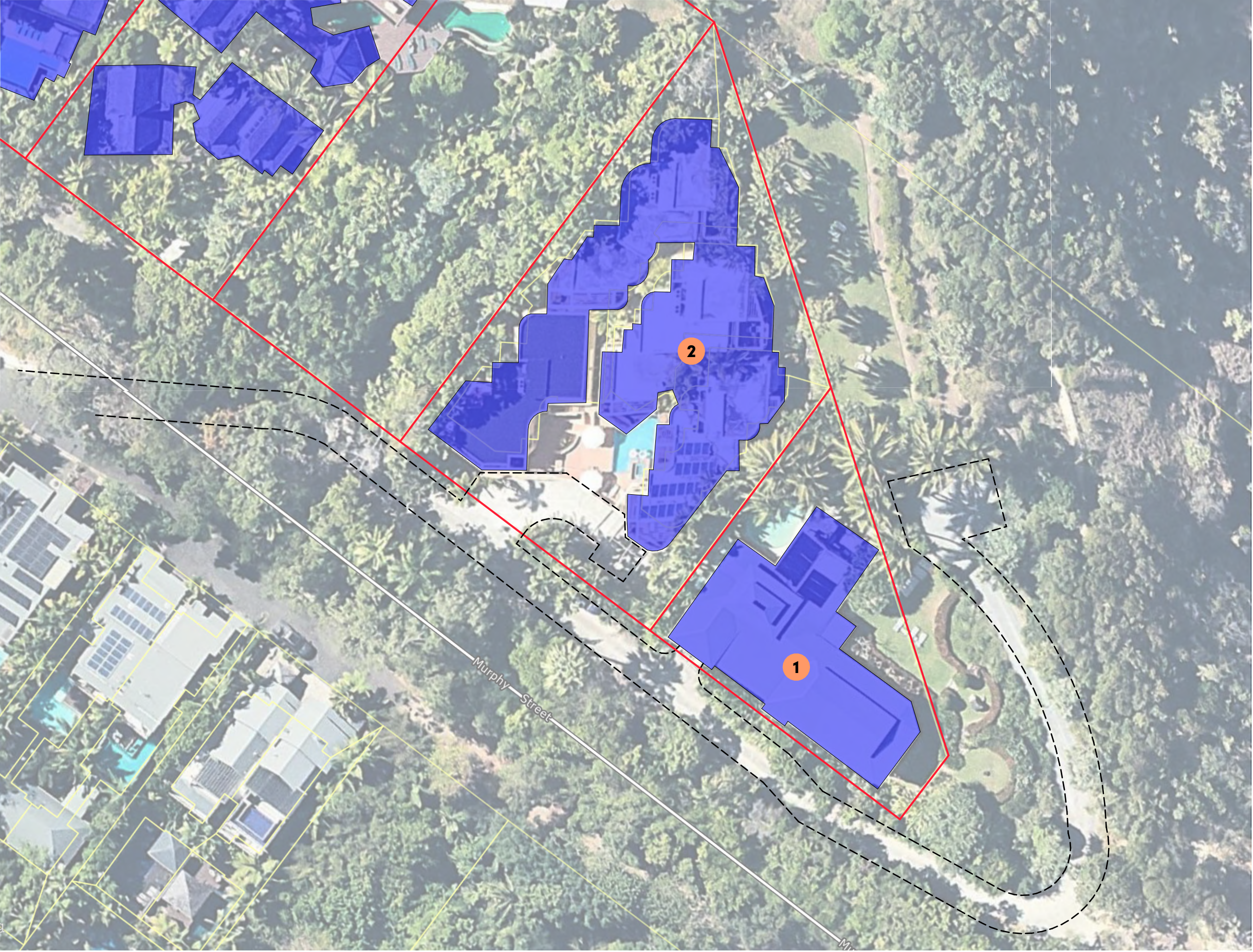


LOT	SITE AREA	COVERED AREA	SITE COVERAGE
1	995	550	55%
2	2143	1076	50%
3	2040	1083	53%
4	1027	631	61%
5	1007	584	58%
6	1036	471	45%
7	1527	525	34%
8	1010	718	71%
9	1919	552	29%
10	1283	147	11%
11	8221	1222	15%
12	2023	606	30%
13	1357	250	18%
14	1461	628	43%
15	1307	713	55%

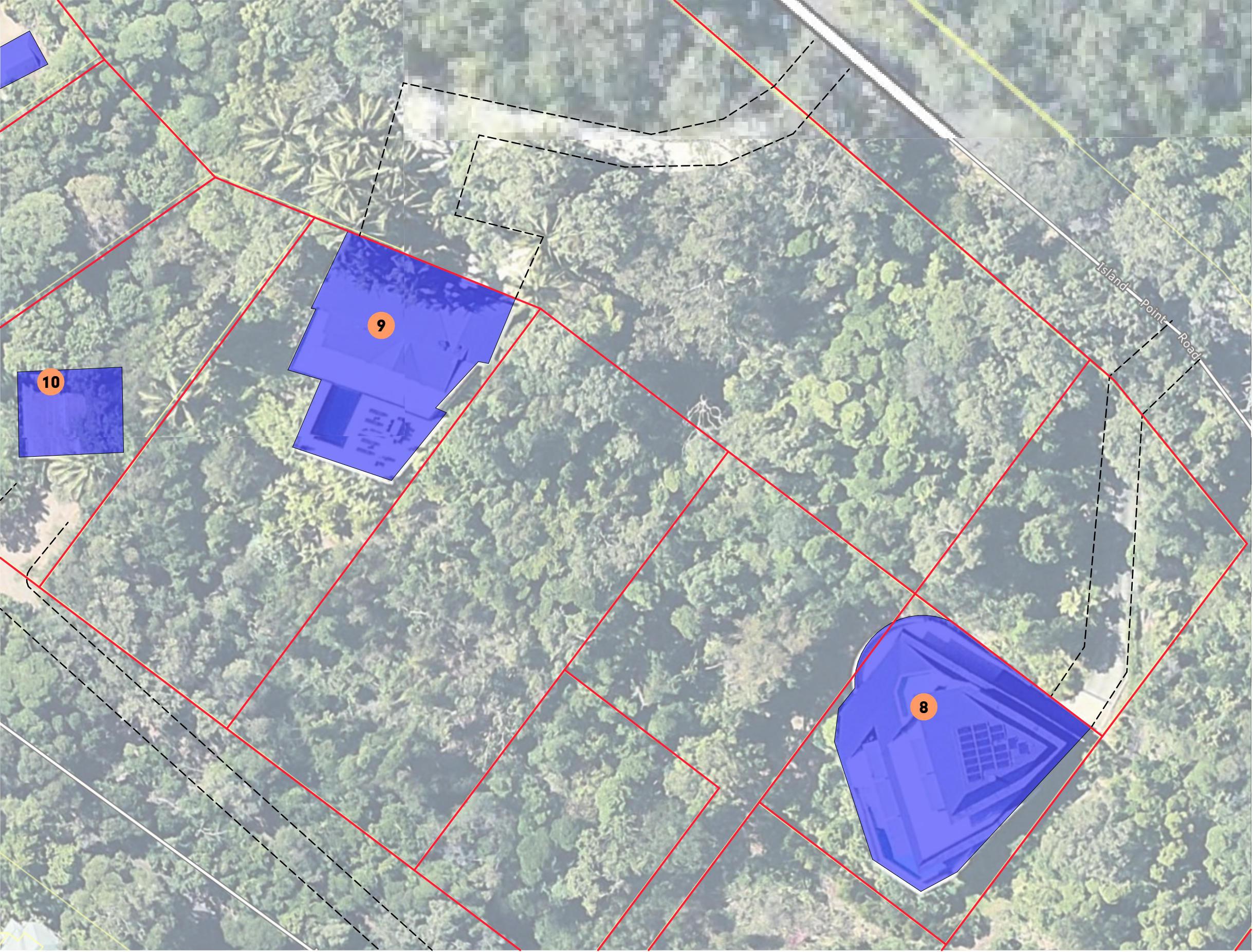








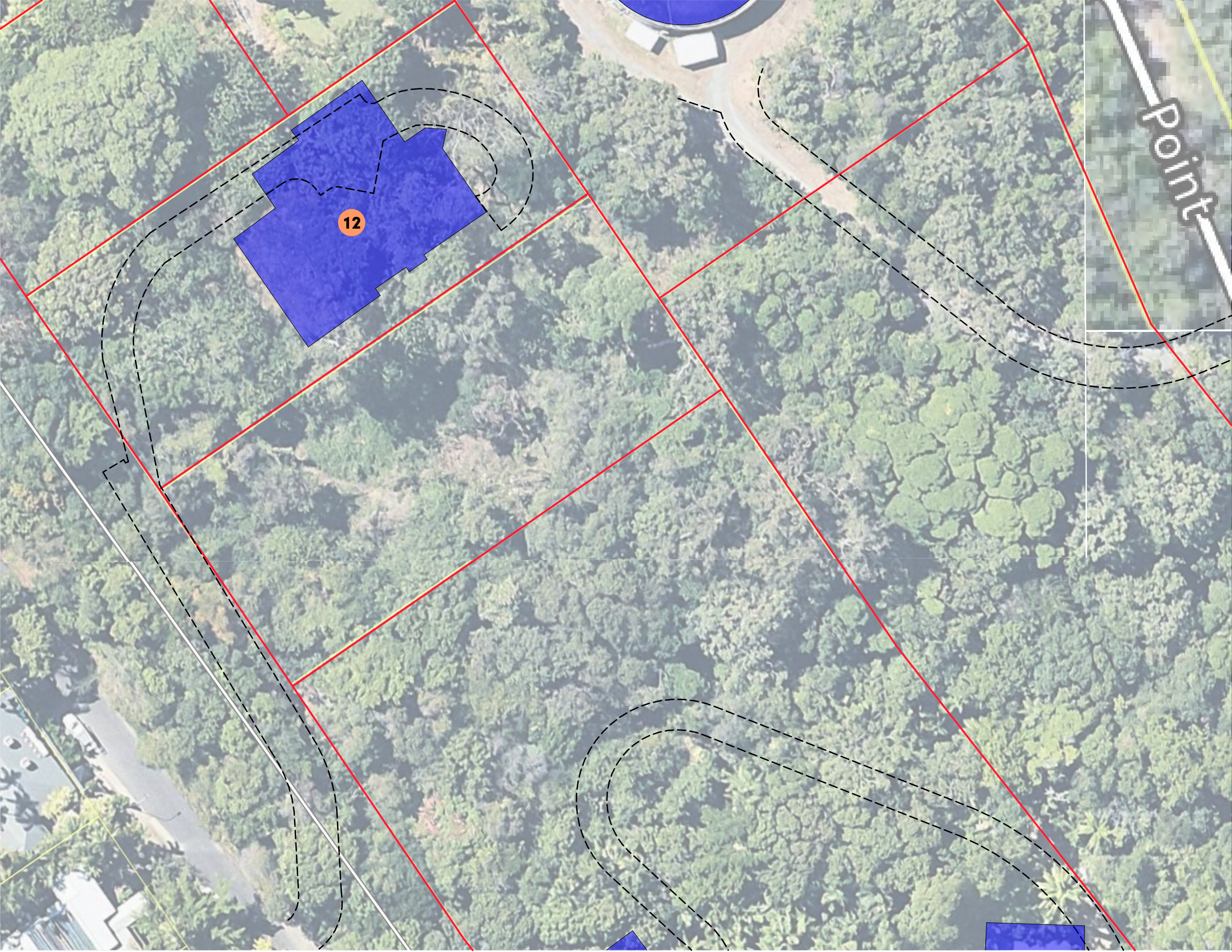












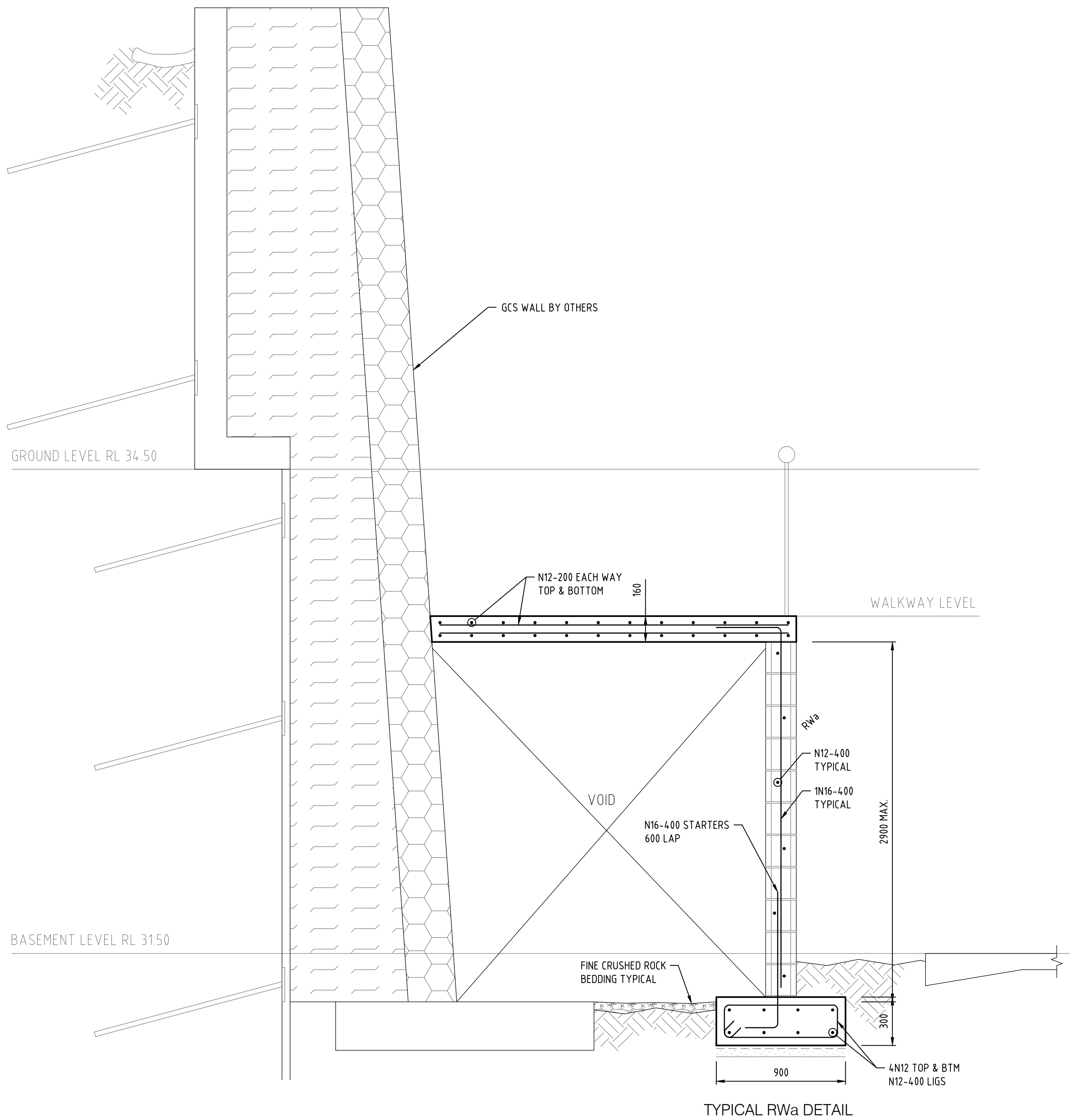






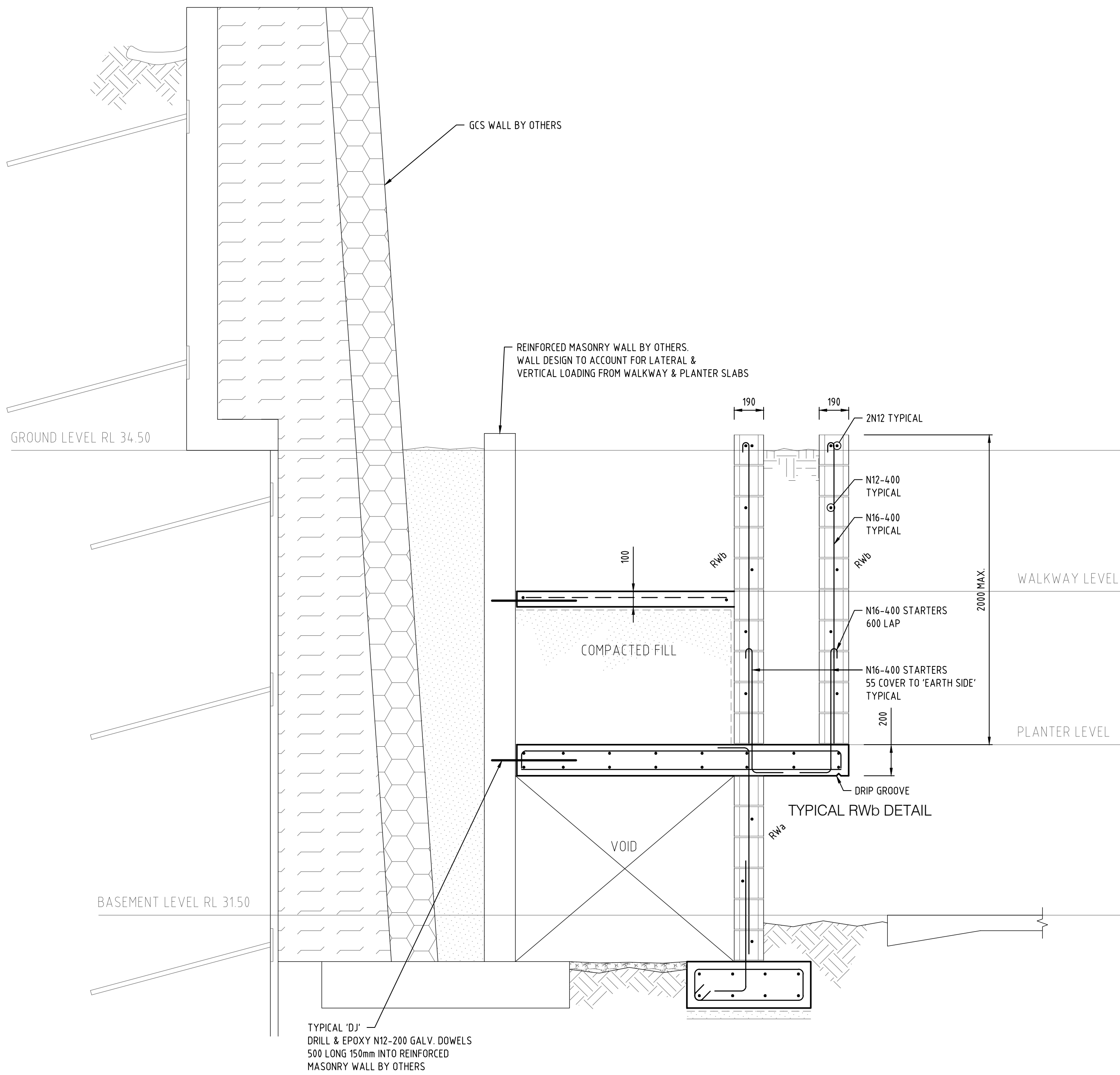






TYPICAL WALKWAY SECTION

SECTION A  
SCALE 1:20



TYPICAL PLANTER SECTION

SECTION B  
SCALE 1:20

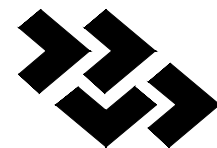
A	CONSTRUCTION ISSUE	L.K.	L.K.	8787	22/07/10
REV	DESCRIPTION	TASK MAN.	APPROVED	RPEQ No.	DATE
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DRAWN  
G.McG

ACAD No.  
1676S22A

SCALE  
AS SHOWN

TITLE

LANDSCAPE RETAINING WALLS  
SECTIONS

A1  
FULL SIZE

DRAWING No.  
1676-S22

SHEET 15 OF 19 SHEETS

REVISION  
A



## **Attachment 10**

### **Assessment of the applicable development codes under the Douglas Shire Planning Scheme 2018**



DEVELOPMENT & PROPERTY SERVICES



## **6.2.4 Environmental management zone code**

### **6.2.4.1 Application**

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

### **6.2.4.2 Purpose**

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

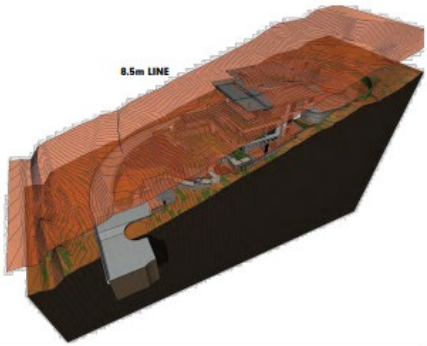
These areas are protected from intrusion of any urban, suburban, centre or industrial land use.

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



## Criteria for assessment

Table 6.2.4.3.a – Environmental management zone – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<p><b>PO1</b> The height of all buildings and structures is in keeping with the natural characteristics of the site. Buildings and structures are low-rise and not unduly visible from external sites.</p>	<p><b>AO1.1</b> Buildings and structures are not more than 8.5 metres and two storeys in height. Note – Height is inclusive of the roof height.</p> <p><b>AO1.2</b> Buildings have a roof height not less than 2 metres.</p>	<p><b>Complies with PO1.</b></p> <p><b>The design of the building is in keeping with the characteristics of the site and will be substantially screened from the road due to vegetation and the large lot size at 2,023m<sup>2</sup>.</b></p> <p><b>The building will cascade down the hillside and range from 1 to 2 storey at the top and middle sections of the site, and up to 3 storeys at the front of the building.</b></p> <p><b>Notwithstanding, the height remains 8.5m from natural ground level as demonstrated in the development plans (attachment 3) with the exception of a small protrusion of the balcony roof of the upper storey.</b></p> 



Performance outcomes	Acceptable outcomes	Applicant response
<b>PO2</b> Buildings and structures are set back to: <ul style="list-style-type: none"> <li>(a) maintain the natural character of the area;</li> <li>(b) achieve separation from neighbouring buildings and from road frontages.</li> </ul>	<b>A02</b> Buildings and structures are set back not less than: <ul style="list-style-type: none"> <li>(a) 40 metres from the frontage of a state controlled road;</li> <li>(b) 25 metres from the frontage to Cape Tribulation Road;</li> <li>(c) 6 metres from any other road;</li> <li>(d) 6 metres from the side and rear boundaries of the site.</li> </ul>	<b>Complies with PO2.</b>  <b>Buildings are set back more than 6m from the road and rear boundary.</b>  <b>The setbacks from the side boundaries are greater than 3m with the exception of a retaining structure on the side boundary.</b>  <b>Notwithstanding, because of the nature of the site and the extent of landscaping, the built form achieves adequate separation from neighbouring buildings.</b>  <b>Detailed landscaping plans have been provided at Attachment 7 including planting methodologies to demonstrate landscape boundaries can be achieved.</b>
<b>For assessable development</b>		
<b>PO3</b> Development is consistent with the purpose of the Environmental management zone and protects the zone from the intrusion of inconsistent uses.	<b>A03</b> Inconsistent uses as identified in Table 6.2.4.3.b are not established in the Environmental management zone.	<b>Complies with A03.</b>  <b>A dwelling is not an inconsistent use in the Environmental Management Zone</b>
<b>PO4</b> The site coverage of all buildings and structures and associated services do not have an adverse effect on the environmental or scenic values of the site.	<b>PO4</b> No acceptable outcomes are prescribed.	<b>Complies with PO4</b>  <b>The site coverage is approximately 30% excluding the driveway.</b>  <b>A supporting Ecological Report and Scenic Amenity Assessment has been provided which demonstrates the proposed development does not have</b>



Performance outcomes	Acceptable outcomes	Applicant response
		adverse effect on the environmental or scenic values of the site.
<p><b>PO5</b> Development is located, designed, operated and managed to respond to the characteristics, features and constraints of the site and its surrounds.</p> <p>Note - Planning scheme policy – Site assessments provides guidance on identifying the characteristics, features and constraints of a site and its surrounds.</p>	<p><b>AO5.1</b> Buildings, structures and associated access, infrastructure and private open space are sited:</p> <ul style="list-style-type: none"> <li>(a) within areas of the site which are already cleared; or</li> <li>(b) within areas of the site which are environmentally degraded;</li> <li>(c) to minimise additional vegetation clearing.</li> </ul>	<p><b>Complies with PO5.</b></p> <p><b>The dwelling has been specifically designed to respond to the site characteristics.</b></p> <p><b>The design of the building responds to the site's existing features and promotes the continuation of high quality architecturally designed homes that exist in Murphy Street and Flagstaff Hill.</b></p> <p><b>Vegetation is proposed to be retained in the Murphy Street road reserve (at the site's front boundary) in front of the access driveway to contribute to existing streetscape values.</b></p> <p><b>The vegetation to be removed on site is considered to be environmentally degraded.</b></p> <p><b>The site will be landscaped with suitable native species which have been recommended by a qualified Ecologist.</b></p>
	<p><b>AO5.2</b> 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>PO6</b> Buildings and structures are responsive to steep slope through innovative construction techniques so as to:</p>	<p><b>AO6.1</b> Where development on land steeper than 1 in 6 (16.6%) cannot be avoided, development follows the natural contours of the land and single plane concrete</p>	<p><b>Complies with PO6</b></p> <p><b>This site is impacted by previous site works and reprofiling. The entire site has been disturbed. There is evidence on site</b></p>



Performance outcomes	Acceptable outcomes	Applicant response
(a) maintain the geotechnical stability of slopes; (b) minimise cut and/or fill; (c) minimise the overall height of development.	slab on-ground methods of construction are not utilised.	<p><b>of concrete rubble, old pipe work, tanks etc. all of which will require removal of topsoil and additional excavation work prior to commencement of construction.</b></p> <p><b>The design of the building responds to the site's current profile and cascades down the hillside. The proposed civil works have been designed in accordance with Golder's geotechnical report to ensure that the stability of the slope is not compromised. The design has been further reviewed by GEO Design and is confirmed to be a conventional engineering solution.</b></p> <p><b>The proposed design requires reasonably substantial cut and fill but very little material will be imported or exported from site. The site will simply be reprofiled.</b></p> <p><b>These works assist in minimising the bulk and overall height of the development.</b></p>
	<b>A06.2</b> Access and vehicle manoeuvring and parking areas are constructed and maintained to: (a) minimise erosion; (b) minimise cut and fill; (c) follow the natural contours of the site.	
<b>P07</b> The exterior finishes of buildings and structures are consistent with the surrounding natural environment.	<b>A07</b> The exterior finishes and colours of buildings and structures are non-reflective and are moderately dark to darker shades of grey, green, blue and brown or the development is not visible external to the site.	<p><b>Complies with A07.</b></p> <p><b>Exterior finishes will be non-reflective and have limited visibility from off-site due to screening by vegetation. A suite of materials has been provided in the Development Plans at Attachment 3.</b></p>



Performance outcomes	Acceptable outcomes	Applicant response
<b>PO8</b> Development does not adversely affect the amenity of the zone and adjoining land uses in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.	<b>AO8</b> No acceptable outcomes are prescribed.	<b>Complies with PO8.</b>  <b>The development is a residential house and will not adversely affect the amenity of the zone.</b>
<b>PO9</b> The density of development ensures that the environmental and scenic amenity values of the site and surrounding area are not adversely affected.	<b>AO9</b> The maximum residential density is one dwelling house per lot.	<b>Complies with AO9.</b>  <b>The development includes one residential dwelling only.</b>
<b>PO10</b> Lot reconfiguration results in no additional lots. Note - Boundary realignments to resolve encroachments and lot amalgamation are considered appropriate.	<b>AO10</b> No acceptable outcomes are prescribed.	<b>Not Applicable as there is no reconfiguration of the lot proposed.</b>

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

Inconsistent uses		
<ul style="list-style-type: none"> <li>• Adult store</li> <li>• Agricultural supplies store</li> <li>• Air services</li> <li>• Aquaculture</li> <li>• Bar</li> <li>• Brothel</li> <li>• Bulk landscape supplies</li> <li>• Car wash</li> <li>• Caretaker's accommodation</li> <li>• Cemetery</li> <li>• Child care centre</li> <li>• Club</li> <li>• Community care centre</li> <li>• Community residence</li> <li>• Community use</li> <li>• Crematorium</li> <li>• Cropping</li> <li>• Detention facility</li> </ul>	<ul style="list-style-type: none"> <li>• Hardware and trade supplies</li> <li>• Health care services</li> <li>• High impact industry</li> <li>• Hospital</li> <li>• Hotel</li> <li>• Indoor sport and entertainment</li> <li>• Intensive animal industry</li> <li>• Intensive horticulture</li> <li>• Landing</li> <li>• Low impact industry</li> <li>• Major electricity infrastructure</li> <li>• Major sport, recreation and entertainment facility</li> <li>• Marine industry</li> <li>• Market</li> <li>• Motor sport facility</li> <li>• Multiple dwelling</li> <li>• Nightclub entertainment facility</li> </ul>	<ul style="list-style-type: none"> <li>• Renewable energy facility</li> <li>• Relocatable home park</li> <li>• Research and technology industry</li> <li>• Residential care facility</li> <li>• Resort complex</li> <li>• Retirement facility</li> <li>• Rooming accommodation</li> <li>• Rural industry</li> <li>• Rural workers accommodation</li> <li>• Sales office</li> <li>• Service Station</li> <li>• Shop</li> <li>• Shopping centre</li> <li>• Short-term accommodation</li> <li>• Showroom</li> <li>• Special industry</li> <li>• Substation</li> <li>• Theatre</li> </ul>



<ul style="list-style-type: none"> <li>• Dual occupancy</li> <li>• Dwelling unit</li> <li>• Educational establishment</li> <li>• Food and drink outlet</li> <li>• Function facility</li> <li>• Garden centre</li> </ul>	<ul style="list-style-type: none"> <li>• Office</li> <li>• Outdoor sales</li> <li>• Outstation</li> <li>• Parking station</li> <li>• Place of worship</li> <li>• Port services</li> </ul>	<ul style="list-style-type: none"> <li>• Transport depot</li> <li>• Utility installation</li> <li>• Veterinary services</li> <li>• Warehouse</li> <li>• Wholesale nursery</li> <li>• Winery</li> </ul>
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Note – This table does not imply that all other uses not listed in the table are automatically consistent uses within the zone. Assessable development must still demonstrate consistency through the assessment process.



## 7.2.4 Port Douglas/Craiglie local plan code

### 7.2.4.1 Application

- (1) This code applies to assessing development within the Port Douglas/Craiglie local plan area as identified on the Port Douglas/Craiglie local plan maps contained in Schedule 2.
- (2) When using this code, reference should be made to Part 5.

### 6.2.5.2 Context and setting

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

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

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

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

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

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

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



now terminates adjacent to the Port Douglas marina and operates as the Balley Hooley passenger service on four kilometres of track between the Port Douglas Marina and St Crispins Station.

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

#### 7.2.4.3 Purpose

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



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

#### **Precinct 1 – Port Douglas precinct**

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



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



- (E) the creation of a sense of place through aesthetic streetscapes and built-form character;
- (F) managing vegetation to ensure succession of planting and the ongoing presence of significant trees.
- (vi) advertising signage is small scale, low-key and complements the tropical character of the town.

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

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

#### **Sub-precinct 1b - Waterfront North sub-precinct**

- (7) In addition to other overall development outcomes, development in the Waterfront North sub-precinct facilitates the following development outcomes:
  - (a) the precinct evolves as a revitalised open space and waterside development precinct;
  - (b) development within the precinct is designed to be sympathetic to the environmentally sensitive Dickson Inlet and mitigates any adverse impacts;
  - (c) the establishment of mixed-use development is facilitated to promote activity and vitality;
  - (d) public pedestrian access is maximised along the extent of the edge of the waterfront, consisting of a boardwalk or similar structure available for 24-hour use;
  - (e) development contributes to a high quality public realm;
  - (f) built form provides an attractive point of arrival from both land and sea;
  - (g) pedestrian connectivity is safe, efficient and provides for the needs of all users of the Port Douglas waterfront;
  - (h) parking (and associated infrastructure) does not undermine the relationship between buildings and street or pedestrian circulation patterns;



- (i) the importance of existing marine-based industries to the area is recognised, not diminished and protected from incompatible uses. Relocation of marine based industries to an alternative precinct does not occur until such time that agreement has been reached among all relevant stakeholders such that development does not diminish the viability of marine based industrial uses that directly serve the Port Douglas tourist and fishing operators and private boat owners;
- (j) marine infrastructure is established to service the tourism, fishing and private boating community;
- (k) Live entertainment activities are concentrated within the Live Entertainment Precinct and are subject to the recommendations of a suitably qualified acoustic engineer;

T (l) the functionality of the Balley Hooley tourist rail is retained.

#### **Sub-precinct 1c – Waterfront South sub-precinct**

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

#### **Sub-precinct 1d – Limited Development sub-precinct**

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

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

- (10) In addition to all other overall development outcomes, development in the Community and recreation sub-precinct facilitates the following development outcomes:



- (a) development for community uses, including sport and recreation is facilitated.
- (b) sport and recreation activities predominantly involve outdoor activities;
- (c) areas of natural vegetation are protected from further development;
- (d) shade trees are increased, in appropriate locations, surrounding the sports fields.

#### **Sub-precinct 1f – Flagstaff Hill sub-precinct**

(11) In addition to all other overall development outcomes, development in the Flagstaff Hill sub-precinct facilitates the following development outcomes:

- (a) development is not established where it results in detriment to the vegetated and scenic qualities of Flagstaff Hill;
- (b) development minimises excavation and filling;
- (c) buildings and other works are unobtrusive when viewed from vantage points in Port Douglas and are designed and constructed of colours and materials which complement the hill's vegetated state;
- (d) views from public viewing points within the precinct are protected.

#### **Precinct 2 – Integrated Resort precinct**

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

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

#### **Precinct 3 – Craiglie Commercial and Light Industry precinct**

(13) In addition to the overall outcomes, development in the Craiglie Commercial and Light Industry precinct facilitates the following overall outcomes:

- (a) development supports the tourism and marine industries in Port Douglas, along with the small-scale commercial and light industry land uses that support the local economy that would otherwise be better suited to a location outside the Port Douglas Centre Precinct unless they pose a safety issue;
- (b) development adjacent to the Captain Cook Highway presents an attractive appearance to the highway. The rain-trees, melaleucas and eucalypt trees along the Captain Cook Highway are retained where possible, taking into account the Department of Transport and main Road's requirements;



- (c) retailing activities are generally restricted to those which are ancillary and necessarily associated with the primary service and light industry nature of the area;
- (d) adjacent residential areas are protected from industry nuisances;
- (e) lots fronting Downing Street, between Dickson Street and Beor Street, are provided with an appropriate standard of road access and infrastructure, prior to development occurring.

**Precinct 4 – Old Port Road / Mitre Street precinct**

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

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

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

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



## Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<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>Not Applicable</b>
<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: <ul style="list-style-type: none"> <li>(a) the tree covered backdrop of Flagstaff Hill;</li> <li>(b) natural vegetation along watercourses, in particular the Mowbray River, Beor Creek and Dickson Inlet;</li> <li>(c) the tidal vegetation along the foreshore;</li> <li>(d) beachfront vegetation along Four Mile Beach, including the fringe of Coconut Palms;</li> <li>(e) the oil palm avenues along the major roads;</li> <li>(f) the lush landscaping within major roundabouts at key nodes;</li> <li>(g) Macrossan Street and Warner Street;</li> <li>(h) Port Douglas waterfront.</li> </ul>	<b>Complies with PO2</b>  <b>A detailed arborist report was prepared in 2001 for a previous proposal on the site and adjacent sites. This report found that there are no significant trees that required removal to accommodate the dwelling. The six trees to be removed include two regrowth acacias, three Eucalypts in poor health, and a mango tree.</b>  <b>A further arborists report was undertaken in March 2022 by Papillon Landscapes which further confirmed-</b>  <i><b>“Predominantly the vegetation consists of invasive weed species and regrowth of pioneer species that are opportunistic in their proliferation with many showing evidence of mould, termites, dieback, fallen limbs.</b></i>  <i><b>The significant tree species previously not identified such as the Black Bean</b></i>



Performance outcomes	Acceptable outcomes	Applicant response
		<p><b><i>(Castanospermum) &amp; Raintree (Samanea saman) have very large and invasive root systems that would compromise proposed infrastructure and building works.</i></b></p> <p><b><i>It is our professional opinion that the site and environs have suffered years of neglect and that removal coupled with sensitive revegetation strategies would only enhance the environs."</i></b></p> <p><b>To support the Arborists report, we have commissioned a formal ecological survey and report which supports these findings.</b></p> <p><b>Additionally, the detailed landscaping plans demonstrate the extensive mature, native landscaping along all property boundaries.</b></p> <p><b>A visual assessment has been completed in accordance with PSP 6 Landscape Values. This assessment found that the visual impact is very minor.</b></p> <p><b>As such, the development is considered to enhance key landscape elements and contribute 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.</b></p> <p><b>Additionally, there are no character trees or areas of significant vegetation contributing to the character and quality of the local plan area present on site.</b></p>





Performance outcomes	Acceptable outcomes	Applicant response
Performance outcomes	Acceptable outcomes	Applicant response
	<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: (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.	Not applicable.
<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.	Not Applicable as the site is not adjacent to identified gateways and nodes.
<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>Complies with AO4</b>  <b>Landscaping will be undertaken as per the Landscape Plan provided as Attachment 7. It remains our view that this landscaping will achieve 60% screening of the development from relevant view and vistas within 5 years and predominantly consists of endemic vegetation.</b>



Performance outcomes	Acceptable outcomes	Applicant response
		<p>It is noted that on an initial assessment of the application material, Officers formed the view that it was not compliant with AO4.</p> <p>Whilst we do not agree with this assessment, we note that the proposal easily achieves compliance with PO4 in that the landscaping plan creates a sense of being enveloped by the natural rainforest backdrop of Flagstaff hillside.</p> <p>The intent is to retain a band of natural vegetation at both the front and rear of the lot. This will reduce the visual prominence of the proposed new house and along with the use of a dark colour palette will help it to be visually absorbed into the vegetation backdrop.</p> <p>In the two locations where the new house may be visible, it will appear as a low profile, detached element surrounded by vegetation, and is not expected to be visually dominant.</p> <p>The existing vegetation that is retained will also provide shade, scale and a sense of being nestled into the hillside</p>
<p><b>PO5</b> Development does not compromise the safety and efficiency of the State-controlled road network.</p>	<p><b>AO5</b> Direct access is not provided to a State-controlled road where legal and practical access from another road is available.</p>	<p><b>Not applicable as the site is not located on/adjacent to a State-controlled road.</b></p>



Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable development</b>		
<b>Additional requirements in Precinct 1 – Port Douglas precinct</b>		
<p><b>PO6</b> The views and vistas identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 are maintained.</p>	<p><b>AO6.1</b> Development does not impede continued views to scenic vistas and key streetscapes within the local plan area.</p>	<p><b>Complies with AO6.1</b></p> <p><b>The development does not impede continued views to scenic vistas and key streetscapes.</b></p> <p><b>A visual assessment has been completed in accordance with PSP 6 Landscape Values. This assessment found that the visual impact is very minor and similar to some of the other hillslope developments on Flagstaff Hill.</b></p> <p><b>A copy of the visual impact assessment is provided at Attachments 3 &amp; 5.</b></p> 

Performance outcomes	Acceptable outcomes	Applicant response
		
	<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 AO6.2.</b>  <b>Buildings are set back more than 6m from the front boundary and Murphy Street frontage.</b>
<b>PO7</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 with AO7.1.</b>  <b>Four undercover parking spaces are provided as part of the dwelling design and are not visible from the street.</b>
	<b>AO7.2</b> Ground level parking incorporates clearly defined pedestrian routes.	<b>Not applicable.</b>



Performance outcomes	Acceptable outcomes	Applicant response
	<b>A07.3</b> Any porte-cocheres, disabled and pedestrian accesses are accommodated within the boundary of new or refurbished development.	<b>Not applicable.</b>
	<b>A07.4</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 Parking and access code with a relaxation of 30% of spaces required for the non-residential uses.	<b>Not applicable.</b>
	<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>Not applicable.</b>  <b>No advertising signs are proposed.</b>
<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	<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>Not Applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
sub-precinct and external to the town centre sub-precinct; (d) remain subservient to the natural environment and the backdrop of Flagstaff Hill. (e) do not exceed 3 storeys.		
<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>Not Applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
<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>Not Applicable</b>
<b>PO12</b> Setbacks at ground level provide for: (a) connection between pedestrian paths and public places; (b) areas for convenient movement of pedestrians; (c) changes in gradient of the street.	<b>AO12</b> Setbacks at ground level: (a) are clear of columns and other obstructions; (b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites; (c) connect without any lip or step to adjoining footpaths.	<b>Not Applicable</b>
<b>AO13</b> Buildings do not result in a reduction of views and vistas from public places to: (a) Flagstaff Hill; (b) Dickson Inlet;	<b>AO13</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b>



Performance outcomes	Acceptable outcomes	Applicant response
(c) public open space; (d) places 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.	Not Applicable
<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 identified the Port Douglas local plan maps contained in Schedule 2.	<b>AO15.1</b> Centre activities establish: at street level on active street frontages; a maximum of one level above street level.  <b>AO15.2</b> Any residential development activities or short term accommodation is located above street level of the active frontage, but not on or up to the street frontage in any development, including mixed use development.	Not Applicable
<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	<b>AO16</b> No acceptable outcomes are prescribed.	Not Applicable

Performance outcomes	Acceptable outcomes	Applicant response
the lush, vegetated character of the Town Centre sub-precinct is maintained.		
<b>PO17</b> Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through: <ul style="list-style-type: none"> <li>(a) surface decoration;</li> <li>(b) wall recesses and projections;</li> <li>(c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements.</li> </ul>	<b>AO17</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b>



Performance outcomes	Acceptable outcomes	Applicant response
(d) differentiating between the lower, middle and upper parts of the building by varying the façade and/or the shape of the built form, where comprised of more than two storeys.		
<b>P018</b> Roofs are not characterised by a cluttered display of plant and equipment, in particular: <ul style="list-style-type: none"> <li>(a) building caps and rooftops contribute to the architectural distinction of the building and create a coherent roofscape for the Town Centre sub-precinct;</li> <li>(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;</li> <li>(c) rooftops are not used for advertising.</li> </ul>	<b>AO18</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b>
<b>P019</b> Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to: <ul style="list-style-type: none"> <li>(a) shade windows;</li> <li>(b) reduce glare;</li> <li>(c) assist in maintaining comfortable indoor temperatures;</li> <li>(d) minimising heat loads;</li> <li>(e) enrich the North Queensland tropical character of the Town Centre sub-precinct;</li> <li>(f) provide architectural interest to building façades.</li> </ul>	<b>AO19</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
<b>PO20</b> Buildings are finished with high quality materials, selected for: <ul style="list-style-type: none"> <li>(a) their ability to contribute the character of Town Centre sub-precinct;</li> <li>(b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate.</li> </ul>	<b>AO20</b> No acceptable outcomes are prescribed	<b>Not Applicable</b>
<b>PO21</b> Buildings do not incorporate any type of glass or other materials that are likely to reflect the sun's rays in a manner that may create a nuisance, discomfort or a hazard.	<b>AO21</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b>
<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>AO22.2</b> Any break in the building façade varies the alignment by a 1 metre minimum deviation.  <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: <ul style="list-style-type: none"> <li>(a) a change in roof profile;</li> <li>(b) a change in parapet coping;</li> <li>(c) a change in awning design;</li> <li>(d) a horizontal or vertical change in the wall plane; or</li> <li>(e) a change in the exterior finishes and exterior colours of the development.</li> </ul>	<b>Not Applicable</b>
<b>PO23</b>	<b>AO23</b>	<b>Not Applicable</b>



Performance outcomes	Acceptable outcomes	Applicant response
<p>Building facades that face public spaces at ground level:</p> <ul style="list-style-type: none"> <li>(a) complement the appearance of the development and surrounding streetscape;</li> <li>(b) enhance the visual amenity of the public place;</li> <li>(c) include a variety of human scale architectural elements and details;</li> <li>(d) provide an opportunity for the casual and convenient surveillance of public space from within the development.</li> </ul>	<p>Building facades at the ground floor of development that face public space are designed to ensure:</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(b) a visually prominent main entrance that faces the principal public place;</li> <li>(c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade.</li> </ul>	
<p><b>PO24</b> Awnings for pedestrian shelter are consistent with the character setting of the Town Centre sub-precinct and:</p> <ul style="list-style-type: none"> <li>(a) extend and cover the footpath to provide protection from the sun and rain;</li> <li>(b) include lighting under the awning;</li> <li>(c) are continuous across the frontage of the site;</li> <li>(d) align to provide continuity with existing or future awnings on adjoining sites;</li> <li>(e) are a minimum of 3.0 metres in width and generally not more than 3.5 metres above pavement height;</li> <li>(f) do not extend past a vertical plane, 1.2 metres inside the kerb-line to enable street trees to be planted and grow;</li> <li>(g) are cantilevered from the main building with any posts within the footpath being non load-bearing.</li> </ul>	<p><b>AO24</b> No acceptable outcomes are prescribed.</p>	<p><b>Not Applicable</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
<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 contained within Planning scheme policy SC6.7 – Landscaping.  Note - Planning scheme policy SC6.7 - Landscaping provides guidance on meeting the Performance Outcome.	<b>Not Applicable</b>
<b>Additional requirements for Sub-precinct 1b – Waterfront North sub-precinct</b>		
<b>PO26</b> The establishment of uses is consistent with the outcomes sought for sub-precinct 1b – Waterfront North.	<b>AO26</b> Uses identified as inconsistent uses in Table 7.2.4.b – Inconsistent uses in sub-precinct 1b Waterfront North sub precinct are not established in sub-precinct 1b - Waterfront North.	<b>Not Applicable</b>
<b>PO27</b> The bulk and scale of buildings is consistent with surrounding development and steps down to complement the open space areas in the adjoining limited development sub-precinct.	<b>AO27</b> Buildings and structures are not more than: (a) 3 storeys and 13.5 metres in height , with a roof height of not less than 3 metres, in those parts of the precinct south of Inlet Street; (b) 2 storeys and 8.5 metres in height, with a roof height of not less than 3 metres, in those parts of the precinct north of Inlet Street. Note – Height is inclusive of roof height.	<b>Not Applicable</b>
<b>PO28</b> Building design, streetscape, pedestrian paths and street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port Douglas Precinct	<b>AO28</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b>
<b>PO29</b>	<b>AO29.1</b>	<b>Not Applicable</b>



Performance outcomes	Acceptable outcomes	Applicant response
Public pedestrian access along the water's edge is maximised.	<p>Public pedestrian access is provided along the frontage of the water's edge consisting of a boardwalk of a minimum width of 4 metres that is available of 24-hour use.</p> <p><b>AO29.2</b> A public plaza is incorporated into the design generally reflecting the requirements of the Port Douglas Waterfront Master Plan, focussing in the vicinity of the 'Duck Pond'.</p> <p><b>AO29.3</b> Built envelopes are setback a minimum of 3.0 metres from the board walk, with a shelter/shade zone between the building envelopes and the boardwalk consisting of shade structure, canopies, verandahs and the like.</p>	
<p><b>PO30</b> Buildings:</p> <ul style="list-style-type: none"> <li>(a) address street frontages;</li> <li>(b) ensure main entrances front the street or public spaces.</li> </ul>	<p><b>AO30</b> No acceptable outcomes are prescribed.</p>	<b>Not Applicable</b>
<p><b>PO31</b> Setbacks at ground level provide for:</p> <ul style="list-style-type: none"> <li>(a) connection between pedestrian paths and public places;</li> <li>(b) areas for convenient movement of pedestrians;</li> <li>(c) changes in gradient.</li> </ul>	<p><b>AO31</b> Setbacks at ground level:</p> <ul style="list-style-type: none"> <li>(a) are clear of columns and other obstructions;</li> <li>(b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites;</li> <li>(c) connect without any lip or step to adjoining footpaths.</li> </ul>	<b>Not Applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
<b>PO32</b> Buildings do not result in a reduction of views and vistas from public places to: (a) Dickson Inlet; (b) public open space; (c) places of significance.	<b>AO32</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b>
<b>PO33</b> Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at ground level including shade protection across the footpath and open space areas.	<b>AO33</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b>
<b>PO34</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 identified the Port Douglas local plan maps contained in Schedule 2.	<b>AO34.1</b> Centre activities establish: (a) at street level on active street frontages; (b) a maximum of one level above street level. <b>AO34.2</b> Residential development activities or short term accommodation is located above street /ground floor level of the active frontage, but not on or up to the street / public frontage in any development, including mixed use development.	<b>Not Applicable</b>
<b>PO35</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 Waterfront North sub-precinct is maintained.	<b>AO35</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b>



Performance outcomes	Acceptable outcomes	Applicant response
<b>PO36</b> Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through: <ul style="list-style-type: none"> <li>(a) surface decoration;</li> <li>(b) wall recesses and projections;</li> <li>(c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements.</li> <li>(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.</li> </ul>	<b>AO36</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b>
<b>PO37</b> Roofs are not characterised by a cluttered display of plant and equipment, in particular: <ul style="list-style-type: none"> <li>(a) building caps and rooftops contribute to the architectural distinction of the building and create a coherent roofscape for the Waterfront North sub-precinct;</li> <li>(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;</li> <li>(c) rooftops are not used for advertising.</li> </ul>	<b>AO37</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b>
<b>PO38</b> Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to: <ul style="list-style-type: none"> <li>(a) shade windows;</li> <li>(b) reduce glare;</li> <li>(c) assist in maintaining comfortable indoor temperatures;</li> <li>(d) minimising heat loads;</li> </ul>	<b>AO38</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
(e) enriching the North Queensland tropical character of the Waterfront North sub-precinct; (f) architectural interest to building façades.		
<b>PO39</b> Buildings are finished with high quality materials, selected for: (a) their ability to contribute the character of Waterfront North sub-precinct; (b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate.	<b>AO39</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b>
<b>PO40</b> Buildings do not incorporate any type of glass or other materials that are likely to reflect the sun's rays in a manner that may create a nuisance, discomfort or a hazard.	<b>AO40</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b>
<b>PO41</b> Façades and elevations do not include large blank walls and openings and setbacks are used to articulate vertical building surfaces.	<b>AO41.1</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>AO41.2</b> Any break in the building façade varies the alignment by a 1 metre minimum deviation.  <b>AO41.3</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;	<b>Not Applicable</b>



Performance outcomes	Acceptable outcomes	Applicant response
	(d) a horizontal or vertical change in the wall plane; or (e) a change in the exterior finishes and exterior colours of the development	
<b>PO42</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; (d) provide an opportunity for the casual and convenient surveillance of public space from within the development.	<b>AO42</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) 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>Not Applicable</b>
<b>PO43</b> Awnings for pedestrian shelter are consistent with the character setting of the Waterfront North sub-precinct and: (a) extend and cover the footpath to provide protection from the sun and rain; (b) include lighting under the awning; (c) are continuous across pedestrian circulation areas; (d) align to provide continuity with existing or future awnings on adjoining sites; (e) are a minimum of 3 metres in width and generally not more than 3.5 metres above pavement height; (f) do not extend past a vertical plane, 1.2 metres inside the street kerb-line to enable street trees to be planted and grow; (g) are cantilevered from the main building with any posts within the footpath being non load-bearing.	<b>AO43</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
<b>PO44</b> The Balley Hooley rail line and turn-table is retained and incorporated into development and maintains its functionality.	<b>AO44.1</b> Bally Hooley rail line and turn-table is retained and incorporated into development to maintain its functionality.  <b>AO44.2</b> Where development provides floor area for the Bally Hooley rail station, the gross floor area of the rail line and station does not generate a requirement for additional vehicle parking.	<b>Not Applicable</b>
<b>PO45</b> Development recognises the importance of and relationship between the marina, commercial and residential development in the Waterfront North sub-precinct, and includes measures to mitigate the impact of: (a) noise; (b) odour; (c) hazardous materials; (d) waste and recyclable material storage.	<b>AO45</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b>
<b>PO46</b> Formalised public spaces and pedestrian paths/areas on freehold land are made accessible to the public.	<b>AO46</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b>



Performance outcomes	Acceptable outcomes	Applicant response
<b>PO47</b> Buildings, civic spaces, roads and pedestrian links are enhanced by: <ul style="list-style-type: none"> <li>(a) appropriate landscape design and planting;</li> <li>(b) themed planting that defines entry points, and creates strong 'entry corridors' into the waterfront;</li> <li>(c) lighting and well-considered discrete signage that complements building and landscape design;</li> <li>(d) public artwork and other similar features that reflect the heritage and character of the Port Douglas Waterfront.</li> </ul>	<b>AO47</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b>
<b>PO48</b> Buildings are designed and sited to provide vistas along shared pedestrian/open space and movement areas in suitable locations.	<b>AO48</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b>
<b>PO49</b> Development does not diminish the viability of marine-based industrial uses that directly serve the Port Douglas tourist and fishing operators and private boat owners, particularly with respect to the slipway operation.	<b>AO49</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b>
<b>PO50</b> Marine infrastructure to service the tourism, fishing and private boating community is provided.	<b>AO50</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b>
<b>PO51</b> Changes to the Port Douglas Waterfront quay-line do not cause adverse impacts to the environmentally sensitive Dickson Inlet.	<b>AO51</b> Development that results in changes to the Port Douglas Waterfront quay-line is only established where an Ecological assessment report provides support to the changes.  Note - Planning scheme policy SC6.8 – Natural environment provides guidance on preparing an ecological assessment report.	<b>Not Applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
<b>Additional requirements for Sub-precinct 1c – Waterfront South sub-precinct</b>		
<b>PO52</b> The establishment of uses is consistent with the outcomes sought for Precinct 1c – Waterfront South.	<b>AO52</b> Uses identified as inconsistent uses in Table 7.2.4.4.c are not established in Precinct 1c – Waterfront South.	<b>Not Applicable</b>
<b>PO53</b> Development does not adversely impact on the natural environment, natural vegetation or watercourses.	<b>AO53.1</b> An Ecological assessment report is prepared identifying the environmental qualities of the surrounding natural and built features which are to be managed.  Note - Planning scheme policy SC6.8 – Natural environment provides guidance on preparing an ecological assessment report.  <b>AO53.2</b> An Environmental Management Plan is prepared to manage potential impacts of the operation of the development on surrounding natural areas.  Note - Planning scheme policy SC6.4 – Environmental management plans contains information to demonstrate compliance and guidance on preparing an Environmental Management Plan.	<b>Not Applicable</b>
<b>PO54</b> Development of land at the end of Port Street adjacent to Dickson Inlet incorporates a slipway, or an alternative functioning facility, with capacity to service the Port Douglas marine and tourism industry.	<b>AO54</b> A master plan for the development is provided and implemented to demonstrate the integration of the slipway, or an alternative functioning facility, with other supporting service industry activities that service the marine and tourism industry of Port Douglas.	<b>Not Applicable</b>
<b>PO55</b> Buildings and structures are of a height, and are set back from side boundaries and other sensitive areas to ensure the scenic amenity and environmental qualities of the adjacent area are not adversely affected.	<b>AO55.1</b> Development has a height of not more than 10 metres.  <b>AO55.2</b> Development is setback from all property boundaries not less than 3 metres.	<b>Not Applicable</b>
<b>PO56</b>	<b>AO56</b>	<b>Not Applicable</b>

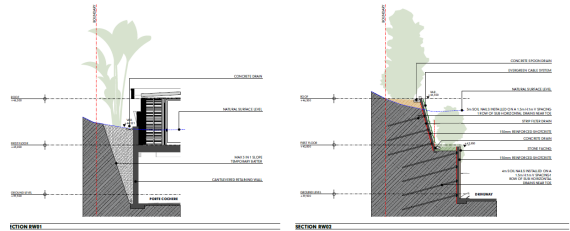


Performance outcomes	Acceptable outcomes	Applicant response
<p>The site coverage of all buildings and structures ensures development:</p> <ul style="list-style-type: none"> <li>(a) is sited in an existing cleared area or in an area approved for clearing;</li> <li>(b) has sufficient area for the provision of services;</li> <li>(c) development does not have an adverse effect on the environmental, habitat, conservation or landscape values of the on-site and surrounding sensitive areas.</li> </ul>	No acceptable outcomes are prescribed.	
<p><b>PO57</b> Premises include adequate provision for service vehicles, to cater for generated demand. Loading areas for service vehicles are designed to:</p> <ul style="list-style-type: none"> <li>(a) be accommodated on-site;</li> <li>(b) maximise safety and efficiency of loading;</li> <li>(c) protect the visual and acoustic amenity of sensitive land use activities;</li> <li>(d) minimise adverse impacts on natural characteristics of adjacent areas.</li> </ul>	<p><b>AO57.1</b> Sufficient manoeuvring area is provided on-site to allow a Medium Rigid Vehicle to enter and leave the site in a forward gear.</p> <p><b>AO57.2</b> Development is designed to ensure all service vehicles are contained within the site when being loaded/unloaded.</p> <p><b>AO57.3</b> Driveways, parking and manoeuvring areas are constructed and maintained to:</p> <ul style="list-style-type: none"> <li>(a) minimise erosion from storm water runoff;</li> <li>(b) retain all existing vegetation.</li> </ul>	<b>Not Applicable</b>
<p><b>PO58</b> Development ensures adverse impacts from service vehicles on the road network, external to the site, are minimised.</p>	<p><b>AO58</b> No acceptable outcomes are prescribed.</p>	<b>Not Applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
<b>PO59</b> Entry to the site is landscaped to enhance the amenity of the area and provide a pleasant working environment.	<b>AO59</b> Areas used for loading and unloading, storage, utilities and car parking are screened from public view: (a) by a combination of landscaping and screen fencing; (b) dense planting along any road frontage is a minimum width of 3 metres.	<b>Not Applicable</b>
<b>PO60</b> Landscaping is informal in character and complementary to the existing natural environment, provides screening and enhances the visual appearance of the development.	<b>AO60</b> For any development landscaping is in accordance with the Plant species schedule in Planning scheme policy SC6.7– Landscaping.	<b>Not Applicable</b>
<b>Additional requirements for Sub-precinct 1d – Limited Development sub-precinct</b>		
<b>PO61</b> The height of buildings and structures contributes to the desired form and outcomes for the sub-precinct and are limited to a single storey.	<b>AO61</b> Buildings and structures are not more than one storey and 4 metres in height.  Note - Height is inclusive of the roof height.	<b>Not Applicable</b>
<b>Additional requirements for Sub-precinct 1e – Community and recreation sub-precinct</b>		
<b>PO62</b> The precinct is developed for organised sporting activities and other community uses.	<b>AO62</b> No acceptable outcomes are prescribed.	<b>Not Applicable</b>
<b>Additional requirements for Sub-precinct 1f – Flagstaff Hill sub-precinct</b>		
<b>PO63</b> Flagstaff Hill is protected from inappropriate development to protect the hill as an important natural landmark feature of Port Douglas and as a vegetated backdrop to the Town centre.	<b>AO63</b> No acceptable outcomes are prescribed	<b>Complies with PO63.</b>  <b>The development is of a nature (residential dwelling) and scale anticipated on Flagstaff Hill.</b>  <b>A visual assessment has been completed in accordance with PSP 6 Landscape Values. This assessment found that the visual</b>



Performance outcomes	Acceptable outcomes	Applicant response
		<p>impact is very minor and similar to some of the other hillslope developments on Flagstaff Hill. There will be obstructed views of the dwelling from Port Douglas and a portion of the roofline and top of the building will be visible from Dickson Inlet.</p> <p>A copy of the Report is provided at Attachments 3 &amp; 5.</p> <p>Additionally, a detailed landscaping plan and analysis has been prepared at Attachment 7 which demonstrates the design retains the vegetated backdrop to the Town Centre.</p>
Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO64</b> All development on Flagstaff Hill is designed to minimise the visibility of the development and to ensure development is subservient to the natural landscape and topography of the site, including through:</p> <ul style="list-style-type: none"> <li>(a) building design which minimises excavation and filling;</li> <li>(b) buildings being designed to step down the site and incorporate foundations and footings on piers or poles;</li> <li>(c) buildings being visually unobtrusive and incorporating exterior finishes and muted colours which are non-reflective and complement the colours of the surrounding vegetation and view-shed;</li> <li>(d) protection of the views from public viewing points in the Port Douglas precinct.</li> </ul>	<p><b>AO64</b> No acceptable outcomes are prescribed.</p>	<p><b>Complies with PO64.</b></p> <p><b>This site is impacted by previous site works and reprofiling. The entire site has been disturbed. There is evidence on site of concrete rubble, old pipe work, tanks etc. all of which will require removal of topsoil and additional excavation work prior to commencement of construction.</b></p> <p><b>The design of the building responds to the site's current profile and cascades down the hillside.</b></p> <p><b>The proposed civil works have been designed in accordance with Golder's geotechnical report to ensure that the stability of the slope is not compromised.</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
		<p>The proposed design requires some cut and fill but very little material will be imported or exported from site. The site will simply be reprofiled.</p> <p>Previous cuts and retaining structures have been redesigned to minimise impact and enable mature landscaping to soften the impact.</p>  <p>The proposed design has been reviewed by GEO Design and is confirmed to be a conventional engineering solution.</p> <p>These works assist in minimising the bulk and overall height of the development. The design ensures the building is visually unobtrusive and in keeping with the superior architectural style of the area.</p> <p>A colour palette is provided at Attachment 3 demonstrating the use of non-reflective and natural colours which complement the surrounding vegetation.</p>

Performance outcomes	Acceptable outcomes	Applicant response
		A visual assessment has been completed in accordance with PSP 6 Landscape Values. This assessment found that the visual impact is very minor and similar to some of the other hillslope developments on Flagstaff Hill. There will be obstructed views of the dwelling from Port Douglas and a portion of the roofline and top of the building will be visible from Dickson Inlet.
<b>Additional requirements for Precinct 3 – Craiglie Commercial and Light Industry precinct</b>		
<b>PO65</b> Development supports the tourism and marine industries in Port Douglas, along with the small-scale commercial and light industry land uses that support the local economy that would otherwise be better suited to a location outside the Port Douglas Town Centre Precinct.	<b>AO65</b> Development consists of service and light industries and associated small scale commercial activities.	Not Applicable
<b>PO66</b> Development on lots adjacent to the Captain Cook Highway is sited, designed and landscaped to provide an attractive visual approach to Port Douglas with all buildings, structures and car parking areas setback a sufficient distance from the frontage to enable landscaping to soften or screen the appearance of the development.	<b>AO66.1</b> Buildings and structures are setback 8 metres from the Captain Cook Highway frontage, or no closer to the Captain Cook Highway frontage than buildings and structures on adjoining sites (averaged), whichever is the greater.  <b>AO66.2</b> The setback area to the Captain Cook Highway frontage is landscaped with advanced dense planting including tree species (100 litre bag stock), which will, at maturity, exceed the height of the building(s) on the site.  <b>AO66.3</b> Advertising signs are discreet in appearance with no large advertising signs, including tenancy signs,	Not Applicable



Performance outcomes	Acceptable outcomes	Applicant response
	<p>located on or near the Captain Cook Highway frontage, or within any landscaped setback area.</p> <p><b>AO66.4</b> Car parking areas, loading and other service areas are designed to be screened from the Captain Cook Highway and are located so as to not be visually prominent from the Captain Cook Highway.</p>	
<b>Additional requirements for Precinct 6 – Very Low Residential Density / Low Scale Recreation / Low Scale Educational / Low Scale Entertainment Uses precinct</b>		
<p><b>PO67</b> No additional lots are created within the precinct.</p>	<p><b>AO67</b> No acceptable outcomes are prescribed.</p>	<b>Not Applicable</b>
<p><b>PO68</b> Reconfigured lots have a minimum lot size of 2 hectares, unless the lot reconfiguration transfers lots to the higher parts of the land, to avoid the need to fill existing lots to accommodate dwelling houses.</p>	<p><b>AO68</b> No acceptable outcomes are prescribed.</p>	<b>Not Applicable</b>

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

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

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

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



## 8.2.2 Bushfire hazard overlay code

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

### 8.2.2.1 Application

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

### 8.2.2.2 Purpose

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

- (e) development contributes to effective and efficient disaster management response and recovery capabilities.

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

### Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>Compatible development</b>		
<b>PO1</b> A vulnerable use is not established or materially intensified within a bushfire hazard area (bushfire prone area) unless there is an overriding need or other exceptional circumstances.  Note - See the end of this code for examples of vulnerable uses.	<b>AO1</b> Vulnerable uses are not established or expanded.  Note – Where, following site inspection and consultation with Council, it is clear that the mapping is in error in identifying a premises as being subject to a medium, high, very high bushfire hazard or potential impact buffer sub-category, Council may supply a letter exempting the need for a Bushfire Management Plan. Note – Where the assessment manager has not previously approved a Bushfire Management Plan (either by condition of a previous development approval), the development proponent will be expected to prepare such a plan. Note – Planning scheme policy SC6.9 - Natural hazards, provides a guide to the preparation of a Bushfire Management Plan.	<b>Not Applicable</b>
<b>PO2</b> Emergency services and uses providing community support services are able to function effectively during and immediately after a bushfire hazard event.	<b>AO2</b> Emergency Services and uses providing community support services are not located in a bushfire hazard sub-category and have direct access to low hazard evacuation routes.	<b>Not Applicable</b>
<b>PO3</b> Development involving hazardous materials manufactured or stored in bulk is not located in bushfire hazard sub-category.	<b>AO3</b> The manufacture or storage of hazardous material in bulk does not occur within bushfire hazard sub-category.	<b>Not Applicable.</b>
<b>Development design and separation from bushfire hazard – reconfiguration of lots</b>		
<b>PO4.1</b>	<b>AO4.1</b>	<b>Not Applicable.</b>

Performance outcomes	Acceptable outcomes	Applicant response
<p>Where reconfiguration is undertaken in an urban area or is for urban purposes or smaller scale rural residential purposes, a separation distance from hazardous vegetation is provided to achieve a radiant heat flux level of 29kW/m<sup>2</sup> at the edge of the proposed lot(s).</p> <p>Note - "Urban purposes" and "urban area" are defined in the <i>Sustainable Planning Regulations 2009</i>. Reconfiguration will be taken to be for rural residential purposes where proposed lots are between 2000m<sup>2</sup> and 2ha in area. "Smaller scale" rural residential purposes will be taken to be where the average proposed lot size is 6000m<sup>2</sup> or less.</p> <p>Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.</p> <p><b>PO4.2</b> Where reconfiguration is undertaken for other purposes, a building envelope of reasonable dimensions is provided on each lot which achieves radiant heat flux level of 29kW/m<sup>2</sup> at any point.</p>	<p>No new lots are created within a bushfire hazard sub-category.</p> <p>or</p> <p><b>AO4.2</b> Lots are separated from hazardous vegetation by a distance that:</p> <ul style="list-style-type: none"> <li>(a) achieves radiant heat flux level of 29kW/m<sup>2</sup> at all boundaries; and</li> <li>(b) is contained wholly within the development site.</li> </ul> <p>Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation. For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages.</p> <p>Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.</p>	
<p><b>PO5</b> Where reconfiguration is undertaken in an urban area or is for urban purposes, a constructed perimeter road with reticulated water supply is established between the lots and the hazardous vegetation and is readily accessible at all times for urban fire fighting vehicles.</p> <p>The access is available for both fire fighting and maintenance/defensive works.</p>	<p><b>AO5.1</b> Lot boundaries are separated from hazardous vegetation by a public road which:</p> <ul style="list-style-type: none"> <li>(a) has a two lane sealed carriageway;</li> <li>(b) contains a reticulated water supply;</li> <li>(c) is connected to other public roads at both ends and at intervals of no more than 500m;</li> <li>(d) accommodates geometry and turning radii in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</li> <li>(e) has a minimum of 4.8m vertical clearance above the road;</li> </ul>	<p><b>Not Applicable.</b></p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>(f) is designed to ensure hydrants and water access points are not located within parking bay allocations; and</p> <p>(g) incorporates roll-over kerbing.</p> <p><b>AO5.2</b> Fire hydrants are designed and installed in accordance with AS2419.1 2005, unless otherwise specified by the relevant water entity.</p> <p>Note - Applicants should have regard to the relevant standards set out in the reconfiguration of a lot code and works codes in this planning scheme.</p>	
<p><b>PO6</b> Where reconfiguration is undertaken for smaller scale rural residential purposes, either a constructed perimeter road or a formed, all weather fire trail is established between the lots and the hazardous vegetation and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>The access is available for both fire fighting and maintenance/hazard reduction works.</p>	<p><b>AO6</b> Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has:</p> <p>(a) a reserve or easement width of at least 20m;</p> <p>(b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation;</p> <p>(c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path;</p> <p>(d) a minimum of 4.8m vertical clearance;</p> <p>(e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</p> <p>(f) a maximum gradient of 12.5%;</p> <p>(g) a cross fall of no greater than 10 degrees;</p> <p>(h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;</p> <p>(i) vehicular access at each end which is connected to the public road network at intervals of no more than 500m;</p> <p>(j) designated fire trail signage;</p>	<p><b>Not Applicable.</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
	<ul style="list-style-type: none"> <li>(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and</li> <li>(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.</li> </ul>	
<p><b>P07</b> Where reconfiguration is undertaken for other purposes, a formed, all weather fire trail is provided between the hazardous vegetation and either the lot boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>However, a fire trail will not be required where it would not serve a practical fire management purpose.</p>	<p><b>A07</b> Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> <li>(a) a reserve or easement width of at least 20m;</li> <li>(b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation;</li> <li>(c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path;</li> <li>(d) a minimum of 4.8m vertical clearance;</li> <li>(e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</li> <li>(f) a maximum gradient of 12.5%;</li> <li>(g) a cross fall of no greater than 10 degrees;</li> <li>(h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;</li> <li>(i) vehicular access at each end which is connected to the public road network;</li> <li>(j) designated fire trail signage;</li> <li>(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and</li> <li>(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.</li> </ul>	<p><b>Not Applicable.</b></p>

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



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

Performance outcomes	Acceptable outcomes	Applicant response
	<ul style="list-style-type: none"> <li>(f) a maximum gradient of 12.5%;</li> <li>(g) a cross fall of no greater than 10 degrees;</li> <li>(h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;</li> <li>(i) vehicular access at each end which is connected to the public road network which is connected to the public road network at intervals of no more than 500m;</li> <li>(j) designated fire trail signage;</li> <li>(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and</li> <li>(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.</li> </ul>	
<b>All development</b>		
<b>PO12</b> All premises are provided with vehicular access that enables safe evacuation for occupants and easy access by fire fighting appliances.	<b>AO12</b> Private driveways: <ul style="list-style-type: none"> <li>(a) do not exceed a length of 60m from the street to the building;</li> <li>(b) do not exceed a gradient of 12.5%;</li> <li>(c) have a minimum width of 3.5m;</li> <li>(d) have a minimum of 4.8m vertical clearance;</li> <li>(e) accommodate turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and</li> <li>(f) serve no more than 3 dwellings or buildings.</li> </ul>	<b>Complies with PO12</b>  <b>The premises provides a private driveway that enables safe evacuation. The lot is serviced by reticulated water and has easy access to fire fighting appliances.</b>

Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO13</b> Development outside reticulated water supply areas includes a dedicated static supply that is available solely for fire fighting purposes and can be accessed by fire fighting appliances.</p>	<p><b>AO13</b> A water tank is provided within 10m of each building (other than a class 10 building) which:</p> <ul style="list-style-type: none"> <li>(a) is either below ground level or of non-flammable construction;</li> <li>(b) has a take off connection at a level that allows the following dedicated, static water supply to be left available for access by fire fighters: <ul style="list-style-type: none"> <li>(i) 10,000l for residential buildings</li> </ul> </li> </ul> <p>Note – A minimum of 7,500l is required in a tank and the extra 2,500l may be in the form of accessible swimming pools or dams.</p> <ul style="list-style-type: none"> <li>(ii) 45,000l for industrial buildings; and</li> <li>(iii) 20,000l for other buildings;</li> <li>(c) includes shielding of tanks and pumps in accordance with the relevant standards;</li> <li>(d) includes a hardstand area allowing medium rigid vehicle (15 tonne fire appliance) access within 6m of the tank;</li> <li>(e) is provided with fire brigade tank fittings – 50mm ball valve and male camlock coupling and, if underground, an access hole of 200mm (minimum) to accommodate suction lines; and</li> <li>(f) is clearly identified by directional signage provided at the street frontage.</li> </ul>	<p><b>Not Applicable as the site is located within the reticulated water supply area.</b></p>
<p><b>PO14</b> Landscaping does not increase the potential bushfire risk.</p>	<p><b>AO14</b> Landscaping uses species that are less likely to exacerbate a bushfire event, and does not increase fuel loads within separation areas.</p>	<p><b>Complies with AO14.</b></p> <p><b>Refer to landscaping plan at Attachment 7 for species composition which will be native species set back from the dwelling house.</b></p>



Performance outcomes	Acceptable outcomes	Applicant response
<b>PO15</b> The risk of bushfire and the need to mitigate that risk is balanced against other factors (such as but not limited to, biodiversity or scenic amenity).	<b>AO15</b> Bushfire risk mitigation treatments do not have a significant impact on the natural environment or landscape character of the locality where this has value.	<b>Complies with AO15.</b>  <b>Bushfire risk management will not impact on the natural environment or landscape character of the locality - refer landscape plan at Attachment 7.</b>

Note – 'Vulnerable activities' are those involving:

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

### **8.2.3 Coastal environment overlay code**

#### **8.2.3.1 Application**

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

#### **8.2.3.2 Purpose**

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

- (g) locate and design community infrastructure to maintain the required level of functionality during and immediately after a coastal hazard event.

### Criteria for assessment

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

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>AO1.1</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>Complies with AO1.1. The development does not extent seaward of the coastal building line.</b>
	<b>AO1.2</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>AO1.3</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>AO1.4</b> Coastal protection work mitigates any increase in the coastal hazard.	<b>Not applicable.</b>



Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</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 and use of the coastal resource.	<b>AO2</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 such as swimming pools) and retaining walls are set back not less than 6 metres from the seaward boundary of the lot.	<b>Not Applicable as the lot does not front the coast or a reserve adjoining the coast.</b>
<b>For assessable development</b>		
<b>Erosion prone areas</b>		
<b>PO3</b> Development identifies erosion prone areas (coastal hazards).	<b>AO3</b> No acceptable outcomes are prescribed.	<b>Complies with PO3.</b>  <b>Approximately <math>\frac{3}{4}</math> of the site is mapped as being within the erosion prone area. This is considered an error in mapping given the elevation of the lot.</b>
<b>PO4</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: <ul style="list-style-type: none"> <li>(a) community infrastructure where no suitable alternative location or site exists for this infrastructure; or</li> <li>(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)</li> </ul>	<b>Complies with AO4.1.</b>  <b>A dwelling house is a preferred development outcome in accordance with the zoning of the site.</b>
	<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:	<b>Not applicable as there are no existing buildings on the site.</b>

Performance outcomes	Acceptable outcomes	Applicant response
	(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>Coastal management districts</b>		
<b>PO5</b> Natural processes and protective functions of landforms and vegetation are maintained.	<b>PO5.1</b> Development within the coastal management district: (a) maintains vegetation on coastal land forms where its removal or damage may: (i) destabilise the area and increase the potential for coastal erosion, or (ii) interrupt the natural sediment trapping processes or dune or land building processes; (b) maintains sediment volumes of dunes and near-shore coastal landforms, or where a reduction in sediment volumes cannot be avoided, increased risks to development from coastal erosion are mitigated by location, design and construction and operating standards; (c) minimises the need for erosion control structures or riverine hardening through location, design and construction standards; (d) maintains physical coastal processes outside the development footprint for the development, including longshore transport of sediment along the coast; (e) reduces the risk of shoreline erosion for areas adjacent to the development footprint to the maximum extent feasible in the case of erosion control structures.	<b>Not Applicable as the site is located outside of the Coastal Management District.</b>

Performance outcomes	Acceptable outcomes	Applicant response
	<b>PO5.2</b> Where development proposes the construction of an erosion control structure: (a) it is demonstrated that it is the only feasible option for protecting permanent structures from coastal erosion; and (b) those permanent structures cannot be abandoned or relocated in the event of coastal erosion occurring	<b>Not applicable as the development does not include an erosion control structure.</b>
	<b>PO5.3</b> Development involving reclamation: (a) does not alter, or otherwise minimises impacts on, the physical characteristics of a waterway or the seabed near the reclamation, including flow regimes, hydrodynamic forces, tidal water and riverbank stability; (b) is located outside active sediment transport area, or otherwise maintains sediment transport processes as close as possible to their natural state; (c) ensures activities associated with the operation of the development maintain the structure and condition of vegetation communities and avoid wind and water run-off erosion.	<b>Not applicable as the development does not include reclamation.</b>
<b>PO6</b> Development avoids or minimises adverse impacts on coastal resources and their values to the maximum extent reasonable.	<b>AO6.1</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 site.  And	<b>Complies with PO6.</b>  <b>The Development avoids or minimises adverse impacts on coastal resource.</b>



Performance outcomes	Acceptable outcomes	Applicant response
	<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;  and	
	<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.  And	
	<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.  And	
	<b>AO6.5</b> Design and siting of development protects and retains identified ecological values and underlying ecosystem processes within the development site to the greatest extent practicable.	
<b>PO7</b> Development is to maintain access to and along the foreshore for general public access.	<b>AO7.1</b> Development provides for regular access points for pedestrians including approved walking tracks, boardwalks and viewing platforms.	<b>Not Applicable as the site is not located along the foreshore.</b>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>and</p> <p><b>A07.2</b> Development provides for regular access points for vehicles including approved roads and tracks.</p> <p>or</p> <p><b>A07.3</b> Development demonstrates an alternative solution to achieve an equivalent standard of performance.</p>	
<p><b>PO8</b> Public access to the coast is appropriately located, designed and operated.</p>	<p><b>A08.1</b> Development maintains or enhances public access to the coast.</p> <p>or</p> <p><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.</p> <p>or</p> <p><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</p>	<p><b>Not Applicable as the site does not impact on public access to the coast, adjacent to state coastal land or tidal water.</b></p>
<p><b>PO9</b> Development adjacent to state coastal land or tidal water is located, designed and operated to:</p> <p>(a) maintain existing access to and along the foreshore;</p>	<p><b>A09.1</b> Development adjacent to state coastal land or tidal water:</p> <p>(a) demonstrates that restrictions to public access are necessary for:</p>	<p><b>Not Applicable as the site is not located adjacent to state coastal land or tidal water.</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
(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.	(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>AO9.2</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 corridors to preserve future access; (ii) ensure emergency vehicles can access the area near the development. or (b) 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: (i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, and	



Performance outcomes	Acceptable outcomes	Applicant response
	(ii) ensure emergency vehicles can access the area near the development.	
<b>AO10</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.	<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.  or  <b>AO10.2</b> Development demonstrates an alternative solution to achieve an equivalent standard and quality of access.	<b>Not Applicable</b>
<b>PO11</b> Development maintains public access to State coastal land by avoiding private marine development attaching to, or extending across, non-tidal State coastal land.	<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 land that is situated above high water mark	<b>Not Applicable</b>
<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>Complies with PO13.</b>  <b>The development does not impact on coastal views or vistas due its location.</b>  <b>Additionally, a visual impact assessment has been completed that demonstrates</b>

Performance outcomes	Acceptable outcomes	Applicant response
		that the visual impact of the development is minor.
<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 with PO14.</b>  <b>The development is located within the existing urban footprint of Port Douglas.</b>
<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 <i>Land Act 1994</i> .	<b>Not Applicable</b>
<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.	<b>Not Applicable</b>
<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: <ul style="list-style-type: none"> <li>(a) the height, scale and size of the natural features of the immediate surroundings and locality;</li> <li>(b) the height, scale and size of existing buildings or other structures in the immediate surroundings and the locality;</li> <li>(c) if the relevant planning scheme states that desired height, scale or size of buildings or other structures in the immediate surroundings</li> </ul>	<b>Not Applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>or locality – the stated desired height, scale or size.</p> <p>Note – The prescribed tidal works code in the <i>Coastal Protection and Management Regulation 2003</i> outlines design and construction requirements that must be complied with.</p>	
<p><b>PO18</b> Private marine development avoids adverse impacts on coastal landforms and coastal processes.</p>	<p><b>AO18</b> Private marine development does not require the construction of coastal protection works, shoreline or riverbank hardening or dredging for marine access.</p>	<p><b>Not Applicable</b></p>
<b>For dry land marinas and artificial waterways</b>		

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



## **8.2.5 Hillslopes overlay code**

### **8.2.5.1 Application**

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

### **8.2.5.2 Purpose**

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

## Criteria for assessment

Table 8.2.5.3.a – Hillslopes overlay code –assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable development</b>		
<b>PO1</b> The landscape character and visual amenity quality of hillslopes areas is retained to protect the scenic backdrop to the region.	<b>AO1.1</b> Development is located on parts of the site that are not within the Hillslopes constraint sub-category as shown on the Hillslopes overlay Maps contained in schedule 2.	<b>Not applicable. The Development is assessable development.</b>
<b>For assessable development</b>		
<b>PO2</b> The landscape character and visual amenity quality of hillslopes areas is retained to protect the scenic backdrop to the region.	<b>AO2.1</b> Development does not occur on land with a gradient in excess of 1 in 6 (16.6%)  or  <b>AO2.2</b> Where development on land steeper than 1 in 6 (16.6%) cannot be avoided, development follows the natural contours of the site.	<b>Complies with PO2.</b>  <b>The landscape character and visual amenity quality of the site is enhanced to protect the scenic backdrop to the region</b>  <b>The site generally has slopes of 1 in 3. Some small sections of the site are steeper than 1 in 6. The development follows the contours of the site as far as practical and cascades down the slope.</b>  <b>The proposal has sought to balance cut and fill to minimise the height impact of the building. The development on the site is supported by a detailed geotechnical analysis provided at Attachment 8.</b>  <b>It has been previously demonstrated that the Development retains the character of the hillslopes area and protects the scenic backdrops of the region.</b>  <b>The site will be extensively landscaped with signature native and tropical plantings</b>

Performance outcomes	Acceptable outcomes	Applicant response
		<p>to soften and screen retaining and driveway structures with cascading forms and complimenting the various aspects of the dwelling design and the features of the site.</p> <p>Vegetation clearing is necessary for the construction of the driveway and dwelling. No trees of significance are required to be removed for the construction of the dwelling. Native trees forward of the site and to the rear of the site will be retained.</p> <p>The development is largely compliant with the prescribed height limit of 8.5m.</p> <p>Detailed photomontages have been provided to demonstrate the development does not alter the sky line.</p> <p>The buildings and structures will be finished predominantly in exterior colours and surfaces. A detailed colour palette is provided as part of the plans of development at Attachment 3.</p>
	<p><b>A02.3</b> Access ways and driveways are:</p> <ul style="list-style-type: none"> <li>(a) constructed with surface materials that blend with the surrounding environment;</li> <li>(b) landscaped with dense planting to minimise the visual impact of the construction;</li> <li>(c ) provided with erosion control measures immediately after construction.</li> </ul>	

Performance outcomes	Acceptable outcomes	Applicant response
	<b>AO2.4</b> The clearing or disturbance of vegetation is limited to clearing and disturbance that: <ul style="list-style-type: none"> <li>(a) is necessary for the construction of driveways;</li> <li>(b) is necessary to contain the proposed development;</li> <li>(c) minimises canopy clearing or disturbance;</li> <li>(d) minimises riparian clearing or disturbance.</li> </ul>	
	<b>AO2.5</b> On land with slopes greater than 1 in 6 (16.6%) or greater, alternative construction methods to concrete slab on ground are utilised (i.e. split level or post and beam constructed buildings that minimise modification to the natural terrain of the land).	
	<b>AO2.6</b> Development does not alter the sky line.	
	<b>AO2.7</b> Buildings and structures: <ul style="list-style-type: none"> <li>(a) are finished predominantly in the following exterior colours or surfaces:</li> <li>(b) moderately dark to darker shades of olive green, brown, green, blue, or charcoal; or</li> <li>(c) moderately dark to darker wood stains that blend with the colour and hues of the surrounding vegetation and landscape;</li> <li>(d) are not finished in the following exterior colours or surfaces:</li> <li>(e) pastel or terracotta colours, reds, yellows, shades of white or beige, or other bright colours that do not blend with the surrounding vegetation and landscape;</li> <li>(f) reflective surfaces.</li> </ul>	



Performance outcomes	Acceptable outcomes	Applicant response
	<b>A02.8</b> Exterior colour schemes limit the use of white or other light colours to exterior trim and highlighting of architectural features	
	<b>A02.9</b> Areas between the first floor (including outdoor deck areas) and ground level are screened from view.	
	<b>A02.10</b> Recreational or ornamental features (including tennis courts, ponds or swimming pools) do not occur on land: (a) with a gradient of 1 in 6 (16.6%) or more; (b) are designed to be sited and respond to the natural constraints of the land and require minimal earthworks	
<b>PO3</b> Excavation or filling does not have an adverse impact on the amenity, safety, stability or function of the site or adjoining premises through: (a) loss of privacy; (b) loss of access to sunlight; (c) intrusion of visual or overbearing impacts; (d) complex engineering solutions.	<b>A03</b> Excavation or fill: (a) is not more than 1.2 metres in height for each batter or retaining wall; (b) is setback a minimum of 2 metres from property boundaries; (c) is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with Planning scheme policy SC6.7 – Landscaping; (d) does not exceed a maximum of 3 batters and 3 berms (i.e. not greater than 3.6 metres in height) on any one lot.	<b>Complies with PO3.</b>  <b>This is demonstrated in plans of Development provided at Attachment 3.</b>  <b>The excavation and filling does not result in a loss of privacy, loss of access to sunlight, intrusion of visual or overbearing impact, or complex engineering solutions. This is supported by commentary from Civil and Geotechnical RPEQs provided in Attachment 8.</b>  <b>The retaining structures proposed on site are commensurate with the geotechnical</b>

Performance outcomes	Acceptable outcomes	Applicant response
		<p>solutions accepted by Council on other sites on Murphy Street. See Attachment 9.</p> <p>Detailed civil design is provided for areas of proposed excavation and filling and sunshade diagrams are also provided.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<b>Lot reconfiguration</b>		
<p><b>PO4</b> For development that involves reconfiguring a lot, lot layout and design is responsive to the natural constraints of the land and each lot is capable of being used for its intended purpose.</p>	<p><b>AO4.1</b> The frontage and depth of all lots is of sufficient width to:</p> <ul style="list-style-type: none"> <li>(a) allow driveways to follow the natural contours of the site and not exceed a gradient of 1 in 6 (16.6%);</li> <li>(b) accommodate any changes in gradient between the road and lot within the lot boundary and not within the road reserve.</li> </ul> <p><b>AO4.2</b> Development does not create new lots containing land of greater than 1 in 6 (16.6%), except where a rectangular area of land of lesser grade is contained within the new lots to accommodate the intended land use, with the balance left in its natural state to the greatest extent possible.</p> <p>Note – The size of rectangular areas is outlined within each zone code.</p> <p><b>AO4.3</b> Development does not alter ridgelines.</p> <p><b>AO4.4</b></p>	<p><b>Not applicable as the development does not include lot reconfiguration.</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
	Lots are designed to ensure rooflines of future buildings and structures do not protrude above a ridgeline.	

## **8.2.6 Landscape values overlay code**

### **8.2.6.1 Application**

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

### **8.2.6.2 Purpose**

- (1) The purpose of the Landscape values overlay code is to:
  - (a) implement the policy direction of the Strategic Framework, in particular:
    - (i) Theme 2: Environment and landscape values Element 3.5.5 Scenic amenity;
    - (ii) Theme 3: Natural resource management Element 3.6.4 – Resource extraction.
  - (b) enable an assessment of whether development is suitable on land within the Landscape values overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) areas of High landscape value are protected, retained and enhanced;
  - (b) areas of Medium landscape value are managed to integrate and limit the visual impact of development;
  - (c) the landscape values of the Coastal scenery area are managed to integrate and limit the visual impact of development;
  - (d) development maintains and enhances the significant landscape elements and features which contribute to the distinctive character and identity of Douglas Shire;
  - (e) ridges and vegetated hillslopes are not developed in a way that adversely impacts on landscape values;
  - (f) watercourses, forested mountains and coastal landscape character types remain predominantly natural in appearance in order to maintain the



region's diverse character and distinctive tropical image, in particular:

- (i) areas in the coastal landscape character type which are predominantly natural and undeveloped in appearance retain this natural landscape character;
- (ii) watercourses which are predominantly natural and undeveloped in appearance retain this natural landscape character;
- (iii) the rural character of cane fields and lowlands landscape character types which are predominantly rural or natural in appearance are maintained;
- (iv) landscape values are maintained when viewed from lookouts, scenic routes, gateways and public places.
- (g) views towards High landscape value areas and the Coral Sea are not diminished;
- (h) development is consistent with the prevailing landscape character of its setting, and is neither visually dominant nor visually intrusive;
- (i) advertising devices do not detract from the landscape values, character types or amenity of an area.

### Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable development</b>		
<b>Development in a High landscape value area</b>		
<b>PO1</b> Development within High landscape value areas identified on the Landscape values overlay maps contained in Schedule 2: (a) avoids detrimental impacts on the landscape values of forested skylines, visible hillslopes, ridgelines, the coastal foreshore or the shoreline of other water bodies through the loss of vegetation; (b) is effectively screened from view from a road, lookout or other public place by an existing natural landform or native vegetation, or will be effectively screened by native vegetation within 3 years of construction;	<b>AO1.1</b> Buildings and structures are not more than 8.5 metres and two storeys in height.  Note - Height is inclusive of roof height.	<b>Complies with PO1.</b>  <b>A visual impact assessment has been undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</b>  <b>The development-</b> <ol style="list-style-type: none"> <li>1. avoids detrimental impacts on the landscape values by minimising loss of significant vegetation.</li> <li>2. The development is screened by native and landscaped vegetation and this landscaping will continue to improve the extent of screening</li> </ol>

Performance outcomes	Acceptable outcomes	Applicant response
		<p>within the first three years post construction.</p> <ol style="list-style-type: none"> <li>3. Incorporates both existing and new landscaping components.</li> <li>4. Incorporates a palette that complements the natural hillside features of the site.</li> <li>5. Is designed as a single storey at the top of the site, 2 storeys towards the middle of the site and set into the hill, and up to 3 storeys at the front of the building.</li> <li>6. There will be obstructed views of a small section of the roofline from Port Douglas and Dickson Inlet as shown in the visual montages supporting the application.</li> </ol> <p>This has been addressed elsewhere in the assessment criteria and supporting information is provided in the Planning Report at Attachment 4 and the Plans of Development and supporting reports at Attachment 3.</p>
(c) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements;		
(d) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are	<p><b>AO1.2</b> Buildings and structures are setback not less than 50 metres from ridgelines or peaks.</p>	<p><b>Complies with AO1.2.</b></p> <p><b>The dwelling is located more than 50m below a ridge line.</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>(e) compatible with the landscape values of the locality; avoids detrimental impacts on landscape values and excessive changes to the natural landform as a result of the location, position on site, scale, design, extent and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure;</p> <p>(f) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and lines and other tall infrastructure;</p> <p>(g) extractive industry operations are avoided.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p><b>AO1.3</b> Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.</p>	<p><b>Complies with AO1.3.</b></p> <p><b>The dwelling will be screened from Murphy street by native vegetation that will be retained. This is demonstrated in the Photomontages provided at Attachment 5.</b></p>
	<p><b>AO1.4</b> Where development on land steeper than 1 in 6 (16.6%) cannot be avoided: (a) development follows the natural; contours of the site; buildings are split level or suspended floor construction, or a combination of the two; lightweight materials are used to areas with suspended floors.</p> <p>Note - Examples of suitable lightweight materials include timber or fibre cement boards or sheeting for walls and factory treated metal sheeting for walls and roofs.</p>	<p><b>Complies with AO1.4.</b></p> <p><b>The site generally has slopes of 1 in 3</b></p> <p><b>Some small sections of the site are steeper than 1 in 6. The development follows the contours of the site as far as practical and cascades down the slope.</b></p> <p><b>Split level design including excavation and filling has been used for the dwelling to meet the constraints of the site where slopes are greater than 1 in 6.</b></p>
	<p><b>AO1.5</b> The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette.</p> <p>Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow.</p>	<p><b>Complies with AO1.5.</b></p> <p><b>The building palette will include non-reflective materials and subdued colours as per the Hillslopes Overlay Code further limit the visual impact of the dwelling.</b></p>
	<p><b>AO1.6</b> No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.5%).</p>	<p><b>Complies with AO1.6.</b></p> <p><b>No clearing of native vegetation is specifically proposed on slopes greater than 1 into 6. Where it may occur, a detailed geotechnical report has been</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
		relied upon to understand the impacts on slope stability and it achieves compliance with the correspondence Performance Outcome.
	<b>AO1.7</b> Where for accommodation activities or reconfiguration of a lot in a High landscape value area, development demonstrates that the height, design, scale, positioning on-site, proposed construction materials and external finishes are compatible with the landscape values.  Note - A visual impact assessment undertaken in accordance with Planning scheme policy SC6.6 – Landscape values may be required.	Not applicable.
	<b>AO1.8</b> Advertising devices do not occur.	Complies with AO1.8.
<b>Development within the Medium landscape value area</b>		
<b>PO2</b> Development within Medium landscape value areas identified on the Landscape values overlay maps contained in Schedule 2: (a) avoids detrimental impacts on the landscape values of forested skylines, visible hillslopes, ridgelines, the coastal foreshore or the shoreline of other water bodies through the loss of vegetation; (b) is effectively screened from view from a road, lookout or other public place by an existing natural landform or native vegetation, or will be effectively screened by native vegetation within 5 years of construction; (c) retains existing vegetation and incorporates new landscaping to enhance existing	<b>AO2.1</b> Buildings and structures are not more than 8.5 metres and two storeys in height.  Note - Height is inclusive of the roof height.  <b>AO2.2</b> Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.  <b>AO2.3</b> Where development on land steeper than 1 in 6 (16.6%) cannot be avoided: (a) development follows the natural; contours of the site;	Not applicable as the site is not located in the Medium landscape value area.



Performance outcomes	Acceptable outcomes	Applicant response
<p>vegetation and visually soften built form elements;</p> <p>(d) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality;</p> <p>(e) avoids detrimental impacts on landscape values and excessive changes to the natural landform as a result of the location, position on site, scale, design and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure;</p> <p>(f) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and lines and other tall infrastructure;</p> <p>(g) extractive industry operations are avoided, or where they cannot be avoided, are screened from view.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>(b) buildings are split level or suspended floor construction, or a combination of the two;</p> <p>(c) lightweight materials are used to areas with suspended floors.</p> <p>Note - Examples of suitable lightweight materials include timber or fibre cement boards or sheeting for walls and factory treated metal sheeting for walls and roofs.</p> <p><b>AO2.4</b> The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette.</p> <p>Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow.</p> <p><b>AO2.5</b> No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.6%).</p> <p><b>AO2.6</b> Advertising devices do not occur.</p>	
Development within a Scenic route buffer / view corridor area		
<p><b>PO3</b> Development within a Scenic route buffer / view corridor area as identified on the Landscape values overlay maps contained in Schedule 2:</p> <p>(a) retains visual access to views of the surrounding landscape, the sea and other water bodies;</p>	<p><b>AO3.1</b> Where within a Scenic route buffer / view corridor area, the height of buildings and structures is not more than identified within the acceptable outcomes of the applicable zone code.</p> <p><b>AO3.2</b></p>	<p><b>Not applicable as the site is not located in a Scenic route buffer area.</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>(b) retains existing vegetation and incorporates landscaping to visually screen and soften built form elements whilst not impeding distant views or view corridors;</p> <p>(c) incorporates building materials and external finishes that are compatible with the visual amenity and the landscape character;</p> <p>(d) minimises visual impacts on the setting and views in terms of:</p> <p>(e) the scale, height and setback of buildings;</p> <p>(f) the extent of earthworks and impacts on the landform including the location and configuration of access roads and driveways;</p> <p>(g) the scale, extent and visual prominence of advertising devices.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>No clearing of native vegetation is undertaken within a Scenic route buffer area.</p> <p><b>AO3.3</b> Where within a Scenic route buffer / view corridor area development is set back and screened from view from a scenic route by existing native vegetation with a width of at least 10 metres and landscaped in accordance with the requirements of the landscaping code.</p> <p><b>AO3.4</b> Development does not result in the replacement of, or creation of new, additional, or enlarged advertising devices.</p>	
<b>Development within the Coastal scenery area</b>		
<p><b>PO4</b> The landscape values of the Coastal scenery zone as identified on the Landscape values overlay maps contained in Schedule 2 are managed to integrated and limit the visual impact of development.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p><b>AO4.1</b> The dominance of the natural character of the coast is maintained or enhanced when viewed from the foreshore.</p> <p><b>AO4.2</b> Where located adjacent to the foreshore buildings and structures are setback:</p> <p>(a) Where no adjoining development, a minimum of 50 metres from the coastal high water mark and the setback area is landscaped with a native vegetation buffer that has a minimum width of 25 metres; or</p> <p>(b) Where there is adjoining development, setbacks will be consistent with that of adjoining buildings and structures, but not less than 10 metres from</p>	<p><b>Not applicable as the site is not located in a Coastal scenery area.</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>the coastal high water mark. The setback area is landscaped in accordance with the requirements of the Landscaping code.</p> <p><b>AO4.3</b> Where separated from the foreshore by land contained within public ownership (e.g. unallocated State land, esplanade or other public open space), buildings and structures area setback:</p> <p>(a) where no adjoining development, a minimum of 6 metres from the coastward property boundary. The setback area is landscaped in accordance with the requirements of the Landscaping code; or</p> <p>(b) where there is adjoining development, setbacks will be consistent with that of adjoining buildings and structures. The setback area is landscaped in accordance with the requirements of the Landscaping code.</p>	
<p><b>PO5</b> Development is to maximise opportunities to maintain and/or enhance natural landscape values through the maintenance and restoration of vegetated buffers between development and coastal waters, where practical.</p> <p>Note – A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in satisfaction of a performance outcome.</p>	<p><b>AO5</b> No clearing of native vegetation is undertaken within a Coastal scenery area zone, except for exempt vegetation damage undertaken in accordance with the Vegetation management code</p>	<p><b>Not applicable as the site is not located in a Coastal scenery area.</b></p>

## **8.2.9 Potential landslide hazard overlay code**

### **8.2.9.1 Application**

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

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

### **8.2.5.2 Purpose**


- (1) The purpose of the Potential landslide hazard overlay code is:
  - (a) implement the policy direction of the Strategic Framework, in particular:
    - (i) Theme 1: Settlement pattern Element 3.4.7 Mitigation of hazards.
  - (b) enable an assessment of whether development is suitable on land within the Potential landslip hazard overlay.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) development is located, designed and constructed to not put at risk the safety of people, property and the environment;
  - (b) development is not at risk from and does not pose a risk to adjacent and nearby sites from landslides;
  - (c) ensures that community infrastructure is protected from the effects of potential landslides;
  - (d) ensures that vegetation clearing, stormwater management and filling and/or excavation does not create a landslide hazard and/or rectifies potential pre-existing landslide risks;



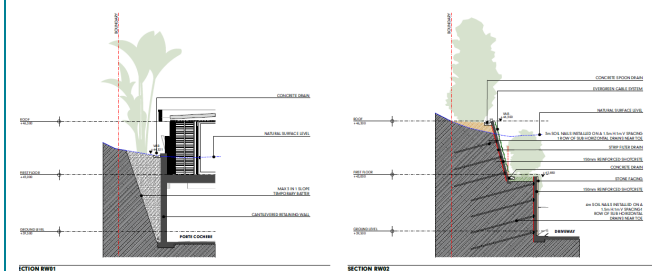
- (e) development does not occur where works to provide a solution for safety of people, property or the environment involves complex engineering solutions to overcome the risk, or would result in a built form or outcome that causes an adverse visual impact on the Hillslopes or Landscape values of Douglas Shire.

### Criteria for assessment

Table 8.2.9.20a – Potential landslide hazard overlay code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<p><b>PO1</b> The siting and design of development does not involve complex engineering solutions and does not create or increase the potential landslide hazard risk to the site or adjoining premises through:</p> <ul style="list-style-type: none"> <li>(a) building design;</li> <li>(b) increased slope;</li> <li>(c) removal of vegetation;</li> <li>(d) stability of soil;</li> <li>(e) earthworks;</li> <li>(f) alteration of existing ground water or surface water paths;</li> <li>(g) waste disposal areas.</li> </ul>	<p><b>AO1.1</b> Development is located on that part of the site not affected by the Potential landslide hazard overlay. or <b>AO1.2</b> Development is on an existing stable, benched site and requires no further earthworks or <b>AO1.3</b> A competent person certifies that:</p> <ul style="list-style-type: none"> <li>(a) the stability of the site, including associated buildings and infrastructure, will be maintained during the course of the development and will remain stable for the life of the development;</li> <li>(b) development of the site will not increase the risk of landslide hazard activity on other land, including land above the site;</li> <li>(c) the site is not subject to the risk of landslide activity on other land;</li> <li>(d) any measures identified in a site-specific geotechnical report for stabilising the site or development have been fully implemented;</li> <li>(e) development does not concentrate existing ground water and surface water paths;</li> <li>(f) development does not incorporate on-site waste water disposal.</li> </ul>	<p><b>Complies with AO1.3</b></p> <p><b>Two small portions of the site are mapped as being within the Potential Landslip Hazard area. This is most likely reflecting the pixelated mapping method rather than actual landslip hazards.</b></p> <p><b>In any case, a geotechnical assessment has been completed by a qualified engineer and is satisfied with the suitability of the site for the proposed development with appropriate conditions.</b></p> 

Performance outcomes	Acceptable outcomes	Applicant response
	<p>Note – Planning scheme policy SC6.9 – Natural hazards provides guidance on preparing a site specific geo-technical assessment.</p> <p>Note – Development may alter the conditions of ground water and surface water paths in accordance with a site-specific geotechnical report, but should ensure that its final disbursement is as-per pre-developed conditions.</p> <p>Consideration for location, velocity, volume and quality should be given</p>	
<p><b>PO2</b></p> <p>The siting and design of necessary retaining structures does not cause an adverse visual impact on landscape character or scenic amenity quality of the area.</p>	<p><b>AO2</b></p> <p>Excavation or fill:</p> <ul style="list-style-type: none"> <li>(a) is not more than 1.2 metres in height for each batter or retaining wall;</li> <li>(b) is setback a minimum of 2 metres from property boundaries;</li> <li>(c) is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with Planning scheme policy SC6.7 – Landscaping;</li> <li>(d) does not exceed a maximum of 3 batters and 3 berms (i.e. Not greater than 3.6 metres in height) on any one lot.</li> </ul>	<p><b>Complies with PO2.</b></p> <p><b>The design and siting of necessary retaining structures does not cause an adverse visual impact on landscape character or scenic amenity as demonstrated on renders of the development. This is supported by a Geotechnical assessment at Attachment 9 and detailed site and landscaping plans at Attachment 3 and 7.</b></p> <p><b>Where the retaining structures exceed the acceptable outcomes, they are been designed as tiered retaining structures of a maximum of 2 batters and 2 berms at 3.5m batter separated by a berm of sufficient width to accommodate landscaping.</b></p> <p><b>The practical ability to landscape these areas is demonstrated in the landscaping plans.</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
		
<b>Additional requirements for Community infrastructure</b>		
<b>PO3</b> Development for community infrastructure: (a) is not at risk from the potential landslide hazard areas; (b) will function without impediment from a landslide; (c) provides access to the infrastructure without impediment from the effects of a landslide; (d) does not contribute to an elevated risk of a landslide to adjoining properties.	<b>AO3</b> Development is designed in accordance with the recommendations of a site-specific geotechnical assessment which makes reference to the community infrastructure and its needs and function.  Note - A site specific geotechnical assessment will detail requirements that will address the Acceptable Outcomes of this Performance Outcome. Planning scheme policy SC6.9 – Natural hazards provides guidance on preparing a site specific geotechnical assessment.	<b>Not applicable.</b>

## **8.2.7 Natural areas overlay code**

### **8.2.7.1 Application**

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

Note – MSES = Matters of State Environmental Significance.

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

### **8.2.7.2 Purpose**

- (1) The purpose of the Natural areas overlay code is to:
  - (a) implement the policy direction in the Strategic Framework, in particular:
    - (i) Theme 2: Environment and landscape values, Element 3.5.3 Biodiversity, Element 3.5.4 Coastal zones;
    - (ii) Theme 3: Natural resource management Element 3.6.2 Land and catchment management, Element 3.6.3 Primary production, forestry and fisheries.
  - (b) enable an assessment of whether development is suitable on land within the Biodiversity area overlay sub-categories.




- (2) The purpose of the code will be achieved through the following overall outcomes:
- (a) development is avoided within:
    - (i) areas containing matters of state environmental significance (MSES);
    - (ii) other natural areas;
    - (iii) wetlands and wetland buffers;
    - (iv) waterways and waterway corridors.
  - (b) where development cannot be avoided, development:
    - (i) protects and enhances areas containing matters of state environmental significance;
    - (ii) provides appropriate buffers;
    - (iii) protects the known populations and supporting habitat of rare and threatened flora and fauna species, as listed in the relevant State and Commonwealth legislation;
    - (iv) ensures that adverse direct or indirect impacts on areas of environmental significance are minimised through design, siting, operation, management and mitigation measures;
    - (v) does not cause adverse impacts on the integrity and quality of water in upstream or downstream catchments, including the Great Barrier Reef World Heritage Area;
    - (vi) protects and maintains ecological and hydrological functions of wetlands, waterways and waterway corridors;
    - (vii) enhances connectivity across barriers for aquatic species and habitats;
    - (viii) rehabilitates degraded areas to provide improved habitat condition, connectivity, function and extent;
    - (ix) protects areas of environmental significance from weeds, pests and invasive species.
  - (c) strategic rehabilitation is directed to areas on or off site, where it is possible to achieve expanded habitats and increased connectivity.

## Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>Protection of matters of environmental significance</b>		
<b>PO1</b> Development protects matters of environmental significance.	<b>AO1.1</b> Development avoids significant impact on the relevant environmental values.  or  <b>AO1.2</b> A report is prepared by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, that the development site does not contain any matters of state and local environmental significance.  or  <b>AO1.3</b> Development is located, designed and operated to mitigate significant impacts on environmental values. For example, a report certified by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, how the proposed development mitigates impacts, including on water quality, hydrology and biological processes.	<b>Complies with PO1</b>  <b>The site has mapped category B regulated vegetation and a small section of category X at the front southwestern corner of the block.</b>  <b>Under the Planning Scheme the vegetation is mapped MSES Regulated Vegetation.</b>  <b>Assessment of vegetation on the site found that the site does not contain any species that warrant the vegetation being classed as MSES. Additionally, there are no trees of significance that need to be removed.</b>  <b>There are approximately six trees typical of regrowth, poor quality eucalypts with dead and dangerous branches and a mango tree.</b>  <b>Additionally, the VMA allows for exempt clearing of this category of vegetation within 10m of each property boundary.</b>  <b>The property is 30.182m x 67.033m or 2023m<sup>2</sup>. The area of the property within 10m of the property boundary is 1,544m<sup>2</sup></b>

Performance outcomes	Acceptable outcomes	Applicant response
		<p>leaving 479m<sup>2</sup> of vegetated area in the centre of the block.</p>  <p>Aerial map showing a development site. A grey rectangular area represents the '10m zone' with an area of 1,544m<sup>2</sup>. Inside this zone, a green rectangular area represents the 'Outside 10m zone' with an area of 479m<sup>2</sup>. The map also shows surrounding roads and property boundaries.</p> <p>A report prepared by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, that the development site does not contain any matters of state and local environmental significance and is provided as Attachment 6.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<b>Management of impacts on matters of environmental significance</b>		
<b>PO2</b> Development is located, designed and constructed to avoid significant impacts on matters of environmental significance.	<b>AO2</b> The design and layout of development minimises adverse impacts on ecologically important areas by: <ul style="list-style-type: none"> <li>(a) focusing development in cleared areas to protect existing habitat;</li> <li>(b) utilising design to consolidate density and preserve existing habitat and native vegetation;</li> <li>(c) aligning new property boundaries to maintain ecologically important areas;</li> <li>(d) ensuring that alterations to natural landforms, hydrology and drainage patterns on the development site do not negatively affect ecologically important areas;</li> <li>(e) ensuring that significant fauna habitats are protected in their environmental context; and</li> <li>(f) incorporating measures that allow for the safe movement of fauna through the site.</li> </ul>	<b>Complies with PO2.</b>  <b>The site is a site where residential development is anticipated and the impacts of residential development on the site will result in the removal of vegetation. The loss of on site vegetation is unavoidable in the circumstance. Clearing for this purpose is acknowledged and accepted in the VMA subject to a Development Permit for the MCU.</b>  <b>The site has mapped category B regulated vegetation and a small section of category X at the front southwestern corner of the block.</b>  <b>Assessment of vegetation on the site found that the site does not contain MSES and there are no trees of significance that need to be removed.</b>  <b>A report is prepared by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, that the development site does not contain any matters of state and local environmental significance and is provided as Attachment 6.</b>
<b>PO3</b> An adequate buffer to areas of state environmental significance is provided and maintained.	<b>AO3.1</b> A buffer for an area of state environmental significance (Wetland protection area) has a minimum width of:	<b>Complies with PO3</b>  <b>The site is a site where residential development is anticipated and the</b>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>(a) 100 metres where the area is located outside Urban areas; or</p> <p>(b) 50 metres where the area is located within a Urban areas.</p> <p>or</p> <p><b>AO3.2</b> A buffer for an area of state environmental significance is applied and maintained, the width of which is supported by an evaluation of environmental values, including the function and threats to matters of environmental significance.</p>	<p><b>impacts of residential development on the site will result in the removal of vegetation. The loss of on site vegetation is unavoidable in the circumstance. Clearing for this purpose is acknowledged and accepted in the VMA subject to a Development Permit for the MCU.</b></p> <p><b>The site has mapped category B regulated vegetation and a small section of category X at the front southwestern corner of the block.</b></p> <p><b>Assessment of vegetation on the site found that the site does not contain MSES and there are no trees of significance that need to be removed.</b></p> <p><b>A report is prepared by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, that the development site does not contain any matters of state and local environmental significance and is provided as Attachment 6.</b></p>
<p><b>PO4</b> Wetland and wetland buffer areas are maintained, protected and restored.</p> <p>Note – Wetland buffer areas are identified in AO3.1.</p>	<p><b>AO4.1</b> Native vegetation within wetlands and wetland buffer areas is retained.</p> <p><b>AO4.2</b> Degraded sections of wetlands and wetland buffer areas are revegetated with endemic native plants in patterns and densities which emulate the relevant regional ecosystem.</p>	<p><b>Not applicable as the site does not contain wetlands.</b></p>
<b>PO5</b>	<b>AO5.1</b>	<b>Complies with AO5.1.</b>

Performance outcomes	Acceptable outcomes	Applicant response
Development avoids the introduction of non-native pest species (plant or animal), that pose a risk to ecological integrity.	Development avoids the introduction of non-native pest species.  <b>AO5.2</b> The threat of existing pest species is controlled by adopting pest management practices for long-term ecological integrity.	<b>The construction of the new dwelling has a very low risk of introducing non-native pest species to the location.</b>
<b>Ecological connectivity</b>		
<b>PO6</b> Development protects and enhances ecological connectivity and/or habitat extent.	<b>AO6.1</b> Development retains native vegetation in areas large enough to maintain ecological values, functions and processes. and <b>AO6.2</b> Development within an ecological corridor rehabilitates native vegetation. and <b>AO6.3</b> Development within a conservation corridor mitigates adverse impacts on native fauna, feeding, nesting, breeding and roosting sites and native fauna movements.	<b>Complies with PO6</b>  <b>The development protects ecological connectivity and/or habitat extent by retaining native vegetation within the road reserve and to the rear of the site to the greatest extent possible while accommodating residential development which is a form of development anticipated for the site.</b>  <b>This is supported by the Ecological Report provided as Attachment 6.</b>
<b>PO7</b> Development minimises disturbance to matters of state environmental significance (including existing ecological corridors).	<b>AO7.1</b> Development avoids shading of vegetation by setting back buildings by a distance equivalent to the height of the native vegetation.  and	<b>Complies with PO7</b>  <b>The development seeks to minimise disturbance of areas mapped as MSES to the greatest extent possible while accommodating residential development on site which is a form of development contemplated and support by the Planning Scheme in this location.</b>

Performance outcomes	Acceptable outcomes	Applicant response
		<p>The development protects ecological connectivity and/or habitat extent by retaining native vegetation within the road reserve and to the rear of the site to the greatest extent possible while accommodating residential development which is a form of development anticipated for the site.</p> <p>This is supported by the Ecological Report provided as Attachment 6.</p>
	<p><b>A07.2</b> Development does not encroach within 10 metres of existing riparian vegetation and watercourses.</p>	
<b>Waterways in an urban area</b>		
<p><b>PO8</b> Development is set back from waterways to protect and maintain:</p> <ul style="list-style-type: none"> <li>(a) water quality;</li> <li>(b) hydrological functions;</li> <li>(c) ecological processes;</li> <li>(d) biodiversity values;</li> <li>(e) riparian and in-stream habitat values and connectivity;</li> <li>(f) in-stream migration</li> </ul>	<p><b>A08.1</b> Where a waterway is contained within an easement or a reserve required for that purpose, development does not occur within the easement or reserve;</p> <p>or</p> <p><b>A08.2</b> Development does not occur on the part of the site affected by the waterway corridor. Note – Waterway corridors are identified within Table 8.2.7.3.b.</p>	<p><b>Not applicable as there are no mapped waterways on the site.</b></p>
<b>Waterways in a non-urban area</b>		
<p><b>PO9</b> Development is set back from waterways to protect and maintain:</p> <ul style="list-style-type: none"> <li>(a) water quality;</li> <li>(b) hydrological functions;</li> <li>(c) ecological processes;</li> </ul>	<p><b>A09</b> Development does not occur on that part of the site affected by a waterway corridor.  Note – Waterway corridors are identified within Table 8.2.7.3.b.</p>	<p><b>Not applicable as there are no mapped waterways on the site.</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
(d) biodiversity values; (e) riparian and in-stream habitat values and connectivity; (f) in-stream migration.		

Table 8.2.7.3.b — Widths of waterway corridors for waterways

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



## 8.2.10 Transport network overlay code

### 8.2.10.1 Application

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

### 8.2.10.2 Purpose

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

### Criteria for assessment

Table 8.2.10.3 a – Transport network overlay code – assessable development

Performance outcomes	Acceptable outcomes	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 with AO1.1.</b>  <b>The site is located on Murphy Street which is an access road built for the purpose of accessing residential areas.</b>
	<b>AO1.2</b> Development does not compromise the safety and efficiency of the transport network.	<b>Complies with AO1.2.</b>

Performance outcomes	Acceptable outcomes	Applicant response
	<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>Complies with AO1.3.</b>
<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>
<b>PO3</b> Development involving sensitive land uses within a major transport corridor buffer area is located, designed and maintained to avoid or mitigate adverse impacts on amenity for the sensitive land use.	<b>AO3</b> No acceptable outcomes are prescribed.  Note – Part 4.4 of the Queensland Development Code provides requirements for residential building design in a designated transport noise corridor.	<b>Not applicable.</b>
<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>Not applicable.</b>
	<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>Not applicable.</b>

Performance outcomes	Acceptable outcomes	Applicant response
	<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>Not applicable.</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>Not applicable.</b>
<b>P05</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>Not applicable.</b>
<b>Pedestrian and cycle network</b>		
<b>P06</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>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 as the site is not adjacent to an element of the pedestrian and cycle movement network.</b>

### 9.3.8 Dwelling house code

#### 9.3.8.1 Application

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

Note—Where the land is identified in an overlay map, additional provisions relating to that overlay also apply. For example, minimum floor levels for a dwelling house on a site subject to certain types of flooding are identified in the Flood and storm tide inundation overlay code.

Note – For a proposal to be self-assessable, it must meet all of the self-assessable outcomes of this code and any other applicable code. Where it does not meet all the self-assessable outcomes, the proposal becomes assessable development and a development application is required. Where a development application is triggered, only the specific acceptable outcomes that the proposal fails to meet need to be assessed against the corresponding performance outcomes. Other self-assessable outcomes that are met are not assessed as part of the development application.

#### 9.3.8.2 Purpose

- (1) The purpose of the Dwelling house code is to assess the suitability of development to which this code applies.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) The dwelling house, including all habitable buildings on site, is occupied by a single household;
  - (b) A dwelling house, including a secondary dwelling or domestic out-buildings; ensures that the secondary dwelling is sub-ordinate to the primary dwelling house;
  - (c) Development of a dwelling house provides sufficient and safe vehicle access and parking for residents;
  - (d) The built form, siting, design and use of each dwelling is consistent with the desired neighbourhood character and streetscape elements of the area.

#### 9.3.8.3 Criteria for assessment

Table 9.3.8.3.a – Dwelling house code – assessable development

Performance outcomes	Acceptable outcomes
For self-assessable and assessable development	



<p><b>PO1</b> Secondary dwellings:</p> <ul style="list-style-type: none"> <li>(a) are subordinate, small-scaled dwellings;</li> <li>(b) contribute to a safe and pleasant living environment;</li> <li>(c) are established on appropriate sized lots;</li> <li>(d) do not cause adverse impacts on adjoining properties.</li> </ul>	<p><b>AO1</b> The secondary dwelling:</p> <ul style="list-style-type: none"> <li>(a) has a total gross floor area of not more than 80m<sup>2</sup>, excluding a single carport or garage;</li> <li>(b) is occupied by 1 or more members of the same household as the dwelling house.</li> </ul>	<p><b>Not Applicable</b></p>
<p><b>PO2</b> Resident's vehicles are accommodated on- site.</p>	<p><b>AO2</b> Development provides a minimum number of on-site car parking spaces comprising:</p> <ul style="list-style-type: none"> <li>(a) 2 car parking spaces which may be in tandem for the dwelling house;</li> <li>(b) 1 car parking space for any secondary dwelling on the same site.</li> </ul>	<p><b>Complies with AO2.</b></p> <p><b>Four undercover parking spaces will be provided in addition to uncovered parking on the driveway</b></p>



Performance outcomes	Acceptable outcomes	
<p><b>PO3</b> Development is of a bulk and scale that:</p> <ul style="list-style-type: none"> <li>(a) is consistent with and complements the built form and front boundary setbacks prevailing in the street and local area;</li> <li>(b) does not create an overbearing development for adjoining dwelling houses and their private open space;</li> <li>(c) does not impact on the amenity and privacy of residents in adjoining dwelling houses;</li> <li>(d) ensures that garages do not dominate the appearance of the street.</li> </ul>	<p><b>AO3</b> Development meets the acceptable outcome for building height in the applicable Zone code associated with the site.</p>	<p><b>Complies with PO3.</b></p> <p><b>The design of the building responds to the site's natural features and promotes the continuation of high quality architecturally designed homes that exist in Murphy Street.</b></p> <p><b>The design is consistent with the slope of the site and does not impact on the visual amenity of adjacent sites due to vegetation screening.</b></p> <p><b>The building will cascade down the hillside and range from 1 to 2 storeys at the top and middle sections of the site, and up to 3 storeys at the front of the building.</b></p> <p><b>The development is 8.5m in height across most of the site with the exception of a small area of balcony roof of the upper storey that protrudes marginally above the 8.5m.</b></p>

## **9.4.1 Access, parking and servicing code**

### **9.4.1.1 Application**

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

### **9.4.1.2 Purpose**

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



### 9.4.1.3 Criteria for assessment

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

Performance outcomes		Acceptable outcomes
For self-assessable and assessable development		
<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> <li>(d) the level of local accessibility;</li> <li>(e) the nature and frequency of any public transport serving the area;</li> <li>(f) whether or not the use involves the retention</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 AO1.1.</b> <b>Four undercover parking spaces are provided in addition to parking on the driveway.</b>
	<b>AO1.2</b> 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.	<b>Complies with AO1.2.</b>
of an existing building and the previous requirements for car parking for the building <ul style="list-style-type: none"> <li>(g) whether or not the use involves a heritage building or place of local significance;</li> <li>(h) whether or not the proposed use involves the retention of significant vegetation.</li> </ul>	<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>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>AO1.3 and AO1.4 are 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: <ul style="list-style-type: none"> <li>(a) AS2890.1;</li> <li>(b) AS2890.3;</li> <li>(c) AS2890.6.</li> </ul>	<b>Complies with PO2.</b> <b>Parking is sufficient to accommodate residential onsite parking.</b>



<p><b>PO3</b> Access points are designed and constructed:</p> <ul style="list-style-type: none"> <li>(a) to operate safely and efficiently;</li> <li>(b) to accommodate the anticipated type and volume of vehicles</li> <li>(c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate;</li> <li>(d) so that they do not impede traffic or pedestrian movement on the adjacent road area;</li> <li>(e) so that they do not adversely impact upon existing intersections or future road or intersection improvements;</li> <li>(f) so that they do not adversely impact current and future on-street parking arrangements;</li> <li>(g) so that they do not adversely impact on existing services within the road reserve adjacent to the site;</li> <li>(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).</li> </ul>	<p><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:</p> <ul style="list-style-type: none"> <li>(a) Australian Standard AS2890.1;</li> <li>(b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers.</li> </ul>	<p><b>Complies with AO3.1.</b></p> <p><b>The site is accessed via a private driveway and only proposed one crossover.</b></p> <p><b>There are no retaining structures proposed within the road reserve that exceed 1m in height.</b></p> <p><b>The access design uses the contours of the site to minimise deep excavation and fill to support the driveway. Further details of the driveway access arrangement will be provided at the Operational Works stage.</b></p>
	<p><b>AO3.2</b> Access, including driveways or access crossovers:</p> <ul style="list-style-type: none"> <li>(a) are not placed over an existing: <ul style="list-style-type: none"> <li>• telecommunications pit;</li> <li>• stormwater kerb inlet;</li> <li>• sewer utility hole;</li> <li>• water valve or hydrant.</li> </ul> </li> <li>(b) are designed to accommodate any adjacent footpath;</li> <li>(c) adhere to minimum sight distance requirements in accordance with AS2980.1.</li> </ul>	<p><b>The development can be conditioned to comply with AO3.2.</b></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 system</li></ul>	<p><b>Complies with AO3.3.</b></p> <p><b>The driveway has been designed in accordance with AO3.3 refer to driveway plans provided at Attachment 3.</b></p>
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	<b>AO3.4</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>The development can be conditioned to comply with AO3.4.</b>
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**Performance outcomes**
**Acceptable outcomes**

<b>PO4</b> Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.	<b>AO4</b> The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.	<b>Not applicable.</b>
<b>PO5</b> Access for people with disabilities is provided to the building from the parking area and from the street.	<b>AO5</b> Access for people with disabilities is provided in accordance with the relevant Australian Standard.	<b>Not applicable.</b>



<b>PO6</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>Not applicable.</b>
<b>PO7</b> Development provides secure and convenient bicycle parking which: (a) for visitors is obvious and located close to the building's main entrance; (b) for employees is conveniently located to provide secure and convenient access between the bicycle storage area, end-of-trip facilities and the main area of the building; (c) is easily and safely accessible from outside the site.	<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>Not applicable.</b>
<b>PO8</b> Development provides walking and cycle routes through the site which: (a) link to the external network and pedestrian and cyclist destinations such as schools, shopping centres, open space, public transport stations, shops and local activity centres along the safest, most direct and convenient routes; (b) encourage walking and cycling; (c) ensure pedestrian and cyclist safety.	<b>A08</b> Development provides walking and cycle routes which are constructed on the carriageway or through the site to: (a) create a walking or cycle route along the full frontage of the site; (b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site.	<b>Not applicable.</b>
<b>PO9</b> Access, internal circulation and on-site parking for service vehicles are designed and constructed: (a) in accordance with relevant standards;	<b>A09.1</b> Access driveways, vehicle manoeuvring and on-site parking for service vehicles are designed and constructed in accordance with AS2890.1 and	<b>Not applicable.</b>



Performance outcomes	Acceptable outcomes	
(b) so that they do not interfere with the amenity of the surrounding area; (c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles.	<b>AS2890.2.</b>  <b>AO9.2</b> Service and loading areas are contained fully within the site.  <b>AO9.3</b> The movement of service vehicles and service operations are designed so they: (a) do not impede access to parking spaces; (b) do not impede vehicle or pedestrian traffic movement.	
<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: (a) car wash; (b) child care centre; (c) educational establishment where for a school; (d) food and drink outlet, where including a drive-through facility; (e) hardware and trade supplies, where including a drive-through facility; (f) hotel, where including a drive-through facility; (g) service station.  <b>AO10.2</b> Queuing and set-down areas are designed and constructed in accordance with AS2890.1.	<b>Not applicable.</b>

**Table 9.4.1.3.b – Access, parking and servicing requirements**

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

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



Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Agricultural supplies store	1 space per 50m <sup>2</sup> of GFA and outdoor display area.	1 space per 200m <sup>2</sup> of GFA.	n/a	LRV
Air services	1 car space per 20m <sup>2</sup> of covered reception area, plus 1 car space per 2 staff, plus a covered bus set down area adjacent to the entry of the reception area and 2 bus parking spaces.	n/a	n/a	LRV
Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Bulk landscape supplies	1 space per 50m <sup>2</sup> GFA and outdoor display area.	1 space per 200m <sup>2</sup> of GFA.	n/a	MRV
Caretaker's accommodation	A minimum of 1 space	n/a	n/a	n/a





Child care centre	1 space per 10 children to be used for setting down and picking up of children, with a minimum of 3 car spaces to be provided for set down and collection; plus 1 space per employee. Any drive-through facility can provide tandem short term parking for 3 car spaces for setting down/picking up of children, on the basis that a passing lane is provided and line-marked to be kept clear of standing vehicles at all times.	n/a	n/a	VAN
Club	Unlicensed clubrooms: 1 space per 45m <sup>2</sup> of GFA. Licensed clubrooms: 1 space per 15m <sup>2</sup> of GFA.	1 space per 4 employees.	n/a	Licensed and equal or greater than 1500m <sup>2</sup> : RCV Other: VAN
Community care centre	1 space per 20m <sup>2</sup> of GFA.	A minimum of 1 space.	n/a	RCV
Community residence	A minimum of 2 spaces.	A minimum of 1 space.	n/a	VAN
Community use	1 space per 15m <sup>2</sup> GFA.	1 space per 100m <sup>2</sup> of GFA.	n/a	RCV
Dual occupancy	A minimum of 2 spaces per dwelling unit which may be in tandem with a minimum of 1 covered space per dwelling unit.	n/a	n/a	n/a
Dwelling house	A minimum of 2 spaces which may be in tandem plus 1 space for a secondary dwelling	n/a	n/a	n/a
Dwelling unit	1.5 spaces per one or two bedroom unit; or 2 spaces per three bedroom unit.	n/a	n/a	n/a



Educational establishment	Primary school or secondary schools: 1 car space per 2 staff members, plus provision of space to be used	Primary school or secondary schools: 1 space per 5	Required for all educational establishments with a GFA	RCV
Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
	for setting down and picking up of students. Tertiary and further education: 1 car space per 2 staff members, plus 1 car space per 10 students, plus provision of space to be used for setting down and picking up of students.	students over year 4. Tertiary and further education: 2 spaces per 50 full time students.	greater than 2000m <sup>2</sup> .	
Food and drink outlet	1 space per 25m <sup>2</sup> GFA and outdoor dining area. or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m <sup>2</sup> of GFA, and outdoor dining area.	1 space per 100m <sup>2</sup> of GFA, and outdoor dining area.	n/a	See Table 9.4.1.3.d
Function facility	1 space per 15m <sup>2</sup> GFA.	1 space per 100m <sup>2</sup> of GFA.	n/a	RCV
Funeral parlour	1 space per 15m <sup>2</sup> GFA.	n/a	n/a	RCV
Garden centre	1 space per 50m <sup>2</sup> GFA and outdoor display area	1 space per 200m <sup>2</sup> of GFA.	n/a	AV
Hardware and trade supplies	1 space per 50m <sup>2</sup> GFA and outdoor display area	1 space per 200m <sup>2</sup> of GFA.	n/a	AV



Health care services	1 space per 20m <sup>2</sup> of GFA.	1 space per 100m <sup>2</sup> of GFA.	Required for all health care services with a GFA greater than 2000m <sup>2</sup> .	VAN
High impact industry	1 space per 90m <sup>2</sup> of GFA.	n/a	n/a	AV
Home based business	The parking required for the dwelling house, plus 1 space per bedroom where the Home based business involves the provision of accommodation; or 1 space per 25m <sup>2</sup> GFA for any other Home Based Business.	n/a	n/a	n/a
Hospital	The greater of 1 space per 2 bedrooms or 1 space per 4 beds; plus 1 car space for ambulance parking, designated accordingly.	1 space per 100m <sup>2</sup> of GFA.	Required for all hospitals with a GFA greater than 2000m <sup>2</sup> .	RCV
Hotel	1 space per 10m <sup>2</sup> GFA and	1 space per	n/a	LRV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
	licensed outdoor area; plus For 1 space per 50m <sup>2</sup> GFA of floor area of liquor barn or bulk liquor sales area; plus, if a drive in bottle shop is provided, queuing lane/s on site for 12 vehicles. Note - Use standard for any Short Term Accommodation for hotel accommodation use.	100m <sup>2</sup> of GFA.		



Indoor sport and recreation	Squash court or another court game: 4 spaces per court. Basketball, netball, soccer, cricket: 25 spaces per court / pitch. Ten pin bowling: 3 spaces per bowling lane. Gymnasium: 1 space per 15m <sup>2</sup> of GFA.	1 space per 4 employees.	n/a	RCV
Low impact industry	1 space per 90m <sup>2</sup> of GFA.	n/a	n/a	AV
Marine industry	1 space per 90m <sup>2</sup> of GFA.	n/a	n/a	AV
Medium impact industry	1 space per 90m <sup>2</sup> of GFA.	n/a	n/a	AV
Multiple dwelling	If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie Local plan: 1 car space per dwelling unit.If outside Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie Local plan: 1.5 car spaces per dwelling unit In all cases 60% of the car parking area is to be covered.	1 bicycle space per 3 units and 1 visitor bicycle space per 12 units.	n/a	RCV (over 10 units)
Office	1 space per 25m <sup>2</sup> of GFA or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m <sup>2</sup> of GFA	1 space per 200m <sup>2</sup> GFA	Required for all office development with a GFA greater than 2000m <sup>2</sup> .	See Table 9.4.1.3.e
Outdoor sales	1 space per 50m <sup>2</sup> GFA and outdoor display area	1 space per 200m <sup>2</sup> of GFA.	n/a	AV



Outdoor sport and recreation	Coursing, horse racing, pacing, trotting: 1 space per 5 seated spectators,	Football: 5 space per field.	n/a	RCV
Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
	<p>plus 1 space per 5m<sup>2</sup> of other spectator areas.</p> <p>Football: 50 spaces per field.</p> <p>Lawn bowls: 30 spaces per green.</p> <p>Swimming pool: 15 spaces; plus 1 space per 100m<sup>2</sup> of useable site area.</p> <p>Tennis court or other court game: 4 spaces per court.</p> <p>Golf course: 4 spaces per tee on the course.</p> <p>Note - Use standard for Club for clubhouse component.</p>	<p>Lawn bowls: 5 spaces per green.</p> <p>Swimming pool: 1 space per swimming lane.</p> <p>Tennis court or other court game: 4 space per court.</p> <p>Golf course: 1 space per 15m<sup>2</sup> of GFA for clubhouse component.</p>		
Place of worship	1 space per 15m <sup>2</sup> of GFA.	1 space per 100m <sup>2</sup> of GFA.	n/a	LRV





Relocatable home park	1 space per relocatable home site; plus 0.1 space per relocatable home site for visitor parking; plus 1 space for an on-site manager	n/a	n/a	LRV
Research and technology industry	1 space per 90m <sup>2</sup> of GFA.	n/a	n/a	MRV
Residential care facility	1 visitor car space per 5 bedroom units; plus 1 car space per 2 staff members	n/a	n/a	LRV
Resort complex	Use standard for relevant standard for each component.  For example: Use Short Term Accommodation standard for accommodation component and Food and Drink Outlet for restaurant component.	Use standard for relevant standard for each component.  For example: Use Short Term Accommodation standard for accommodation component and Food and	n/a	RCV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
		Drink Outlet for restaurant component.		



Retirement facility	1 space per dwelling unit; plus 1 visitor space per 5 dwelling units; plus 1 visitor car space per 10 hostel units, nursing home or similar beds, plus 1 car space per 2 staff members; plus 1 car parking space for ambulance parking.	n/a	n/a	LRV
Sales office	A minimum of 1 space.	n/a	n/a	n/a
Service industry	1 space per 90m <sup>2</sup> of GFA.	n/a	n/a	SRV
Service station	1 space per 25m <sup>2</sup> of GFA	n/a	n/a	AV
Shop	1 space per 25m <sup>2</sup> of GFA. or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m <sup>2</sup> of GFA.	1 space per 100m <sup>2</sup> of GFA.	Required for all shops with a GFA greater than 2000m <sup>2</sup> .	See Table 9.4.1.3.d
Shopping centre	1 space per 25m <sup>2</sup> of GFA. or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m <sup>2</sup> of GFA.	1 space per 200m <sup>2</sup> GFA.	Required for all shopping centres with a GFA greater than 2000m <sup>2</sup> .	See Table 9.4.1.3.d



Short term accommodation	<p>If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan: 0.5 car spaces per dwelling unit.</p> <p>If outside Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan: For up to 5 units: 1 car space per dwelling unit, plus 1 space for visitors and 1 service/staff spaces. For 5 – 10 units: 1 car space per dwelling unit, plus 2 spaces for visitors and 1 service/staff spaces.</p>	1 space per 10 rooms	n/a	SRV
Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
	<p>For over 10 units: 0.75 car spaces per dwelling unit, plus 3 spaces for visitors and 2 service/staff parking for the first 10 units and 0.5 additional service/staff space per 10 units, there-above.</p> <p>In all cases 60% of the car parking area is to be covered.</p> <p>Note: Where Short term accommodation is to be inter-changeable with a Multiple dwelling land use, multiple dwelling parking rates apply.</p>			
Showroom	1 space per 50m <sup>2</sup> GFA.	1 space per 200m <sup>2</sup> GFA.	n/a	AV



Special industry	1 space per 90m <sup>2</sup> of GFA.	n/a	n/a	AV
Tourist park	1 car space per caravan site, tent site or cabin; plus 1 visitor car space per 10 caravan sites, tent sites or cabins; plus 1 car space for an on-site manager.	n/a	n/a	LRV
Theatre	Indoor: 1 space per 15m <sup>2</sup> of GFA.  Outdoor cinema: 1 space per 5m <sup>2</sup> of designated viewing area, plus 1 car space per 2 employees.	1 space per 200m <sup>2</sup> GFA.	n/a	VAN
Veterinary services	1 space per 50m <sup>2</sup> of GFA.	n/a	n/a	VAN
Warehouse	1 space per 90m <sup>2</sup> of GFA.	n/a	n/a	Where self-storage: RCV Other: AV
Any use not otherwise specified in this table.	Sufficient spaces to accommodate number of vehicles likely to be parked at any one time.	Sufficient spaces to accommodate number of vehicles likely to be parked at any one time.		To be determined

**Table 9.4.1.3.c – Design vehicles**

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

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

Gross floor area (m <sup>2</sup> )	Service bays required			
	<b>VAN</b>	<b>SRV</b>	<b>MRV</b>	<b>LRV</b>
0-199	-	1	-	-
200 – 599	1	-	1	-
600 – 999	1	1	1	-
1000 – 1499	2	1	1	-
1500 – 1999	2	2	1	-
2000 – 2799	2	2	2	-
2800 – 3599	2	2	2	1
3600 and over	To be determined via a parking study.			

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

Gross floor area (m <sup>2</sup> )	Service bays required			
	<b>VAN</b>	<b>SRV</b>	<b>MRV</b>	<b>LRV</b>
0-999	-	1	-	-





1000 – 2499	1	-	1	-
2500 – 3999	2	1	1	-
4000 – 5999	3	1	1	-
6000 – 7999	4	1	1	-
8000 – 9999	4	2	1	-
10000 and over	To be determined via a parking study.			

## Filling and excavation code

### 9.4.4.1 Application

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

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

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

### 9.4.4.2 Purpose

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



### 9.4.4.3 Criteria for assessment

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

Performance outcomes		Acceptable outcomes
<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 with PO1.</b>  <b>Filling and excavation work will not create a detrimental impact on slope stability, erosion potential or visual amenity.</b> <b>Filling and excavation will be largely for construction of the dwelling and the driveway and have suitable retaining structures where needed.</b> <b>A detailed geotechnical assessment has been completed for the site and found that with the adoption of sound engineering practices relevant to hillside construction, the overall slope following the development proposed should be stable.</b>  <b>Detailed plans are provided at Attachment 3 and supported by the Geotechnical report at Attachment 8.</b>
<b>Performance outcomes</b>		<b>Acceptable outcomes</b>
	<b>AO1.2</b> Cuts are supported by batters, retaining or rock walls and associated benches/terraces are capable of supporting mature vegetation.	<b>Complies with AO1.2.</b>
	<b>AO1.3</b> Cuts are screened from view by the siting of the building/structure, wherever possible.	<b>Complies with AO1.3.</b>
	<b>AO1.4</b>	<b>Compliance with AO1.4 can be conditioned.</b>



	Topsoil from the site is retained from cuttings and reused on benches/terraces.	
	<b>AO1.5</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.	Complies with AO1.5. See detailed civil plans at Attachment 3.
	<b>AO1.6</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.	Compliance with AO1.6 can be conditioned and is proposed as part of the development works.  An erosion and sediment control plan will be prepared for the development.
<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>AO2.1</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 AO2.1 does not apply to reconfiguration of 5 lots or more.	Complies with PO2  Filling and excavation will be 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.  The cut and fill is largely site profiling and the works will be extensively landscaped on completion.
	<b>AO2.2</b> Filling and excavation does not occur within 2 metres of the site boundary.	
<b>Flooding and drainage</b>		
<b>PO3</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>AO3.1</b> Filling and excavation does not result in the ponding of water on a site or adjacent land or road reserves.	Complies with PO3.  Filling and excavation will be required for the construction of the dwelling house and driveway. This will not result in the ponding of water. Any change to the run off will be undertaken as per the FNQROC Development Manual.



		<b>All stormwater will flow to a lawful point of discharge.</b>
	<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.	
	<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.	
	<b>A03.4</b> Filling and excavation complies with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	
<b>Water quality</b>		
<b>PO4</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>Complies with PO4.</b>
<b>Performance outcomes</b>		<b>Acceptable outcomes</b>
<b>Infrastructure</b>		
<b>PO5</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>Complies with A05.</b>



## **9.4.5 Infrastructure works code**

### **9.4.5.1 Application**

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

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

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

### **9.4.5.2 Purpose**

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

### 9.4.5.3 Criteria for assessment

Table 9.4.5.3.a – Infrastructure works code –assessable development

Performance outcomes		Acceptable outcomes
<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>AO1.2</b> Kerb ramp crossovers are constructed in accordance with Planning scheme policy SC 5 – FNQROC Regional Development Manual.  <b>AO1.3</b> New pipes, cables, conduits or other similar infrastructure required to cross existing footpaths: (a) are installed via trenchless methods; or (b) where footpath infrastructure is removed to install infrastructure, the new section of footpath is installed to the standard detailed	<b>Complies with PO1 and a condition can be included to confirm compliance.</b>



Performance outcomes	Acceptable outcomes	
	<p>in the Planning scheme policy SC5 – FNQROC Regional Development Manual, and is not less than a 1.2 metre section.</p> <p><b>AO1.4</b> Where existing footpaths are damaged as a result of development, footpaths are reinstated ensuring:</p> <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> <p><b>AO1.5</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.</p>	
<b>Accessibility structures</b>		
<p><b>PO2</b> Development is designed to ensure it is accessible for people of all abilities and accessibility features do not impact on the efficient and safe use of footpaths.</p> <p>Note – Accessibility features are those features required to ensure access to premises is provided for people of all abilities and include ramps and lifts.</p>	<p><b>AO2.1</b> Accessibility structures are not located within the road reserve.</p> <p><b>AO2.2</b> Accessibility structures are designed in accordance with AS1428.3.</p> <p><b>AO2.3</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>	<p><b>Can be conditioned to comply to the extent relevant to the proposed development.</b></p>
<b>Water supply</b>		



<p><b>PO3</b> An adequate, safe and reliable supply of potable, fire fighting and general use water is provided.</p>	<p><b>AO3.1</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>AO3.2</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</p>	<p><b>Complies with AO3.1.</b></p> <p><b>The site will be connected to the Council reticulated water supply.</b></p>
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Performance outcomes		Acceptable outcomes
		occupation of the house and sited to be visually unobtrusive.
<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>Complies with AO4.1.</b>  <b>The site will be connected to the Council reticulated sewerage system.</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: (a) achieving stormwater quality objectives;	<b>AO5.1</b> A connection is provided from the premises to Council's drainage system;  or	<b>Complies with AO5.1.</b>  <b>The site will be connected to the Council stormwater system via a lawful point of discharge.</b>





<p>(b) protecting water environmental values; (c) maintaining waterway hydrology.</p>	<p><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 Development Manual.</p>	
	<p><b>AO5.3</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: (a) erosive, dispersive and/or saline soil types; (b) landscape features (including landform); (c) acid sulfate soil and management of nutrients of concern; (d) rainfall erosivity.</p>	<p><b>This can be conditioned by Council.</b></p> <p><b>An erosion and sediment control plan will be prepared for the development.</b></p>
	<p><b>AO5.4</b> Erosion and sediment control practices are designed, installed, constructed, monitored, maintained, and carried out in accordance with an erosion and sediment control plan.</p>	<p><b>AO5.4 can be conditioned by Council to ensure compliance.</b></p>



Performance outcomes	Acceptable outcomes	
	<p><b>AO5.5</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.</p> <p>Note – Planning scheme policy SC5 – FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p>Note – During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.</p>	<p><b>AO5.5 can be conditioned by Council to ensure compliance.</b></p>
Non-tidal artificial waterways		
<p><b>O6</b> Development involving non-tidal artificial waterways is planned, designed, constructed and operated to:</p> <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>	<p><b>AO6.1</b> Development involving non-tidal artificial waterways ensures:</p> <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> <p><b>AO6.2</b> Non-tidal artificial waterways are located:</p> <ul style="list-style-type: none"> <li>(a) outside natural wetlands and any associated</li> </ul>	<p><b>Not applicable.</b></p>



- buffer areas;
- (b) to minimise disturbing soils or sediments;
- (c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas.

#### **AO6.3**

Non-tidal artificial waterways located adjacent to, or connected to a tidal waterway by means of a weir, lock, pumping system or similar ensures:

- (a) there is sufficient flushing or a tidal range of >0.3 m; or
- (b) any tidal flow alteration does not adversely impact on the tidal waterway; or
- (c) there is no introduction of salt water into freshwater environments.

#### **AO6.4**

Non-tidal artificial waterways are designed and managed for any of the following end-use purposes:

- (a) amenity (including aesthetics), landscaping or recreation; or
- (b) flood management, in accordance with a drainage catchment management plan; or
- (c) stormwater harvesting plan as part of an integrated water cycle management plan; or
- (d) aquatic habitat.

Performance outcomes

Acceptable outcomes



	<p><b>AO6.5</b> The end-use purpose of the non-tidal artificial waterway is designed and operated in a way that protects water environmental values.</p> <p><b>AO6.6</b> Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway.</p> <p><b>AO6.7</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.</p>	
<b>Wastewater discharge</b>		
<p><b>PO7</b> Discharge of wastewater to waterways, or off site:</p> <ul style="list-style-type: none"> <li>(a) meets best practice environmental management;</li> <li>(b) is treated to: <ul style="list-style-type: none"> <li>(i) meet water quality objectives for its receiving waters;</li> <li>(ii) avoid adverse impact on ecosystem health or waterway health;</li> <li>(iii) maintain ecological processes, riparian vegetation and waterway integrity;</li> <li>(iv) offset impacts on high ecological value waters.</li> </ul> </li> </ul>	<p><b>AO7.1</b> A wastewater management plan is prepared and addresses:</p> <ul style="list-style-type: none"> <li>(a) wastewater type;</li> <li>(b) climatic conditions;</li> <li>(c) water quality objectives;</li> <li>(d) best practice environmental management.</li> </ul> <p><b>AO7.2</b> The waste water management plan is managed in accordance with a waste management hierarchy that:</p> <ul style="list-style-type: none"> <li>(a) avoids wastewater discharge to waterways; or</li> <li>(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.</li> </ul> <p><b>AO7.3</b> Wastewater discharge is managed to avoid or minimise the release of nutrients of concern so as to minimise the occurrence, frequency and</p>	<b>Not applicable.</b>



	<p>intensity of algal blooms.</p> <p><b>AO7.4</b> Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and:</p> <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</li> </ul> </li> </ul>	
Performance outcomes	Acceptable outcomes	
	<p>discharge;</p> <ul style="list-style-type: none"> <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>	
<b>Electricity supply</b>		



<p><b>PO8</b> Development is provided with a source of power that will meet its energy needs.</p>	<p><b>AO8.1</b> A connection is provided from the premises to the electricity distribution network;</p> <p>or</p> <p><b>AO8.2</b> The premises is connected to the electricity distribution network in accordance with the Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p>Note - Areas north of the Daintree River have a different standard.</p>	<p><b>Complies with AO8.1.</b></p>
<p><b>PO9</b> Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.</p>	<p><b>AO9.1</b> Pad-mount electricity infrastructure is:</p> <ul style="list-style-type: none"> <li>(a) not located in land for open space or sport and recreation purposes;</li> <li>(b) screened from view by landscaping or fencing;</li> <li>(c) accessible for maintenance.</li> </ul> <p><b>AO9.2</b> Pad-mount electricity infrastructure within a building, in a Town Centre is designed and located to enable an active street frontage.</p> <p>Note – Pad-mounts in buildings in activity centres should not be located on the street frontage.</p>	<p><b>Not applicable.</b></p>
<p><b>Telecommunications</b></p>		
<p><b>PO10</b> Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.</p>	<p><b>AO10</b> The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.</p>	<p><b>Complies with AO10.</b></p>





<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 Development Manual.	<b>Can be conditioned to comply with AO11</b>
<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: (a) pedestrians and cyclists to and from the site;	<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	<b>Not applicable – Murphy Street is an existing road.</b>



Performance outcomes		Acceptable outcomes
(b) pedestrians and cyclists adjacent to the site; (c) vehicles on the road adjacent to the site; (d) vehicles to and from the site; (e) emergency vehicles.		Manual, for the particular class of road, as identified in the road hierarchy.  <b>AO12.2</b> There is existing road, kerb and channel for the full road frontage of the site.  <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>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>Complies with AO13 for all services.</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> 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>Complies with AO14.1.</b>
<b>Construction management</b>		



<p><b>PO15</b> Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be retained.</p>	<p><b>AO15</b> Works include, at a minimum:</p> <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>	<p><b>This can be conditioned by Council.</b></p>
<p><b>PO16</b> Existing infrastructure is not damaged by construction activities.</p>	<p><b>AO16</b> Construction, alterations and any repairs to infrastructure is undertaken in accordance with the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p>Note - Construction, alterations and any repairs to State-controlled roads and rail corridors are undertaken in accordance with the Transport Infrastructure Act 1994.</p>	<p><b>This can be conditioned by Council.</b></p>



Performance outcomes		Acceptable outcomes
<b>For assessable development</b>		
<b>High speed telecommunication infrastructure</b>		
<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>Complies with PO17.</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: <ul style="list-style-type: none"> <li>(a) off-site releases of contaminants do not occur;</li> <li>(b) the health and safety of people and the environment are protected;</li> <li>(c) the performance of the wastewater system is not put at risk.</li> </ul>	<b>AO18</b> No acceptable outcomes are prescribed.	<b>Not applicable.</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>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>

**PO20**

Hydrants are suitable identified so that fire services can locate them at all hours.

Note – Hydrants are identified as specified in the Department of Transport and Main Roads Technical Note: 'Identification of street hydrants for fire fighting purposes' available under 'Publications'.

**AO20**

No acceptable outcomes are prescribed.

**Not applicable.**



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

Issue	Design objectives
<b>Drainage control</b> (Temporary drainage works)	<ul style="list-style-type: none"> <li>(a) Design life and design storm for temporary drainage works:               <ul style="list-style-type: none"> <li>(i) Disturbed open area for &lt;12 months – 1 in 2 year ARI event;</li> <li>(ii) Disturbed open area for 12-24 months – 1 in 5 year ARI event;</li> <li>(iii) Disturbed open area for &gt;24 months – 1 in 10 year ARI event.</li> </ul> </li> <li>(b) Design capacity excludes minimum 150mm freeboard.</li> <li>(c) Temporary culvert crossing – minimum of 1 in 1-year ARI hydraulic capacity.</li> </ul>
<b>Erosion control</b> (Erosion control measures)	<ul style="list-style-type: none"> <li>(a) Minimise exposure of disturbed soils at any time.</li> <li>(b) Divert water run-off from undisturbed areas around disturbed areas.</li> <li>(c) Determine erosion risk rating using local rainfall erosivity, rainfall depth, soil loss rate or other acceptable methods.</li> <li>(d) Implement erosion control methods corresponding to identified erosion risk rating.</li> </ul>
<b>Sediment control measures</b> (sediment control measures, design storm for sediment control basins, Sediment basin dewatering)	<ul style="list-style-type: none"> <li>(a) Determine appropriate sediment control measures using:               <ul style="list-style-type: none"> <li>(i) potential soil loss rate; or</li> <li>(ii) monthly erosivity; or</li> <li>(iii) average monthly rainfall.</li> </ul> </li> <li>(b) Collect and drain stormwater from disturbed soils to sediment basin for design storm event:               <ul style="list-style-type: none"> <li>(i) design storm for sediment basin sizing is 80th% five-day event or similar.</li> </ul> </li> <li>(c) Site discharge during sediment basin dewatering:               <ul style="list-style-type: none"> <li>(i) TSS &lt; 50mg/L TSS;</li> <li>(ii) Turbidity not &gt; 10% receiving water's turbidity;</li> <li>(iii) pH 6.5-8.5.</li> </ul> </li> </ul>
<b>Water quality</b> (Litter and other waste, hydrocarbons and other contaminants)	<ul style="list-style-type: none"> <li>(a) Avoid wind-blown litter; remove grass pollutants.</li> <li>(b) Ensure there is no visible oil or grease sheen on released waters.</li> <li>(c) Dispose of waste containing contaminants at authorised facilities.</li> </ul>
<b>Waterway stability and flood flow management</b> (Changes to the natural hydraulics and hydrology)	<ul style="list-style-type: none"> <li>(a) For peak flow for the 100% AEP event and 1% AEP event, use constructed sediment basins to attenuate the discharge rate of stormwater from the site.</li> </ul>



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

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

Figure 9.4.5.3.a – New footpath sections

