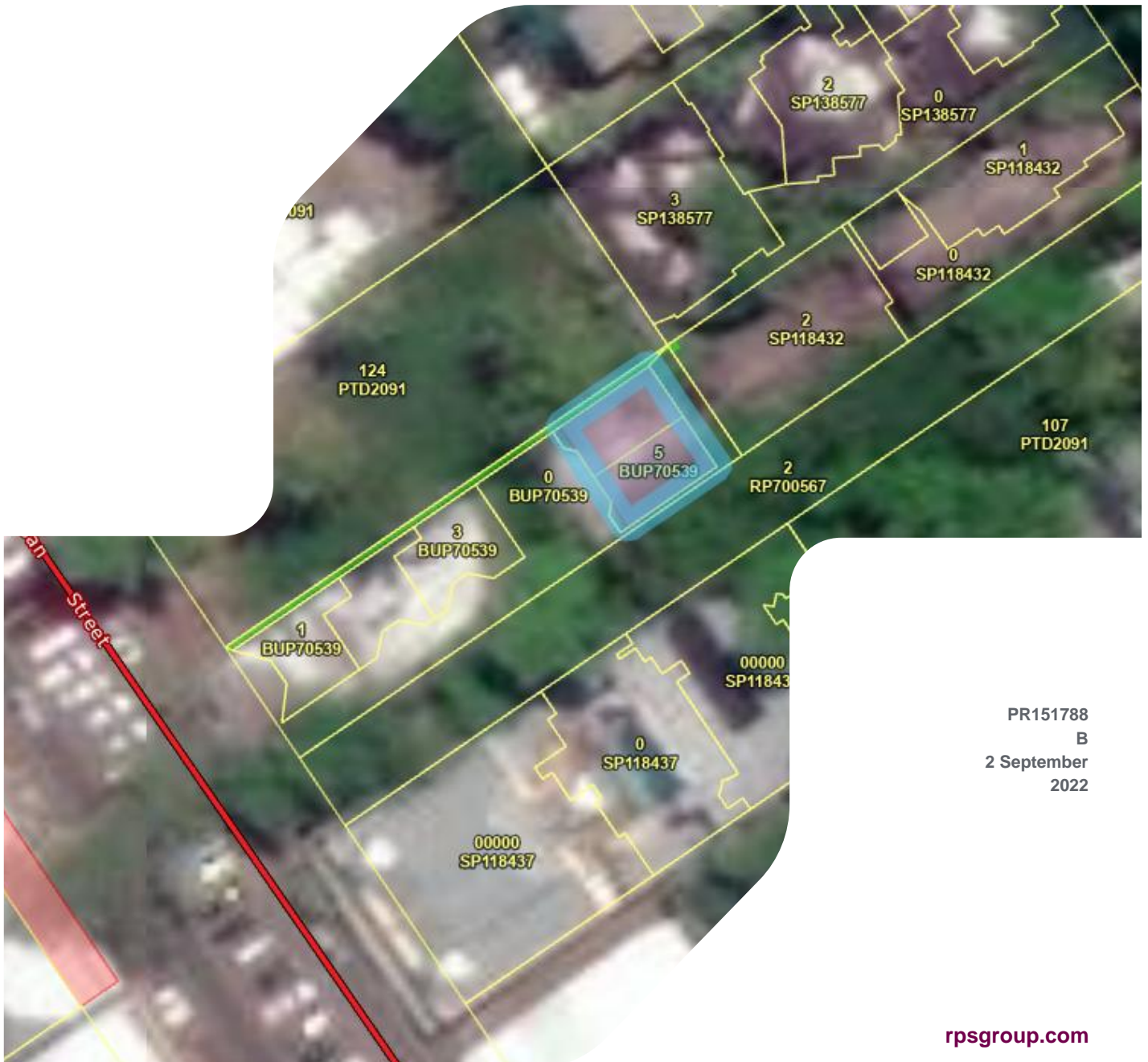


12 MACROSSAN STREET, PORT DOUGLAS

Town Planning Report – Material Change of Use (Multiple Dwellings)



PR151788
B
2 September
2022

REPORT

Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
A	Client Review	P Clifton	P Clifton	P Clifton	25/08/2022
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Approval for issue

Patrick Clifton



2 September 2022

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Contents

SUMMARY	1
1 INTRODUCTION	2
2 SITE DETAILS	3
2.1 Site Particulars	3
2.2 Planning Context	4
2.3 Previous Approvals	5
3 PROPOSAL	6
3.1 Overview	6
4 LEGISLATIVE REQUIREMENTS	7
4.1 Assessment Manager	7
4.2 Categories of Assessment	7
4.3 Referrals	7
4.4 Public Notification	7
4.5 Overview	7
4.6 State and Regional Assessment Benchmarks	7
4.6.1 State Planning Policy	7
4.6.2 Regional Plan	8
4.6.3 Development Assessment under Schedules 9 and 10 (SDAP)	8
4.7 Local Authority Assessment Benchmarks	8
4.7.1 Compliance Statement	9
4.8 Infrastructure Charges	12
5 CONCLUSION	13

Tables

Table 1: Summary	1
Table 2: Site Particulars	3
Table 3: Planning Context	4
Table 4: Relevant Approvals	5
Table 5: Proposal Summary	6
Table 6: Categories of Assessment	7
Table 7: Schedule 10 Referral Matters	7
Table 8 Relevant SDAP State Codes	8
Table 9: Planning Scheme Code Responses	8

Figures

Figure 1 Site Location	3
Figure 2 Zoning	5
Figure 3 Site and floor Plans	6

Appendices

Appendix A DA Form 1 – Application Form
Appendix B Certificates of Title and Landowners Consent
Appendix C Planning Scheme Property Report
Appendix D Proposal plans

REPORT

Appendix E State Code Responses

Appendix F Planning Scheme Code Responses

SUMMARY

Table 1: Summary

Details			
Site Address:	12 Macrossan Street, Port Douglas		
Real Property Description:	Lots 0, 4, 5 and 6 on BUP70539		
Site Area:	Approx. 400m ²		
Regional Plan Land Use Designation:	Urban Area		
Zone/Precinct:	Centre Zone		
Local Plan/Precinct:	Port Douglas/Craigie Local Plan – Precinct 1, Sub precinct 1a Town Centre		
Owner(s):	Lot 0 on BUP70539 – Body Corporate for Macrossan Lane Community Titles Scheme 1084 Lots 4,5 & 6 on BUP70539 – Wee-Hee Property Pty Ltd		
Proposal			
Brief Description/ Purpose of Proposal	Multiple Dwellings (2 x 1 bedroom dwelling units and 1 x 2 bedroom dwelling unit)		
Application Details			
Aspect of Development	Preliminary approval	Development permit	
Material change of use	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Building Work	<input type="checkbox"/>	<input type="checkbox"/>	
Operational Work	<input type="checkbox"/>	<input type="checkbox"/>	
Reconfiguration of a Lot	<input type="checkbox"/>	<input type="checkbox"/>	
Assessment Category	<input checked="" type="checkbox"/> Code	<input type="checkbox"/> Impact	
Public Notification	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Ye	
Superseded Planning Scheme Application	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Referral Agencies			
Agency	Concurrence	Advice	Pre-lodgement response
State Assessment and Referral Agency	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other			
Applicant contact person	Patrick Clifton Principal Planner D: +61 7 4276 1017 E: Patrick.clifton@rpsgroup.com.au		

1 INTRODUCTION

RPS Australia East Pty Ltd (RPS) has been engaged by Wee-Hee Property Pty Ltd to seek a Development Permit for Material Change of Use for the establishment of a Multiple Dwellings on land at 12 Macrossan Street, Port Douglas, and described as Lots 0, 4, 5 and 6 on BUP70539.

The application site relates to an existing two storey office development located to the rear of a single storey retail development located at 12 Macrossan Street, Port Douglas. Each floor of the two storey developments has a gross floor area of approximately 110m². The subject premises does not include car parking, it is understood that a financial contribution was made in respect of the provision of 15 car parking spaces for the development of the entire site. 6 of these spaces are credited to the use of the existing office. The subject premises also includes an internal courtyard which forms part of the title.

The locality containing the site is generally characterised by a mixture of retail, commercial and accommodation developments consistent with the site's location in the Town Centre. There is a service easement running along the northern border of the site.

It is proposed to change the use of the existing two storey office building to the rear, being units, 4, 5 and 6 to two single bedroom dwelling units on the ground floor with a two bedroom unit on the floor above. As part of the development, external works would be undertaken to extend the existing verandah/deck areas associated with the ground floor to improve the private open space for these units. Internally the units would be reconfigured to provide each unit with kitchen/dining/living areas, bathrooms, laundry facilities and bedrooms.

The application is identified as being Code Assessable and in determining the application consideration can only be given to the Assessment Benchmarks contained within the Planning Scheme. The proposed development is considered to be consistent with the Assessment Benchmarks and is considered to be a suitable use of the premises.

The application is submitted for approval, subject to reasonable and relevant conditions.

2 SITE DETAILS

2.1 Site Particulars

The application premises is an existing two storey office development, comprising three tenancies, located to the rear of a single storey retail development located at 12 Macrossan Street, Port Douglas, and described as Lots 4-6 on BUP70539. There is a private courtyard at ground level that separates the officer development from the retail development to the site frontage and provides separate access staircases to each office tenancy. The site is located in the Port Douglas Town Centre, which is characterised by permanent and short term accommodation, retail and commercial recreation uses.

The existing office development has a Gross Floor Area of approximately 110m² and there are no on-site parking provided in association with this development. It is understood that a financial contribution was made in respect of the provision of 15 car parking spaces for the development of the entire site at the time of its development. 6 of these spaces are credited to the use of the existing offices.

Development surrounding the site is typical of a town centre location with tourist and permanent accommodation, retail and entertainment activities. To the east of the site is residential land, while to the west is the Port Douglas main street. There is a service easement running along the northern boundary of the site. The proposed development is not expected to impact this.

The site location is shown in **Figure 1** below.



Figure 1 Site Location

Source: Queensland Globe

Key details of the subject site are as follows:

Table 2: Site Particulars

Site Particulars	
Site Address	12 Macrossan Street, Port Douglas

REPORT

Real Property Description	Lots 0, 4, 5 and 6 on BUP70539
Site Area	Approx. 400m ²
Landowner(s)	Lot 0 on BUP70539 – Body Corporate for Macrossan Lane Community Titles Scheme 1084 Lots 4,5 & 6 on BUP70539 – Wee-Hee Property Pty Ltd

Certificate/s of title confirming site ownership details are included at **Appendix B**.

2.2 Planning Context

The planning context of the site includes the following:

Table 3: Planning Context

Instrument	Designation
State Planning Policy	
State Planning Policy Mapping	<ul style="list-style-type: none">• Safety and resilience to hazards<ul style="list-style-type: none">○ Bushfire Prone Area – Potential Impact Buffer○ Erosion prone Area
State Development Assessment System	
DA Mapping System	<ul style="list-style-type: none">• Coastal protection – erosion prone area• Native vegetation Clearing – Category X on the regulated vegetation management map• State Transport – Area within 25m of a State-controlled road.
Far North Queensland Regional Plan 2009-2031	
Regional Plan designation	Urban Footprint
Douglas Shire Council Planning Scheme 2018	
Zoning	Centre Zone
Local Plan	Port Douglas/Craigie Local Plan – Precinct 1 – Sub-precinct 1a – Town Centre
Overlays	<ul style="list-style-type: none">• Acid Sulfate Soils – 5-20m AHD• Bushfire Hazard – Potential Impact Buffer• Coastal Processes – Erosion Prone Area• Potential Landslide Hazard – Landslide Hazard (High and Medium Hazard Risk)• Transport Network:<ul style="list-style-type: none">○ Pedestrian and Cycle – Principal Route○ Transport Network (Road Hierarchy) – Collector Road○ Transport Network (Transport Noise Corridor)

Zoning of the subject site and surrounding lands is shown on **Figure 3**

A Douglas Shire Council Planning Scheme Property Report is attached at **Appendix C**.



Figure 2 Zoning

Source: Douglas Shire Council Planning Scheme 2018

2.3 Previous Approvals

The following existing approvals over the site are relevant to this development application.

Table 4: Relevant Approvals

Reference	Approval detail	Date
MCUC 2675/2018	Development Permit for Material Change of Use for a Dwelling Unit	19 July 2018

3 PROPOSAL

3.1 Overview

The application is for the Material Change of Use of Premises from office units to multiple dwellings comprising two x one bedroom dwellings units on the ground floor and a two bedroom dwelling unit on the floor above.. Externally the verandahs/patios associated with the proposed ground floor dwelling units would be extended over the common property to improve the private open space offer associated with these units. The bulk form and height of the building would remain consistent with the existing built form.

A site plan of the proposed development is provided in **Figure 3** below.

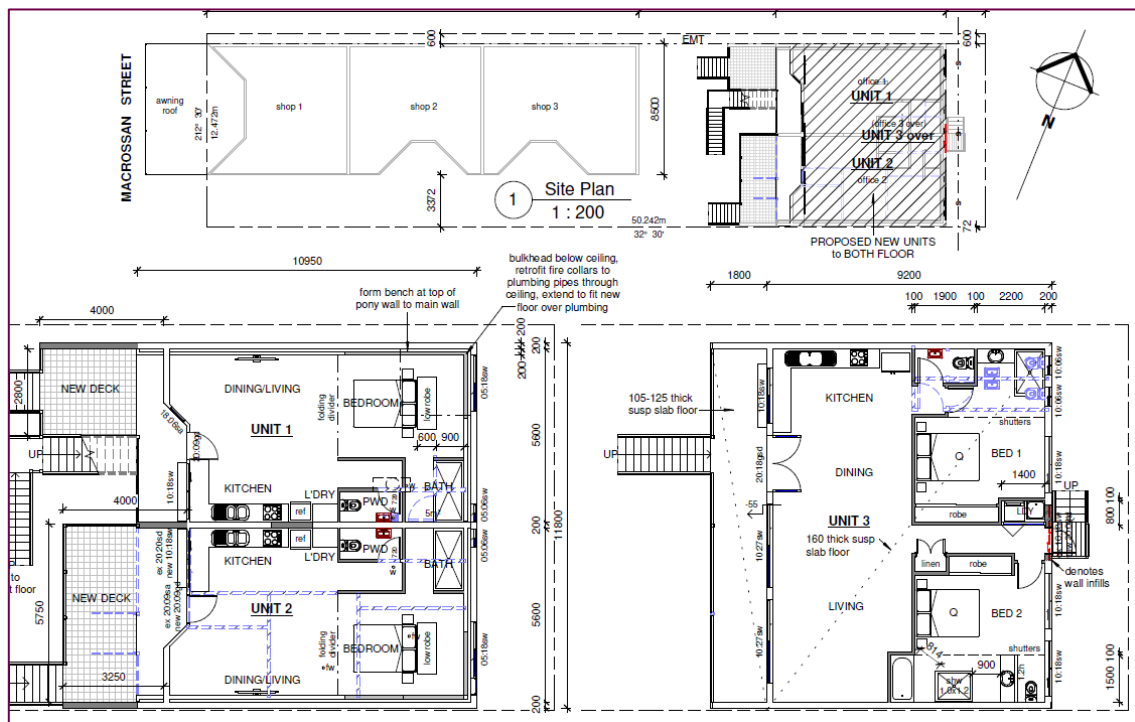


Figure 3 Site and floor Plans

Source: Greg Skyring Design and Drafting

Table 5: Proposal Summary

Development Aspect	Detail
Proposed Use/s	Multiple Dwellings comprising two x one bedroom dwellings on the ground floor and one two bedroom dwelling in the floor above.
Gross Floor Area	Approx. 220m ²
Number of Storeys	2 storeys
Setbacks	North Side boundary – 600mm (existing); Rear Boundary – 2.5 metres (existing); South Side Boundary – built to boundary.
Access	Via internal courtyard
On-site Car parking	Nil

Architectural proposal plans are included at **Appendix D**.

4 LEGISLATIVE REQUIREMENTS

4.1 Assessment Manager

In accordance with Schedule 8 of the Planning Regulation 2017, the assessment manager for this application is Douglas Shire Council.

4.2 Categories of Assessment

The table below summarises the categorising instruments and categories of assessment applicable to this application.

Table 6: Categories of Assessment

Aspect of development	Categorising instrument	Category of assessment
Development Permit for Material Change of use (Multiple Dwellings)	Douglas Shire Council Planning Scheme Table 5.6.a Centre Zone	Code Assessable

4.3 Referrals

In accordance with Schedule 10 the *Planning Regulation 2017*, the follow referrals apply.

Table 7: Schedule 10 Referral Matters

Schedule 10	Referral topic and reason	Referral Agency
10.9.4.2.4	Material change of use near a State transport corridor or a future State transport corridor	SARA, DSDMIP

4.4 Public Notification

This application does not require public notification as it is subject to Code Assessment. Statutory planning assessment

4.5 Overview

This section assesses the application against relevant assessment benchmarks.

As the application is subject to code assessment, the assessment benchmarks, and the matters the assessment manager must have regard to, are those identified in section 45(3) of the Planning Act 2016 and sections 26 and 27 of the Planning Regulation 2017.

4.6 State and Regional Assessment Benchmarks

4.6.1 State Planning Policy

The *Planning Regulation 2017* at Section 26(2)(a)(ii) requires the assessment manager to assess the application against the assessment benchmarks stated in the State Planning Policy, Part E, to the extent Part E of the State Planning Policy is not identified in the planning scheme as being appropriately integrated into the planning scheme.

It is understood that the minister has identified that the State planning policy is integrated into the planning scheme and on that basis no further consideration is required in this instance.

4.6.2 Regional Plan

The *Planning Regulation 2017* at Section 26(2)(a)(i) requires the assessment manager to assess the application against the assessment benchmarks stated in the regional plan, to the extent the Regional Plan is not identified in the planning scheme as being appropriately integrated into the planning scheme.

It is understood that the minister has identified that the planning scheme appropriately advances the Far North Queensland Regional Plan 2009-2031, as it applies in the planning scheme area. Consistent with the State Planning Policy and on this basis, no further consideration is required in this instance.

4.6.3 Development Assessment under Schedules 9 and 10 (SDAP)

Schedules 10 of the *Planning Regulation 2017* identifies the matters that the assessment manager and/or referral agency assessment must have regard to.

The State Development Assessment Provisions (SDAP) nominate applicable State Codes based on the referral triggers. The State Codes applicable to the proposal are identified in the table below.

Table 8 Relevant SDAP State Codes

Schedule 10	Referral Topic	State Code
10.9.4.2.4	Infrastructure-related referrals Material change of use of premises near a State transport corridor or that is a future State transport corridor	State code 1 – Development in a state-controlled road environment.

A response to the State Code is included in **Appendix E**

4.7 Local Authority Assessment Benchmarks

The planning scheme codes applicable to the proposal, and the location of the relevant appended code response are identified below:

Table 9: Planning Scheme Code Responses

Planning scheme codes	Applicability	Comment
Zone Codes		
Centre Code	Applies	Complies with applicable Assessment Benchmarks.
Local Plan Code		
Port Douglas – Craiglie Local Plan Code	Applies	Complies with applicable Assessment Benchmarks.
Overlay Codes		
Acid Sulfate Soils Overlay Code e	Applies	Complies with applicable Assessment Benchmarks.
Bushfire Hazard Overlay Code	Applies	Complies with applicable Assessment Benchmarks.
Coastal Environment Overlay Code	Applies	Complies with applicable Assessment Benchmarks.
Use Codes		

Planning scheme codes	Applicability	Comment
Multiple Dwelling, Short Term Accommodation Code	Applies	Generally complies with applicable Assessment Benchmarks. Detailed consideration is required in respect of Performance Outcomes PO1, Design, PO3, Site Cover, PO13, relating to open space and PO16, waste and recycle storage. Refer below.
Development Codes		
Access, Parking and Servicing Code	Applies	Generally complies with applicable Assessment Benchmarks. Detailed consideration is required in respect of Performance Outcome PO1, relating to on-site parking. Refer below.
Infrastructure Works Code	Applies	Complies with applicable Assessment Benchmarks.
Landscaping Code	Not applicable	The existing landscaping would be retained and incorporated into development proposal.
Vegetation Management Code	Not applicable	No vegetation damage is proposed as part of this development application.

4.7.1 Compliance Statement

4.7.1.1 Multiple Dwelling, short term accommodation and retirement facility code

Performance Outcome PO1 of the Multiple Dwelling, short term accommodation and retirement facility code states:

PO1

The site has sufficient area and frontage to:

- (a) *accommodate the scale and form of buildings considering site features;*
- (b) *achieve communal open space areas and private outdoor spaces;*
- (c) *deliver viable areas of deep planting and landscaping to retain vegetation and protect or establish tropical planting;*
- (d) *achieve safe and convenient vehicle and pedestrian access;*
- (e) *accommodate on-site car parking and manoeuvring for residents, visitors and service providers.*

The associated Acceptable Outcomes state:

AO1.1

The site has a minimum area of 1000m²

AO1.2

The site has a minimum frontage of 25 metres

The site does not have an area of 1000m² or a frontage of 25 metres, however the use would be contained within an existing building with existing landscaping on site and balconies/verandahs would be extended to

achieve open and outdoor space requirements.. On-site car parking is not available, however it is understood a financial contribution was made for the current development for 6 on-street car parking spaces.

On this basis, it is considered that the proposed development would not affect the existing accepted scale and form of development on the site, existing and accepted access arrangements or existing and accepted landscaping and the proposed development would provide suitable and sufficient private outdoor areas for the use proposed. The development is consistent with the requirements of the Performance Outcome PO1.

Performance outcome PO3 of the Multiple Dwelling, short term accommodation and retirement facility code states:

PO3

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

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

The associate Acceptable Outcomes state:

AO3.1

The site cover is not more than 40%

The site cover of the existing and proposed development would be in the order of 60%. The development represents the sustainable reuse of an existing building on an existing developed and landscaped site. Private open space, in the form of verandahs would be provided to the dwelling units and to encourage outdoor living and the development would be consistent with the built form of the area.

The proposed development is considered to be consistent with Performance Outcome PO3.

Performance outcome PO10 of the Multiple Dwelling, short term accommodation and retirement facility code states:

PO10

Development provides accessible and functional landscaping and recreation area for the benefit of residents/guests.

The associated Acceptable Outcome states:

AO10

A minimum of 35% of the site is allocated as landscaping and recreation area

The development is the reuse of an existing building with limited opportunity for additional landscaping and recreation area. However, it is proposed to increase the size of balconies/verandahs to provide suitable accessible and functional recreation area for the benefit of the residents. The increased private open space would address the demands of the future residents/guests, who would also have access to the recreational facilities of the Town Centre of Port Douglas and the nearby Fourmile beach.

Performance outcome PO13 of the Multiple Dwelling, short term accommodation and retirement facility code states:

PO13

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

The associated Acceptable Outcome states:

AO13.1

Development provides private open space which:

- (a) for ground storey dwellings, comprises of a minimum area of 35m² with a minimum dimension of 3 metres;*

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

Whilst referred to as ground floor dwellings, given the topography of the site, the development would not provide any units that are truly ground floor units. Private open space is provided for each of the three units as balconies/verandahs with the following respective areas and dimensions:

- Unit 1 – approx. 14.2m² with dimension of 4 metres x 2.8 metres;
- Unit 2 – approx. 19m² with dimensions of 3.25 metres x 5.75 metres
- Unit 3 – 21.24m² with dimensions of 11.8 metres x 1.8 metres.

It is also important to note that the proposed development is for dwelling units within proximity of the open space and facilities that the Port Douglas Town Centre environment provides.

The proposed open space is considered to be of a suitable size and dimensions to satisfy the demand of the future residents for access to open space and recreation facilities.

Performance outcome PO16 of the Multiple Dwelling, short term accommodation and retirement facility code states:

PO16

Waste and recyclable material storage areas are:

- (a) convenient and accessible to residents and waste and recyclable material collection services;*
- (b) located and designed to mitigate adverse impacts:*
 - (i) within the site;*
 - (ii) on adjoining properties;*
 - (iii) to the street.*

The associated Acceptable Outcomes State:

AO16

Waste and recyclable material storage areas:

- (a) are located on site;*
- (b) are sited and designed to be unobtrusive and screened from view from the street frontage;*
- (c) are imperviously sealed roofed and bunded, and contain a hose down area draining to Council's sewer network;*
- (d) are of a sufficient size to accommodate bulk (skip) bins;*
- (e) have appropriate access and sufficient on site manoeuvrability area for waste and recyclable material collection services*

Waste and recycle storage is able to be provided within the communal court yard area on the site and potentially beneath the verandahs/balconies. It is unlikely, given the scale of the development, that a bulk bin facility will be required and sufficient area is available to store the number of 'wheelie' bins required. Council are invited to attach a condition to any approval granted to secure compliance if necessary.

Performance outcome PO16 of the Multiple Dwelling, short term accommodation and retirement facility code states:

PO17

Development provides a secure storage area for each dwelling.

The associated Acceptable Outcome States:

AO17

A secure storage area for each dwelling:

- (a) is located to enable access by a motor vehicle or be near to vehicle parking;*
- (b) has a minimum space of 3.5m² per dwelling;*
- (c) has a minimum height of 2 metres;*
- (d) is weather proof;*

- (e) *is lockable;*
- (f) *has immunity to the 1% AEP inundation event.*

No parking spaces would be provided as part of this development and there would be limited requirements for storage of gardening equipment etc. However, there would be opportunity for the provision of secure storage to meet the requirements of the residents beneath the verandahs or within the communal courtyard. Council are invited to attach a condition to any approval granted to secure compliance, if necessary.

4.7.1.2 Access, Parking and Servicing Code

Performance Outcome PO1 of the Access, Parking and Servicing Code states:

PO1

Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be generated by the use or uses of the site, having particular regard to:

- (a) the desired character of the area;*
- (b) the nature of the particular use and its specific characteristics and scale;*
- (c) the number of employees and the likely number of visitors to the site;*
- (d) the level of local accessibility;*
- (e) the nature and frequency of any public transport serving the area;*
- (f) whether or not the use involves the retention of an existing building and the previous requirements for car parking for the building;*
- (g) whether or not the use involves a heritage building or place of local significance;*
- (h) whether or not the proposed use involves the retention of significant vegetation.*

The associated Acceptable Outcome states:

AO1.1

The minimum number of on-site vehicle parking spaces is not less than the number prescribed in Table 9.4.1.3.b for that particular use or uses.

No car parking is provided on-site in association with the existing or proposed use. The existing use of the site would require the provision of 1 space per 50sqm or six car parking spaces and the proposed development of a two bedroom unit is required to provide 3 spaces, according to the Acceptable Outcome.

The existing development was undertaken in 1985 for shops and offices, both of which were as of right uses under the 1981 Planning Scheme for the Whole of the Douglas Shire. The shops are to the front of the site with the offices in the building at the rear of the site. Car parking was provided on the land in association with this development and a car parking contribution was paid to the former Douglas Shire Council for 15 spaces for the amount of \$30,000. Nine spaces were provided for the shops and six spaces for the offices.

The proposed use creates a lesser demand for car parking than the existing use of the site and consequently would have a lesser impact than the current lawful use, which is currently accommodated within the existing environment. The proposed development is considered to comply with PO1 (f).

4.8 Infrastructure Charges

Infrastructure charges will apply to the development pursuant to the Planning Regulation and Council's Adopted Infrastructure Charges Resolution.

The existing use of the site for offices comprises a Gross Floor Area (GFA) of approximately 218m², which results in an infrastructure credit of in the order of \$30,057.84.

The proposed development for Multiple Dwellings results in an infrastructure charge of in the order of \$46,280.65.

Less the above credit the charge applicable to the development would be in the order of \$16,222.81.

5 CONCLUSION

RPS Australia East Pty Ltd (RPS) has been engaged by Wee-Hee Property Pty Ltd to seek a Development Permit for Material Change of Use for the establishment of a Multiple Dwellings on land at 12 Macrossan Street, Port Douglas, and described as Lots 0, 4, 5 and 6 on BUP70539.

The application site relates to an existing two storey office development located to the rear of a single storey retail development located at 12 Macrossan Street, Port Douglas. Each floor of the two storey developments has a gross floor area of approximately 110m². The subject premises does not include car parking, it is understood that a financial contribution was made in respect of the provision of 15 car parking spaces for the development of the entire site. 6 of these spaces are credited to the use of the existing office. The subject premises also includes an internal courtyard which forms part of the title.

It is proposed to change the use of the existing two storey office building to the rear, being units, 4, 5 and 6 to two single bedroom dwelling units on the ground floor with a two bedroom unit on the floor above. As part of the development, external works would be undertaken to extend the existing verandah/deck areas associated with the ground floor to improve the private open space for these units. Internally the units would be reconfigured to provide each unit with kitchen/dining/living areas, bathrooms, laundry facilities and bedrooms.

The application is identified as being Code Assessable and in determining the application consideration can only be given to the Assessment Benchmarks contained within the Planning Scheme. An assessment against these Assessment Benchmarks has demonstrated that the development is a suitable form of development on the land and the land can contain the use. The application is therefore submitted for approval, subject to reasonable and relevant conditions.

Appendix A

DA Form 1 – Application Form

DA Form 1 – Development application details

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

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

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

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

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Wee-Hee Property Pty Ltd c/- RPS Australia East Pty Ltd
Contact name (only applicable for companies)	RPS - Patrick Clifton
Postal address (P.O. Box or street address)	PO Box 1949
Suburb	Cairns
State	QLD
Postcode	4870
Country	Australia
Contact number	07 4031 1336
Email address (non-mandatory)	patrick.clifton@rpsgroup.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	PR151788

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

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		12	Macrossan Street	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	0, 4, 5, 6	BUP70539	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- ☐ Coordinates of premises by longitude and latitude

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

- ☐ Coordinates of premises by easting and northing

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

3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

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

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

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

Name of airport:

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

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

☒ Yes – All easement locations, types and dimensions are included in plans submitted with this development application

☐ No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect
a) What is the type of development? <i>(tick only one box)</i>
<input checked="" type="checkbox"/> Material change of use <input type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input checked="" type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
Multiple Dwellings (2 x 1 bed dwelling units and 1 x 2 bed dwelling unit)
e) Relevant plans <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms guide: Relevant plans.</i>
<input checked="" type="checkbox"/> Relevant plans of the proposed development are attached to the development application
6.2) Provide details about the second development aspect
a) What is the type of development? <i>(tick only one box)</i>
<input type="checkbox"/> Material change of use <input type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
e) Relevant plans <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>
<input type="checkbox"/> Relevant plans of the proposed development are attached to the development application
6.3) Additional aspects of development
<input type="checkbox"/> Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application
<input checked="" type="checkbox"/> Not required

Section 2 – Further development details

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

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
Multiple Dwelling	Multiple Dwelling	3	220m ²
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input checked="" type="checkbox"/> Yes			
<input type="checkbox"/> No			

Division 2 – Reconfiguring a lot

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

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

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

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

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)
12.2) What is the reason for the boundary realignment?			

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)				
Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement

Division 3 – Operational work

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

14.1) What is the nature of the operational work?	
<input type="checkbox"/> Road work <input type="checkbox"/> Drainage work <input type="checkbox"/> Landscaping <input type="checkbox"/> Other – please specify:	<input type="checkbox"/> Stormwater <input type="checkbox"/> Earthworks <input type="checkbox"/> Signage <input type="checkbox"/> Water infrastructure <input type="checkbox"/> Sewage infrastructure <input type="checkbox"/> Clearing vegetation
14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)	
<input type="checkbox"/> Yes – specify number of new lots:	
<input type="checkbox"/> No	
14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)	
\$	

PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application
Douglas Shire Council
16) Has the local government agreed to apply a superseded planning scheme for this development application?
<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application <input type="checkbox"/> The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached <input checked="" type="checkbox"/> No

PART 5 – REFERRAL DETAILS

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

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

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

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

- ☐ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure-related referrals – designated premises
- ☒ Infrastructure-related referrals – state transport infrastructure
- ☐ Infrastructure-related referrals – State transport corridor and future State transport corridor
- ☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure-related referrals – near a state-controlled road intersection
- ☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- ☐ Koala habitat in SEQ region – key resource areas
- ☐ Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- ☐ Ports – Brisbane core port land – environmentally relevant activity (ERA)
- ☐ Ports – Brisbane core port land – tidal works or work in a coastal management district
- ☐ Ports – Brisbane core port land – hazardous chemical facility
- ☐ Ports – Brisbane core port land – taking or interfering with water
- ☐ Ports – Brisbane core port land – referable dams
- ☐ Ports – Brisbane core port land – fisheries
- ☐ Ports – Land within Port of Brisbane's port limits (*below high-water mark*)
- ☐ SEQ development area
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – community activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – combined use
- ☐ Tidal works or works in a coastal management district
- ☐ Reconfiguring a lot in a coastal management district or for a canal
- ☐ Erosion prone area in a coastal management district
- ☐ Urban design
- ☐ Water-related development – taking or interfering with water
- ☐ Water-related development – removing quarry material (*from a watercourse or lake*)
- ☐ Water-related development – referable dams
- ☐ Water-related development – levees (*category 3 levees only*)
- ☐ Wetland protection area

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

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

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

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

PART 6 – INFORMATION REQUEST

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

PART 7 – FURTHER DETAILS

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

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

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

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

- ☐ Yes – a copy of the receipted QLeave form is attached to this development application
☐ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid
☒ Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)

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

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

- ☐ Yes – show cause or enforcement notice is attached
☒ No

23) Further legislative requirements

Environmentally relevant activities

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

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

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

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

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

Hazardous chemical facilities

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

- ☐ Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application
☒ No

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

Clearing native vegetation

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

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

☒ No

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

Environmental offsets

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

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

☒ No

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

Koala habitat in SEQ Region

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

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

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

☒ No

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

Water resources

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

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

☒ No

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au for further information.

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

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

Waterway barrier works

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

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

☒ No

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

Marine activities

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

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

☒ No

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

Quarry materials from a watercourse or lake

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

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

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au and www.business.qld.gov.au for further information.

Quarry materials from land under tidal waters

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

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

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

Referable dams

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

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

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

Tidal work or development within a coastal management district

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

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

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

Queensland and local heritage places

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

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

Note: See guidance materials at www.des.qld.gov.au for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
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Brothels

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

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

Decision under section 62 of the Transport Infrastructure Act 1994

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

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

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

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

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

☒ No

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

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

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

☒ Yes

Note: See the Planning Regulation 2017 for referral requirements

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

☐ Yes

☒ Not applicable

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

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

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☐ Yes

☒ Not applicable

25) Applicant declaration

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

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

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

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

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

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

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

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

Date received: Reference number(s):

Notification of engagement of alternative assessment manager

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

QLeave notification and payment

Note: For completion by assessment manager if applicable

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

Appendix B

Certificates of Title and Landowners Consent

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference: 19070539

Search Date: 07/04/2022 09:04

Request No: 40703697

Previous Title: 21130101

LAND DESCRIPTION

COMMON PROPERTY OF MACROSSAN LANE COMMUNITY TITLES SCHEME 1084

COMMUNITY MANAGEMENT STATEMENT 1084

Local Government: DOUGLAS

REGISTERED OWNER

BODY CORPORATE FOR MACROSSAN LANE COMMUNITY TITLES

SCHEME 1084

PO BOX 1

PORT DOUGLAS QLD 4877

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 10332108 (ALLOT 23 SEC 1)
2. REQUEST FOR NEW CMS No 703495544 04/08/1999 at 15:25
New COMMUNITY MANAGEMENT STATEMENT 1084
COMMERCIAL MODULE
3. EASEMENT IN GROSS No 710859958 31/07/2007 at 15:17
burdening the land
DOUGLAS SHIRE COUNCIL
over
EASEMENT B ON SP113410

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	21308058	Search Date:	07/04/2022 09:05
Date Title Created:	06/01/1986	Request No:	40703722
Previous Title:	21130101		

ESTATE AND LAND

Estate in Fee Simple

LOT 4 BUILDING UNIT PLAN 70539

Local Government: DOUGLAS

COMMUNITY MANAGEMENT STATEMENT 1084

REGISTERED OWNER

Dealing No: 721499277 22/02/2022

WEE-HEE PROPERTY PTY LTD A.C.N. 652 319 527
UNDER INSTRUMENT 721499277

TRUSTEE

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 10332108 (ALLOT 23 SEC 1)

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

** End of Current Title Search **

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	21308059	Search Date:	07/04/2022 09:06
Date Title Created:	06/01/1986	Request No:	40703736
Previous Title:	21130101		

ESTATE AND LAND

Estate in Fee Simple

LOT 5 BUILDING UNIT PLAN 70539

Local Government: DOUGLAS

COMMUNITY MANAGEMENT STATEMENT 1084

REGISTERED OWNER

Dealing No: 721499277 22/02/2022

WEE-HEE PROPERTY PTY LTD A.C.N. 652 319 527
UNDER INSTRUMENT 721499277

TRUSTEE

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 10332108 (ALLOT 23 SEC 1)

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

** End of Current Title Search **

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	21308060	Search Date:	07/04/2022 09:06
Date Title Created:	06/01/1986	Request No:	40703750
Previous Title:	21130101		

ESTATE AND LAND

Estate in Fee Simple

LOT 6 BUILDING UNIT PLAN 70539

Local Government: DOUGLAS

COMMUNITY MANAGEMENT STATEMENT 1084

REGISTERED OWNER

Dealing No: 721499277 22/02/2022

WEE-HEE PROPERTY PTY LTD A.C.N. 652 319 527
UNDER INSTRUMENT 721499277

TRUSTEE

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 10332108 (ALLOT 23 SEC 1)

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

** End of Current Title Search **

I, HELEN WEE HEE

[Insert name in full.]

Chair of the Body Corporate mentioned below.

I, BRUNO BENNETT

[Insert name in full.]

Secretary of the Body Corporate mentioned below.

Of the Body Corporate for Macrossan Lane Community Titles Scheme 1084

being the owner of the premises identified as follows:

Common Property of Macrossan Lane Community Titles Scheme 1084, 12 Macrossan Street, port Douglas, described as Lot 0 BUP70539

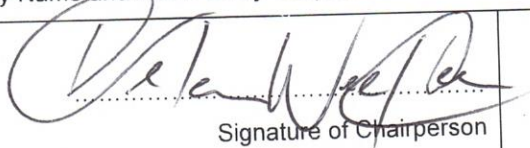
consent to the making of a development application under the *Planning Act 2016* by:

Entity who will be the applicant for the development application WEE HEE PROPERTY PTY LTD

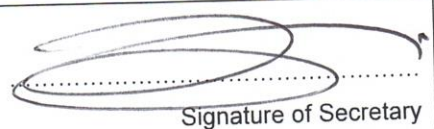
on the premises described above for:

A Material Change of Use for the purpose of multiple Dwellings

Company Name and ACN: Body Corporate for Macrossan Lane Community Titles Scheme 1084


Signature of Chairperson

12/8/22
Date


Signature of Secretary

12/8/22
Date

The *Planning Act 2016* is administered by the Department of Local Government, Infrastructure and Planning, Queensland Government.

Applicant template 11.0
Version 1.0—3 July 2017



I, D. THAMMARAK Dildemrak [Insert name in full.]
Unit 2
Chair of the Body Corporate mentioned below.

I, Sineenard Pornsinrat [Insert name in full.]
Unit 3
Secretary of the Body Corporate mentioned below.

Of the Body Corporate for Macrossan Lane Community Titles Scheme 1084

being the owner of the premises identified as follows:

Common Property of Macrossan Lane Community Titles Scheme 1084, 12 Macrossan Street, port Douglas, described as Lot 0 BUP70539

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

Entity who will be the applicant for the development application WEE HEE PROPERTY PTY LTD

on the premises described above for:

A Material Change of Use for the purpose of multiple Dwellings

Company Name and ACN: Body Corporate for Macrossan Lane Community Titles Scheme 1084	
<u>D. THAMMARAK</u> Signature of Chairperson <u>7/10/22</u> Date	<u>S. Pornsinrat</u> Signature of Secretary <u>Sineenard</u> <u>11/8/2022.</u> Date

Appendix C

Planning Scheme Property Report

2018 Douglas Shire Council Planning Scheme Property Report

The following report has been automatically generated to provide a general indication of development related information applying to the premise.

For more information and to determine if the mapping layers are applicable, refer to the [2018 Douglas Shire Council Planning Scheme](#). This report is not intended to replace the need for carrying out a detailed assessment of Council and State controls or the need to seek your own professional advice on any town planning instrument, local law or other controls that may impact on the existing or intended use of the premise mentioned in this report. For further information please contact Council by phone: [07 4099 9444](tel:0740999444) or [1800 026 318](tel:1800026318) or email enquiries@douglas.qld.gov.au.

Visit Council's website to apply for an [official property search or certificate](#), or contact the [Department of Natural Resources, Mines and Energy](#) to undertake a title search to ascertain how easements may affect a premise.

Property Information

Property Address	Macrossan Lane Macrossan Lane 12 Macrossan Street PORT DOUGLAS
Lot Plan	0BUP70539 (Freehold - 0m ²)



<input checked="" type="checkbox"/> Selected Property	<input type="checkbox"/> Easements	<input type="checkbox"/> Land Parcels
---	------------------------------------	---------------------------------------

Douglas Shire Planning Scheme 2018 version 1.0

The table below provides a summary of the Zones and Overlays that apply to the selected property.

Zoning









Applicable Zone
Centre

More Information

- [View Section 6.2.1 Centre Zone Code](#)
- [View Section 6.2.1 Centre Zone Compliance table](#)
- [View Section 6.2.1 Centre Zone Assessment table](#)

Douglas Shire Planning Scheme 2018 version 1.0

The table below provides a summary of the Zones and Overlays that apply to the selected property.

 Local Plans	Applicable Precinct or Area Port Douglas - Craiglie Precinct 1 - 1a Town Centre	More Information <ul style="list-style-type: none"> View Section 7.2.4 Port Douglas/Craiglie Local Plan Code View Section 7.2.4 Port Douglas/Craiglie Local Plan Compliance table
 Acid Sulfate Soils	Applicable Precinct or Area Acid Sulfate Soils (5-20m AHD)	More Information <ul style="list-style-type: none"> View Section 8.2.1 Acid Sulfate Soils Overlay Code View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table
 Bushfire Hazard	Applicable Precinct or Area Potential Impact Buffer	More Information <ul style="list-style-type: none"> View Section 8.2.2 Bushfire Hazard Overlay Code View Section 8.2.2 Bushfire Hazard Overlay Compliance table
 Coastal Processes	Applicable Precinct or Area Erosion Prone Area	More Information <ul style="list-style-type: none"> View Section 8.2.3 Coastal Environment Overlay Code View Section 8.2.3 Coastal Environment Overlay Compliance table
 Landslide	Applicable Precinct or Area Landslide Hazard (High & Medium Hazard Risk)	More Information <ul style="list-style-type: none"> View Section 8.2.9 Potential Landslide Hazard Overlay Code View Section 8.2.9 Potential Landslide Hazard Overlay Compliance table
 Transport Noise Corridors	Applicable Precinct or Area Category 1: 58 dB(A) =< Noise Level < 63 dB(A) Category 2: 63 dB(A) < Noise Level < 68 dB(A) Category 3: 68 dB(A) =< Noise Level < 73 dB(A)	More Information <ul style="list-style-type: none"> View Section 8.2.10 Transport Network Overlay Code View Section 8.2.10 Transport Network Overlay Compliance table
 Transport Pedestrian Cycle	Applicable Precinct or Area Principal Route	More Information <ul style="list-style-type: none"> View Section 8.2.10 Transport Network Overlay Code View Section 8.2.10 Transport Network Overlay Compliance table
 Transport Road Hierarchy	Applicable Precinct or Area Collector Road	More Information <ul style="list-style-type: none"> View Section 8.2.10 Transport Network Overlay Code View Section 8.2.10 Transport Network Overlay Compliance table


Zoning















Applicable Zone
Centre

- More Information**
- [View Section 6.2.1 Centre Zone Code](#)
 - [View Section 6.2.1 Centre Zone Compliance table](#)
 - [View Section 6.2.1 Centre Zone Assessment table](#)



 Selected Property

 Land Parcels

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

Local Plans

Applicable Precinct or Area

Port Douglas - Craiglie


Precinct 1 - 1a Town Centre

More Information

- [View Section 7.2.4 Port Douglas/Craiglie Local Plan Code](#)
- [View Section 7.2.4 Port Douglas/Craiglie Local Plan Compliance table](#)



 Selected Property

 Land Parcels

Transport Investigation Corridor

 Transport Investigation Corridors

Major Road Connections

 Major Road Connections

Major Road Connections (No Arrow)

 Major Road Connections

Daintree River to Bloomfield

 Daintree River to Bloomfield

Creb Track and Quaid Road

 Creb Track







60 metre contour

 60 metre contour

Local Plan Boundary

 Local Plan Boundary

Local Plan Sub Precincts

 1d Limited Development
  1a Town Centre
  1b Waterfront North
  1c Waterfront South
  1e Community and Recreation
  1f Flagstaff Hill

Local Plan Precincts

Not Part of a Precinct
  Precinct 1
  Precinct 2
  Precinct 3
  Precinct 4
  Precinct 5
  Precinct 6
  Precinct 7
  Precinct 8
  Precinct 9

Live Entertainment Precinct

 Live Entertainment Precinct

Indicative Future Open Space

 Indicative Future Open Space

 Road Reserve Esplanade

Acid Sulfate Soils

Applicable Precinct or Area
Acid Sulfate Soils (5-20m AHD)

- More Information**
- [View Section 8.2.1 Acid Sulfate Soils Overlay Code](#)
 - [View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table](#)



☒ Selected Property

☐ Land Parcels

Acid Sulfate Soils

☒ Acid Sulfate Soils (< 5m AHD)

☒ Acid Sulfate Soils (5-20m AHD)

☐ all others

Bushfire Hazard

Applicable Precinct or Area
Potential Impact Buffer

- More Information
- [View Section 8.2.2 Bushfire Hazard Overlay Code](#)
 - [View Section 8.2.2 Bushfire Hazard Overlay Compliance table](#)



☒ Selected Property

☐ Land Parcels

Bushfire_Hazard

☒ High Potential Bushfire Intensity

☐ Medium Potential Bushfire Intensity

☐ Potential Impact Buffer

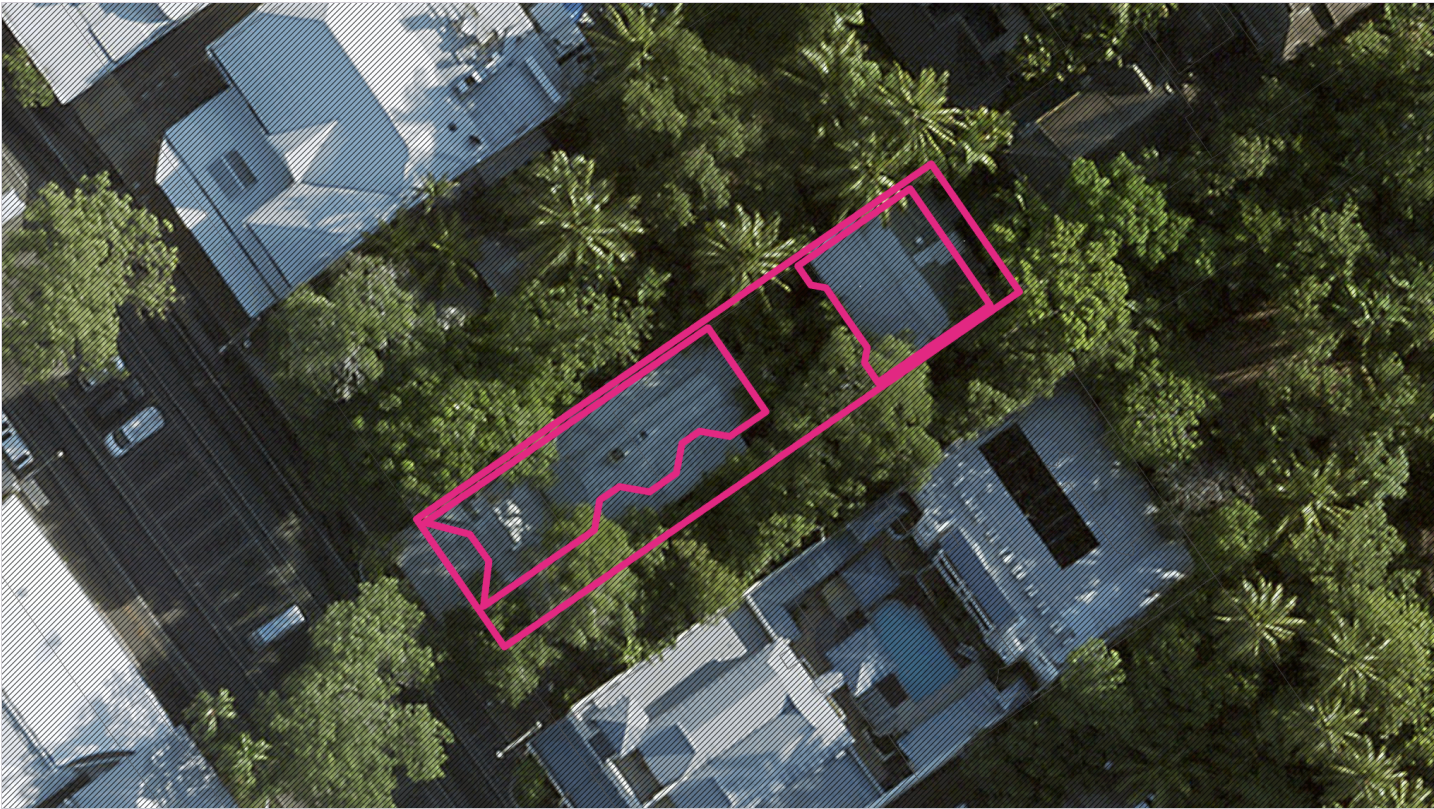
☐ Very High Potential Bushfire Intensity

☐ all others

Coastal Processes

Applicable Precinct or Area
Erosion Prone Area

- More Information
- [View Section 8.2.3 Coastal Environment Overlay Code](#)
 - [View Section 8.2.3 Coastal Environment Overlay Compliance table](#)



☒ Selected Property

☐ Land Parcels

☐ Coastal Management District

☐ Erosion Prone Area

Landslide

Applicable Precinct or Area

Landslide Hazard (High & Medium Hazard Risk)

More Information

- [View Section 8.2.9 Potential Landslide Hazard Overlay Code](#)
- [View Section 8.2.9 Potential Landslide Hazard Overlay Compliance table](#)



☒ Selected Property

☐ Land Parcels

☐ Potential Landslide Hazard

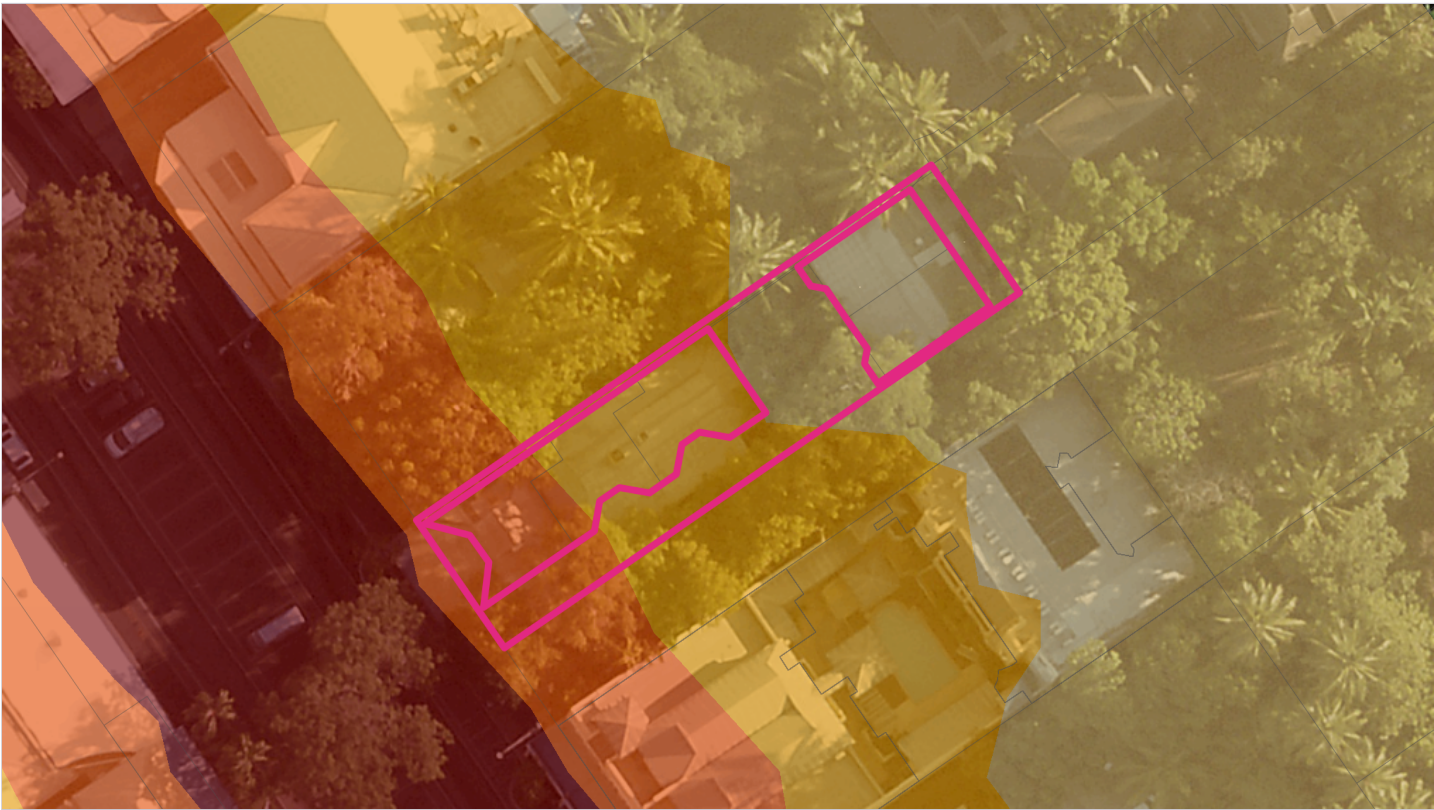
Transport Noise Corridors

Applicable Precinct or Area

- Category 1: 58 dB(A) ≤ Noise Level < 63 dB(A)
- Category 2: 63 dB(A) < Noise Level < 68 dB(A)
- Category 3: 68 dB(A) ≤ Noise Level < 73 dB(A)

More Information

- [View Section 8.2.10 Transport Network Overlay Code](#)
- [View Section 8.2.10 Transport Network Overlay Compliance table](#)



☒ Selected Property

☐ Land Parcels

Transport Noise Corridors Mandatory Area

- | | | |
|--|--|--|
| <input type="checkbox"/> Category 0: Noise Level < 58 dB(A) | <input type="checkbox"/> Category 1: 58 dB(A) ≤ Noise Level < 63 dB(A) | <input type="checkbox"/> Category 2: 63 dB(A) < Noise Level < 68 dB(A) |
| <input type="checkbox"/> Category 3: 68 dB(A) ≤ Noise Level < 73 dB(A) | <input type="checkbox"/> Category 4: Noise Level ≥ 73 dB(A) | <input type="checkbox"/> all others |

Transport Noise Corridors Voluntary Area

- | | | |
|--|--|--|
| <input type="checkbox"/> Category 0: Noise Level < 58 dB(A) | <input type="checkbox"/> Category 1: 58 dB(A) ≤ Noise Level < 63 dB(A) | <input type="checkbox"/> Category 2: 63 dB(A) < Noise Level < 68 dB(A) |
| <input type="checkbox"/> Category 3: 68 dB(A) ≤ Noise Level < 73 dB(A) | <input type="checkbox"/> Category 4: Noise Level ≥ 73 dB(A) | <input type="checkbox"/> all others |

Transport Pedestrian Cycle

Applicable Precinct or Area
Principal Route








- More Information
- [View Section 8.2.10 Transport Network Overlay Code](#)
 - [View Section 8.2.10 Transport Network Overlay Compliance table](#)



☒ Selected Property

☐ Land Parcels

Pedestrian and Cycle Network

- | | | | |
|--|---|---|---|
|  District Route |  Future Principal Route |  Iconic Recreation Route |  Neighbourhood Route |
|  Principal Route |  Strategic Investigation Route |  all others | |

Transport Road Hierarchy

Applicable Precinct or Area

Collector Road

More Information

- [View Section 8.2.10 Transport Network Overlay Code](#)
- [View Section 8.2.10 Transport Network Overlay Compliance table](#)



☒ Selected Property

☐ Land Parcels

Road Hierarchy

— Access Road

— Arterial Road

— Collector Road

— Industrial Road

— Major Rural Road

— Minor Rural Road

— Sub Arterial Road

— Unformed Road

— all others

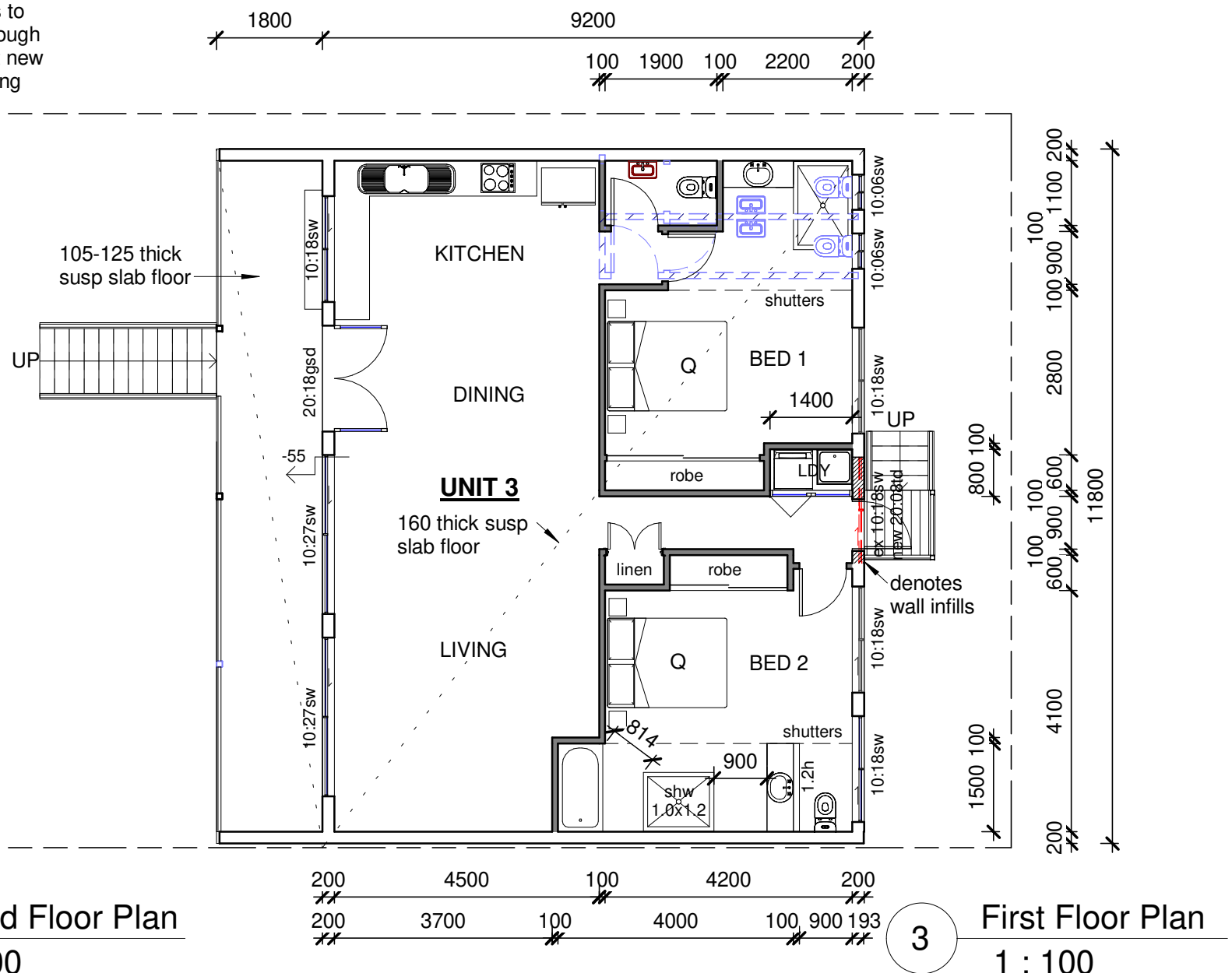
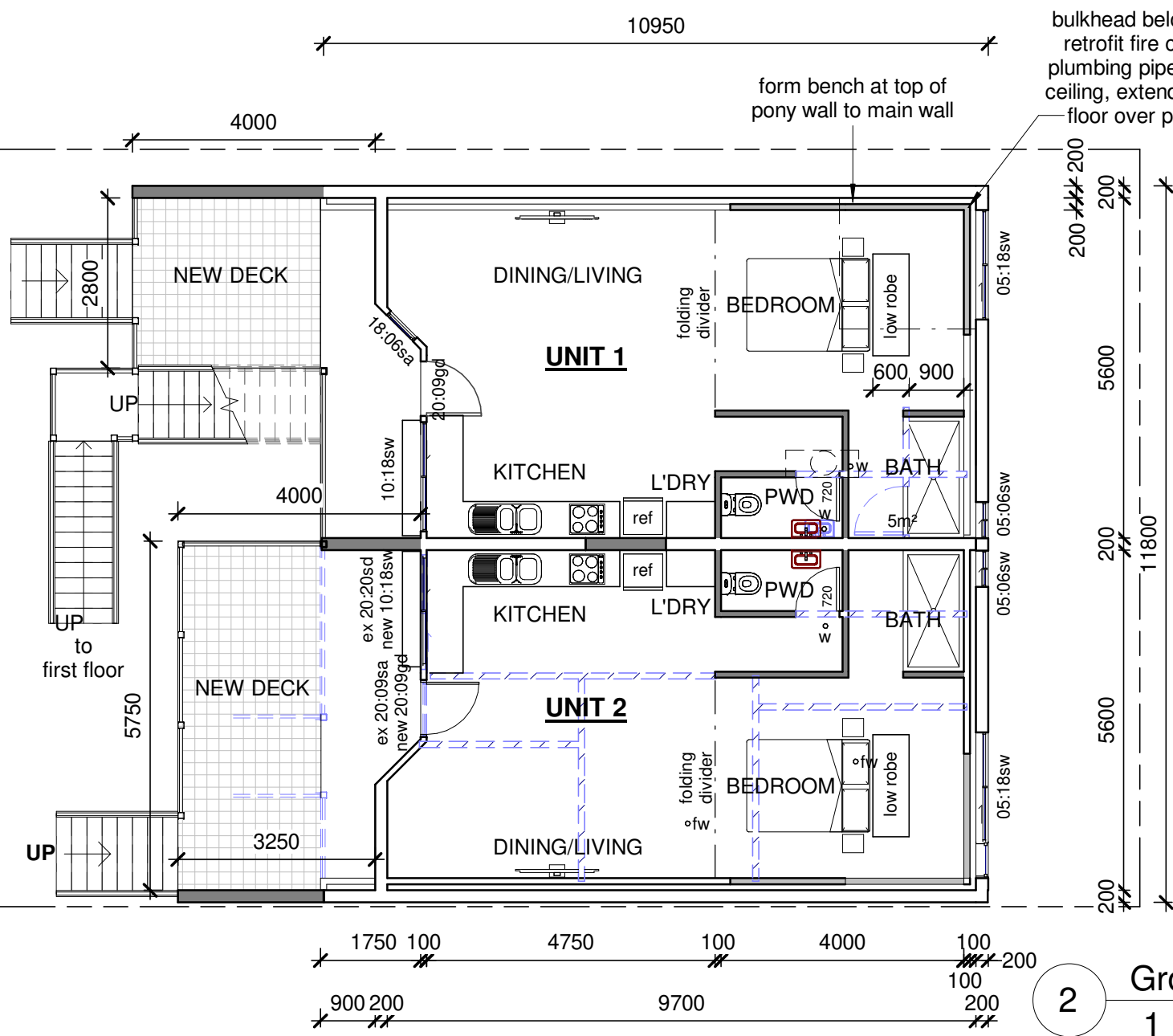
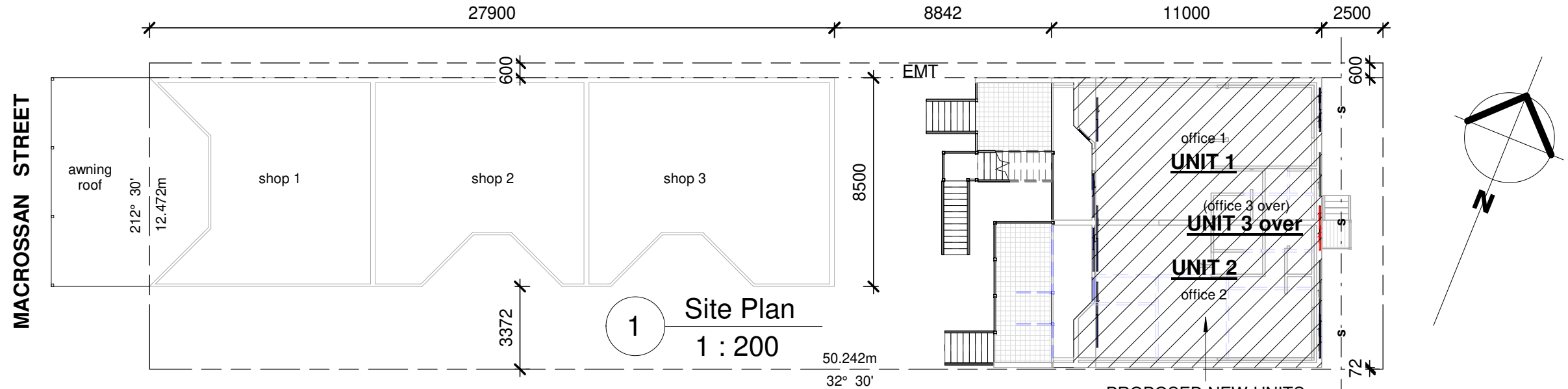
☐ Major Transport Corridor Buffer Area

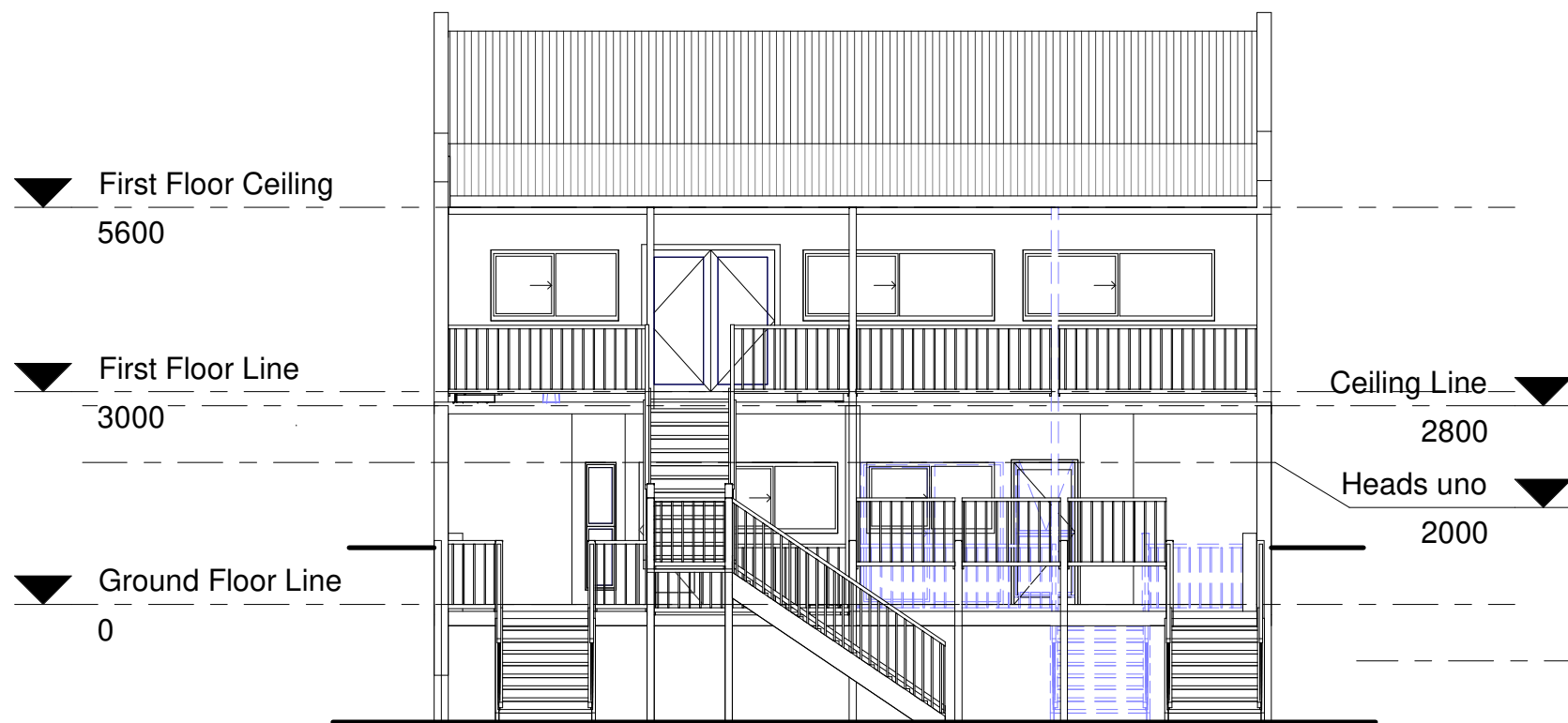
Disclaimer

This report is not a substitute for a Planning and Development Certificate and should not be relied upon where the reliance may result in loss, damage or injury. While every effort is taken to ensure the information in this report is accurate and up to date, Douglas Shire Council makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs that may occur as a result of the report being inaccurate or incomplete in any way or for any reason.

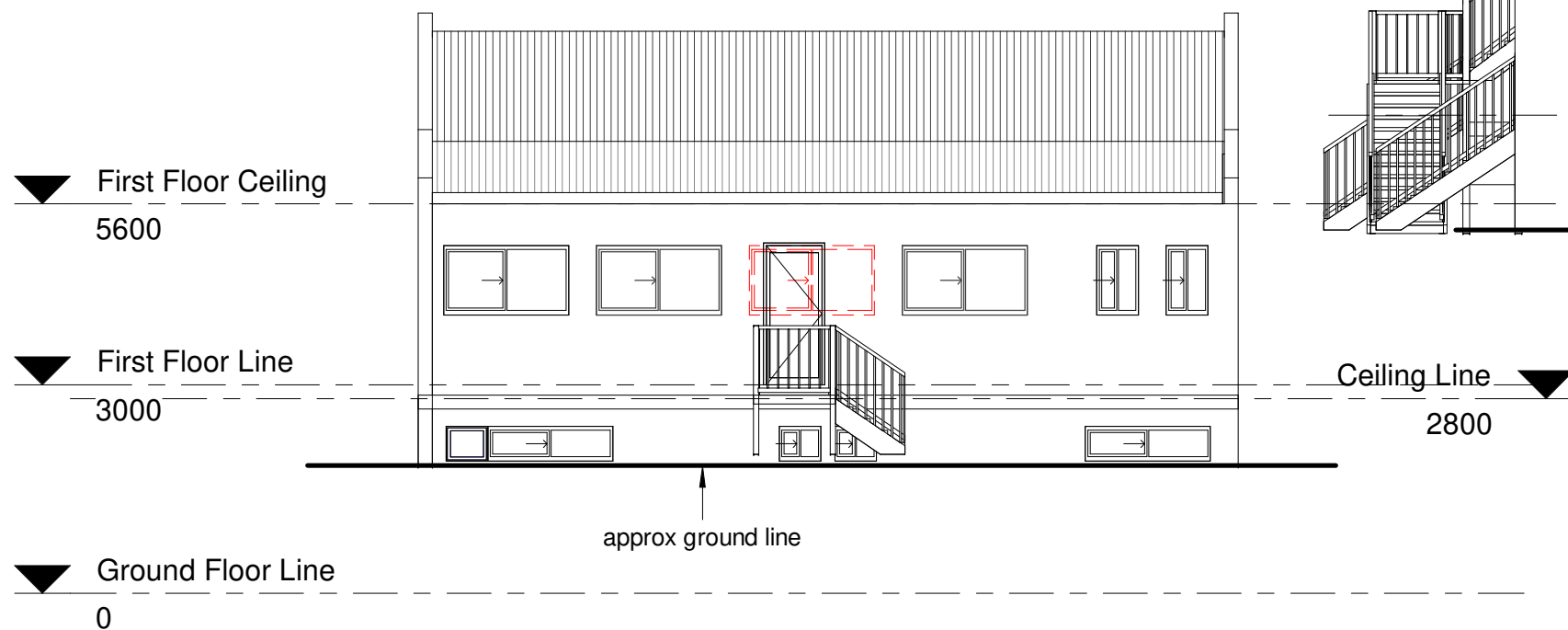
Appendix D

Proposal plans

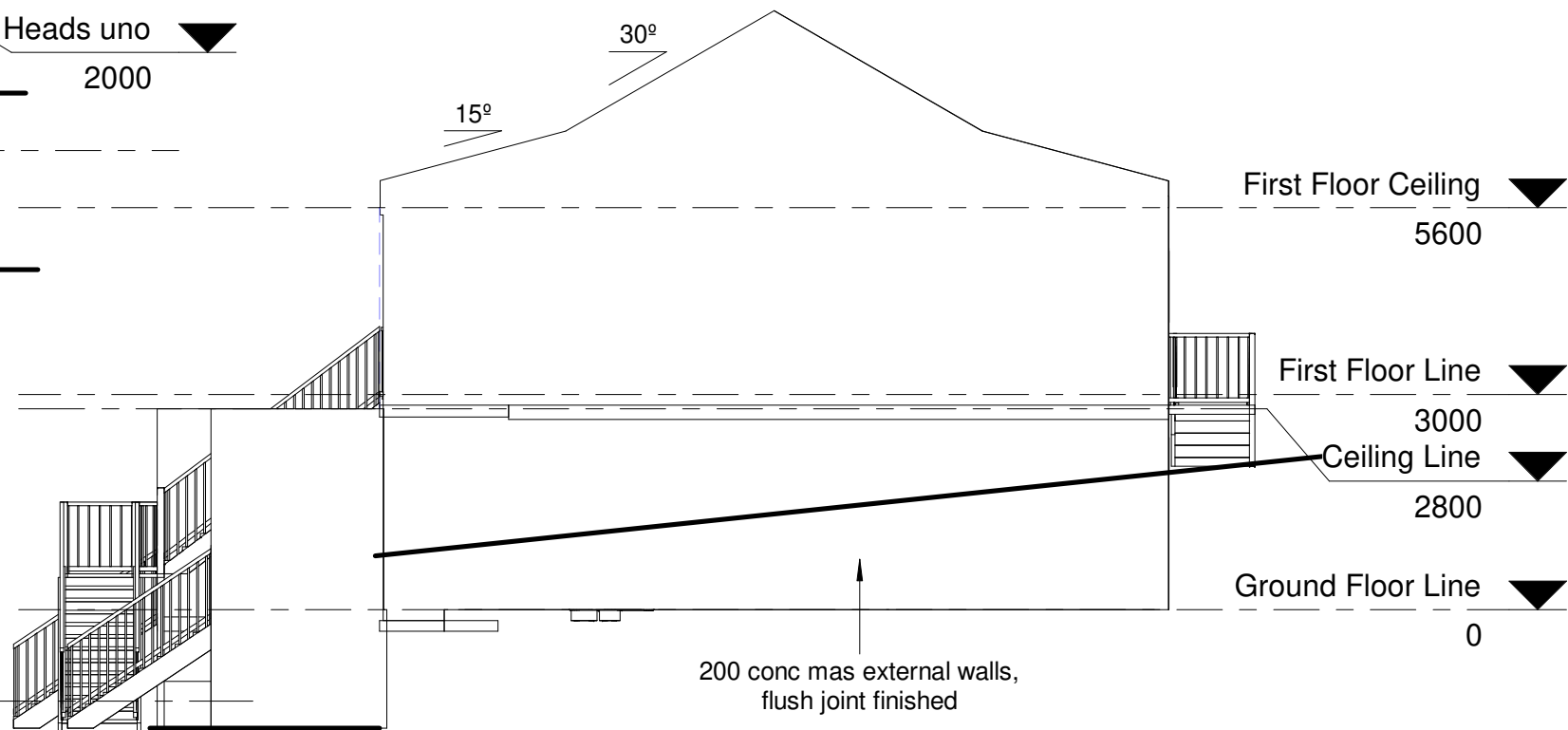




1 Front Elevation
1 : 100



3 Rear Elevation
1 : 100



2 Right Elevation
1 : 100
(Left Elevation opposite)

Appendix E

State Code Responses

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

Table 1.1 Development in general

Performance outcomes	Acceptable outcomes	Response
Buildings, structures, infrastructure, services and utilities		
PO1 The location of the development does not create a safety hazard for users of the state-controlled road .	AO1.1 Development is not located in a state-controlled road . AND AO1.2 Development can be maintained without requiring access to a state-controlled road .	Complies with AO1.1 No development would be located in a state-controlled road.
PO2 The design and construction of the development does not adversely impact the structural integrity or physical condition of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Complies with PO2' The development is significantly setback to not affect the integrity of the state-controlled road.
PO3 The location of the development does not obstruct road transport infrastructure or adversely impact the operating performance of the state-controlled road .	No acceptable outcome is prescribed.	Complies with PO3 The development would not create an obstruction in the state-controlled road.
PO4 The location, placement, design and operation of advertising devices, visible from the state-controlled road , do not create a safety hazard for users of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable No advertising devices are proposed.

Performance outcomes	Acceptable outcomes	Response
PO5 The design and construction of buildings and structures does not create a safety hazard by distracting users of the state-controlled road .	<p>AO5.1 Facades of buildings and structures fronting the state-controlled road are made of non-reflective materials.</p> <p>AND</p> <p>AO5.2 Facades of buildings and structures do not direct or reflect point light sources into the face of oncoming traffic on the state-controlled road.</p> <p>AND</p> <p>AO5.3 External lighting of buildings and structures is not directed into the face of oncoming traffic on the state-controlled road.</p> <p>AND</p> <p>AO5.4 External lighting of buildings and structures does not involve flashing or laser lights.</p>	<p>Not applicable</p> <p>The development would not front the state-controlled road and no external lighting is proposed.</p>
PO6 Road, pedestrian and bikeway bridges over a state-controlled road are designed and constructed to prevent projectiles from being thrown onto the state-controlled road .	AO6.1 Road, pedestrian and bikeway bridges over the state-controlled road include throw protection screens in accordance with section 4.11 of the Design Criteria for Bridges and Other Structures Manual, Department of Transport and Main Roads, 2020.	<p>Not applicable</p> <p>No bridges are proposed.</p>
Landscaping		
PO7 The location of landscaping does not create a safety hazard for users of the state-controlled road .	<p>AO7.1 Landscaping is not located in a state-controlled road.</p> <p>AND</p>	<p>Not applicable</p> <p>No landscaping is proposed.</p>

Performance outcomes	Acceptable outcomes	Response
	AO7.2 Landscaping can be maintained without requiring access to a state-controlled road . AND AO7.3 Landscaping does not block or obscure the sight lines for vehicular access to a state-controlled road .	
Stormwater and overland flow		
PO8 Stormwater run-off or overland flow from the development site does not create or exacerbate a safety hazard for users of the state-controlled road .	No acceptable outcome is prescribed.	Complies with PO8 The proposed development would not affect the current and lawful stormwater management regime.
PO9 Stormwater run-off or overland flow from the development site does not result in a material worsening of the operating performance of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Complies with PO9 The proposed development would not affect the current and lawful stormwater management regime.
PO10 Stormwater run-off or overland flow from the development site does not adversely impact the structural integrity or physical condition of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Complies with PO10 The proposed development would not affect the current and lawful stormwater management regime.
PO11 Development ensures that stormwater is lawfully discharged.	AO11.1 Development does not create any new points of discharge to a state-controlled road . AND AO11.2 Development does not concentrate flows to a state-controlled road . AND	Complies with AO11.1-AO11.4 The proposed development would not affect the current and lawful stormwater management regime.

Performance outcomes	Acceptable outcomes	Response
	<p>AO11.3 Stormwater run-off is discharged to a lawful point of discharge.</p> <p>AND</p> <p>AO11.4 Development does not worsen the condition of an existing lawful point of discharge to the state-controlled road.</p>	
Flooding		
<p>PO12 Development does not result in a material worsening of flooding impacts within a state-controlled road.</p>	<p>AO12.1 For all flood events up to 1% annual exceedance probability, development results in negligible impacts (within +/- 10mm) to existing flood levels within a state-controlled road.</p> <p>AND</p> <p>AO12.2 For all flood events up to 1% annual exceedance probability, development results in negligible impacts (up to a 10% increase) to existing peak velocities within a state-controlled road.</p> <p>AND</p> <p>AO12.3 For all flood events up to 1% annual exceedance probability, development results in negligible impacts (up to a 10% increase) to existing time of submergence of a state-controlled road.</p>	<p>Complies with AO12.1-AO12.3</p> <p>The subject site is not known to be subject to flooding and the development would not change the flood characteristics of the site.</p>
Drainage Infrastructure		

Performance outcomes	Acceptable outcomes	Response
PO13 Drainage infrastructure does not create a safety hazard for users in the state-controlled road .	AO13.1 Drainage infrastructure is wholly contained within the development site, except at the lawful point of discharge . AND AO13.2 Drainage infrastructure can be maintained without requiring access to a state-controlled road .	Complies with AO13.1-AO13.2 The proposed development would not affect the current and lawful stormwater management regime.
PO14 Drainage infrastructure associated with, or within, a state-controlled road is constructed, and designed to ensure the structural integrity and physical condition of existing drainage infrastructure and the surrounding drainage network.	No acceptable outcome is prescribed.	Complies with PO14 The proposed development would not affect the current and lawful stormwater management regime.

Table 1.2 Vehicular access, road layout and local roads

Performance outcomes	Acceptable outcomes	Response
Vehicular access to a state-controlled road or within 100 metres of a state-controlled road intersection		
PO15 The location, design and operation of a new or changed access to a state-controlled road does not compromise the safety of users of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable
PO16 The location, design and operation of a new or changed access does not adversely impact the functional requirements of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable No new access is proposed.

Performance outcomes	Acceptable outcomes	Response
PO17 The location, design and operation of a new or changed access is consistent with the future intent of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable No new access is proposed.
PO18 New or changed access is consistent with the access for the relevant limited access road policy : 1. LAR 1 where direct access is prohibited; or 2. LAR 2 where access may be permitted, subject to assessment.	No acceptable outcome is prescribed.	Not applicable No new access is proposed.
PO19 New or changed access to a local road within 100 metres of an intersection with a state-controlled road does not compromise the safety of users of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable No new access is proposed.
PO20 New or changed access to a local road within 100 metres of an intersection with a state-controlled road does not adversely impact on the operating performance of the intersection.	No acceptable outcome is prescribed.	Not applicable No new access is proposed.
Public passenger transport and active transport		
PO21 Development does not compromise the safety of users of public passenger transport infrastructure, public passenger services and active transport infrastructure .	No acceptable outcome is prescribed.	Not applicable No public transport facilities are located within proximity of the site.
PO22 Development maintains the ability for people to access public passenger transport infrastructure, public passenger services and active transport infrastructure .	No acceptable outcome is prescribed.	Not applicable No public transport facilities are located within proximity of the site.

Performance outcomes	Acceptable outcomes	Response
PO23 Development does not adversely impact the operating performance of public passenger transport infrastructure, public passenger services and active transport infrastructure .	No acceptable outcome is prescribed.	Not applicable No public transport facilities are located within proximity of the site.
PO24 Development does not adversely impact the structural integrity or physical condition of public passenger transport infrastructure and active transport infrastructure .	No acceptable outcome is prescribed.	Not applicable No public transport facilities are located within proximity of the site.

Table 1.3 Network impacts

Performance outcomes	Acceptable outcomes	Response
PO25 Development does not compromise the safety of users of the state-controlled road network.	No acceptable outcome is prescribed.	Complies with PO25 The development would not result in an increase or change to the traffic movement type associated with the existing development.
PO26 Development ensures no net worsening of the operating performance of the state-controlled road network.	No acceptable outcome is prescribed.	Complies with PO26 The development would not result in an increase or change to the traffic movement type associated with the existing development.
PO27 Traffic movements are not directed onto a state-controlled road where they can be accommodated on the local road network.	No acceptable outcome is prescribed.	Complies with PO27 The development would not result in an increase or change to the traffic movement type associated with the existing development.

Performance outcomes	Acceptable outcomes	Response
PO28 Development involving haulage exceeding 10,000 tonnes per year does not adversely impact the pavement of a state-controlled road .	No acceptable outcome is prescribed.	Not applicable No haulage would be involved with the proposed development.
PO29 Development does not impede delivery of planned upgrades of state-controlled roads .	No acceptable outcome is prescribed.	Complies with PO29 There are no planned upgrades within the vicinity of the site.
PO30 Development does not impede delivery of corridor improvements located entirely within the state-controlled road corridor .	No acceptable outcome is prescribed.	Complies with PO30 There are no planned upgrades within the vicinity of the site.

Table 1.4 Filling, excavation, building foundations and retaining structures

Performance outcomes	Acceptable outcomes	Response
PO31 Development does not create a safety hazard for users of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Not applicable No excavation or filling is proposed.
PO32 Development does not adversely impact the operating performance of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable No excavation or filling is proposed
PO33 Development does not undermine, damage or cause subsidence of a state-controlled road .	No acceptable outcome is prescribed.	Not applicable No excavation or filling is proposed
PO34 Development does not cause ground water disturbance in a state-controlled road .	No acceptable outcome is prescribed.	Not applicable No excavation or filling is proposed

Performance outcomes	Acceptable outcomes	Response
PO35 Excavation, boring, piling, blasting and fill compaction do not adversely impact the physical condition or structural integrity of a state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Not applicable No excavation or filling is proposed
PO36 Filling and excavation associated with the construction of new or changed access do not compromise the operation or capacity of existing drainage infrastructure for a state-controlled road .	No acceptable outcome is prescribed.	Not applicable No excavation or filling is proposed

Table 1.5 Environmental emissions

Statutory note: Where a **state-controlled road** is co-located in the same transport corridor as a railway, the development should instead comply with Environmental emissions in State code 2: Development in a railway environment.

Performance outcomes	Acceptable outcomes	Response
Reconfiguring a lot		
Involving the creation of 5 or fewer new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor		
PO37 Development minimises free field noise intrusion from a state-controlled road .	AO37.1 Development provides a noise barrier or earth mound which is designed, sited and constructed: <ol style="list-style-type: none"> to achieve the maximum free field acoustic levels in reference table 2 (item 2.1); in accordance with: <ol style="list-style-type: none"> Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic 	Not applicable No residential lots would be created.

Performance outcomes	Acceptable outcomes	Response
	<p>Noise), Department of Transport and Main Roads, 2013;</p> <p>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</p> <p>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020.</p> <p>OR</p> <p>AO37.2 Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p> <p>OR</p> <p>AO37.3 Development provides a solid gap-free fence or other solid gap-free structure along the full extent of the boundary closest to the state-controlled road.</p>	
Involving the creation of 6 or more new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor		
PO38 Reconfiguring a lot minimises free field noise intrusion from a state-controlled road .	<p>AO38.1 Development provides noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1); 2. in accordance with: <ol style="list-style-type: none"> a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic 	<p>Not applicable</p> <p>No residential lots would be created.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>Noise), Department of Transport and Main Roads, 2013;</p> <p>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</p> <p>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020.</p> <p>OR</p> <p>AO38.2 Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p>	
Material change of use (accommodation activity)		
Ground floor level requirements adjacent to a state-controlled road or type 1 multi-modal corridor		
PO39 Development minimises noise intrusion from a state-controlled road in private open space .	<p>AO39.1 Development provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.2) for private open space at the ground floor level; 2. in accordance with: <ol style="list-style-type: none"> a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic 	<p>Able to comply with AO39.2</p> <p>This would be determined to the time of building application.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>Noise), Department of Transport and Main Roads, 2013;</p> <p>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</p> <p>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020.</p> <p>OR</p> <p>AO39.2 Development achieves the maximum free field acoustic level in reference table 2 (item 2.2) for private open space by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p>	
<p>PO40 Development (excluding a relevant residential building or relocated building) minimises noise intrusion from a state-controlled road in habitable rooms at the facade.</p>	<p>AO40.1 Development (excluding a relevant residential building or relocated building) provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to achieve the maximum building façade acoustic level in reference table 1 (item 1.1) for habitable rooms; 2. in accordance with: <ol style="list-style-type: none"> a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; 	<p>Able to comply with AO40.2</p> <p>This would be determined at the time of building application.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020.</p> <p>OR</p> <p>AO40.2 Development (excluding a relevant residential building or relocated building) achieves the maximum building façade acoustic level in reference table 1 (item 1.1) for habitable rooms by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p>	
PO41 Habitable rooms (excluding a relevant residential building or relocated building) are designed and constructed using materials to achieve the maximum internal acoustic level in reference table 3 (item 3.1).	No acceptable outcome is provided.	<p>Able to comply with PO41</p> <p>This would be determined at the time of building application.</p>
Above ground floor level requirements (accommodation activity) adjacent to a state-controlled road or type 1 multi-modal corridor		
<p>PO42 Balconies, podiums, and roof decks include:</p> <ol style="list-style-type: none"> 1. a continuous solid gap-free structure or balustrade (excluding gaps required for drainage purposes to comply with the Building Code of Australia); 2. highly acoustically absorbent material treatment for the total area of the soffit above balconies, podiums, and roof decks. 	No acceptable outcome is provided.	<p>Not applicable</p> <p>The activity would not be adjacent the state-controlled road.</p>

Performance outcomes	Acceptable outcomes	Response
PO43 Habitable rooms (excluding a relevant residential building or relocated building) are designed and constructed using materials to achieve the maximum internal acoustic level in reference table 3 (item 3.1).	No acceptable outcome is provided.	Not applicable The activity would not be adjacent the state-controlled road.
Material change of use (other uses)		
Ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor		
PO44 Development: <ol style="list-style-type: none"> 1. provides a noise barrier or earth mound that is designed, sited and constructed: <ol style="list-style-type: none"> a. to achieve the maximum free field acoustic level in reference table 2 (item 2.3) for all outdoor education areas and outdoor play areas; b. in accordance with: <ol style="list-style-type: none"> i. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; ii. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; iii. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or 	No acceptable outcome is provided.	Not applicable Other uses are not proposed.

Performance outcomes	Acceptable outcomes	Response
2. achieves the maximum free field acoustic level in reference table 2 (item 2.3) for all outdoor education areas and outdoor play areas by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.		
<p>PO45 Development involving a childcare centre or educational establishment:</p> <ol style="list-style-type: none"> provides a noise barrier or earth mound that is designed, sited and constructed: to achieve the maximum building facade acoustic level in reference table 1 (item 1.2); in accordance with: <ol style="list-style-type: none"> Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or achieves the maximum building facade acoustic level in reference table 1 (item 1.2) by alternative noise attenuation 	No acceptable outcome is provided.	<p>Not applicable</p> <p>Other uses are not proposed.</p>

Performance outcomes	Acceptable outcomes	Response
measures where it is not practical to provide a noise barrier or earth mound.		
PO46 Development involving: <ol style="list-style-type: none"> indoor education areas and indoor play areas; or sleeping rooms in a childcare centre; or patient care areas in a hospital achieves the maximum internal acoustic level in reference table 3 (items 3.2-3.4). 	No acceptable outcome is provided.	Not applicable Other uses are not proposed.
Above ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor		
PO47 Development involving a childcare centre or educational establishment which have balconies, podiums or elevated outdoor play areas predicted to exceed the maximum free field acoustic level in reference table 2 (item 2.3) due to noise from a state-controlled road are provided with: <ol style="list-style-type: none"> a continuous solid gap-free structure or balustrade (excluding gaps required for drainage purposes to comply with the Building Code of Australia); highly acoustically absorbent material treatment for the total area of the soffit above balconies or elevated outdoor play areas. 	No acceptable outcome is provided.	Not applicable Other uses are not proposed.

Performance outcomes	Acceptable outcomes	Response
<p>PO48 Development including:</p> <ol style="list-style-type: none"> indoor education areas and indoor play areas in a childcare centre or educational establishment; or sleeping rooms in a childcare centre; or patient care areas in a hospital located above ground level, is designed and constructed to achieve the maximum internal acoustic level in reference table 3 (items 3.2-3.4). 	No acceptable outcome is provided.	<p>Not applicable</p> <p>Other uses are not proposed.</p>
Air, light and vibration		
<p>PO49 Private open space, outdoor education areas and outdoor play areas are protected from air quality impacts from a state-controlled road.</p>	<p>AO49.1 Each dwelling or unit has access to a private open space which is shielded from a state-controlled road by a building, solid gap-free fence, or other solid gap-free structure.</p> <p>OR</p> <p>AO49.2 Each outdoor education area and outdoor play area is shielded from a state-controlled road by a building, solid gap-free fence, or other solid gap-free structure.</p>	<p>Complies with AO49.2</p> <p>The outdoor space would be shielded by the buildings towards the property frontage.</p>

Performance outcomes	Acceptable outcomes	Response
PO50 Patient care areas within hospitals are protected from vibration impacts from a state-controlled road or type 1 multi-modal corridor .	<p>AO50.1 Hospitals are designed and constructed to ensure vibration in the patient treatment area does not exceed a vibration dose value of $0.1\text{m/s}^{1.75}$.</p> <p>AND</p> <p>AO50.2 Hospitals are designed and constructed to ensure vibration in the ward of a patient care area does not exceed a vibration dose value of $0.4\text{m/s}^{1.75}$.</p>	<p>Not applicable</p> <p>Other uses are not proposed.</p>
<p>PO51 Development is designed and sited to ensure light from infrastructure within, and from users of, a state-controlled road or type 1 multi-modal corridor, does not:</p> <ol style="list-style-type: none"> 1. intrude into buildings during night hours (10pm to 6am); 2. create unreasonable disturbance during evening hours (6pm to 10pm). 	No acceptable outcomes are prescribed.	<p>Not applicable</p> <p>Other uses are not proposed.</p>

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

Performance outcomes	Acceptable outcomes	Response
PO52 Development does not impede delivery of a future state-controlled road .	<p>AO52.1 Development is not located in a future state-controlled road.</p> <p>OR ALL OF THE FOLLOWING APPLY:</p> <p>AO52.2 Development does not involve filling and excavation of, or material changes to, a future state-controlled road.</p>	<p>Not applicable</p> <p>The site does not form part of a future state-controlled road.</p>

State Development Assessment Provisions v3.0

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

Page 18 of 20

Performance outcomes	Acceptable outcomes	Response
	<p>AND</p> <p>AO52.3 The intensification of lots does not occur within a future state-controlled road.</p> <p>AND</p> <p>AO52.4 Development does not result in the landlocking of parcels once a future state-controlled road is delivered.</p>	
PO53 The location and design of new or changed access does not create a safety hazard for users of a future state-controlled road .	AO53.1 Development does not include new or changed access to a future state-controlled road .	<p>Not applicable</p> <p>The site does not form part of a future state-controlled road.</p>
PO54 Filling, excavation, building foundations and retaining structures do not undermine, damage or cause subsidence of a future state-controlled road .	No acceptable outcome is prescribed.	<p>Not applicable</p> <p>The site does not form part of a future state-controlled road.</p>
PO55 Development does not result in a material worsening of stormwater, flooding, overland flow or drainage impacts in a future state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	<p>Not applicable</p> <p>The site does not form part of a future state-controlled road.</p>
PO56 Development ensures that stormwater is lawfully discharged.	<p>AO56.1 Development does not create any new points of discharge to a future state-controlled road.</p> <p>AND</p> <p>AO56.2 Development does not concentrate flows to a future state-controlled road.</p> <p>AND</p>	<p>Not applicable</p> <p>The site does not form part of a future state-controlled road.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AO56.3 Stormwater run-off is discharged to a lawful point of discharge.</p> <p>AND</p> <p>AO56.4 Development does not worsen the condition of an existing lawful point of discharge to the future state-controlled road.</p>	

Appendix F

Planning Scheme Code Responses

6.2.1 Centre zone code

6.2.1.1 Application

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

6.2.1.2 Purpose

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

6.2.1.3 Criteria for assessment

Table 6.2.1.3.a - Centre zone – assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
PO1 The height of all buildings is in keeping with the character of the surrounding residential neighbourhoods and must not adversely affect the amenity of the neighbourhood.	AO1 The maximum height of buildings and structures is: (a) in accordance with the provisions of any applicable local plan; (b) if no local plan applies, not more than 8.5 metres and two storeys in height. Note - Height is inclusive of the roof height.	Not applicable The change is use is to a lawfully existing building and no changes to the building height are proposed.
PO2 The siting of buildings contributes to the use of the land, desired amenity and character of the area and protects the amenity of other land uses.	AO2.1 Buildings and structures are setback to road frontages: (a) in accordance with the provisions of any applicable local plan; (b) a minimum of 6 metres where no local plan applies or there are no particular provisions specified in the local plan for the site.	Not applicable The change is use is to a lawfully existing building and no changes to the building setbacks are proposed.
	AO2.2 Where adjoining land in the Industry zone, buildings are setback: (a) 0 metres from the side and rear boundaries; or (b) 2.5 metres or ¼ of the height of the building, whichever is the greater; and (c) not any distance between 0 metres and 2.5 metres.	Not applicable This development site does not adjoin land in the Industry Zone.

Performance outcomes	Acceptable outcomes	Compliance
	AO2.3 Where adjoining land in any other zone, buildings are setback 3 metres or ¼ of the height of the building, whichever is the greater and are provided with an acoustic barrier in accordance with the recommendations of a qualified acoustic expert.	Not applicable The subject site adjoins land in the low-medium density residential zone and the building is not setback 3 metres from the boundary, however the building is already lawfully existing and the proposal does not involve changes to the existing setbacks.
	AO2.4 Setback areas are provided with a 2 metre landscaped strip capable of deep planting, which is kept clear of service equipment and storage areas: (a) adjacent to the road frontage in all areas not required for pedestrian or vehicular access for the setback area nominated in AO2.1(b) above; (b) adjacent to the boundary with the other zone for the setback area nominated in AO2.3 above.	Not applicable This building is already lawfully existing and no setback changes are proposed.
PO3 The site coverage of buildings ensures that there is sufficient space available to cater for services, landscaping and on-site parking.	AO3 Site coverage does not exceed 80%, unless otherwise specified in a Local plan.	Complies with AO3 Site cover would not exceed 80%.
For assessable development		
PO4 The establishment of uses is consistent with the outcomes sought for the Centre zone and protects the zone from the intrusion of inconsistent uses.	AO4 Inconsistent uses as identified in Table 6.2.1.3.b are not established in the Centre zone.	Complies with AO4 Multiple Dwellings are not identified as an inconsistent use in Table 6.2.1.3.b.

Performance outcomes	Acceptable outcomes	Compliance
PO5 Development provides a range of convenient goods and services for the daily needs of discrete residential communities.	AO5 Development complies with the requirements specified in a local plan.	Complies with AO5 The development complies with the Port Douglas/Craigie local plan. Refer to the assessment against the local plan code.
PO6 Development does not lower the standard of amenity in terms of air, noise, odour, electrical interference and vibrations at any land use associated with the: (a) the Accommodation activity group, located outside the Centre zone; (b) the Sensitive land use activity group, located outside the Centre zone.	AO6 No acceptable outcomes are prescribed.	Complies with PO6 The development would not affect the amenity of the area as the proposed use would produce similar effects on the surrounding amenity as the existing use does.
PO7 Reconfiguration of land results in: (a) a practical layout for centre land use activities, generally consisting of regular rectangular-shaped lots. (b) lots no less than 600m ² in area	AO7 No acceptable outcomes are prescribed.	Not applicable No reconfiguration of land is proposed..

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

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

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

7.2.4 Port Douglas/Craigie local plan code

7.2.4.1 Application

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

7.2.4.2 Context and setting

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

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

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

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

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

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

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

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

7.2.4.3 Purpose

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

- (a) In addition, the purpose of the code is supported by the Port Douglas Waterfront Master Plan which provides a clear strategic direction for the incremental transformation of the Port Douglas Waterfront, including the following objectives:
 - (b) To set out a vision for revitalisation of the waterfront;
 - (c) To protect and enhance the environmental attributes; and
- (2) To provide a flexible framework, expressed through several key strategies that will assist the Council and community in managing change.
- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Port Douglas will continue to develop as the premium destination for international and domestic tourists in the Far North Queensland Region, while also acting for permanent residents attracted to the associated lifestyle.
 - (b) Major tourist, retail, dining and entertainment facilities will consolidate in the Town Centre and the Waterfront North sub-precincts, with improved pedestrian connections between the town centre and the waterfront.
 - (c) Craiglie will develop as an integrated residential community with some low scale tourism development opportunities in appropriate locations. Craiglie will also function as small scale commercial and light industry node, providing employment opportunities for the Shire's permanent resident population.
 - (d) All forms of development will complement the tropical image of the town through distinctive tropical vernacular, urban design and landscaping.
 - (e) Character will be enhanced through the identification of gateway sites, landmarks, main approach routes and pedestrian thoroughfares and view corridors;
 - (f) The Flagstaff Hill, Dickson Inlet, Four Mile Beach and other areas of scenic and environmental significance will be protected from development. Vegetation cover will dominate over built form.
 - (g) Vegetation, iconic to the character of Port Douglas, including the avenues of Oil Palms, is retained and where appropriate supplemented.
 - (h) Development will be indistinguishable from view from Four Mile Beach. In addition, any development on Flagstaff Hill will be indistinguishable when viewed from vantage points in Port Douglas.
 - (i) Residential areas are designed as pleasant, functional and distinctive, in visually well-defined areas.
- (4) The purpose of the code will be further achieved through the following overall outcomes:
 - (a) Precinct 1 – Port Douglas precinct
 - (i) Sub-precinct 1a – Town Centre sub-precinct
 - (ii) Sub-precinct 1b – Waterfront North sub-precinct
 - (iii) Sub-precinct 1c – Waterfront South sub-precinct
 - (iv) Sub-precinct 1d – Limited Development sub-precinct
 - (v) Sub-precinct 1e – Community and recreation sub-precinct
 - (vi) Sub-precinct 1f – Flagstaff Hill sub-precinct
 - (b) Precinct 2 – Integrated Resort precinct
 - (c) Precinct 3 – Craiglie Commercial and Light Industry precinct

- (d) Precinct 4 – Old Port Road / Mitre Street precinct
- (e) Precinct 5 – Very Low Density Residential/ Low Scale Recreation/Low Scale Educational/Low Scale Entertainment Uses precinct

Precinct 1 – Port Douglas precinct

- (5) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
 - (a) development will contribute to the incremental transformation of the township, preserving and enhancing maritime activities and environmental areas, delivering tropical open spaces and a high quality public realm, and allowing for tourism opportunities and investment.
 - (b) development contributes to the enhancement of the Port Douglas precinct through the following development outcomes:
 - (i) access and connectivity throughout the township is enhanced through a series of improvements to circulation and mobility, including:
 - (A) access to, and connectivity along, the waterfront and foreshore areas is maintained and, where appropriate, enhanced;
 - (B) reducing reliance on the waterfront as a car parking resource.
 - (ii) the use of land in the Port Douglas precinct improves the cohesive layout of the township through:
 - (A) the establishment of distinct sub-precincts that reinforce the character and built form of the Port Douglas local plan area including:
 - Port Douglas centre sub-precinct 1a – Town Centre sub-precinct;
 - Port Douglas centre sub-precinct 1b – Waterfront North sub-precinct;
 - Port Douglas centre sub-precinct 1c – Waterfront South sub-precinct;
 - Port Douglas centre sub-precinct 1d – Limited development sub-precinct;
 - Port Douglas centre sub-precinct 1e – Community and recreation precinct;
 - Port Douglas centre sub-precinct 1f – Flagstaff Hill sub-precinct;
 - (B) facilitating marina facilities and supporting marine industry uses as a key part of the local economy;
 - (C) reducing conflict between industry, community and commercial activities in the waterfront, without diminishing the marine industry capacity in the Port Douglas precinct;
 - (i) environment and sustainability is integrated into the township through:
 - (A) preservation and enhancement of the qualities and characteristics of environmental areas of the township;
 - (B) water sensitive urban design is considered as a means of water quality improvement and management of overland flow to ensure hard infrastructure solutions in Warner Street can be mitigated;
 - (C) design of buildings and access way improvements prioritises walking and cycling modes of transport.
 - (ii) the tropical character of the Port Douglas precinct is enhanced by ensuring development:
 - (A) maintains and enhances the built form, local character, streetscapes and natural elements of the township;
 - (B) is compatible with the desired character and amenity of local places and neighbourhoods;

- (C) does not exceed the height of buildings designations which contribute to the desired form of the township which contains three storey development heights in sub-precinct 1a – Town Centre sub-precinct and part of sub-precinct 1b – Waterfront North sub-precinct;
 - (D) implements high quality landscaped environments around buildings and on streets;
 - (E) protects the recognisable character and locally significance sites throughout the precinct.
- (iii) public spaces and the streetscape are enhanced through:
- (A) an increase in the quantity and quality of public land and places throughout the precinct;
 - (B) consolidating community recreation and sporting uses to create a precinct of community focussed activity between Mudlo Street and Wharf Street;
 - (C) improved connections between the town centre and the waterfront marina, including an investigation of a plaza on the waterfront;
 - (D) improved streetscapes with high quality landscaping, surface treatments and shaded pedestrian environments;
 - (E) the creation of a sense of place through aesthetic streetscapes and built-form character;
 - (F) managing vegetation to ensure succession of planting and the ongoing presence of significant trees.
- (iv) advertising signage is small scale, low-key and complements the tropical character of the town.

Sub-precinct 1a – Town Centre sub-precinct

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

Sub-precinct 1b - Waterfront North sub-precinct

- (7) In addition to other overall development outcomes, development in the Waterfront North sub-precinct facilitates the following development outcomes:
- (a) the precinct evolves as a revitalised open space and waterside development precinct;
 - (b) development within the precinct is designed to be sympathetic to the environmentally sensitive Dickson Inlet and mitigates any adverse impacts;
 - (c) the establishment of mixed-use development is facilitated to promote activity and vitality;
 - (d) public pedestrian access is maximised along the extent of the edge of the waterfront, consisting of a boardwalk or similar structure available for 24-hour use;

- (e) development contributes to a high quality public realm;
- (f) built form provides an attractive point of arrival from both land and sea;
- (g) pedestrian connectivity is safe, efficient and provides for the needs of all users of the Port Douglas waterfront;
- (h) parking (and associated infrastructure) does not undermine the relationship between buildings and street or pedestrian circulation patterns;
- (i) the importance of existing marine-based industries to the area is recognised, not diminished and protected from incompatible uses. Relocation of marine based industries to an alternative precinct does not occur until such time that agreement has been reached among all relevant stakeholders such that development does not diminish the viability of marine based industrial uses that directly serve the Port Douglas tourist and fishing operators and private boat owners;
- (j) marine infrastructure is established to service the tourism, fishing and private boating community;
- (k) Live entertainment activities are concentrated within the Live Entertainment Precinct and are subject to the recommendations of a suitably qualified acoustic engineer;
- (l) the functionality of the Balley Hooley tourist rail is retained.

Sub-precinct 1c – Waterfront South sub-precinct

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

Sub-precinct 1d – Limited Development sub-precinct

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

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

- (10) In addition to all other overall development outcomes, development in the Community and recreation sub-precinct facilitates the following development outcomes:
- (a) development for community uses, including sport and recreation is facilitated.
 - (b) sport and recreation activities predominantly involve outdoor activities;

PR151788 – 12 Macrossan Street, Port Douglas

- (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

PR151788 – 12 Macrossan Street, Port Douglas

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

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

7.2.4.4 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
For self assessable and assessable development		
Development in the Port Douglas / Craiglie local plan area generally		
PO1 Pedestrians, cyclists, motorists and public transport users can easily move into and through the precinct along planned connectivity routes, identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.	AO1 A pedestrian and cycle movement network is integrated and delivered through development.	Not applicable The site does not involve a planned connectivity route.
PO2 Development retains and enhances key landscape elements including character trees and areas of significant vegetation contributing to the character and quality of the local plan area and significant views and vistas and other landmarks important to the context of Port Douglas / Craiglie (as identified on the Port Douglas/ Craiglie Townscape Plan map contained in Schedule 2).	AO2.1 Development provides for the retention and enhancement of existing mature trees and character vegetation that contribute to the lush tropical character of the town, including: <ul style="list-style-type: none"> (a) the tree covered backdrop of Flagstaff Hill; (b) natural vegetation along watercourses, in particular the Mowbray River, Beor Creek and Dickson Inlet; (c) the tidal vegetation along the foreshore; 	Complies with AO2.1 Mature trees would be retained where possible.

Performance outcomes	Acceptable outcomes	Compliance
	(d) beachfront vegetation along Four Mile Beach, including the fringe of Coconut Palms; (e) the oil palm avenues along the major roads; (f) the lush landscaping within major roundabouts at key nodes; (g) Macrossan Street and Warner Street; (h) Port Douglas waterfront.	
	AO2.2 Development protects and does not intrude into important views and vistas as identified on the Port Douglas Townscape Plan map contained in Schedule 2, in particular: (a) Flagstaff Hill; (b) Four Mile Beach; (c) Across to the ranges over Dickson Inlet; (d) Mowbray Valley.	Complies with AO2.2 The development would not impact any views or vistas as the built form exists and no changes regarding height or scale are proposed.
	AO2.3 Important landmarks, memorials and monuments are retained.	Complies with AO2.3 This development would not impact in landmarks, memorials or monuments.
PO3 Development contributes to the protection, reinforcement and where necessary enhancement of gateways and key intersections identified on the Port Douglas / Craigie local plan maps contained in Schedule 2.	AO3 Development adjacent to the gateways and nodes as identified on the Port Douglas / Craigie local plan maps contained in Schedule 2 incorporates architectural features and landscaping treatments and design elements that enhance the sense of arrival and way finding within the town.	Not applicable The site is not adjacent to a gateway or node.

Performance outcomes	Acceptable outcomes	Compliance
PO4 Landscaping of development sites complements the existing tropical character of Port Douglas and Craiglie.	AO4 Landscaping incorporates the requirements of Planning scheme policy SC6.7 – Landscaping, in particular landscaping should be capable of achieving a 60% screening of development within 5 years and predominantly consists of endemic vegetation.	Not applicable The existing lawfully provided landscaping would be retained as part of the development.
PO5 Development does not compromise the safety and efficiency of the State-controlled road network.	AO5 Direct access is not provided to a State-controlled road where legal and practical access from another road is available.	Complies with AO5 Legal and practical access can only be gained from a State-controlled road.
For assessable development		
Additional requirements in Precinct 1 – Port Douglas precinct		
PO6 The views and vistas identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 are maintained.	AO6.1 Development does not impede continued views to scenic vistas and key streetscapes within the local plan area.	Complies with AO6.1 The development would remain of the existing scale and magnitude therefore posing no interruptions to views and scenic vistas.
	AO6.2 Unless otherwise specified within this Local Plan, buildings are set back not less than 6 metres from the primary street frontage.	Not applicable The building is lawfully existing as setback more than 6 metres from the primary street frontage.
PO7 Vehicle access, parking and service areas: (a) do not undermine the relationship between buildings and street or dominate the streetscape; (b) are designed to minimise pedestrian vehicle	AO7.1 For all buildings, parking is: (a) to the side of buildings and recessed behind the main building line; or (b) behind buildings; or	Not applicable There are no on-site car parks associated with this site or development.

Performance outcomes	Acceptable outcomes	Compliance
<p>conflict;</p> <p>(c) are clearly identified and maintain ease of access at all times.</p>	(c) wrapped by the building façade, and not visible from the street.	
	A07.2 Ground level parking incorporates clearly defined pedestrian routes.	Not applicable There is no on-site car parks associated with this building or development.
	A07.3 Any porte-cocheres, disabled and pedestrian accesses are accommodated within the boundary of new or refurbished development.	Not applicable No Porte Cochere is proposed and all access would be contained within the site.
	A07.4 Where the development is an integrated mixed-use development incorporating short term accommodation or multiple dwellings and either food and drink outlet or hotel or shop or shopping centre or office, on-site parking spaces are provided as per the number prescribed in the Parking and access code with a relaxation of 30% of spaces required for the non-residential uses.	Not applicable No on-site parking is required as part of this development.
	A07.5 On-site car parking available for public use is clearly signed at the site frontage.	Not applicable This development does not involve any on-site car parking.
	A07.6 Boom gates, pay machines or other regulatory devices to control access to a publicly available car parking area are not constructed or installed.	Not applicable This development does not involve any on-site car parking.
P08	A08	Complies with P08

Performance outcomes	Acceptable outcomes	Compliance
Precinct 1 – Port Douglas precinct is not characterised by a proliferation of advertising signs.	No acceptable outcomes are prescribed.	No advertising signs are proposed as part of this development.
Additional requirements for Sub-precinct 1a – Town Centre sub-precinct		
PO9 Building heights: (a) do not overwhelm or dominate the town centre; (b) respect the desired streetscape; (c) ensure a high quality appearance when viewed from both within the town centre sub-precinct and external to the town centre sub-precinct; (d) remain subservient to the natural environment and the backdrop of Flagstaff Hill. (e) do not exceed 3 storeys.	AO9 Buildings and structures are not more than 3 storeys and 13.5 metres in height, with a roof height of not less than 3 metres. Note – Height is inclusive of the roof height.	Complies with AO9 The lawfully existing building is only 2 storeys high and less than 13.5 metres. No changes to the building height are proposed.
PO10 Building design, the streetscape, pedestrian paths and street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port Douglas Precinct.	AO10 No acceptable outcomes are prescribed.	Not applicable The development does not involve a street front space.
PO11 Buildings: (a) address street frontages; (b) ensure main entrances front the street or public spaces; (c) do not focus principally on internal spaces or parking areas.	AO11 No acceptable outcomes are prescribed.	Not applicable The building is lawfully existing and does not have a street frontage as it is setback behind existing an retail building.

Performance outcomes	Acceptable outcomes	Compliance
PO12 Setbacks at ground level provide for: <ul style="list-style-type: none"> (a) connection between pedestrian paths and public places; (b) areas for convenient movement of pedestrians; (c) changes in gradient of the street. 	AO12 Setbacks at ground level: <ul style="list-style-type: none"> (a) are clear of columns and other obstructions; (b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites; (c) connect without any lip or step to adjoining footpaths. 	Not applicable The development relates to a lawfully existing building and no changes to the setbacks are proposed.
AO13 Buildings do not result in a reduction of views and vistas from public places to: <ul style="list-style-type: none"> (a) Flagstaff Hill; (b) Dickson Inlet; (c) public open space; (d) places of significance. 	AO13 No acceptable outcomes are prescribed.	Complies with AO13 The building would not impact views or vistas as it will maintain its existing scale and magnitude.
PO14 Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at street level including shade protection across the footpath for the length of the building.	AO14 Development is built up to the street frontage/s at the street level and incorporates a light frame awning, a minimum of 3 metres in width for the length of the street frontage/s; or If a development includes an outdoor dining area at ground/footpath level, the dining area has a maximum setback of 3 metres and the required awning is still maintained along the length of the street frontage/s. Note – PO24 provides more detail on awning design.	Not applicable The development relates to an existing building to the rear of an overall development and which does not have a street facing façade.

Performance outcomes	Acceptable outcomes	Compliance
PO15 Development is predominantly commercial in nature with any tourist accommodation having a secondary focus and not located on the street-level frontage where active frontages are encouraged as identified the Port Douglas local plan maps contained in Schedule 2.	AO15.1 Centre activities establish: at street level on active street frontages; a maximum of one level above street level.	Not applicable Multiple Dwellings are not listed as a Centre activity.
	AO15.2 Any residential development activities or short term accommodation is located above street level of the active frontage, but not on or up to the street frontage in any development, including mixed use development.	Complies with AO15.2 The residential development would be located both above street level and at ground level but setback from the street frontage.
PO16 Detailed building design: <ul style="list-style-type: none"> (a) enhances the visual amenity of the streetscape; (b) has a legible and attractive built form that is visually enhanced by architectural elements; (c) contributes to a distinctive tropical north Queensland, seaside tourist town character; (d) integrates major landscaping elements to maximise their aesthetic value to ensure that the lush, vegetated character of the Town Centre sub-precinct is maintained. 	AO16 No acceptable outcomes are prescribed.	Not applicable The development relates to a lawfully existing building.
PO17 Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through: <ul style="list-style-type: none"> (a) surface decoration; (b) wall recesses and projections; (c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements. (d) differentiating between the lower, middle and upper 	AO17 No acceptable outcomes are prescribed.	Not applicable The development relates to a lawfully existing building.

Performance outcomes	Acceptable outcomes	Compliance
parts of the building by varying the façade and/or the shape of the built form, where comprised of more than two storeys.		
P018 Roofs are not characterised by a cluttered display of plant and equipment, in particular: <ul style="list-style-type: none"> (a) building caps and rooftops contribute to the architectural distinction of the building and create a coherent roofscape for the Town Centre sub-precinct; (b) service structures, lift motor rooms and mechanical plant and equipment are designed as an architectural feature of the building or are screened from public view; (c) rooftops are not used for advertising. 	AO18 No acceptable outcomes are prescribed.	Not applicable The development relates to a lawfully existing building.
P019 Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to: <ul style="list-style-type: none"> (a) shade windows; (b) reduce glare; (c) assist in maintaining comfortable indoor temperatures; (d) minimising heat loads; (e) enrich the North Queensland tropical character of the Town Centre sub-precinct; (f) provide architectural interest to building façades. 	AO19 No acceptable outcomes are prescribed.	Complies with P019 Sun shade devices and verandahs are incorporated into the building design.
P020	AO20	Not applicable

Performance outcomes	Acceptable outcomes	Compliance
Buildings are finished with high quality materials, selected for: (a) their ability to contribute the character of Town Centre sub-precinct; (b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate.	No acceptable outcomes are prescribed.	The development relates to a lawfully existing building.
PO21 Buildings do not incorporate any type of glass or other materials that are likely to reflect the sun's rays in a manner that may create a nuisance, discomfort or a hazard.	AO21 No acceptable outcomes are prescribed.	Not applicable The building is lawfully existing with glass windows and doors. No changes are proposed.
PO22 Façades and elevations do not include large blank walls. Openings and setbacks are used to articulate vertical building surfaces.	AO22.1 Development has a maximum length of unbroken building facade of 20 metres and a maximum extent of overall development in the same style/design along the street frontage/s of 40 metres.	Not applicable The development relates to a lawfully existing building.
	AO22.2 Any break in the building façade varies the alignment by a 1 metre minimum deviation.	Not applicable The development relates to a lawfully existing building.
	AO22.3 A minimum of three of the following building design features and architectural elements detailed below are incorporated to break the extended facade of a development: (a) a change in roof profile; (b) a change in parapet coping; (c) a change in awning design;	Not applicable The development relates to a lawfully existing building.

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

Performance outcomes	Acceptable outcomes	Compliance
(g) are cantilevered from the main building with any posts within the footpath being non load-bearing.		
PO25 Development integrates with the streetscape and landscaping improvements for Port Douglas.	AO25 Development fronting Davidson Street, Macrossan Street, Wharf Street, Mowbray Street and Warner Street is designed to integrate with the on-street landscaping and design improvements as outlined within the Port Douglas landscape master plan contained within Planning scheme policy SC6.7 – Landscaping. Note - Planning scheme policy SC6.7 - Landscaping provides guidance on meeting the Performance Outcome.	Not applicable The development relates to a lawfully existing building that does not face a public space.
Additional requirements for Sub-precinct 1b – Waterfront North sub-precinct		
PO26 The establishment of uses is consistent with the outcomes sought for sub-precinct 1b – Waterfront North.	AO26 Uses identified as inconsistent uses in Table 7.2.4.4.b – inconsistent uses in sub-precinct 1b – Waterfront North sub-precinct are not established in sub-precinct 1b - Waterfront North.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
PO27 The bulk and scale of buildings is consistent with surrounding development and steps down to complement the open space areas in the adjoining limited development sub-precinct.	AO27 Buildings and structures are not more than: (a) 3 storeys and 13.5 metres in height , with a roof height of not less than 3 metres, in those parts of the precinct south of Inlet Street; (b) 2 storeys and 8.5 metres in height, with a roof height of not less than 3 metres, in those parts of the precinct north of Inlet Street. Note – Height is inclusive of roof height.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
PO28	AO28	Not applicable

Performance outcomes	Acceptable outcomes	Compliance
Building design, streetscape, pedestrian paths and street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port Douglas Precinct.	No acceptable outcomes are prescribed.	This development is within Sub-precinct 1a – Town Centre sub-precinct.
PO29 Public pedestrian access along the water's edge is maximised.	AO29.1 Public pedestrian access is provided along the frontage of the water's edge consisting of a boardwalk of a minimum width of 4 metres that is available of 24-hour use.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
	AO29.2 A public plaza is incorporated into the design generally reflecting the requirements of the Port Douglas Waterfront Master Plan, focussing in the vicinity of the 'Duck Pond'.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
	AO29.3 Built envelopes are setback a minimum of 3.0 metres from the board walk, with a shelter/shade zone between the building envelopes and the boardwalk consisting of shade structure, canopies, verandahs and the like.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
PO30 Buildings: (a) address street frontages; (b) ensure main entrances front the street or public spaces.	AO30 No acceptable outcomes are prescribed.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
PO31 Setbacks at ground level provide for: (a) connection between pedestrian paths and public	AO31 Setbacks at ground level:	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
places; (b) areas for convenient movement of pedestrians; (c) changes in gradient.	(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.	
PO32 Buildings do not result in a reduction of views and vistas from public places to: (a) Dickson Inlet; (b) public open space; (c) places of significance.	AO32 No acceptable outcomes are prescribed.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
PO33 Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at ground level including shade protection across the footpath and open space areas.	AO33 No acceptable outcomes are prescribed.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
PO34 Development is predominantly commercial in nature with any tourist accommodation having a secondary focus and not located on the street-level frontage where active frontages are encouraged as identified the Port Douglas local plan maps contained in Schedule 2.	AO34.1 Centre activities establish: (a) at street level on active street frontages; (b) a maximum of one level above street level.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
	AO34.2 Residential development activities or short term accommodation is located above street /ground floor level of the active frontage, but not on or up to the street / public frontage in any development, including mixed	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.

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

Performance outcomes	Acceptable outcomes	Compliance
<p>architectural distinction of the building and create a coherent roofscape for the Waterfront North sub-precinct;</p> <p>(b) service structures, lift motor rooms and mechanical plant and equipment are designed as an architectural feature of the building or are screened from public view;</p> <p>(c) rooftops are not used for advertising.</p>		
<p>PO38</p> <p>Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to:</p> <p>(a) shade windows;</p> <p>(b) reduce glare;</p> <p>(c) assist in maintaining comfortable indoor temperatures;</p> <p>(d) minimising heat loads;</p> <p>(e) enriching the North Queensland tropical character of the Waterfront North sub-precinct;</p> <p>(f) architectural interest to building façades.</p>	<p>AO38</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>This development is within Sub-precinct 1a – Town Centre sub-precinct.</p>
<p>PO39</p> <p>Buildings are finished with high quality materials, selected for:</p> <p>(a) their ability to contribute the character of Waterfront North sub-precinct;</p> <p>(b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate.</p>	<p>AO39</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>This development is within Sub-precinct 1a – Town Centre sub-precinct.</p>
<p>PO40</p>	<p>AO40</p>	<p>Not applicable</p>

Performance outcomes	Acceptable outcomes	Compliance
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.	No acceptable outcomes are prescribed.	This development is within Sub-precinct 1a – Town Centre sub-precinct.
PO41 Façades and elevations do not include large blank walls and openings and setbacks are used to articulate vertical building surfaces.	AO41.1 Development has a maximum length of unbroken building facade of 20 metres and a maximum extent of overall development in the same style/design along the street frontage/s of 40 metres.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
	AO41.2 Any break in the building façade varies the alignment by a 1 metre minimum deviation.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
	AO41.3 A minimum of three of the following building design features and architectural elements detailed below are incorporated to break the extended facade of a development: (a) a change in roof profile; (b) a change in parapet coping; (c) a change in awning design; (d) a horizontal or vertical change in the wall plane; or (e) a change in the exterior finishes and exterior colours of the development.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
PO42 Building facades that face public spaces at ground level: (a) complement the appearance of the development and surrounding streetscape;	AO42 Building facades at the ground floor of development that face public space are designed to ensure: (a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
(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.	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.	
PO43 Awnings for pedestrian shelter are consistent with the character setting of the Waterfront North sub-precinct and: (a) extend and cover the footpath to provide protection from the sun and rain; (b) include lighting under the awning; (c) are continuous across pedestrian circulation areas; (d) align to provide continuity with existing or future awnings on adjoining sites; (e) are a minimum of 3 metres in width and generally not more than 3.5 metres above pavement height; (f) do not extend past a vertical plane, 1.2 metres inside the street kerb-line to enable street trees to be planted and grow; (g) are cantilevered from the main building with any posts within the footpath being non load-bearing.	AO43 No acceptable outcomes are prescribed.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
PO44 The Balley Hooley rail line and turn-table is retained and incorporated into development and maintains its functionality.	AO44.1 Bally Hooley rail line and turn-table is retained and incorporated into development to maintain its functionality.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
	AO44.2 Where development provides floor area for the Bally Hooley rail station, the gross floor area of the rail line and station does not generate a requirement for additional vehicle parking.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
PO45 Development recognises the importance of and relationship between the marina, commercial and residential development in the Waterfront North sub-precinct, and includes measures to mitigate the impact of: (a) noise; (b) odour; (c) hazardous materials; (d) waste and recyclable material storage.	AO45 No acceptable outcomes are prescribed.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
PO46 Formalised public spaces and pedestrian paths/areas on freehold land are made accessible to the public.	AO46 No acceptable outcomes are prescribed.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
PO47 Buildings, civic spaces, roads and pedestrian links are enhanced by: (a) appropriate landscape design and planting; (b) themed planting that defines entry points, and creates strong 'entry corridors' into the waterfront; (c) lighting and well-considered discrete signage that complements building and landscape design; (d) public artwork and other similar features that reflect the heritage and character of the Port Douglas	AO47 No acceptable outcomes are prescribed.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
Waterfront.		
PO48 Buildings are designed and sited to provide vistas along shared pedestrian/open space and movement areas in suitable locations.	AO48 No acceptable outcomes are prescribed.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
PO49 Development does not diminish the viability of marine-based industrial uses that directly serve the Port Douglas tourist and fishing operators and private boat owners, particularly with respect to the slipway operation.	AO49 No acceptable outcomes are prescribed.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
PO50 Marine infrastructure to service the tourism, fishing and private boating community is provided.	AO50 No acceptable outcomes are prescribed.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
PO51 Changes to the Port Douglas Waterfront quay-line do not cause adverse impacts to the environmentally sensitive Dickson Inlet.	AO51 Development that results in changes to the Port Douglas Waterfront quay-line is only established where an Ecological assessment report provides support to the changes. Note - Planning scheme policy SC6.8 – Natural environment provides guidance on preparing an ecological assessment report.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
Additional requirements for Sub-precinct 1c – Waterfront South sub-precinct		
PO52 The establishment of uses is consistent with the	AO52 Uses identified as inconsistent uses Table 7.2.4.4.c –	Not applicable This development is within Sub-precinct 1a – Town

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

Performance outcomes	Acceptable outcomes	Compliance
	not less than 3 metres.	Centre sub-precinct.
PO56 The site coverage of all buildings and structures ensures development: <ul style="list-style-type: none"> (a) is sited in an existing cleared area or in an area approved for clearing; (b) has sufficient area for the provision of services; (c) development does not have an adverse effect on the environmental, habitat, conservation or landscape values of the on-site and surrounding sensitive areas. 	AO56 No acceptable outcomes are prescribed.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
PO57 Premises include adequate provision for service vehicles, to cater for generated demand. Loading areas for service vehicles are designed to: <ul style="list-style-type: none"> (a) be accommodated on-site; (b) maximise safety and efficiency of loading; (c) protect the visual and acoustic amenity of sensitive land use activities; (d) minimise adverse impacts on natural characteristics of adjacent areas. 	AO57.1 Sufficient manoeuvring area is provided on-site to allow a Medium Rigid Vehicle to enter and leave the site in a forward gear.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
	AO57.2 Development is designed to ensure all service vehicles are contained within the site when being loaded/unloaded.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
	AO57.3 Driveways, parking and manoeuvring areas are constructed and maintained to: <ul style="list-style-type: none"> (a) minimise erosion from storm water runoff; (b) retain all existing vegetation. 	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
PO58 Development ensures adverse impacts from service vehicles on the road network, external to the site, are minimised.	AO58 No acceptable outcomes are prescribed.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
PO59 Entry to the site is landscaped to enhance the amenity of the area and provide a pleasant working environment.	AO59 Areas used for loading and unloading, storage, utilities and car parking are screened from public view: (a) by a combination of landscaping and screen fencing; (b) dense planting along any road frontage is a minimum width of 3 metres.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
PO60 Landscaping is informal in character and complementary to the existing natural environment, provides screening and enhances the visual appearance of the development.	AO60 For any development landscaping is in accordance with the Plant species schedule in Planning scheme policy SC6.7– Landscaping.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
Additional requirements for Sub-precinct 1d – Limited Development sub-precinct		
PO61 The height of buildings and structures contributes to the desired form and outcomes for the sub-precinct and are limited to a single storey.	AO61 Buildings and structures are not more than one storey and 4 metres in height. Note - Height is inclusive of the roof height.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
Additional requirements for Sub-precinct 1e – Community and recreation sub-precinct		
PO62 The precinct is developed for organised sporting	AO62 No acceptable outcomes are prescribed.	Not applicable This development is within Sub-precinct 1a – Town

Performance outcomes	Acceptable outcomes	Compliance
activities and other community uses.		Centre sub-precinct.
Additional requirements for Sub-precinct 1f – Flagstaff Hill sub-precinct		
PO63 Flagstaff Hill is protected from inappropriate development to protect the hill as an important natural landmark feature of Port Douglas and as a vegetated backdrop to the Town centre.	AO63 No acceptable outcomes are prescribed.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
PO64 All development on Flagstaff Hill is designed to minimise the visibility of the development and to ensure development is subservient to the natural landscape and topography of the site, including through: <ul style="list-style-type: none"> (a) building design which minimises excavation and filling; (b) buildings being designed to step down the site and incorporate foundations and footings on piers or poles; (c) buildings being visually unobtrusive and incorporating exterior finishes and muted colours which are non-reflective and complement the colours of the surrounding vegetation and viewshed; (d) protection of the views from public viewing points in the Port Douglas precinct. 	AO64 No acceptable outcomes are prescribed.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
Additional requirements for Precinct 3 – Craiglie Commercial and Light Industry precinct		
PO65 Development supports the tourism and marine industries in Port Douglas, along with the small-scale	AO65 Development consists of service and light industries and	Not applicable This development is within Sub-precinct 1a – Town

Performance outcomes	Acceptable outcomes	Compliance
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.	associated small scale commercial activities.	Centre sub-precinct.
PO66 Development on lots adjacent to the Captain Cook Highway is sited, designed and landscaped to provide an attractive visual approach to Port Douglas with all buildings, structures and car parking areas setback a sufficient distance from the frontage to enable landscaping to soften or screen the appearance of the development.	AO66.1 Buildings and structures are setback 8 metres from the Captain Cook Highway frontage, or no closer to the Captain Cook Highway frontage than buildings and structures on adjoining sites (averaged), whichever is the greater.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
	AO66.2 The setback area to the Captain Cook Highway frontage is landscaped with advanced dense planting including tree species (100 litre bag stock), which will, at maturity, exceed the height of the building(s) on the site.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
	AO66.3 Advertising signs are discreet in appearance with no large advertising signs, including tenancy signs, located on or near the Captain Cook Highway frontage, or within any landscaped setback area	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
	AO66.4 Car parking areas, loading and other service areas are designed to be screened from the Captain Cook Highway and are located so as to not be visually prominent from the Captain Cook Highway.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.
Additional requirements for Precinct 6 – Very Low Residential Density / Low Scale Recreation / Low Scale Educational / Low Scale Entertainment Uses precinct		
PO67	AO67	Not applicable This development is within Sub-precinct 1a – Town

Performance outcomes	Acceptable outcomes	Compliance
No additional lots are created within the precinct.	No acceptable outcomes are prescribed.	Centre sub-precinct.
PO68 Reconfigured lots have a minimum lot size of 2 hectares, unless the lot reconfiguration transfers lots to the higher parts of the land, to avoid the need to fill existing lots to accommodate dwelling houses.	AO68 No acceptable outcomes are prescribed.	Not applicable This development is within Sub-precinct 1a – Town Centre sub-precinct.

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

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

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

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

8.2.1 Acid sulfate soils overlay code

8.2.1.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Acid sulfate soils overlay, if:
 - (a) self-assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
 - (b) impact assessable development.
- (2) Land in the Acid sulphate soils overlay is identified on the Acid sulfate soils overlay map in Schedule 2 and includes the following sub-categories:
 - (a) Land at or below the 5m AHD sub-category;
 - (b) Land above the 5m AHD and below the 20m AHD sub-category.
- (3) When using this code, reference should be made to Part 5.

8.2.1.2 Purpose

- (1) The purpose of the acid sulfate soils overlay code is to:
 - (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 2: Environment and landscape values, Element 3.5.4 Coastal zones.
 - (ii) Theme 3: Natural resource management, Element 3.6.2 land and catchment management, Element 3.6.3 Primary production, forestry and fisheries.
- (2) enable an assessment of whether development is suitable on land within the Acid sulfate soils overlay sub-categories.
- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Development ensures that the release of any acid and associated metal contaminant is avoided by not disturbing acid sulfate soils when excavating, removing soil or extracting ground water or filling land;
 - (b) Development ensures that disturbed acid sulphate soils, or drainage waters, are treated and, if required, on-going management practices are adopted that minimise the potential for environmental harm from acid sulfate soil and protect corrodible assets from acid sulfate soil.

8.2.1.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
For assessable development		
PO1	AO1.1	Complies with AO1.1

Performance outcomes	Acceptable outcomes	Compliance
The extent and location of potential or actual acid sulfate soils is accurately identified.	<p>No excavation or filling occurs on the site.</p> <p>or</p> <p>AO1.2</p> <p>An acid sulfate soils investigation is undertaken.</p> <p>Note - Planning scheme policy SC 6.12– Potential and actual acid sulfate soils provides guidance on preparing an acid sulfate soils investigation.</p>	No filling or excavation is proposed as part of this development.
<p>PO2</p> <p>Development avoids disturbing potential acid sulfate soils or actual acid sulfate soils, or is managed to avoid or minimise the release of acid and metal contaminants.</p>	<p>AO2.1</p> <p>The disturbance of potential acid sulfate soils or actual acid sulfate soils is avoided by:</p> <ul style="list-style-type: none"> (a) not excavating, or otherwise removing, soil or sediment identified as containing potential or actual acid sulfate soils; (b) not permanently or temporarily extracting groundwater that results in the aeration of previously saturated acid sulfate soils; (c) not undertaking filling that results in: (d) actual acid sulfate soils being moved below the water table; (e) previously saturated acid sulfate soils being aerated. <p>or</p> <p>AO2.2</p> <p>The disturbance of potential acid sulfate soils or actual acid sulfate soils is undertaken in accordance with an acid sulfate soils management plan and avoids the release of metal contaminants by:</p> <ul style="list-style-type: none"> (a) neutralising existing acidity and preventing the generation of acid and metal contaminants; (b) preventing the release of surface or groundwater flows containing acid and metal contaminants into 	<p>Complies with AO2.1</p> <p>There would be no excavation, soil removing, groundwater extracting or filling proposed as part of this development.</p>

Performance outcomes	Acceptable outcomes	Compliance
	<p>the environment;</p> <p>(c) preventing the in situ oxidisation of potential acid sulfate soils and actual acid sulfate soils through ground water level management;</p> <p>(d) appropriately treating acid sulfate soils before disposal occurs on or off site;</p> <p>(e) documenting strategies and reporting requirements in an acid sulfate soils environmental management plan.</p> <p>Note - Planning scheme policy SC 6.12 – Acid sulfate soils provides guidance on preparing an acid sulfate soils management plan.</p>	
<p>PO3</p> <p>No environmental harm is caused as a result of exposure to potential acid sulfate soils or actual acid sulfate soils.</p>	<p>AO3</p> <p>No acceptable outcomes are prescribed.</p>	<p>Complies with PO3</p> <p>There would be no exposure to potential or actual acid sulfate soils as a result of the development application as there are no physical works proposed.</p>

8.2.2 Bushfire hazard overlay code

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

8.2.2.1 Application

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

8.2.2.2 Purpose

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

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

8.2.2.3 Criteria for assessment

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

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

Performance outcomes	Acceptable outcomes	Compliance
<p>PO4.1</p> <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/m² at the edge of the proposed lot(s).</p> <p>Note - “Urban purposes” and “urban area” are defined in the <i>Sustainable Planning Regulations 2009</i>. Reconfiguration will be taken to be for rural residential purposes where proposed lots are between 2000m² and 2ha in area. “Smaller scale” rural residential purposes will be taken to be where the average proposed lot size is 6000m² or less.</p> <p>Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.</p>	<p>AO4.1</p> <p>No new lots are created within a bushfire hazard sub-category.</p> <p>or</p>	<p>Not applicable</p> <p>This development application is for a material change of use only.</p>
<p>PO4.2</p> <p>Where reconfiguration is undertaken for other purposes, a building envelope of reasonable dimensions is provided on each lot which achieves radiant heat flux level of 29kW/m² at any point.</p>	<p>AO4.2</p> <p>Lots are separated from hazardous vegetation by a distance that:</p> <p>(a) achieves radiant heat flux level of 29kW/m² at all boundaries; and</p> <p>(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</p>	<p>Not applicable</p> <p>This development application is for a material change of use only.</p>

Performance outcomes	Acceptable outcomes	Compliance
	within the planning scheme require protection of certain ecological, slope, visual or character features or functions.	
PO5 Where reconfiguration is undertaken in an urban area or is for urban purposes, a constructed perimeter road with reticulated water supply is established between the lots and the hazardous vegetation and is readily accessible at all times for urban fire fighting vehicles. The access is available for both fire fighting and maintenance/defensive works.	AO5.1 Lot boundaries are separated from hazardous vegetation by a public road which: <ul style="list-style-type: none"> (a) has a two lane sealed carriageway; (b) contains a reticulated water supply; (c) is connected to other public roads at both ends and at intervals of no more than 500m; (d) accommodates geometry and turning radii in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (e) has a minimum of 4.8m vertical clearance above the road; (f) is designed to ensure hydrants and water access points are not located within parking bay allocations; and (g) incorporates roll-over kerbing. 	Not applicable This development application is for a material change of use only.
	AO5.2 Fire hydrants are designed and installed in accordance with AS2419.1 2005, unless otherwise specified by the relevant water entity. Note - Applicants should have regard to the relevant standards set out in the reconfiguration of a lot code and works codes in this planning scheme.	Not applicable This development application is for a material change of use only.
PO6 Where reconfiguration is undertaken for smaller scale	AO6 Lot boundaries are separated from hazardous	Not applicable This development application is for a material change of

Performance outcomes	Acceptable outcomes	Compliance
<p>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>vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> (a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (f) a maximum gradient of 12.5%; (g) a cross fall of no greater than 10 degrees; (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy; (i) vehicular access at each end which is connected to the public road network at intervals of no more than 500m; (j) designated fire trail signage; (k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and (l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services. 	<p>use only.</p>
<p>PO7</p> <p>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</p>	<p>AO7</p> <p>Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> (a) a reserve or easement width of at least 20m; 	<p>Not applicable</p> <p>This development application is for a material change of use only.</p>

Performance outcomes	Acceptable outcomes	Compliance
<p>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>	<ul style="list-style-type: none"> (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (f) a maximum gradient of 12.5%; (g) a cross fall of no greater than 10 degrees; (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy; (i) vehicular access at each end which is connected to the public road network; (j) designated fire trail signage; (k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and (l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services. 	
<p>PO8</p> <p>The development design responds to the potential threat of bushfire and establishes clear evacuation routes which demonstrate an acceptable or tolerable risk to people.</p>	<p>AO8</p> <p>The lot layout:</p> <ul style="list-style-type: none"> (a) minimises the length of the development perimeter exposed to, or adjoining hazardous vegetation; (b) avoids the creation of potential bottle-neck points in the movement network; (c) establishes direct access to a safe assembly 	<p>Not applicable</p> <p>This development application is for a material change of use only.</p>

Performance outcomes	Acceptable outcomes	Compliance
	<p>/evacuation area in the event of an approaching bushfire; and</p> <p>(d) ensures roads likely to be used in the event of a fire are designed to minimise traffic congestion.</p> <p>Note - For example, developments should avoid finger-like or hour-glass subdivision patterns or substantive vegetated corridors between lots.</p> <p>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.</p> <p>Advice from the Queensland Fire and Emergency Services (QFES) should be sought as appropriate</p>	
PO9 Critical infrastructure does not increase the potential bushfire hazard.	AO9 Critical or potentially hazardous infrastructure such as water supply, electricity, gas and telecommunications are placed underground.	Not applicable This development application is for a material change of use only.
Development design and separation from bushfire hazard – material change of use		
PO10 Development is located and designed to ensure proposed buildings or building envelopes achieve a radiant heat flux level at any point on the building or envelope respectively, of: (e) 10kW/m ² where involving a vulnerable use; or (f) 29kW/m ² otherwise. The radiant heat flux level is achieved by separation unless this is not practically achievable. Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.	AO10 Buildings or building envelopes are separated from hazardous vegetation by a distance that: (a) achieves a radiant heat flux level of at any point on the building or envelope respectively, of 10kW/m ² for a vulnerable use or 29kW/m ² otherwise; and (b) is contained wholly within the development site. Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation. For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages.	Not applicable The existing building is built to lot boundary and surrounding vegetation is maintained by owners of adjoining lots.

Performance outcomes	Acceptable outcomes	Compliance
	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>PO11</p> <p>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>AO11</p> <p>Development sites are separated from hazardous vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> (a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (f) a maximum gradient of 12.5%; (g) a cross fall of no greater than 10 degrees; (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy; (i) vehicular access at each end which is connected to the public road network which is connected to the public road network at intervals of no more than 500m; (j) designated fire trail signage; (k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and (l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire 	<p>Not applicable</p> <p>The proposed development would be contained within an existing lawful building.</p>

Performance outcomes	Acceptable outcomes	Compliance
	and Emergency Services.	
All development		
PO12 All premises are provided with vehicular access that enables safe evacuation for occupants and easy access by fire fighting appliances.	AO12 Private driveways: (a) do not exceed a length of 60m from the street to the building; (b) do not exceed a gradient of 12.5%; (c) have a minimum width of 3.5m; (d) have a minimum of 4.8m vertical clearance; (e) accommodate turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and (f) serve no more than 3 dwellings or buildings.	Not applicable The proposal would be contained within an existing building with existing access arrangements to Macrossan Street.
PO13 Development outside reticulated water supply areas includes a dedicated static supply that is available solely for fire fighting purposes and can be accessed by fire fighting appliances.	AO13 A water tank is provided within 10m of each building (other than a class 10 building) which: (a) is either below ground level or of non-flammable construction; (b) has a take off connection at a level that allows the following dedicated, static water supply to be left available for access by fire fighters: (i) 10,000l for residential buildings Note – A minimum of 7,500l is required in a tank and the extra 2,500l may be in the form of accessible swimming pools or dams. (ii) 45,000l for industrial buildings; and (iii) 20,000l for other buildings;	Not applicable This site is connected to Council's reticulated water supply network.

Performance outcomes	Acceptable outcomes	Compliance
	(c) includes shielding of tanks and pumps in accordance with the relevant standards; (d) includes a hardstand area allowing medium rigid vehicle (15 tonne fire appliance) access within 6m of the tank; (e) is provided with fire brigade tank fittings – 50mm ball valve and male camlock coupling and, if underground, an access hole of 200mm (minimum) to accommodate suction lines; and (f) is clearly identified by directional signage provided at the street frontage.	
PO14 Landscaping does not increase the potential bushfire risk.	AO14 Landscaping uses species that are less likely to exacerbate a bushfire event and does not increase fuel loads within separation areas.	Not applicable The site is an existing developed and landscaped site. No additional landscaping is proposed.
PO15 The risk of bushfire and the need to mitigate that risk is balanced against other factors (such as but not limited to, biodiversity or scenic amenity).	AO15 Bushfire risk mitigation treatments do not have a significant impact on the natural environment or landscape character of the locality where this has value.	Not applicable No bushfire treatments are proposed.

8.2.3 Coastal environment overlay code

8.2.3.1 Application

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

8.2.3.2 Purpose

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

8.2.3.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
PO1 No works other than coastal protection works extend seaward of the coastal building line	AO1 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.	Not applicable The site does not contain a coastal building line.
	AO1.2 Coastal protection works are only undertaken as a last resort where coastal erosion presents an immediate threat to public safety or existing buildings or structures and the property cannot be relocated or abandoned.	Not applicable This development does not propose coastal protection works.
	AO1.3 Coastal protection works are as far landward as practicable on the lot containing the property to the maximum extent reasonable.	Not applicable This development does not propose coastal protection works.
	AO1.4 Coastal protection work mitigates any increase in the coastal hazard.	Not applicable This development does not propose coastal protection works.
PO2 Where a coastal building line does not exist on a lot fronting the coast or a reserve adjoining the coast,	AO2 Where a coastal building line does not exist on a lot fronting the coast or a reserve adjoining the coast, development (including all buildings and structures	Not applicable The site does not contain a coastal building line.

Performance outcomes	Acceptable outcomes	Compliance
development is setback to maintain the amenity and use of the coastal resource.	such as swimming pools) and retaining walls are set back not less than 6 metres from the seaward boundary of the lot.	
For Assessable development - Erosion Prone Areas		
PO3 Development identifies erosion prone areas (coastal hazards).	AO3 No acceptable outcomes are prescribed.	Not applicable The development would not be located near any coastal hazards.
PO4 Erosion prone areas are free from development to allow for natural coastal processes.	AO4.1 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"> (a) community infrastructure where no suitable alternative location or site exists for this infrastructure; or (b) development that reflects the preferred development outcomes in accordance with the zoning of the site (i.e. in the Low density residential zone, a dwelling house is a preferred development outcome in accordance with the zoning of the site). 	Complies with AO4.1 Residential development is identified as one of the preferred development outcomes in the Centre Zone Code. A Multiple Dwelling development is consistent with residential development.
	AO4.2 Development involving existing permanent buildings and structures within an erosion prone area does not increase in intensity of its use by: <ul style="list-style-type: none"> (a) adding additional buildings or structures; or (b) incorporating a land use that will result in an increase in the number of people or employees occupying the site. 	Complies with AO4.2 The development is within an existing building and no additional buildings or structures are proposed and the development would not result in a net increase in the number of peoples visiting the site.

Performance outcomes	Acceptable outcomes	Compliance
Coastal Management Districts		
PO5 Natural processes and protective functions of landforms and vegetation are maintained.	AO5.1 Development within the coastal management district: <ul style="list-style-type: none"> (a) maintains vegetation on coastal land forms where its removal or damage may: <ul style="list-style-type: none"> (i) destabilise the area and increase the potential for coastal erosion, or (ii) interrupt the natural sediment trapping processes or dune or land building processes; (b) maintains sediment volumes of dunes and near-shore coastal landforms, or where a reduction in sediment volumes cannot be avoided, increased risks to development from coastal erosion are mitigated by location, design and construction and operating standards; (c) minimises the need for erosion control structures or riverine hardening through location, design and construction standards; (d) maintains physical coastal processes outside the development footprint for the development, including longshore transport of sediment along the coast; (e) reduces the risk of shoreline erosion for areas adjacent to the development footprint to the maximum extent feasible in the case of erosion control structures. 	Not applicable The site is not identified within a Coastal Management District.
	PO5.2	Not applicable

Performance outcomes	Acceptable outcomes	Compliance
	<p>Where development proposes the construction of an erosion control structure:</p> <ul style="list-style-type: none"> (a) it is demonstrated that it is the only feasible option for protecting permanent structures from coastal erosion; and (b) those permanent structures cannot be abandoned or relocated in the event of coastal erosion occurring. 	The site is not identified within a Coastal Management District.
	<p>PO5.3</p> <p>Development involving reclamation:</p> <ul style="list-style-type: none"> (a) does not alter, or otherwise minimises impacts on, the physical characteristics of a waterway or the seabed near the reclamation, including flow regimes, hydrodynamic forces, tidal water and riverbank stability; (b) is located outside active sediment transport area, or otherwise maintains sediment transport processes as close as possible to their natural state; (c) ensures activities associated with the operation of the development maintain the structure and condition of vegetation communities and avoid wind and water runoff erosion. 	<p>Not applicable</p> <p>The site is not identified within a Coastal Management District.</p>
<p>PO6</p> <p>Development avoids or minimises adverse impacts on coastal resources and their values to the maximum extent reasonable.</p>	<p>AO6.1</p> <p>Coastal protection work that is in the form of beach nourishment uses methods of placement suitable for the location that do not interfere with the long-term use of the locality, or natural values within or neighbouring the proposed placement site.</p> <p>and</p>	<p>Not applicable</p> <p>The site is not identified within a Coastal Management District.</p>

Performance outcomes	Acceptable outcomes	Compliance
	AO6.2 Marine development is located and designed to expand on or redevelop existing marine infrastructure unless it is demonstrated that it is not practicable to co-locate the development with existing marine infrastructure; and	Not applicable The development site is not located within a Coastal Management District.
	AO6.3 Measures are incorporated as part of siting and design of the development to maintain or enhance water quality to achieve the environmental values and water quality objectives outlined in the Environmental Protection (Water) Policy 2009. and	Not applicable The development site is not located within a Coastal Management District.
	AO6.4 Design and siting of development protects and retains identified ecological values and underlying ecosystem processes within the development site to the greatest extent practicable.	Not applicable The development site is not located within a Coastal Management District.
PO7 Development is to maintain access to and along the foreshore for general public access.	AO7.1 Development provides for regular access points for pedestrians including approved walking tracks, boardwalks and viewing platforms. and	Not applicable The development site is not located within a Coastal Management District.
	AO7.2 Development provides for regular access points for vehicles including approved roads and tracks. or	Not applicable The development site is not located within a Coastal Management District.

Performance outcomes	Acceptable outcomes	Compliance
	AO7.3 Development demonstrates an alternative solution to achieve an equivalent standard of performance.	Not applicable The development site is not located within a Coastal Management District.
PO8 Public access to the coast is appropriately located, designed and operated.	AO8.1 Development maintains or enhances public access to the coast. or	Not applicable The development site is not located within a Coastal Management District.
	AO8.2 Development is located adjacent to state coastal land or tidal water and minimises and offsets any loss of access to and along the foreshore within 500 metres. or	Not applicable The development site is not located within a Coastal Management District.
	AO8.3 Development adjacent to state coastal land or tidal water demonstrates an alternative solution to achieve an equivalent standard and quality of access.	Not applicable The development site is not located within a Coastal Management District.
PO9 Development adjacent to state coastal land or tidal water is located, designed and operated to: <ul style="list-style-type: none"> (a) maintain existing access to and along the foreshore; (b) minimise any loss of access to and along the foreshore, or (c) offset any loss of access to and along the foreshore by providing for enhanced alternative access in the general location. 	AO9.1 Development adjacent to state coastal land or tidal water: <ul style="list-style-type: none"> (a) demonstrates that restrictions to public access are necessary for: <ul style="list-style-type: none"> (i) the safe and secure operation of development; (ii) the maintenance of coastal landforms and coastal habitat; or (b) maintains public access (including public access infrastructure that has been approved 	Not applicable The development site is not located within a Coastal Management District.

Performance outcomes	Acceptable outcomes	Compliance
	<p>by the local government or relevant authority) through the site to the foreshore for:</p> <ul style="list-style-type: none"> (i) pedestrians via access points including approved walking tracks, boardwalks and viewing platforms; (ii) vehicles via access points including approved roads or tracks. 	
	<p>AO9.2</p> <p>Development adjacent to state coastal land or tidal water:</p> <ul style="list-style-type: none"> (a) is located and designed to: <ul style="list-style-type: none"> (i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, for example through the provision of esplanades or easement corridors to preserve future access; (ii) ensure emergency vehicles can access the area near the development. 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: <ul style="list-style-type: none"> (i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, and (ii) ensure emergency vehicles can access the area near the development. 	<p>Not applicable</p> <p>The development site is not located within a Coastal Management District.</p>
PO10	AO10.1	Not applicable

Performance outcomes	Acceptable outcomes	Compliance
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.	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 AO10.2 Development demonstrates an alternative solution to achieve an equivalent standard and quality of access.	The development site is not located within a Coastal Management District.
PO11 Development maintains public access to State coastal land by avoiding private marine development attaching to, or extending across, non-tidal State coastal land.	AO11 Private marine access structures and other structures such as decks or boardwalks for private use do not attach to or extend across State coastal land that is situated above high water mark.	Not applicable The development site is not located within a Coastal Management District.
PO12 Development in connection with an artificial waterway enhances public access to coastal waters.	AO12 The artificial waterway avoids intersecting with or connection to inundated land or leased land where the passage, use or movement of vessels in water on the land could be restricted or prohibited by the registered proprietor of the inundated land or leased land.	Not applicable The development site is not located within a Coastal Management District.
Coastal landscapes, views and vistas		
PO13 Development maintains and / or enhances natural coastal landscapes, views and vistas.	AO13 No acceptable outcomes are prescribed.	Not applicable The proposed development would remain of the same scale and magnitude as the existing development and would not affect landscapes, views or vistas.
PO14 Coastal settlements are consolidated through the concentration of development within the existing urban	AO14 No acceptable outcomes are prescribed.	Complies with PO14 The site is within the urban area.

Performance outcomes	Acceptable outcomes	Compliance
areas through infill and conserving the natural state of the coastal area outside existing urban areas.		
Private marine development		
PO15 Private marine development is to avoid attaching to, or extending across, non-tidal State coastal land.	AO15 Private marine development and other structures such as decks or boardwalks for private use do not attach to, or extend across, State coastal land that is situated above high water mark. Note – For occupation permits or allocations of State land, refer to the Land Act 1994.	Not applicable This development would not involve private marine development.
PO16 The location and design of private marine development does not adversely affect the safety of members of the public access to the foreshore.	AO16 Private marine development does not involve the erection or placement of any physical barrier preventing existing access, along a public access way to the foreshores.	Not applicable This development would not involve private marine development.
PO17 Private marine development is of a height and scale and size compatible with the character and amenity of the location.	AO17 Private marine development has regard to: <ul style="list-style-type: none"> (a) the height, scale and size of the natural features of the immediate surroundings and locality; (b) the height, scale and size of existing buildings or other structures in the immediate surroundings and the locality; (c) if the relevant planning scheme states that desired height, scale or size of buildings or other structures in the immediate surroundings or locality – the stated desired height, scale or size. 	Not applicable This development would not involve private marine development.

Performance outcomes	Acceptable outcomes	Compliance
	Note – The prescribed tidal works code in the Coastal Protection and Management Regulation 2003 outlines design and construction requirements that must be complied with.	
PO18 Private marine development avoids adverse impacts on coastal landforms and coastal processes.	AO18 Private marine development does not require the construction of coastal protection works, shoreline or riverbank hardening or dredging for marine access.	Not applicable This development would not involve private marine development.
For dry land marinas and artificial waterways		
PO19 Dry land marinas and artificial waterways: <ul style="list-style-type: none"> (a) avoid impacts on coastal resources; (b) do not contribute to the degradation of water quality; (c) do not increase the risk of flooding; (d) do not result in the degradation or loss of MSES; (e) do not result in an adverse change to the tidal prism of the natural waterway to which development is connected. (f) does not involve reclamation of tidal land other than for the purpose of: <ul style="list-style-type: none"> (i) coastal dependent development, public marine development; or (ii) community infrastructure, where there is no feasible alternative; or (iii) strategic ports, boat harbours or strategic airports and aviation facilities in accordance with a statutory land use plan; or 	AO19 No acceptable solutions are prescribed.	Not applicable This development would not involve dry land marinas or artificial waterways.

Performance outcomes	Acceptable outcomes	Compliance
(iv) coastal protection works or works necessary to protect coastal resources and processes.		

9.3.13 Multiple Dwelling, short term accommodation and retirement facility code

9.3.13.1 Application

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

9.3.13.2 Purpose

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

9.3.13.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
For assessable development		
Design		
PO1 The site has sufficient area and frontage to: <ol style="list-style-type: none"> (a) accommodate the scale and form of buildings considering site features; 	AO1.1 The site has a minimum area of 1000m ²	Complies with PO1 The site does not have an area of 1000m ² , however the use would be contained within an existing building with existing landscaping on site and balconies/verandahs would be extended to achieve open and outdoor space requirements.. On-site car parking is not available,

Performance outcomes	Acceptable outcomes	Compliance
(b) achieve communal open space areas and private outdoor spaces; (c) deliver viable areas of deep planting and landscaping to retain vegetation and protect or establish tropical planting; (d) achieve safe and convenient vehicle and pedestrian access; (e) accommodate on-site car parking and manoeuvring for residents, visitors and service providers	AO1.2 The site has a minimum frontage of 25 metres	however it is understood a financial contribution was made for the current development for 6 on-street car parking spaces. Complies with PO1 The site does not have a frontage of 25 metres; however the use would be contained within an existing building with existing landscaping on site and balconies/verandahs would be extended to achieve open and outdoor space requirements.. On-site car parking is not available, however it is understood a financial contribution was made for the current development for 6 on-street car parking spaces.
PO2 Development for large-scale multiple dwellings, short term accommodation and retirement villages contributes to the neighbourhood structure and integrates with the existing neighbourhood through: (a) the establishment and extension of public streets and pathways; (b) the provision of parks and other public spaces as appropriate to the scale of the development; (c) inclusion of a mix of dwelling types and tenures and forms; (d) buildings that address the street; (e) building height and setback transitions to adjoining development of a lower density or scale	AO2 Development on a site 5,000m ² or greater is in accordance with a structure plan. Note – Guidance on preparing a structure plan is provided within Planning scheme policy SC6.14 – Structure planning.	Not applicable The development site is not 5,000m ² or greater.
PO3 Development ensures that the proportion of buildings to	AO3.1 The site cover is not more than 40%	Complies with PO3 Site cover would be in the order of 60%; however, the development would be contained within an existing

Performance outcomes	Acceptable outcomes	Compliance									
open space is: (a) in keeping with the intended form and character of the local area and immediate streetscape; (b) contributes to the modulation of built form; (c) supports residential amenity including access to breezes, natural light and sunlight; (d) supports outdoor tropical living; (e) provides areas for deep tropical planting and / or for the retention of mature vegetation.		building on an existing developed and landscaped site. Private open space , in the form of verandahs would be provided to the dwelling units and to encourage outdoor living and the development would be consistent with the built form of the area.									
	AO3.2 The development has a gross floor area of not more than: <table><tr><th>Zone</th><th>Maximum GFA</th></tr><tr><td>Low-medium density residential</td><td>0.8 x site area</td></tr><tr><td>Medium density residential</td><td>1.2 x site area</td></tr><tr><td>Tourist accommodation</td><td>1.2 x site area</td></tr><tr><td>All other zones</td><td>No acceptable outcome specified.</td></tr></table>	Zone	Maximum GFA	Low-medium density residential	0.8 x site area	Medium density residential	1.2 x site area	Tourist accommodation	1.2 x site area	All other zones	No acceptable outcome specified.
Zone	Maximum GFA										
Low-medium density residential	0.8 x site area										
Medium density residential	1.2 x site area										
Tourist accommodation	1.2 x site area										
All other zones	No acceptable outcome specified.										
PO4 Development is sited so that the setback from boundaries: (a) provides for natural light, sunlight and breezes; (b) minimises the impact of the development on the amenity and privacy of neighbouring residents; (c) provides for adequate landscaping.	AO4.1 Buildings and structures are set back not less than 6 metres from a road frontage.	Not applicable This proposed development would not affect the existing front setback.									
	AO4.2 Buildings and structures are setback not less than 4 metres to the rear boundary	Not applicable The development would be contained within an existing and lawfully constructed building.									
	AO4.3 The side boundary setback for buildings and structures is:	Not applicable The development would be contained within an existing and lawfully constructed building.									

Performance outcomes	Acceptable outcomes	Compliance
	(a) for buildings up to 2 storeys not less than 2.5 metres for the entire building; (b) for buildings up to 3 storeys not less than 3.5 metres for the entire building.	
PO5 Building depth and form must be articulated to <ul style="list-style-type: none"> (a) ensure that the bulk of the development is in keeping with the form and character intent of the area; (b) provide adequate amenity for residents in terms of natural light and ventilation. Note – Planning scheme policy SC6.1 – Building design and architectural elements provides guidance on reducing building bulk.	AO5.1 (a) The maximum length of a wall in any direction is 30 metres with substantial articulation provided every 15 metres. (b) The minimum distance between buildings on a site is not less than 6 metres;	Not applicable The development would be contained within an existing and lawfully constructed building.
	AO5.2 The length of any continuous eave line does not exceed 18 metres.	Not applicable The development would be contained within an existing and lawfully constructed building.
PO6 Development reduces the appearance of building bulk, ensures a human-scale, demonstrates variations in horizontal and vertical profile and supports streetscape character.	AO6.1 Development incorporates a number of the following design elements: <ul style="list-style-type: none"> (a) balconies; (b) verandahs; (c) terraces; (d) recesses 	Complies with AO6.1 The existing development incorporates balconies and recesses which the proposed development would retain and increase in size.
	AO6.2 Development reduces building bulk by: <ul style="list-style-type: none"> (a) variation in building colours, materials and textures; (b) the use of curves, recesses, projections or variations in plan and elevation; 	Not applicable The development would be contained within an existing and lawfully constructed building.

Performance outcomes	Acceptable outcomes	Compliance
	(c) recession and projection of rooflines and the inclusion of interesting roof forms, such as cascading roof levels, gables, skillions or variations in pitch; (d) use of sun-shading devices and other façade features; (e) use of elements at a finer scale than the main structural framing of the building.	
PO7 Development provides a building that must define the street to facilitate casual surveillance and enhance the amenity of the street through: <ul style="list-style-type: none"> (a) orientation to the street; (b) front boundary setback; (c) balconies and windows to provide overlooking and casual surveillance; (d) building entrances. 	AO7.1 Development provides a building that is not set back further than 2m beyond the minimum required street front setback.	Not applicable The development would be contained within an existing and lawfully constructed building.
	AO7.2 Development provides balconies and windows from the primary living area that face and overlook the street or public space.	Complies with AO7.2 The existing development has balconies and windows that overlook the private communal courtyard and the existing retail development to the property frontage overlooks the street.
PO8 Buildings exhibit tropical design elements to support Douglas Shire's tropical climate, character and lifestyle.	AO8.1 Development has floor to ceiling heights of 2.7 metres;	Not applicable The building is lawfully existing and no changes regarding height are proposed.
	AO8.2 Buildings include weather protection and sun shading to all windows to all external doors and windows of habitable rooms.	Able to comply with AO8.2 The building currently includes glass windows for weather protection and overhanging eaves for sun shading to external doors and windows.
	AO8.3 Development incorporates deep recesses, eaves and sun-shading devices.	Complies with AO8.3 The existing building incorporates deep recesses at the building entrances and overhanging eaves that provide

Performance outcomes	Acceptable outcomes	Compliance
		sun-shading devices. The proposed development would retain these features.
	AO8.4 Western orientated facades are shaded using building and landscape elements, such as adjustable screens, awnings or pergolas or dense tropical planting.	Complies with AO8.4 The western facade would contain the existing and proposed balconies.
	AO8.5 Individual dwelling units are not located on both sides of an enclosed central corridor (i.e. not double banked).	Not applicable No central corridor is proposed.
PO9 Development minimises direct overlooking between buildings through appropriate building layout, location and the design of windows and balconies or screening devices. Note—Siting and building separation is used to minimise privacy screening requirements.	AO9.1 Development where the dwelling is located within 2 metres at ground level or 9 metres above ground level of a habitable room window or private open space of an existing dwelling house, ensures habitable rooms and any private outdoor spaces have: <ul style="list-style-type: none"> (a) an offset from the habitable room or private open space of the existing dwelling to limit direct outlook; or (b) sill heights a minimum of 1.5m above floor level; or (c) fixed obscure glazing in any part of the window below 1.5m above floor level; or (d) fixed external screens; or (e) in the case of screening for a ground floor level unit, fencing to a minimum 1.8m above the ground storey floor level. 	Not applicable No dwelling would be located within proximity of an existing dwelling house.
	AO9.2 Development where a direct view is available from	Not applicable This development would not provide direct view from

Performance outcomes	Acceptable outcomes	Compliance
	balconies, terraces, decks or roof decks into windows of habitable rooms, balconies, terraces or decks in an adjacent existing dwelling house, is screened from floor level to a height above 1.5m above floor level.	any part of one unit into a habitable room of another unit.
	AO9.3 Development provides screening devices that are solid translucent screens, perforated or slatted panels or fixed louvres that have a maximum of 25% openings, with a maximum opening dimension of 50mm, and that are permanent and durable. Note—The screening device is offset a minimum of 0.3m from the wall around any window. Note—Screening devices are hinged or otherwise attached to facilitate emergency egress	Not applicable The development would not result in direct views from a dwelling unit into the habitable room of another dwelling unit.
PO10 Development provides accessible and functional landscaping and recreation area for the benefit of residents/guests.	AO10 A minimum of 35% of the site is allocated as landscaping and recreation area	Complies with PO10 The development is the reuse of an existing building with limited opportunity for additional landscaping and recreation area. However, it is proposed to increase the size of balconies/verandahs to provide suitable accessible and functional recreation area for the benefit of the residents.
PO11 Landscaping must contribute positively to the amenity of the area, streetscape and public spaces.	AO11 Development provides landscaping as follows: <ul style="list-style-type: none"> (a) A dense landscape planting strip of at least 2 metres width suitable for deep planting is provided and maintained along all street frontages; (b) A dense landscape planting strip of at least 1.5 metres width suitable for deep planting is provided along all side and rear boundaries 	Not applicable The development is for the change of use of an existing lawfully constructed building with existing setbacks and limited opportunity for landscaping.

Performance outcomes	Acceptable outcomes	Compliance
PO12 The landscaping and recreation area provides for functional communal open space for all developments exceeding five dwellings on one site	AO12.1 Communal open space is provided at: (a) a minimum of 5% of site area or 50m ² whichever is the greater; and (b) a minimum dimension of 5 metres.	Not applicable This development would not exceed five dwellings.
	AO12.2 Development provides communal open space that: (a) is consolidated into one useable space; (b) where communal open space exceeds 100m ² , the communal open space may be split into two, and so forth incrementally.	Not applicable This development would not exceed five dwellings.
	AO12.3 Communal open space: (a) is a minimum of 50% open to the sky; (b) achieves 25% shading by trees in 5 years; (c) does not include vehicle driveways and manoeuvring; (d) does not contain surface structures such as rainwater tanks, fire hydrants, transformers or water boosters.	Not applicable This development would not exceed five dwellings.
	AO12.4 Communal open space is designed to provide for a range of facilities, typically including some, or all, of the following elements: (a) seating; (b) barbecue;	Not applicable This development would not exceed five dwellings.

Performance outcomes	Acceptable outcomes	Compliance
	(c) play equipment; (d) swimming pool; (e) communal clothes drying; (f) vegetable garden.	
	AO12.5 Development involving 5 or fewer dwellings on one lot can allocate additional private open space to a ground storey dwelling instead of providing communal open space.	Complies with AO12.5 It is proposed to provide an increased private open space in the form of extended balconies to the ground floor units.
PO13 Development must provide attractive and functional private open space for residents and guests.	AO13.1 Development provides private open space which: <ul style="list-style-type: none"> (a) for ground storey dwellings, comprises of a minimum area of 35m² with a minimum dimension of 3 metres; (b) for dwellings above ground storey, comprises of a balcony with minimum area of 12m² and a minimum dimension of 3 metres 	Complies with PO13 Whilst referred to as ground floor dwellings, given the topography of the site, the development would not provide any units that are truly ground floor units. Private open space is provided for each of the three units as balconies/verandahs with the following respective areas and dimensions: <ul style="list-style-type: none"> • Unit 1 – approx. 14.2m² with dimension of 4 metres x 2.8 metres; • Unit 2 – approx. 19m² with dimensions of 3.25 metres x 5.75 metres • Unit 3 – 21.24m² with dimensions of 11.8 metres x 1.8 metres. It is also important to note that the proposed development is for dwelling units within proximity of the open space and facilities that the Port Douglas Town Centre environment provides. The proposed open space is considered to be of a suitable size and dimensions to satisfy the requirements of the future residents.

Performance outcomes	Acceptable outcomes	Compliance
	AO13.2 Development provides private open space areas that are: <ul style="list-style-type: none"> (a) directly accessible from internal primary living area of the dwelling (not bedrooms); (b) provided with a screened area of 2m² minimum dimension capable of screening air conditioning plant, private clothes drying etc. (c) provided with adjustable, moveable or operable privacy screening where appropriate 	Complies with AO13.2 Private open space areas would be directly accessible from internal living areas and provided with areas for servicing if required.
	AO13.3 Development provides balconies that are located to the front or rear of the building except where adequate building separation can be achieved to maintain privacy.	Complies with AO13.3 The development provides private balconies at the building entrances with separate access staircases.
	AO13.4 Where secondary balconies are provided to a side of a building for additional amenity or services, such as clothes drying or to articulate facades, the setback may be reduced to the minimum setback, but these areas are not included in the calculation of private open space requirements.	Not applicable No secondary balconies are proposed as part of this development.
	AO13.5 Private open space: <ul style="list-style-type: none"> (a) does not include vehicle driveways and manoeuvring; (b) does not contain surface structures such as rainwater tanks, fire hydrants, transformers or water boosters 	Complies with AO13.5 Private open space does not include vehicle driveways or surface structures.

Performance outcomes	Acceptable outcomes	Compliance
PO14 Development provides front fencing and retaining walls that must: <ul style="list-style-type: none"> (a) facilitate casual surveillance of the street and public space; (b) enable use of private open space; (c) assist in highlighting entrances to the property; (d) provide a positive interface to the streetscape. 	AO14.1 Development ensures that, where fencing is provided, the height of any new fence located on any common boundary to a street or public space is a maximum of: <ul style="list-style-type: none"> (a) 1.2m, where fence construction is solid or less than 50% transparent; (b) 1.5m, where fence construction is at least 50% transparent; (c) 1.8m and solid only where the site is on an arterial road or higher order road. 	Not applicable No fencing is proposed as part of this development application.
	AO14.2 Development incorporating solid front fences or walls that front the street or other public spaces and are longer than 10m, indentations, material variation or landscaping is provided to add visual interest and soften the visual impact.	Not applicable This development application does not incorporate fences.
	AO14.3 Development for a retaining wall is: <ul style="list-style-type: none"> (a) stepped to minimise impact on the streetscape and pedestrian environment; (b) a maximum of 0.6m in height if directly abutting the edge of the adjoining road reserve verge 	Not applicable This development application does not propose retaining walls.
PO15 Development minimises light nuisances.	AO15 Outdoor lighting is in accordance with AS 4282- 1997 Control of the obtrusive effects of outdoor lighting.	Not applicable No outdoor lighting is proposed as part of this application.
PO16	AO16	Able to comply with PO16 Waste and recycle storage is able to be provided within

Performance outcomes	Acceptable outcomes	Compliance
<p>Waste and recyclable material storage areas are:</p> <ul style="list-style-type: none"> (a) convenient and accessible to residents and waste and recyclable material collection services; (b) located and designed to mitigate adverse impacts: <ul style="list-style-type: none"> (i) within the site; (ii) on adjoining properties; (iii) to the street. 	<p>Waste and recyclable material storage areas:</p> <ul style="list-style-type: none"> (a) are located on site; (b) are sited and designed to be unobtrusive and screened from view from the street frontage; (c) are imperviously sealed roofed and bunded, and contain a hose down area draining to Council's sewer network; (d) are of a sufficient size to accommodate bulk (skip) bins; (e) have appropriate access and sufficient on site manoeuvrability area for waste and recyclable material collection services <p>Note - The Environmental performance code contains requirements for waste and recyclable material storage</p>	<p>the communal court yard area on the site and potentially beneath the verandahs/balconies. It is unlikely, given the scale of the development, that a bulk bin facility will be required and sufficient area is available to store the number of 'wheelie' bins required.</p>
<p>PO17</p> <p>Development provides a secure storage area for each dwelling.</p>	<p>AO17</p> <p>A secure storage area for each dwelling:</p> <ul style="list-style-type: none"> (a) is located to enable access by a motor vehicle or be near to vehicle parking; (b) has a minimum space of 3.5m² per dwelling; (c) has a minimum height of 2 metres; (d) is weather proof; (e) is lockable; (f) has immunity to the 1% AEP inundation event. <p>Note – A cupboard within a unit will not satisfy this requirement</p>	<p>Able to comply with AO17</p> <p>No parking spaces would be provided as part of this development and there would be limited requirements for storage of gardening equipment etc. However, there would be opportunity for the provision of secure storage to meet the requirements of the residents beneath the verandahs or within the communal courtyard.</p>
Additional requirements for a Retirement facility		
<p>PO18</p> <p>Retirement facilities are located in areas which offer</p>	<p>AO18</p> <p>Retirement facilities are conveniently located in</p>	<p>Not applicable</p> <p>This application is not for a retirement facility.</p>

Performance outcomes	Acceptable outcomes	Compliance
convenience to residents, and are designed to be compatible with the locality and surrounding area in which they are located.	established areas close to public transport, shopping facilities and health care services.	
PO19 Retirement facilities are designed to provide for the amenity and security of residents.	AO19.1 The Retirement facility incorporates covered walkways wide enough to accommodate wheel chairs and ramps, and where necessary, provide on-site weather protection between all parts of the complex.	Not applicable This application is not for a retirement facility.
	AO19.2 Internal pathways have firm, well drained and non-slip surfaces.	Not applicable This application is not for a retirement facility..
	AO19.2 Security screens are provided to all dwelling units or residential rooms to ensure the safety and security of residents.	Not applicable This application is not for a retirement facility.
	AO19.3 An illuminated sign and site map of the layout of the development is located near the main entrance to the facility.	Not applicable This application is not for a retirement facility..
PO20 The internal layout of a Retirement facility and the location of the retirement facility allows for safe evacuation of residents in an emergency and provides emergency services to efficiently access the site.	AO20.1 The design of the Retirement facility ensures that external circulation and access and egress points on the site facilitate the evacuation of the site in an efficient manner.	Not applicable This application is not for a retirement facility.
	AO20.2 The site of a Retirement facility is not prone to	Not applicable This application is not for a retirement facility.

Performance outcomes	Acceptable outcomes	Compliance
	inundation.	
	AO20.3 The location of the Retirement facility is readily accessible to emergency vehicles.	Not applicable This application is not for a retirement facility.
PO21 The development is designed for the needs of the age group, and to allow 'aging in place' to occur.	AO21.1 Development applies adaptable housing principles.	Not applicable This application is not for a retirement facility.
	AO21.2 A range of housing designs and sizes are provided in the development to cater for different individual and household needs.	Not applicable This application is not for a retirement facility.

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	Compliance
For self-assessable and assessable development		
PO1	AO1.1	Complies with PO1

Performance outcomes	Acceptable outcomes	Compliance
<p>Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be generated by the use or uses of the site, having particular regard to:</p> <ul style="list-style-type: none"> (a) the desired character of the area; (b) the nature of the particular use and its specific characteristics and scale; (c) the number of employees and the likely number of visitors to the site; (d) the level of local accessibility; (e) the nature and frequency of any public transport serving the area; (f) whether or not the use involves the retention of an existing building and the previous requirements for car parking for the building (g) whether or not the use involves a heritage building or place of local significance; (h) whether or not the proposed use involves the retention of significant vegetation. 	<p>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.</p> <p>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.</p>	<p>No car parking is provided on-site in association with the existing or proposed use. The existing use of the site would require the provision of 1 space per 50sqm or six car parking spaces and the proposed development of a two bedroom unit is required to provide 3 spaces, according to the Acceptable Outcome.</p> <p>The proposed use creates a lesser demand for car parking than the existing use of the site and consequently would have a lesser impact than the current lawful use, which is currently accommodated within the existing environment. The proposed development is considered to comply with PO1 (f).</p> <p>It is also important to note that the existing development provided a financial contribution for 6 car parking spaces in lieu of on-site provision.</p>
	<p>AO1.2</p> <p>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.</p>	<p>Not applicable</p> <p>No car parking spaces are proposed.</p>
	<p>AO1.3</p> <p>Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.</p>	<p>Not applicable</p> <p>No car parking spaces are proposed.</p>
	<p>AO1.4</p> <p>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.</p>	<p>Not applicable</p> <p>No car parking spaces are proposed..</p>

Performance outcomes	Acceptable outcomes	Compliance
PO2 Vehicle parking areas are designed and constructed in accordance with relevant standards.	AO2 Vehicle parking areas are designed and constructed in accordance with Australian Standard: (a) AS2890.1; (b) AS2890.3; (c) AS2890.6.	Not applicable No car parking spaces are proposed.
PO3 Access points are designed and constructed: (a) to operate safely and efficiently; (b) to accommodate the anticipated type and volume of vehicles (c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate; (d) so that they do not impede traffic or pedestrian movement on the adjacent road area; (e) so that they do not adversely impact upon existing intersections or future road or intersection improvements; (f) so that they do not adversely impact current and future on-street parking arrangements; (g) so that they do not adversely impact on existing services within the road reserve adjacent to the site; (h) so that they do not involve ramping, cutting of the adjoining road reserve or any built structures (other than what may be necessary to cross over a stormwater channel).	AO3.1 Access is limited to one access cross over per site and is an access point located, designed and constructed in accordance with: (a) Australian Standard AS2890.1; (b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers.	Not applicable There are no access cross overs associated with this site or development.
	AO3.2 Access, including driveways or access crossovers: (a) are not placed over an existing: (i) telecommunications pit; (ii) stormwater kerb inlet; (iii) sewer utility hole; (iv) water valve or hydrant. (b) are designed to accommodate any adjacent footpath; (c) adhere to minimum sight distance requirements in accordance with AS2980.1.	Not applicable There are no accesses, driveways or access cross overs associated with this site or development.

Performance outcomes	Acceptable outcomes	Compliance
	AO3.3 Driveways are: <ul style="list-style-type: none"> (a) designed to follow as closely as possible to the existing contours, but are no steeper than the gradients outlined in Planning scheme policy SC6.5 – FNQROC Regional Development Manual; (b) constructed such that where there is a grade shift to 1 in 4 (25%), there is an area with a grade of no more than 1 in 6 (16.6%) prior to this area, for a distance of at least 5 metres; (c) on gradients greater than 1 in 6 (16.6%) driveways are constructed to ensure the cross-fall of the driveway is one way and directed into the hill, for vehicle safety and drainage purposes; (d) constructed such that the transitional change in grade from the road to the lot is fully contained within the lot and not within the road reserve; (e) designed to include all necessary associated drainage that intercepts and directs storm water runoff to the storm water drainage system. 	Not applicable There are no driveways associated with this site or development.
	AO3.4 Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.	Not applicable There are no driveways associated with this site or development.
PO4 Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.	AO4 The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.	Not applicable No car parking spaces are proposed.

Performance outcomes	Acceptable outcomes	Compliance
PO5 Access for people with disabilities is provided to the building from the parking area and from the street.	A05 Access for people with disabilities is provided in accordance with the relevant Australian Standard.	Not applicable Privately operated Multiple Dwellings do not require specific access for people with disabilities.
PO6 Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development.	A06 The number of on-site bicycle parking spaces complies with the rates specified in Error! Reference source not found..	Able to comply Table 9.4.1.3.b requires Multiple Dwellings to have 1 bicycle parking space per 3 units. A bicycle parking space is able to be provided within the communal courtyard.
PO7 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.	A07.1 Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers);	Not applicable This development does not require any end-of-trip facilities.
	A07.2 Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street.	Not applicable No visitor bicycle parking is required.
	A07.3 Development provides visitor bicycle parking which does not impede pedestrian movement.	Not applicable No visitor bicycle parking is required.
PO8 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,	A08 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;	Not applicable Walking or cycle routes through the site are not required.

Performance outcomes	Acceptable outcomes	Compliance
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) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site.	
PO9 Access, internal circulation and on-site parking for service vehicles are designed and constructed: (a) in accordance with relevant standards; (b) so that they do not interfere with the amenity of the surrounding area; (c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles.	AO9.1 Access driveways, vehicle manoeuvring and on-site parking for service vehicles are designed and constructed in accordance with AS2890.1 and AS2890.2.	Not applicable There are no driveways associated with this site or development.
	AO9.2 Service and loading areas are contained fully within the site.	Not applicable There are no driveways associated with this site or development.
	AO9.3 The movement of service vehicles and service operations are designed so they: (a) do not impede access to parking spaces; (b) do not impede vehicle or pedestrian traffic movement.	Not applicable There are no driveways associated with this site or development.
PO10 Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.	AO10.1 Development provides adequate area on-site for vehicle queuing to accommodate the demand generated by the development where drive through facilities or drop-off/pick-up services are proposed as part of the use, including, but not limited to, the following land uses: (a) car wash;	Not applicable This development does not propose drop-off/pick-up services.

Performance outcomes	Acceptable outcomes	Compliance
	(b) child care centre; (c) educational establishment where for a school; (d) food and drink outlet, where including a drive-through facility; (e) hardware and trade supplies, where including a drive-through facility; (f) hotel, where including a drive-through facility; (g) service station.	
	AO10.2 Queuing and set-down areas are designed and constructed in accordance with AS2890.1.	Not applicable This development does not propose drop-off/pick-up services.

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	Compliance
For self-assessable and assessable development		
Works on a local government road		

Performance outcomes	Acceptable outcomes	Compliance
PO1 Works on a local government road do not adversely impact on footpaths or existing infrastructure within the road verge and maintain the flow, safety and efficiency of pedestrians, cyclists and vehicles.	AO1.1 Footpaths/pathways are located in the road verge and are provided for the hierarchy of the road and located and designed and constructed in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	Not applicable No works are proposed on a local government road.
	AO1.2 Kerb ramp crossovers are constructed in accordance with Planning scheme policy SC 5 – FNQROC Regional Development Manual.	Not applicable No works are proposed on a local government road.
	AO1.3 New pipes, cables, conduits or other similar infrastructure required to cross existing footpaths: <ul style="list-style-type: none"> (a) are installed via trenchless methods; or (b) where footpath infrastructure is removed to install infrastructure, the new section of footpath is installed to the standard detailed in the Planning scheme policy SC5 – FNQROC Regional Development Manual, and is not less than a 1.2 metre section. 	Not applicable No works are proposed on a local government road.
	AO1.4 Where existing footpaths are damaged as a result of development, footpaths are reinstated ensuring: <ul style="list-style-type: none"> (a) similar surface finishes are used; (b) there is no change in level at joins of new and existing sections; (c) new sections are matched to existing in terms of dimension and reinforcement. 	Not applicable No works are proposed on a local government road.

Performance outcomes	Acceptable outcomes	Compliance
	Note – Error! Reference source not found. provides guidance on meeting the outcomes.	
	AO1.5 Decks, verandahs, stairs, posts and other structures located in the road reserve do not restrict or impede pedestrian movement on footpaths or change the level of the road verges.	Not applicable No works are proposed on a local government road.
Accessibility structures		
PO2 Development is designed to ensure it is accessible for people of all abilities and accessibility features do not impact on the efficient and safe use of footpaths. Note – Accessibility features are those features required to ensure access to premises is provided for people of all abilities and include ramps and lifts.	AO2.1 Accessibility structures are not located within the road reserve.	Not applicable No works are proposed on a local government road.
	AO2.2 Accessibility structures are designed in accordance with AS1428.3.	Not applicable Private Multiple Dwelling developments do not require accessibility structures.
	AO2.3 When retrofitting accessibility features in existing buildings, all structures and changes in grade are contained within the boundaries of the lot and not within the road reserve.	Not applicable No accessibility features are proposed as part of this development.
Water supply		
PO3 An adequate, safe and reliable supply of potable, fire fighting and general use water is provided.	AO3.1 The premises is connected to Council's reticulated water supply system in accordance with the Design Guidelines set out in Section D6 of the Planning	Complies with AO3.1 The development would retain its existing connection to Council's reticulated water supply system.

Performance outcomes	Acceptable outcomes	Compliance
	<p>scheme policy SC5 – FNQROC Regional Development Manual;</p> <p>or</p> <p>AO3.2</p> <p>Where a reticulated water supply system is not available to the premises, on site water storage tank/s with a minimum capacity of 10,000 litres of stored water, with a minimum 7,500 litre tank, with the balance from other sources (e.g. accessible swimming pool, dam etc.) and access to the tank/s for fire trucks is provided for each new house or other development. Tank/s are to be fitted with a 50mm ball valve with a camlock fitting and installed and connected prior to occupation of the house and sited to be visually unobtrusive.</p>	
Treatment and disposal of effluent		
<p>PO4</p> <p>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.</p>	<p>AO4.1</p> <p>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;</p> <p>or</p> <p>AO4.2</p> <p>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>.</p>	<p>Complies with AO4.1</p> <p>The subject site would retain its existing connections to Council's sewerage system.</p>

Performance outcomes	Acceptable outcomes	Compliance
Stormwater quality		
PO5 Development is planned, designed, constructed and operated to avoid or minimise adverse impacts on stormwater quality in natural and developed catchments by: <ul style="list-style-type: none"> (a) achieving stormwater quality objectives; (b) protecting water environmental values; (c) maintaining waterway hydrology. 	AO5.1 A connection is provided from the premises to Council's drainage system; or AO5.2 An underground drainage system is constructed to convey stormwater from the premises to Council's drainage system in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	Complies with AO5.1 The development would retain its existing connection to Council's stormwater drainage system.
	AO5.3 A stormwater quality management plan is prepared, and provides for achievable stormwater quality treatment measures meeting design objectives listed in Error! Reference source not found. and Error! Reference source not found. , reflecting land use constraints, such as: <ul style="list-style-type: none"> (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. 	Complies with AO5.3 The development would retain its existing connection to Council's stormwater drainage system.
	AO5.4 Erosion and sediment control practices are designed, installed, constructed, monitored, maintained, and carried out in accordance with an erosion and sediment	Not applicable No earthworks are proposed.

Performance outcomes	Acceptable outcomes	Compliance
	control plan.	
	AO5.5 Development incorporates stormwater flow control measures to achieve the design objectives set out in Table 9.4.5.3.b and Table 9.4.5.3.c, including management of frequent flows, peak flows, and construction phase hydrological impacts. Note – Planning scheme policy SC5 – FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i> . Note – During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.	Complies with AO5.35 The development would retain its existing connection to Council's stormwater drainage system.
Non-tidal artificial waterways		
PO6 Development involving non-tidal artificial waterways is planned, designed, constructed and operated to: (a) protect water environmental values; (b) be compatible with the land use constraints for the site for protecting water environmental values; (c) be compatible with existing tidal and non-tidal waterways; (d) perform a function in addition to stormwater management; (e) achieve water quality objectives.	AO6.1 Development involving non-tidal artificial waterways ensures: (a) environmental values in downstream waterways are protected; (b) any ground water recharge areas are not affected; (c) the location of the waterway incorporates low lying areas of the catchment connected to an existing waterway; (d) existing areas of ponded water are included.	Not applicable This development application does not involve a non-tidal artificial waterway.
	AO6.2 Non-tidal artificial waterways are located: (a) outside natural wetlands and any associated buffer	Not applicable This development application does not involve a non-tidal artificial waterway.

Performance outcomes	Acceptable outcomes	Compliance
	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.	Not applicable This development application does not involve a non-tidal artificial waterway.
	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.	Not applicable This development application does not involve a non-tidal artificial waterway.
	AO6.5 The end-use purpose of the non-tidal artificial waterway is designed and operated in a way that	Not applicable This development application does not involve a non-

Performance outcomes	Acceptable outcomes	Compliance
	protects water environmental values.	tidal artificial waterway.
	AO6.6 Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway.	Not applicable This development application does not involve a non-tidal artificial waterway.
	AO6.7 Aquatic weeds are managed to achieve a low percentage of coverage of the water surface area, and pests and vectors are managed through design and maintenance.	Not applicable This development application does not involve a non-tidal artificial waterway.
Wastewater discharge		
PO7 Discharge of wastewater to waterways, or off site: (a) meets best practice environmental management; (b) is treated to: (i) meet water quality objectives for its receiving waters; (ii) avoid adverse impact on ecosystem health or waterway health; (iii) maintain ecological processes, riparian vegetation and waterway integrity; (iv) offset impacts on high ecological value waters.	AO7.1 A wastewater management plan is prepared and addresses: (a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best practice environmental management.	Not applicable No wastewater would be discharged off-site or to waterways.
	AO7.2 The waste water management plan is managed in accordance with a waste management hierarchy that: (a) avoids wastewater discharge to waterways; or (b) if wastewater discharge cannot practicably be avoided, minimises wastewater discharge to waterways by re-use, recycling, recovery and	Not applicable No wastewater would be discharged off-site or to waterways.

Performance outcomes	Acceptable outcomes	Compliance
	treatment for disposal to sewer, surface water and ground water.	
	A07.3 Wastewater discharge is managed to avoid or minimise the release of nutrients of concern so as to minimise the occurrence, frequency and intensity of algal blooms.	Not applicable No wastewater would be discharged off-site or to waterways.
	A07.4 Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and: <ul style="list-style-type: none"> (a) avoids lowering ground water levels where potential or actual acid sulfate soils are present; (b) manages wastewater so that: <ul style="list-style-type: none"> (i) the pH of any wastewater discharges is maintained between 6.5 and 8.5 to avoid mobilisation of acid, iron, aluminium and other metals; (ii) holding times of neutralised wastewater ensures the flocculation and removal of any dissolved iron prior to release; (iii) visible iron floc is not present in any discharge; (iv) precipitated iron floc is contained and disposed of; (v) wastewater and precipitates that cannot be contained and treated for discharge on site are removed and disposed of through trade waste or another lawful method. 	Not applicable No wastewater would be discharged off-site or to waterways.

Performance outcomes	Acceptable outcomes	Compliance
Electricity supply		
PO8 Development is provided with a source of power that will meet its energy needs.	AO8.1 A connection is provided from the premises to the electricity distribution network; or AO8.2 The premises is connected to the electricity distribution network in accordance with the Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual. Note - Areas north of the Daintree River have a different standard.	Complies with AO8.1 The premises would maintain its existing connections to the electricity distribution network.
PO9 Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.	AO9.1 Pad-mount electricity infrastructure is: (a) not located in land for open space or sport and recreation purposes; (b) screened from view by landscaping or fencing; (c) accessible for maintenance.	Not applicable No pad-mount electricity infrastructure is proposed as part of this development.
	AO9.2 Pad-mount electricity infrastructure within a building, in a Town Centre is designed and located to enable an active street frontage. Note – Pad-mounts in buildings in activity centres should not be located on the street frontage.	Not applicable No pad-mount electricity infrastructure is proposed as part of this development
Telecommunications		

Performance outcomes	Acceptable outcomes	Compliance
PO10 Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.	AO10 The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.	Complies with AO10 The proposed development would retain its existing connections to telecommunications infrastructure.
PO11 Provision is made for future telecommunications services (e.g. fibre optic cable).	AO11 Conduits are provided in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	Not applicable No conduits are included in this development proposal.
Road construction		
PO12 The road to the frontage of the premises is constructed to provide for the safe and efficient movement of: (a) pedestrians and cyclists to and from the site; (b) pedestrians and cyclists adjacent to the site; (c) vehicles on the road adjacent to the site; (d) vehicles to and from the site; (e) emergency vehicles.	AO12.1 The road to the frontage of the site is constructed in accordance with the Design Guidelines set out in Sections D1 and D3 of the Planning scheme policy SC5 – FNQROC Regional Development Manual, for the particular class of road, as identified in the road hierarchy.	Not applicable No new roads are proposed.
	AO12.2 There is existing road, kerb and channel for the full road frontage of the site.	Not applicable No new roads are proposed.
	AO12.3 Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for the safe passage of emergency vehicles.	Not applicable No new roads are proposed.
Alterations and repairs to public utility services		

Performance outcomes	Acceptable outcomes	Compliance
PO13 Infrastructure is integrated with, and efficiently extends, existing networks.	AO13 Development is designed to allow for efficient connection to existing infrastructure networks.	Complies with AO13 The development would allow for the continued connection to existing infrastructure networks.
PO14 Development and works do not affect the efficient functioning of public utility mains, services or installations.	AO14.1 Public utility mains, services and installations are not required to be altered or repaired as a result of the development; or AO14.2 Public utility mains, services and installations are altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	Not applicable No alterations or repairs would be needed for public utility services as the development would maintain its existing connections to necessary services.
Construction management		
PO15 Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be retained.	AO15 Works include, at a minimum: (a) installation of protective fencing around retained vegetation during construction; (b) erection of advisory signage; (c) no disturbance, due to earthworks or storage of plant, materials and equipment, of ground level and soils below the canopy of any retained vegetation; (d) removal from the site of all declared noxious weeds.	Able to comply with AO15 If construction works are necessary for patio extensions then installation of protective measures can be implemented. Council may wish to condition as appropriate.

Performance outcomes	Acceptable outcomes	Compliance
PO16 Existing infrastructure is not damaged by construction activities.	AO16 Construction, alterations and any repairs to infrastructure is undertaken in accordance with the Planning scheme policy SC5 – FNQROC Regional Development Manual. Note - Construction, alterations and any repairs to State-controlled roads and rail corridors are undertaken in accordance with the Transport Infrastructure Act 1994.	Complies with AO16 Any construction, alteration or repairs would be undertaken in accordance with the FNQROC Regional Development Manual.
For assessable development		
High speed telecommunication infrastructure		
PO17 Development provides infrastructure to facilitate the roll out of high speed telecommunications infrastructure.	AO17 No acceptable outcomes are prescribed.	Not applicable The development would retain its existing high speed telecommunications infrastructure.
Trade waste		
PO18 Where relevant, the development is capable of providing for the storage, collection treatment and disposal of trade waste such that: (a) off-site releases of contaminants do not occur; (b) the health and safety of people and the environment are protected; (c) the performance of the wastewater system is not put at risk.	AO18 No acceptable outcomes are prescribed.	Not applicable The development would be for residential purposes only therefore it would not involve trade waste.

Performance outcomes	Acceptable outcomes	Compliance
Fire services in developments accessed by common private title		
PO19 Hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	AO19.1 Residential streets and common access ways within a common private title places hydrants at intervals of no more than 120 metres and at each intersection. Hydrants may have a single outlet and be situated above or below ground.	Complies with AO19.1 The existing development provides the required hydrant access.
	AO19.2 Commercial and industrial streets and access ways within a common private title serving commercial properties such as factories and warehouses and offices are provided with above or below ground fire hydrants located at not more than 90 metre intervals and at each intersection. Above ground fire hydrants have dual-valved outlets.	Not applicable No commercial or industrial streets or accessways are proposed.
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.	Complies with PO20 Existing fire control measures would be maintained for the proposed development.