

20 February 2025

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

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

**RE: DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE (DWELLING HOUSE)
OVER LAND AT 30 MURPHY STREET, PORT DOUGLAS, MORE FORMALLY DESCRIBED AS LOT
1 ON RP729453**

Aspire Town Planning and Project Services acts on behalf of Katherine Jean Agrums (the 'Landowner' and 'Applicant'). On behalf of the Applicant, we are pleased to submit this Development Application, made in accordance with Sections 50 and 51 of the *Planning Act 2016*, seeking a Development Permit for a Material Change of Use (Dwelling House) at 30 Murphy Street, Port Douglas.

The application has been prepared with reference to relevant legislative requirements and includes the following supporting documentation:

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

Under the Douglas Shire Council Fees and Charges Schedule 2024/25, the applicable Development Application fee has been calculated as \$358.00. We kindly request that Council issues an invoice to be paid directly by the Applicant.

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,



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)	Katherine Jean Agrums
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)	2025-02-09 - Agrums - 30 Murphy 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
		30	Murphy Street	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	1	RP729453	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):

Dwelling House

e) Relevant plans

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

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

6.2) Provide details about the second development aspect

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

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

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

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

c) What is the level of assessment?

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

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

e) Relevant plans

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

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

6.3) Additional aspects of development

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

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)
Dwelling House	Dwelling House	na	na

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?

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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				

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	OP 2021_4191/1	13 September 2021	Douglas Shire Council
☐ 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



**Queensland
Government**

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

30 MURPHY STREET, PORT DOUGLAS

20 February 2025

ASPIRE Town Planning and Project Services

Authored by: Daniel Favier

Ref: 2025-02-09 - Agrums - 30 Murphy Street, Port Douglas

This Town Planning Report is intended for the exclusive use of our Client "Katherine Jean Agrums" 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 Development Permit for a Material Change of Use (Dwelling House) over 30 Murphy Street, Port Douglas. The site is included within the Environmental Management Zone under the Douglas Shire Planning Scheme 2018 v1 and is located in a well-established, central and prestige residential and tourist accommodation precinct. The proposal seeks to establish a high quality and architecturally responsive Dwelling House. The proposed Dwelling House is well-integrated with the surrounding built and natural environment.

The subject site is 800m² in area and is currently an undeveloped lot situated within a prime urban setting in Port Douglas. It is surrounded by a mix of residential dwellings, tourist accommodation developments, and commercial uses. The site has frontage to Murphy Street, where an existing driveway recently approved by Douglas Shire Council (ref: OP 2021_4191/1) provides vehicle access to the upper, rear building pad. The site's topography, landscape values, and environmental characteristics have been carefully considered in the design response, ensuring a development that is sympathetic to its surroundings.

The design incorporates onsite parking which enables vehicles parked in the garage to enter and exit in forward gear. The development will be connected to all essential services, including reticulated water, sewerage, stormwater, electricity, and telecommunications.

The development is modest in scale and generally consistent with the Douglas Shire Planning Scheme 2018 (v1) and aligns with the intent of the Environmental Management Zone. The proposal complies with the Acceptable Outcomes and Performance Outcomes of the Dwelling House and other relevant codes, demonstrating a high standard of urban design, site responsiveness, and seamless integration with the surrounding built environment.

Where deviations from specific provisions occur, justification has been provided to demonstrate compliance with the overall intent of the planning scheme. The design appropriately manages stormwater, access, and servicing requirements, while preserving the amenity and character of the surrounding area.

The proposed Material Change of Use delivers a well-considered and high-quality residential development that is consistent with the planning framework. The design ensures a high level of residential amenity while complementing the coastal and 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 Environmental Management 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

Table 1: Application Summary.

Development Details	Information
Street Address	30 Murphy Street, Port Douglas
Lot and Plan	Lot 1 on RP729453
Land Owner	Katherine Jean Agrums <i>See Attachment 1 – Certificate of Title</i>
Site Area	800m ²
Road Frontages	25m to Murphy Street
Easements	Nil
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	Vacant (Existing driveway constructed to the rear of the site under Operational Works Permit OP 2021_4191/1)
Proposal	Material Change of Use (Dwelling House)
Approvals Sought	Development Permit
Level of Assessment	Code Assessable
Planning Scheme Zone	Environmental Management
Local Plan	Port Douglas Craiglie Local Plan (Precinct 1 - 1f Flagstaff Hill)
Overlays	Bushfire Hazard (Very High Potential Bushfire Intensity) Hillslopes (Areas Affected by Hillslopes) Landscape Values (Scenic Buffer Area: Lookout; Landscape Values: High Landscape Values) Landslide (High and Medium Hazard Risk) Transport Network (Access Road)
Regional Plan Designation	Urban Footprint
State Planning Policy	Appropriately reflected within the Douglas Shire Planning Scheme 2018 v1
State Development Assessment Provisions	Nil
Referral	Nil
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. Internal water boosting may be required to achieve appropriate pressure
Public Notification Requirements	Not required (Code Assessable development)

2.0 Site Description

The subject site is located at 30 Murphy Street, Port Douglas, within the Environmental Management Zone under the Douglas Shire Planning Scheme 2018 v1. Murphy Street is a highly sought-after residential area, positioned on an elevated ridge that overlooks the Port Douglas township and mountain ranges. The locality is characterised by high-end residential Dwelling Houses, many of which are architecturally designed to integrate with the natural topography and tropical landscape.

The site is within close proximity to key amenities, including:

- Macrossan Street (Port Douglas' main commercial and dining precinct) – approx. 150m south and west
- Four Mile Beach – approx. 430m south east
- Flagstaff Hill Lookout – approx. 200m north
- Port Douglas Marina – approx. 600m west

Murphy Street is a quiet, low-traffic area, primarily servicing local residents and offering a unique blend of seclusion and accessibility. The surrounding area includes a mix of established residential dwellings, short-term holiday accommodations, and undeveloped vegetated land within the Environmental Management Zone, refer to Image 1 below.



Image 1: Subject Site Locality (Sources: QLDGlobe, 2025)

2.1 Site Characteristics

The site is formally described as Lot 1 on RP729453, with a total area of 800m². The subject site is located on the south western side of the ridgeline, featuring a gentle sloping building pad that has been

established through previous earthworks. The site naturally slopes up to the adjoining properties to the north, with batters providing structural support and transitioning to the adjoining properties. The site slopes away from the building pad to Murphy Street. A copy of the current site survey is included under **Attachment 2 – Site Survey** and illustrates the current site topographical conditions.

A Geotechnical Assessment has been carried out for the site by GEO Design. The site is assessed to have a AGS 2007 Risk Rating of Low. A copy of the Geotechnical Assessment is included under **Attachment 3 – Geotechnical Assessment**.

Owing to its elevated position, the site benefits from natural ventilation, expansive views, and consistent breezes, while the existing topography allows for a sensitive, site-responsive design with minimal environmental impact. The proposed development makes full use of the established level pad, reducing disturbance to the surrounding natural landforms. Additionally, the building design incorporates site retaining elements to ensure stability and integration with the site's contours.

The combination of the existing pad for construction and sloping batters to the adjoining lots reflects a common approach for development on ridgelines, ensuring the built form integrates seamlessly with the natural terrain and surrounding environment.

The site is currently vacant with only driveway and drainage infrastructure improvements. The proposed development has been designed to minimise environmental disturbance, and with proposed landscaping ensures compatibility with the surrounding natural and built environment.

2.2 Surrounding Land Uses

The immediate area surrounding 30 Murphy Street consists of:

- North: Vacant, vegetated lot.
- East: Access leg to rear vacant lot.
- South: Murphy Street.
- West: Vacant vegetated lot.

The proposed development is consistent with the character and built form of Murphy Street, ensuring minimal impact on visual amenity, local infrastructure, and ecological values.

2.3 Access and Infrastructure Services

- Road Access: The site has direct frontage to Murphy Street, a sealed, two-lane road providing local access to residential properties.
- Utilities & Services: The site is connected (or will be connected) to reticulated water, sewerage, electricity, stormwater drainage, and telecommunications.

- Stormwater Management: Given the sloping nature of the site, spoon drains and stormwater pits are incorporated in the design to manage surface runoff and mitigate erosion risks.

The proposed Dwelling House has been designed to integrate seamlessly with the existing site conditions, ensuring sustainable development that respects both built form and environmental constraints.

3.0 Proposal

The proposed Dwelling House at 30 Murphy Street, Port Douglas, is a contemporary two-storey residence designed to integrate seamlessly with the natural topography of the site while offering a high level of residential amenity. The architectural design is responsive to the Environmental Management Zone, ensuring that the built form respects the natural environment and enhances the coastal character of the area.

Key Design Features:

- **Two-Storey Layout:** The Dwelling House consists of a ground floor and a first floor, strategically designed to maximise natural light, ventilation, and connectivity to outdoor spaces.
- **Open-Plan Living Spaces:** The Dwelling House incorporates a modest sized living room, dining area, and kitchen that opens onto a covered veranda overlooking the natural landscape.
- **Access between Levels:** The design includes both internal staircase and mechanical lift to provide access between levels.
- **Bedroom Configuration:** The Dwelling House provides four bedrooms, including a master suite with an ensuite and walk-in robe, designed to offer privacy and comfort.
- **Outdoor Living and Pool Area:** The design features an in-ground swimming pool and landscaped gardens, enhancing the tropical lifestyle experience.
- **Veranda and Entertainment Areas:** The first-floor design includes a large covered veranda, providing shaded outdoor living spaces that connect seamlessly with internal areas.
- **Garaging and Access:** A double garage is incorporated into the design, ensuring sufficient off-street parking and direct internal access to the residence. Manoeuvring area exists for vehicles parked in the garage to enter and exist the site in forward gear.
- **Sustainable and Climate-Responsive Design:** The Dwelling House includes deep overhangs and cross-ventilation strategies to enhance passive cooling and reduce energy consumption.

A copy of the Proposal Plans prepared by Danny Vos Architect, are included under **Attachment 4 – Site, Floor and Elevations Plans**.

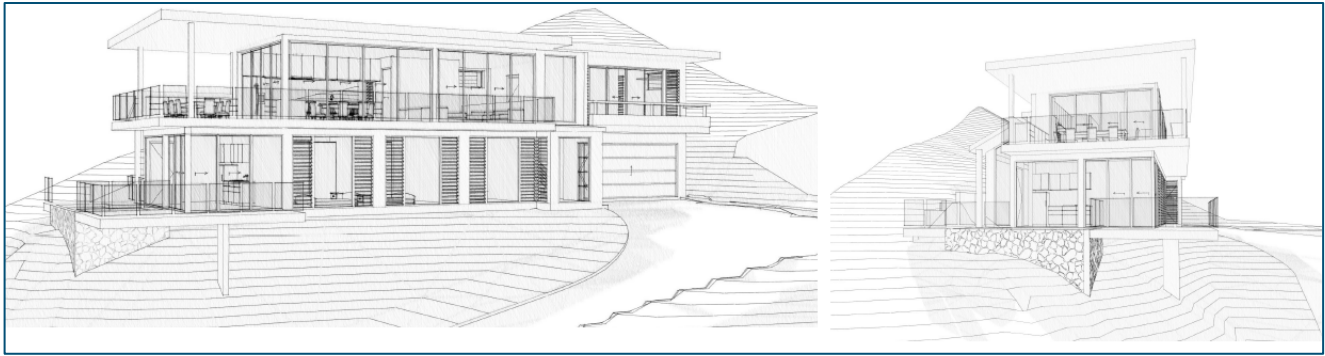


Image 2: Extract from the Proposal Plans prepared by Danny Vos Architect

3.1 Integration with the Natural Environment

- **Minimal Site Disturbance:** The proposed Dwelling House is designed to utilise the existing benched building pad and is carefully integrated into the natural site contours, thereby minimising the need for excessive earthworks. Additionally, the development will cover existing exposed cut and batters, providing structural stability and reducing the risk of erosion. This approach ensures that the site remains stable, mitigates potential soil displacement, and contributes to the long-term sustainability of the landscape. By working with the existing topography, the proposal balances development needs with environmental preservation, reinforcing the natural landform while enhancing overall site stability.
- **Stormwater Management:** The proposal incorporates spoon drains and stormwater pits to effectively manage runoff and protect the surrounding environment.
- **Landscaping & Vegetation Retention:** The design incorporates deep planting zones to retain existing vegetation and provide additional screening. A copy of the proposed Landscaping Plan prepared by Kate Hewitt Landscape Design is included under **Attachment 5**.

3.2 Vehicle Access

The following series of photographs demonstrate the functionality of the existing driveway design, illustrating that a vehicle parked in front of the garage can efficiently reverse along the driveway and safely exit the site in a forward gear. This confirms that the proposed access arrangement supports safe and practical vehicle maneuverability.





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 Application seeks a Development Permit for a Material Change of Use (Dwelling House).

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.

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 situated within the Environmental Management Zone. The Environmental Management Zone Code states that *"The purpose of the Environmental management zone code is to recognise environmentally sensitive areas and provide for houses on lots and other low impact activities where suitable"*. The proposed development for a Dwelling House is generally accepted within the Environmental Management Zone where the design reflects and responds to the natural features and land constraints. It is submitted that the proposed development appropriately responds to the site topography, geotechnical conditions and vegetation cover.

A full assessment of the proposed development against the Environmental Management Code is included within **Attachment 6 – Code Assessment**.

4.6.2 Local Plan

The subject site is located within the Port Douglas Craiglie Local Plan Area. In particular the subject site is located within the Precinct 1 – 1F Flagstaff Hill sub-precinct. Overall Outcomes sought for this particular sub-precinct include:

"...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."

A full assessment of the proposed development against the Port Douglas Craiglie Local Plan Code is included within **Attachment 6 – Code Assessment**, which suitably demonstrates compliance.

4.5.3 Overlays

Table 2: identifies the applicable Overlays to the site.

Overlay	Sub-category
Bushfire Hazard	Very High Bushfire Intensity
Hillslopes	Area Affected by Hillslope
Landscape Values Overlay	Scenic Buffer Area – Lookout Landscape Value – High Landscape Values
Potential Landslide Hazard	High and Medium Risk
Transport Road Hierarchy	Access Road

4.5.4 Category of Assessment

Pursuant to Part 5 of the Planning Scheme, a Development Application for a Material Change of Use (Dwelling House) in the Environmental Management Zone is identified as Assessable Development, to which Code Assessment is applicable.

The category of assessment of the proposed development is not otherwise altered by the Planning Scheme.

4.5.5 Assessment Criteria

The following Planning Scheme Codes are identified as applicable:

Zone Code

- Environmental Management

Local Plan Code

- Port Douglas Craiglie Local Plan

Overlay Codes

- Bushfire Hazard Overlay
- Hillslopes Overlay
- Potential Landslide Hazard

Development Codes

- Dwelling House
- Access, Parking and Services
- Filling and Excavation
- Infrastructure Works

Under the Environmental Management Table of assessment, the Landscape Values Code and Transport Network Overlay Codes are not applicable to the assessment of a Dwelling House.

A detailed assessment against the relevant assessment criteria is provided in ***Attachment 6 – Code Assessment***.

5.0 Conclusion

The proposed Material Change of Use for a Dwelling House at 30 Murphy Street, Port Douglas represents a well-considered, site-responsive, and high-quality residential development that aligns with the intent and objectives of the Douglas Shire Planning Scheme 2018 v1. The development is designed to be sensitive to the site's topography, integrating seamlessly within and below the natural ridgeline while maintaining a low-impact built form that enhances the environmental and residential character of the area.

The proposal is consistent with the established character of Murphy Street, which features a mix of architecturally designed Dwelling Houses set within a natural and landscaped environment. The single Dwelling House design ensures that the scale, height, and built form remain compatible with the Environmental Management Zone, reinforcing the area's low-density, residential intent. Thoughtful landscaping and site-responsive design measures further contribute to the visual amenity and ecological values of the locality.

The site benefits from existing infrastructure and services, including reticulated water, sewerage, electricity, stormwater drainage, and telecommunications, ensuring efficient servicing of the proposed dwelling. Access to Murphy Street provides safe and direct connectivity to the broader road network, while stormwater management measures have been incorporated to protect the integrity of natural overland flow paths and mitigate potential impacts on adjoining properties.

The application is Code Assessable under the Douglas Shire Planning Scheme 2018 v1 and demonstrates compliance with the relevant planning provisions. Where minor variations to certain Acceptable Outcomes occur, sufficient planning justification has been provided to demonstrate consistency with the Performance Outcomes and broader planning intent. The proposal ensures a well-integrated, environmentally conscious, and high-quality residential outcome, with no adverse impacts on surrounding properties or the natural environment.

In summary, the proposed Dwelling House at 30 Murphy Street aligns with the planning scheme objectives, supports a sustainable and contextually appropriate residential use, and contributes to the coastal and tropical character of Port Douglas. 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:	21019174	Search Date:	18/02/2025 09:43
Date Title Created:	30/06/1976	Request No:	50920855
Previous Title:	20665056		

ESTATE AND LAND

Estate in Fee Simple

LOT 1 REGISTERED PLAN 729453
Local Government: DOUGLAS

REGISTERED OWNER

Dealing No: 719825261 02/01/2020

KATHERINE JEAN AGRUMS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 10366042 (ALLOT 4 SEC 12)
2. MORTGAGE No 719825262 02/01/2020 at 08:59
AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED A.C.N. 005
357 522

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

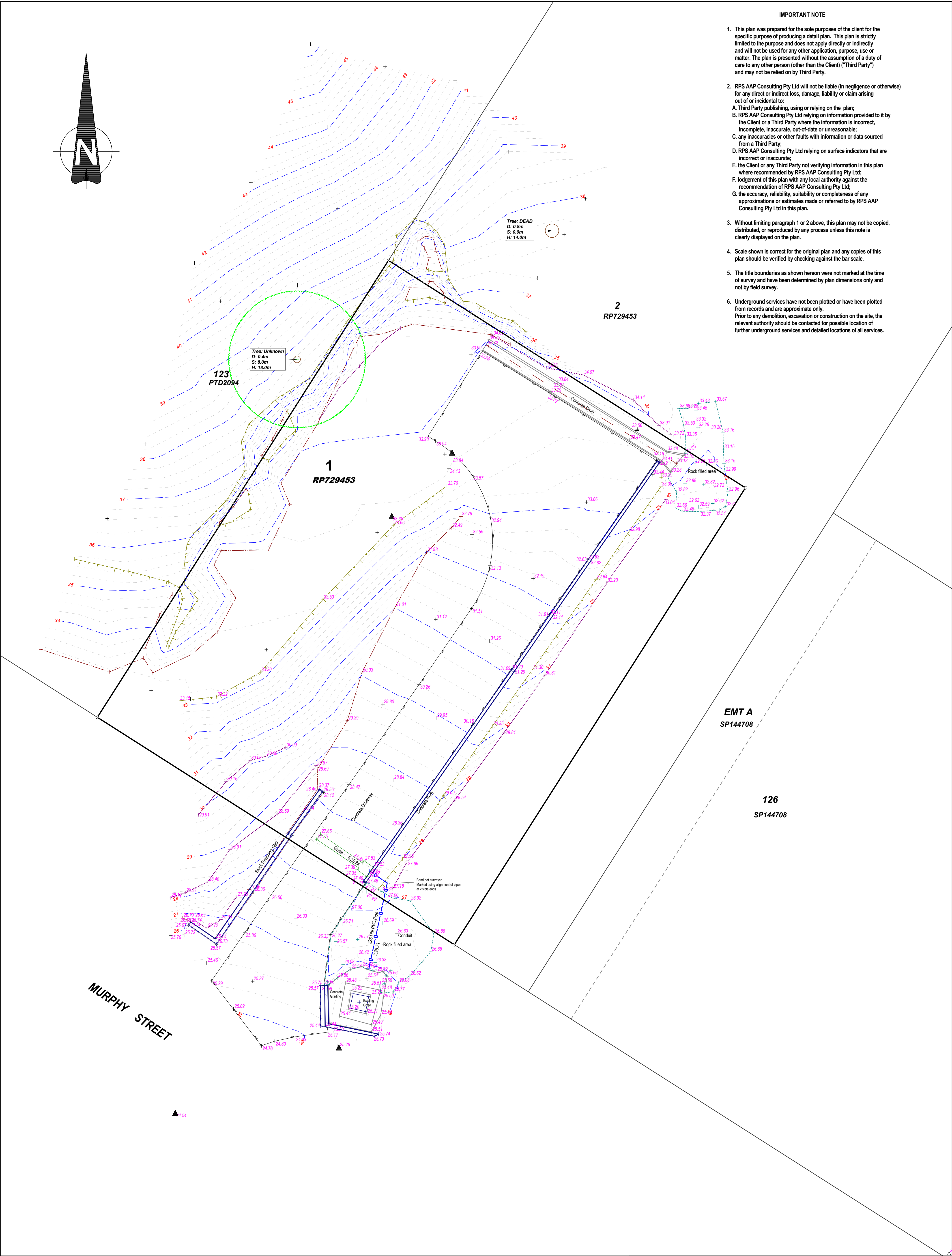
Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

Attachment 2

Site Survey

Prepared by RPS AAP Consulting Pty Ltd



IMPORTANT NOTE

- This plan was prepared for the sole purposes of the client for the specific purpose of producing a detail plan. This plan is strictly limited to the purpose and does not apply directly or indirectly and will not be used for any other application, purpose, use or matter. The plan is presented without the assumption of a duty of care to any other person (other than the Client) ("Third Party") and may not be relied on by Third Party.
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 - RPS AAP Consulting Pty Ltd relying on information provided to it by the Client or a Third Party where the information is incorrect, incomplete, inaccurate, out-of-date or unreasonable;
 - any inaccuracies or other faults with information or data sourced from a Third Party;
 - RPS AAP Consulting Pty Ltd relying on surface indicators that are incorrect or inaccurate;
 - the Client or any Third Party not verifying information in this plan where recommended by RPS AAP Consulting Pty Ltd;
 - lodgement of this plan with any local authority against the recommendation of RPS AAP Consulting Pty Ltd;
 - the accuracy, reliability, suitability or completeness of any approximations or estimates made or referred to by RPS AAP Consulting Pty Ltd in this plan.
- Without limiting paragraph 1 or 2 above, this plan may not be copied, distributed, or reproduced by any process unless this note is clearly displayed on the plan.
- Scale shown is correct for the original plan and any copies of this plan should be verified by checking against the bar scale.
- The title boundaries as shown hereon were not marked at the time of survey and have been determined by plan dimensions only and not by field survey.
- Underground services have not been plotted or have been plotted from records and are approximate only. Prior to any demolition, excavation or construction on the site, the relevant authority should be contacted for possible location of further underground services and detailed locations of all services.

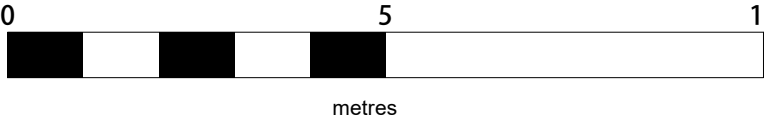
NOTES

Level Datum: AHD Derived
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vide ARO Drawing ARO0053-CO1
RL: 24.545
Contour Interval: 0.25
Index: 1.0

Origin of Coordinates: Screw in Kerb vide ARO
Drawing ARO0053-CO1

Meridian: ARO Drawing ARO0053-CO1

Field/Level Book: N/A



SCALE 1:100 IS APPLICABLE ONLY
TO THE ORIGINAL SHEET SIZE (A1).
(1:200 @ A3)

AMENDMENTS
Driveway Surveyed on 10/03/2023 by HHH.
External Areas Surveyed on 16/07/2024 by
AAD

CHECKED
DRAFTING CHECKED

PROJECT MANAGER
DGP
SURVEYED
AAD 16/07/24

CAD REF
AU007300-102
.MJO
SHEET
OF
SHEETS 1
SHEET SIZE
A1

Kate Agrums

Detail and Contour Survey
Lot 1 on RP729453
30 Murphy Street
Port Douglas
Queensland



RPS AAP Consulting Pty Ltd
ACN 117 883 173
5954 Captain Cook Hwy
Craigie QLD 4877
T +61 7 4098 1148
F +61 7 4031 2942
W rpsgroup.com.au

SCALE 1:100 DATE 16/07/24 DRAWING NO. AU016939-1 ISSUE

Attachment 3

Geotechnical Assessment

Prepared by GEO Design

REPORT

Geotechnical Assessment

Proposed New Residence
30 Murphy Street
Port Douglas QLD 4877



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Appendix B	Results of Fieldwork
Appendix C	Stability Analysis
Appendix D	AGS 2007 Risk Matrix

1.0 Introduction

GEO Design has carried out a geotechnical investigation for a proposed new residence located at 30 Murphy Street, Port Douglas. The investigation was carried out at the request of Kate Agrums.

It is envisaged that residential development at the site will likely comprise the construction of up to a two-level residential building of masonry and/or timber construction, together with a swimming pool and landscaped areas. The building will likely be partly founded on prepared building platform and over formed batters and the natural slope.

Given the above, the aims of the geotechnical investigation were as follows:

- Evaluate the subsurface conditions at the site.
- Comment on suitable footings and geotechnical design parameters.
- Comment on retaining wall design and geotechnical design parameters.
- Comment on slope stability issues at the subject allotments and provide comments in regards to the development's adherence to the State Planning Policy 1/03-Mitigating the Adverse Impacts of Flood, Bushfire and Landslide (Landslides only).
- Comment on earthworks including recommended cut and fill batters, procedures and site preparation.

This report presents the results of the geotechnical investigation together with the engineering comments outlined above.

2.0 Fieldwork

The fieldwork for the current investigation comprised the following:

- A walkover assessment, carried out by an experienced Engineering Geologist.
- Mapping of exposed batters at the site.
- Excavation of two test holes (TP1 and TP2) to depths of between about 1.5 m to 2.2 m.

Fieldwork was carried out by an experienced field technician under the direction of a geotechnical engineer. The location of all testing is presented in Appendix A and shown in Figure 1. The results of the fieldwork are presented in Appendix B. Site photographs are presented below in Figures 2 to 5.

2.1 Surface Conditions

The site is located at 30 Murphy Street, Port Douglas. The site is located to the north of Murphy Street and is bound to the north and west by residential developments, and to the east by a gully and drainage path. A concrete driveway extends along the northeastern boundary of the allotment which in turn is bound by a cut batter that extends up to the building platform.

A concrete segmental wall is located along the western boundary of the driveway. It is understood that the concrete segmental wall was designed by others and constructed as part of the driveway. It is also understood that rock was placed on the downhill margin of the concrete drive to raise the level of the driveway and to protect the road embankment from erosion from water flow down the gully.

It is further understood that drainage upgrades were carried out in the gully located to the east of the concrete driveway. The drainage upgrades were carried out as part of slope stabilisation improvements in this area by Douglas Shire Council.

The proposed building area is in the northeastern portion of the allotment. The building area is bound to the northeast and southeast by existing natural slopes covered in thick vegetation. Some loose boulders were noted on the surface of the site, particularly within the gullies located to the southeast of the existing building area.

Evidence of shallow surficial slumping was noted in unsupported batters formed at the rear of the building pad and upslope of the driveway. No large-scale instability was noted over the site. Some erosion and scouring was noted in some sections of the batters and natural slopes.

No signs of significant instability were noted in the walkover survey.

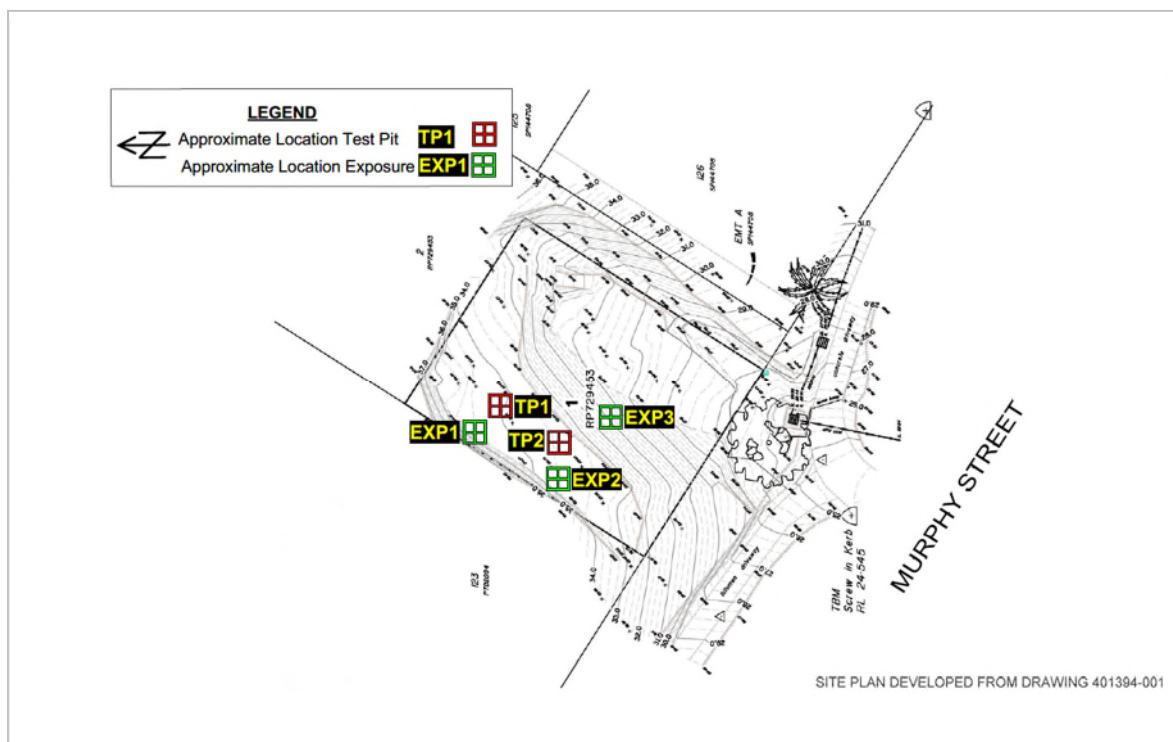


Figure 1: Site Location



Figure 2: Site Photographs



Figure 3: Site Photographs



Figure 4: Site Photographs



Figure 5: Site Photographs

2.2 Subsurface Conditions

The subsurface conditions observed within the existing batters and excavated test pits (TP1 to TP2) generally comprised Firm to Stiff/Loose to Medium Dense Clay's/Sands to a depth of about 0.1 m to 0.7 m, over Very Stiff to Hard Silty CLAY to a depth of about 0.4 m to 1.8 m, over weathered greywacke rock of the Hodgkinson Formation.

At the time of fieldwork groundwater was not observed at the site.

3.0 Stability

3.1 General

Based on the results of the investigation and experience with similar sites in this area of Port Douglas, it is considered the geotechnical model for this site generally comprises some minor filling and natural clayey colluvium overlying weathered rocks of the Hodgkinson Formation.

Given the above geotechnical model, together with the results of the fieldwork, stability analyses were carried out for the existing profile of the allotment. It is envisaged that the proposed residence will be partly constructed over the existing building platform and partly over the surrounding slopes or batters.

Table 1: Effective (Drained) Strength Parameters

Material Type	Strength Parameters	
	c'	ϕ'
Clayey Soils	4 kPa	30°
Weathered Rock	10 kPa	35°
Rock Fill	0 kPa	42°
Fill	8 kPa	30°

To simulate building loads on the slopes, a distributed load of 20 kPa was adopted in the proposed building portions of the site over the existing platform. The adopted loading is considered conservative from a stability analyses point of view but allows an evaluation of the stability of the site for planning and design approval. Further details of recommended batter slopes and heights, together with appropriate footing types are outlined in the following sections.

A summary of the results of the stability analyses carried out for the site is presented in the following section.

3.2 Stability Analysis

Stability analyses were carried out for a typical completed profile as provided in the design plans and as shown in Appendix A. The profile was based on site measurements and the plans provided. The profile excluded minor elements not considered to affect the overall stability of the site. Based on the materials observed at the site and commonly used parameters, the following effective (drained) strength parameters were adopted for the stability analyses:

Analyses were initially performed for what were considered to be dry or “normal” conditions. Analyses were then performed for what were considered to be wet or “extreme” conditions. The “extreme” conditions considered near saturation of the materials with a pore water pressure co-efficient (R_u) of between 0.1-0.2 adopted for the material properties to simulate seepage/water infiltration.

The analyses were carried out for a potential circular failure using the proprietary software SLIDE 2018. The results of the stability analyses are presented in Appendix C and summarised in the following table.

Two cases were considered in the stability analyses. Small scale or local instability within currently unsupported batters were considered along with a larger “global” type of failure.

Table 2: Summary of Stability Analyses Results

Case	Calculated Factor of Safety (FOS)	
	Dry Conditions	Extreme Conditions
Local	1.161	0.929
Global	1.624	1.396

For the purposes of assessing stability, we provide the following guidelines which are appropriate to the conditions at this site:

- A calculated factor of safety > 1.5 indicates the profile is likely to be stable.
- A calculated factor of safety from $1.0 - 1.5$ indicates a marginally stable profile.
- A calculated factor of safety < 1.0 indicates the profile is likely to be unstable.

In general terms the factor of safety is calculated by dividing the forces resisting instability (i.e. the strength of the soil/rock or the strength of discontinuities within the soil/rock) by the forces driving instability (i.e. the weight of the soil/rock, plus groundwater/seepage, plus surcharges/loads on the slope). A calculated factor of safety of 1.0 indicates the forces are balanced, whereas a calculated factor of safety < 1.0 indicates instability will likely occur.

For this site we consider that a calculated factor of safety > 1.3 should be achieved for the wet or “extreme” conditions modelled, and that a calculated factor of safety > 1.5 should be achieved for the dry or “normal” conditions modelled.

The results of the stability analyses indicate that the FOS for local or small scale instability within the existing cut batters uphill of the constructed building platforms. The analyses is consistent with the observations at the site. Further comments regarding maintaining long term stability for the existing cut batters is provided in the following sections.

The results of the stability analyses indicate that the FOS for the global or larger scale instability is > 1.5 under the dry conditions modelled and > 1.3 under the wet conditions modelled. As such, it is considered that the overall site should be stable if the measures outlined in the following sections are adopted.

Analyses for small scale slumping at this site is not possible and is dependent upon slight profile variations and the cover of soil materials, angle and orientation of the discontinuities and the influences of trees and water flow. It is considered that small scale slumping within unsupported batters and in the steep sections of natural slopes should be expected. It is considered that this instability should be in the form of relatively small slumps or erosion failures and occur during or following prolonged rainfall events. This type of instability is common in this area of Port Douglas.

3.3 Landslide Risk

As part of the investigation, a landslide risk assessment was carried out for the area of the proposed development in general accordance with the guidelines of the Landslide Risk Management Concepts and Guidelines published by the Australian Geomechanics Society in March 2000. Risk assessment in accordance with the New South Wales Road Traffic Authority (RTA) Guide to Slope Risk Analysis, Version 3.1, and the Queensland Department of Transport and Main Roads (DTMR) Batter Slope Risk Element procedures were also carried out. These guides are based on the approach suggested in the Landslide Risk Management Concepts and Guidelines and to those outlined in the Australian Geoguide LR7 (Landslide Risk).

The landslide risk assessment generally involves the evaluation of slopes enabling the identification of potential hazards ("a condition with the potential for causing an undesirable consequence", for example, rockfall or slump type failure) and analyses the identified hazards with respect to likelihood and consequences using prescribed risk matrices. The risk matrices use a number of estimated conditional probabilities to calculate an Assessed Risk Level (ARL) rating for individual slopes.

The risk assessment procedure generally uses estimated conditional probabilities designed to characterise a sequence of events which must occur for slope instability to result in a fatality or injury to the community, damage to structures or buildings, and/or economical costs that may be associated with the effects of instability.

The principal conditional probabilities used in the risk assessment include the following:

- Temporal Probability (T)
- Vulnerability (V)
- Likelihood of instability (L)

In general, the risk assessments use T and V to estimate a Consequence rating (C) for loss of life or economic loss as a result of instability. The rating C is combined with L to derive the ARL rating.

The RTA system has five separate ARL categories, namely ARL1 to ARL5, with ARL1 being the highest risk rating and ARL5 being the lowest risk rating. It is generally understood that all slopes with a risk rating of ARL1 or ARL2 are given the highest priority and should have risk reduction measures implemented within the short term (<3 years). ARL3 sites generally undergo regular monitoring with risk reduction measures carried out if the assessed risk levels are considered to increase. Sites assessed as ARL4 and ARL5 are periodically inspected for any significant site changes.

In terms of the Guidelines for Landslide Risk Management outlined in Australian Geomechanics, Volume 42, No. 1 March 2007 (AGS 2007) the risk to property is defined as Very Low to Very High. In general terms risks of very low to low are tolerable for regulatory bodies in relation to developments while higher risks are generally unacceptable without detailed investigation and implementation of risk reduction strategies to enable the reduction of risk to an acceptable level. The risk system matrix outlined in AGS 2007 is presented in Appendix D.

A full description of the risk analyses procedures are presented in the RTA and AGS 2007 documents. For further information the reader is directed to these documents.

The landslide risk assessment carried out as part of this investigation was based on the constructed development including the satisfactory implementation of the engineering and slope stability measures outlined in the following sections. The risk assessment considered the results of the stability analyses (outlined in the previous section), the walkover survey, site observations and based on experience in this area of Port Douglas.

The hazards evaluated as part of the risk analysis were based on the proposed development with the adoption of the construction recommendations and measures included within this report.

The hazards considered comprised the following:

1. Instability within constructed batters or natural slopes resulting in downward migration of $<2 \text{ m}^3$ of soil debris or rocks impacting the building and associated structures or surrounding structures.
2. Instability within constructed batters or natural slopes resulting in downward migration of $>2 \text{ m}^3$ of soil debris or rocks impacting the building and associated structures or surrounding structures.

Based on the above, the following AGS 2007 and RTA risk classifications have been assessed for the proposed development:

Table 3: Risk Classifications

Hazard	AGS 2007 Risk Rating	ARL Risk Rating
1	Low	ARL4
2	Low	ARL4

Low to Very Low risks are generally considered acceptable to regulators for development approval in accordance with the relevant guides. As such, no further risk reduction measures are warranted at the site to allow the proposed residence.

In addition to the above, to maintain long term stability at the site, the measures recommended in the following sections should be implemented as a minimum.

4.0 Engineering Comments

4.1 General

As outlined previously, it is understood that it is proposed to construct a new residence at the allotment. At the time of reporting, proposed building designs and layouts were not available. However, it is envisaged that the proposed new structures will include up to a two-level building with associated swimming pool and landscaped areas. Furthermore, it is envisaged that the proposed new structures are likely to be partly founded over the existing building platform and partly over the natural slopes or batters. Proposed new works comprise the construction of a new deck and enclosing the base of the existing structure. It is further understood that the proposed works includes some further cut and fill works.

Engineering comments relating to site preparation and earthworks procedures, excavation conditions, foundation options, slope stabilisation comments and retaining walls are presented in the following sections.

4.2 Cut and Fill Earthworks

It is envisaged that some further cut and fill earthworks will be required as part of the proposed development.

Where required, all new unsupported batters should be constructed in accordance with the guidelines outlined in the following table.

Table 4: Unsupported Batter Construction Guidelines

Batter Type	Maximum Height (m)	Maximum Batter Face
Fill	1.5	1V:2H
Cut	3.0	1V:1H

Unsupported fill batters should not be constructed over slopes $>15^\circ$. If proposed, fill batters higher or steeper than the above guidelines, or where proposed over slopes $>15^\circ$, should be supported by engineered retaining walls.

For higher batters, an intermediate berm can be constructed between individual cut batters (maximum 1V:1H). The intermediate berm should be at least 1.4 m in width and include a lined drain. The maximum height for multiple batters is 6 m overall.

Temporary cut batters can be formed at 3V:1H up to a maximum height of 3 m. Temporary cut batters should not be formed during the wet season months and be in place for a maximum 3 weeks if unsupported.

The existing cut batters should be trimmed to achieve the above guidelines where possible. Where not possible, the cut batters should be supported by engineered retaining walls. Lined drains should also be constructed above the crest of the cut batters/constructed retaining walls in accordance with the comments outlined below.

All unsupported cut batters should be protected from erosion through the placement of matting or shotcrete. Matting could comprise products such as Enkamat or TecMat. The matting should be fastened to the slope in accordance with the manufacturer's guidelines.

Where required, site preparation and earthworks procedures should involve the following:

- Strip and remove existing debris/materials, topsoil and soil containing significant amounts of organic materials.
- Strip and remove all cobble and boulders >150 mm in diameter from the surface.

- Compact the subgrade with a heavy roller to reveal soft or loose materials. Soft or loose material that cannot be improved by compaction should be removed and replaced with engineered fill.
- Place fill where required in uniform horizontal layers not exceeding 200 mm loose thickness and compact to achieve a relative dry density ratio of at least 95% using Standard Compaction. Each layer of filling should be keyed into natural ground. Filling should be placed at least 1 m beyond the design profile and then trimmed to the design profile.

If required, imported fill materials should have a Plasticity Index less than 20 and a soaked CBR value of >15%.

It is recommended that all earthworks procedures be carried out in accordance with AS 3798-2007 “Guidelines on Earthworks for Commercial and Residential Developments” and local authority requirements. It is recommended that the earthworks contractor be familiar with site conditions.

4.3 Excavation Conditions

Excavations at the site in the proposed building areas are likely to encounter clayey soils and weathered rock. Excavation of the soils and upper weathered rock would be readily achievable for a conventional small (>8T) excavator. Excavation to depth into the weathered rock will likely require the use of a large (>20T) excavator. An impact breaker or ripper may be required to loosen harder zones of rock.

4.4 Drainage

Drainage measures that should be implemented include:

- Provision of lined drains at the crest of any proposed new fill batters.
- Provision of lined drains above cut batters and along intermediate berms where constructed.
- Provision of lined drains and kerbing or similar along the margin of the driveway/car parking areas.
- Provision of subsurface drainage behind retaining walls and lined drains above the crest of any retaining walls over 1.5 m in height.

All stormwater should be collected and discharged from the site via pipes into designated drainage paths and not be allowed to flow on to the ground or around footings or structures. Where this is not possible, stormwater should be directed into flow spreaders or energy dissipaters to prevent concentrated flows.

4.5 Retaining Structures

Retaining walls could be founded on high level or bored pier footings. High level footings (strip/pad or slab on ground) should be founded on the weathered rock. High level footings for the retaining walls founded in this manner could be designed with an allowable bearing pressure of 100 kPa.

Bored pier footings for retaining walls should be extended at least three times their diameter into the weathered rock. Bored pier footings founded in this manner can be designed using an allowable end bearing pressure of 400 kPa and an allowable shaft adhesion of up to 60 kPa, neglecting the contribution of the upper 1 m of the shaft.

It is recommended that all new retaining walls be designed using the following at rest (K_0), active (K_a) and passive (K_p) earth pressure coefficients.

Table 5: Summary of Earth Pressure Coefficients

Material Description	K_0	K_a	K_p
Clay Soils	0.6	0.4	2.0
Weathered Rock	0.4	0.3	3.0

All retaining walls should include any surcharge loads imposed on the walls.

All retaining walls should be designed by a Structural Engineer.

4.6 Footings

4.6.1 Bored Pier Footings

Portions of buildings and structures located within 3 m of the crest of all batters/slopes and/or over natural slopes and formed batters should be founded on bored piers. Bored pier footings should extend at last three times their diameter into the weathered rock at depth, or a minimum of 3 m below natural ground level. Bored pier footings founded in this manner can be designed with an allowable end bearing pressure of 400 kPa and a shaft adhesion of 60 kPa. Shaft adhesion for the upper 1 m of the shaft should be neglected.

It is recommended that all footing excavations be inspected by an experienced engineer to confirm that founding conditions are consistent with those on which the design guidelines are based.

4.6.2 High Level Footings

It is considered that areas of proposed building or structures to be constructed on the prepared building platform prepared in accordance with Section 4.2 above and located at least 3 m from the crest of any batter or the natural slope, can be founded on high level footings such as pad, strip or beams for slab on ground footings. High level pad, strip or beams for slab on ground footings should be founded on the weathered rock. Pad, strip or beams for slab on ground footings founded in this manner can be designed using an allowable bearing pressure of 100 kPa.

For the purposes of AS2870-2011, high level footings could be designed in accordance with a Class S site.

5.0 Limitations

GEO Design has prepared this report for the use of Kate Agrums for design purposes in accordance with generally accepted geotechnical engineering practices. No other warranty, expressed or implied, is made as to the professional advice included in this report. This report has not been prepared for use by parties other than Kate Agrums and their other consultants. It may not contain sufficient information for purposes of other parties or for other uses.

Your attention is drawn to the document - "Important Information About Your Geotechnical Engineering Report". This document has been prepared by the ASFE (Professional Firms Practicing in the Geosciences). The statements presented in this document are intended to advise you of what your realistic expectations of this report should be, and to present you with recommendations on how to minimise the risks associated with the ground works for this project. The document is not intended to reduce the level of responsibility accepted by GEO Design Pty Ltd, but rather to ensure that all parties who may rely on this report are aware of the responsibilities each assumes in so doing.

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We would be pleased to answer any questions that you may have regarding this matter.

Regards,



Steve Ford
Principal Geotechnical Engineer
BSc (Geo) BSc (Geo) Hons MEngSc (Geotechnical) MMinEng (Geomechanics)
RPEQ 25762

Appendix A
Site Plan & Provided Plans

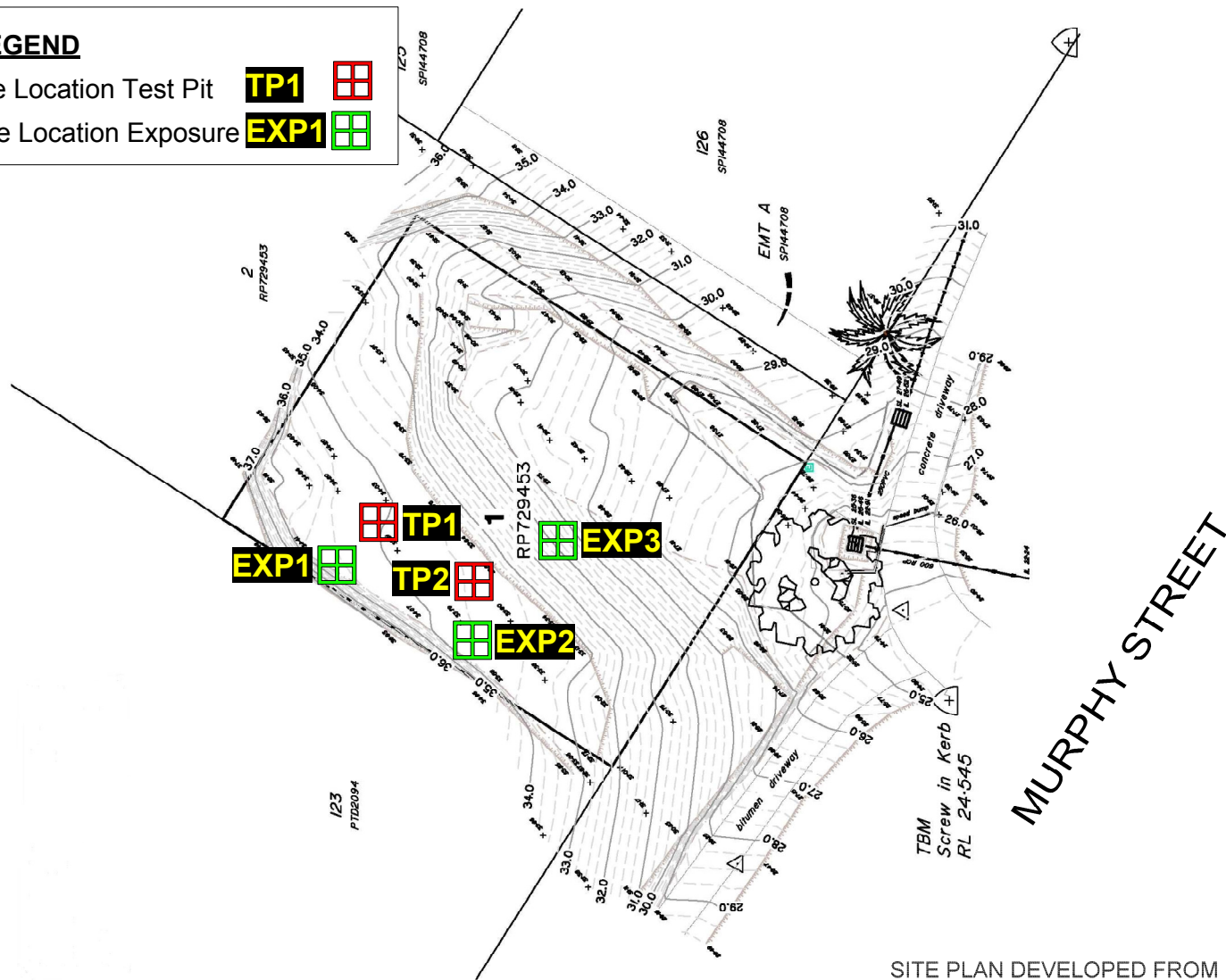
TP1

EXP1

LEGEND

Approximate Location Test Pit

Approximate Location Exposure



SITE PLAN DEVELOPED FROM DRAWING 401394-001

Client: Kate Agrums	GEOTECHNICAL SITE INVESTIGATION
Drawn: DLH	30 MURPHY STREET, PORT DOUGLAS
Scale: NTS	FIGURE 1 SITE PLAN
Ref No: 24024AA-D-FIGURE1-V1	

2RP72
32

1RP729453
30



Appendix B

Results of Fieldwork

Project Geotechnical Assessment East 336282.0 m
 Site 30 Murphy Street North 8177084.0 m MGA2020 55
 Location Port Douglas Surface RL 34.40 m AHD
 Position Refer to Site Plan Contractor GEO Design
 Job No. 24024AA-D Machine >6t Excavator
 Client Kate Agrums Bucket Size 450mm Toothed Bucket

TEST PIT: TP1

Sheet 1 OF 1

Date 19/3/24
 Logged DLH

Excavation					Sampling		Field Material Description								
METHOD	EXCAVATION RESISTANCE	WATER	DEPTH (metres)	DEPTH RL	SAMPLE OR FIELD TEST	RECOVERED	GRAPHIC LOG	USCS SYMBOL	SOIL/ROCK MATERIAL DESCRIPTION			MOISTURE CONDITION	CONSISTENCY	DENSITY	STRUCTURE AND ADDITIONAL OBSERVATIONS
EX	M-H		0.0	34.40				CL	GRAVELLY SANDY CLAY: orange-brown mottled red-brown, low plasticity, fine to coarse grained sand, fine to coarse gravel			M	VSt to H		
			0.40	34.00				GREYWACKE: yellow-brown mottled grey, fine to medium grained; distinctly weathered, extremely low strength							
			1.0	1.10				33.30	GREYWACKE: grey, fine to medium grained; slightly weathered, very low strength						
			1.50	TEST TERMINATED AT 1.50 m Refusal											
			Not Observed												

Sketch & Other Observations



Comments

Checked SRF
 Date 22/3/24

Project Geotechnical Assessment East 336278.0 m
 Site 30 Murphy Street North 8177077.0 m MGA2020 55
 Location Port Douglas Surface RL 33.60 m AHD
 Position Refer to Site Plan Contractor GEO Design
 Job No. 24024AA-D Machine >6t Excavator
 Client Kate Agrums Bucket Size 450mm Toothed Bucket

TEST PIT: TP2

Sheet 1 OF 1

Date 19/3/24

Logged DLH

Excavation				Sampling		Field Material Description				
METHOD	EXCAVATION RESISTANCE	WATER	DEPTH (metres)	DEPTH RL	SAMPLE OR FIELD TEST	RECOVERED GRAPHIC LOG	USCS SYMBOL	SOIL/ROCK MATERIAL DESCRIPTION	MOISTURE CONDITION	STRUCTURE AND ADDITIONAL OBSERVATIONS
EX	L-M	Not Observed	0.0	0.10			SC	TOPSOIL CLAYEY SAND: dark brown, fine to coarse grained sand, low plasticity clay, trace fine to coarse gravel, trace rootlets	M	St to H
			0.5				CL	SANDY SILTY CLAY: red-brown mottled orange, low plasticity, fine to coarse grained sand, trace fine to coarse gravel		
			1.0	1.00			CL	SANDY SILTY CLAY: orange mottled red-brown, grey, low plasticity, fine to coarse grained sand, with fine to coarse gravel		
	H		1.80	31.80				GREYWACKE: grey mottled orange, fine to medium grained; distinctly weathered, extremely low strength		
			2.0	2.20				TEST TERMINATED AT 2.20 m Refusal		
			2.5							
			3.0							
			3.5							
			4.0							

Sketch & Other Observations



Comments

Checked

SRF

Date

22/3/24

Project

Site

Location

Position

Job No.

Client

Geotechnical Assessment

30 Murphy Street

Port Douglas

Refer to Site Plan

24024AA-D

Kate Agrums

East

North

Surface RL

Contractor

Drill Rig

Inclination

336280.0 m

8177086.0 m MGA2020 55

37.00 m AHD

GEO Design

>6t Excavator

-90°

Sheet

Date Started

Date Completed

Logged

1 OF 1

19/3/24

19/3/24

DLH

Drilling					Sampling		Field Material Description					
METHOD	PENETRATION RESISTANCE	WATER	DEPTH (metres)	DEPTH RL	SAMPLE OR FIELD TEST	RECOVERED	GRAPHIC LOG	USCS SYMBOL	SOIL/ROCK MATERIAL DESCRIPTION	MOISTURE CONDITION	CONSISTENCY DENSITY	STRUCTURE AND ADDITIONAL OBSERVATIONS
EX	L-M	Not Observed	0.0	37.00				SC	TOPSOIL CLAYEY CLAY: dark brown, fine to coarse, low plasticity clay, trace fine to coarse gravel, trace cobbles, with roots and rootlets	M	L	
			CL	SANDY SILTY CLAY: red-brown mottled orange-grey, low plasticity, fine to coarse grained sand, tending to DW weathered rock								
			0.5	0.60							St to VSt	
			3.5	3.60					TEST TERMINATED AT 3.60 m Target depth			
			4.0									

Sketch & Other Observations



Comments

Checked

Date

SRF

22/3/24

Project

Site

Location

Position

Job No.

Client

Geotechnical Assessment

30 Murphy Street

Port Douglas

Refer to Site Plan

24024AA-D

Kate Agrums

East

North

Surface RL

Contractor

Drill Rig

Inclination

336275.0 m

8177079.0 m MGA2020 55

36.00 m AHD

GEO Design

>6t Excavator

-90°

Date Started

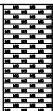
Date Completed

Logged

19/3/24

19/3/24

DLH

Drilling				Sampling		Field Material Description								
METHOD	PENETRATION RESISTANCE	WATER	DEPTH (metres)	DEPTH RL	SAMPLE OR FIELD TEST	RECOVERED	GRAPHIC LOG	USCS SYMBOL	SOIL/ROCK MATERIAL DESCRIPTION		MOISTURE CONDITION	CONSISTENCY DENSITY	STRUCTURE AND ADDITIONAL OBSERVATIONS	
EX	L-M	Not Observed	0.0	36.00				SC	TOPSOIL CLAYEY SAND: dark brown, fine to coarse grained sand, low plasticity clay, trace fine to coarse gravel, trace cobbles, with roots and rootlets		L			
			0.5	0.60 35.40				CL	SANDY SILTY CLAY: red-brown mottled orange-grey, low plasticity, fine to coarse grained sand, tending to DW weathered rock					M
			3.0	3.10					TEST TERMINATED AT 3.10 m Target depth					
			3.5											
			4.0											

Sketch & Other Observations



Comments

Checked

Date

SRF

22/3/24

Project Geotechnical Assessment East 336282.0 m
Site 30 Murphy Street North 8177071.0 m MGA2020 55
Location Port Douglas Surface RL 32.00 m AHD
Position Refer to Site Plan Contractor GEO Design
Job No. 24024AA-D Drill Rig >6t Excavator
Client Kate Agrums Inclination -90°

Sheet 1 OF 1
Date Started 19/3/24
Date Completed 19/3/24
Logged DLH

Drilling				Sampling		Field Material Description								
METHOD	PENETRATION RESISTANCE	WATER	DEPTH (metres)	DEPTH RL	SAMPLE OR FIELD TEST	RECOVERED	GRAPHIC LOG	USCS SYMBOL	SOIL/ROCK MATERIAL DESCRIPTION		MOISTURE CONDITION	CONSISTENCY DENSITY	STRUCTURE AND ADDITIONAL OBSERVATIONS	
EX	L-M	Not Observed	0.0	32.00				SC	TOPSOIL CLAYEY SAND: dark brown, fine to coarse grained sand, low plasticity clay, trace fine to coarse gravel, trace cobbles, with roots and rootlets		L			
			0.70 31.30	CL				SANDY SILTY CLAY: orange-brown mottled red-brown, low plasticity, fine to coarse grained sand, trace fine to coarse gravel, tending to DW weathered rock						
			1.0							M	St to VSt			
			1.5											
			2.0											
			2.40						TEST TERMINATED AT 2.40 m Target depth					
			2.5											
			3.0											
			3.5											
			4.0											

Sketch & Other Observations

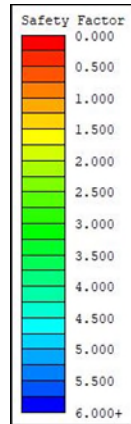


Comments

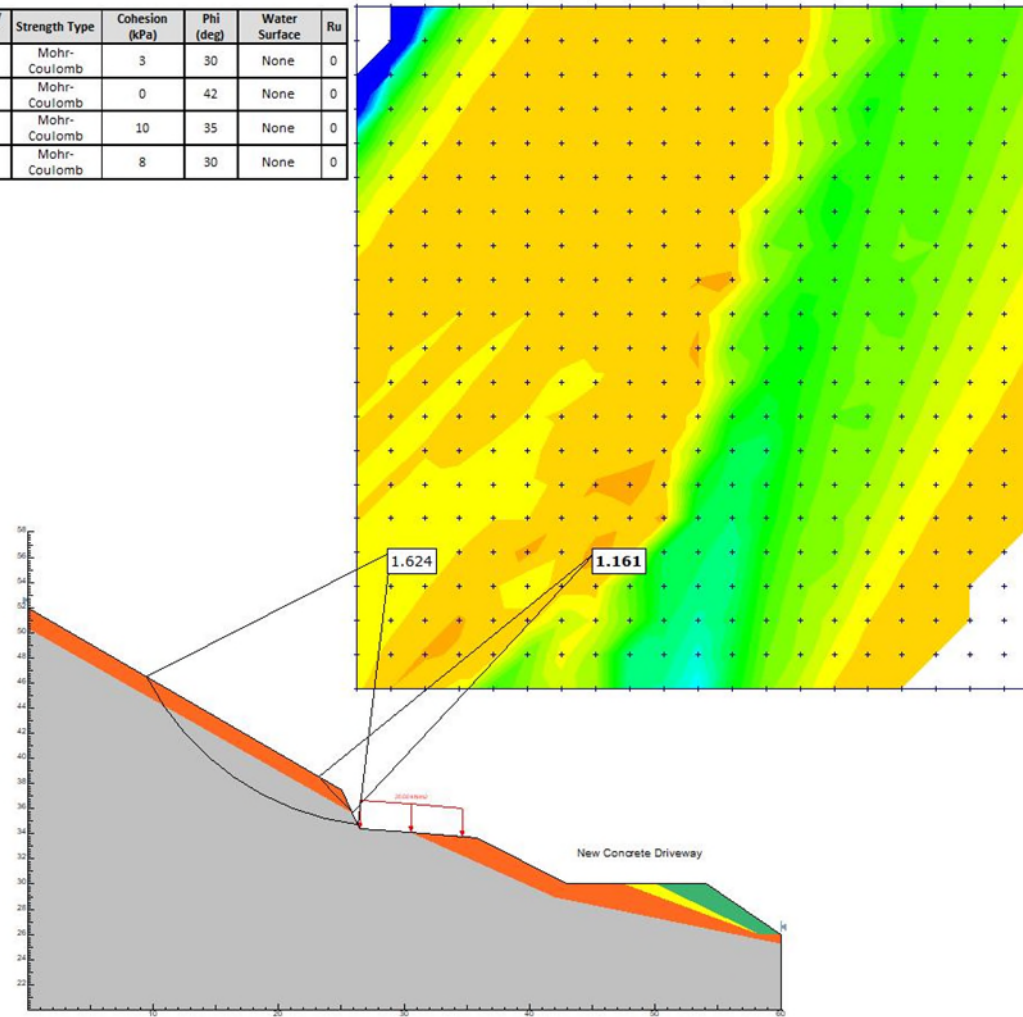
Checked SRF
Date 22/3/24

Appendix C

Stability Analysis

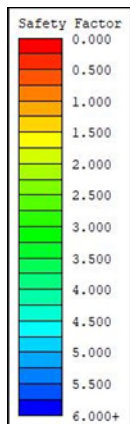


Material Name	Color	Unit Weight (kN/m ³)	Strength Type	Cohesion (kPa)	Phi (deg)	Water Surface	Ru
Colluvium		20	Mohr-Coulomb	3	30	None	0
Rock Fill		18	Mohr-Coulomb	0	42	None	0
Weathered Rock		24	Mohr-Coulomb	10	35	None	0
Fill		22	Mohr-Coulomb	8	30	None	0

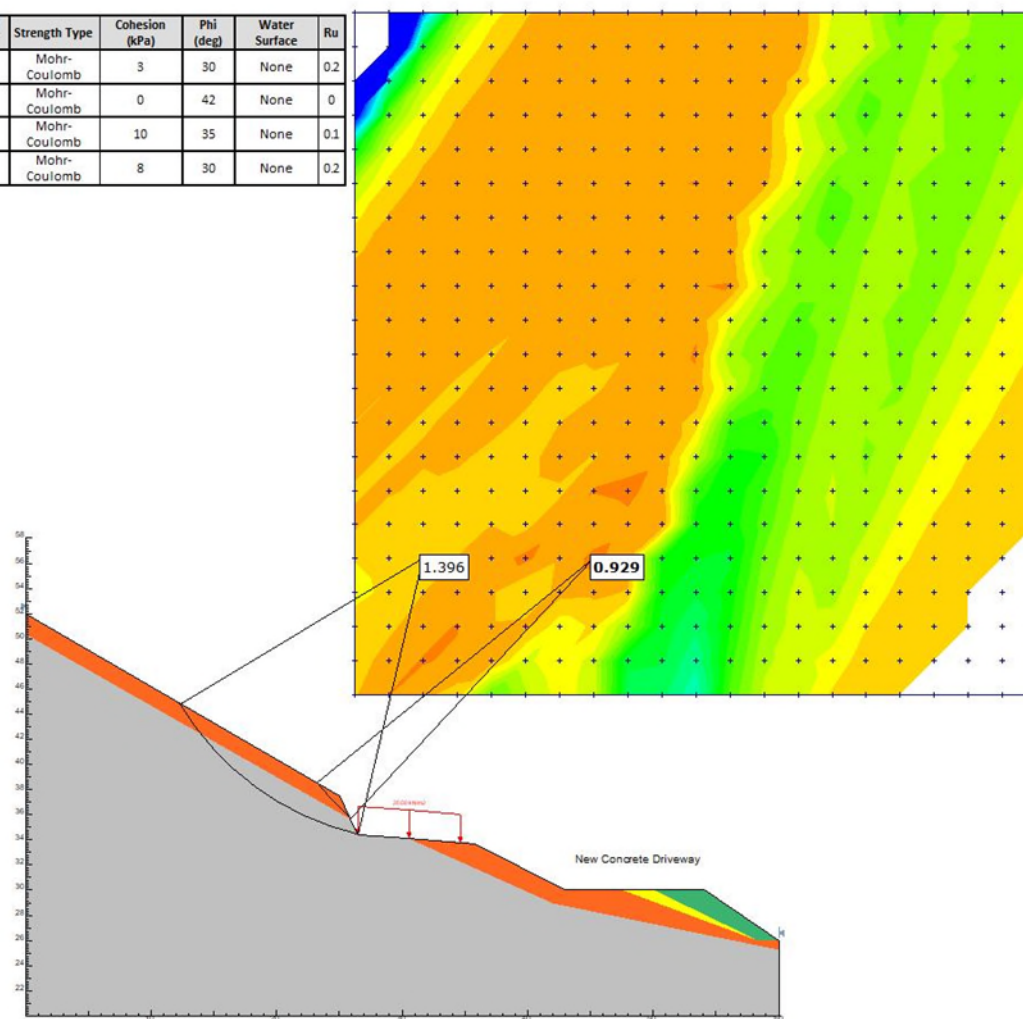


GEO | design

Client:	Kate Agrums	Geotechnical Assessment
Drawn:	SRF	30 Murphy Street, Port Douglas
Scale:	NTS	RESULTS OF STABILITY ANALYSES
Project No:	24024AA-D	SECTION A EXISTING PROFILE
		DRY CONDITONS



Material Name	Color	Unit Weight (kN/m ³)	Strength Type	Cohesion (kPa)	Phi (deg)	Water Surface	Ru
Colluvium		20	Mohr-Coulomb	3	30	None	0.2
Rock Fill		18	Mohr-Coulomb	0	42	None	0
Weathered Rock		24	Mohr-Coulomb	10	35	None	0.1
Fill		22	Mohr-Coulomb	8	30	None	0.2



GEO | design

Client: Kate Agrums

Drawn: SRF

Scale: NTS

Project No: 240024AA-D

Geotechnical Assessment

30 Murphy Street, Port Douglas

RESULTS OF STABILITY ANALYSES
SECTION B EXISTING PROFILE
WET CONDNTIONS

Appendix D
AGS 2007 Risk Matrix

QUALITATIVE RISK ANALYSIS MATRIX – LEVEL OF RISK TO PROPERTY

LIKELIHOOD		CONSEQUENCES TO PROPERTY (With Indicative Approximate Cost of Damage)				
	Indicative Value of Approximate Annual Probability	1: CATASTROPHIC 200%	2: MAJOR 60%	3: MEDIUM 20%	4: MINOR 5%	5: INSIGNIFICANT 0.5%
A - ALMOST CERTAIN	10^{-1}	VH	VH	VH	H	M or L (5)
B - LIKELY	10^{-2}	VH	VH	H	M	L
C - POSSIBLE	10^{-3}	VH	H	M	M	VL
D - UNLIKELY	10^{-4}	H	M	L	L	VL
E - RARE	10^{-5}	M	L	L	VL	VL
F - BARELY CREDIBLE	10^{-6}	L	VL	VL	VL	VL

Notes: (5) For cell A5, may be subdivided such as that a consequence of less than 0.1% is Low risk

(6) When considering a risk assessment it must be clearly stated whether it is for existing conditions or with risk control measures which may not be implemented at the current time

RISK LEVEL IMPLICATIONS

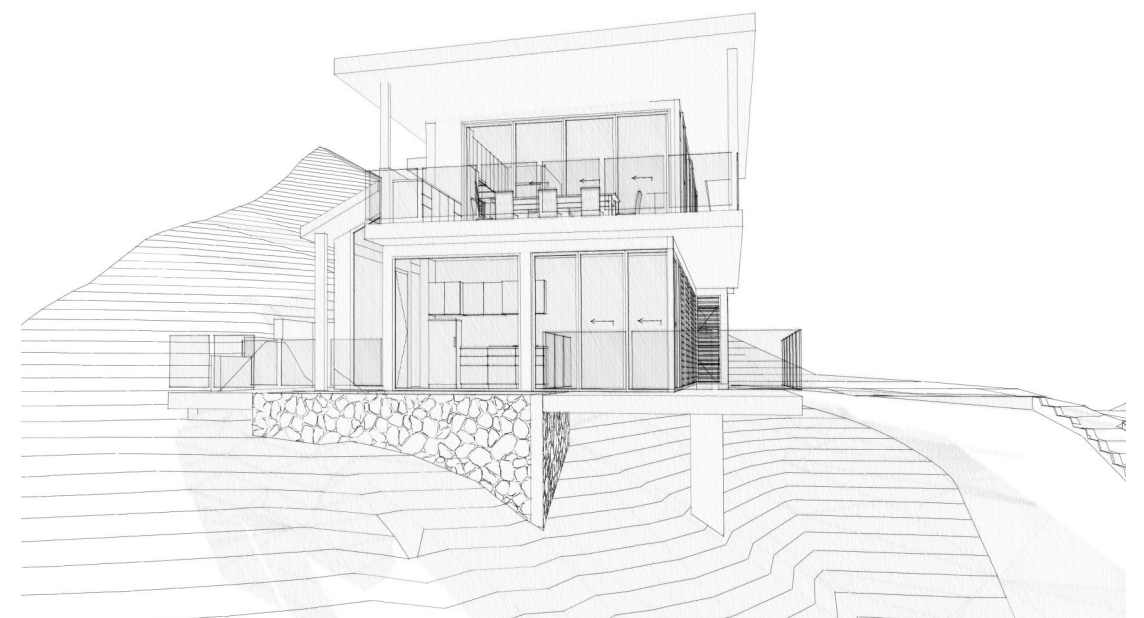
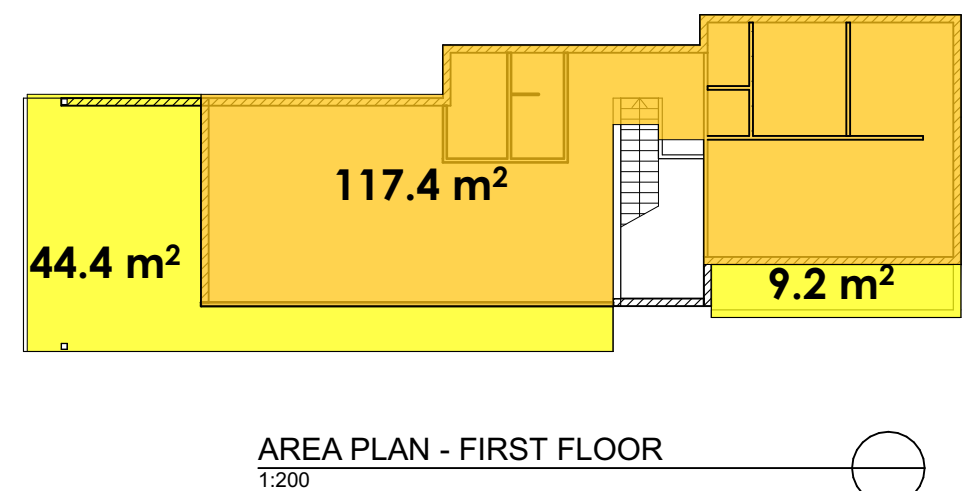
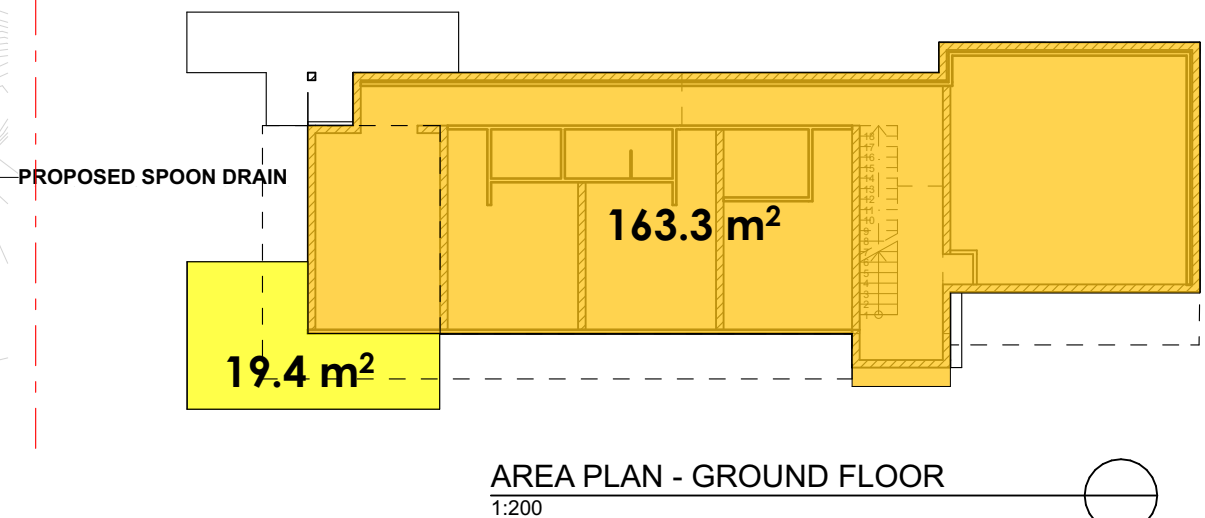
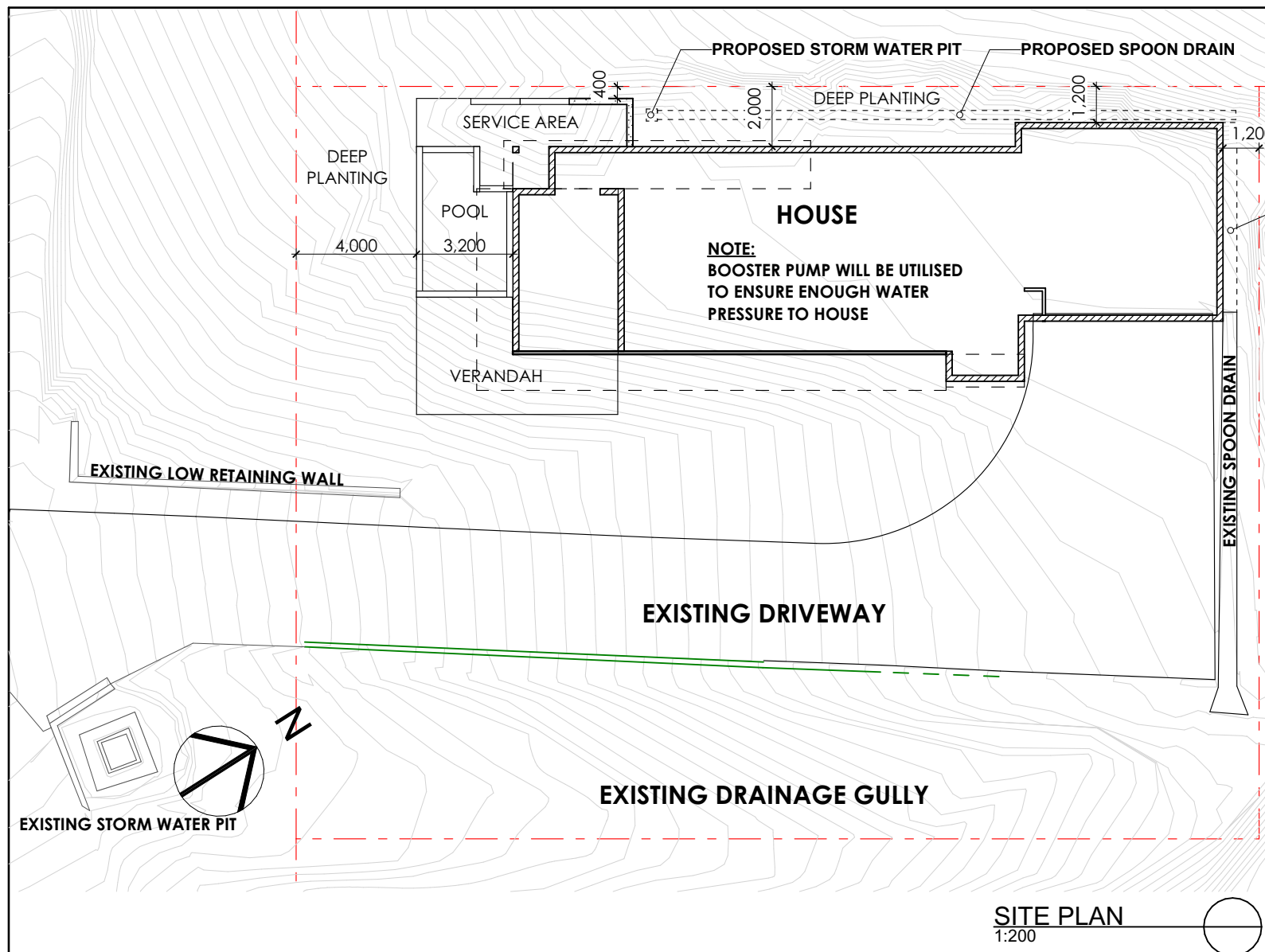
Risk Level		Example Implications (7)
VH	VERY HIGH RISK	Unacceptable without treatment. Extensive detailed investigation and research, planning and implementation of treatment options essential to reduce risk to low; may be too expensive and not practical. Work likely to cost more the value of the property.
H	HIGH RISK	Unacceptable without treatment. Detailed investigation, planning and implementation of treatment options required to reduce risk to Low. Work would cost a substantial sum in relation to the value of the property.
M	MODERATE RISK	May be tolerated in certain circumstances (subject to regulator's approval) but requires investigation, planning and implementation of treatment options to reduce risk to Low. Treatment options to reduce to Low should be implemented as soon as practical.
L	LOW RISK	Usually acceptable to regulators. Where treatment has been required to reduce the risk to this level, ongoing maintenance is required.
VL	VERY LOW RISK	Acceptable. Manage by normal slope maintenance procedures.

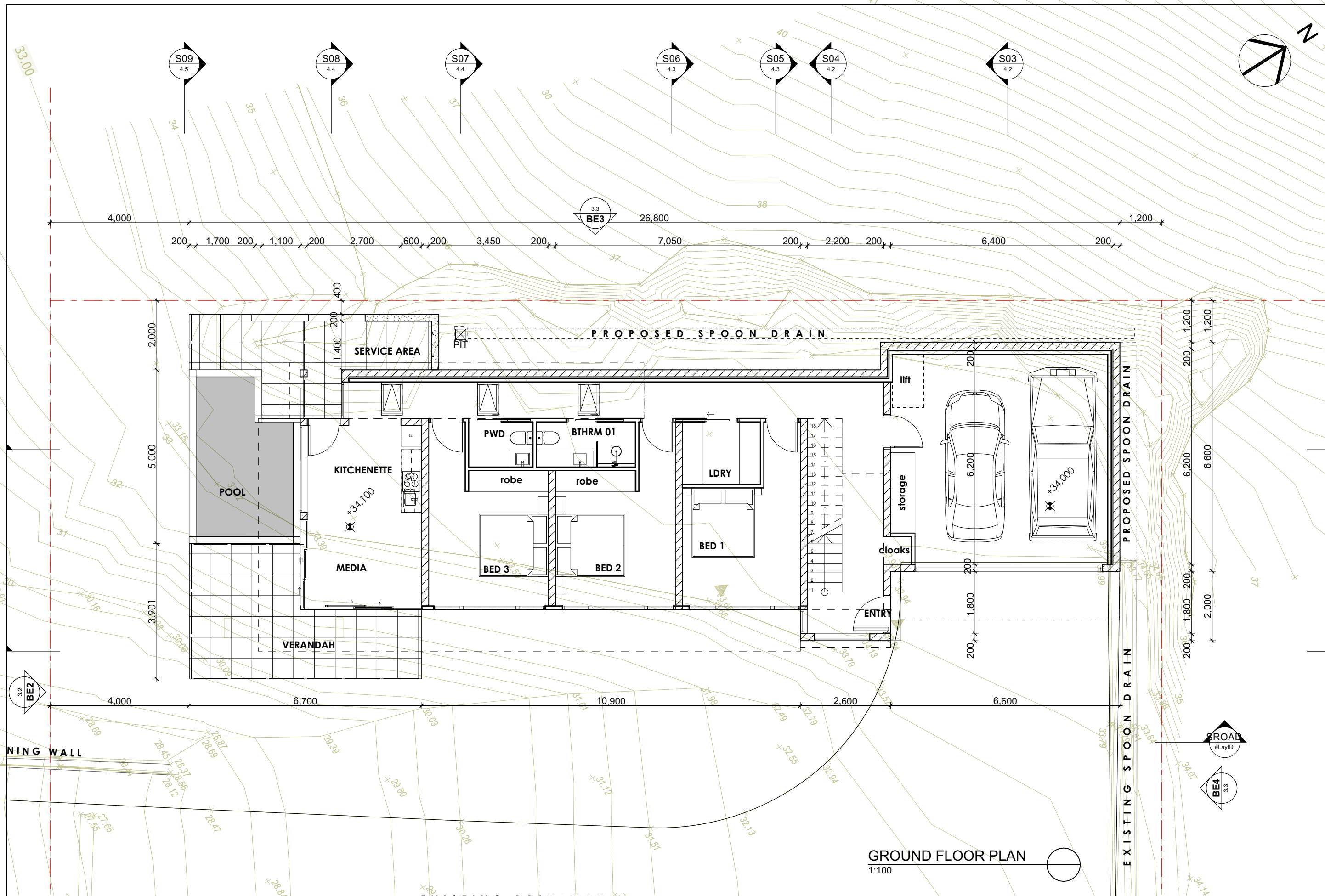
Note: (7) The implications for a particular situation are to be determined by all parties to the risk assessment and may depend on the nature of the property at risk; these are only given as a general guide.

Attachment 4

Site, Floor and Elevation Plans

Prepared by Danny Vos Architect





S K E T C H D E S I G N

A3 SHEET
13/02/2025

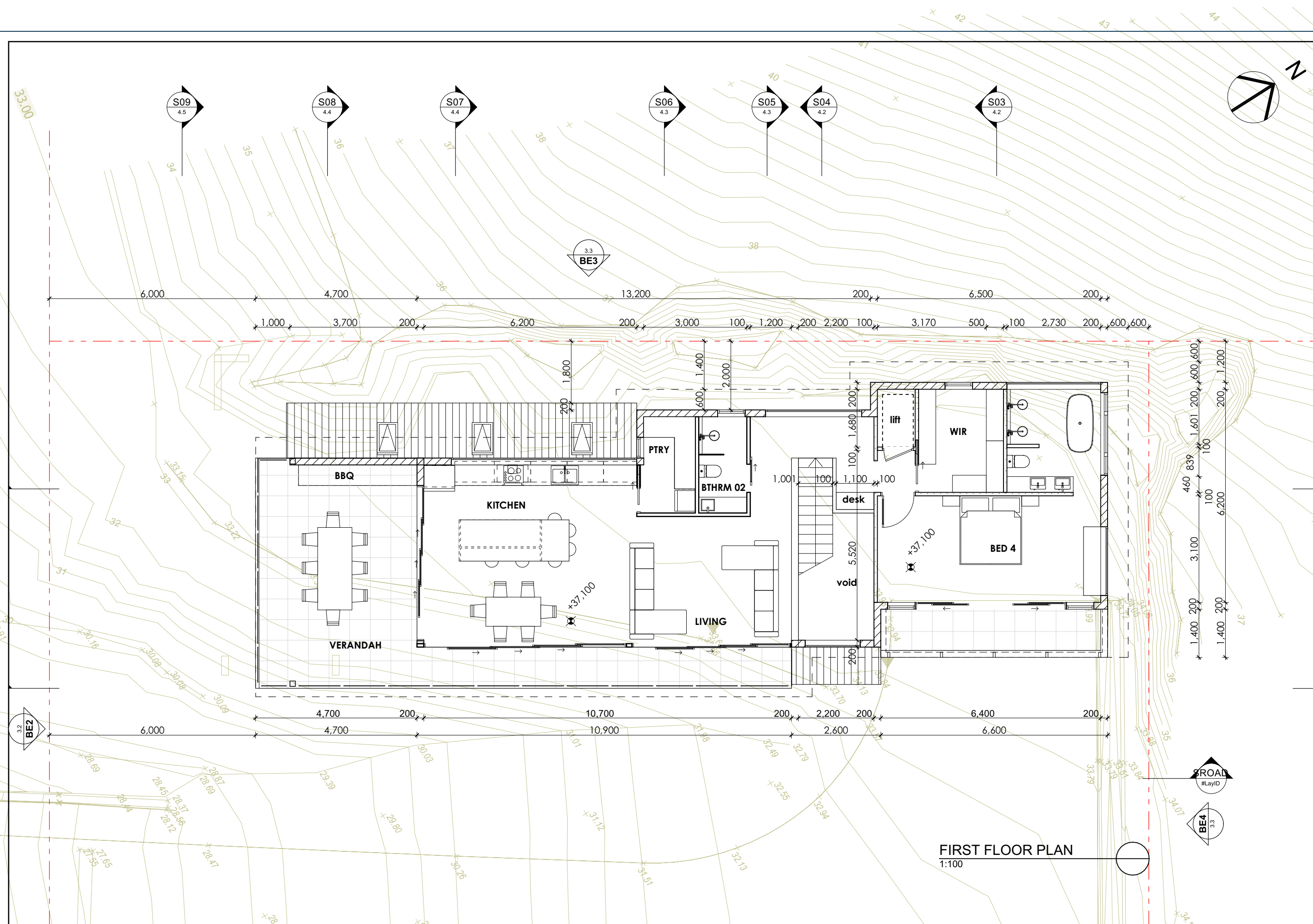
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CMG Consulting Engineer PTY LTD
208 Buchan Street, Westcourt QLD 4870
Phone: 07 4031 2775 Email: chas@cmgengineers.com.au

VOS
danny
Architect
m 0415 300 748

P R O P O S E D R E S I D E N C E
K A T E & L U C A S A G R U M S
30 MURPHY STREET, PORT DOUGLAS

2.1
REV D



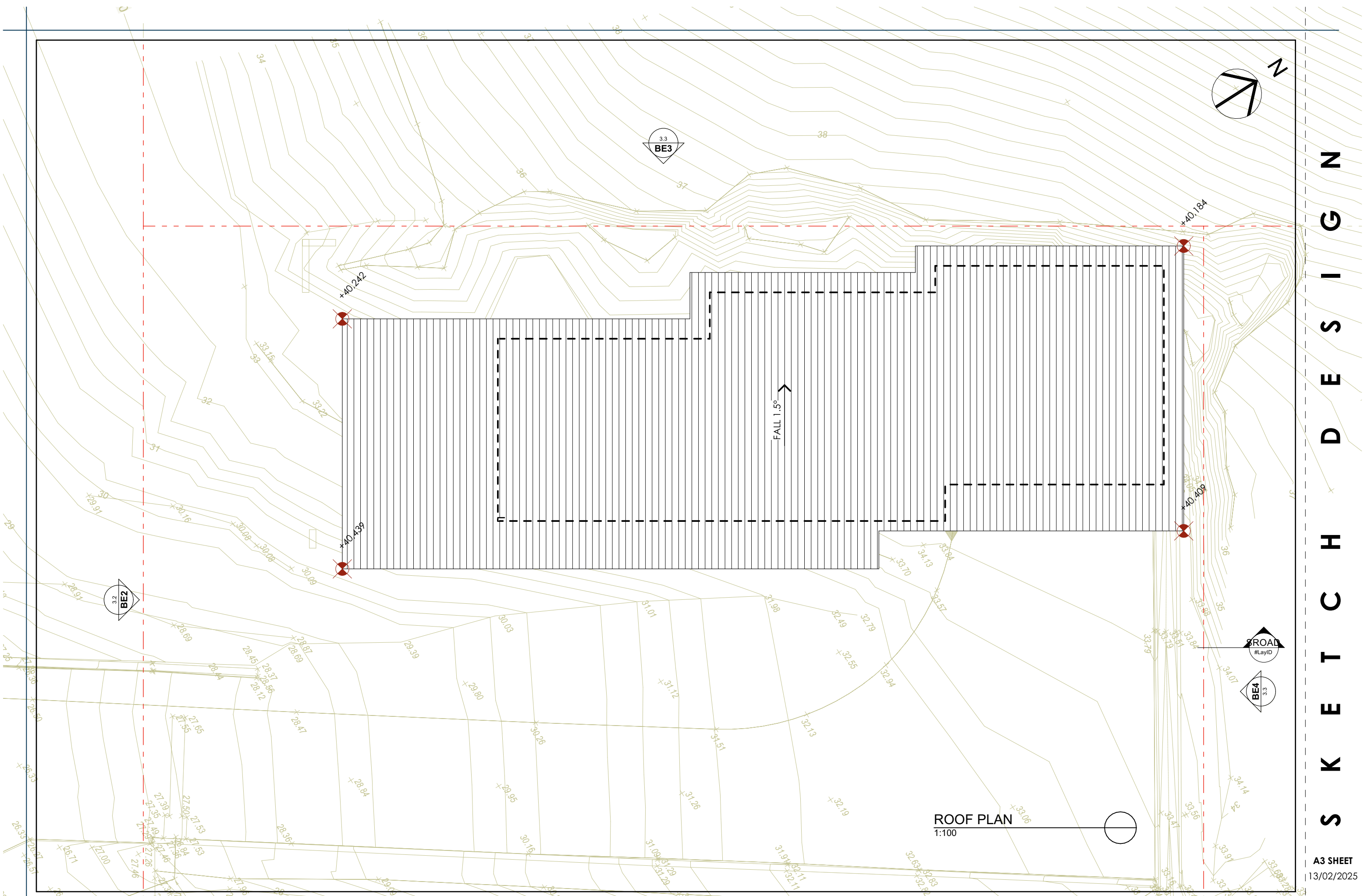
FIRST FLOOR PLAN
1:100

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CMG Consulting Engineer PTY LTD
208 Buchan Street, Westcourt QLD 4870
Phone: 07 4031 2775 Email: chas@cmgengineers.com.au

VOS
danny
Architect
m 0415 300 748

PROPOSED RESIDENCE
KATE & LUCAS AGRUMS
30 MURPHY STREET, PORT DOUGLAS



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CMG Consulting Engineer PTY LTD
208 Buchan Street, Westcourt QLD 4870
Phone: 07 4031 2775 Email: chas@cmgengineers.com.au

VOS
danny
Architect
m 0415 300 748

P R O P O S E D R E S I D E N C E
KATE & LUCAS AGRUMS
30 MURPHY STREET, PORT DOUGLAS

2.3
REV D

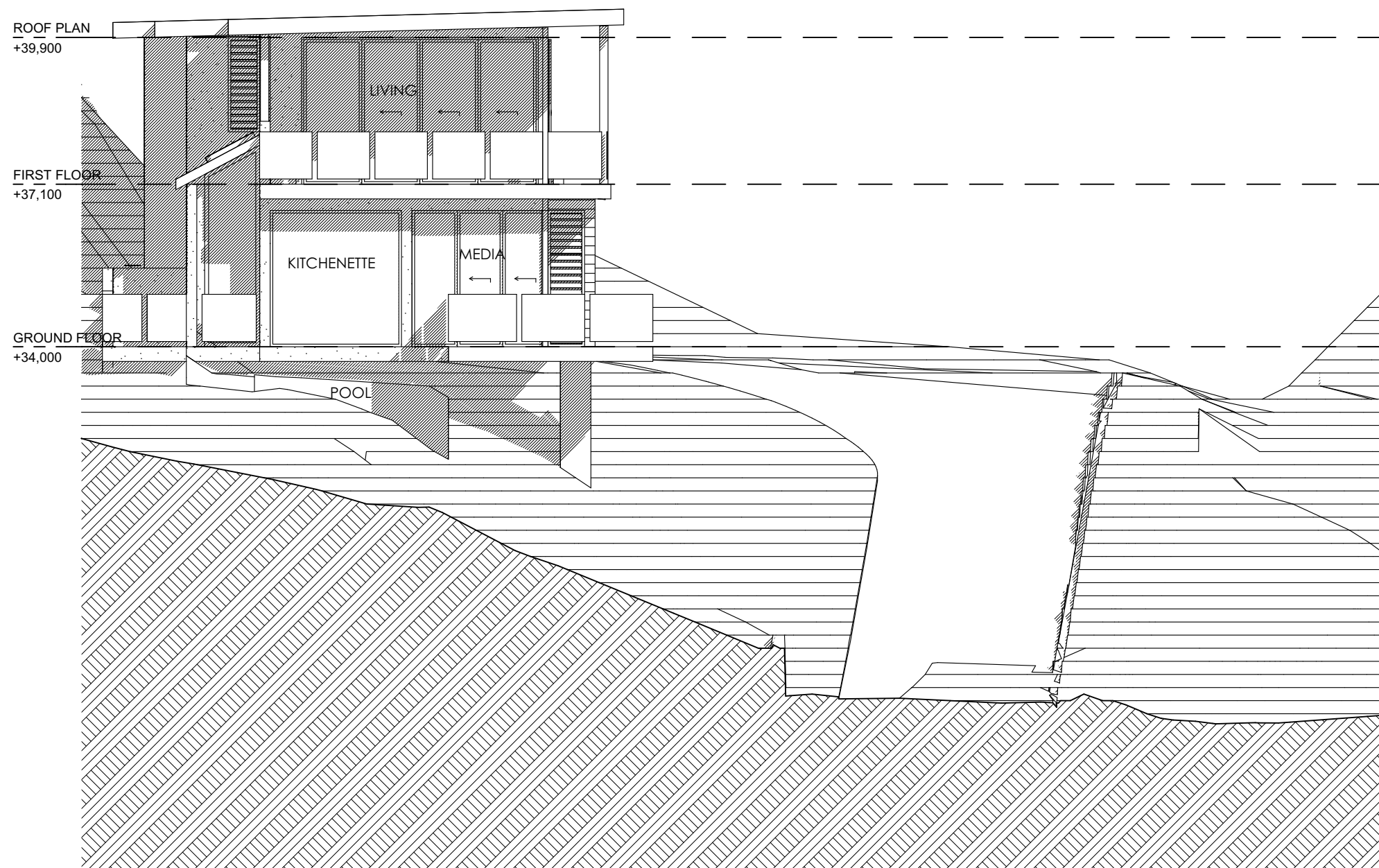
ROOF PLAN
+39,900

FIRST FLOOR
+37,100

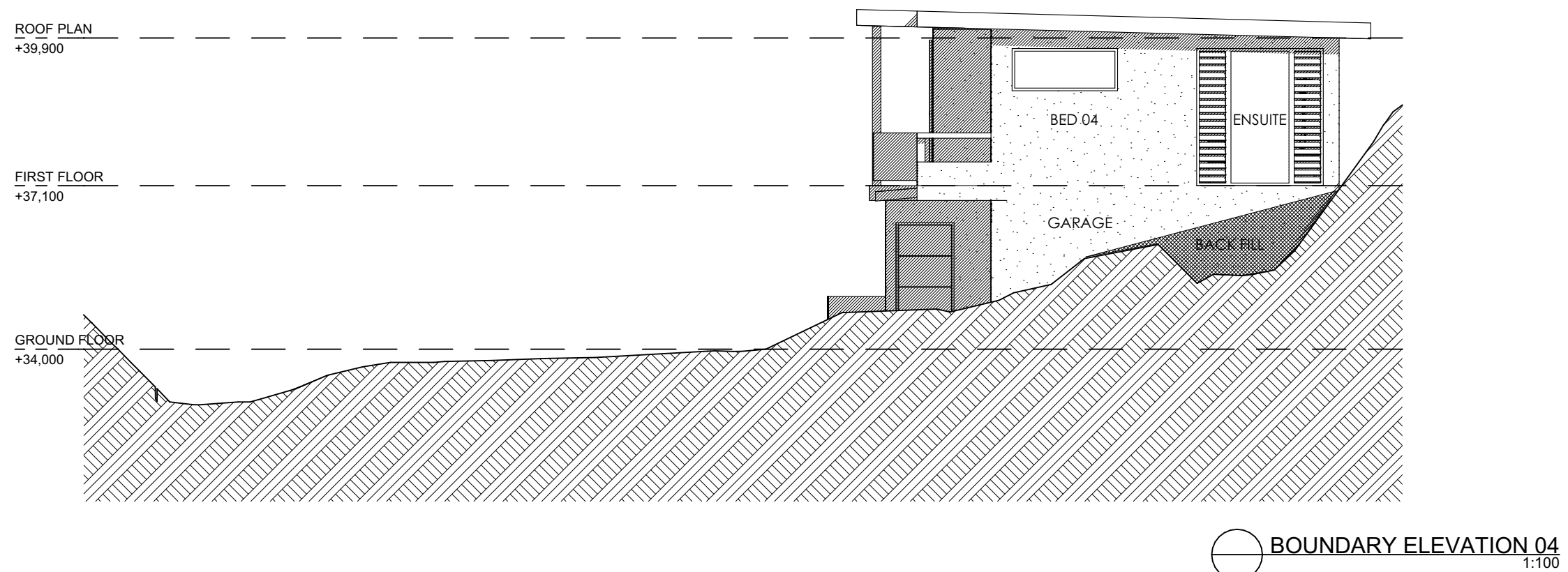
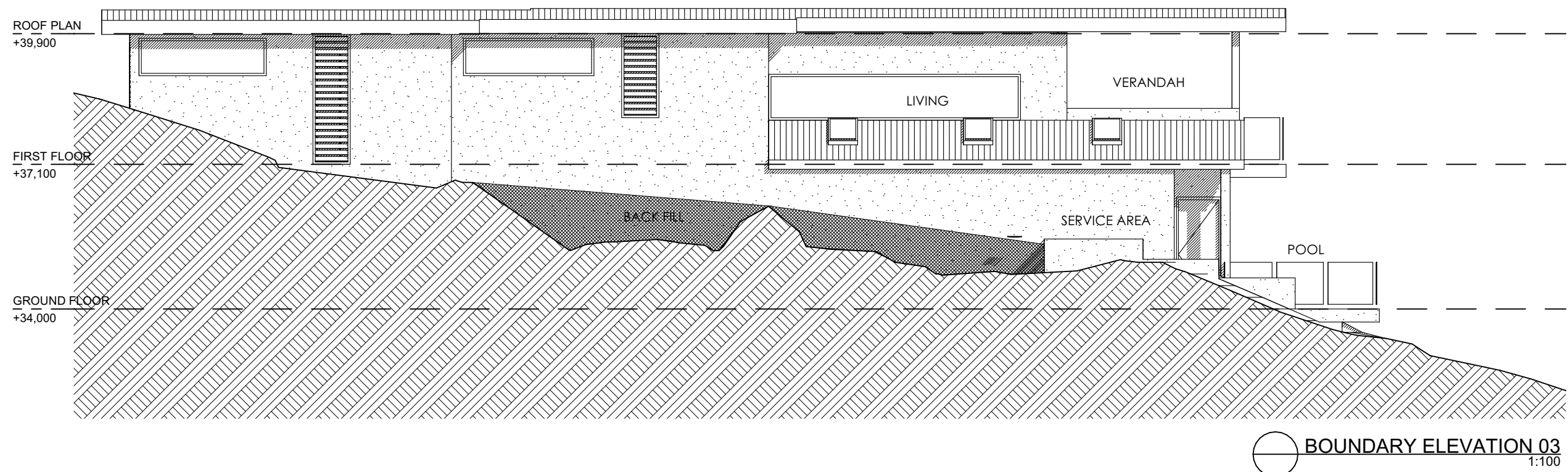
GROUND FLOOR
+34,000



BOUNDARY ELEVATION 01
1:100



BOUNDARY ELEVATION 02
1:100



S
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CMG Consulting Engineer PTY LTD
208 Buchan Street, Westcourt QLD 4870
Phone: 07 4031 2775 Email: chas@cmgengineers.com.au

VOS
danny
Architect
m 0415 300 748

P R O P O S E D R E S I D E N C E
KATE & LUCAS AGRUMS
30 MURPHY STREET, PORT DOUGLAS

A3 SHEET
13/02/2025
3.3
REV D

2 ROOF PLAN
+39,900

1 FIRST FLOOR
+37,100

0 GROUND FLOOR
+34,000

2,800

3,100

4,678

7,918

8.5m ABOVE NGL

SECTION S1
1:100

2 ROOF PLAN
+39,900

1 FIRST FLOOR
+37,100

0 GROUND FLOOR
+34,000

SECTION S2
1:100

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CMG Consulting Engineer PTY LTD
208 Buchan Street, Westcourt QLD 4870
Phone: 07 4031 2775 Email: chas@cmgengineers.com.au

VOS
danny
Architect
m 0415 300 748

P R O P O S E D R E S I D E N C E
KATE & LUCAS AGRUMS
30 MURPHY STREET, PORT DOUGLAS

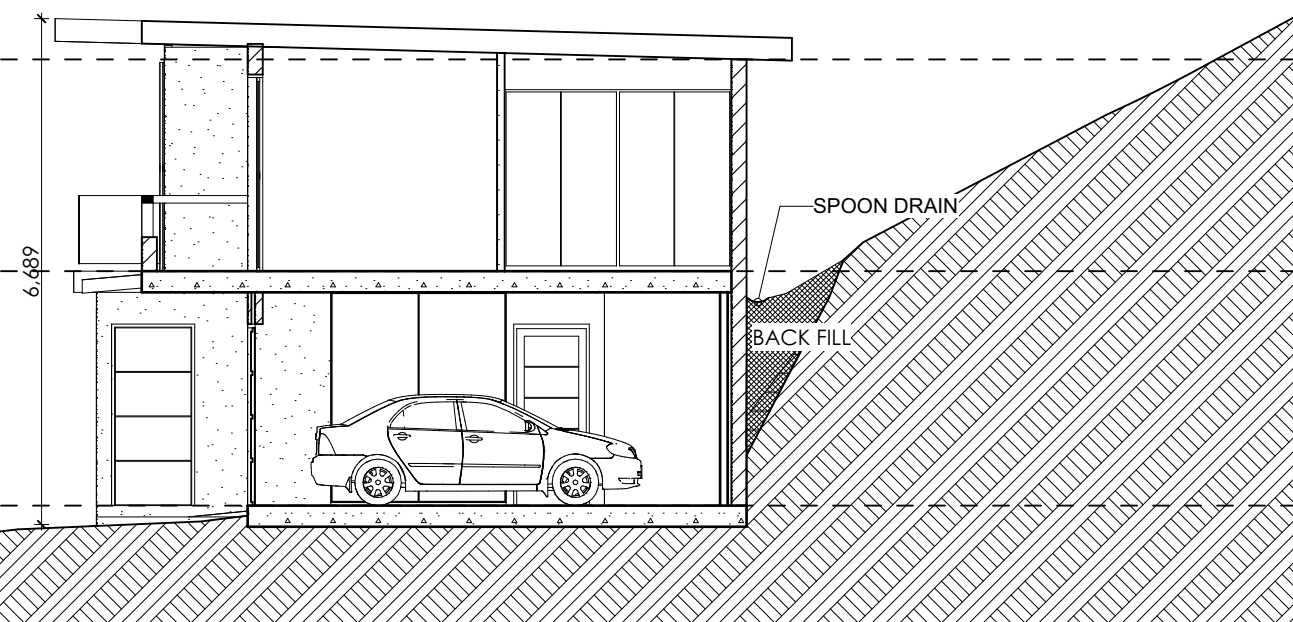
A3 SHEET
13/02/2025

4.1
REV D

2 ROOF PLAN
+39,900

1 FIRST FLOOR
+37,100

0 GROUND FLOOR
+34,000

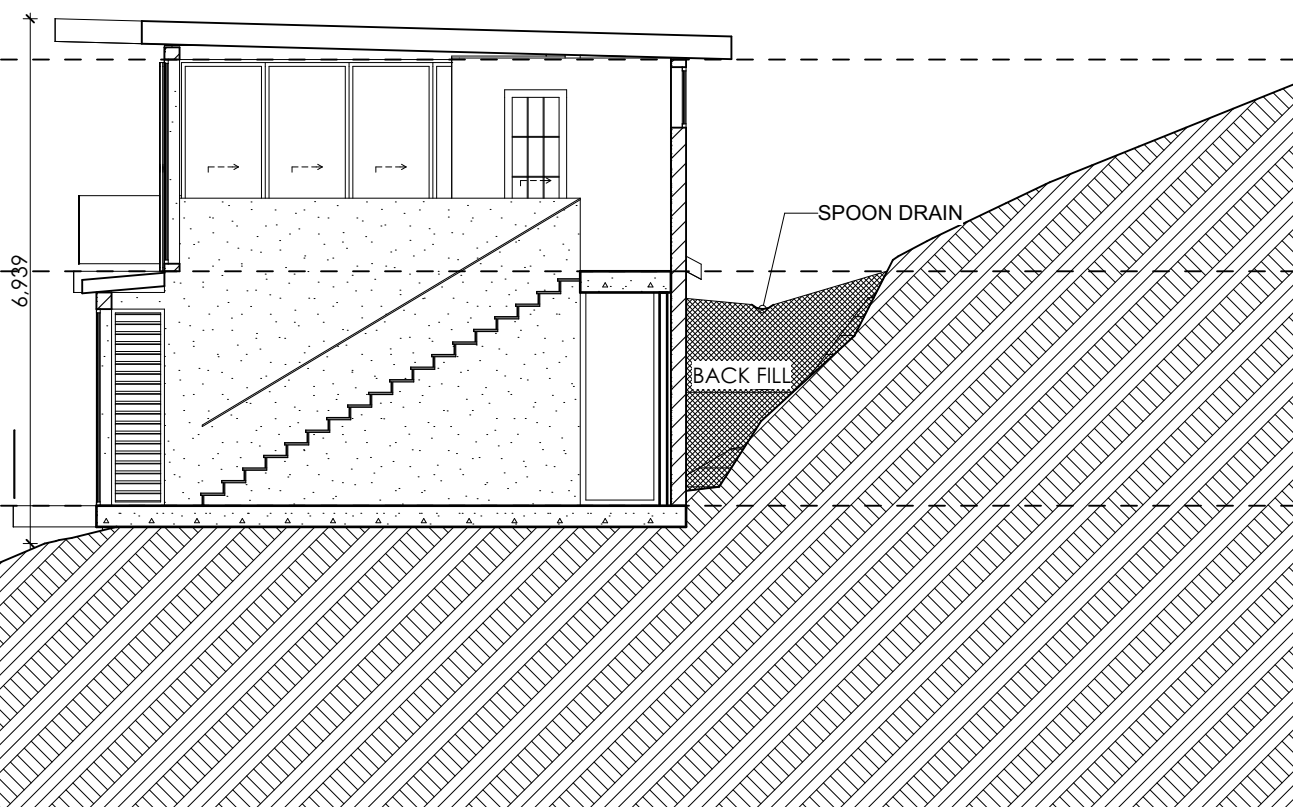


SECTION S03
1:100

2 ROOF PLAN
+39,900

1 FIRST FLOOR
+37,100

0 GROUND FLOOR
+34,000



SECTION S04
1:100

2 ROOF PLAN
+39,900

1 FIRST FLOOR
+37,100

0 GROUND FLOOR
+34,000

SPOON DRAIN

BACK FILL

7.245

SECTION S05
1:100

2 ROOF PLAN
+39,900

1 FIRST FLOOR
+37,100

0 GROUND FLOOR
+34,000

SPOON DRAIN

BACK FILL

8.064

SECTION S06
1:100

2 ROOF PLAN
+39,900

1 FIRST FLOOR
+37,100

0 GROUND FLOOR
+34,000

SPOON DRAIN TO
STORM WATER PIT

BACK FILL

9,182

SECTION S07
1:100

2 ROOF PLAN
+39,900

1 FIRST FLOOR
+37,100

0 GROUND FLOOR
+34,000

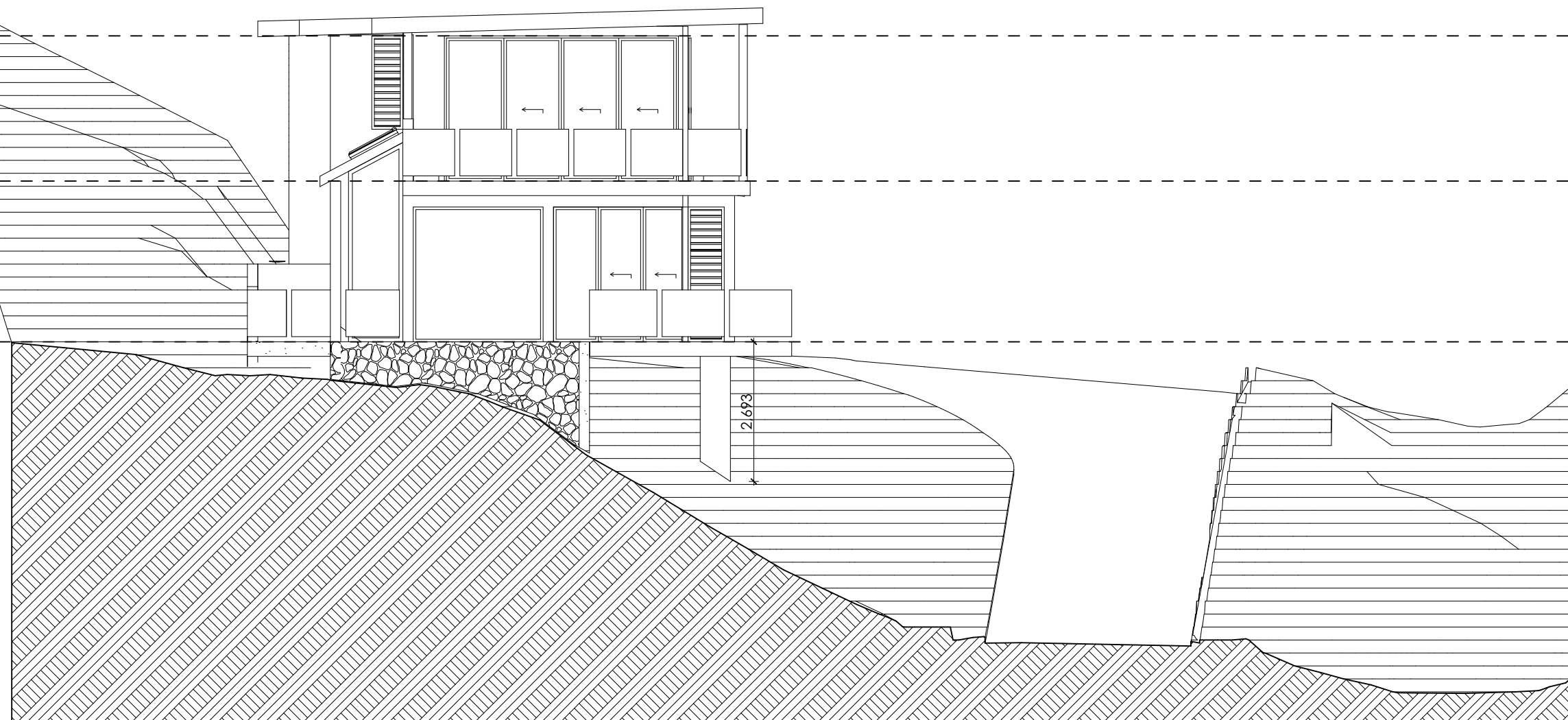
9,602

SECTION S08
1:100

2 ROOF PLAN
+39,900

1 FIRST FLOOR
+37,100

0 GROUND FLOOR
+34,000



SECTION S09
1:100



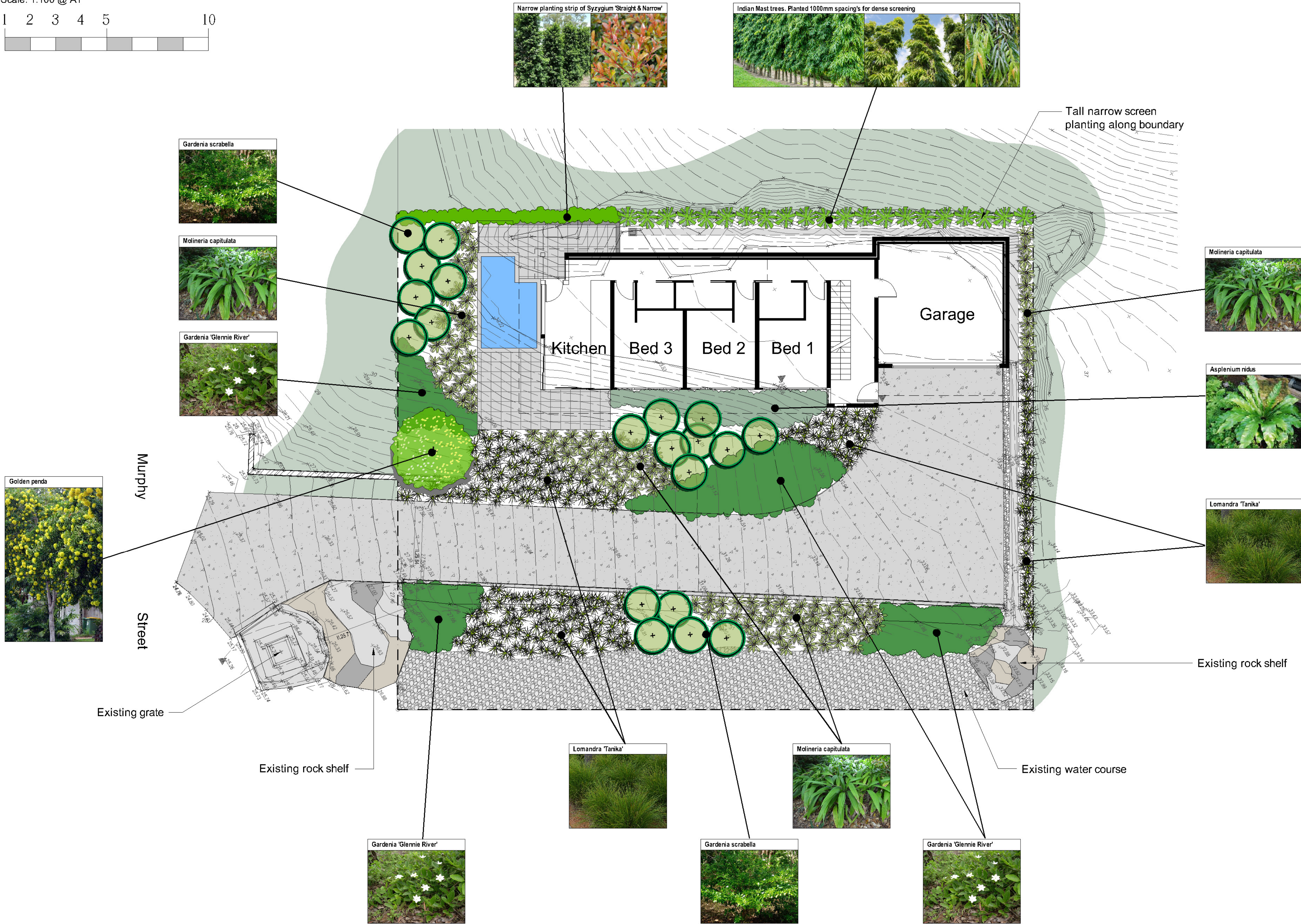
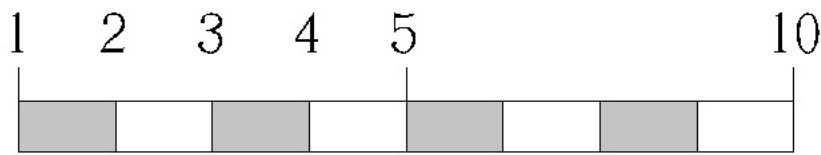
Attachment 5

Landscaping Plan

Prepared by Kate Hewitt Landscape Architect

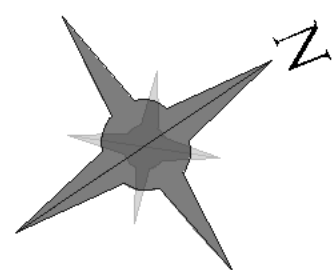
Landscape concept plan - Ground floor 1:100 @ A1

Scale: 1:100 @ A1



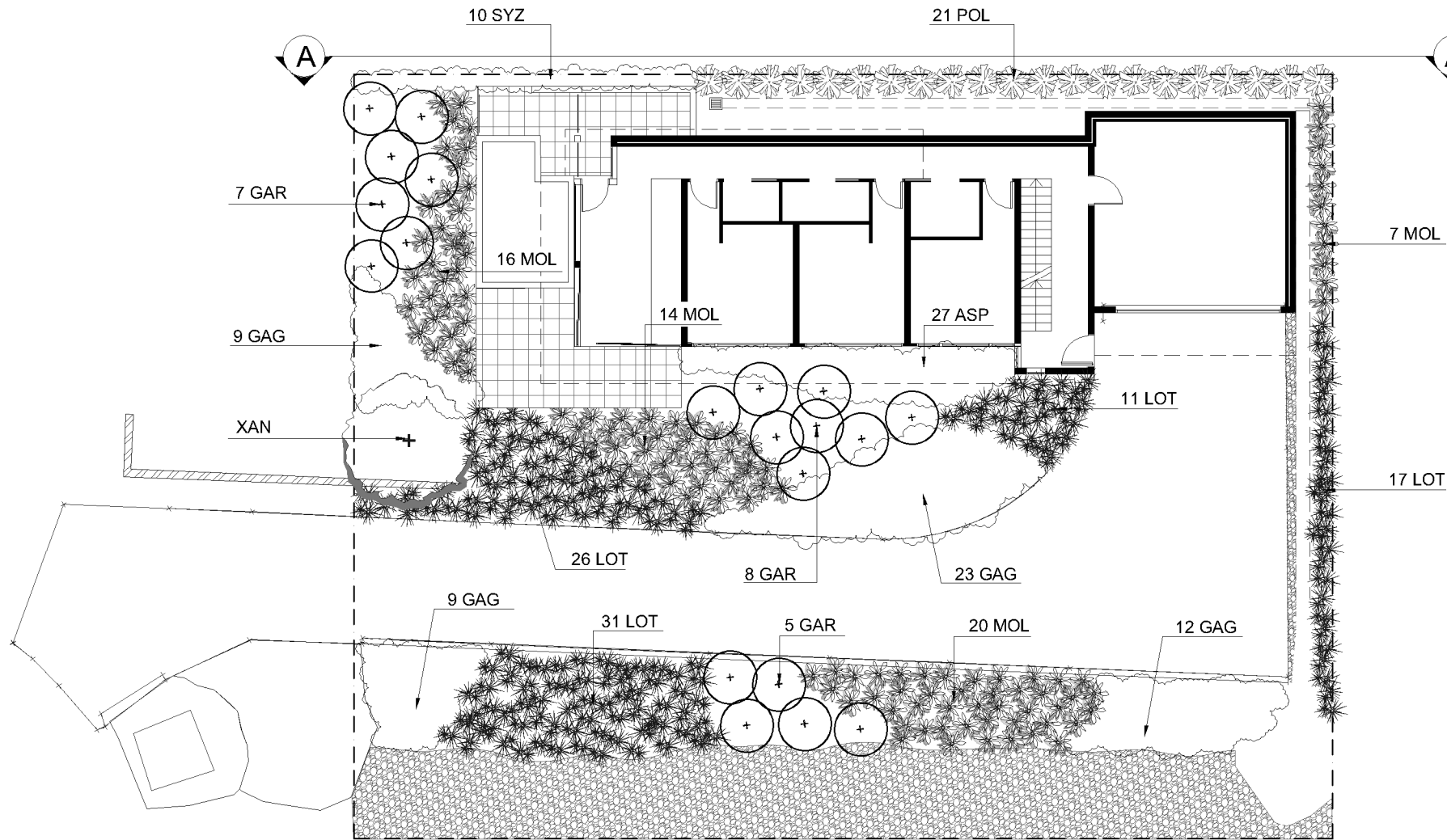
Notes

- 1. Soil preparation**
All proposed plant beds to be stripped of 150mm of soil and topped with at least 200mm of soil (preferably local)
- 2. New plantings**
Newly planted trees and large shrubs should be secured to stakes to prevent any damage.
Planting holes for plant material should be large enough in size to take root ball with additional space to take back filling of good quality planting mix.
- 3. Mulching**
All planting areas to be mulched with a minimum 75mm thick cover of recycled hardwood mulch and then all plant areas to be thoroughly soaked with water. All mulch shall be free of all weed species
- 4. Fertiliser**
All planting areas to be fertilised with slow release fertiliser.
- 5. Engineering**
All structural and hydraulic details whatsoever to Architects details.
- 6. Maintenance**
The Landscape Contractor shall maintain the contract areas by accepted horticultural practices as well as rectifying any defects that become apparent in the works under normal use.
Mow the turf when it is established at regular intervals to maintain an average height of 50mm.



Landscape planting plan - Ground floor 1:100 @ A1

Scale: 1:100 @ A1



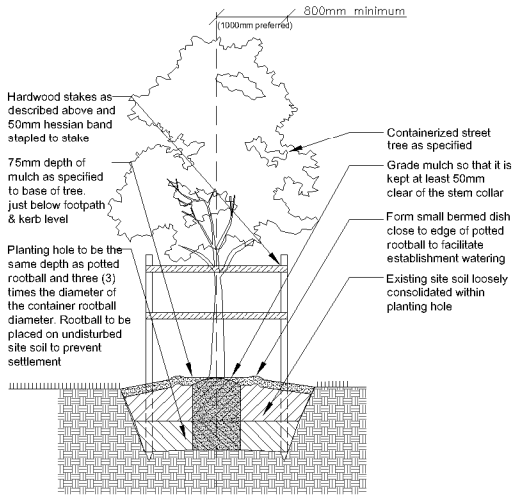
Planting schedule – Ground floor

Symbol	Botanical name	Common name	Cont. size	Mature height	Spacing	No req.
Trees / Shurbs						
GAR	Gardenia scrabellia	Star flower	Small	4.0M	2000mm	20
POL	Polyalthia longifolia	Indian Mast tree	Large	10-12M	1000mm	21
SYZ	Syzygium resilience	Straight & Narrow Lilly Pilly	Medium	5.0M	1000mm	10
XAN	Xanthostemon cyrysanthus	Golden penda	Large	10-15M	As shown	1

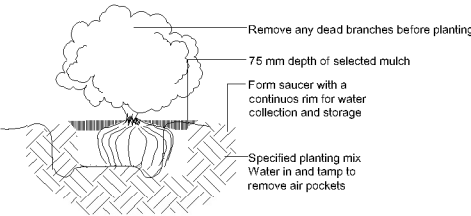
Ornamental grasses/ / Groundcovers						
ASP	Asplenium nidus	Birds nest fern	Small	0.7M	800mm	27
GAG	Gardenia 'Glennie River'	Glennie River	Small	0.3M	1000mm	53
LOT	Lomandra Tanika	Dwarf Lomandra (ornamental grass)	Small	0.4M	800mm	85
MOL	Molineria capitulate	Palm grass	Small	1.0M	1000mm	57

Planting schedule species to be sourced from local nurseries supplying plants of local provenance wherever possible.
Numbers are exact. If unsure please contact Landscape Designer.
Container sizes may vary due to availability, in most cases please ensure a size that will work for this site.

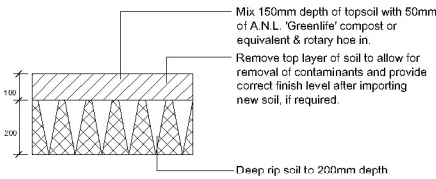
Detail 1.
Tree planting details



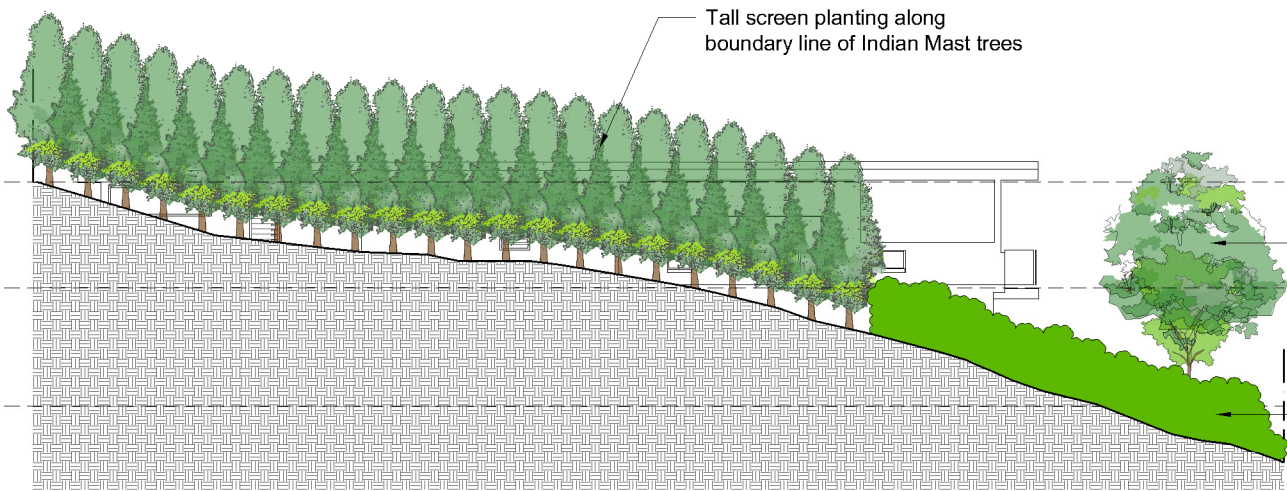
Detail 2.
Shrub planting detail n.t.s



Detail 3.
Soil preparation detail n.t.s.

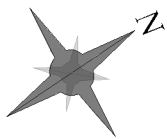


Boundary elevation AA 1:100 @ A1



Golden penda tree behind

Syzygium 'Straight & Narrow'
hedge along boundary



Attachment 6

Statement of Code Compliance

6.2.4 Environmental management zone code

6.2.4.1 Application

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

6.2.4.2 Purpose

- (1) The purpose of the Environmental management zone code is to recognise environmentally sensitive areas and provide for houses on lots and other low impact activities where suitable.

These areas are protected from intrusion of any urban, suburban, centre or industrial land use.

- (2) The local government purpose of the code is to:
 - (a) implement the policy direction set in the Strategic Framework, in particular:
 - (i) Theme 2 : Environment and landscape values, Element 3.5.3 – Biodiversity, Element 3.5.5 – Scenic amenity.
 - (b) protect and buffer areas of environmental significance from inappropriate development.
- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Development is generally restricted to a dwelling house;
 - (b) Adverse impacts on natural systems, both on-site and on adjoining land are minimised through the location, design and management of development;
 - (c) Development reflects and responds to the natural features and environmental values of the area;
 - (d) Visual impacts are minimised through the location and design of development;
 - (e) Development does not adversely affect water quality;
 - (f) Development responds to land constraints, including but not limited to topography, vegetation, bushfire, landslide and flooding.

Criteria for assessment

Table 6.2.4.3.a – Environmental management zone – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
PO1 The height of all buildings and structures is in keeping with the natural characteristics of the site. Buildings and structures are low-rise and not unduly visible from external sites.	AO1.1 Buildings and structures are not more than 8.5 metres and two storeys in height. Note – Height is inclusive of the roof height. AO1.2 Buildings have a roof height not less than 2 metres.	Complies with PO1. The proposed two-storey dwelling has been designed in direct response to the site's topography and constrained developable area, necessitating a multi-level design to ensure an efficient and practical use of the site while minimising excessive earthworks and site disturbance. The finished floor levels of the dwelling are influenced by the existing levelled building pad and driveway levels, ensuring that the structure is appropriately integrated into the natural landform. This design approach limits additional cut and fill, thereby reducing environmental impact and preserving the integrity of the site's contours. While the upper storey marginally exceeds the 8.5m maximum building height, this encroachment is minimal and primarily affects the upper veranda roof and building eaves, rather than the habitable portions of the dwelling. The architectural design has been carefully considered to reduce the perceived bulk and scale, incorporating a flat roof structure to maintain a low-profile built form. This design choice ensures that the dwelling remains sympathetic to the surrounding residential character and does not dominate the skyline. To further mitigate any potential visual impact, the landscaping strategy has been designed to provide screening of the undercroft area and structural piers, softening the built form and reinforcing the

Performance outcomes	Acceptable outcomes	Applicant response
		natural aesthetic of Murphy Street. The integration of deep planting zones and vegetative buffers will further enhance the visual harmony between the dwelling and its surroundings, reducing the prominence of the structure when viewed from both street level and adjoining properties. In consideration of the site's constraints, established built form context, and planning intent for Murphy Street, it is submitted that the proposed dwelling is appropriately scaled and responsive to its setting. The design remains consistent with the bulk, height, and architectural character of other existing and approved dwellings within the locality, ensuring it contributes positively to the streetscape and broader visual amenity of the area.
PO2 Buildings and structures are set back to: (a) maintain the natural character of the area; (b) achieve separation from neighbouring buildings and from road frontages.	AO2 Buildings and structures are set back not less than: (a) 40 metres from the frontage of a state controlled road; (b) 25 metres from the frontage to Cape Tribulation Road; (c) 6 metres from any other road; (d) 6 metres from the side and rear boundaries of the site.	Complies with PO2 The subject site presents constraints in terms of size and topography, influencing the placement and design of the Dwelling House. The total site area is 800m², with a driveway extending the entire depth of the site and drainage infrastructure occupying a significant portion of the developable land, thereby limiting the available building envelope. The swimming pool is positioned 4m from the front boundary; however, its visibility from the streetscape will be minimised due to existing vegetation within the Murphy Street road reserve and proposed onsite landscaping. The landscaping design has been carefully considered to provide effective screening, ensuring that the pool and building undercroft area remains discreet and visually unobtrusive.

Performance outcomes	Acceptable outcomes	Applicant response
		North-Western Side Boundary Setback: • The building setback along the north-western boundary varies, responding to both site constraints and design intent. • The pool deck is setback 400mm from the boundary. • The main portion of the building steps in by 2m, ensuring an appropriate transition in built form. • The garage (lower level) and main bedroom (upper level) extend to 1.2m from the boundary. The landscaping plan demonstrates how strategically placed vegetation will provide effective screening along this boundary, enhancing privacy and visual separation. Additionally, due to the natural slope of the site, the building pad is positioned at a lower elevation than the adjoining property, further reducing the perceived bulk and prominence of the structure. To the north-eastern side boundary the garage (lower level) and main bedroom (upper level) are setback 1.2m. This section of the dwelling will be effectively screened through a combination of landscaping and topographical positioning, as the site sits at a lower level relative to the neighbouring property. Given the site constraints, achieving a greater setback would be challenging from a feasibility perspective. Furthermore, the Dwelling House has been designed to align with the driveway location previously approved by Council, ensuring consistency with existing site approvals while

Performance outcomes	Acceptable outcomes	Applicant response
		making the most efficient use of the limited developable area.
For assessable development		
P03 Development is consistent with the purpose of the Environmental management zone and protects the zone from the intrusion of inconsistent uses.	A03 Inconsistent uses as identified in Table 6.2.4.3.b are not established in the Environmental management zone.	Complies with A03 The proposed Dwelling House is an acceptable Use.
P04 The site coverage of all buildings and structures and associated services do not have an adverse effect on the environmental or scenic values of the site.	A04 No acceptable outcomes are prescribed.	Complies with P04 The proposed scale of development is appropriate given the nature of the use and subject site. A modest two storey design is proposed to minimise site disturbance, which also effectively reduces site coverage.
P05 Development is located, designed, operated and managed to respond to the characteristics, features and constraints of the site and its surrounds. Note - Planning scheme policy – Site assessments provides guidance on identifying the characteristics, features and constraints of a site and its surrounds.	A05.1 Buildings, structures and associated access, infrastructure and private open space are sited: (a) within areas of the site which are already cleared; or (b) within areas of the site which are environmentally degraded; (c) to minimise additional vegetation clearing.	Complies with P05 The site is already disturbed. It is suggested that majority of the vegetation onsite is regrowth. Given the size of the site, vegetation damage and ground disturbance is unavoidable, however will be minimised to the extent necessary to facilitate construction.
	A05.2 Buildings and structures and associated infrastructure are not located on slopes greater than 1 in 6 (16.6%) or on a ridgeline.	Complies with P05 A slope analysis has not been undertaken for the site; however, the Dwelling House is primarily confined to the existing benched area. While some elements extend beyond this levelled portion, these are limited to the pool, veranda, and a small section of the dwelling. Notably, the veranda is designed as a suspended structure, minimising additional site disturbance. The design and siting of the Dwelling House have been informed by a Geotechnical Assessment, which confirms that the site presents a low risk of landslip. A copy of this report is included within the



Performance outcomes	Acceptable outcomes	Applicant response
		Planning Report to support the proposed development.
PO6 Buildings and structures are responsive to steep slope through innovative construction techniques so as to: (a) maintain the geotechnical stability of slopes; (b) minimise cut and/or fill; (c) minimise the overall height of development.	AO6.1 Where development on land steeper than 1 in 6 (16.6%) cannot be avoided, development follows the natural contours of the land and single plane concrete slab on-ground methods of construction are not utilised. AO6.2 Access and vehicle manoeuvring and parking areas are constructed and maintained to: (a) minimise erosion; (b) minimise cut and fill; (c) follow the natural contours of the site.	Complies with AO6.1 The Dwelling House is primarily confined to the existing benched area. While some elements extend beyond this levelled portion, these are limited to the pool, veranda, and a small section of the dwelling. Notably, the veranda is designed as a suspended structure, minimising additional site disturbance. Complies with AO6.2 The driveway has been constructed under an earlier Development Permit for Operational Works.
PO7 The exterior finishes of buildings and structures are consistent with the surrounding natural environment.	PO7 The exterior finishes and colours of buildings and structures are non-reflective and are moderately dark to darker shades of grey, green, blue and brown or the development is not visible external to the site.	May be conditioned to comply. The external colour scheme has not been selected at this stage.
PO8 Development does not adversely affect the amenity of the zone and adjoining land uses in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.	AO8 No acceptable outcomes are prescribed.	Complies with PO8 The proposed Dwelling House is an appropriate land use within the zone. Given the proposed landscaping and topography of the site the proposed development would not adversely affect the amenity of the adjoining properties. It is noted that the adjoining lots are undeveloped.
PO9 The density of development ensures that the environmental and scenic amenity values of the site and surrounding area are not adversely affected.	AO9 The maximum residential density is one dwelling house per lot.	Complies with AO9

Performance outcomes	Acceptable outcomes	Applicant response
PO10 Lot reconfiguration results in no additional lots. Note - Boundary realignments to resolve encroachments and lot amalgamation are considered appropriate.	AO10 No acceptable outcomes are prescribed.	Not applicable

Table 6.2.4.3.b – Inconsistent uses within the Environmental management zone

Inconsistent uses		
• Adult store • Agricultural supplies store • Air services • Aquaculture • Bar • Brothel • Bulk landscape supplies • Car wash • Caretaker's accommodation • Cemetery • Child care centre • Club • Community care centre • Community residence • Community use • Crematorium • Cropping • Detention facility • Dual occupancy • Dwelling unit • Educational establishment • Food and drink outlet • Function facility • Garden centre	• Hardware and trade supplies • Health care services • High impact industry • Hospital • Hotel • Indoor sport and entertainment • Intensive animal industry • Intensive horticulture • Landing • Low impact industry • Major electricity infrastructure • Major sport, recreation and entertainment facility • Marine industry • Market • Motor sport facility • Multiple dwelling • Nightclub entertainment facility • Office • Outdoor sales • Outstation • Parking station • Place of worship • Port services	• Renewable energy facility • Relocatable home park • Research and technology industry • Residential care facility • Resort complex • Retirement facility • Rooming accommodation • Rural industry • Rural workers accommodation • Sales office • Service Station • Shop • Shopping centre • Short-term accommodation • Showroom • Special industry • Substation • Theatre • Transport depot • Utility installation • Veterinary services • Warehouse • Wholesale nursery • 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/Craigie local plan code is to facilitate development outcomes consistent with community values, the local tropical built-form and protection of the natural environment within the Port Douglas/Craigie local plan area, while providing a platform for investment and prosperity.
 - (a) In addition, the purpose of the code is supported by the Port Douglas Waterfront Master Plan which provides a clear strategic direction for the incremental transformation of the Port Douglas Waterfront, including the following objectives:
 - (b) To set out a vision for revitalisation of the waterfront;
 - (c) To protect and enhance the environmental attributes; and
- (2) To provide a flexible framework, expressed through several key strategies that will assist the Council and community in managing change.
- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Port Douglas will continue to develop as the premium destination for international and domestic tourists in the Far North Queensland Region, while also acting for permanent residents attracted to the associated lifestyle.
 - (b) Major tourist, retail, dining and entertainment facilities will consolidate in the Town Centre and the Waterfront North sub-precincts, with improved pedestrian connections between the town centre and the waterfront.
 - (c) Craigie will develop as an integrated residential community with some low scale tourism development opportunities in appropriate locations. Craigie will also function as small scale commercial and light industry node, providing employment opportunities for the Shire's permanent resident population.
 - (d) All forms of development will complement the tropical image of the town through distinctive tropical vernacular, urban design and landscaping.
 - (e) Character will be enhanced through the identification of gateway sites, landmarks, main approach routes and pedestrian thoroughfares and view corridors;
 - (f) The Flagstaff Hill, Dickson Inlet, Four Mile Beach and other areas of scenic and environmental significance will be protected from development. Vegetation cover will dominate over built form.

- (g) Vegetation, iconic to the character of Port Douglas, including the avenues of Oil Palms, is retained and where appropriate supplemented.
- (h) Development will be indistinguishable from view from Four Mile Beach. In addition, any development on Flagstaff Hill will be indistinguishable when viewed from vantage points in Port Douglas.
- (i) Residential areas are designed as pleasant, functional and distinctive, in visually well-defined areas.
- (4) The purpose of the code will be further achieved through the following overall outcomes:
 - (a) Precinct 1 – Port Douglas precinct
 - (i) Sub-precinct 1a – Town Centre sub-precinct
 - (ii) Sub-precinct 1b – Waterfront North sub-precinct
 - (iii) Sub-precinct 1c – Waterfront South sub-precinct
 - (iv) Sub-precinct 1d – Limited Development sub-precinct
 - (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.	Complies with A02.1 The subject site is relatively small and is zoned to facilitate residential development. Some vegetation disturbance will be required to support the proposed development, however the site will be landscaped following construction. A Landscape Plan is included within the Planning Report.



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.	Complies with AO2.2 The proposed development will not unreasonably compromise views and vistas. The Dwelling House is located below the ridgeline and visual bulk of the building is reduced through incorporation of a flat skillion roof which falls at 1.5 degrees towards the side boundary. 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.	Complies with AO4 A Landscape Plan included within the Planning Report.
PO5 Development does not compromise the safety and efficiency of the State-controlled road network.	AO5 Direct access is not provided to a State-controlled road where legal and practical access from another road is available.	Complies with AO5.



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.	Not applicable
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.	Not applicable



Performance outcomes	Acceptable outcomes	Applicant response
PO11 Buildings: (a) address street frontages; (b) ensure main entrances front the street or public spaces; (c) do not focus principally on internal spaces or parking areas.	AO11 No acceptable outcomes are prescribed.	Not applicable
PO12 Setbacks at ground level provide for: (a) connection between pedestrian paths and public places; (b) areas for convenient movement of pedestrians; (c) changes in gradient of the street.	AO12 Setbacks at ground level: (a) are clear of columns and other obstructions; (b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites; (c) connect without any lip or step to adjoining footpaths.	Not applicable
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.	Not applicable
PO14 Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at street level including shade protection across the footpath for the length of the building.	AO14 Development is built up to the street frontage/s at the street level and incorporates a light frame awning, a minimum of 3 metres in width for the length of the street frontage/s; or If a development includes an outdoor dining area at ground/footpath level, the dining area has a maximum setback of 3 metres and the required awning is still maintained along the length of the street frontage/s. Note – PO24 provides more detail on awning design.	Not applicable



Performance outcomes	Acceptable outcomes	Applicant response
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
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.	Not applicable
PO17 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.	AO17 No acceptable outcomes are prescribed.	Not applicable



Performance outcomes	Acceptable outcomes	Applicant response
(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.		
P018 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.	Not applicable
P019 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.	Not applicable



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	Not applicable
PO21 Buildings do not incorporate any type of glass or other materials that are likely to reflect the sun's rays in a manner that may create a nuisance, discomfort or a hazard.	AO21 No acceptable outcomes are prescribed.	Not applicable
PO22 Façades and elevations do not include large blank walls. Openings and setbacks are used to articulate vertical building surfaces.	AO22.1 Development has a maximum length of unbroken building facade of 20 metres and a maximum extent of overall development in the same style/design along the street frontage/s of 40 metres. AO22.2 Any break in the building façade varies the alignment by a 1 metre minimum deviation. AO22.3 A minimum of three of the following building design features and architectural elements detailed below are incorporated to break the extended facade of a development: (a) a change in roof profile; (b) a change in parapet coping; (c) a change in awning design; (d) a horizontal or vertical change in the wall plane; or (e) a change in the exterior finishes and exterior colours of the development.	Not applicable



Performance outcomes	Acceptable outcomes	Applicant response
PO23 Building facades that face public spaces at ground level: (a) complement the appearance of the development and surrounding streetscape; (b) enhance the visual amenity of the public place; (c) include a variety of human scale architectural elements and details; (d) provide an opportunity for the casual and convenient surveillance of public space from within the development.	AO23 Building facades at the ground floor of development that face public space are designed to ensure: (a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit the casual surveillance of the public space from the development; (b) a visually prominent main entrance that faces the principal public place; (c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade.	Not applicable
PO24 Awnings for pedestrian shelter are consistent with the character setting of the Town Centre sub-precinct and: (a) extend and cover the footpath to provide protection from the sun and rain; (b) include lighting under the awning; (c) are continuous across the frontage of the site; (d) align to provide continuity with existing or future awnings on adjoining sites; (e) are a minimum of 3.0 metres in width and generally not more than 3.5 metres above pavement height; (f) do not extend past a vertical plane, 1.2 metres inside the kerb-line to enable street trees to be planted and grow; (g) are cantilevered from the main building with any posts within the footpath being non load-bearing.	AO24 No acceptable outcomes are prescribed.	Not applicable



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.	Not applicable
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
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



Performance outcomes	Acceptable outcomes	Applicant response
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: (a) connection between pedestrian paths and public places; (b) areas for convenient movement of pedestrians; (c) changes in gradient.	AO31 Setbacks at ground level: (a) are clear of columns and other obstructions; (b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites; (c) connect without any lip or step to adjoining footpaths.	Not applicable



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 facade of 20 metres and a maximum extent of overall development in the same style/design along the street frontage/s of 40 metres. AO41.2 Any break in the building façade varies the alignment by a 1 metre minimum deviation. AO41.3 A minimum of three of the following building design features and architectural elements detailed below are incorporated to break the extended facade of a development: (a) a change in roof profile; (b) a change in parapet coping; (c) a change in awning design;	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 facades that face public spaces at ground level: (a) complement the appearance of the development and surrounding streetscape; (b) enhance the visual amenity of the public place; (c) include a variety of human scale architectural elements and details; (d) provide an opportunity for the casual and convenient surveillance of public space from within the development.	AO42 Building facades at the ground floor of development that face public space are designed to ensure: (a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit the casual surveillance of the public space from the development; (b) a visually prominent main entrance that faces the principal public place; (c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade.	Not applicable
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	Complies with PO63 The proposed development is for a single residential Dwelling House which is an appropriate land use for zone and precinct. The proposed building has been designed to minimise the visual impact. The height of the building is minimised through incorporating a flat roof. Furthermore, the narrower portion of the building faces Murphy Street.

Performance outcomes	Acceptable outcomes	Applicant response
		Some vegetation damage is unavoidable however as mentioned earlier in this assessment the site will be relandscaped post construction.
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.	Complies with PO64 Refer to comments above. Furthermore, building colours have not been selected at this stage, however it would be reasonable to condition an approval that this detail is provided to Council for endorsement prior to the issue of a Development Permit for Building Works.
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	AO66.1	Not applicable



Performance outcomes	Acceptable outcomes	Applicant response
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.	Buildings and structures are setback 8 metres from the Captain Cook Highway frontage, or no closer to the Captain Cook Highway frontage than buildings and structures on adjoining sites (averaged), whichever is the greater. AO66.2 The setback area to the Captain Cook Highway frontage is landscaped with advanced dense planting including tree species (100 litre bag stock), which will, at maturity, exceed the height of the building(s) on the site. AO66.3 Advertising signs are discreet in appearance with no large advertising signs, including tenancy signs, located on or near the Captain Cook Highway frontage, or within any landscaped setback area. AO66.4 Car parking areas, loading and other service areas are designed to be screened from the Captain Cook Highway and are located so as to not be visually prominent from the Captain Cook Highway.	
Additional requirements for Precinct 6 – Very Low Residential Density / Low Scale Recreation / Low Scale Educational / Low Scale Entertainment Uses precinct		
P067 No additional lots are created within the precinct.	AO67 No acceptable outcomes are prescribed.	Not applicable
P068 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	AO68 No acceptable outcomes are prescribed.	Not applicable

Performance outcomes	Acceptable outcomes	Applicant response
need to fill existing lots to accommodate dwelling houses.		

8.2.2 Bushfire hazard overlay code

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

8.2.2.1 Application

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

8.2.2.2 Purpose

- (1) The purpose of the Bushfire overlay code is to:
 - (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
 - (ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.
 - (b) enable an assessment of whether development is suitable on land within the Bushfire risk overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development avoids the establishment or intensification of vulnerable activities within or near areas that are subject to bushfire hazard;
 - (b) development is designed and located to minimise risks to people and property from bushfires;
 - (c) bushfire risk mitigation treatments are accommodated in a manner that avoids or minimises impacts on the natural environment and ecological processes;

- (d) development involving the manufacture or storage of hazardous materials does not increase the risk to public safety or the environment in a bushfire event;
- (e) development contributes to effective and efficient disaster management response and recovery capabilities.

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

Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
Compatible development		
P01 A vulnerable use is not established or materially intensified within a bushfire hazard area (bushfire prone area) unless there is an overriding need or other exceptional circumstances. Note - See the end of this code for examples of vulnerable uses.	A01 Vulnerable uses are not established or expanded. Note – Where, following site inspection and consultation with Council, it is clear that the mapping is in error in identifying a premises as being subject to a medium, high, very high bushfire hazard or potential impact buffer sub-category, Council may supply a letter exempting the need for a Bushfire Management Plan. Note – Where the assessment manager has not previously approved a Bushfire Management Plan (either by condition of a previous development approval), the development proponent will be expected to prepare such a plan. Note – Planning scheme policy SC6.9 - Natural hazards, provides a guide to the preparation of a Bushfire Management Plan.	Not applicable
P02 Emergency services and uses providing community support services are able to function effectively during and immediately after a bushfire hazard event.	A02 Emergency Services and uses providing community support services are not located in a bushfire hazard sub-category and have direct access to low hazard evacuation routes.	Not applicable
P03 Development involving hazardous materials manufactured or stored in bulk is not located in bushfire hazard sub-category.	A03 The manufacture or storage of hazardous material in bulk does not occur within bushfire hazard sub-category.	Not applicable



Performance outcomes	Acceptable outcomes	Applicant response
Development design and separation from bushfire hazard – reconfiguration of lots		
PO4.1 Where reconfiguration is undertaken in an urban area or is for urban purposes or smaller scale rural residential purposes, a separation distance from hazardous vegetation is provided to achieve a radiant heat flux level of 29kW/m² at the edge of the proposed lot(s). Note - "Urban purposes" and "urban area" are defined in the <i>Sustainable Planning Regulations 2009</i>. Reconfiguration will be taken to be for rural residential purposes where proposed lots are between 2000m² and 2ha in area. "Smaller scale" rural residential purposes will be taken to be where the average proposed lot size is 6000m² or less. Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009. PO4.2 Where reconfiguration is undertaken for other purposes, a building envelope of reasonable dimensions is provided on each lot which achieves radiant heat flux level of 29kW/m² at any point.	AO4.1 No new lots are created within a bushfire hazard sub-category. or AO4.2 Lots are separated from hazardous vegetation by a distance that: (a) achieves radiant heat flux level of 29kW/m² at all boundaries; and (b) is contained wholly within the development site. Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation. For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages. Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.	Not applicable
PO5 Where reconfiguration is undertaken in an urban area or is for urban purposes, a constructed perimeter road with reticulated water supply is established between the lots and the hazardous vegetation and is readily accessible at all times for urban fire fighting vehicles. The access is available for both fire fighting and maintenance/defensive works.	AO5.1 Lot boundaries are separated from hazardous vegetation by a public road which: (a) has a two lane sealed carriageway; (b) contains a reticulated water supply; (c) is connected to other public roads at both ends and at intervals of no more than 500m; (d) accommodates geometry and turning radii in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;	Not applicable



Performance outcomes	Acceptable outcomes	Applicant response
	(e) has a minimum of 4.8m vertical clearance above the road; (f) is designed to ensure hydrants and water access points are not located within parking bay allocations; and (g) incorporates roll-over kerbing. AO5.2 Fire hydrants are designed and installed in accordance with AS2419.1 2005, unless otherwise specified by the relevant water entity. Note - Applicants should have regard to the relevant standards set out in the reconfiguration of a lot code and works codes in this planning scheme.	
PO6 Where reconfiguration is undertaken for smaller scale rural residential purposes, either a constructed perimeter road or a formed, all weather fire trail is established between the lots and the hazardous vegetation and is readily accessible at all times for the type of fire fighting vehicles servicing the area. The access is available for both fire fighting and maintenance/hazard reduction works.	AO6 Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has: (a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (f) a maximum gradient of 12.5%; (g) a cross fall of no greater than 10 degrees; (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;	Not applicable



Performance outcomes	Acceptable outcomes	Applicant response
	(i) vehicular access at each end which is connected to the public road network at intervals of no more than 500m; (j) designated fire trail signage; (k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and (l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.	
P07 Where reconfiguration is undertaken for other purposes, a formed, all weather fire trail is provided between the hazardous vegetation and either the lot boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area. However, a fire trail will not be required where it would not serve a practical fire management purpose.	A07 Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has: (a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (f) a maximum gradient of 12.5%; (g) a cross fall of no greater than 10 degrees; (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy; (i) vehicular access at each end which is connected to the public road network; (j) designated fire trail signage;	Not applicable



Performance outcomes	Acceptable outcomes	Applicant response
	(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and (l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.	
P08 The development design responds to the potential threat of bushfire and establishes clear evacuation routes which demonstrate an acceptable or tolerable risk to people.	A08 The lot layout: (a) minimises the length of the development perimeter exposed to, or adjoining hazardous vegetation; (b) avoids the creation of potential bottle-neck points in the movement network; (c) establishes direct access to a safe assembly /evacuation area in the event of an approaching bushfire; and (d) ensures roads likely to be used in the event of a fire are designed to minimise traffic congestion. Note - For example, developments should avoid finger-like or hour-glass subdivision patterns or substantive vegetated corridors between lots. In order to demonstrate compliance with the performance outcome, a bushfire management plan prepared by a suitably qualified person may be required. The bushfire management plan should be developed in accordance with the Public Safety Business Agency (PSBA) guideline entitled "Undertaking a Bushfire Protection Plan. Advice from the Queensland Fire and Emergency Services (QFES) should be sought as appropriate	Not applicable
P09 Critical infrastructure does not increase the potential bushfire hazard.	A09 Critical or potentially hazardous infrastructure such as water supply, electricity, gas and telecommunications are placed underground.	Not applicable



Performance outcomes	Acceptable outcomes	Applicant response
Development design and separation from bushfire hazard – material change of use		
PO10 Development is located and designed to ensure proposed buildings or building envelopes achieve a radiant heat flux level at any point on the building or envelope respectively, of: (a) 10kW/m² where involving a vulnerable use; or (b) 29kW/m² otherwise. The radiant heat flux level is achieved by separation unless this is not practically achievable. Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.	AO10 Buildings or building envelopes are separated from hazardous vegetation by a distance that: (a) achieves a radiant heat flux level of at any point on the building or envelope respectively, of 10kW/m² for a vulnerable use or 29kW/m² otherwise; and (b) is contained wholly within the development site. Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation. For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages. Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.	Alternative solution The subject site is a residential lot capable of residential development. It is submitted that the compliance with bushfire hazard provisions would be more appropriately dealt with by the Building Certifier assessment against the Building Code of Australia requirements.
PO11 A formed, all weather fire trail is provided between the hazardous vegetation and the site boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area. However, a fire trail will not be required where it would not serve a practical fire management purpose. Note - Fire trails are unlikely to be required where a development site involves less than 2.5ha	AO11 Development sites are separated from hazardous vegetation by a public road or fire trail which has: (a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and	Not applicable



Performance outcomes	Acceptable outcomes	Applicant response
	Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (f) a maximum gradient of 12.5%; (g) a cross fall of no greater than 10 degrees; (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy; (i) vehicular access at each end which is connected to the public road network which is connected to the public road network at intervals of no more than 500m; (j) designated fire trail signage; (k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and (l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.	
All development		
PO12 All premises are provided with vehicular access that enables safe evacuation for occupants and easy access by fire fighting appliances.	AO12 Private driveways: (a) do not exceed a length of 60m from the street to the building; (b) do not exceed a gradient of 12.5%; (c) have a minimum width of 3.5m; (d) have a minimum of 4.8m vertical clearance; (e) accommodate turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and (f) serve no more than 3 dwellings or buildings.	Complies with PO12 Appropriate vehicle access is provided to the site however does not facilitate turning areas for fire fighting appliances. In the event of an emergency it is expected that the appliance would position in Murphy Street and not drive onto the site. This would be the case for other existing development along Murphy Street.



Performance outcomes	Acceptable outcomes	Applicant response
PO13 Development outside reticulated water supply areas includes a dedicated static supply that is available solely for fire fighting purposes and can be accessed by fire fighting appliances.	AO13 A water tank is provided within 10m of each building (other than a class 10 building) which: (a) is either below ground level or of non-flammable construction; (b) has a take off connection at a level that allows the following dedicated, static water supply to be left available for access by fire fighters: (i) 10,000l for residential buildings Note – A minimum of 7,500l is required in a tank and the extra 2,500l may be in the form of accessible swimming pools or dams. (ii) 45,000l for industrial buildings; and (iii) 20,000l for other buildings; (c) includes shielding of tanks and pumps in accordance with the relevant standards; (d) includes a hardstand area allowing medium rigid vehicle (15 tonne fire appliance) access within 6m of the tank; (e) is provided with fire brigade tank fittings – 50mm ball valve and male camlock coupling and, if underground, an access hole of 200mm (minimum) to accommodate suction lines; and (f) is clearly identified by directional signage provided at the street frontage.	Not applicable The Dwelling House will be connected to reticulated water supply.
PO14 Landscaping does not increase the potential bushfire risk.	AO14 Landscaping uses species that are less likely to exacerbate a bushfire event, and does not increase fuel loads within separation areas.	Complies with AO14 Appropriate landscaping species, such as Glennie Rivers, have been selected. A copy of the Landscape Plan is included within the Planning Report.



Performance outcomes	Acceptable outcomes	Applicant response
PO15 The risk of bushfire and the need to mitigate that risk is balanced against other factors (such as but not limited to, biodiversity or scenic amenity).	AO15 Bushfire risk mitigation treatments do not have a significant impact on the natural environment or landscape character of the locality where this has value.	Complies with AO15 No vegetation clearing is proposed external of the site.

Note – 'Vulnerable activities' are those involving:

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

8.2.5 Hillslopes overlay code

8.2.5.1 Application

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

8.2.5.2 Purpose

- (1) The purpose of the Hillslopes overlay code is to:
 - (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 1 - Settlement pattern: Element 3.4.7 Mitigation of hazards;
 - (ii) Theme 2 – Environment and landscape values: Element 3.5.5 Scenic amenity.
 - (b) enable an assessment of whether development is suitable on land within the Hillslopes sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development on hillslopes is safe, serviceable and accessible;
 - (b) the ecological values, landscape character and visual quality of the hillslopes are protected from development so as to retain the scenic backdrop to the region;
 - (c) Development on hillslopes is appropriate, having regard to the topographic constraints and environmental characteristics of the land;
 - (d) Development responds to the constraints of the site including gradient and slope stability;
 - (e) Works do not involve complex engineering solutions.

Criteria for assessment**Table 8.2.5.3.a – Hillslopes overlay code –assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable development		
PO1 The landscape character and visual amenity quality of hillslopes areas is retained to protect the scenic backdrop to the region.	AO1.1 Development is located on parts of the site that are not within the Hillslopes constraint sub-category as shown on the Hillslopes overlay Maps contained in schedule 2.	Not applicable
For assessable development		
PO2 The landscape character and visual amenity quality of hillslopes areas is retained to protect the scenic backdrop to the region.	AO2.1 Development does not occur on land with a gradient in excess of 1 in 6 (16.6%) or AO2.2 Where development on land steeper than 1 in 6 (16.6%) cannot be avoided, development follows the natural contours of the site. AO2.3 Access ways and driveways are: (a) constructed with surface materials that blend with the surrounding environment; (b) landscaped with dense planting to minimise the visual impact of the construction; (c) provided with erosion control measures immediately after construction.	Complies with PO2 The building design incorporates a flat roof, which helps to minimise overall building height and visual prominence within the landscape. Additionally, the narrowest portion of the dwelling is oriented towards the primary outlook, ensuring that the built form remains discreet when viewed from key vantage points. This design approach effectively reduces the perceived bulk of the structure, allowing it to blend more seamlessly with the natural topography and surrounding vegetation. Furthermore, the existing mature vegetation within the Murphy Street road reserve is retained, providing natural screening that further softens the visual impact of the dwelling. By limiting the exposure of the broader building façade and maintaining the existing landscape buffers, the visual and landscape impacts are significantly reduced, ensuring the development remains subtle and complementary to the established character of Murphy Street.



Performance outcomes	Acceptable outcomes	Applicant response
	AO2.4 The clearing or disturbance of vegetation is limited to clearing and disturbance that: (a) is necessary for the construction of driveways; (b) is necessary to contain the proposed development; (c) minimises canopy clearing or disturbance; (d) minimises riparian clearing or disturbance. AO2.5 On land with slopes greater than 1 in 6 (16.6%) or greater, alternative construction methods to concrete slab on ground are utilised (i.e. split level or post and beam constructed buildings that minimise modification to the natural terrain of the land). AO2.6 Development does not alter the sky line. AO2.7 Buildings and structures: (a) are finished predominantly in the following exterior colours or surfaces: (b) moderately dark to darker shades of olive green, brown, green, blue, or charcoal; or (c) moderately dark to darker wood stains that blend with the colour and hues of the surrounding vegetation and landscape; (d) are not finished in the following exterior colours or surfaces: (e) pastel or terracotta colours, reds, yellows, shades of white or beige, or other bright colours that do not blend with the surrounding vegetation and landscape; (f) reflective surfaces.	The proposed development does not extend beyond the ridgeline.



Performance outcomes	Acceptable outcomes	Applicant response
	AO2.8 Exterior colour schemes limit the use of white or other light colours to exterior trim and highlighting of architectural features AO2.9 Areas between the first floor (including outdoor deck areas) and ground level are screened from view. AO2.10 Recreational or ornamental features (including tennis courts, ponds or swimming pools) do not occur on land: (a) with a gradient of 1 in 6 (16.6%) or more; (b) are designed to be sited and respond to the natural constraints of the land and require minimal earthworks	
PO3 Excavation or filling does not have an adverse impact on the amenity, safety, stability or function of the site or adjoining premises through: (a) loss of privacy; (b) loss of access to sunlight; (c) intrusion of visual or overbearing impacts; (d) complex engineering solutions.	AO3 Excavation or fill: (a) is not more than 1.2 metres in height for each batter or retaining wall; (b) is setback a minimum of 2 metres from property boundaries; (c) is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with Planning scheme policy SC6.7 – Landscaping; (d) does not exceed a maximum of 3 batters and 3 berms (i.e. not greater than 3.6 metres in height) on any one lot.	Complies with PO3 The proposed excavation and filling works have been designed to minimise impacts on the amenity, safety, stability, and function of both the subject site and adjoining properties. The works have been carefully integrated into the existing site conditions to ensure compliance with the following criteria: Loss of Privacy: The proposed earthworks do not result in any significant changes to ground levels that would compromise the privacy of adjoining properties. The strategic placement of landscaping and existing vegetation within the Murphy Street road reserve further enhances screening and separation between the dwelling and neighbouring properties.

Performance outcomes	Acceptable outcomes	Applicant response
		Loss of Access to Sunlight: The design ensures that any changes in site levels do not cause unreasonable overshadowing on adjoining dwellings. The height and orientation of the built form have been carefully considered to maintain access to natural sunlight for neighbouring properties. Intrusion of Visual or Overbearing Impacts: The extent of excavation and filling is limited to the existing benched area, with only minor extensions for the pool, veranda, and small sections of the dwelling. The flat-roof design, varied setbacks, and retention of vegetation work together to reduce visual bulk and prevent the development from appearing overbearing when viewed from adjacent properties or the streetscape. Avoidance of Complex Engineering Solutions: The Geotechnical Assessment confirms that the site has a low risk of landslip, and the proposed works have been engineered in accordance with best practices to ensure long-term stability. Retaining structures and drainage elements, such as spoon drains and stormwater pits, have been incorporated to control runoff and prevent erosion without necessitating excessive or complex engineering solutions. Overall, the proposed excavation and filling works appropriately respond to the site's natural topography, ensuring a stable and



Performance outcomes	Acceptable outcomes	Applicant response
		visually integrated outcome that protects residential amenity and scenic landscape.
Lot reconfiguration		
P04 For development that involves reconfiguring a lot, lot layout and design is responsive to the natural constraints of the land and each lot is capable of being used for its intended purpose.	AO4.1 The frontage and depth of all lots is of sufficient width to: (a) allow driveways to follow the natural contours of the site and not exceed a gradient of 1 in 6 (16.6%); (b) accommodate any changes in gradient between the road and lot within the lot boundary and not within the road reserve. AO4.2 Development does not create new lots containing land of greater than 1 in 6 (16.6%), except where a rectangular area of land of lesser grade is contained within the new lots to accommodate the intended land use, with the balance left in its natural state to the greatest extent possible. Note – The size of rectangular areas is outlined within each zone code. AO4.3 Development does not alter ridgelines. AO4.4 Lots are designed to ensure rooflines of future buildings and structures do not protrude above a ridgeline.	Not applicable

8.2.9 Potential landslide hazard overlay code

8.2.9.1 Application

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

Note – The Potential landslide hazard overlay shows modelled areas where the factors contributing to landslip potential accumulate to provide a moderate or higher risk if certain factors are exacerbated (e.g. factors include significant vegetation clearing, filling and excavation, changes to soil characteristics, changes to overland water flow, or changes to sub-surface water flow). It shows areas that the Council has identified where landslides may occur and where land may be impacted by a landslide, but does not mean that landslides will occur or that the land will be impacted by a landslide. Other areas not contained within the potential landslide hazard overlay may sustain landslides or be impacted by landslides and consideration should be given to this issue, where appropriate.

8.2.9.2 Purpose

- (1) The purpose of the Potential landslide hazard overlay code is:
 - (a) implement the policy direction of the Strategic Framework, in particular:
 - (i) Theme 1: Settlement pattern Element 3.4.7 Mitigation of hazards.
 - (b) enable an assessment of whether development is suitable on land within the Potential landslide hazard overlay.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development is located, designed and constructed to not put at risk the safety of people, property and the environment;
 - (b) development is not at risk from and does not pose a risk to adjacent and nearby sites from landslides;
 - (c) ensures that community infrastructure is protected from the effects of potential landslides;
 - (d) ensures that vegetation clearing, stormwater management and filling and/or excavation does not create a landslide hazard and/or rectifies potential pre-existing landslide risks;
 - (e) development does not occur where works to provide a solution for safety of people, property or the environment involves complex engineering solutions to overcome the risk, or would result in a built form or outcome that causes an adverse visual impact on the Hillslopes or Landscape values of Douglas Shire.

8.2.9.3 Criteria for assessment

Table 8.2.9.3.a – Potential landslide hazard overlay code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
PO1 The siting and design of development does not involve complex engineering solutions and does not create or increase the potential landslide hazard risk to the site or adjoining premises through: (a) building design; (b) increased slope; (c) removal of vegetation; (d) stability of soil; (e) earthworks; (f) alteration of existing ground water or surface water paths; (g) waste disposal areas.	AO1.1 Development is located on that part of the site not affected by the Potential landslide hazard overlay. or AO1.2 Development is on an existing stable, benched site and requires no further earthworks	Complies with AO1.1 The existing and proposed development is located within an area of the site unconstrained by the Potential Landslide Hazard Overlay.



or

AO1.3

A competent person certifies that:

- (a) the stability of the site, including associated buildings and infrastructure, will be maintained during the course of the development and will remain stable for the life of the development;
- (b) development of the site will not increase the risk of landslide hazard activity on other land, including land above the site;
- (c) the site is not subject to the risk of landslide activity on other land;
- (d) any measures identified in a site-specific geotechnical report for stabilising the site or development have been fully implemented;
- (e) development does not concentrate existing ground water and surface water paths;
- (f) development does not incorporate on-site waste water disposal.

Note – Planning scheme policy SC6.9 – Natural hazards provides guidance on preparing a site specific geo-technical assessment.

Note – Development may alter the conditions of ground water and surface water paths in accordance with a site-specific geotechnical report, but should ensure that its final disbursement is as-per pre-developed conditions. Consideration for location, velocity, volume and quality should be given.



PO2 The siting and design of necessary retaining structures does not cause an adverse visual impact on landscape character or scenic amenity quality of the area.	A02 Excavation or fill: (a) is not more than 1.2 metres in height for each batter or retaining wall; (b) is setback a minimum of 2 metres from property boundaries; (c) is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with Planning scheme policy SC6.7 – Landscaping; (d) does not exceed a maximum of 3 batters and 3 berms (i.e. Not greater than 3.6 metres in height) on any one lot.	Complies with PO2 The proposed Dwelling House is positioned within an existing leveled and benched building pad. Refer to compliance discussion under the Hillslopes Code.
PO3 Development for community infrastructure: (a) is not at risk from the potential landslide hazard areas; (b) will function without impediment from a landslide; (c) provides access to the infrastructure without impediment from the effects of a landslide; (d) does not contribute to an elevated risk of a landslide to adjoining properties.	A03 Development is designed in accordance with the recommendations of a site-specific geotechnical assessment which makes reference to the community infrastructure and its needs and function. Note - A site specific geotechnical assessment will detail requirements that will address the Acceptable Outcomes of this Performance Outcome. Planning scheme policy SC6.9 – Natural hazards provides guidance on preparing a site specific geotechnical assessment.	Not applicable The development is not for Community Infrastructure.

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 Minimum 2 onsite parking spaces are provided within the garage. Not applicable Not applicable 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 Driveway is existing and approved by Council.



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 AO3.1 Driveway is existing and approved by Council. Complies with AO3.2 Driveway is existing and approved by Council. Complies with AO3.3 Driveway is existing and approved by Council.
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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.	Complies with AO3.4 Driveway is existing and approved by Council.
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 Not applicable 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	Complies with AO9.1 Driveway is existing and approved by Council.

(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.	Not applicable The development does not require service and loading areas.
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.

9.4.4 Filling and excavation code

9.4.4.1 Application

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

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

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

9.4.4.2 Purpose

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

9.4.4.3 Criteria for assessment

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

Performance outcomes		Acceptable outcomes	Applicant response
For self-assessable and assessable development			
Filling and excavation - General			
PO1 All filling and excavation work does not create a detrimental impact on the slope stability, erosion potential or visual amenity of the site or the surrounding area.	AO1.1 The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height. and Cuts in excess of those stated in A1.1 above are separated by benches/ terraces with a minimum width of 1.2 metres that incorporate drainage provisions and screen planting. AO1.2 Cuts are supported by batters, retaining or rock walls and associated benches/terraces are capable of supporting mature vegetation. AO1.3 Cuts are screened from view by the siting of the building/structure, wherever possible.	Complies with PO1 The proposed earthworks works have been carefully designed to minimise impacts on slope stability, erosion potential, and visual amenity, ensuring the development remains compatible with the site's natural topography and surrounding environment. Slope Stability: The proposed earthworks are limited to the existing benched area, with only minor extensions beyond this for the pool, veranda, and small portions of the dwelling. A Geotechnical Assessment has been conducted, confirming that the site has a low risk of landslip and that the proposed works will not compromise the stability of the site or adjoining properties. The development incorporates engineered retaining structures and drainage controls, ensuring that ground conditions	



	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.	remain structurally sound. Erosion Potential: The design integrates stormwater management measures, including spoon drains and stormwater pits, to effectively capture and control runoff, thereby reducing erosion risks. The placement of deep planting zones and stabilising vegetation further enhances erosion control by reinforcing the natural landscape and preventing soil displacement. Visual Amenity: the building incorporates retaining elements. The design does not include large visible cuts or retaining structures. The existing mature vegetation within the Murphy Street road reserve is retained, while new plantings are proposed to further screen the pool, underbuilding and structural piers. These measures ensure that the development remains visually unobtrusive and in harmony with the surrounding environment.
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 PO2 Refer to discussion above.
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.	Complies with PO3 The attached Proposal Plans illustrate the proposed stormwater management system. Stormwater will be appropriately channeled and directed to a lawful point of discharge.
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.	May be conditioned to 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.

9.4.5.3 Criteria for assessment

Table 9.4.5.3.a – Infrastructure works code –assessable development

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



	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.	
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. It is understood that a private booster pump may be required within the site to ensure sufficient water pressure is available.



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 site is connected to the sewer network.
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.	Will comply Stormwater will be appropriately directed to a lawful point of discharge.

**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 will be connected to mains electricity supply.
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 telecommunications.



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.
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.	Will comply Any concerns in this regard, may be conditioned as part of any approval.
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.	Will comply Any concerns in this regard, may be conditioned as part of any approval.



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.	Not 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.

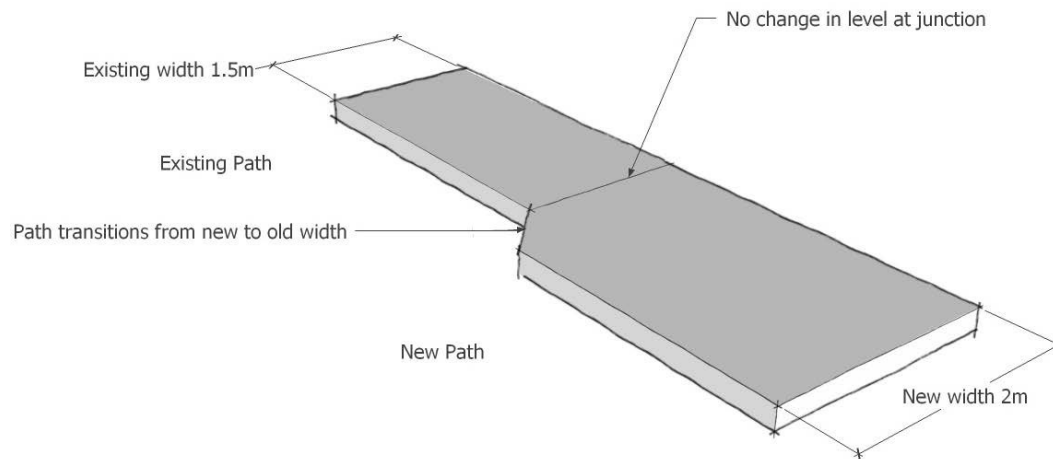
Water stability management

(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



9.4.9 Vegetation management code

9.4.9.1 Application

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

9.4.9.2 Purpose

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

9.4.9.3 Criteria for assessment

Table 9.4.9.3.a – Vegetation management –assessable development

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

Performance outcomes	Acceptable outcomes	Applicant Response
For self-assessable and assessable development		
PO1 Vegetation is protected to ensure that: (a) the character and amenity of the local area is maintained; (b) vegetation damage does not result in fragmentation of habitats; (c) vegetation damage is undertaken in a sustainable manner; (d) the Shire's biodiversity and ecological values are maintained and protected; (e) vegetation of historical, cultural and / or visual significance is retained; (f) vegetation is retained for erosion prevention and slope stabilisation.	AO1.1 Vegetation damage is undertaken by a statutory authority on land other than freehold land that the statutory authority has control over; or AO1.2 Vegetation damage is undertaken by or on behalf of the local government on land controlled, owned or operated by the local government; or AO1.3 Vegetation damage, other than referenced in AO1.1 or AO1.2 is the damage of: (a) vegetation declared as a pest pursuant to the <i>Land Protection (Pest and Stock Route Management) Act 2002</i>; or (b) vegetation identified within the local government's register of declared plants pursuant to the local government's local laws; or (c) vegetation is located within a Rural zone and the trunk is located within ten metres of an existing building; or (d) vegetation is located within the Conservation zone or Environmental management zone	Complies with PO1 The building envelope is cleared of mature vegetation, with some clearing of ground cover and regrowth only. The building location is limited due to the site's size and topography. However, the site will be revegetated and landscaped in accordance with the attached Landscape Plan, ensuring the preservation of visual amenity and reinforcement of slope stability.



and the trunk is located within three metres of an existing or approved structure, not including a boundary fence;.

or

AO1.4

Vegetation damage that is reasonably necessary for carrying out work that is:

- (a) authorised or required under legislation or a local law;
- (b) specified in a notice served by the local government or another regulatory authority;

or

AO1.5

Vegetation damage for development where the damage is on land the subject of a valid development approval and is necessary to give effect to the development approval;

or

AO1.6

Vegetation damage is in accordance with an approved Property Map of Assessable Vegetation issued under the *Vegetation Management Act 1999*;

or

AO1.7

Vegetation damage is essential to the maintenance of an existing fire break;

or

AO1.8

Vegetation damage is essential to prevent interference to overhead service cabling;



	or AO1.9 Vegetation damage is for an approved Forest practice, where the lot is subject to a scheme approved under the <i>Vegetation Management Act 1999</i>; or AO1.10 Vegetation damage is undertaken in accordance with section 584 of the <i>Sustainable Planning Act 2009</i>. AO1.11 Vegetation damage where it is necessary to remove one tree in order to protect an adjacent more significant tree (where they are growing close to one another). AO1.12 Private property owners may only remove dead, dying, structurally unsound vegetation following receipt of written advice from, at minimum, a fully qualified Certificate V Arborist. A copy of the written advice is to be submitted to Council for its records, a minimum of seven business days prior to the vegetation damage work commencing.	
PO2 Vegetation damaged on a lot does not result in a nuisance	AO2.1 Damaged vegetation is removed and disposed of at an approved site; or AO2.2 Damaged vegetation is mulched or chipped if used onsite.	Complies with PO2
For assessable development		

**PO3**

Vegetation damage identified on the Places of significance overlay lot does not result in a negative impact on the site's heritage values.

AO3

No acceptable outcomes are prescribed.

Not applicbale