

3 May 2022

Our ref: 521-150

Your ref: MCUC 2019\_3365/2 (Doc ID 985997)

Chief Executive Officer  
Douglas Shire Council  
PO Box 723  
Mossman QLD 4883

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

Attn: Jenny Elphinstone

Dear Jenny,

**Change application (Minor Change) to Decision notice MCUC 2019\_3365/2 (Doc ID 985997) for Short-Term Accommodation (Motel) with ancillary uses of Food and Drink Outlet / Bar  
At 20 Warner Street Port Douglas – Lot 1 on SP316373 and Easements B and C on SP154579**

Further to Council's Decision Notice dated 15 December 2020, we are seeking a change to conditions of the approval. Attached is a application for a Minor Change at 20 Warner Street, Port Douglas.

The relevant information for the application is:

<b>Applicant:</b>	Deal Corporation C/- Planz Town Planning	
<b>Mailing address:</b>	PO Box 181 Edge Hill, 4870, QLD	
<b>Landowner:</b>	Scali Nominees Pty Ltd and Second York Pty Ltd	
<b>Application Fee*:</b>	<b>Base fee for 1 unit/room</b>	<b>\$988</b>
	<b>Plus additional fee, per unit above</b>	<b>\$430</b>
	<b>1 unit, up to 50 units</b>	
	<b>Sub-total</b>	<b>\$16,038</b>
	<b>TOTAL</b>	<b>\$1,603.80</b>

*\* In accordance with Council's Schedule of Fees & Charges the application fee for a Minor Change is 10% of current prescribed fee.*

#### Minor Change Test

The development as changed is consistent with the definition of a Minor change under the Act as the change will not result in a substantially different development. Schedule 1 of the Development Assessment Rules states that development is considered to result in a substantially different development if any of the following apply to the proposed change:

- (a) *involves a new use*  
No. The Minor Change Application does not seek approval of any additional uses to be included in the development.
- (b) *results in the application applying to a new parcel of land*  
No additional land is included in the land subject of the Minor Change Application.
- (c) *dramatically changes the built form in terms of scale, bulk and appearance*  
No. The proposed changes do not dramatically change the built form in terms of scale, bulk and appearance when compared to that approved development.
- (d) *changes the ability of the proposed development to operate as intended*

The development will function as originally intended.

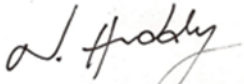
- (e) *removes a component that is integral to the operation of the development*  
The change does not remove a component that is integral to the operation of the development.
- (f) *significantly impacts on traffic flow and the transport network, such as increasing traffic to the site*  
No. The changes will not impact traffic flow.
- (g) *introduces new impacts or increase the severity of known impacts*  
No. The development does not introduce new impacts or increase the severity of known impacts.
- (h) *removes an incentive or offset component that would have balanced a negative impact of the development*  
No. The change does not remove an incentive or offset component.
- (i) *impacts on infrastructure provisions*  
No. The change does not impact infrastructure provision.

The proposed change seeks amendments to the following conditions of Council's Decision Notice:

- Updating the schedule of approved drawings and documents.
- Deleting conditions 3a-c, and g as the aspects are now reflected in the amended plans.
- Deleting condition 3f as the condition seeks works within the access easement that are not provided for within the easement terms.

If you require any further information please do call me.

Yours sincerely,



**Nikki Huddy (FPIA)**  
**Registered Planner**  
**Planz Town Planning**

**Att:**

1. DA Form 1
2. DA Form 5
3. Planning report

# DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 2020) made under section 282 of the Planning Act 2016.

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

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

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

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

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

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

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

## PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Scali Nominees Pty Ltd and Second York Pty Ltd
Contact name (only applicable for companies)	C/- Planz Town Planning
Postal address (P.O. Box or street address)	PO Box 181
Suburb	Edge Hill
State	QLD
Postcode	4870
Country	
Contact number	0447323384
Email address (non-mandatory)	info@planztp.com
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	

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

## PART 2 – LOCATION DETAILS

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

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

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

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		20	Warner Street	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	1	SP316373	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- ☐ Coordinates of premises by longitude and latitude

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

- ☐ Coordinates of premises by easting and northing

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

#### 3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

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

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

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

Name of airport:

<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification: <input type="text"/>
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>
CLR site identification: <input type="text"/>

**5) Are there any existing easements over the premises?**

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

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

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

**6.1) Provide details about the first development aspect**

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

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

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

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

c) What is the level of assessment?

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

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

Change application (Minor change) to existing Material Change of Use for Short-Term Accommodation (Motel) with ancillary uses of Food and Drink Outlet / Bar

e) Relevant plans

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

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

**6.2) Provide details about the second development aspect**

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

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

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

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

c) What is the level of assessment?

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

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

Reconfiguring a lot (boundary realignment and access easement)

e) Relevant plans

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

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

**6.3) Additional aspects of development**

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

## Section 2 – Further development details

7) Does the proposed development application involve any of the following?	
Material change of use	<input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

### Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m <sup>2</sup> ) (if applicable)
Change to site layout	Short-Term Accommodation (Motel) with ancillary uses of Food and Drink Outlet / Bar		
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input type="checkbox"/> Yes			
<input checked="" type="checkbox"/> No			

### Division 2 – Reconfiguring a lot

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

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

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

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

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

**12) Boundary realignment**

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

Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )

**12.2) What is the reason for the boundary realignment?**

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

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

**Division 3 – Operational work**

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

**14.1) What is the nature of the operational work?**

<input type="checkbox"/> Road work	<input type="checkbox"/> Stormwater	<input type="checkbox"/> Water infrastructure
<input type="checkbox"/> Drainage work	<input type="checkbox"/> Earthworks	<input type="checkbox"/> Sewage infrastructure
<input type="checkbox"/> Landscaping	<input type="checkbox"/> Signage	<input type="checkbox"/> Clearing vegetation
<input type="checkbox"/> Other – please specify: _____		

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

<input type="checkbox"/> Yes – specify number of new lots: _____
<input type="checkbox"/> No

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

\$ _____
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**PART 4 – ASSESSMENT MANAGER DETAILS**

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

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

<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application
<input type="checkbox"/> The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
<input checked="" type="checkbox"/> No

## PART 5 – REFERRAL DETAILS

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

**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
- ☐ Tidal works or works in a coastal management district
- ☐ Reconfiguring a lot in a coastal management district or for a canal
- ☐ Erosion prone area in a coastal management district
- ☐ Urban design
- ☐ Water-related development – taking or interfering with water
- ☐ Water-related development – removing quarry material (*from a watercourse or lake*)
- ☐ Water-related development – referable dams
- ☐ Water-related development – levees (*category 3 levees only*)
- ☐ Wetland protection area

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

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

<input type="checkbox"/> Heritage places – Local heritage places
Matters requiring referral to the <b>Chief Executive of the distribution entity or transmission entity:</b>
<input type="checkbox"/> Infrastructure-related referrals – Electricity infrastructure
Matters requiring referral to:
<ul style="list-style-type: none"> <li>• The <b>Chief Executive of the holder of the licence</b>, if not an individual</li> <li>• The <b>holder of the licence</b>, if the holder of the licence is an individual</li> </ul>
<input type="checkbox"/> Infrastructure-related referrals – Oil and gas infrastructure
Matters requiring referral to the <b>Brisbane City Council:</b>
<input type="checkbox"/> Ports – Brisbane core port land
Matters requiring referral to the <b>Minister responsible for administering the <i>Transport Infrastructure Act 1994</i>:</b>
<input type="checkbox"/> Ports – Brisbane core port land ( <i>where inconsistent with the Brisbane port LUP for transport reasons</i> )
<input type="checkbox"/> Ports – Strategic port land
Matters requiring referral to the <b>relevant port operator</b> , if applicant is not port operator:
<input type="checkbox"/> Ports – Land within Port of Brisbane's port limits ( <i>below high-water mark</i> )
Matters requiring referral to the <b>Chief Executive of the relevant port authority:</b>
<input type="checkbox"/> Ports – Land within limits of another port ( <i>below high-water mark</i> )
Matters requiring referral to the <b>Gold Coast Waterways Authority:</b>
<input type="checkbox"/> Tidal works or work in a coastal management district ( <i>in Gold Coast waters</i> )
Matters requiring referral to the <b>Queensland Fire and Emergency Service:</b>
<input type="checkbox"/> Tidal works or work in a coastal management district ( <i>involving a marina (more than six vessel berths)</i> )

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

## PART 6 – INFORMATION REQUEST

<b>19) Information request under Part 3 of the DA Rules</b>
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application
<input type="checkbox"/> I do not agree to accept an information request for this development application
<p><b>Note:</b> By not agreeing to accept an information request I, the applicant, acknowledge:</p> <ul style="list-style-type: none"> <li>• that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties</li> <li>• Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</li> </ul> <p>Further advice about information requests is contained in the <a href="#">DA Forms Guide</a>.</p>

## PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)			
<input checked="" type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input type="checkbox"/> No			
List of approval/development application references	Reference number	Date	Assessment manager
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Development application	MCUC 2019_3365/2 (Doc ID 985997)	15 December 2020	Douglas Shire Council
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Development application	ROL 2021_4461/1 (Doc ID 1055696)	14 December 2021	Douglas Shire Council

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)		
<input type="checkbox"/> Yes – a copy of the receipted QLeave form is attached to this development application <input type="checkbox"/> 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 <input checked="" type="checkbox"/> 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?
<input type="checkbox"/> Yes – show cause or enforcement notice is attached <input checked="" type="checkbox"/> No

23) Further legislative requirements			
<b>Environmentally relevant activities</b>			
23.1) Is this development application also taken to be an application for an environmental authority for an <b>Environmentally Relevant Activity (ERA)</b> under section 115 of the <i>Environmental Protection Act 1994</i> ?			
<input type="checkbox"/> 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 <input checked="" type="checkbox"/> No <b>Note:</b> Application for an environmental authority can be found by searching "ESR/2015/1791" as a search term at <a href="http://www.qld.gov.au">www.qld.gov.au</a> . An ERA requires an environmental authority to operate. See <a href="http://www.business.qld.gov.au">www.business.qld.gov.au</a> for further information.			
Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			
<input type="checkbox"/> Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.			
<b>Hazardous chemical facilities</b>			
23.2) Is this development application for a <b>hazardous chemical facility</b> ?			
<input type="checkbox"/> Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application <input checked="" type="checkbox"/> No <b>Note:</b> See <a href="http://www.business.qld.gov.au">www.business.qld.gov.au</a> for further information about hazardous chemical notifications.			

### **Clearing native vegetation**

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

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

☒ No

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

### **Environmental offsets**

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

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

☒ No

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

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

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

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

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

☒ No

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

### **Water resources**

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

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

☒ No

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

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

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

### **Waterway barrier works**

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

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

☒ No

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

### **Marine activities**

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

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

☒ No

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

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

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

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

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

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

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

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

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

### **Referable dams**

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

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

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

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

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

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

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

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

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

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

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

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

### **Brothels**

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

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

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

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

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

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

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

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

☒ No

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

## PART 8 – CHECKLIST AND APPLICANT DECLARATION

### 24) Development application checklist

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

☒ Yes

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

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

☐ Yes

☒ Not applicable

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

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

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☐ Yes

☒ Not applicable

### 25) Applicant declaration

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

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

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

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

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

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

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

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

---

Date received:  Reference number(s):

### Notification of engagement of alternative assessment manager

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

### QLeave notification and payment

*Note: For completion by assessment manager if applicable*

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

# Change application form

**Planning Act Form 5 (version 1.2 effective 7 February 2020) made under Section 282 of the Planning Act 2016.**

This form is to be used for a change application made under section 78 of the *Planning Act 2016*. It is important when making a change application to be aware of whether the application is for a minor change that will be assessed under section 81 of the *Planning Act 2016* or for an other change that will be assessed under section 82 of the *Planning Act 2016*.

An applicant must complete all parts of this form, and provide any supporting information that the form identifies as being required to accompany the change application, unless stated otherwise. Additional pages may be attached if there is insufficient space on the form to complete any part.

**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)	Deal Corp
Contact name (only applicable for companies)	C/- Planz Town Planning
Postal address (P.O. Box or street address)	PO Box 181
Suburb	Edge Hill
State	QLD
Postcode	4870
Country	
Email address (non-mandatory)	info@planztp.com
Mobile number (non-mandatory)	0447323384
Applicant's reference number(s) (if applicable)	

### 2) Owner's consent - Is written consent of the owner required for this change application?

**Note:** Section 79(1A) of the *Planning Act 2016* states the requirements in relation to owner's consent.

- ☒ Yes – the written consent of the owner(s) is attached to this change application  
☐ No

## PART 2 – LOCATION DETAILS

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

#### 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
		20	Warner Street	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	1	SP316373	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)



**Queensland  
Government**

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

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

☐ Coordinates of premises by longitude and latitude

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

☐ Coordinates of premises by easting and northing

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

**3.3) Additional premises**

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

## PART 3 – RESPONSIBLE ENTITY DETAILS

**4) Identify the responsible entity that will be assessing this change application**

**Note:** see section 78(3) of the Planning Act 2016

Douglas Shire Council

## PART 4 – CHANGE DETAILS

**5) Provide details of the existing development approval subject to this change application**

Approval type	Reference number	Date issued	Assessment manager/approval entity
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval	MCUC 2019 3365/2	15 December 2020	Douglas Shire Council
<input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval			

**6) Type of change proposed**

**6.1) Provide a brief description of the changes proposed to the development approval (e.g. changing a development approval for a five unit apartment building to provide for a six unit apartment building):**

Changing the internal layout to provide enhanced guest experience.

**6.2) What type of change does this application propose?**

- ☒ Minor change application – proceed to Part 5
- ☐ Other change application – proceed to Part 6

## PART 5 – MINOR CHANGE APPLICATION REQUIREMENTS

7) Are there any affected entities for this change application		
<input checked="" type="checkbox"/> No – proceed to Part 7 <input type="checkbox"/> Yes – list all affected entities below and proceed to Part 7 <b>Note:</b> section 80(1) of the Planning Act 2016 states that the person making the change application must give notice of the proposal and the details of the change to each affected entity as identified in section 80(2) of the Planning Act 2016.		
Affected entity	Pre-request response provided? (where a pre-request response notice for the application has been given, a copy of the notice must accompany this change application)	Date notice given (where no pre-request response provided)
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	

## PART 6 – OTHER CHANGE APPLICATION REQUIREMENTS

**Note:** To complete this part it will be necessary for you to complete parts of DA Form 1 – Development application details and in some instances parts of DA Form 2 – Building work details, as mentioned below. These forms are available at <https://planning.dsdmip.qld.gov.au>.

8) Location details - Are there any additional premises included in this change application that were not part of the original development approval?
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes

9) Development details
<b>9.1) Is there any change to the type of development, approval type, or level of assessment in this change application?</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes – the completed Sections 1 and 2 of Part 3 (Development details) of DA Form 1 – Development application details as these sections relate to the new or changed aspects of development are provided with this application.
<b>9.2) Does the change application involve building work?</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes – the completed Part 5 (Building work details) of DA Form 2 – Building work details as it relates to the change application is provided with this application.

10) Referral details – Does the change application require referral for any referral requirements?
<b>Note:</b> The application must be referred to each referral agency triggered by the change application as if the change application was the original development application including the proposed change. <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes – the completed Part 5 (Referral details) of DA Form 1 – Development application details as it relates to the change application is provided with this application. Where referral is required for matters relating to building work the <a href="#">Referral checklist for building work</a> is also completed.

11) Information request under Part 3 of the DA Rules
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this change application <input type="checkbox"/> I do not agree to accept an information request for this change application <b>Note:</b> By not agreeing to accept an information request I, the applicant, acknowledge:

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

Further advice about information requests is contained in the [DA Forms Guide: Forms 1 and 2](#).

## 12) Further details

- ☒ Part 7 of *DA Form 1 – Development application details* is completed as if the change application was a development application and is provided with this application.

# PART 7 – CHECKLIST AND APPLICANT DECLARATION

## 13) Change application checklist

I have identified the:

- responsible entity in 4); and
- for a minor change, any affected entities; and
- for an other change all relevant referral requirement(s) in 10)

☒ Yes

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

For an other change application, the relevant sections of [DA Form 1 – Development application details](#) have been completed and is attached to this application

☐ Yes

☒ Not applicable

For an other change application, where building work is associated with the change application, the relevant sections of [DA Form 2 – Building work details](#) have been completed and is attached to this application

☐ Yes

☒ Not applicable

Supporting information addressing any applicable assessment benchmarks is attached to this application

**Note:** This includes any templates provided under 23.6 and 23.7 of *DA Form 1 – Development application details* that are relevant as a result of the change application, a planning report and any technical reports required by the relevant categorising instrument(s) (e.g. the local government planning scheme, 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 relevant aspects of this change application. For further information, see [DA Forms Guide: Relevant plans](#).

☒ Yes

## 14) Applicant declaration

- ☒ By making this change application, I declare that all information in this change 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 responsible entity and any relevant affected entity or referral agency for the change 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 responsible entity and/or chosen assessment manager, any relevant affected entity or referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the change application.

All information relating to this change application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.

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- required by other legislation (including the *Right to Information Act 2009*); or
- otherwise required by law.

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## PART 8 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

---

Date received:

Reference number(s):

### 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			



CHANGE APPLICATION DEVELOPMENT PERMIT  
MCUC 2019\_3365/2

SHORT-TERM ACCOMMODATION AND  
ANCILLARY FACILITIES (FOOD + DRINK OUTLET / BAR)  
20 WARNER STREET, PORT DOUGLAS

3 MAY 2022

PREPARED BY

PLANZ TOWN PLANNING PTY LTD

on behalf of

SCALI NOMINEES PTY LTD & SECOND YORK PTY LTD

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## Application Summary

Application details	
<b>Proposal</b>	Change application (minor change) MCUC 2019_3365/2 36 room Short-term accommodation and ancillary facilities (Food & Drink Outlet / Bar)
<b>Applicant</b>	Scali Nominees Pty Ltd and Second York Pty Ltd
<b>Property Owner</b>	Scali Nominees Pty Ltd and Second York Pty Ltd
<b>Address</b>	20 Warner Street, Port Douglas
<b>Real Property Description</b>	Lot 1 SP316373 (855m <sup>2</sup> ) Easement A SP150452 Easement B SP204455 Easement C SP204455
<b>Zone</b>	Centre Zone
<b>Current Use</b>	Vacant
<b>Level of Assessment</b>	Code Assessable
<b>Applicable Codes</b>	Centre Zone code Port Douglas / Craiglie Local Plan code Acid Sulfate Soils Overlay code Coastal Environment Overlay code Flood and Storm Tide Hazard Overlay code Transport Network Overlay code Multiple Dwelling, Short Term Accommodation + Retirement Facility code Access, Parking and Servicing code Environmental Performance code Filling and Excavation code Infrastructure Works code Landscaping code Vegetation Management code
<b>Referral Triggers</b>	None

## 1 Approved Development

The Material Change of Use approval for a code assessable for Short-term Accommodation (36 Room short-term accommodation) and ancillary facilities (Food & Drink Outlet / Bar) was issued on 15 December 2020 over land described as Lot 1 SP316373. Since that time a reconfiguring a lot application has been approved, which has resulted in the site having an increased certainty of parking. The approved use is defined as:

**Short-term Accommodation:** *Premises used to provide short-term accommodation for tourists or travellers for a temporary period of time (typically not exceeding three consecutive months) and may be self-contained. The use may include a manager's residence and office and the provision of recreation facilities for the exclusive use of visitors. Use includes: Motel, backpackers, cabins, serviced apartments, accommodation hotel.*

## 2 Assessing and deciding application for minor changes (s81)

The purpose of this change application is to reflect changes to the internal layout of the building which including a revised rooftop communal recreation area. The proposed changes have occurred following detailed engagement with the proposed hotel operator based on their extensive experience and contemporary functionality sought by travellers. As the approved use is a Micro-hotel / boutique hotel, the additional recreation adds to the guest experience in the post COVID market.

The change that is required to the existing approval relates only to:

- ✓ Amending the schedule of approved plans.
- ✓ Deleting conditions 3a-c, and g as the aspects are now reflected in the amended plans.
- ✓ Deleting condition 3f as the condition seeks works within the access easement that are not provided for within the easement terms.

Douglas Shire Planning Scheme codes are addressed in Appendix 1 and the relevant codes for this assessment are highlighted in blue for ease of reading.

**There are no affected entities.**

The Planning Regulations and State Development Assessment Provisions (SDAP) set out the matters of interest to the state for development assessment. The site is mapped as containing:

- Coastal erosion prone area;
- Coastal medium storm tide inundation area
- Coastal – high storm tide inundation area

**Referral was not required for the original application**, as there was no referral trigger for this site or this development.

The **relevant matters Council must consider** are summarised as:

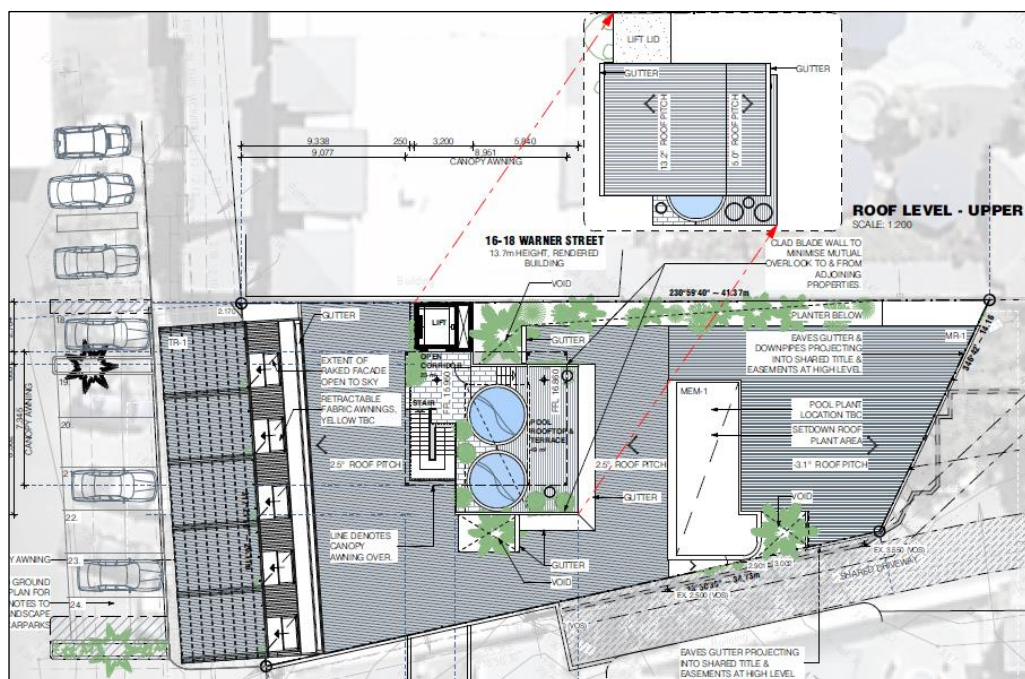
- (a) the information the applicant included with the application; and
- (b) any properly made submissions (*none for this code assessable application*); and
- (c) must assess against, or have regard to, the matters that applied when the development application was made; and
- (d) may assess against, or have regard to, the matters that applied when the change application was made.

In deciding the application, Council must decide to

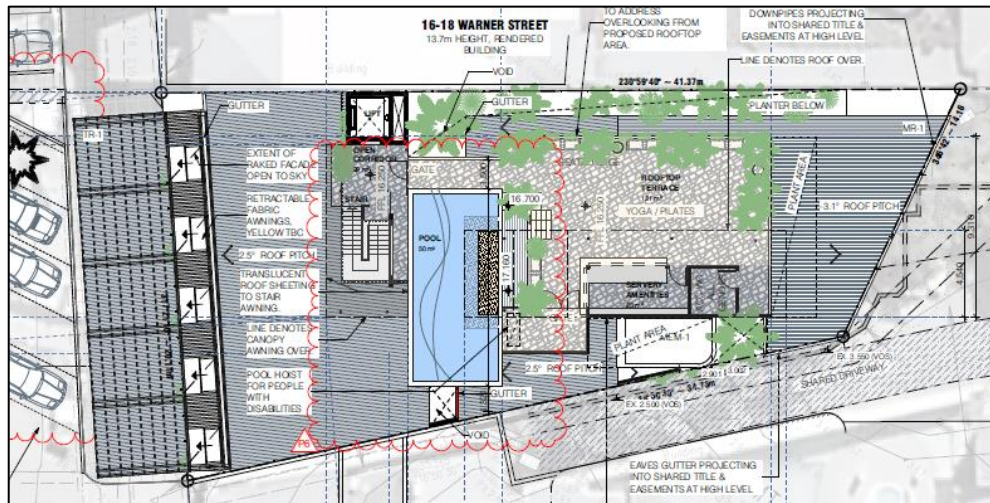
- (a) make the change, with or without imposing development conditions, or amending development conditions, relating to the change; or
- (b) refuse to make the change

**Figure 1: Proposal Imagery**

- The use of the roof area for communal open space is proposed in the current approval. Additional space has been provided for guest recreation and activities such as yoga/ pilates.



**Figure 2: Approved Roof Area**



**Figure 3: Proposed Roof Area**

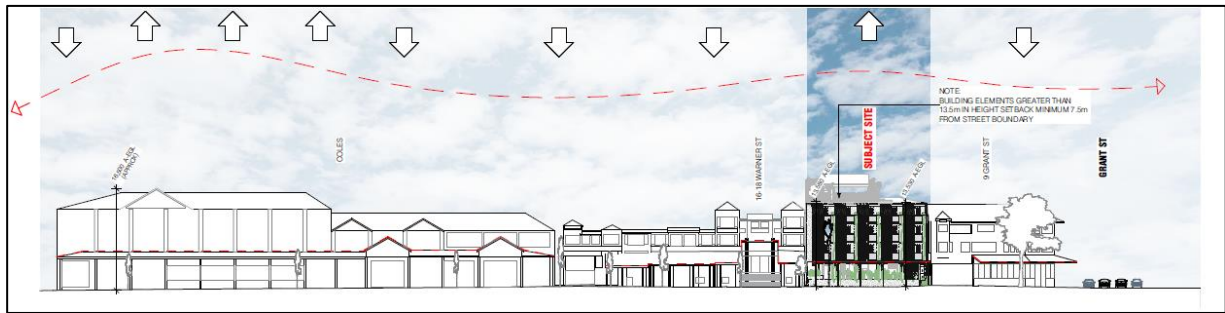
- The high level clad blade walls either side of the pool deck is to mutually minimise any overlooking to and from adjoining properties but also to create a sense of enclosure and ‘funnel’ the user outlook to the views.
- The revised schedule summary on the attached sheet P02.10 shows the communal zone increased from 7.7% to 9.6% based of the overall floor area which is a positive outcome.



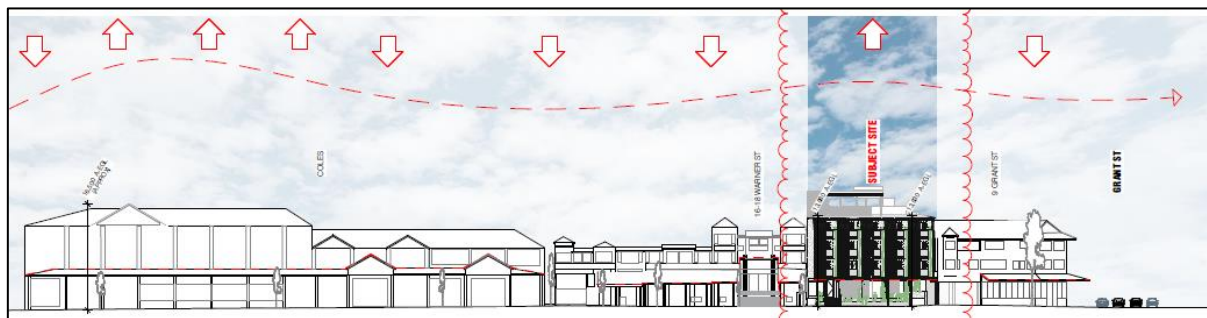
**Photo 1 & 2: The site and Streetscape**

### 3 Streetscape and Adjacent Properties

The site is located in the Centre Zone, and is situated between 2 large motel developments, the Mantra ‘Heritage’ to the north-east and the Mantra ‘In the Village’ to the south-west. To the rear (Macrossan St) of the site is a commercial development containing restaurant and shopping facilities.



**Figure 4: Warner St – Approved Streetscape Elevation**



**Figure 5: Warner Street – Proposed Streetscape Elevation**



**Figure 6: Cadastral plan of site**



**Figure 7: Aerial view of site**

The development site is constrained in terms of the available space, configuration and flood level. This application seeks to achieve the best possible use for the site that is consistent with surrounding development and is commercially viable particularly in the post-COVID climate where guests are expected to look for choice in terms of when and where they interact with other people. The development site has been increased in size to enable the provision of parking. This was facilitated via Council approval ROL 2021\_4461/1 attached as **Appendix 5**.

#### 4 Design Aspects

A new hotel has not been constructed in Port Douglas for some years, and the design philosophy is to develop a 'Micro Hotel' that provides a compact hotel room that is well-designed to meet the needs of contemporary travellers. The minimalist, boutique accommodation movement represents a new aspect in the hotel market, providing clever and viable solutions to small sites.

The challenges associated with the size and shape of the site have resulted in the innovative design which has evolved since originally approved by Council. The proposed revisions to the rooftop pool area continues the clever and responsive approach by the architect and landowner to deliver a viable contemporary product in the post-COVID tourist market.

The design integrates of landscaping and tropical design elements into the building, including shelter from the elements; a contrast of light and shade and quality landscaping. Development provides a high standard of design that:

- (a) achieves tropical urbanism outcomes and contributes to good urban places;
- (b) positively contributes to the image of Port Douglas and provides a visually appealing and interesting addition to the streetscape;
- (c) provides high quality landscaping and reflects the character of the town;
- (d) seeks to respond to local climate, the hotel is designed with open air lounges and stairs to capture and maximise stack effect and cross-ventilation;
- (r) uses appropriate materials.

The building design:

- (a) demonstrates the qualities of good urban places and tropical urbanism and responds to the tropical climate;
- (b) provides a variety in horizontal form;
- (c) includes dominant and accentuated vertical patterning;
- (e) provides relief to visible walls through depth, texture, colour, light and shade;
- (f) promotes an integrated streetscape and the street awnings respond to the town's distinctive tropical character.

## 5 Planning Scheme Assessment

The use is Code Assessable Development against the Douglas Shire Planning Scheme. In considering the proposed change against the relevant codes, there are Performance Outcomes and Acceptable Outcomes which are to be considered:

1. Assessable development must demonstrate that the Performance Outcomes can be achieved.
2. The Acceptable Outcomes that are nominated in the Codes are just one means by which the Performance Outcomes may be achieved.

The proposed change satisfies the Purpose and Overall Outcomes of the Planning Scheme Codes, as identified in **Appendix 1**. The assessment and compliance table for this development is shown below. The main assessment consideration for the change application is building height.

Planning Scheme Assessment Table Codes		Applicability
Zone Code	Centre Zone	✓
Local Plan	Port Douglas / Craiglie Local Plan	✓
Overlay Codes	8.2.1 Acid Sulphate Soils	✓
	8.2.3 Coastal Environment	✓
	8.2.4 Flood and storm tide hazard	✓
	8.2.10 Transport Network	✓
Use Codes	9.3.13 Multiple dwelling, short-term accommodation and retirement facility	✓
Other Development Codes	9.4.1 Access, parking and servicing	✓
	9.4.3 Environmental performance	✓
	9.4.4 Filling and Excavation	✓
	9.4.5 Infrastructure works	✓
	9.4.6 Landscaping	✓
	9.4.9 Vegetation management	✓

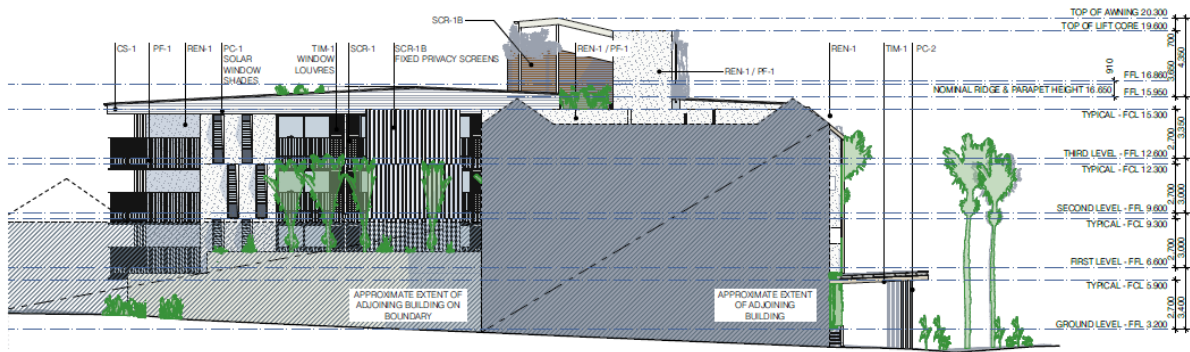
### Recreation and Open Space Requirements

The revised schedule summary on the **attached** sheet P02.10 shows the communal zone increased from 9.6% to 14% based of the overall floor area which is a positive outcome.

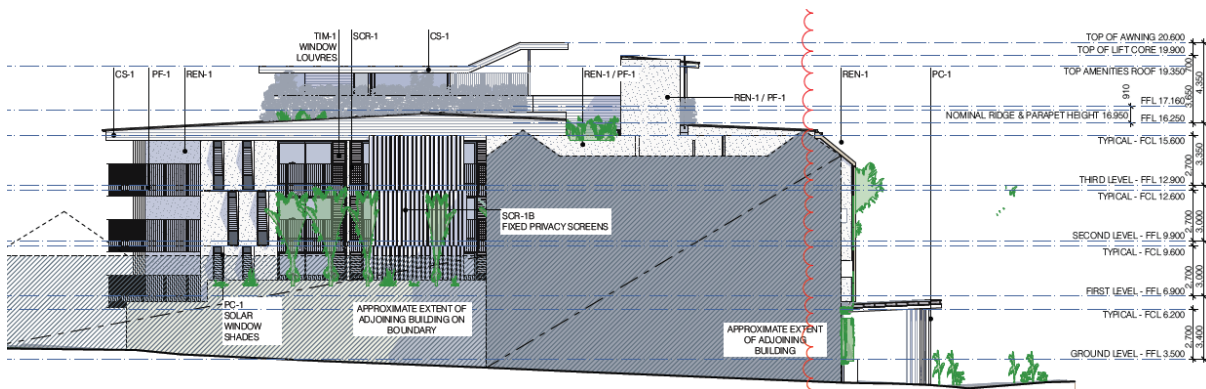
### Building height

Acceptable Outcome AO9 of the local plan code nominates one option that buildings and structures are than 3 storeys and 13.5m in height, with a roof height of not less than 3 metres. The approved building is 4 storeys with the rooftop terrace approved with a ridge / parapet height of 20.3m. Since the approval was obtained, Council has provided revised levels for the 1% AEP 2100 Storm Tide Inundation depth level. This has resulted in the ground floor requiring a finished floor level of 3.5m AHD which has increased the overall building height by 0.3m.

The proposed changes to the height are not considered to materially change the overall scape of the development.



### Approved roof Height 20.3m AHD



### Proposed height 20.6m AHD

The building height will not dominate the streetscape or town centre, and will offer a high quality appearance when viewed from the street.

The building has been cleverly designed to maximise the use of the constrained site, providing a viable development solution. Whilst incorporating 4 storeys, the building conforms generally with the height requirements and maintains the minimum 2.7m ceiling height requirements.

The development achieves:

- ✓ The purpose of the local plan code which 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.
- ✓ PO9 of the local plan code as this report and the attached imagery demonstrates that the building height:
  - (a) does not overwhelm or dominate the town centre;
  - (b) respects the desired – or in this instance - existing streetscape;
  - (c) ensures a high quality appearance;
  - (d) remains subservient to the backdrop of Flagstaff Hill.

## APPENDIX 1: ASSESSMENT AGAINST THE PLANNING SCHEME

### 6.2.1 Centre zone code

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

Table 6.2.1.3.a – Centre zone – assessable development

Performance Outcomes	Acceptable Outcomes	Applicant Response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> The height of all buildings is in keeping with the character of the surrounding residential neighbourhoods and must not adversely affect the amenity of the neighbourhood.	<b>AO1.1</b> The maximum height of buildings and structures is: (a) in accordance with the provisions of any applicable local plan; (b) if no local plan applies, not more than 8.5 metres and two storeys in height.  Note – Height is inclusive of the roof height.	<b>Complies with Performance Outcome</b> This is further addressed in the Port Douglas / Craiglie local plan code and section 5 of this report.
<b>PO2</b> The siting of buildings contributes to the use of the land, desired amenity and character of the area and protects the amenity of other land uses.	<b>AO2.1</b> Buildings and structures are setback to road frontages: (a) in accordance with the provisions of any applicable local plan; (b) a minimum of 6 metres where no local plan applies or there are no particular provisions specified in the local plan for the site.	<b>Complies with Performance Outcome</b> This is further addressed in the Port Douglas / Craiglie local plan code and section 5 of this report.
	<b>AO2.2</b> Where adjoining land in the Industry zone, buildings are setback: (a) 0 metres from the side and rear boundaries; or (b) 2.5 metres or ¼ of the height of the building, whichever is the greater; and (c) not any distance between 0 metres and 2.5 metres.	<b>Not applicable</b> The site adjoins land within the Centre zone.
	<b>AO2.3</b> Where adjoining land in any other zone, buildings are setback 3 metres or ¼ of the height of the building, whichever is the greater and are provided	<b>Not applicable</b> The site adjoins land within the Centre zone.

Performance Outcomes	Acceptable Outcomes	Applicant Response
	with an acoustic barrier in accordance with the recommendations of a qualified acoustic expert.	
	<b>A02.4</b> Setback areas are provided with a 2 metre landscaped strip capable of deep planting, which is kept clear of service equipment and storage areas: (a) adjacent to the road frontage in all areas not required for pedestrian or vehicular access for the setback area nominated in A02.1(b) above; (b) adjacent to the boundary with the other zone for the setback area nominated in A02.3 above.	<b>Not applicable</b>
<b>P03</b> The site coverage of buildings ensures that there is sufficient space available to cater for services, landscaping and on-site parking.	<b>A03</b> Site coverage does not exceed 80%, unless otherwise specified in a Local plan.	<b>Complies with Performance Outcomes</b>
<b>For assessable development</b>		
<b>P04</b> The establishment of uses is consistent with the outcomes sought for the Centre zone and protects the zone from the intrusion of inconsistent uses.	<b>A04</b> Inconsistent uses as identified in Table 6.2.1.3.b are not established in the Centre zone.	<b>Complies</b> The proposal is for Short-term accommodation, which is not identified as an inconsistent use in the Centre zone.
<b>P05</b> Development provides a range of convenient goods and services for the daily needs of discrete residential communities.	<b>A05</b> Development complies with the requirements specified in a local plan.	<b>Complies</b> Refer to Port Douglas / Craiglie local plan code
<b>P06</b> Development does not lower the standard of amenity in terms of air, noise, odour, electrical	<b>A06</b> No acceptable outcomes are prescribed.	<b>Not applicable</b>

<p>interference and vibrations at any land use associated with the:</p> <p>(a) the Accommodation activity group, located outside the Centre zone;</p> <p>(b) the Sensitive land use activity group, located outside the Centre zone.</p>	<p><b>AO5.2</b></p> <p>Buildings and structures and associated infrastructure are not located on slopes greater than 1 in 6 (16.6%) or on a ridgeline.</p>	<p><b>Complies</b></p> <p>The proposed new building is located on an existing level site.</p>
<p><b>PO7</b></p> <p>Reconfiguration of land results in</p> <p>(a) a practical layout for centre land use activities, generally consisting of regular rectangular-shaped lots.</p> <p>(b) lots no less than 600m<sup>2</sup> in area.</p>	<p><b>AO7</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>Reconfiguring a lot is not proposed.</p>

**Table 6.2.1.3.b — Inconsistent uses within the Centre zone**

Inconsistent Uses		
<ul style="list-style-type: none"> <li>• Air services</li> <li>• Animal husbandry</li> <li>• Animal keeping</li> <li>• Aquaculture</li> <li>• Brothel</li> <li>• Cemetery</li> <li>• Crematorium</li> <li>• Cropping</li> <li>• Detention facility</li> <li>• Environment facility</li> <li>• Extractive industry</li> <li>• High impact industry</li> <li>• Intensive animal industry</li> <li>• Intensive horticulture</li> </ul>	<ul style="list-style-type: none"> <li>• Major electrical infrastructure</li> <li>• Major sport and entertainment facility</li> <li>• Marine industry, except where located within sub-precinct 1b Waterfront North in the Port Douglas / Craigie Local Plan.</li> <li>• Medium impact industry</li> <li>• Motor sport facility</li> <li>• Outstation</li> <li>• Permanent plantation</li> </ul>	<ul style="list-style-type: none"> <li>• Relocatable home park</li> <li>• Renewable energy facility, being a wind farm</li> <li>• Resort complex</li> <li>• Retirement facility</li> <li>• Roadside stall</li> <li>• Rural industry</li> <li>• Rural workers accommodation</li> <li>• Special industry</li> <li>• Tourist park</li> <li>• Transport depot</li> <li>• Utility installation</li> <li>• Winery</li> </ul>

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

## 7.2.4 Port Douglas/Craigie local plan code

- (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

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

- (i) environment and sustainability is integrated into the township through:
  - (A) preservation and enhancement of the qualities and characteristics of environmental areas of the township;
  - (B) water sensitive urban design is considered as a means of water quality improvement and management of overland flow to ensure hard infrastructure solutions in Warner Street can be mitigated;
  - (C) design of buildings and access way improvements prioritises walking and cycling modes of transport.
- (ii) the tropical character of the Port Douglas precinct is enhanced by ensuring development:
  - (A) maintains and enhances the built form, local character, streetscapes and natural elements of the township;
  - (B) is compatible with the desired character and amenity of local places and neighbourhoods;
  - (C) does not exceed the height of buildings designations which contribute to the desired form of the township which contains three storey development heights in sub-precinct 1a – Town Centre sub-precinct and part of subprecinct 1b – Waterfront North sub-precinct;
  - (D) implements high quality landscaped environments around buildings and on streets;
  - (E) protects the recognisable character and locally significance sites throughout the precinct.
- (iii) public spaces and the streetscape are enhanced through:
  - (A) an increase in the quantity and quality of public land and places throughout the precinct;
  - (B) consolidating community recreation and sporting uses to create a precinct of community focussed activity between Mudlo Street and Wharf Street;
  - (C) improved connections between the town centre and the waterfront marina, including an investigation of a plaza on the waterfront;
  - (D) improved streetscapes with high quality landscaping, surface treatments and shaded pedestrian environments;
  - (E) the creation of a sense of place through aesthetic streetscapes and built form character;
  - (F) managing vegetation to ensure succession of planting and the ongoing presence of significant trees.
- (iv) advertising signage is small scale, low-key and complements the tropical character of the town.

### Sub-precinct 1a – Town Centre sub-precinct

- (6) In addition to other overall development outcomes, development in the Town Centre subprecinct 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.

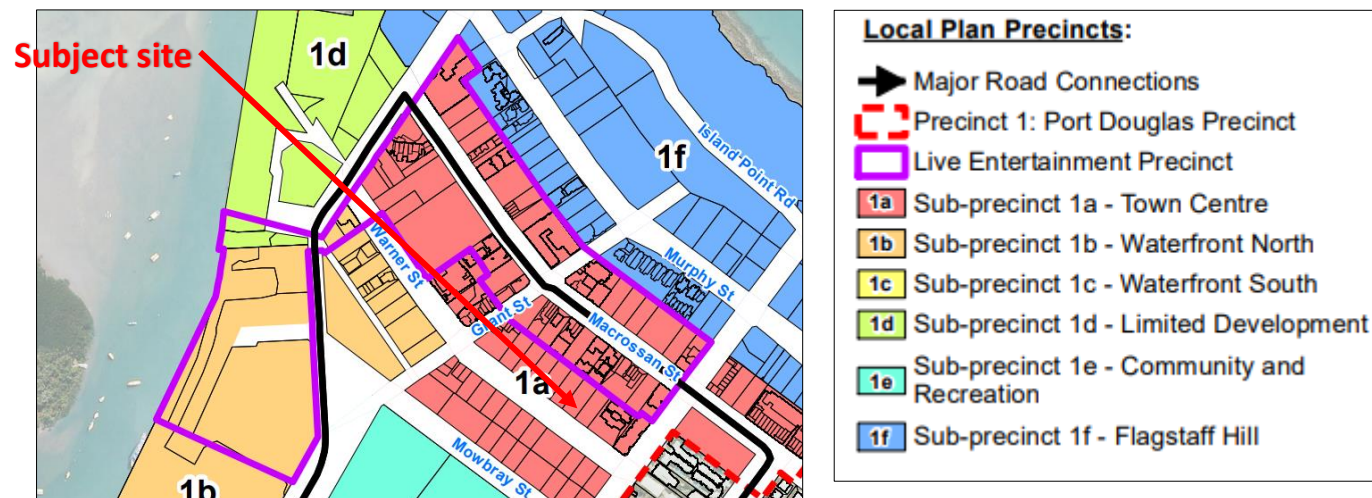


Figure 5: Extract from Port Douglas / Craigie Local Plan Precinct 1

Performance Outcomes	Acceptable Outcomes	Applicant Response
<b>For self-assessable and assessable development</b>		
<b>Development in the Port Douglas / Craiglie local plan area generally</b>		
<b>PO1</b> Pedestrians, cyclists, motorists and public transport users can easily move into and through the precinct along planned connectivity routes, identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.	<b>AO1</b> A pedestrian and cycle movement network is integrated and delivered through development.	<b>Complies</b> The development will provide for an active street frontage, providing for the movement of pedestrians along the frontage of the site.
<b>PO2</b> Development retains and enhances key landscape elements including character trees and areas of significant vegetation contributing to the character and quality of the local plan area and significant views and vistas and other landmarks important to the context of Port Douglas / Craiglie (as identified on the Port Douglas/ Craiglie Townscape Plan map contained in Schedule 2).	<b>AO2.1</b> Development provides for the retention and enhancement of existing mature trees and character vegetation that contribute to the lush tropical character of the town, including: (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.	<b>Complies</b> No mature trees exist on the site, however some are located on the adjacent Easement to the rear. These trees will be retained. Further planting within the building will enhance the landscape character of the street.
	<b>AO2.2</b> Development protects and does not intrude into important views and vistas as identified on the Port Douglas Townscape Plan map contained in Schedule 2, in particular:	<b>Complies</b> The development does not protrude into important views and vistas.

Performance Outcomes	Acceptable Outcomes	Applicant Response
	(a) Flagstaff Hill; (b) Four Mile Beach; (c) Across to the ranges over Dickson Inlet; (d) Mowbray Valley.	
	<b>AO2.3</b> Important landmarks, memorials and monuments are retained.	<b>Complies</b> No important landmarks, memorial or monuments exist on the site.
<b>PO3</b> Development contributes to the protection, reinforcement and where necessary enhancement of gateways and key intersections identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.	<b>AO3</b> Development adjacent to the gateways and nodes as identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 incorporates architectural features and landscaping treatments and design elements that enhance the sense of arrival and way finding within the town.	<b>Not applicable</b> The development does not adjoin gateways and nodes identified on the Port Douglas / Craiglie local plan maps.
<b>PO4</b> Landscaping of development sites complements the existing tropical character of Port Douglas and Craiglie.	<b>AO4</b> 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.	<b>Complied with Performance Outcomes</b> The development seeks to integrate landscape elements within the building itself, providing screening and enhancement of the tropical landscape character of Port Douglas.  This proposal increases the amount of landscaping and recreation areas available on the site – as discussed in section 4 of this report.
<b>PO5</b> Development does not compromise the safety and efficiency of the State-controlled road network.	<b>AO5</b> Direct access is not provided to a State-controlled road where legal and practical access from another road is available.	<b>Not applicable</b>
<b>For assessable development</b>		
<b>Additional requirements in Precinct 1 – Port Douglas precinct</b>		
<b>PO6</b>	<b>AO6.1</b>	<b>Complies</b>

Performance Outcomes	Acceptable Outcomes	Applicant Response
The views and vistas identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 are maintained.	Development does not impede continued views to scenic vistas and key streetscapes within the local plan area.	The development does not impede views as identified on the local plan maps.
	<b>AO6.2</b> Unless otherwise specified within this Local Plan, buildings are set back not less than 6 metres from the primary street frontage.	<b>Complies with Performance Outcomes</b> The development does not impede views or vistas as identified on the local plan maps.
<b>P07</b> Vehicle access, parking and service areas: (a) do not undermine the relationship between buildings and street or dominate the streetscape; (b) are designed to minimise pedestrian vehicle conflict; (c) are clearly identified and maintain ease of access at all times.	<b>AO7.1</b> For all buildings, parking is: (a) to the side of buildings and recessed behind the main building line; or (b) behind buildings; or (c) wrapped by the building façade, and not visible from the street.	<b>Complies</b> The parking for the development is located at the rear and under the proposed building.
	<b>AO7.2</b> Ground level parking incorporates clearly defined pedestrian routes.	<b>Complies</b> Pedestrian access from the parking area will be internal and the existing shared vehicle access driveway will be retained.
	<b>AO7.3</b> Any porte-cocheres, disabled and pedestrian accesses are accommodated within the boundary of new or refurbished development.	<b>Will be complied with</b> The building common areas and lobbies are design to the Disability Discrimination Act AS standards up to the room door entries. This accessibility design is subject to a future access consultant's review.
	<b>AO7.4</b> Where the development is an integrated mixed use development incorporating short term accommodation or multiple dwellings and either food and drink outlet or hotel or shop or shopping centre or office, on-site parking spaces are provided as per the number prescribed in the	<b>Not applicable</b> The use will be for a boutique hotel, with ground floor frontage utilised for reception and guest services.

Performance Outcomes	Acceptable Outcomes	Applicant Response
	Parking and access code with a relaxation of 30% of spaces required for the non-residential uses.	
	<b>A07.5</b> On-site car parking available for public use is clearly signed at the site frontage.	<b>Not applicable</b>
	<b>A07.6</b> Boom gates, pay machines or other regulatory devices to control access to a publicly available car parking area are not constructed or installed.	<b>Not applicable</b>
<b>PO8</b> Precinct 1 – Port Douglas precinct is not characterised by a proliferation of advertising signs.	<b>A08</b> No acceptable outcomes are prescribed.	<b>Complies</b> Signage will be compatible with existing signage within the street.
<b>Additional requirements for Sub-precinct 1a – Town Centre sub-precinct</b>		
<b>PO9</b> Building heights: (a) do not overwhelm or dominate the town centre; (b) respect the desired streetscape; (c) ensure a high quality appearance when viewed from both within the town centre subprecinct and external to the town centre subprecinct; (d) remain subservient to the natural environment and the backdrop of Flagstaff Hill. (e) do not exceed 3 storeys.	<b>A09</b> Buildings and structures are not more than 3 storeys and 13.5 metres in height, with a roof height of not less than 3 metres.  Note – Height is inclusive of the roof height.	<b>Complies with Purpose and</b> The proposed building is 4 storeys. The building height will not dominate the streetscape or town centre, and will offer a high quality appearance when viewed from the street.  The building has been cleverly designed to maximise the use of the constrained site, providing a viable development solution. Whilst incorporating 4 storeys, the building conforms generally with the height requirements and maintains the minimum 2.7m ceiling height requirements.  The development achieves: ✓ The purpose of the local plan code which is to facilitate development outcomes consistent with community values, the local tropical built-

Performance Outcomes	Acceptable Outcomes	Applicant Response
		<p>form and protection of the natural environment within the Port Douglas/Craigie local plan area, while providing a platform for investment and prosperity.</p> <p>✓ PO9 of the local plan code as this report and the attached imagery demonstrates that the building height:</p> <ul style="list-style-type: none"> <li>(a) does not overwhelm or dominate the town centre;</li> <li>(b) respects the desired – or in this instance - existing streetscape;</li> <li>(c) ensures a high quality appearance;</li> <li>(d) remains subservient to the backdrop of Flagstaff Hill.</li> </ul> <p>Modern design and landscape solutions will contribute to the streetscape, offering a high quality development.</p>
<b>PO10</b> 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.	<b>AO10</b> No acceptable outcomes are prescribed	<b>Complies</b> The building has been designed to include an active street frontage.
<b>PO11</b> Buildings: (a) address street frontages; (b) ensure main entrances front the street or public spaces; (c) do not focus principally on internal spaces or parking areas.	<b>AO11</b> No acceptable outcomes are prescribed.	<b>Complies</b> The development provides an open and active frontage to Warner Street at ground level.
<b>PO12</b> Setbacks at ground level provide for:	<b>AO12</b> Setbacks at ground level:	<b>Complies</b>

Performance Outcomes	Acceptable Outcomes	Applicant Response
(a) connection between pedestrian paths and public places; (b) areas for convenient movement of pedestrians; (c) changes in gradient of the street.	(a) are clear of columns and other obstructions; (b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites; (c) connect without any lip or step to adjoining footpaths.	
<b>PO13</b> 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	<b>AO13</b> No acceptable outcomes are prescribed.	<b>Complies</b> The building will not restrict views to Flagstaff Hill, Dickson Inlet, public open space or any place of significance.
<b>PO14</b> Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at street level including shade protection across the footpath for the length of the building.	<b>AO14</b> Development is built up to the street frontage/s at the street level and incorporates a light frame awning, a minimum of 3 metres in width for the length of the street frontage/s; or If a development includes an outdoor dining area at ground/footpath level, the dining area has a maximum setback of 3 metres and the required awning is still maintained along the length of the street frontage/s.  Note – PO24 provides more detail on awning design.	<b>Complies</b> The development is built to the boundary and incorporates an awning for the full length of the street frontage.
<b>PO15</b> Development is predominantly commercial in nature with any tourist accommodation having a secondary focus and not located on the street level frontage where active frontages are encouraged as	<b>AO15.1</b> Centre activities establish: at street level on active street frontages; a maximum of one level above street level.	<b>Complies</b> Active street frontages are encouraged at the site, and the development provides for a reception and guest facilities at ground level, providing for an active frontage.
	<b>AO15.2</b>	<b>Complies with Performance Outcomes</b>

Performance Outcomes	Acceptable Outcomes	Applicant Response
identified the Port Douglas local plan maps contained in Schedule 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.	The hotel rooms will be located on the upper levels, with the hotel reception and guest facilities located on the ground level along Warner Street.
<b>PO16</b> Detailed building design: (a) enhances the visual amenity of the streetscape; (b) has a legible and attractive built form that is visually enhanced by architectural elements; (c) contributes to a distinctive tropical north Queensland, seaside tourist town character; (d) integrates major landscaping elements to maximise their aesthetic value to ensure that the lush, vegetated character of the Town Centre sub-precinct is maintained.	<b>AO16</b> No acceptable outcomes are prescribed.	<b>Complies</b> The building has been designed to a high quality and will contribute and enhance the visual amenity of the streetscape. The design incorporates architectural and landscape features that will add aesthetic value to the area. The innovative landscape elements proposed will add a valuable tropical aspect to Warner Street.
<b>PO17</b> Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through: (a) surface decoration; (b) wall recesses and projections; (c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements. (d) differentiating between the lower, middle and upper parts of the building by varying the façade and/or the shape of the built form, where comprised of more than two storeys.	<b>AO17</b> No acceptable outcomes are prescribed.	<b>Complies</b> Variation to the external appearance of the building will be provided by the vertical landscape elements incorporated into the building. The building has been designed to a high quality and will contribute and enhance the visual amenity of the streetscape.
<b>PO18</b> Roofs are not characterised by a cluttered display of plant and equipment, in particular:	<b>AO18</b> No acceptable outcomes are prescribed.	<b>Complies</b> Rooftop plant and equipment will not be visible from Warner Street.

Performance Outcomes	Acceptable Outcomes	Applicant Response
(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.		
<b>P019</b> Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to: (a) shade windows; (b) reduce glare; (c) assist in maintaining comfortable indoor 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.	<b>AO19</b> No acceptable outcomes are prescribed.	<b>Complies</b> The building incorporates shaded balconies and vertical trellis to provide shade and tropical architectural interest to the development.
<b>P020</b> 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.	<b>AO20</b> No acceptable outcomes are prescribed.	<b>Complies</b> The building will be finished with high-quality materials, as outlined on the architectural drawings.
<b>P021</b> Buildings do not incorporate any type of glass or other materials that are likely to reflect the sun's	<b>AO21</b> No acceptable outcomes are prescribed.	<b>Complies</b> Refer to materials schedule in Appendix 1.

Performance Outcomes	Acceptable Outcomes	Applicant Response
rays in a manner that may create a nuisance, discomfort or a hazard.		
<b>PO22</b> Façades and elevations do not include large blank walls. Openings and setbacks are used to articulate vertical building surfaces.	<b>AO22.1</b> Development has a maximum length of unbroken building facade of 20 metres and a maximum extent of overall development in the same style/design along the street frontage/s of 40 metres.	<b>Complies</b> The building is built to boundary along both side boundaries, consistent with adjoining properties. The frontage of the site is less than 40m.
	<b>AO22.2</b> Any break in the building façade varies the alignment by a 1 metre minimum deviation.	<b>Complies</b> The building facades are varied by balconies along all sides.
	<b>AO22.3</b> A minimum of three of the following building design features and architectural elements detailed below are incorporated to break the extended facade of a development: (a) a change in roof profile; (b) a change in parapet coping; (c) a change in awning design; (d) a horizontal or vertical change in the wall plane; or (e) a change in the exterior finishes and exterior colours of the development.	<b>Complies with Performance Outcomes</b> The building has been designed to provide variation in the facades through the use of balconies and vertical planting. The design does not include large blank walls that would be visible.
<b>PO23</b> Building facades that face public spaces at ground level: (a) complement the appearance of the development and surrounding streetscape; (b) enhance the visual amenity of the public place; (c) include a variety of human scale architectural elements and details;	<b>AO23</b> Building facades at the ground floor of development that face public space are designed to ensure: (a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit the casual surveillance of the public space from the development;	<b>Complies</b> The building incorporates various architectural elements and includes an open reception and guest facilities area at street level, providing for casual surveillance of the public spaces and an attractive street frontage.

Performance Outcomes	Acceptable Outcomes	Applicant Response
(d) provide an opportunity for the casual and convenient surveillance of public space from within the development.	(b) a visually prominent main entrance that faces the principal public place; (c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade.	
<b>PO24</b> 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 loadbearing.	<b>AO24</b> No acceptable outcomes are prescribed.	<b>Complies</b> The awning design will achieve the outcomes stated. Posts will be consistent with adjoining properties.
<b>PO25</b> Development integrates with the streetscape and landscaping improvements for Port Douglas.	<b>AO25</b> Development fronting Davidson Street, Macrossan Street, Wharf Street, Mowbray Street and Warner Street is designed to integrate with the on-street landscaping and design improvements as outlined within the Port Douglas landscape master plan	<b>Will be complied with</b>

Performance Outcomes	Acceptable Outcomes	Applicant Response
	<p>contained within Planning scheme policy SC6.7 – Landscaping.</p> <p>Note - Planning scheme policy SC6.7 - Landscaping provides guidance on meeting the Performance Outcome.</p>	
<b>Additional requirements for Sub-precinct 1b – Waterfront North sub-precinct – PO26 – PO51 Not applicable</b>		
<b>Additional requirements for Sub-precinct 1c – Waterfront South sub-precinct - PO52 – PO60 Not applicable</b>		
<b>Additional requirements for Sub-precinct 1d – Limited Development sub-precinct – PO61 Not applicable</b>		
<b>Additional requirements for Sub-precinct 1e – Community and recreation sub-precinct – PO62 Not applicable</b>		
<b>Additional requirements for Sub-precinct 1f – Flagstaff Hill sub-precinct – PO63 – PO64 Not applicable</b>		
<b>Additional requirements for Precinct 3 – Craiglie Commercial and Light Industry precinct – PO65 – PO66 Not applicable</b>		
<b>Additional requirements for Precinct 6 – Very Low Residential Density / Low Scale Recreation / Low Scale Educational / Low Scale Entertainment Uses precinct – PO67 – PO68 Not applicable</b>		

### 8.2.1 Acid sulfate soils overlay code

The purpose of the acid sulfate soils overlay code is to:

- (a) implement the policy direction in the Strategic Framework, in particular:
  - (i) Theme 2: Environment and landscape values, Element 3.5.4 Coastal zones.
  - (ii) Theme 3: Natural resource management, Element 3.6.2 land and catchment management, Element 3.6.3 Primary production, forestry and fisheries.
- (b) enable an assessment of whether development is suitable on land within the Acid sulfate soils overlay sub-categories.

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

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

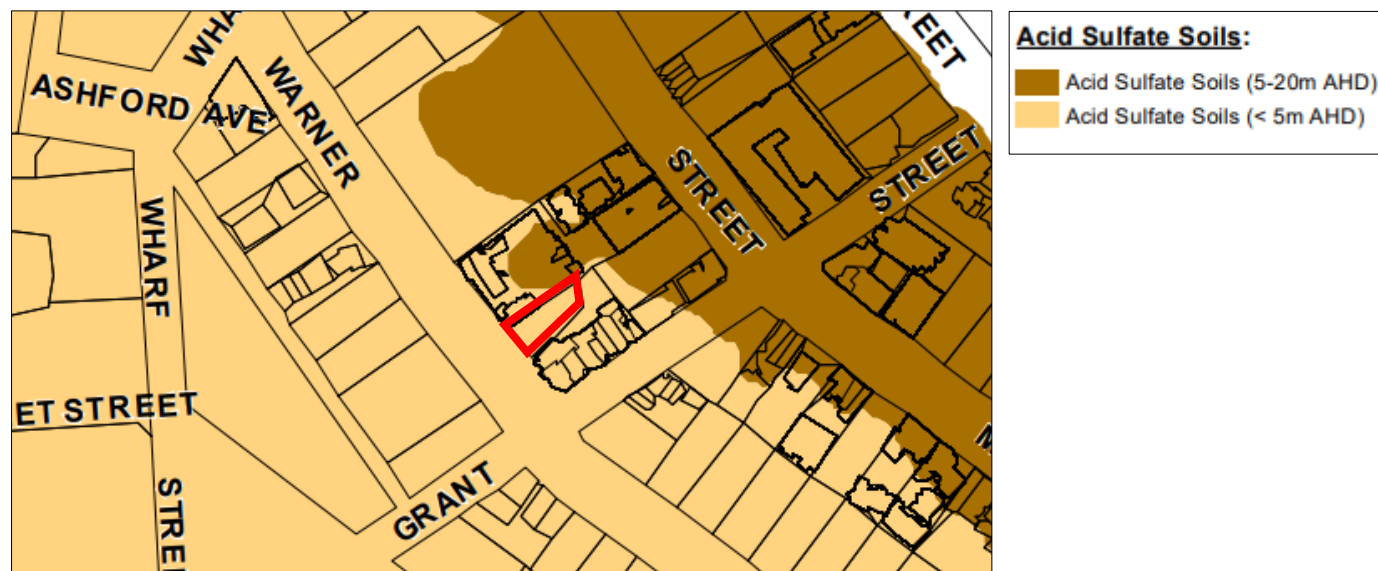


Figure 6: Extract from Acid Sulphate Soils Overlay Map

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable development</b>		
<b>PO1</b> The extent and location of potential or actual acid sulfate soils is accurately identified.	<b>AO1.1</b> No excavation or filling occurs on the site.  or <b>AO1.2</b> An acid sulfate soils investigation is undertaken.  Note - Planning scheme policy SC 6.12– Potential and actual acid sulfate soils provides guidance on preparing an acid sulfate soils investigation.	<b>Will be complied with</b> The site is on land below 5m AHD. An acid sulfate soils investigation will be undertaken at the time of construction.

Performance outcomes	Acceptable outcomes	Applicant response
<b>P02</b> Development avoids disturbing potential acid sulfate soils or actual acid sulfate soils, or is managed to avoid or minimise the release of acid and metal contaminants.	<b>AO2.1</b> The disturbance of potential acid sulfate soils or actual acid sulfate soils is avoided by: <ul style="list-style-type: none"> <li>(a) not excavating, or otherwise removing, soil or sediment identified as containing potential or actual acid sulfate soils;</li> <li>(b) not permanently or temporarily extracting groundwater that results in the aeration of previously saturated acid sulfate soils;</li> <li>(c) not undertaking filling that results in:</li> <li>(d) actual acid sulfate soils being moved below the water table;</li> <li>(e) previously saturated acid sulfate soils being aerated.</li> </ul> or <b>AO2.2</b> The disturbance of potential acid sulfate soils or actual acid sulfate soils is undertaken in accordance with an acid sulfate soils management plan and avoids the release of metal contaminants by: <ul style="list-style-type: none"> <li>(f) neutralising existing acidity and preventing the generation of acid and metal contaminants;</li> <li>(g) preventing the release of surface or groundwater flows containing acid and metal contaminants into the environment;</li> <li>(h) preventing the in situ oxidation of potential acid sulfate soils and actual acid sulfate soils through ground water level management;</li> <li>(i) appropriately treating acid sulfate soils before disposal occurs on or off site;</li> <li>(j) documenting strategies and reporting requirements in an acid sulfate soils</li> </ul>	<b>Will be complied with</b>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>environmental management plan.</p> <p>Note - Planning scheme policy SC 6.12 – Acid sulfate soils provides guidance on preparing an acid sulfate soils management plan.</p>	
<p><b>P03</b></p> <p>No environmental harm is caused as a result of exposure to potential acid sulfate soils or actual acid sulfate soils.</p>	<p><b>A03</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Will be complied with</b></p>

### 8.2.3 Coastal environment overlay code

The purpose of the Coastal environment overlay code is to:

- (a) implement the policy direction in the Strategic Framework, in particular:
  - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
  - (ii) Theme 2 Environment and landscape values: Element 3.5.4 Coastal zones;
  - (iii) Theme 3 Natural resource management: Element 3.6.2 Land and catchment management.
- (b) enable an assessment of whether development is suitable on land within the Coastal processes sub-categories.

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

- (a) facilitate the protection of both coastal processes and coastal resources;
- (b) facilitating coastal dependent development on the foreshore over other development;
- (c) public access to the foreshore protects public safety;
- (d) maintain the erosion prone area as a development free buffer zone (other than for coastal dependent, temporary or relocatable development);
- (e) require redevelopment of existing permanent buildings or structures in an erosion prone area to avoid coastal erosion risks, manage coastal erosion risks through a strategy of planned retreat or mitigate coastal erosion risks;
- (f) require development to maintain or enhance natural processes and the protective function of landforms and vegetation that can mitigate risks associated with coastal erosion;
- (g) locate and design community infrastructure to maintain the required level of functionality during and immediately after a coastal hazard event.

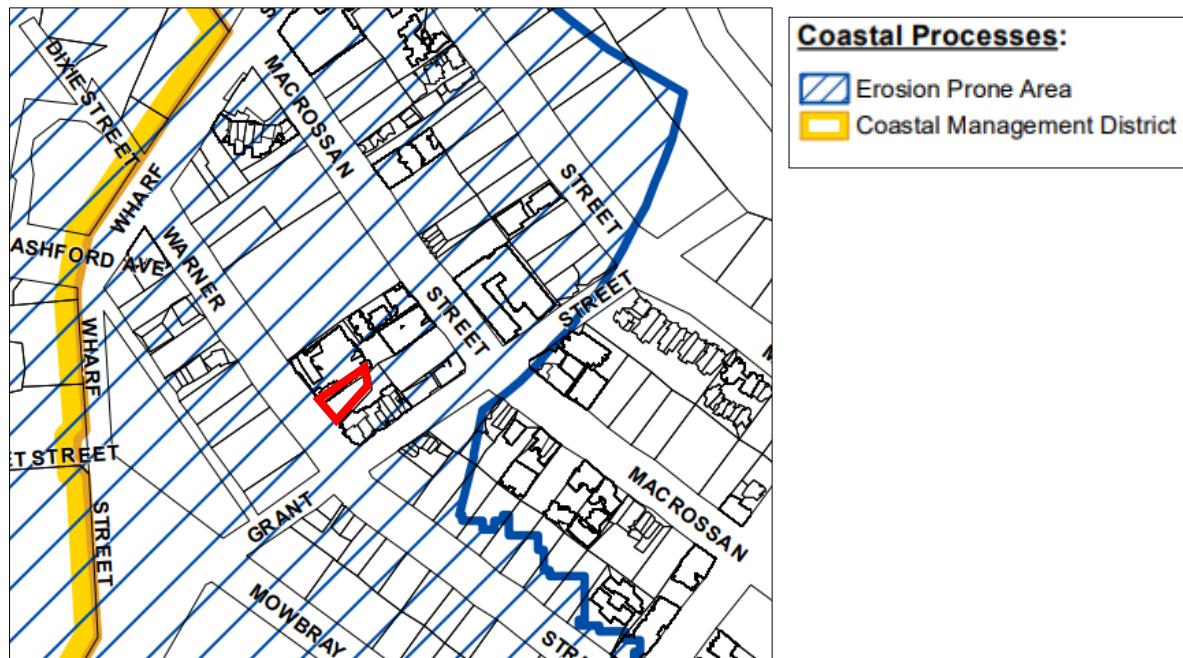


Figure 7: Extract from Coastal Processes Overlay Map

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self- assessable and assessable development</b>		
<b>PO1</b> No works other than coastal protection works extend seaward of the coastal building line.	<b>A01.1</b> Development (including all buildings and other permanent structures such as swimming pools and retaining walls) does not extend seaward of a coastal building line.  Note – Coastal building lines are declared under the Coastal Protection and Management Act 1995 and are administered by the State Department of Environment and Heritage Protection.	<b>Not applicable</b>
	<b>A01.2</b> Coastal protection works are only undertaken as a last resort where coastal erosion presents an immediate threat to public safety or existing buildings or structures and the property cannot be relocated or abandoned.	<b>Not applicable</b>
	<b>A01.3</b> Coastal protection works are as far landward as practicable on the lot containing the property to the maximum extent reasonable.	<b>Not applicable</b>
	<b>A01.4</b> Coastal protection work mitigates any increase in the coastal hazard.	<b>Not applicable</b>
<b>PO2</b> Where a coastal building line does not exist on a lot fronting the coast or a reserve adjoining the coast, development is setback to maintain the amenity	<b>A02</b> Where a coastal building line does not exist on a lot fronting the coast or a reserve adjoining the coast, development (including all buildings and structures	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
and use of the coastal resource.	such as swimming pools) and retaining walls are set back not less than 6 metres from the seaward boundary of the lot.	
<b>For assessable development</b>		
<b>Erosion prone areas</b>		
<b>P03</b> Development identifies erosion prone areas (coastal hazards).	<b>A03</b> No acceptable outcomes are prescribed.	<b>Complies</b> The development site is located on land included in the Erosion Prone Area as shown on the Coastal Processes Overlay Map.
<b>P04</b> Erosion prone areas are free from development to allow for natural coastal processes.	<b>AO4.1</b> Development is not located within the Erosion prone area, unless it can be demonstrated that the development is for: (a) community infrastructure where no suitable alternative location or site exists for this infrastructure; or (b) development that reflects the preferred development outcomes in accordance with the zoning of the site (i.e. in the Low density residential zone, a dwelling house is a preferred development outcome in accordance with the zoning of the site)	<b>Complies</b> The development is consistent with the zoning of the land.
	<b>AO4.2</b> Development involving existing permanent buildings and structures within an erosion prone area does not increase in intensity of its use by: (a) adding additional buildings or structures; or (b) incorporating a land use that will result in an increase in the number of people or employees occupying the site.	<b>Not applicable</b> The subject site is currently vacant. The land and surrounding properties are all included in the Erosion Prone Area.

Performance outcomes	Acceptable outcomes	Applicant response
<b>Coastal management districts</b>		
<b>P05</b> Natural processes and protective functions of landforms and vegetation are maintained.	<b>A05.1</b> Development within the coastal management district: <ul style="list-style-type: none"> <li>(a) maintains vegetation on coastal land forms where its removal or damage may:               <ul style="list-style-type: none"> <li>(i) destabilise the area and increase the potential for coastal erosion, or</li> <li>(ii) interrupt the natural sediment trapping processes or dune or land building processes;</li> </ul> </li> <li>(b) maintains sediment volumes of dunes and near-shore coastal landforms, or where a reduction in sediment volumes cannot be avoided, increased risks to development from coastal erosion are mitigated by location, design and construction and operating standards;</li> <li>(c) minimises the need for erosion control structures or riverine hardening through location, design and construction standards;</li> <li>(d) maintains physical coastal processes outside the development footprint for the development, including longshore transport of sediment along the coast;</li> <li>(e) reduces the risk of shoreline erosion for areas adjacent to the development footprint to the maximum extent feasible in the case of erosion control structures.</li> </ul>	<b>Not applicable</b> The development site is not located within a Coastal Management District.

Performance outcomes	Acceptable outcomes	Applicant response
	<b>P05.2</b> Where development proposes the construction of an erosion control structure: <ul style="list-style-type: none"> <li>(a) it is demonstrated that it is the only feasible option for protecting permanent structures from coastal erosion; and</li> <li>(b) those permanent structures cannot be abandoned or relocated in the event of coastal erosion occurring.</li> </ul>	Not applicable
	<b>A05.3</b> Development involving reclamation: <ul style="list-style-type: none"> <li>(a) does not alter, or otherwise minimises impacts on, the physical characteristics of a waterway or the seabed near the reclamation, including flow regimes, hydrodynamic forces, tidal water and riverbank stability;</li> <li>(b) is located outside active sediment transport area, or otherwise maintains sediment transport processes as close as possible to their natural state;</li> <li>(c) ensures activities associated with the operation of the development maintain the structure and condition of vegetation communities and avoid wind and water runoff erosion.</li> </ul>	Not applicable
<b>P06</b> Development avoids or minimises adverse impacts on coastal resources and their values to the maximum extent reasonable.	<b>A06.1</b> Coastal protection work that is in the form of beach nourishment uses methods of placement suitable for the location that do not interfere with the long-term use of the locality, or natural values within or neighbouring the proposed placement	Not applicable

Performance outcomes	Acceptable outcomes	Applicant response
	<p>and</p> <p><b>AO6.2</b> Marine development is located and designed to expand on or redevelop existing marine infrastructure unless it is demonstrated that it is not practicable to co-locate the development with existing marine infrastructure;</p> <p>And</p> <p><b>AO6.3</b> Measures are incorporated as part of siting and design of the development to maintain or enhance water quality to achieve the environmental values and water quality objectives outlined in the Environmental Protection (Water) Policy 2009.</p> <p>And</p> <p><b>AO6.4</b> Development avoids the disturbance of acid sulfate soils, or where it is demonstrated that this is not possible, the disturbance of acid sulfate soils is carefully managed to minimise and mitigate the adverse effects of disturbance on coastal resources.</p> <p>And</p> <p><b>AO6.5</b> Design and siting of development protects and retains identified ecological values and underlying ecosystem processes within the development site</p>	

Performance outcomes	Acceptable outcomes	Applicant response
	to the greatest extent practicable.	
<b>P07</b> Development is to maintain access to and along the foreshore for general public access.	<b>A07.1</b> Development provides for regular access points for pedestrians including approved walking tracks, boardwalks and viewing platforms.  and  <b>A07.2</b> Development provides for regular access points for vehicles including approved roads and tracks.  or  <b>A07.3</b> Development demonstrates an alternative solution to achieve an equivalent standard of performance.	<b>Not applicable</b>
<b>P08</b> Public access to the coast is appropriately located, designed and operated.	<b>A08.1</b> Development maintains or enhances public access to the coast.  Or  <b>A08.2</b> Development is located adjacent to state coastal land or tidal water and minimises and offsets any loss of access to and along the foreshore within 500 metres.  or	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
	<b>A08.3</b> Development adjacent to state coastal land or tidal water demonstrates an alternative solution to achieve an equivalent standard and quality of access.	
<b>P09</b> Development adjacent to state coastal land or tidal water is located, designed and operated to: (a) maintain existing access to and along the foreshore; (b) minimise any loss of access to and along the foreshore, or (c) offset any loss of access to and along the foreshore by providing for enhanced alternative access in the general location.	<b>A09.1</b> Development adjacent to state coastal land or tidal water: (a) demonstrates that restrictions to public access are necessary for: (i) the safe and secure operation of development; (ii) the maintenance of coastal landforms and coastal habitat; or (b) maintains public access (including public access infrastructure that has been approved by the local government or relevant authority) through the site to the foreshore for: (i) pedestrians via access points including approved walking tracks, boardwalks and viewing platforms; (ii) vehicles via access points including approved roads or tracks.	<b>Not applicable</b>
	<b>A09.2</b> Development adjacent to state coastal land or tidal water: (a) is located and designed to: (i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, for example through the provision of esplanades or easement	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>corridors to preserve future access; (ii) ensure emergency vehicles can access the area near the development.</p> <p>Or</p> <p>(a) minimises and offsets any loss of access to and along the foreshore within 500m of existing access points and development is located and designed to:</p> <p>(i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, and</p> <p>(ii) ensure emergency vehicles can access the area near the development</p>	
<p><b>PO10</b> Development that involves reconfiguring a lot for urban purposes adjacent to the coast is designed to ensure public access to the coast in consideration of public access demand from a whole-of-community basis and the maintenance of coastal landforms and coastal habitat.</p>	<p><b>AO10.1</b> Development complies if consideration of public access demand from a whole-of-community basis and the maintenance of coastal landforms and coastal habitat is undertaken.</p> <p>or</p> <p><b>AO10.2</b> Development demonstrates an alternative solution to achieve an equivalent standard and quality of access.</p>	<b>Not applicable</b>
<p><b>PO11</b> Development maintains public access to State coastal land by avoiding private marine development attaching to, or extending across, non-</p>	<p><b>AO11</b> Private marine access structures and other structures such as decks or boardwalks for private use do not attach to or extend across State coastal</p>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
tidal State coastal land.	land that is situated above high water mark.	
<b>PO12</b> Development in connection with an artificial waterway enhances public access to coastal waters.	<b>AO12</b> The artificial waterway avoids intersecting with or connection to inundated land or leased land where the passage, use or movement of vessels in water on the land could be restricted or prohibited by the registered proprietor of the inundated land or leased land.	<b>Not applicable</b>
<b>Coastal landscapes, views and vistas</b>		
<b>PO13</b> Development maintains and / or enhances natural coastal landscapes, views and vistas.	<b>AO13</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The development will not impact on coastal landscapes, view or vistas.
<b>PO14</b> Coastal settlements are consolidated through the concentration of development within the existing urban areas through infill and conserving the natural state of the coastal area outside existing urban areas.	<b>AO14</b> No acceptable outcomes are prescribed.	<b>Complies</b> The development represents infill development.
<b>Private marine development</b>		
<b>PO15</b> Private marine development is to avoid attaching to, or extending across, non-tidal State coastal land.	<b>AO15</b> Private marine development and other structures such as decks or boardwalks for private use do not attach to, or extend across, State coastal land that is situated above high water mark.  Note – For occupation permits or allocations of State land, refer to the Land Act 1994.	<b>Not applicable</b> The development does not involve private marine development.

Performance outcomes	Acceptable outcomes	Applicant response
<b>PO16</b> The location and design of private marine development does not adversely affect the safety of members of the public access to the foreshore.	<b>AO16</b> Private marine development does not involve the erection or placement of any physical barrier preventing existing access, along a public access way to the foreshores.	Not applicable
<b>PO17</b> Private marine development is of a height and scale and size compatible with the character and amenity of the location.	<b>AO17</b> Private marine development has regard to: (a) the height, scale and size of the natural features of the immediate surroundings and locality; (b) the height, scale and size of existing buildings or other structures in the immediate surroundings and the locality; (c) if the relevant planning scheme states that desired height, scale or size of buildings or other structures in the immediate surroundings or locality – the stated desired height, scale or size.  Note – The prescribed tidal works code in the Coastal Protection and Management Regulation 2003 outlines design and construction requirements that must be complied with.	Not applicable
<b>PO18</b> Private marine development avoids adverse impacts on coastal landforms and coastal processes.	<b>AO18</b> Private marine development does not require the construction of coastal protection works, shoreline or riverbank hardening or dredging for marine access.	Not applicable
<b>For dry land marinas and artificial waterways</b>		
<b>PO19</b> Dry land marinas and artificial waterways: (a) avoid impacts on coastal resources; (b) do not contribute to the degradation of water quality;	<b>AO19</b> No acceptable solutions are prescribed.	<b>Not applicable</b> The development does not involve dry land marinas or artificial waterways.

Performance outcomes	Acceptable outcomes	Applicant response
<p>(c) do not increase the risk of flooding;</p> <p>(d) do not result in the degradation or loss of MSES;</p> <p>(e) do not result in an adverse change to the tidal prism of the natural waterway to which development is connected.</p> <p>(f) does not involve reclamation of tidal land other than for the purpose of:</p> <p>(i) coastal dependent development, public marine development; or</p> <p>(ii) community infrastructure, where there is no feasible alternative; or</p> <p>(iii) strategic ports, boat harbours or strategic airports and aviation facilities in accordance with a statutory land use plan; or</p> <p>(iv) coastal protection works or works necessary to protect coastal resources and processes.</p>		

## 8.2.4 Flood and storm tide hazard overlay code

The purpose of the Flood and storm tide hazard overlay code is to:

- (a) implement the policy direction in the Strategic Framework, in particular:
  - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
  - (ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.
- (b) enable an assessment of whether development is suitable on land within the Flood and storm tide hazard sub-categories.

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

- (a) development siting, layout and access responds to the risk of the natural hazard and minimises risk to personal safety;
- (b) development achieves an acceptable or tolerable risk level, based on a fit for purpose risk assessment;
- (c) the development is resilient to natural hazard events by ensuring siting and design accounts for the potential risks of natural hazards to property;
- (d) the development supports, and does not unduly burden disaster management response or recovery capacity and capabilities;
- (e) the development directly, indirectly and cumulatively avoids an unacceptable increase in severity of the natural hazards and does not significantly increase the potential for damage on site or to other properties;
- (f) the development avoids the release of hazardous materials as a result of a natural hazard event;
- (g) natural processes and the protective function of landforms and/or vegetation are maintained in natural hazard areas;
- (h) community infrastructure is located and designed to maintain the required level of functionality during and immediately after a hazard event.

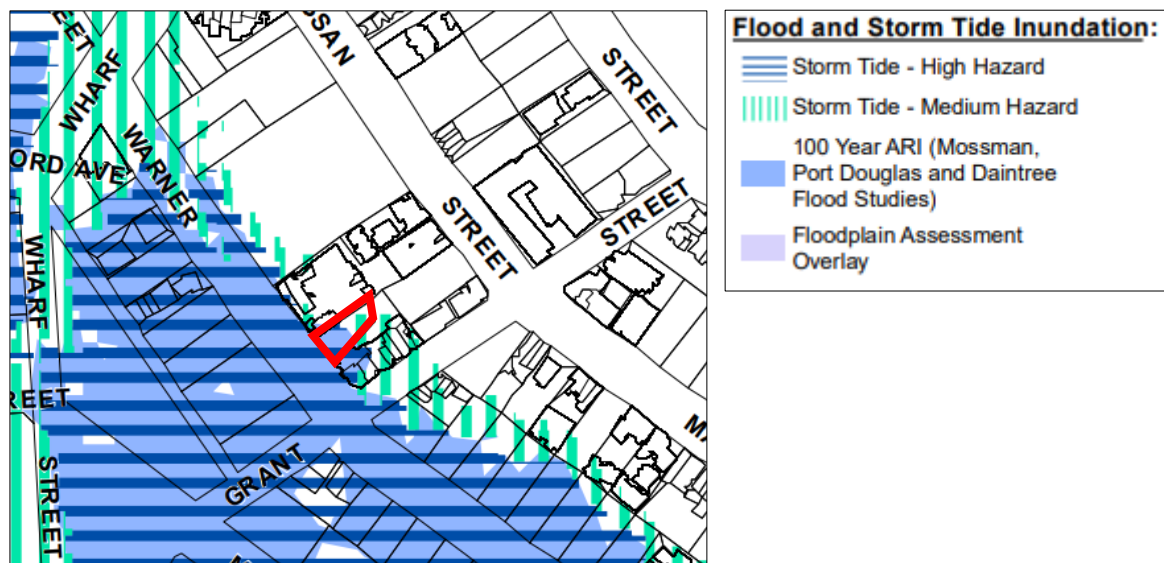


Figure 8: Extract from Flood and Storm Tide Inundation Overlay Map

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable development and self-assessable development</b>		
<b>PO1</b> Development is located and designed to: ensure the safety of all persons; minimise damage to the development and contents of buildings; provide suitable amenity; minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events.	<b>AO1.1</b> Development is sited on parts of the land that is not within the Flood and Storm tide hazards overlay maps contained in Schedule 2;  or  For dwelling houses,  <b>AO1.2</b>	<b>Complies with Performance Outcomes</b> The development site is included in the medium and high storm tide hazard area, as well as partially within the 100 year ARI. Similar conditions exist on adjoining developed properties. The building will be designed to meet acceptable flood immunity.

Performance outcomes	Acceptable outcomes	Applicant response
<p>Note – For assessable development within the flood plain assessment sub-category, a flood study by a suitably qualified professional is required to identify compliance with the intent of the acceptable outcome.</p>	<p>Development within the Flood and Storm Tide hazards overlay maps (excluding the Flood plain assessment sub-category) is designed to provide immunity to the Defined Inundation Event as outlined within Table 8.2.4.3.b plus a freeboard of 300mm.</p> <p><b>AO1.3</b> New buildings are: (a) not located within the overlay area; (b) located on the highest part of the site to minimise entrance of flood waters; (c) provided with clear and direct pedestrian and vehicle evacuation routes off the site.</p> <p><b>AO1.4</b> In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.</p>	
<b>For assessable development</b>		
<p><b>PO2</b> The development is compatible with the level of risk associated with the natural hazard.</p>	<p><b>AO2</b> The following uses are not located in land inundated by the Defined Flood Event (DFE) / Storm tide: (a) Retirement facility; (b) Community care facility; (c) Child care centre.</p>	<p><b>Complies</b> The development does not include the uses listed.</p>
<p><b>PO3</b> Development siting and layout responds to flooding potential and maintains personal safety</p>	<p>For Material change of use</p> <p><b>AO3.1</b></p>	<p><b>Complies</b> The development includes a number of areas above the highest known flood inundation level which can</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>New buildings are:            (d) not located within the overlay area;            (e) located on the highest part of the site to minimise entrance of flood waters;            (f) provided with clear and direct pedestrian and vehicle evacuation routes off the site.</p> <p>or</p> <p><b>A03.2</b>            The development incorporates an area on site that is at least 300mm above the highest known flood inundation level with sufficient space to accommodate the likely population of the development safely for a relatively short time until flash flooding subsides or people can be evacuated.</p> <p>or</p> <p><b>A03.3</b>            Where involving an extension to an existing dwelling house that is situated below DFE /Storm tide, the maximum size of the extension does not exceed 70m<sup>2</sup> gross floor area.</p> <p>Note – If part of the site is outside the Hazard Overlay area, this is the preferred location of all buildings.</p>	safely accommodate staff and guests in a flood event.
	<p>For Reconfiguring a lot</p> <p><b>A03.4</b>            Additional lots:            (a) are not located in the hazard overlay area; or</p>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(b) are demonstrated to be above the flood level identified for the site.</p> <p>Note - If part of the site is outside the Hazard Overlay area, this is the preferred location for all lots (excluding park or other open space and recreation lots).</p> <p>Note – Buildings subsequently developed on the lots will need to comply with the relevant building assessment provisions under the Building Act 1975.</p> <p><b>A03.5</b> Road and/or pathway layout ensures residents are not physically isolated from adjacent flood free urban areas and provides a safe and clear evacuation route path:</p> <p>(a) by locating entry points into the reconfiguration above the flood level and avoiding culs-de-sac or other non-permeable layouts; and</p> <p>(b) by direct and simple routes to main carriageways.</p>	

Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>A03.6</b> Signage is provided on site (regardless of whether the land is in public or private ownership) indicating the position and path of all safe evacuation routes off the site and if the site contains, or is within 100m of a floodable waterway, hazard warning signage and depth indicators are also provided at key hazard points, such as at floodway crossings or entrances to low-lying reserves.</p> <p>Or</p> <p><b>A03.7</b> There is no intensification of residential uses within the flood affected areas on land situated below the DFE/Storm tide.</p>	Will be complied with
<p><b>PO4</b> Development is resilient to flood events by ensuring design and built form account for the potential risks of flooding.</p>	<p>For Material change of use (Residential uses)</p> <p><b>A04.1</b> The design and layout of buildings used for residential purposes minimise risk from flooding by providing:</p> <p>(a) parking and other low intensive, nonhabitable uses at ground level;</p> <p>Note - The high-set 'Queenslander' style house is a resilient low-density housing solution in floodplain areas. Higher density residential development should ensure only nonhabitable rooms (e.g. garages, laundries) are located on the ground floor.</p>	Complies
	<p>For Material change of use (Non-residential uses)</p> <p><b>A04.2</b> Non residential buildings and structures allow for the flow through of flood waters on the ground floor.</p>	Not applicable

Performance outcomes	Acceptable outcomes	Applicant response
	<p>Note - Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p> <p>Note - The relevant building assessment provisions under the Building Act 1975 apply to all building work within the Hazard Area and need to take into account the flood potential within the area.</p>	
	<p><b>AO4.3</b> Materials are stored on-site:</p> <ul style="list-style-type: none"> <li>(a) are those that are readily able to be moved in a flood event;</li> <li>(b) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood.</li> </ul> <p>Notes –</p> <ul style="list-style-type: none"> <li>(a) Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</li> <li>(b) Queensland Government Fact Sheet ‘Repairing your House after a Flood’ provides information about water resilient products and building techniques.</li> </ul>	<b>Will be complied with</b>
<p><b>PO5</b> Development directly, indirectly and cumulatively avoids any increase in water flow velocity or flood level and does not increase the potential flood damage either on site or on other properties.</p> <p>Note – Berms and mounds are considered to be an undesirable built form outcome and are not supported.</p>	<p>For Operational works <b>AO5.1</b> Works in urban areas associated with the proposed development do not involve:</p> <ul style="list-style-type: none"> <li>(a) any physical alteration to a watercourse or floodway including vegetation clearing; or</li> <li>(b) a net increase in filling (including berms and mounds).</li> </ul>	<b>Will be complied with</b>

Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>A05.2</b> Works (including buildings and earthworks) in non urban areas either:</p> <ul style="list-style-type: none"> <li>(a) do not involve a net increase in filling greater than 50m<sup>3</sup> ; or</li> <li>(b) do not result in any reductions of on-site flood storage capacity and contain within the subject site any changes to depth/duration/velocity of flood waters; or</li> <li>(c) do not change flood characteristics outside the subject site in ways that result in: <ul style="list-style-type: none"> <li>(i) loss of flood storage;</li> <li>(ii) loss of/changes to flow paths;</li> <li>(iii) acceleration or retardation of flows or any reduction in flood warning times elsewhere on the flood plain.</li> </ul> </li> </ul>	
	<p>For Material change of use</p> <p><b>A05.3</b> Where development is located in an area affected by DFE/Storm tide, a hydraulic and hydrology report, prepared by a suitably qualified professional, demonstrates that the development maintains the flood storage capacity on the subject site; and</p> <ul style="list-style-type: none"> <li>(g) does not increase the volume, velocity, concentration of flow path alignment of stormwater flow across sites upstream, downstream or in the general vicinity of the subject site; and</li> <li>(h) does not increase ponding on sites upstream, downstream or in the general vicinity of the</li> </ul>	<p><b>Complies with performance outcomes</b> The development site lies at the outer edge of storm tide hazard and 100 year ARI. No filling is required for the development. Therefore, development of the site will not significantly affect the hydrology of storm tide or flood.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	subject site.	
	<p>For Material change of use and Reconfiguring a lot <b>A05.4</b> In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.</p> <p>Note – Fences and irrigation infrastructure (e.g. irrigation tape) in rural areas should be managed to minimise adverse the impacts that they may have on downstream properties in the event of a flood.</p>	<p><b>Not applicable</b> The development is within an urban area.</p>
<p><b>PO6</b> Development avoids the release of hazardous materials into floodwaters.</p>	<p>For Material change of use <b>A06.1</b> Materials manufactured or stored on site are not hazardous or noxious, or comprise materials that may cause a detrimental effect on the environment if discharged in a flood event;</p> <p>Or</p> <p><b>A06.2</b> If a DFE level is adopted, structures used for the manufacture or storage of hazardous materials are: (a) located above the DFE level; or (b) designed to prevent the intrusion of floodwaters.</p>	<p><b>Will be complied with</b> No hazardous or noxious materials will be stored on site in the areas affected by flood.</p>
	<p><b>A06.3</b> Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE.</p>	<p><b>Will be complied with</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>A06.4</b> If a flood level is not adopted, hazardous materials and their manufacturing equipment are located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of floodwaters.</p> <p>Note – Refer to Work Health and Safety Act 2011 and associated Regulation and Guidelines, the Environmental Protection Act 1994 and the relevant building assessment provisions under the Building Act 1975 for requirements related to the manufacture and storage of hazardous materials.</p>	<b>Not applicable</b>
<p><b>PO7</b> The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.</p>	<p><b>A07</b> Development does not:</p> <ul style="list-style-type: none"> <li>(a) increase the number of people calculated to be at risk of flooding;</li> <li>(b) increase the number of people likely to need evacuation;</li> <li>(c) shorten flood warning times; and</li> <li>(d) impact on the ability of traffic to use evacuation routes, or unreasonably increase traffic volumes on evacuation routes.</li> </ul>	<p><b>Complies with Performance Outcomes</b> The proposal represents infill development, and is consistent with surrounding development. Port Douglas is well serviced by emergency services. The proposed use will not unduly burden disaster management response or recovery capacity and capabilities.</p>
<p><b>PO8</b> Development involving community infrastructure:</p> <ul style="list-style-type: none"> <li>(a) remains functional to serve community need during and immediately after a flood event;</li> <li>(b) is designed, sited and operated to avoid adverse impacts on the community or environment due to impacts of flooding on infrastructure, facilities or access and egress routes;</li> <li>(c) retains essential site access during a flood</li> </ul>	<p><b>A08.1</b> The following uses are not located on land inundated during a DFE/Storm tide:</p> <ul style="list-style-type: none"> <li>(a) community residence; and</li> <li>(b) emergency services; and</li> <li>(c) residential care facility; and</li> <li>(d) utility installations involving water and sewerage treatment plants; and</li> <li>(e) storage of valuable records or items of historic or cultural significance (e.g. archives,</li> </ul>	<p><b>Not applicable</b> The proposed development does not involve community infrastructure or include any of the uses listed.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>event;</p> <p>(d) is able to remain functional even when other infrastructure or services may be compromised in a flood event.</p>	<p>museums, galleries, libraries).</p> <p>Or</p> <p><b>AO8.2</b> The following uses are not located on land inundated during a 1% AEP flood event:</p> <p>(a) community and cultural facilities, including facilities where an education and care service under the Education and care Services National law (Queensland) is operated or child care service under the Child Care Act 2002 is conducted,</p> <p>(b) community centres;</p> <p>(c) meeting halls;</p> <p>(d) galleries;</p> <p>(e) libraries.</p> <p>The following uses are not located on land inundated during a 0.5% AEP flood event.</p> <p>(a) emergency shelters;</p> <p>(b) police facilities;</p> <p>(c) sub stations;</p> <p>(d) water treatment plant.</p> <p>The following uses are not located on land inundated during a 0.2% AEP flood event:</p> <p>(a) correctional facilities;</p> <p>(b) emergency services;</p> <p>(c) power stations;</p> <p>(d) major switch yards.</p> <p>and/or</p>	

Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>AO8.3</b> The following uses have direct access to low hazard evacuation routes as defined in Table 8.2.4.3.c:</p> <ul style="list-style-type: none"> <li>(a) community residence; and</li> <li>(b) emergency services; and</li> <li>(c) hospitals; and</li> <li>(d) residential care facility; and</li> <li>(e) sub stations; and</li> <li>(f) utility installations involving water and sewerage treatment plants.</li> </ul> <p><b>AO8.4</b> Any components of infrastructure that are likely to fail to function or may result in contamination when inundated by flood, such as electrical switch gear and motors, telecommunications connections, or water supply pipeline air valves are:</p> <ul style="list-style-type: none"> <li>(a) located above DFE/Storm tide or the highest known flood level for the site;</li> <li>(b) designed and constructed to exclude floodwater intrusion / infiltration.</li> </ul> <p><b>AO8.5</b> Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by a flood.</p>	

## 8.2.10 Transport network overlay code

The purpose of the Transport network overlay code is to:

- (a) implement the policy direction of the Strategic Framework, in particular:
  - (i) Theme 1: Settlement pattern Element 3.4.2 Urban settlement, Element 3.4.3 Activity centres;
  - (ii) Theme 6: Infrastructure and transport Element 3.9.4 Transport;
- (b) enable an assessment of whether development is suitable on land within the Transport network overlay.

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

- (a) development provides for transport infrastructure (including active transport infrastructure);
- (b) development contributes to a safe and efficient transport network;
- (c) development supports the existing and future role and function of the transport network;
- (d) development does not compromise the safety and efficiency of major transport infrastructure and facilities.

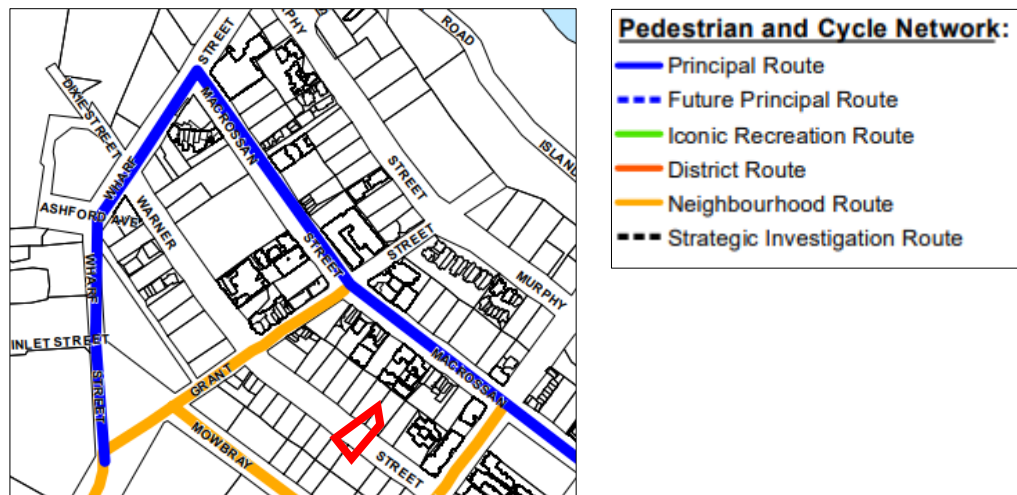


Figure 9: Extract from Transport Network (Pedestrian and Cycle) Overlay Map

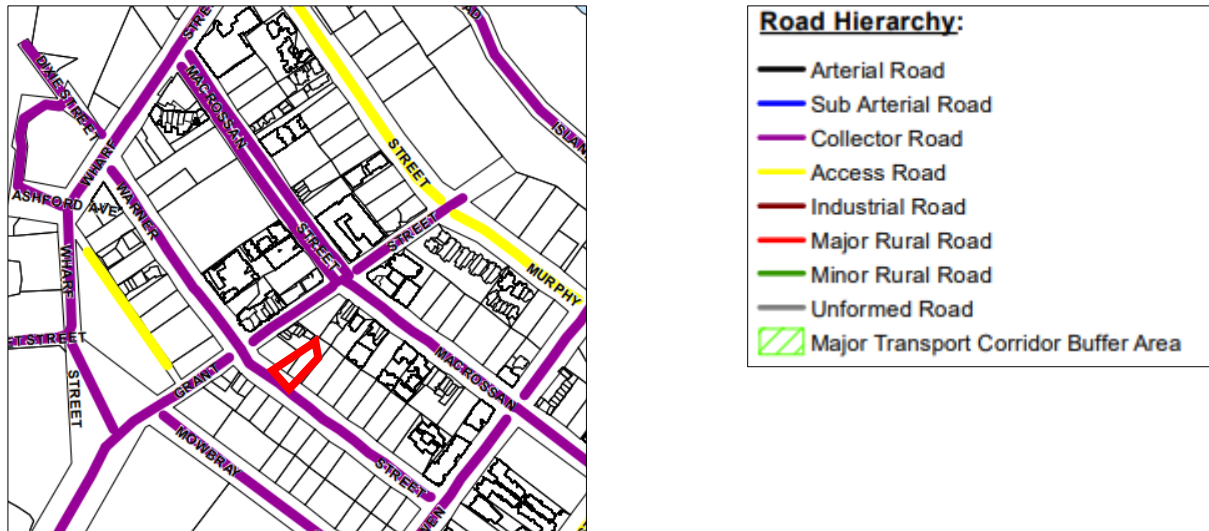


Figure 10: Extract from Transport Network (Road Hierarchy) Overlay Map

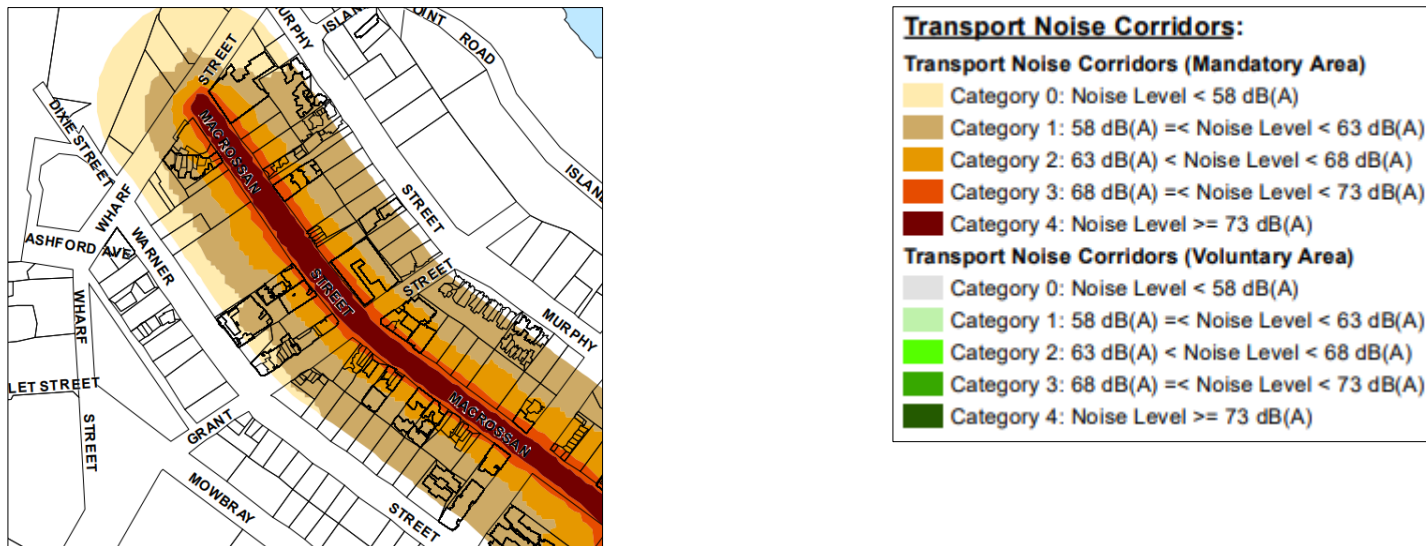


Figure 11: Extract from Transport Network Overlay Map 1:15,000 Map

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable development</b>		
<b>PO1</b> Development supports the road hierarchy for the region.  Note -A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.	<b>AO1.1</b> Development is compatible with the intended role and function of the transport network as identified on the Transport network overlay maps contained in Schedule 2.	<b>Complies</b> Warner Street is a collector road, which supports the type and scale of the proposed development.
	<b>AO1.2</b> Development does not compromise the safety and efficiency of the transport network.	<b>Complies</b> Access to the development site is via an existing crossover and shared access easement. The development will not compromise the safety and efficiency of the transport network.
	<b>AO1.3</b> Development is designed to provide access via the lowest order road, where legal and practicable access can be provided to that road.	<b>Not applicable</b> The site is only accessible from Warner Street.
<b>PO2</b> Transport infrastructure is provided in an integrated and timely manner.  Note - A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.	<b>AO2</b> Development provides infrastructure (including improvements to existing infrastructure) in accordance with: (a) the Transport network overlay maps contained in Schedule 2; (b) any relevant Local Plan.  Note – The Translink Public Transport Infrastructure Manual provides guidance on the design of public transport facilities.	<b>Not applicable</b> Access to the development site is via an existing crossover and shared access easement. The development will generate the need for additional infrastructure.
<b>PO3</b> Development involving sensitive land uses within a major transport corridor buffer area is located,	<b>AO3</b> No acceptable outcomes are prescribed.	<b>Will be complied with</b> The development site is located within Category 0 and partially within Category 1. The building will be

Performance outcomes	Acceptable outcomes	Applicant response
designed and maintained to avoid or mitigate adverse impacts on amenity for the sensitive land use.	Note – Part 4.4 of the Queensland Development Code provides requirements for residential building design in a designated transport noise corridor.	designed in accordance with the Queensland Development Code.
<b>PO4</b> Development does not compromise the intended role and function or safety and efficiency of major transport corridors.  Note - A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.	<b>AO4.1</b> Development is compatible with the role and function (including the future role and function) of major transport corridors.	<b>Complies</b> The development site does not directly access a major transport corridor.
	<b>AO4.2</b> Direct access is not provided to a major transport corridor where legal and practical access from another road is available.	<b>Complies</b>
	<b>AO4.3</b> Intersection and access points associated with major transport corridors are located in accordance with: (a) the Transport network overlay maps contained in Schedule 2; and (b) any relevant Local Plan.	<b>Complies</b>
	<b>AO4.4</b> The layout of development and the design of the associated access is compatible with existing and future boundaries of the major transport corridor or major transport facility.	<b>Complies</b> The development site does not access a major transport corridor.
<b>PO5</b> Development retains and enhances existing vegetation between a development and a major transport corridor, so as to provide screening to potential noise, dust, odour and visual impacts emanating from the corridor.	<b>AO5</b> No acceptable outcomes are prescribed.	<b>Complies</b> Existing vegetation between the site and major transport corridor will be retained.

Performance outcomes	Acceptable outcomes	Applicant response
<b>Pedestrian and cycle network</b>		
<b>PO6</b> Lot reconfiguration assists in the implementation of the pedestrian and cycle movement network to achieve safe, attractive and efficient pedestrian and cycle networks.	<b>AO6.1</b> Where a lot is subject to, or adjacent to an element of the pedestrian and cycle Movement network (identified on the Transport network overlay maps contained in Schedule 2) the specific location of this element of the pedestrian and cycle network is incorporated in the design of the lot layout.	<b>Not applicable</b>
	<b>AO6.2</b> The element of the pedestrian and cycle network is constructed in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC6.5 – FNQROC Regional Development Manual.	<b>Not applicable</b>

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

The purpose of the Multiple dwelling, short term accommodation and retirement facility code is to assess the suitability of development to which this code applies.

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

- (a) development is compatible with and complementary to surrounding development, with regard to scale, bulk, and streetscape patterns;
- (b) master planning is undertaken for larger developments to ensure connectivity and integration with adjoining uses and the wider neighbourhood;
- (c) development does not adversely impact on the natural features on the site;
- (d) the design of development creates a pleasant living environment and is appropriate for the tropical climate of the region;
- (e) the impacts of development on adjoining premises are managed.

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable development</b>		
<b>PO1</b> The site has sufficient area and frontage to: <ul style="list-style-type: none"> <li>(a) accommodate the scale and form of buildings considering site features;</li> <li>(b) achieve communal open space areas and private outdoor spaces;</li> <li>(c) deliver viable areas of deep planting and landscaping to retain vegetation and protect or establish tropical planting;</li> <li>(d) achieve safe and convenient vehicle and pedestrian access;</li> <li>(e) accommodate on-site car parking and manoeuvring for residents, visitors and service</li> </ul>	<b>AO1.1</b> The site has a minimum area of 1000m <sup>2</sup> .  <b>AO1.2</b> The site has a minimum frontage of 25 metres	<b>Complies with Performance Outcomes</b> The site has an area of 607m <sup>2</sup> with a 20m frontage to Warner Street. However, it also has a shared access easement along the side boundary, which provides additional area for driveway access. The site is sufficient in size to accommodate the proposal, making the best use of land. A number of easements exist to the rear of the property, which will retain mature vegetation. The site has a suitable frontage to accommodate the proposed use.

Performance outcomes	Acceptable outcomes	Applicant response										
providers.												
<p><b>PO2</b></p> <p>Development for large-scale multiple dwellings, short term accommodation and retirement villages contributes to the neighbourhood structure and integrates with the existing neighbourhood through:</p> <p>(a) the establishment and extension of public streets and pathways;</p> <p>(b) the provision of parks and other public spaces as appropriate to the scale of the development;</p> <p>(c) inclusion of a mix of dwelling types and tenures and forms;</p> <p>(d) buildings that address the street;</p> <p>(e) building height and setback transitions to adjoining development of a lower density or scale.</p>	<p><b>AO2</b></p> <p>Development on a site 5,000m<sup>2</sup> or greater is in accordance with a structure plan.</p> <p>Note – Guidance on preparing a structure plan is provided within Planning scheme policy SC6.14 – Structure planning.</p>	<p><b>Not applicable</b></p>										
<p><b>PO3</b></p> <p>Development ensures that the proportion of buildings to open space is:</p> <p>(a) in keeping with the intended form and character of the local area and immediate streetscape;</p> <p>(b) contributes to the modulation of built form;</p> <p>(c) supports residential amenity including access to breezes, natural light and sunlight;</p> <p>(d) supports outdoor tropical living;</p> <p>(e) provides areas for deep tropical planting and / or for the retention of mature vegetation.</p>	<p><b>AO3.1</b></p> <p>The site cover is not more than 40%.</p> <p><b>AO3.2</b></p> <p>The development has a gross floor area of not more than:</p> <table><thead><tr><th>Zone</th><th>Maximum GFA</th></tr></thead><tbody><tr><td>Low-medium density residential</td><td>0.8 x site area</td></tr><tr><td>Medium density residential</td><td>1.2 x site area</td></tr><tr><td>Tourist accommodation</td><td>1.2 x site area</td></tr><tr><td>All other zones</td><td>No acceptable outcome specified</td></tr></tbody></table>	Zone	Maximum GFA	Low-medium density residential	0.8 x site area	Medium density residential	1.2 x site area	Tourist accommodation	1.2 x site area	All other zones	No acceptable outcome specified	<p><b>Complies with Performance Outcomes</b></p> <p>Site coverage requirements are stated in Local Area Plan of 80%. Site coverage of the proposed development exceeds 80%. However, the development offers the following attributes:</p> <ul style="list-style-type: none"><li>the adjoining easements provide for the retention of mature trees and open spaces around the building, ensuring the form and scale of the proposed development is consistent with the urban character of the area;</li><li>When viewed from Warner Street, the development will present a consistent urban streetscape, in keeping with adjoining</li></ul>
Zone	Maximum GFA											
Low-medium density residential	0.8 x site area											
Medium density residential	1.2 x site area											
Tourist accommodation	1.2 x site area											
All other zones	No acceptable outcome specified											

Performance outcomes	Acceptable outcomes	Applicant response
		<p>developments.</p> <ul style="list-style-type: none"> <li>The building will enjoy access to breezes, natural light and offers substantial private outdoor spaces for each room, and the design of the internal spaces promotes tropical living.</li> <li>The modern approach to vertical planting will ensure the tropical character of Port Douglas is reflected and the high quality of building design will make a positive contribution to the streetscape.</li> </ul>
<b>PO4</b> Development is sited so that the setback from boundaries: <ul style="list-style-type: none"> <li>(a) provides for natural light, sunlight and breezes;</li> <li>(b) minimises the impact of the development on the amenity and privacy of neighbouring residents;</li> <li>(c) provides for adequate landscaping.</li> </ul>	<b>AO4.1</b> Buildings and structures are set back not less than 6 metres from a road frontage.	<b>Complies with Performance Outcomes</b> The development is built to the property boundaries, in keeping with adjoining properties. The design of the building and the location of the easements to the side and rear, provide for natural light, sunlight and breezes to access the development. The style of development is similar to neighbouring Mantra developments, and does not adversely affect the amenity and privacy of adjoining properties.
	<b>AO4.2</b> Buildings and structures are setback not less than 4 metres to the rear boundary.	
	<b>AO4.3</b> The side boundary setback for buildings and structures is: <ul style="list-style-type: none"> <li>(a) for buildings up to 2 storeys not less than 2.5 metres for the entire building;</li> <li>(b) for buildings up to 3 storeys not less than 3.5 metres for the entire building.</li> </ul>	
<b>PO5</b> Building depth and form must be articulated to <ul style="list-style-type: none"> <li>(a) ensure that the bulk of the development is in keeping with the form and character intent of the area;</li> <li>(b) provide adequate amenity for residents in terms</li> </ul>	<b>AO5.1</b> <ul style="list-style-type: none"> <li>(a) The maximum length of a wall in any direction is 30 metres with substantial articulation provided every 15 metres.</li> <li>(b) The minimum distance between buildings on a site is not less than 6 metres;</li> </ul>	<b>Complies with Performance Outcomes</b> The elevations of the proposed building are substantially articulated with balconies and vertical planting. The development has been designed to be in keeping with the form and character of the area. The design of the building and the location of

Performance outcomes	Acceptable outcomes	Applicant response
<p>of natural light and ventilation.</p> <p>Note – Planning scheme policy SC6.1 – Building design and architectural elements provides guidance on reducing building bulk</p>	<p><b>A05.2</b> The length of any continuous eave line does not exceed 18 metres.</p>	<p>the easements to the side and rear, provide for natural light, sunlight and breezes to access the development.</p>
<p><b>PO6</b> Development reduces the appearance of building bulk, ensures a human-scale, demonstrates variations in horizontal and vertical profile and supports streetscape character.</p>	<p><b>A06.1</b> Development incorporates a number of the following design elements: (a) balconies; (b) verandahs (c) terraces; (d) recesses.</p>	<p><b>Complies</b> The development incorporates balconies for each room and incorporates vertical planting to provide articulation to facades.</p>
	<p><b>A06.2</b> Development reduces building bulk by: (a) variation in building colours, materials and textures; (b) the use of curves, recesses, projections or variations in plan and elevation; (c) recession and projection of rooflines and the inclusion of interesting roof forms, such as cascading roof levels, gables, skillions or variations in pitch; (d) use of sun-shading devices and other façade features; (e) use of elements at a finer scale than the main structural framing of the building.</p>	<p><b>Complies</b> The development incorporates a number of architectural elements to reduce the bulk of the building, including:</p> <ul style="list-style-type: none"> <li>• Variation to the external appearance of the building will be provided by the vertical landscape elements incorporated into the building.</li> <li>• The building has been designed to a high quality and will contribute and enhance the visual amenity of the streetscape.</li> <li>• Incorporation of balconies to each room.</li> </ul>
<p><b>PO7</b> Development provides a building that must define the street to facilitate casual surveillance and enhance the amenity of the street through: (a) orientation to the street;</p>	<p><b>A07.1</b> Development provides a building that is not set back further than 2m beyond the minimum required street front setback.</p>	<p><b>Complies</b> The building is built to the boundary, consistent with adjoining developments.</p>

Performance outcomes	Acceptable outcomes	Applicant response
(b) front boundary setback; (c) balconies and windows to provide overlooking and casual surveillance; (d) building entrances.	<b>AO7.2</b> Development provides balconies and windows from the primary living area that face and overlook the street or public space.	<b>Complies</b> Balconies are located on the front façade, overlooking Warner Street.
<b>PO8</b> Buildings exhibit tropical design elements to support Douglas Shire's tropical climate, character and lifestyle.	<b>AO8.1</b> Development has floor to ceiling heights of 2.7 metres;	<b>Complies</b> Each floor has a ceiling height of 2.7m.
	<b>AO8.2</b> Buildings include weather protection and sun shading to all windows to all external doors and windows of habitable rooms.	<b>Complies</b> Each room opens onto a covered balcony, providing weather and sun protection to habitable rooms.
	<b>AO8.3</b> Development incorporates deep recesses, eaves and sun-shading devices.	<b>Complies</b> The facades include covered balconies.
	<b>AO8.4</b> Western orientated facades are shaded using building and landscape elements, such as adjustable screens, awnings or pergolas or dense tropical planting.	<b>Complies</b> The front and side boundaries face west. The front façade includes deep covered balconies and vertical trellis planting to provide adequate shade to these front-facing rooms. The side boundary is partly shaded by the adjoining property, and the remainder of this façade also includes deep, covered balconies to provide sun protection.
	<b>AO8.5</b> Individual dwelling units are not located on both sides of an enclosed central corridor (i.e. not double banked).	<b>Complies with Performance Outcomes</b> The central corridor has been designed to encourage breezes into the building, with open planters at each end. Screen doors are proposed for each room, in order to allow cross ventilation through the rooms (refer to Cross Ventilation Diagram Plan in Appendix 1). Sizeable balconies are

Performance outcomes	Acceptable outcomes	Applicant response
		provided to encourage outdoor tropical living.
<b>PO9</b> Development minimises direct overlooking between buildings through appropriate building layout, location and the design of windows and balconies or screening devices.  Note—Siting and building separation is used to minimise privacy screening requirements.	<b>A09.1</b> Development where the dwelling is located within 2 metres at ground level or 9 metres above ground level of a habitable room window or private open space of an existing dwelling house, ensures habitable rooms and any private outdoor spaces have: <ul style="list-style-type: none"> <li>(a) an offset from the habitable room or private open space of the existing dwelling to limit direct outlook; or</li> <li>(b) sill heights a minimum of 1.5m above floor level; or</li> <li>(c) fixed obscure glazing in any part of the window below 1.5m above floor level; or</li> <li>(d) fixed external screens; or</li> <li>(e) in the case of screening for a ground floor level unit, fencing to a minimum 1.8m above the ground storey floor level.</li> </ul>	<b>Complies with Performance Outcomes</b> The development site adjoins two hotel developments, Mantra 'Heritage' and Mantra 'In the Village'. To the rear of the site is a new commercial development containing restaurant and shopping facilities.  Fixed screens have been included to the balconies of the affected rooms to prevent direct overlooking between the proposed building and the adjoining Mantra development.
	<b>A09.2</b> Development where a direct view is available from balconies, terraces, decks or roof decks into windows of habitable rooms, balconies, terraces or decks in an adjacent existing dwelling house, is screened from floor level to a height above 1.5m above floor level.	As above
	<b>A09.3</b> Development provides screening devices that are solid translucent screens, perforated or slatted panels or fixed louvres that have a maximum of 25% openings, with a maximum opening dimension of	As above

Performance outcomes	Acceptable outcomes	Applicant response
	<p>50mm, and that are permanent and durable.</p> <p>Note—The screening device is offset a minimum of 0.3m from the wall around any window. Note—Screening devices are hinged or otherwise attached to facilitate emergency egress</p>	
<p><b>PO10</b></p> <p>Development provides accessible and functional landscaping and recreation area for the benefit of residents/guests.</p>	<p><b>AO10</b></p> <p>A minimum of 35% of the site is allocated as landscaping and recreation area.</p>	<p><b>Complies with Performance Outcomes</b></p> <p>The development concept is for a new-style boutique 'Micro Hotel'. 'Micro Hotels' is a new global trend that delivers compact hotel rooms, with the provision of communal areas on each level and a generous lobby combining as a bar / café and lounge area. The open air lounges situated on each level would be landscaped and provide semi-internal functional recreation spaces for guests.</p>
<p><b>PO11</b></p> <p>Landscaping must contribute positively to the amenity of the area, streetscape and public spaces.</p>	<p><b>AO11</b></p> <p>Development provides landscaping as follows:</p> <ul style="list-style-type: none"> <li>(a) A dense landscape planting strip of at least 2 metres width suitable for deep planting is provided and maintained along all street frontages;</li> <li>(b) A dense landscape planting strip of at least 1.5 metres width suitable for deep planting is provided along all side and rear boundaries.</li> </ul>	<p><b>Complies with Performance Outcomes</b></p> <p>The proposed development incorporates vertical landscaping elements which is a more effective solution to an urban setting than the traditional planting buffer. The proposed vertical trellis planting will contribute to the visual amenity and tropical character of the street.</p>
<p><b>PO12</b></p> <p>The landscaping and recreation area provides for functional communal open space for all developments exceeding five dwellings on one site.</p>	<p><b>AO12.1</b></p> <p>Communal open space is provided at:</p> <ul style="list-style-type: none"> <li>(a) a minimum of 5% of site area or 50m<sup>2</sup> whichever is the greater; and</li> <li>(b) a minimum dimension of 5 metres.</li> </ul>	<p><b>Complies with Performance Outcomes</b></p> <p>Refer to PO10 comments above.</p>
	<p><b>AO12.2</b></p> <p>Development provides communal open space that:</p> <ul style="list-style-type: none"> <li>(a) is consolidated into one useable space;</li> </ul>	

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(b) where communal open space exceeds 100m<sup>2</sup>, the communal open space may be split into two, and so forth incrementally.</p> <p><b>AO12.3</b> Communal open space: (a) is a minimum of 50% open to the sky; (b) achieves 25% shading by trees in 5 years; (c) does not include vehicle driveways and manoeuvring; (d) does not contain surface structures such as rainwater tanks, fire hydrants, transformers or water boosters.</p> <p><b>AO12.4</b> Communal open space is designed to provide for a range of facilities, typically including some, or all, of the following elements: (a) seating; (b) barbecue; (c) play equipment; (d) swimming pool; (e) communal clothes drying; (f) vegetable garden.</p> <p><b>AO12.5</b> Development involving 5 or fewer dwellings on one lot can allocate additional private open space to a ground storey dwelling instead of providing communal open space.</p>	
<p><b>PO13</b> Development must provide attractive and functional private open space for residents and</p>	<p><b>AO13.1</b> Development provides private open space which: (a) for ground storey dwellings, comprises of a</p>	<p><b>Complies with Performance Outcomes</b> Each room is provided with a sizeable balcony (ranging from 11m<sup>2</sup> - 12m<sup>2</sup>) with a minimum width</p>

Performance outcomes	Acceptable outcomes	Applicant response
guests.	minimum area of 35m <sup>2</sup> with a minimum dimension of 3 metres; (b) for dwellings above ground storey, comprises of a balcony with minimum area of 12m <sup>2</sup> and a minimum dimension of 3 metres.	of 3m, which is functional private open space for guests.
	<b>AO13.2</b> Development provides private open space areas that are: (a) directly accessible from internal primary living area of the dwelling (not bedrooms); (b) provided with a screened area of 2m <sup>2</sup> minimum dimension capable of screening air conditioning plant, private clothes drying etc... (c) provided with adjustable, moveable or operable privacy screening where appropriate.	<b>Complies</b> Balconies are located adjacent to the rooms and
	<b>AO13.3</b> Development provides balconies that are located to the front or rear of the building except where adequate building separation can be achieved to maintain privacy.	<b>Complies</b> Balconies are located adjacent to the rooms and have been designed to minimise overlooking of neighbouring motel / resort developments.
	<b>AO13.4</b> Where secondary balconies are provided to a side of a building for additional amenity or services, such as clothes drying or to articulate facades, the setback may be reduced to the minimum setback, but these areas are not included in the calculation of private open space requirements.	<b>Not applicable</b>
	<b>AO13.5</b> Private open space: (a) does not include vehicle driveways and	<b>Complies</b>

Performance outcomes	Acceptable outcomes	Applicant response
	manoeuvring; (b) does not contain surface structures such as rainwater tanks, fire hydrants, transformers or water boosters.	
<b>PO14</b> Development provides front fencing and retaining walls that must: (a) facilitate casual surveillance of the street and public space; (b) enable use of private open space; (c) assist in highlighting entrances to the property; (d) provide a positive interface to the streetscape.	<b>AO14.1</b> Development ensures that, where fencing is provided, the height of any new fence located on any common boundary to a street or public space is a maximum of: (a) 1.2m, where fence construction is solid or less than 50% transparent; (b) 1.5m, where fence construction is at least 50% transparent; (c) 1.8m and solid only where the site is on an arterial road or higher order road.	<b>Not applicable</b> Fencing to the front boundary is not proposed.
	<b>AO14.2</b> Development incorporating solid front fences or walls that front the street or other public spaces and are longer than 10m, indentations, material variation or landscaping is provided to add visual interest and soften the visual impact.	<b>Not applicable</b>
	<b>AO14.3</b> Development for a retaining wall is: (a) stepped to minimise impact on the streetscape and pedestrian environment; (b) a maximum of 0.6m in height if directly abutting the edge of the adjoining road reserve verge	<b>Not applicable</b>
<b>PO15</b> Development minimises light nuisances.	<b>AO15</b> Outdoor lighting is in accordance with AS 4282-1997 Control of the obtrusive effects of outdoor	<b>Will be complied with</b>

Performance outcomes	Acceptable outcomes	Applicant response
	lighting.	
<b>PO16</b> Waste and recyclable material storage areas are: (a) convenient and accessible to residents and waste and recyclable material collection services; (b) located and designed to mitigate adverse impacts: (i) within the site; (ii) on adjoining properties; (iii) to the street.	<b>AO16</b> Waste and recyclable material storage areas: (a) are located on site; (b) are sited and designed to be unobtrusive and screened from view from the street frontage; (c) are imperviously sealed roofed and bunded, and contain a hose down area draining to Council's sewer network; (d) are of a sufficient size to accommodate bulk (skip) bins; (e) have appropriate access and sufficient on site manoeuvrability area for waste and recyclable material collection services.  Note - The Environmental performance code contains requirements for waste and recyclable material storage.	<b>Complies with Performance Outcomes</b>
<b>PO17</b> Development provides a secure storage area for each dwelling.	<b>AO17</b> A secure storage area for each dwelling: (a) is located to enable access by a motor vehicle or be near to vehicle parking; (b) has a minimum space of 3.5m <sup>2</sup> per dwelling; (c) has a minimum height of 2 metres; (d) is weather proof; (e) is lockable; (f) has immunity to the 1% AEP inundation event.  Note – A cupboard within a unit will not satisfy this requirement.	<b>Complies with the Purpose of the Code</b> The requirement to provide secure storage areas for hotel rooms is not consistent with world-wide trends. Luggage storage is provided within the rooms or at reception. Such a requirement is useful only to permanent residential dwellings. The development has been cleverly designed to provide a viable commercial option for this constrained, infill site. The design of the development creates a pleasant living environment for short-term guests and incorporates elements that are appropriate for the tropical climate of the region.
<b>Additional requirements for a Retirement facility PO18 – PO21 not applicable to this development</b>		

### 9.4.1 Access, parking and servicing code

The purpose of the Access, parking and servicing code is to assess the suitability of access, parking and associated servicing aspects of a development.

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.

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be generated by the use or uses of the site, having particular regard to: <ul style="list-style-type: none"> <li>(a) the desired character of the area;</li> <li>(b) the nature of the particular use and its specific characteristics and scale;</li> <li>(c) the number of employees and the likely number of visitors to the site;</li> </ul>	<b>AO1.1</b> The minimum number of on-site vehicle parking spaces is not less than the number prescribed in Table 9.4.1.3.b for that particular use or uses.  Note - Where the number of spaces calculated from the table is not a whole number, the number of spaces provided is the next highest whole number.	<b>Complies with Performance Outcomes</b> Condition 9 of the development permit requires 16 spaces. The proposed development provides 18 spaces with one being for people with a disability. Of the 18 spaces provided, 3 spaces in tandem. The attached Parking Review and Advice prepared by ARO Industries demonstrates that the on-site parking is sufficient to cater for the proposed development.
	<b>AO1.2</b>	<b>Complies</b>

Performance outcomes	Acceptable outcomes	Applicant response
(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.	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.	The carparking on site is dedicated solely for carparking purposes.
	<b>AO1.3</b> Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.	<b>Not applicable</b>
	<b>AO1.4</b> For parking areas exceeding 50 spaces parking, is provided for recreational vehicles as a substitute for ordinary vehicle parking to a maximum of 5% of total ordinary vehicle parking rate.	<b>Not applicable</b>
<b>PO2</b> Vehicle parking areas are designed and constructed in accordance with relevant standards.	<b>AO2</b> Vehicle parking areas are designed and constructed in accordance with Australian Standard: (a) AS2890.1; (b) AS2890.3; (c) AS2890.6.	<b>Can be complied with</b>
<b>PO3</b> 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	<b>AO3.1</b> Access is limited to one access cross over per site and is an access point located, designed and constructed in accordance with: (a) Australian Standard AS2890.1; (b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers.	<b>Complies</b> The development does not propose any changes to the existing access point from Warner Street.
	<b>AO3.2</b> Access, including driveways or access crossovers:	<b>Not applicable</b> The development does not propose any changes to

Performance outcomes	Acceptable outcomes	Applicant response
<p>area;</p> <p>(e) so that they do not adversely impact upon existing intersections or future road or intersection improvements;</p> <p>(f) so that they do not adversely impact current and future on-street parking arrangements;</p> <p>(g) so that they do not adversely impact on existing services within the road reserve adjacent to the site;</p> <p>(h) so that they do not involve ramping, cutting of the adjoining road reserve or any built structures (other than what may be necessary to cross over a stormwater channel).</p>	<p>(a) are not placed over an existing:</p> <ul style="list-style-type: none"> <li>(i) telecommunications pit;</li> <li>(ii) stormwater kerb inlet;</li> <li>(iii) sewer utility hole;</li> <li>(iv) water valve or hydrant.</li> </ul> <p>(b) are designed to accommodate any adjacent footpath;</p> <p>(c) adhere to minimum sight distance requirements in accordance with AS2980.1.</p>	<p>the existing access point from Warner Street.</p>
	<p><b>AO3.3</b> Driveways are:</p> <ul style="list-style-type: none"> <li>(a) designed to follow as closely as possible to the existing contours, but are no steeper than the gradients outlined in Planning scheme policy SC6.5 – FNQROC Regional Development Manual;</li> <li>(b) constructed such that where there is a grade shift to 1 in 4 (25%), there is an area with a grade of no more than 1 in 6 (16.6%) prior to this area, for a distance of at least 5 metres;</li> <li>(c) on gradients greater than 1 in 6 (16.6%) driveways are constructed to ensure the cross-fall of the driveway is one way and directed into the hill, for vehicle safety and drainage purposes;</li> <li>(d) constructed such that the transitional change in grade from the road to the lot is fully contained within the lot and not within the road reserve;</li> <li>(e) designed to include all necessary associated drainage that intercepts and directs storm water runoff to the storm water drainage</li> </ul>	<p><b>Not applicable</b> The development does not propose any changes to the existing driveway access.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	system.	
	<b>A03.4</b> 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.	<b>Not applicable</b>
<b>P04</b> Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.	<b>A04</b> The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.	<b>Can be complied with</b>
<b>P05</b> Access for people with disabilities is provided to the building from the parking area and from the street.	<b>A05</b> Access for people with disabilities is provided in accordance with the relevant Australian Standard.	<b>Can be complied with where relevant</b> Access for people with disabilities can be achieved from the carpark to the proposed new building.
<b>P06</b> Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development.	<b>A06</b> The number of on-site bicycle parking spaces complies with the rates specified in Table 9.4.1.3.b.	<b>Complies</b> Sufficient space is available on the site to accommodate bicycle parking.

Performance outcomes	Acceptable outcomes	Applicant response
<b>PO7</b> Development provides secure and convenient bicycle parking which: <ul style="list-style-type: none"> <li>(a) for visitors is obvious and located close to the building's main entrance;</li> <li>(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;</li> <li>(c) is easily and safely accessible from outside the site.</li> </ul>	<b>A07.1</b> Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers); <b>A07.2</b> Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street. <b>A07.3</b> Development provides visitor bicycle parking which does not impede pedestrian movement.	<b>Complies with performance outcomes</b>
<b>PO8</b> Development provides walking and cycle routes through the site which: <ul style="list-style-type: none"> <li>(a) link to the external network and pedestrian and cyclist destinations such as schools, shopping centres, open space, public transport stations, shops and local activity centres along the safest, most direct and convenient routes;</li> <li>(b) encourage walking and cycling;</li> <li>(c) ensure pedestrian and cyclist safety.</li> </ul>	<b>AO8</b> Development provides walking and cycle routes which are constructed on the carriageway or through the site to: <ul style="list-style-type: none"> <li>(a) create a walking or cycle route along the full frontage of the site;</li> <li>(b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site.</li> </ul>	<b>Complies</b> Walking and cycle routes exist along Warner Street.
<b>PO9</b> Access, internal circulation and on-site parking for service vehicles are designed and constructed: <ul style="list-style-type: none"> <li>(a) in accordance with relevant standards;</li> <li>(b) so that they do not interfere with the amenity of the surrounding area;</li> <li>(c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other</li> </ul>	<b>AO9.1</b> Access driveways, vehicle manoeuvring and onsite parking for service vehicles are designed and constructed in accordance with AS2890.1 and AS2890.2.	<b>Can be complied with</b>
	<b>AO9.2</b> Service and loading areas are contained fully within the site.	<b>Complies</b>

Performance outcomes	Acceptable outcomes	Applicant response
vehicles.	<b>AO9.3</b> The movement of service vehicles and service operations are designed so they: <ul style="list-style-type: none"> <li>(a) do not impede access to parking spaces;</li> <li>(b) do not impede vehicle or pedestrian traffic movement.</li> </ul>	<b>Complies</b> The site is constrained and could not provide for access or manoeuvrability of a LRV service vehicle. It is noted that the existing hotels on either side of the development site do not meet this requirement. However, the hotel can be adequately serviced by smaller vehicles which can access the site without interfering with the amenity or affect the safety of users.
<b>PO10</b> Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.	<b>AO10.1</b> Development provides adequate area on-site for vehicle queuing to accommodate the demand generated by the development where drive through facilities or drop-off/pick-up services are proposed as part of the use, including, but not limited to, the following land uses: <ul style="list-style-type: none"> <li>(a) car wash;</li> <li>(b) child care centre;</li> <li>(c) educational establishment where for a school;</li> <li>(d) food and drink outlet, where including a drivethrough facility;</li> <li>(e) hardware and trade supplies, where including a drive-through facility;</li> <li>(f) hotel, where including a drive-through facility;</li> <li>(g) service station.</li> </ul>	<b>Not applicable</b>
	<b>AO10.2</b> Queuing and set-down areas are designed and constructed in accordance with AS2890.1.	<b>Not applicable</b>

### 9.4.3 Environmental performance code

The purpose of the Environmental performance code is to ensure development is designed and operated to avoid or mitigate impacts on sensitive receiving environments.

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

- (a) activities that have potential to cause an adverse impact on amenity of adjacent and surrounding land, or environmental harm is avoided through location, design and operation of the development;
- (b) sensitive land uses are protected from amenity related impacts of lighting, odour, airborne particles and noise, through design and operation of the development;
- (c) stormwater flowing over, captured or discharged from development sites is of a quality adequate to enter receiving waters and downstream environments;
- (d) development contributes to the removal and ongoing management of weed species.

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>Lighting</b>		
<b>PO1</b> Lighting incorporated within development does not cause an adverse impact on the amenity of adjacent uses and nearby sensitive land uses.	<b>AO1.1</b> Technical parameters, design, installation, operation and maintenance of outdoor lighting comply with the requirements of Australian standard AS4282-1997 Control of the obtrusive effects of outdoor lighting.	<b>Can be complied with</b>
	<b>AO1.2</b> Development that involves flood lighting is restricted to a type that gives no upward component of light where mounted horizontally.	<b>Not applicable</b> Flood lighting is not proposed.
	<b>AO1.3</b> Access, car parking and manoeuvring areas are	<b>Complies</b> Access, parking and manoeuvring areas are

Performance outcomes	Acceptable outcomes	Applicant response
	designed to shield nearby residential premises from impacts of vehicle headlights.	buffered from neighbouring properties.
<b>Noise</b>		
<b>PO2</b> Potential noise generated from the development is avoided through design, location and operation of the activity.  Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.	<b>AO2.1</b> Development does not involve activities that would cause noise related environmental harm or nuisance;  or <b>AO2.2</b> Development ensures noise does not emanate from the site through the use of materials, structures and architectural features to not cause an adverse noise impact on adjacent uses.	<b>Complies</b> The proposed development does not involve activities that would cause noise-related environmental harm or nuisance.
	<b>AO2.3</b> The design and layout of development ensures car parking areas avoid noise impacting directly on adjacent sensitive land uses through one or more of the following: (a) car parking is located away from adjacent sensitive land uses; (b) car parking is enclosed within a building; (c) a noise ameliorating fence or structure is established adjacent to car parking areas where the fence or structure will not have a visual amenity impact on the adjoining premises; (d) buffered with dense landscaping.  Editor's note - <i>The Environmental Protection (Noise) Policy 2008</i> , Schedule 1 provides guidance on acoustic quality	<b>Complies</b> The access and parking areas are buffered from neighbouring properties.

Performance outcomes	Acceptable outcomes	Applicant response
	objectives to ensure environmental harm (including nuisance) is avoided.	
<b>Airborne particles and other emissions</b>		
<p><b>PO3</b> Potential airborne particles and emissions generated from the development are avoided through design, location and operation of the activity.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p><b>AO3.1</b> Development does not involve activities that will result in airborne particles or emissions being generated;</p> <p>or</p> <p><b>AO3.2</b> The design, layout and operation of the development activity ensures that no airborne particles or emissions cause environmental harm or nuisance.</p> <p>Note - examples of activities which generally cause airborne particles include spray painting, abrasive blasting, manufacturing activities and car wash facilities.</p> <p>Examples of emissions include exhaust ventilation from basement or enclosed parking structures, air conditioning/refrigeration ventilation and exhaustion.</p> <p>The <i>Environmental Protection (Air) Policy 2008</i>, Schedule 1 provides guidance on air quality objectives to ensure environmental harm (including nuisance) is avoided.</p>	<p><b>Complies</b> The development does not involve activities that would result in emissions.</p>
<b>Odours</b>		
<p><b>PO4</b> Potential odour causing activities associated with the development are avoided through design, location and operation of the activity.</p>	<p><b>AO4.1</b> The development does not involve activities that create odorous emissions;</p>	<p><b>Complies</b> The development does not involve activities that would result in emissions.</p>

Performance outcomes	Acceptable outcomes	Applicant response
Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.	or <b>AO4.2</b> The use does not result in odour that causes environmental harm or nuisance with respect to surrounding land uses.	
<b>Waste and recyclable material storage</b>		
<b>PO5</b> Waste and recyclable material storage facilities are located and maintained to not cause adverse impacts on adjacent uses.	<b>AO5.1</b> The use ensures that all putrescent waste is stored in a manner that prevents odour nuisance and is disposed of at regular intervals.	<b>Complies</b>
Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.	<b>AO5.2</b> Waste and recyclable material storage facilities are located, designed and maintained to not cause an adverse impact on users of the premises and adjacent uses through consideration of: (a) the location of the waste and recyclable material storage areas in relation to the noise and odour generated; (b) the number of receptacles provided in relation to the collection, maintenance and use of the receptacles; (c) the durability of the receptacles, sheltering and potential impacts of local climatic conditions; (d) the ability to mitigate spillage, seepage or leakage from receptacles into adjacent areas and sensitive receiving waters and environments.  Editor's note - the <i>Environmental Protection (Waste Management) Policy 2008</i> provides guidance on the design of	<b>Complies</b>

Performance outcomes	Acceptable outcomes	Applicant response
	waste containers (receptacles) to ensure environmental harm (including nuisance) is avoided.	
<b>Sensitive land use activities</b>		
<b>PO6</b> Sensitive land use activities are not established in areas which will receive potentially incompatible impacts on amenity from surrounding, existing development activities and land uses.	<b>AO6.1</b> Sensitive land use activities are not established in areas that will be adversely impacted upon by existing land uses, activities and potential development possible in an area;  or  <b>AO6.2</b> Sensitive land activities are located in areas where potential adverse amenity impacts mitigate all potential impacts through layout, design, operation and maintenance.	<b>Complies</b> The development will adjoin other accommodation facilities, and is compatible with surrounding land uses.
<b>Stormwater quality</b>		
<b>PO7</b> The quality of stormwater flowing over, through or being discharged from development activities into watercourses and drainage lines is of adequate quality for downstream environments, with respect to: (a) the amount and type of pollutants borne from the activity; (b) maintaining natural stream flows; (c) the amount and type of site disturbance; (d) site management and control measures.	<b>AO7.1</b> Development activities are designed to ensure stormwater over roofed and hard stand areas is directed to a lawful point of discharge.	<b>Will be complied with</b>
	<b>AO7.2</b> Development ensures movement of stormwater over the site is not impeded or directed through potentially polluting activities.	<b>Will be complied with</b>
	<b>AO7.3</b> Soil and water control measures are incorporated into the activity's design and operation to control sediment and erosion potentially entering	<b>Will be complied with</b>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>watercourses, drainage lines and downstream receiving waters.</p> <p>Note - Planning scheme policy - FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p>During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.</p>	
<b>Pest plants (for material change of use on vacant land over 1,000m<sup>2</sup> )</b>		
<p><b>PO8</b> Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not reinfest the site or nearby sites.</p> <p>Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the <i>Land Protection (Pest and Stock Route Management) Act 2002</i>.</p>	<p><b>AO8.1</b> The land is free of declared pest plants before development establishes new buildings, structures and practices;</p> <p>or</p> <p><b>AO8.2</b> Pest plants detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person prior to construction of buildings and structures or earthworks.</p> <p>Note - A declaration from an appropriately qualified person validates the land being free from pest plants.</p> <p>Declared pest plants include locally declared and State declared pest plants.</p>	<b>Will Be complied with</b>

#### 9.4.4 Filling and excavation code

The purpose of the Filling and excavation code is to assess the suitability of development for filling or excavation.

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.

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>Filling and excavation - General</b>		
<b>PO1</b> All filling and excavation work does not create a detrimental impact on the slope stability, erosion potential or visual amenity of the site or the surrounding area.	<b>AO1.1</b> The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height.  and  Cuts in excess of those stated in A1.1 above are separated by benches/ terraces with a minimum width of 1.2 metres that incorporate drainage provisions and screen planting.	<b>Complies</b> The development does not propose any substantial filling or excavation works.
	<b>AO1.2</b> Cuts are supported by batters, retaining or rock walls and associated benches/terraces are capable of supporting mature vegetation.	<b>Not applicable</b> Cuts, batters, berms and terraces are not required.

Performance outcomes	Acceptable outcomes	Applicant response
	<b>A01.3</b> Cuts are screened from view by the siting of the building/structure, wherever possible.	<b>Not applicable</b> As above
	<b>A01.4</b> Topsoil from the site is retained from cuttings and reused on benches/terraces.	<b>Not applicable</b> As above
	<b>A01.5</b> 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.	<b>Not applicable</b> As above
	<b>A01.6</b> Non-retained cut and/or fill on slopes are stabilised and protected against scour and erosion by suitable measures, such as grassing, landscaping or other protective/aesthetic measures.	<b>Not applicable</b> As above
<b>Visual Impact and Site Stability</b>		
<b>PO2</b> Filling and excavation are carried out in such a manner that the visual/scenic amenity of the area and the privacy and stability of adjoining properties is not compromised.	<b>A02.1</b> The extent of filling and excavation does not exceed 40% of the site area, or 500m <sup>2</sup> whichever is the lesser,  except that A02.1 does not apply to reconfiguration of 5 lots or more.	<b>Complies</b> The development does not require filling or excavation.
	<b>A02.2</b> Filling and excavation does not occur within 2 metres of the site boundary.	

Performance outcomes	Acceptable outcomes	Applicant response
<b>Flooding and drainage</b>		
<b>P03</b> Filling and excavation does not result in a change to the run off characteristics of a site which then have a detrimental impact on the site or nearby land or adjacent road reserves.	<b>A03.1</b> Filling and excavation does not result in the ponding of water on a site or adjacent land or road reserves.	<b>Complies</b> Filling and excavation is not required and the construction of the new building will not result in a change to the run off characteristics of the site.
	<b>A03.2</b> Filling and excavation does not result in an increase in the flow of water across a site or any other land or road reserves.	As above
	<b>A03.3</b> Filling and excavation does not result in an increase in the volume of water or concentration of water in a watercourse and overland flow paths.	As above
	<b>A03.4</b> Filling and excavation complies with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	As above
<b>Water quality</b>		
<b>P04</b> Filling and excavation does not result in a reduction of the water quality of receiving waters.	<b>A04</b> Water quality is maintained to comply with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	<b>Will be complied with</b> Filling and excavation is not required and the construction of the new building will not result in a change to the run off characteristics of the site or water quality of receiving waters.
<b>Infrastructure</b>		
<b>P05</b> Excavation and filling does not impact on Public Utilities.	<b>A05</b> Excavation and filling is clear of the zone of influence of public utilities.	<b>Not applicable</b> There are no public utilities on the site.

### 9.4.5 Infrastructure works code

The purpose of the Infrastructure works code is to ensure that development is safely and efficiently serviced by, and connected to, infrastructure.

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.

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>Works on a local government road</b>		
<b>PO1</b> Works on a local government road do not adversely impact on footpaths or existing infrastructure within the road verge and maintain the flow, safety and efficiency of pedestrians, cyclists and vehicles.	<b>AO1.1</b> Footpaths/pathways are located in the road verge and are provided for the hierarchy of the road and located and designed and constructed in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	<b>Complies</b>
	<b>AO1.2</b> Kerb ramp crossovers are constructed in accordance with Planning scheme policy SC 5 – FNQROC Regional Development Manual.	<b>Not applicable</b> Existing access driveway will be retained.

Performance outcomes	Acceptable outcomes	Applicant response
	<b>A01.3</b> New pipes, cables, conduits or other similar infrastructure required to cross existing footpaths: <ul style="list-style-type: none"> <li>(a) are installed via trenchless methods; or</li> <li>(b) where footpath infrastructure is removed to install infrastructure, the new section of footpath is installed to the standard detailed in the Planning scheme policy SC5 – FNQROC Regional Development Manual, and is not less than a 1.2 metre section.</li> </ul>	Will be complied with
	<b>A01.4</b> Where existing footpaths are damaged as a result of development, footpaths are reinstated ensuring: <ul style="list-style-type: none"> <li>(a) similar surface finishes are used;</li> <li>(b) there is no change in level at joins of new and existing sections;</li> <li>(c) new sections are matched to existing in terms of dimension and reinforcement.</li> </ul> <p>Note – Figure 9.4.5.3.a provides guidance on meeting the outcomes.</p>	Will be complied with
	<b>A01.5</b> Decks, verandahs, stairs, posts and other structures located in the road reserve do not restrict or impede pedestrian movement on footpaths or change the level of the road verges.	Not applicable
<b>Accessibility structures</b>		
<b>PO2</b> Development is designed to ensure it is accessible for people of all abilities and accessibility features	<b>A02.1</b> Accessibility structures are not located within the road reserve.	Complies

Performance outcomes	Acceptable outcomes	Applicant response
<p>do not impact on the efficient and safe use of footpaths.</p> <p>Note – Accessibility features are those features required to ensure access to premises is provided for people of all abilities and include ramps and lifts.</p>	<p><b>A02.2</b> Accessibility structures are designed in accordance with AS1428.3.</p>	Will be complied with
	<p><b>A02.3</b> When retrofitting accessibility features in existing buildings, all structures and changes in grade are contained within the boundaries of the lot and not within the road reserve.</p>	Not applicable
<b>Water supply</b>		
<p><b>P03</b> An adequate, safe and reliable supply of potable, fire fighting and general use water is provided.</p>	<p><b>A03.1</b> The premises is connected to Council’s reticulated water supply system in accordance with the Design Guidelines set out in Section D6 of the Planning scheme policy SC5 – FNQROC Regional Development Manual;</p> <p>or</p> <p><b>A03.2</b> Where a reticulated water supply system is not available to the premises, on site water storage tank/s with a minimum capacity of 10,000 litres of stored water, with a minimum 7,500 litre tank, with the balance from other sources (e.g. accessible swimming pool, dam etc.) and access to the tank/s for fire trucks is provided for each new house or other development. Tank/s are to be fitted with a 50mm ball valve with a camlock fitting and installed and connected prior to occupation of the house and sited to be visually unobtrusive.</p>	Will be complied with

Performance outcomes	Acceptable outcomes	Applicant response
<b>Treatment and disposal of effluent</b>		
<b>PO4</b> Provision is made for the treatment and disposal of effluent to ensure that there are no adverse impacts on water quality and no adverse ecological impacts as a result of the system or as a result of increasing the cumulative effect of systems in the locality.	<b>AO4.1</b> The site is connected to Council's sewerage system and the extension of or connection to the sewerage system is designed and constructed in accordance with the Design Guidelines set out in Section D7 of the Planning scheme policy SC5 – FNQROC Regional Development Manual;  or  <b>AO4.2</b> Where not in a sewerage scheme area, the proposed disposal system meets the requirements of Section 33 of the <i>Environmental Protection Policy (Water) 1997</i> and the proposed on site effluent disposal system is designed in accordance with the <i>Plumbing and Drainage Act (2002)</i> .	<b>Will be complied with</b>
<b>Stormwater quality</b>		
<b>PO5</b> Development is planned, designed, constructed and operated to avoid or minimise adverse impacts on stormwater quality in natural and developed catchments by: <ul style="list-style-type: none"> <li>(a) achieving stormwater quality objectives;</li> <li>(b) protecting water environmental values;</li> <li>(c) maintaining waterway hydrology.</li> </ul>	<b>AO5.1</b> A connection is provided from the premises to Council's drainage system;  or  <b>AO5.2</b> An underground drainage system is constructed to convey stormwater from the premises to Council's drainage system in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC5 – FNQROC Regional	<b>Will be complied with</b>

Performance outcomes	Acceptable outcomes	Applicant response
	Development Manual.	
	<b>A05.3</b> A stormwater quality management plan is prepared, and provides for achievable stormwater quality treatment measures meeting design objectives listed in Table 9.4.5.3.b and Table 9.4.5.3.c, reflecting land use constraints, such as: <ul style="list-style-type: none"> <li>(a) erosive, dispersive and/or saline soil types;</li> <li>(b) landscape features (including landform);</li> <li>(c) acid sulfate soil and management of nutrients of concern;</li> <li>(d) rainfall erosivity.</li> </ul>	<b>Not applicable</b> The proposed development will connect with the existing on-site drainage system.
	<b>A05.4</b> Erosion and sediment control practices are designed, installed, constructed, monitored, maintained, and carried out in accordance with an erosion and sediment control plan.	<b>Will be complied with</b>
	<b>A05.5</b> 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 <i>Environmental Protection Act 1994</i> .  Note – During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect	<b>Will be complied with</b>

Performance outcomes	Acceptable outcomes	Applicant response
	stormwater quality.	
<b>Non-tidal artificial waterways</b>		
<b>P06</b> Development involving non-tidal artificial waterways is planned, designed, constructed and operated to: <ul style="list-style-type: none"> <li>(a) protect water environmental values;</li> <li>(b) be compatible with the land use constraints for the site for protecting water environmental values;</li> <li>(c) be compatible with existing tidal and non-tidal waterways;</li> <li>(d) perform a function in addition to stormwater management;</li> <li>(e) achieve water quality objectives.</li> </ul>	<b>AO6.1</b> Development involving non-tidal artificial waterways ensures: <ul style="list-style-type: none"> <li>(a) environmental values in downstream waterways are protected;</li> <li>(b) any ground water recharge areas are not affected;</li> <li>(c) the location of the waterway incorporates low lying areas of the catchment connected to an existing waterway;</li> <li>(d) existing areas of ponded water are included.</li> </ul>	<b>Not applicable</b> The proposed development does not involve non-tidal artificial waterways.
	<b>AO6.2</b> Non-tidal artificial waterways are located: <ul style="list-style-type: none"> <li>(a) outside natural wetlands and any associated buffer areas;</li> <li>(b) to minimise disturbing soils or sediments;</li> <li>(c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas.</li> </ul>	<b>Not applicable</b>
	<b>AO6.3</b> Non-tidal artificial waterways located adjacent to, or connected to a tidal waterway by means of a weir, lock, pumping system or similar ensures: <ul style="list-style-type: none"> <li>(a) there is sufficient flushing or a tidal range of &gt;0.3 m; or</li> <li>(b) any tidal flow alteration does not adversely impact on the tidal waterway; or</li> <li>(c) there is no introduction of salt water into</li> </ul>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
	freshwater environments.	
	<b>A06.4</b> Non-tidal artificial waterways are designed and managed for any of the following end-use purposes: (a) amenity (including aesthetics), landscaping or recreation; or (b) flood management, in accordance with a drainage catchment management plan; or (c) stormwater harvesting plan as part of an integrated water cycle management plan; or (d) aquatic habitat.	Not applicable
	<b>A06.5</b> The end-use purpose of the non-tidal artificial waterway is designed and operated in a way that protects water environmental values.	Not applicable
	<b>A06.6</b> Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway.	Not applicable
	<b>A06.7</b> Aquatic weeds are managed to achieve a low percentage of coverage of the water surface area, and pests and vectors are managed through design and maintenance.	Not applicable
<b>Wastewater discharge</b>		
<b>P07</b> Discharge of wastewater to waterways, or off site: (a) meets best practice environmental	<b>A07.1</b> A wastewater management plan is prepared and addresses:	Not applicable

Performance outcomes	Acceptable outcomes	Applicant response
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.	(a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best practice environmental management.	
	<b>A07.2</b> The waste water management plan is managed in accordance with a waste management hierarchy that: (a) avoids wastewater discharge to waterways; or (b) if wastewater discharge cannot practicably be avoided, minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and ground water.	
	<b>A07.3</b> Wastewater discharge is managed to avoid or minimise the release of nutrients of concern so as to minimise the occurrence, frequency and intensity of algal blooms.	

Performance outcomes	Acceptable outcomes	Applicant response
	<b>A07.4</b> Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and: <ul style="list-style-type: none"> <li>(a) avoids lowering ground water levels where potential or actual acid sulfate soils are present;</li> <li>(b) manages wastewater so that:               <ul style="list-style-type: none"> <li>(i) the pH of any wastewater discharges is maintained between 6.5 and 8.5 to avoid mobilisation of acid, iron, aluminium and other metals;</li> <li>(ii) holding times of neutralised wastewater ensures the flocculation and removal of any dissolved iron prior to release;</li> <li>(iii) visible iron floc is not present in any discharge;</li> <li>(iv) precipitated iron floc is contained and disposed of;</li> <li>(v) wastewater and precipitates that cannot be contained and treated for discharge on site are removed and disposed of through trade waste or another lawful method.</li> </ul> </li> </ul>	
<b>Electricity supply</b>		
<b>PO8</b> Development is provided with a source of power that will meet its energy needs.	<b>A08.1</b> A connection is provided from the premises to the electricity distribution network;  or  <b>A08.2</b>	<b>Complies</b> The premises will be connected to the electricity distribution network.   <b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>The premises is connected to the electricity distribution network in accordance with the Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p>Note - Areas north of the Daintree River have a different standard.</p>	
<b>PO9</b> Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.	<b>A09.1</b> Pad-mount electricity infrastructure is: (a) not located in land for open space or sport and recreation purposes; (b) screened from view by landscaping or fencing; (c) accessible for maintenance.	<b>Not applicable</b>
	<b>A09.2</b> 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.	
<b>Telecommunications</b>		
<b>PO10</b> Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.	<b>AO10</b> The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.	<b>Will be complied with</b>
<b>PO11</b> Provision is made for future telecommunications services (e.g. fibre optic cable).	<b>AO11</b> Conduits are provided in accordance with Planning scheme policy SC5 – FNQROC Regional	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
	Development Manual.	
<b>Road construction</b>		
<b>PO12</b> The road to the frontage of the premises is constructed to provide for the safe and efficient movement of: <ul style="list-style-type: none"> <li>(a) pedestrians and cyclists to and from the site;</li> <li>(b) pedestrians and cyclists adjacent to the site;</li> <li>(c) vehicles on the road adjacent to the site;</li> <li>(d) vehicles to and from the site;</li> <li>(e) emergency vehicles.</li> </ul>	<b>AO12.1</b> The road to the frontage of the site is constructed in accordance with the Design Guidelines set out in Sections D1 and D3 of the Planning scheme policy SC5 – FNQROC Regional Development Manual, for the particular class of road, as identified in the road hierarchy.	<b>Will be complied with</b>
	<b>AO12.2</b> There is existing road, kerb and channel for the full road frontage of the site.	<b>Will be complied with</b>
	<b>AO12.3</b> Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for the safe passage of emergency vehicles.	<b>Not applicable</b> Existing access will be retained.
<b>Alterations and repairs to public utility services</b>		
<b>PO13</b> Infrastructure is integrated with, and efficiently extends, existing networks.	<b>AO13</b> Development is designed to allow for efficient connection to existing infrastructure networks.	<b>Will be complied with</b>
<b>PO14</b> Development and works do not affect the efficient functioning of public utility mains, services or installations.	<b>AO14.1</b> Public utility mains, services and installations are not required to be altered or repaired as a result of the development;  or  <b>AO14.2</b>	

Performance outcomes	Acceptable outcomes	Applicant response
	Public utility mains, services and installations are altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	
<b>Construction management</b>		
<b>PO15</b> Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be retained.	<b>AO15</b> Works include, at a minimum: <ul style="list-style-type: none"> <li>(a) installation of protective fencing around retained vegetation during construction;</li> <li>(b) erection of advisory signage;</li> <li>(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;</li> <li>(d) removal from the site of all declared noxious weeds.</li> </ul>	<b>Will be complied with</b>
<b>PO16</b> Existing infrastructure is not damaged by construction activities.	<b>AO16</b> Construction, alterations and any repairs to infrastructure is undertaken in accordance with the Planning scheme policy SC5 – FNQROC Regional Development Manual.  Note - Construction, alterations and any repairs to Statecontrolled roads and rail corridors are undertaken in accordance with the <i>Transport Infrastructure Act 1994</i> .	<b>Will be complied with as applicable</b>
<b>For assessable development</b>		
<b>High speed telecommunication infrastructure</b>		

Performance outcomes	Acceptable outcomes	Applicant response
<b>PO17</b> Development provides infrastructure to facilitate the roll out of high speed telecommunications infrastructure.	<b>AO17</b> No acceptable outcomes are prescribed.	<b>Will be complied with</b>
<b>Trade waste</b>		
<b>PO18</b> Where relevant, the development is capable of providing for the storage, collection treatment and disposal of trade waste such that: (a) off-site releases of contaminants do not occur; (b) the health and safety of people and the environment are protected; (c) the performance of the wastewater system is not put at risk.	<b>AO18</b> No acceptable outcomes are prescribed.	<b>Will be complied with</b>
<b>Fire services in developments accessed by common private title</b>		
<b>PO19</b> Hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	<b>AO19.1</b> Residential streets and common access ways within a common private title places hydrants at intervals of no more than 120 metres and at each intersection. Hydrants may have a single outlet and be situated above or below ground.	<b>Not applicable</b>
	<b>AO19.2</b> Commercial and industrial streets and access ways within a common private title serving commercial properties such as factories and warehouses and offices are provided with above or below ground fire hydrants located at not more than 90 metre intervals and at each intersection. Above ground fire hydrants have dual-valved outlets.	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
<b>PO20</b> Hydrants are suitably 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'.	<b>AO20</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> On-site fire fighting equipment is provided.

### 9.4.6 Landscaping code

The purpose of the Landscaping code is to assess the landscaping aspects of a development.

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

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

Table 9.4.6.3.a – Landscaping code –assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>Landscape design</b>		
<p><b>PO1</b> Development provides landscaping that contributes to and creates a high quality landscape character for the site, street and local areas of the Shire by:</p> <ul style="list-style-type: none"> <li>(a) promoting the Shire’s character as a tropical environment;</li> <li>(b) softening the built form of development;</li> <li>(c) enhancing the appearance of the development from within and outside the development and makes a positive contribution to the streetscape;</li> <li>(d) screening the view of buildings, structures, open storage areas, service equipment, machinery plant and the like from public places, residences and other sensitive development;</li> <li>(e) where necessary, ensuring the privacy of habitable rooms and private outdoor recreation areas;</li> <li>(f) contributing to a comfortable living environment and improved energy efficiency, by providing shade to reduce glare and heat absorption and re-radiation from buildings, parking areas and other hard surfaces;</li> <li>(g) ensuring private outdoor recreation space is useable;</li> <li>(h) providing long term soil erosion protection;</li> <li>(i) providing a safe environment;</li> </ul>	<p><b>AO1</b> Development provides landscaping:</p> <ul style="list-style-type: none"> <li>(a) in accordance with the minimum area, dimensions and other requirements of applicable development codes;</li> <li>(b) that is designed and planned in a way that meets the guidelines for landscaping outlined in Planning Scheme Policy SC6.7 – Landscaping;</li> <li>(c) that is carried out and maintained in accordance with a landscaping plan that meets the guidelines for landscaping outlined in Planning Scheme Policy SC6.7 – Landscaping.</li> </ul> <p>Note - Planning scheme policy SC6.7 – Landscaping provides guidance on meeting the outcomes of this code. A landscape plan submitted for approval in accordance with the Planning policy is one way to achieve this outcome.</p>	<p><b>Complies with Performance Outcomes</b> A landscaping plan has been prepared. Refer <b>Appendix 3</b>.</p>

Performance outcomes	Acceptable outcomes	Applicant response
(j) integrating existing vegetation and other natural features of the premises into the development; (k) not adversely affecting vehicular and pedestrian sightlines and road safety.		
<b>For assessable development</b>		
<b>PO2</b> Landscaping contributes to a sense of place, is functional to the surroundings and enhances the streetscape and visual appearance of the development.	<b>A02.1</b> No acceptable outcomes are specified.  Note - Landscaping is in accordance with the requirements specified in Planning scheme policy SC6.7 – Landscaping.	<b>Complies</b> The proposed landscaping will incorporate appropriate species and will be designed which enhances the visual values of the site.
	<b>A02.2</b> Tropical urbanism is incorporated into building design.  Note – ‘Tropical urbanism’ includes many things such as green walls, green roofs, podium planting and vegetation incorporated into the design of a building.	<b>Complies</b> The proposed new building incorporates tropical architectural features, which will contribute and enhance the visual amenity of the site.
<b>PO3</b> Development provides landscaping that is, as far as practical, consistent with the existing desirable landscape character of the area and protects trees, vegetation and other features of ecological, recreational, aesthetic and cultural value.	<b>A03.1</b> Existing vegetation on site is retained and incorporated into the site design, wherever possible, utilising the methodologies and principles outline in AS4970-2009 Protection of Trees on Development Sites.	<b>Not applicable</b>
	<b>A03.2</b> Mature vegetation on the site that is removed or damaged during development is replaced with advanced species.	<b>Not applicable</b>
	<b>A03.3</b> Where there is an existing landscape character in a	<b>Complies</b> The proposed landscaping will incorporate

Performance outcomes	Acceptable outcomes	Applicant response
	street or locality which results from existing vegetation, similar species are incorporated into new development.	appropriate species which enhance the visual values of the site. A landscaping plan has been prepared. Refer <b>Appendix 3</b> .
	<b>A03.4</b> Street trees are species which enhance the landscape character of the streetscape, with species chosen from the Planning scheme policy SC6.7 – Landscaping.	<b>Will be complied with as appropriate</b>
<b>PO4</b> Plant species are selected with consideration to the scale and form of development, screening, buffering, streetscape, shading and the locality of the area.	<b>A04</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	<b>Complies</b> A landscaping plan has been prepared. Refer <b>Appendix 3</b> .
<b>PO5</b> Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal roadways.	<b>A05</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	<b>Complies</b> A landscaping plan has been prepared. Refer <b>Appendix 3</b> .
<b>PO6</b> Landscaped areas are designed in order to allow for efficient maintenance.	<b>A06.1</b> A maintenance program is undertaken in accordance with Planning scheme policy SC6.7 – Landscaping.	<b>Will be complied with</b>
	<b>A06.2</b> Tree maintenance is to have regard to the 'Safe Useful Life Expectancy of Trees (SULE).  Note – It may be more appropriate to replace trees with a SULE of less than 20 years (as an example), and replant with younger healthy species.	<b>Will be complied with</b>

Performance outcomes	Acceptable outcomes	Applicant response
<b>PO7</b> Podium planting is provided with appropriate species for long term survival and ease of maintenance, with beds capable of proper drainage.	<b>A07.1</b> Podium planting beds are provided with irrigation and are connected to stormwater infrastructure to permit flush out.	<b>Will be complied with</b>
	<b>A07.2</b> Species of plants are selected for long term performance designed to suit the degree of access to podiums and roof tops for maintenance.	<b>Will be complied with as appropriate</b>
<b>PO8</b> Development provides for the removal of all weed and invasive species and implement on-going measures to ensure that weeds and invasive species do not reinfest the site and nearby premises.	<b>A08</b> Weed and invasive species detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person.	<b>Will be complied with</b>
<b>PO9</b> The landscape design enhances personal safety and reduces the potential for crime and vandalism.	<b>A09</b> No acceptable outcomes are specified.  Note - Planning scheme policy SC6.3 – Crime prevention through environmental design (CPTED) provides guidance on meeting this outcome.	<b>Complies</b> A landscaping plan has been prepared. Refer <b>Appendix 3.</b>
<b>PO10</b> The location and type of plant species does not adversely affect the function and accessibility of services and facilities and service areas.	<b>A010</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	<b>Complies</b> A landscaping plan has been prepared. Refer <b>Appendix 3.</b>

### 9.4.9 Vegetation management code

The purpose of the Vegetation management code is achieved through the overall outcomes.

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.

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

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> Vegetation is protected to ensure that: <ul style="list-style-type: none"> <li>(a) the character and amenity of the local area is maintained;</li> <li>(b) vegetation damage does not result in fragmentation of habitats;</li> <li>(c) vegetation damage is undertaken in a sustainable manner;</li> <li>(d) the Shire's biodiversity and ecological values are maintained and protected;</li> <li>(e) vegetation of historical, cultural and / or visual significance is retained;</li> <li>(f) vegetation is retained for erosion prevention</li> </ul>	<b>AO1.1</b> Vegetation damage is undertaken by a statutory authority on land other than freehold land that the statutory authority has control over; or <b>AO1.2</b> Vegetation damage is undertaken by or on behalf of the local government on land controlled, owned or operated by the local government; or	<b>Complies</b> No significant native vegetation exists on the site.

Performance outcomes	Acceptable outcomes	Applicant response
and slope stabilisation.	<p><b>AO1.3</b> Vegetation damage, other than referenced in AO1.1 or AO1.2 is the damage of:</p> <ul style="list-style-type: none"> <li>(a) vegetation declared as a pest pursuant to the Land Protection (Pest and Stock Route Management) Act 2002; or</li> <li>(b) vegetation identified within the local government's register of declared plants pursuant to the local government's local laws; or</li> <li>(c) vegetation is located within a Rural zone and the trunk is located within ten metres of an existing building; or</li> <li>(d) vegetation is located within the Conservation zone or Environmental management zone and the trunk is located within three metres of an existing or approved structure, not including a boundary fence;.</li> </ul> <p>or</p> <p><b>AO1.4</b> Vegetation damage that is reasonably necessary for carrying out work that is:</p> <ul style="list-style-type: none"> <li>(a) authorised or required under legislation or a local law;</li> <li>(b) specified in a notice served by the local government or another regulatory authority;</li> </ul> <p>or</p> <p><b>AO1.5</b></p>	

Performance outcomes	Acceptable outcomes	Applicant response
	<p>Vegetation damage for development where the damage is on land the subject of a valid development approval and is necessary to give effect to the development approval;</p> <p>or</p> <p><b>A01.6</b> Vegetation damage is in accordance with an approved Property Map of Assessable Vegetation issued under the <i>Vegetation Management Act 1999</i>;</p> <p>Or</p> <p><b>A01.7</b> Vegetation damage is essential to the maintenance of an existing fire break;</p> <p>or</p> <p><b>A01.8</b> Vegetation damage is essential to prevent interference to overhead service cabling;</p> <p>or</p> <p><b>A01.9</b> Vegetation damage is for an approved Forest practice, where the lot is subject to a scheme approved under the <i>Vegetation Management Act 1999</i>;</p>	

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable development</b>		
<b>P03</b> Vegetation damage identified on the Places of significance overlay lot does not result in a negative impact on the site's heritage values.	<b>A03</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The site is not identified on the Places of Significance overlay.

## APPENDIX 2: PROPOSAL PLANS

Drawing or Document	Reference	Date
Application Package	P-02.01 Rev:P6 P-02.02 Rev:P6 P-02.03 Rev:P6 P-02.04 Rev:P6 P-02.05 Rev:P6 P-02.09 Rev:P6 P-02.10 Rev:P6 P-03.02 Rev:P6 P-03.04 Rev:P6 P-03.11 Rev:P6	05/04/2022

## APPENDIX 3: DECISION NOTICE MCUC 2019\_3365/1

## APPENDIX 4: DECISION NOTICE MCUC 2019\_3365/2

## APPENDIX 5: DECISION NOTICE ROL 2021\_4461/1

## APPENDIX 6: ARO INDUSTRIES PARKING REVIEW AND ADVICE

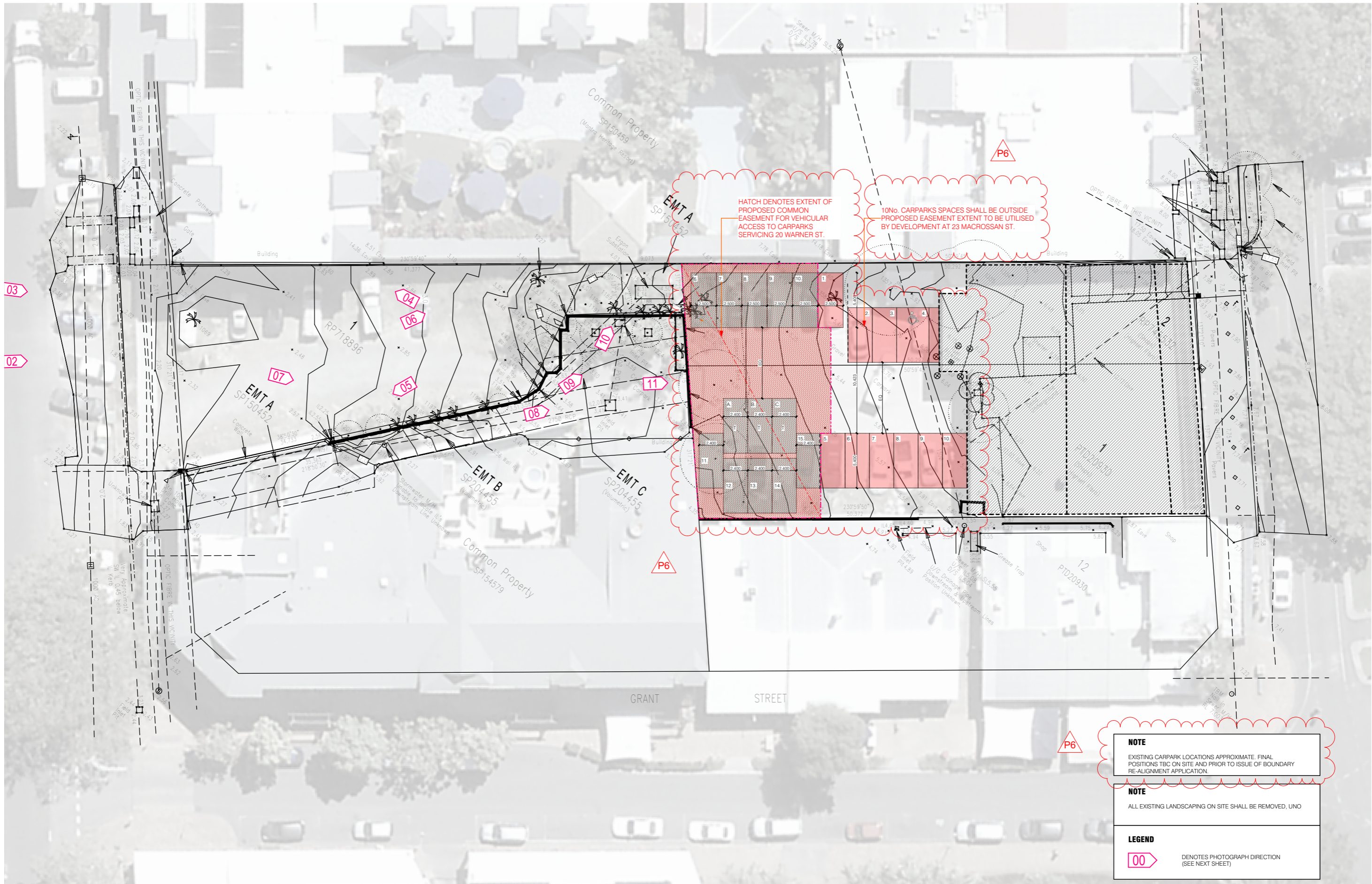


# WARNER STREET HOTEL

IMAGE COURTESY OF: PORT DOUGLAS UNCOVERED

**PORT DOUGLAS**

**WOLVERIDGE**architects



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P2 - ROOFTOP POOL AMENDMENT - ISSUE FOR COMMENT  
P3 - CARPARK REVISION PER PLANNING PERMIT CONDITIONS  
P4 - HOTEL OPERATOR INPUT REVISIONS  
P5 - DA PERMIT AMENDMENTS - HOTEL OPERATOR INPUT  
P6 - DA AMENDMENTS - FOLLOWING COUNCIL RFI

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09/10/2019  
26/08/2020  
03/12/2020  
17/09/2021  
07/10/2021  
05/04/2022

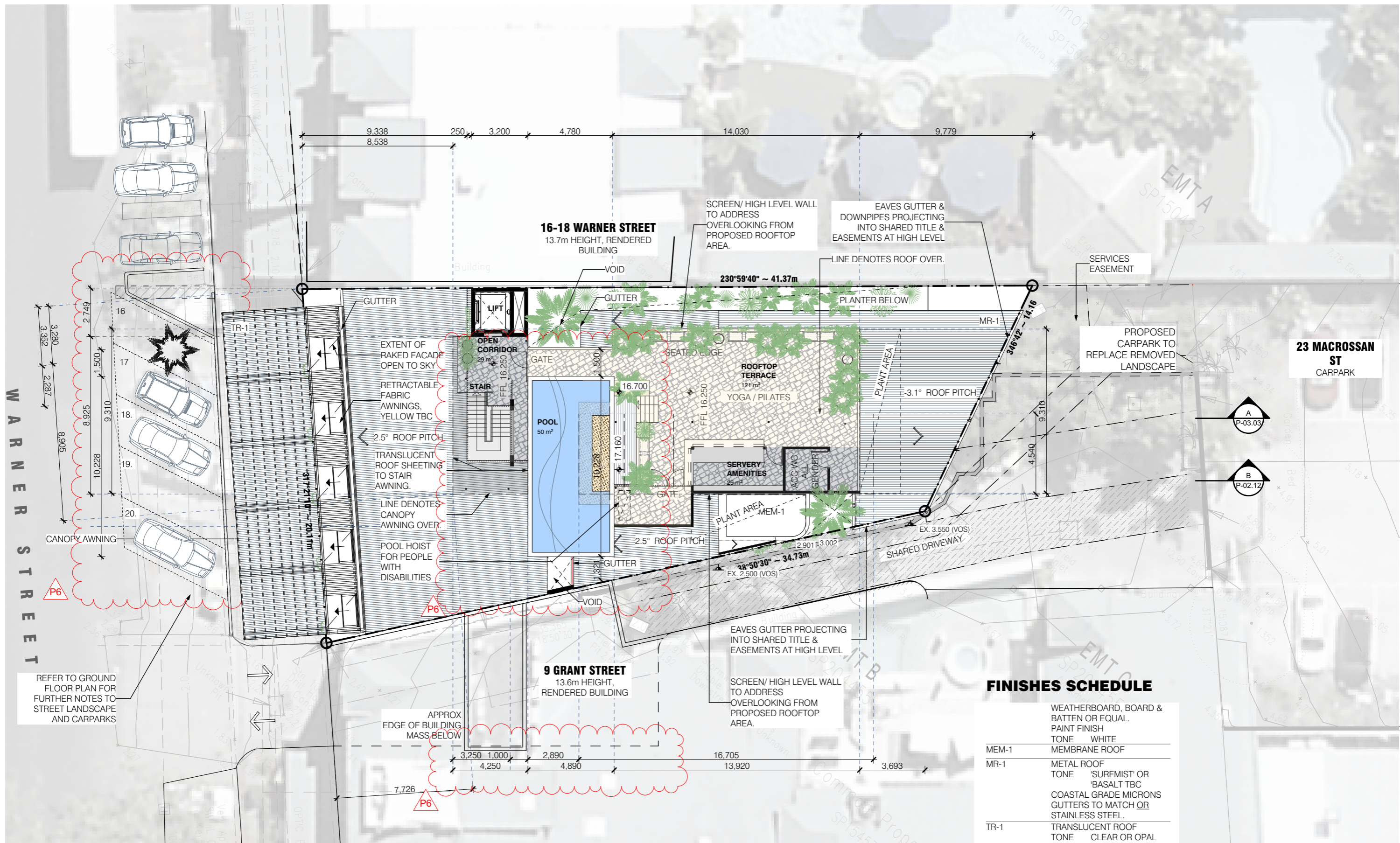
PRELIMINARY  
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DWG. TITLE: SITE SURVEY  
PLOT DATE: 7/04/2022  
SCALE: AS SHOWN AT A3  
DWG. NO.: P-01.04 REV: P6

PROJECT: **WARNER STREET HOTEL  
20 WARNER STREET  
PORT DOUGLAS**  
CLIENT: SCALI NOMINEES PTY LTD  
PROJ NO: 18 007

**WOLVERIDGE**architects  
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## ROOF LEVEL - LOWER

SCALE: 1:200

1 0 5m

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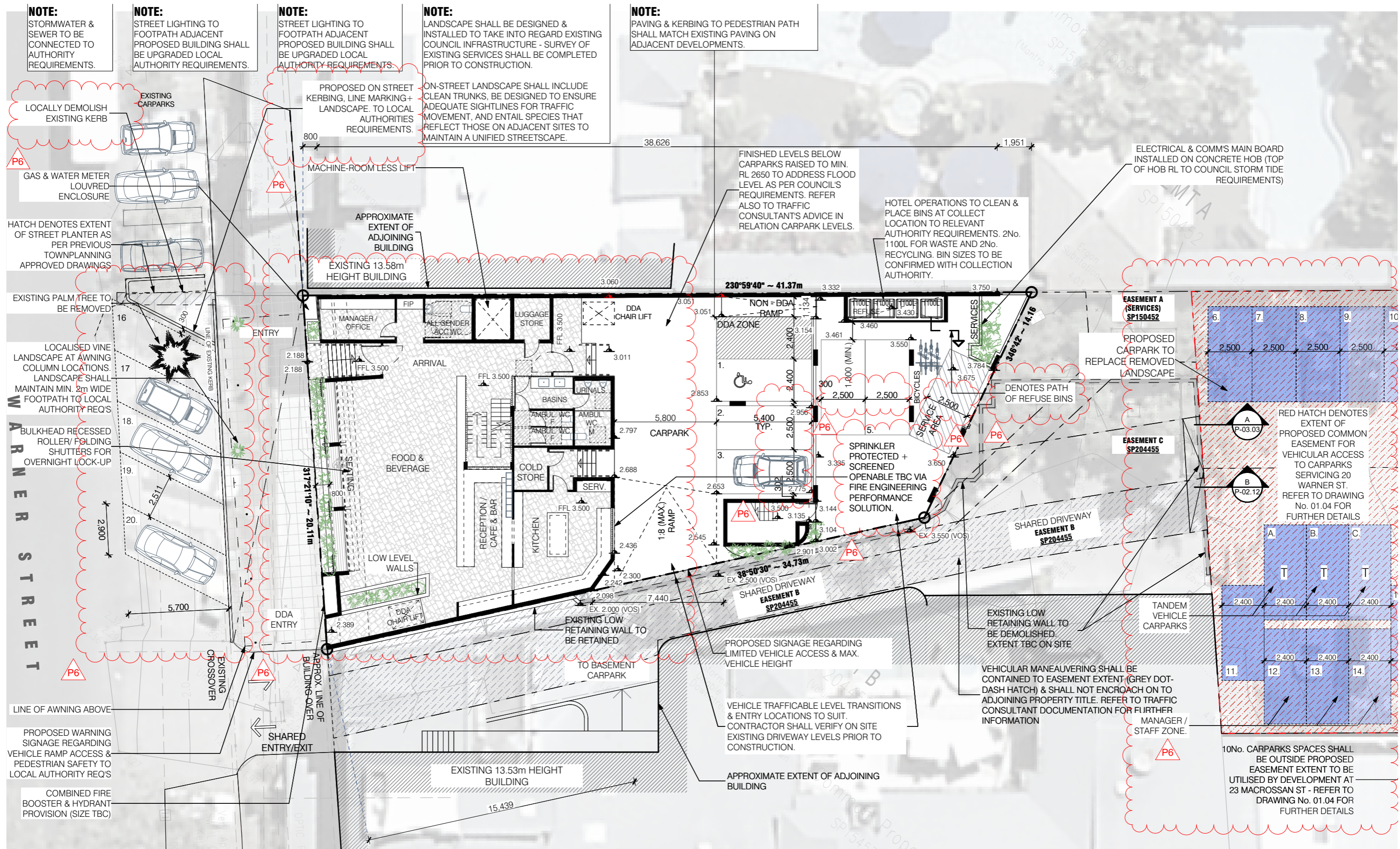
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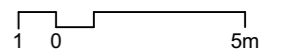
DWG. TITLE: SITE & ROOF PLAN  
PLOT DATE: 7/04/2022  
SCALE: AS SHOWN AT A3  
DWG. NO.: P-02.01 REV: P6

PROJECT: **WARNER STREET HOTEL**  
**20 WARNER STREET**  
**PORT DOUGLAS**  
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**GROUND LEVEL**  
SCALE: 1:200



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DWG. TITLE: GROUND FLOOR  
PLOT DATE: 7/04/2022  
SCALE: AS SHOWN AT A3  
DWG. NO.: P-02.02 REV: P6

PROJECT: **WARNER STREET HOTEL  
20 WARNER STREET  
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## FIRST LEVEL

SCALE: 1:200

1 0 5m

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DWG. TITLE: FIRST FLOOR  
PLOT DATE: 7/04/2022  
SCALE: AS SHOWN AT A3  
DWG. NO.: P-02.03 REV: P6

PROJECT: **WARNER STREET HOTEL**  
**20 WARNER STREET**  
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## SECOND LEVEL

SCALE: 1:200

1 0 5m

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07/10/2021  
05/04/2022

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DWG. TITLE: SECOND FLOOR  
PLOT DATE: 7/04/2022  
SCALE: AS SHOWN AT A3  
DWG. NO.: P-02.04 REV: P6

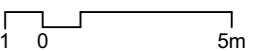
PROJECT: **WARNER STREET HOTEL**  
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### THIRD LEVEL

SCALE: 1:200



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03/12/2020  
17/09/2021  
07/10/2021  
05/04/2022

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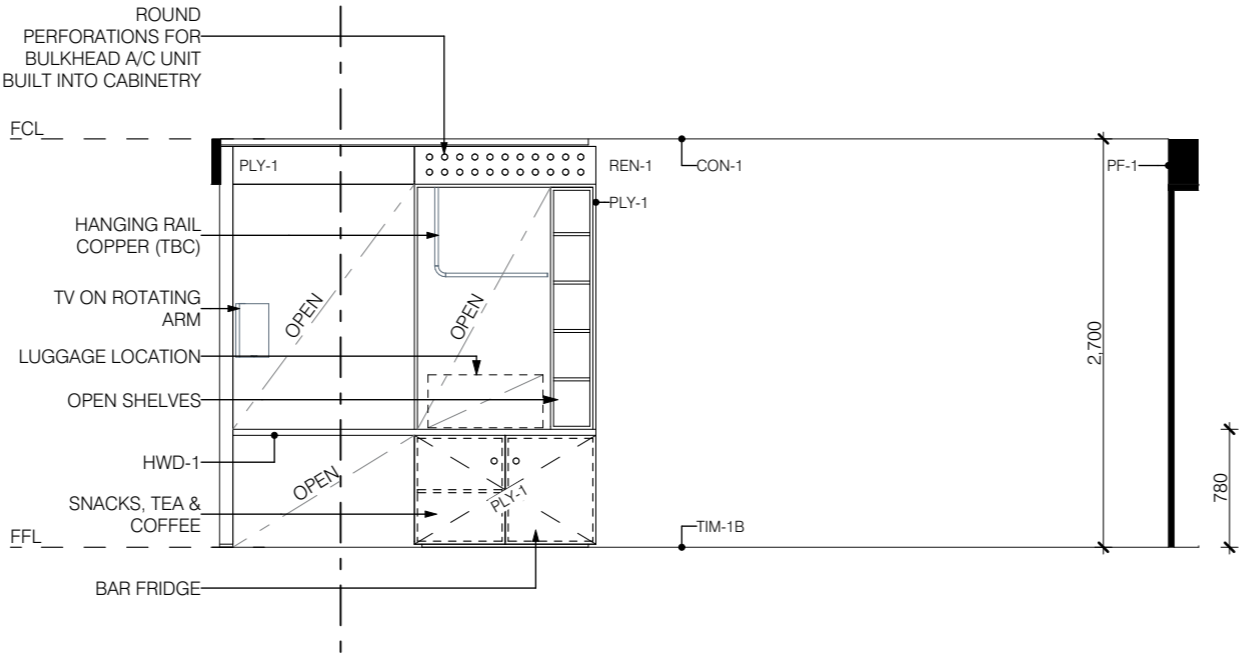
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PLOT DATE: 7/04/2022  
SCALE: AS SHOWN AT A3  
DWG. NO.: P-02.05 REV: P6

PROJECT: **WARNER STREET HOTEL**  
**20 WARNER STREET**  
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FINISHES SCHEDULE

CODE	DESCRIPTION
TIM-1A	TIMBER DECKING SPECIES LOCAL HARDWOOD TONE TBC
TIM-1B	TIMBER FLOOR BOARDS SPECIES LOCAL HARDWOOD TONE TBC
PAV-1	SLATE PAVING - LOCAL STONE FORMAT - 'CRAZY PAVING'
REN-1	SMOOTH RENDER FINISH COLOUR - WHITE
CON-1	CONCRETE QUALITY FINISH COLOUR - NATURAL GREY EXPOSED SLAB SOFFITS & SELECTED WALLS
PLY-1	PLYWOOD PANELS SPECIES BIRCH TONE BLOND (LIGHT)
HWD-1	TIMBER DESK SPECIES LOCAL HARDWOOD TONE TBC
TIL-1	TILE FINISH TONE WHITE
PF-1	PAINT FINISH TONE WHITE
PF-2	PAINT FINISH TONE 'BASALT' OR EQUAL
PF-3	PAINT FINISH TONE BOLD COLOUR (TBC)
PC-1 / SCR-1	POWDERCOATED FINISH TONE WHITE
SCR-1A / SCR-1B SCR-1C	TO ALL BALUSTRADES, TO WINDOW SHADE SCREENS / MESH METAL FINISHES.
PC-1 PC-2	POWDERCOATED FINISH TO METALS AND WINDOW/ DOOR FRAMES TONE 'WHITE' OR 'BASALT' TBC WITH CEILING FANS SELECTED TO MATCH

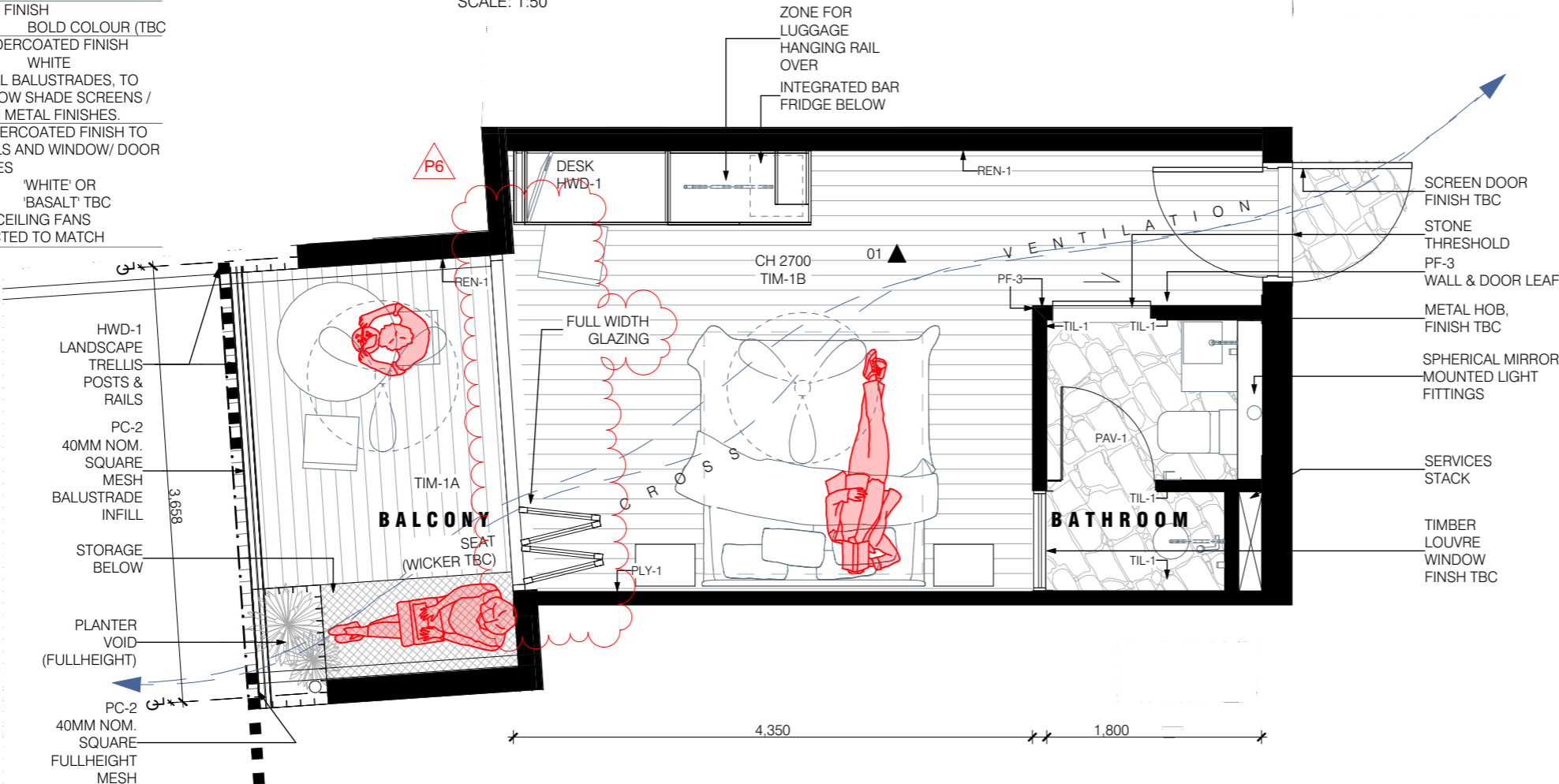


01  
SCALE: 1:50



PERSPECTIVE FROM INSIDE ROOM

P6



TYPICAL ROOM LAYOUT  
SCALE: 1:50

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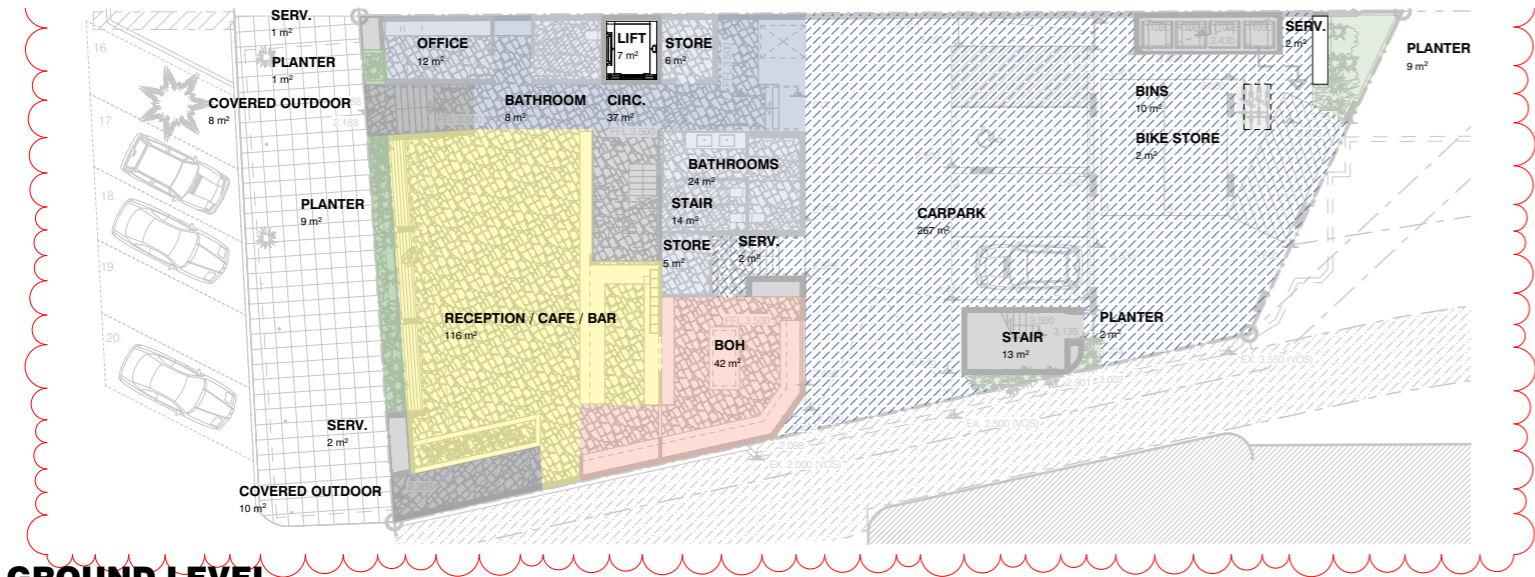
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05/04/2022

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DWG. TITLE: MICRO HOTEL - PLAN & INTERIOR  
PLOT DATE: 7/04/2022  
SCALE: AS SHOWN AT A3  
DWG. NO.: P-02.09 REV: P6

PROJECT: WARNER STREET HOTEL  
20 WARNER STREET  
PORT DOUGLAS  
CLIENT: SCALI NOMINEES PTY LTD  
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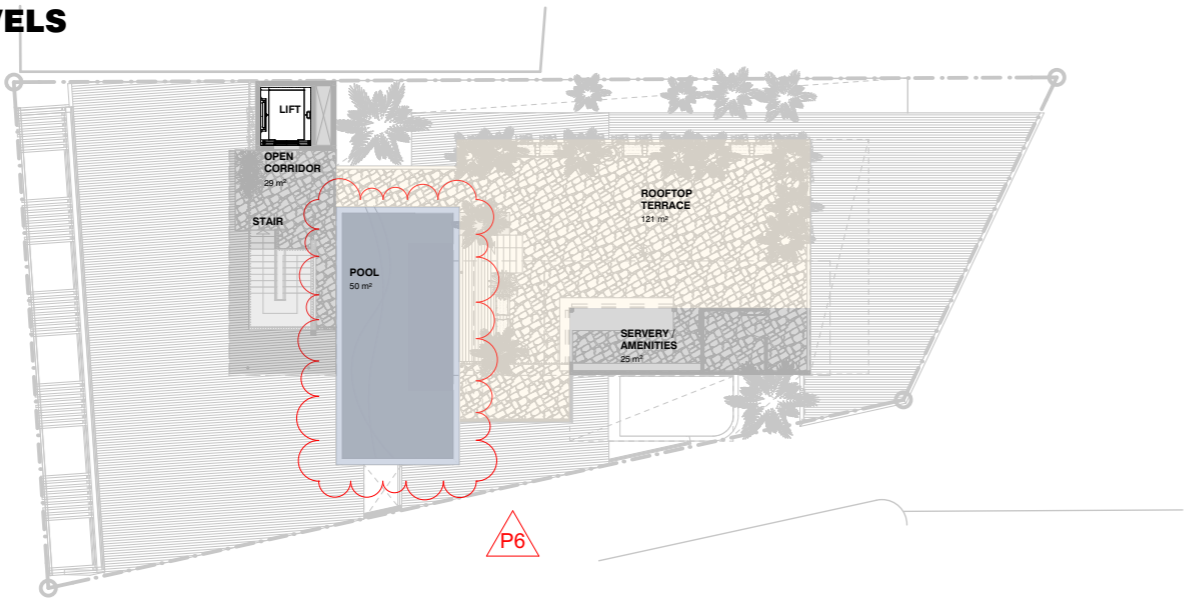
## GROUND LEVEL

SCALE: 1:300



## TYPICAL UPPER LEVELS

SCALE: 1:300



## ROOF TOP LEVEL

SCALE: 1:300

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17/09/2021  
07/10/2021  
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PRELIMINARY  
NOT FOR CONSTRUCTION

DWG. TITLE: MASSING AREAS  
PLOT DATE: 7/04/2022  
SCALE: AS SHOWN AT A3  
DWG. NO.: P-02.10 REV: P6

PROJECT: **WARNER STREET HOTEL  
20 WARNER STREET  
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GFA	2202m <sup>2</sup>
POS	302m <sup>2</sup>
<b>OVERALL</b>	<b>2504m<sup>2</sup></b>
<b>LANDSCAPE</b>	<b>4%</b>
<b>COMMON RECREATIONAL AREA</b> (INCL CAFE / BAR, & ROOFTOP POOL/ TERRACE)	<b>14%</b>
NOTE: % OF OVERALL FLOOR AREA	
<b>CAR PARKING</b>	
23 MACROSSAN ST (LAND TRANSFER)	10 + 3 TANDEM CARPARKS
ON TITLE	5 + 1 SERVICE ZONE
TOTAL	19
** EXCLUDES ON-STREET ANGLED CARPARKS (5No.)	
<b>BICYCLE STORAGE</b>	
NO. OF PARKS	4(MIN.)



## STREETSCAPE - WARNER STREET EXISTING CONDITION

SCALE: 1:500



## STREETSCAPE - WARNER STREET

SCALE: 1:500

P6

### LEGEND

--- DENOTES STREET AWNING BUILDING HEIGHT, ON TITLE BUILDING BUILDING MASS BEYOND

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17/09/2021  
07/10/2021  
05/04/2022

PRELIMINARY  
NOT FOR CONSTRUCTION

DWG. TITLE: STREETSCAPE ELEVATION  
PLOT DATE: 7/04/2022  
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DWG. NO.: P-03.01 REV: P6

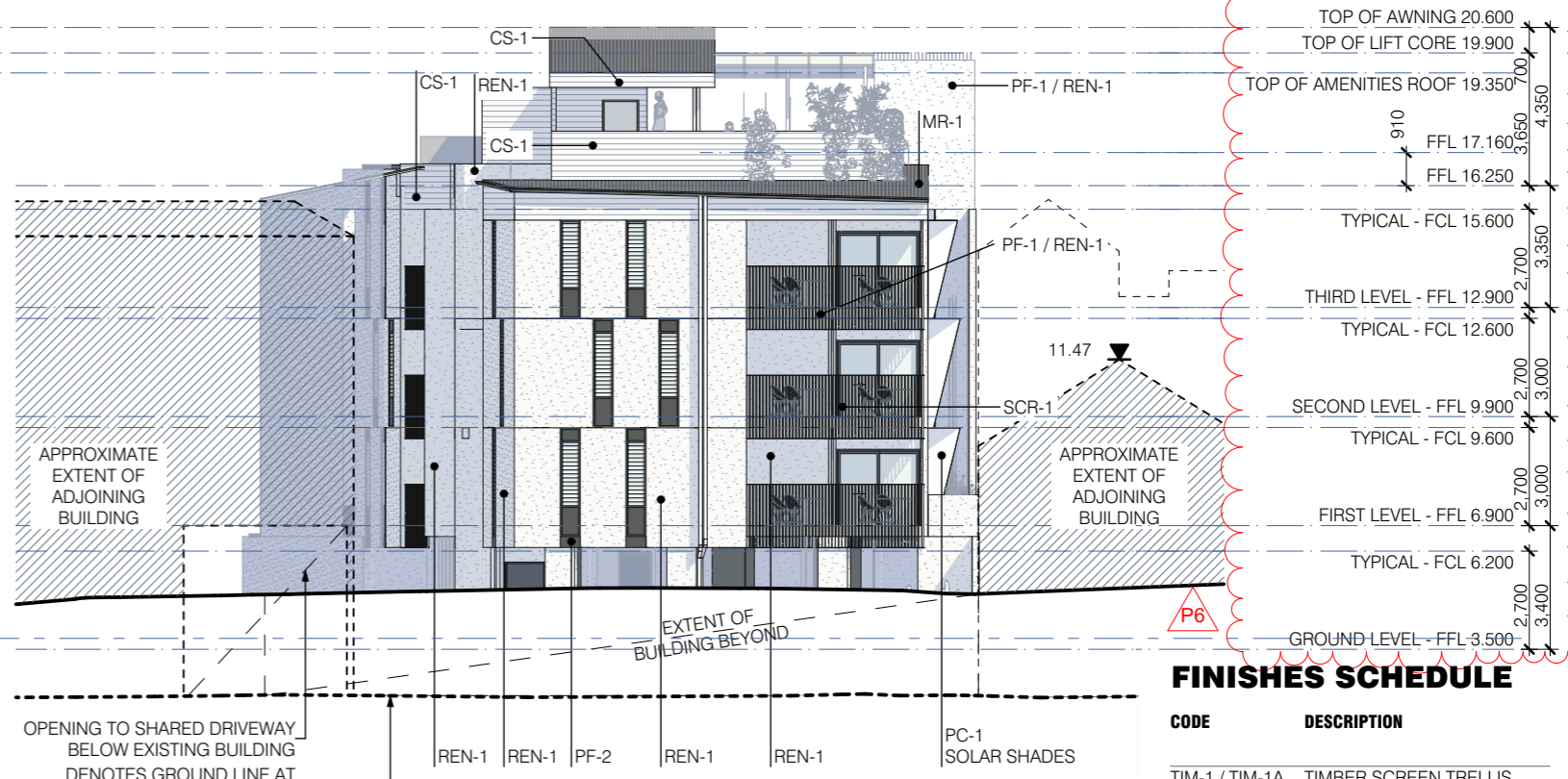
PROJECT: **WARNER STREET HOTEL  
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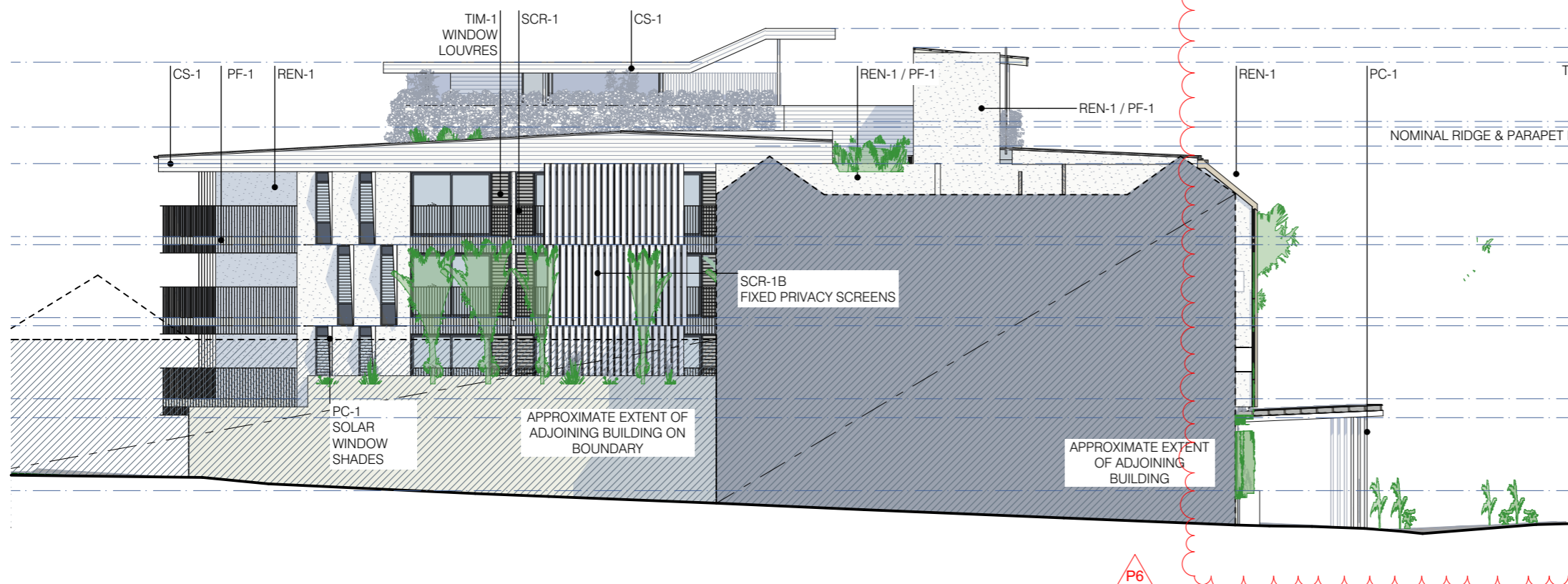
**E-01 SOUTH WEST ELEVATION**

SCALE: 1:200



**E-03 NORTH EAST ELEVATION**

SCALE: 1:200



**E-02 NORTH WEST ELEVATION**

SCALE: 1:200

**FINISHES SCHEDULE**

CODE	DESCRIPTION
TIM-1 / TIM-1A	TIMBER SCREEN TRELLIS POSTS & DECKING SPECIES LOCAL HARDWOOD TONE TBC
PAV-1	SLATE PAVING - LOCAL STONE FORMAT - 'CRAZY PAVING'
PAV-2	STREET PAVEMENT TO COUNCIL'S SPECIFICATION
REN-1	SMOOTH RENDER FINISH COLOUR - WHITE
CON-1	CONCRETE QUALITY FINISH COLOUR - NATURAL GREY EXPOSED SLAB SOFFITS & SELECTED WALLS
PF-1	PAINT FINISH TONE WHITE
PF-2	PAINT FINISH TONE 'BASALT' OR EQUAL
PC-1 / SCR-1 SCR-1A / SCR-1B SCR-C	POWDERCOATED FINISH TONE WHITE TO ALL BALUSTRADES, TO WINDOW SHADE SCREENS / MESH METAL FINISHES.
PC-1 PC-2	POWDERCOATED FINISH TO METALS AND WINDOW/ DOOR FRAMES TONE 'WHITE' OR 'BASALT' TBC WITH CEILING FANS SELECTED TO MATCH
CS-1	LIGHTWEIGHT CLADDING WEATHERBOARD, BOARD & BATTEN OR EQUAL. PAINT FINISH TONE WHITE
MEM-1	MEMBRANE ROOF
MR-1	METAL ROOF TONE 'SURFMIST' OR 'BASALT' TBC COASTAL GRADE MICRONS GUTTERS TO MATCH OR STAINLESS STEEL.
TR-1	TRANSLUCENT ROOF TONE CLEAR OR OPAL GUTTERS 316 S/STEEL OR COASTAL SPEC. COLOROND.

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REVISION:  
P1 - TOWN PLANNING PACKAGE TO COUNCIL  
P2 - ROOFTOP POOL AMENDMENT - ISSUE FOR COMMENT  
P3 - CARPARK REVISION PER PLANNING PERMIT CONDITIONS  
P4 - HOTEL OPERATOR INPUT REVISIONS  
P5 - DA PERMIT AMENDMENTS - HOTEL OPERATOR INPUT  
P6 - DA AMENDMENTS - FOLLOWING COUNCIL RFI

DATE:  
09/10/2019  
26/08/2020  
03/12/2020  
17/09/2021  
07/10/2021  
05/04/2022

**PRELIMINARY**  
NOT FOR CONSTRUCTION

DWG. TITLE: ELEVATIONS  
PLOT DATE: 7/04/2022  
SCALE: AS SHOWN AT A3  
DWG. NO.: P-03.02 REV: P6

PROJECT: **WARNER STREET HOTEL  
20 WARNER STREET  
PORT DOUGLAS**  
CLIENT: SCALI NOMINEES PTY LTD  
PROJ NO: 18 007

**WOLVERIDGE**architects  
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TEL: + 61 3 9486 9882 FAX: +61 3 9486 9883  
info@wolveridge.com.au www.wolveridge.com.au

CODE	DESCRIPTION
TIM-1 / TIM-1A	TIMBER SCREEN TRELLIS POSTS & DECKING SPECIES LOCAL HARDWOOD TONE TBC
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**WOLVERIDGE** architects

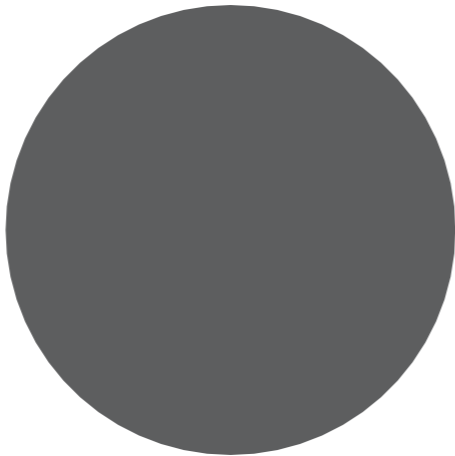
121 ROKEBY STREET COLLINGWOOD VICTORIA 3066 AUSTRALIA

**TEL:** + 61 3 9486 9882 **FAX:** + 61 3 9486 9883

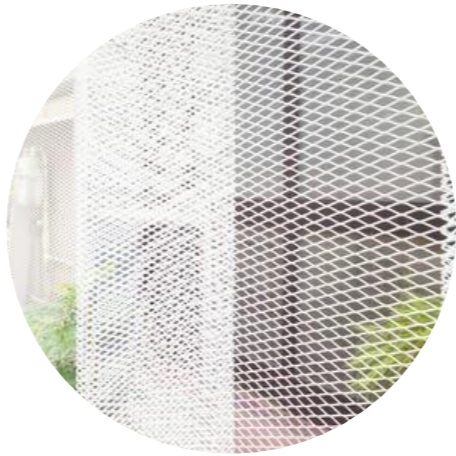
info@wolveridge.com.au [www.wolveridge.com.au](http://www.wolveridge.com.au)



CON-1



PC-2 / PF-2



SCR-1A



REN-1



CS-1



SCR-1B



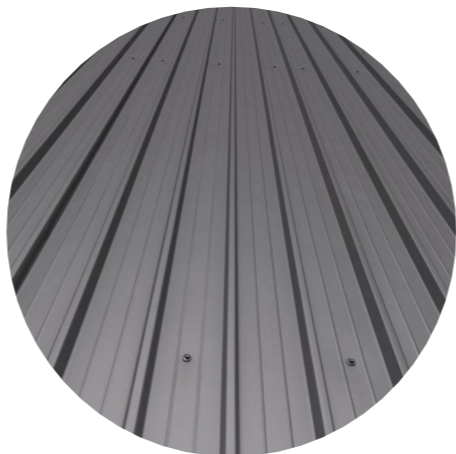
SCR-1C



TIM-1 / TIM-1A



PAV-1



MR-1

FINISHES SCHEDULE

CODE	DESCRIPTION
TIM-1 / TIM-1A	TIMBER SCREEN TRELLIS POSTS & DECKING SPECIES LOCAL HARDWOOD TONE TBC
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26/08/2020  
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17/09/2021  
07/10/2021  
05/04/2022

PRELIMINARY  
NOT FOR CONSTRUCTION

DWG. TITLE: MATERIALS SCHEDULE  
PLOT DATE: 7/04/2022  
SCALE: AS SHOWN AT A3  
DWG. NO.: P-03.04 REV: P6

PROJECT: WARNER STREET HOTEL  
20 WARNER STREET  
PORT DOUGLAS  
CLIENT: SCALI NOMINEES PTY LTD  
PROJ NO: 18 007

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**PROPOSED - STREET VIEW LOOKING DUE NORTH WEST**



**PROPOSED - STREET VIEW LOOKING DUE EAST**

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DATE:  
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26/08/2020  
03/12/2020  
17/09/2021  
07/10/2021  
05/04/2022

**PRELIMINARY**  
NOT FOR CONSTRUCTION

DWG. TITLE: REVISED FACADE - EXTERIOR  
PLOT DATE: 7/04/2022  
SCALE: AS SHOWN AT A3  
DWG. NO.: P-03.11 REV

PROJECT: **WARNER STREET HOTEL**  
**20 WARNER STREET**  
**PORT DOUGLAS**  
CLIENT: SCALI NOMINEES PTY LTD  
PROJECT: **CURRENT APPROVAL - STREET VIEW LOOKING DUE EAST**

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3 December 2019

Enquiries: Jenny Elphinstone  
Our Ref: MCUC 2019\_3365/1 (Doc ID 929242)  
Your Ref: P71866

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

Deal Corporation c/- Wolveridge Architects  
C/- Planz Town Planning  
PO Box 181  
EDGE HILL QLD 4870

Email: [info@planztp.com](mailto:info@planztp.com)

Attention Mesdames Huddy and Lanskey

Dear Mesdames

**Material Change of Use for Short-Term Accommodation with Ancillary Uses (Food and Drink Outlet / Bar) at 20 Warner Street and part of 23-25 Macrossan Street Port Douglas  
On land described as Lot 1 on RP718896 and Part of Lot 1 on SP267838**

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

Please quote Council's application number: MCUC 2019\_3365/1 in all subsequent correspondence relating to this development application.

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

Yours faithfully



**Paul Hoyer**  
Manager Environment & Planning

encl.

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



## **Decision Notice**

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

*Given under section 63 of the Planning Act 2016*

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#### **Applicant Details**

---

**Name:** Deal Corporation c/- Wolveridge Architects  
**Postal Address:** C/- Planz Town Planning  
PO Box 181  
Edge Hill Qld 4870  
**Email:** [info@planztp.com](mailto:info@planztp.com)

#### **Property Details**

---

**Street Address:** 20 Warner Street and Part of 23-25 Macrossan Street, Port Douglas  
**Real Property Description:** Lot 1 on RP718896, part of Lot 1 on SP267838 and Easements B and C on SP154579  
**Assessment Manager:** Douglas Shire Council

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

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Development Permit for Material Change of Use for Short-Term Accommodation with Ancillary Uses (Food and Drink Outlet / Bar).

#### **Decision**

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**Date of Decision:** 3 December 2019  
**Decision Details:** Development Permit Approved (subject to conditions)

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

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

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

<b>Drawing or Document</b>	<b>Reference</b>	<b>Date</b>
Site Context	Wolveridge Architects Project 18 007, Drawing P-01.03, Revision C	1 October 2019
Site Survey	Wolveridge Architects Project 18 007, Drawing P-01.04, Revision C	1 October 2019
Site Imagery	Wolveridge Architects Project 18 007, Drawing P-01.05, Revision C	1 October 2019
Site Survey – Adjoining Building Heights	Wolveridge Architects Project 18 007, Drawing P-01.06, Revision C	1 October 2019
Site analysis	Wolveridge Architects Project 18 007, Drawing P-01.07, Revision C	1 October 2019
Site & Roof Plan	Wolveridge Architects Project 18 007, Drawing P-02.01, Revision C	1 October 2019
Ground Floor	Wolveridge Architects Project 18 007, Drawing P-02.02, Revision C, dated 1 October 2019 and as amended by Condition 3.	To be determined.
First Floor	Wolveridge Architects Project 18 007, Drawing P-02.03, Revision C	1 October 2019
Second Floor	Wolveridge Architects Project 18 007, Drawing P-02.04, Revision C	1 October 2019
Third Floor	Wolveridge Architects Project 18 007, Drawing P-02.05, Revision C	1 October 2019
Micro Hotel – Section Perspective	Wolveridge Architects Project 18 007, Drawing P-02.07, Revision C	1 October 2019
Micro Hotel – Plan & Interior	Wolveridge Architects Project 18 007, Drawing P-02.09, Revision C	1 October 2019
Massing Areas	Wolveridge Architects Project 18 007, Drawing P-02.10, Revision C	1 October 2019
Ventilation Diagram	Wolveridge Architects Project 18 007, Drawing P-02.11, Revision C	1 October 2019
Breezeway Gates Elevation & Details	Wolveridge Architects Project 18 007, Drawing P-02.12, Revision C	1 October 2019
Streetscape Elevation	Wolveridge Architects Project 18 007, Drawing P-03.01, Revision C	1 October 2019
Elevations	Wolveridge Architects Project 18 007, Drawing P-03.02, Revision C	1 October 2019

Drawing or Document	Reference	Date
Elevation & Section-Longitudinal	Wolveridge Architects Project 18 007, Drawing P-03.03, Revision C	1 October 2019
Materials Schedule	Wolveridge Architects Project 18 007, Drawing P-03.04, Revision C	1 October 2019
Revised Façade – Exterior Views	Wolveridge Architects Project 18 007, Drawing P-03.11, Revision C	1 October 2019
Revised Façade – Section	Wolveridge Architects Project 18 007, Drawing P-03.12, Revision C	1 October 2019
Perspectives	Wolveridge Architects Project 18 007, Drawing P-05.02, Revision C	1 October 2019
AS2680 B99 Design Vehicle Swept Paths	Rogers Consulting Engineers, Project 180307, Drawing SK20 Sheet 1 of 2, Revision P2	19 August 2019.
AS2680 B99 Design Vehicle Swept Paths	Rogers Consulting Engineers, Project 180307, Drawing SK21 Sheet 2 of 2, Revision P5	4 September 2019.
Civil Works Preliminary Carpark Levels	Rogers Consulting Engineers, Project 180307, Drawing SK30, Revision P1 dated 27 August 2019 and as amended by Condition 3	To be determined
Landscape Plan	Hortulus Australia Pty Ltd, Job No: SN-D18 A, Drawings LS-01 to LS-04, Issue B dated 25 January 2019 and as amended by Condition 3.	To be determined.

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

### Assessment Manager Conditions & Advices

#### Assessment Manager Conditions

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

Except where modified by these conditions of approval

#### Timing of Effect

2. The conditions of the Development Permit must be effected prior to Commencement of Use, except where specified otherwise in these conditions of approval.

#### Amended Plan

3. The proposed development must be generally in accordance with the plans, prepared by Wolveridge Architects, Rogers Consulting Engineers and Hortulus Australia Pty (Council electronic document D#927624) and as amended to accommodate the following:
  - a. Delete car parking space No.10 and replace with service area facilities;
  - b. Include traffic islands on the road that provide sufficient sight views for exiting vehicles and accommodate the angle parking design;
  - c. Design on-street car parking at approximately 45° angle, rather than 90° angle, on the adjacent area of Warner Street;
  - d. Upgrade the street lighting to Warner Street adjacent to the property;
  - e. Include suitable signage warning of limited vehicle access to the parking area and maximum vehicle clearance heights;
  - f. Include suitable traffic warning signs regarding vehicle ramp access and pedestrian activity on sidewalk;
  - g. Include a full awning cover to the adjacent footpath on all plans;
  - h. Ensure vine planting and landscaping to Warner Street provides adequate pedestrian access between the adjacent on-street car parking spaces and footpath. Landscaping must maintain a minimum 2m wide footpath clear of landscaping and beds for vines to minimise trip hazard;
  - i. Ensure the landscaping design has regard to Council infrastructure located beneath the street and include the location of infrastructure on site plans;
  - j. Ensure landscaping design for on-street island beds includes clean trunk trees and design to ensure adequate site lines for traffic movements. Species to reflect those present on adjacent sites to produce a unified streetscape planting;
  - k. Ensure the form of the kerb and channel to the road to match the existing to the neighbouring development; and
  - l. Ensure the paving of the pedestrian footpath in pavers to match the existing paving in front of neighbouring development.

Details of the above amendments must be included in the subsequent application for a Development Permit for Operational Work and of a standard consistent with the FNQROC Development Manual.

#### Availability of Parking Areas

4. The vehicle parking area must be available for use by all businesses and short-term accommodation units on the land including visitors to the site for all times that the businesses operate and accommodation units are occupied.

#### Toilets

5. For all times that the café/bar is open to trade, the toilets must be available to customers. The toilets must be available to staff at all trading times.

#### Damage to Council Infrastructure

6. In the event that any part of Council's existing sewer, water or road infrastructure is damaged as a result of construction activities occurring on the site including but not limited to; mobilisation of heavy construction equipment; stripping; and grubbing, the applicant/owner must notify Council immediately of the affected infrastructure and have it repaired or replaced at the developer's/owners/builders cost, prior to the Commencement of Use.

#### Water Supply and Sewerage Works Internal

7. Undertake the following water supply and sewerage works internal to the subject land:
  - a. Provide a single internal sewer connection which must be clear of any buildings or structures. The size and capacity of the sewer connection is to be confirmed by a suitably qualified Hydraulic services consultant;
  - b. Provide a single internal water connection with approved water metering;
  - c. Water supply sub-metering must be designed and installed in accordance with the Queensland Development Code and the Water Supply (Safety and Reliability) Act 2008;

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

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to Commencement of Use.

#### Inspection of Sewers

8. Where relocating the sewer main, extending the sewer main or providing a new sewer main, provide CCTV inspections of sewers both prior to commencement of works on site and at works completion where works have been undertaken over or to sewers. Defects must be rectified to the satisfaction of the Chief Executive Officer at no cost to Council prior to Commencement of Use.

#### Vehicle Parking

9. The amount of vehicle parking must be as specified in Council's Planning Scheme which is a minimum of sixteen (16) spaces. The car parking layout must comply with the Australian Standard AS2890.1 2004 Parking Facilities – off-street car parking and be constructed in accordance with Austroads and good engineering design. In addition, all parking, driveway and vehicular manoeuvring areas must be imperviously sealed, drained and line marked and these attributes must be maintained for the life of the development. At least one car parking space must be provided for disabled drivers together with suitable access between the car parking space and entry to the ground floor reception area.

#### Protection of Landscaped Areas from Parking

10. Landscaped areas adjoining the parking area must be protected by a 150 mm high vertical concrete kerb or similar obstruction. The kerb must be set back from the garden edge sufficiently to prevent vehicular encroachment and damage to plants by vehicles.

#### Parking Signage

11. Erect signs advising of the location and availability of the off-street visitor parking area. The signs must be erected prior to Commencement of Use.

#### Bicycle Parking

12. The bicycle parking area must be constructed prior to Commencement of Use and maintained for the life of the development.

#### Lighting

13. All lighting installed upon the premises including car parking areas must be certified by Ergon Energy (or such other suitably qualified person). The vertical illumination at a distance of 1.5 metres outside the boundary of the subject land must not exceed eight (8) lux measured at any level upwards from ground level.

#### External Works

14. Undertake the following works external to the land at no cost to Council:
  - a. Upgrade street lighting adjacent to the land to the FNQROC Development Manual standard;
  - b. Construct the kerb and channel and landscaped garden verge island, generally in accordance with the proposed design and having regard to Condition 3 above;
  - c. Construct full-width sidewalk with paving style to match the neighbouring development;
  - d. Provide permanent tactile ground surface Indicators in accordance with Australian Standard AS1428.4: 2002 Design for Access and Mobility Part 4: Tactile Indicators prior to the vehicle access area;
  - e. Repair any damage to existing roadway (including removal of concrete slurry from footways, roads, kerb and channel and stormwater gullies and drain lines) that may occur during and works carried out in association with the construction of the approved development;
  - f. Construct and landscape the island within the road area as nominated on the plans;
  - g. Linemark parking spaces and loading area in front of and adjacent to the subject land;
  - h. Incorporate any requirements identified as necessary under Condition 16 (Drainage Study of Site); and

- i. Provide a loading bay for a small rigid vehicle and temporary access vehicle waiting area signs outside the subject land. The loading bay is to be signed for limited daytime use.

All works in the road reserve need to be properly separated from pedestrians and vehicles, with any diversions adequately signed and guarded. Particular attention must be given to providing safe passage for people with disabilities i.e., the provision of temporary kerb ramps if pedestrian diversions are necessary.

The external works outlined above constitute Operational Works. Three (3) copies of a plan of the works at A1 size and one (1) copy at A3 size must be endorsed by the Chief Executive Officer prior to commencement of such works. Such work must be constructed in accordance with the endorsed plan to the satisfaction of the Chief Executive Officer prior to Commencement of Use.

#### Above Ground Transformer Cubicles / Electrical Sub-Stations

15. Any required above ground transformer cubicles and/or electrical sub-stations are to be positioned so that they do not detract from the appearance of the streetscape and must be clear of footpath areas. This will require cubicles / sub-stations to be setback from the street alignment behind suitable screening, or incorporated within the built form of the proposed building. Details of the electrical sub-station positioning must be endorsed by the Chief Executive Officer prior to the issue of Development Permit for Building Work.

#### Drainage Study of Site

16. Undertake a local drainage study on the subject land to determine drainage impacts on downstream properties and the mitigation measures required to minimise such impacts. In particular, the post-development discharge of stormwater from the subject site must have no worsening effect on the drainage of upstream or downstream properties.

The study must include advice on how stormwater conveyance from the upper car park area and associated lot is conveyed past the building and to Warner Street. Plans and supporting calculations are to be submitted to demonstrate compliance with this condition.

Any necessary works are to be included in the design of external works and constructed under a Development Permit for Operational Work.

The drainage study must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Work with the necessary works being undertaken prior to Commencement of Use.

#### Acid Sulfate Soils Disturbance

17. The development proposed may result in disturbance of potential acid sulfate soils (PASS). Prior to excavation, in association with a geotechnical assessment, an acid sulfate soil investigation must be undertaken.

The investigation must be performed in accordance with the latest 'Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland' produced by the Department of Natural Resources and Mines (previously DNRW), and State Planning Policy 2/02 – Planning and Managing Development Involving Acid Sulfate Soils. Where it is found that PASS exist, treatment of soil must be undertaken on-site to neutralise acid, prior to disposal as fill, in accordance with the DNRW 'Queensland Acid Sulfate Soil Technical Manual'.

#### Amalgamation of Lots Required

18. The applicant/owner is to ensure that the subject lots are held together as one site for the duration of the approved land use. This is to be achieved by the amalgamation of Lot 1 on RP718896 and Part of Lot 1 on SP267838 into one lot. The Plan of Survey must be registered with the Department of Natural Resources and Mines and Energy and a new certificate of title issued at the applicant's/owner's cost prior to Commencement of Use.

#### Stockpiling and Transportation of Fill Material

19. Soil used for filling or spoil from the excavation is not to be stockpiled in locations that can be viewed from adjoining premises or a road frontage for any longer than one (1) month from the commencement of works.

Transportation of fill or spoil to and from the site must not occur within:

- a. peak traffic times;
  - b. before 7:00 am or after 6:00 pm Monday to Friday;
  - c. before 7:00 am or after 1:00 pm Saturdays; or
  - d. on Sundays or Public Holidays.
20. Dust emissions or other air pollutants, including odours, must not extend beyond the boundary of the site and cause a nuisance to surrounding properties.

#### Storage of Machinery and Plant

21. The storage of any machinery, material and vehicles must not cause a nuisance to surrounding properties, to the satisfaction of the Chief Executive Officer.

#### Landscaping Plan

22. The site must be landscaped in accordance with details included on a Landscaping Plan. The approval and completion of all landscaping works must be undertaken in accordance with the endorsed plan prior to the Commencement of Use. Landscaped areas must be maintained at all times to the satisfaction of the Chief Executive Officer.

#### Lawful Point of Discharge

23. All stormwater from the property must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, all to the requirements and satisfaction of the Chief Executive Officer.

#### Minimum Fill and Floor Levels

24. All floor levels in all buildings must be provided with suitable freeboard from flooding and stormtide events with a 1% Annual exceedance probability.

In particular, the building floor levels must be located 300mm above the Q100 flood immunity level plus any hydraulic grade effect (whichever is the greater), in accordance with FNQROC Development Manual and Planning Scheme requirements.

Minimum floor levels must have regard to 0.8m sea level rise for storm tide inundation projected for the year 2100 and freeboard as per Council's stormtide report. Council assesses this level (inclusive of freeboard) to be 3.2m AHD except for the entry bay adjacent to the lift well which is to be a minimum of 3.1m AHD.

#### Ponding and/or Concentration of Stormwater

25. The proposed development is not to create ponding nuisances and/or concentration of stormwater flows to adjoining properties. Supporting calculations are to demonstrate that surface flows (if any) on the driveway from the upper level are no greater than that existing in the current pre-development scenario.

#### Refuse Storage

26. Refuse storage is required to service the site in accordance with Council requirements.
27. The refuse bin enclosure must be roofed and bunded and fitted with a bucket trap.

#### Liquid Waste Disposal

28. Trade waste discharge to sewer must comply with Council's Trade Waste Environmental Management Plan (TWEMP).

A report demonstrating that the facility complies with the TWEMP must be submitted to and be approved by Council prior to the issue of a Development Permit for Building Work.

The applicant must have all measures for pre-treatment installed prior to Commencement of Use.

#### Details of Development Signage

29. The development must provide clear and legible signage incorporating the street number for the benefit of the public.

#### Advertising Signage

30. All signage associated with the use must comply with the Advertising Devices Code contained within the 2018 Douglas Shire Planning Scheme or as otherwise approved by the Chief Executive Officer prior to the Commencement of Use.

## Construction Signage

31. Prior to the commencement of any construction works associated with the development, a sign detailing the project team must be placed on the road frontage of the site and must be located in a prominent position. The sign must detail the relevant project coordinator for the works being undertaken on the site, and must list the following parties (where relevant) including telephone contacts:
  - a. Developer;
  - b. Project Coordinator;
  - c. Architect / Building Designer;
  - d. Builder;
  - e. Civil Engineer;
  - f. Civil Contractor;
  - g. Landscape Architect

## Crime Prevention Through Environmental Design

32. All lighting and landscaping requirements are to comply with Council's General Policy Crime Prevention Through Environmental Design (CPTED).

## Advices

1. This approval, granted under the provisions of the Planning Act 2016, shall lapse six (6) years from the day the approval takes effect in accordance with sections 85(1)(b) and 71 of the Planning Act 2016.
2. The Douglas Shire Council area is subject to water restrictions during dry season months that may limit and/or restrict the use of Council water for landscaped areas. Council recommends water harvesting and water saving devices to be included to cater for the dry season periods.
3. The land is located near to the Live Entertainment Precinct under the Port Douglas / Craiglie Local Plan of the 2018 Douglas Shire Planning Scheme. . Consideration of attenuating the internal areas of the residential units from noise intrusion associated with night time activities, such as outdoor dining, bars and nightclubs, maybe astute at the initial construction stage.
4. All building site managers must take all action necessary to ensure building materials and / or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.
5. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements. In particular, the use of the adjacent sidewalk area is subject to a Local Law approval for outdoor dining. The use of the sidewalk area for outdoor dining is subject to a Local Laws approval.

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

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

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

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

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

7. For information relating to the *Planning Act 2016* log on to [www.dsdip.qld.gov.au](http://www.dsdip.qld.gov.au). To access the *FNQROC Development Manual*, Local Laws and other applicable Policies, log on to [www.douglas.qld.gov.au](http://www.douglas.qld.gov.au).

#### Land Use Definitions\*

In accordance with the *2018 Douglas Shire Planning Scheme Version 1.0*, the approved land use of Development Assessment Application is defined as:

##### *Short Term Accommodation*

Premises used to provide short-term accommodation for tourists or travellers for a temporary period of time (typically not exceeding three consecutive months) and may be self-contained.

The use may include a manager's residence and office and the provision of recreation facilities for the exclusive use of visitors.

##### *Bar*

Premises used primarily to sell liquor for consumption on the premises and that provides for a maximum capacity to seat sixty persons at any one time.

The use may include ancillary sale of food for consumption on the premises and entertainment activities.

##### *Food and Drink Outlet*

Premises used for preparation and sale of food and drink to the public for consumption on or off the site. The use may include the ancillary sale of liquor for consumption on site.

\*This definition is provided for convenience only. This Development Permit is limited to the specifications, facts and circumstances as set out in the application submitted to Council and is subject to the abovementioned conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual.

### **Further Development Permits**

---

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

- All Building Work
- All Operational Work

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

### **Currency Period for the Approval**

---

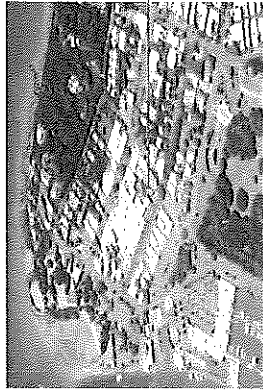
This approval, granted under the provisions of the *Planning Act 2016*, shall lapse six (6) years from the day the approval takes effect in accordance with the provisions of Section 85 of the *Planning Act 2016*.

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

---

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

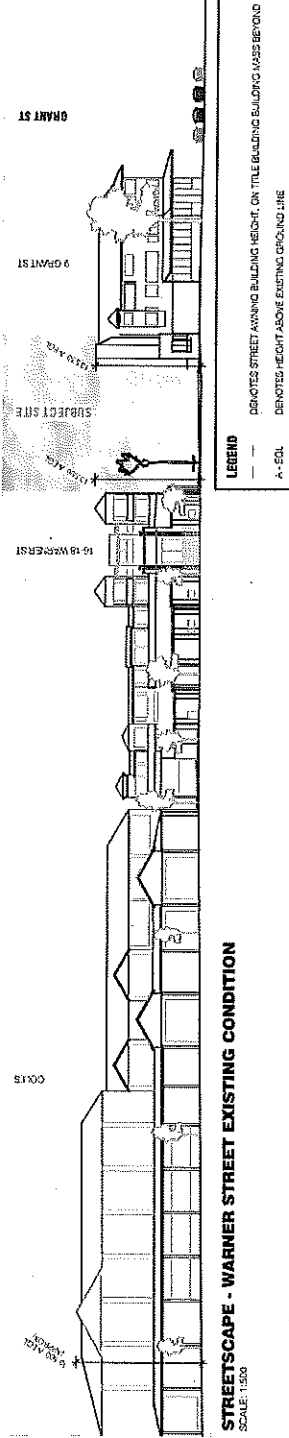
A copy of the relevant appeal provisions are attached.



LOCATION PLAN



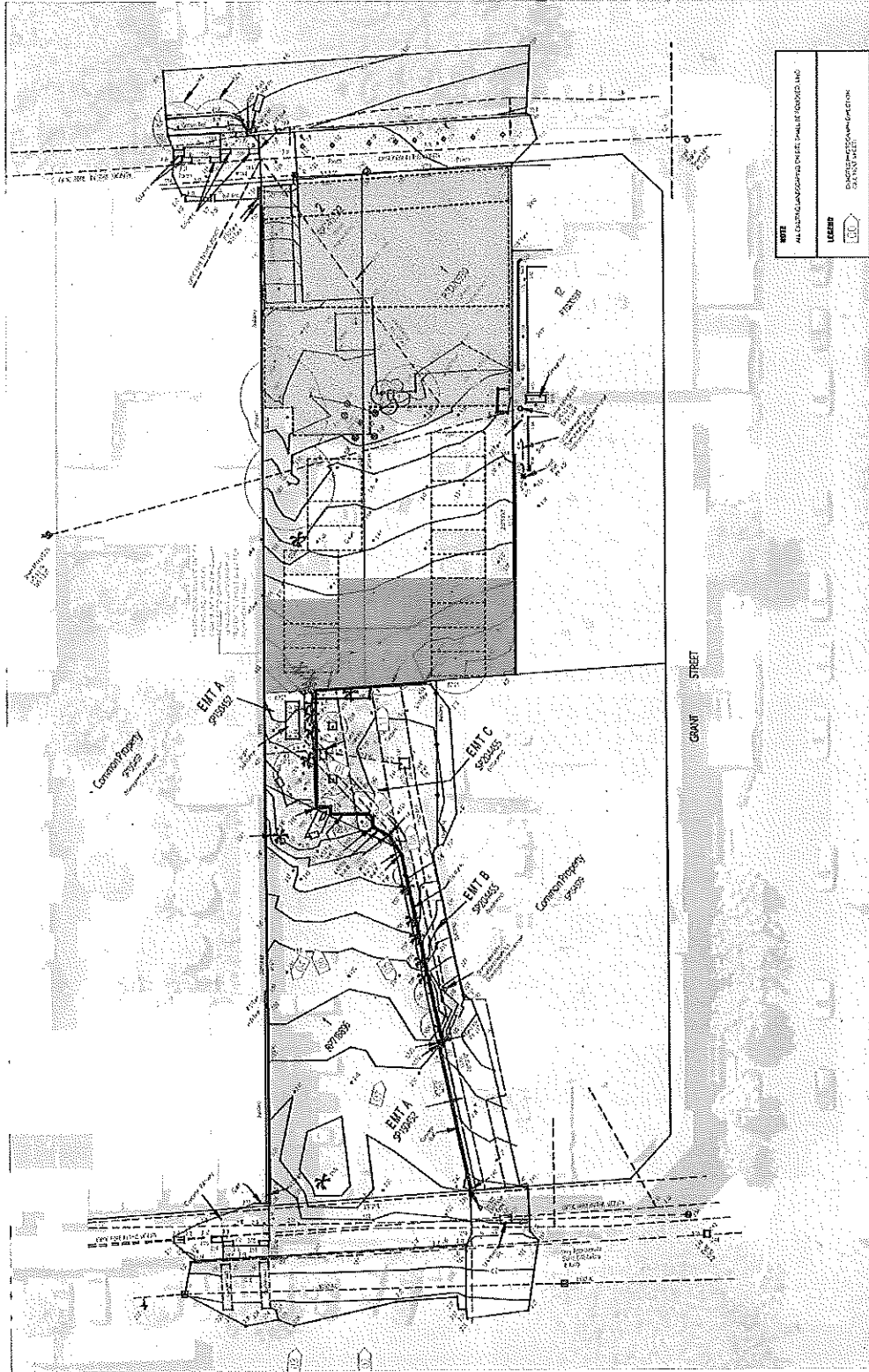
SITE CONTEXT PLAN



STREETScape - WARNER STREET EXISTING CONDITION

SCALE: 1:500

This drawing is: a) a preliminary design b) a design for construction c) a design for construction d) a design for construction e) a design for construction f) a design for construction g) a design for construction h) a design for construction i) a design for construction j) a design for construction k) a design for construction l) a design for construction m) a design for construction n) a design for construction o) a design for construction p) a design for construction q) a design for construction r) a design for construction s) a design for construction t) a design for construction u) a design for construction v) a design for construction w) a design for construction x) a design for construction y) a design for construction z) a design for construction	REVISION: 1. INITIAL PLAN AND DESIGN TO CONCEPT	DATE: 09/03/2019	PRELIMINARY NOT FOR CONSTRUCTION	DWG. TITLE: PLOT DATE: SCALE: DWC. NO.:	SITE CONTEXT: PLOT DATE: SCALE: DWC. NO.:	PROJECT: WARNER STREET HOTEL 20 WARNER STREET PORT DOUGLAS	CLIENT: SCULI HOLDINGS PTY LTD	PROJ. NO.: 16 007	WOLVERIDGE architects 121 FOCKEY STREET COLLINGWOOD VICTORIA 3068 AUSTRALIA TEL: + 61 3 9482 0882 FAX: + 61 3 9482 0883 info@wolveridge.com.au www.wolveridge.com.au



**NOTE**  
ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED

**LEGEND**  
EXISTING - DASHED LINE  
PROPOSED - SOLID LINE

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**PROJECT:** WARNER STREET HOTEL  
**CLIENT:** SCALLOP HOMES PTY LTD  
**PROJ NO:** 18 007

**SITE SURVEY:** 07/02/2019  
**AS SHOWN AT:** 1/3  
**REV:** 1/1

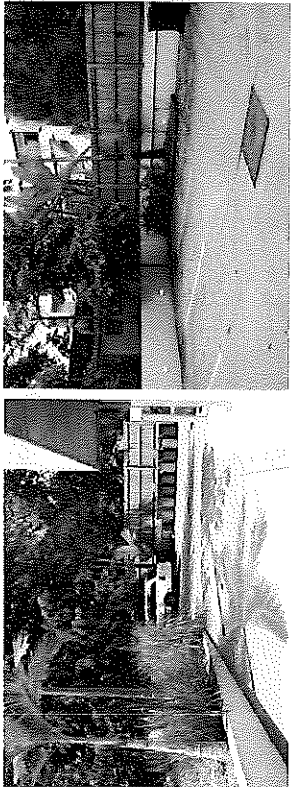
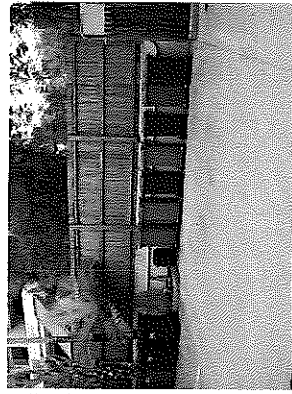
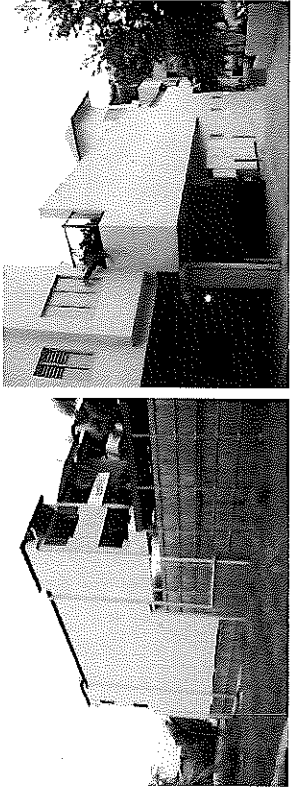
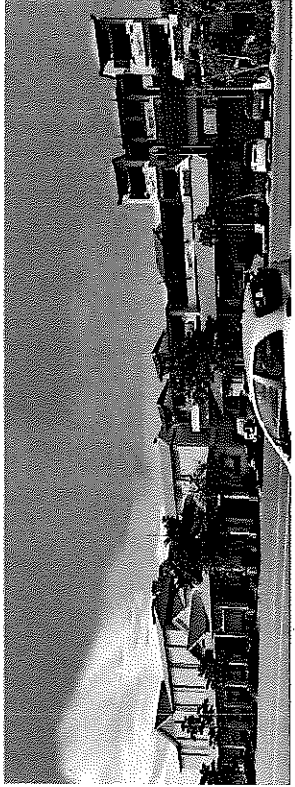
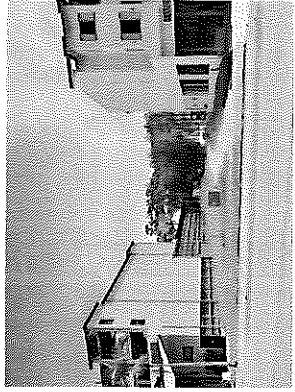
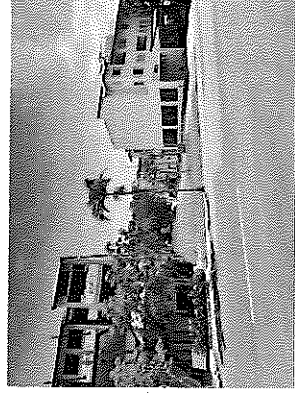
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**PLOT DATE:** 07/02/2019  
**SCALE:** 1:100  
**DWG NO:** 18 007

**PRELIMINARY**  
NOT FOR CONSTRUCTION

**DATE**  
07/02/2019

**REVISION:**  
1. INITIAL PLAN SET FOR COUNCIL

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**WARRER STREET HOTEL  
20 WARRER STREET  
PORT PHILL**  
PROJECT  
CLIENT: SCALAHOMREES PTY LTD  
PROJ NO: 18 007

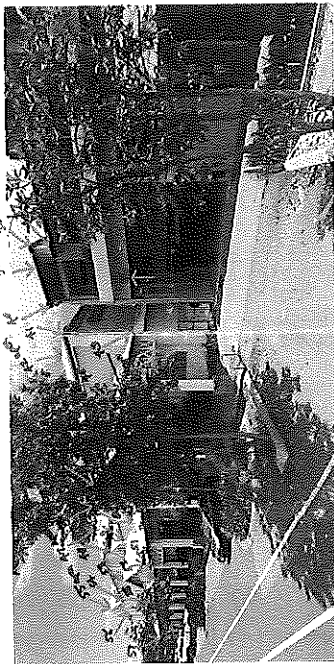
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AS SHOWN AT A3  
A3-01-00 REV: P1

**PRELIMINARY**  
NOT FOR CONSTRUCTION

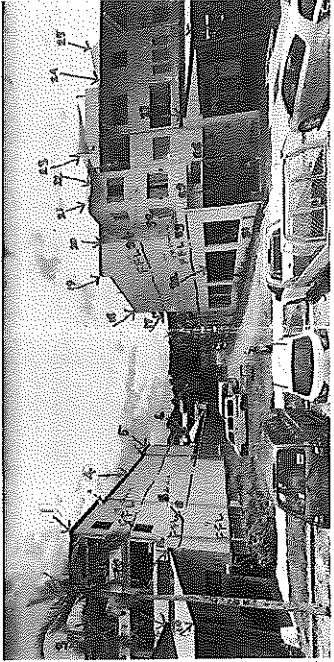
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REVISION:  
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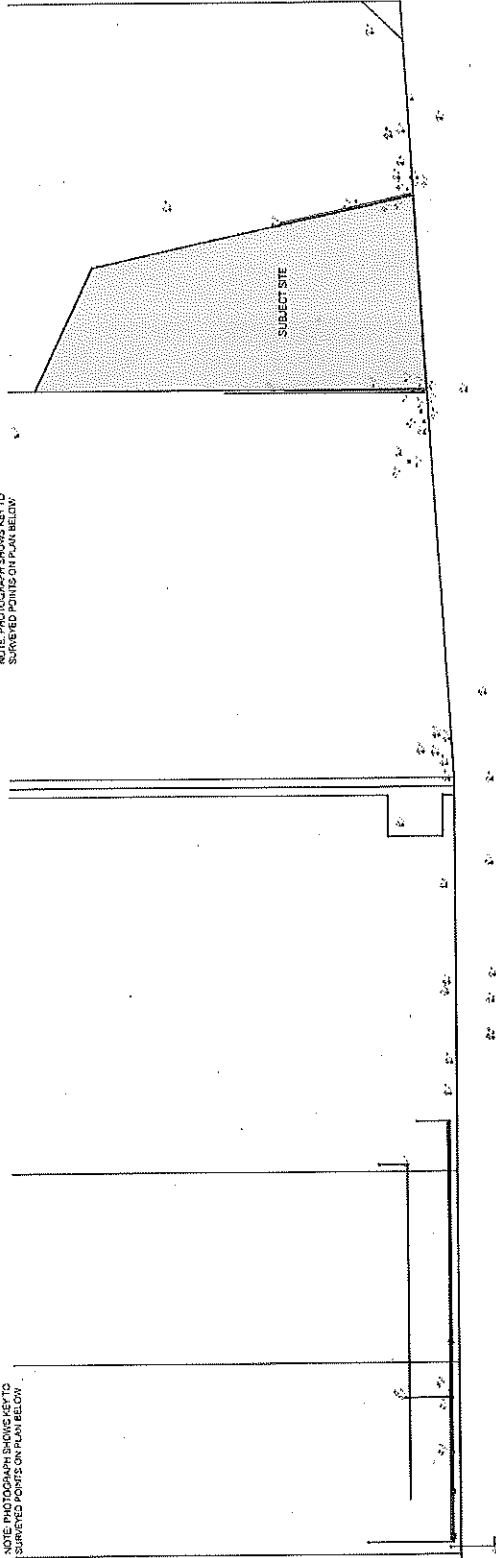
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NOTE: PHOTOGRAPH SHOWS KEY TO SURVEY POINTS ON PLAN BELOW



NOTE: PHOTOGRAPH SHOWS KEY TO SURVEY POINTS ON PLAN BELOW



**SITE SURVEY - ADJOINING BUILDING HEIGHTS**

NOTE: ADJOINING BUILDING HEIGHTS DETERMINED BY THE ARCHITECT'S REPRESENTATIVE AND SUBJECTS

THE ARCHITECT'S COPY OF THE SITE PLAN AND SURVEY IS TO BE USED FOR THE PRELIMINARY DESIGN ONLY. IT IS NOT TO BE USED FOR THE FINAL DESIGN OR FOR THE FINAL CONSTRUCTION OF THE PROJECT. THE ARCHITECT'S REPRESENTATIVE IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED IN THIS DOCUMENT.	REVISION P1: TOP PLANNING PACKAGE TO COLLECT	DATE 07/10/2019
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PRELIMINARY  
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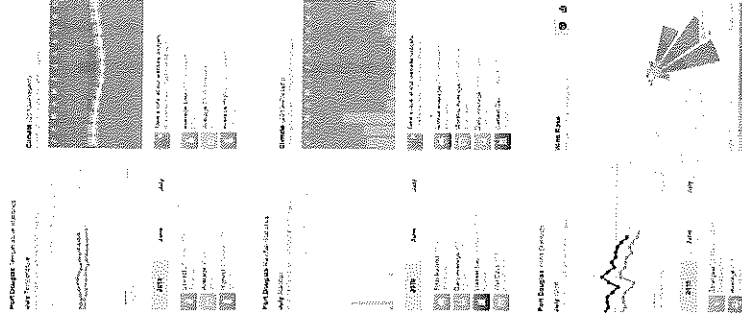


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SCALE  
DWG. NO.

SITE SURVEY - ADJOINING  
BUILDING HEIGHTS  
07/10/2019  
AS SHOWN AT A3  
P-21.06  
REV: P1

PROJECT  
WARNER STREET HOTEL  
20 WARNER STREET  
PORT DOUGLAS  
CLIENT  
SCALDINNOVIES PTY LTD  
PROJ. NO.  
18.007

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REV: P1 - TOWN PLANNING PACKAGE TO COUNCIL

DATE: 03/10/2019

PRELIMINARY  
NOT FOR CONSTRUCTION

DWG. NO.: P-01/07

SCALE: AS SHOWN AT A3

PLOT DATE: 8/10/2019

SITE ANALYSIS

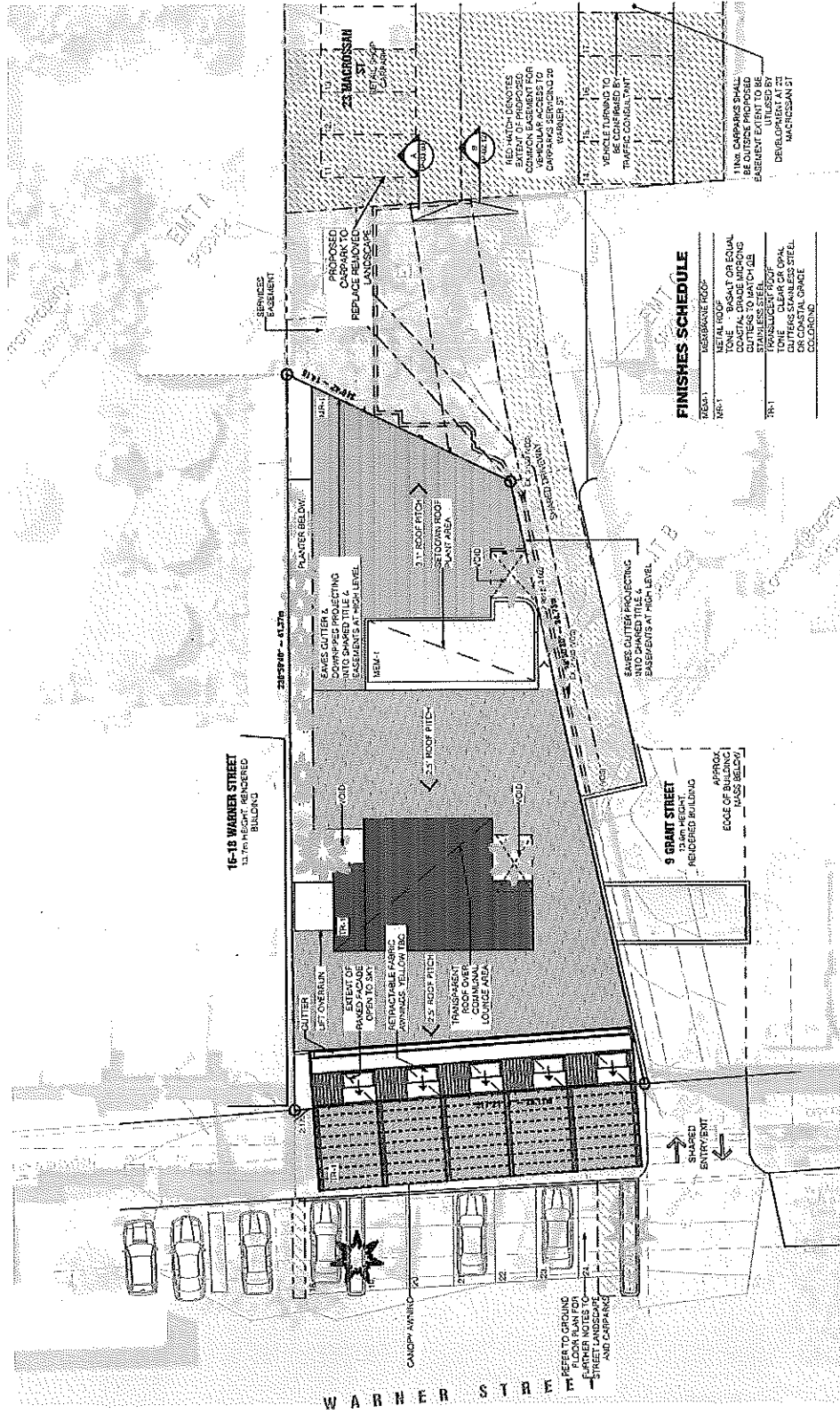
PROJECT: WARNER STREET HOTEL  
200 WARNER STREET  
PORT DOUGLAS

CLIENT: SCALI NOMINEES PTY LTD

PROJ. NO.: 18 007

REV: P1

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**ROOF LEVEL**  
SCALE: 1:200

REVISION:  
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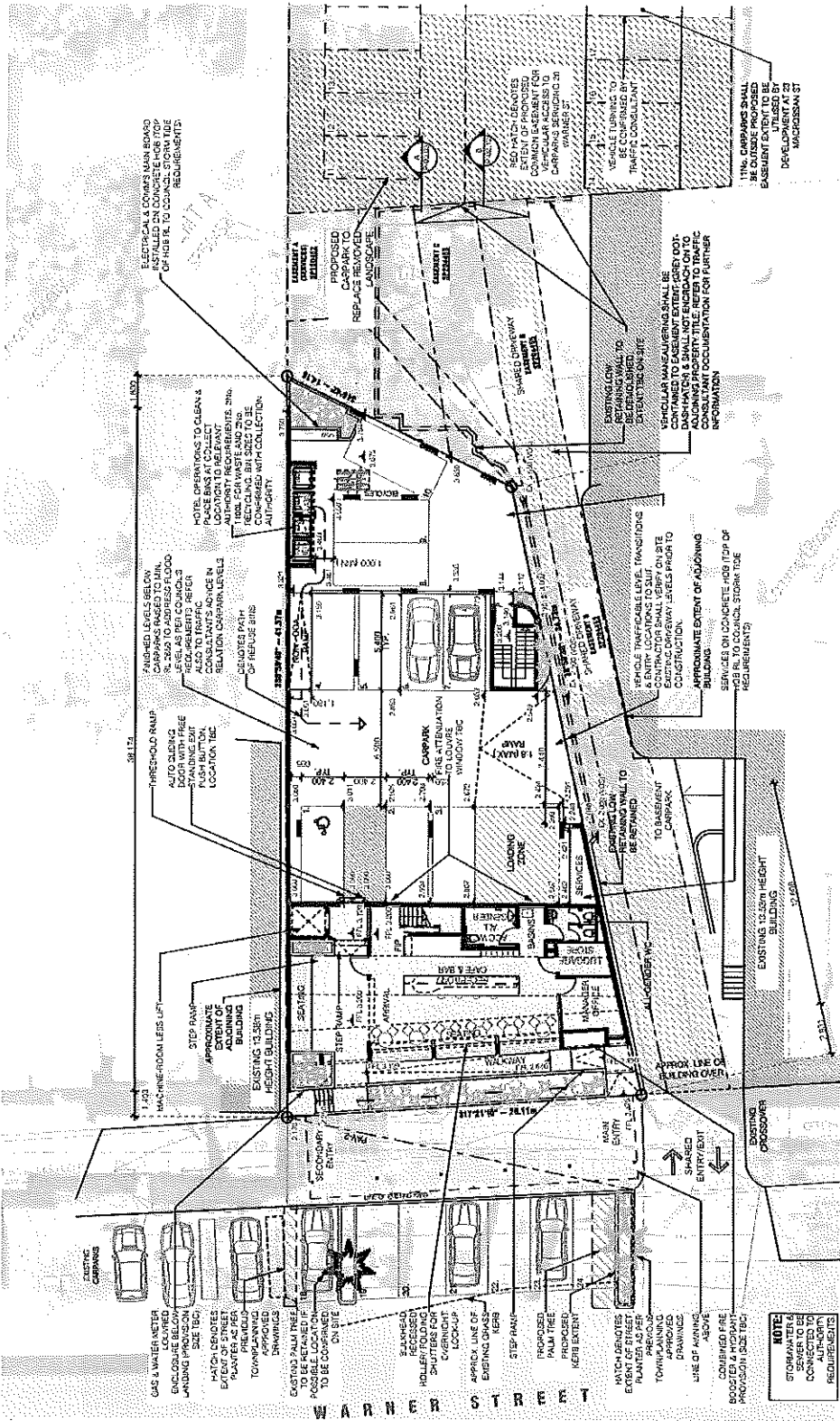
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01/03/2019

**PRELIMINARY**  
NOT FOR CONSTRUCTION

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PLOT DATE: 01/03/2019  
SCALE: AS SHOWN AT A3  
DWG NO.: P-02/01  
REV: P1

**WARNER STREET HOTEL**  
20 WARNER STREET  
PORT DOUGLAS  
CLIENT: SCALU NOVINEES PTY LTD  
PROJ NO: 18-007

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GROUND LEVEL  
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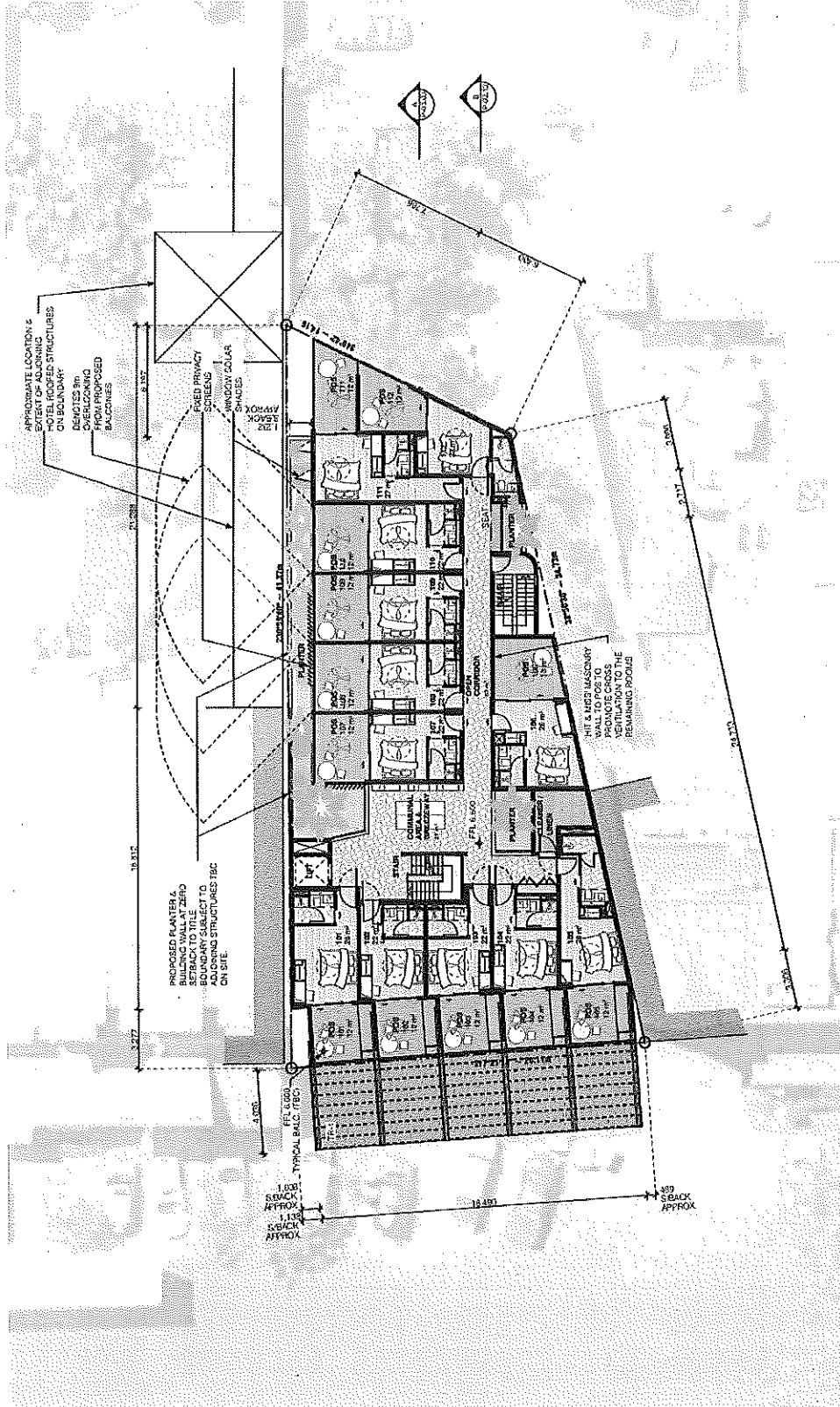
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DATE: 01/02/2019  
BY: [Signature]

PRELIMINARY  
NOT FOR CONSTRUCTION

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PLOT DATE: 01/02/2019  
SCALE: AS SHOWN AT A3  
DWG NO: P-02.02  
REV: P1

PROJECT: WARNER STREET HOTEL  
20 WARNER STREET  
PORT DOUGLAS  
CLIENT: SCALICORP PTY LTD  
PROJ NO: 18.007

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**FIRST LEVEL**  
SCALE: 1:200

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P1: TOWN PLANNING PACKAGE TO COUNCIL

DATE:  
20/12/2019

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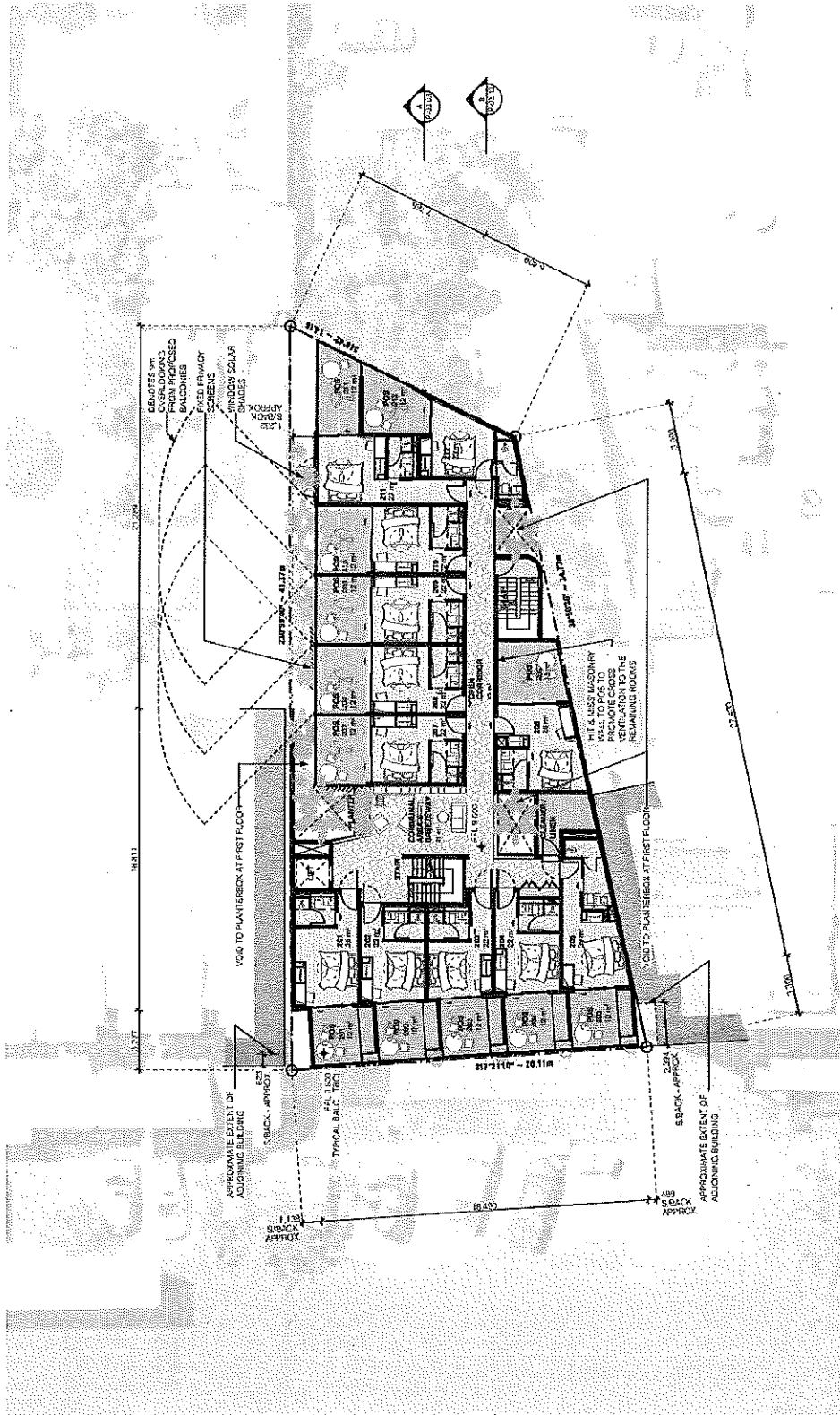
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SCALE:  
DWG. NO.:

FIRST FLOOR  
01/10/2019  
AS SHOWN AT A3  
P-02/03

REV: P1

PROJECT:  
**WARNER STREET HOTEL**  
20 WARNER STREET  
PORT DOUGLAS  
CLIENT:  
SCALINGHOUSE PTY LTD  
PROJ. NO.: 18.007

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# **SECOND LEVEL** SCALE 1:200

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20/05/2019

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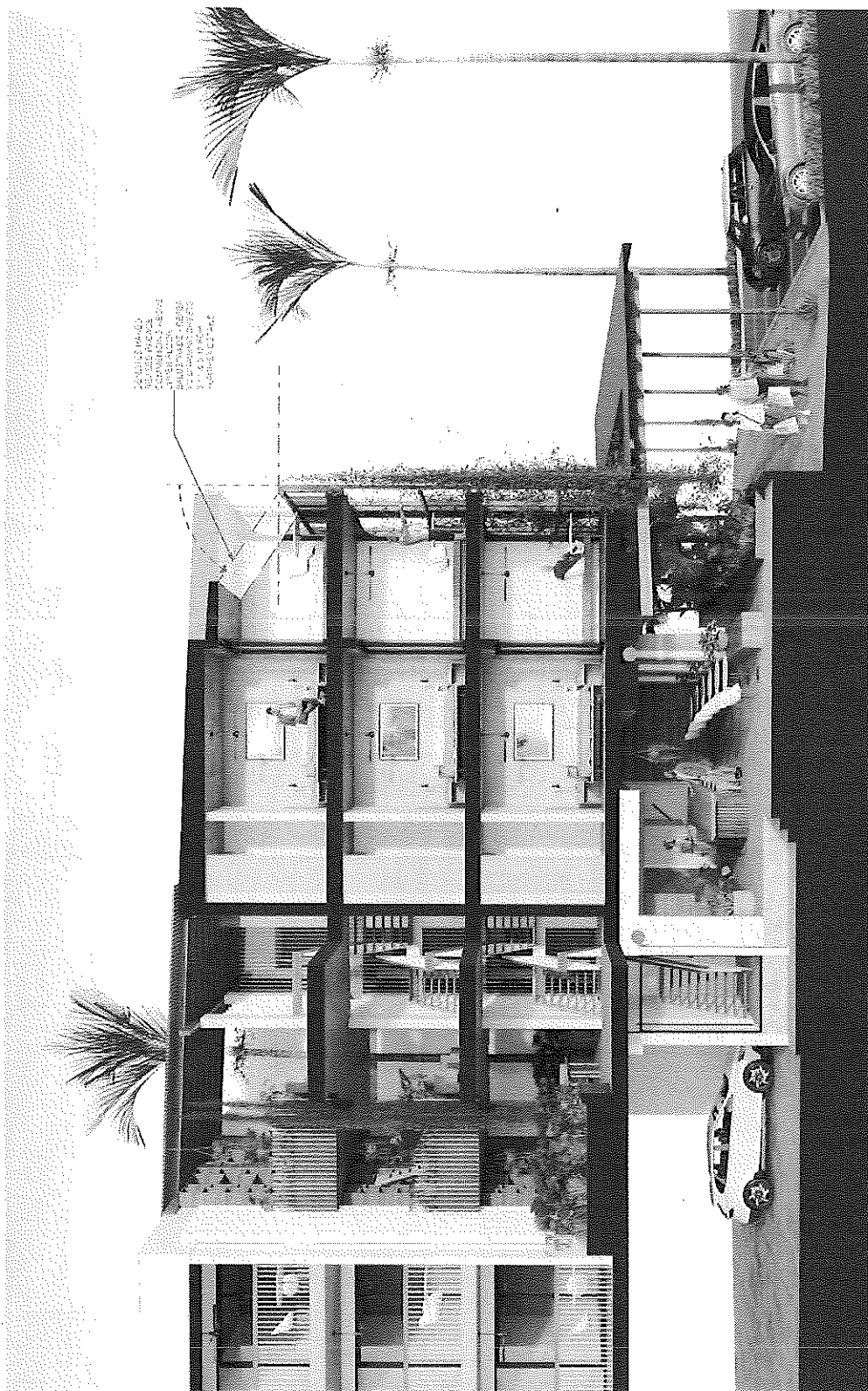
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PLOT DATE: 9/10/2010  
SCALE: AS SHOWN AT A3  
DWG. NO.: P-02/04 REV: P1

PROJECT: **WARNER STREET HOTEL**  
**20 WARNER STREET**  
**PORT DOUGLAS**  
CLIENT: **SCALI NONNEES PTY LTD**  
PROJ NO: 18 007

**WOVERIDGE architects**  
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## SECTIONAL PERSPECTIVE

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REVISION:  
M - TOWN PLANNING PACKAGE TO SOUND

DATE: 23/10/2016

PRELIMINARY  
NOT FOR CONSTRUCTION

DWG. TITLE:  
PLOT DATE:  
SCALE:  
DWG. NO.:

MICRO HOTEL - SECTION  
PERSPECTIVE  
07/02/2010  
AS SHOWN AT A3  
P-02-02 REV: 01

PROJECT: WARNER STREET HOTEL  
20 WARNER STREET  
PORT DOUGLAS

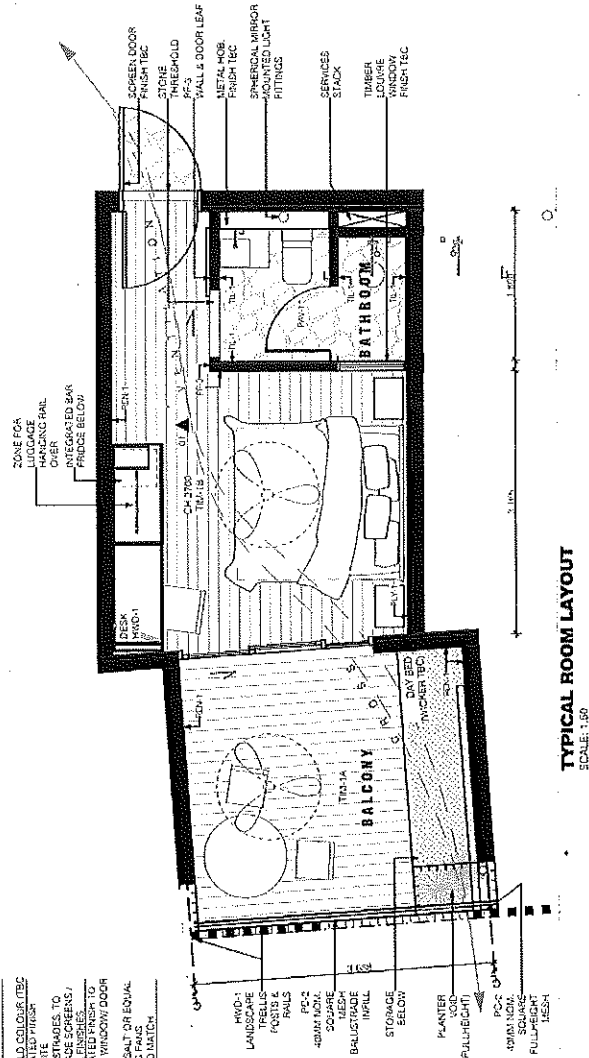
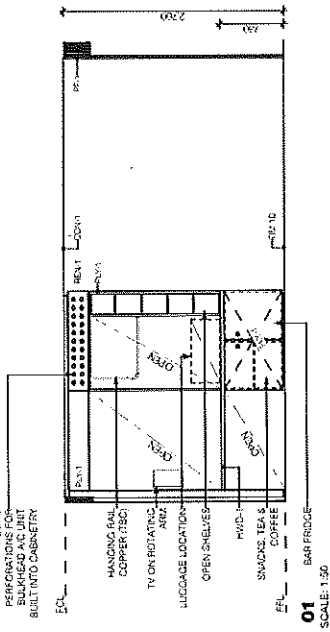
CLIENT: SCALLI NOMINEES PTY LTD

PROJECT NO: 18.007

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email: [info@wolveridge.com.au](mailto:info@wolveridge.com.au)  
[www.wolveridge.com.au](http://www.wolveridge.com.au)

# FINISHES SCHEDULE

CASE	DESCRIPTION
TBA1A	TIMBER DICKING
TBA1B	SPECIES LOCAL HARDWOOD
TBA1C	TONES TBC
TBA1D	TIMBER FLOOR BOARDING
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TBA1F	TONES TBC
TBA1G	TONES TBC
TBA1H	TONES TBC
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REVISION:	DATE:
P1: TOTAL PLANNING PACKAGE TO COUNCIL	28/10/2019

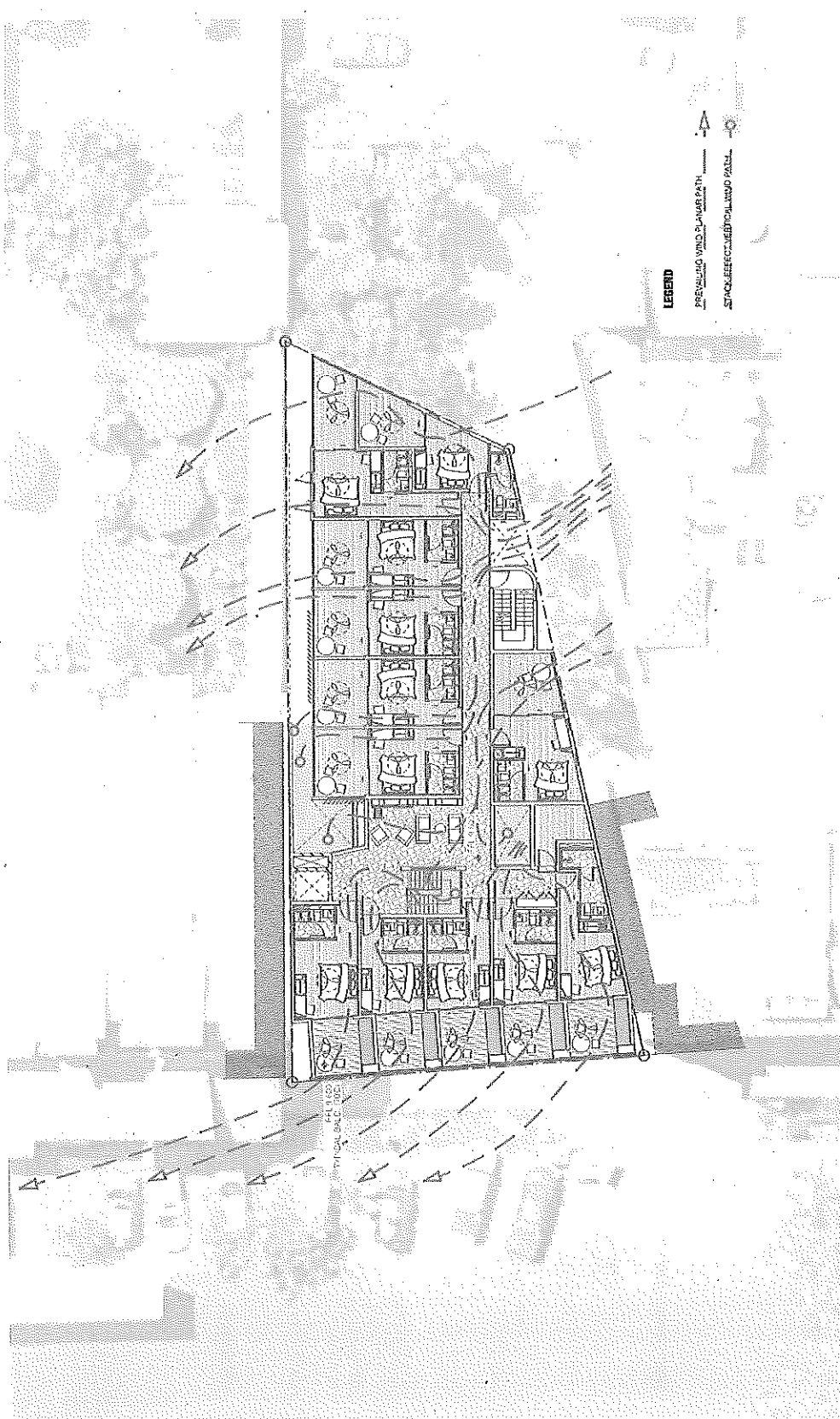
PRELIMINARY	DATE:
NOT FOR CONSTRUCTION	28/10/2019

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MICRO HOTEL - PLAN & INTERIOR	WARRIOR STREET HOTEL
9/10/2019	20 WARRIOR STREET
SCALE:	PORT DOUGLAS
AS SHOWN AT A3	
DWG. NO.:	CLIENT:
P-02-09	SCAL NOMINEES PTY LTD
REV. P1	PROJ. NO.:
	18 007

WARRIOR STREET HOTEL	121 ROKERY STREET COLLINGWOOD VICTORIA 3066 AUSTRALIA
20 WARRIOR STREET	TEL: + 61 3 9450 5862 FAX: + 61 3 9450 5863
PORT DOUGLAS	www.wolveridge.com.au

**WOLVERIDGE architects**





**LEGEND**

- PREVAILING WIND DIRECTION
- AIR PATH
- STACK EFFECT

**CROSS VENTILATION DIAGRAM PLAN**  
SCALE: 1:200

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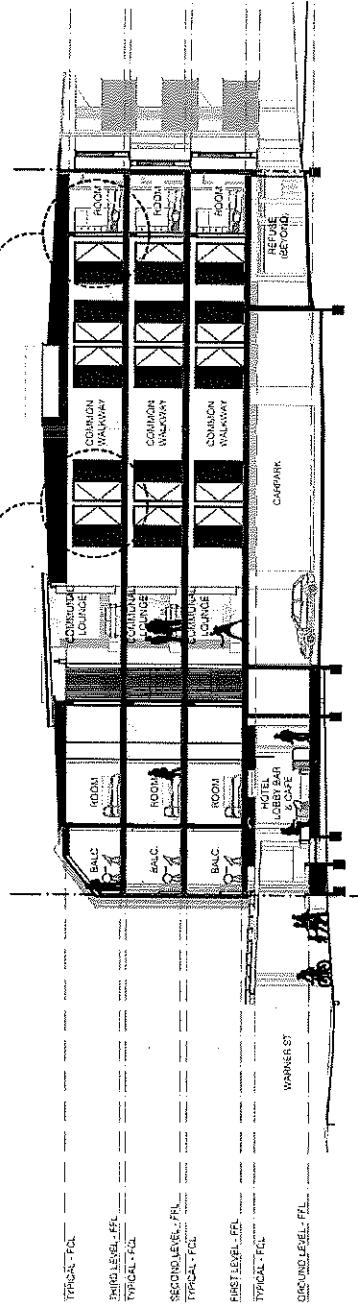
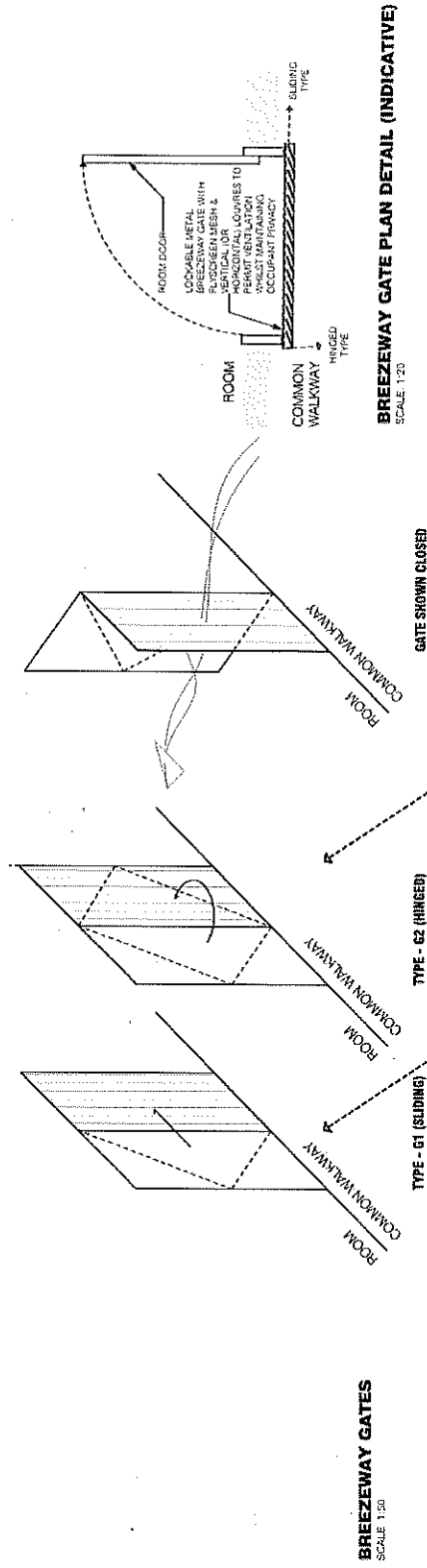


DWG TITLE:  
PLOT DATE:  
SCALE:  
DWG NO.:

VENTILATION DIAGRAM  
9/10/2019  
AS SHOWN AT A3  
P-02.11  
REV: P1  
PROJ NO: 18 007

PROJECT:  
WARNER STREET HOTEL  
20 WARNER STREET  
PORT DOUGLAS  
CLIENT: SCALI HOMINEES PTY LTD  
PROJ NO: 18 007

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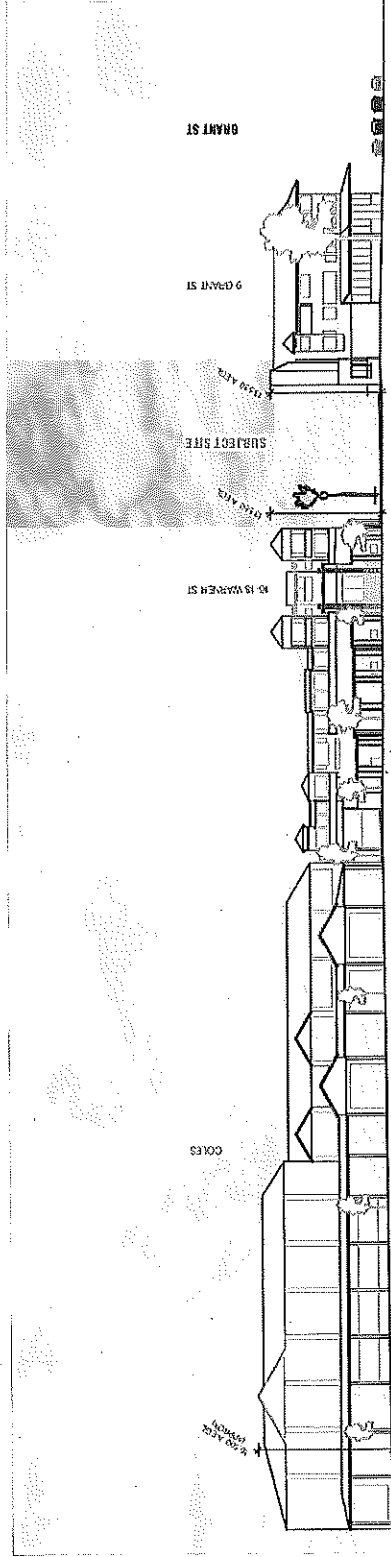
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20 WARNER STREET  
PORT DOUGLAS  
CLIENT: SCAL NOMINEES PTY LTD  
PROJECT: 18 007

**BREEZEWAY GATES ELEVATION & DETAILS**  
DATE: 18/02/2019  
SCALE: AS SHOWN AT A3  
DWG NO.: P-02.12  
REV: P1

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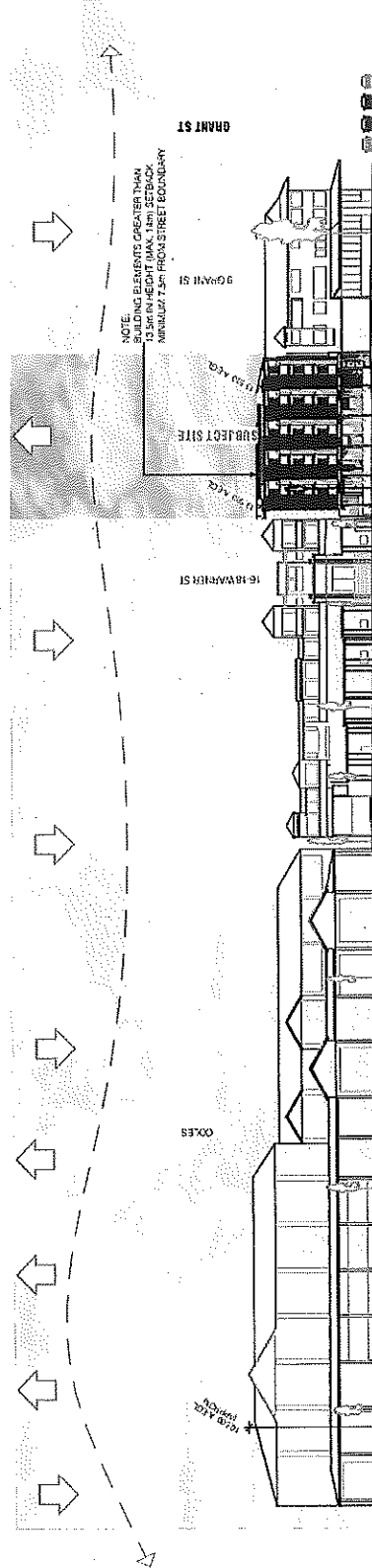
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**STREETSCAPE - WARNER STREET EXISTING CONDITION**

SCALE: 1:500



**STREETSCAPE - WARNER STREET**

SCALE: 1:500

**LEGEND**  
DASHED LINE DENOTES STREET AVOIDING BUILDING HEIGHT, OR TITLE BUILDING MASS BEYOND

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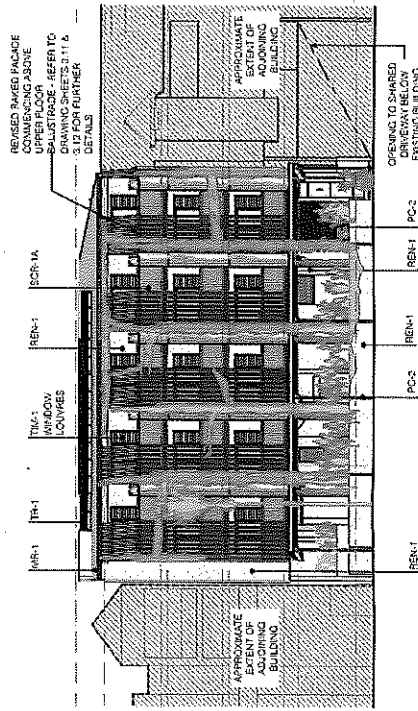
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30 WARNER STREET  
PORT PHILL  
**CLIENT:** SCALINQUINES PTY LTD  
**PROJ NO:** 18 007

**DWG. TITLE:** STREETSCAPE ELEVATION  
**PLOT DATE:** 9/10/2019  
**SCALE:** AS SHOWN AT A3  
**DWG. NO.:** P-03.01  
**REV. PT:**

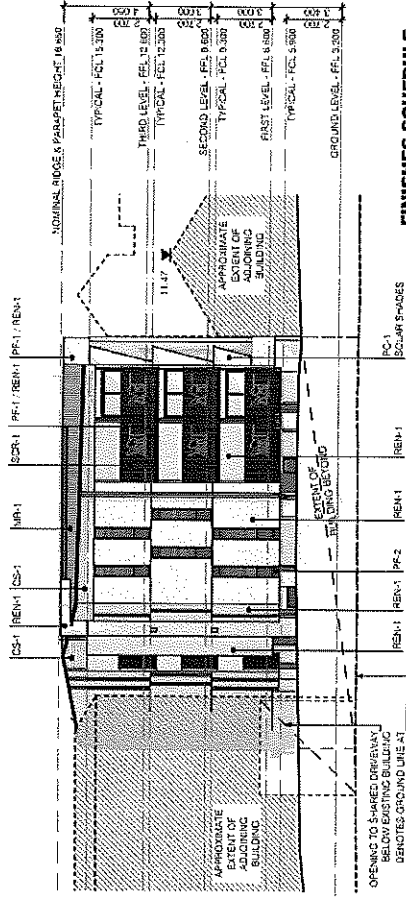
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ACTION/CONSTRUCTION

**DATE:** 09/10/2019

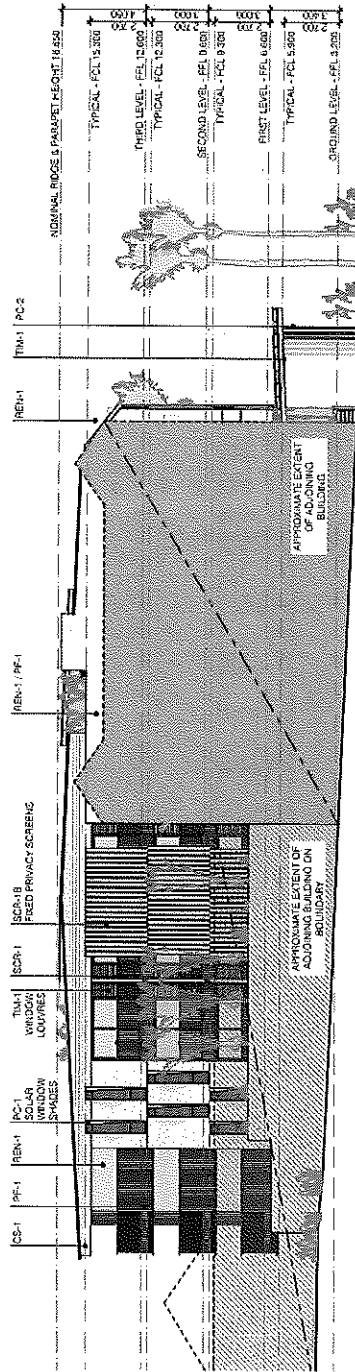
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**E-01 SOUTH WEST ELEVATION**  
SCALE: 1:200



**E-03 NORTH EAST ELEVATION**  
SCALE: 1:200



**E-02 NORTH WEST ELEVATION**  
SCALE: 1:200

**FINISHES SCHEDULE**

CODE	DESCRIPTION
TR-1, TR-1A	INTER SCREEN TRELLIS
TR-2	SCREEN TREATMENT
TR-3	SPECIES LOCAL HARDWOOD
TR-4	STONE TBC
PA-1	SLATE PAVING - LOCAL STONE
PA-2	FORMAT - CRACK PAVING
PA-3	STREET PAVEMENT
PA-4	TO COUNCIL'S SPECIFICATION
REN-1	SCAFFOLD RENDER FINISH
REN-2	CONCRETE WHITE
CON-1	CONCRETE QUALITY FINISH
CON-2	COLOR - NATURAL GREY
CON-3	CONCRETE TREATMENT
PF-1	PAINT FINISH
PF-2	PAINT FINISH
PF-3	PAINT FINISH
PF-4	PAINT FINISH
PF-5	PAINT FINISH
PF-6	PAINT FINISH
PF-7	PAINT FINISH
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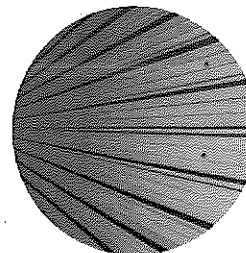
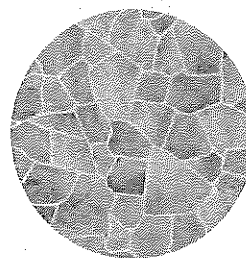
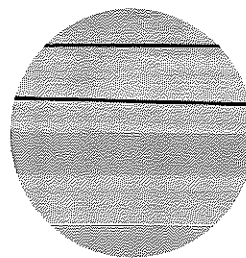
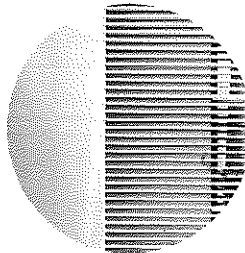
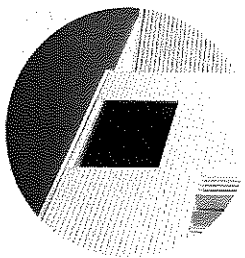
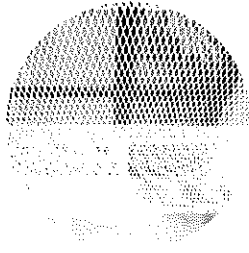
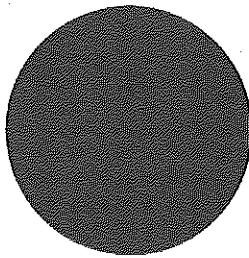
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**WARNER STREET HOTEL**  
20 WARNER STREET  
PORT DOUGLAS  
PROJECT: SCALI NOMINEES PTY LTD  
CLIENT: SCALI NOMINEES PTY LTD  
PROJ NO: 18 007

**PRELIMINARY**  
NOT FOR CONSTRUCTION  
DATE: 28/03/2019  
DWG TITLE: ELEVATIONS  
PLOT DATE: 9/10/2019  
SCALE: AS SHOWN AT A3  
DWG NO: P-02.02 REV: P1

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## FINISHES SCHEDULE

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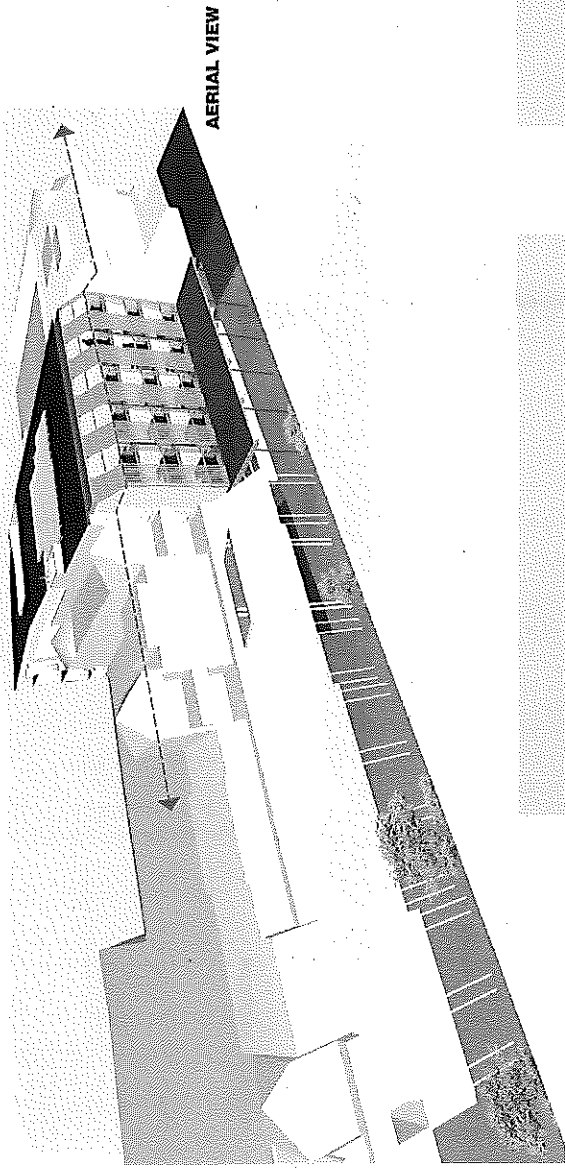
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PLOT DATE: 9/10/2019  
SCALE: AS SHOWN AT A3  
DWG. NO.: P-03.01 \* REV: P1

PROJECT: WARNER STREET HOTEL,  
20 WARNER STREET  
PORT DOUGLAS

CLIENT: SCALINOMINEES PTY LTD

PROJ NO: 18 007

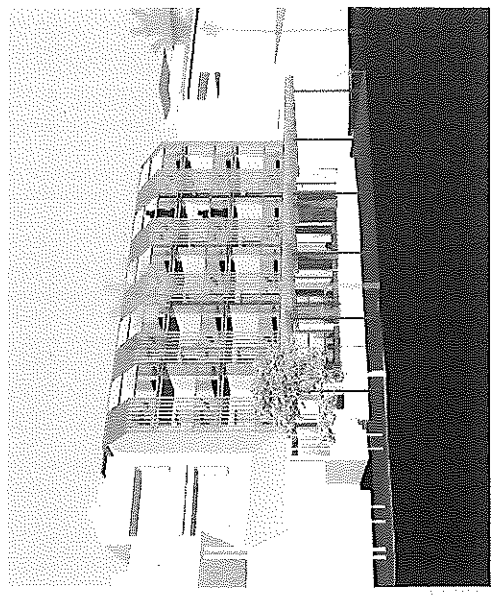
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AERIAL VIEW

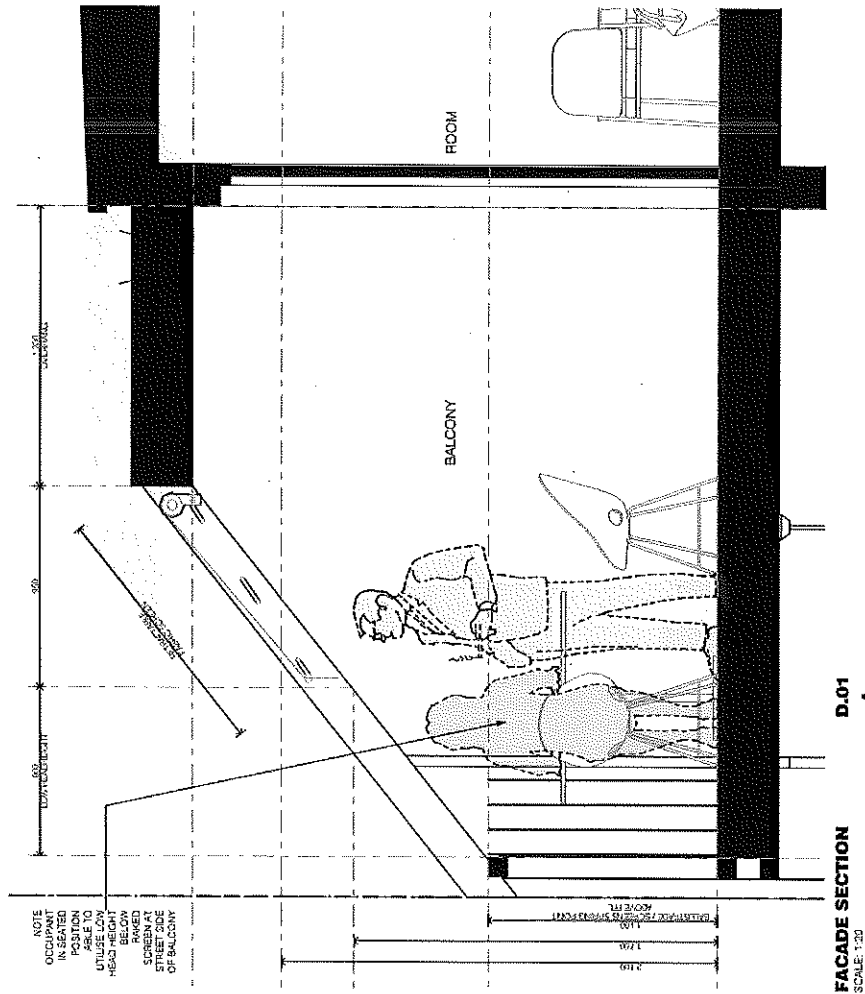


STREET VIEW LOOKING DUE NORTH WEST



STREET VIEW LOOKING DUE EAST

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	<small>PLOT DATE:</small> 07/02/2019	<small>SCALE:</small> AS SHOWN AT A3	<small>DWG. NO.:</small> P-03.11	<small>CLIENT:</small> SCALI NOMINEES PTY LTD	<small>WOLVERIDGE architects</small> 121 ROKERY STREET COLLINGWOOD VICTORIA 3068 AUSTRALIA TEL: + 61 3 9460 0882 FAX: + 61 3 9460 0883 info@wolveridge.com.au www.wolveridge.com.au



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**WARNER STREET HOTEL**  
**20 WARNER STREET**  
**PORT DOUGLAS**  
 PROJECT: SCALP NOMINEES PTY LTD  
 CLIENT: PROJ NO: 18 007

REVISED FACADE - SECTION  
 9/10/2019  
 AS SHOWN AT A3  
 F-02.12 REV

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 SCALE: DATE: 28/10/2019  
 DWG. NO.: 18 007

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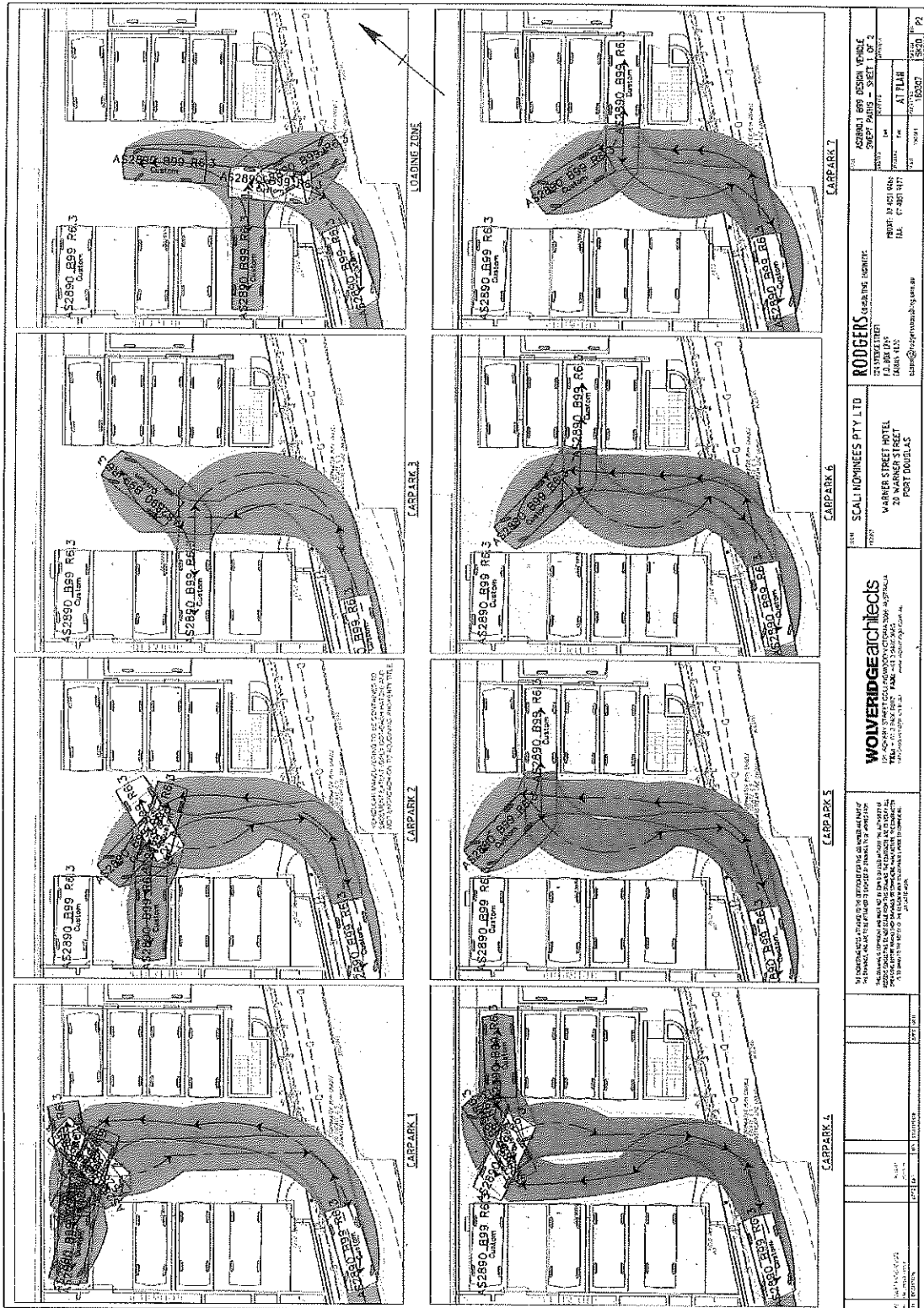
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PLOT DATE:  
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DWG NO:

PERSPECTIVES:  
9/10/2019  
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REV: P1  
P-03.02

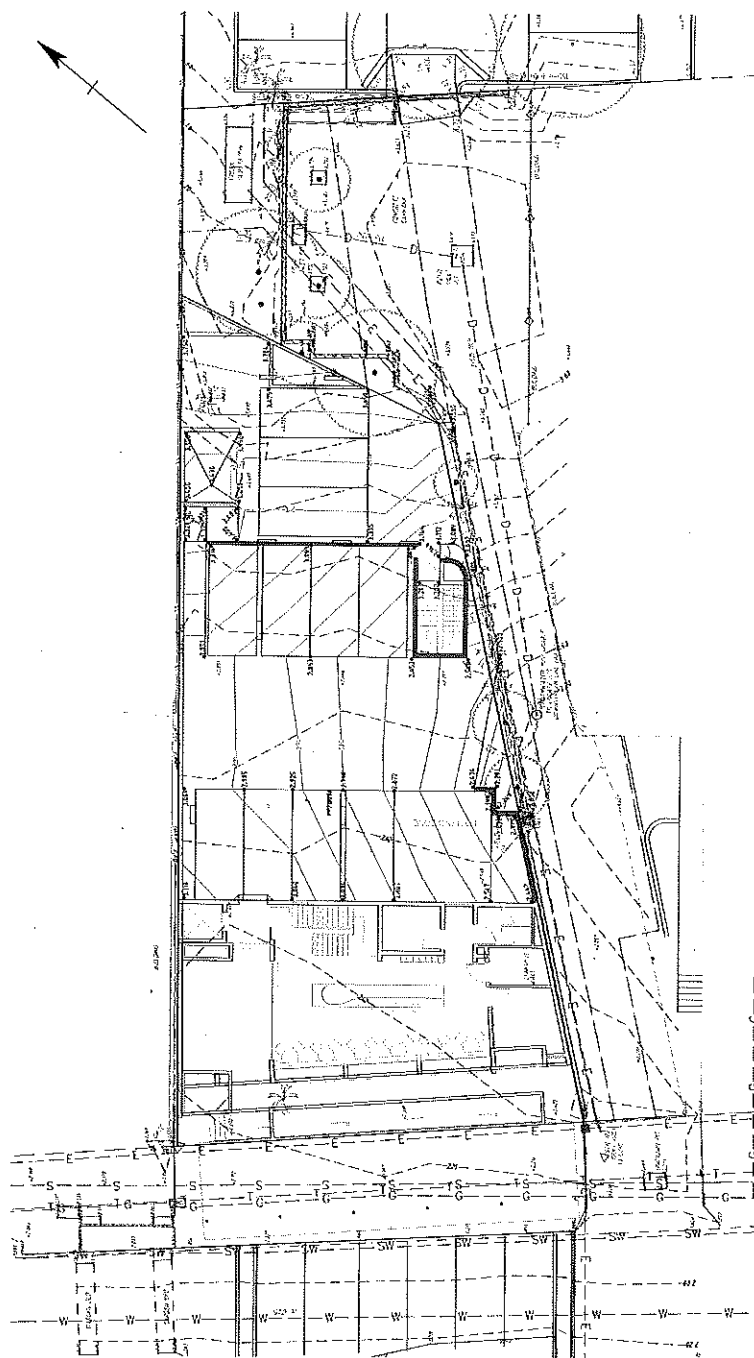
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CLIENT:  
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PROJ NO: 12 007

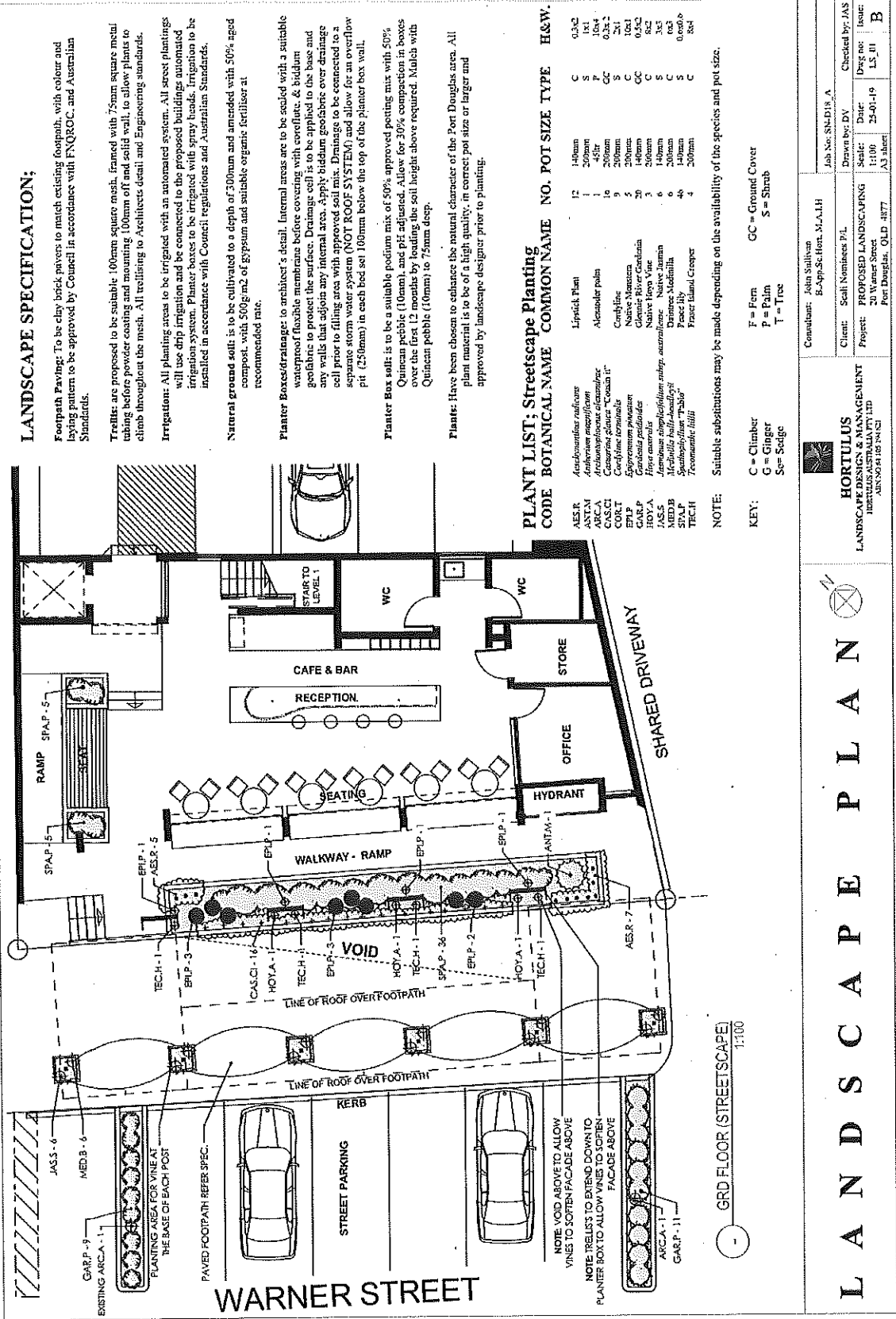
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DATE	10/01/2019	BY	AL	DATE	10/01/2019	BY	AL
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CLIENT	SCALI HOMES PTY LTD	CLIENT	SCALI HOMES PTY LTD	CLIENT	SCALI HOMES PTY LTD	CLIENT	SCALI HOMES PTY LTD
DESIGNER	WOLVERIDGE architects	DESIGNER	WOLVERIDGE architects	DESIGNER	WOLVERIDGE architects	DESIGNER	WOLVERIDGE architects
ENGINEER	RODGERS	ENGINEER	RODGERS	ENGINEER	RODGERS	ENGINEER	RODGERS
ARCHITECT	RODGERS	ARCHITECT	RODGERS	ARCHITECT	RODGERS	ARCHITECT	RODGERS
DATE	10/01/2019	DATE	10/01/2019	DATE	10/01/2019	DATE	10/01/2019
BY	AL	BY	AL	BY	AL	BY	AL
DATE	10/01/2019	DATE	10/01/2019	DATE	10/01/2019	DATE	10/01/2019
BY	AL	BY	AL	BY	AL	BY	AL







LANDSCAPE SPECIFICATION:

**Footpath Paving:** To be clay brick pavers to match existing footpath, with colour and laying pattern to be approved by Council in accordance with FNQROC and Australian Standards.

**Truffles:** are proposed to be suitable, 100mm square mesh, framed with 75mm square metal tubing before powder coating and mounting 100mm off and solid wall, to allow plants to climb throughout the mesh. All truffles to Architects detail and Engineering standards.

**Irrigation:** All planting areas to be irrigated with an automated system. All street plantings will use drip irrigation and be connected to the proposed buildings automated irrigation system. Planter boxes to be irrigated with spray heads. Irrigation to be installed in accordance with Council regulations and Australian Standards.

**Natural ground soils:** to be cultivated to a depth of 300mm and amended with 50% aged compost, with 500g/m2 of gypsum and suitable organic fertiliser at recommended rate.

**Planter Boxes/drainage:** to architect's detail. Internal areas are to be sealed with a suitable waterproof flexible membrane before covering with corrugate, & biddum geofabric to protect the surface. Drainage cells to be applied to the base and any walls that adjoin any internal area. Apply biddum geofabric over drainage cell prior to filling area with approved soil mix. Drainage to be connected to a separate storm water system (NOT ROOF SYSTEM) and allow for an overflow pit (250mm) in each bed set 100mm below the top of the planter box wall.


**Planter Box soil:** is to be a suitable podium mix of 50% approved potting mix with 50% Quinque pebble (10mm) and pF adjusted. Allow for 30% compaction in boxes over the first 12 months by loading the soil height above required. Mulch with Quinque pebble (10mm) to 75mm deep.

**Plants:** Have been chosen to enhance the natural character of the Port Douglas area. All plant material is to be of a high quality, in correct pot size or larger and approved by landscape designer prior to planting.

PLANT LIST: Streetscape Planting		NO. POT SIZE TYPE		H&W.	
CODE	BOTANICAL NAME	COMMON NAME			
AE.R	<i>Archibutea radicans</i>	Lipstick Plant	12	140mm	C
ANTM	<i>Antennaria racemosa</i>	Alexander palm	1	200mm	S
ARCA	<i>Arctostaphylos ulmaria</i>	Cornflower	1	200mm	P
CASC	<i>Casuarina glauca</i> "Coccoloba"	Native Manzanita	9	200mm	CC
EPAP	<i>Euphorbia pulcherrima</i>	Native Manzanita	5	200mm	S
GARP	<i>Gardenia paludosa</i>	Native Manzanita	20	140mm	CC
HOYA	<i>Hoya australis</i>	Native Manzanita	3	200mm	C
JASS	<i>Jasminum simplicifolium subsp. australicum</i>	Native Manzanita	6	140mm	S
MEDB	<i>Medicago hirta</i>	Native Manzanita	40	140mm	S
TECH	<i>Trochodendron araliifolium</i>	Native Manzanita	40	140mm	S
TRCH	<i>Trochodendron araliifolium</i>	Native Manzanita	4	200mm	C

NOTE: Suitable substitutions may be made depending on the availability of the species and pot size.

KEY:  
C = Climber  
G = Ginger  
S = Sedge  
F = Fern  
P = Palm  
T = Tree  
GC = Ground Cover  
S = Shrub

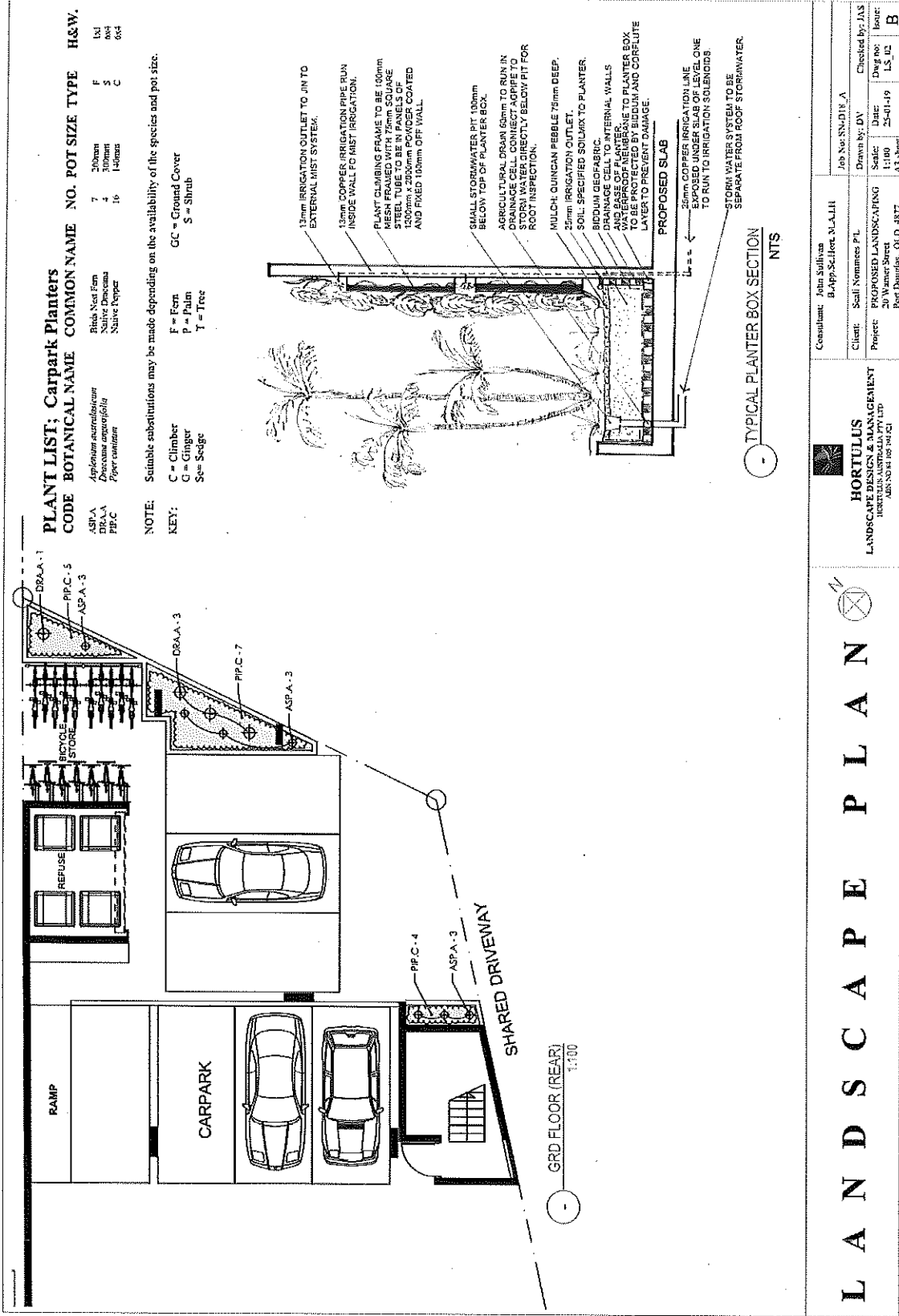
**HORTULUS**  
LANDSCAPE DESIGN & MANAGEMENT  
111/113 MALCOLM STREET  
PORT DOUGLAS QLD 4877  
ABN 50 41 05 74 521

Consultant: John Sullivan  
B.App.Sc.Hort.M.A.L.H

Client: Seal Namibia P/L  
PROPOSED LANDSCAPING  
20 Warner Street  
Port Douglas, QLD 4877

Job No: SN-D18\_A  
Drawn by: DY  
Scale: 1:100  
Date: 25-01-19  
Checked by: JAS  
Issue: 1.1  
B

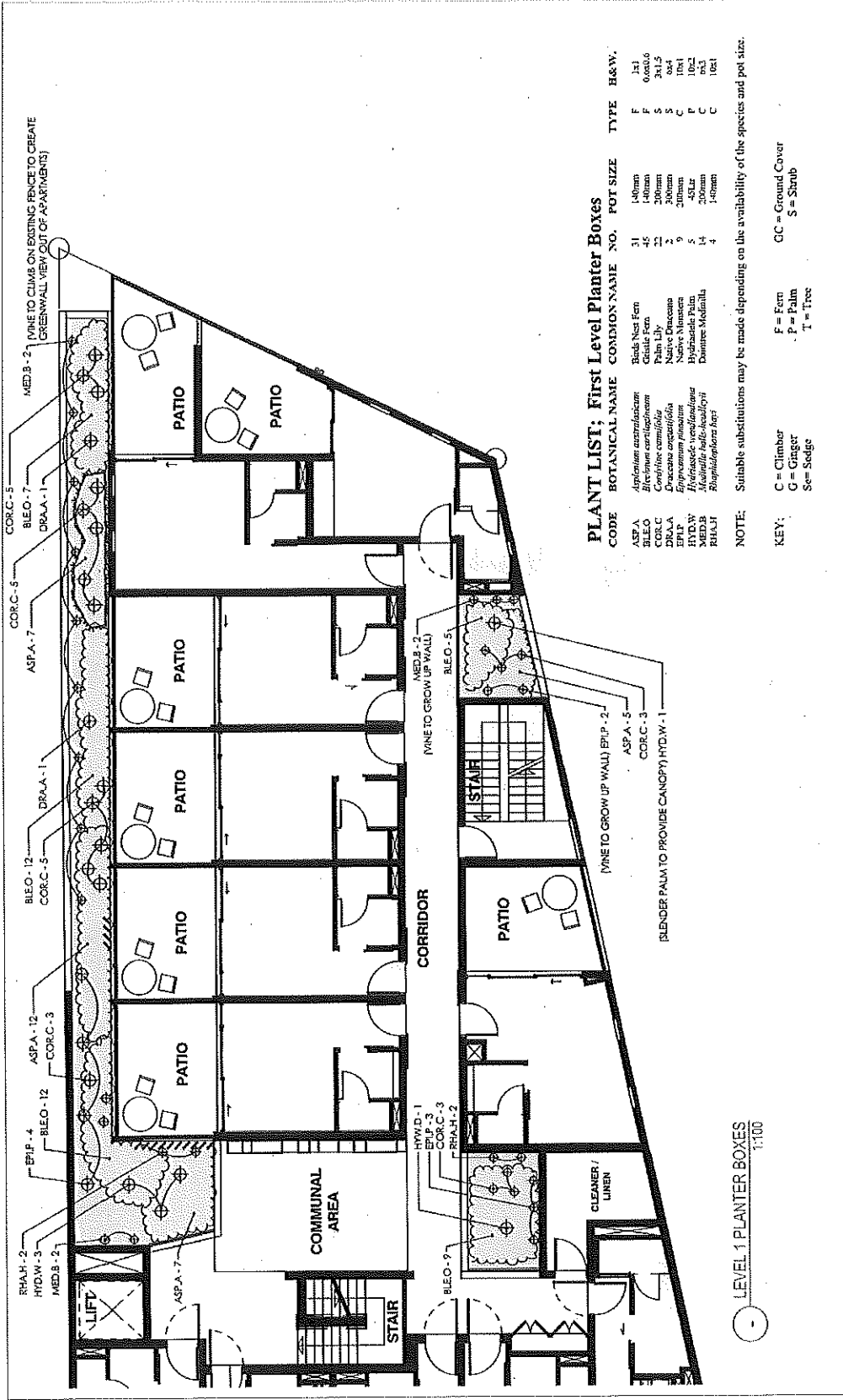
LANDSCAPE PLAN



L A N D S C A P E P L A N

**HORTULUS**  
LANDSCAPE DESIGN & MANAGEMENT  
ARCHITECTS PTY LTD  
ABN 50 61 182 94 42

Consultant:	John Sullivan	Job No:	SLA.DT.A
Client:	Seal Nominees P/L	Drawn by:	DV
Project:	PROPOSED LANDSCAPING	Checked by:	JAS
	20 Warner Street	Date:	
	Port Douglas, QLD 4877	Scale:	1:100
		Date:	25-01-19
		Dwg no:	LS_02
		Sheet:	B



PLANT LIST; First Level Planter Boxes

CODE	BOTANICAL NAME	COMMON NAME	NO.	POT SIZE	TYPE	H&W
ASPA	<i>Asplenium nidus</i>	Brake Fern	31	140mm	F	1x1
BLEO	<i>Blechnum caeruleum</i>	Grass Fern	46	140mm	F	0.6x0.6
CORC	<i>Corchorus camellifolia</i>	Palm Lily	22	200mm	S	3x1.5
DRAA	<i>Dracaena fragrans</i>	Native Dracaena	2	200mm	S	0x4
EPFL	<i>Euphorbia pulcherrima</i>	Native Mimosa	9	200mm	C	10x4
HYDW	<i>Hydrangea paniculata</i>	Hydrangea Palm	5	200mm	C	0x2
RAHA	<i>Rapanea hirsuta</i>	Domestic Madia	4	200mm	C	0x2
RAHA	<i>Rapanea hirsuta</i>	Domestic Madia	4	140mm	C	10x4

NOTE: Suitable substitutions may be made depending on the availability of the species and pot size.

KEY:  
 C = Climber  
 G = Ginger  
 S = Sedge  
 F = Fern  
 P = Palm  
 T = Tree  
 GC = Ground Cover  
 S = Shrub

# LANDSCAPE PLAN

**HORTULUS**  
 LANDSCAPE DESIGN & MANAGEMENT  
 HORTULUS AUSTRALIA PTY LTD  
 ABN 50 64 185 194 621

Consultant: John Sullivan  
 B.App.Sc.Hort. M.A.J.H.

Client: Seal Nominees P/L

Project: PROPOSED LANDSCAPING  
 10 Viner Street  
 Port Douglas, QLD 4877

Job No: SN-DIS\_A

Drawn by: DY

Checked by: JAS

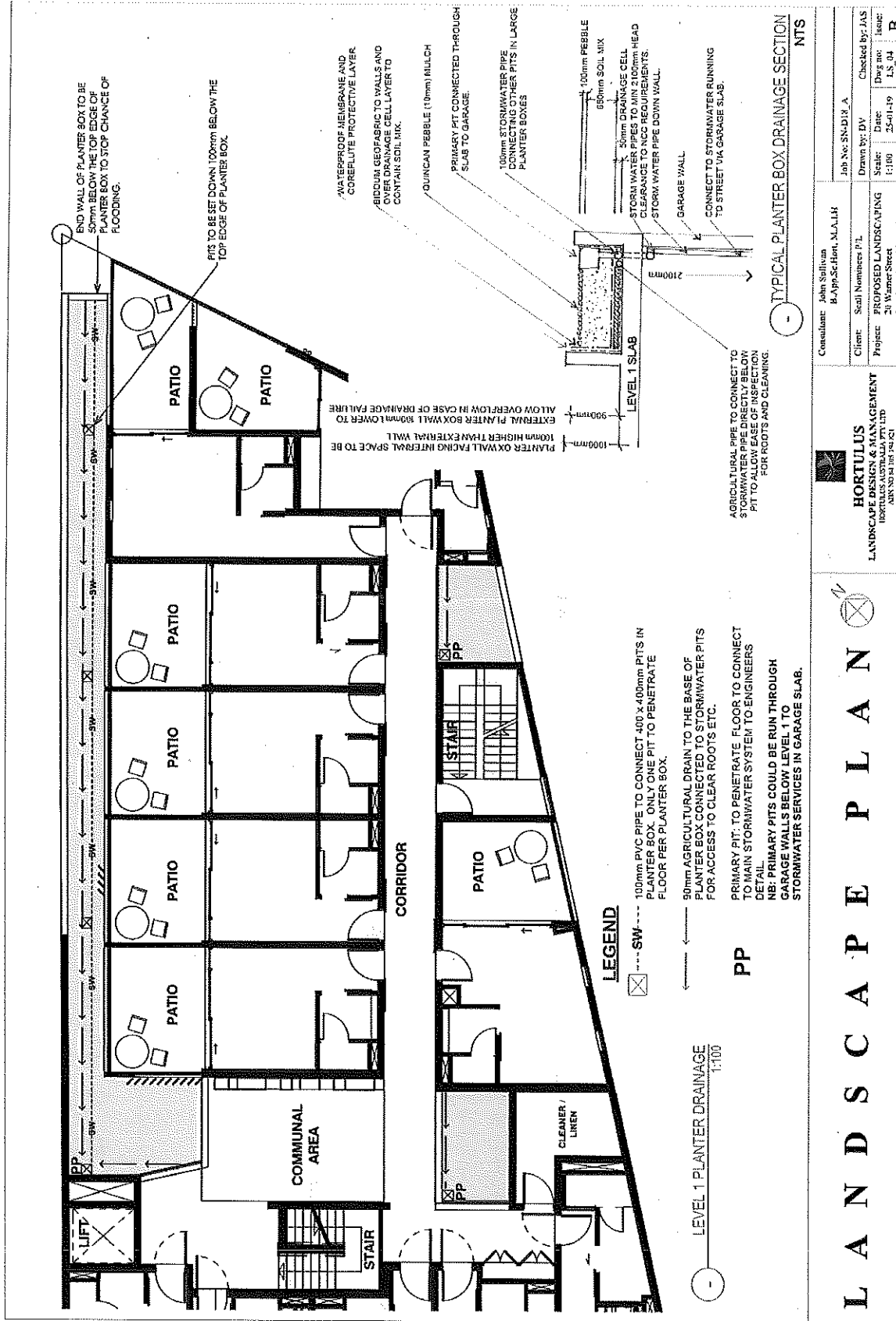
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Date: 25-01-19

Drawn: LS

Sheet: 33

Page: B



## Reasons for Decision

The reasons for this decision are:

1. Sections 60, 62 and 63 of the *Planning Act 2016*:
  - a. to ensure the development satisfies the benchmarks of the 2018 Douglas Shire Planning Scheme Version 1.0; and
  - b. to ensure compliance with the *Planning Act 2016*.
2. Findings on material questions of fact:
  - a. the development application was properly lodged to the Douglas Shire Council 24 October 2019 under section 51 of the *Planning Act 2016* and Part 1 of the *Development Assessment Rules*;
  - b. the development application contained information from the applicant which Council reviewed together with Council's own assessment against the 2017 State Planning Policy and the 2018 Douglas Shire Planning Scheme Version 1.0 in making its assessment manager decision.
3. Evidence or other material on which findings were based:
  - a. the development triggered assessable development under the Assessment Table associated with the Centre Zone Code;
  - b. Council undertook an assessment in accordance with the provisions of sections 60, 62 and 63 of the *Planning Act 2016*; and
  - c. the applicant's reasons have been considered and the following findings are made:
    - i. Subject to conditions, the development satisfactorily meets the Planning Scheme benchmarks.

## Non Compliance with Assessment Benchmarks

Benchmark Reference	Alternative Measure/Comment
Port Douglas/ Craiglie Local Plan Code:	<p>The development does not meet all the outcomes under AO9 regarding number of stories and roof component, however the development is considered to meet the majority of the respective Performance Outcome PO9, namely:</p> <p>Building heights:</p> <ul style="list-style-type: none"> <li>(a) do not overwhelm or dominate the town centre;</li> <li>(b) respect the desired streetscape;</li> <li>(c) ensure a high quality appearance when viewed from both within the town centre sub-precinct and external to the town centre sub-precinct; and</li> <li>(d) remain subservient to the natural environment and the backdrop of Flagstaff Hill.</li> </ul> <p>The development does not meet the PO9 (e ) for buildings not exceeding 3 storeys, however the design is considered acceptable as it satisfactorily meets the code Purpose, for the Town Centre Precinct 1a, namely, "In addition to other overall development outcomes, development in the Town Centre sub-precinct facilitates the following development outcomes:</p> <ul style="list-style-type: none"> <li>(a) tourist, retail, dining and entertainment activities are facilitated at an appropriate pedestrian scale;</li> <li>(c) development contributes to a high quality public realm; and</li> <li>(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." </li></ul>
Short Term Accommodation Land Use Code	<p>While the minimum site area and lot frontage do not meet the Acceptable outcomes, the development complies with the respective performance Outcome PO1, namely, "The site has sufficient area and frontage to:</p> <ul style="list-style-type: none"> <li>(a) accommodate the scale and form of buildings considering site features;</li> <li>(b) achieve communal open space areas and private outdoor spaces;</li> <li>(c) deliver viable areas of deep planting and landscaping to establish tropical planting;</li> <li>(d) achieve safe and convenient vehicle and pedestrian access; and</li> <li>(e) accommodate on-site car parking and manoeuvring for residents, visitors and service providers.</li> </ul>
Access, Parking and Servicing Code	<p>Despite the non achievement of the Acceptable Outcome AO1.1 the development achieves the respective Performance Outcome, namely:</p> <p>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:</p> <ul style="list-style-type: none"> <li>(a) the desired character of the area;</li> <li>(b) the nature of the particular use and its specific characteristics and scale;</li> <li>(c) the number of employees and the likely number of visitors to the site;</li> <li>(d) the level of local accessibility; and</li> <li>(e) the nature and frequency of any public transport serving the area.</li> </ul>

## INFRASTRUCTURE CHARGES NOTICE

Scali Nominees Pty Ltd & Second York Pty Ltd		0	0
DEVELOPERS NAME		ESTATE NAME	STAGE
49 Macrossan Street	Port Douglas	L1 RP718896 & Part L1 SP267838	2553 & 157684
STREET No. & NAME	SUBURB	LOT & RP No.s	PARCEL No.
Shopping Facilities, Restaurant, Accommodation		MCUC 2019_3365	6
DEVELOPMENT TYPE	COUNCIL FILE NO.		VALIDITY PERIOD (year)
DOC ID 845075	1		
DSC Reference Doc. No.	VERSION No.		

	Use	Charge per Use	Amount Due	Amount Paid	Receipt Code & GL Code
Port Douglas and Environs Area					
Other residential (charge per short-term accommodation room)	36 Units	10,479.00	\$377,244.00		Code 895 GL 07500.0135.0825
Food and Drink Outlet / bar charged at the Commercial rate per m2	50m2	129.34	\$11,967.00		
0	0	0.00	0.00		
0	0	0.00	0.00		
Total Demand			\$389,211.00		
Less credit for vacant land (equivalent of a separate house)	1	19,491.00	\$19,491.00		
TOTAL			\$369,720.00		

Prepared by	J Elphinstone	19-Nov-19	Amount Paid	
Checked by	D Lamond	19-Nov-19	Date Paid	
Date Payable	MCU- Before the change occurs			Receipt No.
Amendments	Date			Cashier

**Note:**

The Infrastructure Charges in this Notice are payable in accordance with Sections 119 and 120 of the *Planning Act 2016* as from Council's resolution from the Special meeting held on 24 June 2015.

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

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

Any enquiries regarding Infrastructure Charges can be directed to the Development & Environment, Douglas Shire Council on 07 4099 9444 or by email on enquiries@douglas.qld.gov.au

3 December 2019

Enquiries: Jenny Elphinstone  
Our Ref: MCUC 2019\_3365 (Doc ID)  
Your Ref: P71866

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

Deal Corporation c/- Wolveridge Architects  
C/- Planz Town Planning  
PO Box 181  
EDGE HILL QLD 4870

Dear Sir/Madam

**Infrastructure Charge Notice**

**Material Change of Use for Short-Term Accommodation with Ancillary Uses (Food and Drink Outlet / Bar) at 20 Warner Street and part of 23-25 Macrossan Street Port Douglas**  
**On land described as Lot 1 on RP718896 and Part of Lot 1 on SP267838**

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

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

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

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

Please quote Council's application number: MCUC 2019\_3365 in all subsequent correspondence relating to this matter.

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

Yours faithfully

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

encl.

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

# Adopted Infrastructure Charges Notice



## 2018 Douglas Shire Planning Schemes Applications

### INFRASTRUCTURE CHARGES NOTICE

Scall Nominees Pty Ltd & Second York Pty Ltd		0	0
DEVELOPERS NAME		ESTATE NAME	STAGE
49 Macrossan Street		L1 RP718896 & Part L1 SP267838	2553 & 157684
STREET No. & NAME		LOT & RP No.s	PARCEL No.
Shopping Facilities, Restaurant, Accommodation		MCUC 2019_3365	6
DEVELOPMENT TYPE		COUNCIL FILE NO.	VALIDITY PERIOD (year)
DOC ID 845075		1	
DSC Reference Doc. No.		VERSION No.	

	Use	Charge per Use	Amount Due	Amount Paid	Receipt Code & GL Code
<b>Port Douglas and Environs Area</b>					
Other residential (charge per short-term accommodation room)	36 Units	10,479.00	\$377,244.00		Code 895 GL 07500.0135.0825
Food and Drink Outlet / bar charged at the Commercial rate per m2	50m2	129.34	\$11,967.00		
0	0	0.00	0.00		
0	0	0.00	0.00		
Total Demand			\$389,211.00		
Less credit for vacant land (equivalent of a separate house)	1	19,491.00	\$19,491.00		
<b>TOTAL</b>			<b>\$369,720.00</b>		

Prepared by	J Elphinstone	19-Nov-19	Amount Paid	
Checked by	D Lamond	19-Nov-19	Date Paid	
Date Payable	MCU - Before the change occurs		Receipt No.	
Amendments	Date	Cashier		

#### Note:

The Infrastructure Charges in this Notice are payable in accordance with Sections 119 and 120 of the *Planning Act 2016* as from Council's resolution from the Special meeting held on 24 June 2015.

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

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

Any enquiries regarding Infrastructure Charges can be directed to the Development & Environment, Douglas Shire Council on 07 4099 9444 or by email on [enquiries@douglas.qld.gov.au](mailto:enquiries@douglas.qld.gov.au)

15 December 2020

**Enquiries:** Jenny Elphinstone  
**Our Ref:** MCUC 2019\_3365/2 (Doc ID 985997)  
**Your Ref:** P71866

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

Deal Corporation  
C/- Planz Town Planning  
PO Box 181  
EDGE HILL QLD 4870

**Email:** info@planztp.com

Attention Ms Nikki Huddy

Dear Madam

**Development Application for a Minor Change to the Development Permit for a  
Material Change of Use for Short-Term Accommodation (Motel)  
with ancillary uses of Food and Drink Outlet / Bar  
At 20 Warner Street Port Douglas  
On land described as Lot 1 on SP316373 and Easements B and C on SP154579**

Please find attached the Amended Decision Notice for the above-mentioned development application. The Amended Decision Notice replaces the Decision Notice issued by Council on 3 December 2019 (Council document 929242).

Please quote Council's application number: MCUC 2019\_3365/2 in all subsequent correspondence relating to this development application.

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

Yours faithfully



**For**

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

encl.

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



## Decision Notice

### Approval (with conditions)

*Given under section 83 of the Planning Act 2016*

#### Applicant Details

Name: Deal Corporation

Postal Address: C/- Planz Town Planning  
PO Box 181  
EDGE HILL QLD 4870

Email: [info@planztp.com](mailto:info@planztp.com)

#### Property Details

Street Address: 20 Warner Street Port Douglas

Real Property Description: Lot 1 on SP316373 and Easements B and C on SP154579 (previously described as Lot 1 on RP718896, part of Lot 1 on SP267838 and Easements B and C on SP154579).

Local Government Area: Douglas Shire Council

#### Details of Proposed Development

Application for minor change to the existing Development Permit for a Material Change of Use for Short-Term Accommodation (Motel) with ancillary uses of Food and Drink Outlet / Bar

#### Decision

Date of Decision: 15 December 2020

Decision Details: 1. The table of approved drawings and documents is amended as follows.

##### APPROVED DRAWING(S) AND / OR DOCUMENT(S)

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

Drawing or Document	Reference	Date
Site Context	Wolveridge Architects Project 18 007, Drawing P-01.03, Revision C	1 October 2019

Drawing or Document	Reference	Date
Site Imagery	Wolveridge Architects Project 18 007, Drawing P-01.05, Revision C	1 October 2019
Site Survey – Adjoining Building Heights	Wolveridge Architects Project 18 007, Drawing P-01.06, Revision C	1 October 2019
Site analysis	Wolveridge Architects Project 18 007, Drawing P-01.07, Revision C	1 October 2019
Site & Roof Plan	Wolveridge Architects Project 18 007, Drawing P-02.01, Revision C P2	<del>1 October 2019</del> <u>26 August 2020</u>
Ground Floor	Wolveridge Architects Project 18 007, Drawing P-02.02, Revision C, dated 1 October 2019 and as amended by Condition 3.	To be determined.
First Floor	Wolveridge Architects Project 18 007, Drawing P-02.03, Revision C P2	<del>1 October 2019</del> <u>26 August 2020</u>
Second Floor	Wolveridge Architects Project 18 007, Drawing P-02.04, Revision C P2	<del>1 October 2019</del> <u>26 August 2020</u>
Third Floor	Wolveridge Architects Project 18 007, Drawing P-02.05, Revision C P2	<del>1 October 2019</del> <u>26 August 2020</u>
Micro Hotel – Section Perspective	Wolveridge Architects Project 18 007, Drawing P-02.07, Revision C	1 October 2019
Micro Hotel – Plan & Interior	Wolveridge Architects Project 18 007, Drawing P-02.09, Revision C	1 October 2019
Massing Areas	Wolveridge Architects Project 18 007, Drawing P-02.10, Revision C	1 October 2019

Drawing or Document	Reference	Date
Ventilation Diagram	Wolveridge Architects Project 18 007, Drawing P-02.11, Revision C	1 October 2019
Breezeway Gates Elevation & Details	Wolveridge Architects Project 18 007, Drawing P-02.12, Revision C	1 October 2019
Streetscape Elevation	Wolveridge Architects Project 18 007, Drawing P-03.01, Revision C <u>P2</u>	<del>1 October 2019</del> <u>26 August 2020</u>
Elevations	Wolveridge Architects Project 18 007, Drawing P-03.02, Revision C <u>P2</u>	<del>1 October 2019</del> <u>26 August 2020</u>
Elevation & Section- Longitudinal	Wolveridge Architects Project 18 007, Drawing P-03.03, Revision C <u>P2</u>	<del>1 October 2019</del> <u>26 August 2020</u>
Materials Schedule	Wolveridge Architects Project 18 007, Drawing P-03.04, Revision C <u>P2</u>	<del>1 October 2019</del> <u>26 August 2020</u>
Revised Façade – Exterior Views	Wolveridge Architects Project 18 007, Drawing P-03.11, Revision-C <u>P2</u>	<del>1 October 2019</del> <u>26 August 2020</u>
Revised Façade – Section	Wolveridge Architects Project 18 007, Drawing P-03.12, Revision C	1 October 2019
Perspectives	Wolveridge Architects Project 18 007, Drawing P-05.02, Revision C	1 October 2019
AS2680 B99 Design Vehicle Swept Paths	Rogers Consulting Engineers, Project 180307, Drawing SK20 Sheet 1 of 2, Revision P2	19 August 2019.
AS2680 B99 Design Vehicle Swept Paths	Rogers Consulting Engineers, Project 180307, Drawing SK21 Sheet 2 of 2, Revision P5	4 September 2019.

Drawing or Document	Reference	Date
Civil Works Preliminary Carpark Levels	Rogers Consulting Engineers, Project 180307, Drawing SK30, Revision P1 dated 27 August 2019 and as amended by Condition 3	To be determined
Landscape Plan	Hortulus Australia Pty Ltd, Job No: SN-D18 A, Drawings LS-01 to LS-04, Issue B dated 25 January 2019 and as amended by Condition 3.	To be determined.

2. The advice statement 5 is amended as follows:

5. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements. In particular, the use of the adjacent sidewalk area is subject to a Local Law approval for outdoor dining. The use of the sidewalk area for outdoor dining is subject to a Local Laws approval. The compliance with the Premises Standards for all common areas is expected to be achieved under the Building Approval.

3. Condition 18 is deleted as follows:

~~Amalgamation of Lots Required~~

- ~~18. The applicant/owner is to ensure that the subject lots are held together as one site for the duration of the approved land use. This is to be achieved by the amalgamation of Lot 1 on RP718896 and Part of Lot 1 on SP267838 into one lot. The Plan of Survey must be registered with the Department of Natural Resources and Mines and Energy and a new certificate of title issued at the applicant's/owner's cost prior to Commencement of Use.~~
4. Where deleted the remaining conditions are renumbered accordingly and the content of all other conditions, advices and statement of non-compliance with Assessment Benchmarks of the Decision Notice dated 3 December 2019 remain unchanged.

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

### **Further Development Permits**

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

- All Building Work

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

### **Currency Period for the Approval**

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This approval, granted under the provisions of the *Planning Act 2016*, shall lapse six (6) years from the day the approval takes effect in accordance with the provisions of Section 85 of the *Planning Act 2016*. Note, there is no change to the initial date of approval being 3 December 2019.

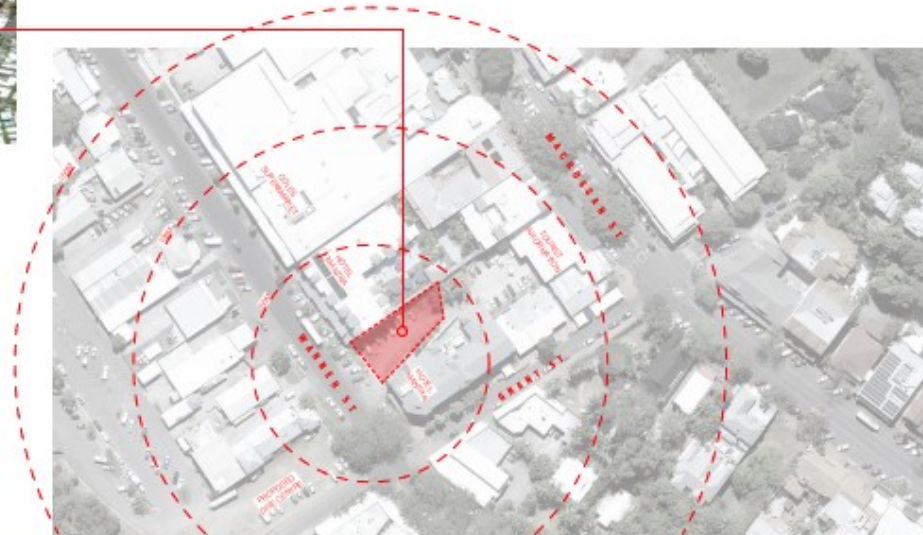
### **Rights to make Representations & Rights of Appeal**

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

A copy of the relevant appeal provisions is attached.

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



### SITE CONTEXT PLAN



**STREETSCAPE - WARNER STREET EXISTING CONDITION**  
SCALE: 1:500

**LEGEND**

—	DENOTES STREET AVING BUILDING HEIGHT, ON TITLE BUILDING BUILDING MASS BEYOND
A - EGL	DENOTES HEIGHT ABOVE EXISTING GROUND LINE

**WOLVERIDGE** architects  
121 RONEY STREET COLLINGWOOD VICTORIA 3066 AUSTRALIA  
TEL: + 61 3 9486 9882 FAX: + 61 3 9486 9882  
info@wolveridge.com.au www.wolveridge.com.au





01



02



03



04



05



06



07



08



09



10



11

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REVISION:  
P1 - TOWN PLANNING PACKAGE TO COUNCIL

DATE:  
08/10/2019

PRELIMINARY  
NOT FOR CONSTRUCTION

DWG. TITLE:  
PLOT DATE:  
SCALE:  
DWG. NO.:  
SITE IMAGERY  
9/15/2019  
AS SHOWN AT A3  
P-01.85 REV: P1

PROJECT:  
CLIENT:  
PROJ NO:  
WARNER STREET HOTEL  
20 WARNER STREET  
PORT DOUGLAS  
SCALI NOMINEES PTY LTD  
18 007

**WOLVERIDGE**architects  
121 ROKERY STREET COLLINGWOOD VICTORIA 3066 AUSTRALIA  
TEL: + 61 3 9486 9982 FAX: + 61 3 9486 9983  
info@wolveridge.com.au www.wolveridge.com.au



NOTE: PHOTOGRAPH SHOWS KEY TO SURVEYED POINTS ON PLAN BELOW



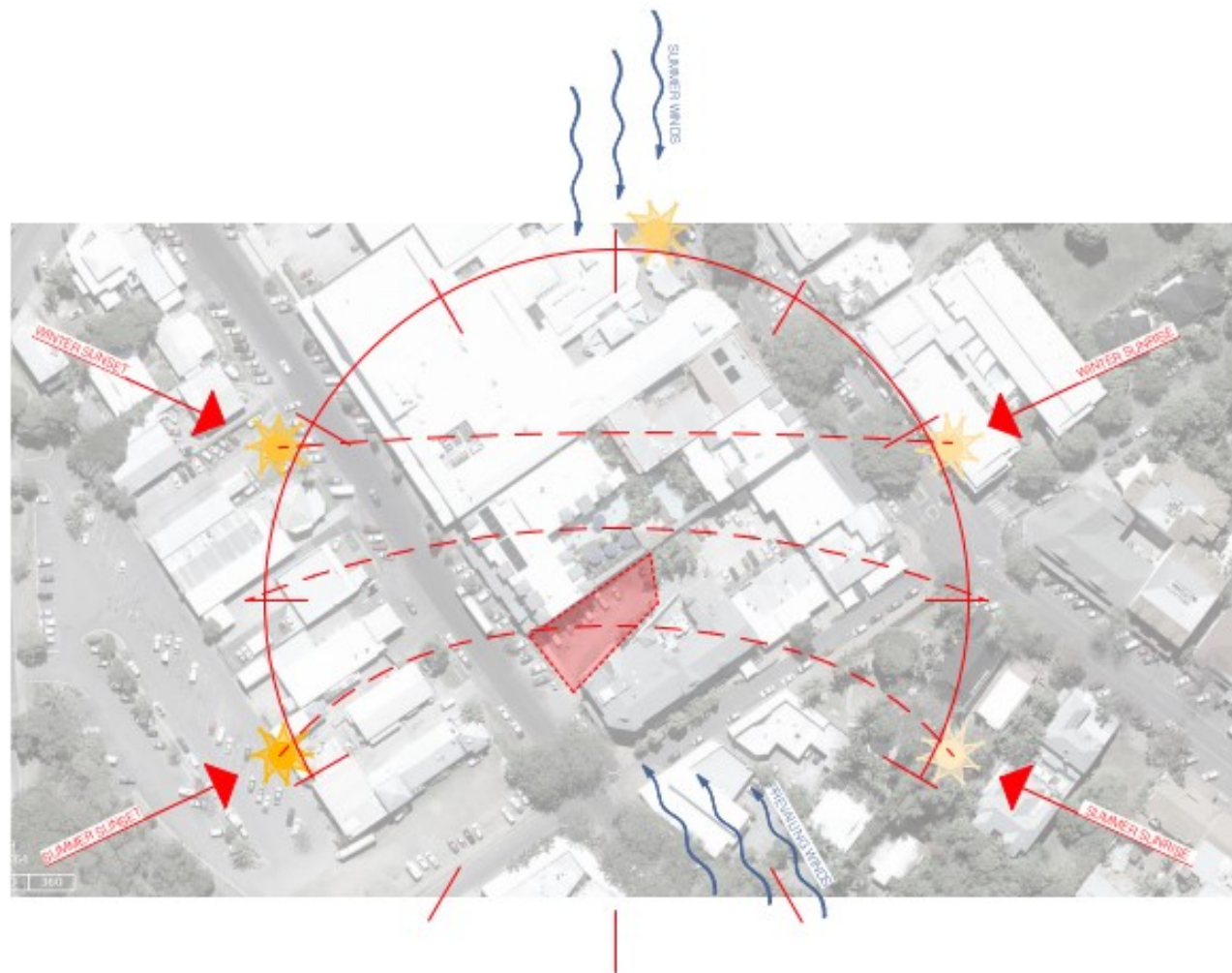
NOTE: PHOTOGRAPH SHOWS KEY TO SURVEYED POINTS ON PLAN BELOW



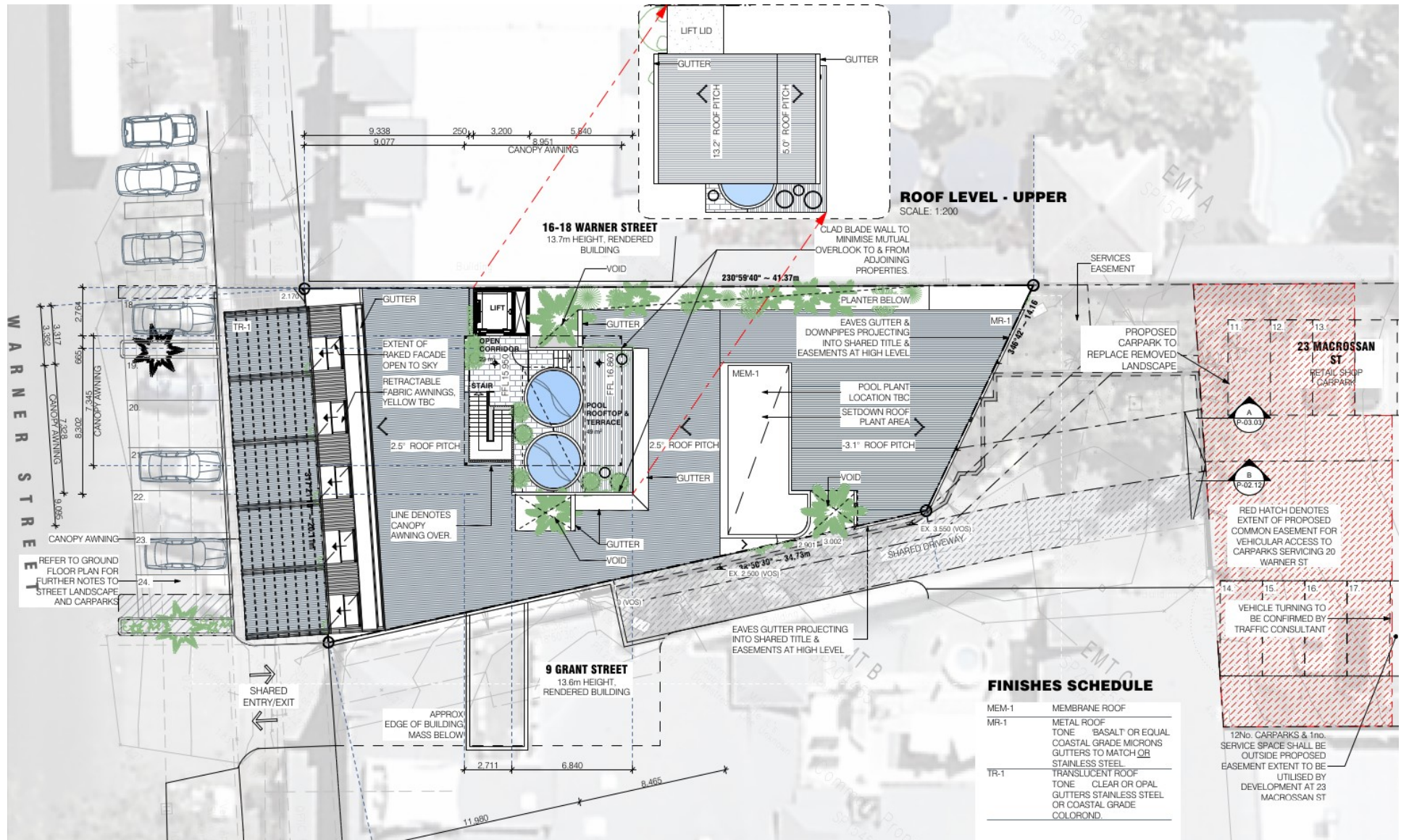
# **SITE SURVEY - ADJOINING BUILDING HEIGHTS**

NOTE: ADJOINING HEIGHTS PROVIDED BY SPS GROUP - REGISTERED LAND SURVEYORS

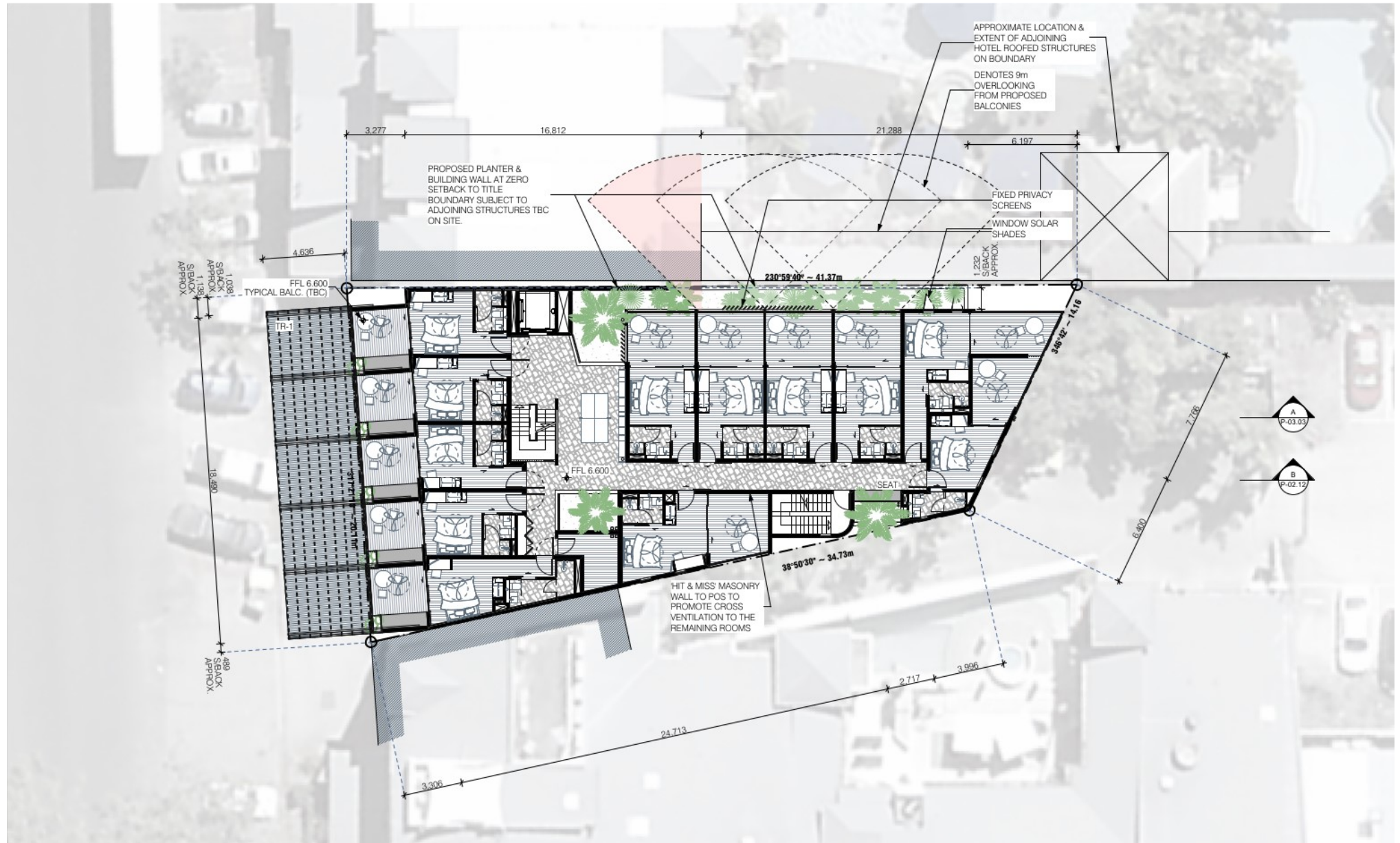
This drawing is copyright and cannot be reproduced in whole or in part or by any medium without the written permission of Wolveridge Architects.	REVISION: P1 - TOWN PLANNING PACKAGE TO COUNCIL DATE: 06/12/2019 PRELIMINARY NOT FOR CONSTRUCTION		DWG. TITLE: SITE SURVEY - ADJOINING BUILDING HEIGHTS PLOT DATE: 9/12/2019 SCALE: AS SHOWN AT A3 DWG. NO.: P-01.06 REV: P1	PROJECT: <b>WARNER STREET HOTEL</b> <b>22 WARNER STREET</b> <b>PORT DOUGLAS</b> CLIENT: SCALI NOMINEES PTY LTD PROJ NO: 18 007	<b>WOLVERIDGE</b> architects 121 ROKERY STREET COLLINGWOOD VICTORIA 3066 AUSTRALIA TEL: + 61 3 9486 9982 FAX: + 61 3 9486 9982 info@wolveridge.com.au www.wolveridge.com.au
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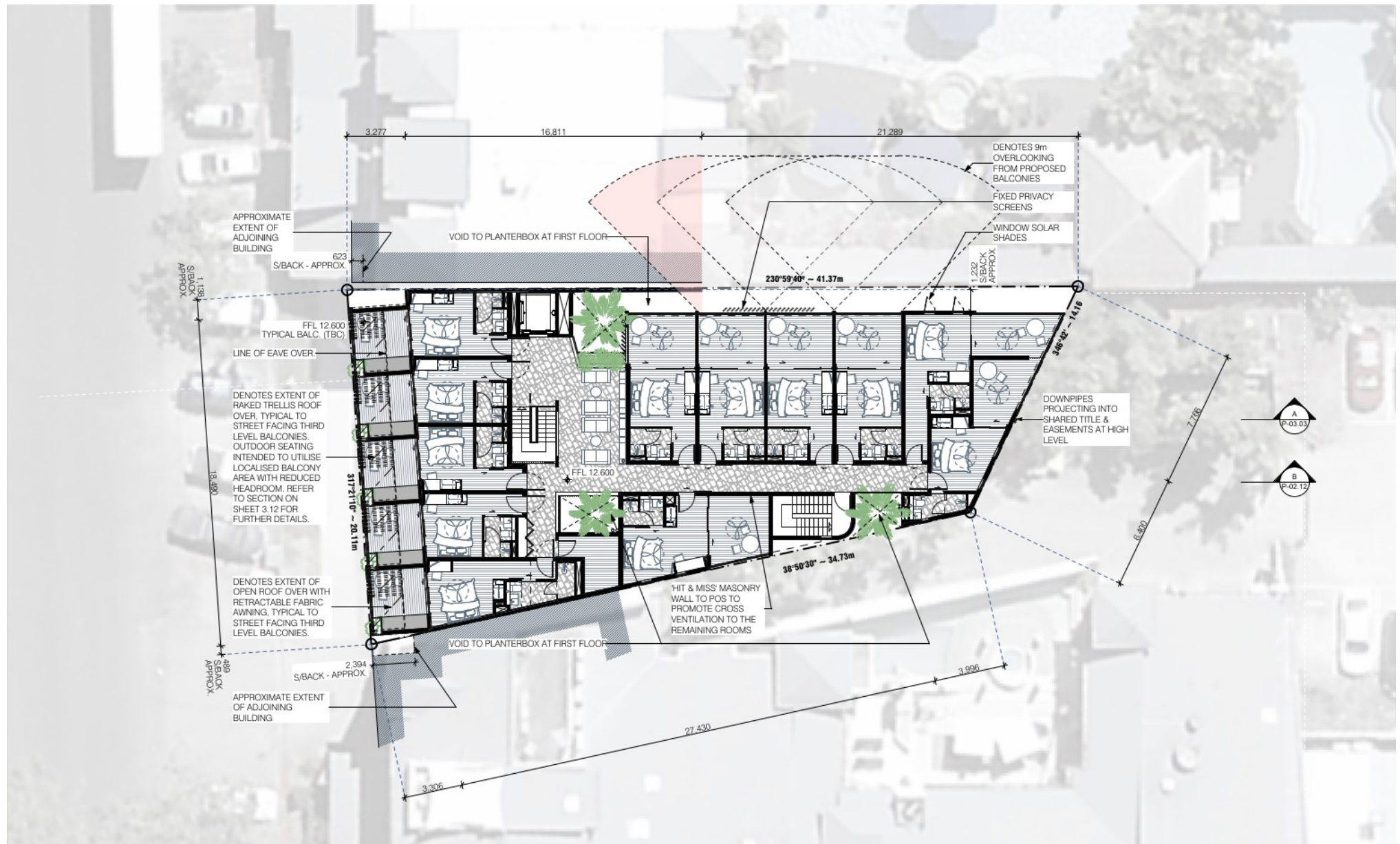
This drawing is copyright and cannot be reproduced in whole or in part or by any means without the written permission of Wolveridge Architects.	REVISION: P1 - TOWN PLANNING PACKAGE TO COUNCIL DATE: 06/12/2019	PRELIMINARY NOT FOR CONSTRUCTION		DWG. TITLE: SITE ANALYSIS PLOT DATE: 9/12/2019 SCALE: AS SHOWN AT A3 DWG. NO.: P-01.07 REV: P1	PROJECT: WARNER STREET HOTEL 22 WARNER STREET PORT DOUGLAS CLIENT: SCALI NOMINEES PTY LTD PROJ NO: 18 067	<b>WOLVERIDGE</b> architects 121 ROKERY STREET COLLINGWOOD VICTORIA 3066 AUSTRALIA TEL: +61 3 9486 9982 FAX: +61 3 9486 9982 info@wolveridge.com.au www.wolveridge.com.au
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**LANDSCAPED 'LIVING TRELLIS'**



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REVISION:  
P1 - TOWN PLANNING PACKAGE TO COUNCIL

DATE:  
06/10/2019

**PRELIMINARY**  
NOT FOR CONSTRUCTION

DWG. TITLE: MICRO HOTEL - PRECIDENT  
PLOT DATE: 9/10/2019  
SCALE: AS SHOWN AT A3  
DWG. NO.: P-02/27 REV: P1

PROJECT: **WARNER STREET HOTEL**  
**20 WARNER STREET**  
**PORT DOUGLAS**  
CLIENT: SCALI NOMINEES PTY LTD  
PROJ NO: 18 007

**WOLVERIDGE**architects  
121 ROKERY STREET COLLINGWOOD VICTORIA 3066 AUSTRALIA  
TEL: + 61 3 9486 9982 FAX: + 61 3 9486 9983  
info@wolveridge.com.au www.wolveridge.com.au

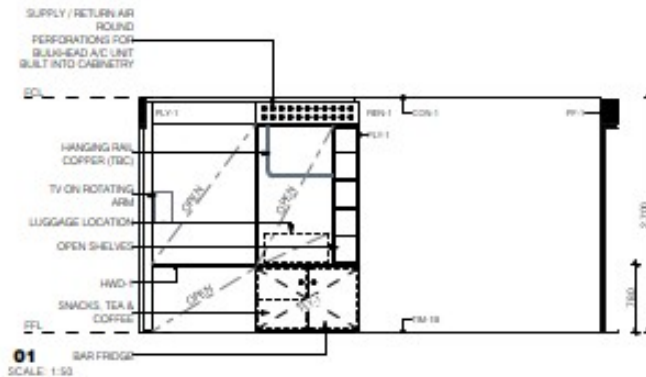


SECTIONAL PERSPECTIVE

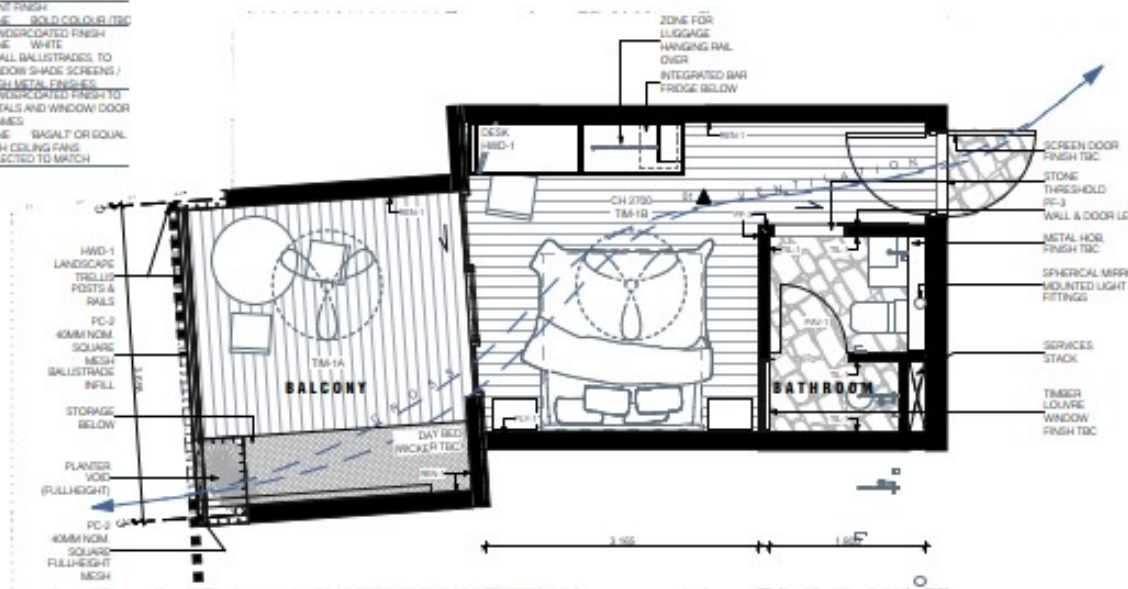
<p>This drawing is copyright and cannot be reproduced in whole or in part or by any medium without the written permission of Wolveridge Architects.</p>	<p>REVISION: P1 - TOWN PLANNING PACKAGE TO COUNCIL</p> <p>DATE: 06/12/2019</p>	<p>PRELIMINARY NOT FOR CONSTRUCTION</p>	<p>DWG. TITLE: MICRO HOTEL - SECTION PLOT DATE: 9/10/2019</p> <p>SCALE: AS SHOWN AT A3</p> <p>DWG. NO.: P-02/28 REV: P1</p>	<p>PROJECT: WARNER STREET HOTEL 20 WARNER STREET PORT DOUGLAS</p> <p>CLIENT: SCALI NOMINEES PTY LTD</p> <p>PROJ NO: 18 667</p>	<p><b>WOLVERIDGE</b>architects</p> <p>121 ROKERY STREET COLLINGWOOD VICTORIA 3066 AUSTRALIA</p> <p>TEL: + 61 3 9486 9992 FAX: + 61 3 9486 9992</p> <p>info@wolveridge.com.au www.wolveridge.com.au</p>
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# **FINISHES SCHEDULE**

CODE	DESCRIPTION
TM-1A	TIMBER DECKING SPECIES: LOCAL HARDWOOD TONE: TBC
TM-1B	TIMBER FLOOR BOARDS SPECIES: LOCAL HARDWOOD TONE: TBC
TS-1	SLATE PAVING - LOCAL STONE FORMAT: CRAZY PAVING
REN-1	SMOOTH RENDER FINISH COLOUR: WHITE
CON-1	CONCRETE QUALITY FINISH COLOUR: NATURAL GRAY EXPOSED SLAB JOINTS
PLY-1	PLYWOOD FRANKS SPECIES: BIRCH TONE: BLOND (LIGHT)
HW-1	TIMBER DESK SPECIES: LOCAL HARDWOOD TONE: TBC
TL-1	TL: FINISH TONE: WHITE
TS-1	PAINT FINISH TONE: WHITE
TS-2	PAINT FINISH TONE: BASALT OR EQUAL
TS-3	PAINT FINISH TONE: BOLD COLOUR / TBC
PC-1 / SCR-1	POWDERCOATED FINISH TONE: WHITE
SCR-1A /	TO ALL BALUSTRADES, TO
SCR-1B	WINDOW SHADE SCREENS /
	MESH METAL FINISHES
PC-2	POWDERCOATED FINISH TO METALS AND WINDOW DOOR FRAMES TONE: BASALT OR EQUAL WITH COILING FANS SELECTED TO MATCH



**JOINERY UNIT**



**TYPICAL ROOM LAYOUT**  
SCALE: 1:50



**BATHROOM**

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REVISION:  
P1 - TOWN PLANNING PACKAGE TO COUNCIL

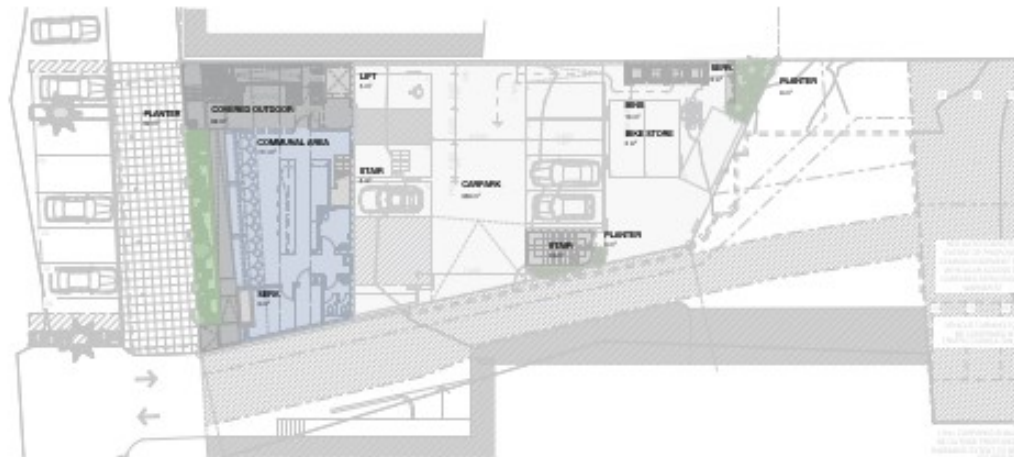
DATE:  
06/10/2019

PRELIMINARY  
NOT FOR CONSTRUCTION

DWG. TITLE: MICRO HOTEL - PLAN & INTERIOR  
PLOT DATE: 9/10/2019  
SCALE: AS SHOWN AT A3  
DWG. NO.: P-02/29 REV: P1

PROJECT: WARNER STREET HOTEL  
20 WARNER STREET  
PORT DOUGLAS  
CLIENT: SCALI NOMINEES PTY LTD  
PROJ. NO: 18 007

**WOLVERIDGE** architects  
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**GROUND LEVEL**  
SCALE: 1:300



**TYPICAL UPPER LEVELS**  
SCALE: 1:300

GFA	18077
PCG	43277
<b>OVERALL</b>	<b>23660m²</b>

<b>LANDSCAPE</b>	<b>4.0%</b>
<b>COMMON RECREATIONAL AREA (INCL. DRIVE / DRIVE)</b>	<b>7.1%</b>
<b>OUTSIDE OF OVERALL SITE BOUNDARY</b>	

<b>CAR PARKING</b>	
23 MACROSSAN ST (LAND TRANSFER)	07
ON TITLE	10
<b>TOTAL</b>	<b>17</b>

\*\*\* EXCLUDES ON-STREET CARPARKS (7%)

<b>BICYCLE STORAGE</b>	
NO. OF PARKS	4 (BMV)

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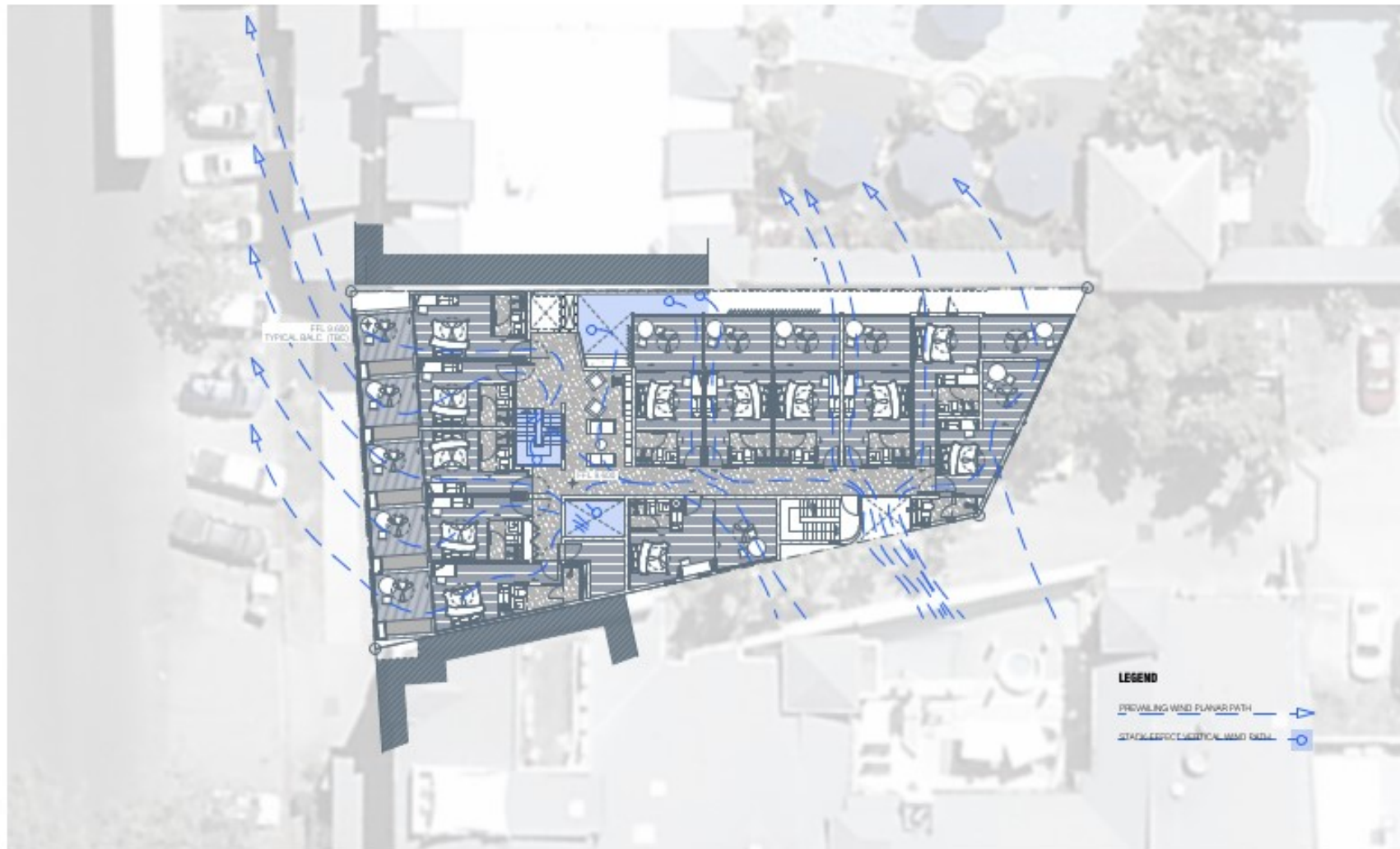
DATE:  
06/12/2019

**PRELIMINARY**  
NOT FOR CONSTRUCTION

DWG. TITLE: MASSING AREAS  
PLOT DATE: 9/18/2019  
SCALE: AS SHOWN AT A3  
DWG. NO.: P-02.10 REV: P1

PROJECT: **WARNER STREET HOTEL  
23 WARNER STREET  
PORT DOUGLAS**  
CLIENT: SCALI NOMINEES PTY LTD  
PROJ NO: 18 007

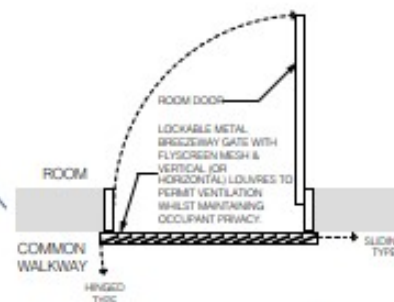
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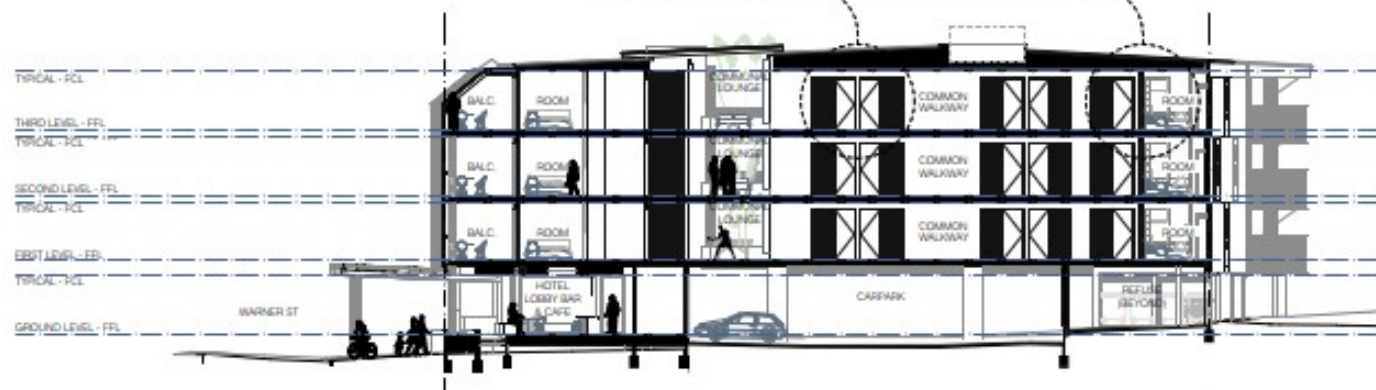
**CROSS VENTILATION DIAGRAM PLAN**  
SCALE: 1:200

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## SCALE: 1-5A

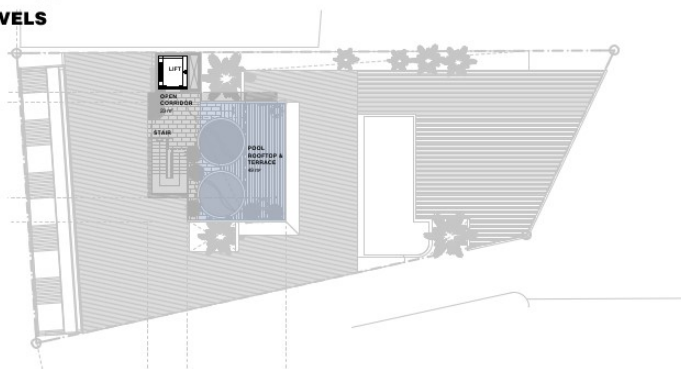
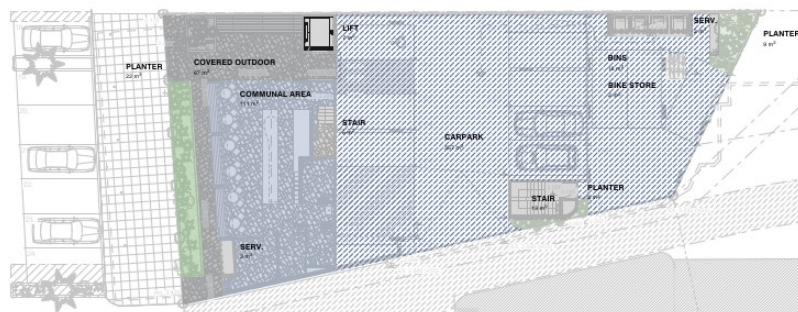


SCALE: 1:20



## SCALE: 1-200

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REVISION:  
P1 - TOWN PLANNING PACKAGE TO COUNCIL  
P2 - ROOFTOP POOL AMENDMENT - ISSUE FOR COMMENT

DATE:  
08/10/2019  
26/06/2020

PRELIMINARY  
NOT FOR CONSTRUCTION

DWG. TITLE: MASSING AREAS  
PLOT DATE: 26/08/2020  
SCALE: AS SHOWN AT A3  
DWG. NO.: P-02.10 REV: P2

PROJECT: WARNER STREET HOTEL  
20 WARNER STREET  
PORT DOUGLAS  
CLIENT: SCALI NOMINEES PTY LTD  
PROJ NO: 18 007

GFA	1847m <sup>2</sup>
POS	422m <sup>2</sup>
<b>OVERALL</b>	<b>2347m<sup>2</sup></b>

<b>LANDSCAPE</b>	<b>4.0%</b>
<b>COMMON RECREATIONAL AREA</b> (INCL CAFE / BAR)	<b>9.6%</b>
NOTE: % OF OVERALL FLOOR AREA	

<b>CAR PARKING</b>	
23 MACROSSAN ST (LAND TRANSFER)	07
ON TITLE	10
TOTAL	17
** EXCLUDES ON-STREET CARPARKS (7No.)	

<b>BICYCLE STORAGE</b>	
NO. OF PARKS	4(MIN.)

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**STREETSCAPE - WARNER STREET EXISTING CONDITION**  
SCALE: 1:500



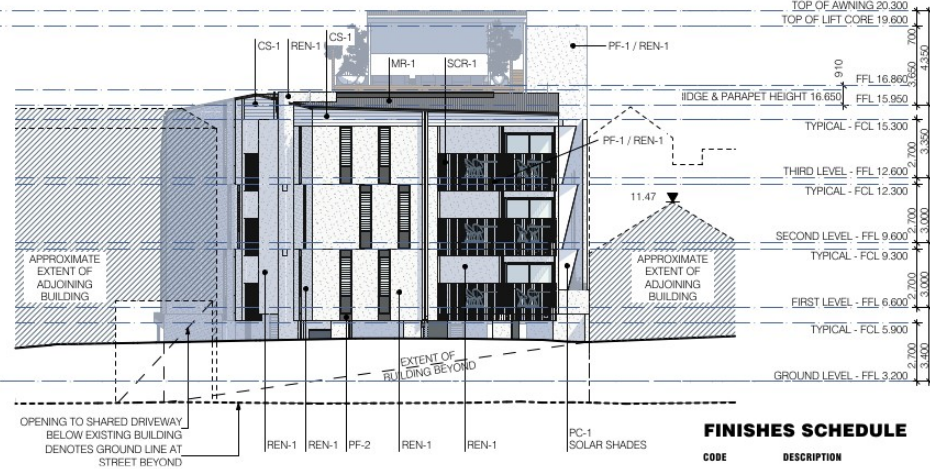
**STREETSCAPE - WARNER STREET**  
SCALE: 1:500

LEGEND	
<span style="color: red;">---</span>	DENOTES STREET AWNING BUILDING HEIGHT, ON TITLE BUILDING BUILDING MASS BEYOND

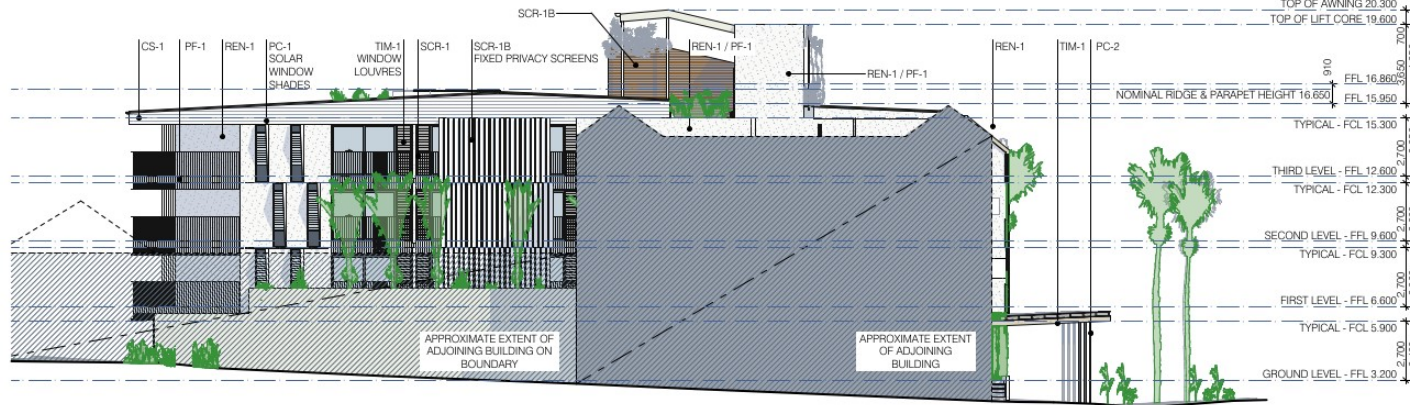
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				PLOT DATE:	26/08/2020	CLIENT:	SCALI NOMINEES PTY LTD				
				SCALE:	AS SHOWN AT A3	DWG. NO.:	P-03.01		REV: P2	PROJ NO:	18 007



**E-01 SOUTH WEST ELEVATION**  
SCALE: 1:200



**E-03 NORTH EAST ELEVATION**  
SCALE: 1:200



**E-02 NORTH WEST ELEVATION**  
SCALE: 1:200

#### FINISHES SCHEDULE

CODE	DESCRIPTION
TIM-1 / TIM-1A	TIMBER SCREEN TRELLIS POSTS & DECKING SPECIES: LOCAL HARDWOOD TONE: TBC
PAV-1	SLATE PAVING - LOCAL STONE FORMAT - CRAZY PAVING
PAV-2	STREET PAVEMENT TO COUNCIL'S SPECIFICATION
REN-1	SMOOTH RENDER FINISH COLOUR: WHITE
CON-1	CONCRETE QUALITY FINISH COLOUR: NATURAL GREY EXPOSED SLAB SOFFITS
PF-1	PAINT FINISH TONE: WHITE
PF-2	PAINT FINISH TONE: BASALT OR EQUAL
PC-1 / SCR-1	POWDERCOATED FINISH TONE: WHITE
SCR-1A / SCR-1B	TO ALL BALUSTRADES, TO WINDOW SHADE SCREENS / MESH METAL FINISHES
PC-2	POWDERCOATED FINISH TO METALS AND WINDOW / DOOR FRAMES TONE: BASALT OR EQUAL WITH CEILING FANS SELECTED TO MATCH
CS-1	WEATHERBOARD CLADDING PAINT FINISH TONE: WHITE
MEM-1	MEMBRANE ROOF
MR-1	METAL ROOF TONE: BASALT OR EQUAL COASTAL GRADE MICRONS GUTTERS TO MATCH OR
TR-1	STAINLESS STEEL TRANSLUCENT ROOF TONE: CLEAR OR OPAL GUTTERS STAINLESS STEEL OR COASTAL GRADE COLORBOND

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REVISION:  
P1 - TOWN PLANNING PACKAGE TO COUNCIL  
P2 - ROOFTOP POOL AMENDMENT - ISSUE FOR COMMENT

DATE:  
08/10/2019  
26/06/2020

PRELIMINARY  
NOT FOR CONSTRUCTION

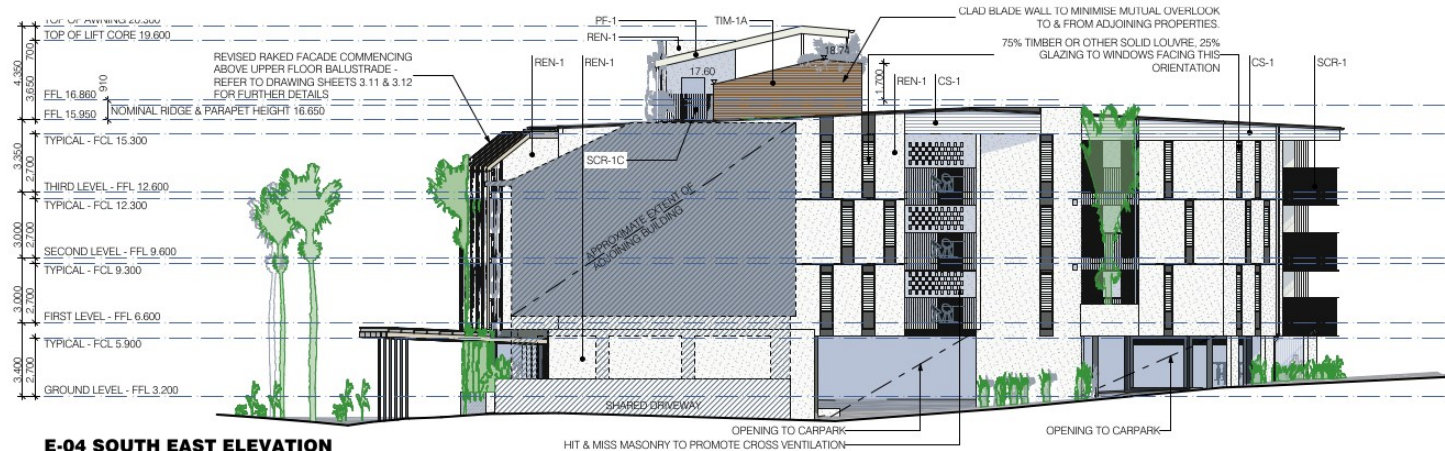
DWG. TITLE: ELEVATIONS  
PLOT DATE: 26/08/2020  
SCALE: AS SHOWN AT A3  
DWG. NO.: P-03.02 REV: P2

PROJECT: **WARNER STREET HOTEL**  
**20 WARNER STREET**  
**PORT DOUGLAS**  
CLIENT: SCALI NOMINEES PTY LTD  
PROJ NO: 18 007

**WOLVERIDGE**architects  
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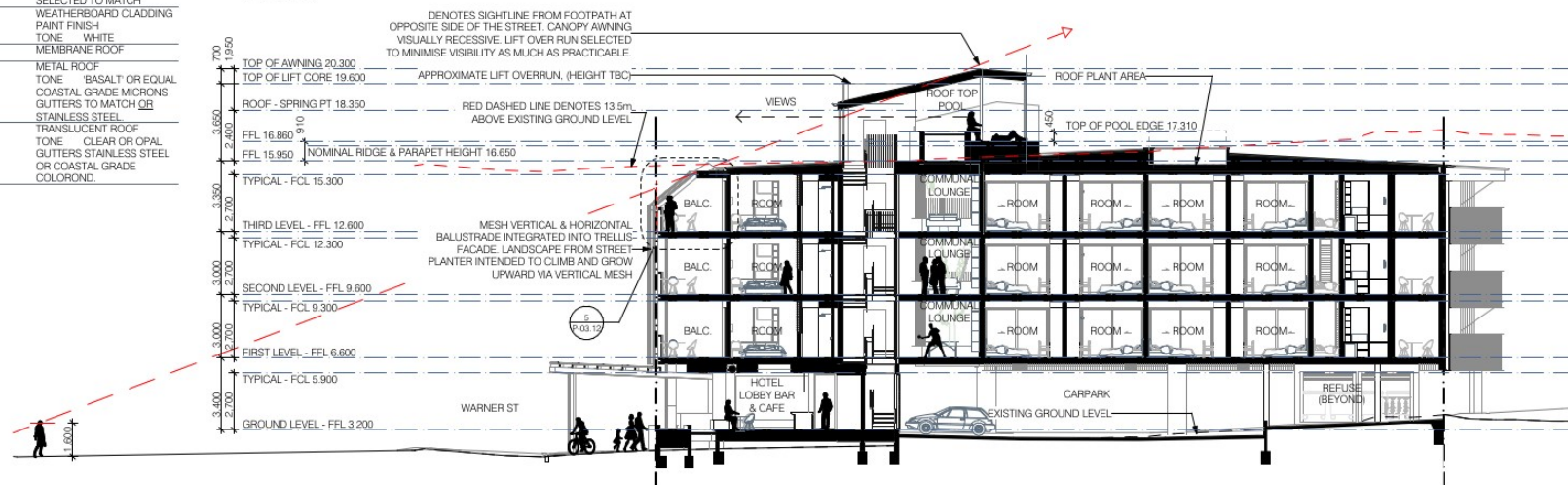
## FINISHES SCHEDULE

CODE	DESCRIPTION
TIM-1 / TIM-1A	TIMBER SCREEN TRELLIS POSTS & DECKING SPECIES: LOCAL HARDWOOD TONE: TBC
PAV-1	SLATE PAVING - LOCAL STONE FORMAT - CRAZY PAVING
PAV-2	STREET PAVEMENT TO COUNCIL'S SPECIFICATION
REN-1	SMOOTH RENDER FINISH COLOUR - WHITE
CON-1	CONCRETE QUALITY FINISH COLOUR - NATURAL GREY EXPOSED SLAB SOFFITS
PF-1	PAINT FINISH TONE - WHITE
PF-2	PAINT FINISH TONE - 'BASALT' OR EQUAL
PC-1 / SCR-1	POWDERCOATED FINISH TONE - WHITE TO ALL BALUSTRADES, TO WINDOW SHADE SCREENS / MESH METAL FINISHES.
PC-2	POWDERCOATED FINISH TO METALS AND WINDOW / DOOR FRAMES TONE - 'BASALT' OR EQUAL WITH CEILING FANS SELECTED TO MATCH
CS-1	WEATHERBOARD CLADDING PAINT FINISH TONE - WHITE
MEM-1	MEMBRANE ROOF
MR-1	METAL ROOF TONE - 'BASALT' OR EQUAL COASTAL GRADE MICRONS GUTTERS TO MATCH QB STAINLESS STEEL
TR-1	TRANSLUCENT ROOF TONE - CLEAR OR OPAL GUTTERS STAINLESS STEEL OR COASTAL GRADE COLORBOND.



### E-04 SOUTH EAST ELEVATION

SCALE: 1:200



### SECTION A

SCALE: 1:200

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REVISION:  
P1 - TOWN PLANNING PACKAGE TO COUNCIL  
P2 - ROOFTOP POOL AMENDMENT - ISSUE FOR COMMENT

DATE:  
08/10/2019  
26/06/2020

PRELIMINARY  
NOT FOR CONSTRUCTION

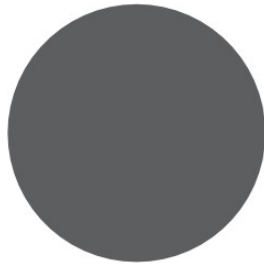
DWG. TITLE: ELEVATION & SECTION -  
LONGITUDINAL  
PLOT DATE: 26/08/2020  
SCALE: AS SHOWN AT A3  
DWG. NO.: P-03.03 REV: P2

PROJECT: WARNER STREET HOTEL  
20 WARNER STREET  
PORT DOUGLAS  
CLIENT: SCALI NOMINEES PTY LTD  
PROJ NO: 18 007

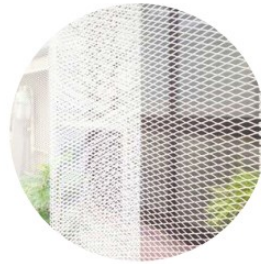
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**CON-1**



**PC-2 / PF-2**



**SCR-1A**



**REN-1**



**CS-1**



**SCR-1B**



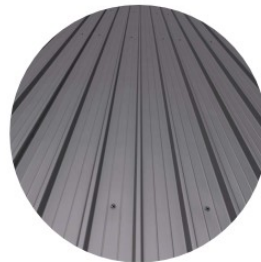
**SCR-1C**



**TIM-1 / TIM-1A**



**PAV-1**



**MR-1**

## FINISHES SCHEDULE

CODE	DESCRIPTION
TIM-1 / TIM-1A	TIMBER SCREEN TRELLIS POSTS & DECKING SPECIES: LOCAL HARDWOOD TONE: TBC
PAV-1	SLATE PAVING - LOCAL STONE FORMAT - 'CRAZY PAVING'
PAV-2	STREET PAVEMENT TO COUNCIL'S SPECIFICATION
REN-1	SMOOTH RENDER FINISH COLOUR - WHITE
CON-1	CONCRETE QUALITY FINISH COLOUR - NATURAL GREY EXPOSED SLAB SOFFITS
PF-1	PAINT FINISH TONE: WHITE
PF-2	PAINT FINISH TONE: BASALT OR EQUAL
PC-1 / SCR-1 SCR-1A / SCR-1B SCR-1C	POWDERCOATED FINISH TONE: WHITE TO ALL BALUSTRADES, TO WINDOW SHADE SCREENS / MESH METAL FINISHES
PC-2	POWDERCOATED FINISH TO METALS AND WINDOW / DOOR FRAMES TONE: BASALT OR EQUAL WITH CEILING FANS SELECTED TO MATCH
CS-1	WEATHERBOARD CLADDING PAINT FINISH TONE: WHITE
MEM-1	MEMBRANE ROOF
MR-1	METAL ROOF TONE: BASALT OR EQUAL COASTAL GRADE MICRONS GUTTERS TO MATCH OR
TR-1	STAINLESS STEEL TRANSLUCENT ROOF TONE: CLEAR OR OPAL GUTTERS STAINLESS STEEL OR COASTAL GRADE COLORBOND

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P2 - ROOFTOP POOL AMENDMENT - ISSUE FOR COMMENT

DATE:  
09/10/2019  
26/06/2020

PRELIMINARY  
NOT FOR CONSTRUCTION

DWG. TITLE: MATERIALS SCHEDULE  
PLOT DATE: 26/08/2020  
SCALE: AS SHOWN AT A3  
DWG. NO.: P-03.04 REV: P2

PROJECT: **WARNER STREET HOTEL  
20 WARNER STREET  
PORT DOUGLAS**  
CLIENT: SCALI NOMINEES PTY LTD  
PROJ NO: 18 007

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**AERIAL VIEW**



**STREET VIEW LOOKING DUE NORTH WEST**



**STREET VIEW LOOKING DUE EAST**

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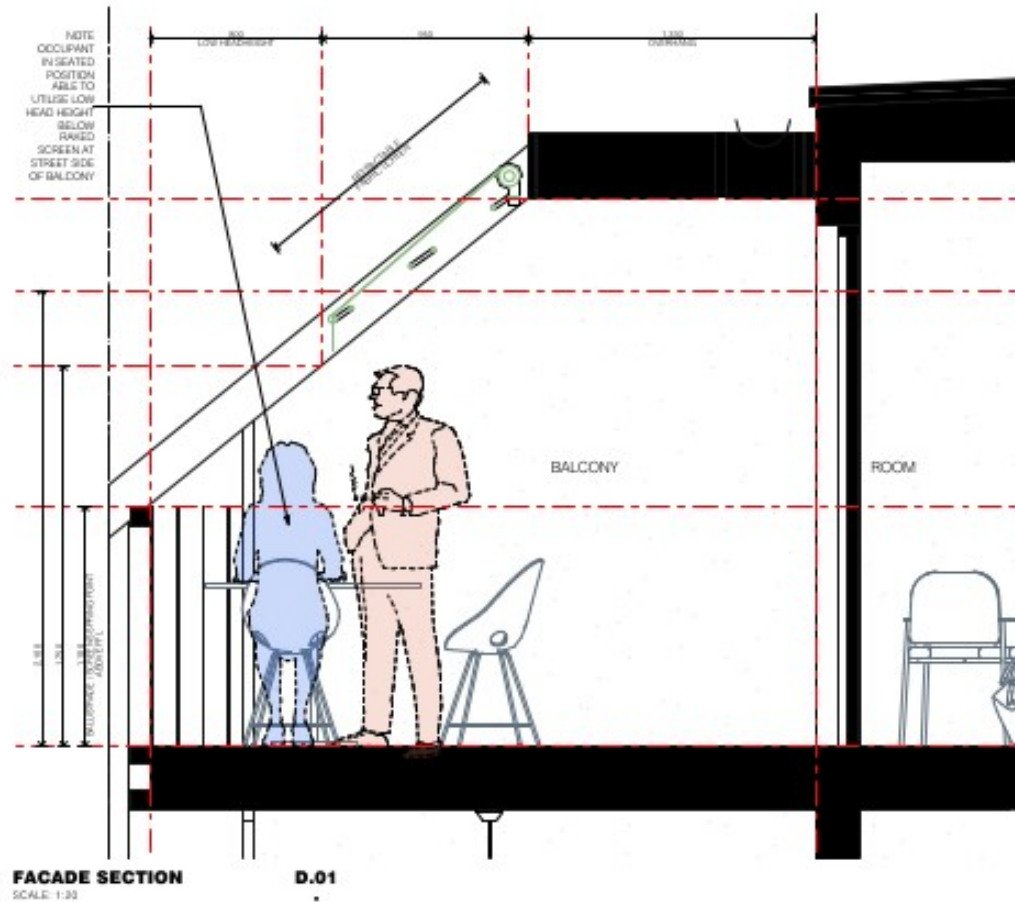
DATE:  
09/10/2019  
26/06/2020

PRELIMINARY  
NOT FOR CONSTRUCTION

DWG. TITLE: REVISED FACADE - EXTERIOR  
PLOT DATE: VIEWS  
26/08/2020  
SCALE: AS SHOWN AT A3  
DWG. NO.: P-03.11 REV

PROJECT: **WARNER STREET HOTEL  
20 WARNER STREET  
PORT DOUGLAS**  
CLIENT: SCALI NOMINEES PTY LTD  
PROJ NO: 18 007

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DATE:  
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DWG. TITLE: REVISED FACADE - SECTION  
PLOT DATE: 9/12/2019  
SCALE: AS SHOWN AT A3  
DWG. NO.: P-02.12 REV

PROJECT: **WARNER STREET HOTEL  
20 WARNER STREET  
PORT DOUGLAS**  
CLIENT: SCALI NOMINEES PTY LTD  
PROJ NO: 18 007

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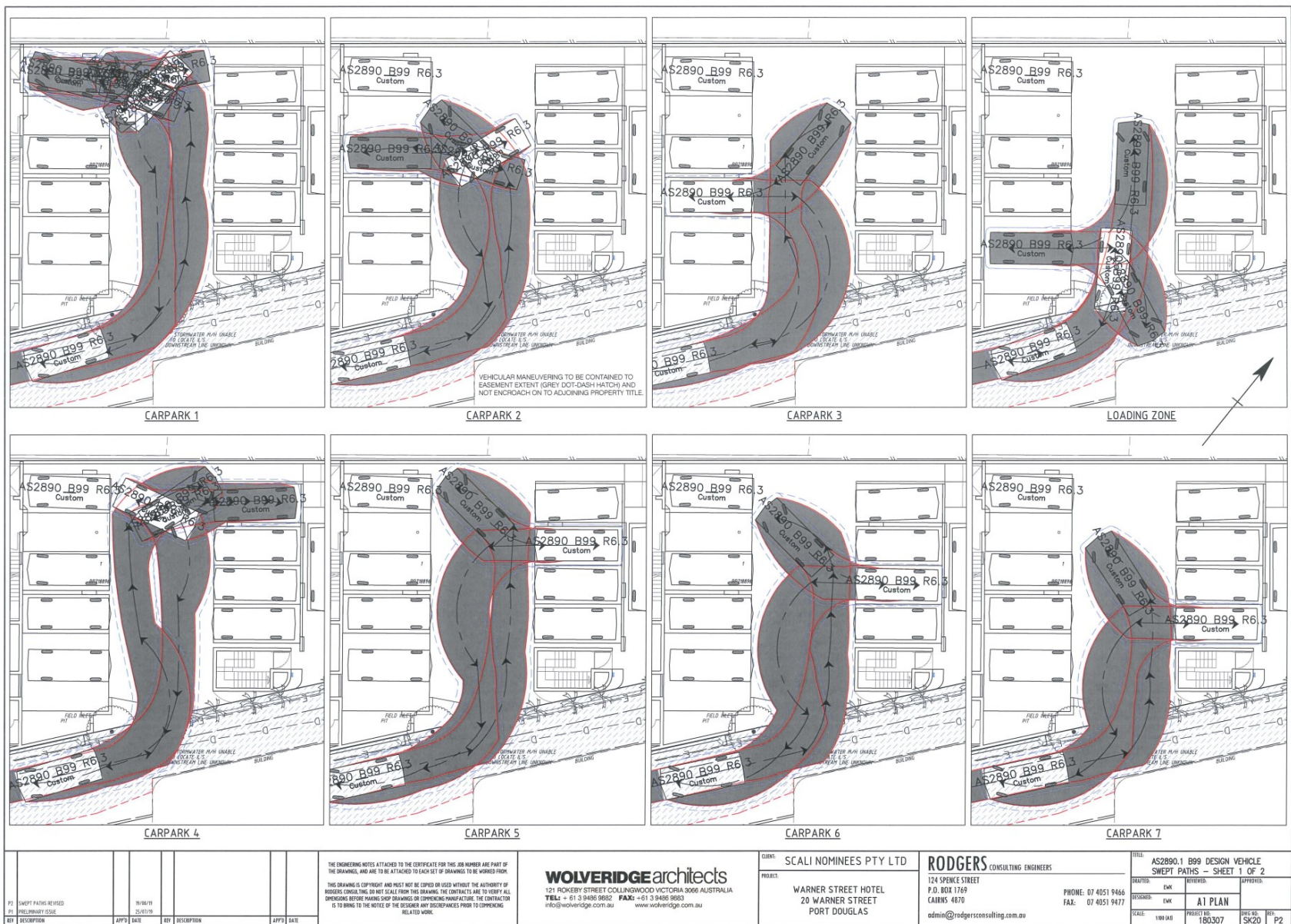
DATE:  
06/10/2019

PRELIMINARY  
NOT FOR CONSTRUCTION

DWG. TITLE: PERSPECTIVES  
PLOT DATE: 9/10/2019  
SCALE: AS SHOWN AT A3  
DWG. NO.: P-05.02 REV: P1

PROJECT: WARNER STREET HOTEL  
20 WARNER STREET  
PORT DOUGLAS  
CLIENT: SCALI NOMINEES PTY LTD  
PROJ NO: 18 007

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REV	DESCRIPTION	APPROVED	DATE	REV	DESCRIPTION	APPROVED	DATE
1	1/18/17		25/10/17				

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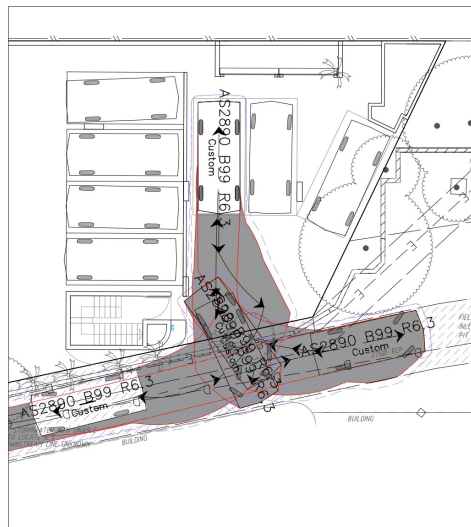
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CUSTOMER: SCALI NOMINEES PTY LTD  
PROJECT: WARNER STREET HOTEL  
20 WARNER STREET  
PORT DOUGLAS

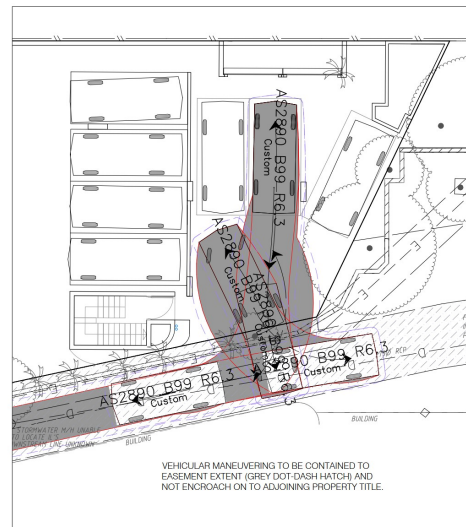
**RODGERS CONSULTING ENGINEERS**  
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P.O. BOX 1769  
CAIRNS 4870  
admin@rogersconsulting.com.au

TITLE: AS2890.1 B99 DESIGN VEHICLE SWEEP PATHS - SHEET 1 OF 2

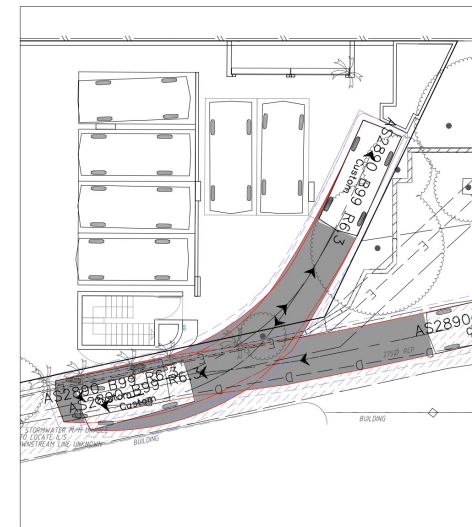
DESIGNED	CHK	REVIEWED	APPROVED
SCALE: 1:100 (A4)	PROJECT NO: 180307	DATE: 25/10/17	REV: P2



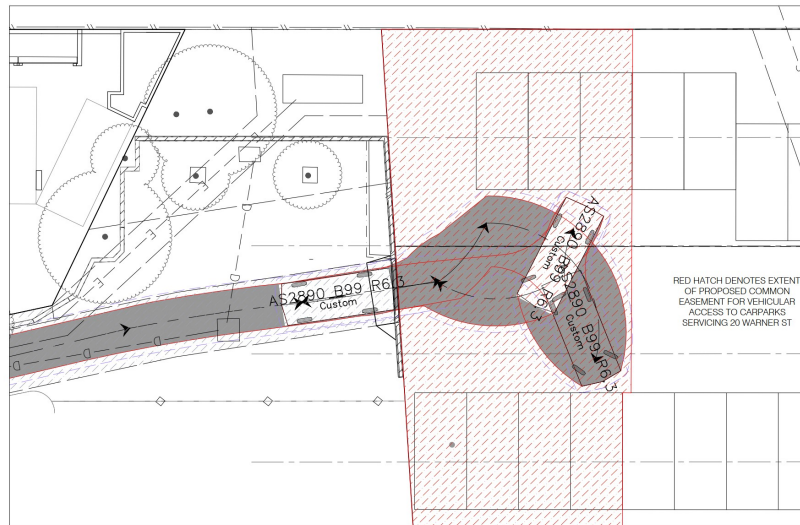
CARPARK 8



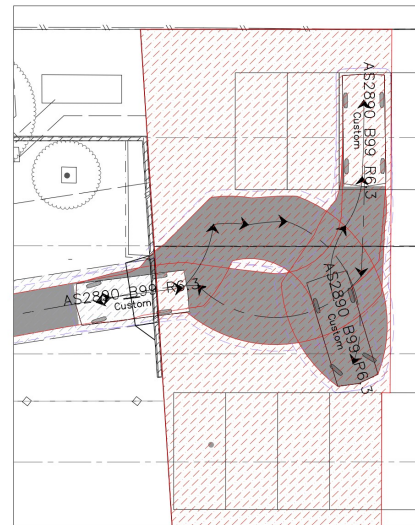
CARPARK 9



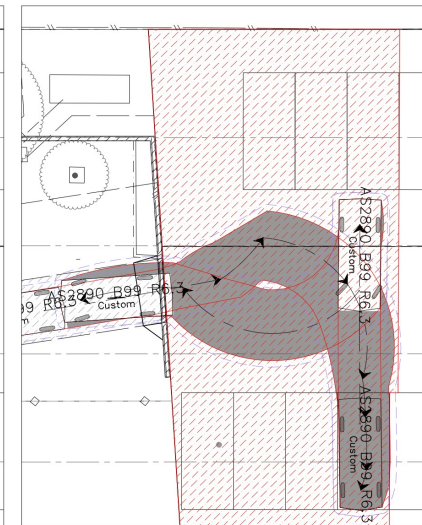
CARPARK 10



REAR CARPARK TURNAROUND



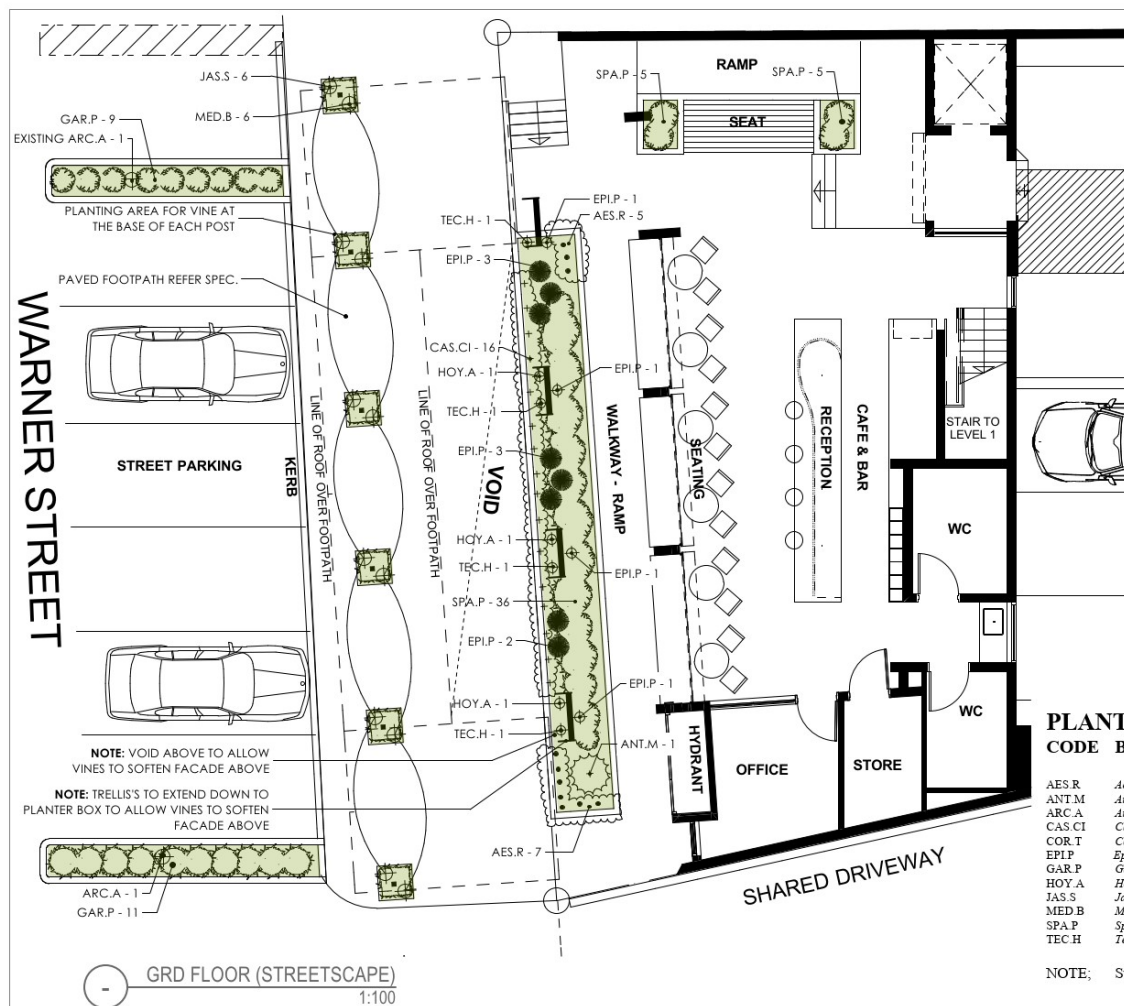
REAR CARPARK ACCESS 1



REAR CARPARK ACCESS 2

<p>P5. REAR CARPARKS REVISED P6. CARPARK 10 REVISED P7. CARPARK 8 SWEEP PATHS REVISED P8. SWEEP PATHS REVISED P9. PRELIMINARY ISSUE</p>	<p>01/10/19 28/10/19 27/10/19 30/08/19 25/11/19</p>	<p>THE ENGINEERING NOTES ATTACHED TO THE CERTIFICATE FOR THIS JOB NUMBER ARE PART OF THE DRAWING, AND ARE TO BE ATTACHED TO EACH SET OF DRAWINGS TO BE WORKED FROM. THIS DRAWING IS COPYRIGHT AND MUST NOT BE COPIED OR USED WITHOUT THE AUTHORITY OF RODGERS CONSULTING ENGINEERS. THE CONTRACTOR IS TO VERIFY ALL DIMENSIONS BEFORE MAKING SHOP DRAWINGS OR COMMENCING MANUFACTURE. THE CONTRACTOR IS TO BRING TO THE NOTICE OF THE DESIGNER ANY DISCREPANCIES PRIOR TO COMMENCING RELATED WORK.</p>	<p><b>WOLVERIDGE architects</b> 121 RICKBURY STREET COLLINGWOOD VICTORIA 3066 AUSTRALIA TEL: + 61 3 9466 9882 FAX: + 61 3 9466 9883 info@wolveridge.com.au www.wolveridge.com.au</p>	<p>CLIENT: SCALI NOMINEES PTY LTD PROJECT: WARNER STREET HOTEL 20 WARNER STREET PORT DOUGLAS</p>	<p><b>RODGERS CONSULTING ENGINEERS</b> 174 SPENCE STREET P.O. BOX 1769 CAIRNS 4870 admin@rodgersconsulting.com.au PHONE: 07 4051 9466 FAX: 07 4051 9477</p>	<p>TITLE: AS2890.1 B99 DESIGN VEHICLE SWEEP PATHS - SHEET 2 OF 2 DRAWN: LMK CHECKED: EWC SCALE: 1:100 (AS) PROJECT NO: 180307 DWG NO: SK21 REV: P5</p>
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## LANDSCAPE SPECIFICATION;

**Footpath Paving:** To be clay brick pavers to match existing footpath, with colour and laying pattern to be approved by Council in accordance with FNQROC, and Australian Standards.

**Trellis:** are proposed to be suitable 100mm square mesh, framed with 75mm square metal tubing before powder coating and mounting 100mm off and solid wall, to allow plants to climb throughout the mesh. All trellising to Architects detail and Engineering standards.

**Irrigation:** All planting areas to be irrigated with an automated system. All street plantings will use drip irrigation and be connected to the proposed buildings automated irrigation system. Planter boxes to be irrigated with spray heads. Irrigation to be installed in accordance with Council regulations and Australian Standards.

**Natural ground soil:** is to be cultivated to a depth of 300mm and amended with 50% aged compost, with 500g/m2 of gypsum and suitable organic fertiliser at recommended rate.

**Planter Boxes/drainage:** to architect's detail. Internal areas are to be sealed with a suitable waterproof flexible membrane before covering with coreflute, & biddum geofabric to protect the surface. Drainage cell is to be applied to the base and any walls that adjoin any internal area. Apply biddum geofabric over drainage cell prior to filling area with approved soil mix. Drainage to be connected to a separate storm water system (NOT ROOF SYSTEM) and allow for an overflow pit (250mm) in each bed set 100mm below the top of the planter box wall.

**Planter Box soil:** is to be a suitable podium mix of 50% approved potting mix with 50% Quincan pebble (10mm), and pH adjusted. Allow for 30% compaction in boxes over the first 12 months by loading the soil height above required. Mulch with Quincan pebble (10mm) to 75mm deep.

**Plants:** Have been chosen to enhance the natural character of the Port Douglas area. All plant material is to be of a high quality, in correct pot size or larger and approved by landscape designer prior to planting.

## PLANT LIST; Streetscape Planting

CODE	BOTANICAL NAME	COMMON NAME	NO.	POT SIZE	TYPE	H&W.
AES R	<i>Aechmanthus radicans</i>	Lipstick Plant	12	140mm	C	0.3x2
ANT M	<i>Anthurium magnificum</i>		1	200mm	S	1x1
ARC A	<i>Archontophoenix alexandrae</i>	Alexander palm	1	45ltr	P	10x4
CAS CI	<i>Casuarina glauca</i> "Cousin it"		16	200mm	GC	0.3x 2
COR T	<i>Cordyline terminalis</i>	Cordyline	9	200mm	S	2x1
EPLP	<i>Epipremnum pinnatum</i>	Native Monstera	5	200mm	C	10x1
GAR P	<i>Gardenia psidioides</i>	Glennie River Gardenia	20	140mm	GC	0.5x2
HOY A	<i>Hoya australis</i>	Native Hoya Vine	3	200mm	C	8x2
JAS S	<i>Jasminum simplicifolium subsp. austrahense</i>	Native Jasmin	6	140mm	S	3x3
MED B	<i>Medvillea bellis-headleyi</i>	Daintree Medvillea	6	200mm	C	6x3
SPA P	<i>Spathophyllum "Pablo"</i>	Peace lily	46	140mm	S	0.6x0.6
TEC H	<i>Tecomanthe hillii</i>	Fraser Island Creeper	4	200mm	C	8x4

**NOTE;** Suitable substitutions may be made depending on the availability of the species and pot size.

**KEY;**

C = Climber  
G = Ginger  
Se = Sedge

F = Fern  
P = Palm  
T = Tree

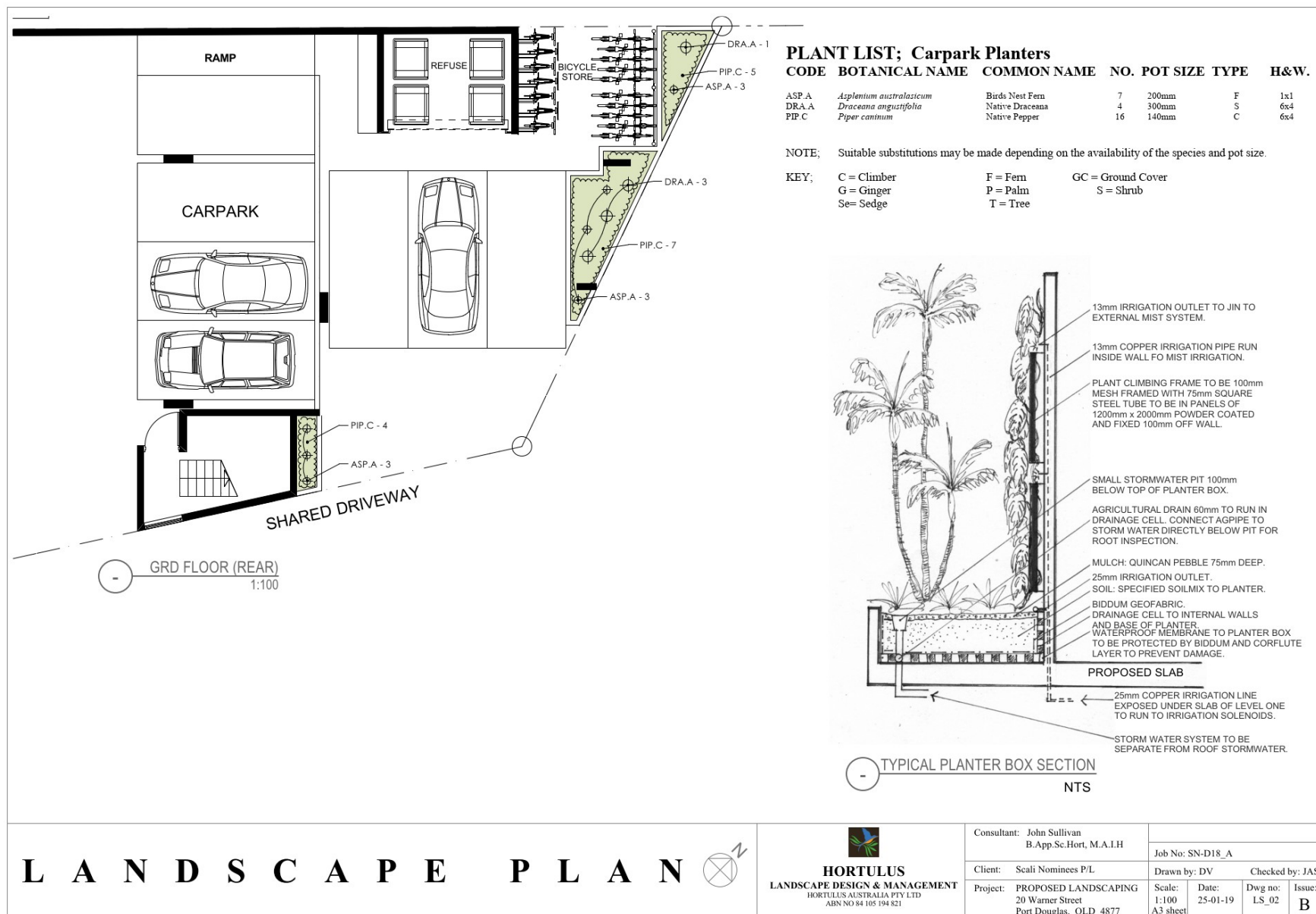
GC = Ground Cover  
S = Shrub

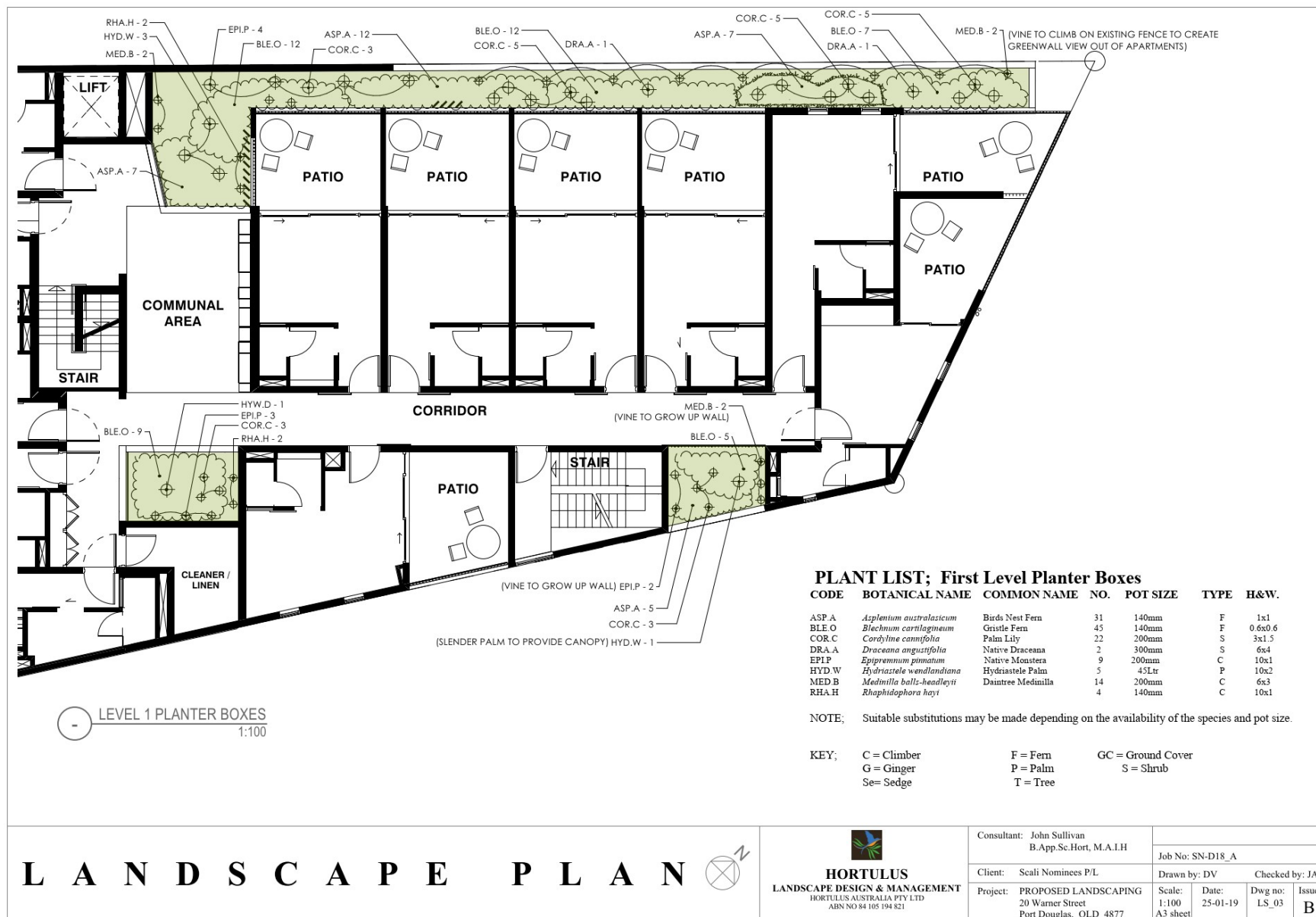
# LANDSCAPE PLAN

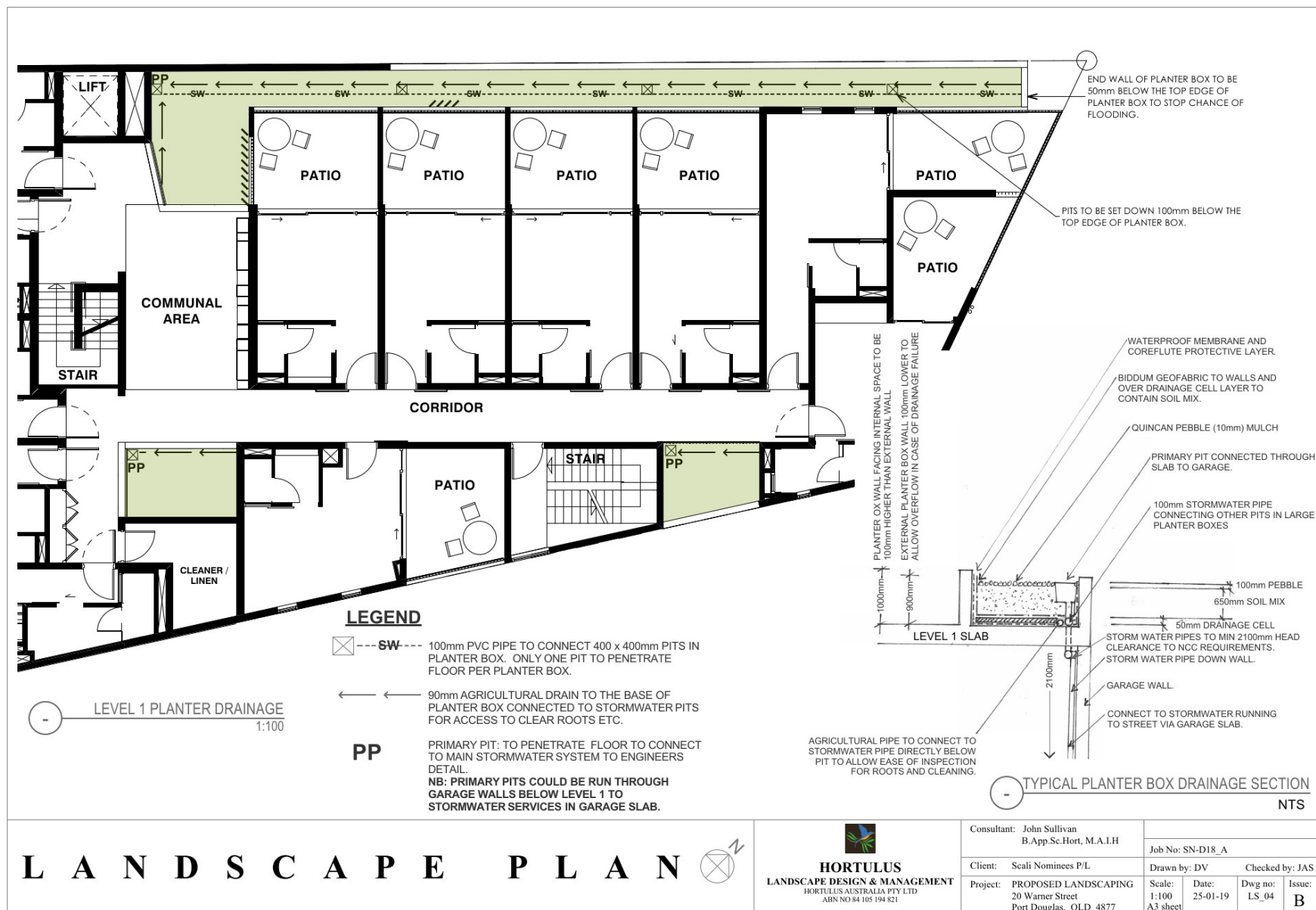


**HORTULUS**  
LANDSCAPE DESIGN & MANAGEMENT  
HORTULUS AUSTRALIA PTY LTD  
ABN NO 84 105 194 821

Consultant:	John Sullivan B.App.Sc.Hort, M.A.I.H	Job No:	SN-D18_A
Client:	Scali Nominees P/L	Drawn by:	DV
Project:	PROPOSED LANDSCAPING 20 Warner Street Port Douglas, QLD 4877	Scale:	1:100 A3 sheet
		Date:	25-01-19
		Dwg no:	LS_01
		Issue:	B







## Reasons for Decision

The reasons for this decision are:

1. Sections 81, 81A and 83 of the *Planning Act 2016*:
  - a. to ensure the development satisfies the benchmarks of the 2018 Douglas Shire Planning Scheme Version 1.0; and
  - b. to ensure compliance with the *Planning Act 2016*.
2. Findings on material questions of fact:
  - a. the development application was properly lodged to the Douglas Shire Council on 27 November 2020 under section 79 of the *Planning Act 2016*;
  - b. the development application contained information from the applicant which Council reviewed together with Council's own assessment against the 2017 State Planning Policy and the 2018 Douglas Shire Planning Scheme Version 1.0 in making its assessment manager decision.
3. Evidence or other material on which findings were based:
  - a. the development triggered assessable development under the Assessment Table associated with the Centre Zone Code;
  - b. Council undertook an assessment in accordance with the provisions of sections 81, 81A and 83 of the *Planning Act 2016*; and
  - c. the applicant's reasons have been considered and the following findings are made:
    - i. Subject to conditions, the development satisfactorily meets the Planning Scheme benchmarks.

- (2) The person is taken to have engaged in the representative's conduct, unless the person proves the person could not have prevented the conduct by exercising reasonable diligence.
- (3) In this section—
  - conduct* means an act or omission.
  - representative* means—
    - (a) of a corporation—an executive officer, employee or agent of the corporation; or
    - (b) of an individual—an employee or agent of the individual.
  - state of mind*, of a person, includes the person's—
    - (a) knowledge, intention, opinion, belief or purpose; and
    - (b) reasons for the intention, opinion, belief or purpose.

## Chapter 6 Dispute resolution

### Part 1 Appeal rights

#### 229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
  - (a) matters that may be appealed to—
    - (i) either a tribunal or the P&E Court; or
    - (ii) only a tribunal; or
    - (iii) only the P&E Court; and
  - (b) the person—
    - (i) who may appeal a matter (the *appellant*); and
    - (ii) who is a respondent in an appeal of the matter; and

- (iii) who is a co-respondent in an appeal of the matter;  
and
  - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The ***appeal period*** is—
- (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
  - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
  - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
  - (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
  - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
  - (f) for an appeal relating to the *Plumbing and Drainage Act 2018*—
    - (i) for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and Drainage Act 2018*, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or
    - (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or

- (iii) otherwise—20 business days after the day the notice is given; or
- (g) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

*Note—*

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
  - (a) the adopted charge itself; or
  - (b) for a decision about an offset or refund—
    - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
    - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

## **230 Notice of appeal**

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
  - (a) is in the approved form; and
  - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—

- (a) the respondent for the appeal; and
  - (b) each co-respondent for the appeal; and
  - (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
  - (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
  - (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
  - (f) for an appeal to the P&E Court—the chief executive; and
  - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The *service period* is—
- (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
  - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
- (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
  - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.

- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

### 231 Non-appealable decisions and matters

- (1) Subject to this chapter, section 316(2), schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section—

**decision** includes—

- (a) conduct engaged in for the purpose of making a decision; and
- (b) other conduct that relates to the making of a decision; and
- (c) the making of a decision or the failure to make a decision; and
- (d) a purported decision; and
- (e) a deemed refusal.

**non-appealable**, for a decision or matter, means the decision or matter—

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise,

whether by the Supreme Court, another court, any tribunal or another entity; and

- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

## **232 Rules of the P&E Court**

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.

# **Part 2 Development tribunal**

## **Division 1 General**

### **233 Appointment of referees**

- (1) The Minister, or chief executive, (the *appointer*) may appoint a person to be a referee, by an appointment notice, if the appointer considers the person—
  - (a) has the qualifications or experience prescribed by regulation; and
  - (b) has demonstrated an ability—
    - (i) to negotiate and mediate outcomes between parties to a proceeding; and
    - (ii) to apply the principles of natural justice; and
    - (iii) to analyse complex technical issues; and
    - (iv) to communicate effectively, including, for example, to write informed succinct and well-organised decisions, reports, submissions or other documents.

15 December 2020

**Enquiries:** Jenny Elphinstone  
**Our Ref:** MCUC 2019\_3365 (Doc ID)  
**Your Ref:** P71866

Deal Corporation  
C/- Planz Town Planning  
PO Box 181  
EDGE HILL QLD 4870

Dear Sir/Madam

**Adopted Infrastructure Charge Notice  
For Material Change of Use for Short term Accommodation, Food and Drink Outlet  
At 20 Warner Street Port Douglas  
On land described as Lot 1 on SP316373 and Easements B and C on SP154579**

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

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

Please quote Council's application number: MCUC 2019\_3365 in all subsequent correspondence relating to this matter.

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

Yours faithfully



**For**

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

encl.

- Adopted Infrastructure Charges Notice

## Adopted Infrastructure Charges Notice



### 2018 Douglas Shire Planning Schemes Applications

### INFRASTRUCTURE CHARGES NOTICE

Scali Nominees Pty Ltd & Second York Pty Ltd		0	0
DEVELOPERS NAME		ESTATE NAME	STAGE
49 Macrossan Street	Port Douglas	L1 RP718896 & Part L1 SP267838	2553 & 157684
STREET No. & NAME	SUBURB	LOT & RP No.s	PARCEL No.
Shopping Facilities, Restaurant, Accommodation		MCUC 2019_3365	6
DEVELOPMENT TYPE		COUNCIL FILE NO.	VALIDITY PERIOD (year)
DOC ID 845075	1		
DSC Reference Doc. No.	VERSION No.		

	Use	Charge per Use	Amount Due	Amount Paid	Receipt Code & GL Code
<b>Port Douglas and Environs Area</b>					
Other residential (charge per short-term accommodation room)	36 Units	10,479.00	\$377,244.00		Code 895 GL 07500.0135.0825
Food and Drink Outlet / bar charged at the Commercial rate per m2	50m2	129.34	\$11,967.00		
0	0	0.00	0.00		
0	0	0.00	0.00		
Total Demand			<b>\$389,211.00</b>		
Less credit for vacant land (equivalent of a separate house)	1	19,491.00	\$19,491.00		
<b>TOTAL</b>			<b>\$369,720.00</b>		

Prepared by	J Elphinstone	19-Nov-19	Amount Paid	
Checked by	D Lamond	19-Nov-19	Date Paid	
Date Payable	MCU - Before the change occurs		Receipt No.	
Amendments	Date		Cashier	

#### Note:

The Infrastructure Charges in this Notice are payable in accordance with Sections 119 and 120 of the *Planning Act 2016* as from Council's resolution from the Special meeting held on 24 June 2015.

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

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

Any enquiries regarding Infrastructure Charges can be directed to the Development & Environment, Douglas Shire Council on 07 4099 9444 or by email on [enquiries@douglas.qld.gov.au](mailto:enquiries@douglas.qld.gov.au)



PO Box 723 Mossman Qld 4873  
www.douglas.qld.gov.au  
enquiries@douglas.qld.gov.au  
ABN 71 241 237 800

3 December 2019

Enquiries: Jenny Elphinstone  
Our Ref: MCUC 2019\_3365/1 (Doc ID 929242)  
Your Ref: P71866

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

Deal Corporation c/- Wolveridge Architects  
C/- Planz Town Planning  
PO Box 181  
EDGE HILL QLD 4870

Email: [info@planztp.com](mailto:info@planztp.com)

Attention Mesdames Huddy and Lanskey

Dear Mesdames

**Material Change of Use for Short-Term Accommodation with Ancillary Uses (Food and Drink Outlet / Bar) at 20 Warner Street and part of 23-25 Macrossan Street Port Douglas  
On land described as Lot 1 on RP718896 and Part of Lot 1 on SP267838**

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

Please quote Council's application number: MCUC 2019\_3365/1 in all subsequent correspondence relating to this development application.

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

Yours faithfully

  
**Paul Hoyer**  
Manager Environment & Planning

encl.

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



## Decision Notice

### Approval (with conditions)

*Given under section 63 of the Planning Act 2016*

---

#### Applicant Details

**Name:** Deal Corporation c/- Wolveridge Architects  
**Postal Address:** C/- Planz Town Planning  
PO Box 181  
Edge Hill Qld 4870  
**Email:** [info@planztp.com](mailto:info@planztp.com)

---

#### Property Details

**Street Address:** 20 Warner Street and Part of 23-25 Macrossan Street, Port Douglas  
**Real Property Description:** Lot 1 on RP718896, part of Lot 1 on SP267838 and Easements B and C on SP154579  
**Assessment Manager:** Douglas Shire Council

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#### Details of Proposed Development

Development Permit for Material Change of Use for Short-Term Accommodation with Ancillary Uses (Food and Drink Outlet / Bar).

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#### Decision

**Date of Decision:** 3 December 2019  
**Decision Details:** Development Permit Approved (subject to conditions)

---

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

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

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

Drawing or Document	Reference	Date
Site Context	Wolveridge Architects Project 18 007, Drawing P-01.03, Revision C	1 October 2019
Site Survey	Wolveridge Architects Project 18 007, Drawing P-01.04, Revision C	1 October 2019
Site Imagery	Wolveridge Architects Project 18 007, Drawing P-01.05, Revision C	1 October 2019
Site Survey – Adjoining Building Heights	Wolveridge Architects Project 18 007, Drawing P-01.06, Revision C	1 October 2019
Site analysis	Wolveridge Architects Project 18 007, Drawing P-01.07, Revision C	1 October 2019
Site & Roof Plan	Wolveridge Architects Project 18 007, Drawing P-02.01, Revision C	1 October 2019
Ground Floor	Wolveridge Architects Project 18 007, Drawing P-02.02, Revision C, dated 1 October 2019 and as amended by Condition 3.	To be determined.
First Floor	Wolveridge Architects Project 18 007, Drawing P-02.03, Revision C	1 October 2019
Second Floor	Wolveridge Architects Project 18 007, Drawing P-02.04, Revision C	1 October 2019
Third Floor	Wolveridge Architects Project 18 007, Drawing P-02.05, Revision C	1 October 2019
Micro Hotel – Section Perspective	Wolveridge Architects Project 18 007, Drawing P-02.07, Revision C	1 October 2019
Micro Hotel – Plan & Interior	Wolveridge Architects Project 18 007, Drawing P-02.09, Revision C	1 October 2019
Massing Areas	Wolveridge Architects Project 18 007, Drawing P-02.10, Revision C	1 October 2019
Ventilation Diagram	Wolveridge Architects Project 18 007, Drawing P-02.11, Revision C	1 October 2019
Breezeway Gates Elevation & Details	Wolveridge Architects Project 18 007, Drawing P-02.12, Revision C	1 October 2019
Streetscape Elevation	Wolveridge Architects Project 18 007, Drawing P-03.01, Revision C	1 October 2019
Elevations	Wolveridge Architects Project 18 007, Drawing P-03.02, Revision C	1 October 2019

Drawing or Document	Reference	Date
Elevation & Section-Longitudinal	Wolveridge Architects Project 18 007, Drawing P-03.03, Revision C	1 October 2019
Materials Schedule	Wolveridge Architects Project 18 007, Drawing P-03.04, Revision C	1 October 2019
Revised Façade – Exterior Views	Wolveridge Architects Project 18 007, Drawing P-03.11, Revision C	1 October 2019
Revised Façade – Section	Wolveridge Architects Project 18 007, Drawing P-03.12, Revision C	1 October 2019
Perspectives	Wolveridge Architects Project 18 007, Drawing P-05.02, Revision C	1 October 2019
AS2680 B99 Design Vehicle Swept Paths	Rogers Consulting Engineers, Project 180307, Drawing SK20 Sheet 1 of 2, Revision P2	19 August 2019.
AS2680 B99 Design Vehicle Swept Paths	Rogers Consulting Engineers, Project 180307, Drawing SK21 Sheet 2 of 2, Revision P5	4 September 2019.
Civil Works Preliminary Carpark Levels	Rogers Consulting Engineers, Project 180307, Drawing SK30, Revision P1 dated 27 August 2019 and as amended by Condition 3	To be determined
Landscape Plan	Hortulus Australia Pty Ltd, Job No: SN-D18 A, Drawings LS-01 to LS-04, Issue B dated 25 January 2019 and as amended by Condition 3.	To be determined.

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

#### Assessment Manager Conditions & Advices

##### Assessment Manager Conditions

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

Except where modified by these conditions of approval

#### Timing of Effect

2. The conditions of the Development Permit must be effected prior to Commencement of Use, except where specified otherwise in these conditions of approval.

#### Amended Plan

3. The proposed development must be generally in accordance with the plans, prepared by Wolveridge Architects, Rogers Consulting Engineers and Hortulus Australia Pty (Council electronic document D#927624) and as amended to accommodate the following:
  - a. Delete car parking space No.10 and replace with service area facilities;
  - b. Include traffic islands on the road that provide sufficient sight views for exiting vehicles and accommodate the angle parking design;
  - c. Design on-street car parking at approximately 45° angle, rather than 90° angle, on the adjacent area of Warner Street;
  - d. Upgrade the street lighting to Warner Street adjacent to the property;
  - e. Include suitable signage warning of limited vehicle access to the parking area and maximum vehicle clearance heights;
  - f. Include suitable traffic warning signs regarding vehicle ramp access and pedestrian activity on sidewalk;
  - g. Include a full awning cover to the adjacent footpath on all plans;
  - h. Ensure vine planting and landscaping to Warner Street provides adequate pedestrian access between the adjacent on-street car parking spaces and footpath. Landscaping must maintain a minimum 2m wide footpath clear of landscaping and beds for vines to minimise trip hazard;
  - i. Ensure the landscaping design has regard to Council infrastructure located beneath the street and include the location of infrastructure on site plans;
  - j. Ensure landscaping design for on-street island beds includes clean trunk trees and design to ensure adequate site lines for traffic movements. Species to reflect those present on adjacent sites to produce a unified streetscape planting;
  - k. Ensure the form of the kerb and channel to the road to match the existing to the neighbouring development; and
  - l. Ensure the paving of the pedestrian footpath in pavers to match the existing paving in front of neighbouring development.

Details of the above amendments must be included in the subsequent application for a Development Permit for Operational Work and of a standard consistent with the FNQROC Development Manual.

#### Availability of Parking Areas

4. The vehicle parking area must be available for use by all businesses and short-term accommodation units on the land including visitors to the site for all times that the businesses operate and accommodation units are occupied.

#### Toilets

5. For all times that the café/bar is open to trade, the toilets must be available to customers. The toilets must be available to staff at all trading times.

#### Damage to Council Infrastructure

6. In the event that any part of Council's existing sewer, water or road infrastructure is damaged as a result of construction activities occurring on the site including but not limited to; mobilisation of heavy construction equipment; stripping; and grubbing, the applicant/owner must notify Council immediately of the affected infrastructure and have it repaired or replaced at the developer's/owners/builders cost, prior to the Commencement of Use.

#### Water Supply and Sewerage Works Internal

7. Undertake the following water supply and sewerage works internal to the subject land:
  - a. Provide a single internal sewer connection which must be clear of any buildings or structures. The size and capacity of the sewer connection is to be confirmed by a suitably qualified Hydraulic services consultant;
  - b. Provide a single internal water connection with approved water metering;
  - c. Water supply sub-metering must be designed and installed in accordance with the Queensland Development Code and the Water Supply (Safety and Reliability) Act 2008;

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

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to Commencement of Use.

#### Inspection of Sewers

8. Where relocating the sewer main, extending the sewer main or providing a new sewer main, provide CCTV inspections of sewers both prior to commencement of works on site and at works completion where works have been undertaken over or to sewers. Defects must be rectified to the satisfaction of the Chief Executive Officer at no cost to Council prior to Commencement of Use.

#### Vehicle Parking

9. The amount of vehicle parking must be as specified in Council's Planning Scheme which is a minimum of sixteen (16) spaces. The car parking layout must comply with the Australian Standard AS2890.1 2004 Parking Facilities – off-street car parking and be constructed in accordance with Austroads and good engineering design. In addition, all parking, driveway and vehicular manoeuvring areas must be imperviously sealed, drained and line marked and these attributes must be maintained for the life of the development. At least one car parking space must be provided for disabled drivers together with suitable access between the car parking space and entry to the ground floor reception area.

#### Protection of Landscaped Areas from Parking

10. Landscaped areas adjoining the parking area must be protected by a 150 mm high vertical concrete kerb or similar obstruction. The kerb must be set back from the garden edge sufficiently to prevent vehicular encroachment and damage to plants by vehicles.

#### Parking Signage

11. Erect signs advising of the location and availability of the off-street visitor parking area. The signs must be erected prior to Commencement of Use.

#### Bicycle Parking

12. The bicycle parking area must be constructed prior to Commencement of Use and maintained for the life of the development.

#### Lighting

13. All lighting installed upon the premises including car parking areas must be certified by Ergon Energy (or such other suitably qualified person). The vertical illumination at a distance of 1.5 metres outside the boundary of the subject land must not exceed eight (8) lux measured at any level upwards from ground level.

#### External Works

14. Undertake the following works external to the land at no cost to Council:
  - a. Upgrade street lighting adjacent to the land to the FNQROC Development Manual standard;
  - b. Construct the kerb and channel and landscaped garden verge island, generally in accordance with the proposed design and having regard to Condition 3 above;
  - c. Construct full-width sidewalk with paving style to match the neighbouring development;
  - d. Provide permanent tactile ground surface Indicators in accordance with Australian Standard AS1428.4: 2002 Design for Access and Mobility Part 4: Tactile Indicators prior to the vehicle access area;
  - e. Repair any damage to existing roadway (including removal of concrete slurry from footways, roads, kerb and channel and stormwater gullies and drain lines) that may occur during and works carried out in association with the construction of the approved development;
  - f. Construct and landscape the island within the road area as nominated on the plans;
  - g. Linemark parking spaces and loading area in front of and adjacent to the subject land;
  - h. Incorporate any requirements identified as necessary under Condition 16 (Drainage Study of Site); and

- i. Provide a loading bay for a small rigid vehicle and temporary access vehicle waiting area signs outside the subject land. The loading bay is to be signed for limited daytime use.

All works in the road reserve need to be properly separated from pedestrians and vehicles, with any diversions adequately signed and guarded. Particular attention must be given to providing safe passage for people with disabilities i.e., the provision of temporary kerb ramps if pedestrian diversions are necessary.

The external works outlined above constitute Operational Works. Three (3) copies of a plan of the works at A1 size and one (1) copy at A3 size must be endorsed by the Chief Executive Officer prior to commencement of such works. Such work must be constructed in accordance with the endorsed plan to the satisfaction of the Chief Executive Officer prior to Commencement of Use.

#### Above Ground Transformer Cubicles / Electrical Sub-Stations

15. Any required above ground transformer cubicles and/or electrical sub-stations are to be positioned so that they do not detract from the appearance of the streetscape and must be clear of footpath areas. This will require cubicles / sub-stations to be setback from the street alignment behind suitable screening, or incorporated within the built form of the proposed building. Details of the electrical sub-station positioning must be endorsed by the Chief Executive Officer prior to the issue of Development Permit for Building Work.

#### Drainage Study of Site

16. Undertake a local drainage study on the subject land to determine drainage impacts on downstream properties and the mitigation measures required to minimise such impacts. In particular, the post-development discharge of stormwater from the subject site must have no worsening effect on the drainage of upstream or downstream properties.

The study must include advice on how stormwater conveyance from the upper car park area and associated lot is conveyed past the building and to Warner Street. Plans and supporting calculations are to be submitted to demonstrate compliance with this condition.

Any necessary works are to be included in the design of external works and constructed under a Development Permit for Operational Work.

The drainage study must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Work with the necessary works being undertaken prior to Commencement of Use.

#### Acid Sulfate Soils Disturbance

17. The development proposed may result in disturbance of potential acid sulfate soils (PASS). Prior to excavation, in association with a geotechnical assessment, an acid sulfate soil investigation must be undertaken.

The investigation must be performed in accordance with the latest 'Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland' produced by the Department of Natural Resources and Mines (previously DNRW), and State Planning Policy 2/02 – Planning and Managing Development Involving Acid Sulfate Soils. Where it is found that PASS exist, treatment of soil must be undertaken on-site to neutralise acid, prior to disposal as fill, in accordance with the DNRW 'Queensland Acid Sulfate Soil Technical Manual'.

#### Amalgamation of Lots Required

18. The applicant/owner is to ensure that the subject lots are held together as one site for the duration of the approved land use. This is to be achieved by the amalgamation of Lot 1 on RP718896 and Part of Lot 1 on SP267838 into one lot. The Plan of Survey must be registered with the Department of Natural Resources and Mines and Energy and a new certificate of title issued at the applicant's/owner's cost prior to Commencement of Use.

#### Stockpiling and Transportation of Fill Material

19. Soil used for filling or spoil from the excavation is not to be stockpiled in locations that can be viewed from adjoining premises or a road frontage for any longer than one (1) month from the commencement of works.

Transportation of fill or spoil to and from the site must not occur within:

- a. peak traffic times;
  - b. before 7:00 am or after 6:00 pm Monday to Friday;
  - c. before 7:00 am or after 1:00 pm Saturdays; or
  - d. on Sundays or Public Holidays.
20. Dust emissions or other air pollutants, including odours, must not extend beyond the boundary of the site and cause a nuisance to surrounding properties.

#### Storage of Machinery and Plant

21. The storage of any machinery, material and vehicles must not cause a nuisance to surrounding properties, to the satisfaction of the Chief Executive Officer.

#### Landscaping Plan

22. The site must be landscaped in accordance with details included on a Landscaping Plan. The approval and completion of all landscaping works must be undertaken in accordance with the endorsed plan prior to the Commencement of Use. Landscaped areas must be maintained at all times to the satisfaction of the Chief Executive Officer.

#### Lawful Point of Discharge

23. All stormwater from the property must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, all to the requirements and satisfaction of the Chief Executive Officer.

#### Minimum Fill and Floor Levels

24. All floor levels in all buildings must be provided with suitable freeboard from flooding and stormtide events with a 1% Annual exceedance probability.

In particular, the building floor levels must be located 300mm above the Q100 flood immunity level plus any hydraulic grade effect (whichever is the greater), in accordance with FNQROC Development Manual and Planning Scheme requirements.

Minimum floor levels must have regard to 0.8m sea level rise for storm tide inundation projected for the year 2100 and freeboard as per Council's stormtide report. Council assesses this level (inclusive of freeboard) to be 3.2m AHD except for the entry bay adjacent to the lift well which is to be a minimum of 3.1m AHD.

#### Ponding and/or Concentration of Stormwater

25. The proposed development is not to create ponding nuisances and/or concentration of stormwater flows to adjoining properties. Supporting calculations are to demonstrate that surface flows (if any) on the driveway from the upper level are no greater than that existing in the current pre-development scenario.

#### Refuse Storage

26. Refuse storage is required to service the site in accordance with Council requirements.
27. The refuse bin enclosure must be roofed and bunded and fitted with a bucket trap.

#### Liquid Waste Disposal

28. Trade waste discharge to sewer must comply with Council's Trade Waste Environmental Management Plan (TWEMP).

A report demonstrating that the facility complies with the TWEMP must be submitted to and be approved by Council prior to the issue of a Development Permit for Building Work.

The applicant must have all measures for pre-treatment installed prior to Commencement of Use.

#### Details of Development Signage

29. The development must provide clear and legible signage incorporating the street number for the benefit of the public.

#### Advertising Signage

30. All signage associated with the use must comply with the Advertising Devices Code contained within the 2018 Douglas Shire Planning Scheme or as otherwise approved by the Chief Executive Officer prior to the Commencement of Use.

#### Construction Signage

31. Prior to the commencement of any construction works associated with the development, a sign detailing the project team must be placed on the road frontage of the site and must be located in a prominent position. The sign must detail the relevant project coordinator for the works being undertaken on the site, and must list the following parties (where relevant) including telephone contacts:
  - a. Developer;
  - b. Project Coordinator;
  - c. Architect / Building Designer;
  - d. Builder;
  - e. Civil Engineer;
  - f. Civil Contractor;
  - g. Landscape Architect

#### Crime Prevention Through Environmental Design

32. All lighting and landscaping requirements are to comply with Council's General Policy Crime Prevention Through Environmental Design (CPTED).

#### Advices

1. This approval, granted under the provisions of the Planning Act 2016, shall lapse six (6) years from the day the approval takes effect in accordance with sections 85(1)(b) and 71 of the Planning Act 2016.
2. The Douglas Shire Council area is subject to water restrictions during dry season months that may limit and/or restrict the use of Council water for landscaped areas. Council recommends water harvesting and water saving devices to be included to cater for the dry season periods.
3. The land is located near to the Live Entertainment Precinct under the Port Douglas / Craigie Local Plan of the 2018 Douglas Shire Planning Scheme. . Consideration of attenuating the internal areas of the residential units from noise intrusion associated with night time activities, such as outdoor dining, bars and nightclubs, maybe astute at the initial construction stage.
4. All building site managers must take all action necessary to ensure building materials and / or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.
5. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements. In particular, the use of the adjacent sidewalk area is subject to a Local Law approval for outdoor dining. The use of the sidewalk area for outdoor dining is subject to a Local Laws approval.

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

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

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

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

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

7. For information relating to the *Planning Act 2016* log on to [www.dsdip.qld.gov.au](http://www.dsdip.qld.gov.au). To access the *FNQROC Development Manual*, Local Laws and other applicable Policies, log on to [www.douglas.qld.gov.au](http://www.douglas.qld.gov.au).

#### Land Use Definitions\*

In accordance with the *2018 Douglas Shire Planning Scheme Version 1.0*, the approved land use of Development Assessment Application is defined as:

##### *Short Term Accommodation*

Premises used to provide short-term accommodation for tourists or travellers for a temporary period of time (typically not exceeding three consecutive months) and may be self-contained.

The use may include a manager's residence and office and the provision of recreation facilities for the exclusive use of visitors.

##### *Bar*

Premises used primarily to sell liquor for consumption on the premises and that provides for a maximum capacity to seat sixty persons at any one time.

The use may include ancillary sale of food for consumption on the premises and entertainment activities.

##### *Food and Drink Outlet*

Premises used for preparation and sale of food and drink to the public for consumption on or off the site. The use may include the ancillary sale of liquor for consumption on site.

\*This definition is provided for convenience only. This Development Permit is limited to the specifications, facts and circumstances as set out in the application submitted to Council and is subject to the abovementioned conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual.

### **Further Development Permits**

---

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

- All Building Work
- All Operational Work

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

### **Currency Period for the Approval**

---

This approval, granted under the provisions of the *Planning Act 2016*, shall lapse six (6) years from the day the approval takes effect in accordance with the provisions of Section 85 of the *Planning Act 2016*.

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

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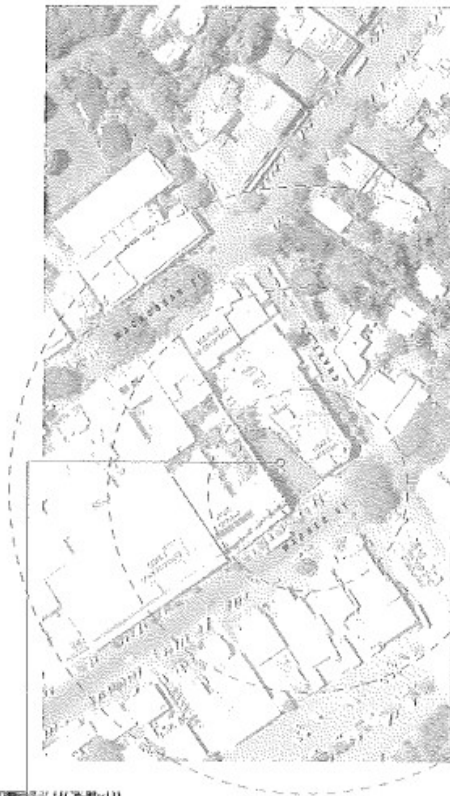
The rights of applicants to make representations and rights to appeal to a Tribunal or the Planning and Environment Court against decisions about a development application are set out in Chapter 6, Part 1 of the *Planning Act 2016*.

A copy of the relevant appeal provisions are attached.

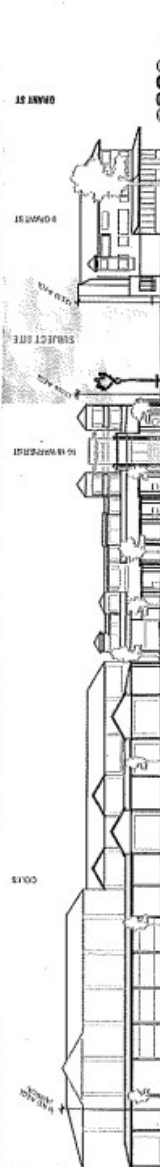
Approved Drawing(s) and/or Document(s)



LOCATION PLAN



SITE CONTEXT PLAN



STREETSCAPE - WARNER STREET EXISTING CONDITION

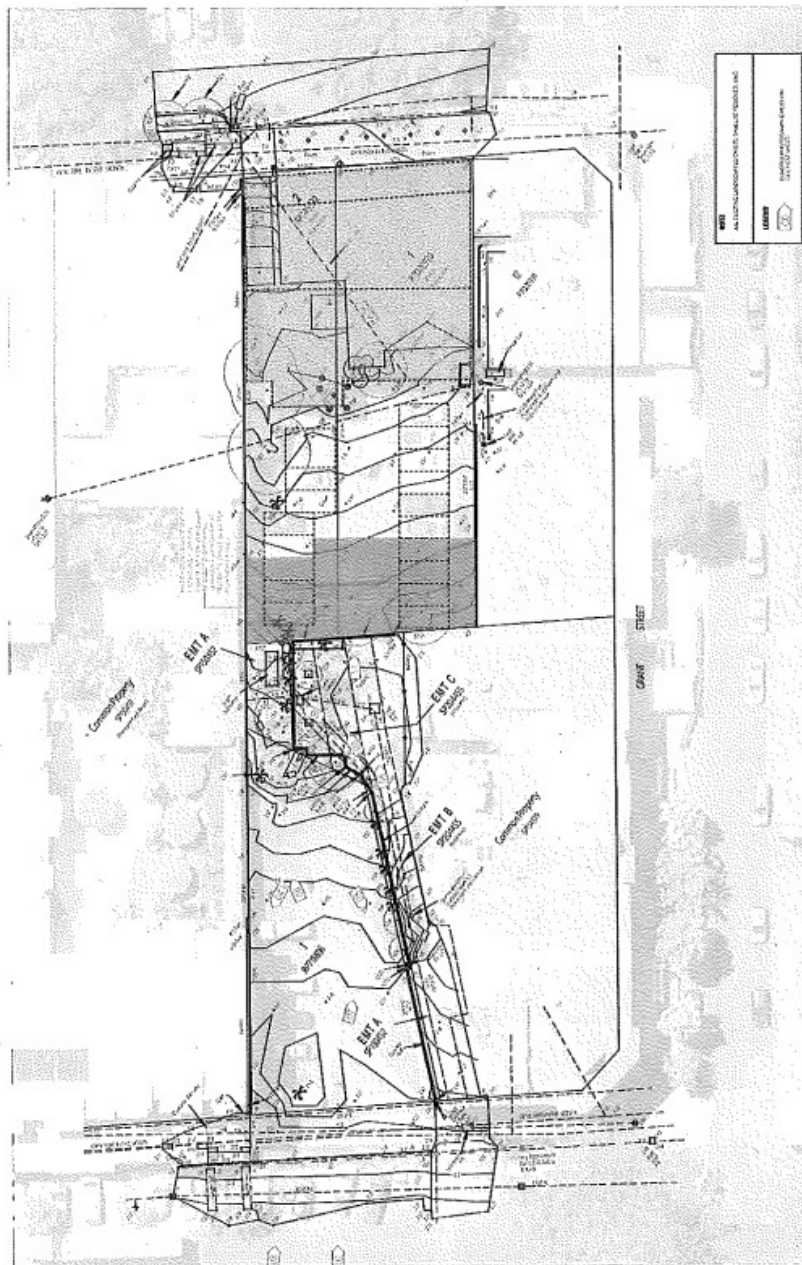
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 DASHED STREET AROUND BUILDING HEIGHT ON TITLE EASING BUILDING MASS BEYOND  
 A-100L DASHED HEIGHT AROUND EXISTING GROUND LINE

This drawing is preliminary and is not to be used for construction without the approval of the Council.	REVISION: 1. 100% LAYOUT WORK TO DEVELOP	DATE: 06/10/2019	PRELIMINARY NOT FOR CONSTRUCTION	DWS TITLE: SITE CONTEXT PLOT DATE: 05/10/2019 SCALE: AS SHOWN AT 1:250 DWS NO.: 100102	PROJECT: 20 WARNER STREET PORT DOUGLAS CLIENT: 2024 HOLDINGS PTY LTD PROJECT: 10/2019	<b>WOLVERIDGE architects</b> 101 FROST STREET COLLINGWOOD VICTORIA 3060 AUSTRALIA TEL: + 61 3 9460 3862 FAX: + 61 3 9460 3862 www.wolveridge.com.au

Doc ID 929242:

MCUC 2019\_3365/1

Page 14 of 64



**NOTES:**  
 1. This drawing is a preliminary design and is not to be used for construction purposes.  
 2. All dimensions are to be confirmed by the client.  
 3. The client is responsible for obtaining all necessary permits and approvals.  
 4. The client is responsible for providing all necessary information and data.

**WARNER STREET HOTEL**  
**20 WARNER STREET**  
**PORT PHILL**  
**3901 VIC 3008**  
**SCALE: 1:500**  
**DATE: 10/10/19**  
**PROJECT: 1901001**  
**CLIENT: SCALPHOUSE PTY LTD**  
**PROJECT: 1901001**

**WOLVERIDGE architects**  
 121 ROBERT STREET COLLINGWOOD VICTORIA 3066 AUSTRALIA  
 TEL: 03 9360 1234 FAX: 03 9360 1235  
 WWW.WOLVERIDGEARCHITECTS.COM.AU

**DATE: 10/10/19**  
**PROJECT: 1901001**  
**CLIENT: SCALPHOUSE PTY LTD**  
**PROJECT: 1901001**







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PROJECT: **WARNER STREET HOTEL**  
**PORT DOUGLAS**  
CLIENT: **SCAL HOMES PTY LTD**  
PROJ NO: **18-007**

ENG. TITLE: **SITE ANALYSIS**  
PLOT DATE: **9/10/2019**  
SCALE: **AS SHOWN AT A3**  
DWG. NO.: **P01.07** REV: **P1**

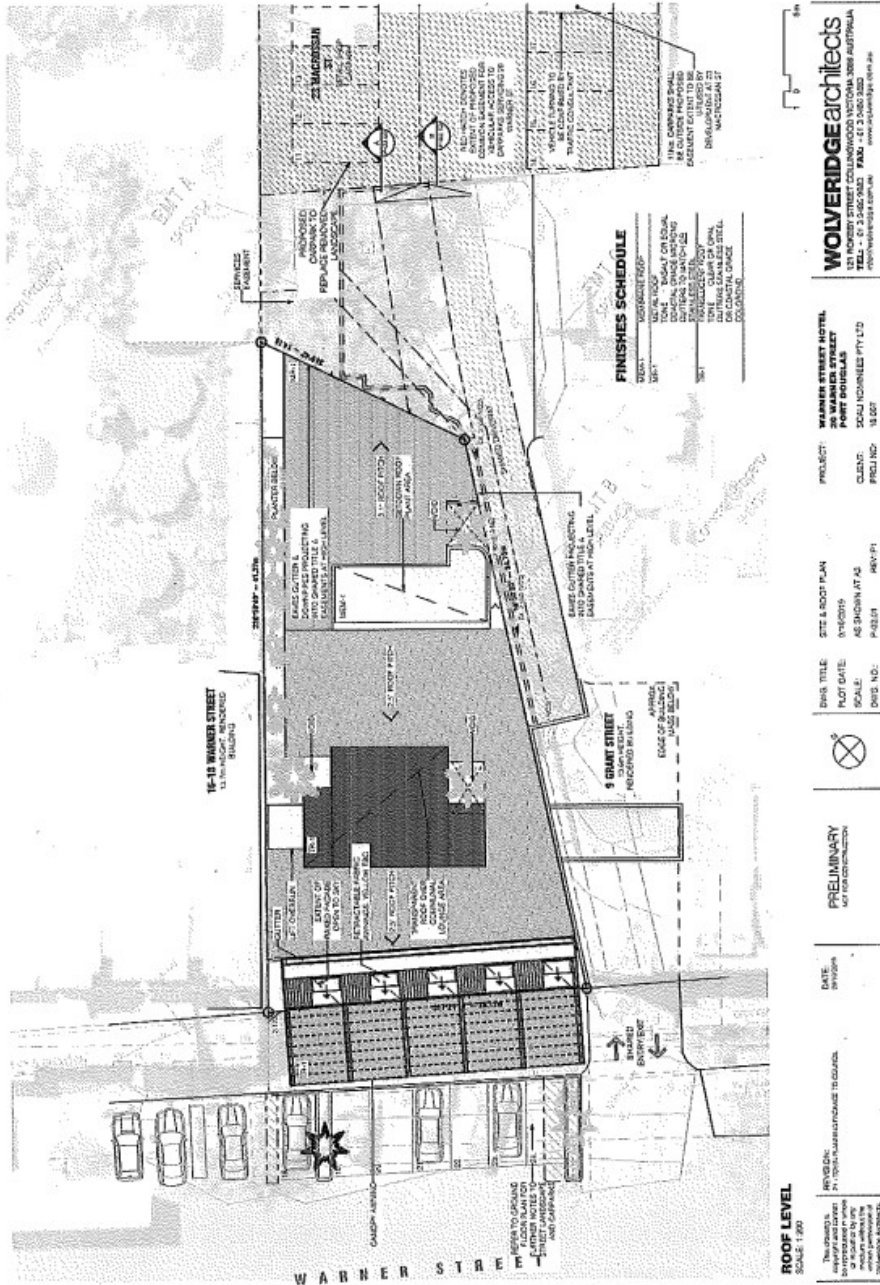


**PRELIMINARY**  
UNAPPROVED

DATE: **9/10/2019**

REVISION:  
1. 12/11/2019: Updated to include the council's feedback.

This drawing is a preliminary site analysis and is not to be used for construction purposes without the approval of the architect.

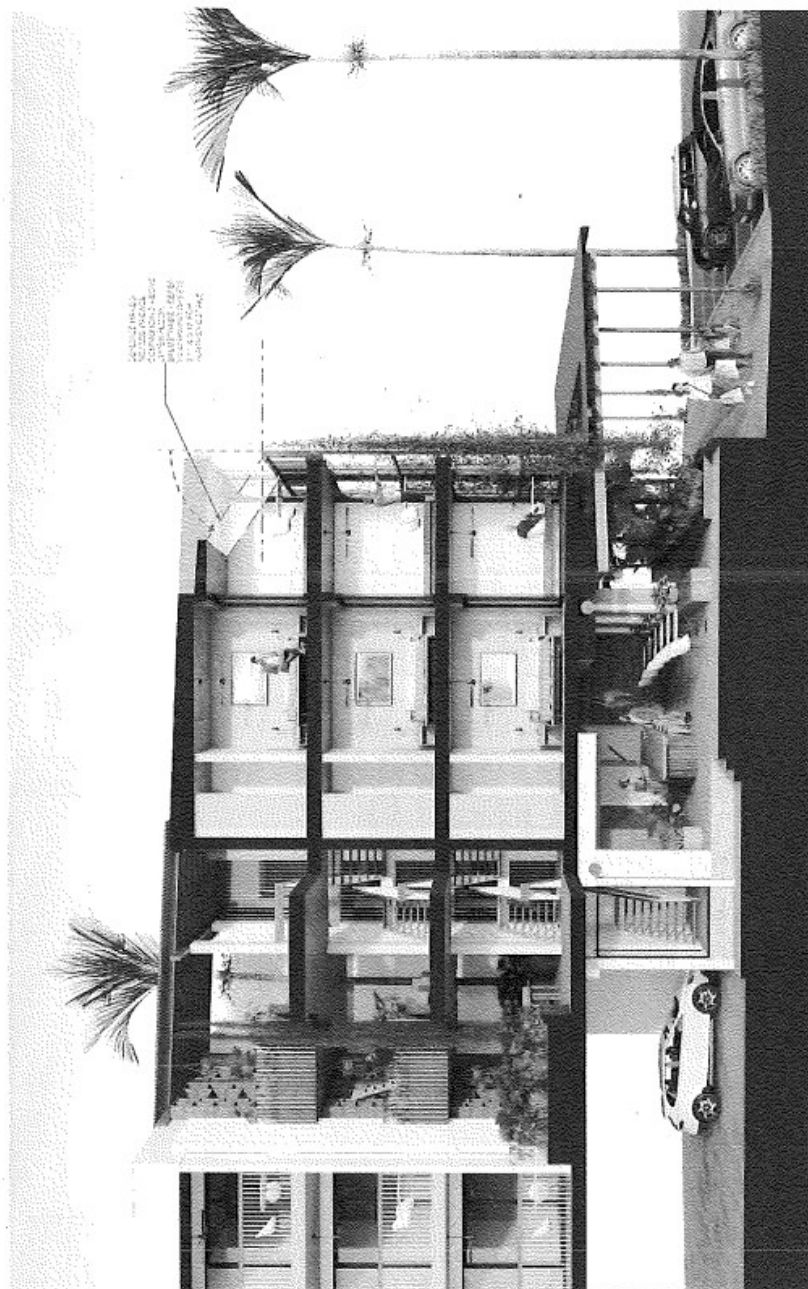












### SECTIONAL PERSPECTIVE

REVISION:  
M - 2006 PLUMBING MOUNTING INSTRUCTIONS

DATE: 10/10/2018

**PRELIMINARY**  
NOT FOR CONSTRUCTION

MICHAEL WÖLFEL - SECTIONS  
MANUSCRIPTIVE

PROJECT- WARNER STREET HOTEL  
30 WARNER STREET

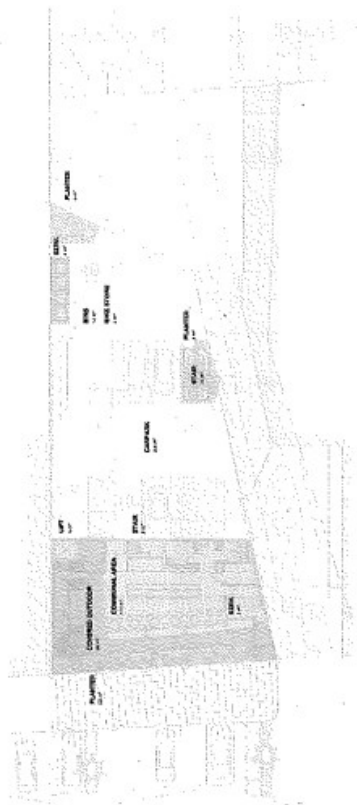
**WOLVERIDGE architects**  
121 BOHEM STREET COLLINGWOOD VICTORIA 3066 AUSTRALIA  
TELE + 61 3 9485 0062 FAX + 61 3 9485 1283  
www.wolveridge.com.au  
enquiries@wolveridge.com.au

Doc ID 929242:

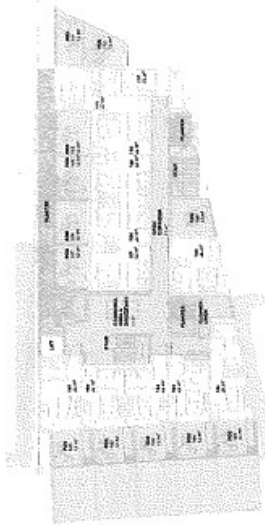
MCUC 2019\_3365/1

Page 24 of 64





GROUND LEVEL  
SCALE: 1:200



TYPICAL UPPER LEVELS  
SCALE: 1:200

TOTAL	18,100
PGS	42,000
TOTAL	23,900

LANDSCAPE	4,000
COMMON RECREATIONAL AREA INC. DAF: 5.4%	5,400
TOTAL EXCLUDED RECREATIONAL AREAS	9,400

CAR PARKING	
21 JACKSON ST LAND TRANSFER	67
ON TITLE	10
TOTAL	17

\*\* EXCLUDES ON-STREET PARKING (N/A)

BICYCLE STORAGE	
NO. OF BIKES	400/1

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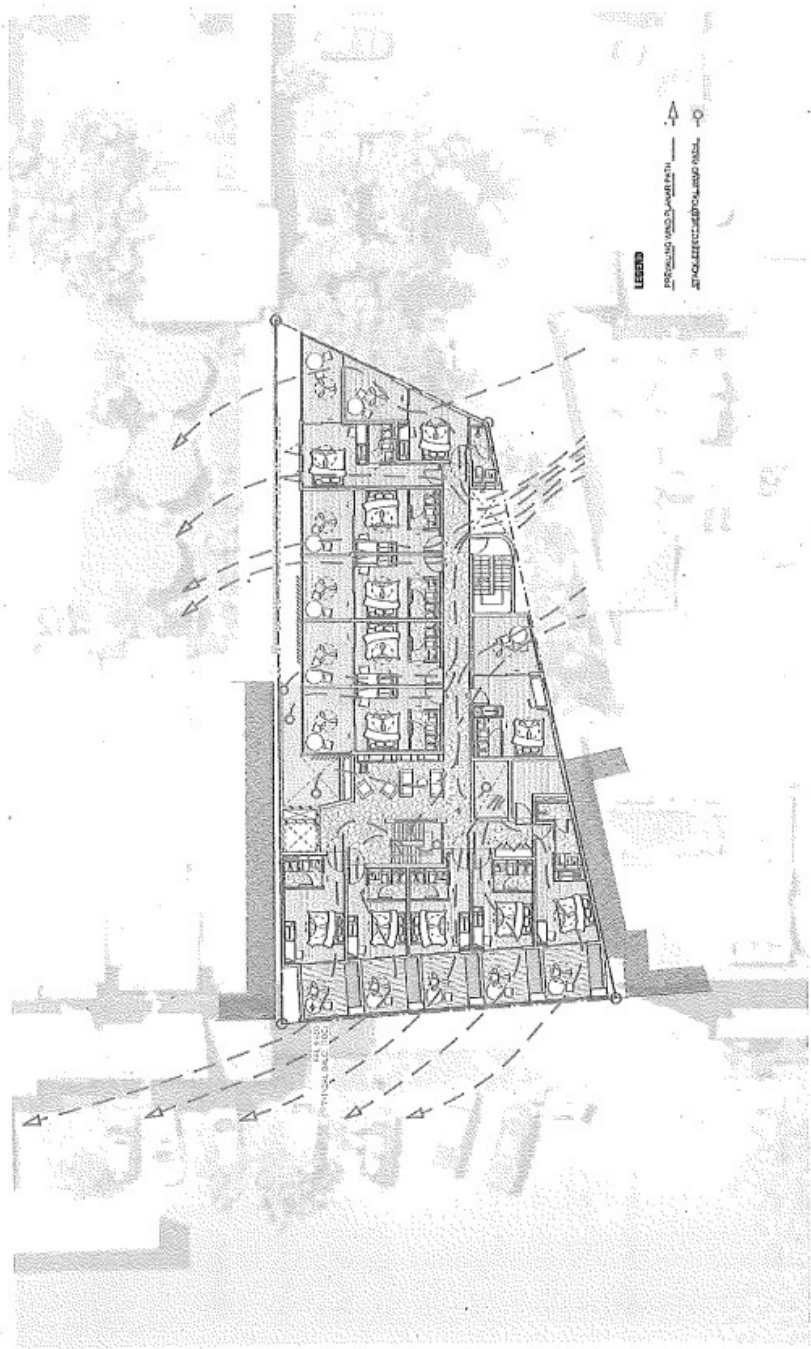
PROJECT: WARRIOR STREET HOTEL  
121 RIVERSIDE STREET  
PORT PHILL  
CLIENT: SCALLOP INVESTMENTS PTY LTD  
PROJ. NO. 13.017

DWG. TITLE: MASSING AREAS  
PLOT DATE: 8/10/2019  
SCALE: AS SHOWN AT A3  
DWG. NO.: PLOT 10 REV: 01

PRELIMINARY  
NOT FOR CONSTRUCTION

DATE:  
BY:

REVISIONS:  
1. REVISIONS TO BE MADE TO THE DESIGN TO ACCORD WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT.  
2. REVISIONS TO BE MADE TO THE DESIGN TO ACCORD WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT.



**CROSS VENTILATION DIAGRAM PLAN**  
SCALE: 1:500

This document is a preliminary design and should not be used for construction purposes without the approval of the relevant authorities.

**REVISIONS:**  
1. 10/01/2019: Initial design.  
2. 10/01/2019: Revised design.

**DATE:**  
10/01/2019

**PRELIMINARY**  
NOT FOR CONSTRUCTION

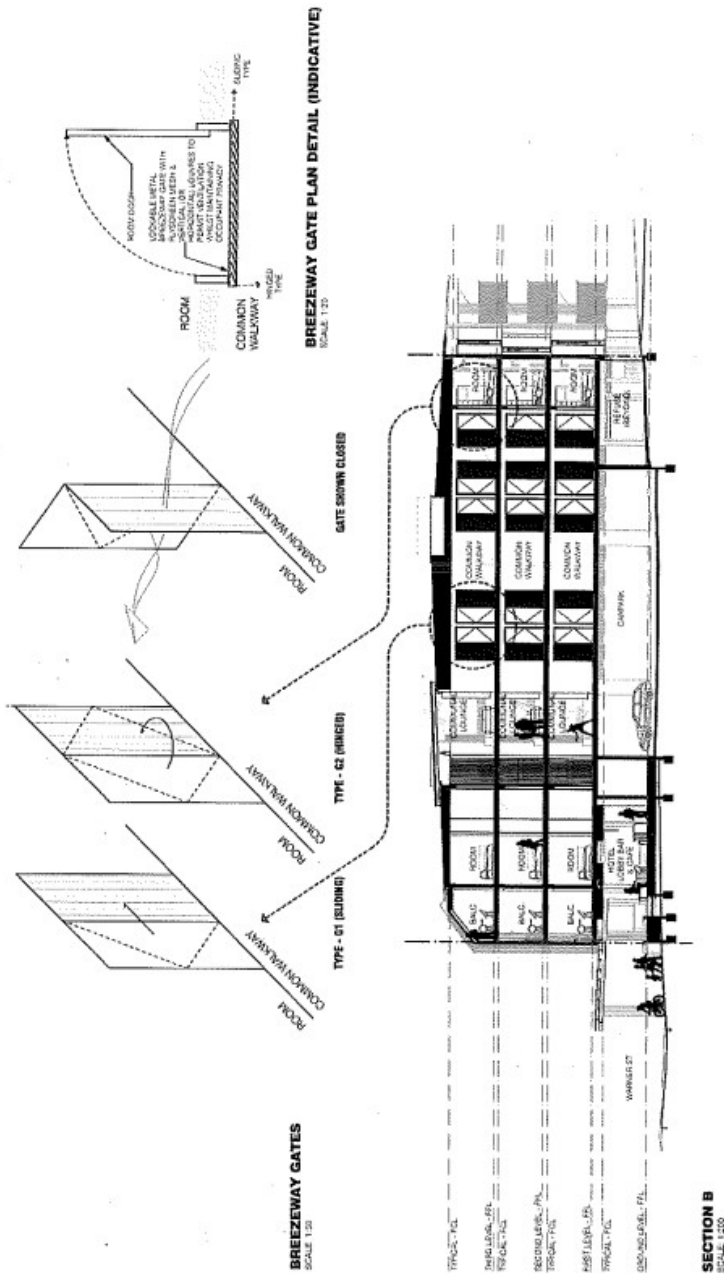


**DRWG. TITLE:**  
CROSS VENTILATION DIAGRAM PLAN

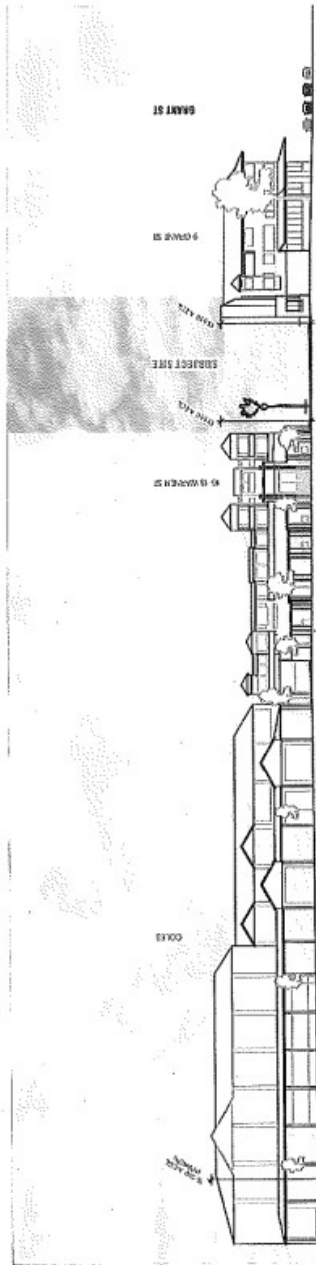
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10/01/2019

**PROJECT:**  
WARNER STREET HOTEL  
20 WARNER STREET  
PORT PHILLIP  
VIC 3207

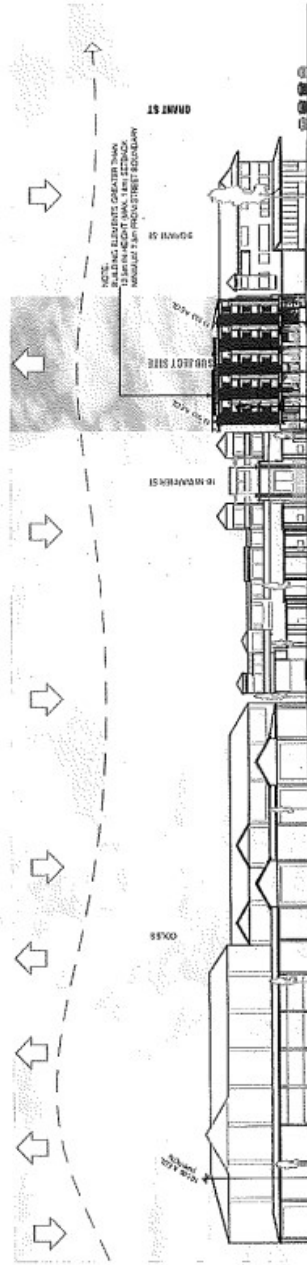
**WOLVERIDGE architects**  
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<b>WOLVERIDGE architects</b> 101 ROBERT STREET COLLINGWOOD VICTORIA 3066 AUSTRALIA TEL: 03 9347 1234 FAX: 03 9347 1235 WWW.WOLVERIDGEARCHITECTS.COM.AU	<b>WARNER STREET HOTEL</b> 101 ROBERT STREET PORT PHILL VIC 3082	<b>PROJECT:</b> BREEZEWAY GATES ELEVATIONS & SECTION	<b>CLIENT:</b> SCALICORP PTY LTD	<b>PROJ. NO.:</b> 18.007	<b>DWG. NO.:</b> PLOT DATE: SCALE: AS SHOWN AT 1:20	<b>DWG. TITLE:</b> PLOT DATE: SCALE: AS SHOWN AT 1:20	<b>PRELIMINARY</b> NOT FOR CONSTRUCTION	<b>DATE:</b> 01/01/2019	<b>DESIGNED BY:</b> P. WOLVERIDGE	<b>CHECKED BY:</b> P. WOLVERIDGE	<b>DATE:</b> 01/01/2019	<b>SCALE:</b> 1:20



**STREETSCAPE - WARNER STREET EXISTING CONDITION**  
SCALE: 1:500



**STREETSCAPE - WARNER STREET**  
SCALE: 1:500

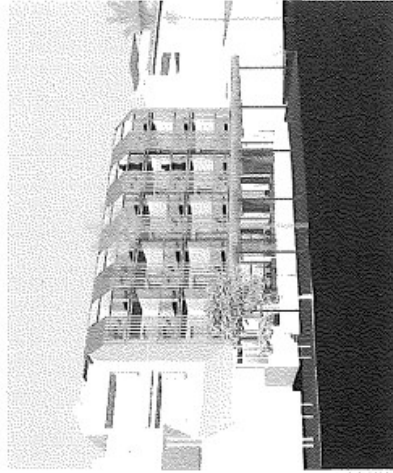
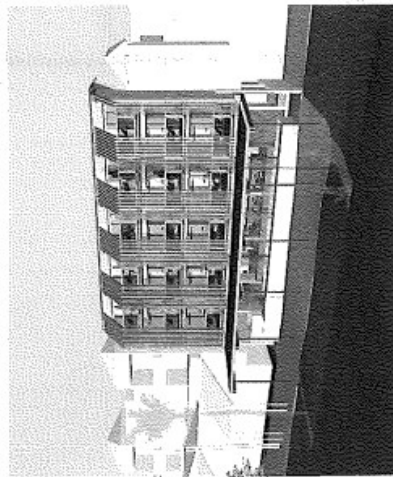
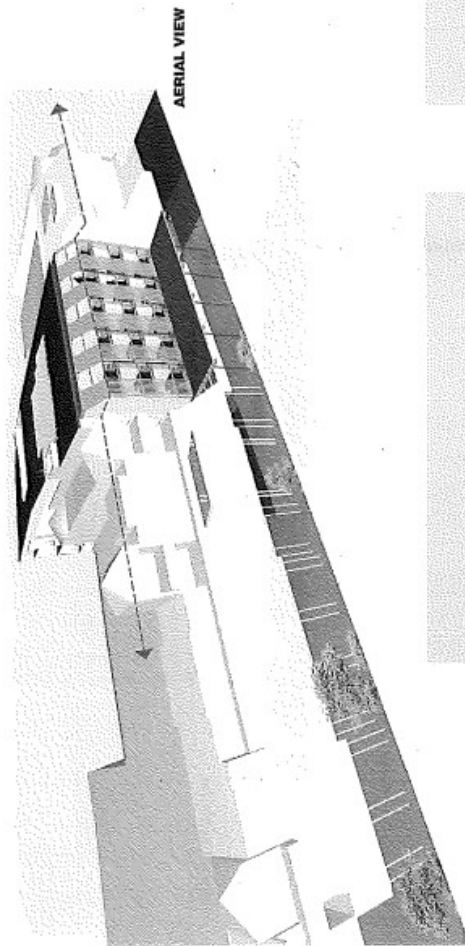
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<p>THIS DRAWING IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF WOLVERIDGE ARCHITECTS</p>	<p>REVISION: R1: TOTAL KILN AND ALUMINUM TO EXHIBIT</p>	<p>DATE: 18/03/19</p>	<p>PRELIMINARY CONSTRUCTION</p>	<p>DESIGN TITLE: STREETSCAPE ELEVATION</p>	<p>PROJECT: WARNER STREET HOTEL PORT PHILL VIC</p>	<p><b>WOLVERIDGE architects</b> 121 FORBES STREET COLLINGWOOD VICTORIA 3066 AUSTRALIA TEL: 03 9487 1234 FAX: 03 9487 1235 WWW.WOLVERIDGEARCHITECTS.COM.AU</p>
	<p>SCALE: AS SHOWN AT A3</p>	<p>SCALE: P4: 1:100</p>	<p>CLIENT: SCAL HOSPITALITY PTY LTD</p>	<p>PROJECT NO: 18/007</p>		



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 info@wolveridge.com.au www.wolveridge.com.au

**PROJECT:** WARMER STREET HOTEL  
**CLIENT:** SCALPOUNNEES PTY LTD  
**PROJ NO:** 18/007

**REUSED FACADE - EXTERIOR**  
**REVISION:** AS SHOWN AT A3  
**SCALE:** 1:100  
**DATE:** 11/03/11

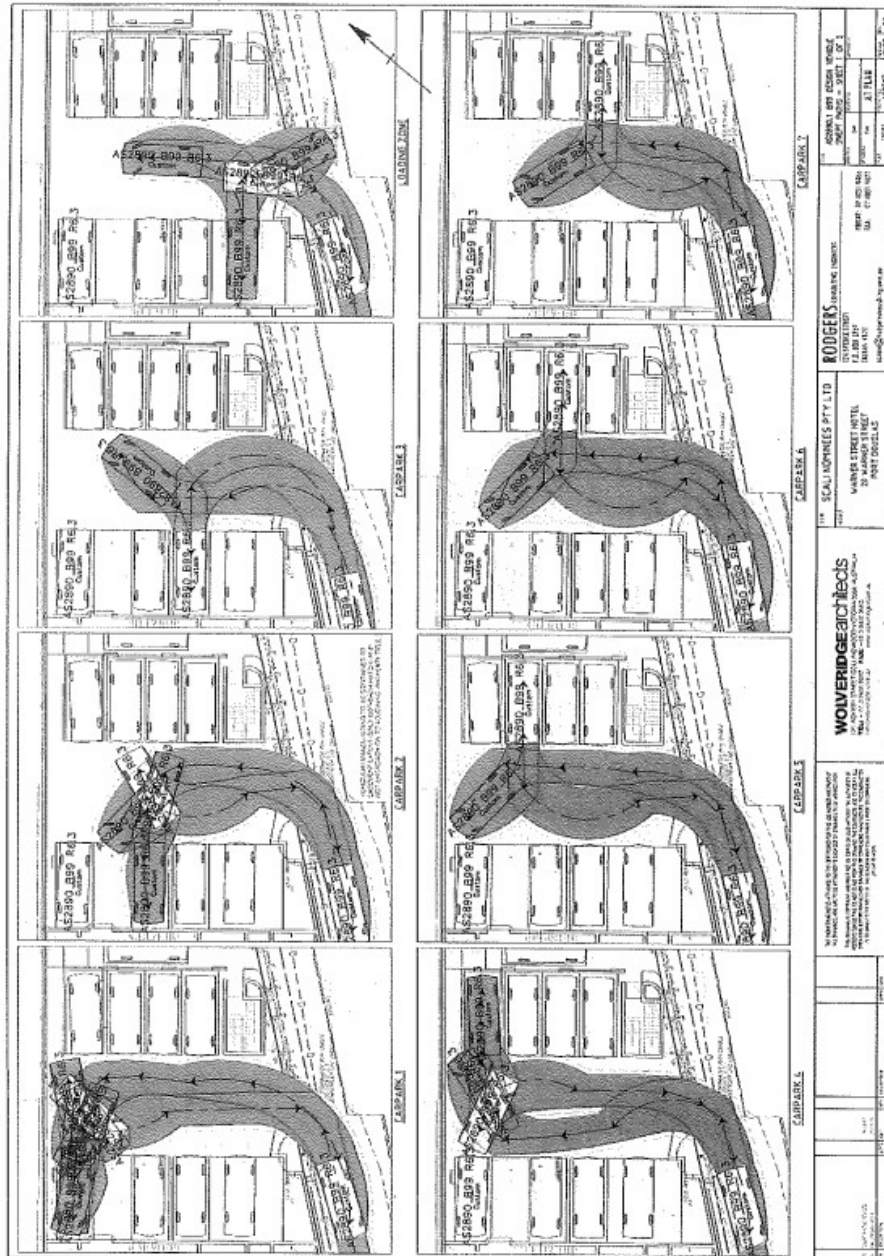
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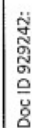
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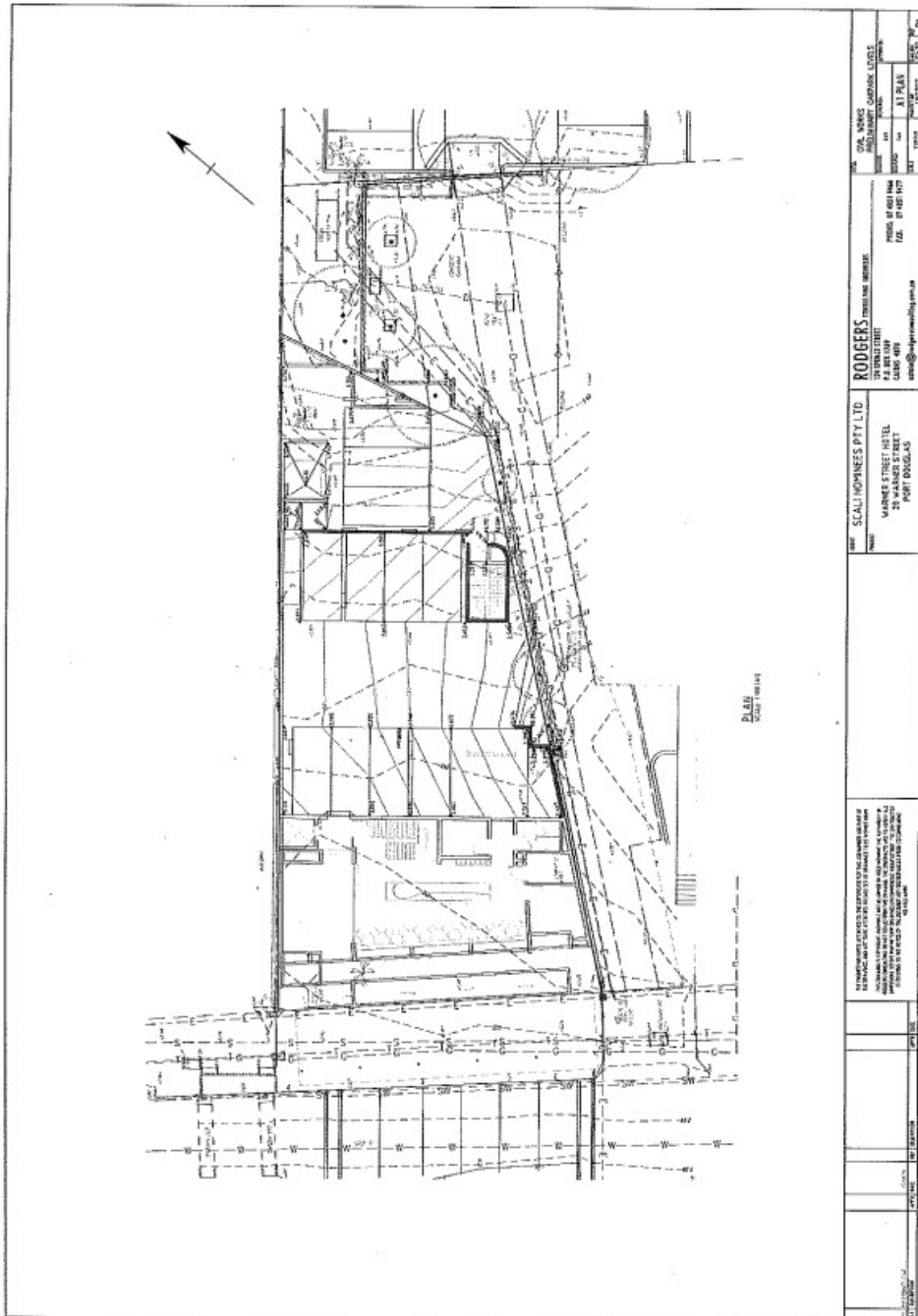
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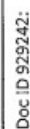


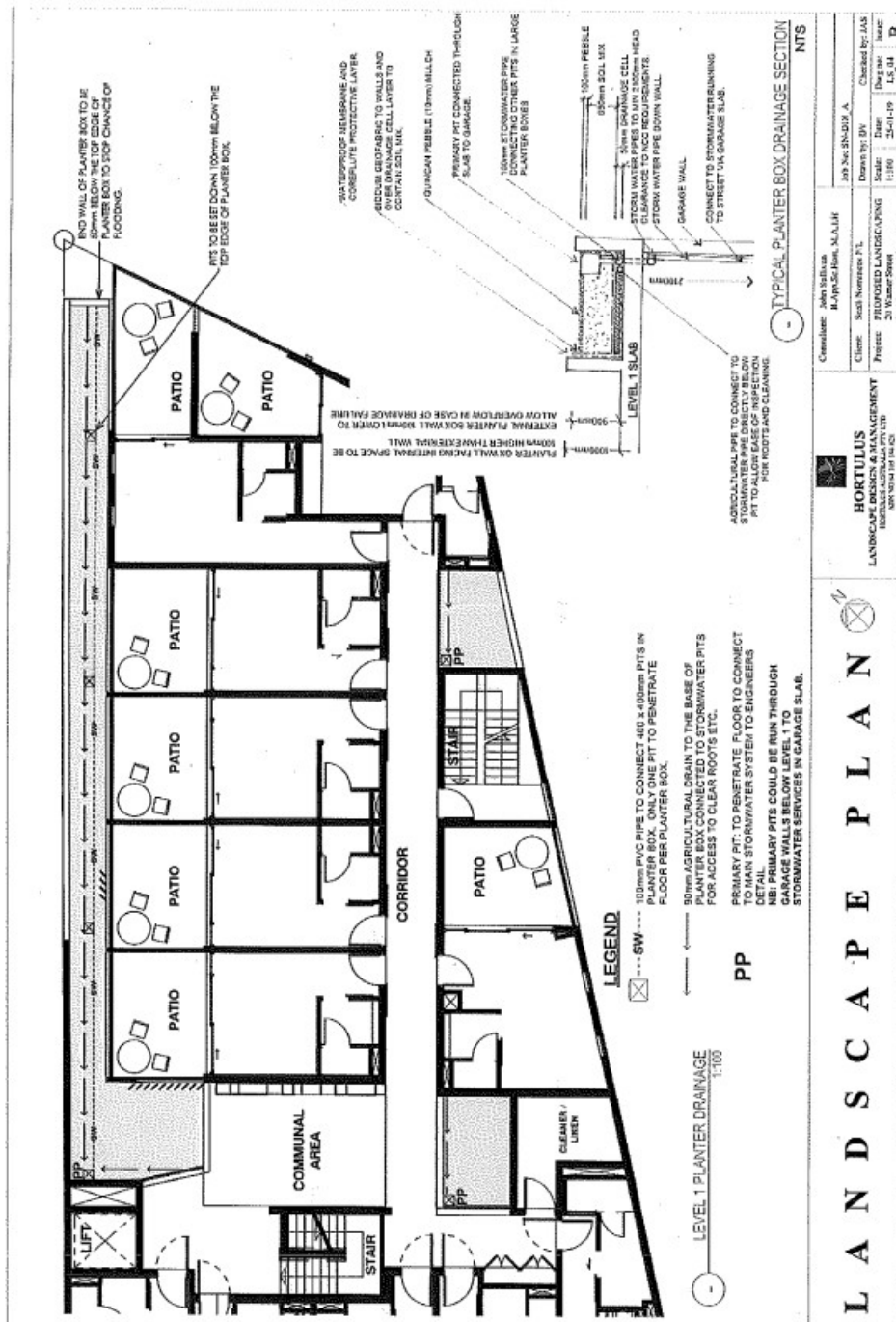












### Reasons for Decision

The reasons for this decision are:

1. Sections 60, 62 and 63 of the *Planning Act 2016*:
  - a. to ensure the development satisfies the benchmarks of the 2018 Douglas Shire Planning Scheme Version 1.0; and
  - b. to ensure compliance with the *Planning Act 2016*.
2. Findings on material questions of fact:
  - a. the development application was properly lodged to the Douglas Shire Council 24 October 2019 under section 51 of the *Planning Act 2016* and Part 1 of the *Development Assessment Rules*;
  - b. the development application contained information from the applicant which Council reviewed together with Council's own assessment against the 2017 State Planning Policy and the 2018 Douglas Shire Planning Scheme Version 1.0 in making its assessment manager decision.
3. Evidence or other material on which findings were based:
  - a. the development triggered assessable development under the Assessment Table associated with the Centre Zone Code;
  - b. Council undertook an assessment in accordance with the provisions of sections 60, 62 and 63 of the *Planning Act 2016*; and
  - c. the applicant's reasons have been considered and the following findings are made:
    - i. Subject to conditions, the development satisfactorily meets the Planning Scheme benchmarks.

## Non Compliance with Assessment Benchmarks

Benchmark Reference	Alternative Measure/Comment
Port Douglas/ Craiglie Local Plan Code:	<p>The development does not meet all the outcomes under AO9 regarding number of stories and roof component, however the development is considered to meet the majority of the respective Performance Outcome PO9, namely:</p> <p>Building heights:</p> <ul style="list-style-type: none"> <li>(a) do not overwhelm or dominate the town centre;</li> <li>(b) respect the desired streetscape;</li> <li>(c) ensure a high quality appearance when viewed from both within the town centre sub-precinct and external to the town centre sub-precinct; and</li> <li>(d) remain subservient to the natural environment and the backdrop of Flagstaff Hill.</li> </ul> <p>The development does not meet the PO9 (e) for buildings not exceeding 3 storeys, however the design is considered acceptable as it satisfactorily meets the code Purpose, for the Town Centre Precinct 1a, namely, "In addition to other overall development outcomes, development in the Town Centre sub-precinct facilitates the following development outcomes:</p> <ul style="list-style-type: none"> <li>(a) tourist, retail, dining and entertainment activities are facilitated at an appropriate pedestrian scale;</li> <li>(c) development contributes to a high quality public realm; and</li> <li>(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." </li></ul>
Short Term Accommodation Land Use Code	<p>While the minimum site area and lot frontage do not meet the Acceptable outcomes, the development complies with the respective performance Outcome PO1, namely, "The site has sufficient area and frontage to:</p> <ul style="list-style-type: none"> <li>(a) accommodate the scale and form of buildings considering site features;</li> <li>(b) achieve communal open space areas and private outdoor spaces;</li> <li>(c) deliver viable areas of deep planting and landscaping to establish tropical planting;</li> <li>(d) achieve safe and convenient vehicle and pedestrian access; and</li> <li>(e) accommodate on-site car parking and manoeuvring for residents, visitors and service providers.</li> </ul>
Access, Parking and Servicing Code	<p>Despite the non achievement of the Acceptable Outcome AO1.1 the development achieves the respective Performance Outcome, namely:</p> <p>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:</p> <ul style="list-style-type: none"> <li>(a) the desired character of the area;</li> <li>(b) the nature of the particular use and its specific characteristics and scale;</li> <li>(c) the number of employees and the likely number of visitors to the site;</li> <li>(d) the level of local accessibility; and</li> <li>(e) the nature and frequency of any public transport serving the area.</li> </ul>

## INFRASTRUCTURE CHARGES NOTICE

Scali Nominees Pty Ltd & Second York Pty Ltd	0	0
DEVELOPERS NAME	ESTATE NAME	STAGE
49 Macrossan Street	Port Douglas	L1 RP716896 & Part L1 SP267838
STREET No. & NAME	SUBURB	LOT & RP No.s
Shopping Facilities, Restaurant, Accommodation		MCUC 2019_3365
DEVELOPMENT TYPE	COUNCIL FILE NO.	VALIDITY PERIOD (year)
DOC ID 845075	1	
DSC Reference Doc. No.	VERSION No.	

Use	Charge per Use	Amount Due	Amount Paid	Receipt Code & GL Code
Port Douglas and Environs Area				
Other residential (charge per short-term accommodation room)	36 Units	10,479.00	\$377,244.00	Code 895 GL 07500.0135.0825
Food and Drink Outlet / bar charged at the Commercial rate per m2	50m2	129.34	\$11,967.00	
0	0	0.00	0.00	
0	0	0.00	0.00	
Total Demand			\$389,211.00	
Less credit for vacant land (equivalent of a separate house)	1	19,491.00	\$19,491.00	
TOTAL			\$369,720.00	

Prepared by	J Elphinstone	19-Nov-19	Amount Paid	
Checked by	D Lamond	19-Nov-19	Date Paid	
Date Payable	MCU - Before the change occurs		Receipt No.	
Amendments		Date	Cashier	

## Note:

The Infrastructure Charges in this Notice are payable in accordance with Sections 119 and 120 of the *Planning Act 2016* as from Council's resolution from the Special meeting held on 24 June 2015.

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

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

Any enquiries regarding Infrastructure Charges can be directed to the Development & Environment, Douglas Shire Council on 07 4099 9444 or by email on [enquiries@douglas.qld.gov.au](mailto:enquiries@douglas.qld.gov.au)

Planning Act 2016  
Chapter 3 Development assessment  
[s 74]

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## **Division 2      Changing development approvals**

### **Subdivision 1      Changes during appeal period**

#### **74      What this subdivision is about**

- (1) This subdivision is about changing a development approval before the applicant's appeal period for the approval ends.
- (2) This subdivision also applies to an approval of a change application, other than a change application for a minor change to a development approval.
- (3) For subsection (2), sections 75 and 76 apply—
  - (a) as if a reference in section 75 to a development approval were a reference to an approval of a change application; and
  - (b) as if a reference in the sections to the assessment manager were a reference to the responsible entity; and
  - (c) as if a reference in section 76 to a development application were a reference to a change application; and
  - (d) as if the reference in section 76(3)(b) to section 63(2) and (3) were a reference to section 83(4); and
  - (e) with any other necessary changes.

#### **75      Making change representations**

- (1) The applicant may make representations (*change representations*) to the assessment manager, during the applicant's appeal period for the development approval, about changing—
  - (a) a matter in the development approval, other than—
    - (i) a matter stated because of a referral agency's response; or

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Current as at 1 July 2019

Authorised by the Parliamentary Counsel

- (ii) a development condition imposed under a direction made by the Minister under chapter 3, part 6, division 2; or
  - (b) if the development approval is a deemed approval—the standard conditions taken to be included in the deemed approval under section 64(8)(c).
- (2) If the applicant needs more time to make the change representations, the applicant may, during the applicant's appeal period for the approval, suspend the appeal period by a notice given to the assessment manager.
- (3) Only 1 notice may be given.
- (4) If a notice is given, the appeal period is suspended—
  - (a) if the change representations are not made within a period of 20 business days after the notice is given to the assessment manager—until the end of that period; or
  - (b) if the change representations are made within 20 business days after the notice is given to the assessment manager, until—
    - (i) the applicant withdraws the notice, by giving another notice to the assessment manager; or
    - (ii) the applicant receives notice that the assessment manager does not agree with the change representations; or
    - (iii) the end of 20 business days after the change representations are made, or a longer period agreed in writing between the applicant and the assessment manager.
- (5) However, if the assessment manager gives the applicant a negotiated decision notice, the appeal period starts again on the day after the negotiated decision notice is given.

## 76 Deciding change representations

- (1) The assessment manager must assess the change representations against and having regard to the matters that

Current as at 1 July 2019

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Authorised by the Parliamentary Counsel

must be considered when assessing a development application, to the extent those matters are relevant.

- (2) The assessment manager must, within 5 business days after deciding the change representations, give a decision notice to—
  - (a) the applicant; and
  - (b) if the assessment manager agrees with any of the change representations—
    - (i) each principal submitter; and
    - (ii) each referral agency; and
    - (iii) if the assessment manager is not a local government and the development is in a local government area—the relevant local government; and
    - (iv) if the assessment manager is a chosen assessment manager—the prescribed assessment manager; and
    - (v) another person prescribed by regulation.
- (3) A decision notice (a *negotiated decision notice*) that states the assessment manager agrees with a change representation must—
  - (a) state the nature of the change agreed to; and
  - (b) comply with section 63(2) and (3).
- (4) A negotiated decision notice replaces the decision notice for the development application.
- (5) Only 1 negotiated decision notice may be given.
- (6) If a negotiated decision notice is given to an applicant, a local government may give a replacement infrastructure charges notice to the applicant.

- (2) The person is taken to have engaged in the representative's conduct, unless the person proves the person could not have prevented the conduct by exercising reasonable diligence.
- (3) In this section—
  - conduct** means an act or omission.
  - representative** means—
    - (a) of a corporation—an executive officer, employee or agent of the corporation; or
    - (b) of an individual—an employee or agent of the individual.
  - state of mind**, of a person, includes the person's—
    - (a) knowledge, intention, opinion, belief or purpose; and
    - (b) reasons for the intention, opinion, belief or purpose.

## Chapter 6 Dispute resolution

### Part 1 Appeal rights

#### 229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
  - (a) matters that may be appealed to—
    - (i) either a tribunal or the P&E Court; or
    - (ii) only a tribunal; or
    - (iii) only the P&E Court; and
  - (b) the person—
    - (i) who may appeal a matter (the *appellant*); and
    - (ii) who is a respondent in an appeal of the matter; and

- (iii) who is a co-respondent in an appeal of the matter;  
and
  - (iv) who may elect to be a co-respondent in an appeal  
of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The *appeal period* is—
- (a) for an appeal by a building advisory agency—10  
business days after a decision notice for the decision is  
given to the agency; or
  - (b) for an appeal against a deemed refusal—at any time  
after the deemed refusal happens; or
  - (c) for an appeal against a decision of the Minister, under  
chapter 7, part 4, to register premises or to renew the  
registration of premises—20 business days after a notice  
is published under section 269(3)(a) or (4); or
  - (d) for an appeal against an infrastructure charges notice—  
20 business days after the infrastructure charges notice  
is given to the person; or
  - (e) for an appeal about a deemed approval of a development  
application for which a decision notice has not been  
given—30 business days after the applicant gives the  
deemed approval notice to the assessment manager; or
  - (f) for an appeal relating to the *Plumbing and Drainage Act  
2018*—
    - (i) for an appeal against an enforcement notice given  
because of a belief mentioned in the *Plumbing and  
Drainage Act 2018*, section 143(2)(a)(i), (b) or  
(c)—5 business days after the day the notice is  
given; or
    - (ii) for an appeal against a decision of a local  
government or an inspector to give an action notice  
under the *Plumbing and Drainage Act 2018*—5  
business days after the notice is given; or

- (iii) otherwise—20 business days after the day the notice is given; or
- (g) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

*Note—*

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
  - (a) the adopted charge itself; or
  - (b) for a decision about an offset or refund—
    - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
    - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

### **230 Notice of appeal**

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
  - (a) is in the approved form; and
  - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—

- (a) the respondent for the appeal; and
  - (b) each co-respondent for the appeal; and
  - (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
  - (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
  - (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
  - (f) for an appeal to the P&E Court—the chief executive; and
  - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The *service period* is—
- (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
  - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
- (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
  - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.

- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

### 231 Non-appealable decisions and matters

- (1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section—  
*decision* includes—
  - (a) conduct engaged in for the purpose of making a decision; and
  - (b) other conduct that relates to the making of a decision; and
  - (c) the making of a decision or the failure to make a decision; and
  - (d) a purported decision; and
  - (e) a deemed refusal.

*non-appealable*, for a decision or matter, means the decision or matter—

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise,

- whether by the Supreme Court, another court, any tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

**232 Rules of the P&E Court**

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.

**Part 2 Development tribunal**

**Division 1 General**

**233 Appointment of referees**

- (1) The Minister, or chief executive, (the *appointer*) may appoint a person to be a referee, by an appointment notice, if the appointer considers the person—
- (a) has the qualifications or experience prescribed by regulation; and
- (b) has demonstrated an ability—
- (i) to negotiate and mediate outcomes between parties to a proceeding; and
- (ii) to apply the principles of natural justice; and
- (iii) to analyse complex technical issues; and
- (iv) to communicate effectively, including, for example, to write informed succinct and well-organised decisions, reports, submissions or other documents.

3 December 2019

Enquiries: Jenny Elphinstone  
Our Ref: MCUC 2019\_3365 (Doc ID)  
Your Ref: P71866

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

Deal Corporation c/- Wolveridge Architects  
C/- Planz Town Planning  
PO Box 181  
EDGE HILL QLD 4870

Dear Sir/Madam

**Infrastructure Charge Notice**

**Material Change of Use for Short-Term Accommodation with Ancillary Uses (Food and Drink Outlet / Bar) at 20 Warner Street and part of 23-25 Macrossan Street Port Douglas  
On land described as Lot 1 on RP718896 and Part of Lot 1 on SP267838**

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

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

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

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

Please quote Council's application number: MCUC 2019\_3365 in all subsequent correspondence relating to this matter.

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


Yours faithfully

  
**Paul Hoyer**  
Manager Environment & Planning

encl.

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

# Adopted Infrastructure Charges Notice

		<b>2018 Douglas Shire Planning Schemes Applications</b>	
<b>INFRASTRUCTURE CHARGES NOTICE</b>			
Scall Nominees Pty Ltd & Second York Pty Ltd DEVELOPERS NAME		0 ESTATE NAME	0 STAGE
49 Macrossan Street STREET No. & NAME	Port Douglas SUBURB	L1 RP718896 & Part L1 SP267838 LOT & RP No.s	2553 & 157684 PARCEL No.
Shopping Facilities, Restaurant, Accommodation DEVELOPMENT TYPE		MCUC 2019_3365 COUNCIL FILE NO.	6 VALIDITY PERIOD (year)
DOC ID 845075 DSC Reference Doc. No.	1 VERSION No.		

	Use	Charge per Use	Amount Due	Amount Paid	Receipt Code & GL Code
<b>Port Douglas and Environs Area</b>					
Other residential (charge per short-term accommodation room)	36 Units	10,479.00	\$377,244.00		Code 895 GL 07500.0135.0825
Food and Drink Outlet / bar charged at the Commercial rate per m2	50m2	129.34	\$11,967.00		
0	0	0.00	0.00		
0	0	0.00	0.00		
Total Demand			\$389,211.00		
Less credit for vacant land (equivalent of a separate house)	1	19,491.00	\$19,491.00		
<b>TOTAL</b>			<b>\$369,720.00</b>		

Prepared by	J Elphinstone	19-Nov-19	Amount Paid	
Checked by	D Lamond	19-Nov-19	Date Paid	
Date Payable	MCU - Before the change occurs		Receipt No.	
Amendments	Date		Cashier	

## Note:

The Infrastructure Charges in this Notice are payable in accordance with Sections 119 and 120 of the *Planning Act 2016* as from Council's resolution from the Special meeting held on 24 June 2015.

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

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

Any enquiries regarding Infrastructure Charges can be directed to the Development & Environment, Douglas Shire Council on 07 4099 9444 or by email on [enquiries@douglas.qld.gov.au](mailto:enquiries@douglas.qld.gov.au)

## **Subdivision 5 Changing charges during relevant appeal period**

### **124 Application of this subdivision**

This subdivision applies to the recipient of an infrastructure charges notice given by a local government.

### **125 Representations about infrastructure charges notice**

- (1) During the appeal period for the infrastructure charges notice, the recipient may make representations to the local government about the infrastructure charges notice.
- (2) The local government must consider the representations.
- (3) If the local government—
  - (a) agrees with a representation; and
  - (b) decides to change the infrastructure charges notice;the local government must, within 10 business days after making the decision, give a new infrastructure charges notice (a *negotiated notice*) to the recipient.
- (4) The local government may give only 1 negotiated notice.
- (5) A negotiated notice—
  - (a) must be in the same form as the infrastructure charges notice; and
  - (b) must state the nature of the changes; and
  - (c) replaces the infrastructure charges notice.
- (6) If the local government does not agree with any of the representations, the local government must, within 10 business days after making the decision, give a decision notice about the decision to the recipient.
- (7) The appeal period for the infrastructure charges notice starts again when the local government gives the decision notice to the recipient.

#### **126 Suspending relevant appeal period**

- (1) If the recipient needs more time to make representations, the recipient may give a notice suspending the relevant appeal period to the local government.
- (2) The recipient may give only 1 notice.
- (3) If the representations are not made within 20 business days after the notice is given, the balance of the relevant appeal period restarts.
- (4) If representations are made within the 20 business days and the recipient gives the local government a notice withdrawing the notice of suspension, the balance of the relevant appeal period restarts the day after the local government receives the notice of withdrawal.

### **Division 3 Development approval conditions about trunk infrastructure**

#### **Subdivision 1 Conditions for necessary trunk infrastructure**

##### **127 Application and operation of subdivision**

- (1) This subdivision applies if—
  - (a) trunk infrastructure—
    - (i) has not been provided; or
    - (ii) has been provided but is not adequate; and
  - (b) the trunk infrastructure is or will be located on—
    - (i) premises (the *subject premises*) that are the subject of a development application, whether or not the infrastructure is necessary to service the subject premises; or
    - (ii) other premises, but is necessary to service the subject premises.

## Extracts from the Planning Act 2016 –Appeal Rights

Planning Act 2016  
Chapter 6 Dispute resolution

[s 229]

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- (2) The person is taken to have engaged in the representative's conduct, unless the person proves the person could not have prevented the conduct by exercising reasonable diligence.
- (3) In this section—
  - conduct* means an act or omission.
  - representative* means—
    - (a) of a corporation—an executive officer, employee or agent of the corporation; or
    - (b) of an individual—an employee or agent of the individual.
  - state of mind*, of a person, includes the person's—
    - (a) knowledge, intention, opinion, belief or purpose; and
    - (b) reasons for the intention, opinion, belief or purpose.

## Chapter 6 Dispute resolution

### Part 1 Appeal rights

#### 229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
  - (a) matters that may be appealed to—
    - (i) either a tribunal or the P&E Court; or
    - (ii) only a tribunal; or
    - (iii) only the P&E Court; and
  - (b) the person—
    - (i) who may appeal a matter (the *appellant*); and
    - (ii) who is a respondent in an appeal of the matter; and

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- (iii) who is a co-respondent in an appeal of the matter;  
and
  - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The *appeal period* is—
- (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
  - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
  - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
  - (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
  - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
  - (f) for an appeal relating to the *Plumbing and Drainage Act 2018*—
    - (i) for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and Drainage Act 2018*, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or
    - (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or

- (iii) otherwise—20 business days after the day the notice is given; or
- (g) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

*Note—*

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
  - (a) the adopted charge itself; or
  - (b) for a decision about an offset or refund—
    - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
    - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

### 230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
  - (a) is in the approved form; and
  - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—

- (a) the respondent for the appeal; and
  - (b) each co-respondent for the appeal; and
  - (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
  - (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
  - (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
  - (f) for an appeal to the P&E Court—the chief executive; and
  - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The *service period* is—
- (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
  - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
- (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
  - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.

- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

## 231 Non-appealable decisions and matters

- (1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section—  
*decision* includes—
  - (a) conduct engaged in for the purpose of making a decision; and
  - (b) other conduct that relates to the making of a decision; and
  - (c) the making of a decision or the failure to make a decision; and
  - (d) a purported decision; and
  - (e) a deemed refusal.*non-appealable*, for a decision or matter, means the decision or matter—
  - (a) is final and conclusive; and
  - (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise,

whether by the Supreme Court, another court, any tribunal or another entity; and

- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

## **232 Rules of the P&E Court**

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.

# **Part 2 Development tribunal**

## **Division 1 General**

### **233 Appointment of referees**

- (1) The Minister, or chief executive, (the *appointer*) may appoint a person to be a referee, by an appointment notice, if the appointer considers the person—
  - (a) has the qualifications or experience prescribed by regulation; and
  - (b) has demonstrated an ability—
    - (i) to negotiate and mediate outcomes between parties to a proceeding; and
    - (ii) to apply the principles of natural justice; and
    - (iii) to analyse complex technical issues; and
    - (iv) to communicate effectively, including, for example, to write informed succinct and well-organised decisions, reports, submissions or other documents.

14 December 2021

**Enquiries:** Jenny Elphinstone  
**Our Ref:** ROL 2021\_4461/1 (Doc ID 1055696)  
**Your Ref:** P72115

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

Deal Corporation  
C/- Planz Town Planning  
PO Box 181  
EDGE HILL QLD 4870

Email: [info@planztp.com](mailto:info@planztp.com)

Attention Ms Nikki Huddy

Dear Madam

**Development Application for Reconfiguring a Lot (Boundary re-alignment & create access easement) at 23-25 Macrossan Street and 20 Warner Street Port Douglas  
On Land Described as Lots 1 and 2 on SP316373**

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

Please quote Council's application number: ROL 2021\_4461/1 in all subsequent correspondence relating to this development application.

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

Yours faithfully



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

encl.

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



## Decision Notice

### Approval (with conditions)

*Given under section 63 of the Planning Act 2016*

#### Applicant Details

Name: Deal Corporation

Postal Address: C/- Planz Town Planning  
PO Box 181  
Edge Hill Qld 4870

Email: [info@planztp.com](mailto:info@planztp.com)

#### Property Details

Street Address: 23-25 Macrossan Street and 20 Warner Street Port Douglas

Real Property Description: Lots 1 and 2 on SP316373

Local Government Area: Douglas Shire Council

#### Details of Proposed Development

Development Permit for Reconfiguring a Lot for a Boundary re-alignment and to create an access easement.

#### Decision

Date of Decision: 14 December 2021

Decision Details: Approved (subject to conditions)

#### Approved Drawing(s) and/or Document(s) Subject to the Amended Plan required by Condition 3.

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

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

Drawing or Document	Reference	Date
Site / Floor Plan	Drawing PO2 B C prepared by Wolveridge Architects ( <del>Council Ref No 2619363</del> ) <u>dated 29 September 2021 and as amended by Condition 3.</u>	<del>9 September 2019</del> <u>To be determined.</u>

Drawing or Document	Reference	Date
Elevations	Drawing P03-A Prepared by Wolveridge Architects (Council Ref No 2619363)	10 Feb 2010
Sections	Drawing P04-A Prepared by Wolveridge Architects (Council Ref No 2619363)	10 Feb 2010

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

### Assessment Manager Conditions & Advices

#### Conditions

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

Except where modified by these conditions of approval

#### Timing of Effect

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

#### Amended Plan

3. The proposed lot layout must be amended to accommodate the following change:
  - a. the proposed lot and associated access easement accommodating the ongoing development for No. 23-25 Macrossan Street must be of sufficient size to accommodate the onsite provision of at least ten (10) car parking spaces (including a disability driver car space) with the dimensions of the car parking spaces meeting the Australian Standards requirements.

#### Advices

1. This approval, granted under the provisions of the *Planning Act 2016*, shall lapse two (2) years from the day the approval takes effect in accordance with the provisions of Section 85 of the *Planning Act 2016*.
2. This approval does not negate the requirement for compliance with all relevant Local Laws and statutory requirements.
3. For information relating to the *Planning Act 2016*, log on to [www.dsdmip.qld.gov.au](http://www.dsdmip.qld.gov.au) . To access the FNQROC Development Manual, Local Laws and other applicable Policies log on to [www.douglas.qld.gov.au](http://www.douglas.qld.gov.au) .

#### Further Development Permits

Not applicable

### **Currency Period for the Approval**

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

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

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

A copy of the relevant appeal provisions is attached.



### **Reasons for Decision**

1. Sections 60, 62 and 63 of the *Planning Act 2016*:
  - a. to ensure the development satisfies the benchmarks of the 2018 Douglas Shire Planning Scheme Version 1.0; and
  - b. to ensure compliance with the *Planning Act 2016*.
2. **Findings on material questions of fact:**
  - a. the development application was properly lodged to the Douglas Shire Council on 3 November 2021 under section 51 of the *Planning Act 2016* and Part 1 of the *Development Assessment Rules*;
  - b. the development application contained information from the applicant which Council reviewed together with Council's own assessment against the 2017 State Planning Policy and the 2018 Douglas Shire Planning Scheme Version 1.0 in making its assessment manager decision.
3. **Evidence or other material on which findings were based:**
  - a. the development triggered assessable development under the Assessment Table associated with the Centre Zone Code;
  - b. Council undertook an assessment in accordance with the provisions of sections 60, 62 and 63 of the *Planning Act 2016*; and
  - c. the applicant's reasons have been considered and the following findings are made:
    - i. Subject to conditions, the development satisfactorily meets the Planning Scheme benchmarks.

### **Non-Compliance with Assessment Benchmarks**

Through the conditions of the approval the development complies with the Planning Scheme.

**Extracts from the Planning Act 2016 - Making Representations During Applicant's Appeal Period**

## **Division 2                      Changing development approvals**

### **Subdivision 1              Changes during appeal period**

#### **74              What this subdivision is about**

- (1) This subdivision is about changing a development approval before the applicant's appeal period for the approval ends.
- (2) This subdivision also applies to an approval of a change application, other than a change application for a minor change to a development approval.
- (3) For subsection (2), sections 75 and 76 apply—
  - (a) as if a reference in section 75 to a development approval were a reference to an approval of a change application; and
  - (b) as if a reference in the sections to the assessment manager were a reference to the responsible entity; and
  - (c) as if a reference in section 76 to a development application were a reference to a change application; and
  - (d) as if the reference in section 76(3)(b) to section 63(2) and (3) were a reference to section 83(4); and
  - (e) with any other necessary changes.

#### **75              Making change representations**

- (1) The applicant may make representations (*change representations*) to the assessment manager, during the applicant's appeal period for the development approval, about changing—
  - (a) a matter in the development approval, other than—
    - (i) a matter stated because of a referral agency's response; or

- (ii) a development condition imposed under a direction made by the Minister under chapter 3, part 6, division 2; or
- (b) if the development approval is a deemed approval—the standard conditions taken to be included in the deemed approval under section 64(8)(c).
- (2) If the applicant needs more time to make the change representations, the applicant may, during the applicant's appeal period for the approval, suspend the appeal period by a notice given to the assessment manager.
- (3) Only 1 notice may be given.
- (4) If a notice is given, the appeal period is suspended—
  - (a) if the change representations are not made within a period of 20 business days after the notice is given to the assessment manager—until the end of that period; or
  - (b) if the change representations are made within 20 business days after the notice is given to the assessment manager, until—
    - (i) the applicant withdraws the notice, by giving another notice to the assessment manager; or
    - (ii) the applicant receives notice that the assessment manager does not agree with the change representations; or
    - (iii) the end of 20 business days after the change representations are made, or a longer period agreed in writing between the applicant and the assessment manager.
- (5) However, if the assessment manager gives the applicant a negotiated decision notice, the appeal period starts again on the day after the negotiated decision notice is given.

## **76 Deciding change representations**

- (1) The assessment manager must assess the change representations against and having regard to the matters that

- must be considered when assessing a development application, to the extent those matters are relevant.
- (2) The assessment manager must, within 5 business days after deciding the change representations, give a decision notice to—
- (a) the applicant; and
  - (b) if the assessment manager agrees with any of the change representations—
    - (i) each principal submitter; and
    - (ii) each referral agency; and
    - (iii) if the assessment manager is not a local government and the development is in a local government area—the relevant local government; and
    - (iv) if the assessment manager is a chosen assessment manager—the prescribed assessment manager; and
    - (v) another person prescribed by regulation.
- (3) A decision notice (a ***negotiated decision notice***) that states the assessment manager agrees with a change representation must—
- (a) state the nature of the change agreed to; and
  - (b) comply with section 63(2) and (3).
- (4) A negotiated decision notice replaces the decision notice for the development application.
- (5) Only 1 negotiated decision notice may be given.
- (6) If a negotiated decision notice is given to an applicant, a local government may give a replacement infrastructure charges notice to the applicant.

## Chapter 6 Dispute resolution

### Part 1 Appeal rights

#### 229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
  - (a) matters that may be appealed to—
    - (i) either a tribunal or the P&E Court; or
    - (ii) only a tribunal; or
    - (iii) only the P&E Court; and
  - (b) the person—
    - (i) who may appeal a matter (the *appellant*); and
    - (ii) who is a respondent in an appeal of the matter; and
    - (iii) who is a co-respondent in an appeal of the matter; and
    - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The *appeal period* is—
  - (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
  - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
  - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or

- (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
- (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
- (f) for an appeal relating to the *Plumbing and Drainage Act 2018*—
  - (i) for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and Drainage Act 2018*, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or
  - (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or
  - (iii) otherwise—20 business days after the day the notice is given; or
- (g) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

*Note—*

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
  - (a) the adopted charge itself; or

- (b) for a decision about an offset or refund—
  - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
  - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

### **230 Notice of appeal**

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
  - (a) is in the approved form; and
  - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—
  - (a) the respondent for the appeal; and
  - (b) each co-respondent for the appeal; and
  - (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
  - (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
  - (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
  - (f) for an appeal to the P&E Court—the chief executive; and

- (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The *service period* is—
  - (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
  - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
  - (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
  - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.
- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

## **231 Non-appealable decisions and matters**

- (1) Subject to this chapter, section 316(2), schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.

(4) In this section—

**decision** includes—

- (a) conduct engaged in for the purpose of making a decision; and
- (b) other conduct that relates to the making of a decision; and
- (c) the making of a decision or the failure to make a decision; and
- (d) a purported decision; and
- (e) a deemed refusal.

**non-appealable**, for a decision or matter, means the decision or matter—

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, any tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

## 232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.

13 December 2021

**Enquiries:** Jenny Elphinstone  
**Our Ref:** [Choose an item](#). 2021\_4461 (Doc ID)  
**Your Ref:** P72115

Deal Corporation  
C/- Planz Town Planning  
PO Box 181  
EDGE HILL QLD 4870

Dear Sir/Madam

**Adopted Infrastructure Charge Notice  
For Development Application Reconfiguring a Lot (Boundary re-alignment & create access  
easement)  
At 23-25 Macrossan Street PORT DOUGLAS, 20 Warner Street PORT DOUGLAS  
On Land Described as LOT: 2 SP: 316373, LOT: 1 SP: 316373**

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

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

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

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

Please quote Council's application number: [Choose an item](#). 2021\_4461 in all subsequent correspondence relating to this matter.

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

Yours faithfully

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

encl.

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

**Adopted Infrastructure Charges Notice**

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## **Subdivision 5      Changing charges during relevant appeal period**

### **124      Application of this subdivision**

This subdivision applies to the recipient of an infrastructure charges notice given by a local government.

### **125      Representations about infrastructure charges notice**

- (1) During the appeal period for the infrastructure charges notice, the recipient may make representations to the local government about the infrastructure charges notice.
- (2) The local government must consider the representations.
- (3) If the local government—
  - (a) agrees with a representation; and
  - (b) decides to change the infrastructure charges notice;the local government must, within 10 business days after making the decision, give a new infrastructure charges notice (a *negotiated notice*) to the recipient.
- (4) The local government may give only 1 negotiated notice.
- (5) A negotiated notice—
  - (a) must be in the same form as the infrastructure charges notice; and
  - (b) must state the nature of the changes; and
  - (c) replaces the infrastructure charges notice.
- (6) If the local government does not agree with any of the representations, the local government must, within 10 business days after making the decision, give a decision notice about the decision to the recipient.
- (7) The appeal period for the infrastructure charges notice starts again when the local government gives the decision notice to the recipient.

**126 Suspending relevant appeal period**

- (1) If the recipient needs more time to make representations, the recipient may give a notice suspending the relevant appeal period to the local government.
- (2) The recipient may give only 1 notice.
- (3) If the representations are not made within 20 business days after the notice is given, the balance of the relevant appeal period restarts.
- (4) If representations are made within the 20 business days and the recipient gives the local government a notice withdrawing the notice of suspension, the balance of the relevant appeal period restarts the day after the local government receives the notice of withdrawal.

**Division 3 Development approval conditions about trunk infrastructure**

**Subdivision 1 Conditions for necessary trunk infrastructure**

**127 Application and operation of subdivision**

- (1) This subdivision applies if—
  - (a) trunk infrastructure—
    - (i) has not been provided; or
    - (ii) has been provided but is not adequate; and
  - (b) the trunk infrastructure is or will be located on—
    - (i) premises (the *subject premises*) that are the subject of a development application, whether or not the infrastructure is necessary to service the subject premises; or
    - (ii) other premises, but is necessary to service the subject premises.

## Chapter 6 Dispute resolution

### Part 1 Appeal rights

#### 229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
  - (a) matters that may be appealed to—
    - (i) either a tribunal or the P&E Court; or
    - (ii) only a tribunal; or
    - (iii) only the P&E Court; and
  - (b) the person—
    - (i) who may appeal a matter (the *appellant*); and
    - (ii) who is a respondent in an appeal of the matter; and
    - (iii) who is a co-respondent in an appeal of the matter; and
    - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The *appeal period* is—
  - (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
  - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
  - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or

- (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
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- (f) for an appeal relating to the *Plumbing and Drainage Act 2018*—
  - (i) for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and Drainage Act 2018*, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or
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*Note—*

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
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  - (a) the adopted charge itself; or

- (b) for a decision about an offset or refund—
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  - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—
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  - (b) each co-respondent for the appeal; and
  - (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
  - (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
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(4) In this section—

**decision** includes—

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- (d) a purported decision; and
- (e) a deemed refusal.

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- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, any tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

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- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.

28 April 2022

ARO0143

Scali Nominees Pty Ltd  
C/o Wolveridge Architects  
Attention: Qutaibah Al-Atafi

Dear Mr Al-Atafi,

**MCUC 2019\_3365/2**

**20 WARNER STREET, PORT DOUGLAS – PARKING REVIEW AND ADVICE**

ARO Industries has prepared this advice regarding parking provisions for the proposed development at 20 Warner Street, Port Douglas. The advice specifically seeks to address the Development Approval conditions for the Short-Term Accommodation, associated Food and Drink Outlet and revised plans.

**Development Conditions**

In accordance with the Douglas Shire Planning Scheme Access, Parking and Service Code, a yield of 36 rooms and 165m<sup>2</sup> of Food and Drink GFA will require 22 off-street carparks, including 1 DDA compliance carpark and 1 service vehicle space. However, it is noted that Condition 9 of the Development Approval, MCUC 2019\_3365/2, requires 16 on-site carparks including 1 DDA compliant space.

- Condition 3.b requires that a traffic island is constructed between the angle parking and the access. The provision of an island will not impact the on-street parking spaces, however service vehicles exiting the proposed loading bay will benefit from the omission of the island.
- Condition 3.c requiring on-street parking at 45° and is satisfied by the current design.
- Condition 3.e requires height clearance signage to be installed. Note that if 2.3m clearance from the ground and the lowest protrusion from the ceiling is maintained, devices such as flexible striker bars may be omitted.
- Condition 3.f requires warning signs regarding vehicle ramp access and pedestrian activities on the sidewalk. It is recommended that this condition be removed as part of the minor change application because the signage would need to be erected on the adjoining property.
- Condition 14.g notes that a loading bay must be located at the front of the development. It is reasonable that this is considered the service vehicle space required by the development code. It is therefore recommended to designate carpark No. 20 as a loading zone. Signage for the loading zone will need to be confirmed by Council.

## Carpark Layout

The carpark layout provides 18 off-street spaces plus a service bay and 5 on-street carparks including a loading bay, providing 22 carparks to service the development.

It is proposed to provide six (6) tandem parking spaces A-C and 12-14, allocated for staff use only. Tandem parking is widely accepted and considered appropriate for staff because the carparks will be used according to the work roster and easily managed by hotel management. Appropriate signage and yellow chevron line marking is required to ensure that patrons do not park in these spaces. Removable bollards may also be used to delineate the reserved parking.

Turnpaths have been checked for the carpark layout and the sketch of critical manoeuvres are attached in Appendix A. The CAD files will be provided for inclusion in your drawing package. It is noted that the following carparks will facilitate reverse parking only:

- 2-3;
- 6-7; and
- 11-14.


'Reverse Park only' Line marking and overhead signage (clearance permitting) will be required on the aforementioned parking spaces.

The advice provided herein demonstrates compliance with the development approval with respect to carparking, except condition 3.f and supports the functional layout of the on-street and off-street carpark area.

We trust this information assist respect to the development of this property.

Yours sincerely

**ARO INDUSTRIES PTY LTD**

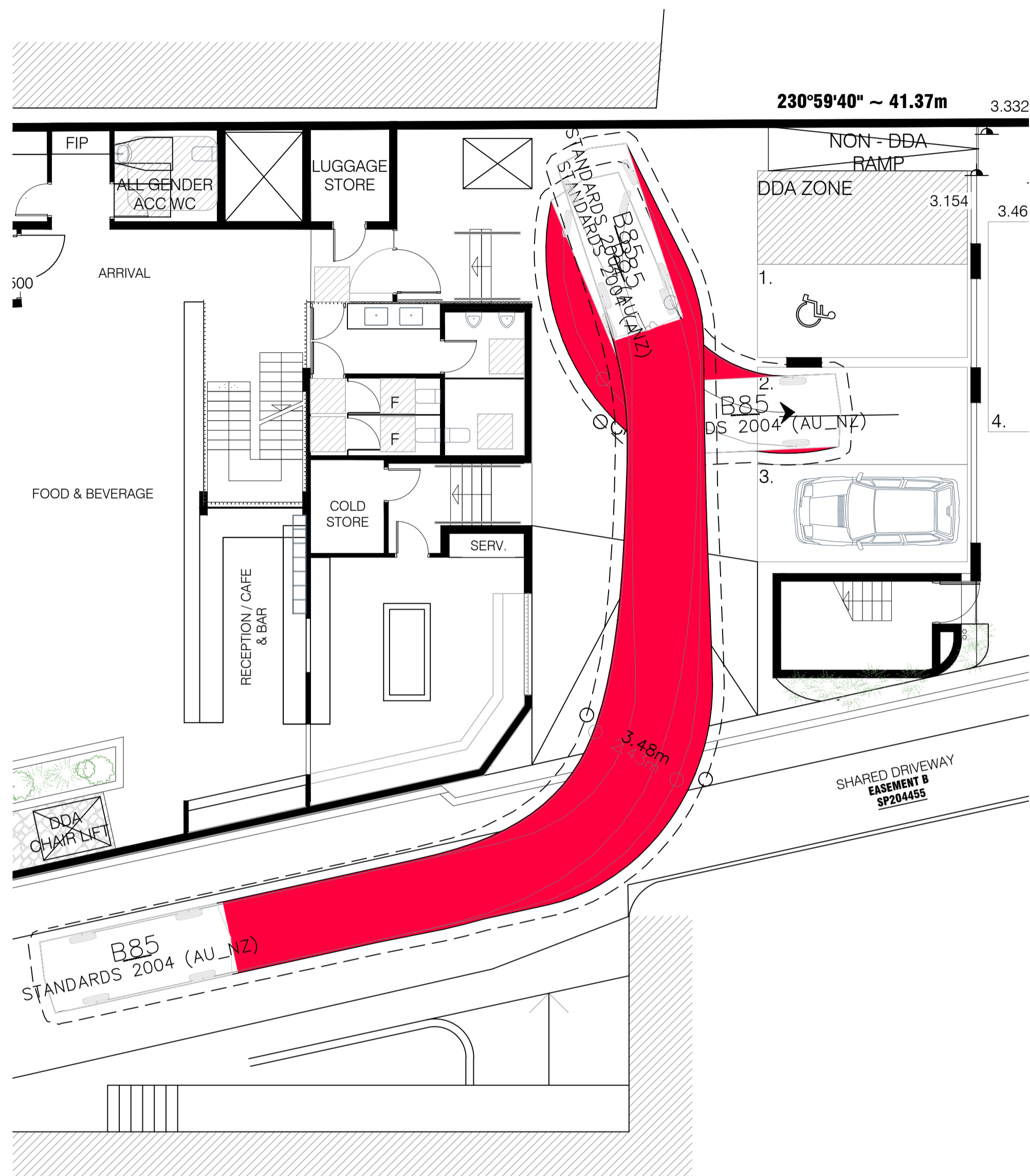
A handwritten signature in blue ink, appearing to read 'Andrew Armstrong', with a stylized flourish at the end.

Andrew Armstrong  
Senior Civil Engineer (RPEng, RPEQ)

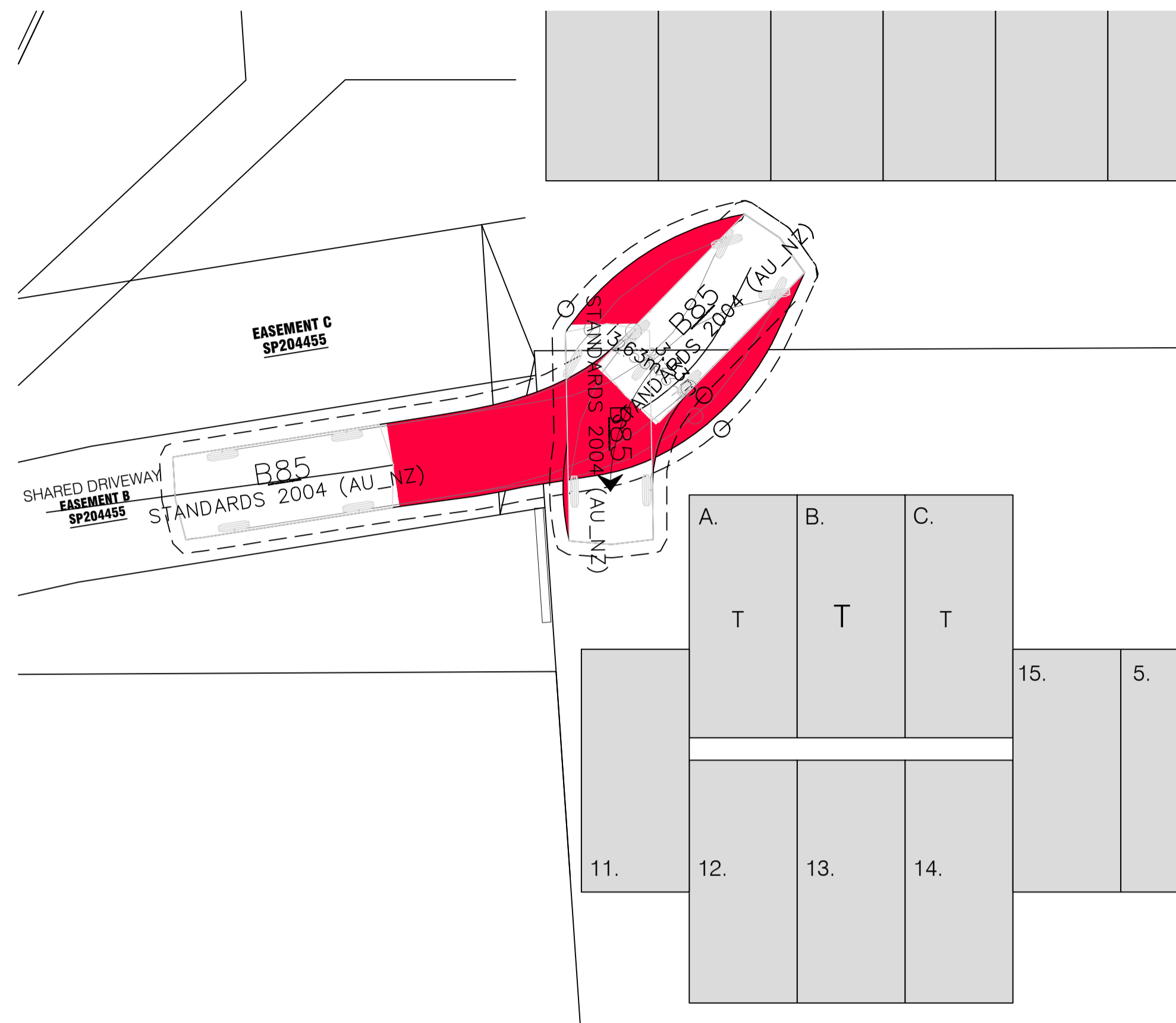


## **APPENDIX A**

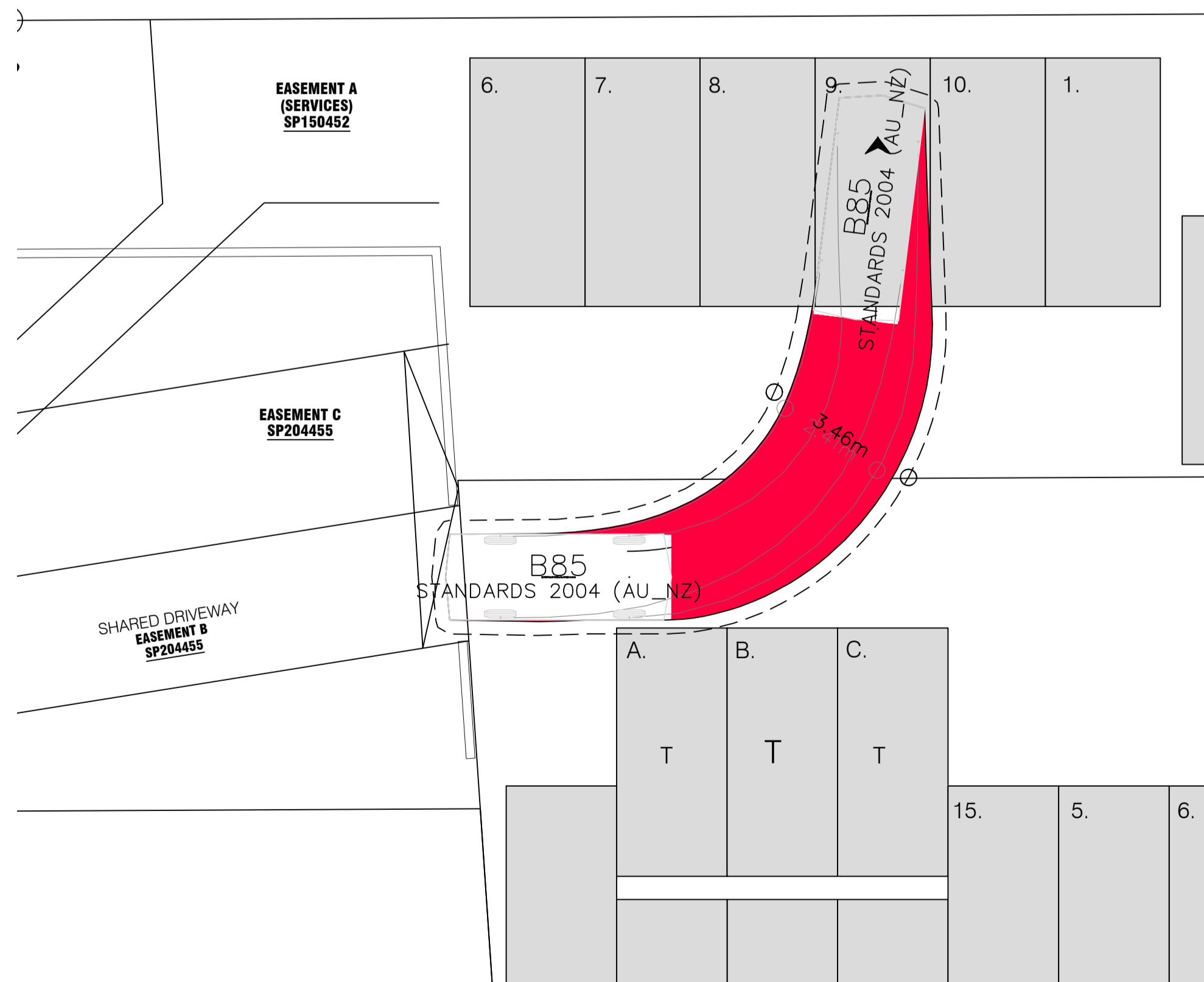
ARO0143-SK01 - Critical Turnpath Sketch



REVERSE IN (CARPARKS 2 AND 3)  
SCALE 1:100



REVERSE IN (CARPARKS 11, 12, 13 AND 14)  
SCALE 1:100



FORWARD IN (CARPARKS 8, 9 AND 10)  
SCALE 1:100



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20 WARNER STREET  
PORT DOUGLAS

VEHICLE TURNPATHS

ARO0143-SK01

1:100  
A1 Full Size

Acad No. ARO0143-SK01(1)

28 April 2022