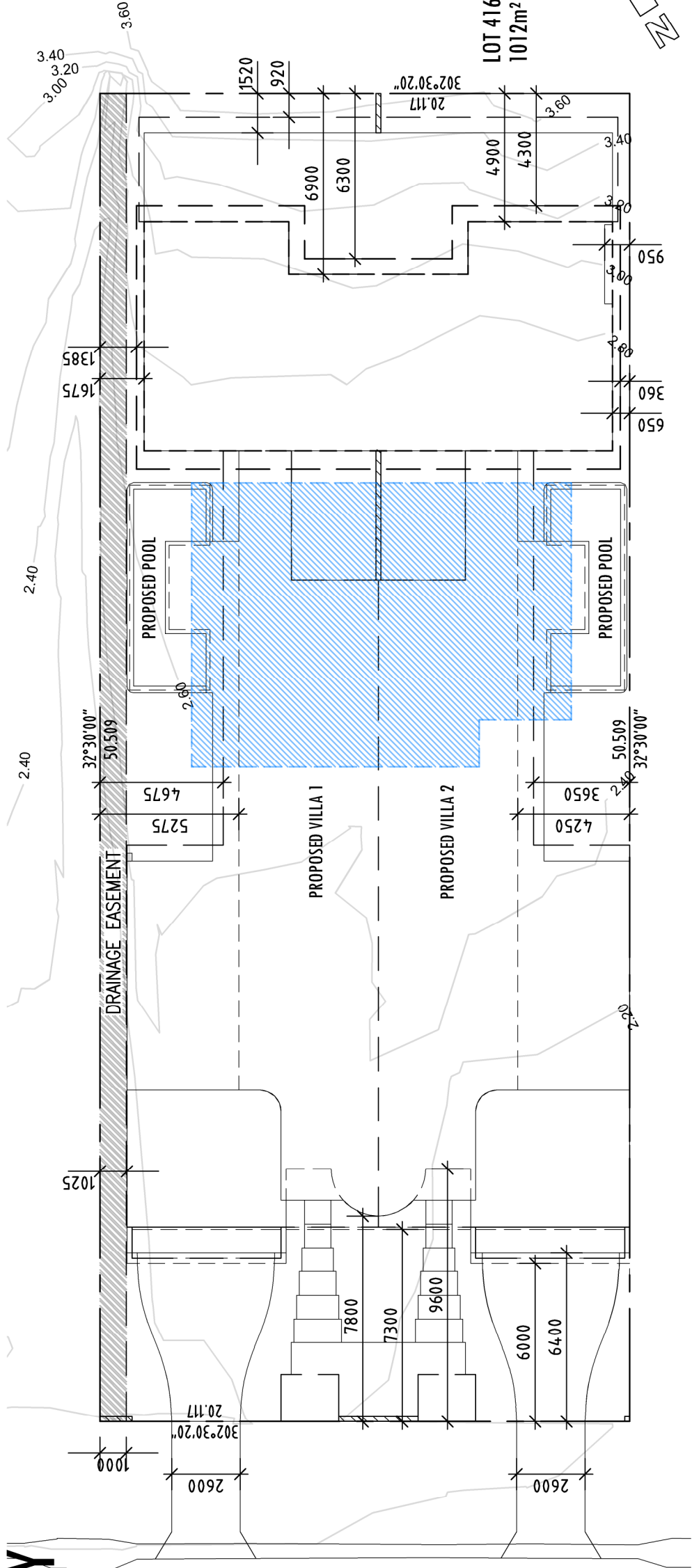
** End of Current Title Search **

Attachment 2

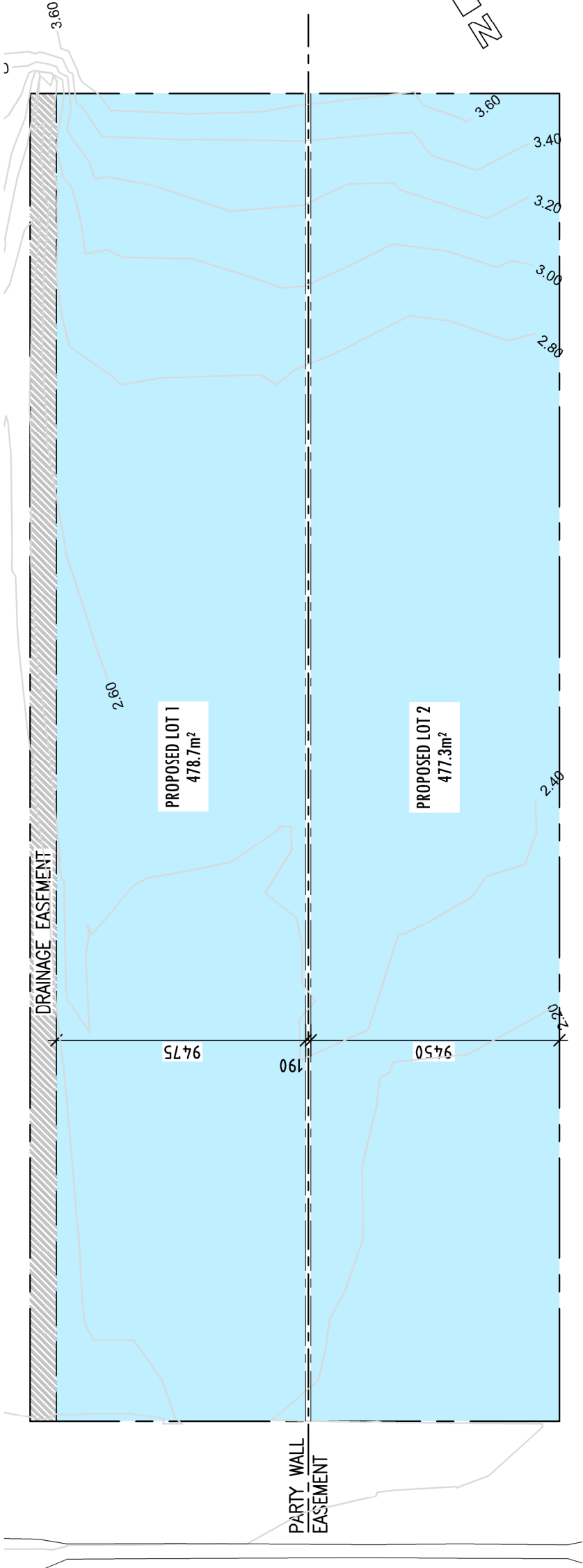
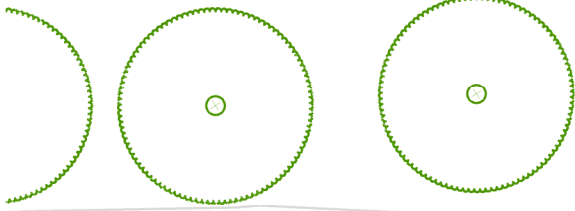
Site, Floor and Elevation Plans

PRELIMINARY

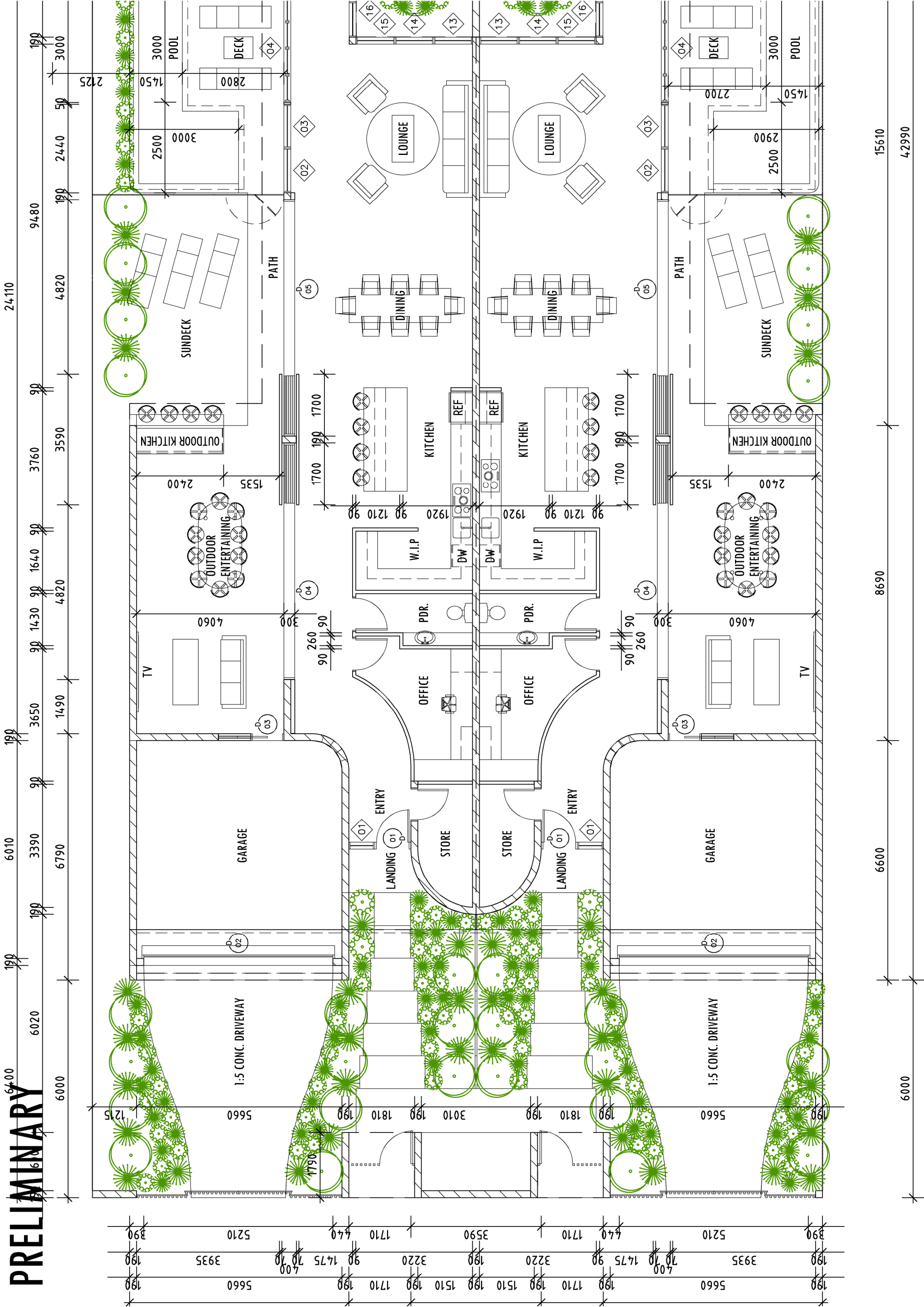
WARNER STREET



TOTAL FLOOR AREAS	
LOWER	665m²
UPPER	155m²
TOTAL FLOORS	820m²
SITE COVERAGE	81%



PRELIMINARY



PROPOSED VILLAS at:
**36 WARNER ST,
PORT DOUGLAS**

CLIENT:
ANDREW MACKAY

MINIMUM DESIGN STANDARDS: TO BE IN ACCORDANCE WITH
CURRENT NATIONAL CONSTRUCTION CODE (NCC) VOLUMES 1, 2 & 3,
QUEENSLAND DEVELOPMENT CODES (QDC), AS & NZS STANDARDS,
BUILDING ACT, BUILDING REGULATIONS, PLUMBING & DRAINAGE
ACT, LOCAL GOVERNMENT PLANNING SCHEMES & POLICIES OR
LOCATE IN PROJECT SPECIFICATIONS.

TITLE:
**PART LOWER FLOOR PLAN -
LIVING QUARTERS**

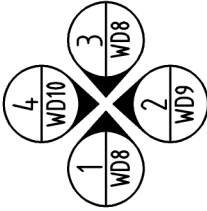
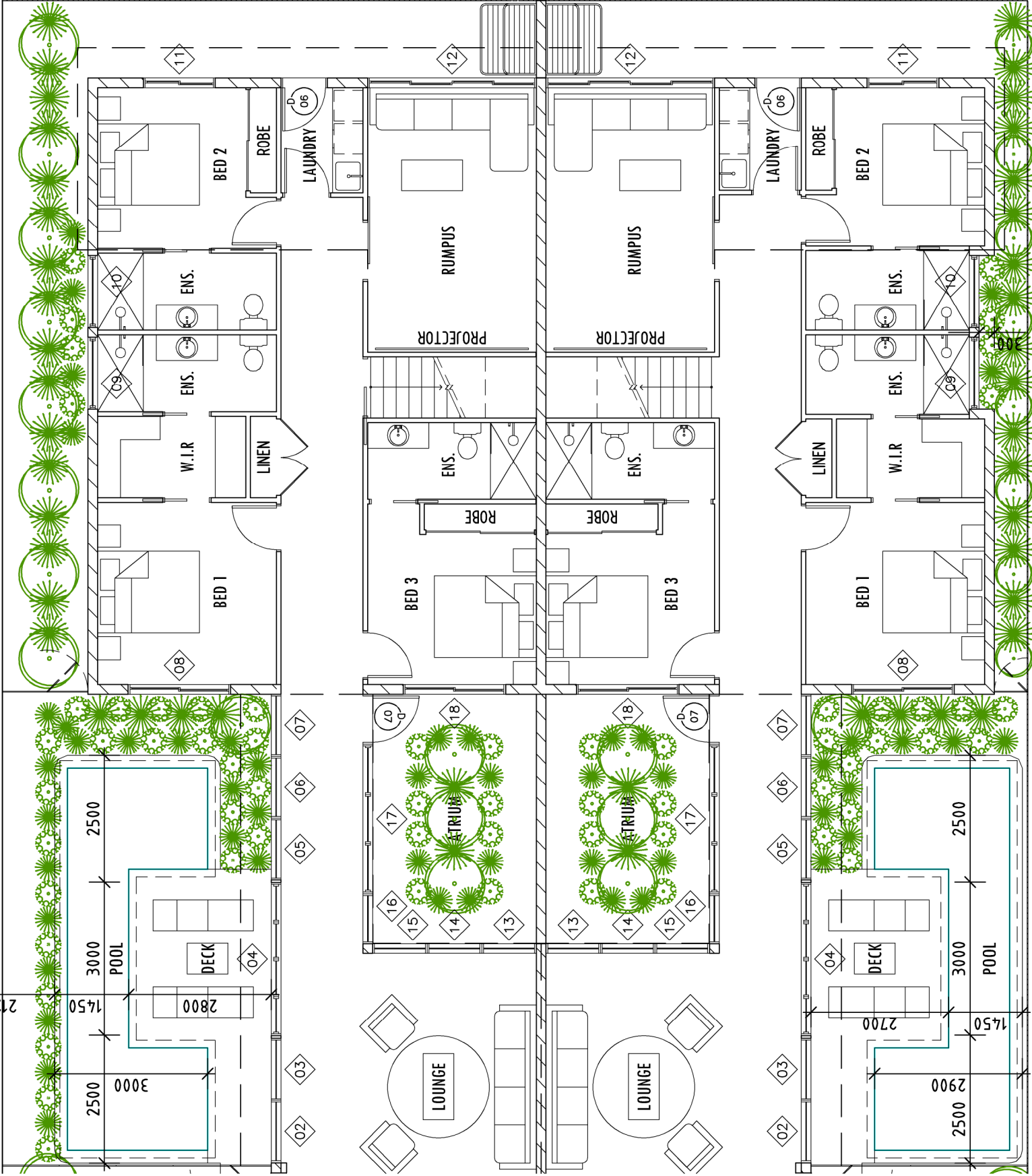
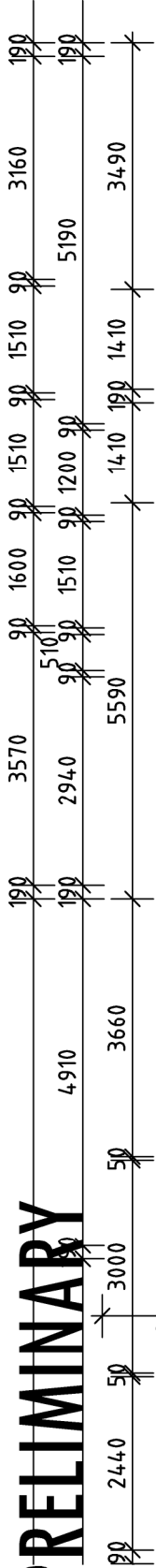
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P22 - 11/09/25
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WIND CLASS: C2??

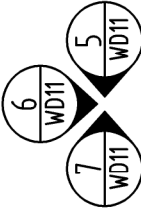
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PRELIMINARY



ELEVATIONS

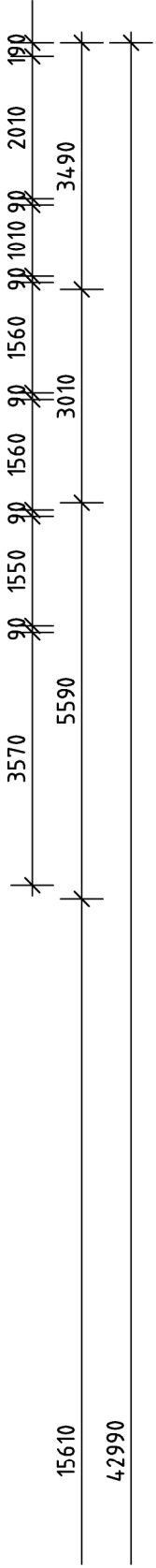


ATRIUM ELEVATIONS

AREAS (PER VILLA)	
LIVING/SLEEPING	233m ²
GARAGE	38m ²
OUTDOOR ENT.	36m ²
ATRIUM	16m ²
POOL DECK	9.5m ²
TOTAL LOWER	332.5m ²

PART LOWER FLOOR PLAN - SLEEPING QUARTERS

SCALE 1:100



PROPOSED VILLAS at:
**36 WARNER ST,
PORT DOUGLAS**

CLIENT:
ANDREW MACKAY

MINIMUM DESIGN STANDARDS: TO BE IN ACCORDANCE WITH
CURRENT NATIONAL CONSTRUCTION CODE (NCC) VOLUMES 1, 2 & 3,
QUEENSLAND DEVELOPMENT CODES (QDC), AS & NZS STANDARDS,
BUILDING ACT, BUILDING REGULATIONS, PLUMBING & DRAINAGE
ACT, LOCAL GOVERNMENT PLANNING SCHEMES & POLICIES OR
LOCATE IN PROJECT SPECIFICATIONS.

TITLE:
**PART LOWER FLOOR PLAN -
SLEEPING QUARTERS**

DATE:
COORDINATION ISSUE
P22 - 11/09/25

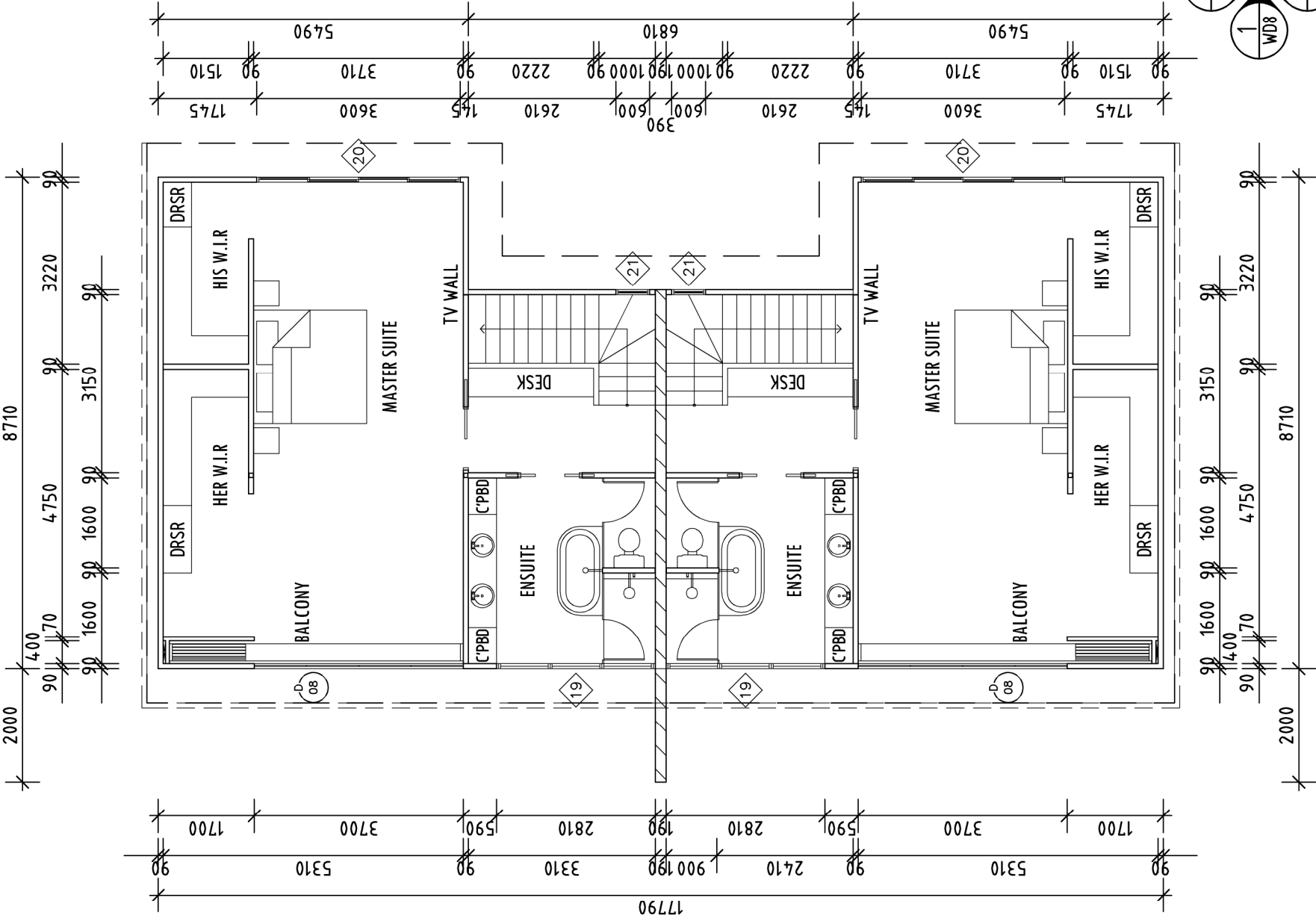
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AS SHOWN @ A3

JOB No:
2444

WIND CLASS:
C2??

SHEET No:

WD3



AREAS (PER VILLA)	
LIVING	59.8m ²
BALCONY	10.8m ²
TOTAL UPPER	70.6m ²

UPPER FLOOR PLAN

SCALE 1:100

MINIMUM DESIGN STANDARDS: TO BE IN ACCORDANCE WITH
CURRENT NATIONAL CONSTRUCTION CODE (NCC) VOLUMES 1, 2 & 3,
QUEENSLAND DEVELOPMENT CODES (QDC), AS & NZS STANDARDS,
BUILDING ACT, BUILDING REGULATIONS, PLUMBING & DRAINAGE
ACT, LOCAL GOVERNMENT PLANNING SCHEMES & POLICIES OR
LOCATE IN PROJECT SPECIFICATIONS.

CLIENT:

36 WARNER ST,
PORT DOUGLAS

ANDREW MACKAY

TITLE:

UPPER FLOOR PLAN

DATE:

COORDINATION ISSUE
P22 - 11/09/25

JOB No:

2444

SHEET No:

WIND CLASS:
C2??

SCALE:
AS SHOWN @ A3

WD4

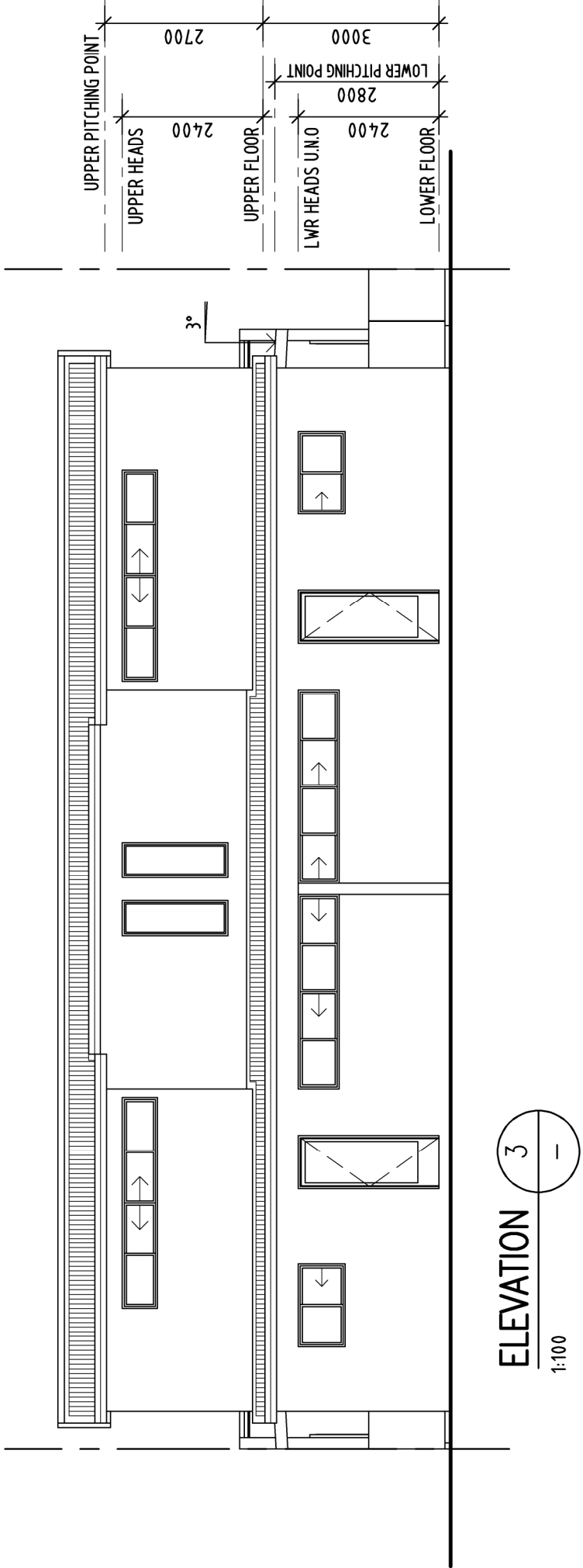
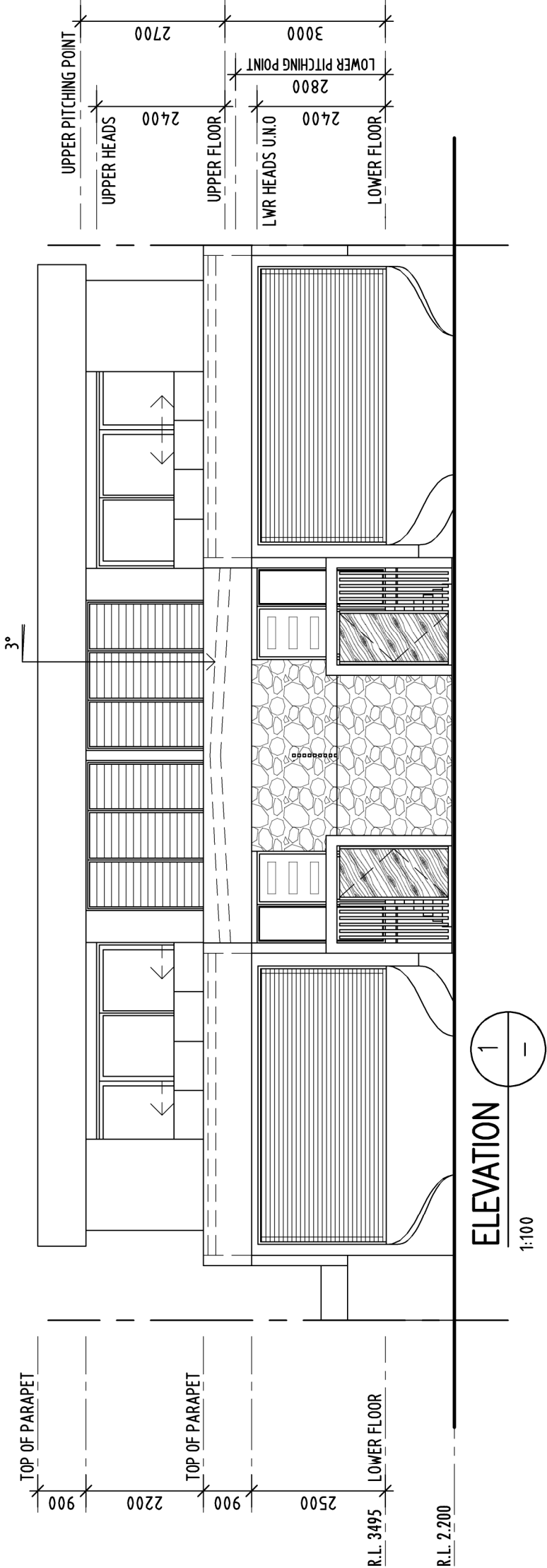
Number	SIZE		Sill Height	Head Height	Frame Material	Type	Notes
	Width	Height					
1	710	2400	0	2400	ALUMINIUM	FIXED GLASS	--
2	1215	2200	200	2400	ALUMINIUM	FIXED GLASS	4 LOUVRE BAYS
3	1215	2200	200	2400	ALUMINIUM	FIXED GLASS	--
4	3000	2200	200	2400	ALUMINIUM	GLASS LOUVRE	--
5	1220	2200	200	2400	ALUMINIUM	FIXED GLASS	
6	1220	2200	200	2400	ALUMINIUM	FIXED GLASS	
7	1220	2200	200	2400	ALUMINIUM	FIXED GLASS	
8	2010	1800	800	2600	ALUMINIUM	SGW/FG	2 BAY 600H FIXED GLASS UNDER SLIDING GLASS
9	1410	2600	0	2600	ALUMINIUM	LVR/FG	1800 FIXED GLASS UNDER 2 BAY GLASS LOUVRE
10	1410	2600	0	2600	ALUMINIUM	LVR/FG	1800 FIXED GLASS UNDER 2 BAY GLASS LOUVRE
11	1410	800	1600	2400	ALUMINIUM	SLIDING GLASS	--
12	3310	700	1700	2400	ALUMINIUM	SLIDING GLASS	--
13	1070	2600	0	2600	ALUMINIUM	FIXED GLASS	
14	1070	2600	0	2600	ALUMINIUM	FIXED GLASS	--
15	1070	2600	0	2600	ALUMINIUM	FIXED GLASS	3 LOUVRE BAYS
16	982	2400	200	2600	ALUMINIUM	FIXED GLASS	
17	2946	2400	200	2600	ALUMINIUM	GLASS LOUVRE	
18	2010	1800	800	2600	ALUMINIUM	SGW/SGW	600H SLIDING GLASS UNDER SLIDING GLASS

MARK	SIZE		Frame Material	Type
	Width	Height		
1	1000	2400	TIMBER	HINGED TIMBER FEATURE ENTRY DOOR
2	5210	2400	ALUMINIUM	TIMBER LOOK ROLLER DOOR
3	910	2400	ALUMINIUM	EXTERIOR GRADE TIMBER CAVITY SLIDER
4	6510	2400	ALUMINIUM	6 LEAF CAVITY SLIDING GLASS
5	6510	2400	ALUMINIUM	6 LEAF CAVITY SLIDING GLASS
6	910	2400	ALUMINIUM	HINGED GLASS
7	982	2600	ALUMINIUM	HINGED GLASS

MARK	SIZE		Frame Material	Type
	Width	Height		
8	5200	2400	ALUMINIUM	4 LEAF CAVITY SLIDING GLASS

Number	SIZE		Sill Height	Head Height	Frame Material	Type	Notes
	Width	Height					
19	2810	2600	0	2600	ALUMINIUM	GLASS LOUVRE	3 LOUVRE BAYS
20	3600	600	1800	2400	ALUMINIUM	SLIDING GLASS	--
21	600	1800	600	2400	ALUMINIUM	FIXED GLASS	--

PRELIMINARY



PROPOSED VILLAS at:
**36 WARNER ST,
PORT DOUGLAS**

CLIENT:
ANDREW MACKAY

MINIMUM DESIGN STANDARDS: TO BE IN ACCORDANCE WITH
CURRENT NATIONAL CONSTRUCTION CODE (NCC) VOLUMES 1, 2 & 3,
QUEENSLAND DEVELOPMENT CODES (QDC), AS & NZS STANDARDS,
BUILDING ACT, BUILDING REGULATIONS, PLUMBING & DRAINAGE
ACT, LOCAL GOVERNMENT PLANNING SCHEMES & POLICIES OR
LOCATE IN PROJECT SPECIFICATIONS.

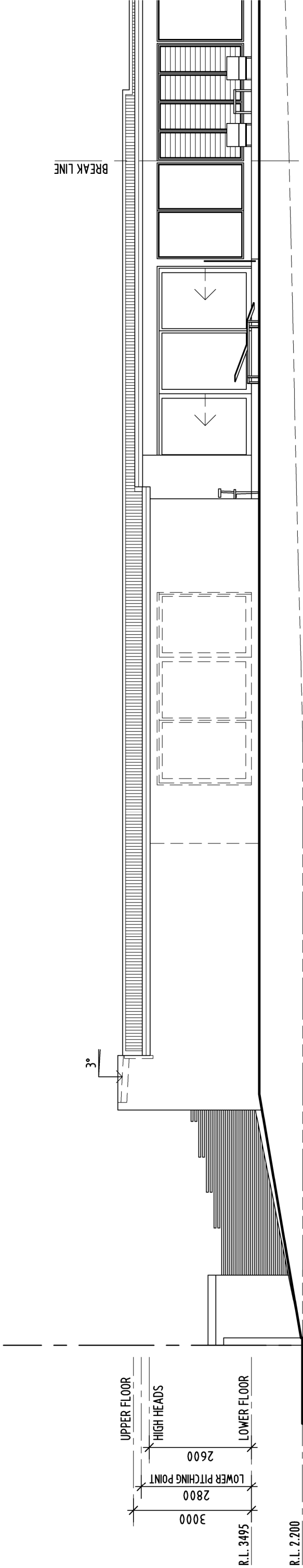
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P22 – 11/09/25
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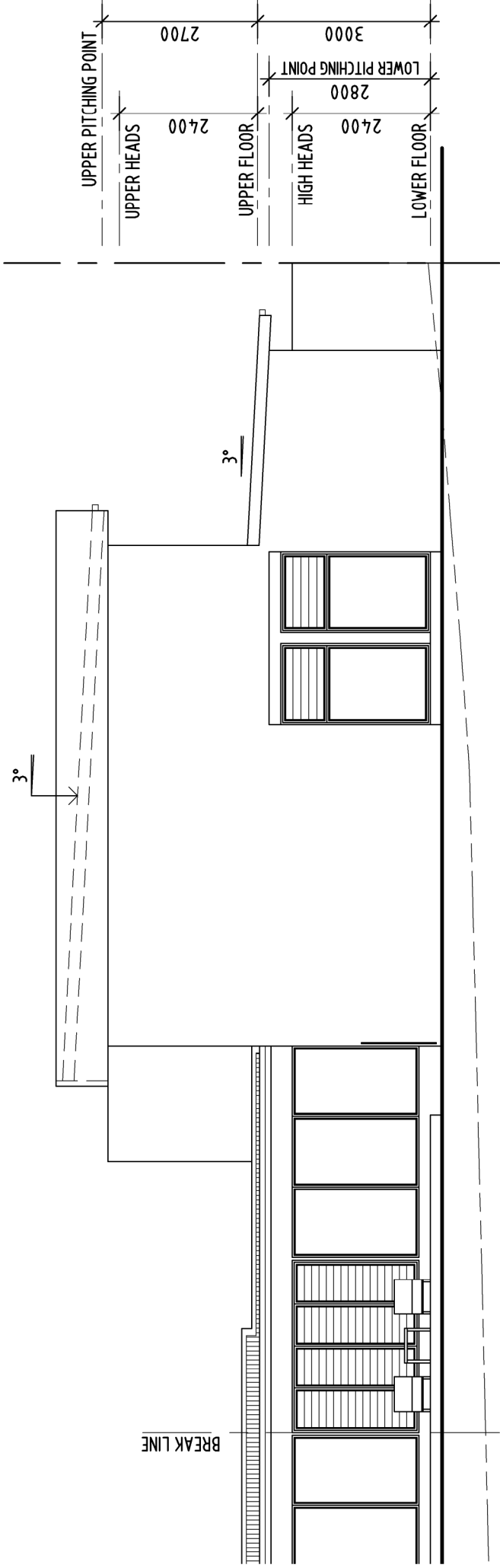
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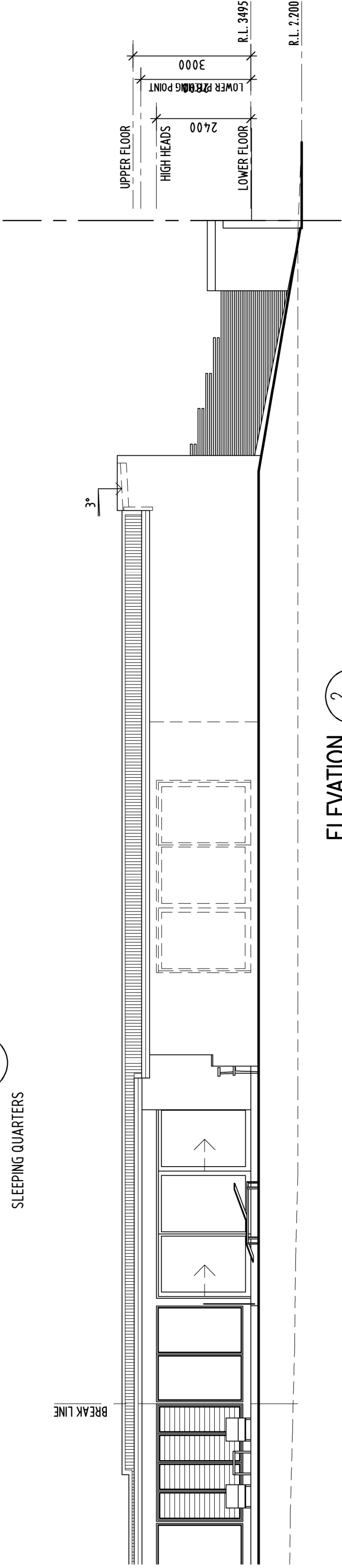
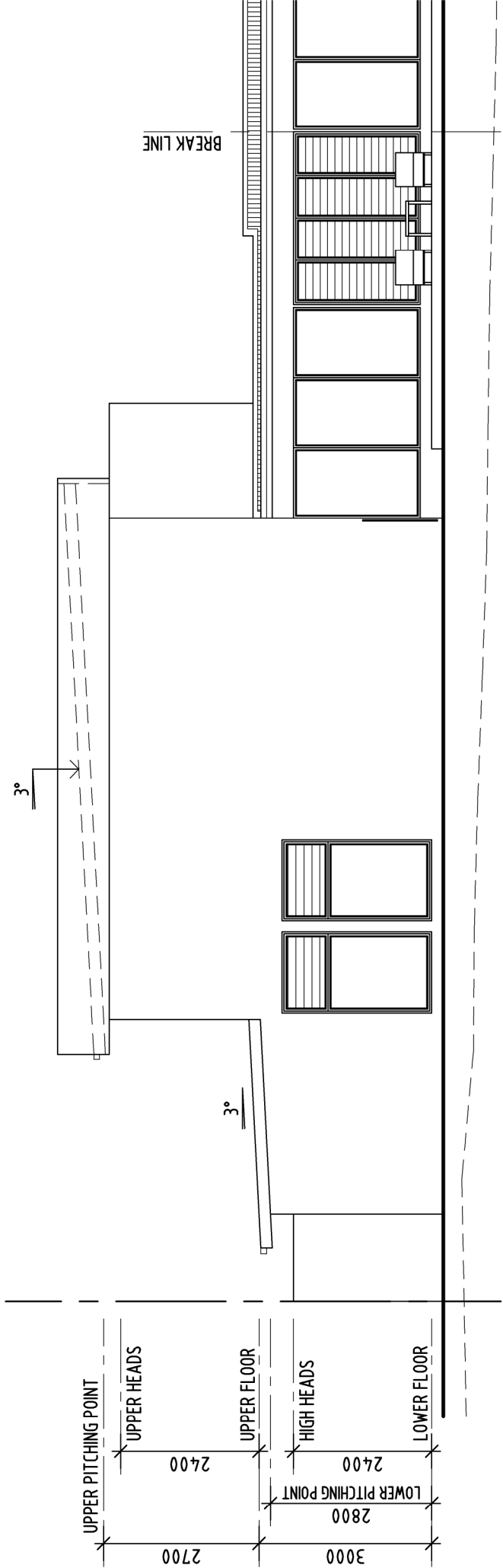


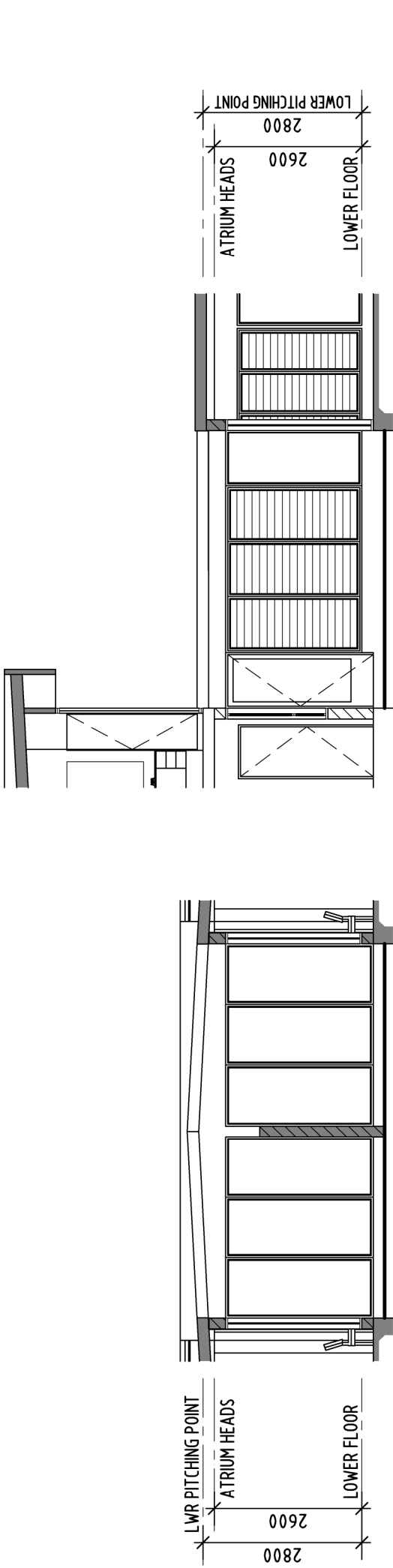
ELEVATION 2
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LIVING QUARTERS



ELEVATION 2
1:100
SLEEPING QUARTERS

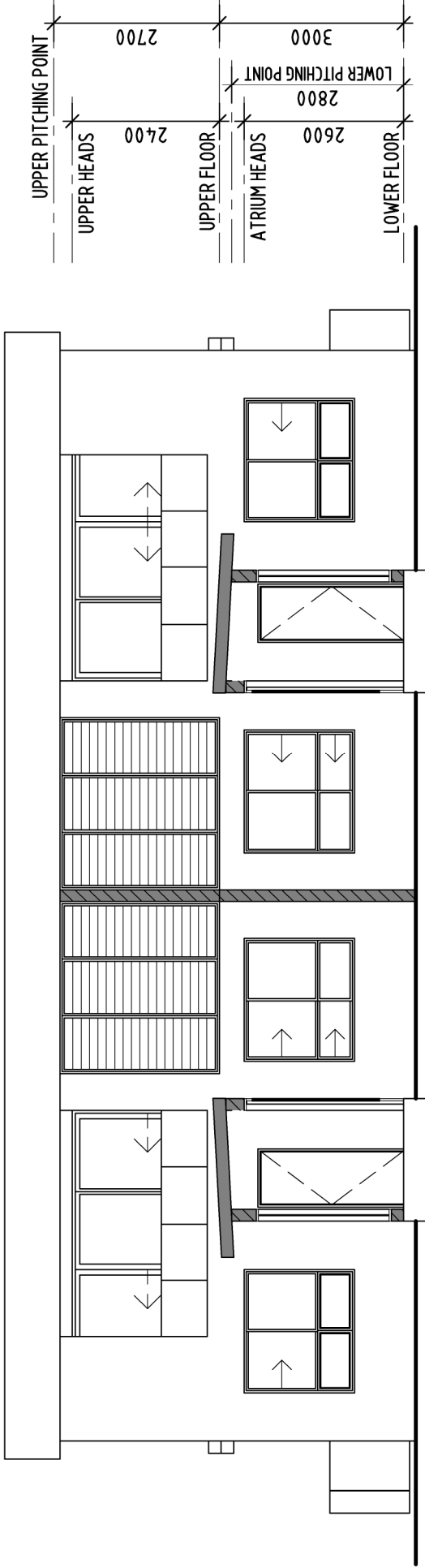
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36 WARNER ST, PORT DOUGLAS	ANDREW MACKAY	ELEVATIONS	P22 - 11/09/25	P22 - 11/09/25	2444	
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						WD9





ELEVATION 4
1:100
WD2

ELEVATION 5
1:100
WD2



ELEVATION 6
1:100
WD2

Attachment 3

Statement of Code Compliance Against the Planning Scheme

6.2.1 Centre zone code

6.2.1.1 Application

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

6.2.1.2 Purpose

- (1) The purpose of the Centre zone code is to provide for a mix of land uses and activities.
 - (a) These uses include, but are not limited to, business, retail, professional, administrative, community, entertainment, cultural and residential activities.
 - (b) Centres are found at a variety of scales based on their location and surrounding activities.
- (2) The local government purpose of the code is to:
 - (a) implement the policy direction set in the Strategic Framework, in particular:
 - (i) Theme 1 : Settlement pattern, Element 3.4.3 Activity Centres.
 - (ii) Theme 4 : Strong communities and identity, Element 3.7.4 Sense of place, community and identity, Element 3.7.6 Arts and Culture
 - (iii) Theme 5 : Economy, Element 3.8.2 – Economic growth and diversification, Element 3.8.3 Tourism.
 - (b) provide for a mix of uses and level of economic and social activity to serve community needs.
- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Development creates a range of retail, commercial, community and residential uses.
 - (b) Development is consistent with any location specific provisions contained within a Local Plan.
 - (c) Development provides activation and surveillance at ground level where adjoining roads or other public spaces.
 - (d) Development is integrated and coordinated both within the site and in relation to surrounding land uses and activities.
 - (e) Development provides a built form that establishes a cohesive streetscape and continuous pedestrian connections and shelters.
 - (f) Development is sensitively designed and managed to mitigate impacts on surrounding sensitive land uses.
 - (g) Development has access to infrastructure and services.

6.2.1.3 Criteria for assessment

Table 6.2.1.3.a – Centre zone – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
PO1 The height of all buildings is in keeping with the character of the surrounding residential neighbourhoods and must not adversely affect the amenity of the neighbourhood.	AO1 The maximum height of buildings and structures is: (a) in accordance with the provisions of any applicable local plan; (b) if no local plan applies, not more than 8.5 metres and two storeys in height. Note - Height is inclusive of the roof height.	Complies with PO1. The proposed development is two storeys and approximately 6.6m in height. The height and scale of the building is in keeping with the character of the streetscape.
PO2 The siting of buildings contributes to the use of the land, desired amenity and character of the area and protects the amenity of other land uses.	AO2.1 Buildings and structures are setback to road frontages: (a) in accordance with the provisions of any applicable local plan; (b) a minimum of 6 metres where no local plan applies or there are no particular provisions specified in the local plan for the site. AO2.2 Where adjoining land in the Industry zone, buildings are setback: (a) 0 metres from the side and rear boundaries; or (b) 2.5 metres or ¼ of the height of the building, whichever is the greater; and (c) not any distance between 0 metres and 2.5 metres. AO2.3 Where adjoining land in any other zone, buildings are setback 3 metres or ¼ of the height of the building, whichever is the greater and are provided with an acoustic barrier in accordance with the recommendations of a qualified acoustic expert. AO2.4	Complies with PO2. The application seeks approval for a Dual Occupancy with flexibility for Short Term Accommodation, supported by a Reconfiguring of a Lot. The proposed development has been carefully sited to provide setbacks that maintain the amenity and character of Warner Street and protect the privacy and usability of adjoining residential properties. As demonstrated on the Proposal Plans, the development provides: Front setback A 6.0 metre setback from the garage doors to the Warner Street frontage, consistent with AO2.1. Landscaped forecourts and pedestrian entries occupy this space, softening the built form and creating an active frontage. Side setbacks The villas are designed with setbacks ranging between 0 metres and 0.36 metres to outermost projections. This falls short of the 3.0 metre benchmark required under AO2.3; however, the design achieves the intent of PO2 by:

Performance outcomes	Acceptable outcomes	Applicant response
	Setback areas are provided with a 2 metre landscaped strip capable of deep planting, which is kept clear of service equipment and storage areas: (a) adjacent to the road frontage in all areas not required for pedestrian or vehicular access for the setback area nominated in AO2.1(b) above; (b) adjacent to the boundary with the other zone for the setback area nominated in AO2.3 above.	• Providing screening and landscaping along both side boundaries to reduce overlooking and visual dominance. • Strategic positioning of windows. • Incorporating articulation, lightweight materials and eaves to break up building bulk. • Aligning with the established pattern of development along Warner Street, where multi-storey residential and visitor accommodation buildings are commonly built with reduced side setbacks. • Rear setback: A 0.92 metre setback is achieved to the lower level and 4.2 metre setback to the upper level. • Landscaping: Setback areas may be planted with species capable of softening the built form and reinforcing the tropical coastal character. The site does not adjoin Industry Zone land; AO2.2 does not apply. AO2.4 is generally satisfied, with landscaped strips incorporated into setback areas clear of services and driveways. For the combined DA, the siting: • Ensures the Dual Occupancy villas are functional, well-separated, and visually appealing. • Maintains residential standards of amenity for both permanent and Short Term Accommodation occupants, without creating adverse impacts on neighbours. • Confirms that each new lot created through the Reconfiguring of a Lot has capacity to accommodate a compliant dwelling with setbacks that balance

Performance outcomes	Acceptable outcomes	Applicant response
		character, amenity and streetscape contribution. Accordingly, while strict compliance with the AO's is not achieved, the proposal clearly achieves the Performance Outcome PO2.

Performance outcomes	Acceptable outcomes	Applicant response
PO3 The site coverage of buildings ensures that there is sufficient space available to cater for services, landscaping and on-site parking.	AO3 Site coverage does not exceed 80%, unless otherwise specified in a Local plan.	Does not comply with AO3 but achieves intent of PO3. The Proposal Plans confirm a total site coverage of 81%, which marginally exceeds the 80% benchmark. Despite this exceedance, the development achieves the intent of PO3. The design ensures sufficient space remains across the site to accommodate essential functions including landscaping, parking, servicing and high-quality private open space. In particular: • Landscaping: Landscaped forecourts and boundary planting soften the built form and reinforce the tropical character of Warner Street. • Private open space: Each villa includes a generous rear courtyard with pool and terraces, directly accessible from living areas, which provide functional outdoor living consistent with the Port Douglas climate. • Parking and access: Both villas incorporate secure double garages and forecourt visitor parking, avoiding reliance on on-street spaces. • Servicing: Water, sewer, stormwater, power and telecommunications can be lawfully and efficiently connected, demonstrating that the slight increase in site cover does not constrain infrastructure delivery. Although AO3 is not numerically satisfied, the development achieves PO3 by providing a compact, efficient use of land while maintaining adequate provision for services, landscaping and on-site parking. The minor 1% variation is imperceptible in visual or functional terms and

Performance outcomes	Acceptable outcomes	Applicant response
		does not compromise amenity, liveability or character. For the broader DA: • Dual Occupancy: The villas remain liveable and well appointed, with ample private courtyards and landscaped forecourts. • Short Term Accommodation: Visitors enjoy a high standard of amenity and outdoor living consistent with residential expectations. • Reconfiguring a Lot: Each new lot (478.7m² and 477.3m²) comfortably accommodates a dwelling and associated open space, services and parking. Accordingly, while AO3 is not complied with, the development satisfies PO3 and delivers an appropriate outcome consistent with the Centre Zone Code.
For assessable development		
PO4 The establishment of uses is consistent with the outcomes sought for the Centre zone and protects the zone from the intrusion of inconsistent uses.	AO4 Inconsistent uses as identified in table 6.2.1.3.b are not established in the Centre zone.	Complies with PO4. The proposal seeks approval for a Dual Occupancy with flexibility for Short Term Accommodation, together with a Reconfiguring of a Lot. These are consistent and intended uses in the Centre Zone and are not listed as inconsistent in Table 6.2.1.3.b. The development strengthens the role of the Centre Zone in Port Douglas by providing: • Permanent housing choice in the form of two contemporary villas;

Performance outcomes	Acceptable outcomes	Applicant response
		• Visitor accommodation flexibility that supports the local tourism economy without undermining residential amenity; and • Subdivision that delivers two freehold lots in a pattern compatible with the surrounding built form. No incompatible or inconsistent uses are proposed. The outcome aligns with the objectives of the Centre Zone to accommodate a mix of residential and tourist uses in an accessible location, while protecting the zone from activities that would erode its function or character. Accordingly, the proposal complies with AO4 and achieves PO4.
PO5 Development provides a range of convenient goods and services for the daily needs of discrete residential communities.	AO5 Development complies with the requirements specified in a local plan.	Complies with PO5. The proposal is consistent with the Port Douglas / Craiglie Local Plan (Precinct 1a – Town Centre), which supports a mix of residential and visitor accommodation outcomes within the Centre Zone. While PO5 and AO5 anticipate that centres accommodate a range of shops and services, the local plan provisions for Precinct 1a clearly identify Warner Street as a location where residential and short-term accommodation uses are appropriate alongside small-scale commercial activity. The proposed development delivers: • Two high-quality dwellings that can be occupied permanently or used for Short Term Accommodation, contributing to the diversity of housing and visitor stay options within the town centre. • A built form that reinforces Warner Street's established mixed-use character, providing an active, landscaped frontage

Performance outcomes	Acceptable outcomes	Applicant response
		that complements nearby retail and service uses. • Subdivision into two freehold lots that promotes development consistent with the town centre structure, supporting walkability and integration with surrounding community and commercial uses. Although the development itself does not provide retail or commercial floorspace, it is directly supportive of the local plan intent by placing permanent residents and visitors within close walking distance of the goods and services available along Warner Street and Macrossan Street. This reinforces the vitality of the centre and ensures those services remain viable to meet community needs. Accordingly, the proposal complies with AO5 and achieves PO5.
PO6 Development does not lower the standard of amenity in terms of air, noise, odour, electrical interference and vibrations at any land use associated with the: (a) the Accommodation activity group, located outside the Centre zone; (b) the Sensitive land use activity group, located outside the Centre zone.	AO6 No acceptable outcomes are prescribed.	Complies with PO6. The proposed development will not result in adverse amenity impacts on accommodation or sensitive land uses outside the Centre Zone. The Dual Occupancy and Short Term Accommodation uses are residential in scale and nature, generating no emissions of air pollutants, odour, electrical interference or vibration. In terms of noise, the development is comparable to a typical residential dwelling house. Visitor activity associated with the Short Term Accommodation use will be contained within the villas, each of which has private courtyards and pools designed to focus activity inward. Boundary

Performance outcomes	Acceptable outcomes	Applicant response
		setbacks, fencing and landscaping further mitigate any potential impacts on adjoining sites. The subdivision aspect of the proposal has no capacity to generate air, noise, odour or vibration impacts, as it simply formalises the creation of two freehold lots. The surrounding context is characterised by a mix of residential and tourist accommodation uses within Warner Street and the Port Douglas town centre. The proposed development is entirely consistent with this context and will integrate without lowering the standard of amenity for nearby sensitive uses. Accordingly, while no clear Acceptable Outcomes are prescribed, the proposal satisfies PO6 by ensuring that amenity impacts are avoided and that the development coexists comfortably with nearby accommodation and sensitive land uses.

Performance outcomes	Acceptable outcomes	Applicant response
PO7 Reconfiguration of land results in (a) a practical layout for centre land use activities, generally consisting of regular rectangular-shaped lots. (b) lots no less than 600m² in area.	A07 No acceptable outcomes are prescribed.	Does not comply but achieves intent of PO7. The Proposal Plans confirm the site is to be subdivided into: • Lot 1: 478.7m² with a frontage of approximately 10 metres to Warner Street; and • Lot 2: 477.3m² with a frontage of approximately 10 metres to Warner Street. Both lots are regular, rectangular in shape and are designed to accommodate the proposed villas. While the areas fall short of the 600m² figure referenced in PO7(b), the subdivision achieves the intent of the Performance Outcome for the following reasons: • The lot configuration is practical and consistent with the urban structure of the Port Douglas town centre. • Each lot can lawfully accommodate its villa with compliant setbacks, on-site parking, landscaped courtyards and service connections. • The proposed pattern reflects nearby Warner Street allotments, many of which are below 600m², ensuring the outcome is compatible with the existing context. • The smaller lot size makes efficient use of urban land and infrastructure in a walkable town centre location, consistent with the purpose of the Centre Zone. Accordingly, while the proposed subdivision does not comply with the 600m² reference in PO7(b), it clearly satisfies PO7 by delivering a practical, contextually appropriate subdivision layout that supports both the Dual Occupancy and Short Term Accommodation uses.

Table 6.2.1.3.b – Inconsistent uses within the Centre Zone

Inconsistent uses		
• Air services • Animal husbandry • Animal keeping • Aquaculture • Brothel • Cemetery • Crematorium • Cropping • Detention facility • Environment facility • Extractive industry • High impact industry • Intensive animal industry • Intensive horticulture	• Major electrical infrastructure • Major sport and entertainment facility • Marine industry, except where located within sub-precinct 1b Waterfront North in the Port Douglas / Craigie Local Plan. • Medium impact industry • Motor sport facility • Outstation • Permanent plantation	• Relocatable home park • Renewable energy facility, being a wind farm • Resort complex • Retirement facility • Roadside stall • Rural industry • Rural workers accommodation • Special industry • Tourist park • Transport depot • Utility installation • Winery

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.

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

- (g) Vegetation, iconic to the character of Port Douglas, including the avenues of Oil Palms, is retained and where appropriate supplemented.
 - (h) Development will be indistinguishable from view from Four Mile Beach. In addition, any development on Flagstaff Hill will be indistinguishable when viewed from vantage points in Port Douglas.
 - (i) Residential areas are designed as pleasant, functional and distinctive, in visually well-defined areas.
- (4) The purpose of the code will be further achieved through the following overall outcomes:
- (a) Precinct 1 – Port Douglas precinct
 - (i) Sub-precinct 1a – Town Centre sub-precinct
 - (ii) Sub-precinct 1b – Waterfront North sub-precinct
 - (iii) Sub-precinct 1c – Waterfront South sub-precinct
 - (iv) Sub-precinct 1d – Limited Development sub-precinct
 - (v) Sub-precinct 1e – Community and recreation sub-precinct
 - (vi) Sub-precinct 1f – Flagstaff Hill sub-precinct
 - (b) Precinct 2 – Integrated Resort precinct
 - (c) Precinct 3 – Craiglie Commercial and Light Industry precinct
 - (d) Precinct 4 – Old Port Road / Mitre Street precinct
 - (e) Precinct 5 – Very Low Density Residential/ Low Scale Recreation/Low Scale Educational/Low Scale Entertainment Uses precinct

Precinct 1 – Port Douglas precinct

- (5) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
- (a) development will contribute to the incremental transformation of the township, preserving and enhancing maritime activities and environmental areas, delivering tropical open spaces and a high quality public realm, and allowing for tourism opportunities and investment.
 - (b) development contributes to the enhancement of the Port Douglas precinct through the following development outcomes:
 - (i) access and connectivity throughout the township is enhanced through a series of improvements to circulation and mobility, including:
 - (A) access to, and connectivity along, the waterfront and foreshore areas is maintained and, where appropriate, enhanced;
 - (B) reducing reliance on the waterfront as a car parking resource.
 - (ii) the use of land in the Port Douglas precinct improves the cohesive layout of the township through:
 - (A) the establishment of distinct sub-precincts that reinforce the character and built form of the Port Douglas local plan area including:

- Port Douglas centre sub-precinct 1a – Town Centre sub-precinct;
 - Port Douglas centre sub-precinct 1b – Waterfront North sub-precinct;
 - Port Douglas centre sub-precinct 1c – Waterfront South sub-precinct;
 - Port Douglas centre sub-precinct 1d – Limited development sub-precinct;
 - Port Douglas centre sub-precinct 1e – Community and recreation precinct;
 - Port Douglas centre sub-precinct 1f – Flagstaff Hill sub-precinct;
- (B) facilitating marina facilities and supporting marine industry uses as a key part of the local economy;
- (C) reducing conflict between industry, community and commercial activities in the waterfront, without diminishing the marine industry capacity in the Port Douglas precinct;
- (iii) 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.
- (iv) 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.
- (v) 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.
- (vi) 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;

T (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.

Criteria for assessment**Table 7.2.4.4.a –Port Douglas / Craiglie local plan – assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
Development in the Port Douglas / Craiglie local plan area generally		
P01 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.	A01 A pedestrian and cycle movement network is integrated and delivered through development.	Not Applicable.
P02 Development retains and enhances key landscape elements including character trees and areas of significant vegetation contributing to the character and quality of the local plan area and significant views and vistas and other landmarks important to the context of Port Douglas / Craiglie (as identified on the Port Douglas/ Craiglie Townscape Plan map contained in Schedule 2).	A02.1 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: (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.	Not Applicable.



Performance outcomes	Acceptable outcomes	Applicant response
	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: (a) Flagstaff Hill; (b) Four Mile Beach; (c) Across to the ranges over Dickson Inlet; (d) Mowbray Valley. AO2.3 Important landmarks, memorials and monuments are retained.	Not Applicable.
PO3 Development contributes to the protection, reinforcement and where necessary enhancement of gateways and key intersections identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.	AO3 Development adjacent to the gateways and nodes as identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 incorporates architectural features and landscaping treatments and design elements that enhance the sense of arrival and way finding within the town.	Not Applicable.
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.	Will Comply. As shown on the Proposal Plans, landscaped forecourts are incorporated along the Warner Street frontage, with deep planting areas outside of driveway and pedestrian entry points. These landscaped strips are capable of accommodating tropical planting, which will soften the built form, break up the appearance of the villas, and reinforce the established green character of the street. Boundary planting is also provided along the side and rear setbacks, ensuring greenery is visible from multiple vantage points and



Performance outcomes	Acceptable outcomes	Applicant response
		consistent with the Port Douglas / Craiglie Local Plan outcomes.
P05 Development does not compromise the safety and efficiency of the State-controlled road network.	A05 Direct access is not provided to a State-controlled road where legal and practical access from another road is available.	Not Applicable.



Performance outcomes	Acceptable outcomes	Applicant response
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.	Not Applicable.
PO7 Vehicle access, parking and service areas: (a) do not undermine the relationship between buildings and street or dominate the streetscape; (b) are designed to minimise pedestrian vehicle conflict; (c) are clearly identified and maintain ease of access at all times.	AO7.1 For all buildings, parking is: (a) to the side of buildings and recessed behind the main building line; or (b) behind buildings; or (c) wrapped by the building façade, and not visible from the street. 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 code with a relaxation of 30% of spaces required for the non-residential uses.	Not Applicable.



Performance outcomes	Acceptable outcomes	Applicant response
	A07.5 On-site car parking available for public use is clearly signed at the site frontage. 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.	
PO8 Precinct 1 – Port Douglas precinct is not characterised by a proliferation of advertising signs.	A08 No acceptable outcomes are prescribed.	Not Applicable.
Additional requirements for Sub-precinct 1a – Town Centre sub-precinct		
PO9 Building heights: (a) do not overwhelm or dominate the town centre; (b) respect the desired streetscape; (c) ensure a high quality appearance when viewed from both within the town centre sub-precinct and external to the town centre sub-precinct; (d) remain subservient to the natural environment and the backdrop of Flagstaff Hill. (e) do not exceed 3 storeys.	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. Note – Height is inclusive of the roof height.	Complies with PO9. The proposed villas are two storeys in height with an overall building height below 8.5 metres. This is consistent with the established low-rise form of Warner Street and maintains the intended character of the Port Douglas town centre.
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.	A010 No acceptable outcomes are prescribed.	Complies with PO10. The development integrates with surrounding residential and visitor accommodation uses through its two-storey scale, landscaped frontage, and fine-grained subdivision pattern. Materials, articulation and setbacks reflect the tropical character of Port Douglas and ensure



Performance outcomes	Acceptable outcomes	Applicant response
		the villas contribute to a cohesive built form along Warner Street.
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.	Complies with PO11. Each villa has a clearly defined pedestrian entry facing Warner Street, supported by landscaped forecourts and façade articulation. These design elements provide an active interface, promote passive surveillance, and enhance the pedestrian experience along the street.
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.	Complies with PO12. The proposed development provides landscaped forecourts and direct pedestrian pathways linking each villa entry to the Warner Street.
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.	Complies with AO13. The site is located within Warner Street, a developed section of the Port Douglas town centre where existing buildings and vegetation already define the public outlook. The proposed villas are limited to two storeys in height and are positioned within an established streetscape. The development will not obstruct or diminish any public views or vistas to Flagstaff Hill, Dickson Inlet, public open spaces or places of significance. These features are not visible across the site from surrounding public areas, and the proposed scale is consistent with adjoining buildings. The outcome ensures

Performance outcomes	Acceptable outcomes	Applicant response
		that important views remain unaffected while contributing to the established character of Warner Street.
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.	Does not comply with AO14 but achieves intent of PO14. The proposed development does not incorporate awnings built to the street frontage, as it is residential in nature and designed to provide landscaped forecourts and private entries rather than retail activation. However, the proposal achieves the intent of PO14 in the following ways: • Tropical design features: Wide eaves, recessed upper levels, balconies, and screening elements provide shade and shelter consistent with the tropical coastal identity of Port Douglas. • Landscaped frontage: The 6.0 metre front setback is landscaped with deep planting and forecourt trees, which contribute to pedestrian comfort by offering greenery and natural shade along Warner Street. • Pedestrian amenity: Defined entries, articulated façades, and forecourt treatments ensure that the development contributes to a safe and visually interesting pedestrian environment, even without continuous awnings. • Contextual consistency: Warner Street is characterised by a mix of residential and visitor accommodation uses with varied setbacks, many of which rely on landscaping and building articulation (rather than continuous awnings) to deliver shade and character. The villas



Performance outcomes	Acceptable outcomes	Applicant response
		integrate seamlessly into this established pattern. Accordingly, while AO14 is not strictly met, the development satisfies PO14 by enhancing the tropical identity of Port Douglas and delivering shade, shelter and pedestrian-friendly streetscape outcomes appropriate to its residential and visitor accommodation function.
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.	Not Applicable. The site is not identified in Schedule 2.
PO16 Detailed building design: (a) enhances the visual amenity of the streetscape; (b) has a legible and attractive built form that is visually enhanced by architectural elements; (c) contributes to a distinctive tropical north Queensland, seaside tourist town character; (d) integrates major landscaping elements to maximise their aesthetic value to ensure that the lush, vegetated character of the Town Centre sub-precinct is maintained.	AO16 No acceptable outcomes are prescribed.	Complies with PO16. The villas enhance the Warner Street streetscape through articulated façades, recessed garages and landscaped forecourts, delivering a legible and attractive built form. Wide eaves, balconies, lightweight cladding and screening elements reflect the tropical north Queensland seaside character, while landscaping to the frontage, side boundaries and courtyards softens the built form and reinforces the lush, vegetated identity of the Town Centre sub-precinct.
PO17	AO17 No acceptable outcomes are prescribed.	Complies with PO17.

Performance outcomes	Acceptable outcomes	Applicant response
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.		The villas incorporate a variety of architectural treatments that avoid blank façades and provide visual interest. These include recessed garages, upper-level balconies, screening elements and deep eaves that create wall recesses and projections. A mix of lightweight cladding and rendered finishes introduces variation in wall treatments, while windows and shading devices further articulate the façades. Together, these elements ensure the buildings present a layered and engaging appearance that is consistent with the tropical resort character of Port Douglas.



Performance outcomes	Acceptable outcomes	Applicant response
PO18 Roofs are not characterised by a cluttered display of plant and equipment, in particular: (a) building caps and rooftops contribute to the architectural distinction of the building and create a coherent roofscape for the Town Centre sub-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.	Complies with PO18. The proposed villas present simple pitched and skillion roof forms that contribute to a coherent roofscape along Warner Street. No rooftop plant, lift overruns or service structures are proposed. All air-conditioning units and services will be accommodated at ground level or within screened areas, ensuring that rooflines remain uncluttered and architecturally consistent. The design does not provide for rooftop advertising, maintaining the low-key, residential and resort character of the Port Douglas town centre.
PO19 Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to: (a) shade windows; (b) reduce glare; (c) assist in maintaining comfortable indoor temperatures; (d) minimising heat loads; (e) enrich the North Queensland tropical character of the Town Centre sub-precinct; (f) provide architectural interest to building façades.	AO19 No acceptable outcomes are prescribed.	Complies with PO19. The villas incorporate wide eaves, overhangs, balconies and screening elements that shade windows and reduce glare. These features lower heat loads and support comfortable indoor conditions in the tropical climate. The articulation of façades with recessed windows, balconies and shading devices also provides architectural interest and reinforces the distinctive North Queensland resort town character sought for the Town Centre sub-precinct.



Performance outcomes	Acceptable outcomes	Applicant response
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	Complies with PO20. The villas are finished in a combination of lightweight cladding, rendered surfaces and screening elements chosen for durability in the coastal environment. These materials are low-maintenance, resistant to staining and discolouration, and contribute to the tropical architectural character of Port Douglas. The finishes are consistent with the established palette in the Town Centre sub-precinct and reinforce its distinctive seaside resort identity.
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.	Complies with PO21. The proposed villas will not incorporate mirrored glass, high-gloss cladding or other reflective materials that could cause glare. Standard residential glazing and low-reflectivity finishes are proposed, ensuring there is no potential for nuisance, discomfort or hazard to adjoining properties, the public realm or road users. The outcome maintains amenity and is consistent with the established character of the Town Centre sub-precinct.
PO22 Façades and elevations do not include large blank walls. Openings and setbacks are used to articulate vertical building surfaces.	AO22.1 Development has a maximum length of unbroken building façade 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	Complies with AO22.1-AO22.3. Each villa presents a narrow frontage well below the 20 metre maximum for unbroken façade length, and the combined development is expressed as two distinct dwellings, ensuring the total frontage remains comfortably within the 40 metre benchmark. The façades are articulated with recessed garages, balconies and upper-level projections that vary the alignment by more than 1 metre, consistent with AO22.2.



Performance outcomes	Acceptable outcomes	Applicant response
	A minimum of three of the following building design features and architectural elements detailed below are incorporated to break the extended façade 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.	To meet AO22.3, the design incorporates multiple architectural elements, including changes in roof profile, horizontal and vertical shifts in wall planes, and variation in exterior finishes and colours. These features avoid blank walls, break down building bulk, and provide visual interest. Together, the articulation strategies deliver an attractive, layered frontage that reflects the tropical resort character of Port Douglas and achieves the intent of PO22.
PO23 Building façades 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 façades at the ground floor of development that face public space are designed to ensure: (a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit the casual surveillance of the public space from the development; (b) a visually prominent main entrance that faces the principal public place; (c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade.	Not Applicable. AO23 is primarily directed to commercial development with shopfronts on active frontages. The proposal establishes two villas in Warner Street, which is not identified as an active frontage in the Local Plan. As such, AO23 is not applicable. Nevertheless, the design achieves the intent of PO23. The villas address Warner Street with landscaped forecourts, recessed garages, and clearly identifiable pedestrian entries. These elements complement the streetscape, enhance visual amenity, and maintain a human scale through balconies, articulation and variation in wall planes. Windows and balconies provide casual surveillance of the street, ensuring the public realm remains safe and visually engaging.
PO24 Awnings for pedestrian shelter are consistent with the character setting of the Town Centre sub-precinct and:	AO24 No acceptable outcomes are prescribed.	Not Applicable. AO24 is intended for commercial and mixed-use buildings along designated active frontages such as Macrossan Street, where

Performance outcomes	Acceptable outcomes	Applicant response
(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.		continuous awnings form part of the town centre character. The proposed development is residential in nature, and Warner Street is not identified as an active frontage requiring awnings. Accordingly, AO24 is not applicable. The intent of PO24 is nevertheless achieved. The villas provide shade and shelter at the street interface through wide eaves, balconies, and deep planting in landscaped forecourts. These elements contribute to pedestrian comfort, reinforce the tropical character of Port Douglas, and ensure the development presents as a shaded, green frontage consistent with the residential and visitor accommodation context of Warner Street.



Performance outcomes	Acceptable outcomes	Applicant response
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.	Complies with PO25. The proposed development fronts Warner Street and incorporates landscaped forecourts and boundary planting that are capable of aligning with the principles of the Port Douglas Landscape Master Plan. Street-front planting and deep landscaping within the setback areas complement existing vegetation and allow for the continuation of the shaded, tropical streetscape identity. The development respects the established pattern of tree planting and integrates soft landscaping with pedestrian entries to provide a cohesive frontage. This ensures that the villas contribute to the lush, green character of Warner Street and remain consistent with the Port Douglas Landscape Master Plan guidance.
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.b – Inconsistent uses in sub-precinct 1b Waterfront North sub precinct are not established in sub-precinct 1b - Waterfront North.	Not Applicable.
PO27 The bulk and scale of buildings is consistent with surrounding development and steps down to complement the open space areas in the adjoining limited development sub-precinct.	AO27 Buildings and structures are not more than: (a) 3 storeys and 13.5 metres in height, with a roof height of not less than 3 metres, in those parts of the precinct south of Inlet Street; (b) 2 storeys and 8.5 metres in height, with a roof height of not less than 3 metres, in those parts of the precinct north of Inlet Street. Note – Height is inclusive of roof height.	Not Applicable.



Performance outcomes	Acceptable outcomes	Applicant response
PO28 Building design, streetscape, pedestrian paths and street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port Douglas Precinct	AO28 No acceptable outcomes are prescribed.	Not Applicable.
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.	Not Applicable.
PO30 Buildings: (a) address street frontages; (b) ensure main entrances front the street or public spaces.	AO30 No acceptable outcomes are prescribed.	Not Applicable.
PO31 Setbacks at ground level provide for:	AO31 Setbacks at ground level: (a) are clear of columns and other obstructions;	Not Applicable.



Performance outcomes		Acceptable outcomes	Applicant response
(a)	connection between pedestrian paths and public places;	(b)	
(b)	areas for convenient movement of pedestrians;	(c)	
(c)	changes in gradient.	connect without any lip or step to adjoining footpaths.	



Performance outcomes	Acceptable outcomes	Applicant response
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.	Not Applicable.
PO33 Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at ground level including shade protection across the footpath and open space areas.	AO33 No acceptable outcomes are prescribed.	Not Applicable.
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.	Not Applicable.
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.	Not Applicable.



Performance outcomes	Acceptable outcomes	Applicant response
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.	Not Applicable.
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 a coherent roofscape for the Waterfront North sub-precinct; (b) service structures, lift motor rooms and mechanical plant and equipment are designed as an architectural feature of the building or are screened from public view; (c) rooftops are not used for advertising.	AO37 No acceptable outcomes are prescribed.	Not Applicable.
PO38 Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to: (a) shade windows; (b) reduce glare; (c) assist in maintaining comfortable indoor temperatures; (d) minimising heat loads;	AO38 No acceptable outcomes are prescribed.	Not Applicable.



Performance outcomes	Acceptable outcomes	Applicant response
(e) enriching the North Queensland tropical character of the Waterfront North sub-precinct; (f) architectural interest to building façades.		
PO39 Buildings are finished with high quality materials, selected for: (a) their ability to contribute the character of Waterfront North sub-precinct; (b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate.	AO39 No acceptable outcomes are prescribed.	Not Applicable.
PO40 Buildings do not incorporate any type of glass or other materials that are likely to reflect the sun's rays in a manner that may create a nuisance, discomfort or a hazard.	AO40 No acceptable outcomes are prescribed.	Not Applicable.
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 façade 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 are incorporated to break the extended façade of a development: (a) a change in roof profile; (b) a change in parapet coping; (c) a change in awning design;	Not Applicable.



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



Performance outcomes	Acceptable outcomes	Applicant response
(g) are cantilevered from the main building with any posts within the footpath being non load-bearing.		
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.	Not Applicable.
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.	Not Applicable.
PO46 Formalised public spaces and pedestrian paths/areas on freehold land are made accessible to the public.	AO46 No acceptable outcomes are prescribed.	Not Applicable.



Performance outcomes	Acceptable outcomes	Applicant response
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.	Not Applicable.
PO48 Buildings are designed and sited to provide vistas along shared pedestrian/open space and movement areas in suitable locations.	AO48 No acceptable outcomes are prescribed.	Not Applicable.
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.	Not Applicable.
PO50 Marine infrastructure to service the tourism, fishing and private boating community is provided.	AO50 No acceptable outcomes are prescribed.	Not Applicable.
PO51 Changes to the Port Douglas Waterfront quay-line do not cause adverse impacts to the environmentally sensitive Dickson Inlet.	AO51 Development that results in changes to the Port Douglas Waterfront quay-line is only established where an Ecological assessment report provides support to the changes. Note - Planning scheme policy SC6.8 – Natural environment provides guidance on preparing an ecological assessment report.	Not Applicable.



Performance outcomes	Acceptable outcomes	Applicant response
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 in Table 7.2.4.4.c are not established in Precinct 1c – Waterfront South.	Not Applicable.
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.	Not Applicable.
PO54 Development of land at the end of Port Street adjacent to Dickson Inlet incorporates a slipway, or an alternative functioning facility, with capacity to service the Port Douglas marine and tourism industry.	AO54 A master plan for the development is provided and implemented to demonstrate the integration of the slipway, or an alternative functioning facility, with other supporting service industry activities that service the marine and tourism industry of Port Douglas.	Not Applicable.
PO55 Buildings and structures are of a height, and are set back from side boundaries and other sensitive areas to ensure the scenic amenity and environmental qualities of the adjacent area are not adversely affected.	AO55.1 Development has a height of not more than 10 metres. AO55.2 Development is setback from all property boundaries not less than 3 metres.	Not Applicable.



Performance outcomes	Acceptable outcomes	Applicant response
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.	Not Applicable.
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.	Not Applicable.
PO58 Development ensures adverse impacts from service vehicles on the road network, external to the site, are minimised.	AO58 No acceptable outcomes are prescribed.	Not Applicable.



Performance outcomes	Acceptable outcomes	Applicant response
PO59 Entry to the site is landscaped to enhance the amenity of the area and provide a pleasant working environment.	AO59 Areas used for loading and unloading, storage, utilities and car parking are screened from public view: (a) by a combination of landscaping and screen fencing; (b) dense planting along any road frontage is a minimum width of 3 metres.	Not Applicable.
PO60 Landscaping is informal in character and complementary to the existing natural environment, provides screening and enhances the visual appearance of the development.	AO60 For any development landscaping is in accordance with the Plant species schedule in Planning scheme policy SC6.7– Landscaping.	Not Applicable.
Additional requirements for Sub-precinct 1d – Limited Development sub-precinct		
PO61 The height of buildings and structures contributes to the desired form and outcomes for the sub-precinct and are limited to a single storey.	AO61 Buildings and structures are not more than one storey and 4 metres in height. Note - Height is inclusive of the roof height.	Not Applicable.
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.	Not Applicable.
Additional requirements for Sub-precinct 1f – Flagstaff Hill sub-precinct		
PO63 Flagstaff Hill is protected from inappropriate development to protect the hill as an important natural landmark feature of Port Douglas and as a vegetated backdrop to the Town centre.	AO63 No acceptable outcomes are prescribed	Not Applicable.



Performance outcomes	Acceptable outcomes	Applicant response
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: (a) building design which minimises excavation and filling; (b) buildings being designed to step down the site and incorporate foundations and footings on piers or poles; (c) buildings being visually unobtrusive and incorporating exterior finishes and muted colours which are non-reflective and complement the colours of the surrounding vegetation and view-shed; (d) protection of the views from public viewing points in the Port Douglas precinct.	AO64 No acceptable outcomes are prescribed.	Not Applicable.
Additional requirements for Precinct 3 – Craiglie Commercial and Light Industry precinct		
PO65 Development supports the tourism and marine industries in Port Douglas, along with the small-scale commercial and light industry land uses that support the local economy that would otherwise be better suited to a location outside the Port Douglas Town Centre Precinct.	AO65 Development consists of service and light industries and associated small scale commercial activities.	Not Applicable.
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.	Not Applicable.



Performance outcomes	Acceptable outcomes	Applicant response
	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.	
Additional requirements for Precinct 6 – Very Low Residential Density / Low Scale Recreation / Low Scale Educational / Low Scale Entertainment Uses precinct		
PO67 No additional lots are created within the precinct.	AO67 No acceptable outcomes are prescribed.	Not Applicable.
PO68 Reconfigured lots have a minimum lot size of 2 hectares, unless the lot reconfiguration transfers lots to the higher parts of the land, to avoid the need to fill existing lots to accommodate dwelling houses.	AO68 No acceptable outcomes are prescribed.	Not Applicable.

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

Inconsistent uses		
• Agricultural supplies store • Air services • Animal husbandry • Animal keeping • Aquaculture • Brothel • Bulk landscape supplies • Car wash • Cemetery • Crematorium • Cropping • Detention facility • Dual occupancy • Dwelling house	• Extractive industry • Funeral parlour • High impact industry • Intensive animal industry • Intensive horticulture • Major electricity infrastructure • Major sport, recreation and entertainment facility • Medium impact industry • Motor sport facility, • Outstation • Permanent plantation	• Relocatable home park • Roadside stall • Rural industry • Rural workers accommodation • Service station • Showroom • Special industry • Tourist park • Transport depot • Veterinary services • Warehouse • Wholesale nursery • Winery

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

Inconsistent uses		
• 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	• 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	• 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 – Inconsistent uses in sub-precinct 1b – Waterfront North sub-precinct or

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

9.3.7 Dual occupancy code

9.3.7.1 Application

- (1) This code applies to assessing development for a Dual occupancy 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.

9.3.7.2 Purpose

- (1) The purpose of the Dual occupancy 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) the scale and character of development is consistent with the existing desired residential character and streetscape pattern;
 - (b) design gives a sense of individual ownership to residents;
 - (c) dual occupancies do not detrimentally affect the function of the road network and its infrastructure design requirements.

9.3.7.3 Criteria for assessment

Table 9.3.7.3.a – Dual occupancy code – assessable development

Performance outcomes	Acceptable outcomes	Applicant Response
For self-assessable and assessable development		
PO1 The dual occupancy contributes to housing choice while maintaining the residential character and amenity of the neighbourhood.	AO1 The dual occupancy is established on land with a minimum size of 1000m ² :	Complies with AO1. The subject site complies with the minimum lot size.



PO2 Buildings and structures are setback from property boundaries such that: (a) the setback from the street frontages reflects the positive attributes of the streetscape; (b) the setback from side and rear boundaries retains daylight access and privacy for adjoining properties; (c) the setback from all boundaries is sufficient to allow areas of deep planting; (d) the setback from street frontages provides for the desired streetscape pattern.	AO2 Buildings and structures are set back from property boundaries as follows: (a) primary road frontage - 6 metres; (b) secondary road frontage - 3 metres; (c) side and rear boundaries - 2 metres, or (d) where private open space occurs in the side or rear setback – 4 metres for the extent of the open space.	Complies with PO2. Refer to compliance discussion under the Centre Zone Code.
PO3 Buildings and structures have sufficient area for residential living consistent with the amenity of a residential area and are sympathetic to the streetscape pattern.	AO3.1 Car parking areas, including garages and other parking structures, are designed and located so that they do not occupy more than 30% of the lot frontage. AO3.2 Where a dual occupancy is to be established on a corner allotment each dwelling is accessed from a different road frontage with a minimum 6 metre separation between driveway and intersection.	Does not comply with AO3.1, but achieves intent of PO3. Each villa incorporates a recessed double garage accessed from Warner Street. Given the narrow ~10 metre lot width created through the subdivision, the garage doors exceed 30% of the frontage. However, the design mitigates this through recessed siting, upper-level articulation, and landscaping within the forecourts which soften their appearance. Balconies and façade modulation above the garages provide additional architectural relief, ensuring the frontage remains sympathetic to the Warner Street streetscape. AO3.2 – not applicable.



Performance outcomes	Acceptable outcomes	
PO4 The development addresses the road frontage to facilitate casual surveillance and to enhance the amenity of the streetscape.	AO4.1 The building has balconies or windows or verandahs that face the street. AO4.2 Fences and walls to road frontages are not more than: (a) 1.2 metres in height if less than 50% transparent; or (b) 1.5 metres in height if greater than 50% transparency.	Complies with PO4. Each villa incorporates upper-level balconies and windows that face Warner Street, providing clear sightlines and opportunities for casual surveillance. This enhances safety and integrates the dwellings with the public realm, consistent with AO4.1. Front boundary treatments are designed to remain low and visually permeable whilst maintaining privacy, with landscaping incorporated to soften the interface. Together, these design features achieve PO4 by contributing positively to the Warner Street streetscape and reinforcing its amenity and tropical identity.
PO5 Residents are provided with a functional private open space and recreation area.	AO5 A minimum area of 25m² private open space is provided to each dwelling unit which is directly accessible from the living area of each dwelling unit.	Complies with AO5. Each villa is provided with a generous private courtyard and pool terrace area that comfortably exceeds 25m². These spaces are directly accessible from the main living areas, ensuring they are functional extensions of the dwellings and suitable for recreation and outdoor living. The orientation and layout of the courtyards provide privacy, amenity and opportunities for natural ventilation and landscaping, satisfying AO5 and achieving PO5.



PO6 The development provides residents and guests with safe and convenient vehicle access to dwellings and the road network, while maintaining the standard of existing infrastructure in the road reserve.	AO6.1 Dwelling units are serviced by: (a) a shared unobstructed driveway with a maximum width of 3.6 metres; or (b) by individual unobstructed driveways, having a maximum width of 3 metres each; (c) the surface treatment of any driveway is imperviously sealed; (d) where development is on a Sub-arterial or Collector road the driveway design is such that vehicles can enter and exit the site in a forward gear. AO6.2 Driveways and cross-overs require no alteration to existing on-street infrastructure, including street trees, footpaths, drainage pits, street signs, service pillars and electricity infrastructure.	Complies with PO6. Each villa is provided with an individual driveway crossover to Warner Street, each with a width not exceeding 3 metres. The driveways are sealed and unobstructed, ensuring safe and convenient access for residents and visitors. Warner Street is identified as a Collector road, and the design enables vehicles to enter and exit the site in a forward gear, maintaining safety and efficiency for both the development and the wider road network. No alteration to existing on-street infrastructure is required to establish the crossovers, with existing street trees, drainage, services and signage retained. Accordingly, the proposal satisfies AO6.1 and AO6.2 and achieves PO6.
PO7 Fencing is designed to ensure a high degree of privacy and amenity for residents.	AO7.1 A screen fence (minimum height of 1.8 metres and maximum gap of 10mm) is provided to the side and rear boundaries. AO7.2 Where the front fence is lower than the side boundary fence it is tapered to the maximum height of the side boundary fence at or behind the front setback.	Complies with PO7 Boundary fencing is a mix of solid and permeable materials.
PO8 Landscaping contributes to establishing an attractive and safe streetscape and a high standard of amenity and privacy for residents.	AO8 With the exception of driveway cross-overs, a landscaped area not less than 2 metres wide is provided and maintained within the site along all street boundaries.	Complies with AO8. Landscaping is incorporated within the site frontage.
PO9 The dual occupancy is connected to essential infrastructure services and is sufficient to support individual ownership of each dwelling.	AO9 Each dwelling is connected separately to: (a) water (separate water meters for each unit); (b) sewerage; (c) drainage; (d) electricity.	Will Comply.



Performance outcomes	Acceptable outcomes	
PO10 Service facilities are provided to meet the needs of residents and are sited and designed in an unobtrusive and convenient manner.	AO10 Service facilities and structures: (a) locate air conditioning equipment behind the front façade of the dwelling; (b) provide storage space to achieve the following minimum requirements: (i) are located to enable access by a motor vehicle; (ii) have a minimum space of 3.5m² per dwelling unit; (iii) have a minimum height of 2.1 metres; (iv) are weather proof; (v) are lockable. Note - Cupboards and wardrobes inside the dwelling are not storage areas as intended by this acceptable outcome.	May be conditioned to Comply.
PO11 Waste and recyclable storage facilities: (a) incorporates two wheelie bins per unit stored external to the garage and screened from view; (b) ensures wheelie bins are able to be wheeled to kerbside for collection.	AO11 Waste and recyclable storage areas capable of accommodating two bins per dwelling are provided behind the front setback and have direct access to the roadside.	Complies with AO11. Waste storage locations are available within the front setback areas and may be screened. This requirement may be conditioned.
Dual occupancy incorporating an existing dwelling house		

**PO12**

For dual occupancies where a separate dwelling is to be established in addition to an existing dwelling:

- (a) existing dwelling(s) are enhanced to:
 - (i) contribute to a sense of individual ownership;
 - (ii) enhance the appearance of the original dwelling house;
 - (iii) enhance the appearance of the streetscape.
- (b) driveways are designed to maintain the privacy and amenity of the existing dwelling.

AO12.1

The external appearance of the existing dwelling is enhanced through the use of architectural features, and materials.

Note – It is not intended that a new dual occupancy tenancy be established adjacent to or behind old and dilapidated housing stock to produce the dual occupancy. If the existing dwelling house is old and dilapidated, it is intended that the site be either completely redeveloped or substantial upgrading occur to the exterior appearance and functionality of the older dwelling house.

AO12.2

A landscaped area not less than 1.5 metres is provided and maintained within the site between the existing dwelling and driveway to the new dwelling.

AO12.3

Privacy screens are fixed to the external façade of the dwelling house in front of windows adjacent to the driveway.

AO12.4

Internal living spaces are carefully designed to avoid conflicts between individual dual occupancy tenancies.

Note – For example, the quieter rooms of one tenancy (such as bedrooms) should not be placed directly adjacent to living spaces, kitchens or bathrooms of the adjoining tenancy.

PO12 – PO13 Not applicable.



Performance outcomes	Acceptable outcomes	
PO13 Dual occupancies where attaching to an existing dwelling provides a layout and form that maintains the bulk and appearance of the existing dwelling.	AO13 The design of the dual occupancy: (a) maintains the appearance of a single dwelling house to the street; (b) provides a communal driveway; (c) provides additional enclosed car parking behind the front façade.	



9.3.13 Multiple dwelling, short term accommodation and retirement facility code

9.3.13.1 Application

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

9.3.13.2 Purpose

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

9.3.13.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant Response
For assessable development		
PO1 The site has sufficient area and frontage to: (a) accommodate the scale and form of buildings considering site features; (b) achieve communal open space areas and private outdoor spaces; (c) deliver viable areas of deep planting and landscaping to retain vegetation and protect or establish tropical planting; (d) achieve safe and convenient vehicle and pedestrian access; (e) accommodate on-site car parking and manoeuvring for residents, visitors and service providers.	AO1.1 The site has a minimum area of 1000m ² . AO1.2 The site has a minimum frontage of 25 metres.	Does not comply with AO1.1 or AO1.2, but achieves intent of PO1. The site area is 1,016m², which is proposed to be subdivided into two allotments of 478.7m² and 477.3m², each with a frontage of approximately 10 metres to Warner Street. Despite this, the development achieves PO1. Each villa is specifically designed for its allotment, providing: • Functional and generous private courtyards and pool terraces that deliver high-quality outdoor spaces; • Landscaped forecourts and boundary planting that soften the built form and reinforce Port Douglas's tropical identity; • Direct and legible pedestrian entries from Warner Street; • Two on-site parking spaces within secure garages per villa, with additional forecourt capacity for visitor parking; and • Safe, efficient vehicle access from Warner Street, a constructed Collector road. The lot pattern reflects the fine-grained subdivision and built form already established along Warner Street, which comprises narrow-frontage residential and visitor accommodation uses. The outcome is therefore consistent with the local context and achieves the intent of PO1, notwithstanding the numeric non-compliance with AO1.1 and AO1.2.

**PO2**

Development for large-scale multiple dwellings, short term accommodation and retirement villages contributes to the neighbourhood structure and integrates with the existing neighbourhood through:

- (a) the establishment and extension of public streets and pathways;
the provision of parks and other public spaces as appropriate to the scale of the development;
- (c) inclusion of a mix of dwelling types and tenures and forms;
- (d) buildings that address the street;
- (b) building height and setback transitions to adjoining development of a lower density or scale.

AO2

Development on a site 5,000m² or greater is in accordance with a structure plan.

Note – Guidance on preparing a structure plan is provided within Planning scheme policy SC6.14 – Structure planning.

Not Applicable.

**PO3**

Development ensures that the proportion of buildings to open space is:

- (a) in keeping with the intended form and character of the local area and immediate streetscape;
- (b) contributes to the modulation of built form;
- (c) supports residential amenity including access to breezes, natural light and sunlight;
- (d) supports outdoor tropical living;
- (e) provides areas for deep tropical planting and / or for the retention of mature vegetation.

AO3.1

The site cover is not more than 40%.

AO3.2

The development has a gross floor area of not more than:

Zone	Maximum GFA
Low-medium density residential	0.8 x site area
Medium density residential	1.2 x site area
Tourist accommodation	1.2 x site area
All other zones	No acceptable outcome specified

AO3.1 and AO3.2 Not Applicable.

Site cover nominated within the Centre Zone Code prevails and justification is included within the corresponding code response.

PO4

Development is sited so that the setback from boundaries:

- (a) provides for natural light, sunlight and breezes;
- (b) minimises the impact of the development on the amenity and privacy of neighbouring residents;
- (c) provides for adequate landscaping.

AO4.1

Buildings and structures are set back not less than 6 metres from a road frontage.

AO4.2

Buildings and structures are setback not less than 4 metres to the rear boundary.

AO4.3

The side boundary setback for buildings and structures is:

- (a) for buildings up to 2 storeys not less than 2.5 metres for the entire building;
- (b) for buildings up to 3 storeys not less than 3.5 metres for the entire building.

Not Applicable.

Setbacks nominated within the Centre Zone Code prevails and justification is included within the corresponding code response.



PO5 Building depth and form must be articulated to (a) ensure that the bulk of the development is in keeping with the form and character intent of the area; (b) provide adequate amenity for residents in terms of natural light and ventilation. Note – Planning scheme policy SC6.1 – Building design and architectural elements provides guidance on reducing building bulk.	AO5.1 (a) The maximum length of a wall in any direction is 30 metres with substantial articulation provided every 15 metres. (b) The minimum distance between buildings on a site is not less than 6 metres; AO5.2 The length of any continuous eave line does not exceed 18 metres.	Complies with PO5. The longest wall segment measures approximately 42.990 metres, exceeding the 30 metre maximum, however includes substantial articulation. AO5.1(b) (minimum 6 metres between buildings on a site) is not determinative here, however in functional terms, separation and amenity outcomes are achieved through building orientation. In addition, the continuous eave line does not extend beyond 18 metres. Notwithstanding the numeric non-compliances, the proposal satisfies PO5. The built form is modulated through balconies, recessed garage elements, upper-level step-backs, varied wall planes, screening devices and lightweight cladding changes that break down perceived bulk and align with the intended character of Warner Street. Landscaping within forecourts and along boundaries further softens the elevation and reduces visual mass at pedestrian scale. Amenity outcomes for residents and guests are maintained via large openings to living areas, dual-aspect rooms, private courtyard orientation and shaded outdoor terraces that support natural light, cross-ventilation and tropical outdoor living.
PO6 Development reduces the appearance of building bulk, ensures a human-scale, demonstrates variations in horizontal and vertical profile and supports streetscape character.	AO6.1 Development incorporates a number of the following design elements: (b) balconies; (c) verandahs; (d) terraces; (e) recesses. AO6.2 Development reduces building bulk by: (a) variation in building colours, materials and	Complies with AO6.1 and AO6.2. The proposed villas present a contemporary architectural style suited to Port Douglas's tropical coastal identity. The design reduces perceived building bulk, maintains a human-scale interface with Warner Street, and enhances the streetscape character. • AO6.1: The development incorporates multiple design elements, including articulated recesses, upper-level balconies, shaded terraces, and landscaped forecourts. These features break up



	textures; (b) the use of curves, recesses, projections or variations in plan and elevation; (c) recession and projection of rooflines and the inclusion of interesting roof forms, such as cascading roof levels, gables, skillions or variations in pitch; (d) use of sun-shading devices and other façade features; (a) use of elements at a finer scale than the main structural framing of the building.	wall lengths, provide visual interest, and create a layered built form. • AO6.2: The building employs a varied material palette of rendered masonry, lightweight cladding, and screening devices such as operable louvres and blade walls. These introduce texture and depth while reinforcing the tropical aesthetic. Roof forms are modulated with pavilion-style elements, overhangs, and recessed sections that create interest and avoid bulky eave lines. Horizontal and vertical articulation is further reinforced by contrasting colours, recesses, and projections. Collectively, these measures achieve the Performance Outcome by reducing the appearance of building bulk, ensuring human-scale presentation, and positively contributing to the Warner Street streetscape.
PO7 Development provides a building that must define the street to facilitate casual surveillance and enhance the amenity of the street through: (a) orientation to the street; (b) front boundary setback; (c) balconies and windows to provide overlooking and casual surveillance; (d) building entrances.	AO7.1 Development provides a building that is not set back further than 2m beyond the minimum required street front setback. AO7.2 Development provides balconies and windows from the primary living area that face and overlook the street or public space.	Complies with AO7.1 and AO7.2 The proposed villas are set back 6.0 metres from Warner Street, consistent with the prevailing pattern of residential and visitor accommodation development in this section of the town centre. In terms of AO7.2, the primary living areas are oriented to private courtyards and pool terraces rather than directly to the street, and therefore do not incorporate balconies overlooking Warner Street. Nevertheless, casual surveillance of the street is achieved through upper-level windows, entry treatments and forecourt activation. The landscaped setbacks soften the interface, while architectural articulation at the street edge ensures the buildings positively contribute to the amenity and safety of the public realm. Accordingly, while the acceptable outcomes are not strictly satisfied, the proposal achieves the intent of PO7 by defining and addressing Warner



		Street, providing opportunities for casual surveillance, and enhancing the streetscape through a combination of architectural design, landscaping and pedestrian entries.
PO8 Buildings exhibit tropical design elements to support Douglas Shire's tropical climate, character and lifestyle.	AO8.1 Development has floor to ceiling heights of 2.7 metres; AO8.2 Buildings include weather protection and sun shading to all windows to all external doors and windows of habitable rooms. AO8.3 Development incorporates deep recesses, eaves and sun-shading devices AO8.4 Western orientated facades are shaded using building and landscape elements, such as adjustable screens, awnings or pergolas or dense tropical planting. AO8.5 Individual dwelling units are not located on both sides of an enclosed central corridor (i.e. not double banked).	Complies with AO8.1-8.5. The development incorporates tropical design features consistent with the Douglas Shire's climate, character and lifestyle. • AO8.1: Floor-to-ceiling heights are 2.4 m (to be confirmed at building stage), ensuring natural ventilation and daylight penetration. • AO8.2 & AO8.3: Habitable rooms are protected by wide eaves, recessed walls, balconies and sun-shading devices that provide shelter from sun and rain while articulating the façades. • AO8.4: Western-facing façades are moderated through recessed balconies, blade walls, operable screens and boundary planting, reducing solar exposure and heat load. • AO8.5: Each villa is a standalone dwelling with direct street or courtyard access; no double-banked corridor layout is proposed. Taken together, these measures achieve PO8 by reducing reliance on artificial cooling, reinforcing a human-scale, and supporting the tropical identity of Warner Street.

**PO9**

Development minimises direct overlooking between buildings through appropriate building layout, location and the design of windows and balconies or screening devices.

Note—Siting and building separation is used to minimise privacy screening requirements.

AO9.1

Development where the dwelling is located within 2 metres at ground level or 9 metres above ground level of a habitable room window or private open space of an existing dwelling house, ensures habitable rooms and any private outdoor spaces have:

- (a) an offset from the habitable room or private open space of the existing dwelling to limit direct outlook; or
- (b) sill heights a minimum of 1.5m above floor level; or
- (c) fixed obscure glazing in any part of the window below 1.5m above floor level; or
- (d) fixed external screens; or
- (e) in the case of screening for a ground floor level unit, fencing to a minimum 1.8m above the ground storey floor level.

AO9.2

Development where a direct view is available from balconies, terraces, decks or roof decks into windows of habitable rooms, balconies, terraces or decks in an adjacent existing dwelling house, is screened from floor level to a height above 1.5m above floor level.

AO9.3

Development provides screening devices that are solid translucent screens, perforated or slatted panels or fixed louvres that have a maximum of 25% openings, with a maximum opening dimension of 50mm, and that are permanent and durable.

Note—The screening device is offset a minimum of 0.3m from the wall around any window.

Note—Screening devices are hinged or otherwise attached to facilitate emergency egress

Complies with PO9.

The proposed villas have been designed and sited to manage overlooking and protect the privacy of adjoining residential properties.

The majority of habitable spaces, including living, dining, kitchen and recreational areas, are located on the ground floor and open onto private courtyards. These spaces are separated from neighbouring dwellings by boundary fencing and landscaping, avoiding any direct line-of-sight into adjoining private open space.

Where upper-level rooms are proposed, these are oriented towards Warner Street or the rear rather than directly into adjoining lots. Windows on side elevations are modest in size, elevated with sill heights above 1.5 m, or treated with obscure glazing to reduce outlook. Screening devices such as operable louvres or blade walls are incorporated where necessary to ensure compliance with AO9.1 and AO9.3.

No balcony directly overlooks the private open space of an adjoining dwelling.

Collectively, the combination of physical separation, careful orientation, fencing, modest window design and integrated screening ensures that overlooking is minimised and that the development achieves the intent of PO9.



PO10 Development provides accessible and functional landscaping and recreation area for the benefit of residents/guests.	AO10 A minimum of 35% of the site is allocated as landscaping and recreation area.	Complies with PO10. The proposal plans illustrate an appropriate level of landscaping and private open space is provided onsite.
PO11 Landscaping must contribute positively to the amenity of the area, streetscape and public spaces.	AO11 Development provides landscaping as follows: (a) A dense landscape planting strip of at least 2 metres width suitable for deep planting is provided and maintained along all street frontages; (b) A dense landscape planting strip of at least 1.5 metres width suitable for deep planting is provided along all side and rear boundaries.	Complies with PO11. Refer to the response under PO5 of the Centre Zone Code.
PO12 The landscaping and recreation area provides for functional communal open space for all developments exceeding five dwellings on one site.	AO12.1 Communal open space is provided at: (a) a minimum of 5% of site area of 50m² whichever is the greater; and (b) a minimum dimension of 5 metres. AO12.2 Development provides communal open space that: (a) is consolidated into one useable space; where communal open space exceeds 100m², the communal open space may be split into two, and so forth incrementally. AO12.3 Communal open space: (a) is a minimum of 50% open to the sky; (b) achieves 25% shading by trees in 5 years; (c) does not include vehicle driveways and manoeuvring; (d) does not contain surface structures such as rainwater tanks, fire hydrants, transformers or water boosters. AO12.4 Communal open space is designed to provide for	Complies with PO12. The proposed development is for a single Short Term Accommodation unit for a single booking. The proposal plans illustrate an appropriate level of landscaping and private open space is provided onsite.



a range of facilities, typically including some, or all, of the following elements:

- (a) seating;
- (b) barbecue;
- (c) play equipment;
- (d) swimming pool;
- (e) communal clothes drying;
- (f) vegetable garden.

AO12.5

- (b) Development involving 5 or fewer dwellings on one lot can allocate additional private open space to a ground storey dwelling instead of providing communal open space.

**PO13**

Development must provide attractive and functional private open space for residents and guests.

AO13.1

Development provides private open space which:

- (a) for ground storey dwellings, comprises of a minimum area of 35m² with a minimum dimension of 3 metres;
- (b) for dwellings above ground storey, comprises of a balcony with minimum area of 12m² and a minimum dimension of 3 metres.

AO13.2

Development provides private open space areas that are:

- (a) directly accessible from internal primary living area of the dwelling (not bedrooms);
- (b) provided with a screened area of 2m² minimum dimension capable of screening air conditioning plant, private clothes drying etc...
- (c) provided with adjustable, moveable or operable privacy screening where appropriate.

AO13.3

Development provides balconies that are located to the front or rear of the building except where adequate building separation can be achieved to maintain privacy.

AO13.4

Where secondary balconies are provided to a

Complies with PO13.

The proposed development is for a single Short Term Accommodation. Appropriate open space areas are available within the property.



Performance outcomes	Acceptable outcomes
	side of a building for additional amenity or services, such as clothes drying or to articulate facades, the setback may be reduced to the minimum setback, but these areas are not included in the calculation of private open space requirements. AO13.5 Private open space: (a) does not include vehicle driveways and manoeuvring; (b) does not contain surface structures such as rainwater tanks, fire hydrants, transformers or water boosters.



PO14 Development provides front fencing and retaining walls that must: (a) facilitate casual surveillance of the street and public space; (b) enable use of private open space; (c) assist in highlighting entrances to the property; (d) provide a positive interface to the streetscape.	AO14.1 Development ensures that, where fencing is provided, the height of any new fence located on any common boundary to a street or public space is a maximum of: (a) 1.2m, where fence construction is solid or less than 50% transparent; (b) 1.5m, where fence construction is at least 50% transparent; (c) 1.8m and solid only where the site is on an arterial road or higher order road. AO14.2 Development incorporating solid front fences or walls that front the street or other public spaces and are longer than 10m, indentations, material variation or landscaping is provided to add visual interest and soften the visual impact AO14.3 Development for a retaining wall is: (a) stepped to minimise impact on the streetscape and pedestrian environment; (b) a maximum of 0.6m in height if directly abutting the edge of the adjoining road reserve verge	Complies with PO14. The proposed development is for a dual-purpose use comprising both Dual Occupancy and Short Term Accommodation. The scale, function and presentation of the villas remain consistent with residential character, and the frontage has been designed to balance privacy with openness to Warner Street. Low, visually permeable front fencing will define the extent of private open space while still allowing clear views to the street. The design incorporates central pedestrian entries to each villa, highlighted through articulation and landscaping, which break up the frontage and ensure a legible interface. These elements facilitate passive surveillance of the street and reinforce safe and inviting connections between private and public space. Landscaped garden beds within the setback soften the frontage, contributing positively to the tropical character of Warner Street. Collectively, the fencing, planting and defined entries achieve the intent of PO14 by enhancing amenity and privacy for residents while supporting surveillance, visual interest, and a positive contribution to the streetscape.
PO15 Development minimises light nuisances.	AO15 Outdoor lighting is in accordance with AS 4282-1997 Control of the obtrusive effects of outdoor lighting.	May be Conditioned to Comply. External lighting associated with the villas will be domestic in scale and primarily limited to entries, driveways and outdoor living areas. Given the small scale of the development and the separation from adjoining buildings, lighting is not expected to cause nuisance or spill to neighbouring properties. Compliance with AS 4282-1997 <i>Control of the Obtrusive Effects of Outdoor Lighting</i> can be ensured through a condition of approval.



PO16 Waste and recyclable material storage areas are: (a) convenient and accessible to residents and waste and recyclable material collection services; (b) located and designed to mitigate adverse impacts: (i) within the site; (ii) on adjoining properties; (iii) to the street.	AO16 Waste and recyclable material storage areas: (a) are located on site; (b) are sited and designed to be unobtrusive and screened from view from the street frontage; (c) are imperviously sealed roofed and bunded, and contain a hose down area draining to Council's sewer network; (d) are of a sufficient size to accommodate bulk (skip) bins; (e) have appropriate access and sufficient on site manoeuvrability area for waste and recyclable material collection services. Note - The Environmental performance code contains requirements for waste and recyclable material storage.	May be Conditioned to Comply. Waste will be stored onsite and managed by the operator.
PO17 Development provides a secure storage area for each dwelling.	AO17 A secure storage area for each dwelling: (a) is located to enable access by a motor vehicle or be near to vehicle parking; (b) has a minimum space of 3.5m² per dwelling; (c) has a minimum height of 2 metres; (d) is weather proof; (e) is lockable; (f) has immunity to the 1% AEP inundation event. Note – A cupboard within a unit will not satisfy this requirement.	Not Applicable. The development is for a Dwelling House and single Short Term Accommodation use only.
Additional requirements for a Retirement facility		
PO18 Retirement facilities are located in areas which offer convenience to residents, and are designed to be compatible with the locality and surrounding area in which they are located.	AO18 Retirement facilities are conveniently located in established areas close to public transport, shopping facilities and health care services.	Not Applicable.



PO19 Retirement facilities are designed to provide for the amenity and security of residents.	AO19.1 The Retirement facility incorporates covered walkways wide enough to accommodate wheel chairs and ramps, and where necessary, provide on-site weather protection between all parts of the complex. AO19.2 Internal pathways have firm, well drained and non-slip surfaces. AO19.2 Security screens are provided to all dwelling units or residential rooms to ensure the safety and security of residents. AO19.3 An illuminated sign and site map of the layout of the development is located near the main entrance to the facility.	Not Applicable.
PO20 The internal layout of a Retirement facility and the location of the retirement facility allows for safe evacuation of residents in an emergency and provides emergency services to efficiently access the site.	AO20.1 The design of the Retirement facility ensures that external circulation and access and egress points on the site facilitate the evacuation of the site in an efficient manner. AO20.2 The site of a Retirement facility is not prone to inundation. AO20.3 The location of the Retirement facility is readily accessible to emergency vehicles.	Not Applicable.



Performance outcomes	Acceptable outcomes	
PO21 The development is designed for the needs of the age group, and to allow 'aging in place' to occur.	AO21.1 Development applies adaptable housing principles. AO21.2 A range of housing designs and sizes are provided in the development to cater for different individual and household needs.	Not Applicable.

9.4 Other development codes

9.4.1 Access, parking and servicing code

9.4.1.1 Application

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

9.4.1.2 Purpose

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



9.4.1.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant Response
For self-assessable and assessable development		
PO1 Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be generated by the use or uses of the site, having particular regard to: (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 ordinary vehicle parking to a maximum of 5% of total ordinary vehicle parking rate.	Complies with AO1.1. Two enclosed onsite parking spaces are provided for each dwelling. Complies with AO1.2. Parking spaces are dedicated to each dwelling and freely available to residents. Alternative Solution. No formalised motorcycle parking is proposed. Not Applicable.
PO2 Vehicle parking areas are designed and constructed in accordance with relevant standards.	AO2 Vehicle parking areas are designed and constructed in accordance with Australian Standard: (a) AS2890.1; (b) AS2890.3; (c) AS2890.6.	Complies with AO2. Appropriate conditions may be imposed to ensure compliance is achieved.



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;	Complies with PO3. Each villa is provided with an individual crossover to Warner Street, both of which are less than 3 metres in width. The driveways are sealed, unobstructed and maintain safe sightlines. No alteration to existing on-street infrastructure, including street trees, drainage or services, is required.
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	(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 the area and contrast with the surface construction materials of any adjacent footpath.	
P04 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.	Not Applicable.
P05 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.	Not Applicable.
P06 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.	Not Applicable.



P07 Development provides secure and convenient bicycle parking which: (a) for visitors is obvious and located close to the building's main entrance; (b) for employees is conveniently located to provide secure and convenient access between the bicycle storage area, end-of-trip facilities and the main area of the building; (c) is easily and safely accessible from outside the site.	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.	Not Applicable.
P08 Development provides walking and cycle routes through the site which: (a) link to the external network and pedestrian and cyclist destinations such as schools, shopping centres, open space, public transport stations, shops and local activity centres along the safest, most direct and convenient routes; (b) encourage walking and cycling; (c) ensure pedestrian and cyclist safety.	AO8 Development provides walking and cycle routes which are constructed on the carriageway or through the site to: (a) create a walking or cycle route along the full frontage of the site; (b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site.	Not Applicable.
P09 Access, internal circulation and on-site parking for service vehicles are designed and constructed: (a) in accordance with relevant standards;	AO9.1 Access driveways, vehicle manoeuvring and on-site parking for service vehicles are designed and constructed in accordance with AS2890.1 and	Not Applicable. The development does not require service and loading areas.



(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.	AS2890.2. AO9.2 Service and loading areas are contained fully within the site. AO9.3 The movement of service vehicles and service operations are designed so they: (a) do not impede access to parking spaces; (b) do not impede vehicle or pedestrian traffic movement.	
PO10 Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.	AO10.1 Development provides adequate area on-site for vehicle queuing to accommodate the demand generated by the development where drive through facilities or drop-off/pick-up services are proposed as part of the use, including, but not limited to, the following land uses: (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. AO10.2 Queuing and set-down areas are designed and constructed in accordance with AS2890.1.	Not Applicable.

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.

9.4.3 Environmental performance code

9.4.3.1 Application

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

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

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

9.4.3.2 Purpose

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



9.4.3.3 Criteria for assessment

Table 9.4.3.3.a – Environmental performance code – assessable development

Performance outcomes	Acceptable outcomes	Applicant Response
Lighting		
PO1 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.	Not Applicable. Only domestic external lighting is proposed.
Noise		
PO2 Potential noise generated from the development of the activity. Note – Planning Scheme Policy SC6.4 – Environmental	AO2.1 Development does not involve activities that would cause noise related environmental harm or nuisance; or	Complies with AO2.1. The proposal is for residential and short-term accommodation uses, which are not of a scale or nature likely to cause noise-related environmental harm. Materials and building layout will mitigate noise, and car parking is located at the frontage where noise impacts on adjoining sensitive uses are minimal and consistent with the existing locality.



management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.	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 The design and layout of development ensures car parking areas avoid noise impacting directly on adjacent sensitive land uses through one or more of the following: (a) car parking is located away from adjacent sensitive land uses; (b) car parking is enclosed within a building; (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. 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.	Will Comply with AO2.2. Appropriate materials will be used in the construction of the development. Complies with AO2.3. Noise from vehicle movements will be minimised through the design of parking spaces at the front of the property. Furthermore, the scale of development and traffic generation is consistent with other existing development in the locality.
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.	Not applicable The proposed use does not involve activities that result in airborne emissions.



	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.	
Odours		
PO4 Potential odour causing activities associated with the development are avoided through design, location and operation of the activity. Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.	A04.1 The development does not involve activities that create odorous emissions; or A04.2 The use does not result in odour that causes environmental harm or nuisance with respect to surrounding land uses.	Not applicable The proposed use does not involve activities that result in odour emissions.
Waste and recyclable material storage		

**PO5**

Waste and recyclable material storage facilities are located and maintained to not cause adverse impacts on adjacent uses.

Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.

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.

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:

- (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.

Editor's note - the *Environmental Protection (Waste Management) Policy 2008* provides guidance on the design of waste containers (receptacles) to ensure environmental harm (including nuisance) is avoided.

Complies with AO5.1-AO5.2.

Waste will be stored appropriately onsite so not to impact adjoining land uses. Bin storage may be located and screened within the front setback area. This area will be screened. Appropriate development conditions may be imposed to ensure compliance.

Sensitive land use activities



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.	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; or AO6.2 Sensitive land activities are located in areas where potential adverse amenity impacts mitigate all potential impacts through layout, design, operation and maintenance.	Not Applicable.
Stormwater quality		
PO7 The quality of stormwater flowing over, through or being discharged from development activities into watercourses and drainage lines is of adequate quality for downstream environments, with respect to: (a) the amount and type of pollutants borne from the activity; (c) maintaining natural stream flows; (d) the amount and type of site disturbance; (e) site management and control measures.	AO7.1 Development activities are designed to ensure stormwater over roofed and hard stand areas is directed to a lawful point of discharge. AO7.2 Development ensures movement of stormwater over the site is not impeded or directed through potentially polluting activities. 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. Note - Planning scheme policy - FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i>. During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.	Complies with AO7.1-AO7.3. Stormwater will be directed from roof and hardstand areas to a lawful point of discharge via Council's existing drainage network in Warner Street. Overland flow paths will be maintained, and construction will incorporate appropriate erosion and sediment control measures to protect water quality during works.



Pest plants (for material change of use on vacant land over 1,000m ²)		
PO8 Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not reinfest the site or nearby sites. Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the <i>Land Protection (Pest and Stock Route Management) Act 2002</i>.	AO8.1 The land is free of declared pest plants before development establishes new buildings, structures and practices; or 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. Note - A declaration from an appropriately qualified person validates the land being free from pest plants. Declared pest plants include locally declared and State declared pest plants.	Not Applicable.

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

[illegible]



	AO1.4 Topsoil from the site is retained from cuttings and reused on benches/terraces. 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. 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.	Will Comply. Not Applicable. Not Applicable.
Visual Impact and Site Stability		
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.	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. AO2.2 Filling and excavation does not occur within 2 metres of the site boundary.	Complies with AO2.1-AO2.2. The site is generally level. Minor works only are required to prepare the site for Building Works.
Flooding and drainage		



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.	AO3.1 Filling and excavation does not result in the ponding of water on a site or adjacent land or road reserves. 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. 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. AO3.4 Filling and excavation complies with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	Will Comply. Filling and excavation will not cause ponding, increase runoff or concentrate flows to adjacent properties or road reserves. Stormwater will be directed to the existing lawful point of discharge in Warner Street via the Council drainage network. Overland flow paths are maintained and any detailed drainage design can be conditioned by Council at the development or building stage.
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.	Will Comply. Any concerns in this regard may be conditioned under a Development Permit.
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.	Not Applicable.

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.

Performance outcomes		Acceptable outcomes	Applicant response
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: (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	Not Applicable. Will Comply with AO1.2. It is anticipated that this matter will be appropriately conditioned. Not Applicable.	



	in the Planning scheme policy SC5 – FNQROC Regional Development Manual, and is not less than a 1.2 metre section. 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. Note – Figure 9.4.5.3.a provides guidance on meeting the outcomes. AO1.5 Decks, verandahs, stairs, posts and other structures located in the road reserve do not restrict or impede pedestrian movement on footpaths or change the level of the road verges.	Will Comply with AO1.4. It is anticipated that this matter will be appropriately conditioned. Not Applicable.
Accessibility structures		
PO2 Development is designed to ensure it is accessible for people of all abilities and accessibility features do not impact on the efficient and safe use of footpaths. Note – Accessibility features are those features required to ensure access to premises is provided for people of all abilities and include ramps and lifts.	AO2.1 Accessibility structures are not located within the road reserve. AO2.2 Accessibility structures are designed in accordance with AS1428.3. AO2.3 When retrofitting accessibility features in existing buildings, all structures and changes in grade are contained within the boundaries of the lot and not within the road reserve.	Not Applicable.
Water supply		

**PO3**

An adequate, safe and reliable supply of potable, fire fighting and general use water is provided.

AO3.1

The premises is connected to Council's reticulated water supply system in accordance with the Design Guidelines set out in Section D6 of the Planning scheme policy SC5 – FNQROC Regional Development Manual;

or

AO3.2

Where a reticulated water supply system is not available to the premises, on site water storage tank/s with a minimum capacity of 10,000 litres of stored water, with a minimum 7,500 litre tank, with the balance from other sources (e.g. accessible swimming pool, dam etc.) and access to the tank/s for fire trucks is provided for each new house or other development. Tank/s are to be fitted with a 50mm ball valve with a camlock fitting and installed and connected prior to occupation of the house and sited to be visually unobtrusive.

Complies

The subject site is connected to Council's reticulated water supply.



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>.	Complies. The sites will be connected to Council's sewerage system.
Stormwater quality		
PO5 Development is planned, designed, constructed and operated to avoid or minimise adverse impacts on stormwater quality in natural and developed catchments by: (a) achieving stormwater quality objectives; (b) protecting water environmental values; (c) maintaining waterway hydrology.	AO5.1 A connection is provided from the premises to Council's drainage system; or AO5.2 An underground drainage system is constructed to convey stormwater from the premises to Council's drainage system in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	Complies. Stormwater will be directed to the existing Council drainage infrastructure at the rear of the site.

**AO5.3**

A stormwater quality management plan is prepared, and provides for achievable stormwater quality treatment measures meeting design objectives listed in Table 9.4.5.3.b and Table 9.4.5.3.c, reflecting land use constraints, such as:

- (a) erosive, dispersive and/or saline soil types;
- (b) landscape features (including landform);
- (c) acid sulfate soil and management of nutrients of concern;
- (d) rainfall erosivity.

AO5.4

Erosion and sediment control practices are designed, installed, constructed, monitored, maintained, and carried out in accordance with an erosion and sediment control plan.

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.

Note – Planning scheme policy SC5 – FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the *Environmental Protection Act 1994*.

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.	
Non-tidal artificial waterways		
PO6 Development involving non-tidal artificial waterways is planned, designed, constructed and operated to: (a) protect water environmental values; (b) be compatible with the land use constraints for the site for protecting water environmental values; (c) be compatible with existing tidal and non-tidal waterways; (d) perform a function in addition to stormwater management; (e) achieve water quality objectives.	AO6.1 Development involving non-tidal artificial waterways ensures: (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. AO6.2 Non-tidal artificial waterways are located: (a) outside natural wetlands and any associated buffer areas; (b) to minimise disturbing soils or sediments; (c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas. 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	Not Applicable.



	(c) there is no introduction of salt water into freshwater environments. AO6.4 Non-tidal artificial waterways are designed and managed for any of the following end-use purposes: (a) amenity (including aesthetics), landscaping or recreation; or (b) flood management, in accordance with a drainage catchment management plan; or (c) stormwater harvesting plan as part of an integrated water cycle management plan; or aquatic habitat. AO6.5 The end-use purpose of the non-tidal artificial waterway is designed and operated in a way that protects water environmental values. AO6.6 Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway. AO6.7 (d) 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.	
Wastewater discharge		



P07 Discharge of wastewater to waterways, or off site: (a) meets best practice environmental management; (b) is treated to: (i) meet water quality objectives for its receiving waters; (ii) avoid adverse impact on ecosystem health or waterway health; (iii) maintain ecological processes, riparian vegetation and waterway integrity; (iv) offset impacts on high ecological value waters.	AO7.1 A wastewater management plan is prepared and addresses: (a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best practice environmental management. 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. AO7.3 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. AO7.4 Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and: (a) avoids lowering ground water levels where potential or actual acid sulfate soils are present; (b) manages wastewater so that: (i) the pH of any wastewater	Not Applicable.
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	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; visible iron floc is not present in any discharge; (iv) precipitated iron floc is contained and disposed of; (iii) 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.	
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Electricity supply		
PO8 Development is provided with a source of power that will meet its energy needs.	AO8.1 A connection is provided from the premises to the electricity distribution network; or AO8.2 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. Note - Areas north of the Daintree River have a different standard.	Will Comply. The site is connected to electrical supply. Augmentation of this supply will be taken with Ergon.
PO9 Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.	AO9.1 Pad-mount electricity infrastructure is: (a) not located in land for open space or sport and recreation purposes; (b) screened from view by landscaping or fencing; (c) accessible for maintenance. AO9.2 Pad-mount electricity infrastructure within a building, in a Town Centre is designed and located to enable an active street frontage. Note – Pad-mounts in buildings in activity centres should not be located on the street frontage.	Not Applicable.
Telecommunications		
PO10 Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.	AO10 The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.	Will Comply. The site will be connected to telecommunication.



PO11 Provision is made for future telecommunications services (e.g. fibre optic cable).	AO11 Conduits are provided in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	
Road construction		
PO12 The road to the frontage of the premises is constructed to provide for the safe and efficient movement of: (a) pedestrians and cyclists to and from the site; (b) pedestrians and cyclists adjacent to the site; (c) vehicles on the road adjacent to the site; (d) vehicles to and from the site; (e) emergency vehicles.	AO12.1 The road to the frontage of the site is constructed in accordance with the Design Guidelines set out in Sections D1 and D3 of the Planning scheme policy SC5 – FNQROC Regional Development Manual, for the particular class of road, as identified in the road hierarchy. AO12.2 There is existing road, kerb and channel for the full road frontage of the site. AO12.3 Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for the safe passage of emergency vehicles.	Complies. The road frontages are constructed. Warner Street is an existing constructed road frontage. No new road construction is required..
Alterations and repairs to public utility services		
PO13 Infrastructure is integrated with, and efficiently extends, existing networks.	AO13 Development is designed to allow for efficient connection to existing infrastructure networks.	Not Applicable.



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.	Not Applicable.
Construction management		
PO15 Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be retained.	AO15 Works include, at a minimum: (a) installation of protective fencing around retained vegetation during construction; (b) erection of advisory signage; (c) no disturbance, due to earthworks or storage of plant, materials and equipment, of ground level and soils below the canopy of any retained vegetation; (d) removal from the site of all declared noxious weeds.	Not Applicable. The site does not comprise any vegetation.
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.	May be Conditioned to Comply.



Performance outcomes	Acceptable outcomes	Applicant response
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.	May be Conditioned if Applicable.
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.	Not Applicable.
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.	Not Applicable.



PO20 Hydrants are suitable identified so that fire services can locate them at all hours. Note – Hydrants are identified as specified in the Department of Transport and Main Roads Technical Note: 'Identification of street hydrants for fire fighting purposes' available under 'Publications'.	AO20 No acceptable outcomes are prescribed.	Not Applicable.
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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.
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	Development for urban purposes Excludes development that is less than 25% pervious. In lieu of modelling, the default bio-retention treatment area to comply with load reduction targets of 1.5% of contributing catchment area.

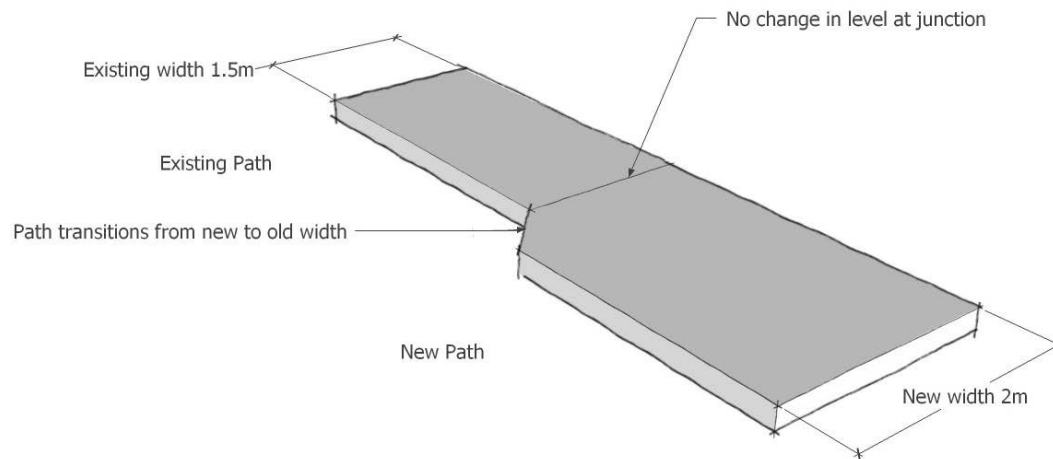
Water stability management

(a) Limit peak 100% AEP event discharge within the receiving waterway to the pre-development peak 100% AEP event discharge.

Catchments contributing to un-lined receiving waterway. Degraded waterways may seek alternative discharge management objectives to achieve waterway stability.

For peak flow for the 100% AEP event, use co-located storages to attenuate site discharge rate of stormwater.

Figure 9.4.5.3.a – New footpath sections



9.4.7 Reconfiguring a lot code

9.4.7.1 Application

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

9.4.7.2 Purpose

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

9.4.7.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
General lot design standards		
PO1 Lots comply with the lot reconfiguration outcomes of the applicable Zone code in Part 5.	AO1 No acceptable outcomes are prescribed.	Achieves intent of Zone Code. Refer to commentary under PO7 of the Centre Zone Code.



PO2 New lots are generally rectangular in shape with functional areas for land uses intended by the zone.	A02 Boundary angles are not less than 45 degrees.	Complies with A02. The proposed lots are regular in shape and provide functional areas to accommodate the intended residential and short-term accommodation uses.
PO3 Lots have legal and practical access to a public road.	A03 Each lot is provided with: (a) direct access to a gazetted road reserve; or (b) access to a gazetted road via a formal access arrangement registered on the title.	Complies with A03. Each new lot has direct access to Warner Street, a constructed gazetted road.
PO4 Development responds appropriately to its local context, natural systems and site features.	A04 Existing site features such as: (a) significant vegetation and trees; (b) waterways and drainage paths; (c) vistas and vantage points are retained and/or are incorporated into open space, road reserves, near to lot boundaries or as common property.	Complies with PO4. The site currently contains vegetation; however, this is not mapped as remnant or regulated under the Vegetation Management Overlay. Clearing will be required to facilitate the subdivision and construction of the proposed villas. The existing easement is maintained and reflected in the lot layout, ensuring service access is preserved. While the existing vegetation will be removed, the proposal includes landscaped forecourts and boundary planting that will re-establish a green, tropical character consistent with the Centre Zone and the Port Douglas Landscape Master Plan. The development therefore responds appropriately to its site features and achieves the intent of PO4.
PO5 New lots which have the capability of being further reconfigured into smaller lots at a later date are designed to not compromise ultimate development outcomes permitted in the relevant zone.	A05 The ability to further reconfigure land at a later date is demonstrated by submitting a concept plan that meets the planning scheme requirements for the applicable Zone.	Not Applicable. It is not intended to further reconfigure the resulting lots.



PO6 Where existing buildings or structures are to be retained, development results in: (a) boundaries that offer regular lot shapes and usable spaces; (b) existing improvements complying with current building and amenity standards in relation to boundary setbacks. Note - This may require buildings or structures to be modified, relocated or demolished to meet setback standards, resolve encroachments and the like.	AO6 Development ensures setbacks between existing buildings or structures and proposed boundaries satisfy relevant building standards or zone code requirements, whichever is the greater.	Not Applicable. The site will be cleared of existing vegetation and structures prior to redevelopment. No existing buildings are to be retained, and the reconfiguration results in two regular-shaped lots capable of accommodating new dwellings that comply with the relevant building standards and Zone Code requirements.
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PO7 Where rear lots are proposed, development: (a) provides a high standard of amenity for residents and other users of the site and adjoining properties; (b) positively contributes to the character of adjoining properties and the area; (c) does not adversely affect the safety and efficiency of the road from which access is gained.	A07.1 Where rear lots are to be established: (a) the rear lot is generally rectangular in shape, avoiding contrived sharp boundary angles; (b) no more than 6 lots directly adjoin the rear lot; (c) no more than one rear lot occurs behind the road frontage lot; (d) no more than two access strips to rear lots directly adjoin each other; (e) access strips are located only on one side of the road frontage lot. A07.2 Access strips to the rear lot have a minimum width dimension of: (a) 4.0 metres in Residential Zones. (b) 8.0 metres in Industrial Zones category. (c) 5.0 metres in all other Zones. Note - Rear lots are generally not appropriate in non-Residential or non-Rural zones. A07.3 Access strips are provided with a sealed pavement of sufficient width to cater for the intended traffic, but no less than: (a) 3.0 metres in Residential Zone. (b) 6.0 metres in an Industrial Zone. (c) 3.5 metres in any other Zone.	Not Applicable. The reconfiguration involves two conventional lots, each with direct frontage to Warner Street. No rear lots or access strips are proposed.
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Performance outcomes		Acceptable outcomes
Structure plans		
Additional requirements for: (a) a site which is more than 5,000m² in any of the Residential zones; or within these zones, and (b) creates 10 or more lots; or (c) involves the creation of new roads and/or public use land. or (d) For a material change of use involving: (i) preliminary approval to vary the effect of the planning scheme; (ii) establishing alternative Zones to the planning scheme. Note - This part is to be read in conjunction with the other parts of the code		
PO8 A structure plan is prepared to ensure that neighbourhood design, block and lot layout, street network and the location and provision on any open space recognises previous planning for the area and its surroundings, and integrates appropriately into its surroundings.	AO8.1 Neighbourhood design, lot and street layout, and open space provides for, and integrates with, any: (a) approved structure plan; (b) the surrounding pattern of existing or approved subdivision. Note - Planning scheme policy SC14– Structure planning provides guidance on meeting the performance outcomes. AO8.2 Neighbourhood design, lot and street layouts enable future connection and integration with adjoining undeveloped land.	Not Applicable.



PO9 Neighbourhood design results in a connected network of walkable streets providing an easy choice of routes within and surrounding the neighbourhood.	AO9.1 Development does not establish cul-de-sac streets unless: (a) cul-de-sacs are a feature of the existing pattern of development in the area; (b) there is a physical feature or incompatible zone change that dictates the need to use a cul-de-sac streets. AO9.2 Where a cul-de-sac street is used, it: (a) is designed to be no longer than 150 metres in length; (b) is designed so that the end of the cul-de-sac is visible from its entrance; (c) provides connections from the top of the cul-de-sac to other streets for pedestrians and cyclists, where appropriate. AO9.3 No more than 6 lots have access to the turning circle or turning-tee at the end of a cul-de-sac street.	Not Applicable.
PO10 Neighbourhood design supports diverse housing choices through block sizes and lot design. In developing areas, significant changes in lot size and frontage occur at the rear of lots rather than on opposite sides of a street.	PO10 No acceptable outcomes are prescribed.	Not Applicable.
PO11 Provision of physical and social infrastructure in developing residential neighbourhoods is facilitated through the orderly and sequential development of land. Note - Part 4 – Local government infrastructure plan may identify specific levels of infrastructure to be provided within development sites.	AO11.1 New development adjoins adjacent existing or approved urban development. AO11.2 New development is not established beyond the identified Local government infrastructure plan area.	Not Applicable.
Urban parkland and environmental open space		



PO12 Where appropriate development maintains and enhances public access and use of natural areas, rivers, dams, creeks and the foreshore.	AO12 No acceptable outcomes are prescribed.	Not Applicable.
PO13 Development provides land to: (a) meet the recreation needs of the community; (b) provide an amenity commensurate with the structure of neighbourhoods and land uses in the vicinity; and adjacent to open space areas; (c) provide for green corridors and linkages.	AO13 No acceptable outcomes are prescribed. Note - Part 4 – Priority infrastructure plan and Planning scheme policy SC14 – Structure Plans provides guidance in providing open space and recreation land.	Not Applicable.



AO14

Lot size, dimensions, frontage and orientation permits buildings to be established that will facilitate casual surveillance to urban parkland and environmental open space.

AO14.1

Urban parkland is regular in shape.

AO14.2

At least 75% of the urban parkland's frontage is provided as road.

AO14.3

Urban parkland and environmental open space areas are positioned to be capable of being overlooked by surrounding development.

AO14.4

Surrounding lots are orientated so that facades will front and overlook the urban parkland and environmental open space.

AO14.5

The number of lots that back onto, or are side-orientated to the urban parkland and environmental open space is minimised.



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

Not Applicable.



 Lots orientated to front and overlook park to provide casual surveillance.
Consistent design solution - high total number of lots complying with the acceptable outcomes.

Private subdivisions (gated communities)

PO15

Private subdivisions (gated communities) do not compromise the establishment of connected and integrated infrastructure and open space networks.

PO15

No acceptable outcomes are prescribed.

Not Applicable.

Additional requirements for reconfiguration involving the creation of public streets or roads

PO16

The function of new roads is clearly identified and legible and provides integration, safety and convenience for all users.

AO16

No acceptable outcomes are prescribed.

Note - The design and construction standards are set out in Planning scheme policy SC5 – FNQROC Regional Development Manual, with reference to the specifications set out in Sections D1 and D3.

Not Applicable.

PO17

Street design supports an urban form that creates walkable neighbourhoods. Street design:

- (a) is appropriate to the function(s) of the street;
- (b) meets the needs of users and gives priority to the needs of vulnerable users.

AO17

No acceptable outcomes are prescribed.

Not Applicable.

Public transport network



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